The Agenda of Libanius'
Hypotheses to Demosthenes

Craig A. Gibson

I F SCHOLARLY INTEREST AND ACTIVITY are an accurate indication, Demosthenes was alive and well in late antiquity. By the time of Libanius (A.D. 314–*ca* 393),[1] readers of this 700-year-old classic were well served with secondary treatments of all kinds: rhetorical commentaries and handbooks, biographies of the orator, philological and historical commentaries, special literary studies, lexica to individual speeches (both alphabetical and non-alphabetical), and alphabetical lexica to the Attic orators as a whole. But outside the classrooms of the grammarians and rhetoricians, students of Demosthenes had no basic guide to the more than sixty items in this unwieldy corpus. It was to satisfy some such market as this that Libanius composed one of his earliest known works: a set of introductions, or "hypotheses" (ὑποθέσεις), to Demosthenes' speeches.[2]

[1] On Libanius' life and writings see J. H. W. G. Liebeschuetz, *Antioch: City and Imperial Administration* (Oxford 1972) 1–39. Bibliography for the years 1954–81 may be found in G. Fatouros and T. Krischer, edd., *Libanios* (Darmstadt 1983) 275–280.

[2] Text: R. Foerster, ed., *Libanii Opera* VIII (Leipzig 1915) 575–681. References to the hypotheses here will append the modern number of the Demosthenes oration, *e.g.* Hyp. 25.4 [59]. Libanius was not the only ancient scholar to compose hypotheses to Demosthenes. According to the *Suda*, Posidonius of Olbiopolis in the second century (Σ 2109, discussed under 2108) and the rhetor Numenius in the first (N 518) also wrote them. The earliest surviving example is *P.Lond.* I 131 (*P.Lond.Lit.* 179; Pack2 307), a late first- or early second-century hypothesis to Dem. 21. Other hypotheses to 18–24 are printed in S. H. Butcher's Oxford edition of Demosthenes. Most of these are longer than their Libanian counterparts and seem to be expansions of material derived from Libanius; this is most clear in the second hypothesis to Dem. 21 (but *cf.* D. M. MacDowell, *Demos-*

The first goal of this paper is to offer a detailed discussion of this frequently cited but rarely read text.[3] The second goal is to argue that Libanius' purpose in writing the hypotheses was to distill the available research on Demosthenes (as only an expert could), so as to produce for amateur readers of Demosthenes a work intelligent enough to be useful, but not so advanced or specialized as to be off-putting. I shall also suggest that the hypotheses can shed some needed light on Libanius' activities as a scholar and a teacher[4] and help illuminate an unexamined aspect of the late antique reception of Demosthenes. Section 1 evaluates the coherence of the corpus of hypotheses on the basis of internal criteria, arguing that the unusual ordering of the hypotheses in *Marcianus* 416 (**F**) accurately represents the order of the speeches in Libanius' text of Demosthenes. Section 2 aims to show how Libanius' attention to his ideal audience influenced his choice and use of sources. Section 3 briefly treats the *Nachleben* of the hypotheses, contrasting the very different uses made of them by Photius and the Byzantine commentators on Hermogenes. In section 4 I advance an argument to characterize the scholarly and pedagogical agenda of the hypotheses.

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thenes: Against Meidias [Oxford 1990] 424–430, who divides Butcher's second hypothesis into three different hypotheses). All devote more attention to rhetorical analysis than does Libanius. Many of the Demosthenic scholia to individual orations also contain hypothesis-like introductory material, focusing primarily on rhetorical analysis (for the texts see M. R. Dilts, ed., *Scholia Demosthenica* [Leipzig 1983–86]).

[3] R. Foerster and K. Münscher, "Libanios," *RE* 12 (1925) 2522–2523, give a short description of the hypotheses focusing on their critical agenda. A similar description can be found in B. Schouler, *La Tradition hellénique chez Libanios* (Lille 1984) 26.

[4] D. A. Russell, *Libanius: Imaginary Speeches* (London 1996) 5, observes that the hypotheses show that "Demosthenic scholarship was the core of Libanius' rhetorical skills." Libanius' debt to and knowledge of Demosthenes is charted in detail in I. Bielski, *De aetatis Demosthenicae studiis Libanianis* (Breslauer Philolog.Abh. 48 [1914]: hereafter BIELSKI). On Libanius' teaching method and the content of his curriculum, see F. Schemmel, "Der Sophist Libanios as Schüler und Lehrer," *Njbb* 20 (1907) 52–69; P. Wolf, "Libanios und sein Kampf um die hellenische Bildung," *MusHelv* 11 (1954) 234–239.

1. Coherence of the corpus

Libanius' hypotheses to the orations of Demosthenes were dedicated to the elderly and ill-fated proconsul of Constantinople, Lucius Caelius Montius,[5] in A.D. 352 (introd. 1):

> Most excellent of proconsuls, Montius: Since like Homer's Astero-paeus[6] you are "ambidextrous" in your literary studies, hold first place in the language of the Romans, and by common consent have gained the legacy of their education, and you have not been neglectful of the Greek language, since in it too you are able to excel owing to the greatness of your nature, devoting your time to other authors and especially to the most accomplished of the Greek orators Demosthenes, and furthermore have asked me to compose for you hypotheses of his speeches, we gladly accept the command, for we know that the honor outweighs the labor. But we will begin the book with a life of the orator, not narrating it all, for that would be excessive, but rather mentioning only such things as seem also to contribute to a more exact understanding of the speeches.

Though bilingual, Montius seems to have been a native Latin speaker who was educated mainly in Latin literature; Libanius flatters him as also showing great promise in his studies of Greek literature. This novice reader of Demosthenes has ostensibly asked Libanius to provide him with hypotheses to the orator. As I argue throughout, the resulting collection of hypotheses perfectly matches the needs of a beginning reader of Demosthenes.

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[5] Little is known about Montius. He may be the same man who as quaestor in Antioch was murdered just two years later (Amm. Marc. 14.7.12–16), according to G. R. Sievers, *Das Leben des Libanius* (Berlin 1868) 214; followed by O. Seeck, *Die Briefe des Libanius* (Leipzig 1906) 99 n.3, 213; E. Drerup, *Demosthenes im Urteile des Altertums* (Würzburg 1923) 205 n.4; B. L. Cook, *Demosthenes and His Biographers* (diss. Univ. of Washington 1996) 171 n.16. For details see *PLRE* I (1971) 608 *s.v.* "L. Caelius Montius," 535–536 *s.v.* "Magnus 11." However, Christ-Schmid-Stählin II5.2 (1913) 807 n.1 regard identification of Libanius' addressee with L. Caelius Montius as "ganz zweifelhaft." On the date of Montius' proconsulship in Constantinople, see Sievers 214.

[6] The ambidextrous Trojan warrior of *Il.* 21.161–204. The use of Asteropaeus to praise someone's bilingual accomplishments probably was adopted by Libanius from Ath. 2c (καλεῖ δὲ αὐτὸν καὶ Ἀστεροπαῖόν τινα, ἐπ' ἴσης ἀμφοτέρων τῶν φωνῶν προιστάμενον).

Between the dedication and the corpus of hypotheses is an introduction consisting of three parts. The first is a biography of Demosthenes, similar in some ways to other ancient biographies of the orator found in Plutarch's *Lives* and *Moralia* and elsewhere.[7] The biography consists of a discussion of Demosthenes' parents and grandparents (2–3), his childhood ailments and effeminate nickname (4–5), his induction into and training in the art of rhetoric (6–7), his entrance into public life (9), his own and others' attempts to remedy his defects as a speaker (10–12, resumed in 13), and the familiar jokes about his late-night work habits and preference for drinking water (12–13). There is also a discussion of the influence of his teacher Isaeus on his style (8), a subject that is taken up again in Hyp. 32 [31] with a cross-reference to this earlier discussion. Although Libanius' biography of the orator is more condensed than some others that survive from antiquity, one would be hard pressed to accept his claim that he is "mentioning only such things as seem also to contribute to a more exact understanding of the speeches" (τοσούτων μνημονεύοντες ὅσα δοκεῖ καὶ πρὸς κατάληψιν ἀκριβεστέραν τῶν λόγων συντελεῖν, introd. 1).

The second part of the introduction (14–19) is a potted history of "how things stood for the Athenians and the rest of the Greeks when Demosthenes made his entrance into politics" (ὅπως εἶχε τά τε τῶν Ἑλλήνων καὶ τῶν Ἀθηναίων πράγματα, ὅτε ἐπὶ τὸ δημαγωγεῖν ἦλθε Δημοσθένης). This historical introduction breaks off in mid-sentence with a lacuna of unknown length[8] and apparently resumes in the midst of a discussion of Demosthenes' achievements in the arenas of epideictic, judicial, and deliberative oratory. In this third and final section of the introduction (20–21) Libanius claims that while Demosthenes was a top-notch practitioner (ἄκρος ἀγωνιστής) of judicial and

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[7] For a description and discussion with full bibliography, see Cook (*supra* n.5) 167–180.

