

## XII.--A Third Study on Demosthenes' Ability to Speak Extemporaneously

ALFRED P. DORJAHN

NORTHWESTERN UNIVERSITY

In the following study I shall attempt to do three things. First, I shall try to show that Demosthenes could speak extemporaneously from the beginning of his career. Then, I shall develop the idea that second speeches, or rebuttals, are always likely to contain extemporaneous elements. Finally, I shall present my grounds for believing that many impromptu remarks were not preserved in the published speeches.

My previous studies<sup>1</sup> on the topic mentioned in this title were based on the orations *De Corona* and *De Fals. Legat.* Both orations were delivered, when Demosthenes, after long years of experience, had gained full mastery of the rhetorical art and the foremost position in his profession. The date of the oration concerning the insincere embassy was 344 B.C.; that concerning his crowning, 330 B.C. In both studies, my conclusion was that Demosthenes could and did speak extemporaneously, when the occasion demanded it. In retrospect, however, it appeared to me that I had demonstrated nothing more than that Demosthenes, as a mature orator, could speak without preparation. Naturally a new question presented itself to my mind: could Demosthenes speak extemporaneously from the beginning of his career, or did he gradually acquire this ability only after years of arduous practice? The first part of the present investigation represents an effort to solve this new problem.

### I

The obvious thing to do, of course, was to examine the earliest speeches of Demosthenes' entire career, and to try to detect vestiges of improvisation in them. Accordingly I turned first to the opening speech against Aphobus, which was delivered in 363 B.C., when Demosthenes was in his twentieth year. The fact that this speech yielded no positive evidence was not at all strange; on the contrary, this result was to be expected for two reasons. In the first place,

<sup>1</sup> Cf. *TAPA* 78 (1947) 69-76; *ibid.* 81 (1950) 9-15.

Demosthenes, as prosecutor, spoke first, and in all speeches for the prosecution it is difficult, if not impossible, to distinguish accurately between plausible guess-work in the prepared speech, intelligent anticipation, and actual knowledge of the defendant's line of argument. In fact, a plaintiff could never be absolutely certain that his opponent would employ some specific argument or other in his defense, until he had heard the speech in court. In the second place, Demosthenes had made long and careful preparation for this suit; he was very anxious to recover his rightful portion of his patrimony from his untrustworthy guardians. He secured the aid of Isaeus,<sup>2</sup> the foremost logograph of his time in matters involving testamentary litigation. And Isaeus had sat at the feet of Isocrates, the champion of the written speech, and the vigorous opponent of Alcidas<sup>3</sup> and his school of improvisers. As was to be expected under the existing circumstances, no indisputable instance of improvisation was found in the first oration against Aphobus.

When Demosthenes had finished with his attack on Aphobus, it became Aphobus' turn to speak in his own defense. This speech, unfortunately, has vanished in its entirety. Thereupon Demosthenes spoke again, and his oration survives today under the title *Against Aphobus II*. In this speech, Demosthenes attempted to do two things: first, to supply a rebuttal to some of the defendant's arguments, and, second, to recapitulate the strong points of his own case. The latter he could do on the basis of a speech carefully worked out beforehand and supported by written depositions. In fact, in the body of his speech, he calls upon the clerk of court seven times to read various items of evidence. All this was part and parcel of his original plan, and may be dismissed from further consideration in this study. But Aphobus brought in one item in his defense, which was a complete surprise to Demosthenes: he implied that the orator's grandfather had been a state debtor at the time of his death.<sup>4</sup> This assertion disturbed Demosthenes so much, that he postponed his prepared rebuttal, and directed his attention to this matter at once, dealing with it in the first four

<sup>2</sup> The precise nature of Isaeus' help can no longer be ascertained. He may have served Demosthenes in the capacity of tutor, or he may have composed or corrected the written speech. At any rate, the tradition persists that Isaeus gave help of some sort or another to Demosthenes in the composition of all his extant speeches against Aphobus and Onetor.

