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La produzione ateniese di vasellame in bronzo in epoca arcaica e classica: forme, stile, caratteristiche <i>Chiara Tarditi</i>	6
Euripides and the Origins of Democratic «Anarchia» <i>Jonah F. Radding</i>	57
Lysias, Isocrates and the Trierarchs of Aegospotami <i>Aggelos Kappellos</i>	85
The Political and Paideutic Function of Pleasure in Plato's Philosophy <i>Artur Pacewicz</i>	103
Sulla dote di Pudentilla nell' <i>Apologia</i> di Apuleio <i>Silvia Stucchi</i>	137
La favola in Gregorio di Nazianzo <i>Marco Settecase</i>	149
Note sull'origine delle rubriche di D. 18, 2 (<i>De in diem addictionem</i>) e D. 18, 3 (<i>De lege commissoria</i>) <i>Daniil Tuzov</i>	187

RECENSIONI

REVIEWS

<i>Fabrizio Gaetano</i> C. Sánchez Mañas, <i>Los oráculos en Heródoto. Tipología, estructura y función narrativa</i> (2017)	203
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Lysias, Isocrates and the Trierarchs of Aegospotami ¹

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ABSTRACT: Isocr. 18 could have hired Isocrates, and the speaker of Lys. 21 and Eryximachus could have hired Lysias as speechwriters for their rhetorical skills. However, it is probable that Isocrates' choice to criticize the former colleagues of Isocr. 18 in his speech could have led the other two trierarchs to ask for Lysias' help. This fact highlights the tensions between the elite when Athens was defeated in the Peloponnesian War. This antagonism between the trierarchs could be the beginning of the logographic competition between Lysias and Isocrates.

KEYWORDS: Aegospotami; Eryximachus; Isocrates; Lysias; rhetorical tactic; trierarchs; – Egospotami; Erisimaco; Isocrate; Lisia; tattica retorica; trierarchi.

A careful reading of the accounts of the historians Xenophon ² and Diodorus and the biographer Plutarch, which refer to the military engagement at Aegospotami, allows us to remark on the important role the trierarchs played in the last naval battle of the Peloponnesian War. Then the surviving speeches also lead us to remark that two of Lysias' clients, the speaker of Lys. 21 and Eryximachus (fr. L Carey) managed to escape from Aegospotami ³. One more man, the accuser of Callimachus in Isocrates' speech 18, was one of those who escaped from Aegospotami. Thus, we have two of them getting involved with Lysias, while another one chose the services of Isocrates. In this paper I shall analyze the role of the trierarchs in the Hellespont. Then I will argue that the choice of these men to hire Lysias and Isocrates might be a result of these litigants' attempt to find the best logographer. However, I will also argue that Iso-

¹ I am most grateful to Professor P.J. Rhodes for reading earlier drafts of this paper. Moreover, I thank Professor D. Whitehead for his comments.

² All references are to the *Hellenica*.

³ Todd 2000, 233, n. 16 has remarked that «it is striking how many of Lysias' clients claim to have been among the few who were quick-witted enough to escape from Aegospotami». Todd is wrong to count Nausimachus among Lysias' clients, because he was only a witness (see Lys. XXI 9).

crates' choice to expose the former colleagues of his speaker in Isocr. 18 in the public eye in his speech could have led them to hire Lysias. Such an inquiry may appear to be rather narrow in focus. But its implications are, I believe, much broader than this, because it can shed more light on the tensions between the elite when Athens was defeated in the Peloponnesian War. Finally, I will consider the possibility that the bad relationship between the trierarchs was the beginning of the antagonism between Lysias and Isocrates. The basis of this analysis will be the speeches of the logographers themselves.

The core of my argument is largely dependent on chronological considerations. My thesis that Isocrates 18 and Lysias 21 should be considered companion speeches rests upon the assumption that the former was the earlier work. More specifically, I will base my analysis on Whitehead's argumentation for dating Isocr. 18 late in the archon-year 403/2 or else early in 402/1⁴. Lys. 21 is dated after 403/2⁵. Eryximachus delivered his speech around 400-399⁶.

