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ANDOKIDES AND THE HERMS

A Study of Crisis in fifth-century Athenian Religion

William D. Furley

INSTITUTE OF CLASSICAL STUDIES
SCHOOL OF ADVANCED STUDY
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INTRODUCTION

After describing the political debate in Athens preceding the decision to attack Sicily in 415, and the preparations for the expedition, Thucydides records a sacrilegious crime, the mutilation of the Athenian Hermes statues, which caused great consternation in Athens:

At that point [sc. during preparations for the expedition] the majority of the stone Hermes statues which stood in the city of the Athenians (carved in the local style with a square stone base, and commonly placed in the entrances of private houses and temples) were vandalized in the course of a single night, receiving damage to their faces. No one knew who had done it, but substantial rewards from the public purse were offered to find the men responsible, and a decree was passed to the effect that, if anyone knew of any other religious crime that had happened, he should be free to give evidence about it without fear of prosecution; the amnesty applied to citizens, aliens and slaves.

The incident was taken very seriously; it appeared to the Athenians to be a bad omen for the departure of the expedition, and to have been committed with conspiratorial intent to revolution and the overthrow of the people. Some foreigners and slaves came forward with information, but not about the Herms; they recalled some earlier cases of sacred statues being damaged by youths in a spirit of drunken fun; moreover, that the Mysteries were being performed illegally in private houses — by Alkibiades, among others. Now Alkibiades' chief political rivals snapped up these allegations (...) in the belief that, if they could remove him, they might become leaders of the Demos; accordingly they amplified the matter and went round announcing that both the Mysteries and the Herms had been desecrated as part of a plan to overthrow the democracy, and that none of the crimes had been committed without Alkibiades' participation. (6.27–28)¹

Thucydides goes on to relate how Alkibiades wished to stand trial for these accusations before sailing to Sicily, but how his political enemies persuaded the Assembly that the expedition should sail then, and Alkibiades with it, and that he should be recalled from Sicily to stand trial later. Their motive, Thucydides says, was to whip up more ill-feeling against him before his trial, which would be easier to do in his absence (6.29.3). Before leaving this stage of the proceedings we might turn to our other chief contemporary witness of, and protagonist in, these incidents, the orator Andokides. A key document in the present inquiry is his defence speech, delivered in c. 400 BC after the general amnesty in 403. He omits the Herms affair (because of his guilt in this matter) and picks up the thread of the narrative at a later stage than Thucydides:

A meeting of the Assembly was called for the generals who were to lead the Sicilian expedition, Nikias, Lamachos and Alkibiades. The flagship commanded by Lamachos was already lying at anchor offshore. Then Pythonikos stood up to address the people: 'Men of Athens,' he said, 'you are in the process of dispatching a military expedition of very great size and are about to incur danger: but I will show to you how the commander of the expedition, Alkibiades, is

¹ Unless otherwise stated, the translations are my own.

conducting the Mysteries at home in the company of others. If you grant the man I name immunity, a slave of one of the men present on the occasion will tell you the secrets of the Mysteries without having been properly initiated...' The man's name was Andromachos. They granted him immunity and he related how Mysteries were being performed in Poulytion's house. Alkibiades, Nikiades and Meletos were the active participants, but others were also present as spectators to the proceedings, and also some slaves...' (1.11–12)

Both Andokides and Thucydides go on to describe the series of denunciations, arrests and executions which followed the initial information laid by Andromachos. There were accusations and condemnations in connection with both crimes, the Herms and the Mysteries, in the course of the summer. They paint a picture of Athens in inner turmoil, with accusations flying in all directions without any certainty as to the accuracy of the charges. Andokides describes the hue and cry at its height in the following terms:

The city was in such a state that every time the herald announced a Council meeting, and lowered the signal accordingly, this was a signal both to members of Council to enter the Council Chamber, and simultaneously for the rest to vacate the market-place, as each one of them feared arrest. (1.36)

Thucydides gives a similar picture:

From the moment that the expedition sailed the Athenians did not relax their efforts to investigate the affairs of the Mysteries and the Herms. They did not check on informants' character but listened to all the rumours in a mood of suspicion. They arrested and imprisoned very well-regarded citizens on the strength of evidence from scoundrels, thinking it preferable to get to the bottom of the matter rather than to let someone with a good reputation who had been denounced go free simply because the witness was a rascal (6.53.2).

The mood of public hysteria came to a head in mid-summer when further facts and fictions came to light. Andokides describes how one Diokleides, 'spurred on by the misfortune which had befallen Athens', approached the Council claiming to know who had mutilated the Herms, and that their number had been 300. Diokleides substantiated his claim with a story of how he had woken early one night and walked to Laureion to collect his mining revenue; when passing the theatre of Dionysos he observed a large gathering of men in the orchestra standing in groups. He hid behind a pillar so as not to be seen and from there identified a number of faces by the light of the moon. He then proceeded to Laureion and heard next day of the mutilation of the Herms on the previous night: it was clear to him, he said, that the nocturnal gathering he had come upon had been the culprits. He named forty men to Council of the three hundred or so whom he had seen. Moreover, he confirmed that the mutilation had been conspiratorial in purpose, because he had been bribed by the conspirators to keep silent with money and with the promise of a share in the takings if their plan succeeded; they had, however, failed to pay up on the agreed day, so he, Diokleides, had decided to come forward with his evidence (37–42).

The effect of this announcement on the councillors can be imagined. It was supplemented by the intelligence that Boeotian troops were mustering on Attika's borders 'having learned of developments in Athens' (45). The Council cried out that two of its own members who had been denounced by Diokleides should be tortured to extract the full truth from them, a move which was only thwarted by the councillors' escape from Athens at the last moment. The whole city was made ready to defend itself against an

uprising: armed guards took up stations at strategic points in the city and the Piraeus; the Council itself spent one night up on the Acropolis — a sign of extreme tension in the city (44–45). It should be added at this point that the tension was relieved by a confession from Andokides, the ringleader of the conspiracy according to Diokleides, which on the one hand showed up Diokleides as a paid informer and liar, and reduced the number of suspected mutilators to a mere twenty or so, but on the other entailed Andokides himself confessing to a part in the Herms affair as a price for immunity from prosecution and release from prison.

Athenian fears of a large-scale conspiracy within Athens liaising with foreign troops without find confirmation in Thucydides:

‘And indeed a fairly small Spartan army happened to have advanced up as far as the Isthmos at precisely the time when there was most uproar (in Athens) about these things (sc. the impieties). The Spartans were negotiating with the Boeotians. Now it appeared that they had come on Alkibiades’ instigation and not because of the Boeotians, and that if they, the Athenians, did not hurry and arrest the men informed against, the city might be betrayed. And on one night they even slept in arms in the Athenian Theseion.’ (6.61.2)

We note the slight divergence in detail here between Andokides and Thucydides (the Boeotian army in Andokides/Spartans principally in Thucydides) but the overall scenario is clear: the Athenians at this time feared a conspiracy on the classic lines of stasis in an ancient Greek city: a party or contingent within the city aims to take over control from the existing government (in this case oligarchs, presumably, from the democracy), and collaborates with a force from outside to achieve its ends. The pattern is illustrated in the cases of Epidamnos, Kerkyra, Mytilene, in the pages of Thucydides, and Athens itself in 404.² Whether Athenian fears of revolution in 415 were really justified is another matter: what matters for an interpretation of the Herms and Mysteries affair is the perceived threat to the community.

As we have seen, Andokides was named in the Herms affair and was only released when he confessed and named others (Thuc. 6.60.2).³ The most significant victim of the affair was Alkibiades, recalled from Sicily to stand trial for his part in the whole affair, and condemned to death in his absence when he absconded from his escort in Thourioi. Alkibiades’ loss was a severe blow to the chances of success of the Sicilian expedition as he had been the moving force behind the expedition, and its most aggressive tactician. Likewise, his defection to Sparta, and the strategic measures implemented by Sparta on his advice, were crucial in swaying events abroad in Syracuse and at home in Attika. Thus Alkibiades’ implication in the Mysteries affair led both to his own political fall from grace in Athens, and to the serious discomfiture of Athens as a result of his defection.

The sacrileges in Athens in 415, then, have an immediate bearing on a turning-point in Athenian history; they occurred during preparations for the expedition and led to an aftermath of recriminations, arrests and executions in Athens once the expedition sailed. The impieties were perceived as components of a conspiracy to revolution; sentiment toward those charged with a part in them reached a pitch typical of stasis in a Greek state. The impieties divided Athens internally, and dealt a blow to the chances of success of the Sicilian expedition in removing its most able commander. More than that, the Herms and

² Cf. H.-J. Gehrke, *Stasis: Untersuchungen zu den inneren Kriegen in den griechischen Staaten des 5. und 4. Jahrhunderts v. Chr.* (München 1985) on non-Athenian instances.

³ This assumes that Thucydides’ anonymous description of the man *εἰς τῶν δεδεμένων, ὅσπερ ἐδόκει αἰτιώτατος εἶναι*, applies to Andokides. Discussion p. 52.

Mysteries affair had a demoralizing effect on the campaign as a whole. The mutilation of the Herms appeared a ‘bad omen’ for the sailing of the fleet (Thuc. 6.27.3: *τοῦ τε γὰρ ἔκπλου οἰωνὸς ἐδόκει εἶναι*); and when, two campaigning seasons later, Nikias exhorts the demoralized Athenian troops abandoning camp at Syracuse, he addresses their concern that the expedition had been ill-fated owing to divine anger from the beginning (7.77.3 *καὶ εἴ τῳ θεῶν ἐπίφθονοι ἐστρατεύσομεν*). Thucydides does not explicitly link Nikias’ remark with the sacrileges in the previous year, but the conclusion seems obvious given the prominence he accords them in Book Six.

The first half of this study is concerned with the detailed historical reconstruction of events, individuals and motives in the spring and summer of 415. Two initial chapters relate the twin cases of impiety to the cults concerned — the Hermes statues in Athens and the Eleusinian Mysteries — considering the history and position of these cults in fifth-century Athens and possible motives for the sacrileges committed against them. There follows a chapter arguing that two distinct groups were responsible for the pair of sacrileges, and that these were diametrically opposed in their significance. The fourth chapter focuses on the figure of Andokides, considering his family and political ties and the degree of his involvement in the impieties.

The reconstruction proposed is, of course, merely an attempt to tease the available evidence into an order which seems to me most probable. If more evidence were to become available, or less, the picture would undoubtedly have to be revised, perhaps radically. There is no way that we, at this distance in time, can ‘solve’ an ancient mystery case. Indeed, when we consider the difficulties faced by a modern enquiry into a comparable public scandal, we become aware of the extreme difficulty of establishing even an approximation to the truth. Those personally involved are concerned to obfuscate the truth; witnesses are often unreliable owing to bias, faulty memory, or fear of repercussions for themselves; judges may be time-serving, or subject to pressure from those in positions of higher authority; even the public interest in uncovering the truth may be detrimental to the objective pursuit of the enquiry. Modern trials are often plagued by excessive media coverage, exerting a powerful influence over the perception of a case among the general public and the jurymen even before a trial has begun. Thucydides indicates at several points that in his opinion it was public zeal to root out the culprits in 415 which impeded a calm assessment of the case (6.53.2–3; 60.2 *καθ’ ἡμέραν ἐπεδίδοσαν μάλλον ἐς τὸ ἀγριώτερον*; *ibid.* 4 *δεινὸν ποιούμενοι*; 61.2 *ἐθορυβοῦντο* etc.). As volume on volume of evidence accumulates in a modern enquiry or trial, one sometimes has the impression that the truth becomes more and more elusive, like a rabbit going deeper to ground the more one digs. In a way, then, the position with ancient cases is simpler: there is less evidence; what there is is easier to assemble into a meaningful order for that reason. As long as one remains aware of the tentative nature of any conclusion based on the available evidence, it is fair to assess the actions and motives of those involved in 415.

The second section examines the Herms and Mysteries affair in a wider perspective. First I consider the question of how, and to what extent, religious factors appear from our sources to have been relevant both for policy-making in Athens and other cities, and for individual conduct in this period. The reverse of this question — how the Peloponnesian War and the strains it imposed on Athenian society can be seen to have affected public morals and religious practices — is also considered. The next chapter compares the Herms mutilation with the widespread phenomenon of divine signs either observed or induced prior to a public or private undertaking. Then I devote a chapter to the argumentative strategy taken by Andokides in his defence speech and by the anonymous

prosecutor in [Lysias] 6. Comparison of these two speeches reveals on the one hand how religious guilt was perceived and argued in an Athenian law-court and on the other how a defendant could seek to refute these accusations by rational arguments. Two appendixes deal with important issues or sources for the main argument requiring separate treatment: an attempted reconstruction of the absolute chronology of events in spring/summer 415, and the passages of Old Comedy which allude to the impieties and the ensuing trials.

Of our sources, Thucydides gives the incidents detailed treatment in the sixth book of his *History*, including an excursus on Harmodios' and Aristogeiton's attempt on the tyrant Hippias' life, by way of explaining the Athenian people's anxiety in 415. Without our imputing infallibility to the historian, Thucydides' word on the Herms and Mysteries affair should carry maximum weight among our sources. Whilst it is true that he was not in Athens in 415, and himself declared the impossibility of knowing precisely who the guilty parties were,⁴ there is no reason why we should doubt what the historian does see fit to tell posterity. He had access during his period of exile to various parties involved in the events (Alkibiades included) and he returned to Athens after the amnesty, where he could have checked his material against the statements of other witnesses, including Andokides himself. Some recent work on the Herms has the defect of not according Thucydides pride of place among contemporary sources.⁵ Beyond these relatively short sections dealing with the impieties of 415, Thucydides' history as a whole provides the framework and basis for discussion of almost all questions relating to the period of the Peloponnesian War.⁶ He has little to say about religion generally in Greece in this period; the remarks he does make are all the more valuable as, for one thing, they are likely to be true, and, for another, Thucydides is unlikely to have included them unless they were important. He has filtered the whole mass of religious scruples and predictions at the time through a fine mesh of scepticism (cf. 5.26.3); what remains is pure ore.

Four speeches ascribed to Andokides survive, of which two certainly and possibly three relate to the events of 415. Of primary importance is Andokides 1, *On the Mysteries*, which is his defence against the charge of impiety in 400 BC, possibly 399.⁷ Although the charge itself related strictly only to Andokides' participation in the

⁴ Cf. Thuc. 6.60.2: εἴτε ἄρα καὶ τὰ ὄντα μηνῦσαι εἴτε καὶ οὐ· ἐπ' ἀμφότερα γὰρ εἰκάζεται, τὸ δὲ σαφὲς οὐδεὶς οὔτε τότε οὔτε ὕστερον ἔχει εἰπεῖν περὶ τῶν δρασάντων τὸ ἔργον. '(sc. Andokides was persuaded) to confess either to what really happened, or not; the case is argued both ways and nobody then nor subsequently can state the truth about the men who did the deed' — this formulation points to doubt in two directions: (a) whether Andokides' confession was truthful or not (b) that nobody knew the truth about the identity of the culprits. (b) is not quite the same as saying 'nobody knows exactly what happened or why'. Ibid. 4: κὰν τοῦτω οἱ μὲν παθόντες ἀδελον ἦν εἰ ἀδίκως ἐπειμώρηντο 'It was unclear in this matter whether or not the victims had been punished unjustly ...' This statement also points more to doubt about the identity of the true culprits, than about the nature or gravity of the crime itself.

⁵ This is one aspect of MacDowell's commentary on Andokides, *On the Mysteries*, (pp. 175–76) with which I must disagree (see pp. 55–57).

⁶ Read in combination, needless to say, with the *Historical Commentary on Thucydides*, vol. I–III (books 1–5, 24) by A. W. Gomme, and especially vol. IV (books 5. 25–27) by A. Andrewes and K. J. Dover (Oxford 1970); vol. V (book 8) by A. Andrewes (Oxford 1981).

⁷ The main edition is MacDowell's (Oxford 1962), excellent in most respects, wilful, in my opinion, in the matter of Andokides' guilt (see pp. 55–57). Its predecessor, E. C. Marchant, *Andokides, de Mysteriis and de Reditu* (London 1889), contains much of value. See also A. D. J. Makkink, *Andokides' Eerste Rede*, (Amsterdam 1932). On the question of the date of Andokides' trial, I follow MacDowell's preference for 400 as against 399, but certainty cannot be achieved (App. J, 204–05). The question is secondary in what follows; I write '400' instead of '400 or 399' for the sake of brevity.

Mysteries in the year of the trial, the important issue was Andokides' part in the events of 415. Thus the orator's defence concentrates on establishing his (relative) innocence in the main spate of impieties in 415. The prosecution clearly accused him of participation in both crimes — the Herms and the Mysteries; Andokides seeks to establish his complete innocence in the Mysteries case, and his relatively minor role in the mutilation. As a source Andokides has the strengths and weaknesses of an interested party. On the one hand he, if anyone, knew what really happened in the Herms case, and why. On the other, he had every reason not to tell the court the whole truth, as that was likely to be damaging to his own position. Moreover, his defence speech was written thirteen years after the events it describes. This was ample time for the memory to have played tricks with objective truth. Andokides' second speech, *On his Own Return*, datable approximately to 409 BC, shows him admitting his guilt more abjectly than in 400. We can be sure that his thirteen years of exile were a period in which Andokides was constantly working on a version of his involvement in 415 which might permit his eventual return. A further slight uncertainty factor in his defence speech is the possibility that what we have is not what he told the court. 'Publication' of the speech may have been preceded by further careful vetting of its arguments and formulation.

All these considerations do not, however, render Andokides a totally unreliable source. They are balanced by counter-considerations. Andokides documents his case systematically and credibly; he calls on witnesses to support almost every section of his argument; at key points in the argument (when listing indictments in both the Herms and the Mysteries affairs) he challenges any member of the audience including relatives of those men whom he personally had named in the Herms affair, to come forward with evidence he has omitted, or to refute his version of the events:

In addition to this, gentlemen of the jury, I will also do the following to make my case plausible in your eyes. Of the men who were implicated in the Mysteries case, some died in exile but others have come back and are present here — indeed I invited them to attend. I wish to make the following concession in the course of my speech: anyone who wishes may refute me and name someone who fled because of my (sc. evidence), or whom I accused, and refute the fact that they all fled because of the accusations which I have enumerated to you ... I will stop speaking and let anyone who wishes step up... (25–26)

He also cites official records of the various indictments which had been made in 415 in connection with both crimes; the names listed in these documents coincide to an encouraging degree with the famous inscriptions known as the Attic Stelai (on which below), drawn up in 415–14 to record the sale of property of those condemned for impieties against the Eleusinian deities. Whilst fifteen years may have been enough to blur memories of 415, it was not long enough to obscure the facts of the case as they had emerged in 415, nor to ensure that men who knew what had happened in 415 were all dead. If Andokides' defence strayed too far from the truth, there were men present at the trial in a position to refute him.

Moreover we should recall that Andokides was seeking rehabilitation in Athens with a view to pursuing a political career ([Lys.] 6.33). It was important to him, not merely to secure an acquittal by fair means or foul, but to salvage enough of his reputation to permit him to run for public office. This is a point emphasized by Andokides himself:

It is now up to me to give a truthful account of my actions; the very men who committed the crime and went into exile because they did it are here now. They are in the best position to know whether I am lying or telling the truth. They may

refute me in the course of my speech. I bid them do so. It is essential that you learn what happened. For this, gentlemen, is the most important aspect of my trial to me: if I am acquitted, that I should not appear a scoundrel to you; rather, that you and everyone else should realize that not one of my actions reflected either my base character or cowardice... (55–56)

Andokides' first speech, then, is our most detailed source on the Herms and Mysteries affairs of 415, but one which must be used with caution. The principle has been established by MacDowell and Dover⁸ that Andokides' word carries weight unless he can be shown to have had good reason to suppress or distort any particular aspect of the case which threatened his position. Another important principle also needs stressing: Andokides' account can be correlated in broad outline if not in detail with the Thucydidean version. Where Andokides agrees with Thucydides, there is hardly a better way of knowing what happened.

Andokides' second speech, *On his Own Return*, dating to c. 409,⁹ is earlier than the defence speech. It is the speech Andokides delivered before the restored Athenian Assembly pleading to have his ἀτιμία, partial loss of citizen-rights, repealed. The speech contains some indirect references to Andokides' disgrace in 415 but no concrete information. Its tone is more pleading than the confident tone of the defence speech in 400. The strategy is essentially the same — to confess to a pardonable minimum of guilt — but Andokides grovels abjectly in 409 (note esp. §9ff.) compared to his measured reason in 400. Nor was the time ripe for his return in 409. It was too soon after the failed oligarchic coup of 411, and his own failed attempt to return to Athens under the oligarchs.

His third speech *On the Peace with Sparta* is the speech delivered by Andokides in Athens in 392/1 BC in his capacity as Athenian ambassador to Sparta. Andokides argues for making peace with Sparta. His proposal failed; in fact he and his fellow envoys were accused of collaborating with the enemy and Andokides fled once more, before trial (Philochoros F149 quoted in Didymos' commentary on Demosthenes 19, 276–80; *Life of Andokides* 12). The speech gives us no information on the Herms and Mysteries affair. Anna Missiou has used the speech to show that even at this stage Andokides was a thorough-going oligarch, intent on subverting the resurgent imperialism of the Athenian demos.¹⁰ If this can be proved — the case is over-argued in many places — it is relevant to the political sympathies Andokides may have had earlier in his life.

Andokides' fourth speech, *Against Alkibiades*, is a rhetorical tirade against Alkibiades, purporting to relate to the last instance of ostracism at Athens, at which Alkibiades appears to have clubbed together with Nicias to have the ostracism vote deflected onto the demagogue Hyperbolos (?416 BC). In an earlier article I argued that the speech may well have been written by Andokides, but that, if this is the case, it should be considered a political pamphlet written by Andokides in somebody else's name (?Phaiax).¹¹ Thus it is a forgery in the narrow sense of a speech delivered by its author at an ostracism, but not necessarily a forgery within the *Corpus Andocideum*. If I am right that Andokides wrote it

⁸ In his valuable excursus on the Herms and the Mysteries in *HCT* IV 264–288.

⁹ Editions: Marchant 1889, above n. 9; U. Albin (ed.), *Andocidae*, de Reditu (Firenze 1961). On the dating question see also J. L. Marr, 'Andocides' part in the Mysteries and Hermai Affairs', 415 BC, *CQ* 65 (1971) n. 1 (a few months after April 410); K. J. Maidment, *Minor Attic Orators* I, Harvard U. P. (Loeb edition, Cambridge, Mass. 1968) 454–58 (409–08 BC); MacDowell, *Mysteries* 4 n. 9 (410–405 BC).

¹⁰ *The Subversive Oratory of Andokides. Politics, Ideology and Decision-making in democratic Athens*, (Cambridge 1992).

¹¹ 'Andokides IV (*Against Alkibiades*): fact or fiction?', *Hermes* 117 (1989) 138–56.

in 415 BC while still a free man in Athens, it points to strong antipathy between Andokides and Alkibiades. Such an antipathy between the two men is congruent with my main argument, but the latter does not stand or fall on the question of the authenticity of this speech. The biographical material on Alkibiades also gains in historical stature if it derives from a contemporary source.

Of great interest is the sixth speech in the *Corpus Lysiacum*, entitled *Against Andokides*. It reads like a speech for the prosecution at Andokides' trial in 400, and indeed it may be just that. If it is, we are in the almost unique position regarding an ancient law-suit of possessing speeches both of the prosecution and the defence. We know the names of four of Andokides' prosecutors at the trial: Kephisios, Meletos, Agyrrhios and Epichares. Of these four we can only rule out Kephisios as the author of this speech, as he is mentioned unfavorably in it (42). The only other datum is that the author was in all probability a member of the Eumolpid clan, as his grandfather had been Hierophant of the Eleusinian cult (54). The question remains: is the piece a genuine speech for the prosecution at the trial or is it a pamphlet written after the trial by someone incensed by Andokides' acquittal? There is no way of knowing, and in fact it perhaps makes little difference. The issues raised by this speech are precisely those addressed by Andokides: if this is not a genuine forensic speech but rather a literary pamphlet, it contains much the same material as one speech for the prosecution certainly contained. Whether Lysias himself could possibly have written a speech in a spirit of such fanatical piety depends on one's estimation of Lysias' *ἠθοποιία*.¹² As to the veracity of the speaker's arguments, that is a matter for detailed explication in the course of my argument: it can be said here that the speaker exaggerates Andokides' guilt in the manner deplored by Andokides as *τολμησαι κατηγορησαι*, 'brazen accusation' (1.23).

A number of inscriptions dating from the last three decades of the fifth century BC bear on the religion of the period and on the impieties themselves. First and foremost come the Attic Stelai, of which we possess numerous fragments.¹³ These were originally stelai erected in the vicinity of the Eleusinion in Athens; their purpose was to publish the results of the sale of property belonging to men convicted of impiety against the Eleusinian goddesses, Demeter and Kore, in 415 BC. The date of the sales and hence of the inscriptions spans two years at least, as the process of confiscation and sale of property distributed throughout Attika and overseas was time-consuming. The records take the form of a heading bearing an individual's name, sometimes accompanied by the crime of which he was found guilty (impiety against the Goddesses or impiety against the Mysteries), followed by a list of his sold property with its sale price adjoining. The Stelai do not prove a man's guilt at the time, but they do establish beyond doubt which men were found guilty of impieties against Eleusis; Alkibiades and close associates of his, Axiochos and Adeimantos, feature prominently. As mentioned above, the Stelai offer valuable confirmation of Andokides' testimony as to the individuals charged and

¹² Marr, 'Andocides' Part' 334 n. 1, argues that the text is an authentic prosecution speech, most probably delivered by Meletos, the man who also prosecuted Sokrates. K. J. Dover, *Lysias and the Corpus Lysiacum* (University of California Press, Berkeley and Los Angeles 1968) 78–83, seriously considers the possibility that Lysias himself composed the speech for Meletos, adapting his language and style to suit the religious zeal and superstition of his client. MacDowell, *Mysteries* 14–15, takes the piece as a genuine prosecution speech, probably not written by Lysias, delivered by Meletos, Epichares or Agyrrhios. He cites G. Begodt, *De oratione κατ' Ἀνδοκίδου quae sexta inter Lysiacas fertur* (Münster 1914) in support of this view (14 n. 4).

¹³ Published in various numbers of *Hesperia*, references to which will be found on p. 45. Most recently published by D. Lewis, in *Inscriptiones Graecae*, editio tertia (Berlin 1981) (= IG³), 1, nos. 421–30, pp. 402–24.

convicted of the impieties, although by no means all individuals mentioned by Andokides recur on the Stelai. The reader may notice that I am cautious to say that the Stelai bear the names of those convicted of impiety against Eleusis, not against the Herms. This reflects the fact that the crime of mutilating Herms is mentioned nowhere on the extant fragments of the Stelai, and one might wonder whether the Eleusinion was a suitable place for a display of records relating to Hermes' cult. Chapter Three considers this in more detail. Over and above their prosopographical value, the Stelai also give us an idea of the social status of the offenders concerned, by listing their personal possessions and property. This has been used by Aurenche and Oswald in particular as evidence of the affluence of the majority of offenders, and hence of the class of citizens to which they belonged.¹⁴

Another inscription important to my argument is the so-called Eleusinian Aparchai Decree, consisting of a decree passed by the Athenian Council and Assembly on the Aparchai, first-fruit offerings of grain, payable annually by the inhabitants of Attica and the other Greek states, to the Eleusinian goddesses.¹⁵ The decree stipulates the amount of grain each Attic deme and each subject state must contribute to Eleusis, and invites the independent Greek states to contribute voluntarily; it regulates the purchase of sacrificial animals from this grain revenue to be offered to Demeter and Kore. In terms of the festival calendar of Eleusis, the decree relates only secondarily to the Mysteries — it is at the Mysteries, when representatives from all the Greek states are assembled in Eleusis, that the announcement about the first-fruit offerings is to be made — but directly to the Proerosia in the Attic month of Pyanepsion.¹⁶ The relevance of the decree to my argument lies in the political conditions it requires for its fulfilment, peace in Greece, combined with its probable date in the period following the Peace of Nikias, 421–15. A number of scholars have argued for a dating to the spring of 415, and I accept this in my argument. This is by no means certain, however; nor is it essential to my argument. Other *leges sacrae* referred to are most accessible in Sokolowski's edition.¹⁷

Of post-classical authors Plutarch's lives of Alkibiades and Nikias give lively accounts of the 415 impieties in their historical context. Where his account is at variance with, or augments, Thucydides and Andokides, there are all the uncertainties of identifying and appraising Plutarch's source. His selection of material in the *Lives* serves in the first instance to illustrate his subject's character and life history. Thus the *Lives* have a literary and biographical quality which relegates objective historical inquiry to second place. Not that Plutarch can be accused of deliberately falsifying his sources; merely that his selection from these sources is less critical than we would like.¹⁸ Plutarch gives us more information on cult than Thucydides, as befits a priest of Delphic Apollo.

The pseudo-Plutarchian *Life of Andokides* is even more problematic. Undoubtedly it contains material absent from Thucydides and Andokides, but there is little reason for confidence in these departures. Its value as a source must be considered point for point,

¹⁴ Aurenche, *Les groupes* 123ff.; M. Oswald, *From Popular Sovereignty to the Sovereignty of Law: Law, Society and Politics in Fifth-century Athens* (University of California Press, Berkeley 1986) Appendix C pp. 537–50, with criticism of Aurenche's lists.

¹⁵ IG³ 1, 78, pp. 92–93.

¹⁶ Cf. Parke, *Festivals of the Athenians* 73.

¹⁷ F. Sokolowski, *Lois Sacrées des Cités Grecques, Supplément*, (Paris 1962); *Lois Sacrées des Cités Grecques* (Paris 1969).

¹⁸ On the problem generally, D. A. Russell, *Plutarch* (London 1973) 42–62; on the *Alkibiades*, *ibid.* 117–29; F. J. Frost, *Plutarch's Themistocles*, (Princeton University Press 1980), 40–59; (*id.* *The Scholarship of Plutarch*, (Diss. University of California Press, Berkeley/L.A. 1961)); P. A. Stadter, *Plutarch's Historical Methods* (Cambr. Mass. 1965); J. R. Hamilton, *Plutarch*, Alexander, (Oxford 1969) xxxiii–lxii.

but also with respect to the reliability of the *Lives of the Ten Orators* generally.¹⁹ The Oxyrhynchos *Life of Alkibiades* gives an interesting narrative of this portion of the politician's life, without adding a great deal in the way of new information.²⁰ The Byzantine lexika contain some useful citations from lost works.

The Herms and Mysteries affair was important to the ancient Athenians because it seemed to them that prominent individuals were engaged in attacking cult institutions which constituted the very core of their ancestral tradition. In fourth-century oratory 'smashing up Hermes statues' and 'profaning the Mysteries' became synonymous with bad character, slogans with which to denigrate one's opponent; the prosecutor of Alkibiades Jnr. in 395 BC appeals to the jury as follows: "And you should ask yourselves, gentlemen, what reason you could have for sparing such men as these. Is it because, unfortunate though their public career has been, they are otherwise orderly persons, who have lived sober lives? Have not most of them been whoring, while some have lain with their sisters, and others have had children by their daughters; others, again, have performed mysteries, mutilated the Hermae, and committed profanity against all the gods and offences against the whole city ..." (Lysias 14.41–42 trs. Lamb). And when Plato in the *Laws* treats *hybris*, he considers offences such as those committed by the Hermokopidai of the utmost gravity: "Of the remaining offences the most serious are the misconduct and riotousness of youths, and these are most serious when committed against sacred institutions, and especially serious when the cults offended against are public and holy, or the public property of members of a *phyle* or other such corporations".²¹ Aristophanes' coinage in the *Lysistrata* of 411, *Ἑρμοκοπίδης*, literally 'son of Hermes-basher' (l. 1094), implies a genealogy of impiety whereby son inherits father's propensity toward smashing statues of the god. In short, the Herms mutilation and the Mysteries profanation passed rapidly into folk-history in Athens, becoming paradigmatic of scandalous behaviour.

In the modern period, there has been a tendency for the Herms and Mysteries affair to fall between the two stools of ancient history proper and the history of ancient Greek religion. Ancient historians, following Thucydides, have not failed to recognize the importance of the affair both for individual statesmen such as Alkibiades or Andokides, and for the course of the Sicilian Expedition, but there has been a reluctance to accept that the public outcry at the time matched the gravity and import of the crime itself. On the contrary, the mutilation has frequently been depicted as the work of drunken youths out on a spree — not something planned, and certainly not with the conspiratorial intent which Thucydides tells us contemporary Athenians imputed to the deed. And the profanations allegedly committed by Alkibiades and his circle have been portrayed as the high-spirited illicit fun which often happens at private parties.²² This tendency to play down the importance of the sacrilegious acts themselves seems to me to derive from a

¹⁹ Cf. MacDowell, *Mysteries* 166: '... it would be rash to accept statements of the Life of Andokides ... as indubitable truth.' Dover, *Lysias* 39: 'The Lives of the Ten Orators do not in general command our respect, and in historical technique they fall far below the standards of Plutarch.'

²⁰ *POxy.* III, edited by B. D. Grenfell and A. S. Hunt (Oxford 1903) no. 411.

²¹ 884 μέγιστα δὲ τῶν λοιπῶν αἰ τῶν νέων ἀκολασίαι τε καὶ ὕβρεις, εἰς μέγιστα δέ, ὅταν εἰς ἱερὰ γίνωνται, καὶ διαφερόντως αὐτὰ μεγάλα, ὅταν εἰς δημόσια καὶ ἄγρια ἢ κατὰ μέρη κοινὰ φυλετῶν ἢ τινῶν ἄλλων τοιούτων κεκοινωνηκότων. Plato may have had the mutilation of 'Andokides' Herm' in mind in the formulation of this last phrase, as it was a dedication by the tribe of Aigeis (And. 1.62, see below pp. 64–65).

²² See below p. 28 n. 67.

number of factors. On the one hand there is the scepticism of Thucydides himself, our chief witness. He says that the Athenians ‘over-reacted’ to the mutilation of the Herms (6.27.3: *καὶ τὸ πρᾶγμα μειζόνως ἐλάμβανον*), and in the subsequent narrative makes a number of comments indicating his disapproval of the Athenian handling of the affair; at 53.2 he criticizes the Athenians’ readiness to accept the testimony of ‘scoundrels’ against ‘highly respected citizens’ in the Herms and Mysteries affair; and at 60.3 he comments that the Athenian populace was happy to accept Andokides’ confession (*ἄσμενος λαβών*), even though it was totally unclear whether this was truthful or not. In short, Thucydides indicates that, in his view, the Athenian people allowed their superstitious fears to cloud their judgement in dealing with this dubious business.

But the modern interpreter is faced with another hurdle when assessing the Herms and Mysteries affair. It requires an imaginative leap to understand why the vandalism of ithyphallic stone statues, or the private mimicking of initiation ceremonies, could cause such an outcry. There is no area of ancient society which has vanished so completely from our modern awareness as the feeling that the company of Olympian gods is acting behind the scenes, registering offences and worthy deeds, aiding the pious and punishing the impious. There was sufficient scepticism about this among intellectuals in antiquity (Thucydides above all); but we stand at a double remove from the religious sensibility of the ‘common man’ of antiquity: on the one hand Western society has become imbued with two millennia of Christian belief, with its overt polemic against the ‘paganism’ which came before it; and on the other, the scientific revolution of the last two centuries has eroded the areas in which the Christian gospel is considered literally true to a precarious minimum. That we should be prepared to take two large steps in the reverse direction and once more pay serious attention to the signs revealing the pleasures and displeasures of a vanished tribe of gods, is asking almost too much of the ancient historian.²³ And yet, if we are to understand what happened in the Herms and Mysteries affair, and why, we must do just this. My chapter Five on ‘Religion and Politics during the Peloponnesian War’ attempts to narrow this credibility gap.

Conversely, the history of Greek religion in the modern period has suffered from a tendency to consider the object of its study as a separate and clearly-defined entity within Greek society. Religion is seen as what the Greeks did at their temples and what they told about their gods in myth. Just as the worshippers moved away from profane ground to sacred territory to offer prayer and sacrifice, so it is thought that religion, as in modern society, was an activity for specific occasions at marked locations, without inextricable links with the rest of life. This approach has led to a concentration on cult as the essence of religion.²⁴ The Herms and Mysteries affair is interesting in this respect as it constitutes a case where different areas of public life — cult and politics — can be seen to interact. Here we have, not the norm whereby individual or group worship confirms traditional practice by repeating it, but the opposite: prominent members of society deliberately seek out important cult institutions in order to do violence to them. Their behaviour constitutes

²³ See below, p. 71.

²⁴ E.g. MacDowell, *Mysteries* 6: “Greek religion (I am speaking now of the ordinary man, not of philosophers and poets), depended more extensively on outward forms, on the performance of certain well-defined procedures which the gods liked, and the avoidance of actions which gave offence to them. ...” Or Cartledge, *Greek Religion and Society* 98: “One thing, though, is pretty clear. Classical religion was at bottom a question of doing not of believing, of behaviour rather than faith.” The major works on Greek religion of this century, by Nilsson, then Burkert, share, despite their towering achievement, a predilection for the bizarre features of myth and ritual which emphasize the ‘otherness’ of cult from ‘normal’ behaviour.

the inverse of normal worship, but is equally — if not more — expressive for that reason. We have here an instance in which religion breaks down; where, to use modern terms, a church is used to stage a sit-in, or hunger-strike. Normal worship is the demonstrative assertion of accepted beliefs and rituals; the mutilation of the Herms and the profanation of the Mysteries are the non-verbal denial of these. The precise interpretation of what was intended or expressed by this denial constitutes the main onus of this study.

CHAPTER ONE

The Mutilation of the Herms

There is something faintly ludicrous, to our eyes, about the classical herm: a perfectly formed, virile head of a masculine figure in his prime, usually bearded, rests atop a square, slightly tapering shaft for a body, whose only other features are two square projections emerging where one would expect shoulders, and an erect, complete set of male genital organs set at the appropriate height up the shaft. More often than not a distinctly trite epigram was inscribed on one or more sides of the monument's tetragonal base. Yet the vandalization of almost all of these numerous statues of Hermes in 415 precipitated the city of Athens into a state of vindictive panic, and fear for the very constitution. Obviously any account of the political and religious aspects of the act of vandalism must first come to grips with these curious effigies in Athens at the time.

i. A survey of the Monuments

Thucydides tells us that many of these Herms stood 'in the entrances of private homes and temples' (6.27.1: *πολλοὶ καὶ ἐν ἰδίοις προθύροις καὶ ἐν ἱεροῖς*). The Greek might be construed to mean 'both in private entrances and in temples' (i.e. not necessarily at the entrances of temples), but the balance of *καὶ ἐν ἰδίοις ... καὶ ἐν ἱεροῖς*, combined with the archaeological evidence as to the siting of Herms at the entrances of temples (which I present below), tells in favour of the first version.¹ How far can Thucydides' statement be substantiated?

Archaeology and later literature give us a reasonably clear picture of the Herms which stood in public places, less clear on those associated with private cult. Starting with the Agora, the civic nerve-centre of Athens and a sacred precinct in itself, containing a number of important sanctuaries, we find a particularly dense concentration of Herms in the NW corner, which is the way into the Agora for anyone entering on the Sacred Way, and possibly the main entrance into Athens itself when the city wall ran tangentially to the Agora, before the extension of the city bounds associated with the Themistoclean wall (early fifth century).² Such was the proliferation of Herms in this area, that the name *Ἑρμαῖ* was given to this area of the Agora itself (Xen. *Hipparchikos* 3.2; Lysias 23.2–3; Aischin. 3.183; Harpokr. s.v. *Ἑρμαῖ*). In the same area there was apparently a building known as the Stoa of the Herms (Aischin. 3.183), but archaeology has failed to locate this, although the Royal Stoa and the Painted Stoa in the same corner of the Agora have

¹ J. Hatzfeld, *Alcibiade* (Paris 1940) 161 and n. 3, for example: '... dans les sanctuaires et devant l'entrée des maisons particulières ...'. Simon, *Götter der Griechen* 303, reads it as I do. See G. Siebert, 'Hermès' in: *LIMC* V (1990) 285–378, for a catalogue of the monuments and general discussion.

² E. B. Harrison, *The Athenian Agora XI* (Archaic and Archaistic Sculpture) (Princeton 1965) 114.

been clearly identified.³ Doubts as to the existence of this mysterious edifice⁴ cannot seriously be entertained in view of an inscription which was recently unearthed, specifying dedication 'In the Stoa of the Herms'.⁵ The simplest explanation for the discrepancy between evidence for the existence of a Stoa of the Herms and its later disappearance (Pausanias does not mention it in his tour of the Agora) seems to be, with Harrison,⁶ to assume the building's destruction, possibly during Sulla's attack, and the subsequent failure to rebuild it.

A glimpse of how and where this plethora of Herms was situated in the NW corner of the Agora is afforded by the excavation of the Royal Stoa, where the remains of no fewer than nineteen Herms were discovered, with four bases still in situ; two of the latter stood on the steps leading into the Royal Stoa, and two were found immediately adjacent.⁷ These Herms derive from the fourth century and later, and were dedicated typically, it seems, by the Archon Basileus, the Athenian official particularly responsible for religious affairs, sometimes together with his coadjutors (*πάρεδροι*).

There was a particularly famous trio of Herms among the Agora collection: the three set up to commemorate Kimon's victories over the Persians after the battle at Eion (c. 475 BC), in front of the Stoa of Zeus, Giver of Freedom (*Ζεὺς Ἐλευθέριος*).⁸ These bore inscriptions commemorating the bravery of the Athenians, without — and this point of modesty is the one singled out by Aischines for praise — mentioning the generals' names. The unique character of this triad lends credence to the view that a Louvre vase by the Pan Painter (c. 470) depicts these very three.⁹

Before leaving the Agora we should perhaps mention the fully anthropomorphic statue of Hermes of the Market Place (*Ἀγοραῖος*) which stood in the middle of the Agora according to Pausanias (1.15.1; schol. Aristoph. *Knights* 297), adjacent to the altar of Zeus of the Market Place (cf. Aristoph. *Knights* 297 and 410).

Somewhere in the vicinity of the Agora, if not actually within its compass, stood the famous Herm of Andokides — so-called because it stood close to the orator's home, and was one of the very few (the only one, says Andokides, 1.62) to escape mutilation that night. In fact the herm was a votive offering of the tribe Aigeis, erected in conjunction with the sanctuary of the Attic hero Phorbas.¹⁰ It has been argued that Andokides' words addressed to the jurymen at his trial 'the herm which you can all see' (1.62), mean that the herm was visible from the Royal Stoa, where Andokides' trial was heard, but they may simply mean that the herm was a conspicuous public feature in Athens. Harrison

³ T. Leslie Shear, Jr., 'The Athenian Agora: Excavations of 1980–82', *Hesperia* 53 (1984) 40.

⁴ For example, A. von Domaszewski, *Die Hermen der Agora zu Athen*, Sitzungsber. der Heidelberger Akademie der Wissenschaften (Heidelberg 1914) 10. Abh. 14.

⁵ Leslie Shear Jr. 1984, 40; cf. Harrison 1965, 109–10.

⁶ 1965, 109–10.

⁷ T. Leslie Shear Jr., 'The Athenian Agora: Excavations of 1970', *Hesperia* 40 (1971) 255–59.

⁸ Cf. Wade-Gery, *JHS* 53 (1933) 82–95; F. Jacoby, *Hesperia* 14 (1945) 185–211.

⁹ E. Simon, *Die Götter der Griechen* (München 1985) 312 and pl. 295. R. Osborne, 'The Erection and Mutilation of the Hermai', *PCPS* 211 n.s. 31 (1985) 58–64. For criticism of this article, see below, n. 39. In connection with the Eion memorial, Osborne criticizes an interpretation recently put forward by C. W. Clairmont, *Patrios Nomos. Public burial in Athens during the fifth and fourth centuries B.C.*, part 1 (= B.A.R. 161 [j]) (Oxford 1983) 149–54. Both these writers, however, seem agreed on the iconographic reference of this vase to the Kimon Herms, a connection which only seems cogent to us, perhaps, because we do not know of any other trios of Herms from literature. The triple herm may not have been unique in Athens, however. Clairmont and Osborne differ on the question of whether the Eion herms were purely political and thus anomalous *qua* herms (Clairmont) or typical of the genre herm (Osborne p. 64).

¹⁰ Harpokration, s.v. Ἀνδοκίδου Ἐρμῆς.

comes to the tentative conclusion that both Andokides' house and Phorbanteion herm were located to the SE of the Agora, close to the Theseion.¹¹ She writes: 'the herm of Andokides was not one of 'The Herms' but is to be classed among the sanctuary herms'.

Still in the vicinity of the Agora, we have an inscribed base from the Eleusinion which was probably a herm. The inscription states how Lysistrate, priestess of Demeter and her daughter, devoted a statue as a 'decoration to their doorway' (*προθύρο κόσμον*). If the *ἄγαλμα* concerned was a herm, we have here a good example of a 'temple Hermes' standing at the entrance of a sanctuary as a kind of divine gate-keeper.¹²

With his official title of 'Hermes of the Entrance' (*Προπύλαιος*) stood perhaps the most famous Athenian herm, that by the artist Alkamenes, at the entrance to the Acropolis (Paus. 1.22.8). The original dated to the late fifth century BC. It was copied both at Pergamon and Ephesos.¹³

It is possible that a dedicatory inscription found on the Acropolis itself belonged on a Hermes statue, although Raubitschek has argued that the figure may well have been a Nike or an Iris, not Hermes.¹⁴ The inscription tells of a dedication in the name of the Athenian general Kallimachos to Athena, in conjunction with the battle of Marathon. We have here an instance of a herm dedicated by a private individual which acquired, in view of Kallimachos' heroic death, the character of a public monument. We have already noted the herms dedicated at the Royal Stoa by the Archon Basileus; Lysistrate's votive statue to Demeter and Kore may also have been a herm. The dedication of a herm in a public context appears to have been a way of commemorating one's official function in the city.

There was an ancient xoanon of Hermes in the Erechtheion which was said to have been a votive offering of Kekrops (Siebert 8a). In Hesychios' dictionary we read under the entry for Uninitiated Hermes (*Ἑρμῆς Ἀμύητος*) that a statue bearing this name stood on the Acropolis at Athens, but the entry does not tell us the date of dedication, nor its type, whether herm, or anthropomorphic statue of the god. It should be added that it is most unlikely that the herms and statues of Hermes on the Acropolis were damaged by the vandals in 415, as access to the Acropolis was restricted. This probably applies also to the statue of Hermes in the temple of the Semnai Theai on the Areopagus (Pausanias 1.28.6).

¹¹ 1965, 120. W. Judeich, *Topographie von Athen* (München 1905) (*Handbuch der klassischen Altertumswissenschaft* Bd. III 2, 2), 314, doubts the proximity of the Phorbanteion to the Theseion, pointing out that it belongs in the city Trittyis of the tribe Aigeis (the 'Herm of Andokides' was also set up by this tribe). Cf. Kron, *Phylenheroen* 232–36.

¹² Cf. Harrison 1965, 121; see W. K. Pritchett, *Hesperia* 9 (1940) 97–101, no. 18, for original publication of the text.

¹³ Cf. Harrison 1965, 122–24. It was a copy of the Alkamenes herm which was erected in Pergamon: cf. Osborne, 'Erection and Mutilation' 57, and n. 51. Siebert, 'Hermès' 374, questions the attribution of the statue to Alkamenes: 'Il ne me paraît pas établi que le Propylaios cité par Pausanias à l'entrée de l'acropole d'Athènes soit le chef-d'oeuvre d' Alcamène vanté par l'inscr. de Pergame'.

¹⁴ A. E. Raubitschek, *Dedications from the Athenian Akropolis* (Cambridge, Mass., 1949) no. 13 pp. 18–20. Previous editors had ascribed the inscription without much questioning to a (lost) herm (e.g. M. N. Tod, *A selection of Greek Historical Inscriptions* (Oxford² 1951) p. 16). Raubitschek's suggestion that an Iris or Nike was the *ἄγγελον ἀθανάτων* named in the inscription, was based on matching up the diameter of the column on which the inscription stood with that of a certain capital and statue of a winged female deity found on the Acropolis (he argued the case in *AJA* 44 (1940) 53). F. Jacoby, *Hesperia* 14 (1945) 158 n. 8, disputes that Raubitschek has proved his case; Jacoby prefers to think a Hermes topped the column. On the text of the inscription see B. B. Shefton, 'The dedication of Callimachus', *BSA* 45 (1950) 140–64.

Slightly later than our year, a notice deriving from the historian Philochoros (Jacoby *FGH* III B 328, 40 = Harpokr. s.v. *Ἑρμῆς*) informs us that the nine archons erected a herm 'at the gateway' (*πρὸς τῆ πυλίδι*) in 395/4 BC when they began to rebuild the Piraeus walls. Likewise, excavations at the harbour town have turned up the remains of numerous Herms.¹⁵

In the Kerameikos area of Athens we hear of a 'three-faced Hermes' erected at a crossroads. The sides of the tetragonal base bore a sign-post indicating the direction in which the various paths led. The herm was made by one Telesarchides and dedicated by a lover of the Peisistratid Hipparchos (one Prokleides: Steph. Byz. s.v. *τρικέφαλος*, quoting Philochoros). Hence it is seen in conjunction with the Hipparchian Herms generally (on which more below), as these were road-markers indicating distances and directions in Attica with respect to Athens. Hesychios (s.v. *Ἑρμῆς Τρικέφαλος*) tells us that Aristophanes played on this herm in his piece entitled *Τριφάλης* (see Aristophanes fr. 555–69 *PCG*).

I conclude this survey of the traceable Herms in classical Athens with the head of a herm which most probably came adrift from its column in the mutilation itself.¹⁶ The head was found as part of a votive deposit in a small sanctuary in the Agora adjacent to where the herm had stood. Shear writes: 'It had stood no doubt among other Herms at the northwest corner of the Agora, and on the morrow of its mutilation we may guess that it found its way into the neighboring sanctuary at the hands of some frightened citizen who dropped it with a silent prayer of *absit omen*'. Precise dating of this herm and its fate is facilitated by ostraka found among the same votive deposit, bearing the names of men involved in the last Athenian ostracism, probably in 416 BC.¹⁷ The lack of weathering on the herm's marble surface shows that it had not stood long before it was mutilated, nor lain on the ground long before being placed in the sanctuary. If Shear is right to see in this specimen one of the victims of the 415 mutilation, then it offers valuable evidence as to *how* the Herms were damaged: this one was decapitated; the slight chipping of the nose and beard might have happened when the head fell to the ground, or it might have been part of the deliberate vandalisation. In all events, the find corroborates Thucydides' statement that the faces (*πρόσωπα*) of the Herms received the particular attention of the vandals.

The above survey of Herms known to have stood in Athens is only a sample, of course, of the full original complement. In particular it is deficient in Herms from the doorways of private houses.¹⁸ We should consider the possibility that a large number of these may have been of wood (cf. a wooden Hermes in Plato Comicus fr. 188, quoted by a scholiast

¹⁵ Harrison 1965, 113.

¹⁶ T. Leslie Shear, Jr., 'The Athenian Agora: Excavations of 1972', *Hesperia* 42 (1973) 164–65, and pl. 35, a and b. Robinson, *AJA* 59 (1955) 21, had previously published a herm which he argued had been one of those mutilated in 415.

¹⁷ See T. Leslie Shear, Jr. 1973, 360–69 on the small classical shrine. Ibid. 367 for ostraka bearing names of the Younger Alkibiades, Kleophon, and Hyperbolos. Cf. E. Vanderpool, 'Ostraka from the Athenian Agora', 1970–72, *Hesperia* 43 (1974) 189–93, nos. 1 and 2 (Alkibiades Kleinio), no. 6 (Hyperbolos Perithoides), nos. 8 and 9 (Kleophon Kleippido). These ostraka were found in the context of the late fifth century, and Vanderpool relates them to the last ostracism at Athens involving Hyperbolos, which he dates to 417 BC. On the problems associated with the dating of this ostracism see Furley 1989 p. 140.

¹⁸ Siebert points out to me (in correspondence) that the question of herms positioned at the door of private houses has not been settled archaeologically. He notes small marble or clay Hermes figures found in homes at Delos in the Hellenistic period, for example, and that two cases are known of herms facing the inner court of a house (Ph. Bruneau, *Guide de Délos* 3, 1983m no. 89, cf. p. 72; G. Siebert, *BCH* 100 (1976) 808, fig. 14).

on Euripides, *Hec.* 838) and hence have not survived. Aristophanes, *Ploutos* 1153, is clear evidence that Herms could be set up in front of a private house. I see no reason to doubt Thucydides' statement that Herms were a typical adornment of both private and sacred entranceways.

ii. Their History

The Herms were a typically Athenian form of monument. When did they originate, and how develop? Herodotus says that the Athenians were the first Greeks to have Herms, and that the other Greeks learnt from the Athenians, even though he derives the Athenians' lead in this matter from his favourite 'Pelasgian' source (2.51.1). Thucydides refers to the 'native tradition' (6.27.1) from which the Athenian Herms sprang; Pausanias supplies corroborative remarks (1.24.3; 4.33.3).

Attic tradition ascribed the invention of Herms in their canonical stone form to the Peisistratid Hipparchos. This is not to say that the cult of Hermes itself was introduced at this stage: undoubtedly there was Hermes worship, and Herms also (probably of wood) before his day.¹⁹ Hipparchos, we are informed, was responsible for the systematic introduction of stone Herms as distance and direction markers in the Attic countryside. Specifically, they were set up by the roadside half-way between Athens and each Attic rural deme (Ps. Plato, *Hipparch.* 228D–229B; Harpokr. and Suda s.v. *Ἑρμαῖ*; Hesych. s.v. *Ἰππάρχειος Ἑρμῆς*). Archaeology supports our sources on this point.²⁰ The 'three-faced Hermes' mentioned in literary sources (above) is also of this type as it dated to Hipparchos' youth and marked directions in the Kerameikos. It would be erroneous, however, in my opinion, to see in Hipparchos' scheme a radical innovation, or breach, with previous popular tradition on Hermes. The religious policy of Peisistratos and his descendants generally appears to have been popularist. By way of example we may cite the establishment of the Panathenaia festival, the City Dionysia (*the* two major festivals in later democratic Athens), as well as the construction of an official altar 'To the Twelve Gods' (by Peisistratos, son of Hippias and nephew of Hipparchos) and the edition of an official text of Homer, to be used in rhapsodic performances at the Panathenaia.²¹ Needless to say, these institutions were not thrown out with the tyrants; on the contrary, they became fixed points in Athenian democracy. It is more likely, then, in my opinion, that Hipparchos' role in developing Attic Herms lay in the canonisation of a traditional form (rustic wooden Hermes statues) in marble, and their establishment as official monuments.

The Hipparchian Herms are somewhat outside our scope, as they stood in the Athenian countryside. Upon the establishment of democracy, however, herms proliferated in Athens itself, and a stylistic precedent was set in this period which was still exerting an

¹⁹ The question of what came before the stone herms cannot be answered certainly. Siebert, 'Hermès' 375, postulates as their iconographic ancestors statues of rustic figures ('Beaucoup de divinités champêtres possédaient de telles effigies, taillées dans le bois ou modelées dans la glaise'). He doubts a gradual progression from an aniconic pile of stones (*ἔρμα*) to the herm icon, partly because Hermes appears on the evidence of the Linear B tablets (cf. *LIMC* V 285) to have been anthropomorphic as early as the Bronze Age. It is likely that the stone Hipparchian Herm had wooden ancestors which have not survived.

²⁰ H. Wrede, *Die antike Herme* (Mainz 1986) 5–6. Note the one Hipparchian herm which archaeology has turned up, receiving the nickname 'Fourmont's herm': see Osborne, 'Erection and Mutilation' 51 and n. 21.

²¹ Cf. F. Schachermeyr, s.v. Peisistratos, *R.E.* vol. XIX¹ (Stuttgart 1937) 186–89, on the 'Kulturpolitik' of Peisistratos. F. Kolb, 'Die Bau-, Religions- und Kulturpolitik der Peisistratiden', *JDAI* 92 (1977) 99–138.

influence on Herms manufactured several centuries later.²² The typical style is severely classical, with traces of archaic features such as the archaic smile.²³ The fifth-century Herms are normally bearded and, almost without exception, ithyphallic. Exceptions to these characteristics begin to appear toward the end of the century. As to the dating of the dedication of specific Herms, the most famous of the Agora Herms was the trio set up in connection with Kimon's victories, mentioned above; a large base bearing an inscription commemorating victory over the Persians antedates this, but there is scholarly debate as to whether the base supported a herm — which, if true, would provide a precedent for Kimon's Herms — or a statue of a different type.²⁴ We have also mentioned Kallimachos' herm on the Acropolis associated with the battle of Marathon. The Herms associated with specific historical events are, however, only a fraction of the total. We must imagine the majority of the Herms set up in fifth-century Athens, such as the ones from the Eleusinion or the Phorbanteion, as outdoor monuments whose principal connection was with the temple or private dwelling outside which they stood, without commemorating any particular event. It is scenes of sacrifice or worship in front of these Herms which became such a popular motif in vase-painting in the fifth century (see below).

The noun 'herm' obviously derives from the proper name Hermes; no distinction was felt by the Greeks. The herm was, simply, the cult image of Hermes. This direct equation suffered distortion by assimilation into Latin, as Mercury became the name of the god, whilst the herm was called 'herma' (fem.), and ceased to depict Hermes exclusively or even primarily, being used instead as a 'portrait-herm', sculpted in the likeness of a living person. German uses 'die Herme' for the statue-type and the tautologous expression (for the classical Greeks) 'Hermesherme' when a herm of Hermes is meant.²⁵ It is true that other gods came to be depicted in herm-form, making a term like 'Dionysos-herm' legitimate, but this was a later development, representing a transitional stage to the 'portrait-herm' of later antiquity.²⁶

Hermes' name has, in turn, been derived from *ἔρμα* (cf. *ἔρμαϊος λόφος*), meaning a pile of rocks formed beside a road by travellers individually adding a stone as they pass.²⁷

²² Harrison 1965, 129ff.

²³ Harrison 1965, 129–34. Osborne, 'Erection and Mutilation' 52: 'The herm emphatically asserts its refusal to go along with the developments of free-standing dedicatory figures. By limiting the degree to which it will be touched by what is happening in other sculpture, the herm gives a positive value to archaism: its archaism becomes a sign, an aggressive indicator of difference, in a way that the archaic features of archaic sculpture never were'.

²⁴ Cf. Osborne, 'Erection and Mutilation' 60, with his note 69, denying a Marathon herm.

²⁵ Simon, *Götter der Griechen* 303, recognizes this: 'Wir machen uns meist zu wenig klar, dass das Wort *herma* nur in der lateinischen Sprache begegnet. Erst die Römer, die diese Form mit besonderer Vorliebe für Bildnisse verwendeten, unterschieden zwischen dem rein menschlich dargestellten Hermes-Mercurius und dem pfeilerförmigen Idol mit Kopf, Armstumpfen und Glied. Für die Griechen dagegen war die Herme ein Bild des Gottes'.

²⁶ Harrison 1965, 125–26; Wrede, *Die antike Herme* 17–32.

²⁷ W. Burkert, *Griechische Religion der archaischen und klassischen Epoche*, (Stuttgart 1977) 243 with notes. Cf. H. Herter, 'Hermes, Ursprung und Wesen eines griechischen Gottes', *Rh. Mus.* 119 (1976) 193–241, who places particular emphasis on the connection between Hermes the god and these stone cairns, but fails to give due weight to Hermes' role at sacrifices. Apostolos Athanassakis, 'From the Phallic Cairn to Shepherd God and Divine Herald', *Eranos* 87 (1989) 33–49, has some suggestive remarks to make about certain epithets attaching to Hermes (particularly those in the Homeric Hymn).

Despite slight etymological murmurings from Frisk, for example,²⁸ this derivation has won almost universal acceptance because it suits Hermes, the god of travellers, and himself the incessant traveller on some errand between the gods and men, so well. It is argued that these wayside cairns, adorned perhaps by ithyphallic wooden idols, may have been the distant ancestors of the four-square classical herms.²⁹

iii. Interpretation of the Monuments

From description we must turn to interpretation. This is not the place for a full-scale inquiry into the nature of Hermes as an Olympian deity. Hermes' main traits are familiar enough: first and foremost his role as divine herald, messenger of Zeus, carrying divine ordinances down to men on earth. Next, his patronage of all manner of exchanges and transitions on earth: those between buyer and seller in the Agora, between orator and audience in a public meeting-place, between thief and victim, between the realms of the living and the dead, between men and gods. Or again, his supervision of entries and exits, with the title *Strophaios* or *Propylaios*. Almost all these facets of the god feature in a passage of Aristophanes (*Ploutos* 1099–1170; on which more below). I have argued that many features of Hermes worship may derive from his involvement in the sacrificial rite as divine herald.³⁰ Sacrifice is the activity which establishes communion between men and gods, and between members of a religious congregation: the herald at sacrifice is one of the officiating individuals who calls for silence and instructs the participants on procedure. As divine herald and messenger of the gods Hermes was a key figure in this complex.

