

setzung von Moerbeke wurden überwiegend in den kritischen Apparat aufgenommen. In bezug auf die Diagramme haben die Autoren eine bedeutsame Leistung erbracht. Auch hier kann der Leser die wichtigsten Varianten im Apparat finden; die Darstellung bleibt aber trotzdem übersichtlich, und der Apparat wurde nicht mit Varianten überhäuft. In dieser Hinsicht sollte diese kritische Edition maßgebend für Editionen von antiken wissenschaftlichen Texten werden, in denen noch zu oft die Diagramme vernachlässigt werden.

Zusammenfassend lässt sich feststellen, daß d'Alessandro und Napolitani mit diesem Buch überzeugend gezeigt haben, wie unberechtigt es ist, daß Cremonas lateinische Übersetzung der Werke des Archimedes in der bisherigen Forschung kaum Aufmerksamkeit gefunden hat. Cremonas Text enthält viele interessante Ergänzungen und Varianten, welche in keiner der griechischen Quellen vorhanden sind. Die Schlussfolgerung dieser Analyse, daß Cremona über eine unabhängige und möglicherweise ältere Quelle als Kodex A verfügte, wurde aber vorerst nicht ausreichend von den angeführten Textstellen belegt. Eine Gesamtauswertung aller einzelnen Aspekte der lateinischen Übersetzung wird hoffentlich die Frage nach Cremonas Vorlage definitiv klären können.

Berlin

*Joyce van Leeuwen*

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**Mirko Canevaro:** *The Documents in the Attic Orators. Laws and Decrees in the Public Speeches of the Demosthenic Corpus. With a chapter by E. M. Harris.* Oxford: Oxford UP 2013. XVIII, 389 S. 75 £.

A two-centuries long debate on the authenticity of the documents quoted in the speeches of the Attic orators has reached no consensus. In the 19<sup>th</sup> century attempts to study comprehensively all the documents transmitted in the body of Attic Oratory culminated in E. Drerup's classic work 'Über die bei den attischen Rednern eingelegten Urkunden' (Leipzig 1898). In the 20<sup>th</sup> and early 21<sup>st</sup> c. more targeted discussions of the documents in individual speeches have been the norm. This shift in methodological approach follows the conviction that some of the documents are authentic and others are forgeries, and one would need to examine each document individually in its own context. Canevaro's book is intended to reverse the trend and «provide a comprehensive study of the documents in the corpora of the Attic Orators», while attempting to construct a consistent methodology through comparisons with literary and epigraphical materials. However, this study fails to meet its ambitious goals. It only includes documents from a few public forensic speeches (with the promise of more in a second volume), and by the end it convinced me, with more certainty than ever before, that any attempt to establish uniform and consistent criteria for the study of the documents in the Attic Orators is probably the wrong approach and a futile task. Canevaro's attempt to revive the faith of 19<sup>th</sup> century scholars in stichometry as the key to questions of authenticity is as unconvincing now as it was then. There are numerous references throughout the study to an 'Urexemplar', a stichometric edition which marked every 100 lines of text with a letter of the alphabet. Our medieval manuscripts sparsely and inconsistently preserve these marks in the margin, and include the total number of lines in the acrophonic system in the end of

each speech. Canevaro has fixed ideas about this Urexemplar and an unshakable faith in its value as an authoritative source for the authenticity of the documents. The problem is that we do not know what this edition was, where and when it was compiled, or even if it ever existed as a single, comprehensive exemplar. The fact that some public forensic speeches have no documents at all (e.g. *Against Theocrines*), a few may have only some (e.g. a single very brief document in *Against Leptines*), while the speeches discussed here have documents inserted in all necessary places suggests an inconsistency of practice not expected of a single exemplar. In addition, as Canevaro notices (p. 321), the number of characters contained in one stichometric line is different from speech to speech, maybe implying different handwriting, smaller for 18 or 19, and larger for 59, and also the order of the speeches is not the same in all our medieval manuscripts, and some speeches have no stichometric marks preserved. All these facts lead to the likely conclusion that there never was a comprehensive Urexemplar, but rather individual scrolls, each with its own characteristics regarding stichometry and documents. Thus, while it is possible to speak of the stichometric edition of a single speech, referring to that ancient scroll on which the amount of text was counted and marked in the margin, perhaps the first ever scroll of that speech intended for sale, a comprehensive Urexemplar produced in late 4<sup>th</sup>/early 3<sup>rd</sup> c. Athens, as Canevaro argues, marking consistently the stichometry in all speeches and following a standard policy regarding the inclusion of documents seems unlikely.

The following account of objectionable points is not exhaustive, but rather representative of the problems which the reader may encounter in this volume.

