Character Portrayal of *Corona*: People Around the Athenian Law court.

17. March. 2023, Krakow

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1. Introduction

Types of references to spectators in forensic speeches.

(A) bystanders as witnesses

(B) bystanders strongly influenced by the verdict.

(C) bystanders as the judges of the *dikast*s.

(D) spectators as the opponents’ supporters.

2. (A) Bystanders as witnesses.

(1) Din. 1.30.

εἰς ποῖον γὰρ καιρὸν ἀποθήσεσθε τοῦτον ὑπολαβόντες χρήσιμον ὑμῖν αὐτοῖς ἔσεσθαι; ἔχοι τις ἂν εἰπεῖν ἢ ὑμῶν ἢ τῶν περιεστηκότων, εἰς ποῖα οὗτος πράγματα εἰσελθὼν ἢ ἴδια ἢ κοινὰ οὐκ ἀνατέτροφεν;

Against what occasion will you reserve Demosthenes in the belief that he will prove useful to you? Could any one of you, or of the bystanders, say what public or private affairs he has not ruined by his contact with them?

(2) Dem. 19.309.

ἔσθʼ ὅστις ἂν τὸν Ἀτρεστίδαν τότε μισήσας διὰ τοὺς τῶν Ὀλυνθίων παῖδας καὶ γύναια, ταὐτὰ Φιλοκράτει νῦν πράττειν ὑπέμεινεν, ὃς γυναῖκας ἐλευθέρας τῶν Ὀλυνθίων ἤγαγε δεῦρʼ ἐφʼ ὕβρει, καὶ οὕτως ἐπὶ τῷ βδελυρῶς βεβιωκέναι γιγνώσκεται ὥστε μηδὲν ἔμʼ αἰσχρὸν εἰπεῖν νυνὶ περὶ αὐτοῦ δεῖν μηδὲ δυσχερές, ἀλλὰ τοσοῦτον εἰπόντος μόνον, ὅτι Φιλοκράτης γυναῖκας ἤγαγε, πάντας ὑμᾶς εἰδέναι καὶ τοὺς περιεστηκότας τὰ μετὰ ταῦτα, καὶ ἐλεεῖν εὖ οἶδʼ ὅτι τὰς ἀτυχεῖς καὶ ταλαιπώρους ἀνθρώπους, ἃς οὐκ ἠλέησεν Αἰσχίνης, οὐδʼ ἐδάκρυσεν ἐπὶ ταύταις τὴν Ἑλλάδα, εἰ παρὰ τοῖς συμμάχοις ὑπὸ τῶν πρέσβεων ὑβρίζονται.

Is it possible that the same man who was then inflamed with abhorrence of Atrestidas on account of those Olynthian women and children, should now be content to cooperate with Philocrates, who brought free-born Olynthian ladies to this city for their dishonor? Philocrates is now so notorious for the infamous life he has lived that I need not apply to him any degrading or offensive epithet. When I merely mention that he did bring the ladies, there is not a man in this court, whether on the jury or among the onlookers, who does not know the sequel, and who does not, I am sure, feel compassion for those miserable and unfortunate beings. Yet Aeschines had no compassion for them. He did not shed tears over Greece on their account, indignant that they should suffer outrage in an allied country at the hands of Athenian ambassadors.

(3) Ant. 6.14.

καθειστήκει μὲν ἡ χορηγία οὕτω. καὶ τούτων εἴ τι ψεύδομαι προφάσεως ἕνεκα, ἔξεστι τῷ κατηγόρῳ ἐξελέγξαι ἐν τῷ ὑστέρῳ λόγῳ ὅ τι ἂν βούληται εἰπεῖν. ἐπεί τοι οὕτως ἔχει, ὦ ἄνδρες· πολλοὶ τῶν περιεστώτων τούτων τὰ μὲν πράγματα ταῦτα πάντα ἀκριβῶς ἐπίστανται, καὶ τοῦ ὁρκωτοῦ ἀκούουσι, καὶ ἐμοὶ προσέχουσι τὸν νοῦν ἅττα ἐγὼ ἀποκρίνομαι, οἷς ἐγὼ βουλοίμην ἂν δοκεῖν αὐτός τε εὔορκος εἶναι καὶ ὑμᾶς τἀληθῆ λέγων πεῖσαι ἀποψηφίσασθαί μου.

Such were my arrangements as Choregus. If I am lying as regards any of them in order to exonerate myself, my accuser is at liberty to refute me on any point he likes in his second speech. For this is how it is, gentlemen: many of the spectators here present are perfectly familiar with every one of these facts, the voice of the officer who administered the oath is in their ears, and they are giving my defence their close attention; I would like them to feel that I am respecting that oath, and that if I persuade you to acquit me, it was by telling the truth that I did so.

(4) Aeschin. 3.56.

