

## MEDIATION SAVES SOCRATES

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**“ the cicada (grasshopper) sings for only a month, but the people of Athens are buzzing with lawsuits and trials their whole life long.”—Aristophanes<sup>1</sup>**

### I. Background

In the year 399 B.C., an indictment was laid against Socrates, in the following terms: “Socrates is guilty of crimes; first, for not worshipping the gods whom the city worships, and for introducing new divinities of his own; next for corrupting the youth.”

Athens did not make a sharp distinction between public and private litigation. There was no “state” or “district attorney” to prosecute for offenses against public order. Any full citizen could prosecute anyone else upon a criminal charge like murder or for a civil offense like a breach of contract.<sup>2</sup> Socrates’ charges were brought by a young poet named Meletus. Meletus was acting for himself and for several prominent citizens who had been offended by Socrates actions over the years.

Socrates was sentenced to death by hemlock poisoning after being found guilty by a jury of fellow Athenians. The crime he was charged with, religious impiety, was considered to be quite severe in the eyes of Athenians. Some scholars have suggested that to question the state religion would be as controversial in today terms as proposing a ban on heterosexual marriage. Considering the controversial nature of Socrates alleged crimes against Athens, it’s perhaps surprising that Socrates came within just a few votes of being

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<sup>1</sup> A Day in Old Athens (William Sterns Davis, page 135)

<sup>2</sup> A Day in Old Athens (page 136)

acquitted. This close vote may be attributable to his reputed skill in oration, or perhaps it is a testament to the value this ancient democracy placed on free speech. And perhaps most importantly, this close decision can be tied to the general 'good will' Socrates had accumulated as a highly visible member of the Athenian community over the course of his 70 year life.

Following Socrates execution, this popular reverence for him, boiled into wide spread anger, leading to the eventual banishment of Meletus and his co-conspirators from Athens. While victorious in trial, Meletus and his accomplices would never be forgiven for having robbed the city state of one of its most thought provoking individuals of western history.

## **II. Intro**

A system of courts in any society should strive to resolve disputes in a just and equitable manner. The problem with courtroom litigation is that it can be costly, damage reputations, and rigidly pit adverse parties against each other in a win/lose format. As the aforementioned Aristophanes quote alludes to, ancient Athens was a very litigious society. In fact it would be rare for even an exceptionally peaceable, harmless and insignificant citizen to not be plaintiff or defendant in some kind of action every few years.<sup>3</sup> While Athens' courts were effective at resolving disputes in an equitable manner, the large amount of litigation in the community led to much ill will between its citizenry.

The trial of Socrates is a perfect example of how litigation can at times lead to worst possible scenario lose-lose situation. Socrates' trial left both parties much worse

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<sup>3</sup> A Day In Old Athens (page 35)

off; Socrates was put to death and Meletus and his fellow prosecutors were eventually forced into exile, a fate often the same as death.<sup>4</sup>

The advantage of mediation over litigation is that mediation can serve as an opportunity for both parties to explore creative solutions to their dispute, potentially leading to an agreement where both parties are better off because their interests are met. By expanding the pie, a skillful mediator can make both adverse parties in a dispute realize that having their interests met need not come at the expense of the other. Furthermore, by entering mediation, adverse parties remain in complete control of their destiny, a luxury which is immediately forfeited once litigation proceedings begin with a trier of fact.

### **III. The Fact Pattern**

This paper will explore how the dispute between Socrates and his accusers might have been handled differently if Ancient Athens had adopted a form of mediation, and insisted these adverse parties explore this option instead of going directly to trial.

As referenced above, Socrates had three primary accusers, Meletus (a young man and son of a poet also named Meletus), Anytus (a wealthy business owner) and Lycon (a politician). In this scenario, Meletus will represent the various parties who seek to prosecute Socrates. Meletus will be authorized by these various interests with full decision making authority at the mediation. Meletus is well aware of Socrates ability to turn peoples' own words against them. To guard against this reputed skill of Socrates, Meletus has elected to retain the assistance of a well known sophist, Evenus of Paros.

