

Law, hubris and the untold story of Meidias' offence (Dem.21, Against Meidias)

1. The legal procedure

ἔστι δὲ πρῶτον μὲν ἐκεῖν' οὐκ ἄδηλος ἐρῶν, ἐξ ὧν ἰδία πρὸς τινὰς αὐτὸς διεξιὼν ἀπηγγέλλετό μοι, ὡς εἶπερ ἀληθῶς ἐπεπόνθειν ταῦθ' ἃ λέγω, δίκας ἰδίας μοι προσήκεν αὐτῷ λαχεῖν, τῶν μὲν ἱματίων καὶ τῶν χρυσῶν στεφάνων τῆς διαφθορᾶς καὶ τῆς περὶ τὸν χορὸν πάσης ἐπηρείας, βλάβης, ὡς δ' εἰς τὸ σῶμ' ὑβρίσθαι φημί, ὑβρεως, οὐ μὰ Δί' οὐχὶ δημοσίᾳ κρίνειν αὐτὸν καὶ τίμημ' ἐπάγειν ὃ τι χρὴ παθεῖν ἢ ἀποτεῖσαι. ἐγὼ δ' ἐν μὲν ἐκεῖν' εὖ οἶδα, καὶ ὑμᾶς δ' εἰδέναι χρὴ, ὅτι εἰ μὴ προὔβαλόμην αὐτόν, ἀλλ' ἐδικαζόμεν, σὺναντίος ἦκεν ἂν εὐθύς μοι λόγος, ὡς εἶπερ ἦν τι τούτων ἀληθές, προβάλλεσθαι μ' ἔδει καὶ παρ' αὐτὰ τὰδικήματα τὴν τιμωρίαν ποιῆσθαι. ὃ τε γὰρ χορὸς ἦν τῆς πόλεως, ἥ τ' ἐσθῆς τῆς ἐορτῆς εἵνεκα πᾶσα παρεσκευάζετο, ἐγὼ θ' ὁ πεπονθὼς ταῦτα χορηγὸς ἦν. τίς ἂν οὖν ἑτέραν εἴλετο τιμωρίαν ἢ τὴν ἐκ τοῦ νόμου κατὰ τῶν περὶ τὴν ἐορτὴν **Word did not find any entries for your table of contents**. ἀδικούντων οὕσαν;...μὴ δὴ τοῦτο λέγειν αὐτὸν ἔατε, ὅτι καὶ δίκας ἰδίας δίδωσ' ὁ νόμος μοι καὶ γραφὴν ὑβρεως· δίδωσι γάρ· ἀλλ' ὡς οὐ πεποίηκεν ἃ κατηγορεῖ, ἢ πεποιηκὼς οὐ περὶ τὴν ἐορτὴν ἀδικεῖ, τοῦτο δεικνύτω. τοῦτο γὰρ αὐτὸν ἐγὼ προὔβαλόμην, καὶ περὶ τούτου τὴν ψῆφον οἴσετε νῦν ὑμεῖς. εἰ δ' ἐγὼ τὴν ἐπὶ τῶν ἰδίων δικῶν πλεονεξίαν ἀφείς τῇ πόλει παραχωρῶ τῆς τιμωρίας, καὶ τοῦτον εἰλόμην τὸν ἀγῶν'

ἀφ' οὗ μηδὲν ἔστι λῆμμα λαβεῖν ἐμοί, χάριν, οὐ βλάβην δῆπου τοῦτ' ἂν εἰκότως ἐνέγκοι μοι παρ' ὑμῶν. **(Dem.21.25-28)**

Εἰ μὲν τοίνυν, ὧ ἄνδρες Ἀθηναῖοι, μὴ χορηγὸς ὧν ταῦτ' ἐπεπόνθειν ὑπὸ Μειδίου, ὑβρίν ἂν τις μόνον κατέγνω τῶν πεπραγμένων αὐτῷ· νῦν δέ μοι δοκεῖ, κἂν ἀσέβειαν εἰ καταγινώσκοι, τὰ προσήκοντα ποιεῖν. **(Dem.21.51)**