ἵνʼ οὖν μήθʼ οὗτος ἰσχυρίζηται ὑμεῖς τε προειδῆτε ἐγώ τε ἀποκρίνωμαι, ἐναντίον σοι τῶν δικαστῶν, Δημόσθενες, καὶ τῶν ἄλλων πολιτῶν, ὅσοι δὴ ἔξωθεν περιεστᾶσι, καὶ Ἑλλήνων, ὅσοις ἐπιμελὲς γέγονεν ἐπακούειν τῆσδε τῆς κρίσεως· ὁρῶ δὲ οὐκ ὀλίγους παρόντας, ἀλλʼ ὅσους οὐδεὶς πώποτε μέμνηται πρὸς ἀγῶνα δημόσιον παραγενομένους· ἀποκρίνομαι, ὅτι ἁπάντων τῶν τεττάρων καιρῶν κατηγορῶ σου ὅσους διαιρῇ,

In order, then, that he may lose his confidence, and that you may be instructed in advance, and that I may reply, in the presence of the jury, Demosthenes, and of all the other citizens who are standing there outside the bar, and of all the other Greeks who have taken the trouble to listen to this case—and I see that not a few are here, more in fact than have ever attended a public trial within the memory of any man—I answer you that for all the four periods which you enumerate I accuse you.

(5) Dem. 54.41.

ταῦτʼ ἐγὼ καὶ τότʼ ἠθέλησʼ ὀμόσαι, καὶ νῦν ὀμνύω τοὺς θεοὺς καὶ τὰς θεὰς ἅπαντας καὶ πάσας ὑμῶν ἕνεκʼ, ὦ ἄνδρες δικασταί, καὶ τῶν περιεστηκότων, ἦ μὴν παθὼν ὑπὸ Κόνωνος ταῦθʼ ὧν δικάζομαι, καὶ λαβὼν πληγάς, καὶ τὸ χεῖλος διακοπεὶς οὕτως ὥστε καὶ ῥαφῆναι, καὶ ὑβρισθεὶς τὴν δίκην διώκειν. καὶ εἰ μὲν εὐορκῶ, πολλά μοι ἀγαθὰ γένοιτο καὶ μηδέποτʼ αὖθις τοιοῦτο μηδὲν πάθοιμι, εἰ δʼ ἐπιορκῶ, ἐξώλης ἀπολοίμην αὐτὸς καὶ εἴ τί μοι ἔστιν ἢ μέλλει ἔσεσθαι.

This oath I was at that time ready to take, and now, to convince you and those who stand gathered about, I swear by all the gods and goddesses that I have in very truth suffered at the hands of Conon this wrong for which I am suing him; that I was beaten by him, and that my lip was cut open so that it had to be sewn up, and that it is because of gross maltreatment that I am prosecuting him.

3. (B) Bystanders as the impressionable

(6) Lys. 12.35.

καὶ μὲν δὴ πολλοὶ καὶ τῶν ἀστῶν καὶ τῶν ξένων ἥκουσιν εἰσόμενοι τίνα γνώμην περὶ τούτων ἕξετε. ὧν οἱ μὲν ὑμέτεροι ὄντες πολῖται μαθόντες ἀπίασιν ὅτι ἢ δίκην δώσουσιν ὧν ἂν ἐξαμάρτωσιν, ἢ πράξαντες μὲν ὧν ἐφίενται τύραννοι τῆς πόλεως ἔσονται, δυστυχήσαντες δὲ τὸ ἴσον ὑμῖν ἕξουσιν· ὅσοι δὲ ξένοι ἐπιδημοῦσιν, εἴσονται πότερον ἀδίκως τοὺς τριάκοντα ἐκκηρύττουσιν ἐκ τῶν πόλεων ἢ δικαίως. εἰ γὰρ δὴ αὐτοὶ οἱ κακῶς πεπονθότες λαβόντες ἀφήσουσιν, ἦ που σφᾶς <γʼ> αὐτοὺς ἡγήσονται περιέργους ὑπὲρ ὑμῶν τηρουμένους.

And besides, many foreigners as well as townsfolk have come here to know what is to be your judgement on these men. The latter sort, your fellow-citizens, will have learnt before they leave, either that they will be punished for their offences, or that, if they succeed in their aims, they will be despots of the city, but, if they are disappointed, will be on an equality with you. As for all the foreigners who are staying in town, they will know whether they are acting unjustly or justly in banning the Thirty from their cities. For if the very people who have suffered injury from them are to let them go when they have hold of them, of course they will consider it a waste of pains on their own part to keep watch on your behalf.

(7) Andoc. 1.105-6.