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<sup>4</sup> Socrates claimed to be indifferent to life and death, but we will assume for the purposes of this exercise that if he had been offered an opportunity to continue living on his own terms, he would have taken it and Athens' intellectual community would have been better off for it.

Evenus of Paros' services do not come cheap, so Anytus has provided the money necessary to retain his services.<sup>5,6</sup>

By trade, Socrates makes pottery for commercial use, but has largely given up this line of work to dedicate himself to the study of philosophy. As a result Socrates is destitute, and will be unable to retain representation. However, a young follower and admirer of Socrates, Plato, has requested to be present during the mediation process, to serve as a note taker. Furthermore, Plato has taken up a collection of money from Socrates friends in order to pay any incidental court costs or fines that Socrates may incur as an outcome of the mediation.

An elected magistrate will function as the mediator. This may be the same magistrate that oversees an eventual trial, but this will not create a conflict during the trial, since a jury composed of Socrates' fellow citizens will be the trier of fact. As a further safe guard, city officials assure both sides that if a trial is needed, a 500-501 man jury will be drafted, in order to safe guard against the threat of a bribed juror manipulating the final outcome.<sup>7</sup>

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<sup>5</sup> A sophist was a learned “wise man” or professional in word craft, who would offer their services in teaching the art of oration for a large fee. Known for being crafty, and prioritizing the winning of an argument over discovering the truth, this profession was both admired and despised amongst the ancient Greeks. Mirroring the mixed emotions many Americans have towards the legal profession today.

<sup>6</sup> At this time, hiring a sophist for one day would be very expensive; in his apology, Socrates notes that Evenus of Paros charged 5 *minue* per day or the equivalent of 16 months of wages for a manual laborer (Trial and Execution of Socrates, page 29).

<sup>7</sup> Mediation immediately serves Meletus and his backer's interest. If Meletus were to bring this to trial and receive less than 1/5 of the jury's votes, he would be subject to a 1,000 drachma fine. A drachma represented about a full days work of labor (which can roughly be translated to \$40 to \$100 in current dollars). Functioning as a kind of Rule 11

#### IV. Magistrate's (Mediator's) Opening Statement & First Joint Session

**Magistrate:** First I want it to be clear, that the good people of Athens elected me to be a fair and neutral arbiter in handling disputes between our citizens. And while the circumstances leading up to this dispute between the parties here today are well known amongst myself and the populace, I want to assure both parties of my complete neutrality. This means, at no time will I join one party to the disadvantage of the other. Furthermore, I promise to keep any personal opinions over the matters discussed today to myself. *Thus do I invoke Zeus, Poseidon, and Demeter to smite with destruction me and my house if I violate any of these obligations, but if I keep them I pray for many blessings.*<sup>8</sup>

Just to review, this indictment has been brought on oath by Meletus, son of Meletus, of Pithus, against Socrates, son of Sophroniscus, of Alopece: Socrates is guilty of not believing in the gods the city believes in and of introducing other divinities, and he is guilty of corrupting the young.

Now before we proceed, I want to be clear that it is the practice of our city to pay for court proceedings that are of the public interest. While this case is a private action brought by Meletus, the charges brought fall under what the city has deemed to be a public concern: religious impiety. Therefore, all of the court costs incurred will be covered by the state. However the court will reserve the right to enforce any binding agreement we make here today by way of fines, jail time, exile or death.

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of ancient Athens, intending to dissuade citizens from filing frivolous claims against each other.

<sup>8</sup> The same oath taken by all jurors in ancient Athens, known as the Dicast Oath. See Day in the life.

Additionally, it is mandated by law that these proceedings be kept confidential, in order to promote candor on both sides, unless both sides agree to waive confidentiality.

**Socrates:** May I speak?

**Magistrate:** Certainly.

**Socrates:** First, forgive me if I come across uncultured. At the old age of 70, this is my first time speaking in any kind of legal proceeding, so I may come across poorly.

