

THE DECREE OF SYRAKOSIOS*

Our information about the Athenian politician Syrakosios is entirely derived from Ar. *Birds* 1297 and the scholia thereon. Syrakosios here figures among a long list of Athenians who are said to be nicknamed after various birds:¹

ὠρνιθομάνουν δ' οὕτω περιφανῶς ὥστε καὶ 1290
πολλοῖσιν ὀρνίθων ὀνόματ' ἦν κείμενα.
πέρδιξ μὲν εἰς κάπηλος ὠνομάζετο
χωλός, Μενίππῳ δ' ἦν χελιδὼν τοῦνομα,
Ὅπουντίῳ δ' ὀφθαλμὸν οὐκ ἔχων κόραξ,
κορυδὸς Φιλοκλέει, χηναλώπηξ Θεογένει,
ἰβὶς Λυκούργῳ, Χαιρεφῶντι νυκτερίς,
Συρακοσίῳ δὲ κίττα· Μειδίας δ' ἐκεῖ 1297
ὄρνυξ ἐκαλεῖτο· καὶ γὰρ ἦκειν ὄρνυγι
ὑπὸ στυφοκόπου τὴν κεφαλὴν πεπληγμένῳ.

Σ 1297²: Συρακοσίῳ δὲ κίττα· οὗτος γὰρ τῶν περὶ τὸ βῆμα, καὶ Εὐπολὶς ὡς
λάλον ἐν Πόλεσι διασύρει [fr. 207 Kock].

Συρακόσιος δ' ἔοικεν, ἥνικ' ἂν λέγῃ,
τοῖς κυνιδίοις τοῖσιν ἐπὶ τῶν τειχίων·
ἀναβὰς γὰρ ἐπὶ τὸ βῆμ' ὑλακτεῖ περιτρέχων. 5

δοκεῖ δὲ καὶ ψήφισμα τεθεικέναι μὴ κωμωδεῖσθαι ὀνομασί τινα, ὡς Φρύνιχος
ἐν Μονοτρόπῳ φησί [fr. 26 Kock]: “ψῶρ’ ἔχει Συρακόσιον. ἐπιφανὲς γὰρ αὐτῷ
καὶ μέγα τύχοι. ἀφείλετο γὰρ κωμωδεῖν οὓς ἐπεθύμουν.” διὸ πικρότερον αὐτῷ
προσφέρονται, ὡς λάλῳ δὲ τὴν “κίτταν” παρέθηκεν.

2 Πόλεσι Küster: πύλαις VM: πύλαις ΓΕ 4 τειχίων RV: τειχέων ΓΕ 7–8 de
numeris fragmenti Phrynichēi valde dubitatur ψῶρ’] ψῶζ’ White ἔχει Dindorf:
ἔχει Γ: ἔχε E: ἔχεν V ἐπιφανῆς E

This paper will be concerned with the question whether the scholiast was right to believe that Syrakosios had carried a decree limiting the freedom of comic satire, and, if he had, what the scope of the decree was.

As δοκεῖ (line 6) shows, the scholiast had no actual evidence for the existence of such a decree, other than the cited passage of Phrynichos. Moreover, on his own showing it is virtually certain³ that if Syrakosios did propose such a decree, it was not in the terms here stated (μὴ κωμωδεῖσθαι ὀνομασί τινα); for in the cited passage

* This article has benefited considerably from criticism by the editors and by an anonymous CQ referee.

¹ Bats (1296) being evidently classified by Ar. among the birds, whereas Aristotle (*HA* 490a7–13) excluded them from that class.

² The text of the scholion as here given is based on codd. RVMΓΕ, of which, however, only the last two preserve it in its entirety. The critical apparatus is selective; for fuller information see J. W. White, *The Scholia on the Aves of Aristophanes* (Boston, 1914), from which the information here given is derived.

³ There are three remotely conceivable alternatives: (i) the decree was almost immediately repealed; (ii) it remained a dead letter; (iii) by κωμωδεῖσθαι ὀνομασί is here meant ‘be

Phrynichos *κωμωδεῖ ὀνομασί* Syrakosios himself, while in *Birds*, produced at the same festival,⁴ not less than thirty-one contemporary Athenians are mentioned by their own names, three by their fathers' names⁵ and three by nicknames that were presumably well established and readily associated by the audience with their bearers.⁶ Either, therefore, the 'decree of Syrakosios' is a pure invention of some commentator on comedy, or else there was an actual decree which did *not* amount to a total ban on *ὀνομασί κωμωδεῖν* but did impose upon it a restriction of some kind.

