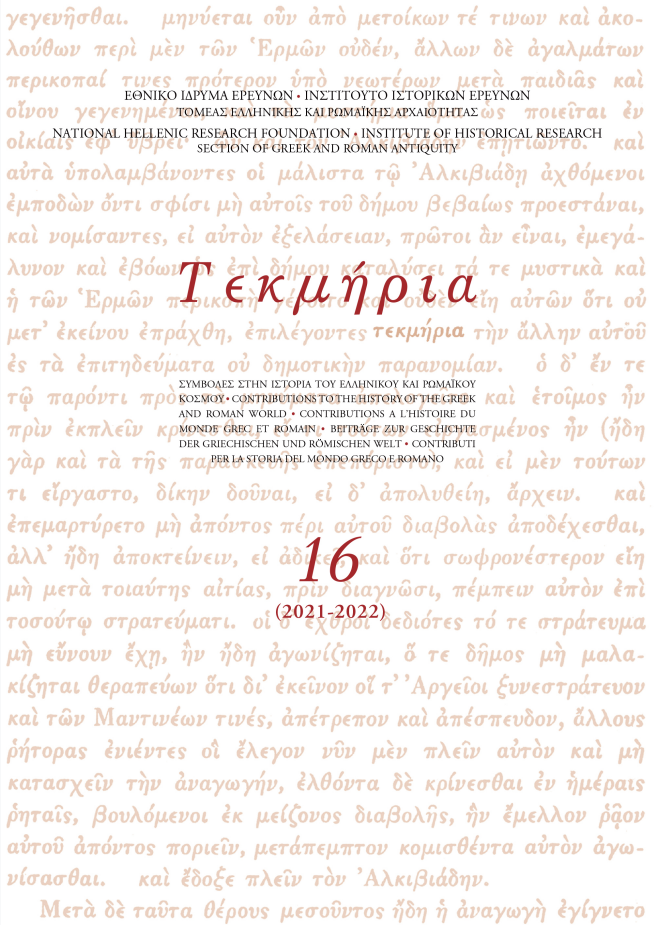
Tekmeria

Vol 16 (2021)

(2021-2022)



Major Events in the Recent Past in Assembly Speeches and the Authenticity of [Andocides] On the Peace

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doi: 10.12681/tekmeria.28450

To cite this article:

Harris, E. (2021). Major Events in the Recent Past in Assembly Speeches and the Authenticity of [Andocides] On the Peace. *Tekmeria*, *16*, 19–68. https://doi.org/10.12681/tekmeria.28450

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Major Events in the Recent Past in Assembly Speeches and the Authenticity of [Andocides] *On the Peace*

When a speaker (*rhetor*) addressed the Athenian Assembly, he had to be very careful not to misrepresent major events in the recent past if he were to maintain his credibility. In a speech delivered in court, a litigant might accuse his opponent of crimes without a shred of evidence. A different standard was however observed in the Assembly. Speakers often used examples (*paradeigmata*) from the past to support their arguments about what the Athenians should do in the future. For their arguments to convince, these examples had to be familiar to the voters in the Assembly and to be accurate. A speaker could not lie about major political events everyone had witnessed. If a politician wanted the Assembly to enact his proposals, he could not state that the Athenians won the battles of Aegospotamoi and Chaeronea or that the Spartans won the battle of Leuctra or refer to treaties that never existed. A speaker might make minor involuntary errors about insignificant aspects of historical events but could not misrepresent the causes of a recent war nor make errors about contemporary institutions.

This essay will start by reviewing the statements made by Demosthenes about major recent events in his speeches to the Assembly and show that they are accurate and confirmed by other sources. These statements also tend to be brief and to the point. Speakers in the Assembly did not have the time to provide lengthy narratives about past history but alluded briefly to familiar events.[1] The rest of the essay will show that the speech *On the Peace* attributed to Andocides makes major mistakes about contemporary and recent events and uses the term *presbeis autokratores* in a way that reveals the author of this work was not familiar with the institution. All this evidence confirms the judgement of Dionysius of Halicarnassus that the speech is not a genuine work of Andocides and the doubts of Harpocration about its authenticity.[2]

1. On the expression "you all know", see Pearson 1941 and Canevaro 2019.

2. Earlier scholars have accepted the authenticity of *On the Peace* as a genuine work of Andocides. See, for example, Hamilton 1979, 234-237, Edwards 1995, 107-108,

1. Major recent events in Demosthenes' public speeches

The Demosthenic corpus contains sixteen speeches written for delivery before the Athenian Assembly, but the authenticity of three has been questioned (11, 13, 17), and one (7) is attributed to Hegesippus by most scholars.[3] The historical allusions will be examined in the order the speeches were delivered. "Recent events" are those occurring thirty to forty years before the speech.

The speech *On the Symmories* (14), delivered in 354/3, contains few allusions to contemporary events, but they are all confirmed by other sources. Demosthenes (14.13) says that the Athenians have about three hundred triremes available, which is close to the figure found in the naval records for the year 353/2 (*IG* II^2 1613, ll. 284-292).[4] Demosthenes (14.19, 27) states that the taxable property available for the *eisphora* is 6,000 talents, which is close to the figure given for the year 378/7 by Polybius (2.62.6-7). Demosthenes also alludes to revolts by Orontes and the Egyptians, which are attested in other sources.[5] And the information Demosthenes gives about naval equipment is consistent with the epigraphic evidence.[6]

MacDowell in Gagarin, MacDowell 1998, 148-158 and Grethlein 2010, 128 n. 9. My arguments against authenticity in Harris 2000 have been accepted by Martin 2009, 220 n. 4, Couvenhes 2012, 109-114, Conwell 2008, 220, Zaccarini 2017, 34 n. 46 ("probably a gross forgery"), and Canevaro 2019, 140. Rhodes 2016 replies to my arguments, but, as we will see, he misrepresents the ancient evidence and makes serious errors. Magnetto 2013 only discusses my analysis of the term *presbeis autokratores*, but her objections contain several errors. See the discussion of this term later in this essay. This essay adds more evidence to the evidence presented in Harris 2000 and modifies some of the analyses in that essay.

3. On the authenticity of Dem. 11, see MacDowell 2009, 360-363. Trevett 1994 argues that Dem. 13 is genuine, but the speech is omitted from the list of speeches in the *Letter to Ammaeus* by Dionysius of Halicarnassus; see also Sing 2017, who argues against authenticity. On the authenticity of Dem. 17, see Trevett 2011, 287 and MacDowell 2009, 380-381; Culasso Gastaldi 1984 believes that it was written by Demosthenes' nephew Democharis; Hitching 2017 discusses only the date. One major piece of evidence against authenticity is the absence of any stichometry for the speech.

4. See Gabrielsen 1994, 126-129.

5. For these revolts, see Briant 2002, 662-666, 682-685.

6. See Gabrielsen 1994, 146-169 with *IG* II^2 1604-1632.

The speech *On the Megalopolitans* (16) was delivered in 353/2 (Dion. Hal. *Amm.* 4) and concerns mainly events in the Peloponnese. The statements of Demosthenes accurately portray the situation there and elsewhere. Demosthenes (16.4, 25, 28) says that the Thebans have not allowed the cities of Orchomenus, Thespiai, and Plataea to be resettled, which is consistent with other information about their status at the time (Diod. Sic. 15.46.6; 79.3-6; Paus. 9.1.4-8). Demosthenes (16.6) is also correct in recalling that the Athenians fought with the Spartans against the Thebans at the battle of Mantinea (Xen. *Hell.* 7.5.15-18; Diod. Sic. 15.84.4-87.6). The alliance between Athens and Messene mentioned by Demosthenes (16.6) is confirmed by Pausanias (4.28.2). Demosthenes (16.16) implies that Elis had lost Triphylia and alludes to a dispute over Tricaranum, which are also recounted by Xenophon (*Hell.* 7.1.26; 4.4). Demosthenes (11-13, 18) also mentions Theban control over Oropus, which is confirmed by several other sources (Xen. *Hell.* 7.4.1; Aeschin. 3.85; Diod. Sic. 15.76.1; Plut. *Dem.* 5).

The *First Philippic* (4) is dated by Dionysius of Halicarnassus (*Amm.* 4) to 352/1 and discusses the situation in Northern and Central Greece. Demosthenes (4.4-6) gives accurate information about the loss of Pydna, Potidaea, and Methone (see below) and about Athenian expeditions to Euboea, Haliartus and Thermopylae (Dem. 4.17 with Aeschin. 3.85; Diod. Sic. 16.7.2; *IG* II^2 124 [Euboea]; Xen. *Hell.* 3.5.18-19 [Haliartus]; Diod. Sic. 16.38.1 [Thermopylae]). He is also correct about the Athenian defeat of the Spartans at Corinth in 393 (Xen. *Hell.* 4.4.15; Diod. Sic. 14.91.2-3). Demosthenes (4.27) gives accurate information about the hipparch at Lemnos ([Arist.] *Ath. Pol.* 61.6) and about Thasos and Skiathos as Athenian allies (*IG* II^2 43, lines A86, B3).[7] His criticism of the Athenians for trying generals two or three times on different capital charges is slightly exaggerated but has a large element of truth (Dem. 4.47).[8]

The speech *On the Freedom of the Rhodians* (15), delivered in 351/0, contains several allusions to recent events. Demosthenes (15.3-4) alludes to the recent revolt from the Second Athenian Confederacy by Chios, Byzantium and Rhodes, which is confirmed by Diodorus (15.7.3). Demosthenes (5.9-10) also mentions the orders given to Timotheus about aid to the satrap Ariobarzanes and the conquest of Samos, which is confirmed by other sources (Ariobarzanes: Diod.

7. On Thasos, see also Dem. 20.59 with Canevaro 2016, 291-292 with references to earlier discussions.

8. For trials of generals, see Hansen 1975, 63-64.

Sic. 15.90-92; Samos: Isocr. 15.11).[9] The information Demosthenes (15.19) gives about oligarchs at Mytilene is confirmed in part by the eighth letter of Isocrates to the leaders there. Demosthenes (15.22, 24) also alludes to two earlier events. First, he mentions that, during the Thirty, several Athenian exiles went to Argos (Diod. Sic. 14.6.2). Second, he mentions the unsuccessful attempt of Cyrus and Clearchus to overthrow the Persian king in 401, which is recounted at length in Xenophon's A*nabasis* (1.1-10.19). Finally, Demosthenes (15.27, 29) alludes to the King's Peace, which was concluded in 387/6 (Diod. Sic. 14.110.2-4; Xen. *Hell*. 5.1. 31; see below for detailed discussion) and was still in effect.

The three speeches about Olynthus (1-3) were delivered in 349/8 (Dion. Hal. *Amm*. 4; Philochorus *FGrHist* 328 F 49-51) and also concern the situation in Northern Greece.[10] Demosthenes repeatedly mentions the cities captured in this area, defeats that are confirmed by other sources: Amphipolis (Dem. 1.5; 12; 2.6 with Diod. Sic. 16.6.2), Potidaea (Dem. 1.9; 2.7 with Diod. Sic. 16.8.5), Pydna (Dem. 1.5, 12 with Diod. Sic. 16.82.2-3), and Methone (Dem. 1.9 with Diod. Sic. 16.31.6; 34.4-5).[11] There is not as much evidence in the sources about Thessaly in this period (Diod. Sic. 16.38.1), but Demosthenes' statements are not inconsistent with what is known about Philip's influence there (Dem. 1.13, 21-22; 2.11).[12] Demosthenes states that the Phocians desperately needed help, which is in line with information supplied by Diodorus (16.37.3-38.2). The allusions of Demosthenes (1.13) to campaigns of Philip against Illyrians, Paeonians and Arybbas are confirmed by inscriptions (*IG* II^2 127; *IG* II^3 1, 411).[13] The statement of Demosthenes (2.14) about Timotheus's campaigns against Olynthus is also confirmed (Nepos *Timotheus* 1.2; Polyaenus *Strat*. 3.10.7, 14; *IG* II^2 110 [363/2]).

9. For discussion of Demosthenes' account of Timotheus' actions, see Canevaro 2019, 154-155.

10. On these speeches, see Herrman 2019.

11. The accounts of the siege and abandonment of Methone are also confirmed by archaeological evidence; see Bessios, Athanassiadou, Noulas 2021.

12. Rhodes, Osborne 2003, 225 and Worthington 2008, 64-66 mistakenly believe that Philip was archon of Thessaly at this time. See Harris 1995, 175-176; Dmitriev 2011, 411-420; Helly 2018, 139-150.

13. Errington 1975 and Heskel 1988 plausibly place the campaign against Arybbas around 350; Griffith 1979, 504-509, followed by Rhodes, Osborne 2003, 353-355, place the campaign in 342, which is less likely.

On the Peace (5) was delivered in late 346 after the conclusion of the Peace of Philocrates (Dion. Hal. *Amm.* 4). At the beginning of his speech Demosthenes (5.5) alludes to the recent defeat of the Athenians on Euboea, which is recounted by Plutarch (*Phocion* 12-14) and mentioned in *Against Meidias* (Dem. 21.110). His statement that Argos, Messene and Megalopolis are hostile to Sparta (Dem. 5.18) is accurate as we saw in the speech *On the Megalopolitans*. His statements that the Phocians had seized Orchomenos and Coroneia during the Third Sacred War and that the Thebans recovered them in 346 are certainly true (Dem. 5.20; Diod. Sic. 16.56.2), and the statement that the Thebans controlled Oropus at the time is also true as we saw above (Dem. 5.10, 16). Aeschines (2.119-20) corroborates the predictions made about Philip's intentions earlier that year (Dem. 5.10)

The *Second Philippic* (6) was delivered in 344/3 (Dion. Hal. *Amm.* 4) and mentions several of the incidents discussed in earlier speeches regarding Amphipolis, Potidaea, and Olynthus (Dem. 6.17) and Philip's control of Thermopylae and the Phocians (Dem. 6.29, 35, 36).