[8] See Foerster p.606 *ad* line 18.

deliberative oratory, the specimens of epideictic in the Demos-
thenic corpus—the *Funeral Oration* and the *Erotic Essay*—are not
genuine. Both works, he says, are quite lacking in terms of their
power (πολὺ γὰρ τῆς ἐκείνου δυνάμεως ἀπολείπονται). Li-
banius goes on to say that although Demosthenes is known to
have delivered a funeral oration, "it is unlikely that this is the
one that was delivered by him, as it is weak and of very poor
quality" (πάνυ φαύλως καὶ ἀσθενῶς ἔχοντα). He closes with
brief remarks on the subdivisions of orations within the Demos-
thenic corpus, a topic to which he returns twice in the hypoth-
eses.[9] Libanius notes that many but not all of the deliberative
orations are identically labeled (αὐτὸ τοῦτο ἔχουσιν ἐπίγραμ-
μα) as "deliberative," and that although the "Philippics" (Dem.
1–11) as a group take their name from the fact that they deal
with Philip, each also has an individual name reflecting its
peculiar subject matter.[10]

To turn to the hypotheses proper: Libanius treats 58 speeches
in 57 hypotheses. The two speeches against Aristogeiton (Dem.
25–26) are treated together in one hypothesis (24).[11] Libanius
understandably omits our item 12, the *Letter of Philip*.[12] He

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[9] Classification of speeches into their proper groups was a topic of great in-
terest for ancient commentators on Demosthenes. There are two examples of this
in the hypotheses: "This speech is no longer a *Philippic*, but rather is simply a
deliberative speech" (Hyp. 12 [13]); and "I do not know how most people can
list this speech among the private speeches, as it is clearly a public speech"
(Hyp. 26.1 [58]).

[10] καὶ τῶν Φιλιππικῶν ἕκαστος ἰδίαν τινὰ ἐπιγραφὴν ἔχει κατὰ τὴν τῶν
πραγμάτων ἑκάστων ἰδιότητα. This claim is misleading. In the *tituli* of
Libanius' hypotheses to the *Philippics* (which may or may not be his own, but
which in any case do not contradict what little he says about the speeches'
titles), the eleven speeches are named: *First Olynthiac, Second Olynthiac, Third
Olynthiac, First Speech against Philip, On the Peace, Second Speech against Phil-
ip, On Halonnesus, On Matters in the Chersonese, Third Speech against Philip,
Fourth Speech against Philip, Response to the Letter of Philip*.

[11] In addition to the *titulus* above the hypothesis (ὑπόθεσις τῶν κατὰ Ἀριστο-
γείτονος λόγων), Libanius' discussion of the authenticity of the two speeches—
individually and collectively—at the end of this hypothesis proves that he has
not simply omitted one of them from consideration.

[12] The *Letter of Philip* is included in **F** and **Y** but is omitted from all other im-
portant manuscripts.

knows but does not include hypotheses for the *Funeral Oration* and the *Essay on Love,* both of which he believes to be spurious (introd. 20). He also does not mention or show any knowledge of the demegoric prooemia or the letters. As can be seen in the best manuscript of the hypotheses (**F**),[13] Libanius follows an unusual ordering of the speeches: 1–11, 13–21, 23, 22, 24, 25+26, 59, 58, 57, 27–31, 54, 39–40, 36, 45–46, 32, 37–38, 35, 34, 33, 55, 52, 51, 50, 49, 53, 42, 41, 48, 56, 47, 43–44. Foerster believed that this was the order of the speeches in Libanius' text of Demosthenes.[14] Though the order of speeches in the Demosthenic corpus varies widely among different classes of manuscripts,[15] no extant manuscript presents all the orations in this precise order. Nevertheless, internal evidence from the hypotheses can be adduced to suggest that the order of the hypotheses in **F** was the original order in which Libanius placed them. This evidence shows at least that item 9 was intended to be followed by item 10, 1–11 (as a group) by 13, 22 by 24, 25+26 by 59, 27 by 28, 28 by 29, 30 by 31, 39 by 40, and 45 by 46:

[13] Foerster/Münscher (*supra* n.3) 2522. On *Marcianus* 416 (**F**, *saec.* X) see E. Drerup, "Antike Demosthenesausgaben," *Philologus* Suppl. VII (Leipzig 1899) 558–565. Descendants of **F** were the basis of the Aldine *editio princeps* of Demosthenes (1504), whose ordering of the speeches we essentially follow today (H. Wankel, *Demosthenes, Rede für Ktesiphon über den Kranz* I [Heidelberg 1976] 70).

[14] Foerster 575–576, citing only the connection between Hyp. 24 [25+26] and 25 [59] (mentioned below). Foerster is followed by A. F. Norman, "The Library of Libanius," *RhM* 107 (1964: hereafter NORMAN) 169. Drerup (*supra* n.13: 536) explicitly declines to consider Libanius' ordering of the speeches. The hypotheses appear in a number of manuscripts (on which see Foerster 575–599). According to MacDowell (*supra* n.2: 424) they were originally transmitted as a group, separately from Demosthenes' orations. They are not found in **S** and **A**. They appear together as a whole at the beginning of **F** and **Y**. **P** (*saec.* X or XI) is the earliest manuscript in which they are individually prefixed to their orations.

[15] For the order of the speeches in the manuscripts used in modern editions, see S. H. Butcher, *Demosthenis Orationes* I (Oxford 1903) xvii–xx. On the history of the Demosthenic corpus see Wankel (*supra* n.13) 63–82, Drerup (*supra* n.13) 531–588, and the summary in R. Sealey, *Demosthenes and His Time: A Study in Defeat* (New York 1993) 221–229.

Hyp. 10.1 to Dem. 10: "This speech has the same hypothesis as the preceding one (τῷ φθάνοντι), with nothing more or peculiar to it except the political recommendation concerning unanimity." The preceding hypothesis, to which this one accurately refers, is Hyp. 9 to Dem. 9.[16]

Hyp. 12 to Dem. 13: "This speech is no longer (οὐκ ἔτι) a *Philippic*, but is simply a deliberative speech." Our item 13 must immediately have followed the *Philippics* (*Or.* 1–11) in Libanius' text of Demosthenes.[17]

Hyp. 23.1 to Dem. 24: "Diodorus is also the plaintiff here (Διόδωρος μὲν κἀνταῦθα ὁ κατήγορος)." Libanius' hypothesis to Dem. 24 immediately follows Hyp. 22 to Dem. 22, in which Diodorus is one of the plaintiffs.[18]

Hyp. 25.1 to Dem. 59: "They also do not think that this speech is by Demosthenes (καὶ τοῦτον τὸν λόγον οὐκ οἴονται), as it is flat and in many ways quite inferior to the orator's power." This hypothesis seems to continue the authenticity debate from the end of the immediately preceding Hyp. 24.12 [25+26]: "Still others accept the first speech as being by Demosthenes, but believe that the second one is completely unworthy of the orator." If this is correct, our oration 59 immediately followed 25 and 26 in Libanius' text of Demosthenes, as Foerster first suggested.[19]

Hyp. 29 to Dem. 28: "This speech deals with some counterstatements introduced by Aphobus, but it also contains a review of things said previously." This statement accurately refers to Hyp. 28 [27]. Similarly the phrase "while Aphobus was still a defendant in the guardianship case" (Hyp. 30.1 [29]) assumes that one has read Hyp. 28 [27] and 29 [28]. Furthermore, the statement that "in this

[16] Item 10 immediately follows item 9 in **S**, **L**, *Vind.*, **Y**, and **F**. Item 11, however, intervenes between 9 and 10 in **A**.

[17] Just as it does in *Vind.* (in which, however, the order of the first twelve items is 1, 3, 2, 4, 6, 9, 10, 5, 8, 7, 11, 12), **Y**, and **F**. Item 13, however, appears after item 60 in **S** and after item 33 in **A**.

[18] This is also the order of the two speeches in **S**, **L**, **Y**, and **P**. Item 24, however, appears immediately after item 19 in **A** and after item 23 in **F** and **X**.

[19] Item 59 need only have followed a speech whose hypothesis ended with a discussion of authenticity attributed to anonymous authorities. The hypotheses to Dem. 7, Dem. 31, and Dem. 35 also meet this requirement. But the intrusion of item 59 into the *Philippics* after item 7 is most unlikely, and item 59 never appears near items 31 and 35 in any catalogued manuscript, whereas the order 25, 26, 59 is also known from **S**, **Y**, and **X**. (Item 59 appears after item 52 in **A** and after item 58 in **F**, **Q**, and **D**.)

speech he adds some things that were passed over in the previous one" (Hyp. 32.1 [31]) accurately reflects Hyp. 31 [30]. At the end of Hyp. 32 [31] Libanius reflects back on our Dem. 27–31 as a group to revisit the question of their authenticity.[20] Thus the "biographical" speeches of Demosthenes (Dem. 27–31) appeared together as a unit in Libanius' text of Demosthenes, in that order.[21]

Hyp. 35.1 to Dem. 40: "This speech is also delivered by the same man and against the same man. And in other respects everything is the same: Plangon, the oath, the forced acknowledgement of sons." The prosecutor is Mantitheus, the defendant Boeotus. This hypothesis immediately follows the one to Dem. 39.[22]

Hyp. 38 to Dem. 46: "In this speech some of the previous charges are filled out further and other new ones introduced, including the accusation that the will is illegal." This hypothesis immediately followed Hyp. 37 to Dem. 45.[23]

All those hypotheses that explicitly indicate their positions relative to other hypotheses are in the proper positions in **F**. What holds true for these hypotheses may safely be assumed to hold true for the rest as well. We should conclude that the unusual order of the hypotheses as they appear in **F** reflects the order of Demosthenes' speeches in Libanius' text of the orator.