The first of these alternatives has recently been supported by Stephen Halliwell.⁷ An exact parallel is furnished by *Ach.* 1150–5, where on the basis of nothing more substantial than the rather obscure word *ξυγγραφῇ* applied to Antimachos, plus a reference to a Lenaian chorus that was not given a dinner, the scholia say *ἔδοκε* [n.b.] *δὲ ὁ Ἀντίμαχος οὗτος ψήφισμα πεποιηκέναι ὅτι μὴ δεῖ κωμωδεῖν ἐξ ὀνόματος, καὶ ἐπὶ τούτῳ πολλοὶ τῶν ποιητῶν οὐ προσήλθον ληψόμενοι τὸν χορόν, καὶ δῆλον ὅτι πολλοὶ τῶν χορευτῶν ἐπείνων*.⁸ While, however, we need not doubt 'the general tendency of ancient interpreters to draw unjustified inferences from comic texts',⁹ we can at least be grateful to them for providing us with the data on which they based those inferences. The scholiast's interpretation of the Phrynichos fragment is inference: the fragment itself is a fact. And corrupt as it almost certainly is, it is reasonably clear that Syrakosios is cursed in it, and cursed because he *ἀφείλετο... κωμωδεῖν οὕς ἐπεθύμουν*. Our task is therefore to determine to what kind of action by Syrakosios this refers.

We must first note that unless we arbitrarily and improbably emend *οὕς* in the Phrynichos fragment to *ὡς*,¹⁰ Phrynichos' complaint is not that he cannot satirise *in the way* he wants to, but that he cannot satirise *the persons* he wants to. Whatever Syrakosios did, therefore, its effect was not to impose restrictions on the *methods* of satire that were permissible in comedy, but in one way or another to make a certain *class of persons* no longer satirizable.

This consideration rules out an attractive hypothesis proposed many years ago by Max Radin¹¹ and recently revived by Douglas MacDowell.¹² According to this presented by name *as a character* in a comedy'. Of these (i) and (ii) are hardly consistent with Phrynichos' complaint and curse, and (iii) is even more decisively excluded by the appearance of Meton and Kinesias as characters in *Birds*.

⁴ Cf. *Birds* Hypothesis I Hall-Geldart, Coulon = III White. In view of the simultaneity of the two plays, the *CQ* referee is surprised that, if Syrakosios really had carried a decree 'aimed specifically at comedy... Aristophanes managed to refer to [him] without making any mention of it'; but Aristophanes' silence on the matter is explicable from the structure and theme of *Birds* 1290–9, which could no more accommodate Syrakosios' decree than it could accommodate Philokles' tragedies or Chairephon's friendship with Socrates.

⁵ (Aristokrates) son of Skellias (126), a son of Tharraleides (17–18), and a son of Peisias (766).

⁶ 'Sakas' (31), 'Orestes' (712, 1491) and 'Partridge' (1292).

⁷ *CQ* 34 (1984), 87.

⁸ So the main tradition of the scholia (codd. *ΓΕΛ*) with minor variations; cod. *R* drastically abbreviates. For details see N. G. Wilson, *Scholia in Aristophanem: Pars I Fasc. I.B., Scholia in Acharnenses* (Groningen, 1975), *ad loc.*

⁹ Halliwell *loc. cit.*

¹⁰ *κωμωδεῖν* in classical Greek normally governs an accusative of the person or institution satirized, occasionally (Ar. *Ach.* 655; cf. Pl. *Laws* 816d) an internal accusative. Once (Ar. *Wealth* 557) it seems to be used intransitively, coupled, however, with *σκώπτειν*, whose intransitive use is well established. On this evidence, *κωμωδεῖν ὡς ἐπεθύμουν*, if possible at all, would most likely mean not 'satirize people in the way I wanted to' but 'compose comedy, which was what I wanted to do'. The transmitted reading, on the other hand, gives *κωμωδεῖν* its normal construction and makes excellent sense, even if not a sense that justifies the scholiast's deduction from it.

¹¹ *AJPh* 48 (1927), 215–30.

