
A STATISTICAL AND RHETORICAL STUDY
OF THE SPEECHES OF ISAEUS

A Thesis
submitted by
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ABSTRACT

The present work is concerned with presenting an investigation of the occurrence of Figures of Speech in Isaeus' speeches, and an analysis of their arrangement, in an effort to show how the factors of Figures and Arrangement are connected with the content of the speeches. This present study relies for its originality and value on the fact that it is essentially directed towards providing the reader with a general numerical survey of Isaeus' speeches, which has - up to now - been lacking in the corpus of works on Isaeus.

The work has been divided into two main chapters, with a short chapter of general conclusions. The first chapter, which provides a general background, begins with the definitions, effects and particular forms of the 15 Figures of Speech selected for study, and indicates the occurrence of the Figures and the Arrangement of the speeches throughout the whole of Isaeus' work. In this chapter, tables have been prepared for the purposes of easier reference where the writer is dealing with the comparison between the occurrence of Figures, and an attempt has been made to represent the proportion of Figures per speech more accurately, by estimating all the speeches as though they contained 600 lines - which is the maximum length of any of Isaeus' speeches. This preparatory chapter leads into the second chapter which examines the occurrence of the Figures, already selected, in detail in each speech, analysing the exordium, narrative, proof and peroration in turn to determine whether the subject matter of the speech affects the distribution of Figures and the Arrangement. The last chapter consolidates the points made in the previous two, on the occurrence of Figures, the Arrangement of the speeches and the way in which these factors are connected to the subject matter of Isaeus' cases.

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TABLE OF CONTENTS

Introduction.....	pages	5-6
Chapter I: STATISTICS.....	pages	7-32
Chapter 2: ANALYSIS OF THE SPEECHES.....	pages	33-205
Speech I.....	pages	34- 58
Speech VII.....	pages	59- 76
Speech VIII.....	pages	77- 96
Speech II.....	pages	97-II3
Speech IV.....	pages	II4-I22
Speech V.....	pages	I23-I38
Speech VI.....	pages	I39-I53
Speech XI.....	pages	I54-I68
Speech III.....	pages	I69-I82
Speech X.....	pages	I83-I9I
Speech IX.....	pages	I92-200
Speech XII.....	pages	20I-205
Chapter 3: CONCLUSIONS.....	pages	206-2II
Bibliography.....	pages	2I2-2I5

I N T R O D U C T I O N

Up to now three main stylistic works on the speeches of Isaeus have been written¹, but none of them concentrates on an investigation of the relationship between the content and the form of these speeches.

The present study, which is based mainly on statistics, is an attempt to show how and to what extent the Subject-matter (i.e. the content) affects the distribution of the Figures and the Arrangement² (i.e. the form) of Isaeus' speeches. In the course of this investigation, it is hoped that the construction of the speeches will also be examined from a general rhetorical point of view.

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- 1) These are: a) E.M. Linke, De Elocutione Isaei, Lipsiae, 1884, which deals with i) the choice of the words (Caput I: De delectu verborum), ii) the composition (Caput II: De compositione verborum), and iii) the figures (Caput III: De figurarum usu); b) W.W. Baden, The Principal Figures of Language and Figures of Thought in Isaeus and the Guardianship-Speeches of Demosthenes, Baltimore, 1906, the object of which, according to the author, (p.3), is "to make a thorough examination of the Principal Figures of Language and Figures of Thought in Isaeus and the Guardianship-Speeches of Demosthenes, and to see to what extent the latter orator was influenced in his use of them by the former"; c) C.A. Robinson, The Tropes and Figures of Isaeus (a study of his rhetorical art), Princeton, N.J., 1901. One should also mention here the recent work of R.F. Wevers, Isaeus: Chronology, Prosopography, and Social History, Mouton, Paris, 1969, in the first chapter of which the author tries to establish a chronological scheme for the undated speeches of Isaeus based on a statistical study of the "clausulae" rhythms in the speeches.
- 2) By the term "Arrangement" is meant the division of the speech into exordium, narrative, proof, peroration.

The treatment of this subject calls for a division of the work into two chapters (with a supplementary third chapter containing the conclusions):-

a) The first chapter constitutes a general statistical consideration of the speeches taking into account both the Figures and the Arrangement. After some preliminary remarks concerning the definitions and the effect of the figures which have been selected from the text, a statistical table on the occurrence of the figures is given and some observations on this occurrence follow, which aim at indicating the difference between the occurrence of the figures in the twelve speeches as a whole, and between the comparative occurrence of the individual figures. Another statistical table and some remarks on it deal with the arrangement of the speeches in an effort to show the comparative length of each speech in pages, sentences, and lines, and of each of the four parts of the speech in terms of lines and proportionate percentage.

b) The second chapter deals with the actual practice in Isaeus' speeches. It consists of a rhetorical analysis of the speeches based on the statistics both of the figures and of the arrangement, through which it is possible to discover in which passages and why Isaeus uses more or fewer figures, and, if possible, why he indicates any preference for the use of certain figures in some passages. It is also possible to discover Isaeus' attitude towards the different parts of the speech (exordium, narrative, proof, peroration), i.e. to see if these parts are represented and, if so, to what extent in the speech: are they long or short by comparison with the others? What factors determine their length? Have they been worked out according to the rhetorical precepts concerned, and, if not, what is the reason for this?

By indicating the way in which Isaeus uses the figures and arranges the speeches according to the subject-matter, it is possible to ascertain the general relationship between the form and the content in his speeches.

CHAPTER I

S T A T I S T I C S

I. PRELIMINARY REMARKS ON THE FIGURES

Before giving the statistics on the figures, a prefatory section dealing with the definitions and the effects of the figures is thought to be necessary in order to indicate how the figures have been selected from the text, and to provide the theoretical background for the discussion of the style of the speeches to be made in the next chapter. Having stated its purposes it must be admitted that the discussion on the definitions and the effects of the figures lays no claims to completeness and originality, since the works of W.W. Baden and C.A. Robinson deal specifically with this topic in Isaeus' speeches.

The figures examined are the following fifteen:¹ μέν ... δέ and οὐ (μή) ... ἀλλά Antithesis, Correspondence, Correlative, Parison, Chiasmus, Paronomasia, Parechesis, Homoeoteleuton, Figura Etymologica, Repetitions, Amplification, Hyperbaton, Asyndeton and Polysyndeton.

The definitions, the effects and the particular forms of these figures which have been selected are as follows:-

1. Antithesis

Antithesis is a basic element in Greek speech and gives the language an effect of parallel construction. It is intimately connected with periodic style² and is most appropriate to argument.³

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- 1) Other figures have not been included in the statistics as they are not statistically important in Isaeus and occur very infrequently, if at all.
 - 2) Aristotle (Rhet. 1409 b.36 ff.) speaks about the λέξις ἀντικειμένη (antithetical style) as a sub-division of λέξις κατεστραμμένη (periodic style)
 - 3) Arist., Rhet. 1410 a 22-25: ἡδεῖα δ' ἐστὶν ἡ τοιαύτη λέξις, ὅτι τάναντία γνωριστώτα καὶ παράλληλα μᾶλλον γνώριμα, καὶ ὅτι ἔοικε συλλογισμῶ· ὁ γὰρ ἔλεγχος συναγωγὴ τῶν ἀντικειμένων ἐστίν. Cp. Hermogenes, Spengel, II, 317.3.

This being the case, ^{it} is of interest to see to which degree Isaeus employs Antithesis in his speeches.

The forms of Antithesis which have been taken into account in this work are those which are introduced by the particles μέν...δέ and οὐ (μή) ... ἀλλά.

Μέν ... δέ Antithesis is employed even when the two members joined by these particles do not include any contrasted idea; in this case, Antithesis is used for the sake of development of thought by joining together the two co-ordinate limbs in a parallel construction. It is this parallel construction which at times provides Antithesis with the outward graces of Parison and Homoeoteleuton.

Οὐ (μή)...ἀλλά Antithesis is also known as σχῆμα κατ'ἄρσιν καί θέσιν.¹ As well as contributing to the parallel construction, this figure has a logical function, since by denoting an idea both negatively and positively it provides it with both lucidity and emphasis.

Of a similar construction with that of Antithesis is the form οὐ μόνον ... ἀλλά καί which by the second limb not only affirms the first one but also adds another characteristic element to it and makes thus the sense more comprehensible and the speech more emphatic.²

Dionysius of Halicarnassus observes that the figure causes an expansion of the speech.³

1) Hermogenes, Spengel, II, 328.6

2) Cp. Hermogenes, Spengel, II, 328.15: τό τε οὖν κατ'ἄρσιν καί θέσιν περιβάλλει σχῆμα τέλειον ποιοῦν τόν λόγον, καί τό ἐξ ἀναιρέσεως συμπλεκτικόν. περιουσιαστικά γάρ τά οὕτω προφερόμενα νοήματα δοκεῖ πως εἶναι, οἷον οὐ μόνον τάδε, ἀλλά καί τάδε.

3) Dion. Halic., De Demosth., ch. 19: εὐθέως γοῦν τήν πρώτην διάνοιαν ὀλίγοις ὀνόμασιν ἐξενεχθῆναι δυναμένην μακράν ποιεῖ κυκλογραφῶν ... καί ἐν τῷ "οὐδέν τῶν αὐτῶν ἐκείνοις πράττομεν" τό "ἀλλά πᾶν τούναντίον". Cp. ibid., ch.9: καί τό "οὐ μόνον ὑμᾶς ἀλλά καί τούς ἄλλους Ἕλληνας"... τοῦ συνήθους ἐξηλλαγμένην καί περίεργον πεποίηκε τήν λέξιν.

2. Correspondence

Correspondence is a form of parallel construction, the commonest after μέν ...δέ Antithesis. It consists of two co-ordinate clauses or phrases, the first of which is introduced by a forward-pointing particle which is answered by a backward-pointing particle introducing the second limb of the correspondence. The significance of this correspondence between the earlier and the latter particle is two-fold: firstly, it is important for form as the appearance of the first particle indicates that the second one is to follow, and secondly, it is important for thought as it results in a great gain in clearness and emphasis, since the reciprocal relation between the two corresponding particles secures a cohesion in thought between the two limbs of the correspondence.¹

The following forms of Correspondence have been collected in the present work:-

- a) καί ... καί, e.g. VIII.18 καί ἐξ ὧν ὁ πατήρ ἡμῶν ἔπραξε καί ἐξ ὧν αἱ γυναῖκες ... ἐγίνωσκον.
- b) τέ ... καί, e.g. VII.17 τῶν φρατόρων τε καί γεννητῶν. VIII.37 τὰ τε οὖν χρέα καί τοὺς τόκους.
- c) τέ ... τέ, e.g. VI.65 ὑμεῖς τε τὴν φῆφον ὄσαν καί κατὰ τοὺς νόμους θήσεσθε, τοῖσδέ τε τὰ δίκαια γενήσεται.

It must be noticed here that καί ...καί and τέ...τέ Correspondence make a looser connection than τέ .. καί Correspondence which presents the two limbs in a close or necessary connection, increasing thus the emphasis.²

1) Cp. J.D. Denniston, The Greek Particles, Oxford, 1966, pp. Xli - Xlii.

2) Cp. W.E. Jelf, A Grammar of the Greek Language, vol. II. Syntax, Oxford, 1851, p. 459.

- d) οὔτε...οὔτε, μήτε...μήτε, e.g. I.29 οἷς οὔτ'ἀνάγκη ἐστὶν οὔτ'αἰσχύνην οὐδεμίαν φέρει. VI.39 μήτε τοῖν θυγατέροιν μήτε τῇ γυναικὶ αὐτοῦ μήτε τῶν οἰκείων μηδενί.
- e) εἴτε...εἴτε, e.g. I.37 εἴτε γάρ διὰ τὴν τοῦ γένους ἀγχιστείαν... εἴτε διὰ τὴν φιλίαν κτλ.
- f) ἢ...ἢ, e.g. X.5 ἀμελήσας ἢ αὐτὸς αὐτὴν ἔχειν ἢ τῷ υἱῷ..... ἐπιδικάσασθαι.

It should be noted that those instances in which there are more than two members joined together (thus achieving a kind of Polysyndeton) have been classified as Correspondence, provided that the first two members do constitute a Correspondence,¹ e.g. V.35 ἅμα δέ καὶ πλούσιον καὶ πονηρότατον αὐτὸν ὄντα ἀνθρώπων ἀποδείξω καὶ εἰς τὴν πόλιν καὶ εἰς τοὺς προσήκοντας καὶ..... If there is no Correspondence, such cases have been counted as Polysyndeton.

3. Correlative

Correlative (ὕποστασις)² is another form of parallel structure. It resembles Correspondence in that the first of the two clauses is introduced by a "sign-posting" word referring to another one which introduces the second clause. The co-operation of these two words causes a dovetail of the two clauses so that a close logical unity of the two clauses is produced. Taking into account this logical unity, Correspondence provides the speech with emphasis³ and is conducive to Περιβολή.⁴

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- 1) Such a Correspondence is more effective than a simple two-member one.
- 2) Anonymus, Spengel, III, 128.11: Ὑποστασις ἐστὶν λόγου αὔξησις καὶ ἐρμηνεία κατὰ τὸ δεῦτερον κῶμμα ἢ κῶλον.
- 3) Cp. Longinus, Spengel, I, 327.15: Ὅτι ὑποστασιν καλοῦσι τὸ ἔμφασιν ἔχον καὶ πάθους τινὸς ἐνδεικτικόν.
- 4) Cp. Hermogenes, Spengel, II, 325.26: ἔτι ἐφέλκονται νοήματα καὶ αἱ ὑποστάσεις.

The following forms of Correlative can be distinguished:-

- a) Adverb referring to adverb or conjunction:

οὕτως - ὥστε / οὕτως - ὡς

ὥσπερ - οὕτω / οὕτω - ὥσπερ / ὁμοίως - ὥσπερ

ὅθεν - ἐντεῦθεν, e.g.:

X.I ὥσπερ Ξεναίνετος, οὕτω καὶ γὰρ. I.8 ὅθεν δ' οἶμαι τάχιστα

ἂν ὑμᾶς μαθεῖν ..., ἐντεῦθεν ἄρξομαι διδάσκειν.

- b) Conjunction referring to conjunction:

ἥνίκα / ἐπειδὴ / ἐπειδάν / ὅτε -- τότε

τότε - ὅτε, e.g. :

II.42 εἰ ἥνίκα μὲν ὁ Μενεκλῆς εἶχε τι, τότε μὲν ἔδωκα

ἑμαυτὸν ὑὸν αὐτῷ ποιήσασθαι. XI.22 ἐπειδὴ Στρατοκλῆς ἐτελεύτησε

... τότε ἤδη πλάττει κτλ.

- c) Pronoun referring to adverb or conjunction:

τοσοῦτος / τοιοῦτος / τηλικούτος - ὥστε

οὗτος - ὅθεν, and inversely, e.g.:

I.23 τοσαύτην ποιήσασθαι σπουδῆν, ὥστε...ὀργισθῆναι.

VI.9 τοιοῦτον πολίτην ἑαυτὸν παρεῖχεν, ὥστε...ἄρχειν ἀξιούσθαι.

VI.8 ὅθεν δικαιότατα τὰ τοιαῦτα ἡγοῦμαι εἶναι μανθάνειν, τοῦτον

ὑμῖν αὐτὸν παρέξομαι τὸν νόμον.

- d) Pronoun referring to pronoun:

οὗτος / τοιοῦτος / ἐκεῖνος —ός (τις, περ)

ὅσα - τοσαῦτα / πάντα, and inversely, e.g.:

V.I7 ἅ δέ ὠμολογήθη ἡμῖν, ταῦτα ἀκούσατε. VI.45 τούτους

εἶναι κληρονόμους, οὓς ὑμεῖς ἀπεχειροτονήσατε. VI.57 τοῦτο με-

μνήσθαι, ὅπερ ἀπέδειξα.

- e) The form: εἰς τοῦτο (τοσοῦτον) τόλμης (ἀναιδεΐας, ἀναισχυντίας, ἀνοΐας) ἦλθον (ἦκουσι, ἀφιγμένοι εἰσί)

--ώστε,¹ e.g.:

I.2 οὔτοι δέ εἰς τοῦτο ἤκουσιν ἀναισχυντίας, ὥστε καί τὰ πατῶα
προσαφελῆσθαι ζητοῦσιν ἡμᾶς. II.60 οὔτοι τοίνυν εἰς τοῦτο τόλμης
ἀφιγμένοι εἰσίν, ὥστε...κτλ.

4. Parison

Parison occurs where clauses are equal in length.² The "home"
of Parison is Antithesis, particularly its dual form with μέν ... δέ
as it is especially suited to produce an equality in the length of the
clauses.

The effects of Parison are parallelism and κάλλος.³

In the present work, when Parison occurs with Homoeoteleuton, it
has not been calculated as Parison but as Homoeoteleuton.

5. Chiasmus

Chiasmus is the arrangement of two pairs of words in such a way
that the position of the words of the one pair is exactly contrary to
the position of the words of the other pair, (αβ, β'α'), e.g. III.37

θυγατέρα εἰσαγαγεῖν
καί μή ποιήσασθαι ἀδελφόν.

The figure belongs to parallelism and contributes to the balance of
the speech.

-
- 1) This is a stronger form of Correlative than the others.
 - 2) Cp. Arist., Rhet. 1410 a.26: παρίσωσις δ' ἄν ἴσα τὰ κῶλα.
Also Alex., Spengel, III, 40.
 - 3) Cp. Hermogenes, Spengel, II, 332.23: Σχήματα δέ καλὰ ἅ καί ἐμπρεπῆ
ποιεῖ τόν κόσμον καί σαφῶς τό κεναλλωπίσθαι ἐνδείκνυται, αἳ τε
παρισώσεις κτλ. On this, and each subsequent occasion, κάλλος is
taken to mean: "technical and artistic accomplishment producing the
desired aesthetic effect".

6. Paronomasia

Paronomasia occurs where two words, slightly varying in form, have a different meaning.¹ The figure is a rhetorical play on the similarity in sound of words which contributes to the κάλλος of the speech,² while, at the same time, intensifying the idea it expresses.

Paronomasia has nothing to do with the structure of the speech.³

7. Parechesis

Parechesis is a similarity of sound produced by the repetition of the same (usually initial) letter(s) in succeeding words.⁴ Like Paronomasia,⁵ it is a rhetorical play on the similarity in sound of words and contributes to κάλλος of the speech.⁶

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- 1) For full discussion, see I.M. Casanowicz, Paronomasia in the Old Testament, diss, Boston, 1894. pp.1-5.
 - 2) Cp. Tiberius, Spengel. III. 72.5: δοκεῖ δέ τοῦτο τό τῆς παρονομασίας κάλλος ἐργάζεσθαι. Contr. Dion. Halic., De Thuc.Hist.Jud.,ch.48: ψυχρά γάρ ἡ παρονομασία καί οὐ προσβάλλουσα πάθος, ἀλλ' ἐπιτήδευσιν.
 - 3) Cp. J.C. Robertson, The Gorgianic Figures in Early Greek Prose, diss., Baltimore, 1893, p.25.
 - 4) Cp. C.A. Robinson, Tropes and Figures of Isaeus, diss., Princeton, 1901, p.26.
 - 5) For distinction between Paronomasia and Parechesis, see J.C. Robertson, op. cit., pp. 20-25.
 - 6) Since the rhetoricians do not distinguish between Paronomasia and Parechesis, it can be deduced that both figures produce the same effect; cp. J.C. Robertson, op. cit., pp.24-25; Hermogenes, Spengel, II, 251.9: παρήχησις ἐστὶ κάλλος ὁμοίων ὀνομάτων ἐν διαφόρῳ γινώσκει ταύτόν ἡχοῦντων κτλ.

8. Homoeoteleuton

Homoeoteleuton occurs where two or more clauses end in words with identical terminations.¹ This figure, which is intimately connected with Antithesis and Parison,² if used moderately, constitutes an element of κάλλος³.

9. Figura Etymologica

Figura Etymologica is the concurrence of two generic and grammatically co-ordinated words, which form a single, though intensified, idea.⁴ Thus the effect of the figure is emphasis, since a simple idea, expanded between two words which are connected by their similarity of sound, becomes reinforced.

10. Repetitions

Here are included:

(Ep)an adiplosis (aa—)⁵

Epanaphora (a-, a-)⁶

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- 1) For full discussion, see J.C. Robertson, op.cit., pp. 18-20.
 - 2) In the present work where Homoeoteleuton and Parison are combined it has been calculated as Homoeoteleuton.
 - 3) Cp. Tiberius, Spengel. III. 74.26: κάλλος δέ τό σχῆμα ἐργάζεται, ἕάν τις αὐτῷ ἀνεπαχῶς χρῆται; Demetrius, Spengel, III, 267.13: χρῆσις δέ τῶν τοιούτων κώλων ἐπισημῆς.... ἐκλύει γάρ τήν δεινότητα ἢ περί αὐτά τερθρία καί φροντίς κτλ. Also, Hermogenes, Spengel. II. 332.5.
 - 4) C.A. Robinson, op.cit., pp.16-17, where a distinction between this figure and Alliteration is also found. Cp., also, J.D. Denniston, Greek Prose Style, Oxford, 1970, p. 134.
 - 5) Zonaeus, Spengel. III. 165.29: Ἀναδίπλωσις ἐστι λέξεων προφορά ἐπάλληλος, οἷον λέγε, λέγε τάληθές· γίνεται δέ καί μεταξύ λέξεως ἐμβεβλημένης, ὡς τό ἀλλ'οὐκ ἔστι ταῦτα, οὐκ ἔστιν.
 - 6) Tiberius, Spengel, III. 72.27: Ἐπαναφορά δέ ἐστίν ὅταν δύο καί πλειόνων κώλων κόμματα ἀπό τῆς αὐτῆς λέξεως ἄρχηται.

Autistrophe	(-a, -a) ¹
Symploke	(a-b, a-b) ²
Epanastrophe	(-a, a-) ³
Kyclos	(a-, -a, or a-,, -a) ⁴

Repetitions serve to strengthen an idea by repeating it, and contribute to the κάλλος of the speech.⁵

11. Amplification

Amplification has been regarded under the following headings:-

- a) Synonyms
- b) Epexegetis
- c) Hendiadys
- d) "General-Particular" (G-P)
- e) "Particular - General" (P-G)
- f) "Positive - Negative" (P-N)
- g) "Miscellaneous"

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- 1) Hermogenes, Spengel, II, 335.30: ἔστι δέ τοῦτο (sc. ἡ ἀντιστροφή) ἐναντίον πως τῆ ἐπιαναφορᾶ κατὰ τό τέλος ἐχόντων τῶν κώλων τήν αὐτήν λέξιν.
 - 2) Zonaeus, Spengel, III, 166.7: Συμπλοκή ἐστὶ σύνθεσις ἐκ^{τε} τῆς ἐπιαναφορᾶς καί τῆς ἐπιαναστροφῆς (i.e. ἀντιστροφῆς, Alex., Spengel, III, 30.8).
 - 3) Hermogenes, Spengel, III, 336.19: γίνεται δέ (sc. ἐπιαναστροφή) ὅταν τό τέλος τοῦ κώλου ἐτέρου κώλου τις ἀρχήν ποιήσῃται.
 - 4) Hermogenes, Spengel, II, 252.2: Κύκλος ἐστὶ σχῆμα ..., γίνεται δέ ὅταν ἀφ' οὗ ἄρξῃται τις ὀνόματος ἢ ῥήματος, εἰς τό αὐτό καταλήξῃ πάλιν μήτε πτωσιν ἐναλλάξας μήτε σχῆμα μήτε χρόνον ... ἐγχωρεῖ δέ καί περιδικῶς αὐτό λεχθῆναι δύνασθαι.
 - 5) Cp. Hermogenes, Spengel, II, 335-337.

By these means the orator provides the speech with expanded meaning in an endeavour to achieve clearness or emphasis or both, This expansion sometimes damages the harmony of the speech but makes the jurors closely observe a thought and securely grasp an argument.

a) Synonyms¹ are usually two words (verbs, adverbs, nouns, adjectives), or phrases, which have approximately the same meaning. These occur mostly linked together by a conjunction but sometimes they form an Asyndeton, e.g.: IX.37 ἀντιβολῶ καὶ ἰκετεύω. VII.45 σκεφάμενοι καὶ διαλογιζόμενοι. II.I4 ὑγιαίνων, εὖ φρονῶν, εὖ νοῶν. V.43 κακῶς καὶ αἰσχροῶς. V.12 ὕβρεως καὶ μιαρίας. II.42 δεινόν καὶ αἰσχρόν.

b) Epexegesis has been defined as those instances where a thought is stated first in a single word and then analysed or explained,² e.g. II.8. δοῦναι χάριν ταύτην αὐτῷ, ἐκδοῦναι ἄλλῃ αὐτήν. I.47 ἐν ἀμφοτέροις, ὧ ἄ., καὶ ἐν τῷ δοῦναι καὶ ἐν τῷ λαβεῖν. II.3 ἦμεν δὲ αὐτῷ παῖδες τέτταρες ἡμεῖς, δύο μὲν ὑεῖς, δύο δὲ θυγατέρες.

c) Hendiadys³ has been calculated as those instances where (i) an adjective qualified by πολὺς is connected with its qualitative by καί, e.g. VI.21. πολλῶν καὶ κακῶν ἦρξεν. IX.23 πολλά κάγαθά παθών, ii) two verbs^{are} connected together by καί, one of which constitutes an adverbial qualification to the other, e.g. VII.14 καὶ ἤτησε καὶ ἔτυχεν (= καὶ αἰτήσας ἔτυχεν). V.3 φεύσεται καὶ ῥαδίως ἐλεγχθήσεται (= ῥαδίως ἐλεγχθήσεται ψευδόμενος).

1) Anaximenes, Spengel, III, 30.14: συνωνυμία δὲ ἐστὶν ὅταν τῷ χαρακτηρὶ διαφοροῖς ὀνόμασι, τῇ δυνάμει δὲ τὸ αὐτὸ δηλοῦσι χρώμεθα πλείοσι, ἔν μὲν καὶ τὸ αὐτὸ βουλόμενοι δηλοῦν.

2) Cp. C.A. Robinson, op.cit., p. 16; R. Volkmann, Die Rhetorik der Griechen and Römer, 1963, p.405.

3) J.D. Denniston, Greek Prose Style, Oxford, 1970, p.62-3.

d) "General - Particular" (σχῆμα καθ' ὅλον καί μέρος).

Here are included instances where a phrase or clause begins with a term of a broad sense which is made more specific by a term or terms of a narrower definition which has already been included in the broad scope of the preceding term, e.g. I.16 οἱ τούτων φίλοι καί Κηφίσανδρος. VI.11 οὐδεῖς τό παράπαν οἶδεν οὔτ' ἤκουσεν. IV.7 πόσοι συγγενεῖς καί υἱεῖς. Sometimes the orator falls into wordiness, e.g.

II.9 τήν τε προῖκα ἐπιδίδωσιν αὐτῷ, ... καί τά ἱμάτια, ἃ ἦλθεν ἔχουσα παρ' ἐκείνου, καί τά χρυσίδια, ἃ ἦν, δίδωσιν αὐτῇ.

e) "Particular - General" This is the reverse of (d) e.g. V.8 ὑπό Μέλανος τοῦ Αἰγυπτίου καί τῶν ἐκείνου φίλων. VII.30 ἀλλ' ἔσται τις ὁ ἐναγιῶν καί πάντα τά νομιζόμενα αὐτοῖς ποιήσων.

f) "Positive - Negative". Here are included instances where a thought is stated both positively and negatively,¹ e.g. II.35. Ἔργῳ καί οὐ λόγῳ. I.45 οἱ παῖδες οἱ τούτων, οὐκ ἐκείνος ἐγένετο κύριος τῶν καταλειφθέντων. V.38 καί τοῦτο ἐπέδωκεν, οὐκ εἰσήνεγκεν.

g) "Miscellaneous" Here are included some instances which contain an expansion of thought but cannot be classified according to the above groups, e.g. II.18 καί ἐγώ τόν αὐτόν τρόπον ὥσπερ γόνυ ὄντα πατέρα ἐμαυτοῦ ἐθεράπευον καί ἠσχυρόμην, καί ἐγώ καί ἡ ἐμή γυνή, ὥστε κτλ. II.38 βούλομαι ὑμῖν καί αὐτούς τούτους μάρτυρας παρασχέσθαι ἐμοί μαρτυροῦντας ἔργῳ καί οὐ λόγῳ, ἐξ ὧν ἔπραξαν αὐτοί κτλ.

12. Hyperbaton

Hyperbaton is one of the commonest artistic devices in Greek speech.

1) The opposite of οὐ (μή) ... ἀλλά.

It is used partly for emphasis, partly for the sake of "interlocked arrangement", and partly for rhythmic purposes (e.g. for avoiding hiatus).¹

In the statistics, the following types of Hyperbaton have been included as more significant, though not more usual²:-

a) The separation of attributive genitives from the substantives to which they are attributed, e.g. III.51 ὥστε μηδέ τό δέκατον μέρος ἐπιδοῦς ἐκδοῦναι τῇ γνησίᾳ θυγατρὶ τῶν πατρῶων. VI.1 τοὺς πολλοὺς οἶμαι ὑμῶν εἰδέναι. VI.19 ἢ ἔναυκλήροι συνοικίαν ἐν Πειραιεῖ αὐτοῦ καί παιδίσθας ἔτρεφε. XI.7 καί ὅτι τούτοις οὐδέν προσήκει τῆς κληρονομίας.

b) The separation of attributive adjectives from their substantive, e.g. I.25 διατί οὐκ ἐν ἑτέρῳ γράφας αὐτά γραμματεῖφ κατέλιπεν κτλ. VII.37 οὐ γάρ ἀχρήστους αὐτοὺς εὐρήσετε πολίτας. IX.29 ἱκανὴν γάρ ἠγήσατο βῆσανον εἰληφέναι. XI.35 τότε ἂν μοι κατὰ ταύτην προσῆκε κρινεσθαι τὴν γραφὴν. XII.10 Εὐφίλητον τουτονὶ ἀδελφὸν εἶναι ἑμαυτοῦ ὁμοπάτριον. VI.1 φανεράς κατέστησε τάς αὐτοῦ βουλήσεις.

c) The separation of verbs from adverbs, e.g. III.57 ἐν ᾧ ἔλαχον τοῦ κλήρου τὴν λῆξιν τρίτη ἡμέρᾳ εὐθέως οὗτοι. IX.31 εἰ καί δεκάκις ὁ Ἱεροκλῆς διαθήκας ψευδεῖς ἀποδεικνύει. X.1 εἴθ' ἡμεῖς ἀδίκως ἐπὶ τόν κληρον ἠκομεν, εἰθ' οὗτοι μὴ προσηκόντως πάλαι τὰ χρήματα ταῦτα εἰλήφασιν.

13. Rhetorical Questions and Answers

Rhetorical Questions are merely rhetorical assertions put in the

1) Cp. J.D. Denniston, Greek Prose Style, pp.58-9.

2) As is, for example, the separation of a noun or adjective from its article.

form of ^aquestion in order to make the speech energetic and forceful.¹

The figure requires no answer but when it is answered the speech gains more emphasis. Both Rhetorical Questions and Rhetorical Answers are effective means for an orator to develop his argument according to the interests of his case, and to secure the attention of the audience.² The effect is more impressive when the orator insists on referring to the same point in a string of questions or questions and answers.³

14. Asyndeton

Asyndeton is the omission of conjunctions between logically and grammatically related words, clauses or phrases.⁴ As a figure of speech it is used to set forth each idea separately and emphatically so that "in an equal space of time many things appear to be said".⁵

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- 1) Cp. Demetrius, On Style, 279. On definition of the figure see Wolkmann, p. 491. Tiberius (Spengel, III, 64.29) says that τό πνευματικόν σχῆμα ἔργα μὲν ἔχει τέσσαρα, προσοχὴν, σαφήνειαν, ἐνάργειαν, ἔλεγχον.
 - 2) Cp. Demetrius, On Style, 279; Longinus, Spengel, I, 270. 5ff.
 - 3) Cp. Hermogenes, Spengel, II, 344.3; Isaeus VIII.28.
 - 4) Denniston (Greek Prose Style, p.99) distinguishes between "asyndeton at comma" (between words and clauses) and "asyndeton between sentences". There is not such a distinction made in the statistics; nevertheless, in the analysis of the speeches "asyndeton between sentences" is said to be "less effective", for it lacks the cumulative effect of "asyndeton at comma".
 - 5) Arist., Rhet., 1413b. 34: ἔτι ἔχει ἴδιόν τι τὰ ἀσύνδετα· ἐν ἴσῳ γὰρ χρόνῳ πολλὰ δοκεῖ εἰρησθαι.

Its effects are forcefulness (δεινότης)¹ and amplification (αύξεις)².

15. Polysyndeton

Polysyndeton, though opposite to Asyndeton in form (connectives are inserted between the related terms), has an effect similar to it.³

It must be noted here that instances of Polysyndeton which begin with Correspondence are not included in the statistics as they have been calculated as figures of Correspondence, e.g. ἀλλ'ἤκουσιν ἐφ'ἡμᾶς καί τοὺς φίλους παρακαλέσαντες καί ῥήτορας παρασκευασάμενοι καί οὐδὲν ἀπολείποντες τῆς αὐτῶν δυνάμεως.

II. STATISTICS.

a) Figures

Taking into consideration how the examples of the 15 figures were selected from the text⁴ of the 12 speeches of Isaeus, in the following table is arranged - in descending order of the total number from left to right - a statistical account of the examples chosen of the 15 figures in Isaeus.

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- 1) Demetrius, On Style, 269: Μάλιστα δέ πάντων ἰστέον τὴν διάλυσιν δεινότητος ἐργάτιν.
 - 2) Arist., Rhet., 1413 b. 35: ὁ γὰρ σύνδεσμος ἔν ποιεῖ τὰ πολλά, ὥστε ἐάν ἐξαιρεθῆ, δῆλον ὅτι τούναντίον ἔσται τό ἔν πολλά. ἔχει οὖν αύξῆσιν.
Cp. Longinus, Spengel, I. 271.25.
 - 3) Cp. Hermogenes, Spengel. II, 435.27: ταύτό δέ ἀμφοτέρω δηλοῖ, καί ἐργάζεται καί μέγεθος καί πλήθος, ὅταν ἐκατέρω καιρός ἦ;
Demetrius, On Style, 63; Quintilian, IX.III.54: "The origin of these figures is one and the same, namely, that they make our utterance more vigorous and emphatic". (Transl. LOEB).
 - 4) The text of E.S. Foster's Loeb edition has been used throughout the present work.

There are two numbers for each figure in each speech: one integral number which represents the real number of figures existing in each speech, and one decimal number which is called "relative"¹ number and which represents the total number of figures each speech would have if it consisted of 600 lines, i.e. if it were equal in length to Speech III. As Speech III is the longest speech as regards the statistics, for the purpose of comparative statistical calculations, it has been decided to assess the eleven other speeches² as though they too consisted of 600 lines, and thus the system of "relative" numbers has been derived. These relative numbers exist for the purposes of comparing one speech with another to deduce the number of figures which each of them includes. This comparison is still more facilitated by the inclusion in the table of an average of the total relative numbers of each figure.

Here is the statistical table:-

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- 1) For the sake of distinction between "real" numbers and "relative" numbers, the latter are enclosed in brackets [] throughout this work. The "relative" numbers have been estimated to the nearest half or whole number except in the Totals where extraneous halves have been ignored.
 - 2) For the lines existing in each speech, see table on p. 3I.

STATISTICAL TABLE ON THE OCCURRENCE OF THE FIGURES

SPEECHES	Antithesis		Amplification	Hyperbaton	Correspondence	Rhetorical Questions and Answers	Asyndeton	Polysyndeton	Correlative	Paronomasia	Homoeoteleuton	Figura Etymologica	Parechesis	Repetitions	Parison	Chiasmus	TOTALS
	μὲν.. ..ἔ	οὐκ.. ..ἀλλὰ															
I CLEONYMUS	41 66.00	17 27.00	37 59.00	61 97.50	32 51.00	15 24.00	2 3.00	— —	26 41.50	9 14.50	12 19.00	7 11.00	7 11.00	3 5.00	15 24.00	6 9.50	290 463.00
II MENECELES	18 30.00	14 23.50	51 85.00	24 40.00	32 53.50	9 15.00	7 11.50	9 15.00	12 20.00	25 41.50	7 11.50	12 20.00	11 18.50	3 5.00	6 10.00	5 8.50	245 408.00
III PYRRHUS	33 33.00	6 6.00	37 37.00	53 53.00	24 24.00	48 48.00	14 14.00	8 8.00	9 9.00	24 24.00	7 7.00	17 17.00	15 15.00	4 4.00	1 1.00	3 3.00	303 303.00
IV NICOSTRATUS	30 69.00	15 35.00	18 41.50	26 60.00	20 46.00	13 30.00	1 2.50	9 21.00	6 14.00	1 2.50	12 27.50	4 9.00	2 4.50	— —	2 4.50	— —	159 370.00
V DICAEUGENES	44 61.50	18 25.00	35 49.00	31 43.50	18 25.00	11 15.50	4 5.50	1 1.50	6 8.50	25 35.00	4 5.50	10 14.00	7 10.00	12 17.00	6 8.50	10 14.00	242 340.00
VI PHILOCTETON	52 62.00	19 23.00	46 55.00	33 39.50	28 33.50	14 17.00	9 11.00	12 14.00	16 19.00	11 13.00	5 6.00	9 11.00	8 9.50	10 12.00	5 6.00	7 8.50	284 340.00
VII APOLLODORUS	31 51.50	25 42.00	52 86.50	33 55.00	29 48.50	13 21.50	18 31.50	9 15.00	10 16.50	5 8.50	18 31.50	6 10.00	6 10.00	8 13.00	5 8.50	3 5.00	271 453.00
VIII CIRON	34 48.00	34 48.00	35 49.50	26 36.50	21 30.00	28 39.50	14 20.00	8 12.00	14 20.00	19 27.00	9 13.00	7 10.00	14 20.00	12 17.00	5 7.00	9 13.00	289 410.00
IX ASTYPHILUS	17 32.00	14 26.00	26 49.00	21 39.50	15 28.00	7 13.00	5 9.50	3 5.50	15 28.00	4 7.50	8 15.00	5 9.50	3 5.50	2 4.00	2 4.00	2 4.00	149 280.00
X ARISTARCHUS	21 52.50	17 42.50	11 27.50	14 35.00	11 27.50	5 12.50	5 12.50	2 5.00	5 12.50	4 10.00	8 20.00	2 5.00	5 12.50	2 5.00	5 12.50	3 7.50	120 300.00
XI HAGNIAS	38 47.50	28 35.00	31 39.00	27 34.00	20 24.00	21 26.00	13 16.00	9 11.00	24 30.00	6 7.50	16 20.00	4 5.00	4 5.00	7 9.00	5 6.00	1 1.50	254 317.00
XII EUPHILETUS	9 47.00	2 10.50	5 26.00	6 31.50	6 31.50	3 15.50	— —	3 15.50	3 15.50	— —	— —	4 21.00	— —	— —	— —	— —	41 214.00
TOTALS	368 600.00	209 343.50	384 604	355 565	256 422.50	187 277.50	92 137.00	73 123.50	146 234.50	133 191.00	106 176.00	87 142.50	82 121.50	63 91.00	57 92.00	49 74.50	2,647
Average of relative numbers	79		50	47	35	23	11	10	20.5	16	15	12	9	8	8	6	
	21.8%		14.50%	13.4%	9.67%	7%	6.24%	5.5%	5%	4%	3.29%	3%	2.38%	2.15%	1.85%		

Certain observations can be made on the occurrence of each figure by extensive reference to the above table:-

1) Antithesis occupies the first position in the statistics with 577 real numbers (21.8% of the total 15 figures). Οὐ (μή)... ἀλλά Antithesis appears with a considerable frequency by comparison with μέν...δέ Antithesis which is a commoner device: the former occurs 209 times¹ and constitutes 36% of the total number, while the latter occurs 368 times and constitutes 64%. The highest proportion of οὐ (μή)...ἀλλά Antithesis is found in Speech VIII (50%), while Speeches II, VII, IX, XI follow with a percentage of 42-45%; the lowest proportion appears in Speeches III (16%) and XII (18%).

In relative numbers, four Speeches (II,III,IX,XII) which contain [39.00] - [58.00] figures are below the average for relative numbers ([79.00]), while all the remaining speeches which contain [82.00] - [96.00] figures exceed this average by a considerable distance; particularly Speech IV which contains [104.00] figures exceeds it by [25.00] figures.

2) Amplification occupies the second position in the statistics with 384 real numbers² (14.5% of the total 15 figures).

In relative numbers, Speech VII contains the highest proportion of Amplification among the twelve speeches ([86.50] figures, i.e. 14%),

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- 1) 31 examples^{are} of the type οὐ (μή) μόνον ... ἀλλά καί.
 - 2) The predominance of synonyms by comparison with the other five kinds of Amplification (see p.15 above) is considerable (41% of the total figures).

while Speech XII occupies the lowest position ([26.00] figures, i.e. 4%). Again, five speeches (I,V,VI,VIII,IX) which contain [49.00] - [59.00] figures are close to the average for relative numbers ([50.00]); another five speeches (III,IV,X,XI,XII) which contain [26.00] - [41.50] figures are below this average; and only two speeches: Speech VII ([86.50] figures) and Speech II ([85.00] figures) considerably exceed the average.

3) The third position in the statistics is occupied by Hyperbaton which occurs 355 times¹ (13.4% of the total 15 figures).

In relative numbers, Speech I appears with the highest occurrence of Hyperbaton ([97.50] figures, i.e. 17% of the total number of the twelve speeches); the lowest position is occupied by Speech XII which contains [31.50] figures (5%). Only four speeches considerably exceed the average of relative numbers ([47.00]), namely Speeches I,III,IV,VII which contain [55.00] - [97.00] figures; the remaining eight speeches, which contain [31.50] - [43.50] figures, are below this average.

4) Correspondence occurs 256 times² in the speeches and occupies the fourth position in the statistics constituting 9.67% of the total real number of all the figures.

In relative numbers, Speech II contains the highest proportion ([53.50] figures, i.e. 13% of the total number of the twelve speeches),

-
- 1) The separation of the attributive genⁱetives from the substantives to which they are attributed is the type of Hyperbaton which occurs more frequently than the other two kinds (see p.18): it occupies 58% of the total real numbers, the other two kinds being restricted to 21% each.
 - 2) καί...καί and τέ...καί Correspondence occurs much more often than τέ...τέ, εἴτε...εἴτε, ἦ...ἦ Correspondence, occupying 63% of the total real numbers; the negative form οὔτε...οὔτε occurs 22%.

while Speech III and XI occupy the lowest position with [24.00] figures each (6%). Again, Speeches, I,II,IV,VII, which contain [46.00]-[53.50] figures, considerably exceed the average of the relative numbers ([35.00]), while the remaining eight speeches, which contain [24.00] - [33.50] figures, are below this average.

5) Rhetorical Questions and Answers occupy the fifth position in the statistics with 187 real numbers which constitute 7% of the total numbers.¹

Speech III has the highest proportion both of Rhetorical Questions and Answers ([48.00] figures, i.e. 17% of the total relative numbers), while Speech X occupies the lowest position with [12.50] figures (5%). Seven Speeches (II,V,VI,VII,IX,X,XII) are below the average of relative numbers ([23.00]); two speeches (I,XI) are close to the average, and only three speeches (III,IV,VIII) exceed it considerably.

6) Asyndeton and Polysyndeton² appear with a remarkable proportion, occupying the sixth position in the statistics with 165 real numbers which constitute 6.24% of the total number of the 15 figures.

It is noticeable that Speech XII lacks Asyndeton and Speech I lacks Polysyndeton. Speeches IV and I contain only one and two figures of Asyndeton respectively, while Speech V contains only one instance of Polysyndeton.

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- 1) There is a remarkable divergence between Rhetorical Questions which occupy 86% of the total real numbers and the Rhetorical Answers which are restricted to 14%; in other words, only 27 out of 160 R.Q. are answered by R.A. Four out of twelve speeches lack Rhetorical Answers (IV,V,VI), another four speeches contain only one instance each (I,II,VII,IX), and only Speeches III,VIII,X and XI appear with a considerable proportion of R.A. by comparison with R.Q.
 - 2) Although Asyndeton and Polysyndeton were defined separately, they are treated together when considering the proportion of the figures in the speeches as their effect is almost identical.

Speech VII has the highest proportion of Asyndeton and Polysyndeton ([46.50] figures, i.e. 18% of the total relative numbers), while Speech I occupies the lowest position with [3.00] figures followed by Speech V which contains [7.00] figures.

Seven Speeches (II,III,IV,VI,VII,VIII,XI), which contain [22.00] - [46.00] figures, exceed the average of relative numbers ([21.00]), and five Speeches (I,V,IX,X,XII), which contain [3.00] - [17.50] figures, are below this average.

7) Correlative occurs 146 times in the speeches and occupies the seventh position in the statistics, constituting 5.5% of the total real numbers of all the figures.¹

In relative numbers, Speech I has the highest occurrence of Correlative ([41.50] figures, i.e. 18% of the total number of the twelve speeches); the lowest position is occupied by Speech V which contains [8.50] figures (4%).

Only three Speeches, (I,IX,XI), which contain [28.00] - [41.50] figures, exceed the average of relative numbers ([20.00]); another three (II,VI,VIII), which contain [19.00] - [20.00] figures, are very close to it; and six Speeches (III,IV,V,VII,X), which contain [8.50] - [16.50] figures, are below this average.

8) Paronomasia occurs 133 times and constitutes 5% of the total real numbers of all the figures.

Speech XII lacks figures of Paronomasia, while Speeches IV,VII,IX,X,XI contain comparatively few instances (1-6).

1) The form "pronoun referring to pronoun" (see p.II above) is the commonest form of Correlative in Isaeus occupying 50% of the total figures of Correlative; the form οὐτως...ὥστε occurs in a considerable proportion (25%), while the other three kinds are restricted within the remaining 25%.

Only four out of eleven speeches, namely, speeches II, III, V and VIII, which contain [24.00] - [41.50] figures, exceed the average of relative numbers ([16.00]), while the remaining seven speeches, which contain [2.50] - [14.50] figures, are below this average.

9) Homoeoteleuton occurs 106 times and constitutes 4% of the total real numbers of the 15 figures.

Speech XII lacks Homoeoteleuton, and Speeches II, III, V, VI contain very few instances (4-7).

