

Theatre World



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Eleni Volonaki

Euripides' *Erechtheus* in Lysias' *Against Leokrates*

1 Poetry in Oratory

Poetry was the means of education for *rhetores* in matters of eloquence and syntax.¹ The significance of poetry in the training of the ancient *rhetoric* is clearly reflected in the rhetorical handbooks, where quotations of poetic maxims are illustrated together with stylistic devices.² Aristotle draws examples and citations from Homer and the tragic poets in his *Rhetoric*, assuming that logographers should have had a wide knowledge of poetry. Oratory relied on poetry and, therefore, the style of the first orators was highly poetical and influenced by the example of tragedy. Thus, Antiphon, the first logographer known to us from his written oratorical speeches, employs poetic style and Lysias went to the other extreme, whereas Isokrates established the independence of prose from poetry. Nevertheless, Isokrates emphasises the significance of examples and prototypes taken from poetry by an orator who speaks in front of a large audience (Isokr. 2.42–44, 48–49).³

Athenian judges showed prejudice toward a particularly educated speaker, but they surely admired and appreciated the poets and their work. Aristotle speaks of the Athenians' general knowledge of the mythological stories, which intensifies the enjoyment of the audience (*Rhet.* III. 1.9.1404a). In Aristophanes' *Wasps* (579–80) Philokleon, the addicted judge, delivers a pseudo-legal speech in defence of jury attendance and he lists the types of entertaining performances he can expect to witness in court; these are recitations from tragedy, aulos-recitals, and competitions in rhetorical entreaty by rival suitors for the hand of a rich heiress. These three kinds of performance obviously refer to tragedy, comedy and the rhetorical debate (*agon*). Aristophanes' parody, at this point, obviously reveals a comic tone and therefore is exaggerated,⁴ but must have related to reality since otherwise it would not seem amusing to his audience.⁵ Thus, it may be in-

1 Perlman 1964, 160–61.

2 E.g. *Rhet. Ad Alex.* 18: 1433b11–14, particularly where Euripides is quoted.

3 Poetry was the means of education of orators in matters of structure and eloquence, cf. Perlman, 1964, 160–61.

4 Carey 2000, 198–203.

5 Hall 2006, 353.

ferred that Athenian judges were expected to be pleased to hear quotations from tragedy. It is true that nowhere in the orators can we find any denial of the importance or the value of general education or culture.

Orators may have been well aware of the appeal and influence of poetry on their audience but, on the other hand, there was an inherent antagonism towards experts together with a growing tendency to develop a prosaic-oratorical style independent of poetry. This probably restricted the use of poetry and decreased the number of direct quotations from poetry made by Attic orators in the fourth century BC. It is true that all the extant quotations from poetry are limited to a small number of forensic speeches delivered in public trials; the three speeches of Aischines, *Against Timarchos* (346 BC), *On the False Embassy* (343 BC), and *Against Ktesiphon* (330 BC), the speeches of Demosthenes, *On the Crown* (330 BC) and *On the False Embassy* (343 BC), and the speech of Lykourgos, *Against Leokrates* (330 BC).

It is obvious that the poetic quotations in forensic oratory are all included in the speeches that involve the political rivalry between Aischines and Demosthenes, in particular the political trials that followed their Embassy to Philip II for the peace negotiations, and indirectly Lykourgos' political agenda supporting Demosthenes at the time. All these trials were held within a period of six years, between 346 and 330 BC. Political and cultural programmes that enhanced the revitalization of fifth century drama, re-established the classical tragedians and recorded publicly for the first time their victories may have played a significant role to the inclusion of quotations from poetry at this specific period.⁶ Moreover, it may have been the crucial and intensive time in the Athenian political arena, before and after the Athenian defeat at the battle in Chaironeia (338 BC), which actually encouraged the use of the specific rhetorical strategy in order to influence the Athenian audience. On the other hand, it may have simply been a rhetorical technique introduced by Aischines, an actor himself, to build up the pleasure of the audience⁷ and attract their approval of his own case in the trial; Aischines may have firstly encouraged Demosthenes, and subsequently Lykourgos to respond and make use of the specific rhetorical frame of poetic quotations in their own speeches either for prosecution or defense.

⁶ The first date, 347/6 BC is the time during Euboulos' tenure as overseer of the theoric fund, when the records of victors at the Great Dionysia were first inscribed, whereas 330 BC is connected with Lykourgos' first attempt to stabilize, protect and preserve the works of the three tragedians, Aischylos, Sophokles and Euripides; cf. Hanink 2014, 9 ff.

⁷ For Aristotle's view that the general knowledge of the mythological stories intensifies the enjoyment of the audience, cf. Arist. *Poet.* 26, 1461b 27 ff.

The greatest number of quotations from poetry is to be found in Aischines, *Against Timarchos* 1.119–154 and in Lykourgos, *Against Leokrates* 1.83–110, 131–133. Moreover, among the tragedians the quotations are mostly from Euripides.⁸

It may not be a coincidence that in both cases, that of Aischines against Timarchos and that of Lykourgos against Leokrates the legal proof is very weak or even non-existent. Both orators rely on moral rather than on strictly legal arguments, and the quotations from poetry may be seen as a substitute for proof from laws and for evidence by witnesses. In Lykourgos' case, quotations from poetry are an integral part of an elaborate section of proofs and examples that aim to prove Leokrates' guilt of treason.⁹ The present paper focuses on the tragic fragment from Euripides' *Erechtheus*, which is the first quotation from poetry included in the section of proofs, exploring its appeal and influence upon the judges. Furthermore, it will examine whether the quotation from Euripides' tragedy, among other quotations from poetry, constitutes proof or example or a specific rhetorical device employed for political purposes at the time.