¹² *The Law in Classical Athens* (London, 1978), 128–9.

hypothesis, Syrakosios' decree was either identical with, or closely connected with, the law under which Theomnestos was prosecuted in the case for which Lysias 10 was written. This law forbade any person to speak of another as an *ἀνδροφόνος* or *πατραλοίας* or *μητραλοίας*, or to say that he had 'thrown away his shield', unless he could show that the allegation was true. Such a law, applying to comedy from 415/14 onwards, would account, it is claimed, for a supposed change in the style of Aristophanes' attacks on the politician Kleonymos in *Birds* as compared with earlier plays:

The surviving plays of Aristophanes composed before 414 are full of rude personal remarks, some of which would surely have fallen foul of the law of slander if it had been applicable to them; for example, the politician Kleonymos is often said in these plays to have thrown away his shield, and this allegation was probably false, or at least exaggerated. But in *Birds*... the two references to Kleonymos and his shield [290, 1473–81] are oblique, and in general the later plays... seem not to contain statements contravening the law of slander as far as we know it.¹³

Accordingly Radin suggests 'that the law of Syrakosios was the law of the *ἀπόρρητα*'; MacDowell, supposing more plausibly that the law in its original form went back to Solon, suggests that Syrakosios' innovation was to make it explicit that the forbidden slanders were as actionable if spoken in a comedy as on other occasions.

If, however, this had been what Syrakosios did, it would not have prevented Phrynichos, or any other dramatist, from *κωμωδεῖν οὓς ἐπεθύμουν*. Indeed in *Birds* Aristophanes is able to mention Kleonymos twice by name, to devote a whole choral strophe to satire of him, to make three transparent allusions to the matter of the shield (*Birds* 290, 1477 *δειλόν*, 1481) and also to attack him on other counts, as an obese glutton (289, 1477 *μέγα*) and a *συκοφάντης* (1479); there is, in fact, no living individual (except the two who appear in person, Meton and Kinesias) who receives more satirical attention in *Birds* than Kleonymos does.¹⁴ That Kleonymos is not in *Birds* explicitly termed *ρίψασπις* or the like (as in *Clouds* 353) may well be a mere accident, since most of the earlier references to the shield incident are 'oblique' to about the same degree as those in *Birds*. At *Wasps* 19 the allegation is obscured by a play on two senses of *ἀσπίς* (which can also denote a kind of snake); at *Wasps* 592 Kleonymos' name is disguised; at *Wasps* 822–3 the allusion to the shield is again brought in by means of an ambiguous word (*ῥπλα*);¹⁵ at *Peace* 446 we have a vague reference to a mishap suffered by Kleonymos in battle, unintelligible except to those already familiar with his reputation; at *Peace* 1298–1301 Kleonymos' son sings Archilochos' elegy on the loss of his shield (Archil. fr. 5 West) and is asked if he is alluding to his father – but does not answer.¹⁶

¹³ MacDowell loc. cit.

¹⁴ Two individuals are mentioned three times each in *Birds*, Exekestides (11, 764, 1526–7) and Theogenes (822, 1127, 1295), but all the references to them are brief. Ten men in addition to Kleonymos are mentioned twice each, and several of them, like Kleonymos, are spoken of once briefly and a second time at greater length: Philokrates (13–14, 1077–83), 'Orestes' (712, 1482–93), Socrates (1282, 1553ff.). No one receives more extensive treatment than this.

¹⁵ See MacDowell's note *ad loc.*, and also mine (*Aristophanes: Wasps* [Warminster, 1983], 207).

¹⁶ It is interesting to note that a similar degree of 'obliquity' also characterises the numerous passages in which the speaker of Lysias 10, while evidently taking care to remain technically within the law, mischievously insinuates that his opponent Theomnestos is guilty of having thrown away his shield, a charge of which two juries had in effect declared Theomnestos innocent: cf. Lys. 10.1, 9, 12, 14, 22 *bis*, 23, 24–5, 26, 28, 30. In several of these passages (especially 22 and 30) the speaker sails very near the wind indeed, and this strongly suggests that the law of slander, even in the 380s, applied only to allegations that were plain, direct and specific. It is likely that of all Aristophanes' gibes against Kleonymos, only *Clouds* 353 was in violation of

Moreover, it is not by any means certain that Kleonymos was innocent of the delinquency with which Aristophanes so incessantly taxed him. It is true that up to 414 he had clearly never been convicted in a court of law either of δειλία or of speaking in the assembly when disqualified from doing so;¹⁷ but for all we know he may have been so convicted at a later date,¹⁸ and even if he was never convicted it does not follow that he was not guilty – consider the case of Demosthenes, whose flight from the field of Chaironeia was notorious¹⁹ but who was never convicted on that account.²⁰ If the accusation against Kleonymos was not true, why is he the only individual²¹ against whom such an accusation is known to have been made in fifth-century comedy? Why do we never hear of it being made, for instance, against the proverbially cowardly²² Peisandros? No doubt Kleonymos at Delion (if it was Delion),²³ like Demosthenes at Chaironeia, was no more cowardly than anyone else. The army was put to flight, and he ran with the rest: it was his bad luck that his fatness²⁴ made him conspicuous.

