

reluctant bull in 1555–59 gives a hint that all may not be well. Theoclymenus, melodramatic villain though he be, deserves less than total condemnation from the audience. His infatuation with Helen and his gullibility are too extreme not to provoke at least some sympathy. We feel that just as Menelaus had been deceived by appearances, so too the barbarian king is duped not more by Helen's cleverness than by his own somewhat pathetic hope that what she says is true, and by his own eagerness to please his wife-to-be.

The closing scenes of the play bring out the further point that the characters who have most of our sympathy have not learned the lesson of Troy. We are relieved to see the Greeks escape, but our pleasure is muted when we hear that the success of the venture depended on a too ready indulgence in violence and bloodshed, and on an acceptance of values which the Trojan debacle should have deprived of currency. To this idea Helen's statement in 1399 makes a small but significant contribution. When she speaks of Menelaus as κλεινός, she gives a clear indication that she too is prepared to believe in the renown of Troy and her husband's associated glory at a moment when she is eager for him to display it in her own interests and not for the sake of an *eidolon*.<sup>15</sup>

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15. I am grateful to B. Murnaghan and P. Bing for helpful comments and suggestions.

## THE POLITICAL CAREER OF ARISTOPHON

No fresh evidence for the political career of Aristophon of Azenia has come to light since J. E. Kirchner assembled his dossier for *Prosopographia Attica* number 2108; however, the most challenging contribution to our understanding of the nature of that career as a whole was made only a few years ago, in a short article in this journal by Stewart Irvin Oost.<sup>1</sup>

Oost addressed himself first to the datum which, as he observed, "even most undergraduate students of fourth-century Athenian history have learned," namely, Aeschines' claim in court in 330 that Aristophon had once boasted to an Athenian jury of his acquittal in a *graphe paranomon*, the public prosecution for an illegal proposal, on seventy-five occasions (Aeschin. 3. 194).<sup>2</sup> Some scholars, as Oost noted, repeat this claim as a simple fact;<sup>3</sup> more usually it is reproduced as a claim

1. "Two Notes on Aristophon of Azenia," *CP* 72 (1977): 238–42.

2. For the only attested instance of Aristophon's *conviction* under this procedure, see M. H. Hansen, *The Sovereignty of the People's Court in Athens and the Public Action against Unconstitutional Proposals*, Odense University Classical Studies, vol. 4 (Odense, 1974), p. 31 (no. 10); he retains παρανόμων in the source for this, schol. Aeschin. 1. 64, rather than Meier's emendation παρ' ὀλίγον, and thus rejects what would otherwise be a plausible identification of this case with Hyperides' known prosecution of Aristophon under the *eisangelia* procedure (Hyper. Eux. 28, with P. J. Rhodes, *The Athenian Boule* [Oxford, 1972], p. 167 and n. 8).

3. Oost, "Two Notes," p. 239, n. 2, cites M. N. Tod, *GHI* 2:128, and G. L. Cawkwell, s.v. "Aristophon," *OCD*<sup>2</sup>, p. 114; add, e.g., Hansen, *Sovereignty*, p. 25, and more circumspectly in "The Number of *Rhetores* in the Athenian *Ecclesia*, 355–322 B.C.," *GRBS* 25 (1984): 152.

only.<sup>4</sup> But Oost's own suggestion, that it be positively disbelieved,<sup>5</sup> is to my mind fully justified by his citation of another passage from Aeschines, 2. 70, which must raise the suspicion "that seventy-five was a favorite round number with Aeschines when he wanted merely to indicate a certain order of magnitude." In 2. 70 Aeschines claims that during the war with Philip over Amphipolis Chares lost seventy-five cities which had been brought into the Second Athenian League by Timotheus; and it surely rounds off Oost's case very satisfactorily to notice that this figure too has now been queried and rejected, by J. Cargill.<sup>6</sup>

Oost's unhappiness with the notion of seventy-five (unsuccessful) *graphai paranomon* against Aristophon was sharpened by a general thesis which he advanced, in the second part of his article, in respect of the overall pattern of Aristophon's political career. It is the main purpose of my own paper to subject that thesis to further scrutiny and draw attention to some difficulties which it entails; but it will not do so to an extent which would restore credibility to Aeschines 3. 194.

