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[Demosthenes] 25 *Against Aristogeiton*: A Reconsideration

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Abstract

This article discusses the problem of the authorship of *Against Aristogeiton I* of the Demosthenic corpus (*or.* 25). Its authenticity has been questioned since antiquity, and thus a list is provided here of all the ancient sources in which this oration is cited, with an analysis of the reasons that have led several scholars to consider it a forgery. However, it is noted that there is no compelling evidence proving either that the speech was not written by Demosthenes or that it was not delivered in court. Therefore, it is assumed that this is a genuine speech by the orator, written for delivery under actual court circumstances. This is also deduced from the analysis of its style, which is compatible with that of other speeches of Demosthenes which are definitely considered genuine.

Introduction¹

In the Demosthenic corpus, which includes 60 speeches, an erotic treatise, a collection of 56 proemia, and six letters, there are some works that do not belong to Demosthenes. It is now generally accepted that Apollodorus is the author of at least seven speeches of the corpus,² while many are still considered spurious,³ but we are not able to attribute them to any known orator, although most likely they are works of the 4th century BCE (Hansen 1976: 145). The authorship of both *Against Aristogeiton I* (or. 25) and *II* (or. 26) has been challenged by several scholars and has been the subject of exploration and speculation.

In his recent book, Edward Harris argues that both orations are forgeries of the Hellenistic period (Harris 2018: 195). Although Harris seems extremely confident in his conclusions, I hesitate to adopt his position and think that in the absence of strong evidence we should not be so eager to reject any speech as spurious. In this article I will focus on *Against Aristogeiton I* and attempt to prove that, as regards the stylistic choices of the author, the speech does not deviate from Demosthenes' style, even though it may sometimes seem to do so. The first section includes a brief summary of the ancient sources in which this oration is cited, with an account of the different positions taken by the scholars, while the second section will concentrate on the style of the speech in relation to the problem of authorship.

I. Ancient sources and recent theories

The authorship of or. 25 and 26 was first questioned in antiquity. Dionysius of Halicarnassus (1st century BCE), who considered both speeches spurious and stated that he had previously dealt with this issue in another work, was the first to express his doubts.⁴ The view of Dionysius is also quoted by Libanius, the orator of late

¹ I would like to thank warmly my supervisor Kostas Apostolakis for reading this paper and improving my argument; also prof. Dimos Spatharas and prof. Melina Tamiolaki for their constructive comments on a previous draft of this paper and their constant encouragement. Any errors remain my own.

² These are speeches no. 46, 47, 49, 50, 52, 53, 59. Cf. Kapparis 1999: 50.

³ Cf. Edwards 1994: 42 and 77-8 lists all the speeches of Demosthenes and points out those which are not considered genuine (7, 10, 11, 12, 13, 17, 25, 26, 42, 43, 44, 46-53, 56, 58-61, *Epist.* 5).

⁴ D.H. *Dem.* 57: εἰ μὲντοι τινὲς ἐν τοῖς ψευδεπιγράφοις εἰσὶ λόγοις ἀηδεῖς καὶ φορτικαὶ καὶ ἄγροικοὶ κατασκευαί, ὡς ἐν τοῖς κατ' Ἀριστογείτονος β'... ἐν ἄλλοις τε συχνοῖς, οὓς ὁ Δημοσθένης οὐκ ἔγραψεν, ἐν ἑτέρῳ δηλοῦται μοι πραγματεία τὰ περὶ Δημοσθένη. Blass

antiquity (4th century CE), in the *Hypothesis* which precludes the two orations, where he notes that Dionysius rejects them on the basis of stylistic evidence (*ἐκ τῆς ιδέας τεκμαιρόμενος*, *Arg.D.* 24.7). Libanius also presents the views of others, without mentioning their names, who rejected only *or.* 26 as unworthy of the orator but accepted the Demosthenic authorship of *or.* 25. He also provides two possible interpretations of the reasons which impelled Demosthenes to choose to structure *or.* 25 in the way he did.⁵ However, Libanius himself does not seem to take a stand on the issue.

Before Dionysius of Halicarnassus we find references to *or.* 25 in another writer, on whom our information is limited. This is Satyrus, the biographer of Euripides, whose work is dated near the end of the 2nd century BCE.⁶ In a surviving fragment from his work on the life of Euripides, he quotes a passage from *or.* 25. This passage has many gaps and it is difficult to restore all the words.⁷ Apparently Satyrus is comparing Euripides with the author of our speech, the criterion of comparison being delivery (*ὑπόκρισις*). Martin (2009: 183) speculates that this author might be Demosthenes, who considered delivery the most important element of the rhetorical art (*Plut. Dem.* 7.1-5; *Mor.* 845b). The above hypothesis is convincing and indeed we may suppose that there is a reference to the name of Demosthenes, since in the 6th line of the fragment, which has not been restored, there is the following word: ΔΙ[.....]Ν which could be *δη[μοσθένη]ν*. If this correction stands, then Martin's hypothesis finds further support and we can assume that Satyrus accepted Demosthenes as the author of the speech.

proposed the emendation *ἐν τοῖς κατ' Ἀριστογείτονος β'* instead of *ἐν τῇ κατ' Ἀριστογείτονος β'*, an emendation which is compatible with Libanius' statement (*Arg.D.* 24.7): *Διονύσιος δ' ὁ Ἀλικαρνασσεὺς οὐ δέχεται τούτους τοὺς λόγους Δημοσθένους εἶναι, ἐκ τῆς ιδέας τεκμαιρόμενος.*

⁵ *Lib. Arg.D.* 24.7: *οἱ δὲ φασιν ἐπίτηδες τὸν ῥήτορα τοιοῦτω χαρακτῆρι κεχρηῆσθαι ζηλώσαντα Λυκοῦργον ἐνδοκιμοῦντα παρὰ τοῖς Ἀθηναίοις, οἱ δέ, ἐπειδὴ τὸν κατὰ τὰς ἡλικίας χρόνον εἰς τὴν πρωτολογίαν ἔλαβε Λυκοῦργος καὶ πᾶσι τοῖς κεφαλαίοις αὐτὸς ἐχρήσατο, ὁ Δημοσθένης ἠναγκάσθη λοιπὸν φιλοσοφώτερον μετελθεῖν καὶ περιοδικῶς.*

⁶ Hunt 1912: 125-6; Martin 2009: 183.