In relative numbers there is a remarkable divergence (15%) between Speech VII which comes first in the statistics with [31.50] figures (18% of the total relative numbers), and Speech V which occupies the lowest position with [5.50] figures (3%).

Five out of eleven speeches, namely, Speeches I, IV, VII, X, XI, which contain [19.00] - [31.50] figures, exceed the average of relative numbers ([15.00]); Speech IX is equal to it with [15.00] figures; and the remaining five speeches (II, III, V, VI, VIII), which contain [5.50] - [13.00] figures, are below this average.

10) Figura Etymologica occurs 87 times and constitutes 3.29% of the total real numbers of the figures.

Speeches X and XI contain the minimum number of the figures (2 [5.00] and 4 [5.00] respectively).

In relative numbers, there is a divergence of 11% between Speech XII which comes first with [21.00] figures (15% of the total relative figures) and Speeches X and XI which occupy the lowest position with [5.00] figures (4%) each.

Only three out of the twelve speeches, namely, Speeches II, III and XII, which contain [17.00] - [21.00] figures, exceed the average of relative numbers ([12.00]), while seven speeches (I, IV, V, VI, VII, VIII, IX), which

contain [9.00] - [14.00] figures, are very close to it; Speeches X and XI, which contain [5.00] figures each, are considerably below this average.

11) Parechesis occurs 82 times and constitutes 3% of the total real numbers of the fifteen figures.

Speech XII lacks Parechesis, while Speeches IV, IX, X, XI contain very few instances (2-5).

In relative numbers, there is a divergence of 13% between Speech VIII, which comes first with [20.00] figures (17% of the total relative figures), and Speech IV which occupies the lowest position with [4.50] figures (4%).

Five out of eleven speeches (I, II, III, VIII, X,) which contain [11.00] - [20.00] figures, exceed the average of relative numbers ([9.00]), three speeches (V, VI, VII), which contain [9.50] - [10.00] figures, are very close to it, and another three speeches (IV, IX, XI), which contain [4.50] - [5.00] figures, are considerably below this average.

12) Repetitions are represented by a total of 63 examples of the figure¹ which constitute 2.38% of the total real numbers of the 15 figures.

Two of the twelve speeches lack figures of Repetition (Speeches IV and XII), while another five speeches (I, II, III, X, IX) contain noticeably fewer instances ([4.00] - [5.00] figures), and only five speeches (V, VI, VII, VIII, XI) appear with remarkably more instances ([9.00] - [17.00]) exceeding the average of the relative numbers([8.00]).

1) Epanaphora occupies 60% of the total real numbers; the other five kinds of Repetition (see p. I4above) are restricted within the remaining 40%.

13) Parison is represented by relatively few instances; it occurs 57 times and constitutes 2.15% of the total real numbers.

Speech I appears provided with the maximum proportion (15 [24.00] figures, i.e., 26% of the total real numbers), while Speech XII lacks Parison, and Speeches III, IV and IX include only one or two instances, being considerably below the average of the relative numbers ([8.00]), as also are Speeches VI, VIII, XI which contain [6.00] - [7.00] figures. Speeches V and VII, which contain [8.50] figures each, are almost equal to this average, and only Speeches I, II and X, which contain [24.00], [10.00] and [12.00] figures respectively, exceed it.

14) Chiasmus comes last in the statistics with 49 real numbers which constitute 1.85% of the total number of the fifteen figures.

The absence of Chiasmus in Speeches IV and XII is noticeable, as also is the low proportion of the figure in Speeches III, VII, IX and XI which contain [1.50] - [5.00] figures, being thus below the average of the relative figures ([6.00]). The remaining six speeches (I, II, V, VI, VIII, X), which contain [7.50] - [14.00] figures, exceed this average considerably.

According to their total relative numbers, the speeches can be arranged as follows, in descending order from left to right:-

1	2	3	4	5	6	7	8	9	10	11	12
I	VII	VIII	II	IV	V	VI	XI	III	X	IX	XII
463	453	410	408	370	340	340	317	303	300	280	214

It can be seen from the statistics that Isaeus indicates a preference for those figures which provide the speech with emphasis, clarity, and vividness, or which facilitate the presentation of an argument.

Thus Antithesis appears as 21.8% of the total real number of the fifteen figures, Amplification as 14.5%, Hyperbaton 13.4%, Correspondence 9.67%, Rhetorical Questions and Answers 7%, Asyndeton and Polysyndeton 6.24%, and Correlative 5.5%. Conversely, those figures which contribute merely an aesthetic sense to the style appear with a comparatively lower frequency: Paronomasia¹ with 5%, Homoeoteleuton 4%, Figura Etymologica¹ 3.29%, Parechesis 3%, Repetitions¹ 2.38%, Parison 2.15%, Chiasmus 1.85%.

As far as the figures are concerned, most aspects of their statistical occurrence have been covered by the analysis above.

b) Arrangement of the speeches

As far as the arrangement of the speeches is concerned, the following statistical table and a few observations on it should suffice here, for a logical treatment of the speeches does not permit this subject to be discussed in isolation from the subject-matter of each speech, to which it is inherently connected. Since the subject-matter of each speech is discussed in the next chapter, a detailed discussion on the arrangement of the speeches will take place there, when, of necessity, some of the statistical data will again appear.

1) Notice that these figures contribute also to emphasis.

STATISTICAL TABLE ON THE ARRANGEMENT OF THE SPEECHES

SPEECHES	PAGES ¹	SENTENCES	LINES ²	EXORDIUM		NARRATIVE		PROOF		PERORATION	
				Lines	%	Lines	%	Lines	%	Lines	%
I	12	84	375	51	14%	64	17%	232	62%	27	7%
II	12	85	360	16	5%	84	23%	222	62%	32	9%
III	20	152	600	45	7%	--	--	538	90%	34	5%
IV	9	61	250	3	--	--	--	210	84%	37	15%
V	14	114	430	33	8%	148	32%	257	60%	--	--
VI	17	124	500	15	3%	189	38%	266	53%	31	6%
VII	12	101	370	37	10%	127	34%	175	48%	30	8%
VIII	14	114	425	53	12%	76	18%	236	56%	60	14%
IX	10	78	320	50	16%	237	72%	--	--	38	12%
X	8	60	240	30	13%	36	15%	126	53%	43	18%
XI	16	118	480	67	14%	124	26%	286	60%	--	--
XII	4	26	115	--	--	--	--	115	100%	--	--
Total	148	4,475	1,116								

1) Each page has been estimated to contain 30 lines.

2) The lines are estimated to the nearest 5 or 10.

It can be seen from the table above that Speeches III and IV lack proper narratives; Speech IV also lacks a proper exordium; Speeches V and XI lack peroration; Speech IX lacks proper proof; and Speech XII comprises only a proof.

Yet the longest exordium is found in Speech IX and constitutes 16% of the total number of lines of the speech; the exordia of Speeches, I, VIII, X, XI follow with 14% - 12%, while those of Speeches II, III, V, VI, VII are restricted to 3% - 10%.

The longest narratives are found in Speeches IX (72%)¹, VI (38%), VII (34%), V (32%), and the shortest in Speeches X (15%), I (17%), and VIII (18%); the narratives of Speeches II and XI occupy a middle position with 23% and 26% respectively.

The longest proofs appear in Speeches III (90%) and II (84%) which have no proper narratives; the shortest proof is that of Speech VII (48%). The narratives of the remaining speeches occupy a middle position with 53% - 62%.

The longest peroration is that of Speech X (18%), and the shortest that of Speech III (5%), followed by the peroration of Speeches VI (6%), I (7%), VII (8%), and II (9%). The perorations of Speeches VIII and IX occupy a middle position with 14% and 12% respectively.

Having considered the statistical data of both the figures and the arrangement of the speeches, it is necessary to consider Isaeus' speeches themselves in order to see how they correspond in practice with the statistical information already collated.

1) Notice that Speech IX lacks proper proof.

CHAPTER 2.

ANALYSIS OF THE SPEECHES.

After an examination of the definitions of the figures, their statistical occurrence, and the arrangement of Isaeus' speeches, it is a natural transition to analyse the actual speeches in detail in order to discover the relationship between the figures, and the speech-arrangement, and the argumentation¹ in Isaeus.

For this purpose the speeches have been divided here in the conventional four-fold manner (exordium, narrative, proof, peroration) and each of these sections has been separately analysed to indicate the way in which Isaeus has worked out certain points in his cases.

Before dividing the speech, it has been thought judicious to broadly outline the circumstances of each case in order to understand more fully those arguments with which Isaeus is concerned in each speech.

The speeches have been arranged according to their total relative numbers in descending order (I, VII, VIII). This method has been chosen in preference to the straightforward numerical order (I,II,III....) as it makes more emphatic those statistical differences between the speeches which could otherwise be overlooked.

One last point to notice is that, for purposes of easier reading, each page which is concerned with the analysis of a speech is marked with the appropriate Oration number (Or.I for Speech I, and so on).

1) The terms "argumentation", "argument" and "content" are here synonymous.

SPEECH I: ON THE ESTATE OF CLEONYMUS

1. CIRCUMSTANCES OF THE CASE

The nephews of a certain Cleonymus, who had died without issue, claim his property as heirs ab intestato by attacking a will he had left in favour of three other relatives. The nephews base their claim mainly on three arguments, i.e., a) that the will does not represent the last wishes of the testator, inasmuch as during his last illness he had wished to revoke it; b) that they are closer blood-relatives to ^{the} decurius than their opponents are; and, c) that they are on terms of close intimacy with their uncle at the time of his death.

On the other hand, the defendants rely for support on the will itself¹, the genuineness of which, having being well attested and deposited with a magistrate for safe-keeping, is indisputable even by the claimants themselves.²

Isaeus' task in writing on this case, which obviously is a very weak one,³ is to set aside this will by reckoning on the bias of the Athenian jurors "to vote for the relations rather than for the will."⁴ The whole structure of his argumentation is based on the following dilemma which Isaeus presents to the jury in the hope of obtaining from them a verdict in favour of his clients:" either

1) §41: κατά διαθήκην ἀμφισβητοῦσιν.

2) § 24: "for to everybody else, Sirs, such a will is the most complete form of bequest" (transl. LOEB); cp. W. Wyse, The Speeches of Isaeus, 1904, p. 178.

3) For full discussion, see W. Wyse, op.cit., pp. 176-8.

4) Cp. Aristotle, Problems, XXIX.3 (950 b.5).

Cleonymus, sending for the will (§14), wished to revoke it in favour of his nephews, or else he was not in his right senses in neglecting their stronger claims both of affinity and of intimacy with him"; in either case, the judges must decide against the will and award the inheritance to the nephews as next-of-kin.¹

2. GENERAL STATISTICAL REVIEW

From the point of view of length, Speech I consists of 375 lines, 84 sentences, 51 paragraphs, and 12 pages in the LOEB edition.

The division of the speech does not show any peculiarity.

With regard to the rhetorical figures, Speech I appears the most artificial among the twelve speeches of Isaeus. In the statistics it comes first with a total number of 290 [463] figures compared with 271 [453] of Speech VII which comes second and 41 [214] of Speech XII which comes last. This indicates a difference in the numbers of figures between Speech I and Speech VII, and between Speech I and Speech XII of 19 [10] and 249 [249] respectively.

The figures which appear with remarkable frequency in this speech are: Hyperbaton (61), Antithesis (58), and Amplification (37), constituting 54% of the total of real figures (290).

It is worth noticing that this speech comes first among all the other speeches of Isaeus as regards the figures of:-

1) E.S. Forster, Isaeus, The Loeb Classical Library, introduction to Speech I, p.4; cp, also, ib., §§ 21,50.

Hyperbaton	where it exceeds the next	Speech IV	by 61	[97.50]	to
				26	[60.00]
Correlative	"	"	"	"	"
			XI	by 26	[41.50]
				24	[30.00]
Parison	"	"	"	"	"
			X	by 15	[24.00]
				6	[15.00]

Conversely, it lacks figures of Polysyndeton and contains only two examples of Asyndeton and three figures of Repetition.

(See Table overleaf)

STATISTICAL TABLE ¹ ON SPEECH I

FIGURES	EXORDIUM	NARRATIVE	PROOF	PERORATION	Total of real Figures	Total of relative Figures
Antithesis	13	6	33	6	58	[93.00]
Correspondence	3	3	24	2	32	[51.00]
Correlative	6	3	16	1	26	[41.50]
Parison	6	2	7	-	15	[24.00]
Chiasmus	3	1	2	-	6	[9.50]
Paronomasia	2	1	5	1	9	[14.50]
Parechesis	1	2	3	1	7	[11.00]
Homoeoteleuton	1	3	8	-	12	[19.00]
Figura Etymologica	1	3	2	1	7	[11.00]
Repetitions	-	1	2	-	3	[5.00]
Amplification	5	4	25	3	37	[59.00]
Hyperbaton	12	11	36	2	61	[97.00]
Rhet. Questions + Answers	-	1	14	-	15	[24.00]
Asyndeton - * Polysyndeton *	-	-	2	-	2*	[3.00]*
Total	53	41	179	17	290	[463.00]

* Asyndeton 2 [3.00], Polysyndeton 0

- 1) In a closer consideration of this and every speech it is proposed to follow the fourfold division, namely: Exordium, Narrative, Proof, Peroration.

3. RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the Exordium:-

A)- The Exordium (§§ 1-8) extends for the first eight paragraphs of the speech, consisting of fifty-one lines and constituting 14% of the whole length of the oration (375 lines). From the point of view of length, it is one of the most extensive introductions of Isaeus' surviving works, coming second to the Speech IX introduction (16%) and equal with the Speech XI introduction.

Nevertheless, its dexterous rhetorical construction makes it the most elaborate exordium of Isaeus, and accounts for its length.

The statistics indicate that this exordium has the highest proportion of rhetorical figures both among the four divisions of the speech and among the exordia of the other speeches of Isaeus as well. It contains 53 real figures, i.e. 30 figures above the average number (23) of the figures in the exordia of the corpus as a whole.

The statistics also indicate that the orator's thought here moves on in antithetically balanced phrases or clauses. The figures of Antithesis are the most frequently occurring (13) with the support of Parison (6), Correlative (6), Correspondence (3), etc.

In fact, a closer study of the exordium reinforces the statement of the last sentence. From the very beginning of the speech, the orator appears to apply very successfully the rhetorical precepts for the Proem, setting forth both a Προοίμιον ἐκ διαβολῆς¹

1) § 5: καταστήσαντες ἡμᾶς εἰς ἀγῶνα κτλ.; cp. Anaximenes, Spengel, I, 230.8 ff; ibid., I, 334.4 ff.

and a Captatio benivolentiae.¹ He stresses the "misericordia"² of his clients³ and their innocence⁴ on the one hand, and the "impudentia" of the opponents⁵ and their greed⁶ on the other.

By such expressions, Isaeus seeks to influence the court against the adversaries, and, at the same time, to make his hearers well-disposed to his clients, blaming the former and praising the latter.

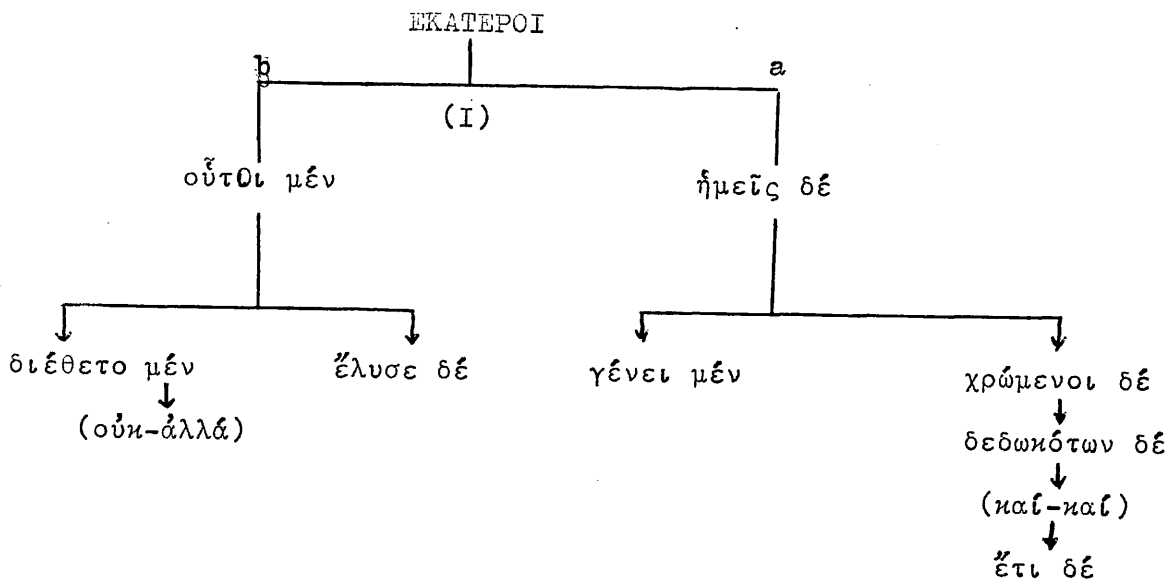
He is conscious of the weakness of his case, and therefore has to utilise the precept of the rhetoricians, according to which ἀνάγκη μὴ μόνον πρὸς τὸν λόγον ὄρᾶν, ὅπως ἀποδεικτικὸς ἔσται καὶ πιστός, ἀλλὰ καὶ αὐτὸν ποιὸν τινα εἶναι καὶ τὸν κριτὴν κατασκευάζειν οὐ γὰρ ταῦτά φιλοῦσι καὶ μισοῦσιν, οὐδ' ὀργιζομένοις καὶ πρῶτος ἔχουσιν, ἀλλ' ἢ τὸ παράπαν ἕτερα ἢ κατὰ

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- 1) Ad Herennium, I.V.8: Benivolos auditores facere quattuor modis possumus: ab nostra persona, ab adversariorum nostrorum, ab auditorum persona, et ab rebus ipsis; cp. Anonymus, Spengel, I, 428.2: λαμβάνει δὲ τὰ προοίμια ἐκ τεσσάρων τούτων: ἐκ τοῦ αὐτοῦ, ἐκ τοῦ ἀντιδίκου, ἐκ τῶν δικαζόντων, ἐκ τῶν πραγμάτων;
 - 2) "Πάθος"; cp. Ad Herennium, ed. LOEB, p.I4, n.b.
 - 3) § 1: πολλή μὲν ἢ μεταβολή μοι γέγονεν, ὧ ἄ. δικασταί, τελευτήσαντος Κλεωνύμου. . . . νῦν δὲ ἀγωνιούμενοι περὶ πάντων ἤκομεν τῶν ὑπαρχόντων.
 - 4) § 1: οὐδ' ἀμροσόμενοι οὐδέποτε ἤλθομεν ἐπὶ δικαστήριον.
 - 5) § 2: εἰς τοῦτο ἤκουσιν ἀναισχυντίας, ὥστε καὶ τὰ πατρῶα προσεφελέσθαι ζητοῦσιν ἡμᾶς.
 - 6) § 1: οὐ γὰρ τῶν Κλεωνύμου μόνον ἀμφισβητοῦσιν ἀλλὰ καὶ τῶν πατρῶων.

μέγεθος ἔτρα¹... τῷ μὲν γὰρ φιλοῦντι, περὶ οὗ ποιεῖται τὴν κρίσιν, ἢ οὐκ ἀδικεῖν, ἢ μικρὰ δοκεῖ ἀδικεῖν, τῷ δὲ μισοῦντι τοῦναντίον.²

Especially noticeable is the dexterity with which Isaeus handles the Captatio benivolentiae both ab nostra persona and ab adversariorum persona, from the third paragraph onwards. There are two words which act as pivots for this dual-purpose: the one is the "ἐκότεροι" at the beginning of the third paragraph³ and the other is the "ἀλλήλους" at the beginning of the sixth paragraph.⁴

The following two sketches give roughly the sense of this balance:-

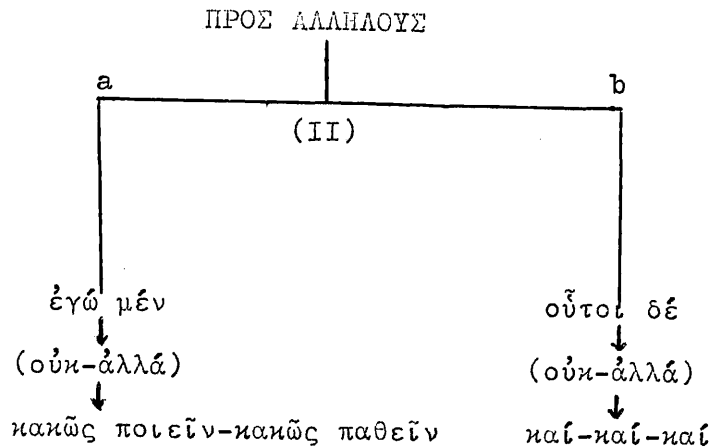


1) Arist., Rhet. 1377 b, 15-30

2) Arist., Rhet. 1378 a, 1-5

3) §3: σιέφασθε γὰρ οἷς ἐκότεροι πιστεύοντες ὡς ὑμᾶς εἰσεληλύθαμεν.

4) §6: οὐχ ὁμοίως δέ μοι δοκοῦμεν, ὡς ἄ., διακεῖσθαι πρὸς ἀλλήλους.



It can be seen from the sketches that while Isaeus makes his phrases or clauses well-balanced from the stylistic point of view, at the same time, he manages - without damaging the harmony of the speech - to load more heavily that side of the balance which he wants to emphasize than the other one according to his interest.¹

Thus, in the sketch (I) we notice an expansion of side (a) of the balance which deals with nostra persona and is obtained by μέν...δέ... δέ... (καί...καί...)... ἔτι δέ.... Antithesis and Correspondence; whereas in sketch (II), the expansion happens to the side (b) which deals with adversariorum persona and is obtained by an οὐ (μή)...ἀλλά Antithesis and a καί...καί...καί Correspondence.

1) Cp. Dion. Halic., De Isaeo jud, ch. 14: τῷ συμφέροντι χρώμενος.

With the first expansion, Isaeus exaggerates the advantages of his clients, with the second the disadvantages of his opponents, while with both he attains the εὐμάθεια¹ of the jury by summarising the heads of the case.

What follows is a conventional transition to the narrative: ²

ὅθεν δ' οἴμαι τάχιστα ἄν ὑμᾶς μαθεῖν περὶ ὧν ἀμφισβητοῦμεν,
ἐντεῦθεν ἄρξομαι διδάσκειν.

B)- The Narrative (§§ 9-16) is one of the shortest in Isaeus. It consists of 64 lines comprising 17% of the whole speech and standing, therefore, in a disproportionate relation to the exordium which it exceeds merely by 3%.³

The reason for the shortness of the narrative can be accounted for. The case itself is a simple one as regards the number of persons and events, and the period of time involved. The only task of the orator is to explain why Cleonymus made a will in favour of the opponents and not in favour of his clients.

The facts are straight-forward. The nephews pretend that Cleonymus disinherited them before long, because he was at variance with their guardian Deinias; however, after Deinias' death, he took them into his own house, brought them up and educated them, and, a little while before his death, he desired to revoke the will in favour of his nephews, sending for the magistrate; but the same night he died suddenly and unexpectedly.

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- 1) Anonymus, Spengel, I, 321.10: ἔργον προοιμίου εὐνοια πρόσεξις εὐμάθεια; cp. Cic., De Inv., I.xvi.22-3; Ad Herennium, I.iv.7; Anaximenes, Spengel, I, 228.25.
 - 2) W. Wyse, op.cit., p.188.
 - 3) The same happens in Speech X.

Thus, Isaeus here seems to obey the precept that καὶ διὰ πλειόνων καὶ δι' ἐλαχίστων εἴποις ἅν τήν δῆλωσιν τῶν πραγμάτων, ἅν μὲν ἢ πολλὰ τὰ πράγματα, διὰ πολλῶν, ἅν δὲ ὀλίγα, δι' ἐλαχίστων.¹

For the same reason this narrative has not been divided into parts as happens with other speeches of Isaeus;² it consists of one unit-section, as Dionysius observes: τὰς διηγήσεις τότε μὲν ἀπροκατασκευάστους καὶ συντόμους... ἐν τῇ προσηκούσῃ τίθησι χώρα.³

Nevertheless, he also seems to apply another rhetorical precept according to which ἐνίοτε οὐ διηγητέον, ὅταν καθ' ἡμῶν ἡ διήγησις ἢ, ὅταν δὲ τὰ μὲν τῶν πραγμάτων ὑπὲρ ἡμῶν ἢ, τὰ μὲν ὑπὲρ ἡμῶν διηγητέον, τὰ δὲ καθ' ἡμῶν ἐν ταῖς ἀντιθέσεσι, τηρητέον καὶ λυτέον.⁴

In fact, an attentive study of the case reveals that Isaeus in writing this narrative conceals, with an extreme caution, several events or details essential to understanding the affair. Wyse,⁵ in discussing this matter, makes many astute observations, some of which deserve to be mentioned here; e.g., was Cleonymus on good terms with the claimants and their father at the time of making the will? If not, we are justified

- 1) Longinus, Spengel, I, 303.18 ff; cp. Arist., Rhet. 1416 b.35: δεῖ γάρ μὴ μακρῶς διηγεῖσθαι ὥσπερ οὐδέ προοιμιάσασθαι μακρῶς.
- 2) e.g. Speeches III, V, VII.
- 3) Dion. Halic., De Isaeo jud., ch.14; contrast ib.: τότε δὲ μερίσας αὐτάς κατὰ κεφάλαια... ἐπιμηκύνει τε μᾶλλον καὶ ἐμβαίνει τό τῆς διηγήσεως σχῆμα, κτλ.
- 4) Apsines, Spengel, I, 353. 18 ff; cp. ib., I.436.22: (μήτε μακρὰ λέγῃς)... καὶ οἷα μὴ ὠφελεῖν τὸν ἀγῶνα; also, ibid., I, 465.27: διήγησις... περὶ τό τοῦ λέγοντος μέρος ῥέπουσα; ibid., III, 450.22, and, ibid., I, 440: τρόποι διηγήσεως ἐπτά... παράλειψις ἐστὶ τῶν βλαπτόντων ἡμᾶς ἀμνηστία; ibid., 219.28: ὅσα δ' ἂν λίαν ἄπιστα συμβαίῃ, δεῖ παραλείπειν.
- 5) W. Wyse, op.cit., pp. 189-90.

in presuming that the disinheritance of the nephews was a punishment. Why does the speaker avoid explaining the original quarrel between Cleonymus and Deinias? Did Cleonymus receive his nephews into his house because of affinity or because of a legal or moral obligation? Why did Cleonymus not revoke the will after Deinias' death? How many years did the nephews live with him? How much time has elapsed since the nephews came of age? What has been the nature of their intercourse with their uncle since they became independent?

An answer to these questions would have been a great help to the judges; but Isaeus had strong reasons not to enlighten them, or, rather, he wanted to enlighten them only as much as his own interest demanded.¹

So, with regard to the length of the narrative, the above explanations should be sufficient.

With regard now, to the style of the narrative, it is worthy to notice, at the outset, that this narrative exceeds all the others in relative-number figures.²

The predominance of the figures of Hyperbaton, Antithesis, Parison, Homoeoteleuton, Correspondence, and Correlative is especially noticeable.

1) Cp. Dion. Halic., De Isaeo Jud., ch. 15: διηγήσεις πρὸς τὸ συμφέρον φημινομημένας ὑπὸ τοῦ ῥήτορος; ibid.; τῷ μὴ κατὰ τοὺς χρόνους τὰ πραχθέντα εἰρησθαι, τῷ μὴ πάντα μὴδ' ἄμ' ὡς φύσιν εἶχε πραχθῆναι.

2) Cp. W. Wyse, op.cit., p. 178: "calculated art is also manifest in the caution narrative". In order to get a clearer conception of the prominence of this narrative, its statistical data should be compared with that of the narrative of Speech X, since the difference in length between the two is minimal (I 17% - X 15% = 2%).

Since these figures are usually found in passages of reasoning and interpretation, it is logical to conclude that such passages must be interspersed throughout the narrative.

A close investigation of the narrative as a whole will reveal certain points to confirm the afore-mentioned suggestion.

The construction is fairly plain in the passages where facts or events are merely stated,¹ but it becomes somehow intricate in the passages where an interpretation of the facts or reasoning is given; notice, for example, the long sentence in paragraph 10 where the fluent movement of thought is disturbed by intervening clauses in such a way that the orator is forced to close the whole sentence with a repetition of what he said at the beginning.²

Yet the most ornamental passage is that of paragraph 14 which contains nine figures³ among which are found: Antithesis,⁴ Correlative,⁵ Parison and Homoeoteleuton,⁶ Figura Etymologica,⁷ and three examples of Hyperbaton.

-
- 1) e.g. §9: Δεινίας γάρ ὁ τοῦ πατρὸς ἀδελφὸς ἐπετρόπευεν ἡμᾶς, θεῖος ὢν ὀρφανούς ὄντας. Κλεωνύμφ δ' οὗτος, ὃ ἄνδρες, διάφορος ὢν ἔτυχεν.
 - 2) § 10: τότε γοῦν ἐκ ταύτης τῆς ὀργῆς Κλεώνυμος ταύτας ποιεῖται τὰς διαθήκας.... §11: ταῦτα διανοηθεῖς ἐκεῖνος τὰς διαθήκας ταύτας διέθετο.
 - 3) Paragraph 15 contains eight figures and paragraph 9 seven figures; all the remaining paragraphs of the narrative are less ornamental.
 - 4) § 14: οὐ μόνον οὐκ εἰσήγαγεν, ἀλλὰ καὶ τὸν ἐλθόντα...ἀπέπεμφεν.
 - 5) § 14: ταύτην τὴν νόσον ἐξ ἧς ἐτελεύτησεν.
 - 6) § 14: ἀνελεῖν - εἰσαγαγεῖν. εἰσήγαγεν - ἀπέπεμφεν.
 - 7) § 14: ἀσθενῶν ταύτην τὴν νόσον.

The ornamentation is not accidental; this paragraph bears much of the weight of the whole narrative; it is here that the speaker plays his trump card, explaining his preceding statement about Cleonymus' last intimate feelings for the nephews (§13: ἔτι γάρ μᾶλλον ἐν τοῖς τελευταίοις ἐδήλωσεν ὡς εἶχε πρός ἡμᾶς). The uncle "wishes to revoke this will, and directed Poseidippus to fetch the magistrate, Not only did he fail to do so, but he even sent away one of the magistrates who had come to the door."¹ If the speaker manages to kindly dispose the judges to the opinion that Cleonymus wishes to revoke the will and failed to do so because of his sudden death, the game will be easier in the remainder of the speech. Hence the calculated art in this section which has been left to the end of the narrative on purpose; Isaeus, having summed up² the main points of the narrative and called witnesses twice, passes on to the Proof.

1) § 14 (transl. LOEB).

2) Ἀνάμνησις, Ἀνακεφαλαίωσις, Enumeratio. Cp. Ad Herennium, II.xxx.47:

"Enumeratio est per quam colligimus et commonemus quibus de rebus verba fecerimus"; ibid., I.x.I7; Cic., Part. Orat., xvii.59; also Anonymus, Spengel, I, 454.I4: ἔστι δέ ἀνακεφαλαίωσις ἐκθεσις σύντομος προειρημένων κεφαλαίων... οὐκ ἐν τοῖς τελευταίοις μόνον, ἀλλά καί ἐν τοῖς μέσοις ποιούμεθα; Hermogenes, Spengel, II, 436.8: τό δέ ἐπί τέλους ἀναμνήσκειν τὰ ἀποδεδειγμένα ἢ λελεγμένα οἱ τεχνικοί καλοῦσιν ἀνακεφαλαίωσιν... οἱ δέ παλαιοί ἐπάνοδον. As to the effect, see Quint., VI.I.I: rerum repetitio et congregatio, quae Graece dicitur Ἀνακεφαλαίωσις et memoriam iudicis reficit et totam simul causam ponit ante oculos, etc.

As to its place in the speech, see Apsines, Spengel, I, 384.30 ff.: ζητεῖται δέ εἰ ἐπί τέλους τῇ ἀνακεφαλαίωσει δεῖ χρῆσθαι τῶν λόγων, ἢ μίαν χώραν οὐκ ἔχει, ἀλλά πολλαχοῦ ἢ χρῆσις αὐτῆς γίνεταί.

c)- The Proof (§§17-47) can be divided into two parts: the refutation (§§17-35, 144 lines) and some commonplaces (§§36-47, 88 lines), occupying altogether 62% (232 lines) of the speech. Taking this into account, this section seems to be longer¹ than the subject-matter demands. The case itself is not complicated² and the only task of the orator is to refute his opponent's argument that Cleonymus wishes not to revoke but to correct the will. Lacking, however, strong arguments and witnesses, he handles the case with, admittedly, extreme caution and much manoeuvring, relying on probabilities and commonplaces. It is principally these commonplaces (§§36-47) which make the proof 20% longer than it would be without them.

However, there is another way by which Isaeus, in his endeavour to hammer into the judges the conviction that Cleonymus wanted to alter the will - made in anger - in favour of his nephews who were nearer to him both in affection and by blood, stretches the proof as far as he can, weaving into each argument the same material with slightly different nuances. This is the repetition of thought.

It is astonishing to notice how many times Isaeus invokes these two factors (the will made in anger and the relationship) throughout the proof - especially in the Refutation (§§17-35):

a) He refers to the will nine times, as follows:-

§18: τὰς διαθήκας τὰς μετ' ὀργῆς γενομένας.

1) This proof is equal to that of Speech II, but comes after those of Speech III (90%) and Speech IV (84%), in which there are no proper narratives; Speech IX lacks proper proof; Speech XII is all proof.

2) See p. 34, above.

§19: τὴν διαθήκην ἣν ὀργανίζομενος ἐποιήσατο.

§20: διατίθεσθαι τοιαύτας διαθήκας, ἐξ ὧν τοὺς οἰκειοτάτους ἡδίκηει.

§26: τὰς διαθήκας..., ἅς ὁμολογοῦσι μὴδ' αὐτόν τὸν διαθέμενον ὀρθῶς ἔχειν ἡγεῖσθαι.

§34: τὰς διαθήκας μὲν ἀποφαίνουσιν οὐτ' ὀρθῶς ἐχούσας οὐτ' ἄρεσκούσας τῷ διαθεμένῳ.

§35: τὰς διαθήκας..., ἅς ὁ μὲν διαθέμενος ὡς οὐκ ὀρθῶς ἐχούσας ἀπεδοκίμασεν.

§35: τὰς διαθήκας..., ἅς... ἡμεῖς ὑμῖν ἀποφαίνομεν ἐναντίας οὕσας καὶ τῷ νόμῳ καὶ τοῖς δικαίοις καὶ τῇ τοῦ τετελευτηκότος διανοίᾳ.

§43: κατὰ τὰς διαθήκας τὰς οὐ δικαίως γεγενημένας.

§43: αὐτάς... διέθετο ὀργανισθεὶς καὶ οὐκ ὀρθῶς βουλευόμενος.

b) He refers to the relationship (συγγένεια, γένος, οἰκειότης, φιλία) sixteen times, as follows:-

§18: ἐπειδὴ πρὸς ἡμᾶς οἰκείως ἔσχευ.

§18: ἐν ᾧ πρὸς ἡμᾶς οἰκειότατα διέκειτο.

§20: χρώμενος ἡμῖν καὶ περὶ πλείστου ποιούμενος ἀπάντων.

§21: (ἡμᾶς) τοὺς γένει προσήκοντας καὶ χρωμένους αὐτῷ πάντων οἰκειότατα.

§27: ... μᾶλλον ἢ τούτους (i.e. ἡμᾶς), οὓς καὶ ζῶν ἐκ τῶν αὐτοῦ πλείστα τῶν οἰκείων ὠφέλει.

§28: Κλεώνυμος δ' ὅς ἦν ἡμῖν οἰκειότατος καὶ ἡμᾶς εἰς τὴν οἰκίαν τὴν αὐτοῦ λαβῶν ἐθεράπευε καὶ ἐπεμελεῖτο τῶν ἡμετέρων ὥσπερ τῶν αὐτοῦ πραγμάτων (cp. §12-διήγησις).

§30: ἡμῖν δὲ πάντων ἐχρῆτο οἰκειότατα.

§33: ἡμῖν μὲν οἷς οἰκειότατα ἐχρῆτο.

§33: ἡμᾶς δέ, τοσαύτης οἰκειότητος καὶ φιλίας γενομένης.

- § 34: ἢ τοὺς οἰκειῶς χρωμένους (i.e. ἡμᾶς).
- § 34: τοὺς δ' οἰκειότιστα κεκρημένους (i.e. ἡμᾶς).
- § 37: ἴσασιν αὐτὸν ἅπαντες ἡμῖν οἰκειότερον διακείμενον.
- § 37: ἡμεῖς ἐγγυτέρω γένει προσήκομεν.
- § 38: ἢ γένει προτέρους ὄντας ἢ τῇ φιλίᾳ τῇ πρὸς τὸν τετελευτηκότα.
- § 42: τὴν μὲν συγγένειαν καὶ τὴν οἰκειότητα τὴν ἡμετέραν.
- § 45: καὶ γένει προσήκων ἐγγυτάτῳ καὶ τῇ χρεῖα πάντων ἦν οἰ-
κειότατος.

In addition to the above, another repetition is noticeable; namely, that concerning Cleonymus' madness, which, according to Isaeus' trickery, is apparent, if Cleonymus wished to confirm a will, in favour of the adversaries, made in a moment of anger (§§ 19,20).

Here are five illustrations:-

- § 19: παρένοιαν αὐτοῦ τὴν μεγίστην κατηγοροῦσιν.
- § 20: τίς γὰρ ἂν γένοιτο ταύτης μανία μείζων.
- § 20: καὶ τίς εὔφρονῶν, ὃ ἄνδρες, τοιαῦτα περὶ τῶν αὐτοῦ βουλευσάιτο;
- § 21: εἰ δ' οὕτω παραφρονῶν ἔτυχεν....
- § 34: τοῦ δέ τοσαύτην μανίαν κατηγοροῦσιν.

There are, also, some "formulas" which Isaeus uses with approximately the same words when he needs them, e.g:

- § 26: καὶ πείθουσιν ὑμᾶς ἐναντία καὶ τοῖς νόμοις καὶ τῷ δικαίῳ καὶ τῇ τοῦ τετελευτηκότος γνώμῃ φηφίσασθαι.
- § 35: ἐναντίας (i.e. τάς διαθέμας) οὔσας καὶ τῷ νόμῳ καὶ τοῖς δικαίοις καὶ τῇ τοῦ τετελευτηκότος διανοίᾳ.

Also the similar expressions:-

- § 39: καὶ ταῦθ' ἡμᾶς καὶ ἡ συγγένεια καὶ οἱ νόμοι καὶ ἡ παρ' ὑμῶν αἰσχύνῃ ποιεῖν ἠνάγκαζεν ἄν..

§40: οὐκ ἄρα δίκαια οὐδ' ὑμῖν αὐτοῖς συμφέροντα οὐδέ τοῦς νόμοις ὁμολογούμενα...

The repetitions above betray both a shortage of strong argument and an endeavour to amplify and exaggerate. The high proportion of figures of Amplification^I in this proof betrays the same weakness and endeavour to disguise it by the same means.

The following phrase-tricks², which have not been counted as proper figures of Amplification but which still produce, in an obvious way, the effect of expansion and exaggeration, are used to produce the same effect :-

§19: παράνοϊαν αὐτοῦ τὴν μεγίστην οὗτοι κατηγοροῦσι.

§20: τίς γάρ ἄν γένοιτο ταύτης μανία μείζων.

§20: χρώμενος ἡμῖν καὶ περί πλείστου ποιούμενος ἀπάντων.

§21: χρωμένους αὐτῷ πάντων οἰκειότατα (cp. also §§ 30, 33, 45).

§22: πῶς ἄν ἕτερα τούτων γένοιτο ἀπιστώτερα.

§27: τούτων ἀπάντων ἀναιδέστατος τῶν λόγων ἐστίν.

§28: πάντων δ' ἄν εἴη θαυμασιώτατον.

§29: καὶ τίς ἄν ὑμῶν πιστεύσειεν.

§30: νυνὶ δέ πᾶν τούναντιον εὐρήσετε.

§31: σημεῖα δέ ὑμῖν ἐρῶ μεγάλα.

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- 1) The proof contains 25 figures of Amplification out of a total of 37 for the whole speech, and this proportion is among the highest for all the speeches.
 - 2) N.B. The phrases are either composed of superlatives or they have a superlative sense in that they contain a general implication.

§37: ἴσασιν αὐτόν ἅπαντες ἡμῖν οἰκειότερον διακείμενον.

§38: πάντων δ' ἄν εἴη δεινότατον (cp. also §43)

§38: παρὰ πάντων ὁμολογούμενα.

§39: ταῖς μεγίσταις ζημίαις καί τοῖς ἐσχάτοις ὀνειδέσει περιπεσεῖν.

§40: πάντας ἀνθρώπους κυριωτέρους (i.e. ἡμῶν) ποιήσετε.

Having dealt with Amplification, it is necessary to look more precisely at the style of the proof.

The high proportion of figures of Antithesis is striking from the very beginning of the proof; it contains thirty-three Antitheses (28 μέν...δέ and only 5 οὐκ...ἀλλά) in thirty paragraphs out of fifty-eight figures in the whole speech. From the thirty paragraphs of this section, only five lack Antithesis of both types, namely:

a) §§18,24,27 and 36 in which the orator recites an argument of his adversaries which he is going to refute in the following;¹

b) §32 in which the speaker relates rather than refutes. The remaining twenty-five paragraphs, which are devoted to the argumentation, seem to have been constructed mainly by Antithesis, since Antithesis is intimately connected with λέξις κατεστραμμένη or periodic style, and this periodic style is more suitable to argument.²

The other figures of parallelism occur in a similar proportion to Antithesis, with the exception of Parison and Chiasmus. The first part of this statement can be verified by the fact that there are 24 figures of Correspondence out of 32 [51.00] in the whole speech, and 16 figures of Correlative out of a total of 26 [41.50];³

1) 18: ἰσχυρίζονται γάρ κτλ., §24: ὡς οὗτοί φασιν κτλ., §27: οὗτοι τολμῶσι λέγειν κτλ., §36: τοῦτ' ἄν εἴπεῖν ἔχοιεν, ὅτι κτλ.

2) See p. 7, above.

3) In the statistics, this speech comes first with regard to Correlative.

the corollary of the statement is proved by the fact that there are only 7 figures of Parison and 2 figures of Chiasmus in the proof compared with 33 figures of Antithesis; Homoeoteleuton occurs also in a low proportion (8 figures in the whole proof). Indeed, Isæus does not seem to pay so much attention to the symmetry of his clauses or phrases as to the strength of his arguments.

The high proportion of Hyperbaton¹ (36 figures out of 61 [97.50] in the speech) is remarkable.

Most of the 14 rhetorical questions existing in the proof² serve as an enthymeme³ (e.g. §§ 20, 23, 25, 29, 33, 35, 40), after which a logical result is drawn (e.g. § 20: ὥστε ἐν τούτων τῶν λόγων. § 25: ἀνελεῖν γάρ, ὃ ἄνδρες, οὐχ οἶδς τ' ἦν. § 29: ἀλλὰ ταῦτα μὲν, ὃ ἄνδρες, πολλήν ἀπιστίαν ἔχει. § 40: οὐκ ἄρα δίκαια κτλ.).

Among the minor figures, Paronomasia features 5 times out of 9 [14.50] in the whole speech; Parachesis 3 times out of 7 [11.00], Chiasmus twice out of 6 [9.50], Polysyndeton once⁴ and Asyndeton once⁴ (§ 40).

Having assimilated the statistical data concerning all the rhetorical figures, it is now necessary to observe how Isæus puts them

- 1) In the statistics, this speech comes first with regard to Hyperbaton.
- 2) Out of 15 [24.00] in the whole speech; the other one belongs to the narrative.
- 3) Cp. C.A. Robinson, *op.cit.*, ~~1931~~ p.36.
- 4) The only one existing in the whole speech.

into practice, and what use he makes of them in his argumentation.

Before, however, giving illustrations, it would be wise to recall the

observation of Dionysius of Halicarnasus about the argumentation of

Isaeus by contrast with that of Lysias. He says: ἐν δέ τοῖς ἀποδεικτικοῖς δια-
λάττειν ἄν δόξειεν Ἰσαῖος Λυσίου τῷ τε μή κατ' ἐνθύμημά τι λέγειν ἀλλά
κατ' ἐπιχείρημα, καί τῷ μή βραχέως ἀλλά διεξοδικῶς μηδέ ἀπλῶς ἀλλ' ἀκριβῶς.¹

It is not proposed to explain here in full the difference between

enthymeme and epicheireme, as this is out of the scope of the

present study,² but it would be worth mentioning that this difference

relies on the fact that epicheireme is developed more precisely and

extensively³ than an enthymeme.⁴

Some characteristic illustrations of Isaeus' precise development of an argument in the form of epicheireme can be seen in the proof under discussion. One such illustration is that with which Isaeus opens his refutation. Beginning with a Προέκθεσις⁵ he develops his reasoning as follows: First, he cites the claim of his opponents;⁶ second, he puts the jury in a dilemma⁷ drawn from the probabilities

1) Dion. Halic., De Isaeo jud., ch. 16.

2) For full discussion, see R.C. Jebb, The Attic Orators from Antiphon to Isaeus, New York, 1962, vol.II., pp. 289-91; and G. Kennedy, The Art of Persuasion in Greece, London, 1964, pp.97-101.

3) διεξοδικῶς and ἀκριβῶς: Dion. Halic., De Isaeo Jud., ch.16.

4) Cp. Dion Halic., De Dinarch. jud., ch.6.: πιστοῦται δέ (i.e. Dinarchus) οὐ κατ' ἐνθύμημα μόνον ἀλλά καί κατ' ἐπιχείρημα π λ α τ ὄ ν ω ν. see also R.C. Jebb, op.cit., II, p.291 n.I.

5) Anonymus, Spengel, I,428.24: προέκθεσις μὲν ἐστίν, ὅταν ἅ μέλλει τις λέγειν, ὡς ἐν κεφαλαίῳ προεκθῆται.

6) §18: ἰσχυρίζονται γάρ... οὐ λῦσαι βουλόμενος ἀλλ' ἐπανορθῶσαι κτλ.

7) §18: ὑμεῖς δέ σκοπεῖσθε πότερα εἰκός ἐστι κτλ.

