

THE MAKING OF A PROSTITUTE: APOLLODOROS'S PORTRAIT OF NEAIRA¹

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Apollodoros's account of the life of Neaira ([Demosthenes] 59.16–49) is the most extensive narrative extant on a historical woman from the classical period. The recent publication of Debra Hamel's book, *Trying Neaira: The True Story of a Courtesan's Scandalous Life in Ancient Greece* (2003), has made the famous speech against Neaira and its recent scholarship accessible to a popular audience. The strength of Hamel's work lies in the political, legal, and social context she provides for the speech, along with her questioning of the various claims Apollodoros makes about Neaira's "children" and her conclusion that he never proves beyond a doubt that Neaira has been acting as Stephanos's wife. But does Apollodoros offer "the true story" of Neaira's life as a courtesan, as Hamel's title so boldly claims?²

The narrative detail of the speech and the testimony of witnesses convince Hamel (2003.156) that Apollodoros accurately portrays the events of Neaira's early life. While one function of such witnesses was to attest to the veracity of a speaker's comments, as in the modern day, their second

1 A version of this paper was originally presented at the APA annual meeting in San Diego (2001). I would like to thank the audience for their lively discussion and helpful response, as well as Susan Cole, for her many suggestions, and my anonymous readers whose comments proved most fruitful.

2 There is an assumption that oratory is a more objective source of evidence on women than other genres (Pomeroy 1975.x–xi). On the problem of evidence, see Just 1989.5, 10–11. Although, more recently, historians on women in antiquity do accept that orators shape their testimony to convince their audience of an argument (Fantham et al. 1994.74, 114–15), the effect of persuasion on the representations of females is only a passing consideration.

function of providing support commonly had more influence over the jurors, who were more concerned with who was demonstrating support than in what the supporter was saying.³ The details, moreover, date back twenty or thirty years and refer to events that took place largely outside of Athens. When we consider this portrait of Neaira in the context of judicial oratory (in particular, other speeches with a διήγησις, “narrative,” involving a woman associated with an opponent), we see that Apollodoros’s narrative on Neaira as a hetaira presents a carefully constructed image that depends on common techniques of persuasion and exploits stereotypes to win the support of the jurors.⁴ While this colourful narrative of the life of a hetaira entertains and fascinates us, as it did the ancients, we should be skeptical of the details of this account.

I. THE TEXT

The text itself hints that a careful examination of Apollodoros’s rhetorical strategies is warranted. Theomnestos and Apollodoros’s interest in Neaira is superficial. Both emphasize that they are primarily concerned with Neaira as a way to take revenge on their political opponent (14, 15, 16). [Demosthenes] 59 comes at the end of a series of legal battles between Apollodoros and Stephanos. Theomnestos outlines the disputes in the opening of the speech (5–10). Stephanos prosecuted Apollodoros with a γραφή παρνόμων, a public suit against the “mover of a decree or law passed unconstitutionally” (Harrison 1971.78, n.1). Upon winning the case, Stephanos set the fine at fifteen talents. According to Theomnestos, the fine was set high on purpose so that Apollodoros would be unable to pay it, and, as a result, suffer ἀτιμία, loss of citizenship rights. Fortunately for Apollo-

3 On witnesses and their use in ancient Athens, see Todd 1990a and 1990b, as well as Humphries 1985. In this particular speech, there is much disagreement over the authenticity of individual testimonies and documents, making it unclear what the witnesses were attesting to. Furthermore, such witnesses in general are frequently secondary in importance as evidence to the events described. See Carey 1992 and Kapparis 1999 for the arguments for and against each document.

4 For a solid discussion of persuasion, see Kennedy 1963. For more recent discussions of persuasion and the art of rhetoric, see Todd 1990a and Carey 1994, but note that the impact of gender upon oratory and persuasion is not considered. Hunter 1994, however, gives some coverage to the issue of gender and oratory (113–16). Hamel 2003 makes reference to the persuasive character of ancient oratory (ix, xi, xii), but gives little consideration to the issue in her discussion of the narrative of Neaira’s early life.

doros, the jurors reduced the fine. Stephanos, however, was not satisfied and continued to attack Apollodoros with further suits. In retaliation, Theomnestos brought a γράφῃ ξενίας against Stephanos, charging that his “wife” (Neaira) was an alien (13). If Apollodoros and Stephanos had not been in a dispute, Theomnestos would never have brought this indictment against Neaira, and Apollodoros would never have spoken so harshly against her. Their aim, therefore, was not to provide a balanced portrait of Neaira but to highlight character traits that would reflect badly on Stephanos. Neaira is thus merely a pawn in their efforts to attack Stephanos. As a woman, she is vulnerable to slander or rumor because women had no public persona by which to judge attacks against them, making a negative characterization of them even easier to get away with.

Such a characterization is an essential element of Apollodoros’s argument that Neaira is an alien.⁵ To prove she is a foreigner, Apollodoros delves into the distant past. His strategy is an invocation of the law (16) against marriage between Athenians and non-Athenians, followed by an unusually long narrative (18–49) detailing Neaira’s past life as a hetaira in Corinth, Megara, and Athens. Hetairai were usually foreign women, freed-women, or slaves. Although evidence exists that ἀσταί also became prostitutes, prostitutes of such status seem rare, and an ancient attitude persisted that such women were not prostitutes.⁶ Apollodoros’s proof of her alien status, therefore, is her identity as a prostitute and past status as slave. The drawn-out description of behaviour attributed to Neaira is intended to convince the audience that she had been a prostitute and could not possibly be mistaken for a wife, since wives would never act in such a manner. His success depends on the reaction of the jurors: he wants his characterization

5 Patterson 1994.205 comments that in order to be successful, Theomnestos and Apollodoros must prove that Neaira is, in fact, an alien and show that Stephanos has set up a household with her. The first third of Apollodoros’s speech deals with her status as alien, while the second third addresses the charge that Stephanos has set up a household with her. As the first charge focuses on her portrait as a hetaira, I concentrate on it here. To prove the second part of the charge, Apollodoros claims that Stephanos has married Neaira’s daughter Phano to citizens when she is not eligible for such marriages. Neaira’s portrait, however, is also important in this part of the speech, as Apollodoros subtly convinces his audience that Phano is the daughter of Neaira by showing that Phano’s character is just like Neaira’s.

6 Based on Isaios 3, it is possible that ἀσταί could sometimes become hetairai (Wyse 1967.318–19); see also Cox 1998.173–75. Cohen 2000 convincingly demonstrates that the idea that ἀσταί could not be prostitutes is a myth. See [Dem.] 59.112–13 for the ideology that such women do not exist.

to be titillating for the audience, and thus entertaining, but more importantly, to arouse their anger, hatred, and fear. Knowledge of her character would likely arouse such *πάθος* (“emotion”) in the audience when they consider that she tried to pass as the wife of a citizen—her behaviour is the antithesis of that expected of a wife. In his final appeal in the epilogue, Apollodoros stresses this difference by directly contrasting Neaira with women associated with the jurors: their wives, daughters, and mothers (110–11). This characterization of Neaira is Apollodoros’s most effective strategy when it comes to convincing his audience of her alien status and turning the jurors against her. It is for this reason that he narrates her life and career “in as full detail as he can muster” (Patterson 1994.205).