The *Third Philippic* (9) was delivered in 342/1 and contains many allusions to recent events. Demosthenes repeats many of his accusations about the events of 346, such as Philip's seizure of towns in Thrace during the peace (9.15) and the "destruction of the Phocians" (9.19, 26, 68).[14] The first is misleading because Philip did capture these towns but not during the peace,[15] and the second an exaggeration because Philip only imposed a settlement that weakened the Phocians, but they are not false. Demosthenes (9.12) again alludes to Philip's control of Thessaly as he did in earlier speeches and mentions Philip's attempt on Megara (Dem. 9.17-18), which may be confirmed by a passage in Plutarch (*Phocion* 15). His statement that Philip administered the Pythian games in 346 is accurate (Dem. 9.32 with Diod. Sic. 16.60.2), and the information about the Athenians chasing out the pro-Macedonian Plutarchus is also accurate (Dem. 9.57 with Plut. *Phocion* 12-14). Another section (9.59-62; cf. 12, 17, 18) contains a discussion of the situation in Euboea and states that Philistides, Menippus, Socrates, Thoas and Agapaeus controlled the city of Oreus in Philip's interest. All these names are not mentioned in other sources, but the

14. Demosthenes shades the truth here because the Thracian towns were not seized during the peace but before the treaty was sworn. For discussion, see Harris 1995, 165-166. Philip's capture of these cities is however accurate.

15. See Harris 1995, 79-80.

role of Philistides is confirmed by a fragment of Philochorus (*FGrHist* 328 F 159-160; cf. Steph. Byz. *Ethnika* s.v. Ὠρεός). Demosthenes' statements about earlier events are also roughly accurate. He recalls the alliances between the Spartans and the Persians (Dem. 9.47) and the Spartan invasions of Attica during the Peloponnesian War (Dem. 9.48 with Thuc. 2.18-23; 2.47, 55-7; 3.1, 26; 4.2, 5-6). His statement about the Theban victory at Leuctra is accurate (Dem. 9. 23).[16] The figure of thirteen years for Philip's attacks on the Greeks would place the start of his aggression around 354, which is debatable but not unreasonable (Dem. 9.25).[17] Yet one needs to take the rhetorical context into account here because Demosthenes wishes to contrast Philip's many crimes done in a short space of time with the crimes committed by the Athenians and the Spartans over a longer period of time.[18]

On the Chersonese (8) was delivered in 342/1 (Dion. Hal. *Amm*. 4), but large parts of it (Dem. 8.38-51, 52-67) are repeated in the *Fourth Philippic* (11-27, 55-70). Demosthenes once more mentions the tyrants in Euboea (36), the capture of Olynthus by treachery (40), and the Athenian "liberation" of Euboea in 357 (73-75). Much of the speech is devoted to a discussion of Diopeithes' activities in the Chersonnese, which appears to be confirmed by evidence from the hypothesis to the speech, which may draw on independent sources.

In the *Fourth* Philippic (10), which was delivered in 342/1 or 341/0 (see Didymus col. 1.30), Demosthenes repeats much of the information found in earlier speeches about Serreion and Doriskos (8), Euboea (8, 9), Megara (9), Amphipolis (12), Potidaea (12), Thebes and Phocis (47), Olynthus (64) and Thrace (65), which we have found to be reliable. In one section he discusses Athenian relations with the Persian king, information which is confirmed by other sources. Demosthenes (10-31-32) mentions the Benefactors of the King, whose existence is well attested,[19] and alludes to the arrest of Hermias,

16. For discussion, see Herrman 2019, 223.

17. See Herrman 2019, 225.

18. For a similar case of Demosthenes' manipulation of dates, see Dem. 21.154 with Harris 1989, 121-125. Daix, Fernandez 2017, 403 believe that the text may have been corrupted, but the evidence of Plutarch *Demosthenes* 12 and *POxy* XI 1378, col. ii, 19-21 show that the reading of the manuscripts was the reading in antiquity and that Daix and Fernandez are mistaken.

19. Briant 2002, 303-304.

which is discussed at length by Didymus (cols. 4.59-6.62), and to cooperation between Perinthus and the satraps of Asia Minor (Dem. 10.31-33), which is also confirmed by Didymus (cols. 4.1-15). In the same section Demosthenes (10.34) refers to the help the Persian king gave the Athenians during the Corinthian War and his recent offer to help them again, which is confirmed by a fragment of Philochorus (*FGrHist* 328 F 157). Later in the speech, Demosthenes (10.51-52) recalls the strategy of the Persian king in pitting the Greeks against each other and supporting the weaker side to keep the stronger in check, which is certainly a good description of the king's tactics in the Ionian War and the Corinthian War.[20]

The speech of Hegesippus *On Halonnesus* ([Dem.] 7), dated to early 343, alludes to many of the same incidents mentioned in Demosthenes' speeches to the Assembly: Philip's capture of Potidaea (10), his control over Amphipolis (23-28), and Philip's expedition against Ambracia (32) and against Serreion and Ergiske (37).[21] Hegesippus ([Dem.] 7.29) claims that the King of Persia recognized Athenian claims to Amphipolis, which may or may not have been true but was believed by Aeschines (2.32) and Demosthenes (19.283). Hegesippus ([Dem.] 7.11) gets the name of Philip's father Amyntas right.

There is no reason to believe that Demosthenes was more scrupulous about recent events than other speakers in the Assembly. In the debate at Athens in 433 the Corcyreans do not misrepresent recent events like their naval victory over the Corinthians (Thuc. 1.32.5) and the offer for arbitration about Epidamnus (Thuc. 1.34.2). The Corinthians are also accurate in their statements about the siege of Epidamnus (Thuc. 1.38.5), the revolt of Samos and the Athenian conquest of Aegina (Thuc. 1.41.2). The Corcyreans and the Corinthians differ about the intepretation of one clause in the Thirty Years Peace, but they agree about its main terms (Thuc. 1.35.3; 40.2). Cleon and Diodotus disagree about the punishment for the citizens of Mytilene but they do not give different versions of the main facts of the revolt (Thuc. 3.37-48). The same is true about the debate between Nicias and Alcibiades in 415 about the expedition to Sicily (Thuc. 6.9-23). In the speeches given by Thucydides misrepresenting the facts was not considered a way of *ta deonta eipein*. At the debate in the Assembly in 370/69 the Peloponnesian ambassadors do not misrepresent recent history

20. See Thuc. 8 *passim* and Xen. *Hell.* 4 *passim*.

21. For the date of Hegesippus' speech, see Harris 1995, 169-171.

or the present military situation (Xen. *Hell.* 6.33-48; cf. 7.1.2-14). In all these speeches in the historians, references to recent events are also brief and to the point.

A study of the use of recent events in Demosthenes' speeches to the Assembly and the speeches in Thucydides and Xenophon reveals that the orator is generally reliable and accurate.[22] What is also striking is that almost every mention of recents events is very brief, often only a few words and never more than a sentence or two. There are no lengthy narratives of past history in the speeches to the Assembly.

2. Events in the fifth century BCE in *On the Peace*, Aeschines and other sources

We can now turn to the speech *On the Peace* attributed to Andocides. A close study of the information given about the situation in Greece around 391 and recent events reveals that the speech cannot be genuine. In a previous essay I compared the accounts of Athenian history in the fifth century given respectively in *On the False Embassy* by Aeschines (2.172-177) and in *On the Peace* (3-9) and demonstrated that there were both similarities and differences between the two accounts, but that *On the Peace* contains more errors than the account of Aeschines.[23] Rhodes does not contest this analysis and admits that there are more errors about Athenian history in the *On the Peace* than in Aeschines.[24] Rhodes however denies that this fact is evidence that the *On the Peace* was composed after Aeschines' speech *On the False Embassy*. His reason for this view is that "Aeschines perpetuates fewer errors because of the way in which he is reusing the text." This explains nothing at all. Moreover, Rhodes fails to discuss how Aeschines is reusing the text, his aims in reusing the material,

22. In his study of historical allusions in the orators Pearson 1941 does not make a distinction between events in the distant past and the recent past or between speeches to the court and speeches to the Assembly. Maltagliati 2020 is a narrow rhetorical study of exempla, does not assess their accuracy and makes no distinction between deliberative and forensic oratory. In general, one cannot argue that the discursive protocols of the Assembly and of the courts differed over time. On mentions of ancestors and liturgies, see Harris 2016. On charges of deception, see Kremmydas 2013. On the broad continuity in the use of arguments from justice, see Heath 1990.

23. Harris 2000, 480-487.

24. Rhodes 2016, 183.

and how his manner of reusing the text can be used to explain the differences between the two passages. Nor does Rhodes analyze the distinctive features of Aeschines' text and examine its aims in their rhetorical context.

Aeschines (2.171, 177) is quite explicit about his reasons for recalling these events: he is attempting to justify his support for the Peace of Philocrates. His aim is very clear: he wants to show that the Athenians prosper more during time of peace than during wartime. To achieve this aim, Aeschines should be expected to provide as much evidence as possible and not to subtract items supporting his general point or to alter evidence to make it less compelling. Now, given his aim in this section, we should expect Aeschines to claim that the Athenian fleet was very large. Yet Aeschines (2.175) states that the Athenians had three hundred triremes while *On the Peace* (9) puts the number at over four hundred. When we take into account Aeschines' aims in this section, one would expect him to keep the larger number of over four hundred rather than reduce it to three hundred. Rhodes appears to realize that this evidence seriously undermines his objection and resorts to a desperate remedy: he claims that the text of Andocides is corrupt and follows Markland, who is also followed by Edwards, in emending the text of *On the Peace* (9) to remove the problem. Dilts and Murphy (2018), who have studied the manuscripts, do not emend the text and for good reason: there is no evidence for corruption and no good paleographical grounds to explain how such a corruption might have occurred. The speech *On the Peace* is preserved in two manuscripts, A and Q. Though A has many corrections, there is no evidence for variants in this passage. The difference between the figure in Aeschines and the figure in *On the Peace* cannot be emended away. What is more serious, Rhodes cannot explain why Aeschines would have reduced the number of triremes if his intent in this section was to praise the benefits of peace. Aeschines (2.172) states that the Athenians made a treaty with the Spartans for fifty years and kept the treaty for thirteen years. *On the Peace* (3-4) adds that before this treaty the Athenians held Megara, Pegai and Troizen, which Aeschines does not mention. If Aeschines was celebrating the advantages of peace, why did he not mention Athenian control over these places during peace-time? *Pace* Rhodes, one cannot use Aeschines' manner of reusing material as a way of explaining this difference or any of the other differences. The objection is groundless.

On the other hand, one needs to bear in mind what we observed in the previous section: speakers in the Assembly do not give long accounts of past events but refer to them briefly and succinctly. By contrast, lengthy accounts

of past events occur in forensic speeches like the account of the siege of Plataea in the *Against Neaira* of Apollodorus ([Dem.] 59.94-107), the account of the Athenian reaction to Philip's victory at Chaeronea in *Against Leocrates* of Lycurgus (37-54), the account of Charidemus' career in *Against Aristocrates* (Dem. 23.144-211), the story of the announcement of Philip's arrival at Elateia and Demosthenes' reaction in 339 (Dem. 18.169-180), and the account of Theramenes' career given by Lysias in his speech *Against Eratosthenes* (12.62-78). This makes sense: speakers in the Assembly could not make long speeches, but litigants in court had up to three hours in a public case.[25] If therefore we take into account the way speakers in the Assembly use historical material, we would expect the account of Aeschines in *On the False Embassy* (2.172-77) to be much longer than the account of the same events in *On the Peace* (3-9) which was written for the Assembly, but we find the opposite: the account in the *On the Peace* is slightly longer in several places. The person who composed *On the Peace* was clearly not familiar with the different discursive protocols of the Assembly and law courts. He took what he found in Aeschines' speech and added to this material but committed more errors. One finds a similar phenomenon in the forged documents inserted into the speeches of the orators. For instance, the person who forged the decree of Demophantus at Andocides 1.96-98 took some information from Demosthenes' speech *Against Leptines* (20.159) and Lycurgus' speech *Against Lycurgus* (124-126) and added material, which reveal the author's ignorance of Athenian documents and documentary language.[26]

This is not the only place in which the author of *On the Peace* did not understand the difference between speeches in the Assembly and speeches in the lawcourts. In the latter, it was not unusual for litigants to mention their ancestors by name. In orations delivered in the Assembly, however, speakers do not as a rule mention their ancestors by name.[27] In *On the Peace* (6, 29) we

25. For the length of speeches in public cases, see [Arist.] *Ath. Pol.* 67.2-4 with MacDowell 1978, 249.

26. See Harris 2013/2014 with a detailed refutation of Sommerstein 2014. Recently scholars have recognized that the evidence against the authenticity of this document is overwhelming; see Liddel 2020, 79 and Dilts, Murphy 2018, vi.

27. See Harris 2016. Alcibiades mentions his ancestors in his speech to the Assembly in 415 (Thuc. 6.16.1–3), but he does not name any of them. The only exception to this rule is the practice of foreign ambassadors mentioning their ancestors as a way

find the names of Andocides, the grandfather of Andocides, and of Epilycus, the uncle of Andocides. This is without parallel in all the preserved speeches given in the Assembly and provides additional evidence against authenticity.

