

## The Athenian View of An Athenian Trial

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### I. Reasons for Mentioning Trials in Forensic Speeches

- 1) Establish a fact relevant to the case
- 2) Explain the background to the present case
- 3) Impugn an opponent's character
- 4) Show that courts have punished harshly before
- 5) Give a precedent for the litigant's interpretation of the law

On precedents in Athenian law see Harris (2007a) and Harris (forthcoming c, Ch. 7).

### II. Aeschines' Account of Philocrates' Flight and Trial

Aeschin. 2.6: Φιλοκράτους μὲν θάνατον καταψηφίσασθαι, ὅτι καταγνοὺς ἑαυτοῦ ἀδικεῖν τὴν κρίσιν οὐχ ὑπέμεινεν ( . . . )

(You, the Athenians) condemned Philocrates to death because he gave judgment against himself by not awaiting his trial.

*Agora* XIX, P 26, ll. 455-60.

[δημοσίων ὄντ]-  
ων ἀπάντων Φιλοκράτους τοῦ Πυθ[οδώρο Ἄγν οὐ]-  
χ ὑπακούσαντος Φιλοκράτος εἰς [τὴν κρίσιν]  
κατὰ τὴν εἰσαγγελίαν ἣν εἰσήγγει[λεν αὐτὸ]-  
ν Ὑπερεΐδης [Γ]λαυκίππο Κολ ἀλλ' ὀφλό[ντος ἐρ]-  
ήμην ἐν τῷ δικαστηρίῳ.

### III. Dubious Reports of Trials

Trials of Alcibiades – D. 21.143-48. Trial of Phrynichus – Lycurg. *Leocr.* 112-15.  
Trial of Cimon – D. 23.205.

### IV. The Complaint Includes the Key Substantive Terms of the Statute under which the Action is Brought

On the complaint in Athenian law and legal procedure see Harris (forthcoming b), which shows *inter alia* that the Athenians kept extensive written records of trials (*pace* Gagarin [2008] 195) The best studies of the role of writing in Athenian law are Faraguna (2006) and (2008) and Pébarthe (2006). Importance of substantive rules in Athenian law – Harris (2009/10a).

Hyperides *Eux.* 29-30

καὶ τὴν εἰσαγγελίαν ἔγραψα δικαίαν καὶ ὥσπερ ὁ νόμος κελεύει, “ῥήτορα ὄντα λέγειν μὴ τὰ ἄριστα τῷ δήμῳ τῷ Ἀθηναίων χρήματα λαμβάνοντα καὶ δωρεὰς παρὰ τῶν τάναντία πραττόντων τῷ δήμῳ” · καὶ οὐδ' οὕτως ἀπέχρησέ μοι τὴν εἰσαγγελίαν [[ἄν]] δοῦναι, ἀλλ' ὑποκάτω παρέγραψα· “τάδ' εἶπεν οὐ τὰ

ἄριστα τῷ δήμῳ χρήματα λαβών,” εἶτα τὸ ψήφισμα αὐτοῦ ὑπέγραψα· καὶ πάλιν, “τάδε εἶπεν οὐ τὰ ἄριστα τῷ δήμῳ χρήματα,” καὶ τὸ ψήφισμα παρέγραφον. καὶ ἔστι μοι πεντάκις ἢ ἑξάκις τοῦτο γεγραμμένον.

The impeachment that I drew up was just and in accordance with the law, referring to him as “an orator giving counsel against the best interests of the people and receiving money and gifts from those opposed to them.” Even so I was not satisfied to bring in the impeachment before I had added underneath: “These proposals he made against the best interests of the people, because he had taken bribes.” And I wrote his decree underneath. And again I added: “These further proposals he made against the best interests of the people, because he had taken bribes.” And I wrote the decree alongside. Indeed this statement is written down five or six times because I thought that the trial and the judgment should be just.

Whitehead (2000) 236: Hyperides “had taken care there to echo the words and phrases of the impeachment law itself.”

Plaint in a Private Suit - D. 29.31

ἔστιν οὖν τοῦ μὲν ἐγκλήματος ἀρχή· “τάδ’ ἐγκαλεῖ Δημοσθένης Ἀφόβῳ· ἔχει μου χρήματ’ Ἀφοβος ἀπ’ ἐπιτροπῆς ἐχόμενα, ὀγδοήκοντα μὲν μνᾶς, ἣν ἔλαβε προῖκα τῆς μητρὸς κατὰ τὴν διαθήκην τοῦ πατρὸς.”

This is the beginning of the *engklema*: “Demosthenes makes the following charges against Aphobus. Aphobus has in his possession moneys of mine, received by him in his capacity as guardian, as follows: eighty minai, which he received as the marriage-portion of my mother in accordance with the terms of my father’s will.”

The Eleven insist an indictment contain the key words in the statute – Lys. 13.85-87

## V. The Court Can Vote Only About the Charges in the Indictment

D. 45.50

δικάσειν γὰρ ὁμωμόκαθ’ ὑμεῖς οὐ περὶ ὧν ἂν ὁ φεύγων ἀξιοῖ, ἀλλ’ ὑπὲρ αὐτῶν ἂν ἡ δίωξις ᾗ. ταύτην δ’ ἀνάγκη τῇ τοῦ διώκοντος λήξει δηλοῦσθαι, ἣν ἐγὼ τούτῳ ψευδομαρτυριῶν εἴληχα.

You have sworn to judge not about the issues the defendant demands you to decide, but about the (charges of the) prosecution. The nature of the charges must be made clear in plaintiff. I have brought a charge of false testimony.

See also Aeschin. 1.154; 1.170; D. 22.4, 43, 45; 24.189; 30.9; 32.13; 37.17; 40.60; 44.14; 45.50; Is. 6.51-52; Lycurg. *Leocr.* 11-13.

## VI. Litigants Swear to “Keep to the Point”

Arist. *Ath. Pol.* 67.1 with Rhodes (2004).

διομνύουσιν οἱ ἀντίδικοι εἰς αὐτὸ τὸ πρᾶγμα.

The litigants swear to keep to the point (i.e., address the charges in the indictment).

## VII. Court Votes to Convict Because the Accuser Proves Charges in the Complaint

Isaeus 3.3-4

ἐπισκηψάμενοι δὲ ἡμεῖς, καὶ εἰς ὑμᾶς εἰσγαγόντες τὸν διαμαρτυρῆσαι τομλήσαντα ταῦτα, ἐκείνόν τε ἐξελέγξαντες περιφανῶς τὰ ψευδῆ μεμπαρτυρηκότα τὴν τῶν ψευδομαρτυρίων δίκην εἵλομεν παρ' ὑμῖν . . .

