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**THE TRAIL OF SOCRATES:
SEARCHING NEW ANSWERS FOR ETERNAL QUESTIONS
(Review of Grygoriy Demidenko's book "The Trail of Socrates"¹)**

In 399 BC a judgment was held in Athens over Socrates. Socrates was sentenced to death. This was the first case when a democratic court applied the highest degree of punishment to the philosopher because of his dissent and educational activities. Since then, disputes between lawyers, philosophers, and historians about the legality and fairness of the verdict of jury judges for the Athenian sage have been subsided and then flared up again.

Attempts have been made repeatedly to reconstruct this memorable process and to "revise" the verdict. On May 12, 2011, at the premises of the New York Court at the initiative of the Onassis Foundation, this historic reconstruction was carried out, attended by several leading American and European judges and lawyers. As a result of improvised litigation, most judges and jurors from the audience issued a verdict against Socrates. A year later in Athens another "trial" took place over the sage. The opinions of ten judges on the legality of the proceedings and the sentences of ancient Greek Gelioms this time were divided equally, most of the spectators agreed with her verdict. Both reconstructions – in Greece and the United States – confirmed the complexity and ambiguity of court judgments over the ancient Greek philosopher and the pronounced the sentence, as well as the continuing interest of our contemporaries in the personality and tragic fate of the thinker.

The author of the popular science essay "The Trail of Socrates" seeks, on the basis of the latest knowledge of ancient Greek democracy and the proceedings in it, the written sources and literature on Socrates, to reproduce the pages of his biography, to present an impartial and complete picture of the trial of him, as well as to give his own an assessment of contemporary reconstruction of the judgment of the sage [1; 2; 3]. The author-historian had to carry out a large volume of legal work – to consider the history of pre-trial investigation, to recreate its preparatory part, the course of court debates, to analyze the evidence provided by the parties, and the process of

¹ Demidenko, G. G. (2018). *The trial of Socrates: a popular science essay*. Kharkov: Pravo.

proofs, the order of the establishment of a sentence, etc. (pp. 13–27, 377–423). In the book, for the first time, almost completely judicial speeches by Socrates are filed, as they were recorded in memory of Plato, who was present at the court, and Xenophon. It is in them that the author tries to find a solution to the causes and motives of the charges, the attitude of the accused to the process, the composition of the court, the very sentence. The author substantiated the shortcomings of the Athenian process: the litigation was limited in time (lasted one day); the defendant was deprived of the possibility of involving witnesses in the process and legal assessment of their testimony; there was also a violation of the right to defend and appeal against an unwarranted decision. And the main thing – the trial by the unprofessional composition of judges elected by ordinary citizens did not actually given an answer the most important questions – the presence of the crime and the guilty of the defendant, by putting of condemnation, which was the warn for citizens of the policy from criticism of democracy, dissent and godlessness.

Quite interesting for lawyers are the pages of the book, where the author consistently reproduces the stages of the trial of Socrates, who in the court debate tried to help the jury in establishing the truth, cited facts of the absence of crime in his many years of well-known to Athenians the educational activities, called for an unbiased assessment of the facts and a fair court decision. But everything turned out to be useless – the overwhelming majority of jurors were guided by a persistent prejudice regarding the danger of the philosophy of the sophists, to which number the indiscriminate but tenacious rumor reckoned the defendant sage. Wisdom, unfairly condemned in his person, will still be the judge above injustice and ignorance.

Xenophon in his "Memoirs on Socrates" recalled: his teacher considered the disagreement with philistine opinion the result of his always striving to follow laws and justice, which was not always the case for most citizens (I, 1, 18–19). Disrespect for the laws, the prevailing ignorance in the Athenian polis is the decisive sign of the deep crisis of the then polis democracy. With the apologists of Socrates, also spoke the other disciples and followers of the Athenian philosopher. Written in IV century AC "The Apology of Socrates the rhetor of Libaniya" for the first time contained a legal assessment of the trial of the philosopher, with whom the author of the book under review acquainted the reader (pp. 424–442). Diogenes Laertius wrote: very soon the Athenians repented, his accuser Meleta was sentenced to death, the other prosecutors to exile, and in honor of Socrates they built a bronze statue of Lysippos on the Agora (II, 43). Her picture is shown in the illustrations of G. G. Demidenko.

