

# Dionysius of Halicarnassus, *On Dinarchus*

*Gladys Shoemaker*

THE TREATISE *Περὶ Δεινάρχου*, *On Dinarchus*, is the work of Dionysius of Halicarnassus, the first-century B.C. rhetorician and historian who settled in Rome in 30 B.C. where he taught and wrote until his death some time after 7 B.C. This treatise is the major source of our knowledge about the fourth-century B.C. orator Dinarchus. Dinarchus, a Corinthian, lived as a metic in Athens most of his life, earned his livelihood as professional speech-writer for others, and is best remembered in history as the writer of several speeches for the prosecutors of the orator Demosthenes and other prominent Athenians charged with bribery in the Harpalus affair in 324/3 B.C. He was regarded highly enough in antiquity to be listed as one of the ten "Attic" orators of the so-called Alexandrian canon.<sup>1</sup>

The extant works of Dionysius consist of approximately half his history of Rome and the bulk, partially or completely preserved, of his rhetorical writings, one of which is this study of the life and speeches of Dinarchus. When these rhetorical studies were composed is questionable.<sup>2</sup> Specific information about the dates of conception and completion is lacking. The problem is further complicated by the fact that Dionysius on occasion interrupted one work to write another. The only statement that can be made with confidence is that all of them were begun after 30 B.C. and almost certainly published before 7 B.C.

Internal evidence, however, permits the arrangement of some of these compositions in relationship to each other. In this respect, two facts are known about the position of *On Dinarchus*. It was written

<sup>1</sup> Cf. G. Shoemaker, *Dinarchus: Traditions of his Life and Speeches with a Commentary on the Fragments of the Speeches* (unpubl. diss. Columbia University, 1968).

<sup>2</sup> Cf. H. Usener and L. Radermacher, edd. *Dionysii Halicarnasei quae exstant V = Opuscula I* (BT Leipzig 1896, repr. Stuttgart 1965) praef. xxxii f, and S. F. Bonner, *The Literary Treatises of Dionysius of Halicarnassus* (Cambridge 1939, repr. Amsterdam 1969), on whose works the comments about the problems of dating are based. Bonner's work contains a comprehensive bibliography.

after *On the Ancient Orators* and after a lost work *On Demosthenes*. Both are spoken of as completed in *On Dinarchus*, the former in the opening sentence, the latter in the body of the text (see §11, *Or.* 33 and §13, *Or.* 83 of the translation). *On Demosthenes* seems to have been part of a series which dealt with the authenticity of the speeches attributed to the major Attic orators.<sup>3</sup> It is not unreasonable to suppose that *On Dinarchus* also belonged to this series, inasmuch as its primary aim is the separation of Dinarchus' genuine public and private speeches from the spurious.

One additional relative dating may be tentatively proposed. In the first chapter of *On Thucydides*, Dionysius states he is setting aside a study of Demosthenes, in progress, to write *On Thucydides*. If this work on Demosthenes is identical with the lost one mentioned in *On Dinarchus*, then *On Dinarchus* would have followed *On Thucydides* also. If this is the case, it is possible that *On Dinarchus* is the last of the extant rhetorical works, since *On Thucydides* is generally considered one of the latest.<sup>4</sup>

The text of *On Dinarchus* is preserved in a single manuscript (F: *Codex Florentinus Laurentianus* LIX 15) of the XII century, which has many corruptions and is incomplete.<sup>5</sup> The text breaks abruptly in the middle of a sentence in Dionysius' fourth category of Dinarchus' speeches, the spurious private ones. How much has been lost can not be determined. Other sources cite a number of speeches attributed to Dinarchus which are not found in Dionysius' index. Of these, some or all of the private speeches may have been listed within this fourth category. The structure of the work suggests that not much, if anything, would have followed the conclusion of this last grouping.

Previous translations of *On Dinarchus* consist of the Latin versions by F. Sylburg, *Dionysii Halicarnassei Scripta* II (Frankfurt 1586); J. Hudson, *Dionysii Halicarnassensis Opera* II (London 1704); J. J. Reiske, *Dionysii Halicarnassensis Opera* V (Leipzig 1775); and a French version by E. Gros, *Examen critique des plus célèbres écrivains de la Grèce* I (Paris 1826). The following is, to my knowledge, the first English translation.<sup>6</sup> Daggers are used to indicate textual corruptions and conjectural readings.

<sup>3</sup> Cf. Usener and Radermacher, *op.cit.* (*supra* n.2) 280ff.

