

THE CONTEXT OF [DEMADES] ON THE TWELVE YEARS¹

This speech attributed to Demades has provoked controversy on the grounds of its authenticity and the circumstances to which the piece refers. The date generally assigned to its content of about 326² is determined by ‘counting forward’ twelve years (the title of the speech) from 338, since the speech details some aspects of Demades’ political career starting with his diplomacy in the immediate aftermath of the battle of Chaeroneia (2 August 338). The date of 326 and its implied context merit question, but first some remarks on the authenticity of the speech may be made since this is relevant to its subject.

Although the *Suda* (s.v. Δημάδης) has it that the speech *On The Twelve Years* (ὅτι ἐπὶ τῆς δωδεκαετίας) is by Demades, that attribution has been questioned, and the arguments against authenticity, based on the internal and external evidence, have become readily accepted.³ Quintilian (2.17.13 and 12.10.49) and Cicero (*Brutus* 9.36) are specific in that no work of Demades has survived, which is reinforced by the lack of mention of Demades in the works of Harpocration and other lexicographers. This is our external evidence. As for the internal evidence, attention is paid to the poor style of the speech which can hardly be the mark of a talented orator. Thus it would appear that no work by Demades has to date survived.

For a time I pondered on the possibility that the *Suda*’s statement ought to be accepted, especially as in the speech the speaker identifies himself positively as Demades son of Demeas,⁴ and proceeds to discuss the diplomacy with Philip II and Alexander III for which Demades is absolutely credited. However, the grounds for this view are not convincing. For example, although Demades was an influential *rhetor*, and thus we may have expected him to record his speeches,⁵ Quintilian 2.17.13 is quite positive in his claim that Demades did not put his speeches into writing, contrasting *scribere* and *dicendo* in this passage.⁶ Similarly, the statement in Cicero

¹ I owe much to Professor A. B. Bosworth, whose comments on an earlier draft of this paper saved it from some careless errors and forced me to rethink several lines of argument. He should not be considered as agreeing with all the views put forward here. I am also very grateful for the comments of the anonymous referee.

² F. Blass, *Die attische Beredsamkeit*², iii.2 (Leipzig, 1898), p. 271, J. O. Burt, *Minor Attic Orators* ii (Loeb edition, 1954 [repr. 1980]), p. 334.

³ See in particular Blass, op. cit., iii.2, pp. 269–72; cf. Burt, op. cit., p. 334, G. Kennedy, *The Art of Persuasion in Greece* (Princeton, 1963), pp. 258, 286 and 323, J. K. Davies, *Athenian Propertied Families* (Oxford, 1971), p. 100, J. Kirchner, *Prosopographia Attica* (Berlin, 1901), no. 3263 at p. 215 and N. G. L. Hammond, *OCD*², s.v. Demades at p. 323.

⁴ §7; cf. §2. On the genealogy see Davies, op. cit., pp. 99–100.

⁵ I disagree with Kennedy’s belief (op. cit., p. 258) that Demades was a better orator than statesman; he was an invaluable diplomat for Athens, and was recognised as such by Philip II, Alexander III and the Athenians themselves. For a recent reappraisal of Demades see J. M. Williams, *Ancient World* 19 (1989), 19–30; cf. further below. (Williams also does not believe that any of Demades’ speeches has survived: *ibid.* pp. 20–1.)

⁶ Butler’s translation in the Loeb text translation does not faithfully reproduce the Latin (‘neque enim orationes scribere est ausus, ut eum multum valuisse in dicendo sciamus’): ‘for although he delivered his speeches with great effect, he never ventured to write them *for others*’ (my italics). On the passage cf. the remark of M. Winterbottom, *Philologus* 108 (1964), 124–1. I owe this reference to Professor Bosworth. Again, for Quint. 12.10.49 the Loeb translation ‘in durable literary form’ is somewhat misleading (‘ideoque in agendo clarissimos quosdam nihil posteritati mansurisque mox litteris reliquisse, ut Periclem, ut Demaden’).

(*Brutus* 9.36) can only be interpreted in one way: '[Demadis] nulla exstant scripta'; for Cicero, no works of Demades survive in his time.

