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# ZEITSCHRIFT FÜR PAPYROLOGIE UND EPIGRAPHIK

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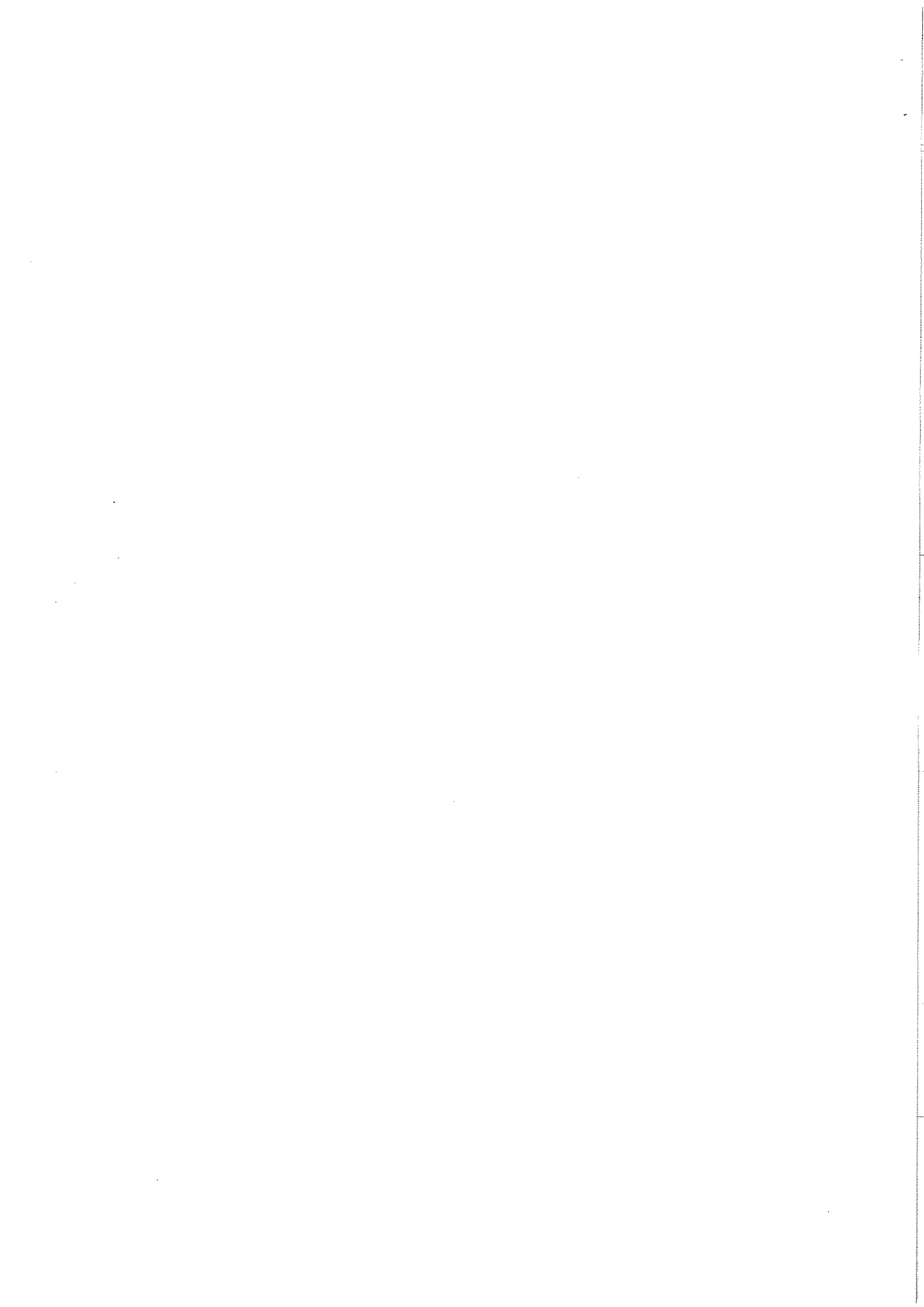


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## FRAGMENTS OF HYPERIDES' *AGAINST DIONDAS* FROM THE ARCHIMEDES PALIMPSEST

### 1. The palimpsest

The Archimedes Palimpsest, now on deposit at the Walters Art Museum in Baltimore,<sup>1</sup> contains as the upper script a Byzantine prayer book (*euchologion*).<sup>2</sup> The palimpsest is named after its lower script, which contains seven treatises of Archimedes. However, the palimpsest is a compound, made with leaves from more than six different manuscripts, including five bifolia from an eleventh century manuscript of Hyperides.<sup>3</sup>

The discovery of Hyperides in the palimpsest was made by Natalie Tchernetska, who deciphered and identified fragments of two speeches, previously attested only by a short citation each, *Against Timandrus* and *Against Diondas*,<sup>4</sup> preserved on ff. 136+137, 135+138, 144+145, 173+176, and 174+175. With 32 lines to a page, these folios contain 320 lines of text, thereby increasing the size of Hyperides' extant corpus by some 20%. The palimpsest is the first manifest proof that any of Hyperides' speeches were preserved in the Byzantine manuscript tradition.<sup>5</sup>

Each bifolium of the original manuscript of Hyperides was cut in two, each half making a bifolio of the *euchologion*. All the folios come from a single quire, which most likely was a quaternion. The order of folios, reconstructed on the basis of textual continuity and physical properties,<sup>6</sup> was probably as follows (the five bifolia are referred to by the numbers of the *euchologion* folios):

- 1-----recto fleshside 137r+136v / verso hairside 137v+136r (*Against Diondas*)  
[2-----missing, recto hairside / verso fleshside]  
3-----recto fleshside 145r+144v / verso hairside 145v+144r (*Against Diondas*)  
4----recto hairside 176r+173v / verso fleshside 176v+173r (*Against Diondas*)  
5----recto fleshside 175r+174v / verso hairside 175v+174r (*Against Diondas*)  
[6-----missing recto hairside / verso fleshside]

<sup>1</sup> The present paper is deeply indebted, as all future work will be, to the generosity of the owner of the manuscript in making it available for conservation, imaging and study, and to William Noel, Director of the Archimedes Palimpsest Project, and his colleagues William A. Christens-Barry, Roger Easton, Keith Knox, Michael B. Toth and Abigail Quandt for all they have done to make this difficult text accessible.

<sup>2</sup> This has been throughout a collaborative project which has drawn on the expertise of a wide range of scholars. Special thanks are due to Eric Handley and Pat Easterling for steering the project from its early stages to completion and for harnessing the energies of so many scholars. Major contributions to text, translation and interpretation have come from Eric Handley, Pat Easterling and Colin Austin and (at international colloquia in London and Hungary) from Thanasis Efstathiou, Simon Hornblower, Herwig Maehler, John North, Stephen Todd, Gerhard Thür, Monique Trédé, David Whitehead and Nigel Wilson. Part of the palimpsest formed the basis of a rewarding seminar series at the Institute of Classical Studies in London in 2007, where the London editors were joined by Emmanuela Bakola, Errietta Bissa, Simon Corcoran, Brenda Griffith-Williams, Sophia Panaretou, Sandra Rocha, Antonia Sarri and Sam Slattery. We must also record our thanks to institutions and societies in four countries and two continents: the British Academy, Trinity College Cambridge, the Institute of Classical Studies of the University of London, the Department of Greek and Latin at University College London, the National Humanities Center, the Loeb Classical Library Foundation, the Center for Hellenic Studies, ELTE Eötvös József Collegium, the Hungarian Academy of Sciences – MTA Ókortudományi Kutatócsoport and the Fondation Maison des Sciences de l'Homme in Paris. As with *Against Timandrus* (see below notes 4 and 7), R. Kassel has ensured speedy publication in *ZPE* and we are most grateful to him for his helpful comments on the final draft.

<sup>3</sup> See further R. Netz – W. Noel, *The Archimedes Codex: Revealing the Secrets of the World's Greatest Palimpsest* (London 2007) and <http://www.archimedespalimpsest.net> for the history of the palimpsest and its project.

<sup>4</sup> N. Tchernetska, New fragments of Hyperides from the Archimedes Palimpsest, *ZPE* 154 (2005), 1–6.

<sup>5</sup> For the Byzantine tradition of Hyperides see L. Horváth, The Lost Medieval Manuscript of Hypereides, *AAntHung* 38 (1998), 165–73; P. E. Easterling, *Fata Libellorum: Hyperides and the Transmission of Attic Oratory*, *AAntHung* 48 (2008) forthcoming.

<sup>6</sup> Gregory's rule, conjoint folios. We thank Abigail Quandt for help in reconstructing the quire.

[7-----missing recto fleshside / verso hairside]

8-----recto, hairside 138r+135v / verso, fleshside 138v+135r (*Against Timandrus*)

One folio is missing between f. 1 and f. 3 of the original quire, leaving a gap of 64 lines in the argument of *Against Diondas*. Its conjoint f. 7 is also missing, and so is f. 6: presumably, they contained the end of *Against Diondas* and the beginning of *Against Timandrus*. Based on the reconstruction, it appears that the surviving lines of *Against Diondas* come from the final part of the speech, whereas those of *Against Timandrus* come from the beginning.

*Against Timandrus*, preserved on ff. 135+138, is a prosecution speech against a guardian. This section of the palimpsest was published in *ZPE* 162.4.<sup>7</sup> *Against Diondas*, preserved on ff. 136+137, 144+145, 173+176, and 174+175, is a defence on a charge of illegal legislation (*graphe paranomon*), brought by Diondas against Hyperides in the context of internal political disputes concerning Athens' stance toward Macedon. In the present paper, we offer a brief note on the historical background, followed by a reconstructed text of the surviving folios, accompanied by a succinct commentary and an English translation.

## 2. Historical background

In the late 340's and early 330's Hyperides was a supporter of Demosthenes' policies against Philip of Macedon. Thus in 343 he successfully prosecuted Philocrates for his part in the peace of 346, while Demosthenes narrowly failed in his prosecution of Aeschines; after the battle of Chaeronea against Philip in 338, some of the emergency measures passed by the assembly were proposed by Hyperides.