<sup>4</sup> This is the opinion of Bonner, *op.cit.* (*supra* n.2) 37f.

<sup>5</sup> Cf. Usener and Radermacher, *op.cit.* (*supra* n.2) V.viii ff and VI (*Opuscula* II) ii.

<sup>6</sup> The translation is based upon the text of the Teubner edition, ed. Radermacher, *op.cit.* (*supra* n.2) 297ff.

## TRANSLATION

## On Dinarchus

1 **I**N MY WRITINGS on the ancient orators, I said nothing about the orator Dinarchus, since the man was neither the inventor of a unique style, as Lysias, Isocrates and Isaeus were, nor a perfecter of styles invented by others, as Demosthenes, Aeschines and Hyperides were. But since I see that this man has been acclaimed by many for the skill of his speeches and has left not a few public and private speeches of merit, I believed it incumbent upon me not to ignore him but to examine his life and style; and I think it absolutely, or at least very necessary, for those who are not dilettantes in the study of rhetoric, to distinguish between the genuine and spurious speeches. At the same time, I see, too, that neither Callimachus nor the Pergamene scholars wrote anything precise about him, but, in their failure to inquire about him, committed errors in the more precise details, with the result that they not only have falsified much but also assign speeches to him which are not his at all, while those written by him they say are the works of others. And Demetrius of Magnesia, who was reputed a polymath, in mentioning this man, too, in his treatise *On Homonyms*, and giving an evaluation with the intention of saying something precise about him, was cheated of his expectation. There is no reason not to quote his words. The following was written by him: "We have come across four men named Dinarchus: one is one of the Attic orators; one collected the legends about Crete; one, earlier than both these men, Delian in birth, wrote both poetry and history; the fourth composed a work on Homer. I want to examine each in turn, and first the orator. Now this man, at least in my opinion, is not inferior to Hyperides in charm and, so to speak, 'even now might have driven past him' [Hom. *Il.* 23.382]. For his use of enthymeme is plausible, and he employs a variety of figures of speech; he has such power of persuasion as to convince his audience that the situation was as he himself describes it. And one might consider naïve those who assume that the speech against Demosthenes is his; for it is very different in style. Yet so much obscurity has covered the truth that the result has been an ignorance of his other speeches, roughly 160 of them, while the one not written by him is alone considered his. The diction of Dinarchus is properly in character, arousing emotion,

inferior to the Demosthenic style almost solely in acerbity and forcefulness, but not at all deficient in persuasiveness and propriety.”

2 From these words nothing either precise or true can be discovered: for he has shown neither the man’s origins, nor when he lived, nor where he spent his life, but has busied himself only with common and fashionable words; and he has stated a number for the speeches consonant with no †other account†. But the opposite [*i.e.* method] was necessary. What, therefore, I myself have found out through my own effort is as follows: Dinarclus, the orator, was the son of Sostratus and Corinthian in family. Arriving in Athens at the time when the schools of the philosophers and the rhetoricians were flourishing, he associated with Theophrastus and Demetrius of Phalerum. Since he had a gift for civil oratory, he began to write speeches while the party of Demosthenes was still at its peak, and gradually came into repute. He was at his peak right after the death of Alexander, when Demosthenes and the other orators had met with permanent exile or death, and no one worth mentioning was left along with him.<sup>7</sup> And he spent fifteen years writing speeches for those who wanted them, while Cassander held the city. But during the archonship of Anaxicrates [307/6 B.C.], when the supporters of the kings Antigonos and Demetrius [*i.e.* Poliorcetes] put down the garrison in Munychia which had been established by Cassander, he incurred the charge, even though an alien, together with the most distinguished citizens, of subverting the government. Since he saw that the Athenians were aroused and especially that they were jealously suspicious of his wealth, in order not to suffer some harm because of this he did not await trial but left the city and went to Chalcis in Euboea. There he lived from the archonship of Anaxicrates until that of Philippus, a period of fifteen years, waiting for some avenue of return through Theophrastus and his other friends.