Given, then, that what Syrakosios did was not to prohibit a certain kind of comic satire, but in some way to exclude a certain class of persons from the scope of comic satire altogether, it remains to consider what class of persons this may have been and why they ceased to be satirizable. And in the circumstances of 415/14 it is natural to think in the first place of persons involved (or allegedly involved) in the religious scandals of the Hermai and the Mysteries.

It was long ago observed by J. G. Droysen²⁵ that not one of the scores of persons known to have been denounced in connexion with the Hermai or the Mysteries or both was mentioned in *Birds*; and despite additions to our sources of information, this remains true today.²⁶ Droysen suggested that this could be accounted for on the supposition that Syrakosios had moved and carried a decree which, while not

the law of slander, and it may be significant that this comes from a play that was never produced in the form in which we have it. The possibility is worth considering that comedy as such *never* enjoyed any special exemption from the law of slander, either before or after 415/14.

¹⁷ This point is made by S. Halliwell, *Yearbook of English Studies* 14 (1984), 13. For the disqualification from speaking in the assembly cf. Lys. 10.1, Aischines 1.28–9.

¹⁸ We have no further mention of him as a public figure after the date of *Birds*: he may have died soon after (so MacDowell on *Wasps* 19) – or he may have been convicted, been made ἄτμος, and gone into exile.

¹⁹ Aischines, in the course of his speech prosecuting Ktesiphon, brings up the matter against Demosthenes at least eleven times (Aischines 3.148, 151, 152, 155, 159, 175–6, 181, 187, 226, 244, 253); and damaging though the charge is, Demosthenes in his defence speech nowhere denies its truth.

²⁰ It is likely enough that he was prosecuted (presumably λιποταξίου) during the period between 338 and 336, when he says he was ‘put on trial every day’ (Dem. 18.249), but if so he was evidently acquitted (ἐν . . . τοῦτοις πᾶσι . . . ἐσωζόμην [ibid.]).

²¹ The taxiarchs are collectively called ῥηδάσπιδες at *Peace* 1186.

²² Ar. *Birds* 1556ff.; Eupolis fr. 31; Xen. *Symp.* 2.14; Aelian, *NA* 4.1; Suda δ319, π1467; Apostolios 14.14 (Πεισάνδρου δειλότερος).

²³ It probably was. The first clear reference to the incident is in *Clouds* 353; *Knights* 1372, which has often been seen as an allusion to it, is in a context which is concerned not with cowardice or desertion but with exemptions from active service obtained through the exercise of improper personal or political influence. Cf. also *Birds* 1480–1 τοῦ δὲ χειμῶνος πάλιν τὰς ἀσπίδας φυλλορροεῖ: the Delion campaign took place χειμῶνος εὐθὺς ἀρχομένου (Thuc. 4.89.1).

²⁴ *Ach.* 88; *Wasps* 16 μέγαν πάνν; *Birds* 289, 1477 μέγα.

²⁵ *RhM* 3 (1835), 161–208, at p. 161.

²⁶ See the list of 65 persons in (Gomme–Andrewes–)Dover, *A Historical Commentary on Thucydides*, iv (Oxford, 1970), 276ff. Two of the ἀσεβείς bore the name Panaitios (Andok. 1.13 with MacDowell’s note, and 1.52, 67; one of them is now more precisely identifiable as Παναίτιος Φιλοχάρους Ἀφιδναῖος – see *IG* j³ 422.204–5), and according to Σ^{RV}TM *Birds* 440 the πίθηκος μαχαιοποιός of *Birds* 441–2 is ‘apparently’ a man named Panaitios whom Aristophanes

imposing a general ban on ὀνομαστὶ κωμωδεῖν, did forbid reference by name in comedy to persons who had been condemned for impiety in connexion with the two scandals, his real though unstated object being to make Alkibiades in particular, so far as possible, into what might now be called an 'unperson'.²⁷ Droysen's hypothesis was supported, in a modified form, by Bergk a few years later,²⁸ but little has been heard of it since.²⁹