In p. 7 Canevaro says that all medieval manuscripts of the Corpus are cross-contaminated. This is far from certain: S is widely believed to be a pure representative of one branch of the ancient tradition. In p. 12, n. 28 the author says that *Against Neaira* was delivered in a γραφὴ ξενίας. This is inaccurate: a γραφὴ ξενίας was the appropriate procedure for men enrolled as citizens who were suspected of being alien. Neaira was prosecuted for purported marriage to a citizen. In p. 25 and n. 50 Canevaro mistakenly says that Q is an apograph of F, implying in the footnote that this is the opinion of Dilts. This is not the case: Dilts agrees with previous scholars that Q is a younger (and arguably better) brother of F. In p. 28 the argument that the jurors would immediately detect inconsistencies and rhetorical manipulations of legal documents and hold them against the speaker is naive. Aeschines for example gets away with countless lies and misrepresentations of the law in the case against Timarchos. Canevaro's other argument at this point that the opponent would be able to check a litigant's lies and denounce him as a liar is inconsistent with procedure in public cases, where each litigant had only one long speech, and consequently the prosecutor would not be able to respond to the lies of the defense. Moreover, accusations of lying were so commonplace in Attic Oratory that they could not carry much weight, unless supported by convincing evidence. In p. 32 the argument that the orator's narrative must always match exactly and point by point the quoted document is absurd. Orators could and did do whatever best suited their purposes in their interpretation of the documents.

Canevaro's discussion of 23.22 (pp. 40–47) is thoroughly researched but also confusing. After a lengthy account of the document's title NOMΟΣ ἐκ τῶν φονικῶν νόμων τῶν ἐξ Ἀρείου Πάγου, he favors the view that the second part of the sentence (ἐκ ... Πάγου) is an interpolation. However, S implies that this is part of the text of the orator, because NOMΟΣ is in capital red letters and stands alone as a heading (like all document headings in S), while the phrase ἐκ ... Πάγου is in the following line and in normal script. This suggests that Demosthenes after the recitation of the document began his narrative with the

phrase ἐκ ... Πάγου for rhetorical effect. On the same note, the difficult question why the documents of *Against Aristocrates* and some of *Against Timocrates* were included in the stichometric edition may have a very simple answer. They were because Demosthenes included these documents in his own manuscript. There was nothing stopping an orator from making legal documents an integral part of his narrative (see e.g. 59.66; Lys. 1.30 and 32, al.), especially when he was going to argue complicated legal points, as in these two cases of *paronomon*. In the same discussion Canevaro's long-winded arguments about the expression ή ἐξ Ἀρείου Πάγου are hard to comprehend, since both ή βουλὴ ή ἐξ Ἀρείου Πάγου and ή βουλὴ ή ἐν Ἀρείῳ Πάγῳ are frequent in the Attic Orators (e.g. Isoc. 18.37; D. 18.133; 25.23; al.). Canevaro's discussion concerning the laws ἐτ' ἀνδρί (pp. 74–75 on D. 23, and pp. 145–150 on D. 24) is surprisingly out of focus. Statements like «this provision [sc. the quorum of 6000] was generally unknown to the judges» sound misconstrued in the face of substantial evidence to the contrary. There are three detailed and indisputable references in the orators describing a quorum of 6000 for νόμος ἐτ' ἀνδρί. (D. 24.45–6 and 59; And. 1.87; D. 59.89). In the last of these references Apollodorus describes in detail how this kind of voting took place for naturalization cases. Philochoros (*FGrH* 328 F 30) and Plutarch (*Arist.* 7.5–6) describe a similar process for ostracism, where a minimum of 6000 votes was required for the ballot to be valid. Naturalization and ostracism are the best-known examples of what the Athenians would consider νόμος ἐτ' ἀνδρί. A legal provision affecting one person, like an ostracism, where a citizen guilty of nothing, and in fact most distinguished, needed to go to exile for 10 years, was one of these instances where the law clearly did not treat this individual the same as any other Athenian, and for this the majority in a 'full-house' ballot of 6000 citizens was required. Canevaro's belief that this was not even a real procedure is untenable in the face of the existing evidence, and the phrase ψηφισαμένων μὴ ἔλαττον ἐξακισχλίων οἵς ὅν δόξῃ κρύβθων ψηφιζομένοις, which he considers a forgery, ought to be part of the law cited in 24.59 (and paraphrased in And. 1.87, and D. 59.89 with slight variations).

The logic of the argument put forward on pp. 184–185, that the phrase ὁ βουλόμενος οἵς ἔξεστιν although suitable for the legal document of 59.16 proves that the document is forged because the phrase appears elsewhere in the orators and the forger «made a lucky guess», is twisted. Following this principle we could never decide what is authentic and what is not, because even what is confirmed by plentiful cross-references in the orators and inscriptions, ought to be suspected for the same reason. In the meantime Canevaro misses the subtlety of the phrase Ἀθηναίον ὁ βουλόμενος οἵς ἔξεστιν. Unlike other public lawsuits, where a non-Athenian free adult male (simply ὁ βουλόμενος οἵς ἔξεστιν) could also initiate proceedings, in this particular case only enfranchised Athenian citizens had the right to do so, naturally because this was a case of Athenian citizenship rights.