We brought a charge against his *diamartyria* (that of Xenocles) and brought before you the many who had the audacity to make this declaration. After clearly proving that he had given false testimony, we won a suit for perjury against him.

D. 29.29. Cf. 44, 59 (much more detailed but similar)

δικαιότατ' ἀνθρώπων τοῦτον ὠφληκότα τὴν δίκην, οὐχ ὅτι τὸν Μιλύαν ἐκώλυον βασανίζειν, οὐδ' ὅτι τοῦτον ἐλεύθερον ὡμολόγησεν, οἱ δὲ μάρτυρες οἶδ' ἐμαρτύρσαν, ἀλλ' ὅτι πολλὰ τῶν ἐμῶν ἐξηλέγχθη λαβών, καὶ τὸν οἶκον οὐκ ἐμίσθωσε τῶν νόμων κελευόντων καὶ τοῦ πατρὸς ἐν τῇ διαθήκῃ γράψαντος, ὡς ἐγὼ σαφῶς ὑμῖν ἐπιδείξω.

It was not because I refused to allow Milyas to be tortured nor because he agreed that Milyas was a freedman, nor because these witnesses gave their testimony; but because he was proved to have taken a lot of my money and because he did not lease the estate although the laws permitted this and my father had instructed him in his will.

Aeschin. 1.173

ἔπειθ' ὑμεῖς, ὦ ἄνδρες Ἀθηναῖοι, Σωκράτην μὲν τὸν σοφιστὴν ἀπεκτείνετε, ὅτι Κριτίαν ἐφάνη πεπαιδευκῶς, ἓνα τῶν τριάκοντα τῶν τὸν δῆμον καταλυσάντων . . .

You put Socrates the sophist to death because he clearly taught Critias, one of the Thirty who overthrew the democracy . . .

This would indicate that Aeschines thought that the court accepted the charge in the indictment that Socrates corrupted the youth. For the charges see Pl. *Ap.* 24b6-c3; cf. *Euthphr.* 3b).

For a long and detailed list of reasons given for conviction from a document see D. 19.276-79: Epicrates condemned to death for misconduct on embassy. Reasons: 1) As ambassador, he disobeyed orders, 2) he gave false reports to the Assembly, 3) bore false witness against allies, and 4) accepted gifts. These were obviously the charges in the indictment.

Other examples – [D.] 53.17-18; [D.] 59.91; Din. 2.12.

## VIII. Court Acquits Because the Defendant Refutes Charges in the Indictment

D. 24.13-14

ἔδωκε γνώμην Εὐκτήμων ὡς δυνατὸν δικαιοτάτην, ὑμᾶς μὲν εἰσπράττειν τοὺς τριηράρχους, ἐκείνοις δ' εἶναι περὶ αὐτῶν εἰς τοὺς ἔχοντας ἀναφορὰν· ἐὰν δ' ἀμφισβητῇται τι, ποιεῖν διαδικασίαν, τὸν δ' ἡττηθέντα, τοῦτον ὀφείλγειν τῇ πόλει. γράφονται τὸ ψήφισμα· εἰς ὑμᾶς εἰσῆλθεν· ἵνα συντέμω, κατὰ τοὺς νόμους ἔδοξεν εἰρησθαι καὶ ἀπέφυγεν.

Euctemon made a proposal, which was the fairest solution possible, that you collect the money from the trierarchs and that they have the right to recover it from those who held it. If there were any dispute, there was to be a *diadikasia*, and the losing party was to owe the money to the city. They indicted this proposal. The case came before you. To put it briefly, he was judged to have made his proposal according to the laws and was acquitted.

Hyperides *Against Euxenippus* 35-36

φήναντος γὰρ Λυσάνδρου τὸ Ἐπικράτους μέταλλον τοῦ Παλληνέως ἐντὸς τῶν μέτρων τετμημένον, ὃ ἐργάζετο μὲν ἤδη τρία ἔτη, μετεῖχον δ' αὐτοῦ οἱ πλουσιώτατοι σχεδόν τι τῶν ἐν τῇ πόλει, ὁ δὲ Λύσανδρος ὑπισχνεῖτο τριακόσια τάλαντα εἰσπράξειν τῇ πόλει (τοσαῦτα γὰρ εἰληφέναι αὐτοὺς ἐκ τοῦ μετάλλου)· ἀλλ' ὅμως οἱ δικασταὶ οὐ πρὸς τὰς τοῦ κατηγοροῦ ὑποσχέσεις ἀποβλέποντες, ἀλλὰ πρὸς τὰς τὸ δίκαιον, ἔγνωσαν ἴδιον εἶναι τὸ μέταλλον, καὶ τῇ αὐτῇ ψήφῳ τὰς τε οὐσίας αὐτῶν ἐν ἀσφαλείᾳ κατέστησαν, καὶ τὴν ὑπόλοιπον ἐργασίαν τοῦ μετάλλου ἐβεβαίωσαν.

When Lysander brought a *phasis* charging that the mine of Epicrates of Pallene was cut beyond the boundaries, which he had been working for three years, and virtually the richest men in the city had shares in the mine. Lysander promised to collect three hundred talents for the city (this was the amount he said they had gained). Despite this, the judges decided that the mine belonged to him and by the same vote guaranteed the security of their property and made it safe for them to work the mine.

## IX. Reasons for Unjust Verdicts

1. Unjust Verdict from False Testimony – Andoc. 1.7; [D.] 45.5-6; [D.] 59.6-8; 47.39; D. 54.26-33; D. 21.143-48; Isaeus 5.7-9
  2. Lack of supporting testimony – D. 48.22-3
  3. Witness does not show up to testify – 49.19 (cf. 34, 43-4, 55)
  4. Unjust verdict from anger causing a hasty decision – Antiphon 5.69-70. Cf. Arist. *Rh.* 2.3.13
  5. Influence of powerful *synegoroi* – [D.] 49.9-10
  6. Accuser does not issue summons and lies – [D.] 53.14-5
  7. Accuser brings charges not in the indictment – D. 37.45-8
  8. Conspiracy deprives litigant of time to prove case – D. 43.7-10
  9. Question about legality – D. 58.1, 30-32, 70
  10. Abuse of legal procedures – D. 21.81-93
  11. Sycophants cause unjust verdicts – Hyp. *Eux.* 34; D. 37.45-8
- On sycophants see the excellent essay of Harvey (1990). Cf. MacDowell (2009) 304

note 40 ('Harvey convincingly refutes Osborne').

