

THE PEACE OF PHILOCRATES AGAIN*

In *REG* 73 (1960) and 75 (1962) I discussed various points connected with the Peace of Philocrates, a number of which have been assailed by M. M. Markle in *CQ* N.S. 24 (1974) in an article entitled 'The Strategy of Philip in 346 B.C.'. Time passes, and, although de Ste. Croix in his *Origins of the Peloponnesian War* (1972), p.105, felt able to declare that 'a book shortly to be published by M. M. Markle makes a valuable and original contribution to our understanding of the Peace of Philocrates', and Markle himself confirms that a book is indeed forthcoming, some comment on his preliminary comments may be permitted.

1. THE EMBASSIES OF EUBULUS AND AESCHINES

Markle asserts that 'Cawkwell has confused the embassies sent out under the decree of Eubulus in early 347 with a decree passed in early 346, with the result that he has given a false picture of the choice of policies with which the Athenians were faced in the assemblies of 18 and 19 Elaphebolion.' He expects to consider my theory later in detail but 'must now be content to point out that if the embassies which went out under the decree of Eubulus and those which were sent out in early 346 were the same, then Demosthenes could easily have met Aeschines' challenge (2.59) by simply naming Aeschines, since Aeschines participated in the embassies under the decree of Eubulus (Dem. 19.303, 4; cf. 10–11; Aesch. 2.79)'.

Those who have studied my article in *REG* 73 will not have been surprised by what Markle 'must now be content to point out' for I discussed the point myself on p.423. Of course, it remains a strong point, though, as I shall point out later, very much less strong than it seems. What one must weigh against it is the, to my mind, very much stronger point that, when Demosthenes asserted (19.16) that Aeschines spoke on 19 Elaphebolion 'in the presence and the hearing of the ambassadors whom you [sc. the Athenians] had sent for, persuaded by our friend here' (i.e. Aeschines), Aeschines did not, as on the Schaefer/Markle dating of Aeschines' embassy he could so easily have done, cite the date in the decree of Eubulus and the date of his own report to the Council and People and so prove Demosthenes a liar. Instead, Aeschines (2.57–9) countered Demosthenes' statement not by exposing it as a monstrous lie, but by asserting that it was not quite correct, that the ambassadors from the Hellenes had not arrived by 19 Elaphebolion. If Markle's dating of Eubulus' decree and Aeschines' embassy to the Arcadians were correct, Aeschines must have been mad to miss his opportunity to discredit Demosthenes; here was Aeschines on trial for his life refusing a chance to prove Demosthenes unworthy of credit. But whatever else Aeschines was, he was not mad. The embassies expected in Elaphebolion 346 were indeed those summoned by the decree of Eubulus supported by Aeschines.

Such was my argument in 1960. It still is so. But I am not here concerned merely to restate it. I wish here to consider more closely the manner in which both Demosthenes and Aeschines deal with this matter.

* I wish to thank Mr. David Thomas of St. John's College, Oxford, for helpful criticism of a first draft of this paper: I have

tried to meet his points, but I fear we are still far from complete agreement.

We have come a long way from Schaefer (*Dem. u.s. Z.* ii².167 f.) who argued for one set of embassies in 348/7, and no more than one. It is now generally conceded that the Greeks were indeed summoned in 346 and had been expected to arrive by the time the Peace was to be discussed; the Dogma of the Allies (Aesch. 2.60), it is accepted, proves that. But equally the notion that Eubulus' decree and the diplomatic initiative it set in motion belong to an earlier period persists.¹ The shabbier arguments need not detain us. The statement of Demosthenes in 330 (18.23) that at the time of the making of the Peace of Philocrates 'no embassy had been dispatched to any of the Hellenes' cannot be used to argue anything about the decree of Eubulus; whoever was responsible for the embassies of 346, they happened and Demosthenes is lying. The whole passage (§§ 21–4) bristles with falsehood; if Demosthenes can say of the making of the Peace that he had no part in it (ἐγὼ δ' οὐδὲν οὐδαμού), his words about these embassies are worthless. To find support for the early dating in Diodorus (16.54) is a desperate expedient, which can only impress those who have little understanding of Diodorus' methods. It is a general statement about the Athenian reaction to the rise of Philip. Apart from the Sacred War Diodorus does not recount purely Hellenic affairs for this period and says nothing of the Peace of Philocrates. To argue that, because Diodorus puts this generalizing passage under 348/7, there must have been some embassies then is weak argument indeed. The chapter is plainly excited by the last remark of the previous chapter, and to suppose that Diodorus must have had in mind events of 348/7 is simply bad method. But the main argument for 347 does remain; the ambassadors of 346 were not back on 19 Elaphebolion, but Aeschines was. Is then his embassy and the decree of Eubulus which sent him out not to be distinguished from the embassies of Elaphebolion 346? Such at any rate seems to me the only real argument for an earlier set of embassies as well as those of 346. Against it there are two points to be made to which those who accept Markle's hypothesis must make answer.