The battle that decided the outcome of the Peloponnesian War took place in the region of the Hellespont. In 404 B.C. Lysander went to the Hellespont and was stationed at Lampsacus. The Athenians followed him to the same area with one hundred and eighty ships and were stationed at Aegospotami (Xen. *Hell.* II 1, 20; Plut. *Lys.* 4, 4). The first day that the two fleets faced each other Lysander prepared everything for a naval battle (Xen. *Hell.* II 1, 22), but he did not put out to sea against the Athenians who waited him to fight them until it was late in the day, but then sailing back again to Aegospotami (II 1, 23). Lysander ordered his fastest ships to follow the Athenians, watch them when they embarked, and then sail away and report to him. Only when his spies return did he let his sailors disembark from the triremes (II 1, 24). Alcibiades saw the fleet of his fellow citizens from his fortress, realized their bad position, approached the Athenian camp and told the generals to move their ships to Sestus, where there was a harbour and a city. However, the Athenian generals, especially Tydaeus and Menander, ordered him to depart, because they were the generals and not him (II 1, 25-26; Diod. XII 105, 4)⁷. Alcibiades told the trierarchs⁸ who escorted him out of the camp that, if the generals had not talked to him in a bad way, he could

⁴ See Whitehead 2002, 75.

⁵ See Kappellos 2014, 55-56.

⁶ See Loening 1987, 107.

⁷ See Kappellos 2009, 262.

⁸ See Kappellos 2014, 9.

have forced the Lacedaemonians to fight the Athenians unwillingly or to desert their ships. Some of these Athenians thought that what he said was just boasting; but others that it was likely, since he had merely to bring up his numerous Thracian archers and horsemen to assault by land and confound the enemy's camp (Plut. *Alc.* 30, 2-4; Nep. *Alc.* 8, 2).

Alcibiades' revelation of his plans to the trierarchs was not coincidental. These men had already realized the difficult position of the Athenian fleet and were responsible for the preparedness of their vessel for a prospective battle⁹. The Athenian generals did not have a plan of action on how to force the Spartans to fight. Lysander took advantage of the Athenian stalemate and attacked his enemies. The reasons that led to the Athenian defeat are a controversial issue because of the different accounts given by Xenophon and Diodorus¹⁰. In both accounts Lysander caught the Athenians by surprise. As the Spartan commander refused to respond to the challenge of the Athenians to fight, the insubordination of the crew members grew and the more he postponed this conflict the more his enemies despised him and scattered around the Cheronnesus trying to find provisions (Xen. *Hell.* II 1, 27). When Lysander attacked, Conon was the first to realize that the Spartan fleet had begun its attack and tried to make his men board their ships by a call to arms or by entreating or forcing them (Plut. *Lys.* 11, 3-4). The Athenians were far away from their ships. Lysander captured almost the entire fleet on the shore. Only Conon, the *Paralus* and seven more ships around him managed to escape (Xen. *Hell.* II 1, 28). According to Diodorus, Lysander relied on deserters for information. The general Philocles began a manoeuvre with thirty ships and gave orders to the trierarchs for the immediate boarding of the crews on their ships, but they did not carry out his orders. Thus, before the bulk of the Athenian fleet was ready to follow his ships, Lysander took the Athenians in the midst of Philocles' manoeuvre (XIII 106, 1-3). This general had a precise course of action in mind to face Lysander,¹¹ but he failed because of the insubordination of the trierarchs. When Lysander attacked he reached the Athenian ships so close that the Athenians did not have the time to arrange themselves against him (XIII 106, 5). Conon and ten more ships managed to escape (XIII 106, 6). In both accounts there are some similarities. First, the Athenians were surprised by the coordinated attack of the Lacedaemonians. Second, Lysander

⁹ See Lys. XXI 9 with Kapellos 2014, 102.

¹⁰ Many scholars argue that we should believe Xenophon's account. See Gray 1987, 78-79; Strauss 1983, 24-35; Bleckmann 1998, 572-580; Welwei 1999, 241.

¹¹ See Lotze 1964, 32; Ehrhardt 1970, 227; Kagan 1987, 391-392.

captured easily the Athenians in the camp without even fighting in a real naval battle.¹² Third, despite the different number of ships that Xenophon and Diodorus report, it was only Conon and some trierarchs who escaped from Aegospotami.

Both historians do not explain why Conon and these trierarchs were alert to Lysander's attack. Davies estimates that during the 5th century B.C. in Athens there were probably four hundred men who belonged to the liturgical class, and he recognizes seventy men who were obliged to undertake liturgies in the last third of the 5th century¹³. Athens was not a face-to-face society¹⁴, so we cannot be certain that the trierarchs who participated in the sea battle in the Hellespont knew each other beforehand. Nevertheless, Conon could have been connected with each one of them individually. This is so because the candidate trierarchs voluntarily presented themselves before the generals¹⁵. Thus, we cannot exclude the possibility that the trierarchs met each other before leaving Athens. If this is not right, it is rather certain that there must have been some contact between them at Aegospotami before Lysander's attack; otherwise it is difficult to explain how they managed to face the Spartan attack and sail to the open sea at the same time.