According to Aristotle (*Rhet.* I.15.13), poetry is used as proof, evidence or example.¹⁰ It is plausible that Lykourgos includes all quotations from poetry, as well as other forms of documentary evidence, within a legalistic frame of proofs and examples to support his case of treason. In order to understand the appeal of Euripides' tragic abstract from *Erechtheus*, in particular, upon the audience, we need to examine briefly the case of prosecution against Leokrates. After the disaster of the

8 Aischines includes in his first speech five quotations from Homer, three from Euripides and one from Hesiod. Lykourgos includes in his quotations Euripides, Homer and Tyrtaios, epigrams on the Spartans who had fallen at Thermopylae and on the Athenian victors at Marathon and finally two quotations from un-known poets. In the other two speeches of Aischines they are all from Hesiod and epigrams. Demosthenes quotes Hesiod, Euripides, Sophokles, and an epigram. Among the tragedians, Euripides is quoted mostly, Sophokles only once, whereas Aischylos, not at all. A comparison with Aristotle's *Art of Rhetoric* shows the same preference in the quotations from the tragedians; Euripides again holds the primacy and is quoted seventeen times, while Sophokles is quoted only five times and Aischylos is not quoted at all; cf. Perlman 1964, 163–165

9 These examples can be divided into three groups: a) examples of patriotism and piety (1.75–97), b) quotations from poetry demonstrating the spirit of Athenian and Spartan patriotism (1.98–110) and c) examples of punishment enacted by the Athenians and the Spartans for crimes similar to that of Leokrates (111–122).

10 [13] περὶ δὲ μαρτύρων, μάρτυρές εἰσιν διττοί, οἱ μὲν παλαιοὶ οἱ δὲ πρόσφατοι, καὶ τούτων οἱ μὲν μετέχοντες τοῦ κινδύνου οἱ δ' ἔκτός. λέγω δὲ παλαιοὺς μὲν τοὺς τε ποιητὰς καὶ ὄσων ἄλλων γνωρίμων εἰσὶν κρίσεις φανεραί, οἷον Ἀθηναῖοι Ὀμήρω μάρτυρι ἐχρήσαντο περὶ Σαλαμῖνος, καὶ Τενέδιοι ἔναγχος Περιάνδρω τῷ Κορινθίῳ πρὸς Σιγείεις, καὶ Κλεοφῶν κατὰ Κριτίου τοῖς Σόλωνος ἐλεγείοις ἐχρήσατο, λέγων ὅτι πάλαι ἀσελγῆς ἦ οἰκία: οὐ γὰρ ἂν ποτε ἐποίησε Σόλων εἰπεῖν μοι Κριτία πυρρότριχι πατρὸς ἀκούειν.

city of Athens in the battle at Chaironeia, in 338 BC, the Athenians voted strict measures to protect their city from the threat by Philip II and the expansion of Macedonian power. Among these measures, they voted that citizens were forbidden to let their families (wives and children) flee away from the city, whereas they themselves were committed to serve as guardians. Leokrates, most probably (otherwise Lykourgos would have clearly stated so), left Athens before this particular decree was made and went first to Rhodes and then to Megara for trade, together with his family and all his belongings. Eight years later, he returns back to Athens, when Lykourgos denounced him with an *eisangelia* for treason (330 BC). The case is not legally founded but is mainly based upon Lykourgos' attempt to present Leokrates as a traitor and an enemy of the city of Athens, its gods and its constitution, and should therefore be condemned to death, as other traitors had been convicted in the past.

2 Lykourgos and Euripides' *Erechtheus*

Euripides' *Erechtheus* involves the mythical story of Erichthonios, who was born from the bowels of the earth after it received the seed spread by Hephaistos during his attempted seduction of Athena. The newborn was entrusted to the three daughters of Kekrops, the first autochthonous king of Attica, who was born half man and half snake from the soil of future Attica. As an adult, Erichthonios becomes the king of Athens with the name of Erechtheus, before being buried in the soil from which he was born, by a stroke of Poseidon's trident; he had defeated and killed the god's son, Eumolpos, the king of Thrace and ally to the Eleusinian rivals. However, this victory would have never materialized without the sacrifice of one of Erechtheus' daughter.¹¹

Euripides presents on the Athenian stage the wisdom of the autochthonous king and founder of the city of Athens. The homonymous tragedy becomes even more interesting, since it was performed between 423 and 422 BC, toward the end of the first phase of the Peloponnesian War, and probably in connection with the beginning of reconstruction of the temple of Athena Polias, known as Erechtheion. The historic narrative of the war, which makes Erechtheus an enemy of Eumolpos, the son of Poseidon is dramatized during the dramatic festival of the Great Dionysia, a fact that attributes a political dimension to Euripidean tragedy. The battle between Erechtheus and Eumolpos takes place on the dramatic stage, at the foot of Akropolis, before the citizens who claim their autochthony

¹¹ On the myth, cf. Calame 2011, 2–3.

back to the history of the city of Athens, and, who at the moment, fight to defend and protect their city during the Peloponnesian war.¹² This episode from Euripides' tragedy invites the audience to recall the early history of Athens and their legendary birth, as related to their mythical king, the renowned founder of their city. As Hanink (2014, 28) has stated, 'Lycurgus frames the lengthy passage of Euripides' *Erechtheus* in such a way that effectively rewrites literary history'. Lykourgos reflects, through the specific citation, Euripides' own dramatization of Erechtheus' myth and the values which his tragedy enhances, but also his own personality, his relation to the social and spiritual environment of his time, his political stance toward the city of Athens and its constitution.