⁷ *P. Oxy.* IX 1176 fr. 39 col. viii: *[..τὴν αὐτὴν]ν ὑ [π]όκρισιν Εὐριπίδῃ ὡσπερ ἐνταυθι ποιεῖ κατηγ[ορῶν Ἀριστογείτονος τοῦ π<σ>νηροῦ· 'τί οὖν οὗτός ἐστι; κύων νῆ Δ[ία, φασίν τινε[ς, τοῦ δήμου. ποδαπός; οἴ[ο]ς οὗς μὲν αἰτ[ι]ᾶται λύκους εἶναι μὴ δάκνειν, ἃ δὲ φησιν φυλάττειν πρόβατ[α] αὐτὸς κατεσθίει[ν]· τίνα γὰρ οὐ[τ]ὸς πώποτε [κέκρι-κε[ν ῥήτορα; οὐ[δένα]...*

Another four authors of late antiquity do not seem to question the authenticity of *or.* 25. Pliny the Younger (1st century CE) deals with Demosthenes' style in a letter to Lupercus (9.26). More precisely, while praising his boldness of expression (*audentia*), Pliny gives selected passages from several of the orator's speeches, including several excerpts from *or.* 25. Moreover, the author of *On the Sublime* (1st century CE), in a chapter discussing the style and in particular the abrupt change of person, quotes a passage from this speech, which he attributes to Demosthenes.⁸

Moreover, Hermogenes (2nd century CE) not only does not dispute the authorship of *or.* 25, but considers it a perfect example of vehemence (*σφοδρότης*).⁹ Plutarch (2nd century CE) claims that Demosthenes delivered both *or.* 25 and 26 in court.¹⁰ However, we should treat Plutarch's statement with reservation, since, as MacDowell (2009: 312) observes, it would be extremely rare for a plaintiff to speak twice as a supporting speaker.

A rather later source, Patriarch Photius in the 9th century CE, states that there are some people who question the authenticity of both speeches, but do not attribute them to another author.¹¹ This statement implies that there were also others who shared Dionysius' opinion, even though Photius chooses to name only Dionysius.¹² Photius considers that Dionysius' estimation is contrary to Aristogeiton's own words, as Aristogeiton's defending oration was entitled "*Defence against the Indictment of Lycurgus and Demosthenes*". However, we should accept this information with

⁸ [Long.] *De subl.* 27.3: ὁ μὲν γὰρ Δημοσθένης κατ' ἄλλον τινὰ τρόπον ἐπὶ τοῦ Ἀριστογείτονος ἐμπαθὲς τὸ πολυπρόσωπον καὶ ἀγχίστροφον παρέστακεν.

⁹ Hermog. *Id.*1.8: παράδειγμα σφοδρότητος σχεδὸν μὲν ἅπας ὁ Κατὰ Ἀριστογείτονος τοῦ Δημοσθένους λόγος, ἐπιφανέστερον δ' αὐτοῦ τὸ «οὔτος οὖν αὐτὸν ἐξαιτήσεται; ὁ φαρμακός, ὁ λοιμός, ὃν οἰωνίσαιτ' ἂν τις μᾶλλον ἰδῶν ἢ προσειπεῖν βούλοιο;

¹⁰ Plut. *Dem.* 15.3: τοῖς δὲ κατ' Ἀριστογείτονος αὐτὸς ἠγωνίσασατο.

¹¹ Phot. *Bibl.* 265: Εἰσὶ δὲ οἱ καὶ τοὺς δύο κατὰ Ἀριστογείτονος ὡς νόθους παραγράφονται. Ἄλλ' οὔτοι καὶ ὀρφανοὺς αὐτοὺς ἀφιασιν, οὐκ ἔχοντες εἰπεῖν τοὺς τεκόντας. Ὡν εἷς γέγονε καὶ Διονύσιος ὁ Ἀλικαρνασσεύς, οὐδὲν μέγα τεκμήριον τῆς ἰδίας ὑπολήψεως παρεχόμενος, οὐδὲ ἐκείνο συνιδεῖν ἐθελήσας, ὡς πολλῶν μείζων ἐστὶν ἤπερ ἡ ἐκείνου ἀπόφασις αὐτὸς ὁ Ἀριστογείτων ἀνομολογῶν Δημοσθένην κατ' αὐτοῦ γεγραφέναι· καὶ γὰρ ἀπολογούμενος οὐκ ἐν τῷ παρέργῳ λέγων ἀλλ' ἐπιμελῶς ἀνταγωνιζόμενος ἐν τῷ λόγῳ δείκνυται, ὃς ἐπιγέγραπται ἀπολογία πρὸς τὴν ἔνδειξιν Λυκούργου καὶ Δημοσθένους.

¹² Unless Photius, in order to sound more well read than he is, exaggerates by talking as if many people say this when in fact only Dionysius does.

reservations, as we know nothing about this oration and cannot be sure of its authenticity. Martin (2009: 183) claims that its title is not genuine, on the grounds that Libanius' *Hypothesis* states that the indictment against Aristogeiton was brought by Lycurgus' supporters.¹³ However, I do not think that this information is necessarily at variance with Libanius' statement that Lycurgus and Demosthenes appear as the two main prosecutors, despite the fact that other people also participated in the trial.

With the sole exception of Dionysius of Halicarnassus, who explicitly disputes the authorship of both orations, no other source indicates that *or.* 25 was not considered a work of Demosthenes throughout antiquity.¹⁴ However, Dionysius' view has been for modern scholars a strong obstacle to the acceptance of Demosthenic authorship. According to Jackson and Rowe (1969: 74), other factors, such as the author's stylistic choices, the intensity of abuse, some apparent inaccuracies associated with Aristogeiton, but mainly issues of a legal nature, seem to support the assumption of spuriousness. By examining the above factors, scholars have been led to completely different positions,¹⁵ although in recent years there is a tendency to accept,¹⁶ always

¹³ At this point Martin's wording (2009: 183, 159) is misleading; first he quotes Libanius' passage, whence it appears that Lycurgus and his collaborators (*οἱ περὶ Λυκοῦργον*) carried out the indictment against Aristogeiton, but then he himself concludes that the only prosecutor was Lycurgus.