Three times the assembly voted a crown for Demosthenes for his services to Athens: in 340, on the proposal of a man called Aristonicus;<sup>8</sup> early in 338, before the battle of Chaeronea, on the proposal of Hyperides and Demosthenes' cousin Demomeles;<sup>9</sup> and early in 336, before the dispatch of Philip's advance forces to Asia and the assassination of Philip, by Ctesiphon.<sup>10</sup> We do not know of a challenge to Aristonicus' decree, proposed at a time when the opposition to Philip was gaining momentum;<sup>11</sup> but the proposal of Hyperides and Demomeles was challenged unsuccessfully in a *graphe paranomon* by Diondas, of whom little else was known before the discovery of the palimpsest;<sup>12</sup> and the proposal of Ctesiphon was challenged unsuccessfully in a *graphe paranomon* by Demosthenes' opponent Aeschines.

It has always been known that Aeschines' prosecution of Ctesiphon was not brought to trial until 330/29 (after the failure of a Greek rising against Macedon in which Athens had not joined, when Aeschines presumably thought he had a good chance of success).<sup>13</sup> Now the palimpsest gives us part of Hyperides' defence against the prosecution of Diondas – and one of the things which we learn from it is that this too was brought to trial some time after the decree which it attacked: it alludes not only to the battle of Chaeronea (p. 5, 5<sup>14</sup>; p. 8, 30–3), but also, obliquely, to Alexander's destruction of Thebes in 335 (p. 5, 25–7), and to Demades' proposing 'the other day' that Athens should send the *Paralus* (one of Athens' special state triremes) to Alexander and regretting that Athens had been the last city to be asked to send

<sup>7</sup> N. Tchernetska, E. Handley, C. Austin, L. Horváth, New Readings in the Fragment of Hyperides' *Against Timandros* from the Archimedes Palimpsest, *ZPE* 162 (2007), 1–4.

<sup>8</sup> Dem. 18.83, 223, [Plut.] *X Or.* 846A, 848D.

<sup>9</sup> See, conveniently, M. H. Hansen, *The Sovereignty of the People's Court in Athens and the Public Action against Unconstitutional Proposals* (Odense 1974), 36 no. 26. Almost always an Athenian decree stood in the name of one proposer: Hansen suggests that here one man proposed the original decree and the other added a further point in an amendment.

<sup>10</sup> See Hansen, *op. cit.*, pp. 37–9 no. 30.

<sup>11</sup> [Plut.] *X Or.* 848D mistakenly associates Diondas' prosecution with this proposal (and 846A, where the manuscripts have Diodotus, mistakenly associates it with Ctesiphon's proposal).

<sup>12</sup> The speech is attested by Dem. 18.222, [Plut.] *X Or.* 848F and 846A, Euseb. *Praep. Evang.* 10.3.14–15 (i. 564 Mras), schol. Dem. 20.52.

<sup>13</sup> Dion. Hal. 746 *Amm.* 12 (p. 276 Usener & Radermacher), Plut. *Dem.* 24.2. See H. Wankel, *Demosthenes. Rede für Ktesiphon über den Kranz* (Heidelberg 1976) I. Hb., 25.

<sup>14</sup> References to the text of *Against Diondas* here and in the commentary are based on the page numbers in this edition.

ships (p. 7, 21–5) for Alexander's Persian campaign; there is one other reference to Alexander (p. 3, 31). Thus this case came to trial either in 335/4 or 334/3. Alexander's request for the ships would suggest early 334 as the earliest date for the speech. Evidently Diondas judged this a suitable time to bring his case to court,<sup>15</sup> but opponents could still think there was a real chance that Alexander would be defeated – and, as with the trial of Ctesiphon in 330, the jury supported those who had opposed Macedon when opposition was possible.<sup>16</sup>

Diondas himself, the only known Athenian of that name, is now shown to have been more active than we had previously realised. According to Hyperides (who may of course be exaggerating), he made fifty prosecutions, all of them against men who could be described as enemies rather than friends of Philip, including Charidemus, Lysurgus, Demosthenes (more than fifteen times), and Hyperides himself, against whom he allegedly filed three suits on the same day (p. 3, 9–22); all of these according to Hyperides were unsuccessful (p. 7, 27 – p. 8, 1). Apparently he was still young in the 330's: Hyperides alleges that he had made his fifty prosecutions, on behalf of other men who were happy to let him carry the can, when not yet twenty-five years old (p. 8, 3–10). We are told also that Diondas volunteered to serve when Athens complied with a request to send soldiers to Philip in 337–336 (p. 8, 11–21).

According to Demosthenes, the decrees honouring him on the three occasions were identical.<sup>17</sup> Hyperides' defence against Diondas and Demosthenes' defence of Ctesiphon against Aeschines were both made when Alexander was preparing to campaign or campaigning in Asia and Athens was acquiescing in his overlordship, so it is not surprising that both championed the policies pursued by Demosthenes in the years leading to Chaeronea in the same way. But this is not just a matter of defending in the same general way the alliance with Thebes in which Athens made the larger contribution to secure a battle fought with Boeotian support in Boeotian territory (p. 1, 1 – p. 2, 22, p. 4, 9–12, p. 5, 1–24; cf. Dem. 18.174–243). There are close resemblances in detail, such as the mention of the Athenian army's going to Boeotia via Eleusis (p. 1, 1–2, cf. Dem. 18.177), the invocation of the Persian Wars in connection with Athens' contribution (p. 4, 12–28, cf. Dem. 18.208), the reference to Philip's being 'at the borders of Boeotia' when he had captured Elatea (p. 5, 19–20; cf. Dem. 18.230, and the list of traitors in the Greek cities (p. 6, 29 – p. 7, 5, cf. Dem. 18.295). Eusebius quotes Porphyry as wondering whether Demosthenes improved on what Hyperides had said earlier or Hyperides used less well what Demosthenes had said previously.<sup>18</sup> Clearly we should think of collaboration rather than plagiarism: before the Hyperides text was identified and read, L. Rubinstein, citing Eusebius, had suggested that Demosthenes spoke as a supporting speaker (*synegoros*) for Hyperides in his defence and that the two of them worked out joint court strategies.<sup>19</sup> She further suggests to us that they could have begun working on the defence immediately after the prosecutor's *hypomosis*, without waiting for the case to come to court, and we now know that there was a period between 336 and 334/3 when both Diondas' prosecution of Hyperides and Aeschines' prosecution of Ctesiphon were awaiting trial.

### 3. Text<sup>20</sup>

<sup>15</sup> Unfortunately the word *πρόην* ('the other day') is too vague to be of much help in fixing the date more precisely. Rhodes suggests that the speech reflects the period immediately after Alexander's victory at the Granicus (May/June 334), when his supporters will have been encouraged by his dedication of spoils in Athens (Arr. *Anab.* 1.16.7, Plut. *Alex.* 16.17–18). Horváth prefers January–March 334 (before Alexander crossed to Asia).

<sup>16</sup> Dem. 18.222.

<sup>17</sup> Dem. 18.83, 222–3.

<sup>18</sup> Euseb. *Praep. Evang.* 10.3.14–15 (i. 564 Mras).

<sup>19</sup> L. Rubinstein, *Litigation and Cooperation: Supporting Speakers in the Courts of Classical Athens* (*Historia Einzelschriften* cxlvii 2000), 224 n. 89.

<sup>20</sup> The text published here was generated using Editor software developed by the Department of Computer Science at Eötvös Loránd Tudományegyetem, Budapest. For the development of the programme see Péter Bauer, Zsolt Hernáth, Zoltán Horváth, Gyula Mayer, Zsolt Parragi, Zoltán Porkoláb, Zsolt Sztupák, HypereiDoc – an XML based framework for supporting cooperative text editions, to appear in *Proceedings of the 12<sup>th</sup> East-European Conference on Advances in Databases and Information Systems (ADBIS 2008)*, Springer 2008, 16 pages. This text, accompanied by full testimonia and apparatus criticus, can be consulted at <http://hypereidoc.elte.hu>.

- 137Γ ἐπειδὴ ταῦ(τα) ἤκούσατε παρ' ἡμῶν, Ἐλευσινόθεν εἰς Θήβας pag. 1  
ἐπορεύεσθε· οὕτως δὲ πρὸς ἀλλήλους οἰκείως καὶ φι-  
λανθρώπως διετέθητε, ὥστ' ἐκεῖνοι μὲν εἰσελη-  
λυθότες αὐτοὶ εἰς τὴν πόλιν καὶ εἰς τὰς οἰκίας ἐπὶ  
παῖδας καὶ γυναῖκας τὸ στρατόπεδον ὑμῶν ὑπε- 5  
δέξαντο· ὑμεῖς δὲ οὐδὲν πω παρ' ἐκείνων εἰληφό-  
τες βέβαιοι, τὴν δύναμιν ἐκεῖσε Φιλίππου πλησίον  
ὄντ(ος) ἀπεστείλατε· καὶ τότε μὲν ὁ Φίλιπ(ος) ἀπίων  
ᾧχετο οὐδὲν ὦν ἠβούλετο διαπραξάμενος· ἡμεῖς δὲ  
καὶ Θηβαῖοι ἐπανελθόντες τάχιστα τὰς συμμα- 10  
χίας ἐπεκυρώσαμεν. ἡλίκον δ' ἦν τὸ ποιήσασθαι  
τότε πρὸς Θηβαίους τὴν συμμαχίαν ἐκεῖθεν εἴσεσθε·  
ἀναγκαῖον γὰρ ἦν τοὺς Θηβαίους τρία μὲν ποιῆσαι,  
ἢ μετὰ Φιλίππου γενέσθαι, ἢ μεθ' ἡμῶν, ἢ μηδὲ με-  
θ' ἐτέρων. Φιλίππῳ μὲν τοίνυν προσθέμενοι με- 15  
τ' ἐκείνου ἂν εἰς τὴν χώραν ἡμῶν ἐπορεύοντο, ἡσυ-  
χίαν δ' ἐχόντων αὐτῶν ἡμεῖς ἄν μόνοι ἐν τῇ ἡμε-  
τέρῃ χώρᾳ πρὸς Φίλιππον διηγωνιζόμεθα, με-  
θ' ἡμῶν δὲ γενομένων αὐτῶν ἐν τῇ Θηβαίων μετ' ἐ-  
κείνων διεκινδυνεύσαμεν· καὶ τούτων τῶν τριῶν 20  
σκέψασθε τί ἦν ἄρ' οὐ [τὸ] γεγενημένον. ἡδέως δ' ἂν  
ἔγωγε πυθοίμην καὶ αὐτοῦ τοῦ κατηγοροῦ πότερα  
κ(αὶ) τῇ πόλει καὶ τοῖς Ἑλλησιν ἐδόκει κατὰ τοὺς και-  
ροὺς ἐκείνους συμφέρειν ἢ Θηβαίων συμμαχι-  
α ἢ οὐ. εἰ δὲ τοῦτο παρὰ πάντων ὁμολογεῖται, 25  
τίνες αἴτιοι τούτων γεγένηται; ἐγὼ δ' ἐρῶ· πρῶ-  
τον μὲν ὁ δῆμ(ος) ὁ Ἀθηναίων ὁ παρακαλέσας ἐπὶ  
ταῦτα, ἔπειτα τῶν ἰδιωτῶν εἴ τις πεισθεὶς συνη-  
γωνίζετο· οὐδεὶς τοίνυν φανήσετα(ι) παρὰ ταῦτα  
ἡμῶν προθυμότερος γεγονώς. εἰ δὲ τῶ(ν) περὶ τ(ὴν) 30  
μάχην, ὧ ἄνδρες δικασταί, ἐσφάλητε, οὐδὲν θαυ-  
μαστόν, ἀλλὰ χρηστά γε προελόμενοι καὶ ἡγούμενοι δεῖν

