INTRODUCTION

1. LIFE

The ancient biographical tradition concerning Lysias is both clear and consistent. He was born in Athens in 459/8,[1] the son of a resident alien of Syracusan origin named Kephalos. At fifteen he migrated (either with his two brothers or just his older brother, Polemarchos) to the colony of Thourioi,[2] where he stayed until ejected by the anti-Athenian faction there in the civil disturbance which followed the destruction of the Sicilian expedition, returning to Athens in 412/11.[3] He died in his late seventies or early eighties.[4]

However, many scholars have preferred a later date for Lysias' birth. The traditional date would place his period of artistic activity (403–*c.* 380) between the ages of 56 and 78; this is not impossible, but it would certainly be unusual. Moreover, at Dem. 59.21–2, Lysias is mentioned as having both a mistress and a mother who is still alive, at a date which is unlikely to be earlier than 390 and may be as late as 380.[5] This would make Lysias almost seventy at least, and his mother at least in her mid-eighties. Since longevity and sexual potency, like literary activity, are variables we cannot rule out this possibility; but again a later date for the birth would be more plausible. But since the tradition that Isokrates, born in 436, was younger by a significant margin than Lysias goes back to a contemporary source,[6] we cannot plausibly bring Lysias' birth down beyond the mid-440s. His removal to Thourioi would be *c.* 430, not during the first migration in 444/3.[7]

[1] [Plut.] *V. Lys.* 835c; cf. *V. Andok.* 835a, *V. Isok.* 836f, D.H. *Lys.* 1,12.

[2] [Plut.] *V. Lys.* 835d, D.H. *Lys.* 1.

[3] Dover 42–3 suggests a date in the late 420s for Lysias' return to Athens. Usher 126 also inclines to an earlier date than that offered by the tradition.

[4] [Plut.] *V. Lys.* 836, D.H. *Lys.* 12.

[5] The date depends on the age of Neaira, the target of Dem. 59. At the date in question she had not yet reached puberty; we may imagine her age as 10–12. Neaira could still attract a permanent lover and protector in 371 (Dem. 59.37); so we should probably place her birth no earlier than *c.* 400, and the incident in Dem. 59.21–2 no earlier than 390.

[6] Plat. *Phaidr.* 278e–79a.

[7] This discussion is necessarily brief. See further Blass, *AB* I 339ff., Dover 28ff., and for a defence of the traditional dating Jebb I 143ff.

While at Thourioi Lysias was allegedly trained by the Syracusan rhetorician Teisias.[8] This may be a conjecture based solely on Lysias' sojourn in Magna Graecia. But it must at least approximate to the truth, to the extent that Lysias completed his education in a region where advances were being made in the rationalization of rhetoric. Ancient tradition[9] ascribes the first attempts to formulate systematic rhetorical theories to Korax and Teisias of Syracuse, and the sophist Gorgias, whose style was enormously influential in Athens in the last quarter of the fifth century, was a native of Leontinoi.

For the period 412–403 we have little information. Lysias states (12.4) that before the rule of the Thirty his family had no dispute with anyone. Some at least of their time will have been given over to a shield factory in the Piraeus which contained 120 slaves. Lysias subsequently estimated their property during this period at 70 talents.[10] His career as a teacher of rhetoric[11] may belong to this period; but since his claim of inexperience in speaking in 403 (12.4) would not carry conviction from a known rhetorician we should probably credit him with at most a passive interest in oratory before that date.

The situation changed dramatically after the defeat of Athens in 404 and the establishment of the oligarchic régime of the Thirty. Lysias and his brother Polemarchos were among the rich metics selected for execution by the Thirty, who needed their money to pay for the Spartan garrison which supported the régime.[12] Polemarchos was seized and executed; Lysias contrived to escape to Megara. When the democratic exiles subsequently invaded Attica, he assisted them with money, mercenaries and arms.[13] He was among those metics rewarded with citizenship under the decree of Thrasyboulos after the restoration of democracy;[14] the decree was quashed and Lysias lived out his life as a metic with privileged status (*isoteles*).[15]

Lysias' career as a professional speechwriter seems to have been the result of a chance concurrence of opportunity and need. After the restoration he prosecuted Eratosthenes, one of the Thirty, at his

[8] [Plut.] *V. Lys.* 835d.
[9] The evidence is summarized by Kennedy 58ff.
[10] Fr. 1.2.
[11] Cic. *Brutus* 48.
[12] Xen. *Hell.* 2.3.21, Lys. 12.6ff.
[13] [Plut.] *V. Lys.* 835f, Lys. fr. 1.6; cf. on 31.15.
[14] [Plut.] *l. c.*; cf. on 31.29.
[15] [Plut.] *V. Lys.* 836a.