2. The legal procedure was not a *probole* (Harris)

καὶ γὰρ εἰ μὲν, ὧ ἄνδρες Ἀθηναῖοι, τόθ' ὅτ' ἦν ἡ προβολή, τὰ πεπραγμέν' ὁ δῆμος ἀκούσας ἀπεχειροτόνησε Μειδίου, οὐκ ἂν ὁμοίως ἦν δεινόν· **(Dem.21.214)**

Ὑμῶν οἱ θεώμενοι τοῖς Διονυσίοις εἰσιόντ' εἰς τὸ θέατρον τοῦτον ἐσυρίττετε καὶ ἐκλώζετε, καὶ πάνθ' ἃ μίσους ἐστὶ σημεί' ἐποιεῖτε, οὐδὲν ἀκηκοότες πῶ περὶ αὐτοῦ παρ' ἐμοῦ. εἴτα πρὶν μὲν ἐλεγχθῆναι τὸ πρᾶγμα, ὠργίζεσθε, προῦκαλεῖσθ' ἐπὶ τιμωρίαν τὸν παθόντα, ἐκροτεῖθ' ὅτε προὔβαλόμην αὐτόν ἐν τῷ δήμῳ. **(Dem.21.226)**

3. The *topos* of treating the whole city as witnesses

a. καὶ τούτων, ὅσα γ' ἐν τῷ δήμῳ γέγον' ἢ πρὸς τοῖς κριταῖς ἐν τῷ θεάτρῳ, ὑμεῖς ἐστέ μοι μάρτυρες πάντες, ἄνδρες δικασταί. καίτοι τῶν λόγων τούτους χρὴ δικαιοτάτους ἡγεῖσθαι, οὓς ἂν οἱ καθήμενοι τῷ λέγοντι μαρτυρῶσιν ἀληθεῖς εἶναι. **(Dem.21.18)**

And as far as concerns the incidents in the Ekklesia or before the judges in the theatre, all of you are my witnesses, men of the jury. Indeed the most reliable statements are those whose truth the audience can attest for the speaker.

b. ...ἄνθρωπον καὶ δοκοῦντα καὶ ὄντα βίαιον καὶ ὑβριστήν, ἡμαρτηκότ' ἀσελγῶς ἐν πανηγύρει, μάρτυρας τῆς ὑβρεως τῆς ἑαυτοῦ πεποιημένον οὐ μόνον ὑμᾶς, ἀλλὰ καὶ τοὺς ἐπιδημήσαντας ἅπαντας τῶν Ἑλλήνων. ἤκουσεν ὁ δῆμος τὰ πεπραγμένα τούτῳ. **(Dem.21.217)**

...a man who is reputed to be, and indeed is, violent and insolent, who has behaved as a bully at a national festival, and who has displayed his insolence not merely before you, but before all the Greeks who were in Athens. His conduct was reported to the people;

4.

a. ὑβρισθεὶς...οὐ μόνον πληγὰς ὑπ' αὐτοῦ λαβὼν τοῖς Διονυσίοις, ἀλλὰ καὶ ἄλλα πολλὰ καὶ βίαια παθὼν παρὰ πᾶσαν τὴν χορηγίαν. **(Dem.21.1)**

b. βούλομαι δ' ἕκαστον ἀπ' ἀρχῆς ὧν πέπονθ' ἐπιδείξας καὶ περὶ τῶν πληγῶν εἰπεῖν ἃς τὸ τελευταῖον προσενέτεινέ μοι **(Dem.21.12)**

c. καὶ αὐτὸς πληγὰς εἰληφὼς καὶ ὑβρισμένος οἷ' οὐκ οἶδ' εἴ τις

ἄλλος πώποτε χορηγὸς ὑβρίσθη **(Dem.21.6)**

and I myself was subjected to blows and insolence, such as I doubt whether any chorus-producer ever suffered before)