- 137v δια τῶν ὑμετέρων κινδύνων ὥσπε[ρ] καὶ πρότερον pag. 2  
 τοὺς Ἑλληνας ἐλευθερῶσαι. δεῖ δὲ τῶν κινδύνων  
 πάντων τὰς μὲν ἀρχὰς καὶ τὰς ὑποθέσεις εἰς τοὺς  
 πράττοντας ἀναφέρειν, τὰ δ' ἐκ τούτων ἀποβαί-  
 νον(τα) εἰ(ς) τὴν τύχην. Διώνδας δὲ τούναντίον ἀξιοῖ γε- 5  
 νέσθαι· μὴ Δημοσθένην τῆς προαιρέσεως ἔνεκα  
 ἐπαινεῖσθαι, ἀλλ' ἐμὲ τῆς τύχης ἔνεκα εὐθύν(ας)  
 δοῦναι. καίτοι εἴ τις πρὸ τοῦ καθαιρεθῆναι τ(ὴν)  
 στήλην τὴν Θηβαίους πρὸς Φίλιππον ἐστηκυῖαν  
 ἐπηγγέλλετο Φιλίππῳ μὲν Θηβαίους πείσειν 10  
 πολεμεῖν, ἡμῖν δὲ συμμάχους εἶναι, ἀντεῖ-  
 πέ τις αὐτὸν ἐπαινέσαι, ἀλλ' οὐκ ἂν τὰς μεγίστας  
 δωρεὰς τῷ ταῦτα πράξαντι δοῦναι; εἴτ' οὐ δεινόν  
 ἐστὶν πρὸ μὲν τοῦ τυχεῖν τούτων οὐδὲν ὅ τι οὐκ ἂν τῷ  
 ἐπαγγελομένῳ ὑποσχέσθαι, ἐπεὶ δ' ἐπράχθη, 15  
 ἀχαρίστους φαίνεσθαι ὄντας; καὶ μὴν κάκεῖν(ο)  
 σκέψασθε, ὧ ἄνδρες Ἀθηναῖοι, εἰ παρὰ Φιλίππῳ  
 136r συλληφθέντες ἡμεῖς ἐκρινόμεθα, τί ἂν ἡμῶ(ν)  
 κατηγορεῖ; οὐχ ὅτι [B]υζάντιον μὲν αὐτὸν ἐκωλύ-  
 σαμεν λαβεῖν, τὴν δ' Εὐβοίαν ἀπεστήσαμεν, τὴν δὲ 20  
 πρὸς Θηβαίους ὑπάρχουσαν αὐτῷ συμμαχίαν κα-  
 θείλομεν, ὑμῖν δὲ συμμάχους ἐποιήσαμεν; τί δ' ἀν-  
 (τ)επάθομεν ἂν ὑπ' ἐκείνου; ἄρ' οὐκ ἂν ἀπεθάνομεν;  
 ἐγὼ μὲν οἶμαι. εἴτ' οὐ δεινόν, ὧ ἄνδρες Ἀθηναῖοι,  
 εἰ ὑπὲρ τῶν αὐτῶν ἡμᾶς δεήσει πρὸς τοὺς ἀντι- 25  
 πάλους καὶ πρὸς ὑμᾶς κινδυνεύειν; καὶ Φίλιπ-  
 πος μὲν τοὺς ὑπὲρ αὐτοῦ τι καθ' ἡμῶν πράξαν(τας)  
 οὐ μόνον αὐτὸς ἐτίμησεν ἀλλὰ καὶ παρ' ἡμῖν ἔσ-  
 πευσεν ὅπως τιμηθῶσιν - καὶ εἰσι πρόξενοι ἀνα-  
 γεγραμμένοι - ἡμεῖς δὲ οὐδὲ ἄς παρ' ἡμῖν αὐτοῖς 30  
 ἔδομεν τιμὰς κυρίας ἐάσομεν εἶναι; ἀλλ' οὐ προ-  
 σήκει ὑμῖν, ὧ ἄνδρες δικασταί, τοιούτους εἶναι  
 desunt duo columnae

deperd.	ὅστις ὑπὲρ τῆς πόλεως τῆς]	pag. 3
145r	<p>ἡμετέρας τὰ βέλτιστα συμβουλεύσει. καὶ ταῦτα μὲν οὐ φησιν Διώνδας παράνομα εἶναι, ἐγὼ δὲ κρίνομαι περὶ ὧν ὑμεῖς πρότερον ἐγνώκατε. καίτοι, ὧ ἄνδρες δικασταί, ὥσπερ τοὺς γράφοντας οἴεσθε δεῖν κολάζειν, ἐάν τις ἀσύμφορόν τι τῷ δήμῳ γράφῃ, οὕτως καὶ τοὺς τὰς γραφὰς γραφομένους ἐξετάζετε· οὐκ ἔλαττον γάρ ἐστιν ἀδίκημα[α] τὸ τὰ τῷ δήμῳ συμφέροντα ἐμποδίζειν γραφὰς ἐνιστάν(τα) τοῦ τὰ παράνομα γράφειν. Διώνδας δὲ νῦν ἐν πεντήκοντα γραφαῖς, ἃς ἐγράψατο, κατὰ μὲν τῶ(ν) ὑπὲρ Φιλίππου πολιτευομένων οὐδεμίαν πώποτε γραφὴν ἀπήνεγκεν, ἀλλ' οὐδὲ λόγῳ ἐβλασφήμησεν οὐδὲ περὶ ἐνὸς αὐτῶν, τοῖς δὲ τάναντία ἐκείνῳι πολιτευομένοις λοιδορούμεν(ος) διατελεῖ ἐπὶ πάντων τῶν ἀγώνων. ἐγράψατο δὲ Χαρίδημον μὲν, ὃν νῦν ἐγκωμιάζει μὴ ποιεῖν ἐφ' οἷς ἔλαβεν τὴν δωρεάν τοῦ [δήμ]ου, βουλόμενος διαπραξασθαι [οὐδὲν ὧν ἐ]δ[ί]ωκ[ε]ν [ἡ]δικηκότη.</p>	5
144v	<p>Λυκοῦρ(γον) δὲ οὐ μόνον παρανόμων ἐδίωξεν, ἀλλὰ καὶ ἀσεβείας πρὸς τὸν βασιλέα. Δημοσθένη τε πλείους ἢ πέντε καὶ δέκα γραφὰς ἐγράψατο, κατ' ἐμοῦ δὲ τρεῖς τῇ αὐτῇ ἡμέρᾳ ἀπήνεγκεν. καὶ νῦν εἰς τοῦτο ἀναιδείας ἐλήλυθεν, ὥστε οὐκ ἔαι ὑμᾶς χρῆσθαι οὔτε οἷς ὁ δῆμ(ος) ὁμογνώμων ἐγένετο, οὐς ἐγὼ προεβούλευσα, οὔτε τῇ τοῦ δικαστηρίου γνώσει, πρὸς δὲ τούτο[ι]ς οὐδ' ὑπὲρ τοῦ καιροῦ ἀκούειν λέγοντ(ος) οὔ χωρὶς οὐδὲν τῶν πάντ(ων) χρήσιμόν ἐστιν. καίτοι πῶς οὐ δεινόν, εἰ τοῖς μὲν νῦν κατὰ τῆς π[όλ]εως ὀνειδῆ γράφουσιν ἕξεστιν τὸ τοῦ καιροῦ ὄνομα πολλάκις λέγουσιν γράφειν, ὅτι ἂν ἡγῶνται [Ἄ]λεξάνδρῳι χαριεῖσθαι, τοῖς δ' ὑπὲρ τῆς πόλεως τότε τὰ συμφέρον(τα) τῷ δήμῳ</p>	10 15 20 25 30