οὐ τὴν αὐτὴν γνώμην ἔχοντες ἀλλήλοις, ἀλλ᾽ οἱ μὲν εἰσόμενοι εἰ χρὴ πιστεύειν τοῖς νόμοις τοῖς κειμένοις καὶ τοῖς ὅρκοις οὓς ὠμόσατε ἀλλήλοις, οἱ δὲ ἀποπειρώμενοι τῆς ὑμετέρας γνώμης, εἰ αὐτοῖς ἐξέσται ἀδεῶς συκοφαντεῖν καὶ γράφεσθαι, τοὺς δὲ ἐνδεικνύναι, τοὺς δὲ ἀπάγειν. οὕτως οὖν ἔχει, ὦ ἄνδρες: ὁ μὲν ἀγὼν ἐν τῷ σώματι τῷ ἐμῷ καθέστηκεν, ἡ δὲ ψῆφος ἡ ὑμετέρα δημοσίᾳ κρινεῖ,1 πότερον χρὴ τοῖς νόμοις τοῖς ὑμετέροις πιστεύειν, ἢ τοὺς συκοφάντας παρασκευάζεσθαι, ἢ φεύγειν αὐτοὺς ἐκ τῆς πόλεως καὶ ἀπιέναι ὡς τάχιστα. ἵνα δὲ εἰδῆτε, ὦ ἄνδρες, ὅτι τὰ πεποιημένα ὑμῖν εἰς ὁμόνοιαν οὐ κακῶς ἔχει, ἀλλὰ τὰ προσήκοντα καὶ τὰ συμφέροντα ὑμῖν αὐτοῖς ἐποιήσατε, βραχέα βούλομαι καὶ περὶ τούτων εἰπεῖν. οἱ γὰρ πατέρες οἱ ὑμέτεροι γενομένων τῇ πόλει κακῶν μεγάλων, ὅτε οἱ τύραννοι μὲν εἶχον τὴν πόλιν, ὁ δὲ δῆμος ἔφευγε, νικήσαντες μαχόμενοι τοὺς τυράννους ἐπὶ Παλληνίῳ, στρατηγοῦντος Λεωγόρον τοῦ προπάππου τοῦ ἐμοῦ καὶ Χαρίου οὗ ἐκεῖνος τὴν θυγατέρα εἶχεν, ἐξ ἧς ὁ ἡμέτερος ἦν πάππος, κατελθόντες εἰς τὴν πατρίδα τοὺς μὲν ἀπέκτειναν, τῶν δὲ φυγὴν κατέγνωσαν, τοὺς δὲ μένειν ἐν τῇ πόλει ἐάσαντες ἠτίμωσαν.

Today both parties have come to listen, but from very different motives. One side wants to know whether they are to rely upon the laws as they now stand and on the oaths which you and they swore to one another; while the others have come to sound our feelings, to find out whether they will be given complete licence to fill their pockets by indictments,or informations, maybe, or arrests. Thus the truth the matter is, gentlemen, that although it is my life alone which is at stake in this trial, your verdict will decide for the public at large whether they are to put faith in your laws, or whether, on the other hand, they must choose between buying off informers and quitting Athens as fast as they can. Your measures for reuniting Athens, gentlemen, have not been wasted; they were appropriate, and they were sound policy. To convince you of this, I wish to say a few words with regard to them. Those were dark days for Athens when the tyrants ruled her and the democrats were in exile. But, led by Leogoras, my own great-grandfather, and Charias, whose daughter bore my grandfather to Leogoras, your ancestors crushed the tyrants near the temple at Pallene, and came back to the land of their birth. Some of their enemies they put to death, some they exiled, and some they allowed to live on in Athens without the rights of citizens.

(8) Lys. 27.6-7.

νῦν δʼ ἀσφαλῶς αὐτοῖς ἔχει τὰ ὑμέτερα κλέπτειν. ἐὰν μὲν γὰρ λάθωσιν, ἀδεῶς αὐτοῖς ἕξουσι χρῆσθαι· ἐὰν δὲ ὀφθῶσιν, ἢ μέρει τῶν ἀδικημάτων τὸν κίνδυνον ἐξεπρίαντο, ἢ εἰς ἀγῶνα καταστάντες τῇ αὑτῶν δυνάμει ἐσώθησαν. νῦν τοίνυν, ὦ ἄνδρες δικασταί, παράδειγμα ποιήσατε τοῖς ἄλλοις δικαίοις εἶναι, παρὰ τούτων δίκην λαβόντες. ἥκουσι δὲ πάντες οἱ τὰ τῆς πόλεως πράττοντες οὐχ ἡμῶν ἀκροασόμενοι, ἀλλʼ ὑμᾶς εἰσόμενοι ἥντινα γνώμην περὶ τῶν ἀδικούντων ἕξετε. ὥστʼ εἰ μὲν ἀποψηφιεῖσθε τούτων, οὐδὲν δεινὸν δόξει αὐτοῖς εἶναι ὑμᾶς ἐξαπατήσαντας ἐκ τῶν ὑμετέρων ὠφελεῖσθαι· ἐὰν δὲ καταψηφισάμενοι θανάτου τιμήσητε, τῇ αὐτῇ ψήφῳ τούς τε ἄλλους κοσμιωτέρους ποιήσετε ἢ νῦν εἰσι, καὶ παρὰ τούτων δίκην εἰληφότες ἔσεσθε.

But at present they find it quite safe to rob you. For if they are not detected, they will be able to enjoy their booty without fear; while if they are caught, they either buy off the prosecution with part of their ill-gotten gains, or save themselves, on being brought to trial, by their own ability. So this is the moment, gentlemen of the jury, for you to make an example that will ensure the honesty of the rest, by doing justice upon these men. All who are in the administration of the State have come here, not to listen to us, but to know what view you will take of the guilty. Hence if you acquit these men, they will think that there is nothing to fear from deceiving you and making a profit at your expense; but if you condemn them, and sentence them to death, by that same vote you will make the rest more orderly than they are now, and you will have done justice upon these men.