**Magistrate:** Don't worry, in fact one advantage of mediation over the courtroom is that it provides a far more welcoming environment for an exchange of ideas. As you know well, our democratic government has only returned from exile a short four years ago when we overthrew the "30 tyrants" and we are always looking for new ways to accommodate our fully recognized citizens.

**Socrates:** Yes this is good, but you see I have a problem with keeping this process confidential. A problem that predates the issues our democracy has had with Sparta. You see, as I sit in here today I am really facing two groups of accusers, not just the group represented today by Meletus.

**Magistrate:** Please explain.

**Socrates:** For about thirty years now, there has been wide spread negative propaganda about me. While I only desire to seek virtue, many people have characterized me to be nothing more than a careless spreader of confusion, asking questions about things that need not be questioned. Many of these people I haven't even met, but they continue to spread these false rumors all the same. Other more famous critics of mine defame me in large public forums, like the comedian and play-write Aristophanes...

**Evenus of Paros'** (chiming in): Ah yes Aristophanes, I have him over to my house for Symposiums (wine parties) from time to time, what pleasant company he is; an outstanding citizen who exemplifies virtue. More than I can say for some people I am partied with today (shaking his head with disapproval towards Socrates).

**Socrates:** You jest that I have no virtue, but if it is wise to be virtuous then my absence of it must be a product of my ignorance. Since you Evenus are so adept at observing who has virtue and who doesn't, you must have a claim to some sort of knowledge that I am unaware of. I hope we can explore this topic further through this discourse.

**Evenus of Paros':** What is this nonsense that has possessed you for so long, Socrates? You spend your time pestering people or discussing with your friends like fools making way for one another? If you truly want to know what the just is, don't only ask and refuse whatever someone answers—you know that it is easier to ask than to answer—but answer yourself and say what you assert the just to be. Here is the wisdom of Socrates: unwilling himself to teach, he goes around learning from others and does not even give thanks to them.

**Socrates:** You speak the truth, Evenus, I am in the habit of asking many questions, but when you say I do not make full payment in thanks, you lie. For I pay as much as I can. I am only able to praise. I have no money. How eagerly I do so when I think someone speaks well, you will well know as soon as you have answered for I suppose you will speak well.

**Meletus** (speaking up for the first time): Heracles! Here is that habitual irony of Socrates. I knew it and I predicted to Evenus that you wouldn't be willing to answer, that you would be ironic and do anything rather than answer if someone asked you something.

**Socrates:** You best of men, how could a man answer who, in the first place, does not know and does not profess to know? It's more fitting for you to speak, for you are the ones who claim to "know" and can tell.

**Meletus:** (extending and waiving his middle finger in Socrates direction):<sup>9</sup> By Zeus, this is the exact language that will rot our youth to the core. Next you will tell us, as other traitors have, the moon is nothing more than stone!

(At this point the Mediator must recognize that he must reassert control over the mediation, or he may risk having an offended party simply walk out, forcing litigation to proceed).

**Mediator:** Okay, Okay, I can see things are getting heated here. For the sake of Poseidon, let's calm down and refocus. Before we got sidetracked, Socrates was advocating why he wanted to waive confidentiality. He mentioned that there are a lot of people in Athens who are perhaps misinformed about his intentions and spread negative rumors about him.

**(Meletus begins to interrupt but Evenus motions for him to hold his tongue)**

**Mediator:** Uh, where was I? Yes, Socrates, I must admit I have been to Aristophanes' play 'the Clouds' and I do remember you being depicted in some odd fashion, perhaps unflatteringly. Colleagues of mine have also told me that the main idea of "The Clouds" was to suggest your head spends most of its time floating in them. This said, I want to assure you this has in no way affected my neutrality towards you during these proceedings.

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<sup>9</sup> As a sign of derision for an insult or innuendo, one would point the middle finger with the others folded, exactly the same sign used in an obscene context today (Life and Learning in Ancient Athens Richard w. Hibler, page 37).