## X. The Courts Ignore Public Service and Social Status

Aeschin. 1.195

Ἀρχίνος γὰρ ὁ ἐκ Κοίλης ἐγράψατο παρανόμων Θρασύβουλον τὸν Στειρεά γράψαντά τι παρὰ τοὺς νόμους, ἕνα τῶν ἀπὸ Φυλῆς αὐτῷ συγκατελθόντων, καὶ εἶλε, νεωστὶ γεγεννημένων αὐτῷ εὐεργεσιῶν, ἃς οὐχ ὑπελογίσαντο οἱ δικασταί.

Archinus of Koile indicted Thrasybulus of Steiria, one of the men who returned with him from Phyle (i.e., helped to fight the Thirty) for proposing an illegal decree and convicted him. Even though his public services were recent, the judges did not take them into account.

[D.] 59.116-17

ἄξιον δὲ κακεῖνο ἐνθυμηθῆναι, ὧ ἄνδρες Ἀθηναῖοι, ὅτι Ἀρχίαν τὸν ἱεροφάντην γενόμενον, ἐξελεγχθέντα ἐν τῷ δικαστηρίῳ ἀσεβοῦντα καὶ θύοντα παρὰ τὰ πάτρια τὰς θυσίας, ἐκολάσατε ὑμεῖς καὶ ἄλλα τε κατηγορήθη αὐτοῦ, καὶ ὅτι Σινώπη τῇ ἐταίρᾳ Ἀλώοις ἐπὶ τῆς ἐσχάρας τῆς ἐν τῇ αὐλῇ Ἐλευσίνι προσαγούσῃ ἱερεῖον θύσειεν, οὐ νομίμου ὄντος ἐν ταύτῃ τῇ ἡμέρᾳ θύειν, οὐδ' ἐκείνου οὔσης τῆς θυσίας, ἀλλὰ τῆς ἱερείης. οὐκοῦν δεινόν, τὸν μὲν καὶ ἐκ γένους ὄντα τοῦ Εὐμολπιδῶν καὶ προγόνων καλῶν κάγαθῶν καὶ πολίτην τῆς πόλεως, ὅτι ἐδόκει τι παραβῆναι τῶν νομίμων, δοῦναι δίκην· καὶ ἡ τῶν συγγενῶν οὔθ' ἡ τῶν φίλων ἐξαίτησις ὠφέλησεν αὐτόν, οὔθ' αἱ λητουργίαι ἃς ἐλητούργησεν τῇ πόλει αὐτὸς καὶ οἱ πρόγονοι αὐτοῦ, οὔτε τὸ ἱεροφάντην εἶναι, ἀλλ' ἐκολάσατε δόξαντα ἀδικεῖν· Νέαιραν δὲ ταυτηνὴ εἷς τε τὸν αὐτὸν θεὸν τοῦτον ἡσεβηκυῖαν καὶ τοὺς νόμους, καὶ αὐτὴν καὶ τὴν θυγατέρα αὐτῆς, οὐ τιμωρήσεσθε;

It is worth keeping this too in mind, men of Athens, that you punished Archias, who had been the hierophant, after he was convicted in court for impiety and for conducting sacrifices in violation of the ancestral rules. There were several charges brought against him, among which was that at the Haloa he had sacrificed on the altar in the courtyard at Eleusis a victim brought by the courtesan Sinope when it was illegal to sacrifice on that day and when not he, but the priestess had the right to perform the sacrifice. Wouldn't it be terrible for a man who belonged to the *genos* of the Eumolpidae, who had respectable ancestors, and was a citizen of Athens, when he was judged to have violated one of the ancestral rules, to be punished, and the pleas of relatives and friends did not help him, nor the liturgies that he had performed for the city, nor his ancestors, no, you punished him when he was found guilty, and for you not to punish this Neaira, who has committed impiety against the same god and the laws, both her and her daughter?

Dinarchus 1.14

καὶ Τιμοθέῳ μὲν, ὧ Ἀθηναῖοι, Πελοπόννησον περιπλεύσαντι καὶ τὴν ἐν Κερκύρᾳ ναυμαχίαν νικήσαντι Λακεδαιμονίους καὶ Κόνωνος υἱεὶ τοῦ τοῦς

Ἑλληνας ἐλευθερώσαντος καὶ Σάμον λαβόντι καὶ Μεθώνην καὶ Πύδναν καὶ Ποτείδαιαν καὶ πρὸς ταύταις ἑτέρας εἴκοσι πόλεις, οὐκ ἐποίησασθ' ὑπόλογον, οὐδὲ τῆς τότε ἐνεστώσης κρίσεως οὐδὲ τῶν ὅρκων, οὓς ὁμωμοκότες ἐφέρετε τὴν ψήφον, ἀντικατηλλάξασθε τὰς τοιαύτας εὐεργεσίας, ἀλλ' ἑκατὸν ταλάντων ἐτιμήσατε, ὅτι χρήματ' αὐτὸν Ἀριστοφῶν ἔφη παρὰ Χίων εἰληφέναι καὶ Ῥοδίων.

You made no allowance for Timotheus, men of Athens, even though he sailed around the Peloponnese and defeated the Lacedaemonians in a naval battle at Corcyra, even though he was the son of Conon who liberated the Greeks, even though he captured Samos, Methone, Pydna, Potidaea, and twenty other cities in addition. You did not allow such public services to take precedence over the charges brought against him and the oaths you swore about casting your votes. No, you set his fine at one hundred talents because Aristophon said that he took money from the Chians and the Rhodians.

Other cases in which the courts do not take public service, ancestors or social status into account - D. 21.143-48; D. 24.133-38; D. 34.50-51; D. 54.25

Victims' Status as a Foreigner does not Count Against Them – Din. 1.23

#### Reasons for Mentioning Public Service in Forensic Oratory

For a complete catalogue of all mentions of public service in the Attic orators with classification see Harris (forthcoming c) Appendix 8.

1. Relevant—directly relevant to the legal charges in the plaintiff.
2. Character—public service is cited as evidence of good character to show that the defendant is unlikely to have committed the offenses with which he has been charged in the plaintiff.
3. Wealth—public service is mentioned to prove that someone is wealthy.
4. Explanation—public service is mentioned to explain some aspect of the narrative.
5. Goodwill—public service is mentioned to obtain the goodwill of the judges.