Of modern theorizing on the Athenian Herms the first main line of interpretation can be summed up by the word 'apotropaic'. Herms stood typically at the entrances of buildings; the erect phallos can be taken as a sign of the masculine power protecting the house against intruders of any kind. There is some evidence for this view of 'Hermes of the Entrance' (*Prothyraios*, *Propylaios*) in antiquity. A scholion on Aristophanes' *Ploutos* 1153, for example, says that 'Hermes is set up at the doorway as protection against other thieves'.³¹ The expression 'other thieves' refers to Hermes' own thieving e.g. in the *Homeric Hymn to Hermes*. In the same passage Aristophanes refers to Hermes as the god of subterfuge (*Plout.* 1157). The ancient apotropaic view of the Greek Herms has recently been given an 'ethological' slant by Burkert, who compares the herm with primates displaying their erect organs as a warning sign to enemies to watch out, as a male is protecting the group. He writes: 'With man there is only the artifact left. Still its

²⁸ H. Frisk, *Griechisches Etymologisches Wörterbuch*, Heidelberg 1969 vol. I, s.v. 'Ἑρμῆς', 563–64. Frisk also cites Bosshardt's theory that 'Ἑρμῆς is connected with ἐρμηνεύς. Bosshardt calls Hermes 'den gewandten Begleiter von Göttern und Menschen', the 'unter die Götter projizierte Urdolmetsch'. Bosshardt's suggestion suits my view of Herms better than the herma derivation, but cannot be used as a bulwark. Osborne, 'Erection and Mutilation' 48, writes: 'Vases do show Herms on top of stone piles, and Babrius does mention such a herm, but the etymological warrant for the association is imaginary, and this supposed derivation does nothing to explain those features which make the herm a herm.' Unfortunately he does not explain his dismissal of the etymological link. Siebert (above n. 1) doubts the derivation from rock-pile.

²⁹ Cf. M. P. Nilsson, *Geschichte der griechischen Religion*, vol. I, fig. 33, 1. Burkert, *Griechische Religion* 243–44; Harrison 1965, 113; H. Goldman, 'The origin of the Greek Herm', *AJA* 46 (1942) 68. But see Siebert (above n. 18) for arguments against a gradual progression from aniconic herma to iconic Hermes.

³⁰ W. D. Furley, *Studies in the Use of Fire in Ancient Greek Religion* (New York 1981) 38–63.

³¹ F. H. M. Blaydes, *Aristophanis Plutus, Annotatione Critica, Commentario Exegetico, et Scholiis Graecis* (Halle a.d. Saale, 1886) 375.

symbolism, its signal function, was understood even by those who called it “apotropaic”. People consciously or unconsciously know what this action of display means: a demonstration which transmits a message of potency in its double sense. Thus the position of the Herms at the entrance of the house, at crossroads, and at boundaries is explained at once.³² On these lines, ancient Herms could be compared to the lions, sphinxes and gargoyles of later European architecture.

This view of Hermes’ function at doorways, then, can be seen to operate in two directions: the herm protects the homestead against unwelcome intruders: it also acts as guardian spirit to anyone legitimately crossing the threshold, and when they venture forth beyond the domestic threshold. The violence done to the Herms in 415 has traditionally been interpreted along these lines: it may have caused anxiety among the Athenians by insulting these primitive guardians of both divine and domestic doorways and, particularly on the eve of the Sicilian expedition, made any venture beyond familiar territory seem perilous in the extreme, without Hermes’ protective company.³³ We may further adduce the importance of Hermes Hegemonios to military commanders and suggest that a large Athenian expedition might indeed have felt insecure if deprived of the protective guidance of this god (cf. Aristoph. *Plut.* 1159 with scholia: ἡγεμόνιος). Osborne sees particular significance in the Eion Herms in this connection: they commemorated a famous overseas victory by the Athenians: damage to the Herms in general in 415, and in particular perhaps to the Kimonian Herms in the Agora, may have touched a sensitive Athenian nerve.³⁴

A second approach seeks an answer to both of our original questions in the political connotations of the mutilation. This line has been formulated primarily by Domaszewski³⁵ and Crome.³⁶ These writers see in the Herms, despite their proliferation under the Peisistratid tyranny, popular monuments of the democracy. They point to the Agora Herms discussed above which celebrated free Athens’ achievements against the Persians, and argue that Hipparchos’ initial impulse was only part of Peisistratid allegiances to the small Attic landowners, whose support had placed power in Peisistratos’ hands.³⁷ Domaszewski sees (rightly, in my opinion) in Andokides’ political club an oligarchic grouping, which aimed a blow at the Athenian demos by mutilating the Herms: ‘The horrendous crime of the oligarchs who destroyed those Herms of the Agora, the very essence of Attic democracy and its wonderful victorious energy, appears thus in its full atrocity. And at the same time one can recognize the fear of these criminals — fear of the victory (sc. in Sicily) which they believed certain, and the inevitable tyranny of Alkibiades’.³⁸

With due allowance for the rhetoric, two aspects of this formulation seem acceptable: first, its correspondence with Thucydides’ statement that the mutilation of the Herms was understood as a conspiracy against Athenian democracy (6.27.3), and, second, these authors’ perception of the peculiarly ubiquitous and hence democratic nature of the herm cult at Athens.

³² W. Burkert, *Structure and History in Greek Mythology and Ritual* (Berkeley, University of California Press, 1979) 40.

³³ Thus, for example, MacDowell, *Mysteries*, 9. Cf. D. Wachsmuth, *Πόμπιμος ὁ δαίμων, Untersuchungen zu den antiken Sakralhandlungen bei Seereisen* (Diss. Berlin 1967).

³⁴ ‘Erection and Mutilation’ 61.

³⁵ Above n. 4.

³⁶ J. F. Crome, ‘*Ἰππάρχιοι Ἐρμαῖ*’, *Att. Mitteilungen* 60–61 (1935–36) 300–13.

³⁷ Crome 1935–36, 306.

³⁸ 1914, 20.

The notion of the Herms as symbols of popular (hence democratic) worship has been developed in particular by Aurenche and recently by Osborne.³⁹ The latter emphasizes a feature of the Herms as archaeological monuments — the worship of individual herm by individual citizen — to point up the personal nature of Hermes worship. Thus mutilation of the numerous Athenian Herms might be imagined to have hurt the ‘man in the Athenian street’ more than an attack on a remote and rather impersonal cult (such as that of Athena on the Acropolis) would have. Osborne is also right, in my opinion, to emphasize the importance of Herms as symbols of communication, in particular between men and gods, deriving from Hermes’ function as the messenger god.⁴⁰ I will have more to say on this aspect below.

Siebert has introduced into the discussion of the Athenian Herms the observation that Hermes had a particular relevance to Athenian youth. As god of the palaestra and the gymnasium, and one frequently associated with the ‘works of Aphrodite’, the youthful Hermes became an emblem of Athenian ephebic youth.⁴¹ Perhaps this is relevant when we come to consider the motives of the mutilators in 415, who were a youthful band as far as we can tell.

The factor which I wish to propose here in addition to the insights of previous writers outlined above is based both on Hermes’ character as a god, and on what we know of the placing of the Herms in Athens and the function they served. In outline, my reasoning is as follows: the typical location for a herm was in front of a temple or private house. Fifth-century vase-paintings with Herms commonly depict the herm standing beside an altar; human worshippers either sacrifice on this altar, or pray to Hermes, or play the flute, or offer a libation. Now the mythical role of Hermes was as go-between between the human and divine realms, as messenger of the gods. Literary and epigraphical evidence shows us that human worshippers called on Hermes to carry their prayer to Zeus, or another god, and conversely that Hermes was sent by Zeus down to earth in order to proclaim his will. Thus the scenes of sacrifice or worship at a herm in vase-paintings show Hermes in his character as intermediary, not as prime recipient of the offering. The Athenian Herms themselves, then, were set up to facilitate the conveyance of worshippers’ prayers and offerings to the Olympian or chthonian deity addressed. This explains their common presence in front of temples, where the sacrificial altar of the deity also stood, as Hermes was the guardian spirit of the entrance, the figure best able to bridge the divide between the human and divine spheres. Likewise the Herms outside private homes were set up for the purposes of domestic cult, which appears in part to have taken place outdoors.⁴² The

³⁹ Aurenche, *Les Groupes* 174–75; R. Osborne, ‘Erection and Mutilation’, 47–73. Osborne’s paper runs into difficulties, in my opinion, when it tries to combine structuralism with history. Thus we read that ‘the Eion dedication took hermaic form to mark the successful capture of a crucial node of communications on the borders with the non-Greek world’ (61), where the thought process is: Hermes = god of communication : : Eion = ‘crucial node of communications’: hence a herm to celebrate the capture of Eion. The average Athenian would, I fear, have had to be educated to an appreciation of such a connection. Or are we dealing with ‘subconscious’ associations? On p. 66 Osborne intimates that this is the case; but then we have changed interpretative planes and are no longer on the plane of political motivation, but on that of the deeper structures of ‘l’esprit humain’.

⁴⁰ Cf. L. Kahn, *Hermès passe ou les ambiguïtés de la communication*, (Paris 1978).

⁴¹ ‘Hermès’ 377: ‘(sc. Hermes) dieu éducateur de la jeunesse athénienne. On constate l’évidence de relations privilégiées entre les hermès et la jeunesse éphébique, au gymnase comme en ville’. Cf. id. ‘Une image dans l’image: le pilier hermaïque dans la peinture de vases grecque’ in: *L’image et la production du sacré*, Actes du coll. de Strasbourg, Jan. 1988 (1991) 103–20.

⁴² E.g. Xenophon, *Mem.* 1.1.2: Sokrates: *θύων τε γὰρ φανερόν ἦν πολλάκις μὲν οἴκοι ...* Cf. generally Simon, *Götter der Griechen* 312: ‘Wo fand ein solches Opfer statt? Wahrscheinlich vor dem eigenem Haus’. The sacrifice in Aristophanes’ *Wasps* 874ff. is a good illustration of such a

mutilation of the Herms in 415, then, was not just an offence against Hermes, the god of travellers; it also affected communication by way of sacrifice and prayer between the Athenians and all their gods. As such it could indeed be seen as a very bad omen (Thuc. 6.27.3: *οἰωνός*) for the Sicilian expedition, and as a blow to the very heart of Athenian democracy (ibid. *δήμου κατάλλυσις*), whose every process and institution was ushered in by sacrifice and a prayer to the relevant god for a successful outcome. If correct, this idea means that the mutilation of the Herms was a more drastic blow to Athenian religion than has been realized previously: not only Hermes was implicated; the whole Olympian system was damaged.

The written word is aniconic; vase-painting and sculpture are, in the main, speechless. The two must be combined. Perhaps the best treatment of the fifth-century vase material is by Zanker, though it is short on illustrations.⁴³ Simon has a useful and well-illustrated section on the vase-scenes of worship before a herm;⁴⁴ Wrede's book is more a catalogue of information than an interpretation of the monuments.⁴⁵ We now have Siebert's excellent encyclopedia article on the iconography of Hermes and Herms.

Zanker emphasizes at the outset of his treatment the everyday character of the scenes with Herms, compared to the mythical realm in which the anthropomorphic Hermes mixes with gods, heroes and mortals in other branches of art. He divides the scenes of herm-worship in fifth-century vase-painting into those which show a small group of figures (usually consisting of the actual sacrificer and his attendants) sacrificing before a herm, and those showing one person communing with a herm either by libation, prayer or music-making. As a paradigm for the first class, I quote his description of the scene on a column-crater by the Pan Painter:⁴⁶

'The herm, decorated with a wreath, is not depicted in profile, as is usual, but faces the onlooker frontally. Before it and to one side stands the burning altar, into whose flames a bearded figure pours a libation from a sacrificial bowl. Two young servants assist in the sacrifice. The one on the right of the altar holds meat on a long skewer over the fire; the other is carrying an enormous basket with sacrificial cake. The hair of all three figures is garlanded, as appropriate to the sacred ceremony'.

Of particular interest among Zanker's collection of scenes of individual herm-worship is the column crater by the Boreas Painter (460/70 B.C.).⁴⁷ Here two worshippers — a young woman and an elderly man — address their prayers to two separate herms, which, interestingly, have features analogous to their respective worshippers: the girl addresses a young herm; the man one whose hair and beard are white with age. Zanker writes: 'The

sacrifice in front of a private home, though of course a skit in context. Here Bdelykleon sacrifices to Apollo Agyieus on an altar (of this god) directly outside his home. D. M. MacDowell (*Aristophanes' Wasps* (Oxford 1971) 247–48) writes: 'Apollo Agyieus, like Hermes and Hekate, was frequently represented in front of houses in the streets of Athens by a pointed stone pillar (schol. *Wasps* 875). There are also references to altars to Apollo Agyieus in front of houses'. The sacrifice Chremylos performs indoors in *Ploutos* (819ff.) is something of an exception, as it is deliberately not a sacrifice to the gods. Moreover, Karion's remark that the smoke inside has driven him outside (821–22) may be an indication that such roasting was not normally performed within the confines of the house. Is this the exception which proves the rule?

⁴³ P. Zanker, *Wandel der Hermesgestalt in der attischen Vasenmalerei*, Bonn 1965, 91–103 on Herms in Athens.

⁴⁴ 1985, 303–12.

⁴⁵ Above n. 20.

⁴⁶ 1965 p. 92; for an illustration see Simon, *Götter der Griechen* pl. 296; Osborne, 'Erection and Mutilation' 62–63.

⁴⁷ Zanker, *Wandel der Hermesgestalt* pl. 5b; Simon, *Götter der Griechen*, pl. 297.

picture shows us, through its significant juxtaposition of the two scenes, the extent to which Hermes can adapt to his worshipper: each person prays to his own Hermes; there is a Hermes of Youth and one of Old Age.' Zanker goes on to make a point which is of particular relevance to the theme I wish to develop here, that of Hermes' function as intermediary between worshipper and a specific divine authority. For here the prayers to Hermes are for success in erotic love, Aphrodite's province: 'We know, however, what the girl is asking of her youthful Hermes, and why the old man's pleas appear so desperate: Hermes is being asked to help the worshippers in securing the joys of Aphrodite. For on the reverse side of the vase, the same girl appears again: this time between two young men'.⁴⁸

Even the scenes of individual worship of a herm without sacrifice regularly depict the herm beside an altar.⁴⁹ Moreover, the position of these altars is often localized outside a sanctuary by the addition of columns, trees, boukrania or votive offerings; towards the end of the high classical period the Herms are shown framed by a porch with columns, once with the temple gable added in the rear.⁵⁰ These indications offer confirmation of Thucydides' statement that herms stood typically at private and sacred portals. I believe the tendency among archaeologists hitherto has been to regard the sacred paraphernalia shown with herms on vase-paintings as indicative of a sacred precinct of Hermes himself,⁵¹ but all the herms in Athens did not stand outside sanctuaries of Hermes, and it seems to me that one should consider the possibility that the altars and temple entrances shown with herms on vase-paintings in fact show a herm set up beside another god's altar or sanctuary. His function in this position would be to mediate between the worshipper standing outside the sanctuary and sacrificing at the altar there, and the god inside. Hermes' position 'at the doorway' (Prothyraios) became an official title of the god.

Inscriptions on the Herms themselves help us to recognize this. The inscription on Kallimachos' monument on the Acropolis mentioned above runs: 'Kallimachos dedicated me to Athena as a messenger of the immortal gods (ἄγγελον ἀθανάτων) who dwell on Olympia.' The natural assumption would be that Hermes is the messenger and the statue was a herm, but this has been doubted.⁵² An archaizing Roman copy of an Attic herm refers to the god's role as 'Iovis nuntius et precum minister' 'Messenger of Zeus, and Minister of Prayers'.⁵³

The inscription on the (?)herm before the Eleusinion in Athens reads: 'O Queen Deo, Lysistrate, the attendant of the ineffable rite of initiation you share with your daughter set up this crowned statue to grace your doorway; nor does she exercise thrift with the

⁴⁸ Zanker, *Wandel der Hermesgestalt* 95.

⁴⁹ Zanker, *Wandel der Hermesgestalt* 93.

⁵⁰ Wrede, *Die antike Herme* 37.

⁵¹ E.g. Simon, *Götter der Griechen* 294. But see Siebert, 'Hermès' 377: 'Rien n'autorise à identifier un sanctuaire d'H. lui-même chaque fois que son monument jouxte un autel ou se trouve associé à une cérémonie sacrée'.

⁵² Above, note 14.

⁵³ Cf. L. R. Farnell, *Cults of the Greek States*, vol. V (Oxford 1909) 22 and n. 2. The full inscription (= CIG 5953) runs:

Interpres Divom, coeli terraeque meator,
Sermonem docui mortales, atque palaestram...
Sermonis dator atque somniorum
Iovis nuntius et precum minister.

available resources, but rather is generous to the best of her ability'.⁵⁴ And as an example of the subordinate role of the herm in another god's cult outside Attika, we have the epigram on a herm from a vineyard in Siphnos, whose devotee hoped to win Dionysos' good-will and protection of the crop by erecting the monument.⁵⁵

An aspect of the sacrificial rite itself deserves mention here. A number of passages (in particular *Od.* 3.332 and 341; Aristophanes *Wealth* 1110, *Peace* 1060, *Birds* 1704–05) refer to the tongue of the animal victim being cut from the animal carcass (e.g. *Peace* 1060: ἡ γλῶττα χωρὶς τέμνεται). In none of these is it stated for whom the tongue is extracted, or to what purpose. At *Od.* 3.341 the tongues are burnt, so obviously they were not meant as a perquisite for the heralds or any other attendants. At *Peace* 1060 one has the impression that the meddling priest who interrupts Trygaios' sacrifice wants the tongue for himself. Kadletz has assembled epigraphical evidence (but from outside Athens) showing that the tongue of an animal victim was very frequently the perquisite of the officiating priest.⁵⁶ It should be mentioned, however, that scholia on the classical passages mentioned above interpret references to the separation of the tongue as offerings to Hermes for being a good messenger (εὐάγγελος schol. *Apoll. Rhod.* I 517; Eustatius p. 1470; Cornutus 16 p. 164; scholia on the *Odyssey* and Aristophanes passages mentioned above). Kadletz maintains that this was merely ancient theory, with no basis in ancient cult practice. The crux is the line in Aristophanes' *Wealth* (1110) normally printed as ἡ γλῶττα τῷ κήρυκι τούτων τέμνεται, spoken by the slave Karion to Hermes, who has just arrived from Zeus, bringing news of Zeus' extreme irritation with mankind. Certainly Kadletz has a point that a scholiast, asking himself why Karion speaks this line to Hermes, might have come up with a theory whereby Hermes was the recipient of the tongue offering. To strengthen his interpretation, however, Kadletz proposes adopting the reading γίννεται of R and V for τέμνεται, and translating 'he has a tongue to bring us this news' (i.e. a cheek, as we would say). But ἡ γλῶττα τῷ κήρυκι τούτων γίννεται cannot mean what Kadletz proposes: in particular the article ἡ γλῶττα is awkward. It is much better to read τέμνεται and take the line ambiguously: (i) the herald of these tidings is to receive the victim's tongue (i.e. the normal sacrificial rite) and (ii) (jokingly) the tongue 'be cut' for the bringer of such (awful) news (i.e. the herald's tongue as punishment).⁵⁷

I believe there may be a way out of the dilemma. I concede to Kadletz that tongues of animal victims may typically have been the perquisite of priests at sacrifices. The question is: can a strict distinction between herald and priest as officials presiding over sacrifice be maintained? Hermes' role at *Peace* 429ff., for example, seems to me to combine those of herald and priest. Not only does he have to lay down procedure for the ritual (429) but he calls for silence prior to libation in true herald's style (433ff.). Nor

⁵⁴ Original publication: W. K. Pritchett, *Hesperia* 9 (1940) no. 18, 97–101. He reads στεφάνω in the third line (dual = two crowns), but considers στεφάνω, the reading I have assumed, a possibility. P. Maas, *Hesperia* 15 (1946) 72, believes Στεφανώ is a title of the priestess of Demeter.

⁵⁵ G. Kaibel (ed.), *Epigrammata Graeca*, (reprint) (Berlin 1978) no. 812; cf. Goldmann 'Origin of the Greek Herm' 63 and n. 30. Kaibel's text runs:

Ζηνὸς καὶ Μαίαιας ἐρικυδέος ἀγλαὸν Ἑρμῆν
εὐκάρπου στήσεν τόνδ' ἐπὶ φυταλιῆς
Βάκχων Ζωῶς υἱὸς ὅπως βραδινῆ διὰ παντός
ἀμπελος ὠραῖον κάρπον ἔχη βοτρυῶν.
ἀλλ' Ἴλαος, ἄναξ, Ζωῶς γένος εὐφροني θυμῷ
σφῆξε, διδοὺς αὐτοῖς ἀφρόνονον δλβον ἀεί.

⁵⁶ E. Kadletz, 'The tongues of Greek sacrificial victims', *HTHR* 74 (1981) 21–29.

⁵⁷ Cf. *Peace* 1109 where a very similar joke is made (Hierokles, a meddling seer: 'Produce the tongue' (sc. of the victim). Trygaios: 'You be off with yours' (sc. tongue)).

should we forget that the Athenian tribe of Kerykes, who traced their lineage back to Hermes, supplied both the Eleusinian Dadouchos (clearly a priest) and the Hierokeryx for the Mysteries. And on one point the *Ploutos* passage is perfectly clear: it is the herald to whom the victim's tongue is allocated, not the priest. I think Kadletz is too categorical in stating that only priests ever received the tongues at sacrifices; as soon as we admit that heralds may have on occasion too we are much closer to the scholiast's statement that Hermes could receive the tongue of a sacrifice 'for being a good messenger'.

Other passages of literature support the idea of Hermes as medium of communication with heaven through prayer and sacrifice. Apart from the *Homeric Hymn to Hermes* itself, in which the impudent young god conducts his own waggish sacrifice to the twelve gods, the *Homeric Hymn to Hestia* (29.4–14) invokes Hestia, the divinity of the sacrificial hearth, and Hermes in his capacity of 'messenger of the Blessed Gods' as the two deities without whom no *εἰλαπίνας*, sacrificial banquets, can take place. When Elektra in Aeschylus' *Oresteia* offers sacrifice to the underworld spirits at her father's grave, having been told by the chorus to treat this like a god's altar (106: *βαμὸν ὄς*), she begins her prayer:

'Mightiest Herald of the upper and nether realms,
Chthonian Hermes, help me, be my messenger:
the spirits of the earth must hear my prayers.' (*Choeph.* 124–26)⁵⁸

Two plays of Aristophanes bring Hermes onto the stage in humorous, but nonetheless informative, vein. When Trygaios flies up to heaven in the *Peace*, he encounters Hermes at the threshold of Zeus' residence just as an Athenian would meet a herm at the entrance of a temple (179: *τίς ἐν Διὸς θύραισιν*; — answer: Hermes). There is some likelihood that a herm actually stood as part of the stage setting before Zeus' home, as Trygaios addresses Hermes in l. 382 as *ἄρμηδιον*, the *Ἐρμήδιον*, or *Ἐρμίδιον*, denoting a small figure of Hermes, or herm (cf. l. 924 where this meaning is apparent).⁵⁹ Hermes acts as mediator between men and gods in this play at a number of points. Trygaios must explain his position to Hermes as representative of the gods, and conversely Hermes offers a (divine) analysis of human affairs (605ff: the causes of the Peloponnesian War; 501–02 Athena's dislike of the Megarians); he also interprets the goddess Peace's mind for men's benefit (660ff.). This play then contains abundant evidence of Hermes in his role as *ἔρμηνεύς* between men and gods. Trygaios can never address Zeus directly; he learns of divine will through Hermes.

Likewise, Hermes is called upon to instruct Trygaios how to pray and sacrifice acceptably (429–30: *ἄττα χρὴ ποιεῖν ἐφεστῶς φράζε δημιουργικῶς*...). It is Hermes in his capacity of divine herald who calls for silence before the prayer (ll. 433–34) and who 'leads off' the prayer in a catechistic manner (435ff.). The play contains one or two more points which help us to understand Hermes' role in Athenian worship. When Trygaios and the chorus try to persuade Hermes to help them release Peace from her cave-prison, they promise in future to conduct lavish sacrifices and processions in his honour

⁵⁸ L. Curtius, in his inaugural dissertation, *Die antike Herme* (Munich 1903) attempted to derive the herm from phallic grave-markers, thus underlining Hermes' original connection with death and the underworld. His thesis has, however, not gained general acceptance. Simon 1985, 301–05, for example, places it in perspective. The chief objection to the theory is that archaeology has not turned up supporting material for Cicero's statement (*Leg.* 2.26.65) that Herms stood as grave-markers in ancient Athens.

⁵⁹ K. J. Dover, 'The Skene in Aristophanes', *PCPS* 192 (1966) 2ff., argues that a herm is on stage both at *Clouds* 1478 (standing before a door) and in *Peace* (661 ff.). C.W. Dearden, *The Stage of Aristophanes*, (London 1976) 24–25, denies the necessity of assuming a herm on stage in the *Clouds*, but does not discuss the *Peace* passages.

(396–99), indeed to re-allocate all the major Athenian festivals to Hermes himself (418–22), the point being that he is the direct recipient of no major festival, only subsidiary offerings in the course of other gods' festivals.⁶⁰

The exchange between the slave Karion and Hermes in Aristophanes' *Ploutos* plays on a similar cult background. The god Wealth has regained his eyesight and as a result (rather illogically) men have stopped sacrificing to the gods. The point is underlined by Chremylos' decision to sacrifice animals indoors, privately (819ff.), rather than outside on gods' altars. Hermes comes down to earth to announce Zeus' extreme displeasure; the conversation takes place outside Karion's master's house, where again a herm was probably placed as a theatre prop (cf. 1153: *παρὰ τὴν θύραν στροφαῖον ἰδρύσασθέ με*). Hermes complains bitterly of his poverty now sacrifice has ceased, saying 'now I've got my feet up in idleness' (1123: *ἀναβάδην ἀναπαύομαι* with scholia) — a reference perhaps to his usual business running to and fro between men and gods. After mentioning the tidbits which 'it's only right for Hermes to eat' (l. 1122), Hermes goes on to lament the fact that now there are no more thigh-bones, hot entrails or well-mixed wine for him to gobble down (1128–32); these were the normal ingredients of an Olympian sacrifice, illustrated on vase-paintings of sacrifice before a herm. I suspect a joke behind the reference to Hermes gobbling down such sumptuous offerings: they may not have been meant for Hermes; rather, as the thieving messenger god, he pilfered them from their rightful recipient en route. Karion clearly alludes to Hermes' thieving character in this passage (1139–45; 1157–58). It is the same motif as underlies the myth of Hermes' theft of Apollo's cattle in the Homeric Hymn — so as to get a decent meal himself, as he was panting for meat (l. 64: *κρειῶν ἐρατίζων*).⁶¹ And finally, Hermes' role as go-between between heaven and earth comes out clearly in the exchange in lines 1147–51, where Hermes proclaims his intention of deserting the gods and staying with men now the good things in life (1136–38: bread and meat) are only to be had indoors in men's houses (1138) — instead, that is, of outdoors on the gods' altars. Hermes' role as the messenger god may have led to some long-standing jokes among the Greeks when it came to conveying their sacrifices up to the Olympians;⁶² the mobility this task required also contrasts with the not exactly spritely appearance of a herm, affording Aristophanes further scope for humour in this play. First we have *ἀναβάδην*, 'with one's feet up', in line 1123, then Karion's rude retort to Hermes 'so hop on a greased wine-skin up to heaven!' (1129: *ἀσκαλίᾳζ' ἐνταῦθα πρὸς τὴν αἰθρίαν*) — the idea of a herm performing this antic being sufficiently ludicrous.

Hermes' mobility between earth and heaven comes out in other passages of comedy. Aristophanes in the *Birds* (572) names Hermes as one of the flying gods who ply the straits of air separating men from gods. Plato Comicus fr. 204 Kassel/Austin, runs: 'I am Hermes, a work of Daidalos in wood who speaks. I walk all by myself on legs'.

⁶⁰ For example, an early fifth-century inscription (Farnell, *Cults* vol. III p. 345, §176 = *Ath. Mitteilungen* 1899, p. 253) records the regulation of preliminary sacrifices (*προτέλεια*) in the Athenian Eleusinion to various gods associated with Eleusis, among them Hermes Enagonios. Unfortunately the name of the animal to be sacrificed to him has been obliterated.

⁶¹ Despite his hunger for the sacrificial offering, however, Hermes does not eat any of the meat from the twelve portions he has made (128–32). He was tempted, but he resisted: the offering was clearly not meant for him.

⁶² Note the black-figure vase in the Louvre (c. 520 BC, illustrated in Simon, *Götter der Griechen* pl. 228) showing Hermes making off with a stolen ram and glancing nervously over his shoulder as he runs. In *Studies in the Use of Fire* 63, I suggested that the Hermes Kriophoros in art depicts the god carrying the sacrificial ram up to Zeus or whoever, and not the 'good shepherd' as has traditionally been held.

Pherecrates fr. 150 Kassel/Austin (cited by Harpokration to illustrate the meaning of *βαμολοχεύεσθαι*) was probably spoken by a god. Edmonds assumed the speaker was Hermes himself: if that were the case, the lines would be good evidence for the theory I propose here, that Hermes conveyed sacrificial offerings up to the other gods. However, the speaker may not be Hermes. The lines run: ‘So to avoid us being called altar-rogues (*βαμολόχοι*) by virtue of our always hanging round altars, Zeus constructed a massive great chimney’ (*κάπειθ’ ἵνα μὴ πρὸς τοῖσ(ι) βωμοῖς πανταχοῦ / ἀεὶ λοχῶντες βωμολόχοι καλώμεθα, / ἐποίησεν ὁ Ζεὺς καπνοδόκην μεγάλην πάνυ*). If the speaker is Hermes, one can understand the joke as referring to all the Herms placed beside altars (‘hanging round altars’) in order to convey offerings up to heaven. There would also be a joke at Hermes’ expense, by insinuating that his character (exemplified by pilfering offerings made to other gods) was on a par with human *βαμολόχοι*. Further, the giant chimney leading up into the sky would serve to channel the smoke from burnt offerings up to the gods addressed, thus eliminating Hermes as middle-man. However, the passage would also make good sense if any god (apart from Zeus) spoke them, as the gods were commonly imagined as attending sacrifices on earth made in their honour. In that case the joke would be at the expense of gods generally: to avoid their being called ‘altar-rogues’ Zeus constructed a chimney to save them having to attend sacrifices on earth.

A primeval Attic myth, although in a late authority (Apollodoros I 7.2), shows us Hermes in his typical role at a sacrifice. After the great flood, Deukalion is faced with the task of starting a new race of men, and re-establishing contact with the gods above. He sets about the latter by means of sacrifice. Zeus sends Hermes down to earth to accept Deukalion’s sacrifice and at the same time to grant in his name whatever Deukalion prayed for.

Finally, a myth of Aesop (90 Hausrath) nicely illustrates the subordinate status of Hermes in relation to the major Olympians: Hermes comes to earth to see how he stands among men. Disguised as a human he visits a sculptor and inquires the price of statues of first Zeus and then Hera. Finally he asks how much a statue of himself costs, thinking it must be especially valuable since he is the messenger of the gods, and profit-bringing. The sculptor replies: ‘you can have that as a free gift (*προσθήκη*) if you buy the others’. The story carries the additional connotation that a statue of Hermes is somehow an appendage to the cult of Zeus and Hera: on my view of the Athenian herms, this is certainly the case.

The evidence set out above is mainly Attic and mainly fifth-century, in an attempt to isolate the significance of the mutilated Herms. The picture would not, however, be very different in other parts of contemporary Greece as far as the god Hermes’ function goes, even though Herms themselves were less common. In Lebadeia in Boeotia, for example, the young sacrificial attendants were called simply *Ἑρμοῖ* (Paus. 9.39.7), a title deriving from Hermes’ subordinate role in sacrifice to other gods and going back to his sacrifice to the Olympians in the *Homeric Hymn*.⁶³ We note that this title is identical with that of the Athenian Herms, indicating some similarity in the supposed function of the two groups as helpers at the sacrifice. Herms were also consecrated at the entrances of sanctuaries in other parts of Greece.⁶⁴

In view of the evidence presented above it seems to me overly narrow to imagine that the Herms depicted in fifth-century vase-painting with sacrificers or praying worshippers, relate strictly only to the cult of Hermes, and not to that of other gods and heroes. This

⁶³ Simon, *Götter der Griechen* 307.

⁶⁴ Wrede, *Die antike Herme* 33–34; 37–38.

position tallies neither with the actual siting of Herms in Athens, nor with Hermes' role in myth. If my suggestion is accepted, that these vase-scenes show in fact prayer or sacrifice being addressed to Hermes as the representative of the gods of both the upper and nether realms on earth, we gain valuable insight into the use to which Herms were put in fifth-century Athens (i.e. not just as civic or military memorials), and into the far-reaching implications of their mutilation.

iv. The Mutilation

Thucydides tells us specifically that it was the faces of the Herms which suffered, but countless modern writers have speculated on the basis of a passage in Aristophanes that the phallos of the Herms also, or perhaps primarily, received the attention of the vandals (*Lys.* 1094–95; see below, pp. 144–45); in fact the Aristophanes passage means no more than that the naked men should dress quickly, for fear the Hermokopidai catch sight of them and feel tempted to another act of violence — generally, not necessarily to their genitals only.⁶⁵ Besides, Thucydides insists on the point, hardly from bashfulness, and support comes from the pseudo-Lysian prosecution speech against Andokides (15) where the mutilation of the Herms is compared to wounding a man's 'head or face or hands or feet'. This passage points to more general damage to the Herms than just knocking off the phallos, and mentions the head specifically.⁶⁶ I have already referred to the herm discovered during the excavations in the Agora (above p. 16) whose head appears to have been the mutilators' target in 415. This is the first point then: violence was done to the heads and faces of the Herms; this was an assault on the very personage of the god in his developed mythical capacity. The tendency among modern writers to play down the Thucydides passage and assume that the Herms' phalloi were all knocked off in 415, stems consciously or unconsciously from a conviction that the mutilation was akin to a modern-day 'undergraduate prank'.⁶⁷ It was far more serious than that, as Athenian public reaction to the crime shows.

⁶⁵ Cf. Osborne, 'Erection and Mutilation' 73 n. 90: 'not quite conclusive — the joke *might* be that they so look like Herms that they are in danger of having their faces smashed in'.

⁶⁶ Cf. Marr, 'Andocides' part' 332, n.1. A good passage illustrating what *πρόσωπον* meant primarily to the Greeks is Plato, *Charmides* 154d1ff. Chairephon asks Sokrates: 'Isn't Charmides *εὐπρόσωπος*?' Sokrates confirms this. 'Well', Chairephon continues, 'he'll look *ἀπρόσωπος* to you in the nude; for he's such a beautiful body (*εἶδος*)'. I do not believe Thucydides can have meant by the *πρόσωπον* of the Herms their façade, including the phallos. I note, however, that Seneca once uses 'facies' (*Phaedra* 1047) to mean exactly 'body', 'figure', not 'face'.

⁶⁷ Dover, *HCT*, vol. IV, 284, writes 'mutilating statues seems an unlikely prank for a doctor of some standing (sc. Eryximachos)'. Ibid. 285–86: 'The mutilation of all the Herms in Athens may have been no more than an unusually grandiose and spectacular piece of vandalism of a kind which appeals to some people at a certain stage of drunkenness.' (It is nowhere stated that the mutilation of the Herms was a drunken act). And on p. 286, summarizing: '... if the mutilators were a club of silly young men whose desire for public notice landed them in more trouble than they had bargained for'. Herter, 'Hermes, Ursprung und Wesen' 227, takes a similar line: 'Aber der Gott selber spielte an und für sich keine politische Rolle. Vielleicht ist das Benehmen der jungen Leute, wenn es auch eine besonders auffällige Örtlichkeit traf, im Grunde doch nur ein grober Unfug gewesen, nicht viel anders, als wenn wir auf Vasen Satyrn sehen, die wenig Respekt vor Hermen zeigen und sie gar zerschlagen.' Although she treats the mutilation as a political event, Ruth Allen in her Cincinnati dissertation of 1954, p. 151, also talks of it at one point as an 'undergraduate rag'. And again Ostwald, *Popular Sovereignty* 323–24, talks of '... offences of a religious character committed as a drunken youthful prank.' Lehmann, 'Zur Krise der athenischen Demokratie' 52ff., is, I believe, right to correct those who take this line, insisting on the planned character and deep significance of the mutilation.

The second, related point concerns the planning and execution of the crime. Andokides (1.61–62) makes it plain that the crime was not a spontaneous act of vandalism carried out ‘under the influence’, but was planned and discussed at a number of meetings of the club of which he and Euphiletos were members. Moreover, not just one or two, but almost all the Herms in Athens were mutilated during the one night; Andokides talks as if the herm he was supposed to mutilate was the only one in the entire city to escape damage. (1.62). In view of the number of private and public Herms in Athens the crime demanded a considerable degree of co-ordination, particularly when the operation was to be carried out at night in an unlit ancient city.⁶⁸ This second aspect, then, points in the same direction as the first, that the crime was premeditated and large-scale.

At one point in his defence speech (67), Andokides refers to Euphiletos’ proposal to mutilate the Herms as a *πίστις ἀπιστοτάτη*, a ‘most untrustworthy pledge of trust’. *Πίστις* is a key term in this connection, requiring closer examination.⁶⁹ In his analysis of stasis in the Greek city-states Thucydides highlights the role of political associations whose ties became closer for their members than family relations: ‘In fact blood relations became more alien than ties of the hetairia through their greater readiness to commit an act of daring out of the blue. Societies of this kind did not go by established laws but went against accepted practices in their self-seeking. *And they confirmed their pledges of loyalty to each other not so much by holy ritual as by committing some crime together.* (3.82.6: words italicized: *καὶ τὰς ἐς σφᾶς αὐτοῦς πιστεῖς οὐ τῷ θεῷ νόμῳ μᾶλλον ἐκρατύνοντο ἢ τῷ κοινῇ τι παρανομῆσαι*). Thucydides highlights the amoral nature of the activities of these political clubs during times of stasis, in particular their habit of forcing allegiance on their members by sharing in crime as a ‘pistis’.

Some other examples of such conspiratorial ‘pledges’ are known to us. An oligarchic group of Athenians and Samians in 411 chose as its pledge the assassination of the ostracised demagogue Hyperbolos (Thuc. 8.73.3: *Ἐπέρβολον ... ἀποκτείνουσι ... πίστιν δίδόντες αὐτοῖς*). Here one notes both the criminal nature of the pledge, and the significant choice of victim: the oligarchs singled out Hyperbolos as a loathed (and defenceless!) democrat. In 404 BC Kritias made his fellow-oligarchs join in condemning Eleusinian democrats to death ‘so that you (the men addressed) will have the same hopes and fears as us (sc. the Thirty)’.⁷⁰ The word *pistis* is not used, but the situation is comparable: Kritias intends to increase solidarity among proponents of the oligarchic constitution by making them share in an impious crime. When Catiline was planning his conspiracy against the Roman oligarchy in 63 B.C. he called his fellow-conspirators to a secret meeting, at which, some alleged, he made them share in a criminal act of human sacrifice (Sallust, *Catilinae coniuratio* 22, Kurfess: ‘... (sc. fuere qui dicerent) quom ad ius iurandum popularis sceleris sui adigeret, humani corporis sanguinem vino permixtum in pateris circumtulisse, atque eo dicationem fecisse, quo inter se fidi magis forent alius alii tanti facinoris conscii’: (sc. some said) that when Catiline made the partners in his

⁶⁸ For the debate as to whether the mutilation took place on a night with a full moon, or a new moon, see below p. 62.

⁶⁹ On the *Πίστις* as a phenomenon among drinking clubs see Oswyn Murray, ‘The Affair of the Mysteries: Democracy and the Drinking Group’ in: *Symptica*, Oswyn Murray (ed.), *A Symposium on the Symposium*, (Oxford 1990) 158, and below p. 58.

⁷⁰ Xenophon, *Hell.* 2.4.9: *Ἡμεῖς, ἔφη, ὦ ἄνδρες, οὐδὲν ἤττον ὑμῖν κατασκευάζομεν τὴν πολιτείαν ἢ ἡμῖν αὐτοῖς. δεῖ οὖν ὑμᾶς, ὡσπερ καὶ τιμῶν μεθέξετε, οὕτω καὶ τῶν κινδύνων μετέχειν. τῶν οὖν συνειλημμένων Ἐλευσινίων καταψηφιστέον ἐστίν, ἵνα ταῦτά ἡμῖν καὶ θαρρήτε καὶ φοβῆσθε.* Cf. Lysias 12.52; 13.44. One aspect of the crime lay in the fact that all (three hundred) Eleusinians were condemned to death by a single vote, a breach of legal procedure comparable to the condemnation of the generals at Arginousai.

crime swear an oath, he handed round blood of a human body mixed with wine in the cups, and that he conducted the pledge in this manner so that the participants would be more loyal to each other, since each knew of the other's heinous crime'.

In view of this we can see both in Euphiletos' proposal and in the actual execution of the mutilation one of those shared crimes described by Thucydides as the means whereby a political association sought to bind its members to loyalty. A 'pistis' was by nature a preliminary act, a pledge of future conspiracy. In this way it is easy to see why the Athenians saw in the Herms mutilation the warning signs of imminent revolution (Thuc. 6.27.3). Whether Euphiletos' and Andokides' group had anything like a plan to attempt such a revolution we cannot know. But certainly the Herms mutilation was not politically innocuous. As Murray writes: '(sc. Diokleides' testimony) establishes the bridge from aristocratic drunken sacrilege to revolution, by alleging that the mutilation was the work of a *group of hetaireiai*, a wider *synomosia*. It has a prophetic plausibility, since it was precisely such a *synomosia* of *hetaireiai* which organised the street murders four years later, and set up the oligarchy of the Four Hundred'.⁷¹

Granted the nature of such a *πίστις* it seems likely that the mutilation of the Herms had at least two 'purposes'. One was to cement group loyalty through the shared crime; the other no doubt was to shock the public into recognition of a threat within its midst. Thucydides says that the latter purpose was achieved most effectively (6.27.3: *καὶ τὸ πρῶμα μείζονας ἐλάμβανον*). Now a group wishing to shock the public just when the Sicilian expedition was about to sail cannot have been in favour of this expedition or its political leaders. Nor can the mutilation have been merely an arbitrary act committed as a mutual dare: as we have seen, other groups found less conspicuous crimes with which to boost their morale. It must have been calculated to have the effect it did on Athenian sentiment. As such I do not think we can avoid the conclusion that the group (or groups) who were responsible opposed Alkibiades' initiative in Sicily. I hope that my examination of the Hermes monuments in Athens has made it clearer why the Athenians minded their destruction so much. We need not assume that Euphiletos and his friends were theologians who carefully weighed up the precise significance of Hermes in Athenian belief when they selected their target. It is enough to suppose that they realized his importance in a general sense, just as militant political activists nowadays attack institutions seen to have functional and symbolic importance (e.g. broadcasting stations, embassies, ministries, airports etc.).

⁷¹ Murray, 'Affair of the Mysteries', 151.

CHAPTER TWO

The Profanation of the Mysteries

After rewards and legal immunity had been promised to anyone coming forward with information about the mutilation of the Herms, or indeed about any other cases of impiety known to him, Thucydides informs us that ‘certain metics and slaves’ came forward with information, not about the Herms, but about previous cases of damage to sacred images, and allegations that ‘the Mysteries were being performed in private houses by way of deliberate insult (sc. to the cult). They accused no less a figure than Alkibiades of this’ (6.28.1: *καὶ τὰ μυστήρια ἅμα ὡς ποιεῖται ἐν οἰκίαις ἐφ’ ὕβρει ὧν καὶ τὸν Ἀλκιβιάδην ἐπητιῶντο*). Andokides mentions four occasions on which the Mysteries were allegedly profaned in this fashion (an asterisk indicates that the name is also found on the Attic Stelai):

1. *De Myst.* 12–13: Andromachos, the slave, denounced *Alkibiades, Nikiades/*Nikides, Meletos, Archebiades, Archippos, Diogenes, *Polystratos, Aristomene, *Oionias, *Panaitios, himself and his brother, Hikesios the flautist and Meletos’ slave for profaning the Mysteries in the house of Poulytion¹ (*ἔλεγεν ὅτι ἐν τῇ οἰκίᾳ τῇ Πουλυτίωνος γίγνοιτο μυστήρια Ἀλκιβιάδην μὲν οὖν καὶ Νικιάδην καὶ Μέλητον, τούτους μὲν αὐτούς εἶναι τοὺς ποιοῦντας, συμπαρεῖναι δὲ καὶ ὄραν τὰ γινόμενα καὶ ἄλλους ...*).
2. *ibid.* 15: Teukros the metic denounced himself, *Phaidros, Gniphonides, Isonomos, *Hephaistodoros, *Kephisodoros, Diognetos, Smindyrides, Philokrates, Antiphon, Teisarchos and Pantakleus for parodying the Mysteries in an unspecified place (*μηνύσειν περὶ τε τῶν μυστηρίων, σύνεργος ὧν, καὶ τοὺς ἄλλους τοὺς ποιοῦντας μεθ’ αὐτοῦ ...*).
3. *ibid.* 16: Agariste, wife of Alkmeonides, denounced *Alkibiades, Axiochos and *Adeimantos for profaning the Mysteries in the house of Charmides close by the Olympieion (*μυστήρια ποιεῖν Ἀλκιβιάδην καὶ Ἀξίοχον καὶ Ἀδείμαντον*).
4. *ibid.* 17–18: Lydos, the slave of *Pherekles, denounced, among unnamed companions, Leogoras, Akoumenos and Autokrator, for profaning the Mysteries in Pherekles’ house in Themakos (*ἐμήνυσε μυστήρια γίνεσθαι ...*).

The fullest description of how the charge ran is given by Plutarch in his *Life of Alkibiades* (22): ‘Thessalos impeached Alkibiades for sacrilege committed against the two goddesses, Demeter and Kore; he imitated the Mysteries and showed them to his own comrades in his own home; he wore the robe which the Hierophant wears when he shows the sacra and he called himself Hierophant, Poulytion (he called) Dadouch, and Theodoros Keryx. His other comrades he addressed as Mystai and Epoptai in contravention of the laws and the tradition established by the Eumolpids and Kerykes and the

¹ In the Oxyrhynchus *Life of Alkibiades* lines 26–27 the only profanation mentioned is that in Poulytion’s house: *ἐξορχήσασθαι τὰ μυστήρια ἐν τῇ Πουλυτίωνος οἰκίᾳ τὸν Ἀλκιβιάδην*.

priests of Eleusis'.² We note that Andokides himself does not mention this indictment by Thessalos. We are faced with two alternative explanations: either he is deliberately keeping quiet about it, because it also mentioned him (thus MacDowell), or it did not constitute a new deposition of information but rather drew together previous denunciations (e.g. 1 and 3 above) into an official charge against Alkibiades. I prefer the latter explanation, as Andokides challenged anyone at his trial to come forward with any information about the Mysteries which he had omitted (§25–26). The following chapter will take up the matter of the identity of those implicated in more detail. Here we are concerned with establishing what was done by the profaners and, if possible, why.

The above passages allow the following first observation: the profanation of the Mysteries happened on various occasions, not always at the same place, but consistently in someone's private home:³ on each occasion there were a number of people present, some of them taking active roles in the profanation, some of them as passive spectators. The 'actors' played the parts of the three main Eleusinian officials at the Mysteries: the Hierophant, Dadouch and Keryx.⁴ Their actions involved doing certain things for the others to see. We note, for example, that Leogoras, Andokides' father, maintained his innocence of the charge of profaning the Mysteries, although he had been present at one of the profanations, on the grounds that he had been sleeping with his head covered at the time (Andok. 1.17). The covered head cleared him, presumably, of seeing the sacrilege, whilst being asleep might have been intended as a defence against having heard as well as seen something incriminating.⁵ The author of the *Against Andokides* speech confirms the suspicion that saying certain things constituted a part of the sacrilege ([Lysias] 6.51: *καὶ εἶπε τῇ φωνῇ τὰ ἀπόρρητα*). Exactly what things were done and said at the profanations is never spelled out in our sources, despite the fact that Andokides' trial was conducted before a jury whose members were all initiates of Eleusis.⁶ One reason for the silence is no doubt the respect felt for the Eleusinian *sacra* themselves, which as early as the *Homeric Hymn to Demeter* were designated as 'unspeakable' (478–79). Another reason may have been that everyone knew what happened during the Mysteries; there was no reason to spell it out. If the fragment of Eupolis' *Demoi* discussed in Appendix Two plays on actual profanations of the Mysteries it would seem that drinking the Eleusinian kykeon

² ... εἰσήγγειλεν ἀδικεῖν περὶ τῶ θεῶ, ἀπομιμούμενον τὰ μυστήρια καὶ δεικνύοντα τοῖς αὐτοῦ — sc. Alkibiades' — ἑταίροις ἐν τῇ οἰκίᾳ τῇ ἑαυτοῦ, ἔχοντα στολὴν οἴανπερ ὁ ἱεροφάντης ἔχων δεικνύει τὰ ἱερά, καὶ ὀνομάζοντα αὐτὸν μὲν ἱεροφάντην, Πουλυτίωνα δὲ δαδούχον, κήρυκα δὲ Θεόδωρον Φηγαῖα, τοὺς δ' ἄλλους ἑταίρους μύστας προσαγορεύοντα καὶ ἐπόπτας παρὰ τὰ νόμιμα καὶ τὰ καθεστηκότα ὑπὸ τ' Ἐὐμολιπιδῶν καὶ Κηρύκων καὶ τῶν ἱερέων τῶν ἐξ Ἐλευσίνος.

³ It seems to me worth suggesting that the tenses used by Andokides and Thucydides to describe the profanations (present stems, whether optative, infinitive, participle, or imperfect indicative) may in fact be iterative in aspect, pointing to a still greater frequency of these performances. MacDowell, *Mysteries* 79, commenting on this feature of Andokides' style, opines that it reflects a propensity in Andokides toward the historic present in indirect speech. Aurenche, *Les Groupes* 160 and Murray 'Affair of the Mysteries' 154 n. 15, share my opinion that the present stem may be iterative.

⁴ Andokides, *Myst.* 12, names Alkibiades, Nikiades and Meletos as αὐτοὺς τοὺς ποιῶντας, a phrase (and the same number of men, three) which suggests a parallel to the Plutarch passage; Agariste's denunciation, *ibid.* 16, also named three men, Alkibiades, Axiochos and Adeimantos, as the chief culprits; the speech *Against Andokides* (51) describes the alleged imitation by Andokides of Eleusinian priests only in a general fashion.

⁵ Note the behaviour of Philippos in Xenophon's *Symposion* (14) who covers his head in mock grief at one point. It was much easier for a participant at a symposion to cover his head in a lying position (with a pillow, for example) than it would be at a modern dinner-party, or theatre.

⁶ *Myst.* 29; see MacDowell, *Mysteries* 14.

was part of the ceremony. One word in the testimonia must receive attention in our inquiry: Thucydides says that the performance of mysteries constituted ‘a deliberate offence’ against the cult (*ἔφ’ ὕβρει*); *ὑβρις* was a criminal offence in Attic law.⁷

The humorous depiction of cult proceedings out of context (i.e. on the comic stage) was no rare thing.⁸ Aristophanes has Dikaiopolis in the *Acharnians* (425 BC) perform his own private celebration of the rural Dionysia, complete with phallos, prayer and sacrifice to Dionysos and other cult accoutrements (195ff.); Aristophanes is quite happy to depict women celebrating the Thesmophoria, even though (and this fact is important for the plot) no man is allowed even to witness the women’s rites, let alone mock them on stage. The *Peace* depicts a sacrifice (not quite on stage) accompanying the re-instatement of the goddess Eirene in Athens and a wedding ceremony closes the play. A procession mocking the Panathenaic Pompe itself, with sacrifice, features in the *Birds* (826ff.). Finally, we hear of the comic poet Eupolis mocking Alkibiades on stage by having him undergo initiation (involving dunking in water) in the cult of Kotyto.⁹ These instances do not of course constitute a mockery of the rites concerned *ἔφ’ ὕβρει*; they do, however, show that the Athenians were familiar with the concept of debunking cult in a theatrical manner (with actors and spectators); here there seems to be a shallow analogy with what Alkibiades and his friends did in the case of the Eleusinian Mysteries, although we must remember that the profanations were private affairs performed as a deliberate insult to cult.¹⁰

Likewise we should be aware of what Athenians were capable of getting up to generally at the all-night parties termed symposia.¹¹ Apart from drinking and sex with flute-girls and (particularly in the Socratic circle) attractive boys, anarchic behaviour seems to have been at a premium; in order to excel at an aristocratic symposium Aristophanes’ Philokleon in the *Wasps* attempts, successfully, to outdo the others in loutish behaviour (1299ff.); the slave Xanthias reports: ‘Wasn’t the old man the most mischievous trouble-maker and the worst drunkard of the whole assembled company? Phrynichos’ circle were all there (names) ... but he was by far the most loutish of them all!’. Plato’s *Symposium* (with a dramatic date just prior to the profanations of 415) has Alkibiades join the Socratic group late at night after attending another, wilder, party. One has the impression of a potentially explosive character entering the stage (212d2ff.). We have already considered the fact that the planning of the Herms mutilation itself was said by Andokides to have taken place during a drinking-party of the Euphiletos-Andokides

⁷ See e.g. D. M. MacDowell, *The Law in Classical Athens* (London 1978) 129–32.

⁸ Cf. K. J. Dover, *Aristophanic Comedy* (London 1972) 31–34. Id. ‘The Freedom of the Intellectual in Greek Society’, *Talanta* 7 (1975) 27.

⁹ Discussion pp. 131–33.

¹⁰ MacDowell, *Mysteries* 211, investigates the possibility that three men named in connection with the profanations, Archippos, Aristomenes, Kephisodoros, may in fact have been comic poets. MacDowell admits that ‘his arguments do not amount to proof’, but he has correctly, in my opinion, perceived the theatrical quality of the profanations. Where I disagree with him is in his conviction that tom-foolery was the dominant tenor of the profanations, without a serious edge. Comedy is also a serious business.

¹¹ Murray, ‘Affair of the Mysteries’, argues that there was a basic tension between the riotous behaviour at aristocratic symposia and the laws of the city: the *hetaireia* was an essentially anti-democratic institution which could challenge the democratic constitution as, for example, in 411 BC. I doubt whether a strict alignment between drinking-clubs and oligarchic aristocrats can be maintained. No doubt as many Athenians had symposia as could afford it (even on a fairly humble level), and by no means all aristocrats were hostile to the democracy (e.g. Alkibiades at this stage in his career). Thucydides 3.82, seems to indicate that both ‘parties’ — the ‘few’ and ‘the people’ — were guilty of illegal activities in the hetairia.

group; moreover, we hear (perhaps unreliably) in the *Life of Andokides* of another incident earlier in the orator's chequered career: 'Andokides had behaved wildly before that, being drunk one night and having damaged a statue of the god (sc. Hermes)' (§4).¹² Antiphon's third *Tetralogy* (α6) — which as a model speech suggests the frequency of the crime concerned — deals with the case of a man killed as a result of someone being 'drunk and disorderly' (ὑβρει δὲ καὶ ἀκολασίᾳ παροινῶν) after a drinking-party. The word *καμάζω* describes the riotous street processions of party-goers going home after the symposion.

Nor was entertainment lacking. Plato's *Symposium* shows the participants dismissing the professional entertainers in a high-minded way, as philosophical discourse will suffice. Xenophon's *Symposium* closes with an erotic performance by a boy and girl slave, which puts the audience in the right frame of mind to return to their wives (9). The performance was in fact quasi-theatrical as it imitated the courtship of Dionysos and Ariadne in a lifelike manner: '(the actors) did not look like people trained to perform certain motions but as if they were allowed to do what they had long desired'. When we recall that the sacred marriage of Dionysos and Ariadne was the theme of the Anthesteria festival,¹³ it would seem that the performance in Xenophon combines imitation of a sacred ceremony — but to serious intent, not mockery (οὐ σκώπτοντας ἀλλ' ἀληθινῶς τοῖς στόμασι φιλοῦντας) — and pure entertainment. Eupolis' mockery of Alkibiades in the *Baptai* turns on the performance of sacred rites in a private setting. From performances such as these to spoof performances of the central ceremony of the Eleusinian Mysteries (whatever that was) is no great step. The main difference lies in the absolutely illegal character of any profanation of the Mysteries — but that no doubt only heightened the piquancy of the act.

But why the Mysteries? What did Alkibiades and his friends have against Eleusis? Did they have any ulterior motive, or was the choice of this cult coincidental? To approach this question we should consider what the Eleusinian cult meant to the Athenians, and how it had been affected in the earlier phase of the war.

Eleusis itself (speaking metonymically) was Athens' most famous cult in the sense that it was the one most widely known, respected and attended by Greek speakers outside Attica. The history of Eleusis' union with Athens in fact only went back some two centuries prior to 415. Before that Eleusis was an independent community worshipping its own gods. However, some time in the seventh century Athens captured Eleusis and the cult of Demeter and her daughter Kore was taken over by the Athenians.¹⁴ Peisistratos, Kimon (479–461 BC), Perikles, all enhanced the cult (that is, the state's position as administrator of the cult) by paying for expensive rebuilding and expansion both of the Telesterion and the site generally. Two old clans, those of the Kerykes and the Eumolpids, supplied candidates for the three chief priestly offices, those of the Hierophant (a Eumolpid), the Dadouch and the Keryx (both Kerykes), as well as a whole

¹² Below p. 54. Blass (Teubner ed. xvi) brackets the passage as a marginal note which has found its way into the text.

¹³ [Aristotle] *Constitution of the Athenians* 5, with Rhodes' note. This is assuming that the wife of the Archon Basileus must, in some way, play the part of Ariadne.

¹⁴ See N. J. Richardson, *The Homeric Hymn to Demeter* (Oxford 1974) 6–11; A. Walton, 'Athens, Eleusis and the Homeric Hymn to Demeter', *HTHR* 45 (1952) 105–14; Mylonas, *Eleusis*, 63, takes a different view, namely that Eleusis belonged to Athens well before the seventh century, regained its autonomy in the wake of the Kylonian conspiracy, and then was taken again by Athens in the Solonian period, together with Salamis.

retinue of lesser officials.¹⁵ The name Eumolpid points back to an early Eleusinian king Eumolpos, but otherwise in the period we are talking of there is no reason not to regard the Eumolpids and the Kerykes as Athenians (as opposed to Eleusinians). In the fifth century the prestige of Athens and the Eleusinian Mysteries might be said to be mutually predicable of each other, with Greeks from all parts of the Greek-speaking world attending the goddesses' *δρῆα* — something which could not be said of either the Panathenaia or the City Dionysia, which tended to emphasize solidarity within Athens and its empire. Andokides' supposed prosecutor in 400 BC refers to the Mysteries as one reason why Athens enjoys special prestige among the Greeks ([Lysias] 6.50).

Eleusis' claim to pan-Hellenic status was based on the mythical origin of grain. According to the *Homeric Hymn*, Eleusis was the place chosen by Demeter when she left Olympos to live temporarily among men. When her daughter Persephone was restored to her, she permitted the fields of the Thriasian Plain to bear fruit once more (453–58). The myth went on to describe how Triptolemos, an Eleusinian prince, was responsible for spreading the gift of corn among all men; depictions of Triptolemos setting off on a chariot with an urn of corn become prominent in Attic vase-painting of the sixth and fifth centuries.¹⁶ Attica's pride in having been the first land to be favoured by Demeter's gift of grain comes out clearly in a passage of Plato's *Menexenos*, an only partly tongue-in-cheek specimen of the genre of funeral speech (237e7–238a6). Moreover, the Delphic oracle had confirmed Eleusis' claim to have been the first land to receive grain from Demeter and to pass on the gift to other Greeks, and had sanctioned the annual payment by all Greek states of first-fruit offerings of grain payable to Eleusis prior to the festival of Proerosia.¹⁷ The inscription recording the regulations for paying this tithe in the late fifth century will be considered in more detail below.

The Eleusinian cult was involved in the Peloponnesian War from the start. We read in Thucydides (1.139.2) that a dispute between Megara and Athens over the tract of land sacred to Demeter and Kore lying between their territories (*ὄργυζ*) had been instrumental in the Athenians' decision to debar the Megarians from Athenian trading points; the so-called 'Megarian Decrees' conversely were cited by the Spartans in 432 as a major breach of inter-state relations, one forcing the Spartans to resort to armed resistance (Thuc. 1.139.1–2).

When war between Sparta and Athens commenced, Sparta's first move in 431 was to invade Attica with a Peloponnesian force, making straight for Eleusis and the Thriasian Plain, where most of Athens' local grain originated (2.19.2). Archidamos, the Spartan king, ordered the crops to be destroyed; he camped there for a while to see whether the Athenians would accept the challenge (2.20.3). Thus the attack on Eleusis was not only strategic — in fact its strategic effect was limited in that Attica, as Perikles insisted, was not dependent on home-grown corn — but also psychological, striking at a spot dear to Athenian hearts in a traditional and religious sense. This was the situation which obtained in the early years of the Archidamian War, until Spartan hostages were taken at Sphacteria in 425 BC. The Spartans invaded Attica, forcing the rural population of Attica to take refuge within Athens' Long Walls. Thucydides relates how the rural population of Attica were reluctant to leave their demes, as they were accustomed to life in the country, and had only recently repaired the damage done by the Persians. Moreover, it pained

¹⁵ Documentation of the relevant epigraphic and other material in: K. Clinton, *The Sacred Officials of the Eleusinian Mysteries*, TAPS 64, (3) (1974).

¹⁶ Cf. Richardson, *Demeter* 9; it should be added that Sicily later came to challenge Eleusis' claim to have first received Demeter: see Richardson, *Demeter* 76–77, with note.

¹⁷ Cf. Parke, *Festivals* 73. Parke and Wormell, *Delphic Oracle* 2, no. 164.

them to abandon the traditional religious rites which they had observed since early times (2.16.2: *καταλείποντες καὶ ἱερὰ ἃ διὰ παντὸς ἦν αὐτοῖς ἐκ τῆς κατὰ τὸ ἀρχαῖον πολιτείας πάτρια*. See below pp. 86–88). Quite possibly the Eleusinian Mysteries are to be included among these *ἱερὰ πάτρια*. Aristophanes' Dikaiopolis in the *Acharnians* is particularly pleased to be able to celebrate (privately) the rural Dionysia once more, after the interlude forced upon him by the war (195ff.). The evacuation of Attica and the consequent overcrowding in Athens led to further infringements on sacred tradition, for example in the squatting which took place within the Pelargikon area (Thuc. 2.17), despite a warning from Delphi that 'the Pelargikon (would be) better (left) unused'. During the years when the enemy occupied Attica during the summer months, celebration of the Eleusinian Mysteries was, of course, impossible. Nor was there any grain harvest to thank Demeter for.

