

DEMOSTHENES AND PHILIP'S PEACE OF 338/7 B.C.

καταγαούσης δ' αὐτὸν εἰς τὴν πόλιν τῆς ἀπροδοκῆτου σωτηρίας τοὺς μὲν
πρώτους χρόνους ὑπότρομος ἦν ἄνθρωπος, καὶ παρίων ἡμιβνῆς ἐπὶ τὸ βῆμα,
εἰρηνοφύλακα ὑμᾶς αὐτὸν ἐκέλευε χειροτονεῖν· ὑμεῖς δὲ οὐδ' ἐπὶ τὰ ψηφίσματα
εἴατε τὸ Δημοσθένους ἐπιγράφεω ὄνομα, . . .

Aeschines, *In Ctesiphontem* (3) 159

In speaking of Demosthenes' conduct in the period between his return to Athens after the peace agreement with Macedon (late 338 B.C.) and Philip's death (July 336) Aeschines refers to only one specific incident, the attempt by Demosthenes to have himself elected *εἰρηνοφύλαξ*.¹ What this position was has never been satisfactorily explained.²

Demosthenes does not appear to refer to this incident in his reply, and no such official or officials are ever mentioned in surviving inscriptions or in Aristotle's *Constitution of Athens*. Indeed the word is only found in one other place, in Xenophon's *Revenues* 5. 1, where the author suggests the establishment of a college of *εἰρηνοφύλακες*:

εἰ δὲ σαφές δοκεῖ εἶναι ὥς, εἰ μέλλουσι πᾶσαι αἱ πρόσδοδοι ἔκπλεω προσιέναι,
ὅτι εἰρήνην δεῖ ὑπάρχειν, ἅρ' οὐκ ἄξιον καὶ εἰρηνοφύλακας καθιστάναι; πολὺ γὰρ
ἂν καὶ αὕτη αἰρεθείσα ἢ ἀρχὴ προσφιλεστέραν καὶ οἰκειότεραν εἰσαφικνεῖσθαι
πᾶσιν ἀνθρώποις ποιήσῃε τὴν πόλιν.

Impressed by the economic context of this suggestion, its connection with maximizing revenues and the number of foreigners visiting Athens, Cawkwell³ seems to have taken Xenophon to be proposing the appointment of officials whose duties would correspond roughly to those of a modern government department of trade: and he made the ingenious suggestion that Eubulus subsequently took up Xenophon's proposal and included these duties within those of the Commissioner of the Theoric Fund, and that in 3. 159 Aeschines was referring to Demosthenes' election as Theoric Commissioner for 337/6 and 'chose as a sneer the word used twenty years earlier by Xenophon in proposing a new office to make the most of the peace'.

This suggestion (which was by no means essential to Cawkwell's thesis about Eubulus) is open to two objections. First, *εἰρηνοφύλακες* seems a strange term to use for officials whose duties were to encourage trade. Thiel, in his commentary on the Xenophon passage, suggested that their function was to be the resolution of disputes between Athens and other states,⁴ but the normal interpretation of the term would suggest a wider function, that of resolving inter-city disputes of

¹ The manuscripts' αὐτὸν is generally accepted. Some editors have preferred αὐτόν, but there is no person previously mentioned to whom it could refer. On the proposal of A. Weidner (*Aischines Rede gegen Ktesiphon*, Berlin 1878) to omit the pronoun altogether ('elect an *εἰρηνοφύλαξ*') see below, note 12.

² Schaefer's comment (*Demosthenes und seine Zeit*, Leipzig 1886, ii. 31) that Demos-

thenes thus showed 'was er vermöge zur Wahrung des Friedens thun zu wollen' is obscure.

³ G.L. Cawkwell, 'Eubulus', *JHS* 83 (1963), 56.

⁴ J. Thiel, *Xenophon de vectigalibus* (Amsterdam 1922): 'collegium, opinor, intellegitur quod controversias inter Athenienses aliasque civitates Graecas ortas componere studens bello occurrere conetur.'

all kinds whether or not they directly involved Athens. It is in this sense that Isocrates at *Panegyricus* 175 referred to the King of Persia as φύλαξ τῆς εἰρήνης; and it is this function which later in this section (5. 8–10) Xenophon suggests that Athens should undertake:

ἔστι μὲν γὰρ πειρᾶσθαι διαλλάττειν τὰς πολεμούσας πρὸς ἀλλήλας πόλεις, ἔστι δὲ συναλλάττειν, εἴ τινας ἐν αὐταῖς στασιάζουσιν. εἰ δὲ καὶ ὅπως τὸ ἐν Δελφοῖς ἱερὸν αὐτόνομον ὥσπερ πρόσθεν γένοιτο φανεροὶ εἴητ' ἐπιμελούμενοι, μὴ συμπολεμοῦντες ἀλλὰ πρεσβεύοντες ἀνὰ τὴν Ἑλλάδα, ἐγὼ μὲν οὐδὲν ἂν οἶμαι θαυμαστὸν εἶναι, εἰ καὶ πάντας τοὺς Ἕλληνας ὁμογνώμονάς τε καὶ συνόρκους καὶ συμμάχους λάβοιτε ἐπ' ἐκείνους, οἵτινες ἐκλιπόντων Φωκέων τὸ ἱερὸν καταλαμβάνειν πειρῶντο. εἰ δὲ καὶ ὅπως ἀνὰ πᾶσαν γῆν καὶ θάλατταν εἰρήνην ἔσται φανεροὶ εἴητε ἐπιμελόμενοι, ἐγὼ μὲν οἶμαι πάντας ἂν εὐχέσθαι μετὰ τὰς ἐαυτῶν πατρίδας Ἀθήνας μάλιστα σῶζεσθαι.