(τά εἰκότα)¹: third, by an explanatory γάρ, he introduces a μέν...δέ Antithesis² contrasting what usually happens² to other people in adversaries' actions; and fourth, he gives the conclusion in a sentence introduced by ὥστε³. But he does not stop here: putting forward an indirect question⁴ which contains another perplexed μέν...δέ οὐκ...ἀλλά Antithesis,⁵ and going through a Rhetorical Question,⁶ he arrives at another conclusion introduced also by ὥστε.⁷ But he does not stop his reasoning even now. He continues again, unfolding a διλήμματος⁸ included in a μέν...δέ Antithesis⁹ and ending in the impressive conclusion: δικαίως ἂν δῆπου τάς τοιαύτας διαθήκας ἀκύρους ποιήσαιτε.

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- 1) Cp. Arist. Rhet. 1357 a 34: τό μέν γάρ εἶκος ἐστίν ὡς ἐπὶ τό πολύ γιγνόμενον.
For full discussion, see G. Kennedy, op.cit., pp89-90,100,130-1, esp.140-45.
- 2) § 19: τοῖς μέν γάρ ἄλλοις....οὔτοι δέ....
- 3) § 19: ὥστε...ἐνθυμεῖσθε ὅτι παράνοϊαν αὐτοῦ τήν μεγίστην κατηγοροῦσι.
- 4) § 20: τίς γάρ ἂν γένοιτο ταύτης μανία μείζων κτλ.
- 5) § 20: τότε μέν, ὅτε... οὐκ...ἀλλά..., νυνὶ δέ...
- 6) § 20: καί τίς ἂν εὔφρονῶν, ὃ ἄ., τοιαῦτα περί τῶν αὐτοῦ βουλευσάιτο;
- 7) § 21: ὥστε ῥαδίαν ὑμῖν τήν διάγνωσιν πεποιήκασιν περί αὐτῶν.
- 8) Cp. Apsines, Spengel, I,376.25: πᾶν ἐνθύμημα γίνεται...ἢ ἐκ διλημμάτων, ὅταν δύο ἐναντία θεῖς ἐξ ἀμφοῖν ἔλῃς. Hermogenes, Spengel, II,250.I: τό δέ διλήμματος ἐστὶ μέν σχῆμα λόγου, δριμύτητος δόξαν ἔχον καὶ ἀλήθειαν. ἔστι δέ τοιοῦτον, ὅταν δύο ἐρωτήσεις ἐρωτῶντες τὸν ἀντίδικον πρός ἑκατέραν ὦμεν παρεσκευασμένοι κτλ. Also, Ad Herennium, II, xxiv.38: "duplici conclusione"; Cic., De Invent., I, xxix.45: "comple-xio"; Arist., Rhet., I399a: ἄλλος (i.e. τόπος) ἐκ τῶν μερῶν, ὥσπερ ἐν τοῖς τοπικοῖς, ποία κίνησις ἢ ψυχῆ; ἥδε γάρ ἢ ἥδε (see E.M.Cope, The Rhetoric of Aristotle (Commentary), 1877, vol.II, pp.269-69).
- 9) § 21: εἰ μέν γάρ.... εἰ δ' οὕτω... (καθ' ὑπόθεσιν σχῆμα μετὰ μερισμοῦ, for which see Hermogenes, Spengel, II.323); Wyse, op.cit., p.204, observes that the Antithesis is false: "the true Antithesis 'if on the other hand he wished to correct the will', would destroy the argument". Such false Antitheses can be traced also in §§ 19,29,33.

In order to achieve his purpose, Isaeus, apart from three examples of μέν...δέ and two examples of οὐκ...ἀλλά Antithesis, and two ὥστε-conclusive sentences, used eight figures of Parallelism, namely:

- i) three figures of Correspondence (§17: καί τῷ γένει... καί τῇ φιλίᾳ, §19: καί ἡμᾶς-καί ὑμᾶς, §20: καθῶς ποιεῖν τε καί διατίθεσθαι);
- ii) four figures of Correlatives (§19: ἀκείνων, ὧν..., §20: τότε...ὅτε, §20: τοιαύτας, ἐξ ὧν, §21: οὕτως... ὥστε);
- iii) one Chiasmus (§20: ἡμᾶς καθῶς ποιεῖν τε καί διατίθεσθαι τοιαύτας διαθήκας);
- iv) two examples of Homoeoteleuton and Parison (§17: ἀμφισβητεῖν-εἰπεῖν, §19: διέκειτο - ἐποίησατο);
- v) one Parison (§20: οὐκ ἐκεῖνον ἐτιμωρεῖτο ἀλλὰ τοὺς οἰκειοτάτους ἠδίκηει).

There are also:

- i) eight examples of Hyperbaton (§17 two; §19 one; §20 two; §21 three);
- ii) four examples of Amplification (§17 one; §18 one; §20 two);
- iii) two examples of Etymologica figura (§§17,20)¹ and
- iv) one Rhetorical question (§20).

In a similar way, Isaeus, continues with his argumentation through the proof; he builds with Antithesis and embellishes with other figures.

On the other hand, according to the statistics, the most ornamental paragraphs of the proof are the 29th containing 14 figures, the 20th containing 13 figures, and the 34th containing 10 figures; all the others have less than 10 figures.

1) They are the only ones existing in the proof; the whole speech contains 7 [11.00].

A closer examination of the content justifies these numbers once again. These paragraphs are included among those passages of the proof which bear the main weight of the argumentation; paragraph 29, which begins with a Rhetorical Question,¹ contains a contrast² between Cleonymus and the adversaries (κἀκεῖνον μὲν... τούτους δέ) in the form of another Rhetorical Question - enthymeme,³ and ends with an objection (ἀλλὰ ταῦτα μὲν, ὧ ἄνδρες, πολλήν ἀπιστίαν ἔχει) which, according to Baden, "is akin to hypophora and introduces more or less dramatic element".⁴ This paragraph contains the conclusion of the argument concerning the arbitration - one of the trump of Isaeus. Paragraphs 20 and 34 are both related with a curious coincidence to a sophistical reasoning of Isaeus concerning Cleonymus' madness, by which he tries to confuse the jury and gain one more advantage over his opponents.⁵

Conversely, the less ornamental passages seem, strictly speaking, not to belong to the argumentation. Notice, for instance, that the paragraphs 18, 24 and 27 which contain only two figures each, consist mainly of a statement of the adversaries' argument which Isaeus feels no need to emphasize, while the paragraphs 31 and 32 which contain three and one figures respectively belong to a narrative passage.

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- 1) § 29: καὶ τίς ἂν ὑμῶν πιστεύσειεν εὐνουστέρους καὶ μετριωτέρους τοὺς ἀντιδίκους ἡμῖν εἶναι τῶν οἰκειοτάτων;
 - 2) W. Wyse. op.cit., P.211 observes: "truth is sacrificed to the antithesis".
 - 3) See p.53 above, n. 6.
 - 4) W.W. Baden, The Principal Figures of Language and Figures of Thought in Isaeus etc., diss., Baltimore, 1906, p.32.
 - 5) Cp. W. Wyse, op.cit., pp. 204-5.

The conclusion which can be drawn from this evidence is that generally Isaeus takes more trouble to embellish effectively those passages which contain more argumentation and reasoning.

D)- The Peroration (§§48-51) from the point of view of length is included among the shortest of Isaeus; it consists of 27 lines comprising 7% of the whole speech, and its content is restricted. In a brief recapitulation (§§48-49) of the main arguments developed in the proof,¹ Isaeus tries to form once again a dilemma² for the judges (§ 50), and ends with an impressive repetition of the argument concerning the arbitration (§§ 2,16,18).³

Here Isaeus seems to follow the rhetorical precept according to which the peroration of a simple case must be simple,⁴ but it is astonishing to notice that he neglects the precept concerning the emotional appeals which the rhetoricians value very much.⁵ There is no appeal for pity in this peroration.

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- 1). § 48:Κεφάλαιον δέ τῶν εἰρημένων, ᾧ πάντας ὑμᾶς προσέχειν δεῖ τὸν νοῦν.
 - 2) Cp. R.C. Jebb. op.cit., II, p. 321: "either the testator was of unsound mind, or we are the heirs".
 - 3) Cp. W. Wyse. op.cit., p.231.
 - 4) Anonymus, Spengel,I, 460.16: τοὺς ἐπιλόγους, φησί, ἀπλοῖς μὲν ἀπλοῦς εἶναι δεῖ. As to the purpose of the peroration, see Anonymus, Spengel,I,460.20: ἐπίλογος εὐμάθειαν ἐπαγγέλλεται. ibid., I,322.14: τῶν δ' ἐπιλόγων, φησὶν, ἡ δύναμις ἀναμνηστικὰ εἰρημένα.
 - 5) Cp. Quint., VI.II.3-7; notice especially § 4: Atqui hoc est quod dominetur in judiciis (sc. emotional power), haec eloquentia regnat; and § 7: Huc igitur incumbat orator,sine quo cetera nuda, ieiuna, infirma, ingrata sint; also ib., IV.V.6: Non enim solum oratoris est docere, sed plus eloquentia circa movendum valet. Also, Ad Herennium, II. XXX.47: Conclusionesquae apud Graecos epilogi nominantur, tripartitae sunt. Nam constant ex enumeratione, amplificatione, et commiseratione.

The omission might be intentional or inevitable. Perhaps, Isaeus preferred to force the judges to consider their obligations to their duty, especially in the tricky case about the arbitration¹ rather than to appeal to their emotions, since the case itself does not seem to provide him with the necessary material.²

From the point of view of rhetorical figures, this peroration stands in a middle position among the others. It contains 17 (60% in proportion to the lines it occupies) figures out of 290 [463] of the whole speech, resembling that of Speech VII which contains 42 figures (67% proportionately to its extent in lines).

To be more precise, the section contains three examples of μέν... ὁἷ Antithesis which are used to juxtapose the positions of the two litigants as regards their rights on Cleonymus' estate;³ and ^{an} other three examples of οὐκ...ἀλλά Antithesis which are used to underline the nephews' assertion that Cleonymus either did wish to bequeath them his property or he was insane.⁴ It also has two examples of Correspondence by which ^{the} orator reinforces the fact that the opponents never really proved their closer relationship with Cleonymus,⁵ and

- 1) § 51: πάντων γάρ ἄν εἴη δεινότατον κτλ. Cp. W. Wyse, p. 231.
- 2) Cp. Anonymus, Spengel, I, 453.24ff: ὅταν μὲν γάρ περὶ τό πρᾶγμα πάθος ᾖ, τότε κινήσομεν· ὅταν δέ μή, παρήσομεν... τὰ μὴ ἔχοντα πάθος, ἄν παθαίνειν πειρασώμεθα, ἀπορήσαντες τοῦ τοιούτου, γελοῖοι ἐσόμεθα.
- 3) § 48: ἡμᾶς μὲν μηδέν τῶν αὐτοῦ λαβεῖν, σφίσι δ' αὐτοῖς βεβαιῶσαι τὴν δωρεάν. § 50: ὅταν μὲν τοῖς τούτων λόγοις πιστεύητε..., ὅταν δέ τοῖς ἡμετέροις κτλ. § 51: καὶ τούτους μὲν..., ἡμᾶς δέ κτλ.
- 4) §§ 48-50.
- 5) § 49: μήθ' ὡς ἐγγυτέρω τῷ γένει προσήκουσι μήθ' ὡς οἰκειότερον ἡμῶν πρὸς Κλεώνυμον διέκειντο.

that the nephews rightly and justly claim the inheritance.¹

Furthermore, there are three examples of Amplification by which the unjust attempt of the opponent to assume control of the estate is reproved.² In addition, two examples of Hyperbaton and one example of Correlative, Paronomasia, Parechesis and Figura Etymologica co-operate in making the peroration more effective.

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- 1) § 50: ἐκεῖνόν τε νομίζειν ὀρθῶς βεβουλεῦσθαι... ἡμᾶς τε μή συκοφαντεῖν ἀλλά δικαίως τούτων ἀμφισβητεῖν.
 - 2) § 48: ἀποφαίνωσι καί πειρῶνται (two verbs); § 49: λέγοντες καί διισχυριζόμενοι (syn.); μηδέτρον ἀποφαίνωσι, μήθ' ὥς... προσήκουσι, μήθ' ὥς... διέκειντο (epex.).

SPEECH VII: ON THE ESTATE OF APOLLODORUS.

1. CIRCUMSTANCES OF THE CASE.

Speech VII deals with the defence of a certain Thrasyllus, adopted son of Apollodorus whose inherited estate is contested by heirs-at-law, Apollodorus' first cousin (i.e. aunt of Thrasyllus) and wife of Pronapes of Aexone.

The litigants' positions in the present trial are as follows:-

a) Thrasyllus, the speaker, contends that he was the only legal heir of Apollodorus' estate, because he had been adopted by Apollodorus in his life time, and his name had been inscribed in the public register as Thrasyllus, the son of Apollodorus, "according to the law" (§17).

b) The plaintiff, i.e. Pronapes, acting for his wife, urged that the adoption was null and void for two main reasons: i) because Apollodorus was a weak-minded old man under the influence of a woman, Thrasyllus' mother;¹ and ii) because the proper formalities of the adoption had not been duly completed, the admission of Thrasyllus to the deme having been made after Apollodorus' death (§28).

For these two reasons, especially the latter, the claim of Thrasyllus seems not to be a strong one.²

1) Cp. §33: τί βέλτιον ἄν ἔπραξεν ἢ ταῦτα βουλευσάμενος ἄπερ ἐποίησεν; §36: τίς ἄν ἀμφισβητήσειε μή οὐκ ἀνδρός εὖ φρονούντος εἶναι ταύτην τήν ποιήσιν; §43: ποιηθείς ὑός ὑπ' ἐκείνου ζῶντος καί εὖ φρονούντος. This charge is well illustrated by Speech II.

2) For full discussion, see. W. Wyse, op.cit., pp548-50.

Lacking, therefore, strong arguments Isaeus, in writing on this case, tries to draw some conclusions in favour of his client by arguments founded mostly on the topics of probabilities. Thus, firstly, he writes at length about the affection between Apollodorus and Thrasyllus, his mother and his grandfather, and the enmity between them all and the family of the opponents (§§ 5-12); then, he enlarges on the virtue, generosity and public spirit of Thrasyllus, of Apollodorus and his father (§§ 37-42); and finally, he is at pains to show that Apollodorus' decision to adopt Thrasyllus was the act of a man of sound judgement (§§ 33-36).

The only legal argument of Isaeus in this speech is contained in paragraphs 18-26, and, as Wyse observes¹, it is "of a very suspicious complexion". Isaeus intends to show that the fact that Thrasybulus² neglected to put in a claim to the estate is evidence for the legality of the adoption.

Isaeus by-passes the technical irregularities of the adoption by speaking at length about the formalities actually carried out before Apollodorus' death (§§ 13-17), and, at the same time, by slipping in the fact that Thrasyllus' admission in the deme took place afterwards (§§ 27-28).

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- 1) W. Wyse, op.cit., p.550; and pp. 560-62 - commentary.
 - 2) Thrasybulus was the son of a daughter of Eupolis, aunt of Apollodorus, i.e., nephew of the opponents.

2.- GENERAL STATISTICAL REVIEW.

From the point of view of length, this speech consists of 370 lines, 101 sentences, 46 paragraphs, and 14 pages in the LOEB edition.

Its division does not show any peculiarity; all the parts of the speech are properly represented.

As regards its style, this speech is the most artificial after Speech I; it comes second with a total number of 271[453] figures in comparison with 290[463] of Speech I which comes first in the statistics, and 41[214] in Speech XII which comes last. Thus the difference in numbers of figures between Speech VII and Speech I, and between Speech VII and Speech XII is 19[10] and 230[239] respectively.

The figures which appear with remarkable frequency in this speech are: Antithesis (56), Amplification (52), and Hyperbaton (33), constituting 52% of the total of real figures (271). It is noticeable that more than one figure of Antithesis and Amplification is to be found in every two lines of the speech, and approximately three figures of Hyperbaton and Correspondence in every three lines.

Conversely, the speech is considerably below the average of relative numbers in figures of Paronomasia (it contains[8.50] figures by comparison with the average [16.00]), and Correlative (it contains [16.50] figures by comparison with the average [20.00]).

(See Table overleaf)

STATISTICAL TABLE ON SPEECH VII

FIGURES	EXORDIUM	NARRATIVE	PROOF	PERORATION	Total of real Figures	Total of relative Figures
Antithesis	4	12	32	8	56	[93.00]
Correspondence	1	12	15	1	29	[48.50]
Correlative	-	3	5	2	10	[16.50]
Parison	1	3	1	-	5	[8.50]
Chiasmus	-	-	2	1	3	[5.00]
Paronomasia	1	2	1	1	5	[8.50]
Parechesis	-	-	5	1	6	[10.00]
Homoeoteleuton	-	5	9	4	18	[31.00]
Figura Etymologica	-	-	6	-	6	[10.00]
Repetitions	-	5	3	-	8	[13.00]
Amplification	5	24	19	4	52	[86.50]
Hyperbaton	7	10	11	5	33	[55.00]
Rhet. Questions + Answers	-	-	12	1	13	[21.50]
Asyndeton + Polysyndeton *	2	11	9	5	27*	[46.00]*
Total	21	87	130	33	271	[453.00]

* Asyndeton 18 [31.50], Polysyndeton 9 [15.00]

3.- RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the Exordium:-

A)- The Exordium (§§ 1-4) consists of 37 lines and constitutes [†]10% of the whole length of the speech (370 lines), being thus one of the medium-length introductions of Isaeus' speeches. For this reason it is not proposed to discuss more extensively the length of this section.

From the point of view of rhetorical figures, the statistics indicate that this exordium stands in a middle position among the other exordia of Isaeus; it has 21 figures, being thus closer to Speech VIII which includes 22 figures than to Speech I which has approximately 50% more rhetorical figures (53). As a matter of fact, this exordium is not a conventional type of prooemium but a direct confrontation of the points at issue.¹ Fourteen lines out of 37 of the exordium as a whole are devoted to an argument concerning defence: the whole point at issue from the very beginning. In paragraphs 1 and 2 the orator is at pains to emphasize the assertion that the adoption of the speaker is valid; he uses three figures of Amplification² included in an οὐκ...ἀλλά Antithesis, and one Polysyndeton, one Paronomasia³ and one Hyperbaton. In paragraph 3 the speaker, with pretence of injured innocence,⁴ tries to explain why he has come to the

1) Cp. G. Kennedy, op.cit., p.45.

2) §1: οὐ τὰς τοιαύτας ἀμφισβητεῖσθαι ποιήσεις, εἴ τις αὐτόσ.. (epex.); §1: ζῶν καί εὔ φρονῶν (syn.); §1: ἐποίησατο καί ἀπέδειξε καί εἰς τὰ κοινὰ γραμματεῖα ἐνέγραψεν, ἅπανθ' ὅσα προσῆκεν αὐτόσ ποιήσας (P-G).

3) §1: διέθετο-κατέθετο.

4) §3: ἐπειδή δ' οὐ διαφεύγει..., αὐτόσ ἦκω διαλεξόμενος περί τῶν πεπραγμένων κτλ.

jury, and in paragraph 4 he gives a summary of the points he is going to prove;¹ he asks the jurors to accord him their goodwill;² and he ends with a conventional formula for introducing the narrative.³

B)- The Narrative (§§ 5-17, 26-28) falls into two parts: the first part is (§§ 5-17) 107 lines long, and the second (§§ 26-28) only 20 lines, altogether 127 lines, which comprises 34% of the whole speech, and stands, therefore, in the middle of Isaeus' narratives from the point of view of length. It has a closer affinity with the narrative of Speech V (32%) than with that of Speeches VI and XI. In the latter two speeches the narrative constitutes 38% of each speech and both Speech VI and Speech XI have the largest percentage of narrative among all Isaeus' speeches.

The reason why Isaeus has divided this narrative into two parts seems to have been because the facts under discussion dictated such a division. Isaeus in the first part of the narrative discusses all the facts concerning the case but one - the fact that Thrasyllus was registered in the deme after the death of Apollodorus. This fact was not in the favour of the case at issue, so that Isaeus declined to discuss it in such detail as the other events concerned, because of its irregularity. But, at the same time, he was not able to pass over such an essential element when trying to prove the validity of the ^doption. The treatment of this weak point betrays a trick of Isaeus: firstly,

1) § 4: ἀποδείξω δέ κτλ.

2) § 4: δεῶμαι δέ ὑμῶν, ὧ ἅ., πάντων ὁμοίως εὐνοϊάν τέ μοι παρασχεῖν κτλ.

3) § 4: ποιήσομαι δ' ὡς ἂν κἀγώ δύνωμαι διὰ βραχυτάτων τοῦς λόγους κτλ.

he talks about it not in the proper part of the narrative but later on and separately; and, secondly, he speaks about it as briefly as he can. In fact, after he had discussed in detail - in the first part of the narrative (§§ 5-17) - the relations of Apollodorus with the litigants (§§ 5-12) and the introduction of Thrasyllus into the phratry (§§ 13-17), he sets forth a legal argument (§§ 18-26), and only after that does he finally introduce (in the form of a short story) the electoral meeting of the deme. This constitutes the second part of the narrative (§§ 26-28).

In this second part of the narrative, Isaeus leaves without any answer some essential questions which would have been a great help to the judges; for instance: was Thrasyllus' admission in the deme made during his absence at Delphi? How long after Apollodorus' death did this admission take place? What were Thrasyllus' adversaries doing in the time which elapsed after Apollodorus' death or after Thrasyllus' registration in the deme? Isaeus had strong reasons to avoid such a dangerous discussion.¹ This is why this part of the narrative is short, consisting only of 20 lines, or - if we do not take in^{to} account paragraph 26 which logically belongs as a conclusion to the previous argument - 14 lines.

In the narrative of this speech the orator seems to justify Dionysius of Halicarnassus in his observation that Isaeus τὰς διηγήσεις τότε μὲν ἀπροκατασκευάστους καὶ συντόμους... ἐν τῇ προσηκούσῃ τίθησι χώρα, τότε δὲ μερίσας αὐτάς κατὰ κεφάλαια..., τῷ συμφέροντι χρώμενος.²

1) For full discussion, see W. Wyse, op.cit., pp.570-72.

2) Dion. Halic., De Isaeo jud., Ch. 14.; cf. ib., Ch. 15: διηγήσεις πρὸς τὸ συμφέρον φηκονομημένας ὑπὸ τοῦ ῥήτορος.

He also seems to apply here another rhetorical precept according to which μήτε μακρά λέγῃς, ... καί τὰ ἀπίθανα καί ἀπρεπῆ τῷ λέγοντι, καί οἷα μὴ ὠφελεῖν τὸν ἀγῶνα.¹

Moving on now, from the division of the narrative into two parts and an investigation of the length of the second part to the style of the narrative, it could be said, at the outset, that this narrative does not appear with any peculiarity from the stylistic point of view, with an exception of the use of Amplification. It has a total of 87 figures among which Amplification comes first with 24 recorded usages, while the other figures trail a long way behind; Antithesis 12, Correspondence 12, Asyndeton+ Polys. 11, Hyperbaton 5, Correlative 3, Parison 3, Paronomasia 2. There are no figures of Chiasmus, Parechesis, Figura Etymologica, and Rhetorical Questions and Answers in this narrative.

What has been said already with regard to the narrative of Speech I could be repeated here, i.e., that the passages which include reasoning and interpretation are more ornamental than those in which facts or events are merely stated.

Taking the narrative as a whole, this statement can be seen to be largely correct. From the four sentences of paragraph 5, for instance, the first three sentences are in plain style.²

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- 1) Anonymus, Spengel, I, 436.22; cf. *ib.*, I, 465.27: διήγησις περί τὸ τοῦ λέγοντος μέρος ῥέπουσα.
 - 2) § 5: Εὐπολις γάρ, ὧ ἄ., καί Θράσυλλος καί Μνήσων ἀδελφοί ἦσαν ὁμομήτριοι καί ὁμοπάτριοι. τούτοις οὐσίαν ὁ πατήρ κατέλιπε πολλήν... ταύτην ἐκεῖνοι τρεῖς ὄντες ἐνεΐμαντο πρὸς ἀλλήλους. τούτων τῷ δύο ἐτελευτησάτην κτλ. (Notice the asyndeton with the "exaggerated simplicity": Blass, Att. Ber., II, p. 508, of the repetition of the pronoun τούτοις - ταύτην - τούτων).

Plain style also is traced in phrases by which the orator summons witnesses,¹ or in a statement,² or in passages which consist mainly of a quotation of a law (cp. § 16 which contains no figures).

On the other hand, Isaeus seems to be at pains to decorate those passages which relate facts of great interest to his case. Notice, for instance, that paragraphs 14 and 15 contain eight and seven rhetorical figures respectively. These two paragraphs bear, it could be said, much of the weight of the whole narrative; it is here that the speaker interprets "how and why Apollodorus himself adopted him during his lifetime and gave him power over his property and inscribed him in the register of the members of the families and of the ward" - a statement to which the orator had already asked the judges "to give their kind attention" in the preceding paragraph 13.

However, it is worthy of note that the second part of the narrative (§§26-28), in which Isaeus mentions, with a suspicious brevity, Thrasyllus' admission in the deme, does not indicate an exceptional effort at ornamentation; the style is merely plain; there is a total of 10 figures in the last two paragraphs (27,28) and 5 out of 10 are figures of Amplification. It is obvious that this Amplification is related to the points which Isaeus tries to expand for his own interest.³ The remaining figures are: one Asyndeton (less effective), two Repetitions, one Homoeoteleuton,⁴ and one Correspondence.⁵

1) § 10; καί μοι κάλει δεῦρο τοῦς μάρτυρας.

2) § 19: καί τοῦτο οὐκ ἀγνοούμενον ἐστίν οὐδέ παρ' αὐτοῖς τούτοις.

3) Cp., for instance, § 27: πεποιημένος εἶη με ὑόν καί ἐγγεγραφώς, ibid.: ἐγγράφουσί με... καί μή ὡς ἄλλως ποιήσουσι, § 28: κατηγορούντων καί λεγόντων, ibid.: ἤκουσαν... ἤδεσαν.

4) § 28: ἤκουσαν - ἤδεσαν.

5) § 28: καί ἐξ ὧν... καί ἐξ ὧν..

So much for the style of the narrative. But it would be wrong to leave this section without any particular mention of the Amplification, the figures of which occur here at a remarkable rate. Amplification makes this narrative come first in this particular figure among all the other narratives in Isaeus' speeches. Ten out of 24 figures of Amplification in the narrative are synonymus, and the majority of these synonyms are of the form "γεννήται (or συγγενεῖς) καὶ φράτορες". This form is repeated many times throughout the whole speech, partly alone and partly in combination with the registration of Thrasyllus εἰς τὸ κοινὸν γραμματεῖον.

Isaeus refers to these forms eight times in the narrative, as follows:-

- § 13: καὶ εἰς τοὺς γεννήτας καὶ εἰς τοὺς φράτορας ἐνέγραφε.
 § 15: ἤγαγέ με ἐπὶ τοὺς βωμοὺς εἰς τοὺς γεννήτας καὶ τοὺς φράτορας.
 § 17: καὶ τῶν φρατόρων τε καὶ γεννητῶν ἐκείνων οὐκ ἀπιστοῦντων.
 § 17: εἰς τὸ κοινὸν γραμματεῖον ἐγγράφειν.
 § 17: ἐγγράφουσί με εἰς τὸ κοινὸν γραμματεῖον.
 § 17: εἰς τὸ κοινὸν γραμματεῖον ἐγγράφειν.
 § 27: καὶ ἐγγεγραφῶς εἰς τοὺς συγγενεῖς καὶ τοὺς φράτορας.
 § 26: οὐχ οἱ γεννήται μόνον καὶ οἱ φράτορες;

once in the exordium: §1 εἰς τοὺς συγγενεῖς ἀπέδειξε καὶ εἰς τὰ κοινὰ γραμματεῖα ἐνέγραφεν; and once in the proof: §43 καὶ εἰς τοὺς γεννήτας καὶ τοὺς φράτορας ἐγγραφεῖς.

By this repetition Isaeus tries to reinforce for the judges' benefit the very interesting fact of his case, namely, that Thrasyllus was described in the registers of the members of the families and of the ward. This expansion is going to counterbalance the weak point that Thrasyllus was registered in the deme after the death of Apollodorus.

As to the legality of the adoption, Isaeus repeats - four times in the whole speech - the fact that Apollodorus had adopted Thrasyllus " in a correct and legal manner", as follows:-

§3: ὡς ποιησαμένου με ὑόν Ἀπολλοδώρου κατὰ τοὺς νόμους.

§4: ἐπεὶ ἐποιήσατο δικαίως.

§17: ποιησαμένου με ἐκείνου τοῦτον τὸν τρόπον, τῶν νόμων αὐτῶν δεδωκότων.

§18: ταῦτα ὀρθῶς καὶ κατὰ τοὺς νόμους ἔπραξε.

This is a repetition of ^hthought by which Isaeus introduces into each argument the same material in slightly different terminology. in his endeavour to impress his point on the judges.

However, it must be noted that in this speech Isaeus does not repeat himself to such a large extent as he does in Speech I.

Having brought to a close the chief points to be noticed about the narrative, it is now fitting to transfer attention to the proof.

C)- The Proof is divided into two parts: the first part (§§18-25, lines:61) contains a legal argument drawn from probabilities, while in the second part (§§29-42, lines:114) two subdivisions can be distinguished: the section of paragraphs 29-32 which constitutes an attack of the speaker against the conduct of his opponents, and that of paragraphs 37-42 which is an eulogy of the public spirit shown by Apollodorus, Thrasyllus, and Thrasyllus' grandfather in contrast to the inferior character of Pronapes.

The proof as a whole occupies 48% (175 lines) of the speech, being thus the shortest proof in Isaeus' speeches.

Taking into account the subject-matter, it would seem that this section could not be longer than it is. As *it* has been said, the only legal argument Isaeus uses in this speech is that of paragraphs 18-25, with which the orator tries to show that the validity of the adoption is confirmed by the conduct of Thrasybulus, nephew of Pronapes' wife,¹ inasmuch as "Thrasybulus ought to have claimed the whole estate if he regarded Thrasyllus' adoption as invalid".² This "suspiciously complex and dishonest argument", as Wyse characterizes it,³ occupies 61 lines in the text. The remaining 114 lines are devoted merely to two arguments.

With the first argument Isaeus tries to convince the jury that the action of Apollodorus in adopting Thrasyllus as his son was that of a man of sound judgement (§6). Why? For two main reasons: firstly, because he knew that the opponents were not on particularly good terms with one another and certainly resented him (§§31-33), and, secondly, because the speaker was his kinsman, his friend, his benefactor, and a man of public spirit (§§33-36).

With the second argument Isaeus argues that the judges would be justified in considering this case with benevolence (§42), for the sake of Apollodorus and his father, since they were useful citizens (§37), and for the sake of the speaker, since he was neither a bad nor a useless citizen (§41) and will continue to support public burdens in the future, if the jury ratify the intentions of Apollodorus by restoring to him this estate (§42).

1) Cp. § 21: ἐκεῖνος (sc. Θρασύβουλος) τοίνυν οὔτε ἐξ ἀρχῆς ἠμφισβήτηκε πρὸς ἐμέ οὐδέν οὔτε νῦν δίκην εἴληχε περὶ αὐτῶν, ἀλλὰ ταῦτα πάντα καλῶς ἔχειν ὠμολόγηκεν.

2) § 20: Θρασυβούλῳ δέ (προσῆκε λαχεῖν) ἀπάντων, εἰ μὴ κυρίαν ἡγεῖτο εἶναι τὴν ἐμὴν εἰσποίησιν.

3) For full discussion, see W. Wyse, *op.cit.*, pp. 560-63.

The first argument consists of 65 lines, while the second is of 49 lines, and both are devoted to analysis of litigants' character. This analysis seems to extend for a very long period, although Isaeus does not discuss or even mention in the proof about Thrasyllus' admission in the deme, but causes it to occupy a place among two pieces of the proof as a second part of the narrative. The reason for which Isaeus does not ruminare upon the subject of Thrasyllus' admission in the deme has been explained in the discussion of the narrative. Here it is sufficient to notice that, if Isaeus had discussed this subject in the proof, the latter would be much more extensive and, thus, the harmony of the partition of the whole speech would be disturbed; while, as the speech stands now, this harmony is preserved, since the proof is longer than the narrative (48%, 34% of the length of the speech respectively), the exordium is longer than the peroration (10% - 8% respectively).

Before any discussion of the length of the proof can be completed, it must be said that it does not include any remarkable instance of those phrases or "formulae", noted in Speech I,¹ with which Isaeus, achieves an expansion of his thoughts. The only instances which linger in this proof are a few traces of those phrase-tricks² - which are abundant in Speech I - as follows:-

§21: πάντα ταῦτα καλῶς ἔχειν ὁμολόγηκεν.

§21: πάντων ἀμφισβητεῖν τετολμήκασιν.

1) See pp.49-50, above.

2) N.B. The phrases are either composed of superlatives or they have a superlative sense in that they contain a general implication.

§32: οὐκ ἐνῆν ἐλπῖσαι δῆπουθεν.

§33: τί βέλτιον ἄν ἔπραξεν κτλ.

§36: τίς ἄν ἀμφισβητήσειεν κτλ.

Having dealt with the length of the proof, we turn now to examine its style.

It is immediately obvious from the opening of the proof that the figures of Antithesis are in a high proportion; there are thirty-two Antithesis (14 μέν...δέ and 18 οὐκ...ἀλλά) in twenty-two paragraphs out of fifty-six figures in the whole speech.¹ Eight out of twenty-two paragraphs of this section lack Antithesis of both types, namely:-

i) §§18,22,33,36,41,42 in which the orator draws a conclusion either directly from the preceding depositions of witnesses,² or after a clause of a law³, or after an argument.⁴

ii)§19 in which he cites a law; and

iii)§32 which includes a recapitulation of a preceding argument in order to summon witnesses concerning it.

The remaining fourteen paragraphs, which are strictly devoted to the argumentation, seem to have been constructed mainly by Antithesis; approximately two examples of Antithesis are found in each paragraph.

The other figures of parallelism occur in a similar proportion to Antithesis - with the exception of Parison. There are 15 figures of Correspondence out of 29 in the whole speech, and 5 figures of Correlative out of a total 10; but only one Parison out of a total 5 in the whole speech.

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- 1) With regard to Antithesis this proof is equal to that of Speeches V (35), VI (39), and XI (41).
 - 2) §18: οἶμαι τοίνυν...., §33: εἰ τοίνυν...
 - 3) §22 (bis).
 - 4) §36: καίτοι... τίς ἄν ἀμφισβητήσειε κτλ., §41: ἐκεῖνος τοίνυν... κτλ., §42: καί ἐκείνων οὗν ἕνεκα καί ἡμῶν...κτλ.

Homoeoteleuton is represented by 9 figures, while Amplification occurs in a remarkable frequency (19 figures out of a total 52).

From the point of view of figures of Hyperbaton this proof stands in a middle position among the other proofs in Isaeus.

Six out of the twelve rhetorical questions existing in the proof¹ are concentrated in the paragraph 40 and constitute a series of artificially - formed questions "which are not suited to an argument but to a laudatory epilogue in the epideictic style".² Another three rhetorical questions in paragraphs 32 (πῶς ἄν προσεδόκησεν κτλ.), 33 (ἢ νῆ Δία κτλ.), and 36 (τίς ἄν ἀμφισβητήσει) have a logical element and occur after a dependent clause.

Among the minor figures, Asyndeton and Polysyndeton feature 9 times out of 27 in the whole speech; Parechysis 5 times out of 6; Repetitions 3 times out of 8; Chiasmus twice³ out of 3, and Paronomasia once⁴ out of 5.

Having stated the statistical occurrence of these figures, it is now necessary to see how and with what effect Isaeus uses them in his argumentation.

The best illustration that could be given here is that legal argument of paragraphs 18-21 which Jebb uses as an example to show the difference between epicheireme and enthymeme according to Dionysius' definition.⁵ After some direct testimony, Isaeus says that he will bring some indirect evidence to show that Apollodorus had legally carried out the adoption of the speaker, and he develops his reasoning as follows: first, he cites a law which demands that "the males and the issue of the males ... shall be preferred";⁶ second, he states that, according to this law, the wife of Pronapes had no right to claim even a share of Apollodorus' estate, but Thrasybulus, her nephew, had a right to all of it; and, third, he concludes.

1) Out of a total 13 [21.50] in the whole speech; the other one belongs

2) W.W. Baden, op.cit., p.29.

(to the peroration.)

3) §§ 36,41.

4) §30.

5) R.C. Jebb, II, pp.289-91; Dion.Halic., De Isaeo Jud., ch.16.

6) §20: κρατεῖν δὲ τοὺς ἄρρενας καὶ τοὺς ἐν τῶν ἀρρένων.

that since Thrasybulus had not made any claim to the estate, for presumably he recognised the adoption as valid, Pronapes' wife claims the estate completely unlawfully.

In order to achieve his purpose, Isaeus, apart from two examples of μέν...δέ and another two examples of οὐκ...ἀλλά Antithesis and one Hyperbaton, uses two examples of Correspondence,¹ two of Correlative,² one Homoeoteleuton,³ two figures of Amplification,⁴ and one Asyndeton less effective.⁵

In the whole argument (§§18-25) which occupies 61 lines, i.e., 35% of the whole proof, there are altogether: 11 examples of Antithesis, 6 of Amplification, 4 of Correspondence, 4 of Hyperbaton, one of Parison, and one of Homoeoteleuton; there are also three occurrences each of Correlative, Rhetorical Questions, Asyndeton and Polysyndeton.

However, there is no figure of: Chiasmus, Paronomasia, Parechesis, Figura Etymologica and Repetitions.

The most ornamental section of this proof under discussion is that included in paragraphs 37-42, especially in the §§38,39 and 40 which appear with a total of 11, 9 and 16 figures respectively, while all the others have fewer than 9 figures.

If the content is more closely examined, these statistics are again proved to be correct. These paragraphs bear much of the weight of Isaeus' argumentation: they deal with the virtue, generosity, and the public

- 1) §18: ταύτην τε...καί...; §21: οὐτ'έξ ἀρχῆς ἠμφισβήτηκε... οὔτε νῦν δίκην εἴληχε.
- 2) §18: ταύτην...ἢ... κτλ., καί ἄλλην ἦν... κτλ.
- 3) §18: ἀμφισβητεῖ - συνοικεῖ.
- 4) §18: ὀρθῶς καί κατὰ τοῦς νόμους (syn.); θυγατέρας δύο, ταύτην τε ... καί ἄλλην (epex.).
- 5) §21: τετολμήμασι· εἰς τοῦτο... ἐληλύθασι.

spirit of the de cuius and his father¹ in contrast with the conduct of the adversaries. For the sake of the former, the speaker asks the jury to confirm the estate to him: "for you will find that they were useful citizens and as zealous as possible for your interests!"² He begins with the state services of Apollodorus' father, the superiority of which over those of the opponent (sc. Pronapes) Isaeus tries to show by a 4-fold well-balanced οὐκ...ἀλλά Antithesis;³ which also involves one Correspondence,⁴ two examples of Homoeoteleuton,⁵ one Parechesis and one Figura Etymologica.⁶ Paragraphs 39 and 40 are devoted to Apollodorus' public services where Isaeus arranges in a scheme-form a row of six rhetorical questions, making thus the passage to be more suitable in an epideictic speech rather than in a forensic one. In this passage there are also:- four μέν...δέ and one οὐκ...ἀλλά Antitheses in such well-balanced phrases that they give three figures of Homoeoteleuton⁷, four of Figura Etymologica,⁸ two of Amplification, one Correlative,⁹ and one Hyperbaton.

Conversely, the less ornamental passages seem, strictly speaking, not to belong to the argumentation. Notice, for instance, that paragraph 19, which contains no figures at all, consists merely of

-
- 1) Cp. IV. 27 ff., V. 35 ff., VI. 60 ff.
 - 2) §37. (transl. LOEB).
 - 3) See another 3-fold οὐκ...ἀλλά Antithesis in § 35.
 - 4) §38: τὰς τε ἄλλας... καὶ τριηραρχῶν.
 - 5) §38: ὄν... διαλιπῶν. ἀφοσιούμενος... παρασκευαζόμενος.
 - 6) §38: λειτουργίας λελειτούργηκε.
 - 7) §39: δεῖν - ὠφελεῖν, ζῆν - δεῖν - περιποιεῖν. §40: ποιεῖν-σώζειν.
 - 8) §39: ἄρχειν...ἀρχάς; §40: λειτουργίαν...ἐξελειτούργησεν; εἰσφορὰν εἰσήνεγκεν; χορῶ χορηγῶν.
 - 9) §39: ὅσα...πάνθ'...

a quotation of a law,¹ and paragraphs 21 and 22, which contain only three figures each (the smallest number of figures in the proof), deal with an interpretation^t of laws as well.

It is possible to deduce from the preceding, that, in most cases, Isaeus is more concerned with presenting effectively those passages which are essential to the argument and the reasoning.

D)- The Peroration² (§§43-45). As was said in discussion of the narrative, the parts of Speech VII are found in good harmony from the point of view of length. This peroration is included among the shortest in Isaeus' speeches: it consists of 30 lines comprising 8% of the whole speech,³ and constitutes a very dexterous summary of the content of the speech. It can be divided into two parts; in the first part, which is more extensive than the second, there is a contrast between the speaker's just claims and Pronape's inferior position in the present trial;⁴ in the second part, the contrast is between the speaker and the wife of Pronapes - his aunt.⁵ The closing of the peroration is Lysianic: οὐκ οἶδ' ὅ,τι θεῖ πλείω λέγειν· οἶμαι γάρ ὑμᾶς οὐδέν ἀγνοεῖν τῶν εἰρημένων.⁶

This peroration resembles that of Speech I in that there is no appeal for pity, a quality which rhetoricians value very much.⁷ The omission might be intentional or inevitable. Perhaps Isaeus preferred

1) § 19: "Ἔστι δέ νόμος ὅς....

2) For the precepts of the Rhetoricians concerning the peroration, see p.56, n.5, above.

3) The other peroration are as follows: I 7%, II 9%, III 5%, VI 6%, while VI 15%, VIII 14%, IX 12%, X 18%. Speeches V and XI have no peroration.

4) § 43: ἐγώ μὲν...κτλ. §44: Προνάπης δέ...κτλ.

5) § 45: ἐγώ μὲν..., ἡ δέ...

6) Cp. VIII. 46: Lys. XII.100.

7) See note 5 to p. 56, . above; especially Ad Herennium. II.XXX.47.

to leave the judges to estimate their responsibilities to justice¹ rather than to attempt an appeal to their mercy, since he has little material in the case for such an emotional sortie.

From the stylistic point of view, this peroration has the highest proportion of figures by comparison with all the perorations and with the other parts of this speech under discussion as well. It contains 33 figures out of a total 271 [453] in the whole speech.

To be more precise, Antithesis (8) comes first among the other figures, constituting thus $\frac{1}{4}$ of the total number of figures in this peroration. This pre-eminence, which makes the peroration rank first among the others, is due to the contrast of the two litigants with which Isaeus built up this section.² The remaining figures come to service the same purpose. Especially noticeable are: 5 figures of Asyndeton and Polysyndeton, 5 of Hyperbaton, 4 of Homoeoteleuton, 2 Correlative, and 4 Amplification.

Like several other perorations, it lacks Parison, Repetitions and Figura Etymologica.

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- 1) Cp. §45: ταῦτα πάντα σιεφάμενοι καὶ διαλογιζόμενοι πρὸς ὑμᾶς αὐτούς..
 - 2) Cp. §43: ἐγὼ μὲν... Προνάπης δέ...; §45: ἐγὼ μὲν... ἢ δέ ἀνεφιά;
ἢ μὲν (ἀνεφιά)... ἐγὼ δέ...; αὕτη μὲν... ἐγὼ δέ...

SPEECH VIII: ON THE ESTATE OF CIRON

1.- CIRCUMSTANCES OF THE CASE

The litigants in this trial, which concerns the estate of a certain Ciron, are: a grand-child of the de cuius, son of his daughter, the speaker of this oration, and a nephew of Ciron, son of his brother.

Their positions are as follows:-

The nephew, who had spoken first, had argued that: a) the speaker's mother was not a legitimate daughter of Ciron, and b) a brother's son has a better claim in law than a daughter's son.

The speaker replies to these two arguments in the following commonplaces and circumstantial proofs (τεκμήρια):-

- a) With reference to the first argument (§§7-29),
 - i) he cites facts concerning Ciron's two marriages, and the marriage of Ciron's daughter from his first wife, the mother of the speaker (§§7-9);
 - ii) he argues that the fact that his opponent refused to give his slaves to be examined under torture is evidence that the accusation against the legitimacy of Ciron's daughter is false (§§ 9-14);
 - iii) he contends that Ciron had many times taken him and his brother with him in public festivals and domestic sacrifices (§§15-17), that his mother had been formally betrothed to both her husbands, that he and his brother had been duly introduced into the ward (§§18-20), and that the opponents had admitted the speaker's relationship to Ciron by allowing him to assist them at Ciron's funeral (§§ 21-27).

b) With reference to the second argument, he cites a law according to which descendants are obliged to support their parents and grandparents; this obligation indicates that descendants inherit before collaterals (§§30-35).

In the following paragraphs the speaker deals with the intrigues of Diocles, who is alleged to stand behind the opponent (§§ 35-39 - the second part of the narrative), and finishes with a harsh personal attack against Diocles and a brief recapitulation and deposition in the peroration (§§ 40-46).

2. GENERAL STATISTICAL REVIEW.

From the point of view of length, Speech VIII consists of 425 lines, 101 sentences, 46 paragraphs, 14 pages in the LOEB edition.

The speech indicates, by the way in which it is divided, that the narrative (76 lines, 18% of the length of the whole speech) is one of the shortest in Isaeus, being disproportionate to the length of the proof (236 lines, 56%) and to that of the peroration (60 lines, 14%,) and being divided into two parts by the interpolation of the proof. There is also a prefatory sketch (πρόθεσις, propositio) which consists of nine lines and follows the exordium (50 lines, 12% of the whole speech).

Nevertheless, the divisions of the speech are clearly marked, and the logical sequence of the parts is obvious, so that the speech is " a model of rhetorical method".¹

1) W. Wyse, op.cit., p.587.