¹⁴ However cf. Harp. (s.v. *νεαλής, Θεωρίης*), who expresses a reservation about the authenticity of the speech, noting "if genuine".

¹⁵ The different views that have been proposed are the following: a) that the speech was written by Demosthenes as an exercise and was never delivered in court, cf. Blass 1893: 408-418; b) that it is the work of a later rhetorician, see Schaefer 1887: 113-28; Sealey 1967: 250-55; 1993: 237-9 and Harris 2018: 193-229; c) that it is a work of Demosthenes' contemporary, see Treves 1936: 252-8; Rubinstein 2000: 30-2; and d) that it was written and delivered in court by Demosthenes, see Weil 1886: vol. 2: 287-99 and 1887: 17-25; Mathieu 1947: 134-8; Hansen 1976: 144-152; Christ 1998: 56; Carmignato 1999: 91-112; MacDowell 2009: 298-313; Faraguna 2011: 75-7; Worthington 2013: 286; Spatharas 2013: 77-94; Apostolakis 2014: 205-208.

¹⁶ Edward Harris (2018: 193-229) is an exception to this tendency. He considers both speeches rhetorical exercises of the Hellenistic period. Compared to previous scholars, Harris adduces two new arguments: the absence of total or partial stichometry in the manuscript tradition of the speech, and the use of some words that are not found in other forensic speeches. Moreover, he thinks that the mistakes concerning the Athenian law and the legal proceedings of the 4th century BCE are decisive arguments against the authenticity of the oration. However, I believe that some legal passages which he considers to be inaccurate can be interpreted differently cf. Hansen 1976: 144-52 (whom Harris attempts to refute). Moreover, his new arguments cannot be considered so decisive as to support the theory of late rhetorical exercise. Stichometry is also absent from other speeches of the Demosthenic corpus whose authorship is questioned, but which are nonetheless considered works of the classical period, cf. e.g. [Dem.] 17 or [Dem.] 58 and Goldstein 1968: 6-25; Canevaro 2013: 1-36, 319-42. Moreover, as far as the vocabulary is concerned, Harris restricts his investigation to forensic oratory and does not take into account other literary sources of the same period; this practice results in misleading conclusions. This issue will be examined in more detail below.

with reservations, both the Demosthenic authorship of *or.* 25 and its delivery under real forensic circumstances.

In order to reach some conclusions concerning the authorship of the speech, scholars have also considered two basic Demosthenic peculiarities: the avoidance of the three contiguous short syllables known as Blass' "law" (1893: 105-12), and the avoidance of hiatus. It has been remarked that the avoidance of the tribrach is strictly applied in *or.* 25,¹⁷ while the avoidance of hiatus, even though it is not kept to as strictly as in other speeches of Demosthenes, does not necessarily indicate a careless synthesis.¹⁸ Considering these criteria, Blass (1893: 408-17) does not question the authorship of *or.* 25, although, due to its loose structure and the repetition of some arguments, he believes that the speech was never delivered in court and was composed after the end of the trial,¹⁹ but was later published after the death of Demosthenes as a rhetorical exercise.

On the other side of the argument, some scholars disregard *or.* 25 and consider it either a rhetorical exercise by a later writer or a composition of the 4th century BCE intended to be delivered in court, but not a work by Demosthenes. More specifically, Schaefer (1887: 113-28) argued against Demosthenic authorship and maintained that *or.* 25 is a composition of a later rhetorician. Sealey (1967: 250-55), about a century later, adopted the same position, focusing on some information on Aristogeiton which either differs from *or.* 25 or is not mentioned in other available sources ([*Dem.*] 26, *Din.* 2 and *Lib. Arg.D.* 24). According to Sealey, these inaccuracies are compatible with the assumption that *or.* 25 was composed as a rhetorical exercise by a later writer.²⁰ Furthermore, he argues that *or.* 25 is actually two orations that have

¹⁷ See Adams 1917: 271-94, who confirms the validity of Blass' "law", but draws attention to abuse of this "law" in matters of textual criticism. It is also worth noting that Vogel (1923: 87-108), following Blass' observation, confirmed the spuriousness of some speeches of the Demosthenic corpus, including *or.* 26. The tribrach rule is also confirmed by modern stylometric studies cf. McCabe 1981: 119-30.

¹⁸ See Martin 2009: 185. For a discussion of the avoidance of hiatus in Demosthenes see Pearson 1975: 138-159, who examines examples of hiatus mostly from *or.* 18 and 19 and focuses on the choices and objectives of the orator.

¹⁹ Blass (1893: 413) argued that the references to Lycurgus' speech (§§1, 14, 69, 97) suggest that the speech was written after the end of the trial, but MacDowell (2009: 312) notes that such an interpretation is not inevitable, since it is expected that plaintiffs in cases of joint legal advocacy will discuss and prepare their strategy together.

²⁰ Hansen (1976: 150-2) examines three of the passages in which Sealey found inaccuracies (§§ 54, 67, 71-4), and concludes that these passages are susceptible of a different interpretation which does

been merged.²¹ This theory is not particularly convincing and does not seem to have had any impact on later scholars. Vince (1964: 515) also considers both *or.* 25 and 26 rhetorical exercises because of the style and the intense vituperation. However, as Worman (2008: 230-1) and Apostolakis (2014: 206-7) have pointed out, such fierce personal abuse often occurs in Demosthenes' speeches which have definitely been delivered in court (cf. e.g. Dem. 18.129-30).

A different approach was followed by Treves (1936: 252-8), who argued that the speech was not composed by Demosthenes, but rather is a sample of 4th century BCE rhetoric delivered in the trial against Aristogeiton by some other orator. Rubinstein (2000: 30-32) seems to share this view, as she assumes that the speaker's statement (25.37) that he has been sued by Aristogeiton nine times and that he belongs to the anti-Macedonian party is not enough to attribute the speech to Demosthenes, as it is likely that other individuals would fit this description. Regardless of the author, she believes that *or.* 25 and 26 were delivered under real judicial conditions.

