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THE INTRODUCTIONS OF DEMOSTHENES
A RHETORICAL ANALYSIS

In 3 Volumes

Volume I

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Submitted for the degree of Ph.D.

In the University of Glasgow

Department of Classics

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DECLARATION

I hereby declare that this thesis embodies the results of my own special work, that it has been composed by myself and that it does not include work forming part of a thesis presented successfully for a degree in the University of Glasgow or in another University.

SUMMARY

The aim of the thesis is to conduct a rhetorical analysis of the introductions of the speeches in the Demosthenic corpus and of the introductions in the collection of prooemia. The recommendations for introductions of the rhetoricians, Anaximenes and Aristotle, are itemized as numbered features so that they can be cited whenever they occur in Demosthenic introductions. The relevant research of modern authors on rhetorical style and introductions is considered. The first task of the thesis is to define the introductions of the speeches in the Demosthenic corpus and the parts of those passages in the collection of prooemia which constitute introductions. To facilitate this task lists were made of criteria which helped to indicate the point at which an introduction ends and the point at which the main part of a speech begins. To compile the lists an initial sample of orations 1-26 was considered. The rest of the speeches and the collection of prooemia were then subjected to the criterion test. Two of the speeches, orations 13 and 46, were found to have no introductions at all. While most of the prooemia are complete introductions some of them, pr.1, pr.2, pr.24, pr.27, pr.29, pr.30, pr.31, pr.35, pr.37, pr.40, pr.41 and pr.56, were found to combine an introduction with a few lines, or even a single sentence, that are equivalent to the beginning of the main part of a

speech. Next, a preliminary survey was carried out to discover common themes that recur in introductions. The following themes were observed:

1. Justice and the record of one's life
2. Litigiousness
3. The speaker's disadvantage
4. Brevity
5. Divine support
6. The public interest

A chapter of the thesis is devoted to analysis of individual introductions. Speakers' tactics are assessed with respect to three aims, the provision of preliminary statement, the securing of attention and the winning of goodwill. The arrangement of an introduction's contents is tabulated in terms of these three aims.

The findings of the thesis are as follows:

1. Criteria exist which help to define the point at which an introduction ends.
2. Criteria exist which help to define the point at which the main part of a speech begins.
3. The collection of proemia for the most part contains introductions which were composed to provide a supply of introductions to be available for use when occasion demanded.
4. The majority of the introductions of deliberative speeches are thematic. Some display a distinctness from

their respective speeches that suggests that they were composed to be available for use and were then selected and attached to their respective speeches. Others are integral components of their speeches. The introductions of forensic speeches, with only three exceptions, are integral parts of their respective speeches.

5. There is evidence in the introductions of some of those speeches whose Demosthenic authorship is suspect which lends some support to the suspicions.

6. While the introductions of public forensic speeches contain some of the arguments that can be found in the introductions of deliberative speeches, they are more akin to the introductions of private forensic speeches so that it cannot be said that they are transitional to any great extent between the introductions of private forensic speeches and the introductions of deliberative speeches.

7. Although Demosthenes conforms to some of the recommendations of Anaximenes and Aristotle for introductions, there is not enough evidence to suggest that he has done this deliberately. As for the arrangement of an introduction's contents Demosthenes does not follow the patterns recommended by Anaximenes but employs more complex patterns.

The designation of criteria, the division of certain proemia into introduction and beginning of main part of speech, the observations on the relationship between introductions and their respective speeches, the discovery of evidence in introductions that confirms suspicions about

Demosthenic authorship, and the comparison of Demosthenes' tactics in introductions with the recommendations of Anaximenes and Aristotle constitute contributions to knowledge.

ABBREVIATIONS

A.	Attention
<i>A.J.P.</i>	<i>American Journal of Philology</i>
<i>A.P.</i>	<i>Athenaion Politeia</i> attributed to Aristotle
<i>C. et M.</i>	<i>Classica et Mediaevalia</i>
<i>C.P.</i>	<i>Classical Philology</i>
<i>C.Q.</i>	<i>Classical Quarterly</i>
<i>C.R.</i>	<i>Classical Review</i>
(D)	Deliberative
(E)	Epideictic
(F)	Forensic
G.	Goodwill
<i>G.R.B.S.</i>	<i>Greek Roman and Byzantine Studies</i>
<i>J.H.S.</i>	<i>Journal of Hellenic Studies</i>
<i>L.E.C.</i>	<i>Les études classiques</i>
<i>N.G.G.</i>	<i>Nachrichten Gesellschaft der Wissenschaften zu Goettingen</i>
pr.	prooemium
<i>R.A.A.</i>	Anaximenes' <i>Rhetorica ad Alexandrum</i>
<i>R.E.A.</i>	<i>Revue des études anciennes</i>
<i>R.E.G.</i>	<i>Revue des études grecques</i>
<i>R.H.</i>	Aristotle's <i>Rhetoric</i> III
<i>R.I.L.</i>	<i>Rendiconti Istituto Lombardo di Scienze e Lettere</i>
S.	Statement
<i>T.A.P.A.</i>	<i>Transactions of the American Philological Association</i>

1. INTRODUCTION

(i) *Aim and Objectives*

The aim of this study is to analyse the introductions of Demosthenes, i.e. to analyse the introductions of the speeches in the Demosthenic corpus and the introductions in the collection of prooemia. There are several objectives:

1. To list criteria which help to identify the point at which an introduction ends and at which the main part of a speech begins.

2. To define the introduction of each speech in the Demosthenic corpus and of each passage in the collection of prooemia that is not merely an introduction, i.e. that consists of a passage that constitutes an introduction followed by a few lines that resemble the start of the main part of a speech.

3. To establish the *raison d'être* of the collection of prooemia.

4. To assess whether the introductions of the speeches were composed as integral elements of their respective speeches.

5. To collect evidence in the introductions that confirms or refutes doubts about the Demosthenic authorship of those speeches whose authenticity is suspect.

6. To assess the extent to which the introductions of public forensic speeches are transitional between the introductions of private forensic speeches and the introductions of deliberative speeches.

7. To determine how far the introductions of Demosthenes conform to the recommendations of Anaximenes and Aristotle.

The analysis of the introductions is rhetorical in the sense that tactics designed to secure attention and goodwill are appraised with respect to their effectiveness and particular consideration is given to the speaker's use of Anaximenes' and Aristotle's rules for introductions, which are itemized as numbered features that are cited whenever the respective rules are used in Demosthenic introductions. The first task of the thesis is to define the introductions. Decisions are based on the occurrence of criteria that indicate where an introduction ends and where the main part of a speech begins. To assemble the lists of these criteria an initial sample of orations 1-26 was considered in order to observe recurring patterns. The whole corpus, including the collection of prooemia, was then considered. The final lists, which appear in Chapter 2, are followed by instances of each criterion in turn. Definitions of the introductions of the speeches are made next in their Demosthenic corpus sequence. Those prooemia which contain criteria are included in the order in which they occur in the collection of prooemia. Definitions are made of the introductions of those prooemia which consist of an introduction followed by a short passage akin to the

start of the main part of a speech. Those prooemia which contain no introductory material are ruled out of consideration. After the definitions there are surveys of criterion occurrence and of criterion deployment. The first two objectives of the thesis, to list criteria and to define introductions, are achieved in Chapter 2, because they cannot be postponed to the chapter of conclusions since they are preliminary tasks that must be completed before analysis can be undertaken. Chapter 3 reveals the results of a preliminary survey to discover common themes that recur in Demosthenic introductions. The contents of individual introductions are analysed in Chapter 4. It has been considered appropriate to depart from the Demosthenic corpus order by keeping all the deliberative introductions together. Accordingly the introductions from the collection of prooemia are inserted after orations 1-17. A further refinement is that those introductions from the collection of prooemia which equate to or resemble introductions from the extant speeches are inserted in the running order immediately after their respective counterparts. Thus pr.3, for example, is discussed immediately after oration 1. Forensic introductions follow their Demosthenic corpus order. In Chapter 5 conclusions are made regarding objectives 3-7.

(ii) *Rhetorical Theory: Anaximenes and Aristotle*

Cicero, *Brutus*, xii.46, alluding to Aristotle's lost work, *Συναγωγή τεχνῶν*, says that after the expulsion of the tyrants from Sicily in 467 Corax and Tisias compiled a handbook of instructions for litigants trying to recover property that had been illegally confiscated by the tyrants. The development of rhetorical theory from this beginning up to the time of Aristotle is traced by J.H. Freese 1939, pp. vii-xxvi, and by G. Kennedy 1963, pp.52-124. Freese lists chronologically rhetoricians of the Sicilian school and the West and then rhetoricians from Greece itself and the eastern colonies. He devotes to each a paragraph in which he describes his contribution. Kennedy is more selective and offers more detailed analysis of the work of the major rhetoricians while relegating to brief mention in a single paragraph, p.70, the names of less important rhetoricians. Moreover he distinguishes between two ways of teaching rhetoric: the production of specimens and the writing of handbooks, pp.52-58. Both writers give much attention to two rhetoricians who are of interest to this treatise because they were contemporaries of Demosthenes and because they expressed opinions on the introduction. They are Aristotle in *Rhetoric* III xiv-xv and Anaximenes in *Rhetorica ad Alexandrum* xxix, xxxvi and xxxvii.

The *Rhetoric* of Aristotle is a philosophical work

in three books. Book 1 deals with the means of persuasion, the logical proofs based on dialectic. Book 2 considers the psychological or ethical proofs derived from a knowledge of the human emotions and their causes, and of the various kinds of character. Book 3 deals with style and arrangement.

Freese, pp.xxii-xxiii, presents the evidence from which it is thought that Aristotle wrote the work in Athens around 330 B.C. He also mentions, p.xxii, six other rhetorical works of Aristotle, now lost, which are cited by Diogenes Laertius: (1) a literary history of rhetoric, *Συναγωγή τεχνῶν*, (2) a dialogue called 'Gryllus', (3), (4) and (5) simply called 'Arts' of Rhetoric and (6) *Theodectea*.

The introduction is featured in *Rhetoric* III xiv-xv. Freese, pp.xliv-xtv, summarizes the contents:

'(xiv) *Exordium* is the beginning of a speech, resembling the prologue in poetry and the prelude in flute-playing. In an epideictic speech it resembles the musical prelude, and is connected with the body of the speech by the key-note; it is derived from topics of praise or blame. In a forensic speech, it resembles the prologue of a play or epic poem; hence it must declare the object of the speech. In a deliberative speech, the proems are derived from those of the forensic, but they are rarest in this kind of rhetoric (deliberative), being only needed (1) on account of the speaker himself, or (2) of his opponents; (3) to impress the hearer with the importance or otherwise

of the case; (4) for ornament.

Other exordia are collective and general. They are derived (1) from the speaker; or (2) from the opponent; (3) from the hearer, to make him well-disposed towards us or ill-disposed towards the opponent; (4) from the subject, making it out to be important or unimportant. Arousing the hearer's attention belongs to any part of a speech. (xv) The topics that may be employed in dealing with slander or prejudice.'

The *Rhetorica ad Alexandrum* was preserved among the works of Aristotle. A spurious dedicatory epistle gives it its title and claim of authorship by Aristotle. However it bears little resemblance to his work. Indeed it is exactly the type of handbook of rhetorical features frowned upon by Aristotle in *Sophistical Refutations* (183 b 36 ff) where he complains of teachers who thought they could educate by imparting not art but the products of art and uses as an illustration the offer of a variety of shoes as a prevention of sore feet instead of the teaching of shoemaking. A *terminus post quem* for the work's date appears at chapter VIII in a reference to the Corinthian expedition to Sicily of 341 B.C. The authorship of Anaximenes is suggested by a passage in Quintilian III iv 9:

'Anaximenes iudicialem et concionalem generales partes esse voluit; septem autem species hortandi, dehortandi, laudandi, vituperandi, accusandi, defendendi, exquirendi

(quod ἑξεταστικόν dicit): quarum duae primae deliberativi, duae sequentes demonstrativi, tres ultimae iudiciales generis sunt partes.'

The identification of this reference with the *Rhetorica ad Alexandrum* was first made by Publius Victorius in the preface of his 1579 edition of Aristotle's *Rhetoric*. A discrepancy is that the author of the *Rhetorica ad Alexandrum* divides oratory into not two but three types: forensic, assembly and epideictic. However this should be overlooked, as Kennedy convincingly argues, p.114, because the author immediately introduces seven species which exactly correspond to those mentioned by Quintilian.

Anaximenes came from Lampsacus and was a tutor of Alexander the Great whom he accompanied on his Asiatic expedition. Dionysius of Halicarnassus, *Isaeus* 19, suggests that he was a jack-of-all-trades: history, criticism, oratory; but master of none. For discussion of Anaximenes by a modern author see P. Wendland 1905.

The *Rhetorica ad Alexandrum* may be divided into three parts:

- (1) chapters i-v, the seven species of oratory.
- (2) chapters vi-xxviii, elements common to all species.
- (3) chapters xxix-xxxviii, structure of speeches.

The introduction is considered in chapters xxix, xxxvi and xxxvii. At xxix Anaximenes discusses the contents of the introduction of an Ecclesia speech of exhortation or dissuasion. He suggests that it should contain summary

statement of the case, request for attention, arguments which will win over a particular audience, friendly, neutral, or hostile due to misrepresentation of the past or the present or because of one's personality or as a result of circumstances. At xxxvi he deals with a forensic speech's introduction: it should win the court's goodwill and refute misrepresentation. At xxxvii he remarks that for the examinational species an introduction should follow the pattern of refuting a misrepresentation. Its aim is to make a speaker's action seem reasonable before he proceeds to the main part of the speech.

From a closer study of the rules advocated and the specimen arguments suggested by Aristotle and Anaximenes we can form a list of criteria with which to analyse the contents of Demosthenic introductions. We shall consider three aspects:

- (a) The aim of an introduction.
- (b) The contents of an introduction.
- (c) The arrangement of an introduction's contents.

In references, *Rhetorica ad Alexandrum* will be abbreviated to *RAA*. Aristotle's *Rhetoric* III will be signified with *RH*.

(a) The Aim of an Introduction

Anaximenes identifies a threefold aim: to provide a preliminary explanation to facilitate the audience's understanding, to secure the audience's attention, and to

obtain the audience's goodwill.

ἔστι δὲ προοίμιον καθόλου μὲν εἰπεῖν ἀκροατῶν παρασκευὴ καὶ τοῦ πράγματος ἐν κεφαλαίῳ μὴ εἰδόσι δήλωσις, ἵνα γινώσκωσι περὶ ὧν ὁ λόγος παρακολουθῶσί τε τῆ ὑποθέσει, καὶ ἐπὶ τὸ προσέχειν παρακαλέσαι, καὶ καθ' ὅσον τῷ λόγῳ δυνατόν, εὖνους ἡμῖν αὐτοὺς ποιῆσαι. τούτων μὲν οὖν εἶναι δεῖ τὸ προοίμιον παρασκευαστικόν. RAA xxix 1436a

Anaximenes applies these principles to Ecclesia speeches in xxix. At xxxvi he discusses the role of the introduction in a forensic speech.

πρῶτον μὲν οὖν ἐν τοῖς προοιμίοις προθήσομεν τὸ πρᾶγμα περὶ οὗ κατηγορήσομεν ἢ ἀπολογησόμεθα, ὥσπερ ἐπὶ τῶν ἄλλων εἰδῶν. προσέχειν δὲ παρακαλέσομεν ἐκ τῶν αὐτῶν ὧν ἐν τῷ προτρεπτικῷ καὶ ἐν τῷ ἀπολογητικῷ. ἔτι δὲ καὶ περὶ τῆς εὐμενείας, τῷ μὲν εὖ διακειμένῳ μηδὲ διαβεβλημένῳ τῷ πρὸς αὐτὸν ἢ πρὸς τὸ πρᾶγμα ἢ πρὸς τὸν λόγον τοὺς ἀκούοντας δυσχεραίνειν, τὸν αὐτὸν τρόπον ὡς περὶ ἐκείνων εἴρηται τὴν εὐμένειαν παρασκευαστέον· τῷ δὲ μήτε εὖ μήτε κακῶς διακειμένῳ καὶ τῷ ἢ ἐκ τοῦ παροιχομένου χρόνου ἢ ἐκ τοῦ παρόντος ἢ διἑαυτὸν ἢ τὸ πρᾶγμα ἢ τὸν λόγον διαβεβλημένῳ ἔνια μὲν μεμιγμένως ἔνια δ' ἰδίως πρὸς εὐμένειαν ποριστέον. RAA xxxvi 1441b-1442a

Again we have the three elements: explanation, attention and goodwill.

Anaximenes' aim is to teach the art of persuasion. His approach is systematic. He states the aims and then

shows how to apply them.

Aristotle handles the introduction in a more literary manner. He compares oratory with other genres. This is apparent in his first pronouncement about the introduction.

τὸ μὲν οὖν προοίμιόν ἐστιν ἀρχὴ λόγου, ὅπερ ἐν ποιήσει πρόλογος καὶ ἐν ἀυλήσει προαύλιον· πάντα γὰρ ἀρχαὶ ταῦτ' εἰσί, καὶ ὅλον ὁδοποίησις τῷ ἐπιόντι. RH xiv 1

Nevertheless he mentions first the same aim with which Anaximenes began. The introduction is the beginning of a speech and should prepare the way for what follows. Aristotle's picturesque expression ὁδοποίησις, 'making of roads', corresponds to Anaximenes' παρασκευή, 'preparation'.

Aristotle next mentions the role of the introduction in epideictic speeches.

τὸ μὲν οὖν προαύλιον ὅμοιον τῷ τῶν ἐπιδεικτικῶν προοιμίῳ· καὶ γὰρ οἱ ἀυληταί, ὃ τι ἂν εὐ ἔχωσιν ἀυλῆσαι, τοῦτο προαυλήσαντες συνῆψαν τῷ ἐνδοσίμῳ, καὶ ἐν τοῖς ἐπιδεικτικοῖς λόγοις δεῖ οὕτω γράφειν· ὃ τι γὰρ ἂν βούληται εὐθὺ εἰπόντα ἐνδοῦναι καὶ συνάψαι ὅπερ πάντες ποιοῦσιν. παράδειγμα τὸ τῆς Ἰσοκράτους Ἑλένης προοίμιον· οὐθὲν γὰρ οἰκεῖτον ὑπάρχει τοῖς ἐριστικοῖς καὶ Ἑλένη. ἅμα δὲ καὶ ἐὰν ἐκτοπίση, ἀρμόττει μὴ ὅλον τὸν λόγον ὁμοεῖδη εἶναι. RH xiv 1

Some explanation is needed of what Aristotle means by τὸ προαύλιον which is translated 'the key-note'. He refers

to the *Helen* of Isocrates. The subject of the speech is Helen but in the speech Isocrates also attacks the Sophists. In the introduction Isocrates mentions the key-note, Helen, but also attacks the Eristics.

At section 4 Aristotle mentions some aims of epideictic introductions.

τὰ μὲν οὖν τῶν ἐπιδεικτικῶν λόγων προοίμια ἐκ τούτων, ἐξ ἐπαίνου, ἐκ ψόγου, ἐκ προτροπῆς, ἐξ ἀποτροπῆς, ἐκ τῶν πρὸς τὸν ἀκροατὴν· δεῖ δὲ ἢ ξένα ἢ οἰκεῖα εἶναι τὰ ἐνδόσιμα τῷ λόγῳ.

RH xiv 4

Aristotle deals with forensic speeches in sections 5-6.

τὰ δὲ τοῦ δικανικοῦ προοίμια δεῖ λαβεῖν ὅτι ταύτῳ δύναται ὕπερ τῶν δραμάτων οἱ πρόλογοι καὶ τῶν ἐπῶν τὰ προοίμια·

RH xiv 5

ἐν δὲ τοῖς λόγοις καὶ ἔπεσι δεῖγμά ἐστι τοῦ λόγου, ἵνα προειδῶσι περὶ οὗ ἦν ὁ λόγος καὶ μὴ κρέμῃται ἡ διάνοια· τὸ γὰρ ἀόριστον πλανᾷ· ὁ δοῦς οὖν ὡςπερ εἰς τὴν χεῖρα τὴν ἀρχὴν ποιεῖ ἐχόμενον ἀκολουθεῖν τῷ λόγῳ ...

τὸ μὲν οὖν ἀναγκαιότατον ἔργον τοῦ προοιμίου καὶ ἴδιον τοῦτο, δηλῶσαι τί ἐστι τὸ τέλος οὗ ἕνεκα ὁ λόγος. διόπερ ἂν δῆλον ἦ καὶ μικρὸν τὸ πρᾶγμα, οὐ χρηστότερον προοιμίῳ.

RH xiv 6

He stresses the importance of the aim noted in Anaximenes and in section 1 of chapter xiv, preparation.

He then says that other items in every kind of introduction are remedies.

τὰ δὲ ἄλλα εἶδη οἷς χρῶνται, ἰατρεύματα καὶ κοινά. λέγεται δὲ ταῦτα ἕκ τε τοῦ λέγοντος καὶ τοῦ ἀκροατοῦ καὶ τοῦ πράγματος καὶ τοῦ ἐναντίου. περὶ αὐτοῦ μὲν καὶ τοῦ ἀντιδίκου, ὅσα περὶ διαβολὴν λῦσαι καὶ ποιῆσαι...

τὰ δὲ πρὸς τὸν ἀκροατὴν ἕκ τε τοῦ εὖνουν ποιῆσαι καὶ ἕκ τοῦ ὀργίσει, καὶ ἐνίοτε δὲ ἕκ τοῦ προσεκτικῶν ἢ τουναντίον·

RH xiv 7

These remedies are to be used to cure weaknesses arising from the speaker, the hearer, the subject and the opponent.

In relation to speakers and opponents the aim is to remove and create prejudice. Aristotle refers to this again at section 10.

πάντες ... ἢ διαβάλλουσιν ἢ φόβους ἀπολύονται ἐν τοῖς προοιμίοις.

RH xiv 10

With regard to the hearer one should aim to excite goodwill, anger, attention and inattention. At section 11 Aristotle quotes *Odyssey* vii 327 to cite two more responses to be sought from the hearer.

ἐπεὶ δ' εὖ λέγεται

δός μ' ἐς Φαίηκας φίλον ἐλθεῖν ἢδ' ἐλεεινόν,

τούτων δεῖ δύο στοχάζεσθαι.

RH xiv 11

Of course, all responses would not be required for each occasion, but when appropriate.

The remedy for a bad, or apparently bad, subject is to spend time on irrelevancies.

καὶ οἱ πονηρὸν τὸ πρᾶγμα ἔχοντες ἢ δοκοῦντες· πανταχοῦ
γὰρ βέλτιον διατρίβειν ἢ ἐν τῷ πράγματι. διὸ οἱ δοῦλοι
οὐ καὶ οἱ πονηρὸν τὸ πρᾶγμα ἔχοντες ἢ δοκοῦντες· πανταχοῦ
οὐ γὰρ βέλτιον διατρίβειν ἢ ἐν τῷ πράγματι. διὸ οἱ δοῦλοι
ἀζέ
οὐ τὰ ἐρωτώμενα λέγουσιν ἀλλὰ τὰ κύκλω, καὶ προοιμι-

Aristotle mentions the aim of an introduction which has no need of remedies.

δεῖ δὲ μὴ λανθάνειν ὅτι πάντα ἔξω τοῦ λόγου τὰ τοιαῦ-
τα· πρὸς φαῦλον γὰρ ἀκροατὴν καὶ τὰ ἔξω τοῦ πράγματος
ἀκούοντα, ἐπεὶ ἂν μὴ τοιοῦτος ᾖ, οὐθὲν δεῖ προοιμίου,
ἀλλ' ἢ ὅσον τὸ πρᾶγμα εἰπεῖν κεφαλαιωδῶς, ἵνα ἔχη ὡσπερ
σῶμα κεφαλὴν.

RH xiv 8

ἵνα ἔχη ὡσπερ σῶμα κεφαλὴν suggests that Aristotle considered it appropriate for a speech to have an introduction since it would not sound right without one.

The introduction of deliberative speeches are discussed in section 12.

Τὰ δὲ τοῦ δημηγορικοῦ ἐκ τῶν τοῦ δικανικοῦ λόγου ἐστίν,
φύσει δ' ἥκιστα ἔχει· καὶ γὰρ καὶ περὶ οὗ ἴσασι, καὶ οὐδὲν

δεῖται τὸ πρᾶγμα προσιμίου, ἀλλ' ἢ δι' αὐτὸν ἢ τοὺς ἀντι-
λέγοντας, ἢ ἔαν μὴ ἡλίκον βούλει ὑπολαμβάνουσιν, ἀλλ' ἢ
μεῖζον ἢ ἔλαττον. διὸ ἢ διαβάλλειν ἢ ἀπολύεσθαι ἀνάγκη,
καὶ ἢ αὐξῆσαι ἢ μειῶσαι. τούτων δὲ ἔνεκα προσιμίου δεῖ-
ται, ἢ κόσμου χάριν, ὡς αὐτοκάβδαλα φαίνεται, ἔαν μὴ
ἔχη.

RH xiv 12

Aristotle seems to disparage deliberative introductions: they derive from forensic introductions and are very scarce. If there is no need for remedies their function is merely decorative. It will be interesting to see if Demosthenes' deliberative introductions fit this picture.

We must now gather together these statements to form an overall view of the aim of an introduction.

1. The introduction is the beginning of a speech, *RH* xiv 1. It must therefore state the subject of the speech, *RAA* xxix 1436a, xxxvi 1441b, *RH* xiv 6. In an epideictic speech it should contain the key-note, *RH* xiv 1. It should prepare the audience for what follows, *RAA* xxix 1436a, *RH* xiv 1. The introduction's relationship to the speech is that of the head to the body, *RH* xiv 8. An introduction is decorative, *RH* xiv 12.

2. The introduction must elicit a response from the audience. Anaximenes looks for attention and goodwill, *RAA* xxix 1436a, xxxvi 1441b-1442a. In epideictic speeches the audience reacts to the speaker's praise,

blame, exhortation, dissuasion and to appeals, *RH* xiv 4. Aristotle also suggests for all kinds of oratory remedies connected with the speaker, the hearer, the subject and the opponent, *RH* xiv 7.

(b) The Contents of an Introduction

The specimen arguments of Anaximenes and Aristotle can provide a list of features for analysis of the contents of Demosthenic introductions. The list has eight sections:

1. Preliminary statement
2. Appeal for attention
3. Win goodwill of a friendly audience
4. Win goodwill of a neutral audience
5. Win goodwill of an audience prejudiced against the speaker
6. Win goodwill of an audience prejudiced against the subject
7. Win goodwill of an audience prejudiced against the speech
8. Aristotle's arguments for the removal of prejudice.

Sections 1-7 follow Anaximenes' subdivision of the subject. Where appropriate Aristotle's suggestions have been incorporated into this framework. However most of the arguments from Rhetoric III xv have been added at the end as section 8. There are three broad groups: statement, attention, goodwill.

Features which appear more than once retain the number

assigned on first appearance.

Abbreviations (D), (E) and (F) signify deliberative, epideictic and forensic respectively, and represent that Anaximenes or Aristotle has allotted a particular example to a specific genre.

STATEMENT

1. Preliminary statement

SUMMARY STATEMENT OF THE CASE

Anaximenes says that the introduction is a preparation of the hearers and a summary explanation for those unacquainted with the subject in order to inform them about the speech and so that they can follow the argument.

101 "Ἔστι δὲ προοίμιον καθόλου μὲν εἰπεῖν ἀκροατῶν παρασκευὴ καὶ τοῦ πράγματος ἐν κεφαλαίῳ μὴ εἰδόσι δήλωσις, ἵνα γινώσκωσι περὶ ὧν ὁ λόγος παρακολουθῶσί τε τῇ ὑποθέσει, ... RAA xxix 1436a

Aristotle says that an introduction should make a summary statement of the subject so that like a body it may have a head.

101 (F) ... τὸ πρᾶγμα εἰπεῖν κεφαλαιωδῶς, ἵνα ἔχη ὡσπερ σῶμα κεφαλὴν. RH xiv 8

A SAMPLE OF THE SPEECH

Aristotle also says that the introduction should provide a sample of the speech so that the hearers may know in advance what the speech is about and that the mind may not be kept in suspense.

102 (F) ἐν δὲ τοῖς λόγοις καὶ ἔπεσι δεῦγμά ἐστι τοῦ λόγου,
ἵνα προειδῶσι περὶ οὗ ἦν ὁ λόγος καὶ μὴ κρέμηται
ἡ διάνοια. RH xiv 6

THE KEY NOTE

Aristotle compares the introduction of an epideictic speech with a prelude. Both should contain a key-note, τὸ ἐνδόσιμον.

103 (E) τὸ μὲν οὖν προαύλιον ὁμοιον τῷ τῶν ἐπιδεικτικῶν
προοιμίῳ· καὶ γὰρ οἱ αὐληταί, ὅ τι ἂν εὔ ἔχωσιν αὐ-
λῆσαι, τοῦτο προαυλήσαντες συνῆψαν τῷ ἐνδοσίμῳ, καὶ
ἐν τοῖς ἐπιδεικτικοῖς λόγοις δεῖ οὕτω γράφειν· ὅ τι
γὰρ ἂν βούληται εὐθὺ εἰπόντα ἐνδοῦναι καὶ συνάφαι.
RH xiv 1

ATTENTION

2. Appeal for attention

Straightforward request

201 (D) ... δεηθῶσιν ἡμῶν ἀκοῦσαι αὐτῶν προσέχοντας τὸν
νοῦν RAA xxix 1436b

because matters under consideration are:

202 (D) important ὑπὲρ μεγάλων RAA xxix 1436b
προσεκτικοὶ δὲ τοῖς μεγάλοις ... RH xiv 7

203 (D) alarming ὑπὲρ φοβερῶν RAA xxix 1436b

204 (D) related to the audience ὑπὲρ τῶν ἡμῶν οἰκείων
RAA xxix 1436b
προσεκτικοὶ ... τοῖς ἰδίοις ... RH xiv 7

205 astonishing προσεκτικοὶ ... τοῖς θαυμαστοῖς ...
RH xiv 7

206 pleasant προσεκτικοὶ ... τοῖς ἡδέειν RH xiv 7

because the course of action advocated is:

207 (D) just φάσκωσιν οἱ λέγοντες ὡς δίκαια ...
ἐπιδείξουσιν ἡμῶν ἐφ' ᾧ πράττειν παρακαλοῦσιν

208 (D) honourable φάσκωσιν οἱ λέγοντες ὡς ... καλὰ ...
ἐπιδείξουσιν ἡμῶν ἐφ' ᾧ πράττειν παρα-
καλοῦσιν

- 209 (D) profitable φάσκωσιν οἱ λέγοντες ὡς ... συμφέροντα
ἐπιδείξουσιν ἡμῖν ἐφ' ἃ πράττειν παρα-
καλοῦσιν
- 210 (D) easy φάσκωσιν οἱ λέγοντες ὡς ... ῥάδια ...
ἐπιδείξουσιν ἡμῖν ἐφ' ἃ πράττειν παρακαλοῦσιν
- 211 (D) honest φάσκωσιν οἱ λέγοντες ὡς ... ἀληθινὰ
ἐπιδείξουσιν ἡμῖν ἐφ' ἃ πράττειν
παρακαλοῦσιν RAA xxix 1436b

ἀληθινὰ is a variant reading. The editor of the Teubner text, M. Fuhrmann 1966, p.60, prints ἡδέα . In his apparatus, p.60, he records:

καὶ ἀληθῆ ἐπιδείξουσιν ἡμῖν ἐφ' ἃ πράττειν codd.
... ἡδέα pro ἀληθῆ Kays. an scrib. οὐκ ἀηδῆ?

The reading ἀληθινὰ , which is preferred by the Loeb editors, W.S. Hett and H. Rackham 1937, p.376, is retained as feature 211 because Aristotle's τοῖς ἡδέσιν occurs as feature 206.

Anaximenes recommends for defensive oratory the same approach that he suggested for exhortation. Thus we may expect to see in forensic introductions the same appeals that may occur in deliberative introductions.

- (F) προσέχειν δὲ παρακαλέσομεν ἐκ τῶν αὐτῶν ὧν ἐν τῷ προ-
τρεπτικῷ καὶ ἐν τῷ ἀπολογητικῷ. RAA xxxvi 1441b

Aristotle suggests the appearance of respectability as

a way of securing attention.

212 εἰς δὲ εὐμάθειαν ἅπαντα ἀνάξει, εἴαν τις βούληται, καὶ τὸ ἐπιεικῆ φαίνεσθαι· προσέχουσι γὰρ μᾶλλον τούτοις.

RH xiv 7

Aristotle also suggests how to do the opposite:

Promote inattention

State that the subject is:

213 unimportant εἴαν δὲ μὴ προσεκτικούς, ὅτι μικρὸν ...

RH xiv 7

214 unrelated to audience εἴαν δὲ μὴ προσεκτικούς, ὅτι οὐδὲν πρὸς ἐκείνους ... *RH xiv 7*

215 painful εἴαν δὲ μὴ προσεκτικούς, ... ὅτι λυπηρόν.

RH xiv 7

Another method is to get the audience to laugh.

216 οὐ γὰρ ἀεὶ συμφέρει ποιεῖν προσεκτικόν, διὸ πολλοὶ εἰς γέλωτα πειρῶνται προάγειν. *RH xiv 7*

GOODWILL

Anaximenes suggests a three-fold approach depending on whether the audience is friendly, neutral or hostile, RAA xxix 1436b.

3. Win goodwill of a friendly audience

Anaximenes thinks it is superfluous to ask a friendly audience for goodwill but, if one insists, it must be done briefly and with irony in this way:

301 (D) ὅτι μὲν οὖν εὖνους εἰμὶ τῇ πόλει, καὶ πολλάκις μοι πεισθέντες συμφερόντως ἐπράξατε, καὶ διότι πρὸς τὰ κοινὰ δίκαιον ἑμαυτὸν παρέχω καὶ μᾶλλον τι τῶν ἰδί-ων προϊέμενον ἢ ἀπὸ τῶν δημοσίων ὠφελούμενον, περιεργον εἶναι νομίζω πρὸς ὑμᾶς τοῦτό γε σαφῶς εἰδότας λέγειν· ὡς δὲ ἦν καὶ νῦν μοι πεισθῆτε καλῶς βουλεύσεσθε, τοῦτο πειράσομαι διδάσκειν.

RAA xxix 1436b

The same approach is recommended for forensic speeches.

(F) ἔτι δὲ καὶ περὶ τῆς εὐμενείας, τῷ μὲν εὖ διακειμένῳ μηδὲ διαβεβλημένῳ τῷ πρὸς αὐτὸν ἢ πρὸς τὸ πρᾶγμα ἢ πρὸς τὸν λόγον τοὺς ἀκούοντας δυσχεραίνειν, τὸν αὐτὸν τρόπον ὡς περὶ ἐκείνων εἴρηται τὴν εὐμένειαν παρασκευαστέον·

RAA xxxvi 1441b-1442a

4. Win goodwill of a neutral audience

Suggestion: it is just and profitable ...

401 (D) τοῖς δὲ μήτε διαβεβλημένοις μήτε εὖ διακειμένοις
ῥητέον ὡς δίκαιόν ἐστι καὶ συμφέρον τοῖς μὴ πεῖραν
δεδωκόσι τῶν πολιτῶν εὖνους ἀκροατὰς γενέσθαι·

RAA xxix 1436b

Flattery:

402 (D) ἔπειτα τοὺς ἀκούοντας ἐπαίνῳ θεραπευτέον, δικαίως
καὶ νουνεχῶς τοὺς λόγους ὡς εἰώθασι δοκιμάζειν·

RAA xxix 1436b

Self-depreciation:

403 (D) ἔτι δὲ τὰς ἐλαττώσεις οἰστέον, λέγοντας ὡς οὐ δει-
νότητι πιστεύων ἀνέστην, ἀλλὰ νομίζων τῷ κοινῷ τὸ
συμφέρον εἰσηγήσεσθαι.

RAA xxix 1436b

Praise of clients, i.e. the speaker, in forensic
speeches:

404 (F) δεῖ δὲ αὐτοὺς ἐκ τούτων ἐπαινεῖν ὧν μάλιστα μέτεστι
τοῖς ἀκούουσιν, ...

RAA xxxvi 1442a

for:

λέγω δὲ

405 (F) loyalty to country φιλόπολιν

406 (F) loyalty to friends φιλέταιρον

407 (F) gratitude εὐχάριστον

408 (F) compassion ἐλεήμονα

409 (F) and such things καὶ τὰ τοιαῦτα

RAA xxxvi 1442a

Abuse adversary

410 (F) τὸν δ' ἐναντίον κακολογεῖν ἐκ τούτων ἐφ' οἷς οἱ
ἀκούοντες ὀργιοῦνται, ... RAA xxxvi 1442a

for: ταῦτα δ' ἐστὶ

411 (F) disloyalty to country μισόπολιν

412 (F) disloyalty to friends μισόφιλον

413 (F) ingratitude ἀχάριστον

414 (F) hardness of heart ἀνελεήμονα

415 (F) and such things καὶ τὰ τοιαῦτα

RAA xxxvi 1442a

Praise jury

416 (F) χρῆ δὲ καὶ τοὺς δικαστὰς ἐπαίνῳ θεραπεῦσαι ...
RAA xxxvi 1442a

because they are: ὡς δικασταὶ ... εἴσιν

417 (F) just δίκαιοι

418 (F) competent δεινοί

RAA xxxvi 1442a

Client disadvantaged in καταδεεστέρως ἔχει πρὸς

419 (F) speaking τὸ λέγειν

420 (F) action ἢ πράττειν

421 (F) anything else ἢ ἄλλο τι τῶν περὶ τὸν ἀγῶνα

RAA xxxvi 1442a

Further topics

422 (F) justice τὸ δίκαιον

423 (F) law τὸ νόμιμον

424 (F) expediency τὸ συμφέρον

425 (F) related topics τὰ τούτοις ἀκόλουθα

RAA xxxvi 1442a

5. Win goodwill of an audience prejudiced against the speaker

Prejudice against the speaker arising from the past

Anticipate:

501 (D) πρῶτον μὲν δεῖ πρὸς τοὺς ἀκροατὰς προκαταλήψει

χρῆσθαι

RAA xxix 1437a

Claim knowledge of charges and promise to prove them false:

502 (D) καὶ λέγειν ὡς οὐδ' αὐτὸς ἀγνοῶ διαβεβλημένος, ἀλλ' ἐπι-

δείξω ψευδεῖς οὔσας τὰς διαβολάς.

RAA xxix 1437a

State your argument:

503 (D) ἔπειτα κεφαλαιωδῶς ἐν τοῖς προοιμίοις ἀπολογητέον,

ἂν ἔχῃς τι λέγειν ὑπὲρ σαυτοῦ, ... RAA xxix 1437a

Object to trials:

504 (D) τὰς κρίσεις φεκτέον

RAA xxix 1437a

Trial conducted unjustly:

505 (D) ῥητέον ὡς ἀδίκως ἡ κρίσις ἐγένετο

RAA xxix 1437a

Enemies have overpowered by faction:

506 (D) ὡς ὑπὸ τῶν ἐχθρῶν κατεστασιάσθημεν

RAA xxix 1437a

Misfortune sufficient punishment:

507 (D) λέγε ὡς ἱκανὸν ἡμῖν ἀτυχήσασσι τότε

RAA xxix 1437a

It is unfair to mention previous judgements:

508 (D) ὡς δίκαιόν ἐστι τῶν πραγμάτων ἤδη κεκριμένων μὴ
περὶ τῶν αὐτῶν ἔτι διαβολὴν ἔχειν. RAA xxix 1437a

When a trial is expected ...

509 (D) ἂν δ' ἐπίδοξος ἡ κρίσις ᾗ γενέσθαι, λεκτέον ὡς ἔτοι-
μος εἶ περὶ τῶν διαβολῶν ἐν τοῖς καθημένοις ἤδη κρί-
νεσθαι, κἂν ἐλεγχοῖς τι τὴν πόλιν ἀδικῶν, ἀποθνή-
σκειν ὑποτιμᾷ. RAA xxix 1437a

When accusers decline to prosecute ...

510 (D) ἔὰν δὲ οἱ ἐγκαλέσαντες μὴ ἐπεξίωσιν, αὐτὸ τοῦτο χρῆ
σημεῖον ποιεῖσθαι διότι τὴν διαβολὴν ψευδῶς ἡμῶν
κατήνεγκαν. RAA xxix 1437a

Accuse opponents of slander:

511 (D) ἀεὶ δὲ κατηγορεῖν χρῆ διαβολῆς, ...

and say that slander is καὶ λέγειν ὡς

512 terrible δεινὸν καὶ

513 of public concern κοινὸν καὶ

514 the cause of many evils πολλῶν κακῶν αἴτιον

RAA xxix 1437a

Many people have been ruined by wicked slander

515 (D) ἐμφανιστέον δ' ὅτι καὶ πολλοὶ ἤδη διεφθάρησαν ἀδίκως
διαβληθέντες RAA xxix 1437a

Do not be influenced by slander

516 (D) χρη δε και διδάσκειν ὡς εὐηθές ἐστὶν ὑπὲρ τῶν κοινῶν
βουλευομένους μη παρα πάντων τους λόγους ἀκούοντας
το συμφέρον σκοπεῖν, ἄλλα ταῖς ἐνίων διαβολαῖς
δυσχεραίνειν. RAA xxix 1437a

Aristotle also suggests using the slander argument:

511 Accuse "Ἄλλος ἐκ τοῦ διαβολῆς κατηγορεῖν, ...
517 How great it is ἡλίκον, ...
518 It changes judgements ὅτι ἄλλας κρίσεις ποιεῖ, ...
519 It does not rely on fact και ὅτι οὐ πιστεύει τῷ πράγματι
RH xv 9

Claim that you will prove that your advice is just and expedient.

520 (D) δεῖ δὲ καὶ ἐπαγγέλλεσθαι δίκαια καὶ συμφέροντα ἐπι-
δείξειν ἂν ὑπέσχου συμβουλεύειν.
RAA xxix 1437a

The same arguments hold good in forensic speeches.

520 (F) τῷ δὲ διαβεβλημένῳ, ἐὰν μὲν ἐκ τοῦ παροιχομένου
χρόνου αἱ διαβολαὶ ὥσι περὶ τὸν λόγον, ἴσμεν ὡς δεῖ

τὰ τοιαῦτα λύειν ἐκ τῶν προτέρων. RAA xxxvi 1442a

Prejudice against the speaker arising from the present

Due to Age. (1) Youth

προφασίζεσθαι δὲ ὑπὲρ αὐτῶν δεῖ τὸν μὲν νεώτερον

plead:

521 (D) lack of advisers ἐκ τῆς ἐρημίας τῶν συμβουλευόντων,

522 (D) special interest καὶ ἐκ τοῦ προσήκοντος τούτῳ, λέγω
δ' οἷον ὑπὲρ λαμπαδαρχίας ἢ ὑπὲρ γυμνασίου ἢ ὑπὲρ
ὄπλων ἢ ἔππων ἢ πολέμου.

RAA xxix 1437b

523 (D) wisdom of young man

ῥητέον δὲ καὶ ὡς εἰ μήπω καθ' ἡλικίαν τὸ φρονεῖν,
ἀλλὰ κατὰ φύσιν καὶ ἐπιμέλειαν.

RAA xxix 1437b

524 (D) success of young man beneficial to the community

ἐμφανιστέον δὲ καὶ ὡς ἀμαρτόντι μὲν ἴδιον τὸ
ἀτύχημα, κατορθώσαντι δὲ κοινῇ ἢ ὠφέλεια.

RAA xxix 1437b

At xxxvi Anaximenes suggests how a young man should proceed in a forensic speech.

525 (F) Lack of friends καθ' ἐκάστην δὲ τὴν διαβολὴν τάδε
χρῆ προφασίζεσθαι, τὸν μὲν νεώτερον πρεσβυτέρων
φίλων ἀπορίαν τῶν ἀγωνιουμένων ὑπὲρ αὐτοῦ, ...

- 526 (F) Magnitude of offences against him ἡ μέγεθος ἀδικημάτων, ...
- 527 (F) Number of offences against him ἡ πλῆθος, ...
- 528 (F) Time-limit ἡ προθεσμίαν χρόνου, ...
- 529 (F) Anything else of the kind ἡ ἄλλο τι τοιοῦτον.

RAA xxxvi 1442b

(2) Old Age

- An old man should plead τῷ γέροντι δὲ προφασιστέον
- 521 (D) Lack of advisers ἕκ τε τῆς ἐρημίας τῶν συμβουλευόντων καὶ
- 530 (D) His experience ἕκ τῆς ἐμπειρίας αὐτοῦ,
- 531 (D) The magnitude of the dangers πρὸς δὲ τούτοις καὶ ἕκ τοῦ μεγέθους ... τῶν κινδύνων
- 532 (D) The unfamiliarity of the dangers καὶ ἕκ τῆς καινότητος τῶν κινδύνων καὶ
- 533 (D) Other such arguments ἕκ τῶν ἄλλων τῶν τοιούτων.

RAA xxix 1437b

Habitual Speaker

- 530 (D) Experience ἕκ τῆς ἐμπειρίας
- 534 (D) Disgraceful not to declare opinion καὶ ἕκ τοῦ αἰσχρὸν εἶναι πρότερον ἀεὶ λέγοντα νῦν μὴ ἀποφαίνεσθαι γνώμας.

RAA xxix 1437b

Unaccustomed Speaker

- 531 (D) The magnitude of the dangers τῷ δὲ μὴ εἰθισμένῳ ἕκ τε τοῦ μεγέθους τῶν κινδύνων καὶ

535 (D) The necessity for everyone's contribution ἐκ τοῦ
ἀναγκαῖον εἶναι πάντε τινα ᾧ τῆς πόλεως μέτεστιν
ὑπὲρ τῶν νῦν προκειμένων ἀποφαίνεσθαι γνώμην.

RAA xxix 1437b

Anaximenes has several specimen arguments for use in forensic speeches to refute prejudice against a speaker arising from the present. His advice for a young speaker has already been observed. He states that two methods are common to all cases: anticipation and transfer of responsibility.

501 (F) Anticipate δύο μὲν δὴ στοιχεῖα λέγω κοινὰ κατὰ
πάντων, τὸ μὲν, οἷς ἂν νομίζῃς τοὺς κριτὰς ἐπι-
πλήξειν, προκαταλάμβανε αὐτοὺς καὶ ἐπίπληττε·

Transfer responsibility:

536 (F) to opponents τὸ δὲ ἕτερον εἰ τὰς πράξεις μάλιστα
μὲν εἰς τοὺς ἀντιδίκους ἀποτρέφεις,

537 (F) or to some others εἰ δὲ μή, εἰς ἄλλους τινάς,

538 (F) and say that you are acting under compulsion by
adversaries προφάσει χρώμενος ὅτι οὐχ ἐκὼν ἀλλ'
ὑπὸ τῶν ἀνταγωνιστῶν ἀναγκαζόμενος εἰς τὸν ἀγῶνα
κατέστης.

RAA xxxvi 1442b

We can insert here two arguments suggested for the
examinational species.

539 Not bad motive but good motive

ἀρμόσουσι δὲ αἱ τοιαίδε, ἐν μὲν τοῖς πολιτικοῖς συλ-
λόγοις, ὡς οὐ φιλονεικία τοιοῦτο ποιούμεν ἀλλ' ὅπως
μὴ λάθῃ τοὺς ἀκούοντας, ...

538 Compulsion by adversaries

εἶτα ὅτι ἡμᾶς οὗτοι πρότεροι ἠνώχλησαν·

RAA xxxvii 1445a-1445b

Meanwhile at xxxvi Anaximenes goes on to mention a young speaker, which we have noted, and then what to say when you are speaking on behalf of another. He suggests the expression of motives.

540 (F) Friendship ἔὰν δὲ ὑπερ ἄλλου λέγῃς, ῥητέρον ὡς
διὰ φιλίαν συνηγορεῖς,

541 (F) Enmity for opponent ἢ δι' ἔχθραν τοῦ ἀντιδίκου,

542 (F) Your presence at events ἢ διὰ τὸ τοῖς πράγμασι
παραγενέσθαι,

543 (F) The Public Interest ἢ διὰ τὸ κοινῇ συμφέρον,

544 (F) His isolation and the wrong done to him ἢ διὰ τὸ
ἔρημον εἶναι καὶ ἀδικεῖσθαι ᾧ συνηγορεῖς.

RAA xxxvi 1442b

Similar motives are expressed for use in private cases of the examinational species.

541 Hostile Feeling ἐν δὲ τοῖς ἰδίοις ἢ ἔχθρα

545 Bad morals of those under examination ἢ τὰ ἥθη τῶν
ἐξεταζομένων φαῦλα ὄντα

546 Friendship for those under examination, so that they
may change their ways ἡ φιλία πρὸς τοὺς ἐξεταζομέ-
νους, ὅπως συνέντες ἄ πράττουσι μηκέτι ταῦτα ποιήσωσιν·

RAA xxxvii 1445b

Back at xxxvi Anaximenes mentions more occasions when
anticipation should be used.

501 (F) Anticipate ἔὰν δὲ ὁμολογούμενος τῷ ἐγκλήματι ἢ
ὑπεναντίος τῆ κατηγορία γένηται, τῆ τε προκαταλήψει
χρῆσθαι ...

547 (F) Listen to fact, not opinion or suspicion

καὶ λέγειν ὡς οὐ δίκαιον καὶ νόμιμον οὐδὲ συμφέρον
ἐκ τῆς ὑπολήψεως ἢ τῆς ὑποψίας κατακρίνειν πρὶν
τοῦ πράγματος ἀκοῦσαι.

RAA xxxvi 1442b

This argument is on the same lines as the slander
argument.

6. Win goodwill of an audience prejudiced against the subject

501 (D) Anticipate δεῖ δὲ περὶ τῶν τοιούτων πρότερον
μὲν πρὸς τοὺς ἀκροατὰς προκαταλήψει χρῆσθαι.

Blame: ἔπειτα τὴν αἴτιαν εἰς

601 (D) Necessity τὴν ἀνάγκην καὶ

602 (D) Chance τὴν τύχην καὶ

- 603 (D) Opportunities τούς καιρούς καὶ
 604 (D) Expediency τὸ συμφέρον ἀναφέρειν
 605 (D) Not advisers but facts καὶ λέγειν ὡς οὐχ οἱ συμβουλεύοντες τῶν τοιούτων ἀλλὰ τὰ πράγματά ἐστιν αἷτια. RAA xxix 1437b

Blame: τὴν αἰτίαν εἰς

- 536 (F) Opponents τοὺς ἐναντίους τρέποντες,

Accuse of:

- 606 (F) Abuse ἡ λοιδορίαν ἐγκαλοῦντες αὐτοῖς
 607 (F) Injustice ἡ ἀδικίαν
 608 (F) Greed ἡ πλεονεξίαν
 609 (F) Contentiousness ἡ φιλονεικίαν
 610 (F) Bad temper ἡ ὀργήν, ...
 611 (F) Say that it is impossible to get justice any other way προφασιζόμενοι ὅτι τοῦ δικαίου δι' ἄλλου τρόπου τυχεῖν ἀδύνατον.

RAA xxxvi 1442b

For a bad, or apparently bad, subject Aristotle suggests spending time on any other subject.

- 612 ... οἱ πονηρὸν τὸ πρᾶγμα ἔχοντες ἢ δοκοῦντες· πανταχοῦ γὰρ βέλτιον διατρίβειν ἢ ἐν τῷ πράγματι.

RH xiv 10

7. Win goodwill of an audience prejudiced against the speech

- 701 (D) If lengthy blame the number of facts

ἐὰν μὲν οὖν μακρὸς ᾖ, τὸ πλεῖστον αἰτιατέον τῶν πραγ-
μάτων·

RAA xxix 1437b

702 (D) If old-fashioned say that it is opportune

ἐὰν δὲ ἀρχαῖος, διδάκτεον ὅτι νῦν καιρὸς ἂν αὐτοῦ
εἴη·

RAA xxix 1437b

703 (D) If unconvincing so far promise to show the truth
in the course of your speech

εἰ δὲ ἀπίθανος, ὑπισχνεῖσθαι δεῖ ὡς ἀληθῆ ἐπιδεί-
ξεις ἐπὶ τοῦ λόγου.

RAA xxix 1437b

8. Aristotle's arguments for the removal of prejudice

Use arguments with which you can free yourself from
disagreeable suspicion.

Περὶ δὲ διαβολῆς ἐν μὲν τὸ ἐξ ὧν ἂν τις ὑπόληψιν
δυσχερῆ ἀπολύσαιτο·

RH xv 1

802 Contest disputed matters

ἄλλος τρόπος ὥστε πρὸς τὰ ἀμφισβητούμενα ἀπαντᾶν, ...

803 Deny a fact's existence ἢ ὡς οὐκ ἔστιν, ...

804 Deny its harmfulness ἢ ὡς οὐ βλαβερόν, ...

805 Deny its harmfulness to your opponent ἢ οὐ τούτῳ, ...

806 Deny that it is as important as claimed ἢ ὡς οὐ τηλι-
κοῦτρον ...

807 Deny that it is unjust ἢ οὐκ ἄδικον ...

808 Deny that it is seriously unjust ἢ οὐ μέγα ...

809 Deny that it is disgraceful ἢ οὐκ αἰσχρὸν ...

810 Deny its importance ἢ οὐκ ἔχον μέγεθος·
RH xv 2

811 Example of Iphicrates. Admit charges but deny guilt.
περὶ γὰρ τοιούτων ἡ ἀμφισβήτησις, ὡςπερ Ἰφικράτης
πρὸς Λαυσικράτην· ἔφη γὰρ ποιῆσαι ὃ ἔλεγε καὶ βλάψαι,
ἀλλ' οὐκ ἀδικεῖν.
RH xv 2

812 Strike a balance ἢ ἀντικαταλλάττεσθαι ἀδικοῦντα,...

813 Deed though harmful was honourable
εἰ βλαβερὸν ἀλλὰ καλόν, ...

814 Deed though painful was beneficial
εἰ λυπηρὸν ἀλλ' ὠφέλιμον

815 Or anything else of the kind ἢ τι ἄλλο τοιοῦτον.
RH xv 2

Say that it was: "Ἄλλος τρόπος ὡς ἐστὶν

816 a mistake ἀμάρτημα

817 a misfortune ἢ ἀτύχημα

818 a necessity ἢ ἀναγκαῖον,

Example of Sophocles

οἷον Σοφοκλῆς ἔφη τρέμειν οὐχ ὡς ὁ διαβάλλων ἔφη, ἵνα
δοκῆ γέρων, ἀλλ' ἐξ ἀνάγκης· οὐ γὰρ ἐκόντι εἶναι αὐτῷ
ἔτη ὀγδοήκοντα.
RH xv 3

819 Substitute motive
καὶ ἀντικαταλλάττεσθαι τὸ οὐ ἔνεκα, ὅτι οὐ βλάψαι
ἐβούλετο, ἀλλὰ τόδε, καὶ οὐ τοῦτο ὃ διεβάλλετο

ποιῆσαι, συνέβη δὲ βλαβῆναι· "δίκαιον δὲ μισεῖν, εἰ ὅπως τοῦτο γένηται ἐποίουν."

RH xv 3

820 Cite other similar charges

"Ἄλλος, εἰ ἐμπεριεῖληπται ὁ διαβάλλων, ἢ νῦν ἢ πρό-
τερον, ἢ αὐτός ἢ τῶν ἐγγύς. ἄλλος, εἰ ἄλλοι ἐμπε-
ριλαμβάνονται, οὓς ὁμολογοῦσι μὴ ἐνόχους εἶναι τῇ
διαβολῇ, οἷον εἰ ὅτι καθάριος μοιχός, καὶ ὁ δεῖνα
καὶ ὁ δεῖνα ἄρα.

RH xv 4 and 5

821 Cite innocence of others

"Ἄλλος, εἰ ἄλλους διέβαλεν, ἢ ἄλλος αὐτούς, ἢ ἄνευ
διαβολῆς ὑπελαμβάνοντο ὡσπερ αὐτὸς νῦν, οἱ πεφῆνα-
σιν οὐκ ἔνοχοι.

RH xv 6

822 Counter-attack the accuser

"Ἄλλος ἐκ τοῦ ἀντιδιαβάλλειν τὸν διαβάλλοντα· ἄτοπον
γὰρ εἰ ὅς αὐτὸς ἄπιστος, οἱ τούτου λόγοι ἔσονται
πιστοί.

RH xv 7

823 Cite a previous verdict

"Ἄλλος, εἰ γέγονε κρίσις, ὡσπερ Εὐριπίδης πρὸς Ὑγιαί-
νοντα ἐν τῇ ἀντιδόσει κατηγοροῦντα ὡς ἀσεβής, ὃς γ'
ἐποίησε κελεύων ἐπιорκεῖν ἢ γλῶσσ' ὀμώμοχ', ἡ δὲ φρὴν
ἀνώματος. ἔφη γὰρ αὐτὸν ἀδικεῖν τὰς ἐκ τοῦ Διονυσιακοῦ
ἀγῶνος κρίσεις εἰς τὰ δικαστήρια ἄγοντα· ἐκεῖ γὰρ
αὐτῶν δεδωκέναι λόγον ἢ δώσειν, εἰ βούλεται

Aristotle next suggests an attack on slander. This was incorporated earlier: 511, 517, 518, 519.

824 Cite tokens

Κοινὸς δ' ἀμφοῖν ὁ τόπος τὸ σύμβολα λέγειν, ὅσον ἐν τῷ Τεύκρῳ ὁ Ὀδυσσεὺς ὅτι οἰκεῖτος τῷ Πριάμῳ· ἡ γὰρ Ἑσιόνη ἀδελφή· ὁ δὲ ὅτι ὁ πατὴρ ἐχθρὸς τῷ Πριάμῳ, ὁ Τελαμών, καὶ ὅτι οὐ κατεῖπε τῶν κατασκόπων.

RH xv 9

The point being made here is that association with someone or something can be used as evidence of guilt or innocence. In the example cited Teucer's kinship with Priam is used as evidence of treachery. Teucer counters this token with another token, the enmity between his father and Priam.

825 Praise something unimportant at great length

"Ἄλλος τῷ διαβάλλοντι, τὸ ἐπαινοῦντι μικρὸν μακρῶς

826 Condemn something important concisely

φέξαι μέγα συντόμως,

827 Mention many of the opponent's virtues and condemn the one which is related to the case.

ἢ πολλὰ ἀγαθὰ προθέντα, ὃ εἰς τὸ πρᾶγμα προφέρει ἐν φέξαι.

RH xv 10

828 Choice of motives. Choose the most advantageous.

Κοινὸν δὲ τῷ διαβάλλοντι καὶ τῷ ἀπολυομένῳ, ἐπειδὴ τὸ αὐτὸ ἐνδέχεται πλειόνων ἔνεκαπραχθῆναι, τῷ μὲν διαβάλλοντι κακοηθιστέον ἐπὶ τὸ χειρόν ἐκλαμβάνοντι, τῷ δὲ ἀπολυομένῳ ἐπὶ τὸ βέλτιον· οἷον ὅτι ὁ Διομήδης τὸν Ὀδυσσεῖα προείλετο, τῷ μὲν ὅτι διὰ τὸ ἄριστον ὑπολαμβάνειν τὸν Ὀδυσσεῖα, τῷ δ' ὅτι οὐ, ἀλλὰ διὰ τὸ μόνον μὴ ἀνταγωνιστεῖν ὡς φαῦλον.

RH xv 10

(c) The Arrangement of an Introduction's Contents

Anaximenes suggests two methods for Ecclesia speeches.

Τὰς μὲν οὖν δημηγορίας ἐκ τούτων καταστησόμεθα, τάξιον δὲ πῶς; ἔὰν μὲν μηδεμίαν διαβολὴν ἔχωμεν μήτε αὐτοῖ μήτε ὁ λόγος μήτε τὸ πρᾶγμα, τὴν πρόθεσιν ἐν ἀρχῇ εὐθέως ἐκθήσομεν, ἐπὶ δὲ τὸ προσέχειν καὶ τοῦ λόγου εὐμενῶς ἀκούειν ὕστερον παρακαλέσομεν· ἔὰν δὲ διαβολὴ τις ᾖ τῶν προειρημένων περὶ ἡμᾶς, προκαταλαμβάνοντες τοὺς ἀκροατάς, καὶ περὶ τῶν διαβολῶν τὰς ἀπολογίας καὶ τὰς προφάσεις συντόμως ἐνεγκόντες, οὕτω προθήσομεν καὶ τοὺς ἀκροατάς ἐπὶ τὸ προσέχειν παρακαλέσομεν.

Τοῦτον μὲν οὖν τὸν τρόπον τὰς καταστάσεις τῶν δημηγοριῶν ποιητέον.

RAA xxix 1437b-1438a

Forensic introductions should follow the same

patterns.

Τάξομεν δὲ τὰ δικανικὰ προοίμια τὸν αὐτὸν τρόπον ὄνπερ
καὶ τὰ δημηγορικά· RAA xxxvi 1442b

The governing factor is the prejudice of the audience. Thus for an audience without prejudice the order is statement, appeal for attention, and then appeal for goodwill. When an audience is prejudiced the introduction should begin with arguments which will remove prejudice and secure goodwill. Next should follow statement and appeal for attention.

Aristotle does not have a separate section on the arrangement of an introduction's contents. Nor does he mention arrangement in passing. But there are a couple of references worth mention. At xiv 7 he suggests that a defendant and a prosecutor should remove or create prejudice in different places.

ἔστι δὲ οὐχ ὁμοίως· ἀπολογουμένων μὲν γὰρ πρῶτον τὰ πρὸς διαβολήν, κατηγοροῦντι δ' ἐν τῷ ἐπιλόγῳ. δι' ὃ δέ, οὐκ ἄδηλον· τὸν μὲν γὰρ ἀπολογούμενον, ὅταν μέλη εἰσάξειν αὐτόν, ἀναγκαῖον ἀνελεῖν τὰ κωλύοντα, ὥστε λυτέον πρῶτον τὴν διαβολήν· τῷ δὲ διαβάλλοντι ἐν τῷ ἐπιλόγῳ διαβλητέον, ἵνα μνημονεύσῃ μᾶλλον.

RH xiv 7

Aristotle says that a defendant should remove prejudice in the introduction while a prosecutor should create prejudice in the epilogue. The reason, he claims, and rightly so, is obvious. What he does not say is whether in practice prosecutors, as well as defenders, used

arguments to create or remove prejudice in introductions. We must observe behaviour in Demosthenic introductions.

At section 9 he questions the inclusion in an introduction of appeal for attention.

ἔτι τὸ προσεκτικούς ποιεῖν πάντων τῶν μερῶν κοινόν,
ἐὰν δέη· πανταχοῦ γὰρ ἀνιᾶσι μᾶλλον ἢ ἀρχόμενοι.
διὸ γελοῖον ἐν ἀρχῇ τάττειν, ὅτε μάλιστα πάντες
προσέχοντες ἀκροῶνται. ὥστε ὅπου ἂν ᾖ ἡ καιρός, λε-
κτέον "καί μοι προσέχετε τὸν νοῦν· οὐθεν γὰρ μᾶλλον
ἐμὸν ἢ ὑμέτερον" καὶ "ἐρῶ γὰρ ὑμῖν ὅτι οὐδεπώπο-
τε" ἀκηκόατε δεινὸν ἢ οὕτω θαυμαστόν. τοῦτο δ' ἐ-
στίν, ὥσπερ ἔφη ἱρόδικος, ὅτε νυστάζοιεν οἱ
ἀκροαταί, παρεμβάλλειν τῆς πεντηκονταδράχμου αὐτοῖς.

RH xiv 9

In fact he considers its inclusion in the introduction ridiculous. But this is not his final word. He adds:

ὅτι δὲ πρὸς τὸν ἀκροατὴν οὐχ ἥπερ ἀκροατῆς, δῆλον·
πάντες γὰρ ἢ διαβάλλουσιν ἢ φόβους ἀπολύονται ἐν τοῖς
προιμίοις.

RH xiv 10

What does this mean? Aristotle is saying in section 9 that (in an ideal world with open-minded impartial audiences) there should be no need to ask for attention at the start of a speech when most people are attentive anyway. One should wait till attention slackens and then one should attract attention in one of the ways he suggests. However at section 10 he comes back to reality and says that given the hearer one may expect to address in real life (who may well be prejudiced), one should remember the universal practice of creating prejudice and removing

fears, i.e. one should invite attention in one of the ways suggested at section 7, e.g. by suggesting that the subject is important, or that it concerns the audience.

We can therefore conclude that Aristotle thinks that appeal for attention does belong in an introduction.

(iii) *Related Research: Modern Authors*

The research of modern authors, which is related to this thesis, is now considered. Works on rhetoric are examined first.

O. Navarre, *Essai sur la Rhétorique Grecque avant Aristote* (Paris, 1900).

This work is divided into two parts. Part one consists of a history of Greek Rhetoric in the time before Aristotle. There are separate chapters on the rhetoric of the Sicilians, the Sophists, Gorgias, Antiphon, the period between Antiphon and Isocrates, and of Isocrates himself. In the introduction to part two Navarre comments, p.211, that part one was a superficial study whereas part two will examine in detail the rhetoricians' observations and precepts. Part two is titled 'Essai de restitution d'une rhétorique grecque du IVe siècle avant J.-C.' The constituent parts of a speech provide chapter headings: the introduction, the narrative, the proof, the epilogue.

The book has a brief conclusion, pp.327-33, which is also divided into two parts. First Navarre summarizes the points made in each chapter on the different types of rhetoric, and with regard to his analysis of precepts he claims to have been the first to reinstate an art of the 4th Century B.C. Two points are given special mention:

(a) that he has refuted the opinion that the body of pre-Aristotelian rhetoric did not survive antiquity by showing that it can be distinguished no less than the works of later rhetoricians;

(b) that he has shown that the influence of rhetoricians on speechwriters was greater than has been previously supposed and that the contents, as well as the structure, of speeches were to a large extent worked out in advance from the rules of rhetoric.

In the second part of his conclusion Navarre states that his foremost desire is to restore the good name of rhetoric which is held in low repute by his contemporaries due to association with the schools of declamation which flourished much later in Asia and Rome. He stresses that Attic rhetoric was completely different from these. Using the analogy that a tree should be judged by its fruit he cites the speeches of Lysias, Isaeus, Demosthenes and Hyperides. He commends the articulation of popular psychology found there and its universal worth, p.331. He

says also, p.333, that rhetoric contains nearly all the elements of literary education. Consequently he believes it has a natural place in education.

Of special interest to this thesis is the chapter which deals with the introduction, pp.213-239. Navarre considers the triple function of an introduction: to render the audience tractable, attentive, and well-disposed. 'Tractable' is not a good word to use here, since Navarre observes that the means of achieving this aim is to provide a summary of the subject. 'Receptive' is a better description. To secure attention orators suggest that the subject is important, incredible, or that it is without precedent; in addition that it applies not only to the speaker but also to the audience and to the state in general; orators also make direct requests that the jury listen. Navarre says, p.217, that the third aim, to secure the audience's goodwill, was the chief aim. Methods used were praise and flattery of the audience; avoidance of giving offence generated by Athenian distrust of the Sophists; the assertion by speakers that they are humble and without experience or skill in litigation; the mention of one's risk or disadvantage to evoke sympathy; the transfer by plaintiffs of the responsibility for litigation to defendants by attacking their injustice, greed, or contentiousness which forced a recourse to litigation, a tactic that is particularly apt for prosecutions of relatives, friends, or hosts; in public speeches an expression of personal enmity to avert suspicion of sycophancy. In a separate last paragraph, p.239, Navarre

concludes that Athenian forensic introductions were confined to three or four types for which 'les *Manuels*' offered thoroughly prepared plans and 'les *Recueils*' completed formulae. Navarre does not give precise references for these but he goes on to quote Dionysius of Halicarnassus, *Lysias* 17, who says that orators incessantly return in their introductions to the same common rules.

Navarre deals with a subject considered in this thesis: the relationship between rhetorical theory and oratory. A difference is that Navarre considers several orators while this thesis considers only Demosthenes with particular regard to Demosthenes' introductions. However Navarre raises questions which require discussion in this thesis. Are introductions' contents worked out in advance from the rules of rhetoric? Are there only three or four types of forensic introduction? These questions will be discussed in relation to the introductions in the Demosthenic corpus.

G. Kennedy, *The Art of Persuasion in Greece* (London, 1963).

This book is a history of oratory and rhetorical theory. Kennedy begins with a chapter on the nature of rhetoric and then examines oratory as it appears in literature before 400, e.g. in Homer, Herodotus, Aeschylus, and Thucydides. Chapter 3 traces the development of early rhetorical theory. Chapter 4 considers the Attic orators while Chapter 5 deals with Hellenistic rhetoric.

Demosthenes is discussed at pp.206-36. Kennedy analyses speeches which he considers milestones in Demosthenes' career: the speeches against Aphobus which set him on his way as a logographer; orations 36 and 45 receive passing comment concerning Demosthenes' change of loyalty towards Phormio; the speeches against Leptines and Androtion which form the background for discussion of Demosthenes' entry to public cases; Demosthenes' earliest surviving deliberative speech, *On the Symmories*; the first *Philippic* with its 'new vigor', p.223; succeeding speeches with their 'similar intensity', p.224; *On the false embassy* which Kennedy considers a failure, p.227: 'Despite some fine bursts of rhetoric, it is unpersuasive and misleading'; *On the Crown*, which Kennedy, p.229, describes as 'a splendid compendium of all those features which in other speeches seem most characteristic of Demosthenes.' As well as rhetorical analysis Kennedy offers objective criticism of Demosthenes' political stance and comments on what he considers Demosthenes' unattractive features, e.g., p.229, 'the personal attack on the background, private life, or appearance of an opponent.' However, his concluding assessment, p.236, is favourable: 'He knew all the tricks and rules of rhetoric, but they were to him only means to a far more important end. As his career developed he made that end the preservation of Athenian democracy and institutions as he knew them and the recovery of the spirit that had made them.'

Consideration is now given to work on introductions.

P. Grau, *Prooemiengestaltung Bei Lysias* (Bonn, 1972).

This work, although concerned with Lysias, is of interest because it deals with the introductions of Lysias' speeches. Grau divides his book into three parts:

A. I. Aim of the work , pp.1-4.

II. Interpretation of Lysias' 32nd speech by Dionysius of Halicarnassus , pp.5-11.

III. Rhetoric as *πειθοῦς δημιουργός* , pp.12-23.

IV. On the judgement of Lysias , pp.25-29.

V. Remarks on Prooemium , pp.30-35.

B. Interpretations of individual speeches , pp.36-99.

C. Summing Up.

In his 'Remarks on Prooemium', pp.30-35, Grau says that the prooemium must be regarded as an organic part of the whole speech and not just as a beginning. He acknowledges that logographers had collections of proemia, but prefers to think that Lysias composed his introductions for particular speeches and consequently that each of Lysias' introductions had a function within the context of the whole speech with a view to persuasion. Grau does mention that an introduction has three objectives: to secure goodwill and attention and to give information. This is the role defined for an introduction by Anaximenes and Aristotle. Nevertheless in the main part of the book

Grau considers each introduction as part of and in the context of its speech.

The collection of prooemia has prompted the following studies:

A. Rupprecht, 'Die demosthenische Prooemiensammlung', *Philologus* 82, (1927), 365-432.

F. Focke, *Demosthenesstudien* (Stuttgart, 1929), pp.30-68.

R. Clavaud, *Démosthène Prologues* (Paris, 1974).

Rupprecht, pp.365-66, summarizes and evaluates the contributions of 19th Century scholars, P. Uhle 1885, S. Reichenberger 1885/86, R. Swoboda 1887 and F. Blass 1893, pp.322-28. Rupprecht's own study has three sections:

1. The authenticity and character of the collection.
2. The prooemia as historical documents.
3. The literary significance of the collection and the problem of editing.

Rupprecht accepts the collection as the work of Demosthenes with the reservation that some of the passages are not introductions at all since they cannot be attributed to any specific speech. He rejects the view that they are rhetorical exercises. He identifies as many

of the passages as possible with actual historical situations and regards them as drafts or sketches for sections, not necessarily the introductions, of Demosthenes' speeches. He considers the introductions which introduce orations from the Demosthenic corpus final literary versions intended for the reading public.

Focke includes in his book, pp.30-68, a section on the collection of prooemia. He rejects the view of Rupprecht that on stylistic grounds the authenticity of the majority of the prooemia can be proved. He also disputes Rupprecht's suggestion that the collection consists of a variety of material that is not confined to introductions. For Focke the passages are all either introductions of speeches or introductions intended for speeches. He attributes two dozen of the passages to the hand of the redactor of the collection whom he designates as a schoolmaster of mediocre talent. The remainder he compares with the introductions of published speeches. He considers the prooemia first drafts. He believes that occasionally more than one prooemium was drafted for a particular oration to provide alternatives from which the most apposite could be selected.

Clavaud has provided a commentary on the collection of prooemia in the Budé Text series. This includes an extensive introduction, pp.5-83, in which he considers the nature of the passages, the number of prooemia, their chronology, the light they throw on the political practices of the 4th Century B.C., the rhetorical tradition, Demosthenes' style, the origin of the collection, the

creative process of Demosthenes as well as providing an explanation of the manuscript tradition. Clavaud accepts all of the passages as introductions. He subdivides pr.2 and pr.23 to form two introductions in each case. Conversely he couples pr.3 and pr.4 to form a single introduction. He attempts to link the prooemia with historical situations but he concedes, p.13, that all the prooemia do not lend themselves to such interpretation. In this thesis reference will be made to Clavaud's Commentary in the analyses of the prooemia.

Another book to which frequent reference is made in the chapter of analyses is an appreciation of Demosthenes' art:

L. Pearson, *The Art of Demosthenes*, Beitrage zur klassischen Philologie 68 (Meisenheim am Glan, 1976).

Pearson has a preliminary chapter on Demosthenes' predecessors and their influence on him and then proceeds to concentrate on his main theme, Demosthenes' use of narrative. He assesses Demosthenes' development as an orator from the law courts to the Ecclesia. He highlights Demosthenes' innovative use of characterization in political oratory. This work is of interest to the present thesis because Pearson assesses the effectiveness of Demosthenes' tactics as means of persuasion.

Another assessment of Demosthenes' influence on his audiences is found in the following book:

H. Montgomery, *The Way to Chaeronea* (Oslo, 1983).

Montgomery subtitles his book 'Foreign Policy, Decision-Making and Political Influence in Demosthenes' Speeches'. The aim of the book is to elucidate the Athenian decision to go to war against Philip of Macedon during the Elatea crisis in 339. Montgomery assembles Demosthenes' views on politics, then analyses his involvement in political trials. Montgomery concludes that these suits gave Demosthenes the opportunity to show his knowledge about the working of the democracy, the fiscal and administrative pattern in the Athenian state forming an intricate system. This allowed him to market his political insight and experience and perhaps build up a reputation for being a competent, clever politician. A tabulated account of Demosthenes' Ecclesia speeches follows and then analysis of the various means of persuasion. A chapter is devoted to analysis of the contest between Demosthenes and Aeschines while in the final chapter Montgomery places responsibility for the defeat at Chaeronea with the Athenian people who followed the recommendations of a leader who had succeeded in formulating a foreign policy the Ecclesia was willing to accept.

The text of Demosthenes used in the thesis, unless otherwise stated, is the Oxford Classical Text of S.H. Butcher 1903 and 1907, and W. Rennie 1921 and 1931.

2. DEFINING THE INTRODUCTIONS

(i) *Criteria*

INTRODUCTION IDENTITY

The first task in a study of Demosthenes' introductions is to define the part of each Demosthenic speech which constitutes the introduction.

An introduction introduces what is going to follow in the main part of a speech. Therefore we can expect to see future tenses: a speaker may tell his audience what he is going to deal with in his speech or how he means to begin. He may promise to be brief. A speaker may introduce himself and explain his reason for speaking. It may be necessary to give information about a case or a context. An audience may be asked to listen attentively, to give both sides an impartial hearing, to treat a speaker with goodwill, to make a just decision. These are some of the features of introductions which we can use to determine whether a passage belongs in the introduction of a speech.

There are other features which can help us to decide that a passage does not belong in the introduction. When future tenses are succeeded by present or past tenses it may be a sign that the main part of a speech has started. Narrative belongs in the main part of a speech, as does the reading of laws and evidence.

An introduction has an identity distinct from the rest of a speech. It is necessary to identify the point at which the introduction ends and the main part of each speech begins.

CRITERIA

Certain particles, words, phrases and themes, which will be called criteria, recur near the point where an introduction ends and the main part of a speech starts. None of these, except for asyndeton, can establish by its individual presence the position of the point. Each need not be present to identify the point. Some are mutually exclusive. Collectively they suggest by cumulative effect the likely location of the point. All may occur elsewhere in a speech.

Criteria will be considered in two groups: the first, itemized alphabetically, helps to define the end of an introduction; the second, itemized numerically, helps to define the start of the main part of a speech.

CATALOGUE

(a) Criteria which help to define the end of an introduction:

- A. Decision of audience
- B. Listen
- C. Pay Attention

- D. Prediction
- E. Brevity
- F. ἐξ ἀρχῆς
- G. πρῶτον
- H. Vocative
- K. Ring Composition

(b) Criteria which help to define the start of the main part of a speech:

- 1. Asyndeton
- 2. μὲν οὖν
- 3. γάρ
- 4. Vocative: ὦ ἄνδρες Ἀθηναῖοι, ὦ ἄνδρες δικασταί
- 5. πρῶτον
- 6. The present situation
- 7. οὗτος, the speaker's opponent
- 8. ἐγώ

ANALYSIS OF CRITERIA

Criterion A. Decision of Audience

The speaker refers to the decision about to be made by his audience. There are five types.

(1) The choice of the best policy by the Ecclesia.

τὴν τοῦ συμφέροντος ὑμῶν αἵρεσιν 1.1 and pr.3

τοὺς ἀκούσουσιν ὑμῶν τὰ βέλτιστα καὶ τὰ σώσοντα τῶν
ῥάστων καὶ τῶν ἡδίστων προαιρετέον. 6.5

ἃ καὶ τῇ πόλει κάμοι συμφέρειν μέλλει, ταῦτ'... ὑμῶν
ἐλέσθαι. pr.25.3

ἐλόμενοι τὰ κράτιστα τοὺς ὀτιοῦν τούτοις ἐπιτιμῶντας
φαύλους νομιεῖτε. pr.29.3

ἐὰν μὲν συμφέρονθ' εὖρητ', ἀγαθῇ τύχῃ πεῖθεσθαι, ἂν δ'
ἄρ' ἕκαστα λογιζομένοις ἀλλοιότερος φανῆ, πρὶν ἀμαρτεῖν με-
ταβουλευσαμένους, τοὺς ὀρθῶς ἔχουσι χρήσασθαι. pr.32.4

οὐ μὴν ἀλλ' ἐμὸν μὲν ἔργον εἶπεῖν ἴσως ἂν πέπεικ' ἐμαυ-
τὸν συμφέρειν, ὑμέτερον δ' ἀκούσαντας κρῖναι, καὶ ἄρέσκη,
χρήσασθαι. pr.33.3

νῦν δὲ συμφέροντα μὲν ὑμῶν ἀκοῦσαι, ... οἴομαι λέγειν
ἔχειν ... σκέψασθε δ' ἀκούσαντες, καὶ ὑμῶν ἄρέσκη, χρήσα-
σθε. pr.36.2

Deliberation is stressed at 4.1 and pr.18:

εἰ γὰρ ἐκ τοῦ παρεληλυθότος χρόνου τὰ δέονθ' οὗτοι
συνεβούλευσαν, οὐδὲν ἂν ὑμᾶς νῦν ἔδει βουλευέσθαι. 4.1

ἡ μὲν οὖν ἀρχὴ τοῦ σκοπεῖν ὀρθῶς ἐστὶ μὴ βεβουλεῦσθαι
πρὶν ἐξ ὧν δεῖ βουλευσασθαι ἀκοῦσαι. pr.18

At pr.50.3 the speaker states the Athenians' duty regarding decisions:

δεῖ δὴ τοιαῦτα φανῆναι βεβουλευμένους δι' ὧν πανταχῶς
συνούσει τῇ πόλει καὶ μὴ μελλουσῶν ἕνεκ' ἐλπίδων τῆς
παρούσης εὐδαιμονίας χεῖρόν τι ποιήσετε.

pr.50.3

(2) The audience's vote.

At 8.1 the Athenians are encouraged to vote for beneficial policy:

ὕμᾱς, ὧ ἄνδρες Ἀθηναῖοι, τοὺς πολλοὺς δεῖ πάντα τᾶλλ'
ἀφελόντας, ἃ τῇ πόλει νομίζετε συμφέρειν, ταῦτα καὶ ψηφίζε-
σθαι καὶ πράττειν. 8.1

At 21.8 the speaker bids his audience give the most just vote:

τὰ φαινόμεν' αὐτῷ δικαιοτάτ' εἶναι, ταῦτα ψηφισάσθω.

21.8

At 48.3 the audience should vote for the speaker whose arguments are just:

τῷ τὰ δίκαια λέγοντι, τούτῳ τὴν ψῆφον ὑμᾶς προσθέ-

(3) The jury's aid.

If I seem to have been wronged, grant me the aid that is my due.

This formula appears in the following forms:

κἂν ἡδικησθαι δοκῶ, βοηθησαί μοι τὰ δίκαια

27.3

ἐὰν ἡδικησθαι καὶ παρανενομησθαι δοκῶ, βοηθησαί μοι τὰ δίκαια.

54.2

ὕμῶν οὖν, ὧ ἄνδρες Ἀθηναῖοι, ὁμοίως ἀπάντων δεόμεθα καὶ ἱκετεύομεν βοηθησαί ἡμῖν, ἂν δοκῶμεν ἀδικεῖσθαι.

56.4

It also appears with slight variation at 35.5.:

κἂν ἐλέγξω αὐτὸν ἀδικοῦντα ἡμᾶς ... βοηθεῖτε ἡμῖν τὰ δίκαια.

35.5

(4) The audience's judgement.

At 18.8 the speaker prays that the gods will guide the jury in their judgement:

ὃ τι μέλλει συνοίσειν καὶ πρὸς εὐδοξίαν κοινῆ καὶ πρὸς

εὐσέβειαν ἐκάστῳ, τοῦτο παραστήσαι πᾶσιν ὑμῖν περὶ
ταυτησὶ τῆς γραφῆς γνῶναι. 18.8

At 19.4 the speaker says he will tell the jury how to
make a just judgement:

ὡς δὴ μοι δοκεῖτ' ἂν ὁμῶς ἐκ τούτων καὶ γνῶναι τὰ
δίκαια καὶ δικάσαι νυνί, τοῦθ' ὑμῖν λέξω. 19.4

The speaker of oration 52 asks for an impartial
judgement:

δέομαι οὖν ὑμῶν, εἴπερ τι καὶ ἄλλο πρόποτε πράγμα
αὐτὸ καθ' αὐτὸ ἐδικάσατε, μηδὲ μεθ' ἑτέρων τὴν γνώμην
γενόμενοι, μήτε μετὰ τῶν διωκόντων μήτε μετὰ τῶν
φευγόντων, ἀλλὰ τὸ δίκαιον σκεψάμενοι, οὕτω καὶ νῦν
διαγνῶναι. 52.2

The speaker of oration 36 and the speaker of oration
45 each tell the jury that they will form a judgement after
hearing what the speaker has to say:

ἐξ ὧν εὔ οἶδ' ὅτι ἢ τε τούτου συκοφαντία φανερὰ
γενήσεται, καὶ ὡς οὐκ εἰσαγώγιμος ἡ δίκη γνώσεσθ' ἅμα
ταῦτ' ἀκούσαντες. 36.3

ἐξ ὧν ἀκούσαντες τὴν τ' ἐκείνου πονηρίαν καὶ τούτους,
ὅτι τὰ ψευδῆ μεμαρτυρήκασιν, γνώσεσθε. 45.2

(5) The audience's understanding.

The audience's decision is not mentioned, but a speaker offers information from which the audience will understand the issue and, it is understood, will consequently make a judgement upon it.

ἐξ αὐτῶν δὲ τῶν συνθηκῶν καὶ τῶν ὄρκων σκεψαμένους
τῶν περὶ τῆς κοινῆς εἰρήνης ἔξεστιν ἰδεῖν ἤδη ...

17.2

νυνὶ δ' ἕτερον τούτου μεῖζον διὰ τοῦ ψηφίσματος ἔστ'
ἀδίκημα, ὃ δεῖ πρότερον καὶ μαθεῖν ὑμᾶς καὶ φυλά-
ξασθαι.

23.7

ἐξ ἀρχῆς οὖν βραχέσιν τὰ πραχθέντα δίδειμι πρὸς ὑμᾶς,
ἵνα μᾶλλον μάθητε καὶ παρακολουθήσητε τοῖς περὶ τὸν νόμον
αὐτὸν ἀδικήμασιν.

24.10

ὄθεν οὖν ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν ὑμᾶς
καὶ ἐγὼ πρῶτον πειράσομαι διδάσκειν.

27.3

ἄρξομαι δ' ἐντεῦθεν ὄθεν καὶ ὑμεῖς ῥᾶστ' ἂν μάθοιτε
...

29.5

ὄθεν δὲ ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν ὑμᾶς
καὶ ἐγὼ πρῶτον πειράσομαι διδάσκειν.

30.5

ἐκ τούτων εἶδῃτε

47.3

Ἴν' ὑμεῖς ἐξ αὐτῶν τῶν πραγμάτων καταμάθητε 55.2

Criterion B. Listen

A speaker may ask his audience to listen. The commonest form at the end of an introduction is to ask an audience to listen with goodwill:

ἐγὼ δ' ὑμῶν δέομαι, ὦ ἄνδρες δικασταί, εὐνοϊκῶς
ἀκοῦσαί μου ... 35.5

The same request is made at 37.3, 38.2, 47.3 and 54.2. At 43.2 the request is made with a different verb:

δεόμεθα οὖν ὑμῶν, ὦ ἄνδρες δικασταί, εὐνοϊκῶς ἀκρο-
άσασθαι τῶν λεγομένων ... 43.2

At 50.3 the speaker asks the audience to listen in silence:

σιγῇ μου ἀκοῦσαι 50.3

At pr.36.2 the speaker tells the audience to listen to what he has to say and to consider it:

σκέψασθε δ' ἀκούσαντες pr.36.2

The request may be accompanied by criterion C, pay attention:

προσέχων ἀκουσάτω 21.8

δέομαι δὴ πάντων ὑμῶν ἀκοῦσαί μου καὶ προσέχειν τὸν νοῦν ... 55.2

At 37.3 and 43.2 criterion C is also accompanied by the request for goodwill:

δεήσομαι δὲ καὶ μέτρια καὶ δίκαι' ὑμῶν ἀπάντων, ἀκοῦσαί τέ μου περὶ ὧν παρεγραφήμην εὐνοϊκῶς, καὶ προσέχειν ὅλῳ τῷ πράγματι τὸν νοῦν. 37.3

δεόμεθα οὖν ὑμῶν, ὧ ἄνδρες δικασταί, εὐνοϊκῶς ἀκροάσασθαι τῶν λεγομένων καὶ παρακολουθεῖν προσέχοντας τὸν νοῦν. 43.2

Criterion C. Pay Attention

This exhortation may accompany criterion B and does so at 21.8, 37.3, 43.2 and 55.2:

προσέχων ἀκουσάτω 21.8

δεήσομαι ... ὑμῶν ... ἀκοῦσαί τέ μου ... καὶ προσέχειν ... τὸν νοῦν. 37.3

δεόμεθα ... ὑμῶν ... εὐνοϊκῶς ἀκροάσασθαι ... καὶ παρακολουθεῖν προσέχοντας τὸν νοῦν 43.2

δέομαι ... ὑμῶν ἀκοῦσαί μου καὶ προσέχειν τὸν νοῦν. 55.2

At 32.3 the speaker asks the audience to pay attention to his speech if they have ever paid attention to any other matter:

δέομαι δ' ὑμῶν πάντων, ὧ ἄνδρες δικασταί, εἴπερ ἄλλω
τινὶ πώποτε πράγματι τὸν νοῦν προσέσχετε, καὶ τούτῳ προσ-
σχεῖν· 32.3

At 41.2 the speaker expresses fear that he might not be able to explain his case because of his inexperience. Then he says:

ὄμως δ', ὧ ἄνδρες δικασταί, προσέχετε τὸν νοῦν. 41.2

Criterion D. Prediction

The commonest criterion is for a speaker to predict at the end of an introduction what is going to follow in the main part of a speech. Various methods may be used to introduce a prediction. λέξω, 16.3, 19.4, ἐρῶ, 53.3, πρ.4, and φράσω, 57.7, are instances of a speaker's 'going to tell'.

An audience may be 'about to hear': ἀκούσεσθε, 32.3, 44.5.

Description may be offered: διηγήσομαι , 37.3, 40.5, 42.4, 52.2, 54.2; δέειμι, 24.10.

Proof may be promised: διδάξω, 17.2, πρ.34; ἐπιδείξω,

33.4, 51.3; ἐπιδείξομεν , 28.2.

A prediction may be expressed as a wish: βούλομαι , 7.1, 56.4, 59.1, pr.35, pr.52; or stated as a necessity: ἀναγκαῖον δ' ἐστί, 34.5; ἀναγκαῖον μοι δοκεῖ, 49.4; νομίζω δεῖν, 44.5; οἶμαι ... δεῖν, pr.15.

A speaker may predict how he will start: ἄρξομαι , 16.3, 29.5, 60.3.

Most frequently predictions are introduced by πειράσομαι: 10.1, 11.2, 14.2, 27.3, 30.5, 31.1, 36.3, 43.2, 45.2, pr.1.2, pr.7, pr.8, pr.17, pr.30.

There are three main types of prediction:

- (1) In public speeches a speaker may predict that he will offer advice which in his opinion will benefit the state:

πειράσομαι ... εἶπεῖν ἃ νομίζω συμφέρειν. 10.1

ἃ συμφέρειν ὑμῖν νομίζω ... ἔρω πρὸς ὑμᾶς pr.4

βούλομαι ... ἃ νομίζω συμφέροντ', εἶπεῖν. pr.52

The prediction may be expressed with κράτιστα:

ἄρξομαι ἃ κράτιστα νομίζω διδάσκειν. 16.3

πειράσομαι συμβουλεύειν ἃ κράτιστ' εἶναι νομίζω.

pr.1.2

οἶμαι δεῖν ... ἃ κράτιστα νομίζω λέγειν. pr.15.2

πειράσομαι δ' ἃ κράτιστα νομίζω συμβουλεῦσαι.
pr.30.2

Alternatively the prediction may be expressed with
βέλτιστα:

ἃ βέλτιστα μὲν τοῖς πράγμασιν, συμφέροντα δὲ τοῖς βου-
λευομένοις ὑμῖν ἡγοῦμαι, ταῦθ' ... εἰπων καταβήσομαι. pr.6.2

ἃ βέλτισθ' ὑμῖν ὑπολαμβάνω, ταῦτ' ἤδη συμβουλεύσω.
pr.22.3

(2) A speaker may predict that he will prove his point:

ὥς δὲ περὶ μεγάλων συντόμως διδάξω. 17.2

τεκμηρίοις μεγάλοις ἐπιδείξομεν, ὥς οὔτ' ὤφειλεν
οὔτ' ἦν κίνδυνος οὐδεὶς ἡμῖν φανερὰ κεκτημένοις τὰ
ὄντα. 28.2

'Ὡς τοίνυν παρὰ τοὺς νόμους τούτους εἴληχέ μοι τὴν
δίκην Ἀπατούριος καὶ τὰ ψευδῆ ἐγκέκληκεν, ἐκ πολλῶν
ὑμῖν τοῦτ' ἐπιδείξω. 33.4

ἐπιδείξω δ' ὑμῖν τουτονὶ Στέφανον καὶ μεμαρτυρηκότα
τὰ ψευδῆ, καὶ δι' αἰσχροκέρδειαν τοῦτο πεποιηκότα,

καὶ κατήγορον αὐτὸν αὐτοῦ γιγνόμενον·

45.2

ἀμφοτέρ' αὐτοὺς ἐπιδείξω ψευδομένους, ἃ θ' αὐτοὺς
ἐνεκωμίασαν καὶ ὅσ' εἰς ἡμᾶς ἐβλασφήμησαν, ἐξ αὐτῶν τῶν
πεπραγμένων ἑκατέρους.

51.3

(3) A speaker may promise to describe the facts of a case to a jury. He may include the promise of brevity, the claim of thoroughness, ἐξ ἀρχῆς, and the aim of facilitating a jury's understanding:

ἐξ ἀρχῆς οὖν ἐν βραχέσιν τὰ πραχθέντα δίειμι πρὸς
ὑμᾶς, ἵνα μᾶλλον μάθητε καὶ παρακολουθήσητε τοῖς περὶ
τὸν νόμον αὐτὸν ἀδικήμασιν.

24.10

ὄθεν οὖν ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν
ὑμᾶς καὶ ἐγὼ πρῶτον πειράσομαι διδάσκειν.

27.3

ἄρξομαι δ' ἐντεῦθεν ὄθεν καὶ ὑμεῖς ῥᾶστ' ἂν μάθοιτε
κἀγὼ τάχιστ' ἂν διδάξαιμι.

29.5

ὄθεν δὲ ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν ὑμᾶς
καὶ ἐγὼ πρῶτον πειράσομαι διδάσκειν.

30.5

ἀναγκαῖον δ' ἐστὶν βραχέα τῶν ἐξ ἀρχῆς διηγήσασθαι
ὑμῖν.

34.5

ἔξ ἀρχῆς οὖν ἅπαντα τὰ πραχθέντα τούτῳ πρὸς Πασίωνα
καὶ Ἀπολλόδωρον ὡς ἂν δύνωμαι διὰ βραχυτάτων εἶπειν
πειράσομαι, ἔξ ὧν εὖ οἶδ' ὅτι ἦ τε τούτου συκοφαντία
φανερὰ γενήσεται,...

36.3

ἔξ ἀρχῆς δ', ὡς ἂν οἶός τ' ᾧ διὰ βραχυτάτων, ἅπαντα
τὰ πραχθέντα διηγήσομαι πρὸς ὑμᾶς.

37.3

ἵνα δ' ἀκριβῶς εἰδῆτε, ὡς οὐκ ἐγὼ τούτου αἵτιός εἰμι
ἀλλ' οὔτοι, ἔξ ἀρχῆς ὑμῖν, ὡς ἂν ἐν βραχυτάτοις δύνωμαι,
διηγήσομαι τὰ πραχθέντα.

40.5

ἔξ ἀρχῆς δ' ὑμῖν τὰ γενόμενα περὶ τὴν ἀντίδοσιν
διηγήσομαι.

42.4

πειράσομαι δὲ καὶ διδάσκειν ὡς ἂν οἶός τε ᾧ σαφέστα-
τα περὶ τῶν πεπραγμένων.

43.2

ἔξ ἀρχῆς δ' ὡς ἂν οἶός τ' ᾧ διὰ βραχυτάτων
εἶπειν πειράσομαι τὰ πεπραγμένα μοι πρὸς Φορμίωνα,
ἔξ ὧν ἀκούσαντες τὴν τ' ἐκείνου πονηρίαν καὶ
τούτους, ὅτι τὰ ψευδῆ μεμαρτυρήκασιν, γνώσεσθε.

45.2

ἀναγκαῖόν μοι δοκεῖ εἶναι ἔξ ἀρχῆς ἅπαντα διηγή-
σασθαι ὑμῖν.

49.4

ἔξ ἀρχῆς δ' ὑμῖν διηγήσομαι.

52.2

ἔξ ἀρχῆς ὅς ὡς ἕκαστα πέπρακται διηγήσομαι πρὸς ὑμᾶς,
ὡς ἂν οἶός τ' ᾧ διὰ βραχυτάτων. 54.2

Criterion E. Brevity, and

Criterion F. ἔξ ἀρχῆς have been observed as elements of
criterion D, prediction.

Criterion G. πρῶτον

πρῶτον may be used to qualify a speaker's prediction.
A speaker may announce what he is going to deal with first.
Several verbs are qualified by πρῶτον:

τοῦτο πρῶτον εἶπών 31.1

ἐγὼ δὴ τοῦτο πρῶτον ἔρω pr.37.2

πρῶτον μὲν οὖν ὄν τρόπον ἐν τοῖς δημόταις συνέβη
τὴν διαφήμισιν γενέσθαι, φράσω πρὸς ὑμᾶς.

57.7

βούλομαι πρῶτον μὲν περὶ ᾧ Φίλιππος ἐπέσταλκε, περὶ
τούτων διεξελεθεῖν· 7.1

τὴν δὲ ἀρχὴν τοῦ συμβολαίου διεξελεθεῖν ὑμῖν πρῶτον
βούλομαι· 56.4

βούλομαι δ' ὑμῖν προδιηγήσασθαι πρῶτον ἃ πεπόνθα-

ΜΕΝ ... 59.1

τοῦτ' οὖν ἐλέγξαι πειράσομαι πρῶτον ... 28.2

ὄθεν οὖν ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν
ὑμᾶς και ἐγὼ πρῶτον πειράσομαι διδάσκειν.
27.3

ὄθεν δὲ ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν
ὑμᾶς και ἐγὼ πρῶτον πειράσομαι διδάσκειν.
30.5

ἀνάγκη δ' ἐστὶ πρῶτον ἀπάντων εἶπεῖν και δεῖξαι
... διὰ γὰρ τοῦ μαθεῖν τοῦτο και τὰδὲ κήμα σαφῶς ὄψεσθε.
23.8

This use of πρῶτον must be distinguished from another use of πρῶτον which does not constitute criterion G. This is when πρῶτον does not qualify a prediction but describes the first item in a list of requests made to an audience:

δεήσομαι ... πρῶτον μὲν ... εἴτ' ... 38.2

δέομαι ... πρῶτον μὲν ... ἔπειθ' ... πρὸς δὲ τούτοις
... 58.3-4

Criterion H. Vocative

ὦ ἄνδρες Ἀθηναῖοι or ὦ ἄνδρες δικασταί , may appear near the end of an introduction. A vocative is used as a

pause to allow an important idea to sink in. It does not have the disadvantage of a real pause during which an orator may appear to have dried up.

The necessity of an audience's response may be emphasized:

δεῖ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, τοῦτ' ἤδη σκοπεῖν αὐτούς, ὅπως μὴ χείρους περι ἡμᾶς αὐτούς εἶναι δόξομεν τῶν ὑπαρχόντων ... 2.2

δεῖ γάρ, ὦ ἄνδρες Ἀθηναῖοι, τὴν παρ' ὑμῶν εὖνοιαν μή τισιν, ὥσπερ ἐκ γένους, ἀλλὰ τοῖς βέλτιστ' αἰεὶ λέγουσιν ὑπάρχειν. pr.13

A direct appeal may be made to an audience:

ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, τοὺς πολλοὺς δεῖ πάντα τ' ἄλλ' ἀφελόντας, ἃ τῇ πόλει νομίζετε συμφέρειν, ταῦτα καὶ ψηφίζεσθαι καὶ πράττειν. 8.1

A speaker may emphasize a statement of his intentions:

ἐγὼ δ' ὑμῖν, ὦ ἄνδρες Ἀθηναῖοι, βούλομαι 7.1

After the announcement of a request a vocative may allow a moment for an audience to concentrate their attention:

δέομαι δ' ὑμῶν πάντων, ὦ ἄνδρες δικασταί 32.3

ἐγὼ δ' ὑμῶν δέομαι, ὦ ἄνδρες δικασταί 35.5

δέομαι οὖν ὑμῶν, ὦ ἄνδρες δικασταί 48.3

A command may be emphasized:

δοτε δ', ὦ ἄνδρες Ἀθηναῖοι, δοτε ... 25.14

ὁμως δ', ὦ ἄνδρες δικασταί, προσέχετε τὸν νοῦν. 41.2

A speaker may pause after an important word before announcing another one:

τοῦτο καὶ θαυμαστόν, ὦ ἄνδρες Ἀθηναῖοι, καὶ φοβερόν
... pr.2.3

πιστεύω γὰρ ἔγωγ', ὦ ἄνδρες Ἀθηναῖοι, φλαύρου
μὲν μηδενὸς ὧν αἴτιος εὐρεθήσεσθαι ...
pr.38.3

Criterion K. Ring Composition

Ring composition is a literary device in which the theme at the end of a passage recalls the theme with which the passage began. Ring composition may be used to round off an introduction. In the Demosthenic corpus it is used sparingly.

At 58.1 and 58.5 the repeated theme is the speaker's father:

τοῦ πατρὸς ἡμῶν 58.1

ὁ πατήρ μοι 58.5

At 45.1 and 45.2 false testimony is the theme:

καταψευδομαρτυρηθεῖς ... 45.1

... ὅτι τὰ ψευδῆ μεμαρτυρήκασιν, γνῶσεσθε. 45.2

In oration 18 Demosthenes begins and closes the introduction with prayer:

πρῶτον μὲν, ὦ ἄνδρες Ἀθηναῖοι, τοῖς θεοῖς εὐχομαι
πᾶσι καὶ πάσαις, ὄσπην εὖνοιαν ἔχων ἐγὼ διατελῶ τῆ τε
πόλει καὶ πᾶσιν ὑμῖν, τοσαύτην ὑπάρξει μοι παρ' ὑμῶν
εἰς τουτονὶ τὸν ἀγῶνα, ἔπειθ' ὅπερ ἐστὶ μάλισθ' ὑπὲρ
ὑμῶν καὶ τῆς ὑμετέρας εὐσεβείας τε καὶ δόξης, τοῦτο
παραστήσαι τοὺς θεοὺς ὑμῖν, μὴ τὸν ἀντίδικον σύμβουλον
ποιήσασθαι περὶ τοῦ πῶς ἀκούειν ὑμᾶς ἐμοῦ δεῖ ... ,
ἀλλὰ τοὺς νόμους καὶ τὸν ὄρκον ...

18.1-2

... βούλομαι πάλιν τοὺς θεοὺς παρακαλέσαι, καὶ
ἐναντίον ὑμῶν εὐχομαι πρῶτον μὲν, ὄσπην εὖνοιαν ἔχων
ἐγὼ διατελῶ τῆ πόλει καὶ πᾶσιν ὑμῖν, τοσαύτην ὑπάρξει
μοι παρ' ὑμῶν εἰς τουτονὶ τὸν ἀγῶνα, ἔπειθ' ὅ τι μέλλει
συνόλσειν καὶ πρὸς εὐδοξίαν κοινῆ καὶ πρὸς εὐσέβειαν

ἐκάστῳ, τοῦτο παραστήσαι πᾶσιν ὑμῖν περὶ ταυτησὶ τῆς γραφῆς
γνῶναι. 18.8

At 1.1, and the almost identical pr.3, the repeated theme is the choice of a beneficial policy:

ἀντὶ πολλῶν ἄν, ὧ ἄνδρες Ἀθηναῖοι, χρημάτων ὑμᾶς
ἐλέσθαι νομίζω, εἰ φανερόν γένοιτο τὸ μέλλον συνοίσειν
τῇ πόλει περὶ ὧν νυνὶ σκοπεῖτε. 1.1

... ὥστ' ἐξ ἀπάντων ῥαδίαν τὴν τοῦ συμφέροντος ὑμῖν
αἴρεσιν γενέσθαι. 1.1

The improvement of present circumstances is repeated at pr.15:

περὶ μὲν τῶν παρόντων, ὧ ἄνδρες Ἀθηναῖοι, πραγμάτων
τῇ πόλει, καίπερ οὐκ ἔχόντων ὡς ἔδει, οὐ πάνυ μοι δοκεῖ
τῶν χαλεπῶν εἶναι ζητῆσαι τί ἂν τις πράξας βελτίω
ποιήσειεν.

pr.15

οἶμαι δεῖν ... περὶ αὐτῶν τῶν παρόντων ἃ κράτιστα
νομίζω λέγειν. pr.15

At 5.1 and 5.3 the themes are present circumstances and losses that have been suffered:

ὁρῶ μὲν, ὧ ἄνδρες Ἀθηναῖοι, τὰ παρόντα πράγματα

πολλήν δυσκολίαν ἔχοντα καὶ ταραχὴν οὐ μόνον τῷ πολλὰ
προεῖσθαι καὶ μηδὲν εἶναι προὔργου περὶ αὐτῶν εὖ λέγειν
...

5.1

... οἴομαι ... ἔξειν καὶ λέγειν καὶ συμβουλεύειν δι'
ῶν καὶ τὰ παρόντ' ἔσται βελτίω καὶ τὰ προειμένα σωθήσεται.

5.3

These passages have a third common theme which is not merely repeated but given new emphasis. At 5.1 the speaker says that εὖ λέγειν is μηδὲν ... προὔργου with regard to τα παρόντα πράγματα. He must mean the εὖ λέγειν of other people because at 5.3 he claims that through λέγειν he can show how τὰ παρόντ' can become βελτίω.

The ring composition of 2.1-2 is marked by a progression from general to particular:

ἐπὶ πολλῶν μὲν ἂν τις ἴδῃ, ὧ ἄνδρες Ἀθηναῖοι,
δοκεῖ μοι τὴν παρὰ τῶν θεῶν εὐνοίαν φανερὰν γιγνομένην
τῇ πόλει, οὐχ ἥκιστα δ' ἐν τοῖς παροῦσι πράγμασι·

2.1

... τῶν ὑπὸ τῆς τύχης παρασκευασθέντων συμμάχων καὶ
καιρῶν.

2.2

The general references at 2.1 to the gods and present circumstances are recalled by the specific references at 2.2 to fortune, allies and opportunities. At 17.1-2 the themes are oaths and covenants. The speaker begins by

praising those who encourage the Athenians to abide by them:

ἄξιον ἀποδέχεσθαι, ὧ ἄνδρες Ἀθηναῖοι, σφόδρα
τῶν τοῖς ὅρκοις καὶ ταῖς συνθήκαις διακελευομένων ἐμ-
μένειν ... 17.1

He ends by suggesting that the same people are guilty of breaking them:

ἐξ αὐτῶν δὲ τῶν συνθηκῶν καὶ τῶν ὀρκῶν σκεφάμενους
τῶν περὶ τῆς κοινῆς εἰρήνης ἕξεσθιν ἰδεῖν ἤδη, τίνες
εἰσιν οἱ παραβεβηκότες. 17.2

Criteria 1, 2 and 3 are mutually exclusive.

Criterion 1. Asyndeton

The absence of a connecting particle suggests that a fresh start is being made and is therefore a strong indicator of the point where the main part of a speech begins.

In the Demosthenic corpus asyndeton occurs mainly after a prediction at the end of an introduction: 14.3, 19.4, 24.11, 37.4, 54.3, pr.37.2. A good example is 14.2-3:

ἐγὼ δὲ τοῦτ', ἂν ἄρ' οἴός τ' ὧ, πειράσομαι ποιῆσαι,
μικρὰ προειπὼν ὑμῖν ὡς ἔχω γνώμης περὶ τῶν πρὸς τὸν
βασιλέα.

ἐγὼ νομίζω κοινὸν ἐχθρὸν ἀπάντων τῶν Ἑλλήνων εἶναι

Asyndeton may be preceded by a statement of the Athenians' duty:

... τοῖς λέγουσιν ἅπασι καὶ τοῖς ἀκούουσιν ὑμῖν τὰ βέλτιστα καὶ τὰ σώσοντα τῶν ῥάστων καὶ τῶν ἡδίστων προαιρετέον.

πρῶτον μὲν, εἴ τις, ὧ ἄνδρες Ἀθηναῖοι, θαρρεῖ, ὄρων ...

6.5-6

Asyndeton may follow a request:

ὁότε δ', ὧ ἄνδρες Ἀθηναῖοι, ... ὡς πέφυκα καὶ προήρημαι, περὶ τούτων διαλεχθῆναι πρὸς ὑμᾶς· καὶ γὰρ οὐδ' ἂν ἄλλως δυναίμην.

ἅπας δὲ τῶν ἀνθρώπων βίος, ὧ ἄνδρες Ἀθηναῖοι,

25.14-15

Although omission of connective by itself could identify the point where the introduction ends and the main part of a speech begins, asyndeton is always preceded by at least one alphabetized criterion and appears only twice unaccompanied by numbered criteria: 24.11, 54.3.

J.D. Denniston 1954, pp.xliii-xlvii, discusses asyndeton.

Criterion 2. μὲν οὖν

There are twenty four instances of μὲν οὖν at the start of the main part of a speech: 1.2, 2.3, 3.3, 4.2, 8.2, 9.6, 15.2, 18.9, 36.4, 38.3, 39.2, 44.5, 47.4, 48.3, 55.3, 58.5, 59.16, pr.1.2, pr.2.3, pr.30.2, pr.31.2, pr.40.2, pr.41.2, pr.56.3.

μὲν οὖν is always the second item in a sentence. Various uses occur:

(1) μὲν οὖν may be inserted between the article and its accompanying noun or phrase to emphasize the idea expressed:

ὁ μὲν οὖν παρῶν καιρὸς ... 1.2 and 3.3

ἡ μὲν οὖν σπουδὴ ... 8.2

ἡ μὲν οὖν ἀρχὴ ... pr.2.3, pr.40.2 and pr.41.2

ἡ μὲν οὖν ἐμὴ γνώμη ... pr.56.3

τὴν μὲν οὖν συκοφαντίαν ... 38.3

At 2.3 a vocative joins μὲν οὖν between the article and its phrase:

τὸ μὲν οὖν, ὧ ἄνδρες Ἀθηναῖοι, τὴν Φιλίππου ῥώμην
διεξιέναι ... 2.3

(2) μὲν οὖν may emphasize a word denoting quantity:

πολλὰ μὲν οὖν ἴσως ἐστὶν αἷτια τούτων ... 9.2

ἔν μὲν οὖν, ὧ ἄνδρες Ἀθηναῖοι, πρὸς ἅπαντας τοὺς
τούτων λόγους παρέχομαι δίκαιον. 55.3

ἔστι μὲν οὖν ἐν ᾧ ἐγὼ νομίζω χάριν ὑμᾶς τοῖς θεοῖς
ὀφείλειν ... 15.2

(3) μὲν οὖν may accompany πρῶτον:

πρῶτον μὲν οὖν οὐκ ἀθυμητέον ... 4.2

πρῶτον μὲν οὖν ὑμῖν ἀναγνώσεται τὰς συνθήκας
... 36.4

πρῶτον μὲν οὖν μαρτυρίας ἀναγνώσεται ... 48.3

πρῶτον μὲν οὖν τὸν νόμον ὑμῖν ἀναγνώσεται ...
58.5 and 59.16

πρῶτον μὲν οὖν ὑμᾶς ἐκεῖν' ἐγνώκηναι δεῖ ...
pr.1.2 and pr.30.2

(4) μὲν οὖν may occur in a protasis:

εἰ μὲν οὖν περὶ ᾧ ἐδίωκε μόνον κατηγορήσεν Αἰσχίνης
... 18.9

εἰ μὲν οὖν ἑτέρου τινὸς οὗτος ἔφη πατρὸς εἶναι
... 39.2

εἰ μὲν οὖν, ὧ ἄνδρες δικασταί, ἐκ τῆς διαμαρτυρίας
αὐτῆς Λεωχάρης ἤμελλον ... 44.5

J.D. Denniston 1954 considers μὲν οὖν at pp.470-81.

Criterion 3. γάρ

There are twenty six instances of γάρ : 7.2, 11.2,
22.4, 27.4, 28.3, 29.6, 30.6, 31.1, 32.4, 33.4, 34.6, 35.6,
40.6, 41.3, 42.5, 43.3, 45.3, 49.6, 50.4, 51.4, 52.3, 53.4,
56.5, 57.8, 59.2, 60.4.

(1) ἐγὼ γὰρ introduces a speech's main part: 22.4, 29.6,
30.6, 33.4, 34.6, 35.6, 45.3, pr.35.2.

(2) A speaker may refer to his opponent:

οὗτος γὰρ ... 31.1

Ζηνόθεμις γὰρ οὕτωσὶ ... 32.4

Νικδστρατος γὰρ οὕτωσὶ ... 53.4

Διονυσόδωρος γὰρ οὕτωσὶ ... 56.5

Εὐβουλίδης γὰρ οὗτος ... 57.8

(3) Some other person may be mentioned:

Φίλιππος γὰρ ... 7.2

Δημοσθένης γὰρ οὐμὸς πατὴρ ... 27.4

ἡ γὰρ μήτηρ ἡ ἐμὴ ... 40.6

Πολύευκτος γὰρ ἦν τις θριάσιος ... 41.3

τουτουὶ γὰρ τοῦ παιδὸς ἡ μήτηρ ... 43.3

Λύκων γὰρ ὁ Ἑρακλεώτης ... 52.3

(4) A date may be mentioned:

τοῦ γὰρ μεταγειτνιῶνος ... 42.5

ἐπὶ Σωκρατίδου γὰρ ἄρχοντος μουνιχιῶνος μηνὸς
... 49.6

ἑβδόμη γὰρ φθίνοντος μεταγειτνιῶνος μηνὸς ἐπὶ
Μόλωνος ἄρχοντος ... 50.4

(5) In two speeches a decree is mentioned:

ψήφισμα γὰρ ὑμῶν ποιησαμένων ... 51.4

ψηφισαμένου γὰρ τοῦ δήμου ... 59.2

(6) μὲν γὰρ occurs after πρῶτον:

πρῶτον μὲν γὰρ εἰκὸς ... 11.2

πρῶτον μὲν γὰρ Δημοχάρης ... 28.3

J.D. Denniston 1954 discusses γὰρ at pp.56-114.

Criterion 4. Vocative

It is customary for a speaker to express a vocative, e.g. ὦ ἄνδρες Ἀθηναῖοι, at the start of his speech. It is not surprising, therefore, that a vocative may appear at the point where the main part of a speech begins since a speaker may wish to signify that he has finished his introductory remarks and is about to start the speech proper by using a formula associated with the start of a speech.

(1) A vocative may emphasize a preceding phrase:

ὁ μὲν οὖν παρὼν καιρὸς, ὦ ἄνδρες Ἀθηναῖοι ... 1.2

ἅπας ὁ τῶν ἀνθρώπων βίος, ὦ ἄνδρες Ἀθηναῖοι ... 25.15

(2) Emphasis may be placed on what follows:

τὸ μὲν οὖν, ὦ ἄνδρες Ἀθηναῖοι, τὴν Φιλίππου ῥώμην
... 2.3

πρῶτον μὲν, εἴ τις, ὦ ἄνδρες Ἀθηναῖοι, θαρρεῖ ... 6.6

εἰ μὲν οὖν, ὦ ἄνδρες δικασταί, ἐκ τῆς διαμαρτυρίας
αὐτῆς ... 44.5

(3) A speaker may insert a vocative to provide time for his audience to concentrate their attention after a statement which signifies that he is about to make a point:

ἀκριβῶς δ' εἰδῶς, ὦ ἄνδρες Ἀθηναῖοι, τὸ λέγειν περὶ
... 5.4

εἰ δὴ τις ἐρωτήσειεν, ὦ ἄνδρες Ἀθηναῖοι, ἐπὶ τίνι
ἂν μάλιστα ἀγανακτήσαιτ' ... 17.3

εἰ σκέψαισθε παρ' ὑμῖν αὐτοῖς, ὦ ἄνδρες δικασταί,
καὶ λογίσαισθε τίνων προσήκει ... 19.4

ἔστι δ' οὐκ ἄδηλον, ὦ ἄνδρες Ἀθηναῖοι, τοῦθ', ὃ τι
λεπτίνης ... 20.1

(4) A vocative may provide a pause between a reference to a person and that person's action:

Δημοσθένης γὰρ οὐμὸς πατήρ, ὦ ἄνδρες δικασταί, κατέ-
λιπεν οὐσίαν ... 27.4

ἐγὼ γάρ, ὦ ἄνδρες Ἀθηναῖοι, ἐδάνεισα ... 34.6

(5) An appositional remark may follow a vocative:

ἡ γὰρ μήτηρ ἡ ἐμή, ὦ ἄνδρες δικασταί, θυγάτηρ μὲν
ἦν ... 40.6

τουτουὶ γὰρ τοῦ παιδὸς ἡ μήτηρ, ὦ ἄνδρες δικασταί,
γένει οὔσα ἐγγυτάτω ... 43.3

Δύκων γὰρ ὁ Ἑρακλεώτης, ὦ ἄνδρες δικασταί, οὗτος
ὄν καὶ αὐτὸς λέγει ... 52.3

Νικδστρατος γὰρ οὕτοσί, ὦ ἄνδρες δικασταί, γέλτων
μοι ὦν ... 53.4

(6) Personalities may be juxtaposed on either side of a
vocative:

Opponents:

ἐγὼ γάρ, ὦ ἄνδρες δικασταί, Δημοφῶντι καὶ Θηριππίδῃ
καὶ τούτῳ ... 29.6

ἐγὼ καὶ Εὐεργος, ὦ ἄνδρες δικασταί, Πανταινέτῳ του-
τῷ ... 37.4

Partners:

Διονυσόδωρος γὰρ οὕτοσί, ὦ ἄνδρες Ἀθηναῖοι, καὶ ὁ
κοινωνὸς αὐτοῦ Παρμενίσκος ... 56.5

The speaker, the Athenians and the speaker's opponent:

ἐγὼ γάρ, ὧ ἄνδρες δικασταί, πολλοὺς τ' ἄλλους Ἀθη-
ναίων καὶ τοῦτον ... 30.6

Criterion 5. πρῶτον

A speaker may announce his first point at the start of the main part of a speech: 4.2, 6.6, 11.2, 28.3, pr.1.2, pr.30.2. In all these instances πρῶτον is the first word of the sentence, e.g. 4.2:

πρῶτον μὲν οὖν οὐκ ἀθυμητέον, ὧ ἄνδρες Ἀθηναῖοι,
τοῖς παροῦσι πράγμασιν, οὐδ' εἰ πάνυ φαύλως ἔχειν δοκεῖ.
4.2

At pr.1.2 and pr.30.2 the speaker begins with a statement of the Athenians' duty:

πρῶτον μὲν οὖν ὑμᾶς ἐκεῖν' ἐγνωκέναι δεῖ ...
pr.1.2 and pr.30.2

The main part of a speech may begin with a reading.

ἀναγνώσεται δὲ πρῶτον μὲν ὑμῖν τὸν νόμον ... 21.8

πρῶτον μὲν οὖν ὑμῖν ἀναγνώσεται τὰς συνθήκας ... 36.4

πρῶτον μὲν οὖν μαρτυρίας ἀναγνώσεται ... 48.3

58.5
πρῶτον μὲν οὖν τὸν νόμον ὑμῖν ἀναγνώσεται... and 59.16

ἀναγνώσεται δὲ πρῶτον μὲν ὑμῖν τὰς μαρτυρίας. 38.3

Criterion 6. The Present Situation

In public speeches there may be a reference to the present situation at the start of the main part of a speech:

ὁ μὲν οὖν παρῶν καιρος ... 1.2 and 3.3

ἄξιον δ' ἡσθῆναι τῷ παρόντι καιρῷ 15.2 and pr.27.2

ἔστι τοίνυν ἔν τινι τοιούτῳ καιρῷ τὰ πράγματα νῦν
... 16.4

πρῶτον μὲν οὖν οὐκ ἀθυμητέον, ὧ ἄνδρες Ἀθηναῖοι,
τοῖς παροῦσι πράγμασιν, οὐδ' εἰ πάνυ φαύλως ἔχειν δοκεῖ.
4.2

ἡ μὲν οὖν σπουδὴ περὶ τῶν ἐν Χερρονήσῳ πραγμάτων ...
8.2

ἡ μὲν οὖν ἀρχὴ τῶν τοιούτων πραγμάτων ἀπάντων ἐστὶν
τῶν στρατηγῶν pr.40.2

... τοῦ κακῶς τὰ πράγματ' ἔχειν ... pr.31.2

οὐκ ὀλίγων δ' ὄντων ἀμαρτημάτων οὐδ' ἐκ μικροῦ χρόνου,
συνειλεγμένων, ἐξ ὧν φαύλως ταῦτ' ἔχει ... 10.1

ἡ μὲν οὖν ἀρχὴ τοῦ ταῦθ' οὕτως ἔχειν ... pr.41.2

περὶ μὲν τοῦ παρόντος ἀργυρίου καὶ ὧν ἕνεκα τὴν
ἐκκλησίαν ποιεῖσθ' ... 13.1

Criterion 7. The Speaker's Opponent

A speaker may mention his opponent either by name or by the pronoun οὗτος. He may refer to his opponent and his opponents partners respectively or call them collectively τούτους.

(1) The first word of the opening sentence:

οὗτος γὰρ ... 31.1

Ζηνόθεμις γὰρ οὗτοσὶ ... 32.4

τουτουὶ γὰρ τοῦ παιδὸς ἡ μήτηρ ... 43.3

Νικόστρατος γὰρ οὗτοσὶ ... 53.4

Διονυσόδωρος γὰρ οὗτοσὶ ... 56.5

(2) The speaker's dealings with his opponent:

ἐγὼ γάρ, ὦ ἄνδρες δικασταί, Δημοφῶντι καὶ Θηριπίδῃ
καὶ τούτῳ δίκας ἔλαχον ... 29.6

ἐγὼ γάρ, ὦ ἄνδρες δικασταί, πολλοὺς τ' ἄλλους Ἀθη-
ναίων καὶ τοῦτον οὐκ ἐλάνθανον ... 30.6

ἐγὼ γάρ, ὦ ἄνδρες Ἀθηναῖοι, ἐδάνεισα Φορμίῳ
τουτῷ ... 34.6

ἐδανείσαμεν ... ἐγὼ καὶ Εὐεργος, ὦ ἄνδρες δικασταί,
Πανταινέτῳ τουτῷ ... 37.4

At 35.6 the speaker denies association with his
opponents:

ἐγὼ γάρ, ὦ ἄνδρες δικασταί, αὐτὸς μὲν οὐδ' ὀπωστιοῦν
ἐγνώριζον τοὺς ἀνθρώπους τούτους· 35.6

(3) The opponent's guilt:

πρῶτον μὲν οὖν μαρτυρίας ἀναγνώσεται ὅτι οὐκ ἐγὼ
αἴτιός εἰμι τοῦ εἰς τὸ δικαστήριον εἰσιέναι, ἀλλ' οὗτος
αὐτός. 48.3

πολλαῖς μὲν οὖν ἐνδείξεσιν ἦν ἔνοχος οὐτοσὶ ... 58.5

αἰτιασαίμην μὲν οὖν ἔγωγ' οὐδέν', ὦ ἄνδρες Ἀθη-
ναῖοι, τοῦ κακῶς τὰ πράγματ' ἔχειν ἀλλ' ἢ πάντας τούτους·

pr.31.2

τὴν μὲν οὖν συκοφαντίαν τὴν τούτων ... 38.3

(4) A speaker may mention his opponent in a protasis:

εἰ μὲν οὖν περὶ ᾧν ἐδίωκε μόνον κατηγορήσεν Αἰσχίνης
... 18.9

εἰ μὲν οὖν ἑτέρου τινὸς οὗτος ἔφη πατρός εἶναι... 39.2

εἰ μὲν οὖν, ὧ ἄνδρες δικασταί, ἐκ τῆς διαμαρτυρίας
αὐτῆς Λεωχάρης ... 44.5

Criterion 8. ἐγώ

This pronoun may be placed in the emphatic position at the start of the first sentence of the main part of a speech. It is usually accompanied by criteria 3 and 4, ἐγὼ γάρ, ὧ ἄνδρες δικασταί. Instances are 29.6, 30.6, 33.4, 34.6, 35.6, 45.3.

Criteria 3 and 4 are omitted at 14.3 and at pr.29.3:

ἐγὼ νομίζω ... 14.3

εγὼ μὲν δὴ δικαίον ὑπέβληφα ... pr.29.3

'Εγώ is used to draw attention to the speaker. Its insertion does not change a verb's meaning but emphasizes its subject. Hence first person verbs without ἐγώ do not count as criterion 8. Thus the following instances are not examples of criterion 8:

ἀκριβῶς δ' εἰδῶς ... ἡγοῦμαι 5.4

μάλιστα μὲν οὖν ἂν ἐβουλόμην μὴ ἔχειν πράγματα· 47.4

ἐξηλθον ... 54.3

'Εγώ, as criterion 8, is normally the first word in a sentence. An exception is pr.31.2:

αἰτιασαίμην μὲν οὖν ἔγωγ' ἂν οὐδέεν, ὧ ἄνδρες Ἀθη-
ναῖοι ... pr.31.2

Another unusual example is pr.37.2. The speaker draws attention to himself at the end of the introduction:

ἐγὼ δὲ τοῦτο πρῶτον ἐρῶ. pr.37.2

The main part of the speech begins with the pronoun in the dative case:

ἐμοὶ δοκεῖ ... pr.37.2

(ii) Definitions

Individual orations are now examined for criterion occurrence. With the help of criteria the introduction of each oration is defined.

Oration 1

DEFINITION

1.1 constitutes the introduction.

Criterion A occurs:

τὴν τοῦ συμφέροντος ὑμῶν ἀρεσιν 1.1

This phrase is also an instance of criterion K as it recalls the theme with which the speaker started:

ἀντὶ πολλῶν ἄν, ὧ ἄνδρες Ἀθηναῖοι, χρημάτων ὑμᾶς
ἐλέσθαι νομίζω, εἰ φανερόν γένοιτο τὸ μέλλον συνοίσειν
τῇ πόλει περὶ ᾧ νυνὶ σκοπεῖτε. 1.1

Criteria 2, 4 and 6 appear at 1.2:

ὁ μὲν οὖν παρὼν καιρός, ὧ ἄνδρες Ἀθηναῖοι ... 1.2

M. Croiset 1924, p.96, agrees with this view and labels 1.1, 'Exorde'. E.I. McQueen 1986, p.38, reprints the analysis of J.M. MacGregor who defines section 1 as the introduction.

Oration 2

DEFINITION

2.1-2 is an introductory paragraph whose theme is divine favour. It is distinguished from the rest of the speech by the use of ring composition. The general references at 2.1 to the gods, τὴν παρὰ τῶν θεῶν εὐνοίαν, and to present circumstances, ἐν τοῖς παροῦσι πράγμασι, are recalled by the specific references at 2.2 to fortune, τῆς τύχης, and to allies and opportunities, συμμάχων και καιρῶν.

Criterion H also occurs:

δεῦ τοίνυν, ὦ ἄνδρες Ἀθηναῖοι ... 2.2

M. Croiset 1924, p.110, distinguishes 2.1-2, 'Exorde. L'occasion'. E.I. McQueen 1986, p.38, reprints the analysis of J.M. MacGregor who defines sections 1 and 2 as the introduction.

Criteria 2 and 4 occur at 2.3:

τὸ μὲν οὖν, ὦ ἄνδρες Ἀθηναῖοι ... 2.3

The introduction is therefore 2.1-2.

The presence of future tenses at 2.4, παραλείψω and πειράσομαι, and of criterion 2 at 2.5, τὸ μὲν οὖν ἐπίλορον, suggests that 2.3-4 should be considered for inclusion in the introduction. 2.3-4 is an example of the figure of speech, paraleipsis, by which a speaker draws attention to

a subject by pretending to neglect it. Here the speaker emphasizes the strength of Philip of Macedon, first by mentioning it at the start of the main part of the speech, 2.3, next by saying that he will pass over this, 2.4, ταῦτα μὲν οὖν παραλείψω, after which he mentions the subject again before finally saying, 2.4, τούτων οὐχὶ νῦν ὀρῶ τὸν καιρὸν τοῦ λέγειν. The speaker now introduces what he alleges will be the real themes of his speech:

ἃ δὲ καὶ χωρὶς τούτων ἔνι, καὶ βέλτιόν ἐστιν ἀκηκοέναι πάντας ὑμᾶς, καὶ μεγάλ', ὧ ἄνδρες Ἀθηναῖοι, κατ' ἐκείνου φαίνονται ἂν ὀνειδίη βουλομένοις ὀρθῶς δοκιμάζειν, ταῦτ' εἶπεῖν πειράσομαι. 2.4

The presence of criteria B and D makes this sound like the end of an introduction. Further credibility is given to this idea by the appearance of criterion 2 at 2.5, τὸ μὲν οὖν ἐπίορκον, which suggests that the main part of the speech starts at 2.5.

However, these criteria occur in combination with the speaker's use of *paraleipsis*. He begins the main part of the speech at 2.3 but at 2.4 he tries to create the impression that this is a false alarm and that the speech proper begins at 2.5. *Paraleipsis* involves pretence. At 2.4 the speaker pretends that he is still in the introduction so that he can have the benefit of a second fresh start at 2.5. But the actual introduction ended at the end of 2.2.

Oration 3

DEFINITION

3.1-2 is an introductory passage. Narrative begins at 3.4, which therefore belongs with the main part of the speech. Difficulty lies in deciding whether to include 3.3 in the introduction or in the main part of the speech.

Criterion 5 occurs at 3.4:

ἀναγκαῖον δ' ὑπολαμβάνω μικρὰ τῶν γεγενημένων πρῶτον
ὑμᾶς ὑπομνησαί. 3.4

This could justify the choice of this sentence as the start of the main part of the speech. M. Croiset 1924, pp.126-27, distinguishes 3.1-3 from the rest of the speech with the heading, 'Exorde. La question à examiner'. However, it must be noted that in Croiset's edition 3.3 is printed as a separate paragraph. Thus 'Exorde' may refer to 3.1-2 while 'La question à examiner' describes 3.3. J.M. MacGregor, reprinted by E.I. McQueen 1986, p.39, calls 3.1-2 'Introduction'. This view appeals because criteria 2 and 6 occur at 3.3:

ὁ μὲν οὖν παρῶν καιρὸς ... 3.3

These words are the same as the opening remarks of 1.2, the point where the main part of oration 1 begins. The main part of oration 2 starts at 2.3 also with criterion 2. The choice of 3.3 for the start of the speech's main part

would make the third Olynthiac oration conform with the previous two.

But further evidence must be considered. One of the themes of 3.3, the audience's understanding of the situation contrasted with their unwillingness to respond to the situation, appears elsewhere located clearly within introductions:

ἐγὼ δ' οὐχ ὅ τι χρῆ περὶ τῶν παρόντων συμβουλευσαι χαλεπώτατον ἡγοῦμαι, ἀλλ' ἐκεῖν' ἀπορῶ, τίνα χρῆ τρόπον, ὧ ἄνδρες Ἀθηναῖοι, πρὸς ὑμᾶς περὶ αὐτῶν εἶπεῖν. πέπεισμαι γὰρ ἐξ ὧν παρῶν καὶ ἀκούων σύνοιδα, τὰ πλείω τῶν πραγμάτων ἡμᾶς ἐκπεφευγέναι τῷ μὴ βούλεσθαι τὰ δέοντα ποιεῖν ἢ τῷ μὴ συνιέναι.

3.3

ἐγὼ δ' οὐδεπώποθ' ἡγησάμην χαλεπὸν τὸ διδάξαι τὰ βέλτισθ' ὑμᾶς (ὡς γὰρ εἶπεῖν ἀπλῶς, ἅπαντες ὑπάρχειν ἐγνωκότες μοι δοκεῖτε), ἀλλὰ τὸ πεῖσαι πράττειν ταῦτα·

15.1

... οὐ πάνυ μοι δοκεῖ τῶν χαλεπῶν εἶναι ζητῆσαι τί ἂν τις πράξας βελτίω ποιήσειεν. ὄντινα μέντοι χρῆ τρόπον πρὸς ὑμᾶς εἶπεῖν περὶ αὐτῶν, τοῦτο παμπόλλην δυσκολίαν ἔχειν νομίζω, οὐχ ὡς οὐ συνησόντων ὅ τι ἂν τις λέγῃ, ἀλλ' οὕτω πολλὰ καὶ ψευδῆ καὶ πάντα μᾶλλον ἢ τὰ βέλτιστα τοῖς πράγμασιν συνειθίσθαι μοι δοκεῖτ' ἀκούειν... pr.15.1

These parallels suggest that 3.3 is introductory. Further evidence is that the passage is marked by ring composition:

ὁ μὲν οὖν παρῶν καιρὸς ... 3.3

... εἰς πᾶν προελήλυθε μοχθηρίας τὰ παρόντα. 3.3

The introduction, therefore, is 3.1-3. However, more must be said. 3.1-2 and 3.3 seem quite distinct. Consequently they could be considered as separate introductions which have been inserted one after the other to fit this particular speech. The scholia confirm this view. At M.R. Dilts 1983, p.85 nos.22a-d, they call section 3, 'δεύτερον προοίμιον'. Nevertheless the two introductions are united with ring composition. At the end of section 3 there is a return to the theme with which the introduction began, the connection between the present situation and the speeches of the speaker's opponents:

... ὅταν τ' εἰς τὰ πράγματ' ἀποβλέψω καὶ ὅταν πρὸς
τους λόγους οὓς ἀκούω ... 3.1

ὄρατε γὰρ ὡς ἐκ τοῦ πρὸς χάριν δημηγορεῖν ἐνίοις
εἰς πᾶν προελήλυθε μοχθηρίας τὰ παρόντα. 3.3

Oration 4

DEFINITION

The introduction is 4.1. Criterion A occurs:

εἰ γὰρ ἐκ τοῦ παρεληλυθότος χρόνου τὰ δέονθ' οὔτοι
συνεβούλευσαν, οὐδὲν ἂν ὑμᾶς νῦν ἔδει βουλευέσθαι. 4.1

At 4.2 there are criteria 2, 4, 5 and 6:

πρῶτον μὲν οὖν οὐκ ἀθυμητέον, ὧ ἄνδρες Ἀθηναῖοι,
τοῖς παροῦσι πράγμασιν, οὐδ' εἰ πάνυ φαύλως ἔχειν
δοκεῖ. 4.2

M. Croiset 1924, p.36, labels 4.1, 'Démosthène
s'excuse de parler le premier.' At p.37 4.2 is printed as
a new paragraph. This suggests that Croiset agrees with
the view that 4.1 is the introduction.

Furthermore 4.2 provides an arresting start to the
speech proper. This depends on contrast and paradox. At
the end of 4.1 Demosthenes' remarks allude to the poor
state of present affairs. His comment, quoted above, is
pessimistic. 4.2, however, begins with an optimistic
comment (also quoted above). This is followed by paradox:

ὃ γὰρ ἐστὶ χεῖριστον αὐτῶν ἐκ τοῦ παρεληλυθότος χρόνου,
τοῦτο πρὸς τὰ μέλλοντα βέλτιστον ὑπάρχει. 4.2

The first sentence of 4.2 provided an unexpected
contrast with the final sentence of 4.1. Now in this
paradox contrasts between χεῖριστον and βέλτιστον and
between ἐκ τοῦ παρεληλυθότος χρόνου and πρὸς τὰ μέλλοντα
are neatly emphasized with the chiasmic construction of the
sentence. A rhetorical question follows next to encourage

the audience to think:

τί οὖν ἔστι τοῦτο;

4.2

These three sentences of 4.2 provide a thought-provoking start to the main part of the speech.

Oration 5

DEFINITION

Ring composition distinguishes the introduction. The speaker begins 5.1 by mentioning present affairs and losses suffered by the Athenians:

ὄρω μὲν, ὧ ἄνδρες Ἀθηναῖοι, τὰ παρόντα πράγματα πολλὴν δυσκολίαν ἔχοντα καὶ ταραχὴν οὐ μόνον τῷ πολλὰ προεῖσθαι ...

5.1

At the end of 5.3 the speaker returns to the theme. He asks his audience to listen in a way that will allow him to offer advice through which the present situation will be improved and the losses saved:

οὐ μὴν ἀλλὰ κάλπερ τούτων οὕτως ἐχόντων οἴομαι καὶ πεπεικῶς ἑμαυτὸν ἀνέστηκα, ἂν ἐθελήσητε τοῦ θορυβεῖν καὶ φιλονικεῖν ἀποστάντες ἀκούειν, ὡς ὑπὲρ πόλεως βουλευομένοις καὶ τηλικούτων πραγμάτων προσήκει, ἔξειν καὶ λέγειν καὶ συμβουλεύειν δι' ὧν καὶ τὰ παρόντ' ἔσται βελτίω καὶ

τὰ προειμμένα σωθήσεται.

5.3

Criterion 4 occurs at 5.4:

ἀκριβῶς δ' εἰδώς, ὧ ἄνδρες Ἀθηναῖοι, ...

5.4

Therefore the introduction is 5.1-3.

The presence of criteria 3, 4, 5 and 8 at 5.5 requires mention.

ἐγὼ γάρ, ὧ ἄνδρες Ἀθηναῖοι, πρῶτον μὲν ...

5.5

This suggests that the speaker is making a fresh start. Introductory material occurs at the end of 5.4.

νομίζω δ' ἄμεινον ἂν ὑμᾶς περὶ ὧν νῦν ἐρῶ κρῖναι,
μικρὰ τῶν πρότερόν ποτε ῥηθέντων ὑπ' ἐμοῦ μνημονεύσαντας.

5.4

5.4 does not belong with the introduction but with the main part of the speech. The last sentence of 5.4 does not introduce the main part of the speech but a section of it, 5.5-10, in which the speaker recalls occasions in the past when he rose to speak.

πρῶτον μὲν introduces the first of these reminiscences. The second is heralded at 5.6 by πάλιν τοίνυν, and both are mentioned together in a sentence at 5.9 which begins, δύο μὲν δὴ ταῦθ'. The third occasion is mentioned also in 5.9, τὸ τρίτον δ'. At 5.11-12 the speaker claims that good

fortune and his own disinterest were responsible for his foresight on those three occasions. At 5.13 the speaker changes the subject to the present situation.

Therefore 5.4-12 is a separate section distinct from 5.1-3 and 5.13.

Oration 6

DEFINITION

At the beginning of 6.6 there is no connecting particle which links it to what precedes. This example of criterion 1 is accompanied by criteria 4 and 5:

πρῶτον μὲν, εἴ τις, ὧ ἄνδρες Ἀθηναῖοι, θαρρεῖ... 6.6

Criterion A occurs at 6.5:

... τοῖς ἀκούουσιν ὑμῖν τὰ βέλτιστα καὶ τὰ σώσοντα τῶν ῥάστων καὶ τῶν ἡδίστων προαιρετέον. 6.5

The introduction is therefore 6.1-5.

J.E. Sandys 1900, p.109, cites 6.1-5 as the Exordium.

Oration 7

DEFINITION

Criteria D, prediction, G, πρῶτον, and H, vocative, occur at 7.1.

ἐγὼ δ' ὑμῖν, ὦ ἄνδρες Ἀθηναῖοι, βούλομαι πρῶτον
μὲν περὶ ὧν Φίλιππος ἐπέσταλκε, περὶ τούτων διεξελεῖν·
ἕστερον δέ, περὶ ὧν οἱ πρέσβεις λέγουσι, καὶ ἡμεῖς λέξο-
μεν. 7.1

Criterion 3, γάρ, occurs at 7.2.

Φίλιππος γὰρ ἄρχεται ... 7.2

Accordingly the introduction is 7.1.

Oration 8

DEFINITION

There is difference of opinion about the introduction.
M. Croiset 1925, p.65, cites 8.1. J.E. Sandys 1900, p.xlii,
chooses 8.1-3.

Criteria A and H occur at 8.1:

... ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, τοὺς πολλοὺς δεῖ ...
ταῦτα καὶ ψηφίζεσθαι καὶ πράττειν. 8.1

Criteria 2 and 6 occur at 8.2:

ἢ μὲν οὖν σπουδῆ περὶ τῶν ἐν Χερρονήσῳ πραγμάτων
... 8.2

There are no criteria at the end of 8.3. Criterion 4

appears near the beginning of 8.4:

πολλὰ δὲ θαυμάζων τῶν εἰωθότων λέγεσθαι παρ' ὑμῖν,
οὐδενὸς ἤττον, ὧ ἄνδρες Ἀθηναῖοι ... 8.4

The pause between 8.1 and 8.2 is more pronounced than that between 8.3 and 8.4.

8.3 ends with a reference to noisy and distracting speeches:

... καὶ μὴ τοῖς περὶ τῶν ἄλλων θορύβοις καὶ ταῖς κατηγορίαις ἀπὸ τούτων ἀποδρᾶναι. 8.3

At the start of 8.4 the speaker refers to speeches made in the Ecclesia and compares what he heard in the Council:

πολλὰ δὲ θαυμάζων τῶν εἰωθότων λέγεσθαι παρ' ὑμῖν,
οὐδενὸς ἤττον, ὧ ἄνδρες Ἀθηναῖοι, τεθαύμακα, δὲ καὶ πρῶην
τινὸς ἤκουσ' εἰπόντος ἐν τῇ βουλῇ, ... 8.4

8.1 is thematic: the duties of speakers and audience. The theme is generalized and one can imagine that such a passage could have been selected from a collection of prooemia and used on a number of occasions.

At 8.2 the speaker changes from generalization to specific mention of places, people and incidents.

... περὶ τῶν ἐν Χερρονήσῳ πραγμάτων ...

... τῆς στρατείας, ἣν ἐνδέκατον μῆνα τουτονὶ Φίλιππος
ἐν Θράκη ποιεῖται ...

... περὶ ὧν Διοπέθης πράττει ...

At 8.3 *θορύβοις* and *κατηγορίαις* are linked to 8.4 by the phrase *τῶν εἰωθότων λέγεσθαι παρ' ὑμῖν*. The change from general to particular between 8.1 and 8.2 along with the presence of criteria A, H, 2 and 6 suggests that there is a break between 8.1 and 8.2.

Therefore the introduction is 8.1.

Oration 9

DEFINITION

M. Croiset 1925, p.92, distinguishes 9.1, 'Exorde: L'état des choses.' J.E. Sandys 1900, p.li, defines the introduction 9.1-5. The latter view is expressed also by G.A. Davies 1907, p.95.

Although criterion 2 occurs at 9.2 there is no break between 9.1 and 9.2 because the first sentence of 9.2 is linked to the last sentence of 9.1 by the word *τούτων*:

... οὐκ ἂν ἠγοῦμαι δύνασθαι χειρόν ἢ νῦν διατεθῆναι. 9.1

πολλὰ μὲν οὖν ἴσως ἐστὶν αἴτια τούτων, ... 9.2

Moreover there are remarks at 9.3 and 9.4 which

suggest that the speaker has not yet started the main part of his speech but is still introducing it:

ἀξιῶ δ', ὧ ἄνδρες Ἀθηναῖοι, ἂν τι τῶν ἀληθῶν μετὰ παρρησίας λέγω, μηδεμίαν μοι διὰ τοῦτο παρ' ὑμῶν ὀργὴν γενέσθαι. 9.3

εἰ μὲν οὖν καὶ νῦν οὕτω διάκεισθε, οὐκ ἔχω τί λέγω· εἰ δ' ἄ συμφέρει χωρὶς κολακείας ἐθελήσεται ἀκούειν, ἔτοιμος λέγειν. 9.4

The main part of the speech begins at either 9.6, if 9.6-7 is accepted, or at 9.8. For a brief explanation of the textual difficulty see Davies p.xxxv. Criterion 2 occurs at 9.6 and at 9.8.

But in either case the introduction is 9.1-5.

Oration 10

DEFINITION

Three possibilities can be considered: the first sentence of 10.1; 10.1; 10.1-3.

In the first sentence of 10.1 the speaker emphasizes the importance of the matters under discussion and says that he will try to say what he thinks will be profitable:

καὶ σπουδαῖα νομίζων, ὧ ἄνδρες Ἀθηναῖοι, περὶ ὧν βουλευέσθε, καὶ ἀναγκαῖα τῇ πόλει, πειράσομαι περὶ αὐτῶν εἰπεῖν ἃ νομίζω συμφέρειν. 10.1

This sentence could be attached to almost any deliberative speech since its references are general and do not pertain to specific people or events. Criterion D, prediction, occurs. Criterion 6 occurs in the next sentence:

οὐκ ὀλίγων δ' ὄντων ἀμαρτημάτων οὐδ' ἐκ μικροῦ
χρόνου συνειλεγμένων, ἐξ ὧν φαύλως ταῦτ' ἔχει ...

10.1

One could argue that the present tense of ἔχει suggests that the speaker has now begun the main part of his speech.

The only point in favour of choosing the whole of 10.1 as the introduction is the presence of criterion 2 at 10.2:

ἡ μὲν οὖν ἀσέλγεια καὶ πλεονεξία ...

10.2

However there is no change of subject at 10.2. At 10.1 the speaker reproaches the Athenians for showing interest in public affairs only while they are in the Ecclesia and for losing interest as soon as they leave. At 10.2-3 the speaker says that Philip cannot be checked by speeches in the Ecclesia which result in no action. Thus at 10.1 the speaker generalizes about the Athenians' preference for hearing speeches to practical measures while at 10.2-3 he states a specific consequence of their behaviour.

The main part of the speech does not begin at 10.2.

M. Croiset 1925, pp.120-21, distinguishes 10.1-3 under the label: 'Exorde. Inutilité des discours non suivis d'action.' At p.113 he comments:

'Remarquons d'abord que le début ne définit pas, comme c'est l'habitude de Démosthène, le point essentiel à débattre. Du § 1 au § 6, l'orateur fait ressortir l'impuissance des discours contre un adversaire qui agit, l'avantage que l'appui de Philippe assure à ses affiliés sur leurs adversaires, l'engourdissement des Athéniens et le mépris où ils sont tombés. Tout ce morceau porte bien la marque du grand orateur, mais, ainsi placé, il a plutôt l'air d'un développement général que d'un exorde approprié au sujet du jour, lequel d'ailleurs reste indéterminé.'

I support these observations. Croiset, pp.121-22, prints 10.4-6 as a separate paragraph under the label, 'Puissance des affiliés de Philippe.' There is a change of subject at 10.4 but this is connected to what precedes by *τοιγάροι*. This particle is discussed along with *τοιγαροῦν* by J.D. Denniston 1954, pp.566-68, who says at p.566:

'Both particles are strongly emphatic, and sometimes even convey the effect that the logical connexion is regarded as more important than the ideas connected.'

Therefore the use of this particle shows that there is no break between sections 3 and 4 and hence that the introduction does not end with section 3.

Therefore it is preferable to take the view that the

introduction is limited to the first sentence of 10.1, which alone contains introductory remarks and is distinguishable from the rest of the speech.

Oration 11

DEFINITION

The introduction consists of 11.1 and the first sentence of 11.2 which is an example of criterion D.

ὅτι δὲ χρὴ μήτ' ὀρρωδεῖν ὑμᾶς τὴν ἐκείνου δύναμιν
μήτ' ἀγεννῶς ἀντιταχθῆναι πρὸς αὐτόν, ἀλλὰ καὶ σώμασι καὶ
 χρήμασι καὶ ναυσὶ καὶ πᾶσιν ὡς ἀπλῶς εἶπεῖν ἀφειδῶς
 ὀρμησαί πρὸς τὸν πόλεμον, ἐγὼ πειράσομαι διδάσκειν.

11.2

Criteria 3, 4 and 5 occur in the next sentence:

πρῶτον μὲν γὰρ εἰκόσ, ὧ ἄνδρες Ἀθηναῖοι, ... 11.2

Oration 12

DEFINITION

The passage listed 12 in the Demosthenic corpus is not a speech but a letter supposedly from Philip of Macedon to the Athenians.

Oration 13

DEFINITION

M. Croiset 1924, p.74, labels 13.1-2, 'Exorde.'
Admittedly criterion 8 occurs at 13.3:

ἐγὼ δέ φημι ... 13.3

However criteria 4 and 6 occur at 13.1:

περὶ μὲν τοῦ παρόντος ἀργυρίου ... ὧ ἄνδρες Ἀθη-
ναῖοι, ... 13.1

The speaker makes no introductory remarks in 13.1-2 but assumes that his audience knows what he is talking about.

Accordingly there is no introduction.

Oration 14

DEFINITION

There is no difficulty in identifying the introduction because criterion 1 occurs at 14.3:

ἐγὼ νομίζω κοινὸν ἐχθρὸν ἀπάντων τῶν Ἑλλήνων εἶναι
βασιλέα ... 14.3

Criterion 8, ἐγώ, is also present.

14.2 ends with criteria D and E:

ἐγὼ δὲ τοῦτ', ἂν ἄρ' οἶός τ' ᾧ, πειράσομαι ποιῆσαι,
μικρὰ προειπὼν ὑμῖν ὡς ἔχω γνώμης περὶ τῶν πρὸς τὸν
βασιλέα.

14.2

The introduction is therefore 14.1-2.

Oration 15

DEFINITION

15.1-2 is practically identical to pr.27. This suggests that the introduction consists of sections 1 and 2. However these two sections are quite distinct. There is no continuity between 15.1 and 15.2. The scholia, M.R. 1983, p.179 no.3, calls section 2, 'τοῦ δευτέρου προοιμίου.' However 15.2 is not distinct from 15.3-4. 15.2 belongs with 15.3-4, which together deal with the present situation. Criterion 6, the present situation, occurs at 15.2:

ἔστι μὲν οὖν ᾧ ἐγὼ νομίζω χάριν ὑμᾶς τοῖς θεοῖς
ὀφείλειν, τὸ τοὺς διὰ τὴν αὐτῶν ὕβριν ὑμῖν πολεμήσαντας
οὐ πάλαι νῦν ἐν ὑμῖν μόνοις τῆς αὐτῶν σωτηρίας ἔχειν
τὰς ἐλπίδας. ἄξιον δ' ἠσθῆναι τῷ παρόντι καιρῷ.

15.2

M. Croiset 1924, p.58, labels 15.1, 'Exorde.' He calls 15.2-4, 'L'occasion.'

Criterion 2 also occurs at 15.2:

ἔστι μὲν οὖν ...

15.2

The contents of 15.1 deal in a general way with the theme of making decisions and not putting them into practice. They do not pinpoint a concrete situation but could be used to introduce speeches on a wide variety of topics.

The introduction is therefore 15.1.

Oration 16

DEFINITION

M. Croiset 1924, p.22, designates 16.1-3, 'Exorde. L' intérêt public avant tout.'

Criterion D occurs at 16.3:

τὰ μὲν οὖν ἄλλ' ὕστερον, ἂν ὑμῖν βουλομένοις ἦ, λέξω·
ἀπὸ δὲ τῶν ὁμολογουμένων ὑφ' ἀπάντων ἄρξομαι ἃ κράτιστα
νομίζω διδάσκειν.

16.3

Criterion 6 occurs at 16.4:

οὔκουν οὐδ' ἂν εἷς ἀντεῖποι ὡς οὐ συμφέρει τῇ πόλει
καὶ Λακεδαιμονίους ἀσθενεῖς εἶναι καὶ θηβαίους τουτουσί.
ἔστι τοίνυν ἔν τινι τοιούτῳ καιρῷ τὰ πράγματα νῦν ...

16.4

Therefore the introduction is 16.1-3.

Oration 17

DEFINITION

Criteria A and D occur at 7.2. The speaker tells his audience where they can discover the identity of transgressors of the peace of 335. This is an example of criterion A because the audience will be making a decision about certain people if they agree with the speaker's claim. Criterion D then follows in the last sentence of 17.2:

ἔξ αὐτῶν δὲ τῶν συνθηκῶν καὶ τῶν ὀρκῶν σκεφασμένους
τῶν περὶ τῆς κοινῆς εἰρήνης ἕξεσθιν ἰδεῖν ἤδη, τίνες
εἴσιν οἱ παραβεβηκότες. ὥς δὲ περὶ μεγάλων συντόμως
διδάξω. 17.2

Criterion K is also present because the speaker recalls the theme with which he began.

ἄξιον ἀποδέχεσθαι, ὧ ἄνδρες Ἀθηναῖοι, σφόδρα τῶν
τοῖς ὀρκοῖς καὶ ταῖς συνθήκαις διακελευομένων ἐμμένειν,
εἴπερ αὐτὸ πεπεισμένοι ποιοῦσιν· 17.1

17.3 immediately follows with a possible instance of criterion 1, asyndeton. This depends on whether δὴ is considered a connective.

εἰ δὴ τις ἐρωτήσειεν, ὧ ἄνδρες Ἀθηναῖοι ... 17.3

J.D. Denniston 1954 examines δὴ at pp.203-62; in conditional protases at pp.223-24, εἰ (ἐὰν) δὴ, εἰ ... δὴ: 'if indeed', 'if really'; as a connective at pp.236-40.

This is a selection of Denniston's remarks on connective δὴ:

p.237: 'δὴ ... expresses *post hoc* and *propter hoc*, and anything between the two, tending on the whole to denote a less strictly logical sequence than οὖν.'

p.238: '... in Demosthenes the connective sense is far the commonest: δὴ occurs twenty-five times in the *Olynthiacs* and first three *Philippics*, and in every case it is connective.'

p.239: 'Often, again, connective δὴ expresses something intermediate between temporal and logical connexion, and marks the progression from one idea to a second of which the consideration naturally follows.'

p.239: 'Progressive δὴ in these intermediate cases is often almost synonymous with the commoner καὶ μὴν and τοίνυν ... Like καὶ μὴν and τοίνυν, δὴ usually marks the opening of a new section of the discourse, the broaching of a new topic.'

p.240: 'Where δὴ is a connective, it normally, like other connectives, comes second in the sentence.'

Accordingly asyndeton does not occur at 17.3. δὴ is a progressive connective which marks the change from introduction at 17.2 to main part of speech at 17.3.

Criterion 4, vocative, occurs at 17.3:

εἰ δὴ τις ἐρωτήσειεν, ὦ ἄνδρες Ἀθηναῖοι ... 17.3

Thus the introduction is 17.1-2.

Oration 18

DEFINITION

The introduction is 18.1-8. Criterion H occurs. 18.1 begins with a prayer and at 18.8 the speaker returns to prayer. S.H. Butcher 1893, p.117 comments:

'The exordium (ξξ1-8) is distinguished by a solemn invocation of the gods, an exceptional beginning in Greek oratory.'

Criterion A occurs at 18.8:

εὐχομαι ... ὅ τι μέλλει συνοίσειν καὶ πρὸς
εὐδοξίαν κοινῇ καὶ πρὸς εὐσέβειαν ἐκάστω, τοῦτο
παραστήσαι πᾶσιν ὑμῖν περὶ ταυτησὶ τῆς γραφῆς
γνῶναι. 18.8

Criterion 2 occurs at 18.9:

εἰ μὲν οὖν ... 18.9

Most editors define 18.1-8 as the introduction:

E. Abbot and P.E. Matheson 1899, p.3.

W.W. Goodwin 1901, p.7.

C.A. Vince and J.H. Vince 1926, p.14.

H. Weil 1877, p.401.

One editor, B. Drake 1907, p.107, chooses 18.1-9. 18.9 contains introductory material and includes criteria A and C:

... ἀναγκαῖον εἶναι νομίζω καὶ δίκαιον ἅμα βραχέ',
ὧ ἄνδρες Ἀθηναῖοι, περὶ τούτων εἶπεῖν πρῶτον, ἵνα μηδεὶς
ὑμῶν ... 18.9

This passage is part of an introduction. It introduces the section of the speech which deals with charges foreign to the indictment: 18.9-52. It does not belong with the introduction.

Another editor, G. Mathieu 1947, p.14, cites 18.1-16 as the introduction. 18.17 introduces the section of the speech, 18.17-52, which deals with the Peace of Philocrates:

πάντα μὲν τοίνυν τὰ κατηγορημέν' ὁμοίως ἐκ τούτων
ἂν τις ἴδοι, οὔτε δικαίως οὔτ' ἐπ' ἀληθείας οὐδεμιᾶς
εἰρημένα· βούλομαι δὲ καὶ καθ' ἓν ἑκαστὸν αὐτῶν ἐξε-
τάσαι, καὶ μάλισθ' ὅσ' ὑπὲρ τῆς εἰρήνης καὶ τῆς πρεσβείας
κατεφεύσατό μου, τὰ πεπραγμέν' ἑαυτῷ μετὰ Φιλοκράτους
ἀνατιθεὶς ἐμοί. 18.17

However there is no change of subject. The speaker continues to deal with his opponent's charges but chooses

to give more extensive treatment to one of them. 18.17 is connected to 18.16. They are parts of different subsections of the section which deals with charges foreign to the indictment, 18.9-52.

Oration 19

DEFINITION

Various suggestions have been made for the introduction of this speech.

H. Weil 1877, pp.222-23, analyzes the contents of the introduction. He says:

'L'introduction se compose de trois parties: L'exorde, la partition et l'exposition préliminaire.'

The three parts are sections 1-2, 3-8 and 9-28 respectively. C.A. Vince and J.H. Vince 1926, pp.242-43, call 19.1-16, 'Prologue', and subdivide this into three parts:

- (1) Protest against intimidation, 1-2 ;
- (2) general statement of the charges, 3-8 ;
- (3) the charge of corruption proved by the defendant's change of policy, 9-16 .

G. Mathieu 1945, p.15, defines the introduction:

'Exorde (1-3): appel aux juges pour les prémunir

contre les préventions et les oublis.'

He calls 19.4-28, 'Position de la question (προκατάστασις)' and subdivides it thus:

'les cinq points sur lesquels un ambassadeur engage sa responsabilité (4-8); sur tous, la culpabilité d'Eschine est démontrée par son brusque revirement de 346 (9-28).'

There is a definite break between sections 8 and 9. A fresh start is heralded at 19.9 by the following expressions:

πολλὰ δὲ καὶ δεινὰ κατηγορεῖν ἔχων ἔτι πρὸς τούτοις
ἕτερ' ... 19.9

βούλομαι πρὸ πάντων ὧν μέλλω λέγειν μνημονεύοντας
ὑμῶν οἶδ' ὅτι τοὺς πολλοὺς ὑπομνήσαι ... 19.9

Mathieu correctly defines 19.4-8 as a unit. The speaker states five responsibilities of an ambassador and says that his case depends on proving that his opponent has failed in each respect. However this section begins with the second sentence of 19.4. The first sentence of 19.4 belongs with 19.3. At 19.3 the speaker expresses a fear:

ὃ δὲ κάλπερ ὑπειληφῶς ταῦτα φοβοῦμαι, φράσω πρὸς ὑμᾶς
καὶ οὐκ ἀποκρύφομαι, ὅτι μοι δοκοῦσιν ἅπαντες οἱ παρ' ὑμῖν
ἀγῶνες οὐχ ἦττον, ὧ ἄνδρες Ἀθηναῖοι, τῶν καιρῶν ἢ τῶν
πραγμάτων εἶναι, καὶ τὸ χρόνον γεγενῆσθαι μετὰ τὴν

πρεσβείαν πολὺν δέδοικα, μή τινα λήθην ἢ συνήθειαν τῶν
ἀδικημάτων ὑμῶν ἐμπεποιήκη. 19.3

In the first sentence of 19.4 ὅμως ἐκ τούτων refers back to 19.3. The whole sentence introduces what will follow:

ὡς δὴ μοι δοκεῖτ' ἂν ὅμως ἐκ τούτων καὶ γνῶναι τὰ
δίκαια καὶ δικάσαι νυνί, τοῦθ' ὑμῶν λέξω. 19.4

This is the last sentence of the introduction. Criteria A and D occur.