- 145v πεπολιτευμένοις εἰ μηδὲ τῶν χρόνων ἔστιν ἐκείνω(ν) pag. 4  
 μνησθῆναι. ἐγὼ δ' ἐβουλόμη[ν] ἄν, ὡς ἄνδρες δικασ-  
 σταί, ὥσπερ χρήσιμός ἐστιν ὁ καιρός, οὕτως ῥαίδιον  
 αὐτὸν ὑμῖν συνιδεῖν εἶναι, καὶ ἡγοῦμαι προσήκει(ν)  
 τοῦναντίον ἢ Διώνδας, ὃς λέγει ὀργὴν ἄκαιρον 5  
 καὶ τοὺς κρινομένους ἀναιρεῖν, οὐκ ἀπολογίας, κα-  
 τηγορεῖν εἰς καιρὸν ἀναφερόμενος ἐγνωσμέν(ον).  
 νῦν εἰκότως Διώνδας τὸν καιρὸν ἀποδοκιμάζει  
 οὐδὲν αὐτὸ(ς) ἐν καιρῷ πράττων, ὅσπερ ἐμοῦ κατη-  
 γορεῖ ὡς οὐκ ἴση ἢ συμμαχί(α) ἐγένετο, καὶ ἡμεῖς Θηβαί- 10  
 ῶν διπλάσια συνεβαλόμεθα εἰς τὸν πόλεμον καὶ χρή-  
 μα(τα) καὶ ἵππους καὶ στρατιώτ(ας). εἰς δὲ τὴν ἐν Σαλα-  
 μῖνι ναυμαχί(α), ὡς Διώνδα, ἐξήκον(τα) καὶ τριακο-  
 σίων οὐσῶ(ν) τῶν τριήρων τ(ῶν) Ἑλληνίδων, τούτων  
 ἢ πόλις ἢ ἡμετέρα διακοσίας καὶ εἴκοσι πα- 15  
 ρέσχεν καὶ τἀναλώμα(τα) εἰς ταύτας, αἱ δ' ἄλλαι  
 πόλεις σύμπασαι τετταράκον(τα) καὶ ἑκατόν. ἐν Μαρα-  
 θῶνι δ' οἱ πρόγονοι οἱ ἡμέτεροι αὐτοὶ μόνοι ὑ-  
 πὲρ ἀπάντων τῶν Ἑλλήνων ἐμαχέσαντο· τῆς 20  
 δ' ἐπ' Ἀρτεμισίῳ στρατείας οὐδὲ τὸ πέμπτον μέ-  
 ρος τῶν τριήρων οἱ ἄλλοι Ἑλληγες συνεβάλον-  
 το. τοῦτο γὰρ πρὸς τοῖς ἄλλ[οις] ἢ πόλις ἡμῶν ἔχει  
 ἀγαθοῖς· οὐ φιλον{ε}ικεῖ ἐν τ[οῖς] τοιούτοις καιροῖς,  
 ὅπως ταῦτ' ἕκαστοι συμβαλοῦνται, ἀλλὰ τὰ 25  
 μὲν διδόμενα παρ' ἐκάστων [λαβο]ῦσα καὶ τοῦ ὄλου  
 ἡγεμῶν γενομένη πολέμου δέδωκε τὰ ὑπάρ-  
 χον(τα) αὐτῇ πάν(τα) εἰς τὴν κοινὴν τῶν Ἑλλήνων σω-  
 τηρίαν. [τ]οῖγαρ[ο]ῦν ὅταν . . . . . κατορθωθῆ  
 τ . . . . . δόξας ἐξ αὐτῶν μεγίστας  
 εἴληφεν, καὶ τὴν ἡγεμονίαν τότε ἤδη παρ' ἐ- 30  
 κόντων τῶν Ἑλλήνων εἰκότως ἐλάβομεν.  
 Διώνδας δὲ νῦν μὲν οὐκ ἀγαναχτεῖ εἰ ὑπὲρ τοῦ

- 176r ἐτέροις ἀκολουθεῖν διπλάς . . . . . σεις . . . . . ο . . . . . pag. 5  
. . . . . ὡσεῖ . . . , ἀλλὰ καὶ γράφει ἀφ . αὐ . . . . . φησὶ  
εἶν[αι] δεινὸν εἰ ὑπὲρ τῆς τῶν Ἑλλήνων ἐλευθερίας πλεί-  
ω προθυμί(αν) Ἀθηναῖοι Θηβαίων παρέσχοντο. [καὶ γ]ά[ρ],  
εἴ γε τὰ περὶ τὴν μάχην κατω[ρ]θ[ώ]θη, πάντες ἂν ἐλο- 5  
γίζοντο ὅτι καὶ τὸν πόλεμον τὸν πρὸς Φίλιππον π[ο-]  
λλὰ ἔτη ἢ πόλις αὐτὴ μόνη ὑπὲρ ἀπάντων ἐπολέμη-  
σεν καὶ Βυζάντιον διέσωσεν τοῖς αὐτοῖς τέλεσι·  
καὶ μὴδ' ἐν παρακαλέσαντες ἐπὶ τῶν ἀγῶνων τὰ πλεί-  
στα συμβαλλόμενοι Ἀθηναῖοι ἦσαν, ὥστ[ε] αὐτὰ ταῦ[(τα)] 10  
τὰ ἄλλα ὑμῖν ἐξ αὐτῶν μέγισ(τα) εἶναι. πρὸς δὲ τοῦ-  
[τ]οῖς, ὡ ἄνδρες δικασταί, [δ]εῖ σκέψασθαι ἐπὶ τῆς ἀλη-  
θείας τίν' ἦ[ν] ἐκατέρους ὑμῶν τὰ π[ρ]ο[σ]όν(τα) πρὸς  
Φίλιππον· Θηβαίοις μὲν εἰρήνη καὶ συμμαχία, ὑ-  
μῖν δὲ πόλεμος. τοῦτου μετασχεῖν ἡμεῖς [ἦ]- 15  
ξιώσαμεν, ὃν ἀνάγκη ἦν, εἰ μὴ ἐκεῖνοι μετεβάλοντο,  
αὐτοὺς μόνους [πο]λεμεῖν κα[ὶ] πάντα τὰναλώμα(τα)]
- 173v ἀναλίσκειν καὶ διακινδυνεύειν ἐν τῇ ἡμετέραι  
χώραι· τούτων δὲ τοιούτων ὑπαρχόντων καὶ Φι-  
λίππου ἐπὶ τῶν ὀρίων τῆς Βοιωτίας ὄντ(ος), πότερ(ον) 20  
ἔδει ἡμᾶς τὴν δύναμιν τὴν Θηβαίων προσλαβεῖν  
καὶ τὴν χώραν καὶ τῶν ἀναλωμάτων ἀ ἐκόντες  
συνεβάλοντο, ἢ πρὸς πάν(τα) ἐρίζοντας καὶ ἀγνωμο-  
νοῦντ(ας) αὐτοὺς μόνους προελέσθαι ἀγωνίζεσθ(αι);  
καὶ νῦν γε, ὡ ἄνδρες Ἀθηναῖοι, πολλοὶ Θηβαίων 25  
ἀκροῶνται ἐν τῷ δικαστηρίῳ σχολὴν ἄγοντες  
(ὡς οὐκ ἂν ἐβουλόμην) οἷ, ἐὰν μὲν ἀπολύσητε τοῦ-  
τον τὸν ἀγῶνα, ὑπολήψονται τὸν μὲν κατήγορον ἀ-  
πόπληκτον εἶναι καὶ μαινόμενον, ὑμᾶς δὲ ἐπὶ  
τῶν αὐτῶν μένειν, ὡς προσῆκεν ὑμῖν· ἐὰν δὲ 30  
καταγνώτε, πῶς οὐκ ἂν δικαίως ἐγκαλέσαιε(ν)  
ὑμῖν, εἰ ἐπὶ τὰ αὐ(τὰ) παρεκαλέσατε αὐτούς, ἐφ' οἷς

- 176v ὑ[μῶν αὐ]τῶν ὡς ἀδικούντων κατέγνωτε; Διώνδας pag. 6  
 δὲ ἐπειδὴ ἡ τύχη τὸν ἀγῶνα οὐκ ἴσως ἐβράβευσεν, τὰς  
 ἐπιβασί[ας] λαβὼν τῶι λόγῳι τὰ ὑπὸ πάντων ὁμολογού-  
 μενα μὴ καλῶς βεβουλεῦσθαι λοιδορεῖ, καὶ οὐκ αἰσθάνεται,  
 ὃ κ(αί) βλάπτει τὴν πόλιν. κράτιστον μὲν γε πάντων, οἶμαι, 5  
 ἐστὶν τὸ νικᾶν, εἰ δ' ἄρα συμβαίνοι, ἀποτυχεῖν τοὺς περ[ι]  
 τοιούτων ἀγωνιζομένους οἴωνπερ ἡμεῖς - πολλὰ δ' ἔ-  
 χων παραδείγμα(τα) περὶ αὐτῶν λέγειν, τὰ μὲν τῆς πό-  
 λεως τῆς ἡμετέρας παραλείψω, ἐνίοτε γὰρ οἱ ἔπαι-  
 νοι ἐξεταζόμενοι ἐν αὐτοῖς τούτοις καθ' ὧν ἂν ὦσιν 10  
 προσέστησαν τοῖς ἀκούουσιν. ἀλλὰ σκέψασθε Λακε-  
 δαιμονίους ὅτι ἐν μὲν Κορίνθῳι μαχόμενοι ἐνίκω(ν),  
 ἐν Θερμοπύλαις δὲ πάντες ἀπώλοντο. ἀλλ' ὅμως  
 τῆς μὲν νίκης αὐτῶν οὐδεὶς λόγ(ος), τὴν δ' ἤτταν πάν-  
 τες ἐγκωμιάζουσιν. διὰ τί; ὅτι τὴν μὲν ὑπὲρ τῆς 15  
 αὐτῶν πλεονεξίας πρὸς τινὰς διελεγχθέντες  
 [ἐνίκησαν, ἐν τῇ δὲ] περὶ τῆς ἐλευθερίας τῶν Ἑλ-  
 173r λή]γων ἀγωνιζόμενοι κατεκόπησαν ἅπαντες.  
 νυνὶ δὲ ὁ κατήγορος περὶ τῶν ψηφισμάτων λό-  
 γους ποιεῖται τῶν πρὸ τῆς μάχης γενομένων καὶ 20  
 διαβάλλει καὶ φησι δεῖν αὐτῶν τὴν ταχίστην ἐ-  
 πιλαθέσθαι. ἐγὼ δὲ τοῖς θεοῖς εὐχομαι ὧν νυνὶ  
 ψηφίζομεθα ἀπαλλαγῆναι ἡμᾶς ὡς τάχιστα  
 κ(αί) ἐπιλαθέσθαι. τὰ μὲν γ(άρ) τοῖς τῶν προγόνων ψη-  
 φίσμασιν ἀκόλουθὰ ἐστίν, τὰ δὲ τοῖς Μεγαρέων 25  
 καὶ Κορινθίων δόγμασιν· εἰς τοῦτο δὲ ἤκει κακίας  
 καὶ ἀπονοίας, ὥστε καὶ περὶ τῆς πολιτείας ἡ-  
 μῖν κατηγορίας ποιεῖται. καίτοι, ὦ Διώνδα,  
 εἰ βούλει εἰδέναι σαφῶς, ποτέρους ἡμῶν οὗτοι  
 ὑπολαμβάνουσιν βέλτιον πολιτεύεσθαι, ἐρώτη- 30  
 σον αὐτῶν ἕκαστον, τίν(α) μάλιστα ἐν Μεγάρῳις μισοῦ-  
 σιν· ἀποκρίνονταί σοι, ὅτι Πτοιόδωρον, ἐν Ἐρετρίαι δὲ

