

NOTES AND DISCUSSIONS

A NOTE ON PLATO *APOLOGY* 27B4–5

Plato *Apology* 27A7–B5:

Συνεπισκέψασθε δὴ, ὧ ἄνδρες, ἥ μοι φαίνεται ταῦτα λέγειν· σὺ δὲ ἡμῖν ἀποκρίναι, ὧ Μέλητε. ὑμεῖς δέ, ὅπερ κατ' ἀρχὰς ὑμᾶς παρητησάμην, μέμνησθέ μοι μὴ θορυβεῖν ἐὰν ἐν τῷ εἰωθότι τρόπῳ τοὺς λόγους ποιῶμαι.

Ἔστιν ὅστις ἀνθρώπων, ὧ Μέλητε, ἀνθρώπεια μὲν νομίζει πράγματ' εἶναι, ἀνθρώπους δὲ οὐ νομίζει; ἀποκρινέσθω, ὧ ἄνδρες, καὶ μὴ ἄλλα καὶ ἄλλα θορυβεῖτω.

This last sentence (ἀποκρινέσθω . . . θορυβεῖτω), although no one seems to have questioned it, strikes me as decidedly odd. *If* Meletus is creating a disturbance, one would expect Socrates to address him directly, in the second person imperative, e.g., ἀποκρίνου καὶ μὴ ἄλλα καὶ ἄλλα θορύβει. Alternatively, if Socrates is appealing to his audience for assistance, one would expect him to say “*Make* Meletus answer,” ἀναγκάζετε αὐτὸν ἀποκρίνεσθαι vel sim. (Compare immediately below, p. 27C, when Meletus does give an answer: ὡς ὤνησας ὅτι μόγις ἀπεκρίνω ὑπὸ τούτων ἀναγκαζόμενος.)

Thus the wording of this sentence, as it stands, is unusual. More importantly, it contradicts the facts. Two consistent patterns appear in this speech. First, Meletus, under interrogation by Socrates, regularly blusters out a too confident response or two and then, as he perceives where Socrates is leading him in the argument, answers only with the greatest reluctance or not at all. See 24D7–8 ὁρᾷς, ὧ Μέλητε, ὅτι σιγᾷς καὶ οὐκ ἔχεις εἰπεῖν; 25C5–10, 25D2–3 ἀποκρίνου, ὧ ἀγαθέ· καὶ γὰρ ὁ νόμος κελεύει ἀποκρίνεσθαι, 27B8 εἰ μὴ σὺ βούλει ἀποκρίνεσθαι, ἐγὼ σοὶ λέγω, 27C10 τίθημι γάρ σε ὁμολογοῦντα, ἐπειδὴ οὐκ ἀποκρίνη. So far from constantly interrupting and causing disturbances, which is what μὴ ἄλλα καὶ ἄλλα θορυβεῖτω clearly means,¹ Meletus is not once elsewhere in the speech represented as doing any such thing.

A second pattern that is observable in the *Apology* is a constant series of interruptions (θόρυβοι) on the part of the *audience*, whether jurors or other listeners or both. See 17C6–D1 τοῦτο ὑμῶν δέομαι καὶ παρίεμαι . . . μήτε θαυμάζειν μήτε θορυβεῖν, 20E3–4 καί μοι, ὧ ἄνδρες Ἀθηναῖοι, μὴ θορυβήσητε, 21A5 καί, ὅπερ λέγω, μὴ θορυβεῖτε, ὧ ἄνδρες, 30C2–3 μὴ θορυβεῖτε, ὧ ἄνδρες Ἀθηναῖοι, ἀλλ' ἐμμεναιέ μοι οἷς ἐδεήθην ὑμῶν, μὴ θορυβεῖν, 30C4–6 μέλλω γὰρ οὖν ἅττα ὑμῖν ἐρεῖν καὶ ἄλλα ἐφ' οἷς ἴσως βοήσεσθε· ἀλλὰ μηδαμῶς ποιεῖτε τοῦτο. It is perfectly clear that Plato represents the listeners as reacting vociferously again and again to what they take to be outrageous remarks on the part of Socrates.