The main part of the speech begins with the second sentence of 19.4. Criteria 1 and 4 occur:

εἰ σκέψαισθε παρ' ὑμῶν αὐτοῖς, ὧ ἄνδρες δικασταί,
καὶ λογίσαισθε τίνων προσήκει λόγον παρὰ πρεσβευτοῦ λαβεῖν.
19.4

The fresh start observed at 19.9 is the beginning of the next section of the speech, not the start of the main part.

Accordingly the introduction consists of 19.1-3 and the first sentence of 19.4.

Oration 20

DEFINITION

Several suggestions have been made about the extent of the introduction: the first sentence of 20.1; 20.1-4; 20.1-7. J.E. Sandys 1890, p.6, insists that the prooemium consists of a single sentence. To support his case he cites Nicolaus Sophistes who says that oration 20 has a prooemium even if it is a short one. Sandys quotes the last part of a sentence in which Nicolaus affirms that Demosthenes uses prooemia in δευτερολογία by citing orations 22, 24 and 20. The full sentence is found at L. Spengel 1856, pp.472-73:

δέδεικται γάρ, ὅτι κεφαλῆς τάξιν ἐπέχει τὰ προοίμια, καὶ φαίνεται καὶ Δημοσθένους ἐν ταῖς δευτερολογίαις αὐτοῖς χρησάμενος, οἷον ἐν τῷ κατ' Ἀνδροτίωνος καὶ ἐν τῷ κατὰ Τιμοκράτους, καὶ μέντοι καὶ ἐν τῷ πρὸς Λεπτίνην, εἰ καὶ βραχύ, ὅμως γοῦν οἷον προοίμιον ἔταξε.

Sandys, p.6, continues:

'The absence of a formal prooemium of the customary type is due to the fact that the speech follows immediately after that of another speaker on the same side. The ordinary topics of a prooemium were doubtless fully represented in the preceding speech. We have instances, however, of a δευτερολογία being introduced by a proper prooemium in the speeches against Androtion and Timocrates.

Of the present speech it is remarked by Photius, *Bibl.* 265 p. 492, 29, τὸ προοίμιον Λογγίνου μὲν ὁ κριτικὸς ἀγωνιστικὸν νομίζει, ἕτεροι δὲ οὐκ ὁρθῶς ἔφασαν τὸ προοίμιον ἡθικὸν εἶναι. Photius apparently regarded the προοίμιον as extending over the first four sections.'

Sandys says that Photius appears to say that the prooemium extends over the first four sections. But Sandys does not reveal where Photius says this. In the passage cited Photius makes no mention of his opinion about the extent of the prooemium.

20.1-4 has a distinctness from the rest of the speech because of the first appearance in the speech at 20.5 of the particle τοίνυν which now introduces eight successive paragraphs, at sections 5, 7, 8, 11, 13, 15, 18 and 24. This phenomenon argues against ending the introduction at the end of 20.7 as Orsini suggests, O. Navarre and P. Orsini 1954, p.53.

Sandys, p.10, comments on τοίνυν:

'So far from being confined to indicating an *inference*, it is most commonly used to denote a *transition*, especially a transition from the general case to a series of particular illustrations, or from a general statement to its application.'

J.D. Denniston 1954 discusses τοίνυν at pp.568-80. In particular he says, p.574:

'In continuous speech transitional τοίνυν is

particularly common in Lysias, Isaeus, and Demosthenes.'

Denniston then enumerates the uses of transitional *τοίνυν*.

The crucial question in defining the introduction is whether *τοίνυν* is a linking or separating particle. To answer this it is necessary to decide whether 20.5 continues on the same subject as 20.4. At the start of 20.5 the speaker says:

εἰ τοίνυν τις ἐάσας ταῦτ' αὐτὸ καθ' αὔτ' ἐξετάσειεν
... 20.5

The phrase *αὐτὸ καθ' αὔτ'* suggests that *τοίνυν* is the type mentioned by Denniston at p.576:

'Marking the transition from the enunciation of a general proposition to the consideration of a particular instance of it.'

ἐάσας ταῦτα refers to the general proposition; *αὐτὸ καθ' αὔτ'* to the particular instance. At 20.3-4 the speaker claims that the Athenians have made mistakes in a variety of matters because they have been deceived. He insists that it would be wrong for them consequently to stop engaging in such activities:

οὐ γὰρ ἐσμεν ἀφαιρεθῆναι δίκαιοι περὶ ὧν ἂν ἐξαπατηθῶμεν, ἀλλὰ διδασθῆναι πῶς τοῦτο μὴ πεισόμεθα, καὶ θέσθαι νόμον οὐχ ὅς ἀφαιρήσεται τὸ κυρίους ἡμᾶς εἶναι, ἀλλὰ δι'

οὗ τὸν ἔξαπατῶντα τιμωρησόμεθα.

20.4

At 20.5 the speaker applies the general statement of 20.4, οὐ γάρ ἐσμεν ἀφαιρεθῆναι δίκαιοι περὶ ὧν ἂν ἔξαπατηθῶμεν, to the particular instance of granting privileges:

εἰ τοίνυν τις ἔασας ταῦτ' αὐτὸ καθ' αὐτ' ἐξετάσειεν, πότερόν ποτε λυσιτελέστερόν ἐστι κυρίους μὲν ὑμᾶς εἶναι τῆς δωρειᾶς, ἔξαπατηθέντας δέ τι καὶ φαύλῳ τινὶ δοῦναι, ἢ διὰ τοῦ παντελῶς ἀκύρους γενέσθαι μηδ' ἂν ἄξιόν τι ν' εἶδητ' ἐξεῖναι τιμῆσαι, εὐροίτ' ἂν μᾶλλον ἐκεῖνο λυσιτελοῦν.

20.5

Thus τοίνυν links 20.5 to 20.4. Therefore the main part of the speech does not begin at 20.5.

The instances of τοίνυν at 20.7 and 20.8 are of the kind described by Denniston at p.575:

'Introducing a fresh item in a series: a new example or a new argument.'

οὐ τοίνυν ἔμοιγ' οὐδ' ἐκεῖν' εὐλογον, ὧ ἄνδρες Ἀθηναῖοι, σκοπούμενῳ φαίνεται, καταμεμφόμενόν τινας ἐπὶ ταῖς ὑπαρχούσαις δωρειᾶς τοὺς χρησίμους ὄντας τῶν τιμῶν ἀποστερεῖν.

20.7

ἔτι τοίνυν ὑμᾶς κάκεῖν' ἐνθυμεῖσθαι δεῖ ... 20.8

By process of elimination one must conclude that the introduction consists of the first sentence of 20.1:

ἄνδρες δικασταί, μάλιστα μὲν εἵνεκα τοῦ νομίζειν
συμφέρειν τῇ πόλει λελύσθαι τὸν νόμον, εἶτα καὶ τοῦ
παιδὸς εἵνεκα τοῦ Χαβρίου ὠμολόγησα τούτοις, ὡς ἂν οἴός
τ' ᾧ, συνερεῖν. 20.1

Criterion 4 occurs in the next sentence of 20.1:

ἔστι δ' οὐκ ἄδηλον, ᾧ ἄνδρες Ἀθηναῖοι ... 20.1

Oration 21

DEFINITION

Three possibilities must be considered. 21.1-4 is chosen by J.R. King 1901, p.3; the introduction could end with the first sentence of 21.8; 21.1-12 is selected by W.W. Goodwin 1906, p.7, and by Humbert, L. Gernet and J. Humbert 1959, p.8.

Criterion A occurs at 21.4:

οὐ γὰρ ἂν καταγνοίην ὑμῶν οὐδενος οὔθ' ὡς περὶ ᾧ
πρὸς ἔμ' ἐσπουδάσατ' αὐτοί, τούτων ἀμελήσετε, οὔθ' ὡς,
ἵνα Μειδίας ἀδεῶς τὸ λοιπὸν ὑβρίζῃ, φηφιεῖται τις ὑμῶν
ὁμωμοκῶς ἄλλο τι πλὴν ὃ τι ἂν δίκαιον ἡγήται. 21.4

21.5 begins with criteria 2 and 4:

εἰ μὲν οὖν, ᾧ ἄνδρες Ἀθηναῖοι ... 21.5

A reason for not choosing 21.1-4 as the introduction is that 21.7 contains material which could be found in an introduction:

δέομαι οὖν ὑμῶν ἀπάντων, ὧ ἄνδρες δικασταί, καὶ ἱκετεύω, πρῶτον μὲν εὐνοϊκῶς ἀκοῦσαί μου λέγοντος, ἔπειτ' ἐὰν ἐπιδείξω Μειδίαν τουτονὶ μῆ μόνον εἰς ἐμὲ ἀλλὰ καὶ εἰς ὑμᾶς καὶ εἰς τοὺς νόμους καὶ εἰς τοὺς ἄλλους ἅπαντας ὑβρικῶτα, βοηθῆσαι καὶ ἐμοὶ καὶ ὑμῖν αὐτοῖς. 21.7

Criteria A, B and C occur in the first sentence of 21.8:

εἴ τις οὖν ὑμῶν ἄρα καὶ τὸν ἔμπροσθεν χρόνον τῶν ἰδίων τινος εἴνεκα γίνεσθαι τὸν ἀγῶνα τόνδ' ὑπελάμβανεν, ἐνθυμηθεῖς νῦν ὅτι δημοσίᾳ συμφέρει μηδενὶ μηδὲν ἐξεῖναι τοιοῦτο ποιεῖν, ὡς ὑπὲρ κοινοῦ τοῦ πράγματος ὄντος καὶ προσέχων ἀκουσάτω, καὶ τὰ φαινόμεν' αὐτῷ δικαιότερ' εἶναι, ταῦτα ψηφισάσθω. 21.8

Criterion 5 is found in the next sentence:

ἀναγνώσεται δὲ πρῶτον μὲν ὑμῖν τὸν νόμον καθ' ὃν εἰσὶν αἱ προβολαί· μετὰ ταῦτα δὲ καὶ περὶ τῶν ἄλλων πειράσομαι διδάσκειν. 21.8

This point can be considered the start of the main

part of the speech in spite of the future tenses. They are inevitable because the speaker is about to hand over to the reader of the law. Moreover the reading of a law more often occurs in the middle of a passage than between two passages.

Goodwin, p.7, calls 21.1-12, 'Prooemium'. He subdivides this into three sections:

- (1) a general introduction (21.1-4);
- (2) a justification of his appeals to the court for personal consideration (21.5-7); and
- (3) two laws, one providing for a special meeting of the Ecclesia to consider offences committed at the Great Dionysia, the other forbidding all acts of violence at that festival (21.8-12).

Humbert, p.8, makes an unclear statement:

'L'exorde, auquel il faut adjoindre l'introduction ...'

What is the difference between 'l'exorde' and 'l'introduction'? Does 'l'introduction' correspond to Goodwin's general introduction, 21.1-4 while 'l'exorde' refers to 21.1-12? Whatever the answer is, one must decide whether the end of 21.12 is a suitable point for the end of the introduction. The main argument in favour of 21.1-12 is that at 21.13 the speaker begins a narrative. The last sentence of 21.12 is introductory:

βούλομαι ὁ' ἕκαστον ἀπ' ἀρχῆς ὧν πέπονθ' ἐπιδείξας
καὶ περὶ τῶν πληγῶν εἰπεῖν ἅς τὸ τελευταῖον προσενέτεινέ
μοι· ἔν γὰρ οὐδέν ἐστιν ἐφ' ᾧ τῶν πεπραγμένων οὐ δίκαιος
ὧν ἀπολωλέναι φανήσεται. 21.12

However this sentence only introduces one section of the speech, 21.13-18, not the whole of the main part of the speech. At 21.12 the speaker introduces one of the topics he referred to at 21.8 in the phrase, περὶ τῶν ἄλλων.

Another argument against 21.1-12 is that laws are not usually quoted in introductions.

Accordingly the introduction is confined to 21.1-8 and ends at ψηφισάσθω.

Oration 22

DEFINITION

The speaker begins by stating his aim:

ὅπερ Εὐκτῆμων, ὧ ἄνδρες δικασταί, παθὼν ὑπ' Ἀνδρο-
τίνως κακῶς, ἅμα τῆ τε πόλει βοηθεῖν οἴεται δεῖν, καὶ
δίκην ὑπὲρ αὐτοῦ λαβεῖν, τοῦτο κἀγὼ πειράσομαι ποιεῖν,
ἐὰν ἄρ' οἴός τ' ᾧ. 22.1

This feature occurs at the start of other speeches which are δευτερολογίαι, e.g. oration 28 and 31. In the case of oration 31 the statement of the speaker's aim constitutes the introduction. The presence of criterion D

in the first sentence of 22.1 makes this a possible introduction for oration 22.

It was noted in the definition of oration 20 that Nicolaus Sophistes considered that oration 22 had a proper introduction. Introductory remarks occur at 22.3:

τουτονὸν δὲ μεθ' ὑμῶν πειράσομαι καὶ νῦν καὶ τὸν ἄλλον ἅπαντ' ἀμύνεσθαι χρόνον. καὶ περὶ μὲν τῶν ἰδίων ἔχων ἔτι πολλὰ λέγειν ἑάσω· περὶ δ' ὧν οἴσεται τὴν φῆφον νυνὶ καὶ περὶ ὧν οὗτος δημοσίᾳ πεπολιτευμένος οὐκ ὀλίγ' ὑμᾶς ἔβλαψεν, ἃ μοι παραλείπειν Εὐκλήμων ἐδόκει, βέλτιον δ' ὑμᾶς ἀκοῦσαι, ταῦτα διεξελεθῆν ἐν βραχέσιν πειράσομαι.

22.3

22.3 ends with criteria A, B, D and E. 22.4 begins with criteria 3 and 8:

ἐγὼ γὰρ ...

22.4

Navarre, O. Navarre and P. Orsini 1954, p.xxxiii, describes 22.4 as a transition between introduction and narrative. Criteria A, C and D occur:

... προσέχετε τὸν νοῦν οἷς ἐρῶ, ἵν' ἀκούσαντες ἐμοῦ πρὸς ἕκαστον τῶν ὑπὸ τούτου ῥηθησομένων ἔχηθ' ὑπολαμβάνειν ἃ δεῖ.

22.4

Criterion 3 occurs at 22.5:

ἔστι γὰρ ...

22.5

However 22.4 does not belong in the introduction. There is no change of subject between 22.4 and 22.5. 22.4 introduces what immediately follows but does not introduce the speech proper.

Therefore the introduction is 22.1-3.

Oration 23

DEFINITION

Gernet, L. Gernet and J. Humbert 1959, p.109, and H. Weil 1886, p.173, designate 23.1-7 as the introduction. This view is supported by the occurrence of criterion A at the end of 23.7:

νυνὶ δ' ἕτερον τούτου μεῖζον διὰ τοῦ ψηφίσματος ἔστ'
ἀδίκημα, ὃ δεῖ πρότερον καὶ μαθεῖν ὑμᾶς καὶ φυλάξασθαι.

23.7

Criterion 5 is found at the start of 23.8:

ἀνάγκη δὲ ἐστὶ πρῶτον ἀπάντων ...

23.8

However a future tense occurs in 23.8:

διὰ γὰρ τοῦ μαθεῖν τοῦτο καὶ τὰδίκημα σαφῶς
ᾔψεσθε.

23.8

Is ᾔψεσθε introductory? One could argue that the

preceding πρῶτον ἀπάντων is criterion G and that it is accompanied by criterion D, prediction:

ἀνάγκη δὲ ἐστὶ πρῶτον ἀπάντων εἰπεῖν καὶ δεῖξαι ...

23.8

Narrative begins immediately after ὄψεσθε:

ἔστι τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, τοῦτο, τὸ τελευ-
τήσαντος Κότυος Βηρισάδην καὶ Ἀμάδοκον καὶ Κερσοβλέπτην
τρεις ἀνθ' ἑνὸς γενέσθαι θράκης βασιλέας·

23.8

This sentence definitely belongs in the main part of the speech. Where does ὄψεσθε belong? It does not introduce the main part of the speech but only this first section of the main part of the speech. Therefore it is part of the speech proper and not in the introduction. πρῶτον ἀπάντων signals the start of the main part of the speech and is therefore criterion 5.

The introduction, therefore, is 23.1-7.

Oration 24

DEFINITION

Orsini, O. Navarre and P. Orsini 1954, p.117, defines the introduction as 24.1-10. Criteria A, D, E and F occur at 24.10:

ἐξ ἀρχῆς οὖν ἐν βραχέσιν τὰ πραχθέντα δίδειμι πρὸς
ὑμᾶς, ἵνα μᾶλλον μάθητε καὶ παρακολουθήσητε τοῖς περὶ τὸν
νόμον αὐτὸν ἀδικήμασιν. 24.10

At the start of 24.11 there is criterion 1, asyndeton:

φήφισμ' εἶπεν ἐν ὑμῖν Ἀριστοφῶν ἐλέσθαι ζητητᾶς ... 24.11

Narrative begins at this point. The introduction is therefore 24.1-10.

Oration 25

DEFINITION

G. Mathieu 1947, p.133, designates 25.1-14 as the introduction. Criteria D and H occur at 25.14:

ἃ δὲ καὶ λογίζεσθαι τοὺς ὑπὲρ πόλεως καὶ νόμων βουλευομένους προσήκει καὶ σκοπεῖσθαι δεῖ, ταῦτα προηρούμην εἶπεῖν, καὶ νῦν ἐπὶ ταῦτα πορεύσομαι. δότε δ', ὧ ἄνδρες Ἀθηναῖοι, δότε καὶ συγχωρήσατέ μοι πρὸς Διός, ὡς πέφυκα καὶ προήρημαι, περὶ τούτων διαλεχθῆναι πρὸς ὑμᾶς· καὶ γὰρ οὐδ' ἂν ἄλλως δυναίμην.

25.14

25.15 follows with criteria 1 and 4:

πᾶς ὁ τῶν ἀνθρώπων βίος, ὧ ἄνδρες Ἀθηναῖοι, κἂν

μεγάλην πόλιν οἰκῶσι κἄν μικράν, φύσει καὶ νόμοις διοικεῖ-
ται.

25.15

Accordingly the introduction is 25.1-14.

Oration 26

DEFINITION

This speech can hardly be said to have an introduction. In fact it is almost short enough to constitute an introduction itself. The first sentence however is introductory in the sense that it refers back to the previous speech, oration 25, and therefore sets the scene:

Ὅτι μὲν τοίνυν καὶ ὀφείλει τῷ δημοσίῳ Ἀριστογέτων
οὔτοσὶ καὶ οὐκ ἔστιν ἐπίτιμος, καὶ οἱ νόμοι διαρρήδη
ἀπαγορεύουσιν μὴ ἐξεῖναι λέγειν τοῖς τοιούτοις, φανερῶς
ἐπιδέδεικται, ὦ ἄνδρες Ἀθηναῖοι.

Criterion H, vocative, occurs. The speaker without further ado proceeds to tell the jury their duty:

δεῖ δ' ὑμᾶς ἅπαντας μὲν ἀπείργειν καὶ κωλύειν τοὺς
παρανομοῦντας, πολὺ δὲ μάλιστα τοὺς ἐν ταῖς ἀρχαῖς ὄντας
καὶ τοὺς πολιτευομένους.

26.1

Oration 27

DEFINITION

Criteria A, D, E and G occur at 27.3:

δέομαι δ' ὑμῶν, ὧ ἄνδρες δικασταί, μετ' εὐνοίας τέ
μου ἀκοῦσαι, κ' ἂν ἡδικῆσθαι δοκῶ, βοηθησαί μοι τὰ δίκαια.
ποιήσομαι δ' ὡς ἂν δύνωμαι διὰ βραχυτάτων τοὺς λόγους.
ἴθην οὖν ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν
ὑμᾶς καὶ ἐγὼ πρῶτον πειράσομαι διδάσκειν.

27.3

Criteria 3 and 4 occur at the start of 27.4:

Δημοσθένης γὰρ οὐμὸς πατήρ, ὧ ἄνδρες δικασταί ...

27.4

The introduction, then, is 27.1-3.

A case might be made for the introduction being 27.1 since criteria 2 and 4 appear at the beginning of 27.2. However the contents of 27.3 are introductory: the speaker begs the jury for a favourable hearing and just aid; he promises to make his speech as brief as possible and says how he means to begin. At 27.4 Demosthenes begins to tell the jury the facts of the case as he promised he would at the end of 27.3. The future tenses used there are followed at 27.4 by past tenses.

Oration 28

DEFINITION

The introduction may be simply the first sentence of 28.1:

πολλὰ καὶ μεγάλ' ἔφευσμένου πρὸς ὑμᾶς 'Αφόβου, τοῦτ'
αὐτὸν ἐλέγξει πειράσομαι πρῶτον, ἐφ' ᾧ μάλιστ' ἠγανάκτησα
αὐτὸν ἐλέγξει πειράσομαι πρῶτον, ἐφ' ᾧ μάλιστ' ἠγανάκτησα
τῶν ῥηθέντων. 28.1

It contains criteria D and G. The next sentence has criterion 3:

εἶπεν γὰρ ... 28.1

It is not unusual for a second speech to contain little or no introduction, e.g. orations 31 and 46. Comparison with oration 31 suggests that the introduction should be confined to the first sentence of 28.1. At 31.1 the first sentence has criteria D and G. The main part of the speech begins in the second sentence with criteria 3, 4 and 7. The first sentence of 28.1 also has criteria D and G. The second sentence has criterion 3. Criterion 4 is absent, but there is almost an instance of criterion 7 in εἶπεν.

However consideration must be given to the presence of future tenses in two places at 28.2:

τοῦτ' οὖν ἐλέγξαι πειράσομαι πρῶτον, ἐφ' ᾧ φρονεῖ
μάλιστα· 28.2

νῦν δὲ τεκμηρίοις μεγάλοις ἐπιδείξομεν ὡς οὔτ' ὤφει-
λεν οὔτ' ἦν κίνδυνος οὐδεὶς ἡμῖν φανερὰ κεκτημένοις τὰ
ὄντα. 28.2

One must decide whether the futures of 28.2 belong with the introduction or the main part of the speech. The first, *πειράσομαι*, repeats the aim that was stated by the speaker in the initial sentence of 28.1. He says he will begin by refuting his opponent's charge that his grandfather is a state-debtor. The second future, *ἐπιδείξομεν*, introduces a denial of the opponent's charge. 28.2 is therefore connected to the first sentence of 28.1. The future tenses are criterion D. *πρῶτον* is criterion G. 28.3 starts with criteria 3 and 5:

πρῶτον μὲν γὰρ Δημοχάρης ... 28.3

Consequently the introduction is 28.1-2.

Oration 29

DEFINITION

The introduction is 29.1-5. Criteria A, D and E occur at the end of 29.5:

ἄρξομαι δ' ἐντεῦθεν ὄθεν καὶ ὑμεῖς ῥᾶσ' ἂν μάθοιτε

κἀγὼ τάχιστ' ἂν διδάξαιμι.

29.5

At the start of 29.6 are found criteria 3, 4, 7 and 8:

ἐγὼ γάρ, ὧ ἄνδρες δικασταί, Δημοφῶντι καὶ θηριπίδῃ
καὶ τούτῳ δίκας ἔλαχον ἐπιτροπῆς ἀποστερηθεὶς ἀπάντων τῶν
ὄντων.

29.6

Another reason for choosing 29.6 as the start of the main part of the speech is the use of the aorist tense ἔλαχον. The speaker no longer introduces what he is going to say but has started narrative.

Criteria 2 and 7 occur at the start of 29.2 with criterion A at the end of 29.1:

ἐκ δὲ τούτων οἶμαι πᾶσιν ὑμῖν εὐγνώστον ἔσεσθαι,
πότερός ποθ' ἡμῶν ἐσθ' ὁ πονηρός.

29.1

οἶδα μὲν οὖν ὅτι τὴν δίκην οὗτος εἴληχε ταύτην ...

29.2

However the main part of the speech cannot begin at 29.2 because there is introductory material in 29.5 which must be included in the introduction.

Oration 30

DEFINITION

Criteria 2 and 4 occur in the middle of 30.3:

οἶδα μὲν οὖν, ὧ ἄνδρες δικασταί ... 30.3

The main part of the speech does not begin here because there is introductory material in the next two sections:

ἀποδείξω ... 30.4

Criteria A, D and G occur at 30.5:

ὄθεν δὲ ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν ὑμᾶς καὶ
ἐγὼ πρῶτον πειράσομαι διδάσκειν. 30.5

30.6 begins with criteria 3, 4, 7 and 8:

ἐγὼ γάρ, ὧ ἄνδρες δικασταί, πολλοὺς τ' ἄλλους Ἀθηναίων
καὶ τοῦτον οὐκ ἐλάνθανον κακῶς ἐπιτροπευόμενος ... 30.6

Accordingly the introduction is 30.1-5.

Oration 31

DEFINITION

The introduction consists of the first sentence of 31.1 which contains criteria D and G:

ὁ παρέλιπον ἐν τῷ προτέρῳ λόγῳ τεκμήριον, οὐδενὸς τῶν εἰρημένων ἔλαττον, τοῦ μὴ δεδωκέναι τὴν προῖκα τούτους Ἄφροβῳ, τοῦτο πρῶτον εἰπὼν, μετὰ τοῦτο καὶ περὶ ὧν οὗτος ἔψευσται πρὸς ὑμᾶς ἐξελέγχειν αὐτὸν πειράσομαι.

31.1

Criteria 3, 4 and 7 occur in the next sentence of 31.1.

οὗτος γάρ, ὧ ἄνδρες δικασταί, τὸ πρῶτον ὅτε τῶν Ἄφροβου διενοεῖτ' ἀμφισβητεῖν ...

31.1

τὸ πρῶτον does not count as criterion 5 since it refers to the behaviour of the speaker's opponent and not to the first topic of the main part of the speech.

31 is a δευτερολογία.

Oration 32

DEFINITION

The introduction is 32.1-3. Criteria C, D and H occur at 32.3:

δέομαι δ' ὑμῶν πάντων, ὧ ἄνδρες δικασταί, εἴπερ ἄλλω
τινὶ πώποτε πράγματι τὸν νοῦν προσέσχετε, καὶ τούτῳ προσ-
σχεῖν· ἀκούσεσθε γὰρ ἀνθρώπου τόλμαν καὶ πονηρίαν οὐ τὴν
τυχοῦσαν, ἄνπερ ἐγὼ τὰ πεπραγμέν' αὐτῷ πρὸς ὑμᾶς πολλάκις
εἶπεῖν δυνήθῃ. οἴμαι δέ. 32.3

32.4 begins with criteria 3 and 7:

Ζηνόθεμις γὰρ οὕτως, ὧν ὑπέρτης Ἡγεστράτου τοῦ
ναυκλήρου, ὃν καὐτὸς ἔγραψεν ἐν τῷ ἐγκλήματι ὡς
ἐν τῷ πελάγει ἀπώλετο (πῶς δέ, οὐ προσέγραψεν, ἀλλ' ἐγὼ
φράσω), ἀδίκημα τοιούτονι μετ' ἐκείνου συνεσκευάσατο.

32.4

In the last sentence of 32.3 the speaker tells his audience what they are going to hear. In the first sentence of 32.4 he mentions what his opponent has done and begins narrative.

An example of criterion 1, asyndeton, appears in the second sentence of 32.1. The absence of a connecting particle can constitute sufficient grounds for identifying the beginning of the main part of a speech. However, there is no interruption between the first and second sentences of 32.1. Repetition performs the function of a connecting particle:

"Ἄνδρες δικασταί, βούλομαι παραγεγραμμένος μὴ εἰσαγω-
γισμόν εἶναι τὴν δίκην, περὶ τῶν νόμων πρῶτον εἶπεῖν, καθ'
οὓς παρεγραψάμην. οἱ νόμοι κελεύουσιν ... 32.1

Oration 33

DEFINITION

Criteria D, 3, 4 and 8 suggest that the introduction ends after the first sentence of 33.4.

ὡς τοίνυν παρὰ τοὺς νόμους τούτους εἴληχέ μοι τὴν δίκην
'Απατούριος καὶ τὰ ψευδῆ ἐγκέκληκεν, ἐκ πολλῶν ὑμῖν τοῦτ'
ἐπιδείξω. ἐγὼ γάρ, ὦ ἄνδρες δικασταί, ... 33.4

An unusual feature is that within the introduction there is a quotation from the laws. The speaker has certain laws read out at the end of 33.3. Why should laws be read aloud in an introduction? The justification for the inclusion of this recitation within the introduction is that the theme of this introduction is ὁ νόμος. Furthermore the recitation is referred to in the context of an introduction. The speaker justifies his entry of a special plea by an appeal to the laws:

παρεγραψάμην τὴν δίκην μὴ εἰσαγώγιμον εἶναι κατὰ τοὺς
νόμους τουτουσί. 33.3

After the reading of the laws he predicts, criterion D, that in his speech he is going to show by many proofs that his opponent has acted contrary to these laws. This prediction belongs in the introduction.

Oration 34

DEFINITION

The introduction consists of 34.1-5. Criteria D, E and F are found at the end of 34.5:

ἡμεῖς τοίνυν οὐ μόνον τοῦτο δείξομεν, ὡς οὐκ ἀπέδω-
κεν, ἀλλ' ὡς οὐδ' ἐνῆν αὐτῷ ἀποδοῦναι. ἀναγκαῖον δ' ἐστὶν
βραχέα τῶν ἐξ ἀρχῆς διηγήσασθαι ὑμῖν.

34.5

34.6 starts with criteria 3, 4, 7 and 8:

ἐγὼ γάρ, ὦ ἄνδρες Ἀθηναῖοι, ἐδάνεισα Φορμίῳι του-
τῷ εἴκοσι μνᾶς ...

34.6

Narrative begins at this point.

The appearance of criterion 2, μὲν οὖν, at the beginning of 34.3 does not *ipso facto* pinpoint the start of the speech. The subsequent future tenses of 34.5, ἐξετάσσετε and δείξομεν, must belong in the introduction.

Oration 35

DEFINITION

Criteria 4 and 8 occur at 35.3:

ἐγὼ δ', ὦ ἄνδρες δικασταί, ...

35.3

However the introduction is 35.1-5 since criteria A, B and H occur at 35.5:

ἐγὼ δ' ὑμῶν δέομαι, ὦ ἄνδρες δικασταί, εὐνοϊκῶς ἀκοῦσαί μου περὶ τοῦ πράγματος τούτου· κὰν ἐλέγξω αὐτὸν ἀδικοῦντα ἡμᾶς τε τοὺς δανείσαντας καὶ ὑμᾶς οὐδὲν ἥττον, βοηθεῖτε ἡμῖν τὰ δίκαια.

35.5

Criteria 3, 4, 7 and 8 follow at 35.6:

ἐγὼ γάρ, ὦ ἄνδρες δικασταί, αὐτὸς μὲν οὐδ' ὀπωστιοῦν ἐγνώριζον τοὺς ἀνθρώπους τούτους·

35.6

Oration 36

DEFINITION

The introduction consists of 36.1-3. Criteria A, D, E and F occur at 36.3:

ἐξ ἀρχῆς οὖν ἅπαντα τὰ πραχθέντα τούτῳ πρὸς Πασίωνα καὶ Ἀπολλόδωρον ὡς ἂν δύνωμαι διὰ βραχυτάτων εἰπεῖν περὶ-
ράσομαι, ἐξ ὧν εὖ οἶδ' ὅτι ἢ τε τούτου συκοφαντία φανερὰ γενήσεται, καὶ ὡς οὐκ εἰσαγώγιμος ἡ δίκη γνώσεσθ' ἅμα ταῦτ' ἀκούσαντες.

36.3

36.4 follows with criteria 2, 5 and 7:

πρῶτον μὲν οὖν ὑμῖν ἀναγνώσεται τὰς συνθήκας, καθ' ἃς ἐμίσησε Πασίων τὴν τράπεζαν τούτῳ καὶ τὸ ἀσπιδοπηγεῖον.

36.4

The future tense, ἀναγνώσεται, introduces the next section of the speech but does not introduce the whole speech in the way that πειράσομαι does in 36.3.

At 36.4 the speaker presents his documentary evidence. This belongs with the main part of the speech.

Oration 37

DEFINITION

Criteria B and C occur at 37.3:

δεήσομαι δὲ καὶ μέτρια καὶ δίκαι' ὑμῶν ἀπάντων, ἀκοῦσαί τέ μου περὶ ὧν παρεγραφάμην εὐνοϊκῶς, καὶ προσέχειν ὅλῳ τῷ πράγματι τὸν νοῦν·

37.3

At the end of 37.3 are criteria D, E and F:

ἐξ ἀρχῆς δ', ὡς ἂν οἶός τ' ᾧ διὰ βραχυτάτων, ἅπαντα τὰ πραχθέντα διηγῆσομαι πρὸς ὑμᾶς.

37.3

At the beginning of 37.4 are criteria 1, 4 and 7:

ἐδανείσαμεν πέντε καὶ ἑκατὸν μνᾶς ἐγὼ καὶ Εὐεργος, ᾧ ἄνδρες δικασταί, Πανταινέτῳ τουτῶν, ἐπ' ἐργαστηρίῳ τ' ἐν

τοῖς ἔργοις ἐν Μαρωνεῖα καὶ τριάκοντ' ἀνδραπόδοις. 37.4

Accordingly the introduction is 37.1-3.

Oration 38

DEFINITION

Criteria occur at several points. Criteria A and B occur at 38.2:

δεήσομαι δὲ καὶ δίκαια καὶ μέτρι' ὑμῶν ἀπάντων, πρῶτον μὲν εὐνοϊκῶς ἀκοῦσαί μου λέγοντος, εἴτ', ἐὰν ἀδικεῖσθαι δοκῶ καὶ μὴ προσήκοντος ἐγκλήματος φεύγειν δίκην, βοηθῆσαί μοι τὰ δίκαια. 38.2

πρῶτον does not count as criterion G because it does not refer to the first topic of the main part of the speech but to the first item in the speaker's twofold request of the jury. The second item is introduced by εἴτ'.

This sentence contains the formula, ἐὰν ἀδικεῖσθαι δοκῶ ... βοηθῆσαί μοι τὰ δίκαια.

Criteria 2 and 7 occur at the start of 38.3:

τὴν μὲν οὖν συκοφαντίαν τὴν τούτων ... 38.3

The next sentence has criterion 5:

ἀναγνώσεται δὲ πρῶτον ὑμῖν τὰς μαρτυρίας ... 38.3

Between the occurrences of criteria at 38.2 and 38.3 there is an explanation of the damages involved in the case. This belongs in the introduction.

The first sentence of 38.3 contains a future tense which needs explanation:

... ἐξ αὐτῶν τῶν πεπραγμένων εἴσεσθε. 38.3

In this sentence the speaker says that the jury will know from the facts themselves about his opponents' malicious behaviour and plotting. In the next sentence the speaker says that the clerk is going to read out pieces of evidence which show that the opponents gave to the speaker's father a release from charges about his guardianship. The insertion of the word *πρῶτον* in this sentence suggests that the clerk's reading is the first topic of the main part of the speech. However this does not mean that the previous sentence, with its future tense, *εἴσεσθε*, belongs in the introduction. The two sentences are connected, because they both explain how aspects of the opponents' involvement can be discovered. The first sentence refers the jury to the facts, the second to the deposited evidence. Thus *εἴσεσθε* is used not to introduce what is coming in the speech but to make a statement about the opponents which is preliminary to, and connected with, the next sentence.

The main part of the speech, therefore, begins with the first sentence of 38.3 which contains criteria 2 and 7. Since the first and second sentences are connected, *πρῶτον* is considered an example of criterion 5 even although it

does not occur right at the start of 38.3.

Accordingly the introduction is 38.1-2.

Oration 39

DEFINITION

The speaker explains his reason for bringing suit at 39.1. Criterion A occurs:

ἀλλ' ἀναγκαῖον ἦν ἐκ τῶν συμβησομένων, εἰ μὴ τοῦτο
διορθώσομαι, ἐν ὑμῖν κριθῆναι. 39.1

Criteria 2 and 7 occur at the start of 39.2:

εἰ μὲν οὖν ἑτέρου τινὸς οὗτος ἔφη πατρὸς εἶναι καὶ μὴ
τοῦ ἑμοῦ, περιεργὸς ἂν εἰκότως ἐδόκουν εἶναι φροντίζων ὃ
τι βούλεται καλεῖν οὗτος ἑαυτόν. 39.2

At 39.5 the speaker uses a verb which often appears in introductions, διδάξω . However this merely predicts what is going to be said after a pause for evidence:

... ἐγὼ διδάξω, ἐπειδὴν ὧν λέγω παράσχωμαι μάρτυρας.
39.5

39.7 is introduced by πρῶτον. This sometimes occurs at the beginning of the main part of a speech. Here πρῶτον refers to the first item in a list of questions asked by the speaker in answer to the point made at the end of 39.6.

It does not therefore announce the start of the main part of the speech.

Therefore the introduction is 39.1.

Oration 40

DEFINITION

The introduction is easy to define because of the last sentence of 40.5 in which the speaker promises to explain briefly the facts of the case from the beginning, criteria D, E and F:

ἵνα δ' ἀκριβῶς εἰδῆτε, ὡς οὐκ ἐγὼ τούτου αἵτιός εἰμι
ἀλλ' οὗτοι, ἐξ ἀρχῆς ὑμῖν, ὡς ἂν ἐν βραχυτάτοις δύνωμαι,
διηγήσομαι τὰ πραχθέντα. 40.5

At 40.6 the speaker begins to do just this. Criteria 3 and 4 occur:

ἡ γὰρ μήτηρ ἡ ἐμή, ὧ ἄνδρες δικασταί, θυγάτηρ μὲν ἦν
Πολυαράτου Χολαργέως, ἀδελφὴ δὲ Μενεξένου καὶ Βαθύλλου καὶ
Περιάνδρου. 40.6

The introduction is therefore 40.1-5.

Oration 41

DEFINITION

41.1 starts with factual information, and with ἐγώ and οὔτοσί, criteria 8 and 7, as if there were going to be no introduction:

ἀδελφὰς ἔχομεν, ὧ ἄνδρες δικασταί, γυναῖκας ἐγὼ καὶ
Σπουδίας οὔτοσί, Πολυεύκτου θυγατέρας. 41.1

But these are not examples of criteria 7 and 8 because an introduction does follow. Criteria C and H occur at 41.2:

ὁμως δ', ὧ ἄνδρες δικασταί, προσέχετε τὸν νοῦν. 41.2

Criterion 3 is found at the start of 41.3:

Πολύευκτος γὰρ ἦν τις θριάσιος ... 41.3

At 41.6 criteria 2 and 5 occur in a sentence expressed in the future tense. Here the speaker introduces his evidence. πρῶτον μὲν οὔν heralds the first item in a list. The next is introduced by ἔπειθ' and the third by ἔτι δ'.

Therefore the introduction is 41.1-2.

Oration 42

DEFINITION

The introduction is 42.1-4. Criteria D and F occur at the end of 42.4:

ἔξ ἀρχῆς δ' ὑμῖν τὰ γενόμενα περὶ τὴν ἀντίδοσιν διηγή-
σομαι. 42.4

Criteria 3 and 4 occur at the start of 42.5:

τοῦ γὰρ μεταγεινιῶνος, ὧ ἄνδρες δικασταί, τῇ δευτέρῃ
ἰσταμένου, ἐποιοῦν οἱ στρατηγοὶ τοῖς τριακοσίοις τὰς ἀντι-
δόσεις. 42.5

Narrative begins here with a date.

Oration 43

DEFINITION

Criteria B and C occur in the penultimate sentence of 43.2:

δεόμεθα οὖν ὑμῶν, ὧ ἄνδρες δικασταί, εὐνοϊκῶς ἀκρο-
άσασθαι τῶν λεγομένων καὶ παρακολουθεῖν προσέχοντας τὸν
νοῦν. 43.2

Criterion D occurs at the end of 43.2:

πειράσομαι δὲ κἀγὼ διδάσκειν ὡς ἂν οἶδος τε ᾧ σαφέστα-
τα περὶ τῶν πεπραγμένων. 43.2

Criteria 3, 4 and 7 occur at the start of 43.3:

τουτουὶ γὰρ τοῦ παιδὸς ἡ μήτηρ, ᾧ ἄνδρες δικασταί, ...
43.3

τουτουὶ counts as an instance of criterion 7 because of its emphatic position at the start of the sentence and because it is separated from τοῦ παιδὸς ἡ μήτηρ by γάρ.

Thus the introduction is 43.1-2.

Oration 44

DEFINITION

Two points must be considered as candidates for the end of the introduction: the end of the first sentence of 44.5 and the end of 44.8.

The first sentence of 44.5 contains criterion D:

περὶ μὲν οὖν τῶν τοιούτων καὶ προΐδοντος τοῦ λόγου
σαφέστερον ἀκούσεσθε· ὑπὲρ αὐτῆς δὲ τῆς διαμαρτυρίας καὶ
τοῦ ἀγῶνος ἤδη νομίζω δεῖν διδάσκειν. 44.5

Criteria 2, 4 and 7 occur in the next sentence:

εἰ μὲν οὖν, ᾧ ἄνδρες δικασταί, ἐκ τῆς διαμαρτυρίας

This is the case for making the introduction 44.1-5.

Criteria A, D and G occur at the end of 44.8:

Ἔνα δ' εἰδῆτε ὅτι κατὰ γένος ἐγγύτατα ὄντες οὐ μόνον
τούτῳ ἐνισχυριζόμεθα, ἀλλὰ καὶ τοῖς ἄλλοις ἄπασιν, πρῶτον
μὲν ὑπὲρ αὐτοῦ τοῦ γένους ὑμᾶς διδάξομεν, ὅθεν ἐστὶν ὁ κλη-
ρος· νομίζω γάρ, ἂν τούτῳ τῷ μέρει τοῦ ἀγῶνος σαφῶς παρακο-
λουθήσητε, καὶ τῶν ἄλλων ὑμᾶς οὐδενὸς ἀπολειφθήσεσθαι.

44.8

Criteria 3 and 5 occur at the start of 44.9:

τὸ γὰρ ἐξ ἀρχῆς, ὧ ἄνδρες δικασταί, ...

44.9

Narrative begins at this point which establishes that 44.9 belongs with the main part of the speech. Where does 44.5-8 belong? 44.5-8 belongs with the main part of the speech because 44.5-8 introduces the section which begins at 44.9 but does not introduce the main part of the speech. At 44.5-6 the speaker explains why it is necessary for him to instruct the jury about his pedigree. At 44.8 he says that he has other arguments to support his case apart from the one about his pedigree. However he is going to start with his pedigree because, if the jury grasp this part of the case, none of the other matters will escape them. At 44.9 he begins a narrative which will explain his pedigree. Accordingly 44.9 is connected to 44.8 and cannot be the start of the main part of the speech. That point must be the second sentence of 44.5.

The introduction is therefore 44.1-4 and the first sentence of 44.5.

Oration 45

DEFINITION

The introduction is 45.1-2. Criteria A, D, E and F occur at 45.2:

ἔξ ἀρχῆς δ' ὡς ἂν οἴός τ' ᾧ διὰ βραχυτάτων εἶπεῖν
πειράσομαι τὰ πεπραγμένα μοι πρὸς Φορμίωνα, ἔξ ᾧν ἀκού-
σαντες τὴν τ' ἐκείνου πονηρίαν καὶ τούτους, ὅτι τὰ ψευδῆ
μεμαρτυρήκασι γνώσεσθε. 45.2

Criterion K is also present since the start of the introduction is recalled:

καταψευδομαρτυρηθεῖς ... 45.1

45.3 begins with criteria 3, 4 and 8:

ἐγὼ γάρ, ᾧ ἄνδρες δικασταί, ... 45.3

The introduction is therefore 45.1-2.

Oration 46

DEFINITION

There is no introduction. The speaker replies to a speech made by Stephanus and applies himself immediately to criticizing Stephanus. Criterion 7 occurs:

ὅτι μὲν οὐκ ἀπορήσειν ἔμελλε Στέφανος οὕτως δὲ τι ἀπολογήσεται περὶ τῆς μαρτυρίας, παράγων τῷ λόγῳ ὡς οὐ πάντα μεμαρτύρηκε τὰ ἐν τῷ γραμματείῳ γεγραμμένα, καὶ ἑξαπατῶν ὑμᾶς, καὶ αὐτός σχεδόν τι ὑπενόουν, ὡς ἄνδρες δικασταί.

46.1

46 is a δευτερολογία.

Oration 47

DEFINITION

47.1-2 and the first part of 47.3 constitute a thematic introduction. The theme is the laws' ruling on false testimony.

The rest of 47.3 contains a request made to the jury:

δέομαι δ' ὑμῶν καὶ γὰρ μετ' εὐνοίας μου ἀκροάσασθαι περὶ τοῦ πράγματος ἐξ ἀρχῆς ἅπαντα, ἵνα ἐκ τούτων εἰδῆτε ὅσ' ἐγὼ τ' ἠδικήθην καὶ ἑξηπατήθην οἱ δικασταὶ καὶ οὗτοι τὰ ψευδῆ ἑμαρτύρησαν.

47.3

Criteria A, B and F occur. Criterion 2 occurs at the start of 47.4:

μάλιστα μὲν οὖν ...

47.4

However, consideration must be given to the presence of introductory material at 47.4:

μάλιστα μὲν οὖν ἂν ἠβουλόμεν μὴ ἔχειν πράγματα· εἰ δ' οὖν ἀναγκάζοι τις, πρὸς τοιοῦτους ἡδύ ἐστιν εἰσιέναι, οἳ μὴ ἀγνώτες εἰσιν ὑμῖν. νῦν δὲ πλείων μοι λόγος ἔσται ἐξελέγχοντι τὸν τρόπον αὐτῶν, ἢ τὴν μαρτυρίαν ψευδῆ οὔσαν. περὶ μὲν γὰρ τῆς μαρτυρίας, ὅτι ψευδῆ μεμαρτυρήκασιν, αὐτοὶ μοι δοκοῦσιν ἔργῳ ἐξελέγχειν αὐτήν, καὶ οὐκ ἄλλους με δεῖ μάρτυρας παρασχέσθαι ἢ αὐτοὺς τούτους·

47.4

This passage includes prediction of the priorities which the speaker is going to assign to topics in his speech. But his aim is not to introduce the main part of the speech but the section which begins at περὶ μὲν γὰρ τῆς μαρτυρίας and finishes at the end of 47.17.

Therefore the introduction is 47.1-3.

Oration 48

DEFINITION

The introduction ends in the middle of 48.3 where criterion A occurs:

... ἐὰν δ' ἄρα μὴ ἐπιτυγχάνητε τούτου, ἐκ τῶν ὑπο-
λοιπῶν τῶν τὰ δίκαια λέγοντι, τούτῳ τὴν ψῆφον ὑμᾶς προσθέ-
σθαι.

48.3

This sentence begins with an example of criterion H:

δέομαι οὖν ὑμῶν, ὧ ἄνδρες δικασταί, ...

48.3

The next sentence contains criteria 2, 5 and 7:

πρῶτον μὲν οὖν μαρτυρίας ἀναγνώσεται ὅτι οὐκ ἐγὼ
αἴτιός εἰμι τοῦ εἰς τὸ δικαστήριον εἰσιέναι, ἀλλ' οὗτος
αὐτός.

48.3

The main part of the speech starts with this sentence.

Oration 49

DEFINITION

The introduction is 49.1-5. Criteria D and F occur at
49.4:

... ἀναγκαῖόν μοι δοκεῖ εἶναι ἐξ ἀρχῆς ἅπαντα διηγή-
σασθαι ὑμῖν, τὰ τε ὀφειλόμενα, καὶ εἰς ὃ τι ἕκαστον αὐτῶν
κατεχρήσατο, καὶ τοὺς χρόνους ἐν οἷς τὸ συμβόλαιον ἐγένε-
το.

49.4

The introduction ought to end here but it does not.

49.5 follows like an afterthought inserted by the speaker to explain his remarks at 49.4 which in his opinion might cause the jury surprise:

θαυμάση δὲ μηδεὶς ὑμῶν εἰ ἀκριβῶς ἴσμεν· οἱ γὰρ
τραπεζῖται εἰώθασιν ὑπομνήματα γράφεσθαι ὧν τε διδῶσιν
χρημάτων καὶ εἰς ὃ τι καὶ ὧν ἂν τις τιθῆται, ἔν' ἧ αὐτοῖς
γνώριμα τὰ τε ληφθέντα καὶ τὰ τεθέντα πρὸς τοὺς λογισμούς.

49.5

The last sentence of 49.4 counts as an instance of criteria D and F since 49.5 can be regarded as an interruption between the introduction and the main part of the speech. Nevertheless 49.5 belongs with the introduction because it is connected to 49.4 contextually.

Criteria 3 and 7 occur at 49.6 where narrative begins:

ἐπὶ Σωκρατίδου γὰρ ἄρχοντος μουνιχιῶνος μηνὸς
μέλλων ἐκπλεῖν τὸν ὕστερον ἔκπλουν Τιμόθεος οὕτοσὶ

...

49.6

Oration 50

DEFINITION

At the end of 50.3 the speaker commands part of the jury to listen to him in silence, criterion B, while he presents the facts to them:

ἄσσοι δ' αὐτοῦ ἐπεδημεῖτε, σιγῆ μου ἀκοῦσαι διηγουμένου

ἅπαντα πρὸς ὑμᾶς, καὶ ἐπὶ τούτων ἐκάστῳ, οἷς ἂν λέγω, τοὺς
τε νόμους παρεχομένου καὶ τὰ ψηφίσματα, τὰ τε τῆς βουλῆς
καὶ τὰ τοῦ δήμου, καὶ τὰς μαρτυρίας. 50.3

This is the point at which the introduction ends.

Criterion 3 occurs at the start of 50.4 where
narrative begins:

ἑβδόμη γὰρ φθίνοντος μεταγεινιῶνος μηνὸς ἐπὶ Μόλωνος
ἄρχοντος, ἐκκλησίας γενομένης καὶ εἰσαγγελθέντων ὑμῖν πολλῶν
καὶ μεγάλων πραγμάτων, ἐψηφίσασθε τὰς ναῦς καθέλκειν τοὺς
τριηράρχους· ὧν καὶ ἐγὼ ἦν. 50.4

ἐγὼ ἦν at the end of this sentence does not count as
criterion 8.

Oration 51

DEFINITION

The introduction is 51.1-3. Criterion D occurs at
51.3:

ἐπειδὴ δὲ τοῦτο παρέντες ἐκεῖνο ποιοῦσιν, ἀμφο-
τερ' αὐτοὺς ἐπιδείξω ψευδομένους, ἃ θ' αὐτοὺς ἐνεκωμίασαν
καὶ ὅσ' εἰς ἡμᾶς ἐβλασφήμησαν, ἐξ αὐτῶν τῶν πεπραγμένων
ἐκατέροις. 51.3

51.4 contains criterion 3:

Oration 52

DEFINITION

Criteria A, D and F occur at the end of 52.2:

δέομαι οὖν ὑμῶν, εἴπερ τι καὶ ἄλλο πώποτε πρᾶγμα αὐτὸ καθ' αὐτὸ ἐδικάσατε, μηδὲ μεθ' ἐτέρων τὴν γνώμην γενόμενοι, μήτε μετὰ τῶν διωκόντων μήτε μετὰ τῶν φευγόντων, ἀλλὰ τὸ δίκαιον σκεψάμενοι, οὕτω καὶ νῦν διαγνῶναι. ἐξ ἀρχῆς δ' ὑμῖν διηγῆσομαι. 52.2

52.3 begins with criteria 3 and 4:

Λύκων γὰρ ὁ Ἡρακλεώτης, ὧ ἄνδρες δικασταί, ... 52.3

The introduction therefore consists of 52.1-2.

Oration 53

DEFINITION

The introduction is 53.1-3. Criterion D occurs at the end of 53.3:

τὰ μὲν οὖν μέγιστα καὶ περιφανῆ τῶν ἀδικημάτων, καὶ ὁπόθεν ἡ ἀπογραφὴ αὕτη γέγονεν, ἐρῶ πρὸς ὑμᾶς, τὰ δὲ πολλὰ ἔάσω. 53.3

53.4 begins with criteria 3, 4 and 7:

Νικόστρατος γὰρ οὕτως, ὧ ἄνδρες δικασταί, ... 53.4

Oration 54

DEFINITION

Criteria A, B, D, E and F occur at 54.2:

ἀξιῶ δὴ καὶ δέομαι πάντων ὁμοίως ὑμῶν πρῶτον μὲν
εὐνοϊκῶς ἀκοῦσαί μου περὶ ὧν πέπονθα λέγοντος, εἶτα, ἐὰν
ἡδικῆσθαι καὶ παρανενομηθῆσθαι δοκῶ, βοηθησαί μοι τὰ δίκαια.
ἐξ ἀρχῆς δ' ὡς ἕκαστα πέπρακται διηγήσομαι πρὸς ὑμᾶς, ὡς
ἂν οἴδες τ' ὧ διὰ βραχυτάτων. 54.2

Criterion 1 is found at the start of 54.3. This in itself is sufficient grounds for concluding that this is the point where the main part of the speech begins.

ἐξῆλθον ἔτος τουτὶ τρίτον εἰς Πάνακτον φρουρᾶς ἡμῶν
προγραφείσης. 54.3

Hence 54.1-2 constitutes the introduction.

Oration 55

DEFINITION

The introduction is 55.1-2. Criteria A, B and C occur at 55.2:

δέομαι δὴ πάντων ὑμῶν ἀκοῦσαί μου καὶ προσέχειν τὸν νοῦν, οὐχ ὡς αὐτὸς δυνησόμενος εἶπεῖν, ἀλλ' ἔν' ὑμεῖς ἐξ αὐτῶν τῶν πραγμάτων καταμάθητε, ὅτι φανερώς συκοφαντοῦν, οὐχ ὡς αὐτὸς δυνησόμενος εἶπεῖν, ἀλλ' ἔν' ὑμεῖς ἐξ αὐτῶν τῶν πραγμάτων καταμάθητε, ὅτι φανερώς συκοφαντοῦμαι. 55.2

Criteria 2 and 4 occur at the start of 55.3:

ἔν μὲν οὖν, ὧ ἄνδρες Ἀθηναῖοι, πρὸς ἅπαντας τοὺς τούτων λόγους ὑπάρχει μοι δίκαιον. 55.3

Narrative begins in the next sentence of 55.3:

τὸ γὰρ χωρίον τοῦτο περιωκοδόμησεν ὁ πατὴρ μικροῦ δεῖν πρὶν ἐμὲ γενέσθαι ... 55.3

Oration 56

DEFINITION

Towards the end of 56.4 the speaker asks the jury to help him if they decide that he has been wronged. This is an example of criterion A:

ὑμῶν οὖν, ὧ ἄνδρες Ἀθηναῖοι, ὁμοίως ἀπάντων δεόμεθα
καὶ ἱκετεύομεν βοηθῆσαι ἡμῖν, ἂν δοκῶμεν ἀδικεῖσθαι. 56.4

The next sentence contains criteria D and G:

τὴν δὲ ἀρχὴν τοῦ συμβολαίου διεξελεθεῖν ὑμῖν πρῶτον
βούλομαι· οὕτως γὰρ καὶ ὑμεῖς ῥᾶστα παρακολουθήσετε.
56.4

The first sentence of 56.5 contains criteria 3, 4 and
7:

Διονυσόδωρος γὰρ οὕτοσί, ὧ ἄνδρες Ἀθηναῖοι, ... 56.5

Therefore the introduction is 56.1-4.

Oration 57

DEFINITION

It is difficult to decide where the introduction ends.
There are several possibilities:

- the end of 57.1;
- the end of the first sentence of 57.3;
- the end of 57.3;
- the middle of 57.5;
- the end of 57.7.

Two definite statements can be made: 57.8 definitely belongs with the main part of the speech because narrative begins there; 57.1 definitely belongs in the introduction because its contents are introductory:

πολλὰ καὶ ψευδῆ κατηγορηκόςτος ἡμῶν Εὐβουλίδου, καὶ βλασφημίας οὔτε προσηκούσας οὔτε δικαίας πεποιημένου, πειράσομαι τάληθῆ καὶ τὰ δίκαια λέγων, ὧ ἄνδρες δικασταί, δεῦξαι καὶ μετὸν τῆς πόλεως ἡμῶν καὶ πεπονθότ' ἑμαυτὸν οὐχὶ προσήκονθ' ὑπὸ τούτου. δέομαι δ' ἀπάντων ὑμῶν, ὧ ἄνδρες δικασταί, καὶ ἱκετεύω καὶ ἀντιβολῶ, λογισαμένους τό τε μέγεθος τοῦ παρόντος ἀγῶνος καὶ τὴν αἰσχύνην μεθ' ἧς ὑπάρχει τοῖς ἀλισκομένοις ἀπολωλέναι, ἀκοῦσαι καὶ ἑμοῦ σιωπῆ, μάλιστα μὲν, εἰ δυνατόν, μετὰ πλείονος εὐνοίας ἢ τούτου (τοῖς γὰρ ἐν κινδύνῳ καθεστηκόσιν εἰκὸς εὐνοϊκωτέρους ὑπάρχειν), εἰ δὲ μή, μετὰ γε τῆς ἴσης.

57.1

One must decide where 57.2-7 belongs. The last sentence of 57.1 is an example of criterion B, grounds for finishing the introduction at the end of 57.1. Against this it must be said that there is a future tense in 57.3, which suggests that the introduction has not yet finished. At 57.2 the speaker mentions fears which he has about the case and then says at 57.3:

οὐ μὴν ἀλλὰ κάπερ τούτων οὕτως ἐχόντων, ἃ νομίζω περὶ τούτων αὐτῶν πρῶτον εἶναι δίκαι ἐρῶ πρὸς ὑμᾶς.

57.3

This sentence contains criteria D and G which make it a possibility for the end of the introduction. Moreover, criteria 3 and 8 occur in the next sentence which must, therefore, be considered as a possible start for the main part of the speech:

ἐγὼ γὰρ οἶομαι ...

57.3

The first sentence of 57.3 can be confined to the introduction. Before conclusions can be made about the next sentence of 57.3 the contents of 57.3-7 must be examined. Criteria 2, 4, 7 and 8 occur at the start of 57.4:

ῥῆμην μὲν οὖν ἔγωγ', ὧ ἄνδρες δικασταί, προσήκειν Εὐ-
βουλίδῃ ...

57.4

There is a change of subject between 57.3 and 57.4. At the end of 57.3 the speaker discusses his own situation. At 57.4 he turns to his opponent's behaviour. There are no criteria at the end of 57.3.

L. Gernet 1960, p.16, makes the first paragraph of his text end in the middle of 57.5. The second paragraph begins with the last sentence of 57.5:

ἐπειδὴ τοίνυν οὗτος εἶδως τοὺς νόμους καὶ μᾶλλον ἢ προσή-
κεν, ἀδίκως καὶ πλεονεκτικῶς τὴν κατηγορίαν πεποίηται, ἀναγ-
καῖον ἐμοὶ περὶ ὧν ἐν τοῖς δημόταις ὑβρίσθην πρῶτον εἰπεῖν.

57.5

Criteria 5 and 7 occur. But so does the particle *τοίνυν* which was observed in oration 20 as a connecting particle.

Introductory remarks occur at 57.7:

πρῶτον μὲν οὖν ὄν τρόπον ἐν τοῖς δημόταις συνέβη τὴν διαψήφισιν γενέσθαι, φράσω πρὸς ὑμᾶς· τὸ γὰρ εἰς αὐτὸ τὸ πρᾶγμα πάντα λέγειν τοῦτ' ἔγωγ' ὑπολαμβάνω, ὅσα τις παρὰ τὸ ψήφισμα πέπονθ' ἀδίκως καταστασιασθεῖς ἐπιδειῖξαι. 57.7

Criteria D and G occur. The next sentence is introduced by criteria 3, 4 and 7 which suggest that this could be the start of the main part of the speech:

Εὐβουλίδης γὰρ οὕτως, ὧ ἄνδρες Ἀθηναῖοι, ... 57.8

The presence of criteria D and G at 57.7 justifies making the introduction extend to the end of 57.7. The narrative found in 57.8 establishes that 57.8 does not belong with the introduction. Criteria 3, 4 and 7 suggest that the start of 57.8 is a suitable point for the start of the main part of the speech.

The introduction, therefore, consists of 57.1-7.

Oration 58

DEFINITION

The introduction extends to the middle of 58.5 where criterion K occurs:

τοῦ πατρὸς ἡμῶν ... 58.1

... ὁ πατήρ μοι. 58.5

The next sentence of 58.5 has criteria 2 and 5. The speaker announces the reading of a law and says that his speech should begin with this:

πρῶτον μὲν οὖν τὸν νόμον ὑμῖν ἀναγνώσεται τὸν περὶ τῶν φαινόντων καὶ οὐκ ἐπεξιόντων, ἀλλὰ διαλυομένων παρὰ τοὺς νόμους (έντεῦθεν γὰρ οἶμαι προσήκειν μοι τὴν ἀρχὴν ποιήσασθαι τοῦ λόγου) ... 58.5

Oration 59

DEFINITION

There are actually two speeches here. 59.1-15 is spoken by Theomnestus; 59.16-126 by Apollodorus.

The introduction of the first speech is 59.1. Criteria D and G occur:

βούλομαι δ' ὑμῖν προδιηγήσασθαι πρῶτον ἃ πεπόνθαμεν ὑπ' αὐτοῦ, ἵνα μᾶλλον μοι συγγνώμην ἔχητε ἀμυνομένῳ, καὶ ὡς εἰς τοὺς ἐσχάτους κινδύνους κατέστημεν περὶ τε τῆς πατρίδος καὶ περὶ ἀτιμίας. 59.1

Criterion 3 occurs at the start of 59.2:

ψηφισαμένου γὰρ τοῦ δήμου τοῦ Ἀθηναίων ... 59.2

At 59.14 Theomnestus asks the jury's permission to call Apollodorus as supporting speaker.

δέομαι οὖν ὑμῶν, ὧ ἄνδρες δικασταί, ἅπερ ἡγοῦμαι προσήκειν δεηθῆναι νέον τε ὄντα καὶ ἀπείρως ἔχοντα τοῦ λέγειν, συνήγορόν με κελεῦσαι καλέσαι τῷ ἀγῶνι τούτῳ Ἀπολλόδωρον. 59.14

At 59.16 Apollodorus introduces his speech. Criterion D occurs :

ἃ μὲν ἡδίκημένος, ὧ ἄνδρες Ἀθηναῖοι, ὑπὸ Στεφάνου ἀναβέβηκα κατηγορήσων Νεαίρας ταυτησί, θεόμνηστος εἴρηκεν πρὸς ὑμᾶς· ὡς δ' ἐστὶ ξένη Νεαίρα καὶ παρὰ τοὺς νόμους συνοικεῖ Στεφάνῳ, τοῦτο ὑμῖν βούλομαι σαφῶς ἐπιδεῖξαι. 59.16

The clause, τοῦτο ὑμῖν βούλομαι σαφῶς ἐπιδεῖξαι , is considered an example of criterion D. The main part of this speech starts with the next sentence which has criteria 2 and 5:

πρῶτον μὲν οὖν τὸν νόμον ὑμῖν ἀναγνώσεται, καθ' ὃν τήν τε γραφὴν ταυτηνὶ θεόμνηστος ἐγράφατο καὶ ὁ ἀγὼν οὗτος εἰσέρχεται εἰς ὑμᾶς. 59.16

There is a future tense here, ἀναγνώσεται, but this introduces the first part of the speech proper, and does

not belong with the introduction.

The introduction, therefore, consists of the first two sentences of 59.16.

Oration 60

DEFINITION

Oration 60 is the only example in the Demosthenic corpus of a funeral speech. The introduction is 60.1-3. At 60.3 there is criterion D. The speaker mentions the topic with which he will start the main part of the speech:

ἄρξομαι δ' ἀπὸ τῆς τοῦ γένους αὐτῶν ἀρχῆς. 60.3

At 60.4 he begins to do just this. Criterion 3 occurs:

ἡ γὰρ εὐγένεια τῶνδε τῶν ἀνδρῶν ... 60.4

The collection of prooemia is susceptible to the criterion test. Most contain subject matter that is purely introductory but a few contain remarks designed to open the main part of a speech. Many contain criteria and these will be observed. Unless stated otherwise, they occur at the end of a prooemium. Prooemia without criteria will be passed over.

Prooemium 1

DEFINITION

Criteria A and D occur at pr.1.2:

εἰ μὲν οὖν εἶχεν καλῶς τὰ πράγματα, οὐδὲν ἂν ἔδει
συμβουλεύειν· ἐπειδὴ δ' ὄσσην ἅπαντες ὁρᾷτ' ἔχει δυσκολί-
αν, ὡς ἐκ τοιούτων πειράσομαι συμβουλεύειν ἃ κράτιστ'
εἶναι νομίζω. pr.1.2

Criteria 2 and 5 occur in the next sentence:

πρῶτον μὲν οὖν ... pr.1.2

The introduction, therefore, extends to νομίζω at pr.1.2. R.Clavaud 1974B, p.84, although he does not divide the passage into 'introduction' and 'main part of speech', nevertheless observes a natural break after νομίζω by printing a new paragraph at the beginning of the next sentence.

Prooemium 2

DEFINITION

The last sentence belongs in the main part of a speech. The speaker defines the beginning of his speech. Criterion 2 occurs:

ἡ μὲν οὖν ἀρχὴ παντός ἐστίν αὕτη μοι τοῦ λόγου. pr.2.3

Criterion Η, ὧ ἄνδρες Ἀθηναῖοι , occurs in the previous sentence.

But there is another point where criteria occur. The final sentence of pr.2.2 contains criterion Η, ὧ ἄνδρες Ἀθηναῖοι. The first sentence of pr.2.3 contains criteria 2, 4 and 6:

τὸ μὲν οὖν, ὧ ἄνδρες Ἀθηναῖοι, μὴ πάνθ' ὡς ἂν ἡμεῖς
βουλοίμεθ' ἔχειν μήτε παρ' αὐτοῖς ἡμῖν μήτε παρὰ τοῖς
συμμάχοις ... pr.2.3

Criterion 6, the present situation (in this case the sorry state of present affairs), forms the subject of pr.2.3. The final sentence, which was attributed above to the main part of a speech, is connected to the rest of pr.2.3 by the word αὕτη. Thus the whole of pr.2.3 belongs with the main part of a speech. Accordingly the introduction concludes at the end of pr.2.2.

R. Clavaud 1974B, pp.85-86, prints p.2.1-2 and pr.2.3 as separate paragraphs. He comments at p.11 that these two 'prologues' apparently have nothing in common and that one can understand the decision to separate them. By 'séparer' he means to consider them as separate *introductions*. An obvious problem with this interpretation is the presence of the connecting particle, οὖν, at the beginning of pr.2.3. The opening sentence of an introduction does not require a connective. Clavaud, p.11, gives a solution: 'Seulement, il faut supprimer οὖν ...'. At note 1, p.11 he cites those commentators who have supported this (Wolf, Blass, Rennie,

N.W. and N.J. DeWitt) and those who have opposed it (Reiske, Schaefer, Bekker, Voemel). Clavaud himself, p.11, wants to retain οὖν regarding the whole introduction as a unit on the grounds that at the end of pr.2.3 the speaker returns to the theme with which he began the introduction:

'L'orateur finit par où il a commencé, en déplorant l'esprit démocratique qui se dégrade.'

If Clavaud is right, then this would constitute an example of ring composition which is criterion K. However it is not a very good example. Pr.2.1 begins with a contrast between some Athenians' speech and action with respect to their mention of democracy and their treatment of those who speak on its behalf. At pr.2.3 the speaker contrasts the people's exclusion from public affairs with their opponents' monopoly of political involvement. This is not a convincing example of ring composition.

The solution which has not been considered by Clavaud is the one offered in this thesis. οὖν does not have to be removed. Pr.2.1-2 forms the introduction while pr.2.3 is the opening section of the main part of the speech which is attached to that introduction.

Prooemium 3

Pr.3 follows the same pattern as oration 1. Criteria A and K occur.

Prooemium 4

Criteria D and E occur:

... ταῦθ' ὡς ἂν δύνωμαι διὰ βραχυτάτων ἐρῶ πρὸς ὑμᾶς.

pr.4

R. Clavaud 1974B, pp.11-12, advocates that prooemia 3 and 4 (Γ and Δ) be united to form a single introduction. He gives two reasons. First, p.11, there is a progression between the two introductions:

'La progression d'une prologue à l'autre n'éclate pas.'

Secondly, p.11, there is the presence of the connecting particle, δέ, at the beginning of pr.4:

'Mais, si l'on tient à les séparer, on est contraint de supprimer le δέ qui rattache à tort le second au premier.'

At note 4, pp.11-12, Clavaud briefly recounts the history of the inclusion and exclusion of δέ:

'Paradoxalement, les éditeurs de l'Aldine laissaient un blanc, mais n'osaient supprimer le δέ, ni marquer un nouveau prologue par un alinéa et une lettrine marginale. Le premier, Feliciano, suivi par Wolf, a distingué deux prologues et supprime δέ. Bekker a marqué un quatrième

prologue à "Ἔστιν et a supprimé δέ. Sa numération s'est imposée à tous les éditeurs postérieurs, même si, comme Voemel, ils ne partageaient pas ses vues sur la distinction entre Γ et Δ ...'

Clavaud, pp.11-12, wants to retain δέ:

'Voyons ... la suite des idées si l'on conserve cette particule: "Vous seriez désireux, dit l'orateur, d'entendre quelqu'un vous exposer un programme utile. Vous devez donc écouter vos orateurs dont le grand nombre vous laisse la liberté de choisir. Or (δέ), puisqu'il vous est possible de choisir les avis qui vous agréent, il est normal que vous les entendiez tous, quittes à repousser les orateurs médiocres. Quant à moi, je serai bref." La progression est nette: vous avez beaucoup de conseillers; écoutez-les tous et moi en particulier. Elle satisfait l'esprit. Il faut donc garder la particule δέ et ne faire qu'un prologue de Γ et Δ.'

While it is conceded that Clavaud's argument is attractive, there is a further topic to be considered, the relationship between pr.3 and oration 1. Apart from minor differences of vocabulary and word order the two passages are identical. The important question which Clavaud does not ask is why oration 1 does not include pr.4 within its introduction if its progression from pr.3 is as complete as he suggests. Clavaud alludes to this problem at p.86 n.1 where he rejects a suggestion of Focke to account for the presence of pr.4 in the collection of proemia:

'Inutile de supposer, comme Fr. Focke (F. Focke 1929, p.41), qu'un "rédacteur" a complété le prologue de la *Première Olynthienne*, jugé trop court (?) par l'adjonction du paragraphe commençant a "Ἔστι δέ, ὦ ...'

Clavaud may be right to reject this idea but he does not explain at all the absence of this passage from oration 1. For this reason Clavaud's argument is rejected. There is also an aesthetic reason for separating the two passages. Pr.3 is a thematic introduction whose theme, the choice of beneficial policy, is treated economically and neatly, the passage being rounded off with ring composition, which as criterion K has been used to identify the end of an introduction. Pr.4, by contrast, is not economic but spells out in detail the behaviour expected from the audience and contains a long-winded promise of brevity. Pr.4 is less subtle and more prosaic than pr.3. To join them together would ruin the effect of the ring composition. One could argue that pr.4 reads like a commentary of pr.3 painting a detailed picture of the situation to which the speaker of pr.3 alludes. Such a view would give credence to Focke's suggestion.

Whatever the case, for the purposes of this thesis the two passages are regarded as separate introductions and the connecting particle is omitted from the beginning of pr.4.

Prooemium 5

Criteria A and E occur:

ἂν τοίνυν ὑμεῖς ταῦθ' ὑπάρξετε νῦν πεπεισμένοι,
οἴομαι μετὰ βραχέων λόγων καὶ αὐτὸς ἀντιλέγειν εἰ-
κότως δόξειν καὶ ὑμῖν τὰ βέλτιστα φανεῖσθαι λέγων.

pr.5.3

Prooemium 6

Criteria D and E occur:

... ταῦθ' ὡς ἂν δύνωμαι διὰ βραχυτάτων εἰπὼν
καταβήσομαι.

pr.6.2

Prooemium 7

Pr.7 is almost identical to 14.1-2. Criteria D and E occur.

Prooemium 8

Pr.8 is identical to 16.1-3. Criterion D occurs.

Prooemium 10

Criteria A and B occur:

λέγω δὲ ταῦτ' οὐκ ἐναντία τοῖς ὑμῖν ἀρέσκουσιν μέλλων

παραινεῖν, ἀλλ' ἐκεῖν' εἰδώς, ὅτι ἂν μὲν μὴ 'θελήσητε τῶν
ἀντιλεγόντων ἀκοῦσαι, ἐξηπατῆσθαι φήσουσιν ὑμᾶς, ἂν δ'
ἀκούσαντες μὴ πεισθῆτε, ἐξεληλεγμένοι παραχρῆμ' ἔσονται
τὰ χεῖρω παραينوῦντες. pr.10.2

Prooemium 11

Criterion D occurs:

διὸ πειράσομαι μὲν φυλάξασθαι, ὃ τούτοις ἐπιτιμῶ, μὴ
παθεῖν αὐτός, συμβουλευσαι δ' ἃ κράτιστα νομίζω περὶ τῶν
παρόντων. pr.11

Prooemium 13

Criterion H occurs:

δεῖ γάρ, ὧ ἄνδρες Ἀθηναῖοι, ... pr.13

Prooemium 15

Criterion K, ring composition, occurs:

περὶ μὲν τῶν παρόντων ... pr.15.1

... οἶμαι δεῖν πάντα παρεῖς τᾶλλα περὶ αὐτῶν τῶν
παρόντων ἃ κράτιστα νομίζω λέγειν. pr.15.2

The final sentence of pr.15.2 is also an example of
criterion D, prediction:

Prooemium 16

Criterion K, ring composition, occurs:

ἐβουλόμην ἂν ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, ἦ πρὸς τοὺς
ἄλλους ἅπαντας εἰώθατε προσφέρεσθαι φιλανθρωπία ...

pr.16

... ἵνα μὴ φιλόανθρωποι μόνον, ἀλλὰ καὶ νοῦν ἔχοντες
φαίνεσθε.

pr.16

Prooemium 17

Criterion D occurs:

ἀφελὲς τᾶλλα πάντα, δὲ παραινῶ καὶ δὴ πειράσομαι πρὸς
ὑμᾶς εἰπεῖν.

pr.17

Prooemium 18

Criterion A occurs:

οὐ γὰρ αὐτὸς οὔτε καιρὸς οὔτε τρόπος τοῦ τ' ἐπικυρῶσαι
τὰ δοκοῦντα καὶ τοῦ σκέφασθαι τι πρῶτον δοκεῖ συμφέρειν.

pr.18

πρῶτον does not count as criterion G because it does

not refer to the speaker's first point in the main part of the 'speech'.

Prooemium 21

DEFINITION

Pr.21 contains passages similar to those in 1.16 and 4.14-15 which occur in the main body of their respective speeches. Moreover the pleas for attention in pr.21 are meant to secure attention for what the speaker is about to say immediately, or to prevent heckling, which could occur at any point in a speech. In addition the arguments intended to win goodwill are developed more fully than one would expect for an introduction, e.g. pr.21.3. The absence of a connective at the start of pr.21 does not contradict the proposition that this passage belongs more properly with the main body of a speech because the passage could constitute the first part of the body of a speech. This would then be an instance of criterion 1, asyndeton. The opening words include the phrase, ἐν τῷ παρόντι, which is criterion 6. Accordingly pr.21 is not an introduction but a passage from the beginning of the main part of a speech.

Prooemium 22

Criteria D and E occur:

... μικρὰ πρὸς τούτους εἰπὼν, ἃ βέλτισθ' ὑμῖν ὑπο-
λαμβάνω, ταῦτ' ἤδη συμβουλεύσω. pr.22.3

Prooemium 23

Criteria A and D occur:

... ἄ γε πιστεύω χρηστὰ φανεῖσθαι, κἂν ὑμεῖς μη πει-
σθῆτε, οὐκ ἀποτρέφομαι λέγειν. pr.23.2

Prooemium 24

DEFINITION

There are three possibilities: the first sentence only of pr.24.1; pr.24.1-2; or the whole prooemium, pr.24.1-4.

The first sentence succinctly states the subject for deliberation, clarifies the speaker's loyalties, and makes a claim for indulgence.:

εἰ καὶ μηδὲν ἄλλο τις, ὧ ἄνδρες Ἀθηναῖοι, πρότερον
παρ' ὑμῖν εἰρηκως εἶη, νῦν γε λέγων περὶ ὧν οὐκ ὀρθῶς ἐγκα-
λοῦσιν οἱ πρέσβεις τῇ πόλει, παρὰ πάντων ἂν μοι δοκεῖ δι-
καίως συγγνώμης τυχεῖν. pr.24.1

N.W. DeWitt and N.J. DeWitt 1949, p.124, print this as a separate paragraph. The sole reservation about making this sentence the introduction is that the introduction would then be very short.

As far as pr.24.1-4 is concerned, the only

recommendation for making this the introduction is that the prooemium has survived from antiquity in this form.

Pr.24.1-2 is the strongest contender. Criterion 4, ὧ ἄνδρες Ἀθηναῖοι, occurs in the first sentence of pr.24.3.

Pr.24 has the same subject matter as oration 15. Similarities with this speech suggest that the introduction is pr.24.1-2. The main part of oration 15 begins with a statement that the Athenians are to be indebted to the gods:

ἔστι μὲν οὖν ἐν ὧν ἐγὼ νομίζω χάριν ὑμᾶς τοῖς θεοῖς
ὀφείλειν ... 15.2

Pr.24.3 begins with a similar call to show gratitude to the gods:

ἄξιον δ' εἶναι μοι δοκεῖ διὰ ταῦτα τοῖς θεοῖς χάριν
ὑμᾶς ἔχειν ... pr.24.3

This theme is used to better effect in pr.24 than in oration 15 where it is introduced as a new idea which has no continuity with what has gone before. In pr.24 the theme is presented as an unexpected paradox. In pr.24.2 the speaker has been berating the Athenians for being so tolerant. At pr.24.3 unexpectedly he says that they should be grateful to the gods. This makes an arresting start to the main part of the speech.

In pr.24.4 there is a sentence which resembles one in 15.16:

οὐ μὴν ἄλλ' ἴσως τούτοις μὲν εἴμαρται μηδέποτ' εὔ
πράττουσιν εὔ φρονῆσαι· pr.24.4
οὐ μὴν ἄλλ' ἴσως τούτοις μὲν εἴμαρται μηδέποτ' εὔ

εὔ μὲν γὰρ πράττοντες οὐκ οἶδ' εἴ ποτ' ἂν εὔ φρονῆσαι
ἠθέλησαν ... 15.16

This similarity suggests that the subject matter of pr.24.4 belongs in the main part of a speech since 15.16 is part of the body of a speech. Indeed there are no introductory remarks in pr.24.3-4. The only introductory remarks that occur in pr.24 are found in the first sentence of pr.24.1. However the rest of pr.24.1 and pr.24.2 contain generalizations which are suitable for an introduction. In addition pr.24.2 ends with a phrase which creates a pause and commands attention:

... ἀκριβῶς οἶδα τοῦτ' ἐγώ. pr.24.2

This is the point at which the introduction ends. The next sentence with its paradox and vocative is the first sentence of the main part of the speech. Accordingly the introduction is pr.24.1-2. Nevertheless it must be said that the first sentence of pr.24.1 is distinct from the rest of the introduction. This is one of those instances when there is a first introduction followed by a second introduction.

Prooemium 25

Criterion A occurs:

εὐχομαι δὲ τοῖς θεοῖς, ἃ καὶ τῇ πόλει κάμοι συμφέρειν
μέλλει, ταῦτ' ἐμοί τ' εἶπεῖν ἐλθεῖν ἐπὶ νοῦν καὶ ὑμῖν ἐλέ-
σθαι. pr.25.3

Prooemium 27

DEFINITION

Pr.27 is identical to 15.1-2. The introduction extends to the end of pr.27.1. Criteria 2 and 6 occur at pr.27.2.

Prooemium 28

Criterion B occurs:

ἐὰν δ' ἀκούσητε ... εἰ δὲ μὴ ... pr.28.2

Prooemium 29

DEFINITION

The introduction ends in the middle of pr.29.3 with criterion A:

... ἐλόμενοι τὰ κράτιστα τοὺς ὀτιοῦν τούτοις ἐπιτι-
μῶντας φαύλους νομιεῖτε. pr.29.3

The next sentence begins with criteria 5 and 8:

ἐγὼ μὲν δὴ δίκαιον ὑπέβληφα πρῶτον ἀπάντων αὐτὸς

εἰπεῖν τί μοι δοκεῖ περὶ ὧν σκοπεῖσθε, ἵνα, ἂν μὲν ὑμῖν
ἀρέσκη, καὶ τὰ λοιπὰ διδάσκω, εἰ δὲ μή, μήθ' ὑμῖν ἐνοχλῶ
μήτ' ἑμαυτὸν κόπτω. pr.29.3

It could be argued that this sentence is criterion D and therefore belongs in the introduction. However there are no future tenses and the perfect tense of ὑπέειπα suggests that the speaker has begun the main part of a speech.

Prooemium 30

DEFINITION

The introduction extends to the middle of pr.30.2 where criterion D occurs:

... πειράσομαι δ' ἃ κράτιστα νομίζω, συμβουλεύσαι. pr.30.2

The next sentence begins with criteria 2 and 5:

πρῶτον μὲν οὖν ... pr.30.2

Prooemium 31

DEFINITION

The introduction ends in the middle of pr.31.2. Criteria 2, 4, 6 and 8 occur:

αίτιασαίμην μὲν οὖν ἔγωγ' οὐδέεν', ὧ ἄνδρες Ἀθηναῖοι,
τοῦ κακῶς τὰ πράγματ' ἔχειν ἄλλ' ἢ πάντας τούτους· οἴομαι
δὲ δεῖν παρὰ μὲν τούτων ἐφ' ἡσυχίας λόγον ὑμᾶς λαβεῖν,
νῦν δ' ὑπὲρ τῶν παρόντων, ὅπως ἔσται βελτίω, σκοπεῖν.

pr.31.2

Prooemium 32

Criterion A occurs:

... τοῖς ὀρθῶς ἔχουσιν χρήσασθαι.

pr.32.4

Prooemium 33

Criterion A and B occur:

... ἀκούσαντας κρῖναι, κἂν ἀρέσκη, χρήσασθαι.

pr.33.3

Prooemium 34

Criterion D occurs:

ἐπειδὴ δ' ὑπὸ τῶν παρὰ τούτων λόγων μεταβεβλήσθαι μοί
τινες δοκοῦσιν, ὡς οὔτ' ἀληθῆ λέγουσιν οὔθ' ὑμῖν συμφέροντα,
ἴσως μὲν εἰδότας, οὐ μὴν ἄλλ' εἰ καὶ τυγχάνετ' ἀγνοοῦντες,
διδάξω.

pr.34.3

Prooemium 35

DEFINITION

The introduction consists of pr.35.1 which ends with criteria D and E:

... βούλομαι μικρὰ πρὸς αὐτοὺς εἶπεῖν. pr.35.1

The next sentence begins with criteria 3 and 8:

ἐγὼ γὰρ ... pr.35.2

Prooemium 36

Criteria A, B, D and E occur:

βραχὺς δ' ἔσται. σκέψασθε δ' ἀκούσαντες, κἂν ὑμῶν
ἀρέσκη, χρήσασθε. pr.36.2

Prooemium 37

DEFINITION

The introduction ends in the middle of pr.37.2 with criteria B, D and G:

... ἀκούσαντες τοῦτο τοὺς μετὰ ταῦτα λόγους βούλησθ'
ἀκούειν ... ἐγὼ δὴ τοῦτο πρῶτον ἐρῶ. pr.37.2

Criteria 1 and 8 then occur:

ἔμοι δοκεῖ ...

pr.37.2

A future tense in the next sentence, ἐπιδείξω, is not criterion D, since it does not introduce the whole speech, but a sub-section; or rather this is its aim since the prooemium ends here and nothing follows.

Prooemium 38

Criterion H, ὧ ἄνδρες Ἀθηναῖοι, occurs at pr.38.3

Prooemium 40

DEFINITION

The introduction consists of pr.40.1. Criterion A occurs:

... συμφέροντα καὶ δίκαια φανήσεσθε βουλευόμενοι.

pr.40.1

Pr.40.2 begins with criteria 2 and 6:

ἡ μὲν οὖν ἀρχὴ τῶν τοιούτων πραγμάτων ἀπάντων ...

pr.40.2

Prooemium 41

DEFINITION

The introduction is pr.41.1. Pr.41.2 begins with criteria 2 and 6:

ἡ μὲν οὖν ἀρχὴ τοῦ ταῦθ' οὕτως ἔχειν ... pr.41.2

Prooemium 44

Criterion A occurs:

ἂν γάρ, οἷς τι διαμαρτάνειν οἴομεθ' ἡμεῖς ὑμᾶς, ταῦτα
μηδενὸς ἄξια φανῆ, μετ' ἐλέγχου τὰ δεδογμένα νῦν ὑμεῖς
ἔσεσθ' ἡρημένοι. pr.44.2

Prooemium 45

DEFINITION

Pr.45 contains no remarks that are specifically introductory. Indeed the present tenses, ἀντιλέγω and ἐναντιοῦμαι, at 45.4 suggest that the speaker is in the midst of the main part of a speech. Therefore it is considered that pr.45 is not an introduction.

Prooemium 47

Criteria A and B occur:

χωρὶς δὲ τούτων οὐδὲ καλὴν ὑποψίαν ἔχει ἦκειν μὲν εἰς τὴν ἐκκλησίαν ὡς ἐκ τῶν ῥηθησομένων τὸ κράτιστον ἐλέσθαι δέον, φανῆναι δέ, πρὶν ἐκ τῶν λόγων δοκιμάσαι, παρ' ὑμῖν αὐτοῖς τι πεπεισμένους, καὶ τοῦθ' οὕτως ἰσχυρὸν ὥστε μηδ' ἐθέλειν παρὰ ταῦτ' ἀκούειν.

pr.47.3

Prooemium 48

DEFINITION

Pr.48 is not an introduction but a very short complete speech (see R. Clavaud 1974B, p.160 n.8); it is therefore excluded from this study.

Prooemium 50

Criterion A occurs:

δεῖ δὴ τοιαῦτα φανῆναι βεβουλευμένους δι' ὧν πανταχῶς συνοίσει τῇ πόλει καὶ μὴ μελλουσῶν ἕνεκ' ἐλπίδων τῆς παρούσης εὐδαιμονίας χεῖρόν τι ποιήσετε.

pr.50.3

Prooemium 52

Criterion D occurs:

βούλομαι δ' ὑπὲρ ὧν ἀνέστην, ἃ νομίζω συμφέροντ' εἰ-
πεῖν. pr.52

Prooemium 54

DEFINITION

Pr.54 contains no introductory material. It is a report on the execution of a commission to perform certain sacrifices. N.W. DeWitt and N.J. DeWitt 1949, p.186, comment:

'This is not a true exordium but included by some error.'

Prooemium 55

Criterion K, ring composition, occurs. The theme of the ideal man for public service is repeated. At 55.1 historical precedent is cited. The right man for the job was compelled by the people to come forward even though there was no shortage of volunteers:

ἦν τις, ὡς ἔοικεν, χρόνος παρ' ὑμῖν, ὧ ἄνδρες Ἀθη-
ναῖοι, ὅτ' ἐπηνάγκαζεν ὁ δῆμος, ὄν ἄνθρωπον ἴδοι σῶφρονα
καὶ χρηστόν, πράττειν τὰ κοινὰ καὶ ἄρχειν, οὐ σπάνει τῶν

τοῦτο βουλομένων ποιεῖν ... τοὺς τὰ κοινὰ καρποῦσθαι βουλο-
μένους ... pr.55.1

At the end of the prooemium the speaker says that the audience should provide candidates from their own number and that there are not a few who, he implies, would be suitable. Consequently, having set a standard, they would encourage anyone, who was at all worthy, to come forward of his own accord:

ἀλλὰ καὶ ὑμῶν αὐτῶν (εἰσὶ δ' οὐκ ὀλίγοι) προσάγειν χρή.
ἂν γὰρ ὡσπερὶ ζυγῶ ἴσῃτε, πρόβεισιν δ' ἂν ἄξιός ᾤ τοῦ μετὰ
ταῦτ' αὐτός. pr.55.3

The ring composition is progressive. Past time, ἦν τις ... χρόνος, is replaced with future time, μετὰ ταῦτ'. At pr.55.1 there was no shortage, οὐ σπάνει, of volunteers but the speaker considered these unsuitable. At pr.55.3 there is still no shortage, οὐκ ὀλίγοι, but now these are suitable. Finally the right man for the job should no longer be compelled to come forward but should be inspired to come forward on his own initiative.

Prooemium 56

DEFINITION

The last sentence is excluded from the introduction.
Criterion 2 occurs:

ἡ μὲν οὖν ἐμὴ γνώμη περὶ ὧν βουλευέσθε, ἥδ' ἐστίν.

pr.56.3

(iii) *Criterion Surveys*

Survey of criterion occurrence

CODE: TRANSLATION

(i) : the number of the speech in the Demosthenic corpus.

(ii) : the point at which an introduction finishes.

E = End e.g. E1 denotes that an introduction finishes at the end of section 1.

M = Mid e.g. M1 denotes that an introduction finishes at a point within section 1.

(iii): the criteria which occur.

TABLE 1

(i) (ii)(iii)

1.	E1	A		K	2	4	6
2.	E2	A		H K	2	4	
3.	E3			K			5
4.	E1	A			2	4	5 6
5.	E3			K		4	
6.	E5	A			1	4	5

7.	E1		D		G	H		3		
8.	E1	A				H		2		6
9.	E5							2		
10.	M1		D							6
11.	M2		D					3	4	5
13.	No Introduction									
14.	E2		D	E				1		8
15.	E1							2		6
16.	E3		D							6
17.	E2	A	D			K		2	4	
18.	E8	A				K		2		7
19.	M4	A	D					1	4	
20.	M1								4	
21.	M8	A	B	C						5
22.	E3	A	B	D	E			3		8
23.	E7	A								5
24.	E10	A	D	E	F			1		
25.	E14		D			H		1	4	
26.	M1					H				
27.	E3	A	D	E	G			3	4	
28.	E2		D		G			3	5	
29.	E5	A	D	E				3	4	7 8
30.	E5	A	D		G			3	4	7 8
31.	M1		D		G			3	4	7
32.	E3		C	D		H		3		7
33.	M4		D					3	4	8
34.	E5		D	E	F			3	4	7 8
35.	E5	A	B			H		3	4	7 8
36.	E3	A		D	E	F		2		5 7
37.	E3		B	C	D	E	F	1	4	7

38.	E2	A	B					2		5	7
39.	E1	A						2			7
40.	E5			D	E	F			3	4	
41.	E2		C				H		3		
42.	E4			D		F			3	4	
43.	E2		B	C	D				3	4	7
44.	M5			D				2		4	7
45.	E2	A		D	E	F	K		3	4	8
46.	No Introduction										
47.	E3	A	B			F		2			
48.	M3	A					H	2		5	7
49.	E5			D		F			3		7
50.	E3		B						3		
51.	E3			D					3		
52.	E2	A		D		F			3	4	
53.	E3			D					3	4	7
54.	E2	A	B	D	E	F		1			
55.	E2	A	B	C				2		4	
56.	E4	A		D		G			3	4	7
57.	E7			D		G			3	4	7
58.	M5						K	2		5	
59.	E1			D		G			3		
59.	16-										
	M16			D				2		5	
60.	E3			D					3		
pr1	M2	A		D				2		5	
pr2	E2						H	2	4		6
pr3	E1	A					K				
pr4	E1			D	E						
pr5	E3	A			E						

pr6	E2		D	E					
pr7	E2		D	E					
pr8	E3		D						
pr9	E2								
pr10	E2	A	B						
pr11	E1		D						
pr12	E2								
pr13	E1				H				
pr14	E3								
pr15	E2		D		K				
pr16	E1				K				
pr17	E1		D						
pr18	E1	A							
pr19	E1								
pr20	E3								
pr22	E3		D	E					
pr23	E2	A	D						
pr24	E2					4			
pr25	E3	A							
pr26	E3								
pr27	E1				2		6		
pr28	E2	B							
pr29	M3	A					5		8
pr30	M2		D		2		5		
pr31	M2				2	4	6		8
pr32	E4	A							
pr33	E3	A	B						
pr34	E3		D						
pr35	E1		D	E		3			8
pr36	E2	A	B	D	E				

pr37	M2	B	D	G	1	8
pr38	E3			H		
pr39	E3					
pr40	E1	A			2	6
pr41	E1				2	6
pr42	E2					
pr43	E2					
pr44	E2	A				
pr46	E5					
pr47	E3	A	B			
pr49	E3					
pr50	E3	A				
pr51	E1					
pr52	E1		D			
pr53	E4					
pr55	E3			K		
pr56	M3				2	

Survey of criteria deployment

CODE : TRANSLATION

CRI : Criterion

DEL : Deliberative speeches, orations 1-17, excluding oration 12: 16 speeches.

PRO : Prooemia 1-56, excluding pr.21, pr.45, pr.48 and pr.54: 52 prooemia.

FUN : Funeral speech, oration 60: 1 speech.

PUB : Forensic speeches on public matters, orations 18-26:

9 speeches.

PRI : Forensic speeches in private cases, orations 27-59:
34 speeches.

TABLE 2

CRI	DEL	PRO	FUN	PUB	PRI	TOTAL
A	5	15	-	6	14	40
B	-	6	-	2	8	16
C	-	-	-	1	5	6
D	6	16	1	4	24	51
E	1	7	-	2	8	18
F	-	-	-	1	10	11
G	1	1	-	-	7	9
H	3	3	-	2	4	12
K	5	4	-	1	2	12
1	2	1	-	3	2	8
2	6	8		1	9	24
3	2	1	1	1	22	27
4	8	3	-	3	18	32
5	4	3	-	2	6	15
6	7	5	-	-	-	12
7	-	-	-	1	18	19
8	1	4	-	1	6	12

The information in TABLE 2 can be represented as percentages, i.e. number of instances as a percentage of the number of speeches or prooemia per group. Since only twelve prooemia contain numerical criteria, twelve has been

taken as the total number in calculating percentages for the occurrence of criteria 1-8 in the collection of prooemia.

TABLE 3 : PERCENTAGES

CRI	DEL	PRO	PUB	PRI	TOTAL
A	31.25	28.85	66.67	41.18	34.78
B	-	11.54	22.22	23.53	13.91
C	-	-	11.11	14.71	5.22
D	37.5	30.77	44.44	70.59	44.35
E	6.25	13.46	22.22	23.53	15.65
F	-	-	11.11	29.41	0.57
G	6.25	1.92	-	20.59	7.83
H	18.75	5.77	22.22	11.76	10.43
K	31.25	7.69	11.11	5.88	10.43
1	12.5	1.82	33.33	5.88	6.96
2	37.5	14.55	11.11	26.47	20.87
3	12.5	1.82	11.11	64.71	23.48
4	50	5.45	33.33	52.94	27.83
5	25	5.45	22.22	17.65	13.04
6	43.75	9.1	-	-	10.43
7	-	-	11.11	52.94	16.52
8	6.25	7.27	11.11	17.65	10.43

Criterion D is most widespread with criterion A coming second. As far as particles are concerned $\mu\epsilon\nu$ $\omicron\upsilon\nu$ is well represented and is strongest in the Ecclesia, while $\gamma\acute{\alpha}\rho$ holds sway in the law court. Criteria B, C and F are

absent from deliberative speeches, but criterion B makes six appearances in the collection of prooemia. Ring composition and asyndeton seldom appear in private law suit speeches. Criterion 7, the speaker's opponent, is confined to forensic speeches, while criterion 6, the present situation, may only appear in the deliberative speeches and the prooemia. Criterion G is rare except in forensic speeches in private cases, while criteria H, 1 and 8 are consistently infrequent across the table.

Six speeches, traditionally grouped among the forensic speeches associated with private cases, deal with public matters: orations 42, 50, 51, 53, 58 and 59. Their criterion behaviour can be compared:

Oration 42	D	F	3	4	
Oration 50	B		3		
Oration 51	D		3		
Oration 53	D		3	4	7
Oration 58		K	2		5
Oration 59.1	D	G	3		
Oration 59.16	D		2		5

Oration 58 looks most like a public forensic speech because of the presence of criterion K. The frequency of criterion 3 among the others constitutes a swing towards the private group.

3. COMMON THEMES

(i) *Justice and the Record of One's Life*

A speaker may try to create the impression that justice is on his side and so win the jury's support.

One approach is to ask the jury to come to the aid of a speaker whose arguments seem just. This appeal is made by the speaker of oration 44 who claims that he and his father are relying on the truth and will be content if they can secure their legal rights:

δέομαι δ' ὑμῶν, ὧ ἄνδρες δικασταί, βοηθῆσαι τῷ τε
πατρὶ τούτῳ καὶ ἐμοί, ἐὰν λέγωμεν τὰ δίκαια ...

ἡμεῖς μὲν γὰρ ταῖς ἀληθείαις πιστεύοντες εἰσεληλύθαμεν,
καὶ ἀγαπῶντες, ἂν τις ἡμᾶς ἔῤ τῶν νόμων τυγχάνειν·

44.3

He also claims that he and his father have no experience of law courts and would never have come if they were not trusting in the justice of their case:

εἰ μὴ τῷ δικαίῳ ἐπιστεύομεν, οὐκ ἂν ποτ' εἰσῆλθομεν
εἰς ὑμᾶς.

44.4

A similar appeal is made in an exchange of properties suit. At 42.4 the speaker asks the jury to come to his aid if he can show that his opponent has broken the law and is

a richer person than himself.

δέομαι οὖν ὑμῶν ἀπάντων, ὧ ἄνδρες δικασταί, ἐὰν ἐπιδεικνύω Φαίνιππον τουτονὶ καὶ παραβεβηκότα τὰ ἐν τοῖς νόμοις δίκαια καὶ πλουσιώτερον ὄντα ἑμαυτοῦ, βοηθησαί μοι καὶ τοῦτον εἰς τοὺς τριακοσίους ἀντ' ἐμοῦ καταστήσαι.

42.4

The young Demosthenes says that he has great hopes of receiving justice from the jury:

πολλὰς ἐλπίδας ἔχω καὶ παρ' ὑμῖν τεύξεσθαι τῶν δικαίων

...

27.2

He has already stated that he has been forced to come to court to secure his rights from his opponent:

ἀνάγκη ἐστὶν ἐν ὑμῖν παρ' αὐτοῦ πειρᾶσθαι τῶν δικαίων τυγχάνειν.

27.1

He appeals to the jury to uphold his rights if he seems to have been wronged:

κἂν ἡδίκησθαι δοκῶ, βοηθησαί μοι τὰ δίκαια.

27.3

In oration 30 Demosthenes states that he has come to court to get justice:

ὑπόλοιπὸν ἐστὶν ἐν ὑμῖν πειρᾶσθαι παρ' αὐτοῦ τῶν δικαίων τυγχάνειν.

30.3

He claims that he has an advantage over his opponent because his arguments are more just:

ὅμως μέντοι τοσοῦτον οἶμαι διοίσειν τῷ δικαιοτέρα
τούτου λέγειν, ὥστ' εἰ καί τις ὑμῶν πρότερον τοῦτον
ἠγεῖτ' εἶναι μὴ πονηρόν, ἔκ γε τῶν πρὸς ἐμὲ πεπραγμένων
γνώσεσθαι, ὅτι καὶ τὸν ἄλλον χρόνον ἐλάνθανεν αὐτὸν
κάκιστος ὢν καὶ ἀδικώτατος ἀπάντων.

30.3-4

He hopes to be able to show the jury that he was acting justly when he began proceedings against his opponent:

ὥστ' ὑμᾶς ἅπαντας εἴσεσθαι σαφῶς ὅτι δικαίως καὶ
προσηκόντως οὗτος φεύγει ταύτην ὑπ' ἐμοῦ τὴν δίκην. 30.5

The speaker of oration 40 tells the jury that it is just that they should support him:

ὥστ' ἐμοὶ μὲν δικαίως ἂν ἀδικουμένῳ διὰ πολλὰ
βοηθήσαιτε 40.5

The speaker of oration 36 promises to tell the jury the rights of the case so that once they know the facts they can make a just verdict:

ἀνάγκη δ' ἐστὶν τοῖς ἐπιτηδεύουσιν ἡμῖν, ἃ σύνισμεν

πολλάκις τούτου διεξιόντος ἀκηκοότες, λέγειν και διδάσκειν ὑμᾶς, ἵν' εἰδότες και μεμαθηκότες ὀρθῶς τα δίκαια παρ' ἡμῶν, ἀν ἧ δίκαια και εὖορκα, ταῦτα ψηφίσησθε. 36.1

The implication is that a just verdict is one made in the speaker's favour.

An appeal is made to the jury's impartiality at 48.3:

δέομαι οὖν ὑμῶν, ὧ ἄνδρες δικασταί, ἀκούσαντας ἀμφοτέρων ἡμῶν καὶ αὐτοὺς δοκιμαστὰς τοῦ πράγματος γενομένους μάλιστα μὲν διαλλάξαντας ἀποπέμψαι καὶ εὐεργέτας ἡμῶν ἀμφοτέρων ὑμᾶς γενέσθαι, ἐὰν δ' ἄρα μὴ ἐπιτυχάνητε τούτου, ἐκ τῶν ὑπολοίπων τῶν τὰ δίκαια λέγοντι, τούτῳ τὴν ψῆφον ὑμᾶς προσθέσθαι. 48.3

The speaker would prefer the jury to settle the quarrel by arbitration without litigation: if this is impossible they should vote for the one with the just case. In this way the speaker can simultaneously disclaim litigiousness and express esteem for justice.

The speaker of oration 52 asks the jury to be impartial and to consider the justice of the case when they make their decision:

δέομαι οὖν ὑμῶν, εἴπερ τι καὶ ἄλλο πῶποτε πρᾶγμα αὐτὸ καθ' αὐτὸ ἐδικάσατε, μηδὲ μεθ' ἑτέρων τὴν γνώμην γενόμενοι, μήτε μετὰ τῶν διωκόντων μήτε μετὰ τῶν φευγόντων, ἀλλὰ τὸ δίκαιον σκεψάμενοι, οὕτω καὶ νῦν διαγνῶναι.

52.2

The speaker of oration 24 cites his just acquittal in a previous case against the same opponent:

ἐν δὲ τούτῳ τὸ πέμπτον μέρος τῶν φήφων οὐ μεταβαλὼν
᾿ωφλε χιλίας, ἐγὼ δ', ᾿ωπερ ἦν δίκαιον, μάλιστα μὲν διὰ
τοὺς θεοὺς, ἔπειτα δὲ καὶ διὰ τοὺς δικάζοντας ὑμῶν
ἐσώθην. 24.7

He implies that a just verdict on this occasion would be a vote in his favour.

At 21.8 the speaker asks the jury to make what seems the more just verdict:

εἴ τις οὖν ὑμῶν ἄρα καὶ τὸν ἔμπροσθεν χρόνον τῶν ἰδίων
τινὸς εἵνεκα γίνεσθαι τὸν ἀγῶνα τόνδ' ὑπελάμβανεν, ἐνθυμη-
θεῖς νῦν ὅτι δημοσίᾳ συμφέρει μηδενὶ μηδὲν ἐξεῖναι τοιοῦτο
ποιεῖν, ὡς ὑπὲρ κοινοῦ τοῦ πράγματος ὄντος καὶ προσέχων
ἀκουσάτω, καὶ τὰ φαινόμεν' αὐτῷ δικαιότερ' εἶναι, ταῦτα
ψηφισάσθω. 21.8

He asks them to take into consideration the fact that the case is a matter of public concern and not merely a means to securing personal revenge.

The speaker of oration 25 mentions factors along with the justice of the case which could be taken into consideration by a jury and says that his opponent has none of these:

ὁ δὲ κρινόμενος τῶν μὲν εἰς σωτηρίαν φερόντων ἄλλ'
οὐδ' ὀτιοῦν πάρεσιν ἔχων, οὐ τοὺς ὑπὲρ αὐτοῦ τοῦ

πράγματος λόγους δικαίους, οὐ τὸν ἑαυτοῦ βίον ἀνθρώπινον,
οὐκ ἄλλ' οὐδ' ὀτιοῦν ἀγαθόν· 25.5

The first item, τοὺς ὑπὲρ αὐτοῦ τοῦ πράγματος λόγους δικαίους, corresponds to the definition of 25.3:

πρὸς ἅπαντ' ἔρχονται τὰ δικαστήρια οἱ μὲν δικασταὶ
παρὰ τοῦ κατηγοροῦ καὶ τοῦ φεύγοντος τὸ πρᾶγμα μαθησόμε-
νοι περὶ οὗ δεήσει τὴν ψῆφον ἐνεγκεῖν αὐτούς, οἱ δ'
ἀντίδικοι μεθ' ἑαυτοῦ δείξων ἑκάτερος ὄντα τὰ τῶν νόμων
δίκαια. 25.3

At 25.5 the speaker means that his opponent cannot win the jury's support by producing evidence or by presenting the circumstances of the case, i.e. ὑπὲρ αὐτοῦ τοῦ πράγματος; nor can he show that his claims are supported by just arguments, τοὺς λόγους δικαίους.

The speaker then mentions other factors which an Athenian jury might consider but to which a Scottish jury would pay no heed, τὸν ἑαυτοῦ βίον ἀνθρώπινον . It is difficult to decide what the speaker means when he uses this phrase. G. Mathieu 1947, p.143, translates it, 'vie digne d'un homme' and comments at p.143 n.1:

'Lucien (*Démonax* 21) oppose: *vivre en homme* (ἀνθρωπίζειν) et *vivre en chien* (κυνᾶν); si l'antithèse existait déjà au IVe s., on pourrait supposer que Démosthène évoque l'image du chien du peuple qu'il reprend plus loin (40 et suiv.) explicitement.'

Is the speaker, then, making a joke? His opponent, Aristogeiton, had a nickname, 'the Dog'. When the speaker says, 'He does not have a human life of his own', will his audience understand the suggestion that he has had a dog's life? This is asking too much. The context is not humorous but serious. ἀνθρώπινον does not mean 'human as opposed to canine.' Let us consider the uses of the word in the Demosthenic corpus. It appears with λογισμός and together they mean 'human reasoning':

κατ' ἀνθρώπινον λογισμὸν	18.193
ἀνθρωπίνῳ λογισμῷ	18.300
ἀνθρωπίνου λογισμοῦ	19.300

There is human nature at 61.33, τῆς ἀνθρωπίνης φύσεως; the whole human race at 45.65, ὅλης τῆς ἀνθρωπίνης; poverty common to man at 44.4, ἀπορίας ἀνθρωπίνης. The common limitations of humanity may be mentioned:

πάντα δ' ἀνθρώπινα	20.161
πολλὰ δὲ τ' ἀνθρώπινα	18.308
πολλὰ γάρ ἐστι τ' ἀνθρώπινα	39.14

In these phrases, 'everything is human' and 'many are the human things', the implication is 'anything can happen'. For discussion of human limitations see K.J. Dover 1974, pp.269-71.

The adverb ἀνθρωπίνως is used to mean 'humanely', of the enactment of a law:

σκέψασθε γὰρ ὡς νομίμως καὶ σφόδρ' ἀνθρωπίνως κέτται

23.82

It is used to describe the humane alleviation of disasters:

ἀνθρωπίνως ἐπεκούφισαν ... τὰς συμφορὰς

23.70

There is one use of the adjective where the context is similar to that of 25.5. This occurs at 21.41 where Demosthenes is referring to his opponent's behaviour:

ποία γὰρ πρόφασις, τίς ἀνθρωπίνη καὶ μετρία σιηψις
φανεῖται τῶν πεπραγμένων αὐτῷ;

21.41

Here a 'human excuse' and at 25.5 a 'human life' are expressed as mitigating circumstances of obvious guilt. ἀνθρώπινος describes a human quality which commends a person to a jury when the facts of a particular case and the laws governing such a case condemn him.

The third item mentioned at 25.5 is ὄτιοῦν ἀγαθόν, anything good. The speaker says that his opponent has nothing good at all to commend him to the jury. If ἀγαθόν is used in the sense of a 'benefit' or a 'good turn' the speaker may mean that his opponent has never performed a service on behalf of the state which he can cite to win the jury's favour.

A later passage, 25.76, may throw light on what the

speaker is saying at 25.5:

ἤδη τοίνυν τινὰς εἶδον τῶν ἀγωνιζομένων οἱ τοῖς
πράγμασιν αὐτοῖς ἀλισκόμενοι, καὶ οὐκ ἔχοντες ὡς οὐκ
ἀδικοῦσι δεῖξαι, οἱ μὲν εἰς τὴν τοῦ βίου μετριότητα καὶ
σωφροσύνην κατέφυγον, οἱ δ' εἰς τὰ τῶν προγόνων ἔργα καὶ
λητουργίας, οἱ δ' εἰς ἕτερα τοιαῦτα δί' ὧν εἰς ἔλεον καὶ
φιλανθρωπίαν τοὺς δικάζοντας ἤγαγον. 25.76

The speaker describes more explicitly those alternatives used by men who cannot use the facts of the case or their innocence to impress a jury, τὴν τοῦ βίου μετριότητα καὶ σωφροσύνην, the moderation and self-control of one's life. Perhaps this is what the speaker had in mind at 25.5 when he said τὸν ἑαυτοῦ βίον ἀνθρώπινον, given that the adjective μετρία is used alongside ἀνθρωπίνη at 21.41. For comment on μέτριος see K.J. Dover 1974, p.56 n.18.

Additional grounds for this view are that the next reference at 25.76 could also be considered as an explanation or expansion of the next item at 25.5, ὀτιοῦν ἀγαθόν, the deeds and public services of one's ancestors, τὰ τῶν προγόνων ἔργα καὶ λητουργίας.

What the speaker of oration 25 seems to be saying in these two passages is that when a man is unable to win a jury's support on the merits of his case he can ask them to take into consideration the rest of his life. He may say either that he has led the kind of life which is common to most men, ἀνθρώπινον, i.e. he has led a quiet life without publicity during which he has not done anything

special, but has not done anything wrong either, and thus he can refer to μετριότητα καὶ σωφροσύνην ; or, on the other hand, he can remind his audience of any good deeds or public services accomplished by himself or by other members of his family.

A speaker, of course, may use both methods to win a jury's favour, i.e. the merits of his case and the record of his life. A notable example is oration 18. In the introduction the speaker asks for just treatment, i.e. an impartial hearing in accordance with the judicial oath and the laws. He emphasizes that the judicial oath ensures among other things a defendant's right to arrange his topics as he sees fit:

τὸ καὶ τῆ τάξει καὶ τῆ ἀπολογίᾳ, ὡς βεβούληται καὶ προήρηται τῶν ἀγωνιζομένων ἕκαστος, οὕτως ἔᾶσαι χρήσασθαι.

18.2

This statement is of crucial importance in connection with the charges against which the speaker has to defend himself, or rather his colleague who is being prosecuted for passing an illegal motion on three counts:

(1) because he had proposed a crown for the speaker who still held office and had not yet submitted his accounts;

(2) because he had proposed to proclaim the award in the theatre at the Great Dionysia;

(3) because he had made false statements as to the speaker's worthiness to receive a crown and because it was

illegal for a public record to contain false statements.

Charges (1) and (2) require refutation by the 'merits of the case' method since they are legal technicalities. Charge (3) concerns the character of the speaker and can therefore be approached in the 'record of one's life' manner. The speaker's case is weakest with respect to charges (1) and (2). Therefore his intention is to arrange his speech in such a way as to make most effective use of his arguments against charge (3). He does not want to deal with the charges in their proper order, but to answer charges (1) and (2) very briefly in the middle of his speech after lengthy arguments justifying his own worthiness and before extensive vituperation of his opponent. He hopes that the legal technicalities will be lost when sandwiched between long sections of the speech devoted to personalities. His manoeuvre was entirely successful.

The role of the introduction is very important. Its emphasis of justice gives the impression that the speech which is about to follow will do the same and therefore disguises the fact that the speech has very little to offer in the way of justice. It allows the speaker to neutralize the 'merits of the case' system by exploiting one of its rules to grant himself permission to use the 'record of one's life' system to full advantage.

Oration 18 confirms by practical application the generalizations observed at 25.3, 25.5 and 25.76. A litigant is expected to show that his case is just; if this is difficult or impossible he may show that he is a worthy

member of the community and this will be taken into consideration. In oration 18 Demosthenes acknowledges the esteem in which justice is held by stressing its importance in the introduction. Throughout the speech he demonstrates the success with which a skilful speaker can exploit the system.

(ii) *Litigiousness*

To win approval a speaker may represent himself as a man who makes public speeches only when this is essential and who is not motivated by litigiousness or a love for public speaking. For comment on the popular attitude to litigation see K.J. Dover 1974, pp.187-90, especially p.187, where he says that to call a man 'litigious' was a serious reproach.

(a) Reluctance

A speaker's reluctance to become involved in litigation may be stressed. Thus in inheritance cases a speaker can claim that he would have preferred to settle out of court and that litigation has been forced upon him by his opponent who refused to co-operate:

εἰ μὲν ἐβούλετ' ἄφοβος, ὧ ἄνδρες δικασταί, τὰ δίκαια ποιεῖν ἢ περὶ ὧν διαφερόμεθα τοῖς οἰκείοις ἐπιτρέπειν, οὐδὲν ἂν ἔδει δικῶν οὐδὲ πραγμάτων· ἀπέχρη γὰρ ἂν τοῖς ὑπ' ἐκείνων γνωσθεῖσιν ἐμμένειν, ὥστε μηδεμίαν ἡμῶν εἶναι

πρὸς τοῦτον διαφορὰν. ἐπειδὴ δ' οὗτος τοὺς μὲν σαφῶς
εἰδόμενος τὰ ἡμέτερ' ἔφυγε μηδὲν διαγνῶναι περὶ αὐτῶν, εἰς
δ' ὑμᾶς τοὺς οὐδὲν τῶν ἡμετέρων ἀκριβῶς ἐπισταμένους
ἐλήλυθεν, ἀνάγκη ἐστὶν ἐν ὑμῖν παρ' αὐτοῦ πειρᾶσθαι τῶν
δικαίων τυγχάνειν.

27.1

To corroborate the claim of compulsion a speaker might add that his zeal for finding an alternative to litigation was such that he would have considered himself blame-worthy if he had preferred troublesome lawsuits to a small loss:

ἀναγκάζομαι πρὸς τοῦτονὶ περὶ τῶν καταλειφθέντων
δικάζεσθαι. καὶ εἰ μὲν, ὧ ἄνδρες δικασταί, μὴ πᾶσαν
σπουδὴν καὶ προθυμίαν ἐποίησάμην βουλόμενος διαλύεσθαι
καὶ τοῖς φίλοις ἐπιτρέπειν, ἐμαυτὸν ἂν ἠτιώμην, εἰ μᾶλλον
ἠρούμην δίκας καὶ πράγματ' ἔχειν ἢ μικρ' ἐλαττωθεὶς
ἀνέχεσθαι.

41.1

To invalidate the stigma associated with the prosecution of a relative the speaker of oration 48 combines alternative approaches for concomitant concentration on his opponent's wrong-doing and his own reluctance to prosecute:

οὐ βουλόμενος γάρ, ὧ ἄνδρες δικασταί, ἀγωνίζεσθαι πρὸς
'Ολυμπιόδωρον οἰκετὸν ὄντα καὶ ἀδελφὴν τούτου ἔχων, ἠνάγκα-
σμαι διὰ τὸ μεγάλ' ἀδικεῖσθαι ὑπὸ τούτου.

48.1

The magnitude of the wrong-doing has forced the speaker to prosecute despite his unwillingness. If he were

embarking on this course without having been wronged or were trumping up a false charge or were unwilling to refer the matter to mutual friends or were refusing to adopt any other fair course of action the speaker would be thoroughly ashamed:

εἰ μὲν οὖν μὴ ἀδικούμενος, ὡς ἄνδρες δικασταί, ἀλλὰ
ψεῦδος τι ἐγκαλῶν Ὀλυμπιοδώρῳ τούτων τι ἐποιοῦν, ἢ τοῖς
ἐπιτηδεύουσιν τοῖς ἐμοῖς καὶ Ὀλυμπιοδώρου μὴ ἐθέλων ἐπι-
τρέπειν, ἢ ἄλλου τινὸς τῶν δικαίων ἀφιστάμενος, εὖ ἴστε
ὅτι πάνυ ἂν ἠσχυρόμην καὶ ἐνόμιζον ἂν ἐμαυτὸν φαῦλον εἶναι
ἄνθρωπον· 48.2

After a discussion of what might have been, the speaker states his version of the facts of the case:

νῦν δ' οὔτε μικρὰ ἐλαττούμενος ὑπὸ Ὀλυμπιοδώρου, οὔτε
διαλλακτὴν οὐδένα φεύγων ... 48.2

Again the two elements: the loss faced by the speaker is not small; the speaker does not refuse arbitration. Finally the speaker affirms under oath that he has been forced to prosecute and does so most unwillingly:

οὔτ' αὖ μὰ τὸν Δία τὸν μέγιστον ἐκῶν, ἀλλ' ὡς οἶδόν τε
μάλιστα ἄκων, ἠνάγκασμαι ὑπὸ τούτου ἀγωνίζεσθαι ταύτην τὴν
δίκην. 48.2

The speaker of oration 40 accuses his opponents of forcing him into litigation:

ἀναγκάζουσι δ' ἐμὲ δικάζεσθαι αὐτοῖς. 40.5

At 40.3 he claims that he has come to the jury as a last resort after many years spent attempting unsuccessfully to settle out of court:

παρὰ δὲ τούτων ἐν ἔνδεκα ἔτεσιν οὐ δυναμένους τυχεῖν τῶν μετρίων, ἀλλὰ νῦν εἰς ὑμᾶς βοηθοῦς καταπεφευγώς. 40.3

The aim of the argument based on an alleged preference for settlement out of court is to give the speaker an attractive image as an actual or prospective victim who, to avoid litigation, would suffer a small loss and would spend much time and effort investigating alternative solutions. He turns to litigation only after much heart-searching, with very great reluctance, and as a last resort when forced by the resistance of his opponent. With this image the speaker hopes to refute the charge of litigiousness and to win the approval of the jury.

This technique may be adjusted for use in the

Ecclesia. At 4.1 the speaker explains why he has decided to come forward as the first speaker to open the debate:

εἰ μὲν περὶ καινοῦ τινος πράγματος προύτιθαι, ὧ ἄνδρες Ἀθηναῖοι, λέγειν, ἐπισχῶν ἂν ἕως οἱ πλεῖστοι τῶν εἰωθότων γνώμην ἀπεφήναντο, εἰ μὲν ἤρεσκε τί μοι τῶν ὑπὸ τούτων ῥηθέντων, ἡσυχίαν ἂν ἤγον, εἰ δὲ μή, τότε ἂν καὶ αὐτὸς ἐπειρώμην ἃ γιγνώσκω λέγειν· ἐπειδὴ δ' ὑπὲρ ὧν πολλάκις εἰρήκασιν οὗτοι πρότερον συμβάλνει καὶ νυνὶ σκοπεῖν, ἡγοῦμαι καὶ πρῶτος ἀναστὰς εἰκότως ἂν συγγνώμης τυγχάνειν. εἰ γὰρ ἐκ τοῦ παρεληλυθότος χρόνου τὰ δέονθ' οὗτοι συνεβούλευσαν, οὐδὲν ἂν ὑμᾶς νῦν ἕδει βουλευέσθαι.

4.1

This is the first time in his career as a statesman that Demosthenes has not waited for his customary place in the order of precedence of Ecclesia speakers. To avoid the charge of presumption he must justify his action. In conditional sentences he mentions the circumstances which would have caused him either to remain silent or to wait his turn. His justification is that these conditions have not been fulfilled and the responsibility for this lies with the other speakers. Thus he hopes to divert disapproval from himself to his opponents.

This approach is identical to the one used by the speaker of 27.1, where the plaintiff blames his opponent for the necessity of litigation. The conditions on which the plaintiff would have agreed to settle out of court have not been fulfilled.

(b) Denial

A speaker may avoid the charge of litigiousness by downright denial:

οὐδεμιᾷ φιλοπραγμοσύνη ... τὴν δίκην ταύτην ἔλαχον
... 39.1

For comment on the popular use of φιλοπραγμοσύνη see K.J. Dover 1974, p.188. There is direct denial at 53.1:

οὐ συκοφαντῶν ... 53.1

The denial of 53.1 is reinforced by a statement of the risk incurred for the speaker in a malicious suit:

οὐ γὰρ δήπου συκοφαντεῖν γε βουλόμενος ἀπέγραφα μὲν
ἂν πένθ' ἡμιμναίων ἄξια ἀνδράποδα, ὡς αὐτὸς ὁ ἀμφισβητῶν
τετίμηται αὐτά, ἐκινδύνευον δ' ἂν περὶ τε χιλίων δραχμῶν
καὶ τοῦ μηδέποτε μηδένα αὐθις ὑπὲρ ἑμαυτοῦ γράφασθαι·

53.1

Oration 53 is an ἀπογραφὴ speech. The speaker has lodged information about property which he alleges is possessed by a state-debtor. If he can prove his case he is entitled to receive three-fourths of the confiscated property. If he cannot, he is liable to a fine of a thousand drachmas and removal of the right to be a public prosecutor again. This deterrent law governed public cases and is referred to at 58.6:

ὁ νόμος οὕτως ... τοῖς προαιρουμένοις ἢ γράφεσθαι
γραφὰς ἢ φαίνειν ἢ ἄλλο τι ποιεῖν τῶν ἐν τῷ νόμῳ τούτῳ
γεγραμμένων προλέγει διαρρήδην, ἐφ' οἷς ἕκαστόν ἐστιν
τούτων ποιητέον ... ἐὰν ἐπεξιὼν τις μὴ μεταλάβῃ τὸ πέμπτον
μέρος τῶν ψήφων, χιλίας ἀποτίνειν, κἂν μὴ ἐπεξίῃ ... χιλίας
ἑτέρας, ἵνα μήτε συκοφαντῆ μηδεὶς, μήτ' ἄδειαν ἔχων ἐργο-
λαβῆ καὶ καθυφιῆ τὰ τῆς πόλεως. 58.6

To add further conviction to his denial the speaker of
oration 53 relinquishes his right to claim three-fourths of
the confiscated property:

τὰ μὲν τρία μέρη, ἃ ἐκ τῶν νόμων τῷ ἰδιώτῃ τῷ ἀπογρά-
φαντι γίνεται, τῇ πόλει ἀφίημι, αὐτῷ δ' ἐμοὶ τετιμωρῆσθαι
ἄρκεῖ μόνον. 53.2

In this way the speaker shows that he is not motivated
by the hope of gain as a malicious speaker might have been.
He claims that his motive is purely a desire for revenge.

(c) Motive

This introduces another argument used by Demosthenic
speakers to avert the suspicion of litigiousness: the
statement of a motive for bringing suit.

(1) Revenge.

Speakers want to give the impression that they have a good reason for instituting proceedings. One reason given is the desire to exact vengeance for injuries received. Vengeance is expressed by τιμωρίαν λαμβάνειν or by τιμωρεῖσθαι:

τιμωρίαν ὑπὲρ ὧν ἐπεπόνθειν λαβεῖν 24.8

τιμωρούμενος ἀγωνιοῦμαι 59.1

οἶδμενος δεῖν τιμωρεῖσθαι 53.1

ἡγησάμην δεῖν ἐπὶ τῷ τιμωρήσασθαι μεθ' ὑμῶν 58.1
τοῦτον ...

The expression δίκην λαμβάνειν is used on two occasions:

δίκην παρὰ τῶν αἰτίων ἦκω ληψόμενος παρ' ὑμῖν 45.1

Εὐκτιήμων ... οἴεται δεῖν ... δίκην ὑπὲρ αὐτοῦ λαβεῖν,
τοῦτο κἀγὼ πειράσομαι ποιεῖν 22.1

H.G. Liddell and R. Scott 1940, p.430, define δίκη as 'proceedings instituted to determine legal rights, hence 1. lawsuit 2. trial 3. the object or consequence of the action, atonement, satisfaction, penalty.' For δίκην λαμβάνειν they suggest 'inflict punishment or take vengeance.' τιμωρία is defined, p.1795, as 'retribution,

vengeance (differing from κόλασις , corrective punishment); τιμωρίαν λαμβάνειν is to 'exact vengeance'.

Given the variety of meanings for δίκη and the preciseness of τιμωρία one might argue that each word had its own nuance when used with λαμβάνειν: that δίκην λαμβάνειν is impersonal, δίκη having associations with legal concepts such as lawsuit, trial and penalty; whereas τιμωρίαν λαμβάνειν which has no associations outside vengeance is therefore more likely to move an audience to sympathy for a speaker and indignation at his opponent; and that consequently the two expressions might be distinguished in different circumstances. However, in the Demosthenic corpus the two expressions are used synonymously. This is evident from comparison of 22.1 and 24.8. In both cases the speaker says that he wants revenge on Androtion, the defendant in oration 22. At 24.8 the speaker, Diodorus, for whom Demosthenes wrote orations 22 and 24, refers back to the circumstances of oration 22, and reminds his audience of his objective on that occasion:

βοηθησαί θ' ἅμα τῇ πόλει καὶ τιμωρίαν ὑπὲρ ὧν ἐπέπον-
θεν λαβεῖν. 24.8

At 22.1 he had said that he would try to do the same as his colleague, Euctemon, whose objective was ἅμα τῇ τε πόλει βοηθεῖν ... καὶ δίκην ὑπὲρ αὐτοῦ λαβεῖν . It seems that the expressions δίκην λαβεῖν and τιμωρίαν λαβεῖν are interchangeable and that the writer is motivated by a desire for variety.

Injury is expressed by ἀδικεῖσθαι:

ἀδικούμενος	53.1
ἡδίκημεθα	59.1
ἡδικημένος	59.16
ἡμῖν αὐτοῖς ἀδικουμένοις	34.2

At 48.1 the theme is generalized:

ἀναγκαῖον ἴσως ἐστίν ... εἰσιέναι εἰς δικαστήριον,
ἐπειδαν ὑπό τινος ἀδικῶνται. 48.1

Alternatively a speaker may say that he has suffered terrible wrongs:

πολλὰ καὶ δεινὰ παθῶν	40.1
παθῶν ... κακῶς	22.1
παθῶν ... ὑβριστικὰ καὶ δεινὰ	45.1
ὑβρισθεῖς ... καὶ παθῶν ... τοιαῦτα	54.1

Specific descriptions of injuries may be found in an introduction:

οὐ γὰρ μόνον ἀτύχημά μοι ἐξ ἀρχῆς ἐγένετο, διότι Πλαγγῶν ἡ τούτων μήτηρ ἐξαπατήσασα τὸν πατέρα μου καὶ ἐπιλοκήσασα φανερώς, ἠνάγκασεν αὐτὸν ὑπομεῖναι τούτους ποιήσασθαι, καὶ διὰ τοῦτο τὰ δύο μέρη τῶν πατρῶων ἀπεστερήθην· ἀλλὰ πρὸς τούτοις ἐξεληλάμαι μὲν ἐκ τῆς πατρῶας οἰκίας ὑπὸ τούτων, ἐν ἧ καὶ ἐγενόμην καὶ ἐτρέφην, καὶ εἰς ἣν οὐχ ὁ πατὴρ αὐτοῦς ἀλλ' ἐγὼ τελευτήσαντος

ἐκείνου παρεδεξάμην, ἀποστεροῦμαι δὲ τὴν προΐα τῆς ἑμαυτοῦ
μητρός, περὶ ἧς νυνὶ δικάζομαι ...

40.2-3

Christian morality condemns revenge. In Classical Greece revenge was an element of the virtue of helping one's friends and harming one's enemies. For discussion see K.J. Dover 1974, pp.180-84.

F.A. Paley and J.E. Sandys 1896, pp.132-33, comment on the speaker of oration 53:

'So far from being actuated by a spirit of petty and vexatious litigiousness, he has been inspired by what an Athenian tribunal would regard as a thoroughly legitimate motive, the motive of revenge.'

Paley and Sandys also quote Wilkins, *Light of the World*, p.30:

'To avoid the fatal charge of *sycophantia*, any one prosecuting a fellow-citizen for some public offence endeavoured to shew that he had private and personal grounds of enmity against the accused; and if he succeeded in proving this, it was considered the most natural and reasonable thing in the world that he should endeavour to satisfy his hatred by becoming public prosecutor.'

The speaker of oration 21 says exactly this:

ἐγὼ δ' ὅπερ ἂν καὶ ὑμῶν ἕκαστος ὑβρισθεὶς προεἴλετο
πρᾶξαι, τοῦτο καὶ αὐτὸς ἐποίησα, καὶ προὔβαλόμην ἀδικεῖν

He reacted in the way any of his audience would have done had he received the same treatment: he instituted the procedure, *probole*. He adds that many people urged him to do this:

πολλοί μοι προσιδόντες, ὧ ἄνδρες δικασταί, καὶ τῶν ἐν τῷ δικαστηρίῳ νῦν ὄντων ὑμῶν καὶ τῶν ἄλλων πολιτῶν ἤξιουν καὶ παρεκελεύοντ' ἐπεξελεθεῖν καὶ παραδοῦναι τοῦτον εἰς ὑμᾶς, ὡς μὲν ἐμοὶ δοκεῖ, δι' ἀμφοτέρ', ὧ ἄνδρες Ἀθηναῖοι, νῆ τοὺς θεοὺς, καὶ δεινὰ πεπονθέναι νομίζοντες ἐμὲ καὶ δίκην ἅμα βουλόμενοι λαβεῖν ὧν ἐπὶ τῶν ἄλλων ἐτεθέαντο θρασὺν ὄντα καὶ βδελυρὸν καὶ οὐδὲ καθεκτὸν ἔτι.

21.2

At 59.1 the infliction of injury is emphasized as the source from which the court case originated:

... ἡδίκημέθα ὑπὸ Στεφάνου μεγάλα ... ὥστε οὐχ ὑπάρχων ἀλλὰ τιμωρούμενος ἀγωνιοῦμαι τὸν ἀγῶνα τουτονί· 59.1

The speaker claims that he is motivated by revenge, not by the desire to begin proceedings. By citing injury and the natural desire for revenge the speaker hopes to transfer from himself to his opponent the responsibility for starting litigation. One speaker actually says that his opponent is responsible:

αἴτιος μὲν ἐστι Λεωχάρης οὗτοςί, ὧ ἄνδρες δικασταί,

τοῦ καὶ αὐτὸς κρίνεσθαι ...

44.1

His alleged crime was to have made a false affidavit in an attempt to rob the speaker of his inheritance.

Note at 54.1 the intensity of a young man's desire for revenge which had to be tempered by his friends:

δι' ἐκείνους ἰδίαν ἔλαχον δίκην, ἥδιστ' ἄν, ὧ ἄνδρες
'Αθηναῖοι, θανάτου κρίνας τουτονί. 54.1

The acquisition of revenge may be considered a duty:

οἰόμενος δεῖν τιμωρεῖσθαι 53.1

ἡγησάμην δεῖν ἐπι τῷ τιμωρεῖσθαι 58.1

Litigation is expressed as a necessary response to injury at 40.1:

ἀναγκάζεται πολλὰ καὶ δεινὰ παθῶν ὑπ' αὐτῶν εἰσιέναι
εἰς δικαστήριον. 40.1

This view is applied even to those who lack experience and skill, as at 48.1:

ἀναγκαῖον ἴσως ἐστίν, ὧ ἄνδρες δικασταί, καὶ τοὺς μὴ
εἰωθότας μηδὲ δυναμένους <εἶπετν> εἰσιέναι εἰς δικαστήριον,
ἐπειδὴν ὑπὸ τίνος ἀδικῶνται 48.1

Failure to seek redress is frowned upon by the speaker

of oration 34:

δεινὸν ἡγοῦμεθ' εἶναι τὸ μὴ βοηθῆσαι ἡμῖν αὐτοῖς ἀδικουμένοις ὑπὸ τούτου. 34.2

The speaker of oration 53 says that the most culpable behaviour is to be wronged yourself and to allow another to take up your case:

ἀλλὰ τῶν ἐν ἀνθρώποις ἀπάντων ἡγησάμενος δεινότατον εἶναι ἀδικεῖσθαι μὲν αὐτός, ἕτερον δ' ὑπὲρ ἐμοῦ τοῦ ἀδικουμένου τοῦνομα παρέχειν. 53.2

Personal appearance in court is cited as evidence of injury, on the ground that no one would file information on behalf of a victim of wrongdoing other than himself:

καὶ εἶναι ἂν τι τούτοις τοῦτο τεκμήριον, ὅποτε ἐγὼ λέγοιμι τὴν ἔχθραν πρὸς ὑμᾶς, ὡς ψεύδομαι (οὐ γὰρ ἂν ποτε ἕτερον ἀπογράψαι, εἴπερ ἐγὼ αὐτὸς ἡδικοῦμην), διὰ μὲν ταῦτ' ἀπέγραψα. 53.2

Perhaps so many speeches were motivated by the desire for revenge that when a speaker claimed to have no such motive he had to assure his audience that he was not litigious and to state his real motive:

μηδεὶς ὑμῶν, ὦ ἄνδρες Ἀθηναῖοι, νομίση μήτ' ἰδίως ἔχθρας ἐμὲ μηδεμιᾶς ἔνεχ' ἦκειν Ἀριστοκράτους κατηγορήσοντα τουτουί, μήτε μικρὸν ὀρῶντά τι καὶ φαῦλον ἀμάρτημ'

ἑτοίμως οὕτως ἐπὶ τούτῳ προάγειν ἑμαυτον εἰς ἀπέχθειαν,
ἀλλ' εἴπερ ἄρ' ὀρθῶς ἐγὼ λογίζομαι καὶ σκοπῶ, ὑπὲρ τοῦ
Χερρόνησον ἔχειν ὑμᾶς ἀσφαλῶς καὶ μὴ παρακρουσθέντας
ἀποστερηθῆναι πάλιν αὐτῆς, περὶ τούτου μοί ἐστιν ἄπασ'
ἡ σπουδή.

23.1

K.J. Dover 1974, pp.188-89, observes similar behaviour
in Lycurgus:

'Lyk. *Leokr.* 3: Now it has come to such a pass
that a man who takes the risk on himself and incurs enmity
through his defence of the common interest is regarded not
as patriotic (*philopolis*) but as *philopragmon* ...
5f.: I have brought this indictment not through any enmity
... but because I thought it shameful to see how Leokrates
... has become a reproach to our fatherland ... For a good
(*dikaios*) citizen ought not to bring to trial, through
his own enmities, men who have done the city no wrong, but
to regard as his own enemies those who transgress against
our fatherland.'

Dover, p.189, comments:

'In this passage the speaker's need to disclaim
motivation by personal enmity explains why a man who
insisted that the prosecutions which he initiated were
disinterested should have been mistrusted as
philopragmon.'

The surest way to avoid the charge of litigiousness

was to represent oneself as a victim of injury seeking revenge.

(2) To Resolve an Inheritance Dispute.

In inheritance cases a speaker may express a motive connected with the solution, in his own favour, of an inheritance dispute. At 39.1 this follows a denial of litigiousness:

οὐδεμιᾶ φιλοπραγμοσύνη μὰ τοὺς θεοὺς, ὧ ἄνδρες δικασταί, τὴν δίκην ταύτην ἔλαχον Βοιωτῶ, οὐδ' ἠγνόουν ὅτι πολλοῖς ἄτοπον δόξει τὸ δίκην ἐμὲ λαγχάνειν, εἴ τις ἐμοὶ ταύτῳ ὄνομ' οἴεται δεῖν ἔχειν· ἀλλ' ἀναγκαῖον ἦν ἐκ τῶν συμβησομένων, εἰ μὴ τοῦτο διορθώσομαι, ἐν ὑμῖν κριθῆναι.

39.1

The speaker's presence in court is not due to litigiousness but necessary for the fulfilment of his alleged objective. In orations 27 and 30 the speaker says that he is in court to try to win his rights, τῶν δικαίων τυγχάνειν:

ἐπειδὴ δ' οὗτος τοὺς μὲν σαφῶς εἰδόμενος τὰ ἡμέτερον ἔφυγε μηδὲν διαγνώσκειν περὶ αὐτῶν, εἰς δ' ὑμᾶς τοὺς οὐδὲν τῶν ἡμετέρων ἀκριβῶς ἐπισταμένους ἐλήλυθεν, ἀνάγκη ἐστὶν ἐν ὑμῖν παρ' αὐτοῦ πειρᾶσθαι τῶν δικαίων τυγχάνειν. 27.1

ἐπειδὴ οὖν συναποστερεῖ τέ με τῶν ὄντων τῷ ἑαυτοῦ κηδεστίῳ, πιστεύων τ' εἰς ὑμᾶς εἰσελήλυθεν ταῖς αὐτοῦ

παρασκευαῖς, ὑπόλοιπόν ἐστὶν ἐν ὑμῖν πειρᾶσθαι παρ' αὐτοῦ
τῶν δικαίων τυγχάνειν. 30.3

In oration 40 the speaker's reason for speaking in court is to prevent the loss of his mother's dowry:

ἀποστεροῦμαι δὲ τὴν προῖκα τῆς ἑμαυτοῦ μητρός, περὶ ἧς
νυνὶ δικάζομαι 40.3

In oration 41 the speaker's motive is to settle a dispute about property left to two sisters, one of whom is his wife, the other being his opponent's wife:

ἀναγκάζομαι πρὸς τουτονὶ περὶ τῶν καταλειφθέντων
δικάζεσθαι. 41.1

(3) To Prove Entitlement to Citizenship.

This motive arises from the subject matter of oration 57. The speaker, Euxitheus, has been reduced to the status of resident alien by members of his deme and is now appealing against this decision. He speaks in reply to Eubulides, prefect of the deme:

πολλὰ καὶ ψευδῆ κατηγορηκότος ἡμῶν Εὐβουλίδου, καὶ
βλασφημίας οὔτε προσηκούσας οὔτε δικαίας πεποιημένου,
πειράσομαι τάληθῆ καὶ τὰ δίκαια λέγων, ὧ ἄνδρες δικασταί,
δεῖξαι καὶ μετὸν τῆς πόλεως ἡμῖν καὶ πεπονθότ' ἑμαυτὸν
οὐχὶ προσήκονθ' ὑπὸ τούτου. 57.1

The speaker also hopes to show that he has suffered unjustly at the hands of his opponent, a natural desire for revenge with which his audience can sympathize.

(4) To Win a Decisive Discharge from Claims.

Oration 36 is a *paragraphe* which has been initiated to stop a suit claiming twenty talents on the grounds that the defendant has already received from the plaintiff a discharge from all claims. The speaker of oration 36, a friend of the defendant, says that their aim is to win a discharge which will be final:

τὴν μὲν οὖν παραγραφὴν ἐποιησάμεθα τῆς δίκης, οὐχ ἵν' ἐκκρούοντες χρόνους ἐμποιῶμεν, ἀλλ' ἵνα τῶν πραγμάτων, ἐὰν ἐπιδείξῃ μηδ' ὀτιοῦν ἀδικοῦνθ' ἑαυτον οὕτωσ', ἀπαλλαγὴ τις αὐτῷ γένηται παρ' ὑμῖν κυρία. 36.2

Notice the denial of litigiousness and the condition, ἐὰν ἐπιδείξῃ ..., similar to the formulaic appeal made at 27.3 and 40.5, come to my aid if I seem to have been wronged. 37.1 is very similar:

δεδωκότων, ὧ ἄνδρες δικασταί, τῶν νόμων παραγράψασθαι περὶ ὧν ἂν τις ἀφείς καὶ ἀπαλλάξας δικάζεται, γεγεννημένων ἀμφοτέρων μοι πρὸς Πανταίνετον τουτονί, παρεγραψάμην, ὡς ἠκούσατ' ἀρτίως, μὴ εἰσαγώγιμον εἶναι τὴν δίκην, οὐκ οἶδμενος δεῖν ἀφεῖσθαι τοῦ δικαίου τούτου, οὐδ', ἐπειδὴν ἐξελέγξω πρὸς ἅπασιν τοῖς ἄλλοις καὶ ἀφεικότα τοῦτον ἑμαυτὸν καὶ ἀπηλλαγμένον, ἐγγενέσθαι τούτῳ μὴ φάσκειν ἀληθῆ

με λέγειν, καὶ ποιεῖσθαι τεκμήριον ὥς, εἴπερ ἐπράχθη τι τοιοῦτον, παρεγραψάμην ἂν αὐτόν, ἀλλ' ἐπὶ ταύτης τῆς σκήψεως εἰσελθὼν ἀμφοτέρ' ὑμῖν ἐπιδειξαι, καὶ ὥς οὐδὲν ἠδίκηκα τοῦτον καὶ ὥς παρὰ τὸν νόμον μοι δικάζεται. 37.1

For definitions of *aphesis* and *apallage* see M.H. Hansen and S. Isager 1975, p.127.

(iii) *The Speaker's Disadvantage*

To gain sympathy a speaker may create the impression that he is at a disadvantage in comparison with his opponent. He may either make an explicit statement or describe circumstances which suggest that he is at a disadvantage.

(a) I am at a disadvantage.

The speaker of oration 18 actually says that he is at a disadvantage':

ἔγωγ' ἐλαττοῦμαι 18.3

His disadvantage is twofold. First, he has more at stake than his opponent; second, his subject may be disagreeable to the audience: he has to speak about his own achievements:

πολλὰ μὲν οὖν ἔγωγ' ἐλαττοῦμαι κατὰ τουτονὶ τὸν ἀγῶν'

Αίσχλινου, δύο δ', ὧ ἄνδρες Ἀθηναῖοι, καὶ μεγάλα, ἐν μὲν ὅτι οὐ περὶ τῶν ἴσων ἀγωνίζομαι· οὐ γὰρ ἔστιν ἴσον νῦν ἐμοὶ τῆς παρ' ὑμῶν εὐνοίας διαμαρτεῖν καὶ τούτῳ μὴ ἔλεῖν τὴν γραφήν, ἀλλ' ἐμοὶ μὲν - οὐ βούλομαι δυσχερὲς εἶπεῖν οὐδὲν ἀρχόμενος τοῦ λόγου, οὗτος δ' ἐκ περιουσίας μου κατηγορεῖ. ἕτερον δ', ὃ φύσει πᾶσιν ἀνθρώποις ὑπάρχει, τῶν μὲν λοιδοριῶν καὶ τῶν κατηγοριῶν ἀκούειν ἡδέως, τοῖς ἐπαινοῦσι δ' αὐτοὺς ἄχθεσθαι· τούτων τοίνυν ὃ μὲν ἔστι πρὸς ἡδονήν, τούτῳ δέδοται, ὃ δὲ πᾶσιν ὡς ἔπος εἶπεῖν ἐνοχλεῖ, λοιπὸν ἐμοί. 18.3-4

The expression of the first disadvantage enables the speaker to flatter his audience by stressing the value to him of their goodwill. The second enables him to avert any prejudice that his audience might have against those who sing their own praises.

(b) Unequal risk.

The speaker of oration 24 also complains that he has more at stake than his opponent:

καὶ τοσοῦτῳ ῥᾶδόν ἐστ' ἰδίᾳ τινὰς θεραπεύειν ἢ τῶν ὑμετέρων δικαίων προΐστασθαι, ὥσθ' οὗτος μὲν ἔχει παρ' ἐκείνων ἀργύριον καὶ οὐ πρότερον τοῦτον εἰσήνεγκε ὑπὲρ αὐτῶν τὸν νόμον, ἐμοὶ δ' ἐν χιλίαις ὑπὲρ ὑμῶν ὁ κίνδυνος· τοσοῦτ' ἀπέχω τοῦ λαβεῖν τι παρ' ὑμῶν. 24.3

The risk mentioned by the speaker is a fine of a

thousand drachmas imposed on prosecutors who failed to get one fifth of the votes of the jury. The speaker later cites an occasion when this happened to a friend of his opponent in an action against the speaker:

ἐν δὲ τούτῳ τὸ πέμπτον μέρος τῶν ψήφων οὐ μεταλαβὼν
ὥφλε χιλίας 24.7

(c) I am weaker.

The speaker of oration 27 says that he is weaker than his opponents:

τούτων καταδεέστερος ὢν 27.2

This word appears only three times in the Demosthenic corpus, always in the comparative. In the Second Letter it is used to describe the power of the city of Troezen in contrast to the goodwill of the men who live there:

ὁρῶ δὲ τὴν μὲν εὖνοιαν τῶν ἀνδρῶν μεγάλην, τὴν δ' εἰς
τὸ παρὸν δύναμιν καταδεεστέραν ... II.20

The meaning here is 'too weak'. The adverb is used at 48.55 to describe the speaker's wife and daughter in contrast to his opponent's mistress:

πῶς γὰρ οὐκ ἀδικοῦνται ἢ πῶς οὐ δεινα πάσχουσιν, ἐπει-
δὴν ὁρῶσι τὴν μὲν τούτου ἐταίραν περαιτέρω τοῦ καλῶς ἔχον-
τος καὶ χρυσία πολλὰ ἔχουσιν καὶ ἱμάτια καλά, καὶ ἐξόδους

λαμπρὰς ἐξιοῦσαν, καὶ ὑβρίζουσιν ἐκ τῶν ἡμετέρων, αὐταὶ δὲ
καταδεεστέρως περὶ ταῦτα ἔχουσιν ἅπαντα, πῶς οὐκ ἐκεῖναι
μᾶλλον ἔτι ἀδικοῦνται ἢ ἐγώ; 48.55

The meaning here is 'weaker' in respect of wealth.

At 27.2 the speaker may be referring to wealth when he says that he is weaker since he is prosecuting a relative who has embezzled his inheritance. However, the context immediately preceding the reference is that of ability in the law courts: his opponents are able speakers who are capable of preparing a case well while the speaker has no experience of the law courts on account of his youth. Therefore the meaning here is 'weaker' in regard to forensic skill:

οἶδα μὲν οὖν, ὧ ἄνδρες δικασταί, ὅτι πρὸς ἄνδρας καὶ
λέγειν ἱκανοὺς καὶ παρασκευάσασθαι δυναμένους χαλεπὸν ἔστιν
εἰς ἀγῶνα καθίστασθαι περὶ τῶν ὄντων ἁπάντων, ἄπειρον ὄντα
παντάπασι πραγμάτων διὰ τὴν ἡλικίαν· ὅμως δέ, κάλπερ πολὺ
τούτων καταδεέστερος ὢν, πολλὰς ἐλπίδας ἔχω ... 27.2

At 41.2 the speaker says that the risk involved for himself and his opponent is not equal:

καὶ νῦν κινδυνεύω μὲν οὐδὲν ὁμοίως τούτῳ πρὸς τουτονὶ
τὸν ἀγῶν' ἔχειν, ἀλλ' οὗτος μὲν ῥαδίως φέρει πολλάκις εἰθι-
σμένος ἐνταῦθ' εἰς ὑμᾶς παριέναι, ἐγὼ δ' αὐτὸ τοῦτο φοβοῦμαι,
μὴ διὰ τὴν ἀπειρίαν οὐ δυνηθῶ δηλῶσαι περὶ τῶν πραγμάτων ὑμῖν·
41.2

Again the disadvantage is due to disparity in forensic skill. The reference to an opponent's frequent appearances in court may be a veiled charge of litigiousness.

(d) Lack of skill.

Lack of skill is cited by the speaker of oration 52 in contrast to an opponent who has a reputation for, and skill in, speaking, and who dares to lie, and who has a supply of witnesses:

οὐκ ἔστι χαλεπώτερον οὐδέν, ὥ ἄνδρες δικασταί, ἢ ὅταν ἄνθρωπος δόξαν ἔχων καὶ δυνάμενος εἰπεῖν τολμᾷ ψεύδεσθαι καὶ μαρτύρων εὐπορῆ. ἀνάγκη γάρ ἐστιν τῷ φεύγοντι μηκέτι περὶ τοῦ πράγματος μόνον λέγειν, ἀλλὰ καὶ περὶ αὐτοῦ τοῦ λέγοντος, ὡς οὐκ εἰκὸς αὐτῷ διὰ τὴν δόξαν πιστεύειν. εἰ γὰρ ἔθος καταστήσετε τοῖς δυναμένοις εἰπεῖν καὶ δόξαν ἔχουσι μᾶλλον πιστεύειν ἢ τοῖς ἀδυνατωτέροις, ἐφ' ὑμῖν αὐτοῖς ἔσεσθε τὸ ἔθος τοῦτο κατεσκευακότες.

52.1-2

(e) Lack of support.

The speaker of oration 51 complains that his opponent has more supporters than he has. He claims that he has only one ally in contrast to his opponent's very many:

εἰ μὲν ὅτῳ πλεῖστοι συνείποιεν, ὥ βουλή, τὸ ψήφισμ' ἐκέλευε δοῦναι τὸν στέφανον, κἂν ἀνόητος ᾖ εἰ λαβεῖν αὐτὸν ἡξίουν, Κηφισοδότου μόνου μοι συνειρηκότες, τούτοις

δὲ παμπόλλων.

51.1

The speaker of oration 58 alleges that all his supporters have gone over to the enemy:

προδέδομαι (τὰ γὰρ ἀληθῆ πρὸς ὑμᾶς εἰρήσεται) ὑπ' ἀνθρώπων, οἱ πιστευθέντες ὑφ' ἡμῶν διὰ τὴν πρὸς τοῦτον ἔχθραν, καὶ πυθόμενοι τὰ πράγματα καὶ φήσαντες ἐμοὶ συναγωνιεῖσθαι, ἐγκαταλελοίπασιν νυνὶ με καὶ διαλέλυνται πρὸς τοῦτον ἐν τοῖς ἐμοῖς πράγμασιν, ὥστε μοι μηδὲ τὸν συνεροῦντ' εἶναι, ἐὰν μή τις ἄρα τῶν οἰκείων βοηθήσῃ.

58.4

(f) Inexperience.

Inexperience may be cited to minimize the likelihood of litigiousness. K.J. Dover 1974, p.189, says:

'Inexperience of legal procedures ... could be treated as a positive commendation ...'

The speaker of oration 24 cites his hitherto quiet life:

ἵνα δ' ὑμῶν μηδεὶς θαυμάζῃ τί δή ποτ' ἐγὼ μετρίως, ὥς γ' ἐμαυτὸν πείθω, τὸν ἄλλον χρόνον βεβιωκῶς νῦν ἐν ἀγῶσι καὶ γραφαῖς δημοσίαις ἐξετάζομαι, βούλομαι μικρὰ πρὸς ὑμᾶς εἰπεῖν.

24.6

A speaker may claim to have been forced to come to court despite his inexperience:

ἀναγκαῖον ἴσως ἐστίν, ὧ ἄνδρες δικασταί, καὶ τοὺς μὴ
εἰωθότας μηδὲ δυναμένους εἶπεῖν εἰσιέναι εἰς δικαστήριον
...

48.1

He is looking for sympathy. To arouse pathos a speaker may even exaggerate his plight:

ἐγὼ δ' αὐτὸ τοῦτο φοβοῦμαι, μὴ διὰ τὴν ἀπειρίαν οὐ
δυνηθῶ δηλῶσαι περὶ τῶν πραγμάτων ὑμῖν.

41.2

The speaker of oration 44 says explicitly that he and his father (on whose behalf he pleads) would have stayed away if they were not trusting in the justice of their case because of his father's inexperience of law courts. He also states explicitly that his father's time-consuming job precludes any opportunity for litigiousness:

ὁ δὲ πατὴρ οὗτος ... τοῦ ἰδιώτης εἶναι φανερὰς ἔχων
τὰς μαρτυρίας ἀγωνίζεται· διατελεῖ γὰρ ἐν Πειραιεῖ κηρύττων·
τοῦτο δ' ἐστίν ... τεκμήριον ... ἀσχολίας τῆς ἐπὶ τὸ πραγ-
ματεύεσθαι· ἀνάγκη γὰρ ἡμερεῦειν ἐν τῇ ἀγορᾷ τὸν τοιοῦτον.
ἂν δὲ λογιζομένους ἐνθυμεῖσθαι ὅτι, εἰ μὴ τῷ δικαίῳ ἐπιστεύ-
ομεν, οὐκ ἂν ποτ' εἰσῆλθομεν εἰς ὑμᾶς.

44.4

There is a parallel at 34.1-2. The speaker claims for himself and his partner inexperience of the law courts and maintains that they would have stayed away from the court had there been any doubt about the money lent to their opponent:

ἰδιῶται παντελῶς ἐσμέν, καὶ πολὺν χρόνον εἰς τὸ ὑμέ-

τερον ἐμπόριον εἰσαφικνούμενοι καὶ συμβόλαια πολλοὺς συμβάλλοντες οὐδεμίαν πώποτε δίκην πρὸς ὑμᾶς εἰσήλθομεν, οὔτ' ἐγκαλοῦντες οὔτ' ἐγκαλούμενοι ὑφ' ἐτέρων. οὐδ' ἂν νῦν, ἀκριβῶς ἴστε, ὧ ἄνδρες Ἀθηναῖοι, εἰ ὑπελαμβάνομεν ἀπολλώλιναι τὰ χρήματα ἐπὶ τῆς νεως τῆς διαφθοαρείσης, ἃ ἐδανείσαμεν Φορμίῳ, οὐκ ἂν ποτ' ἐλάχομεν τὴν δίκην αὐτῷ·

34.1-2

Again there is reference to the employment which has occupied the prosecutor for a long time. This, it is hoped, will lend respectability to the speaker's case with the image of the hard-working citizen who minds his own business and does not want to cause trouble either for himself or for anyone else by involvement in litigation.

In the latter instance the speaker attaches an argument that has already been observed at 41.1, that it is shameful to prefer litigation to loss:

οὐχ οὕτως ἡμεῖς ἀνάσχυντοί ἐσμεν οὐδ' ἄπειροι τοῦ
ζημιοῦσθαι.

34.2

The speaker thus declares that he does not undertake litigation lightly. The citation of inexperience resembles the modern cliché, 'Unaccustomed as I am ...'

(g) Youth.

References to a speaker's youth give the impression that he appears in court reluctantly and evoke pathos:

καὶ ταῦτ' εἰ μὲν ἔδειτο λόγου τινὸς ἢ ποικιλίας, ἔγωγε
κατώκνουσιν ἂν τὴν ἑμαυτοῦ καταμεμφόμενος ἡλικίαν· 29.1

For popular attitudes to youth see K.J. Dover 1974, pp.102-6. His opponent's behaviour may cause a speaker to overcome his youthful reluctance:

αἴτιος μὲν ἔστι ... οὔτοσί ... τοῦ καὶ αὐτὸς κρίνεσθαι
καὶ ἐμὲ νεώτερον ὄντα λέγειν ἐν ὑμῖν ... 44.1

ἡγησάμην δεῖν ἐπὶ τῷ τιμωρεῖσθαι μεθ' ὑμῶν τοῦτον μήτε
ἡλικίαν μήτε ἄλλο μηδὲν ὑπολογισάμενος δοῦναι τὴν ἔνδειξιν
ταύτην. 58.1

The desire for revenge exerts stronger pressure than apprehension of the law courts; so strong that one speaker can claim to have had ambitions regarding a case which were due to a young man's recklessness and which had to be tempered by the advice of friends and relatives:

συμβουλευόντων δέ μοι καὶ παραινούστων μὴ μείζω πράγ-
ματ' ἢ δυνήσομαι φέρειν ἐπάγεσθαι, μηδ' ὑπὲρ τὴν ἡλικίαν
περὶ ὧν ἐπεπόνθειν ἐγκαλοῦντα φαίνεσθαι ... 54.1

E.R. Dodds 1960, p.197, says:

'The Greeks were very susceptible to the pathos inherent in the rashness of inexperienced youth.'

Dodds is commenting on the use of τὸν νεανίαν at line 974 of Euripides' *Bacchae* to describe Pentheus. He

supports his comment with the following evidence: Homer, *Odyssey* 7.294; Euripides, *Supplikes* 580 and *Iphigenia in Aulis* 489; and Aristotle's characterization of young men at *Rhetorica* 2.12, especially 1389^b 7.

(h) Speaking second.

A disadvantage faced by defendants was having to speak second i.e. after the plaintiff had made his speech. Demosthenes emphasizes this at 18.7 where he reminds the jury of laws designed to ensure fair treatment for those speaking second:

ἀξιῶ καὶ δέομαι πάντων ὁμοίως ὑμῶν ἀκοῦσαί μου περὶ τῶν κατηγορημένων ἀπολογουμένου δικαίως, ὥσπερ οἱ νόμοι κελεύουσιν, οὓς ὁ τιθεὶς ἐξ ἀρχῆς Σόλων, εὖνους ὦν ὑμῖν καὶ δημοτικός, οὐ μόνον τῷ γράφαι κυρίους ᾤετο δεῖν εἶναι, ἀλλὰ καὶ τῷ τοὺς δικάζοντας ὁμωμοκέναι, οὐκ ἀπιστῶν ὑμῖν, ὥς γ' ἐμοὶ φαίνεται, ἀλλ' ὁρῶν ὅτι τὰς αἰτίας καὶ τὰς διαβολάς, αἷς ἐκ τοῦ πρότερος λέγειν ὁ διώκων ἰσχύει, οὐκ ἔνι τῷ φεύγοντι παρελθεῖν, εἰ μὴ τῶν δικαζόντων ἕκαστος ὑμῶν τὴν πρὸς τοὺς θεοὺς εὐσέβειαν φυλάττων καὶ τὰ τοῦ λέγοντος ὑστέρου δίκαια εὐνοϊκῶς προσδέξεται, καὶ παρασχῶν αὐτὸν ἴσον καὶ κοινὸν ἀμφοτέροις ἀκροατὴν οὕτω τὴν διάγνωσιν ποιήσεται περὶ ἀπάντων. 18.6-7

A defendant could turn the tables on a plaintiff by using the special plea called *paragraphe*, in which the defendant asserts that the plaintiff's action is not admissible. If the *paragraphe* is accepted, the

plaintiff's case is suspended and the *paragraphe* procedure takes place. The defendant speaks first saying why the plaintiff's case should not be brought to court. The plaintiff replies. The jurors vote on whether or not the original case should be admitted. For definition of *paragraphe* see M.H. Hansen and S. Isager 1975, pp.123-31.