3 When the king [*i.e.* Demetrius Poliorcetes] had consented to his return also along with the other exiles, he came back to Athens, and during his stay with Proxenus, a friend of his, he lost his money, an old man now with failing eyesight. Since Proxenus was lax in the search, he brought suit against him about his property, never before having personally appeared in court. This is the life of the man. Each of these facts is seen from the history of Philochorus and from what he himself wrote about himself in the speech against Proxenus,

<sup>7</sup> The genitive singular of the manuscript reading *μετὰ τοῦ ἀνδρός* has been retained. Radermacher emends it to the accusative plural.

which was delivered after his exile and has this indictment attached to it: "I, Dinarchus, son of Sostratus, Corinthian, bring suit against Proxenus, with whom I live, for damages to the sum of two talents. Proxenus did damage to me, by receiving into his house in the country, when after my exile from Athens I returned from Chalcis, 285 gold staters which I brought back from Chalcis, as Proxenus knew, and which I had when I entered his house, and silver articles valued at not less than 20 minas, and by having designs on this property." Not only that but in the speech itself, right at the beginning, he has indicated his lack of involvement in any previous lawsuit; and in the section immediately after this, in the prooemium, he has indicated the damage done him by Proxenus, while in the following part he gives the details of his exile and all the other incidents. From these remarks, what was said before is evident. And in addition to this, that he remained an alien and was already an old man when he delivered his speech is evident from what he has said at the end of the speech.

This information Dinarchus himself gives about himself. Philochorus [*FGrHist* 328 F 66], moreover, in his *Attic History* speaks about the exile and return of those who had subverted the government in this way: "For right at the beginning of Anaxicrates' archonship, the city of the Megarians was captured; then Demetrius [*i.e.* Poliorcetes] upon returning from Megara began military preparations against Munychia and, having razed the walls, restored it to the government. But later, many of the citizens were impeached, Demetrius of Phalerum also among them. And of the impeached, those who did not await the verdict of a trial they condemned to death by decree, but those who submitted they acquitted." This is in the eighth book. And in the ninth [*FGrHist* 328 F 67] he says: "At the end of this year and the beginning of the next, the following portent occurred on the Acropolis. A dog went into the temple of Athena Polias, entered the Pandrosium, mounted the altar of Zeus Hercius, which was beneath the olive tree, and lay down. It is an ancestral custom of the Athenians that no dog go up to the Acropolis. About the same time, in the heavens, in broad daylight with the sun shining and the sky clear, a bright star was visible for some time. And we, when questioned about the meaning of the portent and supernatural sign, said that both prophesied the return of the exiles and that this would occur not from revolution but under the existing government; and it came to pass that the interpretation was fulfilled."

- 4 With what has been said, one problem still remains, and a most necessary one, to determine his age in order that we may be able to say something clear about his genuine speeches and the spurious ones. Accordingly we hold that he returned from exile in his seventieth year, as he also says, calling himself an old man; from this time on we are especially inclined to call those in this period of life old. Assuming the correctness of this rough calculation (for we have nothing precise), he would have been born during the archonship of Nicophemus [361/0 B.C.]. And if anyone says that he is older or younger than the stated times, besides speaking unsoundly he will deny him many speeches, or rather all except five or six, by saying that he is too old for some but too young for others. Moreover we would not be mistaken in saying that he began to write speeches in his twenty-fifth or twenty-sixth year, especially since the party of Demosthenes was at its peak at that time. Pythodemus is the twenty-sixth archon after Nicophemus. Thus, as many speeches as we find assigned to him before the year of this archon we might reasonably reject from the genuine speeches; and, again, the speeches composed from the time of Anaxicrates to that of Philippus we might similarly place among the spurious; for no one would sail to Chalcis for the sake of speeches, whether private or public; for they were not so completely destitute of speech-writers.
- 5 Since the time of the man's life has been determined as precisely as possible, in accordance with which we shall distinguish the genuine and spurious speeches, it is now time to discuss his style. This is difficult to define. For he had no characteristic common to all the speeches or unique in either the private or public speeches, but on one occasion he closely resembled Lysias, on others Hyperides and Demosthenes. There are many examples to support this. Of the Lysianic style examples can be found in the speech concerning Mnesicles, in the speech against Lysicrates in behalf of Nicomachus and in many others; of the Hyperidean style, which is more precise in arrangement and somehow better in artistic treatment than that of Lysias, examples can be found in more than thirty speeches of Dinarchus, and not least of all in the obstructive plea in behalf of Agathon. And indeed of the Demosthenic style which he imitated most of all, one could name many more examples but in particular in the speech against Polyeuctus. For he begins as Demosthenes does and throughout the whole speech has stayed close to the Demosthenic style.