ὑβρισμαι μὲν ἐγὼ καὶ προπεπηλάκισται τὸ σῶμα τοῦμὸν τότε **(Dem.21.7)**

the insolence and assault were directed at me and my person that day

ἐμοῦ μὲν ὑβρίσεν τὸ σῶμα **(Dem.21.18)**

he treated my person with insolence

ἅμα γὰρ τῷ Δημοσθένει καὶ ὁ χορηγὸς ὑβρίζετο **(Dem.21.34)**

for not only Demosthenes but also the chorus-producer suffered insolence

τὰ ὄντ' ἀναλίσκονθ' ὥσπερ ἐγὼ, οὕτω μ' ἀφαιρεῖσθαι τὴν νίκην, ὑβρίζειν δὲ τοιαῦτα καὶ τύπτειν μηδὲ τότε **(Dem.21.68)**

spending his money like me, he should have tried to take the victory from me in that way, though even then he shouldn't have treated me with such insolence and blows

τότε μὲν τοῖς Διονυσίοις τὴν παρασκευὴν καὶ τὸ σῶμα καὶ τὰναλώμαθ' ὑβρίζειν **(Dem.21.106)**

previously, at the *Dionysia*, his insolence was directed at my preparations and my person and my expenditures

ὅσα μὲν τοίνυν εἷς τε τὴν λητουργίαν καὶ τὸ σῶμ' ὑβρίσθην
(Dem.21.126)

now, all the insults which I received with regard to my liturgy and my person

ἔτι δὲ οὐκ ἐμὲ ἔτυπτεν, ἄνδρες Ἀθηναῖοι, μόνον οὗτος οὐδ' ὑβρίζε τῇ διανοίᾳ τότε ποιῶν οἷα ἐποίει (Dem.21.219)

Besides, men of Athens, it was not only I that he was hitting and insulting, in his intention, at the time when he did what he did.

5. The intention of the perpetrator

a. The first story is about a *proedros* who was hit by Polyzelos; the second story concerns a *thesmothetes* who was hit when removing a woman piper.

καὶ λέγειν τούτους καὶ διηγείσθαι πρὸς ὑμᾶς μέλλειν, οἷον, ὧ ἄνδρες Ἀθηναῖοι, τὸν πρόεδρον ὃν ποτέ φασιν ἐν ὑμῖν ὑπὸ Πολυζήλου πληγῆναι, καὶ τὸν θεσμοθέτην ὃς ἐναγχος ἐπλήγη τὴν αὐλητρίδ' ἀφαιρούμενος. (Dem.21.36)

And that he was intending to mention these men and tell their stories to you, men of Athens; for example, the *proedros* who is said to have been hit by Polyzelos at the meeting of the *ekklesia*, and the *thesmothetes* who was hit recently when removing the woman piper. (transl. MacDowell)

b. ἔτι τοίνυν οὐδ' ὁμοίαν οὔσαν τούτῳ κακείνοις συγγνώμην εὐρήσομεν. πρῶτον μὲν γὰρ ὁ τὸν θεσμοθέτην πατάξας τρεῖς

εἶχεν προφάσεις, μέθην, ἔρωτα, ἄγνοιαν διὰ τὸ σκότους καὶ νυκτὸς τὸ πρᾶγμα γενέσθαι. ἔπειθ' ὁ Πολύζηλος ὀργῇ καὶ τρόπου προπετεία φθάσας τὸν λογισμὸν ἀμαρτῶν ἔπαισεν· οὐ γὰρ ἐχθρὸς γ' ὑπῆρχεν ὧν, οὐδ' ἐφ' ὕβρει τοῦτ' ἐποίησεν. ἀλλ' οὐ Μειδία τούτων οὐδὲν ἔστ' εἰπεῖν· καὶ γὰρ ἐχθρὸς ἦν, καὶ μεθ' ἡμέραν εἰδῶς ὑβρίζεν, καὶ οὐκ ἐπὶ τούτου μόνον, ἀλλ' ἐπὶ πάντων φαίνεται προσηρημένος μ' ὑβρίζειν. (Dem.21.38)