First, why did Demosthenes bring Eubulus' name and decree into discussion of what Aeschines said on 19 Elaphebolion? 19.9–16 has to be read as a whole. He reviews the striking change in Aeschines' attitude to peace with Philip. He begins by describing Aeschines' share in the decree of Eubulus and his embassy to Arcadia, and goes on (in a literal translation) 'Well, when, our friend here pursuing at that time this policy and having given this demonstration of himself, you were persuaded to send the ambassadors for peace to Philip . . .' The tenses of the participles (πολιτευομένου and ἐξενηνοχότος) deserve attention; by supporting the decree and going on the embassy to Arcadia Aeschines had given a demonstration of his attitude to Philip, but his attitude, his policy continued; because Aeschines was following this policy, he was elected ambassador. Now, if Markle is right, if the decree of Eubulus and the embassy of Aeschines were long past when the first embassy was elected, why did Demosthenes drag the decree of Eubulus in at all? If Markle is right, Aeschines could easily have refuted the charge and launched a vigorous attack on Demosthenes' credibility; if Demosthenes could be shown to lie here, why should he be believed elsewhere? And, if Markle is right, Demosthenes did not need to add the words in § 16 'persuaded by our friend here', when he was seeking to expose the inconsistency

¹ Cf. J. R. Ellis, *Philip II and Macedonian Imperialism*, p.105 and p.266 n.65 (cf. p.265 n. 51).

between Aeschines in Arcadia and Aeschines on 19 Elaphebolion. So why did Demosthenes make the connection in 19.9–16 (and, one may add, keep it in his published version of §16)?

Secondly, why did Aeschines answer as he did? If Markle is right, Aeschines had an easy way of explaining the alleged inconsistency between his conduct in Arcadia and his speech on the 19th; Arcadia was in 347 and the situation in 346 was entirely different. But Aeschines did not take that line. He sought to explain the change from his policy on the Arcadian embassy in terms of the situation in Elaphebolion 346.

At 2.79 Aeschines said

You censure me for my speech as ambassador before the Ten Thousand in Arcadia and say that I have changed sides During the war, as far as I could, I tried to unite the Arcadians and the other Hellenes against Philip. But when no man was coming to support the city, but some were waiting to see what would happen, and some were actually joining in the campaign against it, and when the orators in the city were making the war pay the day-to-day expenses, I concede I counselled the People to come to terms with Philip and make the peace . . .

Some of these words are no more than apt for 346. Whenever the decree of Eubulus was, nothing came of it; 'no man was coming to support the city' is no more than a suitable comment on the failure of the initiative and the imperfect was suitable if 346 was the date. But what of the campaign (*συνεπιστρατεύοντων*)? The campaign must be the campaign of Philip and the Thessalians expected in early 346. (Aesch. 2.132 'For the campaign of the Thessalians and Philip was plain in advance . . .') There is, as far as I am aware, no other possibility. So Aeschines justified his change of mind in terms of the situation of early 346. But he is even more exact. To what does he refer when he talks about the war being made to 'pay the day-to-day expenses'? We may be victims of the scarcity of evidence, but there is only one matter which can be adduced to explain this remark of Aeschines. The Stratiotic Fund, which had since the law of Eubulus been deprived of 'the surpluses', was no doubt fully employed during the war and hardly likely to be dipped into for routine city expenses. But in 346, when Athens had decided to seek peace and the war was expected to stop, such uses of the fund would be less surprising. *GHI* 167 is an Athenian decree of the eighth Prytany of 347/6, which provided for action to be taken in an assembly 'on the eighteenth', and Dittenberger (*ad SIG*³ 206) was probably right in claiming that it is the famous assembly of 18 Elaphebolion that was in question. The decree itself was therefore probably passed on 8 Elaphebolion when there was the last assembly before the City Dionysia (Aesch. 3.67). In it provision is made for honorific crowns for the rulers of the Bosporan kingdom to be paid for in the meantime out of the Stratiotic Fund (l.44), and a rider (l.65 f.) ordered the same for another crown. The decree thus gives vivid point to Aeschines' complaint and apologia. In the very period when Aeschines came round to supporting the peace, he had reason to despair, or so he claimed, of any other course. His defence of his conduct in Arcadia is in terms of the changed situation of 346. Up till Elaphebolion he was, it is implied, pursuing his Arcadian policy.