As regards its style, Speech VIII contains 14 figures more than Speech VII (285-271 respectively), but, in terms of statistics, Speech VIII comes third, while Speech VII comes second in relative numbers; this happens because there is a difference of 43 relative numbers between the former 453 and the latter [410]. Furthermore, Speech VIII appears with a difference of only two relative numbers in comparison with Speech II ([410]-[408] respectively), which in the statistics comes fourth, although it is inferior to Speech VIII in 44 real figures. The difference is due mainly to the figures of Antithesis and of Rhetorical Questions and Answers; Speech II contains 32 [53.50] and Speech VIII 68 [96.00] figures of Antithesis, and 9 [15.00] and 28 [39.50] Rhetorical Questions and Answers respectively.¹

It is noticeable that this speech appears with the highest proportion in figures of Repetitions (it contains [17.00] figures by comparison with the average [8.00]), and with the second highest proportion in figures of Chiasmus (it contains [13.00] figures by comparison with the average [6.00]); in Hyperbaton it is below the average (it contains [36.50] figures by comparison with the average [47.00]).

(See Table overleaf).

1) Notice that Speech II has 65 lines less than Speech VIII (360-425 lines respectively).

STATISTICAL TABLE ON SPEECH VIII

FIGURES	EXORDIUM	NARRATIVE	PROOF	PERORATION	Total of real Figures	Total of relative Figures
Antithesis	7	12	38	11	68	[96.00]
Correspondence	3	5	9	4	21	[30.00]
Correlative	4	2	6	2	14	[20.00]
Parison	⊖	⊖	4	1	5	[7.00]
Chiasmus	1	3	3	2	9	[13.00]
Paronomasia	2	3	14	⊖	19	[27.00]
Parechesis	1	2	8	3	14	[20.00]
Homeoteleuton	1	1	5	2	9	[13.00]
Etymol. Figura	1	2	3	1	7	[10.00]
Repetitions	⊖	⊖	12	⊖	12	[17.00]
Amplification	3	5	22	5	35	[49.50]
Hyperbaton	4	3	14	5	26	[36.50]
Rhetorical Quest.+ Answers	⊖	⊖	27	1	28	[39.50]
Asyndeton + Polysyndeton *	⊖	5	14	3	22*	[32.50]*
Total	27	43	179	40	289	[410.00]

* Asyndeton 14 [20.00], Polysyndeton 8 [12.00]

3. RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the exordium:-

A)- The Exordium (§§1-6) consists of fifty-three lines and constitutes 12% of the whole length of the speech (425 lines), being thus one of the medium-length introductions of Isaeus' speeches, so that there is no need to discuss it further from the point of view of length. However, it must be noted here that the 6th paragraph of nine lines, which is a prefatory sketch, (Πρόθεσις, Propositio),¹ is included in this section, and this passage, strictly speaking, does not belong either to the exordium or to the narrative,² but, for the sake of analytical purposes, it is proposed to discuss it in the exordium, since its purpose to note briefly the points at issue is better fitted to the exordium than to the narrative.³

From the point of view of rhetorical figures, the statistics indicate that this exordium stands half-way among the other exordia of Isaeus, having a total of 27 figures which puts it between Speech VII (21) and Speech XI (34), while it is exceeded by Speech I by approximately 50%.

1) Cp. W. Wyse., op.cit., p.589.

2) Anonymus, Spengel, I, 447.29: Πρόθεσις ἐστὶν ἔκθεσις τοῦ ζητουμένου ὡς περὶ σκοπὸς καὶ ἐπαγγελία τῆς μελλούσης παρασκευῆς.... τίθεται δὲ πρόθεσις καὶ πρὸ τῶν διηγήσεων.

3) Anaximenes, Spengel, I, 214.9: Ἔστι δὲ προίμιον καθόλου μὲν εἶπεῖν ἀμφοτέρων παρασκευῆς, καὶ τοῦ πράγματος ἐν κεφαλῇ μὴ εἰδῶσι δηλώσει, ἵνα γινώσκωσι περὶ ὧν ὁ λόγος παρακολουθῶσι τε τῇ ὑποθέσει. Cp. ibid., I, 228.25: Πρῶτον μὲν οὖν ἐν τοῖς προοίμοις προθήσομεν τὸ πρᾶγμα περὶ οὗ κατηγορήσομεν ἢ ἀπολογησόμεθα.

The section lacks only four figures which are the most rarely found in any exordium, namely, Parison, Repetitions, Rhetorical Questions and Answers, and Asyndeton-Polysyndeton.

Three out of seven examples of Antithesis are figures κατ'ἄρσιν καὶ θέσιν, well-balanced¹, occurring in a passage which is full of pathos at the very beginning of the speech.² One of the two³ examples of μέν-δέ Antithesis is reinforced by the conjunction ἅμα⁴ which aims to strengthen the preceding synonym concerning the "impudence of the opponents."⁵ The Figura Etymologica,⁶ on the other hand, reinforces the statement concerning the innocence of the speaker who is wholly without experience of litigation.⁷ The most striking illustration of Correlative occurs in the last sentence of the Πρόθεσις forming a conventional transition to the narrative.⁸

- 1) § 1: μή μόνον τῶν ἀλλοτρίων ἀμφισβητεῖν τολμῶσιν, ἀλλά καί τὰ ἐκ τῶν νόμων δίκαια τοῖς σφετέροις αὐτῶν λόγοις ἀφανιεῖν ἐλπίζωσιν.
- 2) § 1: Ἐπί τούτοις, ὧ ἅ., ἀνάγκη ἐστὶ χαλεπῶς φέρειν κτλ.
- 3) The other two figures belong to the Πρόθεσις.
- 4) § 2: καὶ τολμῶσιν ἅμα μὲν λέγειν..., ἅμα δέ ποιεῖσθαι κτλ.
- 5) § 2: οὗτοι δέ ἔχουσι βιασάμενοι καὶ κρατοῦσι. Cp. § 4: οὐδένας ἀναιδέστερον τούτων ἢ καταφανέστερον ἀντιποιησάμενοι φανήσονται τῶν ἀλλοτρίων..... - two synonyms to amplify the magnitude of the importance of the present law-suit.
- 6) § 5: καὶ μάρτυρας οὐ τᾶληθῆ μαρτυροῦντας.
- 7) § 5: παντάπασιν ἀπείρως ἔχοντα δικαστηρίων.
The effort of the orator to obtain the sympathy of the jury, and to influence the court against the adversaries is obvious throughout the exordium.
- 8) § 6: ὅθεν οὖν ἤρξαντο περὶ αὐτῶν, ἐντεῦθεν ὑμᾶς καὶ γὰρ πειράσομαι διδάσκειν. Cp. I.8.

B)- The Narrative (§§ 7-8, 35-39) is divided into two parts; the first part (§§ 7-8) consists of nineteen lines, and the second (§§ 35-39) of fifty-seven lines. The total of seventy-six lines comprises 18% of the whole speech.

From the point of view of length, this narrative is among the shortest narratives in Isaeus, coming very close to Speech I (17%) and Speech X (15%),¹ and being disproportionate in length to both the proof (56%) and the peroration (14%).

The shortness of the narrative seems to be due to the fact that Isaeus here does not include in the main narrative passages which deal with all the events involved, but he spreads them all over the speech, especially in the proof and the peroration, where they are so well-incorporated with the reasoning passages that it is difficult to distinguish between the two. Notice, for instance, that paragraph 10 is, strictly speaking, a narrative passage dealing with the fact that the speaker had already asked his adversaries to surrender the slaves to give evidence under torture, but the opponents had denied - a fact which the orator is going to use as an argument against the adversaries in the following passages (§§ 11,14).

Another example can be seen in paragraph 40-42, where Isaeus records some of the charges made against Diocles. These passages belong to the peroration, although they are narrative ones.

By this method, Isaeus seems to justify Dionysius in saying that the orator sometimes "does not put the whole narrative in one place, but

1) All the other narratives comprise more than 23% of the speeches concerned.

separates it into parts throughout the speech, δεδοικώς... μή δυσπα-
ρακολούθητος γένηται... ὁ λόγος καί πελαγίση.¹

With regard now, to the style of the narrative, it seems to be neither a much elaborated one, like, for instance, that of Speech I, nor very limited in stylistic effect, like that of Speech X; it stands in a middle position among the other narratives of Isaeus.²

However, it could be repeated here, once again, that the passages which include reasoning and interpretation are more ornamental than those in which facts or events are merely recorded - a statement which is reinforced by closer reference to the text of the narrative.

From the second part of the narrative (§§ 35-39), the paragraph 38 is the most ornamental; it includes 10 figures of several kinds, among which are two figures of Antithesis,³ two of Amplifications⁴ and one figure each of Correspondence,⁵ Correlative,⁶

- 1) Dionys. Halic. De Isaeo Jud., ch.14; cp. ib., ch.15: διήγησεις πρὸς τὸ συμφέρον φημονομημένας ὑπὸ τοῦ ῥήτορος κτλ.
- 2) Notice that there are no figures of Parison, Repetitions, and Rhetorical Questions and Answers in this narrative; all the remaining figures are represented.
- 3) §38: τὸ μὲν ἀργύριον..., ἀπειληφέναι δέ..., παρ' ἐμοῦ δέ...
ibid.: βιάσασθαι μὲν..., συνεποίουν δέ...
- 4) §38: ὑποπαρωθῶν, ὅπως ἐκεῖνος δοκοίη θάπτειν ἀλλὰ μή ἐγώ (P-N).
ibid.: συνεποίουν δέ καί συνέθαπτον (syn.)
- 5) §38: καί τῆς οἰκίας ταύτης καὶ τῶν ἄλλων.
- 6) §38: καί τῶν ἄλλων ὧν ἐκεῖνος κατέλιπε.

Chiasmus,¹ Parechesis,² Homoeoteleuton,³ and Figura Etymologica.⁴

The ornamentation is not accidental; this paragraph deals with one of the most important facts of the case: the quarrel of the litigants about the burial of Ciron's body. This is an argument of Isaeus drawn from the same source as the 23rd topos of Aristotle's Rhetoric,⁵ and it carries much weight in the argumentation; since the speaker had been left by the opponents to participate in the rites and assist at the funeral, the opponents have already accepted the speaker's rights on Ciron's estate.

Of similar rhetorical elaboration is the first part of the narrative, which regards the legitimacy of the speaker's mother as Ciron's daughter, a very serious charge of the opposition against Isaeus' client. Thus Isaeus here interprets the facts rather than simply recording them.⁶

However, the least ornamental passage in both parts of the narrative is that of paragraph 36.⁷ But, even though it has only one μέν...δέ Antithesis, one less-effective Asyndeton,⁸

1) § 38: ἐκλέυεν ἐνεγκεῖν - ἀπειληφέναι προσεποιεῖτο - οὐκέτι ἤθελε ἀπολαβεῖν.

2) § 38: συγγιγνωσκόντων, συνεποίουν...συνέθαπτον.

3) § 38: ἐνεγκεῖν - ἀπολαβεῖν.

4) § 38: τῶν μαρτύρων μαρτυρησάντων.

5) "Τοῖς προδιαβεβλημένοις λέγειν τήν αἰτίαν"

Arist., Rhet., 1400 a. 26 (II.XXIII.24); Cp. G.P.Palmer,

The Τόποι of Aristotle's Rhetoric as exemplified in the Orators,

Diss., Chicago, 1934, pp. 72-3.

6) Cp. §7: μιᾶς μόνης οὔσης αὐτῷ θυγατρός. καί ἐκείνην τε ἔτρεφε παρά τῇ γυναικί καί μετὰ τῶν ἐξ ἐκείνης παίδων (notice the effort to emphasize the fact by the Correspondence).

7) Cp. §39: which contains three figures of Antithesis only.

8) §§ 35-36: τόκους ἐλάμβανε. Τούτους...κτλ.

and one Paronomasia,¹ the construction is still periodic.

As to the repetitions of those standard terms which have been noticed in Speeches I² and VII,² the present narrative does not contain any remarkable instances.

C)- The Proof (§§9-34) occupies 56% (236 lines out of a total 425) of the speech. If we omit the proofs of Speeches III and IV (90%, 84% respectively) in which the narratives concerned are absorbed, this proof can be considered as being among the longest in Isaeus. This seems to be due to the fact that, - as has already been said - Isaeus spreads some narrative-passages all over the speech, especially in the proof (see, for instance, paragraph 10). Without such passages the proof should be shorter and the narrative longer, but, perhaps, in such a case,³ the speech would become difficult to be followed by the hearers because of the multitude of the particular subjects of the case, and thus the clear progression of the speech would be disturbed.⁴

As the speech stands now, the logical sequence of the several parts of the proof makes it a model of rhetorical method.⁵ The proof can be divided into the following parts:-

- a) §§ 9-14: First part of the argumentation drawn from probabilities.
- i) §§ 9-13: The argument concerning the denial of the adversaries to give the slaves for torture;

1) § 36: προσποιουμένην...έποιήσατο.

2) Cp. p.49 and p.67 respectively.

3) i.e. αΐ τε πίστεις είς έν χωρίον άπασαι συνταχθεισαι, πολλαί και περί πολλών ούσαι πραγμάτων κτλ.(Dion.Halic.,De Isaeo,ch.I4).

4) Dionys. Halic., op.cit.: μή δυσπαρακολούθητος γένηται...δ λόγος κτλ.

5) Cp. W. Wyse, op.cit., p.587.

- ii) 14: **Recapitulation.**
- b) §§ 15-29: Second part of the argumentation drawn from the following tekmeria:¹
 - i) §§ 15-17: Ciron had taken the speaker and his brother to public festivals and to domestic sacrifices;
 - ii) §§ 18-20: Ciron had given their mother in marriage with all due forms and they themselves had been enrolled in their father's phratry;
 - iii) §§ 21-27: The adversaries had admitted the speaker as Ciron's kinsman, since they had permitted him to assist at Ciron's funeral;
 - iv) §§ 28-29: **Recapitulation.**
- c) §§ 30-34: Third part of the argumentation drawn from law and probabilities:
 - i) §§ 30-31: **D**escendants have a stronger claim to the estate than collaterals;
 - ii) § 32: The law dealing with the neglect of parents;
 - iii) § 33-34: **Recapitulation.**

This distinction will be useful in the discussion of the style of the proof. But, first of all, attention must be drawn to those phrases or "formulas" with which Isaeus achieves an expansion of his thoughts. There are eight such instances of repetition of thought in this speech, and it is astonishing to notice that all of them refer to the argument that the opponents refused the torture of the slaves:

§11: ἔφυγε τὴν βάσανον.

§11: τηλικούτον ἔλεγχον πεφευγότος.

1) Cp. Arist., Rhet. 1357 B.5.

§13: φεύγων οὕτως ἀκριβεῖς ἐλέγχους.

§13: ἀξιῶσαντες εἰς βασάνους ἐλθεῖν, τούτου δὲ φεύγοντος.

§14: ἔργῳ φανερώς μεμαρτυρήκασι φεύγοντες τὴν βάσανον.

§17: οὐς οὕτως παραδοῦναι εἰς βάσανον οὐκ ἠθέλησεν.

§28: πόθεν δ' ἀπιστεῖν τοῖς τούτων λόγοις; οὐκ ἐκ τοῦ φεύγειν τοὺς ἐλέγχους;

§29: ἔτι δὲ περὶ πάντων τούτους βάσανον ἐξ οἰκείων πεφευγότας.

It is noticeable that the repetitions above do not occur only in the section specifically relating to the argument about the slaves (§§ 9-13), but also in some other passages of the proof. This indicates that the orator is at pains to reinforce the points which seem to bear much of the weight of the whole argumentation, especially with regard to the legitimacy of the speaker's mother as Ciron's daughter. What great significance this factor has for the speaker and his brother is acknowledged by the speaker himself: "if you are misled into the belief that our mother was not an Athenian citizen, neither are we citizens."¹

Apart from these repetitions there are also three instances of phrase-tricks,² as follows:-

§ 12: οὐδένες πώποτε ἐξηλέγησαν ὡς οὐκ ἀληθῆ ἐκ τῶν βασάνων εἰπόντες.

§ 15: οὐδέπώποτε θυσίαν ἄνευ ἡμῶν οὐδεμίαν ἐποίησεν.

§ 34: καὶ οὐκ οἶδ' εἴ τινα πρό τοῦ πώποτε τοιοῦτος ἀγῶν συμβέβηκεν.

The examination of the length of the proof being complete, it is now necessary to look at its style.

1) § 43 (Transl. LOEB).

2) Cp. p. 49, above.

From the beginning of the proof the presence of Antithesis is striking. There are 38 Antithesis (14 μέν...δέ and ²⁴οὐκ...ἀλλά) in 26 paragraphs out of 68 figures in the whole speech. Only six out of twenty-six paragraphs of this section lack Antithesis of both types, namely:-

- i) §§19,22,27, which, strictly speaking, are narrative-passages;
- ii) §9: in which the orator suggests the points at issue to which only the slaves are the proper witnesses;
- iii) §34: in which a statement concerning inheritance is included; and
- iv) §28 in which there is no room for anything else but Rhetorical Questions and Answers.

In the remaining 20 paragraphs, which are directly concerned with the argumentation, Antithesis plays a large part since approximately two examples of Antithesis are found in each paragraph.

Nevertheless, the pre-eminence of οὐκ...ἀλλά Antithesis in comparison with μέν...δέ Antithesis (24-14 respectively) indicates a special effort on the orator's part to provide the passages concerned with an emphasis, and to make the point he is interested in more clear by throwing light on both aspects of it - negative and positive.¹ Especially noticeable, from this point of view, is the passage of paragraph 25 which contains four examples of οὐκ...ἀλλά Antithesis (σχῆμα κατ'ἄρσιν καί θεσιν). This passage is included in the

1) Cp. Hermogenes, Spengel, II, 328.15: τό τε οὖν κατ'ἄρσιν καί θεσιν σχῆμα περιβάλλει τέλειον ποιοῦν τόν λόγον. See also p. 8, above.

tekmerion¹ that the adversaries had admitted the speaker as Ciron's kinsman, since they had permitted him to assist at Ciron's funeral. Notice also that paragraphs 20 and 31, which contain three instances of the figure, each play a very important role in the argumentation; the first constitutes a recapitulation of the arguments concerning the legitimacy of the speaker's mother as Ciron's daughter, and the second interprets the law according to which descendants have a stronger claim to the estate than collaterals.²

As regards the other figures of parallelism, they occur in an approximately similar proportion to the figures of Antithesis. There are nine figures of Correspondence³, the majority of which are concentrated in the first part of the argumentation, and six figures of Correlative out of 14 in the speech; there are also four examples of Parison out of 5 in the speech,⁴ and three of Chiasmus out of 9.⁵ This proportion of the figures of Parallelism in the proof indicates a trend for balance and symmetry in the clauses and phrases which are not so common in Isaeus' proofs.⁶

As regards Amplification (22) this proof occupies a middle position among the others. The majority of the figures of Amplification occur

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- 1) Second part of the argumentation, see p. 85, above.
 - 2) Third part of the argumentation, see p. 86, above.
 - 3) Out of a total 21 in the speech.
 - 4) The fifth belongs to the peroration.
 - 5) In Chiasmus this speech comes first out of all the other speeches.
 - 6) Cp. Speeches III, IV and VII as regards the paucity, especially of Parison and Chiasmus; Speeches V as regards the shortage of Correlative and Homoeoteleuton; Speech X as regards the shortage of Chiasmus and Correlative.

in the second part of the argumentation (§§ 15-29): four of these illustrations occur in paragraph 20 which constitutes a recapitulation of the preceding arguments concerning the legitimacy of Ciron's daughter and the speaker and speaker's brother.

From the point of view of Hyperbaton (14), this proof is included among those which have the lowest proportion of the figure.

Conversely, this proof is included among those with the highest proportion in Paronomasia; it contains 14 figures most of which occur in the first part of the argumentation concerning the testimony of the slaves by torture.

But it is the Rhetorical Questions and Answers that cause this proof to exceed all the others - even Speech III which has the highest proportion in this figure as a whole. There are 27 Rhetorical Questions and Answers in this proof out of 28 in the whole Speech.¹ The majority of the figures are concentrated in those passages in which the orator, in a bombastic tone, recapitulates what has been already proved by the preceding arguments, as in paragraph 14 in which there are three questions accompanied by their answers; paragraph 28 which includes ten Rhetorical Questions and Answers; and paragraph 33 in which there are four good illustrations of the figure.

Having considered the statistical data, it is now necessary to complete the whole picture by a closer investigation of the proof in order to determine how and with what effect Isaeus uses the different figures in the argumentation. The third part of the argumentation (§§ 30-34) provides the best material with which to illustrate this point. It seems to consist of four particular arguments, each of which constitutes a separate syllogism, but taken together they form a complete whole.

1) The one remaining figure appears in the peroration.

Isæus' thought develops thus: he, first, states what he is going to prove: § 30 "let me prove that I have better right than my opponent to Ciron's fortune"; then, he unfolds his reasoning by various separate arguments, as follows:-

First argument (§ 30):- (i) statement: "according to the law"; (ii) reasoning: "those who are descended from the same stock as Ciron are not near^{er} in right of succession than those who are descended from him"; (iii) conclusion: οἱ μὲν γὰρ ὀνομάζονται συγγενεῖς, οἱ δὲ ἔκγονοι τοῦ τελευτήσαντος.

Second argument (§ 31):- (i) statement: "we will explain the point in greater detail from the actual law"; (ii) reasoning: " supposing that¹....."; (iii) conclusion: " it is obvious that we and not our opponents have the right to succeed to the estate".

Third argument (§ 32):- (i) statement: " this is the clear intention not only^{of} this law but also of that dealing with the neglect of parents"; (ii) reasoning: " if my grandfather were alive¹....."; (iii) conclusion is drawn with a rhetorical question: " how then can it be right that our opponent should be the heir and not we?", and finishes up with the triumphal rhetorical answer: "οὐδαμῶς δῆπουθεν!"

The fourth argument (§ 33) is built up:- (i) by a statement: " I will now institute a comparison and question you on the various degrees of relationship"; (ii) by the reasoning consisting of a series of rhetorical questions and answers; and (iii) by the conclusion: " a fortiori we are still more to be preferred to our opponent."

1) Cp. Quint., V.X. 95: Illud adiciendum videtur, duci argumenta non a confessis tantum sed etiam a factione, quod Graeci καθ' ὑπόθεσιν vocant.

Finally, the conclusion of the whole argumentation comes in a sentence introduced by γάρ: πάντες γάρ ὑμεῖς τῶν πατρῶων, τῶν παπῶων, τῶν ἔτι περαιτέρω κληρονομεῖτε ἐκ γένους παρειληφότες τὴν ἀγχισταίαν ἀνεπίδιδικον, and finishes with the αὔζησις¹: οὐκ οἶδ' εἴ τιτι πρό τοῦ πάποτε τοιοῦτος ἀγὼν συμβέβηκεν.

In building up this argument, which consists of 51 lines (46% of the proof), Isaeus uses with most frequency: (i) eleven figures of Antithesis (6 μέν...δέ and 5 οὐκ...ἀλλά), the majority of which (9 figures) occur in paragraphs 31 and 32 where the fictitious suppositions fall;² (ii) five figures of Amplification³ by which he tries to expand the points which are of greatest importance for his case; (iii) five figures of Paronomasia⁴ by which he tries to draw the attention of his hearer to several points at issue; and (iv) five figures of Parachesis, four of which occur in paragraph 33 and the other one in paragraph 34. At the other end of the scale, he uses these figures most sparingly: two examples of Parison, both occurring in paragraph 31, two examples of Homoeoteleuton,⁵ one Asyndeton,⁶ one Polysyndeton,⁷

1) Cp. Anaximenes, Spengel, I, 187.3 ff.

2) §31: εἰ γάρ ἔζη μέν ἢ ἐμή μήτηρ... μηδέν ἐκεῖνος...- συνοικῆσαι μέν... τῶν δέ χρημάτων. ibid. τῶν δέ χρημάτων οὐκ ἄν, ἀλλά οἱ γενόμενοι παῖδες. κύριος αὐτός μὴ ἐγένετο, ἀλλ' οἱ παῖδες. οὐ τούτοις, ἀλλ' ἡμῖν. § 32: εἰ γάρ ἔζη μέν ὁ πάππος, ἐνδεής δέ ἦν... - εἴ μὲν..., εἰ δέ τι καταλελοίπασι. ibid.: οὐ τοίνυν...ἀλλά καί...- οὐκ ἄν οὗτος..., ἀλλ' ἡμεῖς.

3) § 31: ἦν δέ ἀδελφός οὗτος αὐτῷ, μὴ ἀδελφιδούς (P-N). §32: τόνδ' εἶναι κληρονόμον, ἀλλά μὴ ἡμᾶς (P-N). §32; τρέφειν τοὺς γονεᾶς· γονεῖς δ' εἰσὶν... (epex.); §33: γένος γάρ ἀλλ' οὐχί συγγένεια (P-N). §34: πεῖραν εἰλήφει, δοκιμασίαν ἱκανὴν λαβῶν (epex.).

4) Cp., for instance, 30: φύντες - γεγονότες. συγγενεῖς - ἔκγονοι.

5) § 30: φύντες - γεγονότες. §33: προσάξω - ἐρωτήσω.

6) § 33: τῶν πατρῶων, τῶν παπῶων, τῶν ἔτι περαιτέρω...

7) § 32: μήτηρ καὶ πατήρ καὶ πάππος καὶ τήθη καὶ τούτων μήτηρ...κτλ.

one Repetition,¹ one Hyperbaton, and one Correlative.²

However, the most ornamental passage of this proof is that of paragraph 28 which contains a total of 19 figures. Ten out of these 19 figures are Rhetorical Questions and Answers with which the orator tries to drive home his arguments.³ He makes fictitious questions which he answers himself according to his interests, and he progresses step by step in such a way that he draws his pompous conclusion: " By the gods of Olympus, I could not possibly give stronger proofs than these, and I think that those which I have produced are sufficient".⁴ Paragraphs 28, 29 constitute a recapitulation of the second part of the argumentation (§§ 15-19) which consists of tekmeria concerning Ciron's and the speaker's relationship - a very relevant part of the whole proof.

It is now the proper time to point out that the most decorated passages of this proof are those which form a recapitulation of the preceding argumentation. Apart from paragraph 28, which has been discussed above, paragraph 14, which forms a recapitulation of the first part of the argumentation (§§ 9-14), includes eleven figures three of which are Rhetorical Questions, and paragraph 33 which, with paragraph 34, recapitulates the third part of the argumentation (§§ 30-34), contains ten figures four of which are Rhetorical Questions.

It must be also noticed that paragraph 16 which contains twelve figures is one of the most important in the argumentation; it regards

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- 1) § 32: γονέας· γονεῖς... ('Επαναστροφή).
 - 2) § 34: ὦν ἔνενα ταῦτα γίγνεται, καί ταῦτ' ἤδη πειράσομαι κτλ.
 - 3) Cp. Dionys. Halic., De Isaeo jud., Ch. 12-13: ταυτί μὲν διαλελυμένα καί ἐξ ἐπερωτήσεως.
 - 4) § 29: ἔγωγε μὰ τοῦς θεοῦς τοῦς Ὀλυμπίους οὐκ ἄν ἔχοιμι πίστεις μεῖζους τούτων εἰπεῖν, ἀλλ' ἵκανάς εἶναι νομίζω τάς εἰρημένους.

the εἰκόσ¹ argument of Isaeus concerning the public festivals and domestic sacrifices to which Ciron used to take the speaker and his brother. Also, paragraph 20 which contains ten figures is a summary concerning the legitimacy of the speaker's mother as Ciron's daughter, a factor which constitutes essential material of this case. All the foregoing instances are the most ornamental passages of the proof.

Conversely, the less ornamental passages seem not to belong to the argumentation. Notice, for instance, paragraph 21 which contains only one figure (one μέν..δέ Antithesis); it is a small narrative-passage in which the speaker records what happened when he went to Ciron's house for the funeral. The next two paragraphs, 22 and 23, are also less ornamental passages, containing three and four figures respectively.

The conclusion can be rep^eated from the above that Isaeus presents the essential argument and reasoning with more attention to the effect.

D)- The Peroration² (§§40-46). As was pointed out at the opening of the discussion of this speech, the narrative is found to be disproportionately shorter to the peroration. It constitutes 18% (76 lines) of the whole speech in comparison with 14% (60 lines) of the peroration. Thus this peroration is included among the longest in Isaeus,³

1) Cp. Arist., Rhet. 1357 a. 30 ff. - 1357 b ff.

2) Notice that this peroration is the only one in Isaeus which is interrupted by witnesses (§§42-43).

3) The peroration of Speech X is the longest of all (18%); the peroration of Speech VIII comes third with 14%, and then that of Speech IV which comes second with 15%. None of the remaining perorations exceeds 12% (Speech IX).

while the narrative is included among the shortest.

A closer investigation of the content of the peroration reveals the reason for the excessive length: forty-five out of a total of sixty lines are devoted to denigrate the character of Diocles¹ who stands behind Ciron's nephew- the opponent - and now "tries to expose the speaker to the risk of losing not only the property but also the fatherland".² Thus, only 15 lines (§§45-46) are strictly disposed to the purpose of the peroration. This latter section begins with an emotional appeal to the judges by synonyms³ including a Correlative⁴ and an οὐκ...ἀλλά Antithesis,⁵ in the following; an Asyndeton⁶ and one τέ...καί Correspondence indicate the two main points which the speaker in the propositio (§ 6) had promised to prove, namely, that ὅτι τ' ἐσμέν ἐκ θυγατρὸς γνησίας Κίρωνος, καὶ ὅτι προσήκει ἡμῖν μᾶλλον ἢ τοῦτοις κληρονομεῖν τῶν ἐκείνου χρημάτων; and, finally, an appeal is made to the judges to estimate their responsibilities towards justice by one Correspondence and one Correlative.⁷

The closing of the peroration is similar to that of Speech VII,⁸

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- 1) He is a forger (§ 40), a murderer (§ 41), a dishonest guardian (§ 42), and a confirmed adulterer (§ 44). (Cp. W. Wyse, op.cit., p. 587)
 - 2) §43: οὐ μόνον περὶ χρημάτων ἡμᾶς ἀλλὰ καὶ περὶ πατρίδος εἰς κινδύνους καθίστησιν.
 - 3) §45: ὑμῶν δ' ἐγὼ δέομαι καὶ ἱκετεύω.
 - 4) §45: τούτων τῶν χρημάτων, ὧν ὁ πάππος κατέλιπε.
 - 5) §45: μή με περιίδητε..., ἀλλὰ βοηθήσατε.
 - 6) §45: πίστεις ἐκ μαρτυριῶν, ἐκ βασάνων, ἐξ αὐτῶν τῶν νόμων.
 - 7) §46: μνησθέντες οὖν καὶ τῶν ὄρκων... καὶ τῶν λόγων... καὶ τῶν νόμων, ἧ δίκαιόν ἐστι, ταύτη τὴν φῆφον τίθεσθε.
 - 8) VII.45: Οὐκ οἶδ' ὅτι δεῖ πλεῖω λέγειν· οἶμαι γὰρ ὑμᾶς οὐδὲν ἀγνοεῖν τῶν εἰρημένων.

and to that of Speech III as regards the deposition proving that Diocles was taken in adultery.

It is noticeable that the most ornamental part of the peroration is the second one (§§ 45-46) which constitutes the actual conclusion of the speech, while the first part, which deals with the vices of Diocles, is less ornamental; and that the abrupt closing by a deposition is unusual and very impressive.

SPEECH II: ON THE ESTATE OF MENECLAS

1. CIRCUMSTANCES OF THE CASE

In Speech II, the prosecutor is the brother of the deceased Meneclás, and the defendant is the adopted son of Meneclás.

The prosecutor contends: firstly, that the adoption of the speaker is invalid because Meneclás made it under the influence of a woman, namely, his second wife, the sister of the adopted son, and, secondly, that Meneclás had never legally married this woman, as she had brought no dowry with her.

The defendant, in refuting these charges, urges: with reference to the first, that, if there had been any influence of the woman upon Meneclás, this influence would have been exercised in favour of her children by her second husband to whom she had been married a long time ago and not in favour of her brother (the speaker); with reference to the second, that the marriage was legal, since twenty minae had been paid to Meneclás as the dowry of the defendant's sister.

Furthermore, the speaker says that the only thing he takes into account in this trial is the memory of his adopted father, because the inheritance is practically worthless, since the prosecutor himself had already squandered it in judiciary struggles against Meneclás.

The case seems to be a weak one for Meneclás' adopted son, though his adoption took place twenty-three^{years} ago.¹ The fact is obvious throughout the whole speech, which, in the absence of legal argumentation, Isaeus has sown all over with ethos; especially the proof, 44% of which - out of a total 62% of the speech - is devoted merely to the ethical and secondly

1) For full discussion, see W. Wyse, pp. 235-6.

to the pathetic proof.¹

2. GENERAL STATISTICAL REVIEW.

With regard to its length, Speech II consists of 360 lines, 85 sentences, 47 paragraphs, and approximately 12 pages in the LOEB edition.

The division of the speech is peculiar in that the narrative is divided into two parts, the second of which (only eight lines, §18) is interposed between a citation of law and the refutation, dividing thus the proof into two unequal parts.

From the stylistic point of view, this speech, while it contains 44 real figures more than Speech VIII (245-285 respectively), comes fourth in the statistics directly after Speech VIII, because Speech II is inferior to Speech VIII by only two relative-number figures (403-410 respectively). This means that Speech II would be as ornamental as Speech VIII if both consisted of 600 lines.²

The numbers of figures of Amplification,³ Paronomasia and Correspondence in Speech II account for this suggested equality in rhetorical figures with Speech VIII.

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- 1) According to Aristotle, the proof furnished by the speech (artificial proof) are of three kinds: ethical, pathetic, logical (Rhet.1356a 1-5); Cp. ib. 1418 b 1-3: ἔχοντα μὲν οὖν ἀποδείξεις καὶ ἠθικῶς λεπτέον καὶ ἀποδεικτικῶς, εἴαν δὲ μὴ ἔχῃς ἐνθυμήματα, ἠθικῶς. Also: εἴαν ἐμπίπτῃ ἄλυτος ἀντίθεσις, ἐν προσχῆματι τοῦ δοκεῖν λύειν ἀντικατηγορεῖν δεῖ τοῦ ἀντιδίκου (Rh.Gr.,V,p.577.9 Walz). See also W.Wyse, p.236.
 - 2) Notice that Speech II has 65 lines less than Speech VIII (360-425 lines respectively).
 - 3) For every one page there are four figures of Amplification; cp. Speech VIII where in every one page there are two figures of Amplification.

Speech II contains 16 [35.50] examples of Amplification, 6 [14.50] examples of Paronomasia, and 11 [23.50] examples of Correspondence more than Speech VIII. These three figures constitute 47% of the total real numbers of Speech II (245).

On the other hand, Homoeoteleuton [11.50], Hyperbaton [40.00], and Rhetorical Questions and Answers are below the average for their respective occurrences.

(See Table overleaf)

STATISTICAL TABLE ON SPEECH II

FIGURES	EXORDIUM	NARRATIVE	PROOF	PERORATION	Total of real Figures	Total of relative Figures
Antithesis	2	5	20	5	32	[53.50]
Correspondence	3	10	14	5	32	[53.50]
Correlative	-	4	8	-	12	[20.00]
Parison	-	-	6	-	6	[10.00]
Chiasmus	-	-	4	1	5	[8.50]
Paronomasia	1	7	16	1	25	[41.50]
Parechesis	-	2	9	-	11	[18.50]
Homoeoteleuton	-	3	4	-	7	[11.50]
Figura Etymologica	1	-	10	1	12	[20.00]
Repetitions	-	2	1	-	3	[5.00]
Amplification	2	11	33	5	51	[85.00]
Hyperbaton	2	4	17	1	24	[40.00]
Rhetorical Quest.+ Answers	-	-	9	-	9	[15.00]
Asyndeton + Polysyndeton *	1	3	9	3	16*	[26.50]*
Total	12	51	160	22	245	408

* Asyndeton 7 [11.50] , Polysyndeton 9 [15.00]

3. RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the exordium:-

A)- The Exordium (§§ 1-2) is the second shor^{est}est in Isaeus. It consists of sixteen lines and constitutes 5% of the length of the whole speech (360 lines), coming just before the exordium of Speech VI which constitutes only 3% and is the shor^{est}est among all Isaeus' exordia.

In spite of its shortness, this exordium seems to have most of the elements of a conventional introduction, namely: 1) the μέγεθος τῶν ἀδικημάτων¹; ii) "an excuse that the speaker has been dragged into the suit against his will and under the compulsion from his opponent";² iii) "the subject of the defence"³ and "preparation of the audience and a declaration of the subject in summary manner";⁴ and iv) a request for attention and good will.⁵

As regards the rhetorical figures, this exordium resembles that of Speech VI as both are equal in length (16-15 lines respectively); they have 12-13 figures respectively. It is noticeable that the section lacks figures of Correlative, Parison, Chiasmus, Parachesis, Homoeoteleuton,

1) § 1: 'Ηγούμην μὲν... καὶ οὐκ ἄν ποτε εἶπεῖν οὐδένα τολμῆσαι ὡς ἐποίησατό με Μενεκλῆς παρανοῶν ἢ γυναικί πειθόμενος. Cp. Ad Alexandrum, I442b.10f.

2) § 1: ἐπειδὴ δὲ ὁ θεῖος πειρᾶται....., ἐμοί ἀνάγκη ἐστὶ πολλή κτλ.

Cp. Ad Alexandrum, I442b.8f. (transl. W.D. Ross, The Works of Aristotle, vol. XI, Oxford, 1924).

3) Ad Alexandrum, op.cit., I441.b30.

4) § 2: διδάξω σὺν ὑμᾶς ἐξ ἀρχῆς ὡς προσηκόντως κτλ. Cp. Ad Alexandrum, op.cit., I436a 30.

5) § 2: δεῖομαι δ' ὑμῶν... μετ' εὐνοίας ἀποδέχεσθαι μου τοὺς λόγους. Cp. Ad Alexandrum, op.cit., I441b.35.

Repetitions and Rhetorical Questions and Answers, while Paronomasia, Figura Etymologica, and Polysyndeton are represented by only one figure each.

The predominance of Correspondence is apparent in the text; the figure is used one time to underline the bad character of the opponent,¹ another time to denote the objects of this present judicial struggle of the speaker,² and yet again to emphasize that the adoption was appropriate and legal.³

One of the two figures of Antithesis⁴ is μέν..δέ Antithesis and it is used to balance the "μέγεθος τῶν ἀδικημάτων" and the excuse of the speaker for this trial; the other is an οὐκ-ἀλλά figure κατ'ἄρσιν καί θέσιν and it is used to reinforce the speaker's position that "there is no question of adjudicating the estate of Meneclēs."⁵

The two figures of Amplification occur both in the form of synonyms in paragraph 2; the first aims at the legality of the adoption which took place προσημόντως τε καί κατὰ τοὺς νόμους, and the second at the speaker's appeal to the jury to listen with favour to him; There are three synonyms here strengthened with a Polysyndeton, the only one existing in the exordium.⁶

The only one instance of Paronomasia existing in this section occurs in the first sentence and it is used to emphasize the speaker's adoption by the repetition of the same verb in different forms (ἐποιήθη-ποιηθῆναι).

1) § 1: οὔτε τοὺς θεοὺς τοὺς πατέρας οὔθ' ὑμῶν αἰσχυρόμενος οὐδένα.

2) § 1: βοηθεῖν τῷ τε πατρί... καί ἑμαυτῷ. Cp. "the excuse that the speaker has been dragged into the suit etc!"

3) § 2: προσημόντως τε καί κατὰ τοὺς νόμους.

4) Cp. Hermogenes, Spengel, II, 237.10: κοσμεῖ δέ καί προοίμιον πολλάκις (i.e. Antithesis).

5) § 2: καί οὐκ ἔστιν ἐπίδικος ὁ κληρὸς... ἀλλ' ὁ μάρτυς διεμαρτύρησε τάληθῆ. Notice the Figura Etymologica.

6) § 2: δέομαι... καί ἀντιβόλῳ καί ἰκετεύω.

There are also two figures of Hyperbaton which give weight to the fact that the speaker "has been dragged into the suit by his opponents".¹

From the discussion it can be deduced that this exordium, in spite of its shortness, is one of the most elaborate exordia in Isaeus.

B)- The Narrative (§§ 3-12, § 18) is divided into two parts: the first part (§§ 3-12) consists of 76 lines and the second (§ 18) of 8 lines. The total 84 lines comprise 23% of the whole speech. Thus this narrative stands in a middle position among the others from the point of view of length, being close to that of Speech XI (26%) but longer than that of Speech X (15%) which comes last by a difference of 8%, and considerably shorter than the narrative of Speech IX (72%) which comes first by a difference of 49%.² Therefore, there is not any special reason to discuss this narrative more extensively as regards the length.³ Nevertheless, Isaeus' method of not putting the whole narrative in one place, but separating it into parts must be mentioned once again.⁴ Here, however, the separation seems to be natural.

1) § 1: οὐθ' ὑμῶν αἰσχυρόμενος οὐδένα. ἀνάγκη ἐστὶ πολλή.

2) Notice that the proof is included in the narrative of Speech IX; after this narrative, that of Speech VI comes first with 38%.

3) Cp. Hermogenes, Spengel, II, 197.8: οὐ γὰρ ἐστενοχώρηται τῆς διηγήσεως ἢ δύναις ῥητῶ μέτρῳ, καθάπερ καὶ τὸ προοίμιον; ἀλλ' ἐξουσίαν ἔχει καὶ μέτρον τὴν βούλησιν ἢ τὴν δύναιμιν τοῦ λέγοντος.

4) See p. 82-3, above; cp. Anonymus, Spengel, I, 443.9: ἔνιοι μὲν οὖν φασὶ μὴ δεῖν μερίζεσθαι τὴν διήγησιν, ἀλλ' ὁμοῦ πᾶσαν αὐτὴν τιθέναί. Cp. also J.F.Dobson, The Greek Orators, London, 1919, p.120; and Arist., Rhet. I416b 23.

The first part of the narrative concerns events which happened before the adoption; the second part deals with facts which happened after the adoption; what intervenes is a legal argument about the formality of the adoption. More precisely, the first part of the narrative is related to: i) the marriage of the speaker's sister to Meneclēs - who was his father's intimate friend - with a dowry of twenty minae (§§ 3-5); ii) the separation of his sister from Meneclēs and her marriage to someone else with the same dowry (§§ 6-9); iii) the speaker's adoption by Meneclēs (§§ 10-12). Then the legal argument follows, i.e., the adoption was made according to the law that "a man can dispose as he likes of his own property, if he does not possess legitimate male issue" (§§ 13-17).

After this argument the second part of the narrative occurs to denote that the speaker had been married to a woman, and he and his wife tended and respected Meneclēs, so that "he praised us to all his fellow-demesmen" (§ 18).¹

Thus, Isaeus here seems to follow the natural order for unfolding the events and neglects the precepts about the division of the speech.

As regards the occurrence of rhetorical figures, this narrative appears to occupy a middle position among the other narratives of Isaeus, as it is neither a *very* ornamental one, like that of Speeches I and VII, nor very limited in stylistic effect, like that of Speech X.

A reference to the text of the narrative reveals that its second part, i.e., paragraph 18, is the most ornamental passage in the whole narrative: it contains nine figures, three of which are Correspondences, two Amplifications, and two Hyperbata.

1) Cp. also 36: ὥστε τοὺς δημότας ἐπαινεῖν ἅπαντας.

Jebb finds in this passage a "clumsy wordiness";¹ the figures of Correspondence seem to play an important role in this "wordiness":
 κάκειϊνός τε τήν πρόνοιαν εἶχεν ὥσπερ εἰκός ἐστι πατέρα περὶ
 υἱός ἔχειν, καὶ ἐγὼ τὸν αὐτὸν τρόπον ὥσπερ γόνυ ὄντα πατέρα
 ἔμαντοῦ ἐθεράπευόν τε καὶ ἡσχυρόμην, καὶ ἐγὼ καὶ ἡ γυνή
 ἡ ἐμή κτλ.

Yet the "wordiness" causes two Amplifications: ἐσκόπει ὁ Μενεκλῆς
 γυναῖκά μοι καὶ ἔφη με χρῆναι γῆμαι. καὶ ἐγὼ ἐθεράπευον
 καὶ ἡσχυρόμην, καὶ ἐγὼ καὶ ἡ γυνή ἡ ἐμή.

From the first part of the narrative (§§3-12) the majority of the rhetorical figures are concentrated in the last two paragraphs 11 and 12 (7 and 8 figures respectively).² The passage explains why and how Menecles chose the speaker to be adopted as his son: "because", the speaker says, "he could find no nearer relative than us". Then a passage full of pathos follows, which the orator reinforces with two Correlatives,³ one Homoeoteleuton-Parison,⁴ two Amplifications.⁵ In paragraph 12 the dialogue⁶ continues with a dramatic element which is supported by three Correspondences of the form τέ...καί, two Amplifications (of the form of two verbs),⁷ one Paronomasia⁸ and one Hyperbaton.

- 1) R.C. Jebb, II, p.275, note.
- 2) None of the other paragraphs have more than four figures.
- 3) § 11: οὕτως...συνέβη ὥστε...; ἐκ ταύτης τῆς οἰκίας...ἔθεν κτλ.
- 4) § 11: γενέσθαι - ποιήσασθαι.
- 5) § 11: βούλομαι τὸν ἕτερον ποιήσασθαι, ὁποτέρω ὑμῶν καλῶς ἔχει (ερεχ.); λόγους ἐποιεῖτο καὶ ἔφη (two verbs).
- 6) There is another dialogical passage in VII. 24 (fictitious dialogue, Quint., IX.II.31).
- 7) § 12: τοῦ θεραπεύσοντος αὐτὸν καὶ ἐπιδημήσοντος. § 12: ἐπῆνε-σέ τε τοὺς λόγους αὐτοῦ καὶ εἶπεν (=εἰπών).
- 8) § 12: ποιήσασθαι - ποιεῖται με.

Thus, in this section, the orator tries to show to the jury that the speaker's adoption was the most natural thing in the world.¹

A simple narrative-passage with natural plain style is that of the paragraph 3, at the beginning of the narrative, especially the first sentence which is non-periodic, and paragraph 4 which contains only two rhetorical figures, i.e., two *τέ...καί* figures of Correspondence. It is normal practice for the beginning of Isaeus' narratives to be not as ornamental and elaborate² as the middle and conclusion.

It must be noticed that the present narrative lacks these standard expressions which have been pointed out in Speech I³ and VII.³

C)- The Proof (§§13-17, 19-43) occupies 62% (222lines out of a total 360) of the speech, being equal in length to that of Speech I (62%), and both being the longest in Isaeus; with the exception of the proofs of Speeches III (90%) and IV (84%) in which the narratives concerned are absorbed.