2. Sources and audience

Libanius read or consulted many of the different kinds of sources available to scholars of Demosthenes.[24] Nevertheless,

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[20] Hyp. 32.2 [31]: "With regard to these speeches [Dem. 27–31], we have already mentioned [introd. 8] that many people say that they were composed by Isaeus."

[21] These items appear together and in this order in **S**, **A**, **F**, **Q**, and **X**.

[22] Item 40 immediately follows item 39 also in **A**, **F**, **Q**, and **D**.

[23] Item 46 immediately follows item 45 also in **S**, **F**, **Q**, and **D**.

[24] On the availability of books for study, teaching, and research in Libanius' time, see A. F. Norman, "The Book Trade in Fourth-Century Antioch," *JHS* 80 (1960) 122–126. On the question whether Libanius had direct or only indirect access to some of the sources he cites, see Norman, "Library" 160–161 and *passim.*

explicit references to his sources are few. His named sources include the orators Demosthenes and Aeschines, an historical work called the *Philippic Histories,* and the literary treatises of Dionysius of Halicarnassus. Unnamed sources are somewhat more difficult to identify.[25] The clearest are the orator Lycurgus' *Against Aristogeiton,* the lexicon of Harpocration or another Atticist lexicographer, Aristotle's *Rhetoric,* and Hermogenes or other writers on *stasis*-theory. Less securely attributed unnamed sources may include Anaximenes' *Rhetorica ad Alexandrum,* the rhetorical works of Caecilius of Caleacte, and Didymus' commentaries on Demosthenes. Libanius must also have consulted a number of (to us, at least) anonymous commentaries on Demosthenes. I would argue that Libanius' selection and deployment of his source material is dictated by his overriding concern with the needs of the amateur reader of Demosthenes.

The most important of the named sources is of course Demosthenes himself. J. Bielski has shown in detail how Libanius uses chance details from the orations to reconstruct their background for the hypotheses.[26] He concludes that most of the historical information in the hypotheses comes from Demosthenes, especially when that information seems to be at odds with more credible historical sources. When Libanius could check Demosthenes against a better historical source, he sometimes preferred the latter.[27] Although paraphrases of Demosthenes and isolated words can be found in most of the hypotheses, actual quotations are given only twice, in Hyp. 1.11 [1] and Hyp. 7.4 [7]. In fact, Libanius never uses the hypotheses to set before his reader exemplary passages for demonstration, study, or imitation. In the hypotheses, the practical aims and theoretical interests of the rhetoricians are generally pushed aside in favor of reading Demosthenes for Demosthenes' sake.

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[25] Foerster's notes are helpful in identifying some of these.

[26] See Bielski's analyses (43–53) of the hypotheses to Dem. 1–19, 27, and 29–31.

[27] Bielski 42.

Citations of Demosthenes' rival Aeschines and an unknown historian provide historical background to supplement what Libanius could glean from Demosthenes. He cites Aeschines in Hyp. 7.6 to bolster an argument about the spuriousness of the speech *On Halonnesus*.[28] He also mentions him in Hyp. 17.6–8 [18] and 18.5 [19] for the content of his opposing speeches (Aeschin. 3 and 2, respectively) and for Demosthenes' alleged motivation in prosecuting the latter case.[29] In Hyp. 6.2 [6], after mentioning that Demosthenes plans to give a reply to certain ambassadors, Libanius says that "it is left unclear in the speech where these men have come from and why, but it is possible to understand it from the *Philippic Histories* (ἐκ δὲ τῶν Φιλιππικῶν ἱστοριῶν)." The subsequent discussion (3–4) has been doubtfully attributed to Theopompus.[30]

The remaining named source in the hypotheses is Dionysius of Halicarnassus, whose critical works Libanius twice cites in support of claims that particular writings in the Demosthenic corpus are spurious on stylistic grounds. Libanius may have believed that, on matters of style, his audience would find positive references to this well-known critic reassuring and

[28] Aeschines 3.83 says that Demosthenes advised the Athenians not to take Halonnesus, but to take it back. Libanius cites this passage in the context of a somewhat elaborate argument that Demosthenes did indeed deliver a speech *On Halonnesus,* but that the one extant under his name is spurious.

[29] In Hyp. 18.5 [19] Libanius says that Demosthenes prosecuted Aeschines because of the latter's earlier successful prosecution of Demosthenes' friend Timarchus (Aeschin. 1).

[30] Libanius reports the following from this historical source: "On this occasion, Philip sent ambassadors to the Athenians, charging that they had been falsely slandering him to the Greeks for promising many wonderful things to them, but lying about it. For he says that he has not promised them anything and has not lied, and he demands proof of their accusations. The Argives and Messenians sent ambassadors to Athens along with Philip's, and they accused the people of being partial toward and even cheering for Sparta's enslavement of the Peloponnese, while opposing their own struggle for freedom." Jacoby places this among the doubtful fragments (*FGrHist* 115F401). See Bielski 3–5 for further consideration of the passage; 23–42 on Libanius' debt to Ephorus and Theopompus (but note the doubts of Cook [*supra* n.5] 169–170). Norman (168–169) suggests that Libanius knew Theopompus through Didymus' commentaries on Demosthenes (I B.C.).

authoritative; it is interesting in any case that he never cites Dionysius for points on which they apparently disagreed.[31] The first citation of Dionysius concerns the *Funeral Oration* and the *Essay on Love.* After stating that these two speeches are obviously spurious, Libanius bolsters his view as follows: "And I am not giving you my opinion alone; this is also in accord with the view of Dionysius of Halicarnassus" (καὶ οὐχ ἡμέτεραν γνώμην λέγομεν, ἀλλὰ καὶ Διονυσίῳ τῷ Ἁλικαρνασεῖ τοῦτο συνδοκεῖ, introd. 20). Dionysius includes the *Funeral Oration* in a short list of spurious orations (*Dem.* 23),[32] though he gives no specific grounds for labeling it as such. At *Dem.* 44 he rejects all the alleged epideictic speeches of Demosthenes as spurious, as "they are far from (Demosthenes') stylistic character both in thought and in vocabulary, and are on the whole lacking in their composition" (οὐδὲ κατὰ μικρὸν ἔχοντας τὸν ἐκείνου χαρα-κτῆρα οὔτ᾽ ἐν τοῖς νοήμασιν ⟨οὔτ᾽ ἐν τοῖς ὀνόμασι⟩, τῆς δὲ συνθέσεως ὅλῳ καὶ τῷ παντὶ λειπομένους). One supposes that Dionysius, like Libanius, would include both the *Funeral Oration* and the *Essay on Love* under the rubric of epideictic, but the two examples he specifies are the *Funeral Oration* and the lost *Encomium to Pausanias.* The *Funeral Oration* is "vulgar, inane, and childish" (φορτικὸς καὶ κενὸς καὶ παιδαριώδης).

In the second citation of Dionysius (Hyp. 24.11 [25+26]) Libanius reports that Dionysius rejected the two speeches against Aristogeiton as spurious on the basis of their style (ἰδέα). Dionysius rejects either the second or perhaps both of the speeches against Aristogeiton (*Dem.* 57: depending on whether one reads ἐν τῇ κατ᾽ Ἀριστογείτονος β or Blass' emendation ἐν τοῖς κατ᾽ Ἀριστογείτονος β), but he does not give a reason;

[31] Bielski 75–77 compares and contrasts Libanius' with Dionysius' views on Dem. 1, 7, 10, 13, 14, and 17.

[32] Cobet's emendation of τούτου· τὸν to τοῦ ἐπιταφίου· τοῦτον is surely correct, in light of Dionysius' announced intention to compare the funeral oration in Plato's *Menexenus* to something among Demosthenes' authentic writings that is similarly focused on τὸ καλόν and ἀρετή.

rather he says that "matters pertaining to Demosthenes are clearly discussed in another work of mine" (ἐν ἑτέρᾳ δηλοῦταί μοι πραγματείᾳ τὰ περὶ Δημοσθένη). This may well be Dionysius' lost work on the authenticity of individual Demosthenic writings, on which Libanius apparently also draws in the introduction (20).[33]

Libanius' unnamed sources include lexicographers, commentators, and rhetoricians. But as we have seen of his use of Aeschines, Libanius also knew his way around other speeches that were closely connected to certain speeches of Demosthenes. Dem. 25 purports to be a *deuterologia* to Lycurgus' *Against Aristogeiton,* a speech now lost. In Libanius' discussion of the case (Hyp. 24), most of the information that he gives in 1–5 cannot be found in Dem. 25 or 26 (or in Din. 2).[34] Yet the hypothesis obviously deals with the same case. Libanius must be using the lost speech of Demosthenes' co-prosecutor Lycurgus (directly or

[33] S. F. Bonner, *The Literary Treatises of Dionysius of Halicarnassus* (Cambridge 1939) 25, 35–36.

