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THE DECREES OF DEMOSTHENES' *AGAINST LEPTINES*

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### The Decrees of Demosthenes' *Against Leptines*

The role of honors in Athenian political life is expressed by Demosthenes in *Against Leptines*. The idea that Athens encourages her benefactors to make gifts by honoring them publicly is developed as the central argument of the speech and is specified in different passages commenting on inscribed decrees: "You must not imagine that the pillars are anything other than the covenants of all that you have received or granted ... Leucon (i.e., of Bosphorus, the benefactor) observes them and is always eager to benefit you ... (36-38);" and "The inscriptions are a memorial of your national character ... They stand as examples for those who wish to do good to you, that the city treats well those who have so treated it ... (64)." These remarks are very close to the language of the purpose clauses of actual decrees, as we observe their more or less stereotyped phrasing as it has developed in the middle of the fourth through the third century B.C. (cf. *IG II<sup>2</sup> 657*, lines 50-52: "... so that it might be clear to [all that the People kn]ow how to grant gifts to t[heir benefactors wor]thy of their benefactions ...").<sup>1</sup> The discussion of honors by Aristotle, which he sets forth in the *Rhetoric* (1361a) is also illuminating: "Honor is a sign of the esteem in which a benefactor is held ... Kinds of honors are ... privileges ... front seats ... statues, public meals ..."

Concrete examples of the working of these principles are the many Athenian honorary decrees which were inscribed on stone and have survived, at least in part, although they represent only a fraction of the total of honors conferred. Alan Henry, in a recent book,<sup>2</sup> has set forth in detail the evidence for the development of formulae in surviving Athenian decrees which confer honors and privileges. It is a valuable tool for the evaluation of Demosthenes' speech, itself an ancient text which synthesizes the development of one such privilege, exemption from public liturgies, and explains its significance.

Most commonly, the reasons given for honoring anyone are expressed in abstract terms. It is stated that the recipient is a good man toward the Athenian people, that he benefits them, that he treats them well, that he is eager to benefit them, etc. The lengthy motivation formulae of Hellenistic times, which enumerate specific actions for the honors given, are not attested in the epigraphical record before the last third of the 4th and first half of the 3rd c. (*IG II<sup>2</sup> 360*,

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<sup>1</sup> Wider dissemination is stated as the purpose of inscribing a decree as early as 418/17 (cf. *IG I<sup>3</sup> 84.26*, decree on the sanctuary of Neleus, Basile, and Codrus). The epigraphical evidence for purpose clauses in the fourth century shows that it is most frequent in laws and honorary decrees, although there are examples of other usages. It is used to state the purpose of legislation and is associated with the inscription as a whole. The clause of purpose in the honorary decree asserts that public recognition comes to the honorand. Consequently it is usually associated closely with the publication formula or with a privilege that is granted by the decree and may be expressed either from the viewpoint of Athens or that of the honorand. Examples of the two types where the clause is sufficiently preserved on the stone include *IG II<sup>2</sup> 223*, of 343/2, and 448, of 323/2 and 318/17 (Athens) and 555 (honorand). Cf. also, for examples which include restored clauses, *IG II<sup>2</sup> 183*, 269, 276, 300, 360, 391, 579, 586, 606? (Athens); 196, 423, 425, 488, 496+507, 509, 514, 543, 545?, 553, 577, 580 (honorand).

<sup>2</sup> A. Henry, *Honours and Privileges in Athenian Decree* (Hildesheim 1983).

505, *Hesp. Suppl.* 19 (1978) 2-4, *IG* II<sup>2</sup> 657, 682). Henry says that in the 4th c. honorary decrees developed a standardized pattern wherein the reasons for honors were given in a long initial ἐπειδή clause,<sup>3</sup> but the examples he cites for the development of formulae of commendation come only from the late fourth century.

Statements of Demosthenes about honorary inscriptions, from his speeches of the 350's, give earlier evidence for this development and suggest that even from the 5th c. distinguished benefactors were praised for specific actions, while ordinary benefactors were cited in abstract terms only. Inscriptions in which the honorands were *possibly* praised for specific actions or activities include: *IG* I<sup>3</sup> 113 (Evagoras of Salamis), ca. 410; 117 (Archelaus of Macedon), 407/6; 125 (Epikerdes of Kyrene), 407/6. Although the epigraphical evidence is less certain than one should wish, it is possible that specific activities other than proxeny and its attendant duties of reception and hospitality were sometimes cited for honor in the fifth century. These include provision of timber, ransom, monetary gifts. The small fragment of *IG* I<sup>3</sup> 30 (ca. 450) may indicate that activities concerning the grain supply were cited.<sup>4</sup>

In the fourth century abstract expressions continue to predominate in the motivation clauses of honorary decrees, but some specific actions or activities are singled out. Activities which achieved ἐλευθερία for Athens and/or her allies were given prominent recognition, as the decrees for Konon (*Lept.* 69) and Euphron of Sikyon attest (*IG* II<sup>2</sup> 448). Other activities include: aid to the Athenian army, fleet, or allies (*IG* II<sup>2</sup> 17, 276), reception of exiles (109), provision of grain (212, *Hesp.* 43 [1974] 322-3, *IG* II<sup>2</sup> 360, 363, 400, 409, 423), ransom of captives (284), and perhaps large gifts of money (324?, 351). Examples of the ἐπειδή clause which precedes the main motion, anticipating the development of the Hellenistic period, include: 223A, 330, 356, 448.