<sup>3</sup> Cf. my study in *TAPA* 78 (1947) 75 f.

<sup>4</sup> *Con. Aphob.* II.1: *εἴπε γὰρ ὡς ὁ πάππος ὠφείλε.*

sections of his speech. Let us look carefully at this passage, which seems to me to have been improvised in its entirety.

Demosthenes' opening sentence refers to the "many falsehoods" which Aphobus has just uttered before the dicasts (*πρὸς ὑμᾶς*). He then discusses the one which vexed him most, namely the insinuation that his grandfather had died a state debtor. He points out with great plainness that Aphobus had merely shown that the grandfather had once become a state debtor, not that he had died as such. Also, he points out that his opponent has not furnished any evidence in support of the latter point.<sup>5</sup> This observation could have been made only after the delivery of Aphobus' speech before the dicasts. Demosthenes informs the court that Aphobus had waited till the last day to put in this deposition,<sup>6</sup> and that it is consequently impossible for him to refute this unexpected charge by the evidence of witnesses. In §§ 3 and 4, Demosthenes then produces strong circumstantial evidence to show that his grandfather had settled in full all accounts with the state prior to his death.

When Demosthenes prepared this speech for publication, he doubtless wove the improvised and the prepared portions into a unified whole with great care. It is, therefore, impossible to ascertain precisely how far the extemporization extends. Certainly he worked out beforehand §§ 10–13, since they are buttressed by depositions. Also, the close of the speech, containing an appeal to the sympathy of the dicasts, has all the earmarks of a prepared speech.

In the body of the oration, there are but few indications of improvisation. Perhaps extemporary speaking is implied by such expressions as the following:<sup>7</sup> "he admits (*φάσκων*) that he was summoned by my father"; "he denies (*οὐ φησιν*) that he entered my father's bedroom." On the other hand, these statements may have been uttered prior to the trial, when efforts were being made to settle the case out of court.

The suit against Onetor also arose out of the guardianship, and was brought before the court in 362 B.C. A portion of the second speech serves as a rebuttal to some parts of Onetor's defense. In fact, Demosthenes states in his opening sentence that he will first touch upon a matter which he omitted in his first speech, and will

<sup>5</sup> *Ibid.* 1.

<sup>6</sup> His words are: ἀλλ' ὥς μὲν ὤφλειν, ἐνέβαλετο τηρήσας τὴν τελευταίαν ἡμέραν.

<sup>7</sup> These remarks occur in § 14.

then expose the falsehoods uttered by his opponent before the dicasts.<sup>8</sup> He makes good the latter promise in §§ 6–9. This passage is clearly marked as extemporaneous by the following words: "He had the boldness to say in court that he leaves me whatever the land is worth above a talent." Perhaps the improvisation continues beyond § 9, in view of the fact that there is no abrupt transition to what follows. This, however, cannot be demonstrated, and the smooth transition may be the result of a later redaction. But it may be worth noting that subsequent to § 4 the flow of the argument is never interrupted by the introduction of a deposition, and this may be indicative of extemporaneous speaking.

From the foregoing evidence I feel justified in drawing the conclusion that Demosthenes could, and did, speak extemporaneously, when the occasion demanded it, from the very beginning of his career as a forensic orator.

## II

My evidence thus far in the present study has been drawn solely from *Aphobus* II and *Onetor* II, both, it should be noted, second speeches. It appears obvious that second speeches would by their very nature contain many impromptu remarks. Surprise evidence or an unanticipated line of argument on the part of the opponent would have to be dealt with here on the spur of the moment. Unfortunately *Stephanus* II, *Boeotus* II, and *Aristogiton* II are spurious; at any rate, that is the consensus of scholars, and I have no grounds for challenging it. But *Aristogiton* I, although its authenticity has been questioned, has staunch defenders in antiquity<sup>9</sup> and today.<sup>10</sup> And in a certain sense it is a second speech. This lawsuit was instituted in an effort to crush the infamous sycophant, Aristogiton. The first speaker for the prosecution was Lycurgus; the second, Demosthenes. Here, then, is an opportunity for us to observe whether or not Demosthenes harks back to the speech of his colleague, who apparently had left very little for him to say on matters of law and evidence. Let us look briefly at the following passages:

<sup>8</sup> . . . περὶ ὧν οὗτος ἔψευσται πρὸς ὑμᾶς. . . .