Lykourgos echoes Euripides' dramatization of a glorious but damaging moment in the well-known history of Athens; during the period of the Archidamian War (431–421 BC), Euripides appears to treat in a dramatic form the themes of the *epitaphios logos*.¹³ It is striking, as will be shown later, that Lykourgos himself employs all themes of the *epitaphios logos*, also the form and style of epideictic oratory in his forensic speech in order dramatize the supposed treasonable action of Leokrates; even his long citation of Euripides' *Erechtheus* is included in a wide and extended section concerning the idea of patriotism.

From section 80 in the speech *Against Leokrates*, Lykourgos begins to appeal to the past for historical examples of patriotism and reverence for the gods. Firstly, he praises all the Greeks who fought at Plataia and their oath (1.80–81), underlining their bravery and commitment for liberty. In subsequence, the city of Athens is glorified as a 'shining example of noble deeds for the Greeks' (1.82–83). The example of the noble death of Kodros, the king of the Athenians, is contrasted with Leokrates' treacherous action to abandon his country (1.84–86). The condemnation to death of Kallistratos, an Athenian politician who played a leading role in the formation of the Second Athenian League in 378, is emphasised as an exemplary punishment of the Athenians for treacherous actions (1.93). Another rather fantastic story is narrated as suitable to younger men to hear; the filial piety of a man who stayed behind to save his father during the eruption of Mount Aitna (1.95–96). Lykourgos then calls for the audience's attention to listen to the story of Eumolpos, the son of Poseidon and Chione, who had come together with the Thracians to attack Athens. Erechtheus, the king of Athens at the time, consulted the Delphic oracle about how he might secure a victory against them. The

12 *Ibid.*, 3ff.

13 Sonnino 2010, 41; Loraux 1986, 65; Cropp 1995, 148; Hanink 2014, 31 with n.28.

oracle's response was that he must sacrifice his daughter, Erechtheus obeyed and so was able to expel the invaders (1.98–99).¹⁴

Lykourgos summarizes the plot of Euripides' *Erechtheus*, which has reached us in fragmentary condition, either through citations or through the intermediary of a papyrus, itself incomplete.¹⁵ He then cites a long monologue by Praxithea, who accepts the sacrifice of her daughter in the name of the civic principles which are praised throughout the speech in order to prove that Leokrates' behaviour was completely opposite to them. According to the orator, Praxithea's virtues as presented in her monologue made her worthy of the city of Athens (Lykourgos *Against Leokrates* 1.100):

ἄξιον δ', ὧ ἀνδρες δικασταί, καὶ τῶν ἰαμβείων ἀκοῦσαι, ἃ πεποίηκε λέγουσαν τὴν μητέρα τῆς παιδός. ὄψεσθε γὰρ ἐν αὐτοῖς μεγαλοψυχίαν καὶ γενναιότητα ἀξίαν καὶ τῆς πόλεως καὶ τοῦ γενέσθαι Κηφισοῦ θυγατέρα.

'The iambic verses he wrote for the girl's mother are worth hearing, gentlemen of the court, for in them you will see the magnanimity and nobility that made her worthy of our city and to be Cephisus' daughter'.¹⁶

The Athenians' victory over Eumolpos is a commonplace of Athenian epideictic oratory, particularly in *epainos*,¹⁷ used both by Euripides and Lykourgos in a different context in each case, dramatic and forensic. Beyond the encomiastic nature of the story, in the specific trial, the mythic quotation may also be related to the recent history of the Athenians, after the battle at Chaironeia, when Alexander the Great had razed the city of Thebes, supposedly killing 6,000 of its inhabitants and enslaving another 30,000 (Diod. Sic. 17.11.1–14.1). The story of Eumolpos' invasion is also quoted by Demosthenes in his *epitaphios logos* that he was elected to deliver for those who died at the battle of Chaironeia in 338. The same story enhances the encomiastic tone of epideictic arguments and historic examples that Lykourgos is using to emphasise Leokrates' guilt for treason.¹⁸

14 For the story that Erechtheus' other daughters committed suicide and despite the sacrifice of his daughter, Erechtheus himself died in battle as he led the Athenians to victory over Thrace, cf. Hanink 2014, 32 with n. 32. There is also evidence of ancient texts that refer to classical tragedy, which suggests that *Erechtheus* was relatively well known in antiquity (ibid. 33).

15 Calame 2011, 3–4.

16 All citations from Lykourgos *Against Leokrates* in translation have been taken from Worthington / Cooper / Harris 2001.

17 On the commonplaces of epideictic oratory, cf. Thomas 1989, 218, Ziolkowski 1981, 74–137, Loraux 1986, 241–251, Volonaki 2014, 16–33, Hanink 2014, 34–35.

18 For the interrelation between Lykourgos 1, *Against Leokrates* and Demosthenes 60, *Epitaphios*, cf. Loraux 1986, 393, n. 40.

Lykourgos obviously recognised in the particular myth of Erechtheus a prototype which had inspired and educated the ancestors of the Athenian judges. The orator's choice to cite the myth in the tragic presentation of Euripides' *Erechtheus* may be given two explanations; firstly Euripides' tragedy adds validity and authority since Athenian classical tragedy has widely acquired recognition and fame by the late fourth century, and particularly the Euripidean tragedy, and secondly Euripides' version of the myth has an emphatic dramatic impact upon the audience because of the contrast created between a woman who sacrificed her own daughter for the sake of the city and supported the civic values from the classical period of the Athenian history and a man, Leokrates, who was a coward and traitor of the city at a critical moment of danger in the city of Athens a few years before the time of the trial.