The scholar who has resolutely defended the authenticity of *or.* 25 is Hansen (1976: 144-52), who focuses on two lines of argument. First, he refutes Lipsius' (1883: 319-31) arguments that the author of *or.* 25 has no precise knowledge of the legal procedures of the 4th century BCE.²² Then he focuses on Sealey's arguments (1967: 250-55) and the supposed contradictions he found between the information drawn from *or.* 25, 26 and Dinarchus' speech. His conclusion is that inaccuracies in content

not contradict the authenticity of the speech. Sealey (1993: 237-9) insisted on his opinion, drawing attention to three more passages of a legal nature (§§13, 42, 65), but his arguments, as Rubinstein (2000: 31-2) has shown, carry little weight.

²¹ Specifically, Sealey (1967: 254-5) believes that the first speech consists of §§1-53 and the second of §§54-101.

²² Hansen's view is based on some of the arguments that Weil (1887: 17-25) used to defend the Demosthenic authorship of the speech against Lipsius' argumentation. The Aristotelian *Ath. Pol.*, which was discovered afterwards (ed. pr. Kenyon 1891), proved that we should be cautious when rejecting information emanating from a text, under the argument that it is unattested elsewhere. I will mention briefly two such points. The first is 25.27, where the author mentions a double sortition of the jurors. Lipsius thought that this was a mistake of ignorance by the author of the speech, but *Ath. Pol.* 64.1-5 confirms that this method was indeed employed by the Athenians. The second is 25.67, where the author uses the verb προστιμᾶν with reference to the penalty imposed on Aristogeiton. Lipsius thought that this form can only be referred to an additional penalty and that it is not a synonym with τιμᾶν; but this was disproved by *Ath. Pol.* 63.3.

and legal matters are unfounded, as they arise mainly because of our ignorance, and therefore constitute unreliable criteria to reject the authorship of *or. 25*. He believes that the speech was written by Demosthenes in order to be delivered in court, although he considers the possibility that it might be proved spurious due to stylistic reasons. In any case, he considers it an important source for the legal system of Athens in the 4th century BCE. The view that *or. 25* was written and delivered by Demosthenes is also expressed by MacDowell (2009: 298-313), who emphasizes that the arguments are neither in favor of nor against Demosthenic authorship, and that our decision will ultimately be based on our appraisal of the author's style.

II The style of *Against Aristogeiton I*

While modern scholars have questioned the authorship of *or. 25* on the basis of inconsistencies in the historical and legal information, none of the ancient sources seem to express any doubt on these matters. Instead, they focus on the style of the author and either praise or criticize his stylistic choices. This has led some scholars to the conclusion that the examination of the style is crucial to the discussion of authorship. In this section I will present the stylistic characteristics of the speech and compare them with Demosthenes' known style and practices, as they appear in his genuine speeches. I hope that this examination may help us to form a reliable opinion concerning the authorship of the speech.

In the *Hypothesis* of this speech, Libanius states that in *or. 25* Demosthenes adopts a more philosophical tone and periodic composition because Lycurgus, who had spoken before him, had dealt with the legal issues. This statement explains to some degree why this oration seems to deviate from Demosthenes' style, but in any case I think that the differences are not very significant. However, Harris (2018: 196) seems to disagree and declares that "the vocabulary of *Against Aristogeiton I* differs in several ways from that of the genuine speeches of Demosthenes and contains stylistic features unlike those found in Athenian forensic oratory".

As regards the vocabulary, Harris detects fifty-six words that do not appear in other forensic speeches²³ and points out that there are also many metaphors, similes and personifications otherwise unattested in Attic oratory. Harris, however, restricts his investigation to forensic oratory and does not take into account other literary sources of the same period.²⁴ As a result, he overlooks the fact that of the fifty-six words, only six appear for the first time in *or.* 25.²⁵ But it is reasonable to think that these six words do not constitute a safe criterion for the rejection of the Demosthenic authorship of the speech.

A closer consideration of Demosthenic vocabulary may shed more light on the problem of the authorship. Demosthenes tends to use tragic and comic vocabulary in his speeches,²⁶ and many of the words that Harris presents can be found in this context. Besides, Demosthenes often uses everyday language, a feature that is common in comedy.²⁷ *Or.* 25 contains such examples of colloquial language, for example in §78: ὦ τᾶν; cf. Dem. 1.26, 3.29, 18.312 and Ar. *Eq.*494, and in §91: ὁ δεινᾶ; cf. e.g. Dem. 19.296, 20.104, 21.66 and Ar. *Thesm.*619-22; *Ran.* 918. Furthermore, the animal imagery in the description of Aristogeiton brings out the

²³ The words are: §2 ἐρραψωδηκότας, §11 ἀπαραίτητον, §11 Ὀρφεύς, §27 χολήν, §28 ἀλύσει, §32 ἀνάμεστος, §37 Ἀδράστεια, §41 διαβαπτίζεσθαι, §42 στασιώδεις, §42 παραχώδεις, §43 παρακινδυνεντικοῦ, §46 μεταβολεύς, §46 ἀκονᾶς, §47 ἀνασείσας, §48 ρίζαν, §48 μοσχεύητε, §49 δυσκατάπανστον, §49 κοπρώνων, §50 σπαράττων, §52 ἔχισ, §52 σκορπίος, §52 ἄπτων, §52 ἄσπειστος, §53 ἴλεων, §54 ἐνάμιλλα, §57 ἔπνει, §57 ράπισας, §60 κατεγγύην, §61 τεταριχενμένον, §65 φύσεως νόμος, §68 δακτυλοδεικτεῖτε, §70 τέωσπερ, §75 ἄστρα, §76 βάσιμον, §76 ἀπόκρημνα, §76 φάραγγας, §76 βάραθρα (met.), §79 δίδυμος, §79 ἐπωδάς, §80 μαγγανεύει, §80 ἐπίληπτος (met.), §80 φαρμακός, §80 λοιμός (met.), §80 οἰωνίσαιτ', §82 τρισκατάρατος, §84 προβόλων, §84 ἄγκυρα (this word does not exist in *or.* 25 but Harris probably included it by mistake), §89 συγγενικῶς, §89 παροιμίας, §90 μεταρρίπτει, §90 ἀψοφητεῖ, §90 κώδωνας, §93 ἐξαγίστους, §96 φαλάγγιον, §98 φνσιωνωμονήσουσι, §101 κακοπραγμοσύνη.