**Socrates:** Okay.

**Mediator:** What advantage would there be if we were allowed to share with others what we discuss here today?

**Socrates:** As you know, many people who are indicted of a state crime just leave the city to avoid prosecution, but I was looking forward to addressing my fellow Athenians in court to clear my name. If we reach an agreeable resolution behind close doors I won't be afforded this opportunity. Furthermore, after my indictment, the volume of the negative rumors has only increased. Consequently, if these proceedings are to continue in confidence, I fear this false propaganda will only continue to spread, making it all the more difficult for me to sway a jury to decide in my favor in the event we should eventually go to trial.

**Mediator:** Meletus, Evenus, do you have any issues with Socrates request to waive confidentiality?

**( Evenus and Meletus exchange knowing glances)**

**Evenus:** Our one and only issue remains unchanged: Athenian law forbids impiety. And in essence that is the single law Socrates is charged with breaking...only Socrates has committed this offense in two ways: first by not believing our Gods and second by introducing new Gods, with one result: corruption of the young.

**Mediator:** Very well, so where do you stand on confidentiality?

**Evenus (smugly):** If Socrates wishes to share his continued acts of impiety with Athens proper, that is perfectly fine with us.

**Mediator:** Very well then, anything we say in joint session can now be shared with the public.

**Plato** (speaking for the first time): I have a question.

**Mediator:** Sure, go ahead.

**Plato:** Does this mean everything I hear and witness today will be available for me to publish and distribute at the book market?

**Mediator:** Unless there's any objection, that is fine by me.

(Socrates, Evenus and Meletus all agree to this caveat)

**Mediator:** Now, even though we just agreed to waive confidentiality, it is my practice to meet with each party separately in a caucus to encourage each party to share their concerns with me openly. To be fair, I will time each session with a water clock to make sure I meet with each of you for equal amounts of time.

#### **V. Caucus with Plaintiffs**

**Mediator:** Okay Meletus, what would you like to see happen for us to reach an agreement here today?

**Meletus:** To be honest, I am surprised by Socrates unrelenting audacity. I and the people who I represent, were almost certain that Socrates would have taken to exile to avoid this prosecution. I would still be willing to extend him this opportunity to leave the city for his and our own good.

**Evenus:** I think our side would also be amendable to an agreement where Socrates could remain in Athens, so long as he under oath promises to cease his teaching at once. Under this hypothetical, if he were to violate this oath, he could face some jail time as a preliminary measure and a second offense would bring us back to considering exile.

**Mediator:** Meletus, have you had time to think about what your counsel Evenus has presented me?

**Meletus:** Yes.

**Mediator:** So do you agree with this offer, for Socrates to take this kind of oath?

**Meletus:** Yes, I do.

**Mediator:** Would you allow me to share this with Socrates?

**Meletus:** That would be fine.

**Mediator:** Do you have any other concerns that you'd like to share with me?

**Meletus:** No, not at this time.

## **VI. Caucus with Socrates**

**Mediator:** Meletus has conveyed to me that he would be willing to extend to you one of two options.

**Socrates:** Okay.

**Mediator:** First off, Meletus offers you the opportunity to seek exile and avoid prosecution all together.

**Socrates:** Exile is unacceptable. If the people of Athens drive me out their city for my practice of engaging citizens in dialogue, what will stop the next city from doing the same? Besides, wondering the country side is no way for a man of my advanced years to go on living. I'd rather stand my ground and defend what little life I have left.

**Mediator:** Alternatively, Meletus has offered to spare you prosecution on the condition that you cease to practice your teaching under a sworn oath. If you were to breach this oath, it would be a violation punishable by time in prison.

**Socrates (Determined) :** As long as there is breath in my body I will not stop my search for wisdom. If I meet any of you in the street, I will attempt to give you advice and to increase your awareness.

**Mediator:** So there is no way you'd consider altering your behavior to abide by an oath, even if this means facing a penalty of death?

**Socrates:** Given the chance, I would continue to behave as I have before, even if I had to die a thousand deaths.

**Mediator:** Just for clarification, what is your message exactly?

**Socrates:** You are an Athenian, a citizen of the greatest of all cities, a city most renowned for its wisdom and power; but you and its citizens only care about making as much money as they can, and improving your reputation and social status. You are not in the least concerned with the understanding of truth or improving your souls.