[34] "After seeing Hierocles carrying sacred garments on which there were letters stitched in gold to denote those who had dedicated them as an offering, Pythangelus and Scaphon accused him before the *prytaneis* of being a temple-robber, and on the next day the *prytaneis* took him before the Assembly. Hierocles said that he had been sent by the priestess to get the garments and was supposed to bring them to the Shrine of the Huntress. Then Aristogeiton proposed a decree that was not submitted to the Council in advance and was quite dreadful, for it ordered Hierocles to be put to death immediately, if he admitted that he stole the garments, but if he denied it, for the case to go to trial. As a result of which, if he had admitted the truth, he would have been put to death immediately, but if he had denied it, he would have been killed anyway, only a short time later. Phanostratus, father of the endangered Hierocles, indicted this decree for illegality with Demosthenes as his co-plaintiff, and won the case. And the court fined Aristogeiton five talents. This is the first debt that Aristogeiton owes. Then, when he indicted Hegemon, lost the case, and failed to get one-fifth of the votes, he was fined one thousand drachmae. When he did not pay up within the allotted time, the fines were doubled in accordance with the law and then totaled ten talents, two thousand drachmae. To generate this money he signed over a farm of his to the treasury, and his brother Eunomus bought it; Eunomus asked for a payment plan for the fine so as to pay the balance over a period of ten years, each year putting up the portion due. He has already paid two installments (two talents, four hundred drachmae) but he still owes the rest (eight talents, sixteen hundred drachmae)."

indirectly) to supply this necessary background.[35] He implies having read this speech when he says at 9–10 that

> Demosthenes *and Lycurgus* say nothing about whether the registration was just or not, but say only: "When he gets a conviction against Ariston, then Aristogeiton's name will be removed from the register, and Ariston will be registered in accordance with the law. But before the matter comes to trial, it is not appropriate for Aristogeiton to speak—this man who may in fact have been registered justly and could be falsely accusing Ariston" (*cf.* Dem. 25.73). These are the main matters under investigation, but Lycurgus has already dealt with them because he spoke first.

While the final sentence of this statement could simply be an educated guess from his reading of Dem. 25 and 26 (in which Demosthenes does occasionally make reference to what Lycurgus has already said), it would be difficult for Libanius to say accurately that Lycurgus did not mention something in his speech, unless Demosthenes in 25 and 26 says so, or he has actually read the speech in question. Dem. 25 and 26 never make any such claim. If Libanius' statement about Lycurgus' speech is accurate, he must have read it. Given Libanius' intimate knowledge of classical Greek oratory,[36] there is little reason not to assume direct knowledge of the now lost speech.

The *Lexeis* of Harpocration are the source of the only two overt grammatical glosses in the hypotheses. Libanius states that "the Attic Greeks called 'capital' (ἀφορμή) what we call ἐνθήκη" (Hyp. 36.5 [36]). Harpocration makes the same equation: "Whenever someone hands over ἐνθήκη in money, that is given the special name ἀφορμή in Attic authors."[37] Of

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35 With A. Schaefer, *Demosthenes und seine Zeit* III (Leipzig 1887) 125–126. For other testimonia and fragmenta of this speech, see N. C. Conomis, ed., *Lycurgi Oratio in Leocratem* (Leipzig 1970) 92–96. Conomis includes Hyp. 24.6–11 among the fragments of the speech but not 1–5. On procedure in the case see M. H. Hansen, *Apagoge, Endeixis and Ephegesis* (Odense 1976) 141–142.

36 Norman 169–170.

37 Harp. *s.v.* ἀφορμή (Keaney, A 279): ὅταν τις ἀργύριον δῷ ἐνθήκην, ἀφορμὴ καλεῖται ἰδίως παρὰ τοῖς Ἀττικοῖς.

the word "exclusion" (ἐξούλη) in Dem. 30, Libanius reports that "they used to say 'to exclude' (ἐξίλλειν) to mean 'to throw out' (ἐξωθεῖν) and 'to drive off by force' (ἐκβάλλειν βίᾳ)" (Hyp. 31.4). Harpocration: "this word comes from ἐξίλλειν, which means to 'throw out' (ἐξωθεῖν) and 'drive off' (ἐκβάλλειν)."[38]

The last of Libanius' unnamed but definite sources are the rhetorical works of Aristotle and Hermogenes, which he uses for technical descriptions of Demosthenes' rhetorical strategy. In Hyp. 49.2 [49] Libanius adopts the distinction between (but not the precise definition of) artistic and inartistic proofs from Aristotle's *Rhetoric*: Demosthenes "provides the greatest number of arguments from the so-called 'inartistic' proofs—depositions and challenges—but also some artistic proofs from probability" (καὶ τὰς μὲν πλείστας ἀποδείξεις ἐκ τῶν καλουμένων ἀτέχνων πίστεων παρέσχηται, μαρτυριῶν καὶ προκλήσεων, τινὰς δὲ καὶ ἐντέχνους ἀπὸ τῶν εἰκότων). Again, Aristotle, on what he also calls "the so-called 'inartistic' proofs" (τῶν ἀτέχνων καλουμένων πίστεων), says that there are five kinds: "laws, witnesses, contracts, confessions under torture, and the oath" (νόμοι μάρτυρες συνθῆκαι βάσανοι ὅρκος, 1.15.2, 1375a24–25). Libanius seems to be imitating Aristotle in affectedly describing the inartistic proofs as "the so-called 'inartistic' proofs." From Aristotle's definition, Libanius changes "witnesses" to the cognate "depositions" (μάρτυρες to μαρτυρίαι) and substitutes the more specific "challenge" (πρόκλησις) for Aristotle's generic "oath" (ὅρκος).[39] Aristotle's initial definition of "artistic"

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[38] Harp. *s.v.* ἐξούλης (Keaney, E 72): εἴρηται μὲν οὖν τοὔνομα ἀπὸ τοῦ ἐξίλλειν, ὅ ἐστιν ἐξωθεῖν καὶ ἐκβάλλειν.

[39] In an earlier discussion of these two types of proofs (1.2.2, 1355b35–40), Aristotle's examples of inartistic proofs included "witnesses, confessions under torture, contracts, and things like that" (μάρτυρες βάσανοι συγγραφαὶ καὶ ὅσα τοιαῦτα). Aristotle does not subdivide types of oath by name, but an incidental quotation of Xenophanes in this section (1.15.29, 1377a19–21) suggests that this is where Aristotle would have considered the "challenge" (πρόκλησις), if he had chosen to discuss it by name.

proofs includes no examples. Rather, he divides artistic proofs into ethical, emotional, and logical proofs; "probability" (εἰκός) is defined and discussed shortly thereafter under enthymemes, the most important of the logical proofs (1.2.15, 1357a34–37).

The technical language of *stasis*-theory, which originated with Hermagoras (II B.C.) but in Libanius' day was most strongly associated with the rhetorician Hermogenes[40] (II A.D.), makes an appearance in three places: Hyp. 18.5 [19], 20.4–5 [21], and 25.4 [59]. Libanius classifies the "issues" of Dem. 19 and 59 as περὶ οὐσίας (concerning existence) and στοχαστική (a matter of conjecture, στοχασμός). In Hermogenes' system, "one must first consider whether the matter to be judged is or is not clear. If the matter is unclear, the issue is one of conjecture. Conjecture is a proof of the existence of an act that is unclear from a sign that is clear."[41] The example Hermogenes gives is of a man who is charged with murder after being caught disposing of a corpse in a remote area: in this example, he explains, the burial of the dead man is clear, but it is unclear who his murderer is. Unlike Libanius, Hermogenes does not specifically label Dem. 19 and 59 as examples of conjectural *stasis,* though any number of rhetoric teachers must have done so between the times of Hermagoras and Libanius. In addition, although the expression περὶ οὐσίας is not found in Hermogenes' *On Staseis,* it is part of the language of his commentators (perhaps taken over from Aristotle), who use it in the course of discussing a "conjectural" *stasis.*[42]

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[40] H. Rabe, ed., *Hermogenis Opera* (Stuttgart 1913), transl. M. Heath, *Hermogenes on Issues: Strategies of Argument in Later Greek Rhetoric* (Oxford 1995).

[41] *On Staseis* 36.7–11 (transl. Heath 32). For Hermogenes' further discussion and subdivision of the conjectural *stasis* see 43.17–59.9.