The necessary occasion for such cooperation between Conon and the trierarchs must have been created because of their need to find provisions. The anonymous client of Lysias in speech 21 says that before Lysander's attack it was difficult for him to restrain his crews when they saw almost all the others despise Lysander and disembark. We can speculate that before the Spartans attacked, the πεντηκόνταρχος, who was the treasurer of the pilot and responsible for buying and expenses, was going to Sestus to buy food, accompanied by some members of the crew¹⁶. This allows us to suspect that Conon and the other trierarchs did the same. Thus, by having imposed discipline on their men, the Athenian general and the trierarchs reacted successfully to Lysander's attack.

A little later on, the group of ships cooperated once more. Conon, now in flight with the nine ships, realized that the entire cause was lost, so he took one more thing before leaving. He put up in Abarnis and captured the main sails of Lysander's ships (Xen. *Hell.* II 1, 29) in order to prevent any pursuit of him. This plan succeeded because of the

¹² See Kapellos 2012, 97-98.

¹³ See Davies 1981, 32-33.

¹⁴ See Ober 1989, 31-33; Hunter 1994, 97-98.

¹⁵ See Amit 1965, 110; Jordan 1975, 61-63; Rhodes 1982, 3.

¹⁶ See Lys. XXI 9 with Kapellos 2014, 104-105.

coordination between him and the trierarchs. We can identify four of them, the anonymous speaker of Lys. 21¹⁷, Nausimachus, who was saved by the speaker of Lys. 21¹⁸, Eryximachus¹⁹, and the anonymous speaker of Isocrates²⁰. The names of the other five are not known. Afterwards, Conon went to Cyprus from Aegospotami²¹. It is probable that the trierarchs followed him to the island. If they did not go to Cyprus, it does not really matter for our case but the fact that they returned to Athens as a team possibly in consultation with Conon does²². During all this time the trierarchs must have developed personal ties, since they acted as a group or they became friends²³.

When the trierarchs finally went back home, the Athenians became angry even at them²⁴ and raised the accusation that they should be held responsible for the defeat²⁵. This reaction of the Athenians surprised and embittered the trierarchs who while talking to one another, declared their disappointment because, instead of being congratulated, they were held responsible for the defeat²⁶. The existence of personal contacts among them proves that their personal ties must have become stronger. Later on, Athens was forced to surrender and the Thirty came into power²⁷. The speaker of Lys. 21 remained in the city under the regime of the Thirty²⁸. The speaker of Isocr. 18 and Eryximachus also remained in Athens during the Thirty²⁹. After the restoration of democracy these three trierarchs were engaged in lawsuits³⁰.

¹⁷ For a full survey of the speaker of Lys. 21 as trierarch see Kapellos 2014, 14-16.

¹⁸ See n. 2 above.

¹⁹ For the identification of Eryximachus as one of the trierarchs who escaped see Kapellos 2009, 270, n. 73.

²⁰ For the speaker of Isocr. 18 as a trierarch see Davies 1971, D.20, 595.

²¹ Diod. XIII 106, 6.

²² For the association between Conon and the trierarchs after Aegospotami see Kapellos 2009, 271.

²³ Cf. Konstan 1996, 74 for good will between men as the beginning or source of *philia*.

²⁴ See Lys. XXI 9 with Kapellos 2014, 96.

²⁵ See Kapellos 2014, 16.

²⁶ See Kapellos 2014, 16-17, 97.

²⁷ See Krentz 1982, 50.

²⁸ For the political activity of the speaker of Lys. 21 see in detail Kapellos 2014, 17-24.

²⁹ This is certain for Isocr. 18 because the procedure used in his trial is *paragraphe*. For the procedure of *paragraphe* in this speech see MacDowell 1978, 214-216. For details regarding this case Carawan 2013, 91-103. For Eryximachus cf. Loening 1987, 106.