(9) [Dem.] 56.48-49.

χωρὶς δὲ τούτων, ἄνδρες Ἀθηναῖοι, μὴ ἀγνοεῖτε, ὅτι νυνὶ μίαν δίκην δικάζοντες νομοθετεῖτε ὑπὲρ ὅλου τοῦ ἐμπορίου, καὶ παρεστᾶσι πολλοὶ τῶν κατὰ θάλατταν ἐργάζεσθαι προαιρουμένων ὑμᾶς θεωροῦντες, πῶς τὸ πρᾶγμα τουτὶ κρίνετε. εἰ μὲν γὰρ ὑμεῖς τὰς συγγραφὰς καὶ τὰς ὁμολογίας τὰς πρὸς ἀλλήλους γιγνομένας ἰσχυρὰς οἴεσθε δεῖν εἶναι καὶ τοῖς παραβαίνουσιν αὐτὰς μηδεμίαν συγγνώμην ἕξετε, ἑτοιμότερον προήσονται τὰ ἑαυτῶν οἱ ἐπὶ τοῦ δανείζειν ὄντες, ἐκ δὲ τούτων αὐξηθήσεται ὑμῖν τὸ ἐμπόριον.εἰ μέντοι ἐξέσται τοῖς ναυκλήροις, συγγραφὴν γραψαμένοις ἐφʼ ᾧ τε καταπλεῖν εἰς Ἀθήνας, ἔπειτα κατάγειν τὴν ναῦν εἰς ἕτερα ἐμπόρια, φάσκοντας ῥαγῆναι καὶ τοιαύτας προφάσεις ποριζομένους οἵαισπερ καὶ Διονυσόδωρος οὑτοσὶ χρῆται, καὶ τοὺς τόκους μερίζειν πρὸς τὸν πλοῦν ὃν ἂν φήσωσιν πεπλευκέναι, καὶ μὴ πρὸς τὴν συγγραφήν, οὐδὲν κωλύσει ἅπαντα τὰ συμβόλαια διαλύεσθαι.

Besides this, men of Athens, you must not forget that, while you are today deciding one case alone you are fixing a law for the whole port, and that many of those engaged in overseas trade are standing here and watching you to see how you decide this question. For if you hold that contracts and agreements made between man and man are to be binding, and show no leniency towards those who transgress them, lenders will be more ready to risk their money, and the business of your port will be increased. But if shipowners, after engaging in written contracts to sail to Athens, are to be permitted to put their ships into other ports, giving out that they have been disabled, or advancing other pretexts such as these of which Dionysodorus has availed himself, and to reduce the interest in proportion to the length of the voyage which they say they have made instead of paying it according to the agreement, there will be nothing to prevent the voiding of all contracts.

(10) Dem. 20.165-6.

οὔκουν ἄξιον, ὦ ἄνδρες Ἀθηναῖοι, τοσαύτην βλασφημίαν ἀντὶ καλῶν καὶ προσηκόντων ὑμῖν ἀγαθῶν ἑλέσθαι. καὶ γὰρ ἕκαστος ὑμῶν ἰδίᾳ μεθέξει τῆς δόξης τῶν κοινῇ γνωσθέντων. οὐ γὰρ ἀγνοεῖ τοῦτʼ οὐδεὶς οὔτε τῶν περιεστηκότων οὔτε τῶν ἄλλων, ὅτι ἐν μὲν τῷ δικαστηρίῳ Λεπτίνης πρὸς ἡμᾶς ἀγωνίζεται, ἐν δὲ τῇ τῶν καθημένων ὑμῶν ἑνὸς ἑκάστου γνώμῃ φιλανθρωπία πρὸς φθόνον καὶ δικαιοσύνη πρὸς κακίαν καὶ πάντα τὰ χρηστὰ πρὸς τὰ πονηρότατʼ ἀντιτάττεται. ὧν τοῖς βελτίοσι πειθόμενοι καὶ κατὰ ταὔθʼ ἡμῖν θέμενοι τὴν ψῆφον, αὐτοί θʼ ἃ προσήκει δόξετʼ ἐγνωκέναι, καὶ τῇ πόλει τὰ κράτιστʼ ἔσεσθʼ ἐψηφισμένοι, κἄν τις ἄρʼ ἔλθῃ ποτὲ καιρός, οὐκ ἀπορήσετε τῶν ἐθελησόντων ὑπὲρ ὑμῶν κινδυνεύειν. ὑπὲρ οὖν τούτων ἁπάντων οἶμαι δεῖν ὑμᾶς σπουδάζειν καὶ προσέχειν τὸν νοῦν, ὅπως μὴ βιασθῆθʼ ἁμαρτάνειν. πολλὰ γὰρ ὑμεῖς, ὦ ἄνδρες Ἀθηναῖοι, πολλάκις οὐκ ἐδιδάχθηθʼ ὡς ἔστι δίκαια, ἀλλʼ ἀφῃρέθηθʼ ὑπὸ τῆς τῶν λεγόντων κραυγῆς καὶ βίας καὶ ἀναισχυντίας.

