

University of Glasgow
Faculty of Arts
Department of Classics

Demosthenes: Orations XIII and XIV
(*On the Syntax, On the Symmories*)
Introduction and Commentary

Thesis submitted to the Department of Classics
for the degree of Doctor of Philosophy in Classics
by Anastasios A. Aidonis

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Penatibus et maioribus meis

Requiem on Poros

The gods are being forgotten. And if we happened
to remember Poseidon tonight
as we returned to the desolate shores of Kalavria,
it's because over here, in the sacred grove one July
evening,
while oars gleamed in the moonlight and one could hear
the guitars of ivy-crowned young men in the rowboats,
here, in this pine-covered spot, Demosthenes took
poison -
he, a stammerer, who struggled until he became the
best
orator of the Greeks,
and then, condemned by the Macedonians and the
Athenians, learned, in the course of one night, the most
difficult, the greatest art of all: to be silent.

Yannis Ritsos, *Exile and Return* (transl. by E. Keeley)

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It has been a rather long and tiring journey to complete this thesis and I feel that I could not have made it without the support and affection of certain people. To list them in this space is not good enough but it can be a beginning. Primarily I ought to mention Professor D.M. MacDowell, who has been throughout this scholarly Odyssey an excellent Mentor, patient, encouraging and supportive. Thanks to him I avoided many errors, principally of judgement, and I was taught a great deal on how to arrange my thoughts, express myself fully in English, and be less rash and more consistent with the ancient texts. He tried, in vain I think, to make me πολύτροπος by trying to transmit to me some of his many linguistic and interpretative skills and I thank him for that. Next to him are Dr. R.A. Knox, Dr. M.H.B. Marshall, and G.H. Whitaker; the first many times satisfied my curiosity in history, the second put up with my Greek prose compositions, the third with my obsession with hard-to-find books. Jennifer Murray's smile was always there to comfort in distress and add some sunshine to the dull weather, her favourite topic of discussion.

The Department's financial support was essential for undertaking the thesis, and I will always be grateful for that. My friend Tony helped immensely with the computing part of the task, and I thank him as well. My faithful friend Ilias sustained much of my bad moods and his emotional support was crucial; without him it would have been impossible. Numerous friends, to mention some only, Stratos, Eugenia, Anni and Iain, Kathryn, Amanda, Alexis, helped in their own personal ways. Finally I think the person that should receive most of the credit is Demosthenes himself who forged his orations with such passion and fire. He has been a great διδάσκαλος. The greatest lesson was his παρρησία:

νῦν δ' ἐπ' ἀδήλοισι οὔσι τοῖς ἀπὸ τούτων ἐμαυτῷ γενησομένοις, ὅμως
ἐπὶ τῷ συνοίσειν ὑμῖν, ἂν πράξῃται, ταῦτα πεπεῖσθαι λέγειν αἰροῦμαι.
νικῶν δ' ὅτι πᾶσιν μέλλει συνοίσειν. (Κατὰ Φιλίππου Α 51)

ABSTRACT

The thesis on orations XIII and XIV of Demosthenes aspires:

I. in the introduction, to provide a full account of the problems of chronology and authenticity, to elaborate and expand on individual issues that have not been dealt with sufficiently in the past or have proved to be controversial (particularly the symmories), and to reveal the political thought and argumentation presented in the orations.

II. in the commentary, to provide a literary, linguistic and historical study of the speeches.

As orations XIII and XIV are the first deliberative orations written by D., I felt I had to concentrate on the main issues he raised and study his argumentation in particular in order to understand his persuasive methods and even political alienation, if any, at this primary stage of his career. To this end the "Argumentation and Structure" chapters attempt to prove that for example XIII is a more cohesive oration than is currently thought, and that in XIV D. uses what I have named "blocks" of dense arguments, built symmetrically around concrete proposals. The authenticity question applies really to XIII only and I have done my best to review the existing views; I have tried to reduce the problem not to whether the doublets could have been written by some other ancient writer with good imitation skills, nor how different they are from the other orations they appear in, but to whether the whole oration is a persuasive and cohesive piece of oratory.

The historical aspect is prominent in the chapters dealing with date and authorship as well as in places where there was scope for presenting material regarding an individual problem that could not be found in any other scholarly work. So in XIII I deal with the Athenian and the Megarian dispute over the *Orgas* and its relation to the 5th century incident, the burning of the *opisthodomos* at Athens, and the theoric fund. I have also made an effort to clarify concepts that need to be reinforced or explored from scratch in order to explain certain aspects of the orations; in XIII the term *ateleia* (immunity from tax) and the subsequent honours granted to Menon and Perdikkas, and in XIV *koinonika* (property owned by religious associations) and *klerouchika*.

A significant part of the introduction is devoted on producing a detailed account of the naval symmories problem, focusing on specific problems, formulating new hypotheses and providing some solutions to questions that scholars have been dealing with for some time.

My main conclusion is that there were two systems based on symmories; the *eisphora* and the naval ones. In this process I have discussed all major points of view and in particular the most recent ones. After an initial chapter on *eisphora* and symmories before 358/7 (the year of the establishment of the naval symmories) I tackle the liturgical

class mainly because it was the main unit of the citizenry that carried the burden of taxation and it seemed relevant to examine the naval reforms with an eye to their behaviour. I examine:

- a. i. their number, and concluded that the number of liturgists was in the area Davies defined it, i.e. around 300; this is of great importance if we are to determine whether the 1200 were actually expected to be trierarchs as well as contributors; ii. whether the *proeisphora* was a liturgy carrying exemption, since if it did, it would require a larger number of liturgists; I concluded that it did not.
- b. the evidence for anti-liturgic sentiments in unavoidably "aristocratic" sources and a possible swing of Athens to imperialism.
- c. the changing attitude towards taxation, using *I.G.* II² 244 and 505 as evidence that the state had transformed an essentially irregular tax, the *eisphora*, to a yearly institution, a fact that in its turn showed that the state had revised its former negative attitude to "direct taxation".
- d. whether 5 or 6 trierarchs were actually ever assigned to a single ship in view of the confusion in the law of Periandros between trierarchs and contributors; this was disproved by the inscriptions that showed formal assignments of 2 or 3. In this way the inequity within the 1200 and the abuse of the law by the rich was clarified.
- e. the new interpretation by Gabrielsen that exemptions were independent of any physical inability. I found this interpretation unsubstantiated.

The next step was to examine the reform of Periandros taking into consideration the naval records of the period. I found that ships were allotted to symmories once they were established and that although in the beginning symmories were commissioned with the recovery of debts and repairs, this was not carried through later on. I also argued that in *I.G.* II² 1622 there is the only record of individual members of symmories in an inscription, and I further concluded that certain members of a symmory were assigned the same ship year after year. Then I argued for the difference between a *synteles* (member of a symmory) and a *trierarch* describing the responsibilities each had and, finally, drew a distinction between the naval reforms of 358/7 and 340.

After discussing possible ways of the appointment of the 1200, I examine at length the more or less intractable problem of whether the *eisphora* and naval symmories were identical. I constructively criticise all major approaches, concluding that there is no evidence that contradicts my opinion that there were two different systems.

There follows a detailed analysis of D.'s proposals in XIV, the reasons behind them and the various problems of calculations the exemptions pose. It seems that Athens never adopted any of those proposals. The way D.'s proposals are analysed serves to

illustrate my point that he wanted to expand naval taxation on a wider, regular basis and include in that the *eisphora* payers. This is the first time D.'s proposals have been examined in this light and my conclusions indicate the orator's attitude towards taxation in the first period of his career. This is contrasted with an account of his unquestionably carried out reform of 340 BC, refuting some of the latest scholarly assumptions. There we see the limitation of trierarchy to 300 liturgists and his changing attitude towards the propertied class.

BIBLIOGRAPHY

Abbreviated titles

- Adversaria* P. Dobree *Adversaria* (Cambridge 1831)
- Anthemocritus* G.L. Cawkwell in "Anthemocritus and the Megarians and the decree of Charinus" *REG* 82(1969)327-335
- APF* J.K. Davies *Athenian Propertied Families, 600-300 BC* (Oxford 1971)
- Art* L. Pearson *The Art of Demosthenes* (Meisenheim 1976)
- Athenian Studies* *Athenian Studies (presented to W.S. Ferguson) H.S.C.P.* Suppl. vol.1(London 1940)157-182
- Beredsamkeit* F. Blass *Die attische Beredsamkeit* vol. III.1 (Leipzig 1893)
- Burning* W.B. Dinsmoor "The burning of the *Opisthodomos* at Athens" *AJA* 36(1932)143-173 & 306-325
- Constitution* P.J. Rhodes *A Commentary on the Aristotelian Athenian Politeia* (Oxford 1981)
- Decree* W.R. Connor "Charinus' Megarean Decree" *AJP* 83(1962)225-246
- Decree2* W.R. Connor "Charinus' Megarean Decree again" *REG* 83(1969) 305-308
- Decree3* R. Bonner "The Megarian Decrees" *CPh* 16(1921)238-50
- Decree4* P. Stadter "Plutarch, Charinus, and the Megarian Decree" *GRBS* 5(1984)
- Demosthenes* A. Schaefer *Demosthenes und seine Zeit* vol. I-III (Leipzig 1856-1858)
- Demosthenes* R. Sealey *Demosthenes and his Time* (Oxford 1993)
- Development* L. Pearson "The development of Demosthenes as a political orator" *Phoenix* 18(1964)95-109

- Dionysius* R. Sealey "Dionysius of Halicarnassus and some Demosthenic dates" *REG* 68(1955)77-120
- Eisphora* R. Thomsen *Eisphora: A study of direct taxation in Ancient Athens* Humanitas no. 3 (Copenhagen 1964)
- Étude* Gilberte Ronnet *Étude sur le style de Démosthène dans les discours politiques* (Paris 1951)
- Étude* P. Foucart "Étude sur Didymos" *Memoires de l' Académie des Inscriptions et Belles Lettres* 38(1909)
- Eubulus* G.L. Cawkwell "Eubulus" *JHS* 83(1963)47-67
- FGrH* F. Jacoby ed. *Die Fragmente der Griechische Historiker* 3 parts in 15 vols. (Berlin and Leiden 1923-1958)
- Finances* A.M. Andreades *A History of Greek Public Finance* (Camb. Mass. 1933)
- Financing* V. Gabrielsen *Financing the Athenian Fleet* (Baltimore 1994)
- Fortress* J. Ober *Fortress Attica* (Leiden 1985)
- GG²* J.K. Beloch *Griechische Geschichte* 2nd ed. 4 vols. in 8 (Strasbourg, Berlin and Leipzig 1912-1927)
- GHI* R. Meiggs & D.M. Lewis *Greek Historical Inscriptions* (Oxford 1988)
- GHI2* M.N. Tod *Greek Historical Inscriptions* vol. 2 (Oxford 1946-1948)
- HCT* A.W. Gomme, A. Andrewes, and K.J. Dover *A Historical Commentary on Thucydides* vols. I-V (Oxford 1945-1981)
- Hekatompedon* W.B. Dinsmoor "The Hekatompedon on the Athenian Akropolis" *A.J.A.* 51(1947)109-141
- I.G.* J. Kirchner *Inscriptiones Graecae* ed. minor of post 304/3 BC (II²) (Berlin 1927), D.M. Lewis third edition of pre-304/3 BC (I³) (Berlin 1983)

- LSJ* H.G. Liddell, R. Scott, and H.S. Jones *A Greek-English Lexicon* 9th ed. (Oxford 1973)
- MC* C. Cobet *Miscellanea Critica* (Leiden 1876)
- Metic* D. Whitehead *The Ideology of the Athenian Metic* (Cambridge 1977)
- Navy* B. Jordan *The Athenian Navy in the Classical period* (Berkeley 1975)
- NL* C. Cobet *Novae Lectiones* (Leiden 1858)
- Notes* D.M. Lewis "Notes on Attic Inscriptions" *BSA (Annual of the British school at Athens)* 49(1954)47ff.
- Number* V. Gabrielsen "The Number of Athenian trierarchs after ca. 340 B.C." *C&M* 40(1989)145-159
- Origins* G.E.M. de Ste Croix *The Origins of the Peloponnesian War* (London 1972)
- Particles* J.D. Denniston *The Greek Particles* 2nd ed. (Oxford 1954)
- Periandros* D.M. MacDowell "The law of Periandros about Symmories" *CQ* 36(1986)439-449
- Plutarch* C.W. Fornara "Plutarch and the Megarian decree" *YCS* 24(1975)213-228
- Power* G.L. Cawkwell "Athenian naval power in the Fourth Century" *CQ* 34(1984)334-345
- Problems* P.J. Rhodes "Problems in Athenian Eisphora and Liturgies" *AJAH* 7(1982)1-19
- Proeispherontes* R.W. Wallace "The Athenian Proeispherontes" *Hesperia* 58(1989)473-490
- Richtistellung* E. Ruschenbusch "Eine Richtistellung zu V. Gabrielsen, Trierarchic Symmories, *C&M* XLI(1990)89-118" *C&M* 43(1992)37-39
- Soldiers* H.W. Parke *Greek Mercenary Soldiers* (Oxford 1933)

- Staatshausaltung* A. Boeckh *Staatshausaltung der Athener* 3 volumes (Berlin 1851)
- Symmorien* E. Ruschenbusch "Die Athenischen Symmorien des 4 Jh.v.Chr." *ZPE* 31(1978)275-284
- Symmorienprobleme* E. Ruschenbusch "Symmorienprobleme" *ZPE* 69(1987)75-81
- Symmories* V. Gabrielsen "Trierarchic Symmories" *C&M* 41 (1990)89-118
- Syntelien* E. Ruschenbusch "Die trierarchischen Syntelien und das Vermogen der Symmorienmitglieder" *ZPE* 59(1985)240-249
- Timema* G.E.M. de Ste Croix "Demosthenes' τίμημα and the Athenian Eisphora in the Fourth Century B.C." *C&M* 14(1953)30-70
- Treasurers* W.S. Ferguson *The Treasurers of Athena* (Camb. Mass. 1932)
- VL* C. Cobet *Variae Lectiones* (Leiden 1873)
- Wealth* J.K. Davies *Wealth and the Power of Wealth in Classical Athens* (Salem 1981)
- Zahl* E. Ruschenbusch "Die Zahl der Athenischen Trierarchen in der Zeit nach 340 v. Chr." *C&M* 41(1990)79-88

EDITIONS, COMMENTARIES & SCHOLIA

All the Demosthenic entries in the commentary or quoted texts are from S.H. Butcher's *Demosthenis Orationes* vol. I (Oxford 1903)

Unless otherwise stated translations are from J.H. Vince's *Demosthenes* (London 1930)

C. Fuhr *Demosthenis Orationes* vol. I (Leipzig 1914)

G.H. Schaefer *Apparatus Criticus et exegeticus ad Demosthenem* vol.I (London 1824)686-703

F. Blass *Demosthenis Orationes* revised from the edition of G. Dindorf vol. I (Leipzig 1893)

M.R. Dilts *Scholia Demosthenica* vol. I (Leipzig 1983)

L. Pearson & S. Stephens *Didymi In Demosthenem commenta* (Stuttgart 1983)

M. Croiset *Démosthène Harangues* (Paris 1924)

H. Weil *Les Harangues de Démosthène* Revised edition by G. Dalmeyda (Paris 1912)

C. Walz *Rhetores Graeci* (Leipzig 1832-6)

L. Spengel *Rhetores Graeci* (Leipzig 1853-6)

Note

Books and articles that permeate the whole or a large part of the thesis are included in the "Abbreviated titles" section. Other works which are pertinent to a specific part of it are quoted *ad hoc*.

Bold numbers refer to sections of either or. XIII in Part 1 or or. XIV in Part 2.

Ancient authors have been abbreviated in such a way as to be easily identifiable.

Manuscripts are quoted according to S.H. Butcher's edition. When they are not mentioned there I used C. Fuhr's. Where there was a disagreement I clearly state what each scholar's different reading of the mss. is.

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PART 1 *On the Organisation*

Introduction

Chapter 1 Date and Genuineness of XIII

I. The Athenian and the Megarian dispute over the *Orgas* in the fourth century. The date of the dispute, what it was about, and its relevance to the date of the speech.

It is very difficult to date XIII independently especially in the absence of any date provided by Dion. Hal. We must therefore try to date the speech from internal evidence. XIII is particularly poor in pointing to any particular event that can be securely dated. However there is a mention in 32 concerning a decree that the Athenians had voted against the Megarians when the latter had trespassed on sacred ground, the *hiera Orgas*: οἶον ἂν πρὸς τοὺς καταράτους Μεγαρέας ἐψηφίσασθ' ἀποτεμνομένους τὴν ὀργάδα. As there is some evidence that helps date this dispute I have endeavoured to establish its date and the date of the oration as much as possible.

There was much controversy between Megara and Athens in ancient times. If we turn to the legends we find an Attic tradition that Pandion II of Athens ruled Megara as well, and that his son Nisus was given the domain as his inheritance. Nisus is alleged to have ruled over the region called Nisa or Nisaea, before it became known as Megara (Strab. 9.1.6, Paus. 1.5.3, 39.4, 2.34.7, Pind. *Pyth.* 9.91, *Nem.* 5.46, Eur. *Heracl.* 954). Another Attic tradition which was not specifically linked to the first, records Theseus' conquest of the Megarid (Plutarch *Thes.* 25). At any rate Athens and Megara became traditional enemies and the evident reason for this is the proximity of the two cities which made simultaneous growth and supremacy in the region impossible, a fact which subsequently affected their relationship with the rest of Greece. The *Orgas*, the sacred land of the Athenians dedicated to Demeter and Persephone, the two goddesses, was a piece of land on the border of the two states in a way like the Kirrhaia land, the piece of land between Delphi and the Lokrians that, because the latter cultivated it, caused the

Sacred war that brought Philip once again into central and finally southern Greece (cf. D. XVIII.142ff, 150ff).

What exactly *Orgas* means as a word we do not know. There are some earlier sources but they are not very decisive: *I.G.* I³ 95 ...παρὰ τὸ Πύθειον ἕτερον χορίον παρὰ τὸ ἠράκλειον ὀργάδος τὸ ἔμισυ τες ἐντὸς τὸ Πυθιο, Eur. *El.* 1163-1164: ὀρεία τις ὡς λέαιν' ὀργάδων/ δρύοχα νεμομένα, τάδε κατήνυσεν, *Bacch.* 445 Ἄρτέμιδος εἶναι κομπάσαντ' ἐν ὀργάσιν, 445 φροῦδαί γ' ἐκείναι λελυμένοι πρὸς ὀργάδας/ σκιρτῶσι Βρόμιον ἀνακαλούμεναι θεόν..., *Anthologia Graeca* 6.41 ὑπ' ὀργάδα τὰν Ἀχέροντος. The above do not convey the full meaning of the *Orgas* simply because they are not definitions and the people that heard them knew what an *Orgas* was. We can deduce though that the word signifies a meadow (*Bacchae*) probably wooded (*Electra*). A passage from Xenophon's *Cyngeticus* could be of some more help. *Cyn.* IX. 1-2: Ἐπὶ δὲ τοὺς νεβροὺς καὶ τὰς ἐλάφους κύνας εἶναι Ἰνδικάς· εἰσὶ γὰρ ἰσχυραί, μεγάλαι, ποδώκεις, οὐκ ἄψυχοι· ἔχουσαι δὲ ταῦτα ἱκαναὶ γίγνονται πονεῖν. τοὺς μὲν οὖν νεοσσοὺς τῶν νεβρῶν τοῦ ἦρος θηρᾶν ταύτην γὰρ τὴν ὥραν γίγνονται. κατασκέψασθαι δὲ πρότερον εἰς τὰς ὀργάδας, οὗ εἰσὶν ἔλαφοι πλεῖσται.

It seems to me that deer would come down from where they live in spring to enjoy the grass in the meadows and give birth to their fawns too. One can deduce then that *Orgas* is more or less a meadow.

Thukydides in I.139.2 mentions the ἐπικαλοῦντες ἐπεργασίαν Μεγαρεῦσι τῆς γῆς τῆς ἱερᾶς καὶ τῆς ἀορίστου. Ἐπεργασία means cultivation of another's land or encroachment upon sacred ground (Pl. *Lg.* 843c ὅς δ' ἂν ἐπεργάζεται τὰ τοῦ γείτονος ὑπερβαίνων τοὺς ὄρους). If the land was cultivated it was of course fertile enough. Plutarch in *Perikles* 30 says ἀποτέμνεσθαι τὴν ἱερὰν ὀργάδα. The verb ἀποτέμνεσθαι means to appropriate, to take, to conquer. Thukydides uses the same verb in VIII. 46.4 τρίβειν οὖν ἐκέλευε πρῶτον ἀμφοτέρους καὶ ἀποτεμόμενον ὡς μέγιστα ἀπὸ τῶν Ἀθηναίων. The most decisive evidence is *I.G.* II² 204; there we can see a dilemma among Athenians who are wondering whether to cultivate the *Orgas* or not. The oracle from Delphi actually solved the problem by urging them to leave it

untilled. If the *Orgas* could be cultivated then it was a fertile spot of land. Didymus' opinion in his commentary on oration XIII col. 14.3f. coincides with such an explanation and I quote it: λέγεται τοίνυν ὀργὰς κοινότερον μὲν ἅπαν χωρίον δενδρῶδες οἶον ἄλσος, πεποιημένου τοῦ ὀνόματος παρὰ τὸ ὀργᾶν καὶ τινα ὀρμὴν εἰς τὸ βλαστάνειν ἔχειν. οὕτωςι γὰρ ἔλεγον ὀργᾶν τὸ πρὸς ὀτιοῦν ὀρμὴν εἰς ἐτοιμότητα ἔχον,... The later lexicographers do not seem to follow this trend and Harpokration comments on O27: ὀργὰς· ἐν τῷ Περὶ Συντάξεως ὀργὰς καλεῖται τὰ λοχμῶδη καὶ ὀρεινὰ χωρία καὶ οὐκ ἐπεργαζόμενα, ὅθεν καὶ ἡ Μεγαρικὴ ὀργὰς προσωνομάσθη, τοιαύτη τις οὔσα, περὶ ἧς ἐπολέμησαν Ἀθηναῖοι Μεγαρεῦσιν (Suda O505 gives more or less the same definition, the *Etymologicum Magnum* connects *Orgas* with ἄργη and ἀνέργαστος with an obvious allusion to the custom of leaving sacred land untilled).

I do not know where these later sources got their information from but I think it is safer to stay closer to the ancient tradition and I would finally define *orgas* the way *LSJ* do: "...any well watered fertile spot of land or meadow land partially wooded with or without cultivated fields".

In the 430s Thukydides and much later Plutarch *Perikles* 30 mention the *Orgas* as a potential cause of the war. Megara appropriated the *Orgas* and Athens responded with the exclusion decree which according to Thuk. I.139.1 and Aristoph. *Ach.* 534 led to the Peloponnesian war. It seems that besides being a religious precinct the *Orgas* was also important for strategic reasons. We are not very sure where exactly the *Orgas* is today but the verdict of the latest book on the Attic frontier by J. Ober *Fortress*. I quote his opinion on the location of the *Orgas*, 225: "...the association with Eleusis (*I.G.* II² 204) implies that the *Orgas* was in the southern part of the borderlands. Harpokration (s.v) calls it the Megarian *Orgas*. This reference, and the fact that it was the Megarians who tended to cultivate it (Plut. *Perikles* 30.2) suggest that the *Orgas* was on the Megarian side of the Kerata range. It seems highly unlikely that the Athenians would have allowed the Megarians to cross Kerata and cultivate land that was geographically part of Attica at any point in their history. I would suggest that the hilly land west of Kerata and the Kantili pass, which leads into but was distinct from the

Megarian plain, was the area in which the *Orgas* was located". Chandler *JHS* 46(1926)1-21 suggested that the *Orgas* was on the Megarian side of the border, in the small pocket of land east of the Iapis stream bed and west of Kerata. Other suggested areas, all on the Athenian side of the Kerata, include the Meletaki plain suggested by U. Kahrstedt "Die Landgrenzen Athens" *Ath. Mitt.* 57(1932)8-10 and A. Philippson *Die Griechischen Landschaften* 4 volumes in 8, vol.I.2 (Frankfurt 1950-1959)530; the region of Korakas north of Meletaki by C. Edmonson *The topography of northwest Attica* (unpublished Ph.D dissertation University of California, Berkeley 1966)110-112; and the area southwest of Eleusis by A. Milchoefer in *Karten von Attica* 9 volumes in 3, vol.V(Berlin 1881-1900). I quite agree with the opinion of Ober *Fortress* about the location of the *Orgas* and his hypothesis that it should be on the Megarian side of the Kerata range. It must have been south of the Kerata range, near but not in the Megarian plain. As for Chandler's opinion I quote: "...the small stretch of land between the Iapis torrent and the Kerata mountain formed the boundary of Attica and the torrent that of the Megarid". Her opinion is not impossible but it seems to me this area is quite small and if the income from it could repay the damage to the sacred buildings (*I.G.* II² 204. 24-30) it must have been larger than what she has actually proposed. Anyway both opinions set the *Orgas* south of the Kerata range near the Megarian plain which seems the most natural thing. Ober *Fortress* 217 gives some additional information about the location of the *Orgas*: "Although today the exact location of the *Orgas* is disputed, it seems likely that it was in the hilly land just west of the Kerata range near the entrance to the Kantili pass. Athenian resistance to Megarian occupation of the *Orgas* can therefore be construed as a successful attempt to ensure that the land on both sides of the pass remained under Athenian influence. The Dorskouri tower was probably built at this time ostensibly to watch the *Orgas*, but in reality to watch the Megarian plain and the approaches to the pass; the fortifications on the peak of Dorskouri, the Mylos tower and the Ag. Triada Myrini tower may have been built by Athens at the same time". This Dorskouri tower is quite interesting; it is a round tower and no notable pottery was found around it but the similarity of the tower to that of Gyftokastro and the Velatouri tower suggests indeed a date in the early mid-fourth

century. I now quote Ober *Fortress* 178 who gives a very good account of the view from the tower: "The view from the Dorskouri tower is excellent. Most of the Megarian plain, including the city of Megara, is in sight, as well as much of the bay of Eleusis, northern Salamis, and the western entrance to the Kantili pass. The Dorskouri fortification hill, the Kerata tower peak and Boudoron on Salamis are all in view. Since the tower lacks any view into Attica it can hardly be considered Megarian; it must be an Athenian watch-post, built to overlook the Megarian plain and the approaches to the Kantili and coastal passes". Although I am in favour of this approach I think that it could also be a Megarian watch-post which overlooks the Kantili pass just to control the passage from Athens to Megara. Although Athens had a great interest in guarding the Kantili pass, so did the Megarians; so one cannot be sure the tower was Athenian. At any rate the evidence Ober *Fortress* has given about the *Orgas* and the review of all the opinions on the southwestern frontier of Attica seem to me to be cumulative in favour of the location he has pointed out and I agree with that.

In the 5th c. Thukydides I.139.2 refers to the *Orgas* as a land ἀόριστος, meaning without boundary stones. Things definitely had changed in the fourth century. It seems that boundary stones were there and that somehow they had been displaced since the strategos of the chora, Ephialtes, invaded the Megarid in 350/49 and placed new boundary stones: Didymos col. 13. 47ff. (quoting Philochoros *FGrH* 328 F155): Ἀθηναῖοι δὲ πρὸς Μεγαρέας διενεχθέντες ὑπὲρ τοῦ ὀρισμοῦ τῆς ἱερᾶς Ὀργάδος ἐπῆλθον εἰς Μέγαρα μετ' Ἐφιάλτου στρατηγοῦντος ἐπὶ τῇ χώρᾳ καὶ ὠρίσαντο τὴν Ὀργάδα τὴν ἱεράν. ὀρίσται δ' ἐγένοντο συγχωρησάντων Μεγαρέων Λακκρατείδης ὁ ἱεροφάντης καὶ ὁ δαιδοῦχος Ἰεροκλείδης, καὶ τὰς ἐσχατίας τὰς περὶ τὴν Ὀργάδα καθιέρωσαν τοῦ θεοῦ χρήσαντος λῶον καὶ ἄμεινον ἀνεῖσι καὶ μὴ ἐργαζομένοισι. The evidence we have is not a full account of the dispute but will help us to understand what happened in the 350s:

- i. In XIII. 32 he refers to a decree passed by Athens not letting the Megarians appropriate the *Orgas*. Athens was too idle to enforce it and D. accuses his fellow citizens of inconsistency .

- ii. *I.G. II² 204*; a decree of 352/1 (its date is certain since the name of the archon has been preserved on the stone) concerning the fixing of the boundary stones of the *Orgas* by appointing fifteen men as a committee ὅπως ἂν ὡς εὐσεβέστατα καὶ δικαιοτάτα τοὺς ὄρους θῶσιν.
- iii. Didymus' vital comments on D. XIII. Didymus quotes Philochoros and Androtion who were indeed of great influence on him. Their stories are similar but we will see where they differ.
- iv. The *Third Olynthiac* delivered in 349/8 which refers briefly to expeditions against Megara and Corinth when there is no help for Olynthos which is in need of help (III.20).
- v. The speech *Against Aristocrates* (XXIII. 212) where there is a reference to the accursed Megarians.

The scholia of Didymos date the final stage of the dispute in 350/49 and there is no reason to distrust this. Philochoros and Androtion were close to the facts and had archon lists to date the events; in view of this they surely must be accurate.

It is important to see the whole situation of the Athenian foreign policy before this final stage. After the Social War the Athenians had to check Philip in Thermopylae in 352. There must have been a year of peace or at least quietness before Philip's effort to come to central Greece, before Thermopylae. That year would be 353/2 and it is the year that I propose for XIII¹. The reasons to date the oration then are many. There is no mention of the action against Philip at Thermopylae in 352/1. The secession of Rhodes and other allies had happened before 353 (357-355 BC - this was one of the causes of the Social war), the year when Mausolos the dynast of Karia and most probably the instigator of the revolt died. The decree of 352/1, *I.G. II² 204*, suggests that some action about the *Orgas* was taken perhaps because of the complaints of D.

¹This date was first proposed by H. Francotte *Le Musée Belge* 17(1913)271ff. and then G.L. Cawkwell in "Eubulus" *JHS* (1963)48 n.9; the latter is equivocal but credits Blass *Beredsamkeit* 398 ff., not quite accurately, with the choice of that date.

Didymos dated XIII in 349/8 for no obvious reason. Everybody has considered him wrong and a discussion on his reliability will follow.

The decree of 352/1 (*I.G.* II² 204) mentions the refixing of the boundary stones. This means that at some previous point Athens had incorporated the *Orgas* and made it Athenian territory (line 74 ἀντὶ τῶν ἐκπεπωκότων νέους ὄρους θεῖναι). Not only did a fifteen-member committee look after this task but also the δαιδοῦχος, the ἱεροφάντης, and the γένη of the Eumolpides and the Kerykes, as well as the *basileus*. Koehler commenting on the inscription said: "Cippi terminales τῆς ἱερᾶς Ὀργάδος partim vetustate partim malificentia et cupiditate hominum deciderant vel sublati erant. Decretum est ut quindecim viri eligerentur, qui cippos restituerent. Praecipitur, ut controversiae, quae nascerentur per hos quindecim viros, ut nos diceremus, auf dem Wege der Verwaltungsgerichts arbeit, dirimerentur". What is the meaning of *malificentia* and *cupiditas hominum*? Koehler suggests not that an invasion of the *Orgas* had taken place but that the *cippi terminales* were knocked down by the neglect and greediness of the local farmers. One should **not** take this decree as anti-Megarian only. It seems that the culprits who appropriated the *Orgas* were Athenian farmers as well. P. Foucart who published the decree in *BCH* 13(1889)433-467, admittedly before the discovery of Didymos' commentary and the publication of *I.G.*, has a very good commentary on it. Analysing it he noticed the calmness and orderliness with which it tries to solve the problems present at the *Orgas*. It is so calm that the Megarians are not even once mentioned. The decree orders the appointment, as I mentioned above, of a committee under the supervision of other officials relevant to the Eleusinian deities' cult. They are to settle the matter of the boundaries of the *Orgas*. What the decree orders is to write, on two identical plaques of tin, two questions; on the first, if it is best to rent the *Orgas* and build with the revenue the Prostylos of the temple at Eleusis as well as to do some repairs, and on the second, whether the land should be left untilled in the honour of the Goddesses. Then the plaques will be placed within an urn; the first one to be retrieved will be put in a golden one and the second in a silver one. After all this procedure which vouchsafes transparency, the urns will be sealed and will be sent to Delphi. The God will be asked whether he approves of the golden or the silver urn.

Foucart 437-8 recognised the pertinency of XIII. 32 and thought that the speech was delivered before this decree and that even then the orator was exaggerating. What in the beginning was thought to be Megarian encroachment was in the end as the decree shows mostly an Athenian one. So in this respect the decree does not offer significant evidence about the date of the oration apart from informing us of some, presumably internal, problem with the *Orgas*.

Let us though finish with the *Orgas* first before returning to the date of the oration. P. Foucart in "Étude sur Didymos" *Mémoires de l' Académie des Inscriptions et Belles Lettres* 38(1909) 95-108 thought that the *Orgas* was never marked out before this time - 352/1. But the term ἀντὶ τῶν ἐκπεπωκότων in Didymos obviously points toward the fact that the precinct of the *Orgas* had once been settled. There was no settlement in the 5th c. as Thukydides tells us. After the 404 peace Athens presumably lost the *Orgas* but by 352/1 it was fully incorporated as Athenian territory. Exactly when that happened and why we have no evidence. It could have been incorporated around 376 when the second Athenian League was formed with Athens trying once more to control the roads coming from the Peloponnese or at any rate to dominate the region. The years before the peace of Kallias (371/0), when Athens was at its highest point, could be when the incorporation of the *Orgas* took place. At some later point then the Megarians, perhaps not even as a state but as individual farmers, made their way again to the *Orgas*. It is difficult, as I have hinted above, to say whether the decree insinuates any foreign encroachment on the *Orgas* and it is even more difficult to decide whether XIII was written before or after the decree. One thing is certain, that the 352/1 decree did not solve the differences with Megara, and according to Didymos war was the result in 350/49, which seems to indicate that the decree's purpose was not fulfilled: *I.G.* II² 204.8-10: ἦ μὴν μήτε χάριτος ἔνεκα μήτ' ἔχθρας ψηφιεῖσθε, ἀλλ' ὡς δικαιότατα καὶ εὐσεβέστατα. G.L. Cawkwell in *Anthemocritus* noticed that the invasion of Ephialtes is not mentioned by Androtion in Didymos' account (*FGrH* 324F30), which he maintained to signify that the invasion was not at all important. Probably Didymos did not quote all the information from Androtion as the ὠρίσαντο δέ shows, which probably points to the previous military action being left out; also the

phrase ὅπως βούλοιντο, with the Athenians as the subject of the verb, must refer to some unmentioned fact that gave the Athenians the right to decide on the boundaries of the *Orgas*, which was probably military action. As for Cawkwell's other point in *Anthemocritus* 330-1, that the dispute between Athens and Megara in 350/49 was only about the ἔσχατιαί whereas in 352 (*I.G.* II² 204.25-30) they were about the *Orgas* itself, de Ste Croix *Origins* 388 n.1 argued convincingly that the Atthidographers in Didymos "...speak of the Athenian-Megarian quarrel first and only later go on to speak of the Athenian consecration of the ἔσχατιαί in accordance with the oracle and the decree of Philocrates"².

The fact that Philocrates is mentioned in Androtion's account, probably the notorious one from the Peace of 346 bearing his name, made Didymos make the connection with the demagogue Philocrates col.14.57ff. who in one of his speeches, as Theopompos reports, mentions Megara, Boiotia and other cities as hostile to Athens. This could point maybe to the suspicion that the Megarian case was stirred up in 350/49 by the philippizers who wanted to distract the Athenians' attention from Philip towards trivial matters, as D. complains in III.20. It is not likely, though, that the Megarian champions of Philip caused the whole episode to destabilise Athens. That was not going to happen until a decade later (D.X.18, XIX.334, XVIII.234, Plut. *Phoc.* 15).

To assess the information pertinent to the date of XIII my opinion is that the decree does offer some idea about the date of the problem with the *Orgas* but not much about the circumstances in which D. made the comment about the Megarians. Another speech helps perhaps to specify the date of XIII further and that is *Against Aristokrates* where there is a mention of the Megarians as *kataratoi* (XXIII. 212). In this speech there is a good account of the relations between Athens and Kersobleptes, the King of Thrace. It was the Athenian decision to grant Kersobleptes' maverick general Charidemos immunity from any attack that prompted D. to challenge that decision.

²P. Harding in *Androtion and the Atthis* (Oxford 1994) suggested that *I.G.* II² 204. 25-30 could be restored instead of ἐντός to ἐκτός but he agrees that whether the disputed territory is within, beside, around or on the extremities of the boundaries it is just a matter of perception.

Foucart *Étude* and F. Focke *Demosthenesstudien* (Stuttgart 1929)12-16 thought that this speech could be the key to the chronology of XIII. Focke dismissed XIII. 27 as insufficient evidence to date the oration: ...ἐν τῇ εἰρήνῃ. The passage recurs in III.28 and it is equally unacceptable that in either situation Athens was at peace, since there was nominally at least war with Philip. The best way to explain the word is to understand that D. wanted to stress the absence of any strong force in Greece at the time, considering Philip as an outsider who did not yet challenge the situation in mainland Greece. This is preferable to Sealey *Demosthenes* 236, who claims that D. refers to the common peace of 362, since it is not clear from the text that D. refers to specific peace-terms that could justify that he meant the peace of 362. From D.'s words it is obvious that a decree was passed but remained inactive. The inscription could be used as a *terminus post quem* since it is the only chronological indication we have about a problem with the *Orgas*. After the decree it seems that the Megarians did not actually agree with the new situation and the whole episode escalated in a crisis in 350/49; it was between those two dates (352/1 and 350/49) that the oration was delivered. Focke preferred a closeness with XXIII rather than with the *Olynthiacs*, arguing that in the *Aristokrates* speech the other orators are vehemently criticised, as is also true in XIII, in addition to the fact that the κατάρατοι Megarians are mentioned in both speeches. The *Aristokrates* speech is dated by Focke (he thought that the *Aristokrates* was delivered just before XIII³) and Sealey *Demosthenes* 130 to 352/1, actually early 351, before the news about the Heraion Teichos reached Athens (for that incident *see* Diod. XVI.35.4-6, 37.2-3, 38.1-2, D. I. 13, III.4).

A second set of arguments is based on the likeness of XIII with the *Olynthiacs*. This will be discussed later in the discussion of the doublets. F. Levy in *De Demosthenis περὶ συντάξεως oratione* Diss. (Berlin 1919)60-63 wanted the oration to be in 349/8 because he saw the ideas of III more developed in it; to give an example, when D. talks in XIII.4 about those ὑπὲρ τὸν κατάλογον it seems to be one of his main proposals,

³I cannot see why especially before XIII, but certainly they would be quite close according to this reasoning, without excluding a wider gap and XIII drifting later towards 350/49.

whereas he mentions it again in III.34 briefly or even perfunctorily. This according to Levy is indicative of the refinement D. had made on some of his thoughts in III, which makes the theoretic fund mention in XIII pertinent. His date is one a little later after the last Olynthiac i.e. 349/8. Unfortunately he cannot combat the main argument of those who date the speech before 350, namely the non-mention of Philip. At a time (after the events at Thermopylai in 352) when Philip had shown himself to be the worst enemy of the Athenians it would be rather difficult to have a public oration and not have the mention of Philip. This is a strong argument and it even compromises the date Focke set, i.e. 352/1, and one needs to go back a year and assume the date of the speech is 353/2 (as Cawkwell *Anthemocritus* 329 & n.3 has already done). This is however very fragile and as Levy pointed out even XIV has such a short mention of the King that it is impossible to hold that D. had a low opinion of the King as an enemy. Indeed some of D.'s orations are very vague and that is why it is so difficult to date them, this being the reason why Dion. Hal. tried to date some in the first place. It has to be stressed though that even in XIV we do know what the discussion is about and a large part of the speech is devoted to showing that there is to be no fear from the King unless the Athenians attack first. So although the date 353/2 is not uncontestable⁴ it should suffice to say that it seems the most probable one⁵.

⁴It should be mentioned that XV was dated to 351 according to Dionysius but it contains none of the historical references of the *First Philippic* which was delivered in the same year.

⁵It remains to discredit Didymos' date, 350/49; it depends solely on the date of the *Orgas* incidents as narrated by Androtion and Philochoros (the armed invasion of the Megarid) which makes the date rather his own conjecture and not deriving from an ancient source: μετὰ Ἀπολλόδωρον ἄρχοντα Καλλίμαχον. τὶ δὴ ποθ'; ὅτι μνημονεῦει τῶν πραχθέντων Ἀθηναίοις πρὸς Μεγαρέας περὶ τῆς ἱερᾶς Ὀργάδος. Didymos was notorious for his negligence, thus S. West "Chalcenteric negligence" *CQ* 20(1970)288-296, but see Pfeiffer's conviction in *History of Classical Scholarship from the beginnings to the Hellenistic age* (Oxford 1968)277: "...the only prose writers on whom were commentaries at his disposal for excerpting and compiling were the orators, especially Demosthenes...Didymus' references reveal the important fact that there were exegetical writings on Demosthenes in existence before this time. Careful investigation has shown it to be likely that they belonged to the late second or the early first century BC and treated questions of chronology, history and language".

II. The dispute over Charinos' decree and the mission of Anthemokritos. Do these events belong in the 4th c. BC?

A previous occasion when there was a problem with the *Orgas* as we saw was in the 5th c. just before the outbreak of the Peloponnesian war, Thuk. I.139.1. There has been the suggestion that certain events that have been recorded by Plutarch could refer to the crisis between Athens and Megara in the 4th c. The scholar who initiated the dispute over moving Charinos' decree and the incident of the herald Anthemokritos to the 350s was W.R. Connor "Charinus' Megarean decree" *AJP* 83(1962)225-246. The traditional view was unanimous on keeping these events to the fifth century but there was a great controversy on the problem whether the exclusion decree was identical to Charinos' one. This was assumed because of the sequence of events Plutarch gives. At the beginning of Plut. *Perikles* 30 he mentions the courteous decree of Perikles when he asked the Megarians to withdraw from the *Orgas* and then after the murder of the herald Anthemokritos came Charinos' decree which banned the Megarians from Attic soil on the penalty of death, giving also Anthemokritos a very honourable burial outside Athens, in the place called Δίπυλον. The view that the exclusion decree was identical to Charinos' one was prominent in the 19th century. Early in the 20th c. this view was thoroughly refuted and an account of it will be given later. Connor argued that it is not absolutely certain when to date the courteous decree, Charinos' one and the death of Anthemokritos in the 5th c. and he tentatively suggested the fourth century. His new proposal caused a turmoil among scholars and as far as I know nobody supported his view; it has to be admitted though that his proposal did shed a new light on Plutarch's *Life of Perikles*. All the above come down to the question "was Plutarch confused?" The most important thing is to establish whether the exclusion and Charinos' decree are the same or not. If they are then there is no reason to move Charinos to the 4th c. If they are not, which is very possible, then there can be no clear-cut decision.

As I mentioned, in the 19th c. the predominant view was that in *Perikles* 30.3 we see the exclusion decree. Charinos proposed it but Perikles was clearly the mover. Connor pointed out that "...today of course, it seems obvious that Charinos' decree is not the same as the exclusion decree. Their proposers, purposes and provisions are totally

different". The 19th c. proponent of the identification theory was Holzapfel and Connor should have told us more of his opinion. R. Bonner "The Megarian Decrees" *CP* 16(1921)238-250 gives quite a good account of Holzapfel's argument. He identified the two decrees and went further to argue that the decree could only have been written during peace time. Puzzled by the war provisions which Charinos' decree contained and by Thukydides' account, which did not mention war (biennial invasions - as one of the provisions of the exclusion decree), he argued that at a later date somebody added further information to the original exclusion decree, and that is how we have today the "strange" biennial invasions which should have taken place in the Peloponnesian War. This though is totally unsupported by the contemporary evidence.

M.G. Thieme *Quaestionum comicarum ad Periclem pertinentium capita tria* Thesis (Leipzig 1908)30ff. tried to revive Holzapfel's idea by trying to show that in the *Acharnians* of Aristophanes the decree of Charinos does not exist since the sycophant would have had the legal right to take away the Megarian and execute him. If the law did not exist at the time of the comedy it could have been added to the exclusion decree by somebody later on or even deduced from Aristophanes' jest in 533-4:

μήτε γῆ μήτ' ἐν ἀγορᾷ

μήτ' ἐν θαλάττῃ μήτ' ἐν ἠπείρῳ μένειν

which is very inadequate evidence as Bonner *Decree3* correctly pointed out, especially to justify a whole insertion in a decree.

As for the sycophant, Bonner *Decree3* cleverly overcame this point by arguing that it would not be funny to execute the Megarian on the spot. On the contrary Aristophanes intended to minimise the sycophant's patriotism by having him prefer the most lucrative process of prosecution. The death of the Megarian would not be of any use to him but the *phasis* was a different matter⁶.

Connor *Decree* accuses Plutarch of confusion and his answer to the identification of the decrees is "...unless one wishes to revive Holzapfel's old idea one must simply

⁶*phasis* is a term that denotes customs regulations when importation of certain goods is prohibited. When somebody exposed smugglers he got half the value of the confiscated products.

concede that Plutarch and the scholiast were confused. Somehow they identified two separate decrees that mentioned Megara". The scholion he refers to is the one on 246 (246b) of Aristophanes' *Acharnians*. I quote it as Holzapfel and Wilamowitz⁷ have emended it (they came to that conclusion **independently**): ...Χαρίνου, τὸ πινάκιον συνθέντος τὸ κατ' αὐτῶν εἰς τὴν Περικλέους χάριν, ὥστε μήτε γῆς μήτε λιμένων Ἀττικῶν ἐπιβαίνειν...τοὺς Μεγαρεῖς. εἰκότως οὖν εἰς τὸ κεχαρισμένον τοῖς Ἀθηναίοις τοὺς τούτων ἐχθροὺς παρῆσάγει ἐκ τοῦ πολέμου συντριβομένους εἰς τέλος. (Mss. χάριν τοῦ instead of Χαρίνου). Yet there seems to be no definite confusion among the other scholia containing relevant information: Ἀσπασίας πόρνας δύο· τῇ μιᾷ τούτων ἐκέχρητο ὁ Περικλῆς· δι' ἣν ὀργισθεὶς ἔγραψε τὸ κατὰ Μεγαρέων ψήφισμα ἀπαγορεύων δέχεσθαι αὐτοὺς εἰς τὰς Ἀθήνας. ὅθεν ἐκεῖνοι εἰργόμενοι τῶν Ἀθηνῶν προσέφυγον τοῖς Λακεδαιμονίοις. ἡ δὲ Ἀσπασία Περικλέους ἦν σοφίστρια καὶ διδάσκαλος λόγων ῥητορικῶν. ὕστερον δὲ καὶ γαμετὴ αὐτοῦ γέγονεν. Scholia in *Acharnians* 527 (see N.G. Wilson's edition (Groningen 1975).

...ἐπὶ Σκυθοδώρου, ὅς ἐστιν ἀπὸ τούτου ἕβδομος, περὶ Μεγαρέων εἰπὼν· ὅτι καὶ αὐτοὶ κατεβῶν Ἀθηναίων παρὰ Λακεδαιμονίοις ἀδίκως λέγοντες εἶργεσθαι ἀγορᾶς καὶ λιμένων, τῶν παρ' Ἀθηναίοις. οἱ γὰρ Ἀθηναῖοι ταῦτα ἐψηφίσαντο Περικλέους εἰπόντος τὴν γῆν αὐτοὺς αἰτιώμενοι τὴν ἱερὰν τοῖς θεοῖς ἀπεργάζεσθαι Scholia in *Peace* 605a. It is striking that in D. Holwerda's new edition of the scholia on *Peace* 246 (Groningen 1985) does not mention at all the emendation by Wilamowitz and Holzapfel. In the Scholia on *Peace* 609 it is undoubtedly Perikles who is the direct instigator of the Megarian exclusion decree: ἐπεὶ ψήφισμα περὶ τῶν Μεγαρέων ὁ Περικλῆς ἔγραψε μήτε γῆς μήτε λιμένων Ἀττικῶν αὐτοὺς ἐπιβαίνειν. εἰ δὲ μή, τὸν ληφθέντα ἀγώγιμον εἶναι ἐφ' ᾧ κινήσεισα πᾶσα ἡ Ἑλλάς τὸν πόλεμον ἐποίησεν.

⁷U. von Wilamowitz in "Δάμων Δαμωνίδου Ὁάθεν" *Hermes* 14(1879)319n.2 only says that Plutarch had read the psephismata collection by Crateros and it was assumed by Wilamowitz that the scholion should be emended from chapter 30 of Plutarch's *Perikles*: "Den Charinos nennt Plutarch 30, der die Psephismata bei Krateros selbst gelesen hat; auf diesen gehts aus das scholion zurück".

If we accept the scholion on *Peace* 246 as emended by Holzapfel and Wilamowitz, then it definitely confuses the Charinos decree with the exclusion one and all the other scholia quoted point towards that confusion. Holwerda however does not consider this possibility and one has to conclude that the emendation makes it very difficult to accept the scholion as solid evidence.

Connor more or less accepts confusion on the part of Plutarch. Indeed there are difficulties in dating the Charinos decree around 431. Charinos' decree itself requires a previous period of peace since the war provisions would be useless if the war was a fact anyway and certainly before the final embassy of Sparta to Athens, because if such a decree was voted before the last embassy:

- i. would the Spartans negotiate with Athens if there was such a decree against their allies the Megarians?
- ii. the Athenians would not have forgotten the death of their herald and Perikles could not have said δίκας δὲ ὅτι ἐθέλομεν δοῦναι κατὰ τὰς ξυνθήκας πολέμου δὲ οὐκ ἄρξομεν, ἀρχομένους δὲ ἀμυνούμεθα if the Athenians had decided to invade the Megarid not once, but twice a year.

Connor *Decree* then examines Aristophanes' *Acharnians* and comes to the conclusion that the provisions in Charinos' decree were not in force at 425 but admits that they could have been revoked by then.

Anyway Thukydides and Aristophanes do not offer a clear exposition of the decrees. At this point I would like to add a suggestion. Charinos' decree cannot have been passed during the war because if it was passed before Plataea (Thuk. II.2) and the Athenians had attacked Megara, Thukydides would have noticed this as the first act of war between the two leagues and would have had to mention it. If it was after Plataea, then I cannot see the need for a herald in a time when war had broken out.

Connor *Decree* does not try to explain in depth why Thukydides may not have mentioned the whole event. Connor surmises that if the historian did not write anything about Charinos then there was nothing to tell of and goes on to give his opinion as to the date of the decree.

Apollodoros was the archon of 430/429, a year when trouble with Megara was a fact. Another Apollodoros was the archon of 350/49, when again problems with Megara had arisen concerning the *hiera Orgas* and if we are to believe Didymos' quotation of Philochoros the dispute ended in a clash of arms. What Connor *Decree* supposes is that Plutarch did not have a copy of the exclusion decree in front of him and he assumed that the Charinos decree, which he had, was definitely the same one with the exclusion decree and wrongly dated it to 430/29 checking the archon lists. Maybe Crateros was his source and had made that mistake before Plutarch. It is an attractive and definitely intriguing theory but there has been no agreement on it. Connor himself later agreed that he was not sure any more. In *Decree2* he admits that Cawkwell *Anthemocritus* has weakened his case by pointing out Didymus' commentary on XIII, which although it contains Philochoros' and Androtion's rather full account of the dispute over the *Orgas*, does not say anything at all about a *psephisma* brought forward by Charinos. It is not possible then for the decree to be in 350/49 and this removes the convenient assumption that Plutarch confused two archons of the same name. Cawkwell's *Anthemocritus* 333f. further argument, though, associating Anthemokritos with the dispatch of *σπονδοφόροι* to summon the cities for the Eleusinian Mysteries is invalid since it is unlikely that a messenger for the Mysteries would carry a political message - in our case a message of denunciation. Furthermore Cawkwell acknowledges the fact that *σπονδοφόροι* were sent also to enemies (not to denounce them) and that sometimes they were kept imprisoned⁸. It is unlikely that the Athenians would send a message of denunciation with a *σπονδοφόρος*, as it would pervert the original religious mission of such a religious duty (the very word *σπονδοφόρος* suggests a mission for peace and certainly cannot be extended to an aggravating situation). Cawkwell also associated Anthemokritos with the decree which was *εὐγνώμονος καὶ φιλανθρώπου δικαιολογίας ἐχόμενον*, a decree which was less offensive and more pleasant.

⁸see Tod *GHI2* 137.

K.J. Dover "Anthemocritus and the Megarians" *AJP* 87(1966)203-209 also attacked Connor's paper and pointed out that Μεγαρεῖς in Plut. *Perikles* 30.4 must mean **Megarian writers**. Of these Megarian writers we know of only three and they all belong to the fourth century, which makes it more difficult for them to ignore or confuse contemporary events or even events that were less than one hundred years old. Connor *Decree*² persuasively refuted this by showing the practice of Plutarch when citing Megarian writers. In *Theseus* he either mentions them by name (20.2) or refers to οἱ Μεγαρόθεν συγγραφεῖς (10.2). On the contrary, Connor continued, when he wishes to refer to **his** contemporary Megarians as a source of reference he says Μεγαρεῖς (27.8). Another argument against Dover is that one cannot be sure that the names that have come down to us are all the Megarian historians that ever existed and there may have been some other historians too. De Ste Croix's point of view in *Origins* 374 is also useful since he notices that Megarians as historians are used by Plutarch only in mythological contexts. Dover in *The Greeks and their Legacy* (Oxford 1988)181-186, where he reprinted his article on Charinos' decree, says that even if Megarians are contemporary people in the age of Plutarch they surely must have read some historical books to come to their conclusion about the cause of Perikles' intransigence on repealing the exclusion decree. There is though no reason to date these books to the 4th century nor assume that there was no propaganda anti-Athenian Megarian writing at any other time, a point which makes irrelevant the claim that contemporary Megarian writers would be unlikely to be inaccurate.

Connor's *Decree* thesis then has been attacked by everybody and Cawkwell's decisive argument based on the information contained in Didymos' commentary on XIII brings to an end the date of 350/49 for Charinos' decree. There is one more argument in favour of Connor's thesis and that is D. XII.4. The way Philip argues is as if he refers to contemporary events and not so far in the past. Cawkwell *Anthemocritus* 335 does not consider the whole tone of the argument as a problem but only the perfect tense used which suggests a very recent affair: Μεγαρέων γοῦν Ἀνθεμόκριτον ἀνελόντων εἰς τοῦτ' ἐλήλυθ' ὁ δῆμος ὥστε μυστηρίων μὲν εἶργον αὐτούς, ὑπομνήματα δὲ τῆς ἀδικίας ἔστησαν ἀνδριάντα πρὸ τῶν πυλῶν. Indeed Philip in order to prove

that his ambassador had been wronged would use a famous Athenian example of a herald wronged and so Anthemokritos could have been used as a proper example. It could be (and this solves the perfect tense problem) that a statue of Anthemokritos had recently been erected as a reminder of that event in the 5th c. but as Cawkwell admitted "it may not be right to press the phrase".

Two more accounts have tried to free Plutarch from the accusation of being inconsistent. These are Fornara's "Plutarch and the Megarean Decree" *Yale Classical Studies* 24(1975)213-228 and Stadter's "Plutarch, Charinus, and the Megarean Decree" *GRBS* 25(1984)351-372. On the other hand, in my opinion, de Ste Croix's is the most persuasive and attributes to Plutarch only a slight misunderstanding or better, a natural one.

Fornara *Plutarch* claims that the text of Plutarch has been strained too much and many mistakes and inconsistencies have been wrongly attributed to him. Fornara *Plutarch* is the first to acknowledge that Plutarch is not writing history but biography and tries to understand Perikles' psychology. The suggestion he makes is that in chapter 30 Plutarch deals with the **personal** reasons for which Perikles did not want to rescind the exclusion decree. Before, in chapter 29, Plutarch had already given all the complaints of the Peloponnesian League (Aeginetans, Corinthians etc.). In the beginning of 30 he gives us an anecdote to stress the way Perikles felt about the decree. Then he goes on to say ὑπὴν μὲν οὖν τις ὡς ἔοικεν αὐτῷ καὶ ἰδίᾳ πρὸς τοὺς Μεγαρεῖς ἀπέχθεια, κοινὴν δὲ καὶ φανεράν ποιησάμενος. The κοινή and φανερά reason to start the enforcement of the decree was the *Orgas* and the death of Anthemokritos. Plutarch must have believed that the embassy of the Spartans to Athens (the last one, Thuk. I. 126ff.) must have come after the enactment of the decree and Anthemokritos was dead, after the first Athenian effort to tactfully warn the Megarians that they were trespassing on their *Orgas*. What Fornara *Plutarch* is getting at is that the courteous decree came before everything else happened, in the beginning of the whole affair with Megara. He then goes on to say, page 221, that Charinos' decree is the footnote to Anthemokritos' death, for it dictated his burial at the Dipylon gate. Fornara *Plutarch* accuses Connor of conveying the impression that

Anthemokritos' embassy and death is a footnote to the central fact of Charinos' decree when the priorities were reversed for Plutarch since the latter had certain artistic considerations that made the mention of the decree appropriate at that point since it gave us information on what happened to Anthemokritos. Charinos' decree signals, according to Fornara *Plutarch*, the last stage of the hostility.

Fornara *Plutarch* then gives this account in short:

- i. Dispute over the *Orgas*.
- ii. Embassy of Anthemokritos as a result of a courteous decree. Death of the herald.
- iii. Exclusion decree and **later** Charinos' decree (the last stage of the hostility); latter's provision for the herald's burial (Plutarch repeated the invasion stipulations for artistic reasons, to increase the dramatic effect of the death and the honours bestowed on Anthemokritos on his readers).

What Fornara fails to see is that he is being illogical with the above sequence. Anthemokritos was killed after the courteous decree was passed and this is certainly the way Plutarch wrote the piece: γράφει ψήφισμα κήρυκα πεμφθῆναι... τοῦτο μὲν οὖν τὸ ψήφισμα Περικλέους ἐστὶν εὐγνώμονος καὶ φιλανθρώπου δικαιολογίας ἐχόμενον· ἐπεὶ δ' ὁ πεμφθεὶς κήρυξ Ἀνθεμόκριτος αἰτία τῶν Μεγαρέων ἀποθανεῖν ἔδοξε, γράφει ψήφισμα κατ' αὐτῶν Χαρίνος,... The herald mentioned in the earlier part must be Anthemokritos who was sent on the **courteous** decree mission which then, after his death, **triggered** the Charinos decree. Yet his further idea that the death of Anthemokritos was taken care of at Charinos' decree is not very clear. Why would they wait for Charinos' decree to settle the burial of Anthemokritos when they could and probably should have done it in the exclusion decree? And what does Fornara *Plutarch* 221 mean saying that Charinos' decree signals the last stage of the hostility? When does he set its date? After the Megarian exclusion of course. This is not very logical because Athens would certainly have not forgotten about Anthemokritos and remember him a bit later. I cannot also understand Fornara's *Plutarch* claim that Plutarch need not explain the decrees better because the chronology was self-evident to his readers and gives further on as an example Pheidias' trial, the chronology of which he claims is a contemporary problem for us. He concludes 221: "The reason for

Plutarch's nonchalance in chapter 30, if that is what it is, therefore derives from the conviction that the events he mentioned were too well known to make difficulties for anyone" How Fornara *Plutarch* can come down to such a conclusion is unintelligible to me.

Fornara's point that the courteous decree came at the first point of the dispute over the *Orgas*, was reached before him by De Ste Croix *Origins* 246-51 & 386-8 in a completely different manner. De Ste Croix defends the traditional view that dates the courteous decree, the death of the herald and Charinos' decree around 432/1 just before the outbreak of the war. He gives a very good solution to the time of the courteous decree (moved by Perikles as Plutarch wants). He disconnects it from Charinos' decree and the death of the herald. He places it before the exclusion decree at the very beginning of the *Orgas* dispute. It has become also clear that Charinos' decree was the response to Anthemokritos' death.

The outline of de Ste Croix's *Origins* argumentation is as follows: Perikles sends a herald to Sparta and Megara to make clear that Athens is worried about the appropriation of the sacred *Orgas*. It could be Anthemokritos who was sent but that is not necessary. Plutarch probably had in front of him a decree that mentioned the courteous mission of a herald and Charinos' one talking about the dead herald Anthemokritos. He naturally thought that it was the courteous decree that had sent the herald to his death. Even the language is disclosing that the two decrees were not close (or very close) one to the other. When the courteous one is mentioned Plutarch says γράφει κήρυκα πεμφθῆναι and only in Charinos' one Anthemokritos is mentioned. De Ste Croix also suggests that Plutarch could mix up the sequence of the decrees because the decrees that sent out heralds very rarely mentioned the name of the κήρυξ; so that is an additional advantage to his theory. Anthemokritos' death made him well-known.

In this manner de Ste Croix *Origins* removes the difficulty of having to date the courteous decree too late. I see only one problem. Charinos' decree must be very near the outbreak of the war and definitely after the last embassy of Sparta. If this is true why would Athens send a κήρυξ to Megara and Sparta at such a time when war was

imminent? It may be to show that Megara was an impious city, just as the Athenians had invoked the Talthybios curse against Sparta in order to fend off the allegations of Sparta that Athens was polluted by the *Κυλώνειον ἄγος* brought on by the Alkmeonids (Thuk. I. 126ff., for the story of Talthybios *see* Hdt. VII. 133-137). Thukydides certainly did not care to mention it. At any rate we do not know exactly the reasons why Perikles thought it useful to send a herald when the war was imminent when his policy was a non-provocative one.

Stadter has made the most recent suggestion by actually bringing back the 19th c. view that the exclusion and Charinos' decrees are one and the same. It was Holzapfel as we saw who thought so but was thoroughly answered by Bonner *Decree*³. Stadter's view is a new one and his reasoning does not have anything to do with this old view. His argumentation is good as he tries to rescue Plutarch from inconsistency saying that if Plutarch is as inconsistent as all the other scholars claim he must have written "nonsense". It is in a way strange that Plutarch made such a mistake or misjudgement when we nowadays are easily capable of noticing it. Stadter's way of putting things better is like Fornara's, at least in the beginning. It is useful to follow his thought. Plutarch in chapter 29 gives a list of all the complaints the Peloponnesian League made to Sparta and then to Athens. Plutarch follows Thukydides quite accurately. These are the causes of the war. Chapter 29 finishes with Sparta saying: "If you rescind the exclusion decree there will be no war". Perikles did not conform to that and *μόνος ἔσχε τοῦ πολέμου τὴν αἰτίαν*. In chapter 30 he goes on to say why Perikles acted in such a way beginning with an anecdote mentioning Polyalkes' witty request urging Perikles to turn the *psephisma* against the wall instead of tearing it down. Perikles liked the joke but did not follow the advice and then Plutarch goes on to mention a private as well as a public interest grudge against Megara without specifying what the private grudge was and proceeds to give three sets of reasons for Perikles' refusal to repeal the decree:

i. Megara had been appropriating the *Orgas* so:

a. A courteous decree was proposed by Perikles and a herald was sent.

- b. The second decree sought to revenge the herald's death and provisioned biennial invasions against Megara and an honourable burial to Anthemokritos the herald.
- ii. The Megarians thought that the reason for not repealing the decree was the kidnapping of two of Aspasia's harlots.
- iii. The "worst" reason. Perikles wanted to strengthen his political position after the trials aimed at Pheidias and other political friends of his. That is why he urged Athens to war. Accusing Megara of impiety was his chance to prove himself as pious as anyone else without betraying his own motives.

All this precedes the Megarian complaint at Sparta. I agree with putting the courteous decree at the beginning of the problem with Megara. The sequence that Plutarch gives of the events points to the identification of the exclusion and Charinos' decree. Plutarch's account comes to a climax when after the courteous decree Anthemokritos gets killed and then we have Charinos proposing that Megarians should be banned from Attic soil and their land should be invaded twice a year. The usual terms of the exclusion decree as narrated in Thukydides such as exclusion from the ports of the empire are **not** mentioned here. Stadter insists that there are different provisions within the same decree and cites Plutarch's *Moralia* 812d: ὡς Περικλῆς Μενίπῳ μὲν ἐχρήτο πρὸς τὰς στρατηγίας δι' Ἐφιάλτου δὲ τὴν ἐξ Ἀρείου Πάγου βουλὴν ἐταπείνωσε, διὰ δὲ Χαρίνου τὸ κατὰ Μεγαρέων ἐκύρωσε ψήφισμα, Λάμπωνα δὲ Θουρίων οἰκιστὴν ἐξέπεμψεν. De Ste Croix considered the above information feeble but Stadter did not and also used the scholia on *Peace* 246 as emended by Holzapfel and Wilamowitz (in my opinion the scholion is doubtful and the only serious evidence that Plutarch thought of the two decrees as one and the same is *Moralia* 812d). With the scholion on *Peace* 246 neutralised but with *Moralia* 812d valid there can be no definite answer of what Plutarch actually thought about those two decrees. There is no information in chapter 30 that Charinos was Perikles' henchman and 31.1. gives the impression that Plutarch did not care much about the origin of the decree or to be fair he could not reach a fair conclusion: Τὴν μὲν οὖν ἀρχὴν ὅπως ἔσχεν οὐ ῥάδιον γινῶναι, τοῦ δὲ μὴ λυθῆναι τὸ ψήφισμα πάντες ὡσαύτως τὴν αἰτίαν ἐπιφέρουσι τῷ Περικλεῖ... We are entitled to think that in 30. 4 Plutarch

mentioned the real proposer of the decree i.e. Charinos and other provisions that did not refer to the ports of the Empire but were closer to the actual cause of the exclusion namely the *Orgas* appropriation by the Megarians. In my opinion the decree should be seen, at the beginning at least, as just on the part of the Athenians. The courteous decree was passed and as Plutarch thought Anthemokritos was sent and killed. Athens had to respond. How they did it has to be seen under the light of Periklean policies. Megara was a city essential to the safety of Athens and an embargo would destroy them economically and maybe enforce the city to succumb to Athens. It could also be that Perikles wanted to stress his piety by creating such a dispute that persecuted the "impious" Megarians. Let us not forget that his friend Anaxagoras and his companion Aspasia had been prosecuted for impiety. The one feature that was against Megara's existence (the ports and markets exclusion) made them to carry their complaint to Sparta. Certainly this is the most important feature to the historian. On the other hand sanctions against Megara because they killed the herald, biennial invasions, and an honourable burial for the herald. I do not want to suggest that one should separate the provisions of one and the same decree but it is possible that Plutarch mentions in *Perikles* 29 the sanction that caused more or less the war and in 30 he tries to give details of how the decree might have been initiated in the first place by explaining the *Orgas* problem. In this latter circumstance Plutarch gives the name of Perikles' henchman and the rest of the provisions which would have been less important than the final sanction (exclusion) but the instance was appropriate for them now since they corresponded to the alleged cause of the decree. Plutarch is not illogical then in his presentation but as de Ste Croix *Origins* suggested he could well have made a confusion. Stadter does not explain why Plutarch chose to narrate the events in such a peculiar manner but accepts at any rate that Charinos' and the exclusion decree are one and the same.

The second set of Stadter's *Decree4* argument consists of comments on the difficulties his suggestion created:

- i. What is meant by ἀκήρυκτος ἔχθρα;
- ii. The status of the Megarian in the *Acharnians*.

- iii. The movers of the decrees.
- iv. Invasions of Megara ordered by Charinos' decree .
- v. Thukydides' silence.

An ἀκήρυκτος ἔχθρα⁹ may not have been something totally unacceptable to Sparta if it was a specific measure against Megara and this is the reason why Plutarch did not place it next to the main cause of the war in chapter 29.

In the *Acharnians* (425 BC) there is no mention of the decree's death provisions on the Megarians. Bonner *Decree*³ explained that it would not be funny to have a Megarian executed in the play or even threatened to be executed since the sycophant had to be shown to have more lucrative instincts. What is more probable is that Athens had repealed the decree (Stadter *Decree*⁴) at some point when they were negotiating peace against Sparta during the plague (Thuk. II. 59.2) and they certainly seem to be negotiating with no considerable enmity with Megara in 424, Thuk. IV. 66-74.

Stadter goes on to argue that if Perikles is mentioned in *Peace* as the mover of the decree it does not necessarily mean that he moved a different decree from Charinos. He could well be mentioned as the instigator of the decree and its vigorous supporter; it was not a secret that Perikles was behind it.

From point iv one is entitled to ask whether Athens could actually invade Megara and not violate the truce. It depends of course on what the Peloponnesian Leagues would consider as a breach of the League. When Corcyra was helped against Corinth the Peloponnesians did not attack Athens on the spot and the same happened with Potidaia. I do not think though that this is a good argument because neither of the two, Epidamnos or Potidaia, was near enough to actually put Sparta or even Corinth in immediate danger. Megara, for reasons I will discuss later, was too important a place for the Peloponnesian League to ignore.

Another suggestion by Stadter *Decree*⁴ is that although the decree demanded biennial invasions it was not enforced, and he uses oration XIII. 32ff. as an example of Athenian idleness to enforce a decree although it has to be objected that the days of

⁹An ἀκήρυκτος πόλεμος is mentioned in Xen *Anab.* III. 35.

XIII were very different from those of Perikles. But on the other hand if the embargo was enforced, there is no reason why Athens should not enforce also the provisions about the invasion.

The last but not least possibility for Stadter *Decree4* (he considers it to be most likely) is that Athens did invade Megara twice a year but war did not follow immediately. I quote Stadter: "It is not the clash of arms that breaks a treaty and begins hostilities but a political decision". He then goes on to argue that the Athenian raids on Pylos were considered as hostile by Spartans (Thuk. V. 115.2) but Sparta did not consider the treaty broken until Athens ravaged Lacedaemon to help Argos. Then only after that, acknowledging Athenian weakness after the Sicilian expedition as well, did they consider invading Attica, only then using Pylos as one of the causes of the new session of the war. It is true that Thukydides does not mention the biennial invasions and Stadter summons immediately A.W. Gomme vol. 1 *HCT* 365-369 about several omissions of facts that we know that happened and Thukydides does not mention them. Somehow I do not think that if we attribute the non-mentioning of biennial invasions by Thukydides to simply an omission we can easily get away with it, for there are very serious implications if we date attacks on Megara before the last conference at Sparta.

An attack on Megara would have been very serious. Note also that the raids against Pylos were used as a pretext for the commencement of the hostilities and that furthermore Thukydides **did** mention them. Thukydides may have thought differently about their importance and probably he did but all the same he mentioned them. Let us go back to Megara. The loss of Megara in 446 was a heavy one for Athens. They could be more easily attacked from the south which means that their cultivated land could be destroyed after an invasion. There is then a military reason that sets the exclusion decree to the perspective that Athens wanted Megara to succumb. If they did invade Megara after the exclusion decree (about 433) then that military provision of the Charinos decree would certainly have gathered the Corinthians and Spartans at Megara. Nor would Megara be able to resist for a long time a full scale attack by the Athenians. A suggestion is that Athens maybe invaded the part that in their opinion the Megarians had appropriated and did not venture further in the Megarid. The wording of the

decree does make such a suggestion impossible *Perikles* 30.3: εἰς τὴν Μεγαρικὴν εἰσβαλοῦσι. The *Orgas* was considered a neutral plain at the most and certainly not Megarian and this leaves no place for a lukewarm guarding of the *Orgas*. Stadter fails even more to persuade us when he says: "the debate on the repeal of the Megarean decree was τὸ βραχὺ τι τοῦτο (I.140.5) enough to give Thucydides the opportunity to present Perikles' arguments for refusing to yield to the Peloponnesians and his analysis of the relative strengths of the two powers. Nevertheless for a variety of reasons he decides that a full narrative of the Epidamnos - Potidaia sequence was the best way to clarify the outbreak of the war for his reader". That could be true but I cannot see how invasions would have passed unnoticed by Thucydides. In my opinion it was the economic pressure that stressed Megara and its allies and consequently the fear of the Athenian power but any invasion of the Megarid at such a point would probably, because it would contribute to the looming war atmosphere, at least have been mentioned by Thucydides.

Of course we will never know what the truth is but I feel obliged to accept de Ste Croix's *Origins* view that we have three different decrees; **i.** the courteous one **ii.** the exclusion and **iii.** Charinos' decree very close to the outbreak of the war. My only objection to that is; why should Athens send a κῆρυξ at such a point to denounce Megara when war was imminent? As for Connor's view that Charinos' decree could be placed in the 4th c. it is not impossible, especially after de Ste Croix's placing of the courteous decree in the beginning of the whole process,¹⁰ but as I have mentioned it has suffered many blows and there is hardly any evidence in the fourth century itself for such a decree nor in my opinion would Plutarch have made such an awful mistake.

The whole detailed discussion of the Megarian decrees had to be made from the moment Connor tried to transfer a decree to the fourth century, a theory that would change the position on the relationship between Athens and Megara at such a point.

¹⁰If the courteous decree is not the same with Charinos', as de Ste Croix *Origins* points out, it is possible that Plutarch had in front of him a decree dated with the archon Apollodoros (the same name for 430/29 and 350/49).

Was Connor proven to be correct it would be very interesting to find a decree stipulating death for any Megarian found on Athenian soil and would add a new dimension to the κατάρκτοι Megarians (XIII. 32), and the persistence they displayed regarding the appropriation of the *Orgas*. At any rate the current evidence is not permitting any certain outcome.

III. Genuineness of XIII

This has been one of the most interesting issues concerning D. for a long time, because of the controversial structure of the oration which contains large excerpts (21-31), with minor differences, from III. 23-30 and XXIII.196-201. F.A. Wolf in his *Prolegomena in Demosthenis oratio in Leptinem* p. LXXIV, 51 denied that the oration was genuine: "oratio quae inscribitur περὶ συντάξεως, seu *de Republica ordinanda*, Demosthenis non est, sed ex aliis eius, maxime *Olynth. III* et *Aristocratea* ab aliquo declamatore consutis pannis confecta". In the days of Weil it was K.G. Boehnecke who defended the authenticity of the speech and placed it chronologically after the *Olynthiacs* because the urge for realising what the theoric fund was coming down to, and the call for organisation were remotely reminiscent of the *Olynthiacs*. Weil, although traditional in asking where is Philip's name in XIII hinting to this as an indication for an earlier date, he took interest in the proposals themselves in XIII (e.g. 9) which were in one or the other way repeated in the *Olynthiacs* and had already been in XIV where D. was obsessed by *paraskeue*, as well as in the *First Philippic* where he did give somewhat more concrete proposals. It would not be an exaggeration to say, and I agree in this with Weil, that D. remains vague and does not clarify the points he makes. In 9 he claims that he had talked about a more specific re-organisation at some other point and this is just another sign of his vagueness. In the beginning the reader thinks that the orator is pursuing a clearly defined goal but then he is lost in generalisations that make him lose sight of the first paragraphs. It is true that these thoughts will come back in III; but there his proposals are given space and are connected with the rest of the speech in good proportions. In XIII the practical problems are a starting point from which he moves on to a kind of sermon without even returning in the peroration to any particular consideration of those proposals. From the

point of view of the style Weil does not find it particularly undemosthenic but he refrains from making up his mind totally, tending to agree that it was not written by D. Lately, J. Trevett in "Demosthenes' Speech *On Organization* (Dem. 13)" *GRBS* 35(1994)179-193 has examined the arguments for and against the genuineness of the oration and thinks that it is not spurious.

A. Schaefer in *Demosthenes* vol.II.ii 89-94 did not like the speech as a piece of oratory at all and his position is the classical one that it is patchwork from III and XXIII. He mentions the significant detail that the oration is not discussed in Dionysius Halikarnasseus' *Letter to Ammaeus* which shows that Dionysius did not consider it authentic. He admits though that there are examples taken from XIII in Hermogenes and Aristeides Rhet. As for the later lexicographers such as Harpokration who quote much from XIII he dismisses them as not reliable enough. He also makes much use of the scholia on XIII. The scholiast clarifies that XIII is not a *Philippic* and that the date should be before IV and after the secession of the Rhodians in the Social War. Schaefer disagrees with that and wants to have this oration after the *Olynthiacs*, because such a bad oration could not be the origin of the brilliant *Olynthiacs*. In his opinion the bad stitching of the borrowed passages betrays the pettiness of an oratorical school as the orator forgets his purpose after the first nine sections. The only other interesting point Schaefer raises is that even the scholiast perceived the forgetfulness of the composer and called most of the speech a *παρέκβασις* which for the German scholar signifies that the whole oration cannot possibly be a diversion and is consequently a bad pasting of different texts, Dilts pages 168-169: *τριμερῆς ὁ περὶ συντάξεως λόγος...καὶ ἐν μὲν αὐτοῦ μέρος ἐστὶ περιεκτικὸν τοῦ συμφέροντος...δεύτερον μέρος ἐστὶ τοῦ λόγου παρέκβασις τὸ δίκαιον περιέχουσα...τρίτον μέρος τοῦ λόγου δευτέρα παρέκβασις περιεκτικὴ τοῦ συμφέροντος.*

An important argument in favour of authenticity is that Didymos treats the oration as authentic in his commentary (he treats correctly the *Reply to Philip* - D. XI - as spurious), and as Pfeiffer claimed (*see* note 5) D. was one of the orators that Didymos had commentaries about. The non-mention of XIII in Dion. Hal. perhaps

counterbalances Didymos' information since it is conceivable that XIII had slipped in the editions that Didymos had at hand. It is Sealey who has led the polemical attitude in modern scholarship and in *Demosthenes* 235-237 his main argument is that in the doublets D. is not as careful as he is in III, and that there certain passages or phrases that work well in III but not in XIII. He first points out the resemblance between 21-24 and XXIII.196-201¹¹. Both passages draw a contrast between the way honours were bestowed in the past and in the days of D. What better way of doing this than referring to people (Menon and Perdikkas, see introduction chapter 3 section III and commentary sections 23 and 24) who had helped the Greek or the Athenian cause considerably but were given citizenship and not the special protection that Athens was about to give Charidemos (i.e. any person who killed Charidemos would be *agogimos*); but in XIII they are just given tax immunity and not citizenship. However this is not such a great inconsistency, as Weil had pointed out, because in XIII D. wanted to show how cheap citizenship had become in Athens of his times whereas in the past worthy people did not even get that. D. suits his oratorical purposes each time. Then Sealey mentions that 25-31 resembles III.23-32 with a different order in the passages. The topic there is a comparison with the glorious past of Athens where the leaders were modest individuals and the people took the credit for all success. In this reasoning D. mentions in III Aristeides and Miltiades and praises the modesty of their residencies, whereas in XIII he mentions Themistokles, Kimon and Aristeides. Sealey thinks that the mention of Kimon is inaccurate and Cawkwell *Anthemocritus* 328 n.1 had said that D. could have been careless in these points, since according to our evidence Kimon's house was quite large since Theopompos (*FGrH* 115F89) mentioned that his house had been large enough for many poor to dine there every day; but again one is asking from

¹¹XIII is not the only oration that contains doublets. D. XXIV.160-186 (with the exception of 169-171) is copied from XXII. 47-56 and 65-78 and the problem is similar there. As Jaeger *Demosthenes* (note 36 on Ch. II) pointed out the need for a detailed discussion of all the doublets that appear in D. if one is to draw any conclusions about the authenticity of an oration like XIII; his opinion is that these doublets are part of D.'s stock passages. I have tried to explain the independence of their function in the "Structure and argument" chapter.

D. accuracy where there is no need for it. In XIII D. mentions some of the great names of the past, coming straight from memory, and Kimon is one of them; not many people would try and remember that Kimon's house was really rather large, and at any rate it might have been large but not lavish.

So much for the inconsistencies. Then there are the passages that work better in III than in XIII. Sealey claims that the comparison with the symmories works better in II.29 than in 20 because in II there is the preliminary point about the fragmented situation of Athenian politics which is why we can understand the comparison with the symmories. In 19-20, I think, there is a different point altogether. In 19 it becomes obvious that the people who seek election have become slaves to their desire to possess high office and only do their best to acquire the favour of the people, without fulfilling their true duties which are to protect Athens and serve its people. Even if there is one who wants to do something he is not prepared to step out of the line and everybody just hopes to inherit those benefits that really belong to the people. There is nobody of course to stop them from deceiving the people. Such is the trend as the rest of the politicians just follow one another and the people just remain languid in their current state. The image of the symmories then works differently and more effectively than D. II. There the image is of a fragmented Athens without any co-ordination. Here Athens is a fragmented place again but its politicians although obviously divided are all focused on one thing; **personal power and prosperity**. The image of the symmories is just showing the fragmentary situation of politics with all those in power having their intent fixed on property whereas the people are sitting consumed by sluggishness. What D. points out then is that a nominally fragmented political stage is united in its focus on personal achievement.

Another passage which in Sealey's opinion works better is III.27-28, where he thinks the rather difficult term to understand ἐρημίας ἐπειλημμένοι is understood with the help of the context as seize, get hold of a **power vacuum**, the meaning being that since in the Greek world Athens has been left without any considerable enemies and that the Thebans and the Spartans have been diminished, Athens should be uncontested in her efforts to win the most prominent position in Greece. In 27 indeed the phrase is not as

well qualified as in III.27, but in 26 he had talked about the past glory of Athens, the wars, the victories. With ἐρημίας ἐπειλημμένοι there is a sharp contrast to all that, the enemies of that glorious past do not exist any more. What do the Athenians do? Nothing. They spent 1,500T for nothing and allies gained in the war are being lost in peace. Ἐρημία can hardly mean anything else than the absence of the enemies, the situation when Athens could have become, and should have, the first power in Greece. Trevett in an effort to fend off Sealey's argument contends that the passage in 27 as well as III. 27 is not translated correctly by Sealey and that ἐρημία does not mean *power vacuum* (which is really a fanciful translation of ἐρημία, meaning *absence*) but *destitution*. This is wrong; surely the contrast in III. 27 is between the trouble-free time the Athenians had in the 4th c. in contrast with the tumultuous one their ancestors had. The greater the difficulties their ancestors had the better they did, whereas now, when there is no antagonist, the Athenians have lost territory and spent large amounts of money to no avail.

To return to Sealey the claim that οὔτοι in οὔτοι ἐν τῇ εἰρήνῃ ἀπολώλασιν is not qualified in XIII. 27, whereas it is in III. 27-8, is absolutely wrong. Οὔτοι are the politicians. D. could just point towards them, he need not mention them. In XIII he has also talked at length about the politicians, about their desire to be in high office, their reluctance to tell the truth to the Athenians. Even in III.27-8 he just says ὑπὸ τῶν χρηστῶν τούτων without mentioning but certainly insinuating that they are the leading politicians.

In Sealey's opinion XIII is a literary exercise by a later rhetorician. It is difficult to reach a decision from evidence or even from a close inspection of the arguments as the above discussion has shown. A last set of arguments is of a more technical nature. It concerns Blass' law about the avoidance of the tribrach. The law states that D. avoids a sequence of more than two short syllables, but it admits exceptions, such as occurrences within the same word and necessary collocations such as article and noun. D.F. McCabe *The prose-rhythm of Demosthenes* (New York 1981) has worked extensively on the prose-rhythm of D. and did not find that XIII was in any degree irregular at all. The effectiveness of such a method is not beyond doubt and S. Usher's

On the Crown (Warminster 1993) 27 n.58 is appropriate: "In my view, these exceptions, not to mention violations, make it an unhelpful guide to the general study of Demosthenic rhythm; indeed it seems doubtful whether the status of "law" should be accorded to a rule which is broken in 5% to 16% of cases excluding exceptions (*see McCabe's Table 14, pp.127-129*)".

There is no faultless criterion and since Ronnet *Étude* 189 found the oration's style Demosthenic the question should not be whether the oration is genuine or not but whether what it says makes sense and can be fitted within the frame of Demosthenic argumentation and targets. It could be I suppose a rhetorical exercise which was included by mistake in D.'s writings but as I will argue in the "Structure and argument" chapter his thoughts do make sense among his other writings. Now whether it was delivered in the Assembly or not one will never know but there is no compelling reason for it not to have been. The circumstances it describes are so general that it could fit in any period of D.'s struggle to rouse the Athenians from their torpor.

Chapter 2 Individual Problems

I. The Burning of the *Opisthodomos* at Athens

Weil commenting on XIII. 14 found a connection with the speech *Against Timocrates* (XXIV. 136) where a fire in the *opisthodomos* is mentioned as well. It is more than probable that the burglary mentioned in XIII. 14 is part of an illegal removal of state or sacred funds deposited at the *opisthodomos* and there is no evidence that explicitly states the date of the incident. It has to be made clear that the two events mentioned by D. are not even identical. In XIII. 14 it is mentioned that the *opisthodomos* was opened without any mention of the fire. However the removal of the sums would require the *opisthodomos* to be opened and the verb ἀνέωξαν in its wider sense can be interpreted as burgled and the scholion *ad hoc* provides a link between the burglary and the fire. We cannot be sure about the source of the scholion but it is natural to associate the two pieces of information as, apart from D., there is no other evidence for any trouble at the *opisthodomos* in the 4th century. As I will say in the evaluation of the scholia in XXIV. 136 (*see* section e of this exposition) the people of Athens would have considered this incident as one of fraud and arson and undoubtedly D. had a full idea of the details that surrounded the incident. One should not be puzzled that two different texts in D. refer to apparently different incidents as, in my opinion, XIII. 14 and XXIV. 136 illustrate two aspects of the same incident.

Apart from XXIV. 136, three texts refer to a fire:

- i. Xenophon *Hellenika* I. vi.1: " In the year when there was an eclipse of the moon one evening, and the old temple of Athena at Athens was set on fire,...Kallias [archon in 406/5 BC] being archon at Athens..."
- ii. *I.G.* II² 1654 (Erechtheum fragment no. XXVIII in J.M. Patton's *The Erechtheum* (Camb. Mass. 1927): "On the third day of the prytany...the parts of the temple destroyed by fire...by vote of the Council...).
- iii. The Scholia Demosthenica in Dilts no.272 a and b on speech XXIV.136.

a. Location of the edifice

As to the question where the *opisthodomos* was on the acropolis I follow Dinsmoor's opinion *Burning* and Travlos's *A Pictorial dictionary of Ancient Athens* (London 1972)143. Travlos follows Dinsmoor's view about the pre-Persian temples on the Acropolis (*see also Dinsmoor Hekatompedon*). Travlos seems to think that after the destruction of the temples on the Acropolis "the exigencies of the situation necessitated keeping the western portion of the cella [this would be the Dorpfeld temple] which Dinsmoor identified as the *opisthodomos* recorded in *I.G. II² 91/92 [I.G. I³ 52]*; it was used as a state treasury and remained in use until the mid 4th century B.C.". Another inscription, *I.G. I³ 207*, states that a column will be set up before the *opisthodomos* which almost certainly proves that the *opisthodomos* was an independent building (for more details about the debate on the position of the *opisthodomos see J. Hopper Acropolis* (London 1971) 110-115).

b. Contents and financial use of the *Opisthodomos*

The *opisthodomos* was the bank of the Athenian democracy. It appears first on the decrees of Kallias *I.G. I³ 52*. R. Meiggs and D.M. Lewis in *GHI* nos. 58A,B dated the inscriptions in 434/3 whereas Dinsmoor *Hekatompedon* in 438/7. There are also three other documents of the 5th century that point towards the financial operations that took place in the *opisthodomos*; *I.G. I³ 369* of 425/4, *I³ 386-387* of 408/7 and *I³ 378* of 406/5. Ferguson *Treasurers* 131 has given an accurate description of the contents in the 5th century. He is also very eager to establish that the building continued to be used for finance in the 4th century. His evidence is convincing :

1. Aristophanes *Wealth* 1191-3: "ἰδρυσόμεθ' οὖν αὐτίκα μάλ', ἀλλὰ περίμενε, τὸν Πλοῦτον, οὗπερ πρότερον ἦν ἰδρυμένος, τὸν ὀπισθόδομον ἀεὶ φυλάττων τῆς θεοῦ."
2. *I.G. II² 1443*. The treasurer of the military fund deposits a fund of silver bullion worth, 28 talents.
3. *I.G. II² 1414* (of 384/3 to 378/7 B.C.) ἱερὸν ἀργύριον is deposited. Both *I.G. II² 1443* and *I.G. II² 1414* do not mention the *opisthodomos* but one can conjecture

that some of the items were stored at this edifice which is not mentioned because the inscriptions are damaged.

4. The scholia in XXIV. 136.
5. The money of Harpalos were deposited on the Acropolis (Plut. *Vit. X Orat.* 846b), around 324 BC.
6. In the Four Years' war (*I.G.* II² 1429B) sums were deposited with the treasurers (end of the 4th century).
7. Aeschines in I.110 says "ἐπὶ τοίνυν τοῦ αὐτοῦ ἄρχοντος ὅθ' οὗτος ἐβούλευεν, ταμίας ἦν τῶν τῆς θεοῦ Ἑγήσανδρος ὁ Κρωβύλου ἀδελφός, ἔκλεπτον δε τῆς πόλεως κοινῇ καὶ μάλα φιλεταίρως χιλίας δραχμάς." (361/0 BC).

Although sums were deposited, Ferguson *Treasurers* 133 thinks that "it was obviously only under exceptional circumstances that the state used the *tamiai* as their reserve bankers during the 4th century". The only more normal instance that we have is the treasurer of the military fund, normal in the sense that there was no extraordinary political situation to dictate a deposit on the Acropolis and that the funds were probably not religious. There were though some funds that were allocated to the *tamiai*, partially at least, that will be referred to later (the 10 Talent Fund and the money for the judges). On the whole Ferguson *Treasurers* 138 sums up their role in the 4th century: "their normal role was circumscribed by the fact that in the fourth century (as in the fifth) every board of magistrates had its own private treasury in which it kept, pending disbursement, the comparatively small sums of money allocated to it". Another question that arises is for what purpose were the funds in the *opisthodomos* and how much they had been.

The first sum in the *opisthodomos* that comes to our minds is the Ten Talent Fund which could well be there (*see* discussion in section d6). Ferguson has shown, as we have already seen, that the *opisthodomos* was the bank of Athens in the fourth century in some extraordinary situation but in my opinion all the funds that were deposited on the Acropolis must have been placed under the supervision of the *tamiai* of Athena.

We will see that the ἀναθήματα could not be easily used or rather not easily cashed. The confused inventories could have allowed an opportunity for theft but I am

persuaded by Ferguson that they were used to produce the Golden Nike that appears in 374BC a fact which eliminates the possibility that the *tamiai* had lent out votive offerings.

What is more to the point is that the money for the judges was disbursed by the treasurers of Athena. This suggestion was made by Ferguson in *Treasurers* 136 n.1 where he says: "But after the abolition in 404/3 of the Hellenotamiai, who had had to provide money for the *diobelia*, and possibly for the other μισθοί as well, it is conceivable that the *tamiai* had this charge thrust upon them and that they retained it thereafter. It is curious that Aristotle (*Ath. Pol.* 47.1) has nothing to say on the subject; but he fails systematically to record the financial duties of the specific magistrates nor does he note the sources or agents concerned with the various μισθοί (*Ath. Pol.* 62.2)". The most important evidence for the disbursing of the dikastic money in the 4th century is *I.G.* II² 1629 lines 165ff.: "τὸν δὲ μισθὸν διδόναι τοῖς δικαστηρίοις τοὺς ταμίαις τῶν τῆς θεοῦ κατὰ τὸν νόμον". This proves almost certainly that the state had a sum deposited on the Acropolis for the payment of the judges. It was definitely state money and some certainty can be given by the *Suda*, s.v., ταμίαι· οἱ ἐν τῷ ἱερῷ τῆς Ἀθηνᾶς ἐν ἀκροπόλει χρήματα ἱερά τε καὶ δημόσια φυλάττουσι, ἀλλὰ καὶ αὐτὸ τὸ ἄγαλμα τῆς Ἀθηνᾶς.

How big was the deposit for the judges? Aristophanes in *Wasps* 660f. says:

τούτων πλήρωμα τάλαντ' ἐγγὺς δισχίλια γίγνεται ἡμῖν.
ἀπὸ τούτου νυν κατάθες μισθὸν τοῖσι δικασταῖς ἐνιαυτοῦ
ἕξ χιλιάσιν, κοῦπω πλείους ἐν τῇ χώρᾳ κατένασθεν,
γίγνεται ἡμῖν ἑκατὸν δῆπου καὶ πεντήκοντα τάλαντα.

As D.M. MacDowell has commented *Wasps* (Oxford 1969): "6000 jurors each paid 3 obols a day would receive 150T only if they all sat on 300 days, which is, approximately, the largest possible number; for the courts did not normally sit on the forty or more days in the year when the Assembly met (D.24.80) nor on festival days, *A.P.* 3.8. Bdelykleon is giving the maximum account, and does not necessarily mean that all the jurors in fact sat on so many days in a year". The scholiast in Aristophanes' *Wasps* 663 says "Εἰς δέκα μῆνας λογίζεται τὸν ἐνιαυτὸν ὡς τῶν δύο μηνῶν εἰς

ἐορτὰς προχωρούντων. Ἐκάστῳ γὰρ τριώβολον τῆς ἡμέρας διδόμενον δεκαπέντε τοῦ μηνὸς τάλαντα ἐποίει(.), ὡς ἐκ τῶν ἐξῆς δῆλον γίνεται". De Sanctis in his *Storia dei Greci* vol. II.(Firenze 1940)186 estimates the whole amount at 50 to 60 talents adding that the sum was further enlarged by the deposits for the lawsuits and the fines. The deposits were mentioned also in the Old Oligarch [Ps. Xen. *A.P.*] I.16 (ἀπὸ τῶν πρυτανείων). One could conjecture that the deposits and fines did not provide the whole payment of the judges¹². At any rate the sum of 50 to 60 talents is not likely to have been always on the Acropolis intact, although a sum was appropriated at the beginning of each year and deposited on the Acropolis for the payments of the judges and the expenses for the decrees of the demos. This is so because it is entirely impossible to estimate the money that was deposited on the Acropolis at any point as there were even cases when there was no money at all for the judges (Dem. XXXIX. 17). It is certain of course that at various points various sums were deposited and they could have been considerable ones but it is difficult and dangerous to specify or even approximate the exact amounts as the evidence is feeble. The sums were probably enlarged by the fines and confiscations unless the cash was kept for the next year to be added to the state's appropriation.

It is more than probable then that it was the Ten Talent Fund and/or the dikastic money that the *tamiai* or rather some of the *tamiai* lent to the bankers for a short time at a high interest (*see* discussion in section e).

c. Efforts to make the fires mentioned by Demosthenes and Xenophon identical.

That the fires of Demosthenes and Xenophon (406 BC) were identical was suggested by Dinsmoor *Burning*. Some years later *Athenian Studies* 157-182 he changed his mind and conceded that the two fires were different. Dinsmoor had reached that conclusion seeing some mistrust for Xenophon's datings that other scholars

¹⁵Pollux VIII. 38 (*see* also Frisch in *The Constitution of the Athenians* (Copenhagen 1942) 226 who has mentioned that the deposits varied according to the sum at stake in the trial. For a trial of 100 to 1,000 drachmas the deposit was 3 drachmas, for one of 1,000 to 10,000 (A.R.W. Harrison has cast some doubt for this in *The Law of Athens* vol.II(Oxford 93)n.2) it was 30 drachmas.

had, e.g. Beloch *Philologus* 42(1884)261-266, and thought that the list of Olympiads, ephors, prodigies and other events used to mark the years in the first two of Xenophon's books was inserted by a careless interpolator. Ferguson *Treasurers* 130 n.1 even conceded that the interpolator could have possibly confused Kallias who was archon in 406/5 with Kalleas who was archon in 377/6 (the latter written in Diodorus XV. 28 as Kallias). The significance of the date 377/6 is great, as Dinsmoor (*Burning, Athenian Studies, Hekatompedon*) was led to it (by cumulative evidence) as the date of the fire mentioned by D. XXIV. 136.

The most important evidence Dinsmoor *Burning* used was the fragment XXVIII in J.M. Patton's *The Erechtheum* (Camb. Mass. 1927) which he decided to date after 377/6 as referring to repairs just after the damage incurred by the fire. This fragment is about the Erechtheum and not the *opisthodomos* and the natural conjecture is that both buildings were near and a fire at the *opisthodomos* could affect the Erechtheum and vice-versa. This supposition was removed by Dinsmoor himself in *Athenian Studies* 179 where he acknowledged that "the two conflagration stories associated with the Erechtheum and the *Opisthodomos* are not to be referred to a single event either in 406/5 or in 377/6 BC; rather there were two distinct fires, one in each of these years, the archonships of Kallias and Kalleas, respectively." What led him to this new result was the discovery of a new fragment XXVIIIa (EM 12910) that helped date more securely fragments XXVII and XXVIII (*J.G. II*² 1654). It was discovered by Broneer on the north slope of the Acropolis and published by Schweigert in *Hesperia* 7(1938)268-269 no.3. It does not join fragments XXVII, XXVIII but, according to Dinsmoor *Athenian Studies* 174-175, it is unmistakably from the same accounts. Its importance actually lies in counteracting an impression otherwise drawn from the other two fragments which mentioned workers unknown to us from the accounts of 409-407 BC. The new fragment contains three names, Prepon, Sisyphos and Parmenon, known from the Erechtheum accounts of 408/7. Thus fragments XXVII and XXVIII should be dated in the 5th century. As for the accuracy of Xenophon's chronological accounts the most recent commentator P.Krentz in *Xenophon Hellenika I-II.3.10* (Warminster 1989) has linked all the temple fires in Xenophon together showing a deliberation on

the part of the historian. P. Krentz says, (page 117 on I.3.1), commenting on the mention of the burnt temple of Athena in Phokaia, "for Xenophon such prodigies revealed the future. In the year the old temple of Athena burned (6.1) victory at Arginusae turned into tragedy. When the temple of Poseidon burned (IV.5.4) disaster at Lechaion soon followed". It seems anyway that there is no other reason whatsoever to ascribe the fire at the Old Temple mentioned by Xenophon to 377/6 and not to 406/5.

There was also exactly the opposite idea i.e. that D. was referring to 406. The argument was simple and was furnished by W. Dörpfeld in *Mitteilungen (des Kaiserlich deutshce) Archaeologischen Instituts* 12(1887)64. He said that since D. does not give a date but Xenophon does, there is nothing to stop us from dating it in 406/5. Unfortunately there is, and this is the account D. himself gives in XXIV. 133-136. The orator says "τοὺς μὲν οὖν πρὸ Εὐκλείδου ἄρχοντος ἐάσω καὶ τοὺς σφόδρα παλαιοὺς ...ἀλλὰ μετ' Εὐκλείδην ἄρχοντ', ὧ ἄνδρες δικασταί, πρῶτον μὲν Θρασύβουλον Κολλυτέα ... Φιλέσιον τὸν Λαμπτρέα ... Ἀγύρριον Κολλυτέα... Καλλίστρατος...Μυρωνίδης...καὶ οἱ ταμίαι ἐφ' ὧν ὁ Ὀπισθόδομος ἐνεπρήσθη...". It is obvious that he refers to the 4th century and it is not plausible to suggest that D. forgot what he said or that he deviates going back to the 5th century (Dörpfeld). Judeich in *Hermes* 64 (1929)411ff. has tried to show that the people mentioned in D. XXIV were tried after Euclides for misdemeanours committed before 403 BC. Ferguson has given a very good objection to Judeich's point of view, pointing out the two general amnesties mentioned in Andocides I. 73 (405/4) and Aristotle's *A.P.* 39. D.M. MacDowell concludes in his commentary on Andocides' *On the Mysteries* (Oxford 1962)129 discussing section 87: "the two parts of this law - no uninscribed law is valid and no one may be prosecuted for an offence committed before 403/2 - are complementary. Together they state the legal position with regard to any offence against the laws which was committed before 403/2. If a trial has already been held (under the democracy), the judgement given at that trial remains valid; if a trial has not been held (under the democracy), no legal action may be taken". Judeich then is wrong

and anyway D. is pretty clear on his chronological sequence¹³. The reason for not going before 403 is probably that the archonship of Eukleides offered a chronological barrier for separating Athens of old from the Athens after the capitulation to Sparta. By using examples after Eukleides D. was offering the audience somewhat modern and

¹³Ferguson *Treasurers* 130 gives another reason that rules out Judeich's suggestion. D. XXIV.136 mentions two boards of treasurers: those of Athena and those of the other Gods. Ferguson had dated the amalgamation of the two boards in 406, which means that D. could not refer to two boards in 406/5 since the boards were already amalgamated. The problem is more complicated than it seems to be, because the amalgamation of the two boards in 406 is not secure at all. Dinsmoor in *Burning* had proposed 404/3, and in *Athenian Studies* 405/4, restoring in a different manner *I.G.* II² 255a.163 (this inscription mentions the amalgamated board). His new restoration seems logical and efficacious, securely dating the inscription in 405/4 but he was still doubtful about 406/5. Corroborative evidence that they were amalgamated by 405/4 is given in Andocides I.77 who refers to the *tamiai* as a single board. Ferguson's argument for 406 is based on *I.G.* II² 1502 where two golden Nikai are mentioned. From the inventories of 403 and on we know that only one Nike survived the expropriation which took place around 406/5, the emergency arising from the need to support the fleet which won at Arginusae. Ferguson *Treasurers* 90 dates the inscription after 407 because of the Ionic script; he surmises that the decision to expropriate the *anathemata* must have been taken after the 28th of Hekatombaion 406/5, the date that Conon's message reached them since the generals Leon and Erasinides, who took office on the 1st Hekatombaion, were blockaded in Mytilene with Conon (*Xenophon Hellenika* I.vi.16). If it was just an inventory of Nikai it would be the same as the other ones. The problem arises because of a mention of a votive offering offered by an epistates of the Braurion, something which, had the board of the other Gods existed, would be under their control. Dinsmoor questioned 406/5 as he considered the need of gold was present from that date and on and thought that 405/4 could still be kept as the date of the melting down. It is doubtful however that the Nikai were converted into money long after 406/5 because of the scholia in Aristoph. *Frogs* 720; "τῷ προτέρῳ ἔτει ἐπὶ Ἀντιγένους Ἑλλάνικος φησὶ χρυσοῦν νόμισμα κοπήναι· καὶ Φιλόχορος ὁμοίως τὸ ἐκ τῶν Χρυσῶν Νικῶν." The date has been shown by Ferguson *Treasurers* 90 to be the year of the archon Kallias and not Antigenes. If this is considered as plausible then the Nikai must have been among the first objects melted down in 406/5. Another argument that I would like to put forward is that Dinsmoor does not give to *I.G.* II² 255a the weight that should be given as it is proof of the decision to mint gold coins in 406/5. The emergency would require the Nikai to be among the first objects.

Ferguson *Treasurers* 108 contends that the two boards were amalgamated in 406/5 as the situation would require a flexible body to overlook the work of demolishing the sacred vessels. It would indeed be easier in the hands of one body than two.

contemporary examples in order to prove that even in their days (in which everybody agreed Athens was less great than in those of the past) politicians still revered the law.

d. The date of the fire(s) in D. XXIV (and XIII?)

Dinsmoor *Burning* contended that the fire occurred in 377/6 BC and he used cumulative evidence to prove his thesis. I will review each one of his arguments and try to provide an answer showing, where that is possible, that Dinsmoor's evidence is feeble and does not date at all securely the fire in 377/6.