εὔθυνα[16] for the murder of Polemarchos; the speech he delivered (Lys. 12) will have brought his name to the attention of prospective clients. His readiness to exploit his new notoriety will have been increased by the loss of his wealth under the Thirty. His ability to aid the democratic cause indicates that he was not reduced to poverty; nevertheless, that part of his property which was in cash (12.11) will have been totally irrecoverable, and other types of property proved difficult to regain.[17] The teaching of rhetoric, which we should probably date to the period after 403,[18] and the writing of speeches for money enabled Lysias to regain in some measure his former prosperity.[19]

2. SPEECHES AND SPEECHWRITERS

There was never a period in Greek history when skill in speaking was not an admired and useful accomplishment.[20] Already in the martial world of the *Iliad* the fully trained hero must be an orator as well as a warrior (9.442–3). Hesiod's idealized king (*Th.* 81ff.) is a man of eloquence. And in Sparta in the seventh century Tyrtaios (12.8) lists this quality among the outstanding virtues. But the systematic study of the art of oratory did not begin until the fifth century. From the 460s, when according to ancient tradition Korax and Teisias produced the first handbooks in response to the rash of litigation concerning property rights which followed the overthrow of the Deinomenid tyranny at Syracuse,[21] oratory ceased to be a gift and became a *techne*, a skill subject to rules which could be inculcated by precept and example. During the fifth century the art of persuasion was subjected to scrutiny at all levels, structure, argument, language and style.

It was inevitable that teachers of the art of rhetoric would find a market in democratic Athens. In all collective decision-making, even within an oligarchy, an ability (natural or acquired) to present one's

[16] For this term cf. on 14.38.

[17] Fr. 1.1.

[18] Cf. p. 2 above; it was probably this activity which prompted the description of him at Dem. 59.21 as ὁ σοφιστής.

[19] At Dem. 59.21–2 we learn that Lysias brought his mistress, a slave prostitute named Metaneira, to Athens together with her owner and an entourage. The costs of travel, subsistence and entertainment will have been substantial, a measure of Lysias' wealth in the period 390–380 (see n. 5 above).

[20] See on this subject Kennedy 35ff., Usher 5–6.

[21] Kennedy 58ff., Usher 7.

views persuasively is valuable. But the nature of the decision-making process in ancient Athens made skill in speaking especially potent. During the second half of the fifth century supreme power rested with the assembly (*ekklesia*) of all adult male citizens. This body made all laws and decided state policy in every area. Democracy on this scale is quite unlike anything experienced in modern representative democracy. The larger the decision-making body the greater the scope for manipulation by a skilful speaker. Moreover, in the last third of the fifth century we find an increasing tendency for politicians to influence Athenian policy through the assembly by force of intellect and oratory alone, without the benefit of military experience, which had previously been indispensable.[22] One can appreciate the pertinence in this context of Gorgias' comparison of verbal persuasion to magic.[23] It is easy also to understand the appeal which the sophists held for young men with political ambitions; and training for politics figured prominently in their self-advertising.[24] Their appeal was increased by another aspect of Athenian political life under the democracy. By tradition political influence in Athens had been confined to the older families, whose wealth was primarily in land. But during the last third of the fifth century 'new men' such as Kleon, men from a wealthy, but a manufacturing, background, became increasingly influential. As the emphasis on birth weakened, skill in speaking offered those outside the old circle of power a means of gaining entry.

Training in the art of public speaking was also recommended by the nature of the Athenian legal system. The Athenian jury panels were both very large and very powerful by modern standards. As well as deciding guilt or innocence, they also decided punishment in cases where the law prescribed no fixed penalty (ἀγῶνες τιμητοί). And although they could be influenced by previous decisions in similar types of case, no jury was bound to follow a precedent set by another. Add the tradition that the litigant should represent himself, and the procedural rule that each litigant (first prosecution, then defence) was allowed a specified time limit within which he might present his case without interruption from his opponent, and the value of skill (natural or acquired) and experience in public speaking becomes obvious.

[22] See in general W. R. Connor, *The new politicians of fifth-century Athens* (Princeton 1971) 143ff.

[23] *Hel.* 10.

[24] Plat. *Prot.* 319a, *Men.* 73c, 91a–b, *Gorg.* 452d–e, *Phil.* 58a.