Droysen's theory fits the facts remarkably well: the apparent counter-evidence to it evaporates on close inspection. There are, of course, some references in general terms to the religious scandals in one or two passages in *Birds* – the mention of the ἄτιμοι in 766, an allusion to the arrest of Alkibiades in 145–7; but the only individual specifically mentioned in these passages is 'the son of Peisias' (766), and whoever he was³⁰ he obviously had not been condemned for impiety, since if he had been he would not have been in a position to 'betray the gates' (ibid.). And the reticence of *Birds* with regard to the ἀσεβεῖς is matched by our fragments of other comedies of 415–411, carefully though these must have been combed by later historians eager to gather evidence bearing, in particular, on the actions and character of Alkibiades. The informers Diokleides and Teukros, it is true, were mentioned by Phrynichos (fr. 58), but neither of them was condemned for impiety: Diokleides was condemned and executed for his false denunciations,³¹ while Teukros, though on his own admission guilty of profanation of the Mysteries, was granted immunity³² in return for the information he gave.

A more serious *prima facie* problem for the theory is posed by the reference in Pherekrates fr. 58 to the house of Poulytion³³ – the house in which took place the first profanation of the Mysteries to be revealed,³⁴ and whose occupier, whether or not he took part in that particular act of sacrilege,³⁵ was certainly denounced for taking part in another.³⁶ It is probable, however, that this passage dates from before, not after, the outbreak of the religious scandals:³⁷

elsewhere satirized as 'ape' and 'son of a cook' (Ar. fr. 394 Kock = 409 Kassel–Austin). The style of satire, however, strongly suggests that Panaitios the 'ape' is more likely to have had links with the 'new politicians' than with the *jeunesse dorée*. It would be much more plausible to identify one or other of the two ἀσεβεῖς with the Panaitios of *Knights* 243 (cf. my *Aristophanes: Knights* [Warminster, 1981], 155–6, where, however, I wrongly implied that there was only one ἀσεβής of this name).

²⁷ *RhM* 4 (1836), 27–62, at pp. 59–60.

²⁸ *Zschr. f. Geschichtswissenschaft* 2 (1844), 211–13 = *Kleine Schriften* (Halle, 1884–6), 458–61.

²⁹ Cf., however, K. J. Maidment, *CQ* 29 (1935), 10 ('doubtless in connection with the Hermocopids').

³⁰ Ph. Kakridis in his edition of *Birds* (Athens, 1974) rightly rejected on chronological grounds the common identification of this man with the kitharode Meles son of Peisias, the father of Kinesias the dithyrambist; it had earlier been pointed out by van Leeuwen that among all the hostile comment on Kinesias in comedy there is no reference to any alleged treason on the part of his father. Van Leeuwen suggested, not implausibly, that the man of *Birds* 766–7, who is advised πέρδιξ γενέσθω, τοῦ πατρὸς νεοττίον, might be the Kleombrotos (a suspiciously Laconoid name!) who is called 'son of Partridge' by Phrynichos fr. 53.

³¹ Andok. 1.66.

³² Andok. 1.15, 34.

³³ οὐχ ὅρας τὴν οἰκίαν | τὴν Πουλυτίωνος κειμένην ὑπώβολον;

³⁴ Andok. 1.12; Isokr. 16.6; Paus. 1.2.5.

³⁵ His name does not appear on the list of those denounced in connexion with it (Andok. 1.13); MacDowell tentatively suggests that it may have been lost in transmission (e.g. before Πολύστρατον).

³⁶ Plut. *Alk.* 22.4.

³⁷ I am indebted to *CQ*'s referee for several points in what follows.

(1) The fragment says that Poulytion's house is mortgaged (*κειμένην ὑπόβολου*). This is not what one would expect to be the consequence of Poulytion's involvement in the Mysteries affair. If the house was his property, it would have been confiscated; if he was only a tenant,³⁸ it would presumably be relet or sold by the owner. The reference to a mortgage suggests rather that at the time Pherekrates' play was produced, Poulytion was thought of not as a condemned *ἀσεβής* but as an extravagant wastrel who had got deeply into debt³⁹ (like that other resident of a grand town house, Kallias).⁴⁰

(2) Poulytion's house seems to have been well known, for its size and splendour, quite independently of its association with the Mysteries scandal (cf. [Pl.] *Eryx*. 394b–c, 400b).