*No accuser ever mentions his own public services as a reason for the judges to vote against the defendant, and no defendant ever admits guilt and then argues that he should be acquitted because of his public services.*

#### Public Service is Not Relevant When Determining Guilt in a Private Case

D. 54.44

πόλλ' ἂν εἰπεῖν ἔχοιμ', ὦ ἄνδρες δικασταί, καὶ ὡς ἡμεῖς χρήσιμοι, καὶ αὐτοὶ καὶ ὁ πατήρ, ἕως ἔζη, καὶ τριηραρχοῦντες καὶ στρατευόμενοι καὶ τὸ προσταπτόμενον ποιοῦντες, καὶ ὡς οὐθ' οὐτος οὐτε τῶν τούτου οὐδεὶς· ἀλλ' οὐτε τὸ ὕδωρ ἱκανόν, οὐτε νῦν περὶ τούτων ὁ λόγος ἐστίν.

I might have much to say, men of the court, about how we have proved ourselves useful, both I and my father during his lifetime, by serving as trierarchs and in the army, doing whatever we were ordered, and I could show that this man (i.e., the

defendant) and any of this sons have not done their duty, but there is not enough water left, and any discussion of these matters (i.e., public services) is not pertinent now.

Courts Take Public Service into Account at the *timesis* phase - Harris (2006b) 175-79

## XI. The Application of 'Fairness' (*Epieikeia*)

On *epieikeia* in Aristotle see Brunschwig (1996). On *epieikeia* in the Athenian courts see Harris (2004a) and Harris (forthcoming a) refuting Meyer-Laurin (1965).

Dinarchus 1.58

Πολύευκτον δὲ τὸν Κυδαντίδην τοῦ δήμου προστάξαντος ζητῆσαι τὴν βουλήν, εἰ συνέρχεται τοῖς φυγάσιν εἰς Μέγαρα, καὶ ζητήσασαν ἀποφῆναι πρὸς ὑμᾶς, ἀπέφηνεν ἡ βουλή συνιέναι. κατηγοροὺς εἴλεσθε κατὰ τὸν νόμον, εἰσῆλθεν εἰς τὸ δικαστήριον, ἀπελύσαθ' ὑμεῖς, ὁμολογούντος τοῦ Πολυεύκτον βαδίζειν εἰς Μέγαρ' ὡς τὸν Νικοφάνην. ἔχειν γὰρ τὴν αὐτοῦ μητέρα τοῦτον. οὐδὲν οὖν ἄτοπον οὐδὲ δεινὸν ἐφαίνεθ' ὑμῖν ποιεῖν τῷ τῆς μητρὸς ἀνδρὶ διαλεγόμενος ἡτυχηκότι καὶ συνευπορῶν, καθ' ὅσον δυνατὸς ἦν, ἀπεστερημένῳ τῆς πατρίδος. αὕτη, Δημόσθενες, τῆς βουλῆς ἡ ἀπόφασις οὐκ ἐξηλέγχθη ψευδῆς οὐσα, ἀληθινῆς δὲ αὐτῆς οὔσης ἔδοξε τοῖς δικασταῖς ἀφείναι τὸν Πολύευκτον· τὸ μὲν γὰρ ἀληθὲς τῇ βουλῇ προσετάχθη ζητεῖν, τὸ δὲ συγγνώμης ἄξιόν φημι τὸ δικαστήριον ἔκρινε.

In regard to Polyuctus of Kydantidai, the people ordered the Council (i.e., of the Areopagus) to investigate if he was accompanying the exiles to Megara and to present a report after investigating, the Council reported that he was accompanying them. You elected accusers according to the law, Polyuctus went to court, and you acquitted him when Polyuctus admitted going to Megara to visit Nicophanes because the latter was married to his mother. He did not appear to you to be doing anything unusual or terrible by keeping in contact with his mother's husband after being exiled from his country and helping him from his as much as he could. The report of the Council, Demosthenes, was not proved to be false. It was true, but the judges decided to acquit Polyuctus. The Council was ordered to find out the truth, but I say that the court decided that it was a case for pardon.

Aristotle *Magna Moralia* 1188b30-37:

οἷόν φασι ποτὲ τινα γυναῖκα φίλτρον τινὶ δοῦναι πεῖν, εἶτα τὸν ἄνθρωπον ἐν Ἀρείῳ πάγῳ ἀποφυγεῖν· οὐ παροῦσαν δι' οὐδὲν ἄλλο ἀπέλυσαν ἢ διότι οὐκ ἐκ προνοίας. ἔδωκε μὲν γὰρ φιλία, διήμαρτεν δὲ τούτου· διὸ οὐχ ἐκούσιον ἐδόκει εἶναι, ὅτι τὴν δόσιν τοῦ φίλτρου οὐ μετὰ διανοίας τοῦ ἀπολέσθαι αὐτὸν ἐδίδου.

They say that a woman gave a potion to someone to drink, and then the man died from the potion, and the woman was put at trial at the Areopagus. When she appeared there, they acquitted her for no other reason than because (she did) not (do it) intentionally. For she gave it out of love but she failed to achieve her goal. For this reason it did not seem to be a willing action since she gave it a potion and not with the intention that the man die.

The court takes the defendant's intent into account in a case of *hybris* – D. 21.180-81

The court takes extenuating circumstances into account – D. 21.70-76

### Storm as an Excuse Recognized by the Courts

*IG ii*<sup>2</sup> 1629, lines 746-49 – “It was decided that the ships were damaged in a storm.”

αἶδε τῶν τριήρων καὶ τετρή τῶν σκη-  
φθεισῶν κατὰ χειμῶνα  
ἔδοξαν ἐν τῷ δικαστηρίῳ  
κατὰ χειμῶνα διαφθαρεῖναι·

ὑπὲρ [ταύ]-  
της διαδεξάμενος [Φανό]-  
στρατος Ἀρχεστρά[του]  
Γαργήτι : Ἀμει[νίας]  
Σωκλέους Ἄγνο[ύσιος]  
σκήψιν ἀπήν[εγκαν· ἀ]πέφυ·

σὺν  
ταί[ς δ]οξάσαις ἐν τῷ  
δι[κα]στηρίῳ κατὰ χει-  
μ[ῶν]α ἀπολωλέναι

*IG ii*<sup>2</sup> 1631, lines 116-19, 141-43, 148-52.