<sup>9</sup> Plutarch, *Life of Demosthenes* 15.3.

<sup>10</sup> Henri Weil, "L'auteur du premier discours contre Aristogiton," Paris, 1877 (*Bibliothèque de l'École pratique des Hautes-Études*. Fasc. 73, 17–25).

1: Demosthenes remarks that he, like the dicasts, has been sitting and listening to the prosecutor for a long time; that much was well spoken; but that Lycurgus had exerted himself beyond measure (the Greek word is *ὑπερδιατεινόμενον*). These observations are direct comments on the chief prosecutor's speech, and appear to have been made on the spur of the moment.

14. Here Demosthenes points out that his colleague has done what was expected of him: he has presented the case on the basis of the evidence and the law. Also, Demosthenes saw (*ἑώραν*) him summoning the witnesses of Aristogiton's baseness. These, too, are direct references to Lycurgus' speech.

54: What the dicasts have just now heard from Lycurgus, asserts Demosthenes, is dreadful enough, but he himself can tell them something more of the same sort. And it will be worth their while to listen. The expression "just now" can refer to nothing else than Lycurgus' speech in court.<sup>11</sup>

58: The words "you were vexed just now at his accusation of those who raised a subscription for his safety" appear to be an observation of the moment. Demosthenes could not have known beforehand that the dicasts would show their resentment at this particular point.

69: Demosthenes proposes to discuss certain matters pertaining to the information, which, in his opinion, Lycurgus had omitted in the first speech for the prosecution. This discussion extends through § 75, and we must be prepared for the possibility that the entire passage is an improvisation.

97: Here is a direct reference to the speech which Lycurgus had just delivered: "Lycurgus called to witness Athene and the mother of the gods, and he did well."

The second oration against Aristogiton, which has come down to us in the corpus of Demosthenes, is generally considered spurious. I would not, therefore, attach any particular importance to § 16, which contains a direct reference to Lycurgus' speech.<sup>12</sup> The passage merely indicates that whoever originally inserted this speech in the genuine corpus had no doubts about Demosthenes' ability to speak extemporaneously; otherwise, he would have rejected it as spurious.

<sup>11</sup> The Greek words make this abundantly clear: . . . ὧν ἠκούσατ' ἄρτι λέγοντος Λυκούργου. . . .

<sup>12</sup> The key words are: . . . ἐκ τῶν προειρημένων Λυκούργος ἐπιδέδειχεν.

In view of the fact that Demosthenes and Lycurgus were coöperating in the prosecution of Aristogiton, the possibility must be considered, that each had access to the speech of the other. But the nature of Demosthenes' references to his colleague's speech, and their casual character seem to indicate that they are truly extemporaneous. If Demosthenes had had a full and accurate knowledge of his partner's speech beforehand, it seems likely that he would have referred to its essential arguments rather than to the trivial aspects of it which he does actually mention. Perhaps the extent of their coöperation consisted merely of a division of topics: Lycurgus undertook to discuss the law and the evidence, whereas Demosthenes took upon himself the responsibility for pointing out the nature of the offense and the baseness of Aristogiton. Even if any, or all, of the foregoing passages were deliberately planned to give the published version of the speech the appearance of spontaneity, they still serve as evidence of the fact that Demosthenes could speak extemporaneously. As I have pointed out in my previous studies,<sup>13</sup> the fraudulent nature of a speech, embellished with such qualities of oratory as the speaker did not possess, could not escape detection. An orator's contemporaries knew his strength as well as his weakness. If Demosthenes could not speak impromptu, his contemporaries knew it, and thus it would have been the height of folly to give his published speeches an occasional touch of spontaneous character.