- 175r Ἴππαρχον καὶ Κλείταρχον, ἐν Ἄργει δὲ Μνασίαν, ἐν pag. 7  
 δὲ Μεγάλῃ πόλει Ἰερώνυμον καὶ Κερκιδᾶν. [καὶ μὲ]ν δὴ  
 πάλιν ἐρώτησον ‘διὰ τί αὐτοὺς μισεῖτε;’ φήσειαν δ’ ἄν,  
 διότι ἕκαστος αὐτῶν κατὰ τῆς ἑαυτοῦ πατρίδος  
 ὑπὲρ Φιλίππου ἔπραττεν. εἴτ’ οἷε αὐτοὺς τοῖς μὲν 5  
 ἔξω Φιλίππῳ συναγωνιζομένοις πολεμεῖν, [τοὺς]  
 δὲ ἐνθάδε ὑπὲρ ἑκείνου λέγοντ(ας) εὖνους τῇ πόλει  
 ὑπολαμβάνειν εἶναι; οὐκ ἔστι ταῦτα. ἀλλά, οἶμαι,  
 τὰ πράγμα(τα) τῇ πόλει οὕτως νῦν περιέστηκεν, ὥς οὐκ ἄ-  
 ν ἐβουλόμην. ἐπεὶ τίς οὐκ ἂν ἀλγήσειεν, ὅταν ἐν 10  
 τῇ ἐκκλησίᾳ ὑμῶν κελευόντων ἀπαλείψαι τι τῶν  
 γεγραμμένων μὴ ἐθέλῃ Δημάδης - ἄλλο γράψουσιν αὐ  
 ὑμ(ῖν) φήσει ἀπιέναι ἐκ τῆς πόλεως - παρελθῶν δέ  
 τις τῶν κοινωνῶν αὐτοῦ εἴπῃ ὅτι ὑμεῖς, [ὡς] ἂν ἔχη,  
 ψηφιεῖσθε ταῦτα, ὅπως ἂν δουλείαν ὑπάγειν ὑ- 15  
 πὸ Δημάδου ἔχητε. τοῦτο γὰρ τῶν πάντων παραλογώ-  
 τατόν ἐστιν, ὅτι ἐν μὲν τοῖς ἔμπροσθε[ν χρόνοις οἱ]  
 174v ἰδιῶται, εἰκότως, οἶμαι, ἐδεδοίχεσαν μὴ τιμ[ωρί]-  
 αν ὑπὸ τοῦ δήμου ἔχωσι, νυνὶ δὲ τούναντίον· ὁ δῆμ(ος)  
 δέδιδεν, μὴ ὑπὸ τῶν ἰδιωτῶν αἰτίαν λάβῃ. [καὶ] 20  
 γὰρ νῦν τὰ μὲν ἄλλα ἐ[ά]σω τῆς ἀσελγείας αὐτοῦ, ἔλεγε  
 δὲ ἐν τῇ πρώτῃ ἐκκλησίᾳ δεῖν ἡμᾶς τὴν Πάραλον  
 πέμφαντας ὡς Ἀλεξάνδρον μέμφεσθαι αὐτῷ, ὅτι  
 ὑστάτοις ὑμῖν ἐπέστειλεν περὶ τῶν τριήρων, ὅπως  
 δηλονότι τὸ λοιπὸν πρώτοις ἡμῖν ἐπιτάτ[η] [ἐ]καστᾶ, 25  
 εἰ δ’ ἀναγκαζομένους καλῶς ἔχει ποιεῖν ταῦτ[ά], ἀνα[γ]κάσει,  
 εἰ μὴ, πρώτοι ποιήσωμεν. ἢ πάλιν, ἐπειδὴν Διών-  
 δας ἐπὶ τῶν δικαστηρίων σεμνύνηται λέγων ὅτι  
 πεντήκον(τα) γραφὰς ἐγράψατο, εἰ δὲ τις αὐτὸν ἐ-  
 ρωτήσαι· ‘ἔστιν οὖν ἦντινα τούτων ἡιρηκας;’, οὐδε- 30  
 μίαν φανήσεται· οὐκ οὖν ἀνάγκη ἐστὶν π[εντ]ήκον(τα)  
 ἀγῶνας ἡγωνίσθαι κατὰ τῶν ἐν τῇ πόλει συμ-

- 175v φε[ρόν]των; ἔστι γὰρ [σ]υκοφάντου μὲν τὸ πολλοὺς π[ο]ιῆ[σαι] pag. 8  
 ἀγῶνας, πολίτου δὲ δικαίου τὸ ἐξελέγχειν τοὺς ἐν τοῖς  
 δικαστηρίοις. σὺ δὲ τοῦ νόμου ἀπαγορεύοντος μηδ'ένα  
 προσιέναι πρὸς τὰ δικαστήρια πρὶν ἂν τριάκοντα  
 ἔτη γένηται, πρὶν πέντε καὶ εἴκοσι ἔτη σοι γενέσθαι, 5  
 διπλάσις αὐτῶν γραφᾶς ἀπενήνοχας, καὶ ταῦ(τα)  
 ἑτέροις ὑπηρετῶν, οἳ αὐτοὶ μὲν οὐ τολμῶσιν γράφου-  
 θαι, ἵνα μὴ [τι] ἂν χει[ρ]ωθῶσιν, τῇ δὲ σῆι προπετεῖαι  
 καταχρῶνται. καὶ ὑπὲρ τούτω(ν), ὧ ἄνδρες δικα-  
 σταί, φανερώς ὤιετο δεῖν τοὺς μισθοὺς κομίζεσθαι. 10  
 ὅτε γὰρ Φίλιππος ἐκέλευεν ἡμᾶς εἰς τὸ σύνταγμα πέμ-  
 πειν ἑξακοσίους στρατιώτας καὶ ἑξήκον(τα) ἵππεας,  
 Διώνδας τούτων ἐθελοντῆς ἦν καὶ ἔλαβεν τότε  
 ἐκ τῶν δημοτῶν ἀργύριον καὶ τὸ παρὰ τῆς πό-  
 λεως, καὶ φησιν εὖνους εἶναι τῷ δήμῳ, ὃς αὐτὸν 15  
 προσέταξεν τῶν στρατιωτῶν εἶναι, οὓς ὁ δῆμος  
 [Φιλίππῳ] ἔ[π]εμπεν. καὶ εἰ ἐγένετο ἡ στρατεία,  
 174r ἀπο]λιπῶν ἂν τοὺς κατ' ἑμοῦ ἀγῶνας, οὓς φησιν  
 ὑπὲρ ὑμῶν [γ]εγράφθαι, ὥχεται ἂν πρὸς Φίλιππον 20  
 πάλιν παρ' ἐκείνου καρπούμενο(ς) ὧν ἐνθάδε ὑπὲρ  
 αὐτοῦ ἠγωνίζετο. λογίσασθε δέ, ὧ ἄνδρες δικα-  
 σταί, διὰ τί, ἂν τούτω πιστεύσαντες ἑμοῦ καταψη-  
 φίσσησθε· ὅτι καὶ πρότερον πώποτε ἔδοξέ τι  
 λέγειν; ἀλλ' (ἄ)ει παρ' ὑμῖν συκοφάντης ὧν ἐλέγχεται.  
 ἀλλὰ - νῆ Δία - οἱ οἰκεῖοι ὁμογνώμονες αὐτῷ εἰσιν 25  
 οἷς πράττει; ἀλλὰ τοὺς μὲν ἄλλους ἐάσω, ὃ δὲ πρὸς  
 αὐτοῦ ἔστιν πάντων τῶν ἀγῶνων· καὶ πρὸς ταῖς  
 ἀνακρίσεσιν δεῖται αὐτοὺς παύσασθαι, καὶ οὐ-  
 κ ἀρέσκειν αὐτῷ φησιν ἃ οὗτος πράττει, οὐδ' ἐθέ-  
 λειν αὐτὸν πείθεσθαι αὐτῷ, ἀλλ' ὁμως ἑμοῦ κα- 30  
 τηγόρει, ὅτι τοὺς δούλους τοὺς συναγωνιζομένους τῷ  
 δήμῳ ἔγραφα ἐλευθέρους εἶναι ὑπὲρ ὧν πολ-  
 [λάκις ἔλεγον, ὅτι οὐκ ἐγὼ τὸ ψήφισμα ἔγραφα, ἢ δ' ἐν Χαιρωνεῖα μάχῃ]