Sometime during the period of unstable peace between 423–415 (probably), an edict was passed in Athens calling on all the Greek states to remember their duty to send first-fruit offerings of grain to Demeter at Eleusis. The text is known as the Eleusinian *Aparchai Decree*. Unfortunately it cannot be dated with certainty. Suggestions have ranged from the forties of the fifth century to spring of 415 BC.¹⁸ There is at least some agreement that the conditions it envisages (all the Greek states sending grain to Eleusis) seem to presuppose peace; otherwise the foreign city-states would hardly have been forthcoming with their tithe for Eleusis. I believe that the weight of evidence is for a dating between 423 and 415, and my case would be strengthened if the dating proposed by Dinsmoor and accepted by Meritt and Clinton to the spring of 415 were correct.¹⁹

The following is a summary of the content of the decree, which, having been ratified by Council and Assembly, was exhibited at Eleusis and Athens:²⁰

1. (a) The Athenians are to hand over as a first-fruit offering to the two goddesses of Eleusis one six-hundredth part of their barley harvest annually and one twelve-hundredth part of their wheat, according to ancestral tradition and the oracular edict from Delphi.²¹ The demarchs are to collect the tribute from each deme singly and to deliver it up to the temple officials at Eleusis. Granaries are to be constructed from temple funds to receive the tribute.²²

(b) Athens' allies are to offer first-fruits in corresponding amounts; the Athenian Council is to despatch heralds to the allies, proclaiming Athens' will. The high-priest (Hierophant) at Eleusis and the *Dadouchos* must also instruct the Greeks who attend the Mysteries to make first-fruit offerings to the goddesses. The amounts received from the Athenian demes and the individual Greek cities will be recorded at Eleusis and Athens.

(c) Likewise the Athenian Council is to send out to all other Greek cities, where it is deemed feasible by the Council, telling them to offer first fruits like the Athenians, not ordering them, merely bidding them do so if they wish, again according to ancestral tradition and the oracular edict from Delphi.

¹⁸ Text: Meiggs and Lewis, *Greek Historical Inscriptions* no. 73; Lewis *IG I³* 78. Date: discussion in Meiggs and Lewis 222–23.

¹⁹ Dinsmoor, *Archons of Athens* (Athens 1931) 338–40; B. D. Meritt, *Athenian Financial Documents of the fifth century* (Ann Arbor, University of Michigan Press 1932) 172 n. 3; id. *Classical World* 56 (1962) 39–41. Clinton, *Sacred Officials* 14–15 and n. 24.

²⁰ The Eleusis copy is preserved almost intact, the Athenian in one fragment (lines 51–52).

²¹ For the oracle in question see above n. 17.

²² Remains of storage buildings from approximately this period: Noack, *Eleusis* 193–201; Mylonas, *Eleusis* 126.

2. From these offerings of grain, sacrifices are to be made to the Eleusinian deities: from the best quality flour, whatever the Eumolpidae order in the way of a sacrifice; from the barley and wheat a sacrifice to each of the goddesses of three animals, beginning with an ox with gilded horns; likewise an adult animal for Triptolemos and for the God and the Goddess and for Euboulos and an ox with gilded horns for Athens. The temple-officers are to sell the remaining grain for votive offerings to the goddesses, working in collaboration with the Athenian Council and Assembly, and to record on the votive pieces that they were set up from the offerings of first-fruits made by the Greeks; and that much good fortune should attend those who made the offering; specifically, an abundant and successful harvest for all those who do no harm to the Athenians or their city or the two goddesses.

3. Lampon added the rider: (a) These measures are to be displayed in Eleusis and Athens (b) An intercalary month of Hekatombaion should be added to the following year by the Archon Basileus. (c) The Pelargikon area should be strictly demarcated and in future no unauthorized altars set up there, nor stones nor earth removed from it.²³ The penalty for offenders should be five hundred drachmai and reporting to the Council. (d) Lampon should regulate the first-fruit offerings of olive-oil and report to the Council in the ninth prytany, for referral to the Assembly.

The main purpose of this bill is to restore the Eleusinian Aparchai to their traditional status within Attica and abroad. It refers repeatedly to ‘traditional practice and the oracle from Delphi’ (*κατὰ τὰ πάτρια καὶ τὴν μαντείαν τὴν ἐν Δελφῶν*).²⁴ But this was not the only aspect of cult which needed to be set in order. The text refers to the building of granaries to house the offerings of grain (10–11); since the amounts of grain arriving at Eleusis were not being raised compared to the past, one might wonder why new granaries needed building: had the old ones been damaged, or fallen into disrepair? Lampon also undertook to review the question of offerings of olive-oil to Athena (59–60). Why did this need doing at this time? Finally, the Pelargikon is to be demarcated to prevent further misuse: unauthorized altars had been built in it; building material unlawfully removed. Why was this necessary?

The last point may be easiest to answer. Thucydides tells us that the Pelargikon had been misappropriated for accommodation during the early years of the Archidamian War (above). True, the unauthorized altars of our text are not mentioned by Thucydides, nor do they seem particularly relevant in the siege conditions described by Thucydides, but the homeless Attic farmers may have erected makeshift altars there to ease their spiritual need. The other three measures — restoration of grain and oil offerings, building of granaries — could all be explained by the hypothesis that the bill was passed after the peace of Nikias, or after the truce in 423. We know that arable farming and the olive orchards in Attica had been regularly destroyed by the invading Peloponnesians.²⁵ Perhaps Archidamos had ordered the destruction of the Eleusinian granaries on one occasion. In short, the bill seems to me to seek to restore various cults to their normal status (after a period of abnormality). This condition did not obtain before the war;

²³ For the importance of the Pelargikon as a sanctuary of Poseidon in Athens cf. Aristophanes *Birds* 832 and 867.

²⁴ Above n. 17.

²⁵ Apart from Thucydides cf. Lysias 7.5–8, on the destruction of the countryside, including olive trees, in this period.

Meiggs' and Lewis' dating to (?)422 BC takes account of this, and the inscriptions recording Eleusinian income from the offerings dating from 422/1 to 419/8.²⁶

Some confirmation of the connection between this decree and the Peace of Nikias comes in the person of Lampon, who was first Athenian signatory to the peace treaty in 421 (Thuc. 5.19.2; to the alliance with Sparta *ibid.* 24.1), and a moving force behind this decree. These documents in combination show him using his authority in religious affairs²⁷ in the sphere of politics too. If the connection, and the dating, is correct, the Eleusinian Aparchai Decree can be seen both to exploit the conditions of peace brought about by the Peace of Nikias, and to promote the peaceful observance of cult. When we consider how the Eleusinian cult had suffered from Peloponnesian incursions earlier, it seems natural to equate the interests of Eleusis with peace. Plutarch records that 'the priests' opposed Alkibiades when he proposed going to war again by invading Sicily (*Life of Nikias* 13.1 λέγεται πολλά καὶ παρὰ τῶν ἱερέων ἐναντιοῦσθαι πρὸς τὴν στρατείαν). He does not specify which priests, and probably did not mean to, but he may have been referring to the main priestly clans at Athens, the Eumolpids and the Kerykes, who were closely concerned with Eleusis and the interpretation of sacred law. Alkibiades, Plutarch says, overcame opposition from this quarter by fetching in 'other prophets' (*ibid.* ἑτέρους ἔχων μάντις). We note the change in vocabulary from ἱερεύς to μάντις in this exchange: anyone could claim to be a μάντις, whilst a ἱερεύς was associated with state cult.

If the Eleusinian Aparchai Decree dates to the period suggested, it may have been a deliberate political move to promote the cause of peace and thwart Alkibiades. Is there any other evidence for an association of the Eleusinian cult with peace?

The Eleusinian cult was invoked some 45 years later in the cause of peace by Kallias, the serving Dadouchos (Xenophon, *Hell.* 6.3.6). Kallias was one of the Athenian ambassadors of 371 BC negotiating terms for peace with Sparta on the occasion. He argued that the Eleusinian Mysteries and the gift of grain had been shared by the Athenians with Sparta from the beginning, hence that warfare between them was inappropriate; his remarks imply the incompatibility of warfare (which involved destroying the grain crops of the enemy) with Triptolemos' gift of grain to both sides. This passage shows how Eleusis could be invoked as a symbol of peace, but of course it does not prove that the cult was invoked in this way in 415. A further analogy is supplied by Kleokritos' reconciliation speech in 403. Here Kleokritos, as Herald of the Mysteries, appeals to the rites (he means the Mysteries) both factions have shared, as a basis for restoring civic concord (Xenophon, *Hell.* 2.20.2–4).

Finally, some lines of Callimachus' *Hymn to Demeter* formulate the point clearly:

²⁶ *Greek Historical Inscriptions* 222–23; M. H. Jameson, reviewing the book in *AJP* 93 (1972) 479, argues for a dating after the Peace of Nikias. Lewis' most recent edition of the decree in *IG* I³ 78, dates it: 'ca. 422?'. *IG* I³ 391 records sums of money given to the Epistatai by the Hieropoioi in connection with the first-fruit offerings for the years 422/421–419/418. However, the amounts seem small: Lewis, *ad loc.*: 'Num decretum n. 78 de primitiis ... necessarie hunc titulum antecedit, incertum est; certe hic reditus minimi sunt.' See also Jameson, *AJP* 93 (1972) 479; Meiggs and Lewis, *Greek Historical Inscriptions* 222. It should be mentioned that M. B. Cavanaugh, *Eleusis and Athens, Documents in Finance, Religion and Politics in the Second Half of the Fifth Century* (Dissertation Cornell University 1980) wants to return to a pre-war dating on the grounds that Eleusinian Hieropoioi are to preside over the first-fruits, whereas they were replaced by Epistatai by the late twenties. The argument hardly seems decisive.

²⁷ Called ἐξηγητής by Eupolis (F 297 K.) and schol. Aristophanes *Clouds* 332. He played a leading part in the founding of Thourioi in 444 BC (Diodorus Sic. 12.10.3ff.); cf. Plutarch, *Perikles* 6. Aristophanes does him the honour of jokes at his expense at *Birds* 521; 988.

χαῖρε, θεά, καὶ τάνδε σάω πόλιν ἔν θ' ὁμοιοῖα
 ἔν τ' εὐηπελίᾳ, φέρε δ' ἀγρόθι νόστιμα πάντα
 φέρβε βόας, φέρε μᾶλα, φέρε στάχυν, οἷσε θερισμόν,
 φέρβε καὶ εἰράναν, ἴν' ὅς ἄροσε τήνος ἀμάση. (134–37)

'I salute you, goddess. Preserve this city in concord and well-being. See that everything is brought in from the fields. Look after our cattle and sheep; save our cornfields; permit the harvest; maintain peace so that he who ploughs may also reap.'

I offer then, the hypothesis that the Eleusinian cult from 423 to 415 became a symbol of peace in Attica, and of peaceful relations between Athens and other Greek states. If this were true, Alkibiades' campaign of derogatory performances of the Mysteries in private homes would make more sense; he found himself in opposition to 'the priests';²⁸ by mockery he might seek to minimize this opposition, at least among his circle of friends. This action would be another example of the *παρανομία* (Thuc. 6.15.4) which was his undoing.

Nor should the sequel to the profanations be forgotten. Following Alkibiades' condemnation (*in absentia*) for profanation of the Mysteries, the Athenian Demos voted that all the priests and priestesses of Athens should curse him — an injunction which was apparently carried out with the exception of a priestess called Theano, daughter of Menon, who said that was not her job (Plut. *Life of Alkibiades* 22.4).²⁹ Not only Alkibiades was cursed; the author of the *Against Andokides* says that Andokides too was cursed by priests and priestesses 'standing facing the west, shaking out their purple robes' (51).

Alkibiades defected to Sparta, and one measure he is said to have recommended to them — the maintenance of a Spartan garrison at Dekeleia in Attika — had as one effect the prevention of the overland procession of Mystai to Eleusis for the Mysteries (as such a procession became unsafe); Xenophon (*Hell.* 1.4.20) tells us that the Mystai did not abandon the Mysteries during these years, but rather took to sailing to Eleusis from the Piraeus instead of walking along the Sacred Way.

In 411 Aristophanes' *Lysistrata* was staged, an anti-war play in which the women of the affected Greek states force their husbands into abandoning warfare by refusing sex to them. Their are many instances where the women swear by Demeter and Kore (*τῶ θεῶ*, Spartan: *τῶ σιῶ*) in connection with their peace plot (e.g. 148). We note that the Athenian women on a previous occasion invoked another god (Adonis) in their protest against the Sicilian expedition (387ff.).³⁰

When in 412–411 Alkibiades' recall from exile was mooted we are told explicitly by Thucydides that it was the Eleusinian clans of Eumolpids and Kerykes who resisted the

²⁸ Cf. Lehmann, 'Zur Krise' 56–57. I translate: 'With regard to the repeated profanations of the Mysteries and other religious-escapist 'orgies', in which Alkibiades and his coterie had for some time taken a leading part, one should not overlook the contemporary political background: as the famous Eleusinian Aparchai Decree shows, Athens made considerable efforts during the Peace of Nikias to elevate the status of the Eleusinian cult to a fully recognized pan-Hellenic institution, and to make it serve the interests of Athens' prestige and hegemony. Just as this drastic exploitation of the venerable ceremony of the Mysteries may well have actually provoked and induced the blasphemous mockery of the profanations among the liberated and frivolous circles of the Hetairiai, so the animosity of those closely associated with Eleusis toward Alkibiades was from now on going to be an important factor in Athenian politics.' Lehmann assumes without discussion the dating of the Decree to spring 415.

²⁹ Clinton, *Sacred Officials* 16, n. 31, argues that Theano must have been an Eleusinian priestess, presumably that of Demeter and Kore.

³⁰ Below pp. 140–45.

move; their opposition was based on his previous impiety toward the Eleusinian Mysteries (8.53.2: καὶ Εὐμολπιδῶν καὶ Κηρύκων περὶ τῶν μυστικῶν δι' ἅπερ ἔφυγε μαρτυρομένων καὶ ἐπιθροιάζοντων μὴ κατάγειν). When he did finally return to Athens in 407, he made a calculated gesture to restore favour with the Eleusinian cult: he organized an armed escort for the procession of Mystai to Eleusis to defend it from marauding Spartans from Dekeleia.³¹ Thus he sought to undo the damage he had done both by recommending the fortification of Dekeleia to the Spartans and by having personally insulted the Eleusinian cult. And the state duly voted that the priestly curse against him should be revoked; Theodoros, the acting Eleusinian hierophant, commented that he had never wished harm on Alkibiades in the first place, as long as that man did not injure the state (Plut. *Life of Alkibiades* 33). We see in this series of events how the Eleusinian priests were capable of opposing the wishes of certain politicians, and expressing a political opinion in their own right; on the other hand, how they submissively enacted any measure voted by the Demos.³²

At the end of the war, during the tyranny of the Thirty, the township of Eleusis itself suffered losses of men of a democratic disposition at the hands of the Thirty; the tyrants wished to clear a 'safe' retreat from Athens for themselves, should they be ousted (Lysias 12.52; 13.44). After the Battle of the Piraeus in 403 between the returning democrats and the oligarchic tyrants led by Kritias (where the democrats gained the victory), Xenophon gives a version of the speech made by Kleokritos, the Sacred Herald of the Mysteries, in which he appeals by the sacred Eleusinian rites which both factions have participated in, for the civil war to end (*Hell.* 2.4.20–22). When the Thirty were eventually removed from Athens, the surviving members of the tyranny and their supporters withdrew to Eleusis, where they established a community separate from Athens in everything except the celebration of the Mysteries: that is, citizens from each community were mutually debarred from the other, except on the occasion of the Mysteries, which was to be open to both communities ([Aristotle] *Constitution of the Athenians* 39). Eventually the Thirty were removed from Eleusis as well, and conditions might be said to have returned to normal.

³¹ Murray, 'The Affair of the Mysteries' 156: 'It was a deeply symbolic act when Alkibiades chose to seal his triumphal return to Athens by celebrating again with the whole people the Eleusinian Mysteries, delaying a necessary military campaign in order to demonstrate that he had not been guilty of the alleged offences.'

³² I do not agree with R. S. J. Garland, 'Religious Authority in Archaic and Classical Athens', *ABSA* (1984) 77, that the Theano episode 'only serves to underline the powerlessness and overall lack of initiative of even the high-ranking Eleusinian priesthood.' His discussion seems to overlook the fact that Eumolpid resistance to Alkibiades' recall appears to have been a real political factor in 411.

CHAPTER THREE

One Crime or Two?

The last two chapters have sought to analyse the two cases of religious impiety in 415 as separate entities. The political purpose or colouring to each episode, or series of episodes, has likewise emerged as separate, not to say diametrically opposite. The Herms mutilation points toward a last-ditch attempt to deter the Athenians from sending the Sicilian Expedition; I have argued that the profanation of the Mysteries reflects animosity among Alkibiades' circle toward a peace ideal embodied by Eleusis. In this way, the two impieties appear to reflect the burning political issue of the day (whether or not to invade Sicily) transposed to the level of nocturnal conspiracy. However, the proposition that the crimes were separate in conception, purpose and in the persons respectively involved, needs defending — in particular against the prevalent view of modern scholars, who have tended to emphasize their unity. Thus Dover's excursus on the Herms and Mysteries affairs argues that 'the same people, or at least the same section of society, were concerned with both impieties.'¹ It is true that subsequent work, notably that by Aurenche,² Green,³ and Osborne,⁴ has argued for a clear distinction in purpose between the Herms mutilation and the Mysteries profanation, but a recent and detailed treatment of the whole complex, that by Ostwald,⁵ has gone back to a position where the impieties are treated as an undifferentiated whole; Ostwald goes further: he argues that both impieties were the actions of men who shared anti-democratic sentiments. The perpetrators in both cases, he argues, were predominantly young men (under thirty-five) who, equipped with much money and a Sophistic training, looked down upon the Athenian rabble. He doubts a clear political orientation to the impieties, preferring to attribute them to the loose-living and intellectual snobbery characteristic of this milieu. I will be arguing, not with the proposition that those guilty in both affairs tended to belong to the affluent intelligentsia of Athenian society, but with the disinclination to perceive rival factions at work behind the respective attacks on cult.

It is true that at the time there was a *campaign* to lump the crimes together and attribute both to Alkibiades, as we shall see, but our main sources, Thucydides and Andokides, are pedantic in keeping them separate. After narrating the Herms mutilation and stating that rewards were offered for information about any cases of impiety, Thucydides tells us that some foreigners and servants came forward with denunciations, not relating to the Herms, but to some previous cases of statue-vandalisation and in particular to profanations of the Mysteries, in which they also inculpated Alkibiades (6.28.1). When the *Salaminia* was dispatched to Sicily to fetch Alkibiades and others

¹ *HCT* IV 284.

² *Les Groupes* 165ff. (esp. 171).

³ P. Green, *Armada from Athens* (New York 1970) 123.

⁴ 'Erection and Mutilation' 67.

⁵ M. Ostwald, *From Popular Sovereignty to the Sovereignty of Law* (University of California Press, Berkeley L.A. 1986) 323–33; 537–50.

accused of impiety, we learn from Thucydides that the charges were still at that time kept separate: the ship came for Alkibiades 'and for some other members of the expedition who were also accused with him of committing sacrilege against the Mysteries, and also for some men (sc. accused of committing sacrilege) in connection with the Herms.' (6.53.1). When he deals with the imprisonment and confession of one of the accused whom we can plausibly identify as Andokides, he states quite explicitly that Andokides only confessed in the matter of the Herms mutilation (60.2–4). Following Andokides' confession, Alkibiades' enemies renewed their onslaught on the latter; 'When the Athenians thought they knew the truth about the Herms,' Thucydides writes, 'it seemed to them all the more likely that the crime against the Mysteries, of which Alkibiades stood accused, had been committed by him in the same spirit, in similar conspiratorial antagonism to the democracy' (6.61.1). Several facts should be noted about this last statement: (1) Thucydides keeps the two crimes separate throughout, linking Andokides with the mutilation, Alkibiades with the profanation (2) the view that the Herms mutilation had constituted a conspiracy against the democracy appeared to the Athenians to have been confirmed by Andokides' confession (3) it was Alkibiades' political enemies – the same men who had conspired against him when the sacrileges first came to light (6, 61, 1) — who persuaded the Demos to view Alkibiades' involvement in the Mysteries as parallel to Andokides' self-confessed guilt in the Herms affair (6.61.1).

The only confusion between the two crimes according to Thucydides stemmed from the smear-campaign launched by certain rival demagogues against Alkibiades. In 6.28.2, immediately after the Herms mutilation and after Alkibiades had been denounced for profaning the Mysteries, we read that 'the men who most deeply resented Alkibiades for preventing them being the firmly established leaders of the Demos, and who thought that if they could drive him out, they would be leaders, made much of these accusations and cried out that both the Mysteries affair and the mutilation of the Herms were a threat to the democracy and that Alkibiades was behind both. By way of evidence they cited the lawlessness in his personal deportment generally, which was not consistent with democracy'. Thus we learn of a deliberate campaign at the time to link both crimes in popular opinion, and to blacken Alkibiades' name in conjunction with both. The same strategy emerges at 6.61.1, as we have already seen, when, in the wake of Andokides' confession to the Herms mutilation, the same political rivals of Alkibiades persuaded the people that both crimes had been anti-democratic in spirit, and that Alkibiades was guilty of profaning the Mysteries. It is presumably Thucydides whom Plutarch drew on when he states that 'Alkibiades' enemies wove the Mysteries affair together with the offences against the Herms' in their attempts to discredit him (*Life of Alkibiades* 20).⁶

When we turn to the other contemporary witness (and guilty party) Andokides, we find a stringent division in his narrative between accusations of parties allegedly guilty of profaning the Mysteries (11–33) and denunciations for mutilating the Herms (34ff.). This division reflects Andokides' strategy in conducting his own defence: he argues that not one of the Mysteries denunciations named him, whilst he *was* named by Diokleides as a mutilator, though erroneously (on his account). He gives a number of names of those denounced in both impieties, and it would appear that there was some overlap between

⁶ The whole passage (20.2–3) seems very closely modelled on Thucydides: 'At first ... sundry vague suspicions and calumnies against Alcibiades were advanced by aliens and slaves. Afterwards, during his absence, his enemies went to work more vigorously. They brought the outrage upon the Hermae and upon the Eleusinian Mysteries under one and the same design; both, they said, were fruits of a conspiracy to subvert the government.' (trs. Perrin, Loeb edition 1916). Cf. Dover *HCT* IV 280.

mutilators and profaners: this overlap will concern us shortly. Another factor casts doubt on the objective value of Andokides' strict division of the impieties: a metic, Teukros, gave information about both crimes when he returned from Megara (where he had been cowering, fearing prosecution himself). We read (15): 'Teukros ... announced to the Council that, provided he was granted immunity from prosecution, he would give information about the Mysteries, as he had been personally involved, and name those who had profaned them with him, and (he would report) what he knew about the Herms mutilation.' There follows Teukros' denunciation of certain profaners. Much later in the speech (34), Andokides gives his denunciation of mutilators. This can hardly have reflected an actual temporal schism in Teukros' testimony, as (1) there is no reason why he should have wanted, or been able, to hold back part of his testimony for a later occasion, (2) he had apparently announced to the Boule before his return that he was prepared to give evidence in both cases. Thus Andokides has made a *logical* divide in his evidence which presumably did not match the manner in which Teukros gave it.⁷ On the other hand, the passage quoted above makes a further distinction: Teukros would inform about the Mysteries as having been personally involved, whereas he would only 'say what he knew' about the Herms: the assumption one naturally makes is that he was not (or was not admitting to being) personally guilty of mutilating Herms. A later passage of Andokides weakens this distinction (34: 'he said what he knew about the Mysteries and about the mutilators of the Herms'), but the expression is of the nature of a recapitulation, and does not affect the details given earlier. I conclude that, although Andokides' account of Teukros' evidence has a slightly distorting effect (emphasizing as it does the separateness of both crimes), it is nevertheless fair to conclude that Teukros' information about profaners was conceptually and legally separate from that concerning mutilators. Similarly, there is nothing in Andokides (except the marginal overlap in people named in connection with both crimes) which would lead us to conclude that the impieties were one indivisible whole either in terms of Athenian legal procedure or in their inherent nature.

The minor matter of reward-monies should be mentioned. Thucydides records 'large rewards' (6.27.2) offered to anyone coming forward with information about the Herms mutilation or about any other case of impiety. Andokides (27) says that Kleonymos proposed a reward of one thousand drachmai, Peisandros raised this to ten thousand. At the Panathenaia the amounts actually awarded were: ten thousand to Andromachos (who had denounced Alkibiades for profaning the Mysteries) and one thousand to Teukros (who had given evidence in both cases) (28). Thus a total of 11,000 drachmai were in fact awarded to informants. Now when Andokides narrates the Diokleides episode (which involved the denunciation of Andokides himself), he mentions ten thousand drachmai as the reward offered for information (40, 41). The sum does not quite square with the eleven thousand apparently mentioned before. However, I prefer, with MacDowell,⁸ to believe that ten thousand in 40, 41, is given as an approximation, rather than that there was a separate reward of ten thousand drachmai offered in the Herms case over and above the eleven thousand for the Mysteries affair. Diokleides did not, after all, receive any reward money (note the imperfect in *χρήματα ἐλάμβανε* at 60), and a fragment of the comic poet Phrynichos (fr. 58) emphasizes that it was Teukros who received the reward for informing against mutilators of Herms, whilst Diokleides merely wished to do

⁷ Dover *HCT* IV 273: 'Presumably Teukros gave his information on the herms and on the mysteries at the same time.'

⁸ *Mysteries* 81.

someone harm.⁹ In conclusion, then, it would appear that the rewards offered were conceived from beginning to end as applying to information received about *any* recent case of impiety. The way they were paid out shows Andromachos receiving ten elevenths of the total for informing in the Mysteries case, Teukros one eleventh for information given in both crimes.¹⁰ The fact that the crimes were treated as an amalgam here may reflect the desire we traced earlier among certain demagogues (Kleonymos and Peisandros, responsible for proposing the rewards, might serve as good examples)¹¹ to implicate Alkibiades in both impieties indiscriminately.

Thucydides and Andokides, then, preserve a strict distinction between the impieties; we have already seen in Thucydides how certain politicians sought to blur this distinction to serve the political end of discrediting Alkibiades; the same tendency in Andokides' case (though here vice versa, with his probable guilt in the Herms affair being augmented by an alleged part in the Mysteries affair) comes out in the speech *Against Andokides* ([Lysias] 6.51), written c. 400 BC. Later biographers of Alkibiades reflect their reliance on Thucydides' original distinction between the crimes when they come to treat this episode in Alkibiades' career. This is true of Plutarch, as we saw above, and also of the pro-Alkibiades author of the Oxyrhynchus *Life of Alkibiades*. It can be shown that the latter writer was also using Andokides as a source.¹²

In fourth-century Attic oratory, however, the distinction is dropped; Alkibiades' name becomes inseparably linked with both mutilation and profanation. At Lysias 14.41–42, for example, the speaker castigates 'men like Alkibiades' who do such things as profane the Mysteries and mutilate Herms; Demosthenes 21.147, in the mid-fourth century says flatly that Alkibiades mutilated the Herms. The tendency to attribute both impieties to Alkibiades recurs in later writers such as Diodorus Siculus (13.2.3; 5.1) or Pausanias Atticista (fr. 72 Erbse s.v. *Ἐρμοκοπίδα*).

Thus, in my opinion, the two crimes were originally distinct in terms of the offended cult, the underlying purpose and the persons involved, but they came to be blurred as a result of (1) the deliberate efforts of certain politicians (2) their conceptual similarity as impieties committed nearly simultaneously against Athenian cults (3) the inextricable meshing of the legal procedure set in motion to investigate and prosecute those responsible and (4) the general notoriety of Alkibiades attracting suspicion in both affairs.¹³ Time, of course, set its seal on this blurring, making it more and more difficult to hold the crimes apart. The careful construction of Andokides' defence speech shows him battling against this tendency.

⁹ In Plutarch, *Life of Alkibiades* 20, 4: See below p. 145.

¹⁰ The wording given by Andokides — *καὶ ἐψηφίσαντο πρώτῳ μὲν Ἀνδρομάχῳ, δευτέρῳ δὲ Τεύκρῳ* — combined with the amounts they respectively received, may indicate that Andromachos received the lion's share as having been the *first* with valid information and Teukros the second; and indeed the first person to break silence took a greater personal risk, particularly when the accused was Alkibiades.

¹¹ Cf. MacDowell, *Mysteries* 80–81; Ostwald, *Popular Sovereignty* 331–32.

¹² B. D. Grenfell and A. S. Hunt, *Papyri Oxyrhynchi* III (Oxford 1903) no. 411. The author's reliance on Thucydides emerges (a) from his narrative (b) from his repetition of certain phrases in the historian. That he had read Andokides is indicated by his naming Poulytion's house as the venue for Alkibiades' alleged profanation of the Mysteries (lines 26–27), and his mentioning Andokides by name (75–76), whilst Thucydides suppresses the identity of the suspect. The editors of the papyrus express the opinion that the piece may precede Plutarch, but certainly derives from the Roman period.

¹³ Cf. Dover *HCT* IV 280: '... popular tradition, which associated the spectacular person with the spectacular act.'

A fascinating document, but one which leaves many questions unanswered, indeed raises a number itself, is the series of inscriptions known as the Attic Stelai, which record the sale of property of those convicted of impieties in 415.¹⁴ We must turn now to an examination of aspects of these, combined with the lists of miscreants given by Andokides and Plutarch, in order to pursue further the question of the distinction between the Herms scandal and the Mysteries affair.

The Attic Stelai appear to have comprised a group of ten upright stelai, erected possibly in rectangular form close to the Eleusinion in Athens.¹⁵ As stated, they record lists of property confiscated from those found guilty of impiety in 415, then sold, presumably by the officers called Poletai.¹⁶ Entries in these lists appear to be made chronologically, with items listed under the respective miscreant, together with its sale price. As Lewis observes, the order in which items were confiscated and sold reflects their manageability and proximity to Athens, with overseas real property, for example, being sold late in the process.¹⁷ There is a strong case for dating the sequence to the eighteen-month period commencing autumn 415.¹⁸ Fifteen names appear on the fragments surviving of these ten stelai: there is a good correlation between these names and those known from Andokides and Plutarch to have been involved in the impieties.¹⁹ From the point of view of Athenian society, these lists are rather like the heads of executed criminals which once adorned London Bridge: they served as a grim reminder to those passing the Eleusinion, the Athenian temple of Demeter and Kore, of what happened to those found guilty of offending against these deities.²⁰

No main title to the inscriptions survives; there is a heading to stele VII, which, plausibly restored, runs: 'Of those who were impious with regard to the Mysteries, the following slaves were sold ...' ([τὸν π]ερὶ τὰ [μυστήρια ἀ]σεβες[άντων -- --] [τάδε τὰ ἀνδρά]πο[δ]α ἐπράθη). The crimes of those sold up are variously alluded to on the stelai; here is a list:

¹⁴ W. Kendrick Pritchett, 'The Attic Stelai', Part 1, *Hesperia* 22 (1953) 225–99; Part 2, *Hesperia* 25 (1956) 178–317; A. Pippin, 'The Attic Stelai', *Hesperia* 25 (1956) 318–28; Part 3 by D. A. Amyx, *Hesperia* 27 (1958) 163–310; Pritchett, 'Five new fragments of the Attic Stelai', *Hesperia* 30 (1961) 23–29; R. Ross Holloway, *Hesperia* 35 (1966) 84; J. McK. Camp II, *Hesperia* 43 (1974) 319. Cf. now *IG* I³ nos. 426 col. II 78–84 p. 417; and 430, 13f. p. 423, with literature.

¹⁵ Cf. D. Lewis, 'After the Profanation of the Mysteries', in: *Ancient Society and Institutions, Studies presented to Victor Ehrenberg* (Oxford 1966) 177–91 (here 180–81).

¹⁶ On reservations as to their attribution to the Poletai, see Lewis, 'After the Profanation' 182–83.

¹⁷ Lewis, 'After the Profanation' 181ff.

¹⁸ Pritchett, *Hesperia* 22 (1953) 232–34. Lewis, 'After the Profanation' 181–86. Pritchett had hesitated to say that the process of auctioning had itself lasted eighteen months; Lewis argues that it was 'rather good going' for it only to have taken that long.

¹⁹ Two other fragments of names may not be identified:

—— ο (genitive) Διοδόρου Εἰ[τραῖος] VI 12

—— Ἀναγυράσιος VIII 1

Cf. Pritchett, *Hesperia* 22 (1953) 298.

For these fifteen see MacDowell, *Mysteries* 71–72; Pritchett, *Hesperia* 22 (1953) 230–32; Dover, *HCT* IV 277–82; Aurenche, *Les Groupes* 123ff; Ostwald, *Popular Sovereignty* 537–50. Panaitios' name appears in its full form on a new fragment of the Stelai, *Hesperia* 43 (1974) 319. This does not, however, resolve the issue of whether there were two men called Panaitios: see below n. 26.

²⁰ We note that according to Diodorus 13.69.2, the stelai proclaiming Alkibiades' guilt and conviction were thrown into the sea by public order when he returned to Athens in 407 BC. Lewis, 'After the Profanation' 188–89, feels sure that the stelai concerned were bronze ones, bearing the official charge against him and the penalty imposed — and were nothing to do with the Attic Stelai.

Π 185–86: *τῆι ἀσεβ[ε]ίαι -- περι τὰ μυστ] ἔρια*
 VI 89 *περι ἀμφότερα*
 VI 94 *περι ἀμφότερα*
 VI 111 *τῶν ἀσεβεσάντο[ν περι] τὸ θεό*
 VI 166 *τῶν ἀ]σεβεσάντων π[ε]ρι*
 VII 1 *τῶμ περι τὰ [μυστέρια ἀ]σεβεσάντων*
 X 13 *τῶμ περι ἀμφότερα*

To these should be added Pollux 10.97: *ἐν δὲ ταῖς Ἀττικαῖς στήλαις αἱ κείνται ἐν Ἐλευσινίῳ,*²¹ *τὰ τῶν ἀσεβησάντων περὶ τὸ θεῶ δημοσίᾳ πραθέντα ἀναγράφονται.*

About this list the following points should be made: the crime concerned was impiety, *ἀσεβεῖν*; the impiety was committed against either *τῶ θεῶ*, that is, Demeter and Kore, or *τὰ μυστήρια*, the Eleusinian Mysteries. Further we find the entry *περὶ ἀμφότερα* or *τῶν περὶ ἀμφότερα*: this has universally been taken in the sense ‘(...those who committed impiety) with regard to both’, i.e. the *Herms* and the Mysteries. A well-founded epigraphic opinion is that the entries *περὶ ἀμφότερα* at VI 89 and 94 were added later; that is, the stone-cutter went back to the finished text and added them against the entries; the entry *τῶν περὶ ἀμφότερα* at X 13, on the other hand, was written with the main text.²² None of the fragments surviving says anything about the Herms.

If we take Pollux’ statement that the Attic Stelai recorded property of those convicted of impiety against Demeter and Kore, the fact that the Stelai were displayed by the Eleusinion, and the omission of Hermes’ name on the surviving fragments, we might feel that the Stelai more naturally concern Demeter and Kore than Hermes.²³ All rests on the *περὶ ἀμφότερα*. That it means those convicted of profaning the Mysteries and mutilating Herms rests on two assumptions:

i. that the Mysteries case ‘was inextricably confused with the affair of the Hermokopidai’.²⁴

ii. that the entry ‘guilty of both’ stands against the names of Pherekles, son of Pherenikaios, Themakeus (VI 93), and Euphiletos, son of Timotheos, Kydathenaieus (VI 88; X 14); in the case of Pherekles, we know that he was denounced by Lydos for profaning the Mysteries (Andok. 1.17) and by Teukros as a mutilator (Andok. 1.35). Of Euphiletos we know from literary sources only that he was denounced as a mutilator (Andok. 1.35: by Teukros; *ibid.* 67: by Andokides).

The more general proposition that the Attic Stelai recorded the names of mutilators also is supported by the presence (not in all cases one hundred per cent certain) of individuals known from literary sources only for complicity in the Herms affair: Eurymachos (Andok. 1.35), Chairedemos and Panaitios (Andok. 1.67).

Taken together, the above looks like reasonable evidence that Hermokopids featured relatively prominently on the Stelai (five names on our fragments; possibly more in lost sections of the text). Much room for doubt remains in points of detail:

²¹ On the emendation of the original reading *Ἐλευσῖνι* to *Ἐλευσινίῳ* (first proposed by Bergk) see Pritchett, *Hesperia* 22 (1953) 235–36; Pippin, *Hesperia* 25 (1956) 318–28; Lewis, ‘After the Profanation’ 178. It seems there is unanimity among scholars that the change is the most economical solution to the problem in reading *Ἐλευσῖνι* (where no fragments of such stelai have been found). It helps if one accepts Pippin’s conclusion that Pollux was not working at first hand with the Stelai. Then the mistake, if such it was, in saying that the Stelai stood in Eleusis, is more understandable.

²² See Lewis, ‘After the Profanation’ 187; Meiggs and Lewis, *GHI* 245.

²³ Thus Meiggs and Lewis, *GHI* 245; unfortunately, in my opinion, they go on to blur the distinction made at the time between mutilators and profaners.

²⁴ Meiggs and Lewis *GHI* 245.

1. Only one man, Pherekles, has the entry *περὶ ἀμφότερα* against his name, and is known as a mutilator and profaner from Andokides.²⁵

2. Some have considered it necessary to postulate two men of the name Panaitios, a profaner denounced by Andromachos (Andok. 1.12–13) and a mutilator denounced by Andokides (67). The new ‘Panaitios fragment’ of the Attic Stelai unfortunately does not help in deciding the matter.²⁶

3. The restoration of the name Chairedemos rests on —]έμο τῷ Ἐλπίο Ἀχ[— (VIII 7–8) in the Greek text, combined with Pritchett’s observation: ‘Of the names ending in –ημος, Χαιρέδημος is the only one to be found among those known to have been informed against.’²⁷ However, this Chairedemos was denounced by Andokides (1, 67) as a mutilator; it is thus begging the question I pose here to restore Chairedemos from these Greek letters.

4. Much the same applies to Eurymachos, whose name appears as –]ρυμάχο τῷ Εὐ[— (II 183); he too is known from Andokides only as a mutilator (1, 35).

Conversely, there is some evidence that the records of those sold up in connection with the Herms affair were separate from the Attic Stelai:

i. Athenaios records the existence of stelai recording the public sale of confiscated property on the Acropolis of Athens (11.476e).²⁸

ii. The name of one known mutilator, Timanthes (Andok. 1.35), coincides with a Timanthes whose record was cleared shortly after 411/10. *IG I³ 106.21–23*, gives the instruction: *τὰ δὲ περὶ Τιμάνθοσ γεγραμμένα ἐν πόλει ἐκκολαφσάντων ἡοι ταμίαι ἡοι τῆσ θεῶ ἐκ τῆσ στέλεσ* (‘The Tamiai of Athena are to erase what is written about Timanthes on the Acropolis from the stele’). We could postulate, on the assumption that this Timanthes was a mutilator, that a record of his crime stood, with all the other convicted mutilators, on the Acropolis, whence it was erased when the state wished to restore his citizenship.²⁹

iii. It would be more reasonable to place records of offences against Hermes on the Acropolis under the jurisdiction of Athena, so to speak, since Hermes’ property was administered jointly with that of Athena by the Tamiai of Athena.³⁰

²⁵ Kirchner, *Prosopographia Attica* nos. 14191 and 14194, identifies two men named Pherekles: one — Φ. Θημακέυς — accused of profaning the Mysteries by his slave Lydos; another — Φ. Σκαμβονίδης — accused by Teukros as a mutilator (Andok. 1, 35), and featuring on the Attic Stelai. However his reading of the name on Stele VI 93 as *Φερεκλέος τῷ Φι[... Σ]καμβονίδο* — which underlies his distinction — is not certain. Meritt, *Hesperia* 8 (1939) 73 and commentary p. 75, suggested reading *Φερεκλέος τῷ Φειρενίκα* [—Θεμακέος] — thus permitting the identification of this Pherekles with the profaner denounced by Lydos. Meiggs and Lewis, *GHI* 243–44, support Meritt’s reading. The original reading of Kirchner, however, does suffice to show how the identification of the Pherekles on the Stelai rests on restorations.

²⁶ *Hesperia* 43 (1974) 319. Dover, *HCT* 282, and MacDowell, *Mysteries* 72, for example, postulate two men named Panaitios, but I doubt whether their reasoning — that Andokides would not have admitted responsibility for Panaitios’ demise if that man had already been denounced by Andromachos — is entirely cogent. Aurenche, *Les Groupes* 107, assumes only one Panaitios.

²⁷ *Hesperia* 22 (1953) 287.

²⁸ Pippin, *Hesperia* 25 (1956) 322–23, on the somewhat problematic grammar of the received text.

²⁹ Cf. Allen, *Mutilation of the Herms* 123; Hatzfeld, *Alcibiade* 184 n. 1, recognizes the same individual in these references; likewise Aurenche, *Les Groupes* 99, although admitting that the identification is not certain. Lewis in *IG I³ 106* merely points to the coincidence of names. Other names in the same inscription relate to Thasos.

³⁰ Cf. W. S. Ferguson, *The Treasurers of Athena* (Harvard University Press, Cambridge Mass., 1932) 5 n. 2; Meiggs and Lewis, *GHI* 215 and 217, citing *IG I² 301.12.69*. On the other hand the accounts of Hermes and Hekate appear subsumed under the ‘Treasurers of the Other Gods’ in an

Where does all this leave us? It is my opinion that there is room for doubt at least that the Attic Stelai were ever intended to record the sale of property of the Hermokopids. The entry *περὶ ἀμφότερα* may refer to the Herms and Mysteries affairs jointly; in which case the fact that it was added later on stele VI would reflect a desire by the administration to square the record of the Attic Stelai with that of another document (on the Acropolis) which appeared subsequently. Conceivably *περὶ ἀμφότερα* refers to something not clear to us: we note that the offence of profaners against Eleusis is expressed by two different phrases: *περὶ τῶ θεῷ* and *περὶ τὰ μυστήρια*. These might appear to be two different ways of putting the same thing, but it is odd that different expressions are used: is it conceivable that some men offended against the Mysteries directly, whilst others insulted Demeter and Kore more personally? I feel one should at least recognize the possibility of there having been separate records for the profaners and the mutilators. As Lewis observes, one would expect the offended gods to receive a share of the proceeds from the property sales, and the Attic Stelai show no consistent accounting which would permit Hermes to receive his share, and Demeter and Kore theirs. Certainly I feel that if we accept Pollux' naming of these stelai, we should also respect his statement that they recorded offenders against Demeter and Kore,³¹ and not go on calling them 'the Hermokopidai Stelai' or 'the confiscated property of the Hermokopidai'.³² Finally, I do not believe that the five names discussed above — out of a total of fifteen men named on the surviving fragments of the stelai and out of a total of sixty-five names known from the literary sources as either mutilators or profaners — bear out Dover's conclusion that 'the Athenians were right in believing that the same people, or at least the same section of society, were concerned with both impieties'.³³

The best support for the proposition that the Herms and Mysteries affairs were conceptually separate comes, then, in Andokides and Thucydides; the former, as defendant in a very risky lawsuit, had reason enough to distort the evidence if he plausibly could — but the emphasis should be on 'plausibly'. The latter had no reason to distort what he saw as the truth of the matter. Whilst he admits that obscurity surrounded the impieties, particularly in the matter of the persons actually guilty (6.60.2 and 4), he maintains a consistent line with regard to the point at issue here. Our other contemporary source, the Attic Stelai, should not be taken without reserve to indicate that the Athenian legal machinery was treating Hermokopids and profaners together without discrimination. Literary tradition subsequent to the events, excepting works which adhered to Thucydides, tended to blur any distinction between the crimes and those guilty of committing them.

inscription from 429/8 BC: see Harrison, *Athenian Agora* 124 n. 125; Ferguson, *Treasurers of Athena* 97ff. Nowhere, as far as I know, was Hermes closely associated in cult terms with Demeter and Kore, nor with the Eleusinion. On the other hand, I assumed in chapter one the presence of a Hermes 'Propylaios' at the Eleusinion, and Ostwald, *Popular Sovereignty* 139, notes a sacrifice to Hermes at the Eleusinion. According to my interpretation of the role of Herms in Athenian religion in chapter one, Hermes served as intermediary between worshippers (particularly at sacrifice and prayer) and the whole pantheon of gods.

³¹ 'After the Profanation' 187.

³² I do not think that Pippin's arguments in *Hesperia* (1956) 318–25, to the effect that Pollux was not working directly from the Attic Stelai, affect this point.

³³ Cf. Osborne, 'Erection and Mutilation' 73 n. 97: 'It is worth noting how limited is the overlap between those named in connection with the mutilation and those named in connection with the profanation.'

CHAPTER FOUR

Andokides

Attention must now focus on the figure of Andokides, as he is central to any reconstruction of the events of 415. I will concentrate on controversial points, as much of the material is familiar from other publications.¹ The *Life of Andokides* presents him as a contemporary of Sokrates, born in 468/7 BC. This must be a mistake, however, as he describes himself as young when the events of 415 took place (2.7).² The author of [Lysias] 6, *Against Andokides* 46, says that he was ‘over forty’ at the time of his trial in 400 BC. If we add these two passages together it would seem that Andokides was born shortly before 440 BC and was approximately twenty-five at the time of the impieties.³ He certainly belonged to an old, aristocratic and wealthy family.⁴ A much debated question is whether or not the family belonged to the Athenian clan of Kerykes. The matter is important since Andokides’ alleged impiety appears in a different light if we are to imagine him as a member of the priestly clan of Kerykes, from whose ranks the Dadouchos, Hierokeryx and other officials were chosen for celebrations of the Eleusinian Mysteries. Moreover, Kallias, the man behind Andokides’ trial, was at that time Dadouchos of the Mysteries;⁵ if Andokides was also a Keryx, the trial acquires the additional aspect of a family feud.⁶

The evidence for Andokides’ being a Keryx is twofold. On the one hand we have citations from the fifth-century historian Hellanikos, who apparently traced Andokides’ lineage back through ‘the descendants of Odysseus’ to Hermes himself. Plutarch, *Life of Alkibiades* 21.1, says that Hellanikos described Andokides as descended from Odysseus’ line (*εἰς τοὺς Ὀδυσσεύως ἀπογόνους ἀνήγαγεν*). The Suda says of Andokides: ‘he was the descendant of Telemachos, son of Odysseus, and Nausikaa, as Hellanikos says.’ The pseudo-Plutarchian *Life of Andokides* goes further: ‘... (sc. Andokides) being of Eupatrid birth, and, as Hellanikos says, stemming from Hermes; for the clan of Kerykes belongs to Hermes’ (1: *γένους εὐπατριδῶν, ὡς δ’ Ἑλλάνικος καὶ ἀπὸ Ἑρμοῦ καθήκει γὰρ εἰς αὐτὸν τὸ Κηρύκων γένος*). The first statement ‘and, as Hellanikos says, (Andokides was descended) from Hermes’ need be no more than an extrapolation of the basic reference to Hellanikos (‘Andokides was descended from Odysseus’ line’) as Odysseus was the

¹ E.g. MacDowell, *Mysteries* 1–2; Davies, *Propertied Families* 27–32; Ostwald, *Popular Sovereignty* 546–47.

² Cf. MacDowell, *Mysteries* 2 n. 8.

³ Cf. MacDowell, *Mysteries* 2 n. 8.

⁴ Cf. Davies *APF* 27–31.

⁵ Cf. Clinton, *Sacred Officials* 49.

⁶ On this aspect see Cheryl Anne Cox, ‘Incest, inheritance and the political forum in fifth-century Athens’ *CJ* 85 (1989) 34–46. She writes (p. 41): ‘Callias III came into conflict with Andocides the orator, who was probably an affine (the mother of Callias’ first wife and Andocides’ mother seem to have been sisters). Here too gossip and slander were used in the political sphere; such slander stemmed from a private feud over inheritance’.

grandson of Hermes' son Autolykos. But the explanatory remark 'For the Kerykes belong to Hermes' comes as a surprise. True, the Kerykes claimed descent from Hermes, but via a daughter of Kekrops (*FGrHist* 324 F 1), not Odysseus or Autolykos. So the author seems to be confusing two possible genealogies, an Athenian one via Kekrops, and an epic one via Odysseus.⁷ Then again, the writer offers 'for the Kerykes belong to Hermes' as an *explanation* of Hellanikos' statement that Andokides descended from Hermes. He seems to have the information 'Andokides was a Keryx' from some other source, which he has now combined with Hellanikos. But what that source was, and whether it was reliable, we have no way of telling. At all events, it does not appear to have been Hellanikos.

Second, we have Andokides' statement at 132 of his defence speech that he has been initiating foreigners into the Eleusinian cult (*μῶν μὲν Ἀ. . . . Δελφόν, ἔτι δὲ ἄλλους ξένους ἐμαντοῦ, καὶ εἰσιῶν εἰς τὸ Ἐλευσίνιον καὶ θύων, ὡσπερ ἐμαντὸν ἄξιον νομίζω εἶναι*), combined with our epigraphic knowledge that it was the sole prerogative of Eumolpidae and Kerykes to conduct preliminary individual initiation into the Eleusinian cult prior to participation in the Mysteries.⁸ Confronted with this evidence, commentators have pointed to another possible meaning of *μνέω*, as in [Demosthenes] 59.21, where it refers only to the paying of a female initiate's expenses by a male sponsor.⁹ I do not see how the Andokides passage can entail that meaning of *μνεῖν*: (1) as MacDowell rightly says,¹⁰ *μῶν μὲν* is grammatically parallel to *καὶ εἰσιῶν εἰς τὸ Ἐλευσίνιον καὶ θύων*, so that we have the picture, not solely of someone sponsoring another's initiation in purely financial terms, but of that person entering the Eleusinion and sacrificing on an initiate's behalf¹¹ (2) the Demosthenes passage shows a man paying a woman's expenses, which in view of Athenian reluctance to let a woman administer her own finances, seems a reasonable situation; on the other hand it is hard to see why Andokides should pay for all these foreigners to be initiated at Eleusis; he is unlikely to have had impoverished friends abroad. The sentence reads much more naturally if we envisage Andokides introducing candidates for initiation to the Eleusinion in the manner envisaged by Clinton¹² (3) when we recall Thucydides' statement that particular security arrangements applied to the Athenian Eleusinion (2.17.1), it would seem that Andokides' repeated entry into, and use of, the Eleusinion, with a view to sacrificing on behalf of a candidate, presupposed privileged access.

⁷ Wilamowitz, *Aristoteles und Athen* (Berlin 1893) 74 n. 5, maintains that this confusion in Andokides' genealogy tells against his being a Keryx: 'Nur der göttliche ahnherr ist derselbe,' he writes, 'und daher war ein irrthum leicht möglich.' Jacoby, commenting on the Hellanikos fragments (*FGrHist* 323 a 24 = III vol. i, 51–54) follows Wilamowitz without adducing new arguments.

⁸ Cf. Clinton, *Sacred Officials* 11–13.

⁹ P. Roussel, 'L'initiation préalable et le symbole Éleusinien' *BCH* 54 (1930) 53–55, argues that *μνέω* in an Eleusinian context can refer equally to 'présentation à la μύησις' (which any initiate could perform for any Greek) and 'la préparation proprement dite' (limited to Eumolpids and Kerykes).

¹⁰ *Mysteries* 156.

¹¹ We note that *Against Andokides* 52 uses the aorist for these operations, seemingly limiting them to one occasion, whereas Andokides emphasizes that he has performed them on a number of occasions. The grammar of Andokides' sentence at 132 seems to link *μῶν* with *εἰσιῶν* and *θύων* as if they were all parts of one process (presenting candidates for initiation).

¹² *Sacred Officials* 13.

Andokides performed a number of other official religious or quasi-religious functions after returning to Athens in 403 BC. According to his own account, he was gymnasiarch at the Hephaistia, architheoros at the Isthmian Games (in 402 or 400), and at the Olympic Games (in 400), and served as a treasurer of the sacred finances one year (1.132); some time between 400 and 392/1 he served as a (triumphant) choregos in a boys' dithyramb competition at the Dionysia.¹³ The author of the *Against Andokides* envisages, to rhetorically damaging effect, what the public will think if Andokides is selected one year as Archon Basileus and becomes responsible for the correct performance of the Eleusinian Mysteries ([Lysias] 6.4–5). None of these positions entails Andokides' having been a Keryx; all they point to is his wealth, his prominent status, and his readiness to accept religious office.¹⁴ Nevertheless it is slightly suspicious that it is Kallias and his cronies, who, according to Andokides, nominated him for a number of these religious duties (132: *πrouβάλλοντο*): slightly suspicious, too, that Andokides knew so much of the internal affairs of the Kerykes in the matter of the adoption of Kallias' son (124–27).¹⁵ How close was the connection between Kallias, the serving Eleusinian Dadouchos, and Andokides? We should not forget Andokides' story that it was really competition for a marriageable relative which underlay Kallias' decision to prosecute Andokides in 400 (117–23).

I conclude, and it can only be a tentative conclusion, that the weight of evidence is in favour of considering Andokides a Keryx,¹⁶ and of recognizing a degree of clan in-fighting operative at the trial in 400 BC. Blass argues that if Andokides had been a member of the Kerykes, he would have been sure to emphasize this point in his defence speech.¹⁷ But I wonder. Andokides' tactic in his defence speech is to reduce the guilt which he had publicly admitted in the Herms affair in 415 to a forgivable minimum. If, at the same time, he had foregrounded his status as a Keryx, eligible for the highest priestly office at Athens, the jurors might have taken a dimmer view of his having committed

¹³ Davies, *Propertied Families* 31, gives the following sequence: 403, Gymnasiarch at the Hephaistia; 402 or 400 Architheoros at the Isthmian Games; 400 Architheoros at the Olympic Games; 401/0 Tamias of Athene; between 400 and 392/1 choregos in boys' dithyramb competition at the Dionysia. MacDowell, *Mysteries* 157, argues that Andokides can hardly have been in Athens early enough to be appointed Gymnasiarch for the Hephaistia of 403; accordingly he dates this office to 402 or 401 and assumes that Andokides was architheoros at both the Isthmian and Olympic Games in 400 BC. MacDowell's emendation of *Ὀλυμπιάζε, εἶτα δὲ ταμίας* ... to *Ὀλυμπιάζε · εἶτα δὲ ταμίας (ἦν)* ... is unnecessary; Andokides may have been combining the expression loosely with *λητουργεῖν*.

¹⁴ *Against Andokides* 33 reports that Andokides had also been 'advising the Council on sacrifices, processions, prayers and oracles' — all religious activities calling for some expertise, one would think.

¹⁵ Wilamowitz (*Aristoteles und Athen* 74 n. 5) finds one sentence of this section incompatible with Andokides' possible status as a Keryx: 'und sollte wol ein Keryke gesagt haben *ἐψηφίσαντο οἱ Κήρυκες κατὰ τὸν νόμον ὃς ἔστιν αὐτοῖς*?' (= And. 1.127). That is, Andokides would have said 'us' (*ἡμῖν*) rather than *αὐτοῖς*, 'them', if he had numbered himself among the Kerykes. Against this argument I would point out (i) that *ὃς ἔστιν αὐτοῖς* is a conjecture for the non-sensical manuscript reading *ὃ ἔστιν αὐτός*. Whilst emendation seems obligatory, there is no guarantee that Bekker's solution restores the original. (ii) If Andokides had been in exile when the incident occurred then the third person plural *ἐψηφίσαντο οἱ Κήρυκες* would be natural; having written that *αὐτοῖς* follows more naturally than *ἡμῖν*. Generally speaking, that Andokides knew the internal law/lore of the Kerykes at all might be taken as insider knowledge.

¹⁶ Toepffer, *Attische Genealogie* 83–85 held this too; Parke, *Festivals of the Athenians* 62, states it as a bald fact; MacDowell, *Mysteries* 156, after going to the brink, finally 'shrinks from this conclusion'.

¹⁷ *Attische Beredsamkeit* I 281 n. 2.

impiety in any sense at all. Perhaps it was in Andokides' interest in 400 BC to play down his privileged background both in a political sense (to make him seem a good democrat) and in the context of a trial for impiety.

If I am right that Andokides belonged to the Kerykes by birth, this is interesting background information when considering the next point at issue: was he guilty of impiety in 415, and if so, in connection with which crime, the mutilation of the Herms or the profanation of the Mysteries?

Thucydides' narrative sequence (as outlined in the previous chapter) notes a confession made in connection with the Herms scandal (and that alone) by an unidentified suspect described as *ὄσπερ ἐδόκει αἰτιώτατος εἶναι* (6.60.2). This suspect was, apparently, persuaded to confess, though whether truthfully or not remained, in Thucydides' opinion, a moot point. Thucydides' narrative sequence is taken up, with additions and minor alterations, by Plutarch, for example (lives of Nikias and Alkibiades), or the anonymous Oxyrhynchus *Life of Alkibiades*, who have no hesitation in naming Andokides as the man who confessed. Andokides himself (1.48ff.), Plutarch (*Life of Alkibiades* 21.2ff), [Lysias] 6.22–23, and Thucydides, all refer to a period of imprisonment, persuasion by fellow inmates (variously identified) to confess, and a grant of immunity conditional on valid confession. When we consider that Thucydides may have had good reason to suppress Andokides' name when he was working on the completion of his *History* in Athens after 403 BC — both he and Andokides were present at Athens, having both returned from exile — there seems no reason to doubt that the man left anonymous in Thucydides, who confessed in the Herms affair, was Andokides. His confession was of the following character, according to Thucydides:

Then one of the imprisoned suspects — the man who appeared particularly guilty — was persuaded by one of his fellow inmates to confess — though whether truthfully or not, is an open question; opinions on this are divided and no one from that day to this can say authoritatively who actually did the deed. Anyway, this fellow prisoner persuaded him that, even if he was not actually guilty, his duty was to save his own life by obtaining legal immunity, and to free the city from the prevailing suspicion. He argued that it was a safer course for him to confess, once granted immunity, than to deny his guilt and submit to trial. So this man admitted both his own guilt in the mutilation of the Herms, and that of others. (6.60.2–4).¹⁸

Andokides' own defence speech of 400 reveals a twofold strategy in dealing with his part in the impieties of 415. He argues that not one of the denunciations in connection with the profanation of the Mysteries named him, nor did any suspicion fall on him in this case except in that his father was said to have passively attended one of the profanations (17). In the Herms affair on the other hand he openly admits that he was named by Diokleides as one of the culprits, although he goes on to discredit Diokleides' testimony by showing that he was a paid informer (37–69). He admits further that, while in prison following Diokleides' information, he was persuaded by a member of his family to save the lives of innocent men by confessing to what he knew about the mutilation (48–50). He states that he did indeed confess, implicating four men in addition to those already named by Teukros; he tells the court in 400 that, as regards his own person, he confessed

¹⁸ If I am right that Thucydides is 'covering' for Andokides here, there are three points worth noting: first, the anonymity of Andokides; two, the dubious nature of the 'confession' (which prompts the speculation: perhaps he wasn't guilty at all); three, the emphasis thrown on the fellow prisoner who 'persuaded' Andokides to confess (as if he needed persuasion). The apologetic tendency in Andokides' case comes out clearly in Plutarch, and grotesquely in the *Life of Andokides*; see below p. 54.

in 415 to complicity in the Herms mutilation only in a very restricted sense: he says that he was privy to the club meeting at which the mutilation was proposed (by one Euphiletos), that he had opposed the plan, and that he had been incapacitated by injury on the night of the mutilation (61). There are many details in this account which will require further comment; at present it will suffice to record that Andokides confessed before the court in 400 to a share (what he hoped would appear a forgivable share) in the mutilation, but maintained rigorously his innocence in the Mysteries affair.¹⁹

His speech *On his own Return*, made in Athens c. 409 BC,²⁰ shows that Andokides had already formulated the basic line of defence against the 415 charges that he would employ at his trial in 400. Here we have the same admission of ‘minimal guilt’ (2.8: *πολλοστὸν μέρος τῆς αἰτίας*), the same appeal to his dire quandary in prison whether to confess what he knew and save innocent men from death and the city from insecurity, or to maintain silence cost what it may in personal and political terms. He admits that his behaviour in 415 constituted a grievous case of *ἐξαμαρτάνειν* (6), one which had caused him immense suffering (*δυσπραξία*) ever since. He attributes his mistakes to youthful foolishness (7: *νεότητί τε καὶ ἀνοίᾳ*), pressure from powerful men (7: *δυνάμει τῶν πεισάντων με*), folly (10: *παρανοίᾳ*), and force of circumstances (7: *ἀνάγκη*; 10: *ἀνάγκη τῶν παρόντων πραγμάτων*). In this speech Andokides does not spell out whether it was in the Herms affair or the profanation of the Mysteries that he was ‘marginally involved’, and scholars are divided in their opinions on this question.²¹ Nor does he identify the ‘powerful men’ who persuaded him to act in a certain way. What the speech does tell us very clearly, however, is that at that time (more so than in 400) Andokides perceived himself as guilty of impiety in the eyes of his fellow Athenians: a guilt which he sought to alleviate by apologies, explanations, justifications, appeals to the Athenians’ pity (6). Moreover, there is an encouraging degree of correlation between the narrative Andokides gives in this speech (7–9) with both Thucydides and his own defence in 400. Certainly there is nothing in it which makes the arguments of the defence speech look suspect.