Like his close contemporary (but no friend) Isocrates of Erchia, Aristophon lived for almost a century, between the 430s and the 330s,<sup>7</sup> and he is the first (and last) member of his family known to have pursued a public career. That career is attested by a not inconsiderable body of literary and epigraphic evidence, the *dated* or *datable* elements in which—the qualification is crucial, as will emerge below—fall into two groups separated by a period of fully forty years:

(1) 403/2. The recipient, from the restored democracy, of *ateleia* and other privileges for political action against the Thirty Tyrants,<sup>8</sup> Aristophon is recorded as having successfully proposed the reenactment (in effect) of the Periclean citizenship legislation of 451/50;<sup>9</sup> and it must have been either in that same year or else soon afterward that he also moved the decision to repay a certain Gelarchus (?) the five talents which he had advanced to the democratic counterrevolutionaries in Piraeus in 404/3.<sup>10</sup>

(2) 363/62 and after. Aristophon's year as one of the board of ten *strategoï* of 363/62<sup>11</sup> ushered in a period, as far as documentation is concerned, of great activity: his proposal of at least nine more decrees in the assembly,<sup>12</sup> with possible

4. Oost, "Two Notes," p. 239, n. 1.

5. *Ibid.*, pp. 238–40—a view anticipated, as he noted, by P. Girard, "Aristophon d'Azénia," *Ann. Assoc. Ét. Grecques* 17 (1883): 218, n. 2.

6. *The Second Athenian League: Empire or Free Alliance?* (Berkeley and Los Angeles, 1981), pp. 45–46; at p. 46, n. 61, he cites Oost's article but does not rely on it for his own discussion.

7. For evidence and chronological inferences, see J. K. Davies, *Athenian Propertied Families 600–300 B.C.* (Oxford, 1971), p. 65.

8. Dem. 20. 148, with the interpretation and dating (universally accepted, as far as I know) of A. Schaefer, *Demosthenes und seine Zeit*<sup>2</sup>, vol. 1 (Leipzig, 1885), p. 141.

9. Carystius apud Ath. 577B–C (with Eumelus apud schol. Aeschin. 1. 39 for what appears to be a significant amendment, by Nicomenes).

10. Dem. 20. 149. The name may in fact be Telarchus or Agelarchus (Reiske), but in any event he is otherwise unknown.

11. Schol. Aeschin. 1. 64, in conjunction with IG 2<sup>2</sup>.111 (Tod, *GHI* 142).

12. IG 2<sup>2</sup>.111 (Tod, *GHI* 142), of 363/62; [Dem.] 50. 4–8, of 362/61 (possibly two decrees); IG 2<sup>2</sup>.118, of 361/60; IG 2<sup>2</sup>.121, of 357/56; IG 2<sup>2</sup>.130, of 355/54; Dem. 24. 11, of 354/53; Dem. 18. 70 and 75, of 346–40 (apparently two decrees or more); IG 2<sup>2</sup>.224, of 343/42. Note that in 2<sup>2</sup>.121 and 130 the enactment-formulae (Rhodes, *Boule*, pp. 64–71, esp. 66) raise a strong possibility that Aristophon was *bouleutes* in the two years in question: thus (implicitly) M. H. Hansen, *Demography and Democracy: The Number of Athenian Citizens in the Fourth Century B.C.* (Herning, 1985 [1986]), p. 81. (I thank Hansen for clarification here.)

amendment of a tenth;<sup>13</sup> his involvement in political lawsuits, both as plaintiff<sup>14</sup> and defendant;<sup>15</sup> his election as one of the four *syndikoi* to defend the law of Leptines (Dem. 20. 146); and such a degree of overall prominence as to warrant Hyperides' describing him, in the 330s, as ἰσχυρότατος ἐν τῇ πολιτείᾳ (Hyper. *Eux.* 28).