³⁰ The speaker of Lys. 21 held some public office and at the end of his term he was accused of bribe-taking and additionally of embezzling public money (see Kapellos, 2014, 31-33). Eryximachus was examined in his *dokimasia* (see Dover 1968, 5; Loening

The choice of the logographer is our first concern here. The first of the trierarchs who found himself in court was the speaker of Isocr. 18. We know only very few things about the contact between a client and his logographer³¹, so we cannot give a definitive explanation as to why a client hired a particular speechwriter among so many in Athens³². In general, we know that logographers wrote speeches for the benefit of those who appeared in court³³. Two of them were Lysias and Isocrates. Lysias was already a distinguished writer in 415 B.C.³⁴ and he must already have written some of his speeches. Isocrates was at an earlier stage of development as an orator compared to Lysias at this moment. Thus, we can simply say that Isocr. 18 chose to hire Isocrates because he considered him a good logographer. A speechwriter would give strategic advice to his client, initially, on whether to go to law at all, and if so, under what procedure; then tactical recommendations on formulating the case to best advantage³⁵. In this occasion Isocrates guided the speaker and then wrote the speech for him³⁶. When the speaker read his speech³⁷, he understood that he would argue in court that when he returned to the Peiraeus (κατέπλευσα) with his colleagues, he did not resign his duties as trierarch (κατέλυσα). On the contrary, the other trierarchs were glad to be relieved of their duties and were discouraged over the situation, and not only had they regretted (μεταμελομένων) the loss of what they had already spent but also they were trying to conceal the remainder. Moreover, judging that the commonwealth was completely ruined, they were looking out for their private interests. However, the speaker's decision was not the same as theirs; he persuaded his brother to be joint-trierarch with him, and they paid the crew out of their own means and proceeded to harm the enemies (XVIII 59-60). Finally, when Lysander proclaimed

1987, 106-107). The client of Isocrates was accused of depriving Callimachus of a sum of money (Isocr. XVIII 5-6, 9).

³¹ According to Plut. *Mor.* 504c, a litigant met Lysias before the trial and complained about the content of his speech. Theophrastus says that his character, the complaining man, was sure to find fault with his speechwriter for omitting so many of his pleas even when he wins a suit by a unanimous verdict (XVII 8). Cf. Todd 2005, 101: «what went on behind the scenes was harder to monitor and this is the context in which men like Lysias made it their task to ghostwrite speeches for the benefit of clients who would then deliver them in their own person».

³² Cf. Worthington 1993, 67, n. 9, arguing that many speeches must have circulated in Athens.

³³ See Lavency 1957, 127.

³⁴ See Dover 1968, 33.

³⁵ See Whitehead 2004, 155.

³⁶ See Usher 1976, 31-40; Winter 1973, 34-40; Worthington 1993, 67-72.

³⁷ Cf. n. 30.

that if anyone imported grain to the Athenians, he would be punished with death, the speaker says that he and his brother were so zealous for the city's welfare that although no one else dared to bring in even his own, they intercepted the grain that was being brought in to the Spartans and discharged it at the Peiraeus. In recognition of these services the Athenians voted that the speaker and his brothers should be honored with crowns, and that in front of the statues of the eponymous heroes they should be proclaimed as the authors of great blessings (XVIII 61). These claims deserve analysis. First, I want to focus on the term *κατάλυσις*. According to [Dem.] L 11, *τριήρους γὰρ ὁμολογεῖται κατάλυσις εἶναι, πρῶτον μὲν, ἔὰν μὴ μισθόν τις διδῷ, δεύτερον δέ, ἔὰν εἰς τὸν Πειραιᾶ μεταξὺ καταπλεύσῃ· ἀπόλειψις τε γὰρ πλείστη γίγνεται, οἱ τε παραμένοντες τῶν ναυτῶν οὐκ ἐθέλουσιν πάλιν ἐμβαίνειν, ἔὰν μὴ τις αὐτοῖς ἕτερον ἀργύριον διδῷ ὥστε τὰ οἰκεῖα διοικήσασθαι*. Thus, *κατάλυσις* means the abnormal dissolution of a ship by the trierarch himself or his crew³⁸. In the case of the speaker of Isocr. 18 this means that the nine trierarchs who returned to the Peiraeus did not have to follow the orders of any general to serve overtime simply because all the Athenian commanders, except for Adeimantus, were executed at Aegospotami³⁹. It was up to the conscience of each trierarch to decide if he would continue to serve his fatherland or not. The allegation about the regret of the trierarchs was an ironical statement, made to suggest that the other trierarchs were so depraved as to feel *metameleia* over losing money and not over failing in their duties⁴⁰. This statement must also be true given that the lack of food and the influx of the poor into the city caused the resentment of the aristocrats⁴¹. Thus, it was not a surprise that the trierarchs chose to conceal their properties⁴². Moreover, the speaker's claim that Lysander forbade the importation of grain must be true. Diodorus reports that the Peloponnesians decided, since the siege of Athens was presenting difficulties, to withdraw their armies from Attica and to conduct a blockade at a distance with their ships, in order that no grain (*σίτος*) should come to the inhabitants. When this was done, the Athenians came into dire want of everything, but especially of food, because this had always come to them by sea. Since the suffering increased day by day, the city was filled with dead, and the survivors sent ambassadors and concluded peace with

³⁸ See Robertson 1927, 115-116.