The speech *Against Andokides*, given or composed in all probability by a Eumolpid,²² accuses Andokides of having mutilated the Herms and profaned the Mysteries:

This man donned the official garments and gave an imitation performance of the holy rites for uninitiated persons; he spoke the ineffable words out loud; moreover he mutilated those of the gods whom we worship with sacrifice and prayer.²³ And for this priestesses and priests cursed him, standing facing west and shaking out

¹⁹ See MacDowell, *Mysteries* 167ff. for a sceptical view of this.

²⁰ U. Albin, ed. *Andocide* ‘De Reditu’ (Florence 1961) (preferred dating: after 407). On the dating question see also J. L. Marr, ‘Andocides’ Part’ 326 n. 1 (a few months after April 410); Maidment, *Minor Attic Orators* vol. i, 454–58 (409–08); MacDowell, *Mysteries* 4 n. 9 (410–405 BC). We note in the *Against Andokides* 29 that this speech failed to achieve its purpose (the repeal of the decree of Isotimides, directed partly or exclusively against Andokides), whilst the *Life of Andokides* 10–11 intimates that Andokides was allowed to stay in Athens from 411 until 404, when he fled from the Thirty; the apologetic tendency is again at work here.

²¹ Cf. MacDowell, *Mysteries* 174; Aurenche, *Les Groupes* 169, argues that the expressions Andokides uses in this speech suit the Herms crime better than the Mysteries.

²² The speaker’s grandfather was no less an authority than Eleusinian Hierophant (54).

²³ The full text is: *τῶν δὲ θεῶν, οὓς ἡμεῖς θεοὺς νομίζομεν καὶ θεραπεύοντες καὶ ἀγνεύοντες θύομεν καὶ προσευχόμεθα, τούτους περιέκοψε*. The *θεοὺς* of the relative clause is usually bracketed. I believe it is necessary for the full sense: ‘and those (sc. stone images) of the gods, which we worship as true gods.’ I suspect rather that something has fallen out of the text, as the construction *τῶν δὲ θεῶν, οὓς ... νομίζομεν, τούτους περιέκοψε* is very clumsy.

their purple robes according to ancient and venerable custom. He *admitted* the crime. (51).

It is this line of attack, of course, which Andokides seeks to fend off in his defence speech with his elaborate demonstrations of innocence in the Mysteries affair, and passive complicity in the Herms affair. Nevertheless, from our position in time, we must content ourselves with noting that, in 400, Andokides stood accused of both crimes, the mutilation and the profanation.

The pseudo-Plutarchian *Life of Andokides* also records that Andokides stood accused of profaning the Mysteries and mutilating Herms, but it contains a peculiar passage, originating perhaps as a marginal note, to the following effect: '(sc. Andokides was accused of mutilating the Herms and profaning the Mysteries) because he had been uncontrolled on a previous occasion, having been drunk one night and having damaged one of the images of the god; on being charged with this and failing to produce the slave whom the accusation demanded, he acquired a bad reputation and suspicion fell on him in connection with the second case; this arose shortly afterwards at the time of the Sicilian expedition²⁴ when the Corinthians sent in some agents (sc. into Athens) because the Athenians were planning to help the Leontinians and Segestans. These men mutilated the Herms which stood round the Agora, as Kratippos says.' (4–5).

This passage is some kind of addition to the original text as, standing as it does, it produces an intolerably long Greek sentence of tortuous reported speech. Blass supports his brackets round the passage with the observation that Photios, who used the *Life*, did not know it, and that the words *προς* (sic) *ἀμαρτῶν μυστήρια* commonly follow the passage in the manuscripts, apparently picking up where the original sentence left off: *Δήμη]τρος ἀμαρτῶν μυστήρια ...*²⁵

The author of this insert cites Kratippos as his authority. Whoever was originally responsible for the theory expounded here, was more than slightly pro-Andokides. First we hear that Andokides only became implicated in the 'real' mutilation of the Herms because of a previous instance of bad behaviour; then this first case of delinquency is explained away as a drunken act; we learn that his alleged complicity in the Herms affair was the result of calumny (*διαβάλλω*); then that Corinthians, not Athenians at all, had been responsible for the mutilation; finally that only the Herms round the Agora had been mutilated.

This is a systematic attempt by someone to explain away both the mutilation of the Herms and Andokides' part in it. It does not match Andokides' own apologies for his part in the mutilations of 415; as we have seen, he tries to make that part seem small and venial. The author of the *Life* cites a work by Andokides called *ὁ περὶ ἐνδείξεως λόγος*, *On the Indictment*, (14) separate, apparently, from the speech *On the Mysteries*. In fact *On the Indictment* was probably an alternative title of *On the Mysteries*;²⁶ Harpokration, s.v. *ζητητής*, refers to the defence speech thus; the charge against Andokides in 400 was indeed an *endeixis*. For this reason I doubt very much that a lost work of Andokides ever

²⁴ Translating *ἦν μετ' οὐ πολὺν χρόνον τοῦ ἐπὶ Σικελίαν στόλου* (sic) *συνέβη γενέσθαι*. Here and elsewhere in 5 the text is suspect.

²⁵ Blass and Fuhr, *Andocidis Orationes* (Stuttgart 1966⁴) xvi. 26.

²⁶ MacDowell, *Mysteries* 62, considers the assumption by the *Life* of a separate speech *On the Indictment* a mistake.

spread abroad the convenient story of earlier drunkenness, or Corinthian responsibility for the mutilation. Where Kratippos heard the story we do not know.²⁷

The *Life* then goes on to say that Andokides escaped conviction on condition that he name the guilty men: ‘he made a very great effort,’ says the author, ‘and found out who had offended against the sacred things’ (6–7). This makes it sound as if Andokides was really innocent and had to do detective work to discover the identity of the culprits, instead of merely naming accomplices. The sentence might however be said to accord with the apologetic tendency of the insert discussed above.

One may only conclude (and the conclusion applies to many other points as well) that, in the matter of Andokides’ guilt, the *Life* is an unsatisfactory source.²⁸ On the one hand it says bluntly that he was accused of both impieties; on the other it contains a wild theory which, if true, would completely exonerate Andokides.

Turning to Plutarch’s *Life of Alkibiades*, we find a narrative encouragingly convergent with Andokides’ own in his defence speech, but with additional material which shows that Plutarch was not drawing solely on Andokides and Thucydides. We read of Diokleides’ dubious testimony in the Herms affair and Andokides’ ensuing arrest (20.4–21). We hear of Andokides’ alleged oligarchic politics (on which more later), and the highly suspicious fact that, of (almost) all the Athenian Herms, the one standing beside Andokides’ house escaped damage on the night of the mutilation. Then Plutarch describes how Andokides was persuaded to confess while in bonds. He does not specify to which crime Andokides confessed, nor comment on the content or veracity of the confession (as Thucydides does), but a few lines later we see Plutarch following (or agreeing with) Thucydides that Andokides’ confession went some way toward clearing up the Herms affair only (21.5: ἀπαλλαγεῖς τῶν Ἑρμοκοπιδῶν ...).

How one assesses the sum of the above evidence depends largely on the measure of one’s faith in Thucydides: if one believes his statement that one man who appeared particularly guilty in the Herms affair (Andokides) confessed, clearing the air in Athens for a full investigation into Alkibiades’ profanation of the Mysteries, then one tends to accept Andokides’ story in his defence speech to the effect that he had a part in the mutilation but no part in the profanation. Likewise one sees how Plutarch’s version tallies with that of Thucydides, and one can explain away the contradictory evidence (especially in the *Against Andokides*) as simple calumny of Andokides. This is the majority position of modern scholars. If, on the other hand, one questions Thucydides’ accuracy, or ability to achieve accuracy, in this matter, then one is free to doubt Andokides’ professions of innocence in the Mysteries affair. To my knowledge only one scholar has seriously pursued this line — MacDowell. I do not intend submitting his arguments on this matter to a detailed critique, as others have already taken up the challenge.²⁹ However, one aspect of his theory needs consideration, that concerning the length of Andokides’ imprisonment in 415 and the nature of his confession.

²⁷ The story of Corinthian responsibility for the Herms mutilation is absent from Thucydides and Andokides. It is mentioned by Plutarch, *Life of Alkibiades* 18.3–4, as a rumour which was current at the time but which was generally disbelieved. The fourth-century Attidographer Philochoros appears to have aired (or recorded) the theory: cf. schol. Aristoph. *Lys.* 1094; Photios, s.v. Ἑρμοκοπίδα. Kratippos wrote a continuation of Thucydides’ history, and may have been a contemporary of Thucydides. At all events the story must have originated as an attempt to exculpate Athenians and to divert public suspicion onto an external rather than internal enemy.

²⁸ Cf. MacDowell, *Mysteries* 166; Dover, *Lysias and the Corpus Lysiacum* 39.

²⁹ Marr, ‘Andokides’ Part’, *CQ* 65 (1971) 326–38; Aurenche, *Les Groupes* 168–70; Lehmann, ‘Zur Krise’ 53, n. 46.

MacDowell argues that Andokides was charged with both impieties, like Euphiletos, with whom he acknowledges association. Diokleides denounced him for mutilating Herms; Andokides' lists showing that he was not denounced for profaning the Mysteries are invalid, because he omits the list which did contain his name: that given by Thessalos when he impeached Alkibiades (Plut. *Life of Alkibiades* 22.4). Now, according to MacDowell, Andokides confessed to a part in the Herms mutilation during the summer of 415, as Thucydides says. However, he was *not* released from prison on that occasion as he failed to produce a corroborative slave. Accordingly he was kept on in prison, during which period he befriended Timaios (Plut. *Life of Alkibiades* 21.4–6) and was persuaded to confess to guilt in the Mysteries affair.³⁰

The evidence for this is negligible. It involves disbelief of Thucydides and conjectural extrapolation of Thessalos' charge against Alkibiades. If true, it reduces Andokides' defence to a sham. It defies common sense. I think I am right in saying that the following are the points which induced MacDowell to air the theory. I will answer them as briefly as possible:

1. *Against Andokides* 21–24, says that Andokides' imprisonment lasted 'nearly a year' (ἔγγυς ἐνιαυτόν) and resulted from his failure to produce a slave for questioning. As I have argued elsewhere in more detail,³¹ and as MacDowell himself suggests,³² the Greek of ἔγγυς ἐνιαυτόν is probably corrupt. I suggest ἐγγυήσας ἐαυτόν as a preferable reading. The other point — that imprisonment followed failure to produce the slave — cannot be made to fit MacDowell's theory of an *extension* to Andokides' stay in prison, as the speech makes it clear that Andokides was free before the mishap with the slave occurred.

2. Plutarch says Andokides befriended one Timaios in prison, whilst Andokides himself says that it was his cousin Charmides who worked on him to confess. This detail is insufficient to support a theory of two conceptually separate terms in prison.³³ There are any number of reasons why Andokides may have chosen to suppress the name Timaios, if there is historical substance to Plutarch's story. I suspect that Andokides wished to portray himself as a loyal member of his family to the judges in 400, one who lent a sympathetic ear to an innocent relative wrongfully imprisoned.

3. When Andokides says that Andromachos and Teukros received their rewards at the Panathenaia, he calls the festival Παναθηναίων τῷ ἄγῳνι. Davison argues that this formulation points toward the quadrennial Great Panathenaia, which were celebrated in 414 B.C.³⁴ Hence one might conjecture (against the evidence of Thucydides) that the inquiries and arrests in connection with the impieties lasted from the summer of 415 right through to summer 414: hence that Andokides may well have spent nearly a year in prison. However Davison's reasoning has not found favour among epigraphists, nor does MacDowell believe that Andromachos and Teukros had to wait until 414 for their rewards.³⁵

³⁰ *Mysteries*, Appendixes A,C,D.

³¹ 'A note on [Lysias] 6, *Against Andokides*', *CQ* 39 (1989) 550–53. Cf. Marr, 'Andocides' Part' 334–36.

³² *Mysteries* 179.

³³ Marr, 'Andocides' Part' 329–31

³⁴ *JHS* 78 (1958) 23, 31f. He says that Παναθήναια unqualified by τὰ κατ' ἐνιαυτόν or μικρά should normally refer to the great Panathenaia (which were celebrated in 414). See below p. 125.

³⁵ Cf. Dover, *HCT* IV 266 n. 1; Meiggs and Lewis, *GHI* 236; MacDowell, *Mysteries* 83.

4. An argument which MacDowell might have used to argue that the Hermokopidai trials lasted longer than Thucydides intimates (but does not, I think), lies in the fact that the Attic Stelai reveal the auctions of confiscated property to have lasted at least until the end of 414. Pritchett was inclined to believe that the sales they record *commence* c. autumn 414,³⁶ but Lewis argues that they began in autumn 415 and lasted on into 414.³⁷ However, we know that Alkibiades was condemned and cursed in autumn 415; the assumption (of MacDowell) that Andokides provided evidence in the *Mysteries* affair as late as summer 414 would throw the whole sequence out.

MacDowell's theory has the advantage of challenging received opinion and re-opening debate on this interesting question. But where he intimates that Thucydides was not in a very good position to ascertain the truth about Andokides' part in the impieties, whereas he, MacDowell, separated from the events by this distance in time, is, we should be wary. I conclude that MacDowell has not succeeded in casting serious doubt on Thucydides at this point. Andokides was accused as a mutilator, and confessed to a part in this crime in summer 415, naming others as accomplices. The remaining questions concerning Andokides' guilt may best be treated in separate sections.

Andokides' friends

We know that the prosecution in 400 accused Andokides of belonging to a *ἐταιρία*, one of the political clubs which sought to influence elections and trials by casting block-votes, and which were particularly active at the time of the oligarchic coup of 411 (§100).³⁸ Andokides' reply to the charge made by Epichares is neat, but diversionary: 'What? You accuse me of 'companionship' (*περὶ ἐταιρείας ἐμοὶ μνεῖαν ποιῆ*) and denigrate certain men? You — who didn't befriend just one person (*ἐνὶ μὲν οὐχ ἡταιρήσας*) — that would be all right — but lived off disgusting acts, charging all comers a pittance!' (100). In other words, Epichares had accused Andokides of membership of a political club, *ἐταιρεία*, and association with certain undesirable characters, an accusation which Andokides attempts to turn against its author, by claiming that Epichares had 'made friends' with anybody for money, i.e. had been a male prostitute. Andokides raises a laugh against his adversary in the hope that it will divert the jury's attention from the serious accusation against himself.

When Andokides narrates the conversation which he claims took place between himself and his cousin Charmides in prison, a tension emerges between Andokides' social allegiances and his family: 'Andokides,' Charmides allegedly said, 'up to now I never had cause to have words with you or upset you, but now I am forced to speak by the disaster which is upon us. Those men you have been associating with — the ones you've been seeing without us, your relatives — half of them have already died for their guilt in the crime of which we now stand accused, and the rest have taken to their heels, thereby admitting their guilt. Speak out now if you have heard anything about the thing which happened!' (49–50). We note, of course, the subtle intimation by Andokides that he could only have 'heard something' about the mutilation, but the import of Charmides'

³⁶ *Hesperia* 22 (1953) 232–34.

³⁷ 'After the Profanation' 181ff.

³⁸ Thuc. 8.54.4. See G. M. Calhoun, *Athenian Clubs in Politics and Litigation* (Austin, Texas 1913). W. R. Connor, *The New Politicians of fifth-century Athens* (Princeton 1971) 79–94. The review by A. E. Raubitschek (*AJP* 80 (1959) 81–88), of F. Sartori, *Le eterie nella vita politica ateniese del VI e V secolo a.c.* (Rome 1957). Aurenche, *Les Groupes*, passim.

words is clear: the cousin is asking Andokides to forget his allegiances to these friends and save his own family.

Who these friends were emerges to a limited degree from the orator's words. He names Euphiletos, Panaitios, Chairedemos, Diakritos, Meletos and Lysistratos as well as the others already denounced by Teukros as mutilators (51–52; 63). He implicates Euphiletos as the man who proposed the plan to mutilate the Herms (61), as the main culprit (51: *αὐτοῦ τοῦ ποιήσαντος*) and as the man who, with Meletos, approached Andokides after the crime had been committed. From the Attic Stelai we see that Euphiletos, Panaitios, Chairedemos (if the restoration on the stele is correct) were propertied gentlemen.³⁹ We need not believe that, when Andokides corroborated Teukros' list of mutilators, he was telling the truth: these men had already died or fled as a result of Teukros' information; therefore to denounce them again had no great significance. It was Andokides' purpose to keep his information to an acceptable minimum. Thucydides says that the veracity of Andokides' information about fellow mutilators was dubious at the time and later (6.60.2). Accordingly, one should not regard the full list (Teukros' list plus the four new names supplied by Andokides) as reliable.⁴⁰

Even less reliable was Diokleides' list of forty-two men whom he claimed to have recognized on the night of the mutilation (43), out of a total of some three hundred men gathered that night (38). Andokides gives a list of his relations who were included among the forty-two named culprits (47: ten individuals, including his father Leogoras; 68: twelve relatives). He succeeds in discrediting this much of Diokleides' testimony and obtaining the release of his relatives (68). Other points in Diokleides' testimony will be examined below. We may conclude from this episode that Diokleides did not succeed in proving the guilt of Andokides' male relations. It was Andokides' circle of friends on whom the blame legitimately fell.

We are allowed only glimpses of the activities of this group. Andokides records that it was at a drinking party that Euphiletos suggested mutilating the Herms, a proposal which met with opposition from Andokides (61). At 67 Andokides refers to Euphiletos' proposal as a *πίστις ἀπιστοτάτη*, a 'most untrustworthy pledge of trust'. *Πίστις* is a key term in this connection, as we have already seen (above pp. 29f.). It seems from Thucydides' analysis of *stasis* within the Greek states during the Peloponnesian War, and from isolated incidents known to us from antiquity (the execution of Hyperbolos by the oligarchs in 411; the execution of Eleusinians by the Thirty in 404, were among my examples) that *hetaireiai* frequently formalized their sense of joint purpose and loyalty to the group by sharing in an act of crime (Thucydides 3.82.6: *καὶ τὰς ἐς σφᾶς αὐτοὺς πιστεῖς οὐ τῷ θεῷ νόμῳ μᾶλλον ἐκρατύνοντο ἢ τῷ κοινῇ τι παρανομῆσαι*). Such a pledge was a kind of inverse opposite to public oaths: treaties and oaths of a public character were formalized by religious ceremonies designed to keep the signatories to

³⁹ Cf. Aurenche, *Les Groupes* 123ff. The affluence of both mutilators and profaners is a point much emphasized by Aurenche. He affirms that shared wealth was a factor linking members of the various groups involved, indeed that the profanations and the mutilation themselves were an expression 'of a profound conviction that money is all-powerful, everywhere, against public opinion or the powers of the establishment' (153).

⁴⁰ If we combine this uncertainty with that registered by Ostwald, *Popular Sovereignty* 541, as to the identity of the men concerned, and also that emphasized by Dover, *HCT IV* 288, as to the political allegiances of the identifiable individuals in 415, we are faced with a formidable barrier of uncertainties surrounding Andokides' accomplices in 415. Accordingly I prefer to concentrate on the figure of Andokides himself when considering the political import of the mutilation, as we know a lot about him, relatively speaking.

their word.⁴¹ The *pistis* of a private, and possibly subversive, group retained the mechanism of binding members to a common purpose by participation in an awe-inspiring act, but made this act one which challenged the social order, just as the group may have wanted to challenge the social order in a wider sense.

In view of this we can see both in Euphiletos' proposal and in the actual execution of the mutilation one of those shared crimes described by Thucydides as the means whereby a political association sought to bind its members to loyalty. A 'pistis' was by nature a preliminary act, a commitment to future conspiracy. In this way it is easy to see why the Athenians saw in the Herms mutilation the warning signs of imminent revolution (Thuc. 6.27.3). Whether Euphiletos' and Andokides' group had anything like a plan to attempt such a revolution we cannot know. But certainly the Herms mutilation was not politically innocuous.⁴²

Then we hear of Andokides' 'accident' when out horse-riding at Kynosarges, and another meeting of his group at which Euphiletos announced to the others that Andokides had now agreed to the plan and undertaken to mutilate the herm by the Phorbanteion (62). Subsequent to the mutilation, when this herm remained intact, we hear of Euphiletos and Meletos paying Andokides a visit to ensure his continuing loyalty to the group (63–64).

The group also met at Andokides' house once, when Diokleides visited them to extort money in return for his silence (40–41). Diokleides alleged that the group were plotting to obtain some (probably political) end (41: *ἐὰν δὲ κατάσχωμεν ἡμεῖς ἃ βουλόμεθα*).

The picture which emerges from the above is of a relatively small circle of men friends who at various meetings discussed, planned and executed the mutilation of the Herms in order to make themselves partners in crime. Andokides was a member of the group, although he opposed the mutilation itself and defaulted on the night of its execution pleading either genuine or pretended injury. If Andokides belonged to the clan of Kerykes, who claimed descent from Hermes, we might imagine Andokides shrinking from an act which would be a direct insult to his divine patron, whilst not necessarily distancing himself from the political aims of the mutilators. That would explain both his defaulting on the night of the mutilation, and his alleged acquiescence in the criminal plan (1.62 — denied of course by Andokides in his defence speech). The mutilation itself appears to have been only a stepping-stone toward a larger purpose.

Andokides' Politics

According to Plutarch, Andokides was the author of a political pamphlet addressed to his coterie of friends entitled (*Πρὸς τοὺς ἑταίρους*). In it he claimed that the Athenians had stolen the remains of Themistokles from the Magnesians and scattered them to the winds. Plutarch comments: 'This is a lie; Andokides was stirring up the oligarchs against the Demos.' (*Life of Themistokles* 32). Plutarch felt confident that Andokides was an oligarch in 415: 'Andokides appeared to hate the Demos and to be an oligarch' (*Alkibiades* 21). Other fragments of the orator show him mentioning party-going (1: *εὐαχεῖν*) and naval empire (2: *ναυκρατίαν*). More instructively fragment 4 shows him railing against the conditions which obtained during the Archidamian War: 'Never let us see the charcoal-burners coming down from the hills into Athens again, nor the sheep and cows and

⁴¹ On oaths cf. Mikalson, *Greek Popular Religion* 31–38.

⁴² On this question see MacDowell, *Mysteries* 190–93. MacDowell believes that the Euphiletos-Andokides group had political ambitions, and that the mutilation of the Herms was a planned attempt to subvert the Sicilian expedition. Marr, 'Andokides' Part' 337–38, disagrees — wrongly, in my view.

oxcarts and the womenfolk nor the older men and workmen armed for battle. Let us never eat wild herbs and chervil again.' The passage can plausibly be taken as the expression of a desire, presumably during the period of the Peace of Nikias, not to return to war.⁴³ It shows Andokides advocating the peaceable conditions which permit normal life throughout Attica. It is congruent with the sentiment of the Eleusinian Aparchai Decree, as I see it.

Fragment 5 is an attack on the plebeian character of Hyperbolos. This dates it earlier than 416 BC and shows Andokides to be an enemy of this demagogue.

Confirmation of Andokides' oligarchic politics (at least up to 403!) comes in a little-noted sequence in 411.⁴⁴ Andokides had supplied timber to the Athenian fleet based on Samos while the fleet was still in the grip of oligarchs. He then sailed to Athens hoping to be rewarded by the oligarchic government there for his good deed; he was disappointed in this; in fact he was thrown into prison forthwith, the reason being that the fleet at Samos had in the meantime defected from the oligarchic cause, to revert to democratic leadership. Hence Andokides' good deed became an act of aggression toward the oligarchs in Athens (the sequence, but not of course this reading of it, is in Andokides 2.11–16). The *Against Andokides* relates the same incident in the following terms: '... he sailed back to his own city while the Four Hundred were in power. The god had apparently clouded his mind with forgetfulness so effectively that he desired to return to precisely those men whom he had injured' (27). The men whom Andokides had injured I take to be those whom he had denounced in 415 as fellow mutilators. If I am right that the mutilation was basically an oligarchic plot, this passage offers useful confirmation of both Andokides' continued desire to join the oligarchy and the feeling of hatred against him in these circles as an informer (cf. Andok. 1.54).

The fourth speech of Andokides, *Against Alkibiades*, if genuine in the sense in which I propose, throws interesting light on the orator's politics. He sides with the subject states against Alkibiades' raising of taxes in 425 BC. This was a tendency among oligarchic politicians who championed the allies against the greedy Athenian Demos (e.g. Antiphon).⁴⁵ At 28 the author holds up Spartan *mores* at Olympia as a standard against which Alkibiades' disregard of rules should be measured. *λακωνίζειν* was a standard charge against anti-democratic Athenians. His defence of thrifty families against the charge of being *αἰσχροκερδῆς* or *φιλοχρήματος* (32) applies best to the conduct of well-to-do families, not necessarily oligarchic, but whose reluctance to squander their wealth on a renewal of the war effort made them oppose Alkibiades' plans in 415 (cf. Plut. *Nikias* 12.2–3).

⁴³ On the dating see Blass/Fuhr, *Andocidis Orationes* 109 (critical note). Ostwald, *Popular Sovereignty* 546–47. Anna Missiou, *The Subversive Oratory of Andokides* (Cambridge 1992) 23 and n. 28, accepts this dating.

⁴⁴ Albin, *Andocide* 'De Reditu' ad loc., does not use this episode to draw conclusions on Andokides' politics. Lehmann, 'Zur Krise' 68 n. 79, calls Andokides' immediate arrest on arrival at Athens in 411 'aufschlußreich', without spelling out what he means. Missiou, *Subversive Oratory* 27, has seen the point, although she does not express it very clearly.

⁴⁵ Cf. Missiou, *Subversive Oratory* 55ff.; 109ff.; 177ff.

All in all, there are, in my opinion, very good grounds for identifying Andokides' sympathies in 415 (and 411) as markedly oligarchic.⁴⁶ This places him in the opposite camp to Alkibiades in 415. Missiou's recent book, *The Subversive Oratory of Andokides*, is a thorough-going analysis of Andokides 1–3 in terms of oligarchic politics.⁴⁷

Diokleides' Testimony

Diokleides had a lively tale to tell in 415. Amid the consternation in Athens caused by Peisandros' and Charikles' claim that the mutilation of the Herms had been a large-scale conspiracy, Diokleides told the Boule that by chance he had witnessed a nocturnal gathering of some three hundred men in the theatre of Dionysos on the night of the mutilation. He explained that he had been up that night because he had intended to walk to Laureion the following day and had woken much too early (38 *πρὸς τῆς ὥρας*). However there had been a full moon and he had set off, and run into the gathering of men by the Propylaion of Dionysos. By the light of the moon he had recognized the majority of those gathered (38). Escaping detection, he had walked to Laureion as intended, and there learnt of the mutilation. Putting two and two together, he had returned to Athens some time later and approached Andokides' circle with a view to obtaining money for his silence. The group had promised, but failed to pay up, so Diokleides accordingly reported to the Boule. Among the forty-two men he named, there were two councillors (43), Andokides and twelve of his relatives (68). These men were either arrested or fled. The council ordered maximum security arrangements in Athens (45).

Andokides does not say directly how he refuted Diokleides' testimony. He only says that he weighed everything up and decided to tell 'what he had heard from Euphiletos' (51) and to accuse four men of complicity in addition to those already convicted on Teukros' evidence. He says that the Council and the Zetetai were able to confirm his statement by fetching the female servants of the accused men (64). When confronted with Andokides' version, Diokleides is said to have broken down and confessed that his evidence had been fabricated on the instigation of Alkibiades of Phegous and Amiantos of Aigina (65). Diokleides was executed for giving false testimony; Andokides' innocent relatives were released. As far as I can see, the only way in which Andokides' confession can have constituted refutation of Diokleides was in the demonstrable veracity of his list

⁴⁶ Ostwald, *Popular Sovereignty* 546–47, traces the development of Andokides from a radical oligarch in 415 to someone who, by 400, 'had obviously made his peace with the democracy.' Perhaps Ostwald should have included Andokides' career in the late nineties of the next century — as then he once more fell foul of the democracy, this time for alleged corruption in negotiations with Sparta. I doubt whether Andokides ever overcame his aristocratic and oligarchic sympathies; men of all political persuasions returned to Athens in 403; Andokides' avowals of pro-democratic sentiment in 400 may have been time-serving.

⁴⁷ Sometimes Missiou presses her case too far. Not everything said by Andokides (particularly after 403) can be branded oligarchic. We should remember that on returning from twelve years of exile in 403, the orator was keen to take an active part in the restored democracy. If still oligarchic in persuasion, he would have had to disguise his sympathies thoroughly if he wished to secure high public office. A speech such as the *On the Peace* in 391, may contain traces of aristocratic laconizing sympathies, but I feel these are more likely to reflect certain engrained attitudes of an Athenian aristocrat, rather than a deliberate attempt to subvert the democracy. Moreover, Missiou's arguments raise anew the basic question: what do we mean by 'oligarchic' and 'democratic' in Athenian politics? There were no official parties, no written manifestoes, no functioning party-political system. Cases such as Alkibiades and Peisandros show individuals changing their political allegiances as circumstances demanded; oligarch and democrat are indeed labels which the Greeks used themselves to classify public figures, but they should not be pressed too far: Athenian politics seems to have been to a very considerable degree a question of individual personalities and their following, rather than conflicting ideologies to which the individual was subordinate.

of guilty men. If Andokides could show that the men he denounced really were up and about on the night concerned, and that Diokleides had failed to name these men, he could cast doubt on Diokleides' claim to have seen the mutilators.

Granted that Andokides was able to discredit Diokleides, the question remains: how much of Diokleides' story was fabricated, and how much reflected the truth? This is a very delicate question, to which no final answer can be given. Here I collect first negative arguments pointing to Diokleides' unreliability, then some considerations which may point to a degree of truth in his story.

a. Thucydides says that the Athenians 'imprisoned very well-regarded citizens on the strength of evidence from scoundrels, thinking it preferable to get to the bottom of the matter rather than to let someone with a good reputation who had been denounced go free simply because the witness was a rascal' (6.53.2). It is quite likely that Thucydides had Andokides and Diokleides respectively in mind at this juncture.⁴⁸

b. Phrynichos fr. 58⁴⁹ makes it clear that Diokleides was perceived as a rogue who had exploited the Herms affair in an underhand manner. He had not received reward-money either; Teukros had been awarded that.

c. Plutarch, after citing the above Phrynichos fragment mentioning Diokleides and Teukros, goes on to say that one of the informants in 415 'on being asked how he had recognized the faces of the Hermokopidai, and answering 'by moonlight', was completely fooled, as it was the last day of the month when these things happened' (*Alk.* 20.5; i.e. there was no moon). If we equate this individual with Diokleides, his story looks very weak indeed. It should be noted, however, that Andokides does not explicitly point to this flaw in Diokleides' evidence. On the contrary, he expostulates that what was monstrous about Diokleides' story was that it enabled him to name any man among the three hundred he chose, not that he was wrong about the moonlight (38–39). On the whole I favour Dover's position on this point⁵⁰ that it is inconceivable that Diokleides would not have considered this point before coming forward with his evidence.

d. Diokleides was not acting on his own initiative, but on behalf of Alkibiades of Phegous and Amiantos of Aigina — a claim which in the case of Alkibiades of Phegous might be seen to be confirmed by his appearance on the Attic Stelai.⁵¹ These three men were free to concoct any story which best suited their interests. However, we should not lose sight of an essential restriction on their freedom: the story must appear at least superficially plausible to the Athenian officials.

⁴⁸ Plutarch, *Alk.* 20–21, names Diokleides and Teukros as (unreliable) informers and Andokides as a victim of their information. His narrative clearly follows Thucydides in outline.

⁴⁹ Below p. 145.

⁵⁰ *HCT* IV 275. Apart from the argument from probability, Dover adduces Diodoros 13.2.3f., where an unnamed informer in the Mysteries affair was discredited because he claimed to have seen some men going into a metic's house, Alkibiades among them, by the light of the moon, although there was no moon that night. This episode, argues Dover, was clearly separate from Diokleides' information; hence the Plutarch passage may apply to this anonymous informer in the Mysteries affair, not Diokleides. Ostwald, *Popular Sovereignty* 232 n. 105, sides with MacDowell against Dover in this dispute. I believe more weight should be given to the wording of Andokides' report of Diokleides' testimony in deciding this matter. Andokides twice mentions the moonlight as part of Diokleides' story, but never to discredit it. If he had, Diokleides' story would have appeared completely false, as it relied on the feasibility of recognizing many faces by night.

⁵¹ Ostwald, *Popular Sovereignty* 549.

Turning now to positive considerations one may observe the following:

i. Diokleides gave circumstantial detail which is a little difficult to conceive as pure invention: I am thinking particularly of the encounter between Diokleides and Andokides' friends at the latter's house, including a fragment of conversation between Diokleides and Leogoras, Andokides' father (40–41). It applies to a lesser extent to Diokleides' description of hiding in the Theatre of Dionysos, where he states his precise location, and of the actions of the three hundred men.

ii. Diokleides' story was sufficiently alarming and convincing to induce the councillor Peisandros to move a resolution lifting the official ban on torturing citizens (43), and the Council as a whole to prepare Athens as if against an armed uprising (45). Diokleides himself was given a hero's reception in the Prytaneion. The councillors were not all naive. Diokleides' story cannot have been a transparent fiction.

iii. Certainly hundreds of Herms were mutilated on the night. The only indication we have as to how many Herms each mutilator was allotted is Andokides' own statement that, according to Euphiletos, he had agreed to vandalize one herm, that standing by the Phorbanteion (62). It is possible that hundreds of men were necessary for the act. Of modern writers Aurenche takes Diokleides' testimony on this point most seriously.⁵²

iv. It is doubtful whether Andokides named all the men concerned or those he did correctly (Thuc. 6.60.2; Plut. *Alk.* 21.3–4). His confession was presumably tailored to (a) refute Diokleides' story of a large-scale conspiracy (b) limit the harm done to his own group. Thucydides comments sardonically that the Demos was 'pleased to hear the truth (sc. about the mutilation) — or so it thought' (6.60.4: ἄσμενος λαβών, ὡς ᾔετο, τὸ σαφές).

In view of the above considerations, both negative and positive, I incline to the view that Andokides did not confess the whole truth, nor did Diokleides tell only untruth. If the scene Diokleides portrayed as having happened by full moon in the Theatre of Dionysos actually happened, we have a dramatic glimpse of the activities that night. 'I got up early that morning', Diokleides recounted, 'having mistaken the time. There was a full moon, however, so I set out. When I reached the Propylaion of Dionysos, I saw a crowd of men going down from the Odeion to the orchestra. I was frightened and, keeping in the shadows, entered the theatre and sat down between a pillar and the column with the statue of the bronze general on it. I saw⁵³ about three hundred men. They were standing around in circles of about fifteen or twenty men. I recognized most of their faces by the light of the moon. Then I went on to Laureion and heard on the following day that the Herms had been vandalized. I understood at once that it must have been the work of those men.' (38–39). Giving imagination free rein for a moment, we might see in this nocturnal gathering a rendez-vous of mutilators in the theatre. The groups of fifteen to twenty men might represent conspiratorial cells whose actions needed to be co-ordinated. Given the

⁵² *Les Groupes* 167.

⁵³ Reading ὄραν δέ, with Diokleides as the narrating subject. However Galen 18 A p. 450 Kuehn, gives the variant: ἄδων δ' ἀνθρώπους τὸν μὲν ἀριθμὸν μάλιστα τριακοσίων. If we changed ἄδων to ἄδειν we would obtain a construction better suiting the following ἐστάναι δέ (where the men are the subject, not Diokleides). The sense would be: 'the men, numbering around three hundred, sang as they stood in groups of fifteen or twenty.' Now singing as an activity might normally suit men standing in circles in Dionysos' theatre, but it is very hard to conceive of *these* men singing! ἄδων, one feels, must be a mistake (one induced by someone missing the context of Andokides' narration and noting only the men grouped in the orchestra of the theatre?), but there remains the problem of the awkward ὄραν δέ followed by an accusative and infinitive, then the repetitive ὄραν δέ in the following sentence. That ὄραν δέ is corrupt seems to me possible.

above reservations about the value of Diokleides' testimony, however, this must remain totally conjectural.⁵⁴

Andokides' Herm

We hear from a number of writers that there was a herm in Athens which had originally been dedicated by the tribe Aigeis, but which had been given the nick-name 'Andokides' Herm'.⁵⁵ The reasons for its being thus dubbed were (a) that it stood close to Andokides' house (Andok. 1.62) and much more importantly (b) that it, among a very small minority, escaped damage on the night of the mutilation (Plut. *Alk.* 21.1–2). Andokides himself says of this state of affairs: 'When Euphiletos heard of my condition (sc. injured), he told the others that I had agreed to take part in the operation and had agreed to him to do my bit of the job and to mutilate the Herm which stands by the Phorbanteion — he said this to deceive the others. For this reason the Hermes whom you can all see, the one positioned beside my family's ancestral home, which the tribe Aigeis dedicated, was, alone among the Herms in Athens, not damaged — for the reason that, according to Euphiletos, I was the one who was going to mutilate it' (62).

This is a damaging admission, even on its own terms. If Euphiletos had *not* been lying to the others, then Andokides' herm escaped punishment either because he really had an accident which incapacitated him, or he had second thoughts at the last moment and feigned injury in order to excuse himself from joining in the impious tryst. Even if Euphiletos *was* lying to the others about Andokides' readiness to share in the mutilation, his very words show that a herm had been reserved for Andokides as his part in the crime, whether with his consent or not. Since there was hardly a means whereby the jury in 400 could reliably establish whether Euphiletos had, in 415, tricked the other mutilators into thinking Andokides would participate, and since the others were deeply concerned after the mutilation that Andokides had failed to mutilate the herm, it seems to me legitimate to conclude that Andokides invented the story of Euphiletos' lie as the best way out of a very damaging set of circumstances. Probably he had either intended, or been pressurized into agreeing, to mutilate the herm, and had backed out at the last minute. I suggested above that Andokides' claim to descent from Hermes (whether through Odysseus or Kekrops) may have restrained him from insulting Hermes so blatantly.

It seems that when Andokides returned from exile in 403 BC there was more trouble with 'his' herm. In the *Against Andokides* (11) we read the following: 'Before Andokides had been back in the city ten days he instituted proceedings for impiety before the Archon Basileus ... although he was Andokides and although he had done what he did to the gods: ... he claimed that Archippos had committed impiety with regard to his own ancestral Hermes (περὶ τὸν Ἑρμῆν τὸν αὐτοῦ πατρῶον).⁵⁶ Archippos countered this

⁵⁴ Plutarch *Alk.* 21.2; Harpokration s.v. Ἀνδοκίδου Ἑρμῆς, Hesychius s.v. Ἀνδοκίδου Ἑρμῆς. Harpokration cites Aischines and Andokides himself as his authorities for the fact that the herm nick-named 'Andokides' Herm' was in fact dedicated by the tribe Aigeis. He asserts that Duris mistakenly wrote that the herm belonged to Andokides.

⁵⁵ Murray, 'The Affair of the Mysteries' 151, also suggests that the groups of five or ten or twenty men corresponded to the various *hetaireiai* and *synomoi* who collaborated in the mutilation. Note his point that Diokleides' story did not correspond to the actuality of drinking-groups in one important point: he alleged that Andokides and numerous relatives of his were jointly involved, whereas in fact members of *hetaireiai* tended not to be related.

⁵⁶ A number of uncertainties surround this episode: was Archippos the same man as had been denounced by Andromachos for profaning the Mysteries in 415 (Andok. 1.13)? And if so, was he also a comic poet, as MacDowell suggests (*Mysteries* 211)? The next question concerns the herm defaced: was it the prominent one standing by Andokides' house and called 'Andokides' Herm',

with a sworn statement that the Hermes was sound and entire and had not suffered any of the damage which the other Herms had received. Nevertheless, so as not to have further dealings with a man of Andokides' sort, he obtained his release by paying money.

The words *τὸν αὐτοῦ πατρώου* probably refer to Andokides, not Archippos. If that is the case, my guess as to the cause of the trouble would be that Archippos had insulted 'Andokides' Herm' with a view to reminding others of Andokides' reputation. It seems he did not physically damage the herm, as he could swear that the statue was intact and had not been mutilated like the others in 415; the insult must have constituted something less extreme, such as daubing with paint or some such humiliation. Andokides' immediate and vehement reaction — public prosecution of Archippos — would reflect his sensitivity to such slurs on his past coming so soon after returning to Athens, where *μὴ μνησικακεῖν* was the order of the day.⁵⁷

'Andokides' Herm' became a monument to the orator's involvement in the 415 mutilation. Its preservation in 415 cast greater suspicion on him than its vandalization would have (Plut. *Alk.* 21.1–2), and its being defaced by Archippos in 403 no doubt had a similar effect of drawing public attention to Andokides' part in the 415 mutilation. Harrison suggests locating Andokides' house, and with it the Hermes, south-east of the Agora, close to the Theseion.⁵⁸ This would locate his house in the deme of Kydathenaion, to which his family belonged. It stood in a much frequented part of Athens. Plutarch (*On Sokrates' Daimonion* 10) mentions a walk of Sokrates up to Andokides' house.

Andokides' Slaves

A number of passages mention that Andokides either produced, or failed to produce, a slave to corroborate a part of his testimony. Since slave-interrogation (with torture) was a standard tool in the hands of the authorities to check on information offered, and since these passages conflict as to the occasion concerned, they require examination.

1 a. Andokides says that he produced a slave to corroborate his confession following imprisonment on the strength of Diokleides' testimony (64). The investigating officials in this case were the Boule and the Zetetai. Andokides states that these officials investigated the matter and ascertained the truth of Andokides' statement. Andokides only says that his innocent relations were released accordingly, but we may assume, with Thucydides, that the orator himself was also released on the strength of the *ἄδεια* regulation.⁵⁹

although its dedication proclaimed it an offering of the tribe Aigeis? (my assumption here). Or was it a different herm which really belonged to Andokides' family? The third point concerns the interpretation of *αὐτοῦ*: I think, with MacDowell, *Mysteries* 5 n. 6, that the reflexive pronoun refers most naturally to Andokides, not to Archippos. And finally, when was this herm defaced? — I assume here that it was defaced after Andokides' return to Athens in 403, but Aurenche, for example, holds that this was one of the herms damaged in 415 (*Les Groupes* 92). My interpretation here involves the following assumption: it was the famous 'Andokides' Herm' which received Archippos' attention in 403. If he was also the profaner of 415, and a comic poet to wit, his attack on the returned exile is all the more understandable. If I am right to see 'Andokides' Herm' as the object of the attack, then Duris' mistake on this point (see previous note) may be explained. Another expedient would be to take *τὸν Ἑρμῆν τὸν αὐτοῦ πατρώου* to mean 'Hermes, his own ancestor' (which Andokides indeed claimed) not 'the herm which belonged to his own family' (which is the point at issue).

⁵⁷ Similarly interpreted by Ostwald, *Popular Sovereignty* 547.

⁵⁸ As noted in the Herms chapter, Harrison (*Athenian Agora* 117–20) sees 'Andokides' Herm' as a herm standing in conjunction with a shrine (here that of Phorbas), rather than as a tribal herm in the sense Domaszewski had maintained.

⁵⁹ See my note on [Lysias] 6.23, in *CQ* 39 (1989) 550–53. MacDowell, as already stated, disputes this point.

b. Andokides states that his father was prepared to hand over a slave to corroborate his defence against the charge of Lydos, Pherekles' slave, of having attended one session of profaning the Mysteries (1.22). Apparently Leogoras' offer was not taken up by Speusippos, his opponent.

2. The *Against Andokides* says that Andokides was first thrown into prison in 415 because he failed to produce a slave to corroborate his story. According to this speech, Andokides was brought before court charged with impiety. He told the magistrates to imprison him if he failed to produce a slave to corroborate his story. The slave died (the implication is: was murdered). Andokides was imprisoned, and while in prison, confessed, at the same time implicating friends and relations (21–23).

3. Plutarch (*Life of Alkibiades* 21.4) says that Andokides 'added a number of his own servants (sc. to the number of individuals whom he had denounced) for the sake of credibility' (*καὶ πίστεως ἔνεκα προσέθηκεν αὐτοῖς οἰκέτας ἰδίους ὁ Ἄνδοκίδης*). This sentence is dubious. Andokides was hardly going to convince the authorities of his own, or others', guilt by denouncing *servants*. That would have been quite redundant given that (a) he had already accused himself (b) slaves were not usually considered sufficiently human to constitute a meaningful sacrifice. Plutarch's expression *πίστεως ἔνεκα* recalls *Against Andokides* (24): '... since he had done to death those whom he himself claimed to hold most dear, he appeared to have given a true confession and was released'. There seem to me two ways out of this difficulty. (1) *οἰκέτας* in the Plutarch passage is a corruption of *οἰκείους*; the whole passage would then run: 'Andokides informed against himself and against others and accordingly received the immunity guaranteed by the decree; those whom he named all died excepting those who escaped. To make his account more plausible he added to the names of the others some members of his own family.' (2) (the less likely alternative, I think) Plutarch has misunderstood his source at this point owing to unfamiliarity with this Athenian legal practice: where Andokides, for example, says *παρέδωκα τὸν ἐμὸν παῖδα* (1.64), meaning 'hand over to the authorities', Plutarch wrote *προσέθηκε*, as if Andokides had 'added' the slaves to his list of culprits.

I do not hold, with MacDowell, that 1a and 2 of the above must refer to the same situation, as the circumstances were in fact radically different.⁶⁰ If I am right, we obtain the sequence: Andokides was denounced by Diokleides; on appearing in court he protested innocence and promised to supply a slave to corroborate his story; asked what penalty he proposed if he failed, he boldly said: imprisonment. Then the slave was removed (no doubt by the same enemies of Andokides who had sought to implicate his entire family). Accordingly Andokides was imprisoned, where he eventually confessed in the Herms affair. He states that he could validate his confession with slave evidence. That various slaves were involved is not surprising; we have only to compare the numbers of slaves listed as personal property on the Attic Stelai.

Andokides' Father

A serious matter relating to Andokides' impiety was the allegation that he had denounced his own father, Leogoras. Leogoras was a prominent Athenian, having served as ambassador to Macedonia, and been satirized by the comic poets Aristophanes, Plato and Eupolis, for spending his abundant wealth on high living.⁶¹ We first encounter Leogoras in Andokides' defence speech when Lydos, the slave of Pherekles, denounced him, among others, as having been present at the profanation of the Mysteries in Pherekles'

⁶⁰ *Mysteries* 178. He points to some of the differences himself.

⁶¹ Ostwald, *Popular Sovereignty* 542. MacDowell, *Mysteries* 1–2.

house. Lydos said that Leogoras had been present, but had had his head covered and was asleep (17). At 19ff. Andokides engages in a long refutation of the prosecution's case that it was he, Andokides, who had informed against his own father in the Mysteries affair, and not Lydos. In brief, Andokides states that on the contrary it was he who had persuaded his father not to flee from Athens to escape prosecution, but rather to stay and counter-attack by prosecuting one Speusippos for illegality.⁶² He states that his father easily won his case against Speusippos and was therefore let off himself.

Leogoras was also among those accused by Diokleides of mutilating the Herms (41ff.). Here Andokides states that his father and other relatives were innocent of this affair, and that his own confession in this case had secured their release from gaol (68).

Comparing these two episodes with other sources we find the following: the *Life of Andokides* states bluntly that Andokides informed against his father (6) but does not state whether in the Herms or the Mysteries affair. It goes on to state how Andokides succeeded in obtaining his father's acquittal by promising that his father would greatly benefit Athens; Leogoras, we read, then accused some men of embezzling public monies, and other crimes (7) and was released. Here we have then tolerable agreement with Andokides' defence speech in connection with Leogoras' denunciation for profaning Mysteries, with the important proviso that the *Life* says that Andokides did indeed inform against his father.

The *Against Andokides* does not mention Leogoras specifically, saying merely that Andokides informed against friends and relatives, with the emphasis on friends (23). Plutarch likewise only mentions 'relatives', if I am right about *Alk.* 21.4 (above).

Tzetzes, *Historia* 49, contains the information that 'Lysias the orator wrote that Andokides had denounced his own father', and that although 'Leogoras had been betrayed by his son Andokides, he won his case'.⁶³ Now the reference to Lysias cannot be to the extant speech *Against Andokides*, as this does not mention Andokides' denunciation of his father, unless in the lost opening paragraphs. Otherwise no extant speech of Lysias mentions Andokides. Again we note the story that Leogoras was denounced by Andokides but escaped conviction.

Clearly, at his trial in 400, Andokides stood accused of having betrayed his own father in the Mysteries affair (Andok. 1.19). He attempted to defend himself against the accusation, but later antiquity was not convinced by the attempt. Leogoras did, however, escape punishment in 415. We must separate this incident from Diokleides' denunciation of Leogoras with Andokides as mutilators: here Leogoras escaped on the strength of Andokides' confession. A further point emerges from Diokleides' evidence, if this part has a basis in truth (see above). Diokleides reported that he had visited Andokides' house to blackmail his group of mutilators. He met Leogoras, who was just going out, at the door. Leogoras allegedly said 'Are these people waiting for you? Well now, one mustn't send away such friends as these.' Then Leogoras departed. Diokleides tried to implicate Leogoras of complicity on the strength of this incident (41), but in fact it shows that Leogoras deliberately left the house when Diokleides came to negotiate with the mutilators.

When we combine this incident with our knowledge that Leogoras was accused of having attended a profanation of the Mysteries, and our strong suspicions that Andokides himself had confirmed this at some stage of the proceedings, we see Leogoras and Andokides in opposite camps, according to my reconstruction of the opposing purposes

⁶² See MacDowell, *The Law in Classical Athens* 36; 50.

⁶³ On this piece see MacDowell, *Mysteries* 172.

behind the mutilation and the profanations. We find Leogoras associating with profaners, and Andokides publicly confirming this fact, whilst Andokides confessed to complicity in the mutilation, exonerating his father of this in so doing. I believe we may see here traces of a family rift, such as Aristophanes dramatizes in the *Clouds* or *Wasps*, where the son's politics conflict radically with the father's. In both plays it is the junior member who rebels against the democratic establishment, whether in his love of race-horses or his disgust with the law-courts. I see Andokides in 415 as just such a young man. From the criterion of piety, Andokides' preference for the ties of the Hetaireia over those of the family (cf. 1.49) exemplify what Thucydides saw as a contributory cause (or effect) of the break-down of traditional morality which accompanied stasis (3.82.6). If Andokides accused his father of impiety with regard to the Mysteries in 415, his breach of traditional filial piety was the more serious.

To sum up: it seems to me that sufficient evidence survives to confirm antiquity's opinion that Andokides had been deeply implicated in the mutilation of Herms in 415. Probably he did not actually mutilate one himself, but this does not exonerate him of guilt in the underlying conspiracy. For the mutilation was not just a prank committed in a spirit of drunken riotousness by youths: it was conceived as a shared crime by which the participants would swear allegiance to a cause (Andok. 1.67: *πίστιν ἀπιστοτάτην*). What that cause was precisely we shall never know. The pledge itself, however, was seen at the time as a bad omen for the Sicilian expedition and evidence of anti-democratic conspiracy. I see no reason to doubt Thucydides' analysis here (6.27). Nor do we know who exactly, or how many individuals, were involved in the conspiracy. Diokleides' testimony was probably a mixture of truth and fabrications: his estimate of the numbers concerned (about three hundred) *may* not have been an exaggeration. Certainly there is no reason to believe Andokides that only about twenty men were involved.

Likewise there are sufficient pointers to Andokides' oligarchic politics before 415 and afterwards too (411). Probably he tried to keep his hands clean of the actual mutilation in 415 because his family believed it was descended from Hermes himself. His affiliation with the conspirators led to tension between himself and his father. When he and his friends met at home, Leogoras, the father, left. Moreover, Leogoras associated with the profaners, the opposite camp favouring Alkibiades and the invasion of Sicily. Not actively involved in the mutilation itself, Andokides was nevertheless denounced by Diokleides as one of the conspirators. Imprisoned with numerous (innocent) relatives, he decided to confess in order to save himself and them, at the same time denouncing fellow conspirators. This was the action which earned him hatred in ensuing years. Andokides became a man not to be trusted, someone who denounced friends to save himself. He had offended everyone: his family by first putting ties with the Hetairia above family ties; the democracy by being part of an anti-democratic conspiracy; finally the conspirators themselves for turning informer against their cause. Anyone who doubts the quandary Andokides was in as a result of all these severed allegiances should refer back either to the speech *Against Andokides* or to his own speech *On his Own Return* (especially 15–16). Various attempts at rehabilitation (411, ?409) failed. Andokides returned to Athens in 403 and promptly someone (Archippos) took it upon himself to remind Athens of what Andokides had done by defacing 'Andokides' Hermes'. Brought to trial in 400 (ostensibly only for a minor offence in 400, in fact for all his past crimes) Andokides managed to win his case by presenting an extremely credible version of his part in the 415 impieties whereby he admitted peripheral involvement in the conspiracy, whilst maintaining his real integrity throughout. No doubt his considerable wealth amassed during his years in exile as a merchant shipowner played a part in persuading the

Athenians that here was a man who still had his uses as a citizen.⁶⁴ Andokides remained in Athens during the nineties of the fourth century, but was then again exiled, this time for alleged corruption as Athenian ambassador to Sparta.⁶⁵ Antiquity remembered Andokides as a notable orator, but an untrustworthy man.

⁶⁴ I cannot agree with Missiou, *Subversive Oratory* 32ff., that the democracy was suspicious of generous acts by rich individuals. She argues that the relationship of *charis* between rich patrons and poor dependents (characteristic of aristocratic oligarchy) was eroded in the latter half of the fifth century by a reluctance on the part of the demos to allow the rich to buy themselves into power, or out of trouble. While there is logic to what she says, there is plenty of evidence of continuing admiration on the part of the people for acts of largesse and display by the (pro-demos) rich. One has only to think of Alkibiades before his exile, or Nicias, to see that being rich, and showing it, was not necessarily an impediment to success in the democracy.

⁶⁵ Cf. MacDowell, *Mysteries* 6; U. Albin, ed. *Andocide*, De pace (Florence 1964); M. Dieckhoff, 'Zwei Friedensreden', *Altertum* 15 (1969) 74–82; Missiou, *Subversive Oratory*, believes that this speech contains arguments which were subtly subversive of democratic ideology. She is perhaps too thorough-going in her analysis (see above n. 47) but her basic approach may be on the right lines. In particular I see a danger of circularity in her argument: granted that Andokides was an oligarch in 415 and probably 411, then what he says in ?408, 400 and 391 is likely to reflect oligarchic politics; since such views are manifestly oligarchic, and we find Andokides expressing them, his oratory is clearly subversive of the democracy, *q.e.d.*

CHAPTER FIVE

Religion and Politics during the Peloponnesian War

My interpretation of the Herms affair raises larger issues: were religious institutions frequently embroiled in political affairs? How political was religion in this period, or, conversely, how significant was religion in the political and military life of Athens in the last third of the fifth century BC? The purpose of this chapter is to examine such questions, particularly as they relate to the Peloponnesian War. This is an aspect of Greek history which tends to be neglected by modern scholarship. Ancient historians, influenced by their own credo of objective rationalism, tend, perhaps partly unconsciously, to play down the importance of 'irrational' factors in the formulation of ancient Greek policy.¹ Conversely, the study of ancient religion — even among its foremost exponents — tends to treat Greek religion as an isolated phenomenon, an aspect of ancient society which can effectively be separated off from other civic business. There is a deep-seated curiosity about the 'otherness' of many ancient Greek religious rites, a concentration on the affinities between such rituals and those of primitive societies, without confronting the rather difficult question of how religion still affected the intellectual and practical world of Aristophanes and Socrates. Our fifth-century authors are conspicuously intelligent, witty and urbane thinkers; the Athenian religious festivals described by Deubner or Parke do not seem calculated to capture the imagination of such men; they are too simple, naive, 'primitive'. Indeed contemporary authors frequently tease or scoff at their own city's gods. Does this irreverence reflect real dissatisfaction with the religious 'inherited conglomerate' (Gilbert Murray's phrase) or is it merely the intellectual exuberance of a few free-thinkers? Such questions are very difficult to answer categorically, but they must be considered.²

¹ Cf. W. Kendrick Pritchett, *The Greek State at War* vol. III (University of California Press, Berkeley L.A. 1979) 3: 'Many features of ancient religion are so alien to us that we tend to disregard our best sources, even when the evidence is overwhelming. Where the ancients assigned a religious motive to some military action, modern discussion seeks political or military ones'. Despite Pritchett's intention to accord religion a place of importance in the study of ancient warfare, his work tends to mass together details of isolated instances collected over many centuries, with the result that anything like a religious policy within any one warring state in any given period is difficult to discern. Other works which emphasize the importance of religious factors in the period we are dealing with are: J. D. Mikalson, 'Religion and the Plague in Athens, 431–423 BC', in: *Studies presented to Sterling Dow* (Durham, N. Carolina, 1984) 217–226; C. A. Powell, 'Religion and the Sicilian Expedition', *Historia* 28 (1979) 15–31. H. Popp, *Die Einwirkung von Vorzeichen, Opfern und Festen auf die Kriegsführung der Griechen im 5. und 4. Jh. v. Chr.*, (Diss. Erlangen, Würzburg 1957); Robert Parker, 'Greek states and Greek oracles', in: Cartledge and Harvey (edd.), *Crux*, 298–326. Parke and Wormell's work on the Delphic oracle is important, of course, for the political relevance of the oracle. Simon Hornblower's new commentary on Thucydides accords religious factors the place they deserve.

² Cf. Albin Lesky, 'Griechen lachen über ihre Götter', *Wiener humanistische Blätter* (Vienna 1961) 30–40; Dover, *Greek Popular Morality* 75–78; 129–44; 246–68. id. *The Greeks* (BBC Publications, London 1980) 127–32 ('The Funny Side').

i The Homeric Base

One needs a conceptual framework to begin discussion. Otherwise the fragmented information we receive in our sources about individual events of this nature during the Peloponnesian War will fail to cohere. Homer was not the Bible of the Greeks in the sense of incorporating a body of religious dogma to which cult must zealously adhere. On the contrary, Homer has very little to say about cult in the sense of organized, calendrically regular, community religion; the rites he mentions tend to be those performed ad hoc by warriors or travellers as the occasion demanded; myth is used to enhance or illustrate the narrative, not for its own sake; even his treatment of individual gods may reflect narrative requirements as much as the substrata of cult.³ Nevertheless, the importance of Homer for subsequent Greek religion, as for other areas of culture, cannot be overestimated. He provided a core of typical responses and attitudes in the Greeks' relations with, and concept of, their gods which remained more or less unaltered for centuries. The *Iliad* is more relevant to my present purpose than the *Odyssey*, as I am concerned with the role of Greek gods in warfare.⁴

As is well known, Homer presents the Trojan War as a contest between essentially compatible Greek states — with the possible exception of Priam's 'oriental' polygamy — sharing a language, common gods and values. For the duration of the war these gods are arranged in two camps corresponding to the military division. Poseidon, Athena, Hera, Hermes and Hephaistos side with the Greeks; Apollo, Aphrodite, Artemis, Leto and Ares favour the Trojan cause. Zeus arbitrates as the highest divinity, now favouring one side, now the other, according to his self-centred concept of justice. Whilst this division of gods lends greater depth to the mortal combat, and simultaneously enhances the poetic narrative by switching the listener's focus from men to gods and back to men again, it leads to some strange anomalies. Although Athena favours the Achaeans, Troy has its temple of Athena on its citadel to which the women of Troy imploringly address themselves when their city is under duress (6.297ff.). Although the gods take sides in the dispute, and are even prepared to enter the fray themselves to swing the battle one way or the other, they all return to Olympus after battle and share in divine junketing regardless of what had just gone before; the human battle for them is a sport to be indulged in at will, not a threat to their existence.

Humans, on the other hand, see their success or failure in battle as entirely a matter of divine favour. If they slay an opponent, a protective divinity has guided their weapon; if their spear misses, a god has deflected it. If a warrior's luck begins to leave him, this reflects a swing in a god's attitude toward him. The Homeric heroes exert themselves; but they see their fortune or failure as a matter of divine will. If they ever go against a sign of divine will (as Hector appears to at 12.200ff.), their luck turns. They pray before entering battle, before opening fire, when direly threatened, and give thanks to god when they score a hit or escape from danger. They encounter opponents in battle whose stature reminds them of gods, and gods themselves; they boast of their special relationship to gods in the face of the enemy, and lament when it fails them.

³ Cf. Hartmut Erbse, *Untersuchungen zur Funktion der Götter im homerischen Epos*, Berlin/New York 1986.

⁴ Cf. W. Kullmann, *Das Wirken der Götter in der Ilias* (Berlin 1956); W. Bröcker, *Theologie der Ilias* (Frankfurt a. M. 1975); Burkert, *Griechische Religion* 191–99; H. Erbse (above n. 3). James V. Morrison, 'Homeric Prayers', *Hermes* 119 (1991) 145–57.

The Homeric hero has a personal relationship to the Olympian gods. He sacrifices to them personally; he believes the god stands close to him personally on the battlefield; if he is rescued from battle, he conceives this as being lifted physically from danger by the strong arm of a god. He does not deny the possibility of the same god favouring his mortal enemy; he makes no ethnic or geographic distinction in the matter of the efficacy of the gods. Rather, he exerts himself with plentiful sacrifice to ensure that a particular god will remain his friend. In view of this, and despite the 'political' division of gods in the *Iliad* mentioned above, we cannot analyse the combat in the *Iliad* as a 'holy war' i.e. one where one side fights for, and under the aegis of, a particular deity, against enemy infidels. Both sides in the Trojan War observe the same gods equally; as stated, the Trojans worship Athena although she has sided 'politically' with the Achaeans.