The stylistic evidence is perhaps not quite so compelling since Demades' formal oratorical training was either non-existent or at least incomplete (cf. Quint. 2.17.12–13),⁷ probably because of poverty (cf. [Demades] §8), and although he certainly did not make a living out of his oratorical abilities, seemingly relying on bribes as income,⁸ he was an effective speaker in the Assembly.⁹ It does not necessarily follow that any written style had to match the oral,¹⁰ and indeed there was likely to be a marked difference between orally-delivered speeches and their later circulated (revised) versions, in which compositional perfection was of paramount importance.¹¹ In the light of this one could plausibly adduce that Demades did not revise his speeches.

The hypothesis, however, cannot refute the explicit evidence of our literary sources, which we should accept: thus *On The Twelve Years* is not from the pen of Demades. Stylistically, the speech may have been fourth century in composition (the absence of hiatus suggests this), but given the use of personifications, poeticisms and certain vocabulary it is more likely imperial in date.¹² Thus it is likely to be a rhetorical exercise fabricating a known historical event. The question is, assuming the accuracy of the title,¹³ and thus counting forward twelve years from 338, did anything happen to Demades in 326 which the writer took as the event, or ought we to assign the context to a different date? In connection with this needs to be considered the extent of the historical knowledge of the author (see further below). To these I now turn.

Let us begin by analysing the parts of the speech which give a clue to the context and thereby a date. There are several allusions to events from Athens' history, for the most part involving Demades directly,¹⁴ but we are obviously dealing with a speech which must follow the destruction of Thebes by Alexander in 335 from the references to this: §§17, 26, 28, 65; cf. 20. §32 (cf. §11) could even refer to the rebellion of Agis III of Sparta (331), which Demades had persuaded the Athenians not to support, but the razing of Thebes and in §56 the letter of Alexander (which probably refers to his epistolary demand of 335 after Thebes was destroyed: Arr. 1.10.4), appear to be the most securely dated events and the most recent before the delivery of the speech. Thus

⁷ On this see especially Blass, *op. cit.*, iii.2, p. 274 with note 3; cf. Kirchner, *op. cit.*, no. 3263 at p. 214. On Demades' style see Blass, *op. cit.*, iii.2, pp. 272–8.

⁸ See Davies, *op. cit.*, pp. 100–1; *contra* Williams, *op. cit.*, pp. 19–21.

⁹ The survey of Demades' decrees (21 proposals in Assembly) and offices by M. H. Hansen, *GRBS* 24 (1983), 163 is particularly useful; cf. C. J. Schwenk, *Athens in the Age of Alexander* (Chicago, 1985), nos. 4, 5, 7, 8, 23, 24, 37, 51 and 87, and Williams, *op. cit.*, *passim*. He was an adept *extemporaneous* speaker: Plut. *Demosthenes* 8.7 and 10.1–2.

¹⁰ Cf. the criticism of Quint. 12.10.49, discussed above.

¹¹ See my forthcoming article in *Class. et Med.* (1991), which argues this in more detail (and suggests that the revision stage of a speech throws even greater doubt on the reliability of oratory as historical source material).

¹² Blass, *op. cit.*, iii.2, p. 272, suggests that the author is contemporary with Herodes Atticus, thus first century A.D. H. Haupt, *Hermes* 13 (1878), 496, plausibly argues that much of the rhetorical techniques and content are drawn from fourth-century oratory, especially that of Demosthenes (accepted by Blass), which makes the speech at least hellenistic or later.

¹³ On the actual title of the speech see the remarks of Blass, *op. cit.*, iii.2, p. 271.

¹⁴ For example, the Theban hegemony: §§12–13 (cf. §32); the influence of Demades in concluding peace with Philip II after the battle of Chaeronea and honours for that king: §§9–10; the garrisoning of Thebes by Philip II after that battle: §13; Alexander's advance into Boeotia at the start of his reign: §§11–12; Demades' diplomatic negotiations and success with Alexander after the Theban revolt: §§13–14, 16–20, 42, ?52, 56–7, ?64 (Demades in effect saved Demosthenes, if this fragment belongs to a context where Demades is maligning Demosthenes).

we need to find an event after 335 and before Demades' death in 320/19 which occasioned the speech.¹⁵ §48 has been thought to refer to the deification of Alexander, which Demades had proposed in 324: *ψηφίσματι γὰρ εὐνοίας ὁ τῆς ἀθανασίας ἀφίδρνται βωμός*.¹⁶ Whatever the merits of an 'altar of immortality', presumably to Alexander the Great (?), the passage does supply a context later in the reign of Alexander, and this is an avenue which merits exploration.