³⁹ See Kapellos 2013, 464-472.

⁴⁰ See Fulkerson 2004, 251.

⁴¹ See Ober 1985, 53-54.

⁴² Cf. Christ 1990, 147-169.

the Lacedaimonians (XIII 107, 3-4). Xenophon was in Athens at the time of the blockade and knew that nine ships escaped from the Hellespont, but he does not report what Isocrates' client says, because this trierarch and his few men did not change the course of events⁴³. However, it is noteworthy that he emphasizes the problem of famine in Athens as Lysander's blockade continued⁴⁴. Finally, Isocrates' emphasis on the proclamation in the monument of the ten eponymous heroes is noteworthy. This monument served as a public notice board and was essential for the dissemination of official information⁴⁵, so the jurors must have been able to remember the identity of the speaker, even though Athens was not a face-to-face society⁴⁶. Therefore, this argumentation shows that Isocrates chose to convince the jurors that his client had a completely different response to the city's misfortunes from that of his colleagues. This confirms the statement of Dionysius of Halicarnassus that Isocrates was: ἐν [...] τοῖς δικανικοῖς [...] πάνυ ἀκριβῆς καὶ ἀληθινός.

Let us compare Isocrates' speech with the texts that Lysias wrote for the speaker of Lys. 21 and Eryximachus in order to see the problems he would create for them in their trials. Isocrates' claim that all the trierarchs who returned to the Peiraeus resigned from their duties weakens the argument of Lysias, who emphasizes in his speech for Lys. 21 the long time that his client served as a trierarch, the dangers that he faced and the money that he spent for the city⁴⁷. Perhaps one might object to this opinion, saying the speaker of Lys. 21 in XXI 9 and Eryximachus also use the verb κατέπλε[υ]-σα (ll. 102-103), which could mean that Lysias did not hesitate to say that his clients returned to Athens after Aegospotami. On the other hand, the speaker of Lys. 21 says that he came back to Athens during the archonship of Alexias in 405/4 B.C. but he does not say what he did until he assumed the liturgy of gymnasiarch within

⁴³ See Kapellos 2018, 401.

⁴⁴ The historian reports the following: Lysander sailed to the various cities, and ordered all the Athenians whom he met to go back to Athens (II 2, 2); the Athenians were deprived of σίτον because of the blockade (II 2, 10); many Athenians were dying out of starvation (II 2, 11); the Athenians were disappointed when the ephors at Sparta did not accept their terms of peace because they believed that many more Athenians would die because of the famine (II 2, 14); Theramenes delayed his stay in Lysander because he knew that if the Athenians were deprived of τὸν σίτον they would come to an agreement with the Spartans easier (II 2, 16); when Theramenes and the other Athenian ambassadors returned from Sparta, the Athenians feared that they would not bring any agreement while more and more citizens died because of the famine (II 2, 21).

⁴⁵ See Camp 2003, 17.

⁴⁶ See Ober 1989, 31-33; Hunter 1994, 97-98.

⁴⁷ See Lys. XXI 3 with Kapellos 2014, 68-70.

a time of less than nine months⁴⁸. Given that he abandoned his post, as we know, Lysias would never reveal to the jurors his secret like Isocrates. Eryximachus also does not specify when he returned, at least in the two fragments of the speech that have been preserved. In my opinion, Lysias would not mention that Eryximachus left his post under the blockade of Lysander anyway.

On the other hand, this argumentation leads us to further thoughts about Isocrates' client himself. When that speaker read the speech, he must have realized what he was going to tell against his former colleagues⁴⁹. He knew that he could not count the trierarchs as his friends and thus hope that they would support him as witnesses⁵⁰, because he could not force them to appear as such in court⁵¹. Moreover, the elite who found themselves in court had to represent themselves and their past deeds as conforming to an ideal picture of the citizen who was always friendly to the demos. None of them would agree to testify «yes, I had suspended my loyalty towards the demos at that time; it was only our older colleague who remained faithful and now it is right that he is criticizing us». Regarding Lys. 21 this is certain, if we consider that Lysias chose to disregard the fact that his client abandoned his post illegally and preferred to suspend his *philotimia* towards the demos at that moment⁵². Should someone think that this is not right, we must think of another trial. In 400 B.C. Andocides was put on trial. None of those who were guilty of mutilation of the Herms was called as a witness at Andocides' trial. This was not because these conspirators were not available. Four of them had returned to Athens by then, so they could have been called on to appear at the trial. Yet, Andocides did not call them⁵³. Inevitably, the statement of Isocrates' client must have created some tension among the trierarchs, who would not be on amicable terms with their old colleague from now.