Then again we shall find that he has not the same claim to consideration as these others. For in the first case the man who struck the judge had three excuses: he was drunk, he was in love, and he did not know what he was doing in the darkness and the night. Polyzelus again explained that owing to his ungovernable temper he had lost his head when he committed the offence; there was no hostility behind the act and no intention to insult. But Meidias cannot plead any of these excuses, for he was my enemy, and he assaulted me willfully by daylight, and not only on that, but on every occasion he has shown a deliberate intention to insult me. (transl. Murray)

c. ἀλλ' ἃ μὲν ἂν τις ἄφνω τὸν λογισμὸν φθάσας ἐξαχθῇ πρᾶξαι, κἂν ὑβριστικῶς ποιήσῃ, δι' ὀργὴν γ' ἐνὶ φῆσιν πεποιηκέναι· ἃ δ' ἂν ἐκ πολλοῦ συνεχῶς ἐπὶ πολλὰς ἡμέρας παρὰ τοὺς νόμους πράττων τις φωρᾶται, οὐ μόνον δήπου τοῦ μὴ μετ' ὀργῆς ἀπέχει, ἀλλὰ καὶ βεβουλευμένως ὁ τοιοῦτος ὑβρίζων ἐστὶν ἤδη φανερός. (Dem.21.41)

But whereas in cases where a sudden loss of self-control has impelled a man even to inflict a wanton insult, it is open to him to say that he has acted in anger; if, on the other hand, he is detected in a continuous course of law-breaking, spread over many days, surely this is far from a mere fit of anger and he stands convicted of a deliberate policy of insult. (transl. Murray)

6. Choregic contexts: the concept of *philonikia*

a. There is, for instance, Sannio, the trainer of the tragic choruses, who was convicted of shirking military service and so found himself in trouble. After that misfortune he was hired by a chorus-master... who was keen to win a victory in the tragedies (**τοῦτον μετὰ τὴν ἀτυχίαν ταύτην ἐμισθώσατό τις φιλονικῶν χορηγὸς τραγωδῶν**). Well, at first the rival masters were indignant and threatened to debar him, but when they saw that the theater was full... they hesitated, they gave way, and no one laid a finger on him (ὥς δ' ἐπληρώθη τὸ θέατρον... ὤκνησαν, εἴασαν, οὐδεὶς ἤψατο) ... Then again there is Aristides of the tribe of Oeneis, who has had a similar misfortune... he was once chorus-leader for his tribe. You know, of course, that if the leader is withdrawn, the rest of the chorus is done for. But in spite of the keen rivalry of many of the chorus-masters (**ἀλλ' ὅμως πολλῶν χορηγῶν φιλονικησάντων**), not one of them looked at the possible advantage or ventured to remove him or prevent him from performing. Since this involved laying hands on him... every man shrank from being seen as the personal author of such an outrage (διὰ γὰρ τὸ δεῖν αὐτὸν ἐπιλαβόμενον τῇ χειρὶ τοῦτο ποιῆσαι...

ἅπας τις ὥκνει τῆς ἀσελγείας ταύτης αὐτόχειρ ὀφθῆναι γιγνόμενος). (Dem.21.58-60, transl. Murray)

b. ἀλλ' ὅμως πολλοὺς μὲν ἔχων φίλους Ἰφικράτης, πολλὰ δὲ χρήματα κεκτημένος... τοῖς νόμοις καὶ τῇ τῶν ἄλλων βουλήσει συγχωρῶν ἠνείχετο καὶ νικῶντα καὶ στεφανούμενον τὸν ἐχθρὸν ὀρῶν, εἰκότως· ἐν ᾗ γὰρ αὐτὸς εὐδαίμων ἦδει γεγονῶς πολιτεία, ταύτη συγχωρεῖν τὰ τοιαῦτ' ἡξίου... πάλιν Φιλόστρατον πάντες ἴσμεν τὸν Κολωνῆθεν Χαβρίου κατηγοροῦντα... καὶ μετὰ ταῦτα χορηγοῦντα παισὶν Διονύσια καὶ νικῶντα, καὶ Χαβοῖαν οὔτε τύπτοντα οὔτ' ἀφαρπάζοντα τὸν στέφανον οὔθ' ὅλως προσιόνθ' ὅποι μὴ προσῆκεν αὐτῷ. (Dem.21.63-64)