3 Praxithea's Speech

The orator employs twice the adverb 'justly' to explain why his citation has to be heard by the audience. This may suggest that the audience would be expected to react with *thorybos* and therefore the orator needs to calm them by emphasizing the significance of Euripides, as a classical tragedian and his specific play.¹⁹ Firstly, Lykourgos appeals to justice in order to make the judges listen and accept the deeds of the ancestors (1.98: ἐφ' οἷς γὰρ ἐκεῖνοι ποιοῦντες ἐφιλοτιμοῦντο, ταῦτα δικαίως ἂν ὑμεῖς ἀκούσαντες ἀποδέχοισθε 'Justice demands that you listen to the deeds for which they won respect and take them to heart'). It is obvious that Euripides' tragedy reflects the ancestral civic values, which Lykourgos wishes here to reinforce and make the audience adopt them, as if they were their own beliefs so that they will convict Leokrates. The distance between the Athenians' ancestors from the classical period and the present time of the trial expands to a period of over a century and the link is apparently Euripides' tragedy. Secondly, Lykourgos praises Euripides, just before the citation of Praxithea's monologue, for having chosen the specific myth as a theme for his tragedy; moreover, the orator assigns Euripides with specific motivation for composing the tragedy *Erechtheus*, by stating that the dramatic poet set an example of the citizens' love of their country (1.100):

¹⁹ cf. Allen 2000, 31.

διὸ καὶ δικαίως ἂν τις Εὐριπίδην ἐπαινέσειεν, ὅτι τὰ τ' ἄλλ' ὧν ἀγαθὸς ποιητῆς καὶ τοῦτον τὸν μῦθον προείλετο ποιῆσαι, ἡγούμενος κάλλιστον ἂν γενέσθαι τοῖς πολίταις παράδειγμα τὰς ἐκείνων πράξεις, πρὸς ἃς ἀποβλέποντας καὶ θεωροῦντας συνεθίζεσθαι ταῖς ψυχαῖς τὸ τὴν πατρίδα φιλεῖν.

'Euripides therefore deserves our praise because, in addition to his other poetic virtues, he chose to make a tragedy out of this story, believing that their deeds would serve as an example that citizens could look to and study and thus acquire in their hearts the habit of loving their country'.

It becomes clear that Lykourgos uses Euripides' voice to add authority to his appeal to ancestral civic virtues, which are incorporated within his epideictic argumentation and style of the speech. According to Wilson (1996, 314), Lykourgos' choice of quotation implies 'a very nostalgic view of tragedy that virtually assimilates it to the profoundly idealizing genre of the *epitaphios logos*'.²⁰ Such a view strengthens the idea that Lykourgos attempts to advance the glorification of Athens of the first empire and connect it with the glory of classical tragedy. In the third quarter of the fourth century Athens still enjoyed a strong tradition of dramatic performance and each year a number of new tragedies and comedies came up at dramatic festivals. Lykourgos made a law to assure the status of the three tragedians by making a copy of their tragedies, depositing their scripts in the archive, and building statues of the poets to be placed in the centre of the city; thus Lykourgos' law was meant to reinforce the Athenian identity of tragedy.

According to Hanink (2014, 70–87), Lykourgos' vision of Euripides is a vision of a great and wise citizen and Euripides' poetry was the product of his own civic values; after explaining how Euripides is not only a good poet but also a good man, a devoted and brave citizen, she concludes that Lykourgos presents Euripides as the democratic poet and as a paradigm of Athenian patriotism and citizenship. Thus, in her opinion, Lykourgos effectively reclaims Greece's most popular tragedian for Athens by choosing Euripides and assigns tragedy to a most important place in the city's history. Moreover, given the theatrical and historical rivalry between Athens and Macedon and the fact that dramatic competitions became more popular in Macedon after the expansion of the empire, Lykourgos may aim to remind to the whole of Greece that Athens is the home of tragedy, and particularly of Euripides. On balance, Hanink emphasises the theatrical effect of Lykourgos' recitation of (Erechtheus' wife) Praxithea's lines from Euripides' *Erechtheus* and particularly notes that 'the jurors will

²⁰ For the close relation between epitaphios logos for Diogneitos and Praxithea's speech, cf. Tsagalidis 2007, 13 and Hanink 2014, 38.

have heard in Lycurgus' single voice a plurality of voices (Praxithea's, Euripides' and Lycurgus' own)²¹

Lykourgos' voice becomes more authoritative through Euripides' voice – poetic and moral influence, and more rhetorically effective through Praxithea's voice – female and argumentative impact.²² The orator praises Euripides 'ἐπαπέσειεν, ὅτι τά τ' ἄλλ' ὦν ἀγαθὸς ποιητής' in a honourific language, which may suggest that the poet is worthy of an official status in Athens and deserves a decree to be honoured for his own service to Athens and for his choice to produce *Erechtheus*.²³ On the other hand, the honourific language may be deliberatively and excessively used to stress the importance of Euripides' *Erechtheus* as a fundamental play of Athenian past and heritage.

Lykourgos cites fifty-five verses from Euripides' *Erechtheus*, which present Praxithea to explain with arguments why she is going to offer her daughter to be sacrificed for the safety of the city. Her powerful words play a decisive role to the development of the tragic plot. On the one hand, Praxithea presents her decision to offer her daughter for sacrifice in future tense and on the other hand she explains the reasons for which this particular sacrifice has to be made. If we consider the fact that Euripides' tragedy was presented before an audience who had started to dispute the Periklean ideology, during the Peloponnesian War, we will realize that Praxithea's speech acquires a political and social tension. In order to understand Lykourgos' aims of his choice to cite Praxithea's prologue from Euripides' *Erechtheus*, it's worth exploring thoroughly the content of her speech.