## 4. Translation

**1 (137r–136v)** When you heard this from us, you travelled from Eleusis to Thebes; and you were so well disposed and friendly towards each other that having themselves entered they received your army into their city and their houses into the presence of their wives and children. And you, though you had not yet received any firm assurances from them, sent your force there while Philip was close at hand; and at that point Philip went off, without achieving any of his goals. We and the Thebans came back and rapidly confirmed the alliance. How important it was at that point to make the alliance with the Thebans you will recognise from this: the Thebans had three courses of action, either to join Philip or us or neither of us. Now if they had joined Philip, they would have been invading our territory with him; if they had done nothing, we would have been fighting Philip unaided in our own territory; but as they sided with us, we faced the danger in Theban territory with their support. And of these three alternatives consider what actually did not happen. I would be pleased to hear from my accuser himself whether the city and the Greeks at that juncture thought the Theban alliance advantageous or not. If this is universally agreed, who are the men responsible for this result? I will tell you. First of all, the Athenian demos, which issued the summons to this cause; secondly, any individual citizen who took part in the struggle from conviction. Now it will be patently obvious that no one was more enthusiastic for this cause than we were. And if, jurors, you failed to achieve your objectives in the battle, there is nothing remarkable in that; but it was in choosing the noble cause that you failed and in believing that you should **2 (137v–136r)** set the Greeks free by the risks that you ran as in the past. Wherever there is risk one must credit the initiatives and the undertakings to the agents, but credit the outcomes to fortune. But Diondas demands that the opposite should happen, that Demosthenes should not be praised for his policy, while I should be held accountable for the workings of fortune. And yet if anyone, before the destruction of the stele that had been set up between the Thebans and Philip, had volunteered that he would persuade the Thebans to go to war against Philip and be our allies, would anyone have spoken against praising him rather than actually proposing that we should give the greatest rewards to the one who did this? So then, isn't it monstrous that you would have promised absolutely anything in advance of success to the person who made this promise, but when it was achieved you show no gratitude? Moreover, consider this too, men of Athens. If we had been arrested and were on trial before Philip, what would his charge against us be? Wouldn't it be that we prevented him from taking Byzantium, and made Euboea revolt, and destroyed his existing alliance with the Thebans and made them your allies? What would we have suffered in return at his hands? Wouldn't we have been put to death? I think we would. Well then, isn't it monstrous, men of Athens, if for the same actions we will have to face danger in court before the enemy and before you? And while Philip not only honoured personally those who took any action on his behalf against us, but also took every effort to have them honoured by us (and they are officially listed as our proxenoi), will we not even allow the honours which we bestowed among ourselves to remain valid? But it is not fitting for you, jurors, to behave in this way . . .

**3 (145r–144v)** . . . whoever will give the best advice on behalf of our city. And Diondas denies that this is contrary to law. But I am on trial for things about which *you* have reached a verdict in the past. And yet, jurors, just as you think it necessary to punish movers of decrees, if someone proposes something that is not beneficial to the demos, so also must you evaluate people who bring indictments. For it is no less a crime to obstruct the interests of the demos by bringing indictments than by bringing illegal legislation. Diondas now in fifty indictments which he has laid has never yet filed any indictment against those who pursue Philip's political interests, nor has he even verbally abused even one of them, but against those who pursue political policies opposed to Philip, Diondas persistently utters insults in all the trials. He indicted Charidemus, whom he now eulogises, for failing to perform the actions for which he received his reward from the demos, though he did not want him to carry out any of the acts for which he was prosecuting him as a criminal. But he not only prosecuted Lycurgus for illegal legislation, but also for impiety before the King Archon. And against Demosthenes he brought more than fifteen indictments; against me he filed three

on the same day. And now he has reached such a level of effrontery that he won't allow you to adopt the people on whom the demos agreed, the ones I proposed, nor the decision of the court, nor on top of this to listen to anyone speaking about the situation [then], without which there is no use in anything. And yet isn't it monstrous if it is permissible for those who draft shameful things against the city to draft repeatedly in the name of the 'critical situation' whatever they think will gratify Alexander, but those who in the past were committed to policies which were advantageous to the demos **4 (145v-144r)** are not allowed even to mention that period. But I could have wished, jurors, that just as the right moment is important, you could as easily identify it. I take the opposite view of what is appropriate to Diondas, who says that it is anger not fitting the situation, not defence speeches, which actually destroys men on trial, while he is addressing his accusations to a specific situation. Now it's not surprising that Diondas denies the importance of the situation [then], when he himself does nothing appropriate to the [current] situation; the man who alleges against me that the alliance was not evenly balanced and we contributed twice as much as the Thebans to the war, in money and horses and infantry. But for the battle of Salamis, Diondas, when there were three hundred and sixty triremes on the Greek side, of these our city provided two hundred and twenty and the expenditure for them, and the other cities all together one hundred and forty. At Marathon our ancestors fought themselves alone on behalf of the whole of Greece, and toward the expedition at Artemisium the other Greeks contributed not even one-fifth of the triremes. For this is something our city possesses in addition to its other virtues, that it does not quarrel in critical junctures such as this to ensure that everyone makes the same contribution; but it accepts what is given by each city, and becomes leader of the whole war and gives all it possesses for the common safety of the Greeks. And so whenever . . . succeeded, she has acquired the greatest renown from them, and at that time we received naturally the role of leader as a voluntary gift from the Greeks. But Diondas now is not annoyed if for the sake **5 (176r-173v)** of following others . . . [we pay] double . . . but he actually proposes . . . He says it is intolerable, if the Athenians showed more enthusiasm for the freedom of Greece than the Thebans. In fact if the battle had gone well, everyone would have reflected that the city itself actually fought the war single-handedly against Philip for many years on behalf of all and rescued Byzantium at the same cost and that without calling for any aid at all in the struggles it was the Athenians who made the most contribution. So that this very fact is our greatest reward from these events. In addition, jurors, one should reflect realistically what the relations were toward Philip for each party: for the Thebans peace and alliance with Philip but for you war. We wanted them to join the war, which, if they had not changed sides, we would have to fight entirely on our own and undertake all the expense and face the danger in our own territory. This being the case, and with Philip on the borders of Boeotia, was it our duty to acquire the Theban force and the territory and the voluntary contributions they made to the expenditure or to quarrel about every detail and be unreasonable and elect to struggle all on our own? And now, men of Athens, many of the Thebans are listening in the law court with time on their hands (and I wish it were not so), who, if you dismiss this case, will conclude that the accuser is a lunatic and a madman while you abide by the same principles as you should. But if you convict, how could they not have just cause to criticise you, if you called them to the same cause for which **6 (176v-173r)** you have convicted yourselves of wrongdoing? But Diondas, since fortune did not adjudicate the contest fairly, takes as the basis of his speech decisions that by universal consent have not turned out well, and engages in abuse and cannot see what is actually damaging the city. Best thing of all, I think, is to win, or, if it should happen, to fail fighting for the sort of cause for which we fought. Though I could cite many examples to illustrate the point, I shall omit the cases relating to our city. Sometimes praises when closely examined among the very people with whom they are concerned give offence to the listeners. But consider that the Spartans fought at Corinth and won, but at Thermopylae all were destroyed. But nevertheless the victory is never mentioned but everyone eulogises the defeat. Why? Because they won the victory against people with whom they disputed for their own selfish advantage but in the defeat they were butchered to a man as they struggled for the freedom of Greece. But now my accuser argues about the decrees which were passed before the battle and maligns them and claims that we should forget them as quickly as possible. But I pray to the gods that we may be rid as soon as possible of the decrees which we currently pass,

and forget them. For the former decrees are consistent with the decrees of our ancestors but the latter with the decisions of the Megarians and the Corinthians. And he has reached such a level of cowardice and perversity that he brings accusations against us for the policy we pursued. And yet, Diondas, if you want to understand clearly which of us these people have long regarded as pursuing a better policy, ask each of them whom they hate most of all in Megara. They answer you: Ptoeodorus, and in Eretria 7 (175r–174v) Hipparchus and Cleitarchus, in Argos Mnasia and in Megalopolis Hieronymus and Cercidas. Well then, ask again: Why do you hate them? They would say: because each of them was working against his own country in the interests of Philip. So then, do you expect them (i.e. the Athenians) to make war on those outside who take sides with Philip and assume that those who speak on his behalf here are loyal to the city? This cannot be. But – I think – the city's situation has now turned out in a way I would not have wished. For who would not be pained, whenever in the Assembly despite your call to expunge a clause in a written proposal Demades refuses (furthermore he will tell you when you intend to draft otherwise that he will leave the city), and one of his collaborators comes along and says that you will vote for this regardless, so that you can endure servitude under Demades? For this is the most amazing thing of all, that in former times individuals – rightly, I think – were afraid that they would be punished by the demos, while now it's the opposite: the demos is afraid that it may be held responsible by individuals. Just now I shall omit the rest of his outrageous behaviour. But in the Assembly the other day he said that you should send the Paralus to Alexander and complain that he wrote to you last of all about the warships, clearly so that in future he will impose orders on you first of all. But if it is right to do the same things under duress, he will force us, if not, let's do it first. Or again (sc. who would not be pained) when Diondas puffs himself up in the lawcourts saying that he brought fifty indictments, and someone asks him: 'Is there any one of them you've won', it will be evident that there isn't one. So isn't it inevitable that he has conducted fifty actions against the city's 8 (175v–174r) interests? It is the job of the sykophant to initiate many cases and of the good citizen to refute those that get to court. But you, when the law forbids anyone to come to the jurycourts before the age of thirty, have before reaching the age of twenty-five brought twice that number of indictments, and as the servant of others at that, who are reluctant to bring the actions personally, so that they may not suffer any defeat but may exploit to the full your recklessness. And it was for the sake of these men, jurors, that he saw fit openly to earn his fees. For when Philip instructed us to send to the confederate force six hundred infantry and sixty cavalry, Diondas was one of them as a volunteer, and he received money from his demesmen and the sum from the people. And he claims to be loyal to the people, this man who recruited himself to the troops whom the people were proposing to send to Philip. And if the campaign had taken place, he would have abandoned his actions against me, which he claims he has brought on your behalf, and gone off to Philip again in an effort to harvest the rewards for the trials he was conducting here on behalf of Philip. Think about it, jurors. Why should you trust this man and convict me? Because you felt that in the past he had something useful to say? But he is constantly exposed as a sykophant in your courts. But – it may be said – because his friends all agree with his actions? However, I'll leave the others aside, but the one who is on his side in all his cases? actually begs at the preliminary hearing that he stops them and says that he is unhappy with what Diondas is doing and that he personally is no longer willing to do as Diondas says. But Diondas still prosecuted me because I proposed a decree that the slaves who were ready to fight in our cause should be free, a matter on which (?)repeatedly . . .



## 5. Commentary

**1 (137r–136v)**

1–6. Dem. 18.215 likewise stresses the Thebans' warm welcome for the Athenians. The two accounts use a few identical phrases: οὕτως . . . οἰκείως (2), εἰς τὰς οἰκίας ἐπὶ παιῖδας καὶ γυναῖκας (4–5). Our passage helps to clarify the ambiguous genitive absolute in Dem. (οὕτως οἰκείως ὑμᾶς ἐδέχοντο ὥστ' ἔξω τῶν ὀπλιτῶν καὶ τῶν ἱππέων ὄντων εἰς τὰς οἰκίας καὶ τὸ ἄστυ δέχεσθαι τὴν στρατιάν), which could refer to the Theban army alone, the Athenian army alone or both the forces; εἰσεληλυθότες excludes the first of the three options: the Thebans withdrew into the city and invited the Athenian army to enter. See Wankel *ad loc.* (p. 989).