**Mediator:** Just to be clear when you say "you," you mean all of Athens not just me, right?

**Socrates:** Right.

**Mediator:** Okay, go on.

**Socrates:** What I am doing is simply this and no less: I am going about trying to persuade you, young and old alike, to care more deeply for the perfection of your souls than for the accumulation of material possessions. My message is that virtue does not depend on material possessions. On the contrary, material possessions like all other blessings both social and individual, depend upon virtue.

**Mediator:** Okay fine. Assuming what you say is true, how does going around questioning people help?

**Socrates:** You see Athens has grown large and strong, but has become complacent like a large steed. And like a gadfly, I've been sent by the god of the oracle to spur the steed that is Athens to awaken from its slumber and into action.<sup>10</sup>

**Mediator:** But why don't you just lecture more directly, why use this strange method of using questioning?

**Socrates:** I don't claim to have knowledge, but people are unaware that they are as ignorant as I am. So I question the validity of their opinions, by showing them how their opinions are self-contradictory and therefore cannot coexist. This in turn instills in them a sense of wonder and a desire to seek out a more objective form of knowledge. In this sense I am a kind of intellectual mid-wife. I don't instill knowledge, but I guide an individual into giving birth to a new way of thinking, thereby instilling in them a desire to seek out knowledge that is not obvious at first, but is objectively true.

**Mediator:** Can you give me an example of something that is not at first obvious but is nonetheless objectively true?

**Socrates:** Certainly, take Pythagorean's theorem for example. This equation serves as a method to prove a simple relation among the three sides of a right triangle so that if the lengths of any two sides are known, the length of the third side can be found. If I were to show someone a right triangle, who was unaware of this theorem, and gave him the

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<sup>10</sup> Socrates friend, Chaerephon, on one occasion visited Delphi, site of the Oracle of Apollo, Located 100 miles north of Athens on Mt. Paranssus. The oracle was known for giving divine advice for people's lives, although it was often given in ambiguous language. On this particular occasion Chaerephon's asked the question, "Is anyone in Greece wiser than Socrates of Athens?" The oracle answered with a surprisingly abrupt "No." When Socrates learned of this pronouncement he became confused, and so began his life long journey to discover why "the god" of the Oracle would consider him to be so wise (Life and Learning in Ancient Athens Richard w. Hibler, page 87).

length of two sides and asked him to tell me the length of the third side without measure, he could only offer a guess.

**Mediator:** Right. It would only be a rough guess.

**Socrates:** Right, but if a person is armed with the Pythagorean theorem, they now have a way to get an answer that is objectively true, not just an opinion or conjecture.

Mathematical proofs are more valuable when they can be objectively tested to be valid. I feel a code of morals should be held to the same standard.

**Mediator:** Intriguing, but how does your so called method of Mid-wifery work exactly?

**Socrates:** What I've gathered through my years of questioning our citizens is that people who have a false moral belief will always have at the same time true beliefs entailing the negation of that false belief. I find that by pointing out these inconsistencies, we can toss aside unfounded moral beliefs in favor of ones that can be universally agreed upon.

**Mediator:** Go on.

**Socrates:** Basically, the way I see it, the purpose of living is to seek knowledge, not opinion, which is the only way to find direction for living a happy life.

**Mediator:** So you just want people to be happy?

**Socrates:** Right, happiness can be the only true end in life, but to get there requires the discovery of virtue. People that are unhappy are unhappy because they are not leading virtuous lives, and this has to be a product of their ignorance because nobody errors willingly.

**Mediator:** Okay. To review, you have declined to both seek exile and to cease your teaching, correct?

**Socrates:** Correct.

**Mediator:** What alternative solution would you agree to in order to reach a settlement?

**Socrates:** Hmm, good question... What is an appropriate reward for a public benefactor who is a poor man and needs the leisure to devote himself to the business of inspiring his fellow-citizens?