The monologue starts with a reference to the nobility shown when granting a favour, emphasizing that the delay of granting a favour leads to the opposite of nobility (δυσγενέστερον 'less honourable') (l. 1–3). This statement highlights the contrast between those citizens who should be honoured for their noble deeds and those who should be dishonoured for their inactivity; the implication may be that Praxithea should be honoured for her noble deed to offer her daughter for sacrifice, whereas Leokrates should be punished for not protecting his city at a time of danger. In subsequence, Praxithea announces her decision to give her daughter to be killed (l.4: ἐγὼ δὲ δώσω τὴν ἐμὴν παῖδα κτανεῖν); the future tense underlines her determination and certainty. She then gives the reasons of her decision and Euripides uses the phrase, λογίζομαι δὲ πολλά (*LSJ* II2: 'reckon, consider that...'), showing that the mother's decision is the result of a serious and

²¹ Hanink 2014, 36

²² On Lykourgos' authoritative voice, as was developed through Praxithea's speech, consisting of political ideals, philosophical views and poetic virtues, cf. Allen 2000.

²³ For the honourific language and the moral authority assigned to Euripides by Lykourgos, cf. Hanink 2014, 40–53.

difficult process, where she had to consider many aspects of the sacrifice. The reasoning of her decision is based upon three fundamental common places of the *epainos* in funeral speeches, firstly the city of Athens is the best of all (l. 4–6), and, secondly, the people of Athens are born from this earth (αὐτόχθονες) (l. 7–8). In order to emphasise the importance of being an Athenian citizen, Praxithea refers with contempt to all the other cities as ‘founded by migrations with men imported from here and there’ (l. 8–10), as well as to the citizens who become aliens when leaving their own cities (l.11–13). The third common place involves the worship of the ancestral gods and their altars, as well as the patriotism of the Athenians, both important reasons for which women bear their children (l. 14–15). Following the idea of the patriotism, Praxithea poses a rhetorical question stressing the contrast between the one and the many: ‘Why must I destroy them when I can give one girl to die for all?’ (l. 16–18); similarly, knowing the numbers, she argues that one family’s loss is much less of destruction than the loss of the entire city (l. 19–21). In another rhetorical question, she assures that if she had boys instead of girls, she would send to fight the enemy of the city and would not be afraid if he died; moreover, she wishes ‘she had children who fought and shine among men than mere figures of men born in our city for nothing!’ (l. 22–27). The phrase ‘μὴ σχήματ’ ἄλλως ἐν πόλει πεφυκότα’ contrasts the brave Athenians to coward citizens who do not fight for their country, and this verse can be seen as an effective dramatic reference to Leokrates’ behaviour and action. In l. 28–29, Praxithea refers to those mothers who cry when their children go to the war and their lamentation is the cause for their children to lose courage at the battle. Taking into account the metaphor that Praxithea is giving her daughter to be sacrificed as if she had sent a son to the war, for the protection and safety of their country, she presents herself as a brave mother who will not cry but will be strong at the moment of giving her daughter to be killed. She is further contrasted with all those mothers who prefer to have their children alive, who give them bad advice rather than good (l. 30–31); the contrast is strengthened by the statement that she hates them, showing that she would have never withheld her children from supporting their country, even though she appears to be at a disadvantageous position, since her daughter will receive a single crown (l. 34–35), whereas all the citizens who fight for their country win the honour of public burial and an equal renown (l. 32–33). Here, again, Praxithea is depicted as superior to any other citizen in the city, who sacrifices her own child for the city even though she will not get in return great honours. Nevertheless, it is preferable to lose her child than everything (l. 36–40); here, the importance of the city of Athens for its people is emphasised to strengthen Praxithea’s patriotism. Lines 35–36 imply that the other two sisters died as well, and according to Apollodoros (3.15.4), they com-

mitted suicide out of sympathy for her.²⁴ In l. 41–42, Praxithea emphatically presents herself as the saviour of the city even when other governors will rule; the future tense stresses her certainty that her action will bring safety for the city (‘ἔμοι σωθήσεται ..., τήνδ’ ἐγὼ σώσω πόλιν’). Her self-confidence reflects the arrogance of the heroic *persona*, even though it is the daughter’s sacrifice that will actually save the city. The same tone can be discerned when she assures the people that against her will no one will harm the ancestral traditional laws, the olive tree, the golden Gorgon, the trident standing upright over the city’s foundations, or the worship of that cannot be destroyed by Eumolpos and the Thracians (l. 43–49). Praxithea’s speech closes with two *apostrophae*, the first one instructing the citizens to take her daughter and save themselves, since for one single life there is no chance that she will not save them (l. 50–52); again, here the heroine stresses the fact that she will save the city and that the citizens’ safety will bring them victory (‘σώζεσθε, νικᾶτ’ ...τήνδ’ ἐγὼ σώσω πόλιν’), and the second one addressing the fatherland itself, calling upon her own love for it, and wishing that all citizens will do the same so that they live happily without suffering harm (l. 53–55).

As has become clear, Praxithea’s speech is an encomiastic speech consisting of the commonplaces of an *epitaphios logos*. The main themes of her argumentation are *autochthonia* (‘born from the earth of the city’) and *philopatria* (‘patriotism’). Athens is the greatest of all the Greek cities and the autochthony indicates its greatness. Fame and glory are the rewards for those who die in battle and these are connected with the men of the city, if Praxithea had sons, but since she only has daughters, the glory is to be assigned to the daughter who will be sacrificed. Bravery as opposed to cowardice is praised as well as active participation in civic matters instead of inactivity. Finally, the things that count most in the city are the ancestral laws and the traditions, which are of preeminent importance.