To some extent the distinction drawn above between politics and the lawcourts is artificial. The lawcourts played an important part in Athenian politics. In many respects they were an extension of the assembly. They offered another arena in which rival politicians and policies could be subjected to public scrutiny and choice. An aspiring politician studying rhetoric was preparing not only to address the assembly or the *Boule* but also to appear in court, as plaintiff, defendant or supporting speaker[25] in overtly or covertly political trials or as a result of objections or accusations at the scrutiny before[26] or after[27] political office.

Of course, not everyone who found himself in court was a politician. The man who found himself in court once in a lifetime could always try joining the audience of one of the sophists, like Strepsiades, the hero of Aristophanes' *Clouds*, who seeks to acquire skill in argumentation in order to evade his debts, or obtain a copy of one of the handbooks. But most litigants who could afford professional help benefited from the new education only indirectly, through the services of its products. By the last quarter of the fifth century it was possible to hire a professional speechwriter (*logographos*), who would either offer his client detailed advice on the presentation of his case before a jury or provide him with a speech to be delivered in court,[28] ostensibly as the client's own words.[29] The connection of the new professionalism in matters of law with the activities of the sophists is made explicit at *Clouds* 466ff., where the 'mature student' Strepsiades is told that the training he acquires from 'Sokrates' will bring men flocking to his door for advice in connection with lawsuits. The logographer owed his skills to the developments in rhetoric which took place in the fifth century. If the conditions of Athenian political life and the nature of the Athenian legal system stimulated the demand for the logographer's services, it was the new conception of persuasion as technique which equipped him to supply this demand. It also, by creating a public which

[25] For this activity see on 14.16–22.

[26] See intro. to speech 31.

[27] See on 14.38.

[28] That both services could be provided by the same individual is shown by the case of Antiphon, who is praised by Thucydides for his ability to advise on the conduct of a case in court or in the assembly (8.68.1), and is also said to have been the first professional speechwriter ([Plut.] *V. Ant.* 832c).

[29] The role of the logographer is dealt with in more detail in the introduction to Carey–Reid, pp. 13ff.

appreciated the technical merits of good oratory, ensured that among the inevitable hacks who flocked to the profession there were a number of gifted literary craftsmen.

Here we touch upon a paradox. There is evidence that public opinion disapproved of the writing of speeches for pay,[30] as it disapproved of any suggestion of professionalism in connection with the lawcourts. But the Athenians also loved good oratory,[31] and there was certainly a reading public for logographers' speeches, as is shown by the large number of speeches circulated in written form. Thus although before and during the trial the logographer worked in secret, once the issue had been decided his work was appreciated by a wider audience which could judge it for its craftsmanship.

3. LYSIAS AS SPEECHWRITER[32]

One effect of the new importance of rhetoric was self-consciousness. It was almost inevitable that Greek prose, as it became accepted as a vehicle for the preservation of ideas and as it passed through the hands of men who regarded themselves as the natural successors to the poets as the teachers of Greece, should become more artificial. The extreme manifestation of this effect was the grandiose style of Gorgias, ornate in composition and poetical in expression; but he was not the only elaborate stylist of his generation, if we may place any faith in Plato's parody of Protagoras and Xenophon's description of Prodikos' style.[33] Gorgias' is particularly associated with a number of related stylistic devices which exaggerate a tendency towards contrasts inherent in

[30] Cf. Carey–Reid 16–17.

[31] That this appreciation was widespread is suggested by the (somewhat hypocritical) tirade which Thucydides puts into Kleon's mouth at 3.37–8, and confirmed by the pronounced influence of contemporary rhetoric on fifth-century tragedy and the early growth of epideictic oratory; the funeral oration which had become an Athenian institution by the outbreak of the Peloponnesian War (Thuc. 2.34.6) performed a task which in earlier generations had been fulfilled by the lyric lament.

[32] All modern judgements on Lysias' style take as their starting-point the perceptive essay of Dionysios of Halikarnassos in his collection *On the ancient orators*. For detailed discussions see Blass, *AB* I 383–421, Jebb I 158–96; there is a brief but valuable discussion of the development of Greek prose in J. D. Denniston, *Greek prose style* (Oxford 1952) 1–22, and a brief summary of Lysias' qualities as a writer in Usher 128–30.

[33] Plat. *Prot.* 320d–22d, Xen. *Mem.* 2.2.34.