τάσδε τῶ[ν τριήρ]ων τῶ-  
[ν σκηφθεισῶ]ν παρελάβ[ομεν δ]οξάσα-  
[ς ἐν τῷ δικα]στηρίῳ κατ[ὰ χειμ]ῶνα  
[δι]εφ[θάρ]θαι

Δίαιτος [Φ]ρεάρ·  
αἶ[δ]ε τῶ[ν τριήρ]ων τῶν σκηφ[θει]σῶν  
[ἔδ]οξαν ἐν τῷ [δι]καστηρίῳ κατ[ὰ χειμ]-  
ῶ[να] διαφθαρεῖναι ἐφ' Ἡγησί[ο]υ ἄρχον

[οἶ]δε τῶ[ν σκηψ]α[μένων κατὰ] χειμῶνα  
[ἀπὸ τῶν τριήρ]ων καὶ τετρήρων] δο-  
ξασῶν διαφθαρεῖναι κατὰ] χειμῶνα  
[τοὺς ἐμβόλους] ἐφ' Ἡγησί[ου ἄρχοντο]ς  
[ῶφειλον·



## Cases Mentioned in the Orators

Aeschines 1.34 – Timarchus indicts the law appointing one tribe to keep order in the Assembly. Outcome and reason for verdict not known. 1.63 – Aristophon threatens Hegesander with *dokimasia rhetoron*, but does not bring case to court. 1.113 – Unknown accuser(s) charges Timarchus and two others with receiving bribes as *exetastes*. Timarchus alone of the three admits taking money, does not address the charges but asks for leniency in the penalty. The court convicts all three but gives Timarchus a smaller penalty. Reason: Timarchus' confession makes no difference in judging his guilt, only in the penalty. 1.114 – Timarchus charges that Philotades is not a citizen. Charge withdrawn. 1.172 – Allusion to trial of Aristarchus for murdering Nicodemus. Reason for verdict not given. Cf. Aeschin. 2.148, Din. 1.30, 47; D. 21.104. 1.173 – Court condemns Socrates for teaching Critias, who overthrew the democracy. Verdict: The court clearly thought the charge that Socrates corrupted the youth was true. 2.6 – Philocrates fled Athens and was convicted in absentia. Cf. *Agora* XIX, P 26, ll. 455-60. Reason: Aeschines argues that the court accepted the charge in the indictment because Philocrates admitted his guilty by fleeing. 2.14 – Lycinus accuses Philocrates on a charge of proposing an illegal decree. Lycinus does not receive one-fifth of the votes. Reason for verdict not given. 2.30 – Callisthenes is condemned to death not for the treaty with Philip but for other reasons. Reason for verdict not given. 2.93 – The Areopagus fines Demosthenes for not bringing his charge of wounding against Demomeles to trial. Reason: Areopagus fines Demosthenes for violating the law. 2.124 – Leosthenes is in exile because of *sykophantai*. Reason: Aeschines implies the verdict was unjust. 2.148 – Nicodemus indicts Demosthenes for desertion, but Demosthenes buys him off. 3.51-2 – Three trials involving Demosthenes discussed. One case is withdrawn, no reason for the verdict given in the other two. 3.195 – Archinus of Koile convicts Thrasybulus of Steiria for an illegal decree. Reason for verdict: The court ignores the services of Thrasybulus. 3.252 – Private citizen attempts to sail to Samos and is executed by the Areopagus on the same day. This may not be a trial but a summary execution during the panic after Chaeronea. 3.252 – Allusion to trial of Leocrates, who was acquitted by one vote. Reason for split verdict not given.

Andocides 1.7 – General statement about unjust verdicts resulting from false testimony. 1.13 – Polystratus is denounced by Andromachus for parodying the Mysteries and put to death; others flee and are sentenced to death. Reason: Andocides implies that the court accepted the testimony of Andromachus. 1.17 – The father of Andocides brings an action against Speusippus for proposing an illegal decree. The case is heard by six thousand judges; Speusippus does not get two hundred votes. Reason not given. 1.65-66 – Diocleides admits he committed perjury and is condemned to death. Charge is not known.

Antiphon 5.69-70 – Unknown accusers bring charges of embezzlement against the Hellanotamiai. All are condemned to death; all are executed except Sosias. Evidence is later discovered proving their innocence. Reason: The judges acted on anger (presumably without any evidence). 6.35 – Speaker brings *eisangelia* before the Council against Philinus, Ampelinus, and the scribe of the Thesmothetai for embezzlement. The Council condemns them because they are guilty, but the case has not yet reached the court.

Apollodorus ([D.] 45, 46, 49, 50, 52, 53, 59) 45.5-6 – Apollodorus brings suit for damages against Phormio. Phormio brings a *paragraphe* on the grounds the suit is not admissible and wins case to bar the action. Reason: Phormio provides false

documents, Stephanus provides false testimony, and the court refuses to hear his case. 51 – Phormio's supporters will claim that the court voted for him on the basis of the release and not Pasion's will. 49.9-10 – Callistratus and Iphicrates prosecute Antimachus (apparently for embezzlement). The court sentences him to death. Reason for verdict not given. Timotheus is acquitted of charge after being deposed from office. Reason: Influence of Jason and Alcetas. 49.19. Cf. 34, 43-4, 55 – Apollodorus loses arbitration. Reason: Witness does not show up to testify. 52. 30-31 – Callippus brings suit against Apollodorus and Pasicles for money on deposit in Pasion's bank. The case is submitted to a public arbitrator Lysitheides, who gives judgment for Callippus. Reason: Lysitheides did not swear the oath and does not feel bound to decide justly. 53.14-15 – Lycidas brings *endeixis* against Apollodorus for being a public debtor and gains conviction. Reason: Lycidas does not issue a summons to Apollodorus, who presumably loses because he does not attend the trial. 53.17-18 – Apollodorus brings case for false summons and Lycidas and wins. The court sets the penalty at one talent. Reason: Apollodorus proves the charges in the indictment. 59.6-8 – Stephanus charges Apollodorus with proposing an illegal decree and gains a conviction. The court sets the penalty at one talent. Reason: Stephanus presents false witnesses who claim Apollodorus was a public debtor and makes irrelevant charges. 59.9-10 – Stephanus charges Apollodorus with killing a slave woman. Apollodorus is acquitted. Reason: The charges are shown to be false, and Cephisophon and Apollonides are shown to have hired Stephanus to bring false charges. 59.70 – Epänetus brings public charge of false imprisonment against Stephanus. Charges dropped. 59.91 – Peitholas the Thessalian and Apollonides the Olynthian are given citizenship. Someone brings a public charge of making an illegal proposal against the proposer. Reason: Peitholas and Apollonides are shown not to be worthy of citizenship. 59.116-7 – The court convicts Archias the hierophant for impiety because he did not conduct sacrifices according to ancestral custom. Reason: Archias violated the law about sacrifices for the Halos. The court ignores his ancestors, his public services, his public office and the pleas of his friends.