Although Iphikrates had many friends and possessed much money... he yielded to the laws and the wishes of other people, and he put up with seeing his enemy victorious and crowned. Of course he did; he thought it right to yield in such matters to the society to which he owed his own success... Again, we all know that Philostratos of Kolonai prosecuted Khabrias... Subsequently he won a victory as the producer of a chorus of boys at the Dionysia; and Khabrias neither hit him nor snatched away his crown nor went anywhere at all that he shouldn't have gone. (transl. MacDowell)

c. ταῦτα γὰρ πάντα καὶ τὰ τοιαῦτ', ὧ ἄνδρες Ἀθηναῖοι, φιλονικία μὲν ὑπαχθέντα χορηγὸν ὄντα ποιεῖν ἔχει τινὰ συγγνώμην· ἔχθρα δ' ἐλαύνοντά τινα, ἐκ προαιρέσεως, ἐφ' ἅπασι, καὶ τὴν

ιδίαν δύναμιν κρείττω τῶν νόμων οὔσαν ἐνδεικνύμενον,
Ἡράκλεις, βαρὺ κοῦχί δίκαιόν ἐστιν οὐδὲ συμφέρον ὑμῖν.
(Dem.21.66)

To do all these and similar things, men of Athens, because one is led on by eagerness for victory when one is a chorus-producer, is excusable; but to do them because one is deliberately harassing someone as an enemy at every opportunity, and demonstrating that one's personal power is stronger than the laws- good heavens! That is oppressive, and quite wrong, and bad for Athens. (transl. MacDowell)

7. *Hubris* in private elite environment

But all, or at least many, know what Euthynus, the once famous wrestler, a youngster, did to Sophilus the prize-fighter. He was a dark, brawny fellow. I am sure some of you know the man I mean. He met him in Samos at a gathering—just a private pleasure-party-and because he imagined he was insulting him, took such summary vengeance that he actually killed him (ἐν Σάμῳ ἐν συνουσίᾳ τινὶ καὶ διατριβῇ οὕτως ἰδίᾳ, ὅτι [ὁ τύπτων] αὐτὸν ὑβρίζειν ᾤετο, ἀμυνάμενον οὕτως ὥστε καὶ ἀποκτεῖναι). It is a matter of common knowledge that Euaeon, the brother of Leodamas, killed Boeotus at a dinner party (ἐν δείπνῳ καὶ συνόδῳ κοινῇ) in revenge for a single blow. For it was not the blow but the indignity that roused the anger. To be struck is not the serious thing for a free man, serious though it is, but to be struck in wanton insolence... Euaeon was struck by an friend, who was drunk at the time, in the

presence of six or seven witnesses, who were also friends... and it was when he had gone to sup at a house which he need never have entered at all. But I was assaulted by a personal enemy early in the day, when he was sober, prompted by insolence, not by wine, in the presence of many foreigners as well as citizens, and above all in a temple which I was strictly obliged to enter by virtue of my office. (Dem.21.71-74, transl. Murray slightly modified)

8. *Hubris* in public contexts: Alcibiades

a. But yet your ancestors, for all these services, would not allow him to insult them. They made him a fugitive and an outlaw... Yet what was his insolence compared with what has been proved of Meidias today? He boxed the ears of Taureas, when the latter was chorus-master. Granted; but it was as chorus-master to chorus-master that he did it, and he did not transgress the present law, for it had not yet been made... he imprisoned the painter Agatharchus... He was one of the mutilators of the Hermae. (Dem.21.146-147 transl. Murray)

b. For Alcibiades, Athenians, was on his father's side one of the Alcmaeonidae... and on his mother's side he claimed descent from Hipponicus and that famous house to which the people are indebted for many eminent services... But these were not his only claims, for he had also taken arms in the cause of democracy, twice in Samos and a third time in Athens itself, displaying his patriotism, not by gifts of money or by speeches, but by personal service. He had also to his credit for the Olympian chariot-race and

victories there, and we are told that he was regarded as the best general and the ablest speaker of the day. (Dem.21.144-145 transl. Murray)

c. Μειδίαν δ' ιδιώτην ὄντα, μηδὲν ἀνηλωκότα, ὅτι τῷ προσέκρουσεν καὶ ἐχθρὸς ὑπῆρχεν, τοῦτον ἀναλίσκοντα, χορηγοῦντα, ἐπίτιμον ὄντα προπηλακίζειν καὶ τύπτειν (Dem.21.61)

ταῦτα γὰρ εἰς τοὺς ὀπλίτας ἡμᾶς ἀπηγγέλλετο· οὐ γὰρ εἰς ταῦτόν ἡμεῖς τούτοις διέβημεν. (Dem.21.133)