Now why did Aeschines so argue? Why did he accept that his conduct in Arcadia was relevant to his conduct in Elaphebolion? If Markle is right, Aeschines had no case to answer, merely an opportunity to abuse Demosthenes' confusion of the embassies of 347 and those of 346. But Aeschines accepted that there was a case to answer. There was indeed. His embassy to Arcadia was all too recent.

An argument, used *in circulis* against identifying the summoning of the Hellenes in 346 with that of Eubulus and Aeschines and now briefly in print,² runs as follows. The summons of Eubulus and Aeschines was a summons to war (cf. Aesch. 2.164 and Dem. 19.10), but the Hellenic embassies in Elaphebolion were to share in the Peace (Aesch. 2.57 f.). But there is, I suspect, misunderstanding here. Generally speaking, the Common Peaces had sanctions clauses of various sorts, providing for action against those who attacked any subscribing state. The explicit cases are the peaces of 372/1 and 371/0 (Xen. *Hell.* 6.3.18; 6.5.2, 36, 37). Such a clause is to be presumed for the King's Peace (cf. *CQ* N.S. 23 (1973), 52 f.), and to be deduced for 375/4 from the clause concerning joint hegemony (Nep. *Tim.* 2.2, cf. Diod. 15.38.4). The peace of 366/5 was an exception, reflected perhaps in the phraseology of Diod. 15.76.3 (compared with 15.89.1), and prompted by the Corinthian protest against swearing to alliance as well as peace (Xen. *Hell.* 7.4.10); when the Corinthians went to Thebes for the Peace and the Thebans asked them to swear to alliance as well, the Corinthians replied that 'alliance is not peace but a change of war', but they said that 'they were there, if the Thebans wished it, to make the peace that was just'. The peace after the battle of Mantinea returned to a sanctions clause (Diod. 15.89.1) and, as Demosthenes (16.9 f.) made plain in 353/2, it obliged signatories to joint military action. Nothing therefore could be more jejune than the sundry debates about the League of Corinth; it was both peace and alliance (cf. Larsen's review of Hampl's *Staatsverträge* in *CP* 34 (1939), esp. p.378). The spirit of the Eubulan approach to foreign relations is reflected in Xenophon's call in the *Poroi* (5.9 f.) for embassies to the Greeks to get 'all the Greeks to be of one mind, sharing oaths and alliance' (*ὁμογνώμονάς τε καὶ συνόρκους καὶ συμμάχους*) in order to prevent anyone from occupying Delphi—all this to be secured by 'embassies throughout Greece'; the aim was peace but there would be the threat of war (for to the Greeks *συμμαχία* meant literally what it said). So Aeschines' description (2.57) of the purpose of summoning the Greeks in 346 was both apt and in no way inconsistent with what he says (2.79) about his purpose in Arcadia; the Greeks were being summoned to form a Common Peace which would unite them against the threatened campaign of Philip and the Thessalians; if Philip kept out there would be peace, but if he persisted there would be war. Before negotiations began, Aeschines expected that the Greeks would have to fight; hence the polemical tone of his support for Eubulus (Dem. 19.10 and 303 ff.). Once peace appeared likely, he clung to the idea of a Common Peace. That is why in 343 when the burning issue was whether to develop the Peace of Philocrates and establish a Common Peace (Dem. 7.30) or to return to a state of war, he could emphasize the peaceful aspect of the summons of 346. In 346, however, right until the last moment, the day of decision, 19 Elaphebolion, he fondly and naively clung to the notion of a Common Peace with the possibility of joint Greek military action which it implied. At Pella on the First Embassy he showed so little sense of political realities that he argued the case for the Athenian claim to Amphipolis, for which he was rightly reproved by Demosthenes (Aesch. 2.26 ff. and 36 ff.), and it was only when he had to face the fact that the Hellenic response had been largely indifference that on the 19th he capitulated. According to Demosthenes (19.16) Aeschines then declared that he would introduce a law which would forbid

² Ibid.

Athenian military support for any Greek state that had not previously supported Athens—a volte-face indeed. Disillusioned of his fond hopes, he had to accept that the common military action possible under a Common Peace was no longer possible. That is why his apologia for what he had said and done in Arcadia (2.79) was given in terms that described the situation in Elaphebolion 346.

Why then did Demosthenes not take up Aeschines' challenge (2.59)? One must remember that Aeschines spoke after Demosthenes who thus had no chance to say what he thought of Aeschines' challenge. Nor could Demosthenes stand up in court and cite Aeschines. The laws forbade a man to give evidence in his own case (Dem. 46.9). If Demosthenes had done what Markle (p.257 n.1) thinks could so easily have been done, he might well have been in breach of the laws in demanding a breach of the laws. But whether that is true or not Aeschines knew he was safe in issuing his challenge. He could not be called as witness, and none of those who could were in fact back in Athens on 19 Elaphebolion.