1. Ἐλευσινόθεν εἰς Θήβας: cf. Dem. 18.177.

14–20. Dem. 18.213 describes the Theban assembly at which the Macedonians suggested that the Thebans should either allow the Macedonians to pass through their territory or actively join an invasion of Attica.

14. γενέσθαι: γενεσθε MS.

21. τί ἦν ἄρ' οὐ [τὸ] γεγενημένον. Hyperides' point is evidently that the battle did not occur in Attica. The negative is unsatisfactory where we expect a statement of what actually happened. Solutions proposed are:

τί ἦν (ἄριστον) ἄρ' οὐ . . . : (Austin);

τί ἦν ἄρ' οὐ[τῶ] (τὸ) γεγενημένον or τί ἦν ἄρ' οὐ(τῶ) [τὸ] γεγενημένον (Handley);

τί ἦν ἄρα [τὸ] γεγενημένον (Easterling, who observes that the confusion of final α with ου would be easy if the MS was copied from a minuscule exemplar, as suggested by the possible confusion of mu and kappa at p.2,31).

21–22. ἡδέως δ' ἂν ἔγωγε πυθοίμην: cf. Hyp. Dem. 4 with Whitehead *ad loc.*

23–25. Dem. 18.190–1 similarly defends the expedience of the alliance with Thebes.

**2 (137v–136r)**

5–7. τύχην . . . τύχης: Demosthenes (18.192–4, 300 and 60.19–20) likewise ascribes the defeat at Chaeronea to Fortune (τύχη).

10. ἐπηγγέλλετο: though the imperfect is perfectly acceptable, one might expect an aorist indicative verb in the protasis (cf. ἀντεῖπε below, 11–12), hence ἐπηγγείλατο Handley.

11–12. ἀντεῖπέ τις: the postponed ἂν to be taken ἀπὸ κοινοῦ with the preceding ἀντεῖπε is surprising. ἀντεῖπεν (ἂν) τις Handley.

12. ἐπαινέσαι: *terminus technicus* in honorary decrees, here perhaps echoing the proposal of Hyperides and Demomeles; cf. ἐπαινέσαι in the pseudo-decrees at Dem. 18.84 and 118.

ἀλλ' οὐκ ἂν: ἀλλὰ κἂν Easterling (without the question mark at the end of the sentence); cf. above on p. 1,21.

14. οὐδὲν ὅ τι οὐκ: for the idiom cf. Dem 57.34, where the phrase is opposed to οὐδέν.

14–15. τῷ ἐπαγγελλομένοι: πῶ ἐπαγγελλομένοι MS.

19–22. Dem. 18.240–241 and 301 likewise emphasise the importance of Byzantium, Euboea and Thebes for Athenian defences.

22–23. ἀν(τ)επάθομεν: the scribe or his exemplar evidently vacillated between ἂν ἐπάθομεν and ἀντεπάθομεν. Though repeated ἂν is not uncommon, the repetition at such a short interval is suspect. αὐ ἐπάθομεν Edwards.

30–31. Cf. Dem. 20.96–97, where a law prescribes that τὰς δωρεῖας ὅσας ὁ δῆμος ἔδωκε κυρίας εἶναι. In the palimpsest κυρίας is corrected from μυρίας.

Sixty-four lines of text are lost between 137v–136r and 145r–144v.

**3 (145r–144v)**

1. The future indicative συμβουλεύσει is likely the verb of an indefinite relative clause, and something like ὅστις (Handley, εἴ τις Austin) ὑπὲρ τῆς πόλεως τῆς must have come at the end of the missing folio.

8. γραφὰς ἐνιστάντα: the phrase appears to be a *hapax*, though the middle is found elsewhere with this sense, as Dem. 18.4.

9–22. For Diondas' prosecutions, see the introduction.

15–18. The state of line 18 makes it difficult to reconstruct this sentence with confidence. Does the infinitive ποιεῖν depend upon ἐγκωμιάζει ('whom he now praises for not performing the acts for which he received his reward') or ἐγράψατο ('he indicted Charidemus, whom he now praises, for not performing the acts for which he received his reward')? Does βουλόμενος modify the subject of ἐγράψατο (Diondas) or ἔλαβεν (Charidemus)? The text printed is offered as a tentative reconstruction by Horváth. Other proposals are ὥστε εὐθὺς διώκειν ἡδίκηκότα vel ἡσεβηκότα vel δεδοικότα (Handley) or ὥστε ἀνόμως διώκειν πεποιηκότα (Austin).

16. On Charidemus see Kirchner *PA* 15380 and M. J. Osborne and S. G. Byrne, *The Foreign Residents of Athens, Studia Hellenistica* 33 (Leuven 1996), no. 7331.

20 is badly damaged by the prayer-book binding, and we are grateful to Abigail Quandt for her effort to repair this area.

21. The manuscript reads εἶπεντε. The breathing is visible, but accents are not.

22. ἀπήνεγκεν: for the verb cf. above line 12.

24. οἷς: in view of the following οὖς, better masculine than neuter; for the χρῆσθαι used of the demos' adherence to political leaders cf. e.g. Ar. *Ran.* 735.

ὁμογνώμων: for other usages of this adjective (or the cognate adverb) to describe decisions of the Athenian demos see Aesch. 3.254, Dem. 10.75, [Dem.] 59.2, Lyc. *Leoc.* 97, and Lys. 28.17.

25. οὖς . . . προεβούλευσα: for the transitive use of προβουλεύειν with the accusative, cf. Dem. 19.34 and Aeschin. 2.58. προβουλεύειν in the technical sense of engaging in preliminary discussion/recommendation before the meeting of the assembly is used with the *boule* as subject; when it has a personal subject as here it is used non-technically to mean formulate policy, give advice, etc.

26–27. ὑπὲρ τοῦ καιροῦ κτλ.: Hyp. *Eux.* 10 refers to prosecutors who anticipate defence arguments and 'command the jury to refuse to listen to the defence' (τοῦτο παρακελεύονται τοῖς δικασταῖς, μὴ ἐθέλειν ἀκούειν τῶν ἀπολογουμένων). Hyperides throughout this section plays with the word *kairos*, which at different points refers to the situation before Chaeronea and the situation at the time of the trial. The translation seeks to make explicit the distinction.

28–31. Hyp. *Phil.* 8 describes Philippides and his associates as καιροφυλακοῦντες, waiting for an opportunity to damage the city; see Whitehead *ad loc.* on the 'motif of opportunism' in that passage. The verb χαρίζεσθαι may allude to the grant of honorary citizenship to Alexander after Chaeronea; cf. Hyp. *Phil.* fr. 8 with Whitehead *ad loc.* For the phrase Ἀλεξάνδρῳ χαρίζεσθαι cf. Hyp. *Dem.* 14, D.S. 17.41.8, and Arr. *An.* 4.8.6.

**4 (145v–144r)**

4. συνειδεν MS.

9–17. Aeschines also objects that the Athenians paid two-thirds of the expenses of the Chaeronea campaign (Aesch. 3.106, 143), and Demosthenes responds by comparing the Athenian contribution to the fleet at Salamis (Dem. 18.237–8). Our sources for Salamis report varying numbers. Demosthenes states that the Athenians provided 200 out of a total of 300 triremes. According to Hdt. 8.43–8 (cf. Bowie *ad loc.*), Athens provided 200 of a total 366 ships (if we accept the manuscripts' text for the list of contingents, or 378 if we accept Herodotus' own total). Aesch. *Pers.* 338–40 does not specify the size of the Athenian contingent, but does offer a total of 300 or 310. According to Thuc. 1.74.1, Athens supplied slightly under two-thirds of a total of 400.

17. σύμπασαι: the prayer-book binding has damaged the parchment here. Austin reads σύμπασαι on the basis of Isoc. 4.98 and 12.50.

17–19. The Athenians were supported by Plataea at Marathon (Hdt. 6.108, 111), but often boasted of having 'fought alone' against the Persians (Hdt. 9.27, Thuc. 1.74.4), especially in funeral orations (Lys. 2.20, Pl. *Menex.* 240c, Dem. 60.10).

19–22. Hyperides probably exaggerates the size of the Athenian contribution to the fleet at Artemesium. According to Herodotus (8.1), Athens supplied 127 + 20 given to Chalcis of an original total 280 ships (including the nine penteconters), and (8.14) a further 53 which arrived later.

26. δέδωκε: iterative perfect.

29. δόξας . . . μεγίστας: for the phrase, cf. Isoc. 14.50 and 17.113.

### 5 (176r–173v)

1–2. The top corners of the page are badly moulded and cannot be read. Perhaps e.g. διπλᾶς μισθώσεις ἀναγκαζόμεθα ἀποδώσειν, ἀλλὰ καὶ γράφει ἀφ' αὐτῶν δοῦναι ὡς φησι (Horváth). The point is that Diondas is offended that Athens does not offer more aid against the Persians voluntarily.

ἐτέροις ἀκολουθεῖν: cf. [Dem.] 17.30 and Isoc. 4.99.

4. καὶ γάρ: Handley. Restoration is uncertain; Horváth suggests [ὡς] ἄ[v].

5–6. ἂν ἐλογίζοντο: ἀνελογίζοντο MS, for which cf. Hyp. *Phil.* 4.

8. τοῖς αὐτοῖς τέλεσι: perhaps we should amend to τοῖς αὐτῆς τέλεσι ('at its own expense') as more fitting in a context of single-handed effort and expenditure by Athens.

12. δεῖ σκέψασθαι: cf. Isoc. Ep. 6.8 and Dem. 21.88, and also the imperative σκέψασθε above (137r–136v, 21).