The speech *Against Leptines* was probably delivered in 355/4 B.C. and was directed against the law which Leptines had sponsored a few years earlier.<sup>5</sup> Passed as an economy

<sup>3</sup> *Ibid.* (n. 2, above), 7. Long initial ἐπειδέ clauses preceding the main motion have certainly become a feature of Athenian chancery style in the early Hellenistic period, as honorands are praised for services to the city when it is allied with the Hellenistic kings. Cf. *IG* II<sup>2</sup> 467, 469, 492, 493, 496+507, 502, 503, 505, 506. This development in style—the long initial clause enumerating specific activities—had perhaps been anticipated by the clauses which praised certain specific activities *and* by clauses which cited routine activities of regular occurrence, performed according to expectations, such as one finds in the motivation clauses of the ephebic decrees (cf. *IG* II<sup>2</sup> 1156, 478), which begin in 334/3, or of a decree honoring taxiarchs (*IG* II<sup>2</sup> 500).

<sup>4</sup> Evidence for the citation of specific actions in decrees of the fifth century depends on restoration of *IG* I<sup>3</sup> 113, 117, and 125:

113, length of line: the inscription is stoichedon and most editors have used a line of 42 letters for restoration. Lewis retains this length but queries it in *IG* I<sup>3</sup>. The evidence rests on the restoration of line 3 with the action formula and name of the prytanizing tribe. Lines 1-2, above it, appear to be a superscript title.

Lines 34ff.: the formula of motivation with ἐπειδέ as part of a rider to the main motion and one of the abstract phrases is mostly on the stone (36 ὅ τι δύναται ἀγαθόν). Cf. *IG* I<sup>3</sup> 117.24-38 for possible parallel.

117, length of line: the inscription is heavily restored but enough text is on the stone for a reasonable restoration of the heading. Line 1 can be restored with the action formula and the beginning of Akamantis, the prytanizing tribe, for 31 letters.

Lines 24-38: a rider is restored with a motivation clause with ἐπειδέ, citing the honorand in abstract terms *and* for providing timber.

125: Epikerdes is praised as being an ἀνὴρ ἀγαθός. His activities are cited in a following sentence: ransom of captives, gift of 100 minae.

<sup>5</sup> The date is given by Dionysius of Halicarnassus, *Ep. ad Amm.* 1.4. It is said to be of the same time as *Against Androtion*, in the archonship of Kallistratos.

measure when several of Athens' allies revolted from her second naval confederacy and fewer wealthy individuals could be found to perform the annual public liturgies, the law provided that no one should be exempt from these services (gymnasiarchia, choregia, hestiasis, etc.). It cancelled the immunities which had been conferred over the years on deserving citizens, foreigners resident in Athens, and others and made them illegal for the future. Demosthenes probably delivered the speech himself, an unusual procedure in Athenian law, although he wrote it for Ktesippos, the son of the general Chabrias and probably a minor, who had joined a certain Apsephion son of Bathippos in indicting the law. Demosthenes' immediate aim was to restore the exemption of Ktesippos, who had inherited it from his illustrious father, but he attacks the law on more general grounds of expediency, particularly the harm it would do to Athens' national character and pride in restricting her freedom of action in foreign affairs.

A long section of the speech (29-87) enumerates the best known benefactors who have received exemptions, seven foreigners and four Athenians. They would be deprived of their privileges by the law, themselves and their descendants. Demosthenes' practice in dealing with his material is to have the honorary decrees, at least the principal ones, read to the jurors and to comment upon them. The decrees themselves are used as examples, constituting what Aristotle calls "non-technical proofs" (*Rhet.* 1375a), and Demosthenes' comments become rhetorical arguments designed to strengthen their effectiveness. His remarks focus upon the motivation formulae of the decrees, as we can judge from the gradually standardized structure of preserved decrees, use of key words, and phrases which are attested, at least in part, in one case where an inscribed version exists. As will be shown, the enumeration of specific services was tailored to the achievements of the honorand and was less subject to formulaic expression than the other parts of the decree. Demosthenes' attention to these passages reinforces in the minds of his hearers the unique features of the decrees read.

Since I propose that Demosthenes' citations in the *Leptines* come from the motivation clauses of these decrees, it is appropriate at this point to discuss the development of these clauses. Formulae recur regularly in honorary decrees. There is not a rigidly prescribed format, but a gradual standardization of elements does occur over the years from the fifth to the third century B.C.

1. Prescript.
2. Resolution formula ("Resolved by the People and the Council," etc.).
3. Action formula ("praise so-and-so, crown so-and-so, let so-and-so have proxeny," etc.).
4. Motivation formula ("since so-and-so has ..., because so-and-so is a good man, on account of excellence;" etc.).
5. Purpose clause ("so that all may know ...," etc.).
6. Publication formula ("inscribe him [i.e., the decree] on a stone pillar," etc.).

The basic elements of such a decree may be seen in *IG II<sup>2</sup>*, 86,<sup>6</sup> a privilege decree dated before 378/7 B.C. The decree is only partially preserved but is written stoichedon, and the restorations are fairly straightforward.

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<sup>6</sup> Cf. Jan Pecirka, *The Formula for the Grant of Enktesis in Attic Inscriptions* (Prague 1966), 33-4.

- lines 1-5 Prescript. Resolution formula implied but not expressed.
- lines 5-8 Action formula ("praise ...").
- lines 8-10 Motivation formula ("because he is a good man toward the People of Athens").
- lines 10-16 Action formula: grant of privileges (proxeny, *egkteisis*, others *IG II<sup>2</sup> 86*; *ateleia* Pecirka).
- lines 16-18 Care of the Council and Prytanen.
- line 19 Purpose clause ("so that he might not be harmed by anyone").
- lines 19-21 Access to the Council.