καγὼ μὲν κατ' ἐκείνους τοὺς χρόνους ἐτριηράρχουν, εὐθὺς ἐκ παίδων ἐξελθὼν... τραγωδοῖς κεχορήγηκέ ποθ' οὗτος, ἐγὼ δ' αὐληταῖς ἀνδράσιν... εἰστιάκα τὴν φυλὴν ἐγὼ καὶ Παναθηναίοις κεχορήγηκα, οὗτος δ' οὐδέτερα. ἡγεμῶν συμμορίας ὑμῖν ἐγενόμην ἐγὼ ἔτη δέκα. (Dem.21.154-157)

Καὶ ῥήτωρ ἐστὶν οὗτος· ἴσως ἐμὲ φήσει λέγων. ἐγὼ δ', εἰ μὲν ὁ συμβουλευὼν ὅ τι ἂν συμφέρειν ὑμῖν ἡγῆται, καὶ τοῦτ' ἄχρη τοῦ μηδὲν ὑμῖν ἐνοχλεῖν μηδὲ βιάζεσθαι, ῥήτωρ ἐστίν, οὔτε φύγοιμ' ἂν οὐτ' ἀπαρνοῦμαι τοῦτο τοῦνομα· (Dem.21.189)

9. Hubris against defenceless citizens: Strato's *atimia*

a. τῆς γὰρ δίκης, ταύτης λέγω ἧς εἶλον αὐτόν, γίγνεται μοι διαιτητῆς Στράτων Φαληρεὺς, ἄνθρωπος πένης μὲν τις καὶ ἀπράγμων, ἄλλως δ' οὐ πονηρός, ἀλλὰ καὶ πάνυ χρηστός (83)...

καὶ νῦν εἰς Ἀθηναίων, ὅτι Μειδίας ἔρημον ὥφλε δίκην, ἀπάντων ἀπεστέρηται τῶν ἐν τῇ πόλει καὶ καθάπαξ ἄτιμος γέγονεν (87)... Οὗτος, ὃ ἄνδρες Ἀθηναῖοι, πένης μὲν ἴσως ἐστίν, οὐ πονηρὸς δέ γε. οὗτος μέντοι πολίτης ὢν, ἐστρατευμένος ἀπάσας τὰς ἐν ἡλικίᾳ στρατείας καὶ δεινὸν οὐδὲν εἰργασμένος, ἔστηκε νυνὶ σιωπῇ (95)... καὶ ταῦτα πέπονθ' ὑπὸ Μειδίου καὶ τοῦ Μειδίου πλούτου καὶ τῆς ὑπερηφανίας παρὰ τὴν πενίαν καὶ ἐρημίαν καὶ τὸ τῶν πολλῶν εἰς εἶναι (96). (Dem.21.83-96)

b. καὶ θεάσασθε τὴν κακοήθειαν. τὴν μὲν δίκαιαν ἀντιλαχὼν οὐκ ὤμοσεν, ἀλλ' εἶασε καθ' αὐτοῦ κυρίαν γενέσθαι, καὶ ἀνώμοτος ἀπηνέχθη· βουλόμενος δὲ τὸ μέλλον λαθεῖν, φυλάξας τὴν τελευταίαν ἡμέραν τῶν διαιτητῶν, τὴν τοῦ θαργηλιῶνος ἢ τοῦ σκироφοριῶνος γιγνομένην, εἰς ἣν ὁ μὲν ἦλθε τῶν διαιτητῶν, ὁ δ' οὐκ ἦλθε, πείσας τὸν πρυτανεύοντα δοῦναι τὴν ψῆφον παρὰ πάντας τοὺς νόμους, κλητῆρ' οὐδ' ὄντινοῦν ἐπιγραψάμενος, κατηγορῶν ἔρημον, οὐδενὸς παρόντος, ἐκβάλλει καὶ ἄτιμοι τὸν διαιτητὴν· καὶ νῦν εἰς Ἀθηναίων, ὅτι Μειδίας ἔρημον ὥφλε δίκην, ἀπάντων ἀπεστέρηται τῶν ἐν τῇ πόλει καὶ καθάπαξ ἄτιμος γέγονεν· (Dem.21.86-87)