There is, however, a religious dimension to the overall structure of the *Iliad*, and also to poets' portrayal of the Trojan War. Homer has structured his *Iliad*, a short segment of the whole war, around the narrative sequence set in motion by Agamemnon's insult to Apollo's priest Chryses (plague → offence to Achilles → Zeus' punishment of Agamemnon → working out of Achilles' wrath). The events of the *Iliad* result directly or indirectly from Zeus' determination to impose a fixed standard of conduct on the Homeric warriors. Likewise the Trojan War itself was portrayed (both by Homer and subsequent poets) as having its cause in an offence by Paris to Zeus Xenios in carrying off Menelaos' bride while his guest at Argos (e.g. *Il.* 13.620ff.). On this view, the Achaeans were fighting a 'holy war' in taking vengeance on the miscreant Trojans. If this appears somewhat strained (although Aeschylus, *Ag.* 362ff., seems to take it perfectly seriously) the motivation given for the anger of Hera, Poseidon and Athena against Troy (Paris had offended them in preferring Aphrodite — *Il.* 24.25ff.) appears positively trivial.⁵

Homer's *Iliad* clearly documents the Greeks' conviction that divine favour was essential to the success of a venture, to be secured at all costs by prayer, sacrifice, behaviour in accordance with Zeus' will. It portrayed action down to the last detail as divinely ordained, at least in the mind of the conqueror or the conquered. It introduced the concept of strong support on the part of certain gods for a certain human enterprise, but it did not allow the crystallization of 'sects' within Greek society — i.e. groups dedicated to the exclusive worship of one particular deity in contradistinction to other groups aligned with other deities. Homer's gods are too personal for that, and also too fond of each other to allow mere human affairs to come between them irrevocably.

The *Iliad* also goes some way toward fixing the individual characters of the Olympian gods for future generations. Athena is depicted as war-loving, able to don the awe-inspiring aegis of Zeus when entering battle; by contrast Aphrodite is depicted as unsuited to battle, more to bed. Ares is said to be hated by the other gods (5, 890ff.). Some gods are conspicuous by their absence, Demeter and Dionysos, for example, surely not because Homer was unfamiliar with their importance, but because their character was incompatible with the war theme of the *Iliad*.⁶ Zeus lords it over all the other gods by

⁵ Trivial to us, that is. There are many incidents in Greek myth where the motivation for a divinity's wrath seems trivial compared to the suffering it causes on mankind: the sacrifice of Iphigeneia, demanded by Artemis, according to the traditional account, because Agamemnon had boasted of being a better marksman than her, or again Artemis' persecution of Oineus' family in the *Iliad* (9.527ff.) for omitting a sacrifice, are examples.

⁶ This raises the question why these deities are also marginal in the *Odyssey*. Certainly it is not, as was once held, because Dionysos was a late arrival in Greece. Perhaps the explanation lies in these gods' particular connection with agriculture (cf. Demeter's union with Iasion in a thrice-

virtue of his physical strength (7.1ff.), but he also represents a crude order of justice. Homer indicates that some gods had favorite places of residence on earth (Hera in Argos, for example; Aphrodite in Paphos) but this never weakens their commitment to the Olympian assembly. Much has been made of Herodotus' remark (2.53) that Homer and Hesiod invented a theogony for the Greeks, gave the gods their appellations, defined their forms and divided rights and gifts among them, but the Linear B tablets and a comparison with near-Eastern societies make one realize that the Greek gods had a long pedigree before Hesiod and Homer.⁷ What Homer did achieve was an integrated society of gods for the purposes of his narrative.

If we examine the concrete channels through which Homeric men tried to communicate with gods or receive their messages, we find the cult institutions which remained valid throughout classical antiquity: sacrifice and prayer to secure divine favour; oaths invoking gods to regulate treaties; augury of various kinds to establish divine will. The activities of priests, prophets and soothsayers are mentioned at various points, although, in accordance with later times, these always appear as individuals in an advisory capacity, never as a distinct social group with their own organization, code of conduct or hierarchy.

ii From Homer to Thucydides

At least three centuries passed, of course, between Homer and the beginning of the Peloponnesian War, but there is no reason to assume a radical change in religious attitudes anywhere in Greece over this period of time.⁸ Indeed the basic Greek literary education, which consisted of learning the Epic cycle and the traditional myths, ensured continuity.⁹ One significant change can be detected in the influence of the Persian invasions of Greece in the early fifth century on subsequent literary accounts of the Trojan War. The historical Persians were barbarians to the Greeks: their defeat at Marathon and Salamis became for the Athenians emblematic of the cultural and ideological struggle of the Greeks against the barbarians. Subsequent to this the mythical Trojans tended to become assimilated with the Persians, giving an anachronous slant to the Greeks' victory at Troy.¹⁰ But this affects the religious order only slightly. Herodotus' gods in his *History* are recognizably Homer's. Indeed Herodotus speaks of the works of Homer and Hesiod as establishing a pantheon for the Greeks once and for all (2.53). The Zeus in Herodotus and Aeschylus who puts down Xerxes' hybris by vindicating the

ploughed field: *Od.* 5.125ff.) — a theme which is marginal to heroic narrative. There is no question of Demeter's place in Homeric belief: men are defined as beings dependent on 'Demeter's grain' (*Il.* 13.322: *δς θνητός τ' ἔτη καὶ ἔδοι Δημήτερος ἀκτῆν*).

⁷ Cf. Burkert, *Griechische Religion* 282: 'Früher war die Religionswissenschaft geneigt, die olympische Götterwelt für etwas Einzigartiges zu halten, für eine Schöpfung Homers. Die Wiederentdeckung der altorientalischen Literatur hat dies widerlegt...es gehört offenbar ein Pantheon anthropomorpher Götter...zur vorderasiatisch-ägäischen Koine. Nur durch genauere Differenzierung läßt sich die Eigenart des Griechischen, 'Homerischen' bestimmen.'

⁸ Hermogenes' outline of basic Greek (and barbarian) religious belief in Xenophon's *Symposium* (4.47–48), for example, shows no advance whatsoever on the Homeric system. Euthyphron's summary of Greek piety in Plato's dialogue (*Euthyphro* 14b2–8) reflects the same conservatism. Isokrates, *Areopagitikos* 7.29–30, establishes the principle that piety to a large degree consists in not changing any particle of religious tradition (cf. Mikalson, *Greek Popular Religion* 96ff.)

⁹ Cf. Friedrich Mehmel, 'Homer und die Griechen', *Antike und Abendland* 4 (1954) 16–41; Uvo Hölscher, 'Über die Kanonizität Homers', in: *Kanon und Zensur. Archäologie der literarischen Kommunikation* vol. II, edited by Al. and Jan Assmann (München 1987) 237–45.

¹⁰ Cf. Edith Hall, *Inventing the Barbarian: Greek self-definition through tragedy*, Oxford Classical Monographs (Oxford U.P. 1989).

Greeks is essentially the same Zeus whose enforcement of justice steers the unrolling of the *Iliad*.¹¹

Human affairs in epic and Athenian tragedy are depicted in a two-tier fashion: there is a human plane and a divine, with interaction between the two. Humans speculate on, and try to influence, the gods; the gods punish or save humans in their endeavours. In our chief great source on the Peloponnesian War, Thucydides, this two-tier arrangement is missing.¹² Thucydides never mentions the possibility that a god or gods may be even remotely responsible for human events, although he has individuals hint in this direction. He gives not the slightest indication that he sees a religious dimension behind Athens' defeat at the hands of Sparta, although his *History* as a whole may be thought to have affinities with the unrolling of a tragic plot.¹³ In short, he has completely censored the divine superstructure from history; indeed he expressly declares that he wishes to avoid a 'mythical' tendency in the writing of history (1.21.1: τὸ μυθῶδες). But this does not mean that he ignores religious affairs, as we shall see. At key points he lets us know that the acting individuals in his history were influenced by religious factors, whether they be oracles from Delphi, or the famous impieties of 415. His sporadic references to such factors lack coherence precisely because of his omission of the conceptual framework which I have attempted to sketch above. Thucydides' own scepticism should not be taken as representative of contemporary Athenians. One point I wish to make in chapter Seven is that other contemporary prose literature (my examples are the forensic speeches at Andokides' trial) retains the divine superstructure. When considering the Peloponnesian War we must be grateful for Thucydides' austere references to religious affairs, but we may be sure they represent only the tip of the iceberg by comparison with the true extent of religious concern at Athens during these decades. Aristophanes, Euripides and, later, Plutarch, help to fill out the picture.

A good example of the continuity which I posit between the Homeric world and the late fifth century comes at the beginning of Thucydides' account of the outbreak of the Peloponnesian War, when Athens and Sparta are jockeying for the moral advantage. After deciding with its allies to go to war, Sparta sends a mission to Athens to complain of the latter's impure religious state. The Spartans claim that Athens is still polluted by the presence of men in the city descended from those members of the Alkmeonid clan who unlawfully killed members of the Kylonian conspiracy in the late seventh century; Athens should 'purge the city of the pollution to the goddess' (1.126.2: ἐκέλευον τοὺς Ἀθηναίους τὸ ἄγος ἐλάυνειν τῆς θεοῦ, sc. Athena).

¹¹ Cf. Lloyd-Jones, *Justice of Zeus* 58ff., on Herodotus' handling of divine intervention: 'The part played by the gods in the action of the history indicates that the author's religious outlook resembled that of the early poets. Nor does the frequency with which he refers to the divine power as a historical agent by such abstract terms as ὁ θεός, τὸ θεῖον, ὁ δαίμων, τὸ δαιμόνιον prove him to be a disbeliever in the personal gods of legend.' (pp. 63–64).

¹² On religion in Thucydides see Nanno Marinatos, *Thucydides and Religion*, Beiträge zur Klassischen Philologie (Königstein 1981) with bibliography. Cf. L. Strauss, 'Preliminary Observations on the Gods in Thucydides' Work', *Interpretation* 4 (1974) 1–16; Borimer Jordan, 'Religion in Thucydides', *TAPA* 116 (1986) 119–47. The attitude of Marinatos and in particular Jordan is that Thucydides shows a keen awareness of the importance of religious factors in his *History*, though more from the historical point of view than from that of personal credo. I agree.

¹³ Cf. F. M. Cornford, *Thucydides Mythistoricus* (London 1965 (reprint)). H. Lloyd-Jones, *The Justice of Zeus* (Berkeley, L.A., London 1983) 144; A. Parry, 'Thucydides' Historical Perspective', *YCS* 22 (*Studies in fifth-century Thought and Literature*) (Cambridge U.P. 1972) 47–61.

Now this alleged pollution arising from the Kylonian conspiracy was very old news — two hundred years old, in fact.¹⁴ The original incident occurred when the suppliant status of members of Kylon's failed coup was disregarded. The men were killed on sacred ground as they were being led away from the Athenian Acropolis, thus insulting Athena's authority. The chief culprit was seen to be Megakles, an Alkmeonid; he and other members of his clan were expelled from Athens for this reason in the early sixth century (cf. *Ath. Pol.* 1). The exiled Alkmeonids were, however, instrumental in bringing down Peisistratos' tyranny later in the sixth century. By helping rebuild the temple at Delphi they induced the oracle to put pressure on the Spartans to restore 'democracy' at Athens. This was done, and the Alkmeonids returned (*Ath. Pol.* 19). Matters were, however, further complicated late in the sixth century when Kleisthenes, an Alkmeonid, was accused by Isagoras of being tainted. Again Spartan help was invoked, this time to remove the Alkmeonids. Some seven hundred families were expelled from Athens during this purge, but they were later recalled after Isagoras and the Spartans had been defeated by a combined effort by the Council and people (*Ath. Pol.* 20).

The question of Alkmeonid pollution was, then, a recurrent theme for at least two centuries in relations between Sparta and Athens. The Spartans' motive in raising it at the outbreak of the Peloponnesian War is given by Thucydides as follows: 'The Spartans told (sc. the Athenians) to drive out this source of pollution, to avenge the gods primarily, of course, but also because they knew that Perikles, the son of Xanthippos, was implicated in the affair on his mother's side, and they believed that Athenian affairs could be steered more easily according to their will if Perikles was removed. Not that they expected him to suffer such an extreme fate; their intention rather was to bring him into ill-repute with the Athenians inasmuch as the coming war would be partly a result of his personal misfortune' (1.127.1–2).

The Athenians' response to this insidious propaganda was to cite a parallel case of pollution on the Spartan side (that of Pausanias, whose death endangered the sacred purity of Athena Chalkioikos' sanctuary). We note then, that diplomacy in this period used age-old religious concepts to serve its political purpose.¹⁵ The *ἄγος θεόθεν*, 'divine anger', invoked by the Spartan and Athenian delegates, is a concept familiar in precisely that type of 'myth-history' (*τὸ μυθῶδες*) which Thucydides wished to expunge from his analysis. The *locus classicus* is perhaps Aeschylus' account of Artemis' anger with the Greek host at Aulis which needed to be appeased before the fleet could sail (Ag. 131–33: *οἶον μὴ τις ἄγα θεόθεν κνεφά-/ση προτυπὲν στόμιον μέγα Τροίας / στρατωθέν*. 'If only no wrath of god overshadow the assembled host, the great bridle-bit of Troy, strike it before [sc. it starts]').

The key to Homeric religion, as we have seen, was the belief that divine favour leads to success, its withdrawal — through some offence to the deity — to failure. Throughout his *History* Thucydides hints at the currency of such a notion during the Peloponnesian War. They really are only hints, but enough to make a case. As Zeus' mouthpiece on earth (and we must remember that Zeus' will is the ultimate cause in Greek theology)¹⁶ the oracle of Apollo at Delphi enjoyed special prominence. Theoretically at least it

¹⁴ On the Kylon episode see P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia* (Oxford 1981) 79–84. See also Plutarch, *Solon* 12; Hdt. 5.70–72.

¹⁵ See Robert C. T. Parker, *Miasma, Pollution and Purification in early Greek Religion* (Oxford 1983) 16ff.; 183; 'religious offences were often exploited, or condoned, for political ends with blatant opportunism' (p. 166).

¹⁶ Never forgetting the ambiguous relationship between Zeus and *μοῖρα*, which sometimes appears to make Zeus' will secondary to ordained fate. Cf. below note 22.

offered individuals and states neutral advice on questions which could not otherwise be resolved. The Spartans approached Delphi before going to war to inquire whether this was the right course. 'He (sc. Apollo) replied, it is said, that the victory would be theirs if they attacked in force, and he said that he personally would aid them, whether asked to do so or not' (Thuc. 1.118.3; cf. 1.121.3; 1.123.1; 2.54.4). The divine favour granted the Spartan cause may plausibly be explained with reference to Spartan protection of Delphic autonomy in the decades leading up to the Peloponnesian War, which had been threatened by Athens' putting the oracle under Phokian control.¹⁷ There is room to speculate whether Apollo's 'aid' to the Spartans included financial aid through donations from the temple-treasuries at Delphi,¹⁸ but this possibility should not distract us from the real significance of Apollo's aid in boosting morale.

Thucydides reports how the Greeks resorted to divination at a number of key points in the Peloponnesian War as a way of ascertaining divine will. He recounts how all manner of oracles were cited before the outbreak of war (2.8.2: *καὶ πολλὰ μὲν λόγια ἐλέγετο, πολλὰ δὲ χρησμολόγοι ἦδον ἐν τε τοῖς μέλλουσι πολεμήσειν καὶ ἐν ταῖς ἄλλαις πόλεσιν*), during the plague (as we will see) and before the Sicilian expedition (8.1.1: *ὠργίζοντο δὲ καὶ τοῖς χρησμολόγοις τε καὶ μάντεσι καὶ ὀπόσοι τι τότε αὐτοὺς θειάσαντες ἐπήλπισαν*¹⁹ *ὡς λήψονται Σικελίαν*). The Spartans, according to Thucydides, explained their setbacks and defeats in the Archidamian War with reference to their moral status: 'In the previous war they thought they had been more in the wrong because...(two supposed breaches of treaties are cited). Hence they thought their misfortunes had a natural explanation, whereby they remembered the disaster at Pylos and any other which had befallen them' (7.18.2: *ἐν γὰρ τῷ προτέρῳ πολέμῳ σφέτερον τὸ παρανόμημα μᾶλλον γενέσθαι ... καὶ διὰ τοῦτο εἰκότως δυστυχεῖν τε ἐνόμιζον ...*).²⁰ Let me fill out what Thucydides leaves unsaid: the Spartans felt that they had committed religious offences by breaking previous treaties; this had angered the gods. Hence their setbacks in the war were explicable in terms of divine alienation from their cause. The important point here is the sanction given to treaties by gods. The signatories of a treaty swear an oath by chosen deities, who are instructed to punish the transgressor.²¹ This passage, though allusive, shows the Spartans taking stock of their religious status in the recent past.

The vocabulary used to describe this elusive entity, divine favour, emerges during the Melian dialogue.²² The Melians say to the Athenians that they face the latter's threat with equanimity, as 'we trust in the fortune which comes from the divine that we will not be

¹⁷ Cf. H. W. Parke and D. E. W. Wormell, *The Delphic Oracle* vol. I, *The History* (Oxford 1956) 189: 'there is no reason to doubt that Delphi came down wholeheartedly on the side of Sparta' in this phase of the war. Ibid. 184–90 on the background to this policy.

¹⁸ Parke and Wormell, *Delphic Oracle* 191, express doubts as to whether Sparta ever drew on treasures of Olympia and Delphi to fund the war, but they also state: 'one must admit that they (sc. the Spartans) were in a military position to have done so, if they had chosen, and we shall see that there are some suggestions which might point that way'. Cf. Parker, *Miasma* 171–73.

¹⁹ Cf. Powell, 'Religion and the Sicilian Expedition' 15–16, on the strong sense attaching to *ἐπήλπισαν*. He translates 'succeed in making to hope', which is going too far, in my opinion; 'encouraged the Athenians to believe' is quite adequate.

²⁰ Cf. P. J. Fliess, 'War Guilt in the *History* of Thucydides', *Traditio* 16 (1960) 1ff., G. E. M. de Ste Croix, *The Origins of the Peloponnesian War* (Cornell U.P., Ithaca N.Y. 1972) argues that the Spartans had indeed been the aggressors in 431, and that Thucydides realized this.

²¹ Cf. Mikalson, *Greek Popular Religion* 31ff.

²² Cf. Marinatos, *Thucydides and Religion* 42–44, with literature. E. G. Berry, *The History and Development of the Concept of θεία μοῖρα and θεία τύχη down to and including Plato* (Chicago 1940).

defeated, as we stand against you as pious men against the unjust' (5.104: *ὄμως δὲ πιστεύομεν τῇ μὲν τύχῃ ἐκ τοῦ θείου μὴ ἐλασσώσεσθαι, ὅτι ὅσοι πρὸς οὐ δικαίους ἰστάμεθα*). The Melians mean: they regard their position as morally superior to that of the Athenians, hence that the gods are likely to favour them, hence that their 'luck' will benefit from divine intervention (*ἡ τύχῃ ἐκ τοῦ θείου*). The Athenians pick up the point as follows: 'We don't think that we will be bereft of divine favour either (5.105.1: *Τῆς μὲν τοίνυν πρὸς τὸ θεῖον εὐμενείας οὐδ' ἡμεῖς οἴομεθα λελείψεσθαι*), as we neither say nor do anything which does not correspond both with human belief about divine affairs and men's own dealings among themselves'. Thucydides has allowed us a glimpse of the old two-tier analysis of human affairs. The Melians trust in god not to be slaughtered by the superior force of the Athenians; the Athenians justify their repressive actions by claiming that gods sanction such behaviour as congruent with their own. The tone of the debate is cruelly (or, from the Melian point of view, pathetically) sophistic, but the mental structure is there firmly in place.

In Homer events depend on individuals and the success of an individual depends on his or her divine patronage. This is as true of the warriors in the *Iliad* as it is of Odysseus in the *Odyssey*, whose fate oscillates between the opposing poles of Poseidon's malevolence and Athena's protection. During the Peloponnesian War there is evidence that the religious status of individuals continued to play a role in the Greeks' perception of contemporary events. The Athenian general Nicias was famous both for his cautious tactics and his alleged piety, which had ensured a run of luck until the Sicilian disaster (cf. Thuc. 6.17.1: *καὶ ὁ Νικίας εὐτυχῆς δοκεῖ εἶναι*). Plutarch gives an interesting description of his lavish display of piety as archetheoros at the festival of Delian Apollo in (?)417 BC. His piety on this occasion involved an innovation of cult procedure (the bridging of the strait between Delos and Rheneia for his chorus to process across) and a lavish votive offering combined with a prayer for his own personal success (*Life of Nicias* 3.4–6).²³ Faced with defeat in Sicily Nicias (according to Thucydides) attempts to encourage his troops' faint hearts with an appeal to his own personal piety: 'I have lived a life of scrupulous piety toward the gods, of justice and fair-dealing toward men. Hope for the future is accordingly good despite everything.' (7.77.2–3: *καίτοι πολλὰ μὲν ἐς θεοὺς νόμιμα δεδιήτημαι, πολλὰ δὲ ἐς ἀνθρώπους δίκαια καὶ ἀνεπίφθονα. ἀνθ' ὧν ἡ μὲν ἐλπίς ὄμως θρασεία τοῦ μέλλοντος ...*). We do not know which god Nicias cultivated in particular, though the Delos episode points toward Apollo. All Athenians considered themselves descended from Apollo Patroos through the eponymous Ionian hero Ion; archons assuming office swore by this god and Zeus Herkeios (cf. *Ath. Pol.* 54). Alkibiades appears to have chosen Eros as his patron deity as an Eros wielding the unlikely implement of a thunderbolt adorned his battle shield (Plutarch, *Life of Alkibiades* 16, 1–2) — a controversial choice, precisely because of the entailed slight to Zeus.

We can detect a similar regard for personal piety on the Spartan side. Archidamos, King of Sparta, prays to the local gods and heroes at Plataia before subjecting the city to siege (Thuc. 2.74). When the city is taken finally after prolonged siege, the Spartans — having executed the menfolk and enslaved the women and children, it should be added — devote the entire city to Hera, the principle local divinity, by razing the buildings to the ground and constructing a vast pilgrims' lodging house from the rubble to accommodate visitors to her festival, the Daidala. They also construct a temple to her on the site and devote ritual beds made of bronze and iron from the ruins of the town. In

²³ Cf. Kendrick Pritchett, *Greek State at War* vol. 3, 331. The dating to 417 is not certain, however.

short Archidamos makes of Plataia an *anathema*, a votive offering, to the city's tutelary goddess, no doubt in an attempt to avert the goddess' anger. The Spartan general Brasidas, too, makes a point of honouring local divinities in his campaign in northern Greece. In his speech to the Akanthians he calls the local gods and heroes to witness that he has arrived with his army 'for the good of the local community' (Thuc. 4.87.2). Likewise, after taking the promontory called Lekythos near Torone which bore a temple of Athena, Brasidas makes a point of honouring the local goddess by offering her thirty *mnai* in thanks for the accident within the Athenian camp which had led to his taking the fortification (4.116). Clearly these Spartan generals believed it was worth their while cultivating the local *νόμιμα* as one aspect of military strategy: the gods were not likely to grant a man victory who had offended them.²⁴

iii Athens and Delphi

So far we have considered indications in Thucydides and other sources that the participants in the Peloponnesian War did not disregard divine favour as a vital factor in their planning and actions. Let us now turn to another aspect of the Archidamian War which seems to take us (and seemed, no doubt, to the Athenians to take them) straight back to Book 1 of the *Iliad*. While Perikles was still in charge of strategy and the Athenians spent the summer campaigning season within their defensive walls looking on passively while the Peloponnesians ravaged the Attic countryside, plague came to afflict the Athenians. I will not repeat the moving picture Thucydides gives of its devastating effects on the Athenian populace. Even Perikles acknowledged that the plague appeared to have been sent against them by a divine hand (2.64.1: *φέρειν δὲ χρῆ τὰ τε δαιμόνια ἀναγκαίως* ...). The Athenians themselves harked back to an old Delphic utterance to the effect that 'Dorian war will come together with plague' (2.54.2). At the same time they remembered that Delphi had allegedly promised to favour the Spartan side in the coming conflict before the outbreak of war (ibid. 5). The message is utterly clear: the Athenians believed Apollo had been against them from the start and had now sent a plague on them by way of helping the Spartans.²⁵ It did not take an expert chresmologue to remember the Achaeans' suffering in the first book of the *Iliad*: Apollo had decimated their ranks for the impiety of Agamemnon, their king, in insulting a priest of Apollo. Sophokles' *Oedipus the King*, datable to the years of plague at Athens, confirms the connection between Apollo and the plague which afflicts Thebes due (according to the Delphic oracle) to the polluting presence of certain individuals (= Oedipus). We note also that another city, Kleonai, which was struck by the plague at the same time as Athens, dedicated a bronze he-goat to Delphi as a thank-offering to Apollo for deliverance from the plague (Pausanias 10.11.5).²⁶

Clearly the Athenians searched their souls as to possible causes of Apollo's anger. To a certain extent we can follow the debate. Perikles' popularity waned as a result of the Athenians' privations (Thuc. 2.59.2: *ἐνέκειντο τῷ Περικλεῖ*; cf. ibid. 65.2). We may speculate that the Spartan propaganda before the war had begun to take effect: they had

²⁴ Note Archidamos' words (Thuc. 2.74.2) on the Greeks' victory over the Persians at Plataia: the gods had made the territory favorable to a Greek effort: *παρέσχετε αὐτήν (sc. τὴν γῆν) εὐμενῆ ἐναγωνίσασθαι τοῖς Ἕλλησιν*.

²⁵ Cf. Mikalson, 'Religion and Plague'. Note that there was argument at Athens as to the wording of the oracle: either *λοιμός*, plague, or *λιμός* famine, had been predicted. Thucydides cynically comments that the present circumstances (plague) favoured the plague reading.

²⁶ Cf. Mikalson, 'Religion and Plague' 218 nn. 6 and 7, for this incident and other 'plague-occasioned requests in Delphic literature'.

urged Athens to purge the city of the polluting presence of the Alkmeonid clan, among them Perikles. When suffering the acute effects of plague, the Athenians may in some measure have succumbed to superstitious fears of this nature. Sophokles' *Oedipus* was not comforting in this respect, as in it the Delphic oracle instructed the Thebans to expel certain persons in order to end the plague (95ff.). There was another Delphic oracle which the Athenians worried over during this period of distress. Because of Perikles' policy of withdrawing the rural population of Attica within the city walls the pressure of numbers had led to the erection of temporary accommodation in the Pelargikon, an area sacred to Poseidon on the northern slope of the Acropolis. The second half of a Pythian hexameter ran τὸ Πελάργικον ἄργον ἄμεινον, meaning literally 'the Pelargikon unused (is) better'.²⁷ Thucydides (2.16.1–2) gives both his own and the popular interpretation of this oracle: public opinion (influenced no doubt by the disasters which befell Athens immediately after the occupation of the Pelargikon) held that the disasters were precipitated by the unlawful occupation of the zone; i.e. a god (Poseidon?), angered by the abuse of his sacred area, had taken his revenge. Thucydides, ever the rationalist, explained the Delphic oracle to have meant only that the occupation of the Pelargikon — should it ever come — would be a sign of bad times; i.e. that the Athenians would only be forced to occupy this sacred area if under duress. He has reversed cause and effect. Note, however, that Thucydides attributes to the oracle the same skill in rational forecasting as he himself deploys: τὸ μαντεῖον προήδει (ibid.): 'the oracle knew in advance'. A clause of the Eleusinian Aparchai Decree called for the demarcation of the Pelargikon and prohibition of erecting unofficial altars there:²⁸ it seems that the Athenian authorities sought to prevent similar misuse of the sanctuary to that which it had suffered early in the Archidamian War.

There is good evidence, then, that shortly after the outbreak of war the Athenians became alarmed that Delphic Apollo might really be persecuting them and helping the Spartans.²⁹ In this context it seems sensible to consider Athenian efforts to purify the cult of Delian Apollo. In the winter of 426/5 the Athenians 'purged Delos according to an oracle' (Thuc. 3.104.1: Δῆλον ἐκάθηραν Ἀθηναῖοι κατὰ χρησμόν δὴ τινα). They removed graves from the island, forbade births and deaths there in future, and inaugurated a new *penteteris* distinct from the pan-Ionian festival which had preceded it. Thucydides vaguely mentions 'an oracle' as the reason for this action; Ephoros, however, explained that it was an attempt to avert plague at Athens (ap. Diod. Sic. 12.58.6–7). I think we are entitled to assume that the sudden focus of Athenian attention on Delos is likely to reflect (a) disenchantment with Delphi and, connected to that, (b) a desire to placate Apollo, the healing god.³⁰

²⁷ Cf. R. Flacelière, *Greek Oracles* (translated by D. Garman) (London 1965) 66–67; Jordan, 'Religion in Thucydides' 130–31.

²⁸ Above p. 37.

²⁹ There is wide scholarly consensus that Delphi favoured Sparta in the Archidamian War (see above n. 17), and I cannot accept the arguments of G. Daux, 'Athènes et Delphes', in: *Athenian Studies presented to W. S. Ferguson*, HSCP Suppl. 1 (Cambridge Mass. 1940) 46–48, that relations between Athens and Delphi were normal in this period. Kendrick Pritchett's approval of Daux' position (*Greek State at War* vol. 3, 299) seems to me misplaced, and his doubt that 'Delphi was a power in Hellenic politics' unjustified.

³⁰ This reasoning is accepted by R. Meiggs, *The Athenian Empire* (Oxford 1972) 300–01. Cf. Mikalson, 'Religion and Plague' 222: 'The correct explanation may rather be that the Athenians purified Delos, re-established the Delia, and eventually built a temple of Apollo there (425/4) all in an attempt to make the Apollo cult which they controlled into a worthy rival, on the international level, to the pro-Lacedaimonian Delphic cult'. But see Parke and Wormell, *The Delphic Oracle I*,

We can trace relations between Delphi and the two warring sides further. Of particular significance are the opening words of the truce agreed in spring of 423 between Sparta and Athens. The Spartans agree to the following terms: ‘Concerning the temple and oracle of Pythian Apollo we agree that any person who wishes should (be able to) consult the oracle without trickery or fear and according to ancestral law. Concerning the temple-treasure of the god (we agree to) investigate the question of miscreants’. (4.118.1–3)

This condition of truce concerning Delphi was no doubt one demanded by the Athenians and conceded by the Spartans (*ibid.* 11: *κατ’ ἄ ξυγχαροῦσι Λακεδαιμόνιοι*). It reveals that it was not possible for each and every person to consult the oracle during the war years: if we consult the literary and epigraphic record of Athenian dealings with Delphi during the Archidamian War, we find a scarcity which supports the assumption that official relations were minimal between 431 and 423.³¹ The terms of the truce also stipulate that the Spartans agree to investigate the question of abuse of funds belonging to the sanctuary at Delphi. If we connect this with the Corinthians’ claim at the beginning of the war that the Peloponnesians will receive financial support from the temple treasures at Olympia and Delphi (Thuc. 1.121.3), it is easy to imagine that this was a particularly sensitive area for Athens.

In 421, when the Peace of Nikias was signed, the first clause of the treaty stipulates: ‘Concerning the common sanctuaries, (we agree that) whoever wishes shall be free to sacrifice and to visit, and to consult in oracular matters, and to visit in an official capacity, without fear, using both the land and the sea route. The sanctuary and the temple belonging to Apollo in Delphi are to be autonomous and independent and self-governing, with respect both to the citizens and land of Delphi, according to ancestral law’ (5.18.1–2).

It seems that, with the peace of 421, the Athenians ensured that normal relations would be possible between themselves and Delphi in the future. This had both religious import (since Delphi stood for Apollo and Zeus’ will) and a financial aspect, as the terms of the treaty sought, by emphasizing Delphi’s autonomy, to preclude the abuse of temple-

194, who, citing Diodorus Siculus, argue that the motive for Athens’ intervention at Delos was anger with the allegedly pro-Spartan priesthood there. It would not, however, be difficult to combine these two views as mutually complementary. S. Hornblower, *Commentary on Thucydides I–III* (Oxford 1991) 519f., suggests that the purification of Delos was connected both with the plague, and with Athens’ feeling of isolation from Delphi (and Olympia): ‘So Athens perhaps felt a little friendless at the two greatest Panhellenic shrines, Olympia and Delphi, at the beginning of the Peloponnesian War, and she decided to reassert herself in the sphere of religious propaganda’ (p. 523).

³¹ Daux contests this (above n. 29). His evidence comprises the following: (1) war trophies dedicated by Phormion in the portico of the Athenian treasure-house after success in battle in 429 (2) The Messenian column supporting a Nike which Daux argues represents a deliberate affront to the Spartans by the Athenians. The piece cannot, however, be dated certainly. The range appears to be between 455 and 425 BC. (3) The inscriptions cited by Daux as evidence for normal relations between Athens and Delphi in this period include, as their ‘most important one’, the Eleusinian Aparchai Decree — whose dating, as we have seen, is controversial, but which I believe followed the Peace of Nikias. Parke and Wormell, *The Delphic Oracle* 1.189, muster arguments for the other side. Note the inscription on the Akanthian treasure-house at Delphi cited by Plutarch (*Lysander* 1): ‘Brasidas and the Akanthians — from the Athenians’, on which they comment: ‘It can only have been at a period of strong hostility to Athens that the Delphians, who usually fostered the tradition that they were the common hearth of Greece, allowed one Hellenic state to dedicate a treasury so explicitly in triumph over another’ (192). Hornblower, *Commentary on Thucydides I–III*, 521, steers a middle course: ‘It would be wrong to speak of outright exclusion of Athens from Delphi, but access to Delphi was surely difficult in war-time’ (Hornblower cites Aristophanes, *Birds* 188ff., on the necessity of Boeotian permission for Athens to consult Delphi via the overland route).

treasure for unsuitable (i.e. partisan) purposes.³² The Athenian worries about Delphi during the Archidamian War and their apparent conclusion with the terms of the Peace of Nikias make a story parallel to the plot of Euripides' *Ion*. Here the Athenian hero Ion experiences deep disillusionment with his master Apollo, who, it seems, has abused his mother, the Athenian queen Kreousa, and abandoned the son born to him by her (Ion himself); Euripides takes the drama to the brink of tragedy, with Kreousa determining to poison the interloper Ion who is in fact her son, but a recognition is effected in time, and the alienated parties become reconciled. Ion returns to Athens as that land's sovereign. Although the play may be as much as ten years later than the Peace of Nikias, its plot is strikingly parallel to this reconstruction of relations between Delphi and Athens during the first phase of the Peloponnesian War.³³

iv The Undermining of Values

War is defined by violence and this violence is directed at people and the institutions they value.³⁴ To take, or destroy, an enemy's most sacred possessions not only enriches the invader but asserts supremacy through a most potent symbolic action. Thus when the Persians took Athens in 480 BC they destroyed the city's sanctuaries on the Acropolis — an act whose 'polluting' effects had to be purged after the war by bringing new fire from Delphi.³⁵ The despoliation of enemy *sacra* for tactical purposes has epic precedents. Odysseus and Diomedes steal the Trojan Palladion in a clandestine action which settles the city's fate; the ploy of the Trojan Horse gains ironical poignancy, and perhaps also strategic effectiveness, from the fact that the Trojans admit it to their most sacred institution, the sanctuary of Athena, and devote it to her as war booty: the Achaeans hiding in its belly have insinuated themselves into a vital organ, so to speak, of Troy;³⁶ similarly, the tragedians make much of Cassandra's status as priestess of Apollo when she is carried off by Agamemnon as concubine: her capture becomes a symbol of the conqueror's dominion over the enemy's cult. Religion lends sanctity to individuals and buildings: this sanctity is a source of strength and pride to a people until it is trodden underfoot by an enemy. In this section I wish to examine three aspects of this phenomenon mainly with regard to Athens (about which we are best informed). On the one hand we can consider sacred institutions of the Athenians which came under intellectual or military attack before or during the Peloponnesian War; on the other, cases where stasis or incipient stasis drew state *nomima* into the fray. Incidents involving the latter are particularly relevant to the Herms and Mysteries affair of 415.

³² G. Zeilhofer, *Sparta, Delphoi und die Amphiktyonen im 5. Jh. v.Chr.* (Diss. Erlangen 1959) chapter 2, 10f., says that this clause of the peace treaty sought to guarantee Delphic autonomy from Phokis (I have F. Gschnitzer to thank for this reference). That is true, but I do not think it precludes the validity of my argument here.

³³ Cf. H. Erbse, 'Der Gott von Delphi im *Ion* des Euripides' in: *Teilnahme und Spiegelung, Festschrift Horst Rüdiger* (Berlin/New York 1975) 40–54. Parke and Wormell, *Delphic Oracle* 1, 193ff., who date the play to 418/7. I have to say, however, that the metrical arguments for a later date of the play (414–11: see W. Biehl, *Euripides' Ion* (Leipzig 1979) 2), carry weight.

³⁴ War is the *βλαιοῦ διδάσκαλος* for Thucydides; cf. W. R. Connor, 'Polarization in Thucydides', in: *Hegemonic Rivalry. From Thucydides to the Nuclear Age*, ed. by R. N. Lebow and B. S. Strauss (Boulder/San Francisco/Oxford 1991) 53–69.

³⁵ Cf. Burkert, *Griechische Religion* 109 n. 58, on the joint Greek decision to fetch new fire from Delphi after the Battle of Plataia.

³⁶ Cf. esp. Euripides *Trojan Women* 525ff.

iv a The Philosophers

As is well known, Perikles had enriched the cultural life of imperial Athens before the Peloponnesian War by inviting famous poets, artists, philosophers and scientists to Athens.³⁷ Several trends associated with these foreign intellectuals were inherently threatening to conservative beliefs at Athens: first and foremost came the physical theories regarding what we call natural phenomena, but which were commonly regarded by Greeks (not just Athenian traditionalists) as divine signs. Anaxagoras appears to have become a particular friend of Perikles and he maintained a physical theory of the universe taking in the sun, stars and moon — and lightning, too, no doubt — which were gods according to traditional belief.³⁸ To say that the sun was a fiery ball, of which pieces could fall to earth as meteorites, rather than the mythical figure Helios driving his fiery chariot across the sky, undermined myth and the idea of personified gods. His idea that *Nous*, ‘Mind’, steered, or underlay, this physical cosmos, replaces the traditional picture of Zeus, ‘father of gods and men’, meting out justice to lesser beings, with an abstract — and suspiciously human — concept. The idea that mind and physical matter are all that constitutes the universe suggests that the intellectual may be self-sufficient in his quest to understand (and hence master) the physical world around him. The gods are made redundant, as it were.

Other ‘*physikoi*’ who are reported to have visited Athens argued in a similar direction: Hippon of Rhegion, Demokritos of Abdera should be mentioned in this connection. The rationalization of physical phenomena which typified their thought had a marked influence on other prose writers of the period. Thucydides indicates in a number of passages that he prefers physical as opposed to mythical explanations of hitherto unexplained natural phenomena.³⁹ Medical writers such as the author of *On the Sacred Disease* propose a (pseudo-)scientific theory to explain the puzzling phenomenon of illness (in this case, epileptic seizure) against religious quacks who maintain that spirits are responsible.⁴⁰ But physical science is only one aspect of the so-called ‘sophistic enlightenment’. The programme of education offered by fifth-century sophists was primarily aimed at equipping the younger generation with the intellectual tools necessary to make their mark in the institutions of democratic Athens. The prime skill required in the law-courts, Council and Assembly of Athens was rhetorical: a man had to be able to speak convincingly on a whole range of subjects without possessing technical expertise on any of them: this is the point at issue between Gorgias, the rhetorician, and Sokrates in Plato’s *Gorgias*. The sophists trained their pupils in arguing both sides of a case regardless of the intrinsic justice involved; they became notorious for their ability to ‘make the weaker argument appear the stronger’. The rhetorical training extended to a manipulative use of traditional myth (witness Gorgias’ *Helen*), and the ability to define and re-define individual words to score debating points (Prodikos). The sophists claimed

³⁷ Cf. G. Kerferd, *The Sophistic Movement* (Cambridge 1981) 23ff. W. K. C. Guthrie, *The Sophists* (Cambridge 1971) (chapter 9 on rationalist theories of religion). E. R. Dodds, *Greeks and the Irrational* (Boston 1957) 179–206. Jacqueline de Romilly, *The Great Sophists in Periclean Athens* (Oxford U.P. 1991).

³⁸ Cf. Malcolm Schofield, *An Essay on Anaxagoras* (Cambridge U.P. 1980).

³⁹ Cf. F. Rittelmeyer, *Thukydides und die Sophistik* (Leipzig 1915); F. Solmsen, *Intellectual Experiments of the Greek Enlightenment* (Princeton 1975) ch. 6.

⁴⁰ Cf. W. Fahr, *Θεοὺς Νομίζειν: zum Problem der Anfänge des Atheismus bei den Griechen* (Hildesheim/New York 1969) 81ff. G. E. R. Lloyd, *Magic, Reason and Experience. Studies in the Origin and Development of Greek Science* (Cambridge 1979) 15–29.

to teach 'arete', but what they meant by that was less moral virtue than the skills necessary for public eminence.

It would be surprising if the sophists had stopped short of applying their analytic, 'deconstructionist' methods to religion, and indeed they did not.⁴¹ Sentiments expressed on the gods ranging from the agnostic (Protagoras), anthropological (Prodikos), atheistic (Diagoras) to the downright cynical (Kritias) are all recorded.⁴² Thucydides has a number of passages in which speakers (usually Athenians) use sophistry when arguing about religious affairs.⁴³ The main treatment of this theme as a public issue is Aristophanes' *Clouds*. Here Sokrates is cast as the archetypal sophist who rejects the worship of Zeus and replaces it with veneration for physical phenomena such as clouds, air, evaporation and rotation. The play also dramatizes the conflict between the old and the new education at Athens, the way 'right' can succumb to the argumentative superiority of 'wrong'. 'Sokrates' is driven from his educational institution at the end of the play when the latter is burned to the ground.⁴⁴

The end of the *Clouds* might be thought to reflect bitter resentment against the sophists and the 'new education' at Athens in the twenties of the fifth century. A common view is that the dire conditions at Athens particularly in the early years of the Archidamian War led to a backlash in public feeling against intellectuals — particularly those associated with foreigners — who chose to question or ridicule society's *πάτρια* or *νόμιμα*, traditional institutions and beliefs.⁴⁵ Now Plutarch reports that, some time prior to Perikles' death in 429 BC, a law was in fact passed against precisely that form of intellectual instruction which questioned traditional belief about divinity: the seer Diopieithes apparently 'wrote a decree that those who do not respect the divine, or teach theories about celestial phenomena, are to be impeached' (*Perikles* 32.2: *καὶ ψήφισμα Διοπειθήης ἔγραψεν εἰσαγγέλλεσθαι τοὺς τὰ θεῖα μὴ νομίζοντας ἢ λόγους περὶ τῶν μεταρσίων διδάσκοντας*), whereby Plutarch adds that the move was an indirect attack on Perikles, friend and host of such men as Anaxagoras and Protagoras (*ibid.* *ἀπερειδόμενος εἰς Περικλέα δι' Ἀναξαγόρου τὴν ὑπόνοιαν*). Plutarch's word has been questioned by

⁴¹ Cf. P. A. Meijer, 'Philosophers, Intellectuals and Religion in Hellas', in: *Faith, Hope and Worship*, Studies in Greek and Roman Religion vol. 2, ed. by H.S. Versnel and F. T. van Straten (Leiden 1981) 217–62; J. V. Muir, 'Religion and the New Education: the Challenge of the Sophists', in: *Greek Religion and Society*, ed. by P. E. Easterling and J. V. Muir (Cambridge 1985) 191–218.

⁴² Protagoras: C. W. Müller, 'Protagoras über die Götter', *Hermes* 95, (1967) 140–59. Note the comment of Diogenes of Oinoanda (frg. 12c2, 1 p. 19 William), to the effect that Protagoras' avowed agnosticism was equivalent to atheism. Prodikos: Albert Henrichs, 'The Atheism of Prodicus', *Cronache Ercolanesi* 6, (1976) 15–21. id. 'Two doxographical notes: Democritus and Prodicus on religion', *HSCP* 79, (1975) 93–123. Diagoras: F. Jacoby, *Diagoras ó Ἄθεος*, Abh. d. deutschen Akademie der Wissenschaften zu Berlin, Jg. 1959 (Berlin 1960); L. Woodbury, 'The date and atheism of Diagoras of Melos' *Phoenix* 19 (1965) 178–211. Kritias: A. Von Blumenthal, *Der Tyrann Kritias als Dichter und Schriftsteller* (Stuttgart/Berlin/Leipzig 1923) 26–27. On the dispute about the Sisyphos-fragment commonly attributed to Kritias see A. Dihle, 'Das Satyrspiel Sisyphos', *Hermes* 105 (1977) 28–42 (argues for Euripidean authorship); R. Scodel, *The Trojan Trilogy of Euripides*, Hypomnemata 60 (Göttingen 1980) 124–37 (also pro-Euripides. Contains useful discussion of atheism of fragment). Meijer, 'Philosophers, Intellectuals and Religion' 230–32 adheres to Kritias as author.

⁴³ A good example is the debate on Delion (Thuc. 4.98).

⁴⁴ The first, unsuccessful, version of the *Clouds* was performed in 423 BC. Aristophanes revised the play a few years afterwards, but the revised version was apparently never performed. In Plato's *Apology* (18d2) Sokrates complains about the influence the play had on public opinion about him.

⁴⁵ Cf. E. R. Dodds, 'The Sophistic Movement and the failure of Greek liberalism', in: *The Ancient Concept of Progress and Other Essays on Greek Literature and Belief* (Oxford 1973) 92–105.

no less a scholar than Dover, but vehemently defended as historical by e.g. Mansfeld.⁴⁶ There is unfortunately no way of settling this question; my own view is that ‘Diopieithes’ Decree’ is unlikely to have been entirely a figment of Plutarch’s (or his source’s) imagination. Other passages (e.g. Plato, *Ap.* 26d6, Xenophon, *Symp.* 6.6–7) seem to indicate that to teach on the heavenly bodies in the manner of Anaxagoras was indeed an offence for which one could be prosecuted. Contemporary references to Diopieithes describe him as a fanatical chresmologue and defender of the orthodox faith; it is quite possible that he proposed a motion such as that reported by Plutarch. As Plutarch says in another passage (*Nikias* 23.2–4), philosophers such as Anaxagoras, Protagoras and Socrates were prosecuted ‘because they reduced divinity to natural causes, mindless powers and necessary effects’ (*ὡς εἰς αἰτίας ἀλόγους καὶ δυνάμεις ἀπρονοήτους καὶ κατηναγκασμένα πάθη διατρίβοντας τὸ θεῖον*) whereas Plato saved the situation by ‘subordinating physical necessity to superior divine principles’ (*ὅτι ταῖς θεῖαις καὶ κυριωτέραις ἀρχαῖς ὑπέταξε τὰς φυσικὰς ἀνάγκας*).

It is interesting to note the alleged political motive behind Diopieithes’ decree, if Plutarch’s testimony is accurate. It would appear that opponents of Perikles sought to discredit him by pointing to seditious elements in his foreign friends’ teachings. We recall how the Spartans sought similarly to discredit Perikles at the outset of the war by reminding the Athenians that he was an Alkmeonid on the maternal side, and hence still polluted by the Kylon episode. Religion could be used as a political tool because ‘such matters afford an easy opportunity for calumny’, to quote Euthyphro in Plato’s dialogue (3 B 7–8: *ὡς εὐδιάβολα τὰ τοιαῦτα πρὸς τοὺς πολλούς*).⁴⁷ What evidence we have points to a dating of Diopieithes’ decree shortly before, or in the first years of, the Peloponnesian War. It is an easy conjecture that Perikles came under attack from religious fanatics when his policies appeared to be turning the gods against Athens (i.e. during the first years of the Archidamian War, when plague, overcrowding in Athens and the destruction of Attica were demoralizing the Athenians), but it is only a conjecture.

iv b The Effects of Periclean Policy

Perikles’ policy of relying on Athens’ naval supremacy and impregnability within its city walls may have been strategically sound but it led to a demoralization of the citizens. First and foremost among the tribulations of the Athenians in these years was the plague, which struck an Athens so overcrowded by the evacuation of rural Attika that even sacred areas became campsites. We have already seen how the combination of an ancient

⁴⁶ K. J. Dover, ‘The freedom of the intellectual in Greek society’, *Talanta* 7 (1975) 24–54. J. Mansfeld, ‘The chronology of Anaxagoras’ Athenian period and the date of his trial’, Part II, *Mnemosyne* 33 (1980) 17–95. Mansfeld’s detailed argumentation is weakened by failure to consider the sceptical views of Dover. On the earliest (reported) trials for impiety in Athens see Ostwald, *Popular Sovereignty* 191–98 and 528–36, who believes Mansfeld has proved the historicity of Diopieithes’ decree and the trial of Anaxagoras. On Diopieithes see also W.R. Connor, ‘Two notes on Diopieithes the seer’ *CP* 58 (1963) 115–18; Yunis, *New Creed* 68–70.

⁴⁷ It may have been particularly easy to slander someone in court by saying he was irreligious because there were no hard-and-fast laws regarding piety/impiety. J. Rudhardt, ‘La définition du délit d’impiété d’après la législation attique’ *MH* 17 (1960) 87–105, argues for a single, coherent law containing the following clauses: it is impious (a) not to believe in, or be negligent in the worship of, the gods (b) to spread scientific theories on celestial matters (c) to introduce a foreign cult. But his categories are only extrapolations from the impiety cases we know about, combined with Diopieithes’ decree. For criticism see Yunis, *New Creed* 25, n. 23. MacDowell, *Law in Athens* 199, says ‘My guess is that the law about impiety, which is not preserved, was probably similar to the law about *hybris*, and said something like ‘If anyone commits impiety, let anyone who wishes submit a *graphe*,’ without offering any definition of impiety’.

prophecy ('Dorian war will come and with it plague/famine') with rumour of Delphic support for Sparta suggested to the Athenians that Apollo's hand could be discerned behind their affliction with the plague. Their subsequent rigorous purification of Delos may have been connected with this trauma in their relations with Apollo. There is evidence for other attempts to appease the plague-god through religious channels at this time.⁴⁸ But, as Thucydides points out, the plague responded neither to medical treatment nor to religious supplication:

'No other human skill or device helped either. As for supplication at temples or resorting to soothsaying and the like, all was hopeless. In the end they abandoned these, defeated by adversity.' (2.47.4).

He describes how a mood of fatalistic abandon replaced traditional piety:

'So they (sc. the Athenians) aimed at short-term enjoyment and directed their efforts toward pleasure, convinced that their lives and similarly their possessions were to prove ephemeral. Nobody wished to put serious effort into striving after high ideals as he did not know whether he would die before achieving his goal. Whatever was pleasant already or conducive in any way to pleasure appeared good and desirable. Neither fear of the gods nor any law of men held people back; as to the former they thought it was all one whether one was pious or not, since they could see how everyone was succumbing equally, and as to the latter, no one thought that he would live long enough to be tried and punished for his crimes; on the contrary, they were under the death sentence already, and it only made sense to enjoy life a little before the sentence was carried through.' (2.53.3–4).

The conditions of squalour led to a general disrespect for the sacred precincts and institutions of Athens:

'The temples in which the people were bivouacked were filled with corpses, with people dying there on the spot. For faced with such appalling misery and not knowing what would become of them, people came to disregard the sacred and the profane equally. The burial customs which they had observed previously all became hopelessly corrupted, with everyone burying (sc. the dead) as best they could.' (2.52.3–4).

The plague was the most devastating aspect of the Athenians' adoption of Perikles' advice to sit tight inside Athens and let Sparta do what it willed with the Attic countryside. However, we should consider the further implications of that policy for traditional Attic piety. Athenian religion was inseparable from the rhythm of the agricultural year, the produce of the soil, and the cultivation of the fields. The various rites accorded Demeter in connection with the production of grain, Dionysos with wine, Athena with olive oil, make this abundantly clear. Hence when the Athenians abandoned their fields to the enemy for several years in succession in the first half of the Archidamian War, they were also abandoning the festivals and cult practices which went hand in hand with their cultivation; giving up the Attic land meant giving up something that was holy to the farming population of Attica; Archidamos, the Spartan king, addressing the Peloponnesian League, puts his finger on precisely this sensitive point in Athens' prospects for the war: 'Consider the Athenian territory', he says, 'your hostage, and all

⁴⁸ Cf. Mikalson, 'Religion and Plague'. Homer A. Thomson, 'Athens faces adversity', *Hesperia* 50 (1981) 343–55, emphasizes the revival of interest in religion during the plague. He draws attention to two small shrines in the Agora which appear to have been constructed at this time.

the more so the better developed it is. We must preserve it intact for as long as possible, so as not to make the Athenians more intractable by driving them to desperation' (sc. by devastating the land prematurely) (1.82.4–6). Thucydides points up the sacrifice evacuation of Attica meant to its population:

... Because of their attachment to the fields the majority of the inhabitants ... still did not like being uprooted household and all, particularly since they had only recently repaired the damage from the Persian Wars: It deeply distressed them having to leave their homes behind *and the cults which had been always been traditionally observed by them since the earliest days of the state*, and being faced with the prospect of changing their way of life, with each one of them leaving behind what was in effect his own home town. (2.16.1–2)

Aristophanes' *Peace*, written just before the signing of the Peace of Nikias in 421, gives a vivid impression of the relief felt by the rural population of Attika on the restoration of peace. The mood is one of elated jubilation, combined with thankfulness to the gods, that a return to the fields is possible. Trygaios, the hero who has flown to heaven on a dung-beetle to rescue the goddess Peace from her cave-prison, tells the chorus of Attic farmers: 'Return, each one of you, to the country, singing a hymn of praise.' The chorus respond:

How all good men and farmers have been waiting for this day! How pleased I am to see it! I want to talk to my vines, and those figs which I planted when I was younger — I yearn to hold them in my hands. (556–59)

Trygaios tells the chorus to give thanks to the goddess before hurrying off to the fields:

Farmers, let us remember our old way of life which Peace permitted us in the old days. Think of those fruit-cakes, those figs, those myrtle-berries, the sweet new wine, the bed of violets by the well, and the olive-trees which we yearn for: for these things praise the goddess now. (571–81)

The Chorus respond:

Beloved goddess, welcome, welcome! Thank goodness you have come! I was so low with longing for you, madly wanting to walk out into the country. To all of us farmers who worked the land, you were our greatest blessing, you our one delight. When you were present we enjoyed all manner of sweet benefits and luxuries. To us farmers you were our bread and our salvation. The grape-vines and young figs and all the other plants will laugh and celebrate to have you back again. But where was Peace the whole time ... ? (582–601)

The devastation of Attica during the early years of the Archidamian War, before Athens held the Spartan hostages from Sphakteria, extended to a sacred institution of the first order in Athens, the olive trees belonging to Athena (*μορῖαι*). The defendant in a trial after the war, accused of removing the stump of one such sacred olive from his plot of land, points to the thousands of such olives which were destroyed both by the enemy and by Athens' friends and allies during this period of the war, without the perpetrators or the owners of the land on which the trees had stood being punished for it: 'For you are all aware that, among the numerous troubles that have been caused by the war, the outlying districts were ravaged by the Lakedaimonians, while the nearer were plundered by our friends. You are aware, gentlemen, that many plots at that time were thick with private

and sacred olive-trees which have now for the most part been uprooted, so that the land has become bare.' (Lys. 7.6–7; trs. Lamb).

Above all, war depleted the central reserve of society and the gods: money. The finances of the ancient state were inseparable from its religious institutions. At Athens in this period state currency reserves were held in safekeeping on the Acropolis under the administration of two sets of officials, the Treasurers of Athena (responsible for the temple treasures of Athena Polias, Athena Nike and Hermes) and the Treasurers of the Other Gods.⁴⁹ Reserves were accrued through imperial revenue and military conquest; the treasurers issued money on loan from the reserves to pay for state enterprises such as war. We possess a number of epigraphic records of transactions between the Athenian state and the temple treasuries during the war years.⁵⁰ At the beginning of the war Perikles encourages the Athenians with reference to the vast stores of gold, silver and valuable cult utensils on the Acropolis which can all, he says, be used to support the war effort (Thuc. 2.13.3–5). He even suggested, according to Thucydides, that the recently completed chryselephantine statue of Athena by Pheidias could be melted down to provide more. As the war progressed we hear of the depletion of Athens' financial reserves. It must be recognized that this depletion not only weakened Athens' finances, but also the city's gods themselves. The wealth of cult was a direct reflection of the city's success or failure in politics and war.⁵¹

iv c Stasis

Further pressure on the cohesion of Athenian society during the war years resulted from opposing opinions on the desirability of fighting the Spartans at all. Later on in the war, in 411, this tension led to outright stasis, with an oligarchic government taking over control from the democrats. But it would be a mistake to imagine that this rift was a new phenomenon; 411 is the year of crisis, but the currents of opposition to war were strong almost from the beginning of the war, if less visible.⁵²

The phenomenon of stasis in its moral aspect is treated by Thucydides in most detail in the case of Kerkyra; his treatment of the bloody conflict in this city-state, revolving as it did around the axes democracy/oligarchy, allegiance to Athens/allegiance to Sparta, is intended to be paradigmatic for the party-political struggles in other city-states. A point which can be made at the outset, as it is relevant to the involvement of the Mysteries and the Herms in the Athenian power struggle, is the way the Kerkyrian conflict crystallized round sacred institutions of the city. A spark which kindled the flame was the alleged disrespect shown to Zeus and Alkinos by members of the oligarchic party in the form of removing stakes from their temenos. The accusation served as pretext for Peithias, the democratic leader, to indict those advocating pro-Peloponnese politics (3.70). In the course of the fighting, the democratic party, when it was hard-pressed, sought refuge on

⁴⁹ Cf. W. S. Ferguson, *The Treasurers of Athena* (Harvard U.P., Cambridge Mass., 1932) esp. ch. 15, 153–71. Id. 'Athenian War Finance', *Proceedings of the Massachusetts Historical Society*, vol. 64 (Boston Mass. 1932) 6–18.

⁵⁰ Cf. Meiggs and Lewis, *GHI* 205–17.

⁵¹ Cf. C. J. Herington, *Athena Parthenos and Athena Polias, A Study in the Religion of Periclean Athens* (Manchester U.P. 1955) 56–57: 'To the Pericleans, as it seems to me, Athena is Athens, the best that Athens stand for. Athena's attributes, victorious prowess in war, intelligence, love of the arts, are precisely the attributes of the Athenian people as Pericles describes them in the Funeral Speech. How transitory such a religion must be will be clear: it cannot outlast the conditions of politics and society and thought from which it arises'.

⁵² Cf. Lehmann, 'Zur Krise' 33–73; Aurenche, *Les Groupes* 26ff.

the acropolis (72.3); the oligarchic party, when its turn came to flee, sought refuge first in the sanctuary of the Dioskoroï (75.3), and subsequently in the temple of Hera by the sea (75.5). We also hear of a number of oligarchs who met their end in the temple of Dionysos (81.5). The choice of temples as refuges had as its primary reason of course the asylum which a god's altar was supposed to provide, and secondarily perhaps the slightly greater security from a purely physical point of view offered by a well-constructed stone temple. However, the resort to seeking sanctuary in a temple tended to embroil divine law in the human struggle; the frustrated enemy either dragged the refugees by brute force from the altar, or butchered them on the spot (81, 5), thus adding the element of impiety to the bloodshed.

When Thucydides comes to analyze the phenomenon of stasis in the Greek city-states as a concomitant of the Peloponnesian war in a more general way, he emphasizes the breakdown in terms of moral anarchy. Words lose their value: blind recklessness becomes noble courage, good sense only a front for cowardice, and so on (82.4ff.). The good man becomes suspect, the ruthless aggressor gains. The bonds of the political group (*ἐταιρία*) become closer than family-ties, as its members are more prepared to commit mindless crime (82.6). Thucydides sums up the prevailing morality: 'Societies of this kind did not go by established laws but went against accepted practices in their self-seeking. And they confirmed their pledges of loyalty to each other not so much by holy ritual as by committing some crime together' (82.6). It is a devastatingly black picture of internecine feuding and bloody reprisals which Thucydides paints.⁵³ Power-struggles within a community always exist, he says, but the compulsion of war-conditions made stasis during the Peloponnesian War particularly ugly (82.2). Each party assumes a fine-sounding name, whether it be political equality or moderate aristocracy (82.8), but in fact each vies with the other in vindictive aggression against the other. Morality according to sacred law, *εὐσέβεια*, goes by the board; hypocritical words mask insidious intent (82.8). Society is polarized in the internal power-struggle, with moderates being squeezed out in the middle (82.8). The points in Thucydides' treatment of stasis in Kerkyra which are relevant to the enquiry into the roots of the religious crimes in Athens in 415 are: 1) how the party-political struggle tends to acquire a religious dimension as the antagonists seek out divine institutions either as a source of protection or a focus of attack; (2) that the state of emergency which prevails in such circumstances leads to the replacing of accepted norms with a new moral anarchy, and (3) we note how Thucydides' wording for the criminal pledge shared by conspirators (82, 6: *καὶ τὰς ἐς σφᾶς αὐτοὺς πίστεις οὐ τῷ θεῷ νόμῳ μᾶλλον ἐκρατύνοντο ἢ τῷ κοινῇ τι παρανομῆσαι*) matches Andokides' description of the sense of the Herms mutilation as a *πίστις ἀπιστοσύνη* taken by the members of the group.⁵⁴

These political clubs in Athens during the Peloponnesian War are shadowy entities, with few clear indications of their activities until the coup in 411, when Thucydides explicitly mentions their leading role in setting up oligarchy (8.48; 54; the words used are

⁵³ Cf. Connor, *Thucydides* 95–105. 'The horror is clear enough, but the full significance may not immediately be evident. The basic ethical principle of the Greeks was to help one's own *φίλοι*, families and friends. Thus for a father to kill a son is the dissolution of the human basis of morality. If this tie cannot hold, no fellow citizen, no other human being can be brought within the bounds of human morality. And if in addition divine sanctions fail to operate, then no morality is possible; the only principle is the calculation of self-interest' (99).