After line 21 the decree is broken off, but one might expect the publication formula in conclusion.

The motivation formula is often omitted, especially in the early decrees, or is expressed abstractly ("praise so-and-so because he is a good man and treats well the People of Athens;" cf. *IG II<sup>2</sup> 86*, lines 8-10). Enumeration of specific services for which the honorand is praised is unusual or at least reserved for those who deserve especially well of the state and whose services require elaboration beyond the stereotyped expression. By the end of the fourth and early third century, as we can judge from the extant decrees, the formula appears regularly and is greatly expanded. Two decrees of the third century (*IG II<sup>2</sup> 657*, of 287/6; *IG II<sup>2</sup> 682*, of 251/0?) illustrate the expansion of the motivation formula.

- IG II<sup>2</sup> 657* Decree honoring Philippides of Paiania, comic poet, whose friendship and influence with Lysimachus benefitted Athens.
- lines 1-7 Prescript
- lines 7-50 Motivation formula [1] ("since ..."): services of Philippides.
- lines 50-52 Purpose clause ("so that it might be clear to all that Athens honors its benefactors").
- lines 52-56 Resolution formula ("resolved by the Council").
- lines 56-58 Recommendation of the Council to the People.
- lines 59-60 Motivation formula [2] ("on account of excellence").
- lines 60-61 Action formula ("crown ...").
- lines 61-63 Announcement of the crown at tragedies of the Great Dionysia.
- lines 63-66 Action formula (grant of privileges;: statue, public meal, front seat).
- lines 66-68 Provision for making and announcing the crown.
- lines 68-70 Publication formula.
- lines 70-73 Provision for expenses of inscribing.
- IG II<sup>2</sup> 682* Decree honoring Phaidros of Sphettos, general. The beginning is lost. The prescript was probably followed by the motivation formula, which continued through lines 1-64 of the preserved text.
- lines 1-18 Achievements of the ancestors of Phaidros.
- lines 18-60 Career of Phaidros.
- lines 60-63 Services of Phaidros.
- lines 63-64 Crowns awarded for previous service.
- lines 64-66 Purpose clause.

- lines 67-75 Action formula ("praise ...; crown ...").
- lines 75-78 Proclamation of the crown at the tragic festival of the Great Dionysia and at the gymnastic festival of the Great Panathenaia.
- lines 78-80 Provision for making and announcing the crown.
- lines 81-84 Action formula (grant of privileges: statue, public meal, front seats).
- lines 84-87 Directions for responsibility for making the statue and setting it up.
- lines 87-89 Publication formula.
- lines 90-91 Provision for expenses for inscribing.
- lines 92-100 Rider: Prescript (92-93); Provision for scrutiny, committee for setting up the statue.

In *IG II<sup>2</sup> 657* the motivation formula is expanded to enumerate the services of Philippides and give details of his career. In *IG II<sup>2</sup> 682* it is probable that a motivation formula followed the prescript, in which not only the career of Phaidros, the honorand, but also the achievements of his ancestors are specified.

Since exemption from liturgies and special taxation (*ateleia*) is an exclusive privilege, reserved for those especially deserving of it (at least ideally), we may expect to find that such decrees as survive have relatively specific phrasing of special circumstances which justify the privilege. From the fifth century down to 318 B.C. there are more than 20 examples of decrees with this privilege, either certain or restored but with some justification. To the extent that the motivation clauses are preserved, they bear out this observation.<sup>7</sup>

The decrees cited by Demosthenes in the *Leptines* represent a selection of those available. He chooses well-known examples, selecting honorands of importance and variety. He does not present them in chronological order but selects decrees which provide a view of successful Athenian policies which illustrate the aims and achievements of the democracy in the fourth century. Leucon of Bosphorus (29-40), who ruled from 393 to 353, gave Athenian merchants favored treatment when the grain-ships visited his kingdom. He is essential to the grain supply, and Demosthenes reminds his audience that they import more grain than any other city. Epikerdes of Kyrene (41-48) ransomed Athenian prisoners after the Sicilian expedition of 414-413 and, sometime later, made a special gift of 100 minae to the democracy. His decree, as a new fragment shows, was passed in 405. Konon (68-74) revived Athens' naval ambitions and rebuilt her walls, following upon his victory over the Spartans at Knidos in 394, while he himself was in the service of Evagoras of Kypros. Chabrias (75-86) was a successful general during the best years of Athens' second confederacy. The shorter comments on other individuals honored complete a picture of Athens receiving exiles who have supported her causes (Korinthian exiles, 52-54; supporters of Ekphantos of Thasos, 59), rewarding Byzantines who looked after her interest in free navigation (Archibios and Heraclides, 60), and rewarding victorious generals (Iphicrates, Timotheos, 84-85).

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<sup>7</sup> Henry (n. 2, above), 241-61, discusses *ateleia* under four headings: unspecified, exemption from the *metoikion*, exemption from military service, and total exemption. He notes that all examples come from the fifth and fourth centuries but calls attention to the imperfect state of the textual evidence. In varying degrees of certainty, the following may attest exemption from payment or obligation in some form: *IG I<sup>3</sup> 24, 40, 61, 73, 91, 106, 125, 159, 164, 258*; *IG II<sup>2</sup> 33, 37, 53, 109, 180, 195, 211, 237, 265, 286*; Pecirka, *ibid.* (n. 6, above) 34 [restoration in *IG II<sup>2</sup> 86*]; *WS 58* (1940) 74-5 [restoration in *IG II<sup>2</sup> 211*].