²⁴ Indeed, most of these words occur in near-contemporary authors, e.g. οἰωνίζομαι in Arist. *Pol.* 1304a1; μεταρρίπτω in Simon. *PMG* 527; §2 ῥαψωδέω finds an exact parallel in Dem. 14.12, where it is also used of unpersuasive speech: ῥαψωδήσουσιν οἱ πρέσβεις περιόντες “ambassadors will go round giving empty recitations”, also cf. [Aeschin.] *Epist.* 11.8 Μηδὲ ῥαψωδείτωσαν μᾶτην ἐπαινοῦντες ἡμῶν τοὺς προγόνους τε καὶ τὴν χώραν,

²⁵ These are the words: §41 διαβαπτίζεσθαι, §46 μεταβολεύς, §52 ἄσπειστος, §68 δακτυλοδεικτεῖται (but the adjective δακτυλόδεικτος occurs in Aesch. *Ag.*1332), §70 τέωσπερ, §80 λοιμός (said of persons). Besides, the word ὑπερδιατεινόμενος (§1, not included in Harris' list) appears to be a unicum in texts of the classical period. However, it does occur as a variant lection in Dem. 20.143, a speech which is certainly by Demosthenes. Therefore, one should not exclude the possibility that its appearance in *or.* 25 might be considered an indicator of Demosthenic authorship.

²⁶ E.g. in the vocabulary of *or.* 18 we can find many words from comedy and tragedy; cf. Yunis 2001, 19.

²⁷ Dobson 1974[1918]: 234; Edwards 1994: 40.

strong affinities between the forensic invective and the abusive language of comedy.²⁸ Aristogeiton is presented as a watchdog of the people (§40), a simile which calls to mind Paphlagon (Cleon) in the *Knights* (cf. Ar. *Eq.*1023-34).²⁹ He is also called *σκορπιός* (§52) and *ἔχικς* (§52), both used in comedy in connection with sycophants (cf. Eur. fr. 245 K-A *Τῆνος αὐτή, πολλοὺς ἔχουσα σκορπίους ἔχεις τε συκοφάντας*), and *φαλάγγιον* (§96), a term also used by Hyperides (fr. 19 Jensen).³⁰ Adjectives like *μιαρός* in §28, used in a context of abuse, are also typical of Aristophanes' abusive language; cf. *Ach.*181, 557; *Nub.*1332; *Vesp.*397, etc. In §8 the word *θηρίον* (used of men) is also an Aristophanic usage; e.g. *Eq.*273; *Vesp.*448; *Av.*85; in orators this metaphorical description occurs, as far as I know, only in Demosthenes and Aeschines, in contexts of personal abuse, e.g. Dem. 24.143; Aeschin. 2.20; 2.34; 3.182. The *παλιγκάπηλος* in §46 is an epithet of Hermes in Aristophanes (*Plut.* 1155; cf. [Dem.] 56.7 *παλιγκαπηλεύων*). In combination with *κάπηλος* and *μεταβολεύς*, it supports a rhetorical amplification (*παλιγκάπηλος* sc. *πονηρίας*). Moreover, the description of Aristogeiton with his erect sting in the agora, seeking to attack his next victim, calls to mind the old jurors who form the Chorus in Aristophanes' *Wasps* (esp. 225-7).³¹ Finally, the abuse of major Athenian politicians, generals in particular, is common in Old Comedy: § 20 *ἀπειλῶν οὐκ ἐπαύετο, οἷς μὲν ὑμεῖς τὰ μέγιστ' ἐνεχειρίζετε στρατηγοῖς, ὅτι αὐτῶ ἀργύριον αἰτοῦντι οὐκ ἔδοσαν, οὐδὲ τῶν κοπρῶνων ἂν ἐπιστάτας ἐλέσθαι φάσκων*; cf. Ar. *Ran.*732–3 *οἷσιν ἢ πόλις πρὸ τοῦ / οὐδὲ φαρμακοῖσιν εἰκῆ ῥαδίως ἐχρήσατ' ἂν*; Eur. fr. 219 K-A *οὐς δ' οὐκ ἂν εἴλεσθ' οὐδ' ἂν οἰνόπτας πρὸ τοῦ, / νυνὶ στρατηγούς ἔχομεν*.

²⁸ Spatharas 2013: 80.

²⁹ It is also possible that the image of the “watchdog of the people” originates from fables; cf. Spatharas 2013: 87-90. Worman (2008: 230) finds similarities in this description between Aristogeiton and Antisthenes, the Cynic philosopher.

³⁰ Cf. in § 96 the imagery of the ‘biting’ sycophant: *τὸν αὐτὸν τοίνυν τρόπον, ὧ ἄνδρες Ἀθηναῖοι, καὶ ὅταν συκοφάντην καὶ πικρὸν καὶ ἔχιν τὴν φύσιν ἄνθρωπον ἴδητε, μὴ πόθ' ἕκαστον ὑμῶν δήξεται περιμένετε, ἀλλ' ὁ προστυχὼν ἀεὶ τιμωρησάσθω*; Ar. *Thesm.*529-30 *τὴν παροιμίαν δ' ἐπαινῶ τὴν παλαιάν· ὑπὸ λίθω γὰρ παντὶ που χρὴ μὴ δάκη ῥήτωρ ἀθρεῖν*.

³¹ Cf. the use of *σπαράττειν* in connection with slanderous behaviour in §50: *τὰς δὲ κληρωτὰς ἀρχὰς σπαράττων, αἰτῶν, εἰσπράττων ἀργύριον* and Ar. *Ach.* 687: *σπαράττων καὶ ταραττων καὶ κυκῶν*.