1. Tribal cycles (of the secretaries of Athena)¹⁴

Ferguson *Treasurers* 8-15 and 141-152 has claimed that there was a break in the reversed tribal rotation of the secretaries in 385/4, the year that the board of the treasurers of the Other Gods was once again established, and that the tribal rotation was abandoned until 355/4. The only secretary's name that we know after 390 (in 390 the Akamantis tribe) is that of Euthias of Kettos of 376/5 who belongs to the Leontis instead of the Akamantis tribe which should be the tribe if we were to count down from 385/4 to 376/5 (had the reversed tribal rotation continued to exist after 385/4). The year 385/4 as the year of the **two** boards is approximated by the last extant mention of the united boards in 390/89 (*I.G.* II² 1400) and the first of the new ones in 385/4 (*I.G.* II² 1407 - in this inscription the treasurers of Athena fail to mention the preceding board which makes us think that the previous one was of a different character). The Leontis tribe of 376/5 is incompatible with the system of the reversed rotation and Ferguson decided that there were three sortition cycles of 10 years each starting from 385/4. This would mean that all the tribes would be equally represented by 355/4 although not in any kind of official order. Ferguson also asserted that the forward official order had to begin with Leontis (IV) in 355/4 to fit the attested Hippothontis (VIII in 351/0 - *I.G.* II² 1436) as the cycle had stopped with Akamantis (V) in 386/5.

Dinsmoor objected to this pattern in *Burning* and *Athenian Studies*. What he suggested was that the discrepancy in 377/6 could be solved if in the same year there

¹⁴ The official tribal order: I. Erechtheis II. Aegeis III. Pandionis IV. Leontis V. Akamantis VI. Oineis VII. Kekropis VIII. Hippothontis IX. Aiantis X. Antiochis.

were two different boards of treasurers for some reason. The reason was that the first board was discredited because of the robbery in the *opisthodomos* and the subsequent arson. His scheme proposes 376/5-Leontis (*I.G.* II² 1410) IV and for 377/6 Oineis and Akamantis, VI and V. In *Burning Dinsmoor* had suggested forward rotation in 358/7, in accordance with *I.G.* II² 120, concluding thus a Panathenaic quadrennium, four years after the archonship of Molon (362/1) as specified in the inscription.

A new fragment, though, part of *I.G.* II² 1438¹⁵ and dated just after the archonship of Thoudemos (353/2), whom it mentions, in comparison with *I.G.* II² 120 brings the latter down to 353/2 (*Dinsmoor Athenian Studies* 176-182). The new fragment was the last of a period that was specified by *I.G.* II² 120 to go back as far as Molon in 362/1. Dinsmoor then thought that the forward rotation should start after 353/2, in 352/1 with Kekropis chosen by lot as the work of 10 collaborating boards of treasurers ended in 353/2. So it was not a quadrennium but 10 years. Meritt and Pritchett in their *Chronology of Hellenistic Athens* (Camb. Mass. 1940)37-42 preferred the sortition cycles of Ferguson and thought that 356/5 was suitable for the change in forward rotation as it was the beginning of a new Metonic cycle (*see Dinsmoor The Archons of Athens in the Hellenistic Age* (Cambridge Mass. 1931)354). Dinsmoor's thesis that 353/2 was the year of the beginning of the forward rotation is not satisfactory because he says that the tribe for 352/1 was Kekropis chosen by lot and that the reason for the lot was that Erechtheis had already furnished for that year the secretary of the Council and the priesthood of Asklepios. But to think that the Athenians just tried to avoid a tribe furnishing so many offices by choosing the secretary of the treasurers by lot is unsatisfactory. Dinsmoor had thought that by "securing" 353/2 as the year for the forward rotation he also proved the date 377/6 for the fire as almost certain since his system of reversed rotation worked after 385/4. The answer Meritt and Pritchett *ibid.*41 gave is better: "We believe that Dinsmoor is correct in associating the reforms of this year [356/5] with the beginning of the fifth metonic cycle in the Athenian calendar (*Archons* [*see above for full title*] 354). This is the explanation for the date of

¹⁵ EM 12931 published by Schweigert in *Hesperia* 7(1938)280-281 no.16.

the change, and it is equally valid for the secretaries of the Council ..., for the priests of Asklepios and for the secretaries of the Treasurers of Athena". Dinsmoor tried to answer in *Hekatompedon* n.14, but what he essentially said was that until a new secretary is found between 385 and before 351/0 attested with his demotic there can be no definite answer. This is true but does not prevent us from holding till then Ferguson's view as the prevailing one.

2. I.G. II²1410 (376/5)

The extraordinary thing about this inscription is that it does not mention the preceding board of 377/6. This is very peculiar indeed. There are two only other similar occasions. The first is in *I.G. II² 1407* where we assume that there it was the time when the amalgamation of the two boards ceased. The other is in 322/1 (*I.G. II² 1468*) and it can be attributed to political reasons. The case of 376/5 is indeed irregular and requires explanation. The explanation Dinsmoor (*Burning* 163, *Athenian Studies* 179) gave was that the secretary of the Oineis tribe was discredited and perhaps imprisoned because of the robbery and arson in the *opisthodomos*. Another result was that the Board of the next *phyle* in the same year (Akamantis) did not have enough time to prepare a new inventory and the new treasurers (Leontis providing the secretary) did not mention them at all. It seems strange to me that the new treasurers did not refer to the previous board because they had not time to finish an inventory as it seems to me that the reference to the previous board was meant to express the **continuity** of the board and some kind of chronological **self-consciousness**. I do not claim that the mention of the preceding and following boards defined chronologically the current board but that it was a way of ceremonial definition of time and succession. To this the ability to write an inventory or not seems to be irrelevant.

It is also strange that a whole *phyle* was discredited. If the board had to be changed then it would seem more appropriate for the same *phyle* to furnish the secretary.

Another irregularity of *I.G. II² 1410* is that the treasurers are not in the correct tribal order although they seem to be so in *I.G. II² 1411* of the next year 375/4. W. Kolbe in "Zur athenischen Schatzverwaltung im IV. Jahrhundert" *Philologus* 84(1929)261-267 showed that the incorrect order of the tribes was due to a scribe's carelessness. If

one can take Kolbe's argument further it is not impossible to assume that the scribe forgot to include the name of the preceding board. It would not really be difficult to make such mistakes as the mention of three boards (preceding, current, following) was susceptible to mistakes. On *I.G.* II² 1410 there is also a relief of a man, sitting, wearing a head-band, holding a sceptre as well as of a departing female figure. Schoene in his *Griechische Reliefs* (Leipzig 1872), plate XV.71 page 41, says that he does not have any idea for the interpretation of the relief. It seems that the relief has not any contemporary connotations and that the figures could well be those of Zeus and Athena, appropriate for an inventory of Athena's treasures. The relief does not give any hint of why the inscription is so problematic and there is no other reason to suggest that *I.G.* II² 1410 was the product of an uneasy period.

Ferguson *Treasurers* 15, however, had tried to give a completely different explanation for the non-mention of the preceding board. He proposed that the Treasurers of 376/5 actually took over from an extraordinary commission, like the one of which Androtion was a member (cf *D.* XXII), giving as an example 5th century's *I.G.* I³ 473 (cf. *I.GrH* 328 F181) - *πομπείων ἐπιστάται* - of 420/19. This however is unlikely because Dinsmoor (*Burning* 163 n.2) pointed out that there was a normal succession, with full mentions of the preceding boards, from 422/1 till 419/8, despite the *πομπείων ἐπιστάται* of 420/19 (*I.G.* I³ 325, 326, 327, 328). D.M. Lewis *Notes* 47 undermined Dinsmoor's argument by pointing out that the preceding board of the treasurers of the other Gods for 376/5 (II² 1445) was not mentioned as well, and it could be argued with difficulty that while the treasurers of Athena who had defaulted were replaced, the Other Gods' board was not appointed until the next year.

3. The disappearance of the votive offerings from the *opisthodomos*

Dinsmoor's thesis becomes intriguing at this point as he proposes that the disappearance of the votive offerings happened because the dishonest treasurers actually stole them. It appears therefore that in 378/7 all the crowns then existing - including the *aristeia* of the great Panathenaia for the period following 402/1 - were disposed of (cf. *I.G.* II² 1400.14 ff., *I.G.* II² 1407.27 ff.) as they do not appear in the inventories after 377/6. Ferguson *Treasurers* 188 n.1 uses *I.G.* II² 216-217 as

corroborative evidence that 377/6 was the beginning of a revision that ended in Androtion's melting down of *ex-votos* to create more valuable objects in the 350s (D.M. Lewis in *Notes* 47ff., correctly in my opinion, argues there is no reason to date Androtion's activities near the oration *Against Androtion*; it could have happened any time after 368/7 when Konon's crown, dedicated after Knidos, is last mentioned, II² 1425.284). *I.G.* II² 216 is dated in 349/8 by Kirchner, but D.M. Lewis dated it in 365/4. In line 10 the word κόλασις is mentioned which perhaps suggests that II² 216 could be connected with the burning of the *opisthodomos* and the punishment of the officials. Johnson in *CPh* 9(1914)424, who dated II² 216 in 373/2, made first the connection between κόλασις and the burning. Unfortunately the uncertainty for the date of the inscription does not make it serious evidence for the exact date of the *opisthodomos*, although it should certainly be dated in the 370s or '60s instead of the 340s. At any rate there are also other reasons that point towards 377/6 as a year of change:

- i. It was the year of a Panathenaic *penteteris*¹⁶.
- ii. It was the year of the second Delian League (*I.G.* II² 43).
- iii. The inauguration of the property tax and the symmories.
- iv. various other changes such as the institution of the proedroi as opposed to the power of the prytaneis or the decision that pleadings and evidence must be put in writing at the courts of justice (see S.B. Smith, "The Athenian Proedroi" *CPh* 25(1930)250-276 and G.M. Calhoun, "Oral and written pleading in Athenian courts" *TAPA* 50(1919)177ff., D.M. MacDowell *Against Meidias* (Oxford 1990)229; for other changes, see G. Glotz *REG* 34(1921)1ff.).

Ferguson's point of view is completely different and although not very strong has better evidence to rely on. The reorganisation according to Ferguson *Treasurers* 118 n.1 led to a new golden Nike which indeed appears in the inventory of 374/3 (*I.G.* II² 1425.45 and *I.G.* II² 1424.31). Other objects also appeared such as the silver pinakes

¹⁶ Ferguson *Treasurers* 14 states that in the 4th century it was in the year following the completion of a *penteteris* rather than its final year that changes were made (thus 378/7).

that appear in *I.G.* II² 1415 of probably 375/4. Dinsmoor, though, considered that the new Nike was the product of an accumulation of wealth in Athens because of the Second Delian League. The answer to whether Dinsmoor is right or wrong will be given after the consideration of the scholia in *D.* XXIV. 136.

4. Confused inventories from 385 until 377/6

Dinsmoor *Burning* 166 thought that these inventories, difficult to follow, gave the best opportunity to the dishonest treasurers of 377/6 to steal the ex-votos. Ferguson *Treasurers* 111 says "all kinds of votives [from 385/4 to 377/6] follow one another in the wildest confusion". An example of such an inventory is *I.G.* II² 1407. After 376 there was an effort to make the inventories more concise (although all the material in the Hekatompedon cella was still catalogued together regardless of whether they were originally there or transported from the Parthenon or the *opisthodomos*) since they are carefully grouped in categories according to material. Dinsmoor comes, plausibly, close to the date of this new kind of inventory. *I.G.* II² 1426 belongs to the period before the arrangement of the three columns (beginning with *I.G.* II² 1421, 1423, 1424 of 374/3) and mentions also the crowns of the treasurers for the years of Kalleas (377/6) and Charisandros (376/5) but not the one of the year 375/4 which he assumes to be the current year of the inscription. Dinsmoor's suggestion is that after 377/6 Athens decided to do something so as to prevent a similar case of fraud happening again. That is why they established the improved inventories. Another suggestion could be that 377//6 was a year of changes and the new inventories could be the beginning of a new series of efforts to improve the inventories as such.

5. The decree where Athens honours Carpathos

This decree is *I.G.* XII 1.977 (in Tod *GHI2* no.110). Athens honours Carpathos for giving timber to restore the temple of Athena. Tod on the grounds of script, formulae and historical content dated this inscription around 393. According to Tod the timber offered is to demonstrate the loyalty of the Carpathians who had become allies of Athens after the battle of Knidos in August 394. The timber was for the reconstruction of the old temple of Athena which had been burned in the fire of 406/5 (*Xen. Hell.* I. vi.1) and was still in course of restoration in 395/4 (*I.G.* II² 1654.26). Dinsmoor in

Burning tried to shift the inscription just after 377/6 (historically acceptable too, because of the Second Delian League). After the burning of the Temple of Athena (the Erechtheum) Carpathos offers timber. Along with this one has to admit that the *opisthodomos* was also burned (partially at least) since the inscription mentions the temple of Athena and not the *opisthodomos* (the *opisthodomos* was of course a religious building which was from the beginning dedicated to Athena). The shift to 377/6 would not be impossible had there not been a lot of controversy over a phrase that is contained in the inscription: ἐμ πόλει claimed by P. Foucart *BCH* 12(1888)153-179 to offer a chronological terminus *ante quem*. According to Foucart the expression ἐμ πόλει was replaced by the phrase ἐν ἀκροπόλει immediately after the peace of Antalkidas. That is why Kirchner has dated the inscription *ante* 387/6 in the *Corpus*. Dinsmoor tried hard to bring this limit earlier, giving a transition period of 12 years (just enough to reach 377/6). As far as I know A. Henry in his article "Polis/Acropolis, Paymasters and the Ten Talent Fund" *Chiron* 12(1982)91-118 has given the best refutation of Dinsmoor's argument. Henry begins to explore the dates of inscriptions that contain ἐμ πόλει either restored or not and his attitude is very cautious concerning restored ones. He starts with *I.G.* II² 32. This inscription is heavily restored and it is an inscription that almost certainly provides for the publication or republication in 385/4 of an award previously made before the end of the fifth century, at a time when ἐν τῶμ πόλεων ὄσων Ἀθηναῖοι κρατῶσι was appropriate to Athenian circumstances. The best evidence that Dinsmoor has is *I.G.* II² 245 which contains ἐμ πόλει. It can be securely dated, because of the political circumstances, after Phoebidas captured the Cadmeia in Thebes around 383/2 and brings the date of ἐμ πόλει down to that date. Henry is not very happy and claims that it is possible to be dated at some other point, but without giving any suggestions. Another inscription of the same group is relatively new to us, EM 13230 of 379/8. As restored by Pritchett *CSCA* 5(1972)165-169 it contains ἐμ πόλει, but Henry 93 gives good reasons to doubt the restoration.

Containing the phrase ἐν ἀκροπόλει one should consider the following inscriptions:

- i. *I.G.* II² 30b line 2 στησάτω ἐν ἀκροπόλει of 386/5, one of the earliest dates.
- ii. *I.G.* II² 31 (*GHI* 117) of 386/5 is heavily restored.
- iii. *I.G.* II² 9 was connected by

Wilhelm in *Arch. Epigr. Mitt. Oest.* 17(1894)38 with *I.G.* II² 10 but D.M. Lewis in *Notes* 35-36 has argued against such a connection, which would have brought, in our case, the phrase ἐν ἀκροπόλει very early in the 4th century. So *I.G.* II² 9 can be dated later than 387/6.

In conclusion there seems to be a limit around 387/6 (Peace of Antalkidas). It is very difficult to judge with such scanty evidence but 387 seems to be a good year to suppose a change in practice. The convenient transition period of 12 years that Dinsmoor proposed is very dangerous and should not be adopted until further evidence appears. What I do not agree with Henry in, is the reason that he gives for the change of the term polis to akropolis, namely that the term polis was liable to misunderstanding. I quote his words in 97: "The inconvenience (or worse) of employing πόλις in its widest and narrowest senses in one and the same context must have been evident to the least style-conscious Athenian. I can see no reason, therefore, why an official decision should not have been made, taken at some particular time to eliminate this awkwardness by referring henceforth to the acropolis as ἡ ἀκρόπολις". Against this I would like to suggest that there is no evidence that such a misunderstanding was a nuisance making thus necessary an official decision. The comparison with the decision to use the Ionic script in the 5th century can not equally apply to something unattested, especially when 403 was a year of change and reorganisation¹⁷.

6. The treasurer of the *demos* and the ten talent fund

Dinsmoor tried also to show that the Treasurer of the *demos* became responsible for disbursing money for the erection of stelai at 377/6 just after and because of the fire in the *opisthodomos*. Dinsmoor actually created a chronological sequence concerning those officials that paid for the erection of stelae (*Burning* 158);

i. *Tamiai* of Athena 404-386.

ii. The apodektai 386/5.

¹⁹ Certainly those who would read an inscription that mentioned the πόλις would be more than able to understand that ἐν πόλει meant the very same place where they were standing, reading the inscription.

iii. *Tamiai* of Athena 385/4 - 377/6.

iv. *Tamias* of the *demos* 376/5 and on.

This is a very tidy pattern indeed and Dinsmoor goes further in *Burning* 165-166 "... our study of the formulae has brought out that this duty [disbursing funds for stelae] was taken over by an officer who now made his first appearance, the Treasurer of the Demos. In other words, the new secular treasurer of the State was created [my bold typescript] to counteract and check the power of the religious treasurers of the Goddess, and took over many of their duties and perquisites. Henceforth the Treasurers of Athena, deprived of their secular functions, were restricted to control of the temple property".

This is, in my opinion (and Henry's *op.cit.* too), an overstatement which is not justified from the surveying of the extant evidence. In this the Ten Talent Fund, the money allocated for the inscriptions on stelae of the decrees of the demos, will have to be taken into account. Henry has very successfully shown that certain inscriptions cannot fit the tidy pattern Dinsmoor proposed. I will give the most important of the evidence available but for full documentation, *see* Henry pages 103-112.

First *I.G.* II² 40 has almost certainly $\mu\epsilon\rho\acute{\iota}\sigma\tau\alpha\iota$ pointing towards the apodektai in 378/7. This of course does not fit Dinsmoor's pattern.

Then, concerning the *tamiai* of Athena, all the evidence belongs to the years after 385 and around 376/5 (e.g. *I.G.* II² 43, 76 - because of relation to 41-, 173 - could the X... belong to $\chi\alpha\rho\acute{\iota}\sigma\alpha\nu\delta\rho\omicron\varsigma$ of 376/5?-, 245, 79) which does not destroy Dinsmoor's pattern. There is one exception: *I.G.* II² 141 (*GHI2* no.131) which has been plausibly dated by Tod in the 360s mentions the *tamiai* as disbursing officials using the Ten Talent Fund (*see* also M.H. Hansen *The Athenian Assembly* (Oxford 1987) n. 747).

The Ten Talent Fund is attested in *I.G.* II² 43 of 377, unsurely in 22 and 84 (dated by Kirchner *ante* 378/7 because of the script), in 173 of 376/5 and 141 of the 360s. The evidence is scanty and the mention of the Ten Talent Fund does not justify the dating in the 370s only, as Dinsmoor wanted it to be, and one should reject the mention of the 10T Fund as a criterion for dating any inscription. Moreover H. Jones in *Athenian Democracy* (Oxford 1957)102 with 154 n.3 has asserted that the Ten Talent

Fund is identical with the *ekklesia's* expense account, ἐκ τῶν (εἰς) τὰ κατὰ ψηφίσματα ἀναλισκομένων τῷ δήμῳ in *I.G.* II² 106. 18-19 (368/7), II² 82 (*ante* 378/7 ?). Furthermore Henry, page 111 makes, the suggestion that in the beginning of the 4th century 10 talents were set aside to cover the expenses of the decrees the *demos* ordered to be cut. When the source of the money was mentioned the phrase ἐκ τῶν δέκα ταλάντων was employed. At some later time a more general phrase was employed: ἐκ τῶν εἰς τὰ κατὰ ψηφίσματα ἀναλισκομένων τῷ δήμῳ. This phrase allowed fluctuations in the sum of the appropriation for the *ekklesia's* expenses operating as Henry said as a "blanket" term. *I.G.* II² 141 could be a later instance of the use of an obsolete phrase in the 360s.

The evidence concerning the creation of the office of the **tamias of the *demos*** is tricky but it seems that *I.G.* II² 21 mentions almost certainly the existence of the tamias and is dated in the *Inscriptiones Graecae* around 390/89 when Chabrias was with Thrasyboulos at the north. In this inscription there is also a mention of Seuthes who must have been long dead in 377/6. There are also *I.G.* II² 24 and 25 dated by Henry pages 113-114 around 387/6, and *I.G.* II² 53 dated by Henry page 114 "as early as possible in the fourth century". Although the evidence is not full it can be asserted that the treasurer of the *demos* was created in the 390s.

7. Transference of votive offerings from the *opisthodomos*

This was the last argument that Dinsmoor *Burning* offered. Indeed after 377/6 there seems to be a transference of votive offerings from the *opisthodomos* as the Treasurers of the other Gods placed their material 1. partly in some repository, whose name is unknown because that part of the inscription is lost and which was most probably the Hekatompedon (*I.G.* II² 1445.9-42 of 376/5, 1447, 1453). 2. in the ancient temple (*I.G.* II² 1445, 1447, 1450, 1451, 1452). The Treasurers of Athena had also some material left only but very little indeed *I.G.* II² 1424 lines 115-122. This of course does not prove anything and the moving of the material could be another part of the general changes that could have been initiated in 377/6. The point is that if the fire had occurred in 377/6 there would be some reason to empty the *opisthodomos*, as the material would have to be removed, but there is no reason to suppose that the *opisthodomos* was

completely empty, and Ferguson has a different opinion (112-113, 116-117, 129) asserting that the *opisthodomos* was not getting empty at all considering that the first half of the inventory of the treasures of the other Gods, *Treasurers* 114 n.1 refers to the *opisthodomos*. D.M. Lewis *Notes* 47ff. thought that there were certainly fewer items in the *opisthodomos* in the 360s than in the 390s but that there is no evidence to suggest that the transfer took place in 377. He also made the point that although II² 1438 shows that objects previously stored in the *opisthodomos* were now in the Chalkotheke, the new fragment of II² 1438, face B, prefaces these objects by the words ἐν τῷ ὀπισθοδόμῳ. But since face B goes on to mention objects that were certainly in the Chalkotheke, then one might be tempted to argue that this is the *opisthodomos* of the Chalkotheke. If this is true, then the *opisthodomos* could have been abandoned back in the 370s (its mention in 1424a.115-122 with the same logic referring to the Skeuotheke), the burning having caused its total abandonment, proving Johnson's instinct (*CPh* 9(1914)424) that the mention of κόλασις in II² 216.10, which he dated in 373/2, was referring to the defalcation of the *tamiai*; the whole affair caused public concern which led to commission the activity of Androtion.

It is more than clear that the evidence is not sufficient and cannot be used to conclude positively anything.

e. Evaluation of the scholia in D. XXIV. 136

The scholia in D. XXIV.136 give some additional information (Dilts XXIV no.272b): "καὶ οἱ ταμίαι ἰστέον ὅτι χρήματα καὶ τῶν ἄλλων ἱερῶν τῶν θεῶν καὶ τῆς Ἀθηνᾶς ἔκειτο ἐν τινι οἰκίματι ὀπίσω τῆς ἀκροπόλεως τῷ καλουμένῳ ὀπισθοδόμῳ, καὶ ἦσαν τινες τεταγμένοι ταμίαι ἐπὶ τῇ φυλακῇ τούτων. ποτὲ οὖν πολλῶν χρημάτων ἀνενεχθέντων ἐκείσε ἔδοξε τοῖς ταμίαις, ὥστε λάθρα τῆς πόλεως δανείσαι ταῦτα τοῖς τραπεζίταις, ἵν' αὐτοὶ κερδάνωσιν ἐκ τούτου. ὡς δὲ τοῦτο ἐποίησαν ἔτυχεν ὕστερον ἀνατραπῆναι τὰς τραπέζας. ἔδοξεν οὖν αὐτοῖς ἐμπρῆσαι τὸν ὀπισθόδομον, ἵνα δόξη τὰ χρήματα ὑπὸ τοῦ πυρὸς ἀναλωθῆναι καὶ μὴ ὑπ' αὐτῶν.". An essential difference between the two versions is that 272a suggests that the *tamiai* might have just stolen the money for themselves. The scholiast though does not seem to think that that was the case as he goes on to say

that the money was lent out to bankers, whose failure made the *tamiai* set the *opisthodomos* on fire.

There is no reason to doubt that the ancient commentators had used some other source, quite independent of D. The following conclusions can be drawn:

- i. There was a collaboration of the *tamiai* of Athena with some bankers of Athens.
- ii. The ex-votos that Dinsmoor thought were stolen by the treasurers would not be of much use to the bankers. It is explicit that the treasurers were expecting to get back whatever they had given to the bankers, whereas the bankers could only have used the ex-votos by melting them down. The treasurers, according to the scholia, decided to burn the *opisthodomos* when the bankers informed them that they were unable to return whatever was taken from the *opisthodomos*. Had there been any ex-votos which were given to the bankers there would be no hope of getting them back in the first place. This is because articles like crowns etc. do not have any value in the form they have. They have to be melted into another form to become more valuable. This was what Androtion did: he wanted to convert some ἀναθήματα into more valuable objects like *phialae* etc. It seems then that whatever was taken by the *tamiai* was money.
- iii. The involvement of the bankers shows that there was a kind of arrangement between the *tamiai* and the bankers. The bankers offered a sum (probably a large one to attract the *tamiai*) for the use of the funds¹⁸. The reason that the **bankers** asked for

¹⁸ Millett in his latest book *Lending and borrowing in Ancient Athens* (Cambridge 1991)197-206 (in the chapter "Bankers and credits") has tried to show how important it was for a *parakatatheke*-deposit not to be lent to anybody but to be retrieved by the person only who had deposited the sum. In the cases of bankers lending out money it might be more fitting (according to Millett) to treat these as loans given by people to the banker. The banker in this case is free to use the sum at his own discretion. He concludes in 205: "Such an approach helps untangle the problem of interest - payments on deposits, which make better sense if understood as interest on loans payable only under certain circumstances." Millett (ibid.) and W.E. Thompson (in "A view of Athenian banking" *MH* 36(1979)223-241) think that such extraordinary circumstances (secret removal of funds and their use by the bankers in various ventures which proved to be unsuccessful) surrounded the burning of the *opisthodomos* in Athens. The bankers were in need of funds and willing to pay for the use of them.

the funds was perhaps because of a **monetary crisis(?)** in Athens which, if it could be detected, could help the dating of the whole affair; but this is not really possible as the evidence is not sufficient. Athens was for some periods in the 4th century short of cash but there is no other evidence to suggest that the bankers in particular were really affected.

- iv. If the *tamiai* did not want to return the funds they would not wait for the bankers to return the money, the *opisthodomos* would be straight away burned to cover the missing of the funds. The *tamiai* intended to restore the same amount of money they removed from the edifice.
- v. The impact on the Athenian people can be seen in the passages of D. XXIV. 136 and XIII. 14. It was seen as burglary and arson. It is very possible that it was not at all clear that the *tamiai* actually were responsible for the theft and arson. This can be deduced from D. XXIV. 136 where he says that the previous people he mentioned (namely the *tamiai*, those who sold wheat outside Athens etc.) were all better than Androtion. This can be considered of course as a rhetorical exaggeration but anyway it can be argued that those *tamiai* were not considered as total villains. The only conclusion one can reach is the logical one that not all the *tamiai* were responsible. Perhaps it was those responsible for closing the building up who planned the removal of the funds. It is obvious that the removal was not discovered as such and it would not have been if the bankers had not failed. When the fire occurred the rest of the *tamiai* did not know anything at all and the suspicions would naturally fall upon those who had the keys for closing the building. The system for closing up has not come down to us so we do not know if some *tamiai* of Athena and the Other Gods rotated. This is quite possible and it would make even more difficult the discovery of the responsible *tamiai* as the exact date of the removal would be totally unknown. Judging from D.'s wording in XIII. 14 it seems that the impression the Athenian people got was of a conspiracy to overthrow democracy and not of ordinary fraud, which shows again that it was not really clear who did it and why. Especially if it was the dikastic money that was stolen (as we already saw) it is not hard to imagine the hysteria of the orators and, subsequently, the people.

The people's courts were the essence of democracy, and any effort to deprive the judges of their legal payment must have been considered as hostile to democracy. That D. was not really sharing that belief can be seen from XIII.14. The court must have condemned¹⁹ some of the *tamiai* but what had happened was not probably totally revealed.

f. Conclusion

We have examined thoroughly all the theories regarding the chronology of the burning of the *opisthodomos* and we have been unable to reach a date; the only thing that can be ascertained is that it was after 385/4 (the date of the existence of two separate boards mentioned by D. and the scholia) and before the speeches XXIV and XIII, namely 353/2. As for Dinsmoor's theory for dating it in 377/6, although tempting, it is overstated and cannot be endorsed beyond reasonable doubt (*see* section d3)²⁰. We investigated the location of the edifice (section a) and defined the financial use and contents of it. It is unlikely that the *tamiai* who lent out the money had also given out votive offerings, since, as the scholiasts say, the *tamiai* expected to get whatever they had given back; offerings like crowns were not useful unless melt down. Various sums of money were deposited at times on the Acropolis (*see* section b) but the "regular" ones were the dikastic money and the 10T fund, the latter used for the expenditure of cutting in stone the decrees of the *demos*. How much was the sum lent out and what were the circumstances for the bankers' loss and incapacity to return the sum we do not know but it was a mystery case for the *demos* who became paranoid and in a similar manner as in the time of the *hermokopidai* fantasised about oligarchic coups (*see*

¹⁹ M.H. Hansen in his book *Eisangelia* (Odense 1975) 90 (no. 79 of his catalogue of *eisangeliai*) mentions the trial of the board of *tamiai* and asserts that the procedure was a denunciation, an *eisangelia*, at the Council or the Assembly. Hansen thinks so because there were two types of prosecution that provided for the defendants to be remanded in custody (as it is stated in XXIV. 136): *eisangelia* and *endeixis/apagoge*. There are no examples of *endeixis/apagoge* for a whole board of magistrates but the sources show that *eisangelia* was used in such cases (*see* nos. 103-8 and 134 in his catalogue of *eisangeliai*).

²⁰ E.E. Cohen in *Athenian Economy and Society* (Princeton 1992) 221-224 has reached a similar conclusion.

immunity from the metic tax or at least this could be the most likely assumption. Another problem is that the vital part of the inscription is restored. J. Pecirka *The Formula for the grant of enktesis in Attic inscriptions* (Acta Universitatis Carolinae Philosophica et Historica, Monographia XV 1966)15-17 gives an account of Wilhelm's restoration of the inscription and it seems that the latter came to the present restoration after comparison with *I.G.* II² 237. 26 and *I.G.* II² 545. 12. If the restoration is correct then I suggest taking this mention here as retroactive and define all other *ateleiai* given to individual foreigners or metics without any further specification as **exemption from the metic tax**. The point of the grant is that the metic tax is one of the points that differentiate the citizens from the foreigners and its removal was a sign of favour on the part of the demos. This is very inconclusive but there is no other evidence at least to oppose it (unfortunately the same restoration in *I.G.* I² 154 has not been kept in *I.G.* I³ 164). Herakleides for example could be given *ateleia* from metic tax in case he wanted to move in Athens. The next certain example of *ateleia* from metic tax is in *I.G.* II² 61 dated by D.M. Lewis in *Notes* 34 in 373/2. Under this hypothesis instances of *ateleia* before and after *I.G.* I³ 106 would be *ateleia* from metic tax. This way one can explain inscriptions like *I.G.* II² 33. 7 where *ateleia* is mentioned without any further specification.

It is also important to distinguish *ateleia* being granted to a citizen (already a citizen or becoming one through the same decree which bestows *ateleia*) and *ateleia* granted to people who are foreigners, metics, *proxenoi* and *isoteleis*. Until now cases of individual foreigners or metics have been mentioned but none of an Athenian citizen. Yet D. says XX. 18: "εἰσὶ γὰρ δήπου παρ' ὑμῖν αἱ τε τῶν μετοίκων λητουργίαι καὶ αἱ πολιτικάι, ὧν ἑκατέρων ἐστὶ τοῖς εὐρημένοις ἢ ἀτέλεια, ἣν οὗτος ἀφαιρεῖται". Whitehead *Metic* 80-81 accepts that the metics performed at least the *χορηγία*, *γυμνασιαρχία* and the *ἐστίασις*. So apart from the metic tax the metics or foreigners could get *ateleia* from these liturgies as well. When then *ateleia* is mentioned how is one to tell whether it includes exemption from liturgies? I will tackle this question after considering *isoteleia*.

P.J. Rhodes *Constitution* 653 is asserting that "ἰσοτέλεια is not found in inscriptions before the fourth century: in the fifth and early fourth century foreigners were granted *ateleia*, exemption from obligations (cf. *Constitution* 509); and when ἰσοτέλεια came to be the more normal privilege the word ἀτέλεια survived for a consequence of ἰσοτέλεια, ἀτέλεια τοῦ μετοικίου...". I do not agree with Rhodes that *ateleia* from metic tax was a *consequence* of *isoteleia* and not an independent privilege. Furthermore he does not inform us on how *isoteleia* came to be the more normal privilege nor what *ateleia* meant in the 5th c. From his explanation one is to think that *ateleia* was superseded by *isoteleia* and that they meant exactly the same thing; if the word *ateleia* survived in the phrase ἀτέλεια τοῦ μετοικίου as a consequence of *isoteleia*'s grant of immunity of the metic tax, then they must have meant the same thing, the first being a 5th c. word when the second is a 4th c. one. It is true that the major meaning of *isoteleia*, as delivered by the lexicographers, is exemption from metic tax and possibly from the agora's ξενικὰ τέλη (see D. LVII. 34). Hesychius s.v. ἰσοτελεῖς· μέτοικοι ἴσα τοῖς ἀστοῖς τέλη δίδοντες and Bekker *Anecd. Gr.* I.267. 1(ἰσοτελεῖς)· τὰ μὲν ξενικὰ τέλη μὴ τελοῦντες, τὰ δὲ ἴσα τοῖς ἀστοῖς τελοῦντες and Harpokration I 26 s.v. ἰσοτελεῖς· τιμὴ ... καθ' ἣν καὶ τοῦ μετοικίου ἄφεσις ἐγένετο,... ὅτι δὲ καὶ τῶν ἄλλων ὧν ἔπραττον οἱ μέτοικοι ἄφεσιν εἶχον οἱ ἰσοτελεῖς Θεόφραστος... There are two tendencies in scholarship towards *isoteleia* (Whitehead *Metic* 11-13). The first is that *isoteleis* were exempt from the metic tax and the ξενικὰ τέλη and that was it. The other includes the first and claims that *isoteleia* subsumed *enktesis* either *ges* or *oikias* or both plus military and financial privileges (τὰς στρατείας στρατεύεσθαι μετὰ Ἀθηναίων and τὰς εἰσφορὰς εἰσφέρειν μετὰ Ἀθηναίων). I prefer the latter view, although Whitehead *Metic* 12 points out that: "there is no good reason to suppose that *isoteleia* was connected with *eisphorai* or liturgies⁴⁹, much less military service, land ownership or legal procedure". Rhodes *Constitution* 653-654 is not very sure about Whitehead's certainty²⁸. The safest way to choose is that *isoteleia* was certainly exemption from

²⁸ It is really a matter on how one interprets certain sources such as *I.G.* II² 287. 3-7, 109. 20, 2276.

metic tax and the ξενικὰ τέλη and probably included other military and financial privileges. This makes the terminology rather vague but I do not think that *isoteles* did not carry any further meaning than that specified by Whitehead because the coining of *isoteleia* in the 4th c. proves that there was a need to express something different from *ateleia*. I find it unlikely that *ateleia* means the same thing as *isoteleia* since it is a reasonable argument that if *ateleia* meant exemption from the metic tax then certainly *isoteleia* had a greater range of privileges and was coined exactly for expressing that.

A first conclusion then is that when concerning individual foreigners or metics *ateleia* meant exemption from metic tax. When referring to citizens *I.G. II² 109* is very instructive. In 363/2 Astykrates was exiled from Delphi and took refuge in Athens with his followers. The privileges Athens gave him were: i. *II² 109b.10-11*, citizenship ii. *II² 109b.10*, *ateleia*, and to his followers i. *II² 109a.23-25*, the trials that took place at the *Amphiktionia* are to be *ateleis* ii. *isoteleia*, καθάπερ Ἀθηναίους. Astykrates is exempt from liturgies (since the citizenship grant made him automatically exempt from the metic tax) and his followers at least do not have to pay any tax that discriminated them from the rest of the citizens. It is of the utmost importance that *isoteleia* and not *ateleia* is mentioned here. If we remember *I.G. II² 33* where only *ateleia* is mentioned then it is obvious that something different is meant by the two terms and unless one wants to credit the Athenians with deliberate confusion over a word another explanation must be sought.

I will try to sum up. *Ateleia* to foreigners or metics probably means exemption from the metic tax at all times. *D. XX. 18* mentions *ateleia* from liturgies for both metics and citizens: εἰσὶ γὰρ δήπου παρ' ἡμῖν αἱ τε τῶν μετοίκων λητουργίαι καὶ αἱ πολιτικάι, ὧν ἑκατέρων ἐστὶ τοῖς εὐρημένοις ἡ ἀτέλεια ἣν οὗτος ἀφαιρεῖται. For the citizens it is simple; they are exempt from liturgies. For the metics when *ateleia* is mentioned in the inscriptions without any specification does it mean exemption from liturgies or from metic tax? It could be that in all the cases *ateleia* meant **exemption**

from the metic tax and exemption from liturgies whereas when ἀτέλεια τοῦ μετοικίου was mentioned, as in *I.G.* II² 61 the specific privilege was meant. I doubt this. The answer lies in *I.G.* II² 286 and *D.* XX. 60. *I.G.* II² 286 bestows *proxenia* on a foreigner or metic and grants him ἀτέλειαν πᾶντων]. *D.* XX. 60 says: "ὧν, ὧ ἄνδρες Ἀθηναῖοι, μετὰ ταῦτ' ἐκπεσόντων ἐψηφίσασθ' ἅπερ οἶμαι φεύγουσιν εὐεργέταις δι' ὑμᾶς προσήκε, προξενίαν, εὐεργεσίαν, ἀτέλειαν ἀπάντων". *D.* refers to Archebios and Herakleides who delivered Byzantium to Thrasyboulos from Steiria in 390 BC (for the history of this see *Xen. Hell.* IV. viii. 27 and 31). The important thing is the privilege. This *ateleia* from everything surely has a special meaning. In my opinion it means from metic tax and liturgies. These two pieces of evidence strengthen Sandys' opinion (xviii of his introduction, see note 34) that there were degrees of *ateleia*²⁹. There were certainly different kinds of *ateleia* and probably two degrees applied to non-citizens.

Ateleia to cities: Exemption from tribute tax (e.g. *I.G.* I³ 61).

Ateleia to citizens: From liturgies (excluding *eisphorai* and the trierarchy).

Ateleia to individual non-citizens: i. ἀτέλεια τοῦ μετοικίου primarily from the metic tax ii. ἀτέλεια from liturgies (including exemption from the metic tax); it can also be granted under the special formula ἀτέλεια ἀπάντων indicating thus the distinction between ἀτέλεια and ἀτέλεια τοῦ μετοικίου. *Isoteleia* was probably a halfway house between ἀτέλεια τοῦ μετοικίου and ἀτέλεια (or ἀτέλεια ἀπάντων) equalising a metic with a citizen (not as far as political rights went) with the incurring financial and military responsibilities.

b. The honours given to Menon and Perdikkas³⁰ and the discrepancy between XIII. 23-24 and XXIII. 199-200

D. in 23-24 says that Menon and Perdikkas were not given citizenship³¹ not because they had not served well the Athenian cause but because the Athenians' ancestors were

²⁹ He did not however explain what he meant by this.

³⁰ For a detailed account of their grants of citizenship and *ateleia*, see commentary 23.

³¹ For the use of the term *politeia* to describe the citizenship see *Aristot. A.P.* 4. ii, 4. iii, 37. i, 38. ii, the last three referring to the body of the people possessing citizenship.

more frugal than themselves in giving out honours. Exactly the same point is made in XXIII. 199-200 with the difference that Menon and Perdikkas were not given the privilege if someone kills them to have that person indicted but citizenship. Which one is true? We will see in the commentary that Menon was probably a citizen (with no 5th c. evidence except for the ostraka) and that for Perdikkas this is merely a supposition. The only 4th c. evidence is contradictory. It is more likely that they were granted citizenship (Menon at least has possibilities to be one) and I will try to explain why D. deliberately is distorting the awarded grants.

Cobet *MC* 66 has seen this discrepancy as further proof that XIII is spurious and is raging with wrath: "Videmus hominem, ut haec in suos usus convertere possit, pervertere omnia et impudentissime mentiri. Si qui forte supersint qui orationum spuriarum fidem et auctoritatem tueri velint, πολλοῖς ἀντιλέγειν γὰρ ἔθος περὶ παντὸς ὁμοίως, huiusmodi locos diligenter expendere velim."

My opinion is that Menon and Perdikkas were granted both *ateleia* and *politeia*. It seems that this was an Athenian practice towards people who had considerably helped Athens. A good comparison is Leukon the archon of Bosphorus. In D. XX. 29-30 Leukon is mentioned as a person who was granted both *ateleia* and *politeia*. D. in 23 is criticising the Athenian policy of granting political favours especially citizenship. Athenians have been granting *politeia* to people who do not deserve it (24). The best way to prove that would be to show that their ancestors honoured distinguished and important people in a less extravagant manner. The same stands for XXIII. 200. That kind of immunity was unprecedented and D. thought that it was not appropriate for a man like Charidemos. What better way to prove this than by mentioning men who were far more helpful than him and were made only citizens? One would think that if he had said that they were only *ateleis* it would strengthen his argument more since Charidemos was already made an Athenian citizen and the contrast would be even sharper. Perhaps he wanted to show that the citizenship was the ultimate honour beyond which nobody could go, especially Charidemos. Osborne *Naturalization in Athens* vol.III(Brussels 1983)108-9 says: "Admittedly one version of the exploits of Alexandros [he considers Alexandros a certain emendation for Perdikkas] does use the

term *ateleia*, not *politeia*, to describe his reward, but the usage of the term *ateleia* to cover privileges generally (including citizenship) in Demosthenes' speech *Against the law of Leptines* should act as a disincentive to take the term absolutely literally in this passage. It may be added that the 'confusion' between *politeia* (in Demosthenes 23) and *ateleia* (in [Demosthenes] 13) also occurs in respect of Menon of Pharsalos, for whom a grant of citizenship seems certain." I am afraid that I will disagree firmly with Osborne after as thorough as possible an examination of XX and the way the term *ateleia* is used there. I came to the result that D. does not use the term loosely but that he uses it consistently. Osborne does not furnish any passages but in a footnote (no. 352) says: "Demosthenes 20 passim". I wonder if Osborne thinks that the example of Leukon suggests that the privileges are confounded. I doubt it. XX. 18 gives the scope of the privileges and the contributions that nobody was exempt from. That is very precise. Leukon was also granted citizenship as well as *ateleia* but D. certainly deals (29-41) with the latter³². In 60 he refers to Archebios and Herakleides from Byzantion but he certainly talks about *ateleia* there. The most dangerous passage would be section 84. D. talks about the people that were benefited through Timotheos and Iphikrates and given *politeia*. A bit later, 85, he talks about *ateleia* given to the

³² The question of what kind of *ateleia* was given to Leukon was raised. I suspect, because of the notion that a privilege to a benefactor of Athens living in Bosphoros would be useless to him. A. Boeckh *Staatshausaltung* vol. I 120 thought that Leukon was granted immunity from payment of customs. There is no explicit mention of such a thing but Boeckh thought that the abolishment of custom taxes for Athens would bring forward a similar grant originating from Athens. J.E. Sandys *Against the Law of Leptines* (Cambridge 1890)xviii accepts this view seeing at the same time the difficulties of no explicit mention of such a privilege. The problem becomes a bit more complicated if one took the exemption from custom dues as applicable not only to Leukon but also to all the ships of his dominion. In another case when Athens gave privileges to Sidonian merchants (*I.G.* II² 41) exemption from custom dues was not granted.

There is no substantial proof for such a grant to Leukon and his country's merchants. It would have many implications to suppose that. D. would probably not have passed over such a grant in silence in XX. He would have tried to get Leptines to answer for stripping Leukon and his people of such a privilege. In my opinion exemption from the liturgies was simply an honorary title to Leukon and it seems to be the only feasible content of his *ateleia*.

same people. I cannot see though any confounding there. The people who got the δωρεία were made citizens and *ateleis*. The two terms *politeia* and *ateleia* describe different statuses but can be used inter-changeably without considering them as confounded. In this particular case D. informs us that the protégés of Timotheos were given citizenship and *ateleia*. As this was done with the same decree (probably cf. *I.G.* II² 109) it was natural for D. to refer to both honours bestowed.

As I said, in my opinion both Menon and Perdikkas were granted citizenship and *ateleia*³³. A question that arises is: were these people well-known to the Athenians? Would their names be recognised easily? More than a century had passed after their naturalisation and *ateleia*. If they were famous then the argument in 23 would be invalid for its strength was exactly the certainty that both were not given *politeia* but *ateleia*. If on the other hand only the descendants of these two remembered the honour it was a good argument and could be safely used twice in two years. Even if they were very well known the audience was not going to remember exactly the grant they were given 100 years ago but rather appreciate that their ancestors were very reserved when honouring even worthy people.

³³ J. Trevett in *GRBS* 35(1994)181-2 thinks that the mistake is of a mechanical nature as D. was recycling the argument from XXIII: "Rather than rewrite the whole passage, he simply altered 'inviolability' to 'citizenship,' and 'citizenship' to 'immunity', in order to preserve a contrast, albeit now an incorrect one. Such a falsification is no doubt reprehensible, but Athenian orators and their audiences were singularly careless about getting historical details right." As I argued it is possible that D. was right both in XXIII. 199-200 and in 23 as he might have used in each case two aspects of the same grant.

Chapter 3 Structure and Argument of or. XIII

The structure of XIII does not correspond exactly to the model one has in mind about forensic orations (proemium, *prokataskeue*, narrative, *pisteis*, peroration) and it seems to work in **thematic unities**;

- 1-2 proemium, D. does not support either the distribution of funds or their abolition but is worried about the fact that Athenians have become accustomed to getting paid for nothing.
- 3-10 concrete proposals
- 11 necessity for organisation
- 12-17 wrong approaches in the Assembly; they should not be obsessed by trivial internal matters treated bombastically by the other orators but try and exercise a strong foreign policy.
- 18-20 individualism in Athens, the focus of the politicians is on office only
- 21-31 the glorious past.
- (21-25) altruism and communal spirit were shown by the great men of the past, great services were repaid on a personal level with moderation.
- (25-31) past hegemony and present power vacuum that should have been exploited; great men of the past honoured Athens with impressive buildings but now private property is the objective and the city is provided with silly amenities unworthy of Athens.
- 32-35 the need to coordinate action and decrees together. Athens has no choice but to excel.
- 36 peroration; the government of Athens should be left in the hands of the people and not to the orators.

As for the arguments employed in this speech one has to bear in mind it is an oration without a specific goal such as the Olynthiacs have. Weil and A. Schaefer found XIII's argumentation unfocused and after some initial promising suggestions lost in a critique of contemporary politicians and a comparison with the past which seems to be just a repetition of different parts of other orations. What has been neglected especially is, in my opinion, the intention of the orator towards his audience in the first part of the speech before the contrast with the past begins. More important even is the sermonising fashion in which these arguments are being made, naked as they are of any definite purpose; this is at least what the critics of the speech argue. This, seen in comparison with every other oration which has a similar criticism of Athenian sluggishness, of the corrosive effect of the theoric fund and of a total lack of purpose, proves negative for XIII as in the Olynthiacs for example D. displays at least who he is focusing against warning Athens of Philip's intentions when they cannot see them. XIII seems to lack this fixed look on reality. Relevant is also whether the oration was ever delivered or not. The current view (e.g. Pearson *Art* 122) is that it was not. Even if it was not delivered, although it is equally possible that it was, it has to be accepted that it was destined for a wider audience and not for his drawer i.e. for publication or for private distribution like the discourses of Isocrates. The tone of it is sermonising, it is a text designed to attack the present situation by criticising the morals and exploring the motives behind them. That is why this oration looks like a political and moral investigation in current affairs, offering motivation by going to the past. This angle is not present in other orations, at least in such persistence. In III.19ff. for example he examines the strength of βούλησις in political affairs and matters where objective reasoning needs to prevail. He thinks that βούλησις is the distorting factor in human affairs. One thinks that what one wants will automatically come true even when conditions are against fulfilment. In XIII from the very beginning he draws attention to the ethos created by the distribution of the theoric fund. This is very incisive criticism of the handouts policy. The custom is that people get used to getting paid for nothing, and although this is desirable in the aftermath of a great effort at the moment this is not

happening. In 3 he begins abruptly with a proposal; as there is an *ekklesia* meeting about finances there should also be one for *paraskeue* to face the war. He does not tell us which war this is and one is left to guess, but what is important is his certainty that Athens should always be ready to fight and it is in exchange for such a service that citizens would receive payment (4). The whole speech will revolve around the abstract subject of *paraskeue*. The aim is for the Athenians to take their future in their hands. Only in this way will the allies be saved and citizens will stop being apathetic about who has impeached whom (5-6).

Then (7) follows the doctrine that Athens is the city that should primarily be involved in Greek affairs and that democracy is in principle the type of government that should be supported even if Athens had sufficient reasons not to do so. Finally we come back to citizens' participation in the pursuit of a more active foreign policy and the criticism of the two-obol conscience of the citizenry (9-10). In 11 D. is proposing to press ahead with the *paraskeue*, which is the least controversial subject as everybody agrees with its necessity. In 12 he anticipates opposition to his proposals. This is one of the keys of the speech, as the other orators oppose him as a pompous person who "will blow us with all the usual stuff about the ancestors, maligning the present times." D. is aware of his lack of focus and he sees his constructive criticism more fertile to concrete proposals. In order to get any of them accepted he needs to accustom them to listen to the best advice 13: δεῖ γὰρ...τὸν βουλόμενον τι ποιῆσαι τὴν πόλιν ἡμῶν ἀγαθὸν τὰ ὧτα πρῶτον ὑμῶν ἰάσασθαι· διέφθαρται γάρ. This promise he commences to fulfil by a criticism of the current trends of discussion in the Assembly. The democracy, he will argue, is not getting destroyed, neither by the burning of the *opisthodomos* nor by the theft of some oars. Nor are the law-courts the guarantee of the city's security, referring to virulent attacks of politicians against each other, since they only serve to disorientate and make the people apathetic to matters of greater importance. It is again *syntaxis* that will help rectify all that. D. is against the "fever" of the *ekklesia* that asks for excessive, superficial and bombastic statements that gain the applause but lead nowhere (14-17).

Then the instigators of such a trend are to receive D.'s focus. The orators and the recipients of office care only for their ambitions. Now the shift is onto the personal and moral arena which has become an opportunistic and individualistic one. Everybody aspiring to an office is going only after money and fulfilment of ambition with no further desire to make the city excel³⁴ 20: ...περίεστιν ἐκ τούτων ὁ δεῖνα χαλκοῦς καὶ ὁ δεῖν' εὐδαίμων. Ῥαθυμία is the new condition of the people (18-20). And then, as an answer, follow the doublets (21-31). They are very interesting especially if written before the Olynthiacs, as I think. They are well written historical examples which help in effect prove D.'s points about the condition of the city³⁵. A comparison helps make the *ekklesia* identify itself with the glorious past and hopefully make an eager effort and imitate them. If seen not as patches sewn together then they can be shown to provide answers to all those matters in which D. saw Athens' decline in XIII. Themistokles and Miltiades, the men who saved Greece from Persia, are exactly the figures D. wants to beat individualism with. These people never saw themselves become statues because the whole city was behind them, because there was a communal spirit that could not tolerate excessive honour to individuals. The same with *ateleia*; it was that and not citizenship which was granted to foreign men of exceptional virtue. There is always present the contrast with the present which renders the Athenians and their leaders inadequate. What if Chabrias or Iphikrates are great generals when the victories belong to them? Leaving individualism at present D. moves on to the *polypragmosyne* of the past in sharp contrast with the *eremia* of the present. Again D. stresses the ideology of hegemony, of supremacy among the Greeks. Athens should be the city to fill the vacuum in supremacy. This is an answer to 7-8 where he urged for *paraskeue* and Athens to prove adequate for the duty she has inherited from the past. This will become certain only if individualism is shed. He attacks it from a different angle. While in the past the leaders only cared how to make their city glorious and adorned it in

³⁴I have discussed the appropriateness of the symmories comparison in the "Genuineness" section.

³⁵For a more general study of the historical example in oratory see M. Nouhaud *L' utilisation de l' histoire par les orateurs attiques* (Paris 1982).

every possible way, now they care only for how to make brilliant, private houses and add trivial amenities to the city. This individualism and rush for prosperity is D.'s main target which he tries to cure with the echoes from the past. His attitude is summarised in 35: *πεπολίτευσθε γὰρ ἐν τοῖς Ἑλλησιν*; if they were citizens of minor cities like Siphnos or Kythnos then they would be justified; now they are citizens of Athens, their destiny is to seek hegemony.

To draw a conclusion from all the above it would suffice to argue that XIII is more cohesive than it seems to us who have at our disposal III and XIII and all the other orations from which we identify echoes. The doublets as such seem to be in the right place giving the Athenians stimulation for a new beginning. As for the lack of purpose and drive that Weil saw, he is right in that it is not a speech with a clear-cut message, or with concrete and elaborate proposals. In my opinion it is the type of the oration that justifies its present format and contents. Its purpose was solely educative and made to strike a different tune from the one that was predominant in the *ekklesia*. It is true that most of his other orations are educative as well as with a more concrete or topical subject-matter and are usually against Philip. Yet XIII contains ideas that are present throughout the work of D. The custom produced by the theoric fund, the obsession with *paraskene* (see XIV, IV, Olynthiacs etc.) and the glorification of the past. One could argue that they were gleaned from these orations to form XIII at a later stage but they were shown to work in XIII. At any rate no one can profess to know how D.'s mind worked or how he collected his material but XIII can be an indication that he had much material, many ideas and solid credos which he must have worked on constantly, always with the rhetorical and educative aspect in mind. By an oration or a pamphlet like XIII he could air them and thus let the public know of his mind in much broader matters than those he dealt with in XIV. In *On the Organisation* his thinking displays an agony for Athens' political morality; for such convictions he would regularly dive in his drawer working on them and building orations of a different kind of eloquence, power and particularly emotion.

COMMENTARY *On the Organisation*

Section 1

περὶ τοῦ παρόντος ἀργυρίου: D. refers to the present matter of the discussion which is the theoretic distributions, *see* 3.

καὶ ὧν ἕνεκα τὴν ἐκκλησίαν ποιεῖσθε: there were four meetings of the *ekklesia* in each prytany; one was the *ekklesia kyria*, whereas the other three were just called *ekklesiai* (for a thorough account of the evidence on the types of meeting of the assembly, *see* M. Hansen *The Athenian Assembly* (London 1987)25-30). The *ekklesia kyria* was the only meeting in a prytany where items of an already fixed agenda were discussed (*I.G.* I³ 105.44ff, I³ 65.19-20). All four *ekklesiai* were fixed by law (Aristot. *A.P.* 43.4-6, D. XIX.185, Aeschin. II.72, *Hesperia Suppl.* 17(1978)4 lines 86-88) In the *ekklesia kyria* the topics discussed were the ἐπιχειροτονία τῶν ἀρχῶν and the *eisangeliai*. As far as one can see the decrees referring to the financial matters are very few and this points towards the conclusion that the *ekklesia* did not have much to do in these affairs. The body which was mainly responsible for the finances of Athens was the boule and the various financial boards, the *archai* (*A.P.* 48.1, *I.G.* II² 29.21, 354.30-1, D. III.10, LIX.4). The only exceptions seem to have been the levying of property tax (*eisphora*), financing of public works (Pl. *Protag.* 319b, Aeschin. III. 27, D. XVIII. 248, Dein. F17, *I.G.* II² 244.44-45) and of course the theoretic fund (D. XIII.1, LIXIV. 38 LIX.4, III.31, Aeschin. III.251). As far as one can judge from D. XXIV.96-101 it seems that the needs of the Athenian state (such as *ekklesiastic* and *dikastic* payment) were covered by the καταβολή τῶν τελῶν which must mean that it was the customs taxes that covered most of the state's needs and that when that they were not enough extra amounts had to be paid in the form of προσκαταβλήματα, additional amounts the nature of which is not explained in the oration. What happened seems to be that the basic amounts towards the state needs, the τέλη, were distributed to the various magistrates that dealt with the payment of the state's responsibilities towards the end of the political year and that the extra cash, the προσκαταβλήματα, were used to cover the "budget-deficit" until the ninth prytany when the new "fiscal

year's" share-out of the funds took place (*see* also Aristot. *A.P.* 47 for the amassment of funds in the ninth prytany). I would like to argue that D. is speaking in the *ekklesia kyria* of the ninth prytany of 353/2 BC. By this prytany all the revenues would be in the treasury and there should be some kind of discussion in the *ekklesia* about those matters that actually affected the demos, such as the theoric fund. There is no compelling argument that these matters were discussed in the *ekklesia kyria* but *A.P.* 43.6, where the topics of all the *ekklesiai* are discussed, says that in two of the *ekklesiai* (not the *kyria*) the agenda included the discussion of secular matters which could include the discussion of financial matters as well. From 47.2 it seems that the magistrates responsible for this kind of financial arrangement were the *poletai*, the military fund secretary and the theoric commissioners who are reporting to the boule. Although there is no mention about discussion in the *ekklesia* as mandatory, finances must have been in the agenda of that prytany concerning public works authorisation and the theoric distributions. Since such matters were in the core of interest for the Athenians it is more probable that they would discuss matters in the *ekklesia kyria*. Since the funds would come in throughout the ninth prytany it is possible that the meeting usually took place at the end of the prytany or even the beginning of the tenth prytany.

ὦν ἔνεκα: ἔνεκα has been omitted by S and Didymos col.13 line 14, but added as a correction in S and it is there also in FAY. Fuhr has not kept it whereas Butcher has. Both make sense but I am inclined to keep ἔνεκα as I think that the balance of this first sentence is damaged with the absence of the preposition: there is an even number of syllables before and after καί (11 in number), forming an *isokolon*, this making the sentence more agreeable to the ear, if read out.

ποιεῖσθ': SFAY and Didymos col. 13 line 15 give ποιεῖτε and only a correction in S contains ποιεῖσθ'. The active is used to indicate the actual convocation of the assembly as in D. XIX.185 ἐκκλησίαν ποιῆσαι and XXI.9 ποιεῖν τὴν ἐκκλησίαν, where the officials or the boule call the meeting of the assembly. The middle is used (cf. XVIII. 213 ἐπειδὴ τοίνυν ἐποιήσαντο τὴν ἐκκλησίαν) to refer to the actual meeting and not to the procedure for summoning it.

It is very interesting that Didymos has two readings that are followed by the manuscripts (FAY) (ἐνεκα and ποιεῖσθ') but not by S. S contains these readings in a form of a correction. We do not know how these corrections originated (as conjectures or readings of other manuscripts) but one would be tempted to argue that diversions from D.'s *archetypon* started early in the transmission of the text.

οὐδέτερον μοι...: D. tries to keep a distant position from both trends in the assembly (for or against the theoretic fund) and this is one of his ways in opening his exordia (see comment on XIV's exordium on the opening fashions of D.) so for example this way of distancing himself from the other orators is present also in VIII.1 Ἔδει μὲν, ὦ ἄνδρες Ἀθηναῖοι, τοὺς λέγοντας ἅπαντας μήτε πρὸς ἔχθραν ποιεῖσθε λόγον μηδένα μήτε πρὸς χάριν, ἀλλ' ὁ βέλτιστον ἕκαστος ἠγεῖτο and XVI.1, as Weil noticed: Ἀμφότεροί μοι δοκοῦσιν ἀμαρτάνειν..

τοῖς νέμουσι καὶ διδοῦσι: Cobet *MC* 59 maintains that neither of the two verbs is suitable because there is no difference between them and he suggests διανέμουσι based on διανομαί a suitable name to describe the theoretic distributions, cf. III.11 διανέμουσι θεωρικά. The repetition is just for emphasis and D. will a little later use the same repetitive technique to describe his own attitude: οὔτε συνειπόντα καὶ παραινέσανθ', with a similar reaction from Cobet. Weil warns that D. does not mean the act of distribution but the policy (cf. δοίη and πείθουσι in XIV. 26 and 41 respectively).

συνειπόντα καὶ παραινέσανθ' ὡς οὐ δεῖ λαμβάνειν: Cobet thinks that καὶ παραινέσανθ' ὡς οὐ δεῖ λαμβάνειν should be deleted as superfluous. This is again unnecessary; D. is trying to express both trends in the assembly in a rather lengthy manner because he wants the superfluous statements to convey the waffling of the other orators in the assembly. As for the meaning of συνειπόντα which Cobet cannot understand it means to support somebody's point of view cf. D.XIX.97, XXI.207.

πρὸς τὸ τῇ πόλει συμφέρον σκοποῦντες: Cobet wants to delete πρὸς because it is not used with the verb σκοπῶ which takes an accusative. There are however other examples in Greek literature of πρὸς with σκοπῶ e.g. Pl. *Rep.* 348b, *Tim.* 24a, Xen. *Cyr.* I. vi.8 πρὸς τὸ ἄρχειν σκοπῶν λογίζεσθαι; in D. I could not find an example of

σκοπῶ with πρὸς but there are examples with other prepositions IV. 36, XX.13, XXIV. 32.

ὡς ἑκάτεροι χρείας καὶ περιουσίας ἔχουσι: the genitives are partitive genitives, the meaning being that each one of the two groups that either support or disapprove of the distributions care about their own needs; the poor how to alleviate their poverty and the rich how to preserve their own riches. As it is not quite obvious why the rich should resent the distributions it has to be stressed that the rich people with oligarchic tendencies always resented institutions such as pay for the archons, the *ekklesia* or the dikasts. The *Old Oligarch* is the best example for such complaints. Such tendencies were rather blunt in Athens of the fourth century but it is possible that some wealthy people actually did resent such payments, considering that such squandering of public funds was wrong on principle; they were apt to make such comments as they had no reason to look forward to receiving any petty dole.

Περιουσίας is not given in S, which reads καίπερ οὐσίας. Harpokration Π35 quoting from XIII.1 and Crates Com. F18 explains the meaning of the words παρουσία as περιουσία (property). Other instances of παρουσία meaning property are Menander F471 and Plato Comicus' Φάων F194. Although it is possible to keep παρουσία in the text especially because it is a *lectio difficilior* it is only S that has such a reading which could be just a spelling mistake and not a transmitted reading. Cobet *MC* 60 was outraged by this reading and even emended Plato Comicus' text ὡς καὶ νῦν ἔχομεν περιουσίας (from παρουσίας) to suit his idea of what the word meant. Harp Π61 περίστασιν, says that ἐν ἐνίοις δὲ παράστασιν γράφεται, which shows that he was aware of the confusion between περί and παρά in his time.

Section 2

ἐγὼ δ': the orator is here contrasting himself to the other orators, making the point that he is neither for nor against the distributions; he will later concentrate on the custom that they are creating. The scholiast Dilts 164-5 lines 9ff. analyses this attitude of D. by claiming that the orator's argument does not support any side of the dispute and thus he is proving himself to be an advocate of the city's interests. He correctly draws the contrast with what D. had accused Aeschines of in XIX.111-113 i.e. that

when it was decided whether Philip would be accepted in the Amphictiony or not, Aeschines had claimed that since the other cities considered him worthy, it was absurd for the Athenians to resist. What he should have done was to defend what was right. The scholiast sees in D. an effort to present himself as somewhere in the middle, when he does not condemn the distributions but asks the city to do what it should at the same time. It is true that D. is trying to keep the right balance as he is aware that the audience are not ready to let go of the distributions. In that respect he is careful and tries to be constructive by connecting the distributions with *paraskeue* and the scholiast is right when he says ...ἵνα καὶ λέγη καὶ λέγων δοκῆ μὴ λέγειν.

ὥς οὐ δεῖ λαμβάνειν: Cobet again wants to delete this phrase in the fashion he deleted the same phrase above. He has no grounds for doing that except a personal sense of what is needed or not. The phrase in this case, in any way, is necessary as it qualifies the preceding τοῦτο.

ὑπὲρ: it is only the reading of S, the other codd. read περί. Both prepositions mean *about*. ὑπὲρ with the genitive in this sense is used often by D.; I. 2, 5, 7, 16, 28, VIII.6, 43, 44, 45 etc. It is a matter of choice which reading one prefers.

ὑπὲρ οὗ βουλευέσθε: S reads βουλευέσεσθε, which is wrong as D. refers to the present discussion.

ἔθος: it means *habit of mind*, the money that is distributed is not too much but the damage lies in the fact that the Athenians are getting used to being paid for doing nothing themselves. For a similar use of the word see D. XXII.51: οὐ γὰρ τοσοῦτων...ὅσον ἐζημίωσθε τοιούτων ἐθῶν εἰς τὴν πολιτείαν εἰσαγομένων. For the size of the fund, *see* introduction, chapter 2 section II).

τούτου: τοῦ ἀργυρίου.

εἰ μὲν...κατασκευάσεσθε: D. makes early his proposal that the Athenians must engage in *paraskeue*. Weil suggests that this passage is reminiscent of I.20 which is true from the point of the substance, but it certainly is not reminiscent of the wording there.

οὐ βλάψετε: A reads οὐδὲν βλάψετε, the object of both verbs is τὴν πόλιν which renders οὐδὲν unnecessary, although strictly it could be an internal accusative, like τὰ μέγιστ'.

τοῦ μὲν λαμβάνειν καὶ ἑορτῆ καὶ πᾶσ' ἀρκέσει πρόφασις: the genitive depends primarily on πρόφασις but on ἑορτῆ as well as the πρόφασις is the ἑορτῆ. It should not be taken that by καὶ πᾶσα πρόφασις D. meant other occasions of distributions except for ἑορταί but that it is just a way of expressing the notion that the festivals were the pretext for the distributions.

εἰ ...ἀρκέσει: S reads ἀρκέση which is incorrect. A hypothesis with εἰ plus the future indicative expresses a warning or a threat. D. is threatening them that if they continue their present attitude they will realise, only later, that they have misjudged the situation.

πρὸς τούτοις: "in addition to the theoretic distributions".

Section 3

καὶ μοι μὴ θορυβήσητ' ἐφ' ᾧ...κρίνατε: D. is about to propose something which in his opinion could be quite disturbing. From his cautiousness one is to understand that the Athenians could become paranoid about the faintest suspicion that they were about to be deprived of their distributions. This cautiousness is reminiscent of I.19 and III.10.

ὡς περὶ τοῦ λαβεῖν: S reads ὡσπερ τοῦ and FAY ὡσπερ τῷ. It is probably ὡς περὶ and not ὡσπερ as it is probably analogous to οὕτω καὶ περὶ τοῦ συνταχθῆναι (G.H. Schaefer has suggested this solution); the possibility of a palaeographical confusion (ὡσπερ - ὡς περὶ) is obvious.

ἐκκλησίαν ἀπεδώκαμεν...ἐκκλησίαν ἀποδοῦναι: ἐκκλησίαν ἀποδίδωμι means to devote a meeting of the assembly to a topic. This should not be taken to mean that the whole meeting would be consumed by one point but rather that one of the points was the discussion of the distributions. It was up to the *ekklesia* to express a will to discuss a certain topic which would be referred by the *prytaneis* to the boule and then a *probouleuma* would be drafted to be discussed in the next appropriate meeting of the assembly. D. is not probably aiming seriously to achieve such an *ekklesia* as he is aware that the people feel strongly about the distributions and this demand is not

persistent throughout the oration. His aim is rather to present himself as a statesman who cares most about the city.

πόλεμον: Athens was nominally at war against Philip but D. will never once mention Philip in this oration. His intention is much more general; he sees that Athens needs to build up her strength if she is to undertake an influential role in Greece; in that respect, war was always to be a reality for the city.

ἀκούειν ἐθέλοντα...πράττειν βουλόμενον: in 2 he warned them that if they were against what should be done or even somebody suggesting that things should change, they would regret it. Here listening is not enough, there must be the will to actually do things. This is D.'s favourite contrast between *logos* and *ergon*. *Logos'* aim should be not to please but to produce *erga*.

τῶν ἀγαθῶν τὰς ἐλπίδας δι' ὑμῶν αὐτῶν: the Athenians should not depend on the dole but on themselves. If they reorganised and made all necessary preparations they would depend on themselves namely as soldiers, getting paid for serving their country.

μὴ τὸν δεῖνα μηδὲ τὸν δεῖνα: D. refers to the generals who were commanding the Athenian fleet and army. They were usually given money to recruit mercenaries and fight the enemy. He refers to the practices of the 4th c. Athens (cf. for example Xen. *Hell.* VI. ii. 9-15) when the Athenians had stopped going out to serve on the ships and used mercenaries instead. The simulation of the chatter in the Athenian Agora is amusing; the repetition of δεῖνα brings forward the chatter of the Athenians when a piece of news arrived cf. III. 35 ὅτι δὲ οἱ τοῦ δεῖνος νικῶσι ξένοι, ταῦτα πυνθάνεσθαι. In D.'s opinion they should be the first to get the news because they should be those who made the news; they should be fighting themselves.

Section 4

προσιόντα: SY read προσόντα but προσέρχομαι is mostly used for money going to the treasury as in Hdt.III.89, 91, Thuk. II.13, Aristoph. *Wasps* 657, 664, *Ekklesiazousai* 712. The accusative τὰ προσιόντα should be translated as an adverbial phrase "concerning the revenues that come into the city coffers". He now fully unveils

his proposal that from state money the Athenians should be paid only for some service they offer to the city, according to their age.

ἐκ τῶν ἰδίων: here D. does not mean individuals' funds but the Athenian state's revenues collected from individuals.

παραναλίσκετε: this is the reading of SY(in the margin) and A. παρ- means "amiss" and the meaning is that the Athenians are wasting their own money, cf. pXXI.3. FY read προσαναλίσκετε which means to spend in addition to something else e.g. Pl. *Protag.* 311d προσαναλίσκουσι καὶ τὰ τῶν φίλων; here if the verb referred to the allied funds spent on top of the Athenian ones, then it would be feasible, but it refers to the money the Athenians spent only.

τὸ ἴσον ἕκαστον: this refers to the arrangement D. would like to see about the προσιόντα χρήματα above. Each Athenian would get an equal amount of money.

τοὺς μὲν ἐν ἡλικίᾳ στρατιωτικόν, τοὺς δ' ὑπὲρ τὸν κατάλογον ἐξεταστικόν: D. proposes service, in exchange for the distribution of funds. Those able to serve in the army would do so whereas those above the age limit would have administrative and/or supervising duties. The Athenians had two types of catalogues. One was the basic list of all hoplites, ὁ κατάλογος, the other was the list for particular expeditions, listing those called up for that particular expedition, see A. Andrewes in *Classical contributions* G.S. Shrimpton and D.J. McCargar (eds) (New York 1981)1-3. *A.P.* 53.4 informs us that there were 42 ἐπώνυμοι heroes (in contrast to the 10 of the tribes) who helped in the estimation of one's period of liability to military service. The citizens had to become arbitrators at the age of fifty-nine which meant that they were liable to be called up at their beginning of their term as epheboi. The epheboi that would become citizens in the current year, would be registered in the military lists that carried the name of the hero of the **previous** year i.e. they would have the same hero with those who had become arbitrators in that year. This system was devised so that certain age-groups could be called up (the generals could call up groups from such and such an ἐπώνυμος until such and such). Here I do not think that D. is proposing that all the Athenians will be serving at the same time in the army, but that different groups

would be called up at different times (cf. III.4, where those until the age of forty-five were called up).

Those who were over fifty-nine, the official age-limit for military service, would as I have said, become arbitrators but D. seems to imply that they would be used for other duties as well, perhaps for more than one year. What exactly would be such an ἐξεταστικόν duty is not specified, but Aeschin. I.113 says: ...πεμφθεῖς γὰρ ὑφ' ὑμῶν ἐξεταστής τῶν ἐν Ἑρετρία ξένων, μόνος τῶν ἐξεταστῶν ὁμολόγει... There it means a board of elective magistrates who checked the transactions with the foreign mercenaries (obviously the generals were not trusted as they were corruptible). According to *LSJ* an ἐξεταστής was also an auditor of public accounts (Aristot. *Pol.* 1322b11, *SIG* 284.10, 976.77, 1015.32) or an examiner or an enquirer (Dion. Hal. II.67). Weil thinks that the meaning of ἐξεταστής here is more general than what is meant by it in Aeschines and I would tend to agree with that. In III. 34 where the same idea about military and ἐξεταστικόν service is mentioned D. says: ἔστι τις ἔξω τῆς ἡλικίας ὑμῶν ὅς οὔτος ἀτάκτως νῦν λαμβάνων οὐκ ὠφελεῖ, ταῦτ' ἐν ἴσῃ τάξει λαμβάνων πάντ' ἐφορῶν καὶ διοικῶν ἃ χρὴ πράττεσθαι. The nature of the duties he means there, is very general. A suggestion can be that boards of older people would always be present at the expeditions, in a way similar to the board of Spartans king Agesilaos had taken with him when he conducted the expedition in Asia minor in the early 4th c (Xen. *Hell.* III. iv. 2). The Athenian boards would perhaps check accounts, inspect the rank and file and report to the boule or the assembly on the conduct of the general. Harpokration E68 ἐξετάζεσθαι· ἀντὶ τοῦ δρᾶσθαι and Stephanus' *Thesaurus Linguae Graecae* (Paris 1835)col.1292 "τὸ ἐξεταστικόν pro stipendio quod datur disquisitoribus: ut στρατιωτικόν, stipendium quod datur militibus (ex Demosth. 167.17 [i.e. XIII.4])" do not add any more information and the conclusion is that D. probably meant a rather general and loose frame of responsibilities for his ἐξετασταί.

μηδενὶ: S reads μηδεν but the meaning is surely not to give away one's place to somebody else.

στρατεύεσθαι δ' αὐτοῦς: D. wants the Athenians to take up military service themselves, cf. D. I. 24, II. 24, III. 30, 33, 35, IV. 7, VIII. 23 etc. The scholiast, Dilts

167. 24-25, thinks that Demosthenes is imitating Perikles. Perikles was, as he claims, the first politician who paid the Athenians (τῷ στρατευομένῳ δήμῳ) as soldiers (Aristot. *A.P.* XXIV says it was Aristeides - W.K. Pritchett *Greek military practices* (California 1971)7-14 discusses thoroughly the evidence on who started the military payment; he draws a distinction between naval pay and pay to the *hoplites* and contends that the naval pay began early in the 5th c. around 478 and the pay to the *hoplites* was introduced by Perikles later. Generally though he is very cautious and does not draw a final conclusion). The scholiast making the comparison wants to see the orator's motive and identifies the motives of Perikles and D. as identical; both wanted to make the Athenians do what they should for the city, ἃ δεῖ πράττειν. It would be a digression to try and establish the motivation of Perikles' policies in the 5th c. but it was not as simple as the scholiast wants us to believe and anyway probably it was not he who introduced payment for military services. D.'s aim is at any rate a stage further. The pay exists but nobody takes it because they prefer easy money. Perikles did not face, as far as I know, acute problems of lack of volunteers for the navy or the *hoplites*.

Section 5

καὶ κατεσκευασμένην: SA(Y³ according to Fuhr) omit καί. I cannot see a difference in meaning either by deleting or leaving καί although the orator seems to be listing his suggestions and their results which makes καί not absolutely necessary. The scholiast, Dilts page 165 lines 20-21, does not add καί.

ἀπὸ τούτων: i.e. τῶν χρημάτων, D. means all the financial arrangements he has mentioned above, in regard to τὰ προσιόντα τῇ πόλει.

ἵν' ἅμ' εὐπορήτε: ἅμα has been added after ἵνα in S, ἅμα τε in F (Fuhr claims that τε is in both mss.). Weil has kept ἅμα in his text (Cobet *MC* 61 is in favour of ἅμα as well; in my opinion F's reading should be kept. There is another example of ἅμα τε in XXIII.126 ἅμα τ' αὐτοὺς ἂν τυγχάνειν..., which is the reading I favour; D. wants to put here emphasis on the need for the Athenians to be both prosperous **and** do what they should which is what he promises to do with the military and supervisory duties he would like to see enacted.

μη̄ τοιαῦθ' οἰάπερ: FY read ταῦτα ἄπερ δῆ. The reading of the rest of the mss., adopted in Butcher's text, is much better since τοιοῦτον and οἴδνερ carry a stronger and more emphatic sense than the reading of FY. As for δῆ Fuhr thinks that for some reason it was corrected from μη̄ to δῆ in FY.

καὶ περίεσθ' ὑμῖν ἐκ τῶν πραγμάτων: "and what comes about to you from this state of affairs..."; cf. XIII. 20.

ὁ δεῖνα τοῦ δεῖνος...: M.Hansen in *Eisangelia* (Odense 1975) 58-65, where he examines *eisangelia* as a political and legal process, proves that D. is not exaggerating when exposing the way the Athenians treat their generals. D. complains about the way they are treated in VIII. 29, XX. 79 and especially in IV. 46-47. D. explains the reciprocal relationship between the Athenian indifference in providing the generals with sufficient amounts of cash, the destruction of the allies, the failure of their mission and finally their indictment at Athens. D. claims that the general is only one, and it is impossible for him to fulfil their hopes, when they themselves do not get involved in the expeditions. The sequence of the events is: Promises (the general), election, failure, indictment, sentence. He claims that the indictment process is very unsuccessful, when the jury have no idea of what happened out there and depend on the testimony of his mercenaries who will of course support their pay-master. The result is that a general who should fight to death the enemies of Athens, is trying to escape a death penalty in court as a common criminal. This is a very emotional and powerful description of the predicament of the Athenian generals, who fall victims to litigiousness. That is why D. above asked for the general to ἡγεῖσθαι ταύτης, to command an Athenian contingent and thus re-establish the equilibrium between the general and the city. Notice also the repetition of ὁ δεῖνα, τοῦ δεῖνος etc. which ridicules the way news spread in Athens about the indictments, as if the citizens themselves take an interest in these affairs as far as gossip is concerned only.

There were two types of *eisangelia*, at the boule and at the assembly. According to D.M. MacDowell *The law in Classical Athens* (London 1978)169-170, *eisangelia* was "another method of checking the misconduct of officials lay in the hands of the Boule... With this went the power to punish officials for maladministration. The initiative would

often be taken by the Boule's members, but any citizen could make to the Boule an accusation that an official had transgressed the laws. Examples of both are found on the speech *On the Chorister* (Antiphon 6). This kind of prosecution was called *eisangelia* (at least when brought by a non-member of the Boule; whether cases initiated by the Boule itself were so called it is uncertain)." The boule was authorised to decide upon the cases introduced and impose a fine of up to 500 dr. For a fine above that a trial was needed. *Eisangelia* to the assembly was a different thing as M. Hansen 59 asserts: "...the *eisangelia* to the Assembly was a type of process primarily used against magistrates, especially generals. In the period 432-355 we know of *eisangeliai* against thirty-three generals and nine other magistrates or citizens performing a public charge, as against seven *eisangeliai* only against politicians in their capacity of rhetores". These generals were put to trial and *A.P.* 61.2 asserts that a trial before a court was prescribed by the law if a general was suspended by a vote of the assembly. I will not try to give all the arguments Hansen gives for the validity of his estimations but his methods seem modest and reliable; he concludes 63: "I conclude that D. is not far from the truth when he complains of the frequency of the trials against generals. We know that Timotheos was put to trial by *eisangelia* three times, and thirty-two other generals at least once" (for Timotheos see D. XLIX. 9-10, 22, 25, Lys. F228, *I.G.* II² 1606). D. is right when he claims that the generals are more likely to be sentenced to death than die in battle, if one looks at the results of the *eisangeliai*; as Hansen has concluded 63-64 "... twenty-seven of the generals brought to the trial were found guilty and only five acquitted", for more detailed discussions of individual *eisangeliai* cf. J.T. Roberts *Accountability in Athenian Government* (Madison 1982) and R.A. Knox "So mischievous a Beast?" *G&R* 32(1985)132-161.

Section 6

ἀλλὰ τί ὑμῖν γένηται: the subjunctive here is dependent on ἵνα which is understood from the previous sentences. The same stands for the following subjunctives as well: ᾧσιν...ἄγωσι καὶ φέρωσι...ὀρώσι...ποιῶσιν.

φρουραῖς...ἄγωσι καὶ φέρωσι: D. is blaming the Athenians for the horrible way they have been treating their allies. Not many of them were left by the time the speech

was delivered, as the Social war had deprived Athens of the most important allies; they had accused Athens that she had aspirations for another empire yet again. Suspicions were born when Athens re-captured the island of Samos in 365/4 and established kleruchs on it, an institution that was hated throughout the 5th c. and had left bad memories in the 4th as well, since the renewal of the practice at Samos caused a sensation in Greece (*see* Isok. *Antid.* 111, Diod. XVIII. 18, Corn.Nep. *Tim.* 2, Strabo *Geogr.* XIV. 18, D. XV. 9). Another example (although after the date of our speech) was the city of Sestos which had revolted in 357 and was violently crushed by general Chares in 352 (*see* Isoc. *Antid.* 108, 112, Corn. Nep. *Tim.* 3, revolution in 357 and violent crushing by Chares in 352 Diod. XVI. 34.3 *I.G.* II² 1613. 293-301, new kleruchs in 352 Diod. XVI. 34. 4, *I.G.* II² 1613.397-9). The generals were not given sufficient funds at all and when they set out from Athens they would sail to friendly allied ports to hire mercenaries and collect the tribute (*syntaxis*). The mercenaries would not be easy to control when they did not receive pay and the general would have to succumb to their wishes; an example is IV.24 where D. refers to the mercenaries of Chares, forcing their general to support Artabazos, even at the danger of enraging the King. According to D. the allies dreaded these expeditions, IV.45 οἱ δὲ σύμμαχοι τεθνώσι τῷ δέει τοὺς τοιοῦτους ἀποστόλους. D. was categorically against the maltreatment of the allies. As he admits in IX. 22-25 the Greek cities will never forgive their various hegemones because: οὐδεπώποτ' συνεχωρήθη τοῦθ' ὑπὸ τῶν Ἑλλήνων, ποιεῖν [the hegemones] ὅ,τι βούλοισθε, οὐδὲ πολλοῦ δεῖ. ἀλλὰ τοῦτο μὲν ὑμῖν, μᾶλλον δὲ τοῖς τότε οὖσιν Ἀθηναίοις, ἐπειδὴ τισιν οὐ μετρίως ἐδόκουν προσφέρεσθαι, πάντες ᾤοντο δεῖν, καὶ οἱ μηδὲν ἐγκαλοῦντες ἔχοντες αὐτοῖς, μετὰ τῶν ἡδίκημένων πολεμεῖν. Of course he never questioned the necessity for Athens to be the leader of all the Greek cities but he was a consistent advocate of the right of the smaller cities to a good treatment by Athens. It is important that in IV he admits that the hegemony of Athens had done injustice to some at least Greek cities and that he asks for a different kind of leadership.

τοὺς δὲ πολεμίους μηδ' ὀρώσι: D. is ridiculing the tactics of the generals who even avoid seeing the enemy.

ὠφέλειαι: Y¹ reads ὠφελία. ὠφέλεια is the normal Attic form of the word but ὠφελία is used as well (for example in Thuk. scholars prefer reading ὠφελία all the way through).

μίση καὶ τὰ ἐγκλήματα: D.'s argument is that the general and his mercenaries profit from the expeditions done in the present manner but it is the reputation of the whole city that becomes stigmatised by such a conduct. Notice the use of the two strong nouns he uses to describe the results of the damaging tactics of the generals.

Section 7

χωρίς: it means "apart from" and the point is that citizen military force is not only needed for the welfare of the city and its allies (5 and 6) but also for others matters too.

ἄνευ: it can be translated as "besides" cf. D. XVIII. 89 for a similar use. Both sentences beginning with χωρίς and ἄνευ actually make the same point i.e. that Athens should not be content with protecting the existing allies and territories but expand. This is a personal opinion he is holding and it is the prelude to the interventionist policy he will urge Athens in XV and XVI. He makes this point rather subtly here and he will try to define it in a general manner in 8. Here as in the whole of XIII his intention is not to provide any specific advice but offer principles on which Athens should manage her affairs.

οἰκείους πολέμους οἰκεία χρῆσθαι δυνάμει: it is worth quoting Cobet *MC* 61: "Non dubito dicere quod sentio hanc lectionem esse plane absurdam: *ad bella propria proprio milite utendum*". It is easy to determine the meaning of οἰκεία as it means an Athenian force in contrast to the ἀλλότρια forces they have been using until now. The problem is with οἰκεῖος πόλεμος and Weil explains it as ἰδίους πολέμους namely wars within Greece as in XIV. 5: οἱ δὲ τοὺς ἰδίους πολέμους ἐπανορθῶσαι βουλόμενοι. I think this is a little misleading because D. says that they should not use only their own forces for their "own wars" but also for other things as well. I would translate these οἰκεῖοι πόλεμοι as "wars for the benefit of Athens only". The meaning is that Athens should not confine her forces to merely selfish and narrow pursuits but undertake a much more active policy for the whole of Greece. These *Athenian* wars would be the expeditions that Athens would conduct to preserve her existing allies and

her current financial interests, without any intention for further expansion. This in fact was the policy of Euboulos and of the political tendencies in Athens. Euboulos was pressing for less intervention, less military expenditure and more financial growth (*see* Cawkwell's *Eubulus* for more details). D. on the other hand did not want only to preserve the *status quo*, but Athens to fulfil a leading role in Greece. In that respect οἰκεῖοι πόλεμοι were not sufficient.

The difficulty of understanding the passage is reflected in the mss. and the various conjectures made. H. Wolf made the correction from πολέμου to πολέμους since τοῦ refers to the infinitive συμφέρειν and not to πολέμου as the mss'. reading would have it, a πόλεμος πρὸς τοὺς οἰκεῖους would not make sense. In the same sense it is obvious that it is an infinitive preceded by the article and the correction to συμφέρειν is justified (it is the reading of Vind.4 and is added as a correction in S). οἰκεία χρῆσθαι is omitted by S (it is added in the margin). Bekker has put οἰκεία χρῆσθαι δυνάμει between *crucis* but the meaning as we saw is quite clear and the whole phrase should be left as it stands in S (after the addition) and the rest of the mss.

περιεργάζεσθαι: Didymos col. 33 line 33 reads περιεργάζεσθαι and Blass has suggested the same (Fuhr has corrected to περιηργάζεσθ'). Whether we are going to adopt the infinitive or the indicative form depends on whether we choose that it depends on ἀπέχρη, which here is impersonal. In my opinion both options are possible and καὶ can combine either both verbs (ἀπέχρη and περιεργάζεσθε) or the two infinitives (ἔχειν and περιεργάζεσθαι), with a slight preference for περιεργάζεσθε since it appears in Didymos. Fuhr is in favour of the imperfect as well but *LSJ* report that η- as the augment in ἐργάζομαι appears in inscriptions. The verb means to meddle, to interfere, synonymous to πολυπραγμονεῖν, for another instance *see* IV.72, for the Athenian πολυπραγμοσύνη in the 5th c., *see* Thuk I. 72ff. (conference at Sparta between the Peloponnesian allies on whether to declare war against Athens or not, just before the Peloponnesian war), Thuk. II. 63.3, 40. 2, *Classical Contributions: Studies in honour of M.F. McGregor* eds. G. Shrimpton, D. McCargar (New York 1981)41ff., *AJAH* 4(1979)10ff. and L.B. Carter's *The Quiet Athenian* (Oxford 1985).

ὅπως ἔχει: has been deleted by Cobet *MC* 62 for no sufficient reason, "meddle in how the Greek affairs stand".

ἄλλος ἂν ἦν λόγος: i.e. "I would talk differently if you had a different outlook on Greek affairs". S reads ὁ λόγος, Didymos col.13 line 34 FY read λόγος and A λόγος οὗτος, cf. IX. 16 εἰ μὲν γὰρ μικρὰ ταῦτα ... ἄλλος ἂν εἴη λόγος οὗτος and XVIII. 45 εἰ δὲ μὴ ἠσθάνοντο, ἕτερος λόγος οὗτος.. I do not think that S's option can be right, as what the orator means is that the nature of what he suggests would be different and not the specific words used although admittedly this distinction is not stark enough. I prefer A's variation as it seems to be identical with the other instances of similar wording although again there is no particular change in the meaning whatever choice one makes.

Section 8

πρωτεύειν...τὰ δίκαια ὀρίζειν τοῖς ἄλλοις: the Athenians had never left behind them their pretensions to hegemony, so in name they always aspired to the leadership of Greece. D. does well in playing here with the vanity of his audience and he will consistently apply this technique in other parts of the speech when he will try to stir their patriotism with the historical examples of the past. The right to dictate to others what is right indicates that the other people are not aware of what justice is and Athens should see itself as a dispenser of justice. This is very close to the tactics of the empire when the allies were forced to come to the Athenian courts to have their cases adjudicated and were even obliged to adopt Athenian weights and measures, *GHI* no.45.

ἐφορεύουσσαν: there seems to be a great confusion about this participle:

S	ἐφεδρεύουσσαν
S(before correction) and A	ἐφοδεύουσσαν
Weil (Butcher)	ἐφορεύουσσαν
FY (Croiset)	ἐποπτεύουσσαν
S (margin)	ἐποπτεύουσσαν
Y ² (Cobet <i>MC</i> 62, Fuhr)	ἐφοδεύουσσαν
Didymos col.13 line 36	ἐφο[δεύ]ουσσαν (3 characters restored)

The tense should be future as the next participle φυλάξουσιν suggests. Whatever choice of verb one makes the future tense prerequisite would force us to add a -σ- to Didymos' reading which does not make it very helpful when choosing between ἐφορεύω and ἐφεδρεύω but in my opinion makes the verb ἐποπτεύω less likely, if one accepts Didymos' readings generally as more authoritative. ἐφοδεύω means to inspect, to visit, to make one's rounds, to patrol (*LSJ*) as in Xen. *Hell.* II. iv.24, V.iii.22, Plut. *Mor.* 781d, Polybius VI. 35.11. ἐφεδρεύω (S after the correction) means to lie by or near in wait for the enemy as in Thuk. IV.71, VIII.92, Isoc. VIII. 137. This last verb is probably unsatisfactory since D. means that there is need for a force that will keep an eye on the Athenian supremacy and not a force that will be lurking in wait for the enemy. The verb ἐφορεύω means to oversee, to inspect which carries the meaning that is required in the text (Weil and Butcher have adopted it) but although there are examples of the verb ἐφορῶ in D. (e.g. III.34, XVIII. 205, XXV. 11) there are no examples of ἐφορεύω, which is a rarer verb and seems to be used in poetical context only, see Aesch. *Supp.* 627, 677, *Eum.* 531, *Pers.* 7, Loukianos *Charidemos* 10. ἐποπτεύουσιν conveys the correct meaning as well but as I said above Didymos' lead should be adopted as far as the choice of the verb goes. In my opinion ἐφοδεύουσιν seems to be the best solution as D. wants to express the need to patrol, to make sure that everything is alright. The verb ἐφοδεύω indicates D.'s intention to convey to his audience the need to come up with a force that will re-establish Athenian supremacy, and the verb itself conveys this sense of perennial checking, of inspecting whether all is in order, of the anxious mood of a sentry, of being everywhere at all times.

οὔτε κατεσκεύασθ' οὔτε κατασκευάζεσθε: Didymos col.13 line 37 does not have οὔτε κατασκευάζεσθε but it is obvious that with οὔτε another negative sentence with οὔτε is expected to follow. A reads κατεσκευάζεσθε, SFYO κατασκευάζεσθε (S margin and other less important mss. read παρασκευάζεσθε). κατασκευάζεσθε is preferable to παρασκευάζεσθε which seems to have been adopted by some mss. simply to vary the first παρεσκεύασθ'. It is more effective if the orator uses the same verbs in the two different tenses to show with greater emphasis the absence of preparation in the past and at present.

ἡσυχίας: D. expresses the insensitivity with which the Athenians faced various events which should have caused much noise in a city that pretends to play a leading role in Greece.

ἔρημίας: SF¹AY³ (in the margin) Didymos col.13 line 38 read thus. FY (in the margin) read ἡρεμίας. The meaning of ἔρημίας with the genitive is absence of somebody, and here it means absence of the Athenians cf. Xen *Hell.* II. iv. 21 δι' ἔρημίας πολεμίων πορεύεσθαι. ἡρεμία is a word never used in D. and it means equanimity a meaning not very adequate here when D. wants to express that the Athenians were absent when changes happened in the Greek world, cf. IV.49.

ὁ Μυτιληναίων δῆμος καταλέλυται...ὁ Ῥοδίων: D. is complaining about the fate of the *demos* in Mytilene and Rhodes which has been subverted by oligarchic revolts. He made a similar point in XV.17-21 where he tries to argue that they should be helping the other democracies whatever their grievances against them are; they should be the source of liberty to others if they are ever to expect help should democracy be endangered in Athens.

πολλῆς δὲ ἡσυχίας: Cobet *MC* 62 deletes this instance of ἡσυχίας because he sees it as only a repetition put there unthoughtfully to make the μέν sentence correspond with the δέ one, when we actually have a case of anaphora. It is extraordinary that ἔρημια is not repeated (if it is just a mechanical repetition). The orator just mentioned the first of the two nouns he used before and there is no reason to delete it. At any rate Didymos col. 13 line 39-40 has preserved the word ἡσυχίας.

ὧν ἡμῖν: in the margin of F and S we have ἡμῶν. Both readings make sense but the majority of the mss. and indeed SF's texts read ὧν ἡμῖν.

ἀλλὰ μείζω...ὅπερ ὧν ποτ' ἄν ᾗ: the best commentary for this period is XV. 17-18, where D. is making a very similar point. D. wants Athens to support democracy in Greece as a principle. He admits that there are individual problems between different democracies but when it comes to the point of supporting a city, then there should be no reticence if they are to help a fellow democratic government against oligarchic regimes. This principle was actually an official policy of Athens (on an ideological level at least, although practically the financial aspect was pretty dominant as well) in the

period of the Empire. It should not be forgotten that the pretext for the Sicilian expedition was the reinstatement of the democratic Leontinian exiles. D. sees two different aspects of foreign policy. There may indeed be problems with democratic polities which may consist of (XV.17): ἡ περὶ τῶν ἰδίων ἐγκλημάτων, οὐ δυνηθέντων δημοσίᾳ διαλύσασθαι ταῦτα, ἡ περὶ γῆς μέρους ἢ ὕρων ἢ φιλονικίας ἢ τῆς ἡγεμονίας. But when facing an oligarchy Athens should remember that the fight is about their constitution and their freedom. In XV. 18 he will make the exaggerated point that ὥστ' ἔγωγ' οὐκ ἂν ὀκνήσαιμ' εἰπεῖν μᾶλλον ἡγεῖσθαι συμφέρειν δημοκρατουμένους τοὺς Ἕλληνας ἅπαντας πολεμεῖν ὑμῖν ἢ ὀλιγαρχουμένους φίλους εἶναι. With such opinions D. appears to his audience to support the traditional ideas of Athens, the city that protects the *demos* of every Greek city with disinterestedness and principle. This is all part of D.'s effort to inspire his compatriots and to give them reasons for a more active foreign policy.

προαιρέσεως: here it means "principle" or perhaps "as a matter of choice".

Section 9

ἐκεῖσ': means to the previous topic cf. XVIII. 163 ἀλλ' ἐκεῖσ' ἐπάνειμι.

διελέχθη...καὶ πρότερον...κοινή: this period points towards a previous occasion when D. had talked about reorganisation in Athens. Especially the phrase οἱ θ' ὀπλίται καὶ οἱ ἰππεῖς καὶ ὅσοι τούτων ἐκτός ἐστε does not refer to 4 and 5 above because it is clear that he is referring here to all the Athenian classes, not only the hoplites and the cavalry men, but also those that do not belong to these, who must be the sailors of the navy, the *thetes* and perhaps the older men? In 4 and 5 he discussed citizens serving as soldiers and those who were above military service and who would have to perform a kind of supervising duty. Where does he refer then? He does not refer to the III. 34 where he briefly proposed military service and payment as well as supervising duty above the age of service. The verb διεξέρχομαι indicates a full discussion of those matters. One could suggest that he refers to the *First Philippic* where he actually proposed many concrete changes and offered advice to organise an Athenian force against Philip (IV. 21ff.); but he only presents his plan for the new expeditionary force and does not offer more general proposals for change. Furthermore

he argues there that the citizens should not be offered pay for their services but only money for buying food, whereas in XIII he has argued that the citizens should continue to receive payment for doing military service instead of doing nothing. I assume that he is referring to a non-extant speech he had made in front of the assembly, where he must have dealt with the subjects he refers to in this section. This speech was probably delivered not long before XIII was delivered, if the Athenians are to remember its proposals, and one should not suppose that they had undertaken any change because of it. One can probably imagine that it must have been made in the style that he made his proposals about the symmories (XIV.14-23).

ὡς ἂν συνταχθείητε: "how you are to be organised for taxation" than just "organised" as Vince translates.

εὐπορία: it is interesting that the reason for reorganisation is not only the glory of the past or the principled intention to help other democracies but the more down to earth concept of prosperity, which proves, in a way, that the people needed as well a more materialistic reason to make a move in the scene of affairs in Greece, and that in the long run mobilisation for the sake of glory needs to be compensated by prosperity.

γένοιτο κοινή: A reads κοινῇ γένοιτο. κοινῇ means by common effort and consent cf. Thuk. I.3 οὐδὲν πρότερον κοινῇ ἐργασαμένη ἢ Ἑλλάς and Hdt. III.79. I prefer A's reading as it conveys better the idea the orator seems to be intending to express; by the reorganisation of the city prosperity could come back by a common effort.

Section 10

ὁ δέ μοι...τούτων ἀπάντων: the scholiast Dilts p.166 lines 11-14 seems to quote this passage *verbatim* but with many variations. It seems unlikely that the scholiast is quoting from a different version of the text, not otherwise preserved, and it seems more probable that he is quoting carelessly.

δ...ἀθυμίαν...παρέσχευ ἀπάντων: ἀπάντων refers to all those discouraging activities that D. would like to see finished, as for example the mercenaries looting the allies, the idleness of the people. What is most annoying he will argue a little later is that everybody's attention is fixed on the dole.

πολλῶν...τούτων ἀπάντων, τῶν μὲν ἄλλων: there is some problem in trying to identify what is meant by τούτων and τῶν ἄλλων. Blass deleted ἀπάντων because he obviously thought that it was a dittography from the other ἀπάντων above it (παρέσχευ ἀπάντων). This is possible and it seems that ἀπάντων is not absolutely necessary for the meaning of the sentence but, having said that, there is no real reason to delete it since all the mss. have it. τούτων ἀπάντων refers to the proposals he has already made about military and supervising duties, with payment continuing to be given to those who offer their services, and the proposals for the reorganisation of the military forces of Athens he had made in another oration, 9; these proposals he characterises as πολλαί, καλαί and μεγάλαι. Weil suggested a different order ἀπάντων μὲν τῶν ἄλλων but it seems to me more appropriate that ἀπάντων should be attached to τούτων, referring emphatically to all his proposals. τῶν μὲν ἄλλων means all the proposals he has made, the ones that require effort and change of attitude and will sharply contrast with everybody's fixed look on payment only. The translation, ὃ until ἅπαντες, goes: "The thing which has caused me most despondency of all, I shall tell you without hiding anything; for all these proposals are numerous and great and good, but while nobody remembers any of the rest of them everybody remembers the two obols".

οὐδενὸς οὐδεὶς μέμνηται: notice the repetition of the negatives which shows the negative attitude of the Athenians towards the orator's numerous, great and good proposals.

δυοῖν ὀβολοῖν: for a more general note on the theoric fund *see* chapter 2 section II of the introduction. D mentions again the two obols in XVIII. 28 where he tried to justify himself for arranging special seats in the theatre for the ambassadors of Philip. Aeschines had accused him of trying to flatter them but D. answered that for the prestige of the city he could not let foreign ambassadors sit ἐν τοῖν δυοῖν ὀβολοῖν i.e. in the seats in which normal citizens would sit after paying at the entrance a fee of two obols, evidently as a ticket? Or does he mean the subsidised seats? Other evidence is not very clear about the purpose of the two-obol grant. Libanios *Hypothesis ad D.* I. 4 mentions the reason he thought appropriate for the two obols as an entrance ticket. He

asserts that as the seats of the theatre were made of wood (true for the theatre of the 5th and for the greater part of the 4th c.) and the Athenians rushed into it, they were injured, so the introduction of a collection of entrance fees forced them to make a queue. This is a logical account but it was not necessary to introduce entrance-fees to force the Athenians make a queue; it seems possible that Libanios was speculating as much as we do nowadays. The scholiast in Dilts p.15 lines 28-30 argues that one of the two obols was given to the architecton of the theatre whereas the other was spent on food on the day of the festival. According to A. Pickard-Cambridge *Dramatic Festivals* revised by J. Gould and D.M. Lewis (Oxford 1988)265-6 the whole question of tickets in Athens needs re-examination as there is no specific contemporary evidence to prove or disprove the existence of tickets. He raised interesting points such as what could be the use of the two obol grant when it was to be given back for the ticket, when it would be much easier to distribute tickets, especially when it seems that the demes were involved in handing out the two obols, D.XLIV.37, Hyper. I.26. What would be the case for those well-off who did not accept the subsidy?

Even if the money was paid to the ἀρχιτέκτων, the person who run the theatre, probably under a lease (*see* D. XVIII. 28 ἢ θέαν μὴ κατανεῖμαι τὸν ἀρχιτέκτονα αὐτοῖς κελεῦσαι), we do not know whether the two obols were connected to the entrance fees and the scholiast's comments (Dilts p.15 lines 28-30) that make such a connection possible cannot prove the fact that things happened as the scholion suggests, as scholiasts have often been found unreliable or trying to speculate based on no ancient authorities.

We are not even sure about whether entrance fees applied in the 5th c., although Aristoph. *Frogs* 141 and 270 is tantalising as Dionysos exclaims on how powerful the two obols were. The joke could be that Dionysos refers to the ticket all the citizens had to pay to get in the theatre when he is surprised that even Charon asked for two obols to get him onto the opposite shore. This is possible but it could also refer to Kleophon's *diobelia*, Aristot. *A.P.* 28.3, *see* also Buchanan *Theorika* 35-48. K.J. Dover *Frogs* (Oxford 1993) on 146b, commenting on the Kleophon's *diobelia* thinks that it was not jury-pay, nor payment for the Assembly, nor that it is likely to have been the

theoric fund for payment to those attending festivals, a matter to which 5th c. comedy never refers. Its probable purpose was to support citizens rendered destitute by war conditions, cf. Rhodes *Constitution* 355-7, 492, 514.

Although the evidence is not conclusive it seems that even in the 340s, Athenians had to pay an entrance fee to attend a performance. Its connection to the two obol dole is not known and no answer can be fully satisfactory. It could be that a general entrance fee of two obols was required in all festivals and that only some of the festivals were subsidised, or that the money given out could be spent on food. What seems more likely, as I have claimed in the introduction as well, is that the two obols were given out on the occasion of the festivals but with no specific purpose, they were just a grant.