(3) Despite MacDowell on Andok. 1.12, the title of Pherekrates' play (*Ἰπνὸς ἢ Παννυχίς*) provides no indication, one way or the other, whether it contained references to the religious scandals of 415. In comedy a *παννυχίς* was regularly thought of as primarily a women's celebration,⁴¹ and it is likely that Pherekrates' play had a chorus of women;⁴² the mock celebrations of the Mysteries in 415, on the other hand, were performed by men.

Thus, on the evidence available, it does appear to be a fact that no one condemned for impiety in connexion with the events of 415 is mentioned by name in comedy between the time of those events themselves and the installation of the Four Hundred four years later. And if this was somehow the result of action by Syrakosios, it would explain very well the terms in which Phrynichos complained about him.

Even if it is accepted, however, that it was the *ἀσεβείς* whom Syrakosios prevented Phrynichos from satirising, it does not necessarily follow that he must have done this by means of an Assembly decree imposing restrictions on comedy. By early 414, after all, the condemned *ἀσεβείς* were all either dead or in seemingly permanent exile, and this fact in itself, regardless of any legal constraints there may have been, will have sharply diminished their attractiveness as objects of comic satire. The possibility must therefore be considered that Syrakosios prevented Phrynichos (and others) from satirizing these men, not by imposing restrictions on comedy but precisely by bringing about the death or exile of the persons concerned (or, more probably, of some of them). Perhaps some of the *εἰσαγγελίαι* against them were in his name, or perhaps he had spoken with particular vehemence in support of their condemnation *in absentia* to death.⁴³ Such a connexion would be quite sufficient pretext for Phrynichos to damn

³⁸ As may well have been the case, if he was a metic rather than a citizen and had not been granted the privilege of *ἐγκτησις*. On the possibility that Poulytion was a metic, see J. Hatzfeld, *Alcibiade* (Paris, 1951), 112 n. 5.

³⁹ Cf. A. Körte, *RE* xix (1938), col. 1987, who concludes that the play is most likely to have been produced early in 415.

⁴⁰ Ar. *Birds* 284–6 with scholia, *Ekk1*. 810; Kratinos, fr. 333 Kock = 81 Kassel–Austin (which shows that Kallias was already in deep waters financially at about the age of twenty); Andok. 1.131; Lys. 19.48; Arist. *Rhet.* 1405a19–20; for other evidence and discussion see J. K. Davies, *Athenian Propertied Families 600–300 B.C.* (Oxford, 1971), 259–62. Megakles (*PA* 9697) was another owner of a grand house (Ar. *Clouds* 815) who fell badly into debt at one time, if, as is likely, he is the 'son of Koisyra' mentioned in Ar. *Ach.* 614–17.

⁴¹ Cf. e.g. Ar. *Frogs* 447; Men. *Dysk.* 855–7, *Epitr.* 452, *Samia* 46. The only surviving fragment of Euboulos' *Παννυχίς* (Eub. fr. 84) is about hetairai, and Alexis' *Παννυχίς* had the alternative title *Ἐπιθοῖ* 'Spinning-women'.

⁴² Pherekr. fr. 64, which is in eupolideans and therefore probably from the parabasis, seems to be a complaint against *men* who sell perfume; the speakers argue that women do not practise men's trades and men ought not to practise women's.

⁴³ For the vehement oratory for which Syrakosios was noted, cf. Eupolis, fr. 207 (cited in *Σ Birds* 1297 above).

Syrakosios for depriving him of the opportunity (rather than the right) to satirize the victims of his choice.

Can we choose between the alternative interpretations of Phrynichos' complaint? Perhaps we can. One of the ἀσέβεις, Alkibiades, remained a person of political importance whether in exile or not, and in addition the notorious vices of his private life rendered him a prime target for comic abuse throughout most of his career. Yet there is no reference to him by name in over 4500 surviving lines of comedy from the period of his first exile (415–411),⁴⁴ even though these contain one certain, and several probable, less direct allusions to him;⁴⁵ there is a notable contrast with his later exile (407/6–404), when *Frogs* devotes a substantial, largely serious, passage (1422–34) to the question whether he should be recalled, and mentions him by name at the outset. Unless the absence of Alkibiades' name from the comedies of 415–411 is a mere coincidence, it does strongly suggest the existence of some actual prohibition against its being mentioned – something, in fact, like the decree of Syrakosios as envisaged by Droysen.