One must also recall that if, as Rhodes believes, *On the Peace* was delivered in 391, then it is unlikely that the speech would contain major mistakes about relatively recent public events. In Aeschines (2.175) one reads that the Athenians held Euboea during the Peace of Nicias. This is confirmed by other evidence. Thucydides (1.114.3) reports that Pericles recovered all of Euboea after its revolt in 447/6. According to Thucydides (4.24, 43.4; 7.57.4), Carystus sent a contingent for the expedition of Nicias against Corinth in 425, and Eretria, Chalcis and Carystus sent troops for the Sicilian expedition. He later states (8.95.7) that all of Euboea except Oreos revolted in 411. The Assessment list of 425 corroborates this information (*IG* I^3 71): the list includes the cities of Carystus (l. 70), Styra (l. 74), Chalcis (l. 71), Eretria (l. 67), the Diakrians in Euboea (ll. 93-94), Dion (l. 78) and Athenai Diades (l. 79).[28] But *On the Peace* (9) erroneously states that the Athenians held only two thirds of Euboea during this period, which was only a little over twenty years before. As we observed in the previous section, speakers in the Assembly do not make this kind of mistake about recent events.

One can add more examples of serious mistakes about recent major events. Toward the end of the speech, *On the Peace* (39) contains some outright falsehoods about recent history. After their defeat in war, one reads that the Spartans took the walls and the ships of the Athenians as security (ἐνέχυρα). The term ἐνέχυρα can refer to items of property either taken as security in case of default or items of property taken by a creditor as compensation for an unpaid debt or other obligation.[29] The use of the term ἐνέχυρα in an account

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of building credibility, but this is not the case in *On the Peace*. A reader for the journal observes that Andocides mentions his ancestor Leogoras at 2.26 but this is not a deliberative speech before the Assembly but a petition on a personal matter and therefore unlike *On the Peace* and the speeches of Demosthenes. The reader also observes that Andocides calls Leogoras "the great-grandfather of my father" here but "my great grandfather" at 1.106. This may indicate that this speech is also a forgery or may be a scribal error. See Davies 1971, 28.

28. The Athenians also had a cleruchy at Histiaea; see Thuc. 1.114.3; Plut. *Per.* 23.4; *IG* I^3 41. For Athenian control of all of Euboea, see Meiggs 1972, 565-570.

29. See Harris 2006, 163-240.

of interstate relations is without parallel. A participial phrase then explains what this expression means: the Spartans took the ships of the Athenians and destroyed (καθελόντες) their walls. The speech continues by asserting that the Spartan ambassadors are now in Athens "returning the securities" (τά τε ἐνέχυρα ἡμῖν ἀποδιδόντες) and allowing them to acquire walls and ships (τὰ τείχη καὶ <τὰς> ναῦς ἐῶντες κεκτῆσθαι).[30] In an earlier section, *On the Peace* (36) states that, if the Athenians accept the treaty, ships and the walls will return to the city, which implies that the Athenians did not have them at the time. This contains several serious errors. First, Xenophon (*Hell.* 2.2.20) states that the Athenians surrendered all their ships except for twelve. The Athenians were able to rebuild their navy earlier than 391 and contributed ships to the fleet commanded by Conon and Pharnabazus in the victory at Cnidus in 394 (Xen. *Hell.* 4.3.10-12; cf. Diod. Sic. 14.83.4-7). Shortly after this, Conon had an Athenian fleet at his disposal (Xen. *Hell.* 4.8.9, 12). They did not need the Spartans to return ships taken from them in 391 to acquire a fleet. Second, according to Xenophon, the Athenians were also required to tear down their walls after their defeat, though Lysias (13.14) says that the Athenians destroyed only the Long Walls and the fortifications of the Piraeus. The Athenians rebuilt their walls not because the Spartans permitted them to do so in 391 but because they were in a position to do so as early as 395/4. Philochorus (*FGrHist* 328 F 40) states that they began this work in that year, and this information is confirmed by inscriptions (*SEG* 19, 145; *IG* II^2 1660). Xenophon (*Hell.* 4.8.9-10; cf. Diod. Sic. 14.85.3; Dem. 20.68, 72-74) also places the reconstruction of the walls at this time.[31]

Rhodes attempts to explain away this passage: "In 404 Sparta had the walls destroyed and confiscated the ships to prevent Athens from becoming powerful again; the walls were not literally held as security so we need not suppose that the ships were; by the late 390s Athens had rebuilt the walls and had built new ships, and τά τε ἐνέχυρα ἡμῖν ἀποδιδόντες is, rather than a literal claim that the ships Sparta took in 404 were taken as security and were now to be returned, a way of indicating that, in contrast to 404, the treaty now

30. Edwards 1995 and MacDowell in Gagarin, MacDowell 1998, 157 do not discuss this statement. In Harris 2000, 497 I discussed the error about the ships, but not the statement about the walls.

31. Cf. Theocharaki 2020, 27-28, who does not see how this information clashes with the information in *On the Peace*.

being negotiated would allow Athens to keep its (rebuilt) walls and its (new) ships."[32] The expression ἐνέχυρα may be an odd way of referring to the act of destroying the wall, but what *On the Peace* states about the ships is very clear: the Spartans took them in 404 and are now returning them. One cannot transform the participle ἀποδιδόντες into a "figurative" way of stating that the proposed terms "would allow Athens to keep (...) its (new) ships." If the author wanted to express the idea of "allowing to keep", he would not have used the participle ἀποδιδόντες ("giving back") but the participle ἐῶντες. To make his suggestion work, Rhodes has to place words in the text ("its [rebuilt] walls and its [new] ships" –there is nothing corresponding to "rebuilt" and "new" in the Greek of the passage, words that are not in our manuscripts). The text plainly states that the Spartans took the ships and are now returning them; the wording of the passage is clear as it stands and cannot be explained away as "figurative". Rhodes also fails to observe that in an earlier section (36) the speaker says that the Athenians will have walls and ships in the future as a result of the treaty (τείχη καὶ νῆες εἰ γενήσονται τῇ πόλει), which clearly implies that they do not have them at the present moment. In the following section (37) the speaker also implies that the Athenians do not have walls and ships right now by telling them "if you wish now too (i.e. to acquire them), get them for yourselves." Earlier in *On the Peace* (23) the speaker says that the Spartans now are "are giving to us the walls and the ships and the islands to be ours" (διδόασιν ἡμῖν τὰ τείχη καὶ τὰς ναῦς καὶ τὰς νήσους ἡμῶν εἶναι). One does not give to someone else objects the recipient already possesses.[33] These three passages rule out Rhodes' interpretation of section 39. The proposal reported by *On the Peace* would have made no sense at all in 391; did the Spartan ambassadors really believe that the Athenians in the Assembly thought that they had no walls and no fleet at the time? This passage must have been written long after 391 by someone who knew very little about the historical circumstances of the period.

Let us return to the statement in *On the Peace* (28; cf. 32) that in 391 the Athenians faced a choice between joining with the Argives in a war against

32. Rhodes 2016, 185.

33. The translation of Edwards 1995, 123 is very misleading and inaccurate: "offering to us to keep our walls, ships and islands." One cannot translate διδόασιν as "offering," and there is nothing in the Greek corresponding to "to keep" in Edwards' English translation.

Sparta and making peace with Sparta as the Boeotians have done. The speaker warns the Athenians not to repeat the error of supporting weak allies and abandoning strong ones, an error that they have made in the past. To support his point, the speaker adduces three examples in chronological order (29-31). First (πρῶτον), the Athenians made a treaty with the Great King negotiated by his uncle Epilycus but were persuaded by Amorges, the runaway slave of the Great King, to choose his friendship, which caused the Great King to side with the Spartans and give them five thousand talents until Athens was defeated. Second, when the Syracusans came to offer the Athenians their friendship, the Athenians chose to support the people of Egesta, which led to the defeat in Sicily. Third and later (ὕστερον), the Argives persuaded the Athenians to sail against Laconia while they were at peace with the Spartans, which led to their defeat in the Peloponnesian War.

Before examining the statements about these incidents, it is important to note the temporal sequence. According to *On the Peace*, the support for Amorges came first (29: πρῶτον), followed by the campaign in Sicily and later (31: ὕστερον) the decision to side with Argos. From the narrative of Thucydides, we know that the support for Amorges came in the later summer of 412 (Thuc. 8.28.2-4), the decision to support Egesta in 415 (Thuc. 6.6-8), and the decision to support Argos in the summer of 414 (Thuc. 6.105). Even though these events took place less than twenty five years before 391, the author has made a serious mistake about the date of the support for Amorges.[34]

Let us examine the second and third events. As Rhodes, Edwards and myself have observed, the story of the Syracusan invitation to conclude a treaty of friendship is contradicted by the narrative of Thucydides (6.6-8).[35] Once again, *On the Peace* makes a serious mistake about recent history. On the other hand, the Athenian support for Argos and its diplomatic consequences, which led to a resumption of hostilities, is confirmed by Thucydides (6.105; 7.18).

To return to the first example. Thucydides mentions Amorges in four passages. In the winter of 413/2 Tissaphernes sends an envoy to Sparta to offer financial assistance against the Athenians in Asia, one of his motives being to capture alive or kill Amorges, the bastard son of Pissuthnes, who had revolted (Thuc. 8.5.4-5). This passage does not indicate whether the Athenians were

34. Westlake 1989, 108 sees the mistake but still assumes that *On the Peace* is a genuine speech of Andocides.

35. Rhodes 2016, 185; Edwards 1995, 199; Harris 2000, 496-497.

supporting Amorges at this time or not. Later, after the revolts in Asia, when some ships from Chios arrived, the Spartan commander Chalcideus reports that the ships must return home and that Amorges is about to arrive by land with troops (Thuc. 8.19.1-2). This passage also says nothing about Athenian support for Amorges. In the late summer of 412 Tissaphernes persuades the Peloponnesians to make an assault by sea against Iasos, which is the headquarters of Amorges and his mercenaries. This attack succeeds because the ships are thought to be Athenian. The Peloponnesians capture Amorges alive and turn him over to Tissaphernes. The fact that Amorges appears to have been expecting Athenian help is the first indication of any relationship between Amorges and the Athenians (Thuc. 8.28.2-4). During the following winter Peisander had Phrynichus dismissed by accusing him of betraying Amorges and Iasos. Thucydides (8.54.3) considers the charge false, a slander designed to remove an enemy of Alcibiades. There are two issues here: first, the relative chronology of Athenian support for Amorges and the offer of Persian support to Sparta (which occurred first?), and, second, the causal relationship between the two events (did Athenian support for Amorges cause the Persians to support Sparta?). Rhodes notes that I follow Westlake, who argues that Athenian support for Amorges came after Persian support for Sparta, but he does not examine the evidence reviewed above. Rhodes admits that Thucydides "does not make it clear when Athens began to support Amorges" and "does not give Athens' support for Amorges as Persia's reason for supporting Sparta".[36] Rhodes does not list the incidents found in *On the Peace* in the order they are given in the speech and therefore fails to note the error in chronology. A little further on, Rhodes claims that while the statement about the Syracusan embassy "probably is a mistake," the statement about Amorges "may well not be" without giving a reason. If one thinks that a statement in a passage in which other errors are found is not an error one must present arguments to prove one's point and respond to the analyses and evidence put forward by those who argue that the statement is an error. Rhodes supports his statement with nothing more than *ipse dixit*.

It has been suggested that an inscription dated to the eighth prytany of 415/4, that is, March of 415, and recording a payment to an Athenian general ἐν Ἐφ[- - -] (*IG* I^{2} 302, line 69 = *IG* I^{3} 370, line 79) was made to a general at Ephesus and that "Athenian support for Amorges would be a reason for a general

36. Rhodes 2016, 185.

being there".[37] As Westlake rightly noted, other explanations for the general's presence at Ephesus are more likely and an Athenian expedition to support Amorges would have been sent to Miletus or Iasos.[38]

The passage about the embassy requires further scrutiny. Thucydides (8.5.4) states that Tissaphernes had recently been appointed "general" (στρατηγός) either of "the people of the lower part (i.e. western part of the Persian Empire)" or "of the lower (i.e. western) areas" (τῶν κάτω). There has been some debate whether Tissaphernes was appointed to a military command over the western part of Asia Minor or as satrap or to both positions.[39] Whatever his precise remit, the instructions he had received from the Great King (ὑπὸ βασιλέως) were clear: he was in the process of collecting (ἐτύγχανε πεπραγμένος) payments of tribute from those in the area of his command (τοὺς ἐκ τῆς ἑαυτοῦ ἀρχῆς φόρους), which he owed (ἐπωφείλησεν) because he was unable to collect from the Greek cities because of the Athenians. This tribute was assessed in the time of Artaphernes, and the assessment continued until the lifetime of Herodotus even when the king could not collect the taxes.[40] The passage clearly indicates that the reason why Tissaphernes wanted the alliance with the Spartans was because he thought that he stood a better chance of collecting the tribute if he could damage the Athenians. The main reason for the alliance has nothing to do with Athenian support for Amorges. Tissaphernes wants to attack the Athenians because they are preventing him from accomplishing his task of collecting tribute, something *On the Peace* does not mention. The attack on the Athenians therefore has nothing to do with any support for Amorges but with their interference with Tissaphernes' financial obligations. This is a completely different explanation for the alliance with the Spartans than the one given in *On the Peace*. One should also note that Thucydides separates the aim of harming the Athenians from the aim of capturing Amorges, which suggests that the two objectives were strictly separate. If the Athenians were

37. Wade-Gery 1958, 222-223; Andrewes 1961, 5; Lewis 1977, 86.

38. Westlake 1989, 105-106. Westlake suggests that suspicions about the loyalty of Ephesus or a mission to collect tribute are more likely explanations. Thonemann 2009, 174 with 187 n. 59 arbitrarily dismisses Westlake's analysis without giving any reasons.