An example of this is oration 34. There may be an allusion to the disadvantage of speaking second. This depends on the interpretation of the phrase ἐν τῷ μέρει.

Δίκαια ὑμῶν δεησόμεθ', ὦ ἄνδρες δικασταί, ἀκοῦσαι
ἡμῶν μετ' εὐνοίας ἐν τῷ μέρει λεγόντων 34.1

H.G. Liddell and R. Scott 1940, p.1104, define ἐν τῷ μέρει as 'in one's turn.' Difficulty arises because there are two speakers in oration 34: Chrysippus delivers sections 1-20; his partner sections 21-52. Two interpretations are possible. 'In our turn' may mean: either, Chrysippus and his partner speak in their turn, i.e. after the defendant, Phormio, who entered the special plea; or, Chrysippus and his partner speak in their turn, i.e. one after the other. F.C. Doherty 1927, p.71, says it means 'speaking in our turn' and comments:

'By employing the process of *παραγραφή*, Phormio has obtained the right to speak first. This, in Athenian eyes, would put the plaintiffs at a disadvantage.'

A.T. Murray 1936, p.237, translates it 'in our turn' and observes, p.236 n.a:

'Others less probably, render "as we take our turns in addressing you".'

L. Gernet 1954, p.153, translates it 'l'un après l'autre' and comments, 'C'est-à-dire les deux associés.'

Whichever interpretation one chooses, it seems unlikely that Phormio was motivated by a desire to speak first. This is simply a bonus in addition to the greater advantage of having the plaintiff's suit abolished if his *paragraphe* is successful.

If the phrase means 'one after the other', the plaintiffs are giving the jury information about how they will deliver their speech.

If it means 'in our turn after the defendant', there is a possibility that they have mentioned this to win sympathy for themselves on the basis of the disadvantage of speaking second.

The meaning is clarified by the rest of the sentence. The plaintiffs make a 'fair request'. They want to be heard with goodwill in their turn. This must mean 'after the defendant'. The plaintiffs fear that the jury might be prejudiced by the defendant's speech and ask them to keep an open mind until they have heard all the speakers. The motive in making this request is to avert prejudice and win sympathy.

(iv) *Brevity*

Whether or not a speaker can convince his audience that he has a good reason for speaking, there remains another argument for persuading them that he is not wasting their time: he promises not to delay them very much.

An explicit statement may be made as at 27.3:

ποιήσομαι δ' ὡς ἂν δύνωμαι διὰ βραχυτάτων τοὺς λόγους.

27.3

At pr.36.2 the speaker refers to the time needed for his speech:

βραχὺς δ' ἔσται.

pr.36.2

The speaker of pr.37.1 promises to keep his introduction short:

καὶ βραχεῖαν, ὥς ἄνδρες Ἀθηναῖοι, καὶ δικαίαν ποιήσομαι τὴν ἀρχὴν τοῦ λόγου.

pr.37.1

The promise of brevity is a feature of the formula found at the conclusion of some introductions where a speaker promises to explain the facts of the case from the beginning:

ἐξ ἀρχῆς δ', ὡς ἂν οἴδῃς τ' ὧ διὰ βραχυτάτων, ἅπαντα τὰ πραχθέντα διηγήσομαι πρὸς ὑμᾶς.

37.3

ἐξ ἀρχῆς δ' ὡς ἕκαστα πέπρακται διηγήσομαι πρὸς ὑμᾶς,
ὡς ἂν οἶός τ' ᾧ διὰ βραχυτάτων. 54.2

Some speakers add an objective to the formula. Their aim is to facilitate their audience's understanding; about the allocation of guilt:

Ἴνα δὲ ἀκριβῶς εἰδῆτε, ὡς οὐκ ἐγὼ τούτου αἵτιός εἰμι ἀλλ' οὔτοι, ἐξ ἀρχῆς ὑμῖν, ὡς ἂν ἐν βραχυτάτοις δύνωμαι, διηγήσομαι τὰ πραχθέντα. 40.5

about the wickedness of opponents:

ἐξ ἀρχῆς δ' ὡς ἂν οἶός τ' ᾧ διὰ βραχυτάτων εἶπεῖν πειράσομαι τὰ πεπραγμένα μοι πρὸς Φορμῶνα, ἐξ ᾧν ἀκούσαντες τήν τ' ἐκείνου πονηρίαν καὶ τούτους, ὅτι τὰ ψευδῆ μεμαρτυρήμασιν, γνώσεσθε. 45.2

about the wrongs involved in an adversary's law:

ἐξ ἀρχῆς οὖν ἐν βραχέσιν τὰ πραχθέντα δέειμι πρὸς ὑμᾶς, Ἴνα μᾶλλον μάθητε καὶ παρακολουθήσητε τοῖς περὶ τὸν νόμον αὐτὸν ἀδικήμασιν. 24.10

about an adversary's malicious conduct and inadmissible suit:

ἐξ ἀρχῆς οὖν ἅπαντα τὰ πραχθέντα τούτῳ πρὸς Πασίωνα καὶ Ἀπολλόδωρον ὡς ἂν δύνωμαι διὰ βραχυτάτων εἶπεῖν πειράσομαι, ἐξ ᾧν εὖ οἶδ' ὅτι ἢ τε τούτου συκοφαντία φανερά

γενήσεται, καὶ ὡς οὐκ εἰσαγώγιμος ἡ δίκη γνώσεσθ' ἅμα
ταῦτ' ἀκούσαντες.

36.3

The speaker of oration 29 promises to begin at a point from which his audience will most easily learn the facts which he will explain very quickly:

ἄρξομαι δ' ἐντεῦθεν ὅθεν καὶ ὑμεῖς ῥᾶστ' ἂν μάθοιτε
κάγῳ τάχιστ' ἂν διδάξαιμι.

29.5

The speaker of oration 22 says he has information that his audience ought to hear and promises to make his explanation brief:

περὶ δ' ὧν οἴσετε τὴν ψῆφον νυνὶ καὶ περὶ ὧν οὗτος
δημοσίᾳ πεπολιτευμένος οὐκ ὀλίγ' ὑμᾶς ἔβλαψεν, ἃ μοι πα-
ραλείπειν Εὐκτῆμων ἐδόκει, βέλτιον δ' ὑμᾶς ἀκοῦσαι, ταῦτα
διεξεληθεῖν ἐν βραχέσιν πειράσομαι.

22.3

In the collection of prooemia there are instances of the use of this feature as an extended comment: passages in which the speaker not merely mentions brevity but comments on it at some length:

ἐγὼ μὲν οὖν οὔτ' εἴωθα μακρολογεῖν, οὔτ' ἂν, εἰ τὸν
ἄλλον εἰώθειν χρόνον, νῦν ἐχρησάμην τούτῳ, ἀλλ' ἃ συμφέ-
ρειν ὑμῖν νομίζω, ταῦθ' ὡς ἂν δύνωμαι διὰ βραχυτάτων ἐρῶ
πρὸς ὑμᾶς.

pr.4

In addition to being brief the speaker promises to

give the advice which he considers profitable. The speaker of pr.6 in similar vein says that he will omit everything except what is best and profitable for the Athenians and their affairs; and this he will state as briefly as possible. But he does take time to mention rhetorical methods used by opponents which he will not use:

ἔγὼ δ' οὔτε κατηγορήσω τήμερον οὐδενός, οὔθ' ὑποσχέσομαι τοιοῦτον οὐδὲν ὃ μὴ παραχρήμ' ἐπιδείξω, οὐδ' ὄλωσ τῶν αὐτῶν τούτοις οὐδὲν ποιήσω· ἀλλ' ἃ βέλτιστα μὲν τοῖς πράγμασιν, συμφέροντα δὲ τοῖς βουλευομένοις ὑμῖν ἡγοῦμαι, ταῦθ' ὡς ἂν δύνωμαι διὰ βραχυτάτων εἰπὼν καταβήσομαι.

pr.6.2

The speaker of pr.17 makes similar remarks. In his opinion a speaker's duty is to discuss only matters that are relevant and to do so as briefly as possible. He assesses the achievements of his opponents whose speeches do not conform to his recommendation:

ἴσως, ὧ ἄνδρες Ἀθηναῖοι, προσήκει τῷ βουλομένῳ τι παραινέειν ὑμῖν οὔτω πειραῖσθαι λέγειν ὡς καὶ δυνήσεσθ' ὑπομεῖναι· εἰ δὲ μὴ τοῦτο, ἀφέντα τοὺς ἄλλους ἅπαντας λόγους, περὶ αὐτῶν ὧν σκοπεῖτε συμβουλεύειν, καὶ ταῦθ' ὡς διὰ βραχυτάτων. οὐ γὰρ ἐνδείξα μοι δοκεῖτε λόγων οὐδὲ νῦν ὄραν τὰ πράγματα πάντα λελυμασμένα, ἀλλὰ τῷ τοὺς μὲν ἑαυτῶν ἔνεκα δημηγορεῖν καὶ πολιτεύεσθαι, τοὺς δὲ μήπω τούτους δεδωκότας πετραν μᾶλλον ὅπως εὔδοξουσι λέγειν σπουδάζειν, ἢ πῶς ἔργον ἐξ ὧν λέγουσὶ τι συμφέρον πραχθήσεται. ἔγὼ δ' ἵνα μὴ λάθω τούναντιόν οὔ φημι δεῖν αὐτὸς ποιῶν, καὶ πλείω

περὶ τῶν ἄλλων ἢ περὶ ὧν ἀνέστην λέγων, ἀφείς τᾶλλα πάντα,
ἃ παραινῶ καὶ δὴ πειράσομαι πρὸς ὑμᾶς εἶπεν. pr.17

The theme of keeping to the point is used at pr.56 where the speaker claims that he can show his audience how to shorten speeches made in the Ecclesia:

τὸ μὲν, ὧ ἄνδρες Ἀθηναῖοι, πεπεικόθ' ἑαυτὸν ἔχειν τι συμφέρον εἶπεν ἀνίστασθαι καὶ καλὸν καὶ προσήκον εἶναι μοι δοκεῖ, τὸ δὲ μὴ βουλομένους ἀκούειν βιάζεσθαι παντελῶς ἔγωγ' αἰσχρὸν ἡγοῦμαι [εἶναι]. οἴομαι δ', ἐὰν ἐθελήσητέ μοι πείθεσθαι τήμερον, καὶ τὰ βέλτιστα μᾶλλον ὑμᾶς ἐλέσθαι δυνήσεσθαι καὶ τοὺς τῶν ἀναβαινόντων λόγους βραχεῖς ποιήσειν. τί οὖν συμβουλεύω; πρῶτον μὲν, ὧ ἄνδρες Ἀθηναῖοι, περὶ αὐτῶν ὧν σκοπεῖτε τὸν παριόντα λέγειν ἀξιοῦν. πολλὰ γὰρ ἄλλα τις ἂν περιέλθοι τῷ λόγῳ καὶ πόλλ' ἂν ἄσπετ' εἴποι, ἄλλως τε καὶ ὥσπερ τούτων ἔνιοι δεινῶν ὄντων. ἀλλ' εἰ μὲν ῥημάτων ἦκετ' ἀκουσόμενοι, ταῦτα λέγειν καὶ ἀκούειν χρή· εἰ δ' ὑπὲρ πραγμάτων αἰρέσεως βουλευσόμενοι, αὐτὰ καθ' ἑαυτὰ παραινῶ τὰ πράγμαθ' ὡς μάλιστα κρίνειν, ἀφελόντας ὅσοι λόγοι πεφύκασιν ἐξαπατᾶν.

pr.56

The speaker hopes to discredit his opponents by implying that their behaviour corresponds to the practice of the exemplary τις while winning approval for himself as one who opposes time-wasting caused by gratuitous oratory.

Accordingly these are rhetorical devices which a speaker may use to remove the suspicion that he enjoys litigation or oratory for their own sakes and to create the

impression that his motives are acceptable and his manner straightforward, and hence to win his audience's approval.

(v) *Divine Support*

Another means of winning approval is to enlist the support of the gods.

(a) Prayer

The introduction of oration 18 is distinguished from other Demosthenic introductions in that it begins, 18.1, and ends, 18.8, with a solemn prayer to the gods. Prayer is not used in the introduction of any other speech. The return at the end of the introduction to the theme used at the start is an example of the literary device, ring composition. The unaccustomed use of prayer combined with ring composition draws attention to this introduction. The solemn prayer underlines the seriousness of the speaker's situation, in which he needs the help of the gods. W.W. Goodwin 1901, p.7, stresses Demosthenes' earnestness:

'The solemn earnestness with which Demosthenes undertook this vindication of his whole political life is shown by the unusual and impressive prayer with which he begins, and still more by its repetition.'

Ring composition is used to emphasize the importance of the introduction in the way that an ornate frame might be used by an artist to surround his masterpiece. This

effect is further enhanced by the use of prayer as the repeated theme. Demosthenes combines prayer and ring composition to make this introduction more important than a normal one in order to produce the impression that the speech which is about to follow is also more important.

In the repeated prayer the speaker makes a double request, first for goodwill and secondly for his audience's inspiration. Both the first prayer, 18.1, and the second, 18.8, contain the same words:

πρῶτον μὲν, ... εὐνοίαν ...

ἔπειτα ... τοῦτο παραστήσαι ... ὑμῖν

πρῶτον μὲν, ὧ ἄνδρες Ἀθηναῖοι, τοῖς θεοῖς εὐχομαι πᾶσι καὶ πάσαις, ὄσπην εὐνοίαν ἔχων ἐγὼ διατελῶ τῇ τε πόλει καὶ πᾶσιν ὑμῖν, τοσαύτην ὑπάρξαι μοι παρ' ὑμῶν εἰς τουτονὶ τὸν ἀγῶνα, ἔπειθ' ὅπερ ἐστὶ μάλισθ' ὑπὲρ ὑμῶν καὶ τῆς ὑμετέρας εὐσεβείας τε καὶ δόξης, τοῦτο παραστήσαι τοὺς θεοὺς ὑμῖν, μὴ τὸν ἀντίδικον σύμβουλον ποιήσασθαι περὶ τοῦ πῶς ἀκούειν ὑμᾶς ἐμοῦ δεῖ (σχέτλιον γὰρ ἂν εἶη τοῦτό γε), ἀλλὰ τοὺς νόμους καὶ τὸν ὄρκον, ἐν ᾧ πρὸς ἅπασιν τοῖς ἄλλοις δικαίοις καὶ τοῦτο γέγραπται, τὸ ὁμοίως ἀμφοῖν ἀκροάσασθαι.

18.1

βούλομαι πάλιν τοὺς θεοὺς παρακαλέσαι, καὶ ἐναντίον ὑμῶν εὐχομαι πρῶτον μὲν, ὄσπην εὐνοίαν ἔχων ἐγὼ διατελῶ τῇ τε πόλει καὶ πᾶσιν ὑμῖν, τοσαύτην ὑπάρξαι μοι παρ' ὑμῶν εἰς τουτονὶ τὸν ἀγῶνα, ἔπειθ' ὅ τι μέλλει συνοίσειν καὶ πρὸς εὐδοξίαν κοινῇ καὶ πρὸς εὐσέβειαν ἐκάστω, τοῦτο

παραστήσαι πᾶσιν ὑμῖν περὶ ταυτησὶ τῆς γραφῆς γνῶναι.

18.8

(1) The Jury's Goodwill

In both instances the speaker qualifies his request for goodwill. He would like to receive the same goodwill which he himself has always cherished for the city. He gives the gods a reason for granting this part of his request. Since he has always had goodwill for the city it is reasonable that he should receive the same in return. He does not ask for any more than he deserves, but for an amount proportionate to his own goodwill for the city, ὅσῃν εὖνοιαν ... τοσαύτην . The implication is that the fair response to this prayer would be for the gods to grant his request. This must not be lost on his audience and he emphasizes this at 18.8 where he expresses his desire to repeat his prayer to the gods in the jury's presence, ἔναντιον ὑμῶν. The most important feature of the prayer is that it is said within the hearing of the jury. The speaker is not looking for a miraculous response to a prayer from the heart. It does not even matter if the gods hear the request. The crucial thing is that the jury hear the speaker making a reasonable request of the gods which they ought to grant. If the request is granted then the jury are involved in fulfilling the divine will by giving the speaker goodwill. The prayer is artificial. The speaker's request is to the jury, not to the gods. He could simply have asked the jury for their goodwill. However, he expresses the request as a prayer to facilitate

a favourable response. He uses the gods to recommend his case to the jury. By openly calling upon the gods to grant so reasonable a request his aim is to make it difficult for the jury to be seen to withhold their goodwill. In 18.1 his appeal is made to all the gods and goddesses. Presumably he expects unanimous approval. All the more reason for the jury's support.

There is a subtle difference between the explicit request and the implicit suggestion of this part of the prayer. The speaker asks the gods for the jury's goodwill to be given to a man who has always shown goodwill to the city. He implies that the jury will be acting contrary to the gods' will if they refuse to give the speaker their goodwill.

(2) The Jury's Inspiration

The speaker asks the gods to inspire the jury to listen, 18.1, and judge, 18.8, in a way that will conform to the laws and their oath, 18.1, and will enhance their good reputation and piety, 18.8. Taken strictly at face value this is a noble request which must secure everyone's approval, since no one can deny that the laws and the oath should be guarded by the jury and that the jury should enhance their good reputation and piety. By making such a prayer the speaker is drawing attention to himself as a supporter of the jury and the Athenian judicial system, and an avowed upholder of the laws. The implication is that the speaker has the support of the laws, about which he has expressed concern, and of the gods, to whom he has prayed,

and consequently if the jury wish to preserve their good reputation and their piety they should decide in favour of the speaker.

The requests for goodwill, for a fair hearing and for a righteous verdict need not have been framed in a prayer. The inclusion of prayer enables the speaker to emphasize the importance of the occasion and to use the gods to recommend his case to the jury.

Other examples of prayer are confined to the collection of prooemia. Again it is used to stress the importance of the occasion. At pr.25.3 the speaker prays that profitable suggestions will occur to the speaker to make and to the audience to adopt:

εὐχομαι δὲ τοῖς θεοῖς, ἃ καὶ τῇ πόλει κάμοι συμφέρειν
μέλλει, ταῦτ' ἐμοί τ' εἰπεῖν ἐλθεῖν ἐπὶ νοῦν καὶ ὑμῖν
ἐλέσθαι. pr.25.3

At pr.31.2 the speaker prays that those whose motive is anything except what will be beneficial will stop speaking:

εὐχομαι δὲ τοῖς θεοῖς τοὺς ἢ φιλονικίας ἢ ἐπιηρέας ἢ
τινος ἄλλης ἕνεκ' αἰτίας ἄλλο τι, πλὴν ἃ ποθ' ἡγοῦνται
συμφέρειν, λέγοντας παύσασθαι. pr.31.2

In both of these examples the speaker uses the gods to corroborate his claim that he has something beneficial to say. At pr.25.3 the implication is that the speaker is

inspired by the gods. At pr.31.2 the fact that the speaker continues to speak implies that he has something beneficial to say. Otherwise he would have remained silent.

At pr.36.1 the speaker comments on Fortune's arrangement of Athenian affairs as something the Athenians might request in prayer:

ὡς ἂν εὖξαισθε pr.36.1

Here an answer to prayer is contrasted with the speaker's denigration of the foresight of those in authority:

ἐπεὶ τῆ γε τῶν προεστηκότων προνοία βραχέ' αὐτῶν εἶχεν
ἂν καλῶς. pr.36.1

Prayers are reserved for crises. In oration 18 the crisis is a personal one for the speaker. In pr.25 and pr.31 the speaker wants the audience to believe that the state is in trouble. A speaker only resorts to prayer when the situation seems too big, or when he wishes the audience to believe that the situation is too big, for solution by human endeavour alone. Since prayers are used sparingly, their very appearance emphasizes the importance of the speaker's subject and suggests that it is worthy of attention. It is noteworthy that apart from the introduction of oration 18 prayers are confined to introductions in the collection of prooemia. One possible explanation is that, although Demosthenes approved of the use of prayer as a rhetorical device, he hesitated to use

it in an introduction unless the circumstances were exceptional as in the case of oration 18. The prooemia prayers may have been written speculatively to be available for use in the event of exceptional circumstances.

(b) Gods

A speaker may explicitly claim that the gods have supported him in a previous case. At 24.6 the speaker explains the background of the case by reference to a previous case. He describes his opponent on that occasion as an enemy of the gods, θεοῖς ἐχθρῶ . However, this is surely not to be interpreted in its full literal sense but merely as an abusive expression in the manner of the English 'damned'. At 24.7 he attributes his acquittal in that trial first to the gods and then to those of his present audience who were then serving as jurors:

ἐγὼ δ', ὥσπερ ἦν δίκαιον, μάλιστα μὲν διὰ τοὺς θεοὺς,
ἔπειτα δὲ καὶ διὰ τοὺς δικάζοντας ὑμῶν ἐσώθην ...

24.7

He creates an antithesis between himself and his opponent, whom he has isolated from the gods. The speaker, on the other hand, enjoys the favour of the gods and the support of the jury. His present opponent is a friend of this other opponent. By associating the present case with the previous one the speaker implies that his present opponent is also an enemy of the gods and that in the present case he, the speaker, deserves the favour of the

gods and the support of the jury.

In Ecclesia speeches a speaker may claim that the gods have arranged circumstances in such a way that the right course of action is obvious, at least, that is, to the speaker, who exploits this argument to persuade his audience to approve his suggestion. Demosthenes uses this approach in his appeal on behalf of the Rhodians. He wants the Athenians to show magnanimity to the Rhodians who recently revolted from Athens. An appeal for help has come to Athens from certain Rhodian democrats who have been exiled by their former ally, Mausolus, the satrap of Caria, who had supported the revolt but has now established an oligarchy on Rhodes. Demosthenes has to argue against the general feeling of resentment towards the Rhodians and satisfaction at the fate they had brought upon themselves. He introduces his argument by saying that the gods deserve the Athenians' gratitude for arranging circumstances which provide an opportunity for the Athenians to do themselves a service, provided, of course, that they make the necessary decision, i.e. (he implies) provided that they adopt Demosthenes' suggestion:

ἔστι μὲν οὖν ἐν ᾧ ἐγὼ νομίζω χάριν ὑμᾶς τοῖς θεοῖς
ὀφείλειν, τὸ τοὺς διὰ τὴν αὐτῶν ὕβριν ὑμῖν πολεμήσαντας
οὐ πάλαι νῦν ἐν ὑμῖν μόνοις τῆς αὐτῶν σωτηρίας ἔχειν τὰς
ἐλπίδας. ἄξιον δ' ἡσθῆναι τῷ παρόντι καιρῷ συμβῆσεται
γὰρ ὑμῖν, ἐὰν ἂν χρῆ βουλευέσθησθ' ὑπὲρ αὐτοῦ, τὰς παρὰ τῶν
διαβαλλόντων τὴν πόλιν ἡμῶν βλασφημίας ἔργῳ μετὰ δόξης
καλῆς ἀπολύσασθαι.

15.2

The slanderers referred to are Chian, Byzantine and Rhodian ambassadors who are making accusations against the Athenians which they offer as reasons for the recent revolt. Demosthenes goes on to say, 15.3-4, that the Athenians should prove to the Rhodians that their real friends are not Mausolus or the Chians or the Byzantines but actually the Athenians; and by so doing the Athenians will make it clear to democrats everywhere that friendship with the Athenians is a pledge of their safety. The Athenians did not take Demosthenes' advice.

Pr.24 is also concerned with the Rhodians. Here also the speaker tells the Athenians that the gods deserve their gratitude:

ἄξιον δ' εἶναι μοι δοκεῖ διὰ ταῦτα τοῖς θεοῖς χάριν
ὑμᾶς ἔχειν, ὧ ἄνδρες Ἀθηναῖοι, καὶ τούτους μισεῖν.

pr.24.3

τούτους refers to the Chian, Byzantine and Rhodian ambassadors. Mention of the gods is used to give an audience an extra incentive for supporting a speaker. At 15.3-4 Demosthenes explains why the Athenians should follow his advice. This is the meat of his argument. He garnishes it and tries to make it look more attractive with the reference, 15.2, to the gods who are responsible for circumstances. The implication is that Demosthenes is relating to the Athenians not merely his own advice but also the advice of the gods and that, consequently, the Athenians should adopt with greater confidence the recommendations of the gods than they would the advice of a

mere mortal.

A similar idea is used in an introduction at 2.1:

ἐπὶ πολλῶν μὲν ἂν τις ἴδεν ... δοκεῖ μοι τὴν παρὰ τῶν
θεῶν εὖνοιαν φανερὰν γιγνομένην τῇ πόλει, οὐχ ἥκιστα δ' ἐν
τοῖς παροῦσι πράγμασι· 2.1

Later the speaker compares the arrangement of circumstances to an act of divine kindness:

δαιμονίᾳ τινὶ καὶ θείᾳ παντάπασιν ἕοικεν εὐεργεσίᾳ. 2.1

This is used to support the introduction of the speaker's policy. He identifies the divinity specifically as Fortune:

δεῖ τοίνυν, ὧ ἄνδρες Ἀθηναῖοι, τοῦτ' ἤδη σκοπεῖν
αὐτούς, ὅπως μὴ χείρους περὶ ἡμᾶς αὐτούς εἶναι δόξομεν
τῶν ὑπαρχόντων, ὡς ἔστι τῶν αἰσchrῶν, μᾶλλον δὲ τῶν αἰσchr-
στων, μὴ μόνον πόλεων καὶ τόπων ὧν ἡμὲν ποτε κύριοι φαί-
νεσθαι προῖεμένους, ἀλλὰ καὶ τῶν ὑπὸ τῆς τύχης παρασκευ-
ασθέντων συμμάχων καὶ καιρῶν. 2.2

For the popular attitude to fortune see K.J. Dover 1974, pp.138-41.

At 1.1 (and at pr.3) the speaker considers that it is part of the Athenians' good fortune that many suitable suggestions are made by those speaking at the time so that the choice of the most advantageous can be easily made:

οὐ γὰρ μόνον εἶ τι χρήσιμον ἐσκεμμένος ἦκει τις,
τοῦτ' ἂν ἀκούσαντες λάβοιτε, ἀλλὰ καὶ τῆς ὑμετέρας τύχης
ὑπολαμβάνω πολλὰ τῶν δεόντων ἐκ τοῦ παραχρῆμ' ἐνίοις ἂν
ἐπελθεῖν εἶπεῖν, ὥστ' ἐξ ἀπάντων ῥαδίαν τὴν τοῦ συμφέ-
ροντος ὑμῖν ἀίρεσιν γενέσθαι. 1.1

The implications are that the Athenians ought to respond to their good fortune and that the present speaker is to be included among those speakers who, by the grace of Fortune, offer suitable suggestions. The Athenians consequently ought to listen to his speech and, by the same token, to adopt the policy which he recommends if it seems the most advantageous.

In both passages the speaker implies that Fortune has co-operated with the Athenians: in 1.1 in the provision of speakers with suitable suggestions; in 2.2 in the provision of allies and opportunities. The reciprocal task required of the Athenians is simply to accept these gifts and act on them. At 1.1 they should listen to the speakers and adopt the best policy recommended. At 2.2 they must see that they do not abandon allies and opportunities. As far as the speaker is concerned, both responses should amount to the same course of action. He wants the Athenians to adopt the policy favoured by him, i.e. to go to the assistance of the Olynthians.

W. Jaeger 1938, pp.130-31, comments on Demosthenes' use of *Tyche* in oration 2. He attributes to Demosthenes 'a very active, alert faith':

'For Demosthenes "the gods" and "Tyche" are almost synonymous. The *Kairos* too is a religious reality ... The recognition of the right moment is of the very greatest importance; for here divinity stretches out its hand to man, and everything depends on his grasping it.'

According to Jaeger, Demosthenes tries to persuade the Athenians 'with the strength of his own deeper discernment.' To achieve this 'he must try to reach the very depths of their souls ... forcing them to realize ... that the moment of destiny has now arrived.'

L. Pearson 1976, p.130 n.25, has reservations:

'*Kairos* and *Tyche* play a great part in the language of Demosthenes, but I cannot agree with Jaeger's view that he has a specially "active, alert faith" and regards opportunity as the moment "when divinity stretches out its hand to man".'

K.J. Dover 1974, p.14, makes a salutary point about orators' generalizations. The context is 59.122:

'This gives us not, as has been alleged, "the fourth-century view" of women, but one view which was possible, was judged by the speaker unlikely to offend, and was absolutely necessary for the argument ...'

In oration 2 Demosthenes does not necessarily give us his cherished belief about Fortune (though the possibility is not absolutely excluded) but 'one view' in the manner

suggested by Dover.

Fortune is manipulated to suit the argument. Here Fortune is represented as providing an opportunity for success dependent upon Athenian co-operation in order to prompt the Athenians to action. Conversely at pr.36.1 Fortune is cited as having automatically benefited Athenian affairs regardless of the lack of foresight shown by those in authority:

πρῶτον μὲν γὰρ ἡ τύχη, καλῶς ποιούσα, πολλὰ τῶν πραγμάτων ὑμῖν αὐτόματα, ὡς ἂν εὐξαισθε, παρίστησιν, ἐπεὶ τῆ γε τῶν προεστηκότων προνοία βραχέ' αὐτῶν εἶχεν ἂν καλῶς. pr.36.1

The speaker is enabled to criticize his opponents as a prelude to his declaration at pr.36.2 that he, by contrast, has a profitable suggestion. By association of the two contrasts (Fortune v. opponents; speaker v. opponents) he implies that his role corresponds to Fortune's as a benefactor of the state.

At pr.52 the speaker uses Fortune in a similar way:

ἦν μὲν δίκαιον, ὧ ἄνδρες Ἀθηναῖοι, τὴν ἴσῃν ὑπάρχειν παρ' ὑμῶν ὀργὴν τοῖς ἐπιχειροῦσιν ὀσσηπερ τοῖς δυνηθεῖσιν ἐξαπατήσαι. ὁ μὲν γὰρ ἦν ἐπὶ τούτοις, πεποίηται καὶ προήγαγον ὑμᾶς· τοῦ δὲ μὴ τέλος ταῦτ' ἔχειν ἡ τύχη καὶ τὸ βέλτιον νῦν ὑμᾶς φρονεῖν ἢ ὅτ' ἐξήχθητ' ὑπὸ τούτων, γέγονεν αἴτια. pr.52

Fortune is responsible for the failure of certain men

in their attempt to deceive the Athenians. Later in the passage the speaker says that he is not going to denounce these men but instead will say what he thinks is advantageous. Again the speaker associates himself with Fortune as a benefactor in contrast to his opponents whom he accuses this time not merely of ineptitude but of downright deception.

At pr.24.1 Fortune is presented as one of the factors responsible for the outcome of contests:

... τῆ τύχῃ καὶ τοῖς ἐφεστηκόσι καὶ πολλοῖς μέτεστι
τοῦ καλῶς ἢ μὴ ἀγωνίσασθαι· pr.24.1

At pr.25.2 Fortune controls the outcome and profit of policy:

τοῦ δὲ πραχθῆναι ταῦτα καὶ συνενεγκεῖν ἐν τῇ τύχῃ τὸ
πλεῖστον μέρος γίγνεται. pr.25.2

The speaker goes on to say that to be held accountable for Fortune is quite impossible:

τῆς δὲ τύχης πρὸς ὑποσχεῖν ἐν τι τῶν ἀδυνάτων
pr.25.2

The speaker is trying to protect his own interest. He wants to avoid the wrath of the Ecclesia if his policy should fail. Therefore he adds:

αἰσχρὸν ἡγοῦμαι λέγειν μὲν ὡς εὖνους, μὴ ὑπομένειν δέ,

It appears that the speaker is passing the responsibility for bad advice to Fortune. Actually he is preparing the way for an unpopular speech by saying that one should not be prevented from speaking through fear of the audience's hostility.

At pr.41.1 the speaker uses mention of god to persuade the audience to his point of view but from the opposite tack. Instead of using circumstances to suggest that the gods support a course of action he refers to god to shame the audience into activity:

... μηδέν' ἔχειν λόγον εἶπεῖν τῶν συμβουλευόντων τοιοῦτον, ὃς δυνήσεται σῶσαι τὰ παρόντα μηδενὸς ὑμῶν μηδέν συναραμένου· οὐ γὰρ ἂν λόγος, ἀλλὰ θεός τις ὁ τοιοῦτος εἴη.

pr.41.1

In one place, 25.11, divinities are mentioned by name:

τὴν τὰ δίκαι' ἀγαπῶσαν Εὐνομίαν περὶ πλείστου ποιησάμενους, ἡ πάσας καὶ πόλεις καὶ χώρας σφίζει· καὶ τὴν ἀπαράτητον καὶ σεμνὴν Δίκην, ἣν ὁ τὰς ἀγιωτάτας ἡμῶν τελετὰς καταδείξας Ὀρφεὺς παρὰ τὸν τοῦ Διὸς θρόνον φησὶ καθημένην πάντα τὰ τῶν ἀνθρώπων ἐφορᾶν ...

25.11

Such extended mention of specific gods is exceptional in Demosthenic introductions. Accordingly this text may be cited as one factor for considering that this speech was not written by Demosthenes.

(c) Oaths

Oaths are used by Demosthenes to fulfil their conventional functions:

(1) νή + accusative, to emphasize a positive statement:

ἤξιουν καὶ παρεκελεύοντ' ἐπεξελθεῖν καὶ παραδοῦναι
τοῦτον εἰς ὑμᾶς, ὡς μὲν ἐμοὶ δοκεῖ, δι' ἀμφοτέρ', ὧ ἄνδρες
'Αθηναῖοι, νῆ τοὺς θεοὺς ... 21.3

πολλὰς δὲ δεήσεις καὶ χάριτας καὶ νῆ Δί' ἀπειλὰς
ὑπομείνας. 21.2

(2) μά + accusative, to emphasize a negative statement:

ἠχθόμην καὶ μὰ τὸν Δία καὶ πάντας θεοὺς οὐκ ἐβουλόμην.
25.13

οὔτ' ἀ' μὰ τὸν Δία τὸν μέγιστον ἐκῶν 48.2

ἐγὼ γὰρ μὰ τὴν 'Αθηνᾶν οὐδένας ἂν τῶν ἄλλων ἀνθρώπων
οὔτως οἶμαι τὰ προσόνθ' αὐτοῖς ἀκοῦσαι νοθετουμένους, ὡς
ὑμεῖς τὰ μὴ προσήκοντα κακῶς ἀκούοντες. pr.46.3

οὐδεμιᾶ φιλοπραγμοσύνη μὰ τοὺς θεοὺς 39.1

(3) ἀλλὰ νῆ Δίᾱ , to introduce what someone else might say:

There are no instances of this in an introduction but an example is given from 20.3:

ἀλλὰ νῆ Δί' ἐκεῖν' ἂν ἴσως εἴποι ... 20.3

(4) πρὸς + genitive, to emphasize a request:

δοτε δ', ὦ ἄνδρες Ἀθηναῖοι, δοτε καὶ συγχωρήσατέ μοι
πρὸς Διός ... 25.14

καὶ πρὸς θεῶν, ἄνδρες δικασταί, δέομαι ὑμῶν ... 50.2

πρὸς + genitive may also be used with questions but there are no instances in any of the introductions.

(5) ὦ + vocative, to express amazement (real or assumed):

οἵτινες, ὦ γῆ καὶ θεοί, ἔξον αὐτοῖς τὰ δίκαια ποιήσασιν
μὴ εἰσιέναι εἰς δικαστήριον ... ἀναγκάζουσι δ' ἐμὲ δικάζε-
σθαι αὐτοῖς. 40.5

The speaker of oration 23 swears by all the gods to emphasize his reluctance to engage in litigation:

ἐγὼ γοῦν (ὀμνύω τοὺς θεοὺς ἅπαντας) ἀπώκνησ' ἂν ... 23.5

The following subjects are emphasized by oaths in Demosthenic introductions:

(1) the reluctance of the speaker to bring suit, 23.5, 25.13, 48.2.

(2) that no love of litigation prompted the speaker to bring suit, 39.1.

(3) amazement at opponents who could have settled out of court but who forced the speaker to bring suit, 40.5.

(4) the reasons which motivated other people to urge the speaker to bring suit, 21.2.

(5) the threats which the speaker had to resist to bring suit, 21.3.

(6) the speaker's request for permission to speak in his natural manner, 25.14.

(7) the speaker's request for permission to mention his opportune services to the state without being thought guilty of idle talk, 50.2.

(8) that no other people resemble the Athenians, pr.46.3.

Several of these instances concern a speaker's reluctance to bring suit. An oath is an excellent vehicle for emphasis of reluctance caused by inexperience of the law courts because it belongs to the paraphernalia of everyday speech and therefore lends a degree of verisimilitude to the claim, e.g. at 23.4-5, that the speaker is an ordinary man unaccustomed to speaking in public. Oaths have no religious, ceremonial or legal

function in an introduction but are simply used as devices of speech to emphasize points made by the speaker. For discussion of oaths in political speeches see G. Ronnet 1951, pp.11-14.

On two occasions the gods are mentioned in parentheses:

ἔὰν θεὸς θέλη 25.2

σὺν θεοῖς εἶπεῖν 29.1

In both instances the speaker is trying to persuade the audience to be opposed to his opponent:

εἰ δ' οἷοι μισεῖν, δίκην, ἔὰν θεὸς θέλη, τοῦτον δώσειν. 25.2

νῦν δὲ σὺν θεοῖς εἶπεῖν, ἄνπερ ἴσοι καὶ κοινοὶ γένησθ' ἡμῶν ἀκροαταί, πολλὰς ἐλπίδας ἔχω μηδὲν ἥτιον ὑμᾶς τὴν ἀναίδειαν τὴν τούτου γνῶσεσθαι τῶν πρότερον δικασάντων. 29.1

Both these expressions are used like oaths to emphasize the speaker's point.

In Demosthenic introductions references to the gods are used in two ways:

First they are used to facilitate the securing of a hearing or the winning of goodwill in the way that a name-

dropper refers to influential people. A speaker claims an association with the gods in order to make himself appear in a better light or to add weight to his arguments. Mention of the gods may be made to stir an audience's conscience.

Secondly, references to the gods are used as figures of speech to emphasize a speaker's point. Oaths are the most common instance of this.

(vi) *The Public Interest*

A theme that recurs in the introductions of deliberative speeches is beneficial policy. A speaker may promise to offer the advice that he considers profitable:

καὶ σπουδαῖα νομίζων, ὦ ἄνδρες Ἀθηναῖοι, περὶ ὧν βουλευέσθε, καὶ ἀναγκαῖα τῇ πόλει, πειράσομαι περὶ αὐτῶν εἰπεῖν ἃ νομίζω συμφέρειν. 10.1

The speaker stresses the importance of the matters under debate. Elsewhere a speaker emphasizes the irrelevance of topics other than those that are going to be beneficial:

τοὺς μὲν οὖν ἄλλους λόγους πάντας περιέργους ἡγοῦμαι, ἃ δ' ἂν οἶμαι συνενεγκεῖν περὶ ὧν νυνὶ σκοπεῖτε, ταῦτ' εἰπεῖν πειράσομαι ... pr.20.3

The speaker of pr.23 asserts this principle, undaunted by the prospect of a cool reception:

ἐγὼ δ' οἶδα μὲν τοῦθ' ὅτι τοὺς ἐπαινοῦντας ἥδιον προσδέχονται πάντες τῶν ἐπιτιμῶντων· οὐ μὴν οἶομαι δεῖν, ταύτην τὴν φιλανθρωπίαν διώκων, λέγειν παρ' ἃ συμφέρειν ὑμῖν ἡγοῦμαι. pr.23.1

The priority of beneficial policy over gratification of the audience is also stressed by the speaker of pr.28:

ἐγὼ δ' οὐδεπώποτ' ἔγνω ἔνεκα τοῦ παραχρῆμ' ἀρέσαι λέγειν τι πρὸς ὑμᾶς, ὅ τι ἂν μὴ καὶ μετὰ ταῦτα συνοίσειν ἡγῶμαι. pr.28.1

Fear is not going to deter the speaker of pr.32 from giving profitable advice:

ἐγὼ δ' οὐκ ἀποτρέφομαι λέγειν ἃ δοκεῖ μοι, καίπερ <οὕτως> ὀρῶν ἡγμένους ὑμᾶς· καὶ γὰρ εὐηθες, λόγῳ ψυχαγωγηθέντων ὑμῶν οὐκ ὀρθῶς, λόγον αὖ τὸν μέλλοντα βελτίῳ λέγειν καὶ μᾶλλον συμφέρονθ' ὑμῖν καταδεῖσαι. pr.32.3

The speaker of oration 7 refuses to be intimidated by Philip of Macedon:

ὦ ἄνδρες Ἀθηναῖοι, οὐκ ἔστιν ὅπως αἱ αἰτίαι, ἃς Φίλιππος αἰτιᾶται τοὺς ὑπὲρ τῶν δικαίων πρὸς ὑμᾶς λέγοντας, κωλύσουσι συμβούλους ἡμᾶς γίγνεσθαι ὑπὲρ τῶν ὑμῖν

Denunciation is not allowed to come before profitable advice in pr.52:

τῆς μὲν οὖν τούτων κακίας οὐκ ἂν ἐν τῷ παρόντι τις ἐν δέοντι μάλιστα κατηγορήσειεν· βούλομαι δ' ὑπὲρ ὧν ἀνέστην, ἃ νομίζω συμφέροντ' εἶπεῖν. pr.52

On the other hand, the speaker of pr.13 considers his own advice so much more profitable than his opponents' that he will not hesitate to denounce what they have said as worthless:

οὐ μὴν ἄλλ' ἔγωγ' οὕτω σφόδρ' οἶμαι μᾶλλον ὑμῖν συμφέροντ' ἐρεῖν τούτων, ὥστ' οὐκ ὀκνήσω πάνθ' ἃ τυγχάνουσιν εἰρηκότες, ἄξια μηδενὸς εἶναι φῆσαι. pr.13

At pr.56.1 the speaker commends the giving of profitable advice:

τὸ μὲν, ὧ ἄνδρες Ἀθηναῖοι, πεπεικόθ' ἑαυτὸν ἔχειν τι συμφέρον εἶπεῖν ἀνίστασθαι καὶ καλὸν καὶ προσῆκον εἶναί μοι δοκεῖ ... pr.56.1

The speaker of pr.25 calls on the gods for inspiration:

εὐχομαι δὲ τοῖς θεοῖς, ἃ καὶ τῇ πόλει κάμοι συμφέρειν μέλλει, ταῦτ' ἐμοί τ' εἶπεῖν ἐλθεῖν ἐπὶ νοῦν καὶ ὑμῖν

There are prayers for others, that they might give profitable advice:

εὐχομαι δὲ τοῖς θεοῖς τοὺς ἢ φιλονικίας ἢ ἐπηρείας ἢ τινος ἄλλης ἔνεκ' αἰτίας ἄλλο τι, πλὴν ἃ ποθ' ἡγοῦνται συμφέρειν, λέγοντας παύσασθαι.

pr.31.2

ὅ τι μὲν μέλλει συνοίσειν πάσῃ τῇ πόλει, τοῦτο καὶ λέγειν εὐχομαι πάντας, ὧ ἄνδρες Ἀθηναῖοι, καὶ ὑμᾶς ἐλέσθαι.

pr.50.1

The Athenians are reminded of their responsibility to choose beneficial policy:

ἀντὶ πολλῶν ἄν, ὧ ἄνδρες Ἀθηναῖοι, χρημάτων ὑμᾶς ἐλέσθαι νομίζω, εἰ φανερόν γένοιτο τὸ μέλλον συνοίσειν τῇ πόλει περὶ ὧν νυνὶ σκοπεῖτε.

1.1

The speaker may even rebuke the audience:

εἰ μὲν οὖν καὶ νῦν οὕτω διάκεισθε, οὐκ ἔχω τί λέγω· εἰ δ' ἄ συμφέρει χωρὶς κολακείας ἐθελήσετ' ἀκούειν, ἔτοιμος λέγειν.

9.4

Cautionary advice may be given:

ὥστε δεῖ καὶ τοῦ βελτίστου καὶ τῆς ὑμετέρας αὐτῶν

Ἔνεκα δόξης σπουδάσαι, ὅπως ἅμα καὶ συμφέροντα καὶ δίκαια φανήσεσθε βουλευόμενοι. pr.40.1

νῦν δ' ὅσω τυγχάνει σπουδαιότερα, τοσοῦτ'ω δεῖ μᾶλλον προΐδειν ὅπως εἰς δέον καταχρήσεσθ' αὐτῆ. οὐδενὸς γὰρ εὐδοκιμεῖ πράγματος ἢ προαίρεσις, ἂν μὴ καὶ τὸ τέλος συμφέρον καὶ καλὸν λάβῃ. pr.50.2

In these instances expediency is to be tempered with justice, συμφέροντα καὶ δίκαια, and honour, συμφέρον καὶ καλὸν, respectively.

Public interest is also expressed with τὰ βέλτιστα:

ἄλλ' ἂ βέλτιστα μὲν τοῖς πράγμασιν, συμφέροντα δὲ τοῖς βουλευομένοις ὑμῖν ἡγοῦμαι, ταῦθ' ὡς ἂν δύνωμαι διὰ βραχυτάτων εἰπὼν καταβήσομαι. pr.6.2

ἂ βέλτισθ' ὑμῖν ὑπολαμβάνω, ταῦτ' ἤδη συμβουλεύσω.

pr.22.3

The speaker at 16.1 reminds orators of their job:

ἦν δὲ τοῦτο μὲν τῶν ἀφιγμένων ἔργον, τὸ δὲ κοινῶς ὑπὲρ τῶν πραγμάτων λέγειν καὶ τὰ βέλτισθ' ὑπὲρ ὑμῶν σκοπεῖν ἄνευ φιλονικίας τῶν ἐνθάδε συμβουλεύειν ἀξιούντων. 16.1

Private feuds are to be put aside in favour of best policy. This theme recurs at pr.12:

τὰς ἰδίας ἀνελόντας φιλονικίας τὸ κοινῆ βέλτιστον

The audience too are admonished with respect to their attitude to best policy:

ἐγὼ δ' οὐδεπώποθ' ἡγησάμην χαλεπὸν τὸ διδάξαι τὰ βέλτισθ' ὑμᾶς (ὡς γὰρ εἶπεῖν ἀπλῶς, ἅπαντες ὑπάρχειν ἐγνωκότες μοι δοκεῖτε), ἀλλὰ τὸ πεῖσαι πράττειν ταῦτα· 15.1

Easy or attractive options are not to be preferred to the best and safest policies:

ἀλλὰ καὶ τοῖς λέγουσιν ἅπασι καὶ τοῖς ἀκούουσιν ὑμῖν τὰ βέλτιστα καὶ τὰ σώσοντα τῶν ῥάστων καὶ τῶν ἡδίστων προαιρετέον. 6.5

The speaker of oration 16 prefers to be thought a dispenser of nonsense than to allow certain men to deceive the Athenians in a way that is contrary to what he considers best for the city:

οὐ μὴν ἀλλ' αἰρήσομαι μᾶλλον αὐτός, ἂν ἄρα τοῦτο πάθω, δοκεῖν φλυαρεῖν, ἢ παρ' ᾧ βέλτιστα νομίζω τῇ πόλει, προέσθαι τισὶν ὑμᾶς ἐξαπατῆσαι. 16.3

Related to best policy is improvement of the situation. The speaker of pr.32 expresses the wish that orators might have shown as much enthusiasm for expressing the best

policies as for winning reputations for eloquence so that affairs might have been in better shape:

ἐβουλόμην ἄν, ὧ ἄνδρες Ἀθηναῖοι, τὴν ἴσῃν σπουδὴν ἐνίοις τῶν λεγόντων ποιεῖσθαι ὅπως τὰ βέλτιστ' ἐροῦσιν, ὁσσηπερ ὅπως εὖ δόξουσι λέγειν, ἵν' οὗτοι μὲν ἀντὶ τοῦ δεινοὶ λέγειν ἐπιεικεῖς ἐνομίζοντ' εἶναι, τὰ δ' ὑμέτερα, ὡσπερ ἐστὶν προσήκον, βέλτιον εἶχεν. pr.32.1

At pr.20.1 the speaker also blames political opponents for the state of affairs but then declares that it is the task of the counsellor to suggest means of improvement:

ὅτι μὲν γάρ τινων αἰτίων ὄντων κακῶς τὰ πράγματ' ἔχει, πάντες ἐπιστάμεθα· ἐξ ὅτου δὲ τρόπου βελτίω δύναιτ' ἄν γενέσθαι, τοῦτο τοῦ συμβουλευόντος ἔργον εἶπεῖν. pr.20.1

Provided that the audience co-operate the speaker at 5.3 promises to advise how the situation can be improved and how losses can be recovered:

οὐ μὴν ἀλλὰ καίπερ τούτων οὕτως ἐχόντων οἴομαι καὶ πεπεικῶς ἑμαυτὸν ἀνέστηκα, ἂν ἐθελήσητε τοῦ θορυβεῖν καὶ φιλονικεῖν ἀποστάντες ἀκούειν, ὡς ὑπὲρ πόλεως βουλευομένοις καὶ τηλικούτων πραγμάτων προσήκει, ἔξειν καὶ λέγειν καὶ συμβουλεύειν δι' ὧν καὶ τὰ παρόντ' ἔσται βελτίω καὶ τὰ προειμένα σωθήσεται. 5.3

At pr.31.2 the speaker advises the Ecclesia to

postpone thoughts of punishment and to concentrate for the time being on how to improve the situation:

οἶομαι δὲ δεῖν παρὰ μὲν τούτων ἐφ' ἡσυχίας λόγον ὑμᾶς λαβεῖν, νῦν δ' ὑπὲρ τῶν παρόντων, ὅπως ἔσται βελτίω, σκοπεῖν. pr.31.2

Another way of expressing concern for the public interest is to offer the strongest policies:

... ἄρξομαι, ἃ κράτιστα νομίζω διδάσκειν. 16.3

ἐπειδὴ δ' ὄσπην ἅπαντες ὄρατ' ἔχει δυσκολίαν, ὡς ἐκ τοιούτων πειράσομαι συμβουλεύειν ἃ κράτιστ' εἶναι νομίζω. pr.1.2

διὸ πειράσομαι μὲν φυλάξασθαι, δ' τούτοις ἐπιτιμῶ, μὴ παθεῖν αὐτός, συμβουλεῦσαι δ' ἃ κράτιστα νομίζω περὶ τῶν παρόντων. pr.11

The speaker of pr.49 outlines an orator's duty:

δεῖ δ' ὑπὲρ τῶν πραγμάτων, ἐπειδήπερ γέγονε λόγου τυχεῖν, ἃ τις ἡγεῖται κράτιστα, λέγειν. pr.49.3

Cautionary advice is given to the audience at pr.29.3:

ταῦτὸ δὴ τοῦτό μοι πάλιν δοκεῖτε πείσεσθαι, εἰ μὴ παρασχόντες ἴσους ἀκροατὰς πάντων ὑμᾶς αὐτοὺς ἐν τῷ παρόντι,

καὶ τοῦτον τὸν πόνον ὑπομείναντες, ἐλόμενοι τὰ κράτιστα τοὺς
ὀτιοῦν τούτοις ἐπιτιμῶντας φαύλους νομιεῖτε. pr.29.3

All these sentiments, offered in support of the public interest, could have several functions: to express the speaker's genuine conviction, to justify unpopular policy, to awaken the Ecclesia from complacency, to warn of the dangers of present policy. Each instance will be examined on its own merits in the analyses.

4. ANALYSES

Oration 1

ANALYSIS

In exchange for a large sum of money the speaker thinks that the Athenians would choose a clear view of what was going to benefit the state in the matters that they are now considering.

Attention (209), goodwill (402) (424)

ἀντὶ πολλῶν ἄν, ὧ ἄνδρες Ἀθηναῖοι, χρημάτων ὑμᾶς
ἐλέσθαι νομίζω, εἰ φανερόν γένοιτο τὸ μέλλον συνοίσειν
τῆ πόλει περὶ ὧν νυνὶ σκοπεῖτε.

1.1

Mention of a large sum of money is intended to attract the audience's interest, given everyone's natural propensity to wish for wealth. R. Clavaud 1974B, p.142 n.3 (ref. p.86), observes that the phrase ἀντὶ πολλῶν ... χρημάτων is proverbial and appears at Plato, *Phaedrus* 228a and at Xenophon, *Memorabilia* IV,2,9, while the whole introduction is parodied at Lucian; *Jupiter Tragoedus* 15. However, reference to a large sum of money is not solely designed to rouse interest. The scholia, M.R. Dilts 1983, p.14 no.1a, say that the introduction pays

the audience a sideways compliment:

τὸ προοίμιον ἐκ πλαγίου ἔπαινος τῶν ἀκροατῶν χρηστοῦ
ὑποκειμένου πράγματος.

The speaker wants something in return for his compliment. In the course of his speech he will return to the theme of money. Here at 1.1 he flatters the audience, feature 402, by suggesting that they are altruistic. At 1.20 he emphasizes the need for money:

δεῖ δὲ χρημάτων, καὶ ἄνευ τούτων οὐδὲν ἔστι γενέσθαι
τῶν δεόντων. 1.20

The year is 349/8 and Demosthenes is trying to persuade the Ecclesia to send a force to relieve Olynthus. Money is required to finance the expedition. Demosthenes suggests that the Athenians can afford it:

περὶ δὲ χρημάτων πόρου, ἔστιν, ὧ ἄνδρες Ἀθηναῖοι,
χρήμαθ' ὑμῖν, ἔστιν ὅσ' οὐδενὶ τῶν ἄλλων ἀνθρώπων στρα-
τιωτικά · ταῦτα δ' ὑμεῖς οὕτως ὡς βούλεσθε λαμβάνετε. εἰ
μὲν οὖν ταῦτα τοῖς στρατευομένοις ἀποδώσετε, οὐδενὸς ὑμῖν
προσδεῖ πόρου ... 1.19

L. Pearson 1976, p.128, comments that 'the allusion to the Theoric Fund, though indirect, is clear.' E.I. McQueen 1986, p.113, says, 'a euphemistic allusion to the Theoric Fund, the contents of which the orator would like to see

transferred to the military fund, but does not dare to propose openly.' The scholia, M.R. Dilts 1983, pp.15-16 no.1f, confirm these interpretations and explain why it is important that the sum mentioned at 1.1 is large:

ἐπειδὴπερ χρήματα ἔχοντες στρατιωτικὰ οἱ Ἀθηναῖοι ἔναγχος αὐτὰ πεποιήκασι θεωρικά, ὥστε λαμβάνειν ἐν τῷ θεωρεῖν ἕκαστον τῶν ἐν τῇ πόλει δύο ὀβολούς, ἵνα τὸν μὲν ἕνα κατάσχη εἰς ἰδίαν τροφήν, τὸν δὲ ἄλλον παρέχειν ἔχωσι τῷ ἀρχιτέκτονι τοῦ θεάτρου ... εἶτα βουλόμενος ὁ Δημοσθένης ταῦτα μεταβαλεῖν εἰς στρατιωτικά, ἐπειδὴπερ νῦν κατέλαβεν ὁ πόλεμος ὁ πρὸς Φίλιππον, καὶ εὐλαβούμενος εὐθύς ἐν τῇ ἀρχῇ λυπηρὸς φανῆναι τοῖς Ἀθηναίοις, εἴ γε ἔμελλεν αὐτοὺς ἀποστερεῖν τῶν δύο τούτων ὀβολῶν, τέως μὲν ἐν τῇ ἀρχῇ τοῦτο λέγειν φανερώς ἀναβάλλεται, τοῦτο δὲ αὐτοῖς ὑπονοεῖν παρέχει διὰ τοῦ εἰπεῖν ὅτι προκριτέον ἐστὶ τὸ συμφέρον τῶν χρημάτων. καὶ οὐκ εἶπεῖν ἀπλῶς 'χρημάτων', ἀλλὰ καὶ 'πολλῶν', δηλῶν ὅτι, εἰ πολλῶν χρημάτων μέλλουσι καταφρονεῖν διὰ τὸ συμφέρον, πόσῳ γε μᾶλλον οὐκ ἂν ὀκνήσειαν ὑπεριδεῖν δύο ὀβολῶν ἕνεκεν τοῦ λυσιτελοῦντος.

Accordingly, in attributing to the Athenians altruism, which would choose the state's interest in exchange for a large sum of money, the speaker's purpose is to make it difficult for the Athenians to refuse his hint at 1.19 that they make a small personal sacrifice for the sake of the war effort by foregoing their right to their theatre money. While this is a clever technique, it may not have been

wise. A.H.M. Jones 1957, who discusses the Theoric Fund at pp.33-35, comments, 'in the middle of the fourth century, the *theorica* must have been financially very small beer, and Demosthenes was rather foolish to make himself and his policy unpopular by trying to transfer it to the war fund.'

νομίζω reflects the caution of an orator who has begun comparatively recently to take the floor in the Ecclesia. Therefore he does not make a dogmatic statement about the Athenians' inclinations regarding the choice between expediency and money. Instead he expresses an opinion. He avoids, therefore, suspicion, or indeed charge, of presumption.

The words τὸ μέλλον συνοίσειν τῇ πόλει are intended to secure attention, feature 209, and to win goodwill, feature 424, with the suggestion that in the course of his speech the speaker will reveal this. Moreover it is implied in εἰ φανερόν γένοιτο that the speaker will make this clear. The scholia, M.R. Dilts 1983, p.17 no.3b, emphasize that the speaker mentions what is going to benefit the city, i.e. Athens, rather than the Olynthians:

βούλεται δοκεῖν ὑπὲρ τῆς πόλεως μᾶλλον ἢ τῶν Ὀλυνησίων ποιεῖσθαι τὸν λόγον. ἡ γὰρ τῆς εὐνοίας ἔνδειξις εὐκολώτερον πείθει τοὺς ἀκροατάς. οὐ μὴν οὐδὲ τὸ τῶν Ὀλυνησίων συνέστησε πρόσωπον ὡς διαβεβλημένον· καὶ γὰρ φθάνει φιλικὴν ἔχων πρὸς αὐτοὺς καὶ εἰρήνην ὁ δῆμος.

While I agree that it is a more effective way of persuading the audience to concentrate on Athens rather than on the Olynthians, one must beware of attributing to Demosthenes a deviousness which he does not possess. A simple explanation of his use of τῆ πόλει is that it reflects his genuine patriotism for his own city and his desire to explain his perception of where the city's true interest lies.

περὶ ὧν νυνὶ σκοπεῖτε is designed to concentrate the minds of the audience on the present issue. At the same time it signals that the speaker promises to confine himself to the strictly relevant details.

As this is so, it is fitting that the audience are willing to give an eager hearing to those who want to offer advice

Attention

ὅτε τοίνυν τοῦθ' οὕτως ἔχει, προσήκει προθύμως ἐθέλειν ἀκούειν τῶν βουλομένων συμβουλεύειν' 1.1

ὅτε τοίνυν τοῦθ' οὕτως ἔχει acknowledges the audience's tacit approval of the speaker's opening remarks and is designed to carry this approval forward into the next sentence which is a request for a hearing. Thus the speaker uses the audience themselves to recommend to themselves that they grant his request. How does he do this? He makes their agreement with his opening

observation presuppose a consistent ethical response to his request, προσήκει. Assuming that they agree ... it befits them also to agree The speaker is exerting moral pressure on his audience. He calls for a wholehearted response. The audience must listen eagerly and willingly, προθύμως ἐθέλειν ἀκούειν. Emphasis is added by separating προθύμως and ἀκούειν which belong together. Impartiality is implied in the words, τῶν βουλομένων συμβουλεύειν, suggesting that the audience ought to grant a hearing to everyone who wants to offer advice. An all-inclusive reception would ensure a hearing for at least one orator, who wants to offer advice, namely, the speaker himself.

For not only if someone comes forward with a useful idea that he has thought through, can the Athenians adopt this if they were to hear it, but also the speaker understands it to be part of the Athenians' good fortune that many suitable ideas occur to some men on the spur of the moment.

Attention

οὐ γὰρ μόνον εἶ τι χρήσιμον ἐσκεμμένος ἦκει τις,
τοῦτ' ἂν ἀκούσαντες λάβοιτε, ἀλλὰ καὶ τῆς ὑμετέρας τύχης
ὑπολαμβάνω πολλὰ τῶν δεόντων ἐκ τοῦ παραχρῆμ' ἐνίοις ἂν
ἐπελθεῖν εἰπεῖν

1.1

The speaker compares orators who make premeditated speeches with those whose speeches are extemporaneous. Why does he do this? L. Pearson 1976, p.127, suggests

reasonably that he is responding to his earlier failure with oration 4 and the consequent judgement of his peers:

'It is possible that more firmly established politicians warned the Assembly against being carried away by this forceful newcomer, who seemed not to have reflected on what he was saying.'

Thus the speaker's reputation has preceded him and has increased his difficulty in securing a hearing. His solution to this problem is remarkable. He makes a virtue out of what his opponents considered his weakness, impromptu speech, putting it on a par with premeditated speech, by means of the οὐ μόνον ... ἀλλὰ καὶ construction. Denied the recognition of his colleagues he appeals to a higher authority, Fortune, to recommend the merits of extemporaneous oratory. The advantages are that there are many suitable ideas, πολλὰ τῶν δεόντων and that they occur to several men, ἐνίοις ἂν ἐπελθεῖν εἰπεῖν. The speaker accordingly is recommending himself as one of the latter group of benefactors. The implicit message is that the Ecclesia should respond to their good fortune by granting a hearing to those orators, such as the speaker, who offer the benefit of their spontaneous ideas. A deft touch is the hint inherent in ἂν ἀκούσαντες that the audience might be reluctant to hear even those speakers who offer premeditated advice. The speaker is thumbing his nose at those orators who dismissed him as someone who did not give enough consideration to what he was saying. ὑπολαμβάνω,

like the earlier νομίζω, again reflects the caution of the newcomer. To refute this interpretation one could cite Plutarch, *Demosthenes* 8.2-5 and 10.1, who testifies to Demosthenes' dislike of impromptu speech and his preference for careful preparation. But that would be to miss the point, which is that Demosthenes was labouring under the slur that his oratory lacked careful preparation. This need not necessarily be true and is easily given the lie by his composition of 1.1. His strategy here is to assume the guise of an extemporaneous speaker.

For discussion of Demosthenes' ability as an extemporaneous speaker see A. Dorjahn 1947, 1950, 1952, 1955 and 1957.

so that from all the proposals the choice of the beneficial policy becomes easy for the audience.

Attention (210) (209), goodwill (424)

ὥστ' ἐξ ἀπάντων ῥαδίαν τὴν τοῦ συμφέροντος ὑμῖν ἀρ-
σιν γενέσθαι. 1.1

ἐξ ἀπάντων is intended to remind the audience of the advantage of listening to all proposals among which the speaker intends his own to be considered. ῥαδίαν is an example of feature 210, which attracts attention on the grounds that the course of action advocated is easy. τοῦ συμφέροντος attracts attention as feature 209 and goodwill as feature 424. It is implied that listening to the present speaker's speech will facilitate the choice of

beneficial policy since the speaker is going to explain what is beneficial for the city. τὴν τοῦ συμφέροντος ὑμῶν ἀρρεσιν creates an instance of ring composition since it recalls the theme with which the introduction began, ὑμᾶς ἐλέσθαι... εἰ φανερόν γένοιτο τὸ μέλλον συνοίσειν τῇ πόλει.
ARRANGEMENT

A (209), G (402) (424)

A

A

A (210) (209), G (424)

AIM

The aim of this introduction is to secure a hearing. It is necessary to overcome the audience's prejudice that the speaker does not have a well thought-out plan. The speaker's methods are to flatter the audience that they care more for what will benefit the city than for financial wealth; to stress the need for granting all counsellors a hearing, both those who offer premeditated advice and those who offer spontaneous advice, since Fortune favours several orators with many good ideas on the spur of the moment; and to suggest that if the audience follow this advice then their choice of beneficial policy will be easy. The speaker shows the caution of a newcomer to Ecclesia debates in his tendency to express opinion rather than to issue dogmatic statement. Caution may also account for the absence of specific references to the particular issue.

The speaker is content for the moment to secure a hearing and reserves specific comment for the main part of the speech. However his reference to large sums of money is not gratuitous but prepares the ground for his cryptic allusions to methods of financing an expedition at 1.19.

1.1 is a carefully composed and effective introduction which masquerades as the spontaneous appeal of an impromptu speaker. This is art concealing art.

Prooemium 3

Since prooemium 3 differs only slightly from oration 1 it is not analysed. However, R. Clavaud 1974B, pp.141-42 n.2, comments on these differences which are worth consideration:

ἀντὶ πολλῶν ἄν, ὧ ἄνδρες Ἀθηναῖοι, χρημάτων ὑμᾶς ἐλέ-
σθαι νομίζω, εἰ φανερόν γένοιτο τὸ μέλλον συνοίσειν τῇ
πόλει περὶ ὧν νυνὶ σκοπεῖτε. 1.1

ἀντὶ πολλῶν ἄν, ὧ ἄνδρες Ἀθηναῖοι, χρημάτων τὸ μέλλον
συνοίσειν ὑμῖν περὶ ὧν νυνὶ τυγχάνετε σκοποῦντες, οἴμαι
πάντας ἄν ὑμᾶς ἐλέσθαι. pr.3

Clavaud, p.142 n.1, considers that the phrasing of the first sentence has been modified and lightened, for example, the suppression of the unpleasant sound, γένοιτο τὸ. At n.b he suggests that νυνὶ τυγχάνετε σκοποῦντες has

a fuller rhythm than νυνι σκοπεῖτε . I agree with these observations.

προσῆκει προθύμως ἐθέλειν ἀκούειν τῶν ... 1.1

προσῆκει παρέχειν ἐθέλοντας ἀκούειν ὑμᾶς αὐτοὺς τῶν...
pr.3

Clavaud, p.142 n.c, prefers the version at pr.3 since it is fuller, more harmonious and because προσῆκει προθύμως is suppressed. I disagree with Clavaud. I prefer the concise 1.1.

παρέχειν ... ὑμᾶς αὐτοὺς and ἐθέλοντας are almost tautological whereas προθύμως suggests a superlative response consistent with the large price that the audience sets on the city's benefit. However one could argue that προθύμως embodies a request too forward for a cautious newcomer, such as Demosthenes in oration 1, assuming the same dramatic situation for prooemium 3.

ἐνίοις ἂν ἐπελθεῖν εἶπεῖν 1.1

ἐνίοις ἐπελθεῖν ἂν εἶπεῖν pr.3

I agree with Clavaud, p.142 n.d, that the separation of the two infinitives is more pleasant on the ear.

For the most part, then, pr.3 seems to be an improved version of 1.1. What implications does this have regarding the *raison d'être* of pr.3? It would suggest that it is not a first draft of 1.1 but rather an improved version, a

fair copy prepared for publication perhaps.

Oration 2

ANALYSIS

On many occasions one might see, it seems to the speaker, the goodwill of the gods for the city being demonstrated, and not least in the present circumstances.

Attention, goodwill

ἐπὶ πολλῶν μὲν ἂν τις ἰδεῖν, ὡς ἄνδρες Ἀθηναῖοι, δοκεῖ μοι τὴν παρὰ τῶν θεῶν εὖνοιαν, φανεράν γιγνομένην τῇ πόλει, οὐχ ἥμισυ δ' ἐν τοῖς παροῦσι πράγμασι. 2.1

This is another speech in which Demosthenes tries to persuade the Athenians to support Olynthus. He begins by making a generalization, ἐπὶ πολλῶν μὲν, which he applies as a prime example, οὐχ ἥμισυ δ', to the particular situation of the present circumstances, ἐν τοῖς παροῦσι πράγμασι. The theme of the generalization is the goodwill of the gods being manifested towards the city, τὴν παρὰ τῶν θεῶν εὖνοιαν φανεράν γιγνομένην. It serves two purposes: first, to rouse curiosity by making the audience wonder what is so special about present affairs; secondly, to disguise the speaker's intention. He is going to advocate supporting Olynthus, a suggestion against which the audience may already be prejudiced. Therefore in order to

begin with a subject, which the audience will find agreeable, he mentions the gods' goodwill to lull the audience. But he immediately relates it to the present situation. This enables him to introduce smoothly the subject that he really wants to discuss, and to prepare the way for using the gods to commend his own point of view.

The fact that Philip is faced with men looking for a fight with him, who are situated in some force on his own border, and, above all, who are so uncompromising about the war that they consider reconciliations with him first as untrustworthy and then as the destruction of their native land, is like an act of kindness from some deity, a favour that is altogether divine.

Statement (101), goodwill

τὸ γὰρ τοὺς πολεμήσοντας Φιλίππῳ γεγενῆσθαι καὶ χώραν ὄμορον καὶ δύναμιν τινα κεκτημένους, καὶ τὸ μέγιστον ἀπάντων, τὴν ὑπὲρ τοῦ πολέμου γνώμην τοιαύτην ἔχοντας ὥστε τὰς πρὸς ἐκεῖνον διαλλαγὰς πρῶτον μὲν ἀπίστους, εἴτα τῆς ἑαυτῶν πατρίδος νομίζειν ἀνάστασιν, δαιμονία τινὶ καὶ θεία παντάπασιν ἔοικεν εὐεργεσία.

2.1

While there is statement, feature 101, of the political situation, this is directed to suit the speaker's purpose. He attempts to create the impression that Philip is in a precarious position as an incentive to the Athenians to intervene on Olynthus' behalf. He interprets

the situation as a divine benefaction to commend further the Athenians' intervention. He suggests that the Athenians have been presented with an opportunity by the gods and that they should accept this as a favour and make the most of it.

It is necessary then that the Athenians see to it that they do not seem to treat themselves worse than circumstances have.

Goodwill

δεῖ τοίνυν, ὧ ἄνδρες Ἀθηναῖοι, τοῦτ' ἤδη σκοπεῖν αὐτούς, ὅπως μὴ χείρους περὶ ἡμᾶς αὐτούς εἶναι δόξομεν τῶν ὑπαρχόντων

2.2

The speaker again commends the Athenians to avail themselves of an opportunity. A degree of pressure is added with δεῖ, necessity, and with the requirement that the Athenians expend effort, τοῦτ' ἤδη σκοπεῖν αὐτούς, ὅπως, but the greatest pressure is brought to bear with the taunt that the Athenians would be treating themselves worse than circumstances have if they did not rise to this occasion. The implication is almost that the Athenians would be doing themselves an injury. There is also a notion of haste. ἤδη σκοπεῖν suggests that the Athenians must act while the time is ripe remembering that it will not stay ripe for long.

as it is characteristic of the disgraceful, or rather

of the very disgraceful, to be seen to abandon not only the cities and places over which they once had authority but also the allies and opportunities prepared by Fortune.

Goodwill

ὡς ἔστι τῶν αἰσχροῶν, μᾶλλον δὲ τῶν αἰσχίστων, μὴ μόνον πόλεων καὶ τόπων ὧν ἤμεν ποτε κύριοι φαίνεσθαι προϋεμένους, ἀλλὰ καὶ τῶν ὑπὸ τῆς τύχης παρασκευασθέντων συμμαχῶν καὶ καιρῶν.

2.2

Now the speaker goads his audience's consciences. Their attitude is so disgraceful that a superlative is called for. He instances the shameful consequences by balancing what would be lost with what could be found. In the former category, πόλεων καὶ τόπων, the Athenians will lose not only territory but self-respect and standing in the community. This is implied in ὧν ἤμεν ποτε κύριοι. While φαίνεσθαι belongs with προϋεμένους its juxtaposition with κύριοι is intended to emphasize the prospect of Athenian loss of face that would accompany loss of control. In the latter category, συμμαχῶν καὶ καιρῶν, the Athenians are rejecting advantages which could strengthen their position. This is disgraceful because by abandoning allies they are letting them down and by abandoning opportunities they are letting themselves down. Moreover they are treating Fortune disgracefully. On the one hand they are refusing to take advantage of a lucky break which flies in the face of natural behaviour. On the other they are slighting a deity who has gone to a lot of trouble on their

behalf, ὑπὸ τῆς τύχης παρασκευασθέντων. The speaker deliberately concludes the introduction with the words συμμάχων καὶ καιρῶν, to emphasize the two assets, allies and opportunities, with which he hopes to persuade the Ecclesia to adopt his policy.

ARRANGEMENT

A, G

S (101), G

G

G

AIM

The aim of this introduction is to win support for the speaker's policy that the Athenians should assist the Olynthians. The first task is to overcome the prejudice which the Athenians entertain against this idea. The speaker tries to achieve this with a novel approach, which forms the theme of the introduction, the favours bestowed upon the city by the gods and in particular by Fortune. These amount to the provision of allies and opportunities which weaken the position of Philip but strengthen the position of Athens. The speaker's next task is to persuade the Athenians to take advantage of these assets. and the method he adopts is to warn them of the shame that they would incur if they do not.

Fortune is used here to commend the speaker's case to

his audience. However the audience are required to cooperate with Fortune in order to validate the favours she bestows. In the course of the speech, 2.22, the speaker compares the Fortunes of Philip and Athens:

εἰ δέ τις ὑμῶν, ὦ ἄνδρες Ἀθηναῖοι, τὸν Φίλιππον
εὐτυχοῦνθ' ὄρων ταύτη φοβερὸν προσπολεμῆσαι νομίζεις,
σώφρονος μὲν ἀνθρώπου λογισμῷ χρῆται· μεγάλη γὰρ ῥοπή,
μᾶλλον δὲ τὸ ὄλον ἢ τύχη παρὰ πάντ' ἐστὶ τὰ τῶν ἀνθρώπων
πράγματα· οὐ μὴν ἄλλ' ἔγωγε, εἴ τις αἴρεσίν μοι δοίη, τὴν
τῆς ἡμετέρας πόλεως τύχην ἂν ἐλοίμην, ἐθελόντων ἂ' προσή-
κει ποιεῖν ὑμῶν αὐτῶν καὶ κατὰ μικρόν, ἢ τὴν ἐκείνου·
πολὺ γὰρ πλείους ἀφορμὰς εἰς τὸ τὴν παρὰ τῶν θεῶν εὐνοι-
αν ἔχειν ὄρω ὑμῖν ἐνούσας ἢ ἕκείνῳ. ἄλλ', οἴμαι,
καθήμεθ' οὐδὲν ποιοῦντες· οὐκ ἔνι δ' αὐτὸν ἀργοῦντ' οὐδὲ
τοῖς φίλοις ἐπιτάττειν ὑπὲρ αὐτοῦ τι ποιεῖν, μή τί γε δὴ
τοῖς θεοῖς. 2.22-23

The speaker emphasizes here the same points that he made in the introduction: the goodwill of the gods for the city, the influence of Fortune in human affairs, the weaker position of Philip, and the requirement for the Athenians to co-operate with Fortune.

It is noteworthy in the introduction that Demosthenes does not mention Olynthus. He presents the issue as a contest between Philip and Athens. Philip is portrayed as the weaker contestant, while the Athenians have Fortune on their side. Their response should be to come out fighting.

Oration 3

ANALYSIS

The same thoughts do not occur to the speaker when he considers public affairs and when he considers the speeches which he hears.

Attention, goodwill

οὐχὶ ταύτᾳ παρίσταται μοι γινώσκειν, ὦ ἄνδρες Ἀθη-
ναῖοι, ὅταν τ' εἰς τὰ πράγματ' ἀποβλέψω καὶ ὅταν πρὸς τοὺς
λόγους οὕς ἀκούω. 3.1

Attention is sought by the contrast which the speaker mentions. This is designed to make the audience curious about his imminent explanation. Goodwill is sought with the insinuation that there is something wrong with the speeches heard by the speaker. This is intended to discredit the orators who made them, i.e. the speaker's opponents. The implication is that the speech which the present speaker is about to deliver will be different. τὰ πράγματ' refers to affairs in the North. Demosthenes' purpose is to attempt again to persuade the Athenians to support Olynthus. The scholia, M.R. Dilts 1983, p.82 no.1c, comment on the concomitant use of paradox and comparison:

ὥς τῶν πραγμάτων χαλεπῶν ὄντων ἐξ ἐπιτιμήσεως εἴληπται

τὸ προοίμιον ἢ ἐκ τοῦ παραδόξου (παράδοξον γὰρ γίνεται ὅταν τοῖς λόγοις οὐ συντρέχη τὰ πράγματα) ἢ ἀπὸ συγκρίσεως (συγκρίνων γὰρ δείκνυσι τοὺς λόγους ἐναντίως ἔχοντας τοῖς πράγμασιν).

E.I. McQueen 1986, p.162, notes, 'The opening section of the sentence reappears at the beginning of the second *Prooemium* in the extant Demosthenes collection, while the entire sentence is parodied in a speech of Rhetoric in Lucian's *Double Indictment* (Lucian 29.26), and also imitated by Sallust in a speech put into the mouth of the younger Cato in the *Catiline* (52.2).' Oration 1 and pr.2 are compared in the discussion of pr.2.

The speaker observes that the speeches are about punishing Philip but affairs have reached the state that the Athenians must first see how they can avoid disaster themselves.

Statement (101), attention, goodwill

τοὺς μὲν γὰρ λόγους περὶ τοῦ τιμωρήσασθαι Φίλιππον ὁρῶ γιγνομένους, τὰ δὲ πράγματ' εἰς τοῦτο προήκοντα, ὥσθ' ὅπως μὴ πεισόμεθ' αὐτοῖ πρότερον κακῶς σκέψασθαι δεόν. 3.1

This sentence contains some statement, feature 101, of the current situation. L. Pearson 1976, p.132, comments:

'With the *Third Olynthiac* Demosthenes makes a fresh start. He takes more trouble than before to explain the situation and the great opportunity that is offered to the

Athenians. After a brief introduction, in which he gives the impression that other speakers are being more bellicose but less realistic than he is, he begins the narrative which he says is necessary if they are to understand the problem that faces them.'

I agree with Pearson. However this introduction is no less thematic than the previous ones. The theme developed at 1.1 is the Athenians' choice of beneficial policy, while at 2.1-2 it is the divine provision of opportunities and allies. Here the theme is the contrast between reality and its interpretation by the speaker's opponents. In this sentence Demosthenes emphasizes the contrast with the conflicting aims τιμωρήσασθαι and μὴ πεισόμεθ' . The scholia, M.R. Dilts 1983, p.83 no.6, remark on his technical skill:

μεγάλῳ θάρσει μέγαν φόβον ἀντέθηκε, σφόδρα τεχνικῶς ποιῶν. τὰ γὰρ μεγάλα πάθη μείζοσι πάθεσι λύειν προσήκει.

The speaker's purpose is to win attention and goodwill. The audience will want to hear how they can avoid disaster and ought to be grateful to the speaker for telling them. δέον adds the weight of necessity. The speaker's opponents, on the other hand, are discredited for being over-ambitious. This is the point of his exaggeration of the contrast. But the speaker may be guilty of exaggeration himself. The impression given in 2.1-2 is that Demosthenes entertained bellicose intentions

against Philip. The purpose of oration 3 is the same as that of oration 2: to persuade the Athenians to support Olynthus. Given that he did not succeed in this aim in oration 2, his change of tactics at 3.1-2 may be intended to disguise his intention and to facilitate his re-introduction of a consistent policy which is unpopular. His advocacy of aggression against Philip at 2.1-2 did not succeed in stirring the Athenians to action. His method this time is to convince them that it is harmful for them not to take action. In this respect he may be deliberately exaggerating the seriousness of the situation. At the same time, although he is still trying to stir the Athenians to action, he may be striving to create the impression that his policy is moderate compared with the warmongering appeals of his opponents. However this explanation may be too contrived. The simple explanation could be that Demosthenes is to be taken at his face value. He has recognized, unlike the other orators, that punishing Philip is not the main issue.

Speakers who give such advice about the matters under discussion seem to the speaker to do nothing other than offer the wrong subject for deliberation.

Attention, goodwill

οὐδὲν οὖν ἄλλο μοι δοκοῦσιν οἱ τὰ τοιαῦτα λέγοντες ἢ τὴν ὑπόθεσιν, περὶ ἧς βουλευέσθε, οὐχὶ τὴν οὔσαν παριστάντες ὑμῖν ἀμαρτάνειν.

3.1

The speaker accuses his opponents of missing the point. This is intended to win goodwill by discrediting them and simultaneously to secure a hearing with the implication that the present speaker is not going to miss the point.

The speaker, on the other hand, knows quite accurately that it was once possible for the city to make her affairs secure and to punish Philip.

Statement (101), attention, goodwill (402)

ἐγὼ δ', ὅτι μὲν ποτ' ἐξῆν τῇ πόλει καὶ τὰ αὐτῆς ἔχειν
ἀσφαλῶς καὶ Φίλιππον τιμωρήσασθαι, καὶ μάλ' ἀκριβῶς οἶδα·

3.2

ἐγὼ δ' is intended to draw attention to the speaker in contrast to the other orators in order to confirm the impression that he is about to offer the right subject for discussion and hence to secure attention. This idea is later reinforced by καὶ μάλ' ἀκριβῶς οἶδα which is emphasized by its postponement. ἀκριβῶς and οἶδα suggest that the speaker is an authority with a keen perception. The ὅτι clause demonstrates the acuity, at least, of the speaker's hindsight. But there is more to this than meets the eye. His sight is on the audience. His allusion to the recent political situation, ποτ' ἐξῆν τῇ πόλει, feature 101, serves two purposes. It enables him to flatter the audience, feature 402; it also allows him to set his own policy, τὰ αὐτῆς ἔχειν ἀσφαλῶς, on a par with that of his

opponents, Φίλιππον τιμωρήσασθαι . This is conciliatory. The speaker does not wish to alienate those of his audience who support his opponents' policy. Therefore he does not say outright that it is wrong but that it was once right so that he can win them round to the view that it is no longer right.

Within the speaker's memory and not long ago both objectives were attainable.

Statement (101), goodwill (402)

ἐπ' ἐμοῦ γάρ, οὐ πάλαι γέγονεν ταῦτ' ἀμφοτέρᾳ 3.2

The speaker emphasizes the accuracy of his claim with a personal recollection, ἐπ' ἐμοῦ , which is designed to apply the ring of truth of first hand testimony. οὐ πάλαι provides further flattery by hinting at the prowess of the present audience. At the same time it suggests confirmation of the speaker's claim by implying that the audience, as well as the speaker, ought to be able to recall this.

Now the speaker is persuaded that it is enough to achieve the first objective, namely to save the allies.

Goodwill

νῦν μέντοι πέπεισμαι τοῦθ' ἱκανον προλαβεῖν ἡμῖν εἶναι τὴν πρώτην, ὅπως τοὺς συμμάχους σώσομεν. 3.2

This sentence contrives to recommend the speaker's policy. νῦν μέντοι contrasts with the earlier ποτ' . Circumstances have changed. πέπεισμαι reinforces μάλ' ἀκριβῶς οἶδα and ἐπ' ἐμοῦ. The perceptive eyewitness has changed his convictions to suit the new circumstances. ἱκανον represents the voice of moderation. This is a key word which the speaker uses to justify his policy. E.I. McQueen 1986, p.162, comments on the next word that 'the prefix in the verb προλαβεῖν is intended to suggest "before Philip can prevent us".' The scholia, M.R. Dilts 1983, p.84 no.16a, compare Philip and the Athenians with sprinters competing for the same prize:

ὥσπερ ἐπὶ δρομέων εἶπεν ἐπειγομένων διὰ τάχους προ-
αρπάσαι τὸ ἄθλον κείμενον ἐν μέσῳ, ἵνα ἄθλον μὲν νοήσωμεν
τὴν Ὀλυμπον, δρομέας δὲ Φίλιππον τε καὶ Ἀθηναίους.

Both of these interpretations are consistent with Demosthenes' desire for a quick response from the Athenians. Next Demosthenes defines his policy more specifically, indeed more personally, than the earlier τὰ αὐτῆς ἔχειν ἀσφαλῶς. It is to save the allies, ὅπως τοὺς συμμάχους σώσομεν. The word συμμάχους with its connotations of treaties and responsibilities is more effective than Ὀλυμπόλους with its associations of distant foreigners. A personal touch is added by the first person plural of σώσομεν . Not only does this bring the responsibility home to the audience but it also allows,

along with the earlier ἡμῶν, a solidarity in which the speaker is included.

If this has been secured, then it will be possible to consider who is to be punished and how.

Goodwill

ἐὰν γὰρ τοῦτο βεβαίως ὑπάρξῃ, τότε καὶ περὶ τοῦ τίνα τιμωρήσεται τις καὶ ὄν τρόπον ἐξέσται σκοπεῖν. 3.2

Once more the speaker makes conciliatory overtures to those who support punishing Philip. Again he is at pains to be seen not in outright opposition but as one who advocates postponement till a more appropriate time. τότε completes the sequence of ποτ' and νῦν.

Before the foundation has been laid correctly, it is futile in the speaker's opinion to make any speech at all about the ultimate goal.

Goodwill

πρὶν δὲ τὴν ἀρχὴν ὀρθῶς ὑποθέσθαι, μάταιον ἡγοῦμαι περὶ τῆς τελευτῆς ὄντινοῦν ποιεῖσθαι λόγον. 3.2

The idea of postponement is reinforced with τὴν ἀρχὴν and περὶ τῆς τελευτῆς. The connotation of correctness and laying a foundation inherent in ὀρθῶς ὑποθέσθαι are designed to overcome the audience's prejudice against the speaker's policy, while μάταιον is intended to disabuse

them of the effectiveness of popular policy. ὄντινοῦν ποιεῖσθαι λόγον underlines the speaker's intention to say nothing further on the subject of punishing Philip. This sentence rounds off nicely this first and thematic introduction. 3.3 is a more prosaic second introduction whose function is to allow a breathing space between the idealistic first introduction and the narrative. It is as if the speaker, having stated his theme, pauses to issue a few introductory notices before beginning his narrative. An alternative explanation is that 3.3 is the original introduction while 3.1-2 is a less abrupt, more ornate composition which the speaker added as a final touch. Perhaps fearing that 3.3 provided too direct a beginning, Demosthenes selected a theme from his collection of Prooemia, in this case from pr.2, and reworked it to suit the circumstances of Oration 3. The original introduction is then retained to provide a transition between the conciliatory thematic introduction and the narrative.

If ever a crisis required much thought and deliberation then the present crisis is the one.

Attention

ὁ μὲν οὖν παρὼν καιρός, εἴπερ ποτέ, πολλῆς φροντίδος
καὶ βουλήs δεῖται· 3.3

This is a plea for attention. If the audience agree that there is much need then they cannot object to hearing

one more point of view, namely the speaker's.

The speaker does not think it very difficult to give the advice required for the present circumstances, but he is at a loss about the manner in which he must present it to the audience.

Attention, goodwill

ἔγὼ δ' οὐχ ὅ τι χρὴ περὶ τῶν παρόντων συμβουλευσαι
χαλεπώτατον ἡγοῦμαι, ἀλλ' ἐκεῖν' ἀπορῶ, τίνα χρὴ τρόπον, ὧ
ἄνδρες Ἀθηναῖοι, πρὸς ὑμᾶς περὶ αὐτῶν εἶπειν. 3.3

In the first part of this sentence the speaker attempts to secure a hearing by suggesting that he has the required advice for the present situation and furthermore that he has not had any difficulty in working it out. In the second part the speaker is trying to win goodwill by overcoming the audience's prejudice against his policy. He is also trying to win sympathy by alluding to the difficulty that faces him. His easy solution for the present crisis is to finance an expedition to support Olynthus. His difficulty is that the money that he should like to use is tied up in the Theoric Fund and cannot legally be transferred to the Military Fund. He dare not openly suggest such a transfer for fear of risking a *graphe paranomon*. Therefore he restricts himself to hints and cryptic comments.

The speaker is convinced by his knowledge gained from

personal experience and hearsay evidence that most of the Athenians' interests have eluded them through not wanting to do what was required rather than through ignorance of what was required.

Attention, goodwill

πέπεισμαι γὰρ ἐξ ὧν παρῶν καὶ ἀκούων σύνοιδα, τὰ πλείω τῶν πραγμάτων ἡμᾶς ἐκπεφευγένας τῷ μὴ βούλεσθαι τὰ δέοντα ποιεῖν ἢ τῷ μὴ συνιέναι. 3.3

The speaker returns to the theme of the expert witness, πέπεισμαι γὰρ ἐξ ὧν παρῶν καὶ ἀκούων σύνοιδα. This is designed to attract attention on the grounds that he is going to speak with authority and to win goodwill by lending that authority to his subsequent remarks. παρῶν καὶ ἀκούων recalls the contrast with which 3.1 began. This time what the speaker has seen and heard combines to strengthen his convictions. These echoes of 3.1-2 suggest that 3.1-3 should be considered as a unity since the theme is consistent. The view that 3.1-2 was added later as a renovated prooemium selected from the collection is therefore rejected.

Next the speaker uses a precedent to imply a lesson for the present situation. ἐκπεφευγένας might have to be applied to Olynthus if the Athenians take no action. The contrast between τῷ μὴ βούλεσθαι and τῷ μὴ συνιέναι is yet another allusion to the Theoric Fund. Demosthenes implies that the Athenians know that this money is needed for an

expedition but that they are unwilling to make it available by changing the legislation.

The speaker asks the audience to bear with him if he speaks with frankness, considering only whether he speaks the truth and whether his speech is designed to improve their future prospects.

Attention (201) (211), goodwill

ἀξιῶ δ' ὑμᾶς, ἂν μετὰ παρρησίας ποιῶμαι τοὺς λόγους, ὑπομένειν, τοῦτο θεωροῦντας, εἰ τᾶληθῆ λέγω, καὶ διὰ τοῦτο, ἵνα τὰ λοιπὰ βελτίω γένηται. 3.3

The speaker makes a direct request for a hearing, feature 201, ἀξιῶ δ' ὑμᾶς ... ὑπομένειν. He gives notice that he is going to speak with frankness. Although this is framed as a condition of his request for a hearing it is intended also to win goodwill as it is offered as a courteous preliminary. Attention is also sought on the grounds that the speaker is going to tell the truth, εἰ τᾶληθῆ λέγω, feature 211, and on the grounds that he is going to make improvements for the future, ἵνα τὰ λοιπὰ βελτίω γένηται.

For the audience see that as a result of some men speaking to incur their pleasure the present situation has reached a completely wretched condition.

Attention, goodwill

δρᾶτε γάρ, ὡς ἐκ τοῦ πρὸς χάριν δημηγορεῖν ἐνίοις εἰς
πᾶν προελήλυθε μοχθηρίας τὰ παρόντα. 3.3

The speaker ends with a sarcastic swipe at his opponents intended to win goodwill for him by discrediting them. But there is also an exploitation of irony in order to secure a hearing. It is suggested that listening to the kind of speeches that please the audience is the cause of the present disaster. It is implied that the audience should listen to the kind of speech that is not to their liking, such as the present speaker's. Moreover this ending provides an example of ring composition since it returns to the theme with which 3.1 began, the connection between the present situation and the speeches of the speaker's opponents. A neat progression is that the speaker began by making a personal observation. He ends the introduction by commanding the audience to see for themselves.

ARRANGEMENT

A, G

S (101), A, G

A, G

S (101), A, G (402)

S (101), G (402)

G

G

G

A

A, G

A, G

A (201) (211), G

A, G

AIM

Demosthenes' purpose in oration 3 is to persuade the Athenians to support Olynthus and to make changes in legislation that would allow the use of money from the Theoric Fund to finance the war effort. Given that such suggestions would be unpopular, the aims of the introduction are to secure a hearing and to win goodwill. To attract attention he begins with a paradox concerning the relationship between speeches and affairs. He also tries to create the impression that he knows exactly how to solve the situation. Later he adds that the audience also know but are unwilling to take the necessary action. He makes a direct request that the audience endure his frank speaking and promises truth and improvements. To win goodwill Demosthenes employs censure of fellow orators, flattery of the audience, the presentation of his policy as a preliminary rather than a replacement for popular policy, and rebuke of the audience's unwillingness to activate a solution that is obvious to them. The small amount of statement is not intended to convey information but is commandeered for the greater priorities of securing a hearing and winning goodwill.

Prooemium 2

ANALYSIS

The same thoughts do not present themselves to the speaker whenever he hears the Athenians name their form of government and whenever he sees the way that some of them treat those who speak in its defence.

Attention, goodwill

οὐχὶ ταῦτὰ γινώσκεις, ὦ ἄνδρες Ἀθηναῖοι, παρίσταταί μοι, ὅταν τε τὸ τῆς πολιτείας ὄνομ' ὑμῶν ἀκούσω, καὶ ὅταν τὸν τρόπον ὃν προσφέρονταί τινες ὑμῶν τοῖς ὑπὲρ ταύτης λέγουσιν ἴδω.

pr.2.1

Attention is sought with the contrast between the Athenians' declarations and their behaviour. Goodwill is sought by appeal to the audience's consciences. The speaker tries to shame the audience into supporting him. It is noteworthy that his accusation is not levied against the whole audience but only against τινες. The insinuation is that the rest support democracy in deed as well as word and consequently ought to support the speaker.

For while the Athenians call their form of government democracy, as all of them know, the speaker sees that some of the Athenians listen with more pleasure to those who speak for the opposite of this.

Attention, goodwill (501)

τὴν μὲν γὰρ πολιτείαν δημοκρατίαν, ὡς περ ἅπαντες ἴστε,
ὀνομάζετε, τῶν δὲ τάναντία ταύτη λεγόντων ἐνλίους ἥδιον
ἀκούοντας ὀρῶ. pr.2.1

The speaker makes another observation. Again he criticizes the behaviour of some of the audience. This time he uses ἐνλίους rather than τινες. He wants to create the impression that he is addressing a minority. This has two advantages. First it implies that a majority support the speaker's view. Secondly it defuses resistance to the speaker's censure since he appears to be criticizing only a few, not everyone. However, with the clause ὡς περ ἅπαντες ἴστε, he invites everyone to acknowledge tacit agreement. This is intended to put pressure on the audience to agree with the speaker. The implication is that the observed behaviour is hypocritical and that no one can deny this. Apart from censure the speaker has another motive for making this observation. That is anticipation, feature 501. He accuses some of listening with more pleasure to those who speak in favour of the opposite of democracy. He betrays a fear that some may listen to him with less pleasure. By exposing such practice he hopes to preclude it by anticipation so that the audience will not only listen to him but listen perhaps even with pleasure.

The speaker wonders what their motive might be.

Goodwill

ὁ καὶ θαυμάζω τίς ποθ' ἡ πρόφασις.

pr.2.2

The implication is that their motive is a bad one. The speaker's use of indirect question is designed to make the audience speculate about possible motives.

Does the audience think that these men are speaking for free?

Goodwill

πότερον προΐκα λέγειν ταῦτ' αὐτοὺς οἴεσθε;

pr.2.2

The speaker now uses a leading question to suggest a possible motive. This is a thinly veiled accusation of venality.

The leaders of the oligarchies on whose behalf these men speak might pay them more on the quiet.

Goodwill

ἀλλ' οἱ τῶν ὀλιγαρχιῶν, ὑπὲρ ὧν οὗτοι λέγουσιν, κύριοι καὶ πλείω σιωπῆς μᾶλλον ἂν δοῦεν.

pr.2.2

The accusation is now made explicit. σιωπῆς is intended to suggest clandestine, underhand dealings.

But has the audience assumed that these views are better than those of the others?

Attention, goodwill

ἀλλὰ βελτίω ταῦτ' εἶναι τῶν ἐτέρων ὑπειλήφατε; pr.2.2

The speaker now taunts the audience with a sarcastic rhetorical question. Clearly he means it to be understood that these views are not better. His aim is to discredit his opponents and to provoke the audience into granting him a hearing.

Oligarchy appears better to the audience than democracy.

Attention, goodwill

βελτίων ἄρ' ὑμῖν ὀλιγαρχία δημοκρατίας φαίνεται.

pr.2.2

More of the same medicine, but the speaker now dispenses with rhetorical question and makes an explicit accusation. It is as if he is answering the previous question by attributing to the audience sympathies which are diametrically opposed to traditional Athenian thinking. Implicit is the speaker's challenge to the audience to prove him wrong by granting a favourable hearing.

But does the audience think that the men themselves are better?

Goodwill

ἀλλ' αὐτοὺς εἶναι βελτίους ἡγεῖσθε;

pr.2.2

The speaker means it to be understood that the men are clearly not better and that the audience should acknowledge this. Next the speaker provides an answer to this question with another question.

Who could reasonably be thought by the Athenians to be honest who speaks in public in opposition to the established form of government?

Attention, goodwill

καὶ τίς ἂν ὑφ' ὑμῶν χρηστὸς νομίζοιτ' εἰκότως, ἐναντία τῇ καθεστῶσῃ πολιτείᾳ δημηγορῶν;

pr.2.2

This question is intended to discredit the speaker's opponents. Noteworthy is the phrase ὑφ' ὑμῶν, which involves the audience directly. This is an attempt by the speaker to enlist the audience as allies united against common enemies, namely the speaker's opponents. This technique is repeated with slight variation with the words ἐναντία τῇ καθεστῶσῃ πολιτείᾳ. This time the spotlight is centred on τίς, a paradigm for the speaker's opponents. The intention is to alienate the opponents from the audience by portraying them at the opposite pole from the establishment. χρηστὸς is used to suggest that the opponents are clearly not χρηστοί. εἰκότως is used to exert pressure on the audience by exploiting the natural reluctance to appear unreasonable.

Therefore all that remains to suppose is that the Athenians are mistaken whenever they hold this opinion.

Attention, goodwill

οὐκοῦν λοιπὸν ἀμαρτάνειν ὑμᾶς, ὅταν οὕτως ἔχητε τὴν
γνώμην. pr.2.2

The speaker tries a fresh approach. He accounts for the audience's opinion, which he has attributed to them himself, by suggesting that they are mistaken. He no longer says 'τινες', or 'ἐνίους', but addresses the audience in general. Ostensibly this line of argument is intended to shame the audience into granting a hearing, but it may also betray a fear on the speaker's part that the whole audience has come under the sway of his opponents. In the next sentence he warns of this mistake.

Guard against suffering this, lest the Athenians present an opportunity to those who are plotting against them and lest they consequently perceive their mistake when it is no longer of any advantage to them.

Attention, goodwill

τοῦτο τοίνυν φυλάττεσθε μὴ πάσχειν, ὦ ἄνδρες Ἀθηναῖοι,
ὅπως μὴ ποτε τοῖς ἐπιβουλεύουσιν λαβὴν δώσετε, εἶτα τότε
αἰσθήσεσθ' ἡμαρτηκότες, ἦνίκ' οὐδ' ὀτιοῦν ὑμῖν πλεον ἔσται.
pr.2.2

The speaker emphasizes his warning, τοῦτο τοίνυν φυλάττεσθε μὴ πάσχειν, with the insertion of the vocative which allows a pause for concentration before he specifies

what he means. The audience must avoid giving away a free hold, λαβὴν δώσετε. This is a figurative expression. λαβή is a pugilistic term. The speaker wants to spur the audience with a vivid image. It is as if he is comparing them to a boxer who leads with his chin allowing an opponent a free punch. The opponent in this instance is plural, those who plot against the Athenians, τοῖς ἐπιβουλεύουσιν. The speaker alludes to the leaders of the oligarchies whom he earlier accused of bribing some of the orators. He may even intend the latter to be included among the number of those who plot against the Athenians. The speaker's second warning is about the vain regret of hindsight, which offers no advantage, ἤν(κ' οὐδ' ὀτιοῦν ὑμῖν πλέον ἔσται. He implies that the Athenians can avoid this and can perhaps gain advantage by giving him a favourable hearing now.

ARRANGEMENT

A, G

A, G (501)

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A, G

A, G

AIM

The aim of this introduction is to secure a hearing and to win support for the speaker's policy. The speaker's references to *τινες* and *ένίους* may be an attempt to conceal the fact that *many* as opposed to a *few* of the Athenians are giving a favourable hearing to those who speak on behalf of the oligarchies.

The first sentence of pr.2 resembles the first sentence of 3.1:

οὐχὶ ταύτᾳ παρίσταται μοι γινώσκειν, ὧ ἄνδρες Ἀθη-
ναῖοι, ὅταν τ' εἰς τὰ πράγματα' ἀποβλέψω καὶ ὅταν πρὸς τοὺς
λόγους οὕς ἀκούω·

3.1

οὐχὶ ταύτᾳ γινώσκειν, ὧ ἄνδρες Ἀθηναῖοι, παρίσταται
μοι, ὅταν τε τὸ τῆς πολιτείας ὄνομα ὑμῶν ἀκούσω, καὶ ὅταν
τὸν τρόπον ὃν προσφέρονται τινες ὑμῶν τοῖς ὑπὲρ ταύτης
λέγουσιν ἴδω.

pr.2.1

In each case the speaker contrasts a view that he has heard expressed with his own observation. In 3.1 he contrasts present affairs with the speeches made by other orators. He goes on to accuse them of speaking on the wrong subject. In pr.2.1 he contrasts the Athenians' statements about their form of government with their treatment of those who speak on its behalf. The aim in

each case is to overcome any reluctance on the audience's part to give the speaker a hearing. The impression given is that the speaker fears that his policy will be unpopular. His method is to justify his subject in the first example by censure of the other orators, in the second by censure of the audience.

There is slight variation in the word order. In 3.1 ὅταν ... ἀποβλέψω is followed by καὶ ὅταν ... ἀκούω . In pr.2.1 the order is reversed: ὅταν ... ἀκούσω, καὶ ὅταν ... ἴδω. The introductory words are the same but the order is different:

οὐχὶ ταῦτὰ παρίσταται μοι γινώσκειν, ὦ ἄνδρες Ἀθη-
ναῖοι, ὅταν ... 3.1

οὐχὶ ταῦτὰ γινώσκειν, ὦ ἄνδρες Ἀθηναῖοι, παρίσταται
μοι, ὅταν ... pr.2.1

3.1 is preferable because the position of the vocative allows a pause for concentration immediately before the speaker relates his observations, ὅταν ... In pr.2.1, on the other hand, the pause occurs before the unemphatic words, παρίσταται μοι.

Oration 4

ANALYSIS

If the issue were a new one, the speaker would have waited until most of the regular speakers had expressed their opinions.

Attention, goodwill

εἰ μὲν περὶ καινοῦ τινος πράγματος προὔτιθεται, ὡς ἄνδρες Ἀθηναῖοι, λέγειν, ἐπισχῶν ἂν ἕως οἱ πλεῖστοι τῶν εἰωθότων γνώμην ἀπεφήναντο. 4.1

This is the first speech in a series of attacks on Philip of Macedon. It is also the first speech delivered by Demosthenes as opening speaker in an Ecclesia debate. The use of conditional sentence and of the phrase, περὶ καινοῦ τινος πράγματος, is designed to rouse curiosity. Goodwill is sought with the speaker's deferential acknowledgement of the Ecclesia's order of precedence.

If any of their suggestions had pleased the speaker, he would have remained silent

Goodwill

εἰ μὲν ἤρεσκέ τί μοι τῶν ὑπὸ τούτων ῥηθέντων, ἡσυχίαν ἂν ἦγον. 4.1

Here goodwill is sought with politeness and with the assurance inherent in ἡσυχίαν ἂν ἦγον that the speaker would not waste the audience's time.

but if not, then the speaker would have tried to

express his own opinion.

Goodwill

εἰ δὲ μή, τότε ἂν καὐτὸς ἐπειρώμην ἃ γινώσκω λέγειν·

4.1

Again goodwill is sought with politeness. The use of ἂν ... ἐπειρώμην emphasizes the absence of presumption on the part of the speaker.

Since the issue has been discussed by these men often before, the speaker thinks that he can reasonably be forgiven for rising to speak first.

Attention, goodwill

ἐπειδὴ δ' ὑπὲρ ὧν πολλάκις εἰρήκασιν οὔτοι πρότερον συμβαίνει καὶ νυνὶ σκοπεῖν, ἡγοῦμαι καὶ πρῶτος ἀναστὰς εἰκότως ἂν συγγνώμης τυγχάνειν.

4.1

The speaker tries to justify his claim to be granted the first hearing. Key words are *πολλάκις*, *πρότερον* and *καὶ νυνὶ* which enable the speaker to reinforce his claim with reason, *εἰκότως*. The speaker's deference is still apparent in his request for forgiveness, *ἂν συγγνώμης τυγχάνειν*.

If these men had given the required advice in the past, there would be no need for the Athenians to deliberate now.

Attention, goodwill

εἰ γὰρ ἐκ τοῦ παρεληλυθότος χρόνου τὰ δέονθ' οὗτοι
συνεβούλευσαν, οὐδὲν ἂν ὑμᾶς νῦν ἔδει βουλευέσθαι. 4.1

The speaker is like the worm that turned. This sentence provides an unexpected 'sting in the tail'. From the camouflage of his earlier deference the speaker now lashes his fellow orators with biting wit. He seeks goodwill by discrediting them. τὰ δέονθ' and οὐδὲν ἂν...ἔδει highlight their incompetence while ἐκ τοῦ παρεληλυθότος χρόνου and νῦν suggest that they have been wasting the audience's time. He seeks attention by implying that he is different from the other orators. He has something to say that is worth hearing and he is not going to waste the audience's time.

ARRANGEMENT

A, G

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A, G

A, G

AIM

The primary aim of this introduction is to secure a hearing. First the speaker demonstrates his good manners

by excusing himself for rising to speak ahead of his place in the order dictated by Ecclesia protocol. Then he insinuates that he has something to say that is worth hearing. Both manoeuvres could also win goodwill. However in the latter case the speaker will have to prove in the main part of his speech whether his advice is that required by the present situation. This also applies to any goodwill won from his censure of other orators. He will have to demonstrate in his speech that he is different from them. There is no preliminary statement. Indeed there are no specific references to any particular situation. This introduction could be attached to any speech whose situation fitted the general references found here.

I agree with L. Pearson 1976, p.123, who observes a change from earlier deliberative speeches, a return to the forensic manner:

'The difference is immediately apparent in the introduction of the *First Philippic*, which is more modest and in the manner of a plaintiff who thinks it necessary to explain why he is bringing suit - saying he would not have come forward if certain persons had been more reasonable, as in *Against Aphobus*:

"If Aphobus had been willing, gentlemen of the jury, to meet his obligations or to let members of the family settle our differences, there would be no need of litigation ... But since he refused ... I have no alternative but to try to obtain what is due to me in this court" (27.1).

...

This is the kind of conditional sentence with which he starts the *First Philippic*.'

Prooemium 1

As pr.1 is very similar to the introduction of oration 4, comment will be made only where there are marked differences.

Since the issue has been discussed by these men often before, the speaker thinks that even if he is first to rise he may reasonably seem to be speaking after them.

Attention, goodwill

ἐπειδὴ δ' ὑπὲρ ὧν πολλάκις εἰρήκασιν οὗτοι πρότερον, περὶ τούτων νυνὶ σκοπεῖτε, ἡγοῦμαι καὶ πρῶτος ἀναστὰς εἰκότως ἂν μετὰ τούτους δοκεῖν λέγειν. pr.1.1

In this sentence the speaker departs from the text of the counterpart in oration 4, where the speaker expresses the opinion that he can reasonably obtain forgiveness, εἰκότως ἂν συγγνώμης τυγχάνειν. H. Weil 1881, p.82, comments on this departure:

'Moins spirituel, peut-être, mais plus vif, il fait succéder ici au ton d'une modestie banale la critique des conseillers habituels du peuple.'

R. Clavaud 1974B, p.35, also prefers the version found in pr.1:

'Le ton de la Philippique est plus soumis, celui du Prologue plus insolent, digne en tout cas du meilleur Démosthène.'

Clavaud further comments, p.35 n.1, that Demosthenes' polite submission did not deceive the scholiast:

'C'est une soumission polie, mais dont le scholiaste n'est pas dupe: Καίτοι ἀποδείξας ὡς οὐχ ἁμαρτάνει διὰ τὸ ταπεινοφρονεῖν, συγγνώμην τὸ τοιοῦτον καλεῖ (Oratores attici, éd. Müller-Hunziker, t, II, p.555).'

I agree with these commentators that the version which appears in pr.1 is preferable. The request for forgiveness at 4.1 has the disadvantage that it can be interpreted by the audience as a rhetorical commonplace instead of a junior speaker's politeness. By contrast the version in pr.1 is much more straightforward. The speaker's aim is to censure the other orators. Moreover, in re-using the idea of speaking after those who have already spoken, the feature is made aesthetically neater than its counterpart at 4.1. Why, then, didn't Demosthenes use the pr.1 version when he delivered oration 4? If we assume that pr.1 was written first, either as an introduction to be available for use when required or as a first draft of 4.1, why did Demosthenes make a change in this sentence? A possible

explanation is that he lost his nerve and substituted politeness for reproach. However, this explanation does not account for the very reproachful final sentence of 4.1. There is no obvious good reason for the change.

The next sentence has variant readings.

If affairs were fine there would be no need for deliberation.

Attention, goodwill

εἰ μὲν οὖν εἶχεν καλῶς τὰ πράγματα, οὐδὲν ἂν ἔδει
βουλευέσθαι. pr.1.2

If affairs were fine there would be no need to give advice.

εἰ μὲν οὖν εἶχεν καλῶς τὰ πράγματα, οὐδὲν ἂν ἔδει
συμβουλεύειν. pr.1.2

συμβουλεύειν makes better sense because it focuses attention on the role of an orator whereas βουλευέσθαι concentrates on the task of the Ecclesia as a group. συμβουλεύειν allows the speaker to seek goodwill by implying that he is not going to waste the audience's time. Another reason for preferring συμβουλεύειν will become apparent when the next sentence is considered. However, for the moment, it must be said that neither of these variants are as good as the version which Demosthenes uses at 4.1:

If these men had given the required advice in the past, there would be no need for the Athenians to deliberate now.

Attention, goodwill

εἰ γὰρ ἐκ τοῦ παρεληλυθότος χρόνου τὰ δέονθ' οὔτοι
συνεβούλευσαν, οὐδὲν ἂν ὑμᾶς νῦν ἔδει βουλευέσθαι. 4.1

This is better because the speaker discredits his opponents with stinging reproach. The variant versions at pr.1.2 both merely state a platitude.

Since all the audience can see how much difficulty exists, in such circumstances the speaker will try to advise what he considers the strongest policy.

Statement (102), attention, goodwill

ἐπειδὴ δ' ὄσσην ἅπαντες ὁρᾶτ' ἔχει δυσκολίαν, ὡς ἐκ τοι-
ούτων πειράσομαι συμβουλεύειν ἃ κράτιστ' εἶναι νομίζω. pr.1.2

Clavaud, p.140 n.4 (reference p.84), comments on
συμβουλεύειν:

'Noter la répétition voulue du verbe conseiller; dans la *Première Philippique*, cette répétition se double d'un jeu de mots entre conseiller et conseil, et d'une symétrie conforme à la tradition de Gorgias: εἰ γὰρ ... τὰ δέοντα οὔτοι συνεβούλευσαν, οὐδὲν ἂν ὑμᾶς νῦν ἔδει

βουλευέσθαι, ... Il ne faut pas aligner le texte du Prologue sur celui de la *Philippique*.'

I agree with Clavaud. In the previous sentence συμβουλευέειν brings to mind the orator's task and leads naturally to the speaker's offer of advice, πειράσομαι συμβουλευέειν. The progression from βουλευέσθαι would not have been so smooth. Moreover the repetition of συμβουλευέειν enhances the contrast between καλῶς and δυσκολίαν by allowing them to be seen, as it were, with similar backgrounds.

This is the final sentence of that part of pr.1 deemed to form the introduction. The aims of this sentence are to state the speaker's objective for the forthcoming speech, feature 102, to secure attention and to win goodwill. The clause ἄ κρᾶτιστ' εἶναι νομίζω is intended to win attention and goodwill.

The model for this kind of introduction is Isocrates' *Archidamus*:

Ἴσως τινὲς ὑμῶν θαυμάζουσιν, ὅτι τὸν ἄλλον χρόνον ἐμμεμενηκῶς τοῖς τῆς πόλεως νομίμοις, ὡς οὐκ οἶδ' εἴ τις ἄλλος τῶν ἡλικιωτῶν, τοσαύτην πεποίηκα τὴν μεταβολήν, ὥστε περὶ ὧν ὀκλινοῦσιν οἱ πρεσβύτεροι λέγειν, περὶ τούτων νεώτερος ὧν παρελήλυθα συμβουλευέσων. ἐγὼ δ', εἰ μὲν τις τῶν εἰθισμένων ἐν ὑμῖν ἀγορεύειν ἀξίως ἦν τῆς πόλεως εἰρηκῶς, πολλὴν ἂν ἡσυχίαν ἦγον. Isocrates, *Archidamus* 1

Weil, p.82, compares this with 4.1:

'La rapidité incisive de l'orateur militant contraste avec le style agréable et complaisamment prolix de l'harmonieux écrivain.'

Clavaud, p.35, compares it with pr.1:

'... chez Démosthène un dilemme nettement posé avec un trait final qui reste dans l'esprit; une impression de "chose vue"; chez Isocrate, une pensée timide, dissimulée dans l'arrondi de la période. Ce sont les mêmes propos, mais c'est un tout autre langage.'

Demosthenes goes a step further than Isocrates. The latter accuses his opponents of reluctance to deal with the issues. Demosthenes claims that they have already discussed them, but to no avail. Thus he accuses his opponents of incompetence.

Oration 5

ANALYSIS

The speaker observes that the present circumstances offer much discontent and trouble.

Statement (101), attention, goodwill

ὄρω μὲν, ὦ ἄνδρες Ἀθηναῖοι, τὰ παρόντα πράγματα πολλὴν
δυσκολίαν ἔχοντα καὶ ταραχὴν 5.1

The speaker makes a preliminary statement, feature 101, about the present circumstances. This is the autumn of 346. Feeling was running high in the Ecclesia after the defeat by Philip of the Phocians, a repercussion of the flawed Peace of Philocrates. Insult had been added to injury by Philip's membership of the Amphictyonic Council, not to mention his presidency at the Pythian Games. The mood, therefore, was belligerent when he sent envoys to ask the Athenians to confirm his membership of the Council. However, Demosthenes advises against refusal and argues that the Peace must be maintained in spite of its shortcomings. Nevertheless his beginning is conciliatory. He acknowledges the justification for dissatisfaction and dissidence, πολλὴν δυσκολίαν ἔχοντα καὶ ταραχὴν, in order to establish his solidarity with his peers as a means of securing their goodwill to secure in turn a hearing.

Not only have there been many losses, and waxing eloquent about them is good for nothing

Statement (101), attention, goodwill

οὐ μόνον τῷ πολλὰ προεῖσθαι καὶ μηδὲν εἶναι προὔργου
περὶ αὐτῶν εὖ λέγειν 5.1

The purpose of these clauses is the same as the previous one, to win the audience's confidence to

facilitate the securing of a hearing. Hence the reference to many losses, τῷ πολλὰ προεῖσθαι. However there is an enigmatic quality about the speaker's qualification of them, καὶ μηδὲν εἶναι προὔργου περὶ αὐτῶν εὔ λέγειν. There is ambiguity here, perhaps deliberately fostered. Ostensibly the speaker gives the impression, in order to disarm the audience, that he is referring to himself, implying that he does not intend to make futile speeches about the losses. Yet with hindsight the audience may discover that he was speaking about the Ecclesia in general and actually suggesting that they do not brood on the losses by indulging in pointless debate.

but there is also complete divergence of opinion about what is advantageous for the remaining possessions, this idea appealing to some, that idea to others.

Attention (209), goodwill (424)

ἀλλὰ καὶ περὶ τῶν ὑπολοίπων κατὰ ταῦτα μηδὲ καθ' ἓν τὸ συμφέρον πάντας ἡγεῖσθαι, ἀλλὰ τοῖς μὲν ὠδί, τοῖς δ' ἑτέρως δοκεῖν.

5.1

The speaker now leaves commiseration behind and begins to rebuke the audience. He wants to redirect their thoughts away from past events which cannot be changed. This was the point of his reference to futile eloquence, καὶ μηδὲν εἶναι προὔργου περὶ αὐτῶν εὔ λέγειν. Instead he wants them to think about the future and what remains

intact of their empire, περὶ τῶν ὑπολοίπων. The focus of their consideration is to be what would be beneficial, τὸ συμφέρον. This is a key phrase which attracts attention as feature 209 and goodwill as feature 424 with the implication that in the course of his speech the speaker will reveal τὸ συμφέρον. His rebuke to the audience is that their consideration of this subject is not focused but scattered, κατὰ ταύτᾳ μηδὲ καθ' ἓν τὸ συμφέρον πάντας ἡγεῖσθαι. The audience are not unanimous but torn in different directions, ἀλλὰ τοῖς μὲν ὡδί, τοῖς δ' ἑτέρως δοκεῖν.

While deliberation is naturally unpleasant and difficult, the Athenians have made it a great deal more difficult.

Attention, goodwill

δυσκόλου δ' ὄντος φύσει καὶ χαλεποῦ τοῦ βουλευέσθαι,
ἔτι πολλῷ χαλεπώτερον ὑμεῖς αὐτὸ πεποιήκατ', ὧ ἄνδρες
'Αθηναῖοι'

5.2

δυσκόλου δ' ὄντος φύσει καὶ χαλεποῦ recalls the beginning of the introduction, πολλὴν δυσκολίαν ἔχοντα καὶ ταραχήν. It is as if the speaker is signalling that he is starting again or making a fresh start. Having paid his respects to the Ecclesia's sense of bereavement he now proceeds to the real issue, τοῦ βουλευέσθαι. In the course of his speech Demosthenes will recommend that the Athenians do not upset the Amphictyons and that they respect the

Peace of Philocrates. However he realizes that these policies are contrary to the Ecclesia's present mood. His purpose, therefore, before tackling these issues, is first to secure their attention and their goodwill by concentrating their thoughts on their manner of deliberating, τοῦ βουλευέσθαι. The speaker, then, tries a fresh approach. He immediately provokes thought with a rebuke, ἔτι πολλῷ χαλεπώτερον ὑμεῖς αὐτὸ πεποιήκατ' , ὦ ἄνδρες Ἀθηναῖοι. The insertion of the vocative allows a pause for reflection. J.E. Sandys 1900, p.84, comments that the vocative is 'exceptionally placed at the end ... to emphasize the expression of pain and reproach.' I agree, but it is difficult to speculate whether this is a *cri de coeur* or a manoeuvre to manipulate the audience.

For all other men are accustomed to resort to deliberation before the event, but the Athenians do so after it.

Goodwill

οἱ μὲν γὰρ ἄλλοι πάντες ἄνθρωποι πρὸ τῶν πραγμάτων εἰώ-
θασιν χρῆσθαι τῷ βουλευέσθαι, ὑμεῖς δὲ μετὰ τὰ πράγματα. 5.2

The speaker offers an explanation of his rebuke. He emphasizes the audience's mistake by claiming that they are out of step with everyone else. J.E. Sandys 1900, p.84 remarks that ὑμεῖς δὲ is 'said in bitter disappointment, and with none of the satirical scorn of the Comic Poet, who said of Cleon: Κλέων Προμηθεύς ἐστι μετὰ τὰ πράγματα

(Lucian's *Prometheus* i, p.26).' But Sandys may over-estimate his emotional involvement. While this expression of disappointment may be a demonstration of genuine feelings, it is certainly calculated to provoke the audience with a view to turning them round to the speaker's way of thinking. Although he generalizes about habitual practice, εἰώθασι, inherent in ὑμεῖς δὲ...πράγματα is an allusion to the present situation. Demosthenes wants them to stop moping about events that are over and done with and to accept them as accomplished facts. They ought to put the past behind them and, like all other men, look to the future.

The consequence of this has been, for as long as the speaker can remember, that whoever criticises the Athenians' mistakes wins a reputation for eloquence while their interests and the objects of their deliberation escapes them.

Goodwill

ἐκ δὲ τούτου συμβαίνει παρὰ πάντα τὸν χρόνον ὃν οἶδ'
ἐγώ, τὸν μὲν οἷς ἂν ἀμάρτητ' ἐπιτιμῶντα εὐδοκιμεῖν καὶ
δοκεῖν εὖ λέγειν, τὰ δὲ πράγματα καὶ περὶ ὧν βουλευέσθ'
ἐκφεύγειν ὑμᾶς.

5.2

The speaker's reminiscence, with which this sentence is introduced, is intended to guarantee his observations with the hallmark of long custom, and to disguise the fact that, while purporting to describe long established

practice, he is actually caricaturing the post-mortem debates that have been taking place at that very moment in the Ecclesia. δοκεῖν εἶ λέγειν is intended to recall μηδὲν εἶναι προὔργου περὶ αὐτῶν εἶ λέγειν. His accusation is that opportunist politicians are taking advantage of the Athenians' penchant for self-criticism to make a name for themselves while the Ecclesia are wallowing so deeply in self-indulgence that they have lost sight of the way forward.

Nevertheless, although this is the way the land lies, the speaker has risen to speak with the opinion and conviction that, if the audience are willing to cease from uproar and party spirit, and to listen in a manner befitting those deliberating on behalf of the state and on matters of such importance, it is possible both to state and to recommend how the present situation will be improved and how losses will be recovered.

Attention, goodwill (501)

οὐ μὴν ἀλλὰ καίπερ τούτων οὕτως ἔχόντων οἴομαι καὶ πεπεικῶς ἑμαυτὸν ἀνέστηκα, ἂν ἐθελήσητε τοῦ θορυβεῖν καὶ φιλονικεῖν ἀποστάντες ἀκούειν, ὡς ὑπὲρ πόλεως βουλευομένοις καὶ τηλικούτων πραγμάτων προσήκει, ἔξειν καὶ λέγειν καὶ συμβουλεύειν δι' ὧν καὶ τὰ παρόντ' ἔσται βελτίω καὶ τὰ προειμένα σωθήσεται.

5.3

The speaker nails his colours to the mast with the expressions, οὐ μὴν ἀλλὰ and καίπερ... He is serving notice

that he is opposed to the prevalent opinion. This is a courtesy which is designed to win goodwill by attracting admiration for one prepared to take a stand on a controversial issue. This is reinforced by the next few words, οἴομαι καὶ πεπεικῶς ἑμαυτὸν ἀνέστηκα, which assert that the speaker's decision to enter the debate is the result of considered opinion and soul-searching conviction. The scholia, M.R. Dilts 1983, p.122 no.16, admire the way οἴομαι introduces πεπεικῶς and remark on the futility of an ambivalent orator:

καλῶς τὸ 'οἴομαι' ἐπήγαγε τοῦτο· οὐδεὶς γὰρ ἀμφιβάλ-
λοντι ῥήτορι πελθεταί.

As well as seeking goodwill, οἴομαι and πεπεικῶς ἑμαυτὸν are also designed to attract attention by rousing curiosity. The condition, which follows, is an unequivocal appeal for a hearing, ἂν ἐθελήσητε τοῦ θορυβεῖν καὶ φιλονικεῖν ἀποστάντες ἀκούειν. The speaker tries to counter heckling by anticipating it, goodwill feature 501, with the mention of τοῦ θορυβεῖν καὶ φιλονικεῖν. This reference is meant to shame the audience into silence. Further moral pressure is exerted with the next few words, ὡς ὑπὲρ πόλεως βουλευομένοις καὶ τηλικούτων πραγμάτων προσήκει. The audience are reminded of their responsibility to the city, of the importance of the matters under discussion, and of the conduct incumbent upon those who deliberate such issues on behalf of the city. ἔξειν is a key word since it offers hope. It is dependent on οἴομαι but is separated

from its antecedent by the speaker's conviction and the stipulation imposed upon the audience. The speaker has contrived a neat parallel between syntax and sense. His belief in the possibility of the situation is dependent on the audience's cooperation and his own trust in the effectiveness of their cooperation. The speaker has declared his vote of confidence in the audience and now looks for a reciprocal response. ἔξειν governs λέγειν and συμβουλεύειν. These words emphasize ἔξειν by postponing revelation of its reference. The speaker promises improvement of present conditions, τὰ παρόντ' ἔσται βελτίω, and redemption of losses, τὰ προειμένα σωθήσεται. These promises are intended to secure a hearing and to win goodwill.

ARRANGEMENT

S (101), A, G

S (101), A, G

A (209), G (424)

A, G

G

G

A, G (501)

AIM

Demosthenes commiserates with the Athenians about the current situation, criticizes their habitual reaction to

crises and promises to offer solutions for the present crisis. L. Pearson 1976, p. 138, observes that Demosthenes is much less aggressive in 346 than he was when he delivered orations 1-3. As he is more apologetic, Pearson suggests that it is as though he had exchanged the role of prosecutor for that of defendant. The scholia, M.R. Dilts 1983, p.120, find the arguments so inconsistent with previous policy that they question the authenticity of the speech:

τινὲς δὲ ἐνόθευσαν τοῦτον τὸν λόγον ὡς ἀνομοίαν ἔχοντα ὑπόθεσιν τῆς γνώμης αὐτοῦ, οὐ προσσχόντες ἀκριβῶς τῷ σκοπῷ τοῦ ῥήτορος. ἐπειδὴ γὰρ δοκεῖ ὑπὲρ Φιλίππου λέγειν, ὃ οὐδεπώποτε ὤφθη ποιήσας, ῥῆθησαν εἶναι αὐτοῦ τὸν λόγον ἀλλότριον.

Libanius' comment on oration 5 is that it was composed but not delivered by Demosthenes since it contradicts his assertion at 19.113 that Aeschines was the only one who spoke in support of Philip's ambassadors on this occasion. However, one should allow Demosthenes, the litigant, leeway to bend the truth to suit his purpose. Aeschines would hardly risk recalling one of his opponent's successes by contradicting him. W.W. Goodwin 1904, p.228, comments that, given the people's reluctance to accept what they deemed a disgrace to Greece and an insult to themselves and their refusal to grant Aeschines a hearing, Demosthenes was perhaps the only man in Athens who could persuade the Ecclesia to take the humiliating course which prudence now

made necessary.

The aim, then, of the introduction is to introduce a speech on an unpopular subject. Demosthenes' approach is first to win the audience's confidence with commiseration. Then he rebukes them for debating after events instead of in anticipation of affairs. He does this to facilitate his recommendations about future policy in the main part of the speech. To secure attention and goodwill he promises, in exchange for an interruption-free hearing as befits those deliberating important matters of State, to offer advice which will improve the situation and recover losses.

J.E. Sandys 1900, pp.85-86, questions the validity of the promise implied in τὰ προειμμένα σωθήσεται since it is not fulfilled in the main part of the speech. Consequently it has been suspected that the introduction was not originally composed for oration 5. Explanations cited by Sandys are that it was written for a speech now lost or that it was hastily selected from the collection of proemia without sufficient regard to its being perfectly appropriate to the subsequent context. The promise's purpose, then, would be to arrest the attention and arouse the expectation of the audience.

The explanation that this is an introduction selected from the collection of proemia is disputable because this introduction does not have a duplicate in that collection. For example, the introduction of oration 14 is identical to pr.7. However the references in this introduction are general enough for it to resemble the kinds of introduction contained in the collection and it is possible that at one

time there could have been a duplicate which is now lost. Alternatively one could argue that if Demosthenes had taken this introduction out of his collection of prooemia he need not have left a duplicate in that collection. But in any case the function of the speaker's promise is more important than its fulfilment. The promise is designed to attract attention, and once it has done that it has served its primary purpose. After all, a speaker cannot fulfil promises unless he persuades an audience to listen to him in the first place. It is even possible in this case that the speaker deliberately misled the audience simply to secure their attention. Unlike Sandys, the Athenian audience did not have the opportunity for cross-reference permitted by a written version of the speech. How many of them would have remembered what had been promised in the introduction, and of those who did, how many would have cared?

To make a decision about the introduction's relationship with the speech and about the speaker's promise we must no longer consider the introduction in isolation but in comparison with the rest of the speech. The speaker begins the main part of the speech by recalling, at 5.4-10, three previous occasions when he came forward to speak. He describes how on each occasion his advice was rejected at the time but was later proved with hindsight to have been good. This passage is connected with and amplifies his presentation of himself in the introduction as one who is so determined to give the best advice that he is unwilling to follow the well trodden path

which leads to popular acclaim but prefers to run the lonely gauntlet of heckling and partiality. Thus the theme of the lone voice offering good advice in the face of resistance has its origin in the introduction and is illustrated in the main part of the speech with the speaker's recollection of three occasions when his good advice was vindicated by events, having been rejected originally by a prejudiced audience. Accordingly one is obliged to conclude that the introduction was composed with the rest of the speech in mind and the theory that it was selected from the collection of prooemia can be ruled out.

Consideration is now given to the speaker's promise. The end of the speech deals with precautions which will prevent risk to the existing peace. The speaker gives priority to the preservation of peace, even if this means accepting some losses. It is in this context that he makes what amounts to a fulfilment of his promise.

καὶ Φιλίππῳ νυνὶ κατὰ τὰς συνθήκας Ἀμφιπόλεως παρακω-
χωρήκαμεν, καὶ Καρδιανούς ἐῷμεν ἔξω Χερρονησιτῶν τῶν ἄλλων
τετάχθαι, καὶ τὸν Κᾶρα τὰς νήσους καταλαμβάνειν, Χίον καὶ
Κῶν καὶ Ῥόδον, καὶ Βυζαντίους κατάγειν τὰ πλοῖα, δῆλον ὅτι
τὴν ἀπὸ τῆς εἰρήνης ἡσυχίαν πλειόνων ἀγαθῶν αἰτίαν εἶναι
νομίζοντες ἢ τὸ προσκρούειν καὶ φιλονικεῖν περὶ τούτων.

5.25

The speaker's advice is that the tranquility afforded by peace is more productive of advantages than disputes about losses. In the next sentence, which concludes the

speech, he cites precedent to disparage his rivals' policies.

οὐκοῦν εὐήθεις καὶ κομιδῆ σχετλίον, πρὸς ἑκάστους καθ' ἕν' οὕτω προσενηνεγμένους περὶ τῶν οἰκείων καὶ ἀναγκαιοτάτων, πρὸς πάντας περὶ τῆς ἐν Δελφοῖς σκιᾶς νυνὶ πολεμῆσαι. 5.25

Has the promise been fulfilled? It is enough to say that the speaker could claim that he had fulfilled his promise to the extent that the peace provided compensation for the losses which could in that context be said to be saved. J.E. Sandys 1900, p.85, places emphasis on the translation of σωθήσεται and cites evidence which shows that it can mean 'recovered' or 'retrieved'. It is probable that in the introduction Demosthenes wants the audience to think that he means 'recovered' in order to arouse their interest to ensure a hearing. But at the end of the speech a new promise of advantages arising from peace outweighs and supercedes the introduction's promise. If the speaker were taken to task he could always quibble about the meaning of σωθήσεται but it is unlikely that this would happen. An overall examination of the speech sets the introduction and the promise in perspective. The speaker's intention is to make a controversial speech. Given precedent he knows the audience's response to popular subjects. Indeed there is evidence in the speech of audience hostility:

καὶ μοι μὴ θορυβήσῃ μηδεὶς πρὶν ἀκοῦσαι.

5.15

His response to this challenge is to compose the introduction in a way that disguises his intention. There is no mention of the Peace of Philocrates. Moreover the speech was a success. He convinced the Ecclesia that the Peace was a lesser evil and their only hope of salvation. Peace was preserved with Philip for another six years. Thus the speaker achieves his objective. Deception in the introduction has enabled him to have his policy accepted. Honesty might have precluded a hearing. Hence the end justifies the means. And in this case the beginning.

Oration 6

ANALYSIS

Whenever speeches are made about Philip's actions and his violations of the peace, the speaker observes that the speeches on behalf of the Athenians always appear manifestly just and sympathetic, and all those who denounce Philip always seem to say the right things, but nothing to speak of is occurring of the necessary action that would make hearing this worthwhile.

Statement (101), attention, goodwill (402)

ὅταν, ὧ ἄνδρες Ἀθηναῖοι, λόγοι γίνωνται περὶ ὧν
Φίλιππος πράττει καὶ βιάζεται παρὰ τὴν εἰρήνην, ἀεὶ τοὺς
ὑπὲρ ἡμῶν λόγους καὶ δικαίους καὶ φιλανθρώπους ὀρθῶ

φαινομένους, καὶ λέγειν μὲν ἅπαντας ἀεὶ τὰ δέοντα δοκοῦντας
τοὺς κατηγοροῦντας Φιλίππου, γιγνόμενον δ' οὐδὲν ὡς ἔπος εἰ-
πεῖν τῶν δεόντων, οὐδ' ὧν εἴνεκα ταῦτ' ἀκούειν ἄξιον· 6.1

The occasion of oration 6 is difficult to establish. Dionysius of Halicarnassus, *First Letter to Ammaeus* 10, suggests a date and a context:

εἶτα Λυκίσκος, ἐφ' οὗ τὴν ἐβδόμην τῶν Φιλιππικῶν δημη-
γοριῶν διέθετο πρὸς τὰς ἐκ Πελοποννήσου πρεσβείας, ταύτην
τὴν ἀρχὴν ποιησάμενος·

The archonship of Lyciscus was 344/3. Demosthenes' own remarks at 6.28 support the presence of foreign envoys awaiting a response from the Athenians:

περὶ μὲν δὴ τῶν ὑμῖν πρακτέων καθ' ὑμᾶς αὐτοὺς ὕστερον
βουλευσέσθε, ἂν σωφρονῆτε· ἃ δὲ νῦν ἀποκρινάμενοι τὰ δέοντ'
ἂν εἴητ' ἐψηφισμένοι, ταῦτ' ἤδη λέξω. 6.28

In the *hypothesis* Libanius says that Philip sent ambassadors to complain about the bad press he was receiving from the Athenians and that Argos and Messene had also sent ambassadors at that time to protest against Athens' support of Sparta. D.F. Jackson and G.O. Rowe 1969, pp.65-66, summarize the views of modern scholars:

'Recent theories, with the exception of that of Pickard-Cambridge (A.W. Pickard-Cambridge 1914), have

rejected the interpretation of Libanius either *in toto* or in part. Thus Puech (A. Puech 1939) and Cloché (P. Cloché 1937) think that the speech is concerned only with a formal remonstrance made by Philip against anti-Macedonian sentiments of certain Athenian orators. Meyer (E. Meyer 1924) seeks to show through a comparative analysis that the speech was a reply to Isocrates' *Second Letter to Philip*. Drerup (E. Drerup 1916) on the other hand, seeing no particular occasion for the speech, thinks that Demosthenes was conducting an aimless tirade, on false premises, against Philip. All the foregoing theories have been rejected by Calhoun (G.M. Calhoun 1933), whose clear and incisive judgement on Demosthenic problems is always worthy of consideration. According to Calhoun the content of the *Second Philippic* does indeed indicate a specific occasion under deliberation by the assembly. This occasion was the threat of a Macedonian attack in concert with Argos and Messene against Sparta. In all probability the envoys, who the speech implies were present at the assembly, had been sent by Sparta. Cawkwell (G.L. Cawkwell 1963A) believes that it was the embassy of Python in 344/3 to which the *Second Philippic* was addressed. Treves (P. Treves 1935) discusses the broader context and significance of the oration. The *Second Philippic* was pronounced in anticipation of the trial on the embassy and, as such, reveals Demosthenes' concern to repudiate the 'Peace of Philocrates together with the mentality that had brought it about.'

L. Pearson 1976, p.143 n.9, summarizes Libanius' interpretation of the embassy and expresses reservation about the Spartan embassy theory:

'It has also been thought that Sparta sent an embassy, asking for Athenian help in countering Philip's friends in the Peloponnese, though there is no direct evidence of its presence.'

H. Montgomery 1983, p.45, in his tabulated account, does not shed any new light on the issue but gives an impartial airing to Libanius' interpretation and to 'Philip's attempt to revise the Peace of Philocrates, and Python's attempted mediation.'

Of all the interpretations the identification of the ambassadors as Python and his entourage is the most improbable given Demosthenes' account of his reception at 18.136 even with allowances for the exaggeration of the litigant.

ὅτε γὰρ Πύθωνα Φίλιππος ἔπεμψε τὸν Βυζάντιον καὶ παρὰ τῶν αὐτοῦ συμμάχων πάντων συνέπεμψε πρέσβεις, ὡς ἐν αἰσχύνῃ ποιήσων τὴν πόλιν καὶ δειξῶν ἀδικοῦσαν, τότε ἔγὼ μὲν τῷ Πύθωνι θρασυνομένῳ καὶ πολλῶ ῥέοντι καθ' ὑμῶν οὐχ ὑπεχώρησα, ἀλλ' ἀναστὰς ἀντεῖπον, καὶ τὰ τῆς πόλεως δίκαι' οὐχὶ προὔδωκα, ἀλλ' ἀδικοῦντα Φίλιππον ἐξήλεγξα φανερώς οὕτως ὥστε τοὺς ἐκείνου συμμάχους αὐτοὺς ἀνισταμένους ὁμολογεῖν'

18.136

The confrontation between Demosthenes and Python would surely be marked with specific references to Python and the reason for his visit, which are conspicuous by their absence in oration 6. But the speech does give us clues about Demosthenes' own apprehensions and purposes. The preliminary statement, feature 101, with which the introduction begins, sets the speech's theme, Philip's activities and his infringements of the Peace of Philocrates, *περὶ ὧν Φίλιππος πράττει καὶ βιάζεται παρὰ τὴν εἰρήνην*. This charge is repeated with a bit more clarification at 6.2, *Φίλιππον καὶ τὴν πρὸς ὑμᾶς εἰρήνην παραβαίνοντα καὶ πᾶσι τοῖς Ἕλλησιν ἐπιβουλεύοντα*. The latter is a reference to Philip's increasing influence in the Peloponnese. As Athens had grown more friendly with Sparta, so Argos, Messene and Megalopolis had grown more distrustful of Athens, since Sparta was still laying claim to Messene. Philip had sent support to those resisting the Spartans. Seeing this as a dangerous interference Athens had sent an embassy, which included Demosthenes, to Argos and Messene in the summer of 344 to dissuade them from encouraging Philip's involvement. Demosthenes refers to this embassy at 6.20-26. In spite of a good reception he fears that no heed will be paid to his warning that involvement with Philip poses a threat to their autonomy:

ταῦτ' ἀκούσαντες ἐκεῖνοι, καὶ θορυβοῦντες ὡς ὀρθῶς λέγεται, καὶ πολλοὺς ἑτέρους λόγους παρὰ τῶν πρέσβων καὶ

παρόντος ἑμοῦ καὶ πάλιν ὕστερον, ὡς ἔοικεν, οὐδὲν μᾶλλον ἀποσχῆσονται τῆς Φιλίππου φιλικῆς οὐδ' ὦν ἐπαγγέλλεται. 6.26

A possible consequence is the threat of Philip joining forces with Peloponnesian allies to make war on Athens. Demosthenes presents as the cause of all this the Peace of Philocrates and places responsibility with its authors:

ἕως οὖν ἔτι μέλλει καὶ συνίσταται τὰ πράγματα καὶ κατακούομεν ἀλλήλων, ἕκαστον ὑμῶν καίπερ ἀκριβῶς εἰδὼθ' ὅμως ἐπαναμνησαίβομαι, τίς δὲ Φωκέας πείσας καὶ Πύλας προέσθαι, ὦν καταστάς ἐκεῖνος κύριος τῆς ἐπὶ τὴν Ἀττικὴν ὁδοῦ καὶ τῆς εἰς Πελοπόννησον κύριος γέγονεν, καὶ πεποίηχ' ὑμῶν μὴ περὶ τῶν δικαίων μηδ' ὑπὲρ τῶν ἔξω πραγμάτων εἶναι τὴν βουλήν, ἀλλ' ὑπὲρ τῶν ἐν τῇ χώρᾳ καὶ τοῦ πρὸς τὴν Ἀττικὴν πολέμου, ὃς λυπήσει μὲν ἕκαστον, ἐπειδὴν παρῆ, γέγονεν δ' ἐν ἐκείνῃ τῇ ἡμέρᾳ. 6.35

He has already suggested that they be summoned to account for themselves:

ἦν μὲν οὖν δίκαιον, ὧ ἄνδρες Ἀθηναῖοι, τοὺς ἐνεγκόντας τὰς ὑποσχέσεις, ἐφ' αἷς ἐπείσθητε ποιήσασθαι τὴν εἰρήνην, καλεῖν. 6.28

I agree with L. Pearson 1976, pp.143-44, that the reference here is to Philocrates and Aeschines and that Demosthenes has his mind on his imminent prosecution of Aeschines:

'He is preparing his way for the prosecution of Aeschines. The epilogue to the *Second Philippic* serves as an introduction to the speech *On the Embassy*. He is no more ready now to make a formal motion or to set forth a plan of action than in *On the Peace*, and his attack on Aeschines offers him a convenient way of escape from the unanswerable question into which his argument has led him. Logically his argument demands that Athens should renew the war against Philip and renounce the peace. But he cannot recommend such a course of action yet.'

Such is the background of oration 6. The introduction exploits the theme of the contrast between words and action, in this case the Athenians' words and Philip's action. λόγοι γίνωνται is contrasted with Φίλιππος πράττει. The more specific βιάζεται παρὰ τὴν εἰρήνην enables the speaker to highlight Philip's aggressiveness and to remind the audience of the Peace of Philocrates which he intends to denigrate in the course of his speech. In describing the Athenians' speeches the speaker employs flattery, feature 402, ἀεὶ τοὺς ὑπὲρ ἡμῶν λόγους καὶ δικαίους καὶ φιλανθρώπους. The audience are not yet aware that the speaker is going to contrast their speech-making with Philip's active deeds. The flattery is designed to disarm them to make the contrast even more emphatic. An irony is that there is a degree of truth in the speaker's description. The scholia, M.R. Dilts 1983, p.126 no.3, explain the references of δικαίους and φιλανθρώπους :

δικαίους μὲν (κατὰ γὰρ Φιλίππου λέγετε ἀδικοῦντος),
φιλανθρώπους δέ, ὅτι ἔλεεῖτε τὸ γένος τὸ Ἑλληνικόν.

J.E. Sandys 1900, p.110, comments on the translation of φιλανθρώπους, 'not "philanthropic" or "humane", but "sympathetic", "generous" towards the Greek states whose independence was imperilled by Philip.' I agree. Further flattery follows, καὶ λέγειν μὲν ἅπαντας ἀεὶ τὰ δέοντα δοκοῦντας τοὺς κατηγοροῦντας Φιλίππου. Again this is designed to make the Athenians' fall from grace a harder crash when the speaker reveals the contrast. This he does next. γιγνόμενον is contrasted with λέγειν μὲν. A contrast in degree follows. While the speeches are qualified with words like ἀεὶ, φαινομένους and ἅπαντας, the Athenians' action, γιγνόμενον, is distinguished with οὐδὲν ὡς ἔπος εἶπεῖν. There is mischief in such use of the word εἶπεῖν. The contrast is further emphasized with τῶν δεόντων which recalls τὰ δέοντα. Insult is added to injury with οὐδ' ὦν εἴνεκα ταῦτ' ἀκούειν ἄξιον. The audience have been brought down to earth with a bump. The point is that no matter how just or sympathetic their speeches might be, if they do not inspire appropriate action then they are not worth hearing. This is why the speaker's compliments, though substantially true, are nevertheless flattering. What is he hoping to achieve? He is creating the impression that he should like to inspire the Athenians to produce the required action. The immediate design is to win attention

and goodwill with the implication that the present speaker is going to give advice that will actually result in positive action. Thus his speech will be worth hearing.

But now all the city's affairs have come to such a state that the more clearly one might convict Philip of transgressing the peace with the Athenians and of plotting against all the Greeks, the more difficult it is to advise what the Athenians ought to do.

Statement (101), attention, goodwill

ἀλλ' εἰς τοῦτ' ἤδη προηγμένα τυγχάνει πάντα τὰ πράγματα τῆ πόλει, ὥσθ' ὄσφ τις ἂν μᾶλλον καὶ φανερώτερον ἐξελέγχη Φίλιππον καὶ τὴν πρὸς ὑμᾶς εἰρήνην παραβαίνοντα καὶ πᾶσι τοῖς Ἑλλησιν ἐπιβουλεύοντα, τοσοῦτω τὸ τί χρὴ ποιεῖν συμβουλεῦσαι χαλεπώτερον. 6.2

The speaker takes a second opportunity to mention Philip's infringement of the peace treaty. While this is an example of feature 101 along with the comment on the turn of events, εἰς τοῦτ' ἤδη προηγμένα τυγχάνει πάντα τὰ πράγματα τῆ πόλει, it also provides cumulative denigration of Philip whom Demosthenes is intent to cast as a Bogeyman. The charge, πᾶσι τοῖς Ἑλλησιν ἐπιβουλεύοντα not only alludes to Philip's involvement with his Peloponnesian friends but also looks forward to the speaker's argument at 6.10-12 where he suggests that Philip is trying to persuade the Argives and the Thebans in return for his favours to support him in the way that their

ancestors had supported Xerxes:

τοὺς δὲ Θηβαίων καὶ Ἀργείων προγόνους τοὺς μὲν
συστρατεύσαντας τῷ βαρβάρῳ, τοὺς δ' οὐκ ἐναντιωθέντας. οἶδεν
οὖν ἀμφοτέρους ἰδίᾳ τὸ λυσιτελοῦν ἀγαπήσοντας, οὐχ ὅ τι
συνοίσει κοινῇ τοῖς Ἕλλησι σκεφομένους. 6.11-12

Thus πᾶσι τοῖς Ἕλλησιν presages κοινῇ τοῖς Ἕλλησι.
Philip is depicted as a foreign invader in the main part of
the speech. Here he is seen hatching his plot. Moreover
his guilt is becoming progressively more obvious, μᾶλλον καὶ
φανερώτερον ἐξελέγχῃ. The ὅσῳ ... τοσοῦτῳ ... construction
is used to raise the audience's expectations but they are
in for another let-down which is designed to heighten their
curiosity, τοσοῦτῳ τὸ τί χρὴ ποιεῖν συμβουλευσαι χαλεπώτερον.

*The reason for this is that while it is necessary to
prevent with action and deeds, not with speeches, those
seeking to take more than their share, yet, first, those
who come forward to speak shrink from these, that is, from
proposing and recommending them, dreading the audience's
hostility, and instead, go on about what Philip is doing,
how terrible it is, and the like.*

Goodwill (501)

αἴτιον δὲ τούτων, ὅτι πάντες, ὧ ἄνδρες Ἀθηναῖοι, τοὺς
πλεονεκτεῖν ζητοῦντας ἔργῳ κωλύειν καὶ πράξειςιν, οὐχὶ λόγοις
δέον, πρῶτον μὲν ἡμεῖς οἱ παριόντες τούτων μὲν ἀφέσταμεν καὶ
γράφειν καὶ συμβουλεύειν, τὴν πρὸς ὑμᾶς ἀπέχθειαν ὀκνοῦντες,

The explanation of the difficulties involved in giving the required advice is very clever. First the speaker states what the required advice is, πάντες ... τοὺς πλεονεκτητῶν ζητοῦντας ἔργῳ κωλύειν καὶ πράξεσιν, οὐχὶ λόγοις δέον. It is intended that Philip be understood as a prime example of those needing such restraint. However an anomaly is that nobody is offering this advice, ἡμεῖς οἱ παριόντες τούτων μὲν ἀφέσταμεν καὶ γράφειν καὶ συμβουλεύειν. The speaker's explanation of this enables him to achieve two advantages. He claims that the silence is caused by orators' reluctance to incur the audience's hostility, τὴν πρὸς ὑμᾶς ἀπέχθειαν ὀκνοῦντες. The first advantage is that he can assume from his peers' tacit acknowledgement of this statement an apparent consensus of opinion. The second advantage is that he can forestall by anticipation, feature 501, any hostility that he might have incurred for introducing such advice. Furthermore he implies that in the main part of his speech he is going to throw off this reluctance and actually give the required advice. In his observation of the kind of advice that orators provide as a substitute for what they would really like to say, the speaker has his cake and eats it too, οἷα ποιεῖ δ', ὡς δεινά, καὶ τοιαῦτα διεξερχόμεθα. He manages to keep the attention focused on Philip and inserts the pejorative word δεινά to denigrate him further. This is the cumulative technique of mud slinging. If you throw enough mud, some of it is bound to stick.

Then as for those who sit in the audience, when it comes to making just speeches and recognizing another saying them, the Athenians are better prepared than Philip, but if it is a question of preventing him achieving those objectives upon which he is now intent, then the Athenians have been left standing once and for all.

Goodwill

ἔπειθ' ὑμεῖς οἱ καθήμενοι, ὡς μὲν ἂν εἴποιτε δικαίους λόγους καὶ λέγοντος ἄλλου συνείητε, ἄμεινον Φιλίππου παρεσκεύασθε, ὡς δὲ κωλύσαιτ' ἂν ἐκεῖνον πράττειν ταῦτ' ἐφ' ὧν ἔστι νῦν, παντελῶς ἀργῶς ἔχετε. 6.3

The speaker now turns the spotlight on his audience. His earlier flattery about their just speeches is now re-cooked and served this time with the less palatable garnish of undisguised sarcasm. The contrast is now between the Athenians' flair for composing and appreciating just speeches and their ineptitude as far as practical measures are concerned. παντελῶς ἀργῶς ἔχετε is a scathing indictment which is designed to provoke a willingness to contemplate practical action.

The consequence is inevitable, in the speaker's opinion, and perhaps reasonable.

Goodwill

συμβαίνει δὴ πράγμ' ἀναγκαῖον, οἶμαι, καὶ ἴσως

This short sentence is intended to introduce the following sentence while ἀναγκαῖον and εἰκός are designed to lend authority to the speaker's interpretation that occurs in the following sentence.

Each side fares better where it devotes its time and enthusiasm: Philip in action, the Athenians in speeches.

Goodwill

έν οἷς ἐκάτεροι διατρῖβετε καὶ περὶ ᾧ σπουδάζετε, ταῦτ' ἄμεινον ἐκατέροις ἔχει, ἐκείνω μὲν αἱ πράξεις, ὑμῖν δ' οἱ λόγοι.

6.4

The contrast between deeds and speeches re-appears in this concise epigrammatic statement. The Athenians are subjected to the speaker's pithy scorn. This is emphasized by the word order. The effect of the final words, ὑμῖν δ' οἱ λόγοι, is accusing. The intention is to provoke the Athenians to action. J.E. Sandys 1900, p.112, cites a literary parallel:

'Eur. *Antiopa*, fragm.183 λαμπρός θ' ἕκαστος κἀπὶ τοῦτ' ἐπείγεται, νέμων τὸ πλεῖστον ἡμέρας τούτῳ μέρος, ἔν' αὐτὸς αὐτοῦ τυγχάνει κράτιστος ὢν. These lines, originally referring to the twin sons of Antiopa, the active huntsman Zethus and the meditative musician Amphion, may well be applied to their counterpart in the present passage, the

restless and energetic king of Macedonia and the eloquent and unpractical Athens.'

If Demosthenes could rely on his audience to recognize literary allusions, then this would add further emphasis to his pointed remarks.

If it suffices for the Athenians even now to make speeches whose arguments are more just, then that is easy, and the business involves no trouble.

Goodwill

εἰ μὲν οὖν καὶ νῦν λέγειν δικαιοτέρ' ὑμῶν ἔξαρκεῖ,
ῥάδιον, καὶ πόνος οὐδεὶς πρόσσεσι τῷ πράγματι· 6.4

The speaker again applies the goad of sarcasm. J.E. Sandys 1900, p.112, referring to this sentence comments on πράξεις ... λόγοι from the previous sentence:

'the two are taken up in inverse order, λέγειν ... coming first. The natural sequence of thought is thus preserved.'

This order also enables the speaker to conclude the introduction with a call to practical measures.

But if it is necessary to consider how the present situation will be set right, to prevent further deterioration taking the Athenians completely by surprise,

and to prevent confrontation with a great power which they cannot withstand, then the Athenians must not continue with the same manner of deliberation as before, but for all those speaking and for those listening the best proposals and the salutary policies are to be preferred to the easiest and the most agreeable options.

Attention, goodwill

εἰ δ' ὅπως τὰ παρόντ' ἐπανορθωθήσεται δεῖ σκοπεῖν καὶ μὴ προελθόντ' ἔτι πορρωτέρω λήσει πάνθ' ἡμᾶς, μηδ' ἐπιστήσεται μέγεθος δυνάμεως πρὸς ἣν οὐδ' ἀντᾶραι δυνησόμεθα, οὐχ ὁ αὐτὸς τρόπος ὅσπερ πρότερον τοῦ βουλευέσθαι, ἀλλὰ καὶ τοῖς λέγουσιν ἅπασι καὶ τοῖς ἀκούουσιν ὑμῖν τὰ βέλτιστα καὶ τὰ σώσοντα τῶν βῆστων καὶ τῶν ἡδίστων προαιρετέον.

6.5

The condition εἰ ... δεῖ is intended to imply assent, i.e. that it is unanimously agreed that it is definitely necessary. The speaker is making a point of stating the obvious to imply sarcastically that the audience are failing to grasp what ought to be obvious. His aim is to prod them towards a positive response. He suggests three practical measures which they ought to consider. This is meant to secure attention and to win goodwill with the implication that in the main part of his speech he will explain how they are going to achieve these objectives. Meanwhile he points to the problem that could prevent the attainment of such objectives, their manner of deliberation, οὐχ ὁ αὐτὸς τρόπος ὅσπερ πρότερον τοῦ βουλευέσθαι. The

solution, that he provides, rounds off the introduction with a conscience-stirring choice, προαιρετέον. He personalizes this choice with a universal reference, καὶ τοῖς λέγουσιν ἅπασιν καὶ τοῖς ἀκούουσιν ὑμῖν. He moralizes it by insinuating a conflict between public interest and personal convenience, τὰ βέλτιστα καὶ τὰ σώσοντα τῶν ῥάστων καὶ τῶν ἡδίστων. He utilizes the gerundive form to impose the choice as a requirement. Finally, he emphasizes it with its position as the last word. No doubt he will pause before beginning the main part of the speech so that the word προαιρετέον can hang in the air to catch the breath, to tingle the spine, to stir the conscience.

ARRANGEMENT

S (101), A, G (402)

S (101), A, G

G (501)

G

G

G

G

A, G

AIM

The theme of this introduction is the contrast between Philip's actions and the Athenians' diffident response which is confined to speeches. The aim of the introduction

is to win attention and goodwill for Demosthenes as the orator who is awakening the Athenians to the seriousness of their situation and stirring them to action. His insistence that priority be given to the choice of the best and the salutary policies provides the promise of such practical advice for the main part of the speech. But this is not fulfilled. J.E. Sandys 1900, p.109, comments:

'The Exordium ..., like that of Or.5, is but slightly connected with the speech itself; and the promise of practical advice which it implies is not actually fulfilled in the sequel. Possibly (as suggested by Weil [H. Weil 1881, p.222]) the presence of representatives of foreign powers would make any disclosure of the details of prospective action undesirable. Probably the orator's only object in raising the expectations of the audience is to arrest their attention at the outset of his speech.'

While I agree that one of the speaker's purposes is to arrest attention, the introduction and the speech are more connected than Sandys supposes. The denunciations of Philip and of the authors of the Peace of Philocrates and the warning of impending catastrophe are consistent with the introduction's contrast of words and action. But what are we to make of the unfulfilled promise? Must we blame the ambassadors? Were they not present when Demosthenes delivered the introduction so full of promise? L. Pearson 1976, pp.143-4, stresses the imminence of the prosecution of Aeschines and suggests that the attack on Aeschines,

veiled as one of the authors of the Peace of Philocrates, allows Demosthenes an escape from the belligerent policy to which his argument is leading. Such a line of argument precludes consideration for the sensitivities of visiting ambassadors. But Pearson's explanation suggests that Demosthenes has lost control over his better judgement, that he is shooting his mouth off, perhaps even for the benefit of the ambassadors, and, realizing that he has gone too far, desists from recommending the policy which logic would expect. This raises questions about composition. Is the speech a representation, written up afterwards, of what was actually said in the Ecclesia, or is it a copy of the speech, prepared in advance, that Demosthenes intended to deliver to the Ecclesia? If we assume that the introduction was composed with the full intention of not fulfilling its implied promise and that the speech's purpose all along was the denunciation of the authors of the Peace, namely Philocrates but particularly Aeschines, then a possible explanation is that, given the imminent prosecution of Aeschines, Demosthenes' purpose is to make as much trouble as possible for Aeschines by making the Peace the cause of present evils, while at the same time maximizing his own reputation as the champion of Athens' cause who is not afraid to denounce Philip. The aim of the introduction then would be to disguise the speech's true intent, preliminary canvassing for the trial, with an ostensible purpose that is more altruistic, the proposal of practical measures. Perhaps Demosthenes decided that the time was not ripe for such advice and used his opportunity

for speech to his own advantage. But the explanation which allows Demosthenes' most credit is Weil's suggestion that the ambassadors' presence precludes the speaker's detailed exposition of practical measures in the main part of the speech. In this case the aim of the introduction is to heighten the Athenians' awareness of the seriousness of their situation. The call for best and salutary policies is designed to stiffen moral fibre and to renew the Athenians' sense of direction, and, at the same time, to proclaim to visiting ambassadors, allies and potential enemies alike, a new Athenian resolve exemplified by their perception of threats and their resolution to take practical steps to avert them. Admittedly the speaker has raised expectations which he cannot fulfil but it is neither essential nor desirable in the interest of Athenian security for him to discuss particular points. His purpose is to sabre-rattle. He is content for the moment to rattle his sabre at the authors of the Peace of Philocrates whom he holds responsible for present difficulties. Of the alternative explanations the latter is preferred.

Oration 7

ANALYSIS

It is not possible that the charges which Philip brings will prevent those who speak to the Athenians about their rights from giving advice about what will benefit the

Athenians.