The extended narrative further suggests that, despite modern scholarship’s presentation of Neaira as notorious, few Athenians were familiar with Neaira’s past as a hetaira.⁷ Apollodoros spends one third of the speech detailing Neaira’s career as a prostitute; he is trying to influence an audience ignorant of Neaira’s past status (18–49). Neaira is not working as a hetaira at the time of the trial. She is probably in her fifties when Apollodoros brings forward his charge of *ξενία*. According to the chronology set out by Patterson, Apollodoros chronicles Neaira’s life as a hetaira from 390–70 B.C. The trial occurs circa 340 B.C., after Neaira has been living with Stephanos for twenty to thirty years in an arrangement that seems fairly respectable (1994.206). With such a lapse of time, Neaira’s past career as a hetaira, much of which is described as taking place outside of Athens, would not be common knowledge for the jurors until they heard Apollodoros’s speech.⁸

Furthermore, although the speech contains a narrative concerned with Neaira’s life as a hetaira, the references to her as a hetaira are curiously indirect. Apollodoros initially employs a hypothetical statement: “as if she

7 Hamel 2003.118 describes her as “notorious.” Fantham et al. 1994.112 indicates that Neaira was “infamous”; see also Calame 1999.112. An exception is, perhaps, Carey 1992.95, also Omitowaju 1997.7–14.

8 Patterson 1994.207 presents two possibilities: 1) Neaira’s “disreputable” past would have been well known to the Athenian elite, 2) Neaira’s past would have been forgotten on account of the passing of time and her current resemblance to the ordinary wife of an Athenian. She appears to favor the former. I believe that Neaira’s past was forgotten or not as well known as Apollodoros would have us believe, since all we know of Neaira in the classical period comes from this speech. There is one brief reference to a courtesan called Neaira in Philetairos’s *Κυναργίς* (PCG frag. 9.5) dated to 370–65 B.C., but comedies titled after courtesans named Neaira (by Timokles and Philemon) appear after this trial; see Kapparis 1999.44.

were a hetaira” (ὥς ἂν ἑταίρα οὔσα, 24). ἂν in combination with a participle makes the statement hypothetical and implies that Neaira was, in fact, never a hetaira but only resembled one.⁹ When Apollodoros uses “like a hetaira” (ὥς ἑταίρα οὔσα) near the end of his διήγησις, ὥς with the participle explains the motivation for Neaira’s actions in Apollodoros’s narrative, but it does not confirm her identity as a hetaira.¹⁰ Neaira is simply “like a prostitute” and behaves “as if a prostitute.” Apollodoros refers to Neaira as a hetaira more directly twice, but only when relating the words or opinion of a third party (30, 39). In contrast, Apollodoros’s mention of Sinope is unambiguous: Sinope the hetaira (Σινώπῃ τῇ ἑταίρᾳ, 116). Apollodoros is cautious in his references to Neaira as a hetaira because he does not wish to alienate jurors unfamiliar with her. Thus instead of referring to her as prostitute directly from the first, Apollodoros must establish her identity as a hetaira. He accomplishes this goal with constant references to her character: he uses language that stresses notoriety, provides a detailed narrative of her lovers, habits, and behaviour in the distant past, and presents Neaira as the antithesis of σωφροσύνη, the primary virtue of women in classical Athens.¹¹

II. THE PORTRAIT

Apollodoros’s choice of terminology for his portrait of Neaira indicates his attitude towards her, hints much about her character, and implies notoriety. From the very opening of the speech till its closing, Apollodoros and Theomnestos identify Neaira by her personal name. Such an address sets

9 For this very reason, Kapparis (1995.21 and 1999.221) argues that ἂν be deleted from the text. See Miner 2003.22–23, who argues that ἂν be kept. Note that her retention of ἂν leads her to conclude that Apollodoros is making a distinction between girls and women as hetairai, whereas I interpret it as an expression of his initial caution in labeling Neaira a hetaira. Miner n. 16 includes Ath. 13.588c–d as corroborative support, but although it suggests that a certain age and perhaps training are necessary before one becomes a hetaira, it does not support the claim that the word πόρναι is associated with girls. On the contrary, the passage implies that the friends are not interested in having sexual relations with her. Note Johnstone 2002.231, 236, who cautions in general against omitting words that are otherwise grammatical.

10 Sections 37, 48, 49. This phrase is also used in the witness testimony of 25 and 28. See LSJ, ὥς + participle, and Goodwin 1890.342.

11 Σωφροσύνη requires wives to be dutiful and loyal to their husbands and moderate in their behaviour. On σωφροσύνη as the primary virtue of women in the classical period, see North 1977.

a definite tone, since in ordinary public discourse, Athenian males scrupulously avoid personal names when referring to ἄσται.¹² To use a woman's personal name implied the speaker and his audience were familiar, even intimate, with a woman. Such familiarity labeled ἄσται as notorious, since association with non-kin males was not decorous for respectable ἄσται and only expected of hetairai. To those unfamiliar with her, the name granted access, indicating that the proper social distance between themselves and ἄσται was not necessary in her case. Naming was a kind of metaphorical unveiling. If the woman was unknown to the male public (as Neaira seems to have been), the use of her name was an insult and an invitation to question her reputation. Since the use of women's personal names in public speech connotes intimacy with the speaker and his audience, we find Apollodoros and Theomnestos exploiting established patterns of naming to their own advantage.

When Theomnestos and Apollodoros name Neaira, the naming is always calculated and pronounced. Theomnestos refers to Neaira by name in the opening sentence of the speech itself. He never uses the personal name of his own female relative, but identifies her through her various relationships with men: she is a daughter, a sister, or the mother of Apollodoros's children. The same goes for Theomnestos's own wife—no matter how awkward such references might be. She is the daughter of Apollodoros and Theomnestos's niece, as well as wife (1–2). Neaira's name in close proximity to these carefully oblique references to the women of Theomnestos's family stresses his contempt for her person and creates a vivid contrast in status and reputation: these other women are σώφρονες, while Neaira is not. To make this point most obvious, Apollodoros refers to Neaira by personal name, not once, but twice in his opening (16). Eventually he names Neaira eighty times. Apollodoros's use of Neaira's name is needed for clarity in only two instances: in laying the charge (16) and when testimony identifies Neaira as the defendant (25, 32, 34, 40, 47, 48). The repetitive use of her name otherwise is a device to influence the jurors. Whenever Apollodoros wants to highlight her role as prostitute or her status as slave or ξένη, he uses her personal name.¹³

12 Schaps 1977 and Sommerstein 1980 cover these points along with any exceptions in the use of women's names. I do not intend to go over their arguments here but only to consider the possible rhetorical use of women's personal names. Hamel, for example, argues that an important clue to Neaira's lack of respectability is the fact that Apollodoros names her throughout the speech (2003.28). My point, however, is that Apollodoros manipulates naming to create a particular impression.

13 Sections 16, 17, 20, 22, 24, 48, 124, 126. Her name appears in such contexts in testimonies as well (23, 25, 28 [twice], 34, 48).