39. Military commander of western Asia Minor: Andrewes 1981, 13-16. Military commander and satrap: Hornblower 2008, 776-777. See these works for references to earlier views.

40. See Hdt. 6.42.2 with Murray 1966.

helping Amorges at this time, the attack on the Athenians would have been linked to this aim. As Westlake also observed, Thucydides elsewhere in his history does not give Athenian support for Amorges as one of the reasons by the Athenians lost the war.[41] One cannot reconcile the information given by Thucydides and that given by *On the Peace*.

Yet we can go further. *On the Peace* (29) claims that when the Athenians sent help to Amorges, there was a treaty between the Athenians and the Great King concluded by Epilycus. On the other hand, the passage in Thucydides about Tissaphernes clearly implies that there was no treaty between the Athenians and the Persians at this time. First, the Great King could not expect his officer to collect tribute from territories subject to Athens if the Great King had a treaty with him. Several sources indicate that there was a treaty earlier in the fifth century, known today as the Peace of Callias. This treaty granted the Athenians control of the cities in Western Asia Minor, which were members of the Delian League. Some scholars have questioned the reliability of the sources for this treaty, but recent studies have shown that the objections are groundless.[42] This treaty imposed limits on Persian movements. The sources differ on the precise boundaries of these limits: Diodorus (12.4.5) states that no large ship (i.e. military vessel) was to sail beyond Phaselis and Kyaneai and that Persian satraps were not to approach the sea (i.e. the Aegean) within a three days' journey, while Isocrates (12.59) places the limit for ships at Phaselis and the limit an army at the River Halys. If these terms were still in effect, Tissaphernes would not have been able to collect any tribute from the Greek cities in Western Asia Minor. The Peace of Callias was concluded with king Artaxerxes I (Diod. Sic. 12.4.4), who died in 424. According to Thucydides (4.50), Aristides, son of Archippus, captured at Eion a Persian named Artaphernes, who was on his way to Sparta from the King of Persia. Artaphernes was carrying letters in Assyrian characters from the King, who stated that despite several Spartan embassies, he could not understand what the Spartans wanted because the ambassadors never said the same thing and asked them to send men back with Artaphernes. The Athenians then sent Artaphernes in a trireme to Ephesus with their own

41. Westlake 1989, 109.

42. See especially Meiggs 1972, 487-95 and Badian 1993, 1-72 with the modifications of Samons 1998. Rhodes 2016, 178, n. 6 arbitrarily believes that the treaty was fabricated in the fourth century but does not give reasons and pays no attention to the work of Meiggs and Badian.

embassy. There they learned that Artaxerxes had recently died and returned home, that is, without continuing their journey to the Persian King. This is one of the most frustrating passages in Thucydides, but the diplomatic implications of the king's death are clear: the Peace of Callias was no longer in effect because the Athenians had made the treaty not with the Persian state, a political entity that did not exist, but with Artaxerxes, the Persian King (for the Persian King himself swearing the oaths, see *IG* II^2 34, ll. 6-7: [τὰς οὔσας συνθῆκας] | [ἃ]ς ὤμοσεν βασιλ[εύς]). After the death of Artaxerxes, the treaty lapsed and to take effect anew would have to be sworn by his successor Darius. Now if the treaty of Epilycus was a renewal of the Peace of Callias with the same terms, then Tissaphernes would not have been able to collect tribute from the Greek cities on the coast. The fact that the Persian King expected Tissaphernes to collect tribute from these cities indicates that as far as he was concerned, there was no treaty with the Athenians at this point.[43] And if Tissaphernes thought that he was free to harm the Athenians and make an alliance with their enemies the Spartans, Tissaphernes also obviously thought that he was not bound by the terms of any treaty with the Athenians. Now, if the Athenians or Tissaphernes violated a treaty concluded by Epilycus, why does Thucydides not say so? Thucydides is very attentive to such violations of interstate agreements. The entire debate in Athens about the treaty with Corcyra reflects a keen awareness of these potential implications of this agreement for the Thirty Years Peace between Athens and Sparta (Thuc. 1.31-44). Thucydides is also careful to record the alleged Spartan violations of the truce with Sparta in 425 (4.16; 23) and lays much emphasis on the Athenian violation of the Peace of Nicias in 414 (6.105). The information provided by Thucydides therefore contradicts *On the Peace* not only about the reason for the Persian decision

43. Cf. Stockton 1959, 66-67: "Either the Great King had a legal title to these revenues, or he had not. If he had, the Athenians were breaking their bond by preventing the King's representative from collecting them. If, however, by the Peace of Callias he had surrendered his title to such revenues, then we have here an open avowal by the King that he is no longer ready to abide by the terms of the Peace. Whichever alternative we choose, the Peace of Callias must be highly relevant, if it existed. Yet it seems that Thucydides is not of this mind; nor do we find Tissaphernes taking the obvious step of remonstrating with Athens over her obstructive attitude –he just turns to Sparta.". Stockton is arguing against the existence of the Peace of Callias, but the argument is directed against the alleged Peace of Epilycus as an extension of the Peace of Callias.

to support Sparta but also about the existence of a treaty between Athens and the Persian king in 412.[44] It should come as no surprise that *On the Peace* has invented a treaty that never existed. If the author of this work could invent an embassy and an offer of friendship from Syracuse that never occurred (even Rhodes has to admit this) and could claim that the Athenians had no walls or fleet in 391, this author was quite capable of fabricating a treaty to score a rhetorical point. The speech *On the Peace* was clearly not written for delivery in the Athenian Assembly but for a performance in a rhetorical school sometime after the Classical period.

This finding advances our understanding of relations between Athens and the Persian king in the fifth century. The Persians made no attempt to renew the peace treaty after the death of Artaxerxes on 424 because the situation had changed. Instead of the unchallenged power in Greece, the Athenians were now at war with Sparta. Even after the Peace of Nicias, the Persian king could bide his time and wait for an opportunity to claim his ancestral lands in Western Asia Minor. When he did renew these claims in 412, he was no longer bound by the terms of any treaty and was free to support the enemies of Athens. We also do not have to explain why Thucydides neglected to mention the alleged Peace of Epilycus or to state that either the Persians or the Athenians violated this treaty in 412.[45] And there is no reason to believe that an inscription granting *proxenia* to Heracleides of Clazomenae has anything to do with a treaty between Athens and the king of Persia negotiated by Epilycus because such a treaty never existed.[46]

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44. The existence of this treaty has been accepted by many scholars including Meiggs 1972, 134, 135, 330; Lewis 1977, 76-77; Briant 2002, 591-592; Badian 1993, 40.

45. *Pace* Andrewes 1961, 5: "The most striking omission is of course that Thucydides, so soon after his description of the uncompleted embassy of winter 425/4, should leave out entirely the successful embassy and treaty of 423".

46. This finding shows that the attempt of Rhodes 2016 to identify the treaty mentioned in *IG* I^3 227 as the treaty negotiated by Epilycus is untenable. For other proposals, see Culasso Gastaldi 2004, 35-55, who identifies the treaty with the alliance between the Athenians and the King of Persia in the 390s. Rhodes 2016, 178-82 claims that even though there was cooperation between the Athenians and the Persians there was no formal treaty, but this is inaccurate. Xenophon (*Hell.* 4.8.24) states that the Athenians had the king as their friend in the late 390s, and this is the same language Xenophon (*Hell.* 4.1.32; cf. Thuc. 6.34) uses to describe the relationship between the Spartans and

3. Athenian negotiations with the Spartans and the Persian King and the exile of Andocides

On the Peace purports to have been delivered in the Athenian Assembly during a debate about a peace treaty with Sparta. In the speech we are told that the war with Sparta has been going on for four years (20: ἔτη τέσσαρα), which would date the speech to 391 because the war started in 395. There are two sets of negotiations reported in the sources for the Corinthian War, an unsuccessful one in 392 and a successful one in 387, which led to what has been called the King's Peace or the Peace of Antalcidas. There has been much discussion of these two sets of negotiations since the nineteenth century, but the scholars who have discussed these negotiations have by and large accepted the authenticity of *On the Peace*. As we have seen in the previous section, *On the Peace* makes serious mistakes about recent history, which lend crucial support to the view of Dionysius of Halicarnassus that the speech is not genuine. In this section, the sources for these two negotiations will be examined first. Next the information gleaned from these sources will be compared with the statements about the negotiations with Sparta found in *On the Peace*. Finally, a passage from Didymus about these negotiations, which Rhodes claims supports his view that there was a debate in Athens about a peace treaty in 391, will be examined.

Xenophon (*Hell.* 4.8.12-16) is the only source for the first set of negotiations. Word had reached the Spartans that the Athenians were using the Persian king's money to rebuild their walls and to maintain their fleet. They therefore decided to send Antalcidas to Tiribazus, to report what the Athenians were doing and to attempt to bring about peace between the Spartans and the Persian King. They hoped either to obtain an alliance with the Persian King or to stop him from supplying Conon's fleet (Xen. *Hell.* 4.8.12). When the Athenians found out about this mission, they sent as ambassadors Conon, Hermogenes, Dion, Callisthenes and Callimedon. They also invited their allies to send ambassadors, and the Boeotians, the Corinthians and the Argives did so (Xen. *Hell.* 4.8.13). When the ambassadors met, Antalcidas proposed that the Spartans would renounce their claims in Asia and were willing to grant autonomy to the islands and the Greek cities. He argued that if the Persian king agreed to these conditions, he would have no reason to continue fighting and

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the king. The proposal of Culasso Gastaldi is clearly superior to that of Rhodes for this and other reasons.

to spend more money. And the Greeks would not launch a campaign against the Persian king (Xen. *Hell.* 4.8.14-15) The main Greek powers rejected the proposals for different reasons. The Athenians were worried that the guarantee of autonomy would force them to grant independence to the islands of Lemnos, Imbros and Skyros. The Thebans were afraid that they would have to grant independence to the Boeotian cities. The Argives wished to keep control of Corinth. The negotiations were not successful, and the ambassadors returned to their cities (Xen. *Hell.* 4.8.15).

One should not study this passage in isolation from the events that followed. After the negotiations failed, Tiribazus thought that it would be dangerous to side openly with the Spartans unless he had the backing of the Persian King. As a result, he gave money in secret to Antalcidas in the hope that if the Spartan fleet were stronger, the Athenians would be forced to return to negotiations, and arrested Conon. Tiribazus then went to see the Persian King to inform him about the negotiations and about Conon's arrest (Xen. *Hell.* 4.8.16). The response of the Persian King reveals much about his attitude toward his relations with the Greeks. The Persian King sent Strouthas, who was in favor of the Athenians and hostile to the Spartans. When the Spartans saw that Strouthas was hostile to them and friendly to the Athenians, they sent Thibron to attack Strouthas in Asia. Thibron set up his base in Ephesus and the cities Priene, Leukophrys, and Achilleion in the Maeander valley and plundered the territory of the Great King (Xen. *Hell.* 4.8.17-19). After Thibron was killed, the Spartans sent Diphridas to take over his command and to continue the war against Strouthas (Xen. *Hell.* 4.8.21). What is clear is that the Persian King had no intention of making peace with the Spartans at this time. Nor does Xenophon mention any subsequent negotiations between the Spartans and those opposing them (the Athenians, the Boeotians, the Corinthians and the Argives). Xenophon makes it clear that such negotiations would have been impossible at the time because the Spartans were in no position to force the Athenians to negotiate. And continued Persian support for the Athenians meant that they had no reason to yield to Spartan demands. Not only did warfare continue between the Spartans and the Persians but also between the Spartans on the one side and the Boeotians, the Argives and the Corinthians on the other side (Xen. *Hell.* 5.1.29-34).

This state of war continued until 387/6 when the Spartans sent Antalcidas to the Persian King to ask for peace. According to Diodorus (14.110.2-4) the Persian King agreed to make peace on the following terms: the Greek cities

of Asia were to be subject to him, but all the other Greeks were to enjoy *autonomia*. If any of the Greeks did not comply, he would make war on them. The Athenians and the Thebans took it hard that the cities of Asia were to be abandoned, but because they were not in a position to fight, they yielded out of compulsion and agreed to accept these terms. Xenophon (*Hell.* 5.1.28-36) gives a longer and more detailed account. Antalcidas had gained control of the Hellespont, prevented ships sailing from the Black Sea from sailing to Athens, and forced them to sail to the territory of their allies. He went to the court of the Persian king and married the king's daughter. The Athenians saw the size of the Spartan fleet and were suffering from raiders based on Aegina. The Argives were also willing to make peace because they knew the Spartans were about to attack them. Tiribazus then summoned all those who were willing to participate in the peace and read out the terms dictated by the Persian King: the cities in Asia as well as Clazomenai and Cyprus were to belong to him while the other Greek cities were to be autonomous except for Lemnos, Imbros and Scyros, which were to belong to Athens. If any of the Greeks refused to abide by the terms of the treaty, the king would make war on them. The Thebans wished to swear the oaths for all the Boeotians, but Agesilaus insisted that they swear to the terms imposed by the king. The Theban ambassadors replied that this was not in the instructions they had received. Agesilaus told them to return to Thebes and marched an army to Tegea. At this point, the Theban ambassadors returned and reported that the Thebans would allow the Boeotian cities to be independent. The Corinthians kept the Argive garrison in their city, but Agesilaus promised to attack the Corinthians and the Argives if they did not dismiss the garrison. The Corinthians and the Argives backed down, and Corinth became independent once more.