The speech is undoubtedly an *apologia* and from an important case, given the lengths to which the writer went to justify Demades' political activities, especially his dealings with Alexander. Demades was of course no stranger to prosecution and was convicted a number of times: three according to Diodorus (18.8.2), seven according to Plutarch (*Phocion* 26.2) and two according to the *Suda* (s.v. Δημάδης). Diodorus specifies the three trials under the *graphe paranomon* procedure, which Hansen accepts,¹⁷ rightly adding to this the *apophasis* in connection with the Harpalus affair of 324/3 (Dein. 1.89; cf. 2.15), by which Demades was also condemned. Hansen dates the first *graphe paranomon* trial in 338–336 and the second in 324/3; the date or circumstances of the other are not known, and the *apophasis* of course belongs to 323. The first trial may well have been for Demades' rôle in the conclusion of peace with Philip II after the battle of Chaeronea and honours for the king (Dem. 18.285, [Demades] §9, Diod. 16.87.3 and 16.92.1).¹⁸ One other was certainly for the proposal to deify Alexander III (Aelian, *VH* 5.12), which Hansen dates to 324/3. However, a date of 323/2 is more likely since, as Williams argues, Demades was more vulnerable during the Lamian War and thus more likely to fall victim to a *graphe paranomon* then.¹⁹ According to Williams the other *graphe paranomon* was for the proposal that Euthykrates, who had betrayed Olynthus to Philip II in 348, be granted Athenian *proxenia*, which he dates between 346 and 338.²⁰ This is quite likely.

These are the important cases in Demades' career, which would plausibly warrant such an *apologia*, but nothing points readily to a date of 326. Demades' prosecution for proposing Alexander's deification must postdate 324 (the year in which the deification issue was discussed by the Greeks) and was a *graphe paranomon*, but this indictment can be ruled out since at §§2 and 4 of the speech the speaker insists that he faces the death penalty – hardly appropriate for an illegal proposal. This leaves us with the trial of Demades, accused (along with several other leading statesmen) of accepting a bribe from Harpalus, in March 323.²¹ Here the death penalty may well apply since we know that in addition to the proposal that the Areopagus investigate the scandal Demosthenes and several others of those accused of complicity in the affair agreed to submit to the death penalty if the Areopagus' *zesis* found them guilty of *dorodokia*.²² If Demades were included in these, he would be in fear of his life at his trial since the Areopagus' *apophasis* found those whom it investigated guilty.

¹⁵ On the date see the discussion of Davies, *op. cit.*, p. 101.

¹⁶ For example, by Burtt, *op. cit.*, p. 355 note a.

¹⁷ M. H. Hansen, *GRBS* 24 (1983), 163.

¹⁸ I believe that the peace and honours on Philip were both part of the same proposal (*contra* Hansen) since Diodorus does not necessarily indicate that the latter was the product of another proposal.

¹⁹ Williams, *op. cit.*, pp. 23–4 with n. 29.

²⁰ See Williams, *op. cit.*, pp. 21–2 with n. 14. Williams (*op. cit.*, p. 24 n. 29) accepts that Demades fell victim to *graphae paranomon* for the proposals to deify Alexander and honour Euthykrates, but does not speculate what the third may be.

²¹ On chronology see Ian Worthington, *SO* 61 (1986), 68–9 with n. 42.

²² Demosthenes: Dein. 1.1, 8, 40, 61, 63, 83–4, 86, 104, 108 and Hyp. 5.1; Philocles: Dein. 3.2, 5, 16, 21; cf. Hyp. 5.34 (unnamed others). On the decree empowering the Areopagus to investigate (*apophasein*): Dein. 1.1, 4, 6, 68, 82–3, 86, Hyp. 5.1, 2, 8, 34.

Some support is lent to this by the tone of parts of the speech, which echoes that of the appeals made in the prosecution speeches of Deinarchus against Demosthenes, Aristogeiton and Philocles, urging the jury to inflict the death penalty on the accused.²³ According to the prosecution speeches the accused will argue that the Areopagus' *apophasis* should not be accepted since no evidence was given, that the council has lied in its findings, and that the charge is nothing more than a fabrication.²⁴ [Demades] §§24 and 55 may be interpreted in this way (that the Areopagus' report is false), and at §§5–6 the facts are urged to be scrutinised properly.

