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THOUGHTS ON THE IDENTITY OF DEINARCHUS' PHILOCLES (III AGAINST
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THOUGHTS ON THE IDENTITY OF DEINARCHUS' PHILOCLES
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In an appendix to my article on the chronology of the Harpalus affair¹ I briefly outlined the arguments of, and my agreement with, O.W.Reinmuth² which challenged the identification of Philocles, strategos of 325/4, with the Philocles, son of Phormio or Eroeadae, recorded as kosmetes on the Oropus inscription for 324/3.³ Philocles the strategos was responsible for allowing Harpalus to enter Athens against the specific directive of the Assembly ([Plut.] X. Or. 846a), and was brought to trial for this and for accepting a bribe from him in the subsequent scandal; Deinarchus' speech Against Philocles (III) survives from his trial. If the two names refer to the same person, then Philocles was elected kosmetes for 324/33 and then, according to Dein. III.15, suspended from that office when accused of complicity in the Harpalus affair.⁴ However, since the inscription has him crowned at the end of his year of office the implication to be drawn is that he must have been acquitted as his trial. This is not a satisfactory explanation, and although the matter cannot be resolved with any firm certainty some consideration of Demosthenes' second and third letters, particularly of their date of composition, lends weight to the belief that the two men were not one and the same.

In Ep. II.15-17 and 26 Demosthenes states that apart from himself all of those charged in the Harpalus affair were either acquitted or later reprieved, but this is negated by Ep. III.31-32 in which Demosthenes says that Philocles was found guilty and exiled. The belief has therefore arisen, in view of the Oropus inscription, that Philocles was suspended from his duties as kosmetes and reinstated after his trial, thereby allowing him to be crowned at the end of his year of office.

¹ *Symbolae Osloenses* 61 (1986) pp.63-76 at pp.71-72.

² *The Ephebic Inscriptions of the Fourth Century BC* (Leiden, 1971) pp.67-68 and 73-76; cf. A.W.Gomme, *The Population of Athens in the Fifth and Fourth Centuries BC* (Oxford, 1933) pp.67-69, S.Jaschinski, *Alexander und Griechenland unter dem Eindruck der Flucht des Harpalos* (Bonn, 1981) pp.41-42 and A.B.Bosworth, *CAH*² vi (forthcoming; I thank Professor Bosworth for allowing me to see his draft for this section of the *CAH* in advance).

³ Those in favour of the identification include A.Schäfer, *Demosthenes und seine Zeit*² (Leipzig, 1887) p.308 n.1, G.Mathieu, *RPh*³ 3 (1929) pp.162-163, P.Treves, *REA* 36 (1934) pp.515-516, J.K.Davies, *Athenian Propertied Families, 600-300 BC* (Oxford, 1971), pp.539-540, J.A.Goldstein, *The Letters of Demosthenes* (New York, 1968) pp.56, 65 n.7 and especially 277-281. For the inscription see B.Λεονάρδος, *Ἀρχ.Ἐφ.* 1918 pp.73-100 = Reinmuth, *Ephebic Inscriptions* no.15 pp.58-72. For Philocles see lines 8-10, and for the dating to 324/3 cf. Goldstein, *Letters* pp.277-278.

⁴ καὶ ὁ μὲν δῆμος ἅπας οὐτ' ἀσφαλὲς οὐτε δίκαιον νομίζων εἶναι παρακαταθέσται τοὺς ἑαυτοῦ παῖδας, ἀπεχειροτόνησεν αὐτὸν ἀπὸ τῶν ἐφήβων ἐπιμελείας.

Reinmuth was right to point out the chronological difficulties involved in this narrow acquittal-reinstatement-crowning period,⁵ and also right to argue that Dein. III.15 does not necessarily have to refer to the office of kosmetes but to the epimeleia of the ephebes, which would have come under Philocles' duties as strategos.⁶ The contradiction between the passages in Epp. II and III appears more problematic but can be resolved since, as Goldstein has so ably demonstrated, III was written before II.⁷ On the basis of this Philocles is likely to have been found guilty at his trial and fled (Ep. III.31.32) but, along with those others also convicted, was later recalled to the city (Ep. II.15-17 and 26). This must have predated Demosthenes' recall on the outbreak of the Lamian War, and was perhaps shortly before the death of Alexander when war seemed imminent and the Athenians needed all of the experienced military men on which they could lay their hands.

This is still in the realms of speculation, as I am uncomfortably aware, but it does reconcile both of the passages in these Demosthenic letters without having to resort to the drastic measure of rejecting the authenticity of one letter.⁸ Furthermore, it helps to reinforce two points. (i) Philocles the strategos could not have been the later kosmetes since a person convicted of the treacherous crime of taking bribes would hardly, despite a reprieve, be selected for an office such as kosmetes with all of its moral implications.⁹ (ii) Dein. III.15 refers to Philocles' suspension when strategos and not when he was accused of taking a bribe from him as is commonly thought (cf. III.1-2).¹⁰ Dein. III.1 and 16 state that Philocles was indicted three times, and even allowing for rhetorical exaggeration it is plausible that two of these refer to indictments for failure of duty (admitting Harpalus contrary to the specific directive of the Assembly) and for taking a bribe. Philocles was thus suspended from office and indicted for the first offence before the end of the years 325/4, and when Harpalus fled Athens and the scandal broke he was indicted a second time and brought to trial for accepting a bribe, presumably to allow Harpalus' entry into the city.¹¹

⁵ Reinmuth, *Ephebic Inscriptions* pp.75-76.

⁶ Reinmuth, *Ephebic Inscriptions* pp.68 and 73.

⁷ Goldstein, *Letters* passim.

⁸ Although this radical step is not always taken with ease; note Davies' reservations, *Athenian Propertied Families* p.540.

⁹ Cf. P.J.Rhodes, *A Commentary of the Aristotelian Athenaion Politeia* (Oxford, 1981) pp.504-505 (ad AP XLII.2).

¹⁰ Contra Goldstein, *Letters* pp.278-279, but Goldstein has not considered that Philocles could have been deposed for admitting Harpalus into Athens before the end of his year of office (on chronology see Worthington, *Symbolae Osloenses* 61 [1986] pp.64-66) and then indicated again when it was discovered that Harpalus had bribed leading officials; see further below.

¹¹ Philocles might have been the unnamed person at Dein. I.89 who was accused of taking the huge sum of fifteen talents; cf. Schäfer, *Demosthenes und seine Zeit*² iii p.325 n.3 and F.Blass, *Die attische Beredsamkeit*² (Leipzig, 1898) iii.2 p.316 n.3.

I submit, then, that Philocles the kosmetes, son of Phormio of Eroadae, was a different man from Deinarchus' Philocles¹² and also was not the trierarch of 323/2.¹³

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¹² On the frequency of the name see Gomme, *Population of Athens* p.68.

¹³ IG ii² 1631, 444; cf. *Prosopographia Attica* 14522 and Davies, *Athenian Propertied Families* p.539. Again I am in disagreement with Goldstein, *Letters* p.281, who believes this reference on the naval inscription helps to identify Philocles the kosmetes and trierarch with the strategos of 325/4.