### III

Professor R. J. Bonner<sup>14</sup> once pointed out that there was very little in the way of stories, jests, and humor in the remains of Attic forensic oratory. This observation is, indeed, correct. And yet, as every reader of Aristophanes<sup>15</sup> knows, old Philocleon derived great pleasure from the anecdotes, Aesopian wit, and jokes with which litigants regaled the dicasts. Demosthenes<sup>16</sup> himself complains that defendants who were clearly guilty of the gravest offenses got off scot-free, or paid only a small penalty, if they told a good joke or two. Even Demosthenes, however, did not always practice what he preached. Once, while defending a client on a

<sup>13</sup> Cf. *TAPA* 78 (1947) 72; 81 (1950) 10.

<sup>14</sup> Cf. *CP* 17 (1922) 97-103.

<sup>15</sup> *Wasps* 566 f.

<sup>16</sup> *Con. Aristocratem* 206.

capital charge, he noticed that the dicasts were not paying much attention to what he was saying; so, he decided to tell them an amusing anecdote. Professor Bonner<sup>17</sup> has related the story as follows: "Gentlemen, I have an amusing tale to tell you. A man hired an ass to take him from Athens to Megara. The sun became so hot at noon that he dismounted and sat in the shade of the ass. The driver objected. 'Why, man,' cried the traveler, 'did I not hire the ass for the day?' 'Yes, indeed,' replied the driver, 'to carry you but not to shelter you.' Each party insisted on his view, and neither would yield. Finally they went to law." The orator ceased, but the jurymen clamored to know the outcome of the case. "What," said Demosthenes, "are you so interested in a dispute about a donkey's shadow, and yet in a matter of life and death you will not even take the trouble to listen?" The speech has not survived, and it is highly doubtful that Demosthenes would have included this little anecdote in a revision which he might have prepared for publication. This sort of thing had to be improvised; its utility pertained to the moment only; it had no function in a speech revised for the reading public. How much wit, humor, sarcasm, and repartee has been omitted in the published version of the speeches of the famous Ten cannot be ascertained. Certainly Demosthenes would have been far less successful than history represents him, if he had not excelled in the ready wit, humor, and sarcasm which the spirited repartee of the courtroom, the council-chamber, and the Pnyx demanded. This banter, however, had no place in the carefully prepared version of published speeches, and so it has not come down to us.

#### CONCLUSIONS

My study of Demosthenes' ability to speak extemporaneously has not yet been completed, but I have, I believe, arrived at a point, where it is possible to take stock of the results that have been achieved thus far. My first study, based on the *De corona*, revealed indisputable evidence of improvisation. This is an important point, for the suit concerned not only the crowning of Demosthenes, but also the much more important matter of vindicating his whole public career. Owing to various delays in calling the case for adjudication, our orator had ample time to work out

<sup>17</sup> CP 17.98. This story is preserved by the scholiast on Aristophanes' *Wasps* 191.

a carefully prepared speech. And yet, he did not refrain from improvising. In view of the importance of the suit and the long span of time available for preparation, the fact that Demosthenes occasionally resorted to improvisation indicates that he had confidence in his ability to speak impromptu. My second study is based on the *De fals. legat.*, an oration pertaining to a type of lawsuit known as *euthynai*. Since Demosthenes had a long career of public service, he had to appear in court repeatedly for both scrutiny and audit. In such suits a person had to be able to defend himself against all sorts of irrelevant and unexpected charges; hence, extemporary speaking was unavoidable. Demosthenes' long public career indicates that he must have been able to defend himself successfully in both scrutiny and audit suits. My present study shows that Demosthenes resorted to occasional extemporization from the very beginning of his career. Also, it points out that rebuttal, or second, speeches usually contain an extemporary element. There is no shred of evidence to prove that Demosthenes was at the slightest disadvantage in scrutinies, audits, or rebuttals, owing to an inability to speak without preparation. My conviction, therefore, is that Demosthenes could, and did, speak extemporaneously, whenever the occasion demanded it.