τᾶλλα δὲ μετὰ τούτων ὧν εἶπον: τᾶλλα δὲ μετὰ is the reading of S. F (Weil follows this reading) reads τὰ δὲ ἄλλα ἃ μετὰ τούτων εἶπον, and Blass has deleted μετὰ τούτων ὧν εἶπον. Weil thought that the text S has is wrong both for the sense and the construction. The meaning is very confused as to what exactly the relatives refer to. If we take the text of S the translation goes: "...the other proposals along with these [the obols] that I have mentioned are worth...", F's "...the other proposals that I have made together with these [the obols] are worth...". Both translations show that there is no difference between the two readings' sense whereas the actual sense does get confused with the addition of the relative clause and the prepositional adjunct. It is possible that these relatives were incorporated into the text in efforts to explain the meaning of τᾶλλα and I much prefer the way Blass cuts the Gordian knot; τᾶλλα simply refers to the proposals he hinted at before, τῶν μὲν ἄλλων οὐδενὸς οὐδεὶς μέμνηται. If one keeps μετὰ τούτων ὧν εἶπον, then it has to be taken that the orator refers to the numerous proposals he has made as well as the point he made about the continuation of the two obols in conjunction with service done for the city. Notice the chiasmus: τῶν μὲν ἄλλων...τοῖν δυοῖν δ' ὀβολοῖν ἅπαντες - τοὺς μὲν οὐκ ἔστι πλείονος ἢ δυοῖν ὀβολοῖν ἀξίους εἶναι, τᾶλλα δὲ...

τῶν βασιλέως ἄξι': the King was considered to have mythical sums at his disposal. D.'s claims that his suggestions are so good that they are worth a great deal of money,

to make a sharp contrast with the two obols that the citizens are getting at the moment. It is not clear whether he hints that with a proper rearmament on the lines he has suggested, Athens could even attack the King but he certainly wants to reinforce that if they follow him their prosperity will increase dramatically.

πόλιν...συντετάχθαι καὶ παρεσκευάσθαι: this substantival infinitive repeats, parenthetically, the points D. had made earlier, τᾶλλα, the proposals that will make Athens great: "..., to have a city, that has so many hoplites, ships, horses and revenue, organised and prepared".

Section 11

τί οὖν ταῦτα νῦν [φαίη τις ἄν,] λέγω; D. explains the reason for raising the current topic by a question; this is one of the ways D. has, to move us to another area of discussion. Questions and quotations from imaginary arguments that the audience or another orator might make enhance an argument in discussion or introduce a new one cf. the beginning of 12. What D. will try to argue is to underline that now it is the time for preparation and that there is a consensus among the citizens about *paraskeue* whereas there is not about the distributions.

FY place φαίη τις ἄν after οὖν, whereas S after νῦν. Cobet *MC* 63 deleted the phrase because if D. wanted to report a question likely to be asked by somebody in the assembly then the verb λέγω should be in the second person λέγεις. The meaning does not change substantially with or without the phrase: "Why do I now, one would ask, say these things?" but it is admittedly rather clumsy and it is better if it is deleted.

τὸ ... μισθοφορεῖν ... συνταχθῆναι ... παρασκευασθῆναι: notice the typically Demosthenic clustered articular infinitives.

δυσχεραίνουσί τινες: he refers to those he mentioned again in the proemium; those of aristocratic inclinations that disapprove of the theoretic distributions and consider them harmful for the city.

πάντας μισθοφορεῖν...παρὰ πάντων: notice the etymological figure; some do not approve of everybody taking the dole but preparation is approved by everybody.

δοκιμάζεται: SAY give δοκιμάζετε, but παρὰ πάντων requires a passive verb (Byzantine pronunciation made confusion of αι and ε easy).

καὶ προθεῖναι...ἀποφύνασθαι: he repeats here his previous suggestion that a separate *ekklesia* should be convened.

πεισθῆτε τούτων καιρὸν εἶναι: after εἶναι FA³, and in the margin Y add νομίσαντες. So does the scholiast in Dilts p.166 lines 24-27. S omits the participle. It is possible to keep the participle if one puts a comma after πεισθῆτε to make it a parenthetical phrase but it would not be very clear of what the audience would be persuaded. If alternatively one takes πεισθῆτε with τούτων and καιρὸν εἶναι with νομίσαντες then the meaning can be sustained but it is rather improbable since πείθομαι takes rarely the genitive which is moreover usually a personal one, cf. *LSJ* and *see* e.g. Hdt. I.126, VI.12, Eur. *I.A.* 726, Thuk. VII. 73.

καιρὸν...ἀκαιρίαν: καιρός means the right time, the ripe time to go ahead. D. was aware of the καιρός the opportunity, which along with τύχη appears in many of his orations as the combination of opportunity and the the subsequent act of taking advantage of it, cf. I.2,9, III. 3, 5, IV.11, X. 29-30 etc. ἀκαιρία is the absence of benevolent circumstances. Notice the etymological figure, καιρὸν...ἀκαιρίαν.

εἰς χρείαν ἔλθητε: A reads ἐν χρεῖα καταστῆτε which makes good sense. Butcher has preferred the reading of the majority of the mss.

Section 12

Ἦδη δέ τις εἶπεν...οὐχ ὑμῶν τῶν πολλῶν: D. uses a similar technique as in 11 to change the topic of the discussion. Here he anticipates the resentment to his propositions and quotes what he thinks it must be. This adds an air of spontaneity although it is a carefully thought out rhetorical strategy. An interesting contrast can be drawn from VIII. 73: Ἦδη τοίνυν τινὸς ἤκουσα, there he adduces Timotheos to prove that Athenians should listen to advice, as they did, when Timotheos urged them to free Euboea from Theban occupation. Notice how cleverly he distinguishes the man who opposes him from the rest of the Athenians and characterises him as one of the διαρρηγνύμενοι.

διαρρηγνυμένων: this is a very interesting metaphor for describing the other orators of his age. He will use it twice again, in XVIII.21 (referring to Aeschines) and 87 (referring to the other orators present). The verb διαρρήγνυμαι means to burst, to

explode. It is used to describe the vehemence of his enemies' attacks and one imagines them fiercely attacking him, ready to explode from indignation. This metaphor can be found as far back as in Aristoph. *Knights* 340-1 where a joke is based on the same verb; it is not impossible that D. was influenced by the comedian.

‘τί δ’ ὑμῖν...κατέβη’: Blass has noticed similarities between this quotation and Libanios, *Declamationes* 23.29; since Blass has based some corrections on this text I quote it, but my opinion is that Libanios paraphrased D. and thus his text should not be used to force corrections on the text of D.: τί δ’ ἐκ τῶν ἐμῶν ἢ ἄλλου τινὸς ῥήτορος λόγων χρηστὸν περιγίγνεται; ἀναβάντες ὁπότεν τύχωσιν, ὑμῖν ἐπετίμησαν, τοὺς προγόνους ἐπήνεσαν, ἄραντες ὑμᾶς καὶ φυσήσαντες κατέβησαν.

ὑμῖν... ὑμῶν...ὑμᾶς κατέβη: A reads ὑμῖν only. S(corrected) reads ἡμῶν and ἡμᾶς, respectively. Both Weil and Fuhr adopt the first person plural. Both solutions make good sense but I have a slight preference for the second plural since the person who is supposedly speaking is one of the διαρρηγνύμενοι and he is more likely to be addressing the audience, asking them what good they have seen from D.'s suggestions.

παρελθῶν: SFY(in the margin of them all) add ὅς before the participle which does not particularly enhance the meaning.

ὅταν: this is the reading of FY. SAY³ read ὁπότεν which I prefer.

ἐνέπλησε τὰ ᾧτα λόγων: this is a lively metaphor; the meaning is that D. is chattering endlessly about nothing. The verb gives this idea of excess, of too many words.

καὶ διέσυρε...καὶ...καὶ μετεωρίσας: Blass has deleted these καί because there is no καί in the text of Libanios; as I have said above I do not think that Libanios is copying this text as accurately as Blass thinks.

καὶ διέσυρε τὰ παρόντα: the verb means to make fun of; here D. is being accused of ridiculing the current affairs of Athens, cf.D. XVIII.27, 218 etc.

προγόνους ἐπήνεσεν: D. tried to use the ancestors of Athens as examples that should be imitated. He is doing this in this very speech, see 21-31 cf. III.23-29, IV.23, IX. 41-45, XVIII.200-209 etc.

μετεωρίσας: the verb means to excite, particularly by giving false hope cf. Hegem. ap. Athen. XV. 698d, Polyb. XXVI. 5.4, (passive) Aristoph. *Birds* 1447, Polyb. III 70.1. Blass has emended to ἐπάρας (from ἐπαίρω which has a similar meaning with μετεωρίζω; it seems that they were synonyms because Thuk. II.11 says: Ἑλλάς τῇ ὀρμῇ ἐπήρται and the scholiast *ad loc.* explains: τῇ ἡμετέρῃ ὀρμῇ μετέωρός ἐστι) because of the Libanios text, but again the same argument I have expressed above stands.

φυσήσας: the verb φυσᾶν means literally to blow, to make somebody conceited; another case is D. LIX.38: ἐπάρας δὲ αὐτὴν οὕτως ἐν τοῖς Μεγάροις τῷ λόγῳ καὶ φυσήσας..

The description by this imaginary orator of what D.'s orations sound like is in essence the way D. himself viewed his own oratory. It is not obviously a self-criticism but an exposition of what a Demosthenic oration consists of, at least in the eyes of an opponent. First διέσυρε τὰ παρόντα, which implies that a criticism of the current state of affairs is "mandatory", D. is there to virtually fill their ears with words and offer as much advice as possible. Then he uses the positive examples of the past and will argue that the Athenians have a responsibility towards the rest of Greece, that it is in their nature to seek hegemony and be always first; it is towards such an ideal that they must strive. These elements are present in the current speech. He has offered advice up to this part of the speech. Then there will follow a criticism of the current attitude (13-20) and finally will follow the great historical examples that will blow the Athenians up with pride, and force them towards the ideals of their culture. Such characterisations which show D. as a flamboyant orator who has never done anything positive for Athens except for talk and talk, do suggest that D. was concerned for the radius that his policies had within the Athenian demos. If nobody ever agreed with him and nothing positive came out of his efforts, what was the reason for him to talk? That is why perhaps in XV. 6 he lingers on the one success he had in averting war against Persia. As an orator he was asked for results he could not produce because the people were not ready to follow him. That is why he will set out to be their educator in all his

orations, to cure them from their own complacency. That is what he goes on to explain in 13.

Section 13

ἐγὼ δ'...δυνατοῖς: D. is sure about how sound his suggestions are and proclaims that should they be adopted the city would flourish to a great extent; he realises though that if he tries to expound them now the people will consider them as unrealistic. D. here makes the statement that he is not willing to discuss specific measures; he would be more than happy to claim to do that in an assembly with such an agenda. As I have argued in the introduction D.'s intention in this oration is to provide "moral foundations", to offer a more general kind of framework that Athens should operate in. He wants to tell them not **what** to do but **how** they should do things, in very rough lines. This passage here is proof that D. was aware that the speech would seem unfocused (it was what Weil and Schaefer have accused XIII of) but is eager to show that he has a rather more unconventional intention.

τι πείσαι: all mss. have τι, but was at first omitted in S; it should be kept as it improves the meaning "if I could persuade you of my proposals even in something..." .

τὰ ὦτα πρῶτον ἰάσασθαι: this splendid metaphor sums up the whole section. Above he had claimed that he would like to make the Athenians used to listening to the best advice; the verb was indicative of his intentions, συνεθίζω. Here the much starker metaphor serves to inform the Athenians that they are used to listening only to the pleasant things; this tendency has corrupted their personalities and metaphorically their ears. There can be no further progress unless they rectify this attitude of theirs. The metaphor shows how important the discussion is in the assembly. All decisions derive from the process of listening to the orators and making a conscious decision always to the good of the city. This process has been disrupted. The Athenian ears have become more *selective* and strictly adopt proposals that serve their personal, selfish ends. This is not though the fault of the people. They have been accustomed to such a process by the orators who have been disorientating them. In the following sections he will give examples of the disorientation of the people from their responsibilities towards trivial and unworthy matters. Further on in 30-31 he will expose the real reasons behind the

orators' tactics. He adopts a similar stance in many orations cf. III. 21: ...ἀλλὰ δικαίου πολίτου κρίνω τὴν τῶν πραγμάτων σωτηρίαν ἀντὶ τῆς ἐν τῷ λέγειν χάριτος αἰρεῖσθαι cf IV. 51.

εἴθισθε: S reads συνεισθε and Fuhr and Weil have adopted συνείσθε. Both readings make equally good sense.

Section 14

οἶον: in its adverbial use here introduces an example, "just as...".

ὅπως δὲ μὴ θορυβήσει μοι: FAY read θορυβήση. To express prohibition one can use ὅπως μή and the future indicative. Sometimes the subjunctive can be used, implying a desire to avert something that is not wanted, *see Xen. Cyr. IV.ii.39, Aristoph. Clouds 824, Plato Protag. 131c, D. IV. 20*. All the editors prefer the indicative of ms. S, but the subjunctive of the other mss. is totally acceptable, *see W.W. Goodwin Syntax of the moods and tenses of the Greek verb* (reprint New York 1965)94-97.

ἄν: FY¹ do not keep it but it has to be there as it is required by the indefinite construction.

ἀνέφεξαν: D. refers here to burglary but there is further evidence that funds were removed and that the edifice where they were kept in was set on fire, *see the introduction, chapter 2 section 1c,d*.

τινές: these were probably the *tamiai* of Athena.

ὀπισθόδομον: it was the Athenian state's treasury; *see the introduction* (chapter 2, section I) for a detailed discussion of the existing evidence on the *opisthodomos* and what probably happened.

τὸν δῆμον καταλελύσθαι...εἶναι: D. refers here to the panic that was caused after the burning of the *opisthodomos* at Athens. The demagogues did not lose their chance to proclaim the end of the democracy and the people were always more than ready to pick up and amplify that panic. The missing of funds and the arson of a sacred building would be "enough" proof that the democracy was in danger. In a way these episodes D. describes are very similar to the reaction the people of Athens had when they found out about the mutilation of the Hermes, on the eve of the Sicilian expedition

in 415 BC. There was a widespread fear that the fall of democracy was imminent, cf. Andok. I.36 ἐπὶ τῇ τοῦ δήμου καταλύσει. The same alarm was sounded when the burning of the *opisthodomos* took place. There is the substantial difference of course that the oligarchic *hetaireiai* were very strong in 415 whereas they were powerless in the 4th c; there was not an obvious constitutional struggle in the 4th c. On the other hand it is easy to assert this nowadays, but the people must always have been looking out for any potential danger to the democracy. The particular situation the orator exposes is indicative of the fervour of the people to tackle any enemy of the democracy. It is D. himself who although he criticises here the hysteria in Athens (correctly in my opinion), will use similar arguments to persuade the Athenians to help the Rhodians in XV. In section 19 he argues that if more and more cities become oligarchic in Greece, there is no chance that they are going to leave the Athenian democracy intact; they will try to destroy it because in this way there will be nobody ever to bring back freedom to Greece. Or in 21 that they should help the other democracies so as to expect help from them should democracy ever be overthrown in Athens. There was then an existing fear in the demos, and the orators were keen to exploit it in the case of the *opisthodomos* to prove that they are on the side of the people. D. saw in such claims not so much a dishonest tactic on the part of the orators but a disorientating effect on the people who on the one hand become consumed with such petty matters, when they should be handling them with dignity and on the other just disregard that the city's real strength lies in its being organised and fit to face any external and internal threat.

οὐκέτ': this reading is preferable to S's οὐκ, since it was after the incident that the orators were proclaiming that the laws do not exist "any more".

(καὶ σκοπεῖτ'...): this parenthetic phrase is there to emphasise D.'s following conclusion.

οἱ μὲν...καταλύεται: notice D.'s "therapeutic" segregation of fact from fiction; the culprits of the *opisthodomos* fraud deserve to be put to death, but this is a different matter from the abolition of democracy. His aim is to educate the Athenians to see through situations and stop blowing out of proportion minor matters and concentrate on the build-up of the city's power.

πάλιν κώπας τις ὑφείλετο: it is not very clear to what particular event he refers, but evidently oars were being stolen from the city's arsenal, probably to be sold somewhere else at a significant profit. Weil has suggested that it was the incident alluded to in XXIV. 138, an incident that directly follows another, fuller, account there of the *opisthodomos* affair: καὶ Φίλιππον τὸν Φιλίππου τοῦ ναυκλήρου υἱὸν μικροῦ μὲν ἀπεκτείνετε... The mention of the naukleros suggests that there was some kind of naval implication but D. in that part of the speech tries to show that attempts to change the laws had cost their proposers dearly, and it is rather unlikely that the law of Philippos was to cover the theft of the oars from the arsenal.

μαστιγοῦν, στρεβλοῦν: the infinitives, "whip, torture" convey what penalties the orators wanted for the perpetrators of the crime. Note the asyndeton which indicates that the orator is almost quoting words actually spoken. Whipping and torturing were not permitted for Athenian citizens according to the decree of Skamandrios, quoted in Andoc. I.43. D.M. MacDowell in *On the Mysteries* (Oxford 1962) has argued that the decree of Skamandrios may have been introduced by Peisistratos, the champion of the people, against the wealthy aristocrats. It may also have taken the name of an archon, between 510 and 480 BC (T.J. Cadoux prefers 510/09 in *JHS* 68(1948)113). By 415 this decree must surely have attained the status of a *nomos* and perhaps it just happened to be called a *psephisma*. The choice of the infinitives, which suggest a situation similar to that described in Andoc. I. 43, indicates that in the situation described by the orator the people of Athens behaved in a very similar way to that of 415; it is even possible that D. wants to make conscious a connection with 415. The extremity of the penalties shows the hysteria that was general in Athens.

πάντες οἱ λέγοντες: FAY add ἐβόων after πάντες. It is true that this sentence has no verb and that is obviously why in some of the mss. a verb has been added; the verb can be easily understood, ἔλεγον, ἐβόων or anything similar. S's option without any verb is the best if one accepts the phrase as more or less exclamatory without a verb, so as to convey the idea of the emergency that was created. D. uses the asyndeton in this period and the brevity of the phrase in question seems appropriate. It seems, in my opinion, necessary to include the infinitives in quotation marks and leave this phrase in

the middle, in order to note in the text that this is D.'s parenthetic remark. Weil points out D. X.33 as a similar passage which shows the absence of the verb when Athenians were using catchwords: 'ὁ δὴ βάρβαρος καὶ ὁ κοινὸς ἅπασιν ἐχθρὸς' καὶ πάντα τὰ τοιαῦτα.

ὥσπερ ἐκεῖνοι: ἐκεῖνοι refers to those that θανάτου ποιεῖν ἄξια before and not what the orators said i.e ὥσπερ ἐκεῖνοι [λέγουσι], since D. is eager to provide a continuance with what he said above about the punishment of those who opened the *opisthodomos*.

Section 15

παρησιάζεται: to talk with courage, outspokenness, candour, cf. D. XVIII.177, D. IV. 51.

φαύλως ἡγμένοι: "badly educated", "badly led"; in democratic Athens the political education and leadership of the people is left in the hands of the orators, it is they who have at present made people ignorant of their incapacities, for another instance of the verb with a similar meaning cf. Pl. *Lg.* 782d, *Rep.* 431c., *Xen Mem.* IV.i.3. If one accepts Dobree's addition (*see below*) then οἱ πολλοί should be included in the commas as well.

πολλοί: Dobree *Adversaria* 381 has suggested οἱ πολλοί and Weil has adopted this addition. He apparently did that to make φαύλως ἡγμένοι οἱ πολλοί part of the subject; the meaning of οἱ πολλοί is the multitude, the demos, the many (cf. for such a use XXI. 97 καὶ τὸ τῶν πολλῶν εἶς εἶναι). I like Dobree's suggestion as it makes D. address the multitude, the demos, the people who are actually preoccupied with the overthrow of democracy and enhances the meaning of πολλοί which would not make good sense; what could the meaning be of "when you are many and financially disorganised and..."?

ἄποροι καὶ ἄοπλοι: cf. III. 35 ἀργεῖν καὶ σχολάζειν καὶ ἀπορεῖν.

παύσεται: A reads παύσηται which is incorrect because it does not depend on ὅταν, as all the other verbs in the subjunctive do.

τοιαῦτ' ὄντα: depend on παύσεται, "nor does he [the general] act on how to stop such a state of affairs".

νῶν ἀεὶ: FAY read νυνί omitting ἀεὶ which is not necessarily wrong but D. has taken up an offensive against persistent features of the Athenians which existed long before this speech (cf. also XVIII. 31).

Section 16

καὶ νῆ Δί',: S adds γε after Δία which as Cobet *MC* 63 correctly said is not correct classical Greek. I suspect it is a dittography from the following γε after ἕτεροι.

λόγοι παρερρηήκασι ... ψευδεῖς: this is an unusual and unique metaphor in D. The verb παραρρέω means to run (e.g. water) near a place but also to divert, to miss the target as in Soph. *Philokl.* 653. The best English verb to translate it, is "infiltrate" and that is exactly how Ronnet *Etude* translates. False words have run towards the Athenians, have infiltrated the Athenian demos. This metaphor serves to warn the Athenians of the other orators' intentions who instead of being truthful deceive the people; by using this strange verb he warns of the deviousness of such efforts. Notice the *hyperbaton* λόγοι ... ψευδεῖς.

ἐν τοῖς δικαστηρίοις...φυλάττειν: the false words are quoted *verbatim* by D.: "Our salvation lies in the court-rooms, and, we must guard our city by the vote". What exactly was meant by these slogans is not very clear from the context. He probably hints at the pro-democratic frenzy of the orators who sought by prosecutions to *save* the city from the betraying generals but really eliminate political opposition to themselves. As we saw above *eisangeliai* were very frequent, the reason being not so much the incompetence of the generals but the lack of support from the city itself which led to failure and then to prosecution. The scholiast Dilts p.167 lines 5-6, asserts that the objective of the denunciations was to confiscate the properties of the rich and distribute them to the people; whether this should be taken at face value I am not so sure and I would think that there may have been further reasons for a person's prosecution rather than solely his wealth, but cf. D. X. 45 τοὺς μὲν εὐπόρους εἰς μὲν τὸν βίον τὰ ἑαυτῶν ἀσφαλῶς ἔχειν νομίζοντας καὶ ὑπὲρ τούτων μὴ δεδοικότας. This last quotation suggests that there was friction between the rich and poor and that the rich had reasons to believe that the law-courts were capable of imposing confiscation as a penalty for the benefit of the demos. Certainly confiscation was a

penalty set by the lawcourts and in VIII. 69 D. mentions it as a symptom of a city that is over-litigious and obsessed with internal conflict: παριδὼν ἃ συνοίσει τῇ πόλει, κρίνει, δημεύει, δίδωσι, κατηγορεῖ, οὐδεμιᾷ ταῦτ' ἀνδρεία ποιεῖ... M.I. Finley in *Studies in Ancient Society* (London 1974)1-25 describes what he characterises as the tension of the Athenian leaders, always liable to constant prosecution. Aristophon was allegedly prosecuted 75 times by *graphe paranomon*, Aeschin. III. 195, Lycourgos was prosecuted many times, Plut. *Vit. X Orat.* 842f., Timotheos went into exile after a trial for treason in 354, Isoc. XV. 129, to give only a few examples, (for a detailed account of public prosecutions cf. M.H. Hansen *The sovereignty of the People's court in Athens in the fourth century BC and the public action against unconstitutional proposals* (Odense 1974)esp.28-43 whereas for a study of the demos' behaviour towards its leaders R.A. Knox *G&R* 32(1985)132-161; for details on *eisangeliai* of well-known public figures, see M.H. Hansen *Eisangelia* (Odense 1975)nos. 80, 82, 87).

οἶον: Cobet *MC* 63 and Madvig in *Adversaria critica ad scriptores Graecos et Latinos* vol. I(Hauniae 1876)457 has added ὅτι after οἶον to supplement the verb ἐστίν, but it is really unnecessary because the sentence is in direct speech.

ταῦτα...[τὰ δικαστήρια]: Weil was right to delete the noun since it would make no sense after ταῦτα, as it is obvious what D. means. Weil speculated that a word such as τὰ διαιρετικὰ (those matters that divide you) could have been replaced by the current one, but it seems more likely that τὰ δικαστήρια was a scholiast's note, explaining ταῦτα, which was later incorporated in the text.

κύρια: the substitution of κύρια for κοινὰ by Madvig, an emendation that has been accepted by Fuhr and Butcher (but not Weil), seems to me unnecessary. The word κύριος primarily describes the function of a law-court, its decisions as valid and compulsory, and is certainly suitable here; but the meaning with the mss. reading could be "These courts are to you a common part of what is just and right between one another but ..." i.e. that the courts are there as the common outlet for everyone to claim justice; since the mss. support the reading κοινά, which has been shown to make sense, I am inclined to accept it.

Section 17

τὸ ψηφίσασθαι: i.e. the vote in the courts. Notice the use of infinitive with the article in this section; it serves to generalise the concepts D. is using: τὸ ψηφίσασθαι, τὸ νικᾶν.

ἄδειαν: i.e. safety

ψηφίζεσθαι...ποιεῖν: they depend on ἐξουσίαν and ἄδειαν.

δεῖ γὰρ...φιλανθρώπους εἶναι: there is a great similarity with VIII.33: τοὺς πολιτευομένους ἐν μὲν ταῖς ἐκκλησίαις πράους καὶ φιλανθρώπους ὑμᾶς ἐθίζειν εἶναι...ἐν δὲ ταῖς παρασκευαῖς ταῖς τοῦ πολέμου φοβεροὺς καὶ χαλεποὺς ἐπιδεικνύουσι. Dobree *Adversaria* 381 thought that the word φιλανθρώπους is not as appropriate here as in VIII, where it refers to the assembly. I cannot see why the Athenians cannot be merciful in the lawcourts, especially since D. pointed out that they have been particularly litigious, an observation that certainly implies the existence of cases of injustice or of unnecessary severity.

Section 18

μείζους ἢ κατ' ἑμαυτὸν λέγειν λόγους: "Speaking beyond my authority". The orator is young and wants to protect himself from being considered as arrogant and pompous. At the time of this speech's delivery he must have been very young, around 31 years old (cf. D.M. MacDowell's *Against Meidias* (Oxford 1990)370, who sets D.'s birth at late 385/4 or early 384/3). On the usage of age as an argument for or against somebody, see Thuk. VI. 12.2 when Nikias speaks, trying to bias the Athenians against the ruthlessness of young Alcibiades and 17.1 for the answer of Alcibiades.

αὐτὸ τοῦτ' ὀρθῶς αὐτῶν ἔχει: This reading is given by S only. All the other manuscripts (with the exception of F¹ which seems to be just a mistake, as it has ἔχει instead of ἔχειν) give ἔχειν αὐτῷ δοκῶ probably because they want to match αὐτῷ with τῷ of the protasis. Cobet 64 suggests ὀρθῶς αὐτῷ δοκῶ and his opinion is that the reading of S does not mean anything. The corroboration he provides for his suggestion comes from other contexts where a similar structure is used e.g. D. IV. 4 εἰ δέ τις ὑμῶν ... οἶεται ... ὀρθῶς μὲν οἶεται, VIII. 48 εἰ δέ τῷ δοκεῖ... καὶ μάλ'

ὀρθῶς δοκεῖ, XX. 9 οἶεται δὲ βία ... οὐκ ὀρθῶς οἶεται and it is clear that it stems from a desire to make the sentence very clear by simply matching αὐτῶ and τῷ. Both meanings are satisfactory but I would prefer (so does Butcher) the reading of S as it gives a slightly more complicated meaning. If one takes αὐτῶν to refer to λόγους in the protasis, and τοῦτο to govern the former, the translation could be: "If I seem to be uttering words greater than are appropriate for me, this very feature of them [it is the point that follows] is right:...". The orator is trying to make the audience pay attention to what he is going to say next, trying to remove any preconceptions the audience might have about his age.

τὸν γὰρ ὑπὲρ... πόλεως... λόγον... ἑνὸς τοῦ λέγοντος ἀεὶ μείζω φαίνεσθαι δεῖ: the importance of the argument is that it shifts the attention from a specific orator to what is best for the city. A speech which is for the welfare of the city should always be appreciated without letting any bias against the orator affect its impact. The effort is clearly deliberate in order to make his words sound objective.

καὶ τῆς ἀξίας τῆς ὑμετέρας ἐγγυὲς εἶναι, μὴ τῆς τοῦ λέγοντος: here he flatters the Athenians, hinting that the orator's good suggestions are just a verification of the citizens' quality.

ὅτι δ' οὐδεὶς τῶν ὑφ' ὑμῶν τιμωμένων ταῦτα λέγει, τὰς προφάσεις ἐγὼ διεξιμι' ὑμῖν: in 13 he suggested that the Athenians' ears have become corrupt and are only hearing false things and not τὰ βέλτιστα, giving examples of the orators' efforts to make the people uneasy for political benefits. He will go further on to illustrate the material gains of the demos' favourites.

Section 19

οἱ μὲν πρὸς ἀρχαιρεσίας ... προσιόντες ... δοῦλοι τῆς ἐπὶ τῷ χειροτονεῖσθαι χάριτος περιέρχονται: the offices that were elective in Athens were those that required initiative and competence. The generals were elected so that the *demos* could pick the best among themselves. So were the theoric commissioners, the *tamias* of the stratiotic fund and the superintendent of public water-springs (Aristot. *A.P.* 43.1). The participle *προσιόντες* suggests in my opinion that candidacy was voluntary at least for the elective officials. Rhodes

Constitution 511-512 seems to conclude that candidacy was voluntary for both elective and sortitive offices using as corroborative evidence Lys. VI. 4, XXXI. 33 (κληρωσόμενος ἰέναι), Isocr. XV. 150, Harp. E102 ἐπιλαχών (see also the same pages of Rhodes for references to different opinions). To these passages perhaps this one should be added as the verb πρόσειμι and the preposition πρὸς with the genitive show moving towards and perhaps suggest showing one's self in front of the demos.

The word δοῦλοι suggests a servile approach to the *demos* and to me a negative aspect of the *demos* itself which makes its elective officials grovel and too willing to please in order to acquire an office of prestige.

καὶ ταύτην τὴν τάξιν: "and for this kind of duty"; he refers to those who aspire to the offices, it is just another way of expressing ἀρχαιρεσίας.

τελεσθῆναι στρατηγὸς ἕκαστος σπουδάζων: the verb τελέω means to bring to an end, to execute. Its passive form connected here with the generals is peculiar. According to G.H. Schaefer the verb here means to be initiated to the office of a general as if being initiated in religious mysteries. An instance of the verb in its strictly religious sense is Hdt. IV. 79 Διονύσω τελεσθῆναι whereas in Xen. *Symp.* I.10 it is used in a more free sense τετελεσμένος σωφροσύνη. Cobet *MC* 64 disagrees with this option and suggests that there is a confusion with the verbs αἰρεθῆναι and γενέσθαι. I firmly disagree with the latter option as D. pLV.2 gives justification to the mss.'s reading. In this exordium the orator is complaining to the people of Athens about the way they elect their magistrates: νῦν δὲ παντάπασι τὸν αὐτὸν τρόπον, ὧ ἄνδρες Ἀθηναῖοι, ὄνπερ τοὺς ἱερεῖς, οὕτως καθίστατε καὶ τοὺς ἄρχοντας. The significance of this passage lies in the comparison between priests and magistrates. Priests in Athens were appointed in a hereditary manner (although some were elected by lot, as in *A.P.* 54.6 where there are two sorts of hieropoioi, each a board of 10, chosen by lot). According to R. Develin *Athenian Officials from 684 to 321 B.C.* (Cambridge 1989)17: "many [priesthoods] certainly were life-long and/or hereditary or confined to certain families", (see also D. Feaver *Yale Classical Studies* 15(1957)121ff.). So many of the priests were not chosen by

lot from the demos. Demosthenes is criticising his fellow citizens because they persist in electing the same generals for long periods of time whereas the citizens themselves are complacent, doing nothing, just sitting around and either envying or admiring their generals. He goes even further in pLV.3, when he says that although they try to ensure that nobody will serve as a magistrate twice in his life-time, they just leave the same generals forever (cf. *A.P.* 62.3 which states that no sortitive office was to be held by the same person for more than a year, with the exception of the *bouleutikon* which could be held twice, see *D.* XXIV, 150). He is confusing deliberately the two systems, lot and election, in order to enhance his point that the generals aspire to election only for the prestige that the office offers, without any desire to do anything for their country. In pLV. 3 this is expressed with the phrase *χώραν δ' ἀτέλεστον ἔχουσιν αὐτοὶ τετελεσμένοι*. The verb *τελοῦμαι* does not quite mean to become a priest, but actually become initiated into mysteries. The very existence of the verb in pLV.3, where the comparison between priests and generals has been made, vouchsafes a similar meaning here. What *D.* means is not that the generals become initiated in the mysteries, but that the generals become ceremoniously elected, without then doing anything else for their country.

The passage mentioned shows that Demosthenes had in mind a comparison with the priesthoods of Athens. Just as some of the priesthoods were for life without election, similarly the same incompetent generals were trusted again and again with the government of Athens, when the actual purpose of an elective office is to secure that the best can be elected. In our case the comparison is not very obvious; by using the verb *τελέομαι* he wants to convey the idea of the ornamental character that the generalship has acquired. It should be more than a ceremony since it is the ultimate executive office of Athens. He made a similar point again in IV.26: *οὐκ ἐχειροτονεῖτε δ' ἐξ ὑμῶν αὐτῶν δέκα ταξίαρχους καὶ στρατηγούς καὶ φυλάρχους καὶ ἱππάρχους δύο; τί οὖν οὗτοι ποιοῦσιν; πλὴν ἑνὸς ἀνδρός, ὃν ἂν ἐκπέμψῃτ' ἐπὶ τὸν πόλεμον, οἱ λοιποὶ τὰς πομπὰς πέμπουσιν ὑμῖν μετὰ τῶν ἱεροποιῶν*. This is characteristic of *D.*'s opinion that the office has been degraded to a "parade" level. The verb *τελεσθῆναι* conveys exactly the meaning

that each general pursues the office for the glory it offers, without any further ambition.

οὐκ ἀνδρὸς ἔργον οὐδὲν πρᾶξαι: this, too, is similar with p.LV. 3 οἱ ποιοῦσι μὲν οὐδέν. The implication of the phrase is that the generals usually do nothing. There is a strong antithesis between the strong desire to become a general and the outcome which is doing nothing worthy of a man and Athens. The question is why were they inactive. The first reason can be ineffectiveness because of fear. There were many generals who were prosecuted with the method of *eisangelia*. Hansen *Eisangelia* 59 says: "In the period 432-355 we know of *eisangeliai* against 33 generals and nine other magistrates...". The conclusion one draws after reading this book is that denunciation to the Assembly or the *demos* was primarily a weapon against generals. Fear ended in inactivity without taking any initiative as the generals were afraid that a bad outcome could cost them their lives. Another reason was lack of funds that made any military expedition impossible. Many times the Athenians voted for an expedition but failed to supply the funds, something which cost a lot of time to the generals and usually proved fatal for the outcome of the expedition.

εἰ δέ τις καὶ τοιοῦτός ἐστιν οἷος ἐγχειρεῖν ἔργῳ τῷ: again there is a similar passage in D. pLV. 3: καὶ τὸ μὲν τοὺς ἐπὶ τῶν πράξεων ὄντας ἴσως ἔχει πρόφασιν. His criticism here is stronger because he will say immediately after this that the generals who eventually act, do it for their own interests. Profit was the motivation that dragged generals out of incompetence and inactivity.

τὴν τῆς πόλεως δόξαν ἀφορμὴν ἔχων καὶ τοῦνομα: the power of Athens enabled its generals to enforce the policies they wanted to pursue. Of course it was the power and not the fame and name of Athens that made that possible. If the Athenians counted only on their fame and name, as it was hateful among a big part of the Hellenic cities (because of the empire), they would not go far.

τῆς τῶν ἐναντιωσομένων ἐρημίας ἀπολαύων: this is a puzzling statement because it could mean that the generals take advantage of the absence of "opposition" as Vince translates, inside the city itself. This at first sight seems to contradict 5: καὶ περίεσθ' ὑμῖν ἐκ τῶν πραγμάτων ὁ δεῖνα τοῦ δεινός τὸν

δειν' εἰσήγγειλεν'. There was always opposition in Athens whose ultimate purpose was to undermine the authority of an orator, a general or a political "party"; but here he perhaps wants to say that there is nobody who is willing to stop this tendency for private benefit. All opposition was factional and aimed to undermine one's opponents, so as to be free to act likewise.

τὰς ἐλπίδας ὑμῖν ὑποτείνων: the other readings ὑποτίνων by S and ἀποτίνων by A seem to be mere spelling mistakes, as ὑποτείνω gives the best possible meaning for this instance, "to hold out hopes", "offer", as in Thuk. VIII. 48, Aristoph. *Ach.* 657, D. XXIII. 14. One can imagine the generals talking to the *demos* and promising a lot but really achieving nothing. It is a very vivid image offered by D.

κληρονομήσειν αὐτὸς τῶν ὑμετέρων ἀγαθῶν: the orator exposes the real intentions of the generals trying to arouse some interest in the Athenians. The generals get what the *demos* should. Some selfishness perhaps could at last wake them up. Notice the metaphor; the generals are to receive as heirs what the *demos* should, cf. D. XXI. 20.

ἂν δ' ὑμεῖς δι' ὑμῶν αὐτῶν ἕκαστα πράττητε: The suggestion is that the Athenians should take in their hands their fate and prosperity. Military service is hinted at again. If the Athenians got out and made sure that their enemies were defeated, the prosperity of an extended Athenian supremacy would fall upon themselves not to mention their wages as soldiers. δι' ὑμῶν αὐτῶν means that they should really **earn** any money coming from the state (cf. D. III. 33).

τὸ ἴσον τοῖς ἄλλοις ὥσπερ τῶν ἔργων αὐτῶν: if the Athenians take in their hands the conducting of their affairs, then the generals and all those who govern Athens will have to take upon themselves some responsibilities and be paid according to their services just as everybody else.

Section 20

οἱ δὲ πολιτευόμενοι καὶ περὶ ταῦτ' ὄντες,...προσκεχωρήκασιν πρὸς τούτους: it seems a bit self-contradicting that the politicians here seem to follow the generals when from 20 line 24 and on, the orator is the instigator of policies and the

general just implements them. In the 4th century the politicians were the strongest leaders. On the contrary in the 5th an orator was usually also a general. The demand for specialisation made the distinction between the two positions necessary. What he means here is that the politicians acquiesced and were in tacit agreement with their favourite generals.

καὶ πρότερον μὲν κατὰ συμμορίας εἰσεφέρετε: the orator here refers to the system of the symmories inaugurated in 378/7 BC for the collection of *eisphora* (for more information about this system, see chapter III in the introduction of the speech *On the Symmories*). Here I would like to comment on πρότερον. It does not mean that the *eisphora* is not used any more but it is there on purpose to show the difference between the past when symmories were a financial arrangement and the present when that particular system is being applied onto politics.

Criticism of the scholiast in II. 29

As we shall see this simile has been used in II. 29 almost in an identical manner. The scholiast in II. 29 tried to explain the symmories system in my opinion very misleadingly.

Weil in his note on II. 29, correctly points out that the scholiast was confused because he took too literally the simile of D. As we shall see D. tried to make his point more concise by referring to the Athenian political system and comparing it with two symmories (οἱ μὲν ὡς τούτους, οἱ δὲ ὡς ἐκείνους). The scholiast tried to supply information about a system that would be compatible with the "two" symmories he thought D. was alluding to here. A distinction that must have occurred to him was the natural one of a wealthy and a less wealthy citizen. His assertion that each tribe gave the names of its 120 wealthiest citizens to pay the *eisphora*-tax is unattested elsewhere. Furthermore he says these 120 citizens were divided in two groups (symmories) on income grounds, wealthy and less wealthy. The 60 wealthiest citizens προετέλουν and got the money back from the other less wealthy ones. This is contradicting Dilts page 79 lines 29-30, because there it is 300 citizens there who προεισέφερον τῶν ἄλλων τε. If the 300 paid in advance then the division of each tribe's 120 citizens into two groups has no reason whatsoever.

The division also in two great groups of 600 men each, page 79 line 26, and the following subdivisions are erroneous. It is true that there were 300 wealthy citizens who paid the sum of the tax to the state in advance but to presume that they came from a division of the 600 wealthiest citizens is unattested. Moreover it is unattested that there were 4 groups of 300 members each, one subordinate to an other, on grounds of wealth.

In conclusion the scholiast contrived a system which he based on D.'s simile and probably XIV. 16-17 (concerning the 20 *symmories* of 60 members each).

ὄντι δὲ πολιτεύεσθε κατὰ συμμορίας. ῥήτωρ ἡγεμῶν...ἐκείνους: the translation goes "You conduct your political affairs, Athenians, as you used to collect the *eisphora*, by symmories. Each symmoria has a rhetor as a leader and a general subordinated to him, and three hundred to do the shouting for either. The rest of you are attached, some to one group and some to another". The similarity between this passage and II. 29 has to be stressed, as they are almost the same and this probably is something more than coincidence. Cobet *MC* 64 sees this similarity as further evidence that this speech is not authentic: "Hunc locum impostor furatus est ex Olynthiaca II". If the present speech was delivered in 353/2 then, of course, the *2nd Olynthiac* is the speech that took a "loan". It is a fact that XIII has a lot in common with other speeches as the following paragraphs about the *progonoi* will show (cf. with III. 21ff.); in my opinion, though, it is not impossible that Demosthenes had notes with similes, arguments or anything that he thought was worth remembering. When he composed his speeches he could well use again an argument he had used in an earlier speech (for more about this aspect of the authenticity of this speech, *see* chapter 3 of the introduction).

What is more important in my opinion is to try and establish what exactly he means with this simile. The simile's importance lies in the effort to present Athenian politics in a simplified, dualist form (two factions, μεθ' ἑκατέρων); it does not mean that there were really only two factions at a time in Athens but it is there just to make the contrast sharper, a trap the scholiast easily fell in. D. refers to a financial system that was reiterating itself; the procedure would repeat itself whenever the

state asked for an *eisphora*. The components of the comparison are, on the one hand, the rhetor and his subordinate general influencing the people, whose function is to cheer. These are compared, on the other to the *hegemon*, the most wealthy member of a symmory, who sets the policy for the three hundred, who must be the well-known body of the richest Athenians. There is not enough evidence to inform us on what were the decisions an *hegemon* had to make, but if one is to judge from the position of *hegemon* that D. held when he was a minor, the position cannot have been of the utmost importance. Certainly the *hegemones* would need to set the agenda for practical matters such as timing the collection of the *proeisphora*, or arranging the collection of the *proeisphora*, already paid to the state, from the rest of the symmory. Furthermore the *hegemones* would always make similar decisions, since they operated within the same frame-work of the *eisphora*, which was a routine one; it was after all a technical way of collecting funds. The features of the symmories system that D. probably then compares to the political scene, are the numbers of the symmories, the uniformity of decision-making, the consent of those participating in the system and the low importance of the policies decided. By the time of D. the same happened in the assembly. Orators and generals of different factions would make decisions as part of a routine system. There would be a core of supporters around them just as the three hundred were around the *hegemones*, whereas the people would choose the party they preferred and cheer with very loose criteria, or rather with selfish criteria. The cheering would just be like the less influential members of a symmoria who had to follow the symmoria's leader. What was absent from the people was the wish to change the situation and do something for the city, and this is another aspect of the simile. As the *hegemones* always made decisions that favoured their financial interests, (see e.g. XVIII. 102) the same happened in the assembly; the aim of the politicians was to accomplish selfish and lucrative goals (at the same time avert any extension of Athenian power and influence), whereas the aim of the people was to stick to their small income from the theoric fund. Although, ostensibly, the face of politics was fragmented, the policies pursued were identical, with each faction wanting influence over the people for itself,

just as there were a lot of symmories that carried out exactly the same task. I see the whole simile as an attack against Euboulos who by then had shown his intention to keep the people happy with pennies, and have them out of the way, for the function of the simile in the argumentation, *see* chapter 3 of the introduction).

M.H. Hansen in *The Athenian Assembly* (Oxford 1987)⁸³ has correctly drawn attention to this passage, asking whether it constitutes evidence that political parties were existing in Athens, as it suggests that followers were organised into groups following certain leaders. Indeed, there are the leaders, the rhetor and the general, and then there are some people, the regular core of supporters who are attached to them, καὶ οἱ βοησόμενοι μεθ' ἑκατέρων. Then the people make up their minds and sometimes choose this or that "party", οἱ μὲν ὡς τούτους, οἱ δ' ὡς ἐκείνους. This passage is good evidence for such an organisation, but D. may well be exaggerating. As I have already argued he wanted to prove that politics in the assembly had become void of any real political discussion, and he probably aimed at making an impression on his audience rather than describing accurately the political ways of the assembly. Hansen concludes that "...the silence in thousands of pages of rhetoric often discussing political rivalry is more important than a single line in two Demosthenic speeches. Accordingly, I hold that there was no significant political organization of the voters in the *ekklesia*, but only (rudimentary) political groups among the leaders."

The scholiast (on II. 29) again is inaccurate as he tries to persuade us that each group of his imagined four groups of 300, had an orator and general as leaders, and that the richest groups always subordinated the less well-off ones. It seems that he had an oligarchic bias as he asserts that D. accuses the Athenians for abandoning the past practice of having the rich as leaders of the city (*hegemones*; implying that the rich were putting forward policies and the others followed them), then the generals and last the orators, whereas now the order is the exact opposite. The way he wants to explain D.'s alleged criticism is as if the orator wanted to say that because it is καιρὸς τοῦ στασιάζειν καὶ τοῦ λέγειν, a time of party strife and oratory, (Dilts page 80 lines 9-10) the orators have become *hegemones* instead of the rich ones.

This is of course wrong, as in post-Periklean Athens it was always *καὶρὸς τοῦ στασιάζειν καὶ τοῦ λέγειν* and the orators were the politicians and policy-makers of the city. Anyway it is an unnecessary distinction to draw between the rich and the orators, since if one was an orator he was usually also quite rich. The scholiast's aim, as I said above, is to show that when the orators 'took' the power from the rich the city suffered from inactivity which is really just an awkward and inefficient explanation of D.'s simile; I only have to point to 31, where he accuses the people of Athens for delivering all their power to the rich.

The connections between the orator and the general in the 4th century Athens.

This passage is evidence for a change that took place in the 4th c. in Athens regarding the position of generals and orators. In the 5th century a politician would also serve as a general e.g. Perikles, Kleon (admittedly not very often), Nikias, Alkibiades were statesmen and generals; to be elected as a general was a great honour and confirmed the politician's power.

In the 4th c. things changed. The generals specialised more and more and need not necessarily be politicians. This distinction brought a new relationship between generals and orators. The orator was the proposer of policies and the general implemented them. Each different faction of Athenian politics contained a general and an orator and both fought the one who opposed them. This reality was another gloomy fact that made Demosthenes think of Athenian politics as a fixed game of opposition between two factions. From M.H. Hansen's book *Eisangelia* it is easy to follow examples that prove such a "war": in no. 100 of his catalogue, Aristophon of Azenia impeaches Iphikrates of Rhamnous by an *eisangelia*. In no. 80 Kallistratos of Aphidna and Iphikrates of Rhamnous impeach Timotheos of Anaphlystos. In no. 83 Leodamas of Acharnai impeaches Kallistratos of Aphidna by an *eisangelia* to the Assembly (Aristot. *Rhet.* 1364a 19-23). In this same instance both Kallistratos and Chabrias are held responsible for the loss of Oropos. After the defeat at Embata (356/5) Chares dispatches a letter to Athens complaining of his colleagues' inactivity during the battle, the orators friendly to him must have pursued Timotheos'

prosecution. All these examples show that there was a joint responsibility between generals and orators who decided to cooperate.

Plutarch also gives a lot of information about this connection. In *Phokion* 7.5 he says that Phokion disagreed with the separation of the roles between generals and orators: καὶ τοὺς μὲν λέγοντας ἐν τῷ δήμῳ καὶ γράφοντας μόνον, ὧν Εὐβουλος ἦν καὶ Ἀριστοφῶν καὶ Δημοσθένης καὶ Λυκούργος καὶ Ὑπερείδης, Διοπεΐθην δὲ καὶ Μενεσθέα καὶ Λεωσθένην καὶ Χάρητα τῷ στρατηγεῖν καὶ πολεμεῖν αὐξοῦντας ἑαυτούς. From this we can deduce that Phokion wanted to return to the 5th century system, to the sense of public service rendered by Perikles, Aristides and Solon.

There is another passage, though, in which Plutarch states his own opinion. In his treatise *Περὶ Φιλαδελφίας Mor.* 486d he says: οἱ δὲ βίοις χρώμενοι διαφοροῖς τὸν τε φθόνον ἐκτρέπονται καὶ συνεργουσίην ἀλλήλοις μᾶλλον, ὡς Δημοσθένης καὶ Χάρης καὶ πάλιν Αἰσχίνης καὶ Εὐβουλος καὶ Ὑπερείδης καὶ Λεωσθένης, οἱ μὲν λέγοντες ἐν τῷ δήμῳ καὶ γράφοντες, οἱ δὲ στρατηγοῦντες καὶ πράττοντες. Plutarch's beliefs seem to be correct as from a faction of orators and generals one expects some cohesion. At any rate Plutarch's remarks show the existence of a separation of responsibilities in the 4th century and that he himself was favouring such a system since it offered moral stability. I would try to avoid such a moralistic point of view and suggest that it is not a matter of suppressing φθόνος but rather of a coincidence of interests and opinions. For more information on the subject of the connection between orators and generals, see M. Hansen "*Rhetores and strategoi* in fourth-century Athens" *GRBS* 24(1983)151-180.

The text

Butcher in II. 29 has added before τριακόσιοι the article οἱ in order to make the simile more clear, namely that the βοησόμενοι are similar to the 300. From this instance here in 20 it is clear that the article is not really needed in II. 29 as it would be easy for the audience to get the point. For the modern reader perhaps a comma just after μεθ' ἑκατέρων would be a good idea just to make the simile more clear as to who corresponds to whom.

A more important point is that S does not have τριακόσιοι and so does not A¹. καὶ οἱ βοησόμενοι μεθ' ἑκατέρων can equally refer to the 300 who follow the decisions of the *hegemones* and to the people who cheer in the Assembly their different political leaders and so I think S could be respected, although the mention of the τριακόσιοι in II. 29 and in such a similar phrase as here, makes it more probable that it was part of the text.

προσενεμέθητε οἱ μὲν ὡς τούτους οἱ δ' ὡς ἐκείνους: the accusation here is that the people pick at random their leaders in a mechanical manner without any further thinking.

ὕμιν περίεστιν ἐκ τούτων: it means "it is from these reasons you have brought upon yourselves this result, that...", (for the meaning of περίεμι "to be as a result", see D. II. 29, XXI. 155, Aeschin. I. 154).

ὁ δεῖνα χαλκοῦς: see 21.

οἱ δ' ἄλλοι μάρτυρες τῆς εὐδαιμονίας τούτων κάθησθε: There is an interestingly similar passage in LV. 2: εἶτα θαυμάζετε, ἐπειδὴν ὁ δεῖν' εὐδαίμων καὶ ὁ δεῖν' ὑμῖν ἢ συνεχῶς πολλὰ λαμβάνων, οἱ δ' ἄλλοι περιήτε τὰ τούτων ἀγαθὰ ζηλοῦντες.

πολλὴν καὶ μεγάλην...προϊέμενοι: S has the reading προϊέμενοι, FY have προέμενοι. I would prefer it to be a present participle as it is the current Athenian behaviour (κάθησθε is also in the present).

The πολλὴ καὶ μεγάλη εὐδαιμονία is the benefit from an active interference in politics and military expeditions. Cobet MC 64-65 has claimed that the simile about the symmories was intelligible only in conjunction with the II. 29 context: δεῖ δὴ ταῦτα ἐπαινέντας καὶ ὑμῶν αὐτῶν ἔτι καὶ νῦν γενομένουσιν κοινὸν καὶ τὸ βουλευέσθαι καὶ τὸ λέγειν καὶ τὸ πράττειν ποιῆσαι. I think that by criticising what they do (προϊέμενοι εὐδαιμονίαν), namely throw away their own prosperity by letting others have it, D. makes the simile refer successfully to the stagnancy and complacency of the citizens of Athens. Cobet's argument that the simile works better in II, because there D. asks for the unity of the Athenians which in its turn defines the symmories simile as an example of fragmentation, is incorrect. As I have

argued in the introduction chapter 1 section III, answering the very similar argument of Sealey *Demosthenes* 235-237, in 19 and 20 D. describes the individualism of the generals and their desire for power and personal glory. The metaphor of the symmories conveys the ostensibly fragmented face of politics which deep down has degenerated from an active political debate which invites controversy and healthy arguing, into following one or the other, without really mattering who it is.

Section 21 (for 21-24 cf. XXIII. 196-201)

καίτοι σκέψασθε πῶς ἐπὶ τῶν προγόνων ταῦτ' εἶχεν: D. now passes on to the ancestral way of doing things; as he said in 13 he was not going to tell the Athenians what to do, but rather educate them, make them listen to the best advice. After the criticism of the current affairs he has to offer as a counterpoise some justification for all that he is asking them for, a positive example for emulation. After a thorough criticism of more or less contemporary Athenian politics he moves on to the past. The illustrious past of Athens always offers a great rhetorical weapon to orators, and its use is not at all uncommon in Isocrates (e.g. *Panegyrikos*) or D. (e.g. III. 21ff.). Actually what he is about to say is almost identical, with D. XXIII. 196-201, and III. 23f (for the implications of this to the genuineness of the oration, see introduction chapter 1 section III and chapter 3 about the argumentative value of the historical examples). The ancestors of the Athenian people were always a good paradigm in the hands of D.; ancestral vigour was a good motivation for a people who had somewhat gone astray in their complacency and desire for an easy life. Besides, the people of Athens had constantly their eye on the Empire and could not reconcile themselves to its loss (for the inter-related φρόνημα and πρῶξις see 25). An example of such an inconsistent approach is the negotiations for the peace of Philokrates, when Amphipolis was the prevalent topic of discussion at a time when Athens was not in a position to demand it from Philip; the ambassadors knew that, but the question was how could they ever admit it to the people? Moreover there was antagonism between them on who would seem to demand Amphipolis more efficiently from Philip. Aeschines II. 21 tells us of the promises D. made to his colleagues before reaching Makedonia: περὶ τῶν δικαίων τῶν ὑπὲρ Ἀμφιπόλεως καὶ τῆς ἀρχῆς τοῦ πολέμου (cf. Aeschin. III. 54). In II. 26-

33 Aeschines gives his own account of what he said to Philip about Amphipolis; a very charming speech he gave using even mythology to establish the claim of Athens on Amphipolis. A whole war which cost them not only Amphipolis but Pydna, Methone, Olynthos is more or less lost for them. Still when they negotiate for peace they want Amphipolis back, although they did nothing decisive to stop Philip. It was of course futile to ask for it back but the ambassadors were very anxious not to irritate the demos: from Aeschin. II. 43 we learn that D. asked Aeschines to tell the people that he also tried to get Amphipolis back as well, ἐμοῦ δὲ καὶ δέησιν ἰσχυρὰν ἐδεήθη μὴ παραλιπεῖν, ἀλλ' εἰπεῖν, ὡς ὑπὲρ Ἀμφιπόλεως τι καὶ Δημοσθένης εἶποι (cf. A. Pickard-Cambridge *Demosthenes* (London 1914)245).

οὐ γὰρ ἀλλοτρίοις ὑμῖν παραδείγμασι χρησαμένοις, ἀλλ' οἰκείοις: according to Aristot. *Rhetoric* 1352b, a paradigm on the basis of many similar instances shows that something is such and such through the mechanisms of dialectic induction. The orator is about to give simple and well-known examples to show a difference in the approach of many events and subjects, in the progress from the fifth to the fourth century or rather from the age of the Persian wars to his age and the generation before his. That he uses Athenian examples is not a random choice; this becomes clear from III. 23 too (οὐ γὰρ ἀλλοτρίοις ὑμῖν χρωμένοις...παραδείγμασι ἀλλ' οἰκείοις, ᾧ ἄνδρες Ἀθηναῖοι, εὐδαίμοσιν ἕξεσσι γενέσθαι). It would be ignominious for the Athenians to try and emulate a foreign system (*see* also XX.105ff. for a different comparison where Athenians are told to try and avoid the Spartan and Theban examples as they are a democratic state). There is space for improvement if an older track is followed, a track which was made by Athenians, a few generations back.

ἐκεῖνοι Θεμιστοκλέα...καὶ Μιλτιάδην...οὐκ ἴσα τοῖς νῦν στρατηγοῖς ἀγάθ' εἰργασμένους: it was a moral argument used by orators that in the time of the Persian Wars and afterwards the people considered all the successes as belonging collectively to all the Athenians and not to the generals who were in command of the forces. Demosthenes uses an identical example in XXIII. 196-201. Sections 21-24 are extremely similar to sections 196-201 of XXIII. There is no doubt that the argument

about the ancestors fits perfectly with the orator's exposition and was pre-announced indirectly in **12**, see introduction, chapter 1 section III for the so-called doublets.

That it was or could be used as a moralistic argument and a rhetorical *topos* (see also Wade-Gery *J.H.S.* 53(1933)74-75) is also shown by Aeschin. III. 183-186 referring to Kimon's fights in Eion against the last strongholds of the Persians in Thrace. There Aeschines tells us of the demand of those who fought for some kind of recognition from Athens. The *demos* gave them "...τιμὰς μεγάλας, ὡς τότε ἔδόκει, τρεῖς λιθίνους Ἑρμῶς στῆσαι ἐν τῇ στοᾷ τῇ τῶν Ἑρμῶν, ἐφ' ᾧτε μὴ ἐπιγράφειν τὰ ὀνόματα τὰ ἑαυτῶν". Further on Aeschines asserts that even Miltiades asked for some formal recognition from the state which was not granted to him. From a historical point of view of course the reason why Miltiades and Themistokles were not feted was the brevity of their political ascendancy and the intensity of the political rivalry in the first decade of the fifth century. D. in XX. 112, regarding the Eion incident, seems to have a different opinion and it is evident that he is in favour of some formal "materialistic" recognition, a kind of *ateleia*. If nothing is given then the *polis* is in danger of being considered as ἀχάριστος (XX. 113). That he sees a difference between the practice of the 5th century Athenians and his contemporaries is evident from XX. 114: "...καὶ ἡ πόλις ἡμῶν ἐτίμα καὶ τότε τοὺς ἀγαθοὺς· αἱ μέντοι τιμαὶ καὶ τᾶλλα πάντα τὰ μὲν τότε ἦν ἐπὶ τοῖς τότε ἔθεσιν, τὰ δὲ νῦν ἐπὶ τοῖς νῦν"; one can deduce that he sees things are different from a previous state of affairs. This could be the answer to his own argument here in **21** where he wants to state that these generals of the past, although they did a far greater service to Athens than the contemporary ones, were honoured in a less exuberant manner. It is inconsistent, but his aim has to be examined too. In the *Leptines* speech he tried to prove the necessity of some kind of reward for services to the city but here he tries to shake off the complacency of the Athenian people and the individualism of their leaders, by making them remember that the great victories of the past required all the people as a whole.

The meaning of the phrase "οὐκ ἴσα...εἰργασμένους" is that the generals of the past did a greater service to Athens than the contemporary ones.

Μαραθῶνι: the adverbial use of this dative to signify *at* Marathon without the preposition ἐν is attested in two fragments of Eupolis: F106 and F233. Also see Lycurg. *Leocr.* 109 for the famous epigram of the battle of Marathon: Ἑλλήνων προμαχοῦντες Ἀθηναῖοι Μαραθῶνι, χρυσοφόρων Μήδων ἐστόρεσαν δύναμιν.

μὰ Δί': it is not there in XXIII.196. This type of oath is usually present in negative responses. According to G.H. Schaefer, Bekker deleted it and I would be inclined to do so as D. is not responding to any imaginary question; but the presence of μὰ Δί' here adds strong emphasis to the next sentence ἀλλ'... which describes the way the Athenians treated their victorious generals and could be kept if taken this way.

οὐ χαλκοῦς ἴστασαν: bronze statues were not set up in the 5th century by the state. The statues of Miltiades and Themistokles mentioned in Andok. I. 38 were privately ordered. D. XX. 70 and XXIII. 196 and the present passage do not show that these statues did not exist at some point in the 5th c. but that they were not erected by the state (*see also* W. Judeich *Topographie von Athen* 2nd ed.(Munich 1931)314 n. 4, M. Bieber *AJA* 58(1954)282-4). FA³Y (in the margin) add οὐδ' ὑπερηγάπων after ἴστασαν, copying probably from XXIII.196; there is no reason to add the phrase when so many other mss. do not have it.

ὥς οὐδὲν αὐτῶν κρείττους ὄντας: Cobet *MC* 65 and Weil are unable to understand the phrase as the way the Athenians honoured their competent generals in the 5th century. What Demosthenes means is that the generals were not treated any better than any other Athenian citizen and no special favours were granted to them; the Athenians did not deem them better than themselves. The generals were equal to all the rest of the citizens.

Section 22

καὶ γὰρ τοι: makes the reasoning more emphatic, "and indeed, because...".

καὶ γὰρ τοι τῶν ἔργων οὐδενός,..... ἀλλὰ τῆς πόλεως: these sentences expose the aim of the orator. It is an exhortation to the people. The Athenians of the past generations were not idle but always got their share of responsibility and that is why the battles fought for independence against the Persians were named after them and not after the generals in charge. This should be seen also in conjunction with 19, where the

Athenians are asked to take up their responsibility and not leave it to the generals: "ἂν δ' ὑμεῖς δι' ὑμῶν αὐτῶν ἕκαστα πράττειτε, τὸ ἴσον τοῖς ἄλλοις ὥσπερ τῶν ἔργων αὐτῶν, οὕτω καὶ τῶν ἐκ τούτων ἔξειν" (note the use of the word ἔργον meaning "action").

ἀπεστέρησαν αὐτούς: Cobet *VL* 196 suggested ἀπέστησαν αὐτοῖς which means to "distance themselves, to avoid". Since the mss.' reading makes sense there is no reason for an emendation here.

Κέρκυραν εἶλε Τιμόθεος: in 375 Timotheos managed to bring into the Second Delian League the island of Corcyra (Isoc. *XV.* 108, Xen. *Hell.* V. 4. 63-66) after an invitation from the democratic party. In Isocrates *loc. cit.* Timotheos is praised for capturing it by storm but it seems from Xenophon that Timotheos defeated the Spartan admiral Nikolochos in Alyzeia, **after** gaining control of the city of Corcyra. The latter seems more probable as naturally oratorical exaggeration made Isocrates magnify the abilities of Timotheos.

καὶ τὴν μόραν κατέκοψεν Ἴφικράτης: μόρα is a division of the Spartan army and there were six divisions in all (Xen. *Lac. Pol.* XI. 4). In 390 Iphikrates managed almost to annihilate a Spartan μόρα of about 600 men which was returning to Lechaion (one of the two ports of Corinth, the one in the Corinthian gulf), 250 men were killed, mostly hoplites, and this was a great blow to the Spartan morale (Xen. *Hell.* IV. v. 7-18). Sparta considered her hoplites invincible and this was one of the rare times that Sparta was defeated on the land (a previous instance is Pylos in the 420s, and after 375 at least twice when they encountered Epaminondas in Leuktra and Mantinea).

καὶ τὴν περὶ Νάξον ναυμαχίαν ἐνίκη Χαβρίας: Diod. XV.34.5-35.2 tells us that Chabrias laid siege to Naxos (September 376) when Pollis, the Spartan admiral, attacked him. According to Diodorus it was the first Athenian victory after the Peloponnesian war since the battle of Knidos in 394 was won with a Persian fleet. The people of Athens welcomed Chabrias back enthusiastically.

For the above three victories each one of the generals was awarded a bronze statue erected by the state (Aeschin. III. 243): Iphikrates for the Spartan μόρα, Chabrias for Naxos and Timotheos for Corcyra. The orator's criticism is justified and the bronze

statues are an acknowledgement of the personal character of the above victories. The scholiast Dilts page 168 line 4 is right when he sees as the reason for the different honours in the 5th and the 4th c., the presence and absence of citizen military service respectively.

ὑπερβολαῖς: it means to "go beyond", cf. D.M. MacDowell's *Against Meidias* (Oxford 1990) note on XXI.16. The translation goes "For you seem yourselves to withdraw from (= to give up your claim to) these actions by the excessive honours which you have given to each of these, for them".

αῖς: FAY read ἄς; it is an attraction from ὑπερβολαῖς. In XXIII.198 it is a dative in all the mss.

Section 23

πολιτικὰς: granted to citizens, regarding citizens, in contrast to τῶν ξένων, cf. D. XX. 18 αἶ τε τῶν μετοίκων λητουργίαι καὶ αἶ πολιτικάι.

δωρεάς: namely privileges and immunities, political gifts. There were many kinds of privileges that were given in Athens. To mention some there were the bronze statues, σίτησις under public expense (D. XX. 120), and *ateleia* namely not being liable for liturgies or taxes which has been discussed in the introduction, chapter 2 section III. Ostensibly here the orator refers to privileges granted to citizens, as he will move on to the privileges granted to foreigners (for more instances of the word δωρεά in D. see: XX. 5, 41, 82, XXI. 165, XXII. 5, 9, XXIII. 65 etc.).

ἐκεῖνοί τε καλῶς καὶ ἡμεῖς οὐκ ὀρθῶς: this figure of speech is called *paromoion* (when words within the clauses are made to correspond). καὶ λυσιτελοῦντως is added after καλῶς in XXIII. 199, but it is not necessary to add it. After καλῶς FY add ἔνεμον which is not necessary for the meaning. The absence of a verb is overt but it is also easy to see that the verb understood is to give out, to distribute.

τάς δὲ τῶν ξένων πῶς: this is exactly the same with XXIII. 199, and forms an *homoioteleuton* with the previous sentence.

Μένων Φαρσάλιος: I have based my account on M.J. Osborne's *Naturalization in Athens* vol. III (Brussels 1983) 20-23(T1). This Menon seems to have been made an

Athenian citizen, around 476, after Kimon's victory at Eion where he helped him with money and reinforcements. It is not very easy to establish that he was an Athenian citizen as this is not confirmed by any contemporary source other than *ostraka* and Demosthenes is not consistent as we shall see in two occasions where he mentions him. Later sources though, assert that Menon was a citizen.

I will begin from these later sources as I think that the *ostraka* should verify what we know from them. Hesychios s.v. Μενωνίδαι says that these were followers of Menon who was, as some say, ostracised. This evidently implies that Menon was a citizen (*see* also A.E. Raubitschek *Hesperia* 24(1955)286 on the emendation of Hesychius' entry). Markellinos in his *Life of Thucydides* 28 mentions that there was more than one person with the name of Thucydides in Athens. One of these was Thucydides, son of Menon: τρίτος δὲ γένει Φαρσάλιος, οὗ μέμνηται Πολέμων ἐν τοῖς περὶ ἀκροπόλεως, φάσκων αὐτὸν εἶναι πατρὸς Μένωνος. The dative γένει shows that this Thucydides was not a native Athenian but that he either was naturalized along with his father Menon or Markellinos means that he was not from Athenian ancestors. The scholia on Aristoph. *Wasps* 947: τέσσαρες δὲ εἰσι Θουκυδίδαι Ἀθηναῖοι· ἱστοριογράφος καὶ ὁ Γαργήτιος καὶ ὁ Θετταλὸς καὶ οὗτος,.. [Thucydides son of Melesias]. This seems to confirm what Markellinos says, with a small difference which will acquire meaning later. Markellinos does not mention anybody from Gargettos.

There have been *ostraka* found in the Agora and the Kerameikos with the name Menon Gargettios on them. There are 4 from the Agora (E. Vanderpool *Hesperia* Suppl. 8(1949)411=M. Lang *Ostraka* vol.25(*The Athenian Agora* 1990)96 nos. 643-6) and two major deposits from Kerameikos A and B (80 and 665 respectively). The number of the *ostraka* shows that this Menon (there were also four other Menons but each had one *ostrakon* only, except for one who had 12, all from deposit B, *see* Osborne 20-21) was a strong candidate for ostracism. Deposit A was published by W. Peek *Kerameikos* III 51ff. and B by F. Willemsen *AM* 80(1965)113ff., *AA* (1968)B(1)24ff. and R. Thomsen's *The Origin of Ostracism=Humanitas* 4(Copenhagen 1972)68ff. D.M. Lewis *ZPE* 14(1974)1ff. claims that the great Kerameikos deposit (B) contains *ostraka* from a single *ostrakophoria*, which makes quite extraordinary the fact

that there were also four more Menons. Willemsen in *AA* (1968)B(1)24ff. had claimed that B was a mixed deposit containing *ostraka* from different occasions but Lewis' opinion suits better our case. It seems then that Menon from Gargettos who was ostracised according to Hesychius was not only an Athenian citizen but also a probably strong political figure. The reason for his ostracism seems to have been indicated by two *ostraka*. One from A (W. Peek *Kerameikos* III 71f. no. 121) says that Menon was a traitor (this accusation probably referred to the Thessalian *medismos* during the Persian invasion in the 480s) and one from B (D.M. Lewis *op.cit.*4) which says that Menon's conduct during his archonship was stigmatised. There was a Menon as an archon in 473/2 and if indeed our Menon was that archon then, as Osborne 22 claims, it is probable that Menon was a candidate for ostracism as soon as 471/0 (D.M. Lewis *loc. cit.* asserts that the *ostrakophoria* in question was conducted in the 470s). A last argument about Menon's identification with the Menon on the *ostraka* was provided by Raubitschek *op.cit.* where he claimed that the Thukydidides from Gargettos in the scholion on *Wasps* 947, can be identical with the Θετταλός mentioned in the same scholion since Markellinos does not have in his account anybody from Gargettos (he does not mention the deme of Thukydidides son of Menon).

In conclusion it is obvious that the case of Menon from Pharsalos being a citizen is frail and that he was an archon even frailer but in the absence of any contradicting evidence except for 23, I am inclined to accept that Menon was made a naturalised citizen around the 470s probably through the influence of Kimon, the general who annexed Eion to the Delian League, and that if we are to judge from the lemma in Hesychius, he came to Athens and was followed by some of his followers. That he came to Athens can be also inferred from Markellinos and the scholiast who show that his son lived in Athens.

Weil gives a reference to Thuk. II. 22. 3 where a Menon is the commander of Pharsalian cavalry reinforcements to Athens as if this Menon could have something in common with the Menon of the 470s. Osborne 23 n.17 says: "If Menon is indeed the man who came to the aid of Athens, in 431 (Thucydides 2.22.3), this [namely that Menon was a young man like Kimon in the 470s] is certain." Now Kimon was in his

early thirties at the time of the Eion campaign, cf. Davies, *APF* 302 f. I doubt the connection with Thuk. II. 22.3 for the reason of Menon's age. Menon would be at least 72 years old even if he was 27 at the siege of Eion in 476/5. It would be somewhat difficult for him to ride and be a commander during the skirmish described by Thukydides, but of course on the other hand Agesilaos, the Spartan King, was able to command until he was very old (Plut. *Ages.* 36. 3 and 40. 3 asserts that Agesilaos was 80 when he set sail for Africa and about 84 when he died on the way back; cf. Xen. *Ages.* chapters 15-16). A relevant question would be what age he was at the time of the Eion attack. Whether he was in his thirties or twenties it is impossible to know. If he was an archon in 473/2 he was at least 27 years old in 476/5 (Aristot. *A.P.* does not set the age-limit of the archonship. It is a better conjecture that it was the age of 30. There was a limit for the councillors Aristot. *A.P.* 4.3 in early Athens; "τοὺς ὑπὲρ τριάκοντα ἔτη γεγονότας". In the classical period this was the age requirement for jurors Aristot. *A.P.* 63.3, bouleutai (for the 400's regime: *A.P.* 30.2, the Thirty tyrants Xen. *Mem.* II. 35, the democracy: D. XXII. hyp. 1 where only that there was an age-limit is mentioned) and probably for most of the regular officials, see P.J. Rhodes *Constitution* 510). Consequently I think that the Menon of Thukydides was either one of our Menon's sons or somebody else who had the same name as he had.

τὸν ἐπ' Ἡϊόνι τῇ πρὸς Ἀμφιπόλει πόλεμον: Thukydides mentions it in I. 98. There was another Eion called ἡ ἐπὶ Θράκης, a settlement from Mende (perhaps within the peninsula of Chalkidike); Thuk. IV. 7 says "Σιμωνίδης Ἀθηναίων στρατηγὸς Ἡϊόνα τὴν ἐπὶ Θράκης Μενδαίων ἀποικίαν". For the story of the defence of Eion near Amphipolis by Bages the Persian commander and his defeat by Kimon, see Hdt. VII. 107, Aeschin. III. 183-185, Plut. *Kim.* 7-8.2, Diod. XI. 60. 1-2.

διακοσίους δ' ἵππεῦσι: Thessalians were always renowned for their cavalry. In XXIII. 199 τριακοσίους is mentioned. The difference is unanimous in the manuscripts and there is no reason for any emendation as D. could have remembered differently the number of the cavalry men in those two instances. At any rate it will always remain a mystery exactly how many cavalry men Menon offered to Kimon.

πενέσταις ἰδίοις βοηθήσαντι: it seems that Menon was a rich aristocrat who had under his power the workers of his land. About what exactly these penestai were the ancient sources seem to be confused. Hesych. s.v. *πενέσται* expresses this confusion: "οἱ μὴ γόνῳ δοῦλοι, οἵτινες εἰργάζοντο τὴν γῆν. τινές δε οἱ εἴλωτες, τινές δε λάτρεις ἢ ἐργάται πένητες ἢ ὑπήκοοι." Harpokration Π48 essentially defines them as the Thessalian *heilotes*. Photius gives an explanation (s.v. *πενέσται*) that more or less makes them seem like the *εἴλωτες*: "οἱ παρὰ Θεσσαλοῖς μὴ γόνῳ δοῦλοι ὑπὸ τῶν ὑπὸ Αἴμονος ἐν Αἰγίνῃ νικηθέντων Βοιωτῶν, οὐ φυγόντων τὴν παρ' αὐτῷ δουλείαν, ἀλλὰ μεινάντων μέχρι τῆς γ' γενεᾶς φιληδούντων τῇ χώρᾳ. Παρέδωσαν δὲ ἑαυτοὺς ἐφ' ὄρκῳ ἐπὶ τῷ μήτε παθεῖν τι ἐργαζόμενοι, μήτε ἐκβληθῆναι ἀπὸ τῆς χώρας, καὶ ἀπὸ τοῦ μεῖναι μενέσται καλούμενοι, ὕστερον πενέσται μετωνομάσθησαν, παραφθαρέντος τοῦ χαρακτήρος." I am not at all sure about either the validity of the story or the change from *μενέσται* to *πενέσται*. The root of *πενέσται* must be connected with *πένομαι* and it seems that the living conditions of these people were not good. Athenaeus VI. 264a claims that Ἀρχέμαχος ἐν τῇ τρίτῃ Εὐβοϊκῶν gives the story of the *πενέσται*, as Boiotians who did not return back to their country but preferred to stay in Thessaly since the country was rich. This account coincides to a great extent with the account by Photios quoted above. He mentions too the change from *μενέσται* to *πενέσται* and in 265b-c is asserting, using the authority of Theopompus (ἐν τῇ ἐβδόμῃ καὶ δεκάτῃ τῶν ἱστοριῶν), that the Thessalians along with the Lacaedemonians discovered slavery since they enslaved people that used to live in the territories they now occupy; the Thessalians the *πενέσται* and the Spartans the *εἴλωτες*. This is quite different from 264a as there the *πενέσται* had stayed of their own freewill.

It seems to me that these accounts are confused and that the *πενέσται* were quite an old class of people in Thessaly and there were naturally efforts to explain their name and working conditions. As it is mentioned the *μενέσται* theory is precarious. A question is whether they were free or slaves. Aristophanes mentions them in *Wasps* 1273: "εἶτ' ἐκεῖ μόνος μόνοισι τοῖς Πενέσταισι ξυνῆν τοῖς Θετταλῶν, αὐτὸς πενέστης, ὦν ἐλάττων οὐδενός". D.M. MacDowell *Wasps* (Oxford 1971),

commenting, asserts that "These Penestai were people without citizen rights, and are often compared to the Spartans' helots, but seem to have been less harshly treated", cf. H.D. Westlake *Thessaly in the Fourth Century BC* (London 1935)27-8. If they were like the εἰλωτες then they were almost like slaves. If they were free they could be poor people, who under a master (e.g. Menon), cultivated the land and gave the biggest part of the crop to the land-owner. The latter is corroborated by Dion. Hal. in II. 9. Dionysius is comparing the Greek πελάται to the Roman ones. He praises the Roman practice and presumes that the θῆτες in Athens and the πενέσται in Thessaly were treated badly, although they were free people: "ὑπεροπτικῶς ἐχρῶντο τοῖς πελάταις ἔργα τε ἐπιτάττοντες οὐ προσήκοντα ἐλευθέροις...πληγὰς ἐντείνοντες καὶ τᾶλλα ὥσπερ ἀργυρωνήτοις παραχρῶμενοι. ἐκάλουν δὲ Ἀθηναῖοι μὲν θῆτας τοὺς πελάτας ἐπὶ τῆς λατρείας, Θετταλοὶ δὲ πενέστας ὀνειδίζοντες αὐτοῖς εὐθὺς ἐν τῇ κλήσει τὴν τύχην."; for the condition of the θῆτες before the time of Solon cf. Plut. *Solon* 13. 4-5: "ἅπας μὲν γὰρ ὁ δῆμος ἦν ὑπόχρεως τῶν πλουσίων. ἢ γὰρ ἐγεώργουν, ἐκείνοις ἕκτα τῶν γιγνομένων τελοῦντες, ἐκτημόριοι προσαγορευόμενοι καὶ θῆτες, ἢ χρέα λαμβάνοντες ἐπὶ τοῖς σώμασιν, ἀγώγιμοι τοῖς δανείζουσιν ἦσαν...". It is impossible to know how valid this account is too, but Xenophon seems to shed some more light in *Hell.* II. 3. 36: "ὅτε γὰρ ταῦτα ἦν, οὐ παρὼν ἐτύγχανεν, ἀλλ' ἐν Θετταλία μετὰ Προμηθέως δημοκρατίαν κατεσκεύαζε καὶ τοὺς πενέστας ὥπλιζεν ἐπὶ τοὺς δεσπότης". In this instance the πενέσται were oppressed and their oppressor was an aristocratic regime. The πενέσται seem eager to revolt and favour a democratic government.

D.M. MacDowell thinks that the πενέσται did not have any citizen rights but I do not think that they were slaves and certainly not like helots. The comparison in many of the sources with the helots is too handy. I am more willing to accept the evidence that Xenophon and Dionysios give. In a fight for a democracy the πενέσται who are free but do not play any role in decision-making were the ones to fight for a system with broader responsibilities and privileges for them. I would like to compare them for example with the Athenians after the regime of the 5,000 in 410. Those left out from the franchise would certainly not be slaves but of another intermediate status; they were

farmers, probably attached to a nobleman and they would rent his land. As rent they would offer a certain percentage of their crops.

οὐκ ἐψηφίσαντο πολιτείαν, ἀλλ' ἀτέλειαν ἔδωκαν μόνον: *see* introduction, chapter 2 section IIIb.

Section 24

Περδίκκα τῷ βασιλεύοντι Μακεδονίας: Osborne dismisses Perdikkas (c.440-413 BC) as a possible candidate for the grant of citizenship despite the testimony of Demosthenes in XXIII. 200 and a mention of an *ateleia* grant in 24, substituting the name of Alexander I (c. 485-440) for Perdikkas (*see* Osborne *op. cit.* 108-109 (PT 124) and 121(X1):" The name Perdikkas in both of the passages cited here is clearly a mistake for Alexandros, who was king at the time of the events described. There is thus no valid reason for supposing Perdikkas to have been given the citizenship." I disagree with Osborne, who too easily rejects the readings of the manuscripts. His misconception begins with his supposition that the Perdikkas mentioned, is the son of Alexander I, the latter's successor. It is true that during the time of the siege of Eion by Kimon, Alexander was the king of Makedonia, and as far as I know Perdikkas, his son and king after his death, was never granted the reward of the Athenian citizenship at any time of his relations with Athens, which were not very good during the Peloponnesian war (Thuk. II. 99, in his account of Makedonia and her kings does not mention that Perdikkas was a citizen of Athens). The son of Alexander was then probably not a citizen.

If one accepts the emendations, then Alexander was given the citizenship. This is highly hypothetical since there is no other evidence for it. On the contrary Alexander was mentioned by Hdt. VIII. 136 as a *proxenos* and *euergetes* of Athens. There is no mention of citizenship and I think that Herodotos, who presents Alexander very favourably, would have been happy to mention it. Another point is that he never fought the Persians. The only time he allegedly offered some substantial help was when he told the Hellenic commanders of the Persian intentions, before the battle of Plataea (Hdt. IX. 44 f.). Lykourgos (*In Leocratem* 71) says that the Athenians almost stoned to death Alexander when he brought them the terms of Mardonios before Plataea (cf.

Hdt. VIII. 140). Osborne argues that *ateleia* on the one hand was improbable for an absentee monarch. Yet he asserts page 157 that "in any case the Athenians themselves frequently made grants of citizenship to persons whom they must have known would be unlikely to implement them. A comparison with king Leukon of the *Leptines* speech (29 and *passim*) shows that an absentee monarch could be given *ateleia*, although Leukon was also granted the citizenship (a thorough examination of Leukon along with the discussion of *ateleia* has been conducted in the introduction, chapter 2 section IIIa&b). Osborne 109, concludes that "in such circumstances there is a very good chance that a grant of citizenship was made to Alexandros in 479 [after I suppose the battle of Plataea]". The arguments he uses and the silence of Herodotos are insufficient to support a grant of citizenship for Alexandros and the consequent text-emendations.

I would like to revive A. Schaefer's view which was expressed in *Demosthenes* vol. III, 93 n.2. He suggested that "Dahin mag die That des Perdikkas gehören, den ich für einen makedonischen Theilfürsten halte." It is of course totally unattested that this Perdikkas in XXIII. 200 and XIII. 23 was a local prince and the assertion that this Perdikkas was king of Makedonia by the same texts - βασιλεύοντι Μακεδονίας, when the barbarian invasion took place (during which we are sure Alexander I was king), complicates the suggestion further. The best way to solve the problem is to claim that there was a confusion between Perdikkas, the son of Alexander who became king, and this local prince Perdikkas who annihilated the barbarians in their retreat; it is exactly Perdikkas' role in this retreat that is being stressed in 24. Hdt. IX. 89 tells us that when the remains of the Persian army headed north after Plataea, they were annihilated by weather conditions and attacks. It could be that a local prince, subject to Alexander, was the leader of these attacks and became a local hero. Herodotos did not find it very important (perhaps he disapproved of the grant or preferred that Alexander should have been honoured and not one of his subjects) to include it in his account of the Persian retreat (which is extremely brief), but Athens granted him the citizenship and he might have even come to live to Athens after the grant. My opinion is that Menon and Perdikkas were given both *ateleia* and citizenship and I have argued this in the introduction, chapter 2 section III a&b.

ἐπιστρατείαν: means expedition, cf. Hdt. IX. 3, Thuk. II.79.

καὶ σεμνὴν τὴν αὐτῶν πατρίδ' ἡγούμενοι καὶ πάσης μείζον' εὐεργεσίας:

Cobet *MC* 66 suggest substituting πολιτεία for πατρίδα but this does not seem to be necessary. It is true that a contrast is made between *ateleia* and *politeia* but the Athenians anyway considered their country as a whole superior to any benefaction and it is useful to remember that πατρίς includes Athenians only.

νῦν δ': this signifies the end of the reference to the past practices and the return to the present Athenian policies.

φθόρους: pestilent fellows. cf. Aristoph. *Eq.* 1151, *Th.* 535, Theocr. XV. 18. A synonym would be ὄλεθρος, see Hdt. III. 142, Aristoph. *Lys.* 325, Eupolis F406.

οἰκοτρίβων οἰκότριβας: an οἰκότριψ was a slave born and bred in the house cf. Aristoph. *Thesm.* 426. A synonym would be οἰκογενής. The repetition of these two words is emphatic. An οἰκότριψ was already a slave born and bred in the house. The sequence of two generations of slaves is deliberately derogatory, to emphasise the big difference between persons honoured in the 5th and in the 4th c., cf. the Lysianic δοῦλος ἐκ δούλων.

τιμὴν ὥσπερ ἄλλου του τῶν ὀνίων λαμβάνοντες, ποιεῖσθε πολίτας: (cf. XXXIII. 201-202) Demosthenes' accusations are justified as the motives for granting the citizenship had deteriorated in the 4th c. The best commentary is XXXIII. 202-205 : "πρῶτον μὲν, ἵνα τῶν τελευταίων πρώτων μνησθῶμεν, Ἀριοβαρζάνην ἐκεῖνον οὐ μόνον αὐτὸν καὶ τοὺς υἱεῖς τρεῖς ὄντας πάντων ἤξιωσαν ὅσων ἐβουλήθησαν...[προσέθηκαν αὐτῶ] Φιλίσκον καὶ Ἀγαυὸν...Φρασηρίδην καὶ Πολυσθένην, ἀνθρώπους οὐδ' ἐλευθέρους, ἀλλ' ὄλεθρους...". D. refers there to people who in his opinion did not deserve the citizenship. Most of the people that got citizenship did so, because they had helped Athens in a particular instance, and the generals favoured them. As repayment for their services the generals would ask the *demos* for citizenship for their protégés from the *demos*, see XX. 84-86. The most notorious cases were Ariobarzanes, Philiskos and Charidemos.

Ariobarzanes was the ring-leader of the great satraps' revolt which began around 367/6. In 368 he had sent Philiskos, one of his commanders to Delphi to call for a

general peace. This peace would be in favour of Sparta and against Thebes, as Messene was granted back to Sparta. The peace was not made, but anyway, Philiskos raised 2,000 mercenaries to help Sparta. According to XXIII. 202 Timotheos was responsible for the grants of citizenship to both Ariobarzanes and Philiskos. The motives are not very clear. At that time Athens was jealous of the power of Thebes and it is not difficult to understand that they would support a peace against Thebes. From XXIII. 142 we learn that Philiskos was supporting financially mercenaries in Perinthos, an ally of Athens, and from Corn. Nepos *Timoth.* I. 3 that Ariobarzanes had given two cities to Athens from the very sensitive region of the Hellespont, Sestos and Krithote, and one can imagine that Ariobarzanes was honoured for that offer. The policy of Athens is not very clear at that point of her history, but it is not hard to imagine that she honoured Philiskos in order to lure Ariobarzanes, and the satrap's citizenship was so as to thank him for his offers and perhaps to make him more favourable towards Athens. Charidemos from Oreus was given the citizenship because of the Thracian king Kersobleptes (Dem. XXIII. 141, granted in 357/6; see H.W. Parke *Greek mercenary soldiers* (Oxford 1933)152ff.). D. saw all these honours as signs of decline, and the situations for which they were granted as unworthy (see also Isoc. *On the Peace* 50).

Section 25

τοῖς μὲν ἐφ' αὐτοῖς: refers to the ancestors.

παρειστήκει: the pluperfect is necessary because of the perfect which follows.

μέγα φρονεῖν: Demosthenes believes in this "great spirit" that Athens had two or three generations ago as opposed to the narrow-minded individualism that has settled in.

ἔστι δ' οὐδέποτε,...καὶ τὸ φρόνημ' ἔχειν: these lines are almost identical with III. 32.1-4; one can hardly find a better place for this remark than in 25. After a vehement criticism of individualism he moves on to shatter any claims that Athens can possibly have anything to do with what she was in the past. He points out, with a series of antitheses, that the city will be judged on its deeds and not on intentions. Φρόνημα "spirit" is directly analogous to how one acts.

The orator is trying to shock his audience and wake them up. He is destroying the illusion that they are the greatest city by pointing towards their deeds. People with such a record are not likely to think any better. It is remarkable how D. seems to be so remote, as if he is from another city, when he passes this judgement. This makes the argument very successful as the Athenians are likely to see that they live in an illusion and think that by thinking greatly only, failure is at hand.

ἀνάγκη: ἔστι is understood; the impersonal construction governs ἔχειν.

Section 26 (cf. 26-31 with III. 23-31)

Σκέψασθε δ' ἅ τις κεφάλαια ἂν ἔχοι.....ἀλλ' ἐκ τούτων γε δύνησθε γενέσθαι: the text is extremely complicated by various readings from the mss. and more suggestions from scholars. S and A after εἰπεῖν add ἴν' ἀκούσαντες. This makes things difficult as there seems to be no verb which corresponds to this final clause. The verb could be the subjunctive δύνησθε compatible with a final clause. The particle ἂν though suggests that ἂν ... δύνησθε is a protasis. If one omits ἂν and takes δύνησθε with ἴν' the meaning would be adequate: "Think of then all those things one could probably say, so that through hearing your ancestors' and your own deeds you may be able to belong to yourselves [i.e. to regain control of their own destinies, to take a more active part in the government of the city] but only through them [the ancestors]". The seclusion of ἂν though is not attested by the mss., yet it is the only way to preserve intact the reading of S and A. A reason though that makes me think that ἂν is secure is the particle ἄρα which indicates that the hypothesis is one of which the possibility has only just been realised "If, after all", cf. Denniston *Particles* 37, quite appropriate for this protasis, and would be stranded at such a place without a new sentence.

The ἴν' ἀκούσαντες clause cannot be dismissed without a serious effort to accommodate it. The ἴνα clause is there to demonstrate the thought that in order to act, to change, they have to listen to a comparison of the present and the past. The verb that could be added could be πράττετε. This would not enhance particularly the meaning because the same thought more or less, of change and action is carried by the protasis. Weil correctly then secluded ἴν'; but he left the participle ἀκούσαντες (Cobet

deleted both), which offers a considerable change in the meaning. If the participle is kept, the meaning is not exactly clear: "Think of all those things one could say about you and your ancestors...if, after all, you could come to belong to yourselves etc." is the meaning without the participle, and "Think of all those things one could say about the present situation (after you heard their deeds [your ancestors] and yours [in contrast]) if, after all, you could come to belong to yourselves" with the participle. As one can see the second meaning is not impossible but lacks the perspective D. wanted to give. Before explaining this, the phrase τῶν πραγμάτων, which Butcher does not think belongs to the original text (mss. BFYO omit it), is perhaps more necessary if the second option is preferred as the genitive τῶν τ' ἐκείνοις ...καὶ τῶν ὑμῶν would belong to the participle as its object without specifying κεφάλαι' any more. But still τῶν πραγμάτων is not really necessary as the word κεφάλαι', even if the participle is kept, does not actually need τῶν πραγμάτων to specify it.

If ἂν is to be retained the axis of the sentence can be better defined. It is a protasis and an apodosis: ἂν ἄρ' ὑμῶν αὐτῶν ... δύνησθε γενέσθαι, σκέψασθε ἅ τις κεφάλαι' ἂν ἔχοι εἰπεῖν. It is a future condition which suggests to the Athenians that if they decide to change, they should think of the major points they could make about their own performance and their ancestors. It is a rather elaborate way to say that discussion involving comparison about the present and the past, should lead to a change in the Athenian attitude. A similar point, without the protasis, is made in III. 23: καίτοι σκέψασθε...ἅ τις κεφάλαι' εἰπεῖν ἔχοι τῶν τ' ἐπὶ τῶν προγόνων ἔργων καὶ τῶν ἐφ' ὑμῶν. This period is summing up the previous sections contrasting the ancestors with contemporary Athenians but also points toward the next forthcoming comparison.

The presence of ἀλλ' in ἀλλ' ἐκ τούτων γε is of particular importance to a whole series of emendations. ἀλλά...γε, first of all, according to Denniston *Particles* 119, defines more sharply the opposition that ἀλλ' expresses here. First let us clarify what ἐκ τούτων refers to; it can easily be inferred that the phrase refers to τῶν τ' ἐκείνοις πεπραγμένων. Ἄλλά is omitted by all the other mss. except for S. All the editors keep it and their preference is in my opinion correct. D. builds his arguments up on a

comparison between contemporary and ancestral competence. When the orator suggests that if they come to belong to themselves, but only "from these" - ἄλλ' ἐκ τούτων, he is carrying on the comparison, this time by urging his compatriots to come round by using the example bequeathed to them by their ancestors. ἐκ τούτων I take to mean "from, through the ancestors". In my opinion ἄλλ' does not quite produce the meaning required with the text Butcher and Fuhr provide us. The meaning is "if after all you come to belong to yourselves but from them [the ancestors]. This is not a satisfactory meaning unless we define the meaning of γενέσθαι ὑμῶν αὐτῶν. There is a phrase in D. IV. 7 which offers a similar structure: "συνελόντι δ' ἀπλῶς ἂν ὑμῶν αὐτῶν ἐθελήσετε γενέσθαι,..."", in this instance D. is asking the Athenians to take up, each one, his responsibilities concerning the government of Athens. So although the phrase γενέσθαι ὑμῶν αὐτῶν is actually perfectly satisfactory in itself, here D. wants to build up a difference between present and past, and through comparison, project the ancestral spirit as the best way to go forward; as opposed to the way things are done now. That is why I think Y³'s text (in the margin) in this case (and the correction in S - μὴ ἄφ' is added under ἄρα) are better: ἂν ἄρα μὴ ἄφ' ὑμῶν [αὐτῶν ἄλλ' ἐκ τούτων γε is not in Y³] δύνησθε γενέσθαι κρείττους [the mss. add either βελτίους or κρείττους. i. βελτίους before γενέσθαι Vind. I and after, F Y O. ii. κρείττους after γενέσθαι S and B, Y³ (margin) before, A]. The version above makes better sense as the meaning is "if, after all, you manage to become better not from your own selves but from them."³⁶; this reading was adopted by Croiset. The comparative κρείττους or βελτίους is also necessary because γενέσθαι needs an object after ὑμῶν αὐτῶν becomes linked to the preposition ἄφ'.

A reason for all these different readings in the first period of 26 could be that it was not found clear by various scholars who tried to "clarify" it. For example the ἴν' ἀκούσαντες addition was probably a note that explained the argument that the Athenians had to improve through a conscious emulation of their past (τῶν τ' ἐκείνοις

³⁶ It was suggested to me by S. Usher that a different solution could be adopted: ἴν' εἰ μὴ ἄφ' ὑμῶν αὐτῶν ἄλλ' ἐκ τούτων γε δύνησθε βελτίους γενέσθαι.

πεπραγμένων καὶ τῶν ὑμῶν) which was incorporated in the text. I consider Croiset's text the most satisfactory and most likely to be the nearest to the original text.

This period shows the way D. thought of the past. He was always looking for the gist of the past age, something that symbolised it and could serve as an incentive to his contemporaries. He also thought that if his compatriots proved worthy of an honourable past their deeds would be remembered by the people of the future generations. He sees Athens of the past as a city of glory **24**, a prudent leader among the Greeks **26**, a city with frugal leaders **28**, who constantly toiled to make Athens worth of its name **28-29**, a city that honours its friends not exuberantly, bearing in mind its own stature **23**. What he wants to avoid is the fame of a city with citizens looking after their own business and personal benefit, a mediocre and inconsistent one.

ὑμῶν αὐτῶν...γενέσθαι: the meaning of γενέσθαι ὑμῶν αὐτῶν has been roughly explained above (I have preferred a different reading). To shed some light on the reason for the Athenians to become masters of themselves once again, the connection with ὅτε ὁ δῆμος δεσπότης τῶν πολιτευομένων ἦν καὶ κύριος αὐτὸς ἀπάντων [cf. **31**, III. 30] and **31**: "ὁ δὲ δῆμος ἐν ὑπέρειτον καὶ προσθήκης μέρει, καὶ ὑμεῖς ἀγαπᾶθ' ἂν οὗτοι μεταδιδῶσι λαμβάνοντες" has to be made. In **19** and **20** Demosthenes indeed suggested that the generals get the benefits doing nothing for the city. In **20** the Athenians sell *eudaimonia* to their politicians and generals, and keep for themselves complacency and idleness. It must be an attack on the party of Euboulos, which was protecting the interests of the upper and richer Athenian classes by giving small allowances to the people. This way the people had lost their grasp upon the city, and the most rich classes dominated the decisions.

It is suggested by Cobet that the phrase ὑμῶν αὐτῶν γενέσθαι comes from the manumission of slaves. He quotes Priscianus *Instit.* 17. 110. Priscianus talks about a syntactical phenomenon asserting that the possessor cannot be the possession at the same time, except in cases of emphasis. To prove the latter he proceeds to give three examples, of which probably the first and certainly the second refer to the manumission of slaves; "meus ego sum et servus et dominus" and "vindicta postquam meus a praetore recessi". The controversial example is from Euripides, quoted as the third

example by Priscianus: "ἐγὼ δὲ ἐμός εἰμι". It is not impossible that this phrase was uttered by a freed slave in one of Euripides' plays. Nauck (Euripides F1005) seems to doubt that this phrase, as it is transmitted by Priscianus, is accurate and he is suspicious of it especially in view of a similar phrase by the comedian Apollodoros from Karystos. This phrase has been preserved by Donatus commenting on a verse of Terence's *Phormio* 587: "nam ego meorum solus sum meus". The text of Apollodoros as it has survived in Donatus' commentary (*Commentum Terenti* edited by P. Wessner vol. II (Leipzig 1905) has a lot of problems and I will give Kassel/Austin's version (F25): ἐγὼ γὰρ εἰμι τῶν <ἐμῶν> ἐμός <μόνος>, meaning, "From all my belongings I alone belong to myself" which is different from Euripides' fragment, "I *now* [if one accepts Cobet's addition - ὦν] belong to myself." Apollodoros' fragment is without a context, and in *Phormio*, Chremes, a free citizen, is complaining, being depressed about his poverty and domineering wife (see J. Barsby *Terence Phormio* (Bristol 1991) *ad loc.*). Whether Terence's verse is inspired from the manumission of slaves' context is not known, (in *Phormio*, it is not), and it might be irrelevant especially if used to judge what the context of Apollodoros' fragment was. I cannot accept Nauck's suggestion that the fragment should be emended to ἐγὼ δ' ἐμός <γὰρ> εἰμι τῶν ἐμῶν μόνος which is identical with Apollodoros' fragment, for I can see no reason to mistrust Priscianus, who clearly picks his examples from the sphere of the manumission of slaves.

It has to be clarified that the two phrases of Euripides and D. are not quite the same, whereas the fragment of Apollodoros is completely out of context and *Phormio* 587 does not seem to originate from the area of the manumission of slaves. One can belong to oneself without having to be literally a slave. The phrase γενέσθαι ὑμῶν αὐτῶν indicates a state of previous subordination which has to be overcome, but that state does not have to be slavery and in the case of the Athenians they were subordinated by the upper classes and their own idleness. In view of all the above it is certainly not beyond doubt that the phrase originated from the manumission of slaves nor should one think that the Athenians would immediately think of slavery when they heard it.

πέντε μὲν καὶ τετταράκοντ' ἔτη τῶν Ἑλλήνων ἦρξαν: these are roughly the years of the Delian League, established in 478 until the beginning of the Peloponnesian war in 432/1. D. IX. 23 mentions that the Athenians ruled for 73 years until the battle of the Aigos Potamoi.

ἐκόντων: it is not untrue that in the beginning of the first Delian League Athens was not oppressive. By the outbreak of the Peloponnesian War there were many signs of unrest and unpopularity. Naxos revolted in the early years, then Samos, Poteidaia and other Aegean cities. It was considered a good argument to remind the Athenians of the popularity they enjoyed in the beginning of the League (*see* Isocr. IV. 71, VII. 17, Aeschin. III. 58, Deinarch. I. 38). Thukydides says with impartiality I. 98: "παραλαβόντες δὲ τὴν ἡγεμονίαν τούτῳ τῷ τρόπῳ ἐκόντων τῶν συμμαχῶν διὰ τὸ Πausανίου μῖσος, ἔταξαν ἄς τε ἔδει παρέχειν τῶν πόλεων χρήματα πρὸς τὸν βάρβαρον καὶ ἄς ναῦς. πρόσχημα γὰρ ἦν ἀμύνεσθαι ὧν ἔπαθον δηοῦντας τὴν βασιλέως χώραν."

ἐκεῖνοι: Blass deletes it because it is not in III. 24. It is of course obvious that D. refers to the Athenian ancestors but ἐκεῖνοι creates the necessary distance between ἐκεῖνοι and ὑμεῖς. D. has begun his second attack on the contemporary affairs and he seeks to impress the Athenians on the achievements of their ancestors. ἐκεῖνοι clearly makes his point stronger. Whether ἐκεῖνοι was before or after ἐκόντων is not significant; the older mss. put it after.

πλείω δ' ἢ μύρια τάλαντ' εἰς τὴν ἀκρόπολιν: Thuk. II. 13. 3 mentions that the largest accumulation of funds on the Akropolis at any time was 9,700 talents. This amount was usually rounded up to 10,000 talents. The 4th c. writers mention it as a fund of 10,000 talents, cf. Isocr. VIII. 69, XV. 234, Diod. XII. 40. 2.

ἀνήγαγον: S only has this reading here and in III. 24. The fact that the Akropolis was on a steep rock justifies the use of this verb. Isocr. VIII. 126 uses the same verb for a similar purpose.

πολλὰ δὲ καὶ καλὰ....τρόπαια: the orator refers to Athenian and allied victories against the Persian and Greek enemies before the Peloponnesian War. They had

erected trophies after every victory they won e.g. at Eurymedon 468/7, Cecryphaleia 459/8, Aegina 459/8, Oinophyta 457/6, in Salamis of Cyprus 450/49.

καίτοι νομίζετ' αὐτοὺς ταῦτα στήσαι: νομίζετε here is imperative and has exactly the same function as in XV. 35 which is almost identical with this sentence. The meaning of νομίζω here is "to reflect", "to consider".

οὐχ ἵνα θαυμάζωμεν: after θαυμάζωμεν here and in XV.35 μόνον has been added by all the mss. except for S. In the margin of S μόνον was added by the first hand of S. I think that μόνον seems a reasonable option although it is a very easy addition that could have been made by the manuscript editors of the speech.

Section 27

ἐκεῖνοι μὲν δὴ ταῦτα: the orator will now turn to see the military achievements of the Athenians of the present day, having stated the grandeur of 5th c. Athens.

ὄρατ' ἐρημίας ἐπειλημμένοι: the meaning of ἐρημία is "opportunity", "ample chance", "power vacuum" *see* page 30. After the battle of Mantinea Athens was left with no important enemy in Greece. Sparta was weak and Thebes had lost Epaminondas, her best general and perhaps only worthy statesman. No major power was able to overcome so many years of war. D. in III. 27 again is accusing Athens for indecisiveness, not taking advantage of the ἐρημία as well as wasting 1500T εἰς οὐδὲν δέον. The absence of competitors made Demosthenes think that that period of time was ideal for Athens to pursue τὰ πρωτεῖα, the hegemony. The contrast with the past is obvious if we consider that Athens had Sparta and many other strong cities as her competitors throughout the 5th c. (Aegina, Boeotia etc.). ἐπιλαμβάνομαι here has the meaning "to take advantage of".

Ἑλλήνων: S¹ and F read ἄλλων Ἑλλήνων as if to make the point that the Athenians did not have any exiled compatriots that were wandering as mercenaries in Greece. This is true as Athens did not suffer from the political instability that was procuring exiles and consequently mercenaries to other Greek states. I do not think that such a distinction is necessary, as the ἄποροι of the Greeks are sufficient to denote that Athens spent significant sums to hire mercenaries from other parts of Greece. Furthermore in XIV. 38 there is again a pedantic distinction between Greeks and

Athenians [οἱ Ἕλληνες καὶ Ἀθηναῖοι], *see* respective note, and in XIV. 31 before Ἑλλάδ', ἄλλην is added. It seems that some of the manuscript editors deemed such distinctions necessary when, in their opinion, could be a confusion between a city-state and the rest of Greece.