It is unworthy of you, Athenians, to prefer such a foul reproach to advantages so honorable and so appropriate to you. For each of you will share individually in the credit of your joint decision. For it is known to all standing round us, as to everyone else, that in this court Leptines is contending with us, but within the conscience of each member of the jury humanity is arrayed against envy, justice against malice, and all that is good against all that is most base. If you yield to the nobler impulse and cast your votes with us, you will win for yourselves the credit, and for the State the benefit, of a righteous verdict, and if ever occasion arises, you will not lack friends willing to encounter risk in your behalf. I ask you, therefore, to take all these considerations seriously to heart and to beware that you are not forced into an error of judgement. For on many occasions, men of Athens, the justice of the case has not been brought home to you, but a verdict has been wrested from you by the clamor, the violence and the shamelessness of the pleaders.

(11) Aeschin. 2.5.

ὑμᾶς μὲν οὖν ἐπαινῶ καὶ διαφερόντως ἀγαπῶ, ὅτι τῷ βίῳ μᾶλλον τῷ τῶν κρινομένων πιστεύετε, ἢ ταῖς παρὰ τῶν ἐχθρῶν αἰτίαις· αὐτὸς δʼ οὐκ ἂν ἀποσταίην τῆς πρὸς ταῦτʼ ἀπολογίας. εἰ γάρ τις ἢ τῶν ἔξωθεν περιεστηκότων πέπεισται, σχεδὸν δʼ οἱ πλεῖστοι τῶν πολιτῶν πάρεισιν, ἢ τῶν δικαζόντων ὑμῶν, ὡς ἐγὼ τοιοῦτόν τι διαπέπραγμαι, μὴ μόνον εἰς ἐλεύθερον σῶμα, ἀλλὰ καὶ εἰς τὸ τυχόν, ἀβίωτον εἶναί μοι τὸν λοιπὸν βίον νομίζω· κἂν μὴ προϊούσης τῆς ἀπολογίας ἐξελέγξω καὶ τὴν αἰτίαν οὖσαν ψευδῆ, καὶ τὸν τολμήσαντʼ εἰπεῖν ἀνόσιον καὶ συκοφάντην, κἂν τἆλλα πάντα μηδὲν ἀδικῶν φαίνωμαι, θανάτου τιμῶμαι.

To you I do, indeed, give praise and high esteem for putting your faith in the life of those who are on trial, rather than in the accusations of their enemies; however, I would not myself shrink from defending myself against this charge. For if there is any man among those who are standing outside the bar—and almost the whole city is in the court—or if there is any man of you, the jurors, who is convinced that I have ever perpetrated such an act, not to say towards a free person, but towards any creature, I hold my life as no longer worth the living. And if as my defence proceeds I fail to prove that the accusation is false, and that the man who dared to utter it is an impious slanderer, then, even though it be clear that I am innocent of all the other charges, I declare myself worthy of death.

(12) Lys. 22.19.

καὶ μὲν δή, ὦ ἄνδρες δικασταί, πᾶσιν ἡγοῦμαι φανερὸν εἶναι ὅτι οἱ περὶ τῶν τοιούτων ἀγῶνες κοινότατοι τυγχάνουσιν ὄντες τοῖς ἐν τῇ πόλει, ὥστε πεύσονται ἥντινα γνώμην περὶ αὐτῶν ἔχετε, ἡγούμενοι, ἐὰν μὲν θάνατον τούτων καταγνῶτε, κοσμιωτέρους ἔσεσθαι τοὺς λοιπούς· ἐὰν δʼ ἀζημίους ἀφῆτε, πολλὴν ἄδειαν αὐτοῖς ἐψηφισμένοι ἔσεσθε ποιεῖν ὅ τι ἂν βούλωνται.

And, moreover, gentlemen, I conceive it is obvious to you all that suits of this kind are of the closest concern to the people of our city; and hence they will inquire what view you take of such matters, in the belief that, if you condemn these men to death, the rest will be brought to better order; while if you dismiss them unpunished, you will have voted them full licence to do just as they please.

(13) [Dem.] 59.110-111.