Apart from similes derived from the animal kingdom, the speaker of this oration uses similes from everyday life, particularly from the field of agriculture (§48 *πλὴν εἰ συκοφάντου τις καὶ πονηροῦ σπέρμα καὶ ρίζαν, ὥσπερανεὶ γεωργός, οἶται δεῖν ὑπάρχειν τῇ πόλει*) and from medicine (§95 *ὥσπερ οἱ ἰατροί, ὅταν καρκίνον ἢ φαγέδαιναν ἢ τῶν ἀνιάτων τι κακῶν ἰδῶσιν, ἀπέκασαν ἢ ὄλωσ ἀπέκοψαν, οὕτω τοῦτο τὸ θηρίον ὑμᾶς ἐξορίσαι, ρίψαι ἐκ τῆς πόλεως*). This kind of simile is common in Demosthenes' speeches.³² Especially for the first case cf. Dem. 18.262: *σῦκα καὶ βότρυς καὶ ἐλάας συλλέγων ὥσπερ ὀπωρώνης ἐκ τῶν ἀλλοτρίων χωρίων*, where, however, the simile is about the greengrocer and not the farmer. As regards the field of medicine cf. Dem. 18.243: *ὥσπερ ἂν εἴ τις ἰατρὸς ἀσθενούσι μὲν τοῖς κάμνουσιν εἰσιὼν μὴ λέγοι μηδὲ δεικνύοι δι' ὧν ἀποφεύξονται τὴν νόσον, ἐπειδὴ δὲ τελευτήσειέ τις αὐτῶν καὶ τὰ νομιζόμεν' αὐτῶ φέροιτο, ἀκολουθῶν ἐπὶ τὸ μνήμα διεξίει 'εἰ τὸ καὶ τὸ ἐποίησεν ἄνθρωπος οὕτοσί, οὐκ ἂν ἀπέθανεν*. According to Harris (2018: 227), the above simile is an indication against the authenticity of *or.* 25, because the author describes the diseases using technical terms otherwise unattested in the Demosthenic corpus, although the orator often uses medical language.³³ Indeed, the words *καρκίνος*, *φαγέδαινα* and *ἐπίληπτος* (§80)³⁴ do not exist in other forensic speeches and are technical terms. On the other hand, Demosthenes uses medical terminology in other orations; cf. Dem. 2.21 *κἄν*

³² More specifically, for the comparisons that Demosthenes uses see Ronnet (1951: 176-182), who does not focus on all the orator's speeches, but concentrates on and categorizes the similes of the speeches he examines based on their place of origin (e.g. everyday life, medicine, etc.).

³³ For the medical vocabulary in Demosthenes cf. Das 2015, who focuses on *or.* 18 and 19, but also examines *or.* 25. She regards this oration as a rhetorical exercise by an imitator and believes that medical vocabulary was a feature of Demosthenes' style which was known in antiquity (p.138).

³⁴ Especially worth noting is that in the very same clause the adjective *ἐπίληπτος* occurs twice, first in the specific sense of 'epileptic', and second in the more general sense of 'disabled' (a kind of paronomasia; cf. Quint. *Inst.* 9.3.66-67). Despite Harris' assertion (2018: 223) that the word is otherwise unattested in Athenian forensic oratory, the word does occur in Hyperides (*Ath.* col.15.8 Jensen) *ἐπίληπτον ἀνδράποδον*. It is not clear, however, whether it is used in the specific or the general sense; cf. *LSJ* s.v. 3.I; Whitehead 2000: 311. At this point, it is worth pointing out that several of the words which Harris uses to reject Demosthenic authorship can be found either in rhetorical fragments (e.g. *ράπιζω* in Hyp. fr. 97 Jensen, *ἀκονῶ* in Demad. fr. 87.17 de Falco, *στασιώδης* in Demad. fr. 75 de Falco), or in other rhetorical genres (e.g. *ἀπαράιτητος* in Lys. 2.78, *ταραχώδης* in Isoc. 4.48, *ἐνάμιλλος* in Isoc. 1.12 and 10.22), or even in other forensic speeches (e.g. *ἐξάγιστος* in Aeschin. 3.113 and *φαρμακός* in [Lys.] 6.53).

ρήγμα κἄν στρέμμα; Dem. 18.198 τὰ ρήγματα καὶ τὰ σπάσματα; Dem. 54.11 οἰδημάτων.. ἔλκων.. πυρετοί.. κάθαρσις αἵματος.

Another characteristic of Demosthenes' style, which is also found in this oration, is the way in which the speaker addresses the audience. The civic address *ὦ ἄνδρες Ἀθηναῖοι* (which occurs 30 times) in a forensic speech, instead of the more formal *ὦ ἄνδρες δικασταί*, is often used by Demosthenes when attacking his political opponents, possibly in order to give a public dimension to the offense.³⁵ Also, the invocation *ὦ γῆ καὶ θεοί* (§56) and the exclamation *ιού ιού* (§47) are often found in the works of the orator as well as in comedy; for the invocation cf. Dem. 18.139, 159, 294; 19.287, 311; 20.96; Nicostr.Com. fr. 5.3 K-A, and for the exclamation cf. Dem. 19.209 and Ar. *Nub.* 543

A key element of the style of this oration is antithesis, which is used to contrast ideas, the most important being the antithesis *nomos-physis*, which governs the whole speech. Moreover, repetitions in the form of various rhetorical figures, not alien to Demosthenes' style, dominate the speech: anaphora (§§33, 59, 63: *οὐκ ἀσεβής; οὐκ ὠμός; οὐκ ἀκάθαρτος*; cf. Dem. 3.17: *οὐκ ἐχθρός; οὐκ ἔχων τὰ ἡμέτερα; οὐ βάρβαρος; οὐχ ὅ τι ἂν εἴποι τις*; 82: *ταῦτα γεωργεῖ, ταῦτ' ἐργάζεται*; cf. Dem. 21.72 *ταῦτα κινεῖ, ταῦτ' ἐξίστησιν*); anadiplosis (§73: *οὐκ ἔστι ταῦτα, οὐκ ἔστιν*; §95 *ἀνίατον, ἀνίατον, ἄνδρες Ἀθηναῖοι, τὸ πράγμα' ἔστι τὸ τούτου*; cf. Dem.18.24: *οὐκ ἔστιν, οὐκ ἔστιν ὅπως ἡμάρτετ'*); anadiplosis with the insertion of a phrase (§14: *δότε δ' ὦ ἄνδρες Ἀθηναῖοι, δότε*; cf. Dem. 18.139: *δότε δ', εἰ βούλεσθε, δότ' αὐτῶ τούτο*); circle structure (§87: *οὐ γὰρ ὁμοίον ἔστιν...οὐχ ὁμοιον, οὐ*; cf. Dem. 19.97: *οὐ γὰρ Αἰσχίνης ὑπὲρ τῆς εἰρήνης κρίνεται, οὐ*); and amplification, which, according to Yunis (2005, 17), is a "hallmark of Demosthenes' style" (e.g. §11 *φυλαττόμενον καὶ προορώμενον*; §24 *σεμνὰ καὶ καλὰ ... κοσμεῖται καὶ σώιζεται*; §38 *παρακρούεσθαι καὶ φενακίζειν*; §41 *τοὺς ιδιώτας*