[42] For example, στοχασμός ἐστι στάσις πολιτικοῦ πράγματος τῶν ἐπὶ μέρους περὶ τοῦ τί ἐστι τὸ κρινόμενον ἤτοι περὶ οὐσίας τὴν ζήτησιν ἔχων (Walz IV 300.18–20). The phrase περὶ οὐσίας also appears in the context of distinctions between the conjectural *stasis* and definitional *stasis; e.g.,* διαφέρει δὲ τοῦ στοχασμοῦ ὁ ὅρος τῷ ἐκεῖ μὲν περὶ οὐσίας εἶναι τὴν ζήτησιν· ἐν δὲ τῷ ὅρῳ περὶ τοῦ τί ἐστιν (475.3–5); or similarly, ἐν ὅρῳ δὲ περὶ ὀνόματος, 478.14. A quarrel with Aristotle on this point is indicated in Syrianus (H. Rabe, ed., *Syriani in*

The third occurrence of *stasis* theory in the hypotheses is in the hypothesis to *Against Meidias.* According to Libanius (Hyp. 20.4 [21]), Dem. 21 is ὁρικός (a matter of definition, ὅρος) in terms of its issue. More specifically, it is a "double matter of definition by inclusion" (διπλοῦν ὅρον κατὰ σύλληψιν), a situation that obtains "whenever we do not reject the charge proposed by our opponents, but we add another one to it: just as here, when Meidias says that he has committed assault, Demosthenes does not reject the charge of 'assault' but adds 'impiety' on top of it." It is useful to compare Hermogenes here. In Hermogenes' system, the first kind of *stasis* is conjectural, one in which the matter to be judged is unclear. But as he goes on to say, "if the matter to be judged is clear, one must consider whether it is complete or incomplete. By 'incomplete' I mean that when some deficiency is supplied a description is immediately available, and the act contains no further scope for enquiry. In such a case, the issue is one of definition."[43] Hermogenes' example is stealing property from a temple; it is a matter of definition (and one bearing directly on the penalty) whether this is to be called temple-robbery or simply theft. Hermogenes would also agree with Libanius' labeling of the *stasis* as a "double matter of definition by inclusion." Hermogenes divides definition into simple and double. One of the five kinds of double definitional *staseis* is "by inclusion" (κατὰ σύλληψιν: 62.11–64.4). One of Hermogenes' examples of "by inclusion" is hypothetical; the other is Demosthenes' *Against Meidias*: "When Meidias maintains that there was an assault and a private wrong rather than a crime against the public interest respecting the festival, Demosthenes draws the two together (the assault and the crime with respect to the festival), to avoid undermining the crime

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Hermogenem Commentaria II [Leipzig 1893] 55.9–11): while Syrianus identifies himself with those who connect περὶ οὐσίας with conjecture, Aristotle (he says) had connected it with the *stasis* of definition; *cf.* 62.12–13, 63.3–5.

[43] 37.1–5 (transl. Heath 32). For Hermogenes' further discussion and subdivision of the *stasis* of definition, see 59.11–65.8.

with respect to the festival by dismissing the assault; for unless the assault is established in advance, the crime with respect to the festival does not stand up either."[44]

Two other rhetoricians, Caecilius and Anaximenes, are among the unnamed sources that Libanius may have used. The supposedly ubiquitous rhetorician Caecilius of Caleacte is never mentioned by name, but E. Ofenloch (followed and expanded upon by Bielski) perceived his influence in the introduction and in the hypotheses to Dem. 7, 35, 58, and 59.[45] Five of the fragments contain arguments about authenticity,[46] while one also contains an argument about the proper classification of a speech into its group.[47] If Libanius in fact used Caecilius, this was done anonymously and with a focus on issues basic to any reader. Anaximenes' *Rhetorica ad Alexandrum* may be the ultimate source of two ideas in Hyp. 19 [20].[48] First, Anaximenes says that it is just to "repay favors to your benefactors" (τοῖς εὐεργέταις χάριν ἀποδιδόναι, 1.7 [1421b39]) and that "it is just

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[44] 63.7–13 (transl. Heath 45). For Libanius, the "inclusion" draws together the charges of assault and impiety (incorrectly: see MacDowell [*supra* n.2] 424); for Hermogenes, it draws together the assault and τὸ περὶ τὴν ἑορτὴν ἀδικεῖν. There is one other possible debt to Hermogenes or a similar system in Hyp. 25.4 [59]: περὶ γὰρ οὐσίας τὸ ζήτημα καὶ <u>οὔτε περὶ ἰδιότητος οὔτε περὶ ποιότητος</u>.

[45] E. Ofenloch, ed., *Caecilii Calactini Fragmenta* (Leipzig 1907) xxix–xxx. It should be noted that Ofenloch assumed that most anonymous, later judgments about the authenticity and style of individual orations could be traced to either Caecilius or Dionysius; if a view could be shown to be at odds with Dionysius, he believed, then it should be attributed to Caecilius (see xxix). The view that Caecilius influenced Libanius is followed by H. Gärtner, "Libanios," *Kl. Pauly* 3 (1969) 614.

[46] Fr.125a = introd. 8; fr.139 = Hyp. 7.3–8 [7]; fr.145 = Hyp. 42.3 [35]; fr.146 (part 2) = Hyp. 26.4 [58]; fr.147 = Hyp. 25.1 [59].

[47] Fr.146 (part 1) = Hyp. 26.1 [58].

[48] As was suggested by Foerster (*supra* n.2). He finds support in the research of H. Markowski, *De Libanio Socratis Defensore* (Breslauer Philolog. Abh. 40 [1910]) 150–168, who assembles a list of rhetorical precepts that Libanius could have adopted from Anaximenes in composing his *Apology of Socrates.* It should be noted, however, that Markowski explicitly leaves open the possibility of rhetorical influences other than Anaximenes on the *Apology,* and he makes no claims about Anaximenes' influence on the hypotheses or the rest of the Libanian corpus.

for those who have done well by us to be treated with bene-
factions in return" (τοὺς εὖ ποιήσαντας ἀντευεργετεῖν δίκαιόν
ἐστιν, 1.14 [1422a32–33]). At 19.3 Libanius argues that while
Leptines' case is more expedient, that of Demosthenes is more
just, because "it is just that those who do good things should
get good things in return" (δίκαιόν ἐστι τοὺς εὖ ποιήσαντας
ἀντευπεπονθέναι). Second, Anaximenes says that one who is
proposing a new law is required to show, among other things,
that it is "consistent with the other laws" (ὁμολογοῦντα τοῖς
ἄλλοις νόμοις, 1.21 [1424b17]); likewise one who is speaking
against a proposed law has to show that it is "not consistent
with the other laws, but contradictory" (μὴ τοῖς ἄλλοις ὁμο-
λογῶν ἀλλ' ὑπεναντίος, 1.22 [1424b23–24]). At 19.4 Libanius
notes that Demosthenes tries to prove that Leptines' proposal
of a new law is illegal, because he broke the law "which orders
that they first abolish any contradictory law (τὸν ἐνάντιον
νόμον) and then propose the new law, so that no laws that
contradict each other may be found on the books." It is possible
but by no means certain that Libanius adopted these points
from Anaximenes; one could make the argument that someone
with Libanius' knowledge of classical Greek oratory and culture
could as easily have come up with these rules himself.

Norman (168–170) suggests that Libanius had access to Did-
ymus' commentaries on Demosthenes, arguing from apparent
borrowings from Theopompus elsewhere in the Libanian corpus.
The hypotheses, however, reveal only one possible connection:
Libanius agrees with (but does not cite) Didymus for the view
that Dem. 13 is not a *Philippic*.[49] Not only, however, is this a
common judgment that could easily have been found elsewhere,
but it is also unlikely that Didymus' commentaries on Demos-

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[49] Hyp. 12 [13]; *cf.* P.Berol. inv. 9780 col. 13.14–25 (L. Pearson and S.
Stephens, edd., *Didymi in Demosthenem Commenta* [Stuttgart 1983]).

thenes survived in anything like their original form until the fourth century.[50]

The final group of unnamed sources includes the commentators whose opinions about Demosthenes Libanius picked up through extensive reading and study. Their names are apparently not important to him (if he even knows them), and his survey of their views is certainly not exhaustive; yet Libanius does manage to convey a range of opinion on issues that should be important to the general reader. He cites the views of anonymous commentators in the introduction and in seven of the hypotheses. Among these are the usual suspects οἱ μέν and οἱ δέ, τινες, ἕτεροι, ἄλλοι, and πολλοί and οἱ πολλοί; but there is also an interesting (because more specific) occurrence of οἱ πρεσβύτεροι (Hyp. 7.5 [7]).[51] As most of these instances are discussed below for the critical agenda of the hypotheses, it will suffice here to give a list of the occurrences: introd. 8; Hyp. 7.5–8 [7]; Hyp. 24.11–12 [25+26]; Hyp. 25.1 [59], which is a continuation of a discussion from Hyp. 24.11–12; Hyp. 26.1 and 4 [58]; Hyp. 32.2 [31], in a section that reflects back on Dem. 27–31 as a unit and contains a cross-reference to introd. 8; Hyp. 42.3 [35]; Hyp. 51.1 [42]. All but one of these citations concern debate over the authenticity of a particular speech; when Libanius reports the anonymous commentators' grounds for disputing the authenticity of a speech, the grounds are always stylistic. The exception (Hyp. 26.1) is a debate not over the authenticity of a speech but over the proper classification of a speech into a group.

The search for elusive parallels in the rich literature of ancient

[50] Didymus' commentaries appear to have been excerpted fairly quickly for use in other commentaries and lexica. There is no evidence for direct access to Didymus in the original after the second century. See C. A. Gibson, *Interpreting a Classic: Demosthenes and His Ancient Commentators* (Berkeley forthcoming 2002) chs. 1 and 3.