τί δὲ καὶ φήσειεν ἂν ὑμῶν ἕκαστος εἰσιὼν πρὸς τὴν ἑαυτοῦ γυναῖκʼ ἢ θυγατέρα ἢ μητέρα, ἀποψηφισάμενος ταύτης, ἐπειδὰν ἔρηται ὑμᾶς “ποῦ ἦτε;” καὶ εἴπητε ὅτι “ἐδικάζομεν;” “τῷ;” ἐρήσεται εὐθύς. “Νεαίρᾳ” δῆλον ὅτι φήσετε (οὐ γάρ;) “ὅτι ξένη οὖσα ἀστῷ συνοικεῖ παρὰ τὸν νόμον, καὶ ὅτι τὴν θυγατέρα μεμοιχευμένην ἐξέδωκεν Θεογένει τῷ βασιλεύσαντι, καὶ αὕτη ἔθυσε τὰ ἱερὰ τὰ ἄρρητα ὑπὲρ τῆς πόλεως καὶ τῷ Διονύσῳ γυνὴ ἐδόθη”, καὶ τἄλλα διηγούμενοι τὴν κατηγορίαν αὐτῆς, ὡς καὶ μνημονικῶς καὶ ἐπιμελῶς περὶ ἑκάστου κατηγορήθη. 59.111αἱ δὲ ἀκούσασαι ἐρήσονται “τί οὖν ἐποιήσατε;” ὑμεῖς δὲ φήσετε “ἀπεψηφίσμεθα.” οὐκοῦν ἤδη αἱ μὲν σωφρονέσταται τῶν γυναικῶν ὀργισθήσονται ὑμῖν, διότι ὁμοίως αὐταῖς ταύτην κατηξιοῦτε μετέχειν τῶν τῆς πόλεως καὶ τῶν ἱερῶν· ὅσαι δʼ ἀνόητοι, φανερῶς ἐπιδείκνυτε ποιεῖν ὅ τι ἂν βούλωνται, ὡς ἄδειαν ὑμῶν καὶ τῶν νόμων δεδωκότων· δόξετε γὰρ ὀλιγώρως καὶ ῥᾳθύμως φέροντες ὁμογνώμονες καὶ αὐτοὶ εἶναι τοῖς ταύτης τρόποις.

And when each one of you goes home, what will he find to say to his own wife or his daughter or his mother, if he has acquitted this woman?—when the question is asked you, “Where were you?” and you answer, “We sat as jury.” “Trying whom?” it will at once be asked, “Neaera,” you will say, of course, will you not? “because she, an alien woman, is living as wife with an Athenian contrary to law, and because she gave her daughter, who had lived as a harlot, in marriage to Theogenes, the king, and this daughter performed on the city's behalf the rites that none may name, and was given as wife to Dionysus.” And you will narrate all the other details of the charge, showing how well and accurately and in a manner not easily forgotten the accusation covered each point. And the women, when they have heard, will say, “Well, what did you do?” And you will say, “We acquitted her.” At this point the most virtuous of the women will be angry at you for having deemed it right that this woman should share in like manner with themselves in the public ceremonials and religious rites; and to those who are not women of discretion you point out clearly that they may do as they please, for they have nothing to fear from you or the laws. For if you treat the matter with indifference or toleration, you will yourselves seem to approve of this woman's conduct.

4. (C) Bystanders as the judge or the potential critics of the jurors

(14) Aeschin. 1.117-118.

ἔστι δʼ ὁ μὲν πρότερός μοι λόγος προδιήγησις τῆς ἀπολογίας ἧς ἀκούω μέλλειν γίγνεσθαι, ἵνα μὴ τοῦτο ἐμοῦ παραλιπόντος ὁ τὰς τῶν λόγων τέχνας κατεπαγγελλόμενος τοὺς νέους διδάσκειν ἀπάτῃ τινὶ παραλογισάμενος ὑμᾶς ἀφέληται τὸ τῆς πόλεως συμφέρον. ὁ δὲ δεύτερός ἐστί μοι λόγος παράκλησις τῶν πολιτῶν πρὸς ἀρετήν. ὁρῶ δὲ πολλοὺς μὲν τῶν νεωτέρων προσεστηκότας πρὸς τῷ δικαστηρίῳ, πολλοὺς δὲ τῶν πρεσβυτέρων, οὐκ ἐλαχίστους δὲ ἐκ τῆς ἄλλης Ἑλλάδος συνειλεγμένους ἐπὶ τὴν ἀκρόασιν·οὓς μὴ νομίζετʼ ἐμὲ θεωρήσοντας ἥκειν, ἀλλὰ πολὺ μᾶλλον ὑμᾶς εἰσομένους, εἰ μὴ μόνον εὖ νομοθετεῖν ἐπίστασθε, ἀλλὰ καὶ κρίνειν τὰ καλὰ καὶ τὰ μὴ καλὰ δύνασθε, καὶ εἰ τιμᾶν ἐπίστασθε τοὺς ἀγαθοὺς ἄνδρας, καὶ εἰ θέλετε κολάζειν τοὺς ὀνείδη τὸν ἑαυτῶν βίον τῇ πόλει κατασκευάζοντας. λέξω δὲ πρῶτον πρὸς ὑμᾶς περὶ τῆς ἀπολογίας.

The first of these points is an anticipation of the defence which I hear he is about to offer, for I fear that if I neglect this topic, that man who professes to teach the young the tricks of speech may mislead you by some artifice, and so defraud the state. My second point is an exhortation of the citizens to virtue. And I see many young men present in court, and many of their elders, and not a few citizens of other states of Hellas, gathered here to listen. Do not imagine that they have come to look at me. Nay, rather have they come to find out about you, whether you not only know how to make good laws, but also are able to distinguish between good conduct and bad; whether you know how to honor good men; and whether you are willing to punish those who make their own life a reproach to the city. I will first speak to you about the defence.

(15) Din. 1.46.