Should someone wonder why Isocrates chose such an extreme position for his client concerning the other trierarchs, I think that we must

⁴⁸ See Lys. XXI 3 with Kapellos 2014, 71-72.

⁴⁹ My argument is based on an anecdote in Plutarch *Mor.* 504c, where it is said that Lysias wrote a speech for a client, but when this man read it his speech three times he found many arguments with which he disagreed. There is no reason to believe that this was not the response of Isocrates' client too.

⁵⁰ See Lavency 1957, 126.

⁵¹ For the issue that a litigant could not force an unwilling witness to appear in court see Todd 1990, 24.

⁵² See Kapellos 2014, 17, n. 118.

⁵³ For these remarks see MacDowell 1962, 173.

consider the political climate of the era and the difficulty of former members of the Three Thousand to prove that they were not against democracy. Two examples suffice to prove this. First, Poliochus, a member of the Three Thousand, started a trial against the sons of Eucrates, who also remained in the city, probably to show their faith in democracy by prosecuting former comrades⁵⁴. Second, the accusers of Lys. 21, who were probably supporters of the regime of the Thirty, decided to prosecute him⁵⁵. In the speeches I examined, the trierarchs are not of course the opponents of the speaker of Isocr. 18. However, the fact that that speaker turned against his former colleagues, who had also remained in the city during the oligarchic regime, cannot be doubted, as we saw earlier. Moreover, Isocrates could not easily convince the jury that his client was not a supporter of the Thirty for the following reasons: (a) he was a friend of the Thirty's basileus; (b) the oligarchic Ten are his best witnesses and (c) he and his witnesses are sure to be called oligarchs by Callimachus. This handling of the speaker's activity during the oligarchy by Isocrates seems rather clumsy and depends more on flattering the jury for the observance of the amnesty than on his clients' lack of oligarchic sympathies. Obviously, Isocrates had little choice about how to treat his client's past, so he defended him in this way⁵⁶. Thus, the orator regarded it as convenient to make the jurors disregard the weakness of his defence by illuminating his client's efforts for the state, while it was a democracy, at the end of the speech.

What remains for us is to explore the reasons that could have led the other two speakers to hire Lysias. A first explanation could be Lysias' growing reputation. The speech that Lysias delivered against Eratosthenes, one of the former oligarchs (Lys. XII), will have brought his name to the attention of prospective clients⁵⁷. In our case it is noteworthy that Lysias himself refers to the moment of the Athenian defeat at Aegospotami, saying *ἐπειδὴ ἡ ναυμαχία καὶ ἡ συμφορὰ τῇ πόλει ἐγένετο* (XII 43). Logographers had to devise the most effective schemes, strategies, and arguments for any given purpose, and this is what Lysias did by creating an argument about the battle of Aegospotami. Lysias' prospective clients such as these two knew that there had not been any real naval battle at Aegospotami⁵⁸. This could have led them to ask for Lysias' legal help⁵⁹.

⁵⁴ See Loening 1987, 131-132.

⁵⁵ See Kappellos 2014, 34.

⁵⁶ These remarks are due to Lateiner 1981, 155-156.

⁵⁷ Carey 1989, 3.

⁵⁸ See above pp. 86-88.

⁵⁹ Cf. above n. 35.

Lysias knew that the events at Aegospotami were relevant for the cases of his two clients and included references to their action in the Hellespont⁶⁰. A second reason could be that the elite knew each other because of their social relations. In our case this is very interesting because we can find a connection between Lysias and Isocrates. Particularly, we know that Lysias belonged to the Socratic circle⁶¹, while it is very probable that Eryximachus also participated in the same company. This man could have been one of those who mutilated the Herms⁶² and then returned to Athens in 406 B.C. Davies rejects this identification, saying that: (a) the physician Eryximachus would have appeared in the trial of Andocides if he was alive at that time and (b) the trierarch fails to make any reference to the financial ruin he would have suffered in 415, had he been the physician⁶³. Loening also attempts to corroborate Davies' opinion. He claims that when Andocides calls witnesses to affirm that his information had not been responsible for the implication of certain men in the profanation of the Mysteries, Alexippus, a nephew, rather than Eryximachus, the son, testifies that Acoumenus had been denounced by Lydus⁶⁴. Moreover, Loening argues that it is improbable that a man who had suffered exile and confiscation for his involvement in the scandal of the Mysteries could have attained a new position and wealth in the city in such a short time.