The proof can be divided into three parts: the first part (§§13-17) considers the law according to which Menecles had the right to adopt anyone he chose, since he had no legitimate sons; the second part (§§ 19-22) is devoted to the refutatio of the charges of the opposition; the third part (§§ 23-43, 44% of the whole proof) consists of probabilities and commonplaces and concerns ethical and pathetic proofs.

From the point of view of rhetorical devices in general, this proof is *the* most elaborate in Isaeus. Amplification is the figure which occurs with a considerable frequency (33) in this proof, followed by Antithesis (20),

1) Cp. W. Wyse, p. 241.

2) Cp. for instance, VI.3, VII.5, VIII,7.

3) Cp. p. 49 and p. 67, respectively.

Hyperbaton (17), Paronomasia (16), and Correspondence (14). None of the remaining figures occur more than 10 ~~times~~ times.

The pre-eminence of Amplification is apparent throughout the proof,¹ but the figure appears more frequently in the third part of the section (§§ 23-44) which includes ethical and pathetic proof. Only four out of twenty-one paragraphs in this part lack Amplification, while many of them include more than one figure, and four of them (namely, paragraphs 23, 24, 38, 41) contain three Amplifications. The consideration of the text reveals that these four paragraphs bear much weight of the argumentation which in this section relies merely on a personal attack of the speaker against his uncle. In paragraph 23 and 24 the uncle is presented as the worst man among both Greeks and barbarians, since he is not ashamed to blame Menecles "for adopting a son and not dying childless": ἐπίφθονον πρᾶγμα καὶ οὐ δίκαιον ποιῶν. Isaeus wields here many of the weapons of the orator's arm^οry. These two paragraphs contain, apart from three Amplifications each,² one οὐκ-ἀλλά and one μέν...δέ Antithesis,³ one Correspondence,⁴ one Correlative,⁵

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- 1) Cp. Hermogenes, Spengel, II, 411.2: Τῷ δέ 'Ισαίῳ ... πολύ τό τῆς γοργότητος... περιβολή τε ὡσαύτως καὶ τὰ λοιπά τοῦ μεγέθους εἶδη. For the meaning of περιβολή (=amplification), see R.C.Jebb, op.cit., I, p.91, note 3; see also ibid., II, p.298 note 4 for the six specific qualities of Isaeus according to Hermogenes.
 - 2) § 23: ἐπίφθονον πρᾶγμα καὶ οὐ δίκαιον (synon.); ὄντι ἄπαιδι καὶ ἀτυχοῦντι (synon.); ἀλλ' ὅτι... ἐποίησατο καὶ οὐκ ἐτελεύτησεν ἄπαις (N-P); § 24: ἄπασιν ἀνθρώποις καὶ Ἑλλησι καὶ βαρβάροις (erex.); οὗτος ὁ νόμος κείσθαι, ὁ περί τῆς ποιήσεως (erex.); ταύτης τῆς ἐξουσίας ἀποστερῶν, τοῦ ποιήσασθαι (erex.).
 - 3) § 23: οὐχ ὅτι... ἐποίησατο, ἀλλ' ὅτι... ἐποίησατο. § 24: τοῖς μέν ἄλλοις..., ὁ δέ θεῖος...
 - 4) § 24: καὶ Ἑλλησι καὶ βαρβάροις.
 - 5) § 23: τοῦτ' ἔστιν ὃ ἐπιτιμᾷ.

one Paronomasia,¹ and one Figura Etymologica.²

In paragraph 41, the speaker tries to defend his own ethos.³ He presents himself in a dilemma: he could leave the estate to his opponents but it would mean being base and shameful,⁴ and betraying him whose son he had been called and who had adopted him.⁵

In paragraph 38 there is a statement⁶ of the speaker that he is going to prove that when Meneclēs adopted him he was neither insane nor under the influence of a woman. To prove his assertion, the speaker is going to bring his own opponents as witnesses (αὐτούς τούτους μάρτυρας παρασχέσθαι, ἐμοί μαρτυροῦντας⁷ ἔργῳ καὶ οὐ λόγῳ,⁸ ἐξ ὧν ἔπραξαν αὐτοί⁹). The statement is impressive, and the whole passage, as Jebb observes,¹⁰ has a clumsy wordiness which comes from the wish for naiveté. The three Amplifications and the figure of Paronomasia existing in this passage seem merely to cause the "wordiness".

- 1) § 23: παίδων - ἄπαιδι.
- 2) § 23: ἐπίφθονον πρᾶγμα καὶ οὐ δίκαιον ποιῶν.
- 3) Cp. Quint., VI.II. 11: Nam cum ex illo ethico loco nihil non ab oratore tractetur, quidquid de honestis et utilibus, denique faciendis et non faciendis dicitur, ἦθος vocari potest.
- 4) § 41: αἰσχρὸν καὶ ἐπονείδιστον (syn.).
- 5) § 41: προδοῦναι τὸν πατέρα οὗ εἶναι ὀνομάσθην καὶ ὅς ἐποιήσατό με (epexegetis to the preceding αἰσχρὸν εἶναι καὶ ἐπονείδιστον).
- 6) Προέκθεσις. Cp. Anonymus, Spengel, I, 428.24: προέκθεσις μὲν ἐστίν, ὅταν ἅ μῆλλει τις λέγειν, ἐν κεφαλαίῳ προεκθῆται. Cp. Hermogenes, Spengel, II, 436.9.
- 7) Paronomasia.
- 8) Amplification (posit.-negat); cp. also: πρὸς ἐμέ ποιησάμενοι καὶ οὐ πρὸς τὸν Μενεκλέα.
- 9) Amplification (epex).
- 10) R.C. Jebb, II, p.275 note.

It can be deduced from the previous paragraph that Isaeus decorates with a special vigour the passages which include an attack on the character of the opponent, making particular use of Amplification to fulfil this purpose.

However, there is another way, namely, the repetition of thought, by which Isaeus reinforces some special points of the case: he repeats almost invariably —

i) that the adoption was "appropriate and legal":

§ 13: κατὰ τοὺς νόμους ἐγένετο ἡ ποίησις.

§ 39: εἴ γε μὴ κατὰ τοὺς νόμους ἐγεγένοντο ἡ ποίησις.

§ 39: κατὰ τοὺς νόμους ἐποιήθη;¹

ii) that the law ordains that a man can dispose as he likes of his own property:

§ 13: τὸν νόμον ἀνάγνωθι, ὅς κελεύει τὰ ἑαυτοῦ ἐξεῖναι διαθέσθαι ὅπως ἂν ἐθέλη κτλ.

§ 13: τὸ ἐξεῖναι ποιήσασθαι ὅν τινα ἂν βούλωνται.

§ 14: διδόντων οὖν τῶν νόμων αὐτῷ ποιεῖσθαι κτλ.

§ 17: ἐξῆν... ποιήσασθαι ὑδὸν αὐτῷ ὅν τινα ἐβούλετο;

iii) that Menecles had normally enrolled the speaker on his own phratry and deme registers:²

§ 14: εἰσάγει με εἰς τοὺς φράτορας καὶ εἰς τοὺς δημότας με ἐγγράφει καὶ εἰς τοὺς ὀργεῶνας.

§ 16: τοὺς φράτορας καὶ τοὺς ὀργεῶνας καὶ τοὺς δημότας παρέξομαι μάρτυρας.

§ 17: οἳ τε φράτορες καὶ οἱ δημόται καὶ οἱ ὀργεῶνες;³

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- 1) Cp. § 2: προσημόντως τε καὶ κατὰ τοὺς νόμους ἐγένετο ἡ ποίησις.
 - 2) Cp. A.R.W. Harrison, The Law of Athens, Vol. I: The Family and Property, Oxford 1968, pp. 89-90.
 - 3) Cp. § 45: τοὺς τε φράτορας καὶ τοὺς δημότας καὶ τοὺς ὀργεῶνας παρεχόμεν μάρτυρας.

iv) that Menecles adopted the speaker "when he was sound in body and mind, and fully aware of what he was doing":

§ 14: ἀλλ' ὑγιαίνων, εὖ φρονῶν, εὖ νοῶν.

§ 19: οὐ παρανοῶν οὐδέ γυναικί πειθόμενος ἐποίησατο, ἀλλ' εὖ φρονῶν.

§ 20: ὥστε οὐ παρανοῶν φαίνεται οὐδέ γυναικί πεισθείς.

§ 25: παρανοεῖν φησι καὶ γυναικί πειθόμενον ποιήσασθαι.

§ 38: ἐποίησατό με οὐ παρανοῶν οὐδέ γυναικί πειθόμενος;

and v) that the opponent tries to deprive his dead brother of descendants:

§ 33: τὸν μὲν τεθνεῶτα ἄπαιδα βουλόμενοι καταστήσαι.

§ 37: ἄπαιδα καὶ ἀνώνυμον βούλεται καταστήσαι.¹

In Antithesis, it is worth noticing that the type μέν...δέ which is a common trait of the Greek speech, occurs thirteen times, while the type of οὐκ-ἀλλά appears only seven times, out of which only three occur in the third part of the proof. This usage of μέν...δέ Antithesis is in keeping with the general derogatory tone of the orator's attack on his opponent's character - a tone which has already been deduced by Isaeus' use of Amplification.² Isaeus finds the more common kind of Antithesis (a simply balancing of certain qualities) quite adequate for his purpose in this part of the proof and uses only sparingly οὐκ...ἀλλά Antithesis which is more appropriate to passages of reasoning and inference such as the main proof of the speech:- Part A, the law, and Part B, the refutation.

Apart from the Hyperbaton which occupies the third position in the statistics of this proof with 17 figures, the predominance of Correspondence,

1) Cp. §1: τὸν ἀδελφὸν τὸν αὐτοῦ ἄπαιδα τεθνεῶτα καταστήσαι. Cp. §46.

2) See p. 106, above.

which appears with 14¹ figures, is remarkable. Paragraph 36 contains the highest proportion of this figure; it includes four examples of Correspondence out of a total of nine figures. This passage is an argument founded on the services rendered by the speaker of the deceased. These services appear here in a form of συναθροισμός² and aim to present the speaker as an excellent adopted son of Menecles so that τούς δημότας ἐπαινεῖν ἅπαντας.³

However, the most ornamental passage in the whole proof is that of paragraph 26 which contains eleven figures, five of which are figures of parallelism, with a predominance of Correspondence. The passage deals, again, with an onslaught against the opponent, who seems to be insane from what he says, and from his behaviour in the present trial,⁴ without feeling ashamed of his conduct.⁵ The passage constitutes a conclusion of the preceding argument which is drawn from the same source as the 6th topos of Aristotle "ἐκ τῶν εἰρημένων καθ' ἑαυτούς πρὸς τὸν εἰπόντα"⁶: εἴ τις ἐρωτήσῃ αὐτόν....., οὐκ ἄλλ' οὐδέν εἰπεῖν ἢ ὅτι κτλ.(25). Apart from two figures of Correspondence and one Correlative, this passage contains one μέν...δέ Antithesis,⁷ one Chiasmus,⁸ one Amplification,⁹

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- 1) Out of a total 32 [53.50] in the whole speech, being first in the statistics.
 - 2) § 36: ἐκεῖνόν τε ζῶντα ἐθεράπευον, καὶ αὐτός καὶ ἡ ἐμή γυνή, καὶ τῷ ἐμῷ παιδίῳ ἐθέμην τό ὄνομα τῷ ἐκείνου... καὶ τελευτήσαντα ἔθαφα ἀξίως τε ἐκείνου καὶ ἑμαυτοῦ, καὶ ἐπίθημα καλὸν ἐπέθηκα, καὶ τὰ ἔνατα καὶ τἄλλα πάντα ἐποίησα κτλ.
 - 3) Cp. § 18.
 - 4) § 26: τῷ τε λόγῳ τούτῳ ᾧ νυνὶ λέγει καὶ οἷς ποιεῖ (Corresp.+Correl.).
 - 5) § 26: τοῖς τε γὰρ νόμοις καὶ τοῖς δικαίοις καὶ οἷς αὐτός ἐποίησεν ἂν τάναντία λέγων φαίνεται (Correspondence).
 - 6) Arist. Rhet. 1398.3.
 - 7) § 26: καὶ οὐκ αἰσχύνεται μέν αὐτῷ.... τῷ δέ ἀδελφῷ...κτλ.
 - 8) § 26: λέγων φαίνεται - αἰσχύνεται ποιῶν.
 - 9) § 26: τοῖς γὰρ νόμοις καὶ τοῖς δικαίοις (syn.).

one Paronomasia,¹ one Parachesis,² one Figura Etymologica,³ one Homoeoteleuton,⁴ and one Hyperbaton.

What follows (§§27-37) is a narrative-section with a dispute between the opponent and his brother Menecles about a land which the latter was obliged to sell in order to repay an orphan. This section contains the least ornamental passages in the proof, especially paragraph 27-31, in which there are no more than two figures, since they are in the main narrative-passages of the section.

From the discussion above, two main conclusions can be drawn: firstly, that passages with reasoning and interpretation - especially those that draw conclusions⁵ - are more ornamental than narrative-passages, and, secondly, that in the third part of the proof, which deals merely with ethos and pathos, the figures of Antithesis - especially the type οὐκ...ἀλλά - are fewer than the figures of Amplification, Correspondence and Paronomasia, which appear remarkably frequently.

D)- The Peroration (§§ 44-47) comes third from the point of view of length among the others in Isaeus. It constitutes 9% (32 lines) of the whole speech, and it is nearly equal to that of Speech VII (8%) and Speech I (7%). There is no need to discuss further the length of this peroration, since it does not show any peculiarity as far as length is concerned.

As regards its content, this epilogue consists of a brief recapitulation

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- 1) § 26: κύριον - ἄκυρον ποιῆσαι.
 - 2) § 26: τὸν περὶ τῆς ποιήσεως ποιῶν κύριον.
 - 3) § 26: τῷ τε λόγῳ τούτῳ ᾧ λέγει.
 - 4) § 26: ᾧ νυνὶ λέγει καὶ οἷς ποιεῖ.
 - 5) Isaeus here seems to yield to the rhetorical precept according to which ταῖς κεφαλαιώδεσι κατασκευαῖς... πάντα μετὰ βάρους προακτέον, καὶ οὐχ ἀπλῆ οὐδέ διακεικομμένα τῇ φράσει (Anonymus, Spengel, I, 459.27).

of the main points at issue,¹ and an appeal to the judges to remember their duty to the deceased² as well as to give their verdict according to justice and in conformity with their oath.³

From the stylistic point of view, this peroration indicates this peculiarity, that the figures of Antithesis, Correspondence and Amplification appear first in the statistics and are equal with each other (5). Apart from Asyndeton and Polysyndeton which occur 3 times, Chiasmus, Paronomasia, Figura Etymologica and Hyperbaton appear only once each. All the remaining figures are not represented.

As regards Antithesis, the type μέν...δέ occurs only once, in paragraph 46, to show that the purpose of the opponent in this trial is, on the one hand, to deprive the speaker of his father's estate, and, on the other hand, to render the deceased childless and nameless. In two out of four οὐκ...ἀλλά Antitheses the positive member follows two negative⁴ for the sake of emphasis.

- 1) §§ 44-45: ἀπέφρηνα δ' ὑμῖν πρῶτον μέν... κτλ., καί... παρεσχόμην μάρτυρας κτλ., καί ἐκεῖνον ἀπέδειξα κτλ., εἶτα ἀπέδειξα κτλ., καί ἔτι... κτλ., § 46: οὗτος δέ... κτλ. Cp. Anonymus, Spengel, I, 322.14: τῶν δ' ἐπιλόγων, φησί, ἡ δύναμις ἀναμνησάσαι τὰ εἰρημμένα. Cp. also Quint., VI. I. I: Rerum repetitio et congregatio, quae Graece dicitur Ἀνακεφαλαίωσις, ... et memoriam iudicis reficit et totam simul causam ponit ante oculos, etc.
- 2) § 46: βοηθήσατε καί ἡμῖν καί ἐκεῖνον τῷ ἐν Ἄδου ὄντι ... κτλ.
- 3) § 46: τὰ δίκαια καί τὰ εὖορκα κατὰ τοὺς νόμους ψηφίσασθε. Cp. Longinus, Spengel, I, 301.26: τὸν τε δικαστὴν παροξύνει φῆφον δοῦναι⁺
- 4) § 44: καί οὐ λόγῳ οὐδέ διαθήκῃ..., ἀλλ' ἔργῳ. § 46: μήτε τὰ ἱερά... τιμᾷ μήτ' ἐναγίζῃ αὐτῷ..., ἀλλ' ἀφαιρῆται τὰς τιμὰς κτλ.

+ ἢν βούλεται.

The figures of Correspondence seem to aim at the same effect, i.e., they emphasize some very important points,¹ as also do the figures of Amplification four of which occur in the type of synonyms.²

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- 1) e.g., 45: ζῶντά τε φαίνομαι θεραπεύων αὐτόν καί τελευτήσαντα θάψας. § 46: εἴτε μείζων ἐστίν οὗτος εἴτε ἐλάττων. μήτε τὰ ἱερά τιμῶ μήτ' ἐναγίζη. § 47: βοηθήσατε καί ἡμῖν καί ἐκείνῳ.
- 2) § 44: δέομαι... καί ἀντιβολῶ καί ἱκετεύω. § 46: ἄπαιδα καί ἀνώ-
νυμον. § 47: πρὸς θεῶν καί δαιμόνων. τὰ δίκαια καί τὰ εὖορκα.

SPEECH IV: ON THE ESTATE OF NICOSTRATUS.

1. CIRCUMSTANCES OF THE CASE.

The two parties in this trial are as follows:-

a) A certain Chariades produced a will by which Nicostratus, an Athenian soldier who had served abroad for eleven years and had died childless, adopted him as a son and heir.

b) Two brothers, Hagnon and Hanotheus, contested the veracity of this will and claimed the estate of Nicostratus as heirs ab intestato, declaring that they were first cousins of the deceased. This was disputed by Charⁱades who alleged that the two brothers were not the next-of-kin to Nicostratus, since Nicostratus was not the son of Thrasy-machus, uncle of the brothers, but son of a certain Smicrus.

The facts being so, the two brothers had to demonstrate, firstly, that they were in fact the first cousins of the deceased, and, secondly, that the will was a forgery. But, as far as can be seen from the present speech, neither of these points is treated in a satisfactory manner. The speaker, who is a family friend of the two young brothers, is unable to bring witnesses¹ either for "the events which happened abroad" (§ 1) or for the identity of the de cuius, and tries to support the case by arguments drawn from probabilities and by attempts to blacken the conduct of Chariades and praise the public spirit and good character of the two brothers and their father.

In consequence, the two brothers seem to have a poor case.²

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- 1) Indeed, there are no depositions of witnesses in this speech, but, as is indicated in paragraphs 26 and 31, such evidence had been produced in the speech which had been delivered by one of the two brothers just before this speech.
- 2) For full discussion, see W. Wyse, pp. 368-9.

2. GENERAL STATISTICAL REVIEW.

From the point of view of length, Speech IV is the second shortest speech of Isaeus after Speech X. It consists of 250 lines, 61 sentences, 31 paragraphs, and 9 pages in the LOEB edition.

The division of the speech appears with these peculiarities: first, that there is no proper exordium but only a Προοίμιον ἐξ ὑπολήψεως consisting of $3\frac{1}{2}$ lines, and, second, that there is no proper narrative. Thus the proof extends from the second half of the first paragraph up to the end of paragraph 26. The remaining five paragraphs (27-31) constitute the peroration.

With regards to rhetorical figures, this speech comes fifth in the statistics with a total of 159 [370] figures - a difference of 86 [38]¹ figures from Speech II which comes fourth.

The figures which appear with remarkable frequency in this speech are: Antithesis (45)², Hyperbaton (26), and Correspondence (20), constituting 57% of the total real numbers (159). On the other hand figures of Chiasmus and Repetitions do not occur in the speech, while Parison and Parechesis are represented by only two figures and Paronomasia by only one.

(See Table Overleaf).

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- 1) Notice that the difference in real figures is larger than in relative numbers. This happens because the relative value of each real figure in Speech IV is higher (2.50) than in Speech II (1.50).
 - 2) This speech contains the highest proportion of Antithesis among all the other speeches. It also comes first in Polysyndeton.

STATISTICAL TABLE ON SPEECH IV

FIGURES	EXORDIUM 1)	NARRATIVE 1)	PROOF	PERORATION	Total of real Figures	Total of relative Figures
Antithesis			37	8	45	[104.00]
Correspondence			15	5	20	[46.00]
Correlative			6	-	6	[14.00]
Parison			2	-	2	[4.50]
Chiasmus			-	-	-	-
Paronomasia			1	-	1	[2.50]
Parechesis			1	1	2	[4.50]
Homoeoteleuton			11	1	12	[27.50]
Figura Etymologica			2	2	4	[9.00]
Repetitions			-	-	-	-
Amplification			14	4	18	[41.50]
Hyperbaton			22	4	26	[60.00]
Rhet. Questions + Answers			13	-	13	[30.00]
Asyndeton + Polysyndeton *			6	4	10*	[23.50]*
Total			130	29	159	[370]

1) Exordium and Narrative are not properly categorized in this speech.

* Asyndeton 1 [2.50] , Polysyndeton 9 [21.00]

3. RHETORICAL ANALYSIS

A) The Exordium consists of only 3¹/₂ lines in which the συνήγορος underlines that he undertook the task to support the case of Hagnon and Hangotheus because both of them and their father were intimate friends of his. This is an exordium "ἐξ ὑπολήψεως!"¹

Because of its shortness, this exordium does not exhibit any special interest for further discussion.

B) Narrative is not properly represented in this speech,² unless the section included in paragraphs 7-10 could be considered as a narrative; but this section cannot stand as a proper narrative of the speech, since it resembles other similar narrative-passages which Isaeus spreads all over the speech - especially in the proof and the peroration.³

The absence of narrative is presumably due to the fact that this speech is an "epilogue" and comes as a supplement to another speech which is supposed to have been delivered by one of the two brothers, perhaps the elder, just before the συνήγορος ascended the βῆμα. It would be, perhaps, right to suppose that the previous speaker would refer to the facts at issue, and then have called an advocate, who, as an elder and more experienced man undertook to support the case more skilfully.

1) Hermogenes, Spengel, II, 177 ff.; Anaximenes, Spengel, I, 230.22: ἐάν δε ὑπὲρ ἄλλου λέγῃς, ῥητέον ὡς διὰ φιλίαν συνηγορεῖς κτλ.; Cp. R. Volkmann, pp. 129, 139; Cp. Lys. 5, 28, 29; Dem. 20, 22.

2) Cp. Schol. Dem. 22.1: ὁ λόγος δευτερολογία· ὁ γὰρ Εὐκλήμων εἶπε πρῶτος, ἐν δευτέρῳ δ' ὁ Διδώωρος λέγει. ὅθεν οὔτε προοίμιον ἔχει ὁ λόγος οὔτε διήγησιν.

3) Cp. VIII.10, 40-42.

That being so, this advocate, having first explained why he speaks on behalf of Hagnon and Hagnotheus, starts his speech directly with the proof.

C) The Proof (§§ 1-26) occupies 84% (210 lines out of a total 250) of the speech, being thus the second longest proof in Isaeus after that of Speech III (90%). This length is due both to the absence of a proper narrative and to the fact that a narrative-passage (7-10), which constitutes 15% of the proof is included in this section. What is more, there is no deposition of witnesses or any citation of law in this speech. This also seems to be due to the previous speech, a clue to the content of which can be found in paragraph 26.

The proof can be divided into the following parts:-

- i) §§ 1.-6: The question of Nicostratus' identity;
- ii) §§ 7-10: The rush of the several claimants to seize the estate of Nicostratus;
- iii) §§ 11-23: A mass of generalizations and commonplaces - an attempt to convince the jury to give the verdict against the testament and "award the property of a kinsman to his kinsmen."
- iv) §§ 24-25: It is to the advantage of the relatives for the estate to be given to the brothers rather than to Chariades.
- v) § 26: A summary of the evidence brought by the previous speaker.

Before attention is drawn to the style of the proof, it must be pointed out that in this section there are no remarkable instances of those phrases or "formulas" or "tricks" with which Isaeus seeks to expand his thoughts or to reinforce some special points of his case.¹

1) Cp. pp. 86-87; 108-109, above.

As regards now the rhetorical devices, it could be said that this proof occupies a middle position among the others in Isaeus' speeches.

In a more precise consideration of the proof, the presence of Antithesis is striking from the very beginning. There are thirty-seven figures of Antithesis (26 μέν .. δέ and 11 οὐκ-ἀλλά) in 26 paragraphs out of forty-five figures in the whole speech. Out of the twenty-six paragraphs only one lacks Antithesis of both types (paragraph 20).

Hyperbaton comes second after Antithesis. It occurs 22 times out of 26 in the whole speech. It is noticeable that the narrative-passages (§§ 7-10) lack figures of Hyperbaton, and that the figure appears more frequently in paragraphs 13 (three times) and 26 (four times); the latter is one of the most elaborate passages in the section.

The figures of Correspondence and Amplification appear with a remarkable frequency (15 and 14 times respectively), followed by the figures of Homoeoteleuton (11), and Rhetorical Questions and Answers (13), while the figures of Correlative and Asyndeton - Polysyndeton occur 6 times each.

The appearance of Parison, Paronomasia and Parechesis does not deserve any special mention.

The highest proportion of Antithesis among the passages is included in paragraph 10 which contains three figures of μέν...δέ and one figure of οὐκ-ἀλλά Antithesis. This paragraph is the last one of the narrative-passages (§§ 7-10) which deals with the rush of the claimants to seize Nicostratus' estate just after his death. The speaker here points out that "Chariades at that time made no claim, but came forward later, foisting in not only himself but also his child by his mistress". The orator, in his effort to make this point more impressive, as it bears much weight in his argument, provided it with much ornamentation.

Apart from the four figures of Antithesis mentioned,¹ there is one Correspondence,² one Amplification,³ one Parison⁴ (out of two existing in the speech), and one Homoeoteleuton.⁵

However, the most elaborate passages of this proof are the first three paragraphs (11,12,13) of the third part of it (§§ 11-23), which consists of generalizations and commonplaces in an attempt, on the part of the orator, to convince the judges to "award the property of a kinsman to his kinsmen." These three paragraphs constitute a very deceptive introduction to this argument. The beginning is impressive: "it would be a good thing, gentlemen, that any claimant to an inheritance under a will, if he fails, should not be fined at the usual rate but be made to pay the full amount of the fortune which he set out to obtain."⁶ The rhetorical figures of οὐκ...ἀλλά Antithesis,⁷ and Correlative, prepare the way to the following impressive conclusion which contains an effective Correspondence.⁸ A positive-negative form of epexegetis follows and then the opinion of the speaker that the judges must give "more credit to circumstantial proof than to the statements of witnesses".

1) Two of them are strengthened with other correlated particles: τότε μὲν ... ὕστερον δέ.- οὐ μόνον ἀλλὰ καί....

2) § 10: ἥ..ἥ...

3) § 10: ταῦτό γάρ ἦν αὐτῷ ἥ...ἥ... (epex.).

4) § 10: κληρονομήσουσι - ποιήσουσι (and Homoeoteleuton).

5) § 10: παρέλυσεν - παρακατέβαλεν.

6) § 11 (transl.LOEB).

7) § 11: μή κατὰ τό τέλος ζημιοῦσθαι, ἀλλ'ἐφ'ὅσα περ ληφόμενος ἦει κτλ.

8) § 11: οὔθ'οἱ νόμοι κατεφρονοῦντο οὔτε τὰ γένη ὑβρίζετο... οὐδ'ἄν τῶν τεθνεώτων οὐδεὶς κατεφεύδετο.

Why? The reason is given in the following passages (§§ 12-13) by the assistance of two μέν..δέ and one οὐκ-ἀλλό figures of Antithesis, one Correspondence,¹ one Correlative,² three examples of Hyperbaton, two of Amplifications,³ one Paronomasia,⁴ and two figures of Homocoteleuton.⁵

Yet, another ornamental passage deserves mention, namely, that of paragraph 26. It contains nine figures, the most predominant being Hyperbaton, which occurs four times, and Correspondence which appears twice. There are also one Correlative, one Amplification, and one μέν..δέ Antithesis. The passage constitutes a recapitulation of the evidence brought by the previous speaker, and prepares the way for the peroration.

Thus we realize, once again,⁶ that Isaeus works out with special care, firstly, passages which bear much of the weight of the argumentation, and, secondly, passages in which he summarizes preceding arguments usually prior to transferring the discussion to a new section.

Conversely, the less elaborate passages are included in the narrative-passages (§§ 7-10) mentioned above, and especially in those where the names of the claimants of Nicostratus' estate are quoted. Notice, for instance, paragraph 8 which contains one μέν...δέ Antithesis only.⁷

1) § 13: καί γραμματεῖον ἀλλαγῆναι καί τάναντία...μεταγραφῆναι.

2) § 13: ἐφ' αἷς... αὐται....κτλ.

3) § 13: τοῦ καταλιπεῖν διαθήκας (εἰρηχ.); καί γραμματεῖον ἀλλαγῆναι καί τάναντία ταῖς τοῦ τεθνεῶτος διαθήκαις μεταγραφῆναι (G-P).

4) § 12: μαρτυροῦντας - μαρτυροῦσι.

5) § 13: διατίθενται - παρίστανται. ἀλλαγῆναι - μεταγραφῆναι.

6) Cp., for instance, P. 93.

7) § 8: Δημοσθένης μέν... Τήλεφος δέ... Ἀμεινιάδης δέ...

D) The Peroration (§§27-31) is one of the longest in Isaeus' Speeches: it occupies 15% (37 lines) of the whole speech and it comes after that of Speech X which comes first with 18%. Having no peculiarity, this exordium does not demand further discussion as regards its length.

As regards, its content, this section is mainly devoted (§§ 27-30) to a contrast between the conduct and character of the litigants, and only the last paragraph 31 can be regarded as the proper epilogue.

From a stylistic point of view, it is noticeable that the figures of Antithesis (8), Correspondence (5), and Asyndeton -Polysyndeton(4) appear in a higher proportion to the proof (Correspondence, for instance, occurs twice as often as in the proof in relative figures, and Asyndeton-Polysyndeton three times).

It is remarkable that the most ornamental passage both in this peroration and in the whole speech is paragraph 27 which deals with the public spirit of the two brothers and their father. It contains twelve figures, including three Correspondences incorporating two Amplifications and one οὐκ...ἀλλά Antithesis, which are used to reinforce Thrassipus' contributions to the State¹ or to underline the public services of the two brothers.² There are also two examples of Hyperbaton, two of Polysyndeton and one Parechesis which seem to serve the same purpose. The μέν...δέ Antithesis combines the qualities of the plaintiffs - the two brothers and their father.

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- 1) § 27: καί ἐλητούργησεν ὑμῖν καί εἰσήνεγκε καί ἄλλως σπουδαῖος ἦν πολίτης (notice the "particular-general" Amplification).
 - 2) §27: οὔτε ἀποδεδημάσιν... οὔτε...ἄχρηστοί εἰσι τῇ πόλει, ἀλλά καί στρατεύονται καί εἰσφέρουσι καί τᾶλλα πάντα ποιοῦσι (notice the Antithesis formed by a figure κατ'ἄρσιν καί θέσιν in which two negative members - οὔτε..οὔτε Correspondence-are followed by a 3-fold positive member - καί..καί..καί Correspondence).

In paragraph 29, Chariades is represented as the complete opposite to the afore-mentioned. An effective Correspondence and one οὐκ-ἀλλά Antithesis together with two examples of Figura Etymologica and one Homoeoteleuton help in this representation: (Χαριάδης) οὔτε στρατείαν οὐδεμίαν ἐστράτευται οὔτε εἰσφορὰν οὐδεμίαν εἰσενήνοχε, οὔτ' ἄλλ' οὐδέν ὑμῖν λελητούργηκεν.

The last paragraph 31, which can be regarded as the proper epilogue, has few rhetorical figures,¹ but constitutes an appeal full of pathos¹, that the judges should assist the two brothers for the sake of the deceased by giving their verdict in accordance with justice.

1) It contains only one Correspondence, one Hyperbaton, and one οὐκ... ἀλλά Antithesis; cp. Apsines, Spengel, I, 406. I2: Ἐν τοῖς πάθεσιν οὐ πολὺν δεῖ εἶναι τὸν κόσμον.

SPEECH V: ON THE ESTATE OF DICAEOGENES

1. CIRCUMSTANCES OF THE CASE

The case of this speech is complicated. Dicaeogenes III had inherited, by a will, one third of the fortune of his first cousin Dicaeogenes II and after twelve years, by another will, he inherited the whole estate as *the* posthumously-adopted son of the deceased. Twenty-two years later, the maternal nephews of the deceased (Dicaeogenes II had left four married sisters) made a common cause against Dicaeogenes III and demanded the whole property of their uncle as next-of-kin on the grounds that both wills were invalid. Dicaeogenes III met the claim by a protestation (*δισπαρηγοία*),¹ producing as his main witness a certain Leochares; but the claimants, their demand being withdrawn, indicted Leochares for perjury. Dicaeogenes III then offered a compromise: to keep the original one-third and leave his adversaries the other two-thirds. The compromise was accepted by the prosecutors under the surety of Leochares for the fulfilment of the engagement, and the lawsuit against Leochares was withdrawn in front of the jury.

However, the fulfilment of Dicaeogenes' promise was practically impossible, since much of the contested property had been sold or mortgaged, and the cousins sued the surety Leochares. The present speech was written by Isaeus for this trial and was delivered by one of the prosecutors, Menexenus IV.

Though the present suit is an action against Leochares as Dicaeogenes III's surety to restore the two-thirds of the estate to the sons of the sisters of Dicaeogenes II, this speech ultimately deals with

1) Cp. A.R.W. Harrison, The Law of Athens, vol. II: Procedure, Oxford, 1971, pp. 124 ff.

the estate of Dicaeogenes II and merely accuses Dicaeogenes III himself as he refused to do what he had promised in the court.

Indeed, for the majority of the speech, the appearance of Dicaeogenes III is apparent.¹ The long narrative (§§ 5-18) has nothing to do with Leochares' liability except for the last paragraph (18). From the argumentation, only seven paragraphs (§§ 19-25) deal with Leochares' surety. Isaeus was well aware that Leochares had a reasonable support in arguing that the promise he had given did not mean that he was obliged to recover everything of the estate which had been sold or mortgaged, as such a condition had not been included in the written document of the compromise. Consequently, the orator avoids discussing at length this dangerous weakness in the case. Thus, out of the remaining proof, he devotes eight paragraphs (26-33) to some tekmeria by which he tries to show the forbearance of his clients and the injustice of Dicaeogenes, and another thirteen paragraphs to blackening the character of Dicaeogenes III. In this last section Leochares does not appear at all.

However, the orator repeats from time to time throughout the whole speech the main point of the suit, i.e., that Dicaeogenes III has promised to give the two-thirds of the estate and that Leochares has become his surety.

It is more convenient now to postpone the discussion of further details to a more appropriate place, and to pass on to a statistical examination of the speech.

1) Cp. W. Wyse, p.404: "The speech is a long indictment of Dicaeogenes III, in the course of which even a careful reader is prone to forget that Leochares is the defendant".

2. GENERAL STATISTICAL REVIEW

Speech V consists of 430 lines, 114 sentences, 47 paragraphs and 14 pages in the LOEB edition.

The division of the speech shows the peculiarity that it lacks a proper peroration, while its exordium constitutes a preliminary argument (Προκατασκευή).¹

With regard to its style, this speech appears equal to Speech VI in relative-number figures ([340] each), though it is inferior to that by 42 real figures; this happens because the relative value of each real figure in Speech V is higher (1.50) than that in Speech VI (1.00).

The figures which appear with remarkable frequency in this speech are: Antithesis (62), Amplification (35), and Hyperbaton (31), constituting 53% of the total real numbers (242). It is also noticeable that the speech exceeds all the others in Parison and Repetitions, while in Correlative, Homoeoteleuton, Rhetorical Questions and Answers, Asyndeton and Polysyndeton it appears considerably below the average of relative numbers.

(See Table Overleaf)

1) Hermogenes, Spengel, II, 202.1 ff.: 'Ἡ προκατασκευὴ πρῆσβύτερόν ἐστι μέρος λόγου τῆς κατασκευῆς, ὡς δηλοῖ καὶ τοῦνομα. Ἔργον δὲ αὐτῆς τὸ προεντίθεσθαι τὰ κεφάλαια καὶ τὰ ζητήματα, οἷς περιπλακεῖς ὁ λόγος συμπληρῶνει τὴν ὑπόθεσιν.

STATISTICAL TABLE ON SPEECH V

FIGURES	EXORDIUM	NARRATIVE	PROOF	PERORATION 1)	Total of real Figures	Total of relative figures
Antithesis	3	24	35		62	[86.50]
Correspondence	2	5	11		18	[25.00]
Correlative	-	3	3		6	[8.50]
Parison	-	2	4		6	[8.50]
Chiasmus	1	3	6		10	[14.00]
Paronomasia	2	6	17		25	[35.00]
Parechesis	-	1	6		7	[10.00]
Homoeoteleuton	2	1	1		4	[5.50]
Figura Etymologica	-	2	8		10	[14.00]
Repetitions	-	4	8		12	[17.00]
Amplification	2	14	19		35	[49.00]
Hyperbaton	2	8	21		31	[43.50]
Rhet. Quest. + Answers	-	1	10		11	[15.50]
Asyndeton + Polysyndeton *	-	4	1		5*	[7.00*]
Total	14	78	150		242	[340]

1) The table does not refer to the peroration here since this part is not properly represented in this speech.

* Asyndeton 4 [5.50], Polysyndeton 1 [1.50].

3. RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the exordium:-

A) - The Exordium (§§ 1-4) stands in a middle position among the other exordia in Isaeus' speeches from the point of view of length; it consists of thirty-three lines and constitutes 8% of the length of the whole speech.

As a matter of fact, this is not strictly an exordium in the proper meaning of the term, as ~~it~~ was pointed out above, since it has not the elements which the rhetorical precepts demand an exordium to have.¹ It begins and ends² with an affidavit of the prosecutors by which the orator defines the issue, and contains one deposition of witnesses in order to show "first, that Dicaeogenes III gave up to the prosecutors the two-thirds of the estate, and secondly, that Leochares became his surety" (§ 2), and one inventory² of the property left by Dicaeogenes II in order to prove that Dicaeogenes III and Leochares did not fulfil their duty to the agreements. It is obvious that the conventional proem is discarded here for the sake of ^amore impressive introduction.

As to the rhetorical figures, this exordium is one of the least ornamental exordia in Isaeus.³ It contains: three figures of μέν...δέ Antithesis one of which is most effective⁴; two figures of Correspondence;

1) Cp. p. 100, above.

2) Notice that this exordium alone in Isaeus is interrupted by producing evidence (affidavit, deposition, inventory, affidavit again), while the exordium of Speech XI begins with a law and is interrupted once by a law. The remaining exordia either are followed by such evidences (III, IX) or give way directly to the narrative.

3) Cp. Speech III 20, Speech VI 13, Speech II 12.

4) § 4: εἰ μέν... εἰ δέ: καθ' ὑπόθεσιν σχῆμα μετά μερισμοῦ (Hermogenes, Spengel, II, 323.17).

one of which concerns Dicaeogenes' and Leochares' liability;¹ two examples of Paronomasia, in one of which the fact that Dicaeogenes gave up the two-thirds of the estate and furnished sureties is emphasized,² and, in the other, the production of the witnesses is strengthened;³ two examples of Homoeoteleuton referring to the same point;⁴ two Amplifications with which the πρόληψις, "perhaps Dicaeogenes will have recourse to the argument that...." is emphasized;⁵ and two examples of Hyperbaton.

B) - The Narrative (§§5-18) is one of the five narratives of Isaeus which is not divided into parts.⁶ It consists of 148 lines comprising 32% of the whole speech. In this respect, it is one of the longest in Isaeus, being close to that of Speech VII which comprises 34% of the speech concerned and differing appreciably from that of Speech X which comprises 15% of the speech and is the shortest narrative in the whole corpus.

The main factor for which this narrative seems to be made as long as it is, is the reference to the facts and events which concern the fortunes of the estate of Dicaeogenes II and which cover a long period

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- 1) § 3: ὡς Δικαιογένης τε...πεποίηκε...καί αὐτός τήν ἐξεγγύην ὅτι ἀπέδωκεν;- the other in §4: καί ἐκεῖνον ...καί ἡμᾶς...
 - 2) § 1: ἀποστάντος Δικαιογένους... καί ἐγγυητάς καταστήσαντος.
 - 3) § 3: τῶν μαρτύρων... μεμαρτυρήασιν.
 - 4) § 3: πεποίηκε - ἀπέδωκε.- § 4: κεντήσθαι - κερκομίσθαι.
 - 5) § 3: ὡς Δικαιογένης τε...κτλ. (exegesis to the preceding: ἴσως δέ ἐπ' ἐκεῖνον τρέφεται τόν λόγον).- φεύσεται καί ῥα-δίως ἐλεγχθήσεται (two verbs : ῥαδίως ἐλεγχθήσεται φευδόμενος)
 - 6) Speeches I, V, VI, X, XI.

of twenty-two years, i.e., from the death of Dicaeogenes II up to the final compromise in the court. This long narration seems not to be necessary for the guidance of the jurors in the present suit, since this suit is - in the words of the prosecutors themselves - "an action against Leochares", as Dicaeogenes' surety, and there is already a written document containing the conditions of the compromise. But the long narration may serve to win the sympathy of the jury and to blacken the character of Dicaeogenes III. This second reason is the secondary factor which makes the narrative long; between the 9th and 12th paragraphs there is a digression which is wholly devoted to the character of Dicaeogenes III who is represented as a plunderer of widows and orphans.

It is this section - in order to transfer attention to the style of the narrative - which contains the majority of the rhetorical figures among the other sections of the narrative. In the paragraphs 10 and 11 there are seventeen figures (10 and 7 respectively) among which the pre-eminence belongs to the figures of Amplification which are represented by four synonyms¹ - one of which is strengthened by the effect of a Correspondence² and the other by a Polysyndeton³ - and by one of the form "general - particular".⁴ By an οὐκ...ἀλλά Antithesis the orator reinforces the pathos for the sake of widows and orphans (his clients) whom Dicaeogenes III left "unprotected and penniless",⁵ while

1) § 10: καὶ ἐπίτροπος καὶ κύριος καὶ ἀντίδικος ἦν.- ἀλλ' ὀρφανοὶ καὶ πένητες.- § 11: εἰς τοῦτο ὕβρεως καὶ μιαρίας ἀφίκετο.- ὀνειδίζει καὶ ἐγκαλεῖ (Hendiadys).

2) § 10: καὶ ἐπίτροπος καὶ κύριος καὶ ἀντίδικος ἦν.

3) § 10: ἀλλ' ὀρφανοὶ καὶ ἔρημοι καὶ πένητες.

4) § 10: πάντων καὶ τῶν καθ' ἡμέραν ἐπιτηδείων ἦσαν ἐνδεεῖς.

5) § 10: οὐδέ κατὰ τὸ ἐλάχιστον μέρος τῆς οἰκειότητος ἐλέου παρ' αὐτοῦ ἔτυχον, ἀλλ' ὀρφανοὶ καὶ ἔρημοι καὶ πένητες γενόμενοι κτλ.

by another μέν...δέ Antithesis he underlines the fact that the opponent squandered ἄ μέν ὁ πατήρ...κατέλιπε..., ἄ δέ ὁ πάππος αὐτοῖς ἔδωκεν.¹ One Paronomasia (§10 παρέδωκεν-ἔδωκεν) here also accounts for emphasizing this point, and another in paragraph 11 (ἀδικούμενος-ἀδικῶν) for emphasizing the fact that Dicaeogenes robbed Cephisodotus of his property.

Another two passages of this narrative abound in rhetorical adornment, namely, that of paragraph 8 which includes nine figures and that of paragraph 15 which contains eight figures. In paragraph 8 the speaker expresses his astonishment for the fact that Dicaeogenes, producing a second will, claimed the whole estate: "We thought him mad in bringing the action". One of the two μέν...δέ examples of Antithesis which is strengthened by the particle τότε (τότε μέν...τότε δέ)¹ presents Dicaeogenes acting quite differently on the two occasions, while the other one, in which this Antithesis is contained, expresses the chagrin of the speaker for the unfavourable judgement he has received from the jurors; the οὐκ..ἀλλά Antithesis helps the speaker to handle this difficult point with some delicacy: "we were cheated of our rights, not by the judges but by Melas the Egyptian and his friends". Three Amplifications of different types are worth mentioning here as they account for emphasis;² also one Homoeoteleuton,³ one τέ...καί Correspondence⁴ and one Chiasmus⁴.

1) Notice the epanaphora.

2) § 8: ὑπό Μέλανος τοῦ Αἰγυπτίου καί τῶν ἐκείνου φίλων (ερεχ.); κεντῆσθαι τε τὰλλότρια καί τὰ ψευδῆ ἀλλήλοις μαρτυρεῖν (two verbs: καί τὰ ἀλλότρια ἀλλήλοις ψευδομαρτυροῦντες).- πολλῶ πλείω καί δικαιοτέρα λέγοντες ἡδικήθημεν (hendiadys).

3) § 8: εἰσελθόντες - λέγοντες.

4) See the second type of Amplification in the above note.

It is, incidentally, of interest that paragraph 15 deals with the same point: the two different wills Dicaeogenes produced to claim the estate. Here the speaker emphasizes that both wills are invalidated; the first by the second and the second because "those who bore witness for its genuineness were convicted of perjury". The argument is important and the orator reinforces it by eight rhetorical figures, i.e., one μέν...δέ Antithesis, one Amplification, one Paronomasia,¹ one Parison, one Figura Etymologica,² one Repetition,³ and one Homoeoteleuton.

The two illustrations above show a special care in providing them with striking ornamentation since they bear much weight of the argumentation or interpretation of events.

On the other hand, there are plain narrative passages which are appreciably devoid of such ornamentation, as, for instance, paragraphs 5 and 6 at the beginning of the narrative, which, with the exception of the figures of Antithesis, contain - in the former - only one Amplification and - in the latter - two examples of Hyperbaton.

Generally speaking, from the point of view of rhetorical figures, this narrative occupies a middle position in the statistics. It contains seventy-eight figures the majority of which consist of Antithesis (24 figures), Paronomasia (6 figures), and Correspondence (5 figures). The remaining figures do not appear in a remarkable degree of frequency, since most of them do not occur more than once or twice. However, it is noticeable that all figures are represented in this narrative though some of them appear only once.