Attention (207) (209), goodwill (422) (424)

ὧ ἄνδρες Ἀθηναῖοι, οὐκ ἔστιν ὅπως αἰ αἰτίαι, ἃς
Φίλιππος αἰτιᾶται τοὺς ὑπὲρ τῶν δικαίων πρὸς ὑμᾶς λέγοντας,
κωλύσουσι συμβούλους ἡμᾶς γίνεσθαι ὑπὲρ τῶν ὑμῖν συμφε-
ρόντων·

7.1

This speech is a reply to a letter from Philip conveyed by his ambassadors after he had taken possession of Halonnesus, an island off Thessaly, which had belonged to Athens until it was seized by the pirate, Sostratus. In his letter Philip caused offence because he offered to make a gift of the island to Athens since the Athenians had sent ambassadors to ask him to restore it to them as their own property. Accordingly the introduction begins with a vigorous refusal to submit to Philip's intimidation of Athenian orators who plead the just cause of Athens, τοὺς ὑπὲρ τῶν δικαίων πρὸς ὑμᾶς λέγοντας. Attention and goodwill are sought with mention of δικαίων, attention feature 207 and goodwill feature 422. It is implied that the present speaker is going to advocate a course of action that is just. Moreover Philip's charges are not going to prevent them giving beneficial advice, ὑπὲρ τῶν ὑμῖν συμφερόντων. The latter is attention feature 209 and goodwill feature 424. The speaker creates the impression that he is going to offer profitable advice. This assertion of resistance enables the speaker to denigrate Philip and at the same time to raise the audience's expectation with regard to his

own speech.

For it would be terrible if letters sent by him removed the freedom of speech enjoyed at the tribune.

Goodwill

δεινὸν γὰρ ἂν εἴη, εἰ τὴν ἐπὶ τοῦ βήματος παρρησίαν αἰ
παρ' ἐκείνου πεμπόμεναι ἐπιστολαὶ ἀνέλοιεν. 7.1

The speaker reinforces his explanation with the words, *δεινὸν γὰρ ἂν εἴη*, to add weight to his argument. It is further bolstered with mention of a virtue under threat, *εἰ τὴν ἐπὶ τοῦ βήματος παρρησίαν ... ἀνέλοιεν*. Philip is again the villain, *αἰ παρ' ἐκείνου πεμπόμεναι ἐπιστολαὶ*.

But the speaker wishes first to discuss for the audience the topics of Philip's letter.

Statement (102)

ἐγὼ δ' ὑμῖν, ὧ ἄνδρες Ἀθηναῖοι, βούλομαι πρῶτον μὲν
περὶ ὧν Φίλιππος ἐπέσταλκε, περὶ τούτων διεξελεθεῖν. 7.1

The speaker predicts, feature 102, the first topic of the main part of his speech.

Later the speaker will comment on what the ambassadors are saying.

Statement (102)

ὕστερον δέ, περὶ ὧν οἱ πρέσβεις λέγουσι, καὶ ἡμεῖς
λέξομεν.

7.1

The speaker predicts, feature 102, the subsequent topic of his speech.

ARRANGEMENT

A (207) (209), G (422) (424)

G

S (102)

S (102)

AIM

The aims of the introduction are to declare the speaker's opposition to Philip's proposals, to assert the steadfastness of Athenian orators under the pressure of his accusation, to win attention and goodwill with the implication that the main part of the speech is going to contain just and profitable advice, and to predict the speech's subject matter.

There is a reference at 7.2, ὅτε πρὸς αὐτὸν ἐπρεσβεύσαμεν, to the embassy sent by the Athenians to Philip in 343 to demand restoration of the island. The use of the first person plural implies that the present speaker was one of the ambassadors. Since Demosthenes had not accompanied the embassy, doubt has been thrown on the

authenticity of oration 7. Nevertheless Dionysius of Halicarnassus, *First Letter to Ammaeus* 10, cites the speech as the eighth of the Philippic orations:

μετὰ Λυκίσκον ἔστιν ἄρχων Πυθόδοτος, ἐφ' οὗ τὴν ὀγδόην τῶν Φιλιππικῶν δημηγοριῶν διέθετο πρὸς τοὺς Φιλίππου πρέσβεις ...

However, in the *hypothesis* Libanius discredits it on the grounds of its style and contents as the work of Hegesippus, a supporter of Demosthenes, who had been one of the ambassadors. Certainly the introduction is distinguished from those of orations 1-6 by its lack of theme and its prosaic matter-of-factness. A further peculiarity is that the introduction starts with the vocative, ὦ ἄνδρες Ἀθηναῖοι. In the Demosthenic corpus there are only two other instances of initial vocatives but both are used without ὦ:

ἄνδρες δικασταί, μάλιστα μὲν ... 20.1

ἄνδρες δικασταί, βούλομαι ... 32.1

The norm is for the vocative to be preceded by a few words. (Other exceptions are 46.1 where the vocative is postponed to the end of the first sentence and oration 60 which has no salutation.)

Accordingly the evidence in the introduction supports the view that oration 7 is not a genuine work of

Demosthenes.

Oration 8

ANALYSIS

It ought to be the duty of all speakers to make no speech that is a vehicle either for hatred or for favour, but to declare precisely what each considers best, especially when deliberating about matters of common interest and of great consequence.

Attention (202), goodwill

ἔδει μὲν, ὧ ἄνδρες Ἀθηναῖοι, τοὺς λέγοντας ἅπαντας μήτε πρὸς ἔχθραν ποιεῖσθαι λόγον μηδένα μήτε πρὸς χάριν, ἀλλ' ὃ βέλτιστον ἕκαστος ἠγεῖτο, τοῦτ' ἀποφαίνεσθαι, ἄλλως τε καὶ περὶ κοινῶν πραγμάτων καὶ μεγάλων ὑμῶν βουλευομένων. 8.1

This speech concerns the current situation in the Chersonese. Athens had sent a force under Dioppeithes who had encroached on the territory of Cardia, an ally of Philip. After his offer of arbitration had been refused by Athens, Philip sent troops to help the Cardians. In retaliation Dioppeithes invaded territory in Thrace subject to Macedon. In 341 Philip lodged a formal complaint at Athens. His supporters there urged the Ecclesia to recall Dioppeithes. Demosthenes opposed this arguing that Dioppeithes should be reinforced.

He begins the introduction with a recommendation of duty, ἔδει. J.E. Sandys 1900, p.144, comments:

'After ἔδει the denial of the action of the Inf. is always implied.'

Thus the speaker is suggesting that not all orators conform to this ideal but that some, i.e. his opponents, are exploiting their opportunity for speech to indulge partiality. By contrast it is implied that the present speaker is going to say only what he considers best in the main part of his speech. Thus the speaker uses implication to win goodwill and attention by denigrating his opponents and by raising the audience's expectations about his own speech. Further attention and goodwill are sought with the genitive absolute, on the grounds that the matters under discussion are of common concern, κοινῶν and are important, μεγάλων. The latter word is attention feature 202. The scholia, M.R. Dilts 1983, p.134 no.5b, support these views:

ἔστι δὲ τὸ προοίμιον ἐξ ἐπιτιμήσεως τῶν κατὰ Διοπέθους λεγόντων. εὐνοίαν δὲ τὸ προοίμιον ἀπεργάζεται. δύο δὲ ὄντων εὐνοίας τόπων, ἢ ἑαυτον συστήσαι ἢ τὸν ἀντίδικον διαβαλεῖν, ἀπὸ κοινότητος αὐτὸ ἔλαβε· διὰ δὲ τοῦ λέγειν 'ἄλλως τε καὶ περὶ τῶν κοινῶν' προσοχὴν τίκτει τοῖς ἀκούουσιν.

But since some are prompted to speak through partisanship, or for some other reason, it is necessary for

the majority of the Ecclesia to put everything else aside and to vote and put into practice those policies which they consider beneficial to the city.

Attention (209), goodwill (424)

ἐπεὶ δ' ἔνιοι τὰ μὲν φιλονικία, τὰ δ' ἡτινιδήποτ' αἰτία
προάγονται λέγειν, ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, τοὺς πολλοὺς
δεῖ πάντα, τᾶλλ' ἀφελόντας, ἃ τῇ πόλει νομίζετε συμφέρειν,
ταῦτα καὶ ψηφίζεσθαι καὶ πράττειν. 8.1

The speaker now makes his censure explicit. He attributes unworthy motives, τὰ μὲν φιλονικία, τὰ δ' ἡτινιδήποτ' αἰτία. The former is designed to disparage those orators disinclined to Diopeithes by making them seem partial and not open-minded enough to put the state's interest first. The latter is intended to trivialize the opposition by dismissing their other motives as too paltry to specify. The opponents themselves are dismissed too with the designation ἔνιοι, which is contrasted with the later τοὺς πολλοὺς, which is in apposition to ὑμᾶς. The speaker's purpose is to suggest that his opponents are in a minority. He emphasizes that the remainder form a majority with the insertion of the vocative between the pronoun and its epithet, ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, τοὺς πολλοὺς. This is also intended to stress the responsibility that the speaker is going to place on the audience by allowing a pause after the direct reference of the pronoun. The weight of necessity, δεῖ, is introduced to bolster the speaker's recommendation. Concentration is required, πάντα

τᾶλλ' ἀφελόντας, followed by the approval and adoption of beneficial policy, ἃ τῆ πόλει νομίζετε συμφέρειν, ταῦτα καὶ ψηφίζεσθαι καὶ πράττειν. The implication is that the speaker is going to practise what he preaches. Thus the audience's expectations are raised with the prospect of profitable advice, attention feature 209 and goodwill feature 424. But the final words of the introduction leave the ball firmly in the audience's court. The speaker looks for a swift implementation of his profitable advice by official process, καὶ ψηφίζεσθαι καὶ πράττειν.

ARRANGEMENT

A (202), G

A (209), G (424)

AIM

The theme of this introduction is that service to one's country should take precedence over partisan loyalties. The theme is generalized without specific reference in the manner of most of the introductions contained in the collection of prooemia. However, while it is possible that this introduction was selected from the collection, a more probable explanation is that the absence of specific reference is deliberate. The purpose of the introduction is to win goodwill for the speaker and to attract attention for a speech on a controversial subject. The speaker wants to secure a hearing first, before

declaring his policy, which might incur heckling. Therefore he attempts to secure a hearing by insinuating that the matter at issue is of common concern and of great consequence. His call for profitable advice presupposes that he will himself give profitable advice. Hence his speech will be worthy of attention. This prospect is also meant to win goodwill, along with his denigration of his opponents as a minority group of partisans. The speech was a success. Demosthenes persuaded the Athenians to retain Diopeithes in his command.

Oration 9

ANALYSIS

Many speeches are made at almost every meeting of the Ecclesia about Philip's wrong-doing, since he made the peace, not only against the Athenians but also against the other states.

Statement (101), goodwill

πολλῶν, ὧ ἄνδρες Ἀθηναῖοι, λόγων γιγνομένων ὀλίγου δεῖν καθ' ἑκάστην ἐκκλησίαν περὶ ὧν Φίλιππος, ἀφ' οὗ τὴν εἰρήνην ἐποιήσατο, οὐ μόνον ὑμᾶς, ἀλλὰ καὶ τοὺς ἄλλους ἀδικεῖ

9.1

This speech was delivered towards the end of spring in 341, a few months after oration 8. Dionysius of

Halicarnassus, *First Letter to Ammaeus* 10, says that Demosthenes delivered both speeches under the same archon. M. Croiset 1946, p.86, gives a concise statement of the evidence for establishing the date of delivery. The issue still concerns the Chersonese but now there is no question of recalling Diopieithes. Demosthenes is alarmed by the activities of Philip who now pays no heed to the peace treaty but openly wages war against Athens. Demosthenes wants to make the Athenians wise to this fact and also to the threat that Philip poses to the whole of Greece. He wants them to present a united front along with the other Greek states and to take the war north to Philip to prevent him coming south into their territory. He wants to rouse them from their indolence.

In the introduction Demosthenes stresses the urgency and seriousness of the situation by personalizing it in terms of Philip's acts against the Athenians and others, by using quantitative and qualitative expressions and by employing emotive language. He begins by remarking on the number of speeches about Philip's wrong-doing. This contains a concise statement of the issue, feature 101, *περὶ ὧν Φίλιππος, ἀφ' οὗ τὴν εἰρήνην ἐποιήσατο ... ἀδικεῖ*. Philip is mentioned by name as the subject of *ἀδικεῖ* to emphasize his personal involvement. The timing of this activity is stressed, *ἀφ' οὗ τὴν εἰρήνην ἐποιήσατο*. This is an important point which is deliberately introduced at the start to prepare the way for the argument in the main part of the speech that Philip is exploiting the peace for his own belligerent purpose:

εἰ δέ τις ταύτην εἰρήνην ὑπολαμβάνει, ἐξ ἧς ἐκεῖνος πάντα τᾶλλα λαβὼν ἐφ' ἡμᾶς ἤξει, πρῶτον μὲν μαίνεται, ἔπειτ' ἐκείνῳ παρ' ὑμῶν, οὐχ ὑμῖν παρ' ἐκείνου τὴν εἰρήνην λέγει· τοῦτο δ' ἐστὶν ὃ τῶν ἀναλισκομένων χρημάτων πάντων Φίλιππος ὠνεῖται, αὐτὸς μὲν πολεμεῖν ὑμῖν, ὑφ' ὑμῶν δὲ μὴ πολεμεῖσθαι.

9.9

The wrong-doing is emphasized by the number of speeches it inspires, πολλῶν ... λόγων γιγνομένων, and by the frequency of such speeches, ὀλίγου δεῖν καθ' ἐκάστην ἐκκλησίαν. Demosthenes mentions that the wrong is perpetrated against the Athenians, ὑμᾶς. This is meant to make the audience feel personally involved so that they will be more inclined, as victims of injury, to support the speaker's policy. But the speaker widens the influence of Philip's wrong-doing to include the other states, τοὺς ἄλλους. The intention is to isolate Philip in order to create the impression not only that he treats many states with the same contempt that he uses towards Athens, and hence to magnify his crimes, but also to suggest that solidarity exists among the other states and Athens. This prepares the way for the speaker's call to widen the deliberation to include all the Greek states:

οὐδὲ δοκεῖ μοι περὶ Χερρονήσου νῦν σκοπεῖν οὐδὲ Βυζαντίου ... βούλεσθαι μέντοι περὶ πάντων τῶν Ἑλλήνων ὡς ἐν κινδύνῳ μεγάλῳ καθεστῶτων.

9.20

The speaker knows that all would admit, even if they do not do this, that the aim of speeches and practices must be to halt and punish Philip's *hybris*.

Goodwill

καὶ πάντων οἶδ' ὅτι φησάντων γ' ἄν, εἰ καὶ μὴ ποιούσι
τοῦτο, καὶ λέγειν δεῖν καὶ πράττειν ὅπως ἐκεῖνος παύσεται
τῆς ὕβρεως καὶ δίκην δώσει 9.1

The speaker tries to win goodwill by suggesting that there exists a unanimous understanding which would be acknowledged, if not put into practice, of what speeches and action ought to achieve. This is a means of incurring tacit approval for his recommendation. The implication is that the speaker's view is shared but not expressed. This is an attempt to minimize the effect of his isolation as the only one expressing such views. Goodwill is also sought by making an accusation against Philip of *hybris*, τῆς ὕβρεως. This consists of having power but misusing it self-indulgently and, in this instance, misusing it to infringe the rights of others. For discussion of *hybris* see D.M. MacDowell 1976A. As this is an evaluative word, which is always used in a bad sense, Demosthenes uses it to denigrate further Philip's behaviour and hence to heighten the seriousness of the situation. This is another theme which is mentioned briefly in the introduction to herald fuller treatment later in the course of the speech:

καίτοι τί τῆς ἐσχάτης ὕβρεως ἀπολείπει; 9.32

This rhetorical question introduces a series of rhetorical questions which offer instances of Philip's *hybris*.

The speaker observes that all the Athenians' affairs have been so betrayed and sacrificed that - the speaker is afraid that it is inauspicious to say this, but it may nevertheless be true - even if all those who come forward to speak wanted to propose and the audience wanted to vote for policies that would result in Athenian affairs proceeding to their worst state, then the speaker does not think that they could be worse than they are now.

Attention (211), goodwill

εἰς τοῦθ' ὑπηγμένα πάντα τὰ πράγματα καὶ προειμέν' ὄρω,
ὥστε δέδοικα μὴ βλάσφημον μὲν εἶπεῖν, ἀληθὲς δ' ἦ· εἰ καὶ
λέγειν ἅπαντες ἐβούλονθ' οἱ παριόντες καὶ χειροτονεῖν ὑμεῖς
ἐξ ὧν ὡς φαυλότατ' ἔμελλε τὰ πράγμαθ' ἔξειν, οὐκ ἂν ἡγοῦμαι
δύνασθαι χεῖρον ἢ νῦν διατεθῆναι. 9.1

This sentence is designed to win goodwill by implying that the Ecclesia's indifference has caused the present condition of affairs. ὑπηγμένα and προειμέν' suggest human responsibility. Emphasis is added by making the reference all embracing, πάντα τὰ πράγματα . Further emphasis is added with the speaker's expression of apprehension and suggestion of ill omen, ὥστε δέδοικα μὴ βλάσφημον μὲν εἶπεῖν. This foreboding is meant to heighten the

seriousness of the speaker's imminent remarks and to create a sense of drama. It also serves as an apology which gives forewarning of a controversial announcement. He justifies his recourse to this extreme by claiming that his forthcoming comment, though inauspicious, may nevertheless be true, ἀληθὲς δ' ἦ. This is also intended to secure attention as feature 211 by implying that the speaker is one who speaks the truth and, hence, that the main part of the speech will likewise contain the truth. His comment is intended to shock the audience as it contemplates the unthinkable, that any Athenian should wish the worst for Athenian affairs, ἐξ ὧν ὡς φαυλότατ' ἔμελλε τὰ πράγμαθ' ἔξειν. The speaker makes the most of his point by including the whole Ecclesia in his hypothesis, εἰ καὶ λέγειν ἅπαντες ἐβούλονθ' οἱ παριόντες καὶ χειροτονεῖν ὑμεῖς. There is a hint of collective responsibility which is sharpened by the final sarcastic comment, οὐκ ἂν ἡγοῦμαι δύνασθαι χεῖρον ἢ νῦν διατεθῆναι. The speaker in effect is comparing the Ecclesia's present achievement with the worst possible outcome of their combined efforts to achieve the worst. His aim is to make the audience feel ashamed.

Perhaps there are many causes of this, and not just one or two reasons for affairs reaching this state, but most of all, if the audience examine carefully, they will find that it is because of those who prefer to please rather than to give the best advice.

Attention, goodwill

πολλὰ μὲν οὖν ἴσως ἐστὶν αἷτια τούτων, καὶ οὐ παρ' ἐν
οὐδὲ δύ' εἰς τοῦτο τὰ πράγματ' ἀφίεται, μάλιστα δ', ἄνπερ
ἐξετάζ' ὀρθῶς, εὐρήσετε διὰ τοὺς χαρίζεσθαι μᾶλλον ἢ τὰ
βέλτιστα λέγειν προαιρουμένους

9.2

The speaker lets the audience off the hook by suggesting that there are many reasons and not just one or two for the sorry condition of affairs. This allows him to create the impression that he has a statesmanlike grasp of the complexity of affairs and does not have a black and white perception of circumstances. He is also enabled to acknowledge the range of current explanations, some of which could be attractive to the audience. His aim is to strike a chord of solidarity with the audience. But he allows himself an escape clause. ἴσως is a key word which adds a note of reservation. It presages μάλιστα which announces the speaker's preferred explanation. This he postpones with an invitation to the audience to examine for themselves, ἄνπερ ἐξετάζ' ὀρθῶς, εὐρήσετε. His intention is to discredit other explanations with the suggestion that they do not bear close scrutiny. Pressure is put on the audience with the word ὀρθῶς, which implies that a correct examination will produce a perception of the situation that coincides with the speaker's. Further pressure is added with εὐρήσετε which presupposes a conclusion in accordance with the speaker's. The aim is to attach credence to his explanation. It is as if the speaker is using the audience to recommend his explanation before he announces it. The postponement itself adds emphasis by rousing curiosity

about the reference of μάλιστα . The coming of the explanation is proclaimed with εὐρήσετε which calls for attention for the speaker's immediate remarks. He lays the blame with those orators who prefer to please rather than to give the best advice, διὰ τοὺς χαρίζεσθαι μᾶλλον ἢ τὰ βέλτιστα λέγειν προαιρουμένους. As well as denigrating his opponents the speaker also serves notice that he is not going to emulate them but is going to give the best advice. This is intended to weaken resistance to unpopular arguments with the prospect of the best policy. Thus there is an implicit appeal for attention and goodwill.

Some of them, seeking to preserve a status quo in which they themselves enjoy reputation and power, have no thought for the future and think that the Athenians should have none either.

Goodwill

ὣν τινες μὲν, ὧ ἄνδρες Ἀθηναῖοι, ἐν οἷς εὐδοκιμοῦσιν αὐτοὶ καὶ δύναται, ταῦτα φυλάττοντες οὐδεμίαν περὶ τῶν μελλόντων πρόνοιαν ἔχουσιν, οὐκοῦν οὐδ' ὑμᾶς οἴονται δεῖν ἔχειν.

9.2

Demosthenes tries to discredit those who have a vested interest in maintaining the Peace of Philocrates, by accusing them of lack of foresight. This is not to say that his argument is contrived. He is arguing from conviction. H. Weil 1881, p.318, suggests Eubulus, the financier, as an example of such men.

Others, accusing and slandering those in charge of affairs, make it their aim to have the city exacting punishment from her own citizens and to engage her in that occupation while Philip is allowed to say and do what he likes.

Goodwill (511)

ἕτεροι δὲ τοὺς ἐπὶ τοῖς πράγμασιν ὄντας αἰτιώμενοι καὶ διαβάλλοντες οὐδὲν ἄλλο ποιοῦσιν ἢ ὅπως ἡ μὲν πόλις αὐτὴ παρ' αὐτῆς δίκην λήφεται καὶ περὶ τοῦτ' ἔσται, Φιλίππῳ δ' ἐξέσται καὶ λέγειν καὶ πράττειν ὃ τι βούλεται.

9.2

The scholia, M.R. Dilts 1983, p.139 no.10, identify ἕτεροι as denouncers of Diopieithes:

τοὺς κατηγοροὺς Διοπείθους αἰνίττεται.

Demosthenes tries to discredit this group by accusing them of bringing charges against, αἰτιώμενοι, and slandering, feature 511, διαβάλλοντες, those in authority, τοὺς ἐπὶ τοῖς πράγμασιν ὄντας. A more serious charge is that they make their priority the punishment of Athenians. This is perhaps an allusion to those who wanted to recall and to punish Diopieithes. The final charge is that they cause the Athenians to lose sight of Philip, who is thereby given free rein to say and do as he likes, Φιλίππῳ δ' ἐξέσται καὶ λέγειν καὶ πράττειν ὃ τι βούλεται. These words

deliberately recall the speaker's recommendation at 9.1, καὶ λέγειν δεῖν καὶ πράττειν ὅπως ἐκεῖνος παύσεται τῆς ὕβρεως καὶ δίκην δώσει. These opponents do the opposite. They reserve punishment for Athenians, and, far from checking Philip, they allow him to indulge his wishes. Philip is the one who is making statements and performing deeds when it ought to be the Athenians.

While such political practices are habitual for the Athenians, they are nevertheless the causes of their evils.

Goodwill

αἱ δὲ τοιαῦται πολιτεῖται συνήθεις μὲν εἰσιν ὑμῖν, αἵτιαι δὲ τῶν κακῶν. 9.2

This short sentence is used to underline and to round off this section of the introduction. It is as if the speaker is making a final judgement on the Athenians. His message is clear. They should change their habits.

The speaker requests that if he speaks some truths with frankness he might not on account of this incur the audience's anger.

Attention (211), goodwill (501)

ἀξιῶ δ', ὧ ἄνδρες Ἀθηναῖοι, ἂν τι τῶν ἀληθῶν μετὰ παρρησίας λέγω, μηδεμίαν μοι διὰ τοῦτο παρ' ὑμῶν ὀργὴν γενέσθαι. 9.3

The speaker makes a request, ἄξιῶ. The insertion of the vocative allows a pause for the audience to concentrate their minds before he explains the substance of his request. τι τῶν ἀληθῶν is designed to win attention as feature 211. His promise to speak the truth is qualified with the phrase, μετὰ παρρησίας. This is apologetic and therefore designed to win goodwill as well as attention. The speaker gives advance warning of his intention to tell a few blunt home truths. The final part of the sentence is designed to forestall by anticipation, feature 501, an angry reception from the audience, μηδεμίαν μοι διὰ τοῦτο παρ' ὑμῶν ὀργὴν γενέσθαι. The insertion of διὰ τοῦτο is intended to excuse his intention to speak with frankness.

For consider it this way:

Attention, goodwill

σκοπεῖτε γὰρ ὧδέ.

9.3

This short phrase heralds further justification of the speaker's frank speaking. He asks them to consider a different viewpoint.

In other areas the Athenians consider freedom of speech so much a common prerogative of everyone in the city that they grant a measure of it even to foreigners and slaves, and one might see in the Athenians' midst many menials saying what they like with more freedom than citizens in some of the other cities, yet from their

deliberations they have banished it completely.

Attention, goodwill

ὕμεῖς τὴν παρρησίαν ἐπὶ μὲν τῶν ἄλλων οὕτω κοινὴν οἴεσθε δεῖν εἶναι πᾶσι τοῖς ἐν τῇ πόλει, ὥστε καὶ τοῖς ξένοις καὶ τοῖς δούλοις αὐτῆς μεταδεδώκατε, καὶ πολλοὺς ἂν τις οἰκέτας ἴδοι παρ' ἡμῶν μετὰ πλείονος ἐξουσίας ὅτι βούλονται λέγοντας ἢ πολίτας ἐν ἐνταῖς τῶν ἄλλων πόλεων, ἐκ δὲ τοῦ συμβουλεύειν παντάπασιν ἐξεληλάκατε.

9.3

The speaker develops the theme of freedom of speech in other walks of Athenian life and contrasts its ubiquity elsewhere in Athens with its absence from the Ecclesia. He begins by remarking on the high regard the Athenians have for freedom of speech and the extent to which they encourage even those who are not citizens to embrace it, a fact which distinguishes Athens from other cities. This could be considered an example of feature 402, flattery, because the speaker's compliments are calculated to maximize with cumulative effect the contrast, which he introduces with concise dismissal, of the short shrift they allow for freedom of speech in the Ecclesia. His intention is to shock them into shame with his categorical censure, παντάπασιν ἐξεληλάκατε. The aim is to secure a hearing for a frankness that may cause offence. However, it must be added that Demosthenes' compliments probably reflect his own cherished belief in Athens as a champion of free speech and his approval of her generosity in extending

opportunities for its practice to non-citizens. The sincerity of conviction adds greater poignancy than the insincere praise of flattery to criticism of the Athenians' hypocrisy, which would bar freedom of speech from the Ecclesia. Moreover sincerity will secure goodwill along with attention.

A far more scathing treatment of the theme is found at Isocrates 8.14:

ἐγὼ δ' οἶδα μὲν ὅτι πρόσαντές ἐστὶν ἐναντιοῦσθαι ταῖς ὑμετέραις διανοίαις, καὶ ὅτι δημοκρατίας οὔσης οὐκ ἔστι παρρησία, πλὴν ἐνθάδε μὲν τοῖς ἀφρονεστάτοις καὶ μηδὲν ὑμῶν φροντίζουσιν, ἐν δὲ τῷ θεάτρῳ τοῖς κωμωδιδασκάλοις.

H. Weil 1881, p.319, and J.E. Sandys 1900, p.194, both rightly comment that the marked difference in length between the speaker's concise final comment and his diffuse treatment of the theme up to this point is intended to reflect the situations described, profusion everywhere else but in the Ecclesia scarcity.

For the Athenians ,then, the result of this has been that in the Ecclesia they are delighted and flattered, hearing speeches exclusively for their own gratification, but in affairs and events they are already risking the utmost dangers.

Attention, goodwill

εἴθ' ὑμῖν συμβέβηκεν ἐκ τούτου ἐν μὲν ταῖς ἐκκλησίαις
τρυφᾶν καὶ κολακεύεσθαι πάντα πρὸς ἡδονὴν ἀκούουσιν, ἐν δὲ
τοῖς πράγμασι καὶ τοῖς γιγνομένοις περὶ τῶν ἐσχάτων ἤδη
κινδυνεύειν.

9.4

The speaker now uses scorn to provoke his audience into granting him a hearing. He is inviting them to disprove his taunt that they only listen to what pleases them by listening to his advice which will not be to their taste. But he is also anxious to win their support. Hence his use of alarmist language, περὶ τῶν ἐσχάτων ἤδη κινδυνεύειν. He wants to bring home to the Athenians the fact that they are courting disaster. ἤδη is a key word which is intended to encourage a quick reaction by suggesting that there may not be much time left for the Athenians to save themselves from the danger which is overtaking them unawares.

Accordingly if the Athenians maintain this attitude even now, then the speaker has nothing to say. But if they are willing to hear without flattery what is beneficial, then the speaker is ready to speak.

Attention (209), goodwill (424)

εἰ μὲν οὖν καὶ νῦν οὕτω διάκεισθε, οὐκ ἔχω τί λέγω·
εἰ δ' ἄν συμφέροι χωρὶς κολακείας ἐθέλησεν ἀκούειν, ἔτοι-
μος λέγειν.

9.4

The speaker offers the audience an ultimatum. They

must choose between silence and profitable advice. He will not give them flattery. He is trying to pressurize them into granting a hearing. He has made a virtue out of disadvantage. He is disadvantaged because his advice is going to be unpopular. His method is to challenge the audience about their unwillingness to hear unpopular advice with the taunt that they will only hear what pleases or flatters them. The technique is to prompt a certain response by provoking denial of an opposite tendency. He used this technique in the previous sentence. He takes it a stage further in this sentence by extolling as a virtue his own refusal to pander to their predilection for flattery. The only possible flaw in this technique is that the audience might call his bluff and accept his offer of silence. But his alternative, the prospect of profitable advice, is intended to be attractive enough bait to preclude this. It is designed to attract attention as feature 209 and goodwill as feature 424. The sentence ends on a positive note. Assuming that the audience agrees to his condition, then the speaker is ready to speak, ἔτοιμος λέγειν. It is implied that the audience ought to be ready to listen.

For even if affairs are in a quite deplorable state and there have been many losses, nevertheless it is possible, if the Athenians are willing to do what is required, still to put all this right.

Statement (101), attention, goodwill

καὶ γὰρ εἰ πάνυ φαύλως τὰ πράγματ' ἔχει καὶ πολλὰ προ-
εῖται, ὅμως ἔστιν, ἐὰν ὑμεῖς τὰ δέοντα ποιεῖν βούλησθε, ἔτι
πάντα ταῦτ' ἐπανορθώσασθαι. 9.4

Statement of the current situation, feature 101, is employed to reinforce the speaker's assessment of the seriousness of the crisis. Key words are πάνυ φαύλως and πολλὰ προεῖται. However all is not doom and gloom. Demosthenes offers the Athenians light at the end of the tunnel, ὅμως ἔστιν. But this is not unconditional. The onus is on the Athenians to do the right thing, ἐὰν ὑμεῖς τὰ δέοντα ποιεῖν βούλησθε. Demosthenes is careful to stress not just that the Athenians must do what is required but that they must be willing to do this. βούλησθε therefore is a key word which suggests that a change of attitude is required. Given this condition, an eleventh hour rectification is still possible. ἔτι is used in the same way as the earlier ἤδη, to stress the need for haste. Inherent in this sentence is the implication that in the main part of his speech the speaker is going to explain what the Athenians are required to do in order to put things right. Therefore the Athenians must extend their willingness to granting the speaker a hearing and to supporting his policies.

Perhaps what the speaker is going to say is a paradox but it is true.

Attention (211), goodwill

καὶ παράδοξον μὲν ἴσως ἐστὶν ὁ μέλλω λέγειν, ἀληθὲς
δέ· 9.5

The primary task of this sentence is to soften the abruptness of the next sentence by justifying it on the grounds that it is a paradoxical yet true statement. ἀληθὲς is considered to be an example of feature 211. Although it is designed to rouse curiosity for the speaker's immediate remarks, the notion of one who speaks the truth is intended to commend by association the rest of the speech as well as the next sentence.

The worst aspect of the past offers the best prospect for the future.

Goodwill

τὸ χεῖριστον ἐν τοῖς παρεληλυθόσι, τοῦτο πρὸς τὰ μέλλοντα βέλτιστον ὑπάρχει. 9.5

Antithesis and chiasmus are combined to highlight the paradox, whose purpose is to introduce a series of short arguments designed to win support for the speaker's point of view. Demosthenes has already used this theme at 4.2:

ὁ γὰρ ἐστὶ χεῖριστον αὐτῶν ἐκ τοῦ παρεληλυθότος χρόνου, τοῦτο πρὸς τὰ μέλλοντα βέλτιστον ὑπάρχει.

4.2

At 1.2 the theme is introduced abruptly without the

preliminary packaging of paradox. Perhaps Demosthenes' lack of success with oration 4 prompted the excusing of the remark as a paradox. He has also slightly modified the words to make the sentence smoother and more economic.

Why is this then?

Goodwill

τί οὖν ἐστὶ τοῦτο;

9.5

This short question allows a pause for the previous statement to sink in and at the same time raises expectation for the imminent explanation. It is an essential link in the inexorable chain which is leading the audience towards the denouement of this theme.

It is because affairs are going badly because the Athenians are doing nothing, great or small, of what they ought to be doing, since, if this was the situation when the Athenians were accomplishing all the relevant tasks, then there would be no hope of improvement.

Goodwill

ὅτι οὔτε μικρὸν οὔτε μέγ' οὐδὲν τῶν δεόντων ποιούντων ὑμῶν κακῶς τὰ πράγματ' ἔχει, ἐπεὶ τοι, εἰ πάνθ' ἄ προσῆκε πραττόντων οὕτως διέκειτο, οὐδ' ἂν ἐλπίς ἦν αὐτὰ γενέσθαι βελτίω.

9.5

Biting wit is used to pinpoint the Athenians' main

weakness, their inactivity, and to goad them into action. H. Weil 1881, p.320, rightly comments that Demosthenes has made deft corrections to the corresponding passage at 4.2:

ὅτι οὐδέεν, ὧ ἄνδρες Ἀθηναῖοι, τῶν δεδόντων ποιούντων ὑμῶν κακῶς τὰ πράγματ' ἔχει· ἐπεὶ τοι, εἰ πάνθ' ἄ προσῆκε πραττόντων οὕτως εἴχεν, οὐδ' ἂν ἐλπίς ἦν αὐτὰ βελτίω γενέσθαι. 4.2

οὐδέεν has been qualified with οὔτε μικρὸν οὔτε μέγ' while the repetition of ἔχει ... εἴχεν is avoided by the use of διέκειτο. An innovation is the insertion of the final sentence of the introduction which adds a new development that is appropriate to the context:

In fact Philip has conquered the Athenians' indifference and carelessness, but he has not conquered the city. The Athenians have not been defeated, but they have not even stirred.

Goodwill

νῦν δὲ τῆς ῥαθυμίας τῆς ὑμετέρας καὶ τῆς ἀμελίας κεκράτηκε Φίλιππος, τῆς πόλεως δ' οὐ κεκράτηκεν· οὐδ' ἤτησθ' ὑμεῖς, ἀλλ' οὐδὲ κεκίνησθε. 9.5

Censure is intended here to shame the audience into action. Yet the remarks are not entirely scathing. The suggestion is inherent that the Athenians are only being beaten in so far as they have not yet themselves started to

fight back. Moreover the implication of τῆς πόλεως δ' οὐ κεκράτηκεν and of οὐδ' ἤττησθ' ὑμεῖς is that the Athenians have a reservoir, so far untapped, from which to draw measures that will turn the tables on Philip. The message of the final words, ἀλλ' οὐδὲ κεκίνησθε, is clear. The Athenians must stir themselves.

ARRANGEMENT

S (101), G

G

A (211), G

A, G

G

G (511)

G

A (211), G (501)

A, G

A, G

A, G

A (209), G (424)

S (101), A, G

A (211), G

G

G

G

G

AIM

The aim of the introduction is threefold: to inform the audience of the seriousness of the situation, to provoke the award of a hearing for an unpopular subject, and to convince the audience of the need for action. The introduction was obviously composed with the rest of the speech in mind, fanfaring several of the subsequent themes. The speech was an instant success and stirred the Athenians to the necessary action. Philip's designs on Byzantium were foiled, after Demosthenes' embassy there secured an alliance between Athens and Byzantium. Subsequent embassies to the Peloponnese resulted in the formation of a league against Philip. Dionysius of Halicarnassus, *Thucydides* 54, considered the speech the greatest of the Philippic orations:

ἐν δὲ τῇ μεγίστῃ τῶν κατὰ Φιλίππου δημηγοριῶν

As the precursor of an earth-moving performance the introduction is a *tour de force*.

Oration 10

ANALYSIS

Thinking that the subjects of the Athenians' deliberations are serious and necessary to the city, the speaker will try to say about them what he considers beneficial.

Statement (102), attention (209), goodwill (601) (424)

καὶ σπουδαῖα νομίζων, ὧ ἄνδρες Ἀθηναῖοι, περὶ ὧν
βουλευέσθε, καὶ ἀναγκαῖα τῇ πόλει, πειράσομαι περὶ αὐτῶν
εἰπεῖν ἃ νομίζω συμφέρειν. 10.1

The speaker stresses the seriousness and necessity of the matters under discussion in order to win attention and goodwill. ἀναγκαῖα is an example of feature 601, citing necessity to disarm an audience that is prejudiced against the subject of a speech. The issue, though not stated directly, could be the same as that of oration 9. But the speaker does not develop any ideas. He merely expresses his opinion that matters are serious and necessary. He predicts, feature 102, that he will try to say what he considers beneficial, συμφέρειν, attention feature 209 and goodwill feature 424.

ARRANGEMENT

S (102), A (209), G (601) (424)

AIM

The scant introduction consists of an introductory sentence whose aims are to make a preliminary statement about the speaker's objective in the main part of the speech, to secure attention for the speech and to win goodwill for the speaker.

Oration 10 is beset with problems which have taxed the minds of critics. A good summary of modern scholarship is given by D.F. Jackson and G.O. Rowe 1969, 68-70. Nineteenth century scholars tended to confine themselves to the question of authenticity which was suspected because of two long passages in the speech that are almost identical to passages in oration 8, because the date assigned by Dionysius of Halicarnassus (341/0) conflicts with historical allusions in the speech itself, because the speech contains a discussion of the Theoric Fund which is inconsistent with views expressed by Demosthenes at 3.1-3 and 3.10-13, and because of a personal attack on a certain Aristomedes which is uncharacteristic of Demosthenes whose custom was to abstain from personalities in the *Philippics*. More recently scholars have concentrated on the relationship between orations 8 and 10. It has been suggested regarding the similar passages that those in oration 10 represent an unpublished first draft while those in oration 8 are the final revisions intended for publication. For discussions along these lines see C.D. Adams 1938, P. Treves 1940A and S.G. Daitz 1957. Regarding

chronology G.L. Cawkwell 1963A, pp.134-36, accepts Dionysius' date, whereas L. Canfora 1968 suggests, unconvincingly, that serious chronological inconsistencies within the speech preclude its having been composed at one time as a single speech. L. Pearson 1976, pp.155-57, rejects the view that the speech is a forgery, since every paragraph is well written with ideas and expressions that are characteristic of Demosthenes. But the speech's lack of design and unity cause Pearson to conclude that it cannot be regarded as a finished composition. A hypothesis which he finds attractive, if not provable, is that the speech is an amalgamation of scraps of Demosthenes' work, found in his house after his death, that were put together by a 'publisher' with an eye for an investment. What light does the introduction throw on the issue? Its shortness and lack of theme distinguishes it from the introductions of genuine speeches already observed. This would suggest that it was not an authentic Demosthenic introduction. A slim chance of its being a genuine introduction is provided if one argues that the introduction has been lost for the most part leaving only the final sentence intact. Although none of the *Philippic* introductions end with this kind of sentence, examples do occur in genuine Demosthenic orations, e.g. 14.2 and 16.3. However, a difficulty with this argument is the absence of a connecting particle at the start of the sentence.

Oration 11

ANALYSIS

That Philip did not make peace with the Athenians but postponed the war has become clear to the whole audience.

Statement (101), goodwill

ὅτι μὲν, ὦ ἄνδρες Ἀθηναῖοι, Φίλιππος οὐκ ἐποίησατο τὴν εἰρήνην πρὸς ὑμᾶς, ἀλλ' ἀνεβάλετο τὸν πόλεμον, πᾶσιν ὑμῶν φανερὸν γέγονεν. 11.1

Oration 11 purports to be a reply to a letter sent to the Athenians by Philip in the late summer of 340 when he was engaged in the siege of Perinthus. Dionysius of Halicarnassus, *First Letter to Ammaeus* 10, accepts it as a genuine speech of Demosthenes and designates it as the last of the speeches against Philip:

ἔπεται Νικομάχῳ θεόφραστος ἄρχων, ἐφ' οὗ πείθει τοὺς Ἀθηναίους γενναίως ὑπομεῖναι τὸν πόλεμον ὡς κατηγγελκότος αὐτὸν ἤδη Φιλίππου· καὶ ἔστιν αὕτη τελευταία τῶν κατὰ Φιλίππου δημηγοριῶν, ἀρχὴν ἔχουσα ταύτην· 'ὅτι μὲν ὦ ἄνδρες Ἀθηναῖοι Φίλιππος οὐκ ἐποίησατο τὴν εἰρήνην πρὸς ὑμᾶς, ἀλλ' ἀνεβάλετο τὸν πόλεμον.'

In *First Letter to Ammaeus* 11 Dionysius of Halicarnassus explains the historical background with quotations from the historian Philochorus:

μετὰ τὴν Ὀλυνθίων ἄλωσιν ἄρχοντος Θεμιστοκλέους
 συνθηκαὶ Φιλίππῳ πρὸς Ἀθηναίους ἐγένοντο περὶ φιλίας καὶ
 συμμαχίας· αὐταὶ διέμειναν ἑπταετῆ χρόνον ἄχρι Νικομάχου·
 ἐπὶ δὲ Θεοφράστου τοῦ μετὰ Νικόμαχον ἄρξαντος ἐλύθησαν,
 Ἀθηναίων μὲν Φίλιππον αἰτιωμένων ἄρχειν τοῦ πολέμου,
 Φιλίππου δὲ Ἀθηναίοις ἐγκαλοῦντος. τὰς δὲ αἰτίας δι' ἃς
 εἰς τὸν πόλεμον κατέστησαν ἀδικεῖσθαι λέγοντες ἀμφοτέρω,
 καὶ τὸν χρόνον ἐν ᾧ τὴν εἰρήνην ἔλυσαν ἀκριβῶς δηλοῖ Φι-
 λόχορος ἐν τῇ ἕκτῃ τῆς Ἀτθίδος βύβλῳ. θήσω δ' ἐξ αὐτῆς
 τὰ ἀναγκαιότατα· Θεόφραστος Ἀλαιεύς· ἐπὶ τοῦτο Φίλιππος
 τὸ μὲν πρῶτον ἀναπλεύσας Περίνθῳ προσέβαλεν, ἀποτυχῶν δ'
 ἐντεῦθεν Βυζάντιον ἐπολιόρκει καὶ μηχανήματα προσῆγεν·
 ἔπειτα διεξελθὼν, ὅσα τοῖς Ἀθηναίοις ὁ Φίλιππος ἐνεκάλει
 διὰ τῆς ἐπιστολῆς, ταῦτα πάλιν κατὰ λέξιν ἐπιτίθησιν·
 ὁ δὲ δῆμος ἀκούσας τῆς ἐπιστολῆς καὶ Δημοσθένους παρα-
 καλέσαντος αὐτὸν πρὸς τὸν πόλεμον καὶ <τὰ> ψηφίσματα
 γράψαντος ἐχειροτόνησε τὴν μὲν στήλην καθελεῖν τὴν περὶ
 τῆς πρὸς Φίλιππον εἰρήνης καὶ συμμαχίας σταθεῖσαν, ναῦς
 δὲ πληροῦν καὶ τὰ ἄλλα ἐνεργεῖν τὰ τοῦ πολέμου.'

Philip's letter is included in the Demosthenic corpus
 as number 12 of the orations. The scholia, M.R. Dilts 1983,
 p.158 no.1, pinpoint an incident that prompted the dispatch
 of Philip's letter:

Σηλυβρίαν ἐπολιόρκει Φίλιππος, πόλιν τῶν ἐπὶ Θράκης·
 Ἀθηναῖοι δὲ ἀπέστειλαν ἐν τῷ καιρῷ τούτῳ σιτηγήσοντα

αὐτοῖς πλοῖα · καὶ ὑπονοήσας Φίλιππος μὴ ἐπὶ σιτηγίᾳ πε-
πομφέναι τὰ πλοῖα, ἀλλ' ἐπὶ συμμαχίᾳ Σηλυβριανῶν, ἔλαβε
ταῦτα τὰ πλοῖα καὶ γέγραφεν Ἀθηναίους ἐπιστολὴν, αἰτιώ-
μενος ὅτι βοηθοῦεν Σηλυβριανοῖς οὐ συμπεριειλημμένοις ταῖς
συνθήκαις, καὶ παρ' αὐτοῖς εἶναι τὸ λελύσθαι τὴν εἰρήνην,
ἀπειλῶν τε ἀμυνεῖσθαι αὐτοὺς παντὶ σθένει. ταύτης τῆς
ἐπιστολῆς ἀναγνωσθείσης ὁ Δημοσθένης προτρέπει φανερώς
ἐπὶ τὸν πόλεμον ὡς τοῦ Φιλίππου δεδωκότος τὸ σύνθημα.

A different version of the letter, certainly spurious,
appears at 18.77-78. The scholia here, M.R. Dilts 1983,
p.217 no.140, make substantially the same comments as those
at p.158 no.1 but add extra detail:

Ἐπεμφαν οὖν Ἀθηναῖοι πλοῖα σιτηγήσοντα αὐτοῖς ἐξ
'Ελλησπόντου, Λαομέδοντος ναυαρχοῦντος· καὶ ὑπονοήσας
Φίλιππος μὴ ἐπὶ σιτηγίαν ἀφίχθαι τὰ πλοῖα, ἀλλὰ βοηθή-
σοντα Σηλυβριανοῖς, κατέσχευεν αὐτά τε καὶ τὸν ναύαρχον,
καὶ γέγραφεν Ἀθηναίοις ἐπιστολὴν ...

Ἐλθόντων δὲ παρ' Ἀθηναίων εἰς αὐτὸν πρέσβειων ἔδωκέ
τε τὰ πλοῖα καὶ ἀφῆκε τὸν ναύαρχον.

Modern scholars have argued about the authenticity of
the letter at oration 12 and the reply at oration 11. H.
Weil 1881, pp.401-4, credits the letter with authenticity
because of its accurate reporting of circumstances but, at
pp.419-21, he rejects the reply as a forgery except for
11.1-6, which he regards as the genuine work of Demosthenes

because of the attention to detail, an accuracy consistent with the letter, and a vigorous style. The discovery of the commentary by Didymus and the associated work of M.P. Foucart 1909 have discredited Weil's estimation of the accurate reporting of facts. Foucart, p.93, attributes the reply to Anaximenes. M. Pohlenz 1924 and 1929 takes this view but regards the letter as an authentic document. A. Momigliano 1932 assigns both the letter and the reply to the hand of Anaximenes. M. Croiset 1946, pp.142-27, attributes the reply to Anaximenes but speculates about the source of the letter. He observes the differences between the oration 12 version and the account of Didymus, and suggests that the former could have been an abridged version of the one seen by Didymus, and that both could have come from a collection, assembled by an Alexandrian scholar, of Philip's letters, some of which, in whole or part, might have been authentic documents. The authenticity of the reply will be given further consideration after analysis of its introduction's contents.

The speaker starts the introduction with censure of Philip, accusing him that he did not make peace but postponed the war. While this is an example of preliminary statement, feature 101, it is also intended to win support for the speaker by discrediting Philip's original motive in making peace in order to discourage pro-Macedonian members of the Ecclesia. This aim is reinforced with the main clause, *πᾶσιν ὑμῶν φανερόν γέγονεν*, which passes comment on the contents of Philip's letter. The speaker allows no opportunity for challenge of his assessment of the

situation. πᾶσιν ὑμῶν and φανερόν brook no contradiction and constitute an assumption of tacit approval and unanimity.

For since the time that he handed Halus over to the Pharsalians and settled the Phocian issue and subdued the whole of Thrace, fabricating false excuses and inventing unjust pretexts, he has in practice been making war against the city for a long time but only now does he admit it in speech through the letter that he sent.

Statement (101), goodwill

ἐπειδὴ γὰρ Φαρσαλίοις Ἄλον παρέδωκε καὶ τὰ περὶ Φωκίας διωκῆσατο καὶ τὴν Θρᾶκην κατεστρέψατο πᾶσαν, αἰτίας οὐκ οὔσας πλασάμενος καὶ προφάσεις ἀδίκους ἐξευρὼν τῷ μὲν ἔργῳ πάλαι πολεμεῖ πρὸς τὴν πόλιν, τῷ δὲ λόγῳ νῦν ὁμολογεῖ διὰ τῆς ἐπιστολῆς ἧς ἔπεμψεν· 11.1

The catalogue of Philip's activities is further preliminary statement, feature 101, and is cited as evidence of Philip's duplicity. The Halians, the Phocians and the Thracian Cersobleptes had been excluded from the protection afforded to allies of Athens in the terms of the peace treaty. Demosthenes blamed Aeschines and Philocrates for this compromise:

Φωκίας ἐκσπόνδους καὶ Ἀλέας ἀπέφηναν καὶ Κερσοβλήπτην παρὰ τὸ ψήφισμα καὶ τὰ πρὸς ὑμᾶς εἰρημένα·

19.174

The Athenians are intended to remember the lot of these unfortunates. The Athenian ambassadors who visited Philip had been led to believe that their arbitration was required for the dispute between the Halians and the Pharsalians. Subsequently Philip handed the defeated Halians over to his allies, the Pharsalians. He delegated to the Thebans the task of applying the excessively harsh punishment awarded to the Phocians for their sacrilege. He reduced Cersobleptes to vassalage.

In the next part of the sentence Philip is explicitly accused of deception, αἰτίας οὐκ οὔσας πλασάμενος καὶ προφάσεις ἀδίκους ἐξευρὼν. The scholia, M.R. Dilts 1983, p.162 no.6, provide examples of Philip's excuses:

οἷον περὶ Διοπεύθους, λέγων ὅτι ἀδικεῖ τὴν εἰρήνην πολεμῶν, καὶ περὶ Φωκέων, ὅτι ἱερόσυλοι εἰσι, καὶ περὶ Ἀλίων, ὅτι τοὺς Φαρσαλίους ἀδικοῦσι.

Further evidence of Philip's deceit is provided with a contrast between his practice, τῷ μὲν ἔργῳ, and his words, τῷ δὲ λόγῳ. The former is longstanding, πάλαι, while the latter has only recently, νῦν, acknowledged, ὁμολογεῖ, actual practice which consists of waging war against Athens, πολεμεῖ πρὸς τὴν πόλιν.

The speaker will try to explain that the Athenians must neither shrink from Philip's power nor offer him mean-spirited resistance but must proceed to the war with

all their men, money and ships, to put it simply, with no expenses spared.

Statement (102), goodwill

ὅτι δὲ χρὴ μήτ' ὀρρωδεῖν ὑμᾶς τὴν ἐκεῖνου δύναμιν
μήτ' ἀγεννῶς ἀντιταχθῆναι πρὸς αὐτόν, ἀλλὰ καὶ σώμασι καὶ
 χρήμασι καὶ ναυσὶ καὶ πᾶσιν ὡς ἀπλῶς εἰπεῖν ἀφειδῶς
 ὀρμησαί πρὸς τὸν πόλεμον, ἐγὼ πειράσομαι διδάσκειν.

11.2

The speaker predicts, feature 102, the topics of the main part of his speech. The substance of these remarks is belligerent. The speaker gives wholehearted encouragement to the Athenians to proceed to war with all their resources. They must not hold back through fear of Philip's power. This is the kind of advice given to schoolboys about to tackle a bully. Moreover they must resist him in a way that is worthy of their heritage. ἀγεννῶς means ignobly or in the manner of the low born. The aim is to shame the Athenians into proceeding to war.

ARRANGEMENT

S (101), G

S (101), G

S (102), G

AIM

The aim of this introduction is to make the audience receptive to the idea of formalizing the state of war between Athens and Philip in response to Philip's letter. The speaker uses preliminary statement and arguments designed to win goodwill in order to further this aim.

What light does the introduction shed on the question of authenticity? It is distinguished from other introductions of Ecclesia speeches by the large amount of preliminary statement and specific references to events that it contains. This would support the view that the speech is not a genuine work of Demosthenes.

Oration 14

ANALYSIS

Those who praise the Athenians' ancestors seem to the speaker to choose an agreeable theme to speak on, yet they do not benefit those men whom they praise.

Goodwill

οἱ μὲν ἐπαινοῦντες, ὡς ἄνδρες Ἀθηναῖοι, τοὺς προγόνους ὑμῶν λόγον εἶπεῖν μοι δοκοῦσι προαιρεῖσθαι κεχαρισμένον, οὐ μὴν συμφέροντα γ' ἐκείνοις οὕς ἐγκωμιάζουσι ποιεῖν· 14.1

Dionysius of Halicarnassus, *First Letter to*

Ammaeus 4, dates this oration to 354/3, designates it as Demosthenes' first deliberative speech, and lists the key points:

ἐπὶ δὲ Διοτίμου τοῦ μετὰ Καλλίστρατον ἐν Ἀθηναίοις πρώτην εἶπε δημηγορίαν, ἣν ἐπιγράφουσιν οἱ τοὺς ῥητορικοὺς πίνακας συντάξαντες 'περὶ τῶν συμμοριῶν'. ἐν ἧ παρεκάλει τοὺς Ἀθηναίους μὴ λύειν τὴν πρὸς βασιλέα γενομένην εἰρήνην μηδὲ προτέρους ἄρχειν τοῦ πολέμου, ἐὰν μὴ παρασκευάσωνται τὴν ναυτικὴν δύναμιν, ἐν ἧ πλείστην εἶχον ἰσχύν, καὶ τὸν τρόπον τῆς παρασκευῆς αὐτὸς ὑποτίθεται.

The situation of this speech was the relationship between Athens and Persia. During the Social War an Athenian general, Chares, had offended the Persian King, Artaxerxes III Ochus, by entering the service of Artabazus, the Ionian satrap, who was at that time in revolt against Artaxerxes. When the latter made a formal complaint, the Athenians, fearing repercussions given rumours of Persian armament, recalled Chares. However rumours of Persian armament persisted, and alarm at the prospect of a Persian invasion prompted the meeting of the Ecclesia at which oration 14 was delivered. Demosthenes opposed those orators who demanded a declaration of war and who supported their case with jingoistic references to Marathon and Salamis. He advised the Athenians not to declare war then, 14.3 and 14.38, but to wait for a more opportune moment. He also advised against the levy of an *eisphora*, 14.24-28,

and recommended the reorganization of the trierarch symmories, 14.16-23.

Demosthenes begins his speech with what appears to be a compliment. He congratulates his fellow orators on their choice of subject, praise of ancestors. This gambit is suitably deferential for a newcomer, and is designed to win goodwill. However he neatly turns the tables on his colleagues with the reservation that they do not benefit those whom they eulogize. This unexpected impudence will startle the audience and is designed to show the mettle of the debutant. He is serving notice that he is not daunted by those who have spoken before him but, on the contrary, has the confidence to pick flaws in their arguments.

For when they attempt to speak about deeds which no one could describe adequately in speech, they derive for themselves a renown for their apparent ability to speak, but they make the courage of those men appear less than had been supposed in the minds of those who listen to them.

Goodwill

περὶ γὰρ πραγμάτων ἐγχειροῦντες λέγειν ὧν οὐδ' εἰς ἀξίως ἐφικέσθαι τῷ λόγῳ δύναίτο, αὐτοὶ μὲν τοῦ δοκεῖν δύνασθαι λέγειν δόξαν ἐκφέρονται, τὴν δ' ἐκείνων ἀρετὴν ἐλάττω τῆς ὑπειλημμένης παρὰ τοῖς ἀκούουσιν φαίνεσθαι ποιοῦσιν.

14.1

Demosthenes tries to discredit his opponents, first by suggesting that they have attempted an impossible task, ἐγχειροῦντες λέγειν ὧν οὐδ' εἰς ἀξίως ἐφικέσθαι τῷ λόγῳ

δύναιτο. He accounts for this by implying an ulterior motive, the fruits of which they enjoy, αὐτοὶ μὲν τοῦ δοκεῖν δύνασθαι λέγειν δόξαν ἐκφέρονται. The insertion of δοκεῖν is meant to reduce their credibility further by exposing their skill as speakers as a mere appearance rather than a substantial fact. Moreover a consequence of their praise of ancestors is that they tarnish the reputation of the illustrious predecessors whom they purport to commend, τὴν δ' ἐκείνων ἀρετὴν ἐλάττω τῆς ὑπειλημμένης παρὰ τοῖς ἀκούουσιν φαίνεσθαι ποιοῦσιν. Demosthenes practises a form of *paraleipsis* here. He disapproves of his opponents' choice of theme since they cannot do it justice with mere words, because they exploit it for their own advancement, and because they damage the reputations of the men whom they praise. Yet in reproaching his opponents Demosthenes himself manages to pay tribute to these ancestors whose deeds are beyond the capacity of words to describe and whose courage must not be disparaged. In the next sentence his use of this technique is supreme.

The speaker, on the other hand, thinks that time has provided the greatest eulogy of those men since during the long interval that has occurred no others have been able to display greater deeds than those performed by them.

Goodwill

ἐγὼ δ' ἐκείνων μὲν ἔπαινον τὸν χρόνον ἡγοῦμαι μέγιστον, οὗ πολλοῦ γεγεννημένου μείζω τῶν ὑπ' ἐκείνων πραχθέντων οὐ-

L. Pearson 1976, pp.24-29, discusses the Thucydidean influences on oration 14. At pp.25-26 he explains why Demosthenes chose to begin the speech in this way:

'If Demosthenes in 354 was afraid that appeals to the aggressive spirit of Salamis and Eurymedon might stir the Athenians to provoke Persian intervention, he needed a safe reason for deprecating "praise of the olden days". The words of the Funeral Oration gave him the reason that he wanted - it was impossible to praise them adequately, because certain deeds were beyond praise.'

Demosthenes now leaves the subject of praise behind and turns his attention to his own speech.

The speaker himself will try to say how in his opinion the Athenians can make the most of their preparation.

Statement (102), attention, goodwill

αὐτὸς δὲ πειράσομαι τὸν τρόπον εἰπεῖν ὃν ἂν μοι δοκεῖτε μάλιστα δύνασθαι παρασκευάσασθαι. 14.2

The speaker predicts, feature 102, the theme of his own speech. His promise of advice about preparation, παρασκευάσασθαι, is intended to attract attention and to win goodwill. L. Pearson 1976, p.25, observes similarity

with the opening remarks of Isocrates, *Areopagiticus*. Isocrates complained of orators who gave the false impression that Athens was in a strong enough position to fear no enemy. Pearson concludes that since Demosthenes shared Isocrates' feelings and may have read his pamphlet, it is not surprising that he should reflect its way of thinking. Thus, Demosthenes' aim in this sentence is to concentrate the minds of the Athenians on practical measures that need to be taken, unlike his colleagues who make jingoistic exhortations which have little grasp of the real situation.

For this is how things stand.

Statement (101), goodwill

καὶ γὰρ οὕτως ἔχει·

14.2

This short sentence heralds the speaker's interpretation of the present situation and allows a pause for emphasis and concentration.

If all those who intend to speak were obviously clever, then the speaker is sure that the Athenians' affairs would be no better off.

Statement (101), goodwill

εἰ μὲν ἡμεῖς ἅπαντες οἱ μέλλοντες λέγειν δεινοὶ φανεῖν ὄντες, οὐδὲν ἂν τὰ ὑμέτερον εὖ οἶδ' ὅτι βέλτιον
σχολή·

14.2

Although Demosthenes includes himself in the phrase, ἡμεῖς ἅπαντες, the aim of this sentence is to discourage those who are yet to speak, οἱ μέλλοντες λέγειν, from emulating those jingoistic orators who have already spoken and whose enjoyment of reputations for their ability as speakers is recalled with δεινοὶ φανεῖημεν ὄντες. Demosthenes is therefore suggesting that all the clever speeches of opponents and potential opponents will be of no avail. It is noteworthy that in the second clause he changes the persons. He does not say τὰ ἡμέτερ', which might have been expected after ἡμεῖς, but τὰ ὑμέτερ'. Why has he made this change? His purpose is to dissociate clever speakers from the Athenians' affairs. He is trying to isolate his opponents from the audience. οὐδὲν ἄν acts as a barricade between δεινοὶ φανεῖημεν ὄντες and τὰ ὑμέτερ'. Moreover his juxtaposition of εἴ οἶδ' with τὰ ὑμέτερ' is intended to insinuate an association between the speaker and the audience. It is as if he is placing himself, an expert on their affairs, at their disposal. The idea of a single speaker who is distinguished from all the other orators is taken up in the next sentence.

If one man, whoever he might be, came forward and was able to explain and to convince what kind and what size of force would be useful to the state and from what source it would be provided, then every present fear would be removed.

Statement (101), attention, goodwill

εἰ δὲ παρελθὼν εἰς ὅστισοῦν δύναιτο διδάξαι καὶ πεῖσαι,
τίς παρασκευὴ καὶ πόση καὶ πόθεν πορισθεῖσα χρήσιμος ἔσται
τῇ πόλει, πᾶς ὁ παρὼν φόβος λελύσεται. 14.2

When Demosthenes calls for a single person to come forward he implies that he himself is such a one. ὅστισοῦν suggests that the speaker is showing impartiality by inviting such advice from any quarter and hence, by implication, that the audience should show impartiality too. But ὅστισοῦν is also a modest allusion to the speaker himself. Thus the aim of this sentence is to put into the mouth of a hypothetical speaker the policies which the speaker himself intends to recommend. This allows his policy an airing in the introduction. This is meant to win goodwill by beginning the process of persuasion. Furthermore the guise of a hypothetical speaker is intended to be thin enough for the audience to recognize that Demosthenes is propounding his own policy. This is intended to be an incentive to the audience to pay attention to the main part of his speech.

The speaker will try to do this, as far as he is able, first giving a brief account of his opinion about Athenian relations with the King.

Statement (102), attention, goodwill

ἐγὼ δὲ τοῦτ', ἂν ἄρ' οἶός τ' ᾖ, πειράσομαι ποιῆσαι,
μικρὰ προειπὼν ὑμῖν ὡς ἔχω γνώμης περὶ τῶν πρὸς τὸν

Demosthenes now puts aside pretence and acknowledges the policy as his own in his prediction, feature 102, of the scope of his speech. The modesty inherent in ἄν ἄρ' οἴός τ' ἔ is intended to win goodwill. The promise of brevity, μικρὰ, calls for goodwill and attention on the grounds that he is not a time-waster and that, as he is not asking for much of their time, the audience ought to grant him a hearing.

ARRANGEMENT

G

G

G

S (102), A, G

S (101), G

S (101), G

S (101), A, G

S (102), A, G

AIM

The aim of this introduction is to secure a hearing and to win goodwill. The impression created is that Demosthenes has practical advice to offer on the present situation unlike his opponents who advocate war in emulation of glorious ancestors. What is not made clear in

the introduction is that Demosthenes intends to advise the Athenians not to go to war. In the course of the speech it will be revealed that his recommendations are for the future, not the present. Thus Demosthenes' aim in the introduction is to establish an attentive and approving audience before offering advice that could be unpopular. If he had begun straight away to condemn the war policy, he might not have been granted a hearing. In the event he succeeded in preventing a declaration of war. However his recommendations for the reorganization of the symmories had to wait another fourteen years.

It is evident that this is the speech of a newcomer from the way in which the speaker prefers to express opinions than to make sweeping statements. Hence the use of expressions such as *μοι δοκοῦσι, ἐγὼ ... ἡγοῦμαι, μοι δοκεῖτε, ἂν ἄρ' οἷός τ' ᾶ, and ὡς ἔχω γνώμης*, which suggest a deference suitably appropriate for a beginner. L. Pearson 1976, pp.112-13, gives a convincing account of Demosthenes' adaptation of his forensic style for the introduction of oration 14.

Prooemium 7

Pr.7 differs only slightly from the introduction of oration 14. The following variations deserve comment.

ἐγὼ δ' ἐκείνων μὲν ἔπαινον τὸν χρόνον ἡγοῦμαι μέγιστον
... 14.1

ἐγὼ δὲ τῆς μὲν ἐκεινῶν ἀρετῆς μέγιστον ἔπαινον ἡγοῦμαι
τὸν χρόνον ... pr.7.1

R. Clavaud 1974B, p.143 n.4 (reference p.89), says that in the version at pr.7.1 τὸν χρόνον detaches itself neatly. What does he mean by that? Presumably he means that τὸν χρόνον is emphasized by its position after ἡγοῦμαι which separates it from the words upon which it depends. In 14.1 μέγιστον is given this emphasis. Pr.7.1 is preferred because more curiosity is aroused by postponing τὸν χρόνον than by postponing μέγιστον.

εἰ μὲν ἡμεῖς ἅπαντες οἱ μέλλοντες λέγειν δεινοὶ φανεί-
ημεν ὄντες, οὐδὲν ἂν τὰ ὑμέτερ' εὖ οἶδ' ὅτι βέλτιον σχολίη·
εἰ δὲ παρελθὼν εἷς ὀτισοῦν δύναίτο διδάξαι καὶ πεῖσαι, τίς
παρασκευῆ καὶ πόση καὶ πόθεν πορισθεῖσα χρήσιμος ἔσται τῇ
πόλει, πᾶς ὁ παρῶν φόβος λελύσεται. 14.2

εἰ μὲν ἡμεῖς ἅπαντες οἱ λέγοντες δεινοὶ φανείημεν, οὐδὲν
ἂν τὰ ὑμέτερ' εὖ οἶδ' ὅτι βέλτιον σχολίη· εἰ δὲ παρελθὼν(εἷς)
ὀτισοῦν δύναίτο διδάξαι καὶ πεῖσαι, τίς παρασκευῆ καὶ πόση
καὶ πόθεν πορισθεῖσα χρήσιμος ἔσται τῇ πόλει, πᾶς ὁ παρῶν
λέλυται φόβος. pr.7.2

The future implications of μέλλοντες and λελύσεται at 14.2 may seem more appropriate for an introduction than the retrospective λέλυται of pr.7.2. However the perfect tense has a dramatic effect of 'No sooner said than done.' The version at pr.7.2 is therefore preferred.

Oration 15

ANALYSIS

The speaker considers it necessary for the audience when deliberating about matters of such importance to grant freedom of speech to each of their advisers.

Attention, goodwill

οἶμαι δεῖν, ὦ ἄνδρες Ἀθηναῖοι, περὶ τηλικούτων
βουλευομένους διδόναι παρρησίαν ἐκάστῳ τῶν συμβουλευόντων.

15.1

The use of δεῖν is designed to lend support to the speaker's request. The insertion of the vocative allows a pause for the audience to concentrate. It also rouses curiosity by postponing the explanation of what is necessary. This effect is reinforced with the insertion of the phrase περὶ τηλικούτων βουλευομένους, which further postpones the reference of δεῖν. τηλικούτων is intended to attract attention on the grounds that the matters under discussion are important. The context is the plight of the Rhodians who had recently revolted from their alliance with Athens and who have now appealed to Athens for help to remove an oligarchy that had been imposed upon them. Dionysius of Halicarnassus, *First Letter to Ammaeus* 4, assigns the speech to the year 351/0:

ἐπὶ δὲ θεέλλου τοῦ μετὰ Ἀριστόδημον τὴν περὶ Ῥοδίων ἀπήγγειλε δημηγορίαν, ἐν ᾗ πείθει τοὺς Ἀθηναίους καταλῦσαι τὴν ὀλιγαρχίαν αὐτῶν καὶ τὸν δῆμον ἐλευθερῶσαι.

The consensus of opinion among the Athenians was that the Rhodians should be left to their fate. Demosthenes, however, takes the view that the Rhodians should be treated more generously. H. Weil 1881, p.55, rightly comments that the words *διδόναι παρρησίαν* indicate that Demosthenes is going to contradict those orators, who have already spoken, and public opinion. This explains why he felt the need to justify this request with *δεῦν*. While *διδόναι παρρησίαν* is an explicit request for a hearing, it is also intended to win goodwill since it is expressed as a duty, which allows the speaker to present himself as the champion of the ideals of a democratic society. *ἐκάστω* is a key word whose function is to secure a hearing for everyone in an all-inclusive sweep, and, hence, particularly for the speaker himself, as one of the Athenians' advisers, *τῶν συμβουλευόντων*. So far the speaker has been treading carefully. The scholia, M.R. Dilts 1983, p.179 no.2, comment on the speaker's caution:

τὴν εὐλάβειαν, ἣν ἔχει πρὸς τὴν ὑπόθεσιν, διὰ τῆς ἐπιβολῆς ἐνδείκνυται· οὐ γὰρ ἔχει παρρησίαν εἶπεῖν ὑπὲρ ἀνδρῶν δοκούντων πολλὰ καὶ μεγάλα τὸν δῆμον ἠδικηκέναι.

The scholia's observation that Demosthenes does not

have freedom of speech to speak on behalf of men who appear to have done the people many serious wrongs accounts for the framing of the request for freedom of speech as a generalization. Clearly the request would have been denied if it had been expressed in particular terms of the present context. Hence there is no mention of the Rhodians.

The speaker has never thought it difficult to explain the best policy to the Athenians. The simple reason for this is that the Athenians all seem to the speaker to have recognized it already. The difficulty lies in persuading the Athenians to put it into practice.

Attention, goodwill (402)

ἐγὼ δ' οὐδεπώποθ' ἠγησάμην χαλεπὸν τὸ διδάξαι τὰ βέλτισθ' ὑμᾶς (ὡς γὰρ εἶπεῖν ἀπλῶς, ἅπαντες ὑπάρχειν ἐγνωκότες μοι δοκεῖτε), ἀλλὰ τὸ πεῖσαι πράττειν ταῦτα· 15.1

In the first part of this sentence the speaker attempts to inspire confidence in his ability to explain the best policy. He has never thought it difficult, ἐγὼ δ' οὐδεπώποθ' ἠγησάμην χαλεπὸν. The prospect of an explanation of the best policy, τὸ διδάξαι τὰ βέλτισθ', is intended to attract attention for the main part of the speech and to win goodwill for the speaker. Care has been taken to stress the recipients of this explanation, ὑμᾶς. This word is a preliminary for the parenthetical comment. The impression intended is that mention of the pronoun has brought to the speaker's mind the audience's ability to recognize the best policy and thus given issue to his

explanation of his lack of difficulty. The emphatic position of ὑμᾶς enhances the speaker's flattery of the audience, feature 402. The speaker has no difficulty because the audience all have already recognized what is best, ἅπαντες ὑπάρχειν ἔγνωκότες . As well as appealing to the audience's vanity, another virtue of this approach is that it enables the speaker to presume the audience's tacit agreement with a generalization. This allows the speaker a foundation of universal assent upon which to build. Having disarmed them with flattery, he next tries to make the audience feel guilty by suggesting that it is difficult to persuade them to put into practice what they know to be best, ἀλλὰ τὸ πείσαι πράττειν ταῦτα . He deliberately refrains from giving specific examples. This general criticism is designed to soften up the audience for the unpopular policy that he intends to recommend in the main part of the speech. Next he gives an explanation, still in general terms, of his censure.

For when an idea is approved and voted for, it is just as far from action as when it was first approved.

Goodwill

Ἐπειδὴν γὰρ τι δόξη καὶ ψηφισθῆ, τότε ἴσον τοῦ
πραχθῆναι ἀπέχει ὅσονπερ πρὶν δόξαι. 15.1

The speaker accuses the audience of indolence. Although expressed generally this is related to the speaker's purpose. He is going to recommend that the

Athenians send help to the Rhodians but knows that the Athenians are more inclined towards a *laissez-faire* policy. Hence his censure of their indolent approach to putting policy into practice. In the present situation the speaker wants prompt action.

ARRANGEMENT

A, G

A, G (402)

G

AIM

The aims of this introduction are to secure a hearing and to put the audience in a frame of mind for taking decisive action. The method used is to state general principles. The scholia, M.R. Dilts 1983, p.179 no.2, summarize this concisely:

διὰ δὲ τῆς ἐξῆς ἐννοίας τοῦ αὐτοῦ προοιμίου προκαταλαμβάνει τὸν ἀκροατὴν καὶ βούλεται λαβεῖν ὁμολογοῦντα ὅτι ποιήσει τὰ συμβουλευόμενα, ὥστ' αὐτὸ διοικεῖσθαι διὰ τῶν δύο ἐννοιῶν, τὸ τε ἀνασχεῖσθαι λέγοντος καὶ τὸ πεισθῆναι τοῖς λεγομένοις ἅμα καὶ πράξαι.

For the first aim the necessity for freedom of speech is impressed upon the audience. For the second aim the audience's ability to recognize the best policy is

contrasted with their tardiness at putting it into practice. Here the speaker is attempting a clever trick. He implies that the audience's understanding of the best policy is the same as his own. His difficulty, therefore, lies not in convincing them but in prompting them to action. The truth, of course, which the speaker knows well, is that the audience's conception of the best policy is the complete opposite of the speaker's and furthermore their intention is to pursue a deliberate policy of taking no action at all in the present predicament. Therefore the speaker deliberately makes no mention of specific issues but generalizes in an effort to discredit as habitual Athenian indolence the idea of taking no action. His hope is that the audience will now be waiting for him to reveal what action he wants them to take and that they will rise to the occasion. In the latter aim Demosthenes was unsuccessful. The Athenians did not interfere. The Rhodians were allowed to remain under the government of an oligarchy.

Prooemium 27

Comment will be made only on those passages which differ from their counterparts in oration 15.

οἶμαι δεῖν, ὦ ἄνδρες Ἀθηναῖοι 15.1

οἶμαι δεῖν ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι pr.27.1

The insertion of ὑμᾶς relates δεῖν specifically to the audience. While it could be argued that this raises the curiosity factor, there is the disadvantage that a pronouncement of the audience's duty in this way might antagonize them. The speaker might as well point an accusing finger at them. The more general reference to duty at 15.1 has the advantage that the speaker can include himself in the expression περὶ τηλικούτων βουλευομένους and does not therefore exclude himself from the rest of the Ecclesia. Moreover the omission of the potentially provocative ὑμᾶς is more appropriate for the cautious start of oration 15.

ὡς γὰρ εἶπεῖν ἀπλῶς, ἅπαντες ὑπάρχειν ἐγνωκότες μοι
δοκεῖτε. 15.1

ὡς γὰρ ἀπλῶς εἶπεῖν, πάντες ὑπάρχειν ἐγνωκότες ἔμοιγε
δοκεῖτε. pr.27.1

R. Clavaud 1974B, p.151 n.8, considers the word order, ὡς ἀπλῶς εἶπεῖν, more idiomatic than ὡς εἶπεῖν ἀπλῶς. On the other hand, ἀπλῶς εἶπεῖν, πάντες does not have the alliteration of εἶπεῖν ἀπλῶς, ἅπαντες. Nor does εἶπεῖν, πάντες ὑπάρχειν have the assonance of ἀπλῶς ἅπαντες ὑπάρχειν. Furthermore μοι is better suited for the flattery of the audience than the more emphatic, and therefore intrusive, ἔμοιγε.

These differences suggest that pr.27 was written to be

available for use and that Demosthenes selected it for use in oration 15, polishing it to make it more appropriate for the context of oration 15.

Oration 16

ANALYSIS

Both sides seem to the speaker to be in the wrong, those who have expressed support for the Arcadians and those who have expressed support for the Lacedaemonians.

Attention, goodwill

ἀμφοτέροί μοι δοκοῦσιν ἀμαρτάνειν, ὧ ἄνδρες Ἀθηναῖοι, καὶ οἱ τοῖς Ἀρκάσι καὶ οἱ τοῖς Λακεδαιμονίοις συνειρηκότες·

16.1

The background to this speech is the approaching war between the Spartans and the Megalopolitans. Both sides had sent ambassadors to Athens to request assistance. Demosthenes advocates supporting the Megalopolitans on the grounds of justice and Athenian interest. Dionysius of Halicarnassus, *First Letter to Ammaeus* 4, assigns the speech to 353/2:

ἐπὶ δὲ Θουδήμου ... ἔγραψε ... τὸν περὶ τῆς Μεγαλοπολιτῶν βοηθείας δημηγορικὸν ...

Demosthenes begins with a paradox. In such a situation as this orators would be expected to support one side or the other. Demosthenes strikes an unexpected note by saying that both sides are wrong, ἀμφοτέροί μοι δοκοῦσιν ἀμαρτάνειν. This claim is placed in the emphatic position before the vocative. The latter allows a pause before Demosthenes identifies which two sides he has accused of error, καὶ οἱ τοῖς Ἀρκάσι καὶ οἱ τοῖς Λακεδαιμονίοις συνειρηκότες. Thus the paradox has helped him to win goodwill by censuring his fellow orators from whom he has distinguished himself and to attract attention for his speech with the implication that he alone of the orators will not be in error.

For, as if they had come from one or other of these two places, and were not citizens from the Ecclesia's own number, to whom both places address their embassies, they are accusing and slandering each other.

Goodwill (511)

ὥσπερ γὰρ ἀφ' ἑκατέρων ἦγοντες, οὐχ ὑμῶν ὄντες [πολιταί],
πρὸς οὓς ἀμφοτέροι πρεσβεύουσι, κατηγοροῦσι καὶ διαβάλλου-
σιν ἀλλήλους. 16.1

Demosthenes tries to discredit his colleagues by suggesting that their behaviour resembles that of visiting ambassadors and is not appropriate for Athenian citizens. His particular charges are that they are accusing, κατηγοροῦσι, and slandering, feature 511, διαβάλλουσιν,

each other, ἀλλήλους.

While this was a task for the visitors, the role of those who see fit to offer advice in the Ecclesia is to discuss the issues with regard to the common interest and to consider without party-spirit what is best for the Athenians.

Attention, goodwill

ἦν δὲ τοῦτο μὲν τῶν ἀφιγμένων ἔργον, τὸ δὲ κοινῶς ὑπὲρ τῶν πραγμάτων λέγειν καὶ τὰ βέλτισθ' ὑπὲρ ὑμῶν σκοπεῖν ἄνευ φιλονικίας τῶν ἐνθάδε συμβουλεύειν ἀξιούντων. 16.1

The aim of this sentence is to cool passions in the Ecclesia. He reinforces his censure of his colleagues whose behaviour he deems worthy of visiting ambassadors. He underlines this with the opening remark of this sentence, ἦν δὲ τοῦτο μὲν τῶν ἀφιγμένων ἔργον. He uses the μὲν ... δὲ ... construction to emphasize by contrast how orators ought to behave. Their discussions should embrace the widest application for the sake of the common interest, κοινῶς. They should consider what is best for the Athenians, τὰ βέλτισθ' ὑπὲρ ὑμῶν σκοπεῖν, and should avoid party-spirit, ἄνευ φιλονικίας. Demosthenes expresses an ideal. As well as stilling the noise of faction, his intention is to win goodwill for himself and to secure attention for the main part of his speech with the implication that he is going to practise what he preaches. In fact Demosthenes is going to take the side of the

Arcadians. Therefore he is being hypocritical since he is going to do exactly what he has condemned in others, i.e. take sides. However, if taken to task, he could argue that this is the considered judgement of objective and impartial observation. His purpose is to attract attention with a new angle, a fresh approach which distinguishes him from the other orators.

As it is, the speaker thinks that, if someone were to remove from them these characteristics, that they are recognized and that they speak with Attic accents, then many people would suppose these men to be Arcadians and those men to be Laconians.

Goodwill

νῦν δ' ἔγωγε, εἴ τις αὐτῶν ἀφέλοι τὸ γινώσκεισθαι καὶ τὸ τῆ φωνῆ λέγειν Ἀττικιστί, πολλοὺς ἂν οἶμαι τοὺς μὲν Ἀρκάδας, τοὺς δὲ Λάκωνας αὐτῶν εἶναι νομίσει. 16.2

Demosthenes continues his attempt to discredit his fellow orators by suggesting with a hint of caricature that they are surrogate ambassadors. This rounds off neatly this theme which Demosthenes now leaves behind.

The speaker sees how difficult it is to recommend the best policy.

Attention, goodwill

ἐγὼ δ' ὀρῶ μὲν ὡς χαλεπὸν τὰ βέλτιστα λέγειν ἐστί. 16.2

This short sentence rouses curiosity for the speaker's immediate remarks. ὁρῶ may be intended to be understood as an observation on the behaviour of the other orators. χαλεπὸν allows the speaker the appearance of modesty and tenacity. An implication is that, however difficult the task, the speaker is going to recommend the best policy in the course of his speech.

For when the Athenians have been deceived, some wanting this and others that, if anyone attempts to propose a middle course and then the audience do not wait to learn, he will please neither side but will be discredited with both sides.

Attention, goodwill (501)

συνεξηπατημένων γὰρ ὑμῶν, καὶ τῶν μὲν ταυτί, τῶν δὲ ταυτὶ βουλομένων, ἂν τὰ μεταξύ τις ἐγχειρῆ λέγειν κἄθ' ὑμεῖς μὴ περιμένητε μαθεῖν, χαριεῖται μὲν οὐδετέροις, διαβεβλήσεται δὲ πρὸς ἀμφοτέρους·

16.2

Although Demosthenes speaks hypothetically he insinuates that the audience have been deceived on the present occasion. καὶ τῶν μὲν ταυτί, τῶν δὲ ταυτὶ βουλομένων is meant to recall the polarization of the supporters of the Arcadians and the Lacedaemonians which the speaker has just finished disparaging, and hence to set this hypothesis firmly in the present situation. This prepares the way for the next clause, ἂν τὰ μεταξύ τις ἐγχειρῆ

λέγειν, which is meant to imply that Demosthenes himself is going to steer just such a middle course. This is intended to help secure a hearing. The rest of the sentence is designed to preclude audience resistance and hostility by anticipation, feature 501. Once more Demosthenes creates an impression of his purpose which he is not going to fulfil. For the moment his primary aim is to secure a hearing.

Nevertheless the speaker prefers, if he is to suffer this fate, to seem to be talking nonsense than to allow certain men to deceive the Athenians contrary to what he thinks best for the city.

Attention, goodwill

οὐ μὴν ἄλλ' αἰρήσομαι μᾶλλον αὐτός, ἂν ἄρα τοῦτο πάθω, δοκεῖν φλυαρεῖν, ἢ παρ' ἃ βέλτιστα νομίζω τῇ πόλει, προέσθαι τισὶν ὑμᾶς ἔξαπατῆσαι. 16.3

The first part of this sentence is designed to win sympathy for the speaker who is not daunted by his probable fate but in spite of this is determined to protect the city's interests. His avowed concern for the latter, ἃ βέλτιστα νομίζω τῇ πόλει, is intended to win goodwill and to secure a hearing on the grounds that the speaker is going to reveal what is best in the course of his speech. Finally he makes a veiled charge against his opponents, whom he disguises as τισὶν, of deceiving the audience, ὑμᾶς ἔξαπατῆσαι.

Other points the speaker will, with the audience's permission, discuss later.

Statement (102), goodwill

τὰ μὲν οὖν ἄλλ' ὕστερον, ἂν ὑμῖν βουλομένοις ἦ, λέξω·

16.3

The speaker makes a prediction, feature 102, which includes the courtesy, ἂν ὑμῖν βουλομένοις ἦ, which is designed to win goodwill.

From points agreed by all the speaker will begin to explain what he considers the strongest policies.

Statement (102), attention, goodwill

ἅπὸ δὲ τῶν ὁμολογουμένων ὑφ' ἀπάντων ἄρξομαι, ἃ κρά-
τιστα νομίζω διδάσκειν.

16.3

Demosthenes presumes universal assent, ἅπὸ δὲ τῶν ὁμολογουμένων ὑφ' ἀπάντων, from which to launch himself into the main part of the speech. His prediction, feature 102, that he will explain the strongest policies, κράτιστα, is intended to secure a hearing and to win goodwill.

ARRANGEMENT

A, G

G (511)

A, G

G

A, G

A, G (501)

A, G

S (102), G

S (102), A, G

AIM

Demosthenes' aim is to persuade the Ecclesia that he is approaching the debate with fresh insight and with an impartiality which puts the city's interest before support for either the Arcadians or the Lacedaemonians. In the main part of the speech he will argue that the city's interest lies in supporting the Arcadians. The introduction disguises this and creates the impression that the speaker will pursue a middle course. This enables him to avoid the heckling directed by opponents from opposite camps. He secured a hearing but the Athenians did not take his advice and did not intervene in support of the Arcadians.

Prooemium 8

Prooemium 8 differs from oration 16 in the following respects:

οὐχ ὑμῶν ὄντες [πολιται], πρὸς οὓς ἀμφοτέροι πρεσβεύ-
ουσι

16.1

οὐχ ὑμῶν ὄντες, πρὸς οὓς ἀμφοτέροι πρεσβεύονται

pr.8.1

The insertion of πολιται heightens the contrast between the orators' behaviour, which is akin to that of visiting foreigners, and their calling as members of the Ecclesia and citizens.

H. Weil 1881, pp.35-36, explains the difference between the readings πρεσβεύουσι and πρεσβεύονται. πρεσβεύειν means 'to be an ambassador', while πρεσβεύεσθαι means 'to send an embassy'. R. Clavaud 1974B, p.90 n.2, thinks that there is no difference in meaning between the variants:

'Quoi qu'en dise Weil ... le sens est le même.'

I disagree with Clavaud. πρεσβεύουσι makes better sense because it personalizes the comparison. Demosthenes is painting a picture of orators behaving like ambassadors. πρεσβεύουσι conveys the more visual impression of individuals than the more abstract corporate sense of πρεσβεύονται.

ἔγῳ δ' ὀρῶ μὲν ὡς χαλεπὸν τὰ βέλτιστα λέγειν ἐστί·

16.2

ἐγὼ δ' οἶδα μὲν ὡς χαλεπὸν τὸ τὰ βέλτιστα λέγειν
ἐστίν·

pr.8.2

ὄρω is more appropriate than οἶδα for two reasons. First it complements χαλεπὸν better than οἶδα since the latter is too dogmatic. ὄρω allows more appearance of human caution when faced with a difficult task than the certainty inherent in οἶδα. Secondly οἶδα must be a generalization whereas ὄρω is ambiguous. It may be a generalization. But it could also be an observation on the particular state of affairs that the speaker has been in the process of describing. With the latter interpretation the speaker is enabled to discredit his opponents, by implying that they contribute to the difficulty.

While the Oxford Classical Text has ὑφ' ἀπάντων for both oration 16 and pr.8, the Bude editor, R. Clavaud 1974B, p.91, prints a variant reading for the final sentence of pr.8.

ἀπὸ δὲ τῶν ὁμολογουμένων ὑφ' ἀπάντων ... 16.3

ἐκ δὲ τῶν ὁμολογουμένων ὑπ' αὐτῶν ... pr.8.3

Clavaud 1974B, p.91 n.1, comments:

'Le prologue suggère qu'un terrain d'entente peut être trouvé en conciliant les arguments des adversaires.'

One could argue that use of αὐτῶν is proof of Demosthenes' impartiality and desire to practice what he preaches. By selecting points agreed by both sides he would appear to be effecting a kind of reconciliation. However this would invalidate his efforts at the start of the introduction to dissociate himself from his fellow orators. The virtue of ἀπάντων is that it enables the speaker to create the impression that he is going to propound a unanimously agreed viewpoint. This raises him on a pedestal above the to-and-fro partisan speeches that his opponents have been delivering. Therefore ἀπάντων is the preferred reading.

All these differences suggest that pr.8 has been written to be available for use and that Demosthenes selected it for use in oration 16 and added some finishing touches to it.

Oration 17

ANALYSIS

It is right to give a warm welcome to those who bid the Athenians to abide by their oaths and treaties, if they do so from conviction.

Goodwill

ἄξιον ἀποδέχεσθαι, ὧ ἄνδρες Ἀθηναῖοι, σφόδρα τῶν τοῖς ὀρκοῖς καὶ ταῖς συνθήκαις διακελευομένων ἐμμένειν, εἴπερ

The Treaty with Alexander was a pact formed by Alexander of Macedon and the Greek states, in accordance with which the Greek states were to maintain a general peace both with each other and with Macedon. Alexander was appointed the protector of all states but each state was to enjoy its own political independence. In this speech Alexander is accused of breaking the treaty by acts of political interference, 17.4, and by confiscation of Athenian ships on their way home from the Black Sea, 17.20. The speaker recommends, 17.30, that Athens declare war against Alexander. The speech was not written by Demosthenes. Libanius in the *hypothesis* assigns it to Hyperides because of its style. The scholia, M.R. Dilts 1983, p.195 no.2, attribute it to Hegesippus. At p.19 they suggest a date:

ὃ μὲν γὰρ εἴρηται ἐν ἀρχῇ τῆς Ἀλεξάνδρου καταστάσεως

The date must be 336/5. Philip, Alexander's father, was assassinated in 336. It is unlikely that an Athenian orator would call for a declaration of war on Alexander after his destruction of Thebes in 335. Therefore, it must have been delivered between these two events.

The speaker begins with a generalization. He introduces this with words that are meant to elicit support for it, ἄξιον and ἀποδέχεσθαι ... σφόδρα ... τῶν ... διακελευομένων. The generalization itself, τοῖς ὄρκοις καὶ ταῖς

συνθήκαις ... ἐμμένειν, sets the speech in its context. So far it looks as if the speaker is going to advocate abiding by the treaty. However he adds a reservation, εἴπερ αὐτὸ πεπεισμένοι ποιοῦσιν. He insinuates that certain orators have been hypocritical. H. Weil 1881, p.467, suggests that the speaker's condition applies to those who speak with good faith not to those who abuse their opportunity for speech by distorting the facts. This condition prepares the way for later argument. Meanwhile the speaker provides another generalization.

For the speaker thinks that nothing so befits those who enjoy democratic government than zeal for equity and justice.

Attention (207), goodwill (422)

οἶμαι γὰρ οὐδὲν οὕτω τοῖς δημοκρατουμένοις πρέπειν
ὡς περὶ τὸ ἴσον καὶ τὸ δίκαιον σπουδάζειν.

17.1

In the previous sentence the speaker used the moral value term, ἄξιον . Now he uses another, πρέπειν , to justify his remarks. He reinforces it with the addition of τοῖς δημοκρατουμένοις, which makes the generalization into an ideal for people such as the Athenians. His recommendation, περὶ τὸ ἴσον καὶ τὸ δίκαιον σπουδάζειν , is designed to attract attention and to win goodwill with the implication that in the main part of his speech the speaker will display such enthusiasm for equity and justice. τὸ

δίκαιον attracts attention as feature 207 and goodwill as feature 422. The purpose of the first two sentences is to win the audience's confidence. The speaker expresses principles which he knows will win approval. In the next sentence he makes a comment on the present situation in which he starts to reveal his own opinions.

It is necessary then that those who advocate this course of action excessively should not weary the Ecclesia, preaching this principle while practising everything else, but should submit now to inquiry and should either for the future be sure of the Ecclesia's support in these matters, or retire and allow those, who show the facets of justice more truly, to give advice

Attention (211) (207), goodwill (422)

δεῦ τοίνυν τοὺς λίαν ἐπ' αὐτὰ παρακαλοῦντας μὴ τῷ μὲν λόγῳ καταχρωμένους ἐνοχλεῖν, πάντα δὲ μᾶλλον πράττειν, ἀλλ' ὑπομείναντας νυνὶ τὸν ἐξετασμὸν ἢ καὶ τὸ λοιπὸν πειθομένους ὑμᾶς ἔχειν περὶ αὐτῶν, ἢ παραχωρήσαντας ἕαν συμβουλεύειν τοὺς ἀληθέστερα περὶ τῶν δικαίων ἀποφαινομένους.

17.1

Once more the speaker emphasizes his forthcoming remarks with an introductory word. Here he adds the weight of necessity, δεῦ, to his argument. τοίνυν signals a move from general to particular. The speaker leaves principles and concentrates attention on the practice of other orators. He accuses them of wearying the audience, ἐνοχλεῖν,

and of hypocrisy, τῷ μὲν λόγῳ καταχρωμένους ... πάντα δὲ μᾶλλον πράττειν. Instead of this they should submit to inquiry, εὔθυνα, at the end of their period of office. See D.M. MacDowell 1978, pp.170-72. If this kind of inquiry is intended the speaker may be trying to discredit opponents by suggesting that their inquiries are overdue. However, ἐξετασμὸν probably refers to a less formal kind of inquiry. H.Weil 1881, p.468, suggests, 'L'examen, la discussion'. The speaker's purpose may merely be to suggest that his opponents have something to hide and ought to be ready to explain themselves. This would assist the speaker's attempt to make the audience aware of reality and to prevent them being blinded by idealism into abiding by a treaty which he considers now untenable. τὸ λοιπὸν πειθομένους ὑμᾶς ἔχειν περὶ αὐτῶν is designed to create the impression that the speaker's opponents have already lost the audience's confidence and to suggest that these orators should take up the speaker's second alternative, παραχωρήσαντας ἔαν συμβουλεύειν τοὺς ἀληθέστερα περὶ τῶν δικαίων ἀποφαινομένους. It is implied that the present speaker is such a one who can give this kind of advice. His aim is to secure attention for the main part of his speech and to win goodwill. ἀληθέστερα is feature 211 while περὶ τῶν δικαίων is attention feature 207 and goodwill feature 422.

so that the Athenians may either of their own free will endure to be wronged, and may allow the wrongdoer gratuitous gratification of this very crime, or, preferring to make justice their priority, clear from all reproach,

may employ beneficial policies without delay.

Attention (207) (209), goodwill (422) (424)

Ἐν' ἣ ἐκόντες ἀδικούμενοι ἀνέχησθε καὶ αὐτὸ τοῦτο
χαρίζησθε τῷ ἀδικοῦντι, ἣ προελόμενοι περὶ πλείστου ποι-
ήσασθαι τὸ δίκαιον ἀνεγκλήτως πρὸς ἅπαντας χρῆσθε τῷ
συμφέροντι μηκέτι μέλλοντες. 17.2

The speaker now turns to the audience and offers them an alternative. Like the choices he offered his fellow orators, he intends the second one to be the only choice that is valid. Here the first alternative is sarcasm designed to prompt the audience to adopt the second alternative. τῷ ἀδικοῦντι is a reference to Alexander. Attention and goodwill are sought with τὸ δίκαιον, features 207 and 422, and τῷ συμφέροντι, features 209 and 424. The course of action implied in περὶ πλείστου ποιήσασθαι τὸ δίκαιον and χρῆσθε τῷ συμφέροντι is a declaration of war against Alexander. Further incentive is added with the threat of notoriety inherent in ἀνεγκλήτως πρὸς ἅπαντας with its universal reference and with the need for haste suggested in μηκέτι μέλλοντες. Each of these phrases is latent with adverse criticism.

From the treaties themselves and the oaths which relate to the common peace it is possible for those who examine them to see at once who the transgressors are.

Statement (102), attention, goodwill

ἔξ αὐτῶν δὲ τῶν συνθηκῶν καὶ τῶν ὄρκων σκεφάμενους τῶν
περὶ τῆς κοινῆς εἰρήνης ἔξεστιν ἰδεῖν ἤδη, τίνες εἰσὶν οἱ
παραβεβηκότες. 17.2

περὶ τῆς κοινῆς εἰρήνης refers to the peace treaties concluded between Macedon and all the Greek states at conventions in Corinth, first in 338 with Philip, and, after his death, with Alexander in 336. The speaker refers to the latter treaty. His call for scrutiny of the terms and oaths is meant to suggest that the peace is flawed in that its terms are written in such a way as to make it easy for certain people to break the rules, οἱ παραβεβηκότες. That their identity should be obvious is evident from his comment, ἔξεστιν ἰδεῖν ἤδη. He clearly alludes to the Macedonians and to Alexander in particular. This is considered to be an example of feature 102, since the impression is given that the speaker is going to examine the treaties and oaths in the main part of his speech. Attention is sought with the indirect question, τίνες εἰσὶν οἱ παραβεβηκότες. Goodwill is sought with the implied answer.

The speaker will explain as briefly as is appropriate for important subjects.

Statement (102), attention (202), goodwill

ὥς δὲ περὶ μεγάλων συντόμως διδάξω. 17.2

The speaker's prediction, feature 102, is now

explicit, διδάξω . Attention is sought with the claim that the issues are important, περὶ μεγάλων , feature 202. συντόμως is a courtesy intended to win goodwill as well as attention.

ARRANGEMENT

G

A (207), G (422)

A (211), (207), G (422)

A (207) (209), G (422) (424)

S (102), A, G

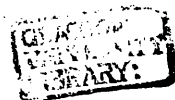
S (102), A (202), G

AIM

The first aim of the introduction is to win the audience's confidence with generalizations assured of their approval. Next, the speaker's aim is to persuade the audience to his own point of view. First he attempts to discredit his opponents implying that his own advice is going to be more truthful and more just. This is intended to secure a hearing as well as winning goodwill. Next he turns to the audience, using sarcasm to prompt them into adopting his viewpoint. Justice and beneficial policy are stressed. Finally he mentions the terms and oaths of the treaty suggesting that they testify to the identity of the transgressors. This is presented as the starting point of the main part of the speech. The final sentence is a

promise of explanation and brevity given the importance of the issue.

It is difficult to say whether the introduction throws any light on the question of the speech's authenticity. It is not so badly written that it is clearly spurious. In fact it is well-composed and subtle in its use of general-to-particular argument. The only comment that one might make is that perhaps the speaker declares his viewpoint earlier than has been observed in previous introductions. He does not postpone to the main part of the speech his claim that the peace has been broken. However, it is equally true that he does not declare his side explicitly. He does not mention Alexander by name but relies on insinuation and implication to make his point. Accordingly, one cannot draw conclusions on the speech's authenticity from the evidence of the introduction. A recent contribution has been made to discussion of authenticity by E.C. Gastaldi 1984, who believes that oration 17 is based on notes written by Demosthenes and found among his other work at his death; that it was then elaborated into its present form by someone after his death, possibly his nephew Demochares, who seems to have been the person mainly responsible for assembling the corpus of his work. This is an attractive, albeit speculative, idea.



THE INTRODUCTIONS OF DEMOSTHENES
A RHETORICAL ANALYSIS

In 3 Volumes

Volume II

By Robert Patterson Harley

Submitted for the degree of Ph.D.

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Department of Classics

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Prooemium 4

ANALYSIS

It is just, since it is the Athenians' task to choose whichever proposal they wish, for them to listen to them all.

Attention

ἔστιν, ὦ ἄνδρες Ἀθηναῖοι, δίκαιον, ἐπειδὴ ἐφ' ὑμῖν ἔστιν ἐλέσθαι τῶν ῥηθέντων ὅτι ἂν βούλησθε, ἀπάντων ἀκοῦσαι. pr.4

The speaker requests a hearing for all on the grounds of justice, δίκαιον, feature 207. Further incentive is added by reminding the audience of their responsibility, ἐπειδὴ ἐφ' ὑμῖν ἔστιν ἐλέσθαι τῶν ῥηθέντων ὅτι ἂν βούλησθε. Although the speaker asks the audience to listen to all suggestions, ἀπάντων ἀκοῦσαι, what he really means is that they should listen to his suggestion. But it is more cautious to express the request in this way, which suggests that the speaker feared rejection. Next he offers a reason why they should listen to everyone.

For it often happens that the same man is wrong on one point but right on another.

Attention

καὶ γὰρ πολλάκις συμβαίνει τὸν αὐτὸν ἄνθρωπον τοῦτο
μὲν μὴ λέγειν ὀρθῶς, ἕτερον δέ τι· pr.4

This sentence is intended to secure a hearing from a prejudiced audience. This is a cautious approach which suggests that the speaker fears that his previous unsuccessful suggestions will prevent the audience granting him a hearing on this occasion. His aim is to persuade the audience that they have more to gain by listening to everyone than by refusing, and that they might actually miss a great deal by refusing to listen to everyone.

By shouting down a speaker in displeasure the audience may miss many useful suggestions, but by listening with order and silence they will act on every good suggestion, and if someone appears to be talking nonsense, they will leave it aside.

Attention (208), goodwill (501)

ἐκ μὲν οὖν τοῦ θορυβεῖν τάχ' ἂν δυσχεράναντες πολλῶν
χρησίμων ἀποστερηθείητε, ἐκ δὲ τοῦ μετὰ κόσμου καὶ σιγῆς
ἀκοῦσαι καὶ τὰ καλῶς ἔχονθ' ἅπαντα ποιήσετε, κἂν δοκῇ τις
[παρα]ληρεῖν, παραλείψετε. pr.4

Anticipation, feature 501, is employed to prevent heckling, τοῦ θορυβεῖν. The speaker warns that there is much to be lost by heckling: many useful suggestions, πολλῶν χρησίμων. This line of argument is like the modern

proverb, 'Beware of throwing the baby out with the bath-water.' The required response is to listen with order and silence, τοῦ μετὰ κόσμου καὶ σιγῆς ἀκοῦσαι . A consequence of this is that they can put into practice all good ideas, τὰ καλῶς ἔχονθ' ἅπαντα ποιήσετε. Attention is sought with the word καλῶς, as feature 208. The implication is that the present speaker has a good idea that is worth hearing. Finally the audience can sift out any rubbish, κἂν δοκῆ τις [παρα]ληρεῖν, παραλείψετε. The audience are reminded of their responsibility to be selective. The important point is that they make their choices after, not before, they have heard everything. The speaker tags this duty on to the end of the sentence to dismiss it as a task that is not very onerous and certainly not one to complain about as an extra burden.

As for the speaker, he is not accustomed to make long speeches, and even if he had been in the past, he would not do so now.

Attention, goodwill

ἐγὼ μὲν οὖν οὔτ' εἴωθα μακρολογεῖν, οὔτ' ἄν, εἰ τὸν
ἄλλον εἰώθειν χρόνον, νῦν ἐχρησάμην τούτῳ pr.4

The promise of brevity is designed to win attention and goodwill. An audience is more likely to listen if their attention is not going to be required for long and they are more likely to be endeared to a speaker who has the courtesy not to waste their time. The reference to the

past, τὸν ἄλλον ... χρόνον, suggests that the speaker fears that his previous record is suspect and that the audience are therefore prejudiced. Hence his strong denials.

But what he considers beneficial for the Athenians he will tell them as briefly as possible.

Attention (209), goodwill (424)

ἀλλ' ἃ συμφέρειν ὑμῖν νομίζω, ταῦθ' ὡς ἂν δύνωμαι διὰ βραχυτάτων ἔρω πρὸς ὑμᾶς. pr.4

The promise of benefit, συμφέρειν, is designed to attract attention as feature 209 and to win goodwill as feature 424. The speaker repeats his assurance that he will be brief.

ARRANGEMENT

A (207)

A

A (208), G (501)

A, G

A (209), G (424)

AIM

The aim of pr.4 is to secure a hearing for a speaker against whom the Ecclesia is prejudiced because of his previous recommendations.

Prooemium 5

ANALYSIS

The speaker sees that it is altogether clear which speeches the audience like to hear and which they do not.

Attention

ὄρω μὲν, ὧ ἄνδρες Ἀθηναῖοι, παντάπασι πρόδηλον ὄν οὕς
τ' ἂν ἂν ἀκούσαιτε λόγους ἠδέως καὶ πρὸς οὓς οὐκ οἰκείως ἔχετε·

pr.5.1

A lot depends on how the speaker pronounces this sentence. If he delivers this in a straightforward manner it may only be meant to rouse curiosity. If he smiles then it may be understood as gentle mockery. If his manner is stern then this could be a scathing rebuke. He may want to keep the audience guessing about what he means. It is probable that the speaker is on the offensive assuming that this is the best means of defence, since he fears that his forthcoming speech is not one of those which the audience likes to hear.

The speaker considers that to say what one thinks will find favour is the mark of those wishing to deceive whereas to endure heckling and any other resistance the audience chooses, while one is advocating measures that one

is convinced are beneficial to the city, the speaker judges to be the mark of a loyal and just citizen.

Attention (209) (207), goodwill (424) (501) (422)

οὐ μὴν ἄλλα τὸ μὲν λέγειν ἅ τις οὔεται χαριεῖσθαι τῶν παρακρούσασθαι τι βουλομένων εἶναι νομίζω, τὸ δ' ὑφίστασθαι, περὶ ὧν πέπεικεν ἑαυτὸν συμφέρειν τῇ πόλει, καὶ θορυβηθῆναι κἂν ἄλλο τι βούλησθ' ἡμεῖς, εὖνου καὶ δικαίου τοῦτο πολίτου κρῖνω. pr.5.1

The speaker uses generalization to overcome the fact that his policy is unpopular. He portrays those who court popularity as deceivers while he makes a virtue out of the willingness to endure heckling for the sake of public benefit. The latter, περὶ ὧν πέπεικεν ἑαυτὸν συμφέρειν τῇ πόλει, is intended to attract attention as feature 209 and goodwill as feature 424. It is implied that the present speaker is one who has convinced himself that his policy will be beneficial. Mention of heckling, θορυβηθῆναι, is designed to prevent it by anticipation, feature 501, and to inspire admiration for one who has the courage of his convictions to endure it. The final comment about the distinguishing marks of a just and loyal citizen, εὖνου καὶ δικαίου ... πολίτου are also meant to be associated with the speaker. δικαίου is intended to attract attention as feature 207 and to win goodwill as feature 422.

The speaker would like the audience to endure the speeches of both sides, if for no other reason, then for

this, so that if someone appears to be offering better advice than what they have taken up they may adopt it but if someone misses the point and is unable to explain his case, he may seem to have suffered this through his own fault and not because the Athenians refused to listen to him.

Attention

βουλοίμην δ' ἂν ὑμᾶς, εἰ καὶ μηδὲ δι' ἐν τῶν ἄλλων, δι' ἐκεῖν' ὑπομεῖναι τοὺς λόγους ἀμφοτέρων, ἴν' ἔαν μὲν ὀρθότερον φανῆ τις λέγων ὧν ὑμεῖς ὠρμήκατε, χρήσησθε τούτῳ, ἂν δ' ἀπολειφθῆ καὶ μὴ δύνηται διδάξαι, δι' αὐτόν, ἀλλὰ μὴ δι' ὑμᾶς οὐκ ἐθέλοντας ἀκούειν τοῦτο πεπονθέναι δοκῆ. pr.5.2

The excuses of inferior speakers that they were not allowed a hearing is now offered as a reason for giving a hearing to both sides. Presumably the speaker does not want to be tarred with this brush but considers himself one of the kind he mentioned first, who gives better advice, ὀρθότερον φανῆ τις λέγων, and who therefore ought to be heard. The speaker thus places emphasis on the audience's responsibility to listen impartially.

Moreover it is a lesser evil to endure a long speech of nonsense than to prevent from speaking someone who had something essential to say.

Attention

ἔτι δ' οὐδὲ πάθοιτ' ἂν ἄηδες οὐδὲν τοσοῦτον, εἰ πολλά

τινος ληροῦντος ἀκούσαίτε, ὅσον εἰ τῶν δεόντων τι λέγειν ἔχοντός τινος εἶπεῖν κωλύσαίτε. pr.5.2

The implication here is that the speaker is going to provide the requisite advice, τῶν δεόντων.

The beginning of right judgement is not to think that one understands before learning, especially in the knowledge that often before many people have changed their minds.

Attention

ἡ μὲν οὖν ἀρχὴ τοῦ δοκιμάζειν ὀρθῶς ἅπαντ' ἐστὶν μηδὲν οἴεσθαι πρότερον γινώσκειν πρὶν μαθεῖν, ἄλλως τε καὶ συνειδότας πολλάκις ἤδη πολλοὺς μετεγνωκότας. pr.5.3

The speaker now offers a truism to convince the audience that they should grant him a hearing. A similar idea is expressed at pr.18:

ἡ μὲν οὖν ἀρχὴ τοῦ σκοπεῖν ὀρθῶς ἐστὶν μὴ βεβουλευσθᾶν πρὶν ἐξ ὧν δεῖ βουλευσασθαι ἀκοῦσαι. pr.18

If the Athenians are persuaded of this, the speaker thinks that he can reasonably seem justified in speaking briefly in opposition and that he will obviously be giving the best advice.

Attention, goodwill

ἂν τοίνυν ὑμεῖς ταῦθ' ὑπάρξητε νῦν πεπεισμένοι, οἴομαι
μετὰ βραχέων λόγων καὶ αὐτὸς ἀντιλέγειν εἰκότως δόξειν καὶ
ὑμῖν τὰ βέλτιστα φανεῖσθαι λέγων. pr.5.3

The promise of brevity, μετὰ βραχέων λόγων, is meant to attract attention and to win goodwill. The speaker declares his intention to speak in opposition, αὐτὸς ἀντιλέγειν. He justifies this with his truism in the previous sentence, ἂν τοίνυν ὑμεῖς ταῦθ' ὑπάρξητε νῦν πεπεισμένοι, and with the assistance of reason, εἰκότως δόξειν. His final claim, that he will obviously be giving the best advice, ὑμῖν τὰ βέλτιστα φανεῖσθαι λέγων, is intended to attract attention and to win goodwill.

ARRANGEMENT

A

A (209) (207), G (424) (501) (422)

A

A

A

A, G

AIM

The aim of pr.5 is to secure a hearing for a speaker against whom the Ecclesia is prejudiced because he intends to oppose popular policies.

Prooemium 6

ANALYSIS

Although many speeches have been made by all their counsellors the Athenians are no nearer discovering what ought to be done than before they came up to the Ecclesia.

Attention, goodwill

πολλῶν, ὧ ἄνδρες Ἀθηναῖοι, λόγων εἰρημένων παρὰ πάντων τῶν συμβεβουλευκότων, οὐδὲν ὑμᾶς νῦν ὁρῶ ὄντας ἐγγυτέρω τοῦ τί πρακτέον εὐρήσθαι ἢ πρὶν εἰς τὴν ἐκκλησίαν ἀναβῆναι.

pr.6.1

The speaker tries to win goodwill at the expense of his opponents whose speeches he accuses of inadequacy. The fact that he is about to enter the debate himself is meant to imply that his speech is going to be different from the others and therefore worthy of attention.

The cause of this is the same as the cause of the generally bad state of affairs.

Goodwill

αἴτιον δὲ τούτου ταῦθ' ὅπερ οἶμαι τοῦ κακῶς ἔχειν τὰ ὅλα·

pr.6.1

This sentence is a preliminary intended to fix

concentration on the next sentence.

Speakers do not give advice about the present situation but accuse and slander each other.

Goodwill

οὐ γὰρ παραινοῦσιν ὑμῖν ὑπὲρ τῶν παρόντων οἱ λέγοντες,
ἀλλ' ἑαυτῶν κατηγοροῦσι καὶ λοιδοροῦνται pr.6.1

This explanation is designed to win goodwill for the speaker by distinguishing him from the other speakers whom he wants to show in a bad light. Further censure follows.

Speakers accustom the Athenians to hearing without legal proceedings the evils for which they are responsible so that in the event of litigation the Athenians in the belief that they are hearing nothing new but what has often angered them will thereby become more lenient judges of their activities.

Goodwill

ὡς μὲν ἐγὼ κρίνω, συνεθίζοντες ὑμᾶς ἄνευ κρίσεως, ὅσων εἰσὶν αἴτιοι κακῶν, ἀκούειν, ἔν' ἂν ποτ' ἄρ' εἰς ἀγῶνα καθιστῶνται, μηδὲν ἡγούμενοι καινὸν ἀκούειν, ἀλλ' ὑπὲρ ὧν ἔωργισθε πολλάκις, πραότεροι δικασταὶ καὶ κριταὶ γίγνησθε τῶν πεπραγμένων αὐτοῖς. pr.6.1

The speaker now tries to discredit his opponents by suggesting that they behave in the Ecclesia as if they were

in the law courts and by offering an ulterior motive for this behaviour.

Perhaps it is foolish at present to seek the precise reason for this behaviour.

Goodwill

τὴν μὲν οὖν αἰτίαν δι' ἣν ταῦτα ποιοῦσιν, ἴσως ἀνόητον ἀκριβῶς ζητεῖν [εἴη ἂν] ἐν τῷ παρόντι. pr.6.2

The speaker dismisses further inquiry into the reasons for his opponents' alleged behaviour. He implies that it would be a waste of time.

But because it is not beneficial for the Athenians, for this reason the speaker censures them.

Goodwill

ὅτι δ' ὑμῶν οὐχὶ συμφέρει, διὰ τοῦτ' ἐπιτιμῶ. pr.6.2

The speaker discredits his opponents with the charge that their behaviour does not benefit the Athenians, ὑμῶν. This enables him to involve the audience personally and to cast himself in the role of champion of the public interest.

The speaker will not accuse anyone today nor will he make any promises that he will not prove straight away, nor generally will he do any of the things done by the other

speakers.

Goodwill

ἔγὼ δ' οὔτε κατηγορήσω τήμερον οὔδεός, οὔθ' ὑποσχέσομαι
τοιοῦτ' οὔδ' ἐν δ' μὴ παραχρῆμ' ἐπιδείξω, οὔδ' ὅλως τῶν αὐτῶν
τούτοις οὔδ' ἐν ποιήσω· pr.6.2

The speaker wants to distinguish himself from his opponents whom he further discredits.

When the speaker has stated, as briefly as he can, what he considers best for affairs and profitable for those deliberating, he will step down.

Statement (102), attention (209), goodwill (424)

ἀλλ' ἃ βέλτιστα μὲν τοῖς πράγμασιν, συμφέροντα δὲ τοῖς
βουλευομένοις ὑμῖν ἡγοῦμαι, ταῦθ' ὡς ἂν δύνωμαι διὰ βραχυ-
τάτων εἰπὼν καταβήσομαι. pr.6.2

The speaker predicts, feature 102, the topics of his speech. The promise of the best advice, ἃ βέλτιστα, and beneficial policy, συμφέροντα, are intended to attract attention and to win goodwill. συμφέροντα is attention feature 209 and goodwill feature 424. The promise of brevity, ὡς ἂν δύνωμαι διὰ βραχυτάτων, is also meant to secure attention and to win goodwill.

ARRANGEMENT

A, G

G

G

G

G

G

G

S (102), A (209), G (424)

AIM

The aim of pr.6 is to win goodwill for the speaker. The method used is to discredit other orators so that in relief against this background the speaker himself, by contrast, is shown in a good light.

Prooemium 9

ANALYSIS

The speaker has risen to speak because he does not share the views of some of those who have spoken.

Attention, goodwill

οὐχὶ ταῦτ' ἀγνώσκων ἐνίοις τῶν εἰρηκότων ἀνέστηκ', ὧ
ἄνδρες Ἀθηναῖοι. pr.9.1

The opening words, οὐχὶ ταῦτὰ γιγνώσκων, are designed to attract attention with the prospect of something new. Goodwill is sought with the criticism implied in the speaker's disagreement with 'some of those who have spoken'. The speaker begins this prooemium in the manner of a litigant who justifies his presence in court. The word ἀνέστηκ' is emphasized by its position before the vocative which is postponed to the end of the sentence.

The speaker will not accuse these men of proposing the opposite of what is best out of villainy

Goodwill

οὐ μὴν οὐδὲ τούτους αἰτιάσομαι κακίᾳ τ'ἀναντία τοῖς
βελτίστοις εἰρηκένοι pr.9.1

Paraleipsis is used to discredit his opponents. The use of αἰτιάσομαι reinforces the forensic feel of the prooemium.

but many neglect to judge affairs and are accustomed to consider what speeches to make and if they find a supply they will readily harangue their audience

Goodwill

ἀλλ' ὅτι πολλοὶ τοῦ τὰ πράγματα κρίνειν ἀμελήσαντες
τοὺς λόγους σκοπεῖν οὓς ἐροῦσιν εἰώθασιν, κ'ἂν τούτοις
ἀφθόνοις ἐντύχωσιν, ἐτοίμως δημηγορεῖν pr.9.1

The speaker accuses his opponents of carelessness and questions their motives by implying that they enjoy speaking for its own sake.

they are wrong and do not consider that over a long time many plans have worked out completely as intended and that some because of opportunities have gone in a direction opposite to that intended, and if some speaker cites the one and passes over the other, he will subconsciously be doing the easiest of tasks, deceiving himself.

Goodwill

οὐκ ὀρθῶς ἐγνωκότες, οὐδὲ λογιζόμενοι παρ' ἑαυτοῖς ὅτι πολλῶν πράξεων ἐν πολλῷ χρόνῳ πᾶσι πεπραγμένων καὶ διὰ τοὺς καιροὺς ἐνίων ὑπεναντίων αὐταῖς, ἂν τὰς ἐτέρας τις ὑπερβαίνων τὰς ἐτέρας λέγη, λήσει τὸ ῥᾶστον τῶν ἔργων ποιῶν, αὐτὸν ἐξαπατῶν. pr.9.1

The speaker now suggests that his opponents are incompetent because they do not have enough foresight to recognize that some plans have unsuccessful results because they work out in a way opposite to the intention. He accuses them of ignoring facts which do not suit their case, i.e. previous plans which have failed, ὑπερβαίνων τὰς ἐτέρας. He dismisses anyone who does this with scornful words, λήσει τὸ ῥᾶστον τῶν ἔργων ποιῶν, αὐτὸν ἐξαπατῶν.

Those who exercise the honour of advising the

Athenians seem to the speaker to consider the reputation for eloquence incurred by their speaking a sufficient ambition.

Goodwill

οἱ μὲν οὖν οὕτω χρώμενοι τῷ συμβουλευεῖν δοκοῦσι μοι τὴν ἀπὸ τῶν ῥηθέντων τοῦ δύνασθαι λέγειν δόξαν γιγνομένην αὐτοῖς ἱκανὴν φιλοτιμίαν ἡγεῖσθαι· pr.9.2

Again the speaker questions his opponents' motive. In a forensic situation this is equivalent to accusing the opposition of litigiousness, of being involved in litigation for its own sake. Here the speaker accuses his opponents of engaging in public speaking for its own sake and for the reward that it brings, a reputation for eloquence. The implication, which is designed to win goodwill, is that the present speaker is different. He makes this explicit in the next sentence. Using the μὲν ... δὲ ... construction he contrasts himself with his opponents.

The speaker on the other hand thinks it necessary that the man trying to advise the city on affairs should rather consider how policy will be beneficial than how his off-the-cuff words might win favour.

Attention (209), goodwill (424)

ἐγὼ δὲ νομίζω χρῆναι τὸν πόλει περὶ πραγμάτων ἐπιχειροῦντα συμβουλευεῖν μᾶλλον ὅπως τὰ δόξαντα συνοίσει σκοπεῖν,

The speaker expounds the duty of the man who attempts to give advice on affairs of state. Benefit, συνοίσει, attention feature 209 and goodwill feature 424, is to take precedence over favour, χάριν. He implies that he is one who promotes benefit while his opponents, on the other hand, court favour and popularity.

For it is necessary that those who win a reputation from their words add to it the achievement of some beneficial task in order that their remarks may be fine not only now but for ever.

Attention (208) (209), goodwill (424)

δεῖ γὰρ τοῖς ἐπὶ τῶν λόγων εὐδοκιμοῦσι συμφέροντός τινος ἔργου πρᾶξιν προσεῖναι, ἵνα μὴ νῦν μόνον, ἀλλ' ἀεὶ τὰ ῥηθέντα καλῶς ἔχη.

The implication here is that the speaker does this while his opponents do not, and that the policy to be explained in the forthcoming speech promises beneficial and fine results. συμφέροντος therefore attracts attention as feature 209 and goodwill as feature 424 while καλῶς attracts attention as feature 208. The speaker stresses the importance of the future consequences of speeches, particularly that they should last for ever. Although these remarks are addressed to other orators they are meant also for the audience who are not to be tempted by the

prospect of short term gratification. This suggests that the speaker is trying to overcome audience reluctance to support his point of view and their consequential unwillingness to pay attention. The long term prospect is offered as an incentive to the audience to pay attention and to show goodwill.

ARRANGEMENT

A, G

G

G

G

G

A (209), G (424)

A (208) (209), G (424)

AIM

This is a general introduction which has no reference to a particular situation. It is a remedy for use when the speaker's subject is unpopular. The method used is to censure the negligence of opponents who court immediate popularity and who strive to win a reputation for eloquence but who make no allowance for contingencies and who ignore facts that do not suit their case. The speaker says that it is necessary to give advice whose long term consequences will be beneficial. This compensates for the fact that his policies are not immediately attractive. The speaker's

approach is like that of a doctor who prescribes unpalatable medicine which he claims is the only effective cure.

Prooemium 10

ANALYSIS

If the Athenians have decided what happens to be best to do in the circumstances, it is a mistake to propose debate.

Attention, goodwill

εἰ μὲν ἐγνώκατ', ὧ ἄνδρες Ἀθηναῖοι, τί βέλτιστον ὄν
τυγχάνει πρᾶξαι περὶ τῶν παρόντων, ἀμάρτημα τὸ συμβουλεύειν
προτιθέσθαι·

pr.10.1

The paradox, ἀμάρτημα τὸ συμβουλεύειν προτιθέσθαι, is intended to attract attention. Presumably the debate has already been started, at least by the present speaker. Thus a statement which contradicts his behaviour is intended to attract attention. Of course, the audience may not be expected to take this seriously but to understand that there may be a degree of humour here which will encourage them to listen to what the speaker is about to say next. As a bonus the speaker could pick up some goodwill as he has stated a platitude which will receive assent and because he gives the impression that he is not

going to waste the audience's time.

For why is it necessary for the audience to be bored to no avail by listening to what they have judged beneficial before hearing it?

Attention, goodwill (402)

ἄ γὰρ αὐτοὶ πρὶν ἀκοῦσαι δοκιμάζετε συμφέρειν, τί δεῖ ταῦτ' ἀκούοντας μάτην ἐνοχλεῖσθαι; pr.10.1

This rhetorical question is designed to win goodwill for the speaker by flattering the audience, feature 402, that they can decide what is beneficial, δοκιμάζετε συμφέρειν, and by suggesting that the speaker opposes the unnecessary wasting of the audience's time. It also helps to secure attention by raising the issue of listening, ἀκοῦσαι, in anticipation of the next sentence.

But if they are considering and deliberating in the belief that they must make a judgement on the basis of what will be said, it is wrong to prevent those who wish to speak.

Attention

εἰ δὲ σκοπεῖτε καὶ βουλευέσθ' ὡς ἐκ τῶν ῥηθησομένων δοκιμάσαι δέον, οὐκ ὀρθῶς ἔχει τὸ κωλύειν τοὺς βουλομένους λέγειν. pr.10.1

The speaker reminds the audience of their duty to

grant a hearing to those who want to speak. Although his reference is general, he means that the audience should grant a hearing to the present speaker, in particular, and should not prevent him from speaking.

By doing this the Athenians will be completely deprived of any useful proposal someone has thought of and cause others to abandon what proposals have occurred to them for what they think the Athenians desire to hear.

Attention, goodwill

παρὰ μὲν γὰρ τῶν ὅλως ἀποστερεῖσθ' ἐκ τοῦ τοῦτο ποιεῖν, εἴ τι χρήσιμον ἐντεθύμηνται· τοὺς δ' ἀφέντας ἃ τυγχάνουσιν ἐγνωκότες, ὧν ὑμᾶς ἐπιθυμεῖν οἴονται, ταῦτα ποιεῖτε συμβουλεύειν. pr.10.1

The implication here is that the speaker is one of those who have something useful to propose, *τι χρήσιμον*. This is meant to attract attention and to win goodwill. Another aspect of the speaker's approach is to show the audience what they stand to lose if they refuse to listen to those who wish to speak. Certain orators will respond by abandoning their good ideas and offering instead ideas which they think will please the audience. This may be veiled criticism of opponents but a more obvious implication is that the present speaker would not do this. This is a good argument for the situation of a speaker who is about to address an audience prejudiced against him. He could argue that he is not one of those orators who prefers

to please the audience when he fears that what he is going to say will not please them.

It is a mark of those wishing to err to unite in forcing a speaker to say what they want while it is the mark of those deliberating to listen to his views and to consider them and if anything sounds fine to use it.

Attention (208)

ἔστιν δ' ἁμαρτάνειν μὲν βουλομένων τὸ συναναγκάζειν τὸν παριόνθ' ἃ βούλεσθε λέγειν, βουλευομένων δ' ἀκούσαντας ἃ γιγνώσκει σκοπεῖν, κἄν τι καλῶς ἔχη, χρῆσθαι. pr.10.2

The use of καλῶς is feature 208. Here, although the speaker is speaking hypothetically, the implication is that he could have something fine to say. The sentence as a whole appeals to the consciences of the audience. The speaker tries to shame them into granting a hearing by reminding them of how they ought to proceed. One danger of this technique is that the audience might consider that the speaker is patronizing them.

The speaker says this not as one about to advise measures opposite to those favoured by the Athenians, but as one who knows that if the Athenians are unwilling to listen to the opposition, the latter will claim that the Athenians have been deceived while if they do listen and are not persuaded the opposition will have been proved straight away to be advising the worse proposals.

Attention, goodwill (536)

λέγω δὲ ταῦτ' οὐκ ἐναντία τοῖς ὑμῖν ἀρέσκουσιν μέλλων
παραινεῖν, ἀλλ' ἐκεῖν' εἰδώς, ὅτι ἂν μὲν μὴ 'θελήσητε τῶν
ἀντιλεγόντων ἀκοῦσαι, ἐξηπατῆσθαι φήσουσιν ὑμᾶς, ἂν δ' ἀκού-
σαντες μὴ πεισθῆτε, ἐξεληλεγμένοι παραχρῆμ' ἔσονται τὰ χεῖρω
παραινοῦντες. pr.10.2

There is a neat twist in the argument here. The speaker's denial may cause surprise since it appeared as if he were championing the cause of speakers with unpopular views because he himself was one. Now he denies it. The implication is that his views are going to coincide with those of the audience. This is designed to win goodwill. The speaker concludes the introduction by turning the spotlight on his opponents. He transfers responsibility to them, feature 536, ἂν μὲν μὴ 'θελήσητε τῶν ἀντιλεγόντων ἀκοῦσαι ... φήσουσιν. The speaker offers himself as an authority on this, ἐκεῖν' εἰδώς. He discredits his opponents by saying that they will claim that the audience have been deceived, ἐξηπατῆσθαι φήσουσιν ὑμᾶς. He further discredits them by saying that, once heard, their proposals will immediately be seen to be the worse ones, τὰ χεῖρω παραινοῦντες. The chance to prove this, ἐξεληλεγμένοι, is offered to the audience as an incentive to give everyone a hearing. This is a clever approach which allows the speaker to avoid making defensive arguments on his own behalf. The opposition are allowed to bear the brunt of audience resistance. This is a covert way of securing a

hearing for himself.

ARRANGEMENT

A, G

A, G (402)

A

A, G

A (208)

A, G (536)

AIM

The aim of pr.10 is to win a hearing while at the same time winning some goodwill at the expense of opponents. There is no preliminary statement. Nor is there reference to a particular situation. This is a thematic prooemium which is a remedy for an audience that is unwilling to listen. The two main arguments are that the audience could hear profitable advice if they listened to everyone and that the opposition will be revealed for what they are. The theme of the prooemium, 'Why is it necessary to listen to debates?' is developed in a progression from the speaker towards the opponents of the speaker. At the start he denigrates the practice of causing the audience futile boredom. At the end he makes the opponents responsible for subjecting the audience to views that they will reject. Thus he diverts from himself to his opponents any irritation the audience might feel at having to endure another set of speeches.

Prooemium 11

ANALYSIS

The speaker thinks that all the audience realize that they have not come today to judge any of the wrongdoers but to deliberate about present affairs.

Attention, goodwill

οἴομαι πάντας ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, γιγνώσκειν ὅτι οὐ κρινοῦντες ἤκατε τήμερον οὐδένα τῶν ἀδικούντων, ἀλλὰ βουλευσόμενοι περὶ τῶν παρόντων. pr.11

The opening words, οἴομαι πάντας ὑμᾶς ... γιγνώσκειν, are designed to create an impression of unanimous assent which is meant, in turn, to recommend the remarks which follow. The speaker reminds the audience of their proper taste. Perhaps this betrays a suspicion on the part of the speaker that accusations and condemnations are preferable to the audience than deliberation. In any case, his purpose is to serve notice that he is not going to indulge in this but is going to concentrate on deliberation. R. Clavaud 1974B, p.45 n.2, comments that Demosthenes makes an absolute distinction between the role of orator, which is to counsel, and the role of prosecutor, which is to bring to justice. He cites instances of this recurring theme, pr.20, 1.16, 18.188, pr.11, pr.40, and the calls for moderation at pr.31 and pr.35.2. The speaker develops the

theme in the next sentence.

It is necessary then to defer all charges and only when the Athenians put someone on trial should anyone accuse before the Ecclesia another person who he is convinced is a wrongdoer.

Goodwill

δεῖ τοίνυν τὰς μὲν κατηγορίας ὑπερθέσθαι πάσας, καὶ
τότ' ἐν ὑμῖν λέγειν καθ' ὅτου πέπεικεν ἕκαστος ἑαυτόν, ὅταν
τινὰ κρίνωμεν. pr.11

Necessity, δεῖ, is now cited to add weight to the speaker's argument. The speaker is trying to establish a technical point in order to prevent accusations being made. His aim is to convince the audience that the present time is not one of those occasions when accusations are relevant.

If anyone has something useful or beneficial to say, now is the time to declare it.

Attention (209), goodwill (424)

εἰ δέ τις τι χρήσιμον ἢ συμφέρον εἰπεῖν ἔχει, τοῦτο νῦν
ἀποφαίνεσθαι. pr.11

The speaker recommends what he considers an appropriate contribution to the debate. συμφέρον attracts attention as feature 209 and goodwill as feature 424 since

it is implied that the speaker is going to practise what he preaches.

Accusation is for those bringing charges about deeds already done while giving advice is concerned with present affairs and future actions.

Goodwill

τὸ μὲν γὰρ κατηγορεῖν τοῖς πεπραγμένοις ἐγκαλούντων ἐστίν, τὸ δὲ συμβουλεύειν περὶ τῶν παρόντων καὶ γενησομένων προτίθεται. pr.11

The roles of accusation and counselling are contrasted. The latter is more important, it is implied, because it concerns the present and the future while accusation looks back to the past.

Therefore the present is no occasion for abuse or blame but for giving advice, it seems to the speaker.

Goodwill

οὐκοῦν οὐ λοιδορίας οὐδὲ μέμφεως ὁ παρὼν καιρός, ἀλλὰ συμβουλῆς εἶναί μοι δοκεῖ. pr.11

This is the conclusion, based on the speaker's argument, which he hopes the audience will accept. After several generalizations expressed objectively the speaker now admits a personal remark, μοι δοκεῖ. This recalls οἶομαι with which pr.11 began. Does the insertion here of μοι δοκεῖ signify a note of caution? It is more likely

that the speaker wants to refer to himself to facilitate the transition from argument to the personal remarks in the next sentence about his own impending speech.

Therefore the speaker will try to guard against allowing himself the utterances for which he censures these men and will try to advise what he considers the strongest policies in the present circumstances.

Statement (102), attention, goodwill

διὸ πειράσομαι μὲν φυλάξασθαι, δ' τούτοις ἐπιτιμῶ, μὴ παθεῖν αὐτός, συμβουλευσαὶ δ' ἃ κρᾶτιστα νομίζω περὶ τῶν παρόντων. pr.11

The speaker gives an indication of how he is going to tackle the main part of the speech, feature 102. Attention and goodwill are sought with the promise of an explanation of the strongest policies, κρᾶτιστα. The μὲν ... δὲ ... construction is used to effect. The two themes, accusation and advice, are expressed in contrast, the first as behaviour to be avoided by the speaker, the second as a subject about to be embraced by the speaker.

ARRANGEMENT

A, G

G

A (209), G (424)

G

G

S (102), A, G

AIM

The main purpose of pr.11 is to prevent accusations being made against individuals and to turn the Ecclesia's attention instead to the question of profitable advice for the present situation. The prooemium has no references to a particular situation. One wonders, then, why it was written. R. Clavaud 1974B, p.143 n.2, tries to account for the reference to οὐδένα τῶν ἀδικούντων.

'Il est très difficile de dire qui est ce coupable. Il doit s'agir d'un de ces chefs de mercenaires que Démosthène ne prisait peut-être pas comme individus (voir la *Première Philippique*, 47) mais que pour des raisons d'opportunité il ne voulait pas écarter du théâtre des opérations pour leur intenter un procès: c'est le cas de Diopithe (voir discours sur la *Chersonese*, 2-3); celui de Charès à Olynthe et en Thrace...'

Of course, Clavaud, p.44, rejects the view that the prooemia were written in advance to be selected whenever Demosthenes needed an introduction. Instead he believes that each was written as a response to a given situation. Hence his desire to provide a historical background, and in this case his suggestion is reasonable. But if pr.11 was written in advance to be available for use when required

then it is intended for use on any occasion when previous speakers have been engaging in mutual recriminations and accusing one another.

Prooemium 12

ANALYSIS

No one would dispute, the speaker thinks, that it is the mark of a bad citizen and worthless man to hate or like a person involved in public life so much that he pays no heed to the city's best interest but declares in public expressions of abuse and expressions of friendship, as some of those coming here are doing.

Attention, goodwill

οὐδέν' < ἅν > ἀντειπεῖν, ὡς ἄνδρες Ἀθηναῖοι, νομίζω, ὡς οὐ κακοῦ πολίτου καὶ φαύλου τὴν γνώμην ἀνδρός ἐστὶν οὕτω τινὰ μισεῖν ἢ φιλεῖν τῶν ἐπὶ τὰ κοινὰ προσιόντων ὥστε τοῦ τῆ πόλει βελτίστου μηδὲν φροντίζειν, ἀλλὰ τὰ μὲν πρὸς ἐπήρειαν, τὰ δὲ πρὸς φιλίαν δημηγορεῖν· ἃ ποιοῦσιν ἔνιοι τῶν δευρὶ παριόντων. pr.12.1

οὐδέν' < ἅν > ἀντειπεῖν is a way of suggesting unanimous assent, an alternative to πάντας ὑμᾶς ... γιγνώσκειν which was observed at the start of pr.11. Reference to the city's best interest, τοῦ τῆ πόλει βελτίστου, is intended to attract attention and goodwill with the implication that

the present speaker is going to pay heed to the city's best interest. The statement that it is characteristic of a bad man to place partisanship before the city's interest is a generalization which will be acknowledged in principle. But the speaker does not leave it at that. He accuses some of the other orators of indulging in this behaviour in order to win favour at their expense by distinguishing himself from them.

The speaker would say just this to these men, that their greatest mistake is not doing such a thing but that they appear unprepared ever to stop.

Goodwill

ἐγὼ δὲ τούτοις μὲν τοσοῦτον ἂν εἴποιμι, ὅτι μοι δοκοῦσιν οὐδ' εἴ τι πεποιθήκασιν τοιοῦτον μέγισθ' ἡμαρτηκέναι, ἀλλ' ὅτι δηλοῦσιν οὐδέποτε' οὐδὲ παύσασθαι παρεσκευασμένοι.

pr.12.1

The opening words, ἐγὼ δὲ τούτοις μὲν τοσοῦτον ἂν εἴποιμι, are meant to concentrate attention for, and thus to emphasize, the remarks which follow immediately in the rest of the sentence. The purpose of these is to discredit opponents. This is heightened by the element of surprise inherent in the comment, οὐδ' εἴ τι πεποιθήκασιν τοιοῦτον μέγισθ' ἡμαρτηκέναι, and by the scorn which follows in ἀλλ' ὅτι δηλοῦσιν οὐδέποτε' οὐδὲ παύσασθαι παρεσκευασμένοι.

As for the audience, the speaker advises them not to

ruin themselves by thinking it sufficient to punish these men whenever it seems appropriate

Goodwill

ὑμῖν δὲ παραινῶ μὴ προΐεμένους ὑμᾶς αὐτοὺς ἱκανὸν τοῦτο νομίζειν, δίκην, ὅταν ὑμῖν δόξη, παρὰ τούτων λαβεῖν

pr.12.2

The threat of ruin, προΐεμένους ὑμᾶς αὐτοὺς, is now used to recommend the speaker's advice. ἱκανὸν is meant to imply that the Athenians have not fully understood what they ought to do. It is also intended to set them thinking about what else they could do. Thus the speaker warns them against complacency. He also provides veiled denigration of his opponents. While he suggests that it is not enough to punish these men, ἱκανὸν implies that at the very least they deserve punishment. The aim is to turn the audience against these men.

but the audience must also restrain these men as far as they can and at the same time, as befits those deliberating on behalf of the city, they must put aside private quarrels and consider what is best for the common interest.

Attention, goodwill

ἀλλὰ καὶ τούτους, ὅσον ἐστὶν ἐν ὑμῖν, κωλύειν, καὶ αὐτούς, ὥσπερ ὑπὲρ πόλεως προσήκει βουλευομένους, τὰς ἰδίαις ἀνελδόντας φιλονικίας τὸ κοινῇ βέλτιστον σκο-

The speaker discredits his opponents further by suggesting that they need to be restrained. This is a task that the audience must perform to the best of their ability, ὅσον ἐστὶν ἐν ὑμῖν . This clause is meant to put the audience on the spot by making the task their personal responsibility. The speaker exerts more of this kind of pressure with the clause, ὡςπερ ὑπὲρ πόλεως προσήκει βουλευομένους. The aim is to make it difficult for the audience not to comply with the next exhortation, which is to put aside private quarrels, αὐτοῦς ... τὰς ἰδίαις ἀνελδόντας φιλονικίας. Although this is addressed to the audience the practice is meant to be associated with the speaker's opponents. The speaker implies that the audience should not make the same mistake as these men. The audience's priority must be to consider what is best for the common interest, τὸ κοινῇ βέλτιστον σκοπεῖσθαι . By mentioning this the speaker will be concerned to create the impression that in his forthcoming speech he is going to do just that. Therefore this is a means of attracting attention and goodwill.

The audience must reflect that the punishment of no individual, nor all the politicians together, can compensate for the destruction of the laws on which the Athenians depend.

Attention, goodwill (423)

ἐνθυμουμένους ὅτι οὐδείς, οὐδ' ἅμα πάντες οἱ πολιτευόμενοι, τῶν νόμων, ἐφ' οἷς ὑμεῖς ἐστέ, ἀξιόχρεά εἰσι διαφθαρέντων δίκην δοῦναι. pr.12.2

Reference to the laws and their destruction will attract attention and goodwill as feature 423. Attention is sought on the grounds that this is a very serious matter. This is the implication of the reference to the destruction of the laws on which the Athenians depend. The destruction of the laws is a particularization of the ruin referred to earlier in the prooemium. Emphasis is gained by placing this at the end of the prooemium. Attention is attracted just before the beginning of the main part of the speech. There is also a surprise element in that the laws have not been mentioned before. This will also attract attention. Goodwill is sought by appeal to conscience. The audience are advised where their priority lies. The association of punishment and the other orators implies denigration of them. It is interesting that the speaker refers first to the unit and then the group, οὐδείς, οὐδ' ἅμα πάντες οἱ πολιτευόμενοι. Presumably he does not include himself in the latter category. The intention is to distinguish himself from all the other orators. This speaker alone knows where priority lies. The audience are to follow his example.

R. Clavaud 1974B, p.28, includes as a theme of the prooemia, 'l'affirmation que les lois opposent un ultime rempart aux hommes politiques' and at p.28 n.7 he cites the example of pr.12:

'Voir le pr.11 (12) d'une rare énergie.'

At p.94 n.2, he further comments:

'Les lois écrites distinguent la démocratie de la tyrannie: idée banale, qu'on trouve dans Eschine, Contre Ctés., 196-200, mais qui est ici présentée sous une forme "dramatique".'

I agree with Clavaud. It is a pity that this prooemium is not associated with a surviving main part of a speech. This is important because the subject of such a speech would have to be of a magnitude to justify the prooemium's dramatic ending. A lesser subject could cause the ending to appear melodramatic.

ARRANGEMENT

A, G

G

G

A, G

A, G (423)

AIM

The aims of pr.12 are to secure a hearing for the speaker and to win the audience's support. There is no preliminary statement.

Clavaud, p.94 n.1, suggests comparison with the introduction of oration 8.

ἔδει μὲν, ὧ ἄνδρες Ἀθηναῖοι, τοὺς λέγοντας ἅπαντας μήτε πρὸς ἔχθραν ποιεῖσθαι λόγον μηδένα μήτε πρὸς χάριν, ἀλλ' ὁ βέλτιστος ἕκαστος ἡγεῖτο, τοῦτ' ἀποφαίνεσθαι, ἄλλως τε καὶ περὶ κοινῶν πραγμάτων καὶ μεγάλων ὑμῶν βουλευομένων· ἐπεὶ δ' ἔνιοι τὰ μὲν φιλονικία τὰ δ' ἠτινιδήποτ' αἰτία προάγονται λέγειν, ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, τοὺς πολλοὺς δεῖ πάντα τ' ἄλλ' ἀφελόντας, ἃ τῇ πόλει νομίζετε συμφέρειν, ταῦτα καὶ ψηφίζεσθαι καὶ πράττειν.

8.1

This speech was delivered in response to a call from the supporters of Philip to have the general Dioppeithes recalled from the Chersonese. Demosthenes persuaded the Athenians to reject this call. The contents of the introduction are similar to those of pr.12: enmity and partiality to be put aside in favour of the city's interests; criticism of orators who indulge in partisan behaviour. Missing are the references to the Athenians' ruining themselves, the desire to award punishment and the destruction of the laws. 8.1 is more succinct. Pr.12 spells out in detail ideas that are merely stated in 8.1. Both share an earnestness and forthrightness which suggest that the speaker is eager to start the main part of the speech. The subject matter of oration 8 would be appropriate for pr.12. The idea that the city's interest lay in the prevention of oligarchic encroachment (for example, by Dioppeithes' efforts) would account for the speaker's anxiety, expressed at the end of pr.12, for the

laws and the way of life enjoyed by the Athenians. This is alarmist talk which would only be appropriate at a time of tension in foreign affairs. It is possible that pr.12 is a first draft of the introduction of oration 8.

Prooemium 13

ANALYSIS

Perhaps it might seem offensive to some if someone, who is a private citizen and from the majority of the Athenians, should come forward after hearing the advice of others who have had long experience of public life and who possess a reputation among the Athenians, and say that not only do they seem incorrect but that they are not even close to realizing what is required.

Attention, goodwill (501)

ἴσως ἐπίφθονον ἂν τισιν, ὧ ἄνδρες Ἀθηναῖοι, δόξειεν εἶναι, εἴ τις ὦν ἰδιώτης καὶ τῶν πολλῶν ὑμῶν εἷς, ἐτέρων συμβεβουλευκότων, οἳ καὶ τῷ πάλαι πολιτεύεσθαι καὶ τῷ παρ' ὑμῶν δόξαν ἔχειν προέχουσιν, παρελθὼν εἴποι, ὅτι οὐ μόνον αὐτῷ δοκοῦσιν οὐκ ὀρθῶς λέγειν, ἀλλ' οὐδ' ἐγγὺς εἶναι τοῦ τὰ δέοντα γιγνώσκειν. pr.13

The word ἐπίφθονον is intended to attract the audience's attention by rousing their curiosity. The speaker portrays himself as an ordinary citizen just like

the majority in the Ecclesia and contrasts himself with those who have long experience in politics and renown. This resembles the practice in forensic speeches of claiming inexperience of litigation in order to dispel suspicion of litigiousness and to win sympathy. Here the speaker is also looking for sympathy but he is careful to demonstrate his modesty by apologizing for his forthcoming censure of opponents. This is the task of ἐπίφθορον which is meant to prevent by anticipation, feature 501, the audience taking offence at an inexperienced newcomer tackling orators of long-standing repute. The speaker's actual accusation is very forthright. Not only does he accuse them of giving incorrect advice, οὐκ ὀρθῶς λέγειν, but he says that they are not even close to realizing what is required, οὐδ' ἐγγὺς εἶναι τοῦ τὰ δέοντα γινώσκειν. This scathing dismissal is meant both to discredit the opposition and to give the speaker an aura of confidence which in turn is intended to instill confidence in the audience that the speaker is to be believed.

The speaker thinks that he has so much more profitable advice to offer than these men that he will not hesitate to say that everything they have said has no value.

Attention (209), goodwill (424)

οὐ μὴν ἄλλ' ἔγωγ' οὕτω σφόδρ' οἶμαι μᾶλλον ὑμῖν συμφέροντ' ἔρεῖν τούτων, ὥστ' οὐκ ὀκνήσω πάνθ' ἃ τυγχάνουσιν εἰρηκότες, ἄξια μηδενὸς εἶναι φῆσαι.

pr.13

Attention is sought with the promise of profitable advice, feature 209, and with the complete dismissal of the others' advice as having 'no value' in contrast with the speaker's advice. Goodwill is also sought with the promise of profitable advice, feature 424, and by dismissal of his opponents' advice to win support at their expense.

The speaker thinks that the audience would act correctly if they considered not the speaker but the advice.

Attention, goodwill

νομίζω δὲ καὶ ὑμᾶς ὀρθῶς ἂν ποιεῖν, εἰ μὴ τὸν λέγοντα,
ἀλλὰ τὰ συμβουλευόμενα σκοποῦτε. pr.13

The speaker is intent to overcome his disadvantage in having to compete with well known orators. He therefore says that advice is to be given more regard than personalities, μὴ τὸν λέγοντα, ἀλλὰ τὰ συμβουλευόμενα σκοποῦτε. To justify this argument he introduces it as his interpretation of how the audience would be 'doing the right thing', ὑμᾶς ὀρθῶς ἂν ποιεῖν. The implication is that they should pay more heed to the present speaker than to his opponents. The aim is to secure attention and goodwill.

For it is necessary for the Athenians to give their goodwill not to certain people as if by hereditary right

but to those who consistently give the best advice.

Attention, goodwill

δεῖ γάρ, ὦ ἄνδρες Ἀθηναῖοι, τὴν παρ' ὑμῶν εὐνοίαν μή
τισιν, ὥσπερ ἐκ γένους, ἀλλὰ τοῖς τὰ βέλτιστ' ἀεὶ λέγουσιν
ὑπάρχειν.

pr.13

This is almost a direct appeal for goodwill but the speaker does not ask it for himself but for those who consistently give the best advice. Of course, the implication is that the speaker has the potential to give consistently the best advice. Hence he contrasts himself with those orators who are always speaking but who do so merely by virtue of precedence. He compares this privilege to an inheritance, ἐκ γένους. This is meant to be disparaging, implying that these orators are resting on their laurels. The promise of the best advice, τὰ βέλτιστ' even though implicit, is also intended to secure a hearing.

ARRANGEMENT

A, G (501)

A (209), G (424)

A, G

A, G

AIM

The aims of pr.13 are to secure a hearing and to win

goodwill for a speaker who has only recently entered the political arena but who takes an opposite viewpoint to the established speakers. R. Clavaud 1974B, p.144 n.3 (reference p.94), comments on the modest beginning and suggests comparison with the introduction of oration 4:

'Modestie calculée: l'orateur veut percer. Peut-être ne faut-il pas trop reculer la composition de ce prologue (comparer le début de la *Première Philippique* où se retrouve le même mélange de réserve et de hardiesse).'

εἰ μὲν περὶ καινοῦ τινος πράγματος προτίθεται, ὧ
ἄνδρες Ἀθηναῖοι, λέγειν, ἐπισχὼν ἂν ἕως οἱ πλεῖστοι τῶν
εἰωθότων γνώμην ἀπεφῆναντο, εἰ μὲν ἤρεσκε τί μοι τῶν ὑπὸ
τούτων ῥηθέντων, ἡσυχίαν ἂν ἤγον, εἰ δὲ μή, τότε
ἂν καὐτὸς ἐπειρώμην ἃ γιγνώσκω λέγειν· ἐπειδὴ δ' ὑπὲρ
ᾧ πολλάκις εἰρήκασιν οὔτοι πρότερον συμβαίνει καὶ
νυνὶ σκοπεῖν, ἡγοῦμαι καὶ πρῶτος ἀναστὰς εἰκότως ἂν
συγγνώμης τυγχάνειν. εἰ γὰρ ἐκ τοῦ παρεληλυθότος χρό-
νου τὰ δέονθ' οὔτοι συνεβούλευσαν, οὐδὲν ἂν ὑμᾶς νῦν ἔδει
βουλευέσθαι. 4.1

Clavaud is right that both passages have a blend of reserve and boldness but I do not agree that the blend is the same. 4.1 is altogether more cautious. The criticism of other orators is restricted to the comment that there would be no need for deliberation if the others had given the required advice in the past. In pr.13 there is more explicit detail (the speaker is a private citizen and one

of the majority of the people while the other orators are not just the regular speakers but those who have engaged in public life for a long time and who have won a reputation among the Athenians); the criticism is more direct (the others are not only incorrect but not even close); the justification for hearing the newcomer is different (in 4.1 it was the injection of new ideas because the old ones had so far proved ineffective, whereas in pr.13 the promise of the best advice is contrasted with the apparent privilege of some speakers to receive the audience's support as if by hereditary right). There is more literary merit in 4.1 which is more subtle. Which of the two passages would be more effective in securing attention and goodwill? 4.1, because it would cause less offence than pr.13. The audience could find patronizing the speaker's instruction on how they should act correctly, while his criticism of Ecclesia protocol could cause the offence which he mentioned at the beginning of pr.13. It is possible that pr.13 is a first draft of the introduction of oration 4.

Prooemium 14

ANALYSIS

The speaker would like the Athenians to pay attention and to listen to what he intends to say.

Attention (201)

βουλοίμην ἄν ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, προσέχοντας, ἃ
μέλλω λέγειν, ἀκοῦσαι·

pr.14.1

The speaker makes a straightforward request for attention in the manner of Anaximenes' feature 201.

It is not of small import.

Attention

καὶ γὰρ ἐστὶν οὐ μικρά.

pr.14.1

The speaker offers grounds for his request. Since he has something to say which is of no small import, οὐ μικρά, then his speech is worthy of attention.

The speaker wonders why it is that before coming up to the Ecclesia and immediately after leaving any member of the audience is ready to say how the present situation may be improved, but during a meeting of the Ecclesia when these problems are considered the Athenians hear certain speakers saying everything rather than this.

Attention, goodwill

ἐγὼ θαυμάζω τί δὴ ποτε, πρὶν μὲν εἰς τὴν ἐκκλησίαν ἀναβῆναι, ὅτῳ τις ἂν ὑμῶν ἐντύχη, οὗτος εὐπόρως εἶπεῖν ἔχει δι' ὧν ἂν τὰ παρόντα πράγματα βελτίω γένοιτο· καὶ πάλιν αὐτίκα δὴ μάλ' ἐὰν ἀπέλθῃτε, ὁμοίως ἕκαστος ἐρεῖ τὰ δέοντα· ἐν δὲ τῷ περὶ τούτων σκοπεῖν ὄντες καὶ συνειλεγμένοι

πάντα μᾶλλον ἢ ταῦτα λεγόντων τινῶν ἀκούετε.

pr.14.1

The speaker pokes fun at the audience. This is an act of supreme confidence in the audience's capacity to laugh at themselves. The aim is to persuade the audience to concentrate their minds on policies that will improve the present situation. Mention of making the situation better is designed to win attention and to win goodwill for the speaker on the grounds that he is manifesting his concern for the city's interest. The humour is also intended to have a disarming effect: to make the audience respond favourably to the speaker. There is criticism of certain orators, τινῶν. The speaker chastises them for preferring to say everything except what ought to be done. An implication is that the present speaker would only say what he thought was required.

Does each member of the Ecclesia have the capacity to know what is required of him and does he know how to state what is required of the others while being unwilling to do it himself?

Attention, goodwill

Ἰρά γ', ὧ ἄνδρες Ἀθηναῖοι, γινῶναι μὲν ἔστιν ἐκάστῳ τὰ δέονθ' ὑμῶν καὶ κατὰ τῶν ἄλλων εἰπεῖν ἐπίσταται, ποιῶν δ' αὐτὸς ἕκαστος οὐ χαίρει, ...

pr.14.2

The use of question will stimulate thought. The speaker makes the Ecclesia's responsibility a matter of

individual concern with the words ἐκάστῳ τὰ δέονθ' ὑμῶν. The gentle mockery continues. Implicit is the suggestion that the Ecclesia members are being hypocritical. This is an appeal to conscience. Another implication is that the present speaker is going to be different. Therefore he is worthy of their attention and support. More of the same follows in the next part of the sentence.

Then again individually, as if seeming ready to do one's best, does each censure the others, while collectively the audience refrains from voting such measures through, which all will perform some duty to the city?

Attention, goodwill

εἴτ' ἰδίᾳ μὲν, ὡς ἄρ' αὐτὸς ἐτοίμως τὰ βέλτιστ' ἄν
πράττειν δόξων, τοῖς ἄλλοις ἐπιτιμᾶ, κοινῇ δ' εὐλαβεῖσθε τὰ
τοιαῦτα ψηφίζεσθαι δι' ὧν ἐν τῷ λητουργεῖν τι τῶν καθηκόν-
των ἅπαντες ἔσεσθε; pr.14.2

The words τὰ βέλτιστ' attract attention and goodwill. The speaker implies that, unlike the Ecclesia, he is ready, ἐτοίμως to do his best. There is a progression from individual to group. First the speaker attributes a motive to account for the audience's censure of each other. This may be flattery to sugar the pill before he chastises their collective negligence, but it also serves to express how each member ought to be motivated if he is not already. Again this is the appeal to conscience which is repeated in

the censure of their behaviour as a group. The speaker hopes to win support by reminding them of the need to allocate liturgies.

If the Athenians think that no crisis will come which will interrupt this evasiveness, it would be fine to act in this way.

Goodwill

εἰ μὲν τοίνυν μηδένα καιρὸν οὔεσθ' ἤξειν δὲ εἴσω τῆς εἰρωνείας ἀφίξεται ταύτης, καλῶς ἂν ἔχοι τοῦτον τὸν τρόπον διάγειν·

pr.14.3

The use of *καλά* is recommended by Anaximenes as feature 208 for attracting attention. However, *καλῶς* is not an example because it is used in a sarcastic way. It will be obvious to the audience that the speaker does not consider this attitude fine. The aim is to galvanize them into the kind of action that would be fine, i.e. to win their support for what the speaker thinks ought to be done. He explains what this amounts to in the next sentence.

R. Clavaud 1974B, p.144 n.6, suggests that this sentence has a military aspect:

'Toute la phrase développe une image militaire: l'ironie (c.-à-d. l'ignorance feinte du danger) est comme un rempart qui sera *forcé*; les dangers *avancent* comme une armée.'

But if the Athenians see troubles advancing nearer it is necessary to consider how to avoid fighting them at close range when they can be warded off from a distance

Attention, goodwill

εἰ δὲ τὰ πράγμαθ' ὄρατ' ἐγγυτέρω προσάγοντα, δεῖ σκοπεῖσθαι ὅπως μὴ πλησίον αὐτοῖς μαχεῖσθε ἢ πόρρωθεν ἕξεσσι φυλάξασθαι ...

pr.14.3

Clavaud, p.144 n.7, again comments on the military flavour:

'Le verbe προσάγειν s'emploie dans la langue militaire.'

I agree with Clavaud. The words μαχεῖσθε and φυλάξασθαι corroborate this view because they are more explicitly military. What is the purpose of this imagery? It is to impress upon the audience the seriousness of the situation and thus command their attention (both in the sense of allowing the speaker a hearing when his subject has in his view been hitherto ignored, and in the sense of concentrating their minds on that subject) and win their support to the extent that decisive action will be forthcoming. Conversely, if pr.14 was composed for a time of crisis in war (e.g. when Philip was threatening Athens), then the military language is not figurative but literal.

and to consider how to prevent those whom the

Athenians now disregard rejoicing later at the Athenians' suffering.

Attention, goodwill

καὶ τοὺς νῦν περιοφθέντας ἐφηδομένους ὕστερον ἔξεθ'
οἷς ἂν πάσχητε' pr.14.3

Finally the speaker warns about a probable consequence of the Athenians' negligence. Here the speaker appeals to the audience's self-respect. This is a superb ending to the prooemium which contains masterly touches. It brings the Athenians down to earth by reminders of the real life taunts of enemies and hence reinforces the seriousness of the situation. The chiasmic construction, νῦν περιοφθέντας ἐφηδομένους ὕστερον, emphasizes the contrast between the Athenians' attitude to these people at present and the topsy-turvy status they could attain if the Athenians are not careful. νῦν and ὕστερον recall the progression suggested by μὴ πλησίον ... πόρρωθεν earlier in the sentence. The aims of this part of the sentence are to secure a hearing, to concentrate the Athenians' minds and to spur them into action.

ARRANGEMENT

A (201)

A

A, G

A, G

A, G

G

A, G

A, G

AIM

The aim of pr.14 is to win attention and goodwill. The speaker's policy may be unpopular or it may be that the audience do not give serious enough consideration to the present situation. Whatever the case the speaker has to overcome a barrier. His method is very skilful. First he makes a straightforward request for attention. Then he states concisely that his subject is not unimportant. This is a serious and dignified beginning even if unexciting and ordinary. This plainness is deliberate because it emphasizes the amusing caricature of the audience which follows. The intention is to cause the audience to laugh at themselves while at the same impressing upon them the serious message inherent in this satire. Next the speaker warns the audience of the consequences of their behaviour if they continue in this fashion. The final image is of the glee manifested by enemies at the downfallen Athenians. Surely the speaker has won their attention and support? His method is to replace the laughter he has generated among the audience with the laughter he predicts among their enemies. One can imagine the silence and concomitant spine-tingling seriousness that descends on the audience. This is an excellently constructed prooemium whose effectiveness would depend on the confidence, presence, control and delivery of the speaker.

Prooemium 15

ANALYSIS

Concerning the present circumstances, even though things are not as they ought to be, it seems to the speaker that it is not altogether difficult to find out how someone might improve the situation.

Attention, goodwill

περὶ μὲν τῶν παρόντων, ὧς ἄνδρες Ἀθηναῖοι, πραγμάτων τῆ πόλει, κάπερ οὐκ ἔχόντων ὡς ἔδει, οὐ πάνυ μοι δοκεῖ τῶν χαλεπῶν εἶναι ζητῆσαι τί ἂν τις πράξας βελτίω ποιήσειεν.

pr.15.1

Attention is sought from the suggestion that it is not altogether difficult to find a solution. Goodwill is sought from the implication that the present speaker will have little difficulty in explaining how to improve the situation.