1. For the idiom ἄλλα καὶ ἄλλα see LSJ s.v. ἄλλος II.3; it means essentially, “one after another.”

In the passage that is our concern, both these patterns appear together, 27A9–B1
 οὐ δὲ ἡμῖν ἀποκρίναι, ὦ Μέλητε. ὑμεῖς δὲ . . . μέμνησθέ μοι μὴ θορυβεῖν (quoted
 more fully above).

We can now see what Plato must have written in the sentence in question. Socrates has just asked Meletus whether anyone believes in human affairs but not in humans. Obviously the impatient hearers found the question exasperating and voiced their objections by raising one more θόρυβος. Socrates accordingly makes an appeal: “Gentlemen, let him answer and do not keep on interrupting” or, in Greek, ἀποκρινέσθω, ὦ ἄνδρες, καὶ μὴ ἄλλα καὶ ἄλλα θορυβεῖτε. The third-person imperative form θορυβεῖτω is a very old corruption, most likely a perseveration of the ending seen in the preceding ἀποκρινέσθω. For μὴ θορυβεῖτε see 21A, 30C; compare also 20E (aorist) and 30C (all cited above).

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THE *LEX PAPIRIA DE DEDICATIONIBUS*

The *Lex Papiria de dedicationibus*, a tribunician law of uncertain date that apparently required popular authorization for dedications of temples, sites or altars, has been the object of far greater scholarly agreement than it is customary for classicists to bestow upon a measure about which so little is known.¹ The chief controversy attending this law is whether it should be identified with the one regarding dedications mentioned by Livy as being passed in 304.² Otherwise scholars have tended to accept Cicero's succinct formulation of the law in his *De Domo* (127): “video enim esse legem veterem tribuniciam quae vetet iniussu plebis aedis, terram, aram consecrari.” One of the purposes of this paper is to shatter this academic concord, not through polemic, to be sure, but by inquiring into the role of the *Lex Papiria* in Cicero's case against Clodius' consecration: an examination of Cicero's introduction and elucidation of the law makes it evident that the application of the Papirian law to Cicero's circumstances was anything but straightforward. Which raises the question of the law's original purport and its role in the development of *dedicatio*.³

1. L. Lange, *Römische Alterthümer*, vol. 2 (Berlin, 1879), p. 634; P. Willems, *Le sénat de la république romaine*, vol. 2 (Louvain, 1895), pp. 305–9; T. Mommsen, *Römisches Staatsrecht*³, vol. 2 (Leipzig, 1887), pp. 618–24; R. G. Nisbet, *M. Tulli Ciceronis “De Domo Sua ad Pontifices” Oratio* (Oxford, 1939), pp. xxii, 176, 209–14; J. Bleicken, *Lex Publica. Gesetz und Recht in der römischen Republik* (Berlin, 1975), pp. 155–56. A recent discussion of *consecratio* and *dedicatio* merely alludes to the *Lex Papiria*: cf. W. Kierdorf, “«Funus» und «Consecratio»,” *Zu Terminologie und Ablauf der römischen Kaiserapotheose*, *Chiron* 16 (1986): 46–49. L. Pietilä-Castrén, *Magnificentia publica. The Victory Monuments of the Roman Generals in the Era of the Punic Wars* (Helsinki, 1987), though attentive to the sources for particular dedications, is not concerned with the *Lex Papiria*. A. Watson, *The State, Law and Religion: Pagan Rome* (Athens and London, 1992), pp. 55–56, examines matters related to the *Lex Papiria*, but for purposes other than illuminating the measure itself.

2. So identified by Lange, *Röm. Alt.*, p. 634, followed by Willems, *Sénat*, pp. 308–9. This view is rightly rejected by most scholars.

3. The Romans could distinguish a proper *templum*, which required inauguration, from an *aedes*, which, though consecrated, did not require inauguration; cf. J. Linderski, “The Augural Law,” *ANRW* II. 16.3 (1986), pp. 2249, n. 407; 2272–79. (more generally on *templa*). The language of consecration, especially terms like *consecratio* and *dedicatio*, was sometimes employed imprecisely: cf. Nisbet, “*De Domo*,” pp. 209–12; Kierdorf, “«Funus» und «Consecratio»,” p. 46.