⁵⁴ Above pp. 29; 58–59. Cf. H-J. Gehrke, *Stasis: Untersuchungen zu den inneren Kriegen in den griechischen Staaten des 5. und 4. Jahrhunderts v. Chr.* (Munich 1985) 245–53 (on the non-Athenian evidence).

τὸ ἔταιρικόν, συνωμοσίαι).⁵⁵ That they were a factor to be reckoned with during the Archidamian War, or at least a source of calumny between political enemies, comes out, for example, in the slanging match between Kleon and the Sausage-seller in Aristophanes' *Knights* (475, 847ff, 860ff.). Recent work on these clubs brings out their unofficial character compared to modern political parties, their tendency to form around one outstanding individual, such as an Alkibiades or a Nikias, the possibility (indeed certainty) that numerous such clubs existed in Athens simultaneously, each no doubt with its own style and political line, and the mixed nature of their activities: the members met together in private houses, thus limiting the numbers able to attend, drank and fomented plans together, plans which might be construed as conspiratorial. As regards political activities Thucydides mentions block voting in trials and elections (8.54.4). The famous last ostracism shows Hyperbolos falling victim to the ability of Alkibiades and Nikias to wield in combination a decisive block of votes. By their nature, these Hetairiai or Synomosiiai must have been highly competitive, vying with rival groups for the election of their respective favourites, and the adoption of the politics favoured by these individuals. Aurenche has devoted a detailed study to the analysis of the religious crimes of 415 in terms of the political clubs to which the respective perpetrators belonged.⁵⁶

Are there parallels in sources pertaining to Athens for impious behaviour within the hetairy? Lysias (fr. 5) tells us of the activities of a club in Athens which set out to flout traditional piety; members called themselves *Κακοδαμονισταί*, translatable by analogy as 'Hell's Angels'; its leader was one Kinesias, known from Aristophanic comedy as a dithyramb poet with a reputation for fouling the shrines of Hekate which stood in Athenian streets (*Frogs* 366).⁵⁷ Lysias' speaker denounces Kinesias as 'the most impious and unlawful of men'. They met in order to 'mock the gods and Athenian laws', choosing for their meetings unpropitious days, *ἡμέραι ἀποφράδες*, in order to flout superstition. Lysias adduced the example of Kinesias only to show that impiety did not pay, as the man was punished (sc. by the gods) with a foul and chronic illness; the rest of the group died of various causes; only Kinesias was not allowed to die, but punished with lingering illness, as a worse form of punishment.⁵⁸ We have no knowledge of any political line taken by Kinesias' group.

An interesting parallel to Kinesias' Hell's Angels, and evidence that the group was not unique, comes in Demosthenes 54, *Against Konon*, 39, where he attacks a group of youthful comrades: 'I hear, gentlemen of the jury, that one Bakchios, who died in your hands, and Aristokrates, who has lost the sight in his eyes, and various others as well as Konon here were friends as boys and nicknamed themselves Triballoi; moreover that they

⁵⁵ G.M. Calhoun, *Athenian clubs in politics and litigation* (Austin, Texas 1913). W. R. Connor, *The new politicians of fifth-century Athens* (Princeton 1971) 79–94. See also the review by A. E. Raubitschek (*AJP* 80 (1959) 81–88) of F. Sartori, *Le eterie nella vita politica ateniese de VI e V secolo a.c.* (Rome 1957).

⁵⁶ Aurenche, *Les Groupes* 25–122; Cf. MacDowell, *Mysteries* 190–93.

⁵⁷ . . . ἢ καταπιλᾶ τῶν Ἐκαταίων κυκλίουσιν χοροῖσιν ὑπάδων. W. B. Stanford, in his edition of the play (London 1958, 107) makes the connection with Kinesias, following a scholion. Cf. Fahr, *Θεοὺς Νομίζειν* 109–10.

⁵⁸ Dodds, *Greeks and the irrational* 188–89: 'This unimportant story (sc. of the fate of the Kakodaimonistai) seems to me to illustrate two things rather well. It illustrates the sense of liberation — liberation from meaningless rules and irrational guilt-feelings — which the Sophists brought with them, and which made their teaching so attractive to the high-spirited and intelligent young. And it also shows how strong was the reaction against such rationalism in the breast of the average citizen.' I would, however, question the applicability of the word 'rationalism' to Kinesias' antics. They seem to me more like irrational floutings of convention.

collected up sacrificial offerings to Hekate and the testicles of pig-victims at sacrifices (the ones used for purification prior to the commencement of a period of office) and used to dine on these together, and swore oaths and broke them again more readily than anything in the world'.⁵⁹ The name Triballoi here, like Kakodaimonistai above, appears to connote something suspect or evil in the religious sphere; Aristophanes used the word as a comic term for alien gods (deriving presumably from the people called Triballoi on the Thracian border: *Birds* 1529, 1533, 1627).⁶⁰ Aurenche points up the parallel between this passage and the impieties of 415 themselves:

The passage is interesting as it recalls in a very precise fashion the activities of certain groups in 415; although we do not know its precise significance or its scale, the theft and consumption of sacred offerings constituted a sacrilege analogous to the parody of the Mysteries and the mutilation of the Herms; like Andokides' group, the association of these Triballoi met for shared meals; as among the companions of Alkibiades and Andokides, 'swearing an oath and perjury were counted as nothing'. If Demosthenes says nothing of the political activities as such of the members of this association, everything about their behaviour betrays oligarchic views.⁶¹

I agree that the activities of these Triballoi might be compared to the incipient stages of a political group such as formed around Alkibiades or Andokides, but hardly that the activities described here, or the age of the participants (*μειράκι ὄνταξ*), matches what was interpreted in 415 as an attempt to overthrow the democracy. There is a difference in scale and importance, but not, perhaps, in essential spirit, as Aurenche says. Certainly these descriptions of the antics of Kakodaimonistai and Triballoi convey a clear picture of a volatile and irreverent milieu among sectors of Athens' youth, one whose disrespect of the city's religious institutions boded ill for its regard of law generally. In his analysis of atheism, Plato singles out conspiratorial attacks on religious institutions as the most serious of youthful misdemeanors: 'Of the rest the most serious are the wicked crimes of young people, and in particular when these are directed at sacred institutions, and of particular gravity when the cults attacked are revered public ones or the public property of tribesmen or other such bands of associates' (*Laws* 10.884). The points he picks out here are all relevant to our subject: the youthfulness of the criminals, the attack on revered public cults, the conspiratorial nature of the attacks.

The oligarchic revolution in Athens in 411 acquired a cult orientation in the oligarchs' choice of Poseidon's sanctuary at Kolonos as a venue suitable for voting in the new constitution (Thuc. 8.67.2). Poseidon's particularly Athenian identity as Hippios, and hence associated with the — notoriously oligarchic — cavalry, may have influenced the decision.⁶²

⁵⁹ This Konon is otherwise unknown to us. Louis Gernet, *Démosthène, plaidoyers civils*, vol. III, (Paris 1959) 101 note 1, dates these activities in Konon's youth to c. 376 BC. Konon was over fifty at the time of the trial in 341.

⁶⁰ Note Aristophanes' lost play *Triphales* (*PCG* III, 2, 285ff.) whose title looks like an analogous coinage.

⁶¹ *Les Groupes* 28–29.

⁶² Cf. R. E. Neil, *The Knights of Aristophanes* (Hildesheim 1966, reprint of 1901 Cambridge edition) on lines 551–64 of the play. He writes (p. 83): '... there are indications that conservatives resented and opposed her (sc. Athena's) supremacy, showing a preference for Poseidon as the champion of aristocracy ... It was no accident that under the oligarchic rule in 411 BC the ecclesia was held in the shrine of Poseidon Hippios at Kolonos.' For the oligarchic propensities of the Athenian knights in this period and their connection with Poseidon see P. Siewert, 'Poseidon Hippios am Kolonos und die athenischen Hippeis', in: *Arktouros, Studies presented to B. Knox*

We note that when the oligarchic constitution was overturned, the Assembly convened *Περὶ ὁμονοίας* met at Dionysos' theatre at Athens (ibid. 93.3). Distance from Athens at Kolonos marked a separation from Athenian tradition, the return to democracy was underlined by a return to a central Athenian institution.

We have little detailed information on the religious activities of the Thirty Tyrants in 404–403, only generalizations on their impiety. Xenophon sees in the merciless removal of Theramenes from his position of supplication at the altar in the Bouleuterion evidence of the godless character of the other despots (*Hell.* 2.3.52–53). Thrasyboulos, leader of the democrats at Mounychion, encourages his troops with the thought that the gods will certainly be fighting on the democratic side, since the Thirty are godless (*Hell.* 2.4.14). Lysias, speaking in his own person, stigmatizes the Thirty as men who have either sold off the gods' property, or defiled temples by entering them (12.99); likewise as men who have no respect for religion (12.9–10).

The converse of the impiety which characterizes conditions of stasis, and the tendency for individual cults to become embroiled in the party-political struggle, comes out nicely in Kleokritos' speech, as given by Xenophon (*Hell.* 2.4.20), after the defeat of the oligarchic troops at the Piraeus in 403. Kleokritos is an Eleusinian functionary (*ὁ τῶν μυστῶν κήρυξ*). He appeals to both sides to stop fighting and be reconciled on the strength of their shared experience of the city's major cults, whereby Eleusis is undoubtedly the primary reference. Under normal circumstances, a city's cults were unifying factors tending to strengthen group solidarity. Stasis had the effect of dividing factions within the polis, and with them, allegiances to particular cults.

To say that the developments I have discussed in this section led to an irreversible decline in religious faith in Athens thereafter would be misleading. Many aspects of fourth century literature and civilization point to a continuation of cults and worship and faith with little change in character or intensity when set against the fifth century.⁶³ My main conclusion is that religion in Athens during the Peloponnesian war underwent a crisis similar to that experienced by Athenian society generally. The Sophists had paved the way for a more critical approach to traditional religion, at least among intellectuals; but the war itself with its interruption of rural cults and its polarizing effect on pan-Hellenic sanctuaries such as Delphi and Delos, as well as polis-religion, was probably the main contributory factor. The Herms and Mysteries affair reflects various aspects of this analysis. On the one hand the perpetrators illustrate the dare-devil attitude to sacred institutions which the combination of a liberal education by the Sophists and the heady atmosphere of a drinking-club seem to have fostered. On the other, the hysterical public reaction to the crimes reflects keen awareness that such impious acts might signal subversive political intent (Thucydides 6.27.3 *ἐπὶ ξυναμοσίᾳ ἅμα νεωτέρων πραγμάτων καὶ δήμου καταλύσεως γεγενῆσθαι*).

(Berlin/New York 1979) 280–89. Note Lysias 20, *For Polystratos* 24–25, for suspicions of oligarchic sympathies among Hippeis as early as the Sicilian campaign. The speaker (Polystratos' son) has to argue that, *although* he had served in the cavalry, his politics had been impeccably democratic.

⁶³ Cf. Mikalson, *Popular religion* 110–18. It seems to me, however, that Mikalson fails to answer (indeed to ask) the question *why* markedly religious literature (tragedy, other forms of poetry) underwent a decline in the fourth century making way for prose or less religious drama. I agree with him that cult and popular faith probably continued in the fourth century as in the fifth. There does, however, seem to have been a reluctance to celebrate, or ponder on, large religious issues in the public forum of Dionysos' theatre.

CHAPTER SIX

The Manipulation of Divine Signs

Thucydides says that the Athenian populace viewed the mutilation of the Herms as an ‘omen’ for the departure of the fleet (6.27.3: *τοῦ ἔκπλου οἰωνὸς ἐδόκει εἶναι*) — a bad omen, obviously, judging by the general consternation. This raises the immediate question of whether the mutilation was only perceived as an omen, or whether it was also intended by the perpetrators to awaken the populace’s superstitious fears. I argue in chapter one that the mutilation had a deliberate quality, both as a *pistis* to cement ties of loyalty between members of certain groups, and as an act calculated to upset popular Athenian faith. For this view to be credible it is necessary to show that such deliberate manipulation of, or meddling with, divine signs was neither unprecedented nor surprising in context.

Thucydides depicts the decision to send the expedition to Sicily as the result of a (misleading) embassy to Segesta to ascertain the extent of local resources (6.8.1), and two meetings of the Athenian Assembly (*ibid.* 8–25) at which Alkibiades and Nikias contested the advisability of sending the expedition. It is only after its complete failure in 413 BC that he reports how influential chresmologues and seers had been in swaying public opinion in favour of sending the expedition (8.1.1: *ὠργίζοντο δὲ καὶ τοῖς χρησμολόγοις τε καὶ μάντεσι καὶ ὀπόσοι τι τότε αὐτοὺς θειάσαντες ἐπήλπισαν ὡς λήψονται Σικελίαν*: ‘... and they were furious with the chresmologues, seers and any who had convinced them at the time with divine prophecies that they would capture Sicily’).¹

Plutarch gives us a much more detailed account of the religious debate preceding Sicily, even if his account cannot be checked against other sources. As we have already seen, he states that ‘the priests’ in Athens vigorously opposed the expedition (*Nik.* 13), which sentiment Alkibiades sought to counter by producing ‘other prophets’ and an oracle from Zeus Ammon² predicting success for the expedition. Then Plutarch lists a whole sequence of adverse signs relating to Sicily: one man apparently mounted the altar of the Twelve Gods in the Agora and castrated himself with the traditional instrument for such operations, a stone knife (*ibid.*). Meton, the astrologer, set fire to his own house in an endeavour to prevent his son being conscripted; either that or his mind cracked, as he had been appointed to a command on the expedition (*ibid.*). Sokrates’ *daimonion* was also said to have been active at this period, warning him that the expedition would bring disaster for Athens, which verdict found wide circulation at Athens (*ibid.*).³ Outside Athens the gold Palladion on a bronze palm-tree which had been set up at Delphi by the

¹ Cf. Powell, ‘Religion and the Sicilian Expedition’ 15–16.

² Cf. A. M. Woodward, ‘Athens and the oracle of Ammon’, *BSA* 57 (1962) 5–13.

³ Cf. Plutarch, *Alk.* 17.5: *Σωκράτη μέντοι τὸν φιλόσοφον ... οὐδὲν ἐλπίσαι τῇ πόλει χρηστὸν ἀπὸ τῆς στρατείας ἐκείνης λέγουσιν*.

Athenians following their victory over the Persians, was reported to have been set upon by crows, which had pecked some of the golden fruit from the palm-tree (*ibid.*). Finally, an oracle instructed the Athenians to fetch the priestess of Athena from Klazomenai in Ionia, and they complied: the woman turned out to be called Hesychia. Plutarch concludes his account with the statement: 'And this seems to be what the divine will was trying to tell the city of Athens, to keep the peace at that moment in time' (*ibid.*).

In literary terms, this section of Plutarch's narrative serves both to prepare the reader for the disaster which awaits the fleet in Sicily, and as significant background information relating to Nikias' perception of the danger inherent in such an expedition: his respect for divine signs and attention to personal piety are well-known facets of his personality. The signs Plutarch reports serve to underline Nikias' apprehensive fears (stated purely in rational terms in Thucydides' report of his speeches to the Assembly). With the benefit of hindsight they also serve to justify his anxiety.

Historically (if we could be sure the material was not invented after the expedition's defeat),⁴ the passage contains a number of examples of the deliberate manipulation of divine signs in a political context. The man who castrated himself on the altar of the Twelve Gods combined an act of physical mutilation with a sacred context in a manner reminiscent of the Hermokopidai themselves. Meton burned his own house down by way of protest, or, as Plutarch says, to feign madness (often taken as a divine sign).⁵ Sokrates allowed his 'inner oracle' to voice protest against the expedition. One suspects that whoever suggested to the Athenians that they fetch the priestess Hesychia from Klazomenai must have known her name beforehand. Likewise, the golden fruit at Delphi could easily have been removed by human hand, and the story of the crows invented afterward.

Such manipulation of divine signs involves an ambiguity: on the one hand the person responsible must believe that the sign created will have the desired impact: that involves credulity on the part of the 'audience', belief in the manifestation of divine will through visible signs. Otherwise the act will be futile. On the other, the manipulator must be prepared to exploit this belief system fraudulently: in creating the divine sign artificially, he usurps the part of god. This aspect might be taken as an indication that the manipulator has little respect for god, that he is in fact cynically exploiting the gullibility of a benighted people, whilst himself remaining above such simplemindedness.

This latter aspect does not seem quite accurate. As Connor has argued in a paper on the political manipulation of religion in archaic Athens,⁶ there is evidence that statesmen employed religious ritual, even the deliberate manipulation of divine signs, not in an attempt to deceive the people, but rather as a way of sharing in the people's religious enthusiasm. Connor's main example is Peisistratos' triumphant return to Athens in a carriage accompanied by an Athenian woman of abnormal stature dressed up as Athena herself: the political message intended was that Athena endorsed Peisistratos'

⁴ On the problem of the historicity of portents in our sources, including Plutarch, see Pritchett, *Greek State at War* vol. III 140–53. Pritchett argues that the credibility of portents is dependent partly on the religious attitude (scepticism/gullibility) of the ancient writer: Plutarch is characterized as a 'moderate' (p. 151) in this respect. Pritchett quotes Nock, 'Religious Attitudes' 476–77, approvingly on Plutarch as 'the author best typifying the personal attitude of the Greeks about religion': neither too credulous, nor overly contemptuous of the divine.

⁵ E.g. Aristophanes, *Thesm.* 679–80. Cf. J. L. Heiberg, 'Geisteskrankheit im klassischen Altertum', *Zeitschrift für Psychiatrie* 86 (Berlin 1927); Dodds, *Greeks and the Irrational* ch. 3 'The Blessings of Madness'; B. Simon, *Mind and Madness in Ancient Greece* (Cornell U.P., Ithaca/London 1978).

⁶ 'Tribes, Festivals and Processions in Archaic Greece', *JHS* 107 (1987) 40–50.

re-instatement at Athens.⁷ Connor argues that Peisistratos was not so much guilty of fraudulent deception here, but rather was entering into the spirit of popular Athenian belief, by staging a show with which the people could identify. Neither he nor they literally believed Athena herself was riding on the carriage; the people were willingly deceived because their mood was receptive to Peisistratos' return anyway, and were happy to see a divine sign confirming their will; Peisistratos was displaying his sensitivity to their religious beliefs in offering them the corroborative sign, rather than deceiving them malevolently. In this way, Connor argues, the statesman is not a manipulator but one well-versed in his people's ceremonial, to the extent that he can remodel these patterns to act politically in a way satisfying to the people; 'manipulation of the masses' is too crude an expression. If we accept this reasoning, it emerges that the manipulators in Plutarch's examples above were not calculating cynics, but rather men who, precisely because they were well versed in popular belief, and believed in it as an effective means of communication, voiced their protest through this channel. In the case of Sokrates it is obviously wrong to talk of fraudulent manipulation of divine signs: he accorded his 'inner voice' the utmost respect. In the case of the Hermokopidai it has been remarked that we can be sure of one thing: those who mutilated the statues were not afraid of divine retribution, and hence were non-believers.⁸ In fact almost the reverse may be true: it was only the mutilators' awareness of the Herms' importance in public belief which made their mutilation a true *pistis*: a dare-devil act requiring courage (of a perverse kind) to perform. True, the mutilation itself showed contempt for the public monument: but it was a calculated contempt, a deliberate affront to demonstrate one's own mettle.

It is not necessary at this stage to argue for the historical importance of signs and oracles at Athens in the late fifth century.⁹ What concerns me here is the degree to which these institutions could be influenced or manipulated deliberately with a view to influencing public opinion.

As the mouthpiece of Zeus' will, Delphi was prominent among oracles.¹⁰ As we have seen, its political independence (particularly from the Phokian state) was considered essential to its neutrality. There were, however, various ways in which individuals or states could consult the oracle 'creatively', as it were. First should be mentioned the gifts bestowed on Apollo, manifestly to secure his favour; those of Kroisos became legendary, even if the response he received from Delphi proved unsatisfactory.¹¹ States constructed their own treasuries on the site, the better to safeguard and hoard the cumulative treasure presented to the god. The main area in which the individual could manipulate the response given by the god, however, lay in the formulation of the question he posed, or in the manner of consultation. When Xenophon was considering joining Kyros' campaign,

⁷ Hdt. 1, 60; *Ath. Pol.* 14 with Rhodes' commentary.

⁸ Dover, *The Greeks* 128.

⁹ This is adequately documented by e.g. Pritchett, *Greek State at War* vol. III passim (esp. 141–46); Popp, *Einwirkung von Vorzeichen*; W. R. Halliday, *Greek Divination* (London 1913); A. Bouche-Leclercq, *Histoire de la divination dans l'antiquité* (Paris 1879–82), esp. vol. ii 1879 (reprint 1963); Mikalson, *Athenian Popular Religion* 39–49; Robert Parker, 'Greek states and Greek oracles', in: *Crux, Studies de Ste Croix*, 298–326.

¹⁰ Cf. Parke and Wormell, *Delphic Oracle*; Nock, 'Religious Attitudes'; G. Roux, *Delphes. Son oracle et ses dieux* (Paris 1976); C. R. Whittaker, 'The Delphic Oracle. Belief and behaviour in Ancient Greece — and Africa', *HThR* 58 (1965) 21–47; Simon Price, 'Delphi and Divination', in: *Greek Religion and Society* 128–54; Parker, 'States and oracles' (previous note).

¹¹ Apart from our main source (Herodotus 1, 86ff.) see Bacchylides' fine poem (3), which includes Kroisos as its myth to correlate with Hiero's generosity to Delphi. Cf. Parker, 'States and oracles', 299–300.

he went to Delphi and asked which gods he ought to honour for the enterprise to be a success; as Sokrates pointed out afterwards, this was pre-judging the issue; he should have asked whether he should go at all, not merely to which gods he should sacrifice beforehand.¹² When the inquirer chose lottery as the preferred means of consultation, he was free to formulate the two alternative lots himself; the Pythia merely drew one of the lots, thus playing a relatively minor role in the essential formulation of the issue.¹³ Beyond these two areas we hear of attempts to corrupt the oracular seat itself: certain Spartan kings, with their special reliance on Delphi for guidance, appear guilty here.¹⁴ On the Athenian side, the exiled Alkmeonids are said to have induced Delphi by means of virtuous deeds to exert its influence on Sparta in their (the Alkmeonids') favour (*Ath. Pol.* 19).¹⁵

Signs from heaven (thunder, rainbows, earthquakes etc.) could not be created, but they could be creatively interpreted. Xenophon (*Hell.* 4.7.4) tells us that the Spartan army led by Agesipolis against Argos was terrified by an earthquake, considering it a sign from Poseidon (ἔσεισεν ὁ θεός). Agesipolis argued that, if the earthquake had occurred before he had crossed the Lakonian border, he would have considered it an unfavorable sign; as it was, since they had already crossed the border, he took it as an encouraging sign for their advance on Argos.¹⁶ As early as the *Iliad* Hektor refuses to be discouraged by an adverse omen (an eagle which was bitten by its own prey, a snake), and argues, against Poulydamas' interpretation of the omen, that he prefers to act in accordance with an earlier communication from the gods (Zeus' message to him via Iris: 12.200ff.; Iris: 11.200ff.). There were attempts to charm the heavenly bodies from their normal courses by means of 'Thessalian spells' (e.g. Aristophanes *Clouds* 749),¹⁷ but the practice belongs on the magical fringe of Greek religion.

One practice appears to have become absolutely standard in Athens in the period: the competitive citation of (dubious) oracles.¹⁸ Aristophanes has a number of hilarious scenes in which professional chresmologues or private individuals cite such oracles in support of their action. In the *Peace* we have the duel between Trygaios and Hierokles, the chresmologue, who interrupts Trygaios' inaugural sacrifice for Peace by claiming that the divine signs are not right; he cites oracles of Bakis and the Sibyl to justify the claim.

¹² *Anab.* 3.1.5. Cf. Mikalson, *Athenian Popular Religion* 43–44. Parke, *Greek Oracles* (London 1967) 87, suggests that an inquiry like Xenophon's ('to which god or hero must I pray or sacrifice?') might be answered through cleromancy, with names of gods/heroes inscribed on lots which the Pythia drew, but he does not assert that in Xenophon's particular case. Another good example of manipulative inquiry of the Delphic oracle is given by Parke, *ibid.* p. 112: Agesipolis framed his question to Delphi in such a way that it could hardly gainsay his intent. Cf. Parker, 'States and oracles' 302–03.

¹³ Cf. Parke, *Greek Oracles* 85–88. Parker, 'States and oracles' 301.

¹⁴ Kleomenes: Hdt. 6.66 and 75. Lysandros: Ephoros ap. Plut. *Lys.* 25; Diod. Sic. 14.13; cf. M.P. Nilsson, *Cults, Myths, Oracles and Politics in ancient Greece* (Göteborg 1986, orig. 1951) 129. Nilsson points out that the Spartan kings had always cultivated relations with Delphi, and kept officials, Pythioi, responsible for this branch of foreign policy. Parker, 'States and oracles' 311.

¹⁵ Herodotus (5.63; 90–01; 6.122) says that the pressure the Alkmeonids brought to bear on Delphi in the late 6th c. BC amounted to bribery. Parke, *Greek Oracles* 98, comments: '... but there is no need to suppose that the Alcmaeonidae did more than use the influence of their favourable position at Delphi'. Cf. Parker, 'States and oracles' 318.

¹⁶ Cf. Pritchett, *Greek State at War* vol. III 118; Pritchett collects other examples *ibid.* 91–138.

¹⁷ Thessalian spells capable of charming the moon from its course became a standard literary topos (e.g. Menander, *Thettale* fr. 192–97; Pliny, *NH* 30.7; Seneca, *Phaedra* 791).

¹⁸ Cf. Nilsson, *Cults, Myths etc.* 130–42. F. Staehlin, *Das Motiv der Mantik im antiken Drama*, Religionswiss. Versuche und Vorarbeiten 12, 1 (Giessen 1912) 172ff.

Trygaios replies in kind, citing Homer, and Hierokles is finally persuaded by the prospect of sharing in the sacrificial meal (1046ff.). In the *Birds* there is a similar scene in which Pisthetairos is interrupted in his inaugural sacrifice for the Bird-city by a nameless chresmologue, who claims that Pisthetairos is not sacrificing in the correct manner. Pisthetairos chases him off the stage but not before the two have engaged in a duel of oracles: the chresmologue again cites Bakis, Pisthetairos Apollo himself (958ff.). In the *Knights* Kleon and the Sausage-seller vie with each other through oracles in lines 961ff.

These passages of Aristophanes offer a good literary parallel to Plutarch's report that proponents and opponents of the Sicilian expedition cited various religious authorities in support of their politics.¹⁹ The *Peace* passage is particularly relevant in political terms, as it is the peace treaty which Hierokles seeks to impede by citing adverse divine signs. Clearly the books of oracles purportedly containing the wisdom of an Orpheus, Bakis or Musaios, offered a wide field both for sheer invention and fraudulent practice. For Aristophanes and Plato these chresmologues, seers, *orpheotelestai* and others were synonymous with cheats and frauds.²⁰ The main criticism levelled against them is that they practice their trade solely with a view to lining their own pocket, and securing delicacies at religious sacrifices. It was obvious to the Greeks at the time that the authority of their collections of oracles was dubious, to say the least. Nevertheless, their business appears to have flourished in this period:²¹ one factor may have been the convenient personal form in which they offered their wares. They sold oracles relating to specific individual cases, like the modern horoscope. Kleon in the *Knights* keeps a personal *chresmos* with him which justifies his political aspirations (127ff.). Superstitious fear no doubt played a part in the Athenians' gullibility here: if a chresmologue produced an oracle relating to one's personal fortune, there remained a nagging fear that it *might* apply, even if reason saw through the charade.

Another area in which priests and prophets could meddle was the sacred calendar based on the phases of the moon. Certain days were considered unsuitable or unlucky for business, trials or military ventures (*ἡμέραι ἀποφράδες*). Since the lunar calendar had to be adjusted to match the solar year, and since observation of the heavenly bodies was a matter for religious experts, priests were given an opportunity to tailor the calendar according to private interests. A sacred holiday (*ἱερομηνία*) could be declared to wrong-foot an enemy (e.g. Thuc. 3.56.2); an intercalary month might serve to delay unwanted business. At *Clouds* 615–26 Hyperbolos (among others) is accused of failing to observe the lunar cycle accurately when entrusted with the duty of *ἱερομνημονεῖν*, thus cheating the gods of their meals (*ψευσθῶσι δέλπνον*). Strepsiades in the same play (749ff.) considers the possibility of charming the moon down from the sky and cooping it up permanently as a way of avoiding paying interest on a loan (due at the end of a lunar month). The mighty Lampon is called a meddling cheat at *Birds* 521; the Eleusinian

¹⁹ Paus. 8.11.12, reports another oracle, this time from Dodona, prophesying that the Athenians would settle in Sikelia. This seemed positive for the expedition, but in fact it referred to a hill of that name just outside Athens.

²⁰ '... whenever Lampon (sc. the seer) cheats.' *Birds* 521; Hierokles' deception of the Athenians: *Peace* 1087. Plato, *Rep.* 364b5–365a3, criticizes such practitioners for claiming fees for their (pseudo-) professional advice. On the activities of travelling seers cf. Burkert, 'Itinerant diviners and magicians. A neglected area of cultural contact', in: *The Greek Renaissance of the Eighth Century B.C.: Tradition and Innovation*, R. Hägg (ed.), Skrifter Utgivna av Svenska Institutet Athen. 30 (Stockholm 1983) 111–19.

²¹ Note Parker, 'States and oracles' 302: 'The society that abuses diviners is the society that consults them. Manipulation of oracles to further one's own interests is also commonplace'.

Aparchai Decree (pp. 36–38) shows him proposing an intercalary month of Hekatombaion; whether he had an ulterior motive, we do not know.

What is less commonly appreciated is that the majority of Greek rituals had a mantic dimension, and were in fact performed to ascertain divine will regarding any undertaking.²² Almost any course of action, whether private or public, was preceded by sacrifice, libation and prayer.²³ The sacrificial act had a number of prophetic components: whether the animal went willingly to its death; whether the sacrificial fire burnt auspiciously, or reluctantly; what the victim's liver looked like on inspection. In this way, sacrifice was not only an act of worship, but also a way of asking the god concerned how he was minded. Because of this, sacrifice could be viewed as successful or as a failure. It was open to interpretation: someone — usually, but not always, the officiating priest — could argue that the omens were favourable, or conversely, that they were not. In this way he could assure a future endeavour success, or advise caution, or at least a repetition of the sacred rites in the hope of a better result.²⁴

In Antiphon's fifth speech, *On the Murder of Herodes*, the defendant Euxitheos defends himself against the murder charge by claiming, among other things, that the divine signs have been favourable in his case:

But in cases of this nature the indications furnished by heaven must also have no small influence on your verdict. It is upon them that you chiefly depend for safe guidance in affairs of state, whether in times of crisis or tranquillity; so they should be allowed equal prominence and weight in the settlement of private questions. I hardly think I need remind you that many a man with unclean hands or some other form of defilement who has embarked on shipboard with the righteous has involved them in his own destruction. Others, while they have escaped death, have had their lives imperilled owing to such polluted wretches. Many, too, have been proved to be defiled as they stood beside a sacrifice, because they prevented the proper performance of the rites (*διακαλύοντες τὰ ἱερά μὴ γίνεσθαι τὰ νομιζόμενα*). With me the opposite has happened in every case. Not only have fellow-passengers of mine enjoyed the calmest of voyages: but whenever I have attended a sacrifice, that sacrifice has invariably been successful (*οὐκ ἔστιν ὅπου οὐχὶ κάλλιστα τὰ ἱερά ἐγένετο*). I claim that these facts furnish the strongest presumption in my favour that the charge brought against me by the prosecution is unfounded.' (81–83: transl. Maidment, Loeb)

We note in this passage how the speaker argues from the importance accorded to divine signs in public affairs to the comparable status they deserve in deciding this private law-suit. The speaker cites two areas where he believes the gods' favour toward him may be discerned: in successful navigation (a situation where man is in god's hands),²⁵ and at

²² Cf. Burkert, *Griechische Religion* 183.

²³ Cf. Mikalson, *Athenian Popular Religion* 13–17.

²⁴ Pritchett, *Greek State at War* vol. III 78ff. gives examples of delays in military campaigns caused by bad sacrificial omens. The Spartan *diabateria*, or 'frontier-sacrifice', was an essential pre-requisite for a campaign beyond Laconian territory. Parker, 'States and oracles' 307–08: '...warfare was the sphere of operation *par excellence* for divination. At every stage in a campaign the disposition of the gods was tested by divinatory sacrifice (e.g. Xen. *Lac. Pol.* 13)'.
²⁵ Cf. Andokides' remarks about his sea-voyages, below pp. 112–13. The sanctuary of the Kabeiroi on Samothrace was full of thank-offerings from sailors delivered from danger: Diagoras is said to have commented sardonically that the plaques of those lost at sea would outnumber those saved (Cicero, *de natura deorum* 3, 89). Cf. B. Hemberg, *Die Kabiren* (Uppsala 1950); S. C. Cole, *Theoi Megaloi. The Cult of the Great Gods at Samothrace* (Leiden 1984). Plutarch, *Mor.* 386C, says that a common question to Delphi was 'Is it sensible to sail?' (*εἰ συμφέρει πλεῖν*).

sacrifice, where the correct omens are said not to be forthcoming if a polluted person attends. Euxitheos (Antiphon) is not maintaining that the sacrificial act itself may be manipulated to one's advantage, but rather that it is legitimate to use such evidence in one's own defence: the perceived divine sign should be taken as valid legal evidence.²⁶ Here, of course, the scope for antithetical interpretations of the same evidence, and for the judicious selection of material offered for interpretation, is great, as we shall see in Andokides' case in the following chapter.

We move on to actions focussing on *sacra* (temples, cult images etc.) to make a political or personal point. Generally these are positive actions, i.e. ones intended to please the divinity concerned, such that he may grant return favours. Occasionally, however, as we shall see, they constituted a negative attempt to create an adverse sign — as was the case in the Herms mutilation, in my opinion.

A whole range of actions served to benefit the cult image with flattering, or subservient behaviour. Votive offerings ranging from whole ships to tiny articles of personal attire were devoted to a divinity in his temple, or actually fastened to the cult image.²⁷ An inscription usually specified the devotee's wishes, for success or deliverance of some sort. More communal actions involved the ritual bathing, anointing, dressing and crowning of the cult image, usually in an annual ceremony. One such festival, the Plynteria, which involved washing Athena's image, coincided in 407 BC with Alkibiades' return to Athens after an eight-year absence. Xenophon reports that some saw this as an unfavourable omen for his return (*Hell.* 1.4.12). Theophrastus characterizes the superstitious man as one who can spend the whole day crowning and adorning his household gods.²⁸ The fashioning of a new *peplos* for Athena, with elaborate mythical decoration, was an important part of the Great Panathenaia.²⁹ It would surely be no exaggeration to say that the cult image was the physical expression of a Greek state's conception of god, and the focus of its people's worship. The value of the material (gold, silver, ivory, marble) reflected their estimation of the divinity's value, and master craftsmen were employed to honour the deity through artistic excellence. In view of this it is not surprising if right treatment of the cult image was considered essential to safety and well-being, maltreatment a threat.

There were simple bad signs in connection with temples and images. An enemy could destroy or plunder its opponent's *sacra* both for their money value and as a demoralizing blow.³⁰ The appearance of a cult image, in particular, a phenomenon known as 'sweating' (in fact, perhaps, condensation) could be taken as an adverse sign telling against a certain

²⁶ Mikalson, *Athenian Popular Religion*, mines forensic oratory for evidence of religious belief. The orators could make such extensive use of religious arguments in presenting their cases precisely because the Athenian jurymen were responsive to such material. Cf. Versnel, 'Beyond cursing: the appeal to justice in judicial prayers', in: *Magika Hiera. Ancient Greek Magic and Religion*, Christopher A. Faraone and Dirk Obbink (edd.) (Oxford U.P. 1991) 60–106.

²⁷ Cf. F. T. van Straten, 'Gifts for the Gods', in: *Faith, Hope and Worship* 65–151, with further literature. In military contexts: Pritchett, *Greek State at War* vol. III 230–95.

²⁸ *Characters* 16.10 Navarre: ἐξεληθὼν ἀγοράσαι μυρρίνας, λιβανωτόν, πόπανα, καὶ εἰσελθὼν εἶσω στεφανοῦν τοὺς Ἑρμαφροδίτους ὅλην τὴν ἡμέραν. I doubt the reading Ἑρμαφροδίτους (Siebenkees). The cod. has ἔρμαφροδ^δτ. On Theophrastus' concept of *deisidaimonia* cf. P. A. Meijer, 'Philosophers, intellectuals and religion in Hellas', in: *Faith, Hope and Worship* 259–61.

²⁹ Note Plato, *Euthyphro* 6c1–4, on the mythical motifs on the *peplos*. Demosthenes in Aristophanes, *Knights* 1180, suggests that Athena's good deeds to Athens are in return for her *peplos* (καλῶς γ' ἐποίησε τοῦ πέπλου μεμνημένη).

³⁰ Above p. 82.

course of action.³¹ Sometimes cult images were insulted with words or blows when they failed to co-operate.³² We know of cases of deliberate defilement of cult images, partly from bravado, no doubt, sometimes with more serious purpose. Aristophanes refers to the defiling of statues of Hekate by the wayside (*Frogs* 366), or of a *stele* (*Birds* 1054); in *Clouds* 995 we hear of youths polluting the image of Shame (τῆς αἰδοῦς μέλλεις τᾶγαλμ᾽ ἀναπλάττειν: ἀναπλάσσειν, ἀναπλάσειν, ἀναπλήσειν codd.), which expression must be taken metaphorically, as there was no altar of Aidos. As we have seen, the Triballoi stole the offerings to Hekate for an impious meal.³³ Theophrastus' superstitious man shudders in religious dread when he sees an image of Hekate wreathed in garlic — apparently an ill omen, though its precise significance is not known.³⁴ A case of apparent fraud in connection with an altar will concern us in the following chapter: it appears that Kallias 'planted' a supplicatory branch on the altar of the Athenian Eleusinion and claimed afterwards that Andokides had unlawfully laid it there. If Andokides' version is true, Kallias was constructing an omen which would incriminate the defendant in a law-suit.

One of the main ways an individual or several persons could use the sanctity of temple or cult-image to his/their own advantage lay in the institution of supplication at an altar.³⁵ Threatened with danger, a person could throw himself at the mercy of the gods; since to kill or violate that person on sacred ground would offend the divinity, a measure of safety was obtained thereby as long as direct physical contact with, or proximity to, the altar was maintained. Cases of such supplication are well-known.³⁶ Aristophanes has an interesting hypothetical case: the Athenian triremes, disinclined to obey Hyperbolos' plan to send a fleet of one hundred of them against Carthage, suggest supplicating in the Theseion or on the altar of the Erinyes by way of protest (*Knights* 1300–312). This is an interesting parallel to my interpretation of the Herms affair, as it shows how political protest might (hypothetically) be expressed through religious channels.

An area little mentioned in our literary sources but amply documented by archaeology is the use of magical curses to 'bind' an opponent, incapacitate him: κατάδεσμος; lat. defixio.³⁷ These take the form of thin lead tablets inscribed with the name(s) of the enemy, and sometimes with instructions to an underworld power (Hermes, Hekate, Ge, Persephone are the most common) to bind the person(s) named; the tablet was then pierced with a nail and deposited in a suitable context, such as the tomb of someone who had died an untimely death, or a shrine of an underworld power, or underwater. These

³¹ Examples: Pritchett, *Greek State at War* vol. III 130–31.

³² Cf. Versnel, 'Religious Mentality in Ancient Prayer', in: *Faith, Hope and Worship* 37–42; A. S. F. Gow (ed.), *Theocritus*, Cambridge 1950, on Theocritus 7, 108 (p. 158) on the maltreatment of images by indignant worshippers.

³³ Above pp. 90–91.

³⁴ Again the text is doubtful (*Characters* 16.13 Navarre): κἄν ποτε ἐπίδη σκορόδω ἐστεμμένον (τινὰ) τῶν ἐπὶ ταῖς τριόδοις ... (τινὰ suppl. Kayser). Navarre's suggestion, that the superstitious man is upset by seeing someone collecting up old offerings to Hekate cannot be right: rather, the image of Hekate is wreathed in garlic, a plant of negative connotations. Cf. John Scarborough, 'The pharmacology of sacred plants, herbs and roots', in: *Magika Hiera* 146. Women at the Skira, and possibly the Thesmophoria, ate garlic, apparently to put men off (Parke, *Festivals* 160).

³⁵ Cf. J. Gould, 'Hiketia', *JHS* 93 (1973) 74–103.

³⁶ Theramenes: Xenophon, *Hell.* 2.3.52. Two Athenian councillors: Andok. *de Myst.* 44. A good literary parallel: Oedipus and his children in the opening scene of Sophokles' *Oedipus at Colonus*.

³⁷ Christopher A. Faraone, 'The agonistic context of early Greek binding spells', in: *Magika Hiera* 3–33, with further literature and references to the editions of *defixiones*. Cf. Versnel, 'Beyond cursing: the appeal to justice in judicial prayers', *ibid.* 60–106.

tablets have been found widely distributed throughout the ancient world, including fifth- and fourth-century Attica. Sometimes the curse was accompanied by a doll which might reinforce the binding spell by having its arms and legs bound behind its back. These binding spells seem only occasionally to have desired the death of the victim, more usually his physical incapacitation.³⁸ The areas of activity where curse tablets were commonly used were competitive (athletics, business, lawsuits), where the curser attempted to limit his adversary's effectiveness prior to the contest ahead.

Faraone has collected some parallels from more conventional religion to the binding spells. Pausanias reports how the Orchomenians, on the instructions of Delphic Apollo, erected a bronze statue of Aktaion and bound it to a rock with iron as a means of protecting their people from his ghost (9.38.5). The people of Syedra likewise bound a statue of Ares on one occasion in order to restrict the effectiveness of their enemy.³⁹ Olympiodorus of Thebes (*FHG* 4.63.27 = fr. 27 Blockley) tells of three archaic silver statuettes buried in an old sanctuary in Thrace with their arms tied behind their backs in an attempt to avert barbarian incursions from the North. A fourth-century inscription from Kyrene records how the founders of Kyrene swore an oath before leaving Thera over large wax figures which they burnt as a warning to transgressors.⁴⁰

The mutilation of the Herms seems to me to bear some resemblance to the practice of 'binding' an enemy by manipulation of a figurine and suitable curses. It has the same atmosphere of nocturnal secrecy, and the same element of black magic. If I am right in my interpretation of the mutilation, the guilty men were in effect trying to 'bind' the political opposition. Whether this can be identified with the person of Alkibiades, or rather with any member of the conspiracy subsequently to break faith (cf. n. 40), I cannot say. Nor need the motives of the mutilators have been fully conscious. I merely wish to suggest that the combination of action chosen (clandestine mutilation of religious images) and the interpretation put upon it at the time ('bad sign' for the Sicilian fleet) bears some relation to the phenomenon of binding spells. One notes, incidentally, how prominently Hermes features in all areas of Greek magical practices⁴¹ — his ability to establish a communicative link between the human and the supernatural world is presumably the reason. This aspect of Hermes, the Olympian god, as opposed to Hermes Chthonios, Katochos (common in magic) has been examined in chapter one.

³⁸ Faraone (see previous note) p. 8f.

³⁹ *Ibid.* 9.

⁴⁰ A. D. Nock, 'A curse from Cyrene', *Archiv f. Religionsw.* 24 (1926) 172–73; (cf. Gow's note on Theocritus 2.28 (Cambridge 1950, p. 44): κηρίνος πλάσσαντες κολοσσός κατέκαιον ἐπαρεώμενοι πάντες ... τὸν μὴ ἐμμένοντα τοῖς ὀρκίοις ἀλλὰ παρβεῶντα καταλείβεσθαί νιν καὶ καταρρῆν ὡσπερ τὸς κολοσσός καὶ αὐτὸν καὶ γόνον καὶ χρήματα. This reminds one of the 'pistis' shared by Andokides' group in damaging the Herms. The damaged image becomes the enemy.

⁴¹ Cf. S. Eitrem, in a paper posthumously published in *Magika Hiera* 178–79. In Eitrem's example (a request for dreams) a figure of Hermes is fashioned from dough, into which the request (written on papyrus) is inserted. The figurine, wearing a mantle and holding a herald's staff, is placed in a small wooden shrine. Generally (among the vast literature): Cf. G. Fowden, *The Egyptian Hermes: A Historical Approach to the Late Pagan Mind*, (Cambridge 1986).

CHAPTER SEVEN

Religious arguments at Andokides' trial

Following the scandal of 415 and the decree of Isotimides which barred anyone guilty of impiety from entering Athenian temples or the Agora, Andokides left Athens more or less voluntarily, because he recognized 'that it would be best to live where I would be least conspicuous to you (sc. Athenians)' (2.10). Andokides lived the life of a merchant seaman thereafter, developing useful contacts all round the Mediterranean (*Against Andokides* 6–7), and especially with the kings of Macedonia and Cyprus. He made one attempt to return to Athens under the oligarchy of the Four Hundred, which resulted in imprisonment and near death. He made a further attempt under the restored democracy, probably around 408 BC,¹ which was the occasion of the delivery of the speech we possess entitled *On his own Return*. Despite Andokides' promise of a sizeable delivery of corn to the beleaguered city, the Athenians were not prepared to revoke the decree of Isotimides, and once again Andokides was forced into exile. The general amnesty in 403 following the ousting of the Thirty Tyrants was the occasion for Andokides' ultimate return to Athens, along with many other erstwhile fugitives. One of his first actions on returning to Athens appears, almost perversely, to have been the prosecution of one Archippos for damaging a herm (*Ag. Andok.* 11);² this action even met with a measure of success, as Archippos paid money to avoid prosecution. This opening ploy by Andokides on returning to Athens is reminiscent of Alkibiades' defiant resumption of the overland procession to Eleusis in 407 when *he* returned with the shadow of impiety against this cult hanging over his head.

Andokides lived in Athens for the next three years without being molested for his past crimes; during this period he appears to have worked hard to recover his respectability and good name, by holding a number of religious offices (among them Gymnasiarch at the Hephaistia, Chief Envoy to the Isthmian and Olympic Games; as well as the very responsible position of one of Athena's treasurers on the Acropolis: 1.132).³

Then in 400, or possibly 399 BC,⁴ Kephisios lodged an *ἔνδειξις* against Andokides for attending the Eleusinian Mysteries despite the injunction of Isotimides that no one guilty of impiety was allowed to enter Athenian sanctuaries. A secondary charge was that Andokides had allegedly laid a suppliant branch on the altar in the Athenian Eleusinion during the period of celebration of the Mysteries, which was an offence. The offence was reported to the Basileus, as the official responsible for religious affairs, and the charge

¹ On the date see introduction p. 7.

² 11: *φάσκων* (sc. Andokides) τὸν Ἀρχιππον ἀσεβεῖν περὶ τὸν Ἑρμῆν τὸν αὐτοῦ πατρῶον. On this episode see above pp. 64–65, where I maintain that Archippos had vandalized 'Andokides' Herm' itself, as a way of reminding everyone that this was the herm Andokides was to have mutilated in 415 (but didn't in fact owing either to circumstances, or pangs of conscience).

³ On the sequence see p. 51.

⁴ I accept MacDowell's arguments in favour of 400 (*Mysteries* 204–05).

was ἀσέβεια, impiety. Although other men actually conducted the prosecution of Andokides at the trial, the man behind the scenes was Kallias, son of Hipponikos, the Eleusinian Dadouchos at the time, and member of the priestly clan of Kerykes; the prosecutor who delivered a version of the speech which has come down to us as number 6 of the *Corpus Lysiacum*, (*Against Andokides*) had a grandfather who was Eleusinian Hierophant (54). He himself thus belonged to the clan of Eumolpidai, the other Athenian clan supplying high-ranking priests for Eleusis. The members of the jury who heard the case were all initiates of Eleusis, to prevent 'classified' material reaching uninitiated ears. Thus the issues involved in the trial are religious ones, and the men involved are, on the one hand, leading representatives of the Eleusinian cult, and on the other, a man with the reputation of having committed impiety of the most flagrant sort.⁵ We possess two documents from this trial: Andokides' defence speech, the *On the Mysteries*, as well as the *Against Andokides*. Together they shed valuable light on the way religious issues were handled in an Athenian court of law, and on the larger questions of Athenian religious beliefs and notions of piety and impiety in this period.⁶ In what follows I will be concentrating less on the historical veracity of the allegations made on both sides than on the arguments themselves for the light they shed on this type of trial.

Let us begin with the prosecution case, as this is what the members of the jury would also have heard first. The *Against Andokides* is only one of four probable speeches for the prosecution; scholars are undecided as to which of the prosecutors it may be attributed to; Andokides names his four active prosecutors as Kephisios, Agyrrhios, Epichares, Meletos; only Kephisios can be ruled out certainly as the author of this speech, as he is mentioned by name in it as a man of dubious reputation. Moreover doubt attaches to its precise status as a speech: was it delivered more or less in the present form at the trial, or is it the work of a later pamphleteer 'composed by a zealous devotee whose prejudices had been deepened and inflamed by the able defence put forward by Andokides'?⁷ My own view, with MacDowell,⁸ is that the piece very probably represents one of the actual prosecution speeches at the trial, though it must remain anonymous. As mentioned above, the speaker belonged to the clan of Eumolpidai; he speaks for the orthodox Eleusinian Church, as it were.

Although the formal charge of impiety against Andokides was based on two specific (and rather insignificant, one might think) acts — the attendance at the Mysteries despite ἀτιμία and the illegal placing of a suppliant branch on the altar of the Eleusinion during the Mysteries ceremony — both the prosecution, and, *ipso facto*, Andokides are fully

⁵ On the family relations of Kallias and Andokides as a root motive behind the trial see Cox, 'Incest, inheritance and the political forum' 41ff.

⁶ Apart from 'Diopieithes' Decree' (above pp. 84–85) we hear of no law which defined impiety, sacrilege or blasphemy. Rudhardt, 'Définition d'impieété' tries to invent one from impiety trials in the fifth and fourth centuries, but the attempt is questionable; cf. Yunis, *New Creed* 25 n. 23. MacDowell, *Law in Athens* 199, says 'My guess is that the law about impiety, which is not preserved, was probably similar to the law about *hybris*, and said something like "If anyone commits impiety, let anyone who wishes submit a *graphe*," without offering any definition of impiety'.

⁷ W. R. Lamb, *Lysias*, Loeb Classical Library (Cambridge, Mass., 1976, originally 1930) 113. Blass, *Attische Beredsamkeit* I, 562–70, argues that the piece is not by Lysias but 'wird als Gegenstück zu Andokides' Mysterienrede herausgegeben sein, und zwar wohl mit einigen Veränderungen und Zusätzen gegenüber der ursprünglichen Fassung.' (570). Dover, *Corpus Lysiacum* 78–83, seriously questions whether we know that much about Lysias, or rather about the aims of the professional speech-writer. Lysias may have been able to adopt a zealous tone when it suited his client.

⁸ *Mysteries* 14 and n. 4.

aware that the real issue is the question of Andokides' part in the impieties of 415: the mutilation of the Herms and the profanation of the Eleusinian Mysteries. We do not know whether the other (lost) speeches for the prosecution elaborated on Andokides' guilt in these matters: his systematic defence against the charge of having profaned the Mysteries and actively mutilated Herms would, however, lead us to suppose that this was a major element in the case for the prosecution. The author of the surviving piece, the *Against Andokides*, does not argue for Andokides' guilt in this matter, he assumes it in various passages of his speech. These must be examined.

At 15, the speaker makes a clear reference to the mutilation of the Herms when he compares Andokides' offence with the physical mutilation of human bodies: 'whoever wounds a person's body, whether his head or face or hands or feet, shall be banished according to the laws of the Areopagos from the city of the injured party, and if he returns he will be prosecuted and sentenced to death. But if someone does precisely this to the images of the gods, will you not prevent him from entering their temples, or if he does enter them, punish him?' At the end of the speech we read the following tirade:

Men of Athens, recall what Andokides has done and remember also the festival which has led to our high standing in people's general esteem. I know your perception has already been blunted by constantly hearing about this man's crimes so that atrocities no longer seem like atrocities to you. But pay attention now, imagine you're seeing before you in your mind's eye what this man did, and you'll better appreciate what I'm saying. He put on the ceremonial robe and imitated the sacred rites, showing them to the uninitiated and spoke out loud the things it is forbidden to speak, and furthermore he mutilated the gods whom we worship and believe in and to whom we sacrifice with holy rites and address our prayers. And for these reasons the priestesses and priests stood facing the West and cursed him, shaking out their purple robes according to ancient and time-honoured custom. He *admitted* doing this. (50–51)

In this passage our speaker makes clear reference both to the profanation of the Mysteries and the mutilation of the Herms. Note the speaker's justification for the allegation: Andokides admitted his guilt; there is no call for evidence or proof. The admission refers presumably to Andokides' confession in 415 when charged by Diokleides with being a mutilator. What exactly he confessed to, and whether he confessed the truth, the whole truth and nothing but the truth, is, of course a matter which was clear neither to the Athenians at the time (Thuc. 6.60.2: *εἶτε ἄρα καὶ τὰ ὄντα μὴνῶσαι εἶτε καὶ οὐ*) nor to us.⁹ However, the fact that he confessed to a measure of guilt in one of these scandals (Thucydides says, and my whole reconstruction is based on the assumption, that it was in the matter of the mutilation), was apparently sufficient justification for the prosecution to assume his guilt in the Mysteries affair. One might cite that unreliable source *Lives of the Ten Orators* to illustrate the process generally whereby guilt in one matter could easily lead to suspicion in a related crime: 'Because he (sc. Andokides) had been rowdy before one night and, in a drunken state, had smashed up one of the statues of the gods and been prosecuted for it, he acquired a bad reputation and the suspicion of having been responsible in the second affair attached to him.' (4, but here the 'second affair' is the Herms mutilation, and the first incident of rowdy behaviour is otherwise unknown to us).¹⁰

⁹ On the dubious nature of Andokides' confession see R. Seager, 'Andokides' confession: a dubious note', *Historia* 27 (1978) 221–23.

¹⁰ Discussion of the passage pp. 54–55.

For the prosecution, then, Andokides' guilt in both scandals of 415 was an established fact; the confession which ensued is turned by the prosecution into further evidence of Andokides' impious character, as he allegedly delivered up 'those whom he himself claimed to love most dearly' to the executioner (24). The speaker says these included 'relatives and friends' (23) but two sentences later he limits this to 'friends', which, as I have argued above, is probably closer to the truth. The jibe is repeated at 30 where it is stated that Andokides 'always trusts strangers more than friends because he has injured those whom he knows'; moreover, his career subsequent to 415 has shown disregard of the gods because he took to seafaring (a dangerous profession), thus flaunting the gods: 'And he showed the Greeks that he does not believe in the gods because he took to seafaring and sailed the seas not in fear and trepidation at what he had done, but in confidence.' The speaker implies that a man who was properly repentant would cringe in a quiet corner from fear of divine retribution, not expose himself to the maximum danger from supernatural powers as Andokides in fact did.

This brings us to the central and most interesting theme of the anonymous prosecutor: his attempt to show how the gods hate Andokides for his impiety. He introduces the theme with the words: 'But look at the life Andokides has led since committing his impiety' (21). He shows how Andokides' initial imprisonment (following Diokleides' denunciation) was the first sign of a divine hand working for Andokides' destruction, as Andokides was in a way himself responsible for the imprisonment, having offered his own person as surety (instead of money), if he failed to produce his slave to corroborate his story: 'When Andokides was brought before the court following his crime, he deliberately imprisoned himself by proposing gaol as the penalty if he failed to produce his slave (sc. to confirm his story). He was fully aware that he would not be able to hand him over, as he (sc. the slave) was killed because of this man and his crimes so as to prevent him giving evidence. Obviously some god perverted his judgement into thinking it preferable to propose prison rather than a fine as penalty with as good a chance either way' (21–22).¹¹

Following this folly, the prosecutor traces how the imprisoned Andokides confessed to his crime and incriminated 'friends and relatives' in return for the offer of immunity (23): 'And what kind of a character do you think this man has who descended to the utmost depths of hatefulness in bearing witness against his own friends, even though his own release was by no means certain?' The speaker narrates how Andokides was ultimately released, 'having killed those whom he himself claimed to hold most dear', only to find himself banned by a decree (sc. that of Isotimides) from entering the Agora or any temple. This indignity, the speaker claims, was without precedent in Athenian history (25). He concludes 'And are we to believe that the gods were responsible for all this, or that it happened by itself?' The speaker is arguing then that the sequel to the mutilation of the Herms shows Andokides acting in an unreasonable manner, first in chaining himself up, as it were, instead of paying bail, then in condemning his own closest and most intimate friends to death without being certain that this would bring his own freedom: this aspect of unreasonableness is important to the prosecutor as he wishes to detect divine interference behind it.

The prosecutor follows up the theme in a two-fold manner: on the one hand he traces the lamentable series of hardships, periods in jail and narrow escapes which has plagued Andokides since leaving Athens — this, he infers, is god's way of punishing the sinner — and on the other, he shows how various actions of Andokides must have been willed

¹¹ On this passage see my note in *CQ* 39 (1989) 550–53.

by the gods in order to trap him: he tried to return to Athens under the Four Hundred, for example, because 'the god had granted him such forgetfulness that he desired to return to the very people he had injured' (27). The speaker's description of the circumstances which have led to Andokides' return to Athens in 403 and his trial now in 400 should be given in full:

No democracy, no oligarchy, no tyrant, no city-state ever wishes to receive this man. No, the whole time since his impious crime he has lived the life of a vagabond, always putting more trust in strangers than the men he knows as he has injured all the latter. And now to end it all he has arrived back in our city and faces prosecution for the second time in the same place. His whole life is spent in chains; his wealth dwindles because of what he goes through. And yet when a person surrenders himself to enemies and sycophants this means living a life which is no life. It is god who suggests these schemes to him, not for his salvation but as retribution for the unholy acts which he has committed. And now finally he has given himself up to you to do with as you please, not trusting to his own innocence but obeying a certain divine inevitability. Accordingly, I swear by Heaven, no man, neither young nor old, seeing that Andokides has come through all these hazards, and knowing the unholy deeds he has done, should be weakened in his faith in the gods. Rather we should all realize that it is better to live half a lifetime without affliction than twice this amount when it is lived in suffering, as is the case with this man. (30–32)

This argument of the prosecution is interesting as it proposes an interpretation of Andokides' life subsequent to the mutilation which is reminiscent of Aristotle's analysis of the tragic moment (if applied in a particularly vindictive manner) or Herodotean history. It recalls the two-level structure of theatrical narrative whereby human actions and motivations constitute one level of reality, but there is another, the divine plane, which is ultimately responsible for the lower level, even if only intermittently visible. According to this view of Andokides' life, he attracted the attention of agents operative on the divine plane by his participation in the mutilation of the Herms; there followed a series of trials and tribulations which constituted god's vengeance; the closing act is the trial itself, where Andokides' prosecutors envisage themselves as the agents of god working out his purpose to its consummation: 'The god was leading him on so that he might return to the scene of his crimes and receive due punishment through my accusation' (19). Andokides himself picks up the point in his defence speech, attempting to turn it to ridicule: 'And did the gods rescue me from all these dangers only to appoint Kephisios here, the worst of the Athenians, as their appointed representative?'

What is interesting about this line of argument is that it goes considerably further than the various modes of divine intervention in human life that Mikalson recognizes in his analysis of the Athenian prose material from the late fifth to the fourth centuries BC.¹² Mikalson's work authoritatively documents prayers for, and belief in, divine intervention in such areas as success in battle, agriculture, marriage, business etc. The requests for divine help, and thank-offerings given in return for a perceived grant of such help, tend to be one-off, ephemeral affairs linked strictly to the event concerned (be it a battle, harvest or election or marriage). The worshipper wishes to establish a brief link with the divine plane of causation, limited in effect and scope to the immediately relevant situation. Andokides' prosecutor goes much further, as we have seen. Of course, in the eyes of the prosecution, Andokides constitutes an exceptional case: the scale of his impiety is

¹² Mikalson, *Popular Religion* 18–26.

portrayed as likely to incur divine wrath for the entire duration of the individual's remaining life. Nevertheless (and we must remember that Andokides was only one of numerous individuals involved in the 415 impieties) we have evidence in the anonymous prosecution speech at this trial, that the concept of divinity steering human fate from beginning to end was not confined to the archaizing tragic stage but could be invoked before a jury of average Athenians without (we assume) being laughed out of court.¹³

Comparison with one theme of Sokrates' defence (as given by Plato) is also illuminating in this connection. Sokrates depicts his career as a philosopher as stemming from an oracle given by Apollo in Delphi; his subsequent activity was conducted under the aegis of this oracle in an (ironical) attempt to refute the oracle's pronouncement that 'no man is wiser than Sokrates'. Sokrates makes explicit the comparison, and the division, between the human and divine levels of being, when he states his realization that this wisdom, if such he possessed, was strictly human wisdom, nothing in comparison with divine wisdom. This religious theme running through Plato's *Apology* has puzzled commentators. If we accept Plato's account as historical here, we have not only evidence of Sokrates' religiosity, but furthermore, in my opinion, of the line of attack which the prosecution very likely took at his trial. Sokrates defends his whole active life on the grounds that it was ordained by Apollo: his philosophizing represented a 'service' of the god; no doubt the prosecution had argued the precise opposite: 'Sokrates' philosophizing represents a direct assault on the traditional gods of Athens; he is guilty of inventing a new god, which he calls his private 'spirit'; his working life has been characterized by godlessness, as Aristophanes portrayed it in the *Clouds*; his pupils, Alkibiades, Kritias, are the most godless men; where did they learn this if not from Sokrates their teacher? Look at the gods' response: they have made Sokrates a figure of ridicule; he is impoverished and sits at street corners conversing with a few strangers like a beggar; look at his public life: what significant office has he held? Is this not evidence that god did not wish such an individual to have eminence in our city?' And so on. In my view both Andokides' and Sokrates' trials (we must remember that they took place within a year of each other or in the same year, and that Meletos may have been a prosecutor in both)¹⁴ show the force which the notion of divine intervention in human life still had at the turn of the fifth century. Of course, the *manner* in which the gods intervened in any individual's life was open to interpretation and could be disputed endlessly, as we will see Andokides attempting to do in his defence speech; the important point for our present purposes is the recognition by both defendant and prosecutor of the force of such arguments: a defendant could not afford to deny divine intervention outright; he had to re-interpret the signs in a way more favourable to his case. Thus the terms of reference in a law-court as on Dionysos' stage remain unchanged and essentially unchallenged. This situation is congruent with attitudes to oracles, even among sceptics such as Thucydides: nowhere do we find an outright denial of Apollo's existence or ability to foretell the future, or even of the Pythia's ability to act as his mouthpiece: all we find are attempts to find ever more rational interpretations of Delphic utterances.¹⁵

¹³ Plato, *Euthyphro* 2b-c, has Euthyphro say that the Athenian Assembly laughs at him when he makes a prediction about the future. Aristophanes is constantly poking fun at priests and chresmologues. The Athenians were clearly sufficiently sane not to believe all manner of priestly mumbo-jumbo.