[51] Bielski (3 with n.2) conjectures that οἱ πρεσβύτεροι are the critics between οἱ παλαιοί (Alexandrian scholars) and Libanius himself, namely Caecilius and Dionysius of Halicarnassus.

rhetoric should not blind us to the fact that Libanius in general shows his familiarity with rhetoric through his careful—though often non-technical—analyses of Demosthenes' strategy throughout. For example, the plaintiff in *Against Timocrates* "is denouncing a very humane law, so he tries to do so on the basis of the motives and intentions of the man who proposed it" (Hyp. 24.1 [23]). In addition to bringing a *paragraphe* in *Against Zenothemis,* "the orator also touches on the primary case … so that his *paragraphe* might be stronger, the unsoundness of Apollodorus' primary case having been demonstrated" (Hyp. 36.6 [36]; similarly 39.7 [32] and 43.7 [34]). In *Against Nicostratus,* "since the matter is morally disreputable, the orator relates how greatly Apollodorus has suffered at the hands of Arethusius, so that Apollodorus may seem to be pursuing this case not because he is an evil man by nature, but rather because he is taking vengeance on a wrongdoer" (Hyp. 50.2 [53]).

3. *Nachleben*: Two Byzantine uses of the hypotheses

Libanius' hypotheses were read along with Demosthenes' speeches by generations of Byzantine readers.[52] They were also used in at least two other ways in the Byzantine period.[53] The scholiasts to Hermogenes used them as quotable summaries of the speeches of Demosthenes, Hermogenes' favorite and most frequently cited author. Photius, on the other hand, focused on the kernels of ancient literary critical wisdom that the hypotheses contain.

Some Byzantine commentators quoted or adapted Libanius'

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[52] *Cf. supra* n.14.

[53] An exhaustive account of the influence of Libanius' hypotheses would need to examine the relationship between Libanius and other hypotheses to Demosthenes (*cf. supra* n.2), the scholia to the hypotheses (see the scholia to the hypotheses to Dem. 8, 19, 21, 23, 24, and 59 in Dilts [*supra* n.2]), the influence of critical judgments transmitted through Libanius upon Byzantine critics, the possible use of the hypotheses in Byzantine teaching practices, the eventual translation of the hypotheses into Latin in the Renaissance, and the possible use of the hypotheses (in Greek or in Latin translation) by the Renaissance Latin translators of and commentators on Hermogenes.

hypotheses when they needed to give quick summaries of orations mentioned in or otherwise called to mind by Hermogenes.[54] John Siceliotes, an orator and commentator working *ca* 1000,[55] adapts the hypotheses to Dem. 16, 23, and 24 in his commentary on Hermogenes' *On Types of Style*.[56] Gregory of Corinth (*ca* 1070–1156)[57] uses the hypotheses to Dem. 4, 8, 19, 23, 25–26, and 54 in his commentary on Ps.-Hermogenes' *On the Method of Forcefulness*.[58] The little-known George Diaereta[59] uses Hyp. 19 [20] in his commentary on Ps.-Hermogenes' *On Invention*.[60] To Foerster's list we may add three other possible borrowings by George Diaereta.[61]

In *Bibl.* 490b–492b Photius' interest in Libanius' hypotheses was quite different.[62] He cites "Libanius the sophist" by name

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[54] Foerster (*supra* n.2) identified many of these.

[55] See A. P. Kazhdan, "John Siceliotes," *ODByz* II (1991) 1068. Following C. Walz, Foerster (*supra* n.2: 598, 627, 637, 640) mistakenly identifies John Siceliotes with John Doxopatres; on which see H. Rabe, "Aus Rhetoren Handschriften," *RhM* 62 (1907) 581 n.1.

[56] *Schol. Hermog. Id.* 1.43 (Walz VI 182.8–22), adapted from Hyp. 21 [23]; 2.23 (367.16–368.5), adapted from Hyp. 23 [24]; 2.37 (433.15–28), adapted from Hyp. 15 [16].

[57] = Gregory Pardos. See in general A. P. Kazhdan, "Pardos, Gregory," *ODByz* III (1991) 1587; on his rhetorical and grammatical writings, D. Donnet, "Précisions sur les oeuvres profanes de Grégoire de Corinthe," *BIHBelge* 37 (1966) 81–97; on his teaching and research methods, J. Glucker, "Thucydides I 29,3, Gregory of Corinth and the *Ars Interpretandi*," *Mnemosyne* IV 23 (1970) 136–142.

[58] *Schol. Ps.-Hermog. Meth.* 11.12 (Walz VII.2 1221.18–1222.7), adapted from Hyp. 18 [19]; 33.27 (1331.24–1332.3) = Hyp. 33 [54]; 9.81 (1194.9–1195.12), adapted from Hyp. 8 [8]; 9.84 (1197.24–1198.10), adapted from Hyp. 21 [23]; 27.86 (1306.15–1309.4), adapted from Hyp. 24 [25+26]; 10.103 (1207.2–1208.8), adapted from Hyp. 4 [4].

[59] On whom see Walz VI 505–506.

[60] *Schol. Ps.-Hermog. Inv.* 51 (Walz VI 537.10–538.3).

[61] *Schol.* 36 (Walz VI 532.5–16), adapted from Hyp. 21 [23]; 43 (533.26–534.7), adapted from Hyp. 22 [22]; 44 (534.24–535.4), adapted from Hyp. 25 [59].

[62] Ed. R. Henry (Paris 1959–77). On the *Bibliotheca* see N. Wilson, *Scholars of Byzantium*2 (Baltimore 1996) 93–111; W. T. Treadgold, *The Nature of the Bibliotheca of Photius* (Washington 1980) 16–36. On Photius' other sources in his treatment of the orators, R. M. Smith, "Photius on the Ten Orators," *GRBS* 33 (1992) 159–189; "Two Fragments of 'Longinus' in Photius," *CQ* N.S. 44 (1994) 525–529; and "A Hitherto Unrecognized Fragment of Caecilius," AJP 115

in his discussion of *On the Peace*, reporting in detail and with approval Libanius' view that the speech was prepared but never delivered (492a: *cf.* Hyp. 5.6–7 [5]). He also reports that some attribute *On the Treaty with Alexander* to Hypereides. Arriving at their conclusions in somewhat different terms, Photius and Libanius nevertheless list word choice as the main piece of evidence against the speech, giving the same two words (νεόπλουτοι and βδελυρεύεσθαι) as examples (491a; *cf.* Hyp. 16.2 [17]). In addition, some critics, we are told, reject *Against Neaera* because of its "flatness" (ὑπτιότητος, 492a); Libanius had reported the same thing (ὕπτιον ὄντα, Hyp. 25.1 [59]).

Photius' most substantial connection to Libanius, however, is in his discussion of *On Halonnesus.* Photius reports the view, one shared by Libanius, that this speech is spurious: "They try to prove their view from the verbs and nouns and harmony of composition. For it falls very short of the Demosthenic type, for it is slack and loose, and its phrasing is beneath the orator's power in such things" (τεκμηριοῦσθαι τὴν δόξαν αὐτῶν ἐπιχειροῦσι τοῖς ῥήμασί τε καὶ ὀνόμασι καὶ τῇ τῆς συνθέσεως ἁρμονίᾳ· πολὺ γὰρ ταῦτα λείπεσθαι τοῦ Δημοσθενικοῦ τύπου, ἀνειμένην τε γὰρ εἶναι ταύτην καὶ λελυμένην, καὶ τῆς τοῦ ῥήτορος περὶ ταῦτα δυνάμεως ἐλαττουμένην τὴν φράσιν, 491a). Libanius had said much the same thing, with few differences in language: "The phrasing and harmony of composition are obviously at great remove (πολὺ πεφευγυῖα) from the Demosthenic type, being slack and very loose (διαλελυμένη instead of Photius' λελυμένην), contrary to this orator's style" (Hyp. 7.3 [7]). Both authors consider the proposition that the speech could be by Hegesippus, but with different conclusions. Libanius argues that Demosthenes' *On Halonnesus* is not extant, and that the speech we have could be by Hegesippus. Photius concludes that, given the minor differences between this speech

and Demosthenes' style elsewhere, together with the fact that authors' styles tend to differ across the corpus of their writings, the speech either could be by Hegesippus or could simply be one of Demosthenes' less remarkable speeches. There is one other possible point of contact with regard to this speech. Libanius begins his hypothesis on *On Halonessus* by saying that it could also be called *Response to Philip's Letter*, a title usually reserved for Dem. 11. Photius takes the fact that the speech serves as a response to a letter from Philip as justification for (incorrectly) calling the speech the *Second Philippic* (actually Dem. 6).

4. The agenda of the hypotheses

Despite Photius' treatment of them, it seems clear that Libanius' hypotheses were not intended to serve as a repository for the best and brightest critical judgments that the ancient world had to offer about Demosthenes' speeches.[63] They also do not discuss Demosthenic speeches now lost to us. As such, the hypotheses offer little of interest for the *Quellenforscher*, which may account in part for their neglect. But for those interested in the late antique reception of popular classical authors, Libanius' hypotheses are a real treasure. They are the work of a teacher whose primary goal is to introduce the novice to the orations of the greatest classical Greek orator. He gives the student a hint of some of the critical issues involved. The more advanced student, one supposes, could easily pursue these matters elsewhere; this would have become even easier once the hypotheses were included in manuscripts of Demosthenes that contained scholia. But Libanius' reach rarely extends beyond his ideal reader's grasp.