10. ἀλλὰ πᾶσιν ὁμοίως ὀργιστέον, ἐκλογιζομένοις καὶ θεωροῦσιν ὅτι τοῦ μὲν, ὃ ἄνδρες Ἀθηναῖοι, ῥαδίως κακῶς παθεῖν ἐγγύταθ' ὑμῶν εἰσιν οἱ πενέστατοι καὶ ἀσθενέστατοι... οὐ δὴ δεῖ παρορᾶν τὰ τοιαῦτα, οὐδὲ τὸν ἐξείργοντα δέει καὶ φόβῳ τὸ δίκην ὧν ἂν ἡμῶν ἀδικηθῇ τις λαμβάνειν παρ' αὐτοῦ ἄλλο τι χρὴ νομίζειν ποιεῖν ἢ τὰς τῆς ἰσηγορίας καὶ τὰς τῆς ἐλευθερίας ἡμῶν

μετουσίας ἀφαιρεῖσθαι. ἐγὼ μὲν γὰρ ἴσως διεωσάμην... οἱ δὲ πολλοὶ τί ποιήσετε, ἂν μὴ δημοσίᾳ πᾶσιν φοβερόν καταστήσῃτε τὸ εἰς ταῦτ' ἀποχρηῆσθαι τῷ πλουτεῖν; (Dem.21.123-124)

11. Euboulos

Καὶ βοηθοῦσιν οἱ λέγοντες ὑπὲρ αὐτοῦ, οὐχ οὕτω τούτῳ χαρίσασθαι μὰ τοὺς θεοὺς βουλόμενοι, ὥς ἐπηρεάζειν ἐμοὶ διὰ τὴν ἰδίαν ἔχθραν, ἣν οὗτος αὐτῷ πρὸς ἐμέ, ἂν τ' ἐγὼ φῶ ἂν τε μὴ φῶ, φησὶν εἶναι καὶ βιάζεται, οὐκ ὀρθῶς· ἀλλὰ κινδυνεύει τὸ λίαν εὐτυχεῖν ἐνίοτ' ἐπαχθεῖς ποιεῖν...ἐπὶ τοῖς ἀλλοτρίοις ἀγῶσιν ἀπαντᾷ καὶ νῦν ἀναβήσεται μηδὲ τῆς κοινῆς τῶν νόμων ἐπικουρίας ἀξίων ἐμοὶ μετεῖναι, πῶς οὐχ οὗτος ἐπαχθῆς ἐστὶν ἤδη καὶ μείζων ἢ καθ' ὅσον ἡμῶν ἐκάστῳ συμφέρει; μὴ γὰρ ἔστω μηδεὶς ἐν δημοκρατίᾳ τηλικούτος, ὥστε συνειπὼν τὸν μὲν ὑβρίσθαι, τὸν δὲ μὴ δοῦναι δίκην ποιῆσαι. ἀλλ' εἰ κακῶς ἐμὲ βούλει ποιεῖν, Εὐβουλε, ὥς ἔγωγε μὰ τοὺς θεοὺς οὐκ οἶδ' ἀνθ' ὅτου, δύνασαι μὲν καὶ πολιτεύει, κατὰ τοὺς νόμους δ' ἦντινα βούλει παρ' ἐμοῦ δίκην λάμβανε, ὧν δ' ἐγὼ παρὰ τοὺς νόμους ὑβρίσθην, μὴ μ' ἀφαιροῦ τὴν τιμωρίαν. εἰ δ' ἀπορεῖς ἐκείνως με κακῶς ποιῆσαι, εἴη ἂν καὶ τοῦτο σημεῖον τῆς ἐμῆς ἐπιεικειᾶς, εἰ τοὺς ἄλλους ῥαδίως κρίνων ἐμὲ μηδὲν ἔχεις ἐφ' ὅτῳ τοῦτο ποιήσεις. (Dem.21.205-207)