οὐ πλείω μὲν ἢ χίλια καὶ πεντακόσια τάλαντ' ἀνήλωται μάτην εἰς τοὺς τῶν Ἑλλήνων ἀπόρους: the meaning of the word ἀπόρους is not very clear according to Cobet *MC* 68-69 who takes it to mean 'destitute', a meaning he considers as ridiculous and suggests ἀποστόλους (in F (margin) and Y¹ (margin) meaning 'fleet', cf. D. IV. 35, 45, VII. 16, XVIII. 80. But in my opinion this meaning of the word ἄπορος is necessary here: destitute, hopeless, (*see* Hdt. III. 52, Eur. *Bacch.* 800, Plato *Apol.* 18d.). Two more references will help clarify who these ἄποροι were and the length of the period in which such a large sum of money was spent.

Aeschines in II. 71 accuses Chares of losing cities friendly to Athens after the beginning of the Amphipolitan war (Philip conquered Amphipolis in 358, Diod. XVI. 8. 1-2). The money spent was 1,500 talents and Aeschines is accusing Chares of using the sums not to employ soldiers but to please mercenary commanders: Χίλια δὲ καὶ πεντακόσια τάλαντα οὐκ εἰς στρατιώτας, ἀλλ' εἰς ἡγεμόνων ἀλαζονείας ἀνηλωκέναι, Δηϊάρην τε καὶ Δηϊπυρον καὶ Πολυφόντην, δραπέτας ἀνθρώπους, ἐκ τῆς Ἑλλάδος συνειλεγμένους. The sum of money is the same as in 27, which secures that D. too is speaking about that period of time namely the late 60s and the early 50s. Isocrates in VII. 9 is criticising Athens for spending more than 1000 talents on foreign mercenaries too.

Throughout the 4th c. Athens used extensively mercenary forces to fight her wars with a subsequent rise in expenditure and decline in the numbers of Athenians fighting abroad (Iphikrates annihilated the Spartan μόρα in the 390s with a mercenary force). The word ἄπορος can then be justified if one takes it to describe the foreign mercenaries. In Aeschin. II. 71 the commanders are called δραπέται (fugitives) a word usually used for slaves. It is obvious that in the case of the commanders it has derogatory purposes. That these commanders (and the rest of their soldiers I suppose) were συνειλεγμένοι from all over Hellas, shows that they were either political exiles

or opportunists who tried to become rich. Aeschines is accusing Chares for employing dreadful people but the general could hardly do anything else if the Athenians did not want to fight themselves. As G. Grote *History of Greece* new edn. vol. VII (London 1888)652 suggests the commander was often compelled to obey the greedy demands of the mercenary soldiers (Diod. XV. 95. 3). The result was that men sent out by Athens would prefer the easier and more lucrative way of plundering the allies or the trading vessels at sea. It was not practicable for Athens to prevent such misbehaviour when her citizens would just not serve, and she had to employ mercenaries she rarely paid (see D. IV. 45, 47, VIII. 23). These mercenary soldiers then were truly incorrigible and hopeless in the eyes of the Athenians. They were so ruthless that Aeschines says II. 72: Ἐναντὶ δὲ ἀξιώματος τῆς τῶν Ἑλλήνων ἡγεμονίας ἢ πόλις ἡμῶν Μυοννήσου καὶ τῆς ληστῶν δόξης ἀνεπίπλαστο". This comment suggests that Athenian forces were indeed no better than pirates. In XIV. 31 D. defines as the reason for the large number of wandering mercenaries in Greece πενία, cf. relevant chapter in Parke *Soldiers*: "The general circumstance of mercenary service" and my note *ad* XIV. 31.

Let us now see the years in which Athens spent that huge amount of money. After the battle of Mantinea (362/1) Athens tried to reassert her authority in the Aegean sea and the Chersonese when Thebes was baffled by the death of Epaminondas and Sparta was harassed by Messene and Megalopolis. In 362-358 six generals had failed in the Chersonese and northern Greece (one of them, Leosthenes, was condemned to death *in absentia*). Timotheos had failed to seize Amphipolis in 360 and was obliged to burn his fleet near the Strymon. Chares (Diod. XV. 95) tampered with politics in Corcyra and the Athenian influence in the West collapsed. By 358, things were better. Athens had consolidated her power in the Chersonese and Euboea, and two major enemies were dead. King Kotys of Thrace and the tyrant of Pherae, Alexander. In 358 the Social war broke out. The Athenians probably used mercenary forces throughout the war and some citizen service before major battles (e.g. Embata) cannot be denied although no proof is available. D. IV. 35 enumerates some of the terrible defeats of that war. First Chares was defeated in Chios and Chabrias was killed. It took Athens a long time to muster another fleet, which was utterly defeated at Embata, commanded by Timotheos,

Iphikrates and Chares. In the meantime Philip seized the opportunity and captured Amphipolis, Pydna and Poteidaia. In the last case where even Athenian kleruchs were involved the city could only send mercenaries, and those very late. Aeschines II. 71 mentions that after Philip captured Amphipolis for every year of the war Chares used 60 talents from the tribute of the islands. As few islands paid tribute any more (Chios, Rhodes and Kos had seceded) the tribute of the islands was not enough and the city's revenues must have provided most of the huge sum of 1,500 talents, primarily the cost of the Social war.

οἱ τ' ἴδιοι πάντες οἴκοι καὶ τὰ κοινὰ τῇ πόλει: S and A¹ omit the phrase καὶ τὰ κοινὰ leaving οἴκοι τῇ πόλει which makes sense but is not satisfactory. Demosthenes quickly summarises all the sources of revenues to Athens. Οἴκοι are the estates of individuals who pay trierarchies and *eisphorai*; κοινὰ τῇ πόλει are all the other public resources, common to all the city (money paid by individuals to the city, taxes from ships, slaves etc.) and the παρὰ τῶν συμμάχων are the tributes from the allies. For the use of the phrase κοινὰ τῇ πόλει, see D. XIX. 270, XX. 25. According to Xen. *Oik.* I. 5 οἶκος is: καὶ εἰ μὴδ' ἐν τῇ αὐτῇ πόλει εἴη τῷ κεκτημένῳ, πάντα τοῦ οἴκου εἶναι, ὅσα τις κέκτηται.

οὗς ἐν τῷ πολέμῳ...ἀπολώλασιν: the same comment is made in III. 28. What D. means here is that Athens made the Second Delian League in 377/6 at a time when Sparta was powerful, and she managed to keep her allies for a long time, even when Thebes replaced Sparta in the hegemony of Hellas. When all the enemies had vanished she could not manage to save the League.

Section 28

ἀλλὰ νῆ Δία ταῦτα μόνον τότε εἶχε βέλτιον ἢ νῦν: Cobet *MC* 69 emends μόνον to μέν as he thinks that these two words are easily confounded. Μέν is not necessary to add, so as to correspond with τὰ δ' ἄλλα which follows. Μόνον gives a very good meaning as D. is creating an objection in order to refute it in the next sentence. He imagines an objector saying that only in some aspects the ancestors were better than the contemporary Athenians. This supposition will give him the pretext to continue the comparison in other respects (Cobet tried a similar emendation in D. IX.

57). ἀλλὰ νῆ Δία introduces objections that are supposed to be raised by an imaginary opponent (*hypophora* figure). It is a lively way of "simulating" dialogue in a piece of oratory, cf. XXIV. 125 Ἀλλὰ νῆ Δι' αἰσχρὸν ἴσως ἦν Ἀνδροτίωνα δεθῆναι ἢ Γλαυκέτην ἢ Μελάνωπον.

πολλοῦ γε καὶ δεῖ, ἀλλ' ὅ, τι βούλεσθ' ἐξετάσωμεν: here he refutes the imagined objection and challenges his compatriots to compare themselves to anything their ancestors did, in any field of activity. FA read ἀλλὰ τὶ instead of ἀλλ' ὅ, τι (SYF in the margin) which does not make good sense turning the relative clause into a question.

οἰκοδομήματα..., καὶ τῶν ἀκολουθῶν τούτοις: concerning the buildings of the city cf. D. XXII. 76, XXIII. 207, XXIV. 184. For the greatness of Perikles' building programme see Plut. *Perikles* 13. τῶν ἀκολουθῶν τούτοις means what comes with sacred buildings and ports such as sculpture, ships, sheds etc.

ὥστε μηδενὶ τῶν ἐπιγιγνομένων ὑπερβολὴν λελεῖφθαι: the meaning here is that the ancestors of the Athenians did so well whatever they did that they left no scope for their successors to surpass them at all.

προπύλαια ταῦτα, νεώσοικοι, στοαί: before νεώσοικοι, Παρθενῶν is added by Aristides (*Ars. Rhet* I.3.1 Spengel): καὶ λιμένων καὶ τῶν ἀκολουθῶν τούτοις τοσοῦτον καὶ τοιοῦτον κατέλιπον ἡμῖν ὥστε μηδενὶ τῶν ἐπιγιγνομένων ὑπερβολὴν λελεῖφθαι, εἶτα κατ' εἶδος Προπύλαια ταῦτα, ὁ Παρθενῶν, νεώσοικοι. It is among the most important buildings that decorate Athens in D. XXII. 76, XXIV. 184 and one of the most representative buildings of the city, dedicated to its patron Goddess. I think that it is unlikely to have been left out and it could be safely added but perhaps D. avoids repeating what is already covered by the preceding ἱερῶν.

The προπύλαια were built between 437 and 432 BC by Mnesikles to adorn the entrance to the Acropolis. The meaning of ταῦτα is that the Athenians could see the Propylaea from the Pnyx and orators could point to them, as Harpokration says: δύναται μὲν δεικτικῶς λέγεσθαι, ἅτε ὀρωμένων τῶν Προπυλαίων ἀπὸ τῆς Πυκνός, βέλτιον δὲ ἀναφορικῶς ἀκούειν· ἐπὶ γὰρ τῶν πάνυ γνωρίμων οὕτω

λέγειν εἰώθασιν. For other examples in D. of pointing at the Propylaea, see XXIII.207, XXII.76, XXIV. 184.

As for the νεώσοικοι, the ship-sheds, where wooden equipment was kept together with the hulls, these were actually flourishing in the 4th c. and especially around the time of D.'s oration. Permanent facilities in the 5th c. had probably been provided by Themistokles and Pericles in the 5th c., see Pl. *Gorg.* 455d-e and cf. J.S Morrison and R.T. Williams (eds.) *Greek oared ships, 900-323 BC* (Cambridge 1968)225. D. refers to the 5th c. built ship-sheds, *I.G.* II² 1627-1631 (196 in Zea, 94 in Kantharos, 82 in Mounychia see also *Greek oared ships* 181-192), but there is proof that there was quite a lot of building activity at the docks in the 4th c. as well (Philochoros in *FGrH* F56a, where he records for 339/8 the transfer of theoric money to the war effort, reports that τὰ μὲν ἔργα τὰ περὶ τοὺς νεωσοίκους καὶ τὴν σκευοθήκην ἀνεβάλλοντο; in 347/6 a new *skeuotheke* was commissioned, *I.G.* II² 1668, cf Gabrielsen *Financing* 149). The ship-sheds which housed all the ships of the city were the proof of Athenian superiority at sea and their long existence in Athens was evidence for the long existence of trade and control of the seas. The best preserved remains of ship-sheds are those at Zea; for more archaeological information, see B. Graser *Philologus* 31(1872)1-65 and I.C. Dragatzes *Praktika*(1885)63-71.

The stoai he refers to are; the stoa of Hermes, where after defeating the Persians at Eion in 476, Kimon and his fellow generals commemorated their victory by setting up three stone figures of Hermes in what came to be called the stoa of the Herms, cf. Aeschin. III.183-185. Its neighbour the stoa Poikile was built not long before 460 BC, renowned for its paintings; the stoa of Zeus was built around 430, near the pre-Persian wars stoa Basileios; near the end of the 5th c. the South stoa was added, which was the last one to be built before the Hellenistic times, cf. for all the stoai R.E. Wycherley *The Stones of Athens* (Princeton 1978)36-45. It is interesting to note how well has D. grasped the importance of art and architecture as a significant factor of persuasion in this part of his oration. Buildings that were built in the 5th c. to demonstrate the glory of Athens to the Greek world (propaganda was one of the reasons for their

construction), in the 4th c. are used by D. as ideals that have to be emulated for the citizens of the very city that built them.

τἄλλα: perhaps he means public and administrative buildings such as the the prytaneion, the Tholos, the new bouleuterion etc. built in the 5th c., see Wycherley *The Stones of Athens* 45-52.

Section 29

τὰς δ' οἰκίας... τῷ τῆς πολιτείας ὀνόματι ἀκολούθους: D. claims that in the 5th c. the people who offered their services to the city and became powerful were frugal and always subordinated themselves to the city, cf. III. 26 σφόδρ' ἐν τῷ τῆς πολιτείας ἦθει μένοντες.

ὥστε... ὄρα: notice that ὥστε with the indicative indicates the result actually produced by κατέλιπον.

τὴν Θεμιστοκλέους καὶ τὴν Κίμωνος καὶ τὴν Ἀριστείδου: some mss. add Μιλτιάδου after Ἀριστείδου since he is mentioned in III. 26 and XXIII. 207. It is not really necessary since Themistokles is absent in III. 26 and Aristeides in XXIII. 207.

Kimon is not mentioned in any other instance as having a modest home. Plut. *Kimon* 10 states that Kimon was rich and that he benefited the citizens of Athens by offering them meals at his home and giving access to his fields for gathering fruit and grain. 10. 6: "ὁ δὲ τὴν μὲν οἰκίαν τοῖς πολίταις πρυτανεῖον ἀποδείξας κοινόν, ἐν δὲ τῇ χώρᾳ καρπῶν ἐτοιμῶν ἀπαρχάς", cf. Theopompus *FGrH* 115F89. This proves at least that his house was quite large since part of it was used for providing meals for every Athenian (or according to *A.P.* 27. iii Kimon offered meals only to his demesmen, the Lakiadae). That Kimon's house is mentioned here is considered by Sealey *Demosthenes* 235-237 as careless, when D. is obviously trying to argue that the great leaders of the past lived in modest homes, and "evidence" that XIII is not genuine; for my arguments against this opinion, see introduction, chapter 1 section III.

εἴ τις ἄρ' ὑμῶν οἶδεν: notice the use of εἰ ἄρα, which suggests that this possibility has only just been realised, cf. Denniston *Particles* 37 and my note on σκέψασθε etc. in 26. The meaning here is that the houses of these great people are so

inconspicuous, that there is even the possibility that one may not have even noticed them.

Section 30

νῦν δ'...δημοσία...ὁδοὺς...κρήνας καὶ κονιάματα: the Athenians of the past glorified the city with great buildings maintaining for individuals a sense of frugality. His contemporaries only make roads and fountains and similar trivial things. Fountains were considered important in Athens and there was a special, elective official who was the ἐπιμελητὴς τῶν κρηνῶν (Aristot. *A.P.* 43.1), whereas for the roads there were also special officials, see *A.P.* 54.1. In the fifth century Perikles' family had offered to pay for the spring-house, cf. Davies *APF* 11811.VII. Wycherley, *The Stones of Athens* 248, reports that "Early in the fourth century, at a time when not much major building was going on in the agora or in Athens generally, the old fountain house was reconstructed, and the pipe line south of it was replaced by a massive stone-built conduit 5m wide and 1.2m high.", cf. *Hesperia* 24(1955)52f. & 25(1956)52f. I could not find much more information about waterworks in the fourth century but from D.'s point it seems that there was quite a lot of work being done on fountains, perhaps renovation works, cf. *Waterworks in the Athenian Agora (Excavations of the Athenian Agora)* Picture book no.11(Princeton 1968). *I.G.* II² 338 honours the superintendent of the fountains which shows exactly how important his work was considered to be (transl. from *Waterworks in the Athenian Agora*): "...since Pytheas, having been elected to the superintendence of the fountains, both discharged well and honourably his other duties and has built a new fountain for the shrine of Ammon, and has arranged for the bringing of water to it, it is agreed to honour Pytheas and crown him with a golden crown, worth 1000 drachmas, so that others, elected to the charge of the fountains, shall be ambitious on behalf of the people".

κονίαμα is related to κονία and κονιάω which means to whitewash; κονίαμα means small and unimportant repair, minor plaster-work. D. makes a similar point in III. 29: τὰς ἐπάλλξεις ἅς κονιῶμεν, καὶ τὰς ὁδοὺς ἅς ἐπισκευάζομεν, καὶ κρήνας, καὶ λήρους; D. is angry with the city's fading spirit, the people of Athens being happy with minor works that will enhance perhaps everyday life but add nothing to the city's

glory. He sees this as a decline in the communal spirit and further proof of increasing individuality.

λήρους: λῆρος means "chatter", "nonsense", in the plural, cf. Pl. *Theait.* 176d. Here as the object of κατασκευάζουσα it does not quite mean "useless words" but as J.E. Sandys *The First Philippic and the Olynthiacs* (London 1910) ad III. 29 noted, it is an inclusive word summing up all the preceding meaning "showy" but really "useless". A similar function of the word can be found in Alexis F263.5.

καὶ οὐ τοῖς εἰσηγησαμένοις...εἶναι: D. is here criticising the leadership of Athens. As I said when I was discussing the Theoric commission (*see* introduction, chapter 2 section II) and the power they had acquired in Athens under the influence of Euboulos, D. is beginning to question the party that was prominent in the Assembly. According to W. Jaeger *Demosthenes* 55, in his first three public trial speeches (*Against Androtion, Against Timokrates, Against Leptines*) he criticises Aristophon, the opponent of Euboulos, in the speech *On the Symmories* he was certainly on the side of Euboulos as far as he deprecated a rash military expedition against Persia but now his target here is Euboulos himself. I do not think that D.'s policies can be attributed to specific affiliations to political "parties" as this is a distorted way of viewing the Athenian political life, cf. M.H. Hansen *The Athenian Assembly* (Oxford 1987)72-86, I quote his conclusion, 85: "when a fully developed party system tends to break up when several thousand citizens vote directly on all motions, I infer, *a fortiori*, that the *ekklesia* was influenced by small groups of political leaders, but that the silence of our sources indicates that no corresponding groups of followers were formed. The leaders who initiated policy were probably supported by constantly changing groups of voters, and in the *ekklesia* the outcome of the vote was probably as unpredictable as it is today in the Swiss *Landsgemeinde*." In this particular instance D. shifts the responsibility from the leadership to the people and asks them if they are content with their achievements avoiding a direct criticism, which is though pretty obvious at the same time. According to G.L. Cawkwell *Eubulus* 57 Euboulos has been treated unfairly by D. especially on the war preparations and the building programme, for the docks and the skeuotheke were commissioned by Euboulos (Aeschin. III. 25, *I.G.* II² 505); at the same time in the

days of Euboulos' financial control there was an accumulation of triremes; such was their number that Deinarchus I. 96 could talk about triremes built ἐπὶ Εὐβούλου. There was then a significant building programme at the time of Euboulos' financial control and the criticism here must be derived from an ideological difference. D.'s contemporaries did not see building for their city as a way of glorifying and making it the supreme power in Greece. All activity was seen as "keeping the people off the streets" i.e. it was, in conjunction with the theoric dole, a way of neutralising the power of the people, their preference to war and restoration to their hegemony. As I have already said, D. tries to combat individualism and join the citizens in a common effort. It is they whom he asks whether they are happy with all those minor works, which are useful but not enough, so uncharacteristic of Athens' past.

πολλοῦ γε καὶ δέω: D. here presents himself as a dignified orator who does not wish to malign his opponents. In this way he shows a genuine concern for the citizens of Athens.

εἶναι: the infinitive διοικεῖν has been added after εἶναι by all the mss. except for S. This would give the meaning "sufficient for you yourselves to administer"; but that is not appropriate, because the people whom D. is addressing did not do the administration themselves.

ἰδία...κατασκευάκασιν: notice the antithesis and chiasmus between ἰδία and κοινῶν, δημοσίων and ἰδίας. Some of the rich in the days of Demosthenes strive to make their residencies greater than the buildings of the city, a sign of personal indulgence, indicating the decline of the 5th c. ideal of making Athens the best city, neglecting one's own luxury.

οἱ τῶν κοινῶν ἐπὶ τῷ γεγενημένοι: "those who administrate one or another aspect of public affairs".

οὐ μόνον τῶν πολλῶν ὑπερηφανωτέρας: the current politicians have made their houses not only larger and more lavish than those of the average Athenians but than public buildings as well; a further proof of individualistic attitudes.

οἱ δὲ γῆν συνεωνημένοι...πώποτε: other rich people try to purchase as much land as possible. συνωνέομαι means to buy together, to collect by purchase (Hdt. I.

27). D. XIX. 275 says: "...καὶ τὰ μὲν τῆς πόλεως κτήματ' ἀφηρημένην, τούτοις δ' ἄ μὴδ' ὄναρ ἤλπισαν πώποτε κτησαμένην" and in 146: "... τῶν δὲ πρέσβων τοῖς κατὰ τῆς πόλεως ταῦτα πράξασι προσόδους, εὐπορίας, κτήματα, πλοῦτον ἀντὶ τῶν ἐσχάτων ἀποριῶν εἰργάσθαι;". The circumstances are different in the two cases. In XIX. D. is attacking the ambassadors who made the peace of Philokrates and lost so many territories but are extremely rich themselves, whereas in 30 he is attacking the attitude of the Athenians towards private wealth. In XIX he wants to present those who were in favour of the peace as plutocrats and indifferent people who indulge in their wealth and betray their own country. Such claims would not count as being persuasive if he did not hope to take advantage of anti-rich feelings in the assembly. I do not think that the wealthy classes would own more land than they did, let us say, 20 or 50 years ago, and the point is not that those who are wealthy are immoral, but that in the days of the past the members of the wealthy class had a different relationship with the *demos*. Then, they considered it an honour to receive office from the *demos* whereas now they just want to control it. In this perspective their honours and wealth are not part of a profound communal spirit, but proof of a shallow individualism. So D. was not opposed to private wealth because it was immoral but because he wanted to make distinct the two eras he compared. It is more than well-known that in the 5th c. Kimon and Nikias, Alkibiades and many other Athenians were very rich but D. emphasises the public grandeur. In the 5th c. the city flourished and was decorated with temples and other beautiful buildings and prominent citizens were not exuberant (one might have reservations here especially for Alkibiades) in displaying their wealth. D. is consistent with the criticism he made in 14-17 and is not trying to capitalise on the resentment the poor classes felt towards the wealthy in a 5th c. manner, i.e. that those who are powerful and wealthy are dangerous for the democracy. He is criticising the desire to become richer and richer with a parallel disregard to the city's basis of its past glory, a system where the rich benefited the city and the people bestowed honours on them, with the political guidance in the hands of the rich and the control in the hands of the people. But in D.'s time democracy has been overrun not by oligarchy but, for the

wealthy by an individualistic desire to amass riches on the one hand, and, for the poor, by complacency and indifference on the other.

Section 31

τότε μὲν ὁ δῆμος δεσπότης ἦν...: the dominance of the *demos* in the 5th c. was really overwhelming. All the important decisions came through the assembly, decisions that affected the lives of the citizens of other cities or determined the doctrine of war and imperialism.

νῦν δὲ...ἐν ὑπηρέτου καὶ προσθήκης μέρει: the payment of the *theorika* made the citizens subordinate and complacent. They were not any more in control of the city and worried only if their appropriation was threatened, cf. III. 33 where the orator compares the *theorika* as the small amount of food doctors give to patients, enough to prevent death but little, which makes them feeble.

καὶ ὑμεῖς ἀγαπᾶθ' ἂν οὔτοι μεταδιδῶσι λαμβάνοντες: οὔτοι are the rich people, the party of Euboulos. Instead of ἂν the FY give ἂν τι which makes sense, but the reading of the older mss. SA (they actually read ἄ ἂν) should be preferred.

Section 32

τοιγαροῦν...κάκεινα: D. will now attack the main setback of the current Athenian policies, inconsistency. Although the decrees of the city show that the people have the right criteria for determining action when they vote for it, their subsequent actions are absolutely hopeless. ἐκ τούτων refers to all the factors that have made Athens indecisive. ταῦτα refer to the decrees and ἐκεῖνα to the actions.

οἶον ἄ πρὸς τοὺς καταράτους Μεγαρέας...μὴ ἐπιτρέπειν: see the introduction, chapter 1 sections I & 2.

ἔναγχος: "lately".

ἄ πρὸς Φλειασίους, ὅτ' ἐξέπεσον ἔναγχος: this is a very difficult incident to determine as the decree mentioned by the orator has not come down to us by any other source. Phlius did have a long, troubled history throughout the 4th c. as a result of political strife and the interference of the Lacaedemonians. In 384, after the dismantling of Mantinea, Phliasian exiles pleaded to Sparta so that they could be accepted back in their country and get hold of their confiscated properties. These exiles were aristocratic

elements and stressed that Phlius had been for long neglecting the Spartan power (*Xen Hell.* IV.iv. 15: the Phliasians were unfriendly towards Sparta but under the circumstances they accepted the Spartan forces in their akropolis, 391/0. The Spartans had to go after the crisis was over, V. ii. 8-10: the Phliasian exiles return to their city). The return of the exiles was not very successful as the government in Phlius was not very helpful in restoring their properties. They had to appeal to Sparta for a second time and found Agesilaos eager to listen. In the meanwhile the Phliasian government gave a large sum of money to the other king of Sparta, Agesipolis, who was leaving for an expedition against Olynthos. Agesipolis commended them publicly (381/0, *Hell.* V. iii. 10). It could be that the sum of money was to make Sparta favourable towards the present government of Phlius. Agesilaos, though, decided to go out on an expedition against them, being on friendly terms with some of the exiles (*Hell.* V. iii. 13). The siege proved to be really tough (iii. 21-25) as the people offered an excellent resistance, but in the end the Spartans prevailed and an *hekatontarchy* was imposed upon them by Agesilaos, 50 from the exiles and 50 from the city plus a garrison on the city's akropolis. After this incident Phlius remained one of the most loyal cities to Sparta (*Hell.* VII. ii. 1-23). There were exiles from Phlius who fled for fear of retaliation by the oligarchy. These exiles seem to have made their move around 369/8 (*Hell.* VII. 2. 5). They got help from the Arcadians and the Argives and managed to capture the akropolis, but the pro-Spartan citizens in the city successfully repulsed the double offensive of the exiles in the city and the other enemies outside the city walls. At that point Athens was their ally too (VII. ii. 10), being pro-Spartan and anti-Theban. Athens after the battle of Leuktra (372/1) changed sides and supported Sparta, for she feared that Thebes posed a threat to her security. Athens backed Phlius in her fight with Sikyon and general Chares offered them substantial help in 366 (*Hell.* VII. 2. 19-23).

In 366 peace was concluded between Phlius, Corinth and Thebes. From *Hell.* VII. iv. 11 we learn that the exiles were placed at Trikaranon at the border with Argos. Argos invaded that territory and gave it to the exiles, proclaiming that that region was

from then on Argive soil. One can imagine that once the exiles had settled in Trikaranon they would conduct all their efforts to get back to Phlius from there.

It is not even clear which side Athens would support in 353/2, but I suppose that they would be friendlier towards the democratic, anti-Spartan exiles. Had it not been for ἔναγχος there were two periods when Athens could have helped the Phliasian, anti-Spartan exiles. One was after the second Delian League was established in 378 and until 372, the year when she began to be more and more hostile towards Thebes. After Mantinea the field was clear (362), but it does not seem that Athens helped Phlius even then, as she was preoccupied with the Chersonese and Amphipolis. There is no question of help during the Social War and the ἔναγχος tends to point around 353/2. It seems that the exiles then made some move conspiring with citizens from the city. The verb ἐξέπεσον shows that a group of citizens were exiled and the noun σφαγεῦσι that some were slaughtered. After that presumably the exiles appealed to Athens in the name of democracy and the appeal was received favourably, with a decree declaring that the exiles were right. The subsequent actions of course were none. Without any chronological indication of when this appeal was made to Athens, we cannot use this reference to date the oration; A. Schaefer even suggested that this reference to the Phliasians is fictitious by the pseudo-D. who, in his opinion, composed this speech.

τῶν ἐν Πελοποννήσῳ τοὺς βουλομένους παρακαλεῖν: "to invite volunteers from the Peloponnese to help the Phliasians" I suppose D. implies here the cities that were opposed to Sparta.

ἃ πρὸς Φλειασίους...μὴ ἐπιτρέπειν: S¹ omits this but an "ancient" hand has added it in the margin; this omission is an obvious case of haplography.

Section 33

οὐκοῦν τὴν μὲν ἀπέχθειαν....τῶν δ' ἔργων...τὰ μὲν γὰρ ψηφίσματα....τὴν δύναμιν δ': D. fiercely criticises the Athenian practice of voting to help, yet doing nothing when action is needed. The perfect examples are Amphipolis in 358 and Olynthos in 348. Notice how skilfully the orator makes the inconsistency obvious using a sequence of antithetical μέν and δέ (cf. IV.45 for the Athenian inconsistency).

τὰ ἔργα δὲ τὰπὸ τούτων οὐδαμοῦ: notice the ellipsis (cf. D. XVIII. 21 ἐγὼ δ' οὐδὲν οὐδαμοῦ).

(καί μοι μηδὲν ὀργισθῆτε): he tries to ameliorate the effect of his comment as if it was painful. He is playing with the audience's feelings. If they continue being inconsistent, their actions always inferior to their intentions, they should become less ambitious, have a lower opinion of themselves. By suggesting that if he said so they would be really angry at him, if he even suggested less ambition, he reverses their attitude and pretends that they want to "μείζω δύναμιν παρασκευάζεσθαι", acquitting them of idleness and at the same time incriminating the popular leaders. The ἔλαττον φρονεῖν and the strictly sticking to the status-quo is indirectly accusing those who wanted to say so, and I cannot find anybody better than Euboulos. The point he makes here is similar to the one he made in 25 where he argued that φρόνημα is analogous to πράξεις.

εἰ μὲν οὖν Σίφνιοις ἢ Κυθνίοις ἢ τισιν ἄλλοις τοιούτοις οἴσι συνήδειν ὑμῖν: σύνοιδα has a particular syntax with the dative and participle, the meaning here is: "If then I knew that you were either from Siphnos or from Kythnos..." (cf. Hrdt. IX. 60, Aeschyl. *Choeph.* 217, Plato *Apology* 22c, Harp. K 90).

D. uses these two small islands to indicate that the current policy of Athens would be fit only for small, insignificant and feeble cities cf. XVII. 23 "ὥσπερ ἐν Ἀβδηρίταις ἢ Μαρωνείταις, ἀλλ' οὐκ ἐν Ἀθηναίοις πολιτευόμενοι", Plut. *Them.* 18: "οὔτ' ἂν ἐγὼ Σερίφιος ὢν ἐγενόμην ἔνδοξος οὔτε σύ, Ἀθηναῖος".

τὴν τοῦ φρονήματος τάξιν: τάξις here means position, authority as in XVIII. 259, Pl. *Theait.* 153e, meaning that the Athenians of old sustained a high standard of φρόνημα.

Section 35

πρὸς δὲ τούτοις οὐδ' ἐστὶν ἐφ' ὑμῖν: the meaning is "besides, there is no other option for you". οὐδ' here should be preferred to A's suggestion οὐκ since the meaning is more effective if it is inserted twice.

καὶ τοὺς μὲν φίλους...πιστεῦσαι: there is a Periklean dimension to these words of D., who sees Athens as the city who will protect the Greek cities against any oppressor.

καὶ μεγάλους ἐᾶσαι γενέσθαι: he probably refers to Philip. It is very interesting that he considers that enemies can become dangerous not by their own strength but by the neglect of Athens, cf. IV. 10.

ὅλως δ' ὅπερ ...περιέστηκε: περίσταμαι with the dative is not very common (cf. Thuk. I. 76, D. XVI. 28, XIX. 340 πηλίκα τῇ πόλει περιέστηκε πράγματα) and means to surround, to encircle. The meaning of the comparison about the politicians must be that as a politician, one cannot choose when to stop counselling. By deciding to become a politician he has the responsibility to offer advice on all matters, at all times. This inescapable principle has presented itself to the Athenians, surrounding them, leaving no other option; Athens burdened with the past has no other option but to seek the hegemony.

πεπολίτευσθε γὰρ ἐν τοῖς Ἑλλησιν: "for you are citizens of Greece". D. stresses that Athens was a city that never stood on its own in Greece, in a way Sparta did for example. The Athenians were always active and took a great interest in Greek affairs; because of such a tradition it is impossible for them to withdraw. Perikles in the *Epitaphios* says something similar about the influence of Athens to the whole of Greece, Thuk. II. 37. 1: "χρώμεθα γὰρ πολιτεία οὐ ζηλούση τοὺς τῶν πέλας νόμους, παράδειγμα δὲ μᾶλλον αὐτοὶ ὄντες τισιν ἢ μιμούμενοι ἑτέρους" and Thuk. II. 41. 1: "Ἐυνελών τε λέγω τήν τε πᾶσαν πόλιν τῆς Ἑλλάδος παίδευσιν εἶναι...".

Section 36

κεφάλαιον ἀπάντων τῶν εἰρημένων: he is going to offer a summary of his opinion, as a last encouragement to his audience. This peroration will focus upon the bad influence of some orators on the city and the need to be able to choose the right policies.

ἀλλ' ὑμεῖς τούτους, ὅπότερ' ἂν βούλησθε: the Athenians should be able to make their orators χρηστοί or πονηροί and not the orators the Athenians. With this he

expresses again his true democratic credentials. The people should set the tone and the objectives of the discussion in the assembly.

βουλομένους: A's suggestion, βουλευομένους, has a similarly good meaning.

ἢ γὰρ οὐδεὶς ἐρεῖ φλαῦρον...πεισομένους: the participle ἔχοντι agrees with αὐτῷ. This is a final warning to the people and those orators who do nothing but try and please the people. If the latter do what is right then nobody will resort to deception any more, or those who will insist on giving poor advice will vanish, having lost their audience.

Part 2 *On the Symmories*

Introduction

Chapter 1 Date and Historical Background of or. XIV

It is clear that the reason for the delivery of the speech was a widespread concern in Athens about some new armament the King of Persia was making; the news had Athens as the target of the attack. Later events proved such a concern void but the point is that Athens was alarmed to a degree that she considered declaring unilaterally war against the King. D. was convinced that it was the wrong reaction and took the opportunity to make his political debut and ask for a reform of the symmories that regulated the navy. It is rather difficult to define chronologically the exact period of this alert and the date of the speech despite the fact that Dionysios Halikarnasseus *ad Amm.* I.4 has dated it in 354/3.³⁷

³⁷ It would be useful to give a rough summary of Athenian policies towards Persia from the 370s and on. Their anti-Theban feeling after the battle of Leuktra made Athens distance itself from Thebes (the culmination was the Spartan-Athenian alliance struck in 370/69, Xen *Hell.* VI.5.33-52). When common Peace talks began with the King in 367/6, Athens would come to reject the King's humiliating demands. The satrap Ariobarzanes had sent an agent of his to Greece in order to support Sparta's efforts for a peace in her own interest - Sparta had reasserted her authority after receiving help from Persia and defeating the Arkadians in the Tearless battle, Xen. *Hell.* VII.i.32. Sparta and Thebes both sent embassies to the King and the latter won the King's favours as past relations with Persia such as the battle of Plataia were recalled. Athens was asked to demobilise her fleet which she indignantly refused. Athens furthermore decided to take further action against the King respecting only the peace of Antalkidas of 387/6 which regarded Asia Minor only as Persian territory (this had been reaffirmed in 366/5 Diod XV. 76.3). In 365/4 Timotheos got Samos back expelling the Persian garrison (D. XV.9) after a siege of 8 months. Then he got involved indirectly in the Great Satraps' revolt by helping Ariobarzanes indirectly. He sailed to the Hellespont and captured Sestos and Krithote (Nepos. *Timoth.* 1) after throwing back king Kotys who was pressing Ariobarzanes. He also intervened in Herakleia and Kyzikos interfering in the King's territory without any great results. From this brief account it becomes obvious that although Athens respected the treaty of 387/6 they were not happy

The first question that arises is whether a known threat made by the King to Athens around that time is the same one that caused the alarm and the delivery of the speech. This threat was made when after the battle of Embata general Chares took the Athenian forces under the service of the rebel satrap Artabazos and defeated a large part of the King's forces, Diod. XVI.22.1-2, Plut. *Arat.* 16.3: Χάρης μὲν γὰρ ὁ Ἀθηναῖος ἐν τινι μάχῃ πρὸς τοὺς βασιλέως στρατηγούς εὐτυχήσας ἔγραψε τῷ δήμῳ τῶν Ἀθηναίων ὡς νενικήκοι τῆς ἐν Μαραθῶνος μάχης ἀδελφῆν. The King was Artaxerxes III Ochos who must have reviewed the situation seriously. The Athenians were not supposed to meddle with Persian affairs in Asia Minor and the *ekklesia* had not officially authorised Chares' overt actions against the King although the reason behind them was less hostility against the King and more a financial need to pay the troops. Chares came to Artabazos' help in the winter of 356/5 and carried through into the spring of 355 when the ultimatum from the King brought the Social war to an end (see Sealey *Dionysius* 116). The ultimatum, Diod. XVI.22, was that: διεδόθη γὰρ λόγος ὅτι τοῖς πολεμίοις τῶν Ἀθηναίων βασιλεὺς ἐπηγγείλατο τριακοσίαις ναυσὶ συγκαταπολεμήσειν τοὺς Ἀθηναίους. The meaning of συγκαταπολεμήσειν must be that the King intended to join the war with Athens' revolted allies; but the crisis was defused a little later on: εὐρὼν δὲ κάκείνους ἐπιθυμοῦντας τῆς εἰρήνης ῥαδίως πρὸς αὐτοὺς διελύσατο. This ultimatum was considered by Beloch *GG*² III 261-2 as the reason for XIV. Beloch could not see what would be the reason behind any Persian warning at all in 354/3 when the Social war had ended and Chares was back from Asia Minor. In his opinion XIV should be dated in the archonship of Elpines in 356/5. Beloch did not accept Dionysius' date mainly because of the mission of Pammenes which he dated in 354/3. In XIV. 33-34 D. discusses the Thebans' behaviour in a case of a Persian attack and speculates that they are unlikely to join the King; Beloch's argument is that if the expedition of Pammenes against the King had

with the King's preferences in Greece. Feelings became more bitter after Mausolus helped organise the allies' revolt that led to the Social war.

taken place in 354/3 then XIV was delivered before 354 since D. would have seized the opportunity to mention such an anti-Persian campaign (I discuss the date of Pammenes' mission in great detail later on).

G.L. Cawkwell has discussed many points of the Social war chronology in "Notes on the Social war" *C&M* 23(1962)34-49 and has suggested that Dionysios was right since he and his sources were in a far better position to date the speech. Another reason he offers for dating XIV in 354 is that Athens must have tried to contact the other Greek states in order to sound their intentions towards the King. This seems to be true both from the hypothesis, Φήμης γενομένης τὸν Περσῶν βασιλέα παρασκευάζεσθαι στρατεύειν ἐπὶ τοὺς Ἕλληνας, ὁ μὲν τῶν Ἀθηναίων δῆμος κεκίνηται καὶ συγκαλεῖν ὄρμηται τοὺς Ἕλληνας καὶ τὸν πόλεμον ἐκφέρειν ἤδη and the oration itself, 12 καὶ νῦν μὲν καλεῖτε πρὸς ὑμᾶς αὐτοὺς τοὺς Ἕλληνας. This congress could have been called in the fashion the congress of 346 was called by Euboulos and Aeschines (cf. *REG* 73(1960)418f.) in order to control Philip and was really a face-saving action. D. is exactly warning the Athenians not to have any wild hopes for the outcome of the congress as unless there is a direct attack on Greece the other Greeks are unlikely to do anything at all. There is a small point here where I disagree with Cawkwell (n.65), he claims: "This [the Congress] is sufficient to explain why Athens, having yielded to the Royal ultimatum during the Social War, contemplated resistance in 354/3: it was a question of the attitude of other Greek states". It had to be something big that Persia was preparing in order to cause the spread of the rumours, very similar in fashion with the anxiety that the Syracusan sailor caused in 397/6 in Sparta when he reported that he had seen the construction of a large number of ships in Phoenicia, *Xen. Hell.* III.iv.2. So the preparations had become known to Athens from some source nearer to the oration and in addition to the previous ultimatum the Athenians made the assumption that it was being prepared against them. Only it was not against them but Egypt; and since Persian preparations took notoriously a long time (cf. *Hdt.* VII.20.1, 138.1 for 480 BC, *Xen. Hell.* II.iv.2 in 397/6 for 395 and *Diod.* XV.38.1 in 375 for a campaign in 373), the preparations could have started in 354/3, thus providing for the cause of the alarm (cf. commentary on 31).

As I have argued above the date of Pammenes' mission is important for securing the date of the oration in 354/3 and a discussion of the sparse historical information follows. Before commencing on that an explanation of the Theban behaviour should be given. The Thebans had been throughout the 4th c. Persia's faithful allies in Greece and a mission to help the rebel Artabazos seems to be rather out of character. A wild guess to explain their conduct could be that they expected the Persians to intervene on their behalf in the Sacred war against Phokis and they were enraged when they found out that the preparations were against Egypt. Or what could be a better guess is that they wanted financial help from Persia and since the King neglected them they decided to make their presence felt. One fact is certain: Thebes was supported financially in 351/0 by the King (Diod.XVI. 40. 1-2) with 300T and the obligation to send troops to the King (*see* Buckler *Philip II and the Sacred war* (Leiden 1989)100-101). It could then be argued that the point made by Thebes when they sent Pammenes against him was taken on board by the King.

So the Thebans sent a large force under their most successful general, Pammenes, to fight with Artabazos against the King (Diod. XVI.34.1 who dates the mission at **353/2**): οἱ δὲ Παμμένην στρατηγὸν ἐλόμενοι καὶ δόντες αὐτῷ στρατιώτας πεντακισχιλίους ἐξέπεμψαν εἰς τὴν Ἀσίαν... 34.2 ἐφάνη γὰρ θαυμαστὸν εἰ Βοιωτοὶ τῶν μὲν Θετταλῶν ἐγκαταλελειπῶτων, τοῦ δὲ Φωκικοῦ συστάντος πολέμου μεγάλους ἐπιφέροντος κινδύνους διαποντίους δυνάμεις εἰς Ἀσίαν ἐξέπεμπον καὶ προετέρουν κατὰ τὸ πλεῖστον ἐν τοῖς κινδύνοις. J. Buckler dated the mission of Pammenes earlier, in **355/4**. If this is true then it has to be explained why D. does not mention the Theban expedition as proof that the Thebans as well are hostile to the King. Buckler discussed this mainly in *Sacred War* (for full title see above), Appendix I: IIIA: Neon, Methone and Pammenes at Maroneia (355/4BC) cf. also his article "Pammenes, die Perser und der Heilige Kriege" in H. Beister/J. Buckler (eds.) *BOIOTIKA* (Munich 1989)155-162.

Diodoros included under the same chronology **1**. The capture of Sestos by Chares and the sending of kleruchs to the Chersonese **2**. The capture of Methone by Philip, in the siege where he lost his eye. D. also gives some information about a meeting of

Philip and Pammenes at Maroneia XXIII.183: Φιλίππου γὰρ εἰς Μαρώνειαν ἐλθόντος ἔπεμψεν [Κερσοβλέπτῃς] πρὸς αὐτὸν Ἀπολλωνίδην, πίστει δούς ἐκείνῳ καὶ Παμμένει. The obvious question is what was Pammenes doing in Maroneia. The international position of Thebes was not dominant so as to require a Theban to be present at negotiations between Macedon and Thrace. The only reason then must be that Pammenes was there on his way to Asia Minor to serve under Artabazos. Further precious information is given by Polyain. IV. 2.22 who states that while Philip reduced Maroneia and Abdera, Chares had laid an ambush for him at Neapolis. Philip was returning to Macedon (ἐπανήει) when he faced Chares at Neapolis.

The key that puts together the above information is the date of Methone's capture. There is no direct evidence for that except for *I.G.* II² 130 dated at 355/4 honouring Lachares from Apollonia for serving Athens and sending his son to Methone. These honours probably represent some help Methone received prior to its submission to Philip. The precise dating of the inscription leads to the conclusion that some kind of help or relief was brought to Methone in December 355/4 (date provided by the inscription - personally I doubt that this provides a date for the capture of Methone as what we have is only the date of the honours granted to Lachares). How long after that Methone resisted we do not know and Diodoros gives two different dates which add to the confusion only: XVI. 31.6-354/3 and XVI. 34.4-353/2 for the beginning of the siege. In absence of more conclusive evidence Buckler settles for II² 130 and winter 355 as the time of the fall of Methone.

Let us now turn to the meeting of Philip and Pammenes, for which D. XXIII.183 provides no date. Warfare around the place of meeting can provide, according to Buckler some kind or other of chronological indication. *I.G.* II² 128 is about the menacing presence of Philip around Abdera and Maroneia. Since Polyainos stated that Philip faced Chares at Neapolis after the submission of Abdera and Maroneia, the meeting of Philip and Pammenes must have taken place before the former left for Macedon (ἐπανήει) perhaps with the siege of Methone in his mind. The presence of Chares with his squadron in Neapolis suggests that it was the normal campaigning

period and perhaps early summer of 355. Pammenes then must have fought the battle of Neon in spring 355 and then left for Asia Minor. On his way he met Philip at Maroneia. After that he continued on his journey when Philip turned west and faced Chares at Neapolis.

Dating the meeting of Pammenes with Philip and Kersobleptes in 355 is justifiable. Philip after the capture of Amphipolis in 357 was pressing eastwards capturing Pydna and Poteidaia and he surely must have been at war with Athens for these north-western activities of his. It was when he was subjecting Abdera and Maroneia that Athens sent Chares. At the same time Kersobleptes became friendly to Philip (summer 355) and began pressing Amadokos' and Berisades' sons cf. II² 127-*GHI*2 no.157, of 356. At that point Philip decided to come to terms with Kersobleptes and turn back. It is significant that it is Kersobleptes who gives pledges to Philip. Kersobleptes wanted actively a co-operation between himself and Philip in order to crush the other rivals. The accidental presence of the Theban army must have dictated the terms at Maroneia in favour of Philip. So the meeting at Maroneia can be dated at the summer of 355 and Methone fell in the winter of 355/4. N.G.L. Hammond in "Diodorus' narrative of the sacred war" *JHS* 57(1937)60 suggests that the speech *On the Symmories* proves that at 354 the Thebans were continuing their pro-Persian policy as it can be assumed from 33-34. If the Thebans had helped Artabazos before the time of the oration D. could mention the expedition of Pammenes at least or just give a hint that the Thebans were not as pro-Persian as they used to be. This would enhance his argument immensely since at the end of 34 he concedes that they should be content if the enemies of the Thebans are favourable to the cause of the Greeks while the Thebans themselves would be friendly to the King, having no better argument to support a more certain change of the Theban policy towards Persia.

Buckler tried to fight this rather strong *ex silentio* argument. First, he tried to point out that XIV is a vague oration in depicting even the diplomatic situation that had caused the alert in the first place, just as Pearson pointed out in *Art* 113-116. The answer to this is that the Athenians knew very well the situation behind the debate, and one could argue that it was only rumours that had caused this discussion in the first

place. He brings forward two more arguments. He argues that D. did not mention Pammenes because of the sensitivity of the Athenians in the case of Artabazos. Where they had fearfully withdrawn from Asia Minor, the Thebans were now campaigning. This was an embarrassment to the proud Athenians. The Thebans had replaced them in a war against the King. They would not appreciate D. reminding them of that. Yet D. could have made his point subtly by arguing that they themselves were faithful to the King's Peace and waited for the King to make the first move, and he need not mention Pammenes at all; it was sufficient if he clearly doubted the pro-Persian sentiments of Thebes at that specific point. Still Buckler thinks that it would be too controversial to make any comment which was positive towards Thebes. This explains the rather traditional approach in 33-34. I am not persuaded by this. Suggesting that the Thebans would not really want to betray Greece is controversial enough as D. himself admits, 33 ...ἔστι μὲν χαλεπὸς πρὸς ὑμᾶς ὁ περὶ τούτων λόγος.

Buckler's chronology makes the date of XIV (354/3) difficult by placing it after the expedition of Pammenes. His chronology is based on two hypotheses:

- i. After the occupation of Delphi in summer 356 (357/6) the Amphiktyons acted in the next campaigning season (356/5). Before Buckler the consensus was that the battle of Neon took place in late 355 or early spring 354 allowing indeed almost a whole campaigning season without any action by the Amphiktyons.
- ii. Diodorus' clue that the battle of Neon happened relatively close to the expedition of Pammenes and the submission of Methone, Diod. XVI.34, is correct and beyond criticism.

If one attacks the second hypothesis, then it might be possible to find a solution if we consider the difficulty of the non-mention of the Theban expedition in Asia Minor in D. as insuperable. Diodorus has piled all the events of ii in one year, 353/2, which has been found false as a date. First of all the siege of Methone is confused and II² 130 cannot be decisive to date it in the winter of 354 as the honours to Lachares cannot be connected securely with the siege and fall of Methone. The events at Neapolis (Polyain. IV.2.22) cannot be dated for sure although one suspects that they happened around 355 or 354. The chronology of this period is very difficult to ascertain and one

would be inclined to agree with Buckler if there was not D. XIV. 33-34. I find his treatment of the relevant sections inadequate and propose to go back to Beloch's view *GG*² vol.III 266-8 who suggests autumn 355 for the battle of Neon and summer 354 for Methone with the expedition of Pammenes after the spring of 354, dating in that year's summer the meeting with Philip at Maroneia and the Neapolis events. This is perhaps the best compromise although admittedly Diodorus' sequence is not followed. That Pammenes left after the winter of 355/4 in the duration of which he could actually learn about the recovery of the Phocians after Neon is strange, but it would be equally strange for him to have left straight after Neon, if Neon was fought in spring 355 (Buckler *Sacred War*) without capturing Delphi. Diodorus himself noticed that the whole decision of the campaign to Asia Minor was indeed very peculiar.

The above discussion in my opinion is enough to demonstrate that the oration was delivered at some time before the expedition of Pammenes left for Asia Minor around the spring of 354/3. H. Francotte in *Le Musee Belge* 18(1924)157-188 esp.159-162 offered, except for the usual connection with the Pammenes mission, another argument consisting of a hypothetical chronological proximity between XIV³⁸ and XV, the latter dated by Dionysios in 351/0. The orator's claim in XV that he had helped the Athenians to get rid of their ideas of war on the King in XIV would only be useful if the people could remember that he had done so. If it was too far in the past were they to remember D.'s contribution when important men like Euboulos would have made similar claims? One could counter this argument by saying that an orator can claim whatever he wants as long as he is persuasive. So even if the people did not remember him it was within his skills to remind them. Another argument Francotte puts forward is that since in XIV the King faces a rebellious Egypt and Orontes and since in XV the King is defeated the two orations must be closer one to the other; but of course we do not know when exactly the attack took place or for how long Egypt and Orontes were

³⁸ He dated it in 353/2.

rebellious or even if Orontes was in revolt (*see relevant comment in 31*). It seems that 354/3 is the most likely date for XIV.

Chapter 2 Argument and Structure

- Proem. (1-2)** The other orators praise inadequately the ancestors. His intention is to speak about *paraskeue*.
- 3-13** The King is the primary enemy of the Greeks but only a direct invasion of Greece will persuade the rest to resist. If Athens attacks first, there is the danger that the other Greeks will come to an understanding with the King; thus Athens will be weak and isolated. They are better off waiting and preparing their forces.
- 14-23** Proposals regarding the *paraskeue*; reform of the symmories.
- 24-30** Financial impracticality of the war; the power of Athens is great and even the King's treasury, although immense, cannot last for ever.
- 31-34** The King will not attack Greece with Greek mercenaries as he uses them against his internal enemies because they will not attack their own country. The King will choose to remain King over his present subjects. As for the Thebans they will not join the King; they are eager to make amends for their treason in the Persian wars.
- 35-40** Athens should not start the war or give the King the chance to argue that Athens seeks to restore her hegemony with the rest of Greece. The King knows the strength of Athens through the past and he will not become the unifying element of the Greeks.
- Perorat. 41** *Paraskeue* is the best way to go ahead. The *erga* have to prevail over the *logoi*.

L. Pearson (in *Art and Development*) has tried to investigate the first orations of D., especially XIV, in order to trace the differences in his transition from forensic to deliberative orations and the influence of the oratorical tradition on him. XIV is of particular importance as it is according to Dion Hal. *ad Amm.* I.4 the first oration that he ever delivered in front of the *ekklesia ἐπὶ δὲ Διοτίμου τοῦ μετὰ Καλλίστρατον ἐν Ἀθηναίοις πρώτην εἶπεν δημηγορίαν, ἣν ἐπιγράφουσιν οἱ τοὺς ῥητορικοὺς*

πίνακας συντάξαντες περὶ τῶν συμμοριῶν. Plutarch *Dem.* 6 (see also *Vit. X Orat.* 845a-b for a differently detailed account) tells us that the first speech he gave out was a dismal failure but does not give any detail about the situation. Perhaps an initial "failure" was necessary to the biographical tradition so as to explain the supposedly hard training that he imposed on himself until he became perfect. Furthermore we do not know if he had any political affiliations at this early stage and the belief of Jaeger's *Demosthenes* (chapter IV) that he certainly followed Euboulos is not defensible as the first orations show a clear tendency that he was trying to establish himself as an independent voice. P. Cloche in *BCH* 47(1923)97-162 was not keen at all on such a connection. Jaeger was certain that for D.'s initial acceptance the young orator needed the support of a powerful lobby of friends that would promote him as one of them. How exactly a new person would make his debut on the Pnyx is not easy to establish as there is not any evidence to give us an idea, so generalisations such as Jaeger's should be avoided. A. Pickard-Cambridge *Demosthenes* (London 1914)110-3 summarises the evidence and suggests cautiousness when one tries to tackle this question.

In Pearson's opinion the early orations reveal a different manner of approach than the later ones and he persuasively argues that they are reminiscent of Thukydides, as ancient critics pointed out (see Blass *Beredsamkeit* III 19). As there was no collection of political oratory available anywhere except in the historians, and since the politicians of his and older time apparently did not, as professional *logographoi* did, publish their orations, D. must have looked to the historians for some kind of instruction. The only other source of political expression in oratory (with the exception of Andocides *On the Peace with Sparta*) was Isocrates, whose orations were not written for delivery in the *ekklesia*.

Pearson points out that the proemium does remind us of Perikles' *Epitaphios* as recorded by Thukydides. D.'s refers to the way the other orators flatter the *demos* about their ancestors and finds that although the audience is flattered, the actual ancestors' fame does not gain them anything as it is impossible to praise them adequately. This is exactly what Perikles had argued in the beginning of the *Epitaphios*,

namely that it was difficult to praise the deeds of the dead; thus he commenced on the discussion of the Athenian ideals that inspired the fallen to die for them, Thuk. II. 35: χαλεπὸν γὰρ τὸ μετρίως εἰπεῖν ἐν ᾧ μόλις καὶ ἡ δόκησις τῆς ἀληθείας βεβαιοῦται. Then D. abruptly states his own purpose now that he has dispensed with the praise of the past the previous orators had apparently indulged in: αὐτὸς δὲ πειράσομαι τὸν τρόπον εἰπεῖν ὃν ἄν μοι δοκεῖτε μάλιστα δύνασθαι παρασκευάσασθαι. It is possible that D. reflected the *Areopagitikos* 1-2 where Isokrates was pessimistic about the Athenian self-confidence and suggested that Athens should not stay complacent³⁹. At any rate Dion. Hal. in his essay on Thukydides remarked that D. was the only one of the Attic orators who rivalled or copied the best features of Thukydidean style, notably its speed, conciseness and tension, its bitter astringent quality and its astonishing power of raising strong feeling (*De Thuc.* 53) and modern critics have approved his verdict (see Blass *Beredtsamkeit* III 86, 96, 150-1, 220). Longinos *De Sub.* 14 reminds us what an orator would ask himself "How would one of the great masters of the past have expressed what I am trying to say?". Thukydides was an obvious choice.

The major subject of the speech was how Athens was going to avert a war, and in Thukydides there are many instances where aversion of war is discussed. The most obvious ones are King Archidamos (Thuk. I. 80-85) against the Corinthians and Nicias against Alkibiades (VI. 9-14).

Archidamos is careful not to present himself as pro-Athenian, Thuk. I.82, exactly as D. is very eager to do so as well, regarding the King, 3: Ἐγὼ νομίζω κοινὸν ἐχθρὸν ἀπάντων τῶν Ἑλλήνων εἶναι βασιλέα... The mention of the word *paraskeue* and its derivatives is dominant in both speeches cf. XIV. 2, 3, 11, 14, 21, 41 and Thuk. I. 80.4, 82.3, 5, 84.1, 4, 85.2. Both ask for time and preparation 10: τὸν μὲν δὴ πόλεμον διὰ

³⁹ D. must have been acquainted with *On the Peace* of Isokrates who, like D., begins by complaining that those who favour war are much better received than those who support peace; he lacks though the conciseness and *brevitas* of D. and Thuk.

ταῦτα παραινώ μῆδ' ἐξ ἑνὸς τρόπου προτέρους ἀνελέσθαι, ἐπὶ δὲ τὸν ἀγῶνα ὀρθῶς φημι παρεσκευασμένους ὑπάρχειν χρῆναι and Thuk. I. 82: κελεύω... ὄπλα μὲν μήπω κινεῖν, πέμπειν δὲ καὶ αἰτιᾶσθαι... καὶ τὰ ἡμέτερ' αὐτῶν ἐξαρτύεσθαι. As Perikles Thuk. II.42 claimed that the contest was not on the same terms, the issues at stake were not the same as for men who had tasted the Athenian life, so D. 6 claims that Athens does not have the same attitude towards the King as the other cities have. They are ready in exchange for some benefit to let the rest of Greece come under barbarian rule, whereas Athens cannot tolerate a Greek city, even if it has harmed Athens, to suffer under the barbarian. [Dion. Hal.] *Ars Rhet.* IX.10 comments as well on the effort of D. to stop the war comparing him to Archidamos, who, in the rhetorician's opinion συμβουλεύων δὲ τὸ μήπω πολεμεῖν τὸ μὴ πολεμεῖν λέγει. Similarly D. βασιλεῖ μὲν γὰρ αὐτοῦς οὐ βούλεται πολεμεῖν, ᾧ πάνυ βούλονται. Φιλίππῳ δὲ ἀξιοῖ πολεμεῖν, ᾧ οὐ βούλονται, and [Dion. Hal.] asks for what reason D. did so. His answer is that the orator with his "not yet" suggestion τὴν ὁρμὴν ἐπὶ βασιλέα κωλύει and at the same time εὐτρεπῆ τὸν πόλεμον τὸν πρὸς Φίλιππον ἐργάζεται. In order to prove this he quotes from 10 and 11. What he tries to argue is that D. was concealing his concern about Philip by overstating his position on the war against Persia. If the Athenians were persuaded to abandon the war against the King but adopted *paraskeue*, then they could acquire the resources to face Philip. It is unlikely that D. at that point would perceive Philip so strongly as an enemy, but the rhetorician's comment is enough to show how considerable ancient writers considered the influence of Thuk. on D.

Nikias' strongest argument in his first attempt to stall the Sicilian expedition is that they have enough enemies back home. It is only in the second attempt that he tries to avert them by proposing extravagant armament. D. 11: τί τοὺς ὁμολογουμένως ἐχθροὺς ἔχοντες ἑτέρους ζητοῦμεν; That actually D.'s proposals for rearmament were apotropaic (cf. Sealey *Demosthenes* 129) in the fashion of Nikias' is difficult to establish as we do not know if the proposals of XIV. 14-23 were actually accepted eventually. The matter of fact approach he adopts and the dryness of the suggestions

seem to indicate that he had put a lot of thought in them. If we compare them with the proposals in IV, although different in style and nature, it seems that D.'s focus was on the navy's improvement and XIV could be seen as a serious approach to rectify the anomalies in the symmories. The suggestions at any rate do not ask for a tremendous amount of preparation but more for a better organisation.

Pearson has made a significant contribution to the study of D. by pointing out the fact that the early orations lack the *narratio* that made speeches like the *First Philippic* so powerful. He gives his audience less information assuming that their command of the facts was as good as his. Even when he ventures a comparison with events or situations in the past he takes for granted that the people's knowledge of the situation is good. He also expresses his own opinion very overtly and takes full responsibility for it. When D. abandoned the style of his early orations and wrote IV he was returning to his forensic experience and one further proof of that is that the speeches of the historians and the deliberative ones of Isocrates (as opposed to epideictic and forensic) lack the narrative and contain only allusions and *paradeigmata*, which shows that the inclusion of narrative parts were his innovation. As Pearson claims, a speaker in the courts begins by explaining the situation, he has to tell the jury how he has been wronged before he asks for compensation. D. in XIV gives almost no information at all about the alarm in Athens and the reason for the rearmament is left somewhat up in the air. There is no equivalent to the narrative that is necessary and D. goes ahead with his own opinions. The speech is dominated by a contrast of *logos-ergon* in the Thukydidic manner. D. in the proemium rejects the *logoi* in favour of the more practical *paraskeue*. This topic will remain in his speeches until the end of his career.

A distinctive quality of XIV, according to Pearson, is its Thukydidic brevity and concentration of expression. Indeed the sentences are short and words are used frugally. This would offer the speaker the chance for a brief pause after every argument.

The orations of the later years appear to have a greater directness of argument, a greater speed in the flow of language and the absence of any appearance of hesitation.

There is no effort to make more than one point at a time, and the reader feels no need of any outline or analysis to help him keep his bearings, or show him in what direction the argument is leading.

Pearson *Development* compares XIV. 1-2 with Cicero's *Pro Lege Manilia*; there Cicero had to explain why he had chosen this particular occasion for his first appearance before the popular assembly, describe the causes and the nature of the military danger that threatened the nation and persuade them to adopt a particular method of equipping themselves to fight against it. There is one essential similarity in the procedure of Cicero and D. Both of them follow the same order of argument. After a brief explanation to show why they are speaking, and a comparison of themselves with other speakers, they mention at once the topic of discussion, the point to be established (methods of rearmament - the appointment of Pompey). Then the reason that makes it necessary to discuss the topic (the present state of alarm and finally the more detailed statement of the background of the situation (the relations with Persia - with the king of Pontos). The three key steps in D.'s argumentation were identified by Pearson as *paraskeue*, *phobos*, *basileus* which appear in the same order in *Pro Lege Manilia*. Possibly, in the first speech D. ever delivered the choice of the above order had some significance if one considers that in an ordinary forensic speech in a law-court the normal procedure was to present the narrative before the argument and plea for sentence, the order being *basileus*, *phobos*, *paraskeue*. The question then seems to be whether he adopted a method of introducing himself to the assembly that was different from the usual self-introduction in the courts. In a lawsuit a speaker would put on an apologetic tone; his presence had to be explained, he would insist that he is not a litigious person and it was his opponent's aggressiveness that had forced him go to the court. The usual tactic for the speaker was to make clear that he was not a professional litigant and that it was not among his interests to be involved in suits. In a political oration this would not probably be a good idea as the people expected from those on the rostrum to be able to give sound advice. The generations of politicians that had passed from Athens were professional ones and nobody had ever questioned that

quality. Isocrates e.g. found those who were depreciating their own qualities in front of the assembly hypocritical and urged the Athenians to laugh at him if he spoke unworthily of his reputation or the occasion (*Paneg.* 13-14). In all of his early orations D. is ready to criticise the other orators and offer his own opinion. In XIII he does not choose any of the current trends in the assembly and offers his own evaluation about the ethos of the theoric fund. In XV he expresses surprise at the inconsistency of the other orators and in XVI he criticises the polarisation that the other orators promote and comments that if someone tries to reason then he is unlikely to be heard. In XIV the criticism involves the praise of the ancestors which is unable to reach their real value. D. presents the point he is going to argue for in a very abrupt manner, as I think is his fashion in XIII. 3 as well, where he proposes a different *ekklesia* to discuss *syntaxis*. The tone of these openings is authoritative and contains ἐγώ many times. The personal usually comes before the argument (3, 9, 14, 41). After these self-confident, almost arrogant openings it is a remarkable change if one turns to the *First Philippic*. IV has no ἐγώ at all except in the closing sections where he is tendering his own opinions and one notices immediately that D. is back to the apologetic manner that characterises the law-court speeches. He asks to be forgiven if he seems to be violating the order the orators speak but for the topic under discussion their opinions are rather well-known.

In XIV the final conclusion is already anticipated in 3: ἐκ δὲ τῶν τοιούτων νομίζω συμφέρειν ὑμῖν τὴν μὲν ἀρχὴν τοῦ πολέμου τηρεῖν ὅπως ἴση καὶ δικαία γενήσεται, παρασκευάζεσθαι δ' ἃ προσήκει πάντα καὶ τοῦθ' ὑποκεῖσθαι. In my opinion it is part of his technique in the early orations to establish the point he wants to make before leading us naturally to its appearance after argumentation. In XVI. 4-5 he explains the principle that it is in Athens' interest to keep Sparta and Thebes weak by each having to face strong neighbours, Thebes the cities of Orchomenos, Plataea and Thespieae, Sparta the cities of Megalopolis and Messene. This point needs to be established, and by claiming it as a truth he damages the discussion that follows (6ff.), since it would be more effective if all his arguments led to that specific point as a

conclusion in the end. In XIV D. waits until 14 before letting us know what the main topic of his speech is and it is only then that he tackles the practical aspect of *paraskeue* he has been urging so much since the beginning. This as we saw provoked Pearson to argue that the sequence of the argumentation is *paraskeue, phobos, basileus*. In my opinion this is a rather simplistic approach. It is true that we are presented with what is to be the aim of the speech from the very beginning. This does indicate that there is a change from the law-court approach where the speaker asks for the kind of decision he would like the judges to pass. In this specific oration Pearson's structure does not help appreciate the strategy of D.'s tactics on persuasion. First the orator has divided *paraskeue* in two parts. In the first, until 14, there is a series of arguments (which will be analysed later on) that show that *paraskeue* is preferable to war. It is after 16 that we learn of his concrete proposals. It was not enough to show that *paraskeue* was necessary but instructions on how to achieve it would consolidate the point he wanted to make. After the proposals D. commences on a different aspect of the situation i.e. funding, 24-30. There with irony he will argue that for an imaginary danger the rich will give out nothing of their property. Why they would not give for his *paraskeue* plans is not explained, but at any rate he continues to soften the effect of his analysis by assuring them that there is enough money and ships. The best way to do that is to remind them of the Persian wars. After this he goes back to arguments. The King would not and could not employ mercenaries, the Thebans are not dangerous. Pearson's elements of structure *paraskeue, phobos, and basileus*, blend with each other, not in that specific order but in argument sections, triggered by what people fear or think (31, 33) and what D. thinks (35 ἡγοῦμαι τοίνυν ἐγώ). M. Delaunois *Les Études Classiques* 19(1951)177-189 maintains that in the earlier speeches the argument proceeds in strict "logical" order, with one point or idea taken at a time and with very little repetition, whereas in more mature orations the succession and the whole pattern of composition becomes less and less regular as time goes on. It is also debatable whether Delaunois' general equation of an idea with a paragraph or section is proper or accurate. The progress of argument within paragraphs should be taken into account as

well as the relation of one paragraph to the other. As for repetition, D.'s arguments in 35-40 are more or less repeating points from all over the speech. This is purposeful of course and carries the intention of answering to arguments once again, expressed differently without an emotional appeal. One can even see a conscientious effort not to mention the past very much and in excessive terms. He does not cite historical examples that could prove Athens' strength, as he would betray his promise at the proemium. This lack of information from the past he will try to rectify in XIII with the historical examples and more historical details in XV e.g. 22, 26-27 not forming a *narratio* but always supporting arguments.

After stating his purpose in the proemium he gives a step by step argumentation, where he explores the premises of an active expedition against the King. The Greeks will not necessarily side with Athens should the latter make the first move. He establishes the situation in foreign affairs; Greeks are in disunity and the King can lure them with money if he is not seen to be the aggressor. After this he states that the King is a connoisseur of Greek affairs and that he will revive the differences among the Greeks. Then we have the feelings of the Greeks who do not care, as long as they benefit, if a fellow Greek city is under Persian rule, whereas Athens will never accept that. The conclusion is that Athens should keep a low profile lest the King seized the opportunity. In 8 we have the antithesis between *logos-ergon* which is persistent throughout the speech with a new twist. Usually *logos* prevails when *ergon* should be taken up and *ergon* is being promised when there should be sound advice. But of course both together are the factors of success. After the *ἀγών - πόλεμος* distinction which indicates that Athens lacks at the moment the material resources but not the human ones 9, he makes the hypothesis that if different kinds of preparations existed the king could claim that Athens is preparing against him; but since this is impossible they can prepare for both and avoid creating new enemies 10-11. Then there is a different argument about the Congress convened by Athens 12. Some of the Greeks dislike Athens. If they set down terms that Athens has to abide by, will Athens accept them? The fear of Persia is not strong enough to stop the Greeks viewing each other with

suspicion. The ambassadors will offer good "poems" only. It is better to hold back and save those who will plead for help than actually ask for help that will be perceived as Athens pleading 13. Until 14 he has talked about *paraskeue* as an alternative to war, as a solution that will keep them always fit for action. Since D. made proposals for armament again in IV it would be interesting to compare how they are incorporated in both.

In IV after a brief introduction he begins by insisting that Athens has no reason to be discouraged by Philip's control of greater numbers of men or of strategic locations. In the past Athens had held similar advantages; if in those days Philip had taken the attitude now prevailing in Athens he would have made no headway. He succeeded because he has the right attitude, because others are always ready to join forces with a man who is adequately prepared to do what is necessary. The difference in the two orations is that in IV all the above information precedes his conclusion. The remarks about attitude and acceptance of personal responsibility are used to lead up to the conclusion: The Athenians must and can build an armament. Events have shown that they have been wrong in the matter of attitude and armament alike, and after this realisation he goes ahead to offer his proposals in detail. The exposition he makes is not dense, and he goes back to the attitude point he made earlier on. In 15 D. makes the point that the Athenians should bear in mind that whenever they did something wholeheartedly they always succeeded whereas when they were indifferent to failure nothing ever happened. Immediately after this he begins his proposals. Such a comment about the Athenian attitude is not fully explained or exploited, as he had done so in IV. In short the point is not proven that the *paraskeue* proposals he makes are needed.

He then (24-30) moves to the next set of arguments, where with superb humour and sarcasm he exposes the impossibility of obtaining funds from the rich on such a hypothetical danger. This compromises their fear and exposes the difference of thinking between rich and poor. Cleverly he pushes aside any resentment by referring to the indefatigability of Athens when attacked by the King in the past. Then more blocks of

argument. The mercenaries, the Thebans (31-34). Finally the arguments against a unilateral declaration of war. The Greeks know that when united they can beat Persia and that whenever they trusted the King they were humiliated in the end. He should not be given the chance to present himself as the protector of the Greeks. The Congress is useless. Peace and *paraskeue* should prevail at the moment and the King be warned; he knows that the Greeks need a common cause and he will not provide it for them. It is worth noting that all the above arguments are expressed with economy, almost elliptically, and bombard the reader with different ideas which summarise the argumentation of the whole speech. The peroration demands *paraskeue* and prevailment of *ergon*.

I have tried to describe what I would like to name blocks of arguments which make the speech symmetrical, built around the central proposals. Indeed the absence of the *narratio*, as Pearson noticed, is very obvious and makes the speech lacking a sense of cause - effect - remedy argumentation. This trend is rather obvious but not identical in the other early orations as well, as I have explained in the similar discussion of XIII. There is no *narratio* to support D.'s practical advice and he goes on to a moral criticism of different aspects of the city's political life with the intention to reverse them with historical examples. There is no clear indication of cause and effect and the blocks of argument do not make the speech cohesive. The same could be argued for XVI, which not only lacks *narratio* but is formed essentially by answers to the previous orators' arguments. The orator proceeds as if he was encountering arguments from other orators and each set of arguments seems to be independent from the other. The way he starts each new block is indicative: 11 Ἔστι τοίνυν τοιοῦτός τις λόγος παρὰ τῶν ἀντιλεγόντων, ὡς..., 14 Θαυμάζω τοίνυν καὶ τῶν λεγόντων τοῦτον τὸν λόγον, 19 Ἀλλὰ μὴν ἃ γέ φασιν πεπρᾶχθαι, 23 ἠδέως δ' ἂν πυθοίμην τῶν λεγόντων, 27 λέγουσι τοίνυν οἱ μάλιστα δοκοῦντες δίκαια λέγειν ὡς δεῖ. D. 30-31 will remind them in stronger personal terms (οἶμαι τοίνυν ἔγωγε) what he had already argued in 4-5. The problem is examined as a procession of blocks of argument, not necessarily unconnected to each other but each one examining a different aspect of the problem.

XV is similar in that respect as well but gives some more information about the matter discussed. The central argument is that Athens is a democracy and as such, no matter what, should support its fellow democracies (17-21). Before that he explains why a move to help Rhodes will not aggravate the King, whereas Artemisia would prefer the island to be under Athenian influence. He sympathises with the plight of Rhodes because they are under Persian rule and hopes that this will teach them a good lesson for the future, 5-16. In 22-24 he uses different examples and arguments to make the point that they should not be afraid of the King as they have always defeated him. In 25-29 again there are different arguments about the same matter; Athens has a right in Rhodes and there is no danger of violating any agreement with the King. Then in 30-32 he warns the people of Athens of people who are traitors and do not want the benefit of the country. As in XIV D. tries to hammer his way of thinking to the audience using essentially the same blocks of arguments around a central idea which admittedly is better used than XIV's proposals. In sharp contrast to all these early orations comes the *First Philippic*. There the *narratio* not only exists but makes the speech more lively, and it is not only for the sake of liveliness that the *narratio* is there but it also helps the Athenians see the direct results of their policies. The central part of his discussion, *paraskeue*, is not a dry account of proposals but a simultaneous explanation of the reasons that they should be adopted for discrediting the usual way of doing things. After he is over with the proposals he moves on to the way to finance the proposals; only he is not negative as in 24f. but he has a whole plan to substantiate his proposals. One could argue that the circumstances are different and that IV is an exhortatory oration. Yet the argumentation's structure is completely different. The necessity for the proposals is given, the proposals are explained in detail and are substantiated, the benefits are illustrated when at the same time the inefficiency and laxness is exposed. In a way a criticism of such a kind was included in XIII only with the usual block arguments which carried away most of the emotional power, recovered only by the passion in the historical examples.

Summarising XIV shows a deviation from the usual forensic style by putting the objective in the beginning and offering advice in an authoritative manner. There is no *narratio* and little information on the background of the alarm is given. Instead the argumentation is dense, and follows a kind of logical order forming **blocks** of arguments that approach different angles of the same matter. The proposals are unsupported and their presence is not fully explained, whereas the ensuing arguments about the financial support in case of war are made in an authoritative, sarcastic and amusing way quite different from the dignified manner of the rest of the oration, a manner that foreshadows the sarcastic passages in e.g. IV about barbarian boxing (40) or the clay generals of Athens (26).

Chapter 3 Political Orientation

It has been argued that this first political speech by D. is an indication that he fostered particular political beliefs which aligned him to the political "party" of Euboulos. In brief the political line of Euboulos was continuation of the payment of theoric money to the people, a large building programme that could offer extensive employment, systematic improvement of Athenian finances and avoidance at all costs of war, cf. Cawkwell's *Eubulus*. This policy was essentially favourable to the propertied class since the greatest burden in case of a war was born by them. In XIV his refusal to undertake war and his ironic remarks about the necessary funding that the people would be unlikely to get from the rich, have been taken to mean that in the beginning of his career his tendencies were aristocratic or rather against the wishes of the people. I will try to argue that D.'s thinking should not be included in such a narrow spectrum of political interpretation, although undoubtedly he does seem to have gone through a moulding period that made him in the end the undoubted leader of the demos.

In 24-30 after his lengthy proposals about the naval reorganisation, he goes on to talk about χρήματα and πόρος φανερός. Naval παρασκευή is not the only weapon to win the war and D. expects his audience to know this since he recognises that what he is going to say about financing the war will seem παράδοξον to the Athenians. In his opinion there is nothing to say about the financing of the war simply because the fund cannot be found at all. This does not necessarily mean that all the naval preparation was not really meant by D. because he just wanted to frighten off the Athenians (by the immensity of the preparation, in a similar manner as Nikias had attempted to do before the expedition to Sicily, Thuk.VI. 19.2). Jaeger *Demosthenes* 78 asserts that this must have been his aim because of the way he handles similar preparations in the *First Philippic*. There, before going into detail in the preparations needed in his opinion, he feels the need to clarify that he does not really want to prevent fast and effective action, thus 14: "μηδ' ἂν ἐξ ἀρχῆς δοκῶ τι καὶ κληρὸν παρασκευὴν λέγειν, ἀναβάλλειν μετὰ τὰ πράγματα ἡγείσθω. οὐ γὰρ οἱ ἄλλοι καὶ ἄλλοι εἰπόντες μάλιστα εἰς δέον λέγουσιν ... ἀλλ' ὅς ἂν δείξῃ τις πορισθεῖσα παρασκευὴ καὶ πόσις καὶ πόθεν

διαμεῖναι δυνήσεται,...". Jaeger believes that because of such vigorous defence of his proposals in IV, D.'s proposals in XIV were meant to discourage the Athenians concluding; "That this, on the contrary, is his actual intention in the speech *On the Symmories* is made even more probable by the fact that his new demands for armaments are here conjoined with the statement that at present no money at all is to be had". I do not agree with this suggestion. D. knew that a city like Athens needed a very good and efficient navy, a navy that could be mustered quickly and effectively. Yet the actual fuel for a war is money and, that, Athens lacked at that time. His proposals are very well thought out although how good they would prove to be is impossible to say. They do not demand vast sums of money and in general belong to that area of Demosthenic preoccupations, the παρασκευή. 14-23 are solid, business-like ideas that are meant for the long term preparation of Athens. Their position in the speech bears out exactly this intention. After a long discussion on why Athens should not attack Persia now he claims that they will be ready to face war with preparation 13: ἐκ δὲ τοῦ μετὰ τοῦ παρεσκευάσθαι..., and 14: ἔστι τοίνυν πρῶτον μὲν τῆς παρασκευῆς, ᾧ ἄνδρες Ἀθηναῖοι, καὶ μέγιστον... When he begins talking in 24 about the lack of funds he returns to the present, trying to present the case of the financial impossibility of an immediate war against Persia.

D. does not begin a new factual exposition of the financial capability of Athens but stuns the Athenians with two devices, his παράδοξον and the αἴνιγμα. The παράδοξον is that there should be no talk about the funds. This would indeed strike the Athenians as being strange and even patronising. They must have thought that they deserved to be told what the situation was and D.'s manner of speech must have struck them as rather tantalising if not arrogant. Further on he says that there is enough financial potential in Athens which cannot be translated now in ready cash, whereas if they let it rest for the moment it will be available in the future. Notice his irony 24: "εἶναι γὰρ πόρον ἂν δέη, μέγαν καὶ καλὸν καὶ δίκαιον, ὃν ἂν μὲν ἤδη ζητῶμεν, οὐδ' εἰς τόθ' ὑπάρχειν ἡγησόμεθ' ἡμῖν". This sounds reasonable; if somebody spends wastefully then there will be problems in the future, but he goes on to say: οὕτω πολὺ τοῦ πορίσαι νῦν ἀποσχίσομεν. D. makes clear that it is not really a matter of

choice for the Athenians whether they want to use up their πόρος, it has to be left there for it cannot even be gathered now. Ἐὰν δ' ἐώμεν, ἔσται. It has by now become obvious that D. is forcing his way through the audience's state of mind little by little, puzzling and dictating to them the available *options*. The climax is: τὶς οὖν ἔσθ' οὗτος ὁ νῦν μὲν οὐκ ὄν, ὑπάρξων δ' εἰς τότε; It is obvious that D. is playing, the riddle he forces on the audience is deeply ironic. The orator can only explain the situation, the money is in the pockets of the rich and they have a different perception of the situation. The language D. uses is not derogatory but critical against the demagogues and represents the hasty, tense and haphazard manner in which the Assembly takes its decisions 25: εἰ πάντες οἱ λέγοντες φοβοῖεν ὡς ἦξει βασιλεύς, ὡς πάρεστιν, ὡς οὐδ' οἶόν τε ταῦτ' ἄλλως ἔχειν and finally the verb χρησιμοδοῖεν which suggests a vehement criticism of the illogicality of the resolutions taken in the Assembly. This is obviously a full scale support of the propertied class, notoriously keen on peace, but with careful wording and reasoning.

It must have taken much courage to remind the democratic Athenians that the effectiveness of their decisions depended upon the few who had the property and that in the present situation they did not stand a chance of persuading them. It could even sound as a threat to democratic stability. Only when the danger became clear (ἔργω πραττόμεν' αἰσθονται) would they contribute. Should the *demos* go ahead with their decision the sum they would gather would be a laughing stock - πλείων ἐστὶ γέλωσ τοῦ μηδενός. The word γέλωσ is in itself ironic again. D. trusts his luck because he knows, and conveys this feeling as well, that he is right. Any amount of money would be totally inadequate compared to the 1200 camels that carry the King's money. This is a charming picture and we do not know its origin. It could be that the other orators *reported* that 1200 camels were bringing money at the shores of Asia Minor but I prefer to think that this is another ironic point of D. directed at the πλῆθος who usually got impressed with similar kinds of extravagant assertions (it could also be a joke reminding the Athenians of their 1200 contributors). The conclusion is 28: δεῖ τοίνυν ὑμᾶς τὰ μὲν ἄλλα παρασκευάσασθαι, τὰ δὲ χρήματα νῦν μὲν εἶν τοὺς κεκτημένους ἔχειν... In very few lines D. has exposed the entire socio-economic structure of the

Athenian state. The property is in the hands of the rich and consequently the means of war, whereas the people have the power to make the decision and fight the war but they must always consider the advantages and disadvantages of war as well as take into consideration the will of the propertied class.

Such bitter irony, as demonstrated above, suggests that D. was aware that his audience should not be treated as a mature, rational listener but as a group of people where emotions run high. His ironic remarks should not be seen as proof that he was looking down on the Athenians but that he was aware that they needed to hear the truth. He chose such a way of doing so because he thought that it would have a greater effect. An orator who dares not only tell the truth but also criticise in the most bitter terms was not a common sight in the assembly. D. will repeat this kind of criticism in the *First Philippic*, as G.O. Rowe in "Demosthenes, First Philippic: the satiric mode" *TAPA* 99(1968)361-374, has explained. Later on in his career D. will depend more on the people and less on the wealthy to realise his dream of a stronger Athens.

It would be interesting to draw a comparison with X. 35-45 where D. tackles the question of social cohesion. Although in XIV he just acknowledges the difference of opinion between the wealthy and the *demos* as a fact, in some 12 years he evidently thinks that it is a gravely important matter; cf. X. 36: "οἶμαι γὰρ ἕξειν καὶ ὑπὲρ τῶν ἀπόρων τὰ δίκαι' ἐπὶ τῷ συμφέροντι τῆς πόλεως εἰπεῖν πρὸς τοὺς εὐπόρους, καὶ ὑπὲρ τῶν κεκτημένων τὰς οὐσίας πρὸς τοὺς ἐπιδεεῖς.". In X the theoric fund is a matter of dissent among the citizens. D. speaks first in favour of the city's poor and defends their right to the theoric fund. To do this he contrasts the present with the past. In the past Athens was poor (37), and the rich then did not moan but did their best to provide the city with a navy and money, and even spent more than was expected of them. At the present time Athens is so rich that they spend less than they should, so they benefit also from the state's welfare. He gives them the role of the city's parents in the way adults are responsible for their families by law. In X the poor are prone to *στάσις* and malevolence against the rich if they do not have the bare necessities, whereas in XIV the rich were fed up with the *demos* X.42: "τὸ γὰρ τῶν ἀναγκαίων

τιν' ἀποστερεῖν κοινῇ κακόνους ἐστὶ ποιεῖν πολλοὺς ἀνθρώπους τοῖς πράγμασι".

In his eulogy of the rich D. says that they should be left alone to enjoy their property without any hassle from the *demos* since it is them who will help the city in case of a war, X. 45: "τοὺς μὲν εὐπόρους εἰς μὲν τὸν βίον τὰ ἑαυτῶν ἀσφαλῶς ἔχειν νομίζοντας καὶ ὑπὲρ τούτων μὴ δεδοικότας, εἰς δὲ τοὺς κινδύνους κοινὰ ὑπὲρ τῆς σωτηρίας τὰ ὄντα τῇ πατρίδι παρέχοντας, τοὺς δὲ λοιποὺς τὰ μὲν κοινὰ κοινὰ νομίζοντας καὶ μετέχοντας τὸ μέρος, τὰ δ' ἑκάστου ἴδια τοῦ κεκτημένου". D.'s style is different in X. He is not using irony or sarcasm to make his point but patriotic exhortations such as how the city provides all the citizens with what they need, using the cliché that the city is everybody's family. He opts for social balance and stability recognising both groups' claims to the wealth of the city, since everybody benefits from the present situation it would be better to leave as it stands. It is obvious that D. has given more thought to social problems since XIV and tries to actively keep the balance between the two antagonistic classes of Athens.

Chapter 4 *Eisphora* and Symmories before 358/7

This account is not endeavouring to solve the many and complicated problems that the *eisphora* symmories present us with, concerning especially the nature of this tax-system, the number of people each symmory had etc., but to try and give some of the evidence available as well as some points that are controversial among modern scholars⁴⁰.

I. The Thousand and the *diadikasia* documents

Davies in his *Wealth* Appendix I, 133-150 has provided a highly hypothetical "ancestor" to the symmories' system that we know was introduced in 378/7. His thesis involves some documents that are written in the formula 'B instead of A'⁴¹ around 380 B.C. Davies convincingly criticises the view of U. Koehler in *A.M.* 7(1882)96-102 and amended by Lipsius in *Das attische Recht und Rechtsverfahren* (Leipzig 1905-1915)593 n.14 who considered these documents as referring to either choregiai, *proeisphora* or trierarchic duties. What struck Davies was that in a period when not so many inscriptions have survived we seem to have an almost complete series of *diadikasia* documents. His point is that since the Akropolis has been thoroughly searched these documents' existence shows that it was not due only to sheer luck. The Athenians deemed them important enough to inscribe them on stone. From this point of view his conclusion in *Wealth* 135-6, although I agree with it, is precarious "... it is very much simpler not to postulate this hypothetical series, and to conclude instead that we possess already a large proportion of those documents of this group which ever existed, and that they are products of a legal context which continued in force only for a limited period of time". Moving further on he does offer some considerations which are sound:

⁴⁰ R. Thomsen's *Eisphora* is a useful book as he has collected all the important references. His conclusions are rightly criticised by G.E.M. de Ste Croix in *CR* 80(1966)90-93.

⁴¹ These documents are *I.G.* II² 1928-1932, EM 12920=*Hesperia* 7(1938)277 no. 12, EM 12923=*Hesperia* 79(1938)306 no. 29, *Agora* I 4689=*Hesperia* 15 (1946)160 no. 17.

- i. The inclusion of cult heroes and individuals on equal terms (*I.G.* II² 1932) suggests that there was no personal service required.
- ii. The absence from the formula of any explanatory detail entails that this formula conveyed sufficient information by itself for the purposes of all concerned, including the state. The absence of the exact location for the property concerned, a necessary term for any ownership change, suggests that these inscriptions were not listing an ownership change.
- iii. "B instead of A" suggests that the As were all listed somewhere else. I agree with this in principle but I disagree with Davies' suggestion that the As, those who were at first responsible for whatever the inscriptions are referring to, were written ἐν σάνισιν λελευκωμέναις or on a πίναξ. The question is: If the changes were written on stone then why were those who originally responsible for whatever, not inscribed on stone too? To combat such an argument Davies is too eager to favour the σανίδα λελευκωμένας since they would never come down to us because of their material.
- iv. If one accepts that the As were all somewhere together then it is natural to assume that there was a fixed number of them.

The important connection which is made by Davies is very challenging but very frail too. In Harpokration X5, s.v. χίλιοι διακόσιοι, the author mentions that Isaeus (Ἐπεὶ Νικίου συνηγορία) and Lysias (Πρὸς Κλεινίαν) each mention the Thousand. This number Harpokration regarded as a rounded down figure of the 1200 who were instituted by Periandros (as far as evidence tells us) around 358. Harpokration is wrong if one considers the fact that Lysias is not generally thought to have written anything after 380 (before the organisation of the symmories) and that D. who uses this number never rounds it, although there are not numerous passages where he uses that number (cf. XIV. 16, XXI.155). It is very unfortunate that we do not have these speeches but Davies' suggestion seems to me a good one. He thought that the *diadikasia* documents were actually referring to these Thousand regarding the *eisphora* tax, a tax known to the Athenians well before 378/7. The Thousand were then a body of citizens that were liable to pay the *eisphora*, they and they only. Hence the *diadikasia* documents, which

were probably the results of some people's efforts to avoid being in such a body by pointing out somebody who was richer. According to Davies these Thousand were appointed locally⁴² and were approached by the state whenever there was a need to levy an *eisphora*. Any attempt to define this group further is fated to be suspect and inaccurate. This approach makes one think that there was a previous stage of reforms before 378/7 which ended in the Thousand. It seems that it was an effort to procure a number of specific citizens who were liable to pay the *eisphora*. It was perhaps from the pool of these Thousand that the symmories were organized in 378/7, although if one supports the view that there were many more people in the *eisphora* symmories than 1200 it is not possible to argue so. The obvious advantages of Davies' theory are that it explains Harpokration's confusion that the two numbers were one and the same (the 1200 are distinct from the 1000 and we still do not know what the 1000 were for or what was meant by that that number), why the series of the *diadikasia* documents pertain to a limited period at about 380 and why it breaks off⁴³.

II. The *eisphora* symmories of 378/7.

The evidence we have got about these reforms allows us to understand the circumstances under which they were introduced. 378/7 is the year of the foundation of the Second Delian League and the beginning of a new offensive against Sparta (*see* also the charter of the League, the decree of Aristoteles *I.G.* II² 43). It was at this time when Athens needed more funds, especially funds that could be dispensed effectively, that the symmories were born. A fragment of Philochoros (not free from dispute) gives the necessary verdict (*FGrH* 328 F 41) that it was in the year of archon Nausinikos (378/7) that the Athenians were first organised in symmories (πρώτον). Polybios II. 62.1ff. also says that the *timema* of Athens in that year was 5,750 talents. This number has been much disputed although Polybios generally is considered to be a reliable

⁴² I shall comment on and criticise this local appointment of the Thousand when I shall talk about the *proeisphora*.

⁴³ *contra* V. Gabrielsen in "The *diadikasia*-documents" *C&M* 38(1987)39-51, who thinks that they are records of debts' payment.

source. It was in relation to this number that the *eisphora* was levied. D. XIV. 27 gives examples of levying *eisphora* tax and shows that the total sum was levied as 1/100, 1/50 of the 6,000T the *timema* of Athens (probably a rounded off figure of 5,750 Polybios has reported), i.e. 60T or 120T respectively. The main scholar who doubted that this was a full evaluation of Athens' property was Boeckh in his *Staatshausaltung* vol.I 601ff. On the nature of the levy I accept de Ste Croix's view that it was a tax on capital and definitely not on income, cf. *Timema* chapter 3 "Τίμημα and capital" 36-41).

We do not know how the citizens made the symmories, of what size they were, how many there were in each symmory, how many the symmories themselves were and the percentage of citizens in them. The last point is of importance as there could be more or less everybody with a substantial capital (as substantial capital one could perhaps suggest 2,000dr., the amount that was set as a citizenship qualification in 322 BC, Diod. XVIII. 18.4-5) or only an elite of 1000-2,000 people, cf. de Ste Croix *Timema* 69 (and n. 152 for the evidence) who states that although there is much evidence to suggest that the rich boasted of paying *eisphora*, *πολλὰ εἰσφοραί, μεγάλα εἰσφοραί, πολλὰ καὶ μεγάλα εἰσφοραί* "It should now be clear, however, that they are stock formulae, not to be taken very seriously. We have seen that in, roughly, the second quarter of the fourth century the total *eisphorae* averaged 1/4 of 1 per cent per year and were thus the approximate equivalent of an income tax of sixpence to a shilling in the pound". For the controversy whether the *eisphora* symmories were reorganised in 358/7 to fund the navy as well, and whether 1200 paid the *eisphora* before and after 358/7, see chapter 6, sections VI and VII.

The organisation of the symmory was not very complicated. Although not all the following sources refer to the symmories of 378/7 (some refer to the ones of 358/7), one can assume that the organisation must have been similar. There was a *διαγραφεὺς* (registrar Hyp. F151, Harp. Δ35, Poll. VI. 179) who calculated the sum to be paid by each *συμμορίτης* (Hyp. F146 ap. Harp.) according to his *τίμημα* (Harp. Σ55). These entries were made in the *diagramma* which he kept. Sometimes *ἀνασύνταξις* took place as it is reasonable, to adjust the rate of tax on the individual *συμμορίται*

according to the fluctuation of their wealth (whether it took place at fixed intervals or irregularly one cannot be sure).

The most important question to ask though is why they were created. Two scholars have tried to answer this key question, de Ste Croix, and J.K. Davies. I am inclined to follow de Ste Croix's opinion but I will disagree with the interpretation he offers of some Demosthenic texts.

De Ste Croix criticises the common belief that the symmories served to distribute smoothly the burden of the tax among the citizens. This is a self-inflicted illusion since everyone registered in a symmory had to pay according to his *timema*, *Timema* 58. There was no "collective" liability. This is obvious from the year 357 when actually Androtion tried to gather *eisphora* arrears from a significant number of people when he could have asked simply each symmory to hand in the arrears it owed, which he did not. Payment was made according to the stipulated, uniform rate on each symmorites' *timema*. The system was truly simple. If a symmory had to defray the sum as a whole then this would end up being time-consuming. Quite correctly he connects the creation of the symmories with the *proeisphora* institution. It is his idea, *Timema* 59, that the system was created so as to provide a series of small clearly defined and manageable units from each of which a wealthy proeispheron would recoup for himself the advance he had made on their behalf. He concludes that in the absence of such bodies, reimbursement would have been very difficult if not impossible to organise⁴⁴.

III. The προεισφορά⁴⁵

The first extant use of the word *proeispherein* refers to 362 in a mention in D. L. 8-9 delivered (according to de Ste Croix) in 360 or just after. A reference to the 300 is made in Isaeus VI.60 (delivered in 364); the word is not used, but we know from later texts that the *proeispherontes* were 300 (D. II. 29, XVIII. 171, XLII. 3, 4, 5, 25,

⁴⁴ It is needless to mention that the state thus had the best chance to control the collection of the tax since it could demand from the 300 the sum of the *eisphora*; the 300 would be unlikely to have tried to cheat or refuse to pay.

⁴⁵ The most recent and valid discussion is R.W. Wallace's *Proeispherontes*.

Aeschin. III. 222 - these passages refer to periods before 338). In D. L. 8-9, mentioned above, there is a description of an extraordinary procedure of appointing the *proeispherontes*. It suggests that in the period before 362 the *proeispherontes* were appointed locally by their demes, whereas exceptionally in 362 they were appointed by the councillors. This could make one think that the 300 were not actually connected with the symmories and that after being appointed they were evenly distributed to the symmories. The reason for this arrangement could well be because if appointment was done according to one's *timema* it is possible that there was ground for gross injustices as many would be very accurate in declaring their *timema* and others would not; the *demos* was anxious to appoint the richest as *proeispherontes* so as to remove any ground for complaint. The best way to know the richest citizens was from reports from the places where they were residents or owned substantial property.

When were the *proeispherontes* introduced? As we saw de Ste Croix strongly argues that they were provided for in 378/7, being an inherent component of the symmories. There is though a problem which de Ste Croix did not overlook but actually did not realise its full importance. In the *Against Androtion* speech arrears were paid to Androtion worth 14 talents. This suggests some kind of negligence at least on the part of the symmorites. But as we saw the *proeispherontes* were a safeguard especially against such a case. The only escape here is to say that although the *proeispherontes* did exist officially from 378/7 they were not always called or perhaps they were not liable to pay the tax unless there was a specific psephisma by the *demos*. Such a decree is not recorded but it could well have been voted. The real problem that arises is that if the new tax-system was introduced in 378/7 with the 300 as a vital part of it, *proeisphora* should have been levied straight-away if the situation demanded it. In 376/5 we know that the Athenians won the battle of Naxos which de Ste Croix himself *Timema* 50 considers as an expedition which must have been in need of extensive funding. Indeed two passages in Xenophon suggest that there was vigorous activity on the part of Athens with a parallel exhaustion of the citizens. Xen *Hell.* V. 4.34 suggests that the Athenians in 377 built ships and fortified Peiraieus. Xen. *Hell.* VI. 2.1 says that Athenians were exhausted by *eisphorai* in 374 probably after Naxos and Timotheos'

expedition to Corcyra in 375/4, Xen *Hell.* V. 4.63-66. It seems then that *eisphora* was levied almost immediately after the formation of the new symmories. From Isaeus VI. 60 it can be assumed that the *proeisphora* was in use for some time before 364 but one cannot determine when. Wallace *Proeispherontes* Appendix 1 has suggested that Androtion was either collecting arrears of *proeisphora* (D. was tendentiously misleading the audience about those who were in debt to the state), or that the state was collecting arrears of *eisphora* that had not been collected by the *proeispherontes*.

De Ste Croix projected a precarious theory. He claimed that D. who was *hegemon* of his symmory, namely the richest member in it, was liable to pay *proeisphora* and that the passages in the *Against Aphobos* speeches referred to the *proeisphora*, giving an idea of how much he was supposed to pay. These passages are XXVIII. 4, 11, XXIX. 59; they are quite difficult to explain and have caused a lot of discussion, concerning the unsolved problems I mentioned in the beginning. But they do not mention *proeisphora* at all and it is very dangerous to suppose that they actually refer to it.

To conclude I agree on the whole with de Ste Croix that the 300 were a necessary component of the reform of 378/7. It was necessary for the state in case of an emergency to have a specified pool of people that it could turn to and get funds immediately.

J.K. Davies has put forward the theory that the local system of levying the *eisphora* before 378/7 was superseded by that of the symmories, a non territorial one which treated the property of each individual person collectively, the meaning here being that each person might have a lot of property dispersed among many demes in Attica and thus very difficult to assess at a local level. Below I summarise Davies' *Wealth* 148 reasons for substituting the symmories for the local system of the Thousand:

- i. The movement of many individuals away from the place where their male ancestor was in 507 (Kleisthenes' reforms).
- ii. The physical dispersal of property.
- iii. The growth in importance of ἀφανής οὐσία which covers interest-bearing investments in mines, ship loans or deposits in banks.

Certainly the new assessment of capital in Athens in 378/7 suggests that in the past the state had some trouble in determining the property of its citizens. This is not the only explanation. If we bear in mind that the *proeispherontes* had to be reimbursed by the symmories the state needed a full declaration of everybody's property so as to try and distribute it evenly among them. Davies first of all cannot prove that the system was a local one before 378/7, the evidence he gives *Wealth* 146 is feeble and he concludes: "...one would most naturally expect, at any rate at a time when most property was in land or physical objects such as slaves, the machinery for the collection of *eisphora* would be local". I tend to think too that it might have been a local one at all times. It seems that the Athenians trusted the judgement of the local people (it was actually the local councillors in 362) to declare the richest among themselves and the physical dispersal of property did not inhibit them from declaring Apollodoros the richest person in three demes. Whether it was the actual property one had in a deme or the fame he had in the Agora that played the most important role we will never know. From the same speech, L. 8-9, we can be fairly sure that before 362 it was the demes who declared the *proeispherontes*.

Davies connected the procedure in 362 (as narrated by Apollodoros) with a weakness in the symmoric system and also with the exemption system (liturgies)⁴⁶ in a case of an emergency. The exemptions made Davies think that in a case of an emergency when *eisphora* had to be levied and the *proeisphora* was considered necessary there were just not enough people financially strong to fulfil that responsibility. In brief he thought that if one counted out the exempt λειτουργοῦντας from the previous year then that would not render possible the fulfilment of the *proeisphora*, the trierarchies and the other liturgies. That Apollodoros after doing his trierarchy could not expect to be refunded by the remaining people of the symmory he was assigned to, probably seems to suggest that there were only some who could afford to dispense money. This is superficial. We do not know for sure whether the

⁴⁶ Whether the *proeisphora* was a liturgy carrying exemption or not, I have discussed in chapter 5 section V.

proeisphora was a normal liturgy. I doubt it, but even if it was, it could be that those who could claim exemption did not in the end, just as Apollodoros did in L. 8-9. Although I realise the strain put on numbers if the *proeispherontes* were entitled to exemption, it is hard to believe Davies' suggestion that Aristophon⁴⁷ wanted to supersede the whole system of the symmories and exemptions by obtaining the 300 richest in Athens and making them liable to the *proeisphora* without taking into account the exemption-system as there is no evidence for that. If one accepts that Apollodoros was entitled to exemption from the *proeisphora* then this shows that Davies' suggestion is wrong; but again Davies questioned his reliability. In my opinion the procedure suggested by D. L. was not that exceptional. The normal procedure was as follows, Wallace *Proeispherontes* 482: "When an *eisphora* was required, the demes reported to the government the names of wealthy demesmen and local property owners. Some of those named will have regularly performed this liturgy; others must have been new to it. From these names a provisional list was drawn up, probably by the *strategoï*, presumably in accordance with comparative wealth. As is shown in Appendix 2, those who could (or wished to) claim relief in the light of other liturgical obligations (or for other reasons) might do so. *Antidosis* was then available. All sources are consistent with this reconstruction". The emergency in 362 was so great that there was no time for the normal procedure to be followed; the bouleutai had to provide the names for the *proeisphora*.

⁴⁷ Davies wants Aristophon to have done this at a period when his popularity was not particularly great. His suggestion that the whole "new" procedure was a return to the old local system is hardly sustainable. The procedure was always local; the only exception was that the bouleutai had to make the appointments instead because there was a great hurry. D.M. MacDowell *Periandros* 448 claims that after 354/3 the cumbrous system of the demes was abandoned and the three richest members of a symmory composed the 300.

Chapter 5 The Liturgical Class

I. The number of the liturgical class, the liturgical census and the 1200

Before setting down to analyse the actual system of naval finances, as it was re-defined by Periandros in probably 358/7 (cf. D.M. MacDowell *Periandros* 438) and the proposed changes by D. in 354/3, there is the need to offer some information on the financial capacity and, more important, to investigate the supposed homogeneity of the group of the 1200, who were commissioned to finance the Athenian fleet. There is no evidence that such a group existed before Periandros set it up to support the navy. Davies' theory as I have already argued, chapter 4 section I, is precarious, although the existence of the very number itself, if Harpokration is right, is perhaps indicative that in the 380s, a group of 1000 people, almost identical in number (identical if rounded off) with the 1200 was involved in some kind of fiscal activity, which in its turn shows that the wealthy people considered fit for some kind of burdensome activity were, numerically, in that area. One should not put much weight on "The Thousand" since we do not know the circumstances of their appointment or even if they were a different entity from the 1200; too much depends on the accuracy of Harpokration and it would not be prudent to make any further deductions.