What little attention has been devoted to the hypotheses in

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[63] Similarly, Foerster/Münscher (*supra* n.3) 2522 regard the hypotheses more as a report or lecture than a critical examination of the speeches.

the past has focused predominantly on their critical agenda.[64] It will be best to begin there.[65] Libanius surveys the views of earlier critics and sometimes presents his own views to corroborate or contradict them. These critical judgments fall into four groups: issue (*stasis*) of the speech, title or grouping of the speech, delivery (*i.e.,* whether the speech was actually delivered), and authenticity.

The question of the *stasis* of Dem. 19, 21, and 59 has already been discussed above under Libanius' debt to Hermogenes and *stasis* theory, but one point needs to be added: it is unclear why Libanius identifies the *stasis* of these three speeches and of no others. His discussion (Hyp. 18 and 20) of the *stasis* of Dem. 19 and 21 seems not to be controversial. Only in Hyp. 25.4 [59] does Libanius imply that someone might disagree with his judgment: "So then, the *stasis* of the speech is one in which the fact is in doubt (στοχαστική). For the investigation is about existence (περὶ οὐσίας) and not about the nature or quality of the act." The phrase "and not about the nature or quality of the act" may imply a disagreement with another scholar who had classified the *stasis* differently, but Libanius does not elaborate.

From Hellenistic times on, critics of authors with large extant corpora had to grapple with such basic bibliographic questions as book divisions, titles, and subgroupings of writings. Possibly on his own authority, Libanius suggests that *On Halonnesus* should more properly be entitled *Response to Philip's Letter* (Hyp. 7.1–2 [7]). The speech *On Organization*, he says, should be classified as a deliberative speech rather than a *Philippic* (Hyp. 12 [13]). Explicitly contradicting the majority of ancient critics who would have it otherwise, Libanius claims that *Against Theocrines* is a public speech, not a private one (Hyp. 58.1 [58]).

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[64] Foerster/Münscher (*supra* n.3: 2522–2523) and Schouler (*supra* n.3: 26) give brief summaries of the critical issues covered in the hypotheses. For a much fuller treatment see Bielski *passim.*

[65] It is not my purpose in what follows to evaluate the correctness of Libanius' literary judgments, especially those concerning authenticity.

One of the more interesting questions to face ancient and modern critics of the orators is whether particular speeches were in fact ever delivered. Libanius suspects that *On the Peace* was not delivered because it does not jibe with certain facts in *On the False Embassy* (at Dem. 19.111–113):

> This speech seems to me to have been been prepared but not delivered. For in his prosecution of Aeschines, the orator denounces Aeschines for a number of things, including the fact that he was the only one who advised them to vote that Philip be a member of the Amphictyonic Council, when nobody else would dare propose this—not even Philocrates, the most shameful man of all. Therefore, since he himself made this same recommendation, he would not have denounced Aeschines for it; rather, he evidently feared that people would suspect him of being on Philip's side and of making this recommendation because he had been influenced by the king's money, because in taking a stand against this sort of suspicion in the speech, he is also trying to portray himself as well-disposed toward the city and incapable of being bribed (Hyp. 5.6–7 [5]).

The majority of the critical remarks in the hypotheses are devoted to questions of authenticity. In his treatment of *On Halonnesus* (Hyp. 7.3–8 [7]), *On the Treaty with Alexander* (Hyp. 16.2 [17]), *Against Phaenippus* (Hyp. 51.1 [42]), *Against Neaera* (Hyp. 25.1 [59]), the *Funeral Oration*, and the *Erotic Essay* (intro. 20 [60, 61]), Libanius either claims that these speeches are spurious or allows others' claims about their spuriousness to go unchallenged. At issue in general is the power, style, and vocabulary of these speeches, as well as their similarity to speeches by other orators. Libanius also claims that Demosthenes wrote a *Funeral Oration* and a speech *On Halonnesus*, but asserts that the ones circulating under those names are not his. The "flat" (ὕπτιον) speech *Against Neaera*, the *Funeral Oration*, and the *Erotic Essay* are said to lack Demosthenes' typical power (δύναμις). Similarly, the "phrasing" and "harmony of composition" (in addition to the vocabulary and

an incorrect statement about human anatomy) of *On Halonnesus* are beneath Demosthenes; some believe that the style and content indicate that Hegesippus is the author, and Libanius' extensive response to this is worth noting.[66] Style is at issue in *On the Treaty with Alexander,* which he says stylistically resembles Hypereides, and in *Against Theocrines,* which, though similar to Demosthenes' speeches, is actually by Deinarchus. The vocabulary of Libanius' discussions of style is quite eclectic, extending even to his word for "style": he uses εἶδος once (introd. 8), and ἰδέα five times,[67] twice as a synonym for χαρακτήρ.[68]

Libanius' treatment of the authenticity of *Against Aristogeiton* I–II (Dem. 25–26) is a survey of various views, pro and con: "Dionysius of Halicarnassus does not accept these speeches as being by Demosthenes; he adduces their style as evidence. Some say that the orator purposely used this sort of stylistic character in imitation of Lycurgus, who at that time was highly esteemed at Athens; but others say that, since Lycurgus waited

[66] Hyp. 7.5–8: some "have detected signs that it is by Hegesippus, both from the style of the words (for he uses this sort of style) and from the content; for the man who wrote this speech says that he indicted Callippus of the deme Paeania for an illegal proposal, and it is apparently not Demosthenes but rather Hegesippus who brought said indictment against Callippus. Right, by Zeus, but the speech advises the Athenians with regard to Halonnesus not to take it, but to take it back, and it quibbles over semantics; and Aeschines says that Demosthenes was the one who gave this advice to the Athenians. Well, what of that? It is entirely possible that Demosthenes and Hegesippus gave the same advice, since in other respects they shared the same policies in governance and spoke against those orators who were on Philip's side, and Demosthenes also mentions that Hegesippus served as an ambassador with him and was opposed to Philip. Therefore, it is evident that Demosthenes' *On Halonnesus* is not extant, but since it is not, they attributed the one they found to him, taking as their justification the fact that an *On Halonnesus* was delivered by the orator, but they inquired no further as to whether or not this one is likely to be it."

[67] In Hyp. 7.3 and 5, 16.2, and 24.11 [25–26].

[68] Hyp. 16.2: "The speech does not resemble Demosthenes' other speeches in *idea;* rather it closely corresponds to the *character* of Hypereides, in that (among other things) it contains some words that sound more like him than like Demosthenes, such as "nouveaux riches" and "act like a brute." Hyp. 24.11: "Dionysius … adduces their *idea* as evidence. Some say that the orator purposely used this sort of *character* in imitation of Lycurgus…"

until this point in his life to speak first and so used all the main points himself, Demosthenes was forced to follow up more philosophically and in a highly periodic style. Still others accept the first speech as being by Demosthenes, but believe that the second one is completely unworthy of the orator" (Hyp. 24.11–12).

Though some critics had claimed that the guardianship speeches (Dem. 27–31) and the speech *Against Lacritus* (Dem. 35) were spurious,[69] Libanius attempts to counter both views. As for the guardianship speeches, Libanius says, "many people say that they were composed by Isaeus, doubting that they were written by the orator because of his age at the time; but others say that, if this is not the case, then at least they were revised by Isaeus, for they resemble his speeches." Insofar as the guardianship speeches resemble those of Isaeus, Libanius' response to the views of these other scholars seems judicious: "It is not at all surprising if Demosthenes imitated his teacher and in the meantime followed his style when he had not yet reached maturity."[70] The end of the hypothesis to *Against Lacritus* takes up, in a highly compressed fashion, three basic charges made against the authenticity of the speech by those who have been "fooled by obscure evidence": that the phrasing is slack, that Demosthenes would not say "Lord Zeus," and that the speech is in general a weak counter to the *paragraphe.* "For slackness of phrasing is not inappropriate in private cases; calling on 'Lord Zeus' is evidently in keeping with the character of the persona

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[69] See Hyp. 32.2 [31], with a cross-reference to introd. 8, and Hyp. 42.3 [35].

[70] Libanius here cross-references his earlier discussion in introd. 8: "Some say that the guardianship speeches are by Isaeus and not by Demosthenes, doubting them because of the orator's age at the time when he took them to court—he was eighteen years old at the time—and because the speeches seem to a certain extent to exhibit Isaeus' stylistic type. Others think that they were composed by Demosthenes but edited by Isaeus. But it would not be surprising if Demosthenes was able to write such speeches at that age—his later excellence makes this credible—but because his youthful training under the direction of his teacher was still in progress, he quite often imitates that man's stylistic character."

assumed; and his response to the indictment for an illegal prosecution is rather weak, simply because the case is a bad one."