Evidence that the comments on the decrees cited are based on the motivation formulae may now be summarized. The best example is the decree honoring Epikerdes of Kyrene. An important new fragment (c) of this decree was discovered in 1970 in the new excavations of the Athenian Agora (plates V and VI).<sup>8</sup> It does not join either of the two fragments previously known, but it can be placed with reasonable accuracy in relation to them, to show how the text was developed. The language of Demosthenes' comments can be seen to be a very close paraphrase of the wording of the inscription. It is not an exact quotation, but what one would expect of a careful reporter quoting from memory, using key words which are in the text but phrasing them in a manner appropriate to oral presentation.

The three fragments of *IG I<sup>3</sup> 125*, taken together, make a powerful argument for the identity of the text, date, length of the line, and the inevitable restoration of some lines. Nevertheless, the three fragments do not join and not a single line is preserved entire. Furthermore, there was more than one decree honoring Epikerdes; Demosthenes has *ψηφίσματα* read out (*Lept.* 45). Can we, then, be confident that the three fragments are in fact part of the decree of 405?

Some evidence, which was not discussed by Meritt, comes from epigraphical considerations: common letters of fr. a,b,c. The height and width of all of these letters is sufficiently regular as to suggest that the three fragments are part of the same inscription. Despite standard height and width for each of these letters, one can expect occasional variations. The forms of these letters are indeed regular on fr. b (*EM 7006*), with only one variation, in the width of H in line 24. Fr. b is on the left side at the bottom. In fr. c (*Agora I 7065*), however, on the right side, middle, there are a few more variations from the standard, as though the mason tired as he moved from left to right. I present this evidence in tabular form in an appendix I (cf. also pls. 1-2).<sup>9</sup> The conclusions to be drawn from it may be discussed here at some length.

*Identification of the text.* The association of fr. a and b as parts of the same inscription was made by U. Koehler, who published them as *IG II<sup>2</sup> 174* (see appendix II). Identification of the text as an honorary decree for Epikerdes of Kyrene is ensured by the name of the honoree inscribed in large letters as the first line of the text, which stands as a heading to what follows (fr. a). Only the first six letters of the name survive but the remaining letters of the name and ethnic can be restored, assuming 29 letters in the line of the basic text (lines 3-33), given the width of the stone, the offset of line 1 from the left margin and the restored offset of line 1 from the right margin. In fr. b the end of the name and most of the ethnic is given in line 7 (*IG I<sup>3</sup> 125.26*). Besides this fr. b has other words which suggest that the inscription is an honorary decree (23f. *πρ]οκηρύξαντα*; 28 *ἔτε[φάνωσαν*; 29 *[ἔ]νεκα καὶ εὐν[οίασ*).

*Length of the line.* The length of the line of the basic text, 29 letters, follows from fr. a, supported by considerations from fr. c. Line 3 begins with the action formula, which is standard for a decree: *[ἔδο]ξεν τῆι [βολῆι καὶ τῶι δήμῳ·* ]. The restored text, proposed in *IG II<sup>2</sup> 174*, yields 25 letters. The apparent grammatical anomaly of *βολῆι* in an Ionic text is

<sup>8</sup> The new fragment, c, is associated with fragments a and b of *IG II<sup>2</sup> 174* by B.D. Meritt, *Hesperia* 39 (1970) 111-14. I re-print the text for the convenience of the reader in Appendix II.

<sup>9</sup> The measurements of the letters do nothing more than suggest general uniformity. S.V. Tracy is rightly critical of reliance on measuring letter strokes: see "Hands in Fifth-Century Attic Inscriptions," *Studies Presented to Sterling Dow* (Greek, Roman and Byzantine Monographs 10 [Durham, N.C., 1984]) 277-82.



supported by line 31 in fr. b. The name of the prytanizing tribe ends line 3 and begins line 4. Four letters inevitably stand as the beginning of this name at the end of line 3 because of fr. c. The right edge of fr. c is preserved, and the restoration ἐγρ]αμ[μ- at the end of line 4 suits the space available above it.

*Date.* The name of the archon Alexias (405/4) occurs in fr. c at the place in the heading where the name of this official is expected (line 5).

Another observation which supports the association of fr. b with fr. c is the *vacat* in line 32. Although the original surface of the stone is not fully preserved at this point, enough space is available to establish the probability of the "intentional blank space" at this point, given the text above it, the end of the formula of publication, and the probable probouleumatic formula below it. The *vacat* separates the text from the probouleuma. For a contemporary inscription in which the use of *vacat* is significant for the layout of the text, cf. *IG I<sup>3</sup> 110*, the decree for Oeniades of Palaiskiathos (407/6).

We can accept, then, the association with Epikerdes, the 29-letter line, and the date. The precise restorations in different places are open to some doubt. There is no consensus, in fact, on the major privilege involved. *Enktesis* (Larfeld) is rejected by Pecirka. *Ateleia* (Wilhelm), supported by Pecirka, although restored in a different place, is doubted by Henry. A compelling case can be made for *ateleia*, however, although it does not appear anywhere on the stone. *Ateleia* was first proposed by Wilhelm in his restoration of line b2. Not accepted in this position by Pecirka or by Henry,<sup>10</sup> it was also not used by Meritt in his restoration of line 20 of the combined text, although he did restore it in line 13. *Ateleia* is the logical restoration for this line (fr. c, line 10), where ἀτελείας δε]δομένης ὑπὸ το δῆμο reflects ἀτελείας δοθείσης παρ' ὑμῶν (Dem. XX.42). Since Demosthenes refers to the decree specifically and calls attention to what it says, the restoration based on his language is likely.