However it is necessary for the speaker to speak about them to the jury in a way that he thinks will cause very much irritation

Attention, goodwill (501)

ὄντινα μέντοι χρῆ τρόπον πρὸς ὑμᾶς εἶπεῖν περὶ αὐτῶν,

τοῦτο παμπόλλην δυσκολίαν ἔχειν νομίζω ...

pr.15.1

Attention is sought first with a contrast. In the first feature the speaker promised that there would not be much difficulty. This will make the jury pay attention. The speaker also says that this is necessary, χρῆ, which is used to justify the speaker's approach which could cause irritation. χρῆ transfers responsibility from the speaker to necessity while the promise of irritation is an example of Anaximenes' feature 501 for dealing with a hostile audience: anticipation.

not because the audience will not understand what someone might say but because they seem to the speaker to have become accustomed to hearing many lies and everything rather than what is best for the situation.

Attention, goodwill (402)

οὐχ ὡς οὐ συνησόντων ὃ τι ἂν τις λέγῃ, ἀλλ' οὕτω πολλὰ καὶ ψευδῆ καὶ πάντα μᾶλλον ἢ τὰ βέλτιστα τοῖς πράγμασιν συνειθίσθαι μοι δοκεῖτ' ἀκούειν ...

pr.15.1

The speaker tries to overcome the audience's reluctance to listen. First he uses flattery, feature 402: it is not that the audience will not understand, οὐ συνησόντων. He follows this with a rebuke: they have become accustomed to hearing lies and anything rather than what is best for the situation. There is oblique criticism

of other orators here which serves to distinguish the speaker from them. The implication is that the present speaker is not going to tell lies or to speak about anything other than what is best for the situation. The aim is to attract attention and goodwill.

Consequently the speaker is afraid that the man who gives the best advice may receive from the audience hostility appropriate for those who have deceived the Athenians.

Attention, goodwill (501)

ὥστε δέδοικα μὴ τῷ νῦν τὰ βέλτιστ' εἰπόντι, ἦν τοῖς ἐξηπατηκόσιν προσῆκεν ἀπέχθειαν ὑπάρχειν παρ' ὑμῶν, ταύτην ἀπενέγκασθαι συμβῆ. pr.15.1

The speaker expresses his fear, *δέδοικα*, in order to anticipate, feature 501, and hence to prevent, audience hostility, *ἀπέχθειαν*. He implies that he is one of those who gives the best advice, *τῷ νῦν τὰ βέλτιστ' εἰπόντι*, in order to attract attention and to win goodwill. There is oblique censure of other orators in the words, *ἦν τοῖς ἐξηπατηκόσιν προσῆκεν*.

The speaker sees that the Athenians often hate not those who are responsible for the circumstances but those who last mentioned them to the Athenians.

Goodwill (501) (537)

ὄρῳ γὰρ ὑμᾶς πολλάκις οὐ τοὺς αἰτίους τῶν πραγμάτων μισοῦντας, ἀλλὰ τοὺς ὑστάτους περὶ αὐτῶν εἰπόντας τι πρὸς ὑμᾶς.

pr.15.2

Anticipation, feature 501, of hostility, now expressed hyperbolically as hatred, ὑμᾶς ... μισοῦντας, is accompanied by transfer of responsibility, feature 537, τοὺς αἰτίους τῶν πραγμάτων. The speaker refers to those responsible for the circumstances in respect to the observation that they do not incur the Athenians' hatred. There are two implications: first, that they deserve the audience's hostility as those responsible for the circumstances, unlike those who merely comment on the circumstances; secondly, the speaker wants to make the audience aware that responsibility lies with certain people. This transfers away from himself any responsibility imputed to him because of his association with the subject. It also enables him to criticize opponents without mentioning names. Identities may perhaps be implicit, e.g. other orators or perhaps influential foreigners (e.g. Philip of Macedon) whose cause they support.

Although the speaker has calculated this risk precisely he thinks it necessary to omit all other topics and to say what he thinks best for the present situation.

Statement (102), attention, goodwill (501)

οὐ μὴν ἀλλὰ καίπερ οὕτως ἀκριβῶς ταῦτα λογιζόμενος, ὅμως οἶμαι δεῖν πάντα παρῆς τᾶλλα περὶ αὐτῶν τῶν παρόντων

Preliminary statement (102) amounts to the prediction that in the main part of the speech the speaker will concentrate on advising what he thinks best. The words καίπερ οὕτως ἀκριβῶς ταῦτα λογιζόμενος enable the speaker to create the impression that he is one who is realistic and thorough and who has the courage of his convictions. This is designed to win goodwill by eliciting the audience's admiration for a man of such calibre and by anticipating, feature 501, the risk which he has calculated so accurately. ὅμως serves notice that he is going to proceed come what may. δεῖ adds the justification of necessity to recommend the speaker's course. πάντα παρῆς τᾶλλα is a pointed remark. The speaker contrasts himself with those orators he alluded to earlier who speak about everything except what is best for the current situation. He will be distinguished from them because he is going to state what he thinks are the strongest policies, ἄ κράτιστα νομίζω λέγειν. This is intended to win him attention and goodwill.

ARRANGEMENT

A, G

A, G (501)

A, G (402)

A, G (501)

G (501) (537)

AIM

The aim of pr.15 is to secure a hearing and to win goodwill for a speaker whose subject is unpopular. The method used is to bring into the open the irritation and hostility which the subject matter may attract and thereby to defuse it.

R. Clavaud 1974B, p.17, suggests that this prooemium was assembled from material familiar elsewhere:

'Le prologue ... combine librement deux passages de la *Troisième* et de la *Première Olynthienne*.'

ἐγὼ δ' οὐχ ὅ τι χρῆ περὶ τῶν παρόντων συμβουλευσαι χα-
λεπώτατον ἡγοῦμαι, ἀλλ' ἐκεῖν' ἀπορῶ, τίνα χρῆ τρόπον, ὧ
ἄνδρες Ἀθηναῖοι, πρὸς ὑμᾶς περὶ αὐτῶν εἶπειν. πέπεισμαι
γὰρ ἐξ ὧν παρὼν καὶ ἀκούων σύνοιδα τὰ πλείω τῶν πραγμάτων
ἡμᾶς ἐκπεφευγέναι τῷ μὴ βούλεσθαι τὰ δέοντα ποιεῖν ἢ τῷ μη
συνιέναι. 3.3

ἐγὼ δ' οὐκ ἀγνοῶ μὲν, ὧ ἄνδρες Ἀθηναῖοι, τοῦθ', ὅτι
πολλάκις ὑμεῖς οὐ τοὺς αἰτίλους, ἀλλὰ τοὺς ὑστάτους περὶ τῶν
πραγμάτων εἰπόντας ἐν ὀργῇ ποιεῖσθε, ἂν τι μὴ κατὰ γνώμην
ἐκβῆι. 1.16

Clavaud, p.144 n.3 (reference p.96), comments on the relationship between 1.16 and pr.15: 'Il y a plus d'ampleur dans le prologue.' I agree with Clavaud. He

does not comment, however, on how successfully the two passages are combined to form pr.15. Is it a 'scissors-and-paste collage' or is it a complete unit? It is the latter. The passages are not lifted from source and inserted straight into the prooemium but are reworked so that the prooemium has a smooth logical development from beginning to end. It is an entity in itself.

Prooemium 16

ANALYSIS

The speaker would have liked the Athenians to treat themselves with that benevolence which they are accustomed to show all other people.

Attention, goodwill (402)

ἐβουλόμην ἂν ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, ἧ πρὸς τοὺς ἄλλοις ἅπαντας εἰώθατε προσφέρεσθαι φιλανθρωπίᾳ, ταύτη καὶ πρὸς ὑμᾶς αὐτοὺς χρῆσθαι. pr.16

Attention is sought first with the speaker's aspiration for the Athenians, ἐβουλόμην ἂν ὑμᾶς. This is designed to rouse curiosity. It is emphasized by the insertion of the vocative which postpones the speaker's clarification of what he means. Next attention is sought with mention of the word φιλανθρωπίᾳ. R. Clavaud 1974B, p.145 n.4 (reference p.96), comments on this word:

'Cette vertu - et ce mot - sont fort prisés au IV^e siècle; on connaît l'éloge du φιλόανθρωπος par Aristote (*Ethique à Nic.*, 8, 1, 1155 a 20); Démosthène n'hésite pas à s'attribuer à lui-même cette "bonté" (*Sur la Cour.*, 268).'

For discussion of φιλανθρωπία see K.J. Dover 1974, pp.201-2.

Goodwill is sought with the deference shown to the audience. This may be flattery, feature 402, or it may be a sincere belief. Its aim is to 'sugar the pill' of the censure that he levels in the next sentence.

At present the Athenians are better at sorting other people's problems than taking their own troubles seriously.

Attention, goodwill

νυνὶ δ' ἀμείνους ἐστὲ τὰ τῶν ἄλλων δεῖν' ἐπανορθοῦν ἢ
τῶν ὑμῶν αὐτοῖς συμβαινόντων φροντίζειν. pr.16

The speaker's taunt is intended to make the audience attach more importance than they do at present to the subject about which the speaker is going to speak. This is designed to win attention and goodwill.

Perhaps someone might say that this very thing brings the greatest praise to the city to have undertaken many risks for the sake of justice itself with no thought

of selfish gain.

Attention (207), goodwill (402) (422)

ἴσως μὲν οὖν αὐτὸ τοῦτό τις ἂν φήσειε μέγιστον ἔπαινον φέρειν τῇ πόλει, τὸ μηδενὸς ἕνεκα κέρδους ἰδίου πολλοὺς κινδύνους ὑπὲρ αὐτοῦ τοῦ δικαίου προηρῆσθαι. pr.16

Anaximenes' feature 207, to win attention by advocating a course of action that is just, is different, strictly speaking, from this sentence. However, since this sentence is considered to be intended in the spirit of Anaximenes' feature, it has been labelled 207: the speaker attributes to their sense of justice the Athenians' motive for previous behaviour. Mention of justice is also one of Anaximenes' recommendations for securing goodwill, feature 422. There is also flattery here, feature 402. The speaker expresses approval here in order, later, to prompt the Athenians into adopting his policy. The flattery continues in the next sentence.

The speaker thinks that this reputation incurred by the city is true and he wishes it so.

Attention (211), goodwill (402)

ἐγὼ δὲ ταύτην τ' ἀληθῆ τὴν δόξαν εἶναι νομίζω κατὰ τῆς πόλεως καὶ βούλομαι pr.16

The word ἀληθῆ, feature 211, attracts attention. The flattery inherent in this feature is intended to win

goodwill for the speaker as one who pays the audience a compliment. However it is also designed to disarm the audience so that they are swept along on the crest of these compliments into the next part of the sentence in which the speaker advocates extending their good practices in foreign policy into their domestic affairs.

The speaker understands that it is the task of prudent men to exercise as much foresight in home affairs as in foreign affairs

Attention (204), goodwill

κάκεϊνο δ' ὑπολαμβάνω σωφρόνων ἀνθρώπων ἔργον εἶναι,
ἴσην πρόνοιαν τῶν αὐτοῖς οἰκείων ὄσσην περ τῶν ἀλλοτρίων
ποιεῖσθαι ...

pr.16

Attention is sought with the word οἰκείων, which is an example of feature 204, to attract attention by mentioning matters related to the audience. To win goodwill the speaker appeals to the consciences of the audience by insinuating that they ought to be prudent and by outlining what that would entail. At the same time this approach enables the speaker to assume the role of a patriot which is intended to endear him to the audience.

so that the Athenians may show themselves not only benevolent but also sensible.

Attention, goodwill (402)

Ἦνα μὴ φιλόανθρωποι μόνον, ἀλλὰ καὶ νοῦν ἔχοντες φαί-
νησθε.

pr.16

Attention is sought by the direct reference to the audience, φαίνεσθε and the concomitant φιλόανθρωποι and νοῦν ἔχοντες. The word order is important. φιλόανθρωποι which comes first is a key word because it recalls φιλοανθρωπία which was mentioned in the first sentence of the prooemium. This is an example of ring composition. This helps to secure attention for the final exhortation, νοῦν ἔχοντες φαίνεσθε. For goodwill the speaker combines flattery, φιλόανθρωποι, with appeal to common sense. The aim is to persuade the audience that the speaker's policy is more realistic and sensible than those in vogue with the audience.

ARRANGEMENT

A, G (402)

A, G

A (207), G (402) (422)

A (211), G (402)

A (204), G

A, G (402)

AIM

The aims of pr.16 are to secure a hearing and to win goodwill for a speaker whose intention is to advocate a

change of priorities. The technique used to defuse an unpopular subject is to flatter the audience by praising their motives while suggesting that they are misguided. The Athenians are then invited to be prudent and sensible. The first task for prudent sensible men, of course, would be to listen to the speech which the speaker is about to deliver.

Prooemium 17

ANALYSIS

Perhaps it is fitting for someone wishing to give some advice to the Athenians to try to speak in such a way that the Athenians will be able to endure.

Attention, goodwill

Ἴσως, ὦ ἄνδρες Ἀθηναῖοι, προσήκει τῷ βουλομένῳ τι παραινέειν ὑμῖν οὕτω πειρᾶσθαι λέγειν ὡς καὶ δυνήσεσθ' ὑπομεῖναι·

pr.17

This sentence is intended to endear the speaker to the audience because it implies that the present speaker is going to speak in such a way, thus winning attention because he will say what they will be willing to hear and also winning goodwill because he is showing himself willing to accommodate himself to the audience's preferences. Having created this impression the speaker offers an

alternative to this approach.

But if he does not do this he should omit all other topics and confine himself to giving advice about the matters under consideration and this as briefly as possible.

Attention, goodwill

εἰ δὲ μὴ τοῦτο, ἀφέντα τοὺς ἄλλους ἅπαντας λόγους,
περὶ αὐτῶν ὧν σκοπεῖτε συμβουλεύειν, καὶ ταῦθ' ὡς διὰ βρα-
χυτάτων. pr.17

The speaker offers the audience an alternative justifying it on the grounds of concentration on the matters under consideration and of brevity. The speaker seeks attention and goodwill by implying that his speech will be relevant and short: thus it is important yet not arduous to pay attention; moreover the speaker deserves the audience's goodwill because he is not going to waste their time with irrelevant details.

R. Clavaud 1974B, p.97, offers the variant reading, ἔστι δὲ τοῦτο, for εἰ δὲ μὴ τοῦτο . He justifies this choice at p.145 n.3:

'Nous suivons ici le texte des manuscrits rW^a; l'autre leçon "a tout le moins de renoncer ..." supposerait que Démosthène mît l'art de plaire au-dessus de l'art d'instruire. Cela ne va guère avec son mépris de la rhétorique, tel qu'il apparaît plus bas, et tel qu'il

l'exprime si souvent ailleurs.'

Clavaud is right to say that Demosthenes would not regard it as better for an orator to say what will please than to say what is right. But Clavaud makes two mistakes:

(1) He interprets *περὶ αὐτῶν ὧν σκοπεῖτε συμβουλεύειν* as 'instruct' whereas it really means 'keep to the point'.

(2) He interprets *εἰ δὲ μὴ τοῦτο* as 'failing that', 'as second best' whereas it can just mean 'alternatively', not implying that this alternative is inferior to the other, or excluded by the other.

In favour of *ἔστι δὲ τοῦτο* one could argue that it allows the present idea to flow on from the previous one, as an example of the precept, i.e. what he advocates here is what the audience are able to endure. But this does not seem plausible in the light of the speaker's contrast of himself with other orators whose desire is to win reputations as good speakers. The implication is that affairs are in a mess because of the audience's indulgence of such speakers while the present speaker is about to offer something different in accordance with his recommendations in this feature. It is difficult to suppose why he would criticize his opponents thus if he were about to say something that the Athenians would enjoy to hear. It is more likely that he is about to make a speech in which he says things that the audience might find unpalatable. Therefore the reading *εἰ δὲ μὴ τοῦτο* is

preferred.

It is not due to a lack of speeches in the speaker's opinion that the Athenians see even now that all their affairs are in a mess

Attention, goodwill

οὐ γὰρ ἐνδεία μοι δοκεῖτε λόγων οὐδὲ νῦν ὄρᾶν τὰ πράγματα πάντα λελυμασμένα ... pr.17

The speaker tries to win goodwill by discrediting his opponents. This is the point of οὐ ... ἐνδεία... λόγων. He implies that his opponents have been making ineffectual speeches. The consequence is that all their affairs are in a mess, τὰ πράγματα πάντα λελυμασμένα. Apart from denigration of opponents, the speaker's aim is to stress the seriousness of the situation as a means of securing attention. ὄρᾶν implies tacit assent.

Clavaud, p.97, has a variant reading:

οὐ γὰρ ἐνδεία μοι δοκεῖτε λόγων οὐδὲ δι' ἄγνοιαν τὰ πράγματα ἀπολωλεκέναι πάντα ...

Clavaud, p.145 n.5, argues that ἄγνοιαν must not be translated as 'ignorance' but as 'blindness'. However οὐ γὰρ ἐνδεία ... λόγων implies that the Athenians are ignorant of what ought to be done, because other speakers fail to tell them. Clavaud's reading is therefore rejected.

but because some are making speeches and indulging in politics for their own gain

Goodwill

ἀλλὰ τῷ τοὺς μὲν ἑαυτῶν ἔνεκα δημηγορεῖν καὶ πολιτεύε-
σθαι pr.17

The speaker accuses his opponents of putting their own interests before the city's. The aim is to distinguish himself from them and to appear in a better light than they do.

while others who have not yet given proof of this prefer to be thought good speakers than that some beneficial deed arises from their speaking.

Goodwill

τοὺς δὲ μήπω τούτου δεδωκότας πεῖραν μᾶλλον ὅπως εὖ
δόξουσι λέγειν σπουδάζειν, ἢ πῶς ἔργον ἐξ ὧν λέγουσὶ τι
συμφέρον πραχθήσεται. pr.17

The speaker now condemns the remainder of his opponents whom he was unable to include in the μὲν... clause. Yet he does link them together by allowing scope for development with the word μήπω.

Lest the speaker unwittingly does the opposite of what he himself claims is necessary and says more about other matters than about those for which he has risen to

speak, he will omit everything else and straightaway will try to tell the audience what he advises.

Statement (102), attention, goodwill

ἐγὼ δ' ἵνα μὴ λάθω τούναντίον οὗ φημι δεῖν αὐτὸς ποιῶν,
καὶ πλείω περὶ τῶν ἄλλων ἢ περὶ ὧν ἀνέστην λέγων, ἀφείς
τᾶλλα πάντα, ἃ παραινῶ καὶ δὴ πειράσομαι πρὸς ὑμᾶς εἰπεῖν.

pr.17

This sentence is an example of feature 102 as the speaker predicts what he is going to say in the main part of his speech. Attention and goodwill are sought with the promise of confining himself to relevant matters only.

Clavaud, p.98, prints a variant reading. περὶ αὐτῶν is inserted after τᾶλλα πάντα and before ἃ παραινῶ. He justifies this at p.98 n.1:

'Là encore nous suivons le texte de rW^a ; il s'accorde avec le début du prologue dont il reprend les termes principaux (περάνειν , περὶ αὐτῶν). Pour cet emploi de περὶ αὐτῶν, voir aussi le prol. 14 (15), 2 et la Quatr.Phil., 1. - Le texte des autres mss. est, ou bien incompréhensible (M^a), ou bien d'un rythme maladroit et ne reprend pas le début du prologue, comme la logique le demande (SYDW^bFQ).'

Clavaud's reading has the aesthetic virtue that it enhances the ring composition which decorates the prooemium. For this reason it is accepted.

ARRANGEMENT

A, G

A, G

A, G

G

G

S (102), A, G,

AIM

The aim of pr.17 is to secure a hearing and to win goodwill for a speaker who intends to deliver a speech which is different from those to which the audience have been accustomed. His policy may be unpopular. His technique accordingly is to stress relevance and brevity while at the same time attributing the sorry state of affairs to the other orators.

Prooemium 18

ANALYSIS

The Athenians would seem to the speaker justly to pay attention if someone should promise to show them that justice and advantage are the same in the matters under discussion.

Attention (207) (209), goodwill (422) (424)

δοκεῖτέ μοι δικάως ἄν, ὧ ἄνδρες Ἀθηναῖοι, προσέχειν τὸν νοῦν, εἴ τις ὑπόσχοιθ' ὑμῖν ταῦτα δίκαια καὶ συμφέροντα δείξειν ὄνθ' ὑπὲρ ὧν βουλευόμεθα. pr.18

The implication is that the present speaker is such a man as τις and that the audience therefore should pay attention to him and should support him because he is going to recommend policies in which justice and advantage coincide. δίκαια is attention feature 207 and goodwill feature 422, while συμφέροντα is attention feature 209 and goodwill feature 424. In the next sentence the speaker makes explicit the promise implied here.

The speaker thinks that he will do this without difficulty if the audience is persuaded just for a moment by the speaker.

Attention, goodwill (520)

ἐγὼ τοίνυν οἶμαι τοῦτο ποιήσειν οὐ χαλεπῶς, ἂν ὑμεῖς βραχύ μοι πεισθῆτε πάνυ. pr.18

οὐ χαλεπῶς is meant to secure attention on the grounds that not much will be expected from the audience. Similarly βραχύ suggests that the speaker does not intend to take up too much of the audience's time and is therefore an appeal for attention. The promise, τοῦτο ποιήσειν, is an example of feature 520, to combine justice and

expediency, while the condition of the audience's persuasion is tantamount to a request for goodwill.

R. Clavaud 1974B, p.146 n.4 (reference p.98), comments on the word order:

'La disjonction de πάνυ donne une allure très naturelle, à cette phrase. C'est le ton du dialogue ...'

I agree with Clavaud's observation of conversational style.

Each of the Athenians should not be sure that his own opinion about present affairs is correct.

Goodwill

μη̄ πάντα, ὡς ἕκαστος ἔχει γνώμης ὑμῶν περὶ τῶν παρόντων, ὀρθῶς ἐγνωκέναι πεπελίσθω pr.18

Goodwill is sought by attempting to dispel prejudice. Essentially the speaker wants the audience to keep open minds. This suggests that he fears that the audience have already closed their minds to the point of view that he is going to advocate.

But if it happens that something is said contrary to this let each member consider it, hearing everything patiently.

Attention

ἀλλ' ἐὰν παρὰ ταῦτά τι συμβάλῃ λέγεσθαι, σκοπεῖτω
πάνθ' ὑπομείνας ἀκοῦσαι ... pr.18

This is an indirect request for attention. The speaker generalizes but wants the audience to listen to *him* patiently.

Then if something seems to have been said correctly let him use it.

Goodwill

εἴτ' ἂν ὀρθῶς εἰρησθῆαι τι δοκῇ χρῆσθω. pr.18

Again the implication is that the present speaker ought to receive the response which he advocates in his generalization. This time he seeks goodwill. He wants the audience to adopt his proposal.

The successful policy will belong no less to the Ecclesia who put it to use than to the speaker who proposed it to them.

Attention, goodwill (402)

οὐ γὰρ ἥττον ὑμέτερον ἔσται τῶν χρησαμένων τὸ κατορθω-
θῆν < ἦ > τοῦ πρὸς ὑμᾶς εἰπόντος. pr.18

Attention is sought with τὸ κατορθωθῆν by implying that the speaker is going to explain how this can be achieved. Goodwill is sought by associating the audience

with the successful outcome of policy. This may be flattery, feature 402. But the speaker's aim could be to make the audience aware of their responsibility. The ideas are not mutually exclusive but all-inclusive.

The beginning of correct consideration is not to make a decision before hearing the suggestions on the basis of which it is necessary to make a decision.

Attention, goodwill

ἡ μὲν οὖν ἀρχὴ τοῦ σκοπεῖν ὀρθῶς ἐστὶν μὴ βεβουλεῦσθαι
πρὶν ἐξ ὧν δεῖ βουλευσασθαι ἀκοῦσαι. pr.18

The phrase ἡ μὲν οὖν ἀρχὴ τοῦ σκοπεῖν ὀρθῶς is intended to win goodwill since it is a statement of the Athenians' duty. The speaker implies that everyone ought to make the right decision, which no one will dispute. The method, i.e. the beginning, advocated by the speaker is an appeal for attention: to discard prejudice and to listen impartially. The word order deserves comment. ὀρθῶς, an emphatic word which appears frequently in this prooemium, is placed before the neutral word ἐστὶν, which allows a pause, like a trough between two crests, and therefore emphasizes the explicit appeal for attention, μὴ βεβουλεῦσθαι πρὶν... Further emphasis is added by the insertion of δεῖ: necessity is cited in support of the appeal for attention.

For the occasion and the method of ratifying

resolutions and of deciding first of all what seems beneficial are not the same.

Attention (209), goodwill (424)

οὐ γὰρ αὐτὸς οὔτε καιρὸς οὔτε τρόπος τοῦ τ' ἐπικυρῶσαι τὰ δοκοῦντα καὶ τοῦ σκέφασθαι τί πρῶτον δοκεῖ συμφέρειν.

pr.18

συμφέρειν is designed to win attention (209) and goodwill (424). However the main function of this is to secure a hearing. Ratification was a quick process whereas the preliminary debate took time. The speaker here is suggesting that the Athenians are trying to rush the debate i.e. by showing reluctance to listen to him. This is to counter that.

ARRANGEMENT

A (207) (209), G (422) (424)

A, G (520)

G

A

G

A, G (402)

A, G

A (209), G (424)

AIM

While there are some appeals for goodwill, the main function of pr.18 is to secure a hearing from an audience that is unwilling to listen. Two methods are used. First, the speaker envisages the kind of speech which would be acceptable to the audience and he promises to make such a speech. The second method is to emphasize the audience's responsibility in decision making which entails listening without prejudice to deliberation. The progression is from a generalization accepted by all to a generalization which ought to be accepted by all. The two themes are skilfully linked by a condition: the speaker will fulfil the first theme provided that the audience co-operate with him. Another good touch is the way in which the speaker qualifies the condition. His part of the bargain can be achieved οὐ χαλεπῶς , while his request of the audience is βραχύ ... πάνυ. This gives the impression that the speaker is a reasonable, accommodating chap, who is not asking for very much. The implication is that the audience ought to comply. This is a neatly organized prooemium.

Prooemium 19

ANALYSIS

The speaker has come forward to deliberate with the audience whether it is necessary for him to speak or not.

Attention

μεθ' ὑμῶν, ὧ ἄνδρες Ἀθηναῖοι, παρελήλυθα βουλευσόμενος,
πότερον χρή με λέγειν ἢ μή. pr.19

This sentence is designed to win attention by surprising the audience with paradox: the speaker has stood up to speak but asks the audience whether he should be speaking or not. This will rouse the audience's curiosity about what the speaker is going to say next. The word *χρή* is also intended to attract attention.

The speaker will tell the audience why he is at a loss how to make this decision himself.

Attention

διὸ δ' αὐτὸς τοῦτ' ἀπορῶ κρῖναι, φράσω πρὸς ὑμᾶς.

pr.19

The speaker postpones his explanation to the next sentence thereby maintaining the audience's curiosity.

It is necessary in the speaker's opinion

Attention, goodwill (601)

ἀναγκαῖον εἶναι μοι δοκεῖ

pr.19

ἀναγκαῖον is used to attract attention and to add support to what the speaker is about to say, as feature 601. *μοι δοκεῖ* allows a pause for it to sink in and to

rouse curiosity.

for one who wishes to indulge neither himself nor certain men but to say on the Athenians' behalf what he is persuaded is most beneficial

Attention (209), goodwill (424)

τῷ μήθ' αὐτῷ μήτε τισὶν χάρισασθαι βουλομένῳ, ἀλλ'
ὑπὲρ ὑμῶν εἶπεῖν ἃ πέπεικεν ἑαυτὸν μάλιστα συμφέρειν

pr.19

The speaker introduces the 'ideal' speaker and mentions his motive. The implication is that the present speaker has the same motive. This is designed to win goodwill. συμφέρειν is an example of feature 424. This word also attracts attention as feature 209.

to support good ideas suggested by both sides and conversely to oppose whatever unjust proposals they make.

Attention (208), goodwill

καὶ συνειπεῖν ἃ καλῶς λέγουσιν ἀμφοτέροι, καὶ τούναντι-
ον ἀντειπεῖν ὅσα μὴ δίκαι' ἀξιοῦσιν.

pr.19

The speaker hopes to win goodwill by suggesting that the ideal speaker, and by implication the speaker himself, is impartial and has the state's best interests at heart. Consequently the audience should likewise be impartial and give both sides a hearing, which includes giving the

present speaker a hearing. καλῶς attracts attention as feature 208 with the implication that the present speaker will offer good ideas in the main part of his speech.

If the audience submit to listen to both these ideas briefly, they would deliberate much better on the remaining topics.

Attention

εἰ μὲν οὖν ὑμεῖς ὑπομείναιτ' ἀκοῦσαι ταῦτ' ἀμφοτέρω
διὰ βραχέων, πολλῷ βέλτιον ἂν περὶ τῶν λοιπῶν βουλευσαί-
σθε·

pr.19

This is an appeal for attention. To justify this appeal the speaker first inserts the phrase διὰ βραχέων : the speaker is not asking for much time. Secondly, he suggests that listening now would improve the audience's later deliberation. In the next sentence the speaker states what would happen to him if the audience do not listen to him.

If the audience abandon the speaker before learning his ideas it would befall him to incur the slander of both sides without having wronged either.

Attention, goodwill

εἰ δὲ πρὶν μαθεῖν ἀποσταλήτε, γένοιτ' ἂν ἔμοι μηδετέ-
ρους ἀδικοῦντι πρὸς ἀμφοτέρους διαβεβλησθαι.

pr.19

This sentence is designed to shame the audience into giving the speaker a hearing. They are to beware of causing trouble for an innocent man. In this last respect the speaker's claim of innocence, that he has done neither side injury, is designed to win sympathy for him.

The speaker does not deserve to suffer this.

Attention, goodwill

τοῦτο δ' οὐχὶ δίκαιός εἰμι παθεῖν. pr.19

This sentence reinforces the previous one. It appeals for sympathy and casts a moral reproach against those who are reluctant to listen and thereby create unmerited hardship for the speaker.

If the audience commands, the speaker is ready to speak. Otherwise the speaker has the honour to remain silent.

Attention

ἐὰν μὲν οὖν κελεύητε, ἔτοιμός εἰμι λέγειν· εἰ δὲ μή, καὶ σιωπᾶν ἔχει μοι καλῶς. pr.19

The speaker concludes the introduction with the alternative which he offered the audience at the beginning. Here he places the ball firmly in the audience's court - they are to decide whether he should speak or not. However

he has already made it clear in previous sentences that he considers that the audience have a moral obligation to grant him a hearing. Therefore the speaker implies a response of universal assent to his making a speech.

ARRANGEMENT

A

A

A, G (601)

A (209), G (424)

A (208), G

A

A, G

A, G

A

AIM

The main aim of this prooemium is to secure a hearing. The speaker pursues two lines of argument: the benefits of impartiality and the injustice that would result from not granting the speaker a hearing. The prooemium is dressed up with ring composition. This consists of the speaker's quandary about whether he should speak or not and which can only be resolved by the audience. Although this makes the prooemium neat, it seems rather implausible to present to the audience such an offer. It could also be dangerous since the audience might consider his offer tiresome and

call his bluff by allowing him to remain silent. In any case, how is the audience (presumably the Ecclesia) supposed to make and express its decision? Surely a vote would not be taken? Does the speaker expect every individual just to shout out, "λέγε"?

Prooemium 20

ANALYSIS

The speaker thinks that it is both just and profitable for the Athenians

Attention (207) (209), goodwill (401)

καὶ δίκαιον, ὧ ἄνδρες Ἀθηναῖτοι, καὶ συμφέρον ὑμῖν
ἡγοῦμαι pr.20.1

Attention is sought with the words δίκαιον, feature 207, and συμφέρον, feature 209. The combination of these words is an example of goodwill feature 401, which Anaximenes recommends for a neutral audience.

to omit charges and accusations whenever it is necessary to deliberate

Attention, goodwill

τὰς μὲν αἰτίας καὶ τὰς κατηγορίας, ὅταν βουλευέσθαι
δέη, παραλείπειν pr.20.1

The speaker will be hoping to win goodwill with this exhortation as a champion of the Athenians' interests. It is implied that the present speaker is not going to indulge in charges and accusations. However, he may fear that charges and accusations are exactly what the Athenians enjoy hearing. Therefore since it seems that he is not going to indulge them he must find a way of changing this deficiency to his own advantage. Hence his preliminary justification of this ideal with δίκαιον and συμφέρον which demand greater effort of attention than mere entertainment. He is careful also to qualify βουλεύεσθαι with δέη which sets it on a different par from αίτίας and κατηγορίας. While charges and accusations may be desirable to some, nevertheless it is just and profitable for the audience to omit them, παραλείπειν. Deliberation, however, is essential. Moreover, it is implied, charges and accusations have no intrinsic part in it.

and concerning present affairs to say what each thinks best.

Attention, goodwill

περὶ τῶν παρόντων δὲ λέγειν ὅ τι βέλτιστον ἕκαστος
ἡγεῖται.

pr.20.1

Goodwill is sought by the expression of this noble calling. Further goodwill and attention can be gleaned from the implication that the present speaker is about to

say what he thinks is best for present affairs.

Although everyone knows that certain men are responsible for the bad state of affairs, it is the task of the counsellor to say how the situation could be improved.

Attention, goodwill

ὅτι μὲν γάρ τινων αἰτίων ὄντων κακῶς τὰ πράγματ' ἔχει, πάντες ἐπιστάμεθα· ἐξ ὅτου δὲ τρόπου βελτίω δύναιτ' ἂν γενέσθαι, τοῦτο τοῦ συμβουλευόντος ἔργον εἶπεῖν. pr.20.1

This is an excellent device, a variation of *paraleipsis*. The speaker manages to do what he has been denigrating, i.e. make an accusation, while reinforcing his alternative suggestion. Not only does he accuse certain men, τινων αἰτίων ὄντων, but he also claims that their guilt is universally acknowledged, πάντες ἐπιστάμεθα. The purpose of this is twofold. First it is designed to win attention by rousing curiosity. Mention of τινων will make those who are unaware want to know the identity of these men. Moreover the claim, that all the Ecclesia know, will make those, who do not, want to find out. Secondly, this part of the sentence is designed to win goodwill by isolating τινων, presumably the speaker's opponents, from the audience by the insinuation that the whole audience agrees with the speaker about these men. The second part of the sentence is designed to win goodwill by reiterating the 'noble calling' approach, i.e. by suggesting the topic suitable for a counsellor, ἐξ ὅτου δὲ τρόπου βελτίω δύναιτ' ἂν

γενέσθαι , and by implying that the present speaker is about to do just that.

R. Clavaud 1974B, p.146 n.6 (reference p.99), suggests that τινων refers to supporters of Demosthenes, a fact which causes Demosthenes a little embarrassment, and concludes that one need only remember that Demosthenes does not like dwelling at length on irritating subjects. He is suggesting that the speaker is glossing over a reference to his friends by emphasizing the need to give profitable advice. This view is not substantiated by later references in the prooemium to the punishing of these men. Surely Demosthenes would not mention punishment if he were trying to minimize damage caused by his associates? It is more likely that he is drawing attention to the deserts of opponents.

Then again, the speaker considers hard accusers of wrongdoers not those who examine deeds on occasions like this when they will pay no penalty but those who can offer advice which will improve the situation.

Attention, goodwill

ἔπειτ' ἔγωγε νομίζω καὶ κατηγοροῦς εἶναι τῶν ἀδικούντων χαλεποῦς οὐ τοὺς ἐν τοιούτοις καιροῖς ἐξετάζοντας τὰ πεπραγμένα, ὅτ' οὐδεμίαν δώσουσι δίκην, ἀλλὰ τοὺς τοιοῦτό τι συμβουλεῦσαι δυνηθέντας ἀφ' οὗ βελτίω τὰ παρόντα γένοιτ' ἄν·

pr.20.2

The speaker repeats his call for speakers to give

advice that will improve the situation. Again he hopes to win attention and goodwill by implying that he will be such a speaker. However in this sentence such counsellors are cast in the role of harder accusers of the wrongdoers than the actual accusers themselves. The speaker covers all angles. He justifies his policy of not accusing by making it appear more effective than accusing itself. At the same time, by contrast, he actually makes an accusation by referring to wrongdoers, τῶν ἀδικούντων, but does so without appearing to be an accuser and therefore avoids any disapproval that might be associated with an accuser. He further isolates these wrongdoers and creates more trouble for them by the suggestion that this is not the right occasion for accusation, since no punishment could result. The implication, of course, is that these men deserve punishment and that accusation should be reserved for an occasion when punishment could also be brought to bear. This implication anticipates the next sentence.

R. Clavaud 1974B, p.146 n.6 (reference p.99), comments on the position of χαλεπούς:

'Le mot est remarquablement détaché.' Clavaud does not explain whether he considers this good or bad. Clearly the speaker wants to draw attention to this word by separating it from its antecedent in order to emphasize his point that counsellors can be harder accusers than accusers. This is excellent use of word order.

Through these men the Athenians will be enabled to punish those men at their leisure.

Goodwill

διὰ γὰρ τούτους ἐφ' ἡσυχίας καὶ παρ' ἐκείνων ἐγγένοιτ'
ἂν ὑμῖν δίκην λαβεῖν. pr.20.2

Here the speaker advocates postponement of punishment till a time when the Athenians are at leisure. This will be achieved as a result of the improvement in affairs consequent upon the beneficial advice of counsellors, referred to here as τούτους. What is the speaker's motive in suggesting postponement? It is not, as Clavaud might suppose, to get his associates off the hook in the short term, but that the speaker is intent to emphasize a priority, namely that of improving the present situation, which should take precedence over punishing those responsible for the current maladministration. Nevertheless he is careful to mention the idea of punishment to keep it in the audience's mind as a longer term goal.

Accordingly the speaker thinks that all other subjects are out of place.

Attention, goodwill

τοὺς μὲν οὖν ἄλλους λόγους πάντας περιέργους ἡγοῦμαι
pr.20.3

The speaker uses the word περιέργους to justify his concentration on matters of expediency. τοὺς ... ἄλλους λόγους includes the subject he has decided specifically not

to choose, accusation. R. Clavaud 1974B, p.100 n.1, comments on περιέργους:

'Démosthène, fort habilement, se réfugie derrière l'obligation de ne traiter à la tribune que l'ordre du jour, pour esquiver des explications désagréables et pour lui et pour ses partisans.'

I disagree with Clavaud about the speaker's motive since we disagree about the identity of the certain guilty men, τινων αίτιων ὄντων.

The speaker will try to say what he considers beneficial for the matters now under consideration.

Statement (102), attention (209), goodwill (424)

ἃ δ' ἂν οἴμαι συνενεγκεῖν περὶ ὧν νυνὶ σκοπεῖτε, ταῦτ' εἰπεῖν πειράσομαι. pr.20.3

The speaker predicts the scope of his speech, feature 102. συνενεγκεῖν is an example of attention feature 209 and of goodwill feature 424.

The speaker makes a single request.

Attention, goodwill

τοσοῦτον ἀξιώσας μόνον· pr.20.3

This clause is designed to secure attention for the actual request which follows next. μόνον seeks goodwill: the audience may be more willing to grant a request if they

think only one is being made.

If the speaker recalls past deeds, the Athenians are not to think that he is making accusations but that by showing what mistakes the Athenians made at that time he may now prevent them suffering the same difficulties.

Statement (102), attention, goodwill

ἂν ἄρα του μεμνῶμαι τῶν πεπραγμένων, μὴ κατηγορίας μ' ἔνεχ' ἡγεῖσθε λέγειν, ἀλλ' ἵνα δείξας ἃ τότε ἡμάρτετε, νῦν ἀποτρέψω ταῦτὰ παθεῖν. pr.20.3

There is further statement, feature 102, about the main part of the speech. Attention is sought by mention of Athenian mistakes and the promise of future prevention. This promise is also designed to win goodwill.

R. Clavaud 1974B, p.100 n.3 and p.45 n.2, comments on Demosthenes' avoidance of invective and the distinction Demosthenes draws between the roles of counsellor and accuser. However, this approach is more subtle than a mere disclaimer of accusation. The speaker emphasizes his motive to anticipate and prevent audience misunderstanding. When speaking of past deeds his purpose is not accusation but prevention of repeated error. The advantage of this approach is that the audience have tacitly agreed to the speaker's reference to past deeds. This allows the speaker an alternative. He may either practise what he preaches and confine himself to prevention; or, he may mention past deeds to produce the same effects as accusation without

incurring the stigma of being an accuser; or, he may even combine both methods. Thus by verbal manipulation the speaker allows himself to begin the main part of his speech with an honourable motive and *carte blanche* with regard to subject matter.

ARRANGEMENT

A (207) (209), G (401)

A, G

A, G

A, G

A, G

G

A, G

S (102), A (209), G (424)

A, G

S (102), A, G

AIM

The aim of this prooemium is to secure a hearing and win goodwill for a speaker whose stated aspiration is to improve the state of present affairs. This is offered as a priority which should take precedence over finding fault and making accusations. The prooemium operates on different levels, the ostensible and the alternative. In the former case the speaker will offer in the main part of the speech

exactly what he has promised in the introduction. In the latter he will certainly give advice to improve the situation but at the same time will mention past deeds in such a way that will damage the reputations of political opponents but without giving the impression that the speaker is indulging in malicious accusation.

Prooemium 22

ANALYSIS

The speaker thinks that all the audience would agree
Attention, goodwill

οἶμαι πάντας ἂν ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, ὁμολογήσαι
pr.22.1

The opening words of this prooemium are intended to win attention. An opinion expressed about πάντας ... ὑμᾶς is designed to rouse their curiosity. The insertion of the vocative next in the word order postpones relief of this curiosity. The next word, ὁμολογήσαι, does not offer relief but actually increases curiosity. This word also seeks goodwill along with πάντας ἂν ὑμᾶς by implying the whole audience's tacit agreement with the speaker's impending remarks.

that it is necessary for our city
Attention, goodwill

ὅτι δεῖ τὴν πόλιν ἡμῶν

pr.22.1

Further prolonging of the audience's curiosity occurs here as necessity is now cited to win attention for and to add support to the speaker's awaited explanation. Noteworthy too is the speaker's use of the word ἡμῶν. This is a further step along the road of identification with the audience begun in the previous clause with the assumption of their universal agreement with the speaker's opinion.

when deliberating about any of her private concerns to exercise as much foresight for benefit as for justice

Attention (204) (209) (207), goodwill (424) (422)

ὅταν μὲν περὶ τῶν ἰδίων τινὸς τῶν αὐτῆς βουλευῆται,
ἴσην πρόνοιαν ἔχειν τοῦ συμφέροντος ὅσην περ τοῦ δικαίου

pr.22.1

This first part of a μὲν ... δὲ ... construction expresses an ideal. Attention is sought by mention of private concerns, feature 204, benefit, feature 209, and justice, feature 207. Goodwill is sought by extolling benefit, feature 424, and justice, feature 422. It is implied that the speaker himself would do this during deliberation about private concerns.

but when it is on behalf of the allies or the common interests, as is the case now, to consider nothing so much

as justice.

Attention (207), goodwill (422)

ὅταν δ' ὑπὲρ τῶν συμμαχικῶν ἢ τῶν κοινῶν, οἷον καὶ τὸ
νυνὶ παρόν, μηδενὸς οὕτως ὡς τοῦ δικαίου φροντίζειν.

pr.22.1

The speaker now suggests a priority for the wider concerns which happen to be the subject of present deliberation. Precedence must be given to justice. The mention of justice is attention feature 207, and goodwill feature 422. The speaker implies that he is going to practise in the main part of his speech what he is preaching in the introduction. Next he offers an explanation for his preference for justice.

For in the former profit suffices but in those of the latter kind it is necessary to add honour.

Attention (208), goodwill

ἐν μὲν γὰρ ἐκείνοις τὸ λυσιτελεῖς ἔξαρκεῖ, ἐν δὲ τοῖς
τοιούτοις καὶ τὸ καλὸν προσεῖναι δεῖ. pr.22.1

The speaker uses the moral tone of honour, τὸ καλὸν, attention feature 208, and necessity, δεῖ, to attract attention and to win goodwill. There is a progression in the speaker's choice of words. Earlier he compared τοῦ συμφέροντος with τοῦ δικαίου. Now the words are more vivid: τὸ λυσιτελεῖς, which smacks of money, is balanced with τὸ

καλὸν, which has a flavour of beauty and moral virtue. The implication is that in the present circumstances, which have a wider application than mere domestic affairs, the Athenians should rise above the selfish desire for financial gain to a nobler calling.

Those who make the decisions have control over the deeds

Goodwill

τῶν μὲν γὰρ πράξεων, εἰς οὓς ἂν ἤκωσι, κύριοι καθίστανται.
pr.22.2

This feature is a generalization stated as a preliminary for the next part of the sentence.

but over the reputation deriving from them no man is powerful enough to have control - but whatever reputation is attached to the deeds, the majority spreads that around about the perpetrators.

Goodwill

τῆς δ' ὑπὲρ τούτων δόξης οὐδεὶς τηλικούτος ἐσθ' ὅστις ἔσται κύριος, ἀλλ' ὅποιαν τιν' ἂν τὰ πραχθέντ' ἔχη δόξαν, τοιαύτην οἱ πολλοὶ περὶ τῶν πραξάντων διήγγειλαν.

pr.22.2

The speaker now confronts the audience with the fear of hindsight. The prospect of what will be said after

events about their decisions is used to persuade the audience to support the speaker.

Therefore it is necessary to consider and see to it that justice is manifested.

Attention (207), goodwill (422)

διὸ δεῖ σκοπεῖν καὶ προσέχειν ὅπως δίκαια φανεῖται.

pr.22.2

διὸ suggests that the speaker is recommending a precaution against the future reproach and notoriety outlined in the previous sentence. Necessity, δεῖ, is cited to lend authority to the recommendation. The clause ὅπως δίκαια φανεῖται, is an example of attention feature 207 and goodwill feature 422.

It is necessary accordingly that all have towards victims of wrong that intention which each would request for himself from others should anything occur, but God forbid that anything should happen.

Goodwill

χρῆν μὲν οὖν οὕτως ἅπαντας ἔχειν τὴν διάνοιαν περὶ τῶν ἀδικουμένων ὥσπερ ἄν, εἴ τι γένοιτο, δὲ μὴ συμβαλεῖ, τοὺς ἄλλους ἀξιώσειε πρὸς αὐτὸν ἕκαστος ἔχειν.

pr.22.3

The speaker continues to encourage the Athenians to make self-interest subordinate to justice. Here he places

an obligation upon the audience to consider the lot of those less fortunate than themselves, suggesting that they should treat them in the way that they would like to be treated should their own circumstances be so reduced. Similar lines occur at 15.21:

ἔπειτα καὶ δίκαιον, ὧ ἄνδρες Ἀθηναῖοι, δημοκρατου-
μένους αὐτοὺς τοιαῦτα φρονοῦντας φαίνεσθαι περὶ τῶν
ἀτυχούντων δήμων, οἷάπερ ἂν τοὺς ἄλλους ἀξιώσαίτε φρο-
νεῖν περὶ ὑμῶν, εἴ ποθ', ὃ μὴ γένοιτο, τοιοῦτό τι συμ-
βαίη. 15.21

The context of these remarks is that the Rhodians, former allies of Athens, who had revolted from the alliance, now appeal to the Athenians to help them remove the oligarchy that has been established on their island. In the next sentence of oration 15 Demosthenes cautions against the self-righteous response of leaving the Rhodians to their plight.

καὶ γὰρ εἰ δίκαιά τις φήσει Ῥοδίους πεπονθέναι, οὐκ
ἐπιτήδειος ὁ καιρὸς ἐφησθῆναι· δεῖ γὰρ τοὺς εὐτυχοῦντας
περὶ τῶν ἀτυχούντων ἀεὶ φαίνεσθαι τὰ βέλτιστα βουλευομέ-
νους, ἐπειδὴπερ ἄδηλον τὸ μέλλον ἅπασιν ἀνθρώποις. 15.21

Pr.22 is suitable for such a context. Indeed it suits it better than the generalization with which oration 15 begins:

οἶμαι δεῖν, ὧ ἄνδρες Ἀθηναῖοι, περὶ τηλικούτων βου-
λευομένους διδόναι παρρησίαν ἐκάστῳ τῶν συμβουλευόντων.

ἐγὼ δ' οὐδεπώποθ' ἠγησάμην χαλεπὸν τὸ διδάξαι τὰ βέλτισθ'
ὑμᾶς (ὡς γὰρ εἶπεῖν ἀπλῶς, ἅπαντες ὑπάρχειν ἐγνωκότες μοι
δοκεῖτε), ἀλλὰ τὸ πεῖσαι πράττειν ταῦτα· ἐπειδὴν γάρ τι
δόξη καὶ ψηφισθῆ, τότε ἴσον τοῦ πραχθῆναι ἀπέχει ὅσονπερ
πρὶν δόξαι. 15.1

Pr.21.3 meanwhile continues with a reference to the speaker's political opponents.

Since certain people take the opposite view contrary to their own judgement

Goodwill

ἐπειδὴ δὲ καὶ παρὰ τὴν αὐτῶν γνώμην ἐναντιοῦνταί τινες
pr.22.3

The speaker seeks goodwill by using the phrase, παρὰ τὴν αὐτῶν γνώμην, to account for and hence to mitigate the opposition to his own recommendations. This leads the speaker into predicting what is to be considered in the main part of the speech.

the speaker will say a few words to these people

Statement (102), attention, goodwill

μικρὰ πρὸς τούτους εἰπὼν pr.22.3

As well as prediction, feature 102, there is an

attempt here to win attention and goodwill with use of the word μικρὰ. The speaker is promising to be brief, implying therefore that the audience should hear him as he will not demand their attention for long and that the latter courtesy should incur their goodwill.

and then straightaway the speaker will advise what he understands to be best for the Athenians.

Statement (102), attention, goodwill

ἄ βέλτισθ' ὑμῖν ὑπολαμβάνω, ταῦτ' ἤδη συμβουλεύσω.

pr.22.3

There is further prediction, feature 102, while attention and goodwill are sought with the promise of the best advice.

R. Clavaud 1974B, p.148 n.5 (reference p.102), comments that this is the only prooemium which announces neatly the plan of the speech. At p.39 n.2 he says that this is the only prooemium which indicates in advance the number of points of the speech. He cites other predictions. Clavaud exaggerates the difference between the other predictions and this one. Pr.22.3 neither announces the plan of the speech nor does it indicate the number of points. Addressing a few words to opponents and advising what one understands to be best hardly amount to a plan or a list of topics.

ARRANGEMENT

A, G

A, G

A (204) (209) (207), G (424) (422)

A (207), G (422)

A (208), G

G

G

A (207), G (422)

G

G

S (102), A, G

S (102), A, G

AIM

This prooemium is concerned with foreign policy. The speaker is about to advocate unpopular policy. Therefore his introduction must win him attention and goodwill. The method used is to moralize. The audience are exhorted to put honour before self-interest. Appeal to conscience is reinforced with the threat of future reproach. Pr.22 contains lines from oration 15 whose context provides the kind of subject for which pr.22 must have been written, either in response to a real situation or in anticipation of such an eventuality. There are no references in the prooemium which are specific enough to link pr.22 unequivocally with oration 15. The nearest there is to a

reference is the mention in pr.22.1 that the present deliberation concerns the allies and common interests. To suggest that this refers to the Rhodians is merely speculative. A possible explanation is that Demosthenes wrote pr.22 with the idea that he might use it some time, and then in oration 15 he did use some of it.

Prooemium 23

ANALYSIS

In the speaker's opinion the Athenians would consider it no small penalty

Attention

οὐ μικρὰν ἂν μοι δοκεῖτ', ὧ ἄνδρες Ἀθηναῖοι, ζημίαν
νομίσαι pr.23.1

Attention is sought first with the phrase οὐ μικρὰν. The suggestion is that the speaker is going to deal with something important. The explanation is postponed for a few words and then it is revealed that it is οὐ μικρὰν ... ζημίαν. Another means of attracting attention is to make the audience the subject of the sentence. As yet it has not been revealed what the audience would consider as no small penalty. The audience will find out if they listen to the next clause.

if some unpleasant reputation which does not befit the city should spread around among many people.

Attention, goodwill

εἴ τις ἀηδῆς δόξα καὶ μὴ προσήκουσα τῇ πόλει παρὰ τοῖς πολλοῖς περιγίγνοιτο. pr.23.1

This clause attracts attention by mention of something bad that will affect the audience. Moreover the qualification that this does not befit the city also attracts attention as well as seeking goodwill for the speaker as one who expresses concern for the city's reputation.

While the Athenians have understood this correctly, the rest of their deeds are not consistent

Attention, goodwill

τοῦτο τοίνυν οὕτω καλῶς ἐγνωκότεσ οὐκ ἀκόλουθα ποιεῖτε τὰ λοιπά pr.23.1

The speaker begins with a compliment which emphasizes the censure which follows. This surprise attracts attention. But the main purpose is to win goodwill by spurring the Athenians to change their behaviour. In the next clause the speaker further qualifies his criticism of the Athenians.

but often the Athenians are led into doing some

things that they would not even themselves describe as honourable.

Attention (208), goodwill

ἀλλ' ὑπάγεσθ' ἐκάστοτε πράττειν ἔνια, ἀ' οὐδ' ἂν αὐτοὶ
φήσαιτε καλῶς ἔχειν. pr.23.1

Attention is sought with mention of the word καλῶς. This is considered an example of feature 208 since it is implied that the honourable course is the one that should be followed. Lack of honour is used to add moral support to the speaker's attempt to change Athenian behaviour.

The speaker knows this, that all men receive with more pleasure those who praise than those who censure.

Attention, goodwill

ἐγὼ δ' οἶδα μὲν τοῦθ' ὅτι τοὺς ἐπαινοῦντας ἡδιον προσ-
δέχονται πάντες τῶν ἐπιτιμῶντων. pr.23.1

This clause is intended to secure attention by anticipating loss of goodwill associated with an unpopular subject. The speaker makes a generalization about universal preference. It is a plea for indulgence, for an exception to be made in the present instance. Even although it is more pleasant to listen to praise, the audience ought to listen to the speaker. There is also an attempt to win goodwill. The implication is that the speaker is at a disadvantage since his subject is so overwhelmingly

unpopular.

Yet the speaker does not think that it is necessary in pursuit of this goodwill to say anything contrary to what he considers beneficial to the Athenians.

Statement (102), attention (209), goodwill (424)

οὐ μὴν οἴμαι δεῖν, ταύτην τὴν φιλανθρωπίαν διώκων, λέγειν παρ' ἃ συμφέρειν ὑμῖν ἡγοῦμαι. pr.23.1

Statement consists of prediction, feature 102, that the main part of the speech will contain beneficial advice. The word συμφέρειν attracts attention as feature 209 and goodwill as feature 424. Goodwill is further sought by the presentation of the speaker as the champion of Athenian interests which take priority over the goodwill of his peers.

R. Clavaud 1974B, pp.12-13, considers the case for making pr.23.1 and pr.23.2 separate introductions. This is the view of Blass who removes the connective οὖν from the beginning of pr.23.2. Clavaud argues that the two passages should be united to form a single introduction, even although, inexplicably, he prints pr.23.1 and pr.23.2 as separate passages at pp.102-103. He maintains that the second passage is not a repetition of the first but an enrichment of an idea. Moreover, the final words of pr.23.2 belong in an introduction. One could argue that the words μὲν οὖν, which occur near the beginning of pr.23.2, are an example of criterion 2 for identifying the point at which

the main part of a speech begins. Also one could say that τὴν ... ἀρχὴν refers to the start of the speech proper. But this is not so. Here it refers to the start of the affair which is the subject of deliberation. But the most important factor is the one mentioned by Clavaud, that the final remarks of pr.23.2 belong in an introduction. I agree with Clavaud because these remarks are feature 102, prediction of what the speaker is going to say in the main part of his speech. Accordingly pr.23.1-2 is considered a single unified introduction.

If the Athenians had had sound understanding at the start there would be no need to believe that it is necessary to do as a group what they condemn as individuals, to prevent happening what is actually occurring now.

τὴν μὲν [οὖν] ἀρχὴν εἰ καλῶς ἐγινώσκετε, οὐδὲν δεῖν κοινῆ ποιεῖν ὑποληπτέον ἦν ὧν ἰδίᾳ μέμφεσθε, ἵνα μὴ συνέ-
τὴν μὲν [οὖν] ἀρχὴν εἰ καλῶς ἐγινώσκετε, οὐδὲν δεῖν κοινῆ ποιεῖν ὑποληπτέον ἦν ὧν ἰδίᾳ μέμφεσθε, ἵνα μὴ συνέ-
βαινεν ὅπερ νυνὶ γίγνεται. pr.23.2

The speaker develops his theme of inconsistent behaviour by contrasting individual and corporate acts. Again the aim is to change behaviour. He suggests by implication that each individual member of the audience knows what ought to be done and hence that as a body the audience ought to put this into practice, namely by supporting the speaker. The final consequence of such a

response would be the alleviation of present misfortune. Again this is implication. The speaker actually claims that the present ailments could have been avoided if the audience as a body had done the right thing previously. Next the speaker gives an illustration of the audience's inconsistency.

On the one hand each of the audience, as he goes around and about, says, 'How disgraceful and terrible!' and, 'How long will the affair last?' but on the other hand, as he sits with the body, each man is himself one of those doing such things.

Goodwill

περικλῶν μὲν ἕκαστος, 'ὡς αἰσχρα καὶ δεινα' λέγει καὶ 'μέχρι τοῦ προβήσεται τὰ πράγματα;' συγκαθεζόμενος δ' αὐτὸς ἕκαστός ἐστι τῶν τὰ τοιαῦτα ποιοῦντων. pr.23.2

The audience are intended to recognize as their own the speaker's quotations. This may be an attempt to spur them to action by pricking their consciences, but it could also be designed to make them smile and thus win their goodwill by use of humour. R. Clavaud 1974B, p.148 n.3 (reference p.103), suggests that there is an element of mime here. At p.42, n.3 he quotes Wolf's comment on this passage, 'μυμητικῶς haec accipienda sunt (éd. de Paris) 1572, p.72 des *Annotationes*.

Just as the speaker knows that it is profitable for the audience to listen to the man giving the best advice, he should have liked to be equally certain that it would also be profitable for the man giving the best advice; for this would make the speaker much happier.

Attention (209), goodwill (424) (501)

ἔγὼ μὲν οὖν ἐβουλόμην ἄν, ὥσπερ ὅτι ὑμῖν συμφέρει τοῦ
τὰ βέλτιστα λέγοντος ἀκούειν οἶδα, οὕτως εἰδέναί σου συνοῖσον
καὶ τῷ τὰ βέλτιστ' εἰπόντι· πολλῶν γὰρ ἄν ἡδίον εἶχον.

pr.23.2

Two approaches are combined here. First the speaker gives the impression that he is about to offer the best advice which will be profitable for the Athenians. This attracts attention as feature 209 and goodwill as feature 424. Secondly the speaker tries to create the impression that he is disadvantaged by his choice of subject. While it is profitable for the Athenians to listen to the man giving the best advice it is not profitable necessarily for the man himself who gives it and the speaker would be happier if it were. The implication is that the speaker feels concern that he is going to incur the audience's hostility. The aim is to dispel this by anticipating it, feature 501, and in the process to win the audience's sympathy.

This passage appears with minor variations in the

peroration of oration 4.

ἐβουλόμεν δ' ἄν, ὡσπερ ὅτι ὑμῖν συμφέρει τὰ βέλτιστ' ἀκούειν οἷδα, οὕτως εἰδέναι συνοῖσον καὶ τῷ τὰ βέλτιστ' εἰπόντι· πολλῶ γὰρ ἂν ἥδιον εἶχον. 4.51

Here the certain profit for ὑμῖν ... τὰ βέλτιστ' ἀκούειν is contrasted with the uncertain profit for τῷ τὰ βέλτιστ' εἰπόντι. In pr.23.2 the difference is sharpened by including the speaker in the first part of the contrast: ὑμῖν ... τοῦ τὰ βέλτιστα λέγοντος ἀκούειν . Variety is achieved by having λέγοντος and εἰπόντι while balance is created by having the speaker in each part of the contrast. This balance heightens the sense of injustice inherent in the contrast. The speaker is a participant in the profit-making process for the audience but, although he participates in the same way in the second part of the contrast, his own profit is not so assured.

In 4.51 what follows is that the speaker subordinates his own uncertainty to the profit of the Athenians in total.

νῦν δ' ἐπ' ἀδήλοισι οὔσι τοῖς ἀπὸ τούτων ἑμαυτῷ γενησομένοις, ὅμως ἐπὶ τῷ συνοίσειν ὑμῖν, ἂν πράξητε, ταῦτα πεπεισθαι λέγειν αἰροῦμαι. νικῶν δ' ὅ τι πᾶσιν μέλλει συνοίσειν. 4.51

The speaker of pr.23.2 goes further. His situation is not merely unclear: he expresses definite fear.

But now the speaker is afraid, but nevertheless what he believes is manifestly best, even if the audience are not persuaded, the speaker will not hesitate to state.

Statement (102), attention, goodwill (501)

νῦν δὲ φοβοῦμαι μὲν, ὅμως δ' ἄ γε πιστεύω χρηστὰ φα-
νεῖσθαι, κὰν ὑμεῖς μὴ πεισθῆτε, οὐκ ἀποτρέφομαι λέγειν.

pr.23.2

The speaker predicts what he is going to say in his speech, feature 102, and seeks attention and goodwill with the promise of the best advice. Audience hostility is again anticipated, feature 501. Human frailty and courage in adversity are extolled. The speaker trembles at the prospect facing him but is determined not to waver in the execution of his duty. He seeks sympathy for his trepidation and admiration for his unswerving, if misunderstood, loyalty.

ARRANGEMENT

A

A, G

A, G

A (208), G

A, G

S (102), A (209), G (424)

G

G

A (209), G (424) (501)

S (102), A, G (501)

AIM

The aim of this prooemium is to secure a hearing and win goodwill for a speaker who intends to effect a change in current policy, a change which he fears will be resisted by his audience. The methods used to achieve this aim are to confront the audience with their inconsistent behaviour in order to precipitate change and to remove audience hostility by anticipating it and consequently by rendering the speaker worthier of sympathy and even admiration.

Prooemium 24

ANALYSIS

Even if the speaker were one who had never before spoken on another subject before the Athenians, at any rate now, speaking about the charges which the ambassadors bring incorrectly against the state, it seems to the speaker that he might justly receive indulgence from the whole audience.

Statement (101), goodwill (422)

εἰ καὶ μηδὲν ἄλλο τις, ὧ ἄνδρες Ἀθηναῖοι, πρότερον παρ' ὑμῖν εἰρηκώς εἶη, νῦν γε λέγων περὶ ὧν οὐκ ὀρθῶς

ἐγκαλοῦσιν οἱ πρέσβεις τῇ πόλει, παρὰ πάντων ἄν μοι δοκεῖ
δικαίως συγγνώμης τυχεῖν. pr.24.1

This sentence is clearly the opening of an introduction. It gives a statement, feature 101, of the subject for deliberation. Moreover it recalls the beginning of oration 4, where the speaker justifies his entry to the deliberation in advance of the regular speakers. On that occasion the speaker was presenting himself as a junior orator who had risen to speak ahead of his turn. At pr.24 the speaker is not a junior orator making his first faltering steps in the Ecclesia but he wants the audience to think of such a character. His suggestion is that the issue is so cut and dried that it does not require an experienced and accomplished orator to convince the audience of its merits. Even a first-timer could do this. In this way the speaker appeals for the audience's συγγνώμης . Moreover he claims this from the whole audience, παρὰ πάντων, to add further conviction to the implication that this is a clear cut issue. This is also the function of δικαίως which adds moral overtones and which attracts goodwill as feature 422. The issue itself is mentioned in the middle of the sentence: charges brought by ambassadors. The speaker clearly shows his standpoint with the phrase οὐκ ὀρθῶς, which also serves to win support for the speaker's policy.

The charges brought by ambassadors pinpoint for us the context of pr.24. It is the issue about which oration 15 is concerned: the liberty of the Rhodians. At

15.3 there is more explicit statement of the charges:

ἠτιάσαντο μὲν γὰρ ἡμᾶς ἐπιβουλεύειν αὐτοῖς Χῖοι καὶ
Βυζάντιοι καὶ Ῥόδιοι 15.3

The ambassadors are identified as Chians, Byzantines and Rhodians.

In certain other contests to be defeated by one's opponents might appear not so much a reproach as a misfortune.

Goodwill

καὶ γὰρ ἐν ἄλλοις μὲν τισιν ἠττᾶσθαι τῶν ἐναντίων οὐχ
οὕτως ὄνειδος ὡς ἀτύχημ' ἂν φανείη· pr.24.1

This sentence introduces a generalization which serves as a preliminary for the speaker's censure of the audience. For the moment the ideas of defeat by opponents, reproach and misfortune rouse curiosity for the speaker's immediate explanation.

For fortune, the officers in command, and many factors contribute to success or defeat in combat.

Goodwill

καὶ γὰρ τῆς τύχης καὶ τοῖς ἐφεστηκόσιν καὶ πολλοῖς μέτε-
στι τοῦ καλῶς ἢ μὴ ἀγωνίσασθαι· pr.24.1

This sentence is intended to evoke assent in order to disarm the audience. R. Clavaud 1974B, p.104 n.1, comments that Demosthenes will be confirmed in his opinion after the disaster of Chaeronea and refers to 60.19-21 where similar ideas are expressed at greater length. Here is an example from 60.21:

οἴμαι δ' ἄν, εἴ τις αὐτοὺς τοὺς παραταξαμένους ἐρωτή-
σειεν πότερ' ἠγοῦνται ταῖς αὐτῶν ἀρεταῖς ἢ τῇ παραδόξῳ καὶ
χαλεπῇ τύχῃ κατωρθωκέναι καὶ τῇ τοῦ προεστηκότος αὐτῶν ἐμ-
πειρίᾳ καὶ τόλμῃ, οὐδὲν οὔτ' ἀναίσχυντον οὔτε τολμηρὸν οὕτως
εἶναι, ὄντιν' ἀντιποιήσεσθαι τῶν πεπραγμένων. 60.21

The funeral oration and the prooemium both cite fortune and the commanding officer as factors among others which preclude individual responsibility. But in pr.24.1 the speaker next offers an exception to this rule.

But in the case of those who have nothing just to say on their own behalf worthy of the circumstances the reproach of those suffering this will be found to be against their judgement itself.

Goodwill

ἐν δὲ τῷ τὰ δίκαι' ὑπὲρ αὐτῶν μὴ ἔχειν ἀξίως τῶν ὑπαρ-
χόντων εἶπεῖν αὐτῆς τῆς γνώμης τῆς τῶν τοῦτο παθόντων τὸ
ὄνειδος εὐρήσομεν. pr.24.1

The intention here is to berate the Athenians for

their failure to defend themselves against the ambassadors' censure. Such behaviour is exceptional and therefore opposite to the general trend mentioned in the previous sentence. Hence the reproach.

In pr.24.2 the speaker censures the Athenians explicitly.

If it were another audience before whom these speeches about the Athenians were made, these men would not lie so easily nor would the audience have endured many of their statements.

Goodwill

εἰ μὲν οὖν ἕτεροὶ τινες ἦσαν ἐν οἷς ἐγίγνοντο οἱ λόγοι περὶ ὑμῶν, οὔτε τούτους ἂν οἶμαι βραδίως οὕτω ψεύδεσθαι, οὔτε τοὺς ἀκούοντας πολλὰ τῶν εἰρημένων ἀνασχέσθαι. pr.24.2

In this sentence the speaker accuses the ambassadors of lying in order to discredit them. But he also makes the audience partly responsible by censuring their overtolerant reception of the ambassadors. He suggests that no other audience would have endured them. By suggesting that the audience are out of step with other audiences, i.e. cities, he hopes to goad them into supporting him.

But now everyone takes advantage of the Athenians' simplicity and these men have done this now.

Goodwill

νῦν δὲ τᾶλλά τ' οἶμαι τῆς ὑμετέρας πλεονεκτοῦσιν εὐηθείας
ἅπαντες, καὶ δὴ καὶ τοῦτο νῦν οὔτοι· pr.24.2

In this sentence the speaker makes a generalization and immediately provides a particular instance of it. The aim is to reinforce the point made in the previous sentence.

These men have used the audience for charges against itself, as they would have used no other audience, a fact that the speaker knows accurately.

Attention, goodwill

ἀκροαταῖς γὰρ ἐχρήσαντο καθ' ὑμῶν ὑμῖν οἷοις οὐδέσιν
ἂν τῶν ἄλλων, ἀκριβῶς οἶδα τοῦτ' ἐγώ. pr.24.2

The speaker reiterates his point. He attaches at the end the claim that he is speaking with accurate knowledge. This is intended to add authority to his charge and to attract attention for the main part of the speech with the implication that the speaker will give equally accurate information there. Moreover this short clause allows a pause before the 'main part of the speech' which begins with the next sentence.

ARRANGEMENT

S (101), G (422)

G

G

G

G

G

A, G

AIM

The aim of this prooemium is to win support for the speaker's policy. The methods used are to discredit the representations of the visiting ambassadors and to censure the audience for the tolerant and passive way in which they have listened to the ambassadors. The speaker tries to create the impression that the ambassadors have taken advantage of the audience and, moreover, have told lies about them. This is designed to turn the audience against the recommendations of the ambassadors. For their own part the audience are criticised in order to make them want to assert themselves more. The implication is that they can do this by supporting the speaker.

Since the context of pr.24 is the same as oration 15 it is worth comparing the two introductions.

οἶμαι δεῖν, ὦ ἄνδρες Ἀθηναῖοι, περὶ τηλικούτων βουλευομένων διδόναι παρρησίαν ἐκάστῳ τῶν συμβουλευόντων. ἐγὼ δ' οὐδεπώποθ' ἠγησάμην χαλεπὸν τὸ διδάξαι τὰ βέλτισθ' ὑμᾶς (ὡς γὰρ εἶπεν ἀπλῶς, ἅπαντες ὑπάρχειν ἐγνωκότες μοι δοκεῖτε), ἀλλὰ τὸ πεῖσαι πράττειν ταῦτα· ἐπειδὴν γὰρ τι δόξη καὶ ψηφισθῆ, τότε ἴσον τοῦ πραχθῆναι ἀπέχει ὄσονπερ

15.1 is more cautious than pr.24.1-2. The direct attack on the ambassadors is missing. In fact there are no specific references to the situation. The speaker seeks goodwill by generalizing about the Athenians' habitual failure to put policy into practice. Moreover he begins the introduction with a generalization on freedom of speech in an attempt to secure a hearing. The speaker of pr.24 is much more confident. Far from appealing for a hearing he suggests that even a junior orator would receive goodwill given the issue. It is possible that pr.24.1-2 is a first draft of the introduction to oration 15 and that the speaker thought better of the confident direct approach in favour of the more cautious use of generalizations.

Prooemium 25

ANALYSIS

If the Athenians had the same attitude when they listen to the speeches of their advisers and when they judge the consequent events, it would be the safest of all tasks to give advice.

Attention (216), goodwill

εἰ μετὰ τῆς αὐτῆς γνώμης, ὧ ἄνδρες Ἀθηναῖοι, τοὺς τε λόγους ἠκούετε τῶν συμβουλευόντων καὶ τὰ πράγματ' ἐκρίνετε,

The direct reference to the audience, τῆς αὐτῆς γνώμης ... ἠκούετε, is designed to attract attention. The main purpose of this sentence is to win goodwill. In his comparison of the Athenians' listening and judging, the speaker alludes to the practice of bringing a *graphe paranomon* against orators. The phrase πάντων ἀσφαλέστατον may be intended to raise a smile. Aristotle, feature 216, recommends getting the audience to laugh as a means of promoting inattention. This does not mean that the speaker is trying to prevent the audience from attending to what he is going to say. It means that he wants them not to attend to something else, i.e. that he is trying to distract their attention, for example, from a point made by an opponent or from something else that is unfavourable to his case. This is a distinct possibility here as the speaker avoids mention of particular incidents or issues. The purpose of the prooemium may be to distract the audience and thereby disarm them so that the speaker may launch into some unpopular subject in the main part of a speech. Alternatively, or indeed simultaneously, the phrase's job may be to win sympathy for the lot of those who run the gauntlet of speaking in the Ecclesia.

For indeed for those who performed deeds with good fortune and otherwise (for it is necessary to say everything with good omen) the responsibility would be common to the audience and to the persuader.

Attention, goodwill (402)

καὶ γὰρ εὐτυχῶς καὶ ἄλλως πράξασι (λέγειν γὰρ εὐφήμως πάντα δεῖ) κολῶν' ἂν ἦν τὰ τῆς αἰτίας ὑμῶν καὶ τῷ πείσαντι.

pr.25.1

The prospect of shared responsibility is designed to secure a hearing and to win goodwill. The assumption is made that the united efforts of the audience and the present speaker will have fortunate consequences, εὐτυχῶς. To create this impression the speaker does not specify the opposite of εὐτυχῶς but deliberately dismisses it with ἄλλως. His parenthesis then enables him to return to thoughts of success with εὐφήμως. Thus the notion of failure is a trough that is swept away between two crests and is, accordingly, ruled out as a possibility for this speaker. The same is intended to be understood for the audience and this amounts to flattery, feature 402. But the final honour is attached to the speaker, τῷ πείσαντι, by virtue of the emphatic positioning of these words at the end of the sentence. This is intended to suggest that the role of πείσαντι is crucial and indispensable. He is held up as an ideal in the final thought of the sentence. Although this is a generalization, it is implied that the present speaker is an example of this universal type. In the next sentence he describes a reality which is very different from this ideal. Orators do not persuade the audience but please them. Nor do the audience co-operate with orators in the manner of this ideal, since they are

unwilling to share the responsibility for the outcome of events.

But, as things now stand, the Athenians listen with most pleasure to those who say what the Athenians want to hear yet often they accuse speakers of having deceived them if everything does not occur in the way that the Athenians would like.

Attention, goodwill (501)

νῦν δ' ἀκούετε μὲν τῶν ἄ βούλεσθε λεγόντων ἡδίστα, αἰ-
τιᾶσθε δὲ πολλάκις ἔξαπατᾶν ὑμᾶς αὐτούς, ἔαν μὴ πάνθ' ὄν ἂν
ὑμεῖς τρόπον βούλησθε γένηται pr.25.1

The speaker accuses the audience of fickleness. His aim is to secure a hearing and to win goodwill by use of anticipation, feature 501. The first part of the sentence is concerned with the former. He fears that what he is going to say will not cause the Athenians pleasure and that consequently they will be unwilling to grant him a hearing. Therefore he states a generalization about the audience's preferences. The hope is that the audience will be so challenged by the speaker's allegation about this habit that they will disprove his theory by making an exception in his case i.e. by listening to him even if he does not say what they want to hear. In the second part of the sentence the aim is to anticipate audience hostility in the event of unsuccessful policy. This hostility is exaggerated by the claim that it is directed against even those whom

the Athenians enjoy to hear. The speaker's aim is to prepare the audience for the submission that orators should not be held responsible for the outcome of events.

The Athenians do not consider this, that when seeking and considering what is best, as far as is humanly possible, and when explaining this to the audience, each man himself is in charge, but concerning the accomplishment of this and whether it is profitable the greatest responsibility rests with fortune.

Attention, goodwill (602)

οὐ λογιζόμενοι τοῦθ', ὅτι τοῦ μὲν ζητῆσαι καὶ λογίσασθαι τὰ βέλτιστα, ὡς ἄνθρωπος, καὶ πρὸς ὑμᾶς εἶπεῖν αὐτὸς ἕκαστός ἐστι κύριος, τοῦ δὲ πραχθῆναι ταῦτα καὶ συνενεγκεῖν ἐν τῇ τύχῃ τὸ πλεῖστον μέρος γίγνεται.

pr.25.2

Mention of τὰ βέλτιστα as a goal of an orator attracts attention and goodwill because it is implicit that the present speaker has such an aspiration. However the main point of this sentence is to contrast human limitation with the superior influence of fortune. The speaker is trying to convince the audience that, while orators can be held to account for their performance in the Ecclesia, they are not to be made liable for the consequences of their recommendations since these consequences are beyond their control being subject for the most part to the rule of fortune. The speaker uses feature 602, blame fortune.

It is enough for a human being to be accountable for his own thinking; but to be held accountable for fortune is something quite impossible.

Goodwill (602)

ἔστιν δ' ἄνθρωπον ὄντ' ἀγαπητὸν τῆς αὐτοῦ διανοίας
λόγον ὑπέχειν· τῆς δὲ τύχης πρὸς ὑποσχεῖν ἔν τι τῶν ἀδύ-
νάτων.

pr.25.2

By reiterating this point the speaker is attempting to establish a code of behaviour that will seem reasonable to the audience. At first sight it looks as if the speaker is trying to shirk his responsibility by citing fortune, feature 602, as an excuse. This is a gamble that he takes in pursuing this line of argument. He will be hoping that only a minority will consider him a malingerer while the majority will accept his suggestion as a realistic concession. However, this suggestion is made as a preliminary for a later twist in the argument. Whatever the audience thinks of him now is going to be complemented soon by the speaker's additional comments on the theme. Meanwhile he returns to the theme of orator's safety.

If a means had been discovered by which one could speak in public safely and without risk, it would be madness to leave it aside.

Goodwill

εἰ μὲν οὖν ἠύρημένον ἦν πῶς ἂν τις ἀσφαλῶς ἄνευ κινδύ-
νου δημηγοροίη, μανία παραλείπειν τοῦτον <ἂν> ἦν τὸν
τρόπον·

pr.25.3

This sentence, like the previous one, is designed to lull the audience for the surprising announcement that the speaker will make in the next sentence. Like the previous sentence this one is a platitude which is meant to strike accord.

But since one who expresses an opinion on actions about to be taken necessarily participates in the results and shares the credit, the speaker considers it disgraceful to speak as a loyal citizen without enduring any risk inherent in this activity.

Goodwill

ἐπεὶ δ' ἀνάγκη τὸν περὶ τῶν μελλόντων πραγμάτων γνώμην ἀποφαινόμενον [κοινωνεῖν τοῖς ἀπ' αὐτῶν γενομένοις] καὶ μετέχειν τῆς ἀπὸ τούτων αἰτίας, αἰσχρὸν ἡγοῦμαι λέγειν μὲν ὡς εὖνους, μὴ ὑπομένειν δὲ, εἴ τις ἐκ τούτου κίνδυνος ἔσται.

pr.25.3

The sentence begins with a commonplace similar to those that have occurred earlier and it looks as if this will develop along such lines. But suddenly the sentence is pulled up with the word αἰσχρὸν, which signals that the speaker is about to condemn something. This is the

surprise twist which turns the speaker's previous remarks on their head. Far from indulging the complacency of one who allows fortune to take care of consequences, he now condemns such supineness and extolls the virtue of the εὖνους who is not deterred from stating his opinion by the fear of subsequent recrimination. The implication is that the speaker is just such a man. His earlier remarks will now appear in a new light. Those of the audience who suspected him of making excuses will be relieved by his avowed patriotism, while those who acknowledged his testimony to human frailty will be amazed by his change of heart.

The speaker prays to the gods that what is going to benefit the city and the speaker himself will come to the speaker's mind for him to say and to the audience's minds for them to choose.

Attention (209), goodwill (424)

εὐχομαι δὲ τοῖς θεοῖς, ἃ καὶ τῇ πόλει κάμοι συμφέρειν μέλλει, ταῦτ' ἐμοί τ' εἶπεῖν ἐλθεῖν ἐπὶ νοῦν καὶ ὑμῖν ἐλέσθαι. pr.25.3

The speaker now introduces a solemn prayer. This is to ensure that the prooemium ends on serious note. συμφέρειν attracts attention as feature 209 and goodwill as feature 424. Instead of promising to give advice that will be profitable the speaker frames this intention in a prayer

for inspiration. It is noteworthy that he prays both for himself and for the audience, for his speaking and for their choosing. This recalls the cooperation between speaker and audience and their shared responsibility mentioned earlier in the prooemium. This should not be lost on the audience since the prayer is more for their ears than the gods'. One assumes that the speaker intended that the inspiration provided to the audience should coincide with that provided to him. The prayer resembles the repeated prayer which occurs in the introduction of oration 18.

πρῶτον μὲν, ὧ ἄνδρες Ἀθηναῖοι, τοῖς θεοῖς εὐχομαι
πᾶσι καὶ πάσαις, ὄσσην εὐνοίαν ἔχων ἐγὼ διατελῶ τῇ τε πόλει
καὶ πᾶσιν ὑμῖν, τοσαύτην ὑπάρξαι μοι παρ' ὑμῶν εἰς τουτονὶ
τὸν ἀγῶνα, ἔπειθ' ὅπερ ἐστὶ μάλισθ' ὑπὲρ ὑμῶν καὶ τῆς ὑμε-
τέρας εὐσεβείας τε καὶ δόξης, τοῦτο παραστήσαι τοὺς θεοὺς
ὑμῖν, μὴ τὸν ἀντίδικον σύμβουλον ποιήσασθαι περὶ τοῦ πῶς
ἀκούειν ὑμᾶς ἐμοῦ δεῖ (σχέτλιον γὰρ ἂν εἶη τοῦτό γε),
ἀλλὰ τοὺς νόμους καὶ τὸν ὄρκον, ἐν ᾧ πρὸς ἅπασιν τοῖς ἄλ-
λοις δικαίοις καὶ τοῦτο γέγραπται, τὸ ὁμοίως ἀμφοῖν ἀκρο-
άσασθαι. 18.1-2

μέλλων δὲ τοῦ τ' ἰδίου βίου παντός, ὡς ἔοικε, λόγον
διδόναι τήμερον καὶ τῶν κοινῇ πεπολιτευμένων, βούλομαι πάλιν
τοὺς θεοὺς παρακαλέσαι, καὶ ἐναντίον ὑμῶν εὐχομαι πρῶτον
μὲν, ὄσσην εὐνοίαν ἔχων ἐγὼ διατελῶ τῇ τε πόλει καὶ πᾶσιν
ὑμῖν, τοσαύτην ὑπάρξαι μοι παρ' ὑμῶν εἰς τουτονὶ τὸν ἀγῶ-
να, ἔπειθ' ὅ τι μέλλει συνοίσειν καὶ πρὸς εὐδοξίαν κοινῇ

καὶ πρὸς εὐσέβειαν ἐκάστω, τοῦτο παραστήσαι πᾶσιν ὑμῖν περὶ ταυτησὶ τῆς γραφῆς γινῶναι. 18.8

The feature common to the prayers is the request that the gods inspire the audience to act in a certain way. An incidental connection is that oration 18 was delivered in defence of a *graphe paranomon*. Demosthenes was not the defendant but spoke in support of the defendant, Ctesiphon. Although not mentioned specifically in pr.25 the *γραφὴ παρανόμων* is the ever present guest which casts its shadow and provides the inspiration for the prooemium.

The final sentence of pr.25 is an attack on other orators.

For to seek every method of prevailing is either of two things, madness, or a selfish desire for gain, the speaker would say.

Goodwill

τὸ γὰρ πάντα τρόπον ζητεῖν νικῆσαι, δυοῖν θάτερον, ἢ μανίας ἢ κέρδους ἕνεκ' ἐσπουδακότος φῆσαιμ' ἂν εἶναι.

pr.25.3

It is difficult to decide what is meant by νικῆσαι. Does it mean merely prevailing in the Ecclesia or does it extend also to a successful conclusion of policies? R. Clavaud 1974B, p.150 n.6, affirms that it describes the opinion which prevails in the Ecclesia. He also suggests that methods employed for such victory are obstruction and

threats. This is reasonable in the context of the speaker's censure of his colleagues to attribute to νικῆσαι sinister undertones. The charges, ἡ μανίας ἢ κέρδους ἕνεκ' ἔσπουδακότος, seem so strong and so subjective that they create the impression that this sentence is a spontaneous outburst of personal invective attached to the end of the prooemium. Aesthetically the previous sentence would have provided a better end to the prooemium because this sentence strikes a note which jars with the rest of the prooemium. The restrained voice of the intellect is now followed by a cry from the heart or even the spleen. But perhaps this dramatic change is deliberate. The speaker may be serving notice on his personal enemies to discourage any who might use against him, or to discredit any who has already instituted against him, as a method of prevailing, the *graphe paranomon*. If this is so, then we must allow νικῆσαι a wider meaning than mere victory in the Ecclesia.

ARRANGEMENT

A (216), G

A, G (402)

A, G (501)

A, G (602)

G (602)

G

G

A (209), G (424)

G

AIM

The aims of this prooemium are to secure a hearing and to win goodwill for the speaker. There is no preliminary statement nor are there any references to a specific issue. The allusions to the audience's retrospective anger and perhaps to *graphe paranomon* proceedings might indicate that pr.25 was composed to be available for use when such proceedings were likely, pending or under weigh against the speaker.

Prooemium 26

ANALYSIS

If only it might be that, at meetings of the Ecclesia to discuss present affairs and all other affairs, the apparent best policy and the actual best might coincide.

Attention

εἴη μὲν, ὧ ἄνδρες Ἀθηναῖοι, καὶ περὶ ὧν νυνὶ τυγχάνειτ' ἐκκλησιάζοντες καὶ περὶ τῶν ἄλλων ἀπάντων ταῦτὰ καὶ δοκοῦντα βέλτισθ' ὕμῖν εἶναι καὶ ὄνθ' ὡς ἀληθῶς. pr.26.1

The purpose of this sentence is to capture the audience's attention. First, the expression of a wish, εἴη, rouses curiosity. Next, setting the wish in the context of

Ecclesia discussions heightens the curiosity. Finally the revelation of the wish with its enigmatic contrast of apparent and actual best policy is designed to make the audience attend to what the speaker will say next and later in the course of the speech to await the explanation of this enigma.

It is necessary, however, when deliberating about matters which are important and of general concern, to be willing to listen to all the advisers.

Attention (202)

δεῖ μέντοι περὶ πραγμάτων μεγάλων βουλευομένους καὶ κοινῶν, ἀπάντων ἐθέλειν ἀκούειν τῶν συμβουλευόντων

pr.26.1

μέντοι signals that the explanation of the enigma has been postponed. δεῖ is intended to justify the speaker's forthcoming request for attention. Further recommendation is added with the classification of the matters under discussion as important, feature 202, περὶ πραγμάτων μεγάλων and as of general concern, καὶ κοινῶν. Although the speaker asks the audience to listen to all the advisers it is implicit that the speaker requests a hearing for himself as one of these advisers. By making a universal request he avoids any suspicion of presumption, on the one hand, or even lack of confidence, on the other, which might be attached to a personal request.

It seems to the speaker that the audience should consider it shameful to make an uproar now, when some speakers wish to make some recommendation, but later to hear with pleasure these same men denouncing what has been done.

Attention

ὡς ἐμοὶ δοκεῖ, ἐνθυμουμένους ὅτι αἰσχρόν ἐστιν, ὧ ἄνδρες Ἀθηναῖοι, νῦν μὲν βουλομένων τι παραινεῖν ἐνίων θορυβεῖν, ὕστερον δὲ κατηγορούντων τῶν αὐτῶν τούτων τῶν πεπραγμένων ἡδέως ἀκούειν. pr.26.1

Now the speaker appeals to the audience's consciences by insisting that they reflect, ἐνθυμουμένους, that it is shameful, αἰσχρόν. The latter is a key word which is emphasized by the insertion of the vocative before the speaker explains the implication of αἰσχρόν. After the pause created by the vocative for reflection (and curiosity, deliberately engineered) the speaker reveals that he wants the audience to consider αἰσχρόν their inconsistent behaviour. This is framed in a νῦν μὲν ... ὕστερον δὲ ... construction and consists of θορυβεῖν followed later by ἡδέως ἀκούειν. The speaker's purpose is to prevent the audience from making an uproar on the present occasion while he is trying to speak.

The speaker knows and thinks that the audience knows too ...

Attention, goodwill

ἔγὼ γὰρ οἶδα, νομίζω δὲ καὶ ὑμεῖς

pr.26.2

This statement is intended to rouse curiosity among the audience about what it is that they are supposed to know and hence to support the speaker's attempt to secure a hearing. Moreover his claim that the audience share his knowledge is intended to presume audience assent and solidarity with the speaker and, thus, is an attempt to win goodwill.

that at the moment those who most please the audience are those who say what the audience wants to hear.

Attention

ὅτι νῦν μὲν ἀρέσκουσι μάλισθ' ὑμῖν οἱ ταῦθ' οἷς ὑμεῖς βούλεσθε λέγοντες·

pr.26.2

This sentence acts as a preliminary for the next one. Again it contains an appeal to the conscience. A slur is inherent in the speaker's use of οἷς ὑμεῖς βούλεσθε. This is self-defence because, presumably, what the speaker is about to say, will not please the audience.

But if something happens contrary to present expectation - and may this not happen! - the audience will think that these men deceived them while those whom the audience will not endure at the moment will seem then to be

saying the right things.

Attention, goodwill

ἂν δέ τι συμβῆ παρ' ἃ νῦν οἴεσθε, δ' μὴ συμβαίη, τούτους
μὲν ἐξηπατηκῆναι νομιεῖθ' ὑμᾶς, ὧν δὲ νῦν οὐκ ἀνέχεσθε, τότ'
ὀρθῶς δόξουσι λέγειν. pr.26.2

Goodwill is sought with the apostrophe, δ' μὴ συμβαίη. The speaker thus declares his patriotism. But the main function of this sentence is to secure a hearing. Without saying so explicitly the speaker is now unravelling the enigma with which the prooemium began: what seems right now turns out to be wrong while what the audience resists now turns out to be right. The speaker makes it personal by framing it in terms of orators giving advice. The implication is that the speaker is one of those whom the Athenians are unwilling to endure but whose advice will be justified in time to come by hindsight. There is criticism of the audience in the words τούτους ... ἐξηπατηκῆναι νομιεῖθ' ὑμᾶς which is another illustration of their inconsistency. Although ἐξηπατηκῆναι is used hypothetically it is probably intended as a smear against political opponents. It is as if the speaker has censured the audience for throwing mud at certain orators. But if in the process some of the mud sticks then it can only serve the speaker's interest - it is a bonus.

Those who have done most to convince the Athenians about present policy have most to gain from allowing the

opposition a chance to speak.

Attention

ἔστι δὲ τοῖς μάλιστα πεπεικόσιν ὑμᾶς ταῦτ' ἔφ' ὧν νῦν
ἐστε, τούτοις καὶ μάλιστα συμφέρον τὸ λόγου τυχεῖν τοὺς ἀν-
τιλέγοντας. pr.26.2

This sentence is a paradox intended to attract attention by rousing curiosity. The speaker will explain what he means in the next sentence. R. Clavaud 1974B, p.107 n.3, makes a good comment here on the speaker's technique:

'Ce prologue offre un exemple fort instructif de la manière utilisée par l'orateur pour retourner l'opinion en sa faveur et pour agir sur les collègues opposés à lui. Il commence par inviter les auditeurs à l'impartialité; puis (fin du § 2) il ariise ses collègues qui n'oseront affronter un public ainsi amadoué.'

For if they can show that the best proposals are not what these men think are the best, when no mistake has yet been made, by so doing they will render themselves free from risk.

Attention, goodwill

ἂν μὲν γὰρ διδάξαι δυνηθῶσιν ὡς οὐκ ἔστιν ἄρισθ' ἅ τού-
τοις δοκεῖ, ὅτ' οὐδὲν ἡμάρτηται πω, τοῦτο πράξαντες ἀθῶους
τοῦ κινδύνου ποιήσουσιν αὐτούς. pr.26.3

The speaker returns to his initial theme, apparent and actual best policy, and nails his colours to the mast: the apparent belongs to τούτοις . His explanation of the advantage that these men will gain from allowing their opponents to speak is that their risk will be minimized, ἀθῶους τοῦ κινδύνου ποιήσουσιν αὐτούς. κινδύνου refers, at least, to the anger of the Ecclesia and, in extreme cases, to the bringing of a *graphe paranomon*. An implication in this sentence is that the actual best policy is going to be recommended by the speaker. This will command attention and win him goodwill. He could win further goodwill because this is an ingenious argument provided, of course, that the audience do not think him too clever.

If they cannot, they will have no cause for complaint later, but having obtained a hearing which is as much as they should expect, if defeated, they will be justly content and along with everyone else they will share the results whatever they may be.

Attention, goodwill

ἐὰν δὲ μὴ δυνηθῶσιν, οὐκ οὖν ὑστερόν γ' ἐπιτιμᾶν ἔξουσιν, ἀλλ' ὅσ' ἀνθρώπων ἦν ἔργον, ἀκοῦσαι, τούτων τετυχηκότες, ἀν ἠττῶνται δικαίως στέρξουσιν, καὶ μεθ' ἀπάντων τῶν ἀποβαίνόντων, ὁποῖ' ἄττ' ἀν ἦ, κοινωνήσουσιν. pr.26.3

This sentence is intended to sound very reasonable. People like the speaker, if unable to convince the

Ecclesia, will be satisfied to have been granted a hearing. They will not sulk but will resume normal civic life participating like everyone else in whatever consequences result from their opponents' policies. By creating the impression that he is a reasonable man the speaker is hoping to secure a hearing and to win goodwill. Several words and phrases are used to establish this image: οὔκουν ... ἔπιτιμᾶν ἔξουσιν, ὅσ' ἀνθρώπων ἦν ἔργον, δικαίως στέρξουσιν, μεθ' ἀπάντων ... κοινωπήσουσιν . R. Clavaud 1974B, p.151 n.5 (reference p.107), comments on δικαίως:

'Se résigner n'est pas changer d'opinion, mais jouer le jeu démocratique en attendant une meilleure occasion de faire triompher ses idées.'

Clavaud is right that this is not a change of opinion but he should not take at face value the idea that the speaker is simply playing the politician's game and is content to wait for a better opportunity. This is the impression that the speaker is trying to create but he has an ulterior motive. He is using the bargaining technique of asking for more than he really wants to ensure that he receives precisely what he requires. In this case the speaker wants to secure a hearing but by the end of the prooemium he makes it appear as if the audience, by granting a hearing, are awarding a consolation prize since under certain circumstances they could bestow far more, namely their support for his policy. Therefore the very least that the speaker has achieved is the prooemium's

immediate aim, to secure a hearing. He may also have convinced the Ecclesia that he is a man worthy of their support.

ARRANGEMENT

A

A (202)

A

A, G

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A, G

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A, G

A, G

AIM

The aim of pr.26 is to secure a hearing. A variety of methods are used: paradox, plea for impartiality, appeal to conscience, charge of inconsistency, the ingenious suggestion that the opposing orators have actually something to gain by allowing the other side a hearing. As the prooemium proceeds the arguments are couched in terms so reasonable and sensible that they call out for the audience's goodwill as well as their attention. This is a considerable achievement since the prooemium mentions no specific issues and it is not fixed by any context. It has been composed out of thin air, as it were, around the

enigma of apparent and actual best policy to be available for use in any context when the speaker fears that, because his policy is unpopular, he might encounter a hostile, or even a heckling, audience.

Prooemium 28

ANALYSIS

The hopes derived from what has been said previously are great and noble yet the speaker thinks that many people have been convinced by them without giving them any consideration.

Attention (202) (208), goodwill

αἱ μὲν ἐλπίδες, ὧ ἄνδρες Ἀθηναῖοι, μεγάλαι καὶ καλαὶ τῶν προειρημένων, πρὸς ἃς οἶομαι τοὺς πολλοὺς ἄνευ λογιμοῦ τι πεπονθέναι. pr.28.1

This is a very diplomatic beginning. The speaker is going to speak in opposition to the consensus of opinion but he does not jump in at the deep end. Instead he makes complimentary remarks to which he attaches a reservation. R. Clavaud 1974B, p.108 n.2, comments on the conciseness with which the speaker tries to establish a relationship with the other orators and with the audience:

'Démosthène ne pouvait guère en moins de mots se

situer par rapport à ses collègues et à son public.'

More important than the speaker's succinctness is the kind of relationship he is trying to establish. The complimentary tones and the fact that other orators have spoken already suggest that pr.28 was composed at a time when the speaker was low down in the pecking order, i.e. early in his career as an Ecclesia speaker. Hence the deferential comments about the hopes raised by previous speakers. Turning to the audience the speaker mentions that many of them have been convinced by these hopes. Why does he declare that a majority of his audience have adopted a view which is contrary to the advice he intends to give them? Why does he not rather command them to ignore these hopes? Again one reason could be the deference of a burgeoning orator. Realism too could insist that the audience's overwhelming support for the opposition could not be ignored or denied. However it might be that τοὺς πολλοὺς is a deliberate shrinking of τοὺς πάντας as a form of damage control to suggest that there is a minority in the Ecclesia who have not been convinced. That would allow the speaker a foothold and would make him seem less like a voice in the wilderness. But then again that is to consider τοὺς πολλοὺς in isolation from ἄνευ λογισμοῦ, which is a key phrase. Perhaps the scenario is that the whole audience have been convinced by the hopes. The speaker suggests that many of them have responded in a way that is not reliable because it is ἄνευ λογισμοῦ. He implies that they have reacted emotionally and have not

exercised to any extent their intellectual processes. He insinuates that they have allowed their hearts priority over their heads. Accordingly the purpose of this sentence is to signal that the speaker is going to appeal to reason.

The speaker has never yet determined for the sake of their immediate gratification to say to the audience anything which in his opinion would not also be of some subsequent benefit.

Attention (209), goodwill (424)

ἐγὼ δ' οὐδεπώποτ' ἔγνων ἕνεκα τοῦ παραχρῆμ' ἀρέσαι
λέγειν τι πρὸς ὑμᾶς, ὃ τι ἂν μὴ καὶ μετὰ ταῦτα συνοίσειν
ἡγῶμαι. pr.28.1

By use of the μὲν ... δὲ ... construction the speaker demonstrates his opposition to the hopes: αἱ μὲν ἐλπίδες ... ἐγὼ δ' ... He declares that advice which will bring about some benefit has always taken precedence in his speeches over mere audience satisfaction. The speaker implies that his opponents do the opposite by indulging only the audience's aspirations. συνοίσειν attracts attention as feature 209 and goodwill as feature 424. It is implied that in this speech, just as in his others, the speaker will offer advice that will be beneficial.

It is a habit common to most men to like those who praise what they do and to dislike those who censure them.

Goodwill (501)

ἔστι μὲν οὖν τὸ κοινὸν ἔθος τῶν πλείστων τοὺς μὲν συνε-
παινοῦντας ἑαυτοῖς ὅ τι ἂν πράττωσι φιλεῖν, πρὸς δὲ τοὺς
ἐπιτιμῶντας ἀηδῶς ἔχειν. pr.28.1

This generalization is designed to anticipate, feature 501, hostility. The speaker states a commonplace with which the audience will agree in order to make the audience more sympathetic when he does censure them since he will appear to be disadvantaged by human nature. In the next sentence the speaker reveals that he is not discouraged.

Nevertheless it is necessary for the sensible man always to try to make reason stronger than his feelings.

Goodwill

οὐ μὴν ἀλλὰ δεῖ τὸν εὖ φρονοῦντα τὸν λογισμὸν ἀεὶ τῶν
ἐπιθυμιῶν κρείττω πειρᾶσθαι ποιεῖν. pr.28.1

οὐ μὴν ἀλλὰ emphasizes the speaker's determination to carry on regardless of any disadvantage. δεῖ lends the support of necessity to his argument. τὸν εὖ φρονοῦντα is the ideal held up for the audience to emulate. Similarly the virtue of making reason stronger than feelings is recommended with the insinuation that practical application of this virtue in the present context would mean esteeming the speaker's appeals to the intellect higher than his opponents' appeals to the emotions.

The speaker would have gladly seen the Athenians putting into practice with pleasure those policies which were also going to benefit them so that the speaker might appear simultaneously to gratify and to give good advice.

Goodwill

ἔγὼ δ' ἠδέως μὲν ἂν ἐώρων, ἃ καὶ συνοίσειν ἔμελλε, ταῦτ' ἐν ἡδονῇ πράττειν ὄνθ' ὑμῖν, ἵνα καὶ χαριζόμενος καὶ χρηστὰ λέγων ἐφαινόμην. pr.28.2

Here the speaker ingratiates himself with the audience by commencing a marriage of χαριζόμενος and χρηστὰ λέγων.

R. Clavaud 1974B, p.108 n.5, comments:

'L'orateur, en feignant de flatter son auditoire et de vouloir son plaisir, rend sa critique encore plus acerbe: il aimerait voir les Athéniens exécuter leur devoir avec joie; mais c'est un rêve.'

Clavaud is wrong. The speaker is not being sarcastic. That would be counter-productive. Never does he express the two objectives, pleasing the audience and giving good advice, as mutually exclusive. Witness his use of καὶ in the second sentence of pr.28.1. Here he expresses it as an ideal, not as an impossible dream. It is a possibility. It is also a goal which, the speaker regrets, is not going to be achieved on this particular occasion. The speaker's sincerity, of course, is open to question. But the

impression he is trying to create is not. He must sound sincere even if he is not. Later, p.109 n.1, Clavaud comments on χρησῆ:

'Démosthène se loue en ayant l'air de louer les autres.'

Here Clavaud is closer to the mark. Surely the speaker's aim is to be seen to extend equal praise to the audience and to himself as an incentive to the audience to adopt the speaker's order of priorities. Both should like what pleases and what benefits to coincide. But according to the speaker the audience makes pleasure take priority while he gives precedence to benefit. He is attempting to make them aware of the need to think things through even if this causes conflict with their immediate emotional response. Indeed this is how he is trying to make them more amenable to him. They must control their emotional inclinations for the meantime and must assess the validity of his argument.

But since the speaker sees the audience attempting the opposite of this, he thinks it necessary to speak in opposition, even if he is going to be hated by certain men.

Goodwill

ἐπειδὴ δὲ τάναντί' ὀρῶ τούτων ἐπιχειροῦντας ὑμᾶς,
οἶομαι δεῖν ἀντειπεῖν, εἰ καὶ τισιν μέλλω ἀπεχθήσεσθαι.

pr.28.2

The present tenses, ὀρῶ and ἐπιχειροῦντας, confirm that the speaker did not intend sarcasm. This is to be understood as a spontaneous intervention, as a rescue bid. Necessity, δεῖν, is cited to justify the speaker's speaking in opposition. The final condition is intended to win sympathy for the speaker because he is going to be disadvantaged. The impression created is of a hero rushing to the aid of the city, which is unaware of the danger. Moreover the hero is not going to be deterred by danger to himself. The other image which this sentence recalls (and this may not be intentional) is of a litigant justifying his instigation of a suit. If pr.28 was composed when the speaker was at the beginning of his Ecclesia career one need not feel surprise that the style of the language resembles that of the more familiar court room.

If the Athenians refuse to hear even one word from the speaker, they will seem not to be making a mistake in their judgement but to be following a natural desire to do wrong.

Attention, goodwill

ἂν μὲν οὖν μηδ' ὑπομείνητ' ἀκοῦσαι μηδὲ ἔν, οὐ τῷ δο-
κιμάζοντες διαμαρτεῖν, ἀλλὰ τῷ φύσει πονήρ' ἐπιθυμεῖν πράτ-
τειν τοιαῦτα προαιρεῖσθαι δόξετε. pr.28.2

The speaker now brings more pressure to bear upon the audience. R. Clavaud 1974B, p.109 n.2, is right when he

remarks on the quick change in tone. The speaker threatens the audience with the fear of hindsight, with the prospect that their refusal to hear him might be construed as innate villainy, τῷ φύσει πονήρ' ἐπιθυμεῖν , rather than an error of judgement, τῷ δοκιμάζοντες διαμαρτεῖν. The speaker allows the audience no room for manoeuvre. Having heard the argument for exercising intellectual judgement the audience cannot claim to have reasons connected with intellectual judgement for refusing to grant the speaker a hearing. Of course, their reason would be prejudice based on their emotional response to the situation. But the speaker does not say this. He increases the temperature by many degrees and makes a thinly veiled accusation of villainy. The speaker is no longer practising what he preaches but runs the risk of indulging in the kind of emotional reaction that he has been censuring. Is this the ardour of youth? Will the audience notice his inconsistency?

If the audience do listen, by chance perhaps they will be persuaded to change their minds which in the speaker's opinion would be most beneficial for them.

Attention (209), goodwill (424)

ἐὰν δ' ἀκούσητε, τυχὸν μὲν ἴσως καὶ μεταπεισθεῖητε, ὁ
μάλιστα' ἐγὼ νομίζω συνενεγκεῖν ἂν ὑμῖν. pr.28.2

This is much more reasonable. The speaker has returned to his old self. There is politeness and caution

in the tautological τυχὸν μὲν ἴσως. His promise of beneficial consequences, συνενεγκεῖν ἄν ὑμῖν , attracts attention as feature 209 and goodwill as feature 424.

If the audience do not listen, some will say that they were unaware of what would be beneficial while others will say - what someone wishes to say, this he will say.

Attention (209), goodwill (424)

εἰ δὲ μή, οἱ μὲν ἀγνοεῖν τὸ συμφέρον, οἱ δὲ - ὅ τι ἄν τις βούληται, τοῦτ' ἔρεῖ. pr.28.2

The speaker varies his approach like Dr Jekyll and Mr Hyde, but pulls himself back from the brink just in the nick of time. He tries to coerce the audience into listening, first with the charge of incompetence, then with something much worse which he ostentatiously prevents himself from mentioning and leaves to the audience's imagination. Again the implication is made that the speaker has something to say which will have beneficial consequences and therefore is worth hearing, feature 209, and worthy of support, feature 424.

ARRANGEMENT

A (202) (208), G

A (209), G (424)

G (501)

G

G

G

A, G

A (209), G (424)

A (209), G (424)

AIM

R. Clavaud 1974B, p.109, calls the whole prooemium a brilliant improvisation. He is right to use the word *brillante*, but this is not improvisation. However, it is probably intended to be thought improvisation, and, as such, was composed early in Demosthenes' Ecclesia career to be available for use when it was necessary to oppose the majority view and to prevent the Ecclesia making the wrong decision because of popular feeling. The aims are to secure a hearing and to win goodwill. A variety of methods are used: the deferential start that befits a new orator; the priority of good advice before gratification; the speaker's disadvantage as a result of human nature; the ideal of the sensible man; the subordination of the desires to reason; the speaker's devotion to duty; the incentive of profit; the threat of notoriety; the aborted crescendo. This prooemium has everything. The speaker deals with audience hostility head on. He is like a doctor whose patient does not realize that he is ill. He gives a diagnosis and prescribes a medicine which is going to taste dreadful but which will effect a cure.

Prooemium 29

ANALYSIS

First there is nothing new that among the Athenians are certain men who will speak against policies already voted when it is necessary to put them into practice.

Attention, goodwill

πρῶτον μὲν οὐδέν ἐστιν καινόν, ὧ ἄνδρες Ἀθηναῖοι, τοῖς δόξασιν παρ' ὑμῶν εἶναι τινὰς οἵτινες ἀντεροῦσιν, ἐπειδὴν πράττειν τι δέη. pr.29.1

οὐδέν ἐστιν καινόν is intended to rouse curiosity about the speaker's immediate remarks and to emphasize his disparagement of the practice of reconvening the Ecclesia for further deliberation on a subject that has already been discussed. The speaker censures those, τινὰς, who agitate for further discussion when the matter has already been decided and when what is required is not further discussion but practical measures to set the decided policy in motion. οὐδέν ἐστιν καινόν suggests that this is a frequent occurrence. The implication is that such men are a nuisance. δέη is intended to add the weight of necessity to the speaker's argument. The purpose of this sentence is to induce in the audience an attitude of amused agreement as they acknowledge the truth of the speaker's observation. They may even recognize some of the perpetrators of this

misdemeanour included in the speaker's cryptic τινας. But it is not necessary that they recognize anyone. The speaker's purpose is not to censure political opponents but to lull the audience into a false sense of security in order to sharpen the surprise of his imminent censure of the audience.

If they were doing this when given permission to speak during deliberation it would be right for the Athenians to denounce them for insisting on speaking again on topics that had been defeated.

Attention, goodwill

εἰ μὲν οὖν ἀποδόντων ὑμῶν λόγον αὐτοῖς, ὅτ' ἐβουλεύεσθε, τοῦτ' ἐπόλουν, τούτων ἂν ἦν ἄξιον κατηγορεῖν, εἰ περὶ ὧν ἤττηντ' ἐβιάζοντο πάλιν λέγειν. pr.29.1

Meanwhile the speaker keeps the audience simmering. An important phrase for the impending change of tack is ἀποδόντων ὑμῶν λόγον αὐτοῖς. For the moment, however, its relevance is subsumed by the speaker's disparagement of the supposed villains of the piece. He fosters righteous indignation in the audience with the words τούτων ἂν ἦν ἄξιον κατηγορεῖν. This is intended to win the audience's trust in a like-minded man. He stresses certain characteristics, περὶ ὧν ἤττηντ' and ἐβιάζοντο πάλιν λέγειν, ostensibly to strike a note of solidarity with the audience but actually to establish conditions which have not been fulfilled in the present case. His aim therefore is to

make those who want to introduce a topic that has allegedly been discussed before exempt from denunciation and, therefore, justified in speaking. Accordingly, these opening remarks are designed not merely to win goodwill but also to facilitate the securing of a hearing for an unpopular subject. The speaker reveals his true colours in the next sentence.

But as it is there is nothing absurd that these men want to say what at that time the Athenians refused to hear.

Attention

νῦν δὲ τούτους μὲν οὐδέν ἐστ' ἄτοπον εἰπεῖν βουλευθῆναι
ταῦθ' ἃ τότε οὐχ ὑπεμείνατ' ἀκοῦσαι pr.29.1

νῦν heralds a contrast. The speaker no longer censures τούτους . οὐδέν ἐστ' ἄτοπον deliberately recalls the opening words, οὐδέν ἐστὶν καινόν. It is as if the speaker has made a false start and is signalling a new beginning, a fresh tack. Instead of καινόν there is ἄτοπον. The speaker uses the phrase οὐδέν ἐστ' ἄτοπον to proclaim and to bolster his support of those, τούτους, who wish to introduce again a particular subject for discussion. He justifies this with a reference to the previous time, τότε, that they tried to do this. On that occasion the audience denied them the opportunity to speak, οὐχ ὑπεμείνατ' ἀκοῦσαι. The relevance of ἀποδόντων ὑμῶν λόγων αὐτοῖς is now evident. The speaker's implicit censure is that the

audience have no right to denounce these men for wanting to express their views because on the previous occasion the audience refused to grant them a hearing. Nor can the audience accuse them of speaking again since they have not spoken before. By the same token these men have not been defeated already, since they were not allowed to enter the fray on the previous occasion. Thus the speaker invalidates the right he allowed the audience in the previous sentence to denounce these men. He no longer courts the audience's favour but openly advocates the granting of a hearing to these men, τούτους, whose cause, presumably, he intends to adopt.

Someone might reasonably censure the Athenians because when they deliberate about something they do not allow each speaker to say what he perceives but if one group were to capture them with their argument they would listen to nothing from the others.

Attention

ὕμῶν δ' ἂν τις εἰκότως ἐπιτιμήσειεν, ἄνδρες Ἀθηναῖοι, ὅτι ὁπόταν περὶ τοῦ βουλευήσθε, οὐκ ἔατε λέγειν ἕκαστον ἃ γιγνώσκει, ἀλλ' ἂν ἕτεροι τῷ λόγῳ προλάβωσιν ὑμᾶς, οὐδὲν ἂν τῶν ἐτέρων ἀκούσαίτε. pr.29.2

ὕμῶν δ' ἂν τις εἰκότως ἐπιτιμήσειεν is intended to recall τούτων ἂν ἦν ἄξιον κατηγορεῖν. The speaker offers the audience the same kind of rebuke that he earlier suggested they could rightly bring to bear. He has turned

the tables on them. However, righteous indignation has been replaced with the voice of reason, εἰκότως, which is linked to the earlier ἄτοπον by the μὲν ... δὲ ... construction which contrasts the audience with those requesting a second period of deliberation, τούτους μὲν οὐδὲν ἐστ' ἄτοπον ... ὑμῶν δ' ἂν τις εἰκότως ἐπιτιμήσειεν. The speaker's argument is that it is the audience whose behaviour is unreasonable. This is an attempt to persuade them to grant a hearing. ἐπιτιμήσειεν is emphasized by the juxtaposition of the vocative, ἄνδρες Ἀθηναῖοι, which in turn reinforces ὑμῶν by stressing the identity of the object of ἐπιτιμήσειεν. The speaker justifies the reasonable censure that he has put into the mouth of the hypothetical τις with an accusation of prejudice, ὅτι ... οὐκ ἔατε λέγειν ἕκαστον... ἀλλ' ἂν ἕτεροι τῷ λόγῳ προλάβωσιν ὑμᾶς, οὐδὲν ἂν τῶν ἐτέρων ἀκούσαίτε. This is meant to provoke the audience into granting an impartial hearing to everyone, which in the present context would amount to allowing a further period of deliberation for a particular issue.

The consequence of this involves unpleasantness for the Athenians.

Attention

ἐκ δὲ τούτου συμβάλει πρᾶγμ' ἀηδὲς ὑμῶν. pr.29.2

Further pressure is brought to bear with the prospect of unpleasant consequences if the Ecclesia do not change

their practice. Again the aim is to persuade the audience to grant further deliberation.

For the counsellors whose advice they had the opportunity to adopt before making mistakes the Athenians later praise for denouncing them.

Attention

οἷς γὰρ πρὶν ἁμαρτεῖν ὑμῶν ἐξῆν συμβουλευούσιν πείθεσθαι, τούτους ὕστερον κατηγοροῦντας ἐπαινεῖτε. pr.29.2

The speaker taunts the audience with a self-inflicted injury from which they suffer. He is careful to show, by use of ὑμῶν ἐξῆν, that this is an avoidable injury. ἐξῆν refers to the debate when the Ecclesia had an opportunity which they chose not to take, ὕστερον to the subsequent *post mortem*. The implication is that the audience should prevent recurrence of this malady by allowing a further period of deliberation.

The Athenians seem to the speaker to be about to follow this very same course again unless they give an impartial hearing to everyone on the present occasion and enduring this hardship they choose the strongest policies and consider those who make any criticisms of them worthless.

Attention, goodwill

ταῦτό δὴ τοῦτό μοι πάλιν δοκεῖτε πείσεσθαι, εἰ μὴ

παρασχόντες ἴσους ἀκροατὰς πάντων ὑμᾶς αὐτοὺς ἐν τῷ παρόντι,
καὶ τοῦτον τὸν πόνον ὑπομείναντες, ἐλόμενοι τὰ κράτιστα
τοὺς ὀτιοῦν τούτοις ἐπιτιμῶντας φαύλους νομιεῖτε.

pr.29.3

This sentence begins with a warning that the Ecclesia are about to repeat their mistake, ταῦτὸ δὴ τοῦτό μοι πάλιν δοκεῖτε πείσεσθαι. The speaker outlines how they can prevent this. They must give an impartial hearing to everyone, παρασχόντες ἴσους ἀκροατὰς πάντων ὑμᾶς αὐτοὺς ἐν τῷ παρόντι. The speaker is careful to stress the present occasion. Next he seeks goodwill by making an allowance for the audience. He admits that he is asking them to endure a hardship, τοῦτον τὸν πόνον ὑπομείναντες. But the incentive for this is that it will enable them to choose the strongest policies, ἐλόμενοι τὰ κράτιστα. The implication is that this will be a reward of listening, in particular, to the present speaker. The *piece de resistance* of this sentence is that a new villain of the piece is provided at the end. The speaker no longer censures the whole audience. They are envisaged as having listened impartially, chosen the strongest policies, i.e. the speaker's, and their next task concerns those of their number who criticize these policies, τοὺς ὀτιοῦν τούτοις ἐπιτιμῶντας. They are to consider such men worthless, φαύλους νομιεῖτε. Thus the introduction ends with the assumption that there is going to be a second period of deliberation while scapegoats are provided as targets for the audience's displeasure. Thus by verbal dexterity the

speaker transfers the audience's anger from those who agitate for a second session to those who might criticize decisions made during the second session. Ostensibly the speaker appeals for impartiality but his main purpose is to cause the audience to change their allegiance.

ARRANGEMENT

- A, G
- A, G
- A
- A
- A
- A
- A, G

AIM

The aim of pr.29 is to persuade the Ecclesia to grant a further session of deliberation on an unspecified topic. It has been written to be available for use when the speaker has been denied a hearing in the Ecclesia because his policy is unpopular.

Prooemium 30

ANALYSIS

It was necessary before going to war to have considered what armament existed for the impending war.

Goodwill

ἔδει μὲν, ὧ ἄνδρες Ἀθηναῖοι, πρὸ τοῦ πολεμεῖν ἐσκέφθαι
τίς ὑπάρξει παρασκευὴ τῷ γενησομένῳ πολέμῳ. pr.30.1

ἔδει is intended to add support to the speaker's forthcoming remarks. The use of indirect question encourages thought about the answer. This is a veiled accusation of negligence.

If war was not foreseen the Athenians ought to have considered armament at that debate when war first became foreseen.

Goodwill

εἰ δ' ἄρα μὴ πρόδηλος ἦν, ὅτε πρῶτον ἐβουλεύεσθ' ὑπὲρ
αὐτοῦ φανεροῦ γενομένου, τότε καὶ περὶ τῆς παρασκευῆς
ἐσκέφθαι. pr.30.1

In this sentence the speaker anticipates an excuse that might be made to account for the implied negligence.

If the Athenians say that they commissioned many

forces which their commanding officers ruined no one will accept this from them.

Goodwill

εἰ δὲ φήσετε πολλὰς ἐγκεχειρικέναι δυνάμεις, ἅς λελυ-
μάνθαι τοὺς ἐπιστάντας, οὐκ ἀποδέξεται τοῦθ' ὑμῶν οὐδεὶς·

pr.30.1

Another excuse is refuted this time with the testimony of universal denial. Who does the speaker mean by οὐδεὶς? Does he mean no one in the Ecclesia? In that case he is suggesting that the excuse and the denial are being made by the same body of men. But is this so much of an anomaly? It could be the speaker's way of saying, 'If you say this, you will realize yourself, as you say it, that it is not true', in order to emphasize the shallowness of the excuse. But, on the other hand, οὐδεὶς may refer to other states, allies or even the enemies against whom the forces were required. R. Clavaud 1974B, p.151 n.5 (reference p.110), suggests that τοὺς ἐπιστάντας contains a reference to Chares, whom Demosthenes had defended against accusations during the Olynthian campaigns. Whether or not Chares is intended, the support of a particular general provides a possible explanation for the speaker's contradiction of this excuse. Either pr.30 has been written to be available for use when the speaker wants to recommend the retention of a particular general in the field, or this sentence has been included as a face-saving gesture to account for the speaker's earlier support of a particular general whose

performance may have been ambiguous if not disappointing. In any case the speaker refuses to let the Ecclesia transfer responsibility from themselves to their generals. In the next sentence he supports this refusal with an explanation.

For it is not allowed for the same men to absolve those in command of operations and to say that on account of these commanders these operations are faring badly.

Goodwill

οὐ γάρ ἐστι τῶν αὐτῶν τοὺς <τ'> ἐπὶ τῶν πραγμάτων ἀπολύειν, καὶ λέγειν ὡς διὰ τούτους κακῶς ταῦτ' ἔχει.

pr.30.1

The speaker accuses the Athenians of inconsistency. A similar charge occurs in 2.29..

ὕμεῖς δ', ὅταν μὲν εἰς τὰ πράγματ' ἀποβλέψητε φαύλως ἔχοντα, τοὺς ἐφεστηκότας κρίνετε, ὅταν δὲ δόντες λόγον τὰς ἀνάγκας ἀκούσητε ταύτας, ἀφίετε. 2.29

Both passages criticise Athenian inconsistency. The difference is that in 2.29 he chastises leniency while in pr.30.1 he censures unwillingness to accept responsibility.

Since past events cannot be changed

Goodwill

ἐπειδὴ δὲ τὰ μὲν παρεληλυθότ' οὐκ ἂν ἄλλως ἔχοι

pr.30.2

The speaker discourages retrospection. This may serve his own interests as well as the state's, particularly if he recalls his own previous misjudgements which he would prefer to be forgotten.

and it is necessary in the present circumstances to safeguard affairs.

Goodwill

δεῖ δ' ἐκ τῶν παρόντων ἐπαμῦναι τοῖς πράγμασιν

pr.30.2

δεῖ adds the weight of necessity to the speaker's argument. The defence of Athenian interest is extolled in preference to recrimination.

The speaker sees this as no occasion for accusation.

Goodwill

τοῦ μὲν κατηγορεῖν οὐδένα καιρὸν ὄρω

pr.30.2

The speaker sets an example to the Ecclesia. He will make no accusations and insinuates that no one else should either. This may be self-defence to prevent any accusations coming his way.

The speaker will try to advise what he considers the

strongest policies.

Statement (102), attention, goodwill

πειράσομαι δ' ἄ κρᾶτιστα νομίζω συμβουλεῦσαι. pr.30.2

The speaker predicts, feature 102, the theme of his speech. κρᾶτιστα is designed to attract attention and to win goodwill.

ARRANGEMENT

G

G

G

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G

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G

S (102), A, G

AIM

The aim of pr.30 is to persuade the Ecclesia to consider the preparation of a force. The suggestion is made that the Athenians have rushed into war without first giving sufficient consideration to what force was available. Thus to stimulate discussion of armament the speaker implies that the Ecclesia are guilty of negligence

until the end of the prooemium when he states that this is not the time for accusation. Pr.30, therefore, is a form of paraleipsis. The final comment, the promise of the strongest advice, is offered as a fresh start after the amnesty on accusation.

Prooemium 31

ANALYSIS

Nothing is more difficult than when those who speak in the Ecclesia criticise yet also use the same habits.

Attention, goodwill

οὐδέν ἐστίν, ὧ ἄνδρες Ἀθηναῖοι, χαλεπώτερον ἢ τοῖς αὐτοῖς ἔθεσιν ἐπιτιμᾶν τε καὶ χρῆσθαι τοὺς δημηγοροῦντας.

pr.31.1

οὐδέν ἐστίν is intended to rouse curiosity with the postponement of χαλεπώτερον until after the vocative. Next attention and goodwill are sought with the accusation of hypocrisy. The purpose of this sentence is to do the same job as a modern newspaper's headline. The charge as expressed has enough hint of scandal to make the audience want to know more.

No one is so insensible as to deny that to indulge in factions among themselves and to accuse one another when no

one is on trial is harmful to affairs.

Goodwill

τὸ γὰρ στασιάζειν πρὸς αὐτοὺς καὶ κατηγορεῖν ἀλλήλων
ἄνευ κρίσεως, οὐδείς ἐστίν οὕτως ἀγνώμων ὅστις οὐ φήσειεν
ἂν βλάβην εἶναι τοῖς πράγμασιν.

pr.31.1

First the speaker attempts to discredit his political opponents with the words στασιάζειν and κατηγορεῖν ... ἄνευ κρίσεως. Next the speaker uses double negative to assert the truth of his argument: οὐδείς ἐστίν οὕτως ἀγνώμων ὅστις οὐ φήσειεν ... This serves the purpose of producing tacit agreement, or at least the impression of tacit agreement since if there are no objections one may assume agreement by default. Further pressure is brought to bear with ἀγνώμων since voicing contradiction could incur the taunt of being ἀγνώμων. This is a key word. Another key word is βλάβην, which describes the consequence on affairs of the behaviour deplored in the speaker's opponents. In the next sentence the speaker offers advice to such men.

The speaker thinks that these men would be better if they turn the rivalry they feel for each other against the enemies of the state.

Goodwill

ἐγὼ δ' οἶομαι τούτους μὲν ἂν εἶναι βελτίους, εἰ τὴν
πρὸς αὐτοὺς φιλονικίαν ἐπὶ τοὺς τῆς πόλεως ἐχθροὺς τρέφαν-
τες ἐδημηγόρουν·

pr.31.1

The aim of this sentence is to express the speaker's recommendations to the Ecclesia. The method used is to frame this as a comment on how other orators could improve their behaviour by turning away from self-interest to the state's interest. The former consists of contentiousness, τὴν πρὸς αὐτοὺς φιλονικίαν. They are exhorted to turn this to the state's use by directing it against the state's enemies, ἐπὶ τοὺς τῆς πόλεως ἐχθροὺς τρέψαντες. The speaker could easily have recommended only consideration of how to defeat the enemies. This method enables him also to discredit his opponents.

The speaker advises the audience not to take sides with either of these factions nor to consider how either faction will become superior but how everyone will get the better of the enemies.

Goodwill

ὕμῃν δὲ παραινῶ μὴ συστασιάζειν μηδετέροις τούτων, μηδ' ὅπως ἄτεροι κρατήσουσι σκοπεῖν, ἀλλ' ὅπως ὑμεῖς ἅπαντες τῶν ἐχθρῶν περιέσεσθε. pr.31.1

The μὲν... δὲ ... construction is used to contrast the audience with the speaker's opponents and hence to isolate these orators from the audience: τούτους μὲν ... ὕμῃν δὲ... The same advice that the speaker gave to the orators is repeated for the audience: avoid factions, concentrate on the enemy. Noteworthy is the use of ἅπαντες

with ὑμεῖς. The speaker calls for unanimity.

The speaker prays to the gods that those who say anything apart from what they think will be beneficial either out of rivalry or spite or for any other reason may stop.

Attention (209), goodwill (424)

εὐχομαι δὲ τοῖς θεοῖς τοὺς ἢ φιλονικίας ἢ ἐπιηρείας ἢ
τινος ἄλλης ἔνεκ' αἰτίας ἄλλο τι, πλὴν ἃ ποθ' ἡγοῦνται συμ-
φέρειν, λέγοντας παύσασθαι· pr.31.2

Having addressed his opponents and then the Ecclesia as a whole, the speaker now addresses a prayer to the gods. This will add a more serious note to the proceedings. Moreover by implying that he has the ear of the gods the speaker will insinuate that they are on his side. The prayer, therefore, is a device used to lend support to the speaker's argument. In content the prayer is similar to the previous two sentences. First, attention is drawn to the opponents' faults, this time expressed as motives: ἢ φιλονικίας ἢ ἐπιηρείας ἢ τινος ἄλλης ἔνεκ'. φιλονικίας, again makes an appearance. Although this is expressed generally, it is intended that the audience should think of the speaker's opponents. Secondly, the speaker's recommendations are included, though this time he restricts himself to the goal of συμφέρειν, attention feature 209 and goodwill feature 424. Although this is expressed as an ideal for everyone, it is implied that this will be the

speaker's goal. Finally it is recommended that anyone engaged in topics apart from συμφέρειν should cease, and hence it is implied that anyone intent on such topics should refrain. The speaker's aim is to deny his opponents a hearing.

For to invoke a curse while giving advice is perhaps absurd.

Goodwill

τὸ γὰρ καταρᾶσθαι συμβουλεύοντ' ἴσως ἔστ' ἄτοπον.

pr.31.2

This interjection suggests that in the previous sentence πᾶσασθαι falls short of what the speaker would really like to say about his opponents' behaviour. It also implies that Ecclesia protocol forbids the resort to imprecation. But in the manner of *paraleipsis* the speaker achieves the effect of cursing his opponents while avoiding the embarrassment associated with actually making a curse. The latter is achieved with the words ἴσως ἔστ' ἄτοπον, which precludes any notion that the speaker would be insensitive enough to make a curse.

Although this is the point at which the introduction is deemed to end, it is worth observing the final remarks of pr.31.2 which constitute the opening remarks of the main body of a speech.

The speaker would accuse no one for the bad state of

affairs apart from all these men. But he thinks it necessary for the Athenians to postpone to their leisure calling these men to account and to concentrate now on the improvement of the present situation.

αἰτιασαίμην μὲν οὖν ἔγωγ' οὐδέν', ὧ ἄνδρες Ἀθηναῖοι, τοῦ κακῶς τὰ πράγματ' ἔχειν ἄλλ' ἢ πάντας τούτους· οἶομαι δὲ δεῖν παρὰ μὲν τούτων ἐφ' ἡσυχίας λόγον ὑμᾶς λαβεῖν, νῦν δ' ὑπὲρ τῶν παρόντων, ὅπως ἔσται βελτίω, σκοπεῖν. pr.31.2

Even although he wants the Ecclesia to concentrate on improving affairs, the speaker insists on mentioning the matter of punishing those responsible. Although this is to be reserved for a later date, there are implications which affect the present. The speaker's aim is to persuade the audience to postpone not only punishment but also the people i.e. the audience are not to be distracted by these people and by anything they might say now, but should adhere to what the speaker has to say now.

ARRANGEMENT

A, G

G

G

G

A (209), G (424)

G

AIM

Pr.31 may have been written to be available for use when the speaker's influence is eclipsed by several more powerful groupings. The method used to overcome this disadvantage is to denigrate such polarizations as the practice of faction which he suggests is a scourge. Nevertheless, while not condoning such behaviour, he argues that their rivalry should be redirected against external enemies in order to improve the situation. This enables the speaker to minimize the disadvantage of belonging to no faction by appearing as an arbiter for all factions to pool their resources for the overall benefit of the state.

Prooemium 32

ANALYSIS

The speaker would have liked that some of the speakers had shown as much enthusiasm for expressing the best policies as they did for making an impression as good speakers

Attention, goodwill

ἐβουλόμεν ἄν, ὧ ἄνδρες Ἀθηναῖοι, τὴν ἴσην σπουδὴν ἐνί-
ους τῶν λεγόντων ποιεῖσθαι ὅπως τὰ βέλτιστ' ἐροῦσιν, ὅσην περ
ὅπως εὔδοξουσι λέγειν pr.32.1

ἐβουλόμην ἄν is intended to attract attention by arousing curiosity about what the speaker would have liked. This is a subjective start whose effectiveness depends on the speaker's confidence and charisma. It could fall flat for a speaker whom the Ecclesia did not esteem. However, the sarcastic jibe which follows the vocative is much more likely to succeed in attracting attention and winning goodwill. With some humour this sentence highlights the speaker's priority for public-speaking the opposite of which is practised by some speakers. The speaker is able simultaneously to imply that he is about to recommend the best policies and to discredit some of his opponents by questioning their motives. Next the speaker reveals the motives which prompted his wishful thinking.

so that these men might have been thought fair rather than clever at speaking and so that Athenian affairs, as is fitting, might have been in a better condition.

Attention, goodwill

Ἴν' οὗτοι μὲν ἀντὶ τοῦ δεινοῖ λέγειν ἐπιεικεῖς ἐνομίζοντ' εἶναι, τὰ δ' ὑμέτερα, ὥσπερ ἐστὶν προσήκον, βέλτιον εἶχεν.

pr.32.1

The speaker expresses benevolence for both the other orators and for the state. However his intention is to suggest by association that these other orators are responsible for the condition of present affairs. The μὲν ... δὲ ... construction puts the orators and Athenian

affairs in contrast: οὔτοι μὲν ... τὰ δ' ὑμέτερα . This suggests that these are opposites and hence that the orators' least concern is the improvement of Athenian affairs. Making both parts of the μὲν ... δὲ ... construction dependent on ἔν' implies that the δὲ portion is consequent upon the μὲν section i.e. that an improvement would be effected by a change in the orators and hence that, as long as some orators maintain this behaviour, there can be no expectations of an improvement. The insertion of ὡςπερ ἔστιν προσῆκον is designed to attract attention and to win goodwill with the suggestion that the state's dignity is at stake and, of course, that the speaker is concerned about it. Finally the expression of improving affairs is intended to imply that the present speaker is going to show in the course of his speech how this can be achieved.

But as things stand, some are quite content with a reputation for speaking and seem to the speaker to pay no heed to what is going to happen after this to the Athenians.

Goodwill

νῦν δ' ἔνιοί μοι δοκοῦσι παντάπασι τὴν ἀπὸ τοῦ λόγου
δόξαν ἡγαπηκότες τῶν μετὰ ταῦτα συμβησομένων ὑμῖν μηδὲν
φροντίζειν. pr.32.1

The speaker repeats as an observation of current practice the conflicting loyalties of reputation and

patriotism. This is now the third time that the speaker has used this theme to discredit certain orators. He runs the risk of overstating his case and perhaps irritating the audience.

Indeed the speaker wonders whether speeches like this can deceive the man delivering them as much as the audience to whom they are delivered or whether these men consciously say in public the opposite of what they consider the best policy.

Attention, goodwill

καὶ δῆτα θαυμάζω, πότερόν ποθ' οἱ τοιοῦτοι λόγοι τὸν λέγονθ' ὁμοίως πεφύκασιν ἔξαπατᾶν ὥσπερ πρὸς οὓς ἂν λέγωνται, ἢ συνιέντες οὗτοι τάναντία τοῖς δοκοῦσιν ἑαυτοῖς εἶναι βελτίστοις δημηγοροῦσιν. pr.32.2

The speaker offers an explanation for the behaviour of these orators. The first alternative, that they are suffering from self-deception, attracts attention because it is so fanciful. But this has another purpose. If the first alternative is too fanciful then only the second alternative can be the true one. Thus the speaker accuses his opponents of deliberately suppressing the best policy for the sake of their own reputations.

For if they are unaware that the man intending to do what is required must not be bold on the basis of words but strong on the basis of armament, nor be confident on the

basis of the enemy's weakness but on the certainty of victory even if they are powerful, the decoration of their speeches has prevented them, it seems, from perceiving the most important issues.

Attention (202), goodwill

εἰ μὲν γὰρ ἀγνοοῦσιν ὅτι τὸν μέλλοντα πράξειν τὰ δέοντα οὐκ ἐπὶ τῶν λόγων θρασύν, ἀλλ' ἐπὶ τῆς παρασκευῆς ἰσχυρὸν εἶναι δεῖ, οὐδ' ἐπὶ τῷ τοὺς ἐχθροὺς μὴ δυνήσεσθαι θαρρεῖν, ἀλλ' ἐπὶ τῷ κἂν δύνωνται κρατήσειν, τὰ τῶν λόγων ἀστεῖ' ὡς ἔοικεν τοῦ τὰ μέγιστ' αἰσθάνεσθαι κενώλυκεν αὐτούς.

pr.32.2

The speaker here expounds the ramifications of his first alternative, that the orators have deceived themselves. He attributes their ignorance of the most important issues to the blinding effect of their ornate speeches. Clavaud 1974B, p.152 n.2, makes this good comment on ἀστεῖ' :

'Ce mot ne désigne pas ici "le bon usage des villes" dont Aristote fait l'éloge dans sa *Rhetorique* (3, 11, 1411 b 21), mais le "joli", par opposition au "beau"; dont le même Aristote parle dans *L'Ethique à Nicomaque*, (4, 3, 1123 b 7).'

In criticising other orators the speaker discloses, deliberately to be sure, his own policies in terms of the behaviour that is required. τὰ μέγιστ' attracts attention

as feature 202. It also attracts goodwill by virtue of the implication that the present speaker is at least one who has in fact perceived the most important issues and who will give the requisite advice.

If they do not even acknowledge their ignorance of this, but some other motive determines their preference for this, surely one has to understand that this, whatever it is, is worthless.

Goodwill

εἰ δὲ ταῦτα μὲν μηδ' ἂν φήσαιεν ἄγνοεῖν, πρόφασις δ' ἄλλη τις ἕπεστι δι' ἣν ταῦτα προαιροῦνται, πῶς οὐ χρὴ φαύλην ταύτην ὑπολαμβάνειν, ἥτις ποτ' ἐστίν; pr.32.2

The speaker's explanation of the second alternative, deliberate suppression of the best policy, is intended to produce the inescapable conclusion that these orators are prompted by some base motive. To create an impression of tacit agreement the πῶς οὐ rhetorical question is used.

The speaker will not be deterred from stating his opinion even although he sees that the Athenians have been bewitched.

Attention, goodwill

ἐγὼ δ' οὐκ ἀποτρέφομαι λέγειν ἃ δοκεῖ μοι, καίπερ
(οὕτως) ὄρων ἡγμένους ὑμᾶς· pr.32.3

The speaker's declaration that he will not hesitate to state his opinion is intended to win goodwill. The accompanying disadvantage which has caused him to mention hesitation will cause surprise and hence will attract attention because it is so unusual. The unexpected word is ἡγμένους, which suggests that the audience have been bewitched by magic. Such an extreme claim requires further explanation and that comes next.

For it would be foolish, because the Athenians have been beguiled by argument incorrectly, for the speaker about to give better advice and more beneficial policy to give in to fear.

Attention (209), goodwill (424)

καὶ γὰρ εὔηθες, λόγῳ ψυχαγωγηθέντων ὑμῶν οὐκ ὀρθῶς,
λόγον αὖ τὸν μέλλοντα βελτίῳ λέγειν καὶ μᾶλλον συμφέρονθ'
ὑμῖν καταδεῖσαι. pr.32.3

The speaker now claims that the Ecclesia have mistakenly fallen under the spell of the arguments of these orators. He also claims that his advice is better. Both these arguments are the recourse of a speaker whose policy is unpopular. This is confirmed by his expression of fear, presumably the anxiety of one fearing the hostility of the Ecclesia. But as a means of winning goodwill the speaker dismisses this fear as foolishness so that he can appear as one who overcomes fear without fuss to give profitable advice. συμφέρονθ' attracts attention as feature 209 and

goodwill as feature 424.

The speaker asks the audience to endure reflecting that they would not have decided their present decisions if they had not listened to the speeches by which they were persuaded.

Attention (201)

ἀξιῶ δὲ καὶ ὑμᾶς ὑπομεῖναι, ἐνθυμηθέντας ὅτι οὐδὲ τὰ
νῦν δοκοῦντ' ἔδοξεν ἂν ὑμῖν, εἰ μὴ τοὺς λόγους ἠκούσατ' ἐξ
ᾧν ἐπέισθητε. pr.32.3

This appeal for attention begins with a straightforward request, feature 201. The speaker justifies his request with an argument on the importance of listening as a prerequisite for making decisions. The implication is that, having heard the present speaker, the Ecclesia may want to make new decisions.

Just as the audience would have thought it necessary to examine a coin to judge its worth, in this way also the speaker asks the audience to consider the speech that has been made with regard to what the speaker has to say against it.

Attention

ὡσπερ ἂν τοίνυν, εἰ νόμισμ' ἐκρίνεθ' ὁποῖόν τί ποτ'
ἔστιν, δοκιμάσαι δεῖν ἂν ᾤθητε, οὕτω καὶ τὸν λόγον ἀξιῶ

Clavaud 1974B, p.153 n.7 (reference p.113), suggests that the image of money 'n'est pas inconnue de Démosthène.' As evidence he cites 20.167 and 24.213. This bears the hallmark of one desperately trying to believe that pr.32 was written by Demosthenes. It is more reasonable to comment that it would be hard to find this kind of illustration in other Demosthenic introductions. The speaker is now making heavy weather of his appeal for attention. In using the simile of testing a coin he is scraping the barrel of his resourcefulness. He invites the audience to use his speech as a test of the worth of his opponent's speech, which they have just heard and, as the speaker suspects, approved. To be able to do this, of course, they would have to listen to his speech.

If the Athenians discover the opponent's speech to be beneficial they should respond to good fortune. But if in examining each detail it is obviously foreign to Athenian interests, before making a mistake, they should change their plans and employ the correct policies.

Attention, goodwill

ἐὰν μὲν συμφέρονθ' εὔρητε, ἀγαθῇ τύχῃ πείθεσθαι, ἂν δ' ἄρ' ἕκαστα λογιζομένοις ἀλλοιότερος φανῆ, πρὶν ἀμαρτεῖν μεταβουλευσαμένους, τοῖς ὀρθῶς ἔχουσιν χρήσασθαι.

The first part of this sentence is intended to display the speaker's magnanimity and his concern for the city's interests. The second part is presented, by its order in the sentence as the final comment, as the more likely option. The words φανῆ and ὀρθῶς reinforce this impression. The implicit message to the audience is that they should change their minds and adopt the speaker's policies which are the right ones. This prospect is designed to attract attention and to win goodwill.

ARRANGEMENT

A, G

A, G

G

A, G

A (202), G

G

A, G

A (209), G (424)

A (201)

A

A, G

AIM

Pr.32 has been written to be available for use when the Ecclesia has accepted the recommendations of the speaker's opponents not only before hearing the speaker's

views but also with a reluctance to hear the speaker at all. The aim, therefore, of pr.32 is to persuade the audience to change their minds so that they will grant the speaker a hearing and perhaps even approve what he has to say. Unfortunately the speaker's arguments are not only long-winded and repetitive but at times even bizarre, for example, when he suggests that the audience have been bewitched by his opponents.

Prooemium 33

ANALYSIS

The speaker's greatest wish is that the Athenians will be persuaded by what he is going to say.

Attention, goodwill

μάλιστα μὲν ὧ ἄνδρες Ἀθηναῖοι, βουλοίμην ἂν ὑμᾶς ἀ-
μέλλω λέγειν πεισθῆναι. pr.33.1

The opening words are similar to the start of pr.32, ἐβουλόμην ἂν. But the addition of μάλιστα as the first word makes this phrase much more effective as an attention catcher. The idea of what one would desire most conjures up all kinds of escapist fantasies and impossible dreams as well as more realistic aspirations. The speaker taps this reservoir of human fancy. His opening words, μάλιστα μὲν, ὧ ἄνδρες Ἀθηναῖοι, βουλοίμην ἂν, are redolent with the

prospect of vicarious fulfilment. Having secured attention in this way the speaker now reveals that his greatest desire is to convince the Ecclesia with his impending speech. This direct request for goodwill, although it may be greeted as an anticlimax, brings those on a flight of fancy down to earth. It is also intended to ingratiate the speaker with the audience by affirming that his greatest desire is the acquisition of their support.

But if it should turn out otherwise, the speaker would accept before everything the consolation that it was by him, at least, that these sentiments had been expressed.

Goodwill

εἰ δ' ἄρα τοῦτ' ἄλλη πη συμβαίνοι, ἑμαυτῷ γ' ἂν εἰ-
ρῆσθαι πρὸ παντὸς αὐτὰ δεξαίμην. pr.33.1

The speaker now envisages failure and asserts that to have spoken these words himself is what he would receive before everything. The latter, ἂν... πρὸ παντὸς... δεξαίμην, recalls the earlier μάλιστα... βουλοίμην ἂν. Indeed the two ideas are inseparable. They are connected by the μὲν... δὲ... construction and the chiasmic structure of this extended sentence. The purpose here of πρὸ παντὸς... δεξαίμην is to affirm for the audience's sake the speaker's conviction and belief in what he has to say. The implication is that, even if the words leave the audience unmoved, they were worth saying in the first place, and the loss will be the audience's, not the speaker's.

It is difficult not only, it seems, to explain to the audience what is required but also to discover it oneself by contemplation.

Attention

ἔστι δ' οὐ μόνον, ὡς δοκεῖ, τὸ πρὸς ὑμᾶς εἰπεῖν χαλεπὸν τὰ δέοντα, ἀλλὰ καὶ καθ' αὐτὸν σκοπούμενον εὐρεῖν·

pr.33.1

This sentence attracts attention by causing surprise. The sentiment after ἀλλὰ καὶ is unexpected. The audience would be expecting something like, 'It is difficult not only to explain to you ... but also to get you to put it into practice'. Instead the speaker admits to experiencing difficulty himself in discovering τὰ δέοντα. Those of the audience who suspected that the claim of difficulty was the precursor of an accusation of recalcitrance must now wonder why the speaker seems to be pleading incompetence. The speaker's purpose is to make the audience attend to what he is going to say next.

Anyone would realize this if he thought that the audience would consider not his speech but the matters under consideration and had more enthusiasm for appearing to be a fair man than a clever speaker.

Attention (212), goodwill

γνοίη δ' ἄν τις, εἰ μὴ τὸν λόγον ὑμᾶς, ἀλλὰ τὰ πράγματ'

ἐφ' ὧν ἔστε σκέψεσθαι νομίσαι, καὶ πλείω σπουδῆν τοῦ δοκεῖν ἐπιεικῆς εἶναι ἢ τοῦ δεινὸς εἶπεῖν φανῆναι ποιοῖτο.

pr.33.1

It is now clear that the previous sentence was bait for the trap that the speaker has set. χαλεπὸν does not refer to competence but to effort. The speaker implies that some orators do not take their task seriously enough but devote their efforts to the elaboration of their speeches and not to the clarification of current issues. He insinuates that if they were doing their job properly they would realise how difficult it was. The audience are allowed to take for granted that the speaker's difficulty is the result of doing the job properly. But the audience do not escape the speaker's criticism. There is a trace of censure in τὸν λόγον ὑμᾶς ... σκέψεσθαι . The audience participate in, perhaps even encourage, the negligence of some orators by considering the speech rather than considering current issues. Indeed the speaker implies that it would be a departure from the norm for them to do the latter rather than the former. ἐπιεικῆς attracts attention as feature 212, since it is implied that the speaker is that kind of man.

The speaker at any rate, for goodness sake, when it occurred to him to consider present affairs, found themes in plentiful supply to which the Athenians would have listened and not without pleasure.

Attention (206), goodwill

ἐγὼ γοῦν (οὕτω τί μοι ἀγαθὸν γένοιτο) ἐπειδὴ περὶ τῶν παρόντων ἐπῆει μοι σκοπεῖν, λόγοις μὲν καὶ μάλ' ἀφθόνοισι, οὓς οὐκ ἂν ἀηδῶς ἠκούεθ' ὑμεῖς, ἐνετύγχανον. pr.33.2

The speaker moves from generalization to personal example. Indeed this is almost anecdote. The parenthesis, οὕτω τί μοι ἀγαθὸν γένοιτο, adds a conversational flavour while at the same time making it clear that the speaker's intentions here are playful. His game is caricature. Still present is the implication that the audience indulge those who offer such entertainment: οὐκ ἂν ἀηδῶς ἠκούεθ' ὑμεῖς. οὐκ ... ἀηδῶς attracts attention as feature 206 since the speaker implies that he is about to mention some of these entertaining themes.

For example, 'You are the most just of the Greeks'. The speaker observed and observes many things to say about that. He also observes 'You have the most noble ancestors' and many such things.

Goodwill

καὶ γὰρ ὡς δικαιοτάτοι τῶν Ἑλλήνων ἐστέ, πολλ' ἄντ' εἶπεῖν καὶ ἑώρων καὶ ὀρῶ, καὶ ὡς ἀρίστων προγόνων, καὶ πολλὰ τοιαῦτα. pr.33.2

These references are intended to amuse the audience for a moment before the speaker resumes his serious point.

But these themes give pleasure all the time that they are being related but after this they go away.

Goodwill

ἀλλὰ ταῦτα μὲν τὸν χρόνον ἡσθῆναι ποιήσανθ' ὅσον ὄν
ῥηθῆ, μετὰ ταῦτ' οἴχεται. pr.33.2

The themes are dismissed as ephemera.

But it is necessary that the orator shows himself the adviser of some action through which some subsequent good will be obtained for the Athenians.

Attention, goodwill

δεῖ δὲ πράξεώς τινος τὸν λέγοντα φανῆναι σύμβουλον, δι'
ἦν καὶ μετὰ ταῦτ' ἀγαθοῦ τινος ὑμῶν ἔσται παρουσία.

pr.33.3

Necessity, δεῖ, is cited to lend support to the speaker's argument. He extols an ideal for orators. It is assumed that he already practises this himself and hence that on the present occasion he has something to say which will have beneficial consequences, and which, accordingly, is worthy of attention and support.

The speaker is already aware from experience that this is rare and difficult to discover.

Attention, goodwill

τοῦτο δ' ἤδη καὶ σπάνιον καὶ χαλεπὸν πεπειραμένος οἶδ'
ὄν εὔρεῖν pr.33.3

χαλεπὸν recalls its earlier use at pr.33.1. The speaker here gathers up loose ends and reinforces his point. σπάνιον offers a new aspect. The speaker seems to suggest that it is a rare occurrence to discover the requisite advice. Why does he do this? For one thing this will magnify his achievement when he actually provides the requisite advice for the present circumstances. He may also imply with σπάνιον that success is not granted to many orators. In that case the speaker could be attempting to present himself as an exceptional orator. πεπειραμένος is intended to lend authority to the speaker's testimony. It implies that if anyone can do this then it is the present speaker.

For it is not enough to see such things unless one is able also to persuade the audience who collectively are responsible.

Goodwill

οὐδὲ γὰρ αὐτάρκες τὸ ἰδεῖν ἐστι τὰ τοιαῦτα, ἂν μὴ καὶ
πεῖσαι τις τοὺς συναρουμένους ὑμᾶς δυνηθῆ. pr.33.3

The speaker returns to the theme with which he began pr.33: persuading the audience. Progression has been made by assumption. It is assumed that an orator, indeed the present speaker too, has been able, in spite of the

difficulty, to identify the requisite policy. But a further hurdle awaits: the Ecclesia has to be persuaded. Noteworthy is the description of the audience: τοὺς συναρουμένους ὑμᾶς. The speaker draws attention to the collective responsibility of the audience. In the final sentence he defines their role and its relationship with his.

Nevertheless the present speaker's task is to say, he suggests, what he has convinced himself is beneficial, while the audience's task is to listen, to judge and, if it pleases, to put into practice.

Attention (209), goodwill (424)

οὐ μὴν ἄλλ' ἐμὸν μὲν ἔργον εἰπεῖν ἴσως ἂν πέπεικ' ἐμαυτὸν
συμφέρειν, ὑμέτερον δ' ἀκούσαντας κρῖναι, κἂν ἀρέσκη,
χρῆσθαι. pr.33.3

The speaker no longer generalizes about the orator's task. It is his own task, ἐμὸν μὲν ἔργον, that he balances with the audience's task, ὑμέτερον δ'. His task consists of giving advice that will be profitable, εἰπεῖν ... ἂν ... συμφέρειν. Of course it is implied that he will do this on the present occasion. συμφέρειν therefore attracts attention as feature 209 and goodwill as feature 424. The audience, in turn, are to listen, to judge and to use the speaker's policy. κἂν ἀρέσκη is inserted before the latter for the sake of politeness. The speaker does not want to appear too presumptuous in telling the Ecclesia their job.

κᾶν ἀρέσκη makes it clear that he is not trying to steal the audience's thunder nor to pre-empt their decision. However, κᾶν ἀρέσκη puts into the minds of the audience the idea of a positive response to the speaker's policy. The speaker's stipulation of respective roles within a relationship has engineered for the prooemium's progression a happy ending. It will be hoped that a similar outcome for the current situation can be manipulated by the speaker in his accompanying speech upon which he is now ready to embark.

ARRANGEMENT

A, G

G

A

A (212), G

A (206), G

G

G

A, G

A, G

G

A (209), G (424)

AIM

Pr.33 has been written to be available for use when the speaker intends to introduce a serious note and a call

for action into an Ecclesia that has become accustomed to vainglorious and adulatory speeches. By use of gentle mockery and by appealing to the responsibility of orators and audience alike, the speaker advances the idea of an orator's difficulty in discovering the requisite policy to that of co-operation between speaker and audience in expounding and adopting policy. At the start of the prooemium the speaker was a lone voice whose greatest wish was to persuade the Ecclesia. By the end he is an element fulfilling an integral role. This is an excellent introduction.

Prooemium 34

ANALYSIS

It was not unclear the other day, when the Athenians did not think it necessary to hear those wishing to speak in opposition to what a certain man was saying, that this would happen, which is occurring now, that those who were prevented then would speak before another assembly.

Statement (101), attention, goodwill

οὐκ ἄδηλον ἦν, ὧς ἄνδρες Ἀθηναῖοι, πρόην, ὅτε τῶν ἀντιλέγειν βουλομένων οἷς ὁ δεῦν' ἔλεγεν οὐκ ᾤεσθ' ἀκούειν χρῆναι, ὅτι συμβήσεται τοῦθ' ὁ νυνὶ γίγνεται, ὅτι οἱ τότε κωλυθέντες ἐροῦεν εἰς ἑτέραν ἐκκλησίαν. pr.34.1

The opening words, οὐκ ἄδηλον ἦν , are designed to rouse curiosity. 'What was not unclear?' is the question that the audience are meant to ask themselves. The words are also employed to lend authority to the speaker's forthcoming remarks. The sentence contains statement, feature 101, of the immediate background to the speaker's subject. πρῶην, νυνὶ and τότε provide chronological links. However the main purpose of this sentence is to convince the audience that the speaker's comments have the ring of truth. πρῶην, νυνὶ and τότε therefore are cited to pinpoint detail in the manner of circumstantial evidence. Who does the speaker mean by ὁ δεῖν'? One explanation is that this is a blank reference, like the modern "X", which will be given an identity when the time comes to deliver the prooemium. Alternatively it may be deliberate concealment for use when the speaker wants to refer to someone without mentioning his name but in such a way as to make his identity clear. But the most likely explanation is that ὁ δεῖν' does not signify anyone in particular. The speaker is making a general point on the seesaw pattern of orators' ability to secure a hearing. Those denied an opportunity to oppose the statements of a certain speaker, ὁ δεῖν', at one meeting of the Ecclesia will succeed in securing a hearing at a later meeting. The attention is focused on τῶν ἀντιλέγειν βουλομένων, not on ὁ δεῖν' . χρῆναι suggests that the speaker approved the Ecclesia's decision not to grant them a hearing.

R. Clavaud 1974B, p.153 n.11, correctly defends εἰς

ἑτέραν ἐκκλησίαν against the variant reading εἰς τὴν ἑτέραν ἐκκλησίαν. He gives a good explanation of the respective uses of εἰς ἑτέραν ἐκκλησίαν in this sentence and of εἰς τὴν ἑτέραν ἐκκλησίαν which actually occurs in the next sentence:

'Proprement: "une seconde séance". Plus loin "la seconde séance": dans le premier cas, Démosthène avait prévu que les orateurs éconduits remettraient la question en délibération dans une des prochaines séances; dans le second cas, voyant les deux adversaires se passionner et les premiers orateurs éconduits imposer à leur tour silence à leurs rivaux, il comprend que dès la prochaine séance les débats reprendront.'

If then the Athenians do the same as before and are unwilling to hear those wishing to speak in support of the decisions approved at that time, these men in turn will bring the matter up again at the following assembly and will denounce these decisions.

Goodwill

ἂν τοίνυν ταῦθ' ἄπερ πρότερον ποιήσητε, καὶ τῶν τοῖς τότε δόξασι συνειπεῖν βουλομένων μὴ θελήσητ' ἀκοῦσαι, πάλιν ταῦτ' εἰς τὴν ἑτέραν ἐκκλησίαν οὔτοι λαβόντες τούτων κατηγορήσουσιν.

pr.34.1

The speaker censures his audience for allowing by default the practice of re-opening deliberation at

subsequent sessions because, as will be revealed later, on this particular occasion it is against his interest.

In no way could affairs become worse, nor could the Athenians show themselves more absurd than if none of their decisions should seem final and leaving aside what is beneficial they should make no headway but like spectators at the theatre should support those who first catch their attention.

Attention, goodwill

οὐδαμῶς, ὦ ἄνδρες Ἀθηναῖοι, οὔτε τὰ πράγματα χείρῳ γένοιτ' ἄν, οὐθ' ὑμεῖς ἀτοπώτεροι φανείητε, ἢ εἰ μήτε τῶν δοξάντων ὑμῖν πέρας μηδὲν ἔχειν δοκοίη, μήτ' ἀφέντες ἃ συμφέρει, τῶν πρὸ ὁδοῦ τι περαινόντες, εἴητε δ' ὡσπερ τὰ θεάτρα τῶν προκαταλαμβανόντων.

pr.34.2

The speaker continues his attempt to change the Ecclesia's habit. οὐδαμῶς is emphasized by its position at the start of the sentence and by the juxtaposition of the vocative which allows a pause for the word to sink in. οὐδαμῶς therefore is intended to attract attention and to win support for the speaker by highlighting the negative prospects for the audience if they continue like this. χείρῳ and ἀτοπώτεροι are key words used to attract attention and to win goodwill. The former underlines the consequence on affairs while the latter stresses the effect on the Ecclesia's reputation. So far the speaker has been exerting pressure on the audience. In the next part of the

sentence he puts the problem, as he sees it, in a nutshell, εἰ μήτε τῶν δοξάντων ὑμῶν πέρασ μηδὲν ἔχειν δοκοίη. The speaker offers this diagnosis with its implied cure as a generalization. However it suits his present interest because, as he will reveal later, he does not want a decision approved previously to be changed now. Hence his call for final decisions. As in the previous clause he again uses the leverage of the audience's reputation. In the next clause he adds the further embarrassment of irresponsibility, ἀφέντες ἃ συμφέρει, a sin of omission expressed with the active form, ἀφέντες, to suggest commission. W. Rennie 1931, p.387, has the reading, μήτ' ἀφέντες ἃ μὴ συμφέρει, 'and leaving aside what is not beneficial.' The reading ἃ συμφέρει is preferred because it allows the speaker to suggest that the audience have abandoned beneficial policy approved at a previous meeting of the Ecclesia. This is consistent with the speaker's desire not to re-open debate since that would jeopardize the decision made at the previous assembly which the speaker supported. ἃ συμφέρει refers to that decision. ἃ μὴ συμφέρει cannot refer to this but must be a generalization which implies incompetence rather than irresponsibility since in spite of scrupulous avoidance of what is not beneficial the Athenians still make no headway. Moreover the apparatus criticus of Rennie, p.387, and that of R. Clavaud 1974B, p.115, report that the oldest and most reliable manuscripts which include the *Prooemia*, S and F, both omit μὴ here. συμφέρει is a key word normally used by orators to cultivate an audience with the promise of

benefit. Here the speaker taunts the audience with the word to suggest that they are out of step since they do the opposite of what one would normally expect of them. A consequence of this is that they make no headway, μήτ'... τῶν πρὸ ὁδοῦ τι περαινόμετε. This idea illustrates well the speaker's point. Reversal of decisions at each new session is like moving backwards at one meeting by as much as one had moved forward at the previous meeting. The end result is that there is no forward motion at all. One stands still. Finally the speaker compares their behaviour with that of an audience at a theatrical performance. The imagery of ὡς περ τὰ θεάτρα is designed to remind the audience that their present assembly is for a purpose different from a gathering at the theatre. The reproach, τῶν προκαταλαμβανόντων, suggests fickleness caused by giving allegiance too quickly without sufficient consideration.

By no means!