Of course the question remains. If in early 346 Aeschines had been sent out under the decree of Eubulus, why was he back in Athens before, and indeed long before, the other ambassadors? In what sense could he be different from the other ambassadors 'to the cities' (*ἐπὶ τὰς πόλεις*)? Demosthenes said (19.304) that Aeschines was 'the ambassador to the Peloponnese' (*ὁ πρεσβεύων εἰς Πελοπόννησον*), which suggests that, when he went, he went around the whole Peloponnese. One must note, however, that Demosthenes says nothing about Aeschines' embassy other than about his speech before the Arcadian Ten Thousand, and he says (19.11) that Aeschines made his report, 'coming from Arcadia'. Further, on the two occasions on which Aeschines alluded to his embassy he spoke only of Arcadia—at 2.157 he is 'the admonisher of the Arcadian Ten Thousand', and at 2.79 he speaks of *τὴν ἐν τοῖς μυρίοις ἐν Ἀρκαδίᾳ δημογορίαν καὶ πρεσβείαν*. No one could for a moment suppose from these allusions that Aeschines had been 'ambassador to the cities' (*ἐπὶ τὰς πόλεις*), someone on a round tour. It therefore seemed to me in 1960, and it still does seem, credible that Aeschines was back in 346 while others were still out, that they were sent on a round tour, but he was sent direct to the source of the trouble, Arcadia, with instructions to report straight back to Athens. I found, and still find, such a distinction not only credible but indeed probable. Direct and prompt negotiations with the Arcadians were needed, and the man who began this diplomatic sounding would surely have been required to report straight back. Things were urgent enough, if Arcadia was calling for Philip's aid.

One would not seek so to explain why Aeschines was back before the other ambassadors, unless there was a strong reason for supposing that his embassy to Arcadia was in 346. But there is a strong reason. Aeschines responded to Demosthenes' charge not by pointing to what was on Markle's view the falsity of what Demosthenes had said, but by accepting Demosthenes' account as essentially true and resorting to somewhat laboured apologia. I can only explain this by supposing that Aeschines' embassy was indeed recent.

Until new evidence appears, some miracle of stone or papyrus, we must simply weigh the arguments, and to me it is easier to explain why Demosthenes and Aeschines spoke as they did on my hypothesis than on Markle's. Also, *legationes non sunt multiplicandae praeter necessitatem*. But the matter must be kept in proportion. The dating of Eubulus' decree is of some importance. If it were in 347, it would be an index of Athens' attitude to the war with Philip in that year and a somewhat sorry commentary on Eubulus' foreign policy; his

grandiose summons would have come to failure because it was ill judged and ill timed. If it was in 346, it helps to elucidate the conduct in that year of Philocrates' and Demosthenes' opponents. But for the understanding of the Peace of Philocrates, which is to my mind one of the most illuminating events in Athenian history, the names of the authors of the summons of 346 matter very little compared to the summons itself. Even if I were to concede that these embassies were not those of Eubulus and Aeschines, the fact that there were embassies would still be challenging and demand explanation. When and why were they sent? Why did they not succeed in assembling the Greeks, although the members of the Synedrion of the Second Athenian Confederacy expected that they would? These are the real questions about the embassies now conceded to have had some part in 346.

When one attends to these questions rather than the minor question of authorship, one finds that the part I attributed to them under the banner of Eubulus and Aeschines remains the same. The summons was sent during the war, and was directed against Philip (Aesch. 2.57, 58, 3.58, 64 f., 68). It was sent not long before the crucial debates of Elaphebolion; otherwise the Allied Synedrion would not have been expecting the Hellenes to respond (Aesch. 2.60). So why had Athens changed from a policy of confronting Philip to that of seeking peace when that would almost certainly mean a sorry farewell to the long-dreamed-of recovery of Amphipolis? I proposed and propose still that it was the return of Phalaecus to power and his hostility to Athens that caused the revolution in Athenian policy and left Eubulus and Aeschines to make the best of what had been begun, whoever it was that had begun it.

2. THE ASSEMBLY OF 16 SCIOPHORION

It is central to Markle's interpretation of the events of 346 that he supposes that Demosthenes was prepared to abandon the Phocians to the revenge of the Thessalians and Thebans. If he were correct, Demosthenes would have to be declared a most cynical traitor to Greek liberty. But it was not so. The proper understanding of what he sought on 16 Sciophorion shows that his intention in 346 was quite otherwise.

In *REG* 75 (1962) I argued that on that day Demosthenes wanted the Athenians to march out in defence of Phocis even though it was known that Philip was actually through Thermopylae—a piece of strategic and political lunacy for which he was laughed into silence, but at least a proof that he had never intended to accept, if he could possibly prevent it, that Philip's army should come into Greece. I wish here to reinforce my argument.