According to Lykourgos, Praxithea’s monologue, and subsequently Euripides’ tragedy, *Erechtheus*, contributed so that men placed more devotion to their country to such an extent that they would never think to abandon or disgrace it, as Leokrates did (Lykourgos, *Against Leokrates* 1.101):

ταῦτα, ὧ ἄνδρες, τοὺς πατέρας ὑμῶν ἐπαίδευε. φύσει γὰρ οὐσῶν φιλοτέκνων πασῶν τῶν γυναικῶν, ταύτην ἐποίησε τὴν πατρίδα μᾶλλον τῶν παίδων φιλοῦσαν, ἐνδεικνύμενος ὅτι εἴπερ αἱ γυναῖκες τοῦτο τολμήσουσι ποιεῖν, τοὺς γ’ ἄνδρας ἀνυπέμβλητόν τινα δεῖ τὴν εὐνοϊαν ὑπὲρ τῆς πατρίδος ἔχειν, καὶ μὴ φεύγειν αὐτὴν ἐγκαταλιπόντας μηδὲ καταισχύνειν πρὸς ἅπαντας τοὺς Ἕλληνας, ὥσπερ Λεωκράτης.

²⁴ It is also said that Erechtheus himself died in battle as he led the Athenians to victory over Thrace; cf. Hanink 2014, 32 with n. 32.

‘These verses, gentlemen, formed part of our fathers’ education. Though all women by nature love their children, the poet portrayed this woman as loving her country more than her children. His point was that if women will have the courage to do this, men have all the more reason to place devotion to their country ahead of everything else. They should not abandon their country and flee or disgrace it in front of all the Greeks, as Leokrates did’.

Lykourgos uses the verbs ‘ἄ πεποίηκε’ (1.100), ‘ἐπαίδευε ~ ἐποίησε ~ ἐνδεικνύμενος’ (1.101) to praise the poet and describe the effect of his verses, which he assigned to Praxithea’s role. Lykourgos’ language emphasises Euripides’ poetic identity and action, ‘composed’, ‘educated’ and ‘showed’. The orator recalls Euripides’ poetic authority, fame and popularity and ascribes him the intention not only to offer examples of imitation to the Athenians but also to educate them with the virtues of *autochthonia* and patriotism. Through Euripides’ voice, Lykourgos acquires an authoritative voice himself to validate the same examples of heroism, as the one presented by Praxithea, and himself educate the Athenian audience to love their country, protect it and support its interests. Lykourgos, however, delivers his speech in the *heliastic* court, during an *eisangelia* – one of the most serious and important procedures available for prosecution against politicians and officials,²⁵ and his interpretation of Euripides’ tragedy and poetry as a whole is adjusted in such a way as to persuade the judges that Leokrates was a traitor of the city of Athens and should therefore be convicted. In this context, the orator underlines Euripides’ alleged point (‘ἐνδεικνύμενος’) that if women have such a courage as that of Praxithea to love their country more than their children, then men should have ‘all the more reason to place devotion to their country ahead of everything else’ (1.101). The contrast between female and male patriotism is deliberately stressed to imply that Leokrates has acted on the other extreme, neither as Athenian men ought to show their love for their country nor as women heroines, like Praxithea, have proven their patriotism, but he abandoned his country and disgraced it in front of all the Greeks.

4 Lykourgos’ Rhetorical Strategy: Persuasion of Tragic Citation

After examining Lykourgos’ citation of Euripides’ *Erechtheus*, in particular Praxithea’s monologue as prologue to the tragedy, as well as the orator’s explanatory comments on the poet’s agency and motivation in his use of *Erechtheus*’ myth to compose a tragedy, and the specific verses assigned to Praxithea, it is important

²⁵ For a full list of all cases tried by an *eisangelia*, cf. Hansen 1975.

to turn to the question, how effective this citation can be in the forensic context and why the orator resorts to it.

According to Aristotle (*Rhet.* I.15.13), poetry can be used as independent proof among other *atechnai pisteis*, like laws, decrees, oaths, wills, treaties, witness-esses etc., as a kind of evidence presented instead of witnesses or as an example. In this sense, poetic citations constitute legal evidence, upon which Leokrates' conviction is founded. Poetry, as a whole (tragic, epic and lyric), comprises a separate and complete section of Lykourgos' speech.²⁶ Lykourgos has stated in the beginning of his speech that he will not tell lies nor will he present material irrelevant to the main prosecution case (*Against Leokrates* 1.11):

ποιήσομαι δὲ καὶ τὴν κατηγορίαν δικαίαν, οὔτε ψευδόμενος οὐδέν, οὔτ' ἔξω τοῦ πράγματος λέγων. οἱ μὲν γὰρ πλεῖστοι τῶν εἰς ὑμᾶς εἰσιόντων πάντων ἀτοπίωτατον ποιοῦσιν: ἢ γὰρ συμβουλεύουσιν ἐνταῦθα περὶ τῶν κοινῶν πραγμάτων ἢ κατηγοροῦσι καὶ διαβάλλουσι πάντα μᾶλλον ἢ περὶ οὗ μέλλετε τὴν ψῆφον φέρειν. ἔστι δ' οὐδέτερον τούτων χαλεπόν, οὔθ' ὑπὲρ ὧν μὴ βουλευέσθε γνώμην ἀποφῆνασθαι, οὔθ' ὑπὲρ ὧν μηδεὶς ἀπολογήσεται κατηγορίαν εὐρεῖν.