It is important to note the sequence of events in Xenophon. First, Antalcidas went to the Persian King and received the terms he offered. Then Tiribazus summoned the Greeks to hear the terms of the treaty. The ambassadors then returned to their communities and presented the terms of the treaty, which each state would have voted to accept or to reject. It is clear however that Athens, Thebes and Argos all voted to accept the treaty. The normal procedure was for each state to have their officials swear the oaths to the treaty at home and then send ambassadors to the other side, who would also swear the oaths.

Now, if *On the Peace* is a genuine speech and dated to 391, the negotiations to which the speaker refers must have taken place after the failed negotiations of 392 reported in Xenophon. But according to *On the Peace* (20; cf. 13)

the Boeotians were making peace with the Spartans and allowing the city of Orchomenos to be free and independent. Later in *On the Peace* (28; cf. 32) the speaker claims that the choice facing the Athenians is between making war on Sparta with the Argives or making peace alongside the Boeotians. This is contradicted by the information in Xenophon and Diodorus, who state that Thebes was still at war with Sparta in 387/6 and had not yet recognized the independence of the Boeotian cities. The situation described in *On the Peace* reflects the circumstances in 387/6 and cannot reflect the situation in 391. In the earlier negotiations, no promise was made to the Athenians about control of the islands of Lemnos, Skyros and Imbros, but according to *On the Peace* (14) the Spartans were making this promise in 391. This guarantee was not offered until 387/6. *On the Peace* (27) also states that the Argives had concluded a separate peace with the Spartans, yet advised the Athenians not to put any trust in the Spartans and wanted to make war against them at the same time. which makes little sense.

Yet Rhodes claims that "*Peace* appears to be concerned with a stage in the negotiations shortly after Xenophon's conference of 392, at which Sparta by offering revised terms hoped to gain acceptance for the kind of treaty which had originally been rejected".[47] In support of this view, he cites a fragment of Philochorus (*FGrHist* 328 F 149A) mentioned by Didymus, who reports that Epicrates and Andocides were sent into exile for proposing that the Athenians accept the peace sent down by the king. He then claims that the Athenians rejected the revised terms of the peace offered by Sparta.[48] We will return to the statement of Didymus later, but it is first important to notice the obstacles to Rhodes' view of the negotiations. It is clear from the narrative of Xenophon that after the Athenians, Argives and Thebans rejected the proposal of Tiribazus, the king did not make an attempt to revive the negotiations with Sparta but sent Strouthas, a general who was hostile to the Spartans. If we follow Rhodes, the Persian king chose to continue his war with the Spartans and to reject the advice of Tiribazus and to send a new proposal to the Greeks at the same time. This makes no sense. And if the Spartans could not force the Athenians, Argives and Thebans to negotiate in 392, how could they have forced them to negotiate shortly thereafter? According to Xenophon, Tiribazus knew that he could not force the Greeks to negotiate unless the

47. Rhodes 2016, 185.

48. Rhodes 2016, 186 ("the Assembly's decision to reject the terms").

Spartans were stronger, but this was not the case, and the Persian king was not yet ready to lend the Spartans support. It is clear from Xenophon that the Spartans were able to force these three allies to negotiate in 387 because the Spartans had the king on their side and because the Spartan navy controlled the Hellespont. Why would these three parties negotiate in 391 when the Spartans did not have Persian support and when the Athenian navy was equal to the Spartan navy? The sequence of events proposed by Rhodes makes no sense in historical terms. After failed negotiations, one forces one's opponents to the table when one's position is stronger, not when it is weaker. Rhodes also mispresents the statements found in *On the Peace* by claiming that the speech came out of a conference in which the Spartans were proposing to make peace with the Boeotians. But *pace* Rhodes that is not what the text states: *On the Peace* (13, 20, 28, 32) states several times that the Boeotians *had already made peace*, which cannot have been true because hostilities continued between Thebes and Sparta until the Peace of Antalcidas in 387/6. One should also note that according to Xenophon, the negotiations at both times were not with the Boeotians, but with the Thebans. The same problem exists with the statements in *On the Peace* about the Argives. *On the Peace* states that the Argives made a peace treaty with Sparta, but in 387/6 there were still hostilities between Argos and Sparta.

Rhodes then points to a passage in the commentary of Didymus on the *Philippics* of Demosthenes (col. 7, ll. 11-28 [Harding]). It is important to present the text of the passage.

> [τὴν πρ]ο̣τέραν μ(ὲν) ἂν ο(ὖν) ἐπανόρθωσιν ἔ[νι]οί φασιν α[ὐτὸν λ]έγειν τὴν ἐπ᾽ Ἀντιαλκ[ίδου τοῦ Λ]άκ[ωνος] καταβᾶσ[α]ν ε[ἰρήν]ην, οὐ[κ ὀρθῶς ὅσα γο(ῦν)] ἐμοὶ δ[οκεῖ]· ταύτην γ(ὰρ) οὐ μ[όνον οὐκ ἐδέξαντο] Ἀθ[η]ν[αῖοι], ἀλλὰ κ(αὶ) πᾶν τοὐ[ναντίον τὰ διδόμ(εν)]᾽ αὐτοῖς ἀ[πε]ώσαντο, παρ᾽ [ἣ]ν ᾐ[τίαν Φιλό]χορος ἀφη[γεῖ]ται αὐτοῖς ὀνό[μ]ασι, πρ[οθ]ε̣ὶς ἄρχοντα Φιλο[κλέ]α Ἀναφλύστιον. «Κ(αὶ) τὴν εἰρήν(ην) τὴν ἐπ᾽ Ἀντ[α]λκίδου κατέπ̣[ε]μψεν ὁ βασιλεύς, ἣν Ἀθηναῖοι ο[ὐκ] ἐδ(έ)ξαντο δ[ι]ότι ἐγέγ[ρ]α̣πτο ἐν αὐτῆι τοὐ[ς τ(ὴν) Ἀσ]ίαν οἰκοῦντ[ας] Ἕλληνας ἐν βασιλέως οἴκ[ωι π]άντας (εἶναι) [σ]υνενεμημ(έν)ους. ἀλλὰ κ(αὶ) τοὐ[ς πρέσ]βεις το(ὺς) ἐν Λακεδαίμονι συγχωρήσα[ντας] ἐφυγάδευσαν Καλλιστράτου γράψαντος [οὐ]δ᾽ ὑπομείναντας τὴν κρίσιν, Ἐπικράτην Κ[η]φισιέα, Ἀνδοκ[ί]δ̣ην Κυδαθηναιέα, Κρατῖνον Σ[φ]ήττιον, Εὐβ[ο]υλίδην Ἐλευσίνιον».

> [By the] *previous* restoration some say *he* means the peace that came down in the time of Antialk[idas, the L]ak[onian], *incorrectly*, [at least as it] *seems* to me. For, not *only* [did] the Ath[e]n[ians not accept] that peace, but, entirely *the opposite*, they also rejected [what was being offered] to them for [the reason which Philo]khoros *recounts* in these very words, after the heading "the archon (was) Philo[kle]s of Anaphly[s]tos":
> "And the King sent down the peace in the time of Ant[a]lkidas, which was *not* accepted by the Athenians because there had been written in it that the Greeks who inhabiting [As]ia were all (to be) accounted members in the King's *household*. Furthermore, they banished the *ambassadors* who gave their consent in Lakedaimon, on the motion of Kallistratos; and Epikrates of Kephisia, Andokides of Kydanthenaion, Kratinos of Sphettos, Euboulides of Eleusis did *not even* await the judgement/trial". [trans. Harding]

Rhodes notes that I join with those who reject the evidence of Didymus as mistaken but does not address my reasons for doing so.[49] My reasons were: first, the proposal to end the war in 392 was made by Tiribazus and did not enjoy the backing of the Persian King while the proposal described by Philochorus was sent down by the Persian king; second, Xenophon says that the Athenians rejected the proposal of Tiribazus because they were concerned about losing Lemnos, Imbros and Skyros, but Didymus says that they rejected the proposal because it placed the Greeks of Asia under the control of the Persian king; and third, because the statement of Didymus is contradicted by the evidence from the *Panathenaicus* of Aelius Aristides and the two scholia on this passage (see below).[50] Rhodes does not reply to these points, but arbitrarily prefers to follow two essays by Keen, who attempts to defend the information found in

49. For those who see correctly that the fragment of Philochorus must refer to the peace treaty of 387/6, see Bruce 1966, Hamilton 1979: 236-9, and Badian 1991 among others. These works however assume that *On the Peace* is a genuine work of Andocides, which was delivered at a meeting of the Athenian Assembly in 391. None of these authors pays attention to the statement of Dionysius of Halicarnassus and the evidence against authenticity.

50. Harris 2000, 499.

Didymus.[51] Rhodes presents no analysis of the evidence and simply asserts: "I think it more likely that Philochorus or Didymus in reporting him has used 'the peace associated with Antialcidas which the King sent down' in reference to an earlier stage in the negotiations than that Didymus has attached a wrong date to the rejection of their recommendations and the condemnation of the envoys. The silence of Xenophon is no proof that the conference proposed by the *On the Peace* did not take place, and the failure of the *On the Peace* to mention the proposed return to Persia of the Asiatic Greeks is not incompatible with the Athenian Assembly's decision to reject the terms because of that (but *Peace* perhaps was passing over in silence a concession which Andocides and his colleagues had not been able to avoid making)".[52] These statements rest on nothing more than *ipse dixit* and completely ignore the situation in 392 as described by Xenophon: the Persian king did not send down any peace in 392/1 because he rejected the proposal of Tiribazus and chose to continue fighting against the Spartans. Keen also ignores this evidence, which completely undermines his attempt to defend the reliability of Didymus. Rhodes then suppresses other evidence, which contradicts his views and those of Keen. This evidence consists of two scholia on a passage from the *Panathenaicus* of Aelius Aristides, who alludes to the condemnation of those who persuaded the Athenians to accept a peace because they considered it contrary to their nature and wrong to agree to obey the King in front of the trophies of the Greeks. The first scholion in manuscripts A and C states that "he is alluding to Epicrates, who persuaded the Athenians to acccept the peace for reasons which we know." This clearly must be the Peace of Antalcidas of 387/6, which the Athenians accepted, and not any earlier proposal for peace, which they allegedly did not accept. The second scholion in manuscripts B and D states: "He alludes to Epicrates. He says "they condemned", that is, [they condemned] him to death." This passage shows that Epicrates was still in Athens during the debate about the Peace of Antalcidas and therefore directly contradicts Didymus, who dates his condemnation to 392/1. The evidence from these two passages is compatible with the evidence from Xenophon and Diodorus, who do not however

51. Keen 1995 and Keen 1998.

52. Rhodes 2016, 186. The same objections can be raised against the attempt of Harding 2006, 165-177 to defend the date given by Didymus. Harding's analysis relies on the assumption that *On the Peace* is a genuine work of Andocides; he shows no awareness of my essay published in 2000.

mention the condemnation of the ambassadors and their flight before exile. One should not argue that the decision of the Athenians to accept the treaty is not compatible with the condemnation of Epicrates and the other ambassadors after the conclusion of the treaty. The Athenians were quite capable of making their ambassadors scapegoats when they were forced to agree to a treaty whose terms they found abhorrent. One need only cite the example of Philocrates, who negotiated with Philip in 346, proposed that the Athenians accept his term and later fled into exile after being charged by Hyperides.[53] Rhodes cannot therefore use the passage from Didymus to support his view that there was a discussion in Athens about a peace treaty in 392/1. Another problem is that if the peace proposal was sent down by the Persian king in 392/1, why does *On the Peace* state that the proposals were presented by the Spartans and not by the Persian king? One cannot reconcile this clash between the comment of Didymus (even if it was not mistaken) and *On the Peace*.

The mistakes in *On the Peace* about the political situation in 391 discussed in this and the previous section are not the kind of mistakes one finds in genuine speeches delivered in the Assembly.[54] If the Athenians heard at a meeting in 391 that the Argives and the Boeotians had made peace with Sparta and that the Spartans were offering to allow the Athenians to rebuild their walls and their fleet when they already had done so several years before, they would have thought him insane. These are the kinds of mistakes that we find in the exercises of the rhetorical schools of the Hellenistic and Roman periods.[55] This part of our analysis has major implications for the understanding of the events in Greece in the late 390s. Because the fragment of Philochorus must refer to the Peace of Antalcidas and *On the Peace* is not a authentic speech with reliable information about Athenian policy in 391, there is no reliable evidence for a conference about peace held at Sparta in 391 nor for a discussion about such a treaty held at Athens in that year. This means that after Athens, Thebes, and Argos rejected the proposals of Tiribazus and the Persian king decided to con-

53. See Hyp. *Eux.* 29-30 and Aeschin. 2.6.

54. Several passages in *On the Peace* (26, 27, 32, 41) appear to imply that the union of Corinth and Argos had not yet been accomplished, but Xenophon (*Hell.* 4.4.6; cf. 4.5.1; 4.8.15) states that this occurred in 393 or 392. On the other hand, Diodorus (14.92.1) appears to place the union later. For discussion, see Griffith 1950 and Kagan 1962.

55. For an example of such an exercise, see Kremmydas 2007. For other examples, see [Dem.] 25 and 26 with my analysis in Harris 2018, 193-236.

tinue the war against Sparta, there is no reason to believe that the Spartans attempted to revive the negotiations shortly afterwards. This certainly makes better sense from a historical perspective.

4. *Presbeis autokratores*

In my previous essay I stated that in the sources for Greek history in the fifth and fourth centuries, Greek states sent *presbeis autokratores* in two circumstances: first, a defeated state would send *presbeis autokratores* to the victorious power to negotiate the terms of surrender; and, second, one state might send them to another state for the purpose of negotiating the revision of one or two specific clauses of a treaty already in existence. I also observed that in no set of negotiations between states did both parties send *presbeis autokratores* simultaneously.[56] In all known cases in the fifth and fourth centuries, one party sent *presbeis autokratores* to another party.