- 6 Then how would one be able to identify his genuine speeches? First, if he knew the styles of the others; then, if he assigned to this orator the speeches which resemble those of Lysias; and if he counted as the work of Dinarchus those speeches which some believe belong to Hyperides and declared his complete indifference to the labels of the papyrus rolls; and if he confidently affirmed as the work of this man those speeches which approximate the Demosthenic style. For with respect to the other orators whom he imitates, the uniformity of their speeches provides the surest means of identification. Lysias, for example, in both his public and private speeches shows his consistency . . . and, as regards his style of expression, in the clarity of his vocabulary and in its composition, which seems to be natural and artless but at the same time is in every speech remarkable in its gracefulness. Hyperides, on the other hand, although inferior to Lysias in his choice of vocabulary, is superior in his treatment of subject-matter. He describes in a variety of ways, proceeding now in natural sequence, now from end to beginning; and he convinces by amplifying not only with enthymeme but also with epicheireme. But Demosthenes, who surpasses these and all the others, who imitates everything and selects the most beautiful of everything, is uniquely outstanding in language, and outstanding in the propriety of every single speech and in composition as well and in the intricacy of his patterns and in arrangement and in emotion and, most of all, in intensity. In contrast, Dinarchus is neither consistent throughout his speeches nor the inventor of anything unique by which one will identify him with precision, except in this way; for he reveals to a great extent his imitations and difference from the models of his speeches, even as is the case of Isocrates' disciples and of Isocrates himself.
- 7 Now suppose there are some speeches titled as the work of Dinarchus which closely resemble the Lysianic. Whoever wishes to determine their identity, first let him observe the uniqueness of the latter; then if he notices excellence and charm crowning the speeches, a choice vocabulary and nothing lifeless in what is said, let him boldly count them as the speeches of Lysias. But if he does not find a similar charm or persuasiveness and precision of vocabulary or impression of sincerity, let him keep them among the speeches of Dinarchus. Similarly with the speeches of Hyperides; if there is vigor of diction, simplicity of composition, appropriateness of topics and the absence of bombastic and turgid treatment (for these are the chief characteristics

of that man), let him count them as the work of Hyperides. But if they are rather deficient in these particular respects, even if in all others they are not written badly, again let him enter them among the speeches of Dinarchus. And let us apply the same method also for Demosthenes. If grandeur of diction and diversity of composition and liveliness of emotions and acerbity showing itself in every word and intelligence and vitality and intensity are constant attributes, let nothing stop him any longer from entering these among the speeches of Demosthenes. But if perfection in each of these characteristics or consistency throughout the whole style is lacking, let them stay among Dinarchus' speeches. In general, two different kinds of imitation of the ancient styles might be found: one is natural and acquired by considerable study and familiarity, but the alternate to this, by the rules of the art. Now concerning the former, what else is there to say? But concerning the latter, what could one say except that in all the models a certain natural charm and grace are conspicuous, whereas in the copies, even if they are almost perfect imitations, still a certain artificial and unnatural tone is evident. And by this rule not only do orators judge orators, but painters the works of Apelles and his imitators, sculptors in stone the works of Polyclitus and sculptors in soft materials the works of Phidias.

- 8 Those, too, who say they imitate Plato, in their inability to catch the essence of what is archaic, soaring, charming and beautiful introduce instead a bloated vocabulary suited to the dithyramb and are readily detected by this. On the other hand, those who say they emulate Thucydides, in their faulty grasp of the forcefulness, the hardness, the intensity and other similar characteristics, come up with solecistic expressions and vagueness and may be caught quite easily by this rule. In the same way, too, with the orators, those imitating Hyperides, in their failure to achieve that charm and the rest of his talent, tended to become dry, as were the Rhodian orators of the school of Artamenes, Aristocles, Philagrius and Molon. But those who wanted to model themselves after Isocrates and the Isocratean style became flat, frigid, loose and insincere; these are the orators of the school of Timaeus, Psaon and Sosigenes. And those who took up Demosthenes and strove for his excellences, although praised for their preference, were unable to grasp the greatest of that orator's accomplishments. Dinarchus might be considered the best of these. But his choice of vocabulary is inferior to the Demosthenic in intensity;



his composition, in the variety of the figures of speech and in diversity; his invention of epicheiremes, in his use not of the fresh and unexpected but of obvious arguments of the middle kind; his arrangement, in the disposition and in the treatment of the epicheiremes and in the preliminary statements of argument and in the exordia and in the other artistic rules concerned with this literary form; but he is especially inferior to Demosthenes in sense of proportion, in timing and in propriety. I do not say these things in an absolute way, as if he never achieved them, but in a looser way, as generally true. And for this very reason some speak of him as a rustic Demosthenes, their opinion based upon his inferiority in arrangement: for the rustic differs from the urban man not in the shape of his body but in his dress and somehow in his bearing.