Demosthenes - Private Speeches 27.49-51 – Demosthenes brings a private suit against Aphobus for mismanaging his inheritance. The arbitrator rules in his favour. Reason: Aphobus cannot prove that the estate had many debts and that he paid these to the other guardians (he cannot produce witnesses of documents); Aphobus also admits that he paid expenses out of capital and not from revenue, i.e. he mismanaged the finances. 29.2-3, 6-7, 29, 44, 59-60. – Demosthenes wins case against Aphobus in court because he proves his charges with witnesses. Reason: Aphobus was proven to have embezzled sums of money and because he did not leave the estate when his father's will ordered him to do so. 30.7-8 – Aphobus loses case. Reason not given. 32.9 – Decision of judge in Cephallania. 32.26 – Zenothemis brings a private suit for damages against Protus, who does not attend the trial. Reason: The arbitrator decides against Protus because he does not show up. 33.13 – Parmeno sues Apaturius for violence, and Apaturius sues Parmeno. Case goes before arbitrators. 34.18-21 – Theodotus declines to decide private case as arbitrator because he is a friend of Phormio but does not wish to commit perjury. 34.50-51 – Unnamed defendant put to death for not turning over securities. Reason: Judge ignores his ancestors who were generals and decide to preserve integrity of the market. 37.45-8 – Pantaenetus brings suit for damages against Evergus and wins a judgment. Reason: Nicobulus, the partner of Evergus, claims that Pantaenetus made charges before the court that were not contained in the indictment. Because Evergus did not know the charges in advance, he was at a disadvantage. This is *sykophantia* and leads to an unjust

decision. 38.23 – Nicidas brings a *phasis* against Xenopeithes to compel him to lease an estate and wins. Reason: Nicidas persuades the judges. 38.28 – Brief allusion to case against Aesius. No reason given. 39.37. Cf. 40.18 – Mantitheus brings suit against Boeotus. Boeotus does not attend trial, and arbitrators give judgment against him. Boeotus later has decision overturned because judgment is given in the wrong name. Reason: Boeotus does not attend trial. 40.17 – Boeotus loses case because he cannot prove the charges. Reason: Boeotus cannot prove charges. 40.32-33 – Boeotus brings case against Mantitheus for wounding before Areopagus and loses. Reason: The doctor Euthydicus testifies that he made the cut on Boeotus' head, i.e., evidence proves charge false. 40.34 – Mantitheus brings ejectment suit against Boeotus and wins. Reason not given. 43.4 – Glaucón and Glaucus claim estate of Hagnias on the basis of a will and testimony of Theopompus but lose case. Reason: The will is shown to be a forgery. 43.7-10. Cf. 38-9 – Several parties lay claim to estate of Hagnias. Court awards to estate to Theopompus. Reason: Four groups of claimants conspire to have their stories agree; the other claimant has only one-fourth the time to explain his claim and loses. At 38-39 a different explanation is given that the litigant did not present evidence. 47.28 – Speaker brings action to recover naval equipment from Demochares of Paeania and wins case. Reason not given. 47.28 – Speaker brings case against Theophemus to recover naval equipment and wins case. Reason: Theophemus offers no defence against the charge. 47.39. Cf. 45-6. – Theophemus brings private suit for assault against the speaker and wins a judgment. Reason: The speaker claims that Theophemus deceived the court by claiming his witnesses committed perjury and that his slave would give true testimony if tortured. 47.42-3 – Speaker brings *eisangelia* against Theophemus for delaying the fleet in the Council. The Council awards damages of 25 drachmas. Reason: Council finds Theophemus guilty of the charges. 48.22-27 – Several claimants claim estate of Comon. Speaker loses his claim. Reason: The speaker claims that he did not know there would be so many claimants. He relied on the support of Olympiodorus, who was absent. The court determined that Olympiodorus did not have public service as an excuse for his absence. 48.31-33. Speaker claims to have an agreement with Olympiodorus about splitting the estate. Reason: Olympiodorus wins because Olympiodorus speaks first and because he deliberately presented a weak case in hopes of splitting the estate. 54.25 – Unknown accuser brings charge of deliberate homicide against the father of the priestess of Brauron. The defendant leaves Attica either before the trial or before the verdict. The Areopagus sentences him to permanent exile in absentia. Reason not given, but the speaker, Conon, implies that the verdict was given to encourage bystanders to protect victims of violence. 54.26-33 – Ariston brings private suit against Conon. The arbitrator appears to rule against Ariston. Reason: Ariston alleges that Conon delayed his challenge to torture slaves until the last moment and submitted testimony that was either false or irrelevant. 54.39 – Bacchius and Aristocrates condemned to death. Charge and reason for verdict not given. 57.8 – Eubulides accuses the sister of Lacedaemonius for impiety but does not get one-fifth of the votes. Reason not given. 57.60 – Antiphilus loses the deme register of citizens and has ten Halimusians expelled. All appeal to the court, and nine out of ten are reinstated. Reason not given (though the speaker implies they were wrongfully expelled). 58.1, 30-32, 70 – Theocrines charges the speaker's father with proposing an illegal decree and convicts him. The court imposes a penalty of ten talents. Reason: The speaker claims that the decree was legal, but Theocrines claimed the decree would deprive Charidemus of an estate and distracted the judges.