The charge I am about to bring is just and contains no lies or irrelevant material. Most of the men who come before you act in the strangest way: they either give you advice about public business or make charges and accusations about everything except the issue about which you are going to cast your vote. Neither of these –giving an opinion about matters you are not discussing and finding an accusation to make about crimes no one is on trial for– is hard to do.

It is true that Lykourgos does not make any irrelevant accusations against Leokrates concerning either his private or public life. The only themes, that may seem extraneous, are the various poetic citations (*epainos*) included in the encomiastic section. As Lykourgos states at the end of his prosecution speech, he has kept his promise not to use irrelevant material (1.149):

ἐγὼ μὲν οὖν καὶ τῇ πατρίδι βοηθῶν καὶ τοῖς ἱεροῖς καὶ τοῖς νόμοις ἀποδέδωκα τὸν ἀγῶνα ὀρθῶς καὶ δικαίως, οὔτε τὸν ἄλλον τούτου βίον διαβαλὼν οὔτ' ἔξω τοῦ πράγματος οὐδὲν κατηγορήσας.

'By defending our country, our temples, and our laws, I have conducted this case in a fashion both just and correct, without attacking the rest of this man's life or making irrelevant charges.'

It can thus be inferred that poetry is not regarded as irrelevant material but, on the contrary, it constitutes evidence to prove that Leokrates is a traitor and that

²⁶ Dorjahn 1927, 89–90

the judges should convict him, if they are interested in the safety and welfare of their city (1.149):

ὕμῶν δ' ἕκαστον χρῆ νομίζειν τὸν Λεωκράτους ἀποψηφιζόμενον θάνατον τῆς πατρίδος καὶ ἀνδραποδισμόν καταψηφίζεσθαι, καὶ δυοῖν καδίσκοιν κειμένοι τὸν μὲν προδοσίας, τὸν δὲ σωτηρίας εἶναι, καὶ τὰς ψήφους φέρεσθαι τὰς μὲν ὑπὲρ ἀναστάσεως τῆς πατρίδος, τὰς δ' ὑπὲρ ἀσφαλείας καὶ τῆς ἐν τῇ πόλει εὐδαιμονίας.

'Each of you must now realize that a vote to acquit Leocrates is a vote to condemn our country to death and destruction. There are two urns placed before you, one for treason, the other for survival, and you are casting your votes either to destroy our country or to keep it safe and prosperous.'

As it appears, the prosecution main argument involves the safety of the city (σωτηρίας), and Lykourgos appears to act as a public prosecutor who is mainly concerned with the protection of the laws, the ancestral traditions, the gods and the temples and above anything else the country itself. Thus, the orator's fundamental point of persuasion is that Leocrates is a traitor because he had abandoned his country when it needed to be saved.

In this framework, Lykourgos' choice of Euripides' *Erechtheus* is ideal in many aspects. First of all, Euripides' tragedy had become very popular in the fourth century and had greatly influenced the dramatic activity of that period. The Euripidean tragedy had been inspired in its structure but also in the use of myth by the sophistic movement which had developed after the middle fifth century.²⁷

Praxithea's monologue in Euripides' *Erechtheus* reflects the rhetorical influence and is structured upon a series of arguments that explain the mother's decision to give her daughter for sacrifice. Though all women by nature love their children, the poet portrays Praxithea as loving her country more than her children (Lycurg. *Against Leocrates* 1.110). Hence, Praxithea argues why the love of her country is the most important in her life and confidently emphasises in the beginning and the end of her speech that she will save her city. Lykourgos employs this prototype of argumentation for patriotism and self-sacrifice in the name of one's country to prove that Leocrates is guilty because he had acted quite contrary. The contrast between a patriot woman –Praxithea– and a traitor man – Leocrates– adds to the dramatic effect of Praxithea's argumentation and becomes even more effective for persuasion.

²⁷ On the influence of rhetoric upon the dramatic compositions of fourth-century Athens, cf. Xanthakis-Karamanos 1979, 66–76.

Lykourgos' choice to perform Praxithea's monologue in court is significant,²⁸ because in Euripides' and the heroine's voice he succeeds to present *pisteis* ('proofs') in support of his own case against Leokrates. He strengthens rhetorically and dramatically his prosecution against Leokrates by an *eisangelia*, which is not legally substantiated, as can be inferred from that fact that Lykourgos asks the judges to act as legislators in the specific case (1.9) and accept the accusation of treason for Leokrates. Lykourgos places more emphasis on the importance of poetry and the lessons it had taught the citizens in the past and may, by implication, do the same in the present, rather than the laws, bringing thus a balance to the absence of a sound legal case.²⁹ Moreover, his choice of Praxithea's monologue, from Euripides' *Erechtheus*, is in accordance with the epideictic style, themes and argumentation, which are predominant in the speech *Against Leokrates*.

Lykourgos reinstates the dramatic figure of Praxithea, as had been presented by Euripides a century earlier, during a period of reconstruction of the city of Athens after its defeat by Philip II of Macedon; his aim is to persuade the judges to accept self-sacrifice and patriotism as the values to be shared by all for the protection of their city at the moment. The presentation of Praxithea's monologue by Lykourgos associates the heroic and tragic values of the individual sacrifice by Erechtheus' daughter from the mythical past with the political values of a common sacrifice expected by all the citizens at the end of fourth century in Athens. In this context, Leokrates is called to be convicted, because he has betrayed those political values.