- 9 This, then, is what was possible to discover and write about the man's style; now I shall turn to the authentication of the speeches. For the genuine speeches, only the listing of the index will be given; but for the spurious, the proofs and reasons for our rejection of each of them will be discussed in detail. And since knowledge of the dates is necessary for these matters, we shall first list the archons at Athens from the time we conjecture Dinarchus was born until his return from exile. Their number is seventy and they are as follows: Nicophemus, Callimedes, Eucharistus, Cephisodotus, Agathocles, Elpines, Callistratus, Diotimus, Thudemus, Aristodemus, Theelus, Apollodorus, Callimachus, Theophilus, Themistocles, Archias, Eubulus, Lyciscus, Pythodotus, Sosigenes, Nicomachus, Theophrastus, Lysimachides, Chaeronidas, Phrynichus, Pythodemus; we conjecture that he first wrote forensic speeches in the time of this man. And after him followed Evaenetus, Ctesicles, Nicocrates, Nicetes, Aristophanes, Aristophon, Cephisophon, Euthycritus, Hegemon, Chremes, Anticles, Hegesias, Cephisodorus, Philocles; the Athenians submitted to the establishment of the garrison and the democracy was subverted in the time of this man. Next were Archippus, Neaechmus, Apollodorus, Archippus, Demogenes, Democlidus, Praxibulus, Nicodorus, Theophrastus, Polemon, Simonides, Hieromnemon, Demetrius [*i.e.* of Phalerum], Caerimus, Anaxicrates; the oligarchy established by Cassander was overthrown in the time of this man, and those who had been impeached went into exile, among them Dinarchus. Next were Coroebus, Euxenippus, Pherecles, Leostratus, Nicocles, Clearchus, Hegemachus, Euctemon, Mnesidemus, Antiphates, Nicias,

Nicostratus, Olympiodorus, Philippus, . . .;<sup>8</sup> King Demetrius [*i.e.* Poliorcetes] consented to the return of the exiles, including Dinarchus, in the time of this man.

## 10

*Genuine public speeches*<sup>9</sup>

1. Against Polyeuctus, on his election by lot to the office of king archon, examination: “*May many benefits occur.*”
2. Against Polyeuctus, who had been expelled from the council, a criminal information: “*For a long time I have marvelled at you.*”
3. Against Polyeuctus, concerning the mine: “*Concerning the denunciation itself.*”
4. Concerning the mine, conclusion: “*Briefly, gentlemen.*”
5. Against Pytheas, on a charge of illegal citizenship: “*The motive was sufficient.*”
6. Against Pytheas, concerning the matter in the trade-exchange: “*Since for some orators to speak.*”
7. Against Timocrates: “*Just as it is right.*”
8. Against Lycurgus, audit: “*I know that even if nothing to you.*”
9. Supporting speech for Aeschines against Dinias: “*I would wish, gentlemen.*”
10. Against Phormisius, on a charge of impiety: “*Surely if some people.*”
11. Against Callaeschus, concerning the honors: “*Frequently, Athenians.*”
12. The Tyrrhenian speech: “*That everything will still turn out.*”
13. Against Dionysius, the treasurer: “*Probably, Athenians.*”
14. Against Himeraeus, a speech for impeachment: “*I do not believe that anyone, Athenians.*”

<sup>8</sup> According to W. B. Dinsmoor, *The Archons of Athens in the Hellenistic Age* (Cambridge [Mass.] 1931) 35ff, with the certain restoration of the name Hegesias, the first three groups of names listed by Dionysius concur with those found in other sources. It is in the fourth group (306/5–292/1 B.C.) that one name is missing and still uncertain. The recovery of this name would complete the list of 70 names which Dionysius states he will provide. Dinsmoor, *The Athenian Archon List in the Light of Recent Discoveries* (New York 1939) 20f, lists Olympiodorus as having served in the office of archon for two successive years, in 294/3 and 293/2 B.C. For objections to his conjecture and his refutation, cf. pp.30ff of the same work. If Dinsmoor’s evidence is accepted, Philippus in 292/1 B.C. becomes the 70th archon in Dionysius’ list. Perhaps the expression *δευτερον ετος*, on the analogy of Dinsmoor’s restoration of *δευτε[ρον] ετος* in the inscription, is what has fallen out of Dionysius’ text.