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- 1) § 15: μαρτυρήσαντες αὐτήν... ἔδλωσαν ψευδομαρτυρίων.
 - 2) § 15: διαθήκην ... διαθέσθαι (one of the two in the narrative).
 - 3) § 15: ἦν μὲν Πρόξενος ἀπέφηνε, ... ἦν δὲ Δικαιογένης ἀπέφηνεν... (Antistrophe).

C) - The Proof (§§19-47) consists of 257 lines and constitutes 60% of the whole speech, being equal to the proof of Speech XI (60%, 286 lines) and very close to those of Speeches I and II (62% each) which can be regarded as the longest proofs in Isaeus, with the exception of the proofs of Speeches III (90%) and IV (84%) in which the narratives concerned are absorbed.

This proof can be divided into three parts: the first part (§§19-25, 62 lines) constitutes an argument concerning the liability of Leochares as surety of Dicaeogenes; the second part (§§ 26-33, 76 lines) is devoted to some tekmeria concerning the patience of the prosecutors and the injustice of Dicaeogenes; and the third part (§§ 34-47, 119 lines, 46% of the whole proof) is an ethical proof directed merely against the character of Dicaeogenes.

From the point of view of rhetorical devices in general, this proof occupies a middle position in the statistics. Among the figures which appear with a remarkable frequency in this proof - with the exception of Antithesis (35) and Hyperbaton (21) which constitute fundamental elements of Isaeus' style - are Amplification which occurs 19 times, Paronomasia 17 times, Correspondence 11 times, Repetition and Figura Etymologica 8 times each, and Rhetorical Questions and Answers 10 times.

It is worth noticing that the figures above appear in a higher proportion in the third part of the proof (§§ 34-47) which simply deals with the ethos of Dicaeogenes as the following table illustrates:

	<u>Part A</u> lines 62	<u>Part B</u> lines 76	<u>Part C</u> lines 119
Antithesis	9	7	19
Hyperbaton	3	4	14
Amplification	-	6	13
Paronomasia	5	3	9
Figura Etymologica	1	-	7
Rhetorical Questions & Answers	2	-	8

Moreover, if all the figures used in the three parts are taken into consideration, it will still be seen that the third part contains the highest proportion of figures and is therefore the most elaborately constructed section of the proof.¹

A closer consideration of the text reveals that the most elaborate passages of this part of the proof are those which contain personal attacks against Dicaeogenes. Paragraphs 35 and 36, for instance, which include eight figures each, represent the speaker declaring, with a bombastic self-confidence which is reinforced by four figures of Correspondence, that he will show that Dicaeogenes "is at once rich and the meanest of men in his relations both to the city and to his kinsmen and to his friends",² and, because of that "he has no claim to the pity of the judges for misfortune or poverty, nor does he deserve any kindness for having done any good service to the city". Two examples of Antithesis, three of Hyperbaton, one Amplification,³ one Parison,⁴ one Parechysis⁵ and one Figura Etymologica⁵ serve the same purpose.

1) The totals are as follows: Part A 27, Part B 28, Part C 93.

2) § 35: οὐτ' ἐλεεῖν... οὐτ' εὖ ποιεῖν.- καὶ πλοῦσιον καὶ πονηρότατον.- καὶ εἰς τὴν πόλιν καὶ εἰς τοὺς προσήμοντας καὶ εἰς τοὺς φίλους.- § 36: οὐτε... κεντηῖσθαι οὐτε... ἐπιδειῖξαι.

3) § 35: κακῶς πράττοντα καὶ πενόμενον (syn.).

4) § 36: κεντηῖσθαι - ἐπιδειῖξαι.

5) § 36: λητουργίας λητουργῆσαι.

Another instance deserves closer consideration, namely, that included in paragraphs 43 and 44 which contain nine figures each. Here the speaker, in an apostrophe to Dicaeogenes, attacks him personally, using the same argumentative patterns he has explained a little while before, and which are summarized here and in the following passages merely by the assistance of Rhetorical Questions.¹ He uses an Amplification² and a string of οὔτε...οὔτε Correspondences and Polysyndeton³ to accuse the opponent that he has "wickedly and disgracefully"² squandered the fortune of his ancestors; "he has never transported to the Acropolis the dedications upon which Menexenus I expended three talents"⁴; "he has never kept a racing team";⁵ "while he claimed the possession of money to which he had no title, but he never rendered up to the gods statues which were theirs by right".⁶

It can be deduced from the above that Isaeus has used greater ingenuity in the implementation of figures in the third part of the proof where he deals specifically with the character of the opponents.⁷

However, the most ornamental passage in the whole proof is that of paragraph 25 which contains ten figures. The passage is the last

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- 1) Notice that the next paragraph 45 contains three such questions out of a total of seven figures.
 - 2) § 43: κακῶς καί αἰσχρῶς (syn.); ἀγροῖς καί κτήμασι (syn.).
 - 3) § 43: οὔτε γάρ εἰς τὴν πόλιν οὔτε εἰς τοὺς φίλους κτλ.- οὔτε καθιμποτρόφην... οὔτε κατεζευγοτρόφην, ἀλλ' οὐδέ.... ἀλλ' οὐδέ....
 - 4) § 44: ἀναθήματα ... ἀναθεῖναι (Paronomasia).
 - 5) § 43: οὔτε κατεζευγοτρόφην... ἐπεὶ οὐδέ ζεῦγος κτλ.
 - 6) § 44: ἅ σοι οὐδέν προσῆκε χρήματα, τοῖς δὲ θεοῖς οὐκ ἀπέδωκας ἅ ἐκείνων ἐρίγνετο ἀγάλματα (Homoeoteleuton and Parison).
 - 7) Cp. p. 106, above.

section of the first part of the proof concerning the liability of Leochares. The speaker here is at last compelled to refer to the scorching point which he has concealed with special care up to now, namely, the question whether Leochares was bound and up to what degree by obligations not specified in the written document of the compromise. He accepts Leochares' defence that the document did not mention that Leochares was obliged to recover and hand over everything that had been sold or mortgaged, but he pretends that he and his allies "being hurried at the time in court wrote down some of the points and obtained witnesses in support of others". The orator, in his endeavour to present the facts as his interest demands, decorates the passage as far as he can. Thus, apart from three figures of μέν...δέ Antithesis¹ and two of Hyperbaton, he uses two examples of Repetition² (out of eight existing in this proof), two examples of Paronomasia,³ one of Parison⁴ and one of Figura Etymologica.⁵

The remaining passages of this part of the proof contain much fewer rhetorical devices; paragraph 22, for instance, contains one οὐκ...ἀλλά Antithesis only, while paragraph 23 includes one Paronomasia only, and paragraphs 19 and 20 have only three figures each.

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- 1) § 25: Ταῦτα μέν πεπόνθαμεν...· δέ δέ Λεωχάρης...κτλ.- τά μέν ἐγράφαμεν, τῶν δέ μάρτυρας ἐποιησάμεθα.- ἅ μέν.., ἅ δέ...
 - 2) § 25: κύρια - οὐ κύρια (Epanaphora); ἅ μέν αὐτοῖς συμφέρει... εἰ καί μή γέγραπται, ἅ δέ οὐ συμφέρει...εἰ μή γέγραπται (Antistrophe (cp. ἅ μέν - μή γέγραπται, ἅ δέ - μή γέγραπται Symploke: C.A.Robinson, *op.cit.*, p.8).
 - 3) § 25: ἐγγυησάμενος - ἐγγυήσασθαι.- συμφέρει - οὐ συμφέρει.
 - 4) § 25: εἰ καί μή γέγραπται - εἰ μή γέγραπται.
 - 5) § 25: γραμματεῖω - γραφέντι.

Similarly, the second part of this proof (§§ 26-33) appears less ornamental: Paragraphs 26, 27, 28, 29, being merely narrative-passages, contain only two figures each. Paragraph 30 which appears with a relative amount of ornamentation (seven figures¹) deals with the moderation and family piety of the prosecutors towards Dicaeogenes: "not because of his honesty", the speaker says, "but as a proof that we have more regard for our relatives, even though they may be thorough rascals, than for money". Here the speaker defends his own ethos and the orator provides the passage with carefully-selected oratorical devices.

From the discussion above it could be deduced, once again,² firstly, that argumentative passages are more elaborate than narrative-passages, and, secondly, that in passages including ethos the adornment is considerably apparent.

Nevertheless, before closing the discussion on this speech, attention must be drawn to two points, namely, the repetition of thought and the lack of peroration.

As to the former, the orator repeats nine times, almost invariably and in several parts of the speech,³ the point concerning Dicaeogenes' and Leochares' liability for the compromise, as follows:

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- 1) Which are made up of two οὐκ...ἀλλά examples of Antithesis, two of Chiasmus, two of Amplification, and one of Hyperbaton.
 - 2) Cp. p. 108, above.
 - 3) Anonymus, Spengel, I, 438.6: ποιεῖ δὲ ἀσαφῆ τὸν λόγον καὶ τὸ τῶν αὐτῶν πολλάκις μεμνησθαι· μακρὸν γάρ τοῦτο καὶ ὀχληρὸν, εἰ μὴ ἔρα ταῖς ἐργασίαις αὐτὸ διαχειρισόμεθα, καὶ νῦν μὲν ὡς γιγνώσκοντες λέγομεν, αὐθις δὲ ὡς συγκεφαλαιούμενοι, ἐτέρωθι δὲ ὡς ἀναμνησκοντες· τὸ γὰρ ὀχληρὸν οὕτως ἐκφεύξῃ.

- §1: ἀποστάντος γάρ Δικαιογένους τοῖν δυοῖν μεροῖν τοῦ κλήρου, καί ἐγγυητάς καταστήσαντος ἢ μή παραδώσειν ἡμῖν ταῦτα τά μέρη ἀναμφισβήτητα, ἀφήκαμεν ἀλλήλους τῶν ἐγκλημάτων.
- §2: καί μάρτυρας ὑμῖν παρεξόμεθα πρῶτον μὲν ὡς ἀπέστη Δικαιογένης ἡμῖν τοῖν δυοῖν μεροῖν τοῦ κλήρου, εἶτα ὡς ἐγγυήσατο Λεωχάρης.
- §4: Ὅτι μὲν γάρ Δικαιογένης ὠμολόγει παραδώσειν ἡμῖν ὧν κατέλιπεν ὁ Μενεξένου τά δύο μέρη, ἡμεῖς μάρτυρας παρεχόμεθα, καί ὅτι Λεωχάρης ἠγγυήσατο αὐτόν ταῦτα ποιήσειν. καί γάρ δικάζομεθα διὰ τοῦτο καί ταῦτα ἀντωμόσαμεν.
- §18: ἀφίστατο μὲν Δικαιογένης τοῖν δυοῖν μεροῖν τοῦ κλήρου ταῖς Δικαιογένους ἀδελφαῖς, καί ὠμολόγει ἀναμφισβήτητα παραδώσειν ἡμῖν ταῦτα τά μέρη· καί ταῦτα ἠγγυᾶτο αὐτόν Λεωχάρης οὐτοσί καί ποιήσειν οὐ μόνος ἀλλά καί Μνησιπτόλεμος ὁ Πλωθιεύς.
- §19: οὔτε γάρ Δικαιογένης τά δύο μέρη ἡμῖν τοῦ κλήρου παρέδωκεν, ὁμολογήσας ἐπὶ τοῦ Δικαστηρίου, οὔτε Λεωχάρης ὁμολογεῖ ἐγγυήσασθαι.
- §20: ὅτε Δικαιογένης μὲν ἀφίστατο τοῖν δυοῖν μεροῖν τοῦ κλήρου καί ὠμολόγει ἀναμφισβήτητα παραδώσειν ταῖς Δικαιογένους ἀδελφαῖς, Λεωχάρης δέ ἠγγυᾶτο αὐτόν ἅ ὠμολόγησε καί ποιήσειν.
- §24: Ἀποστάς δέ Δικαιογένης ὧν καί νυνὶ ὁμολογεῖ ἀφεστάναι...
- §25: Ταῦτα μὲν πεπόνθαμεν ὑπὸ Δικαιογένους, ὧ ἄνδρες· ὁ δ' ἐγγυήσαμενος αὐτόν Λεωχάρης... οὐ φησὶν ἐγγυήσασθαι.
- §27: Ἐπεὶ δ' οὖν ἀπέστη Δικαιογένης ταῖς γυναῖξί τοῖν δυοῖν μεροῖν τοῦ κλήρου... κτλ.

As to the lack of peroration, Wyse considers paragraphs 34-47 as an epilogue,¹ while Jebb² sides with Blass and takes the view that

1) W. Wyse, pp. 453, 482.

2) R.C. Jebb, p. 454, n.l.

nothing has been lost¹ but "the rather abrupt ending is Isaeian". I accept Blass' opinion but I cannot side with Wyse. "The abrupt ending is Isaeian". to me is enough as the reason of the absence of a proper peroration. To consider the section included in paragraphs 34-47 as a peroration is in accordance neither with the precepts of the rhetoricians concerning epilogues nor with the content of the present part of the speech in comparison with the other perorations in Isaeus.

According to the rhetoricians, the conclusions "are tripartite, consisting of the Summing Up,² Amplification,³ and Appeal to pity."⁴ None of these qualities is properly represented in this "peroration".

Yet, this section deals with a personal attack on the character of Dicaeogenes, representing him as being a selfish and wicked man who spent nothing for the benefit of the people and the state. But from nine speeches of Isaeus which have proper perorations only one includes^a personal attack against the opponent for private and public life, namely, that of Speech IV. In all the other speeches personal malice and public services are either not exhibited in the speech (cp. I, IX) or they appear before the peroration (cp. II, VII). But even in the peroration of Speech IV there is a passage (the last paragraph) which contains elements of proper epilogue - an appeal to the judges to respect the law and their oath.

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- 1) "Videtur deesse epilogus" (Scheibe, praef. p. xxviii) apud W. Wyse, p. 482.
 - 2) 'Ανάμνησις, 'Ανακεφαλαίωσις. Cp. Longinus, Spengel, I, 30I.26: (τῶν ἐπιλόγων) ἡ μὲν δύναμις καὶ τὸ ἔργον ἀναμνησαὶ τὰ εἰρημμένα.- Anaximenes, Spengel, I, 207.20: Παλλιλογία δὲ ἐστὶ σύντομος ἀνάμνησις κτλ.
 - 3) Δείνωσις (indignatio); cp. Cicero, Part. Orat. XV.52: Augendi autem et hic est proprius locus in perorando, etc.
 - 4) Ad Herennium, II. XXX.47.

The conclusion is that Isaeus preferred not to use a proper peroration, for he realised that a more impressive effect was to be gained by finishing the speech with an abrupt, yet argumentative and conclusive sentence, terminating in a direct address to the opponent:

ἔτι δέ οἱ Ἀριστογείτων ἐκεῖνος καί Ἀρμόδιος οὐ διά τό γένος ἐτιμήθησαν ἀλλά διά τήν ἀνδραγαθίαν, ἧς σοι οὐδέν μέτεστιν, ὦ Δικαιόγενες.

SPEECH VI: ON THE ESTATE OF PHILOCTEMON

1. CIRCUMSTANCES OF THE CASE

Euctemon had three sons who died childless before him and two married daughters who outlive their father. Chaerestratus, the son of one of these daughters, had been adopted by Philoctemon, the eldest of the three sons of Euctemon, as his son and heir, but he had never applied for legal recognition of Philoctemon's will or for the establishing of his hereditary rights to the estate of his adopted father.¹ Thus, when Euctemon died, Chaerestratus claimed his estate, but a kinsman of Euctemon, Androcles by name, put in a protestation (διαμαρτυρία)², alleging: (i) that Philoctemon had not made a will; (ii) that Euctemon's³ estate was not liable to adjudication (§4: διαμαρτύρησεν Ἀνδροκλής οὐτοσί μὴ ἐπίδικον εἶναι τὸν κληῖρον)⁴, since Euctemon had left two legitimate sons.

Chaerestratus prosecuted Androcles for perjury committed in the protestation. This speech was delivered in this trial on behalf of Chaerestratus by a family friend of his.

At the beginning of the speech, after a short exordium (§§ 1-3), the prosecutor tries to prove, by witnesses and by a citation of a law, that Philoctemon made a will and he had the right to do so (§§ 3-9).

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- 1) Cp. A.R.W. Harrison, The Law of Athens, vol. I: The Family and Property, Oxford, 1968, p. 95 note 2.
 - 2) Cp. A.R.W. Harrison, The Law of Athens, vol. II: Procedure, Oxford, 1971, pp. 124 ff.
 - 3) The subject of this trial is the succession to the estate of Euctemon, not to the estate of Philoctemon who, obviously, had possessed no estate separate from that of his father.
 - 4) Cp. A.R.W. Harrison, op. cit, vol. I: The Family and Property, p. 156 note 2.

In the remaining 56 sections the speaker attacks the legitimacy of the alleged sons of Euctemon. In a long narrative (§§ 17-42) Euctemon is presented as the victim of a prostitute Alce who persuaded him to recognise as his own son one of the two children she had by a freedman and to introduce him into the phratry. Philoctemon at first opposed this introduction, but finally he withdrew his opposition under an arrangement between him and his father that the child should receive a few parts of the property. This arrangement was revoked by Euctemon after the death of Philoctemon, and thus the most part of the estate was plundered by Alce, Androcles, and a certain Antidorus, so that when Euctemon died at the advanced age of ninety-six "everything in the house had been carried off by these people" (§ 41). In the following the speaker discusses the conduct and action of the pretended guardians (§§ 43-45), of Androcles himself (§ 46), of Alce (§§ 47-50), and supports the higher rights of Chaerestratus (§§ 51-52). The sections 53-59 are devoted to a new onslaught on Androcles, while paragraphs 60 - 61 deal with the generosity and public spirit of Chaerestratus and his father. Paragraphs 62-65 constitute the peroration in which the orator recapitulates the points of the case and asks the jury to give a verdict according to the oaths, to the laws, and to justice.

2. GENERAL STATISTICAL REVIEW

Speech VI is the second longest of the existing speeches of Isaeus after Speech III (600 lines). It consists of 500 lines, 124 sentences, 65 paragraphs, 17 pages in the LOEB edition.

The division of the speech is peculiar in that the narrative is put between two parts of the proof (§§ 17-42), and that the exordium is the shortest in Isaeus, being thus disproportionate to the other parts of

the speech from the point of view of length.

With regard to the rhetorical figures, this speech appears equal to Speech V in relative number ([430] each), though it exceeds that by 42 real figures (284-242 respectively). This happens because the relative value of each real figure in Speech VI is less (1.00) than that in Speech V (1.50).

The figures which occur with remarkable frequency in this speech are: Antithesis (71), Amplification (46), and Hyperbaton (33), constituting 53% of the total real numbers (284). Conversely, this speech appears below the average in relative numbers for Paronomasia, Homoeoteleuton, and Rhetorical Questions and Answers, although all the figures are represented in the statistics of the speech.

(See Table overleaf)

STATISTICAL TABLE ON SPEECH VI

FIGURES	EXORDIUM	NARRATIVE	PROOF	PERORATION	Total of real Figures	Total of relative Figures
Antithesis	2	29	39	1	71	[85.00]
Correspondence	4	8	15	1	28	[33.50]
Correlative	-	6	10	-	16	[19.00]
Parison	-	2	3	-	5	[6.00]
Chiasmus	1	2	4	-	7	[8.50]
Paronomasia	-	3	8	-	11	[13.00]
Parechesis	1	2	5	-	8	[9.50]
Homoeoteleuton	-	1	4	-	5	[6.00]
Figura Etymologica	-	2	7	-	9	[11.00]
Repetitions	-	4	6	-	10	[12.00]
Amplification	2	8	29	7	46	[55.00]
Hyperbaton	3	8	17	5	33	[39.50]
Rhet. Quest. + Answers	-	5	7	2	14	[17.00]
Asyndeton + Polysyndeton*	-	9	6	6	21*	[25.00*]
Total	13	89	160	22	284	[340]

* Asyndeton 9 [11.00], Polysyndeton 12 [14.00]

3. RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the exordium:-

A) - The Exordium (§§ 1-2) is the shortest in Isaeus' speeches. It consists of 15 lines and constitutes 3% of the length of the whole speech. Its brevity seems to be due to the fact that this exordium is a προοίμιον ἐξ ὑπολήψεως¹ in which the συνήγορος gives the reason for which he undertook to speak on behalf of Chaerestratus: "I am on terms of very close friendship with Phanostratus and with Chaerestratus here" (§1), so that "it would be strange if I were not now to attempt to plead their cause etc." (§2).² From this point of view it resembles the exordium of Speech IV with the difference that here the speaker talks more extensively about his relationship to the prosecutor and his father, and that the present exordium includes some of the qualities of proper introductions as, for instance, i) the "μέγεθος τῶν ἀδικημάτων",³ and ii) a request for good will,⁴ while it lacks "a declaration of the subject in summary manner for the benefit of the ignorant in order that they may know what the speech is concerned with, and may follow the argument",⁵ an element which is regarded as a basic one by the

1) Cp. Note I to p. II6, above.

2) Anaximenes, Spengel, I, 230.22: εἰάν δέ ὑπέρ ἄλλου λέγῃς, ῥητέον ὡς διὰ φιλίας συνηγορεῖς.

3) §2: ὁ γὰρ ἀγὼν οὐ μικρὸς αὐτοῖς, ἀλλὰ περὶ τῶν μεγίστων. Cp. Ad Alexandrum, I442b10 f.

4) § 2: δεῖσθαι οὖν ὑμῶν συγγνώμην τε ἔχειν καὶ μετ'εὐνοίας ἀπροάσασθαι. Cp. Ad Alexandrum, I44Ib.35.

5) Ad Alexandrum, 1436a. 30 (translation W.D. Ross, The Works of Aristotle, vol. XI, Oxford, 1924).

rhetoricians.¹

Although the exordium here is comparatively short, it is not at all lacking in figures. Correspondence occurs more frequently (four times) among the other figures in this exordium; with its assistance the orator explains the terms of his very close friendship with Phanostratus and Chaerestratus², with whom he sailed and shared misfortune and was made a prisoner of war,³ and he asks the jury to decide in accordance with oaths and justice⁴ and to grant him indulgence and listen to him with good will.⁵

Antithesis is represented by one instance of the type μέν...δέ with which the speaker explains why it would be strange for him not to plead the present cause of his friends, and one of the type οὐκ...ἀλλά with which the importance of this suit is underlined.⁶

The two figures of Amplification both occur as synonyms, and the first one states the friendship of the speaker for the prosecutor, while the second expresses his entreaty to the judges.

The three figures of Hyperbaton occur in paragraph 1, and they are

- 1) Cp. Arist., Rhet., 1414 b.21 (III. XIV): Τό μὲν οὖν προοίμιόν ἐστιν ἀρχὴ λόγου, ὅπερ ἐν ποιήσει πρόλογος καὶ ἐν αὐλήσει προαύλιον· πάντα γὰρ ἀρχαί ταῦτ' εἰσὶ, καὶ οἷον ὁδοποιήσεις τῶ ἐπιόντι.
- 2) § 1: Φανοστράτῳ τε καὶ Χαιρεστράτῳ.
- 3) § 1: καὶ συνεξέπλευσα καὶ συνεδυστύχησα καὶ ἐάλωμεν εἰς τοὺς πολεμίους.
- 4) § 2: ὑμεῖς τε τὰ εὖορκα φηφιεῖσθε καὶ τούτοις τὰ δίκαια γενήσεται.
- 5) § 2: συγγνώμην τε ἔχειν καὶ μετ' εὐνοίας ἀκροάσασθαι.
- 6) § 2: ὁ γὰρ ἀγὼν οὐ μικρὸς αὐτοῖς, ἀλλὰ περὶ τῶν μεγίστων.

less effective,¹ as are also one Chiasmus² and one Parechesis.³

None of the remaining figures is represented in this exordium.

B) - The Narrative (§§ 17-42) is the longest in Isaeus - if the narrative of Speech IX (72%), in which the proof is absorbed, is excepted. It consists of 189 lines and comprises 38% of the length of the whole speech, differing appreciably from the narrative of Speech X which is the shortest (15%) in the corpus.

The exceptional extension of the narrative is due to the fact that the speaker wishes to emphasize as far as possible several points: the circumstances under which Alce influenced Euctemon, so that the latter introduces her child in the phratry as his son and heir; and the conspiracy of Androcles and Antidorus against Euctemon's relatives, especially Chaerestratus, so that when Euctemon died the opponents removed all the furniture from the house, sold much of his property, while keeping the proceeds, and made away with the revenue which accrued during that period (§43). Taking into account the intrigues of such scoundrels, an adoption made by an old man influenced "by drugs or disease or some other cause" (§21) could not be acknowledged by the jury.

As regards its rhetorical devices, this narrative appears as the second least ornamental narrative in Isaeus after that of Speech X which contains only 9 real figures.

1) Cp., for instance, "ἱκανὸν ἔρω τεκμήριον".

2) §2: διὰ τὸ χρῆσθαι τούτοις καὶ φίλους νομίζειν ὑπέμενον (cp. C.A.Robinson, p.28).

3) §1: καὶ συνεξέπλευσα καὶ συνεδυστύχησα (verbs compounded with the same preposition; cp. W.W.Baden, p.17).

Antithesis (24 μέν...δέ and 5 οὐκ...ἀλλά) is the most frequent figure, followed by Correspondence (8), Amplification (8), Hyperbaton (8), and Polysyndeton (7). The appearance of Correlative (6), Rhetorical Questions and Answers (5), Paronomasia (3), and Repetitions (4) is also worth mentioning. The remaining figures do not occur more than once or twice.

A closer consideration of the text of the narrative could reveal how Isaeus puts these figures into practice and with what effect he uses them.

It appears from the statistics that the most decorated passages in this narrative are those of paragraphs 21 and 17-18.

In paragraph 21, which contains nine figures, Isaeus touches one of the main points of this section: how it happened that Euctemon fell under the influence of Alce so that he could be persuaded by her to introduce the elder of her sons to his phratry. By the assistance of two figures of Correspondence, one Correlative, and one οὐκ... ἀλλά Antithesis, the orator reinforces the two special points: that Euctemon "leaving his wife and children and his own home took his meals with the woman" (:Alce),¹ and that "not only did he not cease to go there but eventually he lived there entirely,² and was reduced to such a condition by drugs or disease or some other cause,³ that⁴ he was persuaded by the woman etc."

1) § 21: καταλιπὼν καὶ τὴν γυναῖκα καὶ τοὺς παῖδας καὶ τὴν οἰκίαν ἦν ᾤκει.

2) § 21: οὐχ ὅπως ἐπαύσατο, ἀλλὰ τελευτῶν παντελῶς διητᾶτο ἐκεῖ.

3) § 21: εἴθ' ὑπὸ φαρμάκων εἴθ' ὑπὸ νόσου εἴθ' ὑπὸ ἄλλου τινός. (This is also an epanaphora in a strictly formal sense; cp. C.A. Robinson, p.7, note 16).

4) § 21: οὕτω διετέθη... ὥστε ἐπείσθη ὑπ' αὐτῆς κτλ.

With the Amplification¹ it is underlined that Alce's establishment in Euctemon's tenement-house had many evil consequences, while with the Figura Etymologica the fact that the old man left his own home² is stressed.³

The first two sections of the narrative (§§17-18) taken together include 15 rhetorical figures. In paragraph 17 the orator by a μέν...δέ Antithesis connects an 'Ανάμνησις⁴ with a Προέκθεσις⁵, while with another one he constructs a Προδιόρθωσις⁶. With a καί...καί Correspondence,⁷ one Correlative,⁸ and one Parechesis⁹ he says that he is going to show the origin and position of the two children of Alce, though it would be painful to Phanostratus for the misfortunes of Euctemon to be brought to light.

In the next paragraph, the speaker presents the previous happy life of Euctemon in contrast with the "serious misfortune which befell him in his old age". This point is made by two examples of μέν...δέ Antithesis, two of Polysyndeton,¹⁰ two of Amplification,¹¹ one

1) § 21: πολλῶν καί κακῶν ἤρξεν (Hendiadys).

2) § 21: τὴν οἰκίαν ἣν ᾤκει.

3) Notice the Paronomasia ἐνοίκιον - συνοικία.

4) § 17: Οὗτοι μὲν τοίνυν τοιοῦτο πρᾶγμα ἔφυγον. Cp. Anonymus, Spengel, I, 440.I7.

5) § 17: ἐγὼ δὲ ὑμῖν ἐπιδείξω κτλ. Cp. Anonymus, Spengel, I, 428.24.

6) § 17: Ἴσως μὲν ἐστὶν ἀηδές Φανοστράτῳ κτλ. Cp. Anonymus, Spengel, I, 174.II.

7) § 17: καί ὅθεν εἰσί καί οἵτινες.

8) § 17: οἵτινες - οὓς.

9) § 17: τάς... συμφοράς φανεράς καθιστάναί.

10) § 18: οὐσία... καί παῖδες καί γυνή καί τᾶλλ'... κτλ.

11) § 18: καί γάρ οὐσία ἦν οὐκ ὀλίγη αὐτῷ κτλ. (ερεχ.); καί πᾶσαν τὴν οἰκίαν ἐλυμήνατο καί χρήματα πολλὰ διώλεσε καί.. (G-P).

Homoeoteleuton¹ and one Hyperbaton.²

On the other hand, it must be pointed out that eight out of 26 paragraphs of the narrative³ - in other words approximately one out of three passages of this section - only include one or two figures, the majority of which are figures of Antithesis, while one paragraph (34) lacks figures entirely. A consideration of the text of these passages leads to the conclusion that the simple narrative-passages are constructed in natural plain style and are deprived of rhetorical adornment. Indeed, in paragraphs 40-42, which contain only three examples of Antithesis and one of Polysyndeton, the speaker relates the facts which took place in the house of Euctemon, when, after his death, his wife and daughters entered his home with many difficulties and found that everything had been carried off to the next house. Also, paragraph 37, which contains one μέν..δέ Antithesis only, is a simple narrative-passage, while paragraph 28, which contains one Paronomasia only, consists mainly of a quotation of a law.⁴

The conclusion from the discussion above is that this narrative includes more passages lacking in ornamentation than the other narratives which have been examined so far. Nevertheless, it can be repeated here that passages which interpret facts are more elaborate than those in which events are simply recorded.

1) § 18: διώλεσεν - κατέστησεν.

2) § 18: συμφορά ἐγένετο οὐ μικρά.

3) Namely, paragraphs 23, 28, 31, 35, 37, 40, 41, 42.

4) Cp. VII. 16 which contains no figures.

c) - The Proof (§§ 3-16, 43-61) consists of 266 lines and constitutes 53% of the length of the speech, being thus one of the two¹ second shortest proofs in the whole corpus after that of Speech VII which comes last with 48%.

The proof is divided by narrative into two parts:-

In the first part (§§ 3-16) the orator deals with a) the justice of Chaerestratus' claim, proving, by a will and witnesses, that Philoctemon adopted Chaerestratus as his son, and showing, by a citation of a law, that the adoptee had the right to dispose of his property since he had no male issue (§§ 3-9); and b) the false legitimacy of the alleged sons of Euctemon by a second wife, showing, first by depositions and secondly by "the acts of the adversaries themselves" (§12), that Euctemon had never married "any other wife who became mother by him of these children" (§§ 10-16).

The second part consists of a mosaic of arguments: in view of their own acts, Androcles' and Antidorus' evidence in the protestation is necessarily untrue (§§ 43-46); Alce disrespects not only the members of Euctemon's family but also the whole city (§§ 47-50); Chaerestratus and his mother, daughter of Euctemon, have the highest right for Euctemon's inheritance (§§ 51-52); **how** does Androcles know that Philoctemon neither made a will nor adopted Chaerestratus as his son, since he was Philoctemon's bitterest enemy' (§§ 53-55)? **how** could Androcles be a guardian of the children, as being legitimate sons of Euctemon, and, at the same time, be a claimant of Euctemon's estate and his daughter as heiress: (§§ 56-59)? **the** fortune of the defendant

1) The other proof is that of Speech X.

and his family is spent rather upon the city than upon themselves (§§ 60-61).

It can be deduced from the above that the reason why this proof has such an extensive length is on account of the variety of the subjects involved in it.

Nevertheless, the following phrase-tricks¹ produce, in an obvious way, the effect of expansion and exaggeration:-

§52: ὁ κίνδυνος τοῖσδε μὲν ἤ περὶ πάντων...κτλ.²

§55: πάντων γὰρ αὐτόν ἐκεῖνος ἔχθιστον ἐνόμιζε κτλ.

§56: πάντων δ' ἂν μάλιστα ἀγανακτῆσαι ἐστὶν ἄξιον κτλ.

§59: οὗτος δ' ἅπαντας ἀποστερεῖ τῆς ἀμφισβητήσεως.

§5: πολλῶν δὲ καὶ δεινῶν ὄντων ἅ διεμαρτύρησεν Ἀνδροκλῆς κτλ.

§11: οὐδεὶς τὸ παράπαν οὐδ' οἶδεν οὐδ' ἤκουσε πώποτε.

§43: καὶ εἰς τοῦτο ἀναιδεΐας ἤκουσιν, ὥστε...κτλ.³

§45: ἀλλὰ πρὸς ὑπερβολὴν ἀναισχυντίας μεμαρτυρήκασιν κτλ.

§58: καίτοι πῶς οὐ δεινόν, ᾧ ἄνδρες, πρὸς θεῶν τῶν Ὀλυμπίων, κτλ.

As regards the repetition of thought, this speech only contains a few instances concerning the adoption of Chaerestratus:-

§5: ὡς διέθετο καὶ ἐποιήσατο ὑὸν τουτονὶ Χαιρέστρατον.

§6: τούτων τὸν πρεσβύτερον τουτονὶ Χαιρέστρατον ἐποιήσατο ὑὸν.

§8: ὡς μὲν διέθετο καὶ ἐφ' οἷς ἐποιήσατο ὑὸν τοῦτον κτλ.

From the point of view of rhetorical devices, this proof occupies a middle position among the other proofs in Isaeus, being between the proofs of the Speeches, I, II, VIII, VII, which are the most elaborate, and those of Speeches III, V, X, XI, which are the least ornamental ones

1) The phrases are either composed of superlatives or they have a superlative sense in that they contain a general implication.

Cp. Speeches I p. 49 , VII p. 67.

2) Cp. 35 (narrative): καὶ πάντων δεινότατον πρᾶγμα κατεσχεύασαν.

3) Cp. 39 (narrative): εἰς τοῦτο ἤλθον τόλμης, ὥστε...κτλ.

in the whole corpus.

The less ornamental passages of this proof are: the first part of it which deals with the justice of Chaerestratus' claim and the legitimacy of the alleged sons of Euctemon (§§ 3-16); and also the first two sections (§§43-50) of the second part.

As to the first part, only one out of fourteen passages, namely, paragraph 10, contains nine figures, while the majority of the others contain no more than six figures each. A closer consideration of the text reveals that paragraphs 3-9 constitute a narration, while the construction of paragraphs 10-16, which constitutes the refutation of the adversaries allegations, is not so intricate as it should be in an argumentative section. On the other hand, the most elaborate paragraph (10) consists of an 'Ανάμνησις ('Ανακεφαλαίωσις)¹ and a Προέπιθεσις² introduced by a μέν...δέ Antithesis, and includes two examples of Amplification,³ two of Polysyndeton,⁴ two of Paronomasia⁵ and one Hyperbaton.

As regards the first two branches of the second part of the proof (§§ 43-50), only two out of eight paragraphs (43,50) contain seven

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- 1) § 10: ὅτι μέν οὖν διέθετο...ἀποδέδεικται ὑμῖν κτλ. Cp. Anonymus, Spengel, I, 440.I7; Hermogenes, Spengel, II, 436.II-26.
 - 2) § 10: ἐπειδή δέ..., ἀποδείξω ψευδῆ ὄντα. Cp. Anonymus, Spengel, I, 428.24; Hermogenes, Spengel, II, 436.II-26.
 - 3) § 10: πάντες οἱ προσήμοντες ἴσασι καί οἱ φράτορες καί τῶν δημοτῶν οἱ πολλοί (P-G); (cp. W.Wyse, VII.I3.7: the γένος was included in the phratry); ὅτι μέν οὖν διέθετο καί ἐποίησατο (two verbs).
 - 4) § 10: Φιλοκτιήμονα καί Ἐργαμένην καί Ἠγήμονα καί...καί...- πάντες οἱ προσήμοντες ἴσασι καί οἱ φράτορες καί τῶν δημοτῶν οἱ πολλοί.
 - 5) § 10: ἀποδέδεικται - ἀποδέδεικται.- μεμερτυρηκῶς - μεμαρτύρηκεν.

figures each, while three from the remaining passages include only one or two figures. From the two most ornamental passages, that of paragraph 43 deserves special mention; it constitutes an 'Ανακεφαλαίωσις ('Ανάμνησις)¹ of the main points of the narrative, which just precedes, and includes two examples of μέν...δέ Antithesis² with which the speaker facilitates the citing of the points, one very rare example of Correlative,³ which gives way to an οὐκ...ἀλλά Antithesis underlining the impudence of the opponent to lodge a protestation, one Paronomasia,⁴ and one Homoeoteleuton.⁵

What has been said above seems to justify Professor Kennedy in regarding sections 3-50 of this speech as "an almost entire narration".⁶

Of the remaining passages of the second part of the proof, paragraph 60 is the most ornamental in the whole speech. It contains fifteen figures by which the orator elaborates upon one of his favourite subjects: the public spirit of his clients. Apart from three examples of μέν...δέ Antithesis, he uses four figures of Figura Etymologica,⁷ in order to emphasize the public services of Chaerestratus and his father, arranging them in such a way that they produce two examples of

1) Cp. Ad Herennium, II.XXX.47.

2) § 43: τοσαῦτα μέν...τοσαύτης δέ (anaphora); ἅμα μέν τὰ ψευδῆ. ἅμα δέ τὰναντία (epanaphora).

3) § 43: εἰς τοῦτο ἀναιδείας ἤκουσιν, ὥστε εὐθυδικίᾳ μέν...κτλ.

4) § 43: ἐκφορήσαντες - διαφορήσαντες.

5) § 43: ἐκφορήσαντες - ἔχοντες.

6) G. Kennedy, op.cit., p.145.

7) § 60: λητουργίας λελητούργηκε.- νίκας νενίκηκεν.- εἰσφοράς εἰσενήνοχεν.- εἰσφέρει τὰς εἰσφοράς.

Homoeoteleuton,¹ three examples of Chiasmus,² and one Hyperbaton.

What follows (paragraph 61) is "an appeal to the pockets of the judges":³ "if the estate is adjudicated to my client, he will hold it in trust for you, performing all the public services which you lay upon him".

Isaeus, as a competent tactician, put this passage at the end of his argumentation purposely in order to prepare the way to the peroration.

D) - The Peroration (§§ 62-65) is the second shortest in Isaeus.

It occupies 6% (31 lines) of the whole speech and it comes after that of Speech III which is the shortest with 5% (34 lines) in the whole corpus. This shortness being not due to any special reason, the exordium does not need a further discussion from the point of view of length.

As regards its content, this section begins and ends with an appeal to the judges to give their verdict according to justice, while as a whole it develops a recapitulation of the previous argumentation.

From the point of view of rhetorical devices, this peroration indicates this peculiarity, that the figures of Amplification (7), Hyperbaton (5), Asyndeton (5), and Rhetorical Question and Answers (2) appear first in the statistics, while the figures of Antithesis and Correspondence are represented by only one example each. All the remaining figures do not occur in the section.

1) §60: λελητούργημε-νευλίημε.- τεττηρηάρχημε - γεγυμνασιάρχημε.

2) §60: τεττηρηάρχημε - κεχορήγημε.- χορηγεῖ - ἐγγέγραπται.-
ἐγγέγραπται - εἰσφέρει.

3) W. Wyse, p. 396.

Five out of seven figures of Amplification occur in the type of synonyms¹, the majority of which are concentrated in the last two paragraphs.

Four out of five figures of Asyndeton are less effective², as is also the sole example of Polysyndeton which appears in the standard phrase Isaeus uses over and over again in connection with the relatives, the members of the deme and the members of the ward.³

One of the two rhetorical questions is a "self-question"⁴ and the other one is a question-enthymeme.⁵ It is worth mentioning that only this exordium and the exordium of Speech III contain two examples of Rhetorical Questions. The exordia of Speeches VII, VIII, IX and X contain only one instance, while the remaining exordia lack it entirely.

Antithesis is represented by an οὐκ...ἀλλά σχῆμα κατ'ἄρσιν καὶ ἰσότησιν.⁶ The Correspondence occurs in the last sentence of the epilogue and it is used to reinforce the orator's appeal to the judges for a verdict in accordance with their oaths and with the laws in order for justice to be given to his clients.⁷

1) § 64: τοὺς δημότας καὶ τοὺς φράτορας.- εἴ τι ἀκηκόασι πάποτε ἢ ἴσασι;- § 65: ἐναγίζουσι καὶ χέονται.- τὴν φῆφον ὄσιαν καὶ κατὰ τοὺς νόμους θήσεσθε.- Cp. § 62: οὐκ ἔδωκεν οὐδέ διέθετο. Also § 64: ἔτι δέ ποῦ τέθαπται, ἐν ποίοις μνημείοις (G-P); § 65: ταῦτα γάρ ἐστιν ἔλεγχος ἅπαντα καὶ οὐ λοιδορία (P-N).

2) Cp. C.A. Robinson, p.41.

3) § 64: τοὺς συγγενεῖς... καὶ τοὺς δημότας καὶ τοὺς φράτορας.

4) § 63: τί ἔτι;

5) § 63: πῶς οὖν ἄπαις ἦν ὅστις...κτλ. Cp. W.W.Baden, p.30.

6) § 64: οὐ γάρ ἂν εἴπη: μητρόσ ὄνομα... ἀλλ' ἐάν ἐπιδεικνύη ...κτλ.

7) § 65: ὑμεῖς τε τὴν φῆφον ὄσιαν καὶ κατὰ τοὺς νόμους θήσεσθε, τοῖσδε τε τὰ δίκαια γενήσεται.

SPEECH XI: ON THE ESTATE OF HAGNIAS

1. CIRCUMSTANCES OF THE CASE

The present case is roughly as follows:-

The property of Hagnias II who had died abroad was bequeathed by the deceased's will firstly to one of his nieces and secondly, in the event of her early death, to his maternal brother Glaucon. As the niece died early, the estate fell into the possession of Glaucon, but he did not enjoy it, because after a prosecution of Euboulides II, second cousin of the deceased, the will was annulled and the property awarded to Phylomache II, daughter of Euboulides II. But then three other second cousins of Hagnias, namely, Stratius II, Stratocles and Theopompus, put in a claim, and in a new law suit the court awarded the estate to Theopompus (Stratius and Stratocles having died before the case was decided).

Theopompus, however, had to face another trial, namely, a denunciation for maltreatment of an orphan (είσαγγελία κακώσεως ὀρφανοῦ), since in his capacity as a guardian of the son of his brother Stratocles he had been accused by his fellow guardian of defrauding the child of half Hagnias' estate.¹

Isaeus wrote this speech on behalf of Theopompus for the present trial.

The positions of the litigants are as follows:-

a) The prosecutor asserts: i) that the ward has an equal right to Hagnias' estate; ii) that Theopompus has bargained with Stratocles, the ward's father, before his death and with the child afterwards to share the estate; iii) that Theopompus is rich and miserly.

b) Theopompus answers: i) that, by the law regulating the succession of

1) Cp. Argument: φάσκων ἐξ ἔσου τὰ τῆς κληρονομίας ἀρμόζειν τῷ τε Θεοπόμπῳ καὶ τῷ παιδί τοῦ ἀδελφοῦ αὐτοῦ.

collateral relatives, the son of Stratocles "is outside all relationship" (§ 3); ii) that he could not have made any agreement with Stratocles about the inheritance, for they both claimed on the same grounds and they were to win or lose together (§§20.-23); as to the promise to Stratocles' son—that if the child had any right to a share. what need was there for an agreement?—if, on the other hand, he had no claim, by right or kinship, why should Theopompus have agreed to give him a share, when the laws have given him (Theopompus) the right of succession to the whole estate' (§§ 24-25)?iii) that his own property is much less than that of his nephew whose estate has been largely increased by his careful management as a guardian (§§37-50).

2. GENERAL STATISTICAL REVIEW

Speech XI is the third longest in Isaeus after Speech III (600 lines) and Speech VI (500 lines). It consists of 480 lines, 118 sentences, 50 paragraphs and 16 pages in the LOEB edition.

The division of the speech indicates the peculiarity that the peroration is lost and the speech breaks off abruptly, and that there is not a proper exordium.

As to the rhetorical devices, this speech (254 [317] figures) indicates a difference of 30 [23] figures by comparison with Speech VI (284 [340] figures) which in the statistics comes just before Speech XI.

The difference is even greater in real figures than in relative ones. This happens because the relative value of each figure in Speech VI is less (1.00) than that in Speech XI (1.50).

The figures which occur with remarkable frequency in this speech are: Antithesis (66), Amplification (31), and Hyperbaton (27), constituting 49% of the total real numbers (254). Conversely, this speech appears considerably

below the average in relative numbers for Correlative, Paronomasia, Parechesis, Figura Etymologica, and Chiasmus (which is represented by only one figure).

(See table overleaf)

STATISTICAL TABLE ON SPEECH XI

FIGURES	EXORDIUM	NARRATIVE	PROOF	PERORATION 1)	Total of real Figures	Total of relative Figures
Antithesis	6	19	41		66	[82.50]
Correspondence	3	6	11		20	[24.00]
Correlative	2	7	15		24	[30.00]
Parison	-	-	5		5	[6.00]
Chiasmus	-	-	1		1	[1.50]
Paronomasia	2	1	3		6	[7.50]
Parechesis	-	1	3		4	[5.00]
Homoeoteleuton	2	3	11		16	[20.00]
Figura Etymologica	1	-	3		4	[5.00]
Repetitions	1	2	4		7	[9.00]
Amplification	2	13	16		31	[39.00]
Hyperbaton	4	4	19		27	[34.00]
Rhet. Questions + Answers	3	8	10		21	[26.00]
Asyndeton - Polysyndeton*	8	4	10		22*	[27.00]*
Total	34	68	152		254	[317]

* Asyndeton 13 [16.00], Polysyndeton 9 [11.00]

1. The table does not refer to the peroration here since this part is not represented in this speech.

3. RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the exordium:-

A) The Exordium (§§ 1-7) is not properly represented in this speech. As in the closing of Speech V, Isaeus realised here¹, that a more impressive effect is to be gained by opening the speech by reading the law of succession and by pointing out that the son of Stratocles has no legal claim to any relationship with Hagnias II.