At any rate these 1200 were appointed, because of their wealth, to support the trierarchy. Whether it was a number of people already involved in liturgical service or whether it included people who were never involved in trierarchies in the past, is a hotly disputed subject. The latest discussion by Gabrielsen *Financing* 182 reaches, in my opinion, a very superficial conclusion when he argues that the 1200 was the number of the liturgical class, "... the group of property owners annually liable to perform trierarchies was officially defined as twelve hundred persons who in formal parlance could also go under the name "joint contributors," *synteleis*." My opinion is that the 1200 were not the liturgical class in 358/7 and I will defend Davies' opinion that the liturgical class numbered 300-400 people, throughout the fifth and most of the fourth centuries. If this is correct then a reason has to be found for the "expansion" of the

liturgical class in 358/7. The main motive must have been a need to equip better and faster the fleet, at the same time being careful not to alienate the propertied class. As the time of the re-organisation must have been chosen for a rather more specific reason, I will try to argue, with Isocrates' contemporary orations as a guide (*On the Peace*, *Areopagitikos*), however dangerous this is, that one can perhaps trace an ideological friction between the propertied class and the democratic state that came to a head around 358/7.

The usual manner of interpreting the institution of the 1200 payers for the trierarchy puts forward as the major reason a depletion of individual and state funds (e.g. after the long war for Amphipolis began in 368/7). The Social War which one would expect to be the final strain leading to the 1200 is not relevant for reasons of date. As G.L. Cawkwell has argued, *C&M* 23(1962)34-49, the Social War should be dated in 357/6 and 356/5 rejecting Diod. XVI. 7.3 and following Dion. Hal. *Lys.* 12(480). Behind the easy explanation of a shortage of funds it is worthwhile to explain the social and political implications behind the profound change in the trierarchy. It is worth noticing that a similar reason was used to explain the change from the single trierarchy to syntrierarchy in the 5th c. I quote one of the many scholars who think so, *Jordan Navy* 70: "The depletion of financial resources during the Peloponnesian war and the gradually diminishing number of men wealthy enough to contribute towards the expenses of a ship caused the adoption of a system whereby two trierarchs jointly assumed the responsibility for one ship." This makes good sense in the context of the catastrophic defeat of the Sicilian expedition. Where one man could not afford it two would be more successful. Even in the syntrierarchy system, though, the personal character of the liturgy remained, and until 358/7 there was no thought of instituting a larger body in order to make the burden lighter. What seems to be the case is that the Athenians tried another way to finance the navy in the 350s extending the liability to less well off strata of the society. Jaeger *Demosthenes* 74 examining oration XIV said that the proposals of D. were symptomatic of a tendency towards the disburdenment of the propertied class, a procedure which in his opinion had begun with the 1200 trierarchy payers. In the course of this study I will try to prove that D.'s proposals were

an effort to connect for the first time the *eisphora* payers with the trierarchy in his effort to provide a more efficient service, the finance of which would be provided by those whose properties formed the 6,000T *timema* i.e. those who paid *eisphora*.

Firstly I will try to clarify three points which refer to the establishment (or reorganisation) of the 1200 as the trierarchy payers. The thesis I will try to defend is three-fold:

- i. In Athens there were not only εὐποροὶ and ἄποροι but also a "middle class", with a medium range income which was unable to sustain a full liturgy but had a surplus large enough to contribute towards one. It was this class that Periandros' reforms sought to involve in the trierarchy.
- ii. The number of the liturgical class was not larger than 300-500.
- iii. The traditional propertied class was particularly distrustful of the way the democracy was conducting the state affairs becoming disillusioned with the continuous war and demanding a respite. Around 358/7 the state finally saw the growing discontent of the propertied class and reacted by extending a financial burden to a class of people that had not ever felt such a burden before, the middle class, in an effort to get at a compromise with the liturgical class.

Davies *Wealth* 19 severely criticised the measures of Periandros: "Periandros' reform stands out as a major shifting of the trierarchic burden on to the backs of men some of whom could without gross implausibility be described as poor (Dem. xviii.102-108)". Davies tried also to quantify estates which were "adequate but not enough to perform liturgies" cf. Isaeus XI. 40, and concluded that such estates would have to go well above the 1T mark (based on D. XLII. 22 where the speaker says that 4,500 drachmas was not a large enough property to live off, ἀφ' ἧς ζῆν οὐ ῥᾶδιον ἐστίν) if a surplus was to be left. In *APF* xxiii-xxiv he concluded with good evidence that people with less than 3T were free from liturgies whereas those who had more than 4T were unlikely to escape the tax. There is a lot of controversy on the number of the people with such a property. Davies *Wealth* 34 says: "... at any one time during the fourth century about 300 men, and not many more, had resources in excess of a figure between 3 and 4 talents...". On the other hand Rhodes *Problems* 5 and Ruschenbusch *Symmorien* 279

think that it was around 1200 rather than 300 who had a property worth more than 3-4T in the 4th c.

The evidence does not suggest that there was homogeneity in the 1200 which in its turn, suggests that in that body were included people who could not afford the trierarchy. These would be people who for convenience I call members of the "middle class". The *communis opinio* is against Davies' view that 300 was number of the people having a property that could sustain the trierarchy. Davies tried to show in *Wealth* chapter 3, that the number of people involved in the military liturgies, as preserved by the sources, always tended to be from 200 to 400. In the 5th century, Ps. Xen. *A.P.* III.4 gives the number of the people appointed to perform the trierarchies: 400. E. Kalinka in *Die Pseudo-Xenophontische Ἀθηναίων Πολιτεία* (Leipzig 1913) noticed that Thuk. II.13.8, Aristoph. *Ach.* 545, Xen *Anab.* VII.1.27 mentioned that Athens had, around 431, only around 300 ships which means that there was a surplus of 100 people. This surplus may account for the agonistic liturgy appointments which as Davies in "Demosthenes on Liturgies: a Note" *JHS* 87(1967)33-40 has shown were approximately 100. Of course the author of *A.P.* maybe has exaggerated or given an approximate figure but the fact remains that in the 5th c. the number of the trierarchic class is not that big. More importantly the persistence of the number 300 in the 4th c. is perhaps indicative of the liturgical class numbers⁴⁸. Davies *Wealth* 19 says "Demosthenes' naval law of 340 transferred the trierarchic burden to the 300 "richest men" (Hypereides F134). By the 320s, probably indeed by Demosthenes' law, the panel of the 300 men liable to the *proeisphora* were effectively identical ([Dem.] XLII. 3-5 and 25) with those liable to the trierarchy and formed the two aspects of a class, 300 in number, which financed and performed the military liturgies". There are certain problems here. First of all it is accepted that the *proeisphora* is a liturgy which means that those who pay *proeisphora* and those who pay for the liturgies are mutually

⁴⁸ The most important sources for the 300 *proeisphorontes* are: Isaeus VI. 60, D. XVIII.103,171, XXI. 153, XXXVII. 37, XLII. hyp., 3-5, 25 L. 8-9 Aesch. III. 222, Dein. I. 42, Hyper. F134 Kenyon, Schol. in Demosthenem XXVI. 21, Bekker *Anecdota Graeca* 306.22.

excluded according to the law that prohibits two liturgies in the same year, Aristot. *A.P.* 56.3. Bearing in mind the other law that allows an interim of at least one year between two performances of a liturgy (D. XX. 8 - one year for choregiai, Isaeus VII. 38 - two years referring to the trierarchy of the 4th c.) one begins to think that the size of the class does not account for the number of the liturgies that we think should be performed if e.g. Athens was supposed to have an adequate navy. The number of ships Athens had in the fourth century is in my opinion irrelevant and should not be used as an argument to prove the liturgical class was as large as the fleet. Davies *Wealth* 21 has shown that the Athenians never had out at sea the vessels they had actually built. The largest numbers ever in the 4th c. were 120 at Embata in 356 (Diod. XVI. 21.1) and 170 at Amorgos in summer 322 (Diod. XVIII.15.8). These figures certainly represent the maximum figure of ships that could be manned at the time of the expeditions. I will elaborate on this point later. On the other hand the ships available were far too many, in 353/2 totalling 349 (*I.G.* II² 1613. 284-292) triereis and in 330/29 392 triereis and 18 tetrereis (*I.G.* II² 1627.266-278). The number 120 which is closer to the time of the trierarchic reorganisation seems to be rather compelling in that the number of the trierarchic class was larger than 300. If one doubles 120 (if the number of syntrierarchs on each ship were two) the number is 240 syntrierarchs which has to be trebled if one should account for the statutory interim giving the number 720, far away from the 300 Davies wants us to believe was the liturgical class. If one is to account for the agonistic liturgies too then the number is in the area of 1000.

The above is one of the reasons that Rhodes and A.H.M. Jones *Athenian Democracy* (Oxford 1957) think that the size of the liturgical class was 1200 rather than around 300. Rhodes *Problems* part Ia tried to show that in the 5th c. too it was never obligatory for a man to perform more than one liturgy in two years which means that in the 5th c. the number of the liturgical class was substantially larger. The evidence that provides the information for the 5th c. has been proven by Rhodes not to be as certain as one would like to be. The speaker of Lysias XXI.2 was in continuous service as a trierarch for seven years. His whole career though seems to be rather exceptional as he claimed that he was performing more than one festival liturgies in one year and that this

liturgical career was unparalleled in Athenian history. In Isaeus VII. 38, delivered in 354, the elder Thrasyllus of Leuconoeum is said to have performed his trierarchic duties in an impeccable manner, as they used to be performed. He was a trierarch on his own when perhaps the syntrierarchy was not even established (he died in 415-13, Isaeus VII. 5), without any support from institutions, such as symmories existing at all, and without taking two years off but doing it continuously. Finally he always performed his duty in the fullest way. Rhodes has argued that the last point about Thrasyllus is aiming to prove that he was virtuous. In his opinion, that he did not take two years off does not necessarily refer to the 4th c. only, but that it may actually refer to exemption rules valid even in the 5th c. (thus comparing himself with his contemporaries who took two years off). This is far from conclusive. What is being tried by Isaeus is to show that Thrasyllus was the old-fashioned Athenian who makes a lot of sacrifice for his country. That is why a comparison with the reality of the 4th c. fits the context best. The syntrierarchy was of course established during the Decelean War but all the areas of comparison were present together in the 4th c. and it is more natural to suppose that such a comparison would be all the more effective if the audience was to understand it as a division between the glorious past and the less vigorous present. Yet Rhodes has cast some reasonable doubt and in the absence of any other conclusive evidence one should be rather careful in using Isaeus VI as proof that the two-year statutory interim period did not exist in the 5th c. as well. So Davies' point that the liturgical class in the 5th c. was around 400 strong is not so certain as he thought. Rhodes *Problems* 5 on the other hand concluded that the number of people in the liturgical class before and after 358/7 was more or less the same if one takes into consideration the exemptions. The difference in the systems before and after 358/7 lies in his opinion in the way the burden was distributed among the same number of people.

The controversy can be solved in favour of Davies' thesis or at least of a much smaller number than 1200 for the size of the liturgical class. First the statutory interim has to be tackled. Gabrielsen *Financing* 178 has used the interim period as compelling evidence that Davies' thesis is wrong and argues that for the system to work effectively in a four-year period (the current year plus the two-year interim plus the year when the

current trierarchs would again be liable to the trierarchy), the number of property owners had to be nearer 700. He goes on to surmise that in the 5th c. 4/5 of 250 trierarchies were to be performed by single trierarchs and 1/5 by pairs of syntrierarchs. So in a year there would be a need for 200 sole trierarchs and 100 syntrierarchs. Taking into account the two-year interim⁴⁹ (which he thought, *Financing* 86, was effective before 413 - a concession in his opinion made around 431 if the complaints of Ps. Xen *A.P.* I. 13 are true, as well as in 354) and the 100 agonistic liturgists with their one-year statutory interim there is a need for a pool of 1,100 people and, with a less conservative reckoning, 1200 people. He goes on to apply his theory to a fourth century incident where we have information that 100 triremes were commissioned in 378/7 (*I.G.* II² 1604). Applying the 4/5 and 1/5 ratio for a period of four years he argued that there was a need for 125 men in one year and 375 in a four-year period; these together with 200 festival liturgists would bring the size of the class to 575. This is disturbing for Gabrielsen who finds it a low number for the impression he has of the size of the liturgical class. But, in his opinion, any decrease in the field of trierarchies was, in some measure, offset by the *proeisphora* (378/7 or shortly afterwards), which required 300 persons a year. With 600 of them needed, since the *proeisphora* could be considered as a liturgy (D. L.9), the total number of the liturgical class was 1,175 (in my opinion it was not as the *proeisphora* may not have been a liturgy carrying exemption, *see* page 225). Gabrielsen himself admits that the model he has is rather artificial as:

- i. It does not take into account those exempt in the cavalry (1000 men after 431)
- ii. The possibility that syntrierarchies might gain in popularity after ca. 408, or
- iii. If old members who dropped out of the class at any period could not be replaced by just as many new ones, the replacement rate probably being about 40 men in a year.

⁴⁹ Rhodes *Problems* 2-3 based on Lysias XXI.2, 5 is pretty sure that there were limits on liturgies in the 5th c., whereas Davies *Wealth* 17 n.16 thinks that there were not.

His conclusion is that Periandros' law of 358/7 "... seems to have formalised a previously unofficial though practically used definition of the size of the propertied class." Furthermore he admits that this was the number required and not the one reached because of malfunctions in the system. As proof of this he uses the adjective *ἀνεπικλήρωτος* which is found in inscriptions before 358/7 defining ships, meaning that the ship has not been allotted to any trierarch which consequently shows that there were not enough men. This is wrong as the adjective means that the ship which remained at the dock was not needed by the city. Athens did not need all its ships at all times and this adjective signifies just that. In order to oppose Gabrielsen a first question that has to be asked is for what capacity of ships in service was the Periandric system devised. In the fourth century there were no large fleets armed by Athens any more, and this he admitted himself when he argued that in the 4th c. the trierarchs needed in 4 years around 378/7 would have to be around 375. The large number of 120 ships which was used for the Social war must have been the uppermost Athens could ever have provided in those financially dismal years. This number was certainly exceptional since usually the number of ships varied from 30 to 60 e.g. 60 in 373 (Xen. *Hell.* 6.2.11), at Samos 30 (Isoc. XV. 111), Chares in 349 had 30 ships (Philoch. F49). Cawkwell *Power* 335 who has examined the Athenian naval power of the 4th c. says: "All in all, it would not be surprising if the Athenians had 40 or 50 ships a year out on active service in the 360s." Gabrielsen *Symmories* 96 makes a mistake when he thinks that the *symmories* were supposed to provide trierarchs for all the ships of the Athenian fleet. There was no way that Athens could man by the *symmories* (or in any other way) the 360 ships the Athenians had before 340. Indeed if it was so Athens would need at least 2,160 people in two years (providing two *syntrierarchs* would need 720 in a year and taking into account the statutory years 2,160 - without counting those who would contribute only and those exempt!). Gabrielsen has countered this with his ratio of 4/5 of single trierarchs and 1/5 *syntrierarchs* which is unprovable and anticipating the objection raised three arguments:

- i. The gradual build-up of the fleet shows that Athens was expanding her naval capacity reaching in 325/4 417 ships (*I.G.* II² 1629.783-812). I think this has been answered

sufficiently by Davies *Wealth* 20f. who thinks that the question to ask is not how many ships Athens had but how large was the rich class that would finance their equipment and secure the seaworthiness of the fleet.

- ii. This point is connected to i. The increase in the construction programme of Athens is immense, ship sheds - 372 from 330/29 onwards e.g. Zea alone was expanded to take 196 ships (*I.G. II²* 1627.395-405), the *skeuotheke* construction (*I.G. II²* 1668) and there were further plans to launch an ambitious programme of 240 ships, Diod XVIII. 10.2.
- iii. The 5th c. practice of appointing more men than triereis (according to Ps. Xen. in the 5th c. there were 400 appointments as trierarchs every year; since we know that Athens had 300 ships this shows that they appointed more trierarchs than ships to provide space for the exemptions). This proves absolutely nothing and certainly not that the Athenians formally established the 1200 with a view to accommodating all the triremes available.

At any rate it seems that the number of the triereis was totally independent of the number of the people who became trierarchs on them or financed them. The maximum number of ships used in major crises (like Amorgos in 322/1 - 170 ships only) proves that Athens could not man all her ships. The reason behind the construction programmes should be sought in the social stability Athens wanted to maintain by offering employment to most of its citizens. One should also bear in mind that not all ships were seaworthy and that some would be better than others and would be preferred in case of an expedition. In my opinion Cawkwell's way of reasoning is much more sound and should be preferred.

Based on such a conclusion one can argue that the *symmories* actually were formed in order to provide regular financing for a medium number of ships necessary to protect Athenian interests. Under this perspective the two-year interim is not a compelling obstacle to the size of the liturgical class being 300-500. It is even possible that after 358/7, when the *symmories* were established, the exemption period was lowered to one year (cf. R.W. Wallace *Proeispherontes* 486, Cawkwell *Power* n.28) or that it was totally abolished (Rhodes *Problems* n. 68). In case of an emergency Athens usually

asked for volunteers (cf. D.XVIII. 99, XXI. 160-166). By asking for volunteers the state indicated that the current trierarchs were not enough to cover for the emergency, without this actually being considered as a weakness of the symmories system, since its purpose was to provide ships for the usual needs and probably not for an emergency. Volunteers could become those who were currently enjoying their statutory year of exemption and perhaps those who had a property quite close to the liturgical average property but who were not usually selected for service, their property not being quite so large as to justify a normal appointment. It can be argued that the symmories provided a skeleton number of ships that were usually enough to protect the interests of Athens, about 60 ships. The ships at the battle of Embata then can be considered as the maximum number of ships Athens could provide both with the ships the symmories provided and the voluntary ones. These "voluntarily compulsory" naval *epidoseis* (first begun in 357/6, the expedition at Euboea, D. XXI. 161), were formally solicited and organised by the state as opposed to previous informal contributions and one would expect to include people who were currently enjoying their statutory interim period. *Epidoseis* were called for in all major Athenian engagements (Olynthos 349/8, Euboea 348/7, Byzantion 340). These voluntary contributions must have provided any extra ships needed outwith the symmories; although it is impossible to know exactly how many there were each time; they are in my opinion enough to suggest that the exemption interval is not fatal to the smaller number of the liturgical class.

Another important factor that determines whether the liturgical class was large or small are remarks such as D. XVIII. 102: "ὄρων γὰρ, ὦ ἄνδρες Ἀθηναῖοι, τὸ ναυτικὸν ὑμῶν καταλυόμενον καὶ τοὺς μὲν πλούσιους ἀτελεῖς ἀπὸ μικρῶν ἀναλωμάτων γινομένους, τοὺς δὲ μέτρι' ἢ μικρὰ κεκτημένους τῶν πολιτῶν τὰ ὄντ' ἀπολλύοντας, ἔτι δ' ὑστερίζουσιν ἐκ τούτων τὴν πόλιν τῶν καιρῶν, ἔθηκα νόμον καθ' ὃν τοὺς μὲν τὰ δίκαι' ποιεῖν ἠνάγκασα, τοὺς πλουσίους, τοὺς δὲ πένητας ἔπαυσ' ἀδικουμένους, τῇ πόλει δ' ὅπερ ἦν χρησιμώτατον, ἐν καιρῷ γίγνεσθαι τὰς παρασκευὰς.", and 104: "ἦν γὰρ αὐτοῖς ἐκ μὲν τῶν προτέρων νόμων συνεκκαίδεκα λητουργεῖν, αὐτοῖς μὲν μικρὰ καὶ οὐδὲν ἀναλίσκουσι, τοὺς δ' ἀπόρους τῶν πολιτῶν ἐπιτρέβουσιν, ἐκ δὲ τοῦ ἐμοῦ νόμου τὸ γιγνόμενον

κατὰ τὴν οὐσίαν ἕκαστον τιθέναι, καὶ δυοῖν ἐφάνη τριήραρχος ὁ τῆς μιᾶς ἕκτος καὶ δέκατος πρότερον συντελής. οὐδὲ γὰρ τριηράρχους ἔτ' ὠνόμαζον ἑαυτοὺς, ἀλλὰ συντελεῖς." These suggest that there was some kind of gap within the 1200, between the rich and the less rich. I am not sure that there were rich and absolutely destitute in the 1200, certainly not in the way D. is trying to present the case. He is trying to justify his law that reformed the trierarchy in 340 and in the process of this effort he is bound to exaggerate. The point though should hardly be dismissed and it should safely be assumed that there was a serious inequity inherent in the Periandric system. Similarly in XXI. 155, 10 years before, D. attacked the rich for their trickiness and high-handed attempts to force the less wealthy citizens to pay as much as they themselves should do, cf. XXI. 155: "ὥστ' αὐτῶν ἐνίοις τῆ ἀληθείᾳ τὸ μηδὲν ἀναλώσαι καὶ δοκεῖν λελειτοργηκέναι καὶ τῶν ἄλλων λητοργιῶν ἀτελεῖς γεγενῆσθαι περίεστιν...". These passages should be trusted as far as they indicate the presence of unequal groups within the 1200. What must be stressed here (I will elaborate on this later) is that it was not the Periandric system's principles that caused this inequity. Periandros set up the 1200 conscious that all of them were not of equal financial capacity. The appointed trierarchs would still have to undertake the heaviest burden. The principle of *synteleia* was not that all the 1200 would have to contribute towards all the costs of the trierarchy but rather that the less well off would give some help towards those who were appointed as (syn)trierarchs. That the weaker of the 1200 ended up paying the same amounts as the trierarchs indicates the misuse of the Periandric symmories by their richest members and at any rate such inequity proves that those who could really sustain a trierarchy were a group of people smaller than 1200 and rather towards Davies' 300, than the 1200 as Rhodes thought. Davies has shown that the property large enough to sustain a liturgy had to be around 3-4T. If, as Rhodes thought, there were 1200 people with such property D. could hardly be justified using words such as ἄποροι, in order to define a portion of the 1200 and furthermore there could hardly exist such enormous injustice as he suggests there was. There is another passage which in my opinion gives some further indication that when the principle of *synteleia* was considered, properties somewhat smaller than the usual

liturgical were involved; D. XX.23: ...πότερον κρείττον ἦν εἰς συντέλειαν ἀγαγεῖν τὰς χορηγίας ὥσπερ τὰς τριηραρχίας, ... τότε δ' ἄν, μικρῶς συντελείας ἀπὸ τῶν ὑπαρχόντων ἐκάστῳ γιγνομένης, οὐδὲν ἔπασχε δεινόν οὐδεὶς, οὐδ' εἰ πάνυ μικρὰ κεκτημένος ἦν. Of course the "very small property" must be an exaggeration but it remains as a strong possibility that synteleia, as a financial principle involved smaller amounts of money spaced out among more people, sums that did not strain one's resources.

Davies *Wealth* 19 has taken quite seriously the reproaches of D. and thinks that: "Periandros' reform stands out as a major shifting of the trierarchic burden on to the backs of men some of whom could without gross implausibility be described as poor (Dem. xviii. 102-108)". When he tried to quantify estates, adequate but not enough to perform liturgies (e.g. Isaeus XI. 40) he concluded that for any estate to have a respectable surplus it would have to go well above the 1T mark (based on D. XLII. 22). He does not seem to be willing to admit that there could be a group in the 1200, that although they could not perform a liturgy, could offer substantial help to the trierarchs. I quote Davies *Wealth* 24: "The one recorded attempt to alter its size, [he refers to his number of 300 as the class that performed the military liturgies] that of Periandros, was a disastrous failure." It is not necessary to accept this thesis as long as one is willing to accept that less well off people could sustain a certain drain on their incomes. Davies' definition of the class of εὐποροὶ is based on the definition of Aristotle *Pol.* 1291a 33-4: "The seventh constituent part of a state is that section which serves the state with its properties; we call it "rich" (εὐπόρους)." Davies *Wealth* 13 concludes "In some sense, then, the members of the liturgical class could be regarded as forming a class by themselves, roughly co-terminous with the "rich" (πλούσιοι or εὐποροὶ), rather than as a privileged sub-section of a larger class the members of which had an equal right to the title "rich"". J. Hemelrijk in his *ΠΕΝΙΑ en ΠΛΟΥΤΟΣ* Diss. (Utrecht 1924)524 has studied the relevant terms and according to Davies' *Wealth* 10 summary, πλούσιοι and πένητες are not so much polarised groups but two overlapping groups which do not cover the whole economic range: "The "poor" (πένητες) are not destitute, who are "beggars" (δεόμενοι or ἐνδεεῖς), but those who have to work for their living; the

better off in this class are called sometimes "rich", sometimes "poor", while the "rich" (πλούσιοι or εὔποροι) are the rentier class or the leisure class, and the class which bears the financial burdens of the state". Davies concludes that "most of the individuals called "rich" (πλούσιος or εὔπορος) are in the liturgical class, with hardly anybody demonstrably outside it⁵⁰. The definition of the financial power of these πένητες is surely a difficult or rather impossible task but it is not difficult to imagine that a class of people with properties from 1T to 3T could actually contribute towards the expenses of the state. How many these people were we do not know, but it is not impossible to conjecture that these are the ἄποροι D. refers to in XVIII. 108. These can be conventionally called the "middle class". In conclusion it must be stressed that it is false to pretend to know the composition of the 1200 as we do not know the proportions of rich and poor within them. The evidence suggests that it contained the richest citizens but also a number of other people not quite able to undertake a trierarchy on their own, the financial condition of which is not explicitly provided by our sources. The contribution factor is very important and its very existence in the trierarchic system shows a changing habit in the course of Athenian thinking regarding it. Not all scholars accept this principle and the opposite views will be discussed when the question whether one or two symmories systems existed is discussed.

Rhodes *Problems* 5 comparing the pre-358/7 practice with the post Periandric one concluded that: "The 1200 of 357 was a gross total, not a net total after deducting the exempt (Dem. 14.16), and I suspect that the effect of Periandros' law was not to increase the number of men sharing the burden of trierarchy but to distribute the burden in a different way among the same number of men." Before this conclusion he had argued that before 357 one should allow at least 800 to provide 300 trierarchs and 100 choregoi in each of two years. These numbers deny the fact of the obvious inequity within the 1200 since they consider most of the 1200 as theoretically ready to provide

⁵⁰ For such an identification he uses Ps. Xen. *A.P.* 1. 23, Isaeus XI. 48, D. XX. 18, Lys. XXVII. 9-10 where the nouveaux riches make a point of referring to any public benefit they offer, see also XIX. 28-9 for the opposite point of view.

an active service. The remaining 400 that Rhodes does not account for must certainly be the exempt ones. The arguments about the statutory interim period and the number of the ships that should be thought to be provided by the *symmories* have been answered. It seems that some sources tend to present the 1200 as liturgists but it was natural for them to think that despite the inequity within them, the 1200 involved in the trierarchy were the richest Athenians who performed all the liturgies (cf. Harp. s.v. χίλιοι διακόσιοι and Pollux who seems to confirm that: VIII. 100 s.v. χίλιοι καὶ διακόσιοι. ἀπὸ τούτων ἦσαν οἱ λειτουργοῦντες). This does not seem to be so if we look at D. XIV. 16. The intention behind the proposed reforms of D. is to establish a group of people that could all serve as trierarchs, a purified body. D. mentions the five categories of exemption, orphans, *epikleroi*, *kleruchs*, *koinonika* and *adynatoi* (see page 235) that should not have anything to do with the trierarchy since they cannot serve as trierarchs from a physical point of view. The meaning of *adynatoi* has been disputed. Ruschenbusch *Symmorien* 280 with 282 n.17 thought that it meant financial inability in order to accommodate his theory that in the 1200 there existed a group of people unable to sustain a trierarchy or even pay contributions. This he thought was proof that the *symmories* had been designed for the *eisphora* and then modified to accommodate the trierarchy. Yet it is a very unorthodox way of interpreting the word. Gabrielsen thought that it meant those exempt from the trierarchy for legal reasons because e.g. they were currently performing an agonistic one. Yet again this interpretation is overstressing the word because its meaning indicates some kind of physical disability. Let us pause to think over this. D. wants a purified body of trierarchs, yet he does not ask for those with an agonistic liturgy to be exempt but only those who cannot become trierarchs. But what is the difference? None, both groups cannot perform a trierarchy so D. should have mentioned the agonistic liturgists in his exempt categories. Unless Gabrielsen is right (and I think he cannot be) there must be another solution. Could it be that the agonistic liturgists were exempt beforehand since they are not mentioned in the exempt categories of D.? And why do the agonistic liturgies come in? Well, Gabrielsen *Symmories* 107 thinks that the 5th c. system of appointing trierarchs was preserved in the 4th c. too. According to Ps.Xen. *A.P.* III.4 in

the 5th c. 400 trierarchs were selected to perform the trierarchies. It is a conjecture that since there were only 300 ships available (Thuk. II.13. 8) the other 100 were those who would opt out because they were currently appointed as agonistic liturgists. However ingenious, this suggestion cannot be verified. This procedure was not necessarily continued in the 4th c. but with larger numbers i.e. 1200, because of the statutory years and the syntrierarchy. In my opinion it is very clear from the rest of the exemption categories that the reason for exemption was more that of personal inability than of legal obligation. But Gabrielsen *Symmories* 105 and *Financing* 188-9 tried to show that personal inability was not a reason not to perform a trierarchy if seen in conjunction with the possibility to hire the services of a contractor (D. XXI.80, 155, LI.8), because there were persons in the trierarchic class incapable of performing an active service in person (Isok. XV. 5, Lys. F35). Gabrielsen *Financing* 247 n.29 has given examples of trierarchs attested in inscriptions that were over 60. My objection to this is that being above the military age does not necessarily make one an invalid, although the older one gets the more possible it is to become physically incapable of performing a trierarchy. Additionally we simply do not know how many claimed physical inability and that there were old trierarchs in service just proves that eventually they did undertake a trierarchy for various reasons. Gabrielsen argues that contractors were used quite often and that this practice verifies that those physically incapable of performing a trierarchy were not what D. meant by *adynatoi*. We also do not know how widely contractors were used. If though those with a physical inability could hire a contractor then I cannot see why an epikleros, a kleruch or those in joint ownership of property could not hire contractors and actually perform the trierarchy. All the objections made by Gabrielsen concerning the exemptions made in XIV.16 will be discussed in section VII, *see* page 235. We must remember that the trierarchy was primarily a personal liturgy and although contractors were used, legally the state could not encourage the use of them by making those who could not perform the liturgy hire contractors. If what Gabrielsen *Symmories* 106 says: "I would suggest this to be the fact that, although a man from the 1200 was both physically and financially capable of undertaking a trierarchy, he nevertheless was unable to do so for legal reasons i.e.

because he discharged another liturgy at the time" is true, then I cannot see why we should not include in the *adynatoi* those who could not discharge the trierarchy because they had already performed one in the previous year. I am afraid it is too difficult to see this kind of meaning in the word *adynatos* without forcing it to mean what we want it to, *see* again page 235.

In numerical terms Davies' 300 seem rather difficult to accommodate the trierarchy and the agonistic liturgies and in *Wealth* he does not make any serious effort unfortunately to tackle the argument about the statutory year which obviously increases the number of the liturgical class. If the agonistic liturgists were appointed before the 1200 (as they are not mentioned in the exemptions D. mentions in XIV) around 300 could provide (syn)trierarchs and also cover for the statutory year(s) for 75 ships (according to Cawkwell's arguments)⁵¹. With the agonistic liturgists the number of the liturgical class goes up to 500 still far away from the 1200 that Rhodes thought were in possession of 3-4T. The number of people able to afford the trierarchy does not offer great cover in case of an emergency or so it seems. But one could accept that single trierarchies could provide more ships whereas the trierarchs enjoying their year's break could offer their services also. The aim of the naval *epidoseis* in cases of emergency proves that the state was aware of the limitations of the regular system that provided trierarchs. There is no clear division within the liturgical class and there is no evidence that actually makes one believe that some people performed the trierarchy and others the rest of the liturgies (one should not be daunted by D. XX.19 where it is claimed that since the richest citizens perform trierarchies, they are already exempt from the choregies, as there is a lot of material in Davies' *APF* that suggests that rich citizens performed both trierarchies and other liturgies indiscriminately).

CONCLUSION: The inequity in the 1200 as D. has shown, is enough proof for the existence within the 1200 of a group financially weaker than the liturgical class, that could afford only to contribute and not to perform liturgies. This inequity proves

⁵¹ The number 300 is either connected with the *proeisphora* or the trierarchy in 340, and it is legitimate to suppose that the 300 are two facets of the same class.

Davies' principle stated in *Wealth*, which set the liturgical class on a rather small scale refuting Rhodes' and Ruschenbusch's arguments that a rather large number of liturgists existed in the 4th or even 5th c. Athens.

II. Evaluation of the anti-liturgic elements

The financial reorganisation of 358/7 is a sign that the Athenian state realised the existence of a problem and decided to respond officially to it. This was due, in my opinion, to strong opposition of the propertied class to the continuing war and signs of resurgent imperialism on the part of the radical democratic government. Opposition to the Athenian democracy's policies is underestimated in the fourth century and the reforms were in my opinion an effort to reach a compromise between the affluent class and the people. To uncover the political and social depth of the reforms it is necessary to offer a fuller account of the policies of Athens in the 4th c. and re-evaluate the anti-liturgic sentiments of the propertied class, which come from elite authors such as Xenophon and Isokrates, who are usually suspected of heavy bias against the demos.

Throughout the 4th c. the relationship between the state and its wealthy citizens continued to be a troubled one. Tensions ran high during the Corinthian (395/4-387/6) and the Social War (357/6-356/5). In each case the city's costly military expeditions combined with economically hard times made the wealthy especially sensitive to the pressure on them to support the city's military aspirations. It is possible to argue that, although the Athenian state preferred to laud the dutiful liturgists rather than censure the cheats, from the wealthy class's point of view there was animosity towards the demands of the city, τὰ προστατόμενα. M.R. Christ in "Liturgy avoidance and antidosis in Classical Athens" *TAPA* 120(1990)147-169 has made a full exposition of the feelings of the liturgical class. His remark that it is not right to ask whether the demos' requests were too much or not is well targeted because this has nothing to do with what the propertied class really felt.

The sources that can be used, as has already been said, include elite authors such as Isocrates and Xenophon but information exists in forensic speeches as well (e.g. accusations of a litigant against the other about neglecting public duty) and comedy with the frequent caricatures of the rich. Most of these sources are of course biased

and exaggerated but they should not be dismissed since they certainly contain some aspect of the ideology of the propertied class.

On the surface there was balance. Whitehead *Metic* 81 has called the liturgical system "...the paradoxical conjunction of burden and honour." It is to the credit of the *demos* that it turned the archaic and aristocratic desire of the individual for excellence (see J.T. Roberts "Aristocratic Democracy: The Perseverance of Timocratic principles in Athenian Government" *Athenaeum* n.s. 64(1986)369) for its own benefit. This was achieved by giving the rich a very prominent position in society's politics; as the *demos* controlled almost all public offices and especially justice, some self-seeking rich might benefit the state in order to acquire *charis* i.e. to receive favourable treatment in case of a trial for example. The state always tried to publicly praise through honorific decrees those who performed fully their public duty (for more information on this subject, see D. Whitehead "Competitive Outlay and Community profit: φιλοτιμία in Democratic Athens" *C&M* 34(1983)55-74).

Christ believes that one should indeed see as an indication of anti-liturgical and even anti-democratic sentiments the state's repeated attempts in the 4th c. to reform the liturgical system and the system for collecting the *eisphora*. This can be right because the propertied class's feelings were much different in the 5th from the 4th c. towards co-operation with the *demos*. In the 5th c. they decided to go along on the road to prosperity the Empire offered, but the defeat of 405/4 was a very hard lesson to forget in the 4th c. Davies *Wealth* 89 says: "One facet of property power is perceptible particularly in the fourth century. This operated negatively as a kind of quasi veto. By undervaluing or concealing the ownership of property, by dodging liturgies, by delaying the payment of *eisphora* or of naval debts until the last possible moment, or by choosing not to contribute at a critical moment, rich men could so minimise the contribution of their property to the national revenue as to have a serious adverse effect on the execution of public policy"⁵². The rich men's compliance with the *demos* in the

⁵² Davies gives extensive evidence on all the aspects of anti-liturgical sentiments:

5th c. has been again explained by Davies *Wealth* 90ff. The rich had no other reasons than purely ideological ones to attack the *demos*, which offered tremendous financial opportunities. At the same time the existence of a reserve enabled the *demos* to perform its policies independent of the will of the propertied class. Without the Empire two major changes came about. Firstly in order for the *demos* to perform its policies it was necessary to have the goodwill of the propertied class, and secondly the *demos* could not offer the opportunities or the facilities for the rich to invest abroad. It is not surprising that the rich were generally considered as unwilling to support war at any time during the 4th c. (*Hell.Oxyrh.* VI.3, Aristoph. *Ekk.* 197-8, Diod. XVIII. 10. 1-2). The historian of *Hell.Oxyrh.* thought that there were 3 political groups in Athens: The rich, the moderate democrats led by Thrasyboulos and the radical democrats led by Epikrates and Kephalos. The moderates at some point consented to war with an aspiration to the Empire but as Andocides said in III. 15 the pursuit of the Empire was no longer feasible. The involvement of the moderates in war though supports the idea that there was a "middle" class in Athens that considered sometimes war as expedient in order to increase their wealth and influence. It is interesting how the Athenians were

On concealing or undervaluing the ownership of property: *I.G.* II² 1581. 1-2, Aristoph. *Frogs* 1065-6, *Ekk.* 601-3, *Pl. Rep.* I. 343d. *Lys.* II.24. XX. 23, *Isoc.* VII. 35. XV. 160, *Isaeus* II.57-49 (cf. *APF* 2921 XIV), *D.* XIV.25, XXVII.8 (cf. *APF*. 3597, XIV), *Dein.* I. 69-70. Not undervaluing as a sign of virtue *Isaeus* VII. 39, *D.* XXVIII. 3, see also V. Gabrielsen's "ΦΑΝΕΡΑ and ΑΦΑΝΗΣ ΟΥΣΙΑ in Ancient Athens" *C&M* 37(1986) 99-114.

On dodging of liturgies: *Lys.* XXI. 12, *Isaeus* V. 35-37, *D.* XXI. 154f, XLII. 22-23, XLV. 66, *Aeschin.* I. 101ff.

On delaying the payment of eisphora or of naval debt: Androtion's commission of ca. 356 which tried to recover payments of eisphora pending from 378/7 (*D.* XXII. 42-68, XXIV. 161ff.). The measures adopted in 357/6 to secure the return of naval equipment (*D.* XLVII 20ff). The activity of the 340s in an effort to recover naval debts which had been outstanding for in some cases for over thirty years (main evidence *I.G.* II² 1622).

The heavy punishment on defaulting trierarchs of *δίπλωσις τριήρους* in 326/5 (*I.G.* II² 1628. 339ff).

On not contributing at a critical moment: *Isaeus* V-37-38, *D.* XVIII. 312, *Theophr.* *Char.* XXII.3, *Plut.* *Phok.* IX. 1-2.

gradually involved in the Corinthian war. The radical democrats made some premature moves to involve Athens in war against Sparta but all failed. It was only when the moderates were persuaded that hostilities began.

III. The swing to Imperialism and the opposition in the 360s and early 350s

Partly the desires of the *demos* were fulfilled with the Second Athenian League. It is important to see the connection between the League and the reorganisation of the *eisphora* as the *demos*' awareness of the importance of financing in its new venture. We do not know if the strain on the rich was substantially larger than it used to be, but the *eisphora* was used after 378/7 to fund the war against Sparta and help consolidate the gains of the new League, which certainly meant expenditure on the part of the rich. The years after 378/7 and up until the Social War were years of more or less continuous war.

The main aim of the League (really the main reason for its existence which was the weakening of Sparta) was achieved by the Theban victory at Leuktra. The shift of the Alliance against Thebes lost many cities to it (like Euboea and Akarnania). As Cawkwell has argued in "Notes on the Failure of the Second Athenian Confederacy" *JHS* 101(1981)40-55 the small cities still needed Athens for protection against piracy and other minor dangers. Athens decided to go ahead with the capture of Amphipolis, a goal indifferent to the interests of the League, showing thus signs of manipulating Allied resources and authority as head of the Alliance in order to pursue her own imperialistic aims. The first question about the policies of Athens as head of the League, was posed by Mytilene as we can deduce from the Athenian response in probably 368 (*GHI2* no.131). Mytilene was puzzled by the new friendly ties of Athens with Sparta and her estrangement from Thebes. The Allies were obviously concerned with the resurgent imperialism and the new war Athens was engaged in. When exactly the Athenians got a Congress of Hellenes to recognise Athens' right to Amphipolis is unsure, but hostilities began in early 368.

The next imperialistic step was taken against Samos where *kleruchs* were settled. This caused a passionate debate and Athens was criticised for that (Aristot. *Rhet.* II.

1384 b32-35) although Samos was not officially a member of the Confederacy. Potidaea's kleruchs were probably sent after an invitation from the city (*GHI2* no.46.5,10). In 363/2 Keos was punished for trying to secede from the League (*GHI2* no.142). Further trouble in Corcyra was tackled by Chares who ruthlessly overturned the constitution (Diod. XV. 95.3). The syntaxeis the allied cities had to pay also caused problems and many of them were pillaged (cf. Isoc. VIII. 29, XV. 123, Plut. *Phok.* VII. 11).

For more formal imperial institutions one has to look harder but certainly in some islands of the Aegean governors were placed, although the inscriptions that have come down to us suggest some cordiality between Athens and the member states (*GHI2* nos.152, 156). There are then some indications that Athens was renewing her imperial profile.

Sealey *Demosthenes* 106-7 doubts that Athens was correctly accused of resurgent imperialism and argues that, regarding the Social war, its causes should be sought not in Athenian policy but in Mausolos of Karia. He may be right in that the dynast of Karia may have offered the necessary backup to the cities of Rhodes and Kos, but he cannot give an explanation why the islands wanted to secede in the first place and even more why Athens fought so hard to win them back. The very existence of the Social war is proof that Athens was willing to pursue a policy that ensured the financial support of those islands. Another argument Sealey uses is that Isocrates' speech *On the Peace*, whose dramatic context is set at the end of the Social war, does not mention any outrages the Athenians made between the foundation of the Second Delian league and the outbreak of the Social war, whereas Isocrates mentions the mistakes Athens did in the 5th c. But *On the Peace* is a speech that advises Athens to make peace with all the rest of Greece, not only with insurgent states; it should be expected that Isocrates would remind them of their 5th c. mistakes because then, unmitigated war led to their utter destruction. The Social War was an outrage that the Athenians had recently committed and was their current problem, everybody knew about it. The best way to educate Athenians about the dangers of imperialism was to remind them of the past. The general spirit of the speech is against imperialism, and one should remember that

Isocrates is not to be expected to give a very well-defined outline of the current affairs, *On the Peace* is not a deliberative speech on whether to make peace with the former Allies or not.. For him it was enough that in the 5th c. Athens' imperialism was her peril. This fact would serve best to illustrate the danger Athens was currently facing.

As for the finances of Athens, it is difficult to provide a full history of her financial background in the years after the League, but the trend was, as we saw, towards war and the sequential expenditure on the part of the rich. We also have some evidence after the end of the Social War showing the miserable financial state of Athens. The city's revenues had plunged to the extremely low figure low of 130T (D. X.37) whereas the economic life of the city was depressed as Xenophon (*Poroi*) and Isokrates show (Isoc. VIII. 19-21, 46-47, 69, 124, 128) An indication of the sums involved is included in *Areopagitikos* 9 (probably before the Social War) : "πλείω δ' ἢ χίλια τάλαντα μάτην εἰς τοὺς ξένους ἀνηλωκότες, πρὸς δὲ τοὺς Ἕλληνας διαβεβλημένοι καὶ τῷ βαρβάρῳ πολέμιοι γεγονότες...". A further comment is by D. in XIII. 27 (around 354/3): "οὐ πλείω μὲν ἢ χίλια καὶ πεντακόσια τάλαντ' ἀνήλωται εἰς τοὺς τῶν Ἑλλήνων ἀπόρους, ἐξανήλωνται δ' οἱ τ' ἴδιοι πάντες...". What can be deduced from these two references regarding amounts of expenditure is that the amount of 1000T was spent before the Social War whereas the amount of 1,500T indicates that the expenditure after 362/1 until the end of the Social War rose to 500T. Such large amounts of money suggest that Athens' financial strains were not only because of the Social War (which lasted for only 20 months) but because for a long time she had over-stretched her resources. The extensive use of mercenaries must be certainly the greater part of Athens' expenses after the Second Athenian League was formed (cf. D.III. 28, Aesch. II. 71, Isoc. VIII. 44-46).

The above evidence proves that Athens had strained again her resources and exploited her allies who saw her eagerness to recover Amphipolis and Chersonese as none of their business. Furthermore, although there is no explicit information about the causes of the Social war, there are indications that it was the resurgent imperialism and highhanded methods of Athens (along with the instigation of Mausolos, who was the counterweight that provided the security for the Allies to secede). D.XV.3 says:

"ἤτιάσαντο μὲν γὰρ ἡμᾶς ἐπιβουλεύειν αὐτοῖς Χῖοι καὶ Βυζάντιοι καὶ Ῥόδιοι, καὶ διὰ ταῦτα συνέστησαν ἐφ' ἡμᾶς τὸν τελευταῖον τουτονὶ πόλεμον". This shows that there were widespread fears among the allies (well-founded or not we do not know) that Athens was planning their submission.

Why Athens would get back on the track of imperialism is not difficult to imagine. After the 5th century's Empire and financial boom it was difficult for them to forget that lost prosperity. Cawkwell "Notes on the Failure of the Second Athenian Confederacy" *JHS* 101(1981)55 concludes that poverty required imperialism. The only way to prosperity was to gain an Empire and live off its profits, mainly, tribute (cf. Thuk. VI. 24.3, *Hell. Oxyrh.* VI.3, Aristoph. *Ekk.* 195-98). As we have seen war and imperialism were the choice of the middle and poor classes, whereas the rich desired peace since all the burdens were falling on them.

This struggle between the radical democracy and the propertied class can be translated in the internal ideological front. The propertied class had gladly followed the *demos* in the 5th c. only to be destroyed in the end. In the period of the late 360s and early 350s Isocrates' *Areopagitikos* and *On the Peace* reflect the final breach of the rich men's patience and a strong opposition to radical democratic policies. W. Jaeger in "The date of Isocrates' *Areopagitikos* and the Athenian opposition" *HSCP* Supp. vol. 1 (Cambridge 1940)409-451 had dated the speech from internal evidence around 361, and if this date is correct⁵³ then Isocrates' foresight was particularly sharp, as it is obvious he understood the state's fatigue and that it would suffer great setbacks unless there was a constitutional change towards a more moderate government under the supervision of a reinstated Areopagos as the controller of the constitution. There is actually a lot of controversy over whether Isokrates is echoing the political standpoint of Theramenes only without mentioning his name. P. Harding in "The Theramenes myth" *Phoenix* 28(1974)101-111 thinks that there is no connection between the Attidography of the 4th c., especially Androtion's, and the favourable treatment of

⁵³ K. Bringman in *Studien zu den politischen Ideen des Isokrates* Supp. *Hypomnemata* 14 (Goetingen 1965)esp. 73-95 has argued for a date closer to *On the Peace*, around 355, much later than Jaeger's.

Theramenes in Aristotle. Jaeger 447 argues: "such pupils of Isokrates as Timotheos and Androtion undoubtedly were brought up with these [Theramenes'] ideas". It is difficult to say whether Isocrates' pupils were influenced by a favourable tradition towards Theramenes thus transmitting it through the Atthidography or whether this tradition was the result of political theory originating with Aristotle. What can though be thought certain is a coincidence with some of Theramenes' ideas (or at least ideas attributed to him) such as the attitude towards the abolition of the laws of Ephialtes that stripped the Areopagos of its powers. If the *Areopagitikos* was indeed published around 361 it constitutes perhaps a very good example of the ideological struggle in Athens. Although modern scholarship has argued whether a narrow political interpretation of Isocrates' work does any justice to it, it is not impossible to view the speech as advice directed towards the Athenians. Its tone is not as exasperated as the *On the Peace* and it is indicating that Athens is still a strong power. He could have foreseen the destruction of that power unless there was some kind of structural change and moderation on the part of the government. Isocrates is undoubtedly an elite author and he seems to know at least that the people think him to be so; cf. 56-57: "εἶναι δ' ἔφασαν ἔμοι καὶ κίνδυνον μὴ τὰ βέλτιστα συμβουλεύων μισόδημος εἶναι δόξω καὶ τὴν πόλιν ζητεῖν εἰς ὀλιγαρχίαν ἐμβαλεῖν". Jaeger points out that with the *Areopagitikos* Isocrates wanted to show how closely the inner structure and healthiness of the leading state was tied up with the destiny of the League.

His orientation is aristocratic and connected firmly with the old aristocracy or better with the *ικανώτατοι* i.e. those with the means, and he vehemently criticises the radical democracy for usurping the power from those who are fit to govern; cf. 22: "οὐκ ἐξ ἀπάντων τὰς ἀρχὰς κληροῦντες ἀλλὰ τοὺς βελτίστους καὶ τοὺς ἱκανωτάτους ἐφ' ἕκαστον τῶν ἔργων προκρίνοντες". He paints a nostalgic picture of the past; cf. 25: "...οὐ γὰρ ἐμπορίαν ἀλλὰ λειτουργίαν ἐνόμιζον εἶναι τὴν τῶν κοινῶν ἐπιμέλειαν". The implication is that at Isocrates' time the class he describes was not in power and had been out of power for a very long time, since in the 5th c. the democracy's instruments (*ekklesia*, public, military and financial administration boards) set new criteria for the selection of politicians, politicians who were a new breed,

winning popular support by public expenditure and not so much by private benefaction. According to Isokrates, though, only the rich were naturally disposed to rule; cf. 26: "... τοὺς δὲ σχολὴν ἄγειν δυναμένους καὶ βίον ἱκανὸν κεκτημένους ἐπιμελεῖσθαι τῶν κοινῶν ὥσπερ οἰκέτας".

Such beliefs as those held by Isokrates coincide with the arguments for the *patrios politeia* at the time, for example, of the oligarchic revolution in 411 (cf. Aristot. *A.P.* 25. 1-2, 28.5, 35.2). There are no reasons why the *Areopagitikos* should not be seen as a criticism of the swing to imperialism in the 4th c. and perhaps a widening gap between the democratic administration and the propertied class. Athens could continue to be an important power respected by her allies only if the moral gravity of the Areopagos was restored, making Athens more moderate and thus engaging the full co-operation of the natural leaders, the propertied class. In conclusion the *Areopagitikos* is of special importance to the period before the Social war.

Athens was in the midst of perennial war and unrest among her Allies, especially after Epaminondas' campaign in the Aegean around 363/2, see G.L. Cawkwell *CQ* 22 (1972)271-3, plus an unprecedented corn shortage in 362/1 (D. L.61) and 358/7 (D. XX. 33); Cawkwell "Notes on the Failure of the Second Athenian Confederacy" *JHS* 101(1981) thought that the corn shortage was possibly continuously prevalent between 362⁵⁴ and 357. Because of the above Athens must have felt the enormous financial strain which subsequently must have aggravated more than usual the acute differences between rich and poor, the democratic administration and the propertied class who were against war. Isokrates presents (in his opinion) the difference between the past and the present situation, *Areopagitikos* 53: "οὐ γὰρ ἐκ τῶν πομπῶν οὐδ' ἐκ τῶν περὶ τὰς χορηγίας φιλονικιῶν οὐδ' ἐκ τῶν τοιούτων ἀλαζονειῶν τὴν

⁵⁴ The military crisis in 362 was four-fold:

- a. Alexander of Pherai had seized Tenos (Diod. XV. 95, D.LI. 8., Polyain. 6.2.1).
- b. Miltocythes of Thrace was offering back the Chersonese D. L. 4.
- c. The Proconnesians, allies of Athens needed help (D. L. 4).
- d. There were news that the Byzantines, Chalkedonians and Kyzikenese being short of corn were forcing merchant ships destined for Athens to put in and sell their cargo to them (D. L. 6).

εὐδαιμονίαν ἐδοκίμαζον, ἀλλ' ἐκ τοῦ σωφρόνως οἰκεῖν καὶ τοῦ βίου τοῦ καθ' ἡμέραν καὶ τοῦ μηδένα τῶν πολιτῶν ἀπορεῖν τῶν ἐπιτηδείων".

Given the evidence that suggests a lack of enthusiasm in the 4th c. for liturgies and a mounting discontent with the war in the beginning of the 350s, we should look there for the causes of the financial reorganisation of 358/7. The state faced the hostility of the propertied class (hostility not only on ideological grounds but more on grounds of the feasibility of the continuation of the war, a continuation which diminished their income) perhaps depicted in the *Areopagitikos* as far as our sources are concerned - a stark warning to radical democracy. The *Poroi* of Xenophon and the *On the Peace* of Isokrates show a grim picture of the financial capacity after the long decade of war. From these sources one has to assume a decline in economic growth both on a state and a personal level. The institution of the 1200 certainly must be connected with the dismal reality in Athens. Their institution does not only signify a depletion of individual funds. It is vital to see how Athens reorganised the trierarchy. Augmenting the sharing of the trierarchic burden to less well off people (if Davies' number of 300 is close to the truth) meant expansion of the spectrum of taxation. The financial reorganisation of 358/7 was a compromise. The heavily paying trierarchs would receive subsidies from the newly formed symmories. This way the liturgy was expected to be seen as lighter by the propertied class. The demand a little later by Androtion to pay up the outstanding *eisphora* debts and the effort to recover the naval debts was not only a sign of financial hopelessness but also an indication to the propertied class that those who were dodging their responsibilities would eventually pay, removing thus the grievance that it was unfair to effectively tax only those citizens who were diligent in their responsibilities.

Behind the political interpretation of the changes stands another aspect, that of a changing mentality towards taxing; the widening of the tax limits. The *eisphora* was reorganised in 378/7 but we do not know how many people were included in the symmories. The only thing we know is that there was an evaluation of property in Attica and the final amount was around 6,000T; each person paid according to a fixed rate of his *timema*. The 358/7 reorganisation was fashioned on the *eisphora* symmories

and indicates an increase in the number of people paying for the navy until then. These new payers have been identified as members of the middle class. It seems strange that a state such as the Athenian democracy would expand the taxing limits to less well off people but, as I have argued, this was a compromise. The state had to ask a larger number of people to support its policies. This indicates a rather new, wider conception of taxation with a less personal character, on a larger and more regular basis.

Andreades *Finances* 127 concludes: "This hostility against direct taxation came from the conception that taxing the body, the labour or the land of the citizen was inconsistent with his character as a free man". The institution of a compulsory body of 1200 and the contributions in money show that the democracy realised that it had to resort to less conventional ways of raising money. The new system of contribution in cash, though, deprived the individual of the opportunity to excel and receive *charis* as well as public gratitude. There was nothing exciting about paying cash. Paying it could not in any way provide some kind of official recognition. It was liturgies that impressed and offered the opportunity to prove one's dedication to the city and its citizens. The democracy, despite the unpopularity of its pursuit of Empire, stuck to its option for war until 356/5 with one significant concession: less well off citizens would have to be regularly taxed.

IV. Regular taxation. A changing attitude

An example of a kind of regular taxation can be found in two inscriptions which show that an *eisphora* was levied **continuously** from 347/6 until 323/2 amounting to 10T used for the *neosoikoi* and the *Skeuotheke* (in 337/6 the 10T were diverted for the repairs of the city walls). The inscriptions are *I.G.* II² 244 (of 337/6) and 505 (of 302/1). That the 10T *eisphora* was raised every year can be proved from II² 505.16-17: ἀπὸ Θεμιστοκλέους (347/6) ἄρχοντος μέχρι Κηφισοδ[ώρ]ου (323/2). The inscription is honouring two metics for their services to Athens. It has been asserted⁵⁵ that the 10T fund was just the 1/6 of the *eisphora* that the metics had to pay whenever

⁵⁵ M. Clerc *Les métèques athéniens* (Paris 1893)27-31, P. Guiraud *Etudes économiques sur l'Antiquité* (Paris 1905)106ff, G.L. Cawkwell *JHS* 83(1963)50.

one was raised interpreting II² 244.20-21 [κατὰ τὸ τίμημα] εἰσφέρειν δὲ καὶ τοὺς μετοίκους τὸ ἕκτον μέρος καταβάλλειν δὲ αὐτοὺς..., and that the whole amount of the *eisphora* raised was 60T. What P. Brun in *Eisphora - Syntaxis - Stratiotika* (Paris 1983)49-54 has pointed out is that in *I.G.* II² 244 there is no distinction between the sum paid by Athenians and metics in the inscription as it is restored: [ὅτι δ' ἄν] ἑλλείπη εἰς τὰ δέκα τάλαντα, μερίζειν τοῦς ἀποδέκτας. Εἰσφέρειν μὲν τοὺς Ἀθηναίους κατὰ τὸ τίμημα] εἰσφέρειν δὲ καὶ τοὺς μετοίκους τὸ ἕκτον μέρος καταβάλλειν δὲ αὐτοὺς τὴν μὲν πρώτην καταβολὴν ...] (about the restoration see P. Foucart "Une loi athénienne du IV^e siècle av.J.C." *JS* (1902)177, 233). The contrast between μὲν and δὲ καὶ τοὺς μετοίκους implies a distinction between citizens and metics and there is no indication that the 10T are the 1/6 of the total *eisphora*.

Brun tried to define the circumstances of 347/6 that made necessary a steady and permanent revenue in the form of that yearly *eisphora*. D. XIX. 60 says that on the 26th of Skirophorion the Athenians held an assembly for the *neoria* of Athens. Presumably the 10T every year was designed to provide Athens with new *neoria*. In 338 the fund was diverted to pay for the repairs of the walls before the battle of Chaironeia. Philochoros *FGrH* IIIb 382 F56a: Λυσιμαχίδης Ἀχαρνεύς ἐπὶ τούτου τὰ μὲν ἔργα τὰ περὶ τοὺς νεωσοίκους καὶ τὴν σκευοθήκην ἀνεβάλλοντο διὰ τὸν πόλεμον τὸν πρὸς Φίλιππον, τὰ δὲ χρήματα ἐψηφίσαντο πάντ' εἶναι στρατιωτικά, Δημοσθένους γράψαντος.

The 10T fund was established by law *I.G.* II² 244.13: [φερόμενα κατὰ τὸ]ν ἐνιαυτὸν ἕκαστον ἐκ τοῦ προτέρου νόμο. Brun argues that such a law did not supersede the normal irregular *eisphora*. The principle of a permanent levy is to enable the city to cover its defensive expenses, but should the need arise surely the option of raising a larger amount of money was there. The reasonable conclusion is that the 10T fund was a permanent tax to fulfil a certain task and that extraordinary expenses would be covered by the normal *eisphora*. The 10T is something like an infrastructure tax levied in the usual large *eisphora* method. Brun has neglected two new aspects of the law:

- a. The **permanent** character of the tax which verifies a trend in Athenian taxation; it was dragging towards more compulsory ways of levying funds and
- b. The *proeisphora* which such a levy would probably involve.

If a *proeisphora* was levied, every member of the 300 body would have to pay an average 200 dr. up front at the time the law decreed the 10T should be collected. Two mnai was a considerable amount of money in Athens, but one would expect that an Athenian with a moderate income could come up with such an amount; moreover they were the 300 richest citizens (if it offered also immunity from a year's liturgies it was a very *handy* payment, but as I will argue in the next section the *proeisphora* was probably not a normal liturgy). So the sum would not upset the propertied class and it would probably involve the normal *proeisphora*. As R.W Wallace *Proeispherontes* has argued, each time a *proeisphora* was levied the 300 were appointed anew by their demes. If this is true then this 10T *eisphora* is very important, because if it was paid by *proeisphora* it shows that the 300 richest citizens were appointed each year, which means that there was a clear idea throughout the 340s of who the 300 richest citizens were. The *proeisphora* which had to be paid each year would become a routine and thus establish a more or less standing body of 300. A levy of such a sum every year shows the new mentality that the state was trying to introduce, cash-payments towards its building programme equivalent to a more or less direct yearly tax. The beginning had been made with the 1200 who were obliged to pay cash-payments every year.

V. Was the *proeisphora* a normal liturgy?

Here I would like to raise some suspicions about the widely accepted notion that the *proeisphora* was a liturgy that carried the normal one-year exemption other liturgies did. The implications of this are immense since it has been argued by Gabrielsen *Financing* 179 that more or less the existence of the 300 *proeispherontes* almost guarantees that the size of the liturgical class was in the area of 1200, I quote: "Since they [the 300] were entitled to exemption, the number of men required in a three-year period would be 600 if *eisphora* was actually levied in three consecutive years or, alternatively, if the Athenians took such a possibility into account when introducing the system. Hence the total number of liturgists needed in the 370s would have been

slightly higher than at the end of the fifth century that is, 1,175; the approximation to 1200 then needs no special pleading". It has been almost universally accepted that the *proeisphora* was a liturgy carrying exemption based on Apollodoros' information about his trierarchy in 362/1 L. 8-9:

οὐ μόνον τοίνυν, ὧ ἄνδρες δικασταί, τὰ κατὰ τὴν τριηραρχίαν ἀνήλυσκον τότε οὕτω πολυτελεῖ ὄντα, ἀλλὰ καὶ τῶν χρημάτων ὧν εἰς τὸν ἔκπλουν ἐψηφίσασθε εἰσενεχθῆναι μέρος οὐκ ἐλάχιστον ἐγὼ ὑμῖν προεισήνεγκα. δόξαν γὰρ ὑμῖν ὑπὲρ τῶν δημοτῶν τοὺς βουλευτάς ἀπενεγκεῖν τοὺς προεισοίσοντας τῶν τε δημοτῶν καὶ τῶν ἐγκεκτημένων, προσαπηνέχθη μου τοῦνομα ἐν τριττοῖς δήμοις, διὰ το φανεράν εἶναί μου τὴν οὐσίαν. καὶ τούτων ἐγὼ οὐδεμίαν πρόφασιν ποιησάμενος, ὅτι οὐκ ἂν δυναίμην δύο λητουργίας λητουργεῖν οὐδὲ οἱ νόμοι ἐῶσιν, ἔθηκα τὰς προεισφοράς πρῶτος. καὶ οὐκ εἰσεπραξάμην διὰ τὸ τότε μὲν ἀποδημεῖν ὑπὲρ ὑμῶν τριηραρχῶν, ὕστερον δὲ καταπλεύσας καταλαβεῖν τὰ μὲν εὐπόρα ὑφ' ἐτέρων προεξειλεγμένα, τὰ δ' ἄπορα ὑπόλοιπα.

Another piece of evidence is D. XLII. 25: "καλῶν γὰρ κάγαθῶν ἐστὶ δικαστῶν τοὺς μὲν τῶν πολιτῶν ἐθελοντάς, ὅταν εὐπορώσι, λητουργοῦντας καὶ ἐν τοῖς τριακοσίοις ὄντας ἀναπαύειν, ὅταν τούτου δεόμενοι τυγχάνωσιν, τοὺς δὲ νομίζοντας ἀπολλύειν, ὅταν εἰς τὸ κοινὸν τι δαπανήσωσιν, ἄγειν εἰς τοὺς προεισφέροντας καὶ μὴ ἐπιτρέπειν δραπετεύειν". In this passage the *proeispherontes* are being equated with those who perform liturgies, a thing that corresponds with our evidence that in 340 the 300 were made responsible for the trierarchy and a class of around 300 was the liturgical class. That the *proeispherontes* are mentioned in the context of a forensic speech dealing with antidosis does not confirm straight away that the *proeisphora* was a liturgy. The class of people responsible for all the liturgies was the 300 richest citizens. These 300 were at the time of the speech, around 323/2, *proeispherontes* and liturgists, since the 300 became solely responsible for the trierarchy in 340. It would be impossible to distinguish the liturgists and the *proeispherontes* at the time. There is something more in this. If the *proeispherontes* are mentioned, then they must have been in use at least once in the last decade (despite MacDowell's *Periandros* n.34 claim that there is no evidence at all for

the collection of *eisphora* after 340). If though there was no large *eisphora* at the time of the speech, then the only *eisphora* levied at the time was the 10T one. If a *proeisphora* was levied, the average amount paid by each of the 300 would be two *mnai*, a ridiculous sum to justify an exemption from other major liturgies, and in this case enter an antidosis challenge.

If the *proeisphora* was a liturgy this would involve the one year statutory interim that was available to all those that performed liturgies. If 300 each time there was a *proeisphora* would acquire immunity for that and the next year's liturgies then the number of the rich involved in liturgies would certainly be larger than Davies' 300, who thought as we said, that the 300 *proeispherontes* and the 300 of D.'s reforms in 340 were two aspects of the same class. Yet if *proeisphora* was levied in a year the other liturgists who would still have to be appointed would be at least 200. In the next year even if there was not a *proeisphora* there would have to be found at least another 200 different people to cover for that year's liturgies which makes the overall number of people involved in liturgies for two years at least 700, far away from Davies' 300. One could argue of course that the *eisphorai* were spaced out but theoretically should the need arise there could have been *eisphorai* in two consecutive years.

Apollodoros has been suspected for the sincerity of his statement. Wallace *Proeispherontes* 486 says: "... and his failure fully to emphasise what would have been an act of personal generosity some may find difficult to explain". The view that the *proeisphora* was not a liturgy subject to exemption was taken by R. Thomsen *Eisphora* 212 who used as evidence Isaeus VI. 60, where the speaker commenting on the liturgical activities of a family praises them: "...they have paid all [my bold type] the *eisphorai* among the 300". Thomsen considered this as good evidence that the *proeisphora* was not a liturgy that offered exemption, because if they had paid all the *eisphorai* in the 300 and if *eisphora* had been levied in two consecutive years they would still have paid it in the 300, not being exempt. Wallace thought that we do not know whether the *eisphorai* meant by Isaeus were by chance rather spaced out in the 4th c.; we simply do not know if that happened but it would be quite possible for an *eisphora* to be levied twice in two years since Xen. in *Hell.* VI.ii.1 says that the

Athenians were worn out with paying *eisphorai* and de Ste Croix *Timema* 51 surmises that there was an *eisphora* in 375/4 and perhaps one in the beginning of 376/5. De Ste Croix based on the naval activity in the years 373/2 and 372/1 (D. XLIX. 9-15, Xen. *Hell.* VI. ii.10, 14, 37-38, Diod. XV. 47. 2-7) thought that there could be two consecutive *eisphorai* then⁵⁶. Another way to explain Isaeus is that the family paid all the *eisphorai* they were required to legally; thus Isaeus is being misleading in order to impress the audience.

Wallace then, tried to find another reason to explain this hasty reference of Apollodoros to his own generosity. *Proeisphora* was a liturgy in his opinion, with the exemption rule valid. The *stratego*i made a list based on the comparative wealth of those they wanted to appoint as *proeispherontes*⁵⁷ without any regard to their liturgical status. It was up to the individual to claim an exemption if entitled. This exemption was voluntary. If a trierarch was away he could hardly perform his duty and Wallace thinks that he was exempted automatically (he does not say how this would be done; would the generals not include him in the first place or would they expect somebody else to point that out?). So although the laws did not permit two liturgies in the same year the state was counting on the patriotism of the richest to pay the *proeisphora* even if they were performing a liturgy (unless the trierarch was out at sea). Wallace argues that it makes sense if the *stratego*i should ask Athens' 300 richest men to perform this purely financial service, since if all liturgists were exempted from it those who remained might be very much poorer than such men as Apollodoros. Apollodoros is then not lying but his generosity was common place.

On the other hand I have been unable to find evidence of liturgists who performed more liturgies than they were obliged by law, especially in the 4th c. (the speaker of Lys. XXI. 1-6 performed a large number of festival liturgies, more than once two in the same year; but his munificence has been characterised by Rhodes *Problems* 2 as

⁵⁶ For full information on the *eisphorai* from 378/7-357/6 see ch. 6 of de Ste Croix's *Timema*.

⁵⁷ The *stratego*i made the actual list but it was (according to Wallace and I agree in this) the demes that would propose those who thought were suitable for the liturgy without any concern about their liturgical status.

exceptional, as the speaker himself admits, section 5: "... if I wanted to perform the liturgies according to the law I would not spend even one fourth [of what he had already spent]"). Apollodoros' status is exceptional, but he fails to capitalise on it, if *proeisphora* was a liturgy carrying full exemption. Yet it seems hard to believe that Athens depended on the generosity of the rich if there was a *proeisphora* and some of them were exempt as current liturgists. Liturgies usually involve personal service, and that was one of the reasons that one person could not be an efficient trierarch and choregos within the same year. But the *proeisphora* is a financial responsibility and the interesting point is that the *proeispherontes* were to be reimbursed later on. This makes *proeisphora* a very strange liturgy indeed, where the liturgist is to get his money back (except for his own share of the *eisphora*). The aim behind the *proeisphora* is obviously to try and get the money as quickly as possible, thus saving the state time and effort from chasing up every member of the symmories, leaving this task to the *proeispherontes*. It can also be argued that the state appreciated the ready cash it could have after each *proeisphora* was levied, and confirming the status of liturgy on the *proeisphora* was an act of protection of personal wealth. That they could get most of their money back later (Apollodoros' comment that he could not get reimbursed because by the time he got back most of those who could have paid him back had paid their due share to some other *proeispheron*, shows that the majority of the *proeispherontes* did attempt to get their money back) casts in my opinion a shadow on the certainty that the *proeisphora* was a liturgy, it was certainly not a typical liturgy.

The amounts involved in a *proeisphora* were indeed rather large. For a normal *eisphora* of around 60T (see de Ste Croix *Timema* 60, point a, - in his opinion it was unlikely that the Athenians would raise an *eisphora* for something less than 30T) a member of the *proeispherontes* would have to pay an average 1200 dr., 1/5 of a talent. Bearing in mind that they would get a part of that sum back it does not seem so great compared with the trierarchy which cost around 1T, cf. Gabrielsen *Financing* 124-125. De Ste Croix 69 is too ready to dismiss the burden of the tax which some of the evidence suggests; see: D. XXVIII. 17, XLVII. 54, L. 7,13, Isaeus F29, VI.38. Isaeus VI.38 (cf. D. XXXVI. 31) is complaining that it is unusual to be able to carry out costly

liturgies from current income. These complaints do not show necessarily that properties were too weak to support liturgies, but rather that there was a lack of liquidity in the rich class's properties which made the additional burden of the *proeisphora* difficult to bear. Since the levying of *eisphora* was rare, unpredictable and the sums involved rather large (they would have to be paid out of capital or even involve the hypothecation of real property),⁵⁸ I am not too sure that current liturgists would be very willing to pay it if it was voluntary to do so.

In addition to this there are certain factors that could suggest that the *proeisphora* was not a liturgy. The conditions in which an *eisphora* was levied probably involved an emergency and the state could not afford to lose a part of its *proeispherontes* because of the exemption rules. De Ste Croix 50 applied three general principles for the levying of *eisphora*:

- i. One should not assume that *eisphorai* were levied in the years of the largest expeditions because we do not know how much money was derived from booty and *syntaxeis*.
- ii. On the other hand *eisphorai* will hardly have been levied in years when there was no naval or military activity and
- iii. It is unlikely that the Athenians would need to raise *eisphorai* in connection with expeditions by land; it was naval armaments that were costly.

In view of this logical explanation Wallace's, page 480, statement is misleading: "In addition, most *eisphorai* were not levied in periods of crisis, while in the one attested crisis, that mentioned by Apollodoros, the regular system seems in fact to have been adjusted". But Wallace *Proeispherontes* 481 concluded correctly in my opinion that the 300 *proeispherontes* were never a standing body but were always newly appointed when an *eisphora* was required. The demes would report to the government the names of wealthy demesmen (or rich people from other demes but with property in the specific deme). Then the *stratego*i would draw up a provisional list probably in accordance with the comparative wealth. This reconstruction refutes previous theories that claimed

⁵⁸ See Davies *Wealth* 82-83, M.I. Finley *Land and Credit in Ancient Athens* (New Brunswick 1952)84.

that Apollodoros was describing a very different procedure from the one that was originally designed, through the *timema* of each member of the *proeispherontes* and the symmories. As Wallace asserts "We may therefore conclude that the Athenians were anxious to ensure that this burden always fell on their 300 richest citizens and for this purpose required deme reports". What Apollodoros reveals is that the *proeisphora* took place before a naval expedition took place, which verifies principle iii of de Ste Croix's. It is not exaggerating to say that each time the *eisphora* was levied many of the 300 would be involved in a trierarchy or another liturgy. The amount involved is not very big in itself but combined with a trierarchy must have created terrible problems of liquidity and it is unlikely that the state could trust their patriotism, especially in view of the anti-liturgic sentiments, as explained in section II.

That the *proeisphora* was not a liturgy carrying exemption does not have any solid evidence in favour but there are enough grounds for doubt that it was. It is unlikely that it carried exemption which was usually breached by those entitled to it for patriotic or other reasons because of the demand in cash; if somebody was performing a trierarchy the extra cash *proeisphora* demanded would make him susceptible to ask for exemption. I suspect that since the *eisphora* was irregular rich people were expected in one way or another to be able to sustain both the burden of a liturgy and a *proeisphora*. This was the reason why the demes' reports existed, to ensure that the the truly rich citizens were chosen. After 347/6, the yearly *eisphora* collection of 10T rendered the *proeispherontes* essentially a standing body because they were appointed year after year. That is why the speaker of D. XLII was appointed as a *proeispheron* despite his financial losses. His deme just sent his name off without the necessary consideration, probably because they thought that it was not likely for somebody's property to fluctuate as much as to justify his exclusion from the 300. Furthermore the speaker of XLII was not entering an antidosis so as not to pay the small sum the 10T *eisphora* forced him to pay, but rather to avoid further liturgical encumbrances in that year; one should not forget that D.'s law had transferred the trierarchical burden onto the 300 richest citizens, Hyp. F134 K. Another conclusion from this discussion is that the 300 were the richest citizens of Athens and their future connection with the trierarchy in 340

should not be seen as proof that the *eisphora* and naval *symmories* were identical,⁵⁹ as the connection could have taken place because they simply were the richest.

VI. 5 or 6 trierarchs?

Hyp. F134 K: "ἕως μὲν οἱ πλουσιώτατοι παρακρουόμενοι τὴν πόλιν σὺν πέντε καὶ ἕξ τριηραρχοῦντες μέτρια ἀνήλισκον, ἡσυχίαν ἦγον οὗτοι. ἐπειδὴ δὲ ταῦτα κατιδὼν Δημοσθένης νόμον ἔθηκε τοὺς τ' τριηραρχεῖν καὶ βαρεῖται γεγόνασιν αἱ τριηραρχίαι, νῦν ὁ Φορμίων αὐτὸν ἐκκλέπτει".

It is a matter of interpretation whether one wants to think that the 5 or 6 mentioned by Hypereides were trierarchs or whether the trierarchy was performed by the (syn)trierarchs being supported by 5 or 6 contributors. MacDowell *Periandros* 442 prefers the latter interpretation. Indeed the richest citizens were unlikely to combine in 5 or 6 because they were appointed as trierarchs by the *strategoí*. If they were combining in large numbers then in effect they were trying to skip their duty as trierarchs; the essential quality of being one was to be responsible for a single ship. It is again unlikely that the *strategoí* would name as (syn)trierarchs such large numbers of people, since they would limit officially the number of rich trierarchs and face the problem of appointing people with a property that did not justify such an appointment. A careful study of the inscriptions reveals the following:

- i. The majority of trierarchies was not performed in groups of 5 or 6 but mainly 2⁶⁰ and sometimes 3⁶¹.
- ii. Larger numbers of officially appointed trierarchs and syntrierarchs appear after D.'s reform of 340⁶² (see chapter 6, section XIIIa and b).

⁵⁹ As Ruschenbusch *Symmorien* 26-point 3 contends.

⁶⁰ For example *I.G. II²* 1611 cols.f + g, 1612 cols.b + c + d, 1613 col. f, 1622 cols. a + b + c lines 1-378, 1623, 1624.

⁶¹ *I.G. II²* 1613. 210-14, 1622. 151-55, 1623. 20-25, 125-129, 133-136, 1628. 43-46, 66-69, 71-75, 1629. 3-7, 45-50, 1631 635, 1632. 26-30, 1631.641-45.

⁶² By 4: *I.G. II²* 1628. 54-59, 136-142. By 5: 1632. 56-59, 85-89. By 7: 1632. 67-71. By 9: 1628.20-27. By 10: 1632. 307-312.

iii. After 340 there seems to be a distinction between trierarch and syntrierarch whereas the term *synteles* changes its meaning.

Gabrielsen *Symmories* n.67 tried to prove the opposite saying: "... But while I agree that after 358/7 a distinction was introduced between active trierarchs and naval contributors, I will maintain that this distinction was only functional, and that a man acting as joint-contributor in one year may be asked to sail as a trierarch later in the year.", cf. *Financing* 194. This view is absolutely wrong. First of all it pre-supposes that there were 1200 people able to support a trierarchy. This cannot be proved and the claims of D. that some of them were really poor (XVIII.102) do not support Gabrielsen's claims that they could go out to sea as trierarchs. The evidence he adduces is misinterpreted. The speaker of D.XLVII gives no clues at all on whether the other contributors in his symmory were trierarchs or not. By saying, 22, ἔτυχον δὲ ἐγὼ μὲν τριηραρχῶν καὶ ἐπιμελητῆς ὄν τῆς συμμορίας he does not give any information that other members of his symmory were inactive or not. About XXI. 155 Gabrielsen argues: "D. xxi.155 says only that perpetrators of such acts as those allegedly resorted to by Meidias may undeservedly obtain exemption from all other liturgies, not that the 1200 had not a right to exemption". Gabrielsen fails to grasp the fact that Meidias was appointed a trierarch and had taken advantage of the law of Periandros by making the contributors of his symmory pay as much as he should do. It was his official appointment as a trierarch that made him exempt. Since by claiming that he was a *synteles* himself he managed to avoid larger contributions it is legitimate to assume that the difference between the trierarch and the *synteles* was the obligation of the former to command the trireme and pay the cost that such a duty would entail, crews, rations etc. The contributors who did not have such a duty were never exempt from paying contributions. At any rate even if Gabrielsen's second argument is right (D. XXI. 155 is not sufficient to prove that there were two groups within the 1200) his thesis that

contributors could switch to trierarchs is not valid if one asks who was going to decide which one of a group of 5 or 6 was going to sail later in the year⁶³?

The objection to Gabrielsen's point is that the law of Periandros did not change the way of appointing trierarchs but established contributors. There is no point in having the principle of *synteleia* when those who contribute are nominally called trierarchs. The evidence makes quite clear that those who paid were not trierarchs but *synteleis*. Gabrielsen further corroborates his point that there was only a nominal and not a substantial difference⁶⁴ between trierarchs and *synteleis* by adducing D. XIV. 20 and XVIII. 104 where, he argues, the 1200 seem to be called without difference trierarchs, as well as *synteleis*. But in XIV. 20, D. explains the way trierarchs and funding will be found in case there is a need for 100, 200 or 300 triremes. For e.g. for 100 ships each of his small symmories would have 12 able-bodied people to perform the trierarchy; not all would become trierarchs, so the rest would contribute. He calls them σώματα τριηραρχοῦντα because they collectively discharged the trierarchy and they were all able-bodied potential trierarchs. XVIII. 104 explains the abuse of the law of Periandros by the rich within the 1200. By misinterpreting the law they would ask from the *synteleis* larger amounts of money, arguing that the law demanded the *synteleis* to discharge the trierarchy. So they were treated as normal trierarchs by those formally appointed as such, when they should not. One should not forget that probably the generals appointed who was going to be a (syn)trierarch. It may be possible that the

⁶³ Gabrielsen imprecisely mentions that Davies *Wealth* 34-35 (19-20 also) supports the opinion that 1200 performed trierarchies. Davies says: "Only about 1200 men, or at the absolute maximum 2,000, owned property of such a value, apparently about 1T (p.29 above) that from its income there was any perceptible surplus available which could be tapped for the purposes of direct taxation." Davies was puzzled by such an increase of the trierarchical class (from 300 to 1200) but he did not think that if some of them would be contributors then the problem was not so acute. He had realised though that there was a problem with D. XVIII.102-109 and that D. considered some of the 1200 as destitute, which he accepted at face value as true.

⁶⁴ If one accepts the financial distinction within the 1200, i.e. that there was a group of people that were contributors only because of their financial weakness, then Gabrielsen's argument, which presupposes that the 1200 were in possession of a liturgical property, *see* page 199ff., falls through.

symmory would accommodate its appointed members with the ships it had under its control. It would be unacceptable and illegal for trierarchs to combine in large numbers and equip less ships instead of equipping those that they were asked to. The contributors were financing the ships so there was no reason for them to combine unless they wanted to flagrantly violate their roles as commanders of ships.

Davies *Wealth* 22-23 says: "Fifty years later, when the size of the trierarchical class was greatly increased by Periandros' reform and when the burden was being spread evenly, rather than proportionately, among the members of this enlarged class, the result was, as it had to be, trierarchs by "fives and sixes" (σὺν πέντε καὶ ἕξι) or even "by sixteens" (σὺν ἑκκαίδεκα: Dem. xviii. 104): the poorer members could not meet the obligation save in large groups." It has to be stressed that throughout the period of the Periandric symmories there were not 5 or 6 trierarchs performing a trierarchy despite Hypereides' F134 apud Harp. In the period from 358/7 until 340 in all the inscriptions that the curators of the yards published there is no indication that trierarchs performed their duties in 5 or 6, the biggest number recorded being three syntrierarchs. The only exceptions are cols. e and f from *I.G.* II² 1622, where rather large groups of people connected with the trierarchy have been attested as paying sums that are homogeneous. These can be recognised as *synteleis*. In conclusion a combination of 5 or 6 trierarchs would certainly provide commanders for fewer ships; that would become obvious to the generals and this disproves Hyp. F134 (Kenyon) that before 340 trierarchs combined in 5 or 6. What they did was to ask their colleagues in the symmories to pay as much as they did. The abuse of the law is eminent in D. XVIII.104: καὶ δυοῖν ἐφάνη τριήραρχος ὁ τῆς μιᾶς ἕκτος καὶ δέκατος πρότερον συντελής.

VII. Exemptions in D. XIV. 16

Gabrielsen *Financing* 188ff. suggested that the 1200 instituted by the Periandric law were never all recruited by the symmories and that the exempt categories D. mentions were never included in them, not even as contributors; thus the reason why D. wanted to make changes and have 1200 potential trierarchs appointed, was in order to get the number prescribed by Periandros. The argument produced by MacDowell *Periandros*

that those exempt could contribute just as D. could as a minor pay his share to the *eisphora* is sufficient to prove that physical inability does not prevent cash-payments. In order to overcome this rather compelling argument Gabrielsen tried to discredit the traditional view that the exempt categories were classified as such because there was no person to perform the trierarchy (an *epikleros* was a woman, a minor orphan was too young, an *adynatos* was physically incapable, a *kleruch* was away from Athens (chapter 7, section II) and *koinonika* was a kind of joint property (chapter 7, section I) that could not provide anybody to perform the liturgy).

Gabrielsen *Financing* 85-90 argues that it was the properties themselves that carried exemption and not the people that actually were the legal owners. But, firstly, his interpretation of *adynatoi* is pretty precarious; he thinks that *adynatoi* were those who were discharging another liturgy at the same time and were legally exempt from the trierarchy. He adduces D. L.9, where Apollodoros mentions that since he was already discharging the *proeisphora* he was not obliged to the trierarchy i.e. that one was not made to perform two liturgies at the same time. Apollodoros' information on this point can certainly be true but there is no other evidence for such a use of the word, and furthermore I cannot understand why only those who were currently performing another trierarchy were included in the *adynatoi* category when, those who were enjoying their statutory interim could be included as well. Gabrielsen could retort that according to his theory those enjoying their interim period were included in the *symmories*, paying contributions; but those currently performing an agonistic liturgy could too, and there is no reason to exclude them from the *symmories*. If Gabrielsen intends a comparison with Ps. Xen. *A.P.* III.4 (see page 200) then it must be noted that practices differed a lot from the 5th to the 4th c. and that Kalinka's interpretation that 400 trierarchs were appointed for only 300 ships in the 5th c., surmising that the remaining 100 were those exempt because they were appointed as agonistic liturgists in the current year, is unprovable; perhaps Ps. Xen. was just exaggerating about the number of the people involved in the trierarchy.

For the next category, the *kleruchs*, Gabrielsen thinks that their properties abroad did not carry liability to the trierarchy. If a *kleruch* was in possession of property in

Athens large enough for a trierarchy he would still be eligible. When discussing *koinonika* (see chapter 7, section I) Gabrielsen is at a loss. He correctly defines them as property owned collectively by demes, phratries etc. and that they were liable to the *eisphora*⁶⁵ but he argues that they were exempt so as to make them more attractive to leasing and generally more attractive to investment. This he corroborates with evidence that shows that investments in mines were exempt from liturgies, as the state realised the need for financial investment. This is presented at D. XLII as a recent development and Gabrielsen thinks that the state had an interest in making corporate property more attractive to prospective lessees and owners, and made it exempt from liturgies. This is difficult to accept. The state treated corporate property as more or less private property which is why *eisphora* was levied on it. The silver mines investment was a very important sector of public interest and one should not forget that the state would acquire a certain amount of the profit in the end, for more information see R. Osborne's "Social and economic implications of the Leasing of Land and property in Classical and Hellenistic Greece" *Chiron* 18(1988)279-323, Andreades *Finances* 269ff. and Suda A345 s.v. ἀγράφου μετάλλου δίκη. The financial interest the state could have from the leasing of corporate property is not obvious and I do not think exemption was an incentive for members of the propertied class to lease and develop them. Expansion of this principle to the *kleruchs* i.e. that they were persuaded to take up a *kleruchy* only if it did not add up to their own property and making them liable to liturgies, is unsubstantiated.

Furthermore he thinks that the state wanted to protect the property of minors and *epikleroi*; leasing it out, ensured the continuation of the property's exploitation, avoiding to leave land e.g. uncultivated and thus leaving a respectable income to the orphans; of course such property did not carry any liability to liturgies. He based this on Aristot. *A.P.* 56.6-7 where the *eponymos* supervises the leasing of the estates of orphans and heiresses, receiving land as surety and introducing to court cases of

⁶⁵ *I.G.* II² 1241.14-17, *I.G.* II² 2492.24-27, *I.G.* II² 2496.25-28, *I.G.* II² 2497, *I.G.* II² 2498.7-9, *I.G.* II² 2499. 37-39.

mismanagement. Gabrielsen thinks that large properties of orphans and *epikleroi* were actually attractive only to other equally propertied individuals who were in possession of such large properties. But if the orphans' and *epikleroi*'s property was theoretically liable to liturgies, if in possession of an able man, then those who could lease them out could only be members of the liturgical class. He concludes that "Besides not being liable for trierarchies on account of the orphan estate he had leased, ... [the lessee's] own encumbered estate did not count if he was proposed to any liturgy or challenged to an antidosis ([Dem.] 42.5, 9, 28). With the estates of heiresses, orphans, kleruchs, and corporations, then, it seems preferable to focus attention on those actually holding and actively exploiting these estates rather than on their own legal owners, and also on the state's interest that the realty involved remained stable." All these claims are beyond doubt unprovable and in my opinion are aimed to remove the rather compelling nature of these exempt categories which was the absence of one, male, physically able proprietor. The prospect of leasing the trierarchy to contractors if accepted for the normal interpretation of *adynatoi* has to be expanded to heiresses and orphans; they could also employ a contractor if their property could sustain a trierarchy. As for the heiresses' and orphans' leased properties that could offer immunity to the lessee's land as well, as the lessee could put up a *horos* to state that his property was encumbered, it is possible that it might have happened, although there is no direct evidence that it did. The speaker of XLII carried out the survey of Phainippos' land in order to discover *horoi*; doing this was one way of meticulously trying to cover for every single possibility. This shows that the argument that one's property was encumbered was not compelling evidence that he could not perform a liturgy, but rather that it could be used cumulatively. Other details and evidence of one's financial well-being were of equal importance.

There is another implication that such an interpretation could cause. If these exempt properties carried immunity with them it makes the existence of a specific liturgical census more likely, the implication being that if they did not, the lessees would be unwilling to lease them. If one possessed property that was not usually liable to the trierarchy, then if he leased property that added up to his own and made him liable, he

must have surpassed a certain amount of property which was fixed for one to possess if he was to be liable to the trierarchy, probably more specific than Davies' "less than three and more than four talents conclusion", see page 199. Furthermore the personal character of the trierarchy cannot be denied for reasons of personal *philotimia* and *charis*, although the existence of contractors (and the parallel maligning in courts of those who used them, see Gabrielsen *Financing* 95-102) shows that it was not compulsory for one to serve on a ship. Yet the state, in my opinion, could not make legal the use of contractors nor could it use it as an argument should one ask exemption for physical inability, as the liturgies were still based on the principle of the rich individual serving the state in person, with the expectation from the *demos* expressing in its turn gratitude in various ways, see D. Whitehead "Competitive Outlay and Community profit: φιλοτιμία in Democratic Athens" *C&M* 34(1983)55-74).

Chapter 6 Trierarchic Symmories

I. The law of Periandros.

There is not much information about the exact stipulations the law of Periandros contained except that it set up the symmories for the trierarchy, making liable 1200. The approximate date of the law can be defined with D. XLVII. This speech is about a dispute regarding the return of naval equipment which took place in the year 357/6 ἐπ' Ἀγαθοκλέους ἄρχοντος. The speaker was then a trierarch as well as an *epimeletes* of the symmory and in section 21 he mentions the law: ὁ δὲ νόμος ὁ τοῦ Περιάνδρου ἠνάγκαζεν καὶ προσέταττεν παραλαβεῖν τοὺς ὀφείλοντας τὰ σκεύη, καθ' ὃν αἱ συμμορίαι⁶⁶ συνετάχθησαν. There is no other information about this law and there is no certain information for the identity of the proposer. It has been suggested by Davies *APF* 464 that he was the son of Polyaratos; the politician who proposed an alliance between Athens and Arkadia in 362/1 (*I.G.* II² 112 and *GHI*2 no.144). The reasons for the establishment of the symmories and the 1200 are not particularly clear and I have tried to explore various possibilities in the previous chapter. The main reason seems to have been a difficulty in obtaining enough trierarchs which I connected with financial depression and strong anti-liturgic sentiments on the part of the liturgic class. The main characteristic of the law was the principle of *synteleia*; the (syn)trierarchs who would still discharge the trierarchy were to receive financial contributions from a part of the 1200. It must have been quite vague because the rich liturgists began to take advantage of the financially weaker by forcing them pay as much as they did.

II. Allotment of ships to symmories, and *symmoritai* serving on ships of their symmory only.

This seems to be a new feature of the trierarchic system in 358/7 since until then the ships were allotted to the trierarchs and syntrierarchs (*see* Jordan *Navy* 68). The best

⁶⁶ συμμορία means a "group of people" without any specific technical meaning. Athens in 378/7 (according to *FGrH* 328 F41) first established the symmories, financial units, for the payment of *eisphora*.

evidence is D. XLVII. 29: καὶ ἐμέ, ἃ οὗτος [Θεόφημος] ὄφειλεν σκεύη τῇ πόλει, ἀναγκασθήσεσθαι ἀποδοῦναι ... τῷ διαδόχῳ ὃς ἂν ἔλθῃ ἐκ τῆς συμμορίας ἐπὶ τὴν ναῶν. This obviously means that the ship remained within the symmory since the successor came from the same one. There is another piece of evidence coming from the same speech where the speaker explains how he got involved in a particular debt contracted by his predecessors on his trireme; XLVII. 22: "Δημοχάρης δὲ ὁ Παιανιεὺς ἐν τῇ συμμορίᾳ ὧν καὶ ὀφείλων τῇ πόλει σκεύη μετὰ Θεοφήμου τουτουί, συντριήραρχος γενόμενος". This means that the ship Εὐφύης on which Demochares and Theophemos had served (*I.G.* II² 1612.313-316) and subsequently the speaker, in 357/6, belonged to the same symmory (see Gabrielsen *Number* 149-151 and *Symmories* 98). Gabrielsen *Financing* 180 argued that before 358/7 the presence of the adjective ἀνεπικλήρωτος in naval inscriptions⁶⁷ meant that many ships were not allotted to trierarchs because there was a shortage of manpower. This is obviously wrong because although the ships were allotted to symmories after 358/7, not all of them would eventually be put to sea. ἀνεπικλήρωτος meant inactive; there were inactive ships after 358/7 but the adjective disappeared because all the ships nominally belonged to the symmories.

I.G. II² 1615+1617+1618+1619 and 1616, 1625 mention triremes that are assigned to a person who must be the *epimeletes* of the symmory. These ships need repairs and are assigned to the symmories to be repaired; the implication is that damaged but potentially seaworthy ships were assigned to symmories for repairs. Ruschenbusch *Zahl* 86 who dated the above series of inscriptions around 354/3 said that the practice of assigning ships to symmories was scrapped after that date and adduced as evidence other naval inscriptions such as 1620 and 1621 which do not mention any assignment to symmories. But it is not only 1620 and 1621 that do not mention the symmories but also 1611 and 1612 and especially 1613+1614 (which have a similar register of damaged ships in 353/2) and actually no other inscriptions mention any assignment of

⁶⁷ cf. D.M. Robinson's "A new fragment of the Fifth-century Athenian Naval Catalogues" *AJA* 41(1937)292-299.

ships to symmories. There must be a reason for this but it is not necessarily abandonment of assigning ships to symmories.

III. Repairs and recovery of debts

One of the advantages of the new system seems to have been the possibility of repairing the ships after allotting them to symmories. Damaged ships (ἐπισκευῆς δεόμενοι) were assigned to symmories according to some fragments of an inscription (*I.G.* II² 1615, 1617, 1618, 1619, 1616, 1625). This fortifies the notion that **all the ships** were allotted to symmories, even the damaged ones. An objection is that the symmories are not mentioned in many inscriptions but only in *I.G.* II² 1615+1617+1618+1619 (I will be referring to them as 1615 etc. or to each one individually) along with 1616 and 1625 restored in line 10 (1625 does not exist any more and Kirchner's edition is based on its apographe by Lolling and the comments by Koehler; as it is dated circa 330 it can be argued that the date is wrong and that it can be dated along with the rest, *post* 358/7, especially because of its resemblance to 1618, cf 1618.136 and 1625.21). These inscriptions are not dated securely and Ruschenbusch had contended that they are the product of D.'s proposed reforms in 354/3 to divide the 20 large symmories into 100 smaller ones. Ruschenbusch was sure that although only 15 *epimeletai* could be counted in 1615 etc., there was space for more than 20 and, therefore thought that D.'s reforms actually took place. On the other hand D.R. Laing in *Hesperia* 37(1968)245 n.4 dated the inscriptions around 357/6 and since he has examined them closely I cannot see why he might be wrong although his promised re-examination is still pending⁶⁸.

These inscriptions need more notice. In 1615 the ships need repairs and are referred to a person with the indication συμ or συ next to his name e.g. 49ff.

Πανθήρα ἐπισκευ δεο,

Κτησίππο ἔργον,

Εὐμηδος Ξυ[π]εται συ

⁶⁸ For further discussion of the chronology of these inscriptions see Appendix 1.

This person must certainly be the *epimeletes* of the symmory, a member of it himself who would organise the repair of the ship. The curators of the yards who actually publish these inscriptions give the *epimeletes's* name and go on to publish the names of the trierarchs that owe money towards the repair of the respective ships under the formula; οἶδε ὀφείλουσιν. In the case of Εὐρώπη (line 88) there are six debtors (96-103). These are probably past trierarchs and not members of symmories since there are no financial obligations involved but equipment debts only. The numbers of the debtors indicate that these debts go back to more than a year in the past since trierarchies were performed in twos only, before 358/7. Another characteristic of 1615 etc. is not only the repairs but also the effort to recover debts of equipment, οἶδε ὀφείλουσιν etc., lines 95ff. The successive names in 1617.71-117 are names of **officials** since almost all the tribes are represented at least in lines 71-80 and they must have been curators of the yards. The recovery of equipment seems to be imposed on the officials, who are asked for the delivery of equipment which they failed to recover in their tenure of office. This method will recur in *I.G.* II² 1622 which will be examined later. Why then are the οἶδε ὀφείλουσιν⁶⁹ delivered to the *epimeletai* and why is there such a discrimination between the equipment debts; i.e. why are the curators distinguishing between the οἶδε ὀφείλουσιν and the ones we identified as past curators when they are asked for exactly the same thing? The answer could lie in the distinction I hinted at above, namely that in 1615 the οἶδε ὀφείλουσιν are trierarchs and in 1617 they are past curators. The reason would be simply a matter of time. The ἐπισκε δεο ships' debts may have been contracted not long before the year 358/7 and it seemed fairer (and perhaps faster) to recover them from those who had actually contracted them. The curators were acting according to the law referring to repairs and recoveries of debts of around 406, *SEG* X(1969) no.142 - *I.G.* I³ 236.1-3. The law ordered those who had not delivered the equipment to do so. For those who did not, the trierarchs were given the right to bring

⁶⁹ In 1617.48-49 οἶδε ὀφείλουσιν is followed by only one name which should be interpreted as the cutter's mistake who mechanically wrote the formula without checking the number of the names that followed.

the case in front of the *epimeletai* and the *epimeletai* would bring the case into the *dikasterion* the following day. The new measure is of greater importance; past curators are responsible for the debts they failed to exact. This was deliberate on the part of the *δημόσιον*. Athens had an interest in showing that officials were responsible for the equipment too⁷⁰, thus creating a second stratum of people liable to pay debts which were never recovered from the trierarchs. One has to realise the change in the mentality of the administration: It is getting more strict with its citizens. It can be that these officials chased up the real debtors in the end (the trierarchs). These inscriptions, published down to 357/6 (in accordance with Laing), give us some information about the symmories system in the beginning of its existence and its connection with the repairs of the ships. It is not difficult to imagine that the most important task of them was to make the Athenian triremes seaworthy, and it was towards that aim that most of the funds were spent. Having all the ships allotted to them year by year allowed them to know exactly the best ships they had and who owed to which ship.

Another inscription of that period which is dated in 356/5 (reporting about the previous year, 357/6) is *I.G. II² 1612*. The symmories are not mentioned there although one would expect to find them, especially in connection with the recovery of equipment. It is also the curators who try to repair the ships in various ways by demanding from the trierarchs to return them repaired (lines 96-99), or alternatively asking them to pay cash towards the repairs (lines 241ff.) or also using public funds to repair them (lines 232f). The interesting point is that all this procedure is conducted by

⁷⁰ M.I. Finley in *Studies in Land and Credit in Ancient Athens* (New Brunswick 1985)90-91n.19 comments on a clause of the Arkesine agreements that held the city treasurers personally responsible for any default on the interest, as distinct from the over-all security offered for the repayment of the principal debt. Should the city fail to make an interest payment, the creditors were empowered to carry out execution on the property of the treasurers for the interest due and a 50% penalty (*I.G. XII 7.67B* lines 44-52, cf.69 11-17). He adds that "Such unmitigated liability for acts performed on behalf of the state was a general feature of Greek government", for more evidence see E. Hoyer's *Die Verantwortlichkeit und Rechenschaftspflicht der Behörden in Griechenland* (Karlsbad 1928). This example from Amorgos is enough evidence that Athens considered its officials responsible for the recovery of debts which should have been collected in their tenure of office.

the curators, who show a remarkable keenness to accelerate the procedure of the repairs when the symmories, as we saw from 1615 etc., should be the ones doing such a job anyway. A reason I can suggest is that the state after an initial trial year of the new system and in need of preparation for the continuing Social War, ruled that it would be better to return to the system where the curators co-ordinated the repair of ships and recovery of debts. Indeed it must have been difficult to exact debts within a symmory and proceed with the repair of ships, without the "coercion" the board of officials offered. Although there would be a significant amount of work done through the symmories (in financing some repairs and in general preparing the ships) what remained officially recorded was the activity of the officials.

The debtors of the speaker of XLVII are mentioned in lines 312-313 (Δημοχάρης Παιωνιεύς and Θεόφημος Εύωνυμέύς) indicating that the procedure described in the speech is referred to in the inscription. These are described as those who ὄφειλον meaning that they had paid by the time of the publication of the inscription. In that procedure (according to D. XLVII.20f.) the trierarch was ultimately responsible for the recovery of the debt and the context suggests a total collapse of the equipping process. We know that this happened in the changeover of trierarchs at the beginning of 357/6 and probably that is why they are mentioned separately in col.d of 1612. For the remainder of 357/6 the curators take over as mentioned above. So debts in 1612 are not recovered through the symmories (with the exception of the ones that were handled by the emergency procedure as narrated in XLVII). What seems to have happened is that the officials of 357/6 (publishing in 356/5) were vested with the authority to accelerate the procedure and perhaps let the symmories concentrate on getting the ships ready and not on recovering debts or repairing ships, after the crisis in the beginning of that year. 1611, 1613, 1614 are inventories of ships and the mention of symmories is not necessary there.

Possible reconstruction: After 358/7 the Athenians try to recover debts as well as prepare the ships fast (as shown in *I.G. II² 1615*etc.). For various reasons they try to strengthen the trierarchs by establishing the symmories anticipating that this would improve the flow of cash towards the ships since trierarchs will bear less of the burden.

Simultaneously the ships are allotted to the new groups and they are asked to repair the unseaworthy ones and recover equipment from recent trierarchs (358/7 - 1615etc.). The officials of 357/6 (1612) show a remarkable energy in forcing trierarchs to repair their ships or pay for their repair. It is obvious that they want the symmories to concentrate on providing the equipment of the ships only, considering the repair of the ships with state money and a subsequent recovery of debts a much speedier procedure, than having the symmories do it. This was a U-turn since 358/7 (1615 etc.), when repairs were assigned to symmories collectively. A possible reason is that repairs or recovery of debts were eventually considered not to be done effectively through the symmories.

IV. I.G. II² 1622

This inscription can be interpreted in such a way as to demonstrate that perhaps the **same** members of the symmories would be allocated to the **same** ship every year. 1622 is an inscription safely dated around 342/1 (1622.385 Σωσιγένους ἄρχοντος). It records a renewed effort to recover debts on a rather larger scale than the one illustrated in the 1615etc. group.

There are three groups of people that are asked to pay their debts. The first is in cols. a, b and c until line 379. These are probably trierarchs who are supposed to return the equipment of the year in which they served, probably the year previous to the year of the publication of this inscription, but it has to be stressed that they have no chronological attribution on the inscription whatsoever. In all, there are no more than three colleagues on every ship. The top is now lost but the language suggests current business e.g. 165-8 Καλλικράτης Καλλιστράτου Ἀφιδναῖος ὧν ἔλαβε ... οὗτος ἀπέδωκεν.

A second group of people are cols. c from line 380 and on, and d. Recovery of debts in the past is obviously the subject there and chronology is **clearly marked** by the name of the archon. The names are cited in tribal order. The people involved are officials either *epimeletai* of the yards or *tamiai* τριηροποιικῶν. The recovery begins from 378/7 a year of reorganisation for Athens (establishment of *eisphora* symmories). The officials are asked to give cash back to the state. In 1617 some of the **same** men

had previously been asked to return σκεύη that had again not been returned in their tenures. For example Ἐπιτομίων Περιθοίδης 1617.77 and 1622.483, Εὐθύδομος Ἀθμονεὺς 1617.116 and 1622.498. This is crucial because it shows that the officials are asked to give back **the cash equivalent of the equipment which they had failed to collect from the trierarchs**. In 358/7 they were asked to return **equipment**. Officials of this kind primarily gave out state-owned equipment and it seems that the state considered them responsible for non-recovered items (*see* note 69). In 1622 they are to return cash which suggests an evaluation of the naval gear they had failed to retrieve. I do not think that this is evidence for a small fund that the curators had under their control because 1617 shows that their debts were connected with naval gear. It is remarkable that only one curator for each year paid back, which probably suggests that the curators had somebody among them who was in charge or that the state had picked one of them all, in order to make him go after the rest of the board. Another interesting feature is that the officials are to pay debts that were contracted after 358/7 too (e.g. in 356/5 lines 515-516), which suggests that the board of the curators was responsible for that and **not** the symmories, probably proving that the 357/6 (D. XLVII) procedure was an emergency one and that the procedure where the symmories were responsible for debts (1615 etc.) was either part of the emergency procedure in XLVII or was soon abandoned in favour of the curators.