Apollodoros strengthens the impression created by openly naming Neaira by regularly referring to her as “this Neaira here.” He chooses to use the more intensive form of αὕτη (αὕτηί, “this here”), and couples it with her name twenty-six times.¹⁴ The deictic, of course, indicates her presence in the courtroom and encourages the audience to look at her, but the repeated use of this demonstrative signifies something more.¹⁵ In the case of men, οὗτος is typical. It indicates the individual’s reputation in the community or among a particular group, and can also imply notoriety and infamy. Ἐκεῖνος occurs with the same subtle meanings, but οὗτος is the more frequent choice.¹⁶ In oratory specifically, the speaker’s use of emphatic demonstratives to point out his opponent connotes contempt.¹⁷ They can also be combined with an aggressive physical gesture when appropriate to indicate further the speaker’s ill will.¹⁸ Using the demonstrative adjective to refer to a woman associated with a male opponent also carries strong connotations. It draws attention to the woman, points to her as an individual, and puts her on public display. As in the case of men, it identifies her as a well-known member of the community. For a woman, however, the demonstrative automatically suggests a bad character and marks her as notorious, since reputation of any kind reflects badly upon a woman.¹⁹ For Neaira, this intensifier is most common when referring to the charges against her, her behaviour towards the city, and her career as a prostitute. Theomnestos uses it when he charges that Neaira is a foreigner living in marriage with Stephanos and that she has committed numerous crimes against the city of Athens (14). Apollodoros uses a form of αὕτηί the very first time he names Neaira, and he repeats it when he refers to the charge against her and to her status as an alien (16, 17, 115, 117, 118, 119). He also employs it at the beginning of his διήγησις on her life as a prostitute (19, 20, 22, 24). Since women associated with the speaker are

14 Sections 14, 16, 17, 19, 20, 22, 24 (twice), 43, 44, 45, 47, 50, 56, 62, 63 (twice), 64 (twice), 65, 72, 83, 115, 117, 118, 119.

15 See Goldhill 1994.359 and Gagarin 1998.40–41 for a discussion of the deictic; also Boegehold 1999.85 on the accompanying gesture.

16 Smyth 1254 provides two examples of such uses: Γοργίας οὗτος, “this (famous) Gorgias,” and τούτους τοὺς συκοφάντας, “these (notorious) informers.”

17 LSJ s.v. οὗτος. Note its repetitive use for the opponent in Lys. 3, for example.

18 See the discussion on gesture by Boegehold 1999. On the orators’ use of gesture in particular, see pages 78–93.

19 See Thuc. 2.46: “If I also must say something about a wife’s virtue to those of you who will now be widows, I will state it in a brief exhortation. Your reputation is glorious if you do not prove inferior to your own nature and if there is the least possible talk about you among men, whether in praise or in blame” (trans. Fantham et al. 1994.79).

never designated with an intensive deictic pronoun, the repetitive use of αὐτῇ combined with Neaira's name creates a definite impression of Neaira, emphasizing her notoriety and the disdain of the speaker.²⁰

Apollodoros also demonstrates his disrespect for Neaira and works to set the jurors against her using other insulting terminology. He uses τοιαύτη, "of such a character," the most emphatic demonstrative used of a female, to indicate his contempt. The word implies extreme behaviour and is used of an individual who is excessive in some way (LSJ s.v. τοιοῦτος). Apollodoros uses τοιαύτη to refer to Neaira at a climactic moment at the end of his speech, when he is confident that the jurors are not likely to sympathize with her. After discussing citizenship for the Plataians and comparing their character with that of Neaira, Apollodoros refers to the Plataians as the greatest benefactors of the city and stresses how the Athenians carefully defined the terms of citizenship granted to them (105–06). In contrast, Neaira is a prostitute who has plied her trade all over Greece (107–08). The substantive use of ἡ τοιαύτη with which Apollodoros punctuates his comparison refers directly to the negative aspects of her character and slyly indicates to the audience that Neaira could not legally be ἀσθή. In addition, while he most commonly refers to Neaira through the use of her personal name, Apollodoros uses ἡ ἄνθρωπος four times at the end of his narrative on her life and career (46). Earlier, he referred to the prostitute Metaneaira as ἡ ἄνθρωπος (21). Joshua Sosin argues that, in Greek oratory and classical literature, ἡ ἄνθρωπος is derisive or contemptuous, "reserved for women who are somehow unwomanly, as a result of physical, moral, or legal characteristics" (1997.77).²¹ A close English rendering might be "this creature."²² Although it can designate a female as extremely pitiable, ἡ ἄνθρωπος more frequently connotes derision and contempt.²³ The insult indicates the lack of any recognized social status. Orators choose this term over γυνή and θυγάτηρ, which are associated with ἀσθαί and respect. Ἡ ἄνθρωπος is also demeaning because it was often used of slaves.²⁴

20 Cf. Lysias 32. Ἐκείνη appears in 32.10, 18, but is used as a pronoun rather than a demonstrative. Also see Isai. 2.4, 8, 9, 19. It appears that when referring to ἀσθαί, speakers would say, "mother of this man or that man," i.e., not identify the woman, but the man by whom she is identified.

21 See Dickey 1996.150–53 on the insulting use of the vocative of ἄνθρωπος in the case of men.

22 Thanks to J. Peradotto for suggesting this apt translation.

23 [Dem.] 59.9 is an example of ἄνθρωπος used for a pitiable woman.

24 Gagarin 1997.116; Hunter 1994.73 lists the terms used of slaves in oratory.

Apollodoros thus uses the term to indicate or insinuate Neaira's previous status.

To ensure that his audience understands his meaning, Apollodoros relates in detail Neaira's life as a hetaira. For example, he discusses her various relationships with men and is very specific in the way he chooses to describe her association with them. He refers to such men as her ἐρασταί ("lovers," 26, 29, 30, 31, 32). He also employs the verb πλησιάζειν. In general terms, πλησιάζειν simply refers to a close association between two individuals (LSJ s.v. πλησιάζειν). In the oratorical texts, πλησιάζειν is reserved for relations between women and non-kin males, and connotes a sexual relationship. In [Demosthenes] 59, Apollodoros uses a form of πλησιάζειν to describe the relationship between Neaira and men he identifies as her clients (19, 20, 37, 41). Sometimes a form of χρήσθαι, συγγίγνεσθαι, or συνεῖναι substitutes for πλησιάζειν (30, 33, 46). The verbs chosen, particularly πλησιάζειν and χρήσθαι, do not describe the relationship between husband and wife (for which orators commonly use γαμεῖν, ἔχειν γυναικα, and συνοικεῖν), but refer instead to a sexual relationship between women and men that occurs outside of marriage. In most cases, these women would be foreigners and prostitutes.²⁵

Furthermore, although attempting to prove that Stephanos is treating Neaira as if she were his married wife, Apollodoros himself is cautious in using verbs common to the marriage relationship in reference to Neaira. For example, he employs ἔχειν γυναικα and ἀνδρὶ συνοικεῖν once each in his narrative, but makes clear that the phrases are quotes from Stephanos and Neaira (38, 41). Apollodoros instead uses πλησιάζειν to describe their relationship in Megara (37), and, in Athens, refers to Neaira as simply οὔσα παρὰ τούτῳ ("being at his house," 40, 41). The details of Neaira's past relationships and the use of such verbs incline the jurors to identify the relationship of Stephanos and Neaira with the stereotype of the prostitute-client relationship, and thus Neaira herself as an alien.