Demosthenes – Public Cases - 18.105, 107 – Diondas indicts decree of praise for Demosthenes and does not get one-fifth of the votes. Reason not given. 18.249-50 – Demosthenes indicted on several charges (apparently for illegal decrees and at *euthynai*) by Sosicles, Philocrates, Diondas, and Melanthus, and acquitted. Reason: He proved his proposals did not violate the law (*ἐννομία* – this related to decrees) and that he acted (*δικαίως καὶ ἁδωροδοκῆτως* – this related to *euthynai*), in other words, he disproved the charges in the indictment. 19.116 – Hyperides prosecutes Philocrates by *eisangelia*. Reason not given. 19.180 – Ergophilus, Cephisodotus, Timomachus, Ergocles, Dionysius and others sentenced to death or to pay large fines (charges not specified). Reason: They damaged the city's interests. 19.241-42, 244, 251, 283, 285 – Aeschines prosecutes Timarchus. Reason: Demosthenes does not give the reason for the verdict but implies that it was unfair (286). 19.273 – Callias prosecuted at *euthynai* and convicted to a fine of 50 talents. Reason: He was convicted of accepting gifts. The court ignored the public services of Callias for concluding peace with Persia. 19.276-79 - Epicrates condemned to death for misconduct on embassy. Trial in the Assembly. Reasons: 1) As ambassador, he disobeyed orders, 2) he gave false reports to the Assembly, 3) bore false witness against allies, and 4) accepted gifts. These were obviously the charges in the indictment. Court ignores the public service of Epicrates. 19.290 – Hegesilaus tried on unknown charge. Verdict unknown. Reason not given. 19.332 – Chares was often brought to trial and acquitted. Charges not specified. Reason: Chares was found to act loyally, justly, and in the public interest despite his lack of military success. 20.146 – Leodamas brings public suit (*graphe paranomon*?) against an award made to Chabrias and loses. Reason not given. 21.58 – Sannion convicted for desertion. Reason not given. 21.64 - Philostratus accuses Chabrias about Oropos. Charge and verdict not given. 21. 72-75 Euaeon convicted for murder (*phonos ek pronoias*). Reason: split verdict with majority voting that he had killed intentionally, the minority taking extenuating circumstances (provocation) into account; 21.81-93 – Litigation at public arbitration leads to the disenfranchisement of the arbitrator Strato. Reason: Demosthenes claims Meidias abused legal procedures. 21.103 - Euctemon does not bring case and loses right to bring public cases. 21.143-48 – Alcibiades convicted for several offenses. Reason: Judges paid no attention to ancestors and public service; 21.175-6 – Evander wins maritime suit against Menippus. Reason not given. Menippus brings private suit against Evander for damages. Reason: Evander had tried to seize Menippus during the Mysteries. 21.180-81 – Ctesicles convicted of *hybris* and put to death. Reason: the judges determined Ctesicles acted with intent to insult and not because he was drunk; 21.182 – Pyrrhus executed for serving as judge while in debt to the state. Reason: guilty of violating the law. 21.182 – Smicrus and Sciton convicted for proposing illegal decrees. Reason: the courts did not take pity on them their children, their friends, their relatives or anyone who appeared on their behalf. 21.218 – Aristophanes avoids *probole* by repaying funds. It is not clear what the charge is or if there was a vote. 22.2-3 – see 24.7. 23.104 – Autocles put on trial. Charge and verdict not stated. 23.167-68 – General convicted and fined five talents. Charge and reason for verdict not stated. 23.205 – Athenians convict Themistocles for collaborating with the Persians. Reason: Themistocles is guilty of treason. 23.205 – Cimon is charged with subverting the constitution and fined fifty talents. There is no other evidence for this trial, which may have been invented by the speaker. 24.7. Cf. 22.2-3 – Androtion brings a charge of impiety against Diodorus, who is acquitted. Androtion does not gain one-fifth of the votes. The reason for the decision is not given, but the language implies the charges are false. 24.8 – Diodorus and Euctemon

charge Androtion with several offenses – Androtion is acquitted. 24.127 – Melanopus is convicted of treason and condemned to pay a fine of three talents. 24.127 – Melanopus is convicted of embezzlement and condemned to pay a fine of ten talents. 24.134 – Thrasbylus of Collytos placed on trial and put in prison. Charge and reason not given. 24.135 – Philepsius of Lamptraia and Agyrrhius of Kollytus sentenced to pay fines and spend time in prison. Charges and reason not given. 24.135 – Myronides spends time in prison, apparently after being convicted. Charge and reason not given. 24.136 – Treasurers of Athena and Other Gods remain in prison until their trial. Charges and verdict not given. 24.136 – Men convicted of crimes in the grain trade. Charges and reason for conviction not given. 24.138 – Eudemus of Kydathenai put to death for proposing an inexpedient law. Specific charges not given. 24.138 – Philip, the son of a ship-captain Philip, sentenced to pay a large fine. Charges and reason not given.

Dinarchus 1.14 – Aristophon indicts Timotheus on charge of accepting gifts (probably at *euthynai*). Timotheus is sentenced to pay a fine of one hundred talents. Reason: Court accepts Aristophon's charges and ignores the public service of Timotheus.

1.23 – Court puts Menon the miller to death for keeping a free boy from Pellene in a mill (the charge is probably enslavement). It is not clear who made the charge.

Reason: The court accepts the charge. 1.23 – The court puts Themistius of Aphidna to death for committing *hybris* against a Rhodian flute-girl during the Eleusinian Mysteries. It is not clear whether the charge is *hybris* or *asebeia*. Reason: The court found Themistius guilty of the charges. 1.23 – The court puts Euthymachus to death for putting an Olynthian girl in a brothel. The charge is probably enslavement.

Reason: The court accepts the charges. In each of these cases, the court took no account of the victim's foreign status. 1.56 – The Areopagus reports one of its members, who is tried for robbing a ferryman of his fare, someone who is tried for claiming the five-drachma allowance in the name of an absentee, and a person who is tried for selling the portion distributed to members of Areopagus at a sacrifice. All are acquitted. Reason: The court finds the punishment proposed too severe for the crimes committed by the defendants. 1.58 – The Areopagus reports Polyeuctus, who is tried on a charge of accompanying exiles to Megara. The charge must be *eisangelia*. He is acquitted. Reason: The court finds nothing wrong in helping his mother's husband who was in difficulties, that is, the defendant lacked treasonable intent in associating with an exile. 1.63 – The court sends Charinus into exile for treason. Reason: The court accepts the report of the Areopagus and its recommendation. 1.94 – Demosthenes indicts Callimedon for associating with exile for the purpose of revolution. Demosthenes withdraws the indictment. 2.8 – Cydimachus condemned to death and flees into exile. Charge and reason for verdict not given. 2.12 – Aristogeiton indicted for false statements about the priestess of Artemis Brauronia and her relatives and fined talents. The charge is not specified. Reason: The accusers prove that Aristogeiton has lied. 2.24-5 – Arthmius of Zelea is condemned by the Assembly for bringing Persian gold to the Peloponnese. It is not clear whether the decision resulted from a trial in the Assembly or was just a decree. 3.17 – Same as 1.14.