The key words of Demosthenes' comments are, partially at least on the stone:

|                                 |                     |
|---------------------------------|---------------------|
| <i>IG I<sup>3</sup> 125.8f.</i> | αἰτ]ίωι γεγενημένωι |
| Dem. XX.42                      | αἰτιώτατος ἐγένετο  |
| <i>IG I<sup>3</sup> 125.13</i>  | ἀτελείας δε]δομένης |
| Dem. XX.42                      | ἀτελείας δοθείσης   |
| <i>IG I<sup>3</sup> 125.10</i>  | ἐ]ν τῶι πολέμωι     |
| Dem. XX.42                      | ὁρῶν ἐν τῷ πολέμῳ   |

Although Demosthenes' language gives no indication of it, the preserved text shows that his remarks come from the motivation formula (lines 6-17: ἐπ]αινέσαι Ἐπ[ικέρδει τῶι Κυρηναί]ωι ὡς ὄντι ἀνδρ[ι ἀγαθῶι ... εὐ πεποίηκεν ...<sup>11</sup>

For this decree the prescript is followed immediately by the action formula (praise Epikerdes ...) and motivation formula ("as being a good man ...").

<sup>10</sup> Wilhelm's readings are cited by J. Kirchner in *IG II<sup>2</sup> 174*. See also Pecirka, *ibid.* (n. 6, above), 41; Henry, *ibid.* (n. 2, above), 313.

<sup>11</sup> For the phrase ὡς ὄντι ἀνδρ[ι ἀγαθῶι as the motivation formula in a contemporary text, cf. *IG I<sup>3</sup> 177*.

|             |   |
|-------------|---|
| lines 1-2   | Name of the honorand.                                     |
| lines 3-6   | Prescript.  |
| lines 6-7   | Action formula ("praise Epikerdes ...").                  |
| lines 7-17  | Motivation formula.                                       |
| line 17     | Action formula ("crown ...").                             |
| lines 18-23 | Other privileges (The text is insufficiently preserved.). |
| lines 23-29 | Proclamation of the crown.                                |
| lines 29-32 | Publication formula.                                      |
| lines 32ff. | Rider. Decree breaks off after line 33.                   |

For the decree honoring Konon Demosthenes cites the first line of the motivation formula: ἐπειδὴ Κόνων ἠλευθέρωσε τοὺς Ἀθηναίων συμμάχους. Although this is the only line cited and the decree itself is not preserved, it must come from the motivation formula. The conjunction ἐπειδὴ is used only in these formulae, as a search of the machine—readable data bank with the LEX program of the IBYCUS system shows. It is likely that, as in other examples, it follows directly upon the prescript and, as the first unique line of the decree, lends itself to being easily remembered. Moreover, a strong visual reminder associated with the word ἠλευθέρωσε is the statue of Konon set up prominently in the Agora, probably with the decree beside it, before the Stoa of Zeus Eleutherios. The charter of the second confederacy (*IG* II<sup>2</sup> 43), with its emphasis on freedom and autonomy in the terms of the King's Peace, was also set up there, along with statues of Evagoras and Timotheos.

Demosthenes says that the deeds of Chabrias come from a decree; he has them read out, and, again, the motivation formula is the most likely source (cf. line 78: ἀναγνώσεται γεγραμμένας ... τὰς τε ναῦς ὅσας ἔλαβε, etc.). One should compare the third century decrees, particularly that honoring Phaidros of Sphettos, where the details of the career and the enumeration of the accomplishments of the honorand, including his victories (cf. *IG* II<sup>2</sup> 682, lines 7-13), come from the motivation formula.

The decrees, then, place before the audience the events for which they stand. In the lengthy section on honors in the *Against Leptines* (29-87), the decrees are examples that dispose the audience to think positively about themselves. When the reading of a decree is preceded or followed by verbal reference to the motivation formula, it accomplishes what Aristotle characterizes as a "call for attention" (τὸ προσεκτικὸν ποιεῖν), appropriate at any place in a speech (*Rhet.* 3.1415b). Demosthenes varies his technique in handling this material, using paraphrase, quotation, and summary, to create the impression of arguments which have broad application. This invites the audience to listen attentively to the next section of the speech (88-115), which also has a positive application: the proposal of a substitute law for that of Leptines.

Although Demosthenes could have maintained that the law is unworkable—he touches upon this argument in section 21-22, where it is noted that very few exemptions are involved—he bases his case mainly on the contention that, for Athens, the law is dishonorable. To demonstrate that the matter is sufficiently serious to warrant repeal of the law of Leptines, he uses decrees. Those chosen for discussion amplify the successes of Athenian politics in the first half of the fourth century.

The decree for Leucon prompts a discussion of the grain trade and its importance for Athens' food supply. Konon invites comparison with Themistocles, a fifth century counterpart in strengthening the navy and rebuilding the walls of Athens. There are extended discussions of Epikerdes' services and Chabrias' deeds. All of the examples of the privilege of *ateleia* which are chosen for presentation highlight some aspect of the aims and achievements of the fourth century democracy:

1. Reconciliation (Epikerdes' ransom of Prisoners).
2. Support of exiles (Korinthian, Thasian exiles).
3. Development of the grain trade (Leucon, Archibios and Heraclides).
4. Victorious generals (Konon, Chabrias, Iphicrates, Timotheos).

Demosthenes confronts his audience with these examples, which suggest that the law of Leptines, by taking away honors which have been earned, repudiates Athens' immediate past. The substitute law which is proposed allows those who have *ateleia* to retain it and prescribes a scrutiny for future grants. Thus the speaker appears to address the immediate crisis seriously, while maintaining an honorable attitude toward the past. We do not know the verdict in this case, but several decrees granting immunity have survived from the later fourth and third centuries.