³⁵For the uses and purposes of these addresses in selected speeches of Demosthenes (*or.* 18, 19, 24) see Serafim (2017: 26-41), who argues that addresses to the audience are not a matter of convention, but are used to influence the audience, to create a certain disposition in them towards the litigants and to affect the final verdict.

καὶ τοὺς ἀπείρους; §56 ἐζήτουν καὶ ἐκήρυττον; §89 κινεῖ καὶ ἀναιρεῖ καὶ μεταρρίπτει; cf. Dem. 18.2 βεβούληται καὶ προήρηται; 18.4: πεποίηκα καὶ πεπολίτευμαι). It is worth noting that repetitions appear not only at the level of vocabulary but also in argumentation. These repetitions may be deliberate in order to enhance the image of an ‘oral’, unplanned, spontaneous and honest speech. It has been observed that this “dwelling on a point” (*epimoneē*) is compatible with Demosthenes’ practice (cf. Hermog. *Id.*1.11, who exemplifies this figure with Dem. 18.71).³⁶

The author often uses asyndeton in many combinations: with infinitives (36: κρινεῖν, εἰσάξειν, παραδώσειν; cf. Dem.18.195: στήναι, συνελθεῖν, ἀναπνεῦσαι); with participles (§41 συκοφαντῶν, αἰτῶν, εἰσπράττων, and 49; cf. Dem. 2.13: εἰσφέροντας, ἐξιόντας, ἅπαντα ποιοῦντας ἐτοίμως); with verbs (§25, 45: δίδωμι, συγχωρῶ; cf. Dem. 19.191: ἔθυσεν, συνεισιθάθη); with adjectives (§52: ἄσπειστος, ἀνίδρυτος, ἄμεικτος; cf. Dem. 4.36 ἄτακτα, ἀδιόρθωτα, ἀόρισθ’ ἅπαντα); and with nouns (§§10, 77, 78, 81: ἔλεον, συγγνώμην, φιλανθρωπίαν; cf. Dem. 18.80: ἔπαινοι, δόξαι, τιμαί, στέφανοι, χάριτες), while polysyndeton is used with the same frequency, but not the same variety (§§9, 11, 18, 22, 24, 26, 52, 84: πικρία καὶ μαιφονία καὶ ὠμότης; cf. Dem. 18.188: ἔχθραν καὶ μῖσος καὶ ἀπιστίαν). Devices with a flavor of Gorgias’ figures are also used, though rarely, such as alliteration (§32: οὐδ’ αἰδῶς οὐδεμία; cf. Dem. 18.11: κακοήθης... εὐήθης ὠήθης); and isocolon (§§16, 40: οἶος οὗς μὲν αἰτιαῖται λύκους εἶναι μὴ δάκνειν, ἃ δὲ φησι πρόβατ’ αὐτὸς κατεσθίειν; cf. Dem. 4.43: τὴν μὲν ἀρχὴν τοῦ πολέμου γεγεννημένην περὶ τοῦ τιμωρήσασθαι Φίλιππον, τὴν δὲ τελευταίην οὖσαν ἤδη ὑπὲρ τοῦ μὴ παθεῖν κακῶς ὑπὸ Φιλίππου). But perhaps the most striking example is the following, consisting of successive symmetrical descriptions of *nomos*, mainly through abstract nouns in *-μα*: §16 πᾶς ἐστὶ νόμος εὖρημα μὲν καὶ δῶρον θεῶν, δόγμα δ’ ἀνθρώπων φρονίμων, ἐπανόρθωμα δὲ τῶν ἔκουσίων καὶ ἀκουσίων

³⁶The rhetorician of late antiquity (2nd century CE) Alexander (*Fig.* 17) notes that ἐπιμονή μετὰ ἀνυξήσεως is a Demosthenic figure.

ἀμαρτημάτων, πόλεως δὲ συνθήκη κοινή. It has been noted that nouns in –μα are often used in serious poetry, in order to create an elevated style (Willi 2003: 136-9).³⁷

The speaker uses apostrophe several times to address either the accused (§§28, 37, 84, 87) or his supporters (§46). The use of apostrophe combined with vocatives gives more emotional tension and shows a kind of despair on the part of the speaker, who appears to be resentful of and furious with the behavior of his adversary, as exemplified in §28 ὄς, ᾧ μιαρῶτατε πάντων τῶν ὄντων ἀνθρώπων.³⁸ It is to be expected, therefore, that the apostrophe, combined with alliteration, is often used by Demosthenes in passages containing personal abuse (e.g. 18.11: κακοήθης δ' ᾧν, Αἰσχίνη, τοῦτο παντελῶς εὔηθες ᾧήθης).