What happened on that day? The assembly knew that Philip was within the Gates and that Phocis was beyond salvation. In 343 Demosthenes used the ambiguous phrase 'in the Gates' (*ἐν Πύλαις*) (19.34). In 330 he declared that Philip was 'within' (*ἐντός* at 18.32, *εἰσω* at 18.35). The latter we may take, following Markle (p.265 n.1) and with more confidence than I felt in 1962 (p.454), to be the truth, but it makes little difference. If Philip was 'in the Gates', it was too late for Athens to do anything. The result of the debate was that a decree proposed by Philocrates was passed which extended the Peace of Philocrates to cover Philip's descendants as well and accepted the perdition of the Phocians (Dem. 19.47 ff. and 310). In this way Athens resigned herself to the *fait accompli*.

It was a painful resignation. When the Second Embassy returned to Athens, having been unable to get Philip and his allies to swear to the Peace before he and his army (or what they could see of it) were as far south as Pherae (Dem. 19.158) and being therefore well aware that Philip could very shortly be at the Gates, they found that there was a Phocian embassy in Athens appealing for help (Dem. 19.59). Demosthenes claimed that he counselled against the abandonment of Phocis (περὶ τῶν ὑπολοίπων—ταῦτα δ' ἦν Φωκεῖς καὶ Πύλαι—μὴ προέσθαι συνεβούλευον 19.18). He added 'And I persuaded the Council of this.' He was a member of the Council, but it was not he who proposed this Recommendation of the Council (Dem. 19.31). Not he alone but all could see that Phocis must be saved. It would be a close-run thing, but Philip had been kept out in 352 after the battle of the Crocus Field just to the south of Pherae and it could be done. Athens was ally of Phocis as well as of Philip. The choice they had hoped to avoid when they abandoned Amphipolis was upon them and all patriots must have preferred to help Phocis and keep Philip out of Greece. But on the 16th this Recommendation was not even read out. Demosthenes called for it to be read out. The People would not listen (Dem. 19.35).

My explanation of the reception given to Demosthenes was and is that the response of the Council to the Phocian appeal was to recommend a military expedition and only Demosthenes could not see on the 16th that this was no longer conceivable. Hence the contemptuous laughter. My error was to think this too obvious to labour and I must now spell out more fully the evidence.³

In 344 in the *Second Philippic* Demosthenes appealed to the Athenians to call the guilty to account (6.28 ff.). He alluded first to those responsible for the movement for peace, whereby Demosthenes found himself amongst the Athenian ambassadors. He went on:

And, again, it had been just to call others to account. Whom? I mean those who, when the peace already made I came back from the later embassy, the one for the oaths, and, seeing that the city was being tricked, I was speaking out and solemnly protesting and *refusing to allow the sacrifice of Thermopylae and the Phocians* (οὐκ εἶπον προέσθαι Πύλας οὐδὲ Φωκέας), those I say who said that I drink water and am naturally an ill-mannered and ill-humoured fellow and that Philip would, if he came in, do what you could pray for . . .

The reference is plainly to 16 Scirophorion. In 343 in his speech *On the Embassy* Demosthenes described his part that day (§44–6), how he came forward to speak against (ἀντιλέγειν) what was proposed, how the Athenians would not give him a hearing, how he had to keep silence, merely protesting solemnly that he had no knowledge of what was said and no share in it, and no expectation of it.

'If any of this happens, Athenians, see that you give praises, honour, and crowns to our friends here, and not to me. However, if anything of a quite different sort happens, see that it is on them that you vent your wrath. I dissociate myself. 'Well, don't dissociate yourself now'—Aeschines broke in—'but see that you don't claim a share then.' 'No, by heaven, or I would be in the wrong' I said. Philocrates got up and said in a really insulting way 'It's no wonder, Athenians, that Demosthenes and I don't see eye to eye. He drinks water and I drink wine.' And you laughed. [Cf. §23]

³ In REG 75 (1962), 457 n. 23 I said that Dem. 19.50 'seems to quote' the Recommendation of the Council which answered the Phocian appeal. That passage

is not proof of what the Recommendation said, but I still believe that Demosthenes is quoting.

So in 344 Demosthenes was claiming that on 16 Scirophorion he 'was refusing to allow the sacrifice of Thermopylae and the Phocians.' The consequence of not heeding him was, he claimed (6.31), the decree of Philocrates, and he concluded his speech (§35 ff.) by reminding the assembly 'who it was that persuaded them to sacrifice the Phocians and Thermopylae.' That was the fatal day (*ἐν ἐκείνῃ τῇ ἡμέρᾳ* §35). 'You Athenians', he declared in 343 (19.43), 'had to be deceived by Aeschines' speech, and not to be willing to hear the truth from me, and yourselves to stay at home (*οἴκοι καταμεῖναι*).³ Later in his speech of 343 (19.318) he spoke of the exclusion of the Phocians from the Peace; that was the only way Philip thought Athens would let him in and not 'send a military expedition to Thermopylae, *which you would have done if you had not been deceived*.'