As a professional historian, the author immerses the reader in the atmosphere of the socio-political life of the Athenian policy, when, after the end of the Greco-Persian wars, Athens becomes the center of democracy and the Enlightenment of Hellas, the beginning of the "golden age" of Pericles, analyzes their beneficial influence on Socrates' worldview, his interest in philosophy, human problems and policies. The book masterfully presents conversations and dialogues of the philosopher, discussions

with the sophists, the development of the foundations of ethics, aesthetics, the doctrine of law and the state. The author considers the phenomenon of the Athenian sage as a product of the heyday of democracy and the ancient Greek enlightenment, their crisis and decline, their influence on Socratic philosophy, life and destiny.

Incredibly rich in historical – legal material sections of the refereed publication, which deal with the political and legal teachings of Socrates and his disciple Plato – ideas about the origin of the state, its forms, the ideal model of state power, democracy institutions, human rights and citizens, sources of law, law and legality, legal culture and upbringing, etc. (pp. 316–335, 336–357). The book provides an answer to the question of the difference in the legal understanding of Socrates and the Sophists, about the identification of the concepts "lawful" and "fair", the requirements for the legislator, crimes and punishments, the moral dimension of citizens and the state itself.

Among the famous works of Platon, his “Republic” – perhaps the most famous. The second title one is “On Justice”. According to Plato, Socrates developed the theme of justice, using an important analogy: justice must be inherent not only to an individual, but also to the state, in virtue they are similar. The reviewed edition reproduces interesting and instructive dialogues about an ideal state where there should not be rich and poor, where every citizen is engaged in a business in accordance with his abilities, where wise rulers are philosophers. The author of the publication brings unexpected subjects from dialogues – about the education of rulers, officials, judges, the criteria for their selection, the requirements for them, the causes of the “diseases” of the state and its degradation. As our contemporary tells us in the words of Socrates-Plato about the rulers and guards of the state: “They alone are not allowed in our state to use gold and silver, even touch them... decorate themselves or drink from gold and silver vessels. Only in this way (they) could remain unscathed and save the state. But as soon as the guards will own land, houses, money, they will become their masters and landowners; from the allies of other citizens they will become hostile owners; hating themselves and inducing hatred, feeding evil intentions and fearing them, they will all the time live in great fear of internal enemies, than before external ones, and in this case they themselves and the whole state will go to their near death. "Is the warning justified? But the Socratic social dimension of the state quoted in the book: "When one of the citizens of such (ideal) state feels good or bad, such a State will necessarily... be together with this citizen rejoice or grieving... If one citizen bruised finger... the whole country hurts...". Indeed, immortal ideas will not only cause a bitter smile of the Ukrainian reader, but also remind him of their civil responsibility for their choice.

As a historian, the author analyzes the historical and civilizational context of the trial of Socrates, and as a thinker – considers this event in terms of legal values, which we call universal today. It is worth agreeing with the author of the book: the crisis of democracy, such as in Athens on the eve of the trial of Socrates, always threatens

with disasters, if human rights and fairness are neglected. Constantly returning us to the modern realities and fundamental issues of jurisprudence, the peer-reviewed publication is not only interesting from the point of view of the history of law essay, but also a kind of philosophical provocation, as it makes us once again ponder over the nature of justice, impartiality and about the law as it is.

One cannot help but sympathize with the author's real indignation with the position of modern researchers who take side of a Geliaia and support her verdict (pp. 553–554). At the same time, we allow ourselves to doubt that an unambiguous assessment of this event is possible in general, just as there is no final answer to the question of the essence of justice. As for Socrates himself, he gave a response on it by accepting a sentence and, thus, left us a new riddle, which we continue to solve to this day. The peer-reviewed edition is another original answer, which, of course, is not only worth the attention of specialists – lawyers, historians and philosophers of law – but also, thanks to the popular science genre chosen by the author, is able to interest a wide range of readers.

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Стаття надійшла / Submitted: 14/06/2018

Доопрацьовано / Revised: 20/07/2018

Схвалено до друку / Accepted: 03/09/2018