Although technically a speech for the law courts and a private oration, the *Leptines* deals with a subject of public concern. The theme of Athens' national character, so characteristic of all of Demosthenes' public speeches, is here developed extensively for the first time and is directly related to the decrees which Demosthenes makes his principal argument against the law.<sup>12</sup>

### Appendix I. Measurements for *IG I<sup>3</sup> 125*

Common letters (E, N, T, H, I):

**Fr. a** (EM 7010)

|   |                               |
|---|-------------------------------|
| E | height .011 m.; width .007 m. |
| N | height .011 m.; width .010 m. |
| T | height .010 m.; width .012 m. |
| H | height .011 m.; width .009 m. |
| I | height .011 m.                |

<sup>12</sup> Preliminary versions of this paper were presented at the meeting of the Southern Section of the Classical Association of the Middle West and South, in Greenville, S.C. in October, 1988 and at the 10th International Congress of Greek and Latin Epigraphy in Nîmes, France in November, 1992. Data on inscriptions was collected from CD-ROM #2 and #6 of the Packard Humanities Institute and on literary texts from CD-ROM "C" of the Thesaurus Linguae Graecae. For permission to study the fragments of the Attic decree honoring Epikerdes of Kyrene I should like to thank K. Peppas-Delmouzou, Director of the National Epigraphical Museum, Athens, T. Leslie Shear, Jr., Director of the Agora Excavations, and their staffs. I am also grateful, for arrangements, to William D.E. Coulson, Director of the American School of Classical Studies, and his staff. Fragments a+b+c of *IG II<sup>2</sup> 174 + Agora Inv. No. I 7065* were first published in *Hesperia* 39 (1970), pl. 31. This photograph and that of fragment c alone are published by courtesy of the American School of Classical Studies: Agora Excavations. I am indebted to S.V. Tracy for friendly criticism, but I am alone responsible for the views expressed herein.

**Fr. b** (EM 7006)

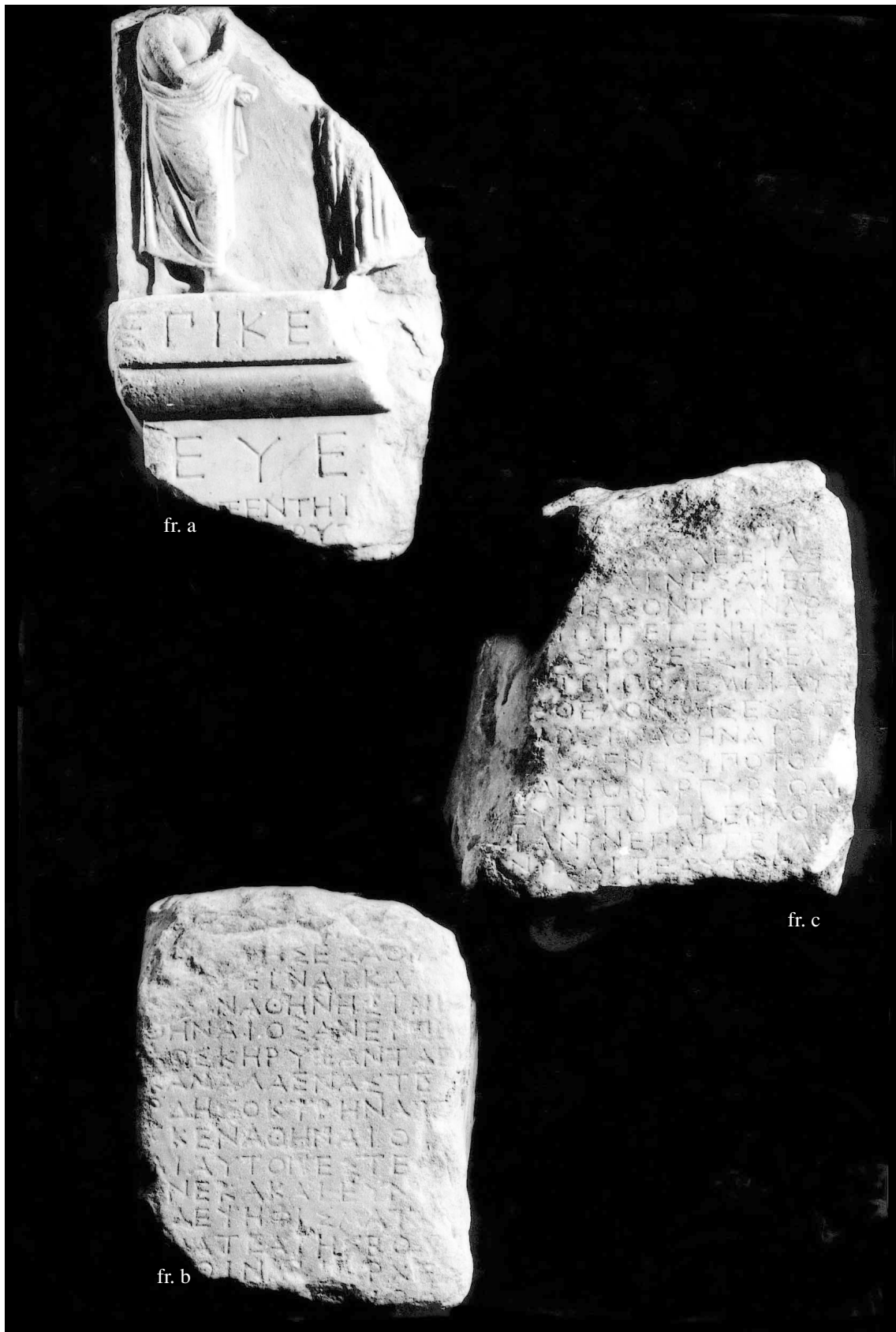
- E (11 occurrences: lines 20-1, 23-5, 27-32)  
     height .011 m. (9 occurrences; 2 insufficiently preserved)  
     width .007 m. (11 occurrences)
- N (9 occurrences: lines 21-4, 26-9, 32)  
     height .011 m. (9 occurrences)  
     width .010 m. (9 occurrences)
- T (6 occurrences: lines 20-4, 24-5, 28, 30-1)  
     height .010 m. (5 occurrences; 1 insufficiently preserved)  
     width .012 m. (5 occurrences; 1 insufficiently preserved)
- H (9 occurrences: 20, 22-4, 26-7, 30-2)  
     height .011 m. (8 occurrences; 1 insufficiently preserved)  
     width .009 m. (6 occurrences; 2 insufficiently preserved)  
     .008 m. (1 occurrence)
- I (10 occurrences: lines 21-3, 25-30, 32)  
     height .011 m. (6 occurrences; 4 insufficiently preserved)