So much for 344 and 343. But, it may be claimed, the truth was otherwise in 346. However, in 346, within weeks of 16 Scirophorion, in the speech *On the Peace* (§10) Demosthenes was speaking of 'the deceptions by which you were induced to sacrifice the Phocians' and it is clear that Demosthenes was alluding to the decision of 16 Scirophorion. 'I spoke out and said to you . . . that I had no knowledge and no expectation of these things.'

I remain content therefore with the view that Demosthenes wanted Athens to march out to Thermopylae, as indeed the Council surely must have recommended before they knew that it was too late. I remain, too, persuaded that the reason why that Recommendation of the Council was not read out in the Assembly (19.35) was that it had been superseded by another. It was a fixed principle of the Athenian democracy that no proposal could be made in the Assembly without a Recommendation of the Council; it might be what has been termed an 'open' Recommendation which did no more than put a matter on the agenda, but Recommendation there had to be. If Philocrates had proposed his decree without it, he would have exposed himself to prosecution for unconstitutional conduct. That was not the ground of his prosecution in 343 (cf. *Hyper.* 4.29 f.). There must have been a Recommendation. That is why Demosthenes said 'No one read to the People *this* Recommendation.' There was another.⁴

It little matters when the second Recommendation was made. It could have been at an early hour before the assembly on the 16th. There is no way of knowing when the news arrived that Philip was 'in the Gates', save that it was after the meeting of the Council described by Demosthenes (19.18). Nor can we know when the First Embassy reported to the Council, save that it must have been as soon as possible.⁵ What is important to decide is why the Recommendation,

³ I retract my argument, based on Aesch. 2.121 f. (on p.458, art. cit.) for a second Recommendation of the Council. I now believe that what Aeschines meant was that the embassy was not praised in a decree at all, that *οὐκ ἐν τῷ ψήφισματι μόνου* means 'not in the decree merely', but it was praised in the far better place, the assembly, and that he was referring to some ironical remarks made by Demosthenes. (Of course, the main argument for a second Recommendation in no way depended on this argument which I now retract.)

⁵ It is unclear when the embassy made

its report. Markle (p.262 n.1) seems to think that, since Aeschines set off from Pherae later than the rest of the embassy (*Dem.* 19.175 and 36), he cannot have been with them when they returned to Athens on 13 Skirophorion and that the embassy could not have reported without all its members being present. Although it is utterly improbable that if Aeschines had been left for whatever reason, perhaps illness, the rest of the embassy would not have taken the very first opportunity to let the Council know what they knew about the movements of Philip. Aeschines was

which was not read out, was despite Demosthenes' demand not put before the People. If it contained nothing of great importance, what point was there in suppressing it? If it was important, what was it? My answer was, and is, that the Recommendation, having been drawn up before it was known that Philip was 'in the Gates', recommended that Athens send out a force to help her ally Phocis, that it was not read out because it was wholly irrelevant to the situation on the 16th.

Demosthenes wanted that day still to try and save Phocis. If that is right, it greatly illuminates his policy in making peace. Why should he and Philocrates have wanted peace at all, signing away the Athenian claim to Amphipolis? The answer is partly that they hoped by making peace to keep Philip out of Attica; Phocis had refused to be defended, Athens was exposed, and a peace was inevitable. But it is hard to conceive that, if Phocis showed the least readiness to be defended, Demosthenes would have assented to Philip being installed within the Gates and therefore free to move where he would in Greece. Demosthenes cannot have been blind to such dangers. He must have hoped that once peace was made with Athens, Philip would keep out, or if he would not and if Phocis saw sense in time, Athens could choose to support her one ally, Phocis, and oppose her other ally, Philip. What Philip did in 346 was to deprive Athens of that choice. He did not allow Athens to get the peace completed before he was in position to deal with Phocis. In the bitter realisation on 16 Scirophorion that Philip had tricked the city, Demosthenes wanted Athens to commit an act of military lunacy. But he had not connived at Philip's army coming into Greece. He was in no sense a traitor to Greek liberty.