Set out thus, these data pose their own obvious question: is this forty-year gap in the documentation, between groups 1 and 2, apparent or real? That is, may we legitimately assume Aristophon's "continuing political activity in an important and initiating sense" (Oost) between the late fifth century and the late 360s, or is the evidence trying to tell us that he withdrew from active politics during that period? The standard position, as Oost noted, is that the lacuna belongs not in Aristophon's actual career, merely in what has survived of the record of it.<sup>16</sup> Oost himself advocated serious consideration, at least, of the alternative: "To prove a negative is difficult or impossible, yet the little evidence we have, which is certainly not compelling, seems to suggest political inactivity on Aristophon's part, and to point away from the prevailing view."<sup>17</sup> Oost argued his case with moderation, and he indubitably demonstrated that the orthodox position deserves closer examination—and *might*, as he contended, be wrong. I believe nonetheless that there is still much to be said in its favor, and that both (I) evidence and (II) general considerations show that the overall picture—and the choice that we are invited to take—is less clear-cut than Oost made out.

#### I. THE UNDATABLE EVIDENCE

The burden of proof, as Oost saw it, falls upon those who claim that the political career of Aristophon was continuous: "For this argument [of a forty-year 'hiatus'] to be overthrown . . . evidence would seem to be required which documented at least, say, three occasions of active political participation by Aristophon in the course of the four decades."<sup>18</sup> That not even one such dated or datable occasion is known was naturally much the strongest argument at Oost's disposal.<sup>19</sup> There is, however, more *undated* (and *undatable*) evidence than he acknowledged:

(i) Demosthenes 57. 31–34: Aristophon as the proposer of a decree, reenacting a Solonic law, requiring foreigners working in the Agora to pay "foreigners'

13. *IG* 2<sup>2</sup>.289 (line 6), before 336/35. The restoration of Aristophon's name is doubted, however, by J. Pečírka, "Disiungenda," *Listy filologické* 89 (1966): 263–64 (and idem, *The Formula for the Grant of Enktesis in Attic Inscriptions* [Prague, 1966], pp. 57–58); cf. Hansen, "Number of *Rhetores*," p. 138 (no. 13).

14. See M. H. Hansen, *Eisangelia: The Sovereignty of the People's Court in Athens in the Fourth Century B.C. and the Impeachment of Generals and Politicians*, Odense University Classical Studies, vol. 6 (Odense, 1975), pp. 95 (no. 88), 100 (no. 100), 101 (nos. 101 and 102), 118 (no. 142).

15. See above, n. 2.

16. "Two Notes," p. 241, n. 10.

17. *Ibid.*, pp. 240–42, at p. 241.

18. *Ibid.*, p. 242; he (rightly) added that "nothing said here should be construed as a denial that he took a significant passive interest in politics during this long period, whatever may be the reason for the hiatus."

19. His remarks ("Two Notes," pp. 240–41) on Xen. *Hell.* 6. 3. 2, which lists "Demostratus, son of Aristophon" as member of an Athenian embassy sent to Sparta in 371, are perfectly valid: that he is the son of *PA* 2108 can be no more than an assumption (cf. Davies, *Families*, p. 65, and in *CR* n.s. 23 [1973]: 230); and even if the assumption is correct, it reveals nothing of the position of Aristophon himself at the time.

taxes" (ξενικά, sc. τέλη).<sup>20</sup> Kirchner's assumption (in *PA*) that this measure belongs in 403/2 probably rested on nothing more than the fact that other legislative activity of this kind was undertaken then. Recently, to be sure, Hansen has refined the argument from a procedural point of view, contending that this instance of the enactment of a general provision by the assembly in the form of a *psephisma* (decree) rather than by the *nomothetai* as a *nomos* (law) most naturally belongs, with five other such instances, in the period (403–400) before the regular *nomothesia* procedure was instituted. However, as he himself lists five further cases of the assembly's legislating by decree in the 340s and 330s, the criterion seems to offer no reliable guidance in dating.<sup>21</sup>

(ii) Demosthenes 21. 218: Aristophon as the defendant in a *probole* case, which he forestalled "by returning the crowns" (ἀποδοὺς τοὺς στεφάνους). The *probole* procedure was "of the nature of impeachments"<sup>22</sup>—in other words, concerned with public rather than private offenses. The scholia on this passage reveal, amongst other background details, that Eubulus was the prosecutor here, and we are told of political differences between Eubulus and Aristophon in the 340s (Dem. 19. 290–91); however, as it is also highly likely that Eubulus had been one of the nine archons in 370/69,<sup>23</sup> and was thus in some degree launched upon a political career by then, his initiation of the *probole* against Aristophon may date equally well from the early 360s as from later.