**Fr. c** (Agora 17065)

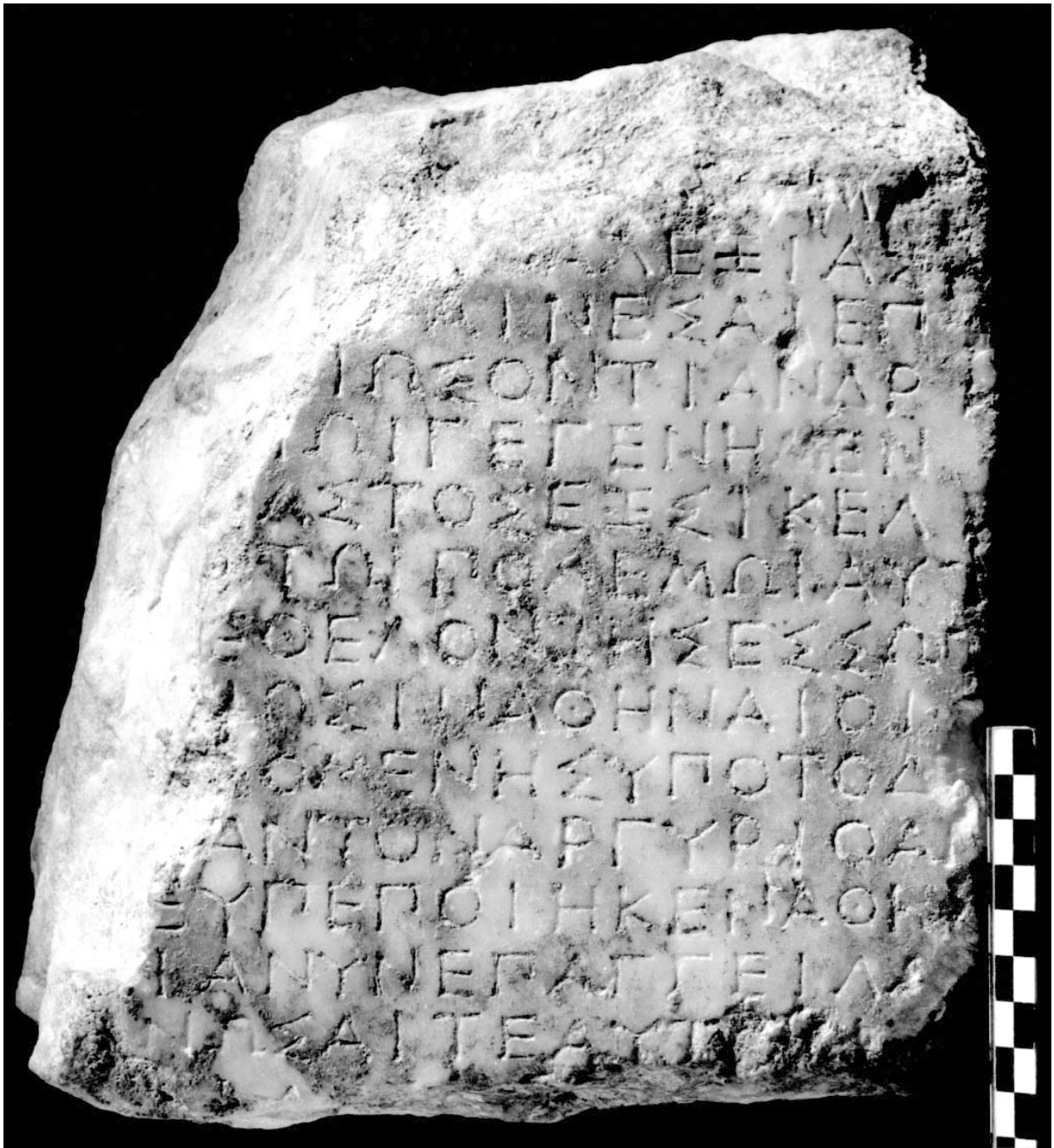
- E (11 occurrences: lines 5-6, 8-9[2], 11, 13, 15-16[2], 17)  
     height .011 m. (10 occurrences)  
     .010 m. (1 occurrence)  
     width .007 m. (8 occurrences)  
     .008 m. (3 occurrences)
- N (14 occurrences: lines 6-7[2], 8, 10-12[2], 13-16[2], 17)  
     height .011 m. (8 occurrences; 1 insufficiently preserved)  
     .010 m. (4 occurrences)  
     .009 m. (1 occurrence)  
     width .010 m. (9 occurrences; 1 insufficiently preserved)  
     .009 m. (3 occurrences)  
     .011 m. (1 occurrence)
- T (7 occurrences: lines 7, 9-11, 13-14, 17)  
     height .010 m. (6 occurrences; 1 questionable)  
     width .012 m. (6 occurrences; 1 questionable)
- H (5 occurrences: lines 8, 11-13, 15)  
     height .011 m. (5 occurrences)  
     width .009 m. (5 occurrences)
- I (13 occurrences: lines 5-10, 12[3], 14-17)  
     height .011 m. (11 occurrences)  
     .010 m. (2 occurrences)