3. THE STRATEGY OF PHILIP IN 346

Like Markle, I too hope to discuss the events of 346 in a book, but some general observations on his theory about the strategy of Philip may here be made. His theory is that in 346 Philip seriously considered dismantling Theban power

probably with the embassy when it reported: otherwise Demosthenes would have made much of what he accomplished when Aeschines was not there to corrupt. So either Aeschines caught up with his colleagues or reached Athens in time to join with them in making their report to the Council, the date of which is quite unclear. It could be the 13th, the day they returned. It is not clear (to me) that the 14th, the date of the Dipolia, was necessarily *dies nefastus*; [Xen.] *A.P.* 3.2 may mean that the Council did some business on some feast-days; the decree of the Council of 366/5 quoted in *Ath.* 171 E argues a variety of arrangements; in our terms the Dipolia may not have been 'a day of obligation'. The 15th is possible. For the second Recommendation which I postulate all that is necessary is a brief meeting early on the 16th (cf. *Dem.* 18.169).

(Despite the fact that the letter of Philip which Demosthenes accused Aeschines of helping compose seems to have been after

the oaths had been sworn in Pherae (*Aesch.* 2.129), I remain somewhat sceptical about Demosthenes' allegation that Aeschines was left behind at Pherae (19.36 and 175). The accusation that Aeschines answered (2.124 ff.) concerned a night visit at Pella and it would seem that Demosthenes changed it in his published version (19.175), perhaps because Aeschines' defence had raised quite a laugh at Demosthenes' expense. Either Aeschines glossed over the matter of the letter written in Pherae or the letter was written in Pella in the presumption of the oath-swearing being completed, for clearly Aeschines treats the letter as if it was suggested to be the product of the alleged night visit in Pella. The reasons for my scepticism are thus that the claim that Aeschines was left behind in Pherae is clearly a part of the speech touched up by publication and, far more strongly, that Demosthenes made so little of what should have been presented as most suspicious.)

and, if Athens had only played the part he wished her to play, it would have been Thebes, not Phocis that suffered. Against this theory the following three points may be advanced.

First, although from 352 Philip was master of Thessaly, he was also obliged to Thessaly if he wished to keep it securely on his side. Whatever Philip really would have preferred in Central Greece, he had to accept that the Thessalians were animated by the most bitter hatred of the Phocians. The hatred was of ancient origin (Hdt. 8.27–30, 7.176.4). In recent times it had shown itself when Jason led the Thessalians back from the battlefield of Leuctra (Xen. *Hell.* 6.4.27), and when in the opening phase of the Sacred War, apart from the Locrians who were neighbours of Phocis, the only member of the Delphic Amphictyony to support Thebes was Thessaly (Diod. 16.30.4),⁶ on which occasion the 6,000-strong Thessalian army were defeated by the Phocians. At Pella in 346, when the Second Embassy of the Athenians were waiting for Philip to return from Thrace, the Thessalians, according to Aeschines (2.140), were siding with the Thebans partly because of the Thessalians' ancient enmity towards the Phocians; the Thessalians were confident that the coming campaign would be 'on their behalf' (2.136). In view of Thessalian feeling, how could it have been remotely to Philip's interest not to deal severely with Phocis, which was exactly what he did do? Whatever he might have said to raise doubts about his intentions, he would have had to do what he did if he was to keep Thessaly reliably on his side.

Secondly, Greek opinion generally condemned the Phocians. Diodorus reflects that opinion; those who were guilty directly or indirectly got the punishment they deserved, just as Philip who came to the help of Delphi went from success to success (16.61–4). Likewise in Justin Philip was represented as playing the role of the avenger of sacrilege, the Athenians as shameful defenders (8.2). In Pausanias (10.2.4 ff.) Philomelus himself anticipated the penalty for his sacrilege, hurling himself over a cliff, while Onomarchus was killed by the god's own contriving. In the Amphictyonic Council of 346, the Oetaeans proposed that all adult males of the Phocians should be thrown over a cliff (Aesch. 2. 142). The Phocians themselves took the view that those who had helped themselves to the temple treasures deserved death (Diod. 16.56.5). Death was the penalty at Athens for such conduct (Xen. *Mem.* 1.2.62 and cf. Lipsius *A.R.* II p.442 f.) and there could be no doubt where the sympathies of Greeks at large lay. Year after year individuals made their often humble contributions to the costs of building at Delphi (cf. *Fouilles de Delphes* III.5, pp.35 ff.), and the Opuntians even made an offering to compensate for Phocian depredations (Plut. *Mor.* 401 F). Given such feeling, what was it in Philip's interest to do? Surely, if he was to gain the favour of Greeks, he had to champion the cause of the god and deal with the Phocians, the hated temple robbers. Indeed he made clear in 352 that that was what he would do. At the battle of the Crocus Field he ordered all his soldiers to wear laurel wreaths and went into battle 'as though the god was in command'; so doing, he won great glory (Justin 8.2.3 f.). Was he then in 346 to do differently? He might in Pella beguile the Phocians with fair words, but when it came to action there could be no debate in his mind about where his interest lay. If he was to become the leader of Greece, he had to deal with the temple-robbers decisively.