πολλοί, ὦ ἄνδρες, πολλοὶ τῶν πολιτῶν καὶ τῶν ἄλλων Ἑλλήνων, ὅπερ καὶ πρότερον εἶπον, θεωροῦσιν ὑμᾶς πῶς τοῦτον δικάσετε τὸν ἀγῶνα, καὶ πότερον εἰσαγωγίμους καὶ τὰς τῶν ἄλλων δωροδοκίας ποιήσετε, ἢ ἀνέδην ἐξέσται δῶρα λαμβάνειν καθʼ ὑμῶν, καὶ τὰ πρότερον δοκοῦντα πιστὰ καὶ βέβαιʼ εἶναι νῦν ἄπιστα διὰ τὴν Δημοσθένους κρίσιν γενήσεται, ὃν ἐκ τῶν ἄλλων προσῆκεν ἀπολωλέναι τῶν πεπολιτευμένων αὐτῷ, ὃς ἁπάσαις ταῖς ἀραῖς ταῖς ἐν τῇ πόλει γιγνομέναις ἔνοχος καθέστηκεν, …

Gentlemen, you have very many witnesses, as I said before, among citizens and other Greeks, watching to see how you will judge this trial; are you, they wonder, going to bring within the scope of the courts the venal actions of other men, or will there be complete freedom to accept bribes against you? Will the things which so far have been held trustworthy and sure now cease to be so on account of the trial of Demosthenes? On his past record he ought to have been put to death, and he is liable to all the curses known to the city, …

1.66

τί γὰρ ἐροῦμεν, ὦ Ἀθηναῖοι, πρὸς τοὺς περιεστηκότας ἐξελθόντες ἐκ τοῦ δικαστηρίου, ἐάν, ὃ μὴ γένοιτο, παρακρουσθῆτε ὑπὸ τῆς τούτου γοητείας; τίσιν ὀφθαλμοῖς ἕκαστος ὑμῶν τὴν πατρῴαν ἑστίαν οἴκαδ᾽ ἀπελθὼν ἰδεῖν τολμήσει, ἀπολελυκότες μὲν τὸν προδότην τὸν πρῶτον εἰς τὸν ἴδιον οἶκον εἰσενεγκάμενον τὸ δεδωροδοκημένον χρυσίον, κατεγνωκότες δὲ μηδὲν ἀληθὲς μήτε ζητεῖν μήθ᾽ εὑρίσκειν τὸ παρὰ πᾶσιν ἀνθρώποις εἶναι σεμνότατον νομιζόμενον συνέδριον;

What shall we say to the bystanders, Athenians, when we come out of the court, if you are deceived, as I pray you may not be, by the wizardry of this man? What will be the feelings of you all, when, on your return, you presume to look upon your fathers' hearths, after acquitting the traitor who first brought into his own home the gold of bribery; after convicting as utterly false, in both its inquiry and its conclusion, the body which all men hold in the greatest awe?

(16) Din. 2.19.

ἁπλῶς δʼ εἰπεῖν, ἐναντία τοῖς νόμοις ἅπασι πράττων διατετέλεκε, καὶ τοῦτον μόνον ἡ ἐξ Ἀρείου πάγου βουλὴ τοῖς ἐζητηκόσι καὶ εἰδόσιν ἀποπέφαγκεν· οὐ γὰρ παρʼ ἐκείνης ὑμεῖς πυθόμενοι τοῦτον ἴστε πονηρὸν καὶ ἄδικον ὄντα, ἀλλʼ ἕκαστος ὑμῶν ἀκριβῶς οἶδε τὴν τούτου πονηρίαν. ὥστε τὸ πολλάκις λεγόμενον ἀληθὲς εἰπεῖν ἐστιν, ὅτι περὶ μὲν τούτου τὴν ψῆφον ὑμεῖς μέλλετε φέρειν, περὶ δʼ ὑμῶν οἱ περιεστηκότες καὶ οἱ ἄλλοι πάντες.

In fact he has never ceased to contravene all the laws, and his is the one case of those on which the Areopagus has reported where you had inquired yourselves and already knew the answer. For your knowledge that this man is a rogue and a criminal was not gained from the council; you are all very well aware of his wickedness, and hence the statement made many times rings true in this context: while you are about to pass judgement on this man, the spectators and everyone else are passing judgement on you.

(17) [Dem.] 25.98.

ἓν δʼ εἰπὼν ἔτι παύσασθαι βούλομαι. ἔξιτʼ αὐτίκα δὴ μάλʼ ἐκ τοῦ δικαστηρίου, θεωρήσουσι δʼ ὑμᾶς οἱ περιεστηκότες καὶ ξένοι καὶ πολῖται, καὶ κατʼ ἄνδρʼ εἰς ἕκαστον τὸν παριόντα βλέψονται καὶ φυσιογνωμονήσουσι τοὺς ἀπεψηφισμένους. τί οὖν ἐρεῖτʼ, ὦ ἄνδρες Ἀθηναῖοι, εἰ προέμενοι τοὺς νόμους ἔξιτε; ποίοις προσώποις ἢ τίσιν ὀφθαλμοῖς πρὸς ἕκαστον τούτων ἀντιβλέψεσθε;

One more thing I have to say before I sit down. You will soon be leaving this court-house, and you will be watched by the bystanders, both aliens and citizens; they will scan each one as he appears, and detect by their looks those who have voted for acquittal. What will you have to say for yourselves, Athenians, if you emerge after betraying the laws? With what expression, with what look will you return their gaze?