(iii) Aeschines 1. 158: Aristophon as *paredros* of an (eponymous) archon. Although the two *paredroi* in attendance on each of the three senior archons were appointed each year by those officials as acts of patronage, their powers were quite substantial.<sup>24</sup> In this instance it is tantalizing that the celebrity of the *paredros* was, presumably, far greater than that of his archon, whose name—which would have given us the date—is thus left unmentioned.

(iv) Aeschines 3. 138–39: Aristophon as ambassador to Thebes. The passage as a whole cites six examples of such ambassadors, all of them, as Aeschines maintains, men who were on friendly terms with the Thebans. Oost held that "the list is not in perfect chronological order, but Aristophon is named just before Pyrrhander of Anaphlystus, 'who is still living' (unlike the others) as of 330 B.C. The impression given is that Aristophon's pro-Thebanism (i.e., his public career) dates from recent decades. If he had been actively pro-Theban since the democratic restoration, during the forty-year 'hiatus' when it was politically fashionable to share such sentiments, one would expect him to be mentioned earlier in the list."<sup>25</sup> Oost's general grounds for restricting Aristophon's period as a *leading* member of the Βοιωτιάζοντες (Aeschin. 3. 139; cf. Xen. *Hell.* 5. 4. 34) to the latter

20. On the likely relationship between this measure and its Solonic predecessor (οὐκ ἔξεστι ξένφ ἐν τῇ ἀγορᾷ ἐργάζεσθαι), see D. Whitehead, *The Ideology of the Athenian Metec*, Proceedings of the Cambridge Philological Society, suppl. vol. 4 (Cambridge, 1977), pp. 77–78, 142, 172 n. 94.

21. "Did the Athenian *Ecclesia* Legislate after 403/2 B.C.?" *GRBS* 20 (1979): 36–39 (= *The Athenian Ecclesia* [Copenhagen, 1983], pp. 188–91); cf. idem, "*Rhetores* and *Strategoí* in Fourth-Century Athens," *GRBS* 24 (1983): 161.

22. A. R. W. Harrison, *The Law of Athens: Procedure* (Oxford, 1971), p. 13; cf. pp. 59–64.

23. See *Hesperia* 29 (1960): 25–29, no. 33, with B. D. Meritt's identification ad loc.

24. For sources and discussion, see S. Dow, "Companionable Associates in the Athenian Government," in *In Memoriam Otto J. Brendel*, ed. L. Bonfante and H. von Heintze (Mainz, 1976), pp. 80–84; P. J. Rhodes, *A Commentary on the Aristotelian "Athenaion Politeia"* (Oxford, 1981), pp. 621–22.

25. "Two Notes," p. 242.

part of his career seem rather weak;<sup>26</sup> and as regards Aeschines 3. 138–39 itself, his special pleading is unconvincing. The only known embassy to Thebes by Thrasybulus of Collytus—first-named of Aeschines' six—and by Pyrrhander of Anaphlystus was, alike, that of 377;<sup>27</sup> Aeschines' list thus offers no basis whatever for determining the date of the embassy of Aristophon.

## II. GENERAL CONSIDERATIONS

The most that can prudently be said of the four items of evidence just reviewed is that any or all of them *might* refer to political activity by Aristophon within Oost's forty-year "hiatus"—which would thus, obviously, appear less striking than it currently does. No doubt any who subscribe to Oost's thesis will remain unmoved unless and until *dated* activity within the period 403/2–364/63 can be established; but it is worth remarking that what has survived of the record of that period is insufficient to warrant firm conclusions either way. Oost found it improbable, as regards these years, that "all the inscriptions so far known, all the extant historians and orators, and all the sources preserved only in fragments are silent about [Aristophon] by accident."<sup>28</sup> Yet while our knowledge of Athenian political life and political prosopography is undeniably better and more detailed, in most areas, for the fourth century than for the fifth, it should not be forgotten that both literary and epigraphic sources are much richer (in this respect) for the second half of the fourth century than for the first. The period between about 380 and 355, in particular, is almost totally bereft of literary sources.<sup>29</sup>