However, these arguments are not compelling⁶⁵. First, we cannot rule out the possibility that Eryximachus was dead in 400 B.C., when Andocides' case was tried. This possibility is already included in Davies' syllogism and in fact reverses his claim. If this is true, we are not surprised that Alexippus was willing to testify that Lydus had lied against Acoumenus, since his cousin could not do so. Second, we must pay attention to the fact that some of those who had been accused of profaning the Mysteries had returned to Athens. Phaedrus and Axiochus returned to the city in 406 B.C.⁶⁶ Adeimantus also returned to Athens at that time, because when Alcibiades returned to the city, he was already there (Xen. *Hell.* I 4, 21). Finally, Alcibiades himself returned to Athens

⁶⁰ See Lys. XXI 9, Eryx. II. 100-104 (Rylands).

⁶¹ See Nails 2000, *s.v.* Lysias, 190-194.

⁶² It is possible to believe that the Athenians took such a decision by considering the evidence given in 415 by Agariste and the slave Andromachus as false. For this point see Dover 1968, 32.

⁶³ See Davies 1971, 462.

⁶⁴ Loening 1987, 107.

⁶⁵ For skepticism regarding Davies' arguments see also Nails 2002, 144.

⁶⁶ See Dover 1968, 32.

(I 4, 20). Third, Eryximachus was indeed a trierarch at Aegospotami⁶⁷. This means that Eryximachus and Lysias could have met each other in social meetings when Socrates was present⁶⁸. Regarding the speaker of Lys. 21 we have no evidence that he belonged to the Socratic circle, while nothing in Lysias' speech betrays Socratic influence⁶⁹. Finally, a third reason could have led the speaker of Lys. 21 and Eryximachus not to hire Isocrates, and this could be that the orator had accused them in his speech in defence of Isocr. 18. We do not have the proofs for that. On the other hand, there were two ways for the two trierarchs to know what Isocrates had written against them. First, the Athenians used to watch trials as bystanders⁷⁰; so the speaker of Lys. 21 and Eryximachus could have heard their former colleague castigating them in the trial even though he had not named them. Second, the two trierarchs could have read Isocrates' speech. We know that forensic speeches were generally circulated as books, were seen as works of literary distinction and were widely read in educated circles⁷¹ even for pleasure⁷². Thus, it is possible to understand why both of them hired Lysias.

Now we must return to the issue of witnesses in favour of a litigant. The trial of Lys. 21 shows how things were different for this speaker regarding witnesses in comparison with Isocr. 18. Lysias could call Nausimachus as a witness in favour of his client. Although the speaker of Lys. 21 presented his relationship with Nausimachus as quite formal⁷³, this was not true, since the trierarchs who had fled from the Hellespont came closer or became friends, as we saw earlier⁷⁴. In fact, Nausimachus testified in favour of his old colleague, the speaker of Lys. 21, as an act of solidarity and as a means of resistance against the aggression of the demos⁷⁵. Should someone think that Lysias could have called

⁶⁷ See Kappellos 2009, 270, n. 73.

⁶⁸ Other clients of Lysias are also related to the Socratic circle. For instance, the sister of Lys. 19 married her first cousin, the Phaedrus of Plato's dialogues, who was closely linked to Eryximachus. Lys. 19 was connected to the Socratic circle. For the association of Lys. 19 and Eryximachus with Socrates see Nails 2012, *s.v.* Phaedrus, 232.

⁶⁹ This is not surprising. Lysias was not willing to listen to Socrates' advice not to attack Polemarchus in court in order to take revenge for the loss of his brother Polemarchus (see Howland 2004, 179-208).

⁷⁰ See Lanni 1997, 183-189.

⁷¹ See Lavency 1957, 128.

⁷² See Usher 2004, 113-123.

⁷³ See Lys. XXI 9 with Kappellos 2014, 99.

⁷⁴ See above p. 89.

⁷⁵ See Lys. XXI 10 with Kappellos 2014, 107-108.

more trierarchs as witnesses, since the Athenians considered that if one witness guaranteed the truth, more guaranteed it better⁷⁶, we should consider this a deliberate choice on the part of the orator. Lysias must have decided that Nausimachus' testimony was much more important than that of Eryximachus or any other because it was Nausimachus who was saved by Lys. 21 at Aegospotami⁷⁷. Unfortunately, Eryximachus' speech is fragmentary, so we do not know if any of the former trierarchs appeared as his witness in his trial. In any case, it is plausible to suggest that Lysias would not like to call as a witness the speaker of Isocr. 18. In fact, we can doubt if this man would like to appear in court given that he spoke against his former colleagues in his trial, as we saw earlier.