Hence, Praxithea's monologue is part of the section that consists of epideictic rhetorical elements and arguments used as proofs (*'pisteis'*). The first theme of epideictic rhetoric is the *autochthonia* – a commonplace of praise in funeral oratory.³⁰ The second theme relating to the role of maternity praises the sacrifice of an individual for the safety of the whole citizen group, a heroic value that constitutes a commonplace of praising those who died on the battlefield in funeral speeches. The third theme is again connected with the heroic values of the archaic period that have been democratized during the fourth century and are identi-

28 Even though there are usually indications in forensic speeches that the secretary of the court would read the poetic citations, there is no such indication in the speech *Against Leokrates* and it can be assumed that Lykourgos himself plays the role of an actor for Euripides' tragedy – a role that demands dramatic skills, as well as the role of a rhapsodos and a lyric poet for the subsequent citations in the speech. On the question, who cites poetic abstracts in court, cf. Dorjahn 1927, 92–93 and Bers 2009, 37–39.

29 According to Hermogenes (*On the Ideas* B 389), Lykourgos' speeches often include mythical, historic and poetic digressions. Thus, it may be suggested that this was a standard rhetorical strategy of Lykourgos aiming mainly to persuade the judges for his case on each occasion.

30 For the commonplace, cf. Todd 2007, 26 ff.

fied with the political values of classical Athens. In particular, the noble death, glory and common welfare are values for which citizens used to fight to save their city. Praxithea's final appeal to the country itself constitutes the outline of heroism and political ideal that Lykourgos attempts to present in order to substantiate his case against Leokrates.³¹

Lykourgos' genuine interest in poetry is clearly reflected in his law to establish a public archive with the scripts of the tragedies, as well as the fact that he was responsible for the reconstruction of Dionysos' theatre. Tragedy constitutes a reliable source of authority and as such it is employed to strengthen Lykourgos' accusation in court. The theatrical effect of Lykourgos' recitation of Praxithea's lines from Euripides' *Erechtheus* has been discussed above.³² Lykourgos' primary role in the revival of dramatic performances and competitions of the classical tragedians gives him the authority to perform himself Praxithea's monologue so that the judges will approve his recitation and accept it as a kind of evidence.

There is, however, another important aspect to Lykourgos' personality, and this relates to his programme of religion. Lykourgos' membership of the *genos* Eteoboutadai is central to understanding his moral and political authority. Lykourgos, the son of Lykophron, was one of the most influential politicians in Athens in the period between the Athenian defeat at Chaironeia in 338 and the death of Alexander the Great in 323.³³ He belonged to the aristocratic *genos* of the Eteoboutadai, two branches of which controlled two major cults in Athens, those of Athena Polias (one of Athena's priestesses was Praxithea), and those of Poseidon Erechtheus. Lykourgos inherited the priesthood of Poseidon. His grandfather Lykourgos won the honour of burial in the Kerameikos and his prominence under the democracy may have been responsible for his execution by the Thirty.

One of Lykourgos' main interests was religion.³⁴ The politician Stratokles credited him with preparing adornment for the goddess Athena, solid gold Victory statues, and gold ornaments for a hundred basket carriers in the Panathe-

31 For an analysis of heroic and political values presented in Praxithea's monologue, cf. Calame 2011, 5–8.

32 cf. 2. Lykourgos and Euripides' *Erechtheus*.

33 Lykourgos died probably in 325/4 BC. The main ancient source for the life of Lycurgus is the biography found in Pseudo-Plutarch, *Lives of the Ten Orators (Moralia)* 841a-844a with the decree at 851e-852e. The discovery of several inscriptions, many of which are collected in the valuable work of Schwenk, 1985, has contributed significantly to our knowledge of Athens in the time of Lykourgos. More recent studies on Lykourgos' role to the formation of the constitution in relation to Kleisthenic democracy are included in the significant work edited by Azoulay / Ismarid 2011, which based both on inscriptional and literary evidence clarify further the political and religious shifts in Lykourgan Athens.

34 Parker 1996, 242–255.

naic procession.³⁵ In 344 he passed a major law about religious cults,³⁶ provisions for the cults of numerous deities, including Zeus the Saviour, Athena, Amphiareus, Asclepius, Artemis of Brauron, Demeter, and Kore. As it becomes clear, Lykourgos appears to have taken the religion and the cults of the *polis* with great seriousness.³⁷

On balance, Lykourgos' authoritative voice as a politician who made innovations on the sphere of drama and religion adds validity and persuasion to his performance of Praxithea's monologue. By virtue of his status as Eteoboutad, 'Lykourgos was in a position to embody Praxithea in a rather strong sense, and to share her solemn priestly authority'.³⁸ The choice of Euripides' *Erechtheus* is associated with Lykourgos' own religious background, his personal involvement in the religious, theatrical and dramatic restructure of his time. Lykourgos employs an authoritative voice through his status as as Eteoboutad, a reformer of culture and religion, and as an administrator of public finances in order to quieten down the *dicastic thorybos* that might break out due to the Athenians' prejudice against an excessive use of poetry in court or even toward the presentation of an old play of Euripides, *Erechtheus*. Thus, Lykourgos would be able to perform himself, undisturbed, Praxithea's monologue and establish his case.

Only for one vote, Lykourgos lost the trial against Leokrates. It is, however, impressive that he succeeded in gaining such a large number of votes, even though Leokrates' alleged offence could not be included in the impeachment law ('*eisagelitikos nomos*') and was not directly connected with the decrees voted after the battle at Chaironeia in 338 BC. It is most probable that Lykourgos' authoritative voice and rhetorical strategy in his use of Euripides' tragedy (but also of poetry as a whole), significantly contributed to approaching so close to the victory.

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³⁵ Plut. *Moralia* 852b.

³⁶ Schwenk no. 21

³⁷ Fisher 1976, 145.

³⁸ Lambert 2015.04.24.

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