



Prifysgol Cymru
Y Drindod Dewi Sant
University of Wales
Trinity Saint David

Intensive Greek 2 Feedback Seminar

Trawsnewid Addysg; Trawsnewid Bywydau
Transforming Education; Transforming Lives



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Workings of the courts

- To fully appreciate the importance of speeches in the trial setting, we need to bear in mind the importance of the vote
- The jury would normally have up to 500 jurors, taking part for a small fee
 - For some cases, we know of juries of up to 6000 people!
 - They were not elected on any principles other than being Athenian citizens
 - They decided the verdict (not just on the question of guilty/not guilty!) and voted on the sentence
- The magistrate does not advice on points of law, nor did he control the sentence



Trials

- Public cases: any individual might bring a case on behalf of the city – any fines go to the city
 - What does the individual bringing the case gain?
- Private cases: any individual against another – any fines/compensation goes directly to whoever brought the case
- Speech by prosecutor
- Speech by defendant
- Reading of relevant laws (*nomoi*) and introduction of witnesses
- Appeals to the audience (ie the jurors!) were often emotional and included material that by our courts would be deemed non-admissible
- This is why rhetoric becomes so important

Speech writing & Orators

- The indirectness of our sources for that speech hints at a common practice (whether applied in that case or not): professional speech writing
- We know of a range of speech writers from the Classical and early Hellenistic periods
 - Some speaking in matters they themselves are involved in, including politics (e.g. Aeschines and Demosthenes)
 - Some providing speeches for clients (e.g. Lysias and Isaeus)
- There is some evidence that speech writers specialised (or were held up as examples) in certain types of processes

Lysias 3.12 *present*

ἐν δὲ τούτῳ τῷ καιρῷ ἀφικνούμαι ἐγὼ ἐκ Πειραιῶς,
καὶ τρέπομαι παριών ὡς τὸν Λυσίμαχον· ὀλίγον δὲ
χρόνον διατρίψαντες ἐξερχόμεθα. οὗτοι δ' ἤδη
μεθύοντες ἐκπηδῶσιν ἐφ' ἡμᾶς. καὶ οἱ μὲν τινες αὐτῶ
τῶν παραγενομένων οὐκ ἠθέλησαν συνεξαμαρτεῖν.

*conjunction — αὖς ἐπὶ ἰ
ὡς εἰς*

ἐμεμίσθωτο 'had leased', 'was renting'; cf. on 7.10. ἔπινον: see on §6. ὁπότε ἐξέλθοι: virtual indirect statement, representing ὁπότεν ἐξέλθῃ in the thoughts of the perpetrators.

12 τρέπομαι παριών: 'stressing the casualness of the action' (Scodel). ἐξερχόμεθα: the speaker and Theodotos. μεθύοντες: cf. on §6; the parallels there are sufficient to justify Schott's transposition of MS ἤδη μεθύοντες οὗτοι δ' which would attach the participle to the subject of ἐξερχόμεθα. ἐκπηδῶσιν 'rushed out'. αὐτῶι: with both παραγενομένων and συνεξαμαρτεῖν. οὐκ ἠθέλησαν συνεξαμαρτεῖν: cf. on §7. εἰλκον: i.e. towards Simon's house. ῥίψας τὸ ἱμάτιον: to leave his legs unencumbered for flight.

13 ἐκφεύξεσθαι 'would escape' (ἐκ-). ἀνθρώποις 'people'. αἰσχυνομένους: the consistency between the frustrated hopes of the speaker here and §10 contributes to the plausibility of the narrative and the characterization, the speaker's values being indicated by the behaviour he anticipates and Simon's by that which he perpetrates. ἐφυλαττόμην 'sought to avoid'; cf. LSJ s.v. c II. The account at this point takes quietism almost to the point of cowardice, for the speaker claims to have left the boy to his fate. The advantage for characterization (could such a man deliberately wound another?) was

3.28

αὐτοῦ

λέγει δὲ ὥς ἡμεῖς ἦλθομεν ἐπὶ τὴν οἰκίαν τὴν τούτου

ὄστρακον ἔχοντες, καὶ ὥς ἠπείλουν αὐτῷ ἐγὼ

ἀποκτενεῖν, καὶ ὥς ἐστὶν ἡ πρόνοια. ἐγὼ δ' ἡγοῦμαι,

ὥ βουλή, ῥάδιον εἶναι γνῶναι ὅτι ψεύδεται, οὐ μόνον

ὑμῖν τοῖς εἰωθόσι σκοπεῖσθαι περὶ τῶν τοιούτων,

ἀλλὰ καὶ τοῖς ἄλλοις ἅπασιν.

Tricolon