My point is, then, that the state of the evidence as such offered Oost a much more vulnerable case than he seemed to imagine. For example, to treat that evidence as providing a faithful facsimile of Aristophon's actual career entails the assumption that he was general *for the first time* in 363/62; but is this reasonable? Our knowledge of the boards of generals in the first half of the fourth century is decidedly poor. The full *fasti* for the years 403/2–364/63 would of course comprise four hundred (40 × 10 *per annum*) names, some of them recurring. Yet we actually know the names of only thirty-eight generals from this period,<sup>30</sup> who all together held office between eighty and ninety times.<sup>31</sup> Rounding this figure up to one hundred should be sufficient to allow for the total number of generalships

26. In addition to his interpretation of Aeschin. 3. 138–39, already quoted, Oost (p. 242) deployed two further arguments, both from silence: Demosthenes' failure in 18. 162 to mention that Aristophon's pro-Theban policy was of many years' standing (assuming, as Oost reasonably did, that Demosthenes' coupling of Aristophon with Eubulus refers to the 350s); and Aristophon's absence from a number of pro-Theban Athenians as of ca. 380—though hardly, as Oost had it, a "list" thereof—in Plut. *De genio* 573E–F.

27. *IG* 2<sup>2</sup>.43 (Tod, *GHI* 123), lines 72–77. Aeschines does not mention the third member of this delegation, Aristoteles of Marathon; perhaps he was not a Βοιωτιάζων, but was included by virtue of his proposal of the decree.

28. "Two Notes," p. 241.

29. Cf. Hansen, "Number of *Rhetores*," p. 125.

30. J. K. Davies, *Wealth and the Power of Wealth in Classical Athens* (New York, 1981), pp. 162–64, lists the 34 men who were general for the first time between 403/2 and 364/63; 4 others—Archinus, Conon (probably), Rhinon, and Thrasybulus of Stiria—were reelected during that period.

31. For repeated tenure within the period 403/2–364/63, see the inventory in Hansen, "*Rhetores* and *Strategoï*," pp. 151–80, s.nn. "Archinus," "Chabrias," "Chares," "Demaenetus," "Diotimus," "Iphicrates," "Callistratus," "Conon," "Ctesicles," "Pamphilus," "Thrasybulus of Collytus," "Thrasybulus of Stiria," "Timotheus."

held by these known individuals.<sup>32</sup> That, however, still leaves us with no more than a quarter of the strategic *fasti* filled, and with no satisfactory basis for supposing that any other individual, Aristophon included, was not a *strategos* during these years.

These bare figures alone can do no more than insist upon the possibility that Aristophon was general at least once during the period 403/2–364/63; but there are perhaps general grounds for elevating this into a probability. Can we really envisage that in the year 363—well into the period characterized by a pronounced split between generals on the one hand and politicians on the other<sup>33</sup>—the septuagenarian Aristophon could have stood successfully for election to the board of generals for the very first time? To *re-elect* a man of sixty or seventy, a Pericles or Phocion, as general is one thing. To choose as general for the first time a prominent domestic politician of advanced age is another—albeit still conceivable. But to believe that even in their more irresponsible moods the Athenians would have picked as general for 363/62 a septuagenarian who not merely lacked any experience of that post but who, in this very election, was attempting a return to political life of any kind after an absence of forty years is, in my judgment, to be asked too much.

Indeed the whole notion of a spectacular political comeback (as one would have to describe it) by Aristophon in the late 360s is uncomfortable. There is no intrinsic problem with the idea of Aristophon's withdrawing from active political life either immediately or soon after his successes of 403/2, even if his reasons for doing so are quite irrecoverable.<sup>34</sup> Nor is there an intrinsic problem in supposing that, many years later (and again for indeterminable reasons), he changed his mind, or his priorities, and sought once again Oost's "continuing political activity in an important and initiating sense." The problem rests in being required to assume that he succeeded in not merely regaining but surpassing his former influence—exercising sway, for instance, in a citizen assembly where only those almost as old as he could recollect that influence—without exciting, as far as we know, the sort of comment which such a political renaissance would naturally have attracted. Demosthenes 20. 146–49, for example, refers both to Aristophon's activity in the late fifth century and to his prominence in 355/54 with no hint of a lengthy period of passivity between the two; and although in Demosthenes 18. 219 Aristophon is cited, with Callistratus, Cephalus, and Thrasybulus, as illustration of ῥήτορες ἑνδοξοὶ καὶ μεγάλοι πρὸ ἑμοῦ who did not hog the political limelight without intermission, can this really accommodate a ῥαστώνη and ἀναφορά lasting four decades? As for Aeschines' claim, with which we began, of Aristophon's "seventy-five" acquittals under the *graphe paranomon* (3. 194), the figure, conventional and exaggerated as it is, must be allowed to add some further weight to the likelihood of Aristophon's public career being one of long duration. Its impact on the jurymen would have been far more striking if they could have been reminded that for half his adult life Aristophon had placed himself in no position to incur such a charge.