14. εἰρήνη καὶ συμμαχία: cf. Xen. *Hell.* 3.2.31, Dem. 19.87, Aesch. 2.67, 68, 137, 3.54, 60, 65 and Philochorus *FGrHist* 328 F55a. There were many occasions when the making of a peace treaty was cemented by an alliance, e.g. the Peace of Nicias between Sparta and Athens in 421; in 346 the Athenians wanted only peace with Philip but he insisted on an alliance too; after Chaeronea a common peace treaty was combined with the creation of the alliance which we call the League of Corinth. Hyperides' point here is that when Philip and Athens were competing for Thebes' support, Thebes was currently in a state of both peace and alliance with Philip while Athens had since 340 been in a state of war with him.

15. The translation assumes that we supply αὐτούς, in view of the prefix; alternatively 'we decided to take on war', though one would expect e.g. ὑποστῆναι.

20. ἐπὶ τῶν ὀρίων τῆς Βοιωτίας: Demosthenes uses a similar phrase as he boasts that his policy caused the battle to happen not in Athens, but 'on the borders of Boeotia' (Dem. 18.230: ἐπὶ τοῖς Βοιωτῶν ὀρίοις).

24. αὐτοὺς μόνους: Hyperides echoes the language used to describe Marathon p. 4, 18 (αὐτοὶ μόνοι).

26. σχολὴν ἄγοντες: because their city has been destroyed. See also Aesch. 3.156 on the presence of the Theban exiles in Athens. For the significance for dating see introduction.

27. ὡς: ὅς (probably) MS.

ἀπολύσητε: 'acquit' (LSJ s.v. 2b). For other uses of the verb by Hyperides, cf. *Eux.* 38 ('an invalid impeachment', εἰσαγγελία εἰσηγγελημένη . . . ἀπολελυμένη) and *Ath.* 4 with Whitehead *ad loc.*

28–29. ἀπόπληκτον . . . μαινόμενον: Demosthenes (18.249) similarly speaks of the ἀπόνοια, συκοφαντία, and μανία of Diondas and others who prosecuted him. Dem. 34.16 provides a close verbal parallel: ἀπόπληκτον . . . καὶ παντελῶς μαινόμενον.

31. For the rhetorical question cf. Dem. 19.133: τίς οὐ δικαίως ὑμῖν ἐγκαλέσει;

### 6 (176v–173r)

3. ἐπιβασίας: Hyperides uses this rare word similarly in fr. 242 (= Poll. 2.200): ἐπιβασίαν τῆ δίκη.

3–4. τὰ . . . ὁμολογούμενα μὴ καλῶς βεβουλεῦσθαι: the opposition to Macedonia which led to Chaeronea (cf. below p. 6, 19–21; cf. esp. λοιδορεῖ 4, διαβάλλει 21). Rhodes suggests ‘takes as the basis of his speech decisions made by universal consent and disparages them as bad decisions’.

5. βλάπτει τὴν πόλιν: for the phrase cf. Hyp. *Eux.* 27. ὅ(τι) καὶ or ὅ(τι) καὶ (Handley) is attractive: ‘that he is actually harming’.

6–7. τοὺς . . . ἀγωνιζομένους: accusative as subject of the infinitive ἀποτυχεῖν; literally ‘or, if it should happen, that those who fight for the sort of cause for which we fought should fail’.

11. προσέστησαν τοῖς ἀκούουσιν: cf. Dem. 60.14 and for further examples see LSJ s.v. προσίστημι II.3.b.

11–12. A scholion to Dem. 20.52 (fr. 96) states that Hyperides refers to the battle of the River Nemea, in 394 (Xen. *Hell.* 4.2.9–23, D.S. 14.83.1–2) in *Against Diondas*.

18. κατεκόπησαν: fr. 272a συγκοπήναι (Todd).

26. εικει MS.

32. πνοδωρον MS.

32- p. 7, 2. Dem. 18.295 offers a similar, but fuller, list of Greek traitors, including all of those named here. For further bibliography on these figures see Yunis *ad loc.* Hyperides also identifies Mnasiaas as a Macedonian supporter at *Ath.* 31. Demosthenes’ MSS give the form Mnaseas.

### 7 (175r–174v)

5. For the apostrophe cf. Dem. 17, *Eux.* 10 and *Phil.* 7.

9. τὰ πράγμα(τα) τῆι πόλει . . . περιέστηκεν: cf. Dem. 19.340.

9–10. ὡς οὐκ ἂν ἐβουλόμην: the phrase is repeated from p. 5, 27.

11. καλεόντων MS.

11–12. Dem. 19.159 similarly describes heated exchanges over the precise wording of decrees during the debate on the Peace of Philocrates in 346.

12. <ἄλλ’> ἄλλο Handley.

15–16. ὅπως . . . ἔχητε: Hyperides elsewhere characterises supporters of (Macedonian) tyrants as slaves; see *Phil.* frs. 1 and 10.

ὑπάγειν: in this sense ὑπέχειν is more usual.

16–17. τοῦτο . . . πάντων παραλογώτατόν ἐστιν: cf. [Dem.] 12.18.

18. ἐδεδεικεσαν MS.

20. δεδιεν: Kassel compares Dem. 4.8. δεδειεν MS.

αἰτίαν λάβη: Hyperides uses the same phrase to describe criminal accusations at *Lyc.* 16.

23–24. On Alexander’s request for ships, see Plut. *Phoc.* 21 (cf. *Mor.* 188c), [Plut.] *X Or.* 847c and 848e, and Phot. *Bibl.* 495b (where read Διώνδου for Διοδότου). For the significance for dating see introduction.

26. ταῦτά: ταῦτα Handley.

27. εἰ μὴ, πρῶτοι ποιήσωμεν: the absence of δέ is surprising; we expect εἰ <δὲ> μὴ, πρῶτοι ποιήσωμεν, ‘force us, and if not, let’s do it first’. The change to future indicative ποιήσομεν (Handley) is attractive: ‘if it is enough (sc. for Alexander) for us to do the same things under duress (sc. as voluntarily), he will compel us, if we do not act first’. That is, since all Alexander requires is compliance, not goodwill, pre-emptive subservience brings no more practical advantages than grudging acquiescence under duress; so Demades’ policy is pointless as well as humiliating.

31. οὐκουν: change to οὐκοῦν is possible, in which case the sentence becomes a statement: ‘So inevitably he has conducted fifty actions against the city’s interests.’

### 8 (175v–174r)

2. ἐξελέγγειν: we translate ‘refute’ but ‘prove’ (i.e. secure a conviction), ‘test’ (referring to the juror’s task) are also possible.

3–5. On the age requirement for jurors, see Arist. *Ath. Pol.* 63.3 with other sources cited by Rhodes *ad loc.* Hyperides misleadingly confuses the age limit for jury service with that for litigation: citizens over the age of twenty could be parties to a legal case; see M. H. Hansen, *The Athenian Democracy in the Age of Demosthenes* (Oxford 1991), 88–90 and 191–6.

8. ἵνα μὴ κτλ.: the sense appears to be that Diondas is used as an agent by more important figures (presumably including Demades) who wish to avoid personally running the risks attached to conspicuous failure in public actions. It is difficult to extract this from the text as transmitted and ὄν in 8 is likely to be corrupt; perhaps we should delete or change to αὐτοί.

11–12. Hyperides provides previously unknown figures for the Athenian contribution to Philip's planned Persian campaign. D.S. 16.89 and Plut. *Phoc.* 16.5 do not state the size of individual contributions. Justin. 9.5.6 gives totals for the whole allied force (200,000 foot-soldiers and 15,000 cavalry).

22–30. Though some details in the closing lines of what survives are obscure, it is clear that Hyperides is using the device of *hypophora* (cf. e.g. Lys. 6.46, 14.41, Isae. 3.72, Aeschin. 3.230) in which a speaker surveys and counters possible arguments against his case; the device is neatly described by Tiberius, *De figuris Demosthenicis* 39: ὑποφορὰ δὲ ἐστὶν ὅταν μὴ ἐξῆς προβαίνει ὁ λόγος, ἀλλ' ὑποθεῖς τι ἢ ὡς παρὰ τοῦ ἀντιδίκου ἢ ὡς ἐκ τοῦ πράγματος ἀποκρίνηται πρὸς αὐτόν, ὥσπερ δύο ἀντιλεγόμενα πρόσωπα μιμούμενος.

26–7. Though the reading is uncertain and the meaning is obscure, the text seems to single out one of Diondas' close associates and use this unidentified person's reservations about Diondas' litigious behaviour to undermine confidence in Diondas' case and his forensic activity more generally.

29. αὐτῶι refers to the associate and οὗτος to Diondas; in 30 αὐτῶι refers to Diondas, αὐτόν to the associate. The accusative and infinitive (where the subject of the infinitive is identical with the subject of the verb of speaking, Greek prefers nominative and infinitive) is used here to avoid the potential ambiguity of the repeated αὐτῶι.

31–32. On Hyperides' proposal to enfranchise the slaves after Chaeronea, see M. J. Osborne, *Naturalization in Athens* (Brussels 1981–1983), 3.67–68 (T67). On the challenge to that proposal (by Aristogiton), see M. H. Hansen, *The Sovereignty of the People's Court in Athens in the Fourth Century BC and the Public Action against Unconstitutional Proposals* (Odense 1974), 36–37 (no. 27).

31. The following folio might have continued e.g. πολ-[λάκις ἔλεγον, ὅτι οὐκ ἐγὼ τὸ ψήφισμα ἔγραψα, ἢ δ' ἐν Χαίρωνείᾳ μάχῃ (Horváth, comparing fr. 28, cited by [Plut.] *X. Or.* 849A, οὐκ ἐγὼ τὸ ψήφισμα ἔγραψα, ἢ δ' ἐν Χαίρωνείᾳ μάχῃ).

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Corrigendum to *Against Timandros* (ZPE 162, 2007, p. 3)

At ff. 138v–135r the end of note 3 should read: 'For the construction see S. *OT.* 101 with KG II p. 95, and 11f. with KG I p. 242.'

At ff. 138v–135r, l. 20 Horváth now reads [μέ]λλωσ[ι].

A revised new edition of *Against Timandrus* by L. Horváth will appear in *AAHung* 48 (2008), which contains the papers presented at the Archimedes Palimpsest Colloquium (Budapest 18–22 September 2007).