Apollodoros develops a titillating, yet unlikable, portrait of Neaira by drawing on a negative stereotype of a hetaira.²⁶ His narrative grabs the attention but also invokes disgust for Neaira's person and causes indignation among the jurors when they recall the charge that Stephanos is treating her

25 See Cox 1998.182, Fantham et al. 1994.79–80, 116.

26 I am making a claim against Kapparis's argument (1999.46–47) that the portrait of Neaira is unsuccessful because it fails to exploit the vices of a prostitute and actually arouses the sympathy of the listeners, especially when they hear about her treatment by Phrynon.

as if his wife. Apollodoros tells his audience that Neaira began working as a prostitute before puberty (22). Although a modern audience might reflect on Neaira's lack of agency in this case, Apollodoros intends this example to stress her lustful nature.²⁷ He also stresses sexual availability and payment—obvious traits of a prostitute, but not always made explicit in the case of a hetaira (see Davidson 1998.112–26). Neaira, however, is indiscriminately available both when she is working for Nikarete (20) and when she is living with Stephanos in Athens (41). Apollodoros claims more than once that “all who wish” (βουλόμενοι) are able to have relations with her (19, 20, 23, 41). He even relates the events of a celebration where Neaira gets drunk and stoops to having intercourse with slaves (33). Here again, for a modern audience, the incident is shocking and perhaps indicative of the abuse of prostitutes, but the jurors would expect such abandon at a κῶμος and instead interpret it as a sign of her innate depravity.²⁸ Apollodoros also refers to her as working with her body, as working for pay, and as charging a high price.²⁹ How could any juror consider a woman exhibiting such behaviour to be someone's wife?³⁰

Discussing Neaira's extravagance is another tactic Apollodoros uses to increase the jurors' disdain for her. He notes her relationship with Phrynion, an Athenian, and suggests that the jurors will remember him for his extravagant lifestyle (30). He hints that Neaira adorns herself in fine

27 I agree with Carey 1992.97.

28 Carey comments that this incident “is tangential to the indictment; the aim is to arouse jury hostility by representing Neaira as either insatiable (cf. 22) or so jaded and degraded as to be insensitive to abuse and humiliation. It is a fine touch to include the slaves, a calculated appeal to basic prejudice. For all we know it may be true, though even if it were not it would be exceedingly difficult and time-wasting for the defence to disprove” (1992.103). Hamel, on the other hand, takes a sympathetic view of Neaira's time with Phrynion, leading her to accept the events at Chabrias's house as mostly accurate (2003.41); see also Kapparis 1999.45–46, 230. But it seems unlikely that Apollodoros would include this episode if it would make the jurors sympathetic towards Neaira.

29 Working with her body (τῷ σώματι): 20, 22, 49; working for pay (μισθοαρνοῦσα) at a high price: 19, 20, 29, 41.

30 The extended narrative gives Apollodoros the confidence for the exaggerated claim of 108. Although a kind of sum-up in his final appeal, Apollodoros brings up places and names never alluded to previously. There is no mention of Thessaly, Magnesia, Chios, and Ionia in his unusually long narrative as places where Neaira made a living from prostitution. Nor is there earlier mention of a connection between Neaira and Eurydamas, or between her and Sotadas. Only cities of the Peloponnese and the name of Simos appear previously. The hyperbole of Apollodoros's comments becomes obvious when he states that everyone knows she has practiced her profession “over the breadth of the world.”

clothes and gold jewelry, and states that she has two maidservants to attend to her personal needs (35). Apollodoros further claims Neaira is accustomed to living well.³¹ She could not make enough money in Megara to maintain her household, but Apollodoros attributes this failing to expensive tastes. He calls her πολυτελής (“extravagant,” 36). In Athens, it is extravagance that induces Stephanos and Neaira to blackmail her clients; otherwise they would be unable to meet the cost of their daily expenses (41–43). Spending lavishly and adorning oneself with jewelry and expensive clothes were commonly associated with hetairai and considered definite negative traits for γυναῖκες.³²

The speakers further ensure the jurors’ dislike of Neaira by emphasizing Neaira’s arrogance. She is ὑβρίζουσα (“haughty”) combined with ἄσεβοῦσα (“impious”) and καταφρονοῦσα (“contemptuous”) when Theomnestos introduces the charge against her (12). These terms bias the jurors, since they do not refer to the behaviour of a γυνή who would be expected to be σώφρων. Apollodoros uses ὑβρίζουσα to describe Neaira as well in the climax of his speech in the epilogue. Once again it appears in combination with ἄσεβοῦσα (107).

Ὑβρίζειν, referring to haughty, outrageous, and insulting behaviour, describes conduct antithetical to σωφρονεῖν.³³ The term is also used to discredit male opponents (Dem. 36.42, Aeschin. 1). In reference to women, the term carried additional shock value and brought forth fears of social instability. First, Athenians expected ἀσταί to exhibit σωφοροσύνη as their

31 Μεμαθηκυῖα μὴ κακῶς ἔχειν ([Dem.] 59.42).

32 See Mills 1984 on secular clothing regulations for women, especially pages 264–65. Clothing is regulated according to the number of garments an ἀσθή could possess and the cost and decoration of such clothing. See Plut. *Sol.* 20.4, also *EG* 83, I, where (in a pre-Roman epitaph from Athens) a girl is praised for her lack of interest in fine clothes and jewelry. Syracuse (Phylarchus FGrH II 81 F 45) and Epizephyrian Locri (Diod. Sic. 12.21) have laws suggesting that women wearing brightly coloured garments and gold jewelry were considered hetairai. On this last point, see Dalby 2002.112–15 and Hawley 1998.42–43. Note the archaic text Semonides 7 on women and the portrait of virtue compared to vice in Xen. *Mem.* 2.1.21–22.

33 LSJ s.v. ὑβρίζω; Fisher 1992.111. Debate exists on the exact meaning of hubris. Fisher concludes that, for the classical period, hubris includes the implication that someone has been insulted or dishonored. He cites Plato’s use as an exception (1992.493). Others argue that ancient authors view hubris as a disposition and often use it where there is no victim who is dishonored (MacDowell 1976.14–31 and Harris 1997.493). Cairns concludes that hubris is dispositional, but that, as a concept, it concerns the τιμή of oneself and others (1996.1–32). I follow Fisher’s definition here, but, influenced by Cairns, I differ in that I do not agree that the infliction of shame or insult is always deliberate.

primary virtue (North 1977). Secondly, Athenians considered themselves superior to women and various other groups, such as slaves. If a member of one of these groups treated an Athenian overly familiarly, or as an equal, or disobeyed an Athenian, or gave him an order, the Athenian would feel insulted, demeaned, or outraged, and view the individual as having committed a serious act of hubris (Fisher 1992.117–18). Such behaviour implies an exchange of roles, elicits outrage and indignity, and even indicates danger.³⁴ Mythical examples of women who exhibit hubris include Helen and Clytemnestra.³⁵ By using ὑβρίζουσα and ἄσεβοῦσα to describe Neaira's attitude and behaviour toward the city of Athens, the gods, and the laws, the speakers want to show that she is not haughty only to certain individuals. Neaira's hubris makes her a danger to the city and should make the jurors afraid of her. It also provides a reason for the jurors to punish her.