In an essay published in 2013 Magnetto questioned both of these views.[57] I am now prepared to admit that *presbeis autokratores* were sent in other circumstances than those I discussed in my essay of 2000. On the other hand, there are serious drawbacks to Magnetto's analysis. First, she does not identify the differences between normal ambassadors and *presbeis autokratores* even though she claims that the latter constitute a distinct and different institution. Second, Magnetto does not observe how the term can be used in two different situations, first, when one state sends this type of ambassador to another state to receive proposals, which are then brought back to be approved by the Assembly of the state that sent the ambassadors, and second, when one state approves the terms of a treaty in advance and then sends *presbeis autokratores* to another state to swear the oaths to these terms. Third, she believes that *On the Peace* is a genuine work and therefore does not see how the term *presbeis autokratores* is used in a different way from its use in the Classical period.[58] This removes the one exception to the rule that in no set of negotiations between states did both states send *presbeis autokratores*. In this section I would also like

56. Harris 2000, 487-495, with earlier bibliography on the subject.

57. Magnetto 2013, cited by Rhodes 2016, 184 with n. 47.

58. Magnetto 2013, 228, 232, 236 claims that the officials who are made *autokratores* at Argos in Thuc. 5.27.2 form an exception to my observation, but these are not ambassadors who are sent to another community, but officials in Argos. This passage is therefore irrelevant to the discussion.

to re-examine the institution of *presbeis autokratores* and show that the way the term is used in *On the Peace* is inconsistent with the way the institution is portrayed in other sources. The new analysis provides additional evidence against the authenticity of *On the Peace*.

Before discussing *presbeis autokratores*, a few remarks are necessary about the normal duties of ambassadors. In the Greek city-state, ambassadors are given instructions about their duties. When the Athenians sent the Second Embassy to Philip II in early 346, the Assembly passed a decree in which it specified what the ambassadors were to do. This included a clause to the effect that the ambassadors were also "to do whatever good they could." The meaning of this phrase led to a dispute between Aeschines and Demosthenes (Aeschin. 2.102-8), but neither man questioned the fact that the ambassadors could not do anything that was not contained in their orders. When the Second Embassy returned to Athens, Demosthenes (19.8, 155) charged Aeschines with disobeying his instructions at his *euthynai* and repeated the charge at his trial in 343. In the prologue to his speech Demosthenes (19.4, 6) reminds the judges that one of the duties of an ambassador is to observe one's instructions. In the same speech Demosthenes (19.278) recalls that the Athenians condemned Epicrates because he acted contrary to his instructions (παρὰ τὰ γράμματα). During the negotiations about the Peace of Antalcidas, the Thebans sent ambassadors to Sparta to take the oaths for the treaty on behalf of all the Boeotians (Xen. *Hell.* 5.1.32). Agesilaus refused to allow them to swear the oaths for the Boeotians because the treaty specified that the Greek cities were to be autonomous. The Theban ambassadors stated that they could not do this because it was contrary to their instructions (οὐκ ἐπεσταλμένα). Agesilaus then told them to return to the Thebans and to tell them to change their policy. What is clear is that the ambassadors could not violate their orders and could not change them without returning to Thebes and receiving new orders.

With this in mind, we can examine the uses of the term *presbeis autokratores*. After discussing the passages in which the term appears, we will discuss passages in which the expression *telos echontes* occurs.

1) After their defeat at Himera in 480, the Cathaginians sent *presbeis autokratores* to negotiate with Gelon. Gelon imposed conditions, which the ambassadors brought back to Carthage, and the Carthaginians accepted his terms (Diod. Sic. 11.24.3-4, 26.2-3).

2) After his defeat on Cyprus, the Persian king sent a written message to his satraps with the terms on which they can reach a settlement with the

Athenians. Artabazus and Megabyzus sent ambassadors to Athens to discuss a settlement in 449. The Athenians send *presbeis autokratores,* and the Athenians and their allies concluded peace with the Persians (Diod. Sic. 12.4-5).

3) In the next example, the Spartans sent *presbeis autokratores* to the Athenians in 420. During the previous year, the Athenians and the Spartans had concluded the Peace of Nicias (Thuc. 5.18). A year later, the Athenians were angry because they believed that the Spartans had not honored their promises about Panactum and about an alliance with the Boeotians (Thuc. 5.43). Alcibiades tried to exploit this tension by inviting the Argives to come to Athens with representatives from Mantinea and Elis (Thuc. 5.43-44.2). To prevent an alliance between Athens and Argos, the Spartans reacted by sending an embassy and intended to exchange Pylos for Panactum and to reassure the Athenians about their alliance with Boeotia (Thuc. 5.44.3). When they reported to the Council, the Spartan ambassadors stated that they had come with full powers to negotiate about all their disputes (Thuc. 5.44.3: αὐτοκράτορες… περὶ πάντων ξυμβῆναι τῶν διαφόρων). What is important to note is that the Spartan ambassadors came with an open mandate to discuss existing disputes.[59] This frightened Alcibiades who wished to sabotage relations between Athens and Sparta; he therefore told the Spartan ambassadors that when reporting to the Assembly, if they would not say that they had come with full powers (ἢν μὴ ὁμολογήσωσιν ἐν τῷ δήμῳ αὐτοκράτορες ἥκειν), he would arrange the return of Pylos and the resolution of other disputes (Thuc. 5.45.2). When the Assembly met, Alcibiades double-crossed the Spartans: after they stated that they had not come with full powers as they had in the Council (οὐκ ἔφασαν ὥσπερ ἐν τῇ βουλῇ αὐτοκράτορες ἥκειν; cf. 5.46.1), Alcibiades denounced them for saying one thing in the Council and another in the Assembly. He thereby succeeded in making the Athenians angry and willing to conclude an alliance with the Argives (Thuc. 5.45.4).

In an attempt to repair relations between Athens and Sparta, Nicias persuaded the Athenians to send an embassy to Sparta with proposals that they rebuild Panactum, return it with Amphipolis and renounce their alliance with the Boeotians (Thuc. 5.46.1-2). The Athenians sent them with these instructions. When these ambassadors arrived in Sparta, they presented these

59. Hornblower 2008, 105 does not discuss the term and relies on a very general statement in Cawkwell 1981, 70 n. 4 who merely states "Ambassadors could be fully empowered αὐτοκράτορες but only within limits, stated or understood."

proposals with the threat to conclude an alliance with the Argives, but the Spartans rejected their proposals (Thuc. 5.46.4). What is significant here is the difference between the remit of the Spartan embassy and that of the Athenian embassy. The Spartan embassy came with an open mandate to negotiate but did not present specific proposals to the Council.[60] It is interesting to compare the account in Plutarch (*Alc.* 14; cf. *Nic.* 10.4-5), who clearly drew on Thucydides but elaborated on this narrative.[61] Plutarch (*Alc.* 14.7) claims that Alcibiades told the Spartans to deny in the Assembly that they had come with full powers (κύριοι… αὐτοκράτορες) because if they did, the Athenians would make demands (προστάττων καὶ βιαζόμενος), which they would not do if they had not come with full powers. It is not clear whether Plutarch understood the full meaning of the term, but he saw that there was a difference between the two types of embassies and that Spartan ambassadors with full powers had the authority to receive proposals from the Athenians.

In contrast to the Spartan embassy, the embassy of Nicias, which was not an embassy with full powers, made specific proposals to the Spartans, which the Spartans then rejected. Another important point is that Alcibiades was worried that if the Spartan ambassadors reported to the Assembly that they had come with full powers, the Athenians would have viewed them favorably, which would have increased the chance of a settlement. By contrast, when the Athenians presented proposals to the Spartans, the Spartans reacted negatively. We will return to this point.

4) In 405/4 during the siege of Athens by king Agis, the Athenians sent several embassies to the Spartans, the last of which contained *presbeis autokratores*. Xenophon gives a detailed narrative, which can be supplemented by information provided by other sources. The first embassy was sent to king Agis with a proposal to join the Spartan alliance in return for keeping their walls and the Piraeus (Xen. *Hell.* 2.2.11). Agis told them to go to Sparta because

60. Gomme in Gomme, Dover, Andrews 1970, 52 does not understand the difference between regular ambassadors and ambassadors with full powers ("Such 'full powers' need not amount to much . . .") but realizes that they could not commit their city to any conditions. Hatzfeld 1951, 91-92 thought that the Spartans had nothing new to offer, but this misunderstands the remit of ambassadors with full powers.

61. Gomme in Gomme, Andrews, Dover 1970, 51 ("Plutarch elaborates part of Thucydides' narrative").

he did not have the authority to make a decision (Xen. *Hell.* 2.2.12). When the ambassadors reached the border at Sellasia, the ephors heard their proposals and ordered them to return to Athens and send better proposals (Xen. *Hell.* 2.2.13). After they returned, they reported the Spartan rejection, and the people became despondent (Xen. *Hell.* 2.2.14). At a meeting of the Council, Archestratus recommended that the Athenians made peace on the terms offered by the Spartans, one of which was to tear down the Long Walls for ten stades. Archestratus alludes to the proposals made by an earlier Spartan embassy and rejected by Cleophon, events which are reported by Lysias (13.6-8) but not by Xenophon. Archestratus was thrown into prison and a decree passed forbidding any discussion of these terms (Xen. *Hell.* 2.2.12).

At this juncture Theramenes asked to be sent as ambassador to Lysander. This was a fact-finding mission aimed at discovering whether the demand about destroying the walls was an attempt to enslave Athens or requested as a pledge of good faith. According to Xenophon (*Hell.* 2.2.16-17) Theramenes stayed with him for three months and returned to Athens and reported that Lysander told him to go to Sparta. At this point, the Athenians sent Theramenes with nine others as *presbeis autokratores* to Sparta. Lysias (13.9-11) gives a different version and says that Theramenes was appointed *autokrator* when he was sent to Lysander, but seems to combine his mission to Lysander with his later mission to Sparta. At Sellasia, the ephors asked the Athenian ambassadors what their mission was. They replied that they had come to discuss peace (Xen. *Hell.* 2.2.19). It is clear that these ambassadors were not bringing a set of proposals to present to the Spartans. At a meeting of the Spartan assembly with representatives from Thebes and Corinth, proposals were debated, and finally the Spartans offered to make peace on the following terms: the Long Walls and the fortifications of the Piraeus are to be destroyed; all ships are to be surrendered except for twelve; the exiles are to be restored; and the Athenians are to have the same friends and enemies as the Spartans and to follow their leadership on land and sea (Xen. *Hell.* 2.2.20). Theramenes and the other ambassadors brought these proposals back to Athens where the Assembly debated them and finally accepted the Spartan version of the treaty (Xen. *Hell.* 2.2.21-22). It is important to note the difference between the first Athenian embassy, which presents Athenian proposals to the Spartans but does not negotiate, and the embassy with *presbeis autokratores* which comes with an open mandate to discuss peace and receives a proposal from the Spartans,

which is brought back to Athens. The other significant feature is that the embassy with *presbeis autokratores* has the power to negotiate but cannot make a decision binding for the Athenians; the proposal they bring back to Athens has to be ratified in the Assembly.

5) In the previous examples studied so far *presbeis autokratores* are involved in negotiations about a treaty and are empowered to receive proposals from the foreign state and bring them back for ratification. In our next example, *presbeis autokratores* are authorized to take the oaths on behalf of their own city after the treaty has been ratified (Xen. *Hell.* 5.3.26; cf. Diod. Sic. 15.23.3). In 380/79 the Spartans besieged the Olynthians and reduced them to starvation because they could not collect food from their territory or import it by sea. This situation compelled them to send *presbeis autokratores* about peace. These ambassadors came to Sparta and made the agreement (συνθήκας ἐποιήσαντο) to have the same friends and enemies as the Spartans, to follow wherever they would lead, and to be allies. They swore the oaths to abide by these conditions (ὀμόσαντες ταύταις ἐμμενεῖν) and returned home. It is clear that the Olynthians decided to accept the treaty before the ambassadors left for Sparta. The ambassadors were not empowered to discuss terms for peace, which were already set, but to take the oaths on behalf of their community. This is a different use of the term for which there are several parallels in Hellenistic inscriptions, which we will examine later. In the previous cases, ratification followed the return of the *presbeis autokratores* with proposals made by the other party. In this case ratification preceded the sending of the *presbeis autokratores*, who had a different remit.

6) During the Theban invasion of the Peloponnese (370/69), the Spartans and their allies sent an embassy to Athens to ask for help (Xen. *Hell.* 6.5.49). After a debate in the Assembly, the Athenians voted to send help to the Spartans (Xen. *Hell.* 6.5.49). The next year, the Spartans and their allies sent another embassy to Athens, this one with *presbeis autokratores* (Xen. *Hell.* 7.1.1). In this case, the Spartan ambassadors who come as *presbeis autokratores* do not come with specific proposals but to discuss the terms of the alliance between the Spartans and the Athenians (βουλευσόμενοι καθ' ὅ τι ἡ συμμαχία Λακεδαιμονίους καὶ Ἀθηναίους ἔσοιτο). During the debate in the Assembly, Procles from Phleious supported the proposal of the Council to have the Athenians hold the command on the sea and the Spartans to hold the command on land (Xen. *Hell.* 7.1.2-11). After his speech, Cephisodorus arose and made a different proposal:

the Athenians and the Spartans should each hold command for five days at a time (Xen. *Hell.* 7.1.12-13). The Spartans had clearly come to discuss proposals because Cephisodorus asked the Spartan ambassador Timocrates to respond to a question about the treaty (Xen. *Hell.* 7.1.13-14). The Athenians then voted to accept this proposal (Xen. *Hell.* 7.1.14). In this case again, *presbeis autokratores* come to discuss an issue about an alliance, offer no specific proposals, and accept a proposal made by the other side.[62] Xenophon skips over the rest of the negotiations but implies that the Spartan ambassadors took these proposals back home where they were accepted because the alliance continues.