¹⁴ See MacDowell, *Mysteries* 208–10.

¹⁵ Cf. A. D. Nock, 'Religious attitudes of the Greeks', in *Essays II* (ed. Z. Stewart) (Oxford 1972) 541–42.

A further parallel to the prosecution's case against Andokides here comes in Antiphon's speech *On the Murder of Herodes* (81–83). Euxitheos, the defendant, attempts to establish his innocence of the murder of Herodes by pointing to the many safe sea voyages he had undertaken since the man's death, and the many propitious sacrifices he has attended; his reasoning depends on a number of assumptions: the primary concept is that of the pollution, *μίασμα*, which attaches to the person of the murderer, bringing with it divine displeasure; this stays with a man (unless he secures ritual purification), jeopardizing subsequent activities which depend on divine favour for their successful pursuit: the speaker chooses two spheres of activity, seafaring and sacrifice, to show that the gods are *not* angry with him, that he is therefore not polluted, and not the murderer of Herodes.¹⁶ His argument depends on the continued interest of the gods in an individual's fate following an original offence.

The Greeks of this period seem in fact to have had almost a technical term for precisely this concept of someone who has sinned against the gods and lived a subsequent life of misery. The word is *ἀλιτήριος* deriving from *ἀλιταίνω* (*ἀλιτέω*), to sin against, which is well-documented in epic usage as denoting specifically religious offences (*Od.* 4.378; 5.108; 4.807). Thucydides (1.126) and Aristophanes (*Knights* 445) both use *ἀλιτήριος* to denote a sinner against the gods, giving us contemporary parallels.¹⁷ Andokides' prosecutor uses the word of Andokides (52) to denote the miserable sinner's life Andokides has led following his crime; Andokides himself uses the word to cast aspersions on his enemy Kallias' reputation (1.131). There we read how Kallias is to be regarded as *ἀλιτήριος*, destructive, of the household of his father Hipponikos, as he has squandered the entire family fortune. The picture Andokides wishes to draw of Kallias is of someone whose existence represents a drain on the family resources: *ἀλιτήριος* is the status someone acquires as a result of some initial offence or mishap, which stays with that person for the duration of his life. It is closely bound up with the two-tier view of human existence as subordinate to the gods; an *ἀλιτήριος* is someone who has incurred divine displeasure and is hounded by the gods for that reason. He is someone who has upset the delicate balance between the two levels, the human and the divine, which has to be maintained if a satisfactory human existence is to be possible. Again, we find the term *ἀλιτήριος* going considerably further than Mikalson is prepared to concede divine intervention usually went, and linking common everyday thinking (defined, with Mikalson, as that which was congenial to the mentality of the average Athenian jurymen of the period) with epic and tragic ideas.

Two weapons in the arsenal of Andokides' prosecutor remain to be considered. First we have parallels with various notorious sinners adduced by the speaker so as to point up the alleged atrocity of Andokides' crimes. Diagoras is adduced (17) as someone who only abused other people's gods and cults, by comparison with whom Andokides, who outraged his own native institutions, shows up as the worse offender. Batrachos, the notorious sycophant during the reign of terror of the Thirty, is cited as someone who at least has the decency to stay away from Athens now democracy has been restored, whereas Andokides has returned and intends pursuing a political career (45). And at the beginning of the surviving fragment of the speech we find Andokides' case compared to the miserable fate of someone who sinned against an unnamed cult (probably Eleusis)

¹⁶ Above pp. 98–99. On this speech see Ernst Heitsch, *Antiphon aus Rhamnus*, *Abhandlungen der Akademie der Wissenschaften und der Literatur zu Mainz, Geistes- und sozialwissenschaftliche Klasse* (Mainz 1984) Nr. 3, 33–89. Parker, *Miasma* 17, on fears of pollution during seafaring.

¹⁷ On the term see Neil's edition of Aristophanes' *Knights* (on line 445). Parker, *Miasma* 15 note 66, on the related term *ἀλιτρία*.

and found thereafter that even the most delicious food smelled awful, a situation which resulted in death by starvation (1–2). The last incident is comparable to the fate of Kinesias, who, as ringleader of the notorious club of ‘Hell’s Angels’ (Kakodaimonistai), suffered chronic illness in consequence of the group’s impious and unholy activities; his sufferings (protracted as they were) were construed as the god’s special way of punishing him (in his function of ringleader) compared to the other members of the group who were merely struck down dead (Lysias fr. 5, Gernet-Bizot = Athenaios 12.551d-552b). These comparisons by Andokides’ prosecutor are, of course, rhetorical topoi; however, their place in his speech and Andokides’ attempt to turn the *ἀλιπήριος* motif back against his opponent, show that they were still forces to be reckoned with in an Athenian court of law. What, in fact, strikes one above all, is the *contrast* between the liberal thinking, not to say iconoclasm, which characterizes a Diagoras, a Kinesias, or an Alkibiades, and the virulence of the public reaction to their impieties. Religion was anything but a dead issue, apparently. It might incite men to daring acts of defiance, or it might move the people to strike these non-conformists down with the death penalty.¹⁸

The final motif I wish to draw attention to in the speech for the prosecution is the question of Andokides’ suitability for high office given his status as a religious offender. In 4–6 the speaker imagines the situation which might arise if Andokides came forward at the drawing of lots for the archonships, and was made Archon Basileus for the year. This office would entail his supervising the celebration of the Eleusinian Mysteries that year, to the obvious embarrassment of Athens, as, the speaker says, Andokides is well known among the Greeks as a sinner against this very cult: ‘What do you think the Eleusinian celebrants’ reaction will be when they see who is Basileus, and recall the man’s impious past? And how will the other Greeks feel who come (sc. to Athens) because of this festival, wishing either to sacrifice at it or to attend in state? Andokides, you understand, is not unknown for his unholy crimes either inside or outside Athens.’ (5–6) In assessing this argument and its variations (cf. 33) we should recall that the man behind the trial was Kallias, acting Dadouchos of the Eleusinian cult, and the prosecutor here a representative of the Eumolpids. Surely we can detect a motive for the trial here: these officials wished to prevent Andokides from obtaining any significant office of state, and in particular a religious function. Their motives for not wanting him as a colleague are another matter (which we will be returning to when considering Andokides’ defence); a feeling of outrage at his alleged crimes in the past is likely to have been a part, but not the whole story.¹⁹ It is of course stating the obvious that personal rivalries and resentments play a part in the appointment and promotion of clergymen within the Christian Church; nevertheless it is interesting when we come across such a case in antiquity.

The overall impression we gain from the prosecutor’s speech, then, is that of a religious zealot determined, by fair means or foul, to castigate Andokides as a godless man. There is some force in the argument that the end of the Peloponnesian War and the restoration of democracy in Athens in 403 also ushered in an era of restitution in the religious field; one can argue that the Perikleans went too far; that the Peloponnesian War itself had caused an undermining of values and piety, and that the Athenians attempting to rebuild their city following this protracted catastrophe were keen to get back to religious

¹⁸ Cf. Dodds, *Greeks and the Irrational* 188–89.

¹⁹ On the element of family feud in the trial see above n. 5. Parker, *Miasma* 171, discusses fourth-century examples of individuals ‘framed’ on a capital charge of *ἱεροσυλία*, where the prosecution’s real motive lay elsewhere.

basics in order to restore law, order and not least, no doubt, the favour of the gods.²⁰ The arguments we have seen used by Andokides' prosecutor bear witness to the continuing (perhaps to a degree restored) currency of such archaic-sounding ideas. Nor should we forget that Euthyphro, in the same year as Sokrates' trial, planned to prosecute his own father for the more or less accidental death of the father's slave, for no other purpose than to remove the religious taint which attached to the whole family as a result of the death.²¹ Religious fanatics men such as Meletos, Euthyphro, and our prosecutor may have been, but they must also have been the spokesmen of a powerful section of public opinion.

When we turn to Andokides' defence we find him addressing himself to all the above points in the prosecution's case. The main body of the defence speech is of course devoted to the question of his guilt in 415; he denies a part in the profanation and seeks to minimize his guilt in the mutilation. This aspect of his defence need not detain us further here, as it has been sufficiently treated above. Nor need the question of the applicability of the decree of Isotimides to Andokides in 400 occupy us, as this is a legal question not pertaining to the religious arguments of the antagonists.²² I will return to Andokides' defence against the charge of having placed the suppliant branch on the Eleusinion altar shortly when dealing with Andokides' attack on Kallias. We must consider how Andokides seeks to undermine the prosecution's case that he is an impious man.

He addresses this point most directly quite late in the speech (one should remember that the *last* section of a speech is that which is freshest in the jurymen's minds). His argument is that there is inconsistency in the prosecution's case in attacking him now, in 400, for impiety, when he has already been residing for three years in Athens and performing various religious functions without anyone objecting: 'Consider now, gentlemen of the jury, why during the three years of my residence in Athens after my arrival from Cyprus I did *not* appear an impious man to my present opponents, who together with Kallias are the instigators and sponsors of this trial. I helped A., a man from Delphi, to be initiated at the Mysteries, and various other foreign friends of mine; I went into the Eleusinion and sacrificed, as I believed I was entitled to. The truth is rather that these very men put me up for various liturgical offices; first there was my job as Gymnasiarch at the festival of Hephaistos; then I was the chief envoy to the Isthmian and Olympic Games; then again I was treasurer of the sacred reserves on the Acropolis. Am I only now guilty of impiety and commit an offence when I go into these temples? I will tell you why these men maintain this now' (132). Andokides goes on to state the private motives behind Kallias' law-suit, thus accusing them in effect of hypocrisy. Before examining these allegations by Andokides, it is worth pointing out that the delay of three years between Andokides' return to Athens and his trial *could* be explained either by the slow movement of the legal process, particularly when it was overburdened with a general review of the entire legal system, or by the spirit of the 403 amnesty, when it was declared desirable 'not to bear a grudge' for past iniquities (*μη μνησικακεῖν*). One could argue that public tolerance wore off gradually in the years following the amnesty, particularly when individuals such as Andokides with a record of crime behind them,

²⁰ The re-drafting of the sacrificial calendar at the end of the Peloponnesian War is a pointer in this direction, but typically Athenian somehow, in that instead of the operation being conducted in dignified solemnity, the man charged with drafting the new religious code, Nikomachos, was himself prosecuted for corruption! (see Lysias 30, *Against Nikomachos*).

²¹ Plato, *Euthyphro* 4b-e. Burnet (*Euthyphro, Apology and Crito* (Oxford 1924)), argues for the historicity of Euthyphro's lawsuit. My father, D. J. Furley, points out to me that Euthyphro's story is so intricately devised to suit Plato's purpose that it may well be essentially fictitious.

²² Cf. MacDowell, *Mysteries* 200–03.

began to exploit the amnesty by resuming a public career.²³ I only wish to point out that this is a *possible* interpretation of the three-year interlude before Andokides' trial came on. We are not in possession of all the facts.

Andokides turns to the base motives of his opponents. Agyrrhios, says Andokides, is angry with the orator for thwarting him in the matter of buying a tax concession; Andokides accuses him and the other members of the consortium which had farmed the tax previously of corruption, and narrates how he managed to wrest the concession from their corrupt hands (in order, he states, to employ it in a way more beneficial to the state himself); thus Agyrrhios' motives in prosecuting Andokides are made out to have nothing to do with the real charge of impiety, but instead to concern his private vendetta with Andokides for putting an end to his corrupt exploitation of a tax concession (133–36). Kephisios is similarly denounced for the crime (before the Thirty) of having farmed a tax only to disappear with the proceeds, instead of handing over the money to the State (92); elsewhere Kephisios is repeatedly referred to as the lackey of Kallias, prosecuting Andokides for the money Kallias pays him (111, 121, 122); that Kephisios did indeed have a bad reputation is conceded even by the speaker for the prosecution (42). Meletos is denounced as someone who had caused the death of (sc. innocent) men under the Thirty (94); Epichares is labelled 'the very worst of all men, and someone who wants it like that as well' (95), a common sycophant, and male prostitute of ugly physique (100). Andokides saves his main attack for Kallias, who, he claims, is only prosecuting Andokides at this juncture in order to defeat the orator in a dispute over a marriageable girl (117–29); we will be returning to aspects of Andokides' account of this dispute shortly. Suffice it here to point out the brunt of Andokides' argument in these accusations: the charge against him is one of impiety; but his prosecutors are themselves in various ways all guilty of impious or otherwise corrupt behaviour; moreover, their motive in prosecuting him now has nothing to do with piety or Eleusis but is in fact money and marriage rights. In arguing like this, Andokides is attempting to show the jurymen that the formal charge is a mere pretext; his prosecutors are hypocrites; their motives are base personal greed.

How does Andokides counter the *ἀλιτήριος* motif of the prosecution? In a two-fold way. In the first place he argues that his tribulations in the course of his seafaring bear witness to divine favour rather than disfavour; the passage is interesting as it contains a synopsis of the theology which Andokides believes will be palatable to the jury, and worthy of himself:

My prosecutors accuse me also in the matter of my seafaring and life as a merchant seaman; they claim that the gods brought me through all those dangers so that I might arrive here, apparently, and fall victim to Kephisios. But I personally, fellow Athenians, do not believe the gods would have been of a mind to let me off, catching me as they did amid quite horrendous perils, if they thought they had been wronged by me. What danger to man is greater than to sail to sea in all weathers? Would the gods have saved me when they had me in their grasp like that and were masters of my life and livelihood? Was it not possible for them to deprive my body even of burial? And then when war broke out and warships and pirate vessels were a constant hazard at sea — think how many have been captured, robbed of their possessions and lived out their lives in slavery as a result — or again barbarian country which has seen so many seamen thrown ashore in the past and subjected to the most horrendous privations and tortures to the body

²³ Various Lysianic speeches could be adduced to bear this out: e.g. 13, *Against Agoratos*; 16, *In Defence of Mantitheos*.

ending in death — did the gods save me from all these perils and then appoint Kephisios as executor of their retribution? — Kephisios, the lowest of the Athenians, who claims to be a citizen but is not, and whom no single one of you sitting there would entrust with any of your possessions because you know what he's like! It is my personal conviction, gentlemen, that we must consider such perils of human origin, and those at sea divine. And if we really must interpret the gods' affairs, then I believe that they might have cause for real anger and resentment if they were to see individuals whom they had saved being destroyed by men. (137–39)

The argument is masterly; Andokides combines an unobtrusive affirmation of his own belief in the gods (*θειους* 139), with a rhetorically plausible case for believing that his opponents are the ones acting contrary to divine will, not himself. He succeeds at the same time in showing the absurdity of the prosecution's case (which we have seen seriously maintained in the anonymous speech for the prosecution) that divine will has led Andokides through many years of trials and tribulations finally to deliver him up to Kephisios as the instrument of divine vengeance. He has deflated the prosecution's case without questioning the mechanism of divine will or theodicy in any way: this is an important point for a man accused of impiety. In short we find in this passage the application of a subtle and rational intelligence to matters which we might be inclined to regard as superstitious, but in fact formed a significant and sensitive area of Greek religious belief. It is this combination of rhetorical sophistication with a substrate of fundamental belief which seems to me characteristic of the state of Athenian religion at the time. We shall find further evidence of it in connection with the suppliant branch.

The second aspect of Andokides' reply to the *ἀλιτήριος* charge by the prosecution consists of an attempt to turn the tables on his opponent by showing that it is Kallias who is *ἀλιτήριος*.

Well now, gentlemen, I want to refresh your memory briefly on Kallias. You may recall that when our city was leader of the Greeks and was at its peak of prosperity, Hipponikos was the wealthiest man among the Greeks; you are all aware, however, that at the time a rumour was current among our most junior citizens and lady-wives throughout the city to the effect that Hipponikos was raising an *aliterios* in his household, who was in the process of bankrupting him. You remember this, gentlemen. Well how does the rumour which was current then appear to you to have turned out? Hipponikos thought he was raising up a son; in fact he was raising an *aliterios*, who ate up his wealth, his reputation, everything he stood for. The right way of regarding Kallias, then, is as Hipponikos' *aliterios*. (130–31)

Andokides wishes to portray Kallias as someone whose life had from the beginning gone grievously wrong, representing a constant drain on the family fortune and resulting in the impoverishment of Hipponikos' line in financial and moral terms. As a matter of interest, Andokides' description can be substantiated by various independent sources;²⁴ there was something in it, obviously, although *aliterios* remains a far too emotive term to describe the acting *Dadouchos* of Eleusis. Andokides broadens his canvas on Kallias by describing the sensational background to Kallias' present claim on one of Epilykos' daughters. Kallias had apparently married the daughter of the wealthy Ischomachos; then,

²⁴ Aristophanes, *Birds* 283–86. Cf. MacDowell, *Mysteries* 10–11; Clinton, *Sacred Officials* 49. Cox, 'Incest, inheritance and the political forum' 34ff.; Eupolis' *Demes* also had rude things to say about Kallias.

within the year, he took to wife this woman's own mother and 'this lowest scoundrel among men cohabited with both the mother and the daughter and kept both of them in his house despite his position of priest of the Mother and the Daughter. He neither respected nor revered these goddesses; I should add that Ischomachos' daughter decided that death was preferable to living on faced with this situation. She tried to hang herself but was interrupted in the act and, when she had recovered, she ran off from Kallias' home' (124–25). Andokides succeeds not only in besmirching Kallias' name generally by recounting such behaviour, but also in presenting it as contrary to the spirit of the Eleusinian cult, the fault of which Andokides himself stood accused.

Kallias' corruption as a priest is further exemplified by Andokides' account of the sequel to this marital adventure; Kallias in time grew weary of the mother too and ejected her from his house; she was pregnant, however, and bore a son to him after the separation; at the Apatouria festival (at which children were presented to the phratry), the relatives of the woman took the child and presented it to the officiating priest (who was Kallias himself) as 'the son of Kallias, son of Hipponikos'. Taken aback, Kallias denied he had any other son than Hipponikos by Glaukon's daughter, and solemnly abjured parenthood of this infant. Later, however, he 'conceived a fresh passion for the brazen old hag' and took her back into his house; moreover he introduced the boy, who had grown quite big already, to his clan of Kerykes: 'clasping hold of the altar he swore that the child was his own legitimate son, the offspring of Chrysille; this was the child he had previously abjured.' (125–27) To the charge of degrading his office as Eleusinian Dadouchos and presiding official at the Apatouria, Andokides has added the point that his opponent is guilty of perjury, an offence which was particularly offensive to the gods.²⁵

Thus Andokides' defence against the charge of having led a life which is basically antipathetic to the gods comprises on the one hand rational refutation of the case against his own person, as far as this is possible; on the other, a demonstration that it is Kallias, his real opponent in the present trial, who sins against the gods. He does not question the prosecution's terms of reference as such; it is the individual's standing with respect to the divine institutions concerned which is at issue. This analysis does not amount to a proof of Andokides' *belief* in divine retribution or intervention of any kind; it is, however, a reliable pointer to the views which, in Andokides' and his prosecutors' view, were commonly held by Athenian jurymen.

The argument over the suppliant branch placed on the altar in the Eleusinion during the Mysteries offers further illustration of a number of the above points. After the celebration of the Mysteries in 400 (or 399), which Andokides attended, it transpired that someone had placed a suppliant olive-branch on the altar of the Eleusinion at Athens during the celebrations; this was against the law: Andokides' prosecutors maintained that the punishment according to ancestral law was death. The Basileus, whose responsibility it was to review the annual celebration of the Mysteries, was informed of the incident, and accordingly convened a meeting of the Boule in the Eleusinion to investigate, ordering Andokides (the suspect) and Kephisios (the plaintiff) to attend. Kallias was also there, 'dressed in his costume' of Dadouchos; he it was who announced to the Boule that a suppliant branch had been illegally placed in the Eleusinion, showing it to the councillors as evidence. A public proclamation was made to the effect that the guilty party should identify himself. Neither Andokides nor anyone else of those waiting outside the Eleusinion came forward, even though Kephisios 'looked Andokides in the eye' (110–12). At this point we should pick up Andokides' reasoning:

²⁵ Cf. Mikalson, *Athenian Popular Religion* 31–38.

The truth seems to me the very opposite of what my prosecutors claim. For they maintained, if you recall, that the Two Goddesses themselves induced me to place the suppliant branch there in ignorance of the law, such that I would receive punishment. But if their account were true to the letter, I still maintain that I was in fact *saved* by these very goddesses. For if I had laid the branch but had not owned up, surely I was responsible for my own undoing in *placing* the suppliant branch, but was saved by chance through not admitting to it, thanks to the two goddesses obviously. For if they had wanted to destroy me, it was clearly necessary for me to admit to the deed even if I had not placed the branch there. In fact I neither admitted it nor placed the branch in the first place. (113–14)

The theme of divine intervention was clearly pursued by the prosecution in the incident of the suppliant branch also, even though the surviving speech of the prosecution does not mention this subject. Andokides' first point is that he did not lay the branch in the first place; as will emerge below, this is likely to be true. Then, however, he analyses the consequences of assuming that he *did* lay the branch, in order to counter the prosecution's argument about divine anger. Using quite sophisticated logic he demonstrates a loophole in the prosecution's case: if he had placed the branch in ignorance of the law, then his subsequent failure to come forward as the perpetrator of the deed can only be ascribed to luck (*τύχη*) — which phenomenon, Andokides is quick to point out, is equivalent to divine intervention since it is beyond the grasp of human reason. Again, then, we see a defence based on the premisses of devout piety, and no attempt to pooh-pooh the very notion put forward by the prosecution. At the same time Andokides' argument here is an excellent illustration of the phenomenon I noted above, the confrontation between a rationalism attributable to the Sophistic movement with the tenets of traditional piety. In the final analysis Andokides convinces us of his command of logic rather than his faith in the gods; in the first place, his argument is hypothetical (he says he did not lay the branch in the first place, he will only assume it for the purposes of argument); second, he introduces the concept of chance (*τύχη*), which is quite sufficient for the purposes of the argument, and only converts this to divinity as a kind of afterthought;²⁶ there is absolutely no reason to think that the Tyche of Thucydidean history, for example, has any divine component²⁷. I am not saying that Andokides is implausible at this point — on the contrary, he displays an excellent command of the strategy necessary to defeat his opponents at their own game; only that there is a kind of incongruity between the sophistication of his argument and the essentially primitive character of the dispute itself. And this incongruity seems to me typical of the state of Athenian religion at the time.

Beyond this the incident sheds further light on the character of Kallias and his credibility as a 'defender of the faith':

Then Kallias stood up again and said that according to ancestral law anyone who placed a suppliant branch in the Eleusinion should be put to death without a trial; his father Hipponikos had once expounded this as traditional law to the Athenians, and moreover he had heard that I had placed this suppliant branch. At that point Kephalos here jumped to his feet and said: 'Kallias, you are the most impious of men. First you expound sacred law as a member of the Kerykes clan, although it is not according to holy law for you to do so; next you quote an ancestral law, whilst the column which you're standing beside stipulates a fine of a thousand drachmai if anyone places a suppliant branch in the Eleusinion. Finally, who told you that

²⁶ Note Euripides *Her.* 1392–3 (*τύχη Ἥρα*) for precisely this confrontation of *τύχη* with divine will, with Yunis' discussion, *New Creed* 168.

²⁷ Against Cornford, *Thucydides Mythistoricus* on the Pylos episode.

Andokides laid the branch? Speak the name out loud to the councillors, so that we too may hear it.' Well, after the wording on the stele had been read out, and Kallias failed to say from whom he had the information, it became obvious to the council that he himself had laid the branch. (115–16)

Assuming Andokides' account here is substantially true (it appears convincing enough), it demonstrates a remarkable willingness to manipulate religious law by a high-ranking Athenian priest, as well as a curious disregard of the same law. If Kallias was really intending to 'frame' Andokides, it was a cynical and illegal application of a clause of sacred law which must have had its origin in the belief that absolute religious purity was necessary during the Eleusinian Mysteries; a sinner placing a suppliant branch in the Eleusinion while the Mystai were absent in Eleusis clearly constituted a threat to this ritual purity. One would have thought that Kallias, as Dadouchos, would have considered the danger of incurring divine displeasure himself as a result of the ploy; clearly the religious conscience of this one priest at any rate had come a long way from the spirit in which the religious injunction was originally composed. Moreover, as Kephalos pointed out, the right to interpret the so-called *πάτριοι νόμοι* was the prerogative of the Eumolpids, not the Kerykes, so Kallias had not been within his rights. Of interest also is the obvious collision here between an aspect of the unwritten 'traditional law' and a later, written, formulation of the penalty for the same offence. We can surely trace here a development in religious law in two respects: first, the prerogative to interpret and cite unwritten law is taken from a single Athenian clan, thus opening up 'classified material' to the public;²⁸ second, the penalty appears to have changed in the course of the revision from death to a relatively severe money fine. Thus both Kallias' manipulation of the law here, and the development in its formulation which emerges from the stele, point in the direction of a slackening of regard for this particular offence; a slackening, note, not an abolition.

In sum we can say that Andokides' defence places some fairly serious question-marks against the professedly pious motives of his accusers; he succeeds in casting convincing slurs on the reputation of Kallias, his chief antagonist and high-priest of the cult against which he, Andokides, is alleged to have sinned; he makes plausible to the jury that the present trial is less about religion than about the mercenary desire of Agyrrhios for the continuation of his right to extort personal profit from a tax concession, and of Kallias to extend his series of marital debauches with a girl who by normal rights of kinship belonged to Andokides. On the other hand, we have been able to observe a continued respect on both sides for the gods themselves, divine judgment, and the gravity of cult observance. The respect shown these institutions is, as I said, not proof of inner belief or faith, but it is an indication of a consensus of opinion among the Athenian jurymen weighing up the issue. How do these findings compare with comparable trials for impiety at Athens?

Derenne's remarks on the ulterior motives involved in the impiety trials of the fifth and fourth centuries BC are not invalidated by the question-mark hanging over the historicity of actual court-cases conducted against certain philosophers (Protagoras, Anaxagoras, Prodikos).²⁹ He first establishes a series of *theoretical* reasons why it was necessary for

²⁸ A point emphasized by Feaver, 'Historical Developments in the Priesthood', and Garland, 'Religious Authority'.

²⁹ E. Derenne, *Les procès d'impieété intentés aux philosophes à Athènes au V^{me} et au IV^{me} siècles avant J.-C.* (Liège 1930, repr. New York 1956). Is it possible to sit on the fence as regards the doubts Dover has raised about the historical reality of the trials so painstakingly analysed by

those thought guilty of impiety to be brought to trial: in particular he emphasizes the identity of state and religion in ancient Athens, making an offence against state cult equivalent to an undermining of the state; beyond this, he points out that, if the state were to tolerate impiety, the guilt of the offenders would devolve on the rest of the community as having failed in their duty to defend the gods' rights (this is, in fact, one of the reasons Andokides' prosecutor adduces in his speech for condemning Andokides); furthermore religion was seen as the corner-stone of moral behaviour itself; should the standing and solemnity of cult be eroded, moral standards would likewise topple. Derenne makes these remarks only to point out that there was often a considerable gap between the theory of piety and the practice of trials for impiety, that is, between absolute questions of faith and obedience, and the reality of individual prosecutors' motives. His words are worth quoting in full:

These were the reasons which in theory legitimized prosecution of enemies of religion. But were the lawsuits conducted against philosophers really the consequence of applying these principles? In other words, were the prosecutors always motivated by care for the well-being of the community? Did they always act solely in the interests of defending and avenging the religion which they claimed had been violated? The history of these trials shows clearly, in my opinion, the gulf which separated theory and practice here as elsewhere.

At Athens, as in other ancient Greek cities, there was no magistrate with a function equivalent to a modern French 'ministère public' [cf. German 'Staatsanwalt']. The State was content to establish laws and to leave it up to the citizens to denounce offenders to the officials. The judicial process was not automatically set in motion, as it is today; moreover, the principle 'no case without a prosecutor' was always operative.

However, it is doubtful whether religious or patriotic sentiments would if left to themselves have been sufficient in every case to motivate the prosecutors. For an individual to come forward, fully prepared to take on the burdens any lawsuit inevitably brought with it, and to expose himself in the case of defeat to a fine of a thousand drachmai and partial loss of rights, there had often to be other factors at work of more immediate interest. It is here that we should recognize that the opinion of L. Schmidt, who sees the underlying reason for these religious trials in politics, contains a large element of truth. In fact, in most of the cases, it is political and personal rivalries which determined the accusers to act.

We have Plutarch's word for it (*Per.* 32) that Diopieithes' prosecution of Anaxagoras for impiety was in fact a disguised political attack on Perikles; likewise one can make out

Derenne? If forced to adopt a position I would come down as follows: there may have been no actual court-cases against Protagoras, Anaxagoras, Prodikos, Diagoras, but this does not mean that there were no heated feelings in Athens during the war years directed against such (predominantly) foreign free-thinkers. Neither Diopieithes himself, nor the hostility toward Sokrates which Aristophanes exploits in the *Clouds*, can have been a spectre. Moreover Sokrates in Plato's *Apology* defends himself against the common assumption that he is 'one of the sophists', a man who teaches 'on the heavenly bodies and the subterranean world', who 'doesn't believe in gods', who 'makes the weaker argument appear the stronger' (23d). He asks Meletos at one point (26d6) 'do you imagine you are prosecuting Anaxagoras, Meletos?'. These remarks do not prove that Anaxagoras was ever prosecuted by anyone, but they become redundant if we deny public hostility to typical philosophers as an historical fact. Sokrates may have been the only philosopher who was actually prosecuted and condemned in an Athenian court of law in this period, but this does not mean a vicious mood did not prevail throughout the war years against men who undermined group solidarity as embodied in joint worship of traditional gods. The 'philosopher-trials' recorded by the doxographers are surely the (somewhat copious, no doubt) smoke coming from a real smouldering resentment against the free-thinkers at this time. Thus also Parker, *Miasma* 189f.

a good case for supposing that Sokrates' accusers were prosecuting him as much for his education of Alkibiades and Kritias, and his pro-Spartan leanings, as for the overt religious charge; Derenne traces in other cases (those of Protagoras, Aristotle) similar party-political antipathies behind the impiety charge:

It is a striking fact that in each case where we know who the prosecutors were, they always belonged to the political camp opposed to that of the accused, to such an extent in fact that one is justified in saying that, for the most part, religion was only a weapon in the service of politics.

Despite this, Derenne shrinks from the conclusion that these trials constituted pure hypocrisy. Whilst emphasizing the personal and political antipathies which often underlay each particular case, he qualifies this with the observation that the mood prevalent among Athenian jurymen concerning piety is a factor not to be underestimated: 'Moreover, we must suppose either that the majority of the juries did not always discover the true motives of the accusers, or that religious sentiment among their members was stronger than their political enthusiasms. The condemnations seem, then, to have been principally the result of popular reaction against the advance of atheism, of public hatred of impiety, of the people's desire to see religion defended and protected, and its belief that the anger of the gods would fall back on them if impiety went unpunished. But these religious reasons were reinforced or countered, according to the individual case, by political passions to a degree which we are not able to determine.'

Derenne's observation of an antinomy between a basic core of piety current among 'average Athenians' and somewhat hypocritical, sometimes downright cynical, exploitation of the impiety laws for private purposes, is a theme taken up by Rudhardt in his work toward a definition of impiety in Athenian religion at the time: 'Derenne has shown that political motives often gave rise to the lawsuits aimed at philosophers in Athens. But one should not conclude over-hastily that religion was only a convenient excuse to serve as cover for party-political manoeuvres. Doubtless it was sometimes used in this way; but I personally would hesitate before condemning the hypocrisy of the prosecutors without more information. Religious and political sentiments are too closely bound up with each other in Greece. The city-state and its institutions are an object of *εὐσεβεία* just as much as temples and the gods. Just as personal immorality confirms impiety manifested in failure to observe cult, so a lack of public-mindedness or political misconduct can constitute a sign of impiety.'³⁰ Nock has observed a similar trend in belief in oracles among Athenians of this period: there is adequate realization of the fallibility and even corruption of those humans responsible for divulging or interpreting oracles; but the institution itself, the belief, for example, that Delphi was truly the mouthpiece of Apollo, and that Apollo knew the future, was denied by 'few save professed Cynics and Epicureans'.³¹ It is also an important theme running through Andokides' trial: the issues of divine providence, divine anger and punishment, the individual's standing with regard to the gods, are themes which are employed by Andokides and his prosecutor equally; but his demonstration of the prosecution's lack of integrity and his own (relative) innocence carried the day with the Athenian jury.

³⁰ Rudhardt, 'Délit d'impiété' 104.

³¹ Nock, 'Religious attitudes' 541; Parker, 'States and oracles' 302ff.: 320ff.

APPENDIX ONE

Dating Issues

The purpose of this appendix is to discuss issues connected with the absolute dating of events in 415 BC. Little certainty can be achieved despite the Herculean endeavours of scholars to establish an accurate calendar for this year (and others) in Athens. My aim is to put together a sequence which does not contradict any reliable evidence we have, and to indicate places where controversy rages. An approximate time-chart is appended at the end.

We may begin with the election of generals in 415. As Macdowell says,¹ it is a fair assumption that the election of generals in the late fifth century took place at the same time as in the fourth, which we know from the Aristotelian *Ath. Pol.* (44.4) was in the seventh prytany; the seventh prytany in 415 ran approximately from February 10 to mid March.² The generals elected included Alkibiades, Nikias and Lamachos. If we are to suppose that an *ostrakophoria* really did take place in 415, in which Alkibiades, Nikias, Phaiax and Hyperbolos were the main contestants, then this occurred before the election of generals; Raubitschek has argued for this dating of the last known case of ostracism at Athens, at which Hyperbolos was ostracized, but I believe 416 is somewhat more likely.³ As a matter of interest, one of Raubitschek's main points is that the debate between Alkibiades and Nikias on Sicily which Thucydides gives may correspond to the debate in an *ostrakophoria* (which Thucydides for whatever reason sees fit to omit). However, it would seem that the initial decision to send a flotilla of sixty ships to Sicily (taken, presumably, at Thucydides' first debate, 6.8.1: τοῦ δ' ἐπιηγημένου θέρους ἄμα ἦρι)

¹ *Mysteries* 186.

² For the absolute dates in this chapter I rely chiefly on B. D. Meritt's studies of the Athenian calendar for this period: (1) 'The Departure of Alcibiades for Sicily', *AJA* 34 (1930) 125–52 (= 'Departure of Alcibiades') (2) in: *Athenian Financial Documents* (Ann Arbor 1932) 152–79, he modifies these views somewhat, in particular to accommodate his new conviction that 415/4 was an intercalary year, containing the second Hekatombaion month stipulated in the Eleusinian Aparchai Decree. (= *AFD*) (3) 'The Chronology of the Peloponnesian War', *Proceedings of the American Philosophical Society*, 115 (1971) 97–115, an account which is remarkable among other things for the vitriolic way in which Meritt attacks Pritchett's rival calendar scheme; the heat of the debate on some points is perhaps eloquent witness to the extreme difficulty of settling some of the crucial points. Like MacDowell (*Mysteries* 186), I must capitulate in face of the complexities of the debate, and content myself with relying on the soundness of Meritt's arguments in most cases, though tempering these with Dover's findings (*HCT* IV 265–88), which have value independent of MacDowell's own. Aurenche, *Les Groupes* 155–58, on the chronological questions, does not attempt a detailed analysis, contenting himself with a middle course which 's'efforce de tenir compte des différentes solutions avancées.'

³ 'Case against Alcibiades'; R. Sealey, *A History of the Greek City States, ca. 700–338 BC* (University of California Press, Berkeley LA and London 1976) 353, speaks of the ostracism in 415 as if it were an established fact; conversely, G. A. Lehmann, 'Zur Krise' 43 and note 22, argues for a return to the 417 date.

fell after the election of generals.⁴ Hence, if the situation is as Raubitschek maintains, Thucydides has transposed arguments from a context earlier in the year to one later.

The month of April sees a number of important decisions relating to Sicily. On the one hand we have two meetings of the Assembly occurring within four days of each other (Thuc. 6.8.3), which result in the final decision to send a large expedition to Sicily. Thucydides give the date of these meetings as 'in spring of the following campaigning season' (6.8.1). On the basis of a passage in Aristophanes (*Lys.* 391–96) a number of scholars have attempted to date these meetings of the Assembly precisely, to coincide with the known date of a festival of Eros in Athens.⁵ As I argue on pp. 141ff., I do not believe that the Aristophanes passage is any help in the absolute dating of these meetings of the Assembly, nor that the Adonia can be equated with the festival of Eros.

On the one hand, then, we see in April the finalizing of the decision to invade Sicily. On the other hand, the Eleusinian tax decree may be datable to the eighth prytany of 416/5 (mid March to c. 23 April), and possibly to the seventh (early February to mid March).⁶ I have argued that the tenor of this bill, and the person whose name is associated with it, characterize it as stemming from the 'peace party' in Athens at the time. If this is accepted, it would seem likely that it was passed in 415 at precisely the time when debate on Sicily was at its peak, but the final decision to invade not yet taken — in other words, in late March or early April. Conversely, if the dating of both these developments — the decision to sail against Sicily and the decision to enhance Eleusis' status in the Greek world — is accepted as falling within these parameters, then we have an incidental confirmation of the bearing of the Eleusis decree on the political argument raging in Athens at the time.

IG I³ 370.48–60 (= Meiggs and Lewis 77) records four payments from the state treasury to the generals appointed to the Sicilian command, but the stone is so poorly preserved that little or no help in dating these payments is to be gained.⁷

The various occasions on which the Mysteries were profaned in private houses must be placed in the early months of 415 up to and including May. We hear of such performances in the houses of Poulytion (*Andok.* 1.11–13), Charmides (*ibid.* 16), Pherekles (*ibid.* 17–18), Alkibiades (*Plut. Alk.* 22.3), a metic (*Diodoros* 13.2.4), as well as the unlocated profanation informed on by Teukros (*And.* 1.15). Moreover the present tenses used at various points by Andokides to report these profanations (e.g. 12: *μυστήρια γίνονται*; 16: *μυστήρια ποιεῖν*; 17: *μυστήρια γίνεσθαι*) may be iterative in aspect, pointing to repeated performances of mock mysteries.⁸ Be that as it may, there is

⁴ See Meiggs and Lewis *GHI* 78 fr. b 2–3 with commentary, for an original option of sending only one general in command of the whole expedition (Alkibiades?). Meiggs and Lewis relate the inscription to the first meeting of the Assembly mentioned by Thucydides 6.8.2.

⁵ E.g. MacDowell, *Mysteries* 186–87; Meritt, *Hesperia* 4 (1935) 573–75. On the festival of Eros celebrated in the Acropolis sanctuary of Aphrodite *ἐν Κήποις* see O. Broneer, 'Eros and Aphrodite on the N. slope of the Acropolis in Athens', *Hesperia* 1 (1932) 31–55, esp. 43ff.

⁶ Cf. Meritt, 'Chronology' 109. Line 60 of the decree — *Λάμπων ἐπιδείχσατο τῷ βολέι ἐπὶ τῆς ἐνάτης πρυτανείας* — offers a *terminus ante quem* for the decree. Dinsmoor's dating of the decree to 415 requires that the prytany in which the decree was passed (that of Kekropis) was the eighth. Cf. Meiggs and Lewis *GHI* 222–23.

⁷ Cf. MacDowell, *Mysteries* 187. Meiggs and Lewis *GHI* 235, advise caution: 'in our belief the inscription (sc. for the four payments to the Sicilian generals) offers no certain fact to supplement the literary evidence, and the possibilities for restoration are too various.' Meritt, 'Departure of Alcibiades' 140, restored the ninth prytany for the first payment to the generals.

⁸ *Les Groupes* 160, citing Dalmeyda. MacDowell, *Mysteries* 69, prefers to take these forms as historic presents, which, he says, 'Andokides very often uses in indirect speech, sometimes (e.g. 41–42) intermingling them'.

ample evidence that the profanation of the Mysteries was not a single, isolated occurrence, but was repeated on a number of occasions and at various private houses in the period leading up to the mutilation of the Herms. We know the profanation of the Mysteries preceded the Herms mutilation from Thucydides (6.27–8). If it is accepted that Eupolis' mockery of Alcibiades in his *Baptai* related to Alcibiades' profanation of the Mysteries (apparently he showed him taking part in rites sacred to Kotyto, but that may have been an oblique way of hinting at the Eleusinian Mysteries),⁹ then the profanations must have been known (to some) well before the Dionysia of 415.

We pass on to the mutilation of the Herms. Thucydides' account tells us that they were mutilated during preparations for the expedition (26.2–27.1), and that the expedition sailed 'after the middle period of the summer had begun' (30.1: *θέρους μεσοδντος ἤδη*), which Dover believes means 'any date between early May and late July'.¹⁰ There was clearly a delay because of the Herms incident, during which Alcibiades was accused of profaning the Mysteries, and the question of whether he should stand trial immediately or later was settled, but Thucydides' account gives the impression that there was no very great interval between the mutilation of the Herms and the departure of the expedition: Alcibiades' enemies did not wish him to stand trial immediately for they feared that the expeditionary force was on his side (29.3: *δεδιότες τό τε στρατεύμα μὴ εὔνοον ἔχῃ*), an expression which only has meaning if the force was already assembled and impatient to start. Both Plutarch (*Alk.* 18) and Diodoros (13.2) state categorically that the mutilation occurred when the fleet was already assembled and ready to go. Meritt emphasizes the point that little time elapsed between the mutilation, the accusation of Alcibiades, and the departure of the fleet.¹¹

Meritt's reconstruction of the events places the mutilation on the night of the 7/8 of June, directly following the final payment to the generals, the accusation of Alcibiades on June 17, and the departure of the fleet on the 20th of the month.¹² MacDowell protests that these precise dates are arbitrary, but accepts Meritt's sequential reconstruction.¹³ Dover puts this sequence somewhat earlier in the year, with the mutilation falling on May 25 in his reconstruction, and the departure of the fleet on June 4.¹⁴ The reason for this discrepancy between their schemes lies in their differing answers to the question: did the mutilation take place at the end of a lunar cycle, that is, at the end of a civil month, as Plutarch says, or on a night when there was a full moon, as the paid informer Diokleides maintained? Meritt and MacDowell argue that Plutarch's account of one informer whose testimony was invalidated by the fact that he claimed to have seen the criminals by the light of the moon when in fact there was no moon on the night of the crime can surely be identified as the Diokleides of Andokides' account, and hence that the mutilation occurred on a moonless night, as Plutarch says (*Alk.* 20: *ἐνης καὶ νέας οὔσης*).¹⁵ Dover

⁹ See pp. 131–33.

¹⁰ *HCTIV* 271.

¹¹ 'Departure of Alcibiades' 133–34.

¹² *AFD* 171 (a few days later than his earlier scheme in 'Departure of Alcibiades' 143).

¹³ *Mysteries* 189.

¹⁴ *HCTIV* 276. See below on Dover's time-scheme.

¹⁵ 'Departure of Alcibiades' 137ff.; *Mysteries* 187–89. The passage in Plutarch runs: *Εἰς δ' αὐτῶν ἐρωτώμενος, ὅπως τὰ πρόσωπα τῶν Ἑρμοκοπιδῶν γνωρίσειε, καὶ ἀποκρινάμενος, ὅτι πρὸς τὴν σελήνην, ἐσφάλη τοῦ παντός, ἐνης καὶ νέας οὔσης, ὅτε ταῦτ' ἐδράτο*. Diokleides is not mentioned by name, although Plutarch names him as an informer just before (*Alk.* 20.6), backed by a Phrynichos quotation. Dover, *HCTIV* 275, believes Plutarch's source did not name Diokleides as the man who made the mistake about the moon. See above pp. 61–62.

on the other hand argues that Plutarch may be referring to a different informer, not Diokleides; that Andokides himself does not say that Diokleides was lying when he said he had seen the conspirators by moonlight, and that moonlight would be useful to the conspirators anyway, to enable them to see what they were doing.¹⁶ On pp. 61–62 above I indicated my preference for Dover's position on this question.

Almost immediately after the crime against the Herms, Thucydides tells us, the Athenians appointed a board of enquiry to investigate the crime, and offered a reward for information laid (27.2); the first amount proposed was a thousand drachmai by Kleonymos, which sum was augmented by a further ten thousand on the proposal of Peisandros (Andok. 1.27). Thucydides goes on to tell us that immunity was also promised to anyone who would inform on any previous case of disrespect shown to religious institutions. The result was that no one came forward to offer information on the mutilation of the Herms, but various metics and slaves testified to previous mutilations of statues and to the fact that sacrilegious celebrations of the Mysteries were being performed (*ὡς τὰ μυστήρια ποιεῖται*) in private houses. Alkibiades' name was mentioned in this connection. From Andokides' account we can identify one informer at least as Polemarchos' slave Andromachos, who accused Alkibiades and nine others of profaning the Mysteries in Poulytion's house (11–13).¹⁷ I will return to the question of the order in which other informers testified below. Alkibiades demanded that he stand trial and defend himself against the charge immediately, but his political opponents cleverly argued that he should sail now and return to stand trial later. Accordingly, Alkibiades departed from Athens with the great fleet.

Up to this point, things are relatively clear. There follows a period in which various informations were laid and arrests accordingly made, whose precise sequence is exceedingly difficult to establish. Let us first follow the progress of the fleet on its way to Sicily, as the sequence in Athens connects up again with that in Sicily when Alkibiades is recalled to stand trial.

First the fleet sailed round the Peloponnese to Kerkyra, where it waited until the allied forces were assembled. A plan of advance was worked out, and scout ships were sent on ahead to Sicily to find out which ports would receive the fleet. Then the main fleet set sail from Kerkyra, accompanied by cargo ships carrying supplies and equipment (42–44). This last factor would have slowed the progress of the fleet of triremes considerably. The fleet passes along the instep of Italy, stopping for water and anchorage (44). It arrives in Rhegium and camp is pitched. The ships are drawn up and a rest is called (44). The scout ships arrive back in Rhegium from Segesta with disappointing news of the financial reserves available to the fleet there. The generals debate a plan of action. Alkibiades sails

¹⁶ *HCT* IV 275–76. A point made by Dover here is that no-one, surely, could be so foolish as to come forward with information about the perpetrators of a crime by night, without first establishing in his own mind how he was going to make his alleged recognition of the criminals plausible to the judges. Likewise, he could hardly say he had seen them by the light of a full moon if it was common knowledge that the crime had been committed at a new moon. Meritt, 'Departure of Alkibiades' pp. 138–39, counters this point with the suggestion that when Diokleides first came forward with his allegations, consternation was so great that no-one gave much thought to this detail of his story; it was only later, under cross-examination that this flaw in his story emerged. Andokides, writing some fifteen years later, 'has given us a composite account of the testimony of Diokleides, told as though the whole story had been presented to the Boule at the time of the original charge.'

¹⁷ Plutarch *Alk.* 19.1, makes the demagogue Androkles, as arch-enemy of Alkibiades, bring forward the first informers, but Andokides' account states clearly that Pythonikos produced Andromachos as witness. MacDowell, *Mysteries* 183–84, prefers Andokides' authority here.

to Messene and back, having failed to persuade the Messenians to receive the fleet (50). Then sixty ships leave Rhegium for Naxos, then Katane, leaving the main fleet behind in Rhegium. Some reconnaissance is made in Syracuse itself, then these ships return to Katane (50). The Katanians hold an assembly at which Alkibiades speaks, while the Athenian soldiers force an entry into the city. Katane agrees to cooperate with the Athenians. They return to Rhegium and escort the main fleet to Katane (51).

From Katane the Athenians sail to Kamarine, where they fail to secure hospitality, so return to Katane. A skirmish occurs on Syracusan territory on the way back. When they arrive back in Katane, they find the state ship Salaminia waiting to escort Alkibiades and others accused in both cases of sacrilege back to Athens to stand trial (52–53). The Salaminia and Alkibiades with the others set off, but the wanted men escape at Thourioi. The crew of the Salaminia search for them, but to no avail, whereupon they return to Athens. Alkibiades makes his way to the Peloponnese and is condemned to death *in absentia* at Athens (61.4f).

The Athenian army at Katane is divided between Nikias and Lamachos and then proceeds round the south of Sicily, capturing and enslaving Hykkara on the way (62). The infantry return to Katane on foot, allowing the fleet to transport the captives from Hykkara back for sale on the slave market. Nikias visits Segesta in order to raise money. The Athenians make one more foray (to Hybla, which they fail to take) and then the summer campaigning season ends. The narrative has taken us roughly to the end of October 415.

This sequence offers no firm dates; all it does is show at what stage in the proceedings Alkibiades' recall and escape came. Dover allows two months for the sequence from the fleet's departure to Alkibiades' recall (early June to early August according to his scheme) and two and a half for the operations in Thuc. 6.62 which followed.¹⁸ *Prima facie* this does not appear to square with Thucydides' allocation of space and detail to these respective sequences of events, but it is possible that chapter 62 is written in a more condensed style, thus giving the impression of a shorter duration of these latter events. What we have to remember is that Andromachos and Teukros received their rewards for informing in both cases of impiety (Andromachos probably only in the Mysteries affair, Teukros in both) at the Panathenaia of 415 (And. 1.28). As we will see below, there is comparatively solid evidence for dating the festival in 415 surprisingly late, around the first of our September. Since Andromachos was awarded the lion's share of the reward money, and since he had primarily come forward to denounce Alkibiades, we must assume that Alkibiades' guilt was established in the official view by the time Andromachos collected his reward on c. 1st September. Hence Alkibiades' recall from Katane, flight from Thourioi, and condemnation *in absentia* at Athens should be envisaged as falling in August, in the weeks leading up to the Lesser Panathenaia of that year.

Having established this much we can return to the situation Alkibiades left behind him in Athens when he departed with the fleet. Doubt and suspicion still surrounded both sacrileges — the mutilation and the profanation — whilst Alkibiades' political enemies and rivals were keen to whip up more ill-feeling (and evidence, if they could) regarding his guilt in these matters and his generally corrupt character (Thuc. 29.3: *βουλόμενοι ἐκ μείζονος διαβολῆς*). This was the background for a number of developments. First, it led to a spate of denunciations, following the original one by the slave Andromachos, which had been made while Alkibiades was still in Athens. Assuming the order in which

¹⁸ HCT IV 276.

Andokides gives these denunciations is correct (*πρώτη μὲν ... δευτέρα μήνυσις ... τρίτη μήνυσις ... ἔτι μήνυσις μία* appear to give a chronological order, 14–17), we learn that the metic Teukros came back from Megara, having been promised immunity from prosecution himself, in order to inform against others involved both in the mutilation and the profanation;¹⁹ as Dover argues,²⁰ it is difficult to imagine that Teukros informed first against those guilty of profaning the Mysteries, and then, after an interval, against the mutilators, although Andokides separates the two halves of his testimony for the sake of logical clarity in keeping the two crimes separate (15.34). Teukros named eighteen men guilty of attacking the Herms, not including Andokides himself. These men either fled or were executed, Andokides emphasizes, on the strength of Teukros' evidence alone (34).

There followed two more denunciations of profaners of the Mysteries, according to Andokides. Agariste, wife of Alkmeonides, accused Alkibiades among others of profaning the Mysteries in Charmides' house. Then another slave, Lydos, lodged information against profaners, among them Andokides' father, Leogoras (17).

At this point, Andokides relates how he helped his father secure acquittal against the charge of profaning the Mysteries by lodging a counter-charge against his enemy Speusippos. The sequence appears clear enough, but MacDowell has chosen to place Lydos' evidence much later in the sequence, long after the fateful denunciation by Diokleides, which resulted in the imprisonment of Andokides himself.²¹ Dover also questions the wisdom of MacDowell's reasoning here, and it can in fact be shown to be paradoxical.²²

The denunciations by Teukros, Agariste and Lydos, then, came relatively soon after Alkibiades' departure, and in fairly rapid succession. Andokides, as he later argued in court with meticulous documentation of the various informations laid, was not implicated by any of them. He was still a free man, though aware of his guilt in the Herms affair (he confessed a measure of guilt in his own defence speech). This, in my opinion, was the scenario for the composition of his political pamphlet, the *Against Alkibiades*: its purpose remained the same as that underlying the mutilation of the Herms itself — to discredit Alkibiades, and to foil his leadership in Sicily. These three denunciations, and the circulation of the *Against Alkibiades*, are to be imagined as happening in July of 415.

We now approach probably the hoariest problem of all in the reconstruction of events: the evidence of Diokleides. It must be attacked from a number of angles, starting with the date of the Panathenaia; this is important as we must fit the following events into the period before the Panathenaia: Diokleides' evidence, Andokides' imprisonment and confession, Alkibiades' recall, the return of the Salaminia to Athens with news of his escape, his condemnation *in absentia*.

¹⁹ There is debate as to whether Teukros' evidence against profaners came before or after Alkibiades' departure. Thucydides' *μετοίκων* (28.1) would suggest the former, but his other statement that no information was laid about the Herms mutilation before the departure, tells in favour of the latter, assuming, that is, that Teukros informed on both acts of sacrilege simultaneously (see below on this point). Dover, *HCT IV* 274, believes that on this one small point Thucydides 'has sacrificed accuracy to indignant rhetoric', giving the impression that Teukros, the metic, informed while Alkibiades was still in Athens, whereas in fact it was after he left. Aurenche, *Les Groupes* 156, on the other hand, sides with Hatzfeld, believing that Teukros informed before Alkibiades left.

²⁰ *HCT IV* 273–74.

²¹ *Mysteries* 183; 169–70; 179.

²² *HCT IV* 274: 'I see no good reason why the information of Agariste and Lydos should not have preceded that of Diokleides (MacDowell 183f. places them much later)'. See above pp. 56–57.

IG I³ 370, lines 66–68 (= Meiggs and Lewis 77, lines 66–68) records a payment of nine talents to the officers responsible for the Panathenaian festival on the twentieth day of the second prytany of 415/4. Combining this with the Eleusinian Aparchai Decree of (*ex hypothesi*) spring 415 which envisages an intercalated Hekatombaion in the following year, Meritt has concluded that the lesser Panathenaia of 415 fell two days before the end of the second, intercalated Hekatombaion, giving a Julian date of September 2.²³ Dover confirms this conclusion (within three or four days) using a number of calculations independent of Meritt.²⁴ There is, however, a source of uncertainty in our calculations here: Davison has raised the question whether *ἐς Παναθήναια* in line 67 of *IG I³ 370* can refer to the Lesser Panathenaia of 415, as one would expect the qualification *κατ' ἐνιαυτόν* or *μικρά* if it did. He argues that the expression as it stands would naturally refer to the Great Panathenaia which were celebrated the following year in 414. Accordingly he takes the reference of a payment here as an advance payment for the Great Panathenaia in the following year. Some slight confirmation might be seen in the large amount given the Athlothetai in 415, too large, Davison thinks, for a celebration of the Lesser Panathenaia.²⁵ Neither Dover, nor Meiggs and Lewis, accept Davison's suggestion.²⁶ As for the wording of the inscription, one might cite Andokides 1, 28 (*Παναθηναίων τῷ ἄγωνι*, referring to this very occasion in 415) as an example of *Παναθήναια* by itself without qualification referring to the Lesser Panathenaia.²⁷

Assuming then that the Panathenaia in 415 happened at the beginning of September and that informers collected their rewards then, we can roughly date Diokleides' evidence by allowing enough time between it and the Panathenaia for the sequence mentioned above. Three, possibly four weeks would seem reasonable, putting Diokleides' evidence in late July or early August. This is assuming that Andokides confessed and was released very soon after his arrest (as he says and I argue on pp. 56–57), not months after (as MacDowell maintains).

A further (flimsy) parameter has in the past been adduced. In giving evidence, Diokleides said, according to Andokides, that at least a month had elapsed between his witnessing the midnight gathering of conspirators and his coming forward with information; the reason was that he had waited to see whether the conspirators would pay for his silence; they promised to pay him 'by next month' (And. 1.42: *εἰς τὸν εἰσιόντα*

²³ *AFD* 171; in 'Chronology' 110 he adjusts this view still further: 'I went no further in 1932 [sc. in *AFD*], but now realize the improbability of assuming so large a payment as nine talents so close before the festival itself. It is possible, however, to bring the payment back a full month before the festival by allowing the year 414/3 to be ordinary. The Panathenaia will still be celebrated in the second month of the year, intercalated Hekatombaion of 415/4, but the new equations allow the extra time. The payment on Prytany II 20 was made, therefore, five days before the month of the Panathenaia began.'

²⁴ *HCT* IV 264–70.

²⁵ *JHS* 78 (1958) 31f.

²⁶ Dover *HCT* IV 266 n. 1, cites Dem. 24, 26–29 as witness to the fact that the Nomothetai were to convene on 12 Hekatombaion to make provision for the Panathenaia (the Lesser) of 353/2 BC (i.e. just before the festival). Meiggs and Lewis, *GHI* 236, argue that the nine talents 'may represent a specially luxurious celebration after the troubles of the summer; we do not accept Davison's view.'

²⁷ MacDowell, *Mysteries* ad loc., wonders whether Davison's 'law' here may apply after all, meaning that Andromachos and Teukros received their rewards the following year, 414, when the Great Panathenaia were celebrated, but he concludes that 'this seems most unlikely'. It would in fact be impossible to square with Thucydides' narrative, who makes it clear that the Herms and Mysteries affair were over by autumn 415. See above pp. 122–23.

μῆνα),²⁸ but failed to do so; hence his information so late in the day. If (as Meritt maintains) the mutilation took place on June 7/8 (= Tharg. 29/Skir.1), then Diokleides gave his information some time after July 8 (= Hek. I 1). Dover, as we have seen, believes the part of Diokleides' story that the mutilation took place under a full moon: this leads him to date the mutilation to c. 25 May and Diokleides' evidence to 6 July.²⁹ These two time-schemes, then, are still roughly in accord. Calculations based on circumstantial detail in Diokleides' story (as related by a biased Andokides fifteen years after the event) must remain more than tentative.

Andokides tells us Diokleides' information came only after Athens had been thrown into a state of confusion and anxiety owing to the initiative of Peisandros and Charikles, who, in their capacity of Zetetai, demanded renewed efforts to hound out all the conspirators, as they were not merely a handful of men (as Teukros' evidence might have led one to suppose) but rather a considerable body of men aiming at nothing less than the overthrow of the democracy (And. 1.36). There followed a period in which the market place emptied whenever the Council was in session, as individuals feared that they might be suddenly arrested by a new motion of the Council. Meritt has argued that Peisandros and Charikles were members of a new board of Zetetai, appointed for the conciliar year 415/4;³⁰ hence their term of office commenced c. 7 July. Whether it is true or not that a new board of Zetetai was appointed at the beginning of the administrative year (I doubt it), it is certainly true that a new Council entered office c. 7 July, and hence that Peisandros and Charikles, as members of it, acquired new rights. We note that the first reward offered for information in connection with the sacrileges, a thousand drachmai, was proposed by one Kleonymos, whilst Peisandros multiplied this amount by a factor of ten (And. 1.27): the two proposals may reflect the change in administration at this time. Hence if we compare the earliest date possible for Diokleides' information on the basis of the protection money due 'by next month' (some time after 8 July) with the earliest date compatible with this last consideration (long enough after 7 July to allow for the period of public panic which Andokides describes), we find quite a satisfactory congruence. How long should we imagine the state of affairs which Andokides describes continuing after the new council had entered office, before Diokleides came forward with his story? A week? Two weeks? It is difficult to say. Let us assume a minimum of two weeks: that will bring Diokleides' information to c. 20 July, with Andokides' arrest following almost immediately after that.³¹

²⁸ Dover *HCT* IV 276: 'to Andokides' Athenian hearers the words *εἰς τὸν εἰσιόντα μῆνα* would most naturally mean 'in the next month'. Dover's comparisons with *IG* I².94 and *Ath. Pol.* 31.2 definitely endorse this conclusion; MacDowell, *Mysteries* 189, objects that *εἰς τὸν εἰσιόντα μῆνα* 'could not be used near the beginning of a month (though it might be used near the end of a month) to mean "in the following month", since a month cannot be called "incoming" when the previous month has only just begun; "in the following month" would be *εἰς τὸν ἐπιόντα μῆνα*, and Emperius thus emended Andokides' text, but unjustifiably, since the reading of the ms. has not been proved wrong'. But: (1) there is no way of knowing when exactly in the month Diokleides' *εἰς τὸν εἰσιόντα μῆνα* was said (if it was ever said at all) and (2) Emperius' emendation may well be correct, even if not proven; *εἰς τὸν εἰσιόντα* is an ugly expression. My 'by next month' takes account of (a) debts being paid at the end of a month (b) 'by' in the sense 'up to', but not later than: *εἰς* (c) *εἰσιόντα*, 'incoming', in the sense of 'next month'. The expression was undoubtedly meant loosely and should be taken thus.