More support for the argument that the context of the present speech refers to the Harpalus affair is that the writer is not averse to criticising Demosthenes, principal amongst those accused, thereby painting Demades in a more savoury light. This is deliberate, for several reasons. In their prosecution speeches of 323 Deinarchus and Hypereides had coupled the two together in order to evoke further prejudice in the minds of the jurors (Dein. 1.7, 11, 45, 89, 101, 104 and 2.14; Hyp. 5.25–6), and, since Demosthenes' trial was the first of those accused,²⁵ it was important for Demades to disassociate himself from Demosthenes – all the more so, in fact, in view of the odium attached to the destruction of Thebes and moves to deify Alexander.

The razing of Thebes is roundly censured in the speech with some vivid metaphor (§§16–17, 26, 28 and 65); we should remember that Demosthenes had been accused of betraying Thebes to its destruction by Aeschines in 330 (3.239f.; cf. 133 and 155–6) and Deinarchus in 323 (1.18ff.; cf. 10 and 24–6),²⁶ and its exploitation by the orators (and long future as a *topos*) shows that the destruction had a drastic effect on the attitude of the Greeks. Since it would not do Demades' case any good to be connected with Demosthenes, what better way to gain the favour of the jury than by criticising the man dubbed with responsibility for that city's fate accused before him?

The move to recognise Alexander's divinity was a matter of political expediency in the light of the king's Exiles Decree. The Athenian exiles were already gathering at Megara in anticipation of their return (Dein. 1.58 and 94), a return which the Athenians were prepared to resist by force (Curt. 10.2.6–7), and they also stood to lose the island of Samos under the terms of the decree. An Athenian embassy appealed against the decree²⁷ – ultimately in vain – but it seems to have taken with it the news that the Athenians recognised Alexander as a god. This proposal on the part of Demades, ratified by the Assembly, can be seen as an attempt to improve the Athenian embassy's chances of success by flattering the king, rather than as a genuine acceptance of his divinity.²⁸ The same motive applies to Demosthenes, who had argued against deifying Alexander but, on his return from Olympia (where he met

²³ Death penalty on Demosthenes: Dein. 1.18, 22, 40, 63, 65–6, 77, 84; Aristogeiton: Dein. 2.2, 3, 4, 11, 17, 20; Philocles: Dein. 3.5 and 7.

²⁴ For example, Dein. 1.5–6, 7, 12, 45, 54ff., 84ff., 104 and Hyp. 5.2–3 and 13–14 (Demosthenes); Dein. 2.1–3, 17–19 and 20–1 (Aristogeiton).

²⁵ Dein. 1.106, 113, Dem. Ep. 2.14; cf. Hyp. 5.6–7 and see J. A. Goldstein, *The Letters of Demosthenes* (New York, 1968), p. 243. Dein. 2.15 and 21 imply that Aristogeiton's case was heard after that of Demosthenes and Demades.

²⁶ In a now completed commentary on Deinarchus I argue that Demosthenes was not responsible for the destruction of Thebes in the way the orators allege, but that this formed a *topos* to his discredit.

²⁷ Athens by no means acted in isolation: cf. Diod. 17.113 on the number of embassies travelling to the king.

²⁸ Note Demades' remark (Val. Max. 7.2.13) that the Athenians were so concerned about heaven (the deification issue) that they stood to lose the earth: perhaps a reference to Samos. On the background to Alexander's decision and subsequent warfare see Ian Worthington, *ZPE* 57 (1984), 139–44 with bibliography cited.

with the royal messenger Nicanor), he advocated acquiescence.²⁹ Both Deinarchus (1.94 and 103) and Hypereides (5.31–2) imply that the *volte face* was the result of being bribed, and that he thus acted against the interests of the city. Such implications were intended to create bias against the accused, and again it became important for Demades to disassociate himself from Demosthenes. Since Demades was later fined for his proposal, allegations of his acting against the best interests of the city may have been made by the time of his trial in 323 – indeed this is the force of §§21 and 24.³⁰

One argument against this is the view, based on the inference of Dein. 1.29 and 104, that Demades may have fled Athens before his trial for complicity in the Harpalus affair and been condemned *in absentia*.³¹ However this is by no means certain.³² Even if this were the case, the problem is academic: if the speech is indeed a rhetorical exercise the aim may have been to write a good defence speech – all the more a test of skill if the subject chosen happens to have been found guilty either present in court or *in absentia*! Demades would not escape the charge (Dein. 2.15), but even though he was found guilty he was back in Athens at the time of Alexander's death, and his diplomatic abilities were again put to use after this.³³