7) In his speech *Against Ctesiphon* delivered in 330, Aeschines (3.63) says that the negotiations with Philip of Macedon began when Philocrates passed a decree calling for the election of ten ambassadors to travel to the king and to ask him to send ambassadors with full powers to Athens about peace (ὑπὲρ εἰρήνης). This appears to be the same decree Aeschines (2.18-19) mentions in his speech of 343, but in this version Aeschines says only that the decree called for the election of ten ambassadors who would discuss with Philip peace and matters of common benefit. This later version is supported by the evidence of the decree, which was read out. This is not the place to discuss the different versions given by Aeschines about the negotiations in Elaphebolion of 346.[63] To understand why he adds the detail about ambassadors with full powers in the later speech, we need to examine the rest of the speech given in 330. If the Macedonian ambassadors came in 346 as *presbeis autokratores*, this would mean that they had the power to negotiate with the Athenians, that is, to listen to proposals made by the Athenians and to discuss them. Aeschines (3.61) then recalls that Demosthenes passed a decree calling for two meetings of the Assembly, one on 18 Elaphebolion, the other on 19 Elaphebolion. Aeschines (3.68) recalls that after the Macedonian ambassadors arrived in Athens, Demosthenes passed a decree calling for the Assembly to discuss peace and alliance with Philip on 18 and 19 Elaphebolion. At the first meeting, Aeschines (3.69-70) claims to have supported a resolution of the allies calling for peace without

62. Pownall 1995, 145 claims that the reason for sending *presbeis autokratores* "would be to bring to a speedy conclusion negotiations in which there was little room for movement," but the negotiations in this case and the case described by Aeschines (3.61) show that there was some room to negotiate in two cases in which *presbeis autokratores* were sent.

63. For discussion, see Harris 1995, 70-77.

an alliance and with the possibility of other Greek states joining and the establishment of a *synedrion* to punish those violating the peace. According to Aeschines (3.71-72), on the next day Demosthenes arose and said that the discussion on the previous day was useless and that the Athenians could not "rip off" the alliance from the peace. He then called Antipater to the platform and asked him a question. Aeschines does not say how Antipater responded, but as a result of the discussion, the proposal of Philocrates was voted, which implies the resolution of the allies was rejected. The reason why Aeschines adds the detail about the Macedonian ambassadors being *autokratores* is that he wants to create the impression that there was a possibility of negotiating with them in 346. Had Demosthenes not coached them to give a certain answer, the resolution of the allies might have been accepted instead. Once more, we see that ambassadors who came with full powers did not just present a fixed proposal but were in a position to negotiate about the terms of a treaty.

8) This example and the next are recounted in Arrian's *Anabasis*. In 334/3 when Alexander marched from Perge, *presbeis autokratores* from Aspendus met him on the road, surrendering their city to him and asking him not to impose a garrison (Arr. *Anab.* 26.2-3).[64] They gained their request about the garrison, but Alexander ordered them to give fifty talents to his army for pay and the horses that they raised as tribute for the Persian king. The ambassadors agreed about the money and to turn over the horses.

9) In 326/5 the leaders of the cities, the nomarchs and one hundred and fifty of the most distinguished men of the Oxydracae came to Alexander with full powers to discuss a treaty, bringing very great gifts and surrendering their tribe (*ethnos*) (Arr. *Anab*. 6.14.1-3). The next phrase makes it clear that they came as ambassadors (πρεσβευσάμενοι). Unlike ambassadors from Greek states, who are elected by the assembly, however, these ambassadors were leaders of the community and therefore had the power to negotiate. These leaders apologized for not approaching Alexander earlier, then requested freedom and autonomy. They offered to accept a satrap, pay tribute set by the king, and to send as many hostages as he wished. Alexander demanded one thousand men either to be kept as hostages or to serve in his army until his campaign in India was over. The Oxydracae sent the thousand hostages and voluntarily in addition five hundred chariots with drivers. Alexander returned the hostages but kept the chariots.

64. Bosworth 1980, 166 does not comment on the use of the term.

These two examples of *presbeis autokratores* resemble the case involving the Olynthians and the Spartans. In each case, the community decided to submit to a more powerful party and sent ambassadors who had the authority to offer these terms to the other party. Though Arrian, whose account is very brief, does not say so, both sets of *presbeis autokratores* sent to Alexander would have sworn the oaths to the treaty just as the Olynthian ambassadors did.

10) After the defeat of the Greek forces at Crannon in 322, Antipater led his army to Thebes. The Athenians no longer had the support of their allies and held a meeting of the Assembly about what to do (Plut. *Phoc.* 26.1-2).[65] Even though Demades had lost his right to speak in the Assembly, the Athenians granted him immunity, which allowed him to pass a decree calling for the Athenians to send *presbeis autokratores* to Antipater about peace. Phocion, Demades and several others were sent to negotiate with Antipater (Diod. Sic. 18.18.2). When they met, Phocion requested that Antipater remain in Boeotia and not invade Attica (Plut. *Phoc.* 26.3). Strictly speaking this was a request and had nothing to do with the terms of the treaty. According to Plutarch (*Phoc.* 26.3), despite the protest of Craterus, Antipater agreed to grant Phocion this favor, but said that as for the terms of the peace, the victors would set them. Diodorus (18.18.3) has a slightly different version but states that Antipater insisted that if the Athenians entrust their affairs to him (τὰ καθ' ἑαυτοὺς ἐπιτρέψουσιν αὐτῷ) he would not invade Attica. According to Plutarch (*Phoc.* 27.1), the ambassadors presented these proposals to the Assembly, which ratified them under pressure. Phocion and the ambassadors returned to Thebes where Antipater imposed his conditions: the Athenians would surrender Demosthenes, Hyperides and their associates, return to their ancestral constitution on the basis of a property qualification, receive a garrison in the Munychia, and pay the costs of the war and a fine. Diodorus (18.18.3-4) gives a similar account about the ratification and the conditions. Despite the slightly different details, it is clear that Phocion and the other ambassadors came to Antipater with an open mandate to discuss terms and received those terms from Antipater, which were then ratified by the Assembly. The initial condition set by Antipater was that the Athenians turn over their affairs to him without specifying his exact terms, which were given after ratification.

65. Pownall 1995, 145 with nn. 22-23 fails to discuss this example of *presbeis autokratores.*

From this examination of the evidence for *presbeis autokratores* several points emerge. First, in contrast to regular ambassadors who come with instructions to present specific proposals, *presbeis autokratores* come with an open mandate and can receive proposals from the community to which they are sent. In several cases, the community that sends *presbeis autokratores* is in a weak position: the Athenians after their defeats by the Spartans in 405/4 and by Antipater in 319, the Carthaginians to Gelon in 480, the Olynthians to Sparta in 379, the people of Aspendus and the people of Oxydracae to Alexander. In 420 the Spartans were also at a slight disadvantage because the Athenians had the option of joining the Argives. The difference between the two types of embassies is related to a major issue in diplomacy: which side will be the first to make proposals? Negotiations can only begin if one side takes the initiative so that the other can respond. A community in a weak position signals to the other party when it sends *presbeis autokratores* that they are willing to listen to the proposals of the other side and are not in a position to impose their will. This brings us to the second point: because only one side can take the initiative in negotiations, this is the reason why we never find a case in which two communities send *presbeis autokratores* simultaneously in a bilateral negotiation. Either one side or the other can take the initiative, but not both. Rhodes claims that the fact is merely a matter of custom and not law.[66] This is just not true: the fact that only one side could send *presbeis autokratores* is inherent in the nature of the institution. The practice was clearly shaped by Athenian constitutional law, which placed the power of decision about treaties and making war or peace in the hands of the Assembly as Aristotle states in the *Politics* (4.11.1 1298a; cf. *IG* I^3 105, ll. 34-35: ἄν]||[ευ τῶ δέμο τῶ Ἀθεναίον πλεθ]ύ̣ο̣[ντ]ος μὲ ἒ̣ναι πόλεμον ἄρασθα̣ι̣ [μέτε καταλ]ῦ̣[σ]α[ι]). Third, after *presbeis autokratores* receive proposals from the other side, they cannot ratify them on their own authority but must submit the proposals they receive to the authoritative body of their community; in the case of the Greek city state, the Assembly. Only this body has the power to conclude treaties. Fourth, because the institution of *presbeis autokratores* is only relevant in bilateral negotiations in which one side must take the initiative in making proposals, *presbeis autokratores* are never found in multilateral negotiations in which one community summons several other communities to conclude a general agreement. In this case, the

66. Rhodes 2016, 184.

leading power summons other communities to send ambassadors to their community, and consequently there is no need to send *presbeis autokratores* to initiate the negotiations. For this reason, one does not find *presbeis autokratores* in the discussions of the Peloponnesian League that led to the declaration of war against Athens and its allies in 431 (Thuc. 1.67, 119-125), the negotiations about the Peace of Antalcidas (Xen. *Hell.* 5.1.30-34), the discussions about the Common Peace in 367/6 (Xen. *Hell.* 7.1.33-40), or the formation of the League of Corinth (Diod. Sic. 16.89.2-3).

Aristophanes (*Lys.* 1009-1012; *Av.* 1591-95) uses the term *presbeis autokratores* in a similar way in two comedies. In both cases one party in a weak position (men in Athens and Sparta, the Olympian gods) sends *presbeis autokratores* to another party in a strong position (women in Athens, the birds) with an open mandate to discuss terms. The stronger party then dictates terms to the weaker party.[67]

On the other hand, as we saw in the case of the Olynthians sending *presbeis autokratores* to the Spartans and in the cases of the people of Aspendus and the Oxydracae to Alexander, the term can be used to denote ambassadors who have the authority to swear the oaths to a treaty the community has already decided to accept.[68] Normally the authorities of a community are the only ones who have the authority to swear the oaths to a treaty and not ambassadors (see, for example, Thuc. 4.119.2). In this case, the community gives ambassadors powers they do not normally have. We find a similar use of the term in a *sympoliteia* agreement between Temnos and Pergamon (*OGIS* 265, ll. 9-10, ca. 400). Both sides agree to the arrangement, the ambassadors elected by the Temnitai are "to have power" to conclude the agreement. There is another similar use of the term in an agreement between Pidasa and Miletus (*Milet* I 3, 149, early second century), and there may be another in a fragmentary decree dated around 200 from Rhodes about relations with Rome (*SEG* 33, 637).

Before examining the use of the term *presbeis autokratores* in *On the Peace*, it is necessary to examine two passages in which the expression ambassadors "having authority" (τέλος ἔχοντες) is found. The first is in a decree of the Assembly in which the Athenians invite Perdiccas II, the king of Macedon, and

67. Cf. Harris 2000, 489-90.

68. Pownall 1995, 145 does not see the difference between the two kinds of circumstances in which *presbeis autokratores* could be sent.

the people of Methone to send ambassadors "having authority" (τέλος ἔχοντες) to come to Athens and present their cases to the Council and Assembly if they cannot come to an agreement (*IG* I^3 61). This is a case in which two sides send ambassadors having authority simultaneously to a third party, which helps them to work out an agreement. This is not a case in which one community sends *presbeis autokratores* to another and then later the latter sends *presbeis autokratores* to the former. This clause does not provide a parallel to the situation in *On the Peace*, in which the Athenians send *presbeis autokratores* and then later the Spartans send *presbeis autokratores* to the Athenians. It therefore does not form an exception to the rule stated below. This case is similar to third party arbitration in which two sides send representatives to a third community, which helps to arbitrate the dispute. Strictly speaking, this arrangement does not belong in the category of standard diplomacy between states negotiating about a treaty but to interstate arbitration. These ambassadors are therefore not similar to *presbeis autokratores* and do not form an exception to the rules stated above.

The second occurs in the text of the one-year truce preserved by Thucydides (4.118-119) in his account of the year 423. Thucydides (4.117.1-2) introduces the document by stating that the Athenians and the Spartans concluded a truce for a year and discusses the motives of each side for making the truce. At the end of this discussion he states that the truce was made for the Spartans and their allies (4.117.3). This clearly implies that the truce was ratified by the assemblies of Athens and Sparta. There follow the text of the treaty and the decree of the Athenians, in which the people voted to accept the truce with the Spartans and their allies (Thuc. 4.118.1-14). The decree of the Athenian Assembly mentions ambassadors then present in Athens and votes that they should swear the oaths for the truce (Thuc. 4.118.14). These ambassadors are simply designated as πρέσβεις and not given any other title. As a separate measure, the Athenians vote to have the treaty start on the 14th of Elaphebolion (Thuc. 4.118.12) and during that time to allow heralds and ambassadors go back and forth to negotiate an end to the war, which must be distinguished from the one-year truce (Thuc. 4.118.14). These ambassadors are also called πρέσβεις and given no more extensive a title. After these texts are given, Thucydides (4.119.1) again states that the treaty was concluded between the two parties, then specifies who swore the oaths on behalf of the parties (Thuc. 4.119.2). This was standard procedure: after each side voted to accept a treaty,

ambassadors were sent from one side to accept the oaths from the other side, and then ambassadors were sent from the latter to take the oaths from officials in the former (see e.g., Aeschin. 2.98).