²⁹ *HCT* IV 275–76.

³⁰ 'Departure of Alcibiades' 146ff.

³¹ About two weeks later than MacDowell's estimate (*Mysteries* 189) or Dover's (*HCT* IV 276); Meritt, 'Departure of Alcibiades' 148, on the other hand, also realized that Andokides' description of the brief 'reign of terror' necessitates a later timing for Diokleides' evidence.

Diokleides claimed that he had recognized the faces of 42 men by the light of the moon, including Andokides and many male members of his family (And. 1.47), but that the company that night had comprised approximately three hundred men (And. 1.38). Andokides and the others (those who did not flee) were arrested. His confession followed shortly after, after only one night in prison, according to Andokides himself.³² His account can usefully be linked up with Thucydides' at this point:

In view of the fact that many highly-placed persons were already being held prisoner as a result of public anger on this score, and that the matter seemed not to be coming to an end, but rather to be escalating from day to day, with feelings running higher and more and more arrests being made, one of the accused — a man who seemed particularly culpable — was persuaded by one of his fellow prisoners to confess — though whether the truth or not, is another matter. (Thuc. 6.60.2)

It is generally assumed that the man left unnamed by Thucydides is in fact Andokides. The orator's narrative allows us to place another development that year within the term of his imprisonment. This is the movement of a contingent of Spartans up to the Isthmos, coinciding with a Boeotian advance to the Attic border. Thucydides leaves it a little ambiguous when precisely this happened (61.2: *κατὰ τὸν καιρὸν τοῦτον ἐν ᾧ περὶ ταῦτα ἐθορυβοῦντο*), but Dover is surely wrong to place it after the Herms affair was cleared up, as Andokides' account is clear enough on this point.³³ He narrates that, following Diokleides' information, the accused were arrested (42 out of about 300), whilst the remaining Athenians received orders to arm themselves and take up battle stations in the Agora, the Theseion, and the market-place in the Peiraeus; the cavalry was to proceed to the Anakion, the council to the Acropolis (where it was to spend the night), and the Prytaneis to the Tholos; meanwhile, the Boeotians had advanced to Attica's borders (And. 1.45). Clearly Diokleides had not only implicated the men who were arrested but had spread abroad the notion that a large-scale conspiracy was being planned in Athens with a view to overthrowing the democracy, aided by forces from Sparta and Thebes.³⁴

This section of Andokides' narrative can certainly be identified with Thucydides' small force of Spartans advancing to the Isthmos, as he too gives the details that the Boeotians were involved, and that 'for one night (sc. the Athenians) camped in arms in the Theseion up on the Acropolis' (61.2). Andokides reinforces the conclusion that this night in arms occurred while he was in prison when he states that his confession had the effect of restoring tranquillity in Athens, terminating the state of emergency (1.66: *αὐτοὶ δὲ λαβόντες τὰ ὄπλα ἀπῆτε, πολλῶν κακῶν καὶ κινδύνων ἀπαλλαγέντες*). Hence Thucydides' statement that the movement of Spartan troops happened 'at precisely the moment when there was such a public scare about these matters' can be equated with the

³² See above pp. 56–57.

³³ *HCT* IV 272. Dover writes: 'If the reference of *τοῦτον* and *ταῦτα* is strict, it is to the period after the case of the herms was regarded as settled and Athenian energies were turned on to clearing up the matter of the mysteries'. MacDowell, *Mysteries* 184, also takes this line, preferring Thucydides' sequence (as he and Dover understand it) to Andokides' on this point. I disagree. Thucydides' expression refers surely to the high tide of public outcry (*ἐθορυβοῦντο*) about both scandals, which was partly allayed by Andokides' confession on the Herms. Thus Thucydides' sequence does not conflict with Andokides.

³⁴ It need hardly be stated that this was not implausible in itself as a concomitant of revolution. Military aid from foreign states was a standard means in this period of securing one's party-political goals: Kerkyra, or Athens in 404 come to mind as examples.

fear spread in Athens by Diokleides' assertion that the mutilators of the Herms formed a large body of men, intent on overthrowing the democracy with Spartan help.

Andokides confessed to his own part in the mutilation of the Herms, naming four other men in this connection apart from the eighteen already incriminated by Teukros. Andokides and the others whom he had not implicated (including the other members of his family) were released, and Athenian fears of a coup aimed at the democracy were dispelled. Diokleides, shown up as a fraud, was executed.

Merely as a conjecture I suggest that Diokleides' information and Andokides' arrest fell just before the Panathenaia were due to be celebrated, that is, two days before the end of the regular month Hekatombaion (c. 3 Aug.) as opposed to the intercalated second Hekatombaion of that year. My reason for conjecturing this is the weight Thucydides gives to the comparison (which was apparently widespread in Athens at the time) between the Herms 'conspiracy' and the democratic coup against Hipparchos in the sixth century which had been timed by the conspirators for the Panathenaic procession, as being the only time when armed citizens would not attract suspicion, since hoplites formed part of the procession (Thuc. 6.56).³⁵ He introduces the comparison having stated that the Athenians were bitterly keen to round up those involved in the sacrileges as follows: 'For the demos had heard all about the tyranny of Peisistratos and his sons, how it had grown harsh toward the end, and moreover how it had not come to an end as a result of Harmodios' or their own efforts, but through Spartan intervention; for this reason they were permanently on edge and suspicious about everything' (53).

The comparison would have had particular force if Diokleides had spread his story of the conspiracy against the democracy within Athens and the proximity of Spartan and Theban troops without, shortly before the Panathenaia. Thucydides gives two details which may have contributed at the time to the excitement: (1) public knowledge of the fact that Spartan intervention had been necessary to remove the tyrants, combined with the rumour that a Spartan force was approaching Attica in conjunction with the 'conspiracy', and (2) the knowledge that the freedom to carry arms at the Panathenaia had been abused with a view to a political coup on a previous occasion.

If my conjecture is correct, Diokleides came forward with his information at the end of July or right at the beginning of August, before the Panathenaia were due to be celebrated. His evidence, and Andokides' subsequent confession, however, caused such turmoil in Athens that the Panathenaia had to be postponed until a degree of order could be restored, and in particular the question of Alkibiades' guilt resolved. Hence the Panathenaia of 415 were finally celebrated much later than usual (more than fifty days after the beginning of the conciliar year), in the second, intercalated Hekatombaion.

³⁵ Thomas J. Figueira, 'The ten Archontes of 579/8 at Athens', *Hesperia* 53 (1984) 447–73, has suggested that the principal periods of instability in the early sixth century in Athens coincide with the years of the Great Panathenaia. There were also other precedents for political coups during religious festivals at Athens. Apart from *the* famous one cited by Thucydides himself, there was also Kylon's attempt to become tyrant of Athens, an attempt timed to coincide with the 'largest festival of Zeus' (Thuc. 1.126.5). Kylon apparently chose the Olympic festival of Zeus as the appropriate moment for this armed assault on the Athenian Acropolis, but Thucydides says he was foolish not to choose the Attic Diasia festival of Zeus, as then Athens would have been virtually deserted with the population all out celebrating the Diasia outside Athens. Thucydides' comment has been taken by some to indicate that in rival accounts Kylon did in fact choose the Diasia as his *kairos* (see P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia*, Oxford 1981, 80). My point here is that religious festivals, particularly those celebrated *πανδημεί*, were occasions at Athens and elsewhere on which the state's guard was down, giving revolutionaries their chance.

Andokides' confession had the effect of turning suspicion back on Alkibiades (Thuc. 6.60–61). For this reason the Salaminia was despatched to Sicily to recall him for trial. He escaped at Thourioi, however, and deserted to the Peloponnese. I envisage this sequence as taking place in August.

Following his desertion, a court in Athens condemned him to death on the basis of an indictment made by Thessalos (Plut. *Alk.* 22.4), stating that Alkibiades had profaned the Mysteries in his own house, with himself, Poulytion and Theodoros taking the leading parts. MacDowell writes: 'Plutarch is evidently quoting a document, and it is not plausible to say that he has got the names wrong; he must be referring to another occasion, not mentioned by Andokides, but important enough to be selected by Thessalos.'³⁶ At p. 32 above I indicated my preference for Marr's view that Thessalos' indictment represented a composite charge based on the various cases informed upon.³⁷ It would have been a very poor defence if Andokides had simply omitted the informant who named him in connection with the Mysteries, but named all the others and the men they accused in pedantic detail.

Andokides had been released, despite his having confessed to being privy to the mutilation of the Herms, because of the promise of *ἀδεια*, immunity, if his confession was found to be true. However, his freedom in Athens did not last long, as Isotimides had a decree passed, probably still in 415, banning those guilty of impiety (Andokides had admitted to that) from the Agora and other sanctuaries.³⁸ This in effect prevented Andokides from leading any form of normal public life, and he decided, in his own words, 'to live where I would be least likely to be seen by you (sc. Athenians)' (2.10). I imagine that Andokides left Athens in 415, though probably after the Panathenaia, as he knew who collected the rewards then.

In broad outline and using our calendar I envisage the following sequence:

| | |
|--------------|---|
| April | Eleusinian Tax Decree Decision to attack Sicily |
| c. June 7/8 | Mutilation of Herms |
| mid-June | Accusation of Alkibiades |
| late June | Departure of fleet |
| July | Denunciations by Teukros, Agariste, Lydos Circulation of the <i>Against Alkibiades</i> |
| as of July 7 | New Council Peisandros and Charikles instigate witch-hunt |

³⁶ *Mysteries* 169.

³⁷ Marr, 'Andocides' Part' 328–29: 'All three men named by Thessalos had already been named in earlier denunciations. The Mysteries seem to have been parodied on several occasions in various houses. It is thus not impossible that, as a result of investigations into the previous denunciations and examination of those informed against, this particular combination, among several others, had emerged, and was naturally chosen in preference to any others by Thessalos as the most damning to Alcibiades; however, since the charge was not based on a separate fifth *μήνυσις*, but evolved from investigation into previous ones, and concerned only persons who had already been denounced, Andocides has not mentioned it.'

³⁸ Cf. MacDowell, *Mysteries* 200–03.

| | |
|------------|---|
| late July | Denunciation of Andokides by Diokleides The 'night in arms' |
| August | Tension relieved by Andokides' confession. Recall of Alkibiades. His condemnation. |
| c. Sept. 2 | Panathenaia. Rewards paid out. |

APPENDIX TWO

Passages of Comedy relating to the Impieties of 415

There are a number of passages of Old Comedy which relate directly or indirectly to the impiety trials of 415. It will be convenient to collect and discuss these together. In presenting the following discussion I have not followed any strict chronological or logical order. The plays discussed are, in order:

Eupolis, *Baptai*
Eupolis, *Demoi*
Aristophanes, *Birds*
Aristophanes, *Lysistrata*
Phrynichos, fr. 58

It is possible that other plays, of which we have little or no cognizance, also bore on the subject. It is clear from these passages of comedy that the impieties and resulting trials were a subject which impinged to a considerable extent on Athenian society. I argue that Aristophanes' *Birds* treats (in 414) the subject of impiety and fugitive individuals precisely because of its topicality. It is possible in my opinion that both Eupolis' *Baptai* and his *Demoi* dealt with the subject in a more than peripheral fashion. These passages and fragments of comedy offer us little in the way of historical information which would help with a reconstruction of the events of 415, with the possible exception of *Lysistrata* 387–98, where, I believe, a correct interpretation is necessary for the reconstruction of events and motives in 415.

EUPOLIS, BAPTAI. See Kassel and Austin *PCG* V 331–42.

Eupolis' play *Baptai* appears to have satirized Alkibiades principally for indulging in certain effeminate rites performed secretly. The scholia on Juvenal 2, 91 (*PCG* V p. 331) say that 'Baptae is the title of a book in which lewd men are portrayed by Eupolis; he brings men on to the stage, dancing in imitation of women. The Baptai were, however, effeminate: Eupolis wrote a comedy with this title, because of which he was killed by Alkibiades, whom he had particularly criticized.' From other passages we know that Kotyt(t)o was the name of a deity who specialized in playing the kithara (*PCG* V p. 332), that she was a favourite deity of the Corinthians (*PCG* V 93 p. 341), and that Eupolis portrayed her in his piece as a lewd, or coarse deity (ibid: *φορτικόν*). The rites portrayed on stage appear to have involved (1) effeminate dancing of men. A little detail is provided by *PCG* V 88 p. 338, where this dancing is said to be accompanied by drum and triangle music, to have involved obscene movements of the rump, and high kicks of the legs (probably) (2) some kind of baptism (or rather dunking) in water.¹ As we shall see, this is

¹ I. C. Storey, 'Dating and re-dating Eupolis', *Phoenix* 44 (1990) 1–30 (20), points out that *βάπτω* can mean 'dye', hence that *baptai* may have dyed their hair (or clothes) in an effeminate manner.

the point which Alkibiades picked up when he took revenge on Eupolis for having satirized him thus on stage (3) lewd initiation into the cult of Kotyto generally. The Juvenal passage (2.91–92) runs: ‘The Baptae celebrated orgies of this kind by the secret light of torches; they used to “tire out” Cecropian Cotytto’ (‘*talia secreta coluerunt orgia taeda / Cecropiam soliti Baptae lassare Cotytto*’), where ‘lassare’ implies both ‘tire themselves out’ (i.e. by enthusiastic worship) and, by innuendo, ‘wear out the goddess’ with implied sexual activity.² The scholiast on this passage further informs us that Isis-worship followed the pattern of the Kotyto rites (*PCG V p. 331: ad exemplum Cotyti dicitur Isiaca sacra celebrari*).

When the play was produced is not stated in our sources. It must have been before summer 415, as Alkibiades left Athens then, not to return until 407. Opinions of scholars are divided between 416 and 415.³ The story that Alkibiades took revenge on Eupolis when they were campaigning together in Sicily in the summer of 415 has more cogency if we imagine, with Meineke,⁴ that the play was produced at the Dionysia of 415.

The quarrel between Eupolis and Alkibiades is described in a scholion on Aelius Aristides 3.8 (*PCG V p. 332*) as follows: ‘Because (sc. Alkibiades) had been satirized by Eupolis, he threw him in the sea in Sicily when they were campaigning together, with the words: ‘You baptized me in the theatre, but I will kill you with waters of the bitterest sort, by baptism in the waves of the sea.’⁵

Alkibiades’ words have been put in epigram form by someone, presumably not himself, in this anecdote. We get a prose version in Tzetzes, *prooem. I, 87 p. 27 (PCG V p. 332)*: ‘Because he (Eupolis) had aimed a joke at Alkibiades, the general, and had made open fun of his lisp (they were, I should add, both aboard the triremes at the time, as a naval battle was expected), Alkibiades gave an order to the soldiers, and they either threw him overboard once only and he perished, or they tied a rope round him and let him up and down in the sea repeatedly and saved his life finally, whilst Alkibiades said: “Baptize me on stage, but I will drown you in the saltiest waters”.’ This passage leaves it open whether Eupolis actually died in this escapade or not. Valla (*PCG V p. 332 no. ii*) and Platonius Grammaticus, *de diff. comoed. 13 p. 3 (PCG V p. 333 no. v)* state that Eupolis did die. Cicero (*ad Atticum 6, 1, 18*) refers to the story as an example of an untruthful anecdote, as on the one hand it postulates Eupolis’ death by drowning at the hands of

² E. W. Handley suggests (by letter) a parallel in Callimachus’ *ἦλιον ἐν λέσχη κατεδύσαμεν (Epigr. 2, 3)*, ‘tired the sun with talking, and sent him down to rest’. On the Juvenal passage see E. Courtney, *A commentary on the Satires of Juvenal*, (London 1980) 136–37. On the rites of Kotyto see S. Srebrny, in *Mélanges Franz Cumont*, (Brussels 1936) 423–47.

³ *PCG V 333*. P. Geissler, *Chronologie der altattischen Komödie*, (Berlin 1925, Dublin/Zürich 1989²) 52, believes either 416 or 415 possible. Storey, ‘Dating Eupolis’ (n. 1), 20ff., suggests c. 418/7, but his reasoning is far from cogent: he combines two uncertainties (one, a possible attack on Eupolis in Aristophanes’ *Anagyros*; two, a possible date of this play round the time of the revised *Clouds*) to produce a date for the *Baptai* which disconnects it with Alkibiades’ known impiety in winter 416/5.

⁴ A. Meineke, *Fragmenta Comicoorum Graecorum*, vol. I (Berlin 1839) 125.

⁵ *βάπτες μ’ ἐν θυμέλῃσιν ἐγὼ δὲ σὲ κύμασι πόντου / βαπτίζων ὀλέσω νόμασι πικροτάτοις*. Handley (in correspondence) sees a word-play in *πικροτάτοις*, on the one hand *πικρός* is a standard epithet of salt-water (e.g. Menander, *Dysk. 570* ed. Handley), and salt can mean ‘wit’. Thus Eupolis would have baptized Alkibiades in the salty wit of comedy; Alkibiades would have returned the compliment by baptizing him in the saltiest medium of all. The mss. have *βάπτε με ἐν* ..., variously restored by scholars (see *PCG V p. 332*).

Alkibiades, whilst Eratosthenes on the other was able to name plays written by Eupolis after the incident.⁶

The relevance of this play to the impieties of 415 is obvious in a general sense, but elusive specifically.⁷ On the one hand the play clearly satirized Alkibiades for staging mock initiation ceremonies in a private setting — just as he was accused of doing in the case of the Eleusinian Mysteries by Andromachos and others in the spring of 415. On the other hand, we do not know how direct the connection was between Eupolis' play and the denunciation of Alkibiades for profaning the Eleusinian Mysteries. One might guess that the play brought certain matters to the attention of the Athenian public which Alkibiades would rather have kept private; further that the play, if performed at the Dionysia of 415, triggered off the actual denunciation of Alkibiades for profaning the Eleusinian Mysteries. Eupolis may have chosen to portray Alkibiades performing the rites of Kotyto as a direct allusion to similar profanations of the Mysteries. He would have shrunk from portraying the latter on stage because of the vow of silence accompanying the Eleusinian cult. If that were the case, one could well understand why Alkibiades took forceful revenge on Eupolis in Sicily. He may have seen in Eupolis someone instrumental in his (anticipated) demise. But this must remain conjecture. What little we know of the play lends credence, however, to the reputed impiety of Alkibiades, his scorn for cult, and transgression of gender roles. Hatzfeld is surely mistaken in seeing these private performances of Kotyto's rites as the sole crime of which Alkibiades stood accused in 415.⁸ There is no doubt that the charge specified the Eleusinian cult as that which Alkibiades had insulted.

EUPOLIS' *DEMOI* (PCG V 348–51)

It seems virtually certain that a passage of Eupolis' *Demoi* contains a reference to a sycophant denouncing someone for profaning the Eleusinian Mysteries. The play was performed in 412 BC⁹, and is likely to refer to conditions after the capture of Dekeleia in 413). Moreover, if the play dates to 416 as Storey maintains, how are we to interpret the lines in question here, where a reference to a profanation of the Mysteries seems tolerably clear? The state of preservation of the text on the papyrus fragments is poor: restoration is necessary in virtually every line. Nor is it absolutely certain that this fragment (3) belongs to the other two from the Cairo find, the identity of which is established by quotations.¹⁰

⁶ Eratosthenes was right. The *Demoi*, for example, was certainly later than this episode: see PCG V 343. Storey, 'Dating Eupolis' 5ff., believes that the 'baptism' of Eupolis in Sicily is an anecdote which arose out of combining i. a tradition of a feud between Alkibiades and Eupolis with ii. a tradition of Eupolis' service and death at sea (Storey believes Eupolis may have died young while serving in the navy at Kynos Sema in summer 411). It seems, however, a pity to jettison the anecdote completely.

⁷ Storey, 'Dating Eupolis' (above n. 1) 21, doubts the connection of *Baptai* with the profanation of the Mysteries: 'but Alkibiades' life-style in the years 421–415 must have been so dissolute and infamous that we need not tie *Baptai* to the one event which we know best'. This is a fair point, but his own suggested date (above n. 3) is highly conjectural.

⁸ *Alcibiade* 178–81, also rejected by Aurenche, *Les Groupes* 161. Cf. MacDowell, *Mysteries* 8 n. 5.

⁹ Storey, 'Dating Eupolis' 24ff., has suggested an earlier date in 416. His main argument seems to be that the anonymous demagogue in lines 23–34 is most likely to have been Hyperbolos, who was exiled in (?)416. But this highly conjectural argument involves rejecting better evidence (lines 12–13, *τοὺς ἐν μακροῖν / τείχεσιν*).

¹⁰ For a discussion see K. Plepelits, *Die Fragmente der Deme des Eupolis*, (Wien 1970) 146–55.

With one alteration (lines 85–86) the following is the text in *PCG* (for a full *apparatus criticus* see the notes there):¹¹

ΣΥ.]. ος ποτ' εἰς ἀγο[ρὰ]ν κυκεῶ πίων
 κρημνων τή[ν] ὑπήνην ἀνάπλεως
]. ων τοῦτ' ἐννοοῦμαι πως ἐγώ.
 ἐλ]θὼν δὲ ταχέως οἴκαδ' εὐθὺ τοῦ ξένου,
 85 'τί] ἔδρασας, ὧ πανοῦργε καὶ κυβευτὰ σύ;
 ἔφην κελεύων τὸν ξένον μοι χρυσίου
 δοῦν]αι στατ[η]ρας ἑκατόν ἦν γὰρ πλούσιος.
]ιον ἐκ[έ]λευσέ μ' εἰπεῖν ὅτι πίων
]ν[.] κατ' ἔλαβον τὸ χρυσίον.
 90 ποι]εῖτω τις ὅ τι ποτε βούλεται.
 AP.] τῆς δικαιοσύνης ὄση
 ΣΥ.]ητην οὔτε πω διαστολὰς
]ων ἔπραξεν οὐπιδαύριος.
]ρφρων ἀπεκλεισ[ε]ν ἔκποδών.
 95 AP.]ραν κατέλυσας ἠττηθεὶς πολῦ.
 ΣΥ. ἐπρ]αξάμην δὲ χρήματ', οὐ λέγω
]θανόντων AP. ταῦτα χάριτος ἄξια

Notes:

81 ἦλθε ξέν]ος Koerte: 'Επιδαύρι]ος Jensen: ἦν μὲν τι]ς, ὅς Handley (corresp.)

82 ἐξῆλθε Jensen.

83 μυστηρικῶν Koerte.

85 must, I think, be given to the Informer, since ἔφην κελεύειν τὸν ξένον meaning 'I said (sc. to the foreigner) that the foreigner should give me' is very awkward. This means adopting κελεύων (Koerte) in 86. Carrière, *Carnaval* 247 takes this view. Alternatively the stranger from Epidaurus might be an intermediary between the informer and his victim, (i.e. 'I said that he should tell the foreigner to give me.') but ἦν γὰρ πλούσιος (86) seems to refer to the foreigner, and to give the reason why the informer is extorting money from him.

88 The name of some relatively innocent drink, i.e. not the *kykeon* of line 81, is lost. Handley says it cannot have been χόνδρον (Koerte) since ρ cannot be read. He suggests a word like κριθίδιον or ζωμάριον with –σέν τί μ' εἰπεῖν at mid-line.

89 ἐξῆλθεν Koerte. Since the following lines show that the informer did *not* get the money, ἔλαβον is unreal in sense. Carrière, *Carnaval* 247, argues that the aorist is conative ('I tried to earn the money'). Handley suggests ὧδ' ἂν κατέλαβον 'I would have got (sc. the money) like that', for κατ' ελαβον in the papyrus (diastole marking the compound).

92 For διαστολὰς (sc. ἐποιήσατο) as '(offer an) explanation' see Carrière, *Carnaval* 247–48.

93 ἐποιήσαθ']ῶν Jensen.

94 Some have read the name Φρύνων on the papyrus here: for a discussion see Plepelits, *Eupolis* 147–48. ἀλλ' ὧς ὑπε]ρφρονῶν Jensen, with ἀπέκλεισέ μ', or ἀπέκλεισεν, but the reading is doubtful.

95 ἀρ' εἰς ἀγο]ράν...; Beazley: τὴν διαφο]ράν Koerte: γὰρ ἂν Jensen.

¹¹ For a restored text see J.C. Carrière, *Le Carnaval et la politique. Une introduction à la comédie grecque, suivie d'un choix de fragments*, (Paris 1979) 242–51.

96–97 Kassel, referring to the proverb quoted in Aristotle *Rhet.* ii 6, p. 1383b 25 (κἄν ἀπὸ νεκροῦ φέρειν (sc. to stoop so low as) ‘to rob à corpse’), suggests χρήματ’ οὐ λέγω / [παρ’ ἄπο] θανόντων. The informer would be saying this in his own defence: ‘I did earn some money but it wasn’t from somebody absolutely destitute’.

Translation:-

INFORMER: ‘[A man] once [went out] into the Agora having drunk the Barley-Drink, his beard full of [(?) mystic] meal. Somehow I noticed. I went straight to the foreigner’s house at once and said ‘What have you been up to, you unscrupulous gambler?’, whilst pressing him to pay me a hundred staters: he was rich. He insisted I should say that [he had gone out] having drunk [(?) some barley wine. I’d have] got hold of the gold [that way. If he pays,] let a man [do] whatever he likes.’

ARISTEIDES: ‘[...] your sense of justice, how great!’

INFORMER: ‘[...] nor did he [offer any] (?) explanations of what he did, the man from Epidaurus. [...] (?) in his arrogance, he shut [me] out.’

ARISTEIDES: ‘[So] (?) you fetched up [(?) in the Ago]ra heavily defeated.’

INFORMER: ‘[...] I did earn some money, I don’t say [“money from the] dead”.’

ARISTEIDES: ‘That deserves gratitude’.¹²

The fragment goes on to show how Aristeides judges the informer a miserable rascal and has him dragged off to his punishment. Aristeides expresses the wish that he could have caught Diognetos, a member of the Eleven, as well.

If this interpretation of the fragment is on the right lines, we appear to have here a dramatic reference to an informer against a wealthy foreigner for having impiously taken part in a Mysteries ceremony. The thought appears to be: the informer saw the man from Epidaurus in the Athenian Agora with barley-groats sticking in his beard, as if he had drunk some Kykeon recently.¹³ Since that could not have been at the official celebration of the Mysteries at Eleusis, the informer maliciously reasons that the man in question had attended one of the profanations of the Mysteries in spring 415. He then goes to the man’s house to try to extort money from him; the Epidaurian first promises money, then refuses to pay. So the informer goes to the Agora and informs against him publicly. As a result of the information, the informer collects a reward.

The informer’s procedure in first approaching an alleged culprit to blackmail him, then informing against him if he fails to pay up, parallels that of Diokleides in the Herms affair (Andok. 1.40–42). The rich stranger accused of profaning the Mysteries parallels the role of Poulytion in the historical profanations (Andok. 1.11–13). The Diognetos mentioned in line 37 may be the Diognetos at Andok. 1.14, who was a Zetetes, member of the board set up to investigate the impieties, but this is only conjecture, as Diognetos was a common name at that time in Athens.¹⁴

If the passage reflects historical truth in the Mysteries affair it is interesting that the profaners drank the Eleusinian *kykeon*: this would point to a relatively strict imitation of Eleusinian procedures at the profanations. If that is the case, it may be a pointer to a

¹² I am greatly indebted to Handley (in correspondence) for the translation and notes on this fragment.

¹³ On the Eleusinian Kykeon, see Richardson, *Demeter* 344–48; Armand Delatte, *Le Cyceon: breuvage rituel des mystères d’Eleusis*, (Paris 1955). The coarsely ground barley was sprinkled on the surface of the drink.

¹⁴ On the problems involved in identifying the Diognetos here see Plepelits, *Eupolis* 147–55; 159–63; he argues for identification with the Diognetos of Andokides 1.14. Likewise Storey, ‘Dating Eupolis’ 26f.

greater seriousness of intention behind the profanations than mere drunken fun (the *kykeon* was almost certainly not alcoholic, nor significantly narcotic).¹⁵

ARISTOPHANES' *BIRDS*

The *Birds* was produced by Aristophanes at the Dionysia of 414, that is, in March approximately, and must therefore have been written during the winter months of 415/4. There had been no major developments in the fortunes of the Sicilian expedition by then, with the obvious exception of Alkibiades' defection to the Peloponnese on being recalled to Athens for trial. As we have seen, the order for his recall, conveyed to Katane by the state vessel *Salaminia*, probably fell in August 415. Thucydides says that Alkibiades crossed by merchant ship from Thourioi to Elean Kyllene straight after shaking off his escort, then went on to Sparta somewhat later (6.88.9: ὕστερον). Thus Alkibiades and other Athenian fugitives (Thuc. *ibid.*) arrived in Sparta in autumn/winter 415, some months before the staging of the *Birds*. That the play refers explicitly to this sequence of events at lines 146–47 (where the state ship *Salaminia* is mentioned) was noted by the authors of the ancient hypotheses to the play (nos. II and III).

When it comes to making more comprehensive and detailed connections between the play and Athenian politics, opinions diverge quite drastically.¹⁶ There are those who see in the play a fantasy world deliberately severed by the playwright from the contemporary political scene;¹⁷ others have argued that the play is a political allegory, relating either to Alkibiades or to the Sicilian expedition.¹⁸ We have recently been told that even explicitly political plays by Aristophanes such as *Knights* or *Lysistrata* in fact convey only an ambiguous political message;¹⁹ how much more difficult is it then to decide the case of a much more allusive play such as the *Birds*? My position falls somewhere between the two extremes: on the one hand I believe that those searching the play for explicit commentary on contemporary history will be frustrated ultimately; conversely, that the play concerns the impieties of the preceding year in a much deeper sense than has been appreciated.²⁰

¹⁵ Above note 13.

¹⁶ For a history of opinions see M. J. Alink, *De Vogels van Aristophanes: een structuranalyse en interpretatie* (Amsterdam 1983) 1–34, and his summary 315–26. Two recent discussions are (1) E. M. Craik, "'One for the pot': Aristophanes' *Birds* and the Anthesteria', *Eranos* 85 (1987) 25–34 (2) M. Vickers, 'Alcibiades on Stage: Aristophanes' *Birds*', *Historia* 38 (1989) 267–99. Their notes refer to previous discussions. On the interpretation of Aristophanes in political terms generally, see Malcolm Heath, *Political Comedy in Aristophanes*, (Göttingen 1987) (Hypomnemata 87). Heath argues for extreme caution in assessing Aristophanic politics. The interpretation of the *Birds* is an old and vexed problem; I can do no more here than offer a sketch of how I perceive the play to relate to the historical impieties of 415.

¹⁷ Merry's third category of interpretations: see W.W. Merry, *Aristophanes, The Birds, With Introduction and Notes* (Oxford, first published 1889, 1956⁴). G. Murray, *Aristophanes: a study* (Oxford 1933) favoured the escapist fantasy view of the *Birds*.

¹⁸ In particular Vickers (above n. 16). For previous interpretations along these lines see his note 4.

¹⁹ Heath, *Political Comedy* (above note 16).

²⁰ Johann G. Droysen, 'Des Aristophanes Vögel und die Hermokopiden', in: *Kleine Schriften zur alten Geschichte*, vol. II (Leipzig 1894) 1–61 (first printed in *RM* 3 (1835) 160ff; 4 (1836) 27ff.) devoted a detailed study to the question how far Aristophanes' *Birds* could be seen to reflect the impieties of 415: his conclusion was largely negative, both as to the possibility of equating individual characters in Aristophanes with historical persons, and of correlating details in the play with historical facts.

Let us first take the proposition that Pisthetairos, the hero of the play, is in fact Alkibiades. This is not a wild proposition,²¹ but it is by no means as certain as proponents of the theory would like to believe. It is true that there is a general congruence between the fugitive status of Pisthetairos and Euelpides, fleeing from Athenian litigation, and the position of Alkibiades (and others) who fled Athens when they were denounced for impiety. Some passages in the play may be taken as broad hints on Aristophanes' part that he has Alkibiades in mind. When Euelpides says that he would not like to settle in a town by the sea because the Salaminia might appear bringing a summons (145–47), the poet is certainly referring to the recall of Alkibiades from Sicily, likewise conveyed by the Salaminia. The fawning praise of Pisthetairos by a herald calling him *κλεινότατε* or living in a *κλεινοτάτην πόλιν* (1272, 1277) may allude to Alkibiades' father Kleinias. Likewise, when we hear that Pisthetairos, now a bridegroom, is coming along adorned with Zeus' thunderbolts, we may suspect an allusion to the blazon on Alkibiades' shield, Eros wielding a thunderbolt, mentioned by Plutarch (*Alk.* 16.1–2). I do not believe that Vickers²² has strengthened the case for assuming that Pisthetairos is Alkibiades by reading many of his lines with Alkibiades' speech defect, the tendency to pronounce a rho as a lambda (Greek *τραυλίζειν*), although, strangely enough, Vickers does not cite one instance where one is tempted to recall this mannerism of Alkibiades. At lines 178ff. Pisthetairos says that the clouds and the sky are the *πόλος* of the birds. The hoopoe takes him up on this, and Pisthetairos says that by *πόλος* he had really meant a sort of *πόλις*. However, if Pisthetairos had meant to say *πόρος* in the first place, we would get reasonable sense, particularly when Pisthetairos defines his '*πόλος*' as 'that which everything passes through' (181–82). The passage, then, could be read as a joke about this speech mannerism of Alkibiades.

As soon as one is convinced that Pisthetairos is Alkibiades, one can find allusions in the *Birds* everywhere to his life and career, and alleged activities at Sparta, as Vickers' paper demonstrates. I do not, however, believe that any of the reasons for making the initial assumption are compelling. The remark about the Salaminia would apply equally well to the precarious situation of any of the men exiled in 415, and fearing recall to Athens for trial or execution. It is true that the lines refer specifically to Alkibiades' recall, but that does not rule out Euelpides' meaning something along the lines of: 'don't let's settle by the sea or we may be recalled by the Salaminia as you-know-who was'. Nor should we forget that the Salaminia, when it sailed to Katane, was charged with recalling a number of men accused of impiety, not just Alkibiades (Thuc. 6.61.4–7). Moreover, Pisthetairos is repeatedly referred to as an old man (e.g. 1256: *οὐτῶ γέρων ὄν*), hardly compatible with the still youthful attractions of the historical Alkibiades (around thirty-five years old at the time). As early as 1835 Droysen rejected the identification of Pisthetairos as Alkibiades for this reason among others. He pointed out that line 68, when Pisthetairos identifies himself (*Ἐπικεχοδῶς ἔγωγε Φασιανικός*), could be taken as a reference to Andokides, who confessed from fear and was the son of the pheasant-owning

²¹ Alkibiades did, after all, feature in a number of other plays: e.g. Eupolis' *Baptai* and another play (*PCG* V fr. 385 p. 510); perhaps in Aristophanes' *Triphales*. For previous proponents of the Pisthetairos-Alkibiades identification see Vickers, 'Alcibiades on Stage' n. 4. Vickers' paper itself seems to me over-argued. There are many details with which I would quarrel: my chief general objection to his theory would be that the sustained ambiguity Vickers assumes (caused by permanent confusion of rho and lambda not only by Pisthetairos himself but also other characters, not only in one direction, rho to lambda, but also the reverse) would lead to quite impossible theatre. The audience would not know which way to turn.

²² Above notes 16 and 21.

Leogoras.²³ I should add that Droysen does not argue that we are meant to identify Pisthetairos with Andokides: merely that other references in the play undermine our confidence that Aristophanes meant Alkibiades specifically.

The same ambiguity surrounds attempts to see an equation of Cloud-Cuckoo-Land with Sparta (or indeed any other actual city).²⁴ It is true that a number of lines hint at Sparta (e.g. Pisthetairos' marriage to Basileia at the end of the play might be an allusion to Alkibiades' alleged seduction of the Spartan king Agis' wife; 1012, reference to the *ξενηλασία* in Sparta; 467: Pisthetairos calls the birds 'kings', possibly a reference to Spartan kings). On the other hand it is specifically stated at 815 that the bird city should not be called Sparta, and at 1280ff. the herald announces that the founding of bird city has led men to abandon their sympathies for Sparta. I agree with those who see in Nephelokokkygia an image of Athens, though undoubtedly one of a Lewis Carroll type.²⁵

My opinion is that Pisthetairos and Euelpides are meant to represent *men like* Alkibiades, Andokides, and all the others who fled Athens as a result of the impiety trials. This fits tolerably well with their description of themselves as solid Athenian citizens fleeing Athens because of the city's propensity for litigation (27–41; they aver a wish to find a 'peaceful place' (44: *τόπον ἀπράγμονα*, incidentally, another line which does not square with Alkibiades specifically, as he never sought peace and quiet), where they may 'settle down and live out our days'. When they meet the Hoopoe and he exclaims with some dismay 'I hope you're not Heliasts!', Euelpides reassures him that they are 'non-Heliasts', which expression is not equivalent to 'jail-bird' or the like, but does reflect their rejection of the Athenian legal process. We are not told exactly what the heroes' crime has been in the past to make them fugitives, but there are references to debts left unpaid (115) and to Pisthetairos having once fouled a stele (1054). It was historically the case that the individuals who fled Athens in 415 when they became implicated in the impiety trials travelled to various places in Greece seeking asylum.²⁶ The birds threaten the two heroes when they first meet them as follows: 'No shadowy mountain, no cloud in the sky, no area of grey sea will receive these two men. I won't let them escape' — lines which vividly capture the insecure and hounded status of fugitives from Athenian justice (witness the description of Andokides' life in exile in [Lysias] 6). Another factor which I believe strongly ties the heroes of Aristophanes' play with the culprits in the 415 impieties is their blatant impiety. This must be examined in more detail.

Those who see in the Bird City purely an escapist fantasy exploiting the visual and musical potential of animated bird life must face up to the fact that the purpose of founding it, as outlined by Pisthetairos and accepted by the birds, is to deprive the gods of the upper air of a living. The birds are to occupy the middle-ground between earth and heaven, thus stopping sacrificial offerings from wafting up to heaven,²⁷ and conversely stopping winged gods descending to earth (552ff.). By this means the gods are to be compelled to surrender up to the birds their rightful patrimony (as explicated by Pisthetairos) and become kings of all creation. Instead of sacrificing to gods, men are to

²³ 'Des Aristophanes Vögel und die Hermokopiden' 58.

²⁴ Vickers, 'Alcibiades on Stage' esp. 284ff.

²⁵ Cf. Handley, *Comedy* 130. K. Dover, *Aristophanic Comedy* (London 1972).

²⁶ To take two of the most prominent cases, Alkibiades fled (with others) to Sparta, Andokides first to Kition in Cyprus, then to a number of other places. The *Against Andokides* 21ff. paints the picture of a man hounded by men and gods, nowhere able to settle in peace, dogged by his crimes.

²⁷ The idea of 'starving the gods out' occurs in essence as early as the *Homeric Hymn to Demeter*, where Demeter aims to force the gods to capitulate by preventing men offering them sacrifice (because they are in danger of extinction).

be convinced of birds' superiority and to sacrifice only to them, not to the Olympians. It is anything but an *ἀπρόγγιον* assignment, contrary to what Pisthetairos and Euelpides had said to the Hoopoe in the first place.

Points of detail fill out the general portrayal of gross impiety. Demeter is said to be incapable of securing a good grain harvest on earth if the birds care to swoop down and gobble up the sown seed (577ff.); Apollo is called a charlatan (584); the oracles at Ammon, Delphi, Dodone, Apollo himself, are said to cede to the birds as prophets (716); Pisthetairos rejects Athena as patron goddess of the new city (829ff.); Pisthetairos fires a priest conducting inaugural rites for the city, and dispatches the sacrifice himself (889ff.); two eminent Athenian 'clergymen' are targets of Pisthetairos' scorn (988); a holy war is declared against the gods when it is discovered that a winged deity has entered Bird City's defensive walls (556; 1189f.); when the deity is discovered (it turns out to be Iris), Pisthetairos' treatment of her, and his threats to Zeus himself, are outspoken in the extreme (1243ff.); Pisthetairos swears by a birdhead not godhead, to show his conversion to the new religion (1335); the only friend Pisthetairos makes among the traditional pantheon of gods and heroes is Prometheus, who identifies himself as a god-hater (1547); perhaps most significantly Pisthetairos claims a member of the Olympian family, Basileia, as his bride — a concession granted with great reluctance by the embassy of three deities who descend to Bird City to negotiate terms for peace between the birds and the gods. The end of the play sees Pisthetairos celebrating his wedding to this Basileia, equipped with Zeus' emblem, the thunderbolt. He has become king of all creation, with a divine bride.

Of course, this is all Aristophanic jesting; comedy, light relief, a bit of fun. This does not mean that the background on which it draws (impiety) appeared comic to the Athenians in a different context. The impiety trials of 415 are sufficient witness to this; the testimony of the Attic Stelai, recording the sale of property of those who had 'sinned against the two goddesses', is a grim reminder of reality. As a working hypothesis, I would suggest that here, as in other plays, Aristophanes designed his comedy not to stir up ill-feeling against those guilty of impiety, but to *defuse* the tension which had built up to a dangerous level in Athens as a result of the impiety trials.²⁸ Aristophanes has designed his plot in such a way as to extrapolate the notion of impiety to its logical and fantastic conclusion: the assumption by a man of tyranny over gods and men. By presenting his audience with a vision of this ludicrous extreme, he draws a laugh where real life preferred to condemn well-placed Athenian citizens to death for crimes of impiety considerably less serious than Pisthetairos'. The poet invites the audience to laugh at an epitome of impiety in order to distract it from a growing obsession: for Pisthetairos can only be viewed as a ludicrous figure, particularly decked out in bird plumage and resembling 'a blackbird with a page-boy haircut' (806), and old, at that. We are not meant to feel horror at Pisthetairos' assumption of supreme power: he is a merrily ridiculous old man, like Philokleon or Strepsiades before him.

Two areas of impiety in particular seem to me suspiciously reminiscent of the activities of the profaners and mutilators of 415. If I am right in my interpretation of the significance of the mutilation (that thorough-going damage to the Herms cut off a channel of communication with the gods, as personal religion employed Hermes as a linking figure with the Olympians), then the founding of Bird City offers a parallel to the notion. Here the founders of Bird City wish to set up an impious barrier separating men from

²⁸ *Peace* and *Lysistrata* are surely further examples of this desire to defuse social tension through comedy. In *Lysistrata* the tension induced, then released, by the plot is physical and visible.

gods, thus undermining Olympian religion. I believe the historical damage to the Herms in Athens would have been perceived as a similar breach in the religious channels of communication, though of course enacted on the plane of earth rather than in the sky. In this connection the mention of gods flying to and fro between earth and heaven is particularly significant. Hermes, Nike and Eros are named specifically as winged gods capable of effecting the transition (572–74), though it is recalled in addition that Homer likens Hera to a trembling dove, and that Zeus often flew down to earth in myth with an erection, lusting after a mortal woman (557ff.). Moreover Iris, one of the Olympian messenger deities, is trapped (like a bird in a net) in the fortifications of Bird City when she is flying down to earth (1170ff.). I would not argue for any close conceptual link between the Herms mutilation and this sky-barrier of comedy, but Aristophanes' plot at least proves that Athenians of the time were capable of conceiving of such a break-down in communication between men and gods effected by impious men: for this reason this part of my interpretation of the Herms crime should not be regarded as far-fetched or too picturesque. Gods, and in particular Hermes and Iris, were, quite simply, believed to fly up and down from earth to heaven thus linking men and gods.

The second area of impiety I refer to concerns Pisthetairos' desire to marry Basileia. On one level, this might be seen as a reflection of cult practice at the Anthesteria where Dionysos is said to marry Basileia at his shrine in the marshes.²⁹ If this reference is significant then Pisthetairos is seen to be setting himself up as a Dionysos, or at least as Basileus, as it is held that the Athenian archon called Basileus took the male role at the Hieros Gamos at the Anthesteria. As already mentioned, another reference may well be to Alkibiades' alleged seduction of King Agis' wife at Sparta. Still a third possibility is that when this Basileia is called a *κόρη*, no less a person than *the* Olympian Kore is intended, Demeter's daughter Persephone (1634, 1675, 1678).³⁰ If this is true we approach the cult of *τῶ θεῶ* themselves, which was of course the other prime target of the 415 impieties, involving Alkibiades above all. Thus Aristophanes *may* have intended the closing scene of his play to allude to the profanations of Kore's mysteries by Alkibiades and others. This cannot be proved. At the very least the closing scene of Hieros Gamos (paralleling that of Zeus and Hera) marks a culmination in Pisthetairos' impiety, wedding a goddess, having usurped Zeus' power in the form of the thunderbolt.

LYSISTRATA 387–98³¹

ΠΡΟΒΟΥΛΟΣ ἄρ' ἐξέλαμψε τῶν γυναικῶν ἡ τρυφή
 χῶ τυμπανισμὸς χοῖ πυκνοὶ Σαβάζιοι,
 ὅ τ' Ἄδωνιασμὸς οὐτος οὐπὶ τῶν τεγῶν,
 οὐ γὰρ ποτ' ὦν ἤκουον ἐν τῆκκλησίᾳ;
 ἔλεγεν ὁ μὴ ὤρασι μὲν Δημόστρατος
 πλεῖν εἰς Σικελίαν, ἡ γυνὴ δ' ὄρχουμένη
 'αἰαὶ Ἄδωνιν' φησίν. ὁ δὲ Δημόστρατος
 ἔλεγεν ὀπλίτας καταλέγειν Ζακυνθίων,
 ἡ δ' ὑποπεπωκυῖ ἡ γυνὴ πὶ τοῦ τέγους
 'κόπτεσθ' Ἄδωνιν' φησίν. ὁ δ' ἐβιάζετο,

²⁹ Cf. Craik, 'Birds and the Anthesteria' 27–28.

³⁰ Cf. Craik, 'Birds and the Anthesteria' 27–28, recognizes this allusion to Demeter and Kore but argues that Basileia in the play does not represent any identifiable Olympian, but rather 'an amalgum of titles and characteristics of various goddesses associated in cult with Zeus'.

³¹ Text from Jeffrey Henderson, *Aristophanes' Lysistrata* (Oxford 1987).

ὁ θεοῖσιν ἐχθρὸς καὶ μιαρὸς Χολοζύγης.
 τοιαῦτ' ἅπ' αὐτῶν ἐστὶν ἀκολαστήματα.

Has the women's licentiousness flared up, the drum-beating and repeated cries of 'Sabazios', and that roof-top Adonis-worship which I once heard when I was at the Assembly? Demonstratos — bad luck to him — was advocating an attack on Sicily, but his wife danced and shouted 'Oh, oh Adonis!'. Demonstratos tried to say we ought to muster men from Zakynthos, but his wife cried drunkenly from the roof 'Mourn for Adonis!'. He persisted, that enemy of gods and mad member of the Bouzygai. Loose behaviour like that is the men's own fault.³²

Lysistrata has established an occupying force of women on the Acropolis as one part of her stratagem to impose peace upon the menfolk. The aged Proboulos approaches the Propylaia (leading to the Acropolis) with a view to forcing an entry. He has heard of the women's conspiracy but does not yet know its motive. The passage quoted shows him comparing what he has heard of the present conspiracy of women with another incident known to him, when women had interrupted a debate in the Assembly on Sicily with rowdy behaviour on their rooftops. He attributes the women's licentiousness, then (415) and now (411), to the corruption of their husbands, and cites Demonstratos, the orator of 415 named for us by Plutarch, as an example.

The significance of this passage has been hotly debated by those seeking to establish the course of events leading up to the Sicilian expedition.³³ The latest (excellent) edition of the *Lysistrata* by Henderson (whose text I cite) states rather negatively: 'This passage throws little light on the events preceding the Sicilian expedition.'³⁴ This conclusion reflects the *non liquet* state of debate on certain points — a state which I hope to advance somewhat in some respects.

The main, and crucial, point concerns the nature of the women's Adoniasmos, and the time of its performance. On the one hand it is reasonably certain that the debate to which Aristophanes refers took place at one of the meetings of the Athenian Assembly in spring 415 to discuss the advisability of sending an armada to Sicily. Thucydides mentions two debates held within four days of each other to settle the question 'in spring of the following campaigning season' (6.8.1–3). April would seem to be a reasonable estimation of the Julian month he is referring to. On the other hand our best evidence for dating the Attic Adonia festival (Plato, *Phaidros* 276b) makes it absolutely clear that Plato envisaged the Gardens of Adonis being planted in summer. In addition to this, as Weill points out in her detailed and authoritative treatment of the question, two vase representations of 'Adoniazousai', women worshipping Adonis, unquestionably show the worshippers offering grapes — possible in summer-through-autumn, Weill points out, out of the question in spring.³⁵

The matter is complicated by Plutarch's narrative of the events prior to the departure of the Sicilian expedition, as twice he writes that the celebration of the Adonia coincided with the departure of the fleet and seemed a bad omen for the fleet's prospects for that reason (as the women mourned the dying god Adonis).³⁶ Thus Plutarch's testimony does not agree with Aristophanes as the former associates the Adonia with the departure of the

³² This translation of *τοιαῦτ' ἅπ' αὐτῶν* (meaning 'our own — the men's — fault') can be supported by line 406.

³³ See MacDowell, *Mysteries* 186–87. Dover, *HCT* IV 271.

³⁴ *Lysistrata* 119.

³⁵ Nicole Weill, 'Adoniazousai', *BCH* 90 (1966) 675–98.

³⁶ *Life of Nikias* 13, 11; *Alkibiades* 18, 5

fleet, which Thucydides dates to the commencement of the middle period of the campaigning season, whereas Aristophanes appears to set Demostratos' speech in the period when the expedition was being decided, in spring, according to Thucydides.³⁷ How to resolve these contradictions? Weill's solution is to preserve the summer dating of the Adonia (late July) attested by Plato and the vases, and accordingly to accept Plutarch's version that the Adonia fell precisely when the fleet was departing, that is (according to her scheme) in late July. She avoids a contradiction with Aristophanes by maintaining that the debate to which he is referring is not in fact one of the debates mentioned by Thucydides in spring, but is one later in the year when the Assembly was deciding whether Alkibiades ought to sail with the expedition after he had been accused of profaning the Mysteries. Weill wishes to read the line in Aristophanes *πλεῖν εἰς Σικελίαν* as a quasi-imperative directed at Alkibiades specifically — i.e. Alkibiades should sail now after all and not delay the fleet's departure any more.³⁸ This is where her argument grows weak. Taken by itself the Aristophanes passage implies nothing of the sort; it is only when taken together with the Plutarch passages that sense of the sort Weill wishes can be forced onto it. Moreover we have no evidence that Plutarch had any source other than precisely this passage of Aristophanes on which to base his account of Demostratos' part in the debate on Sicily, and likewise of the significance of the Adonia as an omen for the success of the expedition.³⁹

The way out of the dilemma which I propose to advocate here involves preserving two essential conclusions from the available evidence: (a) the Attic Adonia were normally celebrated in summer (b) the Aristophanes passage refers to a spring debate in 415 when Demostratos advocated invading Sicily and women, including his wife, audibly interrupted the debate by calls from rooftops. The only way of permitting both conclusions to stand is to assume that the women's performance described by the Proboulos was not a regular performance of any festival, but amounted to a protest cast in ritual form. I will try to justify this notion shortly. Assuming for the moment that it is correct, Plutarch's version could be explained as a mistaken interpretation of the Aristophanes passage. Failing to realize that the Adoniasmos referred to by Aristophanes was not identical with the regular festival of Adonis which Plutarch no doubt knew occurred in summer in Athens, he combined the omen of the Adonia with the departure of the fleet (summer) rather than the debate on its despatch (spring).

It is the notion of a women's protest through ritual which needs justification. That Athenian women at the time would have *wanted* to protest against the impending Sicilian expedition is a reasonable assumption. The absence and possible death of large numbers of their menfolk gave them sufficient motive to oppose such military ventures; Aristophanes' *Lysistrata* itself, though a play, not history, is only plausible if women's discontent with warfare was a generally recognized fact. Let us first consider Aristophanes' description of the women's uproar. He first mentions the *τροφή* of the women on that occasion, their licentiousness. Then he mentions drumming (*τυμπανισμός*), frequent cries of 'Sabazios', then finally 'Adonis-worship' (*Ἀδωνιασμός*) on the roofs. A woman (presumably Demostratos' wife) is said to dance (*ὄρχουμένη*), to have drunk alcohol (*ὑποπεπωκυῖ*); she calls (presumably to other women) 'lacerate your face (= mourn) for Adonis'. Thus we have explicit reference to rites associated with Adonis together with elements which are either distinct from Adonis

³⁷ Henderson, *Lysistrata* 119.

³⁸ 'Adoniazousai' 686.

³⁹ Cf. Dover, *HCT* IV 224 and 271.

(Sabazios), or not confined to his worship (drumming, dancing, drinking). This observation weakens the assumption that formal Adonis-worship is being described. In particular we note Henderson's comment that Sabazios was the 'object of private mysteries', and that he was associated with Dionysos.⁴⁰ There is no reason to assume that women normally called on Sabazios when they were mourning Adonis.

Next we note the Proboulos' expression for the present crisis in matrimonial behaviour; 'Has the women's riotousness which I heard once at Assembly flared up? (*ἐξέλαμψε*)'. Normal ritual behaviour does not 'flare up'. The Proboulos' remark only makes sense if the previous occasion referred to provided a parallel in some way to the present situation of women's civil disobedience. If the situation had been as Plutarch describes it — i.e. that a regular performance of the Adonis rites appeared ominous simply because it happened to coincide with important state business — the women could be acquitted of premeditation and there would be no parallel to Lysistrata's sex-strike.

At the beginning of the play we encounter the notion of women organizing themselves for a private religious ritual, i.e. not one officially recognized in the Athenian festival calendar. Lysistrata's opening words are 'If someone had invited them out to a shrine of Dionysos or Pan or Aphrodite Koliai or Genetyllis, you couldn't get through for all the drums. As it is, not a single woman has turned up.' She is comparing the initial poor turnout for the meeting of women she has called (to conspiratorial purpose) and the immense popularity of such private celebrations in shrines. Henderson's notes⁴¹ supply examples of such private celebrations of women at the sanctuaries of Dionysos, Pan, and Aphrodite (though here the celebration is of men); men suspected them of affording an occasion for indulgence in drink and immorality. That they could also provide an opportunity for concerted action of another sort is evidenced by Aristophanes: the women plan their revenge on Euripides at the Thesmophoria; the Skira festival provides the backdrop for the plan to take over the city's political business in *Ecclesiazousai*. When we recall that women had little opportunity to congregate except at religious conventions, and that they had the example of meetings of male hetairiai, at which politics, and probably political action, were discussed, it would not be surprising in itself if unsupervised meetings of women on occasion saw discussion of civic business which affected them also, and ways of influencing it.⁴²

I suggest, therefore, that in spring 415 the women, by prior arrangement, staged a political protest to coincide with a key debate on Sicily at the Assembly. They framed their protest loosely as a religious rite as (a) it was only on such occasions that they were even allowed out of the house (b) it excused their behaviour by masking political protest (forbidden) as private piety (tolerated). The choice of ritual expression fell on Adonis as (a) his worship at Athens was unofficial, permitting individuals greater freedom as to when and how they celebrated his rites (b) the symbolism of Adonis worship (mourning the death of the young god) suited the women's purpose in pointing to the possibility of youthful death on a large scale should the Sicilian expedition be approved. If I am right in this hypothesis, we also obtain an explanation for an alternative title of the play current in antiquity: *Adoniazousai*.⁴³ Just as the Proboulos compares Lysistrata's plot in 411 to a

⁴⁰ *Lysistrata* 118.

⁴¹ *Lysistrata* 118.

⁴² See Michèle Rosellini, 'Lysistrata: une mise en scène de la féminité', in: *Aristophane: les Femmes et la Cité*, Cahiers de Fontenay 17 (Fontenay aux Roses 1979) 11–32. Among the plays of which one would like to know more are Aristophanes, *Horai* ('Seasons'), with its attack on foreign cults, and *Triphales* ('Trollocks'): see *PCG* III 2, 286ff., 285ff.

⁴³ See Henderson, *Lysistrata* 119

well-known previous occurrence of anti-war protest by women, we could guess that the playwright himself derived the germinal idea for his play from this incident of 415. A title 'Adoniazousai' would point up the importance of the historical precedent for the comic plot.

Certain other points about this passage require comment with regard to preparations for the Sicilian expedition. I think Henderson is right to reject Mattingly's suggestion that the occasion referred to by Aristophanes is not the initial debate on Sicily at all, but rather an occasion about a year later when the Assembly dispatched reinforcements to Sicily in response to Nikias' letter (Thuc. 7, 16).⁴⁴ It is true, as Mattingly points out, that a levy of Zakynthians is expressly mentioned by Thucydides on this later occasion (7.31.2; 57.7), but not when the original expedition was dispatched; rather than adopt Henderson's reason for rejecting the suggestion (that the Adonia were certainly not celebrated in winter, the time of the latter debate in the Assembly), I prefer to think that Aristophanes has included a feature of a later debate in the original one. Alternatively, it is quite possible that Demostratos advocated levying Zakynthians in 415, even if Thucydides does not tell us so.

As Henderson says, the passage shows us the public mood had changed in 411 by comparison with 415: Demostratos, as one of the advocates of the Sicilian expedition, is referred to disparagingly. I disagree with him, however, when he says that 'the jocular fashion in which Ar. presents the Proboulos' tirade suggests that by the time of *Lys.* much of the initial shock had passed.'⁴⁵ It would be false to conclude that the matters Aristophanes jokes about in his comedies had lost their sting for Athenians: quite the contrary, his comedies live from their ability to treat burning contemporary issues wittily.

LYSISTRATA 1093–1094

*εἰ σωφρονεῖτε, θαίματα λήψεσθ' ὅπως
τῶν ἑρμοκοπιδῶν μή τις ὑμᾶς ὄψεται*

'If you're sensible, you'll pull on your coats in case a Hermokopid catches sight of you'. The remark is said by the Koryphaios to an ambassador representing the Athenians who, like his Spartan counterpart, is suffering from an enormous erection. It seems that the erection of the Spartan and the Athenian is clearly visible when they enter stage (1077–079; 1084–085), and that the Koryphaios is advising them both to cover themselves in case a Hermokopid catches sight of them. The joke is obviously enough a reference to the mutilation of the Herms in 415,⁴⁶ but a number of points require comment.

First, it is interesting to note, with Henderson, that the word *ἑρμοκοπίδης*, referring to the class of people who mutilated Herms (only in 415?), is a comic coinage first used by Aristophanes here.⁴⁷ Plutarch adopted it in his *Alkibiades*, but the word was never a technical term in historiography as modern usage might imply.

One might take the passage to imply that the damage done to the Herms in 415 consisted in knocking off their phalloi. As argued in the Herms chapter, this goes against our literary evidence, in particular Thucydides, who says it was the faces of the Herms which

⁴⁴ *Lysistrata* 119. H. B. Mattingly, 'Athenian finance in the Peloponnesian War', *BCH* 92 (1968) 453–54.

⁴⁵ *Lysistrata* 119.

⁴⁶ This passage indicates that ithyphallic herms were still familiar at the end of the fifth century, but see Dover *HCT* IV 288–89 on the relation of this passage to historical Herms.

⁴⁷ *Lysistrata* 194.

were damaged.⁴⁸ One way out of the difficulty would be to imagine the Koryphaios' reasoning to be on the following lines: if a Hermokopid catches sight of these men with erections he will attack them generally, mistaking them for Hermes, not go for their phalloi in particular. But this is not robust enough for Aristophanic comedy: surely the Koryphaios implies that a Hermokopid would emasculate the men, and the truth in the historical case must be that faces as well as phalloi of the Herms were damaged.

Henderson points out that the passage appears to indicate 'that some mutilators may still be among the spectators', but with his tendency (mistaken in my opinion) to assume that Aristophanes could only joke about matters which had ceased to torment the Athenians, he goes on to say '... but the tone is jocular: no doubt the Athenians were satisfied that they had found and punished the culprits'. One might reply to that that Andokides had not been punished at all directly, and was shortly to make a bid to return to Athens; moreover, that Thucydides records uncertainty in Athens at the time and later as to whether the right men had been punished in the Herms affair (6.60.2). In short, the lines seem to me to reflect doubt in Athens as to whether the breed of Hermokopids had been wiped out.

PHRYNICHOS fr. 61 KA (*PCG* VII p. 420) ap. Plutarch, *Alk.* 20, 7

A. *ὦ φίλταθ' Ἑρμῆ, καὶ (σὺ) φυλάσσου μὴ πεσῶν
σαντὸν παρακρούσης καὶ παράσχησ διαβολὴν
ἑτέρῳ Διοκλείδα βουλομένῳ κακὸν τι δρᾶν.
ἘΡΜΗΣ φυλάξομαι. Τεύκρω γὰρ οὐχὶ βούλομαι
μήνυτρα δοῦναι τῷ παλαμναίῳ ξένῳ.*

My dear Hermes, watch out that you don't fall over and damage yourself, giving an opportunity to some latter-day Diokleides with malicious intent." (Hermes): "I will be careful. I don't want to give reward-money to Teukros (either), that rascally foreigner.

A character is addressing Hermes on stage, telling him to be careful not to fall over, do damage to his person, thus affording an ill-intentioned informer such as Diokleides a chance to blacken someone's name by accusing him of mutilating Hermes.

The passage goes some way toward confirming Andokides' statement that (a) Diokleides had informed with malicious intent (b) that Teukros had collected reward money (cf. Andokides 1.28). It also suggests that some Herms were dislodged from their pedestals in the mutilation.

⁴⁸ For the possible meanings of *πρόσωπα* in Thucydides here see p. 28 and Dover, *HCT* IV 288–89.

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