<sup>9</sup> I have numbered and separated the information of this and the remaining three chapters for the sake of clarity. Nothing has been added to, altered in or omitted from the text of Dionysius.

15. Impeachment, against Pistias: "*Just as each of you also.*"
16. Against Agasicles, impeachment on a charge of illegal citizenship: "*I think that no one ever.*"
17. Against Theocrines, a criminal information: "*Of the father, gentlemen.*" (Callimachus enters this among the speeches of Demosthenes.)
18. Against Stephanus, for illegal proposals: †"*Since the law has granted, gentlemen.*"†
19. Against Callisthenes, impeachment: "*I am not unaware, gentlemen.*"
20. A claim suit of the Phalereans against the Phoenicians, concerning the priesthood of Poseidon: "*I pray, by Athena, that it be fitting.*"
21. Against the inventory of Cephisophon: "*First of all, gentlemen, I ask.*"
22. The second speech: "*The facts concerning the purchase.*"
23. Defence of the deposition of objection against the . . . of Chares: ". . ."
24. Impeachment against the secretary Phidiades: "*Neither from any enmity.*"
25. Against Philocles, concerning the Harpalus affair: "*What must one say, by the.*"
26. Against Hagnonides, concerning the Harpalus affair: "*Clearly.*"
27. Against Aristonicus, concerning the Harpalus affair: "*It was a piece of good luck, gentlemen.*"
28. Against Demosthenes, concerning the Harpalus affair: "*This popular leader of yours.*"
29. Against Aristogiton, concerning the Harpalus affair: "*Everything, as it seems, gentlemen.*"

30. Against Theodorus, a speech in an audit: "*Hardly, gentlemen.*" The speech is earlier than Dinarchus' time. For it was delivered during the archonship of Theophilus or Themistocles in the third or fourth year after the archonship of Theelus, as is obvious from the speech itself, when he was not yet fifteen years old, as we have shown.
31. Against the Kerykes: "*If the father, gentlemen.*" This speech was delivered in the archonship of Eubulus or Lyciscus, who succeeded Eubulus, when Dinarchus was not yet twenty years old . . .

For the speech concerning a certain man who had been disfranchised occurred in the time of Archias, who succeeded Themistocles. And each of these statements is clear from the speech itself.

32. Against Moschion, on his enrollment of himself as the son of Nicodicus: †“*With the disfranchisement, gentlemen, of this Moschion by the Sybalettians [Sphendalians?].*” † This speech was delivered at the same time as the previous speech. The beginning itself and the subsequent sections of the speech make this clear.
33. Against Meneclis, on the occasion of his arrest: “*Gentlemen of the jury, even with the laws according to which.*” This speech also was delivered while Dinarchus was still a child. For the defendant is Meneclis, who obtained a conviction against the priestess Ninus, while the prosecutor is the son of Ninus. These events are earlier than Dinarchus’ prime. For the speech of Demosthenes, *On the Name*, in which he recalls these events, was composed during the archonship of Theelus or Apollodorus, as we have shown in our work on Demosthenes. And if Demosthenes recalls Meneclis there as already dead in saying [Dem. 39.13]: “For you all know of his intimacy with Meneclis while Meneclis lived,” the speech is an old one. And that this Meneclis is meant, the prosecutor has shown in the speech itself.
34. A claim suit for the Athmoneis, concerning the myrtle and the smilax: “*I pray, by Demeter and Koré.*” It is earlier than Dinarchus’ prime. For it was delivered during the archonship of Nicomachus, as is clear from the speech itself, when the orator was twenty-one years old.

These, then, are the spurious speeches current before his prime. The following were composed after his departure from Athens to Chalcis.

35. A claim suit for the priestess of Demeter against the hierophant: “*With many unexpected things, gentlemen of the jury.*” This speech was delivered while he was already in exile, as is obvious from the speech. For in it the speaker recalls the overthrown oligarchy.
36. Against Timocrates, a speech for impeachment on a charge of subverting the democracy: “*You commit acts.*” Even the title itself clearly indicates the speech as spurious.
37. Against Spudias: “*And in the assembly I promised I would accuse.*” This was delivered after the overthrow of the oligarchy, with

Dinarchus already in exile, as is quite obvious from the speech itself.