Goodwill

μηδαμῶς, ὡς ἄνδρες Ἀθηναῖοι

pr.34.2

This negative command is emphasized by its resemblance to and recollection of the earlier οὐδαμῶς, ὡς ἄνδρες Ἀθηναῖοι, which was the harbinger of the speaker's gloom and doom prospects. μηδαμῶς not only cancels these but sweeps up in the process their accumulative vigour. In so far as the speaker intimidated the audience with the fear of

political deterioration and ridicule, now, to the same extent, does μηδαμῶς assert the speaker's insistence that such things should not be allowed to happen. μηδαμῶς is therefore pivotal. It enables the speaker to move from what could happen to what should happen.

but let the audience carry out this task and give an impartial hearing to both sides

Attention, goodwill

ἀλλὰ πονήσαντες τὸν πόνον τοῦτον καὶ παρασχόντες ἴσους ἀκροατὰς ἀμφοτέροις ὑμᾶς αὐτούς ... pr.34.2

When is a request for a hearing not a request for a hearing? Although the speaker calls for an impartial hearing for both sides, he is requesting not so much attention for his own speech but approval for his policy that decisions made at previous assemblies should not be changed by re-opening deliberation on the subject at later assemblies. Allowing both sides an equal opportunity at each assembly would preclude the need for re-opening the discussion on a subject that had appeared to have been decided at an earlier assembly.

and first let them choose a policy that they will also carry out and then let them understand that whoever opposes measures thus once sanctioned is a villain and ill disposed towards the Athenians.

Goodwill

πρῶτον μὲν ἔλεσθ' ὅ τι καὶ ποιήσετε, ἔπειθ' ὑπολαμβάνετε, ἔάν τις ἐναντιῶται τοῖς ἅπαξ οὕτω δοκιμασθεῖσι, πονηρὸν καὶ κακόνου ὑμῶν. pr.34.2

This part of the sentence is again designed to further the speaker's aim. ὅ τι καὶ ποιήσετε is an important clause. The Ecclesia are not merely to make decisions, ἔλεσθ'. They have been doing that all along. They are also to carry them all the way through to the action stage. They must put policy into practice. This would preclude the power to change decisions. However, there would be those who might want to try. The second part of this section is designed to counter these attempts to change policy. The method used is to discredit such people by calling them πονηρὸν καὶ κακόνου ὑμῶν. Noteworthy is the way in which the speaker resists direct accusation but insinuates the charge into the minds of the audience with the word ὑπολαμβάνετ'.

On the one hand it is pardonable that a man who has not obtained a hearing should feel convinced that he has better advice than that approved by the Ecclesia.

Goodwill

τὸ μὲν γὰρ λόγου μὴ τυχόντα πεπεῖσθαι βέλτιον τῶν ὑμῶν δοκούντων αὐτὸν ἐντεθυμησθαι συγγνώμη· pr.34.3

This sentence is intended first to make the speaker

seem reasonable and fair because he is able to see the other person's point of view. However it is also meant to state conditions by which behaviour is deemed pardonable so that by the same token it may be deemed unpardonable when these conditions are not met.

On the other hand when the Ecclesia has given a hearing and has judged both sides, to persist in shameful behaviour and to refuse to give in to the consensus of opinion and to retire would clearly give ground for suspicion of some ulterior motive that is not just.

Goodwill

τὸ δ' ἀκουσάντων ὑμῶν καὶ διακρινάντων ἔτ' ἀναίσιχυντεῖν,
καὶ μὴ συγχωρεῖν ἐνδόντα τῆ τῶν πλειόνων γνώμη, ἄλλην τιν'
< ἄν > ὑποψίαν οὐχὶ δικαίαν ἔχειν φανεῖη.

pr.34.3

In the previous sentence the speaker defined the only circumstances in which re-opening deliberation on a subject previously resolved was justifiable. That was when the opposition had been denied the opportunity at that previous assembly to state their case before the decision was made. In this sentence the speaker censures those orators who, although they had enjoyed at at previous assembly equal opportunity to state their case but had been defeated by majority decision, nevertheless insist on re-opening the subject at a subsequent assembly. Such men are at fault. The speaker justifies this conclusion with the word φανεῖη,

which implies that the audience can see this as well as the speaker. Moreover he tries to discredit them by alleging shameful behaviour, ἀναίσιχυντεῖν, and unjust motive, ἄλλην τιν' ... οὐχὶ δικαίαν ἔχειν.

The speaker would have thought it necessary to remain silent on the present occasion if he had seen the Athenians abiding by what they had decided.

Goodwill

ἐγὼ μὲν δὴ σιωπᾶν <ἀν> ῥῆμην δεῖν ἐν τῷ παρόντι, εἰ μένοντες ὑμᾶς ἐώρων ἐφ' ὧν ἔδοξεν· pr.34.3

The speaker appears to be about to practise what he has been preaching by remaining silent on the present occasion. δεῖν bolsters this course with the support of necessity. However, the speaker allows himself an escape clause, εἰ μένοντες ὑμᾶς ἐώρων ἐφ' ὧν ἔδοξεν. The audience must keep their part of the bargain.

For the speaker is one of those who has been persuaded that those decisions are beneficial to the Athenians.

Attention (209), goodwill (424)

εἰμὶ γὰρ τῶν ἐκεῖνα πεπεισμένων συμφέρειν ὑμῖν. pr.34.3

The speaker now offers his personal view which he

bases on the belief that the decisions already formed will prove to be beneficial. συμφέρειν attracts attention as feature 209 and goodwill as feature 423. This sentence signals that it is a real possibility that the speaker will break his silence. συμφέρειν is used to justify this course.

But since some of the audience seem to the speaker to have changed their minds in response to the speeches of these men, even although they perhaps know that their statements are neither true nor beneficial for the Athenians, the speaker will nevertheless explain this in case the audience are unaware of it.

Statement (102), attention, goodwill

ἐπειδὴ δ' ὑπὸ τῶν παρὰ τούτων λόγων μεταβεβλήσθαι μοί
τινες δοκοῦσιν, ὡς οὔτ' ἀληθῆ λέγουσιν οὔθ' ὑμῖν συμφέροντα,
ἴσως μὲν εἰδότας, οὐ μὴν ἄλλ' εἰ καὶ τυγχάνετ' ἀγνοοῦντες,
διδάξω. pr.34.3

The speaker now avails himself of his escape clause, ἐπειδὴ δ' ὑπὸ τῶν παρὰ τούτων λόγων μεταβεβλήσθαι μοί τινες δοκοῦσιν. He comments on these speeches in order to discredit his opponents. The speeches contain statements that are οὔτ' ἀληθῆ ... οὔθ' ὑμῖν συμφέροντα. The former charge suggests at least error at worst deceit, while the latter implies unquestionable incompetence and possible irresponsibility. The two allegations are intended to secure attention and to win goodwill for the speaker's own

speech by implying that it will be the opposite. It will be true and it will be beneficial. To reinforce his charges the speaker asserts that the audience are aware of them, ἴσως μὲν εἰδότες. ἴσως and the earlier μοί τινες δοκοῦσιν suggest a politeness perhaps inspired by caution. The same can also be said for the next clause, εἰ καὶ τυγχάνει ἄγνοοῦντες. Another aspect of the latter is that it allows the speaker to appear as if he is doing the audience a service. Finally διδάξω is an example of feature 102. The speaker predicts what he is going to explain in the main part of his speech.

ARRANGEMENT

S (101), A, G

G

A, G

G

A, G

G

G

G

G

A (209), G (423)

S (102), A, G

AIM

Like pr.29 the subject of pr.34 is the question of

re-opening deliberation on an issue that had apparently been decided at an earlier meeting of the Ecclesia. In pr.29 the speaker argues in favour of re-opening deliberation because in the earlier debate his point of view had been denied an airing. Pr.34, on the other hand, has been written to be available for use in the opposite eventuality. The speaker argues against the principle of re-opening discussion ostensibly because it is disadvantageous and unseemly for the Ecclesia to make decisions that are not going to be final. However the speaker has another motive. The earlier decision was the one that he approved and he does not want it changed. But he acknowledges that a second period of discussion is inevitable and therefore comes to the defence of the earlier decision. He justifies this apparent contradiction of his principle, that there should be no additional deliberations, by blaming those of the audience who seem to have changed their minds about the earlier decision.

Prooemium 35

ANALYSIS

It was necessary and it was just for each orator to convince the audience of what he thought was best when they were deliberating about these matters for the first time

Attention (207), goodwill (422)

ἔδει μὲν, ὧ ἄνδρες Ἀθηναῖοι, καὶ δίκαιον ἦν τότε
πεῖθειν ὑμᾶς ὅ τι ἄριστον ἕκαστος ἠγεῖτο, ὅτ' ἐβουλευέσθε
τὸ πρῶτον περὶ τούτων pr.35.1

The opening words, ἔδει μὲν, are designed to rouse curiosity given the postponement of their reference until after the vocative. Curiosity is not relieved immediately after the vocative as justice is now cited, δίκαιον ἦν. This attracts attention as feature 207 and goodwill as feature 422. τότε is a key word later qualified with τὸ πρῶτον. These words reveal that the speaker is going to censure the practice of re-opening debate on an issue that had been apparently settled at a previous session of the Ecclesia. With these words the speaker nails his colours to the mast. The generalization, ὅ τι ἄριστον ἕκαστος ἠγεῖτο, is designed to win attention and goodwill by implying that the present speaker is one who always does this and that the present speech will be no exception.

to prevent happening two things which are the most unprofitable of all to the city, that no decision of the Athenians is final, and that the Athenians convict themselves of madness by changing their minds.

Goodwill

ἵνα μὴ συνέβαινεν ἃ δὴ δύο πάντων ἐστὶν ἀλυσιτελέστατα τῇ πόλει, μήτε πέρας μηδὲν εἶχεν τῶν ὑμῖν δοξάντων, παρανοίας θ' ὑμεῖς κατεγλιγνώσκεθ' ὑμῶν αὐτῶν μεταβουλευόμενοι.

pr.35.1

The speaker adds pressure to convince the audience of his point of view. The prevention of disaster is offered as an incentive. ἀλυσιτελέστατα is a key word, which along with δύο πάντων is used to emphasize and to introduce further pressure. μήτε πέρας μηδὲν εἶχεν τῶν ὑμῶν δοξάντων is a veiled accusation of dithering, designed to encourage the Athenians to abide by their previous decision. The depth of the speaker's feeling is indicated by his claim, παρανόλας θ' ὑμεῖς κατεγιγνώσκεθ' ὑμῶν αὐτῶν μεταβουλευόμενοι. This is an extreme charge. The speaker must feel that extreme measures are necessary.

Since certain men who then kept silent are now casting censure, the speaker wishes to say a few words to them.

Statement (102), attention, goodwill

ἐπειδὴ δὲ σιωπήσαντες τότε νῦν ἐπιτιμῶσί τινες, βούλομαι μικρὰ πρὸς αὐτοὺς εἰπεῖν. pr.35.1

The μὲν ... δὲ ... construction is used to contrast what is actually happening with what ought to be done. This is reinforced by the repetition of τότε. In the previous sentence τότε was qualified with τὸ πρῶτον περὶ τούτων. With the help of juxtaposition it is now contrasted with νῦν which is thereby shown in sharp relief. As well as time, activities are also contrasted. Chiastic construction enhances the contrast, σιωπήσαντες τότε νῦν

ἐπιτιμῶσί. The culprits are not specified but are designated τινες. Their identity will be clear anyway since presumably they have just been demanding a renewed session of debate. βούλομαι μικρὰ πρὸς αὐτοὺς εἰπεῖν is an example of statement feature 102. μικρὰ is designed to win attention on the grounds that the speaker is not going to take up much of the audience's time.

ARRANGEMENT

A (207), G (422)

G

S (102), A, G

AIM

Pr.35 resembles pr.34 in that it is a plea for the abolition of re-opening deliberation at subsequent assemblies. As in the case of pr.34 the speaker does not want the previously made decision to be changed. The difference is that, while in pr.34 he blamed the audience, in pr.35 he blames his political opponents. Pr.35.1 is a succinct and neat introduction. Pr.35.2-4 constitutes the opening remarks of the accompanying speech. Pr.35.1 contains no specific references to a historical context.

ANALYSIS

First the speaker thinks that one would certainly not have reasonable grounds for fearing on the Athenians' behalf that they would deliberate worse from refusing to hear their advisers.

Attention, goodwill

πρῶτον μὲν, ὧ ἄνδρες Ἀθηναῖοι, οὐ πάνυ μοι δοκεῖ τις ἂν εἰκότως περὶ ὑμῶν δεῖσαι, μὴ παρὰ τὸ τῶν συμβουλευόντων οὐκ ἐθέλειν ἀκούειν χεῖρον βουλευέσθητε. pr.36.1

This sentence attracts attention with its paradoxical insinuation that the Ecclesia would do just as well without the speeches of their advisers. This is a surprising beginning for someone who is about to offer advice. It is not yet clear but by τῶν συμβουλευόντων the speaker means his fellow orators and does not include himself. Accordingly this sentence also begins an attempt to discredit the other orators.

For, in the first place, Fortune, acting favourably, takes care of many Athenian affairs automatically, as the Athenians might request in prayer

Goodwill

πρῶτον μὲν γὰρ ἡ τύχη, καλῶς ποιούσα, πολλὰ τῶν πραγμά-

των ὑμῶν αὐτόματα, ὡς ἂν εὐξαισθε, παρίστησιν

pr.36.1

The influence of Fortune is cited to account for the paradox mentioned in the previous sentence. The speaker qualifies Fortune's intervention. It is noble, καλῶς ποιοῦσα, and it is like an answer to prayer, ὡς ἂν εὐξαισθε. Does the speaker expect the audience to take literally his statements about Fortune? At the very least this would be understood as gentle mockery, if not as sarcasm. However there is nothing cryptic about the explanation which is attached to this testimonial on Fortune.

since few of the Athenians' affairs would go well if left to the foresight, such as it is, of those holding sway.

Goodwill

ἐπεὶ τῆ γε τῶν προεστηκότων προνοία βραχέ' αὐτῶν εἶχεν ἂν καλῶς.

pr.36.1

The speaker pours scorn on those of his colleagues who are currently exercising influence.

Next the Athenians know in advance not only the speeches that each man will make but also each man's motive for speaking in public and, if it were not contentious, the speaker would also have said for what fee.

Goodwill

Ἐπειθ' ὑμεῖς οὐ μόνον τοὺς λόγους οὐς ἂν ἕκαστος εἴποι
πρόϋστε, ἀλλὰ καὶ ὧν ἕνεκ' αὐτῶν ἕκαστος δημηγορεῖ, εἰ δὲ
μὴ φιλαπέχθημον ἦν, εἶπον ἂν καὶ πόσου. pr.36.1

The speaker offers scathing comment on the predictable and transparent themes favoured by his opponents. It is noteworthy that he involves the audience in this observation, πρόϋστε. The aim is to isolate his opponents from the audience. The speaker also indulges in *paraleipsis*, εἰ δὲ μὴ φιλαπέχθημον ἦν, εἶπον ἂν καὶ πόσου. The aim of this is to smear these orators with the grime of corruption.

The Athenians seem to the speaker to be wise in reducing to a minimum the time for deception.

Goodwill

τὸν δὴ τοῦ φενακίζεσθαι χρόνον ὡς εἰς μικρότατον συνά-
γοντες σωφρονεῖν ἔμοιγε δοκεῖτε. pr.36.2

The speaker tries to widen the gulf he is creating between the audience and his opponents. He congratulates the audience on their wisdom, σωφρονεῖν, which has limited the amount of time available to the speaker's opponents for practising what he calls deception, τοῦ φενακίζεσθαι. The speaker's obloquy is cumulative. It is thrown like mud in the hope that some of it will stick.

If the speaker were intending to say any of the same stuff as the others he would not have thought it necessary to bore the audience by speaking.

Attention, goodwill

εἰ μὲν δὴ τι τῶν αὐτῶν ἔμελλον τοῖς ἄλλοις ἔρεῖν, οὐκ ἂν ῥῆμην δεῖν λέγων ἐνοχλεῖν. pr.36.2

The speaker implies that his opponents' speeches are boring and not worth hearing. This recalls the beginning of the prooemium where the speaker inferred that the Ecclesia would do just as well even if they were unwilling to listen to their advisers. The reciprocal implication also applies: that by contrast the speaker is not going to deal in the same coinage and that consequently he will not annoy the audience but will have something to say that is worth hearing. οὐκ ἂν ῥῆμην δεῖν λέγων ἐνοχλεῖν is also intended to convey the impression that the speaker is a considerate man who would not subject the audience to unnecessary tedium.

But in fact the speaker thinks that he is going to make a speech which will be beneficial for the Athenians to hear and altogether removed from what the majority expects.

Attention (209), goodwill (424)

νῦν δὲ συμφέροντα μὲν ὑμῖν ἀκοῦσαι, παντάπασι δ' ἀφελ-
στηκότα τῶν ὑπὸ τῶν πολλῶν προσδοκωμένων οἴομαι λόγον ἔρεῖν.

pr.36.2

συμφέροντα attracts attention as feature 209 and goodwill as feature 424. Attention is also sought with the promise of a surprise for the majority of the audience. R. Clavaud 1974B, p.118 n.1, makes an enigmatic comment:

'Façon ingénieuse d'inviter la foule à ressembler à l'élite des auditeurs.'

Does he mean that the speaker is inviting each member of the audience to believe that he is not one of that majority who will be surprised but one of an elite who will not? If this is so, then it is a way of inviting the audience into alliance with himself. What does the speaker mean by παντάπασι δ' ἀφεστηκότα τῶν ὑπὸ τῶν πολλῶν προσδοκωμένων? Is it that they will hear what they do not expect from this speaker? It is more likely that he means that they will not hear what they would have expected from a run of the mill speaker.

It will be short.

Attention, goodwill

βραχὺς δ' ἔσται.

pr.36.2

The promise of brevity seeks attention on the grounds that the audience will not have to listen for long. Goodwill is sought from the impression of consideration for the audience that is created by announcing that the speech

will be short.

The audience are to listen, to consider, and, if it is acceptable to them, to adopt the speaker's advice.

Attention, goodwill

σκέψασθε δ' ἀκούσαντες, κὰν ὑμῶν ἀρέσκη, χρήσασθε.

pr.36.2

The prooemium ends with a list of commands, first of all for attention, σκέψασθε δ' ἀκούσαντες, then for support, χρήσασθε. κὰν ὑμῶν ἀρέσκη is a term of politeness intended to win goodwill.

ARRANGEMENT

A, G

G

G

G

G

A, G

A (209), G (424)

A, G

A, G

AIM

Pr.36 has been written to be available for use when

the speaker wants to recommend a course which is different to that approved by the majority and recommended by those orators who are currently influential. The method used is to suggest that these orators have nothing to say which is worth hearing or which would change the complexion of events. The speaker by contrast has advice that is worth hearing and different from the kind the audience has come to expect. Another means used to discredit his opposition is to hint that these orators are susceptible to bribery.

Prooemium 37

ANALYSIS

The speaker will make the beginning of the speech both short and just.

Attention (207), goodwill (422)

καὶ βραχεῖαν, ὧ ἄνδρες Ἀθηναῖοι, καὶ δικαίαν ποιήσομαι
τὴν ἀρχὴν τοῦ λόγου. pr.37.1

βραχεῖαν attracts attention with the promise that the concentration of the audience's attention will not be required for long while it attracts goodwill by suggesting that the speaker was considerate enough to announce in advance that he would not require their attention for long.

δικαίαν attracts attention as feature 207 and goodwill as feature 422. The application of these terms to τὴν ἀρχὴν

τοῦ λόγου suggests that the speaker means that he is not going to waste time before getting to the kernel of his subject and will confine himself to essentials.

Nor will the speaker mention all the details.

Attention, goodwill

καὶ οὐδὲ τὰ πάντ' ἐρῶ.

pr.37.1

This sentence attracts attention and goodwill in the same way as βραχεῖαν. The speaker is making it clear that he is going to spare the audience gratuitous detail. This reading is preferred to the Oxford Classical Text's καὶ οὕτω δὲ τὰ πάντ' ἐρῶ. I agree with R. Clavaud 1974B, p.156 n.6, who justifies the reading by citing other instances of καὶ οὐδὲ.

For the speaker thinks that it is the mark of a man wishing to deceive to consider how he may conceal from the audience with his speech the disagreeable aspects of the matter.

Attention, goodwill

ἡγοῦμαι γὰρ ἕξαπατᾶν μὲν εἶναι βουλομένου σκοπεῖν ὄν-
τιν' ὑμᾶς τρόπον τοῦς ἀκούοντας τὰ τοῦ πράγματος δυσχερῆ
τῷ λόγῳ συγκρύψεται

pr.37.1

In spite of his advocacy of conciseness the speaker now digresses to offer an opinion. This may seem gratuitous

but it is essential for the speaker's purpose. He is providing justification for the broaching of disagreeable subjects, τὰ τοῦ πράγματος δυσχερῆ, presumably because he intends to do just that himself. Fearing that the audience may be unwilling to grant him a hearing, he has to find some way of sugaring the pill. Therefore he makes a virtue of candour and a vice of concealment. To the latter he attaches the suspicion of an ulterior motive, the desire to deceive. This subterfuge enables the speaker to take the bull by the horns.

The first task of a man who has persuaded himself to behave frankly with the Athenians is to say which side he has decided to support

Goodwill

ἀπλῶς δὲ πεπεικότες αὐτὸν ὑμῖν προσφέρεισθαι τοῦτο πρῶτον εἶναι, εἰπεῖν πότερ' ἐγνωκῶς παρελήλυθεν pr.37.1

The μὲν... δὲ... construction is used to stress the contrast between concealment and candour, ἔξαπατᾶν μὲν ... ἀπλῶς δὲ ... The latter in turn is used to justify the speaker's intention to nail his colours to the mast, εἰπεῖν πότερ' ἐγνωκῶς παρελήλυθεν.

so that, if the audience, having heard this, wants to hear the subsequent speeches, the speaker may explain and relate what seems to him the best policy

Attention, goodwill

ἔν' ἔάν μὲν ἀκούσαντες τοῦτο τοὺς μετὰ ταῦτα λόγους
βούλησθ' ἀκούειν, καὶ διδάσκη καὶ φράζῃ τὰ βέλτισθ' αὐτῶ
δοκοῦντα

pr.37.2

Although this is expressed as a principle it is implied that the present speaker will likewise explain and relate what he considers the best policy, τὰ βέλτισθ' αὐτῶ δοκοῦντα. This is designed to secure attention and to win goodwill. But that of course assumes that the audience will grant him a hearing. It is noteworthy how the speaker insinuates this assumption into the minds of the audience. The process has three stages of development. ἀκούσαντες τοῦτο is succeeded by τοὺς μετὰ ταῦτα λόγους βούλησθ' ἀκούειν assuming that there are no objections and this stage in turn assuming that there are no further objections is followed by the speaker proceeding with his explanations. The initiative for starting the process lies with the audience. But having said that the process is also a partnership between the speaker and the audience. His aim here is to ingratiate himself with the audience.

but, if the audience reject it, so that the speaker may be released and neither bore the audience nor do himself an injury

Goodwill

ἂν δ' ἀποδοκιμάσητε, ἀπηλλαγμένος ἦ καὶ μήθ' ὑμῖν ἐνο-
χλῆ μήθ' αὐτὸν κόπτῃ.

pr.37.2

The speaker closes the introduction by stressing that it serves neither the audience nor an orator himself for the orator to indulge in gratuitous haranguing. Again the speaker allows the audience the initiative while at the same time highlighting the co-operation that should exist between orator and Ecclesia. It is curious that the speaker organizes his alternatives in this order. It would be a stronger bargaining position to end on the positive note of obtaining a hearing. But perhaps this is art concealing art. The speaker is at pains to show that he has nothing to hide, including the possibility of failure. Paradoxically, therefore, there may be more strength to be gained from ending on the apparently weaker note. The clause μηθ' αὐτὸν κόπτῃ, may even be intended to win sympathy.

The remainder of pr.37.2 constitutes the opening remarks of an accompanying speech. This gives an indication how the speaker would use a prooemium such as this.

The speaker will say this first. It seems to him that the democracy of the Mytilenians has been wronged, and that it is fitting for the Athenians to obtain justice for them. The speaker has advice to offer regarding this objective once he has shown that they have been wronged and that it is fitting that the Athenians help them.

ἐγὼ δὴ τοῦτο πρῶτον ἐρῶ. ἐμοὶ δοκεῖ Μυτιληναίων ὁ

δημος ἡδίκησθαι, καὶ δίκην ὑμῖν ὑπὲρ αὐτοῦ προσήκειν λα-
βεῖν. καὶ ὅπως λήψεσθ' ἔχω λέγειν, ἐπειδὴν ὡς ἡδίκηνται καὶ
ὑμῖν προσήκει βοηθεῖν ἐπιδείξω. pr.37.2

ARRANGEMENT

A (207), G (422)

A, G

A, G

G

A, G

G

AIM

Since pr.37.2 includes reference to the current situation of the Mytilenians, pr.37 is an example of a prooemium written for one specific occasion, not speculatively for any occasion when it might come in useful. At pr.37.1 εἰπεῖν πότερ' ἐγνωκῶς παρελήλυθεν suggests that members are taking sides, while τὰ ... δυσχερῆ ... συγκρούσεται suggests that the speaker intends to recommend the more difficult option. His method of overcoming this disadvantage is to censure the concealment of disagreeable aspects so that he can introduce the latter as one who makes candour his priority. This enables him to avoid either hesitation or having to apologize for introducing a disagreeable recommendation.

ANALYSIS

First it is not altogether surprising that for those wishing to give advice the words are not easy.

Attention

πρῶτον μὲν οὐ πάνυ θαυμαστόν ἐστιν, ὧ ἄνδρες Ἀθηναῖοι, τὸ μὴ ῥαδίους τοῖς συμβουλευεῖν βουλομένοις εἶναι τοὺς λόγους·

pr.38.1

This sentence belies its true purpose. While the speaker asserts that it is not altogether surprising his intention is to cause surprise and to rouse the audience's curiosity. They will want to know why advisers do not find the words easy. The speaker must take care to deliver this sentence with a tone serious enough to discourage a response of laughter or a wisecrack such as, "You don't have to tell us that. We've known it for years!"

For when the affairs which require consideration are going badly it is necessary that the advice given about them is disagreeable.

Attention, goodwill (501) (601)

ὅταν γὰρ τὰ πράγματ' ἔχη φαύλως περὶ ὧν δεῖ σκοπεῖν, δυσχερεῖς ἀνάγκη περὶ αὐτῶν εἶναι καὶ τὰς συμβουλίας.

pr.38.1

The aim of this sentence is to help to secure a hearing. δυσχερεῖς betrays the speaker's anxiety that the audience may be reluctant to listen. Necessity, δεῖ and ἀνάγκη, feature 601, is cited to lend support to the introduction of disagreeable subjects on the grounds that affairs are going badly, ὅταν γὰρ τὰ πράγματ' ἔχη φαύλως. The sentence is an example of feature 501, anticipation, since the speaker minimizes the likelihood of audience resistance to disagreeable subjects by mentioning this possibility, δυσχερεῖς, in advance.

If hope exists that the situation will improve as a result of refusing to listen, then it is necessary to do this.

Attention, goodwill

εἰ μὲν οὖν ἐκ τοῦ μὴ 'θέλειν ἀκούειν ἐλπὶς ταῦτα γενέ-
σθαι βελτίω, τοῦτο χρῆ πράττειν· pr.38.1

The speaker now uses sarcasm to secure a hearing. It is obvious that refusing to listen is the least likely cure for present ills. The sting of the sarcasm is meant to stimulate the audience into agreeing to listen. Moreover the speaker seeks goodwill by insinuating that the opposite is true, i.e. if they do listen, they might discover a way of improving the situation.

But if everything is going to get worse and nothing

better as a result of this, why is it necessary for the Athenians, having allowed affairs to reach a nadir, after a longer interval than has now passed and with greater difficulty to try to save the situation while it is still possible even now from the present position to put things right and to improve the situation?

Attention, goodwill

εἰ δὲ χεῖρω μὲν ἅπαντα, βέλτιον δ' οὐδὲν ἐκ τούτου γενήσεται, τί δεῖ, πρὸς τὸ φαυλότατον ἐλθεῖν ἐάσαντας, ἐκ πλείονος ἢ νῦν καὶ χαλεπωτέρως σῶζειν πειρᾶσθαι, ἐξὸν ἐκ τῶν παρόντων ἔτι καὶ νῦν ἐπανορθώσασθαι καὶ προαγαγεῖν ἐπὶ τὸ βέλτιον; pr.38.1

Further sarcasm follows. The speaker acknowledges the hollowness of his previous remark with the condition, εἰ δὲ χεῖρω μὲν ἅπαντα, βέλτιον δ' οὐδὲν ἐκ τούτου γενήσεται. The earlier solution, refusal to listen, is alluded to with the words ἐκ τούτου. Its futility is stressed with tautology, χεῖρω ... ἅπαντα, followed by βέλτιον ... οὐδὲν. After this the audience would be expecting an injunction to listen with a view to subsequent action. This does not happen. The speaker resumes his sarcasm suggesting that since they had been negligent for so long there was no need for them to change now when they still had the opportunity to put things right. His purpose is to spur the Athenians to action. This is clear from the pains he takes to emphasize that it is not too late. He uses four expressions: ἐξόν, ἐκ τῶν παρόντων, ἔτι, καὶ νῦν. The

Athenians' duty is clear, ἐπανορθώσασθαι καὶ προαγαγεῖν ἐπὶ τὸ βέλτιον. How are they to achieve this? The implication is that they should first listen to the speaker and then adopt what he recommends.

It is reasonable for the Athenians to feel angry at having suffered this.

Goodwill

τὸ μὲν οὖν ὀργίλως ὑμᾶς ἔχειν εἰκὸς ἐστὶ ταῦτα πάσχον-
τας· pr.38.2

The speaker expresses sympathy in order to win goodwill. However, this sentence is also intended to clear a path for the next statement which is not sympathetic.

But to be angry with not those responsible but with everyone in turn, this is no longer reasonable nor right.

Goodwill

τὸ δὲ μὴ τοῖς αἰτίοις, ἀλλὰ πᾶσιν ἐφεξῆς ὀργίζεσθαι,
τοῦτ' οὐκέτ' εἰκὸς οὐδ' ὀρθῶς ἔχον ἐστίν. pr.38.2

This sentence is intended to deflect the audience's anger. When the speaker says πᾶσιν ἐφεξῆς he includes himself. This device enables the speaker without mentioning himself to enjoin the audience not to be angry with him while purporting to speak on behalf of everyone, apart from those who are responsible.

For those who are in no way responsible for what happened previously but who can say how the situation may be improved for the future would justly receive gratitude, not enmity, from the audience.

Attention, goodwill

οἱ γὰρ μηδενὸς μὲν αἴτιοι τῶν παρεληλυθότων, τὰ δὲ λοιπὰ πῶς ἔσται βελτίω λέγειν ἔχοντες, χάριν, οὐκ ἀπέχθειαν κομίσαιντ' ἂν δικαίως παρ' ὑμῶν. pr.38.2

Attention is sought with the implication that the speaker has something to say through which the situation can be improved. By the same token goodwill is sought for the speaker as one of those to whom the Athenians owe gratitude. Thus, although the speaker expresses a generalization, he intends that its jurisdiction be extended to himself. *δικαίως* is used to strengthen the credibility of the statement.

If the Athenians irritate these men inopportunately, they will make them hesitate to rise to speak.

Attention

οὓς, ἔὰν ἀκαίρως δυσκολαίνητε, ὀκνεῖν ἀνίστασθαι ποιήσετε. pr.38.2

This is a masterly stroke. Far from requesting a hearing the speaker announces that men such as he will be

reluctant to speak if the audience mistreat them. The aim is to make the audience feel that they are missing something if they are deprived of the speeches of orators like the present speaker. Of course, it must be said that this is an indication of supreme confidence that the audience will not feel indifference.

And yet the speaker is not unaware that it has often been the fate, not of those responsible, but of those who fall foul of the angry to suffer something unpleasant.

Goodwill (501)

καίτοι ἔγωγ' οὐκ ἄγνοῶ, ὅτι πολλάκις οὐ τοῖς αἰτίοις,
ἀλλὰ τοῖς ἐμποδῶν οὔσι τοῖς ὀργιζομένοις ἀηδές τι παθεῖν
συνέβη.

pr.38.3

The speaker attempts to avoid the audience's anger by anticipating it, feature 501. He again singles out those who are responsible, τοῖς αἰτίοις, to distinguish them from others in general and by implication from himself in particular. Some of the latter category are said to come into contact with the angry, τοῖς ἐμποδῶν οὔσι τοῖς ὀργιζομένοις. The speaker's present brush with the audience could have the makings of just such an encounter. However he wants to avoid the repercussions that generally follow this kind of exchange, ἀηδές τι παθεῖν. His hope is that anticipation will make the audience want to prove that they are an exception to the general rule by not subjecting him to any unpleasant treatment. The words ἔγωγ' οὐκ ἄγνοῶ

are designed to add to the generalization the ring of truth associated with an eye witness account.

Nevertheless the speaker has risen to offer advice.

Goodwill

ὅμως δ' ἀνέστην συμβουλεύσων· pr.38.3

Having defused his audience's hostility in the previous sentence the speaker, nevertheless, uses the word ὅμως to suggest that possible audience hostility still poses a threat which could cause orators to hesitate. But such orators would be men of lesser calibre than the speaker who is determined to speak, ἀνέστην συμβουλεύσων, regardless of unpleasant consequences. This is intended to show that the speaker's devotion to duty is self-sacrificial. As a counsellor, giving advice takes priority over regard for personal comfort.

For the speaker believes that he will not be found guilty of anything bad

Goodwill

πιστεύω γὰρ ἔγωγ', ὧ ἄνδρες Ἀθηναῖοι, φλαύρου μὲν μηδενδὸς αἴτιος ὧν εὐρεθήσεσθαι pr.38.3

The speaker now states explicitly what he has implied previously, that he is not one of those responsible, αἴτιος, in this case for anything bad. This is designed to win

goodwill.

and that he has better advice to offer the Athenians than the other orators.

Attention, goodwill

βελτίω δ' ἑτέρων ὑμῶν ἔχειν συμβουλεῦσαι. pr.38.3

The prospect of better advice is intended to secure attention for the main part of the speech and to win goodwill for the speaker.

ARRANGEMENT

A

A, G (501) (601)

A, G

A, G

G

G

A, G

A

G (501)

G

G

A, G

AIM

Pr.38 has been written to be available for use when the speaker wants to provoke the Ecclesia against their natural inclinations into taking measures to improve the current state of affairs. Audience hostility is countered with anticipation and the assertion that the speaker is not one of those responsible for the sorry state of affairs. Sarcasm is used to secure a hearing. The audience are taunted with the suggestion that their refusal to listen is their method of improving the situation. Their past negligence is reproachfully cited as a forecast of present indolence in the face of an opportunity to set things right. This goad is meant to sting the audience into rising to the occasion. The speaker's final appeal for attention and goodwill depends on his declaration that he has better advice to offer than the other orators.

Pr.38 is a well written and manifestly confident prooemium.

Prooemium 39

ANALYSIS

What has happened is such as the audience have all heard.

Statement (101)

τὰ μὲν γεγενημέν', ὧ ἄνδρες Ἀθηναῖοι, τοιαῦθ' οἷα
πάντες ἀκηκόατε' pr.39.1

This announcement suggests perhaps that the speaker has entered the debate after several other orators. Therefore there is no need to give further explanation of the situation. But a more probable interpretation is that the speaker, perhaps as a returning eye-witness, is confirming rumours which have filtered to the city from some disaster and which all the audience have heard. R. Clavaud 1974B, pp.20-21, argues that the dramatic situation is the day after the battle of Chaeronea. At pp.156-57, n.4 (reference p.119), he comments on the use throughout the prooemium of vague terms such as τὰ... γεγενημέν' here. He attributes this to the speaker's reluctance to mention a catastrophe by name. While I agree that a speaker might disguise catastrophe with the use of vague terms perhaps euphemistically or indeed superstitiously, another possible explanation for the use of unspecific terms is that pr.39 was written to be available for use in the event of a catastrophe. Surely it is not undue foreboding but rather practical foresight that would prompt a statesman to write such a prooemium to enable him to rise to the occasion with a few prepared appropriate words rather than relying on inspiration in the heat of the moment? I agree with Clavaud, pp.156-57, that the speaker is not concerned with giving news of the calamity but with the events which are going to follow it. This is another reason for the scant reference to the disaster.

But the Athenians must not remain in a state of panic, considering that to be disheartened in the face of present circumstances is neither beneficial for affairs nor worthy of the Athenians whereas to consider it fitting to rectify this situation is clearly worthy of the Athenians' reputation.

Goodwill (424)

δεῖ δ' ὑμᾶς μηδὲν ἐκπεπληγμένως διακεῖσθαι, λογιζομένους ὅτι πρὸς μὲν τὰ παρόντ' ἀθύμως ἔχειν οὔτε τοῖς πράγμασι συμφέρον οὔθ' ὑμῶν ἄξιόν ἐστιν, τὸ δὲ ταῦτ' ἐπανορθοῦν αὐτοῖς ἡγεῖσθαι προσήκον [καὶ] τῆς ὑμετέρας δόξης ἄξιον ἂν φανεῖη.
pr.39.1

The speaker wants the Athenians to put the disaster behind them, to pull themselves out of the rut of despondency, and to start to repair the damage. To persuade them to this point of view he cites duty, δεῖ, expediency, συμφέρον, feature 424, conscience, ὑμῶν ἄξιον, and reputation, τῆς ὑμετέρας δόξης.

It is necessary for men such as the Athenians claim to be to show themselves superior to others in times of danger.

Goodwill

χρὴ δὲ τοὺς ὄντας οἷοι φήσασθαι ἂν ὑμεῖς εἶναι, ἐν τοῖς δεινοῖς ἐτέρων διαφέροντας φαίνεσθαι.
pr.39.1

This sentence is intended to stiffen moral fibre by taunting the Athenians about their pretensions, τοὺς ὄντας οἷοι φήσασιν ἂν ὑμεῖς εἶναι, and by stressing the necessity, χρῆ, of setting an example to lesser mortals of the Athenians' superiority when it comes to coping with crises.

In no way would the speaker have wished that these disasters befall the city nor that the Athenians suffer any misfortune.

Goodwill (501)

ἐγὼ δ' οὐδαμῶς μὲν ἂν ἐβουλόμην ταῦτα συμβῆναι τῇ πό-
λει, οὐδ' ἀτυχεῖν ὑμᾶς οὐδέν· pr.39.2

This disclaimer is intended as sugar to help the Athenians swallow the unpalatable remarks in the next sentence without bearing resentment towards the speaker. It is a declaration of patriotism which is meant to preclude by anticipation, feature 501, any suspicion or accusations of disloyalty.

But if this was meant to happen and some deity was keeping this in store for the Athenians, then the speaker thinks that there is advantage in the way that events have turned out just as they have.

Goodwill

εἰ δ' ἄρ' ἔδει γενέσθαι καὶ τι δαιμόνιον, τοῦτ' ἀπέ-

κειτο, ὥσπερ πέπρακται τὰ γεγενημένα, λυσιτελεῖν οἴομαι.

pr.39.2

The speaker wants the audience to see blessings in disguise. The suggestion that the calamity was providential is designed to make the Athenians desist from self-recrimination. The prospect of some advantage in the midst of disaster is meant to induce a positive attitude to the crisis.

For, while the caprice of Fortune inflicts sharp vicissitudes and impartial visitations on both sides, the consequences of men's wickedness make defeats certain.

Goodwill

τὰ μὲν γὰρ τῆς τύχης ὀξείας ἔχει τὰς μεταβολὰς καὶ κοινὰς ἀμφοτέροις τὰς παρουσίας· ἀ δ' ἂν δι' ἀνδρῶν κακίαν πραχθῆ, βεβαίους ποιεῖ τὰς ἥττας. pr.39.2

It is not clear what the speaker means by men's wickedness. Treachery, corruption, and conspiracy could be contenders. What is clear is that it is to be understood that none of this has had any influence in the present situation. Therefore the Athenians must not look for scapegoats nor must they be disheartened by the prospect of a permanent defeat. This is because they have been dealt the present defeat by Fortune, and Fortune changes sides. Therefore defeat may be shortlived. Accordingly this sentence is meant to give the Athenians a source of encouragement and consolation.

The speaker therefore thinks that even those who have prevailed are not unaware that, since the Athenians have set their determination and have been provoked by what has happened, it is not yet quite clear whether they have won a success or the opposite by their achievement.

Goodwill

οἴομαι μὲν οὖν οὐδὲ τοὺς κερρατηκότας ἀγνοεῖν ὅτι βου-
ληθέντων ὑμῶν καὶ παροξυνθέντων τῷ γεγενημένῳ, οὐ πάνυ πω
δηλον πότερον εὐτύχημ' ἢ καὶ τούναντίον αὐτοῖς ἐστὶν τὸ πε-
πραγμένον·

pr.39.3

The speaker tells the Athenians that all is not yet lost if they steel their resolve and spur themselves in response to this defeat. However he does not say this directly but sets it in the context of their enemy's expectations of the Athenians' response which, he claims, will make the enemy question whether they have achieved a success or the opposite. He is suggesting that the enemy may think that they have bitten off more than they can chew given the Athenians' acknowledged powers of recovery. Thus he is appealing to the Athenians' sense of shame to stimulate them into living up to their reputation.

If indeed the exploit has made them over-bold this would become a point to the Athenians.

Goodwill

εἰ δ' ἄρ' ἐπῆρκε τὸ πρᾶγμ' αὐτοὺς θρασύνεσθαι, κἂν
τοῦτο πρὸς ὑμῶν ἤδη γίγνοιτο. pr.39.3

R. Clavaud 1974B, p.120 n.3, says that this is the old doctrine of *Nemesis* which here is less a profession of faith than a rhetorical device of consolation. I agree with Clavaud. This sentence has the same emphasis as the proverb, 'Pride comes before a fall'. The speaker does not intend the audience to understand that he is predicting divine punishment for the enemy's *hybris*.

For the more they despise the Athenians, the sooner they will make a mistake.

Goodwill

ὄσω γὰρ ἂν μᾶλλον καταφρονήσωσι, τοσοῦτω θᾶττον ἀμαρ-
τήσονται. pr.39.3

This sentence expresses the sentiment, 'Pride comes before a fall', exactly. The implication, inherent in the earlier κἂν τοῦτο πρὸς ὑμῶν ἤδη γίγνοιτο, is that when the enemy make their mistake the Athenians should take advantage of it.

ARRANGEMENT

S (101)

G (424)

G

G (501)

G

G

G

G

G

AIM

The aim of pr.39 is to introduce a speech at the time of a disaster, a speech designed to put the Athenians on their feet again when they might be tempted to wallow in despair. Therefore the speaker does not gloat on the disaster but tells the audience not to be dismayed and reminds them of the example they set to others and the expectations which they inspire in others so that they will show themselves indefatigable in the face of adversity. He consoles them with the suggestion that their defeat was due to Fortune, which can change, and that over-confidence could cause their enemy to come to grief.

Prooemium 40

ANALYSIS

The Athenians do not seem to the speaker to be deliberating only about that city of which they are now thinking but about all the allies.

Attention, goodwill

οὐ μοι δοκεῖτ', ὧ ἄνδρες Ἀθηναῖοι, περὶ ἧς οἴεσθε
πόλεως νυνὶ μόνον βουλευέσθαι ἄλλ' ὑπὲρ πασῶν τῶν συμμα-
χίδων.

pr.40.1

Attention is sought with the unexpected announcement that the debate concerns all the allies as well as the city in question. Goodwill is sought by expressing interest in all the allies.

For it is likely that the other cities will look to whatever decision the Athenians make about this city and will expect to receive the same judgements themselves.

Goodwill

ὅπως γὰρ ἂν περὶ ταύτης γινῶτε, πρὸς ταῦτ' εἰκὸς ἀπο-
βλέποντας τοὺς ἄλλους καὶ αὐτοὺς τῶν αὐτῶν τεύξεσθαι νομί-
ζειν.

pr.40.1

Probability, εἰκὸς, is cited to support the speaker's interpretation of the allies' reaction to the Ecclesia's treatment of one of their number.

Consequently it is necessary for the sake of what is best and for the sake of the Athenians' reputation to strive to appear to be deciding beneficial and just policies.

Attention (209) (207), goodwill (520)

ὥστε δεῖ καὶ τοῦ βελτίστου καὶ τῆς ὑμετέρας αὐτῶν εἶ-
νεκα δόξης σπουδάσαι, ὅπως ἅμα καὶ συμφέροντα καὶ δίκαια
φανήσεσθε βουλευόμενοι. pr.40.1

Necessity, δεῖ, is cited to strengthen the speaker's
point. τοῦ βελτίστου and τῆς ὑμετέρας ... δόξης are
offered as motives. These will attract attention and
goodwill. The latter, δόξης, is reinforced with φανήσεσθε
while the former, βελτίστου, is qualified with ἅμα καὶ συμφέ-
ροντα καὶ δίκαια which seek attention as features 209 and
207 respectively and goodwill collectively as feature 520.
It is implied that the present speaker will recommend
policies which are simultaneously beneficial and just.

ARRANGEMENT

A, G

G

A (209) (207), G (520)

AIM

Pr.40.1 has been written to be available for use when
the speaker wants to widen the debate on foreign policy to
include the interests of all the allies as well as the
concerns of the particular ally which provoked the
discussion. The incentives employed to achieve this are
the prospect of beneficial and just policy, the possible

effects on the Ecclesia's reputation, and the expectations of the allies themselves. Thus pr.40.1 has been written for use when it is necessary to speak in support of the allies.

Prooemium 41

ANALYSIS

The speaker thinks that not one of the whole audience is so disloyal to the city that he does not feel upset nor grieved by what has occurred.

Attention, goodwill

οὐδέν', ὧ ἄνδρες Ἀθηναῖοι, τῶν πάντων ὑμῶν οὕτως οἴομαι κακόνουν εἶναι τῇ πόλει ὥστε μὴ χαλεπῶς φέρειν μηδὲ λυπεῖσθαι τοῖς γεγενημένοις. pr.41.1

Attention is sought first with the direct reference to individual members of the audience, οὐδέν' ... τῶν πάντων ὑμῶν. This is intended to rouse curiosity. οὕτως ... κακόνουν reinforces this aim. The speaker's explanation of these allusions is designed to show him in sympathy with the city's plight and thereby to ingratiate himself with the audience. Deeper intensity is achieved by asserting that this is an attitude universally held by the audience than by making a personal subjective comment. Further incentive for agreement is added by the threat that anyone

who disagrees must be κακόνου. The aim of the speaker in introducing the comment like this is to encourage a sense of unanimity, of solidarity in the face of difficulty. An emotional response is nurtured with the words χαλεπῶς φέρειν and λυπεῖσθαι.

If it were possible by getting angry to make any of this undone the speaker would advise this to the whole audience.

Goodwill

εἰ μὲν τοίνυν ἀγανακτοῦντας ἦν ἄπρακτόν τι ποιῆσαι
τούτων, τοῦτ' ἂν ἔγωγε παρήνουν ὑμῖν ἄπασιν·

pr.41.1

This sentence suggests in a tentative way that after all the speaker is not going to encourage them to open the flood gates of indignation. What then was the point of the previous sentence and its emotionally charged words? Far from nurturing unanimity or harnessing passion the speaker has recognized that these already exist and need to be contained. But unlike the fool who rushes in where angels fear to tread the speaker realizes that caution is required. Therefore he begins by acknowledging the consensus of opinion in a way that clearly establishes his own sympathy with a natural patriotic response. However in the conditional sentence which is now considered he emphasizes the futility of anger by suggesting the hypothesis that anger could restore the situation to its

previous condition. It clearly goes without saying that this is impossible and that some other solution is required. Thus the speaker prepares the way for the advice that all along he has intended to offer but which could have caused irritation or hostility if presented to the audience cold.

But since circumstances cannot change it is necessary to take forethought for the future so that the Athenians do not suffer the same again and their anger at what has happened now should make them so determined that the same things will not happen again.

Goodwill

ἐπειδὴ δὲ ταῦτα μὲν οὐκ ἂν ἄλλως ἔχοι, δεῖ δ' ὑπὲρ τῶν λοιπῶν προνοηθῆναι ὅπως μὴ ταῦτα πείσεσθε, ὥσπερ, ὧ ἄνδρες Ἀθηναῖοι, νῦν γεγενημένων ἀγανακτεῖτε, οὕτω χρὴ σπουδάσαι ὑπὲρ τοῦ μὴ πάλιν ταῦτα συμβῆναι

pr.41.1

The μὲν ... δὲ ... construction is used to contrast reality with the earlier hypothesis, εἰ μὲν ... ἐπειδὴ δὲ The speaker expresses confirmation that events cannot be reversed. δεῖ is used to emphasize that the future has priority, δεῖ δ' ὑπὲρ τῶν λοιπῶν. The audience must look forward, not backwards, προνοηθῆναι, to prevent recurrence. Having introduced this degree of realism the speaker now suggests a role for the Athenians' anger. It is to be channelled into ensuring that the same misfortune does not

occur again. The speaker wants the audience to accept that the present crisis is irredeemable and to consider future prevention rather than retrospective cure.

The audience must not think that any of their advisers has anything to say of such a kind that it will be able to save the present situation while none of the audience shares the burden.

Goodwill

καὶ νομίζειν μηδέν' ἔχειν λόγον εἶπεῖν τῶν συμβουλευόντων τοιοῦτον, ὃς δυνήσεται σῶσαι τὰ παρόντα μηδενὸς ὑμῶν μηδὲν συναραμένου· pr.41.1

The speaker warns the audience against his opponents' speeches which he insinuates will flatter the audience into a false sense of security which overlooks the need for the audience's co-operation.

For no speech, but some god would be like that.

Goodwill

οὐ γὰρ ἂν λόγος, ἀλλὰ θεός τις ὁ τοιοῦτος εἴη. pr.41.1

The speaker epitomizes the unreality of his opponents' policy. He suggests the ancient equivalent of the modern slur, to promise heaven on earth, to shatter his opponents' credibility. The contrast between λόγος and θεός conforms to the speaker's contrast between reality and hypothesis.

He insinuates that to go along with his opponents is the indulgence of wishful thinking, the attraction of pie in the sky.

ARRANGEMENT

A, G

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AIM

Pr.41 has been written to be available for use in a crisis when the audience would prefer to wallow in self-pity listening to vain flattery instead of taking precautions against future recurrence.

Prooemium 42

ANALYSIS

There is nothing unusual that those men who are always and unceasingly making a fuss on behalf of the oligarchies are convicted of doing this now.

Attention, goodwill

οὐδέν ἐστιν, ὧ ἄνδρες Ἀθηναῖοι, τοῦτ' ἄλογον, τοὺς
ἀεὶ καὶ συνεχῶς ὑπὲρ τῶν ὀλιγαρχιῶν πολιτευομένους καὶ νῦν
ταῦτα ποιοῦντας ἐξελέγχεσθαι. pr.42.1

The opening words, οὐδέν ἐστιν ... τοῦτ' ἄλογον, are intended to rouse curiosity and to make it appear that audience agreement is taken for granted. This heralds an attack on opponents. ἀεὶ καὶ συνεχῶς is intended to convey the impression that these men are making a nuisance of themselves. ὑπὲρ τῶν ὀλιγαρχιῶν not only clarifies which party the speaker opposes but also taints with mention of a disapproved form of government. καὶ νῦν picks up the earlier οὐδέν ... ἄλογον and ἀεὶ καὶ συνεχῶς and together they qualify ἐξελέγχεσθαι which adds conviction to the speaker's accusation, ὑπὲρ τῶν ὀλιγαρχιῶν πολιτευομένους.

One might be more reasonably surprised that the audience though aware of this listen to these men often with more pleasure than to those speaking on the audience's behalf.

Attention (205), goodwill

ἀλλ' ἐκεῖνο μᾶλλον ἂν τις εἰκότως θαυμάσαι, τὸ τοὺς
εἰδότας ὑμᾶς ταῦτα πολλάκις ἡδίον τούτων ἀκούειν ἢ τῶν ὑπὲρ
ὑμῶν λεγόντων. pr.42.1

Goodwill is sought with the assumption of the audience's agreement with the speaker's interpretation, τοὺς εἰδότας ὑμᾶς ταῦτα, and with the implication that the

speaker is one of those who speak on the audience's behalf, τῶν ὑπὲρ ὑμῶν λεγόντων. Reason, εἰκότως, and surprise, θαυμάσαι, feature 205, are used to secure a hearing. Fearing that the audience might prefer his opponents to himself the speaker asserts that this preference would cause one reasonable surprise. A slur may be intended in the word ἡδίων, implying that the audience's motive in listening is the prospect of entertainment.

Perhaps just as in private affairs it is not easy to do everything right, this applies equally to public affairs.

Goodwill

Ἴσως μὲν οὖν ὡσπερ οὐδ' ἰδίᾳ βᾶδιόν ἐστιν ἅπαντ' ὀρθῶς πράττειν, οὕτως οὐδὲ κοινῇ. pr.42.1

The speaker uses a generalization to suggest that the audience are making a mistake.

But one must certainly not underestimate the most important issues.

Attention (202), goodwill

ἀλλ' οὐ δὴ τὰ μέγιστα γε χρῆ παρορᾶν. pr.42.1

Importance, τὰ μέγιστα, feature 202, and necessity, χρῆ, are used to secure a hearing and to win goodwill.

Everything else is of less importance.

Goodwill

τὰ μὲν οὖν ἄλλα πάντ' ἐστὶν ἐλάττω'

pr.42.2

The speaker emphasizes the need to have priorities.

When the Athenians listen complacently to speeches about ideal government, killings and the dissolution of democracy, surely it is necessary to think that the Athenians are out of their minds.

Goodwill

ὅταν δ' ὑπὲρ πολιτείας καὶ σφαγῶν καὶ δήμου καταλύσεως εὐχερῶς ἀκούητε, πῶς οὐκ ἔξω χρὴ τοῦ φρονεῖν ὑμᾶς [αὐτοῦς] ἡγεῖσθαι;

pr.42.2

An example is given of the Ecclesia's levity. εὐχερῶς is a key word which suggests a casual approach, an under-estimation of the seriousness of what they are doing. The speaker cites the way in which they listen to the supporters of oligarchy and gives examples of these orators' themes. N.W. De Witt and N.J. De Witt 1949, p.162 n.a, comment on the first of these:

'There is an ironical touch in πολιτείας as if implying that oligarchy was the ideal form of government to those whose phrases he here quotes.'

This may even be deliberate sarcasm to heighten the perversity of the Ecclesia's indulgence. Further emphasis is added by use of rhetorical question, πῶς οὐκ, suggesting agreement with the speaker, with the support of necessity, χρῆ, and with the jibe that this irresponsible tolerance will be interpreted as a sure sign of madness. The latter extreme comment reveals how seriously the speaker himself wants to be taken.

All other men use the examples of others and become more cautious themselves.

Goodwill

οἱ μὲν γὰρ ἄλλοι πάντες ἄνθρωποι τοῖς ἑτέρων παραδείγμασι χρώμενοι μᾶλλον εὐλαβεῖς αὐτοῖ γίνονται· pr.42.2

The speaker makes a generalization which the audience are expected to apply to their own situation. But in case they are unable or unwilling to draw the appropriate moral the speaker spells it out for them in the next sentence.

When the Athenians hear what is happening to the other Greeks, they have no capacity for apprehension.

Goodwill

ὕμεῖς δ' οὐδὲ τὰ τοῖς ἄλλοις συμβαίνοντ' ἀκούοντες φοβηθῆναι δύνασθε pr.42.2

The μὲν ... δὲ ... construction is used to contrast

the Athenians with everyone else, οἱ μὲν γὰρ ἄλλοι πάντες ἄνθρωποι ... ὑμεῖς δ' ... The implication of this sentence is that the Athenians ought to exercise more caution on the grounds that they have reason to be afraid.

But the very things for which the Athenians consider individuals stupid who wait for them to happen, they seem to the speaker to be awaiting themselves as a public body - to learn from one's suffering.

Goodwill

ἀλλ' ἃ τοὺς ἰδίᾳ περιμένοντας ἀβελτέρους νομίζετε, ταῦτ' αὐτοῖς δημοσίᾳ μοι δοκεῖτ' ἀναμένειν παθόντες αἰσθή-
σθαι.

pr.42.2

The speaker accuses the Ecclesia of being blind as a body to faults they would condemn as stupidity in individuals. The implication is that the Ecclesia collectively is guilty of stupidity. The speaker wants to awaken his audience. They must not be wise after the event. They must take precautions.

ARRANGEMENT

A, G

A (205), G

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A (202), G

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AIM

The aim of pr.42 is to impress upon the audience the seriousness of indulging with their attention the supporters of oligarchy while giving less support to those who according to the speaker defend their own interests. The fate of other Greek cities is cited to exhort precautions. Indolence is censured. There is also peripheral denigration of the oligarchic speakers who are dismissed as nuisances.

Pr.42 is a neat piece of writing. There is a striking beginning. οὐδέν ἐστὶν ... τοῦτ' ἄλογον is overtaken by ἀλλ' ἐκεῖνο μᾶλλον ἄν τις εἰκότως θαυμάσαι. The spotlight is thus shifted from the opponents to the audience upon whom the speaker concentrates for the rest of the prooemium. Generalization is intertwined with particular illustration. The final charge of inconsistency is epitomized in its unforeseen consequence which provides a sting-in-the-tail conclusion for the introduction - παθόντες αἰσθήσθαι. These words provide a particularly evocative ending because they recall lines 177-178 of Aeschylus' *Agamemnon* which attribute to Zeus the establishment of a law of learning through suffering:

... τὸν πάθει μάθος
θέντα κυρίως ἔχειν·

It is difficult to decide whether such reminiscence is deliberate or coincidental. αἰσθέσθαι rather than μανθάνειν precludes the charge of slavish copy. But more important is whether members of the Ecclesia would recognize echoes of the *Agamemnon*. If the speaker thought that they would then this could be a deliberate allusion.

Prooemium 43

ANALYSIS

*Perhaps none of the audience has ever inquired
Attention*

οὐδεὶς πώποτ' ἴσως ὑμῶν ἐζήτησεν, ὧ ἄνδρες Ἀθηναῖοι
pr.43.1

This is intended to rouse curiosity. ἐζήτησεν is emphasized by its position before the vocative which allows a pause for that curiosity to linger.

*why men faring badly deliberate about their affairs
better than men faring well.*

Attention, goodwill

τί δήποθ' οἱ κακῶς πράττοντες ἄμεινον περὶ τῶν πραγμάτων τῶν εὖ πραττόντων βουλευόνται. pr.43.1

The indirect question is a technique for encouraging thought. The truism therein expressed may excite amusement but it is intended also to challenge. The implication is that the audience have not been deliberating as well as they might - perhaps they are too well off.

It happens for no other reason than this, that it does not occur to those faring well to feel any fear or to think that terrible circumstances which someone might mention concern themselves.

Goodwill

ἔστι δ' οὐχ ἐτέρωθεν ποθεν τοῦτο γιγνόμενον, ἀλλ' ὅτι συμβαίνει τοῖς μὲν μήτε φοβεῖσθαι μηδὲν μήθ' ἄν τις λέγοι δεινὰ προσήκονθ' αὐτοῖς ἡγεῖσθαι. pr.43.1

The speaker answers his own question. He cites the insulating effect of prosperity on one's perception of one's circumstances. It provides a sense of security which the speaker implies is false. It encourages the 'it-will-never-happen-to-me' syndrome. The speaker's use of δεινὰ stresses the seriousness of the possible repercussions. The speaker's message is clear: the prosperous should exercise caution and vigilance.

Those who are close to their mistakes whenever they

have come to fare badly become wise for the future and moderate.

Goodwill

τοὺς δὲ πλησίον ὄντας τῶν ἀμαρτημάτων ὅταν εἰς τὸ κακῶς πράττειν ἀφίκωνται, σώφρονας πρὸς τὰ λοιπὰ καὶ μετρίους παρέχει. pr.43.1

The μὲν ... δὲ ... construction is used to contrast the prosperous with those who have become wise through adversity, τοῖς μὲν ... τοὺς δὲ ... This sentence illustrates the practice cited so that it can be avoided at pr.42.2, παθόντες αἰσθέσθαι. Similarly the lesson to be learned here is that one should be wise for the future and cautious without having to be taught this lesson by adversity.

It is therefore the mark of serious men that at the time when they are experiencing the best fortune to have greater zeal for prudence.

Goodwill

σπουδαίων τοίνυν ἐστὶν ἀνθρώπων, ὅταν βελτίστη τῇ παρουσίᾳ τύχη χρῶνται, τότε πλείω τὴν σπουδὴν πρὸς τὸ σωφρονεῖν ἔχειν. pr.43.2

The speaker continues to generalize allowing the audience to draw the morals. Here he extols the virtue of serious-minded men, of those who mean business. Like them

the Athenians ought to exercise discretion.

For nothing is so terrible that those taking precautions cannot guard against it and nothing which men underestimate that they may not expect to suffer.

Goodwill

οὐδὲν γὰρ οὔτε φυλαττομένοις οὔτω δεινὸν ὥστ' ἀφύλακτον εἶναι, οὔτ' ὀλιγωροῦσιν ἀπροσδόκητον παθεῖν.

pr.43.2

This sentence is meant to make the audience aware of alternative extremes. On their present form the Athenians are more likely to fall foul of something to which they have paid slight heed. One recalls the modern proverb, 'Pride comes before a fall'. Of course, they are intended to take to heart the first alternative and to guard against terrible circumstances. δεινὸν recalls the earlier δεινὰ. The latter was cited as a threat to which the prosperous considered themselves immune. Now its strength is alleged to be vulnerable to precautions, but nevertheless disregard could entail surprise attack.

The speaker says this not to frighten the Athenians to no purpose but so that when they hear of terrible prospects they may not despise on account of their prosperity what might occur if they do not exercise foresight for affairs

Goodwill

λέγω δὲ ταῦτ' οὐχ ἵνα τὴν ἄλλως ὑμᾶς δεδίττωμαι, ἀλλ'
ἵνα μὴ διὰ τὴν παροῦσαν εὐπραξίαν, ἃ γένοιτ' ἄν, εἰ μὴ
προνοήσεσθε τῶν πραγμάτων, δεῖν' ἀκούοντες καταφρονῆτε

pr.43.2

The speaker now explains the point of his generalizations. He spells out the lessons which up to now he has allowed the audience to work out for themselves. The use of δεδίττωμαι is curious. The speaker has been censuring the practice of showing indifference to danger. Does he now apologize for causing alarm as if his mere mention of the problem should cause sudden panic? No. The speaker is clearing his yardarm. He does not want to be open to the charge of being an alarmist. This is what he means by τὴν ἄλλως.

but so that without suffering, as befits those who claim to be unsurpassable in wisdom, the Athenians may keep watch.

Goodwill

ἀλλ' ἄνευ τοῦ παθεῖν, ὥσπερ ἐστὶν προσήκον φάσκοντάς
γε μηδέων ἀπολείπεσθαι τῷ σωφρονεῖν, φυλάξεσθε. pr.43.2

Finally the speaker enjoins the Athenians to be on their guard. φυλάξεσθε is emphasized by its position at the end of the sentence and by the insertion of parenthesis immediately before it. ἄνευ τοῦ παθεῖν ... τῷ σωφρονεῖν is

reminiscent of παθόντες αἰσθέσθαι from pr.42.2. The parenthesis is an appeal to the audience's vanity, intended to elicit their support.

ARRANGEMENT

A
A, G
G
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G
G

AIM

The theme of pr.43 is announced in the first sentence, that the prosperous do not deliberate with as much wisdom as the unsuccessful. The reason for this, that prosperity blinds one to danger, is intended to persuade the Athenians to exercise more caution. Thus pr.43 was written to be available for use when the speaker wants to awaken the Athenians to their indifference to danger, presumably at a time of success. Having said this, it is not clear what context the speaker envisages. Consideration must be given to the similarities between pr.43 and the ending of pr.42, παθόντες αἰσθέσθαι. Pr.43 is like a variation on the theme, παθόντες αἰσθέσθαι. What can we conclude from this?

Do pr.42 and pr.43 belong together as a single introduction? This is unlikely because the context of pr.42, the threat posed by the supporters of oligarchy, is completely absent from pr.43. At best, it is possible that παθόντες αἰσθήσθαι provided the germ of the idea that blossomed into pr.43. However, it must also be allowed that the running order of the prooemia may not have been arranged by Demosthenes but by an editor who placed together prooemia with similar themes.

Prooemium 44

ANALYSIS

The speaker has understood that the occasion for pleasing the Athenians and the occasion for giving what seems to him the best advice are not the same.

Attention, goodwill

οὐχὶ τὸν αὐτὸν εἶναι καιρὸν ὑπέληφ', ὧ ἄνδρες Ἀθηναῖοι, τοῦ τε χαρίζεσθαι καὶ τοῦ τὰ δοκοῦντά μοι βέλτιστα παραινεῖν. pr.44.1

The words before the vocative are intended to rouse curiosity by making the audience wonder what occasions are not the same. The same technique is used at 3.1 and pr.2.1:

οὐχὶ ταῦτ' ἀπαρτίστατα μοι γινώσκουσιν. ὧ ἄνδρες Ἀθη-
ναῖοι οὐχὶ ταῦτ' ἀπαρτίστατα μοι γινώσκουσιν, ὧ ἄνδρες Ἀθη-
ναῖοι 3.1

οὐχὶ ταῦτ' ἀπαρτίστατα μοι γινώσκουσιν, ὧ ἄνδρες Ἀθηναῖοι pr.2.1

After the vocative of pr.44.1 the speaker reveals what are not compatible for the same occasion, τοῦ τε χαρίζεσθαι and τοῦ τὰ δοκοῦντά μοι βέλτιστα παραινεῖν . This suggests that the speaker is going to offer advice which he suspects will be disagreeable to his audience. To overcome this he suggests that pleasing and giving the best advice are mutually exclusive. This enables him to imply that his advice though not immediately pleasant is nevertheless the best advice.

For the speaker observes that often pleasing the Athenians contrary to one's judgement incurs more enmity than does opposing at the start.

Attention, goodwill

πολλάκις γὰρ ὄρω τὸ χαρίζεσθαι τι παρὰ γνώμην πλεῖον ἄπεχθειαν ἐνεγκόν τοῦ τὸ πρῶτον ἐναντιωθῆναι. pr.44.1

The speaker not only implies that the audience are fickle in their loyalty to orators but also that in the long term good advice will come up trumps while indulgence of the audience for the sake of gratification will rebound or backfire on an orator. The purpose of this sentence is to justify advice which is immediately unpopular. The

speaker's objectives are to secure a hearing and to win support for his point of view.

If the whole audience had the same opinion and if they seemed to the speaker to be choosing the requisite policy, he would not have come forward to speak thinking it superfluous to speak to those who do of their own accord what is necessary, nor if the opposite were the case.

Attention, goodwill (402)

εἰ μὲν οὖν ἅπαντες ἐγλιγνώσκετε ταῦτά, οὔτ' ἄν, εἴ μοι τὰ δέοντ' ἔδοκεῖτε προαιρεῖσθαι, παρῆλθον, περίεργον ἡγούμενος τοῖς ἀφ' αὐτῶν ἄ χρῆ ποιοῦσι λέγειν, οὔτ' ἄν εἰ τούναντίον·

pr.44.1

The speaker attempts to ingratiate himself with the audience by asserting that he would not needlessly, περίεργον, inflict a speech upon the audience. Flattery, feature 402, is inherent in the suggestion that the audience are capable of choosing the requisite policy themselves without the recommendations of orators. The fact that in spite of this the speaker has risen to speak suggests that he has something to say which the audience ought to hear. οὔτ' ἄν εἰ τούναντίον is paradoxical and is designed to make the audience attend to what the speaker will say next.

For the speaker would have thought that an individual such as himself was more likely to be unaware of the best

policy than the whole audience.

Attention, goodwill (402)

μᾶλλον γὰρ ἂν ἡγησάμην ἔν' ὄντ' ἑμαυτὸν ἀγνοεῖν τὰ
κράτιστ' ἢ πάντας ὑμᾶς.

pr.44.1

The speaker is saying that provided that the audience are unanimous even although they do not support the policy which he considers the best nevertheless he will keep silent because he would not presume to think that only he was right while everyone else in the Ecclesia was wrong. This is intended to show that the speaker has consideration for his audience and is modest. His purpose is to obtain their goodwill. Attention is again sought with the implication that the audience ought to listen since in spite of this argument the speaker has in fact risen to speak. However, what are the audience to make of this modesty which is so unctuous as to be patently false? The saving grace is the indefinite form, ἂν ἡγησάμην, which makes it clear that the speaker is speaking hypothetically and envisages a situation which is improbable. Thus the modesty appears as mild flattery. But it is a close run thing. It could easily be interpreted as sarcasm. The speaker, therefore, must be careful to use an appropriate tone of voice.

But since the speaker sees that some of the audience have made the same perceptions as the speaker and the opposite of the others, the speaker will try with the

support of these men to persuade the others.

Goodwill

ἐπειδὴ δ' ὄρω τινὰς ὑμῶν ταῦτ' ἀμὲν γινώσκοντας ἐμοί,
τάναντία δ' ἄλλοις, πειράσομαι μετὰ τούτων τοὺς ἑτέρους
πεῖσαι.

pr.44.2

This is the sentence which the previous two sentences have been leading up to. It is the speaker's view of reality which releases him from the limitations which he imposed upon himself in the previous conditional sentences. Moreover it is intended to be the thin end of the wedge. The speaker claims that some of the audience agree with him. He appeals to the audience's sense of security in numbers. They would be more likely to support a policy that was approved not only by one person but by several people. The speaker enlists the help of the latter, μετὰ τούτων, for his attempt to persuade the doubters. Again this is designed to increase the speaker's likelihood of success by creating the impression that there is taking place a swing in favour of the speaker. However, this argument could not be used if it was apparent that the speaker's claim was false, if, indeed, it was clear that nobody supported the speaker.

If the audience think it necessary to refuse to listen they will not be doing the right thing.

Attention

εἰ μὲν οὖν οἰήσεσθε δεῖν μὴ 'θέλειν ἀκούειν, οὐκ ὀρθῶς ποιήσετε·

pr.44.2

Attention is sought on the grounds that the audience will be making a mistake if they do not listen.

But if the audience listen in silence and endure this one of two benefits will exist for them.

Attention

ἂν δ' ἀκούσητε σιωπῆ καὶ τοῦθ' ὑπομείνητε, δυοῖν ἀγαθοῖν θάτερον ὑμῖν ὑπάρξει·

pr.44.2

Attention is now sought with the suggestion that it will be advantageous to listen. θάτερον rouses curiosity by offering an as yet unspecified alternative.

For either the audience will be persuaded, if the speaker seems to the audience to be saying anything beneficial, or they will be more strongly convinced about their own perceptions.

Attention (209)

ἡ γὰρ πεισθήσεσθε, ἂν τι δοκῶμεν λέγειν συμφέρον, ἢ βεβαιότερον περὶ ὧν ἐγνώκατ' ἔσεσθε πεπεισμένοι.

pr.44.2

This sentence is designed to secure attention by suggesting that the audience have everything to gain by listening and nothing to lose. συμφέρον, feature 209,

attracts attention by implying that it will be advantageous to listen.

For if the speaker's reasons for considering the audience to be mistaken are shown to be worthless then the audience's choice now of resolutions will be accompanied with argument.

Attention, goodwill

ἂν γάρ, οἷς τι διαμαρτάνειν οἴομεθ' ἡμεῖς ὑμᾶς, ταῦτα μηδενὸς ἄξια φανῆ, μετ' ἐλέγχου τὰ δεδογμένα νῦν ὑμεῖς ἔσεσθ' ἡρημένοι. pr.44.2

This argument is used to prevent the audience thinking that the speaker is going to waste their time. He offers them the opportunity to reinforce their decisions with the test of debate. It is noteworthy that the speaker is careful to mention his opinion that the audience are mistaken, οἷς τι διαμαρτάνειν οἴομεθ' ἡμεῖς ὑμᾶς. This is intended to win goodwill by reminding the audience of the possibility that they could be mistaken.

At pr.37.2 it was observed that when offering alternatives the speaker finished on the apparently weaker note.

Ἦν' ἔαν μὲν ἀκούσαντες τοῦτο τοὺς μετὰ ταῦτα λόγους βούλησθ' ἀκούειν, καὶ διδασκῆ καὶ φράζῃ τὰ βέλτισθ' αὐτῶ δοκοῦντα, ἂν δ' ἀποδοκιμάσητε, ἀπηλλαγμένος ἦ καὶ μήθ' ὑμῖν ἔνοχλῃ μήθ' αὐτὸν κόπτῃ. pr.37.2

It was suggested that this could be art concealing art. The same could be said of the speaker's decision to end on the weaker note at pr.44.2. The alternatives are persuading the audience to change their minds and confirming the audience's decision in the event of the speaker's advice appearing worthless. First, by ending with his own possible failure the speaker recalls his earlier very modest remarks that an individual was less likely to perceive the strongest policies than the whole audience. In this respect the speaker's final remarks are designed to flatter the audience. Secondly, the speaker is putting to flight the contrast with which he began pr.44, pleasing the audience and giving the best advice. With these alternatives a speaker faced rejection on the grounds that he did not please the audience. At the end of pr.44 the speaker is arguing that the audience's decision to grant a hearing should be determined by the value of what a speaker has to say, that is, by its ability to produce some benefit. Whether such policy is pleasant or disagreeable need not be given consideration.

Similar alternatives are offered at pr.47.2:

ἀκούσασιν δὲ δυοῖν ἀγαθοῖν οὐκ ἔνι θατέρου διαμαρτεῖν.
ἦ γὰρ πεισθέντες πάντες καὶ ταῦτ' ἐγνωκότες κοινότερον βου-
λεύσεσθε, οὗ μείζον εἰς τὰ παρόντ' οὐδὲν ἂν γένοιτ' ἀγαθόν,
ἦ μὴ δυνηθέντος τοῦ λέγοντος διδάξαι βεβαιότερον τοῖς
ἐγνωσμένοις πιστεύεσθε. pr.47.2

In each instance, pr.44.2 and pr.47.2, the audience are promised beneficial alternatives, *δυσὸν ἀγαθῶν*. It is like telling them that they cannot lose. In pr.47 they will achieve unanimity or confirmation while in pr.44 they will recognize beneficial policy or will receive confirmation of their existing opinions. Each set of alternatives is apposite for its own situation and therefore does not require qualitative comparison.

ARRANGEMENT

A, G

A, G

A, G (402)

A, G (402)

G

A

A

A (209)

A, G

AIM

Pr.44 has been written to be available for use when the speaker wants to recommend policy that he fears will be unpopular. Pr.44, therefore, is intended to secure a hearing and to win goodwill. The speaker's method is to stress the dichotomy between giving advice that pleases and giving advice that is best. He justifies his rising to

speak with the alleged disunity of the Ecclesia and with the claim that some of the audience already support his views. Finally he tries to persuade the audience that they can only gain by granting him a hearing.

Prooemium 46

ANALYSIS

The whole audience have seen with what enthusiasm the ambassadors have denounced the city.

Goodwill

ὄσῃν μὲν, ὧ ἄνδρες Ἀθηναῖοι, πεποιήνται σπουδῆν οἱ πρέσβεις κατηγορῆσαι τῆς πόλεως ἡμῶν, ἅπαντες ἐοράκατε·

pr.46.1

The purpose of this sentence is to enlist the support of the audience in opposition to the ambassadors. The speaker addresses them as if they were witnesses, ἐοράκατε. Moreover their evidence is unanimous, ἅπαντες ἐοράκατε. The speaker is trying to make it difficult for the audience to avoid supporting him. Another technique he uses to foster solidarity is to qualify τῆς πόλεως with ἡμῶν. This unites the speaker and the audience while isolating the ambassadors. κατηγορῆσαι is used to discredit the ambassadors. This is qualified with ὄσῃν ... σπουδῆν which

suggests that the ambassadors' behaviour is excessive. Who are these ambassadors? Are they envoys from foreign cities on a mission to Athens or Athenian envoys reporting back after a mission abroad? The exclusive use of ἡμῶν with τῆς πόλεως suggests that they are foreign envoys.

For except for charges against someone or other they have tried to attribute all other faults to the Athenians.

Goodwill

πλὴν γὰρ οὐκ ἔχω τίνος εἶπω, τ' ἄλλα πάνθ' ὑμῖν ἀναθεῖ-
ναι πεπεύρανται. pr.46.1

The speaker attempts to portray the ambassadors as direct opponents of the audience. The aim is to isolate the ambassadors from the audience. No distractions are allowed to detract from this purpose. Therefore he dismisses charges against others with a vague comment, πλὴν γὰρ οὐκ ἔχω τίνος εἶπω, which deliberately conceals identity.

If their charges were true the Athenians might reasonably be grateful that they were thus denouncing them to their faces rather than to others.

Goodwill

εἰ μὲν οὖν ἦσαν αὐτῶν ἀληθεῖς αἱ κατηγορίαι, χάριν γ' εἴχετ' εἰκότως ἄν, εἰ πρὸς ὑμᾶς οὕτως ὑμῶν κατηγοροῦν καὶ μὴ πρὸς ἄλλους. pr.46.1

When the speaker says 'εἰ μὲν οὖν ἦσαν αὐτῶν ἀληθεῖς αἱ κατηγορίαι', this is a plain statement that the charges are not true. Why does the speaker do this? It is to make the ambassadors appear in an even worse light. If their charges were true then it could be argued that they were doing the Athenians a service by pointing out their errors to them instead of telling others behind their backs. But since the charges are clearly false there is no saving grace. What is the point of this sentence? It creates an interlude which allows the speaker's censure to peak twice in the manner of waves. The prooemium began on a crest. This sentence provides a trough. It will be followed by another crest, indeed a huge one which consists of a sequence of charges against the ambassadors.

But since they distort the truth

Goodwill

ἐπειδὴ δὲ διαστρέψαντες τάληθῃ

pr.46.2

*and pass over things from which the Athenians would
acquire great praise justly*

Goodwill (422)

καὶ τὰ μὲν παραβαίνοντες, ἀφ' ὧν ἂν μεγάλους ἐπαίνους
κομίσαισθε δικαίως

pr.46.2

The speaker continues to keep firmly in the audience's

minds the injury which has been done specifically to the audience themselves by the ambassadors. In this instance it is a sin of omission. Justice is cited, δικαίως, feature 422, to emphasize the injustice of such an omission. Next he mentions a sin of commission.

and they make charges that are false and that do not benefit the Athenians

Goodwill

τὰ δ' αἰτιασάμενοι ψευδῆ καὶ οὐ προσήκονθ' ὑμῖν

pr.46.2

Once again the speaker is careful to mention the involvement of the audience.

and since this is how they have used their opportunity of speech

Goodwill

κέχρηνται τῷ λόγῳ

pr.46.2

The speaker implies, of course, that the ambassadors have misused the privilege of speaking before the Ecclesia.

it is just that the audience consider these men villains when they have been convicted of having done this.

Goodwill (422)

πονηροὺς δίκαιον αὐτοῦς, ἐπειδὴν ἐξελεγχθῶσι ταῦτα πε-
ποιηκότες, νομίζειν. pr.46.2

Justice, δίκαιον , feature 422, is again cited to support the speaker's case. Two methods are used to further discredit the ambassadors. First they are called πονηροὺς. Secondly this is justified on the grounds that the ambassadors have been convicted, ἐξελεγχθῶσι , of doing those things that he has been mentioning, ταῦτα πεποιηκότες. This statement has the ring of the law courts. The speaker sounds like a plaintiff.

If they prefer to be thought clever rhetoricians than reasonable men in accord with truth, not even they would argue that they were men of honour; not likely.

Goodwill

εἰ γὰρ ῥήτορες δεινοὶ μᾶλλον εἶναι δοκεῖν ἢ μετ' ἀληθεί-
ας ἐπικικεῖς ἄνθρωποι νομίζεσθαι προείλοντο, οὐδ' αὐτοὶ καλο-
κάγαθίας ἂν ὡς ἔοικεν ἀμφισβητοῦεν. pr.46.2

The speaker suggests that the ambassadors' behaviour is such that even by the standards of orators, whose priority is to win a reputation, it would be unlikely that the ambassadors themselves would dispute that they were dishonourable. The speaker uses two techniques here. First he tries to discredit the ambassadors by associating them with vainglorious orators. Secondly he claims that

they would be unlikely to defend their honour. The implication is that their reputation is now so tarnished that even they themselves would realize this.

It is difficult to rise to speak before the audience on their behalf just as it is easy to speak against the audience.

Goodwill

ἔστι μὲν οὖν χαλεπὸν τὸ παρ' ὑμῖν ὑπὲρ ὑμῶν ἐροῦντ' ἀνεστηκέναι, ὥσπερ ῥάδιον τὸ καθ' ὑμῶν. pr.46.2

The speaker now turns the spotlight on the audience. He tries to win their support with the shock of a paradox and with the sting of sarcasm. It is implied that the audience prefer to hear themselves being censured rather than being defended.

For by Athena the speaker does not think that any other people would listen when reminded of their own faults in the manner that the Athenians listen when charged with faults that do not concern them.

Goodwill

ἐγὼ γὰρ μὰ τὴν Ἀθηνᾶν οὐδένας ἂν τῶν ἄλλων ἀνθρώπων οὕτως οἶμαι τὰ προσόνθ' αὐτοῖς ἀκοῦσαι νοουθετουμένους, ὡς ὑμεῖς τὰ μὴ προσήκοντα κακῶς ἀκούοντες. pr.46.3

The speaker emphasizes his point with an oath. He

contrasts Athenian behaviour with the general practice of everyone else. He is trying to play on the natural human reluctance to be different from the general trend. His charge is that while no one else would welcome legitimate complaints the Athenians even endure unwarranted criticism. The phrase τὰ μὴ προσήκοντα is intended to discredit the ambassadors' charges. The speaker's purpose is to persuade the Athenians to reject the ambassadors' charges by implying that they would be at fault if they did not. Of course the speaker runs the risk of becoming an exception to the rule which he denigrates. The Athenians may not tolerate his criticism, however legitimate, but may reject him out of hand. In effect he could be hoist with his own petard.

The speaker thinks that not even these men would lie so boldly unless they knew this and it was clear in advance that the Athenians are the cleverest of all people when it comes to listening to whatever anyone might say against them.

Goodwill

οὐ μὴν οὐδὲ τούτους θρασέως ἂν οὕτως ἡγοῦμαι ψεύδεσθαι, εἰ μὴ συνήδεσαν ταῦτα, καὶ πρόδηλον ἦν ὅτι δεινότατοι πάντων ὑμεῖς ἐστ' ἀκούειν ὅ τι ἂν τις καθ' ὑμῶν λέγη. pr.46.3

This sentence begins with an attack on the ambassadors. Key words are θρασέως and ψεύδεσθαι. As the sentence progresses it becomes clear that the speaker is making the

Athenians partly responsible, at first with the veiled εἰ μὴ συνήδεσαν ταῦτα. Then he accuses them more directly. However he introduces this with the word δεινότατοι, which suggests that a compliment is imminent. But the speaker is being sarcastic. This makes the criticism which in fact follows even more acute. Once more their fault is to listen to people criticizing them. Although this is expressed as a generalization the implicit message is that they should not listen to the ambassadors. Once again the irony of the situation is that the speaker expects the audience to listen to and to respond to his own criticism.

If it is necessary to punish the Athenians for this foolishness then to listen to unwarranted criticism against the city would be punishment itself.

Goodwill

εἰ μὲν οὖν ταύτης τῆς εὐηθείας δίκην ὑμᾶς δεῖ διδόναι, λόγους οὐ προσήκοντας κατὰ τῆς πόλεως ἀκούειν τοῦτ' ἂν εἴη.

pr.46.4

The speaker interprets Athenian behaviour in this way in order to stir them to a change of habit, which amounts in the present instance to rejecting the ambassadors.

But if something just must be said on behalf of the truth, the speaker has come forward for this purpose.

Attention (211) (207), goodwill (422)

εἰ δ' ὑπὲρ τῶν ἀληθῶν εἴ τι δίκαιον ῥητέον, ἐπὶ τοῦτ'
ἐγὼ παρελήλυθα pr.46.4

For the first time in this prooemium the speaker turns the spotlight on himself. He explains his motive for coming forward to speak. This is intended to win attention and goodwill on the grounds that what he is going to say will be true, feature 211, and just, features 207 and 422.

believing not that he himself will be able to speak worthily of the Athenians' accomplishments but that the matters whatever one might say will appear just.

Attention (207), goodwill (402) (403) (422)

πιστεύων οὐκ αὐτὸς ἀξίως τῶν ὑμῶν πεπραγμένων εἶπεῖν
δυνήσεσθαι, ἀλλὰ τὰ πράγματα, ὅπως ἂν τις εἴπῃ, δίκαια φα-
νεῖσθαι. pr.46.4

The speaker again seeks attention, feature 207, and goodwill, feature 422, on the grounds that his cause is just. In addition he tries to ingratiate himself with flattery, feature 402, and self depreciation, feature 403, in the first clause, πιστεύων οὐκ αὐτὸς ἀξίως τῶν ὑμῶν πεπραγμένων εἶπεῖν δυνήσεσθαι. This is justified with the statement that the matters, τὰ πράγματα, are manifestly just, δίκαια φανεῖσθαι, regardless of any comments made by orators, ὅπως ἂν τις εἴπῃ. The speaker is trying to persuade the audience that his case is so strong that it does not need to be enhanced with rhetorical skills. This

argument is reinforced with the flattery and self depreciation which occurred in the earlier part of the sentence.

The speaker would wish that the Athenians become equally willing listeners of speeches on their behalf and not be eager, because they have been beguiled, to praise the speeches of these men.

Attention, goodwill

βουλομένην δ' ἂν ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, ἴσους ἀκροα-
τὰς ὑπὲρ ὑμῶν αὐτῶν γενέσθαι, καὶ μὴ τῷ προῆχθαι τοὺς λόγους
ἐπαινέσαι τοὺς τούτων φιλονικεῖν. pr.46.5

The first part of the speaker's wish is a request for an impartial hearing, ἴσους ἀκροατὰς, which he qualifies with ὑπὲρ ὑμῶν αὐτῶν. Although he expresses the latter generally he intends the audience to understand that he is one who speaks on their behalf and, as such, deserves an impartial hearing. The second part of the wish is designed to explain away and thereby diminish the audience's tendency to support the ambassadors. It is implied that the ambassadors have deceived the audience, who have been bewitched, τῷ προῆχθαι. This accounts for their desire to praise the speeches of these men. The speaker implies that the audience's better judgement has been blurred by coming under the spell of the ambassadors.

For no one would continue to judge the Athenians of

wickedness if they had been led astray by some good speaker, but this would be the judgement formed about those who expend efforts to deceive the Athenians.

Goodwill

οὐ γὰρ ἂν ὑμετέραν κακίαν οὐδεὶς ἔτι κρίναι, εἰ λέγον-
οὐ γὰρ ἂν ὑμετέραν κακίαν οὐδεὶς ἔτι κρίναι, εἰ λέγον-
τός τινος εὔ παρεκρούσθητε, ἀλλὰ τῶν ἐπὶ τούτῳ σπουδὴν ποι-5

The speaker now threatens the audience with notoriety to induce them to withdraw their support from the ambassadors. Key words are ὑμετέραν κακίαν and ἔτι. The latter is used to suggest that the Athenians have already been judged and will continue to be judged guilty of κακίαν until the sophistry of clever speakers (i.e. of the ambassadors) has been demonstrated. In effect the speaker is saying that the audience will be held in disrepute until the ambassadors are shown to be reprehensible. Of course the audience can effect this change by denouncing the ambassadors. The speaker does this himself in the final part of the sentence. He concentrates his attack on their σπουδὴν. Aesthetically this provides a good ending because it embellishes the prooemium with ring composition. The speaker returns to the theme with which he began:

ἄσπονδον μὲν ὧ ἄνδρες Ἀθηναῖοι, πεποίηνται σπουδὴν ...

pr.46.1

... σπουδὴν ποιησαμένων ...

pr.46.5

This decorative effect is employed to emphasize the speaker's final point, the object of the ambassadors' σπουδῆν, the deception of the Athenians, ὅπως ὑμᾶς ἐξαπατήσουσιν. This clause provides a final punchline which puts in a nutshell the speaker's interpretation of the ambassadors' behaviour.

ARRANGEMENT

G

G

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G (422)

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G (422)

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G

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A (211) (207), G (422)

A (207), G (402) (403) (422)

A, G

G

AIM

The speaker's aim is to persuade the Ecclesia to reject the criticism of ambassadors. It is possible that pr.46 was written in response to a particular situation. However it is also possible, given that pr.46 contains no references to any specific situation, that it was written in advance to be available for use on an occasion when the Ecclesia has been swayed by the criticism of ambassadors contrary to the opinion of the speaker. With regard to these considerations what is intended by the phrase which appears in the first sentence, οὐκ ἔχω τίνοσ εἶπω? Is this phrase substituted for a particular name which the speaker has in mind, or is it merely a 'blank space' to be filled in when the prooemium comes to be used? Since it was decided that the speaker used this phrase deliberately to disguise identity in order to fix concentration on the Athenians the 'blank space' idea is ruled out. But one cannot say definitively whether οὐκ ἔχω τίνοσ εἶπω masks a particular reference or not. Accordingly pr.46 may have been written for a particular occasion, but it may equally have been written speculatively.

Prooemium 47

ANALYSIS

The speaker thinks that all of the audience would

say that they wish to have put into practice what each considers best for the city.

Attention, goodwill

οἶμαι πάντας ἄν ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, φῆσαι, ἃ βέλτισθ' ἕκαστος ἡγεῖται τῇ πόλει, βούλεσθαι ταῦτα πραχθῆ-
ναι. pr.47.1

The purpose of this sentence is to provoke universal assent. The opening words are intended to attract attention by rousing curiosity. The speaker is about to express an opinion about the whole audience, οἶμαι πάντας ἄν ὑμᾶς, but he interrupts his revelation with the vocative in order to encourage thinking and hence attention. He goes on to attribute to the audience unanimous acknowledgement of an ideal, ἃ βέλτισθ' ἕκαστος ἡγεῖται τῇ πόλει, βούλεσθαι ταῦτα πραχθῆναι. This is an appeal to patriotism which is expressed generally enough for everyone to be able to agree with it. The speaker will be hoping to win goodwill as one who expresses such loyal sentiments. Moreover by implying that his own speech will contain the advice which he considers best for the city he hopes to win attention and goodwill. However the main purpose of the sentence is to strike a note of assent before he comments on the disagreement which actually exists among the audience.

But it happens that the best policy has not been judged the same by the whole audience,

Attention, goodwill

συμβάλνει δέ γε μὴ κατὰ ταύτῃ κερῖσθαι παρὰ πᾶσι τὸ
βέλτιστον· pr.47.1

συμβάλνει δὲ suggests that the speaker is acknowledging that he is moving from the ideal of the previous sentence to a reality which is different. Individual interpretations of best policy do not come together to provide unanimity. This sentence is the first of a series designed accumulatively to win the attention and goodwill of that section of the audience which disagrees with the speaker's interpretation of best policy.

for some of the audience would not be bidding the speaker to speak while others were bidding him not to speak.

Attention, goodwill

οὐ γὰρ ἂν ὑμῶν οἱ μὲν λέγειν, οἱ δὲ μὴ λέγειν ἐκέλευ-
ον. pr.47.1

The speaker offers evidence to support his previous statement. He cites hecklers.

To those having the same views about what is going to be beneficial as the one about to speak there is no need to make a speech. For they are convinced.

Attention, goodwill

πρὸς μὲν τοίνυν τοὺς ὑπειληφότας ταύτᾳ συμφέρειν
οὐδενὸς δεῖ λόγου τῷ μέλλοντι λέγειν· πεπεισμένοι γὰρ ὑπ-
άρχουσι·

pr.47.1

οὐδενὸς δεῖ λόγου is intended to win goodwill by implying that the speaker is not one who would waste the audience's time. At least, he would not waste the time of that section of the audience which already shares his view of expediency. He confirms their support with the words πεπεισμένοι γὰρ ὑπάρχουσι. He implies that he is not a voice in the wilderness but is supported by a group of the audience. All of this is done by implication. The speaker is careful to express these remarks as a generalization to enhance his prospects of obtaining a hearing. He implies that the opposite of what he has actually said is also true, i.e. that while it is unnecessary to address those who agree it is necessary to address those who disagree. The advantage of using the general expression, τῷ μέλλοντι λέγειν, is that it suggests common practice as opposed to an idiosyncrasy of the speaker. Therefore if it is the general trend for orators to confine their addresses to those whom it is necessary to convince, then the audience should not be surprised that the present speaker is going to speak in opposition to the views of some, or even the majority, of the audience. The speaker is trying to justify the need for him to make a speech. The reading ταύτᾳ makes better sense than the Oxford Classical Text's ταῦτα, since ταύτᾳ recalls the earlier ταύτῳ.

But to those who think that the opposite is beneficial the speaker wishes to say a few words.

Attention, goodwill

πρὸς δὲ τοὺς τάναντία συμφέρειν ἡγουμένους βραχέ' εἰ-
πεῖν βούλομαι. pr.47.1

The speaker expresses the wish to address those who disagree with him. This is a veiled request for a hearing. βραχέ' is used to justify this on the grounds that they will not have to listen for long. At the same time it is intended to win goodwill by implying that the speaker is not going to waste their time.

Unless they are willing to listen it is not possible to learn anything at all anymore than if they keep silent when no one is speaking.

Attention

μὴ 'θέλουσι μὲν οὖν ἀκούειν οὐκ ἔνι δήπου μαθεῖν, οὐδὲν
μᾶλλον ἢ σιωπῶσιν μηδενὸς λέγοντος· pr.47.2

Learning, μαθεῖν, is used to recommend listening. It is also suggested that refusal to listen is like remaining silent when no one is speaking, a pointless exercise. The implication is that not only will the audience forego the chance to learn something but they will also be behaving ludicrously if they refuse to grant the speaker a hearing.

By expressing it as he does he defuses the sarcasm and will probably raise a laugh.

But for those who do listen it is impossible to miss either of two benefits.

Attention

ἀκούσασιν δὲ δυνοῖν ἀγαθοῖν οὐκ ἔνι θατέρου διαμαρτεῖν.
pr.47.2

The speaker now suggests that the audience cannot lose by granting a hearing.

Either the whole audience will be convinced, will have the same views and consequently will deliberate more unanimously - and nothing better than this would occur for the present situation -

Attention

ἢ γὰρ πεισθέντες πάντες καὶ ταῦτ' ἐγνωκότες κοινότερον βουλευέσεσθε, οὔ μείζον εἰς τὰ παρόντ' οὐδὲν ἂν γένοιτ' ἀγαθόν
pr.47.2

The first alternative offers the advantage of unanimity, reinforced with the parenthesis to the effect that nothing could be better for the present situation. The ideal of unanimity recalls the beginning of pr.46, where the speaker observed that everyone would agree that best policy was the priority but disagreement existed

concerning interpretation of best policy.

R. Clavaud 1974B, p.128, translates κοινότερον, 'avec plus d'impartialité'. He justifies this and rejects the idea of unanimity at p.158 n.2:

'Tel est le sens (voir l'emploi qui est fait de κοινός, soit seul, soit accompagné de ἴσος, dans le prol.7(8), § 1 (=Pour les Mégalo-politains, 2); dans le discours sur la Couronne, 7); dans le prologue 45(46), § 5). L'idée que les délibérations sont meilleures quand on est impartial, se retrouve dans le prol.18(19). - Il ne faut pas comprendre "vous prendrez vos décisions avec plus d'unanimité" comme on le fait en général. Outre que ce "blocage" des voix est contraire à l'esprit démosthénien et à la vie politique du IV^e siècle, c'est ὁμογνώμων qu'on emploie pour désigner l'unanimité. Voir dans la Quatrième Philippique, 75, une distinction très clairement établie entre l'attention prêtée à tous les orateurs (désignée par ἐξ ἴσου) et l'unanimité des auditeurs (désignée par ὁμογνώμων). Voir aussi l'emploi de ὁμολογεῖν (prol.21(22), § 1, etc.).'

Although Clavaud's accumulation of evidence to support his interpretation is admirable, nevertheless it makes better sense to translate κοινότερον, 'with greater unanimity' (i.e. more as a body) than 'with greater impartiality'. It has already been observed that the former interpretation recalls the speaker's opening remarks. Moreover it accords better with the phrase χωρὶς

δὲ τούτων at pr.47.3 which introduces as a separate subject the theme of prejudice which is so akin to partiality that it would diminish the effect of the phrase χωρὶς δὲ τούτων. On the other hand when preceded by the theme, unanimity, the introduction of 'prejudice' offers a new departure which gives point to the phrase χωρὶς δὲ τούτων. Besides, the speaker promises alternatives that provide some good. While both impartiality and unanimity can be construed as benefits, impartiality has more immediate subjective advantage to an individual orator than to the audience as a whole, while unanimity on the other hand is a benefit which concerns primarily the audience as a group. Therefore unanimity would be a more obvious benefit to the audience than impartiality. Finally the words with which κοινότερον is united all ring of unanimity: πεισθέντες πάντες, ταῦτ' ἐγνωκότες, κοινότερον βουλευσέσθε.

or if the speaker cannot enlighten the audience then they will trust their own decisions with greater conviction.

Attention

ἢ μὴ δυνηθέντος τοῦ λέγοντος διδάξαι βεβαιότερον τοῖς ἐγνωσμένοις πιστεύσετε. pr.47.2

This is subtle. The speaker offers the reassurance that the opinions already held will be confirmed and reinforced with the test of argument which falls short of causing a change of mind. This is the thin end of the

wedge. The speaker has no intention of providing this service but is trying to persuade the audience to grant him a hearing which he implies will be harmless but which he intends to use as a platform for assailing these previously made opinions.

Apart from these alternatives the Athenians have incurred a suspicion, which does not add honour, that while the Athenians have come to the Ecclesia, as is their duty, to choose the strongest policy from the opinions that will be expressed, they will be found to have been convinced of something before making a decision as a result of the speeches, and this so strongly that they are not willing to hear anything contrary to this.

Attention

χωρὶς δὲ τούτων οὐδὲ καλὴν ὑποψίαν ἔχει ἡκεῖν μὲν εἰς τὴν ἐκκλησίαν ὡς ἐκ τῶν ῥηθησομένων τὸ κράτιστον ἐλέσθαι δέον, φανῆναι δέ, πρὶν ἐκ τῶν λόγων δοκιμάσαι, παρ' ὑμῖν αὐτοῖς τι πεπεισμένους, καὶ τοῦθ' ἰσχυρὸν ὥστε μηδ' ἐθέλειν παρὰ ταῦτ' ἀκούειν. pr.47.3

The speaker changes tack. He leaves aside positive inducements and turns to negative incentive. He threatens them with notoriety, οὐδὲ καλὴν ὑποψίαν. He reminds them that they are under obligation, δέον, to make their decisions from the speeches that will be made, ἐκ τῶν ῥηθησομένων. This, of course, presumes a need to grant orators, including and especially the present speaker, a

hearing. But the speaker claims that their obvious practice, φανῆναι, is at variance with their duty. He accuses them of prejudice, of making their decisions before listening to the speeches, πρὶν ἐκ τῶν λόγων δοκιμάσαι, παρ' ὑμῶν αὐτοῖς τι πεπεισμένους. This is a form of anticipation. The aim is to prevent this happening to the speaker in the present instance. He reinforces this by claiming that the audience's prejudice is so strong that they refuse to hear any opinions opposed to those they have already formed themselves, καὶ τοῦθ' οὕτως ἰσχυρὸν ὥστε μηδ' ἐθέλειν παρὰ ταῦτ' ἀκούειν. The speaker uses ἰσχυρὸν to suggest that refusal to grant a hearing is an excessive form of behaviour. It is implied that to grant a hearing would be the normal, reasonable thing to do.

ARRANGEMENT

A, G

A, G

A, G

A, G

A, G

A

A

A

A

A

AIM

The aim of pr.47 is to secure a hearing. It has been written to be available for use when the speaker has to overcome reluctance to listen and perhaps even heckling. There are no references to a particular situation. Consequently pr.47 could be used to introduce any subject which might encounter audience resistance. Each section has a distinct function. In pr.47.1 the speaker tries to establish rapport with his audience. In pr.47.2 he tries to persuade the audience that listening will result in some good for them. In pr.47.3 he tries to pressurize them into granting a hearing by claiming that refusal to listen to those who want to speak in opposition to their views is evidence of strong prejudice.

Prooemium 49

ANALYSIS

No sensible man would deny in the speaker's opinion that it is best of all for the city especially at the start to do nothing inexpedient, but if this cannot be prevented then that there be people present to speak in opposition immediately.

Attention, goodwill

οὐδέν' ἂν εἶ προνοῦντ' ἀντειπεῖν, ὧ ἄνδρες Ἀθηναῖοι,

νομίζω, ὡς οὐχ ἀπάντων ἄριστόν ἐστιν τῇ πόλει μάλιστα μὲν
ἐξ ἀρχῆς μηδὲν ἀσύμφορον πράττειν, εἰ δὲ μή,
παρεῖναι εὐθύς τοὺς ἐναντιωσομένους.

pr.49.1

The opening remarks, οὐδέν' ἂν εὔφρονοῦντ' ἀντειπεῖν, are designed to win attention by rousing curiosity and to win goodwill by implying assent. Everyone likes to consider himself sensible. The speaker exploits this natural trait by suggesting that sensible people, i.e. anyone who εὔφρονοῦντ', would agree with him. Next the insertion of ὧ ἄνδρες Ἀθηναῖοι and νομίζω heighten the curiosity factor by postponing explanation. This concerns the city's best interest, ὡς οὐχ ἀπάντων ἄριστόν ἐστιν τῇ πόλει. This subject is designed to win goodwill for the speaker as a patriot and to win attention by implying that the speaker is going to explain what is best of all for the city. The explanation when it comes turns out to be a vague generalization, μάλιστα μὲν ἐξ ἀρχῆς μηδὲν ἀσύμφορον πράττειν. This is deliberate. The speaker is at pains to evoke agreement. Everyone will agree that nothing inexpedient should be done. Why does the speaker emphasize the start, μάλιστα μὲν ἐξ ἀρχῆς? Presumably this is because the Athenians have started something which the speaker now wants to change. He implies that some time has passed since the start. This is confirmed by his use of the phrase τῆς μετὰ τοῦ χρόνου βασάνου at pr.49.3. He also implies that at the start the wrong policy was adopted and now needs to be changed. In the next part of the sentence

he offers further generalization. When something inexpedient has been done it is best for the city if there are people around who will immediately speak in opposition, εἰ δὲ μή, παρεῖναι εὐθὺς τοὺς ἐναντιωσομένους. It is now clear what the speaker is doing. He is trying to make acceptable to his audience the idea of speaking in opposition. εὐθὺς picks up ἐξ ἀρχῆς. This opposition, if it is to be effective, must be expressed rightaway, i.e. before it is too late to recover an inexpedient situation. This whole sentence is like the thin end of a wedge. The speaker's purpose is to get the audience on his side before he announces his opposition to current policy. He implies that he is acting in the city's best interests and is able to retrieve an unfortunate situation. All that is required is speed. Deterioration must not be allowed to go too far. This is the point of the word εὐθὺς. The implication is that the audience's response should be to offer immediate attention to the speaker. This is expressed explicitly in the next sentence.

It is necessary however to add to this that the Athenians are willing to listen and to be taught.

Attention, goodwill

δεῖ μὲντοι τούτῳ προσεῖναι ἐθέλοντας ἀκούειν ὑμᾶς καὶ
διδάσκεσθαι· pr.49.1

Attention is sought by saying that the audience ought to be willing to listen while goodwill is sought by saying

that they ought to be willing to be taught. In the latter case he implies that they ought to be willing to be persuaded to the speaker's point of view. Next the speaker provides an explanation of this comment.

For there is no advantage in having a man who will give the best advice if he does not have listeners.

Attention, goodwill

οὐδὲν γὰρ πλεον εἶναι τὸν ἐροῦντα τὰ βέλτιστα, ἂν μὴ τοὺς ἀκουσομένους ἔχη. pr.49.1

The primary purpose of this sentence is to secure attention. Moral pressure is exerted on the audience to grant a hearing to those who offer the best advice. Of course, it is implied that the present speaker is such a one. Accordingly attention is sought on the grounds that the speaker is going to give the best advice. Moreover the prospect of the best advice is also intended to win goodwill.

Nor would it appear unprofitable subsequently that when someone was going to deceive the Athenians either because of the occasion or the time of day or for some other reason, there should be someone to scrutinize matters a second time, whenever the Athenians are willing to listen so that if policies appear just as those who at that time persuaded the Athenians claimed, they may put them into practice more enthusiastically as having passed the test,

but if policies are discovered to be otherwise, then the Athenians may stop before proceeding any further.

Attention, goodwill

οὐ μὴν οὐδ' ἐκεῖν' ἀλυσιτελὲς μετὰ ταῦτ' ἂν φανείη,
ὅσ' ἂν τις ὑμᾶς ἢ διὰ καιρὸν ἢ δι' ὥραν ἡμέρας ἢ
δ' ἄλλην τιν' αἰτίαν παρακρούσηται, ταῦθ' ὅταν ποτὲ
βούλησθ' ὑμῶν αὐτῶν ὄντες ἀκούειν, εἶναι τὸν ἐξετά-
σοντα πάλιν, ἔν' ἐὰν μὲν οἶά φασιν οἱ τότε πείσαντες
φανῆ, προθυμότερον πράττηθ' ὡς ἔλεγχον δεδωκότα, ἐὰν
δ' ἄρα μὴ τοιαῦθ' εὐρεθῆ, πρὶν πορρωτέρω προελεθεῖν
ἐπίσχητε.

pr.49.2

This sentence is intended to win attention by reinforcing the opening sentence. The speaker now offers situations which would justify further counselling. The sentence is introduced by a clause whose purpose is to suggest benefit, οὐ μὴν οὐδ' ἐκεῖνο ἀλυσιτελὲς μετὰ ταῦτ' ἂν φανείη. This is intended to secure attention and to win goodwill. μετὰ ταῦτ' deserves comment. R. Clavaud 1974B, p.130, offers the translation, 'en second lieu', which suggests that the speaker is making a second point. However μετὰ ταῦτ' is more far-reaching than this. It is intended to suggest that there could be other situations in the future, in addition to the present occasion, when renewed deliberation might be profitable. Some situations are now cited as opportunities available to those who intend to deceive the Athenians, ὅσ' ἂν τις ὑμᾶς ἢ διὰ καιρὸν ἢ δι' ὥραν ἡμέρας ἢ δι' ἄλλην τιν' αἰτίαν παρακρούσηται. Clavaud,

p.161 n.2, commenting on δι' ὥραν ἡμέρας, says that the lateness of the hour could be exploited to precipitate deliberations because they had to be concluded while it was still light enough to count a show of hands when the vote was taken. He cites by contrast an example from Xenophon *Hellenica* I, 7, 7, which describes how a debate about the Arginusae generals ended in disorder because it was too dark to see hands with the result that the debate had to be postponed until another meeting of the Ecclesia.

A key word in this part of the sentence is παρακρούσῃται. The speaker wants the audience to associate the need for further deliberation with the machinations of dishonest orators. Although he refers to hypothetical situations, the audience are intended to deduce that the present situation is no different, i.e. that the speaker's opponents have deceived the Athenians into adopting the present course of action. This is the preliminary scene which the speaker has set to justify his advocacy of further scrutiny which now follows, ταῦθ' ὅταν ποτὲ βούλησθ' ὑμῶν αὐτῶν ὄντες ἀκούειν, εἶναι τὸν ἐξετάσοντα πάλιν. A prerequisite for further scrutiny is the audience's willingness to listen. The speaker's aim is to make the audience feel that they have a responsibility to listen. This is heightened by the insertion of this clause after παρακρούσῃται. It is implied that since the audience have an inclination to listen to those who would deceive them, then they ought to approve and attend to those who try to save them from the errors of their ways. βούλησθ' emphasizes the onus that rests with the audience. The

speaker recommends the need for further scrutiny as a general principle but intends, of course, that he be allowed to provide this for the matters currently under consideration. Clavaud, p.161 n.3, commenting on τὸν ἐξετάσοντα πάλιν says that it is remarkable to see Demosthenes supporting second deliberations when he had condemned the idea in other prooemia. Why does Clavaud consider Demosthenes' behaviour so remarkable? Surely a politician can employ opposite arguments on different occasions to suit his purpose or, indeed, to further the city's interests, without losing credibility.

Next the speaker offers alternative reasons to recommend further the need for extra deliberation. The first of these is a form of flattery: the Athenians' earlier decision will be confirmed so that consequently they will have greater zeal for the execution of this policy, ἔν' ἔάν μὲν οἷά φασιν οἱ τότε πείσαντες φανῆ, προθυμότερον πράττηθ' ὡς ἔλεγχον δεδωκότα. This is used as bait to persuade the audience to grant a hearing. The speaker will be hoping that he can hook the audience with his second alternative which is his real purpose, ἔάν δ' ἄρα μὴ τοιαῦθ' εὐρεθῆ, πρὶν πορρωτέρω προελθεῖν ἐπίσχητε.

For it would be terrible if it was necessary for those who mistook the strongest policy to put into practice the worst and not be allowed to change their minds nor choose the second best from the remaining alternatives.

Attention

καὶ γὰρ ἂν δεινὸν εἶη, εἰ τοῖς τοῦ κρατίστου διαμαρτοῦ-
σι τὸ χεῖριστον ἀνάγκη πράττειν εἶη, καὶ μὴ, τὸ δεύτερον ἐκ
τῶν λοιπῶν, ἐξείη μεταβουλεύσασθαι. pr.49.2

δεινὸν is intended to emphasize what follows. The speaker offers a new viewpoint. Instead of recommending further deliberation he allows the audience to imagine what would happen if further deliberation were forbidden and they were obliged to stand by their decisions however misguided. The aim is the same, to persuade the audience to grant further deliberation. The method is subtle. Now the speaker warns them about a terrible situation that should not be allowed to happen. It is implied that the present situation is an example of mistaken policy. But it is also implied that, since the Athenians are not under obligation to stand by their mistakes, they ought to allow the matter to be reconsidered.

The speaker observes that all other men offer themselves for continual inquiry whenever they believe that some policy has been put into practice justly.

Goodwill

τοὺς μὲν οὖν ἄλλους ἅπαντας ἔγωγ' ὀρῶ τὴν ἀειλογίαν
προτεινομένους, ὅταν τι πιστεύωσι δικαίως αὐτοῖς πεπραχθαι.
pr.49.3

This generalization prepares the way for the next sentence in which the speaker cites as an exception to this

rule the particular behaviour of his opponents. Key words in this sentence are τοὺς ... ἄλλους ἅπαντας and δικαίως. The former phrase is designed to isolate the speaker's opponents from everyone else while the latter word is intended to imply that the opponents' policy has not been put into practice justly.

These men on the other hand object if the Athenians now wish to reverse their decision on matters about which they were mistaken thinking that their deceit should have greater authority than the judgement of hindsight.

Attention, goodwill

οὗτοι δ' αὖ τούναντίον ἐγκαλοῦσιν, εἰ περὶ ὧν ἡμάρτετε
νῦν ἀναθέσθαι βούλεσθε, τὴν ἀπάτην κυριωτέραν οἰόμενοι δεῖν
εἶναι τῆς μετὰ τοῦ χρόνου βασάνου. pr.49.3

The speaker now attacks his opponents explicitly. First he accuses them of objecting, ἐγκαλοῦσιν. It is noteworthy, however, that he does not reveal the true target of their objection, i.e. his own efforts to reopen the deliberation, but concentrates instead on their relationship with the audience. He tries to create the impression that his opponents are attempting to deprive the audience of their right to change their minds. He will hope that the audience will respond by supporting his request for the reopening of deliberation on the particular matter. With reference to the audience themselves the speaker is careful to mention that they have made a

mistake, *περὶ ὧν ἡμάρτετε*. This is designed to justify his request for renewed deliberation. In addition he is sowing seeds in their minds. If no one immediately objects that he is wrong to allege that they have made a mistake then his allegation will gain all the more credibility. In the final part of the sentence the speaker focuses attention on his opponents. He balances *τὴν ἀπάτην*, which is intended to discredit his opponents, with *τῆς μετὰ τοῦ χρόνου βασάνου*. Presumption is suggested on the part of the opponents by the words *κυριωτέραν οἰόμενοι δεῖν εἶναι*. What does the speaker mean by *βασάνου*? Does he refer to an official inquiry or does he mean some less formal test? Clavaud, p. 130, translates *τῆς μετὰ τοῦ χρόνου βασάνου* as 'l'épreuve du temps' and comments, p.162 n.7, 'Bien que Démosthène n'emploie pas ailleurs le mot de *βάσανος* qu'au sens propre, il a très bien pu l'employer ici au sens figuré, qui est fort attesté dans d'autres textes.' Clavaud, then, supports the less formal test. To settle the dispute *βασάνου* must be considered in conjunction with *ἀειλογίαν* from the previous sentence. *ἀειλογίαν* also occurs at 19.2 The passage from 19.2 is worthy of comparison.

τοὺς μὲν οὖν ἄλλους, ὅσοι πρὸς τὰ κοινὰ δικαίως προσ-
έρχονται, κἂν δεδωκότες ὦσιν εὐθύνας, τὴν ἀειλογίαν ὁρῶ
προτεινομένους, τουτονὶ δ' Αἰσχίνην πολὺ τάναντία τούτου'
19.2

As in pr.49.3 the speaker contrasts his opponent with others, *τοὺς ἄλλους*, whose behaviour is just, *δικαίως*. The

aim is to isolate the opponent and to suggest that he is unjust. However, the key phrase which throws light on τὴν ἀειλογίαν is κὰν δεδωκότες ἴσιν εὐθύνας. This suggests that the customary sequence was to submit to official scrutiny, εὐθύνας, and thereafter to make oneself available for continual inquiry, ἀειλογίαν. In pr.49.3 τῆς μετὰ τοῦ χρόνου βασάνου recalls and is a parallel expression for τὴν ἀειλογίαν. Accordingly βασάνου does not signify an official inquiry, such as εὐθυναί. Clavaud, therefore, is right to translate it 'l'épreuve du temps'.

The purpose of this sentence is to secure attention by justifying the need for further deliberation and to win goodwill by discrediting the opposition.

Perhaps the majority of the audience are not unaware of the zeal of these men.

Goodwill

τὴν μὲν οὖν τούτων σπουδὴν οὐδ' ὑμῶν ἴσως ἀγνοοῦσιν οἱ πολλοί·

pr.49.3

σπουδὴν is intended in a pejorative sense. The aim is to discredit his opponents. The second part of the sentence is meant to emphasize this by enlisting the support of the audience, οὐδ' ὑμῶν ἴσως ἀγνοοῦσιν οἱ πολλοί. Tacit acceptance of this statement is tantamount to acquiescence. Thus the speaker implies that the majority of the audience acknowledge his opinion of his opponents and hence are on his side.

It is necessary whenever one has obtained the opportunity to speak to say what one considers the strongest policy for the circumstances.

Attention, goodwill

δεῖ δ' ὑπὲρ τῶν πραγμάτων, ἐπειδήπερ γέγονε λόγου τυ-
χεῖν, ἅ τις ἡγεῖται κράτιστα, λέγειν. pr.49.3

The speaker concludes pr.49 with a statement of one's duty. This amounts to ὑπὲρ τῶν πραγμάτων ... ἅ τις ἡγεῖται κράτιστα λέγειν. This is intended to win attention and goodwill by implying that on the present occasion the present speaker is about to do just that. The most interesting part of this sentence, however, is the clause ἐπειδήπερ γέγονε λόγου τυχεῖν. Does the speaker mean to suggest that on the present occasion he has secured the chance to speak? Clavaud, p.162 n.8, draws this conclusion and sees evidence of an actual situation:

'Ce détail laisse supposer une victoire remportée sur l'autre parti. Un pareil trait, qui ne saurait pourtant être daté, rapporte ce prologue à une circonstance réelle et non pas fictive.'

Clavaud reads too much into this. He could be right but on the other hand the speaker may be relying on the power of presumption in the hope that mere mention of the possibility of obtaining the chance to speak will make it a

reality. He is on his feet at the end of his introduction. Another sentence will take him into the main part of a speech. The probability is that if he has been allowed to speak thus far then he will be allowed to proceed further. Clavaud is wrong to dismiss the possibility that pr.49 is a piece of speculative writing for use when necessary since there are no references to any specific situation and, in any case, the eventuality depicted in pr.49 is not beyond a speaker's imagination.

ARRANGEMENT

A, G

A, G

A, G

A, G

A

G

A, G

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A, G

AIM

Pr.49 presupposes a situation in which the Ecclesia have initiated a policy deemed by the speaker to be doom-laden. His aim therefore is to persuade the Ecclesia even at this stage to reopen deliberation by granting him a hearing. His methods are to justify the need for further

deliberation, to emphasize the Ecclesia's responsibility to listen, to suggest that disreputable orators' malpractices would be curtailed by those who were on hand to initiate renewed deliberation, to predict the terrible consequences of removing the Ecclesia's opportunity to reconsider, to discredit the authors of present policy, to claim that he has in fact won the right to reopen discussion and to imply that he will do his duty by providing the strongest policy. Pr.49 may have been written in response to an actual crisis but equally it could have been written to be available for use when necessary.

Prooemium 50

ANALYSIS

Whatever policy is going to benefit the whole city the speaker prays that everyone will suggest this and that the audience will choose it.

Attention (209), goodwill (424)

ὅ τι μὲν μέλλει συνοίσειν πάση τῇ πόλει, τοῦτο καὶ λέγειν εὐχομαι πάντας, ὧ ἄνδρες Ἀθηναῖοι, καὶ ὑμᾶς ἐλέσθαι.

pr.50.1

The speaker begins with a platitude which is intended to establish good rapport with his audience. He means it to be taken for granted that he is one who is going to

offer advice that will benefit the whole city, features 209 and 424. Equally, he implies that the audience in choosing such policy ought to adopt his advice. The sentence commends co-operation between orator and audience. An interesting feature is that the sentence is expressed as a prayer, εὐχομαι. Prayers have already been observed at pr.25.3 and pr.31.2.

εὐχομαι δὲ τοῖς θεοῖς, ἃ καὶ τῇ πόλει κάμοι συμφέρειν μέλλει, ταῦτ' ἐμοί τ' εἰπεῖν ἐλθεῖν ἐπὶ νοῦν καὶ ὑμῶν ἐ-
λέσθαι. pr.25.3

εὐχομαι δὲ τοῖς θεοῖς τοὺς ἢ φιλονικίας ἢ ἐπιηρείας ἢ τινος ἄλλης ἔνεκ' αἰτίας ἄλλο τι, πλὴν ἃ ποθ' ἡγοῦνται συμφέρειν, λέγοντας παύσασθαι. pr.31.2

R. Clavaud 1974B, p.131 n.1, commenting on pr.50.1, says that we should not be surprised by religious references:

'Un pareille intervention des croyances religieuses et du rituel ne doit pas étonner si l'on se rappelle que les séances de l'Assemblée commençaient par une purification ..., que le héraut prononçait une prière et des imprécations contre les traîtres.'

Clavaud's remarks require qualification. It must be remembered that the insertion of a prayer into an introduction is quite different from a habitual prayer

proclaimed by an official to inaugurate proceedings. The latter is a routine which will excite no comment whereas the former, because it is a device that is used sparingly, will attract attention. The prayers at pr.25.3 and pr.31.2 are used to emphasize the speaker's concern for the city's advantage. While the prayer at pr.50.1 is also concerned with the city's advantage and follows a similar formula as pr.25.3, it differs in three respects from the others. First, it occurs at the start of the prooemium. The prayer therefore does not have the crescendo effect that it has at pr.25.3 and pr.31.2. Secondly, it does not become apparent until half way through the sentence that the speaker is in fact making a prayer since εὐχομαι does not occur in its customary place at the start. Third, there is no mention of the gods. These factors suggest that the speaker does not intend to emphasize the prayer aspect of the sentence, but uses εὐχομαι to mean 'I pray' in the sense of 'I wish'.

The speaker will say what he happens to have persuaded himself is most beneficial to the Athenians

Statement (102), attention (209), goodwill (424)

ἐγὼ δ' οὔν, ἃ πεπεικῶς ἑμαυτὸν τυγχάνω μάλιστα συμφέ-
ρειν ὑμῖν, ταῦτ' ἔρω pr.50.1

The speaker says explicitly what he implied in the previous sentence. συμφέρειν attracts attention as feature 209 and goodwill as feature 424.

requesting only that the Athenians do not consider that those who bid them go on expedition are for that reason brave or that those who attempt to speak in opposition are for that reason cowardly.

Goodwill (501)

δεηθεῖς ὑμῶν τοσοῦτον, μήτε τοὺς ἐξιέναι κελεύοντας ὑμᾶς διὰ τοῦτο νομίζειν ἀνδρείους, μήτε τοὺς ἀντιλέγειν ἐπιχειροῦντας διὰ τοῦτο κακοῦς. pr.50.1

This sentence reveals that the speaker is about to speak against sending an expedition. He anticipates, feature 501, the accusation of cowardice, κακοῦς, that might be levelled against those who speak in opposition. He counters this with the reminder that those who advocate military action are not necessarily brave. The order in which he presents these two observations is important. The first comment, on the bravery of certain orators, is designed to make the audience reflective and hence more amenable to the second observation. If the order had been reversed the speaker's anticipation of accusation may have encountered heckling which would have prevented his comment on his opponents. In the next sentence the speaker reinforces the point he makes here.

For the test of speeches and deeds is not the same but it is necessary now for the Athenians to show themselves wise in deliberation and then, if this policy seems good, to display acts of bravery.

Goodwill

οὐ γὰρ ὁ αὐτὸς ἔλεγχος, ὦ ἄνδρες Ἀθηναῖοι, τῶν τε λόγων καὶ τῶν πραγμάτων ἐστίν, ἀλλὰ δεῖ νῦν εὖ βεβουλευμένους ἡμᾶς φανῆναι, τότε δέ, ἂν ἄρα ταῦτα δοκῆ, τὰ τῆς ἀνδρείας ἀποδείξασθαι.

pr.50.1

First the speaker emphasizes the difference of the test, οὐ γὰρ ὁ αὐτὸς ἔλεγχος, with the insertion here of the vocative, ὦ ἄνδρες Ἀθηναῖοι. This throws into relief the two activities which the speaker wants to contrast, making speeches and performing deeds, τῶν τε λόγων καὶ τῶν πραγμάτων. The speaker's aim is to increase his own credibility with the audience. This line of argument suggests that the consensus of opinion supported mounting an expedition. The popular speeches would be those which advocated this course of action. The speaker is attempting to show that it is one thing to make jingoistic speeches but quite another to take up arms. He may even be insinuating that, while his opponents can make martial speeches, their bravery on the field of battle might fall short of their rousing speeches. By the same token he insinuates that his own courage must not be considered suspect simply because he discourages military action. Having emphasized this argument with the key words τῶν λόγων and τῶν πραγμάτων, the speaker now turns to what he considers needs to be done immediately. To add support to this advice he attaches the weight of necessity, δεῖ. The Athenians' immediate response would be wise deliberation,

εὖ βεβουλευμένους, and, furthermore, this activity should be manifestly obvious, ἡμᾶς φανῆναι. The latter comment is an attempt by the speaker to exert pressure on his audience's sense of their reputation. He concedes that later they may display acts of bravery if their present deliberation vindicates the policy which the speaker is opposing. But this is not so much of a concession on the part of the speaker but rather a deliberate technique to further the speaker's aim. It enables him to be seen not merely as one who opposes popular policy, which could be thought unreasonable, but as one who wishes to postpone policy until after further discussion, which is far more reasonable. The speaker is attempting in this way to get his foot in a door which would otherwise have been closed to him.

The Athenians' enthusiasm is of enormous value and such as a man of goodwill towards the city might pray for.

Goodwill (402)

ἡ μὲν οὖν ὑμετέρα προθυμία παντὸς ἀξία καὶ τοιαύτη πάρεστιν οἷαν ἂν τις εὕξαιτ' εὖνους ὦν τῇ πόλει. pr.50.2

The speaker now flatters the audience, feature 402. The aim is to sweeten the pill which he wants them to swallow in the next sentence. The final remark, οἷαν ἂν τις εὕξαιτ' εὖνους ὦν τῇ πόλει, is intended to convince the audience that the speaker is such a man. εὕξαιτ' recalls εὕχομαι and is intended to be associated with it. The

speaker began by expressing a prayer, or perhaps a wish. Now he cites the kind of prayer or wish that a man of goodwill towards the city might harbour. The speaker hopes that the audience will remember that he used the word εὐχομαι earlier and will associate εὕξειτ' with him now even although he puts it on the lips of a hypothetical man. They are meant to understand that the speaker has goodwill for the city and in return deserves the extension of their goodwill for him.

But now, the greater their enthusiasm the greater should be their foresight to use it as they ought.

Goodwill

νῦν δ' ὄσῳ τυγχάνει σπουδαιοτέρα, τοσοῦτῳ δεῖ μᾶλλον
προΐδειν ὅπως εἰς δέον καταχρήσεσθ' αὐτῆ. pr.50.2

Necessity, δέον, is again cited. The speaker recommends that the Athenians' enthusiasm be channelled into foresight. He wants them to think before rushing into action. Further explanation follows.

For the choice of no policy is highly esteemed unless it achieves a beneficial and honourable end.

Goodwill (424)

οὐδενὸς γὰρ εὐδοκιμεῖ πράγματος ἢ προαίρεσις, ἂν μὴ
καὶ τὸ τέλος συμφέρον καὶ καλὸν λάβῃ. pr.50.2

This generalization is intended to induce assent and to imply that the speaker's own policy will be beneficial, feature 424, and honourable.

The speaker knows that he once heard speaking before the Athenians a man who was considered neither without sense nor without experience of war. He means Iphicrates, who said that a general must choose risk not so that this or that might happen but just this. For he said these very words. Everyone knew what he meant. He meant that a general should engage successfully.

Goodwill

ἐγὼ δ' οἶδά ποτ', ὡς ἄνδρες Ἀθηναῖοι, παρ' ὑμῖν ἀκούσας ἀνδρὸς οὔτ' ἀνοήτου δοκοῦντος εἶναι οὔτ' ἀπείρου πολέμου, Ἰφικράτους λέγω, ὃς ἔφη δεῖν οὕτω προαιρεῖσθαι κινδυνεύειν τὸν στρατηγόν, ὅπως μὴ τὰ ἢ τὰ γενήσεται, ἀλλ' ὅπως τά· οὕτως γὰρ εἶπε τῷ ῥήματι. ἦν δὲ τοῦτο γνώριμον, ὅτι ὅπως καλῶς ἀγωνιέεται ἔλεγεν.

pr.50.2-3

To support his case the speaker now cites the example of a military expert, Iphicrates, who died in 353. The speaker claims to have been a witness of this man's oratory before the Ecclesia, ἐγὼ δ' οἶδά ποτ' ... παρ' ὑμῖν ἀκούσας ἀνδρὸς. This is intended to give the speaker's remarks the ring of truth. Next the man's credentials are cited, οὔτ' ἀνοήτου δοκοῦντος εἶναι οὔτ' ἀπείρου πολέμου. So far the speaker has not revealed the identity of this man. He does this now, Ἰφικράτους λέγω. This postponement of identity

enabled the speaker to dramatize the introduction of a celebrity. Next he mentions the point that Iphicrates was making, *ὅς ἔφη δεῖν οὕτω προαιρεῖσθαι κινδυνεύειν τὸν στρατηγόν*. This is apposite and chosen deliberately by the speaker to draw a moral about the Athenians' present intention to run the risk of military engagement. The speaker quotes Iphicrates' enigmatic comments about a general's reasons for choosing to take risks, *ὅπως μὴ τὰ ἢ τὰ γενήσεται, ἀλλ' ὅπως τά*. Perhaps the speaker means to tease the audience with this quotation or perhaps to rouse their curiosity or both. In any case he feels that it is necessary to comment on the accuracy of his quotation, *οὕτως γὰρ εἶπε τῷ ῥήματι*. His purpose is to add once more the ring of truth of an eye witness. Moreover he adds that Iphicrates' remark was intelligible, *ἦν δὲ τοῦτο γνώριμον*. What he means is that everybody knew what Iphicrates meant. He now supplies an interpretation, *ὅτι ὅπως καλῶς ἀγωνιεῖται ἔλεγεν*. This is the point that the speaker wants to impress upon his audience, i.e. that military engagement should only be contemplated when the probability of victory is high. The implication, of course, is that on the present occasion the probability of victory is not high.

When the Athenians go on expedition whoever leads them is in charge of them, but in their present situation each of the audience is a general.

Goodwill

ἐπειδὴν μὲν τοίνυν ἐξέλθητε, ὅς ἂν ἡγήται κύριος ὑμῶν
ἔστι· νῦν δ' ἕκαστος ὑμῶν αὐτῶν στρατηγεῖ. pr.50.3

The speaker reminds the audience of their individual responsibility. He asserts that each one has the responsibility of a general. He means that each member of the audience has the power to commit the city to risk with his decision in the Ecclesia. In the field there is one leader and many followers but in the Ecclesia everyone may use his initiative.

It is necessary that the Athenians show themselves to have made decisions of such a kind that will benefit the city in every way and do not do something for the sake of furthering their future aspirations that will diminish the present good fortune.

Goodwill (424)

δεῦ δὴ τοιαῦτα φανῆναι βεβουλευμένους δι' ὧν πανταχῶς
συνόσει τῇ πόλει καὶ μὴ μελλουσῶν ἔνεκ' ἐλπίδων τῆς παρού-
σης εὐδαιμονίας χεῖρόν τι ποιήσετε. pr.50.3

The speaker again cites necessity, δεῦ. He wants the audience to understand that he is outlining their duty. Benefiting the city, feature 424, is to be their priority, συνοίσει τῇ πόλει. It is implied that they will do this by adopting the speaker's advice. In the final part of the sentence the speaker impresses on the audience that they

must not jeopardize present good fortune, μή ... τῆς παρούσης εὐδαιμονίας χεῖρόν τι ποιήσετε. The threat is posed by hopes for the future, μελλουσῶν ἔνεκ' ἐλπίδων. The speaker's aim is to persuade the audience that present prosperity is preferable to the attractive but uncertain prospects of a military expedition.

ARRANGEMENT

A (209), G (424)
S (102), A (209), G (424)
G (501)
G
G (402)
G
G (424)
G
G
G (424)

AIM

The aim of pr.50 is to dissuade the Athenians from embarking on a military expedition. To achieve this aim the speaker emphasizes the importance of policy that will benefit the city, implying that a military expedition would not be beneficial. He contrasts courage that appears on the lips with that which is found in the heart in order to anticipate and to invalidate any charge that caution

presupposes cowardice. To bolster his credibility the speaker cites the example of a renowned military expert, the late Iphicrates, whose cryptic comment is manipulated to endorse caution. Finally the speaker places the onus on the audience, reminding them of their responsibility, when making decisions, to safeguard present prosperity. Pr.50 may have been addressed to a particular situation but, since there are no specific references which confirm this, it is more probable that it was written to be available for use when required.

Prooemium 51

ANALYSIS

The speaker would have thought that no one trusting in their actions would bring a charge against those who are instituting an accounting.

Goodwill

οὐδέν' ἂν ῥόμην, ὧ ἄνδρες Ἀθηναῖοι, πιστεύοντα τοῖς πεπραγμένοις ἐγκαλέσαι τοῖς καθιστάσιν εἰς λόγον ταῦτα·

pr.51

Pr.51 is concerned with the accountability of magistrates. There were several procedures for scrutinizing the work of public officials. A vote was taken at the principal meeting of the Ecclesia in each prytany on

whether officials were performing their duties well:

μίαν μὲν κυρίαν ἐν ἧ δεῖ τὰς ἀρχὰς ἐπιχειροτονεῖν εἰ
δοκοῦσι καλῶς ἄρχειν ... AP 43.4

Defaulters were deposed from office by an adverse vote, *apocheirotonia*. This led to a trial but if the accused was acquitted he was reinstated in office:

κἄν τινα ἀποχειροτονήσωσιν, κρίνουσιν ἐν τῷ δικαστηρίῳ,
κἄν μὲν ἄλῳ, τιμῶσιν ὅ τι χρὴ παθεῖν ἢ ἀποτεῖσαι, ἂν δ'
ἀποφύγη, πάλιν ἄρχει. AP 61.2

For discussion of *apocheirotonia* see M.H. Hansen 1975, pp.41-44, and D.M. MacDowell 1978, p.169. Another check was the appointment of accounting officers. The Boule chose by lot from its own number ten logistae who audited magistrates' accounts every prytany:

κληροῦσι δὲ καὶ λογιστὰς ἐξ αὐτῶν οἱ βουλευταὶ δέκα
τοὺς λογιουμένους ταῖς ἀρχαῖς κατὰ τὴν πρυτανείαν ἐκάστην.
AP 48.3

Irregularities led to a trial. This could be initiated by members of the Boule or by any citizen who made an accusation to the Boule. For discussion of the Boule's jurisdiction and the evidence of *Athenaion*

Politeia 45.2 and Demosthenes 47.43 see P.J. Rhodes 1972, pp.147-62, and M.H. Hansen 1975, pp.21-28 and pp.49-50. As well as these interim audits magistrates had to undergo scrutiny, *euthyna*, at the end of their period of office, and perhaps at the end of each year for those whose tenure of office lasted longer than one year. In the first phase, which was financial, retiring magistrates had to present their accounts to ten logistae, who were chosen by lot from the whole people, who were distinct from the ten logistae chosen from the Boule, and who were assisted by ten *synegori*. When they had inspected each official's accounts they brought him before a jury. The logistae presided over cases in which irregularities had been discovered while the *synegori* acted as prosecutors. A herald would invite any citizen who wished to make an accusation regarding the accounts of even those magistrates who had satisfied the logistae. *Athenaion Politeia* 54.2 lists the various crimes and their penalties. The second phase of *euthyna* concerned misconduct apart from that related to finance, such as neglect or abuse of authority. It was conducted by ten *euthyni*, Boule members, who had been selected by lot from each of the ten tribes and each of whom was assisted by two *paredri*, also chosen by lot. Their job was to sit in the Agora in order to receive accusations from citizens against magistrates who were undergoing scrutiny. These had to be handed in writing to the *euthyni* of the respective tribes, who used their discretion to reject them or to refer them for trial to the tribe judges, if the alleged offences were private,

or to the thesmothetae if they were public. See *Athenaion Politeia* 48.4-5. For discussion of accounting officers see A.R.W. Harrison 1971, pp.28-31. On *euthyna* see A.R.W. Harrison 1971, pp.208-11, and D.M. MacDowell 1978, pp.170-72.

What is the situation of pr.51? Given the speaker's use of *λόγον* the issue concerns an investigation of officials' financial administration. The opening sentence suggests that the officials in question were reluctant to be audited and were offering resistance in the form of charges of some kind against the speaker who had suggested the investigation. The speaker uses the sarcastic remark, *οὐδέν' ἂν ῥόμην ... πιστεύοντα τοῖς πεπραγμένοις*, to suggest that the officials have something to hide. Another clue about the situation is contained in the next sentence.

For the more one examines them, necessarily the greater their authors' reputations grow.

Goodwill

ὄσω γὰρ ἂν πλεονάκις ἐξετάζη τις αὐτά, ἀνάγκη τοὺς
τούτων αἰτλοὺς εὐδοκιμεῖν. pr.51

The speaker follows up his sarcasm with an apparently positive incentive for regular submission to audit: successful audits will progressively enhance officials' reputations. Much will depend on the speaker's tone of voice. If this sentence is delivered in a straightforward manner it will imply that the concept of frequent scrutiny

is not unreasonable. However a sarcastic tone will add the twist that these particular officials are unlikely to survive frequent scrutiny. The word *πλεονάκις* gives us a clue about the situation. R. Clavaud 1974B, p.132 n.1, connects it with the audit conducted every *prytany* by the ten *logistae* appointed by the Boule. This is a possible explanation. In this context the speaker would be making an accusation to the Boule with respect to irregularities discovered by the *logistae* at their interim audit. However, the speaker could be addressing the Ecclesia. *πλεονάκις* in that case would reflect the regular practice of taking a vote on whether officials were doing a good job. The speaker would therefore be recommending to the Ecclesia that particular officials' accounts be submitted to audit. *πλεονάκις* and, later in pr.51, *πάλιν* suggest that the main issue here is that these officials have already undergone *λόγος* and are unwilling to undergo it again.

Nevertheless these men seem to the speaker to make it obvious that they are not acting for the benefit of the city.

Goodwill

οὐ μὴν ἀλλὰ μοι δοκοῦσιν αὐτοὶ φανερόν καθιστάναι οὐκ ἐπὶ <τῷ> τῶν τῇ πόλει συμφερόντων πράξαντες. pr.51

This sentence is intended to persuade the audience that the officials are dishonest. Their resistance to audit is evidence, it is implied, that they have not been

working for the state's benefit. It is also implied that they have been working for their own benefit i.e. that they are guilty of embezzlement or of receiving bribes.

But in the manner of those who are going to be convicted, if they come to an accounting again, they act defensively and claim that the Athenians are doing terrible things.

Goodwill

ὡς γοῦν ἐξελέγχεσθαι μέλλοντες, ἂν πάλιν εἰς λόγον ἔλθωσιν, φεύγουσι καὶ δεινὰ ποιεῖν ἡμᾶς φασιν. pr.51

The speaker suggests that reluctance to submit to more than one audit is characteristic of those with guilty consciences. Their resistance is inspired by the knowledge that if they are audited they will be found out. It amounts to claims that the Athenians are doing terrible things, presumably, in expecting the officials to submit to audit again. How does this help us to pinpoint the situation? R. Clavaud 1974B, pp.162-63, n.2 (reference p.132), suggests that πάλιν refers to the interim audit which is going to be conducted in the following prytany. But surely the speaker is arguing from retrospect about a situation that has already occurred, not one that is likely to occur in the next prytany? An alternative explanation that Clavaud offers is that πάλιν could refer to the end of term audit but he adds the reservation that the expression used here, λόγον δίδόναι, is distinct from the expression

εὐθύνας διδόναι, which designated the end of term submission to scrutiny. Admittedly the interim audit is more attractive but, if this is what the speaker intended by πάλιν, a more probable explanation is that certain officials were withholding their accounts from the logistae of the Boule on the grounds that they had only just been done in the previous prytany and did not need to be done again so soon. Therefore the nuance of their objection that the Athenians were doing terrible things is that the Athenians were placing terrible impositions upon their magistrates by requiring regular audits. The significance of the present tense of ποιεῖν is that the requirement is ongoing and relentless. Given this scenario the speaker's purpose would be to persuade the Ecclesia to compel the magistrates to submit to audit.

And yet when these men accuse those wishing to investigate of terrible behaviour, what are the Athenians in that case to say about those who have cheated the Athenians?

Goodwill

καίτοι ὅταν τοὺς ἐξελέγχειν βουλομένους δεινὰ ποιεῖν αἰτιᾶσθε, τί ἡμεῖς τοὺς ἡμᾶς αὐτοὺς ἐξηπατηκότας τῆνικαῦτα λέγωμεν; pr.51

The speaker now addresses the magistrates directly, repeating their accusation, δεινὰ ποιεῖν αἰτιᾶσθε, presumably with enough sarcasm to suggest that their charge

is an exaggeration. To discredit them further he asks a deliberative question in which he generalizes about those who have cheated the Athenians. Clearly this is meant to be understood as an allusion to misconduct which the magistrates in question are trying to conceal by their refusal to submit to audit. The word *τηνικαῦτα* is designed to suggest that the crime of cheating is far worse than the supposedly terrible impositions. The deliberative question is meant to make the audience nourish resentful thoughts about the magistrates and, even better, to make them look daggers at any of these officials who happen to be in their midst.

ARRANGEMENT

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AIM

The aim of pr.51 is to prepare the way for a speech designed to persuade the Ecclesia to enforce an inspection of accounts which certain public officials have been resisting.

Since pr.51 does not contain any introductory language, one could argue that it is not an introduction at all. The

speaker uses no future tenses, he does not look forward into the main part of a speech but appears to be already under weigh as if this were a passage from the main body of a speech. However there is a limited extent to which the opening words set the scene and the final deliberative question creates a pause after which the main part of a speech could begin. More important than this is that the scathing opening remark is meant to prejudice the audience against the officials. This goal is pursued throughout pr.51 and its achievement is presumed in the final thought-provoking question. Accordingly pr.51 is considered to be an introduction.

Prooemium 52

ANALYSIS

It would be just for the Athenians to feel the same anger towards those who attempt to deceive them as they do towards those who have been able to do this.

Goodwill (422)

ἦν μὲν δίκαιον, ὧ ἄνδρες Ἀθηναῖοι, τὴν ἴσον ὑπάρχειν παρ' ὑμῶν ὀργὴν τοῖς ἐπιχειροῦσιν ὁσσηπερ τοῖς δυνηθεῖσιν ἐξαπατῆσαι. pr.52

The dramatic situation for which pr.52 has been written is the brink of ruin which has only just been

averted by the realization that the policies which led the Athenians to this crisis were misguided. Indeed the consensus of opinion in the Ecclesia is that the authors of these policies deliberately misled the Athenians and must therefore be punished. Thus at the start of pr.52 the speaker taps this reservoir of resentment which is about to burst its banks. He cites justice, *δίκαιον*, feature 422, to justify the principle of feeling the same anger towards those who fail in the attempt and towards those who actually succeed in deception. Although the speaker generalizes here, he can be sure that the audience will have in mind the particular people whom they blame for the current situation. However, as will become apparent later, the speaker's purpose is not to vent his own indignation in order to rouse further the audience's anger. Rather he is expressing anger for the audience's sake in order to win their confidence and in order to remove the prejudice that they might otherwise have felt against him had he declared his true purpose from the outset. Thus the speaker is sugaring a pill which he is later going to ask the audience to swallow.

For what was in the power of these men to do has been done and they led the Athenians along.

Goodwill

ὁ μὲν γὰρ ἦν ἐπὶ τούτοις, πεποίνηται καὶ προήγαγον ὑμᾶς·
pr.52

The speaker offers further justification for revenge by suggesting that only the limitations of their powers prevented the success of the deception which they had nevertheless set in motion. It is difficult to decide whether or not the speaker is still generalizing. If he is, then τούτοις means 'the former' and refers to τοῖς ἐπιχειροῦσιν. If he is not, then τούτοις means 'these men', who are the alleged deceivers in the real situation. In either case it is expected that the audience will think about the flesh and blood deceivers rather than the hypothetical ones. Thus the speaker continues to say the kind of things that his audience wants to hear. One might accuse him of trying to deceive the Athenians himself because he is seeking their confidence in order to steer them in a different direction. However one could only say this if it could be proved that he was expounding platitudes which he himself did not believe purely for the purpose of insinuating himself into their confidence. He may well believe the principles and harbour the same grudges as his audience. However he is going to insist that expediency takes precedence over revenge. It is expedient for him to establish himself as an acceptable messenger of this unpalatable truth. Hence it is essential for him to win their confidence in this way.

That these intentions achieved no end is due to fortune and to the fact that the Athenians are now wiser than when they were led astray by these men.

Goodwill (402)

τοῦ δὲ μὴ τέλος ταῦτ' ἔχειν ἢ τύχη, καὶ τὸ βέλτιον νῦν
ὑμᾶς φρονεῖν ἢ ὅτ' ἐξήχθησ' ὑπὸ τούτων, γέγονεν αἴτια.

pr.52

While the ostensible purpose of this sentence is to emphasize that failure does not absolve the men in question from responsibility since their failure is due to fortune and to an improvement in the Athenians' judgement rather than to any lack of effort on their part, nevertheless there is an inkling here of the change of emphasis which the speaker is going to suggest. He flatters the Athenians, feature 402, that they are wiser now than they were then, when they were led astray. Not only does this imply an enhanced Athenian position, which is good for the Ecclesia's morale, and which provides a positive platform from which to launch a preferred priority, but it also implies the need to exercise better judgement in the present situation. For the Ecclesia to be aware of such a responsibility puts a little more pressure upon them to accept the speaker's advice. Thus his flattery is intended to sweeten the medicine that he is about to prescribe.

Nevertheless the speaker thinks that the state is so far from punishing the wrongdoers that in the speaker's opinion the Athenians should be content to be able to guard against suffering badly.

Goodwill

οὐ μὴν ἄλλ' ἔγωγ' οὕτω πόρρω νομίζω τὴν πόλιν εἶναι τοῦ
δίκην παρὰ τῶν ἀδικούντων λαμβάνειν ὥστ' ἀγαπητὸν εἶναι μοι
δοκεῖ, ἂν ὅπως μὴ πείσεσθε κακῶς δύνησθε φυλάττεσθαι·

pr.52

οὐ μὴν ἄλλ' announces a change of tack. This sentence is the linchpin of the prooemium. Concentration is pivoted from anger against the deceivers and a desire to punish them, to a greater priority, the prevention of disaster. The speaker's earlier condemnation of these men is now seen as an acknowledgement of public opinion. His affirmation of the justness of the Athenians' anger was designed to secure confidence by showing solidarity. However justice and anger must now give way to expediency. The speaker has begun by establishing his credentials. Now he offers his advice. If he had begun by offering this advice first, without condemnation, then perhaps the audience would have been reluctant to listen. But condemnation is not his main purpose: hence his cooling down of the charges from ἐξαπατῆσαι to προήγαγον and ἐξήχθηθ' . A further step in the speaker's attempt to remove the heat from this situation is his use of the word ἀγαπητὸν. The Athenians must no longer be angry, they must be content. His use of δύνησθε adds a serious tone, suggesting that success in this priority is not a certainty. He offers an explanation for this in the next sentence.

So great are the schemes and cheating and in general certain public services that have been arranged against the

Athenians.

Goodwill

τοσαῦται τέχνηαι καὶ γοητεῖαι καὶ ὄλως ὑπηρεσίαι τινές
εἰσιν ἐφ' ὑμᾶς κατεσκευασμένααι. pr.52

The speaker now changes the villains of the piece from the alleged deceivers to the serried ranks of corrupt practices that beset the Athenians. γοητεῖαι is an unusual word. H.G. Liddell and R. Scott 1940, p.357, translate the singular as 'witchcraft, jugglery'. The speaker wants to suggest that many tricks are being played on the Athenians. His use of this unusual word prepares the way nicely for the next term, ὑπηρεσίαι, by conjuring up a derogatory sense for it by mere association with γοητεῖαι. ὑπηρεσίαι is a difficult word to interpret. R. Clavaud 1974B, p.133 n.1, explains the evolution of the word ὑπηρεσίαι, which originally meant 'rowers' and then came to mean 'service' in general. I agree with him that the preceding words are clearly meant to be understood in conjunction with ὑπηρεσίαι in order to suggest bad services. N.W. DeWitt and N.J. DeWitt 1949, pp.182-83 n.a, comment that the word ὑπηρεσίαι denotes service to which pay was attached, that the people took an avid interest in all such services and that these could readily be made channels of financial corruption. Clavaud, p.133 n.1, says that τινές softens the effect of the sentence. This conforms with the speaker's purpose here which is to defuse the situation. He wants to turn the Ecclesia's attention away from

individuals, whom they would like to punish, and instead to abstract terms which conceal the identities of human perpetrators and to an assortment of public services which submerge individual responsibility beneath a veil of corporate anonymity. There is the suggestion that the root of the problem lies deeper than with the behaviour of certain individuals but stems from temptation imposed by the current operating procedures of certain public services, which encourage corruption.

Accordingly in the present situation it would not be most opportune for one to condemn the wickedness of these men.

Goodwill

τῆς μὲν οὖν τούτων κακίας οὐκ ἂν ἐν τῷ παρόντι τις ἐν δέοντι μάλιστα κατηγορήσειεν* pr.52

The speaker's use of κακίας is meant to demonstrate that he does not condone the alleged behaviour. However he signals with ἐν τῷ παρόντι and ἐν δέοντι that he does not consider condemnation the required solution for present circumstances. Therefore his approach is cautious. He is careful to acknowledge with κακίας his solidarity with the consensus of opinion before suggesting restraint.

The speaker wishes to say what he considers beneficial concerning the subject on which he has risen to speak.

Statement (102), attention (209), goodwill (424)

βούλομαι δ' ὑπὲρ ὧν ἀνέστην, ἀ νομίζω συμφέροντ' εἶπεῖν.

pr.52

The speaker concludes the prooemium by predicting what he is going to say in the main part of his speech, feature 102. This subject, ἀ νομίζω συμφέροντ', attracts attention as feature 209 and goodwill as feature 424.

ARRANGEMENT

G (422)

G

G (402)

G

G

G

S (102), A (209), G (424)

AIM

The aim of pr.52 is to prepare the way for a speech which concentrates on the state's advantage when the Ecclesia would prefer to hear about punishing culprits. The speaker's method is shrewd. He begins by giving the impression that he supports the consensus of opinion. He emphasizes the justice in feeling anger against would-be deceivers. However he refrains from increasing passions

with emotive language. Instead he acknowledges the influence of fortune and the Athenians' wisdom after the event. He advises caution to prevent further harm given the corrupt state of public services. The time is not ripe for exacting penalties. The speaker is going to concentrate on what will be beneficial. Thus the speaker establishes rapport with his audience before declaring his purpose.

Clavaud, p.163 n.5, correctly says that the connective οὐν, which appears in all the manuscripts at the start of pr.52, wrongly links pr.52 with pr.51. However he adds that there are many common features which preclude supposing that this is the start of a new introduction. Unfortunately Clavaud does not explain what these are. In fact the opposite is the case. Two differences suggest that pr.51 and pr.52 are completely separate. In pr.51 the speaker works up to a crescendo in order to rouse the Ecclesia's passions while in pr.52 he tries to cool things down. In pr.51 he wants certain individuals taken to task but in pr.52 he argues that at present the Athenians should disregard thoughts of exacting punishment.

Prooemium 53

ANALYSIS

The railing and disturbance which are accustomed to harm the city all the time have come on this occasion from

the same men as always.

Goodwill

ἡ μὲν εἰωθῦτα πάντα τὸν χρόνον βλάπτειν, ὧ ἄνδρες Ἀθηναῖοι, τὴν πόλιν λοιδορία καὶ ταραχὴ καὶ νυνὶ γέγονε παρὰ τῶν αὐτῶν ὧνπερ ἄεί. pr.53.1

The speaker attacks his opponents. He uses several methods to discredit them. First he suggests that their behaviour is long-standing and persistent. The following words convey this impression: εἰωθῦτα, πάντα τὸν χρόνον, τῶν αὐτῶν ὧνπερ ἄεί. Next he emphasizes the harmful effect this has on the city, βλάπτειν, ὧ ἄνδρες Ἀθηναῖοι, τὴν πόλιν. The latter expression, τὴν πόλιν, is stressed by its position after the vocative. Specific mention of the type of behaviour occurs next, λοιδορία καὶ ταραχὴ, postponed from the antecedent ἡ with which the prooemium began. Such postponement is designed to rouse curiosity about what is described as ἡ μὲν εἰωθῦτα. λοιδορία and ταραχὴ are pejorative. It is implied that such behaviour serves selfish ends. The final method is to apportion blame, παρὰ τῶν αὐτῶν ὧνπερ ἄεί. Presumably the men's identity is obvious because they have been speaking immediately before the present speaker. But the implication may also be intended that it is unnecessary to name them since their identity is common knowledge as a result of the frequency of what has become habitual practice. This has the advantage of assuming a consensus of opinion shared with the speaker's. It is a means of implying that the speaker

and the audience are allies by virtue of their common experience thus tacitly acknowledged by the audience.

It is the Athenians' duty not so much to blame these men - for perhaps they are doing this through anger and through party spirit and, most important of all, because it profits them to do this - but to blame themselves if, when they have assembled for matters of common interest and for important issues, they sit listening to private abuse and are not able to calculate this for themselves that the abuses that orators direct against each other, when no one is on trial, cause the Athenians to pay the penalties for the charges of which they convict each other.

Attention (202), goodwill (610)

ἄξιον δ' οὐχ οὕτω τούτοις ἐπιτιμῆσαι (ἴσως γὰρ ὀργῇ καὶ φιλονικίᾳ ταῦτα πράττουσι, καὶ τὸ μέγιστον ἀπάντων, ὅτι συμφέρει ταῦτα ποιεῖν αὐτοῖς) ἀλλ' ὑμῖν, εἰ περὶ κοινῶν, ὧ ἄνδρες Ἀθηναῖοι, πραγμάτων καὶ μεγάλων συνειλεγμένοι τὰς ἰδίᾳς λοιδορίας ἀκροώμενοι κάθησθε, καὶ οὐ δύνασθε πρὸς ὑμᾶς αὐτοὺς λογίσασθαι τοῦθ', ὅτι αἱ τῶν ῥητόρων ἀπάντων ἄνευ κρίσεως πρὸς ἀλλήλους λοιδορίαι, ὧν ἂν ἀλλήλους ἐξελέγξωσιν, ὑμᾶς τὰς εὐθύνας διδόναι ποιοῦσιν. pr.53.1

The first part of this long sentence is intended to cause surprise, ἄξιον δ' οὐχ οὕτω τούτοις ἐπιτιμῆσαι. After the first sentence an exhortation to chastize these men might have been expected after ἄξιον. Instead the speaker

tells the audience that their duty does not lie in blaming these men. The speaker breaks off into parenthesis to offer an explanation. The introductory words, ἕως γὰρ, suggest that the speaker is about to offer mitigation on behalf of these men. But this is another element of the surprise technique. The speaker is in fact attempting to win goodwill for himself by attributing to his opponents base motives for their behaviour, anger, ὀργή, feature 610, party spirit, φιλονικία, and as a climax, τὸ μέγιστον ἀπάντων, the lure of profit, ὅτι συμφέρει ταῦτα ποιεῖν αὐτοῖς. As well as discrediting his opponents the parenthesis has a further aim. It throws into relief the speaker's target for censure, the audience, ἀλλ' ὑμῖν. The latter depends for its sense on ἐπιτιμῆσαι which immediately precedes the parenthesis. The intervention of the parenthesis is designed to increase the audience's justification for blaming themselves by implying that their crime is worse than the catalogue of offences just recited. Next the speaker explains why the audience should blame themselves. First he sets their behaviour in context in order to establish a serious tone, εἰ περὶ κοινῶν, ὧ ἄνδρες Ἀθηναῖοι, πραγμάτων καὶ μεγάλων συνειλεγμένοι. The purpose of κοινῶν is to remind the audience that their deliberations should be confined to matters of public concern. This word heralds the imminent arrival of its antonym, ἰδίᾳς, which the speaker uses to contrast current practice with what ought to be done. κοινῶν is emphasized by its position before the vocative. μεγάλων is used to impress upon the audience that deliberation is a serious

business concerned with important topics. There is also the implication that on the present occasion the matters under consideration are important. This is an example of feature 202, intended to win attention. Now that he has stated the purposes for which the Ecclesia convenes, the speaker next cites the kind of behaviour which would render the audience blameworthy if they were to indulge in it. This amounts to listening to private squabbles, τὰς ἰδίᾳς λοιδορίας ἀκροώμενοι κἀθησθε. The speaker wants the audience to rise above this. He has already advocated the ideal behaviour with which he now contrasts habitual practice. Next he warns of the consequence of this behaviour. First of all the Athenians are unable to calculate the consequences, καὶ οὐ δύνασθε πρὸς ὑμᾶς αὐτοὺς λογίσασθαι τοῦθ'. The intention is to make the audience feel that they are letting themselves down and that the time has come for them to wake up to the repercussions of self-indulgent behaviour. The speaker's opinion is that the audience themselves are the ones who are penalized, ὅτι αἱ τῶν ῥητόρων ἀπάντων ἄνευ κρίσεως πρὸς ἀλλήλους λοιδορίαί, ὧν ἂν ἀλλήλους ἐξελέγξωσιν ὑμᾶς τὰς εὐθύνας διδόναι ποιοῦσιν. The words ἄνευ κρίσεως and ἐξελέγξωσιν suggest that the orators' behaviour would be more appropriate in the law courts than in the Ecclesia. The final comment, ὑμᾶς τὰς εὐθύνας διδόναι ποιοῦσιν, requires consideration. What does the speaker mean by τὰς εὐθύνας διδόναι? It is unlikely that he means to convey some vague, unspecified suffering consequential upon his opponents' behaviour since εὐθύνας is a technical term. Moreover his use of ὑμᾶς ...

ποιοῦσιν suggests that he means the audience to understand that by default they will award themselves penalties which properly belong to those whom the speaker criticizes. εὐθυναί is the name given to the public examination of the conduct of officials. This procedure is outlined by A.R.W. Harrison 1971, pp.208-11, and by D.M. MacDowell 1978, pp. 170-72. The first part of the investigation concerned financial misconduct. An official who was found guilty of embezzlement or of accepting bribes was awarded a fine of ten times the sum involved. This is cited in the *Athenaion Politeia*:

κἂν μὲν τινα κλέπτουτ' ἐξελέγξωσι, κλοπὴν οἱ δικασταὶ καταγιγνώσκουσι καὶ τὸ γνωσθὲν ἀποτίνεται δεκαπλοῦν· ἔαν δέ τινα δῶρα λαβόντα ἐπιδείξωσιν καὶ καταγνώσιν οἱ δικασταί, δῶρων τιμῶσιν, ἀποτίνεται δὲ καὶ τοῦτο δεκαπλοῦν·

AP 54.2

At pr.53.3 the speaker accuses his opponents of having enriched themselves, ἐκ πτωχῶν πλούσιοι γεγόνασιν. Surely this is connected with the speaker's mention of εὐθύνας here. In what sense are the audience penalized? The speaker implies that certain men have made money improperly. Accusations are exchanged in the Ecclesia but there is no trial, ἄνευ κρίσεως. Not only is this behaviour inappropriate for the Ecclesia but it is not occurring where it should, i.e. the speaker is suggesting that there is a breakdown in the system of εὐθυναί. Thus the Athenians are penalized financially. Not only is the city losing

money that is embezzled by corrupt officials but it is also denied recompense levied in fines at εὔθυναι trials. It is in this sense that the Ecclesia τας εὔθυνας διδόναι. I agree with R. Clavaud 1974B, p.164 n.6:

'Il faut comprendre que si les redditions de comptes ne sont pas effectuées rigoureusement, c'est la société que fera les frais des malversations.'

The speaker's aim is to stress the harm that his opponents are doing to the city. Their private charges should be investigated as necessary in the appropriate way through εὔθυναι, but the Ecclesia must be reserved for matters of important public concern. The speaker himself will not indulge in private slanging matches. His aim is to win attention by suggesting that he is about to discuss an important topic and to win goodwill by presenting himself as one who puts public interest before private acrimony.