Thus Droysen's hypothesis – that Syrakosios moved and carried a decree prohibiting reference by name in comedy to persons condemned for the impieties of mutilating the Hermai or of celebrating mock Mysteries, probably with the object of preventing the comic dramatists from keeping the name and memory of Alkibiades fresh in the public mind⁴⁶ – seems to have considerable explanatory power. It accounts for what Phrynichos says about Syrakosios; it accounts for the absence of mention by name of any of the ἀσέβεις of 415 in *Birds*;⁴⁷ it accounts for the fact that when Phrynichos (in fr. 58) does refer to the twin scandals, the two individuals he chooses to mention are men who were *not* condemned for impiety in connexion with them; and for those who believe that there are indirect allusions to Alkibiades in *Lys.* and *Thesm.*,⁴⁸ Droysen's hypothesis explains why these allusions remain indirect, without explicit mention of their target. In view of all this, the decree of Syrakosios

⁴⁴ The plays known to belong to this period are Ar. *Birds*, *Lys.*, *Thesm.* (together 4317 lines); Eupolis, *Demes* (nearly 200 surviving lines); Ar. *Amphiaraios*; Ameipsias/Phrynichos, *Komastai*; Phrynichos, *Monotropos* (together about 45 surviving lines).

⁴⁵ Certain allusion: *Birds* 145–7. Probable allusions: *Birds* 766 (of all Athenian ἄνθρωποι Alkibiades, now at Sparta, was the most likely to be thought of as attempting to seize Athens by surprise with the help of treachery within the gates); *Lys.* 390–7, 512–14; *Thesm.* 338–9, 1143–4. On the latter four passages cf. *JHS* 97 (1977), 120–4: the interpretation there proposed for the *Lys.* passages is rejected by H. D. Westlake, *Phoenix* 34 (1980), 49 n. 36, but not on adequate grounds. It would have been impossible to recall to memory the decision to despatch the Sicilian expedition (*Lys.* 390–7) without recalling the part Alkibiades played in that decision; and when Westlake suggests that 'the mention of a decision by the assembly to make an addition to a peace treaty (507–515) could well refer... to an occasion other than one recorded by Thucydides when Alcibiades was involved (5.56.3)', one must ask how common it was for the Athenian assembly *unilaterally* to alter the text of a treaty, and whether 'the peace-treaty' (τῶν σπονδῶν *Lys.* 513), in the context of a play whose whole subject is the ending of the war between Athens and the Peloponnesians, and without any indication in the more immediate context that any other conflict or enemy is being thought of, could be taken as referring to any treaty other than the Peace of Nikias. I would not, however, wish now to lay as much stress as in 1977 on the less extended allusions to events of the year 415 in *Lys.* 589f. and 1093f.

⁴⁶ If MacDowell (in Appendix N of his edition of *On the Mysteries*) is right to suggest that two comic dramatists, Archippos and Aristomenes, were among those denounced for attending a mock celebration of the Mysteries in which Alkibiades took a leading part (Andok. 1.12–13), this could help to explain why Syrakosios and others might be afraid that other comic dramatists might seek to propagandize in Alkibiades' favour.

⁴⁷ Whereas another exiled ἀσέβης, Diagoras of Melos, who had *not* been involved in the scandals of 415, is mentioned by name (*Birds* 1073–4).

⁴⁸ See n. 45 above.

should be accepted as historical. It was comparable to, though less sweeping than, the decree restricting the satire of individuals which had been in force from 440/39 to 437/6;⁴⁹ and Syrakosios' decree too seems to have remained in effect for several years. Was it perhaps repealed by the Five Thousand in autumn 411, together with the repeal of Alkibiades' condemnation?⁵⁰

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⁴⁹ *Σ Ar. Ach.* 67; in the view of Halliwell (cf. n. 7) this is 'the one decree of this kind which... may reasonably be regarded as genuine'. One may well imagine this decree being cited as a justifying precedent by the proponents of the decree of 415.

⁵⁰ Thuc. 8.97.3; on the relationship between this decree and that referred to by Plut. *Alk.* 33.1 (citing Kritias fr. 5 West) see A. Andrewes, *JHS* 73 (1953), 3 n. 7.