[Dem.] 25.100.

τί ἐρεῖτʼ, ἄνδρες Ἀθηναῖοι, τί ἐρεῖτε, ἄν τις ὑμᾶς ἐρωτᾷ γνωρίσας τοὺς ἀπεψηφισμένους; τί φήσετε; ἀρέσκειν τοῦτον ὑμῖν; καὶ τίς ὁ τοῦτο τολμήσων εἰπεῖν; τίς ὁ τῆς τούτου πονηρίας μετʼ ἀρᾶς καὶ κακῆς δόξης κληρονομεῖν βουλησόμενος; ἀλλʼ οὐκ αὐτὸς ἕκαστος <οὐκ> ἀποψηφίσασθαι; οὐκοῦν καταράσεσθε τοῖς ἀποψηφισαμένοις, τοῦτο τὸ πιστὸν ἕκαστος διδοὺς ὡς οὐκ αὐτὸς οὗτός ἐστι.

Or what will you say, Athenians, what will you say, if someone detects and questions those of you who have voted for acquittal? What will you answer? That you were satisfied with him? But who will dare to say that? Who will choose to inherit this fellow's wickedness, with the execration and infamy that it entails? Will each of you deny that he acquitted him? In that case you will have to invoke a curse on the acquitters, as a guarantee from each of you that he was not himself one of them.

5. (D) Bystanders as opponent’s supporters

(18) Aeschin. 1.173

ἔπειθʼ ὑμεῖς, ὦ ἄνδρες Ἀθηναῖοι, Σωκράτην μὲν τὸν σοφιστὴν ἀπεκτείνατε, ὅτι Κριτίαν ἐφάνη πεπαιδευκώς, ἕνα τῶν τριάκοντα τῶν τὸν δῆμον καταλυσάντων, Δημοσθένης δʼ ὑμῖν ἑταίρους ἐξαιρήσεται, ὁ τηλικαύτας τιμωρίας λαμβάνων παρὰ τῶν ἰδιωτῶν καὶ δημοτικῶν ἀνθρώπων ὑπὲρ τῆς ἰσηγορίας, ᾧ παρακεκλημένοι τινὲς τῶν μαθητῶν ἥκουσιν ἐπὶ τὴν ἀκρόασιν· κατεπαγγέλλεται γὰρ πρὸς αὐτούς, ἐργολαβῶν ἐφʼ ὑμᾶς, ὡς ἐγὼ πυνθάνομαι, λήσειν μεταλλάξας τὸν ἀγῶνα καὶ τὴν ὑμετέραν ἀκρόασιν,

Did you put to death Socrates the sophist, fellow citizens, because he was shown to have been the teacher of Critias, one of the Thirty who put down the democracy, and after that, shall Demosthenes succeed in snatching companions of his own out of your hands, Demosthenes, who takes such vengeance on private citizens and friends of the people for their freedom of speech? At his invitation some of his pupils are here in court to listen to him. For with an eye to business at your expense, he promises them, as I understand, that he will juggle the issue and cheat your ears, and you will never know it;

(19) Aeschin. 3.207.

ἀλλʼ ἃ δὴ συμβήσεται ὑμῖν, ἐὰν τοῦτον τὸν τρόπον τὴν ἀκρόασιν ποιήσησθε, ταῦθʼ ὑμῖν ἤδη δίκαιός εἰμι προειπεῖν. ἐπεισάξει γὰρ τὸν γόητα καὶ βαλλαντιοτόμον καὶ διατετμηκότα τὴν πολιτείαν. οὗτος κλάει μὲν ῥᾷον ἢ οἱ ἄλλοι γελῶσιν, ἐπιορκεῖ δὲ πάντων προχειρότατα· οὐκ ἂν θαυμάσαιμι δέ, εἰ μεταβαλόμενος τοῖς ἔξωθεν περιεστηκόσι λοιδορήσεται, φάσκων τοὺς μὲν ὀλιγαρχικοὺς ὑπʼ αὐτῆς τῆς ἀληθείας διηριθμημένους ἥκειν πρὸς τὸ τοῦ κατηγόρου βῆμα, τοὺς δὲ δημοτικοὺς πρὸς τὸ τοῦ φεύγοντος.

What, on the other hand, will surely be the result for you if you listen in the way that they propose, I ought now to forewarn you. For the defendant will call to his aid this juggler and cut-purse, a man who has torn the constitution to shreds. This man weeps more readily than other men laugh, and nothing is so easy for him as perjury. And I should not wonder if he should change his tactics and slander the listeners outside the bar, alleging that those whom truth herself has singled out and counted as oligarchs have come to the platform of the prosecution, but all the friends of the people to the platform of the defence.

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