Gabrielsen *Financing* 149ff. has offered a completely different interpretation. He claims that "Much of what these and other naval officials seem to have indulged in was the retention, use, and perhaps misuse of public equipment". He thinks that officials gave equipment to certain trierarchs as well as preferential treatment, or that they withheld the equipment themselves. He argues that it was common for an official (cf. *I.G.* II² 1622. 420-431) or a whole board (*I.G.* II² 1631. 410-29 of 323/2) to write on the stele of its year that it surrendered to the next board all the equipment it had received from the trierarchs but not actually having done so. A first problem that has to be acknowledged is that it was relatively easy for equipment to leave the hand of the *epimeletai*. After leaving the hands of the *epimeletai*, who probably were either negligent in recovering the equipment or simply did not have much of a choice when the

trierarchs did not return it, it was hard to be repossessed. The possibility of theft must be excluded as a common practice because of the extreme severity with which the state seems to have punished such crimes; cf. D. XIII. 14 πάλιν κόπας τις ὑφείλετο· μαστιγοῦν, στρεβλοῦν, πάντες οἱ λέγοντες, τὸν δῆμον καταλύεσθαι. Another point that is against the claim that officials retained equipment is the enormous amounts of equipment, in size and number. Mnesikles and Euthymachos, 1622.420-431, 446-477, owed enormous amounts of equipment. It is possible that all this equipment was given to trierarchs and that the officials mentioned were bribed, but it seems to me rather strange that such a "transaction" was recorded on an official document; it must have been recorded somehow if such a detailed account of their debts can appear on 1622. If it was a deal between them and the trierarchs that had used the equipment i.e. to retain them for a handsome bribe, then there was no reason to record their borrowing in the first place. If such a borrowing was falsely recorded as present (or if there was any other record of the equipment's existence) then the next board of officials would discover it when they did their stocktaking. Nor do I find Gabrielsen's *Financing* 153 point convincing that the withholder must have needed a private storehouse to accommodate it. One would expect a trierarch to do so and not an official. There must be another explanation and it must lie in that the curators could not always retrieve equipment from the trierarchs, cf. XLVII where the speaker, a trierarch, was asked by law to collect equipment that had not been returned by the trierarchs who had borrowed it; negligent trierarchs had caused the crisis described in the speech. Many times trierarchs would have to serve on an expanded service which meant that the officials, who must have changed on a fixed date every year, could not report that all equipment was present because the trierarchs were out on service. The officials must have been very flexible, and frankly speaking they did not have much choice. Everything depended on the goodwill of the trierarchs. Certainly the curators did have certain ways of coercion, similar to those described in D. XLVII. 26, 41, 46. But severe measures could only be enforced in cases of emergency and the state could not afford to alienate the liturgical class, its usual attitude towards defaulters being a flexible one (cf. Gabrielsen *Financing* 162-169). The reason for writing on the stele that equipment

was returned when it had not been (Euthymachos 1622.447-454 τῶν σκευῶν ὧν ἔλαβε παρὰ τῶν τριηράρχων καὶ οὐκ εἰσήνεγκε γράψας ἐν τῇ στήλῃ, and a whole board of officials 1631. 410-414 τάδε ὀφείλουσιν οἱ τῶν νεωρίων ἐπιμεληταὶ οἱ ἐπ' Ἀντικλέους ἄρχοντος [325/4] καὶ ὁ γραμματεὺς αὐτῶν τῶν σκευῶν, ὧν γράψαντες εἰς τὴν στήλῃν οὐ παρέδοσαν ὄντα ἐν τοῖς νεωρίοις) did not have a criminal intent. Various delays prevented the officials collecting all the equipment, but they hoped the next board would collect them. By giving them seemingly accurate records they avoided punishment in their euthynai. A fuller account of the real situation was probably passed to the next board which would try to retrieve the equipment; the board originally responsible would take the blame in case of failure. For example 1631 shows that the board of 323/2 knew about equipment officially recorded as handed back but which was not really returned by their time. They had to record its absence in order to avoid being blamed themselves. It was impossible to be meticulous in such an affair when it was common practice for trierarchs not to return equipment. When the state decided on the recovery of debts it would put pressure not only on the real defaulters but also on the officials who had failed to do their best in recovering it. This would be one of the standard practices for recovery of equipment until the end of the trierarchy as an institution; the other was to run after trierarchs, and there are many examples of trierarchic debts carried through from year to year. It sounds inconsistent but it was practically impossible to be flexible on trierarchs and try to recover equipment at the same time.

Cols. e and f are more difficult to interpret. There are groups of 5 or more listed **according to triremes**. Boeckh in his *Urkunden über das Seewesen des Attischen Staates* (Berlin 1840), Urkunde X, thought that they were past successive trierarchs of the same ship. I quote him 360: "Allerdings scheinen die im ersten nach den Stämmen geordneten Theil erwähnten Zahlungen der trierarchen meist aus älteren Theile nur ein, zwei, drei Trierarchen genannt werden, Col. e, f aber meist viele Syntrierarchen.". I do not agree with Boeckh at this point since past debts were already asked to be paid through the officials in the previous cols. and in view of this it is difficult to understand what these groups are paying for. Furthermore there is no evidence that trierarchies

were performed in numbers larger than three by formally appointed trierarchs, and this can be seen from 1622 where those identified as trierarchs in cols. a, b and c until line 379 are not combined in numbers larger than three. The absence of dates again makes it difficult to date the debts and it would be very hard to tell in which year the trierarchs concerned were supposed to have contracted the debts, especially if they had been more than once trierarchs on the same ship. I would like to suggest that the groups mentioned here are rather *synteleis*, members of the symmories who had somehow neglected their financial duties⁷¹. Chronologically the symmories had begun in 358/7, so these should belong to that period of time. Another clue that shows that these entries actually do go back to some time in the past is 1622. 643-65 concerning paying off debts on e.g. Ptokas (?) [Arch]enidou. One man Phaiax Acharneus had his debt doubled (cf. col.f - lines 746-748 for a similar occurrence). This could mean that his liability was incurred at **some date earlier** than the debts of the remaining individuals from this group. The procedure of *δίπλωσις* involved bringing defiant debtors of hull/equipment into court where they were fined to pay the original debt in double. Legal action was initiated by the *epimeletai ton neorion*. We do not know if the *epimeletai* would prosecute the debtors straightaway after the end of their year of tenure, but from the examples we have (in 1622 for example) debts went back even as many as 20 years, so it could be that only some of the persistent debtors were prosecuted and had their debts doubled, exactly when we do not know. I would like to suggest, as a conclusion from this group of debtors in 1622, that the same people were assigned to the same ship year after year; this would make sense, since they would be acquainted with the ship and provide a better service, having at the same time the benefit if they had maintained the ship well in the previous year. The demand from the state to repay the debts obviously shows that there were records that could provide information about the amount of money the members of each group were asked to contribute. I realise that this suggestion is precarious but I do not think that any strong

⁷¹ Ruschenbusch is of the same opinion in *Syntelien* but I disagree with his calculative methods to establish the property of the *synteleis*.

evidence can be used to prove it wrong. The debtors in the case of 1622 range from 4 (lines 599-602) to 8 (lines 623-636) with the usual number being between 5 and 7; the sums paid are more or less homogeneous whereas fluctuation in their numbers definitely existed (D. XVIII. 104 - in groups of 16); the norm was that most *synteleis* contributed towards the same ship in groups of 5 to 6 according to Hyp. F134 which does not conflict grossly with the evidence of 1622. If this is so then it is perhaps the only inscription where the *symmoritai* actually appear as persons and not through their *epimeletai* (as in the 1615 group).

V. ΤΡΙΗΡΑΡΧΟΣ vs. ΣΥΝΤΕΛΗΣ

a. *Synteles* in the Periandric symmories

D. XVIII. 104 says: "οὐδὲ γὰρ τριηράρχους ἔτ' ὠνόμαζον ἑαυτούς, ἀλλὰ συντελεῖς"; cf. XX. 28, Hyp. F134. A bit earlier he had claimed that the less rich were spending large sums of money when the trierarchies themselves were fulfilled within groups of 16, the rich spending trivial sums in proportion to their properties. The distinction is clear. *Synteleis* were meant to pay much less than the trierarchs and contributed collectively towards the maintenance of the ship, for a financial inequity within the 1200 *see* chapter 5 section I. Gabrielsen has argued that *synteleis* and (syn)trierarchs are one and the same and that a contributor could be next year or at some other point in the same year (syn)trierarch, for a refutation *see* again chapter 5 section VI, page 235.

b. *Synteles* after 340

The words *synteles* or *synteleia* do not appear at all in the inscriptions in the context of the Periandric symmories. The word *synteles* appears extensively in *I.G.* II² 1631 with a meaning rather different from the one we would be expecting it to have. This change suggests that the principle of *synteleia* was abolished after 340 as the evidence tells us, this being further proof that Gabrielsen's point that the 1200 continued to contribute after 340 is false. At the same time it should be accepted that the word *synteles* is not a technical term and can appear in a variety of contexts in its plain meaning as contributor. At any rate its use in a different context may suggest a functional difference too, in our case showing that after the 300 were made responsible

for the trierarchy there were no more *synteleis* in the fashion we know them, i.e. as members of symmories, which allowed the word to be used in another context. This term has been studied by V. Gabrielsen "A naval debt and the appointment of a syntrierarch in *I.G. II² 1623*" *C&M* 39(1988)esp.85-87. In 1631 names of debtors-trierarchs are being recorded. Some of them are to pay with their syntrierarchs but some of them are supposed to pay with some mysterious *synteles*. For example lines 517-526: τούσδε παρέδομεν ὀφείλοντας ἐπισκευὰς τριήρων καὶ τετρήρων καὶ σκευῶν ξυλίνων καὶ κρεμαστῶν Μύρτων Τρικορύσιος ἐπισκευὴν τριήρους Πωτώνης, Χαίρ-- ἔργον καὶ σκευῶν ξυλίνων κρεμαστῶν, ἰστίου τῶν λεπτῶν [number] Τελεσίας Προβαλίστιος συντελής Μύρτωνος Τρικορυσί· There are other trierarchs with *synteleis* until line 606. After that line the debts are recorded as to be paid by the trierarchs and their syntrierarchs. Gabrielsen noticed that the trierarch of a *tetreres* was listed twice, once in 494-496 alone (Kirchner has restored wrongly his name giving Aristogeiton Philaides instead of Aristogenes Philaides - for the restoration see *APF* 1792 and *I.G. II² addenda* page 811) and in lines 609-613 for the same ship as a *synteles* for Epiteles Thorikios. Aristogenes was a sole trierarch in the previous year on the same ship *I.G. II² 1629.272ff* in the colonising expedition to the Adriatic. Why he was twice recorded in 1631 is obscure but perhaps in lines 494-496 he paid part of the cost of last year's expenses and in 609-613 he joined the next year's trierarch in an effort to help Epiteles complete further the repairs. What is important at any rate is the use of the word *synteles* to describe a kind of financial assistant. As I argued in section III, the *epimeletai* were the ones who undertook the responsibility for both repairs and sometimes for the recovery of equipment, but now, although they are still responsible for equipment it seems that the repairs have been "privatised", assigning another individual to help with them. This sort of deal, dividing the debt between the debtor proper and a *synteles* was a concession of the state to those discharging a trierarchy and proof of D.'s words that his efforts spread the burden more evenly within the liturgical class.

I doubt that the word "*synteles*" is used as a short version of the word "trierarch" as Jordan *Navy* 75 n.67 asserts: "The term *synteleis* may have been used in this inscription

either for the sake of economy (instead of the longer word trierarchos), or because one of the two partners only contributed money and did not go to sea at all." The suggestion that one of the two partners goes to sea as a trierarch whereas the other is only dispensing cash is true; but if only trierarchs went to sea, as I tried to prove elsewhere (*see* chapter 5 section VI), what is then the difference between a *synteles* and a syntrierarch? A *synteles* seems to have been appointed to cover the expenses of a ship damaged in the previous year (or perhaps years). Although (syn)trierarchs did what they could to repair the ship, since they had other duties as well as preparing the ship for sail, if further funds were needed for repairs then a special contributor would be appointed to finish the job perhaps, unless the trierarch and the syntrierarchs of the previous years were guilty of negligence in which case they would be responsible for paying out the expenses. This is further proof of the tendency in the naval financing system of making the trierarchy a regular tax by "privatising" naval debts.

This use of the word *synteles* with the above meaning is only a strong indication and not proof that the meaning "contributor" as it was in the Periandric symmories was superseded after 340.

c. Trierarch and syntrierarch

Although the term syntrierarch certainly meant joint-commander in most of the history of the institution, inscriptions show that at some point there was some differentiation between trierarchs and syntrierarchs. After 358/7 it would be natural for the syntrierarchs to be abolished, since a big part of the expenses was paid in by the *synteleis* and the original reason for the syntrierarchy's existence was exactly the costs that could not be met by a single trierarch. Syntrierarchs were equal⁷² and it would be expected from both colleagues to serve half the term of the trierarchy period aboard. According to Jordan *Navy* 73 the speech *Against Polykles* provides evidence that the trierarchs commanded in succession after dividing the term between them; cf. L.68: "ὅτι δ' οὐκ ἔμοι μόνω οὐ διεδέξατο τὴν ναῦν, ἀλλὰ καὶ πρότερον Εὐριπίδη συντριήραρχος ὢν καὶ συνθηκῶν οὐσῶν αὐτοῖς τοὺς ἕξ μῆνας ἑκάτερον πλεῖν,

⁷² cf. Gabrielsen *Financing* 173-176.

ἐπειδὴ Εὐριπίδης ἐξέπλευσεν καὶ ὁ χρόνος ἐξῆκεν, οὐ διεδέξατο τὴν ναῦν αὐτῷ, ἀναγνώσεται τὴν μαρτυρίαν." cf. also L. 39: "...· σὺ δὲ παραλαβὼν τὴν ναῦν πρῶτον μὲν τὸν ὑπὲρ σεαυτοῦ χρόνον τριηράρχησον, τοὺς ἕξ μῆνας· ἔπειτ' ἐὰν μὲν σοι ἔλθῃ ἐν τούτῳ ὁ συντριήραρχος, ἐκείνῳ παραδώσεις λητουργήσας, ἐὰν δὲ μή, οὐδὲν δεινὸν πείσει δύο μῆνας ἐπιτριηραρχήσας". Both passages show that it was possible for two syntrierarchs to divide their term⁷³. We do not know if that was the norm, but certainly from the way Apollodoros talks it was quite common. It is doubtful that, if the ships were on campaign, they would come back to Peiraeus especially for the change of syntrierarchs to take place; but if the ships returned to the Peiraeus in or around half term, a change of trierarchs would certainly take place. I see no reason why this should have stopped after 358/7, especially because the number of the syntrierarchs remained essentially the same (two, very few cases of three). After 340 though, the numbers of people involved in the trierarchy as syntrierarchs (in many cases there were more than three) poses problems about the possibility of a half-term change-over as there are more than two. There was also a change in the way the syntrierarchs were being referred to that perhaps shows a change in the functions of the trierarchs.

The usual formula in which syntrierarchs appear in the inscriptions before 340 is τριήραρχοι, for example in *I.G.* II² 1605. 36-39:

Τριήραρχοι Πολύμνηστος

Ἄναφλύστι, Νικόστρατος Ἄλλαι

or just the singular τριήραρχος as in *I.G.* II² 1609.63 (of 370/69):

Εὐπορία, τριήραρχος Δημοτέλης

Παιανι, Φιλῖνος Λαμπτρ

Both singular and plural specify syntrierarchs, and so in *I.G.* II² 1611.342, 1612.112, 1620.32.

⁷³ This was the opinion of Boeckh *Urkunden über das Seewesen des Attischen Staates* (Berlin 1840)175, B.S. Busolt *Griechische Staatskunde* (Munich 1920-1926)1200 and H. Strasburger "Trierarchie" in *RE* VII A 1(1939)108.

After 340 there seems to be a change in the inscriptions when they refer to trierarchs and syntrierarchs. This novel formula appears first in 1623 of 334/3. In lines 16ff. we have the normal formula:

Τριήραρ Λυσικλῆς
Λυσίππου Ἄθμονεὺς,
Ἄρχικλῆς Ἀρχεστράτο
Γαργή

but in 245ff

Νεμεᾶς, Λυσικλείδου
ἔργον, τριήραρ Φορ
μίων Κτησιφῶντος
Πειραιεὶ καὶ συντριήραρχοι
Ἄντίμαχος Ἀχαρνεὺς...

in lines 290ff too

τριήραρχος Αἰσχροῖος
Ἄναγυρά καὶ συντριή
Ἄπολλόδωρος Γαργήτ

I.G. II² 1624. 63 inter 336/5-331/0

Διοκλῆς Διοκλέους
Ἐλαιού καὶ
συντριήραρχοι

I.G. II² 1628.29 of 326/5

...Τριήραρχοι
Φιλιππίδης Παιανιεὺς
Πυθοκλῆς Ἀχαρνεὺς

but lines 54ff

τριήραρχος Χαρίας Εὐθύ
κράτους Κυδαθηναιεὺς
καὶ συντριήραρχοι Κόνων
Ἄναφλύστι Κηφισόδοτος

Συβρίδης, Ἀλκιβιάδης

Θυμαιτάδης

The distinction must carry a certain significance. It should be connected with the new legislation of 340. The evidence shows that in the past syntrierarchs were a united team that was responsible for all the aspects of the trierarchy. The distinction surely must show that the designated trierarch had overall authority in organising the financing of the ship and most probably it was he who had to command it out at sea (or perhaps hire a contractor). In a way this was a return to the sole trierarchy, but with additional financial assistance from the syntrierarchs who were financial assistants and could also supervise repairs, check the equipment and generally assist the trierarch but were not expected to share a term out at sea; their rather large numbers would probably make it hard to decide who was to go out anyway. The inscriptions of course are not unanimous in the distinction, not even within individual inscriptions themselves, but this should denote a gradual development in the recording of what actually happened. The chronology cannot be safely determined, but all the occurrences of the formula are after 340 and this is indicative that it was a result of the changes in the law by D.

d. Responsibilities of *symmoritai*

The practice of the (syn)trierarchs was never abandoned as a way of administering the ships, at least until Demetrius Phalereus abolished it. It was essential that commanders were available in order to be in charge when the ship sailed for an expedition. The main strains were financial, as he had to equip and repair the ship and also make provisions for a suitable crew, and personal, since he had to offer active service unless he employed a deputy. The introduction of symmories did not make (syn)trierarchs redundant since they still had to bear most of the expenses. A distinction can be made about expenses as, there were expenses before and after leaving the port; this is no official distinction of course but just a logical one since the ship had to be prepared first and then sail. Before 358/7 the (syn)trierarch had to pay for the preparation. Now it was the symmories that had to contribute towards repairs and equipment. The (syn)trierarch would certainly coordinate the whole preparation and pay his share as well, using also the funds that were given to him from his symmory. It

would be helpful if we had an idea of what the expenses were like and Apollodoros in D. L depicts clearly the type of strains he had to go through when away from Athens, admittedly in the trierarchic system before the *symmories*:

- i. Before sailing out the sailors did not turn up and those who did were totally inadequate, section 7.
- ii. When he was abroad many of his sailors "disappeared" and he had to pay extra sums for new ones, section 14.
- iii. The general gave him only two months' wages and he himself had sometimes to provide rations for the crews, sections 10, 53.
- iv. Being known in foreign places was helpful since unexpected mishaps proved to be quite expensive and credit particularly useful, section 56.

The expenses after leaving Peiraeus were anything but negligible and I would like to suggest that the *symmoritai* were responsible only for the preparation of the ship, its seaworthiness, cf. Gabrielsen *Financing* 196. It is unlikely that the *symmory* gathered a sum that would serve as a reserve fund when the trierarch was abroad. There are several reasons for this. The sum was unpredictable. The *symmory* could not predict how much the expenditure would be, since expenses varied according to the nature and duration of the expedition. The function of the *syntrierarchs* remained and did not become obsolete. All the expenses were shared by the (syn)trierarchs in the old system; the durability of the institution of the *syntrierarchs* in the new system suggests that they still bore a significant burden too, i.e. the expenses of the ship as soon as it left Peiraeus plus the personal service on the trireme. Theoretically there was the possibility to substitute one *syntrierarch* for the other as D. L shows (sections 37, 39-42) and it was possible for a trierarch to perform the whole of the service aboard, just as Apollodoros did in the same speech. Paying the crews and providing rations as well as covering emergency expenses seems still to have been the duty of the appointed (syn)trierarchs who probably arranged between them how much each should pay. It was obviously a demand for more cash on the part of the (syn)trierarchs that made the system more unjust and I think it was the convention of distinguishing between expenses before and after leaving the port that people like Meidias started to break by

asking the *symmoritai* for more than they ought to have paid, extending the funding of the symmory to all the expenses of the trierarchy (including expenses abroad).

I will discuss later D.'s proposals in 354/3, but first I would like to demonstrate the injustice. For those who believe that naval and *eisphora* symmories are one and the same it is legitimate to suppose that they paid towards the ships in a manner, according to which, the sum was estimated at a percentage of their *timema*. So for the ships there would be a percentage of the *timema* every year (see de Ste Croix *Timema* 35ff. for the procedure of the *eisphora* tax). This is a good solution, but, if it was so, by setting a certain percentage the state could very easily provide a safeguard against greedy trierarchs who exacted more money than was fair. The percentage would provide an upper limit that could protect the *symmoritai*. It seems that this was **not** the case. D.M. MacDowell *Periandros* 444 says: "..., even if a trierarch recovered most of the maintenance cost from the contributor, he would still need either to give up other work while commanding his ship at sea or to pay someone else to do that on his behalf (when D. says in XXI.155 that men like Meidias collect from the contributors enough money to pay for that as well, he is clearly describing not the normal procedure but an abuse of it)". The suggestion that the contributors in the beginning tended to pay only for the procedure that would render the ship seaworthy, whereas the trierarch, as well as contributing to that, undertook the expenses at sea, and that the system gradually deteriorated cannot be proved. The deterioration can perhaps be imperfectly shown through the *I.G.* II² 1615 group where contributors are made responsible for repairs and equipment only, whereas later this seems to be undertaken by the curators, see section III.

In XXI. 155 D. says that the rich exacted from the contributors a talanton and paid only the same amount for leasing their service to another commander. Exactly how the trierarchs were gathering the money is not known, but ideally it seems that there was a kind of agreement between the contributors and them, with a subsequent gathering of sums to pay for the preparation of the ship. The (syn)trierarchs still were meant to pay most of the expenses. The fact that they called themselves not any more trierarchs but *synteleis* depicts the abuse of the system. The burden of the trierarchy remained quite

big so the trierarchs took advantage of the loophole that the law left, interpreting the contribution stipulation as an even distribution of all the expenses among the symmories. There is some evidence for this in a group of *synteleis* I tried to identify above in *I.G. II² 1622*, since, as Davies *Wealth* (22)n.16 confirms, cf. page 290, the sums seem to be more or less even ⁷⁴.

Gabrielsen *Financing* 197 tried to offer a new interpretation of D. XXI. 155. The traditional interpretation is that people like Meidias exacted 1T from the contributors that were assigned to his ship and used that amount to hire it out to a contractor. The point is that he charged the contributors far more than they should have paid to cover the ship's maintenance in order to cover the expense of the contractor, an expense which he should have paid himself. The result was that men like Meidias did much less than they ought to have done. To give an idea of the expenses a complete set of equipment would cost around 2,169 dr. and compensation for a trireme 5,000dr, cf. Gabrielsen *Financing* 221-2. As for the crew I quote Gabrielsen *Financing* 124: "If one drachma was the average daily pay expected by and given to crews, as seems likely, then the sum of thirty minas or one talent per journey received by trierarchs would only cover advance payments for half a month and one month, respectively. Any cost beyond that was shouldered by the trierarch himself". The thirty mnai he refers to was probably a lump sum the trierarchs were given when they sailed on an expedition, D. LI.11: τῶν δὲ τριηράρχων τοὺς μὴ συμπλέοντας, ὧν τριάκοντα μνᾶς εἰς ἔκπλου εἴληφεν ἕκαστος, οὐ ταῦτὰ ποιεῖθ' ὑμεῖς. Gabrielsen wants to argue that the 1T mentioned in XXI.155 was given by the state and not by the contributors to Meidias. He also argues that the traditional translation contains a disturbing improbability, i.e. that a trierarch received contributions from all 1200. The translation D.M. MacDowell gives is: "He has only put his hand to it at the time when, in the first place, you have made twelve hundred men contributors, from whom these fellows collect a talent, and

⁷⁴ Most (syn)trierarchies after 358/7 and until 340 when D. changed the system were executed in twos and threes (e.g. *I.G. II² 1611.288ff.*, *1612.100ff.*, *1613.183ff.*, *1620.35*) and officially it was they that had to pay most of the expenses. D. XVIII. 102ff. and Hyp. F134 disclose the immense abuse of the Periandric law.

then let contracts for the trierarchies at a talent!". Gabrielsen takes the ὄν in the text to mean the Athenians and gives: "you [sc. the Athenians] have made [*pepoiekate*] twelve hundred *synteleis*, you yourselves [*hymeis*], from whom [*par' hon*] they [sc. men like Meidias] collect a talent". But since D. talks collectively about men like Meidias he refers to the 1200 collectively as well, rather than pedantically say that each trierarch got the contributions from his own symmory. Furthermore that all the 1200 are called *synteleis* is not imprecise as they all paid contributions for the preparation of the ship; Gabrielsen's interpretation obscures what was the injustice that Meidias and men like him carried out. In conclusion D. XXI.155 remains good evidence that trierarchs abused the contributors to get more out of them, abusing and distorting the law.

VI. Were the 1200 a standing and clearly defined group of property owners registered originally for fiscal purposes either for *eisphora* or trierarchies or for both?

Gabrielsen *Symmories* 107-111 and *Financing* 68-78 thinks that the 5th c. practice of appointing (syn)trierarchs continued in the 4th with the only difference in 358/7 of having a set number of 1200 people from which the selection took place. Ps.Xen. *A.P.* iii. 4 (which gives 400 as the number of Athenians selected as trierarchs in the 5th c.) suggests according to Kalinka (*see* page 200) determination of selection in two steps:

- i. Selection of 400 potentially liable people
- ii. Disqualification of those who had to perform simultaneously an agonistic liturgy leaving a net body of trierarchs.

Gabrielsen does not see an objection to his view here since the two situations are not fully comparable. The 5th c. practice was a combination of the most rich and physically capable at the same time. The property of an *epikleros* would not be considered at all in absence of a κύριος and would not be included in the 400. On the other hand the 1200 is quite a different body of people; they were the holders of the greatest properties in Athens cf. Harpokration X5. Naturally in the 5th c. the generals must have had information about the biggest properties and they must have gone through them all by the process of elimination of the ones without an able bodied person. Consultation of the citizens and volunteering were key factors, perhaps more important than the amount

of one's *timema*, and the antidosis procedure was good enough to prevent gross injustices. Gabrielsen *Symmories* 107 tends to overstate the optional degree of trierarchies, placing them on a par with the agonistic liturgies and trying to refute that "lists of trierarchs certainly existed and were kept up to date by the generals" (Davies *Wealth* 24-5 thought so). I do agree with him that there was a fair degree of choice and that honour was a means to entice the citizens perform liturgies but surely this was not the way they acquired the bulk of the trierarchs; the generals usually drafted the list of the potential trierarchs in terms of their wealth as well as considering their capability.

Gabrielsen says that there is a lack of empirical support for any list of trierarchs that as Davies put it, "were continuously kept up to date by the generals". Gabrielsen has correctly tried to make the distinction between the preliminary list and the actual list of trierarchs the generals produced (the gross leading to a net one) and I do not think that anybody has ever objected to this procedure. What Gabrielsen thinks he fights is the notion that there were official catalogues that had persons listed according to their property and that the generals merely repeated year after year a mode of selection that included the same people without allowing any possibility for different people to enter. This would have been true if Ruschenbusch's theory was true, i.e. that the *eisphora* *symmories* accommodated the trierarchy, since selection in that group would be more or less permanent, as each one would be in the *symmories* on the basis of his declared *timema*. Concerning the existence of permanent lists the best, in my opinion, conclusion is reached by Rhodes, *Problems* 3: "I should guess that there was a similar rule [with Aristot. *A.P.* 56.3 about choregies] that the generals were to appoint the richest Athenians as trierarchs. The number needed will have varied, according to the number of ships which the Athenians needed or thought they might need to send to sea; probably there were lists of men who had served recently, as there were lists of people who had served as hoplites, but I suspect there was no complete list of men who were liable; volunteers will always have been accepted; it may have been possible for one man to nominate another, as it was for festival liturgies...; and probably in the last resort generals could themselves nominate men and leave it to them to initiate an antidosis or *diadikasia* if they thought their nomination was unfair (cf. *Ath. Pol.* 61.1)".

Although Gabrielsen agrees that the 1200 were a number set by the law, he holds that the list was renewed and changed every year and that the trierarchs were appointed by other sources⁷⁵ and only formally appointed by the generals. This he bases on his interpretation of D. XIV that the 1200 was a number that was never reached in the Periandric symmories, that the exempt categories were not part of the symmories and that all the 1200 appointed to symmories were either *synteleis* or trierarchs, depending on the situation. I have disproved that within the 1200 all were either trierarchs or contributors, *see* chapter 5, section I. The other contention needs further explanation.

Gabrielsen saw as the reason for the proposal of D. to provide 2,000 from which the exempt would be excluded from the symmories, that the state could not get the 1200 trierarchs the law prescribed. In his opinion the exempt categories were never part of the symmories, not even as contributors, *cf.* chapter 5, section VII. This is at first sight plausible. In D.'s new system the maximum number of trierarchs was 300 and the rest would be expected to pay contributions, which suggests that in the old system they could not get enough of them. But in order for Gabrielsen's suggestion to work, the exempt should not be contributing, a fact which is unprovable. Gabrielsen's arguments for doubting that they contributed have been criticised in chapter 5, section VII. If then the exempt could be included in the symmories it is not impossible that a rather steady list of people existed from year to year, allowing some fluctuations.

There is another reason that makes me inclined to think that the generals must have made a rough list of potential trierarchs which would by no means be permanent but must have been slightly changed every year. Gabrielsen suggested that there were two categories of trierarchs; those who assumed active service immediately and **nominal** trierarchs who remained inactive until their ships were commissioned. He thinks that D. XXXIX. 8 suggests that there were two stages in one's appointment: *τίνα δ' οἱ στρατηγοὶ τρόπον ἐγγράψουσιν, ἂν εἰς συμμορίαν ἐγγράφωσιν, ἢ ἂν*

⁷⁵ In *Financing* 73 he mentions five ways: **i.** one might present himself as a volunteer, **ii.** one could be asked to perform a naval *epidosis*, **iii.** a person might be reported to the authorities by others, **iv.** trierarchic service was bequeathed together with property, **v.** compulsion through the law when a contestant was asked to perform a trierarchy as a result of an *antidosis*-challenge.

τριήραρχον καθιστῶσιν; ἢ ἂν στρατεία τις ἦ, τῷ δῆλον ἔσται πότερός ἐσθ' ὁ κατειλεγμένος; But this passage could refer to the two functions a rich person might perform, contribute through a symmory and be appointed as a trierarch at some point and it is too vague to draw any sort of conclusion from of it. As further evidence he adduces the decree recorded in *I.G. II² 1629.165-271* about a colonising expedition to the Adriatic; there, the *καθεστηκότες* trierarchs are asked to bring their ships to the pier before the 10th Mounychion and prepare them for the voyage. In my opinion these trierarchs were appointed *ad hoc*. One of the main requirements when calling up a naval force is speed. Gabrielsen's *Financing 75* comparison with the choregia is misleading. The festivals had set dates and arrangements could be made with a deadline ahead. In the trierarchy things were different. Surely the process of registering names from many sources was there, but it was also endless. The generals had to make up their mind at some point. In lines 199-213 the decree makes provision for *diadikasiai*. After they are over the trierarchs take up their commissions. If they were nominal trierarchs from the beginning of the year I think that all *diadikasiai* should have been done then, leaving the nominal trierarchs ready for action when the time came. The meaning the term "nominal trierarchs" carries is false, if one had to go through *diadikasiai* first, and Jordan's point *Navy 66-7* that extra trierarchs were appointed *ad hoc* must be correct. There were then two stages when a force in addition to that commissioned in the beginning of the year was needed;

- i. the generals would look at their list and summon **potential** trierarchs,
- ii. after the *diadikasiai* were held they would appoint them, *καθίστησι*. The general must have had a greater space for initiative, at least in case of an emergency⁷⁶.

The existence of 800(?) exempt ones shows that the only criterion for entering the 1200 was property. How they were registered we do not know, and obviously some

⁷⁶ It is under such a perspective that I see the existence of a general whose sole task was to supervise the symmories in the 320s (Aristot. *A.P.* 61. 10). This general makes lists of trierarchs, deals with antidoseis and introduces the *diadikasiai*. Comparison with the work the eponymos did (*A.P.* .56.3) about the choregiai is not valid, because the strategos was responsible to provide names of trierarchs in case of an emergency; he must have consulted lists and had some scope for initiative.

gathering of information must have taken place on behalf of the generals; but I cannot see why they could not be using the registers of those who were paying the *eisphora* until then and thus get some idea of who had big properties in Athens. The logical conclusion is that as soon as the 1200 were established the same list was used, not religiously, every year, since properties did not fluctuate in a dramatic way year after year. This makes sense and would save the generals a lot of time. The task they had to perform was to define who was going to become a trierarch using the criterion of property and capability. In this the procedure is comparable with the 5th c. The novelty is to use the rest as contributors which certainly signifies a change from the 5th c. practice.

VII. Were the *eisphora* and the naval symmories identical?

The reasons why this question is important are:

- i. Demographic and financial. How many was it that contributed towards the burden of the war-tax and what was the financial strain on them, were they as small a class as the trierarchic symmories, i.e. 1200? This has been impossible to answer for a very good reason. Where numbers are concerned and especially when there is a need to be accurate scholars disagree since the scope for speculation is extremely great. The answer to how many paid the *eisphora*-tax is of obvious interest, yet there is no concrete evidence⁷⁷.
- ii. Political. The answer to how many paid taxes and supported the foreign policy of the people is a very interesting question which will help understand the attitude of democracy towards its propertied class. If *eisphora* and trierarchies were dispensed by a small group of the citizenry then Andreades' *Finance* 133 may be true when he says: "... the democratic form of government which, by developing a noble rivalry among its citizens, heightened their love for the city and called forth voluntary sacrifices such as one can find elsewhere carried within itself at the same time the property of destroying its own best fruits...", see also his section b "The sociological point of view; the taxation of the wealthy and its

⁷⁷ For the number of the propertied class, see Davies *Wealth* 9-38 and my chapter 5, section I.

consequences", esp. 358: "... unjust taxation choked off all the patriotism of the wealthy classes". On the other hand de Ste Croix *The Class struggle in the Ancient World* (London 1981)305-306 deduced that the whole system of heavy taxation and redistribution of wealth (theorika and liturgies) was a victory of the lower classes and the achievement of some kind of social security. In conclusion it can be said that the distinction between the symmories is not a pedantic obsession but a useful search.

The orthodox view was established by A. Boeckh *Urkunden über das Seewesen des attischen Staates* (Berlin 1840)178. Boeckh thought that there were two different systems for the symmories. One of the main reasons for such a belief was the *eisphora*. It would be too much for 1200 only to pay for the trierarchy and the *eisphora* too⁷⁸. It was much later that this view was questioned and F. Jacoby *FGrH* IIIb (Suppl.)i 8 argued for a single symmory system. So did C. Mosse "Les symmories athéniennes" in *Points de vue sur la fiscalité antique* H. van Effenterre ed., Publ. de la Sorbonne, Etudes 14, (Paris 1979)31-42, E. Ruschenbusch in a series of articles and D.M. MacDowell. On the other hand P.J. Rhodes and V. Gabrielsen argued for two different systems.

I will try to examine the arguments for both sides with also a more careful look at D. XIV and its proposals.

a. The argument *ex silentio*

Firstly there is Ruschenbusch's *Symmorien* argument *ex silentio* that there is no evidence of distinction in the ancient sources, whatsoever, that there were two systems. Rhodes *Problems* 7 tried to refute this, arguing that in all the sources it was quite clear from the context whether the speaker talked about the naval or the *eisphora* symmories. D.M. MacDowell *Periandros* 439 took this argument up and although he agreed that what is easily understood is usually omitted he pointed out two passages (D. XVIII. 103 and XIV. 16-19) where in his opinion it is not very clear what the orator is talking

⁷⁸ For an account of the older views on the *eisphora* and the two systems of the trierarchy see R. Thomsen's *Eisphora* 24-38.

about and the audience could get confused. Until XVIII. 103 D. is talking about the trierarchy and suddenly he mentions the *hegemones* of the symmories, the seconds and the thirds as they had tried to bribe him in withdrawing his law. The question is how was the audience supposed to understand what he was referring to. Rhodes (as reported by MacDowell n.13) thinks that the *hegemon* was the richest member of an *eisphora* symmory. He is justly criticised by MacDowell because the term *hegemon* could also be used in a naval context. What section 103 points at, is that the *hegemones deuterioi* and *trittoi* must certainly be identical with the 300 *proeispherontes* (and richest citizens of Athens) that D. made solely responsible for the trierarchy. Before section 103 D. was boasting of his law that made the rich people undertake the burdens of the liturgies instead of the poor ones. Both the 300 *proeispherontes* and the rich that D. thinks should pay for the trierarchy are one and the same body. I cannot see how the audience would get confused even if the term *hegemon* could be used in a naval context. They knew that the richest group in Athens which would have resorted to bribing in order to avert the heavy burdens of the trierarchy was the 300 *proeispherontes*. They would not even have to realise that at all, since at the time the speech was delivered the burden was already transferred to the 300, whom they knew to be the *proeispherontes* (cf. D. XLII.25 where the 300 and *proeispherontes* are referred to as being identical bodies). Another passage where some vagueness could be argued to exist on whether the naval or the *eisphora* symmories is D. XXXIX. 8: τίνα δ' οἱ στρατηγοὶ τρόπον ἐγγράψουσιν, ἂν εἰς συμμορίαν ἐγγράφωσιν, ἢ ἂν τριήραρχον καθιστῶσιν; ἢ ἂν στρατεία τις ᾗ, τῷ δῆλον ἔσται πότερός ἐσθ' ὁ κατειλεγμένος; (cf. page 262). Exactly what kind of symmory he means is difficult to establish but as D. gives in a disjunctive manner examples of problems that having the same name could cause, it is possible that he means the *eisphora* symmories. Another way to interpret it is that since the trierarchy is mentioned the symmory is a trierarchic one. This text cannot constitute solid evidence.

In XIV 16-18 D. mentions the 1200 quite early and it is not very clear until later that he is thinking about the trierarchy. Yet as MacDowell admits it can be argued that the

1200 were exclusively connected with the trierarchy so it is made clear what he actually refers to, cf. Gabrielsen *Financing* 184.

b. Existence of the 1200 group before 358/7

Ruschenbusch *Symmorienprobleme* 77-79 correctly attacked Rhodes' *Problems* 8 view that: "...although for immediate use a net list of active contributors is of more value than in reforming the trierarchy the Athenians should have taken a longer view and have started with a gross list of potentially trierarchic estates". The question Ruschenbusch asked was what exactly is meant by a potentially trierarchic estate. Could it mean that a property worth 6T between two brothers should be considered as potentially trierarchic in case one of the two died (if this is one of the meanings of *koinonika*)? What this extreme example is intended to demonstrate is that it would be futile to have 1200 estates registered, since some of them might never provide a trierarch; this proves (in Ruschenbusch's opinion) that it would be totally unreasonable for the Athenians to establish such a system after 358/7. He thought that there was another reason that explained the existence in the 1200 of such exempt categories, as he was persuaded that the 1200 were primarily payers of the *eisphora*. People such as orphans and *epikleroi* were always paying their contributions in the symmories. When the symmories were reorganised to pay for the trierarchy too, the *epikleroi*, orphans etc. were naturally not involved in the trierarchy and Ruschenbusch even thought that they did not pay contributions. The idea of "evolution" is central in Ruschenbusch's theory, i.e. that the 1200 originally responsible for the *eisphora* were asked to pay for the trierarchy and that those who could not perform the personal service did not pay any contributions at all. This idea is not compelling. The 1200 if established in 358/7 could have included exempt categories of people since the principle of the new system was *synteleia*; since orphans etc. could pay for the *eisphora* then obviously they could contribute for the trierarchy as MacDowell suggested.

The above is Ruschenbusch's major argument which he thinks proves the symmories to be identical. After 378/7, when the *eisphora* was reorganised it was 1200 that were actually responsible for the *eisphora*, the same ones that later would be used for the trierarchy too. From this larger body a group of 300 persons - 15 per symmory (Hyp.

F156) each possessing a property of 4T 2,000dr. were liable for the *proeisphora*, agonistic liturgies and trierarchy (see Ruschenbusch *Zahl* 87n.12). Since orphans, *epikleroi* etc. were exempt the number of those available for the trierarchy was only +/- 180 persons.

Ruschenbusch came to the conclusion (1978)n.17 that: "...Demnach durfte die Liturgiepflicht bei einem Vermögen von 4 Tal. und die *Eisphora*-pflicht bei einem Vermögen von 3 Tal. eingesetzt haben." It is difficult to accept his arguments because they are based on the insufficient information Theopompos Charidemou gives in Isaeus XI *On the property of Hagnias*. Theopompos (see Wyse *The speeches of Isaeus* (Cambridge 1904) 712f and Davies *APF* 2921 XII - XIV) answers to the allegations of his rival that he had tried to conceal his property, section 49: "οὐχ ἵνα <μη>λητουργοίην, εἰ προσγένοιτό μοι τοῦτο τὸ χωρίον". The *chorion* (at the deme Prospalta) was owned by Chaireleos, his wife's brother. How, after Chaireleos' death, Theopompos came to possess this in his own name (rather than his wife) is obscure (Isaeus XI.44). After Makartatos' I (another brother of his wife's) death Theopompos introduced his own son Makartatos II into the *oikos* of Makartatos I (Isaeus XI. 49 cf. D. XLIII. 77) as the latter's son. Although he claimed that Makartatos I did not have any property this is unlikely. Theopompos' property amounted according to his estimation **3T 4,000dr.** comprising:

- i. Hagnias' estate worth **2T** (see *APF* 2921 XII, Isaeus XI section 44).
- ii. *chorion* at Oinoe worth **5,000 dr.**(*ibid.*).
- iii. House in the City worth **2,000dr** (*ibid.*)
- iv. The *chorion* at Prospalta worth **3,000dr** (*ibid.*)

Davies *APF* 88 comments that Theopompos *forgot* to include his wife's dowry (Isaeus XI section 40) worth **2,000 dr.** which raises the total amount of his property to 4T. Now as we saw above Theopompos tried to deny that he had given his son to Makartatos' I *oikos* in order to avoid paying for liturgies because of the additional property of the Prospalta *chorion* (3,000 dr. i.e. 1/2T). What is meant is that since Theopompos' son was adopted by the *oikos* of Makartatos I, the property of Makartatos' I brother, Chaireleos, (if we are to believe Theopompos that Makartatos I

left no property of his own) was nominally under Theopompos' son (Makartatos II). Theopompos says though that he was still liable for the liturgies even before the Prospalta *chorion* 49-50: "ὁμοίως γὰρ καὶ [μὴ] εἰσποιήσαντος τοῦτο [i.e. λητουργεῖν] γ' ὑπῆρχεν· οὐδὲ γὰρ ἐλητούργουν διὰ τοῦτο γ' ἦττον οὐδέν, ἀλλὰ καὶ τῶν εἰσφερόντων ἦν καὶ τῶν τὰ προσταττόμενα ὑμῖν ἅπαντα ποιούντων". Ruschenbusch thought that since before the *chorion* of Prospalta Theopompos was liable for the *eisphora* with a property of 3 and 1/2 T and that he was accused of hiding the Prospalta *chorion* behind his son, the extra 3,000dr. (making his property 4T) made him liable to liturgies proper. The problem lies in the use of the term liturgy because Theopompos uses it in order to describe *eisphora* when technically *eisphora* was not a liturgy. He may be trying to impress the audience and Wyse *id.* 712 correctly dismisses his claim as a *lusus verborum*. But the problem remains. Why would 3,000dr. make the difference and make Theopompos liable for the liturgies when without them he was only liable to the *eisphora*? Could Ruschenbusch be right then, since there is no other reason for Theopompos to differentiate between the liturgies and *eisphora* unless there was a higher liability limit for the liturgies than for the *eisphora*, it being the 1/2T worth Prospalta *chorion*? Things are more complicated than this in terms of chronology. We know from an inserted testimony in D. XLIII. 31 that the first successful claimant was Phylomache II (Hagnias' II aunt's daughter on the paternal side) in 361/0. Isaeus XI must have been delivered some time after 361/0 and after Theopompos' successful claim on Hagnias' II property either in 361/0 or near that date. Theopompos himself says that he has recently come into ownership of Hagnias' II property 46: "κάμοι μὲν ὁ κληρὸς ὃν Ἀγνίας κατέλιπεν, οὗτος οὐπω βέβαιός ἐστι· δίκαι γὰρ ἐνεστήκασιν ψευδομαρτυρίων, κελεύει δ' ὁ νόμος, ἐὰν ἀλῶ τις τῶν ψευδομαρτυρίων, πάλιν ἐξ ἀρχῆς εἶναι περὶ αὐτῶν τὰς λήξεις". The property of Hagnias is crucial in making him liable for the liturgies because it amounts 2T as we saw above. Yet Theopompos is accused that he had his son adopted in Makartatos' I *oikos* in order to dodge liturgies by having the 1/2 T property of the Prospalta *chorion* under the name of his son. This would make sense if it had happened after the property of Hagnias was securely in Theopompos' hands, but there are indications that this happened in the past

and certainly before Theopompos had Hagnias' II property. A speech attributed to Lysias by Harp. s.v. Προσπάλτιοι with the title Περί ἡμικληρίου τῶν Μακαρτάτου χρημάτων dealt with some kind of problem in the inheritance of some Makartatos after his death. It is certainly impossible to prove that the Makartatos of Lysias is the same one as the brother of Theopompos' wife, i.e. Makartatos I son of Apolexis of Prospalta, but it is at least probable (at least so thought A. Schaefer *Demosthenes* vol. III 234-5 and H. Sauppe *Oratores Attici* vol.II (Zurich 1840)196). Since all the genuine speeches of Lysias are dated before 380, the dispute over Makartatos' property must have taken place around that time, and the adoption of Theopompos' son into the oikos of Makartatos I could be an effort to secure a confident grasp on Makartatos' property⁷⁹. This is also Davies' opinion in *APF* 86: "...there are two possible motives [for the adoption]: either Theopompos wished to avoid liturgies by transferring some of his property to the nominal ownership of his son (as alleged by his opponent in Isaios xi. 47 and 49), or this was the only means of gaining a secure hold on a property which someone else would otherwise have had a better claim. The precisely parallel case of [Dem.] xlv (see 5638), the fact that the manoeuvre was repeated a generation later, and the implication from Lysias' speech that there had been grounds for dividing Makartatos' estate in two, combine to make the latter motive much more plausible. I would guess that either Makartatos or Chaireleos left an heir, who but for the εἰσποίησις of Makartatos (II) would have inherited the estates of both brothers under the rule κρατεῖν τοὺς ἀρρένας and that in the late 380s Theopompos, by introducing his (probably infant) son Makartatos (II) as son of Makartatos (I), could and did claim half the estate of the latter." If the date 361/0 is correct (see Wyse 677 for discussion - he thinks it is correct) then the accusation that Theopompos was trying to dodge

⁷⁹ Theopompos asserts Iseaus XI. 49 that Makartatos' I brother Chaireleos left to Makartatos I the Prospalta *chorion* worth 1/2T (since Makartatos I survived Chaireleos; συνέβη δὲ τὸν μὲν ταῦτα καταλιπόντα τελευτῆσαι πρότερον ἢ Μακάρτατον). If Makartatos as it has been asserted in section 48 sold his property and sailed with a trireme and perished, how is it that the Prospalta *chorion* survived? This should make us sceptical about the contention that Makartatos left no property of his own.

liturgies can be dismissed as a malign one aiming to expose Theopompos as a cunning person giving his son to adoption in an effort to belittle his property. The comment of Theopompos that he was liable to the liturgies before the property of 1/2T, refers to the time before he had acquired Hagnias' property anyway, when he had a property only of 1T 1000dr., a sum making him perhaps liable to the *eisphora* but not to the liturgies. Calling the *eisphora* a liturgy is an effort to impress the audience. Whether he performed liturgies or not after he was awarded the property of Hagnias we do not know, but Theopompos insinuates that in sections 49-50 (I suspect that the time between the award of Hagnias' II property and the current trial was too short to offer Theopompos the opportunity to serve a liturgy as part of his new obligations as a member of the liturgical class). Thus Ruschenbusch's proposal (minimum 4T for liturgies, 3T for *eisphora*) is not based on good enough grounds and should not be used to prove that those paying for the *eisphora* were fairly rich and furthermore that those who paid the *eisphora* and performed the liturgies before 358/7 were 1200.

Ruschenbusch *Symmorien* noticed that D. XIV. 19 mentions the trierarchy in connection with the *timema* of Athens. What D. proposes there is to divide the *timema* of Athens among the symmories. It should be said that Ruschenbusch agrees in principle with Davies' conclusions in *APF* xxiii-xxiv, i.e. that citizens with property less than 3T did not have to perform any liturgies, whereas those with a property above 4T were unlikely to avoid a liturgy. He asserted that the 1200 accounted for all the *timema* of Athens since they were those who performed the *eisphora*; this is based on Isocrates XV. 145: εἰς δὲ τοὺς διακοσίους καὶ χιλίους τοὺς εἰσφέροντας καὶ λειτουργοῦντας. Ruschenbusch went further to assert that 600 with a property of 4T, 300 with 5T and 300 with 6T totalled 5,750T the amount Polyb. II. 62. 7 gave for the *timema* of Athens (D. XIV. 19 gives 6,000, there is no information on why there is such a difference - D. could be rounding off the figure). This is totally incorrect. First of all it is not legitimate to think that we know how many Athenians made up the total 6,000T and consequently paid for the *eisphora*. Ruschenbusch *Symmorien* 278 and n.13 tries to justify his conclusion by arguing that there are indications that the *eisphora* was as important as the trierarchy and the other liturgies. Let us examine these

indications. Four men who belonged to the propertied class were accused that they had not paid their *eisphora* contributions. These are: Dikaiogenes Kydatheneus (Isaeus V.45), Androtion Andronos Gargettios and Timokrates Antiphontos Krioieus (D. XXIV. 198), Phainippos Philostratou Kolonethen (D.XLII. 3). The *eisphora* is in Ruschenbusch's opinion as important as the rest of the liturgies: "Im Unterschied zum Kriegsdienst wird die *eisphora* gleichwertig neben der Trierarchie und den sonstigen Liturgien genannt". So, since the liturgies were performed by a limited number of people so was the *eisphora*. De Ste Croix *Timema* 32 seems to support this tendency when he says: "The language used by the orators, especially the many boasts of payment of *eisphora* by well-to-do litigants, strongly suggests that the class of those exempt [from the *eisphora*] was larger - perhaps much larger - than the Thetic class". But this comment is rather illogical since it would be impractical for Athens as a state to chase the meagre amounts the Thetic⁸⁰ class would have to pay along with the rest of the truly poor citizens of Athens. What the limit was we simply do not have any clue at all, and de Ste Croix *Timema* 33 says that it might be the amount of 2,500 dr. deducing that from D. XXVII. 7, XXVIII. 4, XXIX. 59 (this evidence though has not yet been explained satisfactorily). If such an amount is near to the *eisphora* limit then the number of people who would actually pay it was rather large, because when Antipater limited the citizenship in 321 to those with a property of 2,000 dr these were 9,000 (Diod. XVIII. 18.4-5, Plut. *Phokion* XXVIII.7, Ktesikles ap. Athenaeum VI 272c). Yet the boastings of the speakers in the forensic speeches should not be taken too seriously since they wanted to ingratiate themselves with the audience by showing that they were keen to provide for the *demos* what it asked. They should be suspected even more, because De Ste Croix *Timema* 33 concludes that "Contrary to the impression one derives from a superficial reading of the fourth century sources, the amounts raised by *eisphora* were quite small" and one might actually assert that the *eisphora* was paid by people rather well off but not necessarily only by the richest people of Athens. Certainly boasting of paying the *eisphora* indicates that paying it was a prerogative of

⁸⁰ That the Thetic class did not pay for the *eisphora* is attested in Pollux VIII. 130.

those who served the *demos* with their property, but again it can be a biased trend, because of the kind of texts that have survived until today.

There is another side-effect from Ruschenbusch's calculations; that 1200 actually had a minimum property of around 3T (see *Symmorien* 279 with n.17, *Symmorienprobleme* 75-76, *Zahl* n.12). This has been shown to be incorrect because of the inherent inequity within the 1200 which makes Ruschenbusch's elaborate calculations collapse. How perhaps D. wanted to connect the 6,000T with the trierarchy will be discussed later on, but if the 1200 had a *timema* of 6,000T and they obviously paid according to that, what new is D. trying to introduce in 354/3 when he says that each symmory should be connected with 1/20th of the 6,000T? Was that not happening already since 358/7 when the *eisphora* symmories accommodated the trierarchy?

Another clue that the 1200 did not exist before 358/7 can be deduced from the Meidias speech. D. in XXI. 155 says that he first performed his trierarchy ὅτε συνδύο ἦμεν, when two syntrierarchs were the norm, and implies that then it carried more responsibility and expenditure. Meidias however did not perform a trierarchy until when 1200 were made *synteleis*, ὅτε πρῶτον μὲν διακοσίους καὶ χιλίους πεποιήκατε συντελεῖς ὑμεῖς. Meidias we also know had not discharged a liturgy until when he was the same age as D. at the time of XXI. D. was at the time of the speech 37 years old and Meidias slightly less than 50 (347/6 - see D.M. MacDowell *Against Meidias* (Oxford 1990)11-12). Exactly how old he was we do not know and D.M. MacDowell, page 369, lowers Meidias' age, at the time of the speech, as low as 45 bearing in mind that it was in the interest of D. to make him as old as possible in order to show how much he had delayed in performing his trierarchies (I think Meidias could be a bit older). With this calculation Meidias would be 37 at around 362/1-357/6 depending on the age we choose him to be. His first attested trierarchy is on Olympias I.G. II² 1612.91-92 (356/5). If the years after 358/7 are to be preferred for his first trierarchy, the establishment of the 1200 can be more positively dated at that period, but it should not be forgotten that we do not know for sure what his age was. Gabrielsen pointed out a very important detail that gives a further chronological clue for the establishment of the 1200. As we said, in sections 154-5 D. tries to prove that

Meidias was very reluctant to do any good to the public by undertaking a liturgy; so although the speaker had undertaken a trierarchy in 364/3, Meidias had his first liturgy ὅτε πρῶτον μὲν διακοσίους καὶ χιλίους πεποιήκατε συντελεῖς ὑμεῖς. Gabrielsen *Symmories* 104 rightly points out that the absence of the article τοὺς suggests that this group never existed before the *symmories* were instituted. This should be seen in contrast with XIV. 16 where D. uses τοὺς διακοσίους καὶ χιλίους obviously referring to them as already instituted when proposing his own reform based on them. This is slight evidence and one might object for both clues that the weight is on the word συντελεῖς, D. wanting to stress the fact that Meidias became a trierarch when 1200 people became contributors **for the trierarchies**. I am not convinced that the absence of the article is too important since D. and his contemporaries were obviously aware of the chronology and we need not be very pedantic about his precision in this case, but I do concede that it is an argument that cannot be ignored.

D. was also *hegemon* of his *symmory* from 376/5 to 365/4 (D. XXI. 156-7, XXVII. 7, XXVIII. 4, 7, 8, XXIX. 59) and he should have naturally been appointed as a trierarch when he became an adult. Yet he was forced to undertake a trierarchy by way of an antidosis (D. XXVIII. 17, XXI. 79-80), which means that he was not in the trierarchic class in 364/3. To say that D. was left out because there was not any need for some of the potential trierarchs to be appointed is inadequate because in that year there were substantial naval operations. Diod. XV. 79. 1 says that Laches sailed against the Thebans with an ἀξιόλογον στόλον. Later in the year (A. Schaefer *Demosthenes* vol.I 290) Timotheos besieged Torone and Poteidaia (Isocr. XV. 108, 113-4, Polyain. 3.10.15) and brought relief to Kyzikos (Nepos *Timoth.* 1.3). These operations probably would use up all the available trierarchs of the year. D.'s absence from the 1200 and the trierarchy could be explained if one followed D.M. MacDowell *id.* 371 who claims that from 366/5 to 364/3 D. served as an ephebos. We do not know if at that time exemption from liturgies was a rule for those serving as epheboi, as it certainly was after the reorganisation of the ephebeia in ca. 335/4 (see Aristot. *A.P.* 42.5). The speaker of Lys. XXI says that he discharged a choregia in the year of his *dokimasia*, and the rule that the orphans were exempt from all liturgies for a year after their

dokimasia probably applies to the sons of those who fell in the Peloponnesian war (see Lys. XXXIII. 24 and Rhodes *Constitution* 509). So D. was not a trierarch and consequently a member of the 300 richest citizens on the merit of his *timema*; this suggests that the liturgies did not quite work in the clear-cut way Ruschenbusch would like them to.

Another argument that needs to be considered is the one propounded by Lipsius *JKPh* 117(1878)296. Lipsius considered the five categories of exemptions in XIV.16-7 (by D.'s reckoning 800) as a number impossible to have come up in the years after 358/7 and before 354/3, because such a large number of exemptions would need a larger amount of time to have developed, i.e. estates whose proprietors died leaving behind them orphans or *epikleroi*. Lipsius thought that the existence of such a large group of exemptions was justifiable only if the *eisphora* symmories were extended to cover contributions towards the trierarchy too. *Eisphora* was around long enough and properties were liable to fall in the hands of orphans, *epikleroi*, etc. But there is another explanation. If the 1200 were a preliminary body, a gross one out of which the trierarchs were appointed then Lipsius' argument is invalid (see also section VI above).

I would like now to consider D. XX.28 and Isoc. XV.145, two pieces of evidence which can unfortunately be manipulated and made to agree with either of the two views. XX. 28 seems to say that people who do not qualify to be trierarchs paid nevertheless for *eisphora*: οὐκοῦν οἱ μὲν ἐλάττω κεκτημένοι τῆς τριηραρχίας ἄξι' ἔχειν ἐν ταῖς εἰσφοραῖς συντελοῦσιν εἰς τὸν πόλεμον, οἱ δ' ἐφικνούμενοι τοῦ τριηραρχεῖν εἰς ἀμφοτέρ' ὑμῖν ὑπάρξουσιν χρήσιμοι, καὶ τριηραρχεῖν καὶ εἰσφέρειν. D.M. MacDowell *Periandros* 444 thinks "Demosthenes does not mention explicitly in that passage that those who pay *eisphora* also pay contributions for the naval costs; perhaps he is using the verb εἰσφέρειν to cover both kinds of payment, or perhaps he just considers that it adds nothing to his argument to mention the naval contributions". The problem for those who believe that there were two different symmories lies in the distinction D. draws between the trierarchy on the one hand and the *eisphora* on the other. Ruschenbusch *Symmorien* 282 explains it with his theory that there was a limit of 4T 2,000dr. for the trierarchy and 3T for the *eisphora*, but we

have explained the difficulty with this interpretation, *see* page 268. MacDowell's explanation makes good sense but it is not compelling. The text draws the distinction but it is the interpretations that vary. An advocate of the view that the two systems are distinct could say that less rich people who do pay for the *eisphora* could be also members of the trierarchic symmories as *synteleis*, whereas the rich can both pay the *eisphora* and become trierarchs. Isocrates is more tricky. I quote: "εἰς δὲ τοὺς διακοσίους καὶ χιλίους τοὺς εἰσφέροντας καὶ λειτουργοῦντας οὐ μόνον αὐτὸν παρέχεις ἀλλὰ καὶ τὸν υἱὸν, καὶ τρεῖς μὲν ἤδη τετριραρχήκατε, τὰς δ' ἄλλας λειτουργίας πολυτελέστερον λελειουργήκατε". MacDowell *Periandros* 442 has a point when he claims that Isocrates seems to refer to those who perform the liturgies as being 1200. Rhodes had suggested that there may have been a class of not quite so rich Athenians who pay the *eisphora* but do not perform liturgies being biased by his conviction that the number of those paying for the *eisphora* was larger than 1200. MacDowell correctly pointed out that the καί cannot bear the weight of such a meaning and that rather Isocrates referred to the 1200 as people who were both paying the *eisphora* and performed the liturgies. But there can be another interpretation, as Gabrielsen *Symmories* 115 retorts: "[he quotes the passage] need not mean that only 1200 persons paid *eisphora* and performed liturgies, but more appropriately that the 1200 perform all the liturgies and pay *eisphora* because they are the richest citizens", cf. *Financing* 187 as well.

Lastly, another argument is usually derived from the procedure Apollodoros describes and has been characterised more or less universally as exceptional for two reasons. One is that Apollodoros mentions the *demoi* as if they had something to do with the *eisphora* when, it is claimed, there is not enough evidence that the demes appointed the *proeispherontes*, and another Apollodoros' silence about the symmories when we know that it was through symmories that the *eisphora* was collected. As Wallace *Proeispherontes* has shown, Apollodoros is giving information on the usual way in which the *proeisphora* was levied. The only unusual procedural detail was that the members of the *boule* were to give the names of the richest Athenians instead of the demes themselves. So it cannot be argued that Apollodoros was among the 300 richest

(of the 1200) and belonged to one of the 15 membered groups of the richest Athenians within the 20 symmories of 60 members each, as Ruschenbusch would have him. How is it that Apollodoros had to be appointed anew when he was already known to the authorities as a member of the 300 richest citizens? So viewing the 300 as a team discharging all the liturgies and the *proeisphora*, selected by each individual's *timema* within the 1200 *eisphora* paying members of symmories is not a valid point⁸¹.

c. The *τίμημα* and the trierarchic symmories.

De Ste Croix *Timema* has, beyond doubt better than anybody else, explained how and why *eisphora* was levied. All the evidence points towards the fact that the members of the symmories had to contribute a sum at a percentage of their *timema*. The property of the Athenians was declared in the year of Nausinikos in 378/7. If the trierarchic and the *eisphora* symmories were one and the same thing I cannot see any other way that the sums towards the ships should have been collected. The way the contributions for the trierarchy were levied is unknown but there is some evidence that suggests that the *timema* of each individual did **not** play any part in the raising of the contributions:

1. Davies in *Wealth* 22 n.16 says about 1622.580ff - where I think *synteleis* are mentioned - that the sums are rather homogeneous. If *timemata* were involved probably there would be greater diversity.

2. The degeneration of the Periandric system probably shows that the sums were defined and collected within the symmory, tailored to the needs of the wealthier trierarchs and distributed **evenly** among everybody, without the *timema* of each individual having anything to do with the contributions.

⁸¹ There is another point that I have to mention for the sake of completeness. Gabrielsen *Financing* 190 mentions the case of Eukrates who had leased a land worth 700 dr. (*I.G.* II² 2496) and was liable to pay the *eisphora*. Gabrielsen argues that a man who was obviously not affluent cannot have belonged to the 1200, as Ruschenbusch wants us to believe that the *eisphora* and the trierarchy was discharged through the 1200. This is rather weak evidence because the plot of land he leased probably belonged to a larger property the cult was in control of. It was in the conditions of the lease that all *eisphoras* levied on the leased land were to be paid by the lessee.

The law of Periandros did not specify how contributions should be levied, and it seems that they were irrelevant to one's *timema*. This is some evidence that the two groups of tax-payers were distinct. Whatever the manner of calculation, contributions were levied within the symmory with the richest members (probably in their majority (syn)trierarchs) dictating their terms to the rest of the contributors.

VIII. The proposed reforms of Demosthenes in 354/3 (XIV. 14-23)

D's suggestions, whether they were followed or not, are an invaluable source of material for the Periandric system and for the orator's own way of thinking and reasoning in his first public speech.

First of all whether the exempt categories were included in the symmories or not I have discussed in section VI. In my opinion he asked for the body of the 1200 to be supplemented with 800 more entries in order to provide a cleared body of 1200 able-bodied potential trierarchs. The idea behind it was that those who were exempt should not be members of the symmories. Those entitled to exemption fitted in five categories: *epikleroi*, orphans, corporations of cults, demes etc., kleruchs and invalids or generally people physically unable to serve as active commanders on a war-ship. Why he wanted such a cleared body I intend to explain later on.

This new purified body of 1200 would be divided into 20 symmories of 60 members each, as it was at the time, and each of the symmories into 5 small units with 12 members each. D. wanted 300 triremes that the symmories would be able to equip. This number is close to the number of ships Athens had available at that period (in 353/2 Athens had 349 triremes according to *I.G.* II² 1627.266-278) and it can be assumed that one of D.'s targets was to have the Athenian navy in such a condition that, should the need arise, a fleet of 300 ships strong could be mustered. This fleet of 300 would be divided into 3 parts of 100 ships; so depending on the situation 100, 200 or 300 ships could be ready to sail. In each case each of the small 100 units would provide 1, 2 or 3 trierarchs equipping a maximum of three ships and each of the 20 symmories a maximum of 15.

So far so good. D.'s proposals reveal a technocratic mind able to cope with practical problems and their remedies. The next step is to provide financial support. I quote 19: "ἐπειδὴ τὸ τίμημά ἐστι τῆς χώρας ἑξακισχιλίων ταλάντων, ἵνα ὑμῖν καὶ τὰ χρήματα ἢ συντεταγμένα, διελεῖν τοῦτο καὶ ποιῆσαι καθ' ἐξήκοντα τάλανθ' ἑκατὸν μέρη, εἶτα πένθ' ἐξηκονταταλαντίας εἰς ἑκάστην τῶν μεγάλων τῶν εἴκοσι συμμοριῶν ἐπικληρῶσαι, τὴν δὲ συμμορίαν ἑκάστῳ τῶν μερῶν μίαν ἐξηκονταταλαντίαν ἀποδοῦναι, ὅπως ἂν μὲν ὑμῖν ἑκατὸν δέη τριήρων, τὴν μὲν δαπάνην ἐξήκοντα τάλαντα συντελῆ, τριήραρχοι δ' ὦσι δώδεκα, ...". The Periandric system had made the 1200 responsible for individual trierarchies and the paying up of contributions. D. turns to the 6,000T *timema* of Athens which as I have explained was probably the declared property of the majority of property holders of Athens. The 6,000T should be divided in such a way that each of the symmories would be connected with 300T worth of property and each of the smaller units with 60T worth of property. The verb ἐπικληρόω shows that there would be an effort to make the properties amounting 60T and 300T as equal as possible; but in order to avoid any complaints that some of the 60T properties were less than that, each unit was allotted to the property that would finance it. If then for example there was a need for 100 ships then each small unit of the 100 which was responsible for 1 trireme would get finances from the full 60T worth of property; if there was a need for 200 ships (2 for each of the small units) then 30T would provide the appropriate funds and if there was a need for 300 triremes (3 for each of the small units) each ship would be financed from 20T worth of property. It was at this point that Ruschenbusch thought that D. mentioned the *timema* of Athens in connection with the 1200. Indeed he does but he does not say that they were in possession of 6,000T!

The other suggestions of D. regard the collection of the naval debts and the practical organisation of the fleet to provide maximum speed in case of an emergency. He suggested that the debts should be registered, divided as far as possible into equal sums, and then allotted to all the small naval units, making their members responsible for their collection. Regarding the organisation of the fleet he suggested that 10 νεώρια should be established, each with a capacity of 30 ship-sheds. To each νεώριον would be

allotted two symmories and one Athenian tribe. Each tribe would be divided into its three τριτῶς with each one of them responsible for 10 ships. The whole idea is that each of the νεώρια is working as an independent unit with its trierarchs and commanders of military levies thus speeding up the process of sailing out.

As we remember from his speeches *Against Aphobos* when he was an orphan he was the *hegemon* of his symmory (paying *eisphora* - D. XXI. 156-7, XXVII. 7, XXVIII. 4, 7, 8, XXIX. 59). This is good evidence that it did not matter if one was not physically able in order to fulfil a financial duty. In 354/3 D. wanted to expand the body of the 1200 to 2,000 in order to exclude orphans, *epikleroi*, *kleruchs*, *koinonika* and the infirm and so to procure a body of 1200 **active** trierarchs. What has not been pointed out until now is that such an expansion would not only affect the trierarchy but also the *eisphora*. The *eisphora* did not discriminate between able and unable ones and the changes of D. were adding 800 new people to the procedure of selecting trierarchs (this is legitimate) but with no regard to the fact that those who would be exempt from the trierarchy were very fit indeed to pay their *eisphora*. In other words those exempt from the trierarchy would not be included in the symmories and consequently would not pay *eisphora* at all. It seems then that there were more *eisphora*-payers than naval contributors since the exempt categories, erased from the catalogues of the navy would still pay the *eisphora*. There is no indication that he is discriminating between the "two" 1200s, the Periandric and his, (i.e. that the initial 1200 would remain as *eisphora* payers but there would be another 1200 strong body with a different synthesis to provide for able potential trierarchs), or that the 2,000 would pay the *eisphora* and for administrative puposes the new 1200 would be involved in the trierarchy, because D. deals only with his new 1200. Surely his audience would understand this complication and it would render his proposals difficult to accept. I do not think that it is a slip, since he laboriously deliberated over these proposals; cf. 23. He should have felt the need to justify strongly the need for the 1200 active trierarchs and the change in the *eisphora*. At any rate the *eisphora* is mentioned in the following sections 27 ff. as another way of fund-raising with no connection to the trierarchy. **His silence about the *eisphora***

when talking about his reforms is an indication that the two systems were distinctly different.

IX. Reforms and direct taxation.

The new suggestion I would like to make is that it was D.'s idea to base the trierarchic symmories on the *eisphora* model of raising funds. This idea is I think the first time in the history of Athenian fiscal history of a proposed, direct yearly tax based on the tax-payers' *timema* (not on income because the state could not really estimate everybody's yearly earnings and went about taxing having in mind the declared more or less immovable property of its citizens in 378/7, since the ἀφανής οὐσία was difficult to detect). D.'s proposal opposes strongly the main current of Greek thought which was against direct taxation. The *eisphora* was not quite that, since it was an irregular tax, but it was all the same an impersonal tax quite different from the liturgies system. Obviously his proposals are not a full-scale direct taxation since they remain confined to a moderate number of the citizen body and are used only for funding the navy.

Reading the proposals of D. it is striking that he wanted to connect the whole *timema* of Athens to 1200 citizens only; cf. 19. Polybios II.67.7 informs us that in 378/7 the Athenian *timema* was 5,750 talanta (see R. Thomsen *Eisphora* 89-96 for a full discussion for the reasons of the fluctuation between D. XIV.19, *FGrH* 328 F46 and Polybios - he concludes that Polybios' number is correct as it was the result of the assessment of Athenian capital, but the reformers of 378/7 thought that a more rounded off figure would facilitate the division of the assessed capital in the symmories, and proposed the 6,000T *timema*). It could be that 1200 possessed the whole of the 6,000 *timema* but Beloch has convincingly argued ("Das Volksvermogen von Attika" *Hermes* 20(1885)237-261 and "Das Attische *Timema*" in *Hermes* 22(1887)371-377) that the amount was the *timema* of the whole of Athens, although not necessarily the true one. Andreades *Finances* 343 follows Beloch and does not think that it exceeded 10,000 anyway. There have been many theories and discussions of this *timema* (see my discussion on Ruschenbusch's more recent similar approach, page 279) but it seems that Beloch's view is the most sound and prevailing one on that. D. uses the *timema* of 6,000 T which he grafts upon the 1200 *synteleis* and trierarchs. Gabrielsen *Symmories*

114 noted this too: "What he in fact proposes is to graft upon the 1200 by way of allotment, the total amount of wealth declared for *eisphora* purposes" but he failed to elaborate on it. The presence of the 6,000T suggests the connection with *eisphora* and points towards individual *timemata*. Each of his new 100 symmories was to be connected to a corresponding sum of 60T.

Thomsen has tried to interpret this passage in a different way. He thought that the new plan was to ensure prompt availability of money for paying the expenses of individual ships **in time of war**. Not the proper trierarchic expenses but those that were usually dispensed by the state (maintenance and payment of the crews). *Eisphora* would be again the way to gather the money, only with D.'s new scheme money would be directly put at the disposal of the individual symmories and ships without the state having to intervene. Furthermore according to D.'s plan (27) it would depend on the extent of the armament which *eisphora* amount was to be levied: 1%, 2% or even more. Thomsen's view is totally wrong, its main defect being the connection of the division of the 6,000T among the symmories with the *eisphora* proper. I do not think that D. is just trying to give the navy directly the money that was gathered in case of an *eisphora* since the *eisphora* would be an irregular levy totally incapable of financing the ships on a yearly basis. 27, where D. says that they could, according, to the crisis levy *eisphora* amounts, is irrelevant to the proposal to connect the 6,000T with the trierarchy, and in a different context, where D. wants to show how limited the funds of Athens are compared to those of Persia. That is why these two ways of financing are 7 sections away one from the other. Furthermore the *eisphora* was levied not only to finance the ships but to pay also for the other expenses of the war such as mercenaries, which were one of the greatest expenses, cf. D. XIII. 27. Surely these were independent of the ships' financing, which leads to the conclusion that the *eisphora* would have to be different from the financing of the ships.

Boeckh had also noticed that there was a problem with connecting the citizens with the 6,000T *timema* and said (Lamb's English translation of the 1840 *Staatshausaltung* edition) 725: "The distribution of the whole amount of the assessment among the symmories could not have been made, therefore, in reference to the expenses of the

Trierarchy, but only in reference to what was supplied by the state itself for the equipment of the fleet, and for the subsistence and pay of the crew" and later on "... consequently the orator in the passage of which we are treating only proposes a plan for the division of the property taxes according to the assessment, in accordance with the regulations relating to the symmories of the Trierarchy, in order that out of the portion of the property taxes which fell to each of the trierarchical symmories all the expenses might be paid which the trierarchs were not obliged to defray. If this proposal had been carried into effect, the efficiency of the marine would have been firmly established; since the failure in supplying the pay, and subsistence money of the crews, and the other articles to be furnished by the state, was frequent.". This explanation is very penetrating. What Boeckh says is that the *eisphora* symmories (he believed that they were different from the naval ones) would pay their share of property taxes when an *eisphora* was levied towards the expenses the trierarchic symmories were not supposed to pay, and which as we saw in D. L were not at all insignificant; payment of the crew, rations, equipment probably building of new hulls etc⁸². The money from the *eisphora* would be directly put into the trierarchic symmories to pay for the expenses that the state was supposed to pay for, but, in effect the trierarchs did in the end; D. was trying thus to rectify the situation in which the state was hopeless when it was asked to fulfil its own part of the deal. All this is hard to accept because:

- i. The needs of the trierarchy were annual; but the *eisphora* was an irregular tax. De Ste Croix *Timema* 47 tried to establish the number of *eisphorai* but he could not really define more than two or three after 378/7, although there must have been more levied. Payment and subsistence of the crew, which the new proposals of D. were going to provide through the *eisphora*, were ostensibly annual needs too. How can an irregular tax then pay for the annual expenses, in view of the fact that they must have fluctuated quite considerably?

⁸² For more information, see Gabrielsen *Financing* 118ff "Logistics and the cost of Service".

- ii. If we accept that the crews etc. were to be paid by the *eisphora*, then it has to be admitted that the traditional way of doing things was to be scrapped. In that case D. would have elaborated more on the need for such a thing.
- iii. If the two symmories systems were identical, then the *eisphora* way of gathering cash (through one's *timema*) would be more likely to have been the same as the trierarchic, yet we have seen that this was not the case, the law did not specify that one should pay according to his *timema*. D.'s proposals are totally new and their connection with the 6,000T *timema* of Athens shows that it was for the first time that property liable for the *eisphora* would pay on a different basis (regular and yearly) for the trierarchy too.

CONCLUSIONS

- i. D. introduces a direct annual tax on those included in the 6,000T *timema*. He was inspired by the *eisphora* system which contained a very permanent element, the citizens' property as it was evaluated in 378/7 and the taxation to a percentage of one's *timema*.
- ii. One might wonder what was the difference from the Periandric system, since in both systems the contributors paid towards the fleet. The Demosthenic system would diffuse the funding of the Athenian navy making those in possession of 6,000T worth of property pay perhaps at a fixed rate (just as they used to pay for the *eisphora*) at which the contributions would be made, preventing thus the abuse of the system. This obviously presupposes that the *eisphora* symmories were different from the trierarchic ones and considerably larger. Obviously citizens with larger properties would have to pay more. The amount of each contributor would be very easy to establish making easier also the recovery of debts whereas, the trierarchs would at last pay most of the expenses as they should.

X. The reasons for 1200 active trierarchs.

a. Were the trierarchs enough?

We have already discussed whether the Periandric system offered enough trierarchs or not, relating this problem with the exempt categories and the statutory one year interim, *see* chapter 5, sections I and VI..

b. How did Demosthenes calculate the exemption?

D.'s proposals are straightforward. If the Athenians make the preliminary body 2,000 and deduct the 800 exempt ones there will remain 1200 σώματα. The question is whether the 800 were exempt in the Periandric system or would they be exempt from the 2,000, the new body D. wanted to establish. The 2,000 he was introducing were also likely to be eligible for exemption unless the criterion he applied for their entry was that they should be active trierarchs which he does not say and is also unlikely; it is possible that he based the rate of the exemption on the 2,000 and not the 1200. The significance of this is great, since if there were less than 800 exempt ones in the Periandric system then the system did not offer too small a number of potential trierarchs. D. introduces the 800 without clarifying if it is his conjecture. If he knew the number of the exemptions in the Periandric system it was not difficult to calculate the number of exemptions in the 2,000 he proposed. If one takes this to be so, the rate of the exemptions was 40% which gives for the 1200 480 exemptions only, leaving 720 ready to serve as trierarchs. This number is at any rate dangerous because nobody can pretend to know how D. came to the number 800 and even who he refers to by it. I think (I agree with Ruschenbusch *Symmorien* 280 and n.18, 282) that the number 800 should not be taken as referring to the 1200 only and that it refers to the 2,000, derived from the percentage of exemptions in the 1200. If it refers to the Periandric 1200 then one might argue that D. amplified the number but again all this is precarious. Gabrielsen *Symmories* 113 and *Financing* 188 objects and firmly believes that 800 was the number exempt in the Periandric 1200. His disagreement is legitimate only in criticising Ruschenbusch for the latter's eagerness to adduce a certain piece of evidence which "proves" that those liable to pay for the trierarchy were 720. The evidence is Aeschin. III. 222: τὰ δὲ περὶ τὰς τριήρεις καὶ τοὺς τριηράρχους ἀρπάγματα τὶς ἂν ἀποκρύψει χρόνος δύναιτ' ἄν, ὅτε νομοθετήσας περὶ τῶν τριακοσίων, καὶ σαυτὸν πείσας Ἀθηναίους ἐπιστάτην τάξαι τοῦ ναυτικοῦ, ἐξηλέγχθης ὑπ' ἐμοῦ ἐξήκοντα καὶ πέντε νεῶν ταχυναυτουσῶν τριηράρχους ὑψηρημένος. Ruschenbusch tried to find how many people D. left out from the trierarchy at the 340 reform when we know that the 300 were made solely responsible for the trierarchy

(Hyp. F134). It would be sufficient for him to find how many people were involved in a trierarchy. Hyp. F134 gave as the usual number 5 or 6 and *I.G. II² 1622* had groups of 3 to 8 *synteleis*. The lowest number, 5, if multiplied with 65 gives 325 people, whereas the highest, 8, gives 520 people. The average is 422.5 which is rounded off to 420 as the number of trierarchs D. made away with after the legislation of 340. When these are added to the 300, left by the legislation, give 720 as the number of the people who were performing and/or contributing for the trierarchy in the period 357-340. Hence, 1200 nominally liable minus 720 those really liable gives 480 as the number of those exempt. The problem is in what Aeschines means with his accusation. He is accusing D. of making away with trierarchs and **not** with both trierarchs and contributors. Let us concede though that he meant all those that financed the ships but referred only to the trierarchs. We do not know the circumstances in which D. would have made such a move, and it is possible as Gabrielsen *Symmories* 97 and *Financing* 209 suggests that the accusation was linked to D.'s official capacity as *epistates tou nautikou* and not to his law which had come under attack on a previous occasion, especially because the accusation about the 65 ships comes immediately after Aeschines' mention of D. becoming *epistates tou nautikou*, *contra* A. Schaefer *Demosthenes* vol.II 523. This numerical exercise is also "proving" another point of Ruschenbusch, that those exempt were not paying anything to the trierarchy and were only paying for the *eisphora*, which has been shown to be unfounded, cf. section VIIa.

XI. Did Athens adopt any part of Demosthenes' proposals?

The main piece of evidence used to prove that Athens accepted a part at least of Demosthenes' proposals is a fragment of *Kleidemos* that survived in Photios s.v. ναυκραρία, *FGrH* III. b F8: Ὁ Κλειδήμος ἐν τῇ τρίτῃ φησὶν ὅτι Κλεισθένης δέκα φυλάς ποιήσαντος ἀντὶ τῶν τεσσάρων, συνέβη καὶ εἰς πενήκοντα μέρη διαταγῆναι αὐτοῦς, ἃ ἐκάλουσαν ναυκραρίας, ὥσπερ νῦν εἰς τὰ ἑκατὸν μέρη διαιρεθέντας καλοῦσι συμμορίας. It is commonly accepted that we simply do not know when *Kleidemos* wrote, although his 100 symmories seem tantalisingly to be the ones D. proposed in 354/3. F. Jacoby in *Atthis: The local Chronicles of Ancient Athens* (Oxford 1949)69, 291 n.8) argued that in view of the gap between Hellanikos

and Kleidemos "the correct course would have been to date Kleidemos as near as possible to 400 BC". The only reason for dating Kleidemos in 354/3 was indeed the proposals of D. Yet it is not impossible to suggest that Kleidemos was referring to the *eisphora* symmories although I concede that the comparison made in Kleidemos' fragment is between the *naukraries* (probably Athenian primitive naval units - see relevant chapter in Jordan *Navy* and Gabrielsen *Financing* 19-24) and the existing symmories at the time of the fragment which makes it more likely that the symmories of the fragment, had something to do with the trierarchy. It is precarious evidence that D.'s reforms were adopted, and it would be preferable to stick with A. Schaefer's *Demosthenes* vol.I 424 opinion that there is indeed no solid evidence that can be adduced in favour of D.'s proposals being adopted: "... keine Spur davon, dass er seinen Organisationsplan formlich als Gesetzantrag eingebracht habe: gewiss ist es, dass das alte Unwesen so lange fort dauerte, bis Demosthenes Ol. 110.1. 340 nicht mehr als einzelner, sondern als Leiter der Burgerschaft die schreiendsten Missbrauche des fruheren Systems durch ein neues trirarchisches Gesetz abstellte". The evidence about *I.G.* II² 1615 etc. has been tackled, cf. section III. There is another piece of evidence that needs to be looked at and it is D.XVIII. 103 which mentions the "leaders, seconds and thirds" as those upon whom the burden of the trierarchy would fall and the context, as MacDowell *Periandros* 445 claims, implied that the symmories meant are the naval ones. But the leaders, seconds and thirds were the richest citizens of Athens and even if the surrounding context is a naval one, if there were 100 *eisphora* symmories the leaders, seconds and thirds could be easily understood as the 300 *proeispherontes* and the richest citizens of Athens⁸³. Ruschenbusch *Zahl* 88 n.12 was so sure that the 100 symmories were adopted that he accommodated Hypereides F159 (15 members in a symmory) in quite an unorthodox way. He thought that after 354/3 there were instead of 1200 1,500 members in the symmories just as the 1000 (see Davies *Wealth* Appendix

⁸³ D.M MacDowell *Periandros* 446 does not sufficiently explain why "The alternative hypothesis that 100 was the number of symmories before 357, is less cogent".

1) were augmented to 1200 in 378/7. This kind of interpretation is unfounded and we will see that the fragment of Hypereides fits better with the 340 reforms.

XII. Did Athens need 1200 able, potential trierarchs?

Two considerations will help see why Athens considered the cleared body unnecessary:

i. Jordan *Navy* 66-67 thinks that it is fair to distinguish between regularly appointed trierarchs and *ad hoc* appointed ones. There is some evidence for this in Xen. *Oikon.* 2.6: " ἦν δὲ δὴ πόλεμος γένηται οἶδ' ὅτι καὶ τριηραρχίας μισθοὺς καὶ εἰσφορᾶς τοσαύτας σοὶ προστάξωμεν" and D. IV. 36 "τοιγαροῦν ἄμ' ἀκηκόαμέν τι καὶ τριηράρχους καθίσταμεν". *I.G.* II² 1629.183-184 (of 325/4) mentions the "appointed trierarchs" which suggests perhaps that they were appointed solely for transporting the colonists. It has been claimed that trierarchs were appointed every year but only some served. This cannot be true. Everybody appointed was supposed to serve, *see* my discussion section VI. Thinking also that if there was no war there was no fleet is not good enough, since there certainly was a number of ships ready to be used in order to escort grain-ships, fight pirates, protect Attica and the Allies etc., and if the need arose for war too. If the need was such that required more ships than those that were available then perhaps voluntary trierarchs could cover the rest and if there were not enough the *strategoí* could just appoint some. In my opinion in such an emergency the symmories probably did not support the extra trierarchs, cf. chapter 5 section I.

ii. If one follows the numbers of the active fleet of Athens then it becomes apparent that the numbers of ships were not great even at times of great emergency (about the average number of ships used in the 4th c. above, *see* chapter 5 section I, page 205).

The question is of course why D. saw the need for 300 ships to be more or less ready for service under the purified able-bodied 1200. I have explained the difficulty with the number of the exemptions and also the further difficulty of the rule that nobody was to perform liturgies in two consecutive years. If 720 were the number left, and not 400, then there was no problem in getting commanders for the ships and perhaps this was not the reason for swelling the 1200 preliminary body with 800 more. If 800 were

the exemptions in the Periandric system then D. wanted to give more space in case there was need for more ships (*see* section X.b). Of course there is no question in both calculations that the Athenians could find commanders for all the ships they had in the docks, so D. perhaps wanted to cover the vacuum of such a theoretical need.

Gabrielsen's theory that the 1200 could not be gathered because of the exemptions and that the exempt categories were not part of the symmories has been tackled, *see* chapter 5 section VII . According to it D. wanted to get 2,000 so as to approach the number 1200 which was set by the law of Periandros.

If the exempt ones were 800 there could appear a problem in small symmories that were central to the new system he wanted to establish. In the 12-member symmory there was the remote possibility that all of them would be exempt (possible, since 66% of the large symmories was exempt). That is why perhaps he wanted a purified system. Small symmories would limit the number of people involved and provide a more well-defined group of people that would be more flexible and where financial responsibilities could be quickly identified. D. wanted everybody involved in the trierarchic system to be able to be involved actively and in this way perhaps instil some kind of personal pride and responsibility in order to make the system at last work. The small symmories would operate as small, organic units where everybody would know each other.

The main reason however behind D.'s proposals must have been to have 1200 fully able people behind the trierarchy. His way of talking in XIV. 20 shows that he expected single trierarchies to be the norm. The rest would still be contributors. By having 1200 able-bodied people, organised in small groups, with regular, yearly funding from the *eisphora* symmories he hoped to rejuvenate the trierarchy, make the whole burden of the trierarchy better shared within the propertied class (by this I mean both the liturgical and the "middle" class) and remove any ground for complaint from the liturgical class.

Yet we should not forget that D. is trying to remind the Athenians, who are discussing war against Persia, that if they want to do it they must be prepared for a lot of work to reach the ideal *paraskeue*. All these elaborate proposals could be a trick to put the Athenians off any hopes that they could be successful against the Persians.

Sealey *Demosthenes* 129 thinks that the proposals could be dissuasive. 300 ships and 1200 ready trierarchs could seem even to the people of Athens too much a strain for their recovering city after the long years of war (I do not agree with him, for a discussion see chapter 2).

XIII. The Reforms of 340

a. An outline

According to Ruschenbusch *Zahl* n.12 D.'s reform of 340 meant a return to the pre-358/7 system, the liturgies to be discharged by a body of 300 persons now divided into 20 symmories of 15 members each (Hyp. F159). The liturgies would be really discharged by +/- 180, if one considers the 40% exemption rate. The number of 1,500 *symmoritai* would be paying for the *eisphora* only. In my opinion F159 works better in the post-340 era. Ruschenbusch thought that after 340 the symmories continued to be 100.

The main evidence for the reform of 340 is Hyp. F134 "ἕως μὲν οἱ πλουσιώτατοι παρακρουόμενοι τὴν πόλιν σὺν πέντε καὶ ἕξ τριηραρχοῦντες μέτρια ἀνήλισκον, ἡσυχίαν ἦγον οὗτοι. ἐπειδὴ δὲ ταῦτα κατιδὼν Δημοσθένης νόμον ἔθηκε τοὺς τ' τριηραρχεῖν καὶ βαρεῖαι γέγονασιν αἱ τριηραρχίαι, νῦν ὁ Φορμίων αὐτὸν ἐκκλέπτει"; the 300 were solely assigned to pay for the trierarchies making them very burdensome. Rhodes *Problems* 6 and MacDowell *Periandros* 445 assert that the number of the symmories after 340 became again 20, based on Hyp. F159. This was certainly how Harpokration viewed the situation to be, s.v. συμμορία. There is one piece of evidence that shows the symmories to have been 20. It is *I.G.* II² 1623.153-159 (of 334/3) where the designation of Onetor Onetoros Meliteus by the *stratego*i and the **Twenty** is recorded. The **Twenty** are possibly the *epimeletai* of the symmories, thus giving us a significant hint if not proof that the symmories were 20.

b. *I.G.* II² 1632 - 323/2 BC. The 1200 and the changes to the trierarchy after 340

Gabrielsen *Number and Financing* 211 examining *I.G.* II² 1632 counted 58 ship entries. Sometimes the same names occur in different ships. Gabrielsen thought that the groups of trierarchs and syntrierarchs mentioned, indicate that some of them

belonged to the same symmory. This is based on the assumption that if a person occurs in two or more groups of trierarchs and syntrierarchs, all the rest (of these groups) belong to the same symmory. This is based in its turn on the principle that all the ships were allotted to symmories so that members of a symmory in a given year were to serve only on ships of the same symmory. With this method he identified 40 members of a symmory. To give an example of this kind of calculation let us take for example Anytos Euonymeus who appears on three ships 1632.224, 229-230, 237. Anytos was a syntrierarch with two people in the first instance, three in the second and six in the third, thus making us think that they should all belong to the same symmory. If Hyp. F159 where he claims that there were 15 members in a symmory is referring to the period after 340 is correct then this inscription obviously disproves him. Although Gabrielsen's point that we do not know whether Hypereides refers to the *eisphora* symmories is valid, it is not necessary to think so because it could be that there was a greater degree of co-operation between the symmories after 340 as I will argue below, and probably then Hypereides refers to the post-340 period.

Gabrielsen's conclusion is that the attested members of a trierarchic symmory in 324/3 amount to at least 36 and perhaps as many as 40 whereas the total number of men will have been in the vicinity of 60. Gabrielsen after examining 1632 decided that the symmories as we knew them after 358/7 were not significantly changed with the law of D. in 340 and that the 1200 remained *synteleis*. What in his opinion happened in 340 is that D. increased the 300's financial burden⁸⁴ only, whereas the rest of the 1200 continued to contribute smaller sums.

This is wrong because in the former Periandric system where the principle of subsidiarity was established by law among 1200, there were never 40 syntrierarchs in one symmory only. It has been argued that it was impossible for the less rich of the 1200 to carry the tremendous expenditure of the trierarchy or even pay large contributions illegally spread over everybody in an even manner. But the important

⁸⁴ This view was upheld by A. Boeckh *Urkunden uber das Seewesen des attischen Staates* (Berlin 1840)177-184.

thing is that they were never formally nominated as (syn)trierarchs as I have tried to show elsewhere, *see* section VI. If 40 from each symmory were appointed as (syn)trierarchs, then the number involved would be far too great (around 800!) giving an incredibly large number of ships in addition to the fact that the liturgical class was not as large as that. Furthermore it has been asserted that before 340 the formally appointed trierarchs according to the extant inscriptions were not more than three on one ship (*see* chapter 5 section VI). Even if the 1200 had survived the 340 legislation there would be no chance of having *synteleis* where (syn)trierarchs would be expected to appear on inscriptions. Gabrielsen realised the difficulty of his case in *Symmories* 102 and tried to defend it by attacking Ruschenbusch's claim, *Zahl* 82 ff., that 1632 contained all the appointed trierarchs for that year (according to Ruschenbusch's calculations 180) by saying that the inscription was a record of operations and not a complete roster of men liable for the trierarchy. This could be true if his second assumption was right. He is against the notion that: "... an active fleet force always, or mostly, was manned with an equal number of trierarchs from all symmories, or, what is practically the same, that all symmories were equally represented in a fleet dispatched to some military objective.". Gabrielsen's idea was that it might be possible for Athens to send a naval contingent raised from one symmory only, based on the tribal organisation of the army. Indeed Diod. XVIII.10.2 mentions the decree of 323: "στρατεύσασθαι τοὺς Ἀθηναίους τοὺς μέχρι ἐτῶν τεσσαράκοντα καὶ τρεῖς μὲν φυλὰς τὴν Ἀττικὴν παραφυλάττειν, τὰς δ' ἐπὶ πρὸς τὰς ὑπερορίους στρατείας ἐτοίμους εἶναι" which shows that Athens used individual tribal units for a campaign. This though cannot work with the symmories which were not military units but units that facilitated the equipment of ships i.e. **financial units**. There is no proof whatsoever that they could be used separately and there was certainly no reason to do so. In *I.G.* II² 1629.165ff for example where there is information about the naval expedition in the Adriatic there is no indication that the ships and trierarchs were called up through the symmories. At any rate what was important for a naval campaign was to have the best ships available and this was, I suppose, the only criterion for the formation of a naval contingent. Since all ships were assigned to symmories by lot certainly good ships were

spread out in the symmories which seems to reinforce my claim that it was impossible for only one symmory's naval contingent to be called up.

Gabrielsen *Financing* 210-211 adduced 1632 as epigraphic evidence that the 1200 continued to exist after 340. Since in his opinion there were 40 identifiable members of a symmory then this number was close to the number 60 that was the usual number of a full symmory. He even claimed that in the year of 1632's publication the symmories almost contained their full numbers, although in 354/3, when D. delivered XIV, there were not enough *symmoritai* to man them. I hope now that his epigraphic evidence has been shown to be much more unsound than he thought it was.

Groups larger than 3 (syn)trierarchs appear first in *I.G. II*² 1623.246-253. There are four trierarchs. This inscription has been dated at 334/3. I would like to argue that all the large groups of trierarchs seem to appear after the new legislation passed by D. in 340. The reason for the significantly larger groups in times later than 340 is the abolition of the contributions. Contributions meant that smaller numbers of trierarchs (one, two or three) could cope with the expenses as they were subsidised by the contributors. When the contributors were abolished they had to pay for everything themselves. D.'s claim that they had to perform two trierarchies with his law can be proved correct. For example Phrynichos Athmoneus was a principal trierarch on a *triakontor* with one colleague, sole trierarch on another *triakontor* and as trierarch with one colleague on a third one. All this was tantamount to having two ships under his command (*I.G. II*² 1629.91-110, 111-127, 128-144). Phrynichos' case shows that he could not and was not expected to be commander on two ships. It could be that on the ship where Phrynichos was a principal trierarch, his colleague could serve as commander and that he served as commander on the one where he was sole trierarch; of course he could have hired out either.

It does not seem that the 340 system returned to the pre-358/7 system. As we remember, what happened then was that there were one or more often two appointed on one ship. After 340 trierarchs seem to be getting involved in more than one ship and in larger groups. The most important reason for this must be that the *synteleia* was now applied within the 300 class of liturgists. Each (syn)trierarch would be contributing a

sun on each ship he was appointed to. Moreover as we saw from 1632 they did not any more operate strictly in symmories although, evidently, they still existed until the abolition of the trierarchy as a liturgy. These changes are difficult to explain and perhaps the solution should be sought not in any institutional mechanism that caused all these changes but in the way the trierarchs thought. The 300 after 340 continued to do what they did when they had the contributors. They would usually create a rather large group and although one would be the appointed trierarch, the rest (the syntrierarchs - for the distinction between trierarch and syntrierarch *see* section Vc) would contribute towards the expenses of the ship. It is legitimate to think that the appointed trierarch would bear more of the expenses than any individual syntrierarch. Two more details are necessary. The size of the number 300 makes one think that everybody would be appointed as a trierarch or syntrierarch. From D. XLII it seems that there was a standing catalogue of people that were appointed (there admittedly as *proeispherontes*). How the trierarchs and syntrierarchs would combine would also depend on how many ships Athens needed (forming larger or smaller groups). If a greater need should arise the generals could just designate a larger number of ships each symmory had to provide. With the construction of *tetrereis* and *pentereis* the richest trierarchs would naturally be reserved for them. The main trend after 340 is that the symmories were no longer independent units since there was a lot of interaction among them. They certainly existed and were used as financial units where decisions of policy would take place among the *hegemon* and the *symmoritai* and from which the state would demand ships; there also seems to have been a greater mobility among the members as far as combining to finance a ship or ships is concerned.

XIV. Demosthenes' changing attitude towards the propertied class.

Jaeger in *Demosthenes* 77 analysing speech XIV thinks of the suggestion of augmenting the 1200 already existing body as "symptomatic of a policy of systematic disburdenment of the propertied class". The proposal to select 2,000 people in order to achieve 1200 actual contributors is extending the liability to men who are less rich, since many of those with the largest properties would be exempt. Yet what we do not

know is the extent that D. was going to use funds from the *eisphora* *symmories*. Jaeger tries also to compare this with XX. 23 where D. suggests that the *choregiai* should really be dispensed by *synteleis*. There D. is criticising the motive of invalidating the honorary exemptions of liturgies and taxes to those who themselves or their ancestors had significantly benefited the *demos*. D. says that if the *δημόσιον* is acknowledging financial difficulties it should not do away with the honours but establish a *synteleiai* system just like the one that the trierarchy has⁸⁵: ".εἰς συντέλειαν ἀγαγεῖν τὰς χορηγίας ὥσπερ τὰς τριηραρχίας" which would distribute the costs more evenly. The *Leptines* speech shows definitely the tendency D. had to protect the propertied class by means of a broadly based contributinal system, vindicating in this respect Jaeger's general view about the policies D. favoured in the beginning of his political career.

In 340 D. transferred the trierarchic burden onto the 300 richest citizens. Jaeger *Demosthenes* 182 says: "The moment had now come when they [the rich] not only had money but paid it, as Demosthenes had once said in his speech *On the Symmories*; and the very man who had then insisted that not a penny was to be had from the rich men for a useless war against a merely presumptive enemy, now succeeded in passing measures of Draconian severity when the real enemy was at the door. Even the old demand of the *Olynthiacs*, that the masses relinquish their theatre money, was now put into effect, unpopular though it was." His new policy should not be explained by ways of partisan politics, i.e. that in 354/3 it suited his career to suggest that there should be no overtaxing for the rich whereas in 340 he was consolidating his democratic profile by taxing the rich. He had other reasons for changing his mind, and it has to be understood that the circumstances were different.

In 354/3 there was a widespread desire for peace, quiet and financial development especially among the rich. The rich were always against war and that was no secret. But commencing a war against Persia on no solid grounds, when Athens was weakened, was suicidal and irrelevant to the real needs of the city. D. (XIV. 26ff.) was

⁸⁵ Perhaps even *symmories*.

correct when he anticipated a social clash if Athens pursued that phantom war. The rich would not give money for such a war; they would so but only when they saw it coming closer. On the other hand, when Athens lost one opportunity after the other exactly because of that unwillingness of the property class he turned to the people, becoming their educator.

A year before his reform (Blass dates X to 341/0) his concern for social problems can be seen from X.35-45. There he promoted social unity, where rich and poor should tolerate each other in order to achieve a certain balance, with these words 45: "δεῖ γάρ, ὦ ἄνδρες Ἀθηναῖοι, δικαίως ἀλλήλοις τῆς πολιτείας κοινωνεῖν, τοὺς μὲν εὐπόρους εἰς μὲν τὸν βίον τὰ ἑαυτῶν ἀσφαλῶς ἔχειν νομίζοντας καὶ ὑπὲρ τούτων μὴ δεδοικότας, εἰς δὲ τοὺς κινδύνους κοινὰ ὑπὲρ τῆς σωτηρίας τὰ ὄντα τῇ πατρίδι παρέχοντας, τοὺς δὲ λοιποὺς τὰ μὲν κοινὰ κοινὰ νομίζοντας καὶ μετέχοντας τὸ μέρος, τὰ δ' ἑκάστου ἴδια τοῦ κεκτημένου."

Appendix: The date of I.G. II² 1615 etc.

These inscriptions refer to the symmories system and they have been used to show that the proposals of D. were adopted in 354/3. This we have seen is not at all certain and we have preferred D.R. Laing's date near 358/7⁸⁶. One further clue could be if it could be shown that the procedure in D.XLVII can be considered as being depicted on 1615 etc. The speaker tells us that he was a trierarch in 357/6 (section 44), a year that there was a general shortage of equipment in the docks and market of Athens. It was decided that the equipment which was in the hands of the previous trierarchs should be returned immediately. In pursuance of this the names of the debtors were given to the superintendents of the symmories and the current trierarchs by the curators of the yards. Another decree of the *demos* specified that the new trierarchs should receive equal numbers of people from whom they should recover the debts. It does not become clear from the decree of Chairedemos whether the debts were to be retrieved from the previous year's trierarchs (358/7) or from those further back in the past. In the case of Demochares and Theophemos, members of the speaker's symmory, 1612.313-315

⁸⁶ *Hesperia* 37(1968)245 n.4.

shows that they were trierarchs in 358/7, but again this does not prove that the decree of *Chairedemos* and the other one referred strictly to the year before the speaker's trierarchy (357/6). On the contrary the effort of Theophemos to incriminate his predecessor Aphareus (section 31) suggests that the decrees did not refer to 358/7 only.

1617 shows an extensive effort to recover equipment debts beginning at least from 369/8 (line 71). Is this the outcome of the decrees reported in XLVII? Probably not, because of the emergency of the situation which required the fleet to depart as soon as possible and not to make inventories of debts long in the past. It can be suggested alternatively that 1617 was an inventory of debts, made in 358/7 and more significantly at the order of the law of Periandros⁸⁷. XLVII. 21 says: "ὁ δὲ νόμος ὁ τοῦ Περιάνδρου ἠνάγκαζε καὶ προσέτατε παραλαβεῖν τοὺς ὀφείλοντας τὰ σκεύη". So the law of Periandros about the symmories was already in force in 358/7 meaning that it was passed around 359/8. Although the law of Periandros is mentioned in XLVII. 21 as if it concerned the urgent situation, ἠνάγκαζεν καὶ προσέταπτεν παραλαβεῖν τοὺς ὀφείλοντας τὰ σκεύη, it probably just specified as compulsory the recovery of debts, stipulating also a catalogue of debts. The decree of *Chairedemos* (section 20) and another one (21) set the more specific details that pertained to the current emergency.