⁶ Others from Central Greece (Diod. 16.29.1) played their part later on.

Thirdly, he is most unlikely to have made his decision about what he would do dependent on whether Athens marched out to help him. Athens as a military power on land had no great reputation, nor had she shown during the Sacred War any inclination to acquire one. After all, there had been times when the Phocians had pressed the Thebans very hard (cf. Dem. 16.31) and Athens had done nothing to assist her ally. On the other hand the Macedonian army with the Thessalians was in 346 well able on its own to deal with Thebes, especially given the dissidence of a number of Boeotian cities. The notion that his plans depended on Athenian military aid seems absurd.

For these reasons Markle's whole theory is unsatisfactory. When the Second Embassy set out for Pella to exact the oaths to the Peace, they had, it would seem, no inkling of what they would find there, viz. embassies from all the leading Greek states (Aesch. 2.103 ff., 112, Justin 8.4, etc.); the Athenian ambassadors had to decide for themselves how they would advance the city's interest (Aesch. 2.103). The Macedonian army was seen to be preparing for the campaign southwards (Aesch. *ibid.*). If Philip had wished to conceal these preparations, he could no doubt have done so. He must have preferred the implicit threat to the Greeks as a means of making them come to terms. The professed purpose of the preparations was perhaps the reduction of Halus (cf. Dem. 19.36 etc.). Any preparations were alarming to Demosthenes and he wanted to get home as early as possible to Athens (Dem. 19.51, 323). He was prevented. His fellow ambassadors may have been similarly alarmed but have seen there was no chance of returning to Athens without Philip's consent. Demosthenes wanted to send a warning letter. His colleagues prevented him (Dem. 19.174). He may have wanted Athens to denounce the Peace because the plans for a military expedition were plainly going ahead. But perhaps his colleagues saw that all depended on the attitude of Phalaecus, whose ambassadors were there, and they had better not alarm the city rather than seek to secure Philip's support for the sort of settlement of the Sacred War that would least harm Athens. They stayed for the diplomatic discussions and from this diplomacy arose the confusion which let Philip get into Greece and, it may be added, the confusion of Markle's theory.

Philip set out to deceive the Phocians who could deny him access to Central Greece. According to the account in Justin (8.4), he saw the representatives of the two opposed parties in the Sacred War separately and he assured the Phocian side that they would be pardoned and had nothing to fear from the Macedonian army, but he obliged them with an oath to secrecy. Justin seems to include the Athenians and Spartans in this secret deal. That much cannot be correct, since there is no mention of it in the speeches of 343. But that Philip sought to mislead the Phocians seems clear. The Phocian ambassadors accompanied Philip southwards in the belief that he would support them (Dem. 9.11), though, when he finally in Pherae swore the oaths to the Peace of Philocrates, he made quite clear his attitude to the Phocians (Dem. 19.2 and Hyp. §7). Similarly with the Athenians. According to Aeschines (2.137), and it is credible enough, some of Philip's Companions led some of the Athenian ambassadors to believe that Philip would turn against the Boeotians. It was, one may guess, all part of the deception of the Phocians. The Athenian ambassadors would not get home until what they said would not matter, but in Pella the Phocians had to be beguiled. Markle has assumed that Philip was seriously considering the destruction of Theban power rather than Phocis. Like the Phocians, Markle is deceived.

Philip's interest lay unshakably in punishing the temple-robbers.

Enough had been said to deceive Aeschines into hoping on 16 Scirophorion that the disaster would not be as black as it seemed. Markle is persuaded that Aeschines' account (2.118 f.) of what he said that day is less than the truth, because in the speech *On the Peace*, delivered at no great interval, Demosthenes spoke of 'promises' (5.10) and he supposes that 'surely Demosthenes could not be misrepresenting what his audience had heard only two months before.' But that is to belittle Demosthenes' powers. For mendacity Demosthenes took some outdoing. He spoke of 'certain persons' in 346 by whom he seems to have meant Aeschines and Philocrates (cf. 6.30). Neither was prosecuted for these 'promises'. The truth may well be in Aeschines' account.⁷

None the less, Aeschines had to answer Demosthenes' charge in 343. Whether he was reporting 'promises' or not, he had led the Athenians to hope in 346. He could not say that he and practically everyone else had been deceived in 346, for the issue behind the trial of 343 was whether peace would continue, and for Aeschines to tell the truth about 346 would compromise him as champion of the peace in 343. So he argued (2.136 ff.) that Philip really had intended to destroy Theban power. But his argument must have been false, for Philip needed the goodwill of Thessaly and the Greeks and only by punishing Phocis could he secure it.

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⁷ In 343 Demosthenes (19.20) spoke of speech on the 16th.
Aeschines' 'calculations' (*ἀπελογίετο*) in his