Other features of the hypotheses convey a more subtle picture of Libanius' agenda. For example, the length of individual hypotheses—ranging from 3 to 75 lines, with an average of about 25 lines per hypothesis[71]—is determined by two factors: the complexity of the case at hand and the amount of background information that Libanius believes needs to be provided in order for a beginner to read the speech with understanding. By way of contrast, the famous and very lengthy speech *On the Crown* (Dem. 18) actually receives less discussion (Hyp. 17) than the speech *Against Pantaenetus* (Dem. 37)—a private court case about mining rights, a speech that is less than one-tenth the length of *On the Crown*, and a speech practically ignored by most other ancient commentators (Hyp. 40). The amount of detailed attention that Libanius devotes to cases of insurance fraud, water management, and disputed inheritances is refreshing in an age in which—if the apparent preferences of other scholars are significant—the only thing preserving some of Demosthenes' speeches from oblivion was the mere fact of their inclusion in the Demosthenic corpus. In addition, Libanius' suspicion that a particular speech is spurious does not seem to affect the length or depth of his presentation in the hypothesis. As early as the first century B.C., one could dispute the authenticity of a particular speech, but there was apparently no question but that it would remain in the corpus.

If we may judge by the frequency with which they refer to particular speeches, ancient scholars greatly preferred Demosthenes' public orations over his private ones. The late antique and Byzantine scholia to Demosthenes have very little to say

[71] The shortest are the hypotheses to the second speech against Aphobus (Hyp. 29 [28]) and the second speech against Stephanus (Hyp. 38 [46]). The longest is the hypothesis to *Against Pantaenetus* (Hyp. 40 [37]).

about the private orations: a total of seven Teubner pages for all the private orations that even have scholia,[72] as compared with (for example) ninety-four pages for the scholia to *On the False Embassy* (Dem. 19). In the ninth century, Photius says that Demosthenes' public speeches were preferred because they were considered to be better specimens of composition (*Bibl.* 490b–491a). If Libanius shares this preference, he does not let it affect his presentation of the speeches in the hypotheses. No speech is singled out as especially praiseworthy; no speech is presented in such a way as to suggest that it is not or should not be read. Perhaps, however, it is to a common perception that the private orations have less to offer the contemporary reader that Libanius addresses this unique statement at the end of the hypothesis to *Against Boeotus*, a case in which Mantitheus sues his half-brother Boeotus for the right to use the name Boeotus: "At first, then, someone might seem fond of meddling and quarreling, in disagreeing over names like this, but the speech provides sufficient proof of how identical naming can be harmful both in public and in private life" (Hyp. 34.6 [39]). But this is the only such example in which Libanius implies, ever so slightly, that one speech might at first seem less attractive to the contemporary reader.

The hypotheses differ from much ancient scholarship on Demosthenes in that they do not contain point-by-point commentaries on the speeches. Since the hypotheses are not simply summaries of the speeches, the order in which information from a speech is provided in the hypothesis often differs from the order in which the information originally appeared in the speech.[73] So the hypotheses cannot easily accomplish the same sorts of things that running commentaries or scholia can. Prob-

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[72] Among the private speeches, there are no scholia to orations 28, 31, 36, 41–45, 47–53, and 56.

[73] See Bielski's analyses (43–53) of the hypotheses to Dem. 1–19, 27, and 29–31.

ably for the same reason, there are far fewer overt glosses than one might expect in a text ostensibly written for beginners. Otherwise this might seem surprising, bearing in mind that the intended audience is beginning readers of Demosthenes and that the private orations in particular describe a social, political, and economic world in many ways quite unlike that of the fourth century A.D. Among the lexical glosses are seven short, fairly unobtrusive definitions of the words "inland," "symmory," "exclusion," "capital," "Maroneia," "old and new day," and "pier."[74] There are also some digressive cultural glosses concerning the Theoric Fund, exemptions from liturgies, the Dionysia and the *choregia,* the two Councils, and *antidosis.* All but one of these occur at the beginning of their respective hypotheses, as information necessary to know before the basic case can be understood,[75] while the one on the Theoric Fund is

[74] "So while Philip was battling the king of the Odrysians in the inland (upper Thrace)…" (Hyp. 8.5 [8]). "The speech is entitled *On the Symmories.* For a 'symmory' in Attic authors is a group of those who are liable to perform liturgies" (13.3 [14]). "The word 'exclusion' is Attic. For they used to say 'to exclude' to mean 'to throw out' and 'to drive off by force'" (31.4 [30]). "The Attic Greeks called 'capital' what we call *entheke*" (36.5 [36]). "[Maroneia] is a place in Attica" (40.1 [37]). "Any trierarch who failed to bring his ship to anchor before 'old and new day' (which is the last day of the month) would be imprisoned. The 'pier' was a structure in the harbor which was put there so that sailors could drop anchor and conduct their business" (47.1 [51]).

[75] "Athens honored its benefactors in a number of ways, including granting them exemptions from performing liturgies. So when a lot of people were obtaining exemptions, it appeared that there was going to be a shortage of people who would be eligible to perform liturgies in the future. Therefore, Leptines proposed a law" (Hyp. 19.1 [20]). "The Athenians used to conduct a festival to Dionysus, which they named the 'Dionysia' after the god. Tragedians, comic poets, and choruses of flute-players competed in it. The ten tribes would appoint the choruses by lot, and the choregus of each tribe was the man who provided for expenditures pertaining to the chorus" (20.1 [21]). "There were two Councils at Athens: the one on the Areopagus, which decided cases of voluntary homicide and wounds and things like that, and the one that conducted city business. The latter changed every year and consisted of 500 men who met the age requirement. There was a law enjoining this Council to have new triremes built" (22.1 [22]). "There was at Athens a group of 300 men selected according to wealth;the more expensive of the liturgies fell to them. But the law allowed any of these men who had labored hard at performing liturgies to get out of the group, if he could show that there was someone richer than himself who currently had no responsibilities. And if the man so designated admitted that he was richer, he was appointed to take the other man's place among the

introduced as an explicit digression.[76] We have seen another cultural digression, in which Libanius seems almost to apologize for the obscure nature of the subject matter in the first speech *Against Boeotus* (Hyp. 34.6 [39]). Libanius also smooths the beginning reader's passage through the orations by rearranging the orator's incidental references to events related to the case into a chronological narrative and frequently clarifying through repetition the relationships (familial and otherwise) among different parties in the private cases.

There is no discussion of historical problems or dates, as in the ancient philological and historical commentaries on Demosthenes.[77] In fact, not a single date is mentioned anywhere in the biography, or in the little history of Athens, or in the hypotheses themselves. Dates were readily available and frequently mentioned and discussed in the sources available to Libanius; it would not be going too far to say that he had to make an effort to leave them out. The only overt reference to an historical source outside of Demosthenes is in Hyp. 6.2–4 [6], the citation from what he calls the *Philippic Histories.*

Scholarship of all kinds in Libanius is at the service of the novice reader, and scholarly inquiry does not appear to be an activity pursued for its own sake. At the end of the dedication

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300. But if he denied it, they subjected his estate to an exchange (*antidosis*)" (51.2 [42]); this last example differs from the others in that it is preceded by one brief sentence (about the speech's authenticity).

[76] "It is necessary to clarify the custom that the Athenians practiced, since it has not been done previously. Back when they did not have a stone theater but had only wooden platforms fastened together, and everyone would hurry to find a seat, blows and wounds would occur now and then. In an attempt to prevent this, the Athenian leaders sold seats, and everyone had to pay two obols for a seat. In order that the poor might not seem overly burdened by the expense, it was arranged for each person to receive the two obols from the treasury. This is how the custom originated, but it progressed to such a point that people not only received money for theater seats, but divided up all the public moneys among themselves. As a result, they became hesitant to commit to military expeditions. Traditionally, they would receive pay from the city for serving in the army, but at that time they were remaining at home amidst games and festivals and dividing up the money among themselves" (Hyp. 1.7–9 [1]).

[77] On this tradition of ancient scholarship on Demosthenes, see Gibson (*supra* n.50).

to Montius, Libanius says that the biography of the orator will mention "only such things as seem also to contribute to a more exact understanding of the speeches." Rhetorical analysis, as we have seen, is limited to brief, occasional discussions of a speech's *stasis* or Demosthenes' rhetorical strategy: how very different Libanius' descriptions of the speeches are from those found in the Demosthenic scholia. Nor is the closely-allied stylistic criticism conducted for its own sake, as for example in Dionysius of Halicarnassus. Rather, it is mainly in the service of determining authenticity. There is also little polemic in the hypotheses; given what seem to have been Libanius' goals, there was not much room for it. Libanius' polemic is confined to what he sees as the key issue for the beginning reader: the authenticity of certain disputed speeches, which by the fourth century were forever frozen into place in the Demosthenic corpus despite the protests of "the older critics," "some," "others," and occasionally Libanius himself.

To sum up, although Libanius draws freely from the available biographical, rhetorical, stylistic, and historical criticism of Demosthenes, it is an active avoidance of agenda which itself seems to constitute his agenda. And the result is something quite different from most earlier scholarship on Demosthenes—an invitation, an index, and introductory notes for the beginning reader of the ancient world's favorite orator.[78]

March, 2001   Department of Classics
                                             The University of Iowa
                                             Iowa City, IA 52242
                                             craig-gibson@uiowa.edu

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