In sum, Neaira's portrait exhibits the traits and behaviour of a hetaira: her lack of σωφροσύνη makes Neaira unthinkable and unlikable as a wife, and the emphasis on her indifference to the city and its laws makes her a danger. Apollodoros develops such a characterization by purposefully employing language that is not neutral but intended to influence opinion. The repeated use of such language and the avoidance of other terms hint at a conscious desire to have a particular effect on the audience. Furthermore, Apollodoros draws upon a stereotype of the prostitute that stresses sexual availability, payment, and the body as a commodity. He regularly refers to Neaira as working with her body for pay and as going with whoever wanted her, as long as the client can pay. Repetition and the addition of details work to make Apollodoros's account credible and authoritative. He occasionally exaggerates in order to arouse the jurors' disgust. Finally, he constructs "Neaira" as the opposite of the ideal wife so that the jurors will experience anger when they consider the charge that she is being treated as if a wife. Although Apollodoros presents his narrative as a way to inform the jurors (20), more accurately, he uses it to influence the jurors and destroy any sympathy they may have towards Neaira. The character portrait developed in the narrative is already hinted at in Theonnestos's introduction and is further alluded to and exaggerated in Apollodoros's final appeal.

34 Fisher 1992.118 notes that the chorus of old men of Aristophanes's *Lysistrata* repeatedly attack the female chorus for their hubris once the women have taken over the Acropolis.

35 Eur. *Tro.* 993–97, 1019–22; Aesch. *Ag.* 1385–1400; see Fisher 1992.114, 289–91.

III. MAKING COMPARISONS

What is surprising about the portrait of Neaira is the similarity between Apollodoros's tactics, especially concerning choice of language, and the accounts of other women associated with an opponent, even when the orator is not aiming to identify a woman as a hetaira. Comparing the characterization of Neaira with the accounts of Phano (Neaira's "daughter") in the same speech, Phile's mother in Isaios 3, Alke in Isaios 6, Olympiodoros's "hetaira" in [Demosthenes] 48, and Plangon in Demosthenes 39 and [Demosthenes] 40 identifies a common rhetorical technique. These speeches were chosen on account of the depth of their portraits of women. None are as extensive as the portrait of Neaira, but they contain enough details to allow for a comparison. Identifying its techniques of persuasion reveals that the narrative on Neaira employs strategies commonly used against women associated with an opponent and anticipates a particular reaction from the jurors.

The status and situations of these five women vary dramatically. Only one woman appears to be a well-known hetaira: Alke. She was a freedwoman who had worked in a brothel and later managed a rooming house in the Kerameikos (Isai. 6.19–20). The speaker accuses her of corrupting and influencing Euktemon, her employer, and claims that she convinced Euktemon to recognize her two sons as his own. He even went so far as to introduce the elder to his phratry (21–24). The opposing speaker, however, claims the sons are from a second wife of Euktemon (13). The dispute over inheritance is unusually complicated because the sons of Euktemon's first wife predeceased Euktemon, and an adopted son of his deceased son Philoktemon claims the estate (5–7). Associating the two sons with Alke, a hetaira, is the speaker's way of disputing their right of succession to Euktemon's estate. Isaios 3 also involves a dispute about inheritance where the speaker discredits a claimant on the grounds that the mother was a prostitute and not a legitimate wife. More specifically, the speaker disputes the claim of Phile's husband that Phile is an ἐπίκληρος ("heiress") and thus has claims on the property of Phyrros.³⁶ The speaker argues that she is not

36 This speech represents one court action in a series with regard to the issue of whether Phile is an ἐπίκληρος. The charge here is a charge of false or improper evidence against the brother of Phile's mother who claims he married the woman to Phyrros as wife. On the ἐπίκληρος, see Harrison 1968.132–38.

eligible as an ἐπίκληρος because she is not the legitimate daughter of Phyrros but the daughter of a hetaira. He uses neighborhood gossip and the absence of a dowry for Phile's mother as evidence for her status as a hetaira. Her status as a hetaira, however, does not appear to be common knowledge, since part of the narrative is used to establish the mother's identity as such (13–14). Although this discussion is rather brief, the speaker indicates that he did discuss the mother's status as hetaira in more detail at a previous trial (11–12). The present speech summarizes the earlier argument, which centered on proving the woman's status as a hetaira and not a γυνή. Furthermore, as in the case of Neaira, we are again dealing with events from the distant past. This trial takes place twenty years after the death of Phyrros (56), an indication that the events involving Phile's mother are even older.

Phano is the main character of a second διήγησις in [Demosthenes] 59 arguing that Stephanos has set up a household with Neaira. Apollodoros claims that Phano is Neaira's daughter. He continually refers to this association and attempts to convince the jurors of this identity by emphasizing a character for Phano that mirrors Neaira's. He further argues that Stephanos has been treating Phano like his own daughter, and as if she were ὁστή, by marrying her to citizens. The penalty for Stephanos's action would be loss of citizen status and the confiscation of all personal property (52). Phano, however, likely was an ὁστή and Stephanos's legitimate daughter, since he married her twice to an Athenian, and Apollodoros, despite his accusations, never confirms that her first husband failed to register their son in his genos and phratry.³⁷

In the last two examples, the women involved are only colourful additions to the main argument. The speaker of [Demosthenes] 48, Kallistratos, enters into a dispute with Olympiodoros over an agreement to split the inheritance of Komon. The speaker charges that Olympiodoros kept the wealth for himself instead of sharing it out equally. Kallistratos is married to Olympiodoros's sister and uses this familial connection to gain support and sympathy from the jury. At the same time, he claims that Olympiodoros never married, but instead lives with and spends his inheritance money on a hetaira whom he has freed, allowing his sister and niece to live in poverty. Kallistratos insists that this hetaira has too much influence over Olympiodoros and uses the association with her to discredit Olympio-

37 Kapparis 1999.36–43. Patterson also claims that Phano must be the legitimate daughter of Stephanos (1994.207–09). Note further, Hamel 2003.158, 159; contra, Carey 1992.105.

doros in front of the jurors. Finally, Plangon, in Demosthenes 39 and [Demosthenes] 40, was the daughter of Pamphilos, an Athenian, and thus an ἄσπις. Furthermore, although the speaker Mantitheos is silent about it, she was previously married to Mantias, the speaker's father (see Davies 1971.9667). The first of these two speeches disputes the claim of Boiotos, son of Plangon, to the name Mantitheos as the oldest son of Mantias. The second demands the equivalent of the dowry of Mantitheos's mother from Boiotos's share of Mantias's estate. Plangon's inclusion is not central to the argument, but her mention in the speech is meant to sully Boiotos's reputation and even question his status as a son of Mantias.

As in the case of Neaira, the speakers commonly identify the women by using their personal names. Such naming is regularly emphatic and suggestive. The speaker of Isaios 6 makes it clear that notoriety is the point of publicly naming this woman when he adds "whom indeed many of you know" the first time he names her (19). Apollodoros insinuates such notoriety when he introduces the daughter in [Demosthenes] 59 by stating immediately (but unnecessarily) that her name is Phano (38). The immediate context is Apollodoros's story about Neaira's move to Athens with her children, and specific identification of the children at this point in the narrative is superfluous.³⁸ Phano's name appears here because it implies a negative and ambiguous status. Apollodoros also inserts her name deliberately in order to prepare the audience for his later narrative about Phano (50–87), when he will name the woman five more times. He will also suggest two names for her, Phano and Strybele, casting further doubt on her status and reputation (50). According to Cheryl Cox, a woman who has more than one name is automatically suspect. Undergoing a name change could indicate a woman's status as hetaira because hetairai were often given nicknames (1998.176–77).