Greek thought and speech from the earliest period; this group was known collectively as the 'Gorgianic figures'.[34]

The first logographer, Antiphon, shares this tendency toward self-consciousness, though without the puerility of Gorgias. The style is trenchant, slow and stately, and readily incorporates periphrases and unusual or poetic words. This is true even of speeches written for real trials, and intended for delivery by people claiming inexperience in public speaking. However, reaction to the grand style set in early; indeed, the sophistic movement itself offered an alternative in Gorgias' contemporary, Thrasymachos. Antiphon's successors opted on pragmatic grounds for a style which was less obviously removed from the Greek spoken by members of the audience in the assembly and the lawcourts, thus both avoiding a glaring inconsistency between the professions and style of the litigant and facilitating concealment of rhetorical devices within the speeches.

Lysias belongs to this reaction. His vocabulary is essentially contemporary (dignified) spoken Attic; in general he avoids poetic or unusual expressions.[35] He is sparing in his use of metaphor. Periphrases occur, but there is nothing forced or self-conscious about them. Lysias

[34] For definitions see Arist. *R.* 1409b32ff., *Rh. Al.* 1435b27ff. The devices are: *antithesis* (contrast in content, with or without contrasting expression), *parisosis*, also called *isokolon* (parallel structure between phrases or clauses, often accompanied by rough equivalence of length) *paromoiosis* (the placing of similar sounds at corresponding points; commonly called *homoioteleuton* where endings rhyme and *homoiokatarkton* where beginnings correspond), *paronomasia* (playing more generally with similarities of sound).

The following extract from Gorgias' *Epitaphios* should give some idea of his manner: 'For what did these men lack which men should have? And what too did they have which they should not have? May I be able to say what I wish, and may I wish what I should, avoiding divine resentment and escaping human ill-will. For divine was the courage these men possessed, human the mortality; often they set gentle equity above stubborn justice, often rightness of argument above strictness of law, believing this the most divine and most universal law, to say and not to say and to do and leave undone what was due at the due moment; they practised above all two things men should, mind and might, the one in deliberation, the other in execution, tenders of those in undeserved distress, chastisers of those in undeserved success, stubborn in accordance with expediency, good-tempered in accordance with propriety, with wisdom of mind checking the folly of might, insolent towards the insolent, restrained towards the restrained, fearless towards the fearless, terrible among the terrible.' Some details of text and interpretation are controversial, but the style is clear enough.

[35] D.H. *Lys.* 2–3; see however the exceptions noted by Blass, *AB* 1 410–11, Usher 129.

also abandons the lapidary quality of the phrase and sentence construction of Antiphon. The expression remains succinct,[36] but it is also fluent and clear. The dominant impression created is one of artlessness. There is however one form of ornament to which Lysias was attracted, one which militates against this impression; that is antithesis, often supported by one or more of the other Gorgianic figures. This type of ornament is particularly common in speeches written for display (2, 33), but it is also found in forensic speeches, especially in those of a political nature.

In sentence construction Lysias shows considerable versatility in exploiting the alternatives offered by the Greek language, varying his style according to his subject matter. His proems employ the 'periodic' style which had evolved during the fifth century. In this style the thoughts are marshalled into relatively long sentences, each of which expresses a logically related nexus of ideas. Sentences of this type are also common in argumentation. However, Lysias avoids creating monotonous runs of long periodic sentences by introducing sentences of shorter compass and looser texture. In the narrative he uses a superficially artless style. Here simple sentences follow each other in what the Greeks called the 'strung-together style' (λέξις εἰρομένη), a method of composition which reflects the constructs of ordinary speech and of prose before writing has exerted a significant influence on style. Alternatively, we find long sentences constructed by adding subordinate or co-ordinate clauses or phrases to a main clause which occurs early, in the manner of the so-called 'historic period'. One effect of both types of sentence is to create the impression that events are narrated without artifice as they present themselves to the speaker's mind; another is vividness, a quality which Dionysios found in Lysias' narratives,[37] since events are more clearly present to the mind's eye when they follow a natural order rather than one dictated by purely stylistic considerations. Lysias also varies his style between speeches, using periodic construction more liberally in cases involving political

[36] D.H. *Lys.* 4–5; though again, as Blass notes (*AB* I 410–11), some qualification is called for. Lysias shares with other Attic orators a tendency to repeat synonyms for emphasis (e.g. 1.25 ἠντεβόλει καὶ ἱκέτευε); he also tends on occasion to include for the sake of balance words which are not vital for the sense (e.g. 1.17 ἐνθυμούμενος μὲν ... ἀναμιμνησκόμενος δὲ ..., where a single verb would serve).