Except perhaps for a few of them, to avoid mentioning them all, not one of them abuses another in order to improve any of the Athenians' interests - far from it! -

Goodwill

πλὴν γὰρ ὀλίγων ἴσως, ἵνα μὴ πάντας εἶπω, οὐδεὶς αὐ-
τῶν ἄτερος θατέρῳ λοιδορεῖται, ἵνα βέλτιόν τι τῶν ὑμετέρων
γίγνηται (πολλοῦ γε καὶ δεῖ)

pr.53.2

The speaker seeks goodwill by restricting his censure, πλὴν γὰρ ὀλίγων ἴσως, ἵνα μὴ πάντα εἶπω. He does not want to alienate the whole Ecclesia from himself by issuing an all-embracing accusation. At the same time he wants to suggest that those orators whom he censures are in the minority and, therefore, extreme. He now attacks their motives first of all showing that their priority is not the city's interest, οὐδεὶς αὐτῶν ἄτερος θατέρῳ λοιδορεῖται ἵνα βέλτιόν τι τῶν ὑμετέρων γίγνηται. The speaker emphasizes this with an interjection, πολλοῦ γε καὶ δεῦ. As well as stressing their lack of loyalty it suggests an emotional outburst on the part of the speaker designed to affirm his own loyalty. Moreover it introduces the next part of the sentence and acts as a pivot between the two ways of observing the orators: their purpose is not to ... far from it! But to ...

but in order that he may himself do with greater peace what he would condemn in someone else as the most terrible behaviour.

Goodwill

ἀλλ' ἵν', ἃ τὸν δεῖνά φησι ποιοῦντ' [ἂν δέη] δεινότατ' ἀνθρώπων ποιεῖν, ταῦτ' αὐτὸς μετὰ πλείονος ἡσυχίας διαπράττηται.

pr.53.2

The speaker now adds hypocrisy to his opponents' faults. He refrains, however, from specifying the

practices which he condemns. Perhaps this is to rouse the audience's curiosity.

That this is so the audience need not believe the speaker but consider for themselves for a little.

Goodwill

ὅτι δ' οὕτω ταῦτ' ἔχει, μὴ ἐμοὶ πιστεύσητε, ἀλλ' ἐν
βραχεῖ λογίσασθε. pr.53.3

The speaker tells the audience that they do not have to take his word for it but can work it out for themselves. This is a way of implying that his claims are so obviously true. But, of course, in the next sentence the speaker is going to help them work this out.

Has anyone ever stood up and said, 'I have come forward to get something of yours, men of Athens, and not on your behalf'? Not a single one, but 'on your behalf' and 'on your account' and they cite such pretexts.

Goodwill

ἔστιν ὅπου τις ἀναστὰς εἶπεν παρ' ὑμῖν πρόποτε
'βουλόμενός τι λαβεῖν τῶν ὑμετέρων παρελήλυθ', ὧ
ἄνδρες Ἀθηναῖοι, οὐχ ὑπὲρ ὑμῶν;' οὐδεὶς δῆπου, ἀλλ'
ὑπὲρ ὑμῶν καὶ δι' ὑμᾶς, καὶ τοιαύτας προφάσεις λέγουσιν.

pr.53.3

The speaker uses sarcasm to enhance his charge of

hypocrisy.

The audience should consider why they, the audience, on whose behalf they all speak, are generally no better off now than they were previously, while these men who all say 'on your behalf' even although none of them ever said 'on our own behalf' from beggars have become rich men.

Goodwill

φέρε δὴ σκέψασθε, τι δὴ ποτ', ὧ ἄνδρες Ἀθηναῖοι, ὑπὲρ
ἧν ἅπαντες λέγουσιν, οὐδὲν βέλτιον τοῖς ὅλοις νῦν ἢ πρό-
τερον πράττετε, οὗτοι δ' οἱ πάνθ' ὑπὲρ ὑμῶν, ὑπὲρ αὐτῶν
δ' οὐδεὶς οὐδὲν πρόποτ' εἰρηκῶς, ἐκ πτωχῶν πλούσιοι γεγό-
νασιν;

pr.53.3

The speaker reinforces his sarcastic caricature this time exaggerating the profits to be made with the 'rags to riches' comment, ἐκ πτωχῶν πλούσιοι γεγόνασιν. It is hard to believe that this is an accurate description, nor indeed that the audience would accept this comment at its face value. Why does the speaker use these words? We must remember that he is trying to discredit political opponents. The audience will be aware of this and will accept the exaggeration for what it is. But having said this, the words provide a colourful and dramatic image which will have more impact than a factually credible charge which is more prosaic. Furthermore there must have been a groundswell belief, from which the speaker could extract sympathy, that orators could enrich themselves

spectacularly at the public's expense. It is this spectacular rise that the speaker is trying to describe in the words ἐκ πτωχῶν πλούσιοι γέγονασιν, without necessarily insisting in each case that such orators rose from penury.

It is because they say they love the Athenians but in fact they do not love the Athenians but themselves.

Goodwill

ὅτι φασὶν μὲν, ὦ ἄνδρες Ἀθηναῖοι, φιλεῖν ὑμᾶς, φιλοῦσι
δ' οὐχ ὑμᾶς ἀλλ' αὐτούς. pr.53.3

The speaker puts in a nutshell his charge of hypocrisy. φασὶ is placed in an emphatic position before μὲν and is further emphasized by the insertion of the vocative, ὦ ἄνδρες Ἀθηναῖοι, which allows a pause for φασὶν to linger and sink in. The μὲν ... δὲ ... construction is used to contrast what the orators claim to do with what they actually do. Another contrast is added by the double object given to φιλοῦσι. The negative, δ' οὐχ ὑμᾶς, is contrasted with the positive, ἀλλ' αὐτούς. This juxtaposition is an attempt to polarize the audience and the orators. In this case the opposites are meant to repel. The speaker is trying to make the audience hostile to the orators whose deeds belie their speeches.

They allow the audience to participate by laughing and by raising a clamour and sometimes by hoping but they would not want to receive or obtain any real good for the

city.

Goodwill

καὶ γελάσαι καὶ θορυβῆσαι καὶ ποτ' ἐλπίσαι μετέδωκαν
ὕμῃν, λαβεῖν δ' ἢ κτήσασθαι τῇ πόλει κυρίως ἀγαθὸν οὐδὲν ἂν
βούλοιντο. pr.53.4

Now the speaker accuses the orators of patronizing the audience, μετέδωκαν ὕμῃν. This is another layer in his cumulative censure of the orators designed to discredit them. However there is also a hint that the audience themselves are not without fault given that they indulge in the kind of behaviour described, γελάσαι καὶ θορυβῆσαι καὶ ποτ' ἐλπίσαι. Next the speaker reinforces his charge that the orators are not motivated by the city's interest. He goes a step further by claiming that the orators do not want to achieve any real advantage for the city, λαβεῖν δ' ἢ κτήσασθαι τῇ πόλει κυρίως ἀγαθὸν οὐδὲν ἂν βούλοιντο. The use of κυρίως is meant to denigrate whatever benefits the orators have actually achieved. The implication inherent is that the present speaker does want to achieve real benefits for the city.

On the day when the audience are released from this excessive sickness they will not endure to see these men.

Goodwill

ἢ γὰρ ἂν ἡμέρᾳ τῆς λίαν ἀρρωστίας ἀπαλλαγῆτε, ταύτη
τούτους οὐδ' ὀρῶντες ἀνέξεσθε. pr.53.4

The speaker openly criticizes the audience now, describing them as invalids suffering an extreme illness, τῆς λίσαν ἀρρωστίας. He looks forward to the day of their recovery, ἥ γὰρ ἂν ἡμέρα ... ἀπαλλαγῆτε, and predicts that the audience will no longer be able to stand the sight of these orators, ταύτη τούτους οὐδ' ὀρῶντες ἀνέξεσθε. The suggestion is that the orators are the cause of the audience's sickness and that the audience do not yet recognize this. The aim is to awaken the audience to their condition as the first step on the road to recovery.

But now with their drachma and their ration of corn and four obols they manage the people like a sick man, giving the Athenians diets very similar to those prescribed by doctors. For these neither give the patient strength nor allow him to die; and these neither allow the Athenians to depart from their design and do something else that is better nor can they themselves suffice.

Goodwill

νῦν δὲ δραχμῆ καὶ χοῦ καὶ τέτταρσιν ὀβολοῖς ὡσπερ ἀσθενοῦντα τὸν δῆμον διάγουσιν, ὁμοίότατ', ὧ ἄνδρες Ἀθηναῖοι, τοῖς παρὰ τῶν ἰατρῶν σιτίοις διδόντες ὑμῖν. καὶ γὰρ ἐκεῖν' οὔτ' ἰσχὺν ἐντίθησιν οὔτ' ἀποθνήσκειν ἔῃ, καὶ ταῦτ' οὔτ' ἀπογνόντας ἄλλο τι μετζον πράττειν ἔῃ, οὔτ' αὐτ' ἐξαρκεῖν δύναται. pr.53.4

The speaker continues with his medical analogy, now

comparing his opponents with doctors who prescribe ineffective diets. The same analogy is used at 3.33:

καὶ τῶν τοιούτων λημμάτων ἀπαλλαγεῖσθε, ἃ τοῖς [ἀσθε-
νοῦσι] παρὰ τῶν ἰατρῶν σιτίοις [διδόμενοις] ἔοικε. καὶ γὰρ
ἐκεῖν' οὔτ' ἰσχὺν ἐντίθησιν οὔτ' ἀποθνήσκειν ἔῃ· καὶ
ταῦθ' ἃ νέμεσθε νῦν ὑμεῖς, οὔτε τοσαῦτ' ἐστὶν ὥστ' ὠφέ-
λειαν ἔχειν τινὰ διαρκῆ, οὔτ' ἀπογνόντας ἄλλο τι πράττειν
ἔῃ, ἀλλ' ἔστι ταῦτα τὴν ἐκάστου ῥαθυμίαν ὑμῶν ἐπαυ-
ξάνοντα. 3.33

R. Clavaud 1974B, p.165 n.5, considers the version at 3.33 'plus gauchement élaborée'. If he means that the version at pr.53.4 is more concise, then I agree with him. However the passage fits its context better at 3.33 than its counterpart does in pr.53.4. The point of the simile is to emphasize the ineffectiveness of doles. In pr.53.4 the speaker's aim is to denigrate opponents and to censure the Athenians for indulging them. The simile is used to illustrate the way in which politicians use handouts to manipulate the Athenians. However, at 3.33 the speaker is much more concerned with the doles themselves. His purpose is to have money in the Theoric Fund, which existed to provide citizens with the price of a seat at theatrical performances, transferred to the Olynthiac war effort in the form of wages for public service. He proposes the appointment of a legislative commission:

νομοθέτας καθίσατε. ἐν δὲ τούτοις τοῖς νομοθέταις μὴ

θησθε νόμον μηδένα (εἰσὶ γὰρ ὑμῖν ἱκανοί), ἀλλὰ τοὺς εἰς τὸ παρὸν βλάπτοντας ὑμᾶς λύσατε. λέγω τοὺς περὶ τῶν θεωρικῶν, σαφῶς οὕτως, καὶ τοὺς περὶ τῶν στρατευομένων ἐνίους, ὧν οἱ μὲν τὰ στρατιωτικὰ τοῖς οἴκοι μένουσι διανέμουσι θεωρικά, οἱ δὲ τοὺς ἀτακτοῦντας ἀθώους καθιστᾶσιν, εἶτα καὶ τοὺς τὰ δέοντα ποιεῖν βουλομένους ἀθυμοτέρους ποι- οῦσιν.

3.10-11

The speaker explains the disadvantages of existing legislation and their effect on public attitudes. ἀθυμοτέρους is a key word which is reinforced at 3.33 with ταῦτα τὴν ἐκάστου ῥαθυμίαν ὑμῶν ἐπαυξάνοντα. In the sections leading up to 3.33 the speaker examines the relationship between politicians and people.

ἀποβλέφατε δὴ πρὸς τοὺς ταῦτα πολιτευομένους, ὧν οἱ μὲν ἐκ πτωχῶν πλούσιοι γέγονασιν, οἱ δ' ἐξ ἀδόξων ἔντιμοι, ἔνιοι δὲ τὰς ἰδίας οἰκίας τῶν δημοσίων οἰκο- δομημάτων σεμνοτέρας εἰσὶ κατεσκευασμένοι, ὅσῳ δὲ τὰ τῆς πόλεως ἐλάττω γέγονεν, τοσοῦτῳ τὰ τούτων ἠΰξεται.

3.29

The theme, ἐκ πτωχῶν πλούσιοι γέγονασιν, has already been observed at pr.53.3. At 3.30 the speaker offers an explanation for the enrichment of politicians.

τί δὴ τὸ πάντων αἴτιον τούτων, καὶ τί δὴ ποθ' ἅπαντ' εἶχε καλῶς τότε, καὶ νῦν οὐκ ὀρθῶς; ὅτι τότε μὲν πράττειν

καὶ στρατεύεσθαι τολμῶν αὐτὸς ὁ δῆμος δεσπότης τῶν πολιτευομένων ἦν καὶ κύριος αὐτὸς ἀπάντων τῶν ἀγαθῶν, καὶ ἀγαπητὸν ἦν παρὰ τοῦ δήμου τῶν ἄλλων ἐκάστω καὶ τιμῆς καὶ ἀρχῆς καὶ ἀγαθοῦ τινος μεταλαβεῖν· νῦν δὲ τούναντίον κύριοι μὲν οἱ πολιτευόμενοι τῶν ἀγαθῶν, καὶ διὰ τούτων ἅπαντα πράττεται, ὑμεῖς δ' ὁ δῆμος, ἐκνενευρισμένοι καὶ περιηρημένοι χρήματα, οἱ δ' ὁ δῆμος, ἐκνενευρισμένοι καὶ περιηρημένοι χρήματα, συμμαχούς, ἐν ὑπηρετοῦ καὶ προσθήκης μέρει γεγένησθε, ἀγαπῶντες ἐὰν μεταδιδῶσι θεωρικῶν ὑμῖν ἢ Βοηδρόμια πέμφωσιν οὗτοι, καὶ τὸ πάντων ἀνδρειότατον, τῶν ὑμετέρων αὐτῶν χάριν προσοφείλετε. οἱ δ' ἐν αὐτῇ τῇ πόλει καθέλρξαντες ὑμᾶς ἐπάγουσ' ἐπὶ ταῦτα καὶ τιθασεύουσι χειροθήθεις αὐτοῖς ποιοῦντες.

3.30-31

In this graphic description of the aggrandisement of politicians and the concomitant waning of the people's influence the speaker is careful to include the manipulation of the Theoric Fund as a contributing factor. At 3.33 the speaker advises the Athenians of the prospects in store for them if they can escape from their servitude. This sentence leads neatly into the simile.

ἐὰν οὖν ἀλλὰ νῦν γ' ἔτι ἀπαλλαγέντες τούτων τῶν ἐθῶν ἐθελήσητε στρατεύεσθαί τε καὶ πράττειν ἀξίως ὑμῶν αὐτῶν, καὶ ταῖς περιουσίαις ταῖς οἴκοι ταύταις ἀφορμαῖς ἐπὶ τὰ ἔξω τῶν ἀγαθῶν χρῆσθαι, ἴσως ἂν, ἴσως, ὧ ἄνδρες Ἀθηναῖοι, τέλειόν τι καὶ μέγα κτήσασθ' ἀγαθὸν καὶ τῶν τοιούτων λημάτων ἀπαλλαγείητε, ἃ τοῖς [ἀσθενοῦσι] παρὰ τῶν ἰατρῶν σιτοῖς [διδόμενοις] ἔοικε.

3.33

When he has stated his simile the speaker goes on to expound the practical application.

οὐκοῦν σὺ μισθοφορὰν λέγεις; φήσει τις. καὶ παραχρη-
μά γε τὴν αὐτὴν σύνταξιν ἀπάντων, ὧ ἄνδρες Ἀθηναῖοι, ἵνα
τῶν κοινῶν ἕκαστος τὸ μέρος λαμβάνων, οὗτου δέοιθ' ἡ πόλις,
τοῦθ' ὑπάρχουσι. 3.34

Accordingly in oration 3 the simile is used as one of the elements in a coherent and consistent pattern of arguments designed to bring about a change in the allocation of money from the Theoric Fund. Pr.53 does not have this coherence or consistency. A possible explanation is that pr.53 is derivative, i.e. a few ideas have been selected from oration 3 and cobbled together.

The doles and payments cited at pr.53.4 require consideration. δραχμῆ refers to the payment for attendance at the Ecclesia:

μισθοφοροῦσι δὲ πρῶτον ὁ δῆμος ταῖς μὲν ἄλλαις ἐκκλη-
σίαις δραχμὴν ... AP 62.2

χοῦ describes the measure of grain, one twelfth of a medimnus, 3.2 litres, which was distributed as a dole to each citizen during crises. Examples are described in oration 34:

ἔτι δ' ἐν τοιούτῳ καιρῷ, ἐν ᾧ ὑμῶν οἱ μὲν ἐν τῷ ἄστει οἰκοῦντες διεμετροῦντο τὰ ἄλφιστα ἐν τῷ ῥοδείῳ, οἱ δ' ἐν τῷ

Πειραιεῖ ἐν τῷ νεωρίῳ ἐλάμβανον κατ' ὀβολὸν τοὺς ἄρτους καὶ ἐπὶ τῆς μακρᾶς στοᾶς τὰ ἄλφιστα, καθ' ἡμίεκτον μετρούμενοι καὶ καταπατούμενοι. 34.37

τέτταρσιν ὀβολοῖς presents difficulties. N.W. DeWitt and N.J. DeWitt 1949, p.184, say that this is the juror's fee which had been increased from three to four obols. But AP 62.2 maintains that it was three obols:

ἔπειτα τὰ δικαστήρια τρεῖς ὀβολούς. AP 62.2

R. Clavaud 1974B, p.166 n.7, acknowledges difficulty and suggests that this is connected with the Theoric Fund dole of two obols cited in oration 18:

... ἐν τοῖν δυοῖν ὀβολοῖν ἐθεώρουν ἄν ... 18.28

He offers the explanation that four obols could be a sum awarded in advance to pay for several performances and cites the award of a drachma (six obols) for attendance at three performances at festivals such as the Dionysia. By this logic four obols would be awarded for two performances.

Another reason for choosing the Theoric Fund, which Clavaud does not mention, is the association of the simile in pr.53.4 with the one in 3.33 where the speaker does have the Theoric Fund in mind.

All of these explanations are speculative. Nor is there any evidence that τέτταρσιν is a spurious reading.

The prooemium comes to an abrupt ending. It is not clear what is the point of the final remark:

καὶ ταῦτ' οὐτ' ἀπογνόντας ἄλλο τι μείζον πράττειν ἔῤ,
οὐτ' αὐτ' ἐξαρκεῖν δύναται. pr.53.4

What does the speaker mean by ἐξαρκεῖν? Does he mean the sums are not large enough to provide a living? Or is the speaker speaking about something apart from money? He could mean that while payments and doles are gratifying they do not provide self-respect nor a satisfying vocation. In this respect they would correspond to the modern phenomenon of the apathy induced in some long-term unemployed who receive dole payments which are large enough to prevent them seeking employment but which in themselves provide no sense of fulfilment nor allow recipients to feel that they are making a contribution to society.

Clavaud, p.166 n.8, comments that here humour has been followed by bitterness. I agree.

ARRANGEMENT

G

A (202), G (610)

G

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AIM

The context of pr.53 is an Ecclesia that has become so accustomed to the slanging matches of orators and to the gratifications of doles and payments that it has lost its way. The speaker's aim is to waken the audience to its true purpose, the deliberation about matters of important public concern. The speaker's aim, therefore, is to win attention and goodwill by suggesting that he has something important to say in the main part of the speech, and to win goodwill by discrediting opponents and by awakening the audience to their responsibility.

It could be argued that pr.53 is not an introduction at all. Clavaud, p.166 n.8, considers, given the prooemium's relative length, that it could be an intervention which formed an entity. On the other hand, since pr.53 contains no definite proposal, it is unlikely that it was intended as a completed speech.

ANALYSIS

There was a time in the Athenians' history, it seems, when the people compelled any man whom they observed to be wise and good to do public services and to hold office, not through a lack of volunteers (for while the speaker judges the city to be fortunate in every other regard, in this one respect he considers it never to have had good fortune, that it has never run short of those wishing to plunder the public budgets) but the people used to make this a showpiece, honourable and profitable to the city.

Attention (208) (209), goodwill (501) (424)

ἦν τις, ὡς ἔοικεν, χρόνος παρ' ὑμῖν, ᾧ ἄνδρες Ἀθηναῖοι, ὅτ' ἐπηνάγκαζεν ὁ δῆμος, ὃν ἄνθρωπον ἴδοι σῶφρονα καὶ χρηστόν, πράττειν τὰ κοινὰ καὶ ἄρχειν, οὐ σπάνει τῶν τοῦτο βουλομένων ποιεῖν (πάντα γὰρ τᾶλλ' εὐτυχῆ τὴν πόλιν κρῖνων, ἐν οὐδέποτ' εὐτυχῆσαι τοῦτο νομίζω, ἐπιλείπειν αὐτὴν τοὺς τὰ κοινὰ καρποῦσθαι βουλομένους), ἀλλ' ὄραμα τοῦτ' ἐποιεῖθ' ὁ δῆμος αὐτοῦ καλόν, ᾧ ἄνδρες Ἀθηναῖοι, καὶ λυσιτελεῖς τῇ πόλει.

pr.55.1

R. Clavaud 1974B, p.168 n.9, observes that pr.55 begins like a story. I agree that ἦν τις ... χρόνος resembles the 'once upon a time' of the fairy tale. However the speaker's purpose is not to entertain with a story

shrouded in the mist of time but to cite the past to sanctify a practice which he wants to recommend. He implies that a commendable custom which no longer occurs ought to be reintroduced, or at least ought to be recalled and given consideration. The idea is further hallowed by the descriptions, *σώφρονα* and *χρηστών*, given to *ἄνθρωπον* which is held up as an ideal. The speaker tells us that the people used to compel, *ἐπηνάγκαζεν*, such men to hold office. Clavaud, p.168 n.10, is right when he describes this compulsion as a manner of speaking. It is not to be taken literally. He suggests that the people recognized and acknowledged the honesty of such men, i.e. that they prompted those whom they considered suitable but without indulging in the exchanges of flattery that were current in Demosthenes' day. The speaker anticipates, feature 501, reaction to his reminiscence with the assertion that this practice was not a response to a lack of volunteers, *οὐ σπάνει τῶν τοῦτο βουλομένων ποιεῖν*. The purpose of this explanation is to introduce the parenthesis in which the speaker pinpoints a fault which has been present all the time from the time he describes right up to the present day. *οὐδέποτε* is a key word which is the link with the previous comments since it reinforces the idea of time. However the speaker does not begin with censure but with a generalization about the city's good fortune, *πάντα γὰρ τ' ἄλλ' εὐτυχῆ τὴν πόλιν κρίνων*. This serves two purposes. It is diplomatic and, therefore, sugars the pill for what follows. Furthermore it throws into relief what follows. The single item in which the city has never had good

fortune is emphasized by the fact that in all other respects the city has been fortunate, ἐν οὐδέποτ' εὐτυχῆσαι τοῦτο νομίζω. The speaker specifies what this is, ἐπιλείπειν αὐτὴν τοὺς τὰ κοινὰ καρποῦσθαι βουλομένους. He means that there has always been a ready supply of those who want to exploit their positions of public office in order to increase their personal wealth. He implies, of course, that such behaviour is particularly rife. Having established within the parenthesis the problem that besets Athenian public life he emphasizes it by returning to the contrasting image of the past when this problem was overcome by the people's initiative, ἀλλ' ὄραμα τοῦτ' ἐποιεῖθ' ὁ δῆμος αὐτοῦ, καλόν, ὧ ἄνδρες Ἀθηναῖοι, καὶ λυσιτελὲς τῇ πόλει. Now the speaker stresses the benefits that this course of action incurred for the city. First it brought honour, καλόν. This word is feature 208 which attracts attention because the course of action advocated is honourable. It is implied that the speaker is going to recommend measures that will bring honour. καλόν is emphasized by its position before the vocative, ὧ ἄνδρες Ἀθηναῖοι, which separates it from, and therefore also emphasizes, the other benefit, that it was profitable for the city, λυσιτελὲς τῇ πόλει. λυσιτελὲς is equivalent to συμφέρον which is attention feature 209 and goodwill feature 424. The implication is that the speaker will offer a solution to the problem he has highlighted which will be profitable to the city. The speaker has deliberately included the words τῇ πόλει after λυσιτελὲς to stress the patriotism of those whose desire is to

benefit the city in contrast to dishonest officials whose intention is to line their own pockets.

On the one hand these men who hold office continuously when yoked with enthusiastic laymen and just men displayed themselves more cautiously.

Attention (207), goodwill (422)

οἷ τε γὰρ συνεχεῖς οἷδε παραzeugνυμένων σφίσιν ἐξ ἰδι-
ωτῶν σπουδαίων καὶ δικαίων ἀνδρῶν, εὐλαβεστέρους αὐτοὺς
παρεῖχον

pr.55.2

The speaker stays in the past to contrast the solutions of that time with the problems of the present and to suggest that such solutions would be appropriate for the present. First he recalls the neutralizing effect that honest amateurs had on corrupt career politicians: it made them more cautious, εὐλαβεστέρους αὐτοὺς παρεῖχον. There are variant readings, ἰδιωτῶν and ἰδίων. While ἰδίων would convey the idea of private as opposed to public and would therefore contrast the individual who concentrated most of the time on his private life in contrast to the man who was never out of public life, ἰδιωτῶν offers the extra idea of the amateur or the layman which contrasts with the notion of the man continuously holding office in order to make a career out of it, in effect, a professional politician. A difficulty with ἰδίων is that it has connotations of an individual's private rights or self-interest. This makes ἰδίων inappropriate because the speaker is censuring

officials who put their own interest first and praising honest men who put the city's interest first. R. Clavaud 1974B, p.135 n.14, correctly comments that the idea of simple laymen developing an effective programme is a commonplace about supporters of the democracy as exemplified by Plato *Protagoras* 329 c-e. The epithet σπουδαίων has the flavour of the enthusiastic amateur and therefore ἰδιωτῶν is the more appropriate companion. Grammatically ἰδιωτῶν makes better sense since it is a noun while ἰδίων is an adjective which would have to depend, along with two other adjectives, on ἀνδρῶν. ἰδιωτῶν is more aesthetically pleasing since it provides an example of chiasmus:

ἰδιωτῶν σπουδαίων καὶ δικαίων ἀνδρῶν.

Accordingly, the reading ἰδιωτῶν is preferred to ἰδίων.

The speaker also describes these men as just, δικαίων, which is attention feature 207 and goodwill feature 422. The technique here is one of association. By approving the behaviour of these men and by describing them as just the speaker implies that he too and his recommendations will be just. The point of this sentence is that the villains of the piece were held in check by honest men. The implication is that in the speaker's time dishonest politicians have a free rein to indulge their self-interest while the just laymen are no longer rising to the occasion to serve the city.

On the other hand those of the Athenians who are good and exercise office justly but who are not the kind who cause trouble or summon partisans were not excluded from holding offices.

Attention (207), goodwill (402) (422)

οἱ τε χρηστοὶ μὲν ὑμῶν καὶ δικαίως ἄρχοντες, μὴ πάνυ
δ' οἷός τ' ἐνοχλεῖν καὶ παραγγέλλειν, οὐκ ἀπηλαύνοντο τῶν
τιμῶν. pr.55.2

The speaker has been praising the good customs of the past to highlight the inadequacies of current practice. In this sentence he makes the past more real and identifiable for the audience with the insertion of the word ὑμῶν. It is as if the speaker invites the audience to transport themselves back into the past and imagine themselves in that situation. But there is also flattery here, feature 402: ὑμῶν is linked with χρηστοὶ. The speaker knows that each member of his audience would like to be considered χρηστός. He insinuates, therefore, that the audience supports his view. This is reinforced by the next phrase, καὶ δικαίως ἄρχοντες: the present audience are the kind of people who would do this. δικαίως recalls the earlier δικαίων and is again used to imply that the present speaker's recommendations will be just in order to win attention, feature 207, and goodwill, feature 422. There is further fusion of past and present when the speaker tells his audience what kind of people they are not, μὴ πάνυ δ' οἷός τ' ἐνοχλεῖν καὶ παραγγέλλειν. In this case

the speaker transports to the past as part of his scenario behaviour and practices which were contemporary. In telling the audience that they are not the kind of people who do this the speaker's intention is to isolate from the audience those of his contemporaries who do indulge in this behaviour. Thus it is a way of insinuating that the audience have chosen sides, i.e. his side at the expense of his opponents. Finally the speaker offers a solution from the past with implications for the present, οὐκ ἀπηλαύνοντο τῶν τιμῶν. The speaker suggests that the right men have been prevented from holding the offices for which they are the most suitable candidates. The assertion that this did not happen in the past offers an insinuation that it does happen in the present.

But now the Athenians appoint their magistrates in precisely the same way that they appoint their priests.

Goodwill

νῦν δὲ παντάπασι τὸν αὐτὸν τρόπον, ὧ ἄνδρες Ἀθηναῖοι, ὄνπερ τοὺς ἱερεῖς, οὕτως καθίστατε καὶ τοὺς ἄρχοντας.

pr.55.2

The allusion here is to hereditary priesthods, to which AP 42.5 bears testimony, κἄν τινα κατὰ τὸ γένος ἱερωσύνη γένηται. The speaker suggests that the perpetual re-election of certain men to the same office resembles the hereditary appointment of priests to the same priesthood. In effect this would be a means of excluding worthy men

from office, a situation which did not exist in the past that the speaker reveres and which, it is implied, ought to be abolished in the present.

Then the Athenians are surprised when one man is fortunate and another continuously takes much at the Athenians' expense while the rest go around envying these men their wealth.

Goodwill

εἶτα θαυμάζετε, ἐπειδὴν ὁ δεῖν' εὐδαίμων καὶ ὁ δεῖν' ὑμῶν ἢ συνεχῶς πολλὰ λαμβάνων, οἱ δ' ἄλλοι περιίητε τὰ τούτων ἀγαθὰ ζηλοῦντες. pr.55.2

The speaker now uses sarcasm to rebuke the audience, εἶτα θαυμάζετε. This implies that the audience are responsible for the situation by allowing it to happen and are now being hypocritical when they express surprise at something they have observed all along and have even nurtured. The speaker's aim is to stir the audience to action to change the system. His rebuke is reinforced with the pitiable reproach with which the sentence ends, οἱ δ' ἄλλοι περιίητε τὰ τούτων ἀγαθὰ ζηλοῦντες. Now that they have permitted unscrupulous officials to take advantage of them, the audience's response is passive. They feel envy in the manner of those who indulge in self-pity but are unwilling to take any action. But the speaker does not confine his censure to the audience. συνεχῶς recalls the earlier συνεχεῖς. Now the speaker explicitly accuses ὁ

δεῖν' of continuous plunder when one might have expected the word to describe continuous tenure of office. He is careful to stress that this plunder is great and is exacted from the audience. Thus the audience are involved personally and the speaker's opponents are isolated from them, ὁ δεῖν' ὑμῶν ἢ συνεχῶς πολλὰ λαμβάνων. The speaker uses the expression ὁ δεῖν' to imply that the perpetrators are so well known that they do not have to be named and also perhaps that they are numerous. He neatly includes them all by saying ὁ δεῖν'.

The Athenians are the most terrible people for removing offices which exist for them and for establishing laws about them if someone serves twice as controllers of the town or something of the kind, yet they allow the same men to be generals all the time.

Goodwill

δεινότατοι γὰρ ἐστ' ἀφελέσθαι μὲν ὅσ' ὑμῶν ὑπάρχει, καὶ νόμους περὶ τούτων θεῖναι, ἂν τις ἀστυνομήσῃ δις ἢ τὰ τοιαῦτα, στρατηγεῖν δ' ἀεὶ τοὺς αὐτοὺς ἔαν. pr.55.3

The speaker continues to rebuke the audience in order to persuade them to change the system. But he does this now by complaining about changes they have actually made, ἀφελέσθαι. This is an unexpected tack and is therefore an example of παρὰ προσδοκίαν. R. Clavaud 1974B, p.169 n.5, suggests that it is also humorous. The use of the superlative, δεινότατοι, suggests that this is so, since,

if taken seriously, it would suggest that the speaker was giving the audience an excessive dressing down. The speaker's rebuke is tongue in cheek. His purpose is to make the audience aware of the irony of what they are doing: they deprive themselves of something that exists for their own benefit, ἀφελέσθαι μὲν ὅσ' ὑμῶν ὑπάρχει. Moreover they go to the trouble of making laws if someone serves twice as a controller of the town, or something like that, καὶ νόμους περὶ τούτων θεῖναι, ἄν τις ἀστυνομῆσθαι δὲς ἢ τὰ τοιαῦτα. AP 50.2 outlines the duties of the ten ἀστυνόμοι, five of whom served in Athens and five in Peiraeus. They were responsible for cleanliness and order in the streets. See also A.R.W. Harrison 1971, p.25 and D.M. MacDowell 1978, p.159. The speaker implies that the Athenians 'strain at a gnat and swallow a camel'. While they have taken pains to prevent the same men holding minor offices more than once, yet they allow the same men to be generals over and over again, στρατηγεῖν δ' αἰεὶ τοὺς αὐτοὺς ἔαν. AP 62.3 confirms the truth of the speaker's complaint, ἄρχειν δὲ τὰς μὲν κατὰ πόλεμον ἀρχὰς ἔξεστι πλεονάκις, τῶν δ' ἄλλων οὐδεμίαν, πλὴν βουλευσαί δις.

Perhaps there is an excuse for allowing those involved in actually carrying out tasks to continue but to allow the others who do nothing to have endless tenure and endless payment is folly.

Goodwill

καὶ τὸ μὲν τοὺς ἐπὶ τῶν πράξεων ὄντας ἴσως ἔχει πρό-

φασιν· τὸ δὲ τοὺς ἄλλους, οἱ ποιοῦσι μὲν οὐδέν, χώραν δ'
ἀτέλεστον ἔχουσιν αὐτοὶ τετελεσμένοι, μωρία. pr.55.3

The speaker seems to reserve his judgement about those occupying magistracies which actually require work to be done. However his main purpose in saying this is to provide contrast with and thus to emphasize the next statement that the others, i.e. those who are perpetually elected generals, do nothing, yet accept payment, and that it is folly to tolerate this. He makes use, here, of a pun, exploiting the various meanings of τελεῖν, 'bring to an end', 'pay', 'consecrate', 'initiate', in the clause χώραν δ' ἀτέλεστον ἔχουσιν αὐτοὶ τετελεσμένοι. R. Clavaud 1974B, p.136, who adopts the reading κατέχουσιν, offers the more poetic translation, 'occupent un sacré poste après en avoir reçu eux-mêmes la consécration.' At p.169 n.8 he observes that this image is borrowed from the mysteries. N.W. DeWitt and N.J. DeWitt 1949, p.189, offer a prosaic translation, 'have an endless tenure of office and are themselves endlessly benefited' and at footnote d, with the comment that there is a touch of tragedy and the mysteries in the diction, the 'perhaps better' translation, 'hold an unserviceable post to the service of which they have themselves been consecrated.' A similar idea is found in oration 13 which combines the notions of being consecrated a general and of occupying a sinecure:

τελεσθῆναι στρατηγὸς ἕκαστος σπουδάζων, οὐκ ἀνδρὸς
ἔργον οὐδὲν πράξαι. 13.19

The Greek has an ambiguity and, hence, an irony which English (or French) cannot convey in a single translation. What the speaker is saying is that these men are enjoying the privileges and salary of an endless office, cloaking their idleness with the mystery associated with the office of general. What he tells the audience in effect is that they should see through this nonsense and wake up to the madness of their tolerance. The speaker displays an aptitude for subtlety.

But the Ecclesia ought to bring forward men from their own midst, and there are not a few of them.

Goodwill (402)

ἀλλὰ καὶ ὑμῶν αὐτῶν (εἰσὶ δ' οὐκ ὀλίγοι) προσάγειν χρή.

pr.55.3

This sentence recalls the sentence with which pr.55 began and therefore constitutes an example of ring composition which provides a neat ending. The command ὑμῶν αὐτῶν ... προσάγειν χρή, while meant to be taken literally, is also intended to remind the Ecclesia of the example of their forebears cited at pr.55.1, ἐπηνάγκαζεν ὁ δῆμος, ὄν ἄνθρωπον ἴδοι σῶφρονα καὶ χρηστόν, πράττειν τὰ κοινὰ καὶ ἄρχειν. The reservation that the selection of suitable candidates should be made from the Ecclesia's own number implies that the speaker considers the Ecclesia to contain more suitable men than some of those currently holding

office as generals. Moreover this enables him to pay his audience a compliment. A more practical view is that this is an appeal to the audience's vanity designed to persuade them with flattery, feature 402. But these ideas are not necessarily mutually exclusive. The speaker may well intend to compliment certain members of the Ecclesia while flattering others. A further, cynical interpretation of ὑμῶν αὐτῶν may also be intended, namely that the perpetual generals, who are the focus of the speaker's censure, are not to be considered of the Ecclesia's number since their attendance at the Ecclesia is so infrequent. εἰσὶ δ' οὐκ ὀλίγοι is intended to recall from pr.55.1 οὐ σπάνει τῶν τοῦτο βουλομένων ποιεῖν (albeit that they were not the right kind of volunteers) in order to suggest that while there were many men in the Ecclesia who would make good generals they were not willing enough to come forward themselves, and, hence, to prompt them.

For if the Athenians were to set up a balance, as it were, anyone of worth would subsequently come forward of his own accord.

Goodwill

ἂν γὰρ ὡπερεὶ ζυγῶ ἴσθητε, πρόσεισιν ὅς ἂν ἄξιός ᾖ
του μετὰ ταῦτ' αὐτός. pr.55.3

The speaker now invites his audience to go one better than their forebears by creating a situation which would preclude the need for compulsion or selection since anyone

who was worthy enough would take the initiative himself. The speaker uses the analogy of a set of scales to suggest a system of self-selection based on the comparison of peers. A weighing up of each other's talents would produce the weightiest candidate. R. Clavaud 1974B, p.170 n.9, gives a concise explanation of the literary evidence to which the speaker may be alluding:

'L'emploi au figuré du nom de la balance se retrouve dans Platon (*Prot.*, 356b). Il s'agit évidemment d'une balance à deux plateaux suspendus à un fléau: le candidat le plus méritant sera "le plus lourd". Cette pesée est le symbole de l'objectivité, comme elle l'est déjà dans Homère (*Illiade*, VIII, 70 sq.).'

ARRANGEMENT

A (208) (209), G (501) (424)

A (207), G (422)

A (207), G (402) (422)

G

G

G

G

G (402)

G

AIM

Pr.55 is an extremely well-fashioned thematic introduction whose purpose is to introduce a speech in which the speaker tackles the Athenians on the reluctance of good men to hold public office and the consequent monopoly year after year of perpetual but inferior generals. Indeed pr.55 handles this topic so well within its own confines that there seems to be no need for the subsequent main part of a speech. This fact, along with the absence of introductory remarks and of future tenses, suggests that pr.55 may not be an introduction at all but a short speech in its own right. I wholeheartedly agree with Clavaud's final comment on the prooemium at p.170 n.9:

'Ce prologue acerbe, aux images vives, est un témoignage intéressant sur la répugnance des Athéniens du IVe siècle pour les charges publiques. Là encore, ce morceau d'une seule venue se suffit à lui-même.'

Prooemium 56

ANALYSIS

Rising to speak when a man has convinced himself that he has something beneficial to say seems to the speaker to be fine and fitting

Attention (209) (208), goodwill (424)

τὸ μὲν, ὡ ἄνδρες Ἀθηναῖοι, πεπεικόθ' ἑαυτὸν ἔχειν τι
συμφέρον εἶπεῖν ἀνίστασθαι καὶ καλὸν καὶ προσήκον εἶναί μοι
δοκεῖ

pr.56.1

The speaker begins with a generalization which is intended to meet with universal approval and, hence, by implication, is intended to justify his own rising to speak. He implies that he is going to say something beneficial. συμφέρον attracts attention as feature 209 and goodwill as feature 424. καλὸν attracts attention as feature 208.

but to force to listen those who are unwilling the speaker considers altogether shameful.

Attention, goodwill

τὸ δὲ μὴ βουλομένους ἀκούειν βιάζεσθαι παντελῶς ἔγωγ'
αἰσχρὸν ἡγοῦμαι [εἶναι].

pr.56.1

In this part of the sentence the speaker hopes to win goodwill by expressing the view of a reasonable man. It is clear that he wants the audience to understand that he is not the sort of man that would force his views on an unwilling audience. This said, this part of the sentence is also intended to secure a hearing. Mention of ἀκούειν is intended to put the idea of listening to the speaker into the minds of the audience to make them amenable to the idea of granting a hearing to one who is so reasonable that

he does not approve of subjecting a reluctant audience to an unwelcome speech. The irony is that this is precisely what the speaker plans to do. The avowed disapproval is intended to conceal his real intention.

The speaker thinks that if the audience are willing to be persuaded by the speaker today they will be better able to choose the best policy and to shorten the speeches of those who get up to speak.

Attention, goodwill

οἴομαι δέ, ἐὰν ἐθελήσητέ μοι πείθεσθαι τήμερον, καὶ τὰ βέλτιστα μᾶλλον ὑμᾶς ἐλέσθαι δυνήσεσθαι καὶ τοὺς τῶν ἀναβαινόντων λόγους βραχεῖς ποιήσειν. pr.56.1

The condition, ἐὰν ἐθελήσητέ μοι πείθεσθαι τήμερον, is a thinly veiled request for goodwill. Two baits are used to make this request attractive: first, the prospect of facilitating the choice of best policy and, second, the opportunity to reduce the length of speeches. Moreover, both of these are also designed to secure a hearing, the former on the grounds that the speaker may himself recommend the best policy, the latter with the inference that the speaker is going to practise what he preaches and make his own speech short.

What then does the speaker advise?

Attention

The speaker inserts a rhetorical question to rouse curiosity and to stimulate thought.

First, to insist the man coming forward to speak restricts himself to those matters which the Athenians are considering.

Attention, goodwill

πρῶτον μὲν, ὧ ἄνδρες Ἀθηναῖοι, περὶ αὐτῶν ὧν σκοπεῖτε τὸν παριόντα λέγειν ἀξιούσιν. pr.56.2

The speaker makes a plea for relevance. The audience will approve of this since they will not want to waste time. The speaker implies that he is going to confine himself to relevant issues. He will be hoping to secure a hearing on the grounds that his speech is not going to be unnecessarily long and to win goodwill because he is going to practise what he preaches and not waste the audience's time.

For someone might mention many other topics in his speech and might deliver many witticisms especially when there are those who have an aptitude for this as some of these men do.

Attention, goodwill

πολλὰ γὰρ ἄλλα τις ἂν περιέλθοι τῷ λόγῳ καὶ πόλλ' ἂν ἄστετ' εἴποι, ἄλλως τε καὶ ὥσπερ τούτων ἔνιοι δεινῶν

The speaker now reveals his real enemies: those who make witty speeches which entertain the audience. This sentence is designed to secure a hearing. The speaker fears that as they have become accustomed to enjoying witty speeches they will be reluctant to hear the serious speech that he is going to deliver. He attempts, therefore, to discredit witty speeches by suggesting that their contents are to a large extent, πολλὰ ... ἄλλα, irrelevant. However, he does this in such a way as to ensure no loss of goodwill by complimenting his colleagues on their cleverness when it comes to making witty speeches, ἄλλως τε καὶ ὡσπερ τούτων ἔνιοι δεινῶν ὄντων.

But if the audience has come to hear sayings it is necessary to make these and to listen to them.

Attention

ἀλλ' εἰ μὲν ῥημάτων ἤμετ' ἀκουσόμενοι, ταῦτα λέγειν
καὶ ἀκούειν χρή· pr.56.2

The speaker uses sarcasm to jolt his audience into granting a hearing. Clearly none of the Ecclesia would admit to coming for the purpose of making and enjoying fine phrases. The speaker's aim is to highlight with sarcasm a practice that has become a habit in order to justify his own speech which he fears the audience will not find

entertaining. Therefore the speaker is appealing to the Ecclesia's corporate and declared sense of integrity to overrule individual members' personal inclinations. How can they refuse the speaker's next request?

But if the audience has come to deliberate about a choice of policies, then the speaker advises them as far as possible to judge the policies on their own merits, leaving aside speeches of a nature to deceive.

Attention, goodwill

εἰ δ' ὑπὲρ πραγμάτων αἰρέσεως βουλευσόμενοι, αὐτὰ καθ' ἑαυτὰ παραινῶ τὰ πράγμαθ' ὡς μάλιστα κρίνειν, ἀφελόντας ὅσοι λόγοι πεφύκασιν ἔξαπατᾶν. pr.56.2

The speaker expresses as a condition the Ecclesia's *raison d'être*, εἰ δ' ὑπὲρ πραγμάτων αἰρέσεως βουλευσόμενοι. He implies, 'If the audience have come to do what they are supposed to do'. He is pressurizing them to fulfil the condition by accepting his advice, αὐτὰ καθ' ἑαυτὰ παραινῶ τὰ πράγμαθ' ὡς μάλιστα κρίνειν. The point of this appeal to concentrate on the merits of the policies themselves is to mitigate against the policies' lack of entertainment value and to overcome the audience's reluctance to listen to such topics. Finally the speaker casts aside his complimentary vein, and suggests that the audience cast aside all speeches whose nature is to deceive, ἀφελόντας ὅσοι λόγοι πεφύκασιν ἔξαπατᾶν. This is a slur on his opponents who have been providing witty

speeches. He implies that their humour is a screen for a more sinister motive, deception.

This is the speaker's first point.

Attention

ἐν μὲν οὖν τοῦτο λέγω

pr.56.3

This is intended to emphasize what the speaker has just said and to signal that he is about to go on to a new point and hence to concentrate attention on what he is about to say.

The speaker's second point, which to some perhaps will be paradoxical with a view to reducing the length of speeches, is that the audience listen in silence.

Attention

δεύτερον δέ, ὃ τισιν ἴσως παράδοξον ἔσται πρὸς τὸ τοὺς λόγους ἐλάττους εἶναι, σιωπῶντας ἀκούειν. pr.56.3

παράδοξον is used to anticipate and hence to mollify any objections to the request, σιωπῶντας ἀκούειν. The latter suggests that the speaker feared heckling. τισιν and ἴσως are used to create the impression that those, who subscribe to the view that the speaker's request is paradoxical, are in the minority and, moreover, are being unreasonable. πρὸς τὸ τοὺς λόγους ἐλάττους εἶναι serves to remind the audience of the speaker's ideal of shorter

speeches and to associate with this the prospect of a short speech from him on the present occasion. Thus everything in this sentence is carefully contrived to elicit a quiet and uninterrupted hearing.

For regarding whether this or that is beneficial, and which alternative the city might choose more justly, there are not many arguments except from those who wish to prattle in vain, nor would anyone have occasion to raise these issues again at a subsequent session.

Attention (209) (207), goodwill (424) (422)

περὶ μὲν γὰρ τοῦ ταῦτ' ἢ 'κεῖνα συμφέρειν, καὶ πότερ' ἂν δικαιότερον προέλοιθ' ἡ πόλις, οὔτ' εἰσὶ λόγοι πολλοὶ μὴ βουλομένοις μάτην ἀδολεσχεῖν, οὔτε πάλιν τις ἂν αὐτοὺς εἰπεῖν ἔχοι·

pr.56.3

The aim of this sentence is to convince the audience that the present issue is an open and shut case which is manifestly obvious and, of course, that the speaker has a clear view of what should be done and should therefore be supported. First the speaker is careful to mention that the state's interest is at stake, *περὶ μὲν γὰρ τοῦ ταῦτ' ἢ 'κεῖνα συμφέρειν*. The last word, *συμφέρειν*, is attention feature 209 and goodwill feature 424. It is implied that the speaker's policy is the beneficial one. Secondly the speaker raises the subject of the more just policy, *καὶ πότερ' ἂν δικαιότερον προέλοιθ' ἡ πόλις*. The speaker wants to make the Ecclesia aware of their responsibility. It is

implied that the speaker's policy is more just and that this is the one that the audience should hear and subsequently choose. δικαιοτέρον is therefore attention feature 207 and goodwill feature 422. The speaker emphasizes and unites these two points in the first part of the οὔτε ... οὔτε ... clauses which now follow, οὔτ' εἰσὶ λόγοι πολλοὶ. The speaker attempts to dismiss his opponents by claiming that there is very little to be said on the choice of the beneficial and just policy. He implies that his is the policy which should be so easy to choose. However the speaker's claim could be belied by the number of orators willing to stand up and speak in opposition. Next the speaker tries to account for this anomaly. With μὴ βουλομένοις μάτην ἀδολεσχεῖν he accuses his opponents of making a fruitless and frivolous contribution to the debate. This comment is directed against those speakers whom the speaker earlier described as witty. The speaker adds a final comment, that there is no need to go over the same ground for a second time, οὔτε πάλιν τις ἂν αὐτοὺς εἰπεῖν ἔχοι. This may be a reference to an actual occurrence. The speaker could therefore be chastising opponents for raising issues that have been decided already at earlier meetings of the Ecclesia. More probably the speaker is attempting to prevent this by having the issue resolved once and for all so that it is not raised over and over again. In any case the speaker's purpose is to discredit his opponents by suggesting that if any of them were to speak he would be wasting the audience's time. This is a neatly composed sentence in

which the speaker maximizes his own appeal with references to expediency and justice while minimizing that of his opponents by associating them with trivia and time-wasting. The linchpin of the sentence is the short and snappy, οὐτ' εἰσὶ λόγοι πολλοὶ. This serves several purposes. It suggests that nothing more needs to be added to the speaker's arguments. It defies and discredits those who nevertheless rise to speak in opposition. Authority is added by the staccato rhythm and the terse concision. Furthermore the statement is consistent with the speaker's ideal of reducing the length of speeches.

As for the notion that it is just to listen and to reply to the uproar and to make speech after speech, there is no one who could not do that.

Attention

ὡς δὲ καὶ δίκαιον ἀκούειν καὶ πρὸς τὸν θόρυβον ἀποκρίνασθαι καὶ λόγον ἐκ λόγου λέγειν, οὐδεὶς ὅστις οὐχὶ δύναται ἄν.

pr.56.3

The speaker now uses sarcasm to emphasize the opportunities that exist for creating even more public speaking than necessary. ὡς δὲ καὶ δίκαιον is used to stress the opposite. Clearly the speaker does not consider this practice just, for an orator to break off from his speech, to listen to interruptions from the audience and to reply to these points before continuing with his speech, ἀκούειν καὶ πρὸς τὸν θόρυβον ἀποκρίνασθαι. The consequence

of this practice is that each orator, instead of making one speech, makes a series of speeches, καὶ λόγον ἕκ λόγου λέγειν. R. Clavaud 1974B, p.137 n.4, comments on ἀκούειν that with this word Demosthenes lets it be understood that there were dialogues between the orator at the rostrum, who in theory could not be interrupted, and the audience who were heckling him. I agree with Clavaud that the speaker's use of ἀκούειν bears testimony to actual practice.

By making an uproar the Athenians are not released from speeches but moreover are even forced to listen to what is no use.

Attention, goodwill

ἐκ δὲ τοῦ θορυβεῖν οὐκ ἀπαλλάττεσθε λόγων, ἀλλὰ καὶ περὶ τῶν οὐδὲν εἰς χρείαν ἐπαναγκάζεσθ' ἀκούειν. pr.56.3

The speaker attempts to prevent heckling by suggesting that it will cause the audience to be subjected to speeches that are surplus to requirement and irrelevant. There is the hint of a slur that the orators who make speeches that are of no use are those orators who were complimented earlier by the speaker for their wit. Thus goodwill is sought at the expense of opponents.

Accordingly the speaker's judgement about the matters under debate is this.

Attention

ἡ μὲν οὖν ἐμὴ γνώμη περὶ ὧν βουλευέσθε, ἥδ' ἐστίν.

pr.56.3

It is arguable whether this sentence belongs with the introduction or with the main part of a speech. Its function is to secure attention for the start of the main part. The present tense, ἐστίν, suggests that it belongs with the main part, since a future tense would be more appropriate in an introduction. This sentence, therefore, is not considered as part of the introduction.

ARRANGEMENT

A (209) (208), G (424)

A, G

A, G

A

A, G

A, G

A

A, G

A

A

A (209) (207), G (424) (422)

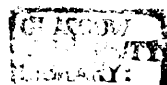
A

A, G

AIM

Pr.56 contains no references to a particular situation or to contemporary events. It is one of those proemia which have been prepared in advance to be available for use when required to solve a particular problem. The problem in this case is a reluctant audience who prefer witty speeches to a serious topic. The speaker's ingenious solution is to suggest a means for reducing the length of speeches. The audience's contribution is to cease heckling and to listen in silence. Their reward is a greater facility for choosing policy that is both beneficial and more just. But speeches must be relevant. Thus the audience need listen only to the speaker and must discard as lightweight and futile the witty speeches of the speaker's opponents. While the main purpose of pr.56 is to secure a hearing, along the way the speaker accumulates goodwill for himself first by creating the impression that he is reasonable and polite, later by discrediting his opponents, and throughout by implying that he has something profitable to say.

Pr.56 is a well written introduction. It is like the thin end of a wedge used to prize entry. The speaker gets his foot in the door, as it were, with his idealistic generalization at the start of pr.56. But his entry is not forced. Rather he slips in, lubricated with the charm of his compliments and the attraction of his promises. It is only once he is sure of his foothold that he begins to upbraid his host and to warn against the wolves in lambs' clothing that hitherto had been assured a welcome.



THE INTRODUCTIONS OF DEMOSTHENES
A RHETORICAL ANALYSIS

In 3 Volumes

Volume III

By Robert Patterson Harley

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Oration 18

ANALYSIS

First the speaker prays to all the gods and goddesses that he will receive for this contest from the jury as much goodwill as he himself has always maintained for the city and for all of them.

Attention, goodwill

πρῶτον μὲν, ἔ ἀνδρες Ἀθηναῖοι, τοῖς θεοῖς εὐχόμεαι πᾶσι καὶ πάσαις, ὅσῃν εὐνοίαν ἔχων ἐγὼ διατελεῖ τῆ τε πόλει καὶ πᾶσιν ὑμῶν, τοσαύτην ὑπάρξαι μοι παρ' ὑμῶν εἰς τοῦτον ἔ τὸν ἀγῶνα

18.1

This is the most important speech of Demosthenes' career. It was delivered in 330 in a contest against his political opponent, Aeschines. The latter had brought a belated *graphe paranomon* against Ctesiphon, who in 336 had proposed the award of a crown to Demosthenes in recognition of his public achievements. The reason for the postponement of the suit is not clear, but perhaps the political circumstances were not suitable until 330. Aeschines made three charges of illegality:

(1) that a crown had been proposed for someone who still held office and had not yet submitted to audit;

(2) that it had been proposed to proclaim the award in

the wrong place, namely, in the theatre at the Great Dionysia;

(3) that the decree contained false statements about the worthiness of the recipient.

Although Ctesiphon was the defendant the bulk of the defence was conducted by Demosthenes who appeared as his supporting speaker.

The vocative, ὦ ἄνδρες Ἀθηναῖτοι, receives comment from H. Wankel 1976, p.108, who points out that Demosthenes uses ὦ ἄνδρες Ἀθηναῖτοι instead of ὦ ἄνδρες δικασταί. Moreover the latter appears only once in the speech, as ἄνδρες δικασταί, at 18.196, but in this case Demosthenes is making a distinction between jurors and listeners. The vocative ὦ ἄνδρες Ἀθηναῖτοι is quite common in forensic speeches, but as a rule the first vocative is ὦ ἄνδρες δικασταί if a jury is being addressed. Other exceptions are orations 19 and 23. The point Wankel makes about oration 18 is that the politician puts forward his defence to the whole people. This underlines the distinction between a private and a public case. The public case, and oration 18 typifies this, is not mainly concerned with technical legal disputes between litigants but with issues of public concern that divide politicians. Thus Demosthenes' use of ὦ ἄνδρες Ἀθηναῖτοι as the first vocative is intended to signal that his speech is going to deal with issues that concern the whole people and, hence, that it is worthy of attention. He reinforces this with the introduction of a prayer, τοῖς θεοῖς εὐχόμεαι πάνσι καὶ πάσαις. W.W. Goodwin

1901, p.7, comments:

'The solemn earnestness with which Demosthenes undertook this vindication of his whole political life is shown by the unusual and impressive prayer with which he begins, and still more by its repetition.'

Demosthenes returns to prayer at 18.8 at the end of the introduction:

βούλομαι πάλιν τοὺς θεοὺς παρακαλέσαι, καὶ ἐναντίον
ὑμῶν εὐχομαι 18.8

This repeated prayer distinguishes the introduction of oration 18 from other Demosthenic introductions. The only other examples of prayer within an introduction occur at pr.25.3 and at pr.31.2. The return at the end of the introduction to the theme used at the start is an example of the literary device, ring composition. The unaccustomed use of prayer combined with ring composition draws attention to this introduction. This combination is used to emphasize the importance of the introduction in the way that a grand and dignified frame might be used by an artist to surround his masterpiece. The aim is to create the impression that this introduction is more important than a normal introduction and, hence, that the speech which is about to follow is also more important. The speaker's first request is for goodwill:

πρῶτον μὲν ... ὄσῃν εὖνοιαν ἔχων ἐγὼ διατελῶ τῇ τε πόλει καὶ πᾶσιν ὑμῖν, τοσαύτην ὑπάρξαι μοι παρ' ὑμῶν εἰς τούτωνι τὸν ἀγῶνα

18.1

πρῶτον μὲν, ὄσῃν εὖνοιαν ἔχων ἐγὼ διατελῶ τῇ τε πόλει καὶ πᾶσιν ὑμῖν, τοσαύτην ὑπάρξαι μοι παρ' ὑμῶν εἰς τούτωνι τὸν ἀγῶνα

18.8

In both instances the speaker qualifies his request for goodwill. He would like to receive the same goodwill which he himself has always cherished for the city. The scholia, M.R. Dilts 1983, p.200 no.1e, observe that this recalls Ctesiphon's decree:

τὸ δὲ 'διατελᾶ' εἴληπται μὲν ἀπὸ τοῦ ψηφίσματος, δηλοῦ δὲ ὅτι συνεβίωσε τῇ εὖνοίᾳ καὶ ἀεὶ αὐτῆς μέλεται καὶ πρότερον ἀφήσει τὴν ψυχὴν ἢ τὴν τοιαύτην διάνοιαν

The speaker gives the gods a reason for granting his request. Since he has always had goodwill for the city it is reasonable that he should receive the same in return. He does not ask for more than he deserves, but for an amount proportionate to his own goodwill, ὄσῃν εὖνοιαν... τοσαύτην. The implication is that a fair response to this prayer would be for the gods to grant his request. This must not be lost on his audience and he emphasizes this at 18.8 when he expresses his desire to repeat his prayer to the gods in the jury's presence, ἐναντίον ὑμῶν. The most important

feature of the prayer is that it is said within the hearing of the audience. The speaker is not looking for a miraculous response to a prayer. It does not even matter if the gods hear the request. The crucial thing is that the jury hear the speaker making a reasonable request of the gods which they ought to grant. If the request is granted then the jury are involved in fulfilling the divine will by giving the speaker goodwill. The prayer is artificial. The speaker's request is to the jury, not to the gods. He could simply have asked the jury for their goodwill. However, he expresses the request as a prayer to facilitate a favourable response. He uses the gods to recommend his case to the jury. By openly calling upon the gods to grant so reasonable a request his aim is to make it difficult for the jury to withhold their goodwill. In 18.1 his appeal is made to all the gods and goddesses. Presumably he expects unanimous approval. All the more reason for the jury's support.

Secondly, and this concerns the jury most of all and their piety and their reputation, that the gods establish this in the minds of the jury, that it is necessary, concerning how they listen to the speaker, not to make his opponent their adviser (for this would be wicked) but the laws and the oath, in which in addition to all the other just provisions this is written also, that they must give an equal hearing to both sides.

Attention (207), goodwill (423) (422)

Ἐπειθ' ὄπερ ἐστὶ μάλισθ' ὑπὲρ ὑμῶν καὶ τῆς ὑμετέρας
εὐσεβείας τε καὶ δόξης, τοῦτο παραστῆσαι τοὺς θεοὺς ὑμῖν,
μὴ τὸν ἀντίδικον σύμβουλον ποιήσασθαι περὶ τοῦ πῶς ἀκού-
ειν ὑμᾶς ἐμοῦ δεῖ (σχέτλιον γὰρ ἂν εἶη τοῦτό γε), ἀλλὰ
τοὺς νόμους καὶ τὸν ὄρκον, ἐν ᾧ προς ἅπασιν τοῖς ἄλλοις
δικαίοις καὶ τοῦτο γέγραπται, τὸ ὁμοίως ἀμφοῖν ἀκροάσα-
σθαι.

18.1-2

The speaker's second request concerns the jury's inspiration. Here he wants the gods to inspire the jury to listen in a way that will conform to the laws and their oath. At 18.8 when he repeats his prayer he asks the gods to inspire the jury to judge in a way that will enhance their good reputation and piety:

Ἐπειθ' ὃ τι μέλλει συνοίσειν καὶ πρὸς εὐδοξίαν κοινῇ
καὶ πρὸς εὐσέβειαν ἐκάστω, τοῦτο παραστῆσαι πᾶσιν ὑμῖν περὶ
ταυτησὶ τῆς γραφῆς γινῶναι.

18.8

Taken strictly at face value these are noble requests which must secure everyone's approval, since no one can deny that the laws and the oath should be guarded by the jury and that the jury should enhance their good reputation and piety. By making such prayers the speaker is drawing attention to himself as a supporter of the jury and the Athenian judicial system, and as an avowed upholder of the laws. The implication is that the speaker has the support of the laws, about which he has expressed concern,

and of the gods, to whom he has prayed, and consequently if the jury wish to preserve their good reputation and their piety they should decide in favour of the speaker. Accordingly Demosthenes uses these prayers to recommend himself to the jury in order to secure their attention and goodwill. H. Wankel 1976, p.113, comments that the only striking difference in the whole of the first prayer is the introduction of the phrase μὴ τὸν ἀντίδικον. The scholia, M.R. Dilts 1983, p.201 no.6, offer an explanation for Demosthenes' use of this phrase:

θέσις ἐγγύς κειμένη τὸ ἄτοπον τῶν ὀνομάτων βιάζεται· ὁ μὲν γὰρ ἀντίδικος πολέμιος, ὁ δὲ σύμβουλος προσφιλής. εἶρηκε δὲ ταῦτα, ἐπειδὴ ὁ Αἰσχίνης ἔλεγε, 'Κτησιφῶντος κατηγορῶ· τί σαυτὸν ἐμβάλλεις εἰς μέσον Δημόσθενες; μὴ ἔατε αὐτὸν παρακῦψαι εἰς τὸ δικαστήριον. ἔὰν δ' ἄρα ἐπιτρέπητε αὐτῷ φθέγγεσθαι, τοιᾶδε κεχρήσθω τῇ τάξει τοῦ λόγου ὡς αὐτὸς ὑπάρχει.'

Demosthenes' purpose is to counteract Aeschines' insistence at 3.202-6 that he answer the charges in the order that they were presented. In the next sentence he will argue explicitly for a speaker's right to organize the order of his topics as he wishes. The interjection, σχέτλιον γὰρ ἂν εἴη τοῦτό γε, has several functions. In literal terms it is a warning served to any juror likely to be susceptible to Aeschines' influence that this would be wicked. Moreover the word σχέτλιον implies by association that Aeschines himself is wicked. The interjection also

allows a pause between the negative and positive directives. Thus attention is secured for those influences to which the jury ought to respond. H. Wankel 1976, p.113, says that the clause is formulaic and cites its repetition at 18.114. However, he underestimates its role here. What counsel, then, does Demosthenes recommend for the jury? The laws and their oath, τοὺς νόμους καὶ τὸν ὄρκον. Since it is implied that these support the speaker's point of view, τοὺς νόμους is considered an example of feature 423. H. Wankel 1976, p.114, calls the phrase τοὺς νόμους καὶ τὸν ὄρκον a stereotype, and cites instances of its use. Even so Demosthenes enlists the support of its authority to recommend his case. He enhances his chance of success with his qualification of the oath, ἐν ᾧ πρὸς ἅπασιν τοῖς ἄλλοις δικαίοις καὶ τοῦτο γέγραπται. This is subtle. Not only does Demosthenes suggest that the particular provision which supports his request is just, features 207 and 422, but he also manages to extol the just nature of all the oath's provisions. This compliment is designed to win him goodwill. It helps to establish him as a worthy citizen. The final and emphatic part of the sentence is devoted to the citation of the provision selected from the oath, τὸ ὁμοίως ἀμφοῖν ἀκροάσασθαι. Demosthenes could simply have asked for an impartial hearing. By citing the juror's oath he establishes his right to an impartial hearing and puts the jury under obligation to give an equal hearing to both sides.

This means not only that there should be no

condemnation by prejudgement nor only that equal goodwill should be awarded, but also that each litigant should be allowed to choose and arrange the order of his arguments and the general plan of his defence as he wishes.

Goodwill

τοῦτο δ' ἐστὶν οὐ μόνον τὸ μὴ προκατεγνωκέναι μηδέεν, οὐδὲ τὸ τὴν εὐνοίαν ἴσην ἀποδοῦναι, ἀλλὰ τὸ καὶ τῆ τάξει καὶ τῆ ἀπολογίᾳ, ὡς βεβούληται καὶ προήρηται τῶν ἀγωνιζομένων ἕκαστος, οὕτως ἔᾶσαι χρῆσασθαι. 18.2

Demosthenes' interpretation of the provision allows him three safeguards: the prohibition of prejudice, a guarantee of an equal hearing, and the right to conduct his case in the order of his choosing. The first two interpretations would cause the jury no surprise but the third is innovative and of crucial importance to this case. His use of the οὐ μόνον... ἀλλὰ construction enables him to put his third claim on a par with the previous two and hence to legitimize it. Ctesiphon faced three charges. The first two are legal technicalities about regulations of time and place. In these respects Ctesiphon is clearly in the wrong. He is on much stronger ground in relation to the third charge that he made false statements about Demosthenes' worthiness to receive a crown. At 3.202-6 Aeschines attempted to make it compulsory for Demosthenes to answer the charges in their proper order. This would put Demosthenes at a disadvantage. The aim, therefore, of this sentence of 18.2 is to allow Demosthenes freedom of

manoeuvre in the main part of his speech. He discusses the first two charges very briefly after long passages in which he justifies his own worthiness and before extensive vituperation of Aeschines. Thus this argument in the introduction about a speaker's right to organize his material as he wishes has enabled him to hide his weaker arguments in the midst of his strong ones in the main part of his speech. W.W. Goodwin 1901, p.9, supports Demosthenes' tactics:

'This is a dignified appeal against the offensive demand of Aeschines (III.202), that the court should either refuse to hear Demosthenes or (at least) compel him to follow his adversary's order of argument. Spengel (see Dindorf's note) calls this argument "sophistical", since granting freedom of arrangement is not fairly included in τὸ ὁμοίως ἀμφοῖν ἀκροάσασθαι. But both parties could not be heard impartially if one were compelled by the court itself to present his case in the most damaging order at his opponent's dictation.'

The speaker is disadvantaged in many respects in this contest compared with his opponent and two of these are really serious.

Goodwill (421)

πολλὰ μὲν οὖν ἔγωγ' ἔλαττοῦμαι κατὰ τουτοῦ τὸν ἀγῶν'
Αἰσχίνου, δύο δ', ὧ ἄνδρες Ἀθηναῖοι, καὶ μεγάλα 18.3

Disadvantage, feature 421, is a plea for sympathy. This is reinforced with πολλὰ and with δύο ... καὶ μεγάλα. H. Wankel 1976, p.121, comments that this is a *topos* recommended by the teachers of Rhetoric - a *topos* above all of introductions. He concludes that the *topos* is seldom used with any foundation but adds that at 18.4 Demosthenes' variations on the theme are ingenious.

First the speaker is engaging in a contest with unequal stakes.

Goodwill

ἔν μὲν ὅτι οὐ περὶ τῶν ἴσων ἀγωνίζομαι· 18.3

This is meant to win sympathy. He explains what he means in the next sentence.

For it is not equal now for the speaker to lose the jury's goodwill and for the opponent to lose the verdict.

Goodwill

οὐ γάρ ἐστιν ἴσον νῦν ἔμοι τῆς παρ' ὑμῶν εὐνοίας διαμαρτεῖν καὶ τούτῳ μὴ ἐλεῖν τὴν γραφήν 18.3

Is this true? H. Wankel 1976, p.124, comments that Aeschines has, if he does not receive one fifth of the votes, only the penalty of ἀτιμία to fear whereas he has put at risk Demosthenes' whole political existence or at least his reputation. Surely Wankel underestimates the

consequence for Aeschines of losing? Would it not be clear to everyone, Demosthenes, Aeschines, and the jury, that in this long awaited duel of the Titans everything was at stake for each contender in a winner-take-all situation? In the event Aeschines did fail to obtain one fifth of the votes and incurred partial ἄτιμία as well as a fine of one thousand drachmas. His response was to leave Athens and to spend the rest of his life in exile. Demosthenes' claim that the stakes are not equal allows him two means of winning goodwill. Those jurors who believe him may feel sympathy for him. Those who don't may be flattered by the value that Demosthenes has put on their goodwill.

But as far as the speaker is concerned -

Goodwill

ἀλλ' ἔμοι μὲν -

18.3

Demosthenes breaks off in mid-sentence. This is an example of aposiopesis. It is designed to create the impression that overflowing emotion has caused the speaker to become momentarily speechless. H. Wankel 1976, p.124, comments that the emotion of the speaker should come from the heart and appear genuine. But how can one assess sincerity? Appearance is the important criterion. An impression of sincerity and the consequent effect on the audience are the speaker's objectives. Wankel adds that only Demosthenes has an effective form of aposiopesis and that it is used as a paraleipsis. The next sentence is

certainly a *paraleipsis*.

the speaker does not wish to say anything disagreeable at the beginning of his speech.

Goodwill

οὐ βούλομαι δυσχερὲς εἰπεῖν οὐδὲν ἀρχόμενος τοῦ λόγου

18.3

Although Demosthenes asserts that he does not want to say anything disagreeable, his use of *δυσχερὲς* is designed to make the audience think of the unpleasant consequences that defeat would entail for Demosthenes. E. Abbott and P.E. Matheson 1899, p.23, offer alternative explanations:

'*δυσχερὲς* here is generally translated "ominous", the clause being regarded as a explanation of the *aposiopesis* - "for me (the loss would be fatal), whereas Aeschines in accusing me does not stand to lose all". But it is perhaps better to take it in the usual sense of "offensive". Demosthenes apologizes for beginning with a comparison between himself and Aeschines.'

Why must the two ideas be mutually exclusive? Perhaps Demosthenes is deliberately exploiting the ambiguity. On the one hand there is sympathy to be derived from an audience speculating about his unhappy lot. On the other there is goodwill to be gained in response to his courteous apology. In the latter case there might even be an extent

to which Demosthenes can impute to Aeschines by association something of the offensiveness inherent in *δυσχερὲς*. Thus by *paraleipsis* he implies that he could, but chooses not to, say things about Aeschines that would cause offence. This restraint is heightened by the dignified description of Aeschines' advantage which follows.

The opponent accuses the speaker at an advantage.

Goodwill

οὗτος δ' ἐκ περιουσίας μου κατηγορεῖ. 18.3

Demosthenes confines himself to this concise and unemotional remark. W.W. Goodwin 1901, pp.9-10, offers a literal translation of ἐκ περιουσίας:

'from an abundance, like a rich man who stakes little compared with his wealth.'

Goodwin also quotes Harpocration's explanation of this passage:

ἐγὼ μὲν περὶ τῶν ἐσχάτων κινδυνεύω, οὗτος δ' ἐκ πολλοῦ τοῦ περιόντος μου κατηγορεῖ.

Clearly Demosthenes is looking for sympathy but one wonders how many of the audience will believe his claim that Aeschines has the advantage. Perhaps Demosthenes was aware that it would be difficult to convince the audience

on this. Hence his decision to avoid emotive language and to give this concise statement as a substitute for many other comments which, as far as the audience are concerned, he has held in reserve.

The other disadvantage is that all men naturally enjoy listening to vituperators and accusers, while by contrast they object to people praising themselves.

Attention, goodwill (501)

ἕτερον δ', ὃ φύσει πᾶσιν ἀνθρώποις ὑπάρχει, τῶν μὲν λοιδοριῶν καὶ τῶν κατηγοριῶν ἀκούειν ἡδέως, τοῖς ἐπαινοῦσι δ' αὐτοὺς ἄχθεσθαι.

18.3

This generalization prepares the way for the next sentence. Here Demosthenes alludes to the opposite roles of his opponent and himself. He will allocate these roles explicitly in the next sentence. His aim is to preclude by anticipation, feature 501, the denial of a hearing and the withdrawal of goodwill encountered by those who praise themselves.

The pleasant task has been given to the opponent, while there remains for the speaker topics which cause practically everyone annoyance.

Goodwill (501)

τούτων τοίνυν ὃ μὲν ἐστὶ πρὸς ἡδονήν, τούτῳ δέδοται, ὃ δὲ πᾶσιν ὡς ἔπος εἶπεῖν ἐνοχλεῖ, λοιπὸν ἐμοί.

18.4

This is another plea for sympathy. W.W. Goodwin 1901, p.10, commenting on ὡς ἔπος εἶπεῖν observes that Aeschines (3.241) had warned the court against the self-glorification of Demosthenes. The latter's purpose therefore is to anticipate hostile reaction, feature 501. His method is to win sympathy by classifying self-glorification as a disadvantage. Moreover, λοιπὸν ἐμοί is intended to suggest an inevitability about self-glorification: Demosthenes does not deserve hostility because he cannot avoid self-glorification.

If, to avoid giving offence, the speaker refrains from mention of his achievements, he will seem unable to refute the charges, or to show that he is worthy of honour.

Goodwill

κἂν μὲν εὐλαβούμενος τοῦτο μὴ λέγω τὰ πεπραγμέν' ἐμαυ-
τῷ, οὐκ ἔχειν ἀπολύσασθαι τὰ κατηγορημένα δόξω, οὐδ' ἐφ'
οἷς ἀξιῶ τιμᾶσθαι δεικνύναι. 18.4

Demosthenes now justifies the need for self-glorification. H. Wankel 1976, p.129, commenting on οὐδ' ἐφ' οἷς ἀξιῶ τιμᾶσθαι δεικνύναι, stresses that Demosthenes has omitted reference to crowns or crowning. He suggests that this is deliberate, citing as evidence that the first reference to the crown occurs at 18.58. Wankel is right. Demosthenes' purpose is to devote as much time as possible to discussion of his achievements while passing quickly

over the technical legal points where his case is weakest. Therefore reference to the crown would draw attention to the legal technicality. It is also noteworthy that he mentions in the same breath ἀπολύσασθαι τὰ κατηγορημένα and ἐφ' οἷς ἀξιῶ τιμᾶσθαι δεικνύναι, both of which depend on his freedom to discuss his achievements. In this way he clouds the issue to facilitate the organization of his material in the main part of the speech.

If the speaker refers to his achievements and to his political activities, he will be compelled to speak about himself often.

Goodwill (601)

ἐὰν δ' ἐφ' ἃ καὶ πεποίηκα καὶ πεπολίτευμαι βαδίζω, πολλάκις λέγειν ἀναγκασθήσομαι περὶ ἑμαυτοῦ. 18.4

Demosthenes adopts the course recommended by Anaximenes when there is prejudice about the subject: blame necessity, feature 601. A nice touch is the insertion of πολλάκις. If necessity is going to be responsible then the obligation may as well be a large one.

The speaker will try to do this as modestly as possible.

Statement (102), goodwill

πειράσομαι μὲν οὖν ὡς μετριώτατα τοῦτο ποιεῖν. 18.4

Demosthenes lays his cards on the table. He affirms that he will speak about his achievements in the main part of the speech, feature 102. However he defuses potential hostility with his promise of modesty. Although H. Wankel 1976, p.130, observes that this is a characteristic formula, nevertheless it is a deft touch. It is emphasized by its insertion between two examples of feature 601. Demosthenes returns to the theme of compulsion.

Whatever the case itself compels it is just for this man, who instituted such a contest, to have responsibility for this.

Goodwill (601) (536) (422)

ὅ τι δ' ἂν τὸ πρᾶγμα αὐτ' ἀναγκάζῃ, τούτου τὴν αἰτίαν οὗτός ἐστι δίκαιος ἔχειν ὁ τοιοῦτον ἀγῶν' ἐνστήσάμενος.

18.4

Reminding the audience in passing that necessity has absolved him of responsibility, feature 601, Demosthenes now transfers responsibility to his opponent, feature 536. Further weight is brought to bear with reference to the justice, δίκαιος, feature 422, of this transfer of responsibility to Aeschines. Demosthenes can now parade a clear conscience to the audience and can embark upon self-glorification in the main part of the speech with impunity.

The speaker thinks that the whole audience would agree that this case is of common concern for the speaker

and for Ctesiphon and deserves from the speaker no less serious attention.

Goodwill

οἶμαι δ' ὑμᾶς, ὧ ἄνδρες Ἀθηναῖοι, πάντας ἂν ὁμολογήσαι κοινὸν εἶναι τουτονὶ τὸν ἀγῶν' ἐμοὶ καὶ Κτησιφῶντι καὶ οὐδὲν ἐλάττονος ἄξιον σπουδῆς ἐμοί·

18.5

Demosthenes employs the technique of presuming universal assent, οἶμαι δ' ὑμᾶς ... πάντας ἂν ὁμολογήσαι. A tacit response from the audience implies agreement. This is a means of encouraging doubters with the peer pressure of the silent majority. The scholia, M.R. Dilts 1983, p.202 no.19b, comment on Demosthenes' cleverness in putting himself on a par with Ctesiphon:

συνετῶς δὲ οὐ πάνυ χωρίζει τὸν Κτησιφῶντα, ἀλλὰ τὸ ἴσον τοῦ ἀγῶνος πρὸς αὐτὸν μερίζεται.

Demosthenes' purpose here is to establish that, while Ctesiphon is actually the defendant, the real issue is the political career of Demosthenes. This will enable him to divert discussion from the thin ice of legal technicality to the safer ground of his meritorious public service.

For to be deprived of anything is distressing and difficult especially if this happens to one through an enemy, but to be deprived of the Athenians' goodwill and kindness is the most serious loss, just as to receive them

is the greatest gain.

Goodwill (402)

πάντων μὲν γὰρ ἀποστερεῖσθαι λυπηρόν ἐστι καὶ χαλεπόν, ἄλλως τε κἂν ὑπ' ἐχθροῦ τῷ τοῦτο συμβαίῃ, μάλιστα δὲ τῆς παρ' ὑμῶν εὐνοίας καὶ φιλανθρωπίας, ὅσῳπερ καὶ τὸ τυχεῖν τούτων μέγιστόν ἐστιν. 18.5

Demosthenes proceeds from general to particular. The purpose of his generalization is to invite the audience to identify with the sense of loss that is common to everyone and, hence, to sympathize with him. He is careful to emphasize the particular loss occasioned by an enemy. Not only is this intended to win extra sympathy for him as a potential victim but it is particularly meant by association to designate Aeschines as the villain of the piece. In the final part of the sentence he particularizes the most serious losses that one could sustain which he values as the greatest gain, namely the audience's goodwill and kindness. This is an example of feature 402, flattery.

Since these are the stakes of this contest, the speaker asks and requests the whole audience alike to listen justly to the speaker as he defends himself concerning the accusations, as the laws command

Attention (201) (207), goodwill

περὶ τούτων δ' ὄντος τουτουὶ τοῦ ἀγῶνος ἀξιῶ καὶ δέομαι πάντων ὁμοίως ὑμῶν ἀκοῦσαί μου περὶ τῶν κατηγορημένων

Demosthenes makes a direct request for a hearing, feature 201, ἀξιῶ καὶ δέομαι ... ἀκοῦσαί μου. He qualifies this request in various ways to encourage the audience to respond. The introductory phrase, περὶ τούτων δ' ὄντος τουτουὶ τοῦ ἀγῶνος, is intended to evoke sympathy and forms the launching pad for the request. Demosthenes puts pressure on the audience to make a wholehearted response by directing his request to the whole audience, πάντων ὁμοίως ὑμῶν. It is as if he is allowing no one to escape his gaze. Further sympathy is sought with reference to his defence regarding the charges, περὶ τῶν κατηγορημένων ἀπολογουμένου. Next he adds the weight of justice, δικαίως, feature 207, by asking them to listen justly. This additional request is justified by reference to the laws, ὥσπερ οἱ νόμοι κελεύουσιν. The whole request is a *tour de force* which allows the audience no room for refusal.

(the laws) which Solon, the original maker, out of benevolence towards the Athenians and as a friend of the people, thought it necessary to validate not only by their enactment but also with the oath of the jurors, not distrusting jurors, as it appears to the speaker, but observing that it is not possible for the defendant to survive the charges and the slanders from which the plaintiff derives his strength as a result of speaking first, unless each of the jurors, guarding his piety to the

gods, also receives with goodwill the statements of his rights from the second speaker, and offering himself as an equal and impartial hearer to both sides, thus makes his decision about everything.

Attention, goodwill (423) (402) (511)

οὐς ὁ τιθεὶς ἐξ ἀρχῆς Σόλων, εὖνους ὦν ὑμῖν καὶ δημο-
τικός, οὐ μόνον τῷ γράφαι κυρίους ᾤετο δεῖν εἶναι, ἀλλὰ καὶ
τῷ τοὺς δικάζοντας ὁμωμονέειν, οὐκ ἀπιστῶν ὑμῖν, ὡς γ' ἐμοὶ
φαίνεται, ἀλλ' ὁρῶν ὅτι τὰς αἰτίας καὶ τὰς διαβολάς, αἷς ἐκ
τοῦ πρότερος λέγειν ὁ διώκων ἰσχύει, οὐκ ἔνι τῷ φεύγοντι
παρελθεῖν, εἰ μὴ τῶν δικαζόντων ἕκαστος ὑμῶν τὴν πρὸς τοὺς
θεοὺς εὐσέβειαν φυλάττων καὶ τὰ τοῦ λέγοντος ὑστέρου δίκαια
εὐνοϊκῶς προσδέξεται, καὶ παρασχὼν αὐτὸν ἴσον καὶ κοινὸν
ἀμφοτέροις ἀκροατὴν οὕτω τὴν διάγνωσιν ποιήσεται περὶ ἀ-
πάντων.

18.6-7

Demosthenes continues this long sentence by reinforcing his mention of the laws, feature 423, with reference to Solon. The scholia, M.R. Dilts 1983, p.203 no.24, comment that this augments and honours the laws:

εἰπὼν δὲ περὶ τῶν νόμων τῇ προσηγορίᾳ τοῦ Σόλωνος τοῦ
τεθεικότος αὖξει καὶ πρεσβεύει τοὺς νόμους.

Certainly one aim is to add further authority to the laws by reminding the audience that the laws were formed by the revered Solon. However that is not the whole story. Aeschines at 3.257 had depicted Solon warning the Athenians

not to value Demosthenes' speeches more highly than the laws and their oath. Demosthenes' purpose therefore is to minimize the harm that Aeschines has done him with his evocation of Solon. But the question must be raised whether the text we have was written before the trial when Demosthenes did not know that Aeschines was going to mention Solon, or after it. There are several possibilities:

(a) Demosthenes intended from the start to mention Solon and our text was written before the trial. Therefore it is pure coincidence that Aeschines and Demosthenes both mention Solon. This is unlikely.

(b) After the trial Demosthenes wrote for publication the version we have which includes the passage on Solon designed to counter Aeschines' comment. This is probable. But what resemblance does the published version bear to the introduction that was actually delivered? Two possibilities can be considered:

(1) Demosthenes delivered his prepared introduction without adding to it references to Solon. These were added after the trial when he was preparing the version for publication.

(2) During the trial Demosthenes responded to Aeschines' comment with an impromptu statement about Solon which he incorporated into his prepared material. The published introduction is a polished version of the

combined premeditated and improvised parts.

Was Demosthenes an orator of such calibre that he could have responded on the spur of the moment to Aeschines' comment? Given that he was then at the height of his powers fighting the most important contest of his career, it is highly likely (and certainly the most attractive explanation) that Demosthenes rose to the occasion and offered extemporaneous argument. For the purpose of this thesis the passage on Solon is analysed as if it had been delivered.

I agree with H. Wankel 1976, p.137, who says that Demosthenes effectively varies the exegesis of the heliastic oath. Demosthenes takes up the challenge posed by Aeschines but does not waste time in refutation or retort. Instead he turns the tables on Aeschines by interpreting Solon's provision of laws and heliastic oath in such a way as to ensure for himself an impartial hearing and to dispel prejudice. Thus he uses Solon to uphold his right to speak to the Athenians. So Aeschines is hoist with his own petard. Demosthenes elaborates his theme. Although much of his description of Solon is conventional epithet, ὁ τιθεὶς ἐξ ἀρχῆς Σόλων, εὖνους ὦν ὑμῖν καὶ δημοτικός, all this is nevertheless grist to his mill. He establishes Solon's credentials as the originator of the laws and authenticates his motives by proclaiming his benevolence to posterity and his devotion to the people. The word δημοτικός embraces both the concepts of Solon as a man of the people and as a supporter of the democracy.

Thus Demosthenes is intent to create in the audience an awareness of goodwill and an acknowledgement of propriety. The hope is that this will be transferred vicariously from Solon to Demosthenes. οὐκ ἀπιστῶν ὑμῖν is an example of flattery, feature 402, but it is also notice of censure to any juror whom the cap might fit. Sympathy is sought by the comparison of plaintiff and defendant, τὰς αἰτίας καὶ τὰς διαβολάς, αἷς ἐκ τοῦ πρότερος λέγειν ὁ διώκων ἰσχύει, οὐκ ἔνι τῷ φεύγοντι παρελθεῖν. Demosthenes' purpose is to neutralize the advantage that Aeschines has had from speaking first. He is careful to include in his generalization of plaintiffs' practice τὰς διαβολάς, slanders, feature 511. The particular is implied from the general, i.e. that the plaintiff in the present case is guilty of slander. Next Demosthenes outlines the conditions placed on jurors to ensure fair play. He prefixes these with a reminder of juror's responsibility to the gods which is reminiscent of the prayer at the start of the introduction, εἰ μὴ τῶν δικαζόντων ἕκαστος ὑμῶν τὴν πρὸς τοὺς θεοὺς εὐσέβειαν φυλάττων. The implication is that the subsequent conditions are practical manifestations of this exercise of piety. Thus Demosthenes uses reference to the juror's relationship with the gods as a lever to effect a favourable response to the conditions which disguise, albeit thinly, requests. The first is a request for goodwill, καὶ τὰ τοῦ λέγοντος ὑστέρου δίκαια εὐνοικῶς προσδέξεται. This includes an appeal for sympathy inherent in τοῦ λέγοντος ὑστέρου which highlights a disadvantage faced by the defendant's side. The second request is for a fair

hearing, καὶ παρασχὼν αὐτὸν ἴσον καὶ κοινὸν ἀμφοτέροις ἀκροατῆν. This impartiality is to be the corner-stone of their final judgement, οὕτω τὴν διάγνωσιν ποιήσεται περὶ ἀπάντων. What an impressive and climactic sentence which surely provides an apposite finish to the introduction ending as it does by putting the audience in the right frame of mind regarding their final judgement! But this is not the end of the introduction. How can Demosthenes follow this sentence? He does this very neatly by returning to the prayer with which he began the introduction. He justifies this return to prayer by saying that he has to give an account of his whole life.

The speaker is going to render an account today, as it seems, of his whole private life and of his political achievements.

Statement (102), attention, goodwill

μέλλων δὲ τοῦ τ' ἰδίου βίου παντός, ὡς ἔοικε, λόγον διδόναι τήμερον καὶ τῶν κοινῆ πεπολιτευμένων 18.8

Demosthenes predicts, feature 102, the topics of his speech. This prospect is intended to attract attention and to win goodwill. A deft touch is provided with ὡς ἔοικε, which with a hint of sarcasm is intended to suggest that Demosthenes has been compelled by Aeschines to discuss his own achievements. Also noteworthy is Demosthenes' use of λόγον διδόναι, an expression which is used to describe the formal accounts rendered by officials at the end of their

periods of office. His use of this technical term must be deliberate. One of Aeschines' charges was that Ctesiphon had proposed the award of a crown before Demosthenes had rendered an account. Demosthenes' purpose is to trivialize Aeschines' charge by promising to render account not merely of a single period of office but of his whole life and career.

The speaker wishes to call again upon the gods and prays in the presence of the jury

Attention, goodwill

βούλομαι πάλιν τοὺς θεοὺς παρακαλέσαι, καὶ ἐναντίον
ὑμῶν εὐχομαι

18.8

The return to prayer is designed to stress the importance of the occasion rather than to testify to Demosthenes' piety (although the latter is an added bonus). A key phrase is ἐναντίον ὑμῶν which is intended to put the jury on the spot. They are invited to witness Demosthenes' prayer. It is as if he is denying them escape from the pressure he is attempting to exert by using prayer. Moreover ἐναντίον ὑμῶν betrays the real function of the prayer. It is more for the jury's benefit than the gods'. A silent prayer might have been just as valid for the gods but would have had no effect on the jury. It is important that the jury hear Demosthenes making requests to the gods which the jury themselves are expected to grant. It is a method of facilitating a favourable response from the jury.

Finally there are the two requests which were discussed in conjunction with the first prayer.

first that the speaker will receive for this contest from the jury as much goodwill as he himself has always maintained for the city and for all of them

Goodwill

πρῶτον μὲν, ὅσῃν εὐνοίαν ἔχων ἐγὼ διατελῶ τῇ τε πόλει καὶ πᾶσιν ὑμῖν, τοσαύτην ὑπάρξαι μοι παρ' ὑμῶν εἰς τουτονὶ τὸν ἀγῶνα 18.8

then that the gods inspire all of the jury to make a judgement regarding this suit that is going to enhance their collective reputation and their individual piety.

Goodwill

ἔπειθ' ὃ τι μέλλει συνοίσειν καὶ πρὸς εὐδοξίαν κοινῇ καὶ πρὸς εὐσέβειαν ἐκάστῳ, τοῦτο παραστήσαι πᾶσιν ὑμῖν περὶ ταυτησὶ τῆς γραφῆς γνῶναι. 18.8

ARRANGEMENT

A, G

A (207), G (423) (422)

G

G (421)

G

G

G

G

G

A, G (501)

G (501)

G

G (601)

S (102), G

G (601) (536) (422)

G

G (402)

A (201) (207), G

A, G (423) (402) (511)

S (102), A, G

A, G

G

G

AIM

The aims of this magnificent introduction are to attract attention for the main part of the speech and to win goodwill for the speaker. To achieve the former aim Demosthenes sounds a fanfare by embellishing the introduction with elaborate prayers to emphasize that he is about to embark on the most important speech of his life. To win goodwill he stresses the advantages which his opponent has over him in order to elicit sympathy from the jury. A further and most important aim is to justify his

right to organize his defence topics in the order that he chooses. This is to enable him to submerge his weaker arguments in the midst of his strongest arguments. The introduction was entirely successful and paved the way for an entirely successful speech.

Oration 19

ANALYSIS

The speaker thinks that nearly all the audience realize how much party spirit has been generated and how much canvassing of supporters has occurred in connection with this case, for they have just seen those who were annoying and accosting them at the casting of lots.

Goodwill

ὄση μὲν, ὧ ἄνδρες Ἀθηναῖοι, σπουδὴ περὶ τουτονὶ τὸν ἀγῶνα καὶ παραγγελία γέγονε, σχεδὸν οἶμαι πάντας ὑμᾶς ἠσθῆσαι, ἑορακότας ἄρτι τοὺς ὄτ' ἐκληροῦσθ' ἐνοχλοῦντας καὶ προσιόντας ὑμῖν. 19.1

This is the summer of 343 and Demosthenes is prosecuting Aeschines for misconduct of the embassy that was sent to Philip in 346. He had originally instituted suit against Aeschines on his return from the embassy but the latter had retorted by prosecuting Demosthenes' colleague in the proceeding, Timarchus, as one unfit to

engage in public life given previous employment as a male prostitute. With Timarchus defeated and discredited Demosthenes withdrew his suit. Two years later when Philocrates went into exile as a result of Hyperides' prosecution of his misconduct of the embassy, Demosthenes felt that the time was ripe to re-open proceedings against Aeschines.

The introduction begins with an attempt to discredit Aeschines' supporters and hence Aeschines himself. He censures the party spirit and canvassing associated with the trial, σπουδῇ περὶ τουτονὶ τὸν ἀγῶνα καὶ παραγγελία . This may betray a fear on Demosthenes' part that Aeschines has more supporters and therefore more influence than he has himself. His purpose then is to outlaw this weapon in Aeschines' armoury. He enlists the audience's help by making them witnesses of Aeschines' tactics, σχεδὸν οἴμαι πάντας ὑμᾶς ἠσθῆσαι. A degree of caution is perhaps reflected in σχεδὸν signifying Demosthenes' awareness of the audience's conflict of loyalties. But it is unlikely that an orator of Demosthenes' calibre would let slip such an unguarded thought. It is more probable that σχεδὸν reflects Demosthenes' grasp of the situation and is included to make his claim more credible. He is establishing himself as the major shareholder when a complete monopoly is clearly out of reach. But he quickly bolsters his position by making explicit the audience's role as witnesses, ἑορακότας. A ring of truth is added with ἄρτι and ὅτ' ἐκληροῦσθ' which pinpoint the time of the audience's witnessing. But, if the text we have is one

written in advance, then Demosthenes wrote about this before it had actually happened and was merely guessing that it would. He uses the same technique at 21.4, where he remarks on Meidias' behaviour just before the start of the trial:

ἑώρων γὰρ αὐτὸν ἄρτι πρὸ τῶν δικαστηρίων οἷ' ἐποίει.

21.4

If, in the event, Aeschines' supporters had behaved themselves at the casting of lots, then Demosthenes could have omitted the clause, which begins with ἑορακίῃ ἄρτι, when he delivered the speech. The activities allegedly witnessed offer further scope for discrediting Aeschines' supporters, τοὺς ... ἐνοχλοῦντας καὶ προσιόντας ὑμῖν. For those who may not have been aware already and for those who may have claimed ignorance the misbehaviour of Aeschines' supporters is presented as an inescapable fact. But Demosthenes' greatest achievement here is to represent the audience as the victims of this misbehaviour. He follows up this coup by making a request to the whole audience, πάντων ὑμῶν. He now dispenses with σχεδὸν and stakes his claim on the entire company.

The speaker is going to make a request of the whole audience which ought to be granted even without asking

Goodwill (422)

δεήσομαι δὲ πάντων ὑμῶν, ἃ καὶ τοῖς μὴ δεηθεῖσι δί-

The preliminaries to the request are designed to win goodwill. G. Heslop 1872, pp.1-2, commenting on the future tense of δεήσομαι, says that the present would have been more natural but futures of αἰτέω, βούλομαι, δέομαι and the like are not infrequently used as more modest and deferential. The scholia, M.R. Dilts 1986, p.2 no.6b, agree:

οἷτοι μὲν παρενοχλοῦσιν, ἐγὼ δὲ ἱκετεύω.

This comment suggests that Demosthenes is making a point of emphasizing the rude behaviour of Aeschines' supporters by stressing his own good manners. I agree with this interpretation. The target of this politeness is the whole audience, πάντων ὅμων. Given the pointed contrast between deference and rudeness Demosthenes may be trying to create the impression that, just as his courtesy is directed towards the whole audience, so his opponents' misbehaviour is equally directed towards the whole audience. Any antipathy for Aeschines' side which this implication inspires in the audience is a bonus for Demosthenes. Further pressure is brought to bear on the audience with the next preliminary which contains the suggestion that this is the kind of request which justly ought to be granted even to those who have not asked. δίκαιον is an example of feature 422.

that the jury value influence and personality no more highly than justice and the oath which each of them has sworn on coming to court

Goodwill (422)

μηδεμίαν μήτε χάριν μήτ' ἄνδρα ποιεῖσθαι περὶ πλείονος ἢ τὸ δίκαιον καὶ τὸν ὄρκον ὃν εἰσελήλυθεν ὑμῶν ἕκαστος ὁμωμοκῶς

19.1

The purpose of the request itself is to neutralize the effect on the audience of Aeschines' influential supporters. The scholia, M.R. Dilts 1986, p.2 no.7b, see in ἄνδρα an allusion to Eubulus:

τὸν Εὐβουλον λέγει· οὐκ ὀνομάζει δ' αὐτὸν φανερώς, ἀντι- παρατίθησιν ὅπως ὠφελεῖ τὸ αὐτοῦ, τὸ δὲ Αἰσχίνου πως βλάπτει.

Another reason for making this request is that there is sympathy to be gained by implying that Demosthenes is disadvantaged in having less influence than Aeschines and his supporters. Pressure is added with a reminder of their obligation to justice, τὸ δίκαιον , feature 422, and their judicial responsibility which is embodied in their oath, τὸν ὄρκον. Demosthenes stresses the latter by recalling the swearing procedure, ὃν εἰσελήλυθεν ὑμῶν ἕκαστος ὁμωμοκῶς . Once more Demosthenes aims at the whole audience but varies his approach this time by appealing to individuals, ὑμῶν ἕκαστος.

bearing in mind that these serve the jury's and the whole city's interests, whereas the pleas and efforts of supporters are motivated by selfish ambitions, which the laws convened the jury to hinder, not to make valid for wrongdoers.

Goodwill (608) (423)

ένθυμουμένους ὅτι ταῦτα μὲν ἔσθ' ὑπὲρ ὑμῶν καὶ ὅλης τῆς πόλεως, αἱ δὲ τῶν παρακλήτων αὔται δεήσεις καὶ σπουδαὶ τῶν ἰδίων πλεονεξιῶν εἴνεκα γίνονται, ἅς ἵνα κωλύηθ' οἱ νόμοι συνήγαγον ὑμᾶς, οὐχ ἵνα κυρίας τοῖς ἀδικοῦσι ποιῆτε. 19.1

Demosthenes now invites the jury to consider that their own interests in particular, ὑπὲρ ὑμῶν, and in general the interests of the whole city, ὅλης τῆς πόλεως, are served by ταῦτα, which refers to the laws and the juror's oath. It is noteworthy that his use of all-embracing reference has now progressed beyond the whole jury to the whole city. In contrast to the altruistic oversight of laws and oath the efforts of litigants' supporters are condemned by Demosthenes as the visible symptoms of selfish greed, τῶν ἰδίων πλεονεξιῶν, feature 608. Demosthenes is at pains to discredit the use of supporters, τῶν παρακλήτων. These were people whom a defendant invited to accompany him to court to lend moral support and to influence the jury by their presence and perhaps even to speak on the defendant's behalf. They could be relatives, members of the defendant's tribe or distinguished politicians. At the end of his speech, 2.184,

Aeschines calls on the support of Eubulus, Phocion and Nausicles, who were all men involved in public life and who could therefore bring influence to bear. It is such influence that Demosthenes is trying to prevent having a bearing on proceedings. He appeals to the higher authority of the laws, οἱ νόμοι, feature 423, which, he claims, have assigned to the jury, ὑμᾶς, the task of preventing selfish ambitions, τῶν ἰδίων πλεονεξιῶν. The latter word has connotations of grasping for more than one's share. Censure is latent in his final remark, οὐχ ἕνα κυρίας τοῖς ἀδικοῦσι ποιῆτε, which implies that the present audience is capable of acting contrary to the spirit of the laws. This betrays a fear on the part of Demosthenes that the present audience may be susceptible to the influence of eminent supporters. He therefore attempts to discredit the latter further with his use of τοῖς ἀδικοῦσι, which by extension is intended to be associated with Aeschines' supporters.

The speaker observes that other men who enter public life with just intentions, even after they have submitted to scrutiny, continue to offer themselves for inquiry, but the speaker's opponent does quite the opposite of this.

Goodwill

τοὺς μὲν οὖν ἄλλους, ὅσοι πρὸς τὰ κοινὰ δικαίως προσέρχονται, καὶ δεδωκότες ὄσιν εὐθύνας, τὴν ἀειλογίαν ὁρῶ προτεινομένους, τουτονὶ δ' Αἰσχίνην πολὺ τάναντία τούτου· 19.2

εὐθύνα was the public examination to which an official

submitted at the end of his term of office. For modern discussion see A.R.W. Harrison 1971, pp.208-11, and D.M. MacDowell 1978, pp.170-72. ἀειλογία is a word found only in the work of Demosthenes and in only three places, here, at 57.27 and at pr.49.3. The scholia, M.R. Dilts 1986, p.3 no.15a, define its meaning, explain why it appealed to politicians and cite an ancient commentator who remarks on its rarity:

ἀειλογία ἐστὶ τὸ ἀεὶ προτείνεσθαι λόγον καὶ λέγειν 'τίς ἡμῶν κατηγορεῖ;' τοῦτο δὲ ποιοῦσιν (οἱ) συνειδότες ὅτι ὁσάκις κρίνονται καθαροὶ τοσαυτάκις καὶ θαυμάζονται. φησὶ δὲ ὁ Γενέθλιος ὅτι 'πεποιήται ἡ λέξις τῷ ῥήτορι τῆς ἀειλογίας' σπανίως γὰρ εὐρίσκεται παρ' ἄλλω.'

At 57.27 the word is used in a different way from its use at 19.2. The speaker, Euxitheus, is appealing against the decision of his deme to remove his citizen rights. At 57.27 he acknowledges that, after the death of a man who has been responsible for anything during his lifetime, it is just for his children to offer themselves for inquiry for ever:

δίκαιον τοὺς παῖδας τὴν ἀειλογίαν παρέχειν 57.27

At 19.2 (and at pr.49.3) Demosthenes uses the expression, τὴν ἀειλογίαν ... προτεινομένους, to denote a civic responsibility upon public servants to make themselves available for the rest of their lives to answer

questions or complaints about their public service over and above the legal requirement to submit to εὔθυνα . At 18.111, although using a different form of words, Demosthenes acknowledges that throughout his life he has remained accountable for his official acts:

ὥσθ' ἅπαντα τὸν βίον ὑπεύθυνος εἶναι ὁμολογῶ ὣν ἡ δια-
κεχέρικ' ἡ πεπολίτευμαι παρ' ὑμῖν. 18.111

What in effect Demosthenes is saying at 18.111 is that he has nothing to hide and that consequently he has nothing to fear from an extraordinary public inquiry. At 19.2 he states a general rule, that men entering public life with just intentions are willing to hold themselves accountable in perpetuity over and above the legal requirement of εὔθυνα. He accuses Aeschines of doing quite the opposite. An incidental advantage of this line of argument is the implication that Aeschines' intentions are not just. But why does Demosthenes use the term ἀειλογίαν, which no one apart from him appears to have used? Why does he accuse Aeschines of failing to observe a practice which he claims to be universal? Does he imply that Aeschines is omitting a formality? One answer is that Demosthenes is justifying his prosecution. Actions for παραπρεσβεῖα were infrequent. If he can show that Aeschines is exceptional in failing to observe the practice of lifelong accountability, this would mitigate his own recourse to exceptional litigation. Moreover, if he can attach formality, or quasi-legal status, to perpetual accountability, this would further

justify his bringing suit. The choice and the order of words is noteworthy:

κὰν δεδωκότες ὤσιν εὐθύνας, τὴν ἀειλογίαν ὀρῶ προτει-
νομένους 19.2

Perpetual accountability is presented as the next stage after the scrutiny faced on retirement from office. It is not an alternative to scrutiny, nor is it precluded necessarily by a successful scrutiny. In behavioural terms it is a natural successor to scrutiny. The choice of words is equally important. ἀειλογία is distinct from εὐθύνα. The expression used at 18.111, ἅπαντα τὸν βίον ὑπεύθυνος, is too similar etymologically to εὐθύνα. Aeschines is not facing εὐθύνα, but παραπρεσβεία. At 19.3 Demosthenes comments on the lapse of time since the embassy. The latter took place in 346 whereas the trial was conducted in 343. Given the lapse of time since Aeschines retired from office as an ambassador, the concept of perpetual accountability justifies bringing belated suit.

So far Demosthenes has not substantiated his charge that Aeschines is unwilling to submit to perpetual accountability. He does this next.

Before coming to court to give an account of his deeds, he removed one of the men who called him to account and he goes around threatening others and so is introducing into public life a custom which is the most dangerous of all and which is least beneficial to the Athenians.

Statement (101), attention, goodwill

πρὶν γὰρ εἰσελθεῖν εἰς ὑμᾶς καὶ λόγον δοῦναι τῶν πεπραγ-
μένων τὸν μὲν ἀνήρηκε τῶν ἐπὶ τὰς εὐθύνας ἐλθόντων, τοῖς δ'
ἀπειλεῖ περιιών, δεινότατον πάντων ἔθος εἰς τὴν πολιτείαν
εἰσάγων καὶ ἀσυμφορώτατον ὑμῖν· 19.2

Demosthenes begins with a statement of background details, admittedly biased. ἀνήρηκε refers to Aeschines' prosecution and disfranchisement of Timarchus. This is presented as one of Aeschines' ways of avoiding scrutiny. It is not clear who Demosthenes envisages as the victims of Aeschines' intimidation. Perhaps he is being deliberately non-committal. Perhaps he is hinting that he himself has been threatened by Aeschines in order to gain sympathy. In any case his purpose is to throw mud in the hope that some of it will stick. He qualifies this with an emotive warning, δεινότατον πάντων ἔθος εἰς τὴν πολιτείαν εἰσάγων καὶ ἀσυμφορώτατον ὑμῖν. Aeschines is accused of setting a dangerous precedent. More particularly this will have an effect on public life and will be harmful to the Athenians. Demosthenes is careful to expose the threat to the audience. He wants to make them feel personally involved and hence to make them disenchanted with Aeschines. His use of superlatives, δεινότατον πάντων and ἀσυμφορώτατον, has two aims: first to blacken Aeschines further by exaggeration; secondly to rouse attention for the main part of the speech with the prospect of further exposition of these headlines. For the moment Demosthenes goes on to

justify his extravagant interpretation.

For if a man who has held and managed any of the public offices can organize the withdrawal of his accuser through the fear that he inspires and not in response to his just conduct, then the Athenians will be completely deprived of their authority over all their affairs.

Goodwill

εἰ γὰρ ὁ πράξας τι τῶν κοινῶν καὶ διοικήσας τῷ καθ' ἑαυ-
τὸν φόβῳ καὶ μὴ τῷ δικαίῳ κατασκευάσει μηδέν' εἶναι κατήγορον
αὐτοῦ, παντάπασιν ἄκυροι πάντων ὑμεῖς γενήσεσθε. 19.2

Demosthenes expounds a generalization but intends Aeschines to be understood as a paradigm. He takes for granted that the audience have acknowledged the verity of his earlier accusation that Aeschines has been going around threatening people. The aim is to foster in the audience animosity for Aeschines. Once more he stresses the repercussions for the audience themselves.

The speaker is confident and quite sure that he can prove that his opponent has committed many terrible crimes and that he deserves the severest punishment.

Goodwill

τὸ μὲν οὖν ἐξελέγξειν πολλὰ καὶ δεινὰ πεποιηκότα του-
τονὶ καὶ τῆς ἐσχάτης ὄντα τιμωρίας ἄξιον θαρρῶ καὶ πάνυ
πιστεύω· 19.3

The intention here is that Demosthenes' avowed confidence should rub off on the jury and that they should share his belief in Aeschines' guilt and deserts. To discredit Aeschines further he uses emotive expressions, πολλὰ καὶ δεινὰ πεπονηκότα and τῆς ἐσχάτης ... τιμωρίας.

Although he takes this for granted the speaker has this anxiety which he will explain to the jury without concealment, namely that it seems to the speaker that all the cases which come before the jury depend no less on their timing than on the facts and he fears that the long interval which has occurred since the embassy has caused the jury to forget the crimes or through familiarity to make allowances for them.

Goodwill (501)

ὃ δὲ καίπερ ὑπειληφῶς ταῦτα φοβοῦμαι, φράσω πρὸς ὑμᾶς καὶ οὐκ ἀποκρύφομαι, ὅτι μοι δοκοῦσιν ἅπαντες οἱ παρ' ὑμῶν ἄγῶνες οὐχ ἦττον, ὧ ἄνδρες Ἀθηναῖοι, τῶν καιρῶν ἢ τῶν πραγμάτων εἶναι, καὶ τὸ χρόνον γεγενῆσθαι μετὰ τὴν πρεσβείαν πολὺν δέδοικα, μή τινα λήθην ἢ συνήθειαν τῶν ἀδικημάτων ὑμῶν ἐμπεποιήκη. 19.3

Demosthenes reasserts his conviction, ὃ δὲ καίπερ ὑπειληφῶς, before sharing with the audience reservations, ταῦτα φοβοῦμαι. This is designed to win sympathy. To make himself appear more personable he adds candour, φράσω πρὸς ὑμᾶς καὶ οὐκ ἀποκρύφομαι. He now introduces the matter of

the delay in bringing suit. He does not make excuses for the delay or justify his belated recourse to litigation but presents it as a disadvantage to win sympathy and as an exhortation to the jury to maintain a vigilant watch on crime. His method is subtle. First he rouses curiosity by placing as much importance on the timing of cases as on the facts, οὐχ ἥττον ... τῶν καιρῶν ἢ τῶν πραγμάτων εἶναι. Then with anticipation, feature 501, he attempts to exclude the possibility that the jury will forgive and forget, μή τινα λήθην ἢ συνήθειαν. This is his disadvantage and the cause of his anxiety: the jury may experience lapse of memory and inurement as a result of the long interval since the embassy, τὸ χρόνον γεγενῆσθαι μετὰ τὴν πρεσβείαν πολὺν. However Demosthenes does not allow this to happen but designates Aeschines' activities, which are not to be forgotten or overlooked, as crimes, τῶν ἀδικημάτων.

Nevertheless the speaker will tell the jury how in his opinion they can decide which of these considerations are just and how they can now make their verdict.

Statement (102), attention (207), goodwill (422)

ὡς δὴ μοι δοκεῖτ' ἂν ὁμως ἐκ τούτων καὶ γνῶναι τὰ δίκαια καὶ δικάσαι νυνί, τοῦθ' ὑμῖν λέξω· 19.4

Demosthenes predicts, feature 102, the scope of his speech and attempts to attract attention, feature 207, and to win goodwill, feature 422, with the prospect of an explanation of the justice of the case, τὰ δίκαια,

presupposing, of course, that a just decision will coincide with a verdict in his favour.

ARRANGEMENT

G

G (422)

G (422)

G (608) (423)

G

S (101), A, G

G

G

G (501)

S (102), A (207), G (422)

AIM

The aim of this introduction is to win sympathy for Demosthenes and to neutralize the advantages which Aeschines holds over Demosthenes. These are his own and his supporters' influence with the jury and the long lapse of time since Aeschines' alleged misconduct occurred. First Demosthenes tries to discredit Aeschines' supporters by portraying them as overzealous hooligans who jostle the jury at the casting of lots and who are motivated by selfish interest. Justice, the juror's oath and the laws are commended to the jury in the face of such wrong-doers. Secondly Demosthenes tries to discredit Aeschines by

portraying him as one who refuses to submit to audit and who can extricate himself from justice with litigation and threats. Finally he highlights juror error that could result from the lapse of time since the alleged misconduct. This is meant to make the jury more responsible with regard to their recollections and their reactions.

The case was a pretty close run thing. Aeschines was acquitted by thirty votes by a jury that consisted of 1501 citizens.

Oration 20

ANALYSIS

The speaker has agreed to support the plaintiffs to the best of his ability mostly because he thinks the repeal of the law will benefit the city but also for the sake of Chabrias' boy.

Statement (101), attention (209), goodwill (424)

ἄνδρες δικασταί, μάλιστα μὲν εἵνεκα τοῦ νομίζειν συμφέ-
ρειν τῇ πόλει λελύσθαι τὸν νόμον, εἶτα καὶ τοῦ παιδὸς εἵνεκα
τοῦ Χαβρίου ὁμολόγησα τούτοις, ὡς ἂν οἷός τ' ᾖ, συνερεῖν. 20.1

It had been Athenian custom to grant state benefactors exemption from liturgies. Their descendants inherited their immunity. But at a time when the treasury was exhausted as a result of the Social War of 357-355, in an

effort to distribute public burdens more widely, Leptines proposed and carried a law which nullified previous exemptions and outlawed future exemptions except for those enjoyed by the descendants of Harmodius and Aristogeiton. Bathippus and two others brought a *graphe paranomon* against Leptines, but Bathippus died and his colleagues dropped the action. Another suit was brought by Bathippus' son, Apsephion and by Ctesippus, son of the late general Chabrias, whose immunities had passed to his son. Since a year had elapsed from the time of the law's institution, Leptines himself was no longer liable and it was therefore the law, and not Leptines, which was prosecuted. Demosthenes spoke on behalf of Ctesippus in this, his first, speech on a matter of public importance.

The short introduction, which consists of a single sentence, is given detailed commentary by J.E. Sandys 1890, pp.6-7. The shortness of the introduction is explained by the fact that the speech is a *deuterologia* with a proper introduction. Oration 18, of course, is a *deuterologia* with an elaborate introduction. Sandys, p.6, presumes that the ordinary topics of a prooemium had been fully represented in the speech which preceded oration 20. Another remarkable feature is that the vocative is placed at the very start. Sandys, p.6, suggests that there are probably only two other instances of this, oration 32 and Isaeus 3. A possible explanation of the vocative's position at the start of oration 20 is that Demosthenes wanted to dispense with preliminaries quickly and to get straight to the point. The message of the introduction is an explanation

of the speaker's motives. His first and most important motive is to benefit the city, συμφέρειν τῇ πόλει. The prospect of benefit is intended to attract attention as feature 209 and to win goodwill, feature 424. I agree with Sandys, p.6, that at the start of the speech legal considerations were less likely to win the ear of the audience than the profession that the speaker's main concern was the public interest. The speaker expresses his opinion that the city will benefit as a result of the repeal of Leptines' law, λελύσθαι τὸν νόμον. Demosthenes' use of the perfect tense is subtle. I agree with Sandys, p.6, that the perfect implies by anticipation the immediate and complete abrogation of the law. The speaker's second motive is to support Chabrias' boy, τοῦ παιδὸς εἵνεκα τοῦ Χαβρίου. He deliberately uses this designation rather than mentioning Ctesippus by name in order to influence the jury. The name, Ctesippus, does not occur in the entire speech. The name of his illustrious father, Chabrias, a famous general, who had died two years earlier during the siege of Chios in 357, is more likely to attract attention and sympathy. Sandys, p.6, rightly points out that even from a purely legal point of view this title is best because it is not in his own right but solely as his father's son that Ctesippus has any claim to immunity. Sandys, pp.6-7, insists on the distinction between παῖς and υἱός and forbids the translation 'the son of Chabrias'. However he does not explain why Demosthenes should prefer one word to the other. A possible explanation is that παῖς evokes a greater impression of youth than υἱός and will

therefore attract more sympathy from the audience. ὡμολόγησα suggests that the speaker was invited to help and agreed. This dispels any suspicion that he is an instigator of litigation. ὡς ἂν οἴός τ' ἦ suggests both modesty and conviction.

ARRANGEMENT

S (101), A (209), G (424)

AIM

The aims of the introductory sentence are to state briefly, feature 101, the speaker's involvement in the case, to establish his motives in order to gain the audience's attention and goodwill, and to launch him quickly into the main part of the speech.

Oration 21

ANALYSIS

The speaker thinks that none of the audience and none of the other citizens are unaware of the aggressiveness and imperiousness with which his opponent always treats everyone.

Goodwill

τὴν μὲν ἀσέλγειαν, ὧ ἄνδρες δικασταί, καὶ τὴν ὑβρίν, ἧ
πρὸς ἅπαντας ἀεὶ χρῆται Μειδίας, οὐδεν' οὐδ' ὑμῶν οὔτε τῶν
ἄλλων πολιτῶν ἀγνοεῖν οἶομαι. 21.1

This speech was written after an incident at the Great Dionysia of 348. Demosthenes had volunteered to be choregus for the tribe of Pandionis. On the day of the performance Meidias came up to Demosthenes, either as he sat in the audience or (perhaps more likely) as he was walking about during an interval, and struck him in the face in full view of the audience and tried to prevent his chorus from entering the competition. Demosthenes offered no resistance but later resorted to the formally correct procedure, *probole*, for making a complaint about the festival. This involved handing the complaint to the prytany of the Council. After this a preliminary hearing was held before the Ecclesia with the opportunity for both sides to state their cases. When a plaintiff won a vote against a defendant, he could then bring his case to trial before the heliastic courts. Although the preliminary vote was merely a formality, it gave a plaintiff moral support and could be cited in order to influence a jury. At his preliminary hearing Demosthenes was given unanimous support, 21.2. The rich and influential Meidias was an old enemy of Demosthenes. When Demosthenes was suing his guardians regarding his patrimony, Meidias' brother, Thrasylochus, challenged Demosthenes to take over his trierarchy, 21.78-79. This offered Demosthenes the alternatives of accepting the trierarchy or of exchanging

properties with Thrasylochus. Had Demosthenes exchanged properties, Thrasylochus' plan was to drop the lawsuits against Demosthenes' guardians, claiming that the lawsuits had been transferred with the property. Demosthenes accepted the trierarchy and carried on with the litigation. At 21.78-79 he accuses Meidias of being the instigator of this plot and also of subjecting Demosthenes' juvenile sister to abusive language. Demosthenes' purpose in oration 21 is to show three things:

- (a) that Meidias struck Demosthenes in the theatre;
- (b) that striking a choregus on duty is a serious matter;
- (c) that Meidias has committed other serious offences on other occasions.

Since (a) is obvious and well known to be true, Demosthenes concentrates on (b) and (c). L. Pearson 1976, p.61, comments that he will have to show that the assault at the Dionysiac festival is a serious enough offence to justify legal action by *probole*. After he has described the outrages in the theatre Demosthenes starts at 21.19 to mention Meidias' crimes against other people. Pearson, pp. 62-63, offers this explanation:

'He is shifting the attention of the jury from himself to the character of Meidias ... he has to think of the main object of the speech, which is to show that Meidias considers himself "more powerful than the laws" and that

his *hybris* is a political as well as a personal outrage ... the object of the legal action is to make the breach of law appear politically significant, so that the defendant will be shown as an undesirable person, unreliable and unfit for public responsibility.'

So there is more at stake than redress for assault. At 21.8 Demosthenes disabuses the jury of the idea that the case was brought from private motives and has them consider that it is in the public interest that no one should be allowed to behave like Meidias and that the case is a matter of general concern. His intention is to ruin a political opponent.

There is doubt over whether Demosthenes actually proceeded with the case. Aeschines at 3.52 claims that Demosthenes settled out of court by accepting the sum of 30 minae. The main argument against this depends on references in oration 21 (sections 3, 151, 215, 216) to Demosthenes' determination in spite of many pressures to go ahead with the case. On the other hand Aeschines could hardly have made this claim if Demosthenes was known to have delivered the speech. Why should Demosthenes drop the case? He may have been afraid that it was going to be a close decision between himself and Meidias with disastrous consequences for either loser. There are many references in oration 21 to the influence of Meidias, particularly in the sphere of court cases. At 21.20 Demosthenes claims that some of Meidias' victims suffered in silence because they were intimidated by his self-confidence, wealth or gangsters.

At 21.3 he says that he has refused large sums of money offered as incentives to drop the prosecution and has resisted many requests, favourable offers and even threats. At 21.151 Demosthenes quotes alleged remarks made by Meidias' associates about his ability to influence the jury by reference to his public services so that he would get off with a fine smaller than the sum he was offering Demosthenes to drop the case and thus make a fool of Demosthenes. At 21.16 Demosthenes declares that he would not have proceeded against Meidias without the moral support provided by the vote he had obtained against Meidias at the preliminary hearing. Demosthenes, then, had much ground for supposing that Meidias would be difficult to beat. Furthermore even a successful outcome in the suit might have incurred for Demosthenes equally disastrous consequences. Plutarch *Demosthenes* 12 confirms Aeschines' claim at 3.52 but attributes to Demosthenes not a mercenary motive but fear of the influence that could be brought to bear by Eubulus and his associates. At 21.205-7 Demosthenes alleges that Eubulus was supporting Meidias on account of a personal enmity which Eubulus claimed existed between himself and Demosthenes, although Demosthenes denied that there was any such enmity. H. Weil 1877, p.105, suggests that political considerations may have caused Demosthenes to drop the case. He argues that when Demosthenes was becoming a supporter of the peace movement and had already participated in two embassies and appeared to be on good terms with his colleagues, he then found that he had not been selected for the third embassy. The price required

for his inclusion was the withdrawal of the suit against Meidias. Weil produces no evidence to support this speculation but the underlying principle suggested is reasonable. Political expediency could have caused Demosthenes to drop the suit. One could argue either that enhancement of his own political career was a factor or, attributing more altruistic motives, that he put aside personal satisfaction for the sake of public interest on the grounds that internal divisions would have weakened Athens' position regarding foreign policy.

The unpolished nature of the speech adds further support to the view that it was not delivered in court. Examples of this are the introductory passage at 21.23 which introduces nothing and the repetition at 21.101 and 21.184-85 of the use as an illustration of the ideal of subscribing to a benefit fund. These discrepancies suggest that oration 21 was neither delivered in court nor polished for publication but was a draft which was found among Demosthenes' papers after his death and published without revision by his friends.

How, then, does Demosthenes begin the introduction? He commences the portrayal of Meidias' character which he will develop more fully in the main part of the speech. W. W. Goodwin 1906, p.7, comments that ἀσέλγειαν adds the idea of brutality to that of wanton insolence expressed in ὕβριν. J.R. King 1901, p.13, says that Demosthenes is using two nearly synonymous words to express a single idea with greater emphasis. D.M. MacDowell in his forthcoming commentary says that no particular distinction is intended

between the two words and that this is an example of pleonasm. One distinction that he draws is that ἀσέλγειαν, unlike ὕβρις, is not the name of an offence in law but may have been a more colloquial term. What does Demosthenes hope to achieve with the words? He uses them to arouse in his audience both the conventional indignation against and the morbid curiosity associated with a scandalous crime. The insertion of the vocative between the two words adds further emphasis by allowing a pause for the audience to concentrate before Demosthenes delivers a second blow. The next clause, ἥ πρὸς ἅπαντας ἀεὶ χρῆται Μειδίας, contains a surprise. Since Meidias' assault of Demosthenes was the issue of the case, the audience would be expecting a reference to his treatment of Demosthenes but Demosthenes extends the reference to include everyone. This is part of the process of making the issue a matter of public concern and not simply a personal battle between Meidias and Demosthenes. Moreover this allows Demosthenes to insinuate a solidarity between himself and the whole community in the face of Meidias' bullying. MacDowell cites other examples of this technique at 10.2 and 21.88 and concludes that in all the passages the use of 'all' is a sweeping exaggeration. A jury might well recognize Demosthenes' exaggeration for what it is and be amused by it. But, nevertheless, Demosthenes could hardly make such a sweeping statement if there were not some substance to it. Finally Demosthenes presumes unanimity, οὐδέν' οὐθ' ὑμῶν οὔτε τῶν ἄλλων πολιτῶν ἀγνοεῖν οἶομαι. He claims that none of the jury is unaware. He reinforces this with the claim that

none of the other citizens either is unaware. This is to put further pressure on any juror inclined to dispute his sweeping statement. For an orator to tell a jury that they all know something is a commonplace which experienced jurors could consider hackneyed and would therefore treat with indifference or cynicism. But if an orator sounds convincing and if his claim is just about believable or is an attractive, if patent, falsehood then he has nothing to lose by proclaiming the audience's acquiescence. MacDowell comments that if an orator can make the jury think that they already know something, that may enable him to get away without providing adequate evidence of it.

The speaker has taken the same action that any of the jury would have taken had he been insulted.

Goodwill

ἐγὼ δ', ὅπερ ἂν καὶ ὑμῶν ἕκαστος ὑβρισθεὶς προείλετο
πραῖξαι, τοῦτο καὶ αὐτὸς ἐποίησα 21.1

Demosthenes identifies himself with each of the jury in the hope of a reciprocal response whereby each of the jury will identify and sympathize with Demosthenes. The inclusion of ὑβρισθεὶς is designed to make Demosthenes more worthy of sympathy and to keep in the audience's mind the image of Meidias as a monster. The aim is to isolate Meidias from the audience while making Demosthenes seem the same kind of chap that each of them is. The scholia, M.R. Dilts 1986, p.154 no.4, put this in a nutshell:

ἐκεῖνον μὲν τυραννικόν, ἑαυτὸν δὲ ὡς ἓνα τῶν πολλῶν
ἄξιον ἐπιδεικνύμενος.

The speaker lodged a complaint that his opponent was guilty of an offence connected with the festival not only for blows received from him at the Dionysia but also for many other acts of violence suffered throughout his whole term as choregus.

Statement (101), goodwill

καὶ προύβαλόμεν ἄδικεῖν τοῦτον περὶ τὴν ἑορτήν, οὐ μόνον
πληγὰς ὑπ' αὐτοῦ λαβὼν τοῖς Διονυσίοις, ἀλλὰ καὶ ἄλλα πολλὰ
καὶ βίαια παθὼν παρὰ πᾶσαν τὴν χορηγίαν. 21.1

Demosthenes provides information, feature 101, about the preliminary steps he had taken. προύβαλόμεν is the technical term for initiating the procedure, προβολή. MacDowell comments on the present tense of ἀδικεῖν that it is used rather than the aorist to indicate a continuing state of guilt. The οὐ μόνον ... ἀλλὰ καὶ ... construction is used to convey an impression of an accumulation of crimes which are not confined to the assault at the festival but extend to many brutalities suffered by Demosthenes throughout his whole term of office. παρὰ πᾶσαν τὴν χορηγίαν is designed to widen the crime from a personal assault on Demosthenes to the public issue of the obstruction of an official as he goes about his duty.

When the whole people, acting honourably and justly, was so angry and so provoked and so earnest because of its knowledge that the speaker had been wronged that it was not persuaded by all the efforts of the defendant and of some others on his behalf and paid no heed to the wealth of these men nor to their promises but condemned the defendant with a unanimous vote, many men, including some of the present jurors as well as other citizens, came up to the speaker and asked him, even exhorted him, to proceed against this man with a prosecution before a jury, in the speaker's opinion, for two reasons, by God, because they thought that the speaker had suffered terrible wrongs and at the same time because they wanted to punish this man for the displays of a bold and loathsome fellow who was no longer restrainable which they had observed in the cases of the other people.

Statement (101), goodwill (422)

ἐπειδὴ δὲ καλῶς καὶ τὰ δίκαια ποιῶν ὁ δῆμος ἅπας οὕτως ὠργίσθη καὶ παρωξύνθη καὶ σφόδρ' ἐσπούδασεν ἐφ' οἷς ἡδίκη- μένων μοι συνήδει, ὥστε πάντα ποιῶντος τούτου καὶ τινων ἄλλων ὑπὲρ αὐτοῦ, οὐκ ἐπείσθη οὐδ' ἀπέβλεπεν εἰς τὰς οὐσίας τὰς τούτων οὐδὲ τὰς ὑποσχέσεις, ἀλλὰ μίϛ γνῶμη κατεχειροτό- νησεν αὐτοῦ, πολλοί μοι προσιδόντες, ὧ ἄνδρες δικασταί, καὶ τῶν ἐν τῷ δικαστηρίῳ νῦν ὄντων ὑμῶν καὶ τῶν ἄλλων πολιτῶν ἤξιουν καὶ παρεκελεύοντ' ἐπεξελθεῖν καὶ παραδοῦναι τοῦτον εἰς ὑμᾶς, ὡς μὲν ἐμοὶ δοκεῖ, δι' ἀμφοτέρ', ὧ ἄνδρες Ἀ- θηναῖοι, νῆ τοὺς θεοὺς, καὶ δεινὰ πεπονθέναι νομίζοντες ἐμὲ καὶ δίκην ἅμα βουλόμενοι λαβεῖν ὧν ἐπὶ τῶν ἄλλων ἔτε-

θέαντο θρασὺν ὄντα καὶ βδελυρὸν καὶ οὐδὲ καθεκτὸν ἔτι.

21.2

To influence the present jury Demosthenes cites the verdict awarded to him by the Ecclesia. To encourage support he asserts that their action was honourable and just, καλῶς καὶ τὰ δίκαια ποιῶν, the latter being an example of feature 422. ὁ δῆμος ἅπας and μιᾶ γνώμη are used to suggest unanimity. Demosthenes wants to create the impression that the whole people supported him against Meidias. But he is not telling the whole story. It is apparent from 21.193 that many were absent from that particular assembly because of military service commitments and that Meidias had contended that he was condemned by the votes of those who had stayed behind and who therefore were shirking their duty and of those who were choral-dancers, aliens and the like. Next Demosthenes emphasizes the strong feelings which characterized the people on that occasion, οὕτως ὠργίσθη καὶ παρωξύνθη καὶ σφόδρ' ἐσπούδασεν, in order to create an impression of an emotional response which occasioned wholehearted support for Demosthenes and fervid condemnation of Meidias. The reason given by Demosthenes for this is the people's knowledge that he had been wronged, ἐφ' οἷς ἠδίκημένω μοι συνήδει. The reminder that he had been wronged is designed to win sympathy. The claim that the whole people knew it is meant to attach the aura of an indisputable fact. The people's support for Demosthenes is emphasized further by his reference to the efforts of Meidias and his supporters. πάντα, since it was

of no avail, increases Demosthenes' victory all the more, while τινων ἄλλων is meant to imply that Meidias had only a handful of supporters. Next Demosthenes stresses the people's unwavering conviction, οὐκ ἐπέισθη οὐδ' ἀπέβλεψεν. They were not influenced by the wealth of Meidias' set, τὰς οὐσίας τὰς τούτων. It was not the case that time that guilt was overlooked because the person involved was one of the rich set. Nor was the people moved by promises, τὰς ὑποσχέσεις, probably to the effect that Meidias was going to turn over a new leaf. The people condemned him unanimously, μιᾶ γνώμῃ κατεχειροτόνησεν αὐτοῦ. The implication is that the present jury should do likewise. Next Demosthenes explains why he turned to litigation. Many people encouraged him to do this, πολλοί μοι προσιόντες. He is careful to include members of the present jury in this number, καὶ τῶν ἐν τῷ δικαστηρίῳ νῦν ὄντων ὑμῶν. This serves two purposes. First it enables him to dispel any suspicion that he is motivated by litigiousness. Secondly it establishes the idea that within the jury itself there already exists a ground-swell of support for Demosthenes. He reinforces the latter idea with the claim that he has other supporters apart from those in the jury, καὶ τῶν ἄλλων πολιτῶν. He gives two reasons for their requests for prosecution which he highlights by allowing a pause for concentration, ὡς μὲν ἐμοὶ δοκεῖ, δι' ἀμφοτέρ', ὧ ἄνδρες Ἀθηναῖοι, νῆ τοὺς θεοὺς. The qualification that this is the speaker's opinion is intended to suggest modesty while the oath is meant to establish conviction. MacDowell comments that the assertiveness of the oath counteracts the

tentativeness of ὡς μὲν ἐμοῖ δοκεῖ. The first of the reasons is intended to win sympathy for the speaker as a victim, δεινὰ πεπονθέναι νομίζοντες ἐμὲ, while the second is meant to discredit his opponent as a villain who deserves punishment, δίκην ... βουλόμενοι λαβεῖν ὧν ἐπὶ τῶν ἄλλων ἐτεθέαντο θρασὺν ὄντα καὶ βδελυρὸν καὶ οὐδὲ καθεκτὸν ἔτι. Demosthenes builds up his picture of Meidias as a monster and reinforces the notion that the issues are wider than the incident at the festival with the phrase ἐπὶ τῶν ἄλλων.

Since this is how things stand, whatever precautions the speaker was obliged to have taken, have all been duly observed for the jury, and now that one of the appropriate officers has brought the case into court, the speaker is present, as the jury can see, to accuse, refusing large sums of money which he could have accepted had he dropped the prosecution and resisting many requests, favourable offers and, by God, even threats.

Statement (101), goodwill (422)

οὕτω δὲ τούτων ἔχόντων, ὅσα μὲν παρ' ἐμοῦ προσήκε φυλαχθῆναι, πάντα δικαίως ὑμῖν τετήρηται, καὶ κατηγορήσων, ἐπειδὴ τις εἰσάγει, πάρειμι, ὡς ὁρᾶτε, πολλὰ μὲν, ὧ ἄνδρες Ἀθηναῖοι, χρήματα, ἔξόν μοι λαβεῖν ὥστε μὴ κατηγορεῖν, οὐ λαβῶν, πολλὰς δὲ δεήσεις καὶ χάριτας καὶ νῆ Δί' ἀπειλὰς ὑπομείνας.

21.3

The speaker underlines his explanation of the

background, οὕτω δὲ τούτων ἔχόντων, and proceeds to the immediate situation. He advises the jury that he has duly observed all requisite precautions on their behalf, ὅσα μὲν παρ' ἑμοῦ προσῆκε φυλαχθῆναι, πάντα δικαίως ὑμῖν τετήρηται. It is difficult to decide what he means by these precautions. W.W. Goodwin 1906, p.8, suggests that it refers to Demosthenes' preparation of the case designed to make things plain to the judges. MacDowell, on the other hand, suggests that Demosthenes means that he has preserved for the Athenians the opportunity to punish Meidias which they would otherwise have lost. In support of this interpretation MacDowell cites 20.40, τὴν ὑπὲρ ὑμῶν τιμωρίαν δικαίως φυλάξας. I agree with MacDowell. Further support is added by the inclusion of δικαίως, feature 422, designed to win goodwill on the grounds that the speaker is proceeding justly. In this instance it also implies that Meidias is not going to escape justice. ἔπειδὴ τις εἰσάγει perhaps is meant to imply that there has been some delay, as W.W. Goodwin 1906, p.8, suggests. τις εἰσάγει refers to the magistrate who presided over the trial, in this case to one of the thesmothetae. Commenting on πάρειμι, ὡς ὄρατε MacDowell suggests that there is a slight touch of wry humour, the ulterior purpose of which is to encourage the jury to give Demosthenes credit for persevering with the case. There may also be an extent to which Demosthenes is thumbing his nose at his opponents whose attempts to thwart him he now lists. Large bribes were offered and refused, πολλὰ ... χρήματα, ἔξόν μοι λαβεῖν ὥστε μὴ κατηγορεῖν, οὐ λαβῶν. The speaker also resisted requests, favourable

offers, and threats, πολλὰς δὲ δεήσεις καὶ χάριτας καὶ νῆ Δί' ἀπειλας ὑπομείνας. This catalogue is intended to show the resolve of the speaker and the lengths to which his opponents were prepared to go. Demosthenes produces a crescendo heightened by the inclusion of the oath. But this is brought up short by the insertion of ὑπομείνας in the emphatic position at the end of the sentence. The speaker has the last word. It is as if he is saying, 'They tried everything and even as a last resort they tried threats but even that failed. I held out.' The irony, of course, is that Demosthenes has been suspected of accepting the first item on his list, a large sum of money, to settle out of court.

The rest is in the jury's hands and the speaker hopes that the more the defendant has made a nuisance of himself and the more that he has created disturbances by summoning his supporters (for the speaker has observed the defendant's behaviour just now in front of the courthouse) the greater will be the speaker's likelihood of obtaining justice.

Goodwill (422)

ἃ δ' ἐν ὑμῖν μετὰ ταῦτ' ἔσθ' ὑπόλοιπα, ὅσῳ πλείοσιν οὗτος ἠνώχληκε καὶ παρήγγελκεν (ἑώρων γὰρ αὐτὸν ἄρτι πρὸ τῶν δικαστηρίων οἷ' ἐποίει), τοσοῦτῳ μᾶλλον ἐλπίζω τὸ δίκαιον ἔξειν.

21.4

The opening clause of this sentence is meant to convey the idea that the speaker has done his bit and that it is

now up to the jury to do their bit. He means that he has ensured that Meidias has not escaped prosecution. Now the jury must ensure that he is judged and sentenced. It is implied, of course, that they should find him guilty and should award a heavy penalty. To give the jury further grounds for punishing Meidias he puts Meidias' misconduct in front of the courthouse on a running scale with his own likelihood of obtaining justice, implying, of course, that justice, τὸ δίκαιον, feature 422, is clearly on Demosthenes' side. His description of Meidias' behaviour outside the courtroom is worthy of note. As MacDowell rightly points out, if the speech that we have is a draft written before the trial and not revised later then this comment is not a record of fact but a piece of speculation which Demosthenes could have omitted in the delivery of the speech if it had turned out not to be true. The same technique is used at 19.1.

The speaker would not insult any of the jury by suggesting that the jury had no interest in a case in which they had already given the speaker wholehearted support or that any juror in order to give the defendant licence for future outrages would give other than what he considered a just verdict when under oath.

Goodwill (422)

οὐ γὰρ ἂν καταγνοίην ὑμῶν οὐδενὸς οὔθ' ὡς περὶ ὧν πρὸς ἔμ' ἔσπουδάσατ' αὐτοί, τούτων ἀμελήσετε, οὔθ' ὡς, ἵνα Μειδίας ἀδεῶς τὸ λοιπὸν ὑβρίζη, ψηφιεῖται τις ὑμῶν ὁμωμοκῶς

Demosthenes uses *paraleipsis* to remind the jury of the support they had given him at the preliminary hearing before the Ecclesia and to disabuse them of the idea of supporting Meidias. οὐ γὰρ ἂν καταγνοίην is meant to imply that Demosthenes' advice is so obvious that they all acknowledge it already and that it would be insulting to spell it out. He takes it for granted now that all the jury attended the preliminary hearing before the Ecclesia and gave him their support. His aim is to put pressure on each juror not to be the one to overturn an earlier decision allegedly made by all his peers who are now giving tacit approval to this claim. Further incentives to support the speaker are the prospect of Meidias' future outrages for which the jury could be held responsible, ἵνα Μειδίας ἀδεῶς τὸ λοιπὸν ὑβρίζῃ (MacDowell comments that ἵνα is sarcastic, presenting a consequence as if it were an intention); the reminder that each juror is under oath, ὁμωμοκῶς; and the priority that should be given to a just verdict, ψηφιεῖται τις ὑμῶν ... ἄλλο τι πλὴν ὅ τι ἂν δίκαιον ἡγήται. It is implied that a just verdict is one made in favour of Demosthenes, feature 422.

If the speaker were about to accuse his opponent of passing illegal motions or misconduct on embassy or of some other offence like that, he would not have deemed it right to request anything from the jury, thinking that in such cases it was fitting for the plaintiff to confine himself to proving his case while the defendant could even make

entreaties.

Goodwill

εἰ μὲν οὖν, ὧ ἄνδρες Ἀθηναῖοι, παρανόμων ἢ παραπρεσβείας ἢ τινος ἄλλης αἰτίας ἔμελλον αὐτοῦ κατηγορεῖν τοιαύτης, οὐδὲν ἂν ὑμῶν ἠξίουσιν δεῖσθαι, νομίζων τῷ μὲν κατηγορῶν περὶ τῶν τοιούτων προσήκειν ἐλέγχειν μόνον, τῷ δὲ φεύγοντι καὶ παραιτεῖσθαι.

21.5

This is the preliminary to a request. The speaker is in effect saying that he would not normally make a request. When therefore he does make a request it will appear that it must be a special case which requires special consideration. He mentions other kinds of suit, παρανόμων ἢ παραπρεσβείας, in which it would be inappropriate for the plaintiff to make a request. MacDowell comments that Demosthenes speaks as if he were giving random examples of less important accusations but actually selects two which were considered serious public offences and thus contrives to give the impression that the charge which he is bringing is a very serious one indeed. Once more Demosthenes attempts to widen the issue into a matter of important public concern.

But since the defendant bribed the umpires and because on account of this the speaker's tribe was deprived unjustly of the prize and because the speaker was personally assaulted and was insulted in a way that perhaps no other choregus had ever been insulted before, and since

the speaker is in court to follow up this verdict which the people pronounced regarding these matters in annoyance and sympathetic anger, the speaker will not hesitate even to make a request of the jury.

Statement (101), goodwill

ἐπειδὴ δὲ τοὺς τε κριτὰς διαφθείραντος τούτου καὶ διὰ τοῦτο τῆς φυλῆς ἀδίκως ἀφαιρεθείσης τὸν τρίποδα, καὶ αὐτὸς πληγὰς εἰληφῶς καὶ ὑβρισμένος οἷ' οὐκ οἶδ' εἶ τις ἄλλος πώποτε χορηγὸς ὑβρίσθη, ἣν ὑπὲρ τούτων ἀγανακτήσας καὶ συνοργισθεὶς καταχειροτονίαν ὁ δῆμος ἐποιήσατο, ταύτην εἰσέρχομαι, οὐκ ὀκνήσω καὶ δεῖσθαι. 21.5-6

Demosthenes presents in a sequence many justifications for his request. He introduces a new charge against Meidias, that of bribing the umpires, τοὺς τε κριτὰς διαφθείραντος τούτου. The effect is cumulative. This is another aspect of Meidias' wickedness. Next in the list are items designed to win sympathy for Demosthenes: the unjust loss of the prize for his tribe, the assault and the insult that this involved. Here Demosthenes represents both his own personal injury and the fact that it was an outrage conducted on a public official. To stress the latter point he remarks that he does not know of any other choregus who had been insulted like this, οἷ' οὐκ οἶδ' εἶ τις ἄλλος πώποτε χορηγὸς ὑβρίσθη. Finally he reminds the jury of the vote that he has already secured from the Ecclesia. συνοργισθεὶς is a key word because it represents the people being in sympathy with Demosthenes. Their vote

provided the impetus for Demosthenes to undertake the prosecution, καταχειροτονίαν ... ταύτην εἰσέρχομαι . All this provides a summary of his case so far, feature 101. Next comes Demosthenes' declaration that he is going to make a request, οὐκ ὀκνήσω καὶ δεῖσθαι, which justifies itself with the spring-release effect of οὐκ ὀκνήσω. It is as if all the justifications leading up to this clause have primed it like a piece of stretched elastic to the limits of its tension, to the point where it must be released or it will snap. In the same way Demosthenes wants his decision to make a request appear an inevitable consequence of his accumulation of reasons and hence to make it seem the only reasonable thing to do in the circumstances. Curiously he does hesitate, in one sense, because the request does not come next.

If he may say so, the speaker is now a defendant, if to fail to obtain satisfaction for an insult is a misfortune.

Goodwill

εἰ γὰρ οἷόν τε τοῦτ' εἶπεῖν, ἐγὼ νῦν φεύγω, εἴπερ ὑβρισθέντα μηδεμιᾶς δίκης τυχεῖν ἐστὶ τις συμφορά. 21.6

This is another preliminary designed to facilitate the request. This sentence recalls the earlier remark, τῷ δὲ φεύγοντι καὶ παραιτεῖσθαι, which testified to the common practice of defendants, which could involve making appeals and entreaties and supplications. MacDowell comments that

Demosthenes is trying to secure for himself the sympathy which a jury tends to show towards a defendant. Since συμφορά is used as a euphemism for penalties, by making a pun, Demosthenes likens his misfortune in receiving no redress for the dishonour that he has suffered to the συμφορά that could befall defendants. The point he is making is that, like a defendant, if he loses the case, he will suffer συμφορά. Demosthenes, then, is doing two things here: first he is hoping to gain the sympathy that is normally reserved for a defendant; secondly, he is trying to justify his recourse to making entreaties in the manner of a defendant. This is all very contrived and may be regarded by the jury as sophistry.

The speaker requests the whole audience, and appeals to them as a suppliant, first that they will listen to him with goodwill as he speaks, and next, that if the speaker shows that the defendant's outrageous behaviour is directed not only against the speaker but against the jury and against the laws and against all the other citizens, then they must come to the speaker's and to their own assistance.

Attention (201), goodwill (423)

δέομαι οὖν ὑμῶν ἀπάντων, ὦ ἄνδρες δικασταί, καὶ ἰκε-
τεύω, πρῶτον μὲν εὐνοϊκῶς ἀκοῦσαί μου λέγοντος, ἔπειτ' ἔαν
ἐπιδείξω Μειδίαν τουτονὶ μὴ μόνον εἰς ἐμὲ ἀλλὰ καὶ εἰς ὑμᾶς
καὶ εἰς τοὺς νόμους καὶ εἰς τοὺς ἄλλους ἅπαντας ὑβρικόντα,
βοηθῆσαι καὶ ἐμοὶ καὶ ὑμῖν αὐτοῖς. 21.7

Demosthenes makes a direct request for a hearing, feature 201, and for goodwill, δέομαι ... εὐνοϊκῶς ἀκοῦσαί μου λέγοντος. His second request serves his aim of persuading the audience that the issue is much wider than a case of assault. The μὴ μόνον ... ἀλλὰ καὶ construction serves this purpose well. Demosthenes extends the issue to include the jury, εἰς ὑμᾶς, the laws, εἰς τοὺς νόμους, which is an example of feature 423, and all the other citizens, εἰς τοὺς ἄλλους ἅπαντας. He ends with a plea for assistance, βοηθῆσαι, which is not unusual. But he then unites as intended recipients of this assistance himself, καὶ ἐμοῖ, and, a deft touch, the jury, καὶ ὑμῶν αὐτοῖς. Thus, with verbal dexterity, he manoeuvres the jury into alliance with himself against their common enemy, Meidias.

For this is how the case stands.

Statement (101)

καὶ γὰρ οὕτω πως ἔχει, ὧ ἄνδρες Ἀθηναῖοι· 21.7

This short sentence allows a pause for concentration to be fixed on the summary which the sentence announces.

The speaker has been insulted and his body has been degraded on that occasion, while the matter to be contested and judged now is whether or not one should be allowed to do such things and to insult with impunity any of the Athenians at all.

Statement (101), goodwill

ὕβρισμαι μὲν ἐγὼ καὶ προπεπηλάκισται τὸ σῶμα τοῦμὸν τότε, ἀγωνιέται δὲ καὶ κριθήσεται τὸ πρᾶγμα νυνί, πότερον ἐξεῖναι δεῖ τὰ τοιαῦτα ποιεῖν καὶ εἰς τὸν τυχόνθ' ὑμῶν ἀδεῶς ὑβρίζειν ἢ μή.

21.7

Demosthenes moves from particular to general. He begins with the assault on his person and proceeds to the implications for the whole community. To assist his passage he exploits the vehicle of time, τότε ... νυνί. Meidias, though not mentioned, is cast as a public menace liable to commit an outrage upon whoever he chances to meet. The indirect question which asks whether or not to do such things with impunity should be allowed is clearly rhetorical. The answer is obviously, 'No'.

If, therefore, any of the jury previously assumed that this case was concerned with some interest of the individuals, when he now reflects that it is for the benefit of the public that no one be allowed to behave like this, as it is a matter of common concern, let him give an attentive hearing and let him award what appears to him the most just verdict.

Attention (209), goodwill (424) (422)

εἴ τις οὖν ὑμῶν ἄρα καὶ τὸν ἔμπροσθεν χρόνον τῶν ἰδίων τινὸς εἴνεκα γίνεσθαι τὸν ἀγῶνα τόνδ' ὑπελάμβανεν, ἐνθυμηθεῖς νῦν ὅτι δημοσίᾳ συμφέρει μηδενὶ μηδὲν ἐξεῖναι τοιοῦτο

ποιεῖν, ὡς ὑπὲρ κοινοῦ τοῦ πράγματος ὄντος καὶ προσέχων
ἀκουσάτω, καὶ τὰ φαινόμεν' αὐτῶ δικαιότερ' εἶναι, ταῦτα
ψηφισάσθω.

21.8

This sentence is intended to impress upon the jury once and for all that the issue is not merely a personal matter between Demosthenes and Meidias, but a matter of public concern which touches the entire community. δημοσίῳ συμφέρει is designed to attract attention as feature 209 and goodwill as feature 424. Demosthenes rounds off the introduction by commanding the jury to give an attentive hearing and to award what they think is the most just verdict, feature 422. It is implied that this would be a verdict in Demosthenes' favour.

ARRANGEMENT

G

G

S (101), G

S (101), G (422)

S (101), G (422)

G (422)

G (422)

G

S (101), G

G

A (201), G (423)

S (101)

S (101), G

A (209), G (424) (422)

AIM

The introduction has several aims: to state Demosthenes' version of the course of the legal proceedings leading to the trial, to discredit Meidias, to win sympathy for Demosthenes, to request a hearing. However the supreme aim is to convince the jury that the issue is not simply a personal matter confined to Demosthenes and Meidias but a much more serious affair with wide implications for the whole community.

For discussion of ὕβρις see D.M. MacDowell 1976A. For discussion of the Great Dionysia see W.W. Goodwin 1906, pp. 139-42, H.W. Parke 1977, pp.125-36, and A.W. Pickard-Cambridge 1968, pp.57-101. For discussion of *probole* see A.R.W. Harrison 1971, pp.59-64 and D.M. MacDowell 1978, pp. 194-97.

Oration 22

ANALYSIS

Just as Euctemon, a victim of Androtion's wicked treatment, thinks it necessary to come to the city's assistance and at the same time to obtain satisfaction for himself, so also will the speaker try to do this, if indeed

he is equal to the task.

Statement (101), attention, goodwill

ἄπερ Εὐκτιήμων, ὧ ἄνδρες δικασταί, παθὼν ὑπ' Ἀνδροτί-
ωνος κακῶς, ἅμα τῇ τε πόλει βοηθεῖν οἴεται δεῖν καὶ δίκην
ὑπὲρ αὐτοῦ λαβεῖν, τοῦτο κ' αἰὶν πειράσομαι ποιεῖν, ἐὰν ἄρ'
οἴός τ' ᾧ.

22.1

Demosthenes wrote this speech for Diodorus who along with Euctemon prosecuted Androtion, their personal enemy. Androtion is charged with bringing an unconstitutional proposal because he had neglected to observe the formality of a *probouleuma* before addressing the Ecclesia when he was recommending the award of a crown to the retiring Boule for the year 356/5. In addition to this legal technicality there was also the fact that the retiring Boule had failed to provide any triremes during its period of office. This omission precludes the award of a crown. Thus the plaintiffs will have to prove that the proposal was both illegal and undeserved. The *Athenaion Politeia* relates the Boule's responsibility to provide ships and points out that a Boule was not allowed to receive the award, τὴν δωρεὰν οὐκ ἔστιν αὐτοῖς λαβεῖν, unless they had handed over completed ships to the new Boule:

ἐπιμελεῖται δὲ καὶ τῶν πεποιημένων τριήρων καὶ τῶν
σκευῶν καὶ τῶν νεωσοίκων, καὶ ποιεῖται καινὰς [[δὲ]] τριή-
ρεις ἢ τετρήρεις, ὁποτέρας ἂν ὁ δῆμος χειροτονήσῃ, καὶ
σκεύη ταύταις καὶ νεωσοίκους· χειροτονεῖ δ' ἀρχιτέκτονας

ὁ δῆμος ἐπὶ τὰς ναῦς. ἂν δὲ μὴ παραδῶσιν ἐξειργασμένα
ταῦτα τῇ νέῃ βουλῇ, τὴν δωρεὰν οὐκ ἔστιν αὐτοῖς λαβεῖν·
ἐπὶ γὰρ τῆς ὕστερον βουλῆς λαμβάνουσιν. ποιεῖται δὲ τὰς
τριήρεις, δέκα ἄνδρας ἕξ αὐ[τῆς] ἐλομένη τριηροποιούς.

AP 46.1

P.J. Rhodes 1972, pp.115-16, discusses AP 46.1 and assesses the evidence about the number of ships each Boule was required to provide. The evidence is too sparse for him to give a precise number but he suggests that it was normal practice for the demos to be asked to approve a figure each year.

In his speech Diodorus concentrates on the person of Androtion. Presumably Euctemon had developed the legal arguments more fully. Diodorus begins by saying that he has the same motives as Euctemon: to assist the city, τῇ τε πόλει βοηθεῖν, and to exact personal revenge, δίκην ὑπὲρ αὐτοῦ λαβεῖν. Such motives would be thought reasonable by a jury and are designed to win goodwill. Additionally the prospect of assistance to the city is designed to win attention for the main part of the speech. παθῶν ὑπ' Ἀνδροτίωνος κακῶς is intended to win sympathy for the plaintiffs and to incur disapproval for the defendant. πειράσομαι and ἐὰν ἄρ' οἷός τ' ᾶ are meant to suggest modesty on the part of Diodorus. The first sentence, then, is neither sensational nor particularly inspiring. But this may be art concealing art. Demosthenes may be trying to dispel any belief that Diodorus is a slick orator by making him sound like a plain speaker who is unaccustomed

to litigation. Hence the tentative πειράσσομαι and ἐὰν ἄρ' οἴός τ' ᾧ. Actually the beginning is ingenious in the way that it links the present speech, which is a δευτερολογία, to the speech which preceded it. Diodorus begins by citing Euctemon, mentions his motives, and then promises parallel objectives to those of Euctemon. This resembles a smooth hand-over between athletes in a relay race. The two athletes run together for a while until the baton is handed over and one runs on alone. A similar technique is used in the introduction. The audience have been concentrating on Euctemon alone. Demosthenes, then, zooms in on Euctemon, unites him with Diodorus for a brief overlap, and then allows Diodorus to proceed alone, as it were, on his stage.

But it happens that the many, terrible and totally illegal outrages that have been inflicted upon Euctemon are less serious than the trouble that has been caused for the speaker by Androtion.

Goodwill (423)

συμβέβηκε δέ, πολλὰ καὶ δεινὰ καὶ παρὰ πάντας τοὺς νό-
μους Εὐκτιήμονος ὑβρισμένου, ἐλάττω ταῦτ' εἶναι τῶν ἐμοὶ γε-
γεννημένων δι' Ἀνδροτίωνος πραγμάτων. 22.1

Now Euctemon is used as a launching pad for Diodorus. His sufferings, which are presented in extremely serious terms, are then belittled to exaggerate those of Diodorus, which are as yet unspecified. It is as if Diodorus is saying to the jury, 'You ain't heard nothin' yet!' The aim

is to discredit Androtion. πολλὰ, δεινὰ and ὕβρισμένου provide monster proportions while παρα πάντας τοὺς νόμους, feature 423, widens the issue from a private dispute to one with repercussions for the whole community.

Euctemon was the object of a plot to deprive him of his money and to topple him unjustly from his position in society.

Goodwill

οὗτος μὲν γ' εἰς χρήματα καὶ τὸ παρ' ὑμῶν ἀδίκως ἐκπεσεῖν ἐπεβουλεύθη· 22.1

Diodorus does not yet reveal his own troubles but allows the audience to speculate while he returns to Androtion's treatment of Euctemon. The defendant's purpose was to ruin Euctemon financially. It is not immediately clear what is meant by the words τὸ παρ' ὑμῶν ... ἐκπεσεῖν. They appear to describe an attempt to have Euctemon banished from Athens. But the testimony of 24.7, where the incident is recounted once more, is silent about this, mentioning only money, ὁ μὲν Εὐκτῆμων εἰς χρήματ' ἔσθ' ἃ κακῶς ἔπαθεν, ἐγὼ δ' ... This evidence has caused H. Weil 1886, p.18, and O. Navarre and P. Orsini 1954, p.15 n.2, to reject the idea that exile is meant here. Citing a variant reading, παρ' ὑμῶν, the scholia, M.R. Dilts 1986, p.258 no.4a, offer an explanation:

ἐπειδὴ ὁ κλέπτων τὰ κοινὰ εἰς χρημάτων ζημίαν βλάπτεται

καὶ τῆς οὐσίας ἐκπίπτει, διὰ τοῦτο οὕτως εἶρηκε 'καὶ τὸ παρ' ὑμῖν ἀδίκως ἐκπεσεῖν', ὅτι ἐκβέβληται τῆς ἀρχῆς καὶ τῆς ἀπαιτήσεως τῶν εἰσφορῶν· διὸ καὶ εἶπεν 'ἀδίκως.'

Their suggestion of removal from office derives from 22.48. Euctemon had been a tax official, a position to which he had been elected by lot. Androtion had allegedly accused him of withholding money owed to the state promising either to prove the charge or to pay the sum himself. A consequence of this was that Euctemon was dismissed while Androtion found himself elected to a board of tax commissioners:

οὗτος Εὐκτῆμονα φήσας τὰς ὑμετέρας ἔχειν εἰσφορὰς καὶ τοῦτ' ἐξελέγξειν ἢ παρ' αὐτοῦ καταθήσειν, καταλύσας ψηφίσματι κληρωτὴν ἀρχὴν ἐπὶ τῇ προφάσει ταύτῃ, ἐπὶ τὴν εἴσπραξιν παρέδου. 22.48

At 22.1, then, Diodorus is saying that Androtion's objective was to have Euctemon expelled from his position of responsibility among the Athenians, not to have him banished from Athens altogether. Demosthenes' composition may be deliberately vague to fudge the fact that Euctemon was a defaulter with respect to arrears of εἰσφορά. Later in the speech he attempts to create a bad image for Androtion as a tax collector who collected taxes far too vigorously. The implication that Androtion tried to ruin Euctemon's financial status and his standing in society may be a form of anticipation to discourage Androtion from

making too much of Euctemon's arrears of εἰσφορά. The insertion of ἀδίκως is intended to elicit sympathy for Euctemon, to discredit Androtion further and to suggest a miscarriage of justice.

But not even one human being would have welcomed the speaker if the charges prepared by this man had been believed by the Athenians.

Goodwill

ἐμὲ δ' οὐδ' ἂν ἐδέξατο τῶν ὄντων ἀνθρώπων οὐδὲ εἷς, εἰ τὰ κατασκευασθένθ' ὑπὸ τούτου παρ' ὑμῶν ἐπιστεύθη. 22.1

The speaker continues to build up the suspense about himself. The comparison with Euctemon is developed. Androtion attempted to remove the latter's status among the Athenians, but he has tried to make Diodorus an outcast with respect to the whole human race. This is intended to characterize Androtion as one without respect for normal human conduct.

The opponent accused the speaker of what anyone would hesitate even to mention unless he happened to be the same kind of person as this man, namely that the speaker had killed his own father, and he prepared an indictment of impiety not against the speaker, but against his uncle, indicting him for committing impiety by his association with the speaker as though the speaker had committed this, and he brought the speaker's uncle to trial.