The first six paragraphs could easily be considered as a part of the argumentation - especially paragraphs 5 and 6 in which the orator calls up the prosecutor for cross-examination and shows that he "cannot define the relationship" of the child to Hagnias II - but for the sake of a conventional treatment it may be wise to discuss it as an exordium, and thus, between this section and the narrative, a prefatory sketch (προέκθεσις, propositio)² is interposed (§7) as in Speech VIII,² and by the citation and interpretation of the law the εὐμάθεια³ of the jury is sought.⁴

The fact that the section under discussion substantially belongs to the argumentation is verified by the statistics which indicate that this exordium is one of the most elaborate exordia in Isaeus, since it contains 34 figures in which all the figures are represented, except Parison, Chiasmus and

1. Cp. exordium of Speech VII; G. Kennedy, p.145.

2) Cp. p. 80, above.

3) One of the three purposes of exordium: Anonymus, Spengel, I, 321.10:

ἔργον δὲ προοιμίου εὐνοια πρόσεξις εὐμάθεια.

4) §3: ἵνα δ' ἀκριβῶς μάθητε περὶ ὧν φησι εἶσθε κτλ.

Parechesis, while most of the remaining exordia lack more than six sorts of figures.

The majority of the figures belong to Asyndeton (six figures) and Polysyndeton (two figures). It is noticeable that ~~Asyndeton~~[§] occurs mostly between sentences, especially in paragraph 5 in which the orator makes an apostrophe to the opponent and attacks him by questions including Polysyndeton:

'Ἐπίσχες.' Ἐρωτήσω σε. Ἀδελφός ἔσθ' ὁ παῖς Ἀγύλιου ἢ ἀδελφιδουῦς ἐξ ἀδελφοῦ ἢ ἐξ ἀδελφῆς γεγωνῶς, ἢ ἀνεφιδός, ἢ ἀνεφιοῦ πρὸς μητρός ἢ πρὸς πατρός; τί τούτων τῶν ὀνομάτων, οἷς ὁ νόμος τὴν ἀγχιστεῖαν δίδωσι;

A fully effective Asyndeton is found in paragraph 6: ἀπόκρισιν οὐ δέδωκεν, οὐ μάρτυρας παρέσχετο, οὐχ ὄρκιον ὤμοσεν οὐ νόμον ἀνεγνώκεν κτλ. A good example of Polysyndeton occurs in the Πρόθεσις (§ 7), with the assistance of which the speaker declares in a self-confident tone that he is going to state "his degree of relationship and the basis of his claim to the estate and that the child is outside the limits of kinship."¹

Five out of six figures of Antithesis are of the type οὐκ...ἀλλά, which fits better to argumentative passages,² and the majority of them (four figures) occur in the last two paragraphs (6 and 7) in which the orator points out that the opponent is unable to state to what degree the boy is related to Hagnias.³

1) § 1: ἀλλά καὶ τὸ γένος ἐρῶ τοῦμόν καὶ ὅθεν μοι προσήκει τῆς κληρονομίας, καὶ τὸν παῖδα ἐπιδείξω καὶ τοὺς πρότερον ἀμφισβητήσαντας ἐμοί κτλ.

2) Cp. p. 109, above.

3) § 6: οὐκ ἔχει τὴν συγγένειαν εἰπεῖν, ἀλλ' ἀποκρίνεται κτλ.- οὐ προσῆκεν ἀπορεῖν, ἀλλ' εὐθύς λέγειν.- μὴ μόνον τοῦτο ποιεῖν, ἀλλά καὶ διόμνυσθαι.- § 7: ἀλλ' οὐκ ἐγὼ ποιήσω τούτων οὐδέν, ἀλλά καὶ τὸ γένος ἐρῶ τοῦμόν καὶ...κτλ.

In these last two sections two out of three figures of Correspondence also occur, by which the orator reinforces the difficult position of his opponent¹ or points out that the judges will recognize from the statement of the facts that his claim to the estate is better than that of his opponent.² In paragraph 6 there occur also one Paronomasia,³ one Homoeoteleuton,⁴ one Figura Etymologica,⁵ and one Amplification,⁶ throughout which the inferiority of the position of the opponent is suggested.

The accumulation of the rhetorical adornments in paragraph 6 (ten figures, the most ornamental passage in the whole speech) indicates a special effort on the part of the orator to convince the jury of the instability of his opponent's case.

B) The Narrative (§§ 8-19) is concentrated in one section.⁷ It consists of 124 lines comprising 26% of the whole speech. In this respect this narrative seems to be in a disproportionate relation to the long proof which comprises 60% of the speech, especially if the fact that this proof would be much longer if the lost part of it had survived,⁸ is taken into account.

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- 1) § 6: ἀλλά (προσῆκε) καί διόμνυσθαι καί τοῦ γένους παρέχεσθαι μάρτυρας.
 - 2) § 7: ἐκ τούτων γάρ γνώσεσθε τήν τε ἐμήν ἀγχιστείαν καί ὅτι τούτοις οὐδέν προσήκει τῆς κληρονομίας.
 - 3) § 6: ὤμοσεν - ὠμωμοδότας.
 - 4) § 6: ἀπορεῖν-λέγειν-ποιεῖν.
 - 5) § 6: ὄρκον ὤμοσεν.
 - 6) § 6: οὕτω σχέτλιος καί ἀναιδής ἄνθρωπος ἐστίν (Syn.).
 - 7) Cp. *Speeches* I, V, VI, X.
 - 8) Cp. W. Wyse, p. 677, 709 (§44: ἀλλ' ὕστερον... ποιήσομαι τοὺς λόγους).

The shortness of the narrative might be due to the fact that Isaeus here tries to evade telling the whole truth and suppresses genealogical details.¹ The narrative deals with the previous history of the estate and can be divided into two parts: a) that concerning the dispossession of Glaucon by Phylomache and of Phylomache by the speaker; and b) that dealing with the claim made by the speaker and the mother of Hagnias.

From the point of view of rhetorical devices, this narrative appears relatively equal to the other parts of the speech. Antithesis (19: 14 μέν...δέ and 5 οὐκ...ἀλλά) is the most frequent figure, followed by Amplification (13), Rhetorical Questions and Answers (8), Correlative (7), Correspondence (6), Hyperbaton (4), Polysyndeton (4), Homoeoteleuton (3) and Repetitions (2). Paronomasia and Parechesis occur only once, while Parison, Chiasmus and Figura Etymologica do not appear at all.

A closer consideration of the text reveals that the most ornamental passages of this narrative are those of paragraphs 12 and 14-15.

In paragraph 12, which contains nine figures, the orator interprets a previous law: ἐάν δέ μηδεὶς ἦ πρὸς πατρός μέχρι ἀνεφιῶν παίδων, τοὺς πρὸς μητρός κυρίους εἶναι κατὰ τὰ αὐτά.

By the assistance of an οὐκ...ἀλλά σχῆμα κατ'ἄρσιν καὶ θέσιν² and an Amplification of the type of proper exegesis³, reinforced with a Polysyndeton⁴ and a Correlative⁵, he amplifies the meaning of this law in

1) Cp. W. Wyse. p. 676. See also note 4 to p.42, above.

2) § 12: ὁ νομοθέτης οὐκ εἶπεν... ἀλλὰ ἀπέδωκε....

3) § 12: τοῖς πρὸς μητρός τοῦ τελευτήσαντος... ἀδελφοῖς καὶ ἀδελφαῖς καὶ παισὶ τοῖς τούτων καὶ τοῖς ἄλλοις...κτλ.

4) See the example of Amplification in the previous note.

5) § 12: κατὰ ταῦτά καθάπερ...

his own interests. Then, with a long question including an enthymeme¹ drawn from the same source of the 4th topos of Aristotle's Rhetoric (ἐκ τοῦ μᾶλλον καὶ ἥττον)², which he reinforces with another Correspondence³ and decorates with an Homoeoteleuton⁴ and one Parechesis,⁵ he deduces that since " he is alive and has a legal right to the property" the claim of the adversaries " is quite preposterous."⁶

Paragraph 14 consists of only one long sentence dependant upon the previous section and ending in another rhetorical question - enthymeme. A μέν...δέ Antithesis helps the speaker to express in juxtaposition the contradictory nature of the actions of the opponents as regards the money which belongs to the child and the property which has been assigned to himself by the jurors.⁷ Two figures of Amplification⁸ and one of Correspondence⁹, strengthened by the effect of one Correlative¹⁰ and one Homoeoteleuton,¹¹ work together to deduce that the opponent, by his actions, has reached an extreme degree of impudence.¹²

- 1) Cp. W.W. Baden, p.30.
- 2) Arist. Rhet. 1397 b. 16 (II.XXIII.4).
- 3) § 12: ἐμοῦ τε ζῶντος καὶ κατὰ τοὺς νόμους ἔχοντος.
- 4) § 12: κληρονομίαν - ἀγχιστείαν.
- 5) § 12: τετελευτηκῶς ᾗ ἐγώ (assonance).
- 6) § 12: οὐδαμῶς δῆπουθεν.
- 7) § 14: καὶ περὶ μέν τῶν ὁμολογουμένων εἶναι τοῦ παιδὸς χρημάτων
.... ἃ δ' ὑμεῖς ἐμά εἶναι ἐφηφίσασθε...
- 8) § 14: ἀγῶνας παρασκευάζειν καὶ εἰς τοῦτο ἀναισχυντίας ἤκειν
(two verbs: παρασκευάζων...ἤκει); μηδ' αἰτιᾶσθαί με, μηδ' ὥς
τι εἴληφα ἔχειν εἰπεῖν (two verbs: αἰτιᾶται με..... ἔχων
εἰπεῖν).
- 9) § 14: μηδ'... μηδ'...
- 10) § 14: ἃ δ' ὑμεῖς... ἐπὶ τούτοις....
- 11) § 14: παρασκευάζειν - ἤκειν.
- 12) § 14: εἰς τοῦτο ἀναισχυντίας ἤκειν...κτλ.

Paragraph 14 is the last section of the first part of the narrative, and it is known¹ that Isaeus is usually at pains to decorate more closely passages with which he closes an argument. This statement can be still further verified from the next paragraph (15) which contains seven figures and consists of an *Ἀνάμνησις*² and a *Προέκθεσις*³ introduced by a *μέν..δέ* Antithesis. The meaning of the content, which concerns the better right of Theopompus to the estate, is reinforced by two examples of Correspondence,⁴ one Hyperbaton and two figures of Amplification.⁵

On the other hand, there is an example of a simple narrative-passage with natural plain style in paragraph 8 (among others, e.g. §§ 19, 16) at the beginning of the narrative, which includes only three figures (one *οὐκ..ἀλλά* Antithesis, a less effective Correlative⁶ and one Polysyndeton). It is the normal practice for the beginning of Isaeus' narratives to be not so ornamental as the middle and the conclusion.⁷

1) Cp. II. 11-12, V. 25, VI. 10, 43.

2) § 15: *Ὅμοιαι μὲν οὖν καὶ ἐκ τῶν ἤδη εἰρημένων γινώσκεισθαι ὑμῖν ὅτι..... κτλ.* Cp. *Anonymus*, Spengel, I, 440.17; *Hermogenes*, Spengel, II, 436. 11-26.

3) § 15: *Ἔτι δὲ ἀκριβέστερον ἠγοῦμαι... ὑμᾶς μαθήσεσθαι..... κτλ.* *Anonymus*, Spengel, I, 428.24; *Hermogenes*, Spengel, II, 436.11-26.

4) § 15: *οὐτ' ἀδικῶ τὸν παῖδα οὐδὲν οὐτ' ἔνοχος εἰμι ταύταις ταῖς αἰτίαις.- οὐτε οὗτος... οὐτε οἱ στρατίου παῖδες...*

5) § 15: *οὐτ' ἀδικῶ... οὐτ' ἔνοχος εἰμι (Syn.); Ἔτι δὲ ἀκριβέστερον ἠγοῦμαι καὶ ἐκ τῶν ἄλλων ὑμᾶς μαθήσεσθαι, καὶ τὴν ἐμὴν ἐπιδικασίαν, ὡς γέγονεν, ἀκούσαντας περὶ αὐτῶν (general - particular).*

6) § 8: *ἐπὶ ταύτας τὰς πράξεις αἴ... κτλ.*

7) Cp. II. 3-4, VI. 3, VII.5, VIII.7.

c) The Proof (§§ 20-50) is one of the longest in Isaeus, being equal to that of Speech V. It consists of 286 lines and comprises 60% of the length of the Speech.

This proof can be divided into two almost equal parts: the first part (§§ 20-36, lines 149 - 319) constitutes the refutation of the arguments of the opponent concerning the alleged compact with Stratocles and the promise to Stratocles' son; the second part (§§ 37-50, lines 137-297) deals with a comparative enumeration of the fortunes of Theopompus and the son of Stratocles. The speaker tries to show that he is a poor man in comparison with the child, and that his good management as guardian has increased the wealth of the ward.

The two parts, though almost equal in length (31% - 29% respectively), appear with a remarkable disparity in rhetorical devices: the first part contains 83 figures in comparison with 67 figures in the second part.

More precisely, the first part includes:-

12 figures of οὐκ...ἀλλὰ Antithesis in comparison with 6 figures in the 2nd part.

7	"	of	Correspondence	"	"	"	4	"	"
12	"	of	Hyperbaton	"	"	"	7	"	"
7	"	of	Homocoteleuton	"	"	"	4	"	"
8	"	of	Rhet. Questions	"	"	"	2	"	"
4	"	of	Repetitions	"	"	"	no	"	"

Conversely the second part includes more figures of μέν...δέ Antithesis (7 to 16) and Asyndeton (2 to 5).

From this comparison can be deduced the fact that the construction must be ^{more} intricate in the first part than in the second part. This deduction is in accordance with the rhetorical precept according to which the construction of the proof (and here the real proof is represented merely by the first part),

must be ἐναγώνιος τε καὶ πικρὰ καὶ περιόδοις καὶ κώλοις ἀνυομένη¹;
it can be also verified by the text itself. A closer consideration
of the statistics reveals that the majority of the most ornamental
passages of the proof **are** concentrated in the first part; in the second
part passages including more than six figures cannot be found.

The most elaborate passages in the proof are those of paragraphs
22, 25 and 36, which bear much of the weight of the argumentation.

Paragraph 22, which includes eight figures, belongs to the section in
which the speaker refutes the opponent's argument that there had been a
compact between Stratocles and himself to share the estate. By the
assistance of a Correlative including an ^mAmplification,² the speaker
accuses the opponent of making a claim to the inheritance only at the
time of - and not before - the death of Stratocles.³ At the same time,
with an οὐκ...ἀλλὰ Antithesis, he points out that the estate, after
Stratocles' death, devolved upon him as next-of-kin, while, by a second
οὐκ...ἀλλὰ Antithesis, he produces a law which forbids any sort of
premeditated arrangement. The effect of the argument is further reinforced
by two figures of Hyperbaton and one less effective Homoeoteleuton.⁴

Paragraph 25 constitutes the core of the refutation of the opponent's
argument concerning the alleged promise of the speaker to his nephew to
share the estate with him. The orator builds up his argument by a ficti-
tious dialogue consisting of Rhetorical Questions and Answers.

- 1) Anonymus, Spengel, I, 458.23 ff.
- 2) § 22: πλάττει ταῦτα καὶ μηχανᾶται (Syn.).
- 3) § 22: ἐπειδὴ Στρατοκλῆς ἐτελεύτησε, ... τότε ἤδη...κτλ.
- 4) § 22: μηχανᾶται - ἐξαπατῆσαι.

There are three questions of which the first two are figures of hypophora introduced by *διὰ τί* and *πότῃ*¹, while the third question, introduced by the conjunction *ἀλλά*, includes a dramatic element², as also do the two answers introduced by the same conjunction. The whole effect is further reinforced by one Hyperbaton, one Amplification,³ one Figura Etymologica,⁴ one Paronomasia,⁵ and one less effective Asyndeton.⁶

Paragraph 36 is the last section of the first part (refutation) of the proof, and constitutes a recapitulation (*'Ανακεφαλαίωσις, 'Ανάμνησις*) of the main points of the previous argumentation. With an *οὐκ...ἀλλά* Antithesis the orator expresses his hope that the judges are well aware of the case.⁷ Setting forth an *οὔτε...οὔτε* Correspondence⁸ and one Polysyndeton⁹ reinforced by one Hyperbaton and one Amplification¹⁰ and decorated by two figures of Homoeoteleuton,¹¹ the orator points out that "the adversary has acted entirely unjustly and has cleverly devised the whole plot from motives of self-interest, uttering calumnies, misinterpreting the laws and seeking to get the better both of you and of me contrary to

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- 1) § 25: *διὰ τί ἄν μεταδώσειν ὁμολόγουν κτλ.- πότῃ δ' οὐκ ἦν μοι λαχεῖν, εἰ μὴ πείσαιμι τούτους; κτλ.*
 - 2) § 25: *ἀλλ' εἶχόν τινά μοι μαρτυρίαν κτλ.*
 - 3) § 25: *ἀλλά κατὰ γένος ἠμφισβήτουν, οὐ κατὰ δόσιν (P-N).*
 - 4) § 25: *μαρτυρίαν - εἰ μὴ ἐμαρτύρουν.*
 - 5) § 25: *μεταδώσειν - δεδωκότων.*
 - 6) § 25: *ἀλλά κατὰ γένος ἠμφισβήτουν, οὐ κατὰ δόσιν.*
 - 7) § 36: *οἶμαι μὰ τοὺς θεοὺς οὐδ' ὑμᾶς ἀγνοεῖν ἀλλ' ὁμοίως εἰδέναι πάντα.*
 - 8) § 36: *οὔτε περὶ τούτων... οὔτε περὶ τῶν ἄλλων.*
 - 9) § 36: *διαβάλλον καὶ τοὺς νόμους παράγων καὶ ... κτλ.*
 - 10) § 36: *οὔτε πεποίηκεν... οὔτε εἴρηκεν, ἅπαντα δὲ δεινῶς πλεονεξία μεμηχάνηται (P-G).*
 - 11) § 36: *πεποίηκεν - εἴρηκεν (and Parison); διαβάλλον - παράγων.*

justice". It seems that Isaeus here obeys the precepts that
ἐν ταῖς κεφαλαιώδεσι κατασκευαῖς... πάντα μετὰ βάρους προσκτεῖον
καί οὐχί ἀπλῆ οὐδέ διασκευασμένη τῇ φράσει.¹

From the second part of the proof, the most elaborate passages
are those of paragraphs 39 and 50. Paragraph 39 comprises an argument
by which the speaker refutes the charge that he is well-off and "gives
not a thought to Stratocles' children". By a double Correlative² and
one Correspondence³ he argues that Stratocles has left to his children a
considerable and sufficient fortune to endow his daughters fittingly, and
that he himself managed to increase this property so greatly.

Paragraph 50 can be divided into two parts. In the first part,
the orator refers to the public services of the speaker - a favorite
subject which is emphasized by an οὐκ...ἀλλά Antithesis⁴ and one
Correspondence.⁵ The second part contains an impressive statement of
the speaker reinforced by another Correspondence:⁶ he could halve, with his
nephew, the total of their joint properties, "but the opponent will never
consent to this."

If there were not evidence from the text itself⁷ that a part of the
proof and the peroration are lacking, it could be argued that Isaeus here,
as in Speech V, preferred to gain a better effect by finishing the speech
without a proper peroration but with that more impressive statement about

1) Anonymus, Spengel, I, 459.27

2) § 39: τοσαῦτ' ἐστίν ὥστε.- τοιοῦτον τὸν τρόπον ὥστε...

3) § 39: καί τὰς θυγατέρας ἐξ αὐτῶν διαθεῖναι καλῶς καί τὸν
παῖδα ἐκ τῶν λοιπῶν μηδέν ἧττον εἶναι πλούσιον.

4) § 50: οὐδέ γὰρ ἐλειτούργουν... ἀλλά καί τῶν εἰσφερόντων ἦν
καί τῶν τῶν προστατόμενα ὑμῖν ἅπαντα ποιοῦντων.

5) § 50: see the second half of the Antithesis in the previous note.

6) § 50: καί εἴτε πολλά εἴτε ὀλίγα ἐστίν.

7) Cp. W. Wyse. p. 709; §44: ἀλλ' ὕστερον... ποιήσομαι τοὺς λόγους.

the sharing the fortune with his nephew.

Before the discussion on this speech is brought to a close, attention must be drawn to some special points by which Isaeus repeats his thoughts in an almost invariable way and in several parts of the speech.¹ In these repetitions, Isaeus refers either to the opponent whom he presents as slanderer, scoundrel and misinterpreter of the law, or to the jurors in order to draw their attention to some points of interest to his case.

As to the opponent, thirteen times as follows:

§4: πῶς οὐκ ἐλεγχθήσεται φανερώς ἐμέ μὲν συκοφαντῶν, ὑμᾶς δ' ἔξαπατηῆσαι παρὰ τοὺς νόμους ζητῶν;

§4: σὺ δ' ἀνάβηθι δεῦρο, ἐπειδὴ δεινός εἶ διαβάλλειν καὶ τοὺς νόμους διαστρέφειν.

§6: οὕτω σχέτλιος καὶ ἀναιδής ἄνθρωπός ἐστιν.

§13: οὐκ οὐκ δεινόν...τολμᾶν τουτονὶ συκοφαντεῖν.

§13: πρᾶγματ' ἐμοὶ παρέχειν καὶ περὶ τῶν μεγίστων εἰς κίνδυνον καθιστάναι.

§14: καὶ εἰς τοῦτο ἀναισχυντίας ἤκειν;

§19: καίτοι εἰ τὰ μὲν νενίκηκα τοῦτον τὸν τρόπον...

§20: Οὗτος τοίνυν ῥαδίως ὅ,τι ἂν τύχη ψευδόμενος, καὶ τὴν αὐτοῦ πονηρίαν οὐδεμίαν ζημίαν εἶναι νομίζων, τολμᾷ με διαβάλλειν κτλ.

§22: ἀλλ' οὗτος...τότ' ἤδη πλάττει ταῦτα καὶ μηχανᾶται, προσδοκῶν τούτοις τοῖς λόγοις ῥαδίως ὑμᾶς ἔξαπατηῆσαι.

§23: ὁ δέ... οὕτως ἀλόγως πρᾶγμα τηλικούτον ψεύσασθαι τετόλμηκεν...κτλ.

§24: καὶ τό πάντων ἐναντιώτατον πρᾶγμα εἴρηκεν.

§31: ἀλλὰ ταύτας προφάσεις ποιούμενος ἐπὶ ταύτας τὰς συκοφαντίας

1) Cp. Anonymus, Spengel, I, 438.6 ff (note 3 to p. 135, above).

ἐλήλυθεν καὶ οὔεται δεινοῦ τινος ἀνδρός ἔργον διαπράττεσθαι ταύταις ταῖς παρασκευαῖς....

§36: "Ὅτι μὲν οὖν... ἅπαντα δεινῶς πλεονεξίᾳ μεμηχάνηται διαβάλλων καὶ τοὺς νόμους παράγων.

As to the jurors, nine times as follows:

§ 3: ἵνα δ' ἀκριβῶς μάθητε περὶ ὧν φησι εἶσθε...

§ 4: οὕτω γὰρ εἴσεσθε εἰ προσήκει τῷ παιδί τῶν Ἀγνίου χρημάτων ἢ μή.

§ 7: ἐκ τούτων γὰρ γνώσεσθε τὴν τε ἐμὴν ἀγχιστείαν καὶ ὅτι τούτοις οὐδέν προσήκει τῆς κληρονομίας.

§ 15: Οὔομαι μὲν οὖν καὶ ἐκ τῶν ἤδη εἰρημένων γιγνώσκεσθαι ὑμῖν ὅτι..... ἔτι δέ ἀκριβέστερον ἠγοῦμαι καὶ ἐκ τῶν ἄλλων μαθήσεσθαι...

§ 19: τί ἔτι δεῖ μαθεῖν ὑμᾶς ἢ τί ποθεῖτε ἀκοῦσαι περὶ τούτων; ἐγὼ μὲν γὰρ ὡς εὔφρονουσιν ὑμῖν ἱκανὰ τὰ εἰρημένα νομίζω.

§ 27: (ἐπειδὴ τοῦτ' εἰκότως ἂν θαυμάζοιτε, ὅτι τοῦ ἡμικληρίου τότε τὴν δίκην οὐκ ἐλάγχανον).

§ 32: οὐκοῦν οὐ δεῖ προσέχειν ὑμᾶς τοῖς τούτου λόγοις τὸν νοῦν, οὐδ' ἐπιτρέπειν, οὐδ' ἐθίζειν εἶναι γραφάς...

§ 38: οὐκοῦν ἀγνοῆσαι δεῖ περὶ αὐτῶν ὑμᾶς οὐδέν, ἀλλ' ἀκριβῶς καὶ ταῦτα μαθεῖν, ἵνα εἰδῆθ' ὅτι φεύδεται ὥσπερ καὶ περὶ τῶν ἄλλων ἀπάντων.

§ 47: οὐκοῦν οὐκ ἄξιον τοῖς τούτου λόγοις πιστεύειν, ὅς τισαύτης οὐσίας καταλελειμμένης ἐτόλμησε ἐπὶ διαβολῇ φεύσασθαι κατ' ἐμοῦ τηλικαῦτα τό μέγεθος.

SPEECH III: ON THE ESTATE OF PYRRHUS

1. CIRCUMSTANCES OF THE CASE

Endius, adopted son of Pyrrhus, died childless after having held Pyrrhus' estate undisputed for twenty years. The estate was at once claimed by Endius' mother as Pyrrhus' sister, but Xenocles, acting on behalf of his wife Phile, set forth a protestation (*διαμαρτυρία*)¹ alleging that "the estate of Pyrrhus could not be claimed at law by Pyrrhus' sister, since Pyrrhus had a legitimate daughter", i.e., Phile (§ 3). Xenocles was successfully prosecuted for perjury and thus the illegitimacy of Phile was affirmed by the sentence of a court.

Another charge of perjury was brought against Nicodemus, the brother of Phile's mother, who had supported Xenocles' protestation. It is on this action that Isaeus wrote the present speech. The speaker is a brother of Endius.

Nicodemus had stated that his sister had been formally married to Pyrrhus. The prosecutor bases his argumentation almost entirely on probabilities: is it credible that Pyrrhus would have married a prostitute (§§ 7-16)? Why did Nicodemus, when he was marrying his sister to Pyrrhus, only invite one witness, Pyretides, who now refused to admit his deposition (§§ 17-26)? Is it likely that Pyrrhus would have invited his uncles as witnesses in a marriage with such a woman (§§ 26-27)? Would not Pyretides have insisted on a contract that a dowry had been settled on his sister in order to make a divorce more difficult? Why then does the opposition argue that no dowry had been given to the woman (§§ 28-29, 35-39)? How could the uncles be trustworthy witnesses since they ignore even Phile's

1) Cp. H.R.W. Harrison, The Law of Athens, Vol. II: Procedure, Oxford, 1971, pp. 124 ff.

name (§§ 30-34)? Moreover, if Phile were a legitimate issue of Pyrrhus, why was no opposition offered against Endius when he claimed Pyrrhus' estate as his adopted son (§§ 40-44)? And why did not Nicodemus intervene to prevent Endius when he gave Phile in marriage to Xenocles as Pyrrhus' illegitimate daughter (§§ 45-54)? Furthermore, why did Xenocles not claim his wife's right on the estate of Pyrrhus either at Pyrrhus' death or during Endius' lifetime (§§ 54-62)? Why did Pyrrhus' uncles not claim Philes' hand as epicleros, if she were a legitimate daughter (§§ 63-71)? And, lastly, as to Pyrrhus himself: a) why did he adopt a son, if he had a true-born daughter; b) why did he not introduce that daughter into the phratry; c) why did he never give a marriage-feast for his alleged marriage with Nicodemus' sister?

The last four sections of the speech (§§ 77-80) constitute the peroration which consists of a recapitulation of the principal points of the argumentation.

2. GENERAL STATISTICAL REVIEW

Speech III is the longest of the existing speeches of Isaeus, consisting of 600 lines, 152 sentences, 80 paragraphs, 20 pages in the LOEB edition.

Since it is the longest speech, for the purpose of comparative statistical calculations, it has been decided to assess the eleven other speeches as though they too consisted of 600 lines, and thus the system of "relative" numbers has been achieved.

The division of the speech shows the peculiarity that it lacks proper narrative, while its exordium constitutes a preliminary argument (προκατασκευή).

As to the rhetorical devices, this speech appears almost equal to Speech X in relative number figures (303-300 respectively), but it exceeds that speech by 183 real figures. This happens because the relative value of each figure in Speech X is much higher (2.50) than that in Speech III (1.00), and means that Speech X would be as ornamental as Speech III if it too consisted of 600 lines.

It is also noticeable that this speech contains the lowest proportion in Antithesis (39 [39.00]) and the highest proportion in Rhetorical Questions and Answers (48 [48.00]) among the twelve speeches of Isaeus. Yet. it appears considerably below the average in relative numbers for Correspondence, Correlative, Homoeoteleuton, Repetitions, Amplification, and Parison (which is represented by only one figure).

(See Table overleaf)

STATISTICAL TABLE ON SPEECH III

FIGURES	EXORDIUM	NARRATIVE	PROOF	PERORATION	Total of real Figures	Total of relative Figures ¹⁾
Antithesis	1		37	1	39	[39.00]
Correspondence	3		20	1	24	[24.00]
Correlative	-		9	-	9	[9.00]
Parison	-		1	-	1	[1.00]
Chiasmus	-		2	1	3	[3.00]
Paronomasia	3		18	3	24	[24.00]
Parechesis	4		11	-	15	[15.00]
Homoeoteleuton	-		7	-	7	[7.00]
Figura Etymologica	1		15	1	17	[17.00]
Repetitions	-		3	1	4	[4.00]
Amplification	1		35	1	37	[37.00]
Hyperbaton	5		43	5	53	[53.00]
Rhet. Questions + Answers	-		46	2	48	[48.00]
Asyndeton + Polysyndeton*	2		20	-	22*	[22.00]
Total	20		267	16	303	[303.00]

* Asyndeton 14 [14.00] Polysyndeton 8 [8.00]

- 1) N.B. Since this speech contains the standard 600 lines to which all the other speeches relate, the real figures and relative figures are, of course, the same.

3. RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the exordium:-

A) The Exordium (§§ 1-7) is not very extensive; it consists of 45 lines and constitutes 7% of the length of the speech.

As has been said above, this exordium is a preliminary argument (Προκατασκευή)¹ and begins with a narrative passage which introduces the hearers to the case. Being not a proper exordium, since it lacks the elements which the rhetorical precepts demand an exordium to have,² this introduction, like the exordium of Speech V, ends with an affidavit of the prosecutor and a deposition of witnesses concerning the illegitimacy of the alleged daughter of Pyrrhus. Probably Isaeus preferred this sort of exordium in order that the jurors might be more easily introduced into such a complex case.

Eight out of twenty figures occurring in this section are figures of assonance: with two out of three figures of Paronomasia and with the four figures of Parechysis³ the orator emphasizes the point that Nicodemus has given false evidence,⁴ while with the sole example of Figura Etymologica he points out the unjust claim of Xenocles to the estate of Pyrrhus.⁵ There are also five figures of Hyperbaton and three figures of

1) See note to p. 125, above.

2) Cp. p. 100, above.

3) §4: διαμαρτυρησαι τολμήσαντα κατά ταῦτα.- ἐτόλμησε μαρτυρῆσαι ἔγγυῆσαι; § 2: τρία τάλαντα τρίμημα.- τοῦ κλήρου λαχεῖν τήν λῆξιν.

4) §4: τὰ ψευδῆ μεμαρτυρηκότα τήν τῶν ψευδομαρτυρίων δίκην κτλ. §6: ὁ διαμαρτυρήσας τήν τῶν ψευδομαρτυρίων δίκην. The third Paronomasia occurs in §1: ἄπαις ὧν γνησίων παίδων.

5) §2: λαχεῖν τήν λῆξιν.

Correspondence¹, which serve the same purpose, and one figure of Amplification² by which the speaker emphasizes the fact that during Endius' life-time no-one claimed the estate.

Broadly speaking, this exordium stands in a middle position in the statistics from the point of view of rhetorical ornamentation. It is also the sole exordium which appears with only one μέν...δέ Antithesis, and lacks Antithesis of type οὐκ...ἀλλά, like the exordium of Speech V, while it exceeds all the others in Parechesis.

B) The absence of narrative seems to be due to the fact that an earlier action had been brought by the prosecutor against Xenocles for perjury at which the speaker might have referred to the facts and events concerning the story of the case; since the present action against Nicodemus deals with the same case, it would be superfluous for the speaker to relate the same incidents. Thus he preferred to devote the whole speech to the reasoning.

However, some narrative passages can be found interpolated here and there in the proof where necessary for the purpose of supplying the audience with background information.

C) The Proof (§§ 8-76) is the longest in Isaeus' speeches. It consists of 538 lines and constitutes 90% of the length of the whole speech. The absence of the narrative accounts considerably for the extension of this proof.

The whole section can be divided into two almost equal parts: the first part (§§8-39, lines 241, 45% of the proof) deals with probabilities with

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- 1) § 4: ἐκεῖνον τε ἐξελέξαντες...καί τουτονί...κτλ.- § 5: ἐκεῖνος τ' ἄν... καί κληρονόμος..κτλ.- § 6: τῆς τε ἀντωμοσίας τῆς ἡμετέρας καί τῆς τούτου μαρτυρίας καί τῆς ἀλούσης διαμαρτυρίας.
- 2) § 1: οὐδεὶς πώποτε προσποιήσατο οὐδ' ἠμφισβήτησε τῆς κληρονομίας (synon.).

which the orator tries to prove that Pyrrhus never married (formally) Phile's mother, and, in consequence, Phile cannot be regarded as his legitimate daughter; the second part (§§ 40-76, lines 253, 47^v of the proof) includes also arguments drawn from probabilities, but it is much more elaborate than the first part. As a result of this elaboration, most of the rhetorical figures occur in a higher proportion in the second part, as indicated in the following list:

	Part A	Part B
Antithesis	12	19
Correspondence	8	12
Hyperbaton	12	31
Paronomasia	6	12
Parechesis	3	8
Homoeoteleuton	1	6
Figura Etymologica	5	10
Rhetorical Questions and Answers	19	28

In total numbers, the second part contains 58 figures more than the first part (163-105 respectively).

Moreover, only two out of 32 paragraphs of the first part appear with six figures each (§§ 11 and 12), while the majority of them do not contain more than three figures. From the whole part, the last paragraph (39) appears with seven figures. Here the orator, after reading a law, tries, by the assistance of three Rhetorical Questions and one Answer including an oath,¹ to deduce that it would be impossible for Nicodemus to give his sister in marriage to Pyrrhus without a dowry. The effect of

1) § 39: ναί μᾶ Δεία, ὡς ἔγωγ'οἶμαι...κτλ.

the conclusion is reinforced with one Correlative¹ which emphasizes Nicodemus' love of money,² and with one Paronomasia³ which stresses the fact that "even those who give their womenkind to the others as mistresses make stipulation in advance."

In the second part of the proof three passages appear with seven figures, namely, those of paragraphs 49, 63, 68; one passage with eight figures (§59); while another one (paragraph 51) is the most ornamental passage in the whole section, appearing with a total of twelve figures.

A closer consideration of the text reveals that those passages bear much of the weight of the argumentation.

Paragraph 49 consists of a repetition of an argument which the orator has already developed in paragraph 45; it is drawn from the same source as the 27th tonos of Aristotle⁴ (ἐκ τῶν ἀμαρτηθέντων) and deals with the question: why did Nicodemus not offer any opposition to Endius when the latter gave Phile in marriage to Xenocles, if the girl were really a legitimate daughter of Pyrrhus? The speaker, in an apostrophe to the opponent, reinforces his argument with three successive Rhetorical Questions to which he gives the impressive answer: ναί μά Δία, εἴ γε ἦν ἀληθές τό πρᾶγμα. He also uses, apart from one μέν...δέ Antithesis and one Hyperbaton, one Amplification⁵ and one Paronomasia.⁶

- 1) § 39: οὕτως ὀλιγώρως ἔχειν χρημάτων Νικόδημος, ὥστε...κτλ.
- 2) Notice also the last question introduced by a relative as connective: ὅς ἐπ'ὀλίγῃ ἀργυρίῳ σφόδρα πονηρός βούλεται εἶναι.
- 3) § 39: οἱ δίδοντες... περί τῶν δοθησομένων.
- 4) Arist., Rhet. 1400 b.10; cp. G.P. Palmer, op.cit., p.78 n.3.
- 5) § 49: ὥστε καί δι' αὐτό τοῦτο... εἰ αὐτός μέν...κτλ. (epex.).
- 6) § 49: ἐπιδοῦς ἐκδοῦναι.

Paragraph 63 deals with the question: why did Pyrrhus' uncles not claim Phile's hand as epicleros, if she were a true-born daughter of Pyrrhus? The argument is drawn from the same topos of Aristotle's Rhetoric as the previous argument, and its effect is stressed by three examples of Hyperbaton, one less effective Asyndeton,¹ one Paronomasia,² one Parechesis,³ and one slight Homoeoteleuton.⁴

In paragraph 68 the orator cites a law⁵ according to which Phile could be legally claimed by the uncles as epicleros, if she were a really legitimate daughter of Pyrrhus. In presenting this law, which is very much in the interests of his case, the orator uses one Correspondence⁶, one Hyperbaton⁷ and two examples of Amplification⁸ in order to emphasize the point that the property of the deceased is handed on to his daughters in the absence of legitimate male issue. This effect is further ornamented by one Antistrophe,⁹ one Parechesis,¹⁰ and one Chiasmus.¹¹

Paragraph 59 belongs to the section (§§ 54-62) in which the orator seeks to establish that the behaviour of Xenocles as Phile's husband implied recognition of Phile's illegitimacy; he argues: if Phile were a

- 1) § 63: ἡ δεινὸν γ' ἄν εἴη....
- 2) § 63: μηδέν γένει - τὴν κατὰ γένος.
- 3) § 63: μηδαμῶθεν μηδέν γένει.
- 4) § 63: καταλειπομένην - αὐτήν.
- 5) § 68: ὁ γὰρ νόμος διαρρηθὴν λέγει ἐξεῖναι διαθέσθαι...κτλ.
- 6) § 68: οὔτε ποιήσασθαι οὔτε δοῦναι.
- 7) § 68: ἐάν μὴ παῖδας γνησίους καταλίπη ἄρρενας.
- 8) § 68: δοῦναι καὶ διαθέσθαι (Syn.); μετὰ τῶν θυγατέρων...ἄνευ δὲ τῶν γνησίων θυγατέρων...κτλ. (P-N).
- 9) § 68: τὰ αὐτοῦ-τῶν ἑαυτοῦ.
- 10) § 68: οὔτε δοῦναι οὐδενὶ οὐδέν τῶν ἑαυτοῦ.
- 11) § 68: ἐάν μὴ παῖδας γνησίους καταλίπη ἄρρενας· ἄν δὲ θηλείας καταλίπη...κτλ (notice the anaphora).

legitimate daughter of Pyrrhus, "two courses were open to her, either to claim the paternal inheritance during Endius' life-time; or else, when the adopted son had died, to claim that her brother's estate should be adjudicated to her". The presentation of the argument is reinforced, apart from one μέν...δέ Antithesis and two examples of Hyperbaton, by two figures of Figura Etymologica,¹ one Parechesis,² and one Paronomasia.³

By the argument included in paragraph 51, which appears as the most ornamental passage in the whole section, the orator supports the view that, if Phile were a legitimate daughter of Pyrrhus, neither would Endius, as adopted son, have given her in marriage with a small dowry, nor would Nicodemus, her uncle, have allowed it. These two points are driven home by two Rhetorical Questions: the first is reinforced by one Amplification,⁴ one Correlative⁵, and one Paronomasia⁶; the second is answered by a Rhetorical Answer consisting of an οὐκ...ἀλλά Antithesis,⁷ which includes one Amplification⁸ and one 3-fold Correspondence.⁹ There are also three figures of Hyperbaton which contribute as devices of oratory to the cumulative effect of the argument.

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- 1) § 59: γόνφ γεγόνασι.- λόγον λεχθῆναι.
 - 2) § 59: γόνφ γεγόνασι γνήσιοι.
 - 3) § 59: ἐπιδικασία - ἐπιδικάζεσθαι.
 - 4) § 51: ἀναιδῆς ἢ τολμηρός (synonym. which is strengthened by the Correlative).
 - 5) § 51: οὕτως ἀναιδῆς...ὥστε...
 - 6) § 51: ἐπιδούς ἐκδοῦναι.
 - 7) § 51: ἐγώ μὲν γάρ οὐ νομίζω, ἀλλά....
 - 8) § 51: ἀλλὰ καὶ ἠμφισβήτησεν ἄν τοῦ κλήρου καὶ διεμαρτύρησε καὶ εἰσήγγειλεν ἄν πρὸς τὸν ἄρχοντα, καὶ ἄλλο εἴ τι ἦν ἰσχυρότερον τούτων, ἅπαντ' ἄν διεπράξατο (P-G).
 - 9) See the previous note.

Looking at the figures of the whole speech, as they appear in the statistical table, special attention must be drawn to the Rhetorical Questions and Answers occurring with remarkable frequency in this speech, which exceeds all the others quite considerably. It contains 48 figures (46 of which belong to the proof) in comparison with 23.00 figures which represent the average in relative-number figures existing in the twelve speeches. In other words, about one sentence in three is a Rhetorical Question or Answer.¹

Here Isaeus seems to apply the rhetorical rule according to which, if the orator has plenty of obvious material for argument of his case, he is able to attack his opponent by numerous Rhetorical questions following one another in rapid succession² (cp. §§ 39, 41, 48, 49). The orator here has abundant arguments drawn from probabilities, which is another reason for the considerable length of the present speech.

Another factor which accounts for the length of this speech is in the repetition of thought in certain standard phrases. Isaeus by repeating such phrases is able to emphasize some special points of much interest in the case. For example, on 12 occasions, he emphasizes the false witness of Nicodemus:

§4: καί τουτονί Νικόδημον παραχρηῖμα ἐξηλέγξαμεν... ἀναισχυντότατον τῆ μαρτυρίᾳ ὄντα ταύτη.

§4: ὅς ἐτόλμησε μαρτυρῆσαι ἐγγυῆσαι τῷ θεῷ ~~τῷ θεῷ~~ τῷ ἡμετέρῳ τὴν ἀδελφὴν τὴν ἑαυτοῦ γυναῖκα εἶναι κατὰ τοὺς νόμους.

§5: ἡ τούτου μαρτυρία ψευδῆς ἔδοξεν εἶναι.

-
- 1) Cp. R.F. Wevers, Isaeus: Chronology, Prosopography and Social History, Paris, 1969, p. 120, note 94.
- 2) Hermogenes, Spengel, II, 322.4-9: διὰ γὰρ τό ἔνδοξον τῆς ἐννοίας ἐπιμένει καί δεινῶς ἐπίκειται τῷ ἐχθρῷ, ταῖς συνεχέσιν ἐρωτήσεσιν οὐδέ ἀναπνεῖν ἔων. ἐν οἷς μὲν οὖν ἄν ἰσχυρίζεσθαι δύνηται, τοῦτο ποιεῖ, ἐν οἷς δ' ἄν ἀσθενῆς ὁ λόγος ᾗ, ὡς ἐτέρως. ἅπαξ γὰρ καί δι' ἐλάχιστων εἰπῶν ἀπαλλάσσεται.

§ 5: τᾶ ψευδῆ τότε μαρτυρῆσαι.

§ 7: τᾶ ψευδῆ μαρτυρῆσαι Πικδόδημος.

§ 12: περιφανῶς τᾶ ψευδῆ μεμαρτύρηκεν.

§ 13: ἦν οὗτος ἐγγυῆσαι ἐκείνῳ μεμαρτύρηκεν.

§ 16: ἦν οὗτος ἐγγυῆσαι τῷ ἡμετέρῳ θεῖῳ μεμαρτύρηκε.

§ 35: φαίνεται τᾶ ψευδῆ μεμαρτυρηκῶς οὗτος.

§ 35: περιφανῶς ἀναίσχυντος ὧν ἐλέγχεται.

§ 40: βούλομαι ἐξελέγξαι τοῦτον ἀναισχυντότατον τῆ μαρτυρίᾳ
ὄντα ταύτη.

§ 51: ὁ ἐγγυῆσαι μεμαρτυρηκῶς αὐτῆς τὴν μητέρα.

Again, he emphatically repeats 12 times that Phile was given in marriage to a rich family without any dowry, as follows:

§ 8: ἦν τινὰ ποτε προῖκᾶ φησιν ἐπιδοῦς ἐκδοῦναι τὴν
ἀδελφὴν.

§ 28: εἰ μηδεμίαν προῖκα μὴθ' ὁ διδοῦς μὴθ' ὁ λαμβάνων διωμολο-
γήσαντο ἔξειν ἐπὶ τῆ γυναικί.

§ 29: καὶ ἄνευ ὁμολογίας προικῶς.

§ 35: ἄνευ ὁμολογίας προικῶς.

§ 36: εἰ μηδεμίαν προῖκα διωμολογήσατο ἔξειν ἐπ' αὐτῆ.

§ 38: Οὗτος τοίνυν τῷ ἡμετέρῳ θεῖῳ ἄπροικον τὴν ἀδελφὴν τὴν ἑαυτοῦ
μεμαρτύρηκεν ἐγγυῆσαι.

§ 78: ἐπὶ τίνι προικί οὗτος ἐγγυῆσαι τῷ Πύρρῳ φησί τὴν ἀδελφὴν.

And:

§ 8: τῷ τὸν τριτάλαντον οἶκον κεντημένῳ.

§ 18: ὁ μὲν γὰρ ἐγγυᾶν μέλλων εἰς τὸν τριτάλαντον οἶκον, ὡς φησι,
τὴν ἀδελφὴν.

§ 25: τῷ τὸν τριτάλαντον οἶκον κεντημένῳ.

§ 29: εἰς τὸν τριτάλαντον οἶκον ἐγγυῆσαι φησι τὴν ἀδελφὴν.

§ 49: εἰ αὐτός μὲν τριτάλαντον οἶκον ἔχειν ἤξειου.

§ 80: καὶ ἔν τε τῷ δήμῳ κεντημένος τὸν τριτάλαντον οἶκον.