32. E.g., Ἀρχίνου . . . ἐστρατηγηκότος πολλάκις (Dem. 24. 135).

33. Isoc. 8. 54–55 (with C. Mossé, *Athens in Decline* [London, 1973], p. 27); Plut. *Phoc.* 7. 5–6; Davies, *Wealth*, pp. 114–30, esp. pp. 124–25.

34. For the possible significance of his possession of *ateleia* for his ability to sustain political prominence, see Oost, "Two Notes," p. 242; cf. Davies, *Families*, p. 65.

To go on would be to labor the point unduly. It remains a tenable proposition that Aristophon's political activity in the 390s, 380s, and 370s was less intense than we know it to have been both earlier and, especially, later. But it is equally reasonable to continue to envisage some degree of continuity—which may one day be better attested—between the two well-documented phases of his career.<sup>35</sup>

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35. My friend Mogens Herman Hansen was kind enough to criticize an early draft of this article. I have ventured to disagree with his specific observations at times, but I can claim his agreement with the general thrust of my argument.

### PROTEUS THE SEALHERD (CALLIM. *SH* FRAG. 254. 6)

Early in the *Victoria Berenices* Callimachus announces, in characteristically periphrastic manner, that word of his queen's success has just arrived in Egypt (*SH* frag. 254. 5–6):

εἰς Ἑλένη[ς νησιδ]α καὶ εἰς Παλληνέα μά[ντιν,  
ποιμένα [φοκάων], χρύσειον ἦλθεν ἔπος.

That is, the report has come to the island of Pharos, and to Proteus. H. Lloyd-Jones supports his supplement, φοκάων, by referring to Homer *Odyssey* 4. 411–13, where the nymph Eidothea informs Menelaus that he will find Proteus among his seals like a shepherd among his sheep, νομεὺς ὧς πώεσι μήλων (413). Although this is not quite as bold as the outright designation ποιμένα φοκάων, the conjecture is nevertheless unassailable, for at *Georgics* 4. 395, in a passage closely modeled on the entire sequence from *Odyssey* 4, and shortly before he adapts and expands the same Homeric simile (433 *uelut stabuli custos* . . .), Vergil has Cyrene (the modified Eidothea) describe Proteus' activities: *pascit* . . . *phocas*. In other words he is a *pastor phocarum*. That Vergil is recalling Callimachus seems beyond doubt, since his lines resemble those of Callimachus and differ from the Homeric archetype in two other ways: he twice (387, 392) calls him *uates* (cf. μάντιν, frag. 254. 5);<sup>1</sup> and he associates him with Pallene (390–91 *patriamque reuísit / Pallenēn*).<sup>2</sup>

*Vergilius ecce iterum conflāt.*

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1. The attribution is not made by Homer; indeed, in stressing the prophetic qualities of Proteus at *G.* 4. 392–93 “nouit namque omnia uates, / quae sint, quae fuerint, quae mox uentura trahantur,” Vergil leaves his Odyssean model and translates the description of Chalcas, the chief Homeric seer, at *Il.* 1. 70 ὅς ῥιδητά τ' ἑόντα τά τ' ἐσσόμενα πρό τ' ἑόντα.

2. As only Lycophron (*Alex.* 126–27) and, as we can now see, Callimachus had done before Vergil. I suspect Lycophron brought the variant with him when he moved from Chalcis to Alexandria; Vergil's claim that Proteus is visiting his fatherland in Chalcidic Pallene (contradicting Lycophron's claim that the fatherland is Egypt) may provide a vestige of some scholarly dueling between the two Alexandrians, with Vergil naturally supporting Callimachus.