In Demosthenes 39 and [Demosthenes] 40, Mantitheos manipulates the standard practice of referring to ἄσπιδες by their male relatives to suggest a bad reputation for Plangon and his own disdain. First, he contrasts the character and status of his own mother with Plangon's through naming. When Mantitheos first refers to Boiotos's mother, she is properly "the daughter of Pamphilos" (39.3). When Mantitheos mentions her elsewhere along with his own mother, however, he creates a contrast between the two

38 Note Hamel's skepticism (2003.48) about the three children, suddenly introduced here as Neaira's; also Carey 1992.105.

by calling one mother and referring to the other directly by name: “By Zeus, will they write in addition the son of Plangon, if they enter you in the public register, but if me, the name of my mother?”³⁹ The use of Plangon’s name is unnecessary, especially as he had just called her “the mother of these men” (39.3), an expression that would easily fit in the present context. In his second speech, Mantitheos reverses the normal practice of identifying men and women. When mentioning Plangon’s father Pamphilos, Mantitheos specifies which Pamphilos by adding “who was the father of Plangon.”⁴⁰ Through this reversal, Mantitheos implies that Plangon is not only notorious in the male community, but better known than her male relatives.⁴¹ He thus manipulates his audience into questioning Plangon’s respectability, perhaps even her status, and insults the men of a family fallen on hard times.⁴² Identifying Pamphilos by his daughter hints at the disgrace of the father, alludes abusively to the absence of the sons from public life, and insinuates a reputation for Plangon.

Other women are not named—surprisingly so, if they actually were famous hetairai. Still, references to Phile’s mother and Olympiodoros’s “hetaira” receive prominence in other ways that parallel the speech against Neaira. In Isaïos 3, the mother of Phile is pointed out five times with

39 Section 9: προσπαράγραψουσι νῆ Δία τὸν ἐκ Πλαγγόνος, ἂν σὲ ἐγγράφωσιν, ἂν δ’ ἐμέ, τῆς ἐμῆς μητρὸς τοῦνομα. The dispute between the speaker and Boiotos concerns who rightfully should bear the name Mantitheos. In classical Athens, the eldest son traditionally took the name of his paternal grandfather, in this case Mantitheos. Mantias did not recognize Boiotos as a son until he reached adulthood. Boiotos then claimed the name Mantitheos, arguing that he is, in fact, the eldest. The original Mantitheos argues that Mantias only recognized Boiotos because Plangon, Boiotos’s mother, tricked Mantias into doing so. Thus, he argues, only he should be Mantitheos. In addition to a personal name, the name of the father and the name of the deme identify the male citizen. In this section, Mantitheos stresses the confusion if they both have the same name and the absurdity if it is through the identification of their mothers that they can be told apart.

40 [Dem.] 40.20: ὃς ἦν πατὴρ τῆς Πλαγγόνος.

41 Inscriptions on Attic tombstones reveal that the filial relationship was more important to a woman’s identity than the uxorial relationship, even when the father was dead. The filial relationship only stressed a woman’s paternal family, since it was this family that determined her status and indicated her eligibility to marry a citizen and bear citizen children; see Vestergaard et al. 1985.185.

42 Pamphilos served as Hipparch in the Corinthian War and was elected general in 389/88 B.C. He was on his way to a prominent career when his luck changed. The expedition under his generalship failed, and he was charged with embezzlement, resulting in the state confiscating and selling his estate. At his death, he apparently still owed money. The father’s fall from grace and into debt explains why none of his sons had a public career and provides a likely reason as to why Mantias divorced Plangon; see Davies 1971.9667.

τοιαύτη. The first use comes right on the heels of a discussion about her sexual availability and the improbability of her status as γυνή (16). The context establishes that τοιαύτη, whether as adjective or substantive, refers to Phile's mother as a prostitute and, more, one who has never been married (26, 28, 29 [twice]). In [Demosthenes] 48.56, τοιαύτη follows a reference to the woman as πόρνη and alludes to her status as a prostitute (53–55). In these examples, the emphatic terminology functions pejoratively and is intended to draw attention to the negative aspects of a woman's character and to cast doubt on her status.

Such emphasis is also used to enforce the speakers' portraits of Alke and Phano. The references using Alke's personal name are made emphatic by the addition of the demonstrative adjective αὕτη, and, in one case, ἐκείνη. In three out of the four times he names Alke, he points her out with a demonstrative (Isai. 6.19, 20, 55). The speaker also refers to Alke as ἡ ἄνθρωπος five times.⁴³ In the first instance, he is overly emphatic: "this creature here, Alke" (τὴν δ' ἄνθρωπον ταύτην, τὴν Ἀλκίην, 20). Context reveals that the phrase is not used for clarity, since talk of Alke dominates the previous discussion (19–20). Instead, ἡ ἄνθρωπος reveals the speaker's contempt for Alke and alludes to her previous status as a slave. The demonstrative αὕτη refers back to the description of Alke's life as a prostitute, while her personal name reminds the jurors of her notoriety.⁴⁴ The speaker uses ἄνθρωπος, αὕτη, and her name Alke together to influence the jurors, for whom the use of all three will have a cumulative effect. Even when used alone, as in the next four references, ἡ ἄνθρωπος will carry the connotations of this first example (21, 29, 38, 39). Phano, in [Demosthenes] 59, is also ἡ ἄνθρωπος, a designation preferred even over the derisive use of her personal name.⁴⁵ In the context of Stephanos marrying Phano to Theogenes, ἡ ἄνθρωπος is intensified using a form of αὕτη ([Dem]. 59.72). Apollodoros also uses τοιαύτη to refer to Phano in the context of her role as wife of the Basileus (73). Αὕτη and τοιαύτη are derogatory, meant to put emphasis on Phano's status as ξένη and to remind the audience of the reputation of adultery Apollodoros has established for her ([Dem.] 59.73 (twice), 81, 85).

43 Sections 20, 21, 29, 38, 39. Ἄνθρωπος is slightly more common than the use of her personal name, which occurs four times.

44 For Alke's career as a prostitute, see sections 19–20.

45 [Dem.] 59.51, 59, 67, 69, 70, 72, 82, 83. Note its use in testimony: 54, 84. Compare with the number of references to Phano using her name 1) by Apollodoros: 38, 50; 2) in documents and testimony: 71 (twice), 84.

Sexual terminology and behaviour that is not σόφρων also unite the portraits of these women. Πλησιάζειν and χρῆσθαι are the verbs of choice to refer to the relationships men have with them. This is how Apollodoros refers to Epainetos's relationship with Phano ([Dem.] 59.67), and how Manti-theos refers to his father's relationship with Plangon ([Dem.] 40.8). Although Mantias married Plangon prior to his marriage with Manti-theos's mother, Manti-theos never mentions this earlier relationship. Instead he mentions Mantias's continued involvement with Plangon after their divorce, always using the verb πλησιάζειν. He even comes close to referring to Plangon's relationship with his father as a prostitute-client relationship, but then mitigates his statement: "He had some manner of relationship with Plangon, the mother of these men, at one time; it is not my place to speak."⁴⁶ Συνεῖναι also describes male relationships in the portraits of Phano and Alke ([Dem.] 59.71, in testimony, and Isai. 6.20). In addition, the speakers imply that the women receive pay for their services. According to Apollodoros, Epainetos claims to have spent a great deal of money on Phano and Neaira, and uses this as part of his argument that he is not an adulterer ([Dem.] 59.67).⁴⁷ Stephanos, in turn, convinces Epainetos to contribute 1000 drachmas to Phano's marriage, saying that Epainetos has been using her sexually and so owes her a good turn (69–70).⁴⁸ In [Demosthenes] 40.51, Manti-theos states that Plangon forced his father to great expenditure. He claims that his father supported Plangon's multitude of slaves and her

46 [Dem.] 40.8: τῇ δὲ τούτων μητρὶ Πλαγγόνι ἐπλησίασεν δὴ ποτ' οὖν τρόπον· οὐ γὰρ ἐμὸν τοῦτο λέγειν ἐστίν.