Emotional tension is also sought through rhetorical questions that vary in length (§§26, 33, 42, 59, 63, 67-8, 73, 82-3) and highlight the sense of danger that Aristogeiton can cause. Rhetorical questions, of various forms and lengths, are very common in Demosthenes; cf. e.g. 18.63, 65, 139, 149.³⁹ Another rhetorical figure frequently employed in *or.* 25 is *hypophora*, in which the speaker directs a dialogue with a fictitious speaker, posing and answering questions for his opponent (§40: τί οὖν οὗτός ἐστι; κύων νῆ Δία, φασί τινες, τοῦ δήμου. ποδαπός; οἶος οὖς μὲν αἰτιαῖται λύκους εἶναι μὴ δάκνειν, ᾧ δὲ φησι φυλάττειν πρόβατ' αὐτός κατεσθίειν; cf. Dem. 18.24: τί γὰρ καὶ βουλόμενοι μετεπέμπεσθ' ᾧν αὐτούς ἐν τούτῳ τῷ καιρῷ; ἐπὶ τὴν εἰρήνην; ἀλλ' ὑπῆρχεν ᾧπασιν. ἀλλ' ἐπὶ τὸν πόλεμον; ἀλλ' αὐτοὶ περὶ εἰρήνης ἐβουλεύεσθε) or anticipates the possible objections of the accused by quoting his supposed words in the first person (§§64: “ἐγὼ μόνος εὔνοος ὑμῖν: πάντες οὗτοι συνεστᾶσιν: προδέδοσθε: ἢ παρ' ἐμοὶ μόνον εὔνοια λοιπή”; cf. Dem. 18.40: ‘ἐγὼ ταῦτα πεποίηκ' ἀκόντων Ἀθηναίων καὶ

³⁷ Concerning these words, it is also worth noting that the word ὄφλημα “fine”, which mainly occurs in classical literature in Demosthenes (e.g. 21.99; 24.39, 45, 46, 83; 31.11; 39.15; 53.15, 29) also occurs six times in our speech (§§ 17, 18, 28, 70, 71, 86).

³⁸ Cf. Dem. 18.21, 41, 49, 63, 66, 120-1, 143, 180, 199, 270, 289-90 and in general for Demosthenes' stylistic choices in *or.* 18 see Usher 1993; Yunis 2001.

³⁹ For the special type of rhetorical question in §4, consisting of πῶς ἔχει and followed by an explanatory account, cf. Dem. 3.26 ἀλλὰ Θετταλία πῶς ἔχει;

λυπουμένων, ὥστ' εἶπερ εὖ φρονεῖτ', ὦ Θηβαῖοι καὶ Θετταλοί, τούτους μὲν ἐχθροὺς ὑπολήψεσθε, ἐμοὶ δὲ πιστεύετε,'). In this way he efficiently subverts his opponent's arguments (§§65, 67-8, 78, 84).

Furthermore, the speaker incorporates in his speech features that give a sense of spontaneity, such as *praeteritio* (§§9, 37, 45, 47, 55, 60, 79; cf. Dem. 18.69, 88, 100, 110 etc.); parenthesis (§§19, 31, 47, 50, 41: οὐχὶ μὰ Δία τοὺς λέγοντας (οὗτοι μὲν γὰρ ἐπίστανται τούτῳ διαβαπτίζεσθαι)); cf. Dem. 18.66 ἢ τί τὸν σύμβουλον ἔδει λέγειν ἢ γράφειν τὸν Ἀθήνησιν (καὶ γὰρ τοῦτο πλεῖστον διαφέρει); prodiorthosis (§§14, 43: βούλομαι τοίνυν καὶ παρακινδυνευτικοῦ τινος ἄψασθαι λόγου; cf. Dem. 18.159: εἰ μὴδὲν εὐλαβηθέντα τάληθές εἰπεῖν δέοι); and epidiorthisis (§32: ἀπόνοι' ἠγεῖται, μᾶλλον δ' ὄλον ἔστ' ἀπόνοια ἢ τούτου πολιτεία; cf. Dem. 18.130: ὀψὲ γὰρ ποτε— ὀψὲ λέγω; χθὲς μὲν οὖν καὶ πρώην).

In *or.* 25 there are personifications of abstract notions, such as Dike and Eunomia (§11), which are given almost divine qualities. This is not characteristic of Demosthenes' style, but this does not mean that personification is absent altogether; cf. Dem. 19.275, where we have a personification of Peace, and the mild personification of Tyche in Dem. 4.45: καὶ τὸ τῶν θεῶν εὐμενές καὶ τὸ τῆς τύχης συναγωνίζεται; (Wooten 2008: 111). However, the element that seems to deviate from Demosthenes and forensic oratory as a whole is the quasi-philosophical dimension that the speech acquires with the dipole law-nature. Wohl (2010: 53 n.67) emphasizes that this dipole may be of philosophical origin, but in this case its uses are typical of forensic thought (e.g. the ordering force of law, the location of a just verdict in the jurors' character or nature, the positing of a criminal or chaotic natural state beyond the law), thus explaining this apparent deviation. In any case, although the quasi-philosophical tone is striking, the antithesis *nomos-physis* does occur, admittedly very condensed, in Dem. 18.275. Besides, such a theoretical attitude is not totally absent in Demosthenes, in particular with reference to law and the jurors; cf. 21.223-5, a passage dedicated to "the rhetoric of law"; [Dem.] 42.15.

Conclusions

I suggest that *or.* 25 may well be a work of Demosthenes intended to be delivered in real court circumstances, since there is no compelling evidence against either possibility. Most difficulties in accepting its authenticity have now been overcome. As regards the intensity of abuse and defamation, there is no doubt that Demosthenes was expert at destroying the ethos of his opponents by focusing on their private life, the best-known case being that of Aeschines. Also, some contradictory information might be explained by exaggeration and distortion of events within the frame of litigation. Regarding the legal issues of the speech, Hansen has shown sufficiently that they do not contain unambiguous differences from the information we have on the legal proceedings of the 4th century BCE, although there are still some passages that are difficult to interpret. In fact, the only limiting factor in the general acceptance of the speech as a genuine work of Demosthenes is the testimony of Dionysius of Halicarnassus, which may be explained by Dionysius' excessive zeal to defend Demosthenes' style (Rubinstein 2000: 30 n.16).

However, in terms of style, as the above analysis has shown, there are no irreconcilable differences between *Against Aristogeiton I* and other speeches of Demosthenes considered to be genuine. In the (less likely) case that this oration has not been written by Demosthenes, perhaps some (contemporary or later) writer managed to imitate the style of the orator, and especially the speeches he delivered against Aeschines, with great success. But in any case I agree with Wohl's observation (2010: 51) that even if the text is a later pastiche, nearly every trope, image and argument in it can be attested in other fourth-century forensic orations, and its rhetorical strategies are all typical of the genre.

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