1615 is of a different nature assigning unseaworthy vessels to symmories for repairs as well as giving out names of the people who were in debt of equipment for the same ship. It can be argued that the whole procedure of recovering debts in XLVII is depicted on a large scale register of debts based on the symmories i.e. 1615 etc. When the emergency came these registers were used to identify debtors and recover equipment. The phrase: "πρὸς δὲ τούτοις ... ἠνάγκαζε [ψήφισμα] τὸ πρὸς μέρος ἡμῖν διδόναι τῶν ὀφειλόντων ἕκαστον εἰσπράξασθαι". Ἡμῖν refers to both *epimeletai* and trierarchs and τὸ πρὸς μέρος (meaning in due proportion) shows that

⁸⁷ I think that the symmories were operating also in 358/7 because of XLVII. 22: "Δημοχάρης δὲ ὁ Παιανιεὺς ἐν τῇ συμμορίᾳ ὦν καὶ ὀφείλων" suggests that he was a member of the symmoria already in 358/7.

there was probably a large number of debts (possibly more than those of the preceding year) justly distributed to the trierarchs and the *epimeletai*.

Another clue for dating *I.G. II² 1615* etc. near 358/7 is some ships which are in 1615 in need of repairs and appear in 1612 (of 356/5) repaired. Gabrielsen *Symmories* 99 thinks that from 1611 which is compiled in accordance with a fixed, official order he can reconstruct in 1615, where the names of ships do not appear because of damage on the inscription, ships that appear repaired in 1612. I will not go into this suggestion since it does not provide any secure information. What is certain is that ships in 1615 which need repairs appear in 1612 apparently repaired:

Νεμεῶς 1615.105 1612.167

Σόβη 1615.134 1612.137

Εὐρώπη 1615. 88 1612.195

This suggests that at the time of 1612 (356/5) the same ships were repaired. This dates 1615 in the years **before** 356/5 but one could claim that these ships could have been damaged by 354/3 (the date Ruschenbusch wants them to belong to) although they appear to be in good shape in 356/5; but this is unlikely because there was no major naval operation in those years. If we had a larger sample of ships showing that a larger number was fine in 356/5 then the point Gabrielsen made would be proven, but at the moment it does not constitute compelling evidence.

Chapter 7 *Koinonika* and *Kleruchika* (XIV.16)

I. *Koinonika*

ἐὰν γὰρ τοῦτ' ἀποδείξητε το πλῆθος, ἡγοῦμαι, τῶν ἐπικλήρων καὶ τῶν ὀρφανῶν καὶ τῶν κληρουχικῶν καὶ τῶν κοινωνικῶν καὶ εἴ τις ἀδύνατος ἀφαιρεθέντων, ἔσεσθαι χίλια καὶ διακόσια ταῦθ' ὑμῖν σώματα. (D. XIV. 16)

κληροῦσι δὲ καὶ εἰσαγωγέας ε' ἄνδρας, οἱ τὰς ἐμμήνους εἰσάγουσι δίκας, δυοῖν φυλαῖς ἕκαστος. εἰσὶ δ' ἔμμηνοι προικός, ἐὰν τις ὀφείλων μὴ ἀποδῶ, κἄν τις ἐπὶ δραχμῇ δανεισάμενος ἀποστερηῇ, κἄν τις ἐν ἀγορᾷ βουλόμενος ἐργάζεσθαι δανείσεται παρά τινος ἀφορμῆν· ἔτι δ' αἰκείας καὶ ἐρανικὰς καὶ κοινωνικὰς καὶ ἀνδραπόδων καὶ ὑποζυγίων καὶ τριηραρχικὰς καὶ τραπεζιτικὰς. (Aristot. *A.P.* 52.2)

The above quotations are the only literary occurrences of the adjective *koinonikos* (in the plural) where it seems to have a rather more specific meaning, probably referring to associations or groups of people. Aristotle, Plato and others use the word in a much more wide sense to describe relations between people, communality and related conceptions; cf. Aristot. *Eth. Eud.* 1242a1, *Eth. Nik.* 1161b11, *Pol.* III 1283a38, *Pl. Def.* 411e and the celebrated idea Epikt. *Diss.* I 23.1 "Ἐπινοεῖ καὶ Ἐπίκουρος ὅτι φύσει ἐσμὲν κοινωνικοί". The use of the adjective is usually connected with rather abstract ideas like community, communality, partnership, being together, sharing. The meaning in the two passages quoted is much more enigmatic because obviously the Athenians would have known exactly what was meant in the appropriate context; hence the lack of further explanation by the authors. In D. the word suggests a class of property holders who for some reason cannot perform the trierarchy although probably the property they are in control of could support one. The other exempt groups reveal a certain incapacity because of age, infirmity, sex or absence from Athens. In *A.P.* the *koinonikai* trials probably specify trials regarding *koinonika*, perhaps the same *koinonika* mentioned by D. Rhodes commenting on this point translates "concerning associations". The existence of trials concerning religious associations might imply that they possess juristic personality. M.I. Finley in *Studies in Land and Credit* (reprint New

Brunswick 1985)⁸⁹ cautiously claimed that "whether these groups were endowed by law with legal personality...cannot be determined by the relevant frequency or infrequency of group holding of real property or of group participation in the taking and giving of land as security". A.R.W. Harrison *The Law of Athens* vol.II(Oxford 1971) 239-243 talks about joint ownership and on 242 and n.1 seems to accept that the Athenians never "achieved the convenient fiction of regarding such a group of joint owners as a single person juristically". At any rate we have no idea what kind of associations they were, religious or secular. Perhaps both but this has to be investigated further.

Let us begin from the lexicographers who understood that *koinonika* did have a special meaning. Harp. K69: Δημοσθένης ἐν τῷ Περὶ τῶν συμμοριῶν κοινωνικοὺς ἂν λέγοι τάχα μὲν τοὺς ἀνέμητον οὐσίαν ἔχοντας ἀδελφοὺς, ὧν ὁ μὲν πατὴρ ἐδύνατο λειτουργεῖν, οἱ δὲ κληρονόμοι τῶν ἐκείνου καθ' ἓνα τριηραρχεῖν οὐκ ἐξήρκουν· τάχα δ' ἂν καὶ περὶ τῶν ἐκούσιον κοινωνίαν συνθεμένων ἐμπορίας ἢ τινος ἄλλου ὧν ἕκαστος οὐκ εἶχε τὸ ὅλον τίμημα τῆς κοινῆς οὐσίας.

Boeckh *Staatshaushaltung* vol. I correctly criticises the masculine form κοινωνικοὺς used by Harpokration as it is more likely that D. refers to χρήματα. This is what Pollux says VIII. 134: "κοινωνικά χρήματα, τὰ παρὰ τῷ Δημοσθένει". Photius and the Suda K2562 are just copying Harpokration.

Harpokration distinguishes between two potential kinds of property; brothers who have not split their father's property; and of people who have formed a kind of firm, a business for trading purposes where funds are presumably combined. The use of the optative with ἂν along with the tentative τάχα renders his statements speculative. However there are two further pieces of evidence that seem at first sight to support Harpokration's opinion about the brothers.

The first is Lysias XXXII.4: Ἀδελφοὶ ἦσαν, ὧ ἄνδρες δικασταὶ, Διόδοτος καὶ Διογείτων ὁμοπάτριοι καὶ ὁμομήτριοι, καὶ τὴν μὲν ἀφανῆ οὐσίαν ἐνεΐμαντο, τῆς δὲ φανεράς ἐκοινώνουν. The second is Lys. F320 (Sauppe): κεκοινωνημένοι· κοινὴν ἔχοντες τὴν οὐσίαν· ὡς φησι Λυσίας. Indeed brothers did use to keep their property undivided probably in the fashion of Lysias XXXII (φανερὰ undivided,

ἀφανῆς divided). Another instance of undivided property is D.XXXVI.8 *For Phornio*, where Apollodoros was made to divide the ἀφανῆς property since the guardians of his brother thought that they could prevent him from destroying the bank⁸⁸ and the shield factory. Even further proof is D. XLVII. 34-5 ...παραλαβὼν μάρτυρας ἠρόμην αὐτὸν πότερα νενεμημένος εἶη πρὸς τὸν ἀδελφὸν ἢ κοινὴ ἢ οὐσία εἶη αὐτοῖς. ἀποκριναμένου δέ μοι Εὐέργου, ὅτι νενεμημένος εἶη καὶ χωρὶς οἰκοίη ὁ Θεόφημος; cf. D.XLIV *Against Leochares* where Archiades did not want to marry any girl and the property remained within the family although his brother Meidylides got married. Harrison vol.II, page 239, says: "it was common enough for sons to remain joint owners of their family property on their father's death: the property (οὐσία) is then called ἀνέμητος and the implication is that the dividing up of an estate was anything but automatic." One could add that the verb κοινωνέω is used to describe exactly this sharing into the property and that it is related to *koinonika*, but there is no definite proof for such a connection as we saw from the evidence above. If *koinonika* is taken to mean undivided property between brothers then are the *koinonikai* trials supposed to be concerned about this kind of property litigation? It has been suggested that since the *koinonikai* trials in *A.P.* 52.2 are ἔμμηνοι and included with those concerning the return of dowries differences concerning patrimony (i.e. joint-property of brothers) could be meant; cf. I. Arnaoutoglou (*see note 89*)318-19. *Koinonikai* trials are not next to the dowry ones and at any rate the trials there are of very diverse kind to enable one reach a decision about the nature of the *koinonikai* trials simply from the presence of the dowry ones. What is more interesting to ask is why *koinonikai* trials were ἔμμηνοι since this signifies an intention of precipitating the end of the dispute. I will try to tackle this after reaching a conclusion about the nature of the *koinonika*. Furthermore there are two other procedures that could be used in such a case; the ἀπόρρησις and the δίκη εἰς δατητῶν αἵρεσιν. The former was used to interdict the sale or hypothecation of joint property. The latter is mentioned by Aristotle *A.P.*

⁸⁸ I suspect that although the bank was mainly cash assets the cash was committed, either being invested or given out as loans to people.

LVI.6: δίκαι λαγχάνονται πρὸς τὸν ἄρχοντα... εἰς δατητῶν αἵρεσιν ἕάν τις μὴ θέλη κοινὰ τὰ ὄντα νέμεσθαι, and *Harpokration* s.v. *δατεῖσθαι*, ὁπότε γὰρ κοινωοῖέν τινες ἀλλήλοις καὶ οἱ μὲν ἐβούλοντο διανέμεσθαι τὰ κοινὰ, οἱ δὲ μὴ, ἐδικάζοντο οἱ μὲν βουλόμενοι τοῖς μὴ βουλομένοις προκαλούμενοι εἰς δατητῶν αἵρεσιν. In Harrison's view vol.II, page 243, this particular kind of suit was in origin confined to family property because it came under the archon. This is convincing and I think refutes any effort to connect the *koinonikai* trials with the joint property of brothers although it is still possible that *koinonika* could mean the joint property of brothers if one accepts that *koinonika* are totally different from *koinonikai* trials. Furthermore in the case of liturgies the *stratego*i could appoint either of the two brothers, perhaps the elder, to perform the trierarchy. It is a rather technical point which of the brothers would actually perform a liturgy. The *stratego*i could either specify one of the brothers at random or just the property that was liable to the trierarchy. I doubt that Attic law would **automatically** exclude by definition any joint-owner of a property liable to the liturgy as a whole from performing a liturgy⁸⁹. In this case XLVII is instructive. When the speaker had exhausted all other ways of trying to get Theophemos to return the equipment of the trireme he went to the house of Theophemos' brother. There he asked Euergos whether he and Theophemos had divided their property and Euergos replied that they had and that he was looking after their father himself. The enquiry he made shows that if their property was undivided then the speaker could have tried to get hold of the brother. Whether Euergos lied or not is not important because the speaker had witnesses with him. If then two brothers could be liable to a debt incurred in the course of the trierarchy this signifies that their

⁸⁹ J.H. Lipsius *Das Attische Recht und Rechtsverfahren* (Leipzig 1915)575 n.102 and A. Biscardi *Diritto Attico greco* (Rome 1982)209 thought that D. in XIV. 16 meant that the joint-property of brothers should be exempt in case it was divided between two shares non-liable to liturgies after the division. But it is unlikely that D. would propose such a measure since it was a rather clear matter; if the joint-property was liable to the liturgy then there was no problem, one of the two brothers would have to perform the liturgy, if divided and each part not liable to the liturgy then it was unlikely that the brothers would be called up for a trierarchy.

joint-property could qualify for the trierarchy and it could be agreed among themselves who would perform the actual service.

There is another instance where *koinonika* appears. It is in a Delphian law published in *BCH* 50(1926)3-106 by Th. Homolle: "Le Loi de Cadys: sur le prêt à intérêt". The law prohibits loans with an interest above 3 obols on a mna per month for both κοινὰ and Ἰῖδια. Κοινὰ are explained as: πατριὰ, ἠρωῖσασσταιί, θίασοι and then the phrase μηδὲ ἄλλο κοινώνιον μηδὲν appears. Κοινώνιον is restored and Homolle believes that this diminutive of κοινωνία is the best restoration. The nature of this κοινώνιον must certainly be religious in view of the preceding πατριὰ, ἠρωῖσασσταιί and θίασοι. Πατριὰ must mean a small community of related people since the word has the meaning of lineage, descent, family perhaps something like the Athenian phratriai. Ἰῖδια are not to be lent out for interest i.e. μήτ' ἄνδρα μήτε γυναῖκα μήτε παῖδα μήτε κόραν μηδὲ δόλον μηδὲ δόλμαν μηδὲ σῦνφοικον μηδὲ ξένον [ἐ]ν Δαλφοῖς. Κοινώνιον has been restored as κοινόβιον but Homolle rightly dismissed this restoration as an ecclesiastical term. It is interesting that κοινὰ here does not refer to public affairs but to the religious *collegia* mentioned above.

In column III the law repeats the point made about the interest: Αἱ δ[έ] τις κα κοινωνικὸν τοκίζε]ιν ἢ πατριωτικὸν κ[α]ταγορη]ι ἀργύριον ἃ ἐνδειξις καὶ ἃ δίκαια ποῖ τοὺς ἀρχοὺς [τῶν Δαλφῶν ἐσαγέ]στω τοὺς ἀντιτυ[γ]χάνοντας. If Homolle's restoration is right (and the margin for him to be wrong is too narrow) then κοινωνικόν certainly means a religious association of some kind.

Some associations such as thiasotai and orgeones called themselves κοινά cf. *I.G.* Π² 1275.17, 1297.6, 1298.3, 2343.1 and one is tempted to say that κοινωνικά is just a rarer word that describes religious associations. The value of such a comparison lies obviously on the etymological relation of the words κοινά and κοινωνικά. From a similar point of view the use of the word κοινωνία is interesting in Isaeus IX.30: καὶ εἰς τοὺς θιάσους τοὺς Ἡρακλέους ἐκεῖνον [αὐτὸν] εἰσήγαγεν (ὁ πατὴρ ὁ ἐμὸς) ἵνα μετέχοι τῆς κοινωνίας. αὐτοὶ δ' ὑμῖν οἱ θιασῶται μαρτυρήσουσιν. The κοινωνία here is the communality provided by such an organisation; it is a recognition that each human being is defined through his relation with other human beings: the act

of being introduced in an association is part of the community life the citizen has to lead. Κοινωνικά then could be all those private associations and state divisions such as phratries, orgeones, demes, tribes etc. that a new citizen may be introduced to and a mature member of the Athenian society could be an active member of.

Later sources still indicate that the κοινωνικά were connected with religion but with a different meaning. In *The Tebtunis Papyri* vol.I(London 1902) 5.59 we read: μηδὲ πειθανάγκην προσάγειν τοῖς προεστηκόσι τῶν ἱερῶν προσόδων, ἥτοι κώμας ἢ γᾶς ἢ ἄλλας ἱερὰς προσόδους μηδὲ κοινωνικά μηδὲ στεφάνους μηδὲ τὰ ἀρταβίεια. Κοινωνικά seems here to be a kind of tax that was levied on associations, probably of a religious kind (as indicated by ἱερὰς προσόδους and στεφάνους). 100.10 seems to be registering tax receipts (if one can deduce such a thing from the verb μεμέτρημαι): Ἀκουσίλαος λογευτῆς Θεογνίδος μεμέτρημαι τὰ καθήκοντα κοινωνικά τοῦ νδ' ἔτους. A third reference in the same documents suggests finally that κοινωνικά was a certain kind of religious tax, 119.11-12: Ἰταπτος βασιλεῖ ὑπὲρ ἀρταβίειας καὶ στεφάνου καὶ κοινωνικῶν.

The sense of the word as it has been examined so far seems to denote technically a property owned by a religious or semi-religious organisation. If this explanation is correct κοινωνικά would be the property of δῆμοι, φυλαί, φρατρίαί, ὀργεῶνες, γεννήται, etc. One could call them non-profit making organisations, because although there is evidence that they invested their assets, all the money that was made was used to fund their religious meetings. What certainly needs clarification is why such organisations should appear in D. XIV. 16 (if that is what he means). D. wants to stress that quite large properties do not render any trierarchs at all which gives him the right to propose an expansion of the trierarchic class. It is not surprising that even subdivisions of the state such as demes and tribes were under private law since juristically everything that did not belong directly to the state was in one or another way private. For example in *I.G. II² 2492.24-26*: ...καὶ ἐάν τις εἰσφορὰ ὑπὲρ τοῦ χωρίου γίγνηται εἰς τὴν πόλιν, Αἰξωνέας εἰσφέρειν. The deme is obviously concerned with the *eisphora*, a tax that every citizen, with an amount of property which we do not know, had to pay. In 2499.37-39 a similar phrasing exists about an association of

orgeones: ἐὰν δέ τις εἰσφορὰ γίγνηται, ἀπὸ τοῦ τιμήματος τοῖς ὀργεῶσιν εἶναι. The question is of course: if they were obliged to pay *eisphora* why then could they not provide the money for the trierarchy and elect a person among them to perform the trierarchy? There is no evidence for such a thing but it is interesting to investigate why.

First the implication from the list of groups of people that D. wants to be removed from the 1200 is not that they did not contribute their share in the naval contributions. As it has been argued elsewhere, the evidence that D. was an orphan and at the same time a hegemon of his symmoria paying substantial amounts of *eisphora* is enough to prove that *epikleroi* etc. paid naval contributions without becoming trierarchs, in the same fashion as they would pay *eisphora*.

Secondly the argument that an association was not a single person juristically which made it impossible for associations to act as natural single persons is based on a very slender argument as Harrison vol.II, page 242 n.1, admits⁹⁰. The argument is that documents speak indifferently of the members of a body and of the body itself in the singular. In *I.G. II² 2670* land is hypothecated to the Kekropidai, the Lykomidai (members of a genos) and the Phlyans. In *Hesperia* 5(1936)397 lines 175ff. a tribe itself is described as a creditor ἐνοφείλεσθαι τῆι Αἰαντίδι φυλῆ. What has been overlooked perhaps by Harrison is evidence that shows that whenever an association (commonly called κοινόν, e.g. *I.G. II² 2631, 2632* ὄρος χωρίου κοινοῦ Εἰκαδείων) was in a litigation it appointed advocate(s) who took up the problem. In *I.G. II² 1183.13-15* we read:

ὁμνύναι δὲ τὸν ὄρκον καὶ τὸν λογιστὴν λογιεῖσθαι ἃ ἂν μοι δοκεῖ ἀνηλωκέναι, καὶ τοὺς συνηγόρους συνηγορήσειν τῷ δήμῳ... and in *I.G. II² 1258*:

ἐπειδὴ τινες ἐναντία τῷ ὄρκῳ ὄν ὤμοσαν καὶ...ἐπὶ βλάβει τῶν κοινῶν τῶν Εἰκαδέων ψευδεῖς μαρτυρίας, ἐλέσθαι τρεῖς ἄνδρας ἤδη ἐξ Εἰκαδέων οἵτινες συναγωνιοῦνται τῷ ἐπεσκημμένῳ ταῖς μαρτυρίαις Πολυξένῳ, ὅπως ἂν δίκη

⁹⁰ On the juristic personality of religious associations see the very detailed account of I. Arnaoutoglou *Forms and legal aspects of religious associations in ancient Athens* Thesis (Glasgow 1993) esp. chapter 5; his opinion is that religious associations did not have a juristic personality.

διδῶσιν οἱ τὰ ψευδῆ μαρτυροῦντες (for more information about one person representing a whole association, see W.S. Ferguson *Harvard Theological Review* 37(1944)83).

In *Hesperia* 10(1941)14ff. in the accounts of the *poletai* for 367/6 among the creditors of a fugitive condemned for sacrilege: Aeschines of Melite and the *koinon* of *orgeones* are mentioned. W.S. Ferguson *id.* page 83 argues that the *orgeones* there are designated with all possible precision by the name of one of the group (Aeschines of Melite) who entered on their behalf the *episkepsis* which succeeded in saving for them their investment. Aeschines was probably the chief of the *orgeones*, their *hestiator* or an advocate, in the fashion of the inscriptions above.

The existence of advocates and people who could be elected to represent an association shows that there were cases where the association had to represent itself in a way natural persons would do. Since we know that they were also taxed and paid the *eisphora* it could be argued that they could elect a representative that could perform a liturgy on their behalf. This ostensibly did not happen as far as the evidence allows us to go. The answer to the question why it was so must be sought in the character of the liturgies which was distinctly personal. The whole function of the liturgies included the notion that a single person undertook a liturgy to distinguish himself in the city, to demonstrate the use of his money for the general welfare of the city. That is why D. tried to rectify the change that the institution of the 1200 had brought in. Among the 1200 larger properties there were people who by definition could not perform a trierarchy. By taking them out the trierarchy would become again purely a personal service (although with his new proposals the new 1200 would be funded by the *timema* of the whole of Athens making direct, regular taxation a feature of the Athenian fiscal system).

Before concluding that *koinonika* were more or less property that belonged to state-divisions and religious associations we have to follow the other strand of Harpokration's reasoning which provides a rather wider definition of *κοινωνικά*. His second explanation of the word (different from brothers owning their father's property in common) is: *τάχα δ' ἂν καὶ περὶ τῶν ἐκούσιον κοινωνίαν συνθεμένων*

ἐμπορίας ἢ τινος ἄλλου ὧν ἕκαστος οὐκ εἶχε τὸ ὅλον τίμημα τῆς κοινῆς οὐσίας. Harpokration thought that any group of people who contribute money or property in order to form for example a trade business was a *koinonikon*. There is no evidence to prove that financial associations were called *koinonika*, but there is an allegedly Solonian law preserved in the Digest XLVII. 22.4 that connects religious associations with commercial ones: ἐὰν δὲ δῆμος ἢ φράτορες ἢ ἡρώων ὀργεῶνες ἢ γεννήται ἢ σύσσιτοι ἢ ὁμόταφοι ἢ θιασῶται ἢ ἐπὶ λείαν οἰχόμενοι ἢ εἰς ἐμπορίαν, ὅ,τι ἂν τούτων διαθῶνται πρὸς ἀλλήλους, κύριον εἶναι ἐὰν μὴ ἀπαγορεύῃ δημόσια γράμματα. What the law says is that the groups of people listed can do whatever they want as long as they do not violate the state laws, which effectively confirms the assertion that everything which is not δημόσιον is subject to private law. Yet the Digest law is very difficult to date and there is no indication that it is genuinely Solonian. It contains two rather blatantly obvious archaisms ἐπὶ λείαν οἰχόμενοι ἢ εἰς ἐμπορίαν the first of which would be illegal at any time around the 5th century whereas the periphrastic nature of both expressions suggest a date close to Solon. If it was written at that time the word *demos* cannot have the meaning of a Cleisthenic *demos* but rather of the more limited χωρίον. Why at that time Solon would want to stress the independence of associations is obscure. What is even more strange is the connection between groups which are religious (the context of relations in a *demos* of the pre-Cleisthenian era was probably that of community around a central religious precinct and the worship of a god or a hero) and others that seem to us partnerships of some kind (secular and non-political anyway). Perhaps the rather loose link among all these groups is this sense of communality, unity in front of a common cause or a situation that everybody faces. The necessity to form groups to achieve certain goals must have been closely connected with religion and so for example before traders went out in the sea a sacrifice was considered absolutely necessary, a ritual that bound together all the members of the venture. Although it has been argued that this law was (re)written at the time of the emperor Hadrian, when the Athenian constitution was under scrutiny and reorganisation, the presence of archaisms and the rather incoherent legislation on so many totally different groups makes the law either a rather

bad imitation of archaic laws or perhaps genuinely archaic. I prefer the second interpretation since I cannot see what kind of situation the Athenians in the time of Hadrian's reign were in, in order to create such a vague law with an obvious archaic appearance about groups that existed for centuries in Athens.

At any rate even if the law is genuine this does not mean that in the 5th and 4th c. the word *koinonika* (not mentioned in the law at all) meant both financial and religious groups because the law was probably very loose in the first place not denoting any strong similarities between the groups that it mentioned.

Derivatives of *κοινωνία* and the word itself are used quite extensively in the realm of business. Aristotle says *Eth.Nik.* 1163a *καθάπερ ἐν χρημάτων κοινωνία πλείον λαμβάνουσι οἱ συμβαλλόμενοι πλείον* and in *Eth. Eud.* 1242b: *ἀλλὰ τὸ ἴσον κατ' ἀριθμὸν ἀξιοῦ· καὶ γὰρ δὴ καὶ ἐπὶ τῶν ἄλλων κοινωνιῶν οὕτω συμβαίνει· ὅτε μὲν γὰρ ἀριθμῷ τοῦ ἴσου μετέχουσι, ὅτε λόγῳ. εἰ μὲν γὰρ ἴσον ἀριθμῷ εἰσήνεγκαν ἀργύριον, ἴσον καὶ τῷ ἴσῳ ἀριθμῷ διαλαμβάνουσιν, εἰ δὲ μὴ ἴσον ἀνάλογον.* In the real world people indeed got involved together, investing money and/or property in order to get back a very good profit. There were for example in Athens "firms" that undertook the import of grain to Athens. In D. LVI *Against Dionysodoros* the first words of Dareios the plaintiff are: *Κοινωνός εἰμι τοῦ δανείσματος τούτου...* In section 2 he goes on: *ὕμῖν, ὦ ἄνδρες δικασταί, καὶ τοῖς νόμοις τοῖς ὑμετέροις οἱ κελεύουσιν, ὅσα ἂν τις ἐκῶν ἕτερος ἐτέρῳ ὁμολογήσῃ, κύρια εἶναι.* The last sentence reminds us vaguely of the Digest law *ὅ,τι ἂν τούτων διαθῶνται πρὸς ἀλλήλους, κύριον εἶναι ἐὰν μὴ ἀπαγορεύῃ δημόσια γράμματα.* This is perhaps another link that shows a connection between the Solonian law and the legislation of 4th c. Athens. The whole venture in LVI points towards the existence of what we nowadays call a business. In section 5 Dionysodoros and his partner go to the creditors and ask them to fund a venture (the ship belonged to Dionysodoros) to Egypt and then back to Athens. The creditors agree and a formal contract is signed. It is very interesting that all maritime loans were not expected to be returned should the ship sink. According to the speaker Dionysodoros was in close touch with the appointed tax-collector of Egypt, Kleomenes, and was making a profit from dictating the price of

wheat to the Greek world, being a member of a group of people that were working together, section 8: οἱ μὲν γὰρ αὐτῶν ἀπέστελλον ἐκ τῆς Αἰγύπτου τὰ χρήματα, οἱ δ' ἐπέπλεον ταῖς ἐμπορίαις. οἱ δ' ἐνθάδε μένοντες διατίθεντο τὰ ἀποστελλόμενα· εἶτα πρὸς τὰς καθεστηκυίας τιμὰς ἔπεμπον γράμματα οἱ ἐπιδημοῦντες τοῖς ἀποδημοῦσι, ἵν' ἐὰν μὲν παρ' ὑμῖν τίμιος ᾖ ὁ σῖτος, δεῦρο αὐτὸν κομίσωσιν, ἐὰν δ' εὐωνότερος γένηται, εἰς ἄλλο τι καταπλεύσουσιν ἐμπόριον. All this shows an extensive network of agents and associates who worked closely together in order to maximise the profit; they can be claimed to be members of a financial association. The income of such a venture would be absolutely cash. In most cases the profits would be deposited with the bank and the venture would continue for as long as the associates wanted to⁹¹. In my opinion the state did not in any way directly tax these ventures nor the property involved as such (e.g. ships) for the profit was invisible to it, and contented itself with the custom taxes it exacted from them (on customs dues *see* Andreades *Finances* 296-305). Such ventures were after all providing Attica with necessary materials and any direct and/or regular taxation could have proved damaging for Athens. With this reasoning one should exclude the possibility that *κοινωνικά* could mean in D. XIV. 16 any other joint private associations.

One question remains. If *koinonika* means religious associations then why would the trials in *A.P.* 52.2 be ἔμμηνοι? This is difficult to answer but a guess can be that since they involved a rather large number of people (a deme or a tribe for example) it was considered necessary to deal with these problems as quickly as possible.

The conclusion is that *κοινωνικά* meant probably religious associations and state divisions such as tribes and demes. Groups like *epikleroi*, orphans etc. did probably pay naval contributions after the Periandros law but could not become trierarchs. In any of the extant inscriptions about demes, tribes, *thiasoi* etc. although the *eisphora* is mentioned when a lease is made, naval contributions are not. The explanation must be that either the properties involved were too small to have been included in the 1200

⁹¹ If they wanted to leave the association they could bring a *dike* εἰς δατητῶν αἴρεσιν.

largest ones or that the naval contributions were just not mentioned because they were included in the rather more general term *eisphora*.

II. *Kleruchika*

Athens at the time of the delivery of the speech had under her control directly with cleruchies the islands of Lemnos, Imbros and Skyros⁹² as well as Samos,⁹³ Potidaia from 361⁹⁴ and Sestos from 365 with additional *oikistai*, kleruchs, sent in 352⁹⁵.

Harpokration K64 defines *kleruchika* in D. XIV. 16: κληρουχικὰ ἂν λέγοι τὰ τῶν ἐκπεμφθέντων εἰς ἑτέραν χώραν ἤντιναδέποτε κατὰ κληρουχίαν· πῶς γὰρ οἶόν τε τὸν μὴ ἐπιδημοῦντα Ἀθήνησι τριηραρχεῖν; This is a logical explanation because the kleruchs would be too far away from Athens although theoretically Athens could have required from its kleruchies to provide a certain number of ships. This obviously did not happen since D. mentions the kleruchs among the categories that could not provide trierarchs. Yet if we suppose that they all paid naval contributions then some further evidence that could point towards this direction concerning the kleruchs could make the argument more certain. If one shows that they paid *eisphora* to Athens then it is not impossible to suggest that they paid naval contributions too in the same fashion that orphans such as D. paid *eisphora* contributions too.

The only evidence that gives us some information about *eisphora* being paid by kleruchies is an inscription of the 5th c. dated by Lewis in *I.G.* I³ 41 in or slightly after 446/5, concerning the inhabitants of Hestiaia. The problem is that Hestiaia has been questioned as being a kleruchy at all because Thukydides refers to it in a very vague way. In I. 114. 3 (446/5 BC) he writes: Ἔστιαίᾳς δὲ ἔξοικίσαντες αὐτοὶ [the Athenians] τὴν γῆν ἔσχον. In a passage referring to 411 BC (VIII. 95.7) he describes the settlers at Hestiaia as the Athenians themselves (αὐτοὶ Ἀθηναῖοι). In VII.57.2

⁹² Traditionally under the control of Athens since the Peace of Antalkidas, Xen Hell. 5.1.31.

⁹³ Conquered by Timotheos in 365 after defeating the Persians, Isok. *Antid.* 111, Diod. XVIII. 18, Corn.Nep. *Tim.* 2, Strabo *Geogr.* XIV. 18, Dem. XV. 9.

⁹⁴ *I.G.* II² 114.

⁹⁵ Isok. *Antid.* 108, 112, Corn. Nep. *Tim.* 3, revolution in 357 and violent crushing by Chares in 352 Diod. XVI. 34.3 *I.G.* II² 1613. 293-301, new kleruchs in 352 Diod. XVI. 34. 4, *I.G.* II² 1613.397-9.

Thucydides lists the Athenian allies at Syracuse and mentions: Ἰωνες ἐπὶ Δωριᾶς Συρακοσίους ἐκόντες ἦλθον, καὶ αὐτοῖς τῇ αὐτῇ φωνῇ καὶ νομίμοις ἔτι χρώμενοι Λήμνιοι καὶ Ἴμβριοι καὶ Αἰγινήται, οἱ τότε Αἰγίναν εἶχον καὶ ἔτι Ἑστιαίης οἱ ἐν Εὐβοίᾳ Ἑστιαίαν οἰκοῦντες ἄποικοι ὄντες ξυνεστράτευσαν. The authors of B.D. Meritt. H.T. Wade-Gerry and M.F. McGregor *Athenian Tribute Lists* vol.III(Princeton 1950)291ff. argue that ἦλθον has as its subjects only the Lemnians, Imbrians and Aeginetans whereas the verb ξυνεστράτευσαν has as its subject the Hestians who, being colonists from Athens, marched out against Sicily with all the above mentioned. It has been correctly argued in my opinion by I. Vartsos *Athenaikai Klerouchiai* (Athens 1972)95 that this distinction is artificial and that the verb ξυνεστράτευσαν is referring to all those who Thucydides mentions marched out together. The particle ἔτι is also denoting that on top of all those mentioned before, the Hestians should be added too and it can not carry at all a contrasting quality between the Lemnians etc. on the one and the Hestians on the other hand. Furthermore the Hestians are mentioned along with people who were for sure kleruchs of Athens in that period (415/4)⁹⁶. The use of *apoikoi* should be seen as rather loosely used by Thucydides meaning Athenians living far away from Athens.

There are two further sets of arguments that make probably Hestiaia an Athenian kleruchy (see also A.J. Graham *Colony and mother city in Ancient Greece* (Manchester 1964)171ff)⁹⁷. Firstly there are certain expressions that allegedly make the Hestiaia inscriptions similar to other kleruchic ones: *I.G.* I³ 41.89 ...ὁ ἐχς Ἑστιαίας ἐσάγει τά...,97-8 ἐκ τῶν οἰκόντων [ἐν ἡεστιαίαι] 107-8 τῶν ἐν ἡεστιαίαι οἰκόντων δοκεῖ κατὰ ἔτος ἐκ τῶν οἰκόντων [ἐν ἡεστιαίαι...]. Compare with *I.G.* II² 1008.75 ἐπειδὴ οἱ ἔφηβοι οἱ ἐπὶ Πυθίου ἄρχοντος ἐν Σαλαμῖνι, 1009.39 ...καὶ ὑπὸ τῶν ἐν Σαλαμῖνι κατοικούντων Ἀθηναίων χρυσῶ στεφάνῳ, 672. 4-6 [ἐπειδὴ Ἀθηναῖοι

⁹⁶ See Vartsos *op.cit.* 67ff, 60ff, 117ff.

⁹⁷ M. Cary in "Athens and Hestiaea; Notes on two Attic inscriptions" *JHS* 45(1925)243-249 had tried to restore the relevant lines but Meritt in *Athenian Tribute Lists* vol.III(Princeton 1950)301n.4 showed that there was no case that they could be right because the lines were probably much shorter than was once thought.

οἱ οἰκοῦντες ἐν Λήμνῳ ἀποφαίνουσι Κωμέαν τὸν ὑπὸ τοῦ δήμου χειροτονηθέντα ἵππαρχον, XII. 8.3.4-5 τῷ δήμῳ τῷ Ἀθηναίων τῶν ἐν Μυρίνῃ καὶ νῦν κατὰ πόλεμον, ...15.3-4 πρὸς τὸν δῆμον τῶν Ἀθηναίων τῶν ἐν Ἑφαιστίαι..., 46.1 ἔδοξεν τῇ βουλῇ καὶ τῷ δήμῳ τῶν Ἀθηναίων τῶν ἐν Ἴμβρῳ. The fact is that the Hestiaians are not called Athenians and the general wording of the other inscriptions does not coincide with that from the Hestiaian inscriptions which makes the whole connection rather weak.

The second argument is in my opinion more valid. In lines 35-39 the inscription reads as restored by Lewis χρεῖματα ἐὰν ἐπ---

ἐντελε εἶναι με---
τει κυρία ἐκκλησίαι
δὲ χρημάτων ἐσφορᾶς

What is striking of course is the existence of the word *eisphora*. From Thuk. III. 19.1 one assumes that in 428 it was the first time that *eisphora* was levied (another interpretation is that it was the first time it was levied *in the war*). Yet what is one to make of references to the *eisphora* in the Kallias decrees? This is a rather difficult question to answer because we do not have any other literary evidence to confirm an earlier imposition of this tax. If along with Gomme (*HCT* vol.I, page 275) one accepts that the Athenians did levy *eisphora* before the beginning of the Archidamian war (Meiggs *GHI* no.58 and Lewis *I.G.* I³ 52 have dated the Kallias decrees in 434/3), as it has been mentioned in the Kallias decrees - lines 16-17 ἐὰν φσεφίσηται περὶ ἐσφορᾶς and line 19 ἐὰν τι ἐσφέρεν - then it is not impossible to identify the Hestiaeian ἐσφορᾶ with the Athenian one. Indeed *eisphora* is a technical term used by the Athenians to describe an extra tax levied when cash was needed especially in periods of war. In the Kallias decrees the term is used rather casually which implies that the Athenians were quite familiar with it and did not need any clarification (for more information, see A.W. Gomme "Thucydides ii.13.3" *Historia* 2(1953/4)1-21). The wording in *I.G.* I³ 41 is not exactly the same as in the Kallias decrees because in the former εἰσφορᾶ is followed by χρημάτων something which occurs in Xen. *Hell.* VI. ii.1. The κυρία ἐκκλησία must be the Athenian Assembly in such a document. We do not know how far the distinction

between κυρία ἐκκλησία and the other *ekklesiai* goes in the past see Aristot. *A.P.* 43.iii and Rhodes' commentary. C. Hignett *A History of the Athenian constitution* (Oxford 1952)155 says: "Probably he [Kleisthenes] ordained that it should always meet once in every prytany, the meeting which was distinguished as κυρία later when there were four meetings in each prytany". Perhaps by *I.G.* I³ 41 (446/5) meetings had actually increased and were more than one in a prytany and the term κυρία ἐκκλησία⁹⁸ could be used to denote the most important of them. The mention of the Athenian *ekklesia kyria* in the Hestiaean inscription (if it is the Athenian one and not just a formulaic imitation) is an indication that the matter of the *eisphora* of Hestiaia was arranged at the *ekklesia* of Athens.

If the last argument can be considered as at least satisfactory, Hestiaia can be safely considered as a kleruchy. It is interesting that they still had to pay the *eisphora*, an Athenian tax altogether and it must certainly have continued through into the next century. If they paid *eisphora* then the natural conclusion is that certainly they must have paid naval contributions too, especially since it was the Athenian navy that actually protected them. How exactly they were gathered we do not know and it does not seem feasible that Athens would demand from the kleruchies to provide trierarchs because of the distance and the personal service a kleruch was offering in those Athenian outposts⁹⁹. The mention of the kleruchs in connection with the trierarchy and the relatively certain fact that they paid one of the main Athenian taxes suggests that although they did not provide trierarchs they contributed somehow to the Athenian navy. D. wanted this to stop as a part of his policy for more "real" trierarchs.

⁹⁸ The first mention of κυρία ἐκκλησία is in *I.G.* II² 336 of 334/3.

⁹⁹ For more detailed information about the exemptions, see chapter 5 section VII.

Commentary *On the Symmories*

The proemium's structure

E. Lounes in "Stylistic and thematic structures of the exordia and the perorations of Demosthenes" *RPh* 60(1986)255-266 has made good observations on how the orator composed the prooemia of his speeches, seeing a general pattern that is more or less repeated through his works, one constituting a breakthrough in the oratory of the 4th c. BC. Lounes' presentation is rather static, not really attempting to define periods of differentiation in D. and I am afraid he does not pay enough attention to the individual reasons that caused the delivery of each oration. He does acknowledge though that D. improved his exordia and made them more complex towards the end of his political career as it can be traced through the extant speeches. The frame of most exordia contains the following formulas:

- i. My opponents are all wrong to think...
- ii. I think that...
- iii. I would like to recommend to you such and such.

A further valid observation is that these opponents are never called by name and are usually in the plural. They are attacked even before the allusion to the topic of the main body of the speech. What confusingly Lounes calls the *archetype* (the form οὐδέτεροι) conveys the fact that D. does not agree with any of his opponents (οἱ ἄλλοι, οἱ μὲν, ἔνιοι, ἅπαντες, ἕκαστος τῶν...) even when there are more than one factions. Beyond these quite basic and easy to identify formulas Lounes sees three layers that contribute to make a completely Demosthenic prooemium:

I. The initial exaltation of contradiction. This consists of:

- i. The personal contradiction between οὐδέτεροι and the orator
- ii. The antithesis between the realistic and unrealistic (ἔδει μὲν...ἐπεὶ δ' ἔνιοι, VIII. 1), not apparent in all the prologues.
- iii. Further contradiction, when the orator denounces Athenian inaction, inconsistency, illogicality (the strongest attack comes in D. X.1 when the people are told that they

look like the audience of a theatrical performance waiting for something new to come).

At the same time D. tries to set up his own image of incorruptibility, the image of a man with a vision and a very clear perception; thus sharp contrasts like ἐγὼ δέ,...μάλ' ἀκριβῶς οἶδα...νῦν μέντοι πέπεισμαι III. 2, or ἐγὼ δ' ὄρῳ μὲν ὡς χαλεπὸν...οὐ μὴν ἀλλ' αἰρήσομαι μᾶλλον XVI. 2-3. In all this he comes as a *deus ex machina* to resolve the pressing necessities of the present which require an urgent solution. Success is guaranteed by the clear and simple vision of the orator who has discredited his opponents. The pressing necessities are sometimes exaggerated by D. in order to make the people be in anguish and follow his own proposals all the more easily.

II. The second layer of organising his structure is, according to Lounes, the "narrow path", referring I think to Herakles' choice of Ἀρετή or Κακία. The large path belongs to the demagogic χαρίζεσθαι and is taken by the others. He prefers the one close to giving the best advice; XVI. 2 χαλεπὸν τὰ βέλτιστα λέγειν ἐστί. He would like everybody to talk: VIII. 1 ἄνευ φιλονικίας, μήτε πρὸς ἔχθραν μήτε πρὸς χάριν just like Tacitus' *sine ira et studio*. He realises that the truth is dangerous to be spoken out to the Athenians. This is the place where the leitmotiv of the deeds versus words comes, D. dares to urge deeds that need sacrifices. A good example is V. 1 ὄρῳ μὲν...τὰ παρόντα πράγματα πολλὴν δυσκολίαν ἔχοντα... καὶ ταραχὴν οὐ μόνον τῷ πολλὰ προεῖσθαι καὶ μηδὲν εἶναι προὔργου περὶ αὐτῶν εἶδ' λέγειν.

III. The third layer Lounes claims is the *captatio benevolentiae*. To achieve this the orator uses the double force of παρησιία. On the one hand he suggests all the necessary measures that must be taken and on the other discredits the Athenians on their intolerance and complacency (I think that II and III are not totally independent layers as παρησιία is actually to follow the "narrow path"). The more obvious form of *captatio benevolentiae* is the apologetic and tentative tones he sometimes uses e.g. IV. 1 εἰκότως ἂν συγγνώμης τυγχάνειν. Lounes thinks that this topic is invested with a dramatic effect for the orator. He protests against a difficulty to express his opinion freely, the art of often devising how to suggest something without actually saying it or masquerading one's talk. In Lounes' opinion this is a sign that democracy is in its

twilight in Athens. It is true that D. does not sometimes blurt out his suggestions but tries more or less to make the Athenians give him a promise that they will not stop him by disapproving of what he says (e.g. XIII. 2-3). Another principle of *captatio benevolentiae* is the promise to be brief (e.g. V. 4-5: μικρὰ τῶν πρότερόν ποτε ῥηθέντων ὑπ' ἐμοῦ μνημονεύσαντες, XIV. 2 μικρὰ προειπὼν ὑμῖν).

Lounes's observations are largely valid and show a certain way in which D. used to write the exordia. I am not quite sure about the dramatic dimension he gives (D. being fed up with his opponent's hypocrisy, democracy in its twilight) as I do not think this was the reason that made D. follow a certain pattern in expressing his thoughts. In my opinion he improved the oratorical patterns of expression by moving towards the mind of the audience, inducing them to think in the way he wanted them to think, so when he promises to use *παρησία* it is not because he is frustrated by the Athenian intolerance but only because he knows that this is going to appeal to them. He will prove himself to be hard-working, reliable, and always ready to give the right solution, qualities that were on principle most certainly to be appreciated, and they certainly were. It is also seems that D. is also laying down the distinction between an epideictic style of oratory and a deliberative, practical style. It could be a deliberate effort for a distinction between his new style and that of e.g. Isocrates (a writer competing for readership directly with D.).

It is important to see how these principles can be applied to the exordium of speech XIV and in what degree they are used. Relevant to this is Aristotle's judgement on prooemia. In his opinion ideally the prooemia have the function of making clear what is the end (τέλος) for which the speech is given; Aristot. *Rhet.* 1415a-1416 (translation from G. Kennedy's *Aristotle on Rhetoric* (Oxford 1991): "But one should not forget that all such things are outside the real argument: they are addressed to a hearer who is morally weak and giving ear to what is extrinsic to the subject, since if he were not such a person, there would be no need for a prooemion except for setting out the headings of the argument in order that the body may have a head". So according to Aristotle the exordium has a manipulating effect on the audience when it should just offer the basic

principles that will be expounded in the speech. I will try to prove that without the exordium, oration XIV would not be a rational piece of work.

The general framework of the exordium is;

- i. **The others** although they praise the ancestors only seem to do so, actually doing them more harm than good.
- ii. **My opinion** about praising them (ἐγὼ δ') is such and such.
- iii. **But, I would like to recommend** preparations, etc.

The "exaltation" of contradiction is evident from the strong antithesis οἱ μὲν ἐπαινοῦντες ... ἐγὼ δ' ἐκείνων μὲν ἔπαινον. The tones of irony are evidently there when the orator talks about the "others". The verb δοκέω with λέγω certainly suggests that the others talk but only seem to be capable speakers, praise the ancestors but actually belittle their virtue in the ears of the audience. D. treats rather fully the attitude of the others towards the ancestors. This is on purpose. Athens was on the alert because of the rumours that the great King was going to attack them. One can imagine the orators praising the previous century's victories and calling for an attack against Persia with the intention of flattering the demos. Yet all these praises are inadequate. They do more harm than good. We shall see why. The others become famous by something that neither they nor anybody else can do, express with words the fame of the past. There is a contradiction between deeds and words. They seem to praise with words but what they really do is to belittle the ancestors. He could have said all this with a sentence, yet he did not, as he intends to show the futility of their efforts. His opinion of the ancestors is short and sharp. They are great, for their deeds have not been surpassed by any other city, not even by their descendants. At the moment this is his discussion of the πρόγονοι. His next statement is that he wants to show his present audience how they have to prepare. This reveals why the others were belittling the ancestors. The ancestors had achieved so much for Athens because words were followed by deeds, because they were always prepared to face any challenge of the future. By just praising what they did, one does not illustrate **how** they did it. At this point I think D. is approaching the ideal function of the proemium, to indicate what his main argument is going to be; he is going to talk about preparations. It is true that he

does not give a full account of his proposals but he is telling the audience what to expect. He obviously has to justify his option; that is why he goes on to say that words are useless for the city, whereas concrete proposals are the remedy for any fear and danger. His technique is not difficult to recognise here. He is the clear-sighted leader with the concrete proposals that have a more or less messianic tone, cf. section 2 *πάς ὁ παρῶν φόβος λελύσεται*.

If one bears in mind that this is the first public speech of D. (according to Dion. Hal. *ad Amm.* I.4: *ἐπὶ δὲ Διοτίμου τοῦ μετὰ Καλλίστρατον [354/3] ἐν Ἀθηναίοις πρώτην εἶπε δημηγορίαν, ἣν ἐπιγράφουσιν οἱ τοὺς ῥητορικοὺς πίνακας συντάξαντες περὶ τῶν συμμοριῶν...*) his words seem to be a new approach to oratory, a fresh beginning to Athenian politics. Somebody has to teach and persuade the Athenians to do the right things. He has to demonstrate successfully what he thinks Athens stands for and how it will be able to face all dangers. His intention as a young statesman is to sound promising and he certainly does.

The *captatio benevolentiae* too works towards that objective. The tentative and apologetic tones are definitely there, suitable for a young man who respects his audience. *Πειράσομαι* shows that he will try without being over-confident. The relative *ὅτισοῦν* shows that it does not matter who is going to teach the Athenians. At the end of section 2 he hopes that he is the right man to remove fear from Athens and bring forward change in the Athenians state; *ἂν ἄρ' οἴός τ' ᾧ*. The promise to be brief is there but again points toward his own approach. He will be brief regarding the King as he wants to talk about other things.

We saw how all the different structures and ways of beginning a speech fit the specific details of the current situation in Athens and the personal aspirations of young D. This exordium sets the axis for the whole speech.

Section 1 (this exordium is almost identical to no.VII of the proemia collection)

Οἱ μὲν ἐπαινοῦντες: Reiske thought that this first section of the speech was an epilogue or a part from another one because B reads *οἱ μὲν οὖν ἐπαινοῦντες* which suggests some previous argumentation (indeed Denniston *Particles* 471-2 when he

discusses μὲν οὖν makes it clear that it is either transitional or that it refers to some other previous comment). There is no reason to accept this option at all as οὖν is not in any of the earlier mss. and it can be a mechanical addition by the scribe as μὲν οὖν are very commonly found together, cf. D. I. 2, II. 3, 4, 5.

κεχαρισμένον,...ποιεῖν: οὐ μὴν...γ' is clearly adversative and draws the distinction between κεχαρισμένον, a positive comment and οὐ μὴν συμφέροντά γ' ἐκείνοις an unfavourable one, cf. Denniston *Particles* 335.

Cobet in *NL* 226 claims that the correct reading is κεχαρισμένον μὲν οὐ μὴν ... ἐγκωμιάζουσι deleting ποιεῖν. It is easy in his opinion for a scribe to forget μὲν because κεχαρισμένον looks like it. He does not say though why he deletes ποιεῖν or why he considers μὲν a good addition to the text. I cannot see a good reason for μὲν but I think that he deleted ποιεῖν because he thought συμφέροντα as being in the singular and not the plural form referring to λόγον above, whereas if ποιεῖν remains συμφέροντα must be in the plural. Cobet's text would mean "those who praise your ancestors ... seem to me to choose a welcome topic, but one which does not provide anything expedient to those whom they eulogise". This makes good sense but in my opinion the infinitive ποιεῖν can be justified because all the mss. support it and because D. certainly wants to draw the distinction between λόγος and ἔργον. In this case ποιεῖν contradicts εἰπεῖν, meaning that they talk fancifully about the ancestors but what they actually do is to harm them.

ἐγχειροῦντες: all the mss. have ἐπιχειροῦντες except for S and p.VII. Both words mean exactly the same and if a choice has to be made then S should be respected.

ἐφικέσθαι τῷ λόγῳ δύναιτο, αὐτοῖ...: notice the hiatus after the comma. There are many examples of hiatus in this exordium: δεδύνηνται· αὐτός, οὕτως ἔχει· εἰ μὲν ἡμεῖς, σχοίη· εἰ δὲ παρελθὼν...λελύσεται. ἐγὼ ... They are all after pauses which will have made articulation more emphatic. The present word order is given only by S whereas the other mss. give ἐφικέσθαι δύναιτο τῷ λόγῳ. For a similar use of λόγος cf. XIII.18 and VI. 11: ἔστι γὰρ μείζω τὰ κείνων ἔργα ἢ ὡς τῷ λόγῳ τις ἂν εἴποι.

αὐτοὶ μὲν τοῦ δοκεῖν δύνασθαι λέγειν δόξαν ἐκφέρονται: the infinitive δοκεῖν has been deleted by Dindorf and Blass (because it is omitted by p.VII). Blass thinks that the text should read αὐτοὶ μὲν τοῦ δύνασθαι δόξαν ἐκφέρονται (ἐκφέρομαι means to carry off as a prize) with δύνασθαι referring to the previous δύναιτο the translation being: "Trying to speak about things which no one would be able to reach by means of speech, these [on the one hand] win the fame of actually being able to and [on the other hand] make the ancestral glory appear to the audience inferior to the one they had really obtained." I think this reading is inferior to the one S gives as it treats the phrase ὦν οὐδ' ἂν εἰς ἀξίως ἐφικέσθαι τῷ λόγῳ δύναιτο as if it were a general truth accepted by the Athenians when it is the orator's evaluation of the glorious past.

The objection to δοκεῖν is that it is redundant with δόξαν. If it is to be kept, it cannot mean "reputation for seeming to be able", but must mean "reputation consisting of seeming to be able". It conveys the idea of how inadequate the other orators' words are about the ancestors. D. implies that the orators are successful (ἐκφέρονται δόξαν) when they only seem to be able to speak about them. Mss. F,Y ex V² according to Fuhr have δοκεῖν εἶ λέγειν which does not make a big difference. That the orators can get away with *seeming* to be able to talk is an indirect and very tentative criticism to the audience too. He himself will try to show them how the ancestors managed to be so successful. The infinitive λέγειν in my opinion has a double function referring not only to the orators talking about the past but also to their ability to function as the chief advisers of Athens; cf. p.XXXII. 1: "ἐβουλόμην ἂν ... τὴν ἴσην σπουδὴν ἐνίους τῶν λεγόντων ποιεῖσθαι ὅπως τα βέλτιστ' ἐροῦσιν, ὅσην περ ὅπως εὐ δόξουσι λέγειν ...".

τὴν δ' ἐκείνων ἀρετὴν: this δ' was omitted in S¹ obviously in order to correspond αὐτοὶ μὲν with ἐγὼ δ' in line 19. Without the δ' the sentence would be awkward as a connective particle is necessary to join τὴν ... ποιῶσιν to what precedes.

παρὰ τοῖς ἀκούουσιν: it refers to the audience.

παραδείξασθαι δεδύνηται: παραδέξασθαι does not make any sense. p.VII gives the correct reading. Tournier suggested παρενδείξασθαι (παρενδείξασθε

according to Weil, Butcher's παρενδέξασθαι is obviously a typographical error) meaning to exhibit (mainly in relation to actors) which has more or less the same meaning with παραδείκνυμαι; its rather specific use for actors suggests that the other option is preferable. παραδείκνυμι has the sense to "show through comparison". The use of the middle here, as the μείζω already suggests, conveys the idea of comparison between contemporary Athenians and their ancestors.

Section 2

μάλιστα δύνασθαι παρασκευάσασθαι: δύνασθαι is omitted by FBYO. Reiske has secluded it and has proposed in its place δεόντως or ὀρθῶς but G.H. Schaefer has correctly said that much of the force and meaning of the two words is carried by μάλιστα. In Weil's opinion those who do not accept δύνασθαι do so because of the cacophony produced by repeating -ασθαι twice. The infinitive παρεσκευάσθαι given by F and Y¹ is in the wrong tense. The three -ασθαι infinitives which are close to one another give emphasis to the point that the Athenians will stand the comparison with their ancestors if they prepare adequately.

οἱ μέλλοντες λέγειν: μέλλοντες is omitted by FBYO but it is written in the margin of Y(Y³). The same with ὄντες too. p.VII. has οἱ λέγοντες instead of οἱ μέλλοντες λέγειν.

εἶ οἶδ' ὅτι: it is a formula that means "I am sure" and is used with εἶ or without εἶ cf. D. XXI. 65, XXXVI. 31, LIII. 3 (*see also G.H. Schaefer 735-7*).

εἰ δὲ...δύναιτο..λελύσεται: λελύσεται is given by S only and it seems to be the best reading. This future perfect creates a kind of mixed conditional (it should strictly be λυθείη ἄν). D. will identify himself with ὅστισοῦν a bit later. The first part of the conditional is tentative, "if someone were able" but the second part is more assertive, "then all the fear will have vanished". This firm future perfect certainly suggests D.'s certainty that if his suggestions are followed there will be definite results.

παρῶν φόβος: *see* introduction chapter 1 section I about the reasons for alert in Athens.

ἂν ἄρ' οἴός τ' ᾧ: the meaning is "if after all I will prove to be such a person", cf. Denniston *Particles* 37: "ἄρα in a conditional protasis denotes that the hypothesis is one of which the possibility has only just been realised: <If after all>".

πειράσομαι...μικρὰ προειπών: notice the tentative language D. is using and the promise of brevity which serves the *captatio benevolentiae* but also presents the audience with his intention to talk briefly about what the others have mainly talked. The other orators must have spoken about the glory of the past, what great deeds their ancestors were able to achieve and that they should emulate their great efforts. The cornerstones of their orations must have been references to great battles of the Persian wars and the peace of Kallias with the main proposal being war against Persia.

ὡς ἔχω γνώμης περὶ τῶν πρὸς βασιλέα: Weil thinks that ὡς governs the genitive. Wolf (G.H. Schaefer) thinks that it is an example of the construction of ἔχω plus genitive plus adverb cf. XIV. 12: οὐχ ἡδέως ἐνίων ὑμῖν ἐχόντων... The example Wolf gives is not at all the same since the genitive ἐνίων is just the subject of ἐχόντων. The meaning certainly is "what my opinion is on ...". Examples of ὡς ἔχω and genitive are Hdt. VI.116 ὡς ποδῶν εἶχον and Xen. *Hell.* IV. v. 15 ὡς τάχους ἕκαστος εἶχεν (as fast as each could). This construction must illustrate the manner in which a certain action takes place.

Section 3

βασιλέα: in Attic authors normally βασιλεύς without the article means the king of Persia, see *LSJ* βασιλεύς III, but cf. Diod. XVI. 75: τῆς γὰρ τοῦ βασιλέως αὐξήσεως διαβεβοημένης κατὰ τὴν Ἀσίαν ὁ βασιλεὺς ὑφορώμενος τὴν τοῦ Φιλίππου δύναμιν (the former is Philip and the latter the Great King).

That the King of Persia was the worst enemy of Greece must have been realised in the Persian wars. It is commonly agreed anyway that the Persian wars forged a common Greek conscience and identity (see S. Perlman "Panhellenism, the Polis and Imperialism" *Historia* 25(1976)1-30). The Peace of Kallias, if it was ever struck, signified the total victory of Greece against Persia; the Greeks re-discovered Persia later as a useful aid against Athens after the Sicilian defeat, Thuk. book VIII is an invaluable source for the development of this relationship. The memory of the Persian wars faded

gradually especially as the Greeks discovered that the money of the King was given out lavishly when Greek states were at war. Of course the Greeks did feel superior to the Persians but this did not stop them from trying to obliterate each other. It is exactly this tendency that Isocrates tried to attack by publishing the *Panegyrikos*, inciting the two great powers of the time, Athens and Sparta, to repeat the triumphs of the Persian wars. Characteristic of how the Greeks viewed their superiority is the episode between king Agesilaos and satrap Pharnabazos, *Xen. Hell.* IV.i.29-40, there Agesilaos talks about relations to the Great King urging Pharnabazos to shake off the King's authority saying *καίτοι ἐλεύθερον εἶναι ἐγὼ μὲν οἶμαι ἀντάξιον εἶναι τῶν πάντων χρημάτων.*

Notice the certainty with which D. begins to unravel his arguments after the proemium: *ἐγὼ νομίζω.* He does not try to qualify the assertion that the King is the enemy of all Greeks; to do that he would have to refer to the Persian wars and it was his promise at the proemium not to fill his audience with images of past glories. Knowing that he is going to argue against war he needs to assert first of all, in a way that resembles an unquestionable principle, that he is against the King, that the King is the ultimate enemy.

μόνοις τῶν ἄλλων: "alone among the others"; what actually is meant is "alone from everybody else" and this is an expression found again in Lycourg. *Leocr.* 26 νόμον ἔθεντο...μόνου τῶν ἄλλων ποιητῶν (τοῦ Ὀμήρου) ῥαψωδεῖσθαι τὰ ἔπη. According to Weil expressions such as *Il.* I. 505 ὠκυμώτατος ἄλλων are equivalent to such expressions with *μόνος*, as here. *μόνος* has the sense of being all alone, of being totally different from the point of comparison.

πόλεμον πρὸς αὐτὸν ἄρασθαι: *πόλεμον αἶρομαι* means to begin, undertake war as in Aesch. *Suppl.* 342, Hdt. VII. 132, Thuk. IV. 60, D. V.5; *αἰρεῖσθαι* could be used in the sense of choosing war instead of peace. S gives *αἰροῦμαι* here and in XVI. 22 *καὶ νῦν οὐχ ὑπὲρ τοῦ μὴ παθεῖν τι κακὸν πολεμεῖν αἰρουμένους* (there the other mss. give *ἀραμένους*). In XVI *αἰροῦμαι* seems to be the best reading as D. wants to present the Spartans as having a choice on whether they want war or peace; they have consciously reached an imperialistic decision to reassert their authority rather than actually defend Sparta. The phrase under discussion is quoted in Aristeid. 98 (p.39 lines

15-17) *Rhetores Graeci* (G. Schmid ed.) vol.V (Leipzig 1926) and Schmid there preferred ἄρασθαι and so had Reiske done (*see* G.H. Schaefer 739). Butcher attributes αἴρεσθαι to Aristeides, but that is a reading of the Aldine edition adopted by Spengel and Dindorf but was not transmitted by any of the extant mss. of Aristeides (Fuhr thinks incorrectly that αἴρεσθαι was kept in Aristeides by P). The use of ἄρασθαι by another source like Aristeides suggests that this is the most likely reading; in terms of meaning both make good sense.

οὐδὲ γὰρ...ὄντας φίλους; it is a precondition for D. that Greeks should be united if they want to fight Persia. At the time of XIV Athens was trying to control Philip in the north and was an ally of Phokis in the Sacred war. The Sacred war had involved Thessaly, Lokris and Boiotia, all against Phokis and their allies and certainly the recently seceded allies of Athens would not be very friendly either.

ἀλλ' ἐνίους μᾶλλον ἐκείνω πιστεύοντας; he refers to the usual Greek practice of seeking assistance from the Persians when there was a war in Greece. Sparta had done so at the end of the Peloponnesian war and Konon had won at Knidos in 394 with a Persian fleet. Thebes had tried to use the Persian threat in 366 to impose a common Peace upon the Greeks and used Persian money to build her fleet. Persia, especially after the Peace of Antalkidas in 387, became the arbitrator of the Greek affairs using her financial resources against any power that threatened her and the balance of power in Greece. At the same time he refers perhaps to the Thebans, who were traditionally on friendly terms with Persia and the secession of the allies (Kos, Rhodes and Chios) who were supported by Persian money.

ἢ τισιν αὐτῶν; refers to the Greek powers that would act as hegemones and organise the attack against the barbarian; it is of course Athens that he has in mind.

τὴν μὲν ἀρχὴν τοῦ πολέμου τηρεῖν ὅπως ἴση καὶ δικαία γενήσεται: "take care that the leadership of the war will be equally distributed and just". ἴση must refer to the responsibilities that each city should bear after the beginning of the war. His attitude is that Athens should not be entangled more than the other cities and that each one should contribute its due share to the war. The word δικαία conveys the meaning that because leadership in a war is very important it has to be performed in a way that

will not cause any injustice at all. These principles had not been followed by Athens in both leagues she had led, and D. suggests here a less high handed manner of leadership and a more "first among equals" approach.

ἴση καὶ are attested only in S and F(added in the margin). SFY read ζητεῖν instead of τηρεῖν and Fuhr has adopted this option. ζητέω would mean to pursue but ζητέω with ὅπως is not really used in this sense as it means to enquire, to search. τηρέω with ὅπως seems to convey the right sense, cf. Pl. *Theait.* 169c, Aristoph. *Theesm.* 580, Aristot. *Pol.*1309b.16.

καὶ τοῦθ' ὑποκεῖσθαι: "and set this as a principle". FA³Y add after ὑποκεῖσθαι τῇ γνώμῃ, meaning to set this as a principle with judgement. τοῦθ' refers to preparation.

Section 4

ἐναργές [τι]: SA read ἐναργές τι and FY τι ἐναργές. τι renders ὡς βασιλεὺς αὐτοῖς ἐπιχειρεῖ awkward and Cobet *MC* 70 is right in deleting it.

γένονται: S reads γίνονται. Cobet *NL* 374 thinks that the unnecessary τι caused a dittography when the scribe was copying γένονται, and copied it as γίνονται. With *FAY* reading γένονται I would be more willing to accept γένονται than Fuhr's γίγονται.

κἄν συμμαχήσαι καὶ χάριν μεγάλην ἔχειν: S has the aorist and present infinitives. O reads συμμαχήσειν and FY ἔξειν. The conditional sentence is a less vivid form of a future condition and suggests D.'s opinion that the King is not going to attack Greece. κἄν is a fair conjecture by Tournier, S reads κἄν. The current readings give out much better this sense of subtleness the argument requires than the future infinitives; D. wants to express the unlikeness of the possibility that the King might attack Greece. The argument is that the Greeks, if there is a solid provocation from the King, will all stick together and support the states that have the means to defend Greece decisively.

προαπεχθησόμεθα: this is the reading of the mss. The passive ἀπεχθάνομαι means to incur one's hatred, to be or become hateful and the translation would be "But while this is still uncertain, we first become hateful [by commencing hostilities first Athens would be seen as reviving her imperialistic past]". It does not make good sense

and it is too elliptic a verb to be suitable here. Cobet's *MC* 70 προὔπαχθησόμεθα seems more preferable "But if, while this is still uncertain, we commence hostilities before anyone else...". The verb ὑπάγομαι, cf. 35 ὑπαχθῆναι προτέρους ἐκφέρειν τὸν πόλεμον and V.10, means to draw somebody into doing something.

ὑπὲρ ὧν προνοούμεθα: he refers to the other Greeks that Athens seeks to protect.

Section 5

ἐπισχῶν ὧν ὤρμηκεν: "ceasing from the things which he has started to do".

εἰ ἄρ' ἐγχειρεῖν ἔγνωκε τοῖς Ἕλλησι: "If after all he knows how to lay his hands on Greece", for such a translation of εἰ ἄρ', see Denniston *Particles* 34. I disagree with Weil since he sees this as a tentative suggestion that the King is not going to attack Greece.

χρήματα δώσει: this is a bitter remark on Greek affairs after 413 when the Spartans after the Sicilian disaster considered the use of Persian money. The King always attacked his main enemy or enemies in Greece by combining the other Greeks against them. This he would achieve by flooding the city or cities he wanted to use as a bulwark against his other enemies in Greece with money as well as skilfully using the cities' desire for hegemony. The Persian policy towards the Greeks could be summarised by Xen. *Hell* I.v.9: σκοπεῖν ὅπως τῶν Ἑλλήνων μηδὲ οὔτινες ἰσχυροὶ ὦσιν, ἀλλὰ πάντες ἀσθενεῖς, αὐτοὶ ἐν αὐτοῖς στασιάζοντες.

ιδίους πολέμους: he means by it internal strife in Greece, the main characteristic of Greek affairs in the 4th century.

προτενεῖται: προτείνομαι can mean to offer, cf. *Hdt.* V.24, VII. 161, Pl. *Phaedr.* 266b, D. XIX.2 τὴν ἀειλογίαν ὀρῶ προτεινομένους. Cobet proposed προτενεῖ in *NL* 600. Both the active and the middle can mean the same, to offer. Perhaps Cobet preferred the active which can also mean to stretch out forward e.g. a hand; this would mean that the King stretches out his friendship, but the meaning would admittedly be much the same so Cobet's conjecture does not offer much more to the sense of the text.

εἰς δὲ τὴν ταραχὴν ταύτην...: "I ask you not to plunge our city in such a political confusion and folly". Both ταραχὴ and ἀγνωμοσύνη refer to the whole political stage

of Greece with the King interfering and an endless strife between the Greek states; the whole attitude of the Greek states seems to be folly.

Section 6

οὐδὲ γὰρ οὐδ': οὐδ' is added only by S. It is more appropriate as the repetition of οὐδ' adds emphasis to his new argument that Athens does not have the same attitude to the King as the rest of the Greeks do, cf. Pl. *Phaedr.* 278e, Xen. *Cyr.* VII. ii. 20, D. XXVII. 43.

ἀπ' ἴσης ὀρώ...τὴν βουλήν οἶσαν: G.H. Schaefer 742 thinks that the orator wanted to express the meaning ἀπ' ἴσης μοίρας, ἐπ' ἴσοις μέρεσι. The argument is that Athens does not have the same basis for policy about the King as the other cities have. It is true that Athens was the traditional enemy of Persia, especially with their links with the Ionian Greeks. They had helped with the Ionian revolt of 494, they contributed largely to the Persian wars victories and had enforced on Persia the humiliating Καλλίου εἰρήνη. When the Peace of Antalkidas was signed, Athens was one of the states that was difficult about the surrender of the Ionian Greeks, but had to back down or face diplomatic isolation and military defeat.

ἀλλ' ἐκείνων...ἀμελήσαι: in D.'s view the other Greeks were more susceptible to an agreement towards the King. This was not always true for Athens if one remembers that the battle of Knidos was fought by Konon with a Persian fleet.

ἐᾶσαί τινας...γενέσθαι: this phrase explains ταύτην τὴν δίκην, and is a skilful way D. uses to add weight to the period, accumulating this phrase, essential to understand ταύτην τὴν δίκην, in the very end.

ἀλλ' ἐκείνων...γενέσθαι: "but I think that it is possible to most of those governed by some private interest to neglect the other Greeks, whereas to you it is not honourable to punish the wrongdoers by letting them slip under barbarian rule". Athens did see herself as saviour and protector of Greece, certainly D. amplified this notion, cf. IX. 19-20, 23-24, X. 46, XVIII. 9, VI. 10.

Section 7

ὅπως μὴθ' ἡμεῖς...ἴσοι: ἴσοι here means "equally prepared for war", cf. παρασκευάζεσθαι in 3 and the next part of 7 where he talks about the city's

preparation. The orator explains his way seeing politics in Greece. Each city tries to prevent the others from growing strong by fighting them.

ἡμεῖς ἡγούμεθα...λήψεται: notice that Athens only has a clear vision of Persia as the main enemy, the others fall into Persia's trap. In this perspective ἡμεῖς is preferable to ἡμῖν given by S¹.

φαίνεται...αἰρουμένη: this is the reading of F and O (FA according to Fuhr). SA read φρονεῖν ἐπὶ ταύτῃ τῇ προαιρέσει. The reading of FY would mean (with ταύτῃ referring to δυνάμει) "...will show herself to be choosing to think justly regarding power". It is doubtful that ἐπὶ with the dative has this meaning and I prefer the option SA offer (has been accepted by Weil and Fuhr): "She will show herself to think justly because of this course of action".

Section 8

τοῖς δὲ θρασυνομένοις: "to those who are emboldened". θράσος, θρασύτης, θρασύνομαι usually have a negative meaning in D. but they can also have a positive meaning too with the sense of an irrational urge, of admirable (superhuman perhaps) courage; cf. Eur. *Med.* 466, Aristoph. *Lys.* 545, Bacchyl. 16.63, Soph. *Philokt.* 104. The *Etym. Magnum* has under the lemma of ἀπόνοια: καὶ γὰρ θρασύτης ἐστὶν ἡ ἄλογος τόλμα. After examining all the instances of θράσος and its compounds in D. it seems that boldness does describe sometimes the way orators speak and even supplements the concept of eloquence. θράσος is connected with terms such as ἀσέβεια and ὕβρις in XXI; cf. 2, 10, and esp. 201.

In this specific case D. is "advising" those orators who are emboldened and urge war too readily. In effect he criticises them and tries to project his own reasons for addressing the Assembly. The others are bold, this quality deriving from a total absence of targets that should include the city in their scope, as they endeavour to achieve their personal ends.

D. distinguishes two situations that the Assembly is convened for:

- i. When the Assembly is deliberating while there is no danger.
- ii. When the Assembly is facing a danger.

When the others talk, their speeches manifest themselves in the first situation courageous and brave, δόξαν ἀνδρείας, and in the second situation eloquent and clever, δεινόν. The infinitive φανῆναι certainly undermines the meaning of δεινόν altogether, pinpointing to the audience that it is not true δεινότης or rather that δεινότης without action is just worthless. D. tries to put things in their natural order:

- i. when the Assembly deliberates, one should speak with prudence as part of a healthy competition to see who is the best adviser of the city;
- ii. when danger approaches it is time to act, display bravery and talk much less.

Boldness here consists exactly of distorting the situation in order to seem brave or eloquent, i.e. for a personal end, manipulating the audience.

Further examples illustrate this as in p.XLV. 2: μὴ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, φανῆτ' ἀγνοοῦντες ἐν τῷ παρόντι νῦν, ὅτι αἱ διὰ τῶν λόγων ἀνδρεῖαι καὶ θρασύτητες δεινόν, ἐὰν μὴ μεθ' ὑπαρχούσης ὥσι παρασκευῆς καὶ ρώμης, ἀκοῦσαι μὲν εἰσιν ἡδεῖαι, πράττειν δ' ἐπικίνδυνοι. This is a good parallel because it juxtaposes the two different tendencies. On the one hand boldness and bravery through words only, on the other preparation as the only way to render the city strong. The distance between words and deeds can prove dangerous. Another parallel is pXXXII. 2 εἰ μὲν γὰρ ἀγνοοῦσ' ὅτι τὸν μέλλοντα πράξειν τὰ δέοντα, οὐκ ἐπὶ τῶν λόγων θρασύν, ἀλλ' ἐπὶ τῆς παρασκευῆς ἰσχυρὸν εἶναι δεῖ. This contains the same notion that θράσος is combined with empty words without any pursuit of a common purpose.

It is obvious that θράσος has become a component of the persuasion process combined with δεινότης; cf. XXII. 25 and 31. D. says there that the lawmaker does not make the law according to one or other group in society. That is why he does not e.g. make the law for the θρασεῖς καὶ δεινοὺς λέγειν because the other citizens would not be able to defend themselves properly. θράσος is not eloquence only but carries with it the kind of "audacity" that one needs to deliberately misguide, with no other visible end than his own benefit and ascendance. The implication about the audience is that they misunderstand the boldness for a positive charisma, mistaking it for courage and energy.

ἐνδείκνυσθαι: S reads thus, *FAY ἐπιδείκνυσθε. ἐνδείκνυμαι* means to give proof of, cf. D. XXI. 66, to prove, whereas *ἐπιδείκνυμαι* means to show, to demonstrate. In view of the message D. wants to convey i.e. that courage should be employed in danger whereas prudence when there is a need for deliberation, he is more likely to have used the verb *ἐνδείκνυσθαι* meaning that in a dangerous situation one should prove rather than show off his courage.

Section 9

τὸν μὲν πόλεμον...τὸν δ' ἄγωνα: there is a certain distinction between πόλεμος and ἄγών. The introduction of this distinction is the one of general and particular. To win a general war against Persia is very difficult in his opinion, yet it is easier to win a single battle. This is of course a paradox. The rhetorical question *διὰ τί;* is natural. The answer is that wars need preparation, money and ships, whereas the active element of each particular engagement is the manpower. According to D. Athens has excellent men, ἄνδρες ἀγαθοῦς, whereas the King is superior in ships and money, the actual basis of any war.

A caution to avoid proclaiming Athens as incapable of war against the King is prominent in this part of the speech. The delicate distinction between πόλεμος and ἄγών proves it. As D. explains his argument another question would probably come up in the mind of his audience, namely whether the Athenians in the days of Marathon were lacking funds and preparation. They certainly lacked both. It was because of their superior tactics and bravery that they won that battle. If they were able to do it then why not repeat that now? Of course one could say that it was not Athens that had started that war, and at any rate they had no other alternative. Nor were the rest of the Greeks hostile to them. But D. does not raise those difficulties.

It can be assumed that the previous orators had used the Persian wars as a perfect example of Athenian superiority towards the barbarians and up to a point D. agrees with that. He does not raise at all the Persian Wars at this difficult point of the speech. It is rather strange for a speech devoted after all to a discussion of war against Persia. Yet there is a deliberate focus on contemporary affairs, examining the expediency of such a war under the perspective of the current situation. Any reference to individual

Athenian successes in the Persian wars would convey the wrong message - that the Persians were easy prey. In XIII there are six (26-31) sections on the ancestors, in an effort to inspire Athenians because of their past achievements. In XIV he could speak of the Empire at least, but he chooses to remain silent about the past and concentrate on the present. The business-like style of talking with realistic and concrete proposals is characteristic of D. (cf. IV). The absence of the *progonoi* is remarkable, instigated by a wish to avoid sentimentality that might undermine his argument for a necessity to prepare and face Greek affairs first.

ῥάδιον ἄν συμβῆναι: This reading of S contains the correct readings but the rearrangement by Cobet *MC* 71 renders it more natural (S reads συμβῆναι ῥάδιον ἄν). The participle συμβάντα given by FAY instead of the infinitive is quite inappropriate with νομίζω.

Note the use of συμβαίνω with the adverb meaning to "turn out" in a certain way; cf. Xen. *Anab.* I.ii.63 οὔτε πολέμου κακῶς συμβάντος, *Cyr.* V. iv. 14.

τόπων: D. enumerates the assets one must have in order to win a war; ships, money and strategic positions. Weil correctly draws the distinction between τόπος and χωρίον. The latter can mean a fortified post or town but what D. means here is a whole network of islands, shores, ports, positions (the scholiast Dilts page 172 line 21 successfully names them ἐπικαίρους τόπους) that one can use to muster an army, retreat or reorganise.

Section 10

διὰ ταῦτα: it refers to the next sentence as well as the previous one recommending the preparation of a superior force.

μηδ' ἐξ ἑνὸς τρόπου προτέρους: "do not, in any way at all, be the first to undertake the war...".

εἰ μὲν οὖν ἕτερος...ἕτερος δέ τις: διὰ ταῦτα refers to this argument. It is a rather sophistic one. The message seems to be that there is no need for Athens to say whom they are preparing to fight. If there were two ways to face the enemies, one against the Greeks and one against the barbarians, one totally different from the other, then their enemies would know (by the way the preparations looked) whom the

Athenians were preparing against. The outcome would consequently be a strike by the respective enemy in order to prevent Athens from attacking first; in such a case Athens should consider to attack first. This is a paradox. In order to face any war one needs money, ships, soldiers, strategic points etc. whether it is against Greeks or Persia. He is going to argue this in 11.

δυνάμεως ἦ: Dion. Hal. in *Rhet.* IX. 10 has ἦ but the mss., referring to τρόπος, have ᾠ (the meaning is the same).

φανεροῖ: Dion. *loc. cit.* adds πᾶσιν after φανεροῖ which makes sense but is not included in the mss.

πρὸς ἐκεῖνον: the reference is to the Great King. He would be suspicious seeing Athens preparing against him.

Section 11

ὁ αὐτὸς τρόπος: notice the antithesis between ἕτερος ... ἕτερος and ὁ αὐτός. A more complicating factor is the addition in Dion. of οὗτος after αὐτός. This makes the speaker expect further analysis "the way to prepare is this very same one, to do such and such..." rendering the phrase in question rather awkward since one would expect straightaway the analysis of αὐτὸς οὗτος. οὗτος is absent from the mss. but Fuhr has noticed in Y, after αὐτός, 3-4 letters reading αὐτο (?). Are they the remnants of οὗτος or just a diagnosed dittography of αὐτός? If οὗτος is added to the text the phrase καὶ...δυνάμεως should be in a parenthesis as an additional emphatic note on the following aims of preparation.

ἐπεὶ...τρόπος: the answer to the paradox is that there is only one way to prepare. Notice how skilfully he has moved to limit the definition of τρόπος δυνάμεως to παρασκευή. Everything is tantamount to preparation. The argument here is that Athens should start preparing, and since there is only one way to prepare either against the Greeks or against Persia their efforts will not be intercepted, as the enemies will not know who they are preparing against. The point is to show that Athens would be better off if she waited than if she began a war. The argument in itself is false, because when a city or a country notices preparations in one or more of her declared enemies she does her best to strike first before they become too strong. So if Persia knew that Athens

posed a threat to her power she would strike before Athens would become fully prepared. This rather weak point is strengthened by reminding Athens of the situation in Greece.

τῆς δυνάμεως: Dobree *Adversaria* 383 thinks that τῆς δυνάμεως should be deleted since it could be a dittography from τρόπος δυνάμεως of 10. Blass thought so too and compared it to Liban. *Or.* XII. 90.3 "εἰδὼς οὖν ὀρθῶς ὅτι δεῖ στρατιώτην ἕκαστον προσκυνῆσαι, ὡς τοῦτ' ὄν τῆς παρασκευῆς κεφάλαιον...". The relevance is not obvious unless Blass thought that κεφάλαιον παρασκευῆς is a standard expression meaning "the essence of preparation", which is unlikely since κεφάλαιον acquires its meaning according to the context.

καὶ δεῖ ταῦτ' εἶναι κεφάλαια τῆς δυνάμεως: Dion.Hal. *Rhet.* IX. 10 has totally left out this phrase, presumably thinking that the meaning is clear and that the aims D. sets for Athens are clearly understood as the the main points of preparation.

ταῦτ' εἶναι κεφάλαια: the meaning of ταῦτ' is that the main components of the Athenian policy should be the same, whoever the enemy, and not diverse ones. That is why the proposed policy is to conserve what they already have, save the allies and contain their ambitions in Greece.

τοὺς ἐχθροὺς...σώζειν: the aims of preparation and the power that will emerge should be turned towards Greece. This argument strengthens the one that Athens should not attack Persia first, by suggesting the inefficiency of Athens within Greece. The achievement of these aims is considered as a prerequisite by D. and he is counting on the knowledge that the Athenians have of their weakness. The main aims should be

- i.** to face the enemies (Philip)
- ii.** to save the allies (they had lost Amphipolis, Methone, Pydna)
- iii.** to be able to save their existing ἀγαθά.

So his argument is a double one. Why rush when they can quietly prepare, and why find new enemies when they cannot settle their current affairs.

ὁμολογουμένως: this is Dobree's *Adversaria* 383 suggestion. S and Y have ὁμολογουμένους. The other mss. have ὁμολογοῦντας. The verb ὁμολογῶ appears mostly either in the active or the middle transitive but there are cases of the passive too,

where the infinitive εἶναι is understood; cf. Andoc. IV.17 ὁμολογούμενοι δοῦλοι, Timocl. Com. F1 ὁμολογουμένους θεούς, Thuk. VI. 89 ἀλλὰ περὶ ὁμολογουμένης ἀνοίας. Its meaning then is "by common agreement, by common consent" and here "... when we have enemies that everyboby agrees are such [nobody disagrees that they are enemies]". Butcher compares this to XX. 39 : ἡ διὰ τοὺς φαύλους τοὺς ὁμολογουμένως ἀξίους χάριτος τὰ δοθέντ' ἀφαιρεῖσθαι. The passive participle can in my opinion be kept.

ἀλλὰ: the addition of οὐ after ἀλλὰ by FAY, suggests that the sentence was considered as a question but S has it without οὐ and it makes good sense.

παρασκευασώμεθ': the aorist subjunctive makes very good sense. It is an exhortation to prepare; "let us prepare against the other Greeks, and we shall defend ourselves against the King too".

ἀμυνόμεθα: there is a case for coordination with παρασκευασώμεθ' . Dion Hal. *Ars Rhet.* IX.10 writes ἀμυνόμεθα.

ἂν ἡμᾶς ἀδικεῖν ἐπιχειρῆ: the hypothesis referring to the King shows that D. considers an attack by him remote. Dion. *Rhet.* IX. 10. has πῆσῃ (according to Usener's correction) instead of ἀδικεῖν ἐπιχειρῆ.

Section 12

καὶ νῦν μὲν καλεῖτε: the verb here need not be in the imperative. He must be referring to the previous orators who, as part of the war effort, probably had enumerated the cities that Athenian ambassadors should be sent to. This idea of sending out ambassadors will recur again before the Peace of Philocrates, when Athens was indignant at the capture of Olynthos and the fate of its inhabitants. Euboulos said that ambassadors should be sent even to the Red Sea; cf. D. XIX. 304. The καὶ νῦν conveys the impression that this is a new Athenian action in the wrong direction.

οὐχ ἡδέως ἐνίων ὑμῖν ἐχόντων: it is not a long time since the Social War, when Athens was obliged to recognise the independence of the most important of her old allies (Byzantion, Rhodes etc.). The first hand of S has ὑμῶν but ὑμῖν is correct because ἡδέως ἔχω governs a dative; cf. V. 15.

ὑπακούσεσθαι: the future infinitive is appropriate as it is the apodosis of ἄν...μὴ ποιήτε.

ὅτι νῆ Δία...αυτοῖς: this can be the imaginary answer of the Athenians to D.'s question. If it was intended so, then ἡμῶν is correct. The sentence should be between quotation marks. For other imaginary remarks in the form of νῆ Δία... cf. D. IV. 10, VI. 13, VIII. 9, X. 26, XIII. 28.

ἀλλ' οὐπω...διαφορῶν: the Greeks fear Persia and realise the danger she poses but the fear of Athens and other Greek cities is greater because it is more imminent.

μείζων: some of the mss. add μείζων οὗτος after (S^d F, A, Y according to Fuhr) but it is clear that "this" fear is the fear of Athens and other Greeks and the first hand of S omits it.

οὐδὲν οὖν ἀλλ' ἤ: the origin of ἀλλ' ἤ is disputed. Whether it is derived from ἀλλὰ ἤ or ἄλλο ἤ is not certain; for more information, see Denniston *Particles* 24-27, W. Cook "On the use of ἀλλ' ἤ in Aristotle" *CQ* 3(1909)121-4 and K. Brugmann *Griechische Grammatik* (Munich 1913)634. In this context the meaning is "except", common after a negation. Comparison made between phrases containing ἄλλο ἤ and ἀλλ' ἤ, cf. Pl. *Euthyd.* 277e, *Apol.* 20d, *Soph.* 226a, Xen. *Anab.* III. ii.18 suggests that there is no difference between them and that ἀλλ' ἤ originates in ἄλλο ἤ.

ῥαψωδήσουσιν: a parallel is XXV. 2: ...καὶ νῦν εἰ μὲν εἰσιν ὑμῶν οἱ πλείους οἷοι τοὺς πονηροὺς φιλεῖν καὶ σώζειν, μάτην ἔρραψωδηκότας ἡμᾶς ἔσεσθαι, εἰ δ' οἷοι μισεῖν, δίκην, ἐὰν θεὸς θέλη, τοῦτον δώσειν. The meaning is that if the jurors favour injustice then his speech is useless garrulity (nonsense) similar to the songs of the rhapsodoi who would go around reciting epic poems. Whether reciting Homer was at that time considered useless we do not know, but it is improbable. D. rather means here that the ambassadors' words would be rather like a good poem which is heard with pleasure (and is soon forgotten perhaps) but does not have any dramatic effects on the audience, when their objective should be to influence them and forge an alliance with Athens.

Section 13 (the whole of **13** is cited by Dion Hal. Περὶ Θουκ. 54, where he tries to show that D. was influenced by Thukydidēs)

ἂν ἄρ' ἃ νῦν οἰόμεθ' ἡμεῖς πράττηται: this is the reading of SYO. The other mss. read: ὑμεῖς πράττητε. Cobet *MC* 71 thought that without these sentences the meaning would be good, but none of the mss. have omitted them. The use of *πράττομαι* is rather peculiar here. The meaning as S reads is "Then, if what we now expect is done ...". What the Athenians think "now" is that an attack of Persia is imminent. The inclusion of D. himself in ἡμεῖς is indicating that he is referring to the Athenian fear of a Persian attack and **not** to the proposed Athenian attack against Persia. If *πράττηται* is passive then its subject is the relative clause; but if in the middle form it can be used with active sense (equivalent to *πράττη*) and its subject can be the King. ὑμεῖς πράττητε is rather awkward since he ought to include himself in *πράττητε* because he was part of ἃ νῦν οἰόμεθ'.

τηλικοῦτον ἐφ' αὐτῷ φρονεῖ: "thinks so highly of himself".

χιλίους μὲν ἱππέας: μὲν is omitted by S but should be retained because of ὀπίτας δ'...ναῦς δέ. This reference to the cavalry men is further proof that the Athenian cavalry proper in the 4th c. numbered 1000 men (cf. Xen. *Hipparch.* IX. 3 which suggests that the number was difficult to maintain). Aristot. *A.P.* 24. 3 mentions 1200 ἱππεῖς but Thuk. II. 13. 8 asserts that the ἱπποτοξόται were included in the number of the 1200 cavalry men. If this was continued in the 4th c. there were 200 archers on horseback and 1000 cavalry men proper. Andoc. III. 7 repeats the number of 1200; for the 5th c. cf. Aristoph. *Eq.* 225, and for an account of the evidence Rhodes *Constitution* 303, cf. L.J. Worley *Hippeis* (Oxford 1994)70, I.G. Spence *The Cavalry of Classical Athens* (Oxford 1993)16, 97-102.

τριακοσίας: the number of Athenian triremes near the date of this oration was around 300, in 353/2 totalling 349 (*I.G.* II² 1613. 284-292).

ἀφάμαρτεῖν: rather poetic but see Xen. *Hell.* VI. 1. 15. ἐφάμαρτάνω is similarly obscure; with this meaning in Tryph. Περὶ τρόπων 194 Spengel.

ἐκ δὲ τοῦ...ἐπισχεῖν: this mixing of waiting and preparation sums up his policy towards the King.

δεομένους σώζειν..έστιν: before this, one should probably add <τὸ> in the text, to make the phrase correspond to τὸ δεῖσθαι and make it easier to understand.

Preparation will bring the desired results. It is better to be asked for help than ask for help. Whereas in the first place nobody would trust the hegemony of Athens, when the danger would move in they would all turn to her for protection. This call for preparation has some Thukydidean (or Perikleian) substance in it, cf. II. 43: ἀλλὰ μᾶλλον τὴν τῆς πόλεως δύναμιν καθ' ἡμέραν ἔργῳ θεωμένους καὶ ἐραστὰς γιγνομένους αὐτῆς, καὶ ὅταν ὑμῖν μεγάλη δόξη εἶναι, ἐνθυμουμένους ὅτι τολμῶντες καὶ γινώσκοντες τὰ δέοντα καὶ ἐν τοῖς ἔργοις αἰσχυρόμενοι ἄνδρες αὐτὰ ἐκτίσαντο.

Section 14

ἐγὼ τοίνυν...εὐρεῖν: D. begins here his exposition of the concrete proposals he wants to offer to the assembly. Notice the strong personal conviction, ἐγώ, and the contrast he stresses between himself and the other orators. He does not have time or words for long speeches and irrelevant diversions. He has plenty of advice to offer on one subject **only**, *paraskeue*. It is interesting that he makes the transition from the previous topic to the present one, through the conviction that he is totally in possession of a different attitude from the other orators; this was his proemium's technique and he seeks here, before his proposals, a similar introduction to prepare his audience.

θρασὺν: in 8 he criticised again those audacious orators who urged thoughtlessly for war.

μάταιον μῆκος: he attacks the lengthy speeches that must have gone on endlessly about the glorious past.

λόγον...εὐρεῖν: "come up with a speech...".

ὅπως ὡς ἄριστα καὶ τάχιστα: FY omit ὡς. It should be kept as the use of ὡς before superlatives, intensifies their meaning; D. wants to stress the effectiveness of his proposals.

αὐτήν: FAY read αὐτούς, S only reads αὐτήν. FAY's reading is certainly wrong, the scribes after copying ὑμᾶς thought that the reflexive pronoun was needed, changing αὐτήν to αὐτούς.

ὕμᾱς: A reads ὕμᾱς, SFY ὕμῶν. Weil adopts the reading of S. The accusative would be the subject of διακεῖσθαι whereas the genitive means "your own". Both are perfectly acceptable.

ὥς...ποιήσοντα: this participle is perhaps an accusative absolute; an accusative absolute is usually preceded by ὥς or ὥσπερ but most commonly used with impersonal verbs.

Section 15

ὀρᾶτε...ἐγένετο: see Part 3 of the introduction for an evaluation of the gradual buildup of this long and elaborate period, with μέν and δέ constructions. Notice also the symmetry of the period ὅσα μὲν πῶποθ'...οὐδὲν πῶποθ' ὑμᾶς ἐξέφυγεν, ὅσα δ' ἠβουλήθητε μὲν,...οὐδὲν πῶποθ' ὑμῖν ἐγένετο. What is also worth noticing is that this is the first time in this oration that D. is referring to Athenian unwillingness to act on their decisions, and a general indifference towards what they should consider as their duty, when he should have already offered better support for the justification of his proposals, just as he did in IV. 2-15; this has been explained further in chapter 2 "Structure and argument of or. XIII", of the introduction.

ἀπεβλέψατ' εἰς ἀλλήλους: S reads thus, FAY read πρὸς. The verb ἀποβλέπω is usually constructed with the preposition εἰς, cf. D. II.29: ...ὅταν μὲν εἰς τὰ πράγματ' ἀποβλέψητε; it means look to somebody for something, expect something from someone.

τὸν δὲ πλησίον πράξοντα: this is an accusative absolute. A very similar thought is expressed in D. IV. 7 ...καὶ παύσησθ' αὐτὸς μὲν οὐδὲν ἕκαστος ποιήσειν ἐλπίζων, τὸν δὲ πλησίον πάνθ' ὑπὲρ αὐτοῦ πράξειν.

Section 16

παρωξυμμένων: this is the reading of SA, FY read παροξυνομένων. The perfect participle is perhaps better here than the present one, with D. probably saying that they have been incited to war up to now, describing a state reached, whereas he is changing the tune for the moment; admittedly both tenses can be used without a major difference in the meaning. The verb παροξύνομαι means to exacerbate a situation, to incite into action, cf. Xen. *Hell.* VI.iv.6, D. LVII.2. D. here implies that since they have been

excited and incited to action anyway they could as well reform the symmories, thus diverting all that energy to *paraskeue*.

τοὺς διακοσίους καὶ χιλίους...προσνείμαντας: for a thorough account of the twelve hundred and of all the naval reforms, *see* the introduction, chapters 5&6.

τῶν ἐπικλήρων...ἀφαιρεθέντων: for a full discussion, *see* chapter 5 section VII.

ὄρφανῶν: A reads ὄρφανικῶν. In Aristot. *Polit.* II.8.7 τὰ ὄρφανικὰ mean the property and interests of the orphans. τὰ ὄρφανικὰ could mean the property of the orphans, and it is certainly what D. means here, but it seems that it was not used very often as a word, so ὄρφανῶν is probably a safer option.

σώματα: members of trierarchic symmories.

Section 17

τούτων...ἄνδρας: each of the 20 symmories (this was the number of the already existing symmories) would be divided in five parts, with 12 members each, giving 100 *small* symmories.

ἀνταναπληροῦντας...ἀπορωτάτους: D. suggests that within the symmories there should be an equal mixture of affluent with less affluent men; this would avert the concentration of too many wealthy men in one symmory and too many poor in another, making the latter ones face hardship should they be appointed as trierarchs. A reads ἀπόρους but the superlative εὐπορώτατον guarantees that the reading of the other mss. is correct.

σώμαθ': S adds τοῦτα, Fuhr has included ταῦθ' in his text (emending S), whereas Weil and Butcher do not include it. I agree that ταῦθ' is unlikely to have been included, as D. was referring to members of symmories in general.

Section 18

τὰς δὲ τριήρεις πῶς: with a question he changes to a different set of proposals.

τριακοσία: the number of triremes in 354/3 was around 300, cf. *I.G.* II² 1613. 284-292.

κατὰ...διδόντας: each of the new *small* symmories is to receive 3 triremes, the *large* ones 15. Apparently the 300 triremes would be divided in three groups of 100, from which 5 ships from each group would be allocated to form a group of 15 ships to

be allocated to each symmory. The reason for this manner of distribution is probably to make sure that the ships that go to one symmory are not from a certain group of ships (old or damaged or very good ones), in order to maintain some sort of balance.

καὶ τῶν δευτέρων ἑκατὸν...πένθ': all this is omitted in S. Because of the repetition of ἑκατὸν πέντε the scribe must have skipped the missing part of the text. It has been added in fine letters in S.

συγκληρῶσαι: the verb simply means to award by lot. The 15 ships gathered in the method D. mentioned above would be allocated by lot to each symmory in an effort to provide as much equity as possible. If for example a symmory got a number of ships that were unfit to travel or for any reason too expensive to launch, they could not put in a complaint that they were deliberately given those ships. The practice of allocating ships by lot was in practice already in the Athenian navy since the adjective ἀνεπικλήρωτος appears in many naval inscriptions.

Section 19

τίμημ'...ἑξακισχιλίων ταλάντων: the sum of 6,000T was the aggregate evaluation of Attic property. Exactly how it was calculated we do not know but it seems that it was rather the overall property of Athens, perhaps not including the property of the very poor citizens like the thetes, on which the calculation of the *eisphora* tax was based, *see* chapter 6 section IX of the introduction.

διελεῖν τοῦτο...ἀποδοῦναι: for a full account of these proposals, *see* again chapter 6 section IX of introduction. What D. proposes here is, in my opinion, to graft the 6,000T *timema* on the trierarchic symmories. There would be 60T allocated to each of the 100 *small* symmories or 300T to each of the *larger* ones. Exactly how it would work we do not know but it seems that 60T for example correspond to certain people that their collective properties could be evaluated at 60T. That is why the verb ἐπικληρῶσαι is used. Each group of people with a property of 60T would actually have to pay towards the naval cost of one of the 100 groups of naval contributors. Because it involved people who can sometimes be unpredictable (just like the groups of triremes that could prove to be faulty and thus had to be allotted to the symmories) each of the *large* symmories would be allocated by lot five groups of 60T, and in its turn

each symmory would allocate one 60T group to each of its 5 *small* symmories; this was to ensure that there would be no grudge should a specific group prove unreliable in its financial support .

εἰς ἐκάστην: this is the reading of S. A reads ἐκάστη. Both readings are acceptable.

Section 20

ὅπως..τριηραρχοῦντα: in this section D. gives an example of how the needs of 100, 200 or 300 ships would be covered in ships and finance. If there was a need for 100 ships then there would be 12 trierarchs - an entire *small* symmory - available for each ship (one would take over) and the 60T group of contributors would help with the expenses. If there was a need for 200 ships then there would be 6 trierarchs available for each of the two ships (two would take over) and each ship would be covered by 30T. If there was a need for 300 ships then there would be 4 trierarchs (three would take over) available for each and 20T "worth" contributors would cover the expenses. This distinction between the τριηραρχοῦντα σώματα and the financial support (συντέλεια) supports the argument, in my opinion, that the trierarchs, or those liable to be trierarchs in D.'s reform, i.e. his 1200, were independent of the financial supporters who would contribute for the ships. Since this connection of the trierarchy with the *eisphora* payers (at least this is what seems to be implied by the 6,000T) is presented by D. as something new, perhaps it never existed, which is a further argument favouring my opinion that the trierarchic symmories were different from the *eisphora* ones.

τριηραρχοῦντα: Dobree *Adversaria* 384 deleted the two occurrences of the word in this section. The participle does not mean that if there was for example a need for 200 ships each of the 100 symmories would have to offer six trierarchs when it is obvious that they should offer two. Certainly the participle can be misunderstood but what D. means here there would be six **available** trierarchs. Dobree has deleted them not because of the misunderstanding they could cause (he should delete τριήραρχοι δ' ὦσι δώδεκα as well) but because they could have originally been added as explanations and then inserted into the text; I do not think their deletion is necessary.

Section 21

ὦ ἄνδρες Ἀθηναῖοι: it has been placed after τρόπον by FY. In my opinion S' reading is better since it places the new subject of his reforms right at the beginning, which seems better for commencing a new topic.

τὰ ὀφειλόμεν'...τῶν σκευῶν...τιμήσαντας: the ships' equipment in the Athenian navy was provided by the state. Each trierarch could either borrow it from the curators of the yards with the obligation to return them in the same condition to the harbour for the next trierarch to use or he could buy his own *skeue* and keep them for the next time they would be appointed as trierarchs. Many trierarchs were in arrears regarding the return of the equipment as D. XLVII makes clear; for D. to want to include settlement of these arrears in his reforms suggests that it was a perennial problem that had to be dealt with. He proposes to deal with it in his similar manner; after evaluating the debts from the register they would be divided and allotted to each of the large symmories, which in their turn will divide them equally among their small symmories. Each large and small symmory would be responsible for the recovery of the debts. Allotment ensured that bad debtors would not be deliberately avoided or assigned to any symmory. I am not sure if actually these debts would still be in kind or whether they would be translated into money.

ἐκ τοῦ διαγράμματος: the διάγραμμα was the register of the debts of naval equipment in the hands of the curators of the yards, an inventory of owed *skeue*, cf. XLVII.36, 43. It is a common word for a register and it was also used to indicate, according to Harpokration Δ35, the sum that each member of the *eisphora* symmories had to pay; a member of the symmory called διαγραφεύς was the one who would have the register of the amounts owed.

χρήστων: genitive plural of χρήστης. Mss.' FAYO χρηστῶν is a confusion from χρηστός (from the verb χράομαι). The meaning of the word here is debtor, cf D. XXX.12 and XXXII.12.

τὸ ἴσον: omitted by Y¹. It is necessary to complete the meaning that each *large* symmory will distribute part of the debt allotted to it equally to the *smaller* ones.

Section 22

σκάφη: he refers to the actual hulls as opposed to the equipment, *skeue*.

πλήρωσιν δ', ἢ καὶ σαφῆς ἔσται: the orator now turns to the matter of the boarding of the ships. He hopes that his proposals can add speed and precision to that process. There seems to be some confusion in the mss.; πλήρωσιν is reported as πλήρωσις in S(added)FAY. ἢ is not reported by the other mss except for S (S has ὅθεν added) and a correction in Y. A reads σαφῆς ὅθεν. The presence of ὅθεν indicates that an alternative reading could have been (before the confusion in the mss.): πλήρωσιν δ', ὅθεν καὶ σαφῆς ἔσται καὶ ῥαδία... Both such readings could be acceptable but the one Butcher has adopted is closer to S, whose reading makes good sense without any change.

φημί...φυλάς: D. wants the generals to find 10 locations in the yards; each point will have a capacity of thirty ships, containing thirty νεώσοικοι, one for each trireme. To each point will be allocated, two symmories, thirty ships and one tribe. The tribe will provide the conscripts for the manning of the ship.

διανεῖμαι τόπους: "to distribute locations, to find places".

κατὰ τριάκοντα: D. wants the νεώσοικοι of each point to be one next to the other.

Section 23

τὸν δὲ ταξίαρχον...τριττῶς: the taxiarch will divide in three the number of ships available to each point (three sets of ten triremes) and then distribute by lot each trittys of his tribe to them. This way there will be one specific place for the tribe to assemble in case of an emergency; this system will be very precise as each specific trittys of the tribe will know exactly where to report at the docks.

ταξίαρχον: FY read τριήραρχον which is obviously wrong as a trierarch had nothing to do with the military administration of the tribe.

ἕκαστον: FAY add after ἕκαστον: καθ' ἕκαστον νεώριον ἵνα ὦσιν συμμορίαὶ δύο, τριήρεις τριάκοντα. This phrase is omitted by SA and it certainly is incompatible with the meaning of the text at this point. It probably was a scholion in the margin incorporated in the text.

τριττῶς: each φυλή was divided in three parts τριττῶες.

ἐν ἐκάστη μέρος ἦ: μέρος (subject of ἦ) here means place, location, point, belonging to each tribe in contrast with the whole place available for the ships.