Finally, I would like to consider the possible consequences this choice of the trierarchs could have had in the relationship between Lysias and Isocrates. We must take into account that Isocrates also belonged to the Socratic circle⁷⁸. This allows us to think that Isocrates could have heard that Lysias wrote defence speeches for two of the trierarchs who had escaped from Aegospotami. Isocrates knew that he had chosen to accuse them in his speech 18. Moreover, it is probable that he had met Eryximachus in Socrates' company some day and must have learned the reason why he was not asked by this man to defend him, because such contacts in the Socratic circles were a reality⁷⁹. Isocrates must have been annoyed by the fact that his rhetorical stance was reproached. We have no proof for that but we do know something about his character and his response to a similar case. When Demosthenes wrote his speeches *Against Androtion* and *Against Timocrates* as part of a campaign to discredit the school of Isocrates⁸⁰ the rhetorician responded to these attacks in his speeches *On the Peace* and *Antidosis*⁸¹. Thus, we could wonder if the juxtaposition of the two speeches of Lysias and the speech written by Isocrates could be seen as the beginning of the feud between Lysias and Isocrates which followed at this time⁸².

⁷⁶ See Mirhady 2002, 264.

⁷⁷ Note that the anonymous client of Lysias says twice that he saved Nausimachus (Lys. XXI 9 and 11). See Kapellos 2014, 99.

⁷⁸ See Nails 2012, *s.v.* Isocrates, 179.

⁷⁹ In Pl. *Phdr.* 227a we read that Phaedrus meets Socrates after having met Lysias first. Cicero tells us that Lysias composed a defence speech for Socrates and offered it to him to learn for use at his trial (*De Oratore* I 231).

⁸⁰ See Rowe 2000, 278-302.

⁸¹ See Rowe 2002, 149-162.

⁸² The two orators wrote speeches for the opposing parties in specific cases. Lysias accused the son of Alcibiades (Lys. XIV), while Isocrates defended him (Isocr. XVI). Moreover, a famous trial took place in 400 B.C. between a certain Nicias and

However, this competition did not last for long. Plato presents Socrates prophesying the future of Isocrates in 415 B.C.⁸³. For the philosopher Isocrates went beyond the oratory of Lysias; there was a nobler character in his make-up. As a result, Socrates would not be surprised if as Isocrates advances in years, even in the rhetorical sphere at which he is currently trying his pen, he was to surpass all others who have turned their hands to that field. Moreover, if these themes do not satisfy him, Socrates says, perhaps a more divine impulse may carry Isocrates on to greater things, because there is a kind of philosophy innate in his intellect (*Phaedrus* 278e8-279b3). It is a fact that Isocrates wrote only six dicanic speeches, among them speech 18⁸⁴. On the other hand, this is an idealized picture of Isocrates given that the orator afterwards abandoned logography. If his success-rate was low, this must have contributed to his decision to abandon logography as soon as circumstances allowed⁸⁵. In any case, Isocrates did his best to disown his logographic past later on⁸⁶. We do not know whether the relationship of the speaker of Isocr. 18 and his colleagues changed or not⁸⁷, but this did not matter for Lysias. From now on, the speechwriter's treatment of the military engagement at Aegospotami would become a common argument for those of his clients who wanted to enhance their *ethos* in court⁸⁸.

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Euthynous, involving a deposit of three talents which the plaintiff Nicias claimed that it had not been returned in its entirety. Lysias' speech, save for the opening lines, has been lost (fr. LVII Carey). Isocrates' speech is extant as 21 (*Pros Eythynun amartyros*). Lysias wrote a speech in defence of Pasion, while Isocrates wrote the speech Trapeziticus against him. See Trevett 1990, 25. Dusanic 1992, 34-35 also argues that the rivalry between Timotheus and Iphicrates corresponds to the rivalry between Lysias and Isocrates, which is hinted in the *Phaedrus* and the *Republic*.

⁸³ This is the dramatic date of the dialogue. See Dover 1968, 33.

⁸⁴ For the activity of Isocrates as a logographer see Cruces - Gonzalez 2000, 895-896.

⁸⁵ Whitehead 2004, 166.

⁸⁶ See Kennedy 1994, 176.

⁸⁷ For proof that enmities could be healed see Rhodes 1996, 26.

⁸⁸ See Kapellos 2012, 100, n. 28. For other references to Aegospotami in the corpus Lysiacum see Lys. VI 46, XII 43, XIV 38, XVI 4, XVIII 4, XIX 16.

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