Statement (101), goodwill

αίτιασάμενος γάρ με, ἔκαστος καὶ λέγειν ἂν ὀκνήσειέ τις, εἰ μὴ τύχοι προσόμοιος ὢν τούτῳ, τὸν πατέρ' ὡς ἀπέκτον' ἐγὼ τὸν ἑμαυτοῦ, κατασκευάσας ἀσεβείας γραφὴν οὐκ ἐπ' ἐμέ, ἀλλ' ἐπὶ τὸν θεῖτόν μου, γράφας ἀσεβεῖν ἐμοὶ συνιόντ' εἰς ταῦτόν ὡς πεποιηκότι ταῦτα, εἰς ἀγῶνα κατέστησεν·

22.2

Diodorus scandalizes the jury with a catalogue of Androtion's excesses. He introduces these with preliminaries designed to build up suspense and to foster the image of Androtion as one not restrained by the recognized bounds of good taste, αίτιασάμενος γάρ με, ἔκαστος λέγειν ἂν ὀκνήσειέ τις, εἰ μὴ τύχοι προσόμοιος ὢν τούτῳ. The latter clause is a scathing comment. Diodorus next reveals that Androtion accused him of murdering his father and concocted a charge of impiety, not against Diodorus himself, but against his uncle. Clearly Diodorus is complaining about a political enemy's manoeuvres to ruin him with litigation. But what can a modern reader make of all this? The scholia, M.R. Dilts 1986, p.259 n.8, explain why Androtion resorted to these measures:

οὐκ ἔδύνατο Ἄνδροτίων φόνου κατηγορίαν κατὰ τοῦ Διοδώρου ποιήσασθαι μὴ ὢν τοῦ πεφονευμένου συγγενῆς. αὐτοῖς γὰρ μόνοις ἐπιτρέπουσιν οἱ νόμοι. γράφεται οὖν τὸν ἀδελφὸν τοῦ ἀνηρημένου θεῖτον ὄντα τοῦ Διοδώρου ἀσεβείας, ὅτι συνδιατρῖβει αὐτῷ διεφθαρκότι τὸν πατέρα, δέον ἐπεξελεθεῖν

ὑπὲρ ἀδελφοῦ τεθνηκότος.

Androtion, if we believe Diodorus, wanted to ruin Diodorus by suggesting that he had murdered his father. However the scholia suggest that he could not prosecute Diodorus because the laws prescribed that only the next-of-kin of murder victims could institute such prosecution. Therefore Androtion brought a charge of impiety against Diodorus' uncle on the grounds that the latter was associating with Diodorus, a patricide, when, no doubt Androtion would suggest, he ought to have been prosecuting Diodorus for murder. Whether the law actually forbade non-relatives to prosecute for homicide is uncertain. D.M. MacDowell 1963, pp.9-18, discusses this issue. He suggests, p.10, that the absence of a time-limit within which relatives were legally required to take action, or after which a killer became immune from prosecution, explains why Androtion's action against the uncle was for impiety and not for failure to prosecute, since the uncle could argue that he had not broken the law yet because he was intending to bring suit eventually. Citing IG i(2) 115.20-3 (restored from Demosthenes 43.57) he rightly argues, pp.17-18, that the injunction 'Relatives are to ...' does not necessarily imply 'All other persons are not to ...' and observes that the law simply does not say whether other people could take action or not in cases where there were no relatives. A possible explanation is that, given that it was normal usage for relatives to bring prosecution for homicide, Androtion felt that it was more justifiable for him to

prosecute the uncle for impiety. This would enable him, just as well as if he had himself prosecuted Diodorus for homicide, to reinforce the rumour he had been spreading that Diodorus was a patricide. Unfortunately we do not know the circumstances of Diodorus' father's demise, but the fact that Diodorus is prepared to tell this story relies upon the vindication of his uncle, and hence of himself, in the associated litigation. A nice touch is the surprise engineered with the phrase οὐκ ἐπ' ἐμέ, ἀλλ' ἐπὶ τὸν θεῖόν μου. This is meant to discredit Androtion further by increasing the number of his victims and by suggesting cowardice in that he avoided a direct confrontation with Diodorus preferring the indirect attack via his uncle. Diodorus also seeks sympathy for his uncle and by extension for himself too.

Supposing that the uncle had been convicted at that time, who would have suffered more wretchedly at the hands of the opponent than the speaker?

Statement (101), goodwill

ὄν εἰ συνέβη τόθ' ἀλῶναι, τίς ἂν ἀθλιώτερ' ἐμοῦ πεπον-
θῶς ἦν ὑπὸ τούτου; 22.2

A 'smart Alec' might be tempted to reply, 'your uncle'. However the point that Diodorus is making, and making clearly, is that an adverse verdict against his uncle would have substantiated Androtion's accusation of patricide.

For who, either friend or stranger, would have been willing to associate with the speaker?

Goodwill

τίς γὰρ ἂν ἢ φίλος ἢ ξένος εἰς ταῦτό ποτ' ἔλθεῖν ἠθέ-
λησεν ἐμοί; 22.2

This is designed to win sympathy for the speaker. He offers an explanation with his next question.

Which city would admit someone deemed to have committed such impiety? Not a single one.

Goodwill

τίς δ' ἂν εἴασε πόλις που παρ' ἑαυτῇ γενέσθαι τὸν τὸ
τοιούτ' ἀσέβημα δοκοῦντ' εἰργάσθαι; οὐκ ἔστιν οὐδὲ μία.
22.2

Diodorus spells out what the repercussions would have been for him had Androtion succeeded with his litigation. This is meant to win sympathy. To heighten the pathos Demosthenes has emphasized the absoluteness of the exclusion that Diodorus would have suffered, οὐκ ἔστιν οὐδὲ μία.

The speaker cleared himself in court before the jury, not narrowly, but so completely that Androtion failed to obtain one-fifth of the votes.

Statement (101), goodwill

ἐγὼ τοίνυν ταῦτα μὲν οὐ παρὰ μικρὸν ἀγωνιζόμενος παρ' ὑμῖν ἀπελυσάμην, ἀλλ' ὥστε τὸ πέμπτον μέρος μὴ λαβεῖν τοῦτον τῶν ψήφων·

22.3

Diodorus recalls the earlier trial and reminds the jury of his overwhelming victory. He speaks of his own vindication as opposed to his uncle's, acknowledging that the real contest was between Androtion and himself. He recalls Androtion's humiliation by mentioning that he failed to obtain one-fifth of the votes, τὸ πέμπτον μέρος μὴ λαβεῖν τοῦτον τῶν ψήφων. The reading τοῦτον is preferred to the Oxford Classical Text's τούτους since τοῦτον makes better sense, because the singular τοῦτον more precisely describes Androtion than the plural τούτους. Failure to obtain one-fifth of the votes incurred a penalty for a prosecutor in a public case. This was a fine of 1000 drachmas and forfeiture of the right to bring the same kind of suit again. (The fine is well attested. There is less evidence to confirm the forfeiture. For discussion see D.M. MacDowell 1978, pp.64-5.) At 24.7 Diodorus recalls the incident once more and confirms that Androtion incurred a fine of 1000 drachmas:

ἐν δὲ τούτῳ τὸ πέμπτον μέρος τῶν ψήφων οὐ μεταλαβὼν ὤφλε χιλίας ...

24.7

Diodorus' purpose at 22.3 is to impress upon the jury his earlier victory before a jury. He uses the phrase παρ'

ὑμῶν. While this is the standard way of referring to the jury it sounds as if he is suggesting that the earlier case was heard before the same jury. He implies 'before a jury just like you'. He also implies that the present jury should offer him the same overwhelming support as the previous one.

With the jury's help the speaker will try to avenge himself on his opponent both now and for all time.

Goodwill

τουτονὶ δὲ μεθ' ὑμῶν πειράσομαι καὶ νῦν καὶ τὸν ἄλλον ἅπαντ' ἀμύνεσθαι χρόνον. 22.3

Diodorus requests the jury's assistance, μεθ' ὑμῶν, in achieving his objective of avenging himself, τουτονὶ ... ἀμύνεσθαι. This is a respectable motive and its expression is designed to win goodwill. It is not clear what is meant by καὶ νῦν καὶ τὸν ἄλλον ἅπαντ' ἀμύνεσθαι χρόνον. O.Navarre and P. Orsini 1954, p.16, translate this, 'aujourd'hui comme en toute autre occasion'. This translation suggests retrospect but the accusative case implies that the speaker is looking forward to future occasions. The scholia, M.R. Dilts 1986, p.260 no.14, suggest that Diodorus wants to take precautions for the future:

οἶονεὶ 'ἀθάνατος ἔσομαι τῷ προηδικηκότι κατήγορος.' δι' ὧν δὲ σφοδρῶς ἀγανακτεῖ, διὰ τούτων τὸ μέγεθος ὧν ὑπέστη δηλοῦται. τὸ δὲ 'μεθ' ὑμῶν' οἶον 'μετὰ τῶν ἡδίκημένων.'

The scholia also qualify Diodorus' plea for assistance by suggesting that he will be helped by the wrongs suffered by the jury. Indeed Diodorus will shortly remark on the wrongs done to the jury by Androtion.

The speaker will pass over many things he could say about personal matters.

Statement (102), goodwill

καὶ περὶ μὲν τῶν ἰδίων ἔχων ἔτι πολλὰ λέγειν ἑάσω·

22.3

Diodorus starts to predict, feature 102, the topics of his speech. Here he uses *paraleipsis* to discredit Androtion by suggesting that there are many details, which he chooses not to mention, of purely private concern between himself and Androtion, but which nevertheless would influence the jury. A bonus of *paraleipsis* is that the speaker can give the impression that he is doing the jury a service by saving time.

Regarding matters upon which the jury are about to vote now and concerning not a few injuries Androtion has done the jury while pursuing a political career in public affairs, which Euctemon seems to have passed over, but which it is better for the jury to hear, the speaker will try to explain these briefly.

Statement (102), attention, goodwill

περὶ δ' ὧν οἴσεται τὴν ψῆφον νυνὶ καὶ περὶ ὧν οὗτος δημοσίᾳ πεπολιτευμένος οὐκ ὀλίγ' ὑμᾶς ἔβλαψεν, ἃ μοι παραλείπειν Εὐκτῆμων ἐδόκει, βέλτιον δ' ὑμᾶς ἀκοῦσαι, ταῦτα διεξεληθεῖν ἐν βραχέσιν πειράσομαι.

22.3

The first clause, περὶ δ' ὧν οἴσεται τὴν ψῆφον νυνὶ, is intended to secure attention for the main part of the speech by concentrating the minds of the jury on their vote, τὴν ψῆφον, and its immediacy, νυνὶ. Next Diodorus tries to win goodwill at the expense of Androtion whose political activities have allegedly caused considerable harm to the jury. This is connected with the earlier paraleipsis. The speaker then declared he would pass over private matters. Now he comments on Androtion's political activities. This is intended to create the impression that the case is of public importance and not simply a private dispute between Euctemon and Diodorus on the one hand and Androtion on the other. Moreover Diodorus is careful to involve the jury personally in this contest, οὐκ ὀλίγ' ὑμᾶς ἔβλαψεν. It is as if he is directing the jury to show solidarity with himself and Euctemon as fellow victims of Androtion. Next he refers to what Euctemon omitted from his speech, ἃ μοι παραλείπειν Εὐκτῆμων ἐδόκει, βέλτιον δ' ὑμᾶς ἀκοῦσαι. Why does he do this? Is he apologizing for Euctemon's oversight? It is more probable that he wants to give the impression that he is so thorough that he is not going to allow any vital information to be omitted. At the same time this enables him to reassure the jury that he is not

going to waste their time by going over the same ground as Euctemon. The aim is to secure attention for the main part of the speech. As well as the prospect of something new the speaker suggests that this is not to be missed by saying that it is better for the audience to hear it. Finally there is the promise of brevity, ἐν βραχέσιν, which is meant to attract attention since audiences are more likely to attend to what promises to be short than to what threatens to be lengthy. ἐν βραχέσιν is also a courtesy which is meant to win the speaker goodwill.

ARRANGEMENT

S (101), A, G

G (423)

G

G

S (101), G

S (101), G

G

G

S (101), G

G

S (102), G

S (102), A, G

AIM

While there is some statement of the background to the

quarrel between Diodorus and Androtion, and though there are a couple of sentences designed to secure attention, the main aim of this introduction is to discredit Androtion. In this respect the introduction is very much the forerunner of the rest of the speech since it establishes the course that is to be followed. Short shrift is given to legal arguments. The speech is one long attack on Androtion. In the introduction Diodorus does not even pay lip service to the formal charges but proceeds immediately to denounce the wicked behaviour of Androtion.

Oration 22 was the first speech composed by Demosthenes for a public case. Euctemon and Diodorus were not successful in their prosecution of Androtion. Modern authors have expressed disapproval of Demosthenes' methods of attack. N.R.E. Fisher 1976, p.98, complains that Demosthenes carries his depiction of Androtion to absurd lengths. L. Pearson 1976, pp.13-14, observes that Demosthenes does not mask with any great care his true intention to discredit the defendant and put an end to his political career. He describes oration 22 as 'hardly one of the most admirable of Demosthenes' speeches', and remarks that in their later speeches Demosthenes and Aeschines took more trouble to make their detailed narrative appear relevant to the formal charge. I agree with Pearson that one need feel little regret that the accusation was unsuccessful.

For discussion of Androtion himself see P. Harding 1976.

Oration 23

ANALYSIS

None of the jury should think that the speaker has come to court to accuse this man, Aristocrates, because of some private enmity or that, because he has seen some small and trivial mistake, for this purpose he is pushing himself so eagerly into a quarrel, but if indeed the speaker's reasoning and consideration are correct then his whole effort is meant to ensure that the Athenians hold the Chersonese securely and to prevent them being cheated out of its possession again.

Statement (101), attention, goodwill

μηδεις ὑμῶν, ὧ ἄνδρες Ἀθηναῖοι, νομίσει μήτ' ἰδίας ἔχθρας ἐμὲ μηδεμιᾶς ἔνεχ' ἤκειν Ἀριστοκράτους κατηγορήσοντα τουτουί, μήτε μικρὸν ὀρῶντά τι καὶ φαῦλον ἀμάρτημ' ἑτοίμως οὕτως ἐπὶ τούτῳ προάγειν ἑμαυτὸν εἰς ἀπέχθειαν, ἀλλ' εἴπερ ἄρ' ὀρθῶς ἐγὼ λογίζομαι καὶ σκοπῶ, ὑπὲρ τοῦ Χερρόνησον ἔχειν ὑμᾶς ἀσφαλῶς καὶ μὴ παρακρουσθέντας ἀποστερηθῆναι πάλιν αὐτῆς, περὶ τούτου μοί ἐστιν ἄπασ' ἡ σπουδή. 23.1

Dionysius of Halicarnassus, *First Letter to Ammaeus* 4, tells us that Demosthenes wrote oration 23 in 352/1 for Euthycles:

ἐν τούτῳ τῷ χρόνῳ καὶ τὸν κατὰ Ἀριστοκράτους ἔγραψε

λόγον Εὐθύκλει τῷ δικάοντι παρανόμων τὸ ψήφισμα.

Dionysius refers to the archonship of Aristodemus. Aristocrates had proposed that Athens should guarantee the safety of Charidemus, a mercenary general, who had been awarded Athenian citizenship for his part in negotiating the Peace of Chares in 357. Euthycles' suit caused Aristocrates' decree to be suspended and because the twelve months, in which a decree could be ratified by the Ecclesia, had passed before the action reached the courts, the decree lapsed. The speech is divided into three main sections which correspond to the three points that the speaker has to prove:

- a. The decree is illegal, 23.22-99.
- b. The decree is against Athens' interests, 23.100-37, and harmful to her honour, 23.138-43.
- c. Charidemus is not worthy of the honour, 23.144-96.

The introduction begins with a direct address to the jury. As in orations 18 and 19 the opening vocative is ὦ ἄνδρες Ἀθηναῖοι, not ὦ ἄνδρες δικασταί, to signify that the issue is not merely a legal wrangle but a matter with political consequences. The speaker issues a command to disabuse any juror who might have presumed that he was motivated by private enmity, ἰδίᾳς ἔχθρας. H. Weil 1886, p.187, says that it is contrary to Athenian usage for a prosecutor to declare that he is not motivated by any personal motive. Indeed the speaker of oration 22 had

offered personal revenge as a respectable motive at 22.1. Gernet, L. Gernet and J. Humbert 1959, p.109 n.1, says that personal enmity was offered as a guarantee that a prosecutor was not a sycophant and suggests that here the speaker's defence of law and of Athens' interest is enough to dispel suspicion of sycophancy. Gernet has missed the point. Removal of such suspicion is a bonus that will accrue to the speaker gratuitously. This is not his objective. His denial of private enmity is intended to imply by contrast that the issue is of public concern. This is reinforced by the speaker's next denial. He is not prosecuting Aristocrates because he has seen something small or a trivial mistake, μήτε μικρὸν ὀρθῶντά τι καὶ φαῦλον ἀμάρτημ'. This time the implication is that the issue is important and, hence, that it is worthy of attention. A bonus this time is that the audience might acknowledge that the speaker is not about to waste their time over trifling matters and respond by awarding him their attention and goodwill. Next the speaker offers a reservation, ἀλλ' εἴπερ ἄρ' ὀρθῶς ἐγὼ λογίζομαι καὶ σκοπῶ. This has two aims. It allows a pause between the speaker's denials and his avowed purpose. This emphasizes the latter by allowing the audience to concentrate upon what the speaker is about to say. The second aim is alluded to by the scholia, M.R. Dilts 1986, p.297 no.4a:

ἐγώ, φησίν, ὁ ἰδιώτης εἰ μὴ σφάλλομαι λογισμῶ τοῦ πρέποντος.

The speaker offers a layman's opinion. His tentative approach is designed to convince the jury that he is not a slick orator but just an ordinary chap like themselves. The implication of ὀρθῶς, of course, is that the speaker is indeed correct. Next the speaker declares his motive. He wants to ensure that the Athenians hold the Chersonese securely and are not cheated out of its possession again. Gernet, p.109 n.2, comments that it is not the 'illegality' which has provoked Euthycles' intervention. This is consistent with Euthycles' approach so far. The main issue is not a legal technicality but an important matter of foreign policy. The scholia, M.R. Dilts 1986, p.297 no.5, comment on καὶ μὴ παρακρουσθέντας:

ἂν γὰρ μὴ πόλεμος ἀφαιρεῖται, φησί, ταῦτα ῥήτωρ ὦν ἅπαντα τοῖς πολεμίοις χαρίζεται. διὰ δὲ τοῦ 'πάλιν' ἀναμιμήσκει τῆς ἐπὶ Κότυος ἐπηρείας, ἥνλικα τὴν Χερρόνησον ἤρπασεν.

Athens had regained possession of the Thracian Chersonese, after a long struggle, in 357. Not only does the speaker declare his opinion but he also asserts his wholeheartedness, περὶ τούτου μοί ἐστὶν ἅπασ' ἡ σπουδή. He will be hoping that his enthusiasm will rub off on the jury.

It is necessary for the whole audience, if they wish to understand this correctly and to judge the indictment justly according to the laws, not only to attend to the wording of the decree, but also to consider its

consequences.

Attention (207), goodwill (423) (422)

δεῖ δὴ πάντας ὑμᾶς, εἰ βούλεσθ' ὀρθῶς περὶ τούτων μα-
θεῖν καὶ κατὰ τοὺς νόμους δικαίως κρῖναι τὴν γραφήν, μὴ μόνον
τοῖς γεγραμμένοις ἐν τῷ ψηφίσματι ῥήμασιν προσέχειν, ἀλλὰ
καὶ τὰ συμβησόμεν' ἐξ αὐτῶν σκοπεῖν. 23.2

Now the speaker brings to bear upon the jury various pressures to make them susceptible to his viewpoint. First there is the call of duty, δεῖ. This applies to everyone without exception, πάντας ὑμᾶς. Next there is the pressure of gentle sarcasm in εἰ βούλεσθ' since the speaker mentions ideals which jurors are bound to profess, ὀρθῶς περὶ τούτων μαθεῖν and κατὰ τοὺς νόμους δικαίως κρῖναι τὴν γραφήν. The speaker puts the jury's competence and integrity at stake. κατὰ τοὺς νόμους is feature 423 while δικαίως is attention feature 207 and goodwill feature 422. He uses the μὴ μόνον ... ἀλλὰ καὶ ... construction to put his priority, τὰ συμβησόμεν' ἐξ αὐτῶν σκοπεῖν, on a par with one of the other requirements of the case, τοῖς γεγραμμένοις ἐν τῷ ψηφίσματι ῥήμασιν προσέχειν.

For if it had been possible for the Athenians to see through its chicanery at the very first hearing, then perhaps they might not have been deceived at all.

Attention, goodwill

εἰ μὲν γὰρ ἦν ἀκούσασιν εὐθὺς εἰδέειν τὰ κεκακουρημέ-

While the speaker tries to discredit Aristocrates with the words τὰ κεκακουργημένα and so win the jury's goodwill, his main objective here is to secure the jury's attention for the main part of the speech by implying that they need his help to steer them through the intricacies of the decree to prevent further deception. He addresses the jury as if they had been the body which had ratified the decree in the first place. He wants them to feel a moral responsibility to put things right and implies that he can show them how to do this.

Since there is one kind of fraud by which certain people make speeches and propose laws designed to avert the Athenians' suspicions and to put them off their guard, it is fitting for the audience not to be at all surprised, if the speaker shows that this decree is so worded that, while it seems to be giving some degree of personal protection to Charidemus, it actually robs the city of the really just and strong safeguard for the Chersonese.

Attention (207), goodwill (422)

ἐπειδὴ δὲ τοῦθ' ἔν ἐστι τῶν ἀδικημάτων, τὸ τοῦτον τὸν τρόπον καὶ λέγειν καὶ γράφειν ἐνλοῦς δὲ ἂν ἤκισθ' ὑμεῖς ὑπείδοισθέ τι καὶ φυλάξαισθε, προσήκει μὴ πάνυ θαυμάζειν, εἰ καὶ τοῦτο τὸ φήμισμ' ἡμεῖς οὕτω γεγραμμένον ἐπιδείξομεν ὥστε δοκεῖν μὲν Χαριδήμῳ φυλακὴν τινα τοῦ σώματος διδόναι, τὴν ὡς ἀληθῶς δὲ δικαίαν καὶ βέβαιον [φυλακὴν Χερρονήσου] τῆς

The speaker turns to his own advantage the notion that the Athenians have been deceived. First he tries to establish belief in the existence of certain men, ἐνλίους, who exploit their right to speak and to propose laws to minimize the Athenians' ability to suspect anything or to take precautions. This is used to justify the way in which he introduces his own advice, προσήκει μὴ πάνυ θαυμάζειν. This is intended to contrast the speaker with ἐνλίους. Unlike them he has no trickery in mind. Therefore it is fitting that the jury should trust him and, consequently, should not be surprised when his claims turn out to be true. The speaker is implying that he is transparently honest. But this is all very subtle. He must be careful not to appear to be doing the same as those he censures. He could be suspected himself of trying to bamboozle the audience. Next he proceeds to expose the deception inherent in the decree: the attractive appearance, δοκεῖν μὲν Χαριδῆμω φυλακὴν τινα τοῦ σώματος διδόναι, is contradicted with a harsh reality, τὴν ὡς ἀληθῶς δὲ δικαίαν καὶ βέβαιον [φυλακὴν Χερρονήσου] τῆς πόλεως ἀποστερεῖν. Thus he neatly brings to the fore the foreign policy that he wants to stress, the security of the Chersonese. H. Weil 1886, p.188, commenting on δικαίαν says that it is used in its customary sense and interprets it to mean that while the means of guaranteeing the safety of the Chersonese intended by the speaker is in accordance with justice, the protection that they want to give to Charidemus is unjust.

Accordingly δικαίαν is considered an example of feature 207, designed to secure attention, and of feature 422, designed to win goodwill.

It would be reasonable for the jury to pay attention to the speaker and to hear with goodwill what he says.

Attention, goodwill

εἰκότως δ' ἄν, ὦ ἄνδρες Ἀθηναῖοι, καὶ προσέχουτέ μοι τὸν νοῦν καὶ μετ' εὐνοίας ἀκούσαιθ' ἃ λέγω. 23.4

Reason, εἰκότως, is cited to justify the speaker's request for attention and goodwill. Commenting on εἰκότως δ' ἄν, ὦ ἄνδρες Ἀθηναῖοι, the scholia, M.R. Dilts 1986, p. 297 no.6, suggest that this is consistent with the character that Demosthenes has created for Euthycles:

ἤθικὸν σφόδρα τοῦτ' ἐκ προοίμιον ἐκ προσώπου τοῦ λέγοντος, ὅτι περὶ ἰδιώτης καθέστηκε καὶ μέλλει πρὸς δημαγωγούς καὶ στρατηγὸν ἀγωνίζεσθαι. ὁ δὲ νοῦς τοιοῦτος· 'εὐλογώτερον ἄν, οἶμαι, τὰς ἀκοὰς παράσχοιτε, ἐπειδὴ περὶ δυναστείαν οὔτε ἀπὸ τῶν κοινῶν τῆς διοικήσεως ἔχων οὔτε ἀπὸ τῆς τῶν λόγων δεινότητος ἐπαγγέλλομαι τοσοῦτον κακὸν ἀναστεῖλαι.'

In the next sentence Euthycles makes explicit the claim that he is not a politician but just an ordinary citizen who wants to do the city a service. These are two of the grounds now given for the reasonableness of the speaker's request for attention and goodwill.

For since the speaker is not one of those who annoy the Athenians nor one of those who engage in politics and enjoy the Athenians' confidence, and since he claims to show that the business that has been undertaken is of considerable importance, if the jury co-operate with the speaker to the best of their ability and listen eagerly, they will save the situation, and they will remove the reluctance of anyone like the speaker who thinks he can do the city a good turn.

Attention, goodwill

ἐπειδὴ γάρ, οὐχὶ τῶν ἐνοχλούντων ὑμᾶς οὐδὲ τῶν πολιτευομένων καὶ πιστευομένων παρ' ὑμῖν ὄν, πρᾶγμα τηλικούτον φημι δείξειν πεπραγμένον, ἔάν, ὅσον ἐστὶν ἐν ὑμῖν, συναγωνίσθησθε μοι καὶ προθύμως ἀκούσητε, τοῦτό τε σώσετε καὶ ποιήσετε μὴ κατοκνεῖν, ἔάν τις τι καὶ ἡμῶν οἴηται δύνασθαι ποιῆσαι τὴν πόλιν ἀγαθόν.

23.4

Demosthenes develops Euthycles' assumed character by making him say that he is not a politician and that he does not engage in those activities associated with politicians. This includes annoying the Athenians, ἐνοχλούντων ὑμᾶς. H. Weil 1886, p.188, says that this describes those who annoy the people by speaking at every instant and by imposing themselves with a certain impudence. Perhaps it is meant to be understood by the jury that Aristocrates is one of this kind. Demosthenes' use of ὑμᾶς is noteworthy. Euthycles addresses the jury as if they were the Ecclesia.

This is part of the process of convincing the jury that this is a case of public concern about the kind of subject discussed by the Ecclesia. A characteristic of politicians is that they are trusted by the audience, πιστευομένων παρ' ὑμῶν. Euthycles as a layman is an unknown quantity and therefore does not enjoy their confidence. At least this is what he implies and there must be a degree of truth in his claim that he is not a politician or he would have been laughed out of court. This line of argument may be intended to win him sympathy since he appears to be disadvantaged in not having the trust which the people invest in and reserve for their politicians. It could also be a form of anticipation intended to deny Aristocrates the trust that a jury might feel inclined to place in a familiar public figure. The clause, πρᾶγμα τηλικούτον φημι δείξειν πεπραγμένον, reinforces the idea that this is a matter with serious implications as opposed to a private dispute. τηλικούτον is intended to attract attention for the main part of the speech on the ground that the speaker is going to discuss an important issue. It is also designed to win support for the speaker's viewpoint by adding the pressure of importance. πρᾶγμα ... πεπραγμένον alludes to the train of events set in motion by Aristocrates' decree which could lead to the loss of the Chersonese. Next the speaker offers the jury a means of retrieving the situation, τοῦτό τε σώσετε, which depends on the fulfilment of certain conditions. First he requires their co-operation, συναγωνίσησθέ μοι. This is to be unstinting, ὅσον ἐστὶν ἐν ὑμῶν. The second part of the

condition amplifies and explains συναγωνίσθητέ μοι . The speaker requires them to listen eagerly, προθύμως ἀκούσητε . In effect, then, this is a request for a hearing. The rewards are the chance to retrieve the situation, τοὔτο τε σώσετε, which refers to the securing of the Chersonese, and the opportunity to give encouragement to men such as the speaker who think they can do the city a good turn. This is expressed in the negative form. They will encourage them by making them not reluctant, ποιήσετε μὴ κατοκνεῖν, ἐάν τις τι καὶ ἡμῶν οἴηται δύνασθαι ποιῆσαι τὴν πόλιν ἀγαθόν. To secure attention the speaker uses the technique of the salesman who recommends his product by making potential customers imagine what it would be like to be deprived of this product. His threat, therefore, is that, if the audience do not listen eagerly, ordinary men like him, τίς ... καὶ ἡμῶν, will not come forward to speak and the audience will be deprived of the opportunity to listen. I agree with H. Weil 1886, p.189, who says that by καὶ ἡμῶν the speaker means τῶν μὴ πολιτευομένων. Demosthenes adds these little touches to establish Euthycles' character as an ordinary chap. As well as threatening to deprive the audience of his words of wisdom the speaker offers them a bait to make them attractive. The prospect of something good for the city, τι ... ποιῆσαι τὴν πόλιν ἀγαθόν, is intended to secure attention for the main part of the speech and to win goodwill for the speaker as a potential benefactor.

And he will think so, if he believes that it is not

difficult to get the chance to speak in court before the jury.

Attention

οίήσεται δέ, ἂν μὴ χαλεπὸν εἶναι νομίζῃ τὸ παρ' ὑμῶν
λόγου τυχεῖν. 23.4

This is further incentive for the jury to grant the speaker a hearing. He expresses a general idea for which the jury can demonstrate their approval by granting the present speaker a hearing. His implication is that they can make the present speaker a particular example to demonstrate the general principle to all and sundry that it is not difficult for people like the speaker to get a hearing.

In fact many people are afraid of this. Perhaps they are not clever speakers but they are better men than the clever speakers and nothing induces them to consider the public issues.

Attention, goodwill

νῦν δὲ πολλοῖς τοῦτο φοβουμένοις, λέγειν μὲν ἴσως οὐ
δεινοῖς, βελτίοσι δ' ἀνθρώποις τῶν δεινῶν, οὐδὲ σκοπεῖν
ἐπέρχεται τῶν κοινῶν οὐδέν. 23.5

The speaker now brings to bear the pressure of the silent majority. This is a development of the earlier idea that the audience should demonstrate their willingness to

listen to ordinary citizens so that they are not deprived altogether of those willing to speak. The barrier between the audience and potential speakers is the notion that it is difficult to get a hearing. The speaker cites as a fact, νῦν δὲ, that there are many who are afraid of this hurdle, πολλοῖς τοῦτο φοβουμένοις. Before he mentions the consequence of their fear he qualifies πολλοῖς with a comment on the character of these men. Although they may not be eloquent they are men of better character than the eloquent orators, λέγειν μὲν ἴσως οὐ δεινοῖς, βελτίοσι δ' ἀνθρώποις τῶν δεινῶν, οὐδὲ σκοπεῖν ἐπέρχεται τῶν κοινῶν οὐδέν. Euthyclus extols the virtue of plain speaking men who form the backbone of society. These men are now lost to the audience, οὐδὲ σκοπεῖν ἐπέρχεται τῶν κοινῶν οὐδέν. The impression the speaker wants to create is that this is a landslide which will sweep away even more men in its path unless the audience, who caused it to start in the first place, do something now to stop it. The required response, of course, is an eager hearing for the present speaker. An obvious comment is that the fear that has gripped the silent majority has made no impact on the present speaker, even although he claims to be just an ordinary citizen and not a politician. The scholia, M.R. Dilts 1986, p.298 no. 8, suggest that the oath, which the speaker uses in the next sentence, has been necessitated as a contingency measure of justification in anticipation of such comment:

ἐπιτιμήσαντι τρόπον τινὰ ἀντέπιπτε 'πῶς οὖν λέγεις καὶ ἀπαντᾷς εἰς τὸ δημόσιον καίτοι ἀπράγμων ὢν ὡς ὁμολογεῖς;'

διόπερ ἔδεήθη καὶ ὄρκου σφοδροτέρου.

The speaker at any rate (he swears by all the gods) would have shrunk, you may be sure, from bringing this indictment himself, if he had not thought it quite shameful to hold his peace now and keep quiet, while he saw certain men preparing a scheme that was harmful to the city, when previously, when he sailed to the Hellespont in command of a trireme, he had spoken out and had brought charges against certain men, who in his opinion were doing the Athenians wrong.

Attention, goodwill (534)

ἐγὼ γοῦν (ὄμνύω τοὺς θεοὺς ἅπαντας) ἀπώκνησ' ἄν, εὖ ἴστε, καὶ αὐτὸς τὴν γραφὴν ταύτην ἀπενεγκεῖν, εἰ μὴ πάντων αἰσχυρῶν ἐνόμιζον εἶναι νῦν μὲν ἡσυχίαν ἄγειν καὶ σιωπῆσαι, πρᾶγμ' ἀλυσιτελὲς τῇ πόλει κατασκευάζοντας ὄρων τινὰς ἀνθρώπους, πρότερον δέ, ὅτ' ἔπλευσα τριηραρχῶν εἰς Ἑλλάσποντον, εἶπεῖν καὶ κατηγορῆσαι τινῶν, οὓς ἀδικεῖν ὑμᾶς ἠγούμην.

23.5

The speaker accounts for his appearance in court, stressing his reluctance with an oath to the gods and with an imperative to the jury. The oath is inserted after ἐγὼ γοῦν to highlight the unexpectedness of the speaker's involvement in litigation and to appear to forestall comment about it. His declaration of reluctance, ἀπώκνησ' ἄν, is an island in a sea of parentheses. It is preceded by the oath, ὄμνύω τοὺς θεοὺς ἅπαντας, and followed by the

imperative, εὖ ἴστε, which defies dispute. Euthycles is so assertive about his hesitation, one could almost say so forward about being backward, that if he had a lectern on which to strike his fist, it would surely be shaking. Why does he make such a song and dance about his reluctance? First, he is at pains to sustain the credibility of his image as one of those, whom he has just been describing, who are reluctant to become involved in public issues. His obvious involvement is out of character and must therefore be justified by some serious cause. He will do that presently but for the moment he stresses the seriousness of this juncture for him personally by using the strong language of the oath. This is meant to reassure the jury that he is not an impostor. Secondly, his avowed reluctance has the added bonus of removing any suspicion that he is acting litigiously. Accordingly all this is bluster for the sake of appearances. Ironically his explanation consists of Anaximenes' recommendation for a habitual speaker, feature 534, that one should claim that it is disgraceful not to declare one's opinion now when one always had something to say before. Euthycles does not say exactly this but claims that he thought it quite disgraceful to hold his peace and to keep silent now, πάνυ τῶν αἰσχροῶν ἐνόμιζον εἶναι νῦν μὲν ἡσυχίαν ἄγειν καὶ σιωπῆσαι, when previously he had spoken out, πρότερον δὲ ... εἶπεῖν. Admittedly the latter was only on one occasion. What provoked his shame? It was the sight of certain men preparing a scheme that would harm the city, πράγμα' ἀλυσιτελὲς τῇ πόλει κατασκευάζοντας ὄρων τινὰς ἀνθρώπους.

Presumably he intends Aristocrates to be included in their number. The previous occasion which he resurrects for comparison was when he denounced certain men who in his opinion were doing wrong to the Athenians, κατηγορησάτων, οὓς ἀδικεῖν ἡμᾶς ἠγούμην. This is very clever. Demosthenes is trying to influence the jury by exploiting an association of ideas. In the contemporary instance Euthycles refers to the detriment to the city that is a consequence of the preparations of Aristocrates and his supporters. However the previous occasion recalled by Euthycles was an instance when he denounced men whom he suspected of deliberate wrong-doing. The intention is to make the jury associate deliberate wrong-doing with Aristocrates and thus to impute to Aristocrates criminal intentions as opposed to misguided planning. A final polish is added with the detail included in Euthycles' reminiscence, ὅτ' ἔπλευσα τριηραρχῶν εἰς Ἑλλάσποντον. This is meant to win goodwill by reminding the jury that Euthycles had performed previous public service. The liturgy which he had undertaken was the trierarchy. A trierarch had to provide for the maintenance of an Athenian navy trireme and had either to proceed to sea as the ship's captain or to employ another as his substitute. For a modern discussion on the trierarchy see B. Jordan 1975, pp.61-93. H. Weil 1886, p.189, and L. Gernet and J. Humbert 1959, p.110 n.1, suggest that Euthycles refers to the campaign mentioned at 23.165-68. Gernet also observes that Demosthenes himself participated in this expedition also as a trierarch. This is the expedition led by

Cephisodotus which was sent to support Charidemus who had promised to win back the Thracian Chersonese for Athens. It does not matter which campaign is meant. Demosthenes' purpose is to represent Euthycles as a public servant and as a man of action who had put to sea with his ship. It is an attractive, albeit speculative, idea that he recalled a time when they both sailed as trierarchs.

The speaker is not unaware that certain people consider Charidemus a benefactor of the city.

Goodwill (501)

οὐκ ἄγνοῶ μὲν οὖν ὅτι τὸν Χαρίδημον εὐεργέτην εἶναι
τινες τῆς πόλεως οἴονται· 23.6

The speaker anticipates the argument that Charidemus is a benefactor of the city, εὐεργέτην ... τῆς πόλεως. Presumably this sentence would have been delivered with enough sarcasm to suggest incredulity. The scholia, M.R. Dilts 1986, p.298 no.9, suggest that the word οἴονται is intended to discredit such a judgement and they represent the speaker's likely feelings on the matter:

λύσις ἐστὶν ἀναγκαίως ἐνταῦθα τοῦ ἀντιπίπτοντος ἐκ τῆς τοῦ <Χαρι>δήμου ποιότητος καὶ τῆς ἀξίας· διὸ καὶ τὸ 'οἴονται' κείμενον διαβάλλει τὴν κρίσιν, καὶ τὸ 'εὐεργέτην νομίσαι τῆς πόλεως' βαρὺ καὶ οὐ φορητόν. τῆς τηλικαύτης καὶ ὄντως ἐνδόξου πόλεως ἄνδρα οὕτως εὐτελεῖ καλεῖν εὐεργέτην, ἣν καὶ θεοὺς ἴσμεν εὐεργετήσασαν καὶ ὑποδεξαμένην καὶ

κρίνασαν, < αἰσχρόν >.

If the speaker is able to tell the audience what he wants to and what he knows has been done by that man then the speaker thinks he can show not only that Charidemus is not a benefactor but also that he is the most ill-disposed of all men to the Athenians and that entirely the wrong estimation of him has been adopted.

Statement (102), goodwill

ἐγὼ δέ, ἂν περ ἃ βούλομαι τε καὶ οἶδα πεπραγμέν' ἐκείνῳ δυνηθῶ πρὸς ὑμᾶς εἶπεῖν, οἴμαι δεῖξειν οὐ μόνον οὐκ εὐεργέτην, ἀλλὰ καὶ κακονούστατον ἀνθρώπων πάντων καὶ πολὺ τάναντί' ἢ προσῆκεν ὑπειλημμένον. 23.6

The tentative beginning, ἂν περ ἃ βούλομαι τε καὶ οἶδα πεπραγμέν' ἐκείνῳ δυνηθῶ πρὸς ὑμᾶς εἶπεῖν, οἴμαι δεῖξειν, may well be role play intended to add realism to the claim that Euthycles is not an accomplished orator but a reluctant litigant, who is unaccustomed to speaking in public. The speaker predicts, feature 102, his objectives. The first of these is to disabuse those who believe that Charidemus is a benefactor, οὐκ εὐεργέτην. The οὐ μόνον ... ἀλλὰ καὶ ... construction is used to give the impression that the speaker is going to do the city an additional service. Not only is he going to reveal their mistake but he is also, secondly, going to show them the extent of their mistake, and he spares no superlative in the process. Hyperbole reigns supreme. Even κακονούστατον is qualified

with ἀνθρώπων ἀπάντων while the Athenians' appraisal of the man is the complete opposite of what it ought to be, πολὺ τ'ἀναντί' ἧ προσῆκεν ὑπειλημμένον. The technique is akin to the bargaining practised in modern industrial negotiations between unions and management. One asks for something that far exceeds what one really wants in order to ensure receipt of one's actual desire. When Euthycles says that Charidemus is the most ill-disposed of all men, he will probably convince few, if any, and he knows it, but his apparent conviction might persuade many that Charidemus is sufficiently ill-disposed towards Athens to be deemed unworthy of the honour which Aristocrates had recommended for him.

If Aristocrates' greatest wrong had been that he had used so much foresight in his decree on behalf of such a man that he had provided a special and illegal penalty in case he suffered anything, then the speaker would have attempted to deal with this first to reveal to the audience how undeserving of this decree Charidemus happens to be.

Statement (101), attention, goodwill

εἰ μὲν οὖν, ὧ ἄνδρες Ἀθηναῖοι, τοῦτο μέγιστον Ἀριστοκράτης ἠδίκηει, τὸ τοιούτου, οἷον ἐγὼ φημι δεῖξαι τὸν Χαρίδημον ὄντα, τοσαύτην πεποιηθῆναι πρόνοιαν ἐν τῷ ψηφίσματι ὥστ' ἰδίαν παρὰ τοὺς νόμους, ἂν τι πάθῃ, τιμωρίαν αὐτῷ δεδωκέναι, ταῦτ' ἂν ἤδη λέγειν πρὸς ὑμᾶς ἐπεχείρουν, ἔν' εἰδῆτε πολλοῦ δεῖν ἄξιον ὄντα τυχεῖν τοῦ ψηφίσματος αὐτὸν τουτουί.

23.7

Demosthenes employs *paraleipsis* to discredit Aristocrates. This is not simple *paraleipsis* in which he chooses to pass over certain things. He gives a reason designed to secure attention and denigrate Aristocrates further. The condition, εἰ ... τοῦτο μέγιστον Ἀριστοκράτης ἠδίκηει, implies that Aristocrates has committed a greater wrong than the one which the speaker chooses to pass over. The advantage of this approach is that the speaker raises expectations by suggesting that there is something even more serious than the clearly serious items which he describes. He includes two of the points which he must prove: that the decree is illegal, παρὰ τοὺς νόμους, and that Charidemus is far from worthy, πολλοῦ δεῖν ἄξιον ὄντα.

There is a greater wrong in the decree about which the audience must first learn and then guard against.

Statement (102), attention, goodwill

νυνὶ δ' ἕτερον τούτου μεῖζον διὰ τοῦ ψηφίσματος ἔστ' ἀδίκημα, ὃ δεῖ πρότερον καὶ μαθεῖν ὑμᾶς καὶ φυλάξασθαι.

23.7

The speaker whets the audience's appetite, feature 102. He now alludes to the third point which he must prove: that the decree is contrary to Athenian interest. He implies that the decree contains a danger which has escaped the Athenians' notice. They must become wise to this and take precautions, ὃ δεῖ πρότερον καὶ μαθεῖν ὑμᾶς

καὶ φυλάξασθαι. This is meant to win support for the speaker's point of view and to secure attention for the main part of the speech. The speaker will be hoping that he has now brought the jury to the point where they are ready to listen and eager to find out what he has to say.

ARRANGEMENT

S (101), A, G

A (207), G (423) (422)

A, G

A (207), G (422)

A, G

A, G

A

A, G

A, G (534)

G (501)

S (102), G

S (101), A, G

S (102), A, G

AIM

The aims of the introduction are to win goodwill for the speaker and to secure attention for the main part of the speech. Demosthenes establishes an identity for Euthycles as an ordinary citizen who is unaccustomed to public speaking and who would never dream of becoming

involved in a public issue unless it was something very serious indeed regarding which he could do the city a good turn and about which his conscience would trouble him if he did not speak out. This portrayal is meant to endear Euthycles to the jury and to convince them of the seriousness of the issue. He reinforces the latter aim by suggesting that they have been deceived by Aristocrates' decree and are unaware of its dangerous implications, especially with regard to the secure tenure of the Chersonese which he has made his priority. He wants to create the impression that only he can steer them through the intricacies of the decree to a full understanding of the threat that it imposes. At the same time he tries to discredit Aristocrates and Charidemus by suggesting deception and disloyalty.

This is a splendid introduction for a speech with which, L. Pearson 1976, p.73, suggests, Demosthenes was evidently pleased since he repeats the sentiments and much of the phraseology of 23.106-09 in 3.25-29. It is also clearly a *cri de coeur*. Euthycles is the mouthpiece for Demosthenes' strong feelings and considered composition which reflect a happy marriage of genius and patriot. The result of the case is uncertain.

Oration 24

ANALYSIS

The speaker doubts whether his opponent can blame anyone else apart from himself for his involvement in the present case.

Goodwill (536)

τοῦ μὲν ἀγῶνος, ὃ ἄνδρες δικασταί, τοῦ παρόντος οὐδ' ἂν αὐτὸν οἴμαι Τιμοκράτην εἶπεῖν ὡς αἴτιός ἐστιν ἄλλος τις αὐτῷ πλὴν αὐτὸς αὐτῷ. 24.1

Demosthenes wrote this speech for Diodorus who, together with Euctemon, brought a *graphe paranomon* against Timocrates, an associate of their personal enemy, Androtion. The latter was among three ambassadors who had captured an enemy merchant ship during a sea voyage in 355. Although this prize was recognized officially, it was necessary to pay to the state the major part of the proceeds. When the ambassadors did not surrender the amount, a commission was set up to deal with individuals in possession of public money. Euctemon and Diodorus laid information against the trierarchs who had commanded the ambassadors' ship. Before the Ecclesia the ambassadors acknowledged that they were holding the money. Euctemon then passed a decree which made the trierarchs responsible for recovering the money. In response Androtion and his associates brought a *graphe paranomon* against Euctemon.

When this failed, Timocrates proposed (and the Athenians passed) a law which enabled state-debtors, who had given sureties for their debt, to remain at liberty until the ninth prytany of the year. Euctemon and Diodorus countered this delaying tactic with a *graphe paranomon*, the subject of this speech, which suspended the operation of Timocrates' law.

The speaker uses Anaximenes' feature 536, transfer responsibility to opponents. His aim is to shift the responsibility for the litigation from himself to his opponent. It is insinuated that the case has arisen as a consequence of Timocrates' action. The speaker is trying to remove suspicion that he and his colleague are litigious. In the next sentence the speaker gives an explanation of his claim regarding responsibility for the case by defining his opponent's motive and crime.

Wishing to deprive the city of a large sum of money, contrary to all the laws the opponent has introduced a law which is neither useful nor just.

Statement (101), goodwill (423) (422)

χρημάτων γὰρ οὐκ ὀλίγων ἀποστερῆσαι βουλόμενος τὴν πόλιν, παρὰ πάντας τοὺς νόμους νόμον εἰσήνεγκεν οὔτ' ἐπιτήδειον οὔτε δίκαιον, ὧ ἄνδρες δικασταί·

24.1

In this sentence the speaker first tries to alienate his opponent from the audience by accusing him of wanting to do a serious injury to the city by depriving it of

money. Then he states, feature 101, the grounds on which his own case rests. The opponent's law is illegal, inexpedient and unjust. The speaker is trying to establish both the technical and the moral superiority of his own case. References to the laws and to justice are instances of feature 423 and of feature 422 respectively.

How this law once ratified will harm and injure the state the audience will quickly learn by listening to the speaker, and he will not hesitate to relate to the audience the greatest and most obvious consequence.

Attention, goodwill

ὅς τὰ μὲν ἄλλ' ὅσα λυμανεῖται καὶ χεῖρον ἔχειν τὰ κοινὰ ποιήσει, κύριος εἰ γενήσεται, τάχα δὴ καθ' ἕκαστον ἀκούοντες ἐμοῦ μαθήσεσθε, ἐν δ', ὃ μέγιστον ἔχω καὶ προχειρότατον πρὸς ὑμᾶς εἶπεῖν, οὐκ ἀποτρέφομαι. 24.1

To discredit his opponent the speaker mentions that the law will have harmful effects. To win attention he promises a quick explanation of these effects if the audience listen to him. A key phrase is κύριος εἰ γενήσεται which is designed to put pressure on the audience to support the speaker. The implication is that the law should not be ratified. The speaker uses superlatives to denigrate the law. He promises to explain without hesitation the greatest and most obvious consequence, ὃ μέγιστον ἔχω καὶ προχειρότατον πρὸς ὑμᾶς εἶπεῖν, οὐκ ἀποτρέφομαι. The promise is meant to fix concentration for

the words which immediately follow.

The opponent's law annuls and makes worthless every decision pronounced by the audience on oath.

Goodwill

τὴν γὰρ ὑμετέραν φῆσον, ἣν ὁμωμοκότες περὶ πάντων φέ-
ρετε, λύει καὶ ποιεῖ τοῦ μηδενὸς ἀξίαν ὁ τουτουὶ νόμος ...

24.2

The aim here is to involve the audience personally in the harmful consequences in order to make them feel hostility towards the speaker's opponent. Having censured his opponent's law, the speaker proceeds to attribute motive.

The opponent's purpose was not to benefit the city in any way.

Goodwill

οὐχ ἕνα κοινῆ τι τὴν πόλιν ὠφελήσῃ ...

24.2

At this point another consequence of the law is interjected.

Far from it! The opponent's law disqualifies the courts, the upholders of the constitution, from awarding those additional penalties ordained by the laws for crimes.

Goodwill

(πῶς γάρ; ὅς γε, ἃ δοκεῖ συνέχειν τὴν πολιτείαν, τὰ δικαστήρια, ταῦτ' ἄκυρα ποιεῖ τῶν προστιμημάτων τῶν ἐπὶ τοῖς ἀδικήμασιν ἐκ τῶν νόμων ὠρισμένων) 24.2

This interjection corroborates the previous clause in which the speaker precluded any claim his opponent might make that his law was beneficial to the city. In the present feature the epithet given to the courts, ἃ δοκεῖ συνέχειν τὴν πολιτείαν, emphasizes that the opponent is far from benefiting the city by suggesting that he is attacking the heart of the city. Next the speaker suggests what his opponent's real motive is.

The intention of the opponent is that certain men, who have been for a long time parasites and pilferers, may not even refund money which they were openly caught in the act of embezzling.

Goodwill

ἀλλ' ἵνα τῶν πολλῶν χρόνον ὑμᾶς τινες ἐκκεκαρπωμένων καὶ πολλὰ τῶν ὑμετέρων διηρηπακότων μηδ' ἃ κλέπτοντες φανερώως ἐλήφθησαν καταθῶσιν. 24.2

The speaker does not restrict himself to the particular act of embezzlement but adds descriptions of his opponent's associates. This departure from the strictly relevant is designed to win goodwill for the speaker by tarnishing the opposition as much as possible. The

opponent is portrayed as one who associates with long established parasites. In the next sentence the speaker tries to win sympathy by claiming that he is disadvantaged in contrast to his opponent.

It is so much easier to cultivate people privately than to champion the Athenians' rights that the opponent received money from those men as a prerequisite to introducing his law while the speaker is risking a thousand drachmas on the Athenians' behalf. So far away is the speaker from receiving any recompense from the Athenians.

Goodwill

καὶ τοσοῦτω ῥᾶδόν ἐστ' ἰδίᾳ τινὰς θεραπεύειν ἢ τῶν ὑ-
μετέρων δικαίων προΐστασθαι, ὥσθ' οὗτος μὲν ἔχει παρ' ἐ-
κείνων ἀργύριον καὶ οὐ πρότερον τοῦτον εἰσήνεγκε ὑπὲρ αὐ-
τῶν τὸν νόμον, ἐμοὶ δ' ἐν χιλίαις ὑπὲρ ὑμῶν ὁ κίνδυνος·
τοσοῦτον ἀπέχω τοῦ λαβεῖν τι παρ' ὑμῶν. 24.3

A prosecutor ran the risk of incurring a fine of one thousand drachmas if he failed to secure one-fifth of the votes. The thousand-drachma fine did not apply to every kind of case. For discussion see A.R.W. Harrison 1971, p.83 and pp.179-85, M.H. Hansen 1975, pp.29-31, and D.M. MacDowell 1978, p.64, p.186 and pp.252-53. The speaker here makes a contrast between himself and his opponent. Timocrates is serving individuals whereas Diodorus is serving Athens. The aim is to discredit Timocrates while winning approval for Diodorus.

It is customary for public speakers to say that the topic on which they are speaking is very important and especially worthy of the jury's attention. If the claim has ever been made fittingly then the speaker considers himself entitled to make it now.

Attention

εἰώθασιν μὲν οὖν οἱ πολλοὶ τῶν πράττειν τι προαιρουμένων τῶν κοινῶν λέγειν ὡς ταῦθ' ὑμῖν σπουδαιότατ' ἐστὶν καὶ μάλιστ' ἄξιον προσέχειν τούτοις, ὑπὲρ ὧν ἂν αὐτοὶ τυγχάνωσι ποιούμενοι τοὺς λόγους. ἐγὼ δ', εἶπερ τινὶ τοῦτο καὶ ἄλλω προσηκόντως εἴρηται, νομίζω κάμοι νῦν ἀρμόττειν εἰπεῖν. 24.4

The speaker makes a prolonged request for a hearing. He offers several grounds, σπουδαιότατ', μάλιστ' ἄξιον and προσηκόντως. However the audience will probably see through the speaker's device and regard this as an elaborate excuse for using a cliché, the same old plea that everyone else makes.

The speaker thinks that no one would say that Athens' prosperity, democratic government and liberty have resulted from anything other than the laws.

Goodwill (423)

τῶν γὰρ ὄντων ἀγαθῶν τῇ πόλει καὶ τοῦ δημοκρατουμένην καὶ ἐλευθέραν εἶναι ὡς ἄλλο τι τῶν νόμων αἰτιώτερόν ἐστιν, οὐδ' ἂν ἔν' εἰπεῖν οἶμαι. 24.5

The speaker now makes a general statement about the laws which he will then relate more specifically to the present case and announce as the issue for which he has asked their attention. To create an impression of assent he employs the words οὐδ' ἂν ἔν' εἶπεῖν οἴμαι.

The issue at stake today is whether laws registered by the Athenians against offenders against the state should be rendered powerless while the opponent's law alone remains valid or whether the opponent's law is annulled while the other laws are allowed to remain.

Statement (101), goodwill (423)

περὶ τοίνυν αὐτοῦ τούτου νῦν ὑμῖν ἐστίν, πότερον δεῖ τοὺς μὲν ἄλλους νόμους, οὓς ἐπὶ τοῖς ἀδικοῦσι τὴν πόλιν ὑμεῖς ἀνεγράφατε, ἀκύρους εἶναι, τόνδε δὲ κύριον, ἢ τοῦναντίον τοῦτον μὲν λῦσαι, κατὰ χάραν δὲ μένειν τοὺς ἄλλους ἔαν. 24.5

The speaker tries to discredit his opponent's law by setting it at variance with a whole mass of other laws. The idea is to impress upon the Athenians how much they stand to lose by ratifying the opponent's law.

That, in a nutshell, is the issue upon which the jury have to decide today.

Statement (101), goodwill (503)

τὸ μὲν οὖν πρᾶγμα, περὶ οὗ δεῖ νῦν ὑμᾶς γινῶναι, ὡς ἐν

κεφαλαίῳ τις ἂν εἴποι, τοῦτ' ἐστίν.

24.5

The speaker underlines the point he has just made. He uses the expression, ὡς ἐν κεφαλαίῳ τις ἂν εἴποι, which is an example of Anaximenes' feature 503, κεφαλαιωδῶς ... ἀπολογητέον.

In order that none of the audience be surprised that the speaker, who has hitherto led a quiet life, is now engaging in public suits, the speaker wishes to give a brief explanation.

Statement (102), attention, goodwill

ἵνα δ' ὑμῶν μηδεὶς θαυμάζη τί δὴ ποτ' ἐγὼ μετρίως, ὡς γ' ἑμαυτὸν πείθω, τὸν ἄλλον χρόνον βεβιωκῶς νῦν ἐν ἀγῶσι καὶ γραφαῖς δημοσίαις ἐξετάζομαι, βούλομαι μικρὰ πρὸς ὑμᾶς εἰπεῖν·

24.6

This claim is designed to win sympathy. But how often can a speaker use it? The present speaker, Diodorus, has indeed been involved in a public suit before despite his claim. Some of the audience must know this and may actually have been jurors. The speaker, at 24.7, does go on to mention this previous involvement in litigation and that some of the present jurors served in the previous case. Then why does he try to create the impression that he is unaccustomed to litigation? Presumably he includes this previous litigation as part of the present series of cases. His use of the plural in νῦν ἐν ἀγῶσι supports this

view. What he means is that he was not involved in litigation before these cases. Therefore while K.J. Dover 1974, p.189, asserts reasonably that the claim of inexperience of legal procedures was on occasion made when the claim was patently false, his citation of 24.6 as an instance of this is debatable. The promised explanation is feature 102 while the promise of brevity is intended to secure a hearing since an audience is more likely to listen if they know that they only have to attend for a short time.

This will not be irrelevant to the issue.

Statement (102), attention

ἔσται δὲ ταῦτ' οὐκ ἄπο τοῦ πράγματος. 24.6

The promise of relevance is a plea for attention.

The speaker once fell out with a worthless quarrelsome, godforsaken fellow with whom the whole city eventually fell out: Androtion.

Statement (101), goodwill

ἐγὼ γάρ, ὧ ἄνδρες Ἀθηναῖοι, προσέκρουσ' ἀνθρώπῳ πο-
νηρῷ καὶ φιλαπεχθήμονι καὶ θεοῖς ἐχθρῷ, ᾧ τελευτῶσ' ὅλη
προσέκρουσεν ἡ πόλις, Ἀνδροτίωνα λέγω. 24.6

The speaker now introduces an associate of his opponent, Androtion, with whom he had had litigation. To

discredit Androtion he first calls him names, πονηρῷ καὶ φιλαπεχθήμονι καὶ θεοῖς ἐχθρῷ. Next he tries to isolate him from the whole city and hence from the whole jury, ὅ τελευτῶσ' ὅλη προσέκρουσεν ἡ πόλις. This is an allusion to Androtion's collecting of arrears of taxes which many felt the brunt of as an over-vigorous imposition. A description of this is given at 22.47-58. At the same time, ὅλη is meant to suggest a solidarity between the speaker and the audience.

The speaker has been treated worse than his colleague by the opponent's friend. His colleague's injury was merely financial: the speaker could have lost his property, his life and, what is common to everyone, an easy departure from life.

Statement (101), goodwill

καὶ τοσοῦτῳ δεινότερ' Εὐκτῆμονος ἠδικήθην ὑπ' αὐτοῦ, ὥσθ' ὁ μὲν Εὐκτῆμων εἰς χρήματ' ἔσθ' ἃ κακῶς ἔπαθεν, ἐγὼ δ' εἰ κατώρθωσεν ἐκεῖνος ἦν ἐπ' ἔμ' ἦλθεν ὀδόν, οὐχ ὅτι τῶν ὄντων ἂν ἀπεστερήμην, ἀλλ' οὐδ' ἂν ἔζων, οὐδ' ὁ κοινὸν ἅπασιν ἐστίν, ἀπαλλαγῆναι τοῦ βίου, ῥᾶδιον ἦν ἂν μοι. 24.7

The speaker wants to win sympathy for himself and to create as much opprobrium as possible for Androtion and, by association, for Timocrates. Next the speaker explains the outrageous treatment about which he has been hinting.

The opponent's friend accused the speaker of

patricide, a crime which a seemly person would be reluctant even to mention, and he fabricated an indictment for impiety and brought the speaker to trial.

Statement (101), goodwill

αἰτιασάμενος γάρ μ' ἄ καὶ λέγειν ἄν τις ὀκνήσειεν εὖ
φρονῶν, τὸν ἑμαυτοῦ πατέρ' ὡς ἀπέκτονα, ἀσεβείας γραφὴν
κατασκευάσας εἰς ἀγῶνα κατέστησεν 24.7

All this is recounted from 22.1-2. The details are compressed. The impiety charge was brought against Diodorus' uncle, not Diodorus himself. Perhaps Demosthenes did not want to complicate the issue by introducing another character at this stage in the introduction of oration 24.

In this trial the opponent's friend did not receive a fifth of the votes and was fined a thousand drachmas, while the speaker, as was just, was saved mostly due to the gods, then due to those of the audience serving as jurors.

Statement (101), goodwill (823) (422)

ἐν δὲ τούτῳ τὸ πέμπτον μέρος τῶν ψήφων οὐ μεταλαβὼν ὧ-
φλε χιλίας, ἐγὼ δ', ὥσπερ ἦν δίκαιον, μάλιστα μὲν διὰ τοὺς
θεοὺς, ἔπειτα δὲ καὶ διὰ τοὺς δικάζοντας ὑμῶν ἐσώθην... 24.7

This sentence is an example of Aristotle's feature 823, cite a previous verdict. Since the verdict was so much in the speaker's favour, τὸ πέμπτον μέρος τῶν ψήφων οὐ μεταλαβὼν, this is meant to impress on the present jury

that they should vote in the same spirit as the previous jury. More pressure is exerted with the claim that the previous verdict was just, ὡσπερ ἦν δίκαιον. This is feature 422 because it is implied that it would be just in the present case for the jury to support the speaker. In this instance the two cases are not strictly related except that the personalities are the same. But the implication is that the jury who supported the speaker before should support him again. The speaker mentions too that he had the support of the gods in the previous trial. It is as if he is citing the gods as members of his retinue who might bring their influence to bear upon the jury. L. Pearson 1976, p.65, rightly comments on this passage that if the jury believe this they will believe almost anything that the speaker tells them about Androtion.

The speaker considered the man who had wickedly involved him in such trouble as an enemy with whom he could make no terms.

Goodwill

τὸν δ' εἰς τοιαῦτα καταστήσοντά μ' ἀδίκως ἀδιάλλακτον
ἐχθρὸν ἡγούμην. 24.8

The ideal of personal enmity is designed to win the audience's approval.

When the speaker observed that the opponent's friend had wronged the whole state in the collection of the

property tax and in the manufacture of processional vessels and was holding and unwilling to return money belonging to the goddess, the heroes and the state, the speaker, along with Euctemon, instituted proceedings against him, thinking it an appropriate opportunity for helping the state and for getting revenge for what he had suffered.

Statement (101), goodwill

ἰδων δ' ἠδικηκότα κοινῇ πᾶσαν τὴν πόλιν καὶ περὶ τὴν εἴσπραξιν τῶν εἰσφορῶν καὶ περὶ τὴν ποίησιν τῶν πομπείων, καὶ χρήματα πολλὰ τῆς θεοῦ καὶ τῶν ἐπωνύμων καὶ τῆς πόλεως ἔχοντα καὶ οὐκ ἀποδιδόντα, ἦλθον ἐπ' αὐτὸν μετ' Εὐκτῆμονος, ἡγούμενος ἀρμόττοντ' εἰληφέναι καιρὸν τοῦ βοηθῆσαί θ' ἅμα τῇ πόλει καὶ τιμωρίαν ὑπὲρ ᾧν ἐπεπόνθειν λαβεῖν. 24.8

The speaker explains the background to his recent litigation which formed the immediate background to the present case. He mentions various crimes of Androtion which prompted him, along with Euctemon, to bring suit. He deliberately obscures the issue, including irrelevant charges, περὶ τὴν εἴσπραξιν τῶν εἰσφορῶν καὶ περὶ τὴν ποίησιν τῶν πομπείων, and giving the impression that Androtion was solely responsible for the actual charge, χρήματα πολλὰ ... ἔχοντα καὶ οὐκ ἀποδιδόντα. In fact they laid information against the trierarchs with whom Androtion had sailed. Moreover Euctemon had passed a decree, 24.13-14, that the trierarchs be made responsible for recovering the money. But here the speaker wants to declare that they were proceeding against Androtion to punish him not only

for his part in the affair of the prize money but also for his other crimes as well. In the first part of the sentence Androtion's crimes are mentioned with reference to their victims: the goddess, the heroes and the state. The aim of this is cumulative. This is a further example of the speaker's attempt to alienate the opposition from the audience. By contrast, later in the sentence, the speaker mentions one of his own motives in bringing suit, a desire to help the state. Thus the speaker and his opponent's friend (and of course the opponent by association) are portrayed at opposite poles - one a state benefactor, the other an offender against the state. In this way the speaker hopes to win the audience's support for his case while turning them against his opponent and his associates. His second motive, personal revenge, is also designed to win approval as a commendable attitude.

The speaker would have liked to achieve his ambition that this opponent's friend suffered what he deserved.

Goodwill

βουλομένην δ' ἂν ἐμέ τε τυχεῖν ὧν βούλομαι τοῦτόν τε
παθεῖν ὧν ἄξιός ἐστι. 24.8

There is an allusion here to the fact that the speaker's ambition was unfulfilled because of the intervention of Timocrates, whose law allowed any state-debtor to remain at liberty until the ninth prytany of the year, if he gave sureties for his debt. The veiled

expression of a desire for revenge is intended to win sympathy. The notion of Androtion receiving his deserts is meant to insinuate that the speaker's cause is just.

The issue was no longer disputable, but first the Boule condemned the opponent's friend, then the people spent a whole day over the case, moreover two juries of one thousand and one members voted in the case, and when no recourse remained for depriving the Athenians of their money, the opponent proposed this law, holding in contempt all the proceedings.

Statement (101), goodwill

τοῦ δὲ πράγματος οὐκέτ' ὄντος ἀμφισβητησίμου, ἀλλὰ πρῶτον μὲν τῆς βουλῆς κατεγνωκυίας, εἶτα τοῦ δήμου μίαν ἡμέραν ὄλην ἐπὶ τούτοις αὐτοῖς ἀναλώσαντος, πρὸς δὲ τούτοις δικαστηρίοιιν δυοῖν εἰς ἓνα καὶ χιλίους ἐψηφισμένων, ἐνούσης δ' οὐδεμιᾶς ἔτ' ἀποστροφῆς τοῦ μὴ τὰ χρήματ' ἔχειν ὑμᾶς, Τιμοκράτης οὕτωσὶ τοσοῦθ' ὑπερεῖδεν ἅπαντα τὰ πράγματα, ὥστε τίθησι τουτονὶ τὸν νόμον

24.9

The speaker summons a long list of those who supported him: the facts, which were indisputable; the Boule which condemned; the people, who spent a whole day; the juries, who voted. The present jury is expected to follow these precedents. All this work ensured that there was no way that the Athenians could be deprived of the money, ἐνούσης δ' οὐδεμιᾶς ἔτ' ἀποστροφῆς τοῦ μὴ τὰ χρήματ' ἔχειν ὑμᾶς. At this point the speaker juxtaposes Τιμοκράτης with ὑμᾶς.

This is meant to make Timocrates' intervention seem like a personal attack on the audience. In the phrase, ὑπερεἶδεν ἅπαντα τὰ πράγματα, Timocrates is accused of showing contempt for the series of verdicts which the speaker has just listed. The purpose is to alienate Timocrates from the present jury. The insinuation is that he could hold the present court also in contempt.

Through the law the opponent robs the gods of their holy money and the city of her rites, he renders powerless the judgements pronounced by the Boule, the Ecclesia and the Courts, and he has given impunity to anyone wishing to plunder the public treasury.

Goodwill

δι' οὗ τῶν ἱερῶν μὲν χρημάτων τοὺς θεούς, τῶν δόλων δὲ τὴν πόλιν ἀποστερεῖ, ἄκυρα δὲ τὰ γνωσθένθ' ὑπὸ τῆς βουλῆς καὶ τοῦ δήμου καὶ τοῦ δικαστηρίου καθίστησιν, ἄδειαν δὲ τὰ κοινὰ διαρπάζειν τῷ βουλομένῳ πεποίηκεν. 24.9

The speaker details the harmful consequences of Timocrates' law. The aim is to turn the audience against Timocrates.

From all these the speaker and his colleague could find only one release which was to abrogate the law if possible by indicting it and bringing it before the jury.

Statement (101), goodwill

ὕπὲρ δὴ τούτων ἀπάντων λύσιν εὐρίσκομεν ταύτην οὔσαν
μόνην, εἰ γραφάμενοι τὸν νόμον καὶ εἰσαγαγόντες εἰς ὑμᾶς
λύσαι δυναίμεθα.

24.10

This is a bit like saying that one was forced to prosecute. An advantage of this method is that the speaker can justify his recourse to litigation by appearing to do a public service.

From the beginning the speaker will explain the facts briefly to the jury so that the jury may learn better and follow the wrongs involved in the law itself.

Statement (102), attention, goodwill

ἔξ ἀρχῆς οὖν ἐν βραχείσιν τὰ πραχθέντα δίειμι πρὸς ὑμᾶς,
ἵνα μᾶλλον μάθητε καὶ παρακολουθήσητε τοῖς περὶ τὸν νόμον
αὐτὸν ἀδικήμασιν.

24.10

The speaker promises thoroughness and brevity. His purpose is to help the jury to learn and to follow. These are signals that the jury should now pay attention as he is about to begin the main part of the speech. A final reference to the wrongs involved in the law itself is meant to denigrate Timocrates.

ARRANGEMENT

G (536)

S (101), G (423) (422)

A, G
G
G
G
G
G
A
G (423)
S (101), G (423)
S (101), G (503)
S (102), A, G
S (102), A
S (101), G
S (101), G
S (101), G
S (101), G (823) (422)
G
S (101), G
G
S (101), G
G
S (101), G
S (102), A, G

AIM

The aim of the introduction is to create as much opprobrium as possible for Androtion and Timocrates. The themes of the introduction are the harmful effects of

Timocrates' law, the previous contests with Androtion, and the recent interference of Timocrates.

Oration 25

ANALYSIS

As the speaker sat listening with the jury to his colleague's speech, he thought that generally he was speaking well, but he was surprised at one thing, when he saw him overstretching himself, that he was unaware that the rights of the case do not derive their strength from his own or his colleague's arguments but from the determination of each juror either to feel disgust for or to condone villainy.

Goodwill

πάλαι καθήμενος, ὧ ἄνδρες δικασταί, καὶ κατηγοροῦντος ἀκούων, ὥσπερ ὑμεῖς, Λυκούργου, τὰ μὲν ἄλλα καλῶς αὐτὸν ἠγούμην λέγειν, ἐν δὲ τεθαύμακα ὄρων ὑπερδιατεινόμενον, εἰ ἀγνοεῖ τοῦθ' ὅτι οὔτε παρὰ τοὺς ὑφ' ἑαυτοῦ λόγους εἰρημέ- νους οὔτε παρὰ τοὺς ὑπ' ἑμοῦ μέλλοντας ῥηθήσεσθαι τὰ του- τουὶ τοῦ ἀγῶνός ἐστιν δίκαι' ἰσχυρά, ἀλλ' ὡς ἂν ἕκαστος ὑ- μῶν ἔχη πρὸς τὸ δυσχεραίνειν ἢ προσέεσθαι πονηρίαν. 25.1

Aristogeiton was a state-debtor. First he had inherited his late father's outstanding debt. Then his

debt increased when fines were imposed after a *graphe paranomon* had succeeded against him. Further fines were imposed when he failed to obtain one fifth of the votes in a prosecution he had instituted. His debt was doubled as a penalty incurred for not paying it off within a time limit. When Ariston registered yet another debt against him, Aristogeiton responded with a *graphe pseudeggraphes*. In an effort to pay his fines Aristogeiton had sold an estate to his brother on the understanding that instalments would be paid to the state. This caused him to claim that his brother was now the state-debtor and thus he resumed life as a full citizen. At this point Lycurgus and Demosthenes brought against him an information. There were two points at issue: first whether Aristogeiton or his brother were liable for the outstanding debt; secondly whether Aristogeiton's registration as a state-debtor remained valid during his action against Ariston. Orations 25 and 26 purport to be the speeches delivered by Demosthenes in the case against Aristogeiton. There is doubt about whether these speeches were delivered at the trial, about whether they were written by Demosthenes, and about whether they were even written in the time of Demosthenes. For discussion see H. Weil 1886, pp.292-99, who accepts oration 25 as a genuine speech of Demosthenes. At pp.353-55 he rejects oration 26 saying that it is not the work of the same author. In the *hypothesis* at sections 6 and 7 Libanius endorses the views of other commentators that oration 25 is a genuine speech of Demosthenes while oration 26 is not. On the other hand Dionysius of Halicarnassus

Demosthenes 57 rejects both speeches. D.F. Jackson and G.O. Rowe 1969, p.74, summarize the views of twentieth century commentators. Oration 26 continues to be considered spurious while ambivalence remains about the origin of oration 25. There are four obstacles to accepting oration 25 as a genuine speech of Demosthenes:

(1) the rejection of Dionysius.

(2) the extreme vitriol and personal tone of the remarks directed against Aristogeiton.

(3) stylistic traits not otherwise found in Demosthenes' speeches.

(4) alleged inaccuracies about fourth century Athenian political and juridical technicalities.

M. Pohlenz 1924A and C. Kramer 1930 favour Demosthenic authorship. P. Reves 1936 observes a difference in attitude between oration 25 and oration 18. However his views are refuted by G. Mathieu 1937 who suggests that changed circumstances can account for a change in attitude. It will be considered in the analysis of the introduction whether there is evidence for supposing that the speech was not written by Demosthenes.

The opening words of the introduction resemble the introduction of Hyperides, *For Euxenippus*:

ἀλλ' ἔγωγ', ὧ ἄνδρες Ἀθηναῖοι, ὅπερ καὶ πρὸς τοὺς παρακαθημένους ἀρτίως ἔλεγον, θαυμάζω, εἰ μὴ προσίστανται ἤδη ὑμῖν αἰ τοιαῦται εἰσαγγελαίαι.

H. Weil 1886, p.307, suggests that the resemblance gives weak grounds for supposing that oration 25 was written by Hyperides. It could equally have been written by somebody who copied the idea from Hyperides.

The sentence with which oration 25 begins does not provide a very arresting opening. Indeed an audience might suspect a speaker who begins like this of wasting their time. His mild compliment to his colleague's speech, followed by his feigned surprise and contrived criticism, which introduce the paradoxical statement about the inferiority of argument to the disposition of each juror, take a long time to get to the point and could cause offence along the way. A cynical member of the audience might respond to the alleged inefficacy of their arguments by wondering why, therefore, the speaker insists upon making a speech at all. Thus the speaker runs the risk of doing himself a disservice almost before he has got his speech off the ground. His aim, of course, is to remove audience prejudice by challenging them about their attitude towards villainy. Presumably by *πονηρίαν* he means the kind of behaviour practised by his opponent. However, by expressing the alternatives as a generalization, *τὸ δυσχεράνειν ἢ προσέεισθαι πονηρίαν*, he will probably cause the jury offence because no self-respecting juror would like to regard himself as one who would condone villainy, and yet the speaker seems to be implying that he would. Thus the speaker's attempt to reproach the jury into supporting him against his villainous opponent could easily backfire if

the jury think that he has insulted them.

The speaker admits that while it was necessary to conduct the prosecution and to make extensive speeches for the sake of custom and for the jury to hear, this matter has already been judged by each juror in his heart.

Attention, goodwill (501)

καὶ ἔγωγ' ὑπολαμβάνω τὴν μὲν κατηγορίαν καὶ τὸ τῶν λόγων πλῆθος ἔθους ἔνεκα καὶ τῆς ὑμετέρας ἀκροάσεως δεῖν ποιήσασθαι, κενρίσθαι δὲ τοῦτο τὸ πρᾶγμα πάλαι ὑπὸ τῆς ἐκάστου φύσεως οἴκοθεν ... 25.2

It is difficult to see what the speaker hopes to gain from his admission that it was necessary to undertake the prosecution for the sake of custom, ἔθους ἔνεκα. He gives the impression that he is just going through the motions. Such diffidence is hardly likely to win goodwill. The phrase τὸ τῶν λόγων πλῆθος could discourage the jury from listening since it suggests that they are in for a long session. τῆς ὑμετέρας ἀκροάσεως may be a discreet appeal for a hearing or it could simply be connected with ἔθους ἔνεκα in the sense that it is customary for litigants to make speeches and for juries to hear them before decisions are pronounced. The latter interpretation is attractive because it gives more point to the speaker's next comment that the matter has been decided already, πάλαι, before the jury have heard the speeches. Thus the speaker accuses the jury of prejudice. This is an example of feature 501

because the speaker wants to dispel prejudice by anticipating it. However, all he might do is to antagonize the jury.

If the majority of the jury like and protect villains, declamation will be futile; but if they hate them, then, god willing, the speaker's opponent will be punished.

Goodwill (501)

καὶ νυνὶ εἰ μὲν εἰσιν ὑμῶν οἱ πλείους οἷοι τοὺς πονη-
ροὺς φιλεῖν καὶ σῶζειν, μάτην ἔρραψωδηκότας ὑμᾶς ἔσεσθαι, εἰ
δ' οἷοι μισεῖν, δίκην, ἔαν θεὸς θέλῃ, τοῦτον δώσειν. 25.2

The speaker now makes explicit the points to which he has been alluding. The first alternative is clearly a non-starter: the jury are not supporters of villains, nor does the speaker intend his speech to be in vain. The speaker's purpose is to dispel prejudice by anticipation, feature 501. However this is a rather heavy-handed attempt. What he means is that, if the jury like and protect Aristogeiton, then declamation will be futile. However, by generalizing, he may be understood to imply that the jury like and protect villains all and sundry, which could cause offence. ἔρραψωδηκότας is an unusual word to find in this context. It means 'repeat by heart' or 'declaim' in the sense that one would recite poetry. The scholia, M.R. Dilts 1986, p.378 no.3, suggest that it means 'talk nonsense', πεφλυαρηκότας. Does this mean, then,

that the speaker is saying that he will have been rambling on in vain? Such self-denigration, even if sarcastic, is surely ill-advised. The use of this word suggests that Demosthenes did not write this passage. Demosthenes himself uses the word in a clearly contemptuous way at 14.12:

οὐδὲν οὔν ἄλλ' ἢ ῥαψωδήσουσιν οἱ πρέσβεις περιιόντες.

14.12

It is improbable that Demosthenes would use such a derogatory word to describe his own public speaking. Eventually the present speaker makes a specific reference to his opponent and identifies him as one of the villains that he has been mentioning. Given that the jury hate villains his opponent will be punished, δίκην ... τοῦτον δώσειν. He emphasizes the strength of his feeling with a reference to god, ἐὰν θεὸς θέλη. The aim of this sentence is to impress upon the jury how they should vote and that the penalty should be severe.

Although many topics have been discussed and all of them discussed well, the speaker will not hesitate to express his own observations to the jury.

Attention, goodwill

πολλῶν δὲ λόγων εἰρημένων καὶ πάντων καλῶς, οὐκ ὀκνήσω πρὸς ὑμᾶς εἰπεῖν & γ' ἐμοὶ φαίνεται. 25.3

The first half of this sentence seems unnecessary

repetition. Why does he say this? To allow a pause for his previous statement to sink in? To persuade the jury that he and his colleague are indeed saying the right things? Perhaps it is best to take it with the whole sentence which is intended to rouse curiosity about what the speaker is going to say next. What more can the speaker add if already many topics have been well discussed? The insinuation is that the best is yet to come. But the speaker postpones this revelation and adds another preliminary designed to win attention by rousing curiosity.

The present case does not seem to resemble any others.

Attention

ἔμοι γὰρ οὐδ' ὀτιοῦν εἰκέναι δοκεῖ τοῖς ἄλλοις ὁ παρῶν ἀγών. 25.3

This is an appeal for attention on the ground that the present case is special.

Consider this. Juries come to all the courts to learn from plaintiff and defendant the matters upon which they have to vote while litigants come to show that for each the rights of the laws are strong on his side.

Goodwill

σκοπεῖτε δ' οὕτως. πρὸς ἅπαντ' ἔρχονται τὰ δικαστή-

ρια οἱ μὲν δικασταὶ παρὰ τοῦ κατηγοροῦ καὶ τοῦ φεύγοντος τὸ πρᾶγμα μαθησόμενοι περὶ οὗ δεήσει τὴν ψῆφον ἐνεγκεῖν αὐτούς, οἱ δ' ἀντίδικοι μεθ' ἑαυτοῦ δείξων ἑκάτερος ὄντα τὰ τῶν νόμων δίκαια.

25.3

The speaker defines the roles of jurors and litigants. This is a generalization which is cited so that he can apply the rules to the present case. He is reminding the jury of their duty. Once more his purpose is to remove prejudice.

How does the present case stand? The jury who are about to give their verdict have come to court knowing better than the plaintiffs that the opponent is a state-debtor, that he has been registered thus in the acropolis, and that he is not allowed to make speeches.

Statement (101), goodwill

τὰ δὲ τούτου τοῦ ἀγῶνος πῶς ἔχει; οἱ μὲν δικάσοντες ὑμεῖς ἤκετε μᾶλλον ἡμῶν τῶν κατηγορῶν εἰδότες καὶ ὀφείλοντα τῷ δημοσίῳ τοῦτον καὶ ἐγγεγραμμένον ἐν ἀκροπόλει καὶ οὐκ ἐξὸν αὐτῷ λέγειν.

25.4

Instead of a plea for impartiality as one might have expected, the speaker attempts to transfer from himself to his opponent any prejudice which the jury might be harbouring. This is the point of his use of the word εἰδότες. He gives them reasons for feeling ill-disposed towards Aristogeiton. This also serves to state the back-

ground of the case, feature 101. Aristogeiton is a state-debtor. The speaker cites as evidence the fact that this has been registered in the acropolis. His final point, that Aristogeiton is not allowed to speak, is meant to highlight that Aristogeiton is illegally exercising civic rights to which he is not entitled, οὐκ ἔξδὸν αὐτῷ λέγειν. A state-debtor forfeited his right to address the Ecclesia. For discussion of the disfranchisement of state-debtors see A.R.W. Harrison 1971, pp.172-75 and D.M. MacDowell 1978, pp.74-5. For discussion of debt to the state see D.M. MacDowell 1978, pp.164-67.

Each of the jury is in the position of a plaintiff, knowing the issue and not needing to learn it.

Goodwill

ὥσθ' ἕκαστον ὑμῶν κατηγοροῦ τάξις ἔχειν καὶ τὸ πρᾶγμα
εἰδέναί, μὴ μαθεῖν δεῖσθαι. 25.4

The speaker presumes the jury's support. He makes each of them a fellow prosecutor who already knows the facts and does not need to learn them. This is meant to suggest that the speaker's case is so obviously right that one cannot help but support him.

The defendant has come to court with nothing at all to save him, with no just arguments on behalf of the issue itself, without the mitigation of a decent past life, in fact with nothing good whatever.

Goodwill

ὁ δὲ κρινόμενος τῶν μὲν εἰς σωτηρίαν φερόντων ἄλλ'
οὐδ' ὀτιοῦν πάρεστιν ἔχων, οὐ τοὺς ὑπὲρ αὐτοῦ τοῦ πράγματος
λόγους δικαίους, οὐ τὸν ἑαυτοῦ βίον ἀνθρώπινον, οὐκ ἄλλ'
οὐδ' ὀτιοῦν ἀγαθόν. 25.5

To discredit his opponent further the speaker describes the bankruptcy of his defence. The opponent has none of the usual means available for defence. The speaker tries to cover everything. The opponent has no just arguments, οὐ τοὺς ... λόγους δικαίους. He cannot win approval by citing the record of a worthy life, οὐ τὸν ἑαυτοῦ βίον ἀνθρώπινον. He cannot offer anything good at all, οὐκ ἄλλ' οὐδ' ὀτιοῦν ἀγαθόν. The latter is meant to be all-embracing. Aristogeiton has nothing to say in his favour. Litigants could cite their public services, or those of their relatives. They could call on influential friends to intercede for them. The speaker suggests that none of this is open to Aristogeiton. The aim of this sentence, then, is to deny his opponent the standard defence tactics of justice and mitigation.

The opponent thinks that he will be saved by what any innocent person would fear.

Goodwill

δι' ἃ δ' ἂν καὶ μηδ' ὀτιοῦν ἀδικῶν τις ἔδεισε, διὰ ταῦθ'
οὗτος οἴεται σωθήσεσθαι. 25.5

This scathing comment is designed to portray Aristogeiton as a monster. The speaker plays on the audience's curiosity to insinuate that Aristogeiton has committed some foul deed.

The opponent stakes his hope of acquittal on the excessiveness of his villainy.

Goodwill

έν γάρ τῇ τῆς πονηρίας ὑπερβολῇ τὴν ἐλπίδα τῆς σωτηρίας ἔχει. 25.5

This statement is rather an anti-climax. The speaker offers nothing new but returns to the well-worn charge of villainy, τῆς πονηρίας.

This being the case, it seems to the speaker that one would not be mistaken in saying that, while his opponent is the one who is being judged, it is the jury's reputation that is being put to the test.

Goodwill

οὕτω δ' ἐχόντων τούτων, δοκεῖ μοί τις οὐκ ἂν ἁμαρτεῖν εἰπὼν ὅτι νυνὶ κρίνεται μὲν Ἀριστογείτων, δοκιμάζεσθε δὲ καὶ κινδυνεύεθ' ὑμεῖς περὶ δόξης. 25.6

The first two parts of the sentence, οὕτω δ' ἐχόντων τούτων and δοκεῖ μοί τις οὐκ ἂν ἁμαρτεῖν εἰπὼν, are meant

to create an impression of assent. Thereafter the speaker tries to influence the jury with the threat of what people will think of them if they make the wrong decision. The speaker wants to put the jury on the spot. He explains next how their decision will affect their reputations.

If the jury are clearly seen to be angry at and punish wrongdoing, then the jurors will seem to be judges and custodians of the law.

Goodwill (423)

εἰ μὲν γὰρ ὀφθήσεσθ' ἐπὶ τοῖς οὔτω φανεροῖς καὶ μεγάλοις ἀδικήμασιν ὀργιζόμενοι καὶ τιμωρούμενοι, δόξετε τοῦθ', ὅπερ ἔστέ, δικασταὶ καὶ φύλακες τῶν νόμων εἰσεληλυθέναι· 25.6

The speaker tells the jury how they can enhance their reputations. Of course, this involves demonstrating their support for the speaker. But he expresses this as a generalization. They must demonstrate their anger at and their resolve to punish what he calls such obvious and serious wrongs, οὔτω φανεροῖς καὶ μεγάλοις ἀδικήμασιν. He suggests here that his opponent is guilty of serious wrongdoing and that his guilt is obvious. To put pressure on the jurors he reminds them of their status as judges and upholders of the law, δικασταὶ καὶ φύλακες τῶν νόμων. This reference to the laws is an example of feature 423.

If another motive exists which no one would admit it will be betrayed by the jurors' votes and the speaker fears

that the jurors will appear to some as training-masters of aspiring villains.

Goodwill

εἰ δ' ἕτερόν τι περιέσται τούτων, ὃ μηδεὶς μὲν ἂν αὐ-
τὸς πεποιηκέναι φήσειεν, ἐν δὲ ταῖς ψήφοις εὐρεθήσεται, δέ-
δοικα μὴ δόξητέ τισιν τὸν ἀεὶ βουλόμενον εἶναι πονηρὸν τῶν
ἐν τῇ πόλει παιδοτριβεῖν. 25.7

The speaker again tries to produce assent using a negative this time. He says that no one would admit to having a certain other motive. This is meant to put pressure on the jury to support him. He suggests that anyone who has such a motive will not be able to hide it because it will be betrayed by the votes. His final comment is a scathing taunt which he introduces with a caution, δέδοικα μὴ. Again he concentrates on their reputation, δόξητέ τισιν. He warns that supporting villains will cause them to be tarred with the same brush. They will appear to be trainers for aspiring villains, τὸν ἀεὶ βουλόμενον εἶναι πονηρὸν τῶν ἐν τῇ πόλει παιδοτριβεῖν. The word παιδοτριβεῖν is a technical term for a gymnastic trainer. It is as if the speaker is saying that the jurors would set themselves up as specialists and consultants in the art of villainy.

Every villain is in himself weak. He derives strength from the support of jurors.

Goodwill

ἀσθενῆς μὲν γὰρ ἐστὶν ἄπας ὁ πονηρὸς καθ' ἑαυτόν· ὧ δ' ἂν ὑμεῖς πρόσθησθε, οὗτος ἰσχυρὸς γίγνεται. 25.7

The speaker uses generalization to stress the importance of jurors' influence on villains. But his statement is ridiculous and defies belief. Incongruously ἰσχυρὸς recalls ἰσχυρά from 25.1 where the jurors' attitude to villainy was alleged to determine the outcome of cases. In the next sentence the idea of villains deriving their strength from the jurors' support is developed.

This is a source of livelihood and power for the one receiving support from the jurors but for those of the jury who give support this is a matter of reproach.

Goodwill

ἔστι δὲ τοῦτο τῷ μὲν λαβόντι παρ' ὑμῶν ἐργασία καὶ δυναστεία, ὑμῶν δὲ τοῖς δοῦσιν ὄνειδος. 25.7

What does the speaker mean by ἐργασία? H. Weil 1886, p.309, suggests reasonably that it refers to the practice of sycophants and cites 25.82:

καὶ τί ποιῶν ζήσεται; τὰ γὰρ τῶν ἄλλων κακὰ τοῦτον τρέφει. οὐκοῦν ἐν κρίσεσι καὶ ἀγῶσι καὶ πονηραῖς αἰτίαις ἅπαντας εἶναι βούλεται· ταῦτα γεωργεῖ, ταῦτ' ἐργάζεται.

25.82

The speaker at 25.82 describes the practice of Aristogeiton himself. ἐργάζεται recalls ἐργασία. Therefore I agree with Weil's suggestion. The purpose of the sentence as a whole is to pressurize the jury into supporting the speaker by exploiting fear of reproach. Are the jurors likely to be susceptible to this moral blackmail? Is it not more probable that they would find it insulting, irritating and even ludicrous?

Before mentioning the opponent's private affairs the speaker would like the audience to examine seriously but briefly how much shame and notoriety all such monsters, of whom the opponent is first, middle, and last, bring on the city.

Statement (102), goodwill

βουλοίμην δ' ἄν, ὧ ἄνδρες Ἀθηναῖτοι, πρὸ τοῦ περὶ τῶν ἰδίων ἐμὲ τῶν τουτουὶ λέγειν, σπουδάσαντας ὑμᾶς ἐξετάσαι διὰ βραχέων εἰς ὄσσην αἰσχύνην καὶ ἀδοξίαν προῆχε τὴν πόλιν δημοσίᾳ πάντα τὰ τοιαῦτα θηρία, ὧν μέσος καὶ τελευταῖος καὶ πρῶτός ἐστιν οὗτος. 25.8

The speaker's promise, feature 102, to deal later with his opponent's private affairs, resembles *paraleipsis* but it is used to no effect. The speaker does not avail himself of the opportunity to say something incriminating about his opponent's private life. Next the speaker asks the audience to concentrate for a moment on what he is about to say immediately. His use of indirect question is

designed to exaggerate his censure of his opponent by inviting the audience to speculate on the extent of the repercussions. However the substance of his censure is minimal, amounting only to calling names, πάντα τὰ τοιαῦτα θηρία, ὧν μέσος καὶ τελευταῖος καὶ πρῶτός ἐστιν οὗτος.

The speaker will pass over other matters.

Statement (102)

καὶ τὰ μὲν ἄλλ' ἐάσω·

25.9

This is *paraleipsis* itself but it is wasteful. The speaker does not score any points. At best this sentence allows a pause which signals that the audience should concentrate on what the speaker is about to say. The scholia, M.R. Dilts 1986, p.378 no.7, suggest *aposiopesis*:

περὶ ἀποσιωπῆσεως

They cite the variant reading, ὧν τὰ μὲν ἄλλα ἐάσω. Since ὧν offers more connection with what has gone before than καὶ, this reading would be a better example of *aposiopesis*. The idea of a sudden breaking off provoked by strong feeling mitigates a little the weak content of the sentence, but not much. It is still a lame contribution.

The opponent and his associates stand up in the Ecclesia, where the Athenians expect an exposition of opinion, not a flaunting of villainy, primed for audacious

behaviour, loud shouting, false charges, malicious accusation, shamelessness and everything like that, than which one could find nothing more opposed to deliberation nor, in the speaker's opinion, more shameful.

Goodwill

ἄλλ' εἰς τὰς ἐκκλησίας ἀναβαίνουσιν, ἐν αἷς ὑμεῖς γνώμης ἀπόδειξιν, οὐ πονηρίας τοῖς λέγουσι προτίθετε, τόλμαν καὶ κραυγὴν καὶ ψευδεῖς αἰτίας καὶ συκοφαντίαν καὶ ἀναισχυντίαν καὶ πάντα τὰ τοιαῦτα συνεσκευασμένοι, ὧν οὐκ ἂν εὐροί τις ἐναντιώτερα τῷ βουλευέσθαι, νομίζω δ' οὐδ' ἂν αἰσχίω. 25.9

The speaker now catalogues Aristogeiton's disgraceful behaviour in the Ecclesia. He qualifies his charges with comments which relate this behaviour to expected conduct, ὑμεῖς γνώμης ἀπόδειξιν, οὐ πονηρίας τοῖς λέγουσι προτίθετε, and ὧν οὐκ ἂν εὐροί τις ἐναντιώτερα τῷ βουλευέσθαι, νομίζω δ' οὐδ' ἂν αἰσχίω. Not only is all this meant to disparage Aristogeiton but it is also intended to exert moral blackmail upon the jury. The speaker implies that the jury have a moral obligation to oppose Aristogeiton and hence to support the present speaker.

By these shameful methods the opponents and his associates get the better of everything that is fine in the city, the laws, the committees, the programme, the maintenance of order.

Goodwill (423)

καὶ τούτοις τοῖς αἰσχροῖς ἀπάντων τῶν τῆς πόλεως καλῶν
περίεισι, τῶν νόμων, τῶν προέδρων, τοῦ προγράμματος, τῆς εὐ-
κοσμίας. 25.9

The speaker tries to create the impression that Aristogeiton and his cronies are a public nuisance, not to mention a threat. He uses the same cumulative technique with which he listed the bad behaviour in the Ecclesia. This time he catalogues Aristogeiton's 'victims'.

If the jury wants this and approves of those men's behaviour, they should let events take their course.

Goodwill

εἰ μὲν οὖν ὑμεῖς ταῦτα βούλεσθε καὶ μετὰ τῆς
ὑμετέρας γνώμης οὗτοι ταῦτα ποιοῦσιν, ὁδῶ βαδίζει καὶ ἔαν
δεῖ· 25.10

The speaker now resumes his technique of offering the jury alternatives, the first of which is not meant to be taken seriously. Its purpose is to prick the jury's conscience and to spur them to adopt the second alternative.

If the jury thinks it is necessary to put this right even now and to restore affairs that have gone too far and have for a long time now been shamefully and wickedly mismanaged by these men, then the jury must disregard all such practices and give the right verdict today, and the

jury must esteem the Goddess Order, the lover of justice who protects all cities and lands.

Goodwill

εἰ δ' ἐπανορθώσασθαι ταῦτ' ἔτι καὶ νῦν οἴεσθε χρῆναι καὶ τὰ προειμένα πόρρω καὶ πολλὸν ἤδη χρόνον αἰσχροῦς καὶ κακῶς ὑπὸ τούτων διακείμενα βελτίω ποιῆσαι, πάντα τὰ τοιαῦτ' ἔθνη παριδόντας ὑμᾶς τήμερον ὀρθῶς δεῖ δικάσαι, τὴν τὰ δίκαι' ἀγαπῶσαν Εὐνομίαν περὶ πλείστου ποιησαμένου, ἥ πάσας καὶ πόλεις καὶ χώρας σφίξει.

25.10-11

ἔτι καὶ νῦν suggests that a prompt response is required. The jury are to be motivated by the chance to put everything right. They can do this by giving the right verdict. The speaker has expanded the jury's sphere of influence. He does not merely invite them to decide the particular case in which he is engaged but to put right all the malpractices which he has been censuring. The call to give the right verdict, ὀρθῶς δεῖ δικάσαι, ought to have been enough but the sentence does not end here. The audience are exhorted to value the Goddess Order, who is afforded the courtesy of epithets. This intrusion of a deity is unusual and suggests that this was not written by Demosthenes. The speaker adds a religious element to his moral blackmail.

Each juror must vote in this way with the thought that watching is the inexorable and holy Justice who according to Orpheus, instructor in the most sacred rites,

sits beside the throne of Zeus and supervises all the affairs of mankind, and each juror must watch that he does not shame the goddess from whom everyone that is chosen by lot derives the name juror, since today he has received from the laws, the constitution and the native land, as a deposit under oath, the task of guarding everything fine, just and beneficial in the city.

Attention (208) (207) (209), goodwill (422) (424) (423)

καὶ τὴν ἀπαραίτητον καὶ σεμνὴν Δίκην, ἣν ὁ τὰς ἀγιωτά-
τας ἡμῶν τελετὰς καταδείξας Ὀρφεὺς παρὰ τὸν τοῦ Διὸς θρό-
νον φησὶ καθημένην πάντα τὰ τῶν ἀνθρώπων ἐφορᾶν, εἰς αὐτὸν
ἕκαστον νομίσαντα βλέπειν οὕτω ψηφίζεσθαι, φυλαττόμενον καὶ
προορώμενον μὴ καταλισχῦναι ταύτην, ἧς ἐπώνυμός ἐστιν ὑμῶν
ἕκαστος ὁ ἀεὶ δικάζειν λαχόν, πάντα τὰ ἐν τῇ πόλει καλὰ καὶ
δίκαια καὶ συμφέροντα [φυλάττων καὶ] ταύτην τὴν ἡμέραν πα-
ρακαταθήκην ἔνορκον εἰληφῶς παρὰ τῶν νόμων καὶ τῆς πολιτεί-
ας καὶ τῆς πατρίδος.

25.11

The barrage of moral pressure is kept up but what are the jury to make of it? The speaker presents his material like a Religious Knowledge lesson. There is also a lesson in semantics, ἧς ἐπώνυμός ἐστιν ὑμῶν ἕκαστος ὁ ἀεὶ δικάζειν λαχόν. His appeal is to the jurors' consciences but he runs the risk of losing his thrust among the pedantry. Finally he reminds them of their civic responsibilities. Many features are combined. καλὰ attracts attention as feature 208. δίκαια attracts attention as feature 207 and goodwill as feature 422. συμφέροντα attracts attention as

feature 209 and goodwill as feature 424. τῶν νόμων is goodwill feature 423. The speaker is careful to remind the jury that they are under oath. The implication of this sentence is that the conscientious juror can fulfil his duty by supporting the speaker. But it is not very subtle. The speaker overstates his case.

If the jury do not have this attitude but come to court and take their seats with their customary nonchalance, then the speaker fears that the affair will be turned upside down and the plaintiffs who seem to accuse the defendant may appear to be accusing the jury.

Attention, goodwill

ὡς εἰ μὴ τοῦτον ἔξετε τὸν τρόπον, ἀλλ' ἀπὸ τῆς συνήθους εὐηθείας εἰσεληλυθότες καθεδεῖσθε, φοβοῦμαι μὴ τὸ πρᾶγμ' εἰς τούναντίον περιστῆ καὶ δοκοῦντες ἡμεῖς Ἀριστογείτονος κατηγορεῖν ὑμῶν κατηγοροῦντες φανῶμεν* 25.12

Earlier in the introduction at 25.4 the speaker likened the jurors to prosecutors. Now he offers them a position akin to that of defendant by suggesting that they will have to answer charges. Is he threatening them or teasing them? His aim is to stir their conscience. He taunts them with a comment about their customary nonchalance, τῆς συνήθους εὐηθείας. This is designed to make them take the subject more seriously and is therefore an appeal for attention. But how are the jurors likely to react to this threat of 'prosecution'? The speaker

justifies his comment in the next sentence.

The more the speaker and his colleague prove the opponent's villainy without the jury paying any heed, the greater will be the jury's shame.

Attention, goodwill

ὄσω γὰρ ἂν μᾶλλον ἡμῶν δειξάντων τὴν τούτου πονηρίαν
μηδὲν ὑμεῖς φροντίσητε, τοσοῦτω μείζων ἢ καθ' ὑμῶν αἰσχύνη
γενήσεται. 25.12

Censure of the jury's lack of heed, μηδὲν ὑμεῖς φροντίσητε, is an appeal for attention. The suggestion that this will increase the jury's shame rules out the idea that the speaker was teasing them in the previous sentence. His aim is to impress upon them the seriousness of the matter. He insinuates his opponent's guilt with the words ὄσω ... μᾶλλον ἡμῶν δειξάντων τὴν τούτου πονηρίαν. He continues to use his favourite charge, πονηρίαν, which is fast becoming hackneyed on his lips. Perhaps he suddenly realizes this because he breaks off abruptly with the short concluding statement which follows.

Enough of this!

Goodwill

καὶ περὶ μὲν τούτων ἱκανά. 25.12

The speaker may win goodwill with this announcement.

Perhaps he would have won more goodwill if he had said this earlier. The speaker now begins to round off the introduction.

The speaker will tell the jury the truth with complete candour.

Attention (211), goodwill

πάνυ δ', ὧ ἄνδρες Ἀθηναῖοι, μετὰ πάσης οἰκειότητος
ἔρω τάληθῆ πρὸς ὑμᾶς. 25.13

Although jurors might regard a speaker's promise to tell the truth, feature 211, as a convention, in this example the speaker adds the phrase μετὰ πάσης οἰκειότητος. The noteworthy word, οἰκειότητος, means 'relationship' or 'kindred', even 'intimacy' and 'friendship'. Hence the kind of truth, which the speaker is promising to deliver, is the frankness shared between friends and relatives. One could argue that this is hypocritical after the treatment he has been giving the jury. Alternatively it could be argued that brutal frankness is a characteristic of families and hence the speaker's moral pressure is a form of avuncular advice. However the simple explanation is that the phrase μετὰ πάσης οἰκειότητος is just an example of the speaker's extravagance.

When the speaker observed the Athenians in the Ecclesia proposing and selecting him as a prosecutor, he was disturbed and by Zeus and by all the gods he was

unwilling.

Goodwill

ἐγὼ γὰρ ἐν ταῖς ἐκκλησίαις δρῶν ὑμᾶς κατατάττοντάς με καὶ προχειριζομένους ἐπὶ τὴν τούτου κατηγορίαν, ἡχθόμην καὶ μὰ τὸν Δία καὶ πάντας θεοὺς οὐκ ἐβουλόμην. 25.13

The oaths emphasize the speaker's unwillingness. However this expression of reluctance, far from being unusually candid, is also a convention of public speaking, indeed a rhetorical feature designed to win goodwill by averting suspicion of litigiousness.

The speaker is not unaware that one who has undertaken anything like this before a jury ends up in trouble.

Goodwill

οὐ γὰρ ἡγνόουν ὅτι ὁ ποιήσας τι τοιοῦτον παρ' ὑμῖν καὶ παθῶν ἀπέρχεται. 25.13

This is a plea for sympathy. The speaker is trying to create the impression that he is unaccustomed to litigation and is daunted by the prospect given the experience of others. The scholia, M.R. Dilts 1986, p.378 no.9, suggest that by παθῶν ἀπέρχεται the speaker means that he will become the victim of other people's prosecutions:

καὶ αὐτὸς κατηγορηθήσεται ὑπ' ἄλλων.

The speaker qualifies his statement in the next sentence.

Not that one recognizes this at once, but if one perseveres in many such activities, one will soon find out.

Goodwill

εἰ δὲ μὴ τηλικούτον ὥστ' εὐθύς αἰσθέσθαι, ἀλλ' ἔαν πολλὰ τοιαῦτα ποιῆ καὶ μὴ παύηται, ταχὺ γινώσεται 25.13

This comment is designed to increase his chances of winning sympathy as a potential victim of law suits. Perhaps the speaker feels that this is a more fruitful line of argument to develop than the idea that he has little experience of litigation, especially if it is suspected that he has been involved in litigation before.

Nevertheless the speaker thought it necessary to obey the Athenians' wishes.

Goodwill (601)

ὁμῶς δ' ἀναγκαῖον ἡγούμην εἶναι πείθεσθαι τοῖς ὑμετέροις βουλήμασιν. 25.13

The speaker continues to try to remove suspicion of litigiousness. He still places responsibility with the Ecclesia members, τοῖς ὑμετέροις βουλήμασιν. But he now also blames necessity, ἀναγκαῖον, feature 601.

The speaker considered that his colleague would explain, as he has in fact done, the rights of the information and the laws, and he observed him calling witnesses of the opponent's villainy.

Statement (101), goodwill

τὰ μὲν οὖν περὶ τῆς ἐνδείξεως καὶ τῶν νόμων δίκαια αὐτόν, ὅπερ πεποίηκεν, Λυκοῦργον ἔρεῖν ἡγούμην, καὶ τοὺς μάρτυρας τῆς πονηρίας τῆς τούτου τοῦτον ἑώρων προσκαλούμενον·

25.14

The speaker is now bringing the introduction to a close and gives the jury information about how the speaker and his colleague have divided topics between themselves. Nevertheless he avails himself once more of an opportunity to mention his opponent's villainy, τῆς πονηρίας τῆς τούτου.

The speaker has chosen to discuss those topics which are fitting and necessary for those deliberating on behalf of the city and the laws and he will proceed to these now.

Statement (102), attention, goodwill (422)

ἃ δὲ καὶ λογίζεσθαι τοὺς ὑπὲρ πόλεως καὶ νόμων βουλευομένους προσήκει καὶ σκοπεῖσθαι δεῖ, ταῦτα προηρούμην εἰπεῖν, καὶ νῦν ἐπὶ ταῦτα πορεύσομαι.

25.14

The aim of this sentence is to attach to the speaker's subject a status which will make it worthy of attention. Hence his use of the following expressions: τοὺς ὑπὲρ

πόλεως καὶ νόμων βουλευομένους and προσήκει and σκοπεῖσθαι δεῖ. Mention of the laws in this way is an example of feature 423.

The introduction concludes with a request:

The speaker requests that the jury allow him to speak in the way that suits him best by nature.

Attention, goodwill

δοτε δ', ὧ ἄνδρες Ἀθηναῖοι, δοτε καὶ συγχωρήσατέ μοι πρὸς Διός, ὡς πέφυκα καὶ προήρημαι, περὶ τούτων διαλεχθῆναι πρὸς ὑμᾶς

25.14

The request formula is very long-winded and extravagant. It is lengthened even further by the inclusion of an oath. The speaker is signalling that the main part of the speech is about to begin and that the audience should therefore pay attention. The speaker is also drawing attention to the word πέφυκα. The implication is that the speaker is not a natural public speaker but a plain man inexperienced in litigation. The final sentence is a comment on this.

For the speaker cannot speak in any other way.

Goodwill

καὶ γὰρ οὐδ' ἂν ἄλλως δυναίμην.

25.14

This is a poor ending. The speaker draws attention to

one of his weaknesses. No doubt his motive is to win sympathy but he has distracted the audience from all the good reasons he gave a couple of sentences earlier for paying attention and giving support.

ARRANGEMENT

G

A, G (501)

G (501)

A, G

A

G

S (101), G

G

G

G

G

G

G (423)

G

G

G

S (102), G

S (102)

G

G (423)

G

G

A (208) (207) (209), G (422) (424) (423)

A, G

A, G

G

A (211), G

G

G

G

G (601)

S (101), G

S (102), A, G (423)

A, G

G

AIM

The aim of this introduction is to dispel any prejudice the jury might have against the speaker, to stress the jury's duty to discourage villains, to discredit the speaker's opponent and to secure a hearing by suggesting that the case is special and important. Apart from mentioning that the opponent is a state-debtor the speaker does not offer a detailed explanation of the background of the case. Presumably his colleague, who spoke first, has already done this. Instead he makes vague charges against Aristogeiton which generally amount only to the accusation of villainy.

Several factors suggest that this introduction was not written by Demosthenes:

(a) its inordinate length compared with other Demosthenic introductions.

(b) the use of the word ἔρραφωδηκότας.

(c) the pedantic references to gods and their epithets.

The introduction contains many rhetorical faults and weaknesses: the long-winded and uninspiring opening, the reference to prosecution for the sake of custom, the insensitive generalizations which could offend the jury, the repetitive charges of villainy and the ludicrous claims about the nature of villains, the small-minded name-calling, the wasteful use of paraleipsis, the extravagant mention of gods with gratuitous inclusion of epithets, and the weak apologetic ending.

Oration 26

ANALYSIS

That the opponent is a state debtor and is disfranchised, and that the laws expressly forbid such men to make speeches, has been obviously proved.

Statement (101), goodwill (423)

ὅτι μὲν τοίνυν καὶ ὀφείλει τῷ δημοσίῳ Ἀριστογείτων οὐτοσὶ καὶ οὐκ ἔστιν ἐπίτιμος, καὶ οἱ νόμοι διαρρήδην ἀπαρέουσιν μὴ ἐξεῖναι λέγειν τοῖς τοιούτοις, φανερῶς ἐπιδέ-

This is a second speech delivered by the speaker of oration 25 in the case against Aristogeiton. The introduction consists of a single sentence in which the speaker concisely states his legal case and the obviousness of his opponent's guilt. His mention of the laws is feature 423.

ARRANGEMENT

S (101), G (423)

AIM

The aims of this introduction are to state the legal grounds of the case, that although Aristogeiton is a state debtor he has been addressing the Ecclesia illegally, and to claim that this has been obviously proved.

This introduction is very short because a second speech by the same speaker on the same occasion does not really need an introduction. Other examples are orations 28, 31 and 46. The speaker of oration 46 dispenses with an introduction. The speaker of oration 31 makes a short prediction about the subject matter of his speech:

ὃ παρέλιπον ἐν τῷ προτέρῳ λόγῳ τεκμήριον, οὐδενὸς τῶν εἰρημένων ἔλαττον, τοῦ μὴ δεδωκέναι τὴν προῖκα τούτους Ἀφόβῳ, τοῦτο πρῶτον εἰπὼν, μετὰ τοῦτο καὶ περὶ ὧν οὗτος

ἔφευσται πρὸς ὑμᾶς ἐξελέγχειν αὐτὸν πειράσομαι.

31.1

Oration 28 also begins with a prediction:

πολλὰ καὶ μεγάλ' ἐφευσμένου πρὸς ὑμᾶς 'Αφόβου, τοῦτ'
αὐτὸν ἐλέγξαι πειράσομαι πρῶτον, ἐφ' ᾧ μάλιστ' ἠγανάκτησα
τῶν ῥηθέντων.

28.1

The introduction does not stop here. Explanation of the background and warnings about the opponent's tactics follow. The introduction runs for two sections and ends with another prediction:

νῦν δὲ τεκμηρίοις μεγάλοις ἐπιδείξομεν ὡς οὔτ' ὤφειλεν
οὔτ' ἦν κίνδυνος οὐδεὶς ἡμῶν φανερὰ κεκτημένοις τὰ ὄντα.

Oration 28 therefore is an exception to the rule.

Oration 27

ANALYSIS

If the opponent were willing to do the right thing or to entrust the matters under dispute to the arbitration of relatives there would be no need for lawsuits or for any fuss.

Goodwill (536)

εἰ μὲν ἐβούλετ' "Αφοβος, ὧ ἄνδρες δικασταί, τὰ δίκαια ποιεῖν ἢ περὶ ὧν διεφερόμεθα τοῖς οἰκείοις ἐπιτρέπειν, οὐδὲν ἂν ἔδει δικῶν οὐδὲ πραγμάτων·

27.1

Oration 27, delivered in 364/3, was Demosthenes' first speech. He prosecuted his guardian Aphobus, who, along with fellow trustees, Demophon and Therippides, embezzled or squandered most of a large inheritance entrusted to them by Demosthenes' father, who had died when Demosthenes was a boy of seven. Demosthenes had recently come of age at eighteen.

The introduction begins with a comment on Aphobus' willingness to co-operate. When Demosthenes says 'εἰ μὲν ἐβούλετ' "Αφοβος', he clearly means that Aphobus was *unwilling* to do any of the reasonable things which could have made litigation unnecessary. His purpose is to transfer responsibility for the litigation from himself to his opponent, feature 536. Moreover he uses the words, οὐδὲν ἂν ἔδει δικῶν οὐδὲ πραγμάτων, to dispel suspicion of litigiousness and to suggest that he is not one who likes to be a nuisance.

For it would have been enough for the speaker to abide by their decision with the result that he would have no quarrel with this man.

Goodwill (536)

ἀπέχρη γὰρ ἂν τοῖς ὑπ' ἐκείνων γνωσθεῖσιν ἐμμένειν, ὥστε μηδεμίαν ἡμῖν εἶναι πρὸς τοῦτον διαφοράν.

27.1

The speaker declares to the audience a view which he means them to understand as his own wishful thinking. He wants to create the impression that he is a reasonable man who is not a trouble-maker but who, on the contrary, would pour oil on troubled waters. The implication is that his opponent is the opposite, i.e. an irreconcilable and quarrelsome fellow. Therefore this sentence is also an example of feature 536.

But since the opponent has avoided the arbitration of those who clearly know their affairs and has come to the jury who have no accurate knowledge of their affairs, then it is necessary to try to obtain justice in court from the opponent.

Attention, goodwill (536) (538) (422)

ἐπειδὴ δ' οὗτος τοὺς μὲν σαφῶς εἰδότας τὰ ἡμέτερ' ἔφυγε μηδὲν διαγνῶναι περὶ αὐτῶν, εἰς δ' ὑμᾶς τοὺς οὐδὲν τῶν ἡμετέρων ἀκριβῶς ἐπισταμένους ἐλήλυθεν, ἀνάγκη ἐστὶν ἐν ὑμῖν παρ' αὐτοῦ πειρᾶσθαι τῶν δικαίων τυγχάνειν. 27.1

ἐπειδὴ δ' οὗτος signals that the speaker's wishful thinking is an impossible dream and lays the blame squarely with the opponent, feature 536. Demosthenes uses antithesis to discredit Aphobus. He mentions available arbitrators whose knowledge of the issue is clear, τοὺς μὲν σαφῶς εἰδότας τὰ ἡμέτερ'. He contrasts the knowledge of the jury which is not accurate, ὑμᾶς τοὺς οὐδὲν τῶν ἡμετέ-

ρων ἀκριβῶς ἐπισταμένους. This is meant to imply that Aphobus is being unreasonable when he refuses the assistance of experts and that he is making a nuisance of himself by pestering the jury with matters about which they know little. Mention of the jury's inaccurate knowledge may also be meant to pave the way for later appeals for attention. The contrast with the clear knowledge of potential arbitrators emphasizes the jury's inaccurate knowledge and therefore substantiates the jury's need to pay attention to the speaker who promises at 27.2 to provide them with such accurate knowledge that not even one aspect of the facts will escape them. At 27.1 the speaker's next move is to blame necessity for his appearance in court, ἀνάγκη ἐστὶν ἐν ὑμῖν. Since this is qualified by ἐπειδὴ δ' οὗτος ... it is considered to be an example of feature 538, in which a speaker claims that he is acting under the compulsion of adversaries, προφάσει χρώμενος ὅτι οὐχ ἑκὼν ἀλλ' ὑπὸ τῶν ἀνταγωνιστῶν ἀναγκαζόμενος εἰς τὸν ἀγῶνα κατέστης. Finally the speaker expresses a motive. He wants to obtain justice from his opponent, παρ' αὐτοῦ πειρᾶσθαι τῶν δικαίων τυγχάνειν. This declaration is meant to win the jury's admiration for one who is standing up for his rights. At the same time it is intended to impress upon the jury that the speaker's is the just case, feature 422.

The speaker knows that it is difficult to engage in a contest involving all one's property against men who are competent speakers and capable tacticians when one is

completely inexperienced of troubles because of one's youth.

Goodwill

οἶδα μὲν οὖν, ὦ ἄνδρες δικασταί, ὅτι πρὸς ἄνδρας καὶ λέγειν ἱκανοὺς καὶ παρασκευάσασθαι δυναμένους χαλεπὸν ἔστιν εἰς ἀγῶνα καθίστασθαι περὶ τῶν ὄντων ἀπάντων, ἄπειρον ὄντα παντάπασι πραγμάτων διὰ τὴν ἡλικίαν·

27.2

The speaker contrasts himself with his opponents. Although he generalizes, the words ἄνδρας καὶ λέγειν ἱκανοὺς καὶ παρασκευάσασθαι δυναμένους are meant to be understood as a reference to Aphobus and his supporters, whom he discredits with the implication that such rhetorical skill is a sign of litigiousness. By contrast the speaker's task is difficult, χαλεπὸν ἔστιν. This is meant to win sympathy. Moreover all his worldly goods are at stake, περὶ τῶν ὄντων ἀπάντων, he lacks experience of this business, ἄπειρον ὄντα παντάπασι πραγμάτων, and this inexperience is the result of his youth, διὰ τὴν ἡλικίαν. All these references are designed to make the jury feel sympathy for the speaker.

Nevertheless although the speaker is greatly disadvantaged he has many hopes of obtaining justice from the jury and that, at least as far as explaining what happened is concerned, he will speak well enough for no single detail of the facts to escape the jury so that they will not be ignorant about the matters on which they will be required to vote.

Attention, goodwill (419) (422)

ὅμως δέ, καίπερ πολὺ τούτων καταδεέστερος ὢν, πολλὰς ἐλπίδας ἔχω καὶ παρ' ὑμῖν τεύξεσθαι τῶν δικαίων καὶ μέχρι γε τοῦ τὰ γεγενημένα διεξελεῖν καὶ αὐτὸς ἀρκούντως ἔρευν, ὥσθ' ὑμᾶς μήτ' ἀπολειφθῆναι τῶν πραγμάτων μηδὲ καθ' ἓν μήτ' ἀγνοῆσαι περὶ ὧν δεήσει τὴν ψῆφον ἐνεγκεῖν. 27.2

The speaker tries to win sympathy by claiming disadvantage, καταδεέστερος ὢν, feature 419. His assertion of confidence, πολλὰς ἐλπίδας ἔχω, is intended to inspire admiration for one who is persevering in the face of adversity and at the same time to put pressure on the audience by insinuating that they ought to rise to the occasion by supporting the speaker. His hopes extend to two objectives: first that he will obtain justice from the jury, παρ' ὑμῖν τεύξεσθαι τῶν δικαίων. This is meant to imply that justice is on the speaker's side and is therefore an example of feature 422; secondly, that he will speak well enough to enlighten the jury about all the facts. This is an appeal for attention. Demosthenes is careful not to overstate his case. In keeping with his avowed inexperience he uses the cautious word ἀρκούντως, rather than a word which suggests natural skill or overbearing confidence. However he does create the impression that his explanations are going to be thorough, so thorough in fact that not a single detail will escape the jury, ὥσθ' ὑμᾶς μήτ' ἀπολειφθῆναι τῶν πραγμάτων μηδὲ καθ' ἓν. The prospect of expert instruction is intended to

attract attention. Further incentive for paying attention is the speaker's pledge to remove ignorance, μήτ' ἀγνοῆσαι. This is with respect to matters on which the jury will cast their votes, περὶ ὧν δεήσει τὴν ψῆφον ἐνεγκεῖν. Not only does this give the impression that the speaker is going to confine himself to relevant topics but it also puts pressure on the jury by reminding them of their responsibility.

The speaker requests the jury to listen to him with goodwill and if he seems to have been wronged to give him the help that is just.

Attention (201), goodwill (422)

δέομαι δ' ὑμῶν, ὦ ἄνδρες δικασταί, μετ' εὐνοίας τέ μου ἀκοῦσαι, κἂν ἠδικῆσθαι δοκῶ, βοηθησαί μοι τὰ δίκαια. 27.3

This is a direct request for a hearing, feature 201, and for goodwill. The speaker also invites the jury to give him due assistance if he seems to have been wronged. The implication is that the speaker has been wronged and that a just verdict would be one in his favour. The sentence is therefore an example of feature 422.

The speaker will deliver his arguments as briefly as he can.

Attention, goodwill

ποιήσομαι δ' ὡς ἂν δύνωμαι διὰ βραχυτάτων τοὺς

The promise of brevity is designed to secure attention since an audience is more likely to attend for a short time than for a long time. Moreover this announcement is meant to be understood as a courtesy and is therefore an appeal for goodwill.

First the speaker will try to explain the facts to the jury from that point from which they will easily understand them.

Statement (102), attention (210)

ἴθην οὖν ῥᾶστα μαθήσεσθε περὶ αὐτῶν, ἐντεῦθεν ὑμᾶς καὶ ἐγὼ πρῶτον πειράσομαι διδάσκειν. 27.3

The speaker predicts, feature 102, what he is going to do in the main part of the speech. Attention is sought with the promise that it will be easy, feature 210, for the audience to learn the facts from the speaker's instruction.

ARRANGEMENT

G (536)

G (536)

A, G (536) (538) (422)

G

A, G (419) (422)

A (201), G (422)

A, G

S (102), A (210)

AIM

The introduction has several aims: to transfer responsibility for the litigation to the opponent, to evoke sympathy for the speaker, to suggest that the speaker has justice on his side and to secure attention for the main part of the speech.

L. Pearson 1972, p.108, comments:

'In these opening sections Demosthenes has invited the jury to assume that his guardians have done their best to avoid any fair settlement and are relying on their skill and experience to get the better of him in court. He is trying to make the jury think (without saying so explicitly) that only a fool would venture to sue such scoundrels unless he had justice on his side, and that he lacks such talent as they have to tell a convincing series of falsehoods. All this is a way of establishing his own integrity, without insisting on it directly.'

Pearson's final sentence hits the nail on the head. To a large extent in the introduction Demosthenes uses implication and insinuation to commend himself to the jury and to discredit his opponent.

G. Kennedy 1963, p.210, suggests that the introduction contains standard topics:

'... the usual attack on the intractability of the opponent, expression of inexperience - justified for once - and request for a fair hearing ...'

This raises the question of whether Demosthenes wrote the introduction with the rest of the speech in mind, i.e. as an integral part of a larger composition, or whether he used conventional ideas to form a separate package which could be attached to the speech with the addition of a little local colour. The latter in this case amounts only to the inclusion of the opponent's name. It is concluded, therefore, that this is a general purpose introduction which has no objectives specifically related to the rest of the speech unlike, for example, 18.1-8, one of whose functions is to secure the right to arrange the defence in an order which differed from the charges. However it must be admitted that the young Demosthenes will not yet have developed the skills which he displayed in oration 18 nor, for that matter, had he acquired them, would he want to reveal them given the claim of inexperience. Thus a straightforward, even ingenuous, introduction is more appropriate than a clever, perhaps devious, one for oration 27. Moreover it is more probable at this stage in his career that this is an apposite assembly of standard topics as opposed to a contrived case of art concealing art.

Oration 28

ANALYSIS

As the opponent has told the jury many huge lies, the speaker will try first to disprove that very one, from all that the opponent said, which made the speaker most angry.

Statement (102), goodwill

πολλὰ καὶ μεγάλ' ἔφευσμένου πρὸς ὑμᾶς Ἀφόβου, τοῦτ' αὐτὸν ἐλέγξαι πειράσομαι πρῶτον, ἐφ' ᾧ μάλιστ' ἠγανάκτησα τῶν ῥηθέντων. 28.1

Oration 28 is the second speech delivered by Demosthenes in the same trial in which oration 27 was delivered. Oration 28 is the prosecutor's reply to the defendant's speech. Demosthenes goes on the offensive immediately accusing Aphobus of having told many huge lies. He predicts, feature 102, that he will start by trying to refute the one which caused him most anger. This approach resembles, but is not exactly the same as, Anaximenes' feature 502, λέγειν ὡς οὐδ' αὐτὸς ἄγνοῶ διαβεβλημένος, ἀλλ' ἐπιδείξω ψευδεῖς οὔσας τὰς διαβολάς. The assertion of anger, μάλιστ' ἠγανάκτησα, is meant to win goodwill by evoking sympathy for a victim and admiration for this expression of a natural reaction.

For the opponent said that the speaker's grandfather

was a state-debtor and that for this reason the speaker's father was unwilling to let the property in order to avoid risk.

Statement (101)

εἶπεν γὰρ ὡς ὁ πάππος ὤφειλε τῷ δημοσίῳ, καὶ διὰ ταῦθ' ὁ πατὴρ οὐκ ἐβούλετο μισθωθῆναι τὸν οἶκον, ἵνα μὴ κινδυνεύσῃ.

28.1

Demosthenes relates Aphobus' charges, feature 101. Regarding his grandfather's alleged debt, A.R.W. Harrison 1968, p.128, comments that Demosthenes challenges the facts but not the statement of what would have been the position had the facts been true. At p.128 n.3 he cites L. Gernet 1918, p.187, who stresses that the reference is to Demosthenes' *maternal* grandfather, and draws the implication that for public debts at least liability might pass through a daughter to a grandson, provided of course that that grandson would have been heir under the rules of intestate succession. L. Pearson 1972, p.151, thinks that, because the reference is to Demosthenes' maternal grandfather, it is doubtful if he was in fact liable at all for his debts. He suggests that Aphobus would have kept this in reserve as a last resort argument whose purpose was to maintain that, if he was going to lose the property, then Demosthenes had no more right to it than he did. I agree with Pearson. This is just the kind of devious trick which Aphobus might play to prevent Demosthenes' securing his inheritance. Aphobus' next charge is that Demosthenes'

father was unwilling to let the property, μισθωθῆναι τὸν οἶκον. Pearson, p.120, suggests that this means 'farm out the estate', which he understands to mean 'put all the income-producing property in the hands of a man or a group of men, who would give proper security, guarantee a fixed income from the property, and be entitled to keep any surplus income for themselves.' Aphobus' contention was that Demosthenes' father had forbidden the guardians to let the property. With this charge he is rebutting Demosthenes' allegation (at 27.40) that his father had instructed the guardians to let the property. What risk did Demosthenes' father allegedly want to avoid? This is not specified but presumably Aphobus' implication was that by letting the property attention would be drawn to its value so that it might be confiscated to satisfy the debt owed by Gylon, Demosthenes' grandfather, assuming that the elder Demosthenes was reckoned to be the heir of Gylon. On lease of an orphan's property see A.R.W. Harrison 1968, pp.105-7 and 293-96, and D.M. MacDowell 1978, p.94.

The opponent makes this excuse but he provided no evidence that the speaker's grandfather had died owing money to the state.

Goodwill

καὶ τὴν μὲν πρόφασιν ποιεῖται ταύτην, ὡς δ' ὀφείλων
ἐτελεύτησεν ἐκεῖνος, οὐδεμίαν παρέσχετο μαρτυρίαν· 28.1

Demosthenes dismisses Aphobus' comment on his father's

unwillingness to let the property as an excuse. He claims that Aphobus' charge against his grandfather is unsubstantiated. Demosthenes makes a technical point. His grandfather did not die a state debtor. He develops this idea in the next sentence.

But the opponent submitted evidence that the speaker's grandfather had been a state-debtor but he withheld this until the last day and kept this in reserve for his second speech so that he could misrepresent the issue with it.

Statement (101), goodwill (812) (501) (511)

ἀλλ' ὡς μὲν ᾤφλεν, ἐνεβάλετο τηρήσας τὴν τελευταίαν ἡμέραν, ταύτην δ' εἰς τὸν ὕστερον λόγον ὑπελίπετο, ὡς διαβαλεῖν τὸ πρᾶγμ' ἐξ αὐτῆς δυνησόμενος. 28.1

The speaker adopts feature 812, strike a balance, ἀντικαταλλάττεσθαι ἀδικοῦντα. He admits that his opponent has evidence that his grandfather had at one time been a state-debtor since he has already asserted that his opponent has no evidence that his grandfather died a state-debtor. His aim is to divert attention from a more serious charge to a lesser one. Moreover he can attempt to minimize its effect by anticipating it, feature 501. He tries to discredit it by suggesting that his opponent's method of using it is disreputable. Evidence had to be submitted before the trial and was secured in a container, ἐχῆνος, until it was required during the trial. Aphobus

waited until the last possible day before submitting this piece of evidence about Demosthenes' grandfather. This was a manoeuvre designed to prevent Demosthenes providing counter-evidence because he would not have time to submit any before the deadline. Demosthenes says that Aphobus is saving this evidence for his second speech, εἰς τὸν ὕστερον λόγον ὑπελίπετο, which the audience have not yet heard. This confirms that Demosthenes' purpose is to anticipate it and suggests that the interpretation of G. Kennedy 1963, p.210, is wrong:

'Direct evidence was not procurable, for the attack had come unexpectedly, and Demosthenes apparently delivered the first part of the speech extempore.'

This presumes that Demosthenes is answering charges made in Aphobus' first speech which he did not expect and which caused him to depart from the speech which he had prepared in advance. Whether Aphobus mentioned the debt in his first speech is not clear but Demosthenes would know of his intention to introduce this subject from the submission of evidence. The opening words, πολλὰ καὶ μεγάλ' ἔφευσμένου πρὸς ὑμᾶς Ἀφόβου, sound as if they refer to what Aphobus has been saying in his first speech but Demosthenes could easily have prepared this in advance, intending to make this accusation whatever Aphobus had said in his speech. The second sentence of 28.1 is more difficult since it is so specific. But once more Demosthenes probably prepared it in advance, thinking that Aphobus was bound to introduce

the subject of his grandfather's debt. Finally in this sentence Demosthenes introduces Aphobus' purpose, ὡς διαβαλεῖν τὸ πρᾶγμ' ἐξ αὐτῆς δυνησόμενος. He tries to discredit Aphobus with an accusation of slander, διαβαλεῖν, feature 511. He has moved on a stage. At the start of the sentence he acknowledged that Aphobus had evidence. Then he deliberately clouded the issue by suggesting gamesmanship in the submission of evidence. Now he implies that the evidence itself is not sound since Aphobus is going to use it to misrepresent the facts, διαβαλεῖν τὸ πρᾶγμ' ἐξ αὐτῆς δυνησόμενος.

If the opponent should read this evidence the jury must pay attention to it.

Goodwill (501)

ἐὰν οὖν ἀναγνῶ, προσέχετ' αὐτῇ τὸν νοῦν· 28.2

The speaker anticipates, feature 501, his opponent's reading of evidence. Although he asks the jury to pay attention this is not an appeal for attention since it is not designed to secure attention for his own speech but to discredit his opponent. The implication is that, if they do not pay close attention, the opponent may succeed in deceiving them.

For the jury will find that the opponent's evidence shows not that the speaker's grandfather is a state-debtor but that he had been one.

Goodwill (812)

εὐρήσετε γὰρ οὐχ ὥς ὀφείλει μεμαρτυρημένην, ἀλλ' ὥς
ῶφλεν. 28.2

The speaker reinforces the technical point that he made earlier. He again strikes a balance, feature 812. He introduces this with εὐρήσετε which is meant to presuppose audience assent.

The speaker will try first to disprove this charge on which the opponent puts most value.

Statement (102), goodwill (806)

τοῦτ' οὖν ἐλέγξει πειράσομαι πρῶτον, ἐφ' ᾧ φρονεῖ μά-
λιστα· 28.2

The speaker predicts, feature 102, the first topic of the main part of his speech. The clause ἐφ' ᾧ φρονεῖ μάλιστα implies that Aphobus overestimates the value of this charge. This is therefore considered an example of Aristotle's feature 806, deny that a fact is as important as it is claimed, ὥς οὐ τηλικοῦτον.

The speaker disputes the opponent's charge.

Goodwill (802)

ὃ καὶ ἡμεῖς ἀμφισβητοῦμεν. 28.2

The speaker makes a direct denial of his opponent's charge, feature 802, πρὸς τὰ ἀμφισβητούμενα ἀπαντᾶν.

If it had then been possible, and if the speaker had not been trapped by lack of time, he would have produced witnesses to show that the money had been paid and that everything was settled between the speaker's grandfather and the state.

Goodwill (528)

εἰ μὲν οὖν τότε' ἐξεγένετο καὶ μὴ τῷ χρόνῳ τοῦτ' ἐνηδρεύθημεν, παρεσχόμεθ' ἂν μάρτυρας ὡς ἐξετείσθη τὰ χρήματα καὶ πάντ' αὐτῷ διελέλυτο τὰ πρὸς τὴν πόλιν· 28.2

The speaker now resorts to feature 528, cite the time-limit as an excuse, χρῆ προφασίζεσθαι ...προθεσμίαν χρόνου. He bolsters his case by asserting what he would have done if he had not been out-manoeuvred by Aphobus' use of the time-limit. To an extent he has snatched a victory from defeat because he can make these claims without having to worry about substantiating them since Aphobus has denied him the opportunity to call witnesses.

But as it is, the speaker will show with strong proofs that his grandfather was not a state-debtor and that there was no risk for the speaker or his father in holding their property openly.

Statement (102), goodwill

νῦν δὲ τεκμηρίους μεγάλους ἐπιδείξομεν ὥς οὔτ' ἄφειλεν
οὔτ' ἦν κίνδυνος οὐδεὶς ἡμῶν φανερά κερτημένοις τὰ ὄντα.

28.2

The speaker predicts, feature 102, his subject for the main part of the speech. He promises strong proofs. τεκμήριον is distinct from μαρτυρία. Since he is not allowed to produce witnesses who can testify that the debt has been cleared, he promises to convince the jury with arguments that the debt has been cleared. He avails himself of the opportunity to reinforce his denial of the charges.

ARRANGEMENT

S (102), G

S (101)

G

S (101), G (812) (501) (511)

G (501)

G (812)

S (102), G (806)

G (802)

G (528)

S (102), G

AIM

The aim of this introduction is to anticipate charges

which the opponent is going to make in his second speech and to minimize the damage that the opponent has done to the speaker's case by his adroit exploitation of the time regulations for the submission of evidence. There is no appeal for attention in this introduction. This is consistent with other speeches which are the second of two speeches delivered by the same speaker in a trial. Presumably it was considered unnecessary to make a direct request for attention since the trial was in full swing by which time those of the jury who were not already paying attention were deemed to be a lost cause.

Oration 29

ANALYSIS

If the speaker were not aware that in a previous case he had already easily convicted his opponent of greater and more terrible lies than he was now telling on account of the obviousness of his misdeeds, then he would be extremely anxious about his ability to show the jury how the opponent was preparing to mislead them with respect to each of his lies.

Statement (101), goodwill (823)

εἰ μὴ πρότερόν μοι δίκης γενομένης πρὸς ἄνδρες δικασταί, συνήδειν πολλῶ τούτων μείζω καὶ δεινότερ' αὐτοῦ ψευσαμένου ῥαδίως ἐξελέγξας διὰ τὴν περιφάνειαν τῶν

ἀδικημάτων, θαυμασίως ἂν ὡς ἠύλαβούμην μὴ καὶ νῦν οὐ δυνηθῶ
δεῖξαι, πῆ παρακρούεται ποθ' ἕκασθ' ὑμᾶς αὐτῶν. 29.1

Demosthenes had secured a verdict against Aphobus in the case in which orations 27 and 28 were delivered. Aphobus replied to this by prosecuting Phanus, one of Demosthenes' witnesses, for giving false testimony. A victory for Aphobus would have detracted from Demosthenes' recent success and might have made a new trial necessary. Therefore Demosthenes defended Phanus against Aphobus' charge. Oration 29 contains difficulties which have caused scholars to doubt either its Demosthenic origins or that it was delivered in its present form. For discussion see G.M. Calhoun 1934 and L. Gernet 1954, pp.63-70. Gernet, p.70 n.2, expresses doubt about the introduction itself which he considers inappropriate for oration 29 since, far from announcing the issue in question, it introduces something completely different. He cites E. Drerup 1916 whose hypothesis was that oration 29 was an exercise for a school of rhetoric but does not think that this view accounts for the disparate elements. Judgement about whether or not the introduction is appropriate is suspended until after analysis.

The speaker begins by explaining the background, feature 101. To influence the jury he cites a previous verdict, feature 823, in which he had easily convicted his present opponent of more serious lies than those he was now telling. An implication is that on the present occasion the jury ought to see through the opponent's lies easily.

The obviousness of the opponent's wrong-doing is a key factor, διὰ τὴν περιφάνειαν τῶν ἀδικημάτων . The speaker exploits the theme of a previous verdict to influence the jury in another way. He suggests that he needed the previous success to give him enough confidence to present his case to the jury. Otherwise he would have had serious doubts about his ability to show the jury how his opponent was preparing to deceive them. This is a variation on the theme of reluctance to become involved in litigation which is intended to suggest that the speaker is one who by nature is daunted by the prospect of litigation, θαυμασῶς ἄν ὡς ἠύλαβούμην. Throughout this sentence the speaker tries to discredit his opponent with mention of his lies and wrong-doing and his intention to mislead the jury.

But in fact, with the help of the gods, if the jury are fair and impartial listeners, the speaker has many hopes that the jury will become no less aware than the previous jury of the opponent's shamelessness.

Attention, goodwill (823)

νῦν δὲ σὺν θεοῖς εἶπεῖν, ἄνπερ ἴσοι καὶ κοινοὶ γένησθ' ἡμῶν ἀκροαταί, πολλὰς ἐλπίδας ἔχω μηδὲν ἧτιον ὑμᾶς τὴν ἀναίδειαν τὴν τούτου γνῶσεσθαι τῶν πρότερον δικασάντων. 29.1

The speaker mentions the gods, σὺν θεοῖς εἶπεῖν, to emphasize and to facilitate his oblique request for a fair and impartial hearing, ἄνπερ ἴσοι καὶ κοινοὶ γένησθ' ἡμῶν ἀκροαταί. He repeats the expression of confidence, πολλὰς

ἐλπίδας ἔχω, which he used at 27.2. There it was used to suggest grit in the face of adversity. Here the speaker's hopes depend upon the jury's award of a fair hearing. Therefore it is intended to put pressure on the jury to grant such a hearing. The speaker's objective is to make the jury as aware as the previous jury of the opponent's shamelessness. As well as discrediting the opponent with this accusation, τὴν ἀναίδειαν τὴν τούτου, the speaker is intent to suggest assent, μηδὲν ἥττον ὑμᾶς ... γνώσεσθαι, by comparison with the jury in the previous case, τῶν πρότερον δικάσαντων. This is another instance of feature 823, cite a previous verdict.

And if the case required eloquence or subtlety the speaker would hesitate distrusting his youth.

Goodwill

καὶ ταῦτ' εἰ μὲν ἔδεῖτο λόγου τινὸς ἢ ποικιλίας, ἔγωγε κατώκνου ἀν τὴν ἑμαυτοῦ καταμεμφόμενος ἡλικίαν· 29.1

This sentence is designed to dispel suspicion of litigiousness, first by denial of aptitude for litigation, λόγου τινὸς ἢ ποικιλίας, and then by expression of hesitancy, κατώκνου ἀν, which is explained by reference to the speaker's youth, τὴν ἑμαυτοῦ καταμεμφόμενος ἡλικίαν. The speaker will also hope that by emphasizing his youth he will make the jury more sympathetic towards him.

In fact it is necessary simply to explain and to go through the opponent's conduct towards the speaker.

Attention, goodwill

νῦν δ' ἀπλῶς δεῖ διδάξαι καὶ διηγῆσασθαι τὰ τούτῳ πε-
πραγμένα περὶ ἡμῶν. 29.1

This sentence is meant to suggest that the case is so straightforward that the speaker does not have a difficult task. Not only does this bolster his attempt to create an image for himself as one who is not litigious and who consequently does not possess oratorical skills which could excite suspicion of litigiousness, but it also enables him to suggest that notwithstanding his lack of skill and experience he can nevertheless be successful. Moreover the sentence is meant to encourage the jury to pay attention on the grounds that they will be required simply to listen to the speaker's straightforward explanation. The words τὰ τούτῳ πεπραγμένα περὶ ἡμῶν are meant to denigrate the opponent and to win sympathy for the speaker.

From this the speaker thinks it will be well known to all the jury whether the speaker or his opponent is the villain.

Attention, goodwill

ἐκ δὲ τούτων οἴμαι πᾶσιν ὑμῖν εὐγνωστον ἔσεσθαι, πότε-
ρός ποθ' ἡμῶν ἐσθ' ὁ πονηρός. 29.1

An appeal for attention is inherent in the words ἐκ δὲ τούτων. The speaker hopes that the prospect of

enlightenment will make the jury pay attention. πᾶσιν ὑμῶν and εὐγνωστον are intended to suggest that this is an open and shut case whose merits will be manifestly obvious from the speaker's explanation. He insinuates that the support which he is going to receive from the jury will be unanimous. The indirect question is clearly rhetorical and meant to leave the jury in no doubt that it is the opponent who is the villain.

The speaker knows why the opponent has instituted this suit, not because the opponent believes he can convict anyone of having borne false witness against him but because he thinks that the enormous fine awarded against him in the previous suit will incur bad feeling against the speaker and pity for himself.

Goodwill (823) (501)

οἶδα μὲν οὖν ὅτι τὴν δίκην οὗτος εἴληχε ταύτην, οὐχὶ τῷ τὰ ψευδοῦ τιν' αὐτοῦ καταμεμαρτυρηκέναι ἐξελέγξειν πιστεύων, ἀλλ' ἠγούμενος διὰ τὸ μέγεθος τοῦ τιμήματος τῆς δίκης, ἣν ὄφλεν, ἐμοὶ μὲν ἂν γενέσθαι τινὰ φθόνον, αὐτῷ δ' ἔλεον.

29.2

The speaker wants to discredit his opponent's case and therefore suggests that the opponent does not really believe that he can convict anyone of perjury. To make this claim more believable the speaker provides an ulterior motive for his opponent to the effect that the opponent is trying to create animosity for the speaker and to rouse

pity for himself by alluding to the enormous fine which was imposed upon him in the previous trial. Of course this reminds the jury of the opponent's earlier defeat, feature 823, as well as forestalling by anticipation, feature 501, the animosity which he claims his opponent is attempting to create for him.

For this reason the opponent is now defending himself regarding a case that has already taken place when at that time he had nothing just that he could say in his defence.

Statement (101), goodwill (823)

καὶ διὰ ταῦτα περὶ τῆς γεγενημένης δίκης νῦν ἀπολογεῖται, περὶ ἧς τότε οὐδὲν ἔσχε δίκαιον εἶπεῖν. 29.2

The speaker cites the previous case again, feature 823. He claims that on the previous occasion the opponent had nothing just to say. By using νῦν and τότε as he does he implies that on the present occasion also his opponent has nothing just to say.

If the speaker had availed himself of this judgement and had refused to make any fair concession, he would have done nothing wrong in exacting the jury's decision against the opponent, but someone nevertheless might have said that in depriving the opponent of all his property the speaker was being excessively cruel and severe towards a relative.

Goodwill (823) (501)

ἐγὼ δ', ἄ ἄνδρες δικασταί, εἰ μὲν ἐπεπράγμην τοῦτον τὴν δίκην ἢ μηδὲν ἤθελον μέτριον συγχωρεῖν, ἡδίκουν μὲν οὐδ' ἂν οὕτως, τὰ παρ' ὑμῖν γνωσθέντα πραττόμενος αὐτόν, ὅμως δ' ἂν εἴχεν τις εἰπεῖν, ὡς λίαν ὠμῶς καὶ πικρῶς ὄντα συγγενῆ τοῦτον ἐκ τῆς οὐσίας ἀπάσης ἐκβέβληκα. 29.2

Once more the speaker reminds the jury of the previous verdict, feature 823. He tries to win goodwill by suggesting that he is so reasonable that he would prefer to forego his rights than to have been thought to show severity to a relative. The advantage of the speaker's hypothesis is that he is able to stress what his rights are and at the same time he can appear to be willing to make a gesture of compromise to a relative. There is also sympathy to be gained from the fact that he runs the risk of incurring disapproval simply because it is a relative from whom he is attempting to extract recompense. Not only does he suggest that he is labouring under a social disadvantage but he also wants to forestall such disapproval by anticipation, feature 501.

But in fact the opposite is the case.

Statement, goodwill

νῦν δὲ τούναντιόν ἐστίν· 29.3

With this short statement the speaker leaves hypothesis and introduces alleged reality. Goodwill is

sought by implying that the speaker did not avail himself of his rights nor do anything which might have incurred disapproval.

The opponent along with his fellow trustees robbed the speaker of his whole patrimony and although he was clearly convicted before a jury he does not think that he needs to do anything reasonable but scattered the property, giving the out-house to Aesius and the farm to Onetor, and caused the speaker to have litigation and trouble with these men. The opponent himself removed the furniture from the house, led away the slaves, destroyed the wine vat, tore off the doors, all but set fire to the house itself, has removed himself to Megara and there he has paid the alien's tax.

Statement (101), goodwill (823) (536)

οὗτος ἐμὲ τῶν πατρῶων ἀπάντων μετὰ τῶν συνεπιτρόπων ἀπεστέρηκεν, καὶ οὐδ' ἐν ὑμῖν φανερώς ἐξελεγχθεὶς οἴεται δεῖν οὐδὲν τῶν μετρίων ποιεῖν, ἀλλὰ διασκευασάμενος τὴν οὐσίαν, καὶ παραδοὺς τὴν μὲν συνοικίαν Αἰσίῳ, τὸν δ' ἄγρον Ὀνήτορι, πρὸς μὲν ἐκείνους δίκην καὶ πράγματ' ἔχειν ἐμὲ πεποίηκεν, ἐκ δὲ τῆς οἰκίας αὐτὸς τὰ σκεύη λαβὼν καὶ τὰνδράποδ' ἐξαγαγὼν καὶ τὸν λάκκον συντρίψας καὶ τὰ θυρώματ' ἀποσπάσας καὶ μόνον οὐκ αὐτὴν τὴν οἰκίαν ἐμπρήσας Μιέγαράδ' ἐξώκηκεν κάκεῖ μετοίκιον τέθηκεν.

29.3

The speaker transfers to his opponent the kind of behaviour which he suggested would attract disapproval. It is the opponent, not the speaker, who is acting against a

relative by stealing his patrimony, οὗτος ἐμὲ τῶν πατρῶων ἀπάντων μετὰ τῶν συνεπιτρόπων ἀπεστέρηκεν. The inclusion of the phrase μετὰ τῶν συνεπιτρόπων emphasizes the trust which has been broken. It also announces that the speaker is outnumbered by his opponents. This is intended to win sympathy. Unreasonable behaviour is also transferred to the opponent. It is the opponent, not the speaker, who is unwilling to do anything reasonable, οὐδ' ... οὔεται δεῖν οὐδὲν τῶν μετρίων ποιεῖν. The speaker is careful to include mention of the previous verdict, feature 823, ἐν ὑμῖν φανερώς ἐξελεγχθεῖς. He lists specific instances of his opponent's unreasonable behaviour. This catalogue is meant to have a cumulative effect. Demosthenes accumulates facts to discredit Aphobus by showing the lengths to which he has gone to avoid restoring Demosthenes' money. Aphobus' method is to remove property or to transfer it to other people to put it out of reach of confiscation. He has even removed himself and has settled as a resident alien in Megara. The latter observation is intended to incur for Aphobus the audience's contempt. In the course of this sentence Demosthenes refers to his litigation with Onetor, which is the subject of orations 30 and 31. He transfers responsibility for this litigation to Aphobus, πρὸς μὲν ἐκεῖνους δίκην καὶ πράγματ' ἔχειν ἐμὲ πεποίηκεν. Although this does not refer to the present case it is nevertheless deemed to be an instance of feature 536, transfer responsibility to opponents, since it is meant to remove from the speaker suspicion of litigiousness.

Consequently for this reason it would be far more just for the jury to hate the opponent for his deeds than to condemn the speaker for unfairness.

Goodwill (422) (501)

ὥστε πολὺ ἂν δικαιότερον διὰ ταῦτα τὰ ἔργα τοῦτον μισήσαιτε ἢ ἐμοῦ τιν' ἀνεπιείκειαν καταγνοίητε. 29.3

The speaker cites justice, feature 422, *δικαιότερον*, to commend his case to the jury. He anticipates, feature 501, the charge of unfairness, *ἀνεπιείκειαν*. His method is to compare himself with his opponent whose deeds, he claims, should incur for him the audience's hatred. This would be far more just than to condemn the speaker for unfairness. This short sentence underlines and reinforces the catalogue of Aphobus' misdeeds.

Regarding the opponent's greed and wickedness the speaker has decided to deal with them later.

Statement (102), attention, goodwill

περὶ μὲν οὖν τῆς αἰσχροκερδίας τῆς τούτου καὶ μιαρίας ὕστερόν μοι δοκεῖ διεξελεθεῖν πρὸς ὑμᾶς· 29.4

Paraleipsis is now used to enable the speaker to accuse his opponent in passing of greed and wickedness. The promise of later explanation is an instance of feature 102. It is also meant to attract attention for the main part of the speech.

Even now the jury have heard a summary of this.

Statement (101), attention, goodwill

καὶ νῦν δ' ὡς ἐν κεφαλαίοις ἀκηκόσατε·

29.4

This short statement is intended to emphasize the previous paraleipsis and to whet the jury's appetite.

Regarding the testimony about which the jury are going to cast their votes, the speaker will now try to show that it is true.

Statement (101) (102), attention (211), goodwill

περὶ δὲ τῶν μεμαρτυρημένων, ὡς ἔστιν ἀληθῆ, περὶ ὧν περ οἴσετε τὴν ψῆφον, ἤδη πειράσομαι διδάσκειν ὑμᾶς. 29.4

The speaker now specifies the issue of the case, feature 101, περὶ δὲ τῶν μεμαρτυρημένων, and promises, feature 102, that he will try to explain that it is true, ὡς ἔστιν ἀληθῆ. This is meant to recommend his case to the jury and to win attention as feature 211. To concentrate their minds and to remind them of their responsibility the speaker tells the jury that this is the subject on which they are going to vote, περὶ ὧν περ οἴσετε τὴν ψῆφον.

The speaker requests the jury, and it is a just request, that they give an impartial hearing to both sides.

Attention (201) (207), goodwill

δέομαι δ' ὑμῶν, ἧ ἄνδρες δικασταί, δικαίαν δέησιν, ἐξ
ἴσου ἡμῶν ἀμφοτέρων ἀκοῦσαι. 29.4

The speaker makes a straightforward request for a hearing, feature 201. He justifies this with the qualification that this request is just, feature 207. He also asks for an impartial hearing for both sides. This is to ensure that his own case is heard without prejudice but it is also meant to enhance his own reputation as a fair-minded man.

This concerns the jury as much as it does the speaker.

Attention

τοῦτο δ' ἐστὶ καὶ ὑπὲρ ὑμῶν ὁμοίως· 29.4

Now the speaker tries to secure attention by suggesting that this is of equal concern to the jury. An explanation follows.

For the more accurate the jury's knowledge of the facts are, then the more just and the more in harmony with their oath will they vote.

Attention (207)

ὄσω γὰρ ἂν ἀκριβέστερον τὰ πεπραγμένα μάθητε, τοσοῦτω
δικαιότεραν καὶ εὐορκοτέραν θήσεσθε τὴν ψῆφον περὶ

Pressure is put on the jury to pay attention, this time by stressing the accuracy of their knowledge upon which depends the extent to which their verdict will conform with justice, feature 207, and with their oath. Thus the speaker is reminding the jury of their responsibilities.

The speaker will show that the opponent not only admitted that Milyas was a free man, but also made this obvious by his action, and moreover that regarding these matters he has refused the very accurate test of slave torture and does not want to reveal the truth by this method but has resorted to trickery, has produced false witnesses, and with his own speeches he is distorting the truth about the transactions. The speaker will show this with such strong and clear proofs that all the jury will know clearly that the speaker is telling the truth while the opponent has said nothing sound.

Statement (102), attention (211), goodwill (822)

ἐπιδείξω δὲ τοῦτον οὐ μόνον ὡμολογηκότ' εἶναι τὸν Μιλύαν ἐλεύθερον, ἀλλὰ καὶ φανερόν τοῦτ' ἔργῳ πεποιηκότα, καὶ πρὸς τούτοις τοὺς ἐκ βασάνου περὶ αὐτῶν πεφευγότα τοῦτον τοὺς ἀκριβεστάτους ἐλέγχους, καὶ οὐκ ἐθελήσαντ' ἐκ τούτων ἐπιδεῖξαι τὴν ἀλήθειαν, ἀλλὰ πανουργοῦντα καὶ μάρτυρας ψευδοῦς παρεχόμενον καὶ διακλέπτοντα τοῖς ἑαυτοῦ λόγοις τὴν ἀλήθειαν τῶν πεπραγμένων, οὕτω μεγάλοις καὶ φανεροῖς ἐλέγ-

χοις ὡσθ' ὑμᾶς πάντας εἴσεσθαι σαφῶς, ὅτι ἡμεῖς μὲν ἀληθῆ
λέγομεν, οὗτος δ' οὐδὲν ὑγιᾶς εἴρηκεν. 29.5

The speaker predicts, feature 102, what he is going to prove in the main part of the speech. He lists several items of Aphobus' behaviour designed to show that the latter is dishonest. Truth is a recurring theme of this long sentence. The opponent is trying to distort it while the speaker is going to be shown as the one who is telling the truth. This is an oblique appeal for attention, feature 211, ὅτι ἡμεῖς μὲν ἀληθῆ λέγομεν. Attention and goodwill are sought with the claim that the speaker's proofs will be so strong and clear that the jury will all know clearly. He is trying to insinuate into the jurors' minds an idea of unanimous assent. The reference to Milyas refers to Aphobus' request that Milyas be handed over for examination under torture as if he were a slave. Demosthenes argues that Milyas was a free man and that Aphobus has demonstrated by his own actions that he knew this. Demosthenes counters this request, feature 822, by saying that Aphobus himself refused to hand over slaves for torture. Demosthenes also counters the charge of false testimony by accusing Aphobus of producing false witnesses. He does not mention here Aphobus' request for Milyas or his charge of false testimony against Phanus but these are implicit and they clearly prompted Demosthenes to follow these lines of argument. At the end of the sentence he dismisses Aphobus as one who has said nothing sound, οὗτος δ' οὐδὲν ὑγιᾶς εἴρηκεν.

The speaker will begin from the point from which the jury will most easily learn the facts and from which the speaker can explain the facts most quickly.

Statement (102), attention (210), goodwill

ἄρξομαι δ' ἐντεῦθεν ὅθεν καὶ ὑμεῖς ῥᾶσ' ἂν μάθοιτε
κἀγὼ τάχιστ' ἂν διδάξαιμι. 29.5

The speaker rounds off the introduction by predicting, feature 102, his point of departure for the main part of the speech. First it is the point from which the jury will most easily learn the facts. The inclusion of ῥᾶσ' makes this attention feature 210. Secondly it is the point from which the speaker can most quickly explain the facts. The promise of brevity is a plea for attention since an audience is more likely to concentrate if they expect to have to attend only for a short time. It is also a courtesy designed to win goodwill.

ARRANGEMENT

S (101), G (823)

A, G (823)

G

A, G

A, G

G (823) (501)

S (101), G (823)

G (823) (501)
S, G
S (101), G (823) (536)
G (422) (501)
S (102), A, G
S (101), A, G
S (101) (102), A (211), G
A (201) (207), G
A
A (207)
S (102), A (211), G (822)
S (102), A (210), G

The aims of the introduction are to depict Aphobus as a tricky customer who is not to be trusted and to remove any prejudice felt against Demosthenes by emphasizing that he is a reasonable man who is not litigious. The verdict previously won against Aphobus is frequently recalled and Aphobus' efforts to extricate himself from the obligation of restitution are cited to discredit him. Apart from references at 29.2 and at 29.4 to the fact that the case is about whether testimony was true or false there is no explicit statement about what gave rise to this case. There is no mention of Phanus on whose behalf Demosthenes speaks. L. Gernet 1954, p.70 n.2, says that the concluding remarks of 29.1 are not quite appropriate. Demosthenes says there that all he has to do is to explain his opponent's conduct towards him and from that it will be easy for the jury to see which of the two is the villain.

Certainly this does not appear to concern someone else's testimony, true or false. Given that 29.2 and 29.4 do refer to the issue of testimony, a possible explanation is that 29.1 was written for a separate purpose and then attached to the beginning of oration 29. 29.1 is like a complete introduction with final remarks which are appropriate for the end of an introduction. It may have been written speculatively in anticipation of further litigation with Aphobus and then inserted at the start of this speech in defence of Phanus.

Oration 30

ANALYSIS

While the speaker would have done his utmost to prevent the occurrence of his previous disagreement with Aphobus and of his present one with this man, Onetor, Aphobus' brother-in-law, and although he has made both men many fair offers, he has been unable to obtain anything reasonable from them, but has found his present opponent far more irreconcilable than the previous one and more worthy of punishment.

Statement (101), goodwill (422)

περὶ πολλοῦ ποιούμενος, ὧς ἄνδρες δικασταί, μήτε πρὸς Ἄφοβόν μοι συμβῆναι τὴν γενομένην διαφορὰν μήτε τὴν νῦν οὔσαν πρὸς Ὀνήτορα τουτονί, κηδεστὴν ὄντι αὐτοῦ, πολλὰ

καὶ δίκαια προκαλεσάμενος ἀμφοτέρους, οὐδενὸς ἐδυνήθη τυ-
χεῖν τῶν μετρίων, ἀλλ' ἠύρηκα πολὺ τοῦτον ἐκείνου δυσκολώ-
τερον καὶ μᾶλλον ἄξιον ὄντα δοῦναι δίκην. 30.1

The speaker begins by explaining the background, feature 101, linking the present case against Onetor with his previous litigation against Aphobus. In that case Demosthenes had been awarded ten talents but Aphobus went to great lengths to avoid paying. One manoeuvre which he employed was to divorce his wife, the sister of Onetor, so that he could transfer to Onetor a farm property, ostensibly in lieu of his wife's dowry which was due to be returned to Onetor as a consequence of the divorce. When Demosthenes attempted to take possession of this property as a means of recovering some of his money, Onetor expelled him forcibly. Demosthenes therefore proceeded against Onetor charging him with wrongful ejection on the grounds that he had no lawful claim to the property since Aphobus' divorce was a fiction concocted between Aphobus and Onetor to prevent Demosthenes taking possession of the property. Demosthenes begins by stressing his reluctance to become involved in a quarrel with either of them. This is a means of averting suspicion of litigiousness. He is careful to stress the relationship of Onetor to Aphobus, κηδεστὴν ὄντ' αὐτοῦ, making a crucial technical point with his use of the present participle which denotes that the relationship is still in existence and has not been terminated. He wants the jury to appreciate how fair he has been and therefore mentions the many fair offers he has made his opponents.