

Food and the Composition of the Jury in Aristophanes' *Wasps*: A Proxy for Plato's *Apology*?

According to Plato's *Apology*, Socrates would have been acquitted if thirty jurors had decided differently (36a). Socrates' assumption appears to be that the requisite number of jurors could have pivoted under different circumstances. One of the impediments Socrates saw was the prejudice from satirists, notably Aristophanes' *Clouds* of 424 BCE (*Apology* 18b-d; cf. Konstan, 2011, *inter alios*).

Arguments against considering the *Clouds* a major factor tend to focus on the quarter century between the time of the play and the trial (Konstan, 2011; summarized in Ackah, 2006). However, the entire jury, whose minimum age was thirty, would have been alive when the play was produced, and reconstructed life tables suggest that a reasonable percentage of that group would have survived at least into their forties (Akrigg, 2019, pp.31-32), giving a critical mass old enough to remember a seminal play at a "most impressionable age" (18c τῆ ἡλικία ... ἂν μάλιστα ἐπιστεύσατε).

If Aristophanes' *Clouds* and other satire were not factors, would an Athenian jury be less likely to convict? Although modern jury analysis is impossible, the portrayal of the jury in Aristophanes' *Wasps* (422 BCE) contains enough information to provide some assistance. The plot, turns to a great extent on the role of the populist politician Cleon to influence jury decisions, a process portrayed through food. The date is reasonable: a juror aged 30 in 499 would be 7 in 422, able to remember the deprivations of that period, and familiar as an adult with the need for imported grain (Moreno, 2007 and Akrigg, 2019), and wartime disruptions to Attic agriculture (Thorne, 2002). No juror would have known only peace and plenty.

Allowing for satirical exaggeration and Cleon's demise in 421, some overall conclusions from the play are secure. The first is the interplay between *demos*, jury, and οἶκος, with their quarreling father and son (Konstan, 1985; Bowie, 1997; Hutchinson, 2011; Pütz, 2007). In the middle of the play, Bdelycleon moves Philocleon's courtroom into the courtyard of their shared home, which, like most Greek households of this period, includes enslaved members and multiple generations — in this instance, Philocleon's daughter (607) and wife (610) (Biles and Olson, 2015), who share food when eating as a family.

The wasp chorus and Philocleon emphasize their proclivity to convict; hence, the stingers. These are practical; the three-obol jury pay, approved by the *ekklesia*, helps injured or elderly men feed their families (291-316 and 605-620). Philocleon, freshly paid, delights at his wife offering a “puff pastry” (606 φουστὴν μᾶζαν). Bdelycleon, from the minority opposing Cleon, is more affluent. He shows compassion, in this case to Labes the dog, put on trial at home after gnawing at and peculating with imported cheese *alla siciliana* (911 κατεσκευάσει) and not sharing it with his puppies and the other dog. In two instances Philocleon and the *demos* are tricked, once by Cleon (to convict) and once by Bdelycleon (to acquit). Such assumptions are plausible and may be difficult to override.

Countervailing influences come from social cohesion, which might provide space for disagreement and persuasion. The prominence of ordinary comestibles throughout the play strengthens a tie between the people and the household. Examples include ox-fat (39) and lentil soup (e.g., at 812, 828 and 911). The home trial entails standard kitchen items, with a cheese grater (τυρόκνηστος) as a witness.

Scholars differ about whether Bdelycleon's symposium had oligarchic connotations (for the range of opinions, cf. Konstan, 1985; Bowie, 1997; Hutchinson, 2011; Pütz, 2007; Biles and

Olson, 2015). The banquet exists outside the jury system in the play; Philocleon claims, οδ' ἀκούων ἀνέχομαι δικάων (1337-8). However, the symposium is also connected with the social class most involved with Socrates; regardless of where Socrates stood in public attitudes after the Thirty, jurors' ingrained assumptions might well make acquittal a challenge.

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