12. πολλὰ γὰρ ἂν ποιήσειεν ὁ τύπτων, ὃ ἄνδρες Ἀθηναῖοι, ὧν ὁ παθὼν ἐν' οὐδ' ἂν ἀπαγγεῖλαι δύναιθ' ἐτέρῳ, τῷ σχήματι, τῷ βλέμματι, τῇ φωνῇ, ὅταν ὥς ὑβρίζων, ὅταν ὥς ἐχθρὸς ὑπάρχων, ὅταν κονδύλοις, ὅταν ἐπὶ κόρῃς. ταῦτα κινεῖ, ταῦτ' ἐξίστησιν

ἀνθρώπους αὐτῶν, ἀήθεις ὄντας τοῦ προπηλακίζεσθαι. οὐδεὶς ἂν, ὃ ἄνδρες Ἀθηναῖοι, ταῦτ' ἀπαγγέλλων δύναιτο τὸ δεινὸν παραστήσαι τοῖς ἀκούουσιν οὕτως ὥς ἐπὶ τῆς ἀληθείας καὶ τοῦ πράγματος τῷ πάσχοντι καὶ τοῖς ὁρῶσιν ἐναργῆς ἢ ὕβρις φαίνεται. (Dem.21.72)

There many things which the hitter might do, men of Athens, some of which the victim might not even be able to report to someone else- in his bearing, in his look, in his voice, when he displays insolence, when he displays hostility, when he strikes with the fist, when he strikes on the face. That's what rouses people, that's what makes them forget themselves, if they're not accustomed to being insulted. No one reporting this behaviour, men of Athens, could convey its seriousness to his listeners as vividly as the insolence is seen at the actual time by the victim and the onlookers. (transl. MacDowell)

13. cf. Dem.54.8-9 where an act of *hubris* is described in detail:

ὥς δ' ἀνεμείχθημεν, εἷς μὲν αὐτῶν, ἀγνώς τις, Φανοστράτῳ προσπίπτει καὶ κατεῖχεν ἐκεῖνον, Κόνων δ' οὐτοσὶ καὶ ὁ υἱὸς αὐτοῦ καὶ ὁ Ἀνδρομένους υἱὸς ἐμοὶ προσπεσόντες τὸ μὲν πρῶτον ἐξέδυσαν, εἶθ' ὑποσκελίσαντες καὶ ῥάξαντες εἰς τὸν βόρβορον οὕτω διέθηκαν ἐναλλόμενοι καὶ ὑβρίζοντες, ὥστε τὸ μὲν χεῖλος διακόψαι, τοὺς δ' ὀφθαλμοὺς συγκλείσαι· οὕτω δὲ κακῶς ἔχοντα κατέλιπον, ὥστε μήτ' ἀναστῆναι μήτε φθέγξασθαι δύνασθαι. κείμενος δ' αὐτῶν ἤκουον πολλὰ καὶ δεινὰ λεγόντων...ὁ δὲ τῆς ὕβρεως ἐστὶ τῆς τούτου σημεῖον καὶ

τεκμήριον τοῦ πᾶν τὸ πρᾶγμ' ὑπὸ τούτου γεγενῆσθαι, τοῦθ' ὑμῖν
ἔρῳ· ἦδε γὰρ τοὺς ἀλεκτρούνας μιμούμενος τοὺς νενικηκότας, οἱ
δὲ κροτεῖν τοῖς ἀγκῶσιν αὐτὸν ἡξίουσιν ἀντὶ περυγῶν τὰς
πλευράς. καὶ μετὰ ταῦτ' ἐγὼ μὲν ἀπεκομίσθην ὑπὸ τῶν
παρατυχόντων γυμνός, οὗτοι δ' ὥχοντο θοῖμάτιον λαβόντες
μου.

When we closed with them, one of them (someone unknown to me)
fell upon Phanostratos and held him down, while Konon here, his
son and the son of Andromenos attacked me and to begin with
stripped me and then tripped me up and knocked me down into
the mud; and they reduced me to such a state, by jumping on me
and outrageously assaulting me, that they split my lip and closed
up my eyes. They left me in such a poor condition that I could
neither stand up nor speak. And as I lay there I heard them saying
many dreadful things...but one thing, which is evidence of his
arrogance and an indication that he was the leader in the whole
business, I shall tell you. He crowed in imitation of victorious cocks,
and the rest urged him to flap his elbows against his sides by way
of wings. After this I was carried home, unclothed, by passers-by;
these people had gone off taking my robe with them. (transl. Carey)