Hyperides - *Philippides* 10-11 – You condemned Philippides twice for proposing illegal decrees. Reason not given. *Euxenippus* 1 – Unknown accusers bring *eisangeliai* against Timomachus, Leosthenes, Callistratus, Philon and Theotimus. Charges are betraying ships, betraying cities or not giving good advice as a speaker. All flee Attica and are convicted in absentia. Reason not given. *Euxenippus* 3 – Unknown accuser brings *eisangelia* against Diognides for hiring flute-girls at a high

price. Verdict not given. *Euxenippus* 3 - Unknown accuser brings *eisangelia* against Antidorus, a metic, for hiring flute-girls at a high price. Verdict not given. *Euxenippus* 3 - Unknown accuser brings *eisangelia* against Agasicles of Piraeus for being registered at Halimus. Verdict not given. *Euxenippus* 12 - Alexander of Oeon prosecutes Polyeuctus. Charge and verdict not given. *Euxenippus* 15-18 – Unknown accuser convicts Polyeuctus for proposing an illegal decree. Reason: the decree contains contradictory clauses. *Euxenippus* 28 – Hyperides brings *eisangelia* against Aristophon, who is acquitted by two votes. Charge and reason not given. *Euxenippus* 28 – Hyperides brings *eisangelia* against Diopeithes of Sphettus. Charge and verdict not given. *Euxenippus* 29-30 - Hyperides brings an *eisangelia* against Philocrates for giving bad advice as a public speaker. Philocrates is convicted. Reason: Hyperides has the indictment read out. *Euxenippus* 34 – Tisis of Agryle brings an *apographe* against Euthycrates on the grounds it is public property. Tisis does not gain one-fifth of votes and loses right to bring public cases. Reason: Judges do not covet the property of others and reject the slander of a sycophant. *Euxenippus* 35 – Lysander brings *phasis* against Epicrates of Pallene for having his mine go beyond limits. Reason: The judges decide that the mine is within the proper limits, that is, they reject the charge in the indictment. The speaker views this as a vindication of property rights. *Demosthenes* 27 – Unknown accuser accuses Conon of taking Theoric money for his son who was abroad. The court fines him one talent. Reason: The speaker implies he was guilty of the charge.

Isaeus 2.30-31 – Private arbitrator decides that the speaker should give what Menecles claims as a free gift. Reason: Decision given to restore good relations between litigants. 3.5-6 – Speaker brings private suit for false testimony against Nicodemus and wins case. Reason: The court found his testimony false. 5.7-9 – Dicaeogenes claims estate; the court awards it to him. Reason: The speaker claims that Melas the Egyptian and his allies gave false testimony. 5.12 – Menexenus, the son of Cephisophon, brings a private action for false testimony against Lycon for testifying that Lycon was the sole heir. Reason: The testimony was false. Proxenus brings a suit for false testimony and wins. Reason: Proxenus proves that the will was forged. 5.17, 19 - Speaker indicts Leochares for perjury and wins. Reason: Judges decide Leochares has committed perjury. 5.22-23 – Speaker brings a private suit for ejectment against Micion and loses. Reason: Dicaeogenes confirms Micion's title. 7.7 – Apollodorus brings action and recovers estate. Charge and reason not given. 7.7, 10 – Apollodorus brings suit against Eupolis for embezzling funds as a guardian and wins. Reason not given. 11.9-10, 17-9, 26 – Theopompus, the daughter of Eubulides, and Hagnias' mother lay claim to the estate of Hagnias. The court awards the estate to Theopompus. Reason: Theopompus proves that the statement made by the supporters of Eubulides' daughter in the *antigraphé* is false and that Hagnias' mother is not entitled to the estate because she is not within the legitimate degree of kinship. 12.11-12 – Euphiletus brings an action against the demarch and the members of his deme and wins case before the arbitrator. Reason: The arbitrator determines that Euphiletus' opponents are lying.

Isocrates 16.9 – Unknown accusers have Alcibiades banished from Greece. It is not clear whether this is the verdict of a court or a decree of the Assembly. 17.42 – Unknown accuser brings a *phasis* against a ship. The speaker has made a loan on the security of the ship and has to give personal security. Outcome not stated. 18.6 – Patrocles brings a *phasis* against the speaker for money belonging to the state. The Council hears the case and decides the money belongs to the state. This takes place in 403 under the Ten. 18.22 – Unknown accuser indicts Philon of Koile for misconduct

on an embassy. Philon claims the prosecution violates the Amnesty and presumably brings a *paragraphe*. The court dismisses the case. Reason: The charges violate the Amnesty. 18.52-53 – The brother-in-law of Callimachus accuses Cratinus of killing a slave. Fourteen witnesses testify for the accuser. Cratinus brings the slave, who is still alive into court. Seven hundred judges vote to acquit Cratinus, not one to convict. Reason: Defendant refutes charge.

Lycurgus - *Against Leocrates* 53-54 – Unknown accuser brings charge against Autolycus for sending his wife and children abroad after Chaeronea. Punishment not specified. Reason: Autolycus sent people abroad even if they could not fight. *Against Leocrates* 93 – Callistratus sentenced to death. Later he returns to Athens and supplicates at the altar of the Twelve Gods for a trial. He is condemned and executed. Charges and reason not given. *Against Leocrates* 112-5 – Unknown accuser brings charge against Phrynichus after his death. The court condemns him, and his bones are cast outside Attica. They also put his defenders Alexicles and Aristarchus to death. The information is suspect, but Lycurgus produces a decree. *Against Leocrates* 117 – Unknown accuser brings charge against Hipparchus in the Assembly. Hipparchus is condemned to death in *absentia*. Reason: He committed treason.

Lysias - 6.11 – Andocides indicts Archippus on a charge of impiety (private?) for desecrating Herm at his house. Archippus denies charges but settles out of court. 10.1, 22 – Lysitheus prosecutes Theomnestus for speaking before Assembly when he has lost the right to do so by throwing away his shield. Theomnestus is acquitted but the speaker implies he was guilty. Reason not given. 10.32 – Speaker claims to have accused the Thirty before the Areopagus. Verdict not known (possibly invented). 12.67 – Theramenes accuses Antiphon and Archeptolemus, who are put to death. Reason not given. 13.12 – Cleophon is tried (probably for *astrateia*) by political opponents and put to death. The litigant implies the verdict was unjust. 13.36-7 – Trials under the Thirty were conducted without a secret ballot and led to unjust convictions. 13.56-7 – Menestratus is executed for causing the death of citizens by denouncing them to the Thirty. Litigant implies Menestratus was guilty of the charge. 65 – Phaenippides arrested as a clothes-stealer and put to death. No reason given for verdict, but litigant implies he was guilty. 17.3 – Father of the litigant brings a suit for debt against Erasistratus and wins judgment. The narrative implies the debt existed. 17.6 – Litigant brings suit against those who occupy his property – defendants use *paragraphe* to have suit dismissed (implies that the defendants cited the terms of the law about *paragraphe*). 18.13-15 – Litigant complains because the courts vote contradictory verdicts about the confiscation of property. Reason not given. 27.4 – Litigant criticizes the courts for inconsistency by convicting one man and acquitting another on the same charge when the evidence of witnesses was exactly the same in both cases. No reason for the verdict. Lys. 30.11-14 – Cleophon was brought into court by his enemies. Nicomachus provided them with a forged law allowing members of the Council to join the court. Litigant implies this led to an unjust verdict.

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