ποῦαι: this is the reading of FY; SFA read πόσαι, which is wrong as the orator argues that with his new system they will be able to track down and cure any problems or deficiencies starting from the tribe and ending to an individual ship. It is more appropriate then that he refers to the condition and not the number of the ships.

[καὶ...ἔχη]: this phrase has been correctly suspected by Dobree *Adversaria* 384. It seems as an explanatory note on the wrong reading πόσαι which was later integrated in the text.

εἰς ὁδὸν καταστῆ: "if these [the proposals] set off and run smoothly", cf. XXV. 10 ὁδῶ βαδίζει.

παραλείπομεν: the editions do not agree on the readings of the mss. Fuhr claims that Y reads παραλείπομεν whereas Butcher that BO do so. They both agree that S reads παρελείπομεν which is wrong since we need the present. It is not clear if D. refers to himself in the plural, i.e. if **he** has left out anything, or if he refers to the Athenians, i.e. if they leave out anything now, adroitly pre-empting their decision.

ἴσως: SA read thus. FY read ἀκριβῶς πως. ἴσως means "equally, in like manner" and ἀκριβῶς πως "in any way precise". Both are possible.

αὐτὸ...ἑαυτῶ: Weil has changed the order to αὐθ' ἑαυτῶ τὸ πρᾶγμα. This change is not absolutely necessary although αὐτός can be usually combined with αὐτῶς for greater emphasis, cf. Aesch. *Sept.* 406 αὐτὸς καθ' αὐτοῦ, Ag. τοῖς αὐτὸς αὐτοῦ πῆμασιν βάρυνεται.

καὶ πασῶν...μέρους: Blass has deleted this phrase, which he thought was a scholion on σύνταξις incorporated in the text. I think the phrase is necessary as D. is closing his remarks and he would like to create some emphasis by saying that his proposals will work in every respect.

Section 24

παράδοξον μὲν οἶδα λόγον ὃν μέλλω λέγειν, ὅμως δ' εἰρήσεται: this is the reading of S. A reads λέγω μέλλων λέγειν, and YO μέλλων λόγον λέγειν. Blass

decided to emend the sentence to παράδοξον μὲν οἶδα λέγων, ὅμως δ' εἰρήσεται. Blass's emendation seems quite abrupt at first look because he does away with the μέλλω and λόγος, words that appear in some form or another in the mss. There is some justification for this. Whenever D. wants to express something paradoxical he uses the adjective παράδοξον in its neuter form without a noun, cf. III. 10: μὴ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, θαυμάσητε, ἂν παράδοξον εἶπω τι τοῖς πολλοῖς. νομοθέτας καθίσατε, IX. 5: καὶ παράδοξον μὲν ἴσως ἐστὶν ὃ μέλλω λέγειν, ἀληθὲς δέ... notice that in this case παράδοξον is explained by a relative clause containing μέλλω, p. LVI. 3:... ὃ τισιν παράδοξον ἴσως ἔσται πρὸς τὸ τοῦς λόγους ἐλάττους εἶναι, σιωπῶντας ἀκούειν. Blass must have also considered the μέλλω clause as unnecessary since the verb εἰρήσεται conveys the idea of futurity anyway, deleting it as just an explanatory insertion by the scribes. Yet the presence of a relative clause in IX. 5 suggests that D. could have written something like that. The reading S gives is satisfactory. A's does not make any sense since the verb λέγω does not offer any meaning, whereas YO's is in my opinion the best since it avoids the relative clause with a participle (verbs like οἶδα normally take participles).

πιστεύω γὰρ, ἐάν τις ὀρθῶς σκοπῇ...φανεῖσθαι. D. after promising to say something παράδοξον tries to justify his decision. The παράδοξον is not always against the opinion of the Athenian people. It is just a way of attracting the audience's attention. In IX.5 he is going to explain why the affairs of Athens are in such a bad state. The παράδοξον is the phrase τὸ χεῖριστον ἐν τοῖς παρεληλυθόσι, τοῦτο πρὸς τὰ μέλλοντα βέλτιστον ὑπάρχειν. This does sound like a riddle (τί οὖν ἐστὶ τοῦτο;) but D. will go on and explain it later on. He also usually comments on the παράδοξον as if it is something beneficial. In our case he stresses that the reason for speaking out (the παράδοξον) is the necessity for clear reasoning, if one is to reach the truth and even foresee the future. In IX. 5 he just says that παράδοξον is ἀληθές. In XVIII. 199 he is trying to pre-empt the audience's reaction about his παράδοξον by saying: καὶ μου πρὸς Διὸς καὶ θεῶν μηδεὶς τὴν ὑπερβολὴν θαυμάση, ἀλλὰ μετ' εὐνοίας ὃ λέγω θεωρησάτω and in III. 10: μὴ τοίνυν...θαυμάσητε. It is important for him to inform his audience about the worth of his different or strange opinion,

making either an appeal to them or the Gods or just saying that his opinion is right since he thinks right.

ἐγὼ φημι χρῆναι μὴ λέγειν νυνὶ περὶ χρημάτων: this is the paradox. The audience would have wondered by now if he was going to point out any means to carry on the war that is imminent for them but D. says there should be no talk about funding at that point. Money was the most important thing for a campaign and the refusal of D. to talk about it must have caused a sensation among the audience.

οὐδ' εἰς τόθ' ὑπάρχειν ἡγησόμεθ': SA give δ' εἰς τότε, the other mss. δὲ τότε (Butcher). Weil and Fuhr note instead that this dissent among the mss. occurs a little later in the phrase ὑπάρξων δ' εἰς τότε; Notice the contrast between ἤδη with the present and εἰς τότε with the future.

ἡμῖν: S reads ὑμῖν but in view of the person of ζητῶμεν and ἀποσχίσομεν, ἡμῖν is a better choice.

αἰνίγματι γὰρ ὅμοιον τοῦτό γε ... ἐγὼ φράσω: the word αἰνίγμα is exciting the audience further, especially after they heard the παράδοξον that it is not time to talk about money. The ἐγὼ φράσω complements the αἰνίγμα and is characteristic of D. In IX.5 after the παράδοξον he continues τι οὖν ἐστι τοῦτο; It is like responding to an imaginary question of the audience.

The use of αἰνίγμα in the only other instance of the word in the Corpus is masterly (XIX. 328). There he accumulates (section 325ff.) a series of expectations that Athens had but turned completely opposite from their wishes e.g. ἀντὶ τοῦ τὰς Θήβας ταπεινὰς γενέσθαι καὶ περιαιρεθῆναι τὴν ὕβριν καὶ τὸ φρόνημα, τὰ τῶν συμμάχων τῶν ὑμετέρων τεῖχη κατεσκάπτετο. At the end of this series of ἀντὶ τοῦ, then *such and such happened* he adds: ...καὶ γέγονεν τὰ πράγματα πάνθ' ὥσπερ αἰνίγμα τῇ πόλει. One would expect the αἰνίγμα to be in the beginning and the series of false expectations to explain it afterwards but its use in the end serves as a conclusion reviewing the whole string of disappointments: ...ὁ μὲν οὐδὲν ἔψευσται καὶ πάνθ' ὅσ' ἐβουλήθη διαπέπρακται, ὑμεῖς δ' ἅπερ εὐξαισθ' ἂν ἐλπίσαντες, τὰναντία τούτων ἐώρακατε γιγνόμενα, καὶ δοκεῖτε μὲν εἰρήνην ἄγειν, πεπόνθατε δὲ δεινότερ' ἢ πολεμοῦντες.

Section 25

ὄρατε...πᾶσαν ταύτην: this phrase has been either misquoted or quoted from another speech in Aristeid. *Rhet.* IX p.388 where he talks about gestures and emphasis: κατὰ δὲ σχῆμα ἔμφασις γίγνεται, ὅταν τις δεικτικοῖς χρῆται, οἷον...καὶ πάλιν ἐν συμβουλευτικοῖς "ὄρατε ταύτην τὴν πόλιν, ἐν ταύτῃ τηλικαύτῃ τὸ μέγεθος οὔση". Walz thought that this was taken from the *Symmories* speech but this is not possible without paraphrasing. It has to be noticed though that the next quotation Aristeides gives in the same section (D. XXXVI. 50) is fairly close to the text of the mss.; cf. also: Aeschin. III. 17: ἐν γὰρ ταύτῃ τῇ πόλει, οὕτως ἀρχαία <τ> οὔση καὶ τηλικαύτῃ τὸ μέγεθος. At this point D. must have shown the entire city with his hands.

πρὸς ἀπάσας τὰς ἄλλας πόλεις: πρὸς and accusative here implies superiority. Athens is superior to all other Greek cities in respect of her finances; it is true that Athens was one of the most prosperous cities, mainly because of the commerce she attracted even in her decline in the 4th century. D. is not completely wrong when he says that. What he wants to stress is that the problem does not lie in the existence of money as such but in the way it should be used. For a similar use of πρὸς and accusative; cf. Hdt. VIII. 44.1.

οἱ λέγοντες: after οἱ A adds ἐνταυθί, SBO do not add anything and all the rest of the mss. add ἐνταυθοῖ. Ἐνταυθοῖ implies motion *to* a place (cf. Aristoph. *Ran.* 273, *Lys.* 4, 568, 570) whereas ἐνταυθί (a stronger form of ἐνταυθα) is more static. D. in this part of his speech is very lively (*see* below) and a word meaning "in or towards this stand" would certainly be appropriate, certainly accompanied by a movement of body and hands. Using ἐνταυθοῖ the orator could be showing with his hand the way that a speaker would have to go through until he arrived on the speakers' stand. Ἐνταυθί would on the other hand mean *here, in this same place*. In my opinion ἐνταυθοῖ should be added after οἱ as it would make this part of the speech more lively.

ὥς ἕξει...ὥς πάρεστιν...ὥς οὐδ' οἷόν τε: notice the alternation between the future ἕξει and present πάρεστιν. D. wants to dismiss the other orators as being unreliable; some say that he (the King) will come, others that he is already there, and others that

there is no escape from the present situation (i.e. war against the King). The three successive ὡς clauses convey skilfully the idea that the other orators go on and on about the same matter in a crescendo fashion, adding no positive aspect to the whole debate.

καὶ...ἴσοι τὸ πλῆθος τούτοις χρησμοδοῖεν: Reiske emended to χρησμοδοί to provide a noun for ἴσοι. The καὶ in the beginning of the sentence though should connect the preceding φοβοῖεν with another verb - χρησμοδοῖεν. The translation goes "and ... an equal number of people utter oracles". The irony of χρησμοδοί is very obvious and is yet another word designed to discredit those who create false impressions about the emergency of the situation. For another example of people uttering prophecies cf. Thuk. II. 8. 2 at the time before the Peloponnesian war broke out: καὶ πολλὰ μὲν λόγια ἐλέγετο, πολλὰ δὲ χρησμολόγοι ἦδον ἔν τε τοῖς μέλλουσι πολεμήσειν καὶ ἐν ταῖς ἄλλαις πόλεσιν.

οὐδ' ἂν δόξειαν [οὐδ' ἂν ὁμολογήσαιεν]: Butcher has preferred to follow Cobet's emendation in *NL* 226. The mss have ἀλλ' οὐδ' ἂν δείξαιεν οὐδ' ἂν ὁμολογήσαιεν. Cobet thinks that δόξειαν has been confused with δείξαιεν and he prefers the former because in his opinion the latter means nothing. My opinion is that the reading of the mss. should be respected because in such a context the words δεικνύω and ὁμολογῶ have a semi- meaning. D. asserts that the rich class think any war at that point is unnecessary and a waste of money. Being sure that Athens is not threatened by the King they will decide not to pay their *eisphora*. Of course if an *eisphora* was levied the rich people would have no other legal alternative but to pay it. The possibility that the rich people would not pay their *eisphora* is scare-mongering by D. but the effect on the people must have been rather shocking, the ulterior motive behind it being that they would realise the illogicality of a decision to renew war. A further consequence, in D.'s opinion, would be for the propertied class to hide completely their properties from the people. This could be done by e.g. liquidating one's property in cash. Property which was φανερά could be taxed, whereas ἀφανής was far more difficult to subject to taxation. The whole argument is again sophistic. Although people could hide cash deriving e.g. from a maritime venture, a decision for

war against Persia at that point would be unlikely to make a real estate holder, whose income depended on this estate, to sell it and keep the cash in a safe place. It would be rather absurd for everybody to do so. Indeed there were people in Athens that belittled their property in order to pay as little *eisphora* as possible. In Isaeus VII. 39 Pronapes is accused for under-rating his *timema* (ἀπεγράψατο τίμημα μικρόν) while Apollodoros had φανερά τὰ ὄντα καταστήσας ὑμῖν in order to pay in full his public duties. Yet D. is playing here with the feelings of his audience by trying to suggest that social cohesion would be threatened by such an irresponsible decision as to declare war.

At any rate δείκνυμι and ὁμολογῶ seem to be connected with those who decided (or not) to make their property visible, declare it to the public and therefore make it subject to taxation and liturgies or the opposite. In D. XLII. 23 we read: "σὺ τοίνυν δείξον χαλκοῦν ἓνα μόνον εἰς τὴν πόλιν ἀνηλωκῶς, ὃ τὰς δύο λητουργούσας οὐσίας παρεληφῶς. ἀλλ' οὐ δείξεις· ἀποκρύπτεσθαι γὰρ καὶ διαδύεσθαι καὶ πάντα ποιεῖν ἐξ ὧν μὴ λητουργήσεις τουτοισὶ μεμάθηκας. ἀλλ' ἐγὼ δείξω πόλλ' ἀνηλωκῶς, ὃ τὴν μικρὰν οὐσίαν παραλαβὼν παρὰ τοῦ πατρὸς". Note how δείξεις is placed next to ἀποκρύπτεσθαι; cf. also XLII. 5: "... ἔδειξα καὶ διεμαρτυράμην". In another passage also the verb ὁμολογῶ is used to denote acceptance of ownership: Lys. XIX. 50 "αὐτοὶ γὰρ ἔναγχος ἠκούετε ἐν τῇ ἐκκλησίᾳ, ὡς Διότιμος ἔχει τάλαντα τετταράκοντα πλείω ἢ ὅσα αὐτὸς ὁμολογῆται παρὰ τῶν ναυκλήρων καὶ ἐμπόρων". Ὅμολογῶ is used in the sense of ἀποφαίνω, revealing one's property. It would be a mistake to argue that these two verbs have a technical meaning and are used systematically in the context of visible and invisible property. It just happens that their meaning can convey revealing and admitting one's ownership (on visible and invisible property see V. Gabrielsen *C&M* 37(1986)99-114). δόξειαν is possible but δείξαιεν seems to be a better choice. Cobet's argument that ὁμολογήσειαν ἄν is superfluous is not quite successful if D. wanted to emphasise that there was no way that the rich would let their property become obvious to the people.

Section 26

οὐχὶ κἄν δοίη: S reads οὐχίκαν, A οὐκ ἄν and FY οὐχ ἱκανόν. The reading of F and Y makes sense (ἱκανόν meaning sufficient money, defining perhaps an understood ἀργύριον) and it seems to be a *lectio facilior* than the οὐχίκαν of S. These two words are very easily corrupted palaeographically and it might be impossible to ascertain which was the original reading. The key is that with the reading of FY the plain optative would not be justified. Notice the emphasis that D. uses in order to make his point stronger, οὐχί a stronger form of οὐ and the two καί: κἄν δοίη καὶ πρῶτος.... Reiske's οὐχ ἐκὼν ἄν is ingenious but unnecessary.

εἰσενέγκαι: F and Y εἰσενέγκοι. It is not clear which in D., the -οι or the -αι form, is more common, cf. D. XXI. 28.

πορίσαιτ' ἄν: the active potential optative is more appropriate than FA and Y's πορίσαισθ' since it indicates the vigorous efforts of the Athenian *demos* which will finally end in nothing; the sentence goes on with active πορίζειν.

εἰ προέλοισθ': S reads ἦ and B (according to Butcher or F1 according to Fuhr) ἦ. Eὶ makes very good sense (this is the reading of the other mss) because with ἦ this clause would repeat the previous one; a further reason is that with εἰ it becomes ironic since D. tells the Athenians that it is up to them to decide, only to conclude that if they decide to do so there will be no result whatsoever.

πλείων ἐστὶ γέλωσ τοῦ μηδενός: should they go ahead with their decision the sum they would gather would be a laughing stock, Vince translates: "..., for the whole sum that you could raise, if you insisted on raising it, would be more ridiculous than nothing at all". What D. means is that it would be better for them not to gather any money at all than gather so little that it would hardly be enough for any act of war at all. The irony is here at its highest point and one is to think that the whole of Greece would laugh at such a sight of mighty Athens not being able to get enough money; for an analysis of D.'s ironic style and the political implications of his approach at this part of the speech see chapter 3 of the introduction.

Section 27

ἑκατοστὴν...ἑξήκοντα τάλαντα..., πενηκοστὴν..., τὸ διπλοῦν;...δωδεκάτην ..., πεντακόσια: de Ste Croix *Timema* 34 believes that in case of an *eisphora* it was not worthwhile to levy it for less than 60T and this instance is one of his arguments for this conclusion, because it is mentioned first in a series of hypothetical levies. Hundredth means 1%, fiftieth 2%, and twelfth 8.3% of the national *timema* of Athens, the declared property of its citizens (exactly what social classes of the Athenian citizenry paid the *eisphora* cannot be specified for certain). A twelfth would have been an unbearable burden for the Athenians who would have to surrender in cash one twelfth of their declared property, an amount which as far as we know was never levied in Athens. It is worth noting that the amount D. has in mind when he calculates the percentages for the *eisphora* is 6,000T (cf 19). It has been suggested (cf. introduction chapter 6 section IX) that D. in 19 talks about the *eisphora*. In my opinion since he discusses the levy of *eisphora* here (7 sections away), it is more possible that in 19 he discusses the connection of the *eisphora* assessment to the new 1200 he proposed.

διακοσίας καὶ χιλίας καμήλους: any amount of money would be totally inadequate in front of the 1200 camels that carry the King's money. The image of so many camels carrying gold (a number interestingly similar with the 1200 naval contributors - maybe he is playing with the image of so many animals just carrying gold, when all major financial activities in Athens were carried out by 1200 people). This lively image of so many camels carrying gold adds some "spice" to the whole argument and is "apotropaic" to any wish for war.

ἀλλὰ θῶ βούλεσθε: τίθημι (see *LSJ* βούλομαι II. 1) can mean to lay down, to assume, to suppose as in Plat. *Phaed.* 79a : "θῶμεν δύο εἶδη". The meaning here is "do you want me to suppose...?".

οὔτ' ἂν ἀνάσχοισθε: ἂν has not been included in S which reads οὐτ'; after correction it reads οὔτ' εἰ along with A and Y. ἂν is in FA and Y and FY¹ read οὔτ' ἂν εἰ. The ἂν ἀνάσχοισθε clause is not a hypothesis as εἰ καταθεῖτε is. The potential optative suggests the opinion of the orator that the Athenians would not accept at all such heavy taxation. D. once again shows that at the present situation

levying the *eisphora* is impossible in view of internal dissent and that even if it was levied it would simply not be enough at all.

Section 28

ἐν καλλίονι: this phrase is equivalent to ἄμεινον or could perhaps mean "in a better place".

καὶ δυνάτ'..καὶ πράττειν καλὰ καὶ συμφέροντα: these are standard deliberative topoi, cf. X. 54, XVI. 10, 25.

καὶ πράττειν...καὶ ἀπαγγεληθῆναι: these infinitives supplement the adjectives καλὰ καὶ συμφέροντα καὶ ἐπιτήδεια, with the phrase ταῦτ' ἐστὶ understood.

περὶ ὑμῶν: S has παρ' ὑμῶν which implies that the source of information for the King would be provided by Athens itself and should be preferred in my opinion. Although the King would learn about Athenian preparations from his agents in Athens the infinitive ἀπαγγεληθῆναι suggests that Athens would not try and hide the fact that there are preparations being made against him; I prefer the reading of S, cf. also 38.

Section 29

οἶδε μὲν γε: this use of μὲν γε in the beginning of the sentence is near to μὲν γοῦν or μὲν γὰρ and introduces an explanation; cf. D. XVIII. 180: "σοῦ πλέονος ἄξιος ὢν ἐφάνην τῇ πατρίδι. σὺ μὲν γ' οὐδαμοῦ χρήσιμος ἦσθα", cf. 30 ὁ μὲν γε χρυσίον, ὡς φασιν, ἄγει πολύ, and 40 ἐκ μὲν γε τῶν πρὸς τοὺς...

διακοσίαις τριήρεσιν, ὧν ἑκατὸν παρεσχόμεθ' ἡμεῖς: it is only S and the scholiast Dilts 175.18-19 that set the number of Greek triremes at 200. The scholiast says: "...διότι ἡμεῖς μὲν νῦν κεκτήμεθα τριακοσίας τριήρεις μόνοι, τὸ δὲ παλαιὸν διακοσίας πάντες οἱ Ἕλληνας". Hdt. VIII. 44 and 48 says that the Greek navy at Salamis had 366 ships of which 180 were Athenian ones. D. himself in XVIII. 238 says: "..., πρῶτον μὲν ἀγνοεῖς ὅτι καὶ πρότερον τῶν ὑπὲρ τῶν Ἑλλήνων ἐκείνων ἀγωνισαμένων τριήρων, τριακοσίων οὐσῶν τῶν πασῶν τὰς διακοσίας ἡ πόλις παρέσχετο". D.'s latter statement is the conventional number of the Greek ships that took part in Salamis (300) of which the Athenians provided 200; cf. Aesch. *Pers.* 338, Corn. Nepos *Them.* 3. Why D. here gives such a small number of the Greek fleet in

XIV we do not know and it can certainly be a scribe's mistake since the number could be HHH and then HH and the scribe could have copied HH and H.

If the numbers are correct D. just wants to give the impression that the 300 strong fleet of Athens is at the moment larger than the unified Greek fleet of 200 ships (a false and artificial number) which defeated 1000 Persian ships. That Athens around the delivery of XIV had approximately 300 ships is verified by *I.G. II*²1613.284-292. That F (before correction) AY have τριακοσίας instead of διακοσίας still does not prove that there is a mistake in S only because the allegedly 100 Athenian ones are still not near the conventional number; it could be that D. wanted to minimise the number of the ships Athens offered in the Persian wars with which an incredible number of Persian ships was defeated, in order to demonstrate their superiority at the moment of the speech.

χιλίας ἀπολέσαντας ναῦς: this is a round figure. Aeschylus *Pers.* 339 as well as Hdt. VII. 89 and 184 mention 1,207 ships, ἀπολέσαντας must mean "utterly lost" not "destroyed".

τριήρεις: it does not appear in A. G.H. Schaefer, Dindorf and Blass prefer to delete it.

ὥστε...μηδ' εἰ πάνυ μαίνοιτο...νομίσαι: Butcher has suggested that ἄν should be added after μηδ' in order to make the infinitive potential but in my opinion the meaning is just as good without ἄν: "so that he will absolutely not think - not even if he were completely insane - that...".

ῥάδιόν τι: A omits τι and adds εἶναι. Indeed this infinitive should be understood in connection with ῥάδιον anyway, and τι makes the point stronger: "so as not to think...at all an easy task to face an enemy like Athens...".

ἀλλὰ μὴν...γε: D. had concluded in the previous sentence that the King should think twice about attacking Athens. Now with the strong adversative use of ἀλλὰ μὴν...γε he suggests another reason why the King might attack Athens. According to Denniston *Particles* 119 γε in this case serves to define more sharply the new idea introduced.

ἀφορμὴν: it means "starting-point".

Section 30

πολύ: it is omitted by F A and Y but the point here is exactly that the King has a lot of money.

ἂν διαδῶ ζητήσῃ: διαδίδωμι means to distribute (cf. D. XLIX. 14, 48), "he will seek it in vain if he distributes it" i.e. that if the King starts a war the already existing resources he has will not be enough and he will have to look further for more. The verb ζητῶ meaning "seek in vain" is rare in Attic, *LSJ* has Hdt. I. 94 as the only other example in prose. As D. argues later on even the greatest reserve can be depleted if over-exploited.

τὰς κρήνας καὶ τὰ φρέατ' ἐπιλείπειν πέφυκεν: πέφυκεν is impersonal here so τὰς κρήνας καὶ τὰ φρέατ' are correctly in the accusative. A has αἱ κρήναι ostensibly considering τὰ φρέατ' to be in the nominative too, probably taking them both as the subject of πέφυκεν.

S A and O read ἐπιλείπειν according to Butcher (according to Fuhr SA and Y do so) whereas all the rest of the mss. read ἐπιλιπεῖν. In my opinion the present expresses better the point D. makes that it is common for springs and wells to dry up if overused.

ἄθροα πολλὰ: cf. *Od.* i.43 ἄθροα πάντ' ἀπέτισεν. ἄθροος means in crowds, heaps or masses and it can convey as in the example from the *Odyssey* the sense of *at once* "he paid for all at once". A similar use exists in D. XXI. 131 καὶ πολλοὺς ἄθροους ὑμῶν ἅμ' ἔλῃ. A reads ἄθροα πολλὰ whereas the others add καὶ before πολλὰ. The meaning is much better without καὶ because D. is using the very common image of a well or a spring becoming dry after a massive and sudden withdrawal of water.

τίμημ' ὑπάρχον ἀφορμὴν [ἑξακισχίλια τάλαντα]: Harpokration O15 says: "ὅτι ἑξακισχίλια ἦν τάλαντα τὸ τίμημα τῆς Ἀττικῆς Δημοσθένης ἐν τῷ Περὶ τῶν Συμμοριῶν [XIV.30] οὕτως ἡμῖν δὲ...ὑπάρχειν ἀφορμὴν ὀκτακισχίλια τάλαντα ἀκούσεται ἥτοι γραφικὸν ἀμάρτημά ἐστιν ἢ ἴσως ὁ ῥήτωρ συναρπάζει, ἵνα δοκῇ πλείω τὴν ἀφορμὴν ἔχειν ἢ πόλις εἰς τὸν πρὸς βασιλέα πόλεμον". Cobet *MC* 73-4 is as always judgemental but at least accepts that Harpokration did use the Attic manuscripts. I quote him: "Videmus igitur iam vivo Harpocrate, qui codicibus

Atticianis usus est et insulsissima additamenta in textum irrepsisse et scribarum errores (γραφικὰ ἀμαρτήματα) perineptos in libris inolevisse. Quam esset in talibus Harpocraton infelix coniectior supra vidimus". G.H. Schaefer is suspicious and sees the ἑξακισχίλια τάλαντα as a gloss, a scholar's note that crept into the text. Ms. F according to Fuhr has kept ὀκτακισχίλια, the same mistake that Harpokraton noted in his manuscript(s). It is interesting that Harpokraton who should have had better access to mss. than we (and definitely to older ones) did not find anywhere the correct reading. The wrong phrase must have either crept quite early in the tradition of the Demosthenic text, or, since Harpokraton could not find a ms. with a correct reading (that 800 talents was a wrong reading can be easily ascertained from 19 and 27), it is possible that the phrase was there but that at some point somebody made a mistake and the subsequent copies (the ones that Harpokraton saw anyway) contained the mistake. I prefer the latter solution and the phrase should be kept in the text since Harpokraton must have checked this phrase quite thoroughly with the existing tradition of his time.

Dobree *Adversaria* 385 suspects the word τίμημα itself and suggests ἡμῖν δὲ τὴν χώραν ὑπάρχειν ἀφορμὴν ἀκούσεται. He is not right, I think, because the word τίμημα makes the use of the number 6,000T more likely; such a large number was bound to impress the King. The word τίμημα is absolutely necessary because the comparison lies between the enormity of the wealth of the King and the great power of Attica's land which can sustain a war and bring it to a victorious end. D. tries to argue that with the right preparation and timing the King is certain to lose the game.

After the core of his argument in 28: τὰ δὲ χρήματα νῦν μὲν ἔαν τοὺς κεκτημένους ἔχειν there is an anti-climax intended to show that the King's power is not that great if Athens prepares and leaves out war for the moment. First of all Athens has too many ships for him to consider a war perfunctorily. Secondly, if the King decides to tip the balance in his favour using his treasures, D. warns that when something is spent lavishly it wanes very quickly, in the way the wells do. Then he goes on to say that the financial power of Athens is more than sufficient to win the war. It is quite appropriate for D. to end this anti-climax with the mention of the *timema* and the large sum of 6,000T, a sufficient reason to keep both in the text.

ὡς...ἀμυνόμεθα: Cobet *MC* 74 thinks that the future ἀμυνόμεθα given by virtually all the mss. is very strange. He prefers the present because: "Persae qui ad Marathonem depugnaverunt scire non poterant quam fortiter Athenienses posthac dimicaturi essent: praesentem virutem senserant.". The present would in this case express something customary, a general truth: "for the sake of which [he will hear] how we defeat the armies sent by them (the ancestors of his, present at Marathon, would know too well)". The King will either understand how the Athenians defend their country from the experience of the past. The argument that his ancestors at Marathon would know too well is highly sarcastic towards Persia since a large number of Dareios' army at Marathon was still lying there at D.'s time, suggesting that the terror of that war was still alive in the memory of the Persians.

Μαραθῶνι: this is the reading of A and Y(margin). S, F and Y¹ have ἐν Μαραθῶνι which is a pleonasm since the dative can denote the place on its own. The choice of Marathon is typical here for the relevancy of that specific battle to Athens itself.

[καὶ Σαλαμῖνι]: this addition is in S and F(added) after Μαραθῶνι. Marathon was a solely Athenian victory and, I think, more appropriate that only it should be mentioned, καὶ Σαλαμῖνι added by a scribe who thought that both battles should be mentioned; cf. *Vit. Aesch.* 20 (Sidgwick):

ἀλκὴν δ' εὐδόκιμον Μαραθῶνιον ἄλσος ἄν εἴποι
καὶ βαθυχαιτήεις Μήδος ἐπιστάμενος

Notice that D. does not get drawn in a great eulogy of the past, which he acknowledges as a lesson for the Persians; this way he remains faithful to his opinion stated in the proemium, that by just glorifying the past, no justice is done to the ancestors.

ἕως δ' ἄν κρατῶμεν: D. is certain for the victory, whenever it may come; notice the indefinite construction.

Section 31

μη̄ ξενικὸν πολὺ συστήσῃται: one of the assets of the King's wealth was that he could recruit large numbers of mercenaries he could use against insurgent satraps or

enemies of Persia. The great majority of these mercenaries was Greek. D. is arguing against the fear that the King, using his financial power, could muster a formidable force against Athens. For the availability of mercenary soldiers around that time in Greece and their use by the Phocians in their occupation of Delphi, see H.W. Parke's *Soldiers* chapter 13.

ἐπὶ μὲν Αἴγυπτον καὶ Ὀρόνταν καὶ τινὰς τῶν ἄλλων βαρβάρων: the mention of Orontes here has been taken to denote that the satrap was in revolt from the King around 354, the time of the delivery of XIV. This Orontes must be the same one as the famous ring-leader of the Satraps' Great Revolt which began according to Diodoros in 362/1 (Diod. XV.90.1-92.1 - for information on his activities before the Great Revolt, see Xen. *Anab.* II. 4.8, III.4.13, 5.17, IV.4.3.ff., Diod. XIV. 27, cf. Reinach *REG* 3(1890)362ff, Beloch *GG²* vol. III 138ff, W. Judeich *Kleinasiatische Studien* (Marburg 1893)221ff.). The orthodox view (Beloch and Judeich) was that the mention of Orontes in 31 pointed to a second revolt from the King, after the end of the Great Revolt. The reason for this second revolt could be the demand by Artaxerxes Ochos for the disbandment of the satraps' mercenary troops (*schol. ad D.* IV.19). This revolt would be contemporaneous with Artabazos' revolt, in which the Athenians had been involved with the service of Chares and his mercenaries under Artabazos and his subsequent victory before his withdrawal after the threats of the King (Diod.XVI. 22.1-2, Beloch *GG²* vol. III 242-3, A.B. Bosworth *A Historical commentary on Arrian's history of Alexander* (Oxford 1980)113, S. Hornblower *Mausolus* (Oxford 1982)168-9, 213-4). This view has been recently contested by M.J. Osborne in "Athens and Orontes" *BSA* 66(1971)297-321 and "Orontes" *Historia* 22(1973)515-551. Osborne doubted whether the mention of the name of Orontes could point to a date near 354/3. In "Orontes" he pointed out that we cannot deduce from XIV. 31 whether D. actually meant that the satrap was in revolt or he was just using him as an example of insurgent behaviour. An important point he makes is that D. IV. 24 does mention Artabazos but **not** Orontes. In IV.24 D. uses the behaviour of Chares' mercenaries, who had demanded that they should serve with Artabazos in order to receive some pay, to show how helpless and hopeless the Athenian generals were in view of the demos'

indifference as to the finances concerned. This argument, however correct, contains a weakness. The mention of Artabazos only in IV. 24 makes him the head of the revolt at the time of Chares' intervention. But if he was indeed the head of the revolt how is it then that he was not mentioned in 31 as well? Osborne tries to answer this by arguing that Artabazos' revolt was not relevant to what D. wanted to say, as any mention of Artabazos in 31 would be incompatible with the general spirit of the whole oration since it would illustrate victorious Greeks (Chares' mercenaries) in the service of insurgent satraps. This would not quite work in discouraging the Athenians from getting involved in a war against Persia. If on the other hand Orontes was used as only an example of a Persian satrap in revolt, against whom the King employed Greek mercenaries it would fit in with D.'s effort to discredit fears that the King was employing Greek mercenaries to use them against Athens. The mention of Egypt in this case was used just as an example of a province most often in revolt and thus the one the King most often used mercenaries against. Yet this argument is not completely watertight. If Orontes was a satrap in 354/3 then it would have to be made clear to the Athenians that he was not at that time in revolt against the King but that D. used his name to remind them of the satrap's capacity as ring-leader of the Great Revolt in the 360s. That is why Osborne prefers him dead and as evidence for this he uses the *Pergamene Chronicle*, W. Dittenberger *Orientalis Graeci Inscriptiones Selectae* (Leipzig 1903-1905)264: Ὀρόντης δὲ Ἀρτασύρου, τὸ γένος Βάκτριος, ἀποστὰς ἀπὸ Ἀρταξέρξου τῶν Περσῶν βασιλέως, ἐκράτησεν τῶν Περγαμηνῶν καὶ μετώικισεν αὐτοὺς πάλιν ἐπὶ τὸν κολωνὸν εἰς τὴν παλαιὰν πόλιν· εἶτα Ὀρόντης τὴν πόλιν ἐπιτρέψας Ἀρταξέρξει ἀπέθανεν. The word πάλιν can be of help if one takes it to mean that this was the second time that Orontes had done this to Pergamum, the first one being at the time of the Great Revolt. This πάλιν could refer then to the second revolt of Orontes, but it could refer to another case in the history of Pergamum when the inhabitants were forced to leave the city. So Osborne has correctly stated that because of lack of further hints it is impossible to place this incident within Orontes' career. If he was alive and in revolt when XIV was delivered, then the *Pergamene Chronicle* could refer to his *second* revolt. Equally easily the

information in the *Pergamene Chronicle* could refer to the Great Satraps' Revolt against Artaxerxes Mnemon (404-358). Indeed Osborne contended thus, and the information that after handing over Pergamum to the King, Orontes died could verify Osborne's suggestion that by 354 Orontes was dead. Now the whole argument can be reversed if the *Pergamene Chronicle* is taken to refer to the second revolt of Orontes against Artaxerxes Ochos (358-337) this time, in collaboration with Artabazos at some point, although there is not any literary evidence that connects them. That Orontes surrendered Pergamum to the King need not refer to the Great Revolt although Diod. XV.90.1 does say: πολλὰς τῶν πόλεων τοῖς ὑπὸ τοῦ βασιλέως πεμφθεῖσι ἡγεμόσι παρέδωκεν and Pergamum could be one of them; but admittedly he could have done the same thing in the second revolt. In my opinion it is more likely that the *Pergamene Chronicle* refers to the Great Revolt, although the information about his death cannot be strictly taken to belong to the period just after the end of the Revolt since the writer might want to give his readers the end of Orontes after his last encounter with their city and this could actually allow for some years after the surrender of the city to the King, even as far as 354. So the *Pergamene Chronicle* does not give us any positive information to date Orontes' death.

Let us come back now to assess Osborne's argument that the mention of Orontes, if he was in revolt from the King, did not facilitate the argument of D. which was aimed to calm down Athenian inhibitions that the King might use Greek troops against them; one has to admit that this is debatable. The mention of Orontes' revolt, if it was going on at the time of XIV, would show that the King had other urgent matters to attend to in his own Kingdom and that mercenaries were welcomed by the King to subdue his internal enemies. These mercenaries would be used within the Persian Kingdom only and this is definitely one of the things D. wants to demonstrate. In a similar light one should explain the absence of Artabazos here in XIV.31. One should not forget that a meeting of the *ekklesia* could be under a strong influence from an important piece of news or a rumour that might have recently arrived. If news or rumours had arrived that Orontes was in revolt from the King (indeed it should not be absolutely necessary that Orontes revolted at the same time as Artabazos) then D. mentioned Orontes only,

because he was so famous and he meant serious trouble for the King. That Artabazos was not mentioned could be due simply to Orontes' great fame and the resentment that the former's mention would bring, since it was after Chares' great victory for Artabazos that he had to withdraw from Asia Minor under the threat of war by Artaxerxes. Osborne also claims that the mention of Egypt is there just to illustrate that Egypt was as troublesome as Orontes was, using it on a national level as an example of persistent rebellion and a country that the King was using Greek mercenaries against. But around 354 Egypt was out of the King's control and we know from D. XV.11 and Diod. XVI.40.3, XVI. 44.1: κατὰ δὲ τὴν Ἀσίαν ὁ βασιλεὺς τῶν Περσῶν ἐν μὲν τοῖς ἐπάνω χρόνοις στρατεύσας ἐπ' Αἴγυπτον πολλοῖς πλήθεσι στρατιωτῶν ἀπέτυχεν... that Artaxerxes had made a previous expedition against Egypt (previous to D. XV) which had failed. Exactly when it took place we do not know but Beloch *GG*² vol. III 284-287 thinks it took place in 351/0. Parke's *Soldiers* (165 n.3) chronology is closer to 354/3: "Probably it was a rumour of his preparation against Egypt which had reached Athens and created a panic in 354. Then his actual invasion may have been at any time from 353-351". Even if the expedition took place in 351, in 354/3 Egypt was probably in revolt from the King and this was what D. was referring to.

One must agree that in general Osborne's criticism of the second revolt of Orontes is to a degree correct because of lack of sources. I furthermore concede that Artabazos gets more than one reference in the sources whereas it is not at all clear what Orontes is doing, if he was alive in the first place (it has to be stated clearly though once more, that, in IV.24 D. wants to criticise the attitude of mercenaries and generals and uses Artabazos merely because it was under him that Chares was forced to serve by his mercenaries). This total lack of references to him does not justify total certainty that he did not revolt or openly contemplate to revolt in the 350s. As far as XIV.31 is concerned Osborne has cast a shadow over taking it at face value as meaning that Orontes was **certainly** in revolt in 354.

We need to mention *I.G.* II² 207 which was discussed superbly by Osborne in "Athens and Orontes", *see* above. The inscription has been dated to 349/8 and mentions Orontes. Fragment a is now lost and has come down to us through a

facsimile printed in M. Pittakys' *L' Ancienne Athenes* (Athens 1835)500ff. This fragment provides a date for the rest of the fragments b, c and d because it contains the name of the archon. Pittakys' reading dated Fragment a to 341/0 whereas Rangabe's in *Antiquites Helleniques* vol. ii(Athens 1842-1855) nos. 397, 398 and 399) dates it to the year of archon Kallimachos in 349/8. It is Rangabe's text that Kirchner uses in II² 207. As Osborne states there is no indication that Rangabe used any other information than Pittakys' facsimile, and Rangabe admits that himself. Pittakys' reading has been undermined by Osborne persuasively for historical and epigraphical reasons, *see* ch.II of his article "The date and the circumstances of the decree(s) concerning Orontes". It suffices here to say that Orontes had disappeared from the West by, at the latest, the early forties and certainly by 341/0 since Rhosaces (Diod. XVI. 47.2 cf. Beloch *GG*² vol. III.138ff) seems to be in control of the area that belonged to the influence of Orontes, which indicates that Orontes was not any more in control of his traditional area and was perhaps dead, cf. Diod. XV.90.3 for the designation of Orontes as satrap of Mysia. Since the chronology of this decree is not well established at all, it is dangerous to use it as proof of Orontes' activity in the 340s, a fact that could perhaps have proved that he might be active at the time of XIV. This leaves 31 as the only explicit mention of Orontes in these times and Osborne's argumentation has shed some considerable but not decisive shadow on Orontes' activity in the late 350s.

μισθοφορεῖν: Fuhr reports that F and Y¹ read μισθοφορῆσαι in obvious imitation of the previous ἄν ἐθελῆσαι. The present makes perfectly good sense.

εὐπορίαν...κτησάμενος ἀπαλλαγῆ τῆς ὑπαρχούσης πενίας: for the reasons of the abundance of mercenaries in Greece in the 4th c. *see* ch. XXII in Parke's *Soldiers*: "The general circumstances of mercenary service". The orators give information that the growth in numbers of the mercenaries was due to economic pressure. Isocrates in his earliest works talked about political disorder in Greece IV.64, esp.167-168. Later he proposed that the chief states of Greece would be better occupied in founding colonies for the impoverished mercenaries, VIII.24, 44, Ep.IX.9, V.96, 121. For references in D. to the poverty of mercenaries, *see* e.g. IV. 46-ἄθλιοι and XIII. 27-ἄποροι. Parke tried to explain the emergence of large numbers of mercenary soldiers in

Greece as the result of the devastation of the peasant-farmer class. See also L.P. Marinovic *Le mercenariat Grec et la crise de la polis* (Paris 1988) esp.270-299 for more detailed information on specific changes in the Greek world by the mercenary presence.

εὐπορίαν τιν': τιν' is omitted by Y according to Fuhr. The presence of τιν' conveys the idea that the mercenaries look for a relatively better life "for some kind or other of a comfortable life", which is appropriate here.

Ἑλλάδα: F adds ἄλλην before Ἑλλάδα and Y before Ἑλλάδα has 5 letters erased (Fuhr). Since ἄλλην has 5 letters it is probable that Y had also ἄλλην which was erased as perhaps unnecessary. The use of ἄλλην is not desirable since D. means the whole of Greece and not another one.

ἐλθεῖν: F and Y (the first hand of Y according to Fuhr) read ἐθέλειν. This alternative reading does make sense since we are meant to understand that no Greek would want to join the King against Greece, but the reading of S (Butcher), SAY (Fuhr) is more succinct.

ἐπὶ δὲ τὴν...οὐδέν' ἂν ἐλθεῖν ἡγοῦμαι: D. here cleverly avoids the possibility that Greek mercenaries might fight against Athens but not against the rest of Greece. To make sure that the Athenians will not be over-concerned with the possibility of mercenaries against Greece he applies patriotic feelings to the Greek mercenaries and promotes the panhellenic ideal that Greece is the root of every Greek and that without Greece there can be no resort to the rest of the world. Any war against the barbarians is to protect the essence of Greek life: ...περὶ χώρας καὶ βίου καὶ ἐθῶν καὶ ἐλευθερίας καὶ πάντων τῶν τοιούτων. τίς οὖν οὕτως δυστυχῆς ἐστὶν ὅστις ἑαυτὸν, γονέας, τάφους, πατρίδα εἵνεκα κέρδους βραχέος προέσθαι βουλήσεται; cf. Thuk. II.43.5 (*Epitaph*): οὐ γὰρ οἱ κακοπραγοῦντες δικαιότερον ἀφειδοῖεν ἂν τοῦ βίου, οἷς ἐλπίς οὐκ ἔστιν ἀγαθοῦ, ἀλλ' οἷς ἡ ἐναντία μεταβολὴ ἐν τῷ ζῆν ἔτι κινδυνεύεται καὶ ἐν οἷς μάλιστα μεγάλα τὰ διαφέροντα, ἦν τι πταίσωσιν. D.'s comments on the patriotism of Greek mercenaries sound a familiar note of D.'s approach to Greek affairs when there is an external threat. Certainly this passage is of a panhellenic nature and H.B. Dunkel in "Was Demosthenes

a Panhellenist?" *CPh* 33(1938)291-305 has quoted 31-32 as such. He also correctly pointed out that D in 35-36 tries to show the material gains of the defeat of the barbarians in the Persian wars, 36: τίς γὰρ οὐκ οἶδεν αὐτῶν ὅτι, τέως μὲν κοινὸν ἐχθρὸν ἐκεῖνον ὑπειληφότες ὁμονόουν ἀλλήλοις, πολλῶν ἀγαθῶν ἦσαν κύριοι, ἐπειδὴ δὲ φίλον αὐτὸν νομίσαντες αὐτοῖς ὑπάρχειν περὶ τῶν πρὸς ἑαυτοὺς διηνέχθησαν διαφορῶν, ... Indeed the end of the Persian wars brought particularly to Athens prosperity as a result of her ἀρχή. Whether everybody else prospered and especially her allies is more difficult to establish but the years after the Persian wars were not years that were remembered in Hellas for their extreme poverty. The whole idea of Greek ὁμόνοια and co-operation as factors of widespread prosperity helps to persuade the Athenians that the Greeks know what is right for them, especially when they know for a fact that whenever they trusted the King the result was war and destruction. So unity brings peace and prosperity. It has to be noted that D. brings together both aspects of his panhellenic call; the ideological and the material. The involvement in 32 of traditional values such as liberty, family etc. has to be corroborated with more down to earth gains; the Greeks have nothing to lose from unity and hostility towards the King 35-36; on the contrary in the past this proved prosperous. Whether D. was a Panhellenist or not as a thinker we do not know. What we know for sure is that Panhellenism was not feasible within the political organisation of the polis and the antagonistic relations developed with the ideology of hegemony, and D. knew that better than everybody else. A more useful search is not whether D. was a panhellenist **in all his speeches** (i.e. did he mean what he said or not, as Dunkel tried to do) but rather to see **where** and **why** D. used panhellenic arguments even if they were combined with the concept that Athens should be the head state. In the *Symmories* speech the common enemy is Persia. In the *Second Philippic* it is Macedon and Philip VI.10: κέκρισθε γὰρ ἐκ τούτων τῶν ἔργων μόνοι τῶν πάντων μηδενὸς ἂν κέρδους τὰ κοινὰ δίκαια τῶν Ἑλλήνων προέσθαι, μηδ' ἀνταλλάξασθαι μηδεμιᾶς χάριτος μηδ' ὀφελείας τὴν εἰς τοὺς Ἕλληνας εὖνοιαν. Dunkel thinks that at this point D. plays with the vanity of the Athenians. Of course he does. It was the only way to provoke them and see his own vision of a rejuvenated Athens. And it

was Athens that was always his objective, not a dream to unite the Greek world. The Greek world, in his opinion, ought to unite when an aggressor like Philip or the King threatened its liberty. That is when he uses his Panhellenic arguments. That he speaks of cities like Amphipolis or other ones as possessions (since he talks of theft VIII. 6, IV. 4-6, III.16, XIX.22), i.e. objects of political manipulation, is only indicative of his adoption of a persistent imperialistic policy that Athens was not able to maintain any more. In the *Third Philippic* D. is ready to admit that relations between Greek cities are awful and that the major cities had suppressed their subject states in the past (IX. 21, 22-25, 28-29). In front of the common enemy Athens should prove that she is above all the mistakes of the past, ready to perform again the ancestral deeds and protect herself as well as Greece (IX.19-20). Nowhere though does he admit that Hellas should consist of states with equal power, all united for a common purpose. He could not see that in the system of the polis he lived in and it is not fair to ask him why he did not do so.

That the mercenaries would not attack their own country is persuasive as an argument since Greece was their natural home and a home they always hoped they could turn to or return in case of political exiles, *see also P. McKechnie Outsiders in the greek cities in the fourth century B.C.* (London 1989).

Section 32

ποιὶ γὰρ αὐτὸς τρέψεται: Amersfoort in G.H. Schaefer thought that these words were inspired by Eur. *Medea* 502ff: νῦν ποῖ τράπωμαι; πότερα πρὸς πατρὸς δόμους, οὗς σοὶ προδοῦσα καὶ πάτραν ἀφικόμην; ἢ πρὸς ταλαίνας Πελιάδας; It is an interesting parallel and it is not impossible that D. wanted to express in such a dramatic way the desperation of the Greek mercenary who would have no country to return to. Whether everybody in the audience would be able to recognise such an allusion is a different question.

Φρυγίαν: note that the region D. uses here, must be in order to remind the Athenians that many Phrygians were actually slaves in Greece, cf. for example Aristoph. *Wasps* 433 where Φρύξ was used as a name for a slave.

οὐ μὴν: S and A read so, καὶ μὴν all the rest (Butcher) or FY only (Fuhr). Denniston *Particles* 338 translates οὐ μὴν as *again not* or *nor indeed*. καὶ μὴν, Denniston *Particles* 351, introduces a new argument or a new point of any kind. In my opinion both are absolutely possible with a slight preference for οὐ μὴν since D. begins the second part of his argument that it is to nobody's advantage if Greek mercenaries are used against Greece, neither the Greeks' nor, in this instance, the King's and οὐ μὴν provides a better connection between the two related points.

ξένοις: S reads ξένους and this has been adopted by Fuhr. The accusative is not appropriate here since what we need for the meaning is an instrumental dative explaining the way in which the King would overpower the Greeks.

Ἑλλήνων: SAF read Ἑλληνικῶν and Fuhr has adopted this reading. It is perfectly obvious that the meaning of the word should be *Greeks*. The plural τῶν Ἑλληνικῶν however does not have that sense. Hdt. VII. 139 has used τὸ Ἑλληνικὸν in the singular to mean *the Greeks* collectively. A similar use is in Xen. *Anab.* i.4.13. Hdt. in IV.78 uses the adjective in the plural: ἀλλὰ πολλὸν πρὸς τὰ Ἑλληνικὰ μᾶλλον τετραμμένος ἦν... The meaning there is the Greek culture. The reading Ἑλλήνων has been transmitted by a correction in F and added in the margin of Y(Fuhr). Butcher claims that it is the reading of O; at any rate his reading is preferable to Fuhr's.

κρατήσαντες: Dobree *Adversaria* 385 claims that strictly we should have κρατήσοντες, the future participle (A after a correction has the future). The use of the aorist participle can be justified here if we assume that D. wants to present the situation the King would be in after the defeat of the Greeks by their compatriot mercenaries as completed already, as a fact at the time of their victory. The use of ὑπάρχουσι in the present spells out the fact that the mercenaries are in any case better than the King and presents the situation the King finds himself after defeating the Greeks.

πάλαι: its use here is obscure, since its usual past meaning is not really applicable here. Weil 24 thinks that it has a special meaning here: *à plus forte raison, for an even stronger reason, a fortiori*, *LSJ Supplement* accepts this. In this clause there is one condition hidden i.e. the Greeks as soldiers are much better than the King's. So if one group of Greeks defeats the other on behalf of the King then these Greeks have proved

their worth in the utmost degree, thus making them even better than the King's forces. Since κρατήσαντες is in the past perhaps πάλαι refers to the first part of the clause which refers to the defeat of Greeks by fellow Greeks. Still πάλαι does not seem to carry any meaning at all, not even if we take it to mean *just now* as in Aesch. *Prom.* οἱ πάλαι λόγοι. This new meaning that Weil has suggested is, as he admits himself, unattested and I am inclined to follow his other suggestion that πάλιν could be the correct reading. πάλιν would suggest that the King's efforts to overpower the Greeks would be in vain because by using Greek mercenaries he would **again** find himself in the same situation, threatened by them.

ὑπάρχουσι: SA read thus. FY εἰσίν (Fuhr). There is no significant difference in the meaning.

ἐπ' ἄλλοις εἶναι: these would be the Greek mercenaries the King would have to fight after using them to defeat the Greeks. ἐπ' means *in the power of*, see LSJ ἐπί B.I.g.

πάντων: governed by ἄρχειν, refers to Greeks and Greek mercenaries together that the King would like to have under his control.

εἰ δὲ μή: for examples of εἰ δὲ μή after μάλιστα μὲν, see XX.25: μάλιστα μὲν ἡμῖν καὶ χρήματα πολλὰ γενέσθαι, εἰ δὲ μή, τό γε πιστοῖς εἶναι... and XXI. 152: τοῦτο δ' ἐστὶ μάλιστα μὲν θάνατος, εἰ δὲ μή, πάντα τὰ ὄντ' ἀφελέσθαι. εἰ δὲ μή compromises πάντων denoting that the King would settle for either everybody's subjection or, if that was impossible, he would try to consolidate his power over his already existing subjects.

τῶν γ': S reads εἰ δὲ μή γε, τῶν ὑπαρχόντων adopted by Butcher, and A εἰ δὲ μή, γ' ὑπαρχόντων adopted by Fuhr. γε after τῶν means *at least*, which gives a much better meaning, as it expresses the King's wish that if he cannot defeat the Greeks he can at least control his existing subjects.

Section 33

Θηβαίους...μετ' ἐκείνου...χαλεπὸς πρὸς ὑμᾶς: the Thebans had co-operated with Persia in the Persian wars (Hdt. IX. 67, 86-88, D.VI.11:...τοὺς δὲ Θηβαίων καὶ Ἀργείων προγόνους τοὺς μὲν συστρατεύσαντας τῷ βαρβάρῳ, τοὺς δ' οὐκ

ἐναντιωθέντας). This made them suspicious to the other Greeks when there was some involvement with Persia, considered always to be ready to betray Greece. In the 4th c. although around the time of the liberation of the Kadmeia there was an understanding between Athens and Thebes against Sparta (Xen. *Hell.* V.iv.2ff), their relations worsened after the defeat of the Spartans at Leuktra (Xen *Hell.* VI.iv.19-20) and the seizure of Oropos in 366/5 (Diod. XV.76.1, Xen *Hell.* VII.iv.1, D. XVIII.99, Aeschin. II.164, III.85). D. realised that although Athens was traditionally hostile to Thebes there had to be a realignment of priorities which would allow Athens and Thebes to work together. In *On the Peace* D. tried to prevent the Athenians from a renewed war against Philip after the Peace of Philokrates. There he argued that the Thebans although not friendly towards the Athenians did not have an interest in seeing Athens totally defeated by Philip, especially since the latter had increased his power after the end of the Sacred war which ended in total ruin of the Phocians (XVIII.18, 36), giving to Philip access to Thermopylai. In V.15 D. asks the Athenians: καί μοι μή θορυβήσῃ μηδεὶς πρὶν ἀκοῦσαι which shows the hostility of the Athenians to anything that might be positive, true or even fair to the Thebans. Even at that point D. characterises them as ἀναίσθητους. For other uncomplimentary remarks about Thebes in D. see I.26. D. brought Athens closer to Thebes before the battle of Chaironeia when Philip had captured Elateia and the Thebans were vacillating, see XVIII.174ff. for the speech of D. at Athens when it was decided to send an embassy to Thebes.

οὐδ' ἂν ἀληθές οὐδὲν ἠδέως ἀγαθόν: FY omit οὐδέν (Fuhr) whereas Butcher notes that all mss. omit it except for SA. SFAY (Fuhr) and all according to Butcher have a second οὐδ' after ἠδέως. This was deleted by Dobree *Adversaria* 385. Two rather similar readings could have confused the copiers who by mistake could have dropped οὐδέν in view of the similar οὐδ' just after ἠδέως and vice versa. Another option is that οὐδέν seemed superfluous and the double negative οὐδ' ἂν ἀληθές...οὐδ' ἀγαθόν was preferable to the option with οὐδέν. The point is that most of the mss. or all of them do have this second οὐδ' and there is no reason for us to delete it (as Dobree did) on a suspicion that it was the scribes' fault since it makes perfect sense. The text that Butcher prints is not very clear without the second οὐδ' because of the position of

οὐδέν just after ἀληθές which seems to conclude the first thing the Athenians would not listen about the Thebans; it would be more natural if it followed ἀγαθόν. Weil and Cobet *NL* 74 do not favour the second οὐδ' but do so without substantiating their case. The meaning does not alter with or without οὐδ': (without) *Because you hate them you would not listen favourably to anything good and truthful at all about them...*, (with) *Because you hate them you would neither listen favourably to anything true nor good about them ...* In my opinion οὐδέν should be dropped and the second οὐδ' be kept in the text.

There is also a second ἄν added before ἀγαθόν which is kept by all the mss. except for SA. In this respect οὐδ' ἄν after ἠδέως could be considered as a dittography and persuasively be deleted, but the absence of ἄν in SA gives some authority to οὐδ'. Indeed ἄν would be superfluous but not impossible for a second time since the first ἄν is many words before ἀκούσαίτε.

After ἀγαθόν, τι is added again by all the mss. except for SA. It is certainly unnecessary and it is a further indication that the scribes or scholars who supervised the editing of the mss. had tried to give a clearer meaning of the text at this point.

οἴομαι τοσοῦτ': this is the reading of A (Fuhr). Fuhr and Weil adopt τοσοῦτον. The meaning is exactly the same as τοσοῦτος has as its neuter accusative τοσοῦτο or τοσοῦτον, the argument in favour of τοσοῦτ' is that it avoids three consecutive short syllables.

οὐ μὴν ἀλλά: see Denniston *Particles* 28-31: "it normally denotes that what is being said cannot be gainsaid, however strong the arguments to the contrary: marking, in fact, the deliberate surmounting of an an obstacle recognized as considerable.", and "in Demosthenes and Aristotle οὐ μὴν ἀλλά sometimes introduces a supplementary argument which takes such marked precedence over the previous argument that it is represented as contrasted with it, rather than as reinforcing it". The second function is present here. D. said in the previous sentence that the Athenians hate the Thebans and would not listen to any favourable comment on them. In the οὐ μὴν ἀλλά clause D. opposes the stereotype reaction to Thebes and claims that when great affairs are at stake then all the options should be examined without any prejudice.

Section 34

ἀναλύσονται: in the margin of S and in FY the reading **διαλύσονται** is provided. Both are suitable to convey the meaning required. For a similar use of **ἀναλύομαι** see *Xen Hell.* VII.v.18.

ἀμαρτίας: these mistakes are the ones they made in the Persian wars.

εἰ δ'...φρονεῖν: around the date of this speech (in my opinion most probably after its delivery) the Thebans sent a large force under their most successful general Pammenes to fight with Artabazos against the King (Diod. XVI.34.1 who dates the mission at **353/2**: οἱ δὲ Παμμένη στρατηγὸν ἐλόμενοι καὶ δόντες αὐτῷ στρατιώτας πεντακισχιλίους ἐξέπεμψαν εἰς τὴν Ἀσίαν... 34.2 ἐφάνη γὰρ θαυμαστὸν εἰ Βοιωτοὶ τῶν μὲν Θετταλῶν ἐγκαταλελοιπότην, τοῦ δὲ Φωκικοῦ συστάντος πολέμου μεγάλους ἐπιφέροντος κινδύνους διαποντίους δυνάμεις εἰς Ἀσίαν ἐξέπεμπον καὶ προετέρουν κατὰ τὸ πλεῖστον ἐν τοῖς κινδύνοις. J. Buckler dated the mission of Pammenes earlier, in **355/4**. If this is true then it has to be explained why D. does not mention the Theban expedition as proof that the Thebans are hostile to the King as well. Buckler discussed this mainly in *Philip II and the Sacred war* (Leiden 1989), Appendix I: IIIA: Neon, Methone and Pammenes at Maroneia (355/4 BC) cf also his article "Pammenes, die Perser und der Heilige Kriege" in H. Beister/J. Buckler (eds.) *BOIOTIKA* (Munich 1989)155-162. For the reasons why I think Buckler's date is wrong, see introduction, chapter 1.

τάκείνου: the King's.

τοὺς τούτων ἐχθρούς: these must be the Phocians, who were fighting against the Thebans in the Sacred war which had begun in 355/4. Athens was always friendly towards the Phocians and they were particularly pleased that they kept Thebes checked and Philip busy when the latter entered the war. When the Phocians were defeated by Philip, the Athenians abandoned them to their fate. This fate is a recurring theme in D. XIX. 29, 179, 220, 321, 327 where D. accuses Aeschines of delivering the Phocians without any protection to Philip.

Section 35

τάυτην τὴν τάξιιν τοῦ δικαίου: the meaning of τάξις is "ordinance" cf. Pl. *Lg.* 809d, "order" *ibid.* 875c. What D. means here is that justice, the way it is perceived by the patriotic Greeks, is resistance to any effort by the Persians and the traitors in Greece i.e. the Thebans, to subdue Athens and Greece in general, *what justice stipulates*. It is an interesting metaphor, as D. wants to convey the idea that objective justice is on their side, thus having the moral advantage of being on the right side.

πρὸς ἅπαντα: all the mss. give ἅπαντας but the meaning is not very good then; *...these just principles and those who support them will be superior to the traitors and the barbarians against everybody else, whereas better at everything* is much better. G.H. Schaefer correctly pointed out a similar use in D. XXXVI.50: σὺ δ' οὐδὲν οἶει δεῖν σκοπεῖν οὐδ' ὦν ὁ πατήρ σου πολλῶ βελτίων ὦν καὶ ἄμεινον φρονῶν πρὸς ἅπαντ' ἐβουλεύσατο. The use of πρὸς with the accusative, meaning in relation to or in comparison to is quite normal; see *LSJ* III.4.

ὥστ'...πόλεμον: D. is coming back to his earlier arguments (3-13) that the Athenians should be neither too overwhelmed by the power of the King nor be dragged first into a war.

οὐδὲ: omitted by A. It is used here for emphasis. The Suda, Σ322, contains the text from καὶ μὴν until κύριοι in 36. The text of the Suda retains οὐδὲ.

Ἑλλήνων: omitted by F. Without it the meaning would still be clear as τῶν ἄλλων would imply the Greeks as opposed to τοῦτον, the King. The Suda retains it.

Section 36

τέως: refers to the Persian wars and the subsequent checks of the King's power in Greece and Asia Minor that culminated in the Peace of Kallias. τέως is the reading of S and A¹(first hand) and Bcorr.(Butcher) or SF¹, A¹(as τε ὡς) and Y¹ (Fuhr, he does not mention B). All the other mss. (Butcher), or Fcorr., A³, Ycorr. (Fuhr) give ἕως. The Suda gives τέως as well. τέως (or ἕως) here is needed to distinguish between a time in the past when the Greeks were united against Persia and another time, later than the first, when the Greeks considered the King as their friend. ἕως and τέως both mean "while"cf. D.M. MacDowell (Oxford 1990) *ad* XXI. 16.

ὡμονόουν: D. has commenced on a glorification of the past. The Greeks were once of the same mind and fought the barbarian. Indeed this was so in the Persian wars but after that Athens and Sparta were gradually alienated when the former started building her empire.

πολλῶν ἀγαθῶν ἦσαν κύριοι: this is again part of the eulogy of the past. The city that was most prosperous after the Persian wars was Athens creating the empire under the pretext of protection against Persia.

φίλον αὐτὸν νομίσαντες: D. refers to the time that Persia had actively intervened in the Greek affairs after the disastrous Sicilian expedition (*see* Thuk. VIII.6ff.). After that time Persia was involved heavily in Greek affairs, her influence culminating with the Peace of Antalkidas in 387/6 and the subjugation of the Greek cities in Asia Minor. The policy Persia would follow was to support one Greek city (Sparta, Athens or Thebes) which would in its turn preserve the autonomy of the other cities in Greece and reduce the power of the strongest ones (*see* T.T.B. Ryder's *Koine Eirene* (London 1965)).

ἑαυτοῦς: F reads αὐτούς, but the reflexive ἑαυτούς is more appropriate since D. wants to indicate the trouble the Greeks brought upon themselves by trusting the King.

διαφόρων: Vind.4 and Vat.b read thus. SFAY (Fuhr or all the other mss. according to Butcher) read διαφορῶν. Reiske thought that the meaning "das Interesse" is appropriate here and kept διαφορών. The meaning, if Reiske is right, is: *they fought over those things that concerned them i.e. their interests* as in Thuk. IV.87.1: οὕτω πολλήν περιωπήν τῶν ἡμῖν ἐς τὰ μέγιστα διαφορῶν ποιούμεθα or D. XIX. 68: ἄ ὑπὲρ αὐτοῦ Φίλιππος τηλικούτων ὄντων αὐτῷ τῶν διαφορῶν οὐκ ἐτόλμα ψεύσασθαι. Διαφορῶν meaning "differences" would be superfluous since διηνέχθησαν carries on its own the meaning of "quarrel with", "be at variance with".

ὅς' ἂν οὐδὲ καταρώμενος: F reads ὅσα, -σα being *in rasura* (Fuhr). Tournier suggested οὐδ' ἂν, since ἂν usually follows the relative pronoun or conjunction in an indefinite clause (which this is not), but otherwise commonly follows the negative, if there is one, cf. M.H.B. Marshall *Verbs, Nouns and Postpositives in Attic Prose*

(Edinburgh 1987)18, 24 (Rules I and XII). The participle καταρώμενος is a conditional one (οὐδ' ἂν εὖρέ τις εἰ ἐκαταρῶτο).

ἡ τύχη καὶ τὸ δαιμόνιον: fortune for D. is not sheer luck but the favourable or unfavourable influence of the circumstances as they were stirred by divine power; cf. II.22. Notice that it is not enough for him to mention τὸ δαιμόνιον only but he sees fortune as an independent factor.

φίλον μὲν ἄλυσιτελῆ, συμφέροντα δ' ἐχθρὸν: D. here uses chiasmus very effectively. He is also using oxymoron when he calls a friend harmful and an enemy expedient. As a friend, the King destroyed Greece, as an enemy, he united her.

φοβώμεθα: SAFYO read thus whereas the rest φοβούμεθα (Butcher, Fuhr notes that only A reads φοβούμεθα). This is the normal deliberative subjunctive and is quite appropriate here as D. talks as if he is criticising his audience for fearing somebody who luckily is proven to cause disaster when he appears as a friend and be beneficial when he appears as a friend; (φοβούμεθα appears in the quotation by Hermogenes III.151 Walz).

μηδ': AY³ read thus (SFY¹ have μή) according to Fuhr but Weil has noted that S reads μηαδαδικωμεν which could be a mistake for μηδ' ἀδικῶμεν.

μηδ' ἀδικῶμεν αὐτῶν ἡμῶν εἵνεκα: SF read αὐτὸν ἡμῶν, FY³ αὐτὸν ἡμῶν αὐτῶν, Y¹ ἡμῶν αὐτῶν and v (Parisinus Coislianus) αὐτῶν ἡμῶν. It is obvious that αὐτόν in the mss is an object for ἀδικῶμεν (αὐτόν meaning the King). It is difficult to reach a decision although the meaning is not particularly affected by any choice. The text Butcher gives is perhaps the best; he keeps the order of S with only the correction of αὐτόν to αὐτῶν which was a possible mistake for the scribe to make since he was probably looking for an object for ἀδικῶμεν.

When D. says that they should not begin the offensive first - this is the meaning of μηδ' ἀδικῶμεν- because of *themselves*, he probably refers to the lack of παρασκευή for which he had proposed many measures to rectify it (14ff); he will insist on the need for preparation in the following sections.

Section 37

ὁμοθυμαδὸν: *with one accord*, D. X. 59, Aristoph. *Pax* 484, *Av.* 1015. Weil reports that the letters αδ have been added on S above the line by an ancient hand. F has ὁμοθυμον (Fuhr) which is unattested elsewhere, although the adjective ὁμόθυμος does appear in Hesychios.

οὐδ' ἀδικεῖν ἡμᾶς ἐκεῖνον ἀδίκημ' ἄν ἔθηκα: S (in the margin) and FY add ἄν after ἀδικεῖν (Fuhr) which is superfluous since SFY place ἄν after ἀδίκημα. The current editions do not give enough or sometimes accurate information about what the rest of the mss. give but if one is to believe Weil and Butcher they read ἀδικεῖν ἄν ἡμᾶς ἔθηκα ἐκεῖνον whereas Blass reports that A reads ἀδικεῖν ἡμᾶς ἔθηκα ἐκεῖνον (without the ἄν which is wrong because of the conditional). Dobree *Adversaria* 385 first thought that ἀδίκημ' ἄν should be dropped in favour of ἀδικεῖν ἄν, whereas Blass deleted ἀδικεῖν ἡμᾶς ἐκεῖνον which he thought was just an interpolation explaining ἀδίκημ' ἄν ἔθηκα. In my opinion the majority of the mss. should be respected.

It is a strange principle that D. puts forward here. If all the Greeks were united against the King then it would be no offence to attack Persia. This is an imperialistic policy in agreement with Isocrates' views that all Greek *poleis* should unite in an effort against Persia. It is impossible to know if he really believed in such a principle but he certainly knew as well that it was impossible for the Greeks to unite without any reason against Persia as so many years of strife had shown.

πρόφασιν τοῦ τὰ δίκαι' ὑπὲρ τῶν ἄλλων Ἑλλήνων ζητεῖν: D. is aware that the King could resort to his old established method of taking advantage of Greek discord and use his money to lure other cities against Athens, presenting the offensive of the latter as a sign of imperialism.

ζητεῖν: Tournier wanted to emend to ἀπαιτεῖν but ζητέω can have a similar meaning as ἀπαιτέω; cf. D. IV.33: τῶν δὲ πράξεων παρὰ τοῦ στρατηγοῦ τὸν λόγον ζητοῦντες.

τοιούτου τι πράττων: i.e. commence war against Athens. F reads πράττων with -ει- written above the ending, Y³ reads πράττειν (Fuhr). It is possible to have an

infinitive with ὑποπτος as in Thuk.VI. 75: ὑποπτος αὐτοῖς μὴ προθύμως πέμψαι but the majority of the mss. prefer πράττων.

προτέρων: it is used here predicatively cf. Thuk. I. 123: σπονδὰς οὐ λύσετε πρότεροι. A reads πρότερον (Fuhr) which is possible but the majority of the mss. have the other reading.

Section 38

μὴ...Ἑλληνικά: *and do not then bring to the test that the Greek affairs are bad.*

συγκαλοῦντες ὅτ' οὐ πείσονται, καὶ πολεμοῦντες ὅτ' οὐ δυνήσεσθε: SF¹Vind.1 read πείσονται (Butcher), F a.c. ΑΥ πείσετε (Fuhr) vulg. (Butcher). The subjects of the participles are ἡμεῖς i.e. the Athenians. Συγκαλοῦντες refers to the call of Athens for a Panhellenic conference to declare war against Persia, D. is using the same argument as in 12-13. The active πείσετε would mean that the Athenians would not be able to persuade the other Greeks whereas the middle has οἱ Ἕλληνας as its subject (implying that the Greeks would not be in the mood to be persuaded). The meaning is almost the same but the middle voice is perhaps preferable since it implies that the Greeks won't be persuaded because they don't want to. Notice the antithetical construction between συγκαλοῦντες - οὐ πείσονται and πολεμοῦντες - οὐ δυνήσεσθε.

ἀπαγγέλλεσθαι μὲν: μὲν is added by S only (Weil and Butcher), FY omit it only according to Fuhr). Tournier deleted μὲν because it does not correspond to a δέ.

περὶ ὑμῶν: Tournier has correctly suggested that παρά should be substituted for περί because of a similar phrasing in section 22: παρ' ὑμῶν ἀπαγγελθῆναι (reading of S, not adopted by Butcher). The question is whether D. implies that the Athenians should send messengers to inform the King of the situation in Greece (παρ' ὑμῶν) or whether they should just let the King learn about the Greek affairs from his own informers. The first option is better since it sounds more decisive.

πάντες [οἱ Ἕλληνας καὶ Ἀθηναῖοι]: Weil thought that these words should be deleted because they were inserted as an explanation to πάντες. Blass has kept οἱ Ἕλληνας καὶ Ἀθηναῖοι unquestioning. Weil explains the insertion as an effort by a grammarian to explain the third persons, ἀποροῦσιν etc. It is not impossible that at

some point of the mss. tradition the insertion of the phrase was provided to avoid any possible misunderstanding between τοῖς Ἑλλησιν and the second plural referring to the Athenians ὑμεῖς ἐπορεύεσθ'. In my opinion any distinction between Greeks and Athenians in this context is pedantic. The dative τοῖς Ἑλλησιν and the 2nd plural ὑμεῖς ἐπορεύεσθ' is enough to clarify that D. meant both. Butcher reports that οἱ before Ἀθηναῖοι is omitted by SAYO only. If one is to keep the phrase in the text the version without the article is preferable since its absence denotes that the Athenians are part of the Greeks.

Section 39

ἀλλ' ὅτι: it is dependent on ἀπαγγέλλεσθαι.

εἰ μὲν...ἐπορεύεσθε: D. here plays on how honourable and trustworthy the Greeks are concerning their oaths. The reference here is to the King's Peace which was sworn in 387/6. If lying and being perfidious had not been as abominable to the Greeks as they were attractive to the King, they would have attacked Persia despite the Peace. D. takes advantage of the popular belief that the Persians were untrustworthy and perfidious and that ultimately the Greeks were culturally superior, about the untrustworthiness of the barbarians, *see* Hdt. VIII.142: βαρβάροισι ἐστὶ οὔτε πιστὸν οὔτ' ἀληθὲς οὐδὲν and D. X. 51: βασιλεὺς δὲ καθ' αὐτὸν μὲν ὁμοίως ἅπασιν ἄπιστος ἦν,...

νῦν δὲ τοῦτο: *since the Greeks do disapprove of perjury...* τοῦτο means the dilemma of commencing war or not.

ὑμῶν ἕνεκ' αὐτῶν: for the sake of yourselves. It would be unwise for the Athenians to attack the King because they do not want to give him the right to unite the other Greeks against Athens.

εὔχεσθε: S reads εὔχεσθαι (Fuhr and Weil) but it is obvious that we need here the second plural.

παράνοιαν...τοὺς προγόνους αὐτοῦ: D. defines any hostile act on the part of the King as absolutely foolish and irrational based on the disastrous experience of Xerxes' invasion.

ἦνπερ: Porson suggested ἦπερ which would be the subject of an understood ἔλαβεν, but ἦνπερ can be justified as an attraction to the case of παράνοιαν.

καὶ ταῦτ' ἂν ἐπίη σκοπεῖν αὐτῶ: *and if these thoughts cross his mind* i.e. to attack Athens cf. Xen. *Mem.* IV. 2.4, D. XXI.185: ἂν τοίνυν ὑμῖν ἐπίη σκοπεῖν, τούτου πληρωτὴν εὐρήσετε Μειδίαν ὄντα τοῦ ἐράνου, καὶ οὐκ ἐκείνου.

Section 40

ἐκ μὲν γε τῶν πρὸς ἑαυτοῦ προγόνους πολέμους...γεγεννημένην: the King is conscious of the fact that Athens became great and prosperous through the wars against his ancestors. Weil and Reiske want to justify the preposition συν in the verb. Weil thinks that the dative τῇ πόλει is contained in the accusative τὴν πόλιν and Reiske thought that σὺν ἅπασιν τοῖς ἄλλοις τοῖς τοῦτο εἰδόσιν was implied; it is possible that the dative ὑμῖν is implied. But there are a few cases that σύννοια takes an accusative, Hdt. VIII. 113, Aeschylus *Choeph.* 218.

ἦς: S reads thus. F(added above the line)AY read ἦν (Fuhr, all the rest according to Butcher). ἄγω in the sense of *be in a situation* is normally constructed with the accusative; see e.g. Xen. *An.* III.1.14. The reason for the genitive is the attraction from ἐκ τῆς ἡσυχίας.

ποτε: SF read thus, Y πρὸ τοῦ (Butcher and Fuhr), O (Butcher), πρὸ τούτων (the rest according to Butcher) only A (Fuhr). The reading of SF should be preferred in view of the meaning *see note below*.

ἐκ δὲ τῆς ἡσυχίας ἦς ἦγέ ποτε...ὑπεραίρουσαν: it is difficult to determine which period of Athenian history D. means here by ἡσυχία. It certainly means a period of peace when Athens was not powerful. Weil thinks, and I agree with him, that the orator refers to the period **before** the Persian wars. Another point of difficulty is the interpretation of ὑπεραίρουσαν οὐδεμιᾶς...πόλεων τοσοῦτον ὅσον νῦν. What the orator means is that even in those times of peace Athens was excelling but not as much as she does at the moment. At the time of the speech Athens was nothing like the city of the times of Perikles or even the Second Delian League's (378/7). Boasting about the prosperity of Athens through peace and the projection of this fact, which was true only for the period after the Persian wars until the Peloponnesian war, to the present

time is an exaggeration and wishful thinking, as Weil says *τοσοῦτον ὅσον νῦν est ajoutée par une espèce de patriotisme rétrospectif.*

ἐκουσίου ἢ ἀκουσίου διαλλακτοῦ: *voluntary or involuntary mediator*. D. means that the other Greeks, divided as they are, if the King attacked without any reason, would overcome their conflicts and unite against him; consequently the King's attack would be like an unintentional mediator in their differences. What is more important is that the King, according to D., realises that the Greeks need a cause to unite behind, which can be provided by an attacker, regardless of whether he really wants it or not. The reasonable conclusion is that the King does not want to be himself the cause of unity for the Greeks since he understands how things work in Greece. The King after the Peace of Antalkidas had become the arbitrator of Greek affairs by supporting one city which coerced all the others into obedience making sure that he preserved the fragmentary state of the Greek affairs. D.'s opinion shows that if the King wanted he could use his mediating authority to unite the Greeks against Athens which is one of the things D. uses in favour of his conviction that Athens should not attack **first**. For a similar use of an external threat acting as a catalyst see Hermokrates' words in Thuk. III. 59 where he says that Athenians are *διαλλακτὰς πολὺ τῶν ἐμῶν λόγων ἀναγκαιοτέρους*.

τοῦτον: i.e. *διαλλακτὴν*.

ἂν οἶδε φανέντ' αὐτοῖς: ἂν has been omitted by A. It is important to keep the ἂν since the type of the conditional requires a potential optative. φανέντ' ἂν (φαίνουτ' ἂν) is the apodosis of εἰ κινοίη πόλεμον and a supplementary participle of οἶδε.

γνώριμα: familiar, based on the King's knowledge from the past.

τῶν ἀπαγγελλόντων ἀκούειν: τά is added before τῶν by A and Y (the latter Butcher only). D. has hinted in 38 (and 28) that the Athenians themselves should inform the King that they intend to remain quiet but not inactive. The genitive instead of the accusative as the object of ἀκούειν; this implies perhaps an embassy or something similar but less official. A has ἀγγελλόντων instead but since ἀπαγγελλόντων has been used in 28 and 38 it is a safer choice.

Section 41, EPILOGUE

μη μακρὰ λίαν λέγων ἐνοχλῶ, τὰ κεφάλαια: this is a usual way to finish a speech cf. XI. 23: ἵνα δὲ μη μακρολογῶ, II. 31: λέγω δὴ κεφάλαιον, XIII. 36: Ἔστι δ'...κεφάλαιον ἀπάντων τῶν εἰρημένων, Isocr. XV.29: ἵνα δὲ μη λίαν ἐνοχλῶ πολλὰ πρὸ τοῦ πράγματος λέγων (Isocrates does not finish his speech thus but ends a series of arguments wishing to begin a new one). Hence terms applied by the rhetoricians to this section - ἀνακεφαλαίωσις, ἀνάμνησις (Aristot. *Rhet.* 3. 19. 1, *Rhet. ad Alex.* 19).

S reads μακρὰ λίαν λέγω whereas FY (Fuhr, all the others according to Butcher) read μακρὰ λέγων λίαν. A (Fuhr) has a different reading: μακρολογίαν λέγων ἐνοχλῶ. G.H. Schaefer was perplexed by the reading of A. H. Wolf suggested emending A to either μη διὰ μακρολογίαν ἐνοχλῶ or μη μακρολογῶν ἐνοχλῶ. Schaefer thought that the text of A should be preserved and suggested μη μακρολογία λέγων ἐνοχλῶ; he justified the dative palaeographically by claiming that the iota subscript, which was put next to the vowel - μακρολογίαι, was mistaken for an ν. Schaefer probably had not seen A which has undoubtedly μακρολογίαν (Fuhr). Certainly μακρολογίαν is possible and it comes from a different tradition since it cannot be explained palaeographically from μακρὰ λίαν λέγω or μακρὰ λέγων λίαν. It means length of speech and the tediousness coming from speaking for too long cf. Pl. *Gorg.* 449c, *Protag.* 335b, *Leg.* 655b, Isocr. XII. 88: λοιπὸν οὖν ἐστὶν οὐδὲν ἄλλο πλὴν αἰτησάμενον τῷ γήρα συγγνώμην ὑπὲρ τῆς λήθης καὶ τῆς μακρολογίας.

Blass made the point that when the word κεφάλαιον is used the orator intends to give a list of items in his summary in an *asyndeton* manner and one does not expect to find conjunctions like μέν and δέ. In that respect the μέν after παρασκευάζεσθαι (omitted by Y - Fuhr), the δέ after ἀμύνεσθαι and the δ' before ἔργα (omitted in S - Fuhr and Weil) should be deleted. He correctly gives as examples Isoc. XV. 67, D. II.32, VIII. 76 and XIII.36. Before ἔργ' the δ' would be necessary as a connection and that is why Blass punctuated after ἀδίκου with a semicolon. After D. finishes with his conclusions he then proceeds with a hypothesis that if they follow his suggestions such and such will happen (XIV. 41 and II. 31: κἂν ταῦτα ποιήτε or VIII. 76: ἂν οὕτω

τοῖς πράγμασι χρῆσθε). Adding as another example XX. 163 where κεφαλαίῳ is followed by an *asyndeton* I would be inclined to agree with Blass' opinion. The style of an *asyndeton* would be highly appropriate here and since only two unimportant deletions without the authority of the mss. are needed (δέ after ἀμύνεσθαι and ἄρχειν) the *asyndeton* Blass provided should be accepted.

δὲ καὶ βασιλέα: this is the reading of all the mss. except for S (Weil) which reads δὲ βασιλέα. Fuhr reports that only FAY add καὶ and he adopts S in his text. The repetition of καὶ (καὶ βασιλέα καὶ πάντας) is emphatic and appropriate here.

ταύτη τῇ αὐτῇ δυνάμει: Weil and Butcher report that S only adds αὐτῇ and Fuhr that FAY only omit αὐτῇ. The addition of αὐτῇ is necessary as D. above mentioned that Athens should prepare both against Persia and other existing (Greek) enemies. In 11 D. had made the point, which he is essentially repeating here, that the way to prepare against Persia or other Greeks is one and the same: ἐπεὶ δὲ πάσης ἐστὶ παρασκευῆς ὁ αὐτὸς τρόπος καὶ δεῖ ταῦτ' εἶναι κεφάλαια τῆς δυνάμεως..

ἄρχειν...ἀδίκου: Vince translates *though you must not set the example of wrong, either in word or in deed* and Croiset *sans prendre toutefois aucune initiative injustifiée ni en parole, ni en action*. ἄρχω here has the meaning to make a beginning, to make the first move cf. Thuk. I.53, Xen *Hell.* VI.iii.6, *Anab.* I.vi.6. This is the point D. has been making throughout the speech, cf. 12 and 13, that although they should be prepared they should not start the war first. Weil thought that the word order is a bit awkward and suggested: ἀδίκου μηδενὸς μήτε λόγου μήτ' ἔργου. Fuhr is wrong in reporting that ἀδίκου is after μηδενός in Weil. Blass suggested the same as Weil. The meaning is clear without changing the order of the words: *and I urge you not to make a beginning of anything unjust neither in word nor in deed*.

προγόνων: the speech begins and ends with reference to πρόγονοι, an epideictic theme, perhaps suggesting that other speakers have dilated on this and other epideictic themes.

σκοπεῖν: SA read thus, the rest σκοπῶμεν (Butcher and Weil), only FY according to Fuhr. The infinitive is dependent on δεῖν, just as ἄρχειν and ἀμύνεσθαι are, and in this sequence of infinitives a verb σκοπῶμεν is unlikely.

ὀργιέσθ': SA read thus (Butcher), FY (Fuhr). All the rest (Weil and Butcher) ὀργισθήσεσθε. The middle and the passive future have the same meaning cf. [D.] LIX.111: οὐκοῦν ἤδη αἱ μὲν σωφρονέσταιται τῶν γυναικῶν ὀργισθήσονται ὑμῖν, although the middle seems to be a bit more common in D.

συμφέροντα πράξετε: an ironic comment about his opponents. They would also benefit if their proposals were rejected since they would escape Athenian anger later on. This also reflects one of the characteristics of the Assembly. Success is necessary to vindicate one's policies. Failure is only proof of incompetence and incurs anger and loss of esteem in the face of the demos. D. himself had to justify his course of policy after the defeat at Chaironeia, separating his own political actions from the military result *see* XVIII.169ff. esp. 193: μὴ δὴ τοῦθ' ὡς ἀδίκημ' ἐμὸν θῆς εἰ κρατήσαι συνέβη Φιλίππῳ τῇ μάχῃ: ἐν γὰρ τῷ θεῷ τὸ τούτου τέλος ἦν, οὐκ ἐμοί.

νῦν ἀμαρτόντες: A has ἀμαρτάνοντες (Fuhr). αμαρτῶντες in S a.c. (Fuhr). The Athenians in the future, when the results of a pro-war policy would be absolutely destructive, would look at the past instigators of that policy with disdain. Thus the past participle here is used to reflect this sense of anteriority in contrast to ὀργιέσθ'; so the Athenians will be angry at something they have concluded and νῦν reminds them that their decision is being debated now, in front of their eyes.

Part 3 A few notes on the style of XIII and XIV

Since the oration *On the Symmories* seems to be the first political oration D. ever composed according to the ancient testimonies, and XIII has been questioned as being not by D., it would be interesting to outline the main features of the young orator's style and see as far as it is possible how it developed, what were at first its weaknesses, if any, and examine if in XIII in particular it fits within the Demosthenic ways. The study of style is a most profound and demanding one, as one needs to be a master of all the political orations if one is to draw any independent conclusions. The study of Gilberte Ronnet *Étude sur le style de Démosthène dans les discours politiques* (Paris 1951) is invaluable since she studied at length the development of his style from the beginning to the end of his career. Lionel Pearson's *Art* concentrates more on the rhetorical argument.

In chapter 2 of my introduction to *On the Symmories* I have commented on Dionysius Halicarnasseus' note that in XIV there are places where one can see the influence of Thukydidés. It is very difficult to establish certain influences in the political orations of D., and a good exposition of his stylistic contacts and influences can be found in S. Usher's *On the Crown* (Warminster 1993) 19-26, although, as might be expected, the focus is on oration XVIII.

What Ronnet discovered was that there are certain groups of features that develop in the orations before 346 BC but disappear in the ones subsequent to that year and *vice versa*. In this way one can distinguish between the young and the more mature D., although of course the process was gradual and 346 BC can only be an artificial dividing line.

On looking at the structure of D.'s periods and sentences one will be struck by the simplicity of the periods and the dominance of the antithetical constructions that resemble those of Isocrates. Indeed in the beginning of XIV the audience is presented with a major division; himself against all the other orators. This being the first oration he ever delivered in front of the Assembly one would expect him to be less ardent and

arrogant and more the sort of man that intends to give the best advice to the people at least recognising good intentions in the other orators as he did in the proemium of the *First Olynthiac*. In the *First Philippic* he apologised for his bold new step of rising and talking before elder orators did so. Here he spans the distinction within a section: Οἱ μὲν ἐπαινοῦντες...ἐγὼ δ' ἐκείνων μὲν...αὐτὸς δέ. It is obvious that D. thinks of himself as the man who is going to put everything right, and this is indicative of the authoritative attitude which he has, in my opinion, throughout this oration. In the first section he comments the misguided attitude of the other orators in a μὲν..δέ construction: αὐτοὶ μὲν τοῦ δοκεῖν δύνασθαι...τὴν δ' ἐκείνων ἀρετὴν. The proemium in XIII begins with a rather elaborate period which is based on participles to convey the intention of the orator: ἐπιτιμήσαντα...συνειπόντα καὶ παραινέσανθ'. Indeed what D. is doing is to begin with an antithetical construction that is characteristic of him in order to distinguish himself from everybody else. One should note that although he does not avoid the use of ἐγὼ this is done here in a much better way than in the proemium of *On the Symmories*; there he professes, as we saw, to have all the answers to the Athenian problems. His tone is less dogmatic in XV and XVI too. In XIII he does not follow either trend in Athenian politics but takes a third way. In section 2 he reflects on the Athenians' psychology using words that effectively carry out his purpose to make the Athenians depart from their current state of mind; so he uses the infinitives σκοπεῖν and λογίζεσθαι which indicate intellectual activity that the Athenians are to use if they are to fight off ἔθος, a word which carries much more emotional power than actual reason, since ἔθος is established in the case of the Athenians because they have become used to receiving funds while doing absolutely nothing. His point is driven further home when he makes use of the antithesis between μικρὸν ἀργύριον and μέγα ἔθος.

Μέν and δέ constructions are of course quite common, but the interesting thing is that they can be used to complicate the sense of the period instead of further using participles or subordinate clauses; cf. XIV. 15, where the meaning depends on them:

ὁρᾶτε γὰρ ὅτι [ὅσα μὲν ἐβουλήθητε...] οὐδὲν ἐξέφυγεν

[ὅσα δ' ἐβουλήθητε μὲν, μετὰ ταῦτα δ' ἀπεβλέψατ'...] οὐδὲν...ἐγένετο

and, depending on ἀπεβλέψατ', ὡς αὐτὸς μὲν ἕκαστος...τὸν δὲ πλησίον. According to Ronnet the antithetical construction here reminds one of Gorgias and possibly Thukydides, whereas the enlargement of the period, with ὡς αὐτὸς μὲν ἕκαστος...τὸν δὲ πλησίον is reminiscent of Isocrates. Another structurally simple period mainly with ὡς or ὅτι subordinate clauses but complicated by μὲν and δέ constructions, can be found at XIV.38-39:

ἀλλ' ἔχεθ' ἡσυχίαν...καὶ βούλεσθ' ἀπαγγέλεσθαι μὲν...μὴ ὡς ἀποροῦσιν ἢ φοβοῦνται ἢ θορυβοῦνται πάντες ἀλλ' ὅτι [εἰ μὲν...] ἐπορεύεσθ' ἄν νῦν δὲ τοῦτο μὲν οὐκ ἄν ποιήσαίτε...εὐχεσθε δὲ...

An example of a much more complicated period of a type which will become more frequent in the later speeches of D. can be found in XIV.13: ἄν ἄρ' [ἅ νῦν οἰόμεθ' ἡμεῖς] πράττηται: after the apodosis follows another relative clause ὅστις... flanked by two participles ὀρώων and ἡγούμενος. The use of ὅσους ἄν ἐθέλη τις is an extra complication which adds life to the whole period.

Subordination, as one can perceive from the examples above, does not go beyond what Ronnet calls the third degree, namely three sets of subordinate clauses; cf. 25: τοιοῦτον ἔχουσι νοῦν ὥστε - 1st degree - {εἰ φοβοῦεν... χρησιμοδοῦεν - 2nd degree}[ὡς ἤξει, ὡς πάρεστιν...ὡς οἶόν τε - 3rd degree] οὐκ ἄν εἰσενέγκαιεν...¹⁰⁰

In XIV. 6 D. is again working through antithetical constructions. He denotes this with his phrase οὐδ' ἀπ' ἴσης, with the aim of expressing the different ways of thinking between the Greeks and the Athenians. He chooses the impersonal construction in both parts of the antithesis with a beautiful enlargement of the second part explaining ταύτην τὴν δίκην: ἐᾶσαί τινας αὐτῶν ὑπὸ τῷ βαρβάρῳ γενέσθαι.

D. quite often uses what Ronnet 103 calls sentence without subordination in these two orations: XIV.6 οὐδὲ ... ὀρώ, ἀλλ' ἐκείνων μὲν δοκεῖ ... ἀμελῆσαι ὑμῖν δὲ...ἔστι...γενέσθαι, XIII. 17: οὐ γὰρ τὸ ψηφίσασθαι τοῖς ἐν τοῖς ὅπλοις ποιήσει

¹⁰⁰ Ronnet 83ff., studying the complex period in D., found seven characteristic periods in XIV, the rest of those not quoted in this exposition being: 8 τοῖς δὲ θρασυνομένοις ... ἔχειν, 33-4 ἐγὼ τοίνυν...ἀμαρτίας, 36 τίς γὰρ...κακά.

τὸ νικᾶν, ἀλλ' οἱ μετὰ τούτων κρατοῦντες τοὺς ἐχθρούς..., XIII.20: πρότερον μὲν κατὰ συμμορίας εἰσεφέρετε, νυνὶ δὲ πολιτεύεσθε κατὰ συμμορίας. The effect of these passages is to confront the mind of the audience with a dual, antithetical option which is made very clear and is not complicated substantially with subordination. In the last example the antithesis and the chiasmus underline the absurdity of the Athenian political ways summarised by the second part of the argument.

XIII. 33: οὐκοῦν τὴν μὲν ἀπέχθειαν διὰ τῶν ψηφισμάτων ἐκφέρεσθε, τῶν δ' ἔργων οὐδενὸς κύριοι γίγνεσθε, XIII.34ff: τὰ μὲν γὰρ ψηφίσματα...ψηφίζεσθε τὴν δύναμιν δ' οὐκ ἀκόλουθον...ἐγὼ δὲ παραινέσαιμ' ἄν... ἔλαττον φρονεῖν...ἢ μείζω δύναμιν παρασκευάζεσθαι. These antithetical constructions are there primarily for their ironic function and this signifies D.'s tendency to use them to produce varying effects. Notice also the qualitative antithesis in XIII. 6 between ὀρώσι and ποιῶσι pointing out the apathy of the generals regarding the allies and what they should actually do.

In XIV. 16ff. we have a unique feature in D.'s orations, namely very concrete proposals on a technical subject which he did not include again, at such length, in any of his other speeches although one could argue that the discussion of the force he asked for in the *First Philippic* is somewhat similar. His account of the proposed reform is rather dull. The constructions are based on obvious verbs like: φημί, οἶμαι, κελεύω. The impression one gets is that the proposal is very chunky and compact with facts. He uses a question, a way sure to provoke interest and clarify what the present problems in the symmories are, only once: in 18 he asks τὰς δὲ τριήρεις πῶς; when in the previous part of the speech he was not so sparse (9 διὰ τί;, 11...ἐτέρους ζητοῦμεν;, 12...ὑπακούσεσθαι;, ...οἴεσθε τοῦτο;). He uses long sentences: cf. e.g. 19 where the period goes on for two sections and is constructed on antithetical μὲν, δέ clauses and slowly reveals, with many explanatory deviations, the specific point the orator wants to make. It begins, in this case, with the reason for the division of the city's 6000T: ἵν' ὑμῖν καὶ τὰ χρήματα ἦ συντεταγμένα, διελεῖν τοῦτο, then proceeds with εἶτα. The infinitives carry the burden of the meaning, all depending on κελεύω. The final explanation is given with a ὅπως clause and conditional ones setting the number of the

triremes that would be needed in each hypothetical situation. The enumeration of the proposals is made in an unimaginative form of narrative; with connectives such as ἔπειτα, participles etc. A comparison with similar proposals made in the *First Philippic* is in my opinion necessary to show the progress D. made and his ever expanding experience in matters of organisation. In IV he identifies step by step the problems Athens has had fighting Philip. There (16) he identifies the need for a ready-to-sail force of 50 ships. He does not go on to explain immediately how he wants those ships to be fitted and manned but thinks about the impact these ships would have on Philip. Then he moves on to suggest the small strike force that Athens should always have on the move (IV. 19). For two sections he does not go ahead with the preparations themselves but tries to convince the Athenians of the necessity for Athenian soldiers and not mercenary ones. After asking for some mercenaries only (IV. 20) he stops again to remind them of the feebleness of their decrees and their tendency to get carried away and do absolutely nothing when they must resort to action. It is only then he goes on to give details of his plans, and not for more than two sections. Then in 23-27 he explains the advantages of a small strike force and the necessity for Athenian forces to serve along with mercenary ones. In splendid language he criticises the ludicrous situation of Athenian mercenaries sent out to destroy their enemies when actually they destroy their allies. He does not return to the point about the resources until IV. 28-29, again explaining the necessity to provide full financial support for the proposed forces. D. in XIV reaches some of the effectiveness of IV only in XIV. 24ff., where he talks about the money resources that a campaign against the King would need. As far as the reform is concerned, D. gives a dry, factual account without explaining each point carefully. This is a weakness in his presentation which is not covered by the rather successful 24ff. Whether he meant the proposals seriously is not an easy question to answer, but the rapidity of the suggestions, as if he wanted to finish with them in one breath, suggests that the orator was keen to touch on the subject but not perhaps to give a fuller version of his ideas and the intellectual process behind them. The nature of the proposals themselves does not suggest that he wanted to scare them off by the effort of the preparation, since the proposals touch on already existing

institutions, and his comparison with Nikias is not successful, as the latter in Thukydides tried to exaggerate the whole force that would be needed to attack Sicily and not reform an institution.

Regarding the liveliness of the orations, questions are very good ways to make a point succinctly or prompt the audience to think with the orator providing the answer. Ronnet 115ff. has done a statistical study of the questions contained in all Demosthenic orations and found that in his orations before 346 (with the exception of III and IV) D. does not use many. She justified this by arguing that since the orator was young and was trying to impress the audience he could not take too many liberties and bombard them with questions. This is certainly true, and taking into account the didactic and rather dignified intentions of his first orations (especially as regards XIII) questions were not very desirable as they might seem to trivialise the matter. III and IV on the other hand are there to rouse the emotions rather than engage the intellect and thus we have their exuberant and lively style. There are certainly some good questions in XIV. For example in 27 where D. speculates about the gradual rise in the *eisphora* tax. This set of questions is superbly finished off by the question containing the image of the camels carrying the gold of the King: καὶ τί τοῦτ' ἔστι πρὸς διακοσίας καὶ χιλίας καμήλους, ἅς βασιλεῖ τὰ χρήματ' ἄγειν φασὶν οὗτοι; In 31, D. again uses questions to show exactly how much it was out of the question to have Greeks fighting Greeks in the service of the Great king. These emotionally charged questions ποῖ γὰρ αὐτὸς τρέπεται μετὰ ταῦτα; εἰς Φρυγίαν ἐλθὼν δουλεύσει; are followed by an equally patriotic accumulation of what the fight against the barbarian is about, essentially what Greek life consists of: περὶ χώρας καὶ βίου καὶ ἐθῶν καὶ ἐλευθερίας καὶ πάντων τῶν τοιούτων. In 36 a question is used to add spontaneity to the point made: ἐπειδὴ δὲ φίλον αὐτὸν νομίσαντες αὐτοῖς ὑπάρχειν περὶ τῶν πρὸς ἑαυτοὺς διηνέχθησαν διαφόρων, ὅσ' ἂν οὐδὲ καταρώμενος εὐρέ τις αὐτοῖς, τοσαῦτα πεπόνθασι κακά; In XIII in contrast there are not many effective questions with a few unimportant exceptions (e.g. in 23 where there is a powerful question).

A feature which comes up in XIII and which was to be used to much better effect in the later orations is dialogue with the audience: 9...ὁ Ῥοδίων, ἐχθρὸς γ' ὄν ἡμῖν, φαίη τις ἄν, 12 Ἦδη δέ τις εἶπεν..."τί δ' ὑμῖν ἐκ τῶν Δημοσθένους λόγων ἀγαθὸν γέγονεν;...", 28 ἀλλὰ νῆ Δία ταῦτα μόνον τότ' εἶχε βέλτιον ἢ νῦν, τὰ δ' ἄλλα χεῖρον. This dialogue with the audience, presenting the orator with a question or a problem is a way of presenting a new argument or a new angle to the same one. The imaginary maligning of D. in 12 is interesting because it utters what many critics have said about D. namely that his vagueness is disturbing. Yet D. defends himself remarkably by saying that he is convinced that his suggestions are the best for Athens but that they are not likely to be followed because the Athenians are not used to effort and truth. His defence is concluded by the excellent metaphor on the need for the Athenians' ears to be cured:...τὰ ὦτα πρῶτον ὑμῖν ἰάσασθαι· διέφθαρται γάρ. 27 could be taken as another medical metaphor: ἐρημίας ἐπειλημμένοι since ἐπιλαμβάνομαι can have the sense "to be overcome by illness".

Metaphors, a characteristic of D. in more or less all of his orations, are used rather normally in these early speeches. In XIV. 25 the verb χρησμοδοῦεν conveys the atmosphere the audience must have been in when talking about the King. In 26 πλείων ἐστὶ γέλωσ τοῦ μηδενός is a fantastic metaphor describing the situation should Athens decide to raise the funds for the war at the time of the oration. As the outcome will be almost nothing, the laughter will be much more than the non-existent fund - a remarkably clever metaphor conveying the hilarious, in D.'s ironic opinion, idea of what would happen should Athens try to get from its rich citizens any money at all for a war against the King. There is a fine metaphor in XIII. 12 when he characterises his opponents as of τῶν διαρρηγνυμένων describing them ironically for their bombastic style and in 24 where he presents the Athenians as selling honour as if it were a normal article of merchandise.

In XIII he quite often uses parenthetic sentences either to anticipate the murmurs of the audience or to draw their attention to what he has to say or to add a spark of liveliness to the speech (cf. 3 καὶ μοι μὴ θορυβήσητ' ἐφ' ᾧ μέλλω λέγειν, 14 ὅπως δὲ μὴ θορυβήσει μοι μηδεῖς, πρὶν ἂν ἅπαντ' εἶπω,...καὶ σκοπεῖτ' ἂν ἀληθῆ λέγω).

There are other stylistic devices as well which are used to add emphasis to a word or a point such as *oxymora*: cf. 38 συγκαλοῦντες ὅτ' οὐ πείσονται, καὶ πολεμοῦντες ὅτ' οὐ δυνήσεσθε, an *anaphora* in XIII.8 (see also Ronnet 65ff.) ἐπὶ πολλῆς μὲν ἡσυχίας...ἐπὶ πολλῆς δ' ἡσυχίας (a device used confidently in the rather later orations of D.) or *hyperbata* such as in XIV. 1 λόγον... κεχαρισμένον, συμφέροντά γ', 36 περὶ τῶν πρὸς ἑαυτοὺς διηνέχθησαν διαφορῶν, 29 χιλίας ἀπολέσαντας ναῦς ...τριακοσίας αὐτοὺς ὑμᾶς νῦν παρεσκευασμένους τριήρεις;, XIII. 16 ἕτεροί γε λόγοι παρερρηήκασι πρὸς ὑμᾶς ψευδεῖς. Repetitions are used as well for emphasis, so we have repetitions of synonyms in XIV. 4 ἐναργὲς καὶ σαφές, 5 ταραχὴν καὶ ἀγνωμοσύνην, 40 γνώριμα καὶ πίστ', XIII. 9 ἐρῶ καὶ οὐκ ἀποκρύψομαι, pronouns XIII.3 μὴ τὸν δεῖνα μηδὲ τὸν δεῖνα, 5 ὁ δεῖνα τοῦ δεῖνος τὸν δεῖνα εἰσήγειλεν, infinitives 14 μαστιγοῦν, στρεβλοῦν πάντες οἱ λέγοντες τὸ δῆμον καταλύοντες, 32 ἐξιέναι, κωλύειν μὴ ἐπιτρέπειν.

To conclude this small study of D.'s style in these two early orations it is perhaps sufficient to say that we can find in them most of the stylistic devices that made the orator renowned for his skill. They are only lacking in liveliness and excitement perhaps because of their didactic subject as well as the inexperience of D. in writing pieces for the Assembly. His lack of complexity and the rather reserved manner was soon to give place to the force and exuberance of the *First Philippic*.