**Mediator:** You tell me.

**Socrates:** Why, surely the ideal reward is that he should be given the right to free meals in the prytaneum.<sup>11</sup>

**Mediator:** This is a surprising notion, rather than make a concession, you are asking for free meals for life, an honor reserved for Olympic champions?!

**Socrates:** I assure you I don't offer this proposal in jest, for you see while an Olympic victor gives his city the image of success, I offer the reality. He is not short of food, I am. So, if I am obliged to propose a sentence which I deserve, that is it: free meals in the Prytaneum.

**Mediator** (moving to a more evaluative approach): I think this idea of yours is far fetched and only hurts your cause. My intuition and experience tells me that a jury will be offended by this unusual request.

**Socrates:** Perhaps you attribute the eccentricity of this proposal of mine to sheer perversity. This is a misconception, the truth is I have never hurt anybody, intentionally or not. I have only worked to help my fellow citizens so I think my recommendation is reasonable.

**Mediator:** You don't actually think you could convince a jury to grant you such a favorable sentence, do you?

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<sup>11</sup> Ancient Greek Olympic Training Facility.

**Socrates:** It would be possible, if Athens, like other cities do, held trials for longer than a day for capital cases. But with only a day to talk to the jury, I am in fact worried that my speech won't persuade them.<sup>12</sup>

**Mediator:** Could you be amendable to any form of punishment?

**Socrates:** Hmm, I am not in the habit of regarding myself as one who deserves punishment. If I were a rich man, I would propose a fine, a sum of which I could afford because it would do me no harm. As it is, I do not have that kind of money. But I could afford to pay one silver mina.

**Mediator:** Hmm, okay.

**(Plato moves to whisper something inaudible to Socrates)**

**Socrates:** One moment, Plato here has put together money from my sympathizers and has asked me to propose an increased fine of thirty minae.

**Mediator:** Very well. Oh look, the water clock has completely emptied, this session has run much longer than I expected. Would you like to add anything else?

**Socrates:** Not at this time.

## VII. Joint Session

**Mediator:** First, I would like to apologize for my meeting with Socrates taking so long. If you would like to make up for this imbalance of time, I'd welcome the opportunity to meet with the two of you in caucus once again.

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<sup>12</sup> Socrates lost the first phase of his trial by a vote of 220 to 280. After Socrates made this presumably eccentric proposal, Meletus' argument for a punishment of death won by a wider margin of 100. So, it would appear this proposal did not go over well (see Trial and Execution of Socrates, page 59).



**Evenus:** I speak for both Meletus and myself here, an additional private session won't be necessary.

**Mediator:** Okay, allow me to summarize to everyone what was discussed in the caucus sections. Meletus, you offered to drop your prosecution if Socrates would either go into exile or cease teaching.

**Meletus:** Yes, and...

**Mediator:** Socrates turned both of your proposals down, but has offered to alternatively pay a fine of 30 minae.

**Meletus:** A fine does nothing for me, I guess we're going to trial.

**Socrates:** If the law demands a trial, I welcome it.

(At this point the mediation has reached a stalling point, which is a great opportunity for the mediator to advocate one of mediation's greatest assets, the ability of the parties to remain in control of the outcome)

**Mediator:** Come, Meletus, Socrates, you realize that if you elect to go to trial, this process will be removed from your hands and will be left to the will of the jury?

**Meletus:** If the gods will it; it must be so!

**Socrates:** The unexamined life is not worth living; I will not stand down.

**Evenus:** With all due respect magistrate, it looks as though a trial is unavoidable.

### **VIII. Mediator Gets Movement by Expanding the Pie**

(One way a mediator can get stalled parties to continue to move towards a workable agreement is to examine not just the positions of each party, but to explore the parties' interests that underlie their respective positions. This can help the mediator frame a solution in such a way that accommodates both parties' desires. This is often called expanding the pie or shifting the dispute from a lose/win perspective to that of a win/win.)

**Mediator:** I want to explore each parties interests. Meletus, your position is that you want Socrates to cease his teaching.