One of the terms of the treaty is a statement from the Spartans that if the Athenians have any better proposals about any provision, they should send ambassadors with authority (4.118.10: τέλος ἔχοντες). The document adds that the Athenians have issued the same invitation to the Spartans. This designation is different from that given to the other ambassadors in the decree of the Assembly. In each case it is clear that either the Athenians will send delegates with powers to negotiate with the Spartans or the Spartans will send delegates to negotiate with the Athenians. But the passage does not indicate that each side would send such delegates at the same time.

Magnetto however claims that "when the truce was ratified and the oaths were taken, an embassy of the Spartans and their allies was present in Athens, and their names are listed at 119.2 as signers of the truce along with three Athenian generals. At 118.10 it is implied that before the embassy's arrival, there had been preliminary meetings but the Athenians asked for sending ambassadors *telos echontes* for that meeting. The Peloponnesian ambassadors, as they themselves claim, bore that title, and request in turn that the Athenians also send ambassadors *telos echontes* for any modification of the agreement the Athenians would like to put into effect in the future" (my translation).[69] This description of Thucydides' account does not summarize the passage of Thucydides accurately and misrepresents key terms. First, there is no reason to believe that those named at 4.119.2 are the same as the ambassadors mentioned in the decree of the Assembly at 4.118.14. In fact, Thucydides clearly differentiates between the two groups because the Spartan ambassadors swear the oaths at Athens while the officials named at 4.119.2 swear the oath at Sparta

69. Magnetto 2013, 227: "Nel momento in cui la tregua viene ratificata e sono prestati i giuramenti, è presente in Atene una delegazione composta da Spartani e alleati, i cui nomi sono elencati in 119.2 come firmatari della tregua insieme a tre strateghi ateniesi. Un passaggio di 118.10 lascia intendere che il loro arrivo ad Atene era preceduto da abboccamenti fra le parti e che, in previsione dell'incontro attuale, gli Ateniesi avevano richiesto l'invio di ambasciatori τέλος ἔχοντες. I delegati peloponnesiaci presenti, come loro stessi dichiarono, portano dunque questa qualifica e richiedono a loro volta l'invio di ambasciatori τέλος ἔχοντες per eventuali modifiche che gli Ateniesi vorranno apportare in futuro agli accordi".

(Thuc. 4.114.1). These two groups cannot be identical. Second, the ambassadors "with authority" are only mentioned at the end of the procedure. Prior to this, the terms of the truce were agreed by the parties though Thucydides does not describe the stages of the negotiations. The Spartans next sent ambassadors to Athens to convey to the Assembly that the Spartans and their allies were willing to conclude the truce and swore the oaths in Athens. They then brought the truce back to Sparta, where it was sworn by Spartan officials. The ambassadors with authority are mentioned only in a clause about future renegotiations about terms of the treaty. There is no evidence in the text of Thucydides to justify the claim of Magnetto that "the Peloponnesian ambassadors bore that title (i.e. *telos echontes*)." They are called *presbeis* and nothing more. This passage cannot therefore be cited as an exception to my observation that *presbeis autokratores* are sent from one state to another, but in no case do two states each send *presbeis autokratores* to the other during a single set of negotiations. As we observed above, the nature of the institution of *presbeis autokratores* excluded the possibility of two sides sending *presbeis autokratores* simultaneously.

It is now time to turn to the use of the term *presbeis autokratores* in *On the Peace*. The term is used three times in the speech. In the first passage (6), *On the Peace* states that ten ambassadors were sent with full powers to negotiate with the Spartans about peace. The passage does not say enough about this embassy to compare this information with the other sources for the institution. Further on (33), the speaker of *On the Peace* states that he and his fellow ambassadors were sent to Sparta with full powers "so that we would not have to refer back" (αὐτοκράτορας γὰρ πεμφθῆναι εἰς Λακεδαίμονα διὰ ταῦθ' ἵνα μὴ πάλιν ἐπαναφέρωμεν). Despite their powers, they have decided to grant the Assembly the right to discuss the terms they have brought back (πεμφθέντες αὐτοκράτορες ἔτι ἀποδώσομεν ὑμῖν περὶ αὐτῶν σκέψασθαι). This is completely at odds with the information about *presbeis autokratores* in contemporary sources, which show that any proposals received by such ambassadors had to be brought back home to be ratified in the Assembly. This was not left up to the discretion of the ambassadors. Finally (39), *On the Peace* states that the Spartans have sent *presbeis autokratores* restoring the securities and allowing us to acquire walls and ships and the islands. This is inconsistent with the practice attested in contemporary sources in four ways. First, *presbeis autokratores* are sent to start negotiations, not once they are already underway.

Second, *presbeis autokratores* are sent by one party with an open mandate and receive proposals from the other party; here they are making proposals, not receiving them. Third, in *On the Peace* (33, 39) both sides send *presbeis autokratores,* but this never happens in the sources for the Classical period and is inconsistent with the rationale behind the institution. Fourth, the negotiations in *On the Peace* (24-26, 32, 34, 41) are multilateral, not bilateral; as noted above, *presbeis autokratores* are never used in multilateral negotiations where they would be out of place. Fifth, the speaker of *On the Peace* claims that the ambassadors had the option to ask for approval for any proposals made by the Spartans, implying that it was not compulsory as we know it was.[70]

5. The terms εἰρήνη and σπονδαί

In my previous essay I observed that *On the Peace* makes a distinction between the term εἰρήνη and the term σπονδαί and that in other passages in Greek literature the two terms are used as synonyms.[71] Rhodes replies: "Harris objects that *Peace* 11 distinguishes between εἰρήνη and σπονδαί as other Greek authors do not. This does not worry me: *Peace* needs to distinguish between the terms imposed in 404 and the terms now under negotiation, and in order to do that it gives the two words distinct meanings which they do not have elsewhere, somewhat as Thucydides in emphasising that Athens' alliance with Corcyra in 433 was not a full offensive and defensive alliance but purely defensive narrows the meaning of συμμαχία and distinguishes between συμμαχία and ἐπιμαχία as Greek writers generally do not".[72]

This statement contains several serious mistakes, which completely undermine the objection. Rhodes claims that the term *epimachia* is not generally used (as distinct from *summachia*) in our sources, but there are important examples beyond the ones he cites, and this undermines his comparison. One finds the term in *The Letter of Philip* ([Dem.] 12.6), and one finds the infinitive ἐπιμαχεῖν with the meaning "to conclude a defensive alliance" later in Thucydides (5.27.2), where this kind of alliance is implicitly contrasted with the full alliance. The term *epimachia* is found with exactly the same meaning in Aristotle's *Politics* (1280b27: ἐπιμαχίας οὔσης βοηθοῦντες ἐπὶ τοὺς ἀδικοῦντας

70. Pownall 1995 does not see how the use of the term in *On the Peace* is not consistent with its use in Classical sources.

71. Harris 2000, 495.

72. Rhodes 2016, 184.

μόνον). In *On the Peace* by contrast we find two terms, εἰρήνη and σπονδαί, that are used in other sources, and one of these terms, σπονδαί, is used in a way which is inconsistent with the way it is used in several other sources. Rhodes claims that *On the Peace* needs to make this distinction to contrast the two treaties, but this is fallacious: one does not have to use a term in a way that the audience would not have understood in order to make this point. The speaker could easily have made his contrast between the two treaties without introducing his unparalleled definition of the term σπονδαί. In *On the Peace* the speaker states that the term εἰρήνη refers to a treaty on equal terms (ἐξ ἴσου). By contrast, he claims that the term σπονδαί refers to a treaty dictated by the victors to the vanquished (οἱ κρείττους τοῖς ἥττοσιν ἐξ ἐπιταγμάτων ποιοῦνται) after the former prevail in war (ὅταν κρατήσωσι κατὰ τὸν πόλεμον). The speaker gives the example of the treaty imposed by the Spartans in 405 on the Athenians, by which they were required to tear down their walls, surrender their fleet, and recall their exiles. The speaker implies that his definition is the one generally accepted and then provides a particular instance based on this standard definition. The term σπονδαί however is used in several passages in which two sides make a treaty not after victory in war or when one side dictates terms to the other. For instance, the Peace of Nicias was concluded by Athens and Sparta in 421 when neither side had won a decisive victory over the other and is called σπονδαί (Thuc. 5.18.1 and 3, 19.1, 20.1, 22.1, 24.2). Neither party was surrendering to the other. The same is true of the truce of 423 between Athens and Sparta (Thuc. 4.118.10). The Thirty Years Peace of 446 was also concluded between Athens and Sparta when neither side had won a decisive victory and was able to dictate terms to the other side and is also called σπονδαί (Thuc. 1.35.1, 44.1, 87.2, 115.1; cf. the Five Year Treaty at Thuc. 1.112.1). The term σπονδαί is also used for the truce for the Olympic games in which all the participants entered the treaty on equal terms (Thuc. 5.49; Aeschin. 2.133; cf. *IG* I^3 6B, ll. 8, 19, 28, 38-39). What is more striking is that the definition of the term at *On the Peace* is inconsistent with the use of the term in other parts of the speech! This is another decisive point against the authenticity of *On the Peace*.

6. Conclusion

The evidence against the authenticity of *On the Peace* is overwhelming. We can summarize the main points.

1) Dionysius of Halicarnassus declared the speech a forgery, and Harpocration expresses doubts in three passages.

2) The account of Athenian history in the fifth century contains more errors than the similar account found in Aeschines' *On the False Embassy* (2.172-5). Because Aeschines is celebrating the benefits of peace, we would expect him to make these advantages appear more impressive if he were drawing from *On the Peace*, but the opposite is true.

3) *On the Peace* states that the Athenians held only two thirds of Euboea, when contemporary sources show that they held the entire island until 411.

4) Speakers addressing the Assembly do not mention the names of their ancestors, but in *On the Peace* we find the names of Andocides' grandfather and uncle.

5) *On the Peace* states that the Athenians did not have walls or a fleet in 391, but contemporary sources show that they possessed both at the time.

6) In speeches addressed to the Assembly one does not find lengthy accounts of historical events, which are alluded to briefly. *On the Peace* contains a lengthy account of past events that has no parallel in other speeches to the Assembly.

7) *On the Peace* states that in 391 the Boeotians made peace with the Spartans, but contemporary sources indicate that they remained at war with the Spartans until 387/6.

8) *On the Peace* states that the Syracusans offered the Athenians an alliance in 415, but this is contradicted by the narrative of Thucydides.

9) *On the Peace* claims that the Persian King sided with the Spartans in 412 because the Athenians had supported Amorges, but Thucydides gives very different reasons for the alliance.

10) *On the Peace* states that there was a peace treaty between the Great King and the Athenians negotiated by Epilycus, but Thucydides does not indicate the existence of any such treaty in 412, and his account implies that no such treaty existed at the time.

11) It is highly unlikely that after rejecting the proposals of Tiribazus in 392 the Athenians, the Thebans and the Argives would have entered into negotiations with the Spartans when there was even less reason to do so in 391. It is also hard to believe that if a major conference was held at Sparta, Xenophon would have omitted it in his account of the Corinthian War.

12) The Greeks sent *presbeis autokratores* in two situations, either to open negotiations with another power or to swear the oaths to a treaty whose terms

they had accepted. In the former case, the proposals brought back from the other state had to be ratified in the Assembly. This kind of ambassadors were never sent by both sides simultaneously and never sent in multilateral negotiations. *On the Peace* has *presbeis autokratores* sent by two sides in multilateral negotiations and implies that the proposals they bring back do not have to be ratified by the Assembly.

13) *On the Peace* uses the term *spondai* in a way that it is never used in sources from the Classical period.

Once we recognize that *On the Peace* is a forgery composed after the Classical period, we can improve our understanding of Athenian history in the late fifth and early fourth centuries. First, there is no longer any reason to believe that there was a Peace of Epilycus between the Great King and the Athenians between 424 and 412 or that the Persian King decided to conclude an alliance with the Spartans because of Athenian support for Amorges. Second, we no longer have to explain why Thucydides omits the alleged Peace of Epilycus because this treaty never existed. Third, there is no reason to believe that the treaty mentioned in *IG* I^3 227 is the so-called Peace of Epilycus; this treaty should be the alliance between the Athenians and the Persian King in the late 390s. Fourth, there is no evidence for a conference at Sparta in 391 convened to discuss peace after the failure of the proposals of Tiribazus. Fifth, we can now be certain that the trials and exile of Andocides and his fellow ambassadors took place in 387/6 or later. Speeches delivered to the Athenian Assembly had to contain reliable information about major aspects of recent events and about the contemporary situation. Any speech that did not contain reliable information about major aspects of recent events could not have been a genuine speech composed in the fourth century BCE.[73]

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73. I would like to thank Alberto Esu and David Lewis for reading over drafts of this essay. Some of the suggestions made by the readers for the journal have been helpful. I owe an enormous debt of gratitude to Paschalis Paschidis, who read the entire essay very carefully and made many valuable suggestions, which have improved this essay.

Summary

This paper begins by demonstrating that speakers in the Assembly did not misrepresent major events in recent history. An examination of Demosthenes' speeches to the Assembly shows that his statements about recent events are accurate but are usually brief. This is true for speeches to the Assembly found in Thucydides and Xennophon. The main part of the essay shows that the speech *On the Peace* attributed to Andocides makes major mistakes about recent events (such as the walls and fleet of Athens, peace between the Boeotians and the Spartans, Athenian control over Euboea, peace with Persia, etc.). The speech also does not conform to the rhetorical conventions of the Assembly (naming one's ancestors, giving lengthy accounts of past events), contains statements about *presbeis autokratores* which are inconsistent with the evidence for this institution in Classical Greece and uses the term *spondai* in a way unparalleled in classical sources. All this evidence shows that the speech is not a genuine work of Andocides but a forgery composed in the Hellenistic or Roman period.

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