If this was to be the function of Xenophon's εἰρηνοφύλακες, then one can only conclude that his idea was not carried out; for there is no hint in the history of the years of Eubulus' ascendancy that Athens was pursuing a foreign policy of this sort.⁵ Second, Aeschines' remark would make better sense if it referred to a failure of Demosthenes to secure the people's support rather than to a success such as was his election as Theoric Commissioner. It would suit Aeschines' purpose at this point to say nothing about that election, just as he says nothing about the choice of Demosthenes to give the funeral oration over the dead of Chaeronea (Dem. 18. 285), which surely came after the peace with Philip and Demosthenes' return to Athens. If Aeschines is referring here to a failure of Demosthenes, his opponent's silence on this incident would be understandable.

What, then, is Aeschines talking about? As Weidner⁶ pointed out long ago, the precise and technical verb χειροτονεῖν must mean that the people were asked to vote on a proposal about Demosthenes, and the predominant usage of this verb with two accusatives in Aeschines (and in Demosthenes) makes it very likely that they were asked to vote him into an office, rather than to vote him an honorific title. But if we are concerned with an office, the term used for it here need not be the title of the officer; it could be only a description of him.

If, as was argued above, the natural meaning of εἰρηνοφύλαξ was one concerned with the preservation of interstate peace, then the term could well have been used for those people who took part in the supervision of Philip's settlement of Greece of winter 338/7, which, as I have argued elsewhere, was in form a Common Peace treaty.⁷

One group of which we hear as having this function were the people described by the author of the speech *About the treaty with Alexander* (Ps.-Dem. 17) as οἱ ἐπὶ τῇ κοινῇ φυλακῇ τεταγμένοι (15). But they were surely few in number and, for that reason as well as for Philip's reasons of state, it is not likely that they were elected in and by individual cities.⁸ On the other hand, the members of the συνέδριον

⁵ Cawkwell (art. cit., 53) suggests that 'perhaps the Eubulus group believed that Athens, avoiding the pursuit of imperial aims, could meet any crisis at the head of the Hellenes united under a Common Peace', but there is no evidence of them trying to promote a Common Peace before 346, whereas they had (presumably) opposed Demosthenes over Megalopolis and Rhodes

(Dem. 16 and 15); cf. Ryder, *Koine Eirene* (Oxford 1965), 92 ff.

⁶ A. Weidner, op. cit.

⁷ *Koine Eirene*, 102 ff.

⁸ In the proposed arrangements of Antigonos and Demetrius (302 B.C.) there was a general to be left behind by the kings ἐπὶ τῇ κοινῇ φυλακῇ (SEG i, 1923, 75, col. ii, vv. 13–14).

which was charged with the resolution of disputes and the punishment of aggressors were avowedly representatives of the cities and it is much more probable that the cities were required to appoint them than that Philip nominated them himself.

How the *σύνεδροι* were appointed is not a question to which modern writers on Philip's settlement have generally addressed themselves. In the absence of any evidence there seems to be a tacit consensus that they were appointed by the cities; and this is supported by the stipulation in the proposals put forward in 302 by Antigonos and Demetrius for the renewal of Philip's settlement that cities should be fined, if they failed to send *σύνεδροι*.⁹ Only Larsen¹⁰ has asked the further question, in what way did the cities appoint them? Here there is no evidence at all, for Athens or for any other city, and one can only endorse his conjecture that the cities appointed them in whatever way they liked, i.e. by their own methods of election. In Athens' case this would surely be election by the whole people.

It is thus not impossible that what Aeschines is referring to is an attempt by Demosthenes to have himself elected as one of Athens' representatives¹¹ to the Greek *συνέδριον*. To elect him so soon after Philip's victory and his imposition of the settlement which set up the *συνέδριον* would have been indeed a grandly defiant gesture by the people. But, if they were asked to make it, they refused; for, although in general they were ready to back Demosthenes against his political opponents and in general agreed with his refusal permanently to accept defeat, they were not blind to reality—they had, after all, only just before entrusted their fortunes in peace negotiations with Philip to Demades, Aeschines, and, probably, Phocion.¹²

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⁹ Now *SEG* xxv (1970), 381, vv. 91–4.

¹⁰ J.A.O. Larsen, 'Representative Government in the Panhellenic Leagues', *Class. Phil.* 20 (1925), 322.

¹¹ It is very likely that Athens had more than one. The list at the end of the inscription concerning the Common Peace treaty of

338/7 (Tod, 177), which is generally taken to give the names of states with the numbers of their *σύνεδροι*, shows both the Phocians and the Locrians being allowed three (v. 31).

¹² A proposal simply to hold an election, such as Weidner's reading envisages (see above), would not itself be controversial.