Canevaro considers a suspect anomaly the provision that the successful prosecutor would be rewarded with one third of the confiscated property in the legal document of 59.16, but in fact this was the standard procedure (p. 185). After conviction an *apographe* would be needed as the necessary middle step leading to the confiscation of the convicted person's property and the successful prosecutor would be rewarded with one third of the funds which the state recovered (see for example the process in Lys. 17.5–6). He also considers suspect the provision that the property of an alien woman pretending to be married to a citizen is to be confiscated (p. 186) with the bizarre argument that women did not own property. However, sometimes the jewelry alone, inalienably owned by women, could be worth more than a house (e.g. the daughter of Polyeuktos in D. 41 in possession of jewelry worth well over 10 minae), and some alien women in Athens, like for example the hetairai Phryne and Sinope, whom this legislation was primarily targeting, were extremely wealthy in their own right. In p. 187 Canevaro argues on the basis of inscriptions that the authentic legal document of 59.16 could not possibly contain the expression τέχνη ή μηχανή ή τινιοῦν because the attested formula in inscriptions is always οὔτε τέχνει οὔτε μηχανεῖ οὐδεμιᾷ (or μηδεμιᾷ). In fact, this is not true: the expression appears in the Attic inscriptions with almost as many variations as the number of instances (for example: *IG* II<sup>2</sup> 236, fr a, col I, 11 τέχνηι οὐδεμι/[σ]αι οὔτε μηχανήι, *IG* II<sup>2</sup> 457, fr b, 17 πάσῃ μηχανήι, *IG* II<sup>2</sup> 1183, 9

μηχανῆι ἢ τ]έ[χνη]ι οὐδεμιᾶι, *IG II<sup>2</sup> 1289.14–15* μήτε τ[έχνη]ι μήτε παρενρέ] / σει μηδεμιᾶι, and the formula is also found in inscriptions of other Greek cities with even greater variety). The most important question tied to this issue is whether persons who drafted legal documents followed rigidly established formulas, and to this we know the answer. Greek legal documents typically have some form of technical language, and some common structural features (e.g. the introductory formulas of a decree with the date, name of the proposer, etc.), but even these standard features are by no means universally present or rigidly formatted. Variation is the rule, and personal temperament often dictates the precise language and style of Greek legal documents.

In the discussion on the law of adultery (D. 59.87) Canevaro would want the authentic law to list one by one all the possible punishments inflicted upon an adulteress who entered a temple, as these are paraphrased by Aeschines (1.183). However, the restrained and firm tone of the document in D.59.87, which only specifies that the law permitted humiliations without redress, is a strong argument for the authenticity of the document. We should not expect the law to be specifically ordering such crudities as beatings or public stripping. Canevaro's confusing account of the decree awarding citizenship to the Plataians would be difficult to discuss here. I will only raise one fundamental objection: Canevaro's comparisons of a document composed in 427 BC, a quarter of a century before any other naturalization document known to us through inscriptions or literary sources, with 4<sup>th</sup> century inscriptions and literary sources, is methodologically indefensible. Its language and style could be considerably different from the more formulaic 4<sup>th</sup> c. documents simply because there was no precedent for a mass naturalization.

Further objections to the detail, like Canevaro's resistance to the universally accepted emendation of Cobet ἐπιτίμους in D. 59.106, or his mistaken information that Blass defended the Demosthenic authorship of the speeches of Apollodoros (p. 323: Blass believed that they were written by an unknown inferior orator) underline one of the most fundamental problems of this book. Mistaken information and unfounded assumptions are intertwined with reliable and carefully researched information. There is much in this volume which is useful and well researched, but the reader would need to be cautious.

The documents presented by litigants in Athenian trials included laws and decrees introduced over a period of 250 years by different people, in different styles to respond to very different historical circumstances. They also included testimonies, oaths, arbitration documents, wills and all other kinds of evidence, composed by many different hands. If we add to that the possibility that at least some of the documents transmitted to us are forgeries introduced much later into the text of the orators, then the time-span and the number of hands and personal styles can expand dramatically, and diversity rather than uniformity ought to be the rule. Canevaro has studied a lot and paid attention to the details, but his attempt to impose rigid standards where none should be expected has impaired his judgment and often led him to the wrong conclusions. I still think that the safest way to verify or reject the authenticity of the documents inserted in the Attic Orators is to take them one by one, and with common sense and attention to the detail make the necessary comparisons and connections in order to determine whether this document could have been the original or part of it.

University of Florida

Konstantinos A. Kapparis