The above arguments based on external grounds supply a plausible context for the speech which takes it out of the commonly accepted setting of 326. The internal evidence (with the exception of the possible reference to Alexander's deification) is too unspecific to allow a precise date for the context of the speech. Having said this, there is still the need to consider the implications for a date from the twelve years of the title, which in turn brings up the question of the extent of the historical knowledge of the author. The author begins his defence of Demades' career with the battle of Chaeronea (338), and, as Blass and others have thought, this logically would be the start of the twelve years under discussion. However, if I am right in assigning the context of the speech to 323, then this takes us back to 335/4, the year in which Demades served as ambassador to Alexander III, rather than to the battle of Chaeronea. Is this viable?

Mathematically, the accepted date of 326, achieved by subtracting twelve years from 338, is all well and good, but arithmetic need not be the deciding factor. Demades faced a charge which, thanks to the treachery of Alexander's treasurer Harpalus and several leading Athenian statesmen, so intimately connected the Athenians with Alexander himself. The title is surely more likely to refer back to the point where Demades became directly involved with that king, and that is his diplomatic rôle in the wake of Alexander's demand for the surrender of the Athenian statesmen in 335. The political importance of Demades for the city, which extended beyond the reign of Alexander (such as his diplomatic activities with Philip II after Chaeronea), is emphasised, but the main thrust of the defence had to centre on his

²⁹ Demosthenes' remark at Hyp. 5.31 is openly contemptuous in tone; cf. that of the Spartan Damis at [Plut.] *Mor.* 219e, with Aelian *VH* 2.19.

³⁰ Many times in his speeches Deinarchus discredits the defendants by accusing them of *dorodokia* against the interests of the city: Demosthenes: Dein. 1.11, 13, 15, 26, 29, 40, 46–7, 53, 60, 64, 67, 88, 108 (cf. Hyp. 5.13, 21, 38); Aristogeiton: Dein. 2.1–2, 6, 15, 20, 22–3, 26; Philocles: Dein. 3.2, 6, 18, 22.

³¹ See A. Schäfer, *Demosthenes und seine Zeit*², iii (Leipzig, 1887), pp. 344–5 and E. Badian, *JHS* 81 (1961), 35 with n. 144.

³² See Goldstein, *op. cit.*, p. 44 n. 42 (cf. p. 49 n. 67), and my commentary *ad* Dein. 1.29 and 104. Goldstein argued that since the verb *ἐκβάλλειν* is used of the named Philocrates in 28 and the unnamed 'defiler' of 29, then the passage in 29 applies to Philocrates (I disagree).

³³ See, for example, Williams, *op. cit.*, pp. 24–30.

dealings with Alexander. This is indeed the case. Furthermore, Demades distances himself from any accusation that he may have acted with those of pro-Macedonian sympathies (Demosthenes in particular) against the interests of Athens by, *inter alia*, roundly censuring the razing of Thebes, as was noted above.

I think it is important that we look for a dramatic date for the speech, and 326 does not supply us with one. Now, in favour of 326, and against the importance of having to settle on a dramatic date for the speech, the anonymous referee of this journal draws a comparison with the anachronisms in [Andocides] 4 *Against Alcibiades*, which is fourth-century in composition but with a dramatic date in the fifth. I take the point. However, the author of the speech in question demonstrates a good working knowledge of the main events of fourth-century history, but there is not a great depth of detail in what remains of the piece today. In my opinion that, plus the style of the speech, which suggests that it was probably composed in imperial times, certainly after the event in question (cf. note 12), rules against the author knowing something that may have happened to Demades in 326 but which we today do not. The author thus turned to a known event in the career of Demades, known perhaps because of its controversial nature, which I suggest was his alleged involvement – and condemnation – in the Harpalus affair. Demades' indictment for proposing Alexander's apotheosis may be disregarded, as was argued above.

In conclusion, I agree with the *communis opinio* that the extant text of *On The Twelve Years* attributed to Demades is spurious. It is probably a later rhetorical composition, fabricating a known event, which I suggest was the trial of Demades when accused of complicity in the Harpalus affair. The content of the speech thus points to this event in March 323 and not to anything in 326.

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