47 Scafuro's discussion of Terence's *Adelphoe* points out that a possible countercharge to an accusation of rape is that the raped woman was a willing partner and even a prostitute. Someone accused of adultery could argue a similar defence, especially if gifts were accepted (1997.112). Apollodoros also paraphrases a law commonly connected with prostitution (67) and claims Epainetos used it to protect himself from a charge of μοιχεία ("adultery"); see the discussion of this law in Kapparis 1999.311–13. Johnstone restores the manuscript and argues that the law does not refer specifically to prostitution (2002.253). Apollodoros, however, appears to use context to suggest such a profession here, regardless of the actual intention of the law, and had previously implied that Stephanos's house was a brothel (39, 41).

48 Scafuro points out that, on the basis of witness depositions, "the one statement in Apollodoros's description of Stephanos's arguments that can be relied upon with some confidence is that Stephanos did request a 'dowry contribution'" (1997.139). Apollodoros's paraphrase of Stephanos's argument "may not be totally fallacious," as Scafuro continues, but Apollodoros's connection between Epainetos's contribution to the dowry of Phano and Epainetos's past sexual relationship with Phano in the paraphrase associates Phano with the payment common to the prostitute-client relationship.

lavish lifestyle on account of his passion for her. Ἐπιθυμία, referring to his desire, is a term used to describe yearning for prostitutes and other lovers, not wives (Lys. 3.5, 31, Isai. 3.17). The sandwiching of this term between a reference to the father as Plangon's χορηγός and πολλά δαπανᾶν also implies sex and payment.⁴⁹ Orators regularly emphasize sexual availability when discussing women associated with an opponent. In Isaïos 3, the speaker describes Phile's mother as "common to whoever wants her" (κοινὴ τῷ βουλομένῳ, 11, 16, 77). He also argues that she is a hetaira serving "whoever wants her" (13, 15).⁵⁰ Apollodoros appears to attribute sexual availability to Phano as well by focusing on her extramarital relationship with Epainetos (64–71). He also produces a document claiming that Stephanos allowed Epainetos to enjoy Phano whenever he was in Athens and desirous (71). Βούλεσθαι is the term used, as in the other examples.⁵¹ By employing such verbs and introducing the issue of payment and availability, the speakers liken the women to prostitutes and, in the case of Phano and Plangon, make them unlikable as ὄσται.

Speakers also place emphasis on the extravagance of the women, a habit antithetical to a wife who is σώφρων. Apollodoros presents the daughter Phano as extravagant when he compares her to her first husband Phrastor. He claims that Phano wished to imitate her mother's habits and luxurious lifestyle rather than adjust to the ways of her hardworking and moderate husband ([Dem.] 59.50–51). Mantitheos has a similar complaint about Plangon, contrasting her spending habits with the cost of rearing Mantitheos ([Dem.] 40.50–51). The comparison of the costs Plangon incurs with the cost of rearing a child is meant to shock the jurors and to align them against Plangon. Finally, just as Neaira is πολυτελής, the speaker states that Plangon

49 [Dem.] 40.51: ἡ δὲ τούτων μήτηρ Πλαγγών, τρέφουσα μεθ' αὐτῆς τούτους καὶ θεραπαίνας συχνὰς καὶ αὐτὴ πολυτελῶς ζῶσα, καὶ εἰς ταῦτα τὸν πατέρα τὸν ἑμὸν χορηγὸν ἑαυτῇ ὑπὸ τῆς ἐπιθυμίας ἔχουσα καὶ πολλὰ δαπανᾶν ἀναγκάζουσα, "But Plangon, the mother of these men, supported, along with herself, these men and a multitude of female slaves, and lived extravagantly, both having my father as her own personal choregos for this on account of his desire, and by forcing him to spend much on her."

50 A form of βούλεσθαι is also used.

51 71: ὁπότεν ἐπιδημῇ καὶ βούληται συνεῖναι αὐτῇ (Kapparis). Note that Kapparis considers (1999.316–17) the document in which this statement appears to be spurious based largely on this statement, while Carey considers it authentic based on this statement "since it includes one detail which could not have been fabricated from Apollodoros's speech, the clause that Epainetos is to have access to Phano when in Athens" (1992.121).

lives πολυτελῶς (51). [Demosthenes] 48 provides a final example of a woman with an extravagant lifestyle. Olympiodoros comes from a family of limited resources, but his woman is described as dressed in fine clothes and wearing gold jewelry, going around with a train of servants, and flaunting her wealth (53–55). Olympiodoros's immediate relatives are contrasted with this woman because they are far too poor to enjoy any such luxuries. The discussion of extravagance builds a negative portrait of the women under attack. Once again, spending lavishly and adorning oneself with jewelry and expensive clothes were more common as traits of hetairai than γυναῖκες (see, above, note 32). Rather than helping to build up the wealth of the household, as Ischomachos claims a wife should do in Xenophon's *Oikonomikos* (7.15), these women are a drain on the household finances.

Finally, the portraits in these speeches regularly present arrogant women. Ὑβρίζουσα is the term used for the woman kept by Olympiodoros in [Demosthenes] 48. Her extravagance is offensive to the sisters of Olympiodoros who live in poverty, since she has bought her luxuries with money belonging to their family (55). For this reason, the speaker refers to her as exhibiting hubris when she walks about town in her finery (55: ὕβριζουσαν ἐκ τῶν ἡμετέρων). It is not simply her extravagance that is insulting, but the fact that she appears to use her luxury to gloat over the other women.⁵² Ὑβρίζειν and καταφρονεῖν describe Alke's behaviour and attitude towards Euktemon's family and the city in Isaios 6.48. Her behaviour is offensive because she transgresses both private and public boundaries. The speaker has previously discussed Alke's conduct towards the family, and now goes on to provide an example of her actions toward the city. He focuses on Alke's scandalous behaviour at the Thesmophoria: Alke dared to join in a procession of ἀσταί and to enter the temple, an affront because of her status and reputation (49–50). The speaker uses τολμᾶν here, whose meaning is similar to ὕβριζειν, which repeats the accusation of hubris already made. Alke's actions were so inappropriate and impious, the speaker claims, that the council passed a number of decrees against her (50). Phano's behaviour and situation resemble the actions of Alke. As the wife of the Basileus, Phano makes offerings on behalf of the city, leads the Gerarai in an oath, and performs a ritual marriage with Dionysus at the Anthesteria ([Dem.] 59.73). Yet according to Apollodoros, Phano is not eligible for such a role. He reminds the jurors that it is impious for a woman of Phano's

52 Fisher 1992.114. Also on this passage, see Just 1989.127–28.

character and status to perform such rites and relates in detail what the requirements for the wife of the Basileus are (73–77). The use of *τολμᾶν* and *ὕβριζεν* in reference to Alke (Isai. 6.49–50) suggests the jury's interpretation of Phano's actions. Only an audacious woman would disregard such traditions. The behaviour of all three women indicates a haughty and daring attitude.