[37] Cf. on 1.6–28.

events or public figures than in those of an unambiguously private nature.[38]

In the organization of the speech as a whole, Lysias again shows a desire for clarity and simplicity, adopting consistently the format: proem, narrative (where appropriate), proofs, conclusion.[39] Again however the surface simplicity is deceptive, since the narrative is frequently used to create an image of the speaker or his opponent[40] which will convince the jury of the truth of the speaker's claims and thus contributes to the proof. Since this element is often present in the proem there is on many occasions a close relationship between the individual parts of the speech which belies the simple textbook division.

Of the individual parts of the speech, the importance of the proem, in which the speaker makes his first contact with his audience, is obvious. In his treatment of this section Lysias shows a consistently sure touch. With a single exception, the proems of the surviving corpus are individually tailored to suit each speech,[41] and this variety was equally marked in the large number of speeches attributed to Lysias in antiquity.[42]

Yet more distinctive, and as much admired by modern as by ancient readers, is the narrative section, in which Dionysios pronounced Lysias 'incontestably the best of all orators'.[43] In Lysias the narrative section is more than a means of presenting the speaker's version of the facts; its plausibility makes an important contribution to the task of persuasion. His narratives are vivid and internally consistent.[44] They are also fluent and economical; details important for the overall plausibility of the account are not laboured but presented in such a way as not to interrupt the smooth progress of the narrative. There is throughout a simple and apparently artless inevitability which as is usually the case with Lysias is actually the product of precise skill.

In the matter of proofs, Aristotle distinguished two varieties, *atechnoi* ('inartificial', 'artless') and *entechnoi* ('artificial' or 'rhetorical'), the former consisting of items inserted in the speech, such as depositions,

[38] For some examples of stylistic variation between speeches see Usher 129; cf. the remarks below on repetition in speech 1 (on 1.6–28).

[39] Cf. D.H. *Lys.* 15.

[40] See below p. 10.

[41] Speech 19 begins with what is clearly a stock proem taken from a rhetorical handbook; see the discussion of Adams 168ff.

[42] Cf. D.H. *Lys.* 17.

[43] *Ibid.* 18.

[44] See on 1.6–28, 3.5–20, 32.4–18.

the latter being aspects of the speech itself, that is, the moral character of the speaker (*ethos*), the creation of the desired emotional effect in the hearer (*pathos*), and argument.[45] The distinction is real and inescapable, but overstated, for the 'inartificial' proofs admit of skill in drafting[46] and deployment, and Lysias shows adroitness in the placing of depositions.[47]

Of the 'artificial' proofs, Lysias makes much use of the argumentation from probability which had evolved during the fifth century, often, as Usher notes,[48] linking it closely to the narrative and so capitalizing on the inherent plausibility of the latter. In the matter of *ethos* Lysias goes far beyond the establishment of the good moral character necessary for credibility. He also makes extensive use of 'dramatic' character, termed by modern scholars *ethopoiia*.[49] By fitting the speech to the character of the speaker, Lysias both hides his own role (so that the speech sounds like a simple statement of the case in the speaker's own words rather than a bought product of rhetorical skill) and builds a consistent character-outline for the speaker which enhances the plausibility of statements he makes about himself. In the same way Lysias sometimes creates a consistent picture of the opponent's character in order to add plausibility to the allegations made against him. It is possible that Lysias was inspired in such cases by the actual personalities of his clients. But it is more likely that these are dramatic creations. Certainly the delineation of character was so conceived by the ancients.[50] Moreover, in many cases the characterization is directly relevant to the main issue. The simplicity of Euphiletos in speech 1, the retiring nature of the speaker in speech 3 and the ruthless effrontery and violence of his opponent, the evasiveness

[45] *R.* 1355b35–56a4.

[46] This is not true of depositions in Lysias' day. At some point early in the fourth century the practice of having witnesses present their own testimony was replaced by a procedure in which they merely assented to a document drafted by the litigant and read out to them by the clerk of the court; there is no indication anywhere in Lysias that this procedure was in existence during his career. See R. J. Bonner, *Evidence in Athenian courts* (Chicago 1905) 46–7.

[47] Cf. on 1.16, 29, 3.5–20, 32.4–18, 27.

[48] Usher 130.

[49] S. Usher, *Eranos* 63 (1965) 99 n. 2 rightly argues that Dionysios when praising Lysias' *ethopoiia* (*Lys.* 8) meant moral character. Dionysios treats dramatic characterization under 'vividness' and 'propriety', *Lys.* 7, 9.

[50] Cf. D.H. *Lys.* 7–9, Arist. *R.* 1408a25ff.