**Meletus:** That is certain.

**Mediator:** But your underlying interest behind putting an end to Socrates' teaching, an interest shared by the others who have asked you to go forward with this litigation, is a desire to no longer be humiliated in public by Socrates' method of questioning.

**Meletus:** This is true, and for the youth to not take Socrates as a role model and to begin mimicking this behavior thereby embarrassing our elders.

**Mediator:** So in summation, your primary concern is to put an end to this form of public criticism, whether it be from Socrates himself or the young who mimic him.

**Meletus:** Yes, close enough anyway.

**Mediator:** And Socrates, your interest is to continue your quest to discover virtue and to help others discover virtue, so that our city can discover true happiness. And to do so, you need the benefit that comes with questioning peoples' assumptions and opinions through discourse?

**Socrates:** Yes.

**Mediator:** I have an idea that might satisfy both parties' interests here: what if the city of Athens undertook to create an academy dedicated to the study of philosophy. After all, while Athens values reverence for the gods, this proud democracy also places a great level of importance towards innovation. With such a school or academy, Socrates would have an appropriate venue to dedicate himself and others to discover virtue among other intellectual pursuits.

**Socrates:** Very interesting.

**Mediator:** In addition to building this academy, our general assembly could pass an ordinance forbidding unsolicited questioning in the markets and public areas. This would allow our people to freely conduct business, without a fear of verbal harassment from people wishing to mimic Socrates. And Socrates himself would have no need to challenge this ordinance since he will have a venue at the academy to engage in this activity.

**Evenus:** Sure, but such a project sounds expensive. Who would pay for this?

**Plato:** May I speak?

**Mediator:** Go ahead.

**Plato:** Since an early age, it has always been my ambition to put together a school of learning, like Pythagorus did in years past, dedicated to the teaching of geometry and philosophy. My family is equipped with the political connections and finances to make a project like this possible.

**Mediator:** Interesting... What do the parties think of this?

**Evenus:** Not so fast. Before we fall in love with this idea, I'd like to point out a flaw with this plan that will surely render it unworkable. My client's, Meletus's, entire purpose in bringing this indictment was to prevent the corruption of the youth by Socrates. Now we are proposing the building of a school around him. Is systematic corruption of the youth somehow preferable to intermittent corruption in the public streets?

**Socrates:** Please observe Evenus, that according to Meletus's accusations, young Plato, who spends much of his free time with me, would be a prime candidate for what he would call a corrupted youth. Yet, not his father nor any of his relatives have brought suit against me. Perhaps the distain Meletus has for my teachings aren't as wide spread as he

would presume. Perhaps some parents would be warm to the idea of me interacting with them in this proposed school.

**Evenus:** Interesting... Well, so long as parents could pull their students from this school if a noticeable change for the worse was seen in their character, this might work.

**Meletus:** I don't know, this doesn't sit well with my gut, but this might work.

**Socrates:** If all of my basic needs could be met at this so called "academy," I would be satisfied with this resolution.

**Mediator:** Very well. Let's break for the day and take this matter up again tomorrow and see if we can formalize an agreement that looks something like what we tentatively have agreed to today.

## **IX. Epilogue**

Thanks to the mediator's use of creativity, he was able to expand the "pie" in this situation and open the door to a possible agreement between both parties. If this plan were put into effect, Plato's Academy, which is the origin of the expressions academia and academics, would have been built roughly 20 years ahead of schedule. And Socrates may have even agreed to a more structured teaching lifestyle.<sup>13</sup>

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<sup>13</sup> In 322 BC, Aristotle elected to leave Athens when a chief priest charged him with impiety; to this Aristotle dryly observed, "I will not let the Athenians sin against philosophy a second time" (A Companion to Socrates, page 60).

X. **Resource Page**

1. Plato ( Translated with an introduction by Peter George): The Trial and Execution of Socrates ,London: Folio Society, 1972.
2. Richard W. Hibler, Life and Learning in Ancient Athens, University Press of America, 1988.
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4. Willaim Stearns Davis, A Day in Old Athens, New York, Biblo and Tannen, 1960.