IV. CONCLUSION

Looking at all six speeches together reveals that orators follow a particular pattern when discussing women associated with their opponents. Discussions of character do not present a balanced portrait of an individual but rather invoke a particular character type based on knowledge of social stereotypes.⁵³ The orator's motive in such character portraits is to arouse the *πάθος* of the audience and to turn the jurors against the women. These attacks on women, although less varied,⁵⁴ resemble attacks on men in their accusations of extravagance, the questioning of status, the focus on sexual relations and disregard for the polis, even though the specifics of such accusations vary, especially with gender.⁵⁵ Using demonstratives reinforces such accusations. The stereotype of the prostitute and the ideal of the good wife influence the allegations a speaker chooses to stress in the case of women. Such attacks are also subtler than the attacks on men: simply using a woman's personal name carries serious implications that are not present when a man is named. A woman is not named just because she has a certain status and reputation, but because naming her can create such a reputation and lead to a questioning

53 *Rh.* 1356b 30–34: "Rhetoric will not consider what seems probable in each individual case, for instance to Socrates or Hippias, but that which seems probable to this or that class of persons" (trans. Freese 1959). Also see Aristotle's discussion of stereotypical character types (*Rh.* 1388b12–1391b17) and the discussion in Harding 1987.30–35, Russell 1990.199, and Scafuro 1997.64.

54 See Henry 1995.19–28 on the characterization of Aspasia compared with the characterization of Perikles in Old Comedy.

55 Aristotle *Rh.* 1366b 9–22 lists injustice, cowardice, licentiousness, avarice, small mindedness, and meanness. [*Rh. Al.*] 1442a 9–14 lists disloyalty to one's country and friends, ingratitude, and hardness of heart. Hunter 1994.110 lists some good attacks on male opponents: Aeschin. 1, 2; Dem. 18, 19, 21, 25–26, 39; Din. 1; Isai. 4, 5; Lys. 14; see also "Appendix: Gossip in the Lawsuits" (Hunter 1994.118–19). Davidson 1998.213–308 argues that Athenians viewed habits of excessive consumption as a dangerous threat to the individuals themselves, their family, and even the state. Athenians felt that such habits revealed a propensity for criminal action; see also Ober 1989.206–15.

of her status. The limited public role allotted to women in classical Athens partly explains any differences in strategies used against men and the depth of some of the narratives. This fact also makes women more vulnerable to attack and the accusations more likely to stick. Finally, while speakers directly attack a male opponent, attacks against women are commonly a way of indirectly attacking that same opponent or other members of his family.⁵⁶ Thus the attacks are not against the women themselves but against the men they associate with, and the consequences for a woman of such an attack are not of interest to the speaker, only its effect on the opponent.⁵⁷

Scholars thus need to use caution before accepting as fact what is said about a woman, or even a category of women, in judicial speeches: such portraits of women are not historical reconstructions of women's lives or accurate representations of historical individuals, but are based on stereotypes that the orator uses to cast doubt on the status and/or respectability of his female target and to arouse the ὀργή ("anger") of the jurors. The speeches thus reveal less about individual women than about general attitudes towards women and female sexuality. Apollodoros's speech postdates the other narratives on women and is thus likely influenced by the techniques and stereotypes of these earlier speeches.⁵⁸ There also appears to be an insidious progression in the law courts from linking opponents with prostitutes (Isai. 6) to suggesting that wives and mothers associated with opponents are prostitutes (Dem. 39, Isai. 3). These facts might be what enabled Apollodoros to take his speech to the extreme he did. More definitely, it reveals how Neaira's identity as a hetaira is constructed and manipulated. Such an understanding helps make sense of Apollodoros's unusual portrait of a hetaira, one that conflicts with Davidson's definition of the hetaira as a prostitute who avoids mention of price, payment, and sex, but talks of gifts and friendship instead (1998.112–26).⁵⁹ In the end, we

56 Note Hunter 1994.113, 115. Also Cox 1998.101.

57 Foxhall 1996.142 notes that allegations against a woman in court would have affected that woman's interactions in every day life, "regardless of the truth of the allegations or possibly even the outcome of the case." Hunter comments, "the courtroom became a route to the whole city" (1994.101).

58 Dates for each speech from the latest to earliest are as follows: [Dem.] 59, 343–40; [Dem.] 48, 343–41; Isai. 3, before 343; Dem. 39, c. 348; [Dem.] 40 c. 347; Isai. 6, c. 364.

59 Compare with Licht's view of the hetaira as sophisticated and educated (1956.339). Also see Keuls 1985.153–54, 199 and Reinsberg 1989.80–86, 88–89, who critique Licht's view of the hetaira as an idealization and draw few distinctions between hetairai and πόρναι. Total equalization between all prostitutes may be going too far, but a taxonomy

know little about Neaira and can trust few of the narrated details of her early life. This new understanding should lead us to question Neaira's experience as a hetaira as told by Apollodoros, and perhaps even reconsider her status as a prostitute, as scholars have recently suggested for Phile's mother and Olympiodoros's woman.⁶⁰ Despite Apollodoros's comments (119), we do not know, for example, what Stephanos argued or whether or not the jurors were convinced of her previous status as a hetaira.⁶¹ But the main point is that we need to be cautious about what we accept as true about Neaira's life. The speakers construct a particular identity for Neaira as a prostitute that stresses the negative traits of prostitutes and is in opposition to the ideal conception of a wife as σὺμφρων. Apollodoros thus presents an exaggerated portrait of a debased hetaira that he hopes will cause the jurors to dislike Neaira, lose any sympathy they may have for her, feel anger towards her, as well as fear her. This portrait of Neaira as a hetaira is central in convincing his audience that she is, in fact, an alien. Apollodoros's success in such aims is something about which we can only speculate.

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distinguishing between prostitutes based on such terminology needs revision. For example, hetaira seems to be a euphemistic term, while πόρνη is derogatory. Kurke 1997 argues that the use of such terms in the archaic period depends more on context and desired tone. Context and tone likely explain the sudden substitution of πόρνη for hetaira at [Dem.] 59.114 and [Dem.] 48.56. Note also the recent and thorough discussion of the terms in McClure 2003.11–18.

60 Modern scholars, unconvinced by the speakers' arguments, have begun to question the accuracy of the designation of hetaira in these two cases. Hunter states of Isaios 3: "His evidence consisted of gossip, sworn to by neighbors and other acquaintances. They told of quarrels, noisy parties, and wild behaviour whenever Phyrus's 'wife' appeared on the scene (13–14). Thus arose the belief that the woman was a courtesan. Was she? It is impossible to say" (1994.113); compare Patterson 1990.71–73. Foxhall 1996.151 suggests the designation hetaira in [Dem.] 48 "may be a slanderous attack on a legitimate wife." The use of the label hetaira here appears to confirm the woman's identity as a prostitute. The speaker says his opponent keeps a hetaira at home, but his remarks are prefaced with a claim that the opponent has neither married an ἄσπῆ, nor produced any children (53). A discussion of the woman as a source of conflict and extravagance follows. The whole argument is punctuated with a claim that the speaker's comments are not διαβολή ("slander," 55). For this reason, a reader should be cautious in accepting the designation of the woman as a hetaira. Furthermore, orators themselves accuse others of slandering mothers and wives as πόρναι (Dem. 22.61).

61 Kapparis 1999.32 states: "The defence agreed that she was an alien and a former courtesan," based on 118, but Apollodoros only suggests the defence might argue that she is his hetaira (118–19). We do not know what Stephanos did, in fact, argue.

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