38. A claim suit of the Heudanemoui against the Kerykes, concerning the basket: "*Such matters in no way.*" And this was delivered at the same time, with the orator already in exile, as is again clear from the speech itself.
39. The Attic speech: "*Of all were they similarly.*" This also was delivered in those times, as is obvious from the speech itself.
40. The Aetolian speech: "*We ambassadors also, men of Athens.*" This speech was delivered, after the establishment of the oligarchy, by the exiles from Athens in their request for aid from the Aetolians, since Cassander was also attempting an attack upon them who were free men, as is clear from the speech itself. Therefore, it is not likely that Dinarchus, a friend of those who had established the oligarchy, assisted those attempting to overthrow it, nor is it probable that they obtained speeches from Athens.
41. A deliberative speech for Diphilus in his request for privileges: "*Because of the difficulty.*" I am convinced that this speech was written by Demosthenes, since Demosthenes drafted the proposed privileges for him, as Dinarchus has shown in his speech against Demosthenes, and since at the end of the speech Diphilus summons Demosthenes to deliver a supporting speech. I find it unlikely that Demosthenes, out of friendship for Diphilus, drafted the proposed honors but allowed Diphilus to obtain the speech from Dinarchus.
42. Defence for Hermias, supervisor of the trade-exchange, concerning the charges against him: "*I ask of you, gentlemen.*" The style itself reveals that it is not the speech of Dinarchus (for it is insipid, weak and frigid), but it might with more probability be assigned to Democles or Menesaechmus or some other such orator.
- 43, 44. I also deny him both speeches in behalf of Menesaechmus, of which one is *Concerning the Delian sacrifice* which begins "*We beseech you and,*" and the other is *Against Pericles and Democrates* which begins "*We believe, gentlemen,*" on account of the style (for it is insipid, diffuse and frigid). A second reason is that the speaker of these speeches, since he was well known and succeeded Lycurgus as treasurer of public finances and himself appeared frequently both in private and in public suits, all of which he discloses in the

speeches, would not have been so incompetent as to have used Dinarchus as his speech-writer.

45. On the refusal to surrender Harpalus to Alexander: "*It is not fitting to admire.*" This speech does not reveal the style of Dinarchus. For even if nothing else, much nonsense and sophistry occur in it, characteristics especially alien to Dinarchus' style.
46. The Delian speech: "*Of Apollo and Rhoeo, the daughter of Staphylus.*" This is not the work of the orator but of some other writer. The tenor and style clearly show that it is old and covers the local history of Delos and Leros.
47. Against Demosthenes, for illegal proposals: "*You are accustomed, gentlemen.*" In the Pergamene indices this is entered as the work of Callicrates. For my part I do not know if it is the work of that man (for I have not come across a single speech by Callicrates), but I am convinced that it is completely different from the speeches of Dinarchus, since it is worthless, empty, and marked by an amateurish babbling.

## 12

*Genuine private speeches*

48. Against Proxenus, in an action for damages, which he himself delivered in his own behalf; "*If one of the gods, gentlemen.*"
49. Against Cephisocles and his household, in an action for damages: "*In making these charges, gentlemen.*"
50. Against Phanocles, in an action for damages: "*I thought, gentlemen.*"
51. Against Lysicrates in behalf of Nicomachus, in an action for damages: "*Gentlemen of the jury, that a private citizen.*"
52. Supporting speech for Parmenon concerning a slave, in an action for damages: "*And having been present.*"
53. The second speech:<sup>10</sup> "*Gentlemen of the jury, I myself knew that Parmenon was wronged.*"
54. Against Posidippus, in an action for theft: "*Having been wronged, gentlemen.*"
55. Against Hedyle, in an action for deserting her patron: †"*With the father having left.*" †
56. Against Archestratus, in an action for deserting his patron: "*May many benefits occur.*"

<sup>10</sup> This division into a second speech diverges from the usual interpretations, which regard Or. 52 and Or. 53 as one speech. Cf. Shoemaker, *op.cit.* (*supra* n.1) 73ff, 108, 109.