**Appendix II. Meritt's Composite Text of IG II<sup>2</sup> 174 (F<sup>3</sup> 125):  
Hesperia 39 (1970) 111-12]; see Plate V**

|           |    |  |          |
|-----------|----|--|----------|
| Fr. a,b,c | 1  | Ε π ι κ έ ρ [ δ η ς Κ υ ρ η ν α ἰ ο ς ]    | a 1      |
|           |    | ε ὕ ε ρ [ γ έ τ η ς ]                      |          |
|           |    | [Ἔδο]ξεν τῆι [βολῆι καὶ τῶι δήμῳ· Ἐρεχ]    |          |
|           | 4  | [θηῖς ἐπ]ρυτ[άνευε, ..... ἐγρ]αμ[μ]        | a 4; c 1 |
|           |    | [άτευε, ..... ἐπεστάτ]ε, Ἄλεξία            |          |
|           |    | [ἦρχε, ..... εἶπε· ἐπ]αινέσαι Ἐπ           |          |
|           |    | [ικέρδῃ τῶι Κυρηναί]ωι ὡς ὄντι ἄνδρ        | c 4      |
|           | 8  | [ἰ ἀγαθῶι καὶ μάλα αἰτ]ίωι γεγενημέν       |          |
|           |    | [ωι τὸς ἀλόντας πολίτ]ας τὸς ἐξ Σικελ      |          |
|           |    | [ίας τὸ μὴ ἀποθανέν ἐν] τῶι πολέμῳ· αὐ     |          |
|           |    | [τὸς γὰρ μνᾶς ἑκατὸν] ἐθελοντῆς ἐς σω      | c 8      |
|           | 12 | [τηρίαν ἦνεγκεν ἀνά]λωσιν Ἀθηναῖοι         |          |
|           |    | [ς, ἀνθ' ὧν ἀτελείας δε]δομένης ὑπὸ τῷ δ   |          |
|           |    | [ἦμο νῦν ἐπέδωκε τάλ]αντον ἀργυρίῳ Ἀ       |          |
|           |    | [θηναίοις καὶ ἄλλα] εὐ̄ πεποίηκεν Ἀθη      | c 12     |
|           | 16 | [ναίων τὸν δῆμον κα]ὶ ἄ νῦν ἐπαγγειλά      |          |
|           |    | [μενος ποιεῖ, στεφ]ανῶσαι τε αὐτ[ὸν πά]    |          |
|           |    | [λιν θαλλῷ στεφάνωι] κα[ὶ] ἐ[παινέσαι κ]   |          |
|           |    | [αὶ πάλιν] ἀν[δραγαθίας ἕνεκα καὶ εὖν]     | b 1      |
|           | 20 | [οίας τ]ῆς ἐς Ἀθ[ηναῖος ἐμ παντὶ καιρῷ]    |          |
|           |    | [ἰ κα]ὶ εἶναι καὶ [αὐτῶι τυχεὲν ἄλλων ἀγ]  |          |
|           |    | [αθ]ῶν Ἀθήνησιν κ[αθάπερ ἂν αἰτῆται Ἀ]     | b 4      |
|           |    | θηναῖος. ἀνειπέ[ν δὲ καὶ τὸν κήρυκα π]     |          |
|           | 24 | [ρ]οσκηρύξαντα ἐ[ν τῶι ἀγῶνι τῶι αὐτί]     |          |
|           |    | κα μάλα ἐν ἄστει [ὅτι πρότερον Ἐπικέ]      |          |
|           |    | ρδης ὁ Κυρεναί[ος μνᾶς ἑκατὸν ἐσήνε]       | b 8      |
|           |    | γκεν Ἀθηναῖο[ις ἐς σωτηρίαν ἀνθ' ὧν κ]     |          |
|           | 28 | αὶ αὐτὸν ἐστε[φάνωσαν ἀνδραγαθίας]         |          |
|           |    | [ἔ]νεκα καὶ εὖν[οίας τῆς ἐς Ἀθηναῖος· τ]   |          |
|           |    | [ὸ] δὲ ψήφισμα τ[ὸδε ἀναγράψαι τὸν γρα]    | b 12     |
|           |    | [μ]ματέα τῆς βολ[ῆς ἐμ πόλει ἐν κτήλῃ]     |          |
|           | 32 | [λι]θίνῃ. ὦ Ἄρχε[ ..... εἶπε· τὰ μὲν ἄλλα] |          |
|           |    | [καθάπερ τῆ]ι βο[λῆι - - - - -]            |          |
|           |    | (lacuna)                                   |          |



Decree honoring Epikerdes of Kyrene (*IG* I<sup>3</sup> 125 [II<sup>2</sup> 174], fr. a, b, and c)



Decree honoring Epikerdes of Kyrene (*IG* I<sup>3</sup> 125 [II<sup>2</sup> 174], fr. c)