57. Supporting speech for Hegelochus, concerning an heiress: *“Just as each of us also.”*
58. A speech pertaining to an heiress, concerning the daughter of Iophon: *“Gentlemen of the jury, although not poor.”*
59. The second speech: *“For it was impossible, gentlemen.”*
60. A deposition of objection, that the daughters of Aristophon are not subject to legal adjudication: *“Since the law has granted, gentlemen.”*
61. Against Pedieus, in an action for mistreating an orphan: *“Let no one of you marvel, gentlemen.”*
62. A deposition of objection against Chares, concerning the estate of Euhippus: *“Frequently, indeed, I have heard.”*
63. Concerning the estate of Mnesicles: *“A just request, gentlemen.”*
64. Against Proxenus, in an action for violence: *“He is a violent man, gentlemen.”*
65. Defence in an action for blows, but the title ought to read, Defence for Epichares against Philotades, in an action for violence: *“The marvellous thing, gentlemen.”*
66. Against Cleomedon, in an action for assault: *“That even his father Theodorus, gentlemen.”*
67. Against Dioscurides, concerning a ship: *“Rightly, I would think, gentlemen.”*
68. A speech concerning a contribution, against the children of Patrocles: *“Having been wronged in these things, gentlemen.”*
69. Against Aminocrates, a claim suit concerning the produce of the land: *“With regard to these matters, gentlemen, it is necessary.”*
70. Concerning the horse: *“With the suit, gentlemen.”*
71. The second speech: *“I would wish, gentlemen.”*
72. For Lysiclides against Daus, concerning slaves: *“Having been wronged in these things, gentlemen.”*
73. Special plea against Biotes: *“Gentlemen, that even I myself without experience.”*
74. Against Theodorus, in an action for perjury: *“We think, gentlemen.”*
75. For Agathon, a supporting speech: *“Just as Agathon himself also has said.”*
76. Defence for Aeschylus against Xenophon, in an action for deserting his patron: *“To have treated, gentlemen.”*
77. Against Callippus, a speech concerning a mine: *“That Callippus, gentlemen.”*

78. Concerning an adoption, but the title ought to read, In behalf of Theodorus, whom Archephon adopted as his son: "*I would wish, gentlemen, as is fair and right.*"
79. Concerning the estate of Archephon: "*And I, considering it right.*"

*Spurious private speeches*

80. Against Pedieus, a special plea: "*According to this law.*" This speech was delivered during the archonship of Aristodemus, as is clear from the speech itself. For the cleruchs who had gone to Samos went in the time of this archon, as Philochorus [FGrHist 328 F 154] states in his history. At that time Dinarchus was not yet ten years old.
81. Against Melesander, concerning the trierarchy: "*Just as the laws bid.*" Whose speech †this might be, I cannot say†, but the speaker implies that the wrong was committed during the archonship of Molon. And he states that he went to court in the following year during the archonship of Nicophemus, when, by our findings, Dinarchus was born.
82. Against Boeotus, concerning the name: "*Not from love of being a nuisance.*" Even if those who deny this speech to Demosthenes and assign it to Dinarchus were not refuted in other points, with regard to time, at least, they would be proven wrong. For he recalls the expedition which was made to Pylae as recent, and the expedition of the Athenians to Pylae was made during the archonship of Thudemus, when Dinarchus was eight years old.
83. Against Mantitheus, concerning a dowry: "*Most painful of all is.*" This follows the previous speech and has many such stylistic characteristics as would indicate the same orator, outside the time of Dinarchus' †speeches. For it was not† many years later, but only two or three, that the plaintiff contended the case, all of which we have shown more precisely in our work on Demosthenes.
84. For Athenades, a supporting speech against Amyntichus, concerning the raft: "*Being a good friend of mine.*"
85. The second speech: "*I think that you, gentlemen.*" The speech [i.e. Or. 84 and Or. 85] was delivered while the Athenian general Diopithes was still busy in the Hellespont, as is obvious from the speech itself. The time is in the archonship of Pythodotus, as



Philochorus [*FGrHist* 328 F 158] shows with the other . . . in the time of this archon not yet twenty years old.

86. Against Mecythus, concerning a mine: "*Having leased a mine, gentlemen.*" This speech was delivered during the archonship of Nicomachus. For the speaker declares that he had leased the mine during the archonship of Eubulus and, having worked it for three years before being driven out by the lessee of neighboring mines, brought suit against him in the archonship of Nicomachus, when Dinarchus was twenty-one years old.
87. Defence for Satyrus against Charidemus, in a guardianship suit: "*Let not, in the face of great danger.*" This, too, was delivered during the archonship of Nicomachus.
88. Concerning an exchange of property, against Megaclides: "*If it were necessary, gentlemen, with regard to three or four.*" The speaker is Aphareus, and the speech lies outside the time of Dinarchus. For it was delivered while the general Timotheus was still alive, about the time of his command with Menestheus, when he was convicted during his audit. And Timotheus underwent his audit in the time of Diotimus, who succeeded Callistratus, when also . . .<sup>11</sup>

BROOKLYN COLLEGE, CITY UNIVERSITY OF NEW YORK  
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<sup>11</sup> At this point the manuscript shows an abrupt break in the text.