Finally, he reiterates 4 times the fact that Phile's mother was a prostitute and not ^{the} wife of Pyrrhus, as follows:-

§ 13: Ὡς μὲν ἑταίρα ἦν τῷ βουλομένῳ καὶ οὐ γυνή τοῦ ἡμετέρου
θείου...

§ 15: ὅτι ἑταίρα ἦν τοῦ βουλομένου...

§ 16: Ὡς μὲν τοίνυν ἦν κοινή τῷ βουλομένῳ...

§ 77: καὶ τὴν οὕτω κοινήν τοῖς βουλομένοις γεγενημένην.

D) The Peroration (§§ 77-80) is the shortest in Isaeus, occupying 5% (34 lines) of the whole speech. It consists of a recapitulation of the main points of the argumentation, special emphasis being given to the point which concerns the formality of the alleged marriage of Pyrrhus to Phile's mother. The point seems to be of paramount interest for the case: if Pyrrhus had not legally married Phile's mother, Phile has no right to claim Pyrrhus' estate, and Nicodemus is guilty of perjury. The orator devotes half of the peroration to repeating this particular point, and he closes his speech abruptly and unconventionally¹ with a deposition of Pyrrhus' fellow-demesmen.

Taking aside the recapitulatory passages,² the present peroration lacks "Amplification"³ and "Appeal to pity"⁴ — the other two qualities which the rhetoricians demand of a peroration.

1) Cp. peroration of Speech VIII.

2) Anonymus, Spengel, I.322.14: τῶν δὲ ἐπιλόγων, φησί, ἡ δύναμις ἀναμνηστικῆ τὰ εἰρημένα.- ibid., I, 301.26.- Anaximenes, Spengel, I, 207.20: Παλιλλογία.

3) Δείνωσις (indignatio); cp. Cicero, Part. Orat., xv.52: Augendi autem et hic est proprius locus in perorando, etc.

4) Ad Hernennium, II, XXX.47: Cp. Quint., VI.I.51-55(52: Tunc est commovendum theatrum); Anonymus, Spengel, I, 457.2: τὰ μὲν οὖν πάθη ταῦτα εἰς τὸν ἐπίλογον ἀρμόζει.

Apart from these, this peroration lacks also an appeal to the judges to remember their duty either to the deceased¹ or to the oath they have sworn or to justice.²

Perhaps the reason for the absence of these qualities is simple: the reasoning does not leave room for them.

From the point of view of rhetorical devices, the figures of Hyperbaton (5), Paronomasia (3) and Rhetorical Questions and Answers (2) appear first in the statistics, while the figures of Antithesis, Correspondence, Chiasmus, Figura Etymologica, Repetitions and Amplification are represented by only one example each. All the remaining figures do not occur in the section.

The peroration opens with a long Rhetorical Question, including one Paronomasia³, addressed to the judges as an appeal not to believe that Pyrrhus made a legal marriage "with that woman who was a common courtesan". In the subsequent Rhetorical Answer, which takes the form of an objection introduced by the conjunction ἀλλά, the orator, by the assistance of a Μερισμός⁴, which contains one less effective Epanaphora,⁵ one Paronomasia,⁶ and one Figura Etymologica,⁷ recapitulates some main points of the previous argumentation.

1) Cp. II. 47, IX.36.

2) Cp. II. 47, IV. 31, VI. 65, VII.45, VIII.46.

3) § 77: μαρτυρίαν τῶν αὐτοῦ τοῦ θεοῦ ἐκμαρτυριῶν.

4) Anonymus, Spengel, I,428.30; Ruphus, Spengel, I, 465.8.

5) § 78: ἐπὶ τίνι, πρὸς ὁποῖον, παρ' ὅτου (cp.C.A.Robinson, p.7).

6) § 78: ἐγγυῆσαι - ἡ ἐγγυητὴ γυνή.

7) § 78: δίκην σίτου - ἐδικιάσατο.

The repetition of the argument, which concerns Pyrrhus' marriage with Phile's mother, is reinforced by two more figures of Paronomasia¹, one Amplification,² and one Chiasmus.³

-
- 1) § 80: εἰ ἦν γεγαμηκώς, ἠναγκάζετο ἄν ὑπὲρ τῆς γαμετῆς γυναικὸς
.....κτλ.- Οἱ μὲν οὖν φράτορες μεμαρτυρήασιν ὑμῖν..μαρτυρίαν.
 - 2) § 80: καὶ θεσμοφόρια ἐστιᾶν τὰς γυναῖκας καὶ τᾶλλα ὅσα
προσῆκε λειτουργεῖν.
 - 3) § 79: καὶ γαμηλίαν...εἰσενεγεῖν καὶ εἰσαγαγεῖν τὴν...θυγατέρα.

SPEECH X: ON THE ESTATE OF ARISTARCHUS

1. CIRCUMSTANCES OF THE CASE

Aristarchus I had two sons and two daughters. The eldest son, Cyronides, was adopted by his maternal grandfather, Xenaenetus I; the second son and the eldest daughter died in their infancy. The second daughter was thus left heiress to Aristarchus' estate, but none of her nearest kinsmen claimed her hand as epicleros and she was given in marriage to a stranger by whom she had two sons.

Cyronides, on the other hand, married his first cousin, daughter of his paternal uncle Aristomenes, and had by her two sons, Aristarchus II and Xenaenetus II. Aristarchus II was introduced by posthumous adoption as son of his paternal grandfather Aristarchus I and enjoyed the estate for a long time until he fell in a battle abroad. At the death of Aristarchus II, his brother Xenaenetus II claimed his estate under a will by which the deceased declared him as his son and heir.

The claim of Xenaenetus II was confronted by a son of the daughter of Aristarchus I, the speaker, who maintained that the will was null and void, because: firstly, Cyronides had no right to the estate of Aristarchus I, since he had been adopted into another family (§ 8), and secondly, the posthumous adoption of Aristarchus II was illegal, since Aristarchus I could not leave the estate except to his son Demochares, and Demochares could not make a will because he had died a minor (§§ 8-14).

However, there are two questions which the speaker is at pains to answer: firstly, whether Cyronides had paid a debt on behalf of the estate which existed only in name (§§ 15-17), and secondly, whether there had been too long a delay in the claim of the speaker, since 37 years had passed from the marriage of epicleros to the present trial (§§ 18-21).

In the peroration, the speaker claims his rights on the estate "as one who leads an orderly life and performs the duties assigned to him and serves in the army".

2. GENERAL STATISTICAL REVIEW

Speech X is the shortest of the existing speeches of Isaeus, if Speech XII, which comes last in the statistics, is regarded as a fragment. It consists of 240 lines, 60 sentences, 26 paragraphs, and 8 pages in the LOEB edition.

The division of the speech appears with this peculiarity that the narrative is a short one.

In rhetorical devices, this speech appears almost equal to Speech III (300-303 relative-number figures respectively) though it is inferior to Speech III by 183 real figures.

The majority of the figures belong to Antithesis (28) and Hyperbaton (14), while Figura Etymologica, Repetitions and Polysyndeton are represented by only two examples each. In Rhetorical Questions and Answers and Amplification, this speech comes last in the statistics. In general, therefore, the speech cannot be said to be outstanding among the speeches of Isaeus either for its style or for its argument.

(See Table overleaf)

STATISTICAL TABLE ON SPEECH X

FIGURES	EXORDIUM	NARRATIVE	PROOF	PERORATION	Total of real Figures	Total of relative Figures
Antithesis	7	4	20	7	38	[95.00]
Correspondence	2	1	7	1	11	[27.50]
Correlative	2	-	2	1	5	[12.50]
Parison	-	-	4	1	5	[12.50]
Chiasmus	-	-	1	2	3	[7.50]
Paronomasia	-	-	2	2	4	[10.00]
Parechesis	-	-	4	1	5	[12.50]
Homoeoteleuton	1	-	6	1	8	[20.00]
Figura Etymologica	-	-	-	2	2	[5.00]
Repetitions	-	-	2	-	2	[5.00]
Amplifications	1	-	8	2	11	[27.50]
Hyperbaton	6	1	7	-	14	[35.00]
Rhet. Questions + Answers	-	-	4	1	5	[12.50]
Asyndeton - Polysyndeton *	-	3	3	1	7	[17.50] *
Total	19	9	70	22	120	[300.00]

* Asyndeton 5 [12.50], Polysyndeton 2 [5.00]

3. RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the exordium:-

A) The Exordium (§§1-3) is one of the longest in Isaeus. It consists of 30 lines and constitutes 13% of the length of the speech.

From the point of view of the content, this Exordium is a dexterous introduction to the speech. As a conventional proem in Isaeus it resembles that of Speech I and has most of the elements which the oratorical precepts demand an exordium to have.¹

The speaker, first, by the assistance of a μέν..δέ Antithesis, which includes an effective example of Correlative,² and an εἴτε...εἴτε Correspondence,³ expresses his desire to be able to tell the truth with the same confidence with which his opponent tells lies in order that the jurors might learn the true subject of the case. Secondly, with another μέν..δέ Antithesis, which includes a figure of Correspondence,⁴ emphasizing an Amplification,⁵ he sets forth a Captatio benevolentiae⁶ both ab nostra persona and ab adversariorum persona to show his opponent's experience in trials by contrast with his inexperience in oratory and subtle machinations.

1) See p. 100, above.

2) §1: ὡςπερ Εὐναίνετος...οὔτω καὶ γῶ.

3) §1: εἴθ' ἡμεῖς...εἴθ' οὗτοι.

4) §1: καὶ λέγειν δεινοὶ καὶ παρασκευάσασθαι ἱκανοί (notice the Homoeoteleuton).

5) §1: See the previous note (synonym/s).

6) Ad Herennium, I.V.8; Cic, De Or., II. XX VII. 115; Anonymus, Spengel, I, 428.2.

In the third paragraph, he states "the subject of the defence"¹ by two examples of οὐκ...ἀλλά Antithesis, and finishes with a conventional transition to the narrative including one figure, uncommon in Isaeus, of Correlative.²

B). The Narrative (§§ 4-7) is the shortest in Isaeus. It consists of 36 lines and constitutes 15% of the whole speech, being thus in a disproportionate relation both to the exordium (13%) which it exceeds by only 2% and to the peroration (18%) to which it is inferior by 3%.

The brevity of the narrative might be due to an attempt of the orator to evade telling the whole truth about the details concerning the case.

Nevertheless, Isaeus seems to be sufficiently comprehensive and lucid here when he achieves - within a few lines - an effective summary of the events and facts relating to the case.

From the point of view of rhetorical devices, this narrative appears the least ornamental of all the others in Isaeus' speeches. It contains 9 figures by comparison with 41 in the narrative of Speech II to which it is approximately equal in length (15% - 17% respectively).

It is worth noticing that the ornamentation of the present narrative is mainly represented by four examples of μέν...δέ Antithesis and secondarily by one Correspondence³, two less effective instances of Asyndeton,⁴ one Polysyndeton,⁵ and one Hyperbaton, while all the remaining figures are entirely absent.

1) Ad. Alexandrum, 1441 b.30.

2) § 3: ὅθεν οὖν σαφέστατα μαθήσεσθε ὡς ἔχει ταῦτα, ἐντεῦθεν ὑμᾶς πρῶτον πειράσομαι διδάσκειν. Cp. I.8.

3) § 5: ἀμελήσας ἢ αὐτός αὐτήν ἔχειν ἢ τῷ υἱῷ...ἐπιδικᾶσασθαι.

4) § 4: Ἀρίσταρχος...οὗτος... § 5: ὄντος αὐτῷ υἱός καί θυγατρὸς, ἀμελήσας...κτλ.

5) § 4: Κυρωνίδης καί Δημοχάρης καί ἡ μήτηρ ἡ ἐμή καί ἄλλη τούτων ἀδελφή.

The absence of considerable adornment is due to the fact that this narrative consists exclusively of the relation of the facts concerned, and does not contain interpretative passages or reasoning, as usually happens with the other narratives of Isaeus.

C) The Proof (§§ 8-21) consists of 126 lines and constitutes 53% of the length of the speech, being thus one of the two¹ second shortest proofs in the whole corpus after that of Speech VII which comes last in the statistics with 48%.

This proof can be divided into two almost equal parts: the first part (§§ 8-14, lines 65) consists of an endeavour on the part of the orator to show that the adoption of Aristarchus II was illegal; the second part (§§ 15-21, lines 61) constitutes a refutation of the statement that Cyronides had discharged a debt upon the estate, and an attempt to explain why the husband and the son of the speaker's mother had for 37 years neglected to make a claim upon the estate on behalf of the epicleros.

The two parts as a whole do not show such a remarkable disparity between the frequency of rhetorical devices as is found in Speeches III and XI. The first part appears with 34 figures and the second with 35. Nevertheless, a closer consideration of the text reveals that there are two extremely ornamental passages which fall into the portion of the refutation. Paragraph 15, which contains the majority of the figures in any passage in the proof as a whole, constitutes the opening of the refutation and consists of a recapitulated deduction drawn from the preceding argumentation, in which the speaker argues that "the estate belongs to his mother from the beginning and the opponents have unjustly deprived her of it". The deduction

1). The other proof is that of Speech VI.

is worked out by the assistance of a *τέ..καί* Correspondence¹, which contains one Parechesis² and one Amplification,³ and one example of Homoeoteleuton.⁴ In the following, the orator, by the assistance of one Correlative⁵ and one *σχῆμα κατ' ἄρσιν καί θέσιν*⁶ which include three examples of Hyperbaton and another of Parechesis,⁷ states that the opponents wrongfully allege that Xenaenetus' father (Cyronides) has paid a judgement-debt on behalf of the estate - a statement which he is going to refute in the following argumentation.⁸

The other ornamental passage of the refutation is that of paragraph 17, which contains eight figures. It constitutes an argument drawn from probabilities through which the orator tries to show that, if the estate were insolvent, the opponents did not adopt themselves into the succession of it. The basis of the argument consists of a Rhetorical Question - enthymeme,⁹ which includes one Amplification,¹⁰ and which is followed by a negative Rhetorical Answer containing an *οὐκ...ἀλλά* Antithesis and another Amplification¹¹ in the form of two synonymous participles producing one Homoeoteleuton.¹¹ From this answer the speaker deduces that "the estate was unencumbered and descended to my mother".¹²

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- 1) §15: ἔκ τε τῶν εἰρημένων καί μεμαρτυρημένων καί...τῶν νόμων.
 - 2) §15: τῶν εἰρημένων καί μεμαρτυρημένων.
 - 3) §15: τῶν εἰρημένων καί μεμαρτυρημένων (syn.)
 - 4) §15: ἀποστερηθῆσθαι - ἀποδεδεῖχθαι (less effective).
 - 5) §15: οὕτω δέ...ὥστε...
 - 6) §15: οὐκ...μόνον ἀλλά καί δίκην...
 - 7) §15: δικαίως δοκῶσιν.
 - 8) §16: ἐγὼ δ', ὧ ἄνδρες, ὅτι οὐκ ἀληθῆ λέγουσι, μεγάλοις ὑμᾶς τεκμηρίοις διδάξω.
 - 9) Cp. W.W. Baden, p.30.
 - 10) §17: οὐσίαν καί οἶκον (syn.).
 - 11) §17: φιλοχρηματοῦντες καί ἐκείνην ἀποστεροῦντες.
 - 12) §17: οὐκ ἔστι ταῦτα, ἀλλ' ὁ μὲν κληρὸς ἐλεύθερος ἦν καί τῆς ἐμῆς μητρὸς ἐγένετο κτλ.

Since the proof is largely factual rather than argumentative - apart from a few isolated passages of more complex discussion - in accordance with Isaeus' policy noted in other speeches, a narrative-passage requires fewer ornaments and a less elaborate and complex style. This judgement can be justified if the proof is looked at as a whole, since it can be said that the factual section is the least ornamental of all the other sections of proof in Isaeus, containing only 70 figures by comparison with 160 in a passage of equal length in Speech VI. It must also be noticed that the speech blatantly lacks those phrases or "formulas" with which Isaeus customarily achieves an expansion or repetition of his thoughts.

D). The Peroration (§§ 22-26) is the longest in Isaeus. Though the whole speech occupies only 240 lines, the orator devotes 43 lines, i.e., 18% of the speech, to the peroration. The extension of the section is due to the fact that the first three paragraphs are occupied by an argument by which the speaker attempts to show that the testator had no right to dispose of the estate since this estate was not his own but belonged to the speaker's mother. Such an argument has its proper place in the proof rather than in the peroration, but Isaeus, disregarding convention, preferred to site this argument here in an attempt to achieve a more favourable judgement from the jurors.

The main epilogue is restricted to the two last paragraphs in which the orator attacks the character of the opponent and praises himself¹, and recapitulates briefly the main points of the argumentation.¹

1) Δείνωσις (indignatio); cp. Cicero, Part. Orat., xv.52; Arist., Rhet. I4I9b.IIff.: 'Ο δ' ἐπίλογος σύγκειται ἐν τετάρων... καὶ ἔν τε τοῦ ἀυξῆσαι καὶ ταπεινῶσαι.

The section lacks the two other qualities which the rhetorical precepts demand from an epilogue, i.e., "Amplification"¹ and "Appeal to pity"²; it also lacks an appeal to the judges to remember their duty to the deceased,³ to their oaths, and to justice.⁴

From stylistic point of view, this peroration is not proportionate to its length. It contains 22 real figures from which the most frequently used is Antithesis (7 figures), while Chiasmus, Paronomasia, Figura Etymologica and Amplification are represented by two figures each, and the remaining figures by only one example, except for Hyperbaton and Repetitions which do not occur at all here.

It is worthy of note that the most ornamental passage of the peroration is that of paragraph 25, which contains seven figures, while all the other passages, even the first three ones which include argumentation, do not exceed five figures. It seems that the orator made a special effort to embroider this passage which deals with the bad character of the opponents by contrast with ^{the} speaker's good manners. Thus, with an οὐκ...ἀλλά⁵ Antithesis, he points out the villainy of Xenaenetus who frittered away Aristomenes' fortune through uncontrolled licentious behaviour⁶, while, with a μὲν...δέ Antithesis and one

1) Ad. Herennium, II,XXX.47; Quintilian, VI.I.51-55; Arist. Rhet.

1419 b. 11 ff ... ἔκ τε τοῦ εἰς τὰ πάθη τὸν ἀπροατὴν καταστήσαι.

2) Cp. II.47, IX.36.

3) Cp. II.47, IV.31, VI.65, VII.45, VIII.46.

4) Cp. II.47, IV.31, VI.65, VII.45, VIII.46.

5) § 25: οὐκ ἱκανὸν ἔστι βεναινέτω τὸν Ἀριστομένους οἶκον καταπεπαιδραστημέναι, ἀλλὰ καὶ τοῦτον οὔεται δεῖν...διαθεῖναι.

6) καταπεπαιδραστημέναι; cp. καθιποτροφῆρας, κατελευγοτροφῆρας (V.43), ὑποπαρωθῶν (VIII.38), παρακαταθέμενος (XI.32).

Polysyndeton¹, which includes one Chiasmus,² one Paronomasia,³ one Figura Etymologica,⁴ and one Parechesis,⁵ he enumerates his own virtues, private and public.

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- 1) §25: κόσμιον δ' ἑμαυτὸν παρέχων καὶ ποιῶν τὰ προσταττόμενα καὶ τὰς στρατείας στρατευόμενος.
 - 2) §25: See the example of Polysyndeton to the previous note.
 - 3) §25: ἐξέδωκα - ἐπιδούς.
 - 4) §25: τὰς στρατείας στρατευόμενος.
 - 5) §25: τὰ προσταττόμενα καὶ τὰς στρατείας στρατευόμενος.

SPEECH IX: ON THE ESTATE OF ASTYPHILUS

1. CIRCUMSTANCES OF THE CASE

The speaker in the present case is an unnamed maternal brother of the de cuius (Astyphilus) against Cleon, first cousin of Astyphilus, who produced a will according to which Astyphilus bequeathed his property to Cleon's minor son.

The will was duly attested and was deposited for safety with Hierocles, Asyphilus' maternal uncle, and Cleon and Cleon's son were given the priority to the succession ab intestato by the law of Athens, which called to the succession relatives of the deceased on the father's side down to first cousins before those on the mother's side.¹ Even so, Isaeus tries to persuade the jury that the will is a forgery and his client is the only legal heir of Astyphilus.

The whole argumentation is based on probabilities: why did Astyphilus when making the will not invite any relatives as witnesses (7-13)? Why did Astyphilus make a will only before setting out for Mytilene, while it is known that he had never done so before, though he had fought in many wars (14-15)? Why did Astyphilus choose for adoption the son of Cleon, his bitterest enemy (16-21)? How could Astyphilus deprive his own brother, the speaker, of the inheritance, since he had been brought up with him by Theophrastus, the second husband of his mother and ^{the} speaker's father (27-33)?

The sections 22-26 consist of an attack against Hierocles who had the audacity to produce a forged will declaring that Astyphilus had left it to his keeping.

1) Cp. VII.22.

Hierocles is presented as an ungrateful relative who slanders the memory of the dead Astyphilus by producing a will in favour of anyone who was willing to share the estate with him.

The sections 34-37 constitute a conventional peroration including a summary of the case and an appeal to the judges.

2. GENERAL STATISTICAL REVIEW

Speech IX comes 9th in the statistics from the point of view of length. It consists of 320 lines, 78 sentences, 37 paragraphs and 10 pages in the LOEB edition.

The division of the speech shows the peculiarity that the proof is welded into the narrative, while the exordium is represented by a *ἰσθόσεσις*.

As regards the rhetorical devices, this speech is close to Speech X by which it is exceeded by twenty relative-number figures, though Speech IX exceeds Speech X by 29 real figures (149 [280] - 120 [300] figures respectively). This happens because the relative value of each real figure in Speech X is higher (2.50) than that in Speech IX (2.00).

The majority of the figures are comprised of Antithesis (31) and Amplification (26), while Parison, Chiasmus, and Repetitions are represented by only two examples each. Yet the speech is poor in figures of Paronomasia (4), Parechesis (3), Figura Etymologica (5), and Polysyndeton (3).

(See Table overleaf)

STATISTICAL TABLE ON SPEECH IX

FIGURES	EXORDIUM	NARRATIVE	1 PROOF	PERORATION	Total of real Figures	Total of relative Figures
Antithesis	5	21		5	31	[58.00]
Correspondence	3	10		2	15	[28.00]
Correlative	1	13		1	15	[28.00]
Parison	1	1		-	2	[4.00]
Chiasmus	1	1		-	2	[4.00]
Paronomasia	1	3		-	4	[7.50]
Parechesis	1	1		1	3	[5.50]
Homoeoteleuton	1	7		-	8	[15.00]
Figura Etymologica	-	4		1	5	[9.50]
Repetitions	1	1		-	2	[4.00]
Amplification	4	17		5	26	[49.00]
Hyperbaton	1	18		2	21	[39.50]
Rhet. Questions + Answers	-	6		1	7	[13.00]
Asyndeton + Polysyndeton *	1	4		3	8 *	[15.00]*
Total	21	107		21	149	[280.00]

* Asyndeton 5 [9.50], Polysyndeton 3 [5.50].

- 1) The table does not refer to the proof here since this part is not properly represented in this speech.

3. RHETORICAL ANALYSIS

Following the statistical table, we begin with an analysis of the exordium:-

A) The Exordium (§§1-6) is the longest in Isaeus. It consists of 50 lines and constitutes 16% of the length of the speech.

The section is not a conventional proem, since it lacks the main qualities of a proper exordium¹. Nevertheless, it includes some elements of an introduction; apart from the statement of the case which is given by a *ἡρόθεσις*² in paragraph 1, an endeavour on the part of the orator to influence the jury in favour of his own client and against his opponent³ is apparent throughout the section. It is the element which causes the presence of the majority of the figures in the exordium.

The most ornamental passages of the section are those of paragraphs 3 and 4 (6 and 7 figures respectively), in which the orator presents with some indignation the bad conduct of the opponent who entered into the possession of Astyphilus' estate as soon as the news of his death was reported, while he did not take care of the funeral ceremony when Astyphilus' remains were brought home. It is worthy of drawing attention to the three figures of Amplification⁴ reinforced with one Correspondence,⁵

1) See p.100, above.

2) Cp. Anonymus, Spengel, I, 447. 29: ἡρόθεσις ἐστὶν ἔκθεσις τοῦ ζητουμένου ὡς περὶ σκοπὸς καὶ ἐπαγγελία τῆς μελλούσης παρασκευῆς κτλ.

3) A quality which the rhetoricians demand of an exordium; cp. Anaximenes, Spengel, I, 214.13; Anonymus, ib,I,427.21.

4) § 4: οὐ προὔθετο οὐδ' ἔθαφεν (syn.); § 4: οἱ δὲ φίλοι Ἀστυφίλου καὶ οἱ συστρατιῶται (G-P); § 4: αὐτοὶ καὶ προὔθεντο καὶ τᾶλλα πάντα τὰ νομιζόμενα ἐποίησαν (General - Particular).

5) § 4: See the third example of Amplification on the previous note.

one Homoeoteleuton¹ and one Parechesis,² which the orator uses to amplify this last point. The passage is full of pathos³ which aims at prejudicing the jury against the opposition.

The last two paragraphs (5 and 6) constitute a narrative passage in which the speaker tells the jury that, when he returned home from military service abroad, he was informed with much astonishment that he had been deprived of his brother's estate by a will made in favour of Cleon's son and ~~was~~ deposited with Hierocles for keeping. The passage is in plain style and contains only two instances of μέν...δέ Antithesis and one Correspondence.

Generally speaking, the exordium is not one of the most elaborated introductions of Isaeus. It contains 21 real figures, the majority of which comprise figures of Antithesis (5), Amplification (4), and Correspondence (3). The remaining figures are represented by only one example each, with the exception of Figura Etymologica and Rhetorical Questions which do not occur in the section.

B) The Narrative and the Proof are welded together and occupy the remaining speech up to the peroration (§§ 7-33, lines 237, 72% of the whole speech).

The whole section can be divided into two parts: the first part (§§ 7-26, lines 166) deals with the invalidity of the will and the bad character of Hierocles; the second part (§§ 27-33, lines 71) contains

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- 1) § 4: ἀρρωστοῦντα - ἐπιδημοῦντα.
 - 2) § 4: προσποιούμενος πάλαι ὑός εἰσπεποιῆσθαι.
 - 3) § 4: Notice the εἰρωνεία: ὁ μὲν προσποιούμενος πάλαι ὑός εἰσπεποιῆσθαι οὐ προὔθετο οὐδ' ἔθαψεν.

the orator's endeavour to found on the basis of the good relations of Astyphilus with the speaker and the speaker's father a better right of his client to the succession in Astyphilus' estate.

The rhetorical adornment in the two parts appears in proportionate relation with their length. However, the frequently-observed fact that it is Isaeus' practice to elaborate those passages which bear much of the weight of his argumentation rather more than those in which merely facts or events are related is verified once again in these sections where argumentative passages alternate with narrative ones. In the first part, for instance, the most ornamental passages are those of paragraphs 12 and 15. Paragraph 12, which contains seven figures, is a strong part of the main argument by which Isaeus tries to show that the will is a forgery, since it is attested by chance persons and not by relatives. By a καθ' ὑπόθεσιν σχῆμα μετά μερισμῶν¹ the orator unfolds his reasoning according to which Astyphilus should either not have invited witnesses at all or have invited the most intimate. The first member of the juxtaposition is supplied with one Figura Etymologica,² one Hyperbaton,³ and one Amplification,⁴ while the second, which ends in a Rhetorical Question,⁵ is strengthened by an οὐκ ἀλλά σχῆμα κατ' ἄρσιν καί θέσιν⁶.

Paragraph 15, which contains the highest number of figures (10) in the first part, constitutes another argument in which the orator, in the form of a long Rhetorical Question - enthymeme which has a sense of irony,

1) § 12: εἰ μὲν ὁ Ἀστυφίλος... εἰ δ' ἐναντίον μαρτύρων κτλ.

Cp. Hermogenes, Spengel, II, 323.

2) § 12: ἐγγεγράφαι ἐν τῷ γραμματείῳ.

3) § 12: μηδὲ ἄλλον μηδένα ἐγγεγράφαι ἐν τῷ γραμματείῳ μάρτυρα.

4) § 12: ὕδν ἐποιεῖτο - διαθήκας καταλίποι (two verbs).

5) § 12: πῶς εἰκός ἐστιν ἀληθεῖς εἶναι τὰς διαθήκας;

6) § 12: μή τῶν μάλιστα χρωμένων ἀλλά τῶν ἐντυχόντων.

expresses his astonishment at the contention that Astyphilus made a will only when he was preparing to set out on his last expedition to Mytilene, while he had never made any such will before his numerous previous campaigns abroad. The argument is supplied with one *Figura Etymologica*,¹ and with two *Correlatives*,² one *Correspondence*,³ one *Homoeoteleuton*,⁴ one *μὲν...δέ* *Antithesis*,⁵ and three examples of *Hyperbaton* which emphasise the difference in Astyphilus' actions between the former expeditions and the last fatal one.

Conversely, the previous paragraph (14) appears with two figures only and in a plain style. The orator here, using a narrative method, refers to the previous expeditions of Astyphilus, preparing thus the ground for the following argumentative passage.

The same happens with many other narrative passages, as, for instance, with those of paragraph 16 which contains one *Correlative* only, paragraph 18 which contains two figures, and paragraphs 20 and 21 which contain three and no figures respectively.

In the second part, paragraphs 31 and 32 appear as the most ornamental passages, including ten and five figures respectively by comparison with the remaining sections, none of which has more than four figures. The two passages concern a deduction reached from what the speaker referred to in the previous paragraphs with regard to the relations between Astyphilus, himself and his father. One long *Rhetorical Question* and one *Rhetorical Answer*, also long enough, make up the basis of the argument, the effect of which is reinforced

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- 1) § 15: στρατείας στρατευομένου.
 - 2) § 15: οὕτως ἀκριβῶς...ὥστ'... κτλ.- ὅτε δέ...τότε...κτλ.
 - 3) § 15: ἐθελοντήν τε ἐκπλέοντα καί...κτλ.
 - 4) § 15: στρατεύεσθαι - σωθήσεσθαι.
 - 5) § 15: ἐν μὲν τῷ πρόσθεν χρόνῳ..., ὅτε δέ...κτλ.

by four figures of Amplification¹ and three figures of οὐκ-ἀλλά Antithesis,² while one μέν...δέ Antithesis,³ one Correspondence,⁴ one Correlative,⁵ one Hyperbaton, one Asyndeton,⁶ and one Homoeoteleuton⁷ add their stylistic contribution for the same ~~the~~ purpose of enlivening and clarifying the argument.

Before the discussion on this section is closed, it must be noticed that the orator takes special care to spread throughout the whole speech some phrases in which the speaker purposely reminds the jury of his relationship to the deceased, repeating from time to time the word ἀδελφός merely in ~~the~~ place of the name of Astyphilus.

This happens ten times as follows:-

- §1: Ἀδελφός μοι ἦν ὁμομήτριος...κτλ.
 §2: καί ζητοῦσιν ἀποστερησαί με τῶν τ' ἀδελφοῦ.
 §4: ἐπειδή δ' ἐκομίσθη τά ὅστ' αὐτοῦ ἀδελφοῦ.
 §7: ὅτε δ' ἀδελφός ἐτελεύτησεν.
 §24: καί τῶν τοῦ ἀδελφοῦ ἐμερίσατο.
 §29: Ἐπειδή τοίνυν ἐδοκιμάσθη δ' ἀδελφός...κτλ.

- 1) § 31: ὕδν ποιήσασθαι ἢ τά ἑαυτοῦ δοῦναι (syn.); τοὺς εὐεργέτας καί τοὺς συγγενεῖς (erex.); διὰ τὸ ἀδελφόν εἶναι καί διὰ τὴν ἄλλην οἰκειότητα (syn.); § 32: ἀλλά καί τὸ γένος παρατιθέντες, ὅτι ἀνεφιδός ἦν Κλέων πρὸς πατρός (erexesis).
- 2) § 31: ἐγὼ μὲν οὐκ ἄν οἴομαι...ἀλλά...κτλ. ; § 32: οὐκ ἔθαφον ἀλλὰ πρότερον ἐπὶ τὴν οὐσίαν ἦλθον.- οὐ μόνον τὰς διαθήκας λέγοντες, ἀλλὰ καί τὸ γένος παρατιθέντες.
- 3) § 31: οὕτω μὲν μισῶν Κλέωνα, τσαῦτα δ' ἀγαθὰ...πεπονθῶς...κτλ.
- 4) § 31: καί διὰ τὸ ἀδελφόν εἶναι καί διὰ τὴν ἄλλην οἰκειότητα.
- 5) § 32: ἐπεὶ τοῦτοις γε... οἵτινες...κτλ.
- 6) § 31: τσαῦτα δ' ἀγαθὰ ...πεπονθῶς, αὐτός...κτλ.
- 7) § 32: οὐ μόνον τὰς διαθήκας λέγοντες, ἀλλὰ καί τὸ γένος προστιθέντες.

§30: Ἐγώ δέ, ὧ ἄνδρες, ὡς διεκείμην πρὸς τὸν ἀδελφόν..κτλ.

§34: ἀλλ' ἐμὰ εἶναι πάντα τὰ ἄστυφίλου, ἀδελφός ὢν ἐκείνου.

§34: ὀσιωτάτην δέησιν δεόμενος, ὧ ἄνδρες, τῆς τοῦ ἀδελφοῦ οὐσίας κληρονόμον με καταστήσαι.

§37: Ἔτι δ' ἐμέ, ὧ ἄνδρες δικασταί, ἐντραφέντα ἐν τῷ αὐτῷ καὶ συμπαιδευθέντα ἄστυφίλῳ καὶ ἀδελφόν ὄντα, περιόψεσθε...κτλ.

It is worthy of note that the orator starts his **speech** with the word ἀδελφός which is repeated three times in the epilogue, where passages bear much of the force of pathos.

c) The Peroration (§§34-37) consists of 38 lines and occupies 12% of the length of the whole speech. It is a conventional epilogue and constitutes a recapitulation of the main points of the case and an appeal to the judges to give their verdict in favour of the speaker for the sake of justice and for the sake of the deceased. In this connection, it is important to point out the considerable amount of pathos which occurs in this section.

The majority of the figures belong to Antithesis (5) and ^MAmplification (5). By a μέν...δέ Antithesis the orator juxtaposes the position of his own client and of his opponent,¹ and with another μέν...δέ Antithesis, which is included in an epegesis,² he explains the purpose for which the jurors are gathered.³ Again, with an οὐκ...ἀλλά Antithesis he underlines that

1) § 34: κλέων μὲν.... ἐγώ δέ....

2) § 35: διὰ τοῦτο συλλέγεσθε, ἵνα...κτλ.

3) § 35: τοῖς μὲν ἀναίσχυντοῦσι μηδέν πλέον ἤ, οἱ δέ ἀδυνατώτεροι...κτλ.

Astyphilus' possessions belong to the speaker,¹ while with a second and third οὐκ-ἀλλά Antithesis he calls the jurors to confirm in his client's favour. the laws they have established,² and not neglect justice.³

Further, with four synonyms he invokes the law and justice,⁴ and he makes an appeal to the jury⁵ not to permit the enemies of Astyphilus to celebrate the rites over his tomb⁶, nor to deprive the speaker of his brother's estate.⁷

Apart from these figures, the peroration is supplied with two instances of Correspondence,⁸ one Correlative,⁹ one Parechesis,¹⁰ one Figura Etymologica¹¹ and one Poylsyndeton.¹²

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- 1) § 34: ἐγὼ δ' οὐ φημι, ἀλλ' ἐμὰ εἶναι πάντα τὰ Ἀστυφίλου.
 - 2) § 34: μή... εἰσποιήσητε..., ἀλλὰ τοὺς νόμους οὓς ὑμεῖς ἔθεσθε βεβαιώσατέ μοι.
 - 3) § 35: τούτῳ... μηδέν ἰσχυσάτω, ἀλλ' ὑμᾶς αὐτοὺς βραβευτάς ἀπάντων καταστήσατε.
 - 4) § 35: ἄνευ τοῦ νόμου καὶ τοῦ δικαίου.
 - 5) § 37: ἀντιβολῶ ὑμᾶς καὶ ἱκετεύω.
 - 6) § 36: ἐπὶ τε τὰ μνήματα ἰέναι καὶ ἐπὶ τὰ ἱερά τὰ ἐκείνου.
 - 7) § 37: ἐκτραφέντα... καὶ συμπαιδευθέντα... ἀποστερηθέντα τῶν ἐκείνου.
 - 8) § 36: ἐπὶ τε τὰ μνήματα ἰέναι καὶ ἐπὶ τὰ ἱερά;- § 37: Ἀστυφί-
λῳ τε χαρίσασθε καὶ ἐμὲ οὐκ ἂν ἀδικήσαιτε.
 - 9) § 37: εἰ γὰρ τοῦτον... οὐ τῷ πατρὶ... κτλ.
 - 10) § 34: ὀσιωτάτην δέησιν δεόμενος.
 - 11) § 34: δέησιν δεόμενος.
 - 12) § 37: ἐκτραφέντα... καὶ συμπαιδευθέντα... καὶ ἀδελφὸν ὄντα.

SPEECH XII: ON BEHALF OF EUPHILETUS

1. CIRCUMSTANCES OF THE CASE

The twelve sections which the editors estimate among the speeches of Isaeus as Speech XII, in fact constitute a fragment preserved by Dionysius of Halicarnassus in his treatise *Περὶ τῶν ἀρχαίων Ῥητόρων*¹.

The hypothesis of the speech is given to us by the same ancient critic: a certain Euphiletus had been struck off the register of his deme as being not a true-born citizen, and he had made an appeal to a law-court in order to redress his re-registration in the roll as the legitimate son of Hegesippus.

The speech was delivered by a *συνήγορος*, half-brother of Euphiletus, who argues that the appellant is really a legitimate son of Hegesippus by a second marriage, since: a) all the kinsmen of Euphiletus (his father, his mother, the speaker, the husbands of the speaker's sisters, his uncle) and friends too have testified his legitimacy. These witnesses are trustworthy and it would seem they have told the truth here, as some of them would have every motive for giving evidence against Euphiletus' claim in order that they might share in the paternal estate (1-8); b) Hegesippus, Hegesippus' wife and the speaker himself are ready to take an oath (9-10); c) Both arbitrators to whom the case had already been twice heard have given their verdict in favour of Euphiletus (11-12).

2. RHETORICAL ANALYSIS

The fragment is an abstract from the argumentation of the whole speech. This speech, according to Dionysius,² included a narrative broken up into

1) Dion. Halic., De Isaeo jud., ch.17.

2) Dionys. Halic., De Isaeo jud., ch.14.

sections, each of which was followed by depositions and other proofs. This fact prevents us from deducing decisive conclusions about the style of the whole speech, and, in consequence, from comparing the observations on the style of the present abstract with the other rhetorical data of the remaining speeches.

However, some observations are possible. The abstract appears in the statistics as the least ornamental among the twelve speeches. It contains 41 [214] figures by comparison with 149 [280] in Speech IX which occupies the eleventh position. The negligible difference between the two speeches in relative number figures by comparison with the considerable divergence in real figures is due to the fact that the relative value of each figure of Speech XII is much higher (5.00) than that in Speech IX (2.00).

The majority of the figures are those of Antithesis (11). With the two οὐ μόνον..ἀλλά καί figures of Antithesis the orator emphasises the fact that not only the family of Euphiletus has now borne witness to his legitimacy but also the other relatives.¹ From nine μέν..δέ figures of Antithesis three examples are used for juxtaposition between the speaker and the opponents,² and another two are used for joining a sentence, which includes a conclusion drawn from the previous deposition of witnesses, to another sentence which pushes forward the whole reasoning.³

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- 1) § 1: οὐ μόνον ἡμῶν ἀλλά καί τῶν συγγενῶν ἀπάντων ἀκηκόατε μαρτυρούντων; § 5: οὐ μόνον τοίνυν ἡμᾶς...ἀλλά καί τοὺς ἄλλους συγγενεῖς.
 - 2) § 8: οὗτοι μέν...ἡμεῖς δέ...; § 10: ἡμεῖς μέν...οὗτοι δέ...; § 11: ἡμεῖς μέν...οὗτοι δέ...
 - 3) § 1: "Ὅτι μέν τοίνυν...σπέφασθε δέ...; § 12: Ὡς μέν τοίνυν...ἀξιῶ δέ.
N.B.: from what Dionysius says (De Isaeo jud., ch.16:"προεῖρηται δέ δὴ τὰ πράγματα ταῦτ' ἀκριβῶς καί πεπίστωται διὰ μαρτύρων"), it can be assumed that the present fragment begins directly after a deposition of witnesses.

The remaining four examples help the orator to unfold his thoughts¹ - this is more obvious in the illustration included in an 'Απαρίθμησις.²

Correspondence and Hyperbaton appear at a lower level with six figures each. The effect of Correspondence in the text is not to be overlooked. Especially noticeable are the two examples in paragraphs 3 and 7 where Correspondence is used to reinforce an Amplification expressed in synonyms.³ There are five figures of Amplification, three of which occur as synonyms,⁴ one as epexegetis⁵ and one as hendiadys.⁶

In Figura Etymologica the fragment comes first among the speeches in relative-number figures [21.00]. Two out of four real figures concern the arbitration,⁷ while the other two help the orator to emphasise two main arguments: the one concerning his uncle's witness in favour of Euphiletus,⁸ and the other dealing with the oath of Euphiletus' mother about his legitimacy.⁹

The lowest level in the statistics is occupied by the figures of Correlative, Polysyndeton and Rhetorical Questions, each of which appears three times in the fragment. It seems not accidental that five of these

- 1) §4: νῦν μὲν...μαρτυρῶ, ὕστερον δέ...ἠτλ; § 8: εἰ μὲν οὗτοι ἐκινδύνευον..., νυνὶ δέ...ἠτλ; § 10: ἐγὼ ἐτύγχνον μὲν-ἔτοιμος δ'εἰμί.
- 2) §6: πρῶτον μὲν...εἶτα δέ...
- 3) §3: τροφῆς τε καὶ εὐπορίας; § 7: ἀσθή τέ ἐστι καὶ γαμετή καὶ ἀστός ὁ πατήρ.
- 4) Apart from the two examples quoted in the previous note, see §5 [εἴασαν καὶ] ἐπέτρεψαν.
- 5) §2: Both members of ἧ..ἧ Correspondence constitute an epexegetis to the following pronoun οὐδέτερον.
- 6) §1: τίνος ἔνεκεν ἄν φεύδοιτο καὶ τοῦτον μὴ ὄντα αὐτοῦ ὕδν εἰσποιεῖτο (= εἰσποιούμενος).
- 7) § 11: τοῦ διαιτητοῦ τὴν δίκαιαν ἔχοντος; § 12: οἱ διαιτηταὶ αὐτῶν ἀπεδιήτησαν.
- 8) § 6: μαρτυρῆσαι ψευδῆ μαρτυρίαν.
- 9) § 9: ὄρκιον ὁμόσαι.

figures, i.e., the three Questions,¹ one Correlative,² and one Polysyndeton,³ are concentrated in the paragraphs 6-9 which include the (very important for the case) argument, namely, that all the relatives of Euphiletus have produced evidence in his favour.

The fragment lacks figures of Parison, Chiasmus, Paronomasia, Parechesis, Homoeoteleuton, Repetitions, and Asyndeton. At ~~the~~ first sight, it is surprising to notice that the section is less elaborated, since Dionysius regards it of great rhetorical merit. But taking into consideration that the ancient critic cites this fragment as a characteristic illustration of the difference in argumentation between Lysias and Isaeus, special attention must be drawn not so much to the adornment of the passage as to the method of its logical construction, since it is this which drew the attention of Dionysius. He admires Isaeus' ability to develop his argument "at length" and "in detail": (διεξοδικῶς-ἀκριβῶς)⁴ in contrast with Lysias who proves "briefly" and "simply" (βραχέως-ἀπλῶς)⁴.

Indeed, the observation is fully verified in the fragment. The speaker, in his desire to show that the witnesses are trustworthy, tries to prove that his father, himself, his brothers-in-law, his maternal uncle, ^{and} his friends had no motive to give false evidence in favour of Euphiletus. First, in the argument concerning his father's witness, he begins with a statement: "consider what motive our father could have for lying....", which he refutes with two γάρ-sentences; then, with an ἀλλά μήν he transfers the discussion to another statement which he refutes, again, with another γάρ-clause; after this,

- 1) Those of paragraphs 6 and 8 are enthymemes (Cp. W.W. Baden, p.30)
- 2) § 7: ἐκ τούτων ὧν...κτλ.
- 3) § 8: τῷ πατρὶ τῷ Εὐφιλήτου καὶ ἐμοὶ καὶ τῷ ἀδελφῷ καὶ τοῖς φράτορσι καὶ πάσῃ τῇ ἡμετέρᾳ συγγενείᾳ.....
(notice the Amplification: particular-general).
- 4) See pp. 52-3, above.

the conclusive sentence follows introduced with ὥστε: "so that it is unlikely that my father committed so wicked a crime from which he derived no advantage". Second,¹ the argument concerning the witness borne by the speaker himself; he transfers the discussion to it by a statement introduced by ἀλλά μήν: "no-one could imagine me to be so completely insane as to bear false witness...", which he refutes with two ~~sentences~~ γάρ-sentences. Third, in the argument concerning the witness of his brother-in-law, the discussion is transferred to a new statement which is made by an οὐ μόνον ἀλλά καί emphatic σχῆμα κατ' ἄρσιν καί θέσιν; again two sentences introduced by γάρ are used to prove the speaker's assertion, and then the conclusion comes in a form of an ὥστε-sentence: "so that... our sisters would never have allowed their husbands to give evidence in his favour".

Fourth, the argument concerning the witness of his uncle follows in the form of a conditional sentence, which, being not supported by subsidiary sentences, seems to constitute an enthymeme rather than an epicheireme.

Lastly, the argument concerning the witness of three friends is produced in the form of a Rhetorical Question - enthymeme, and after that comes the conclusion to the whole section introduced by ὥστε and supported by another Rhetorical Question - enthymeme, which in a Polysyndeton underlines the fact that all the kinsmen have trustfully testified the legitimacy of Euphiletus.

There is no need to discuss the fragment further. From the analysis above it becomes clear that Isaeus, pursuing a precise development, goes through every step of his argument, giving thus a systematic demonstration of his syllogism.¹ With the same method he works on the remaining arguments of the fragment.

1) Cp. VIII. 30-34.

CHAPTER 3

C O N C L U S I O N S

This final chapter contains the conclusions of the present work classified under the headings of the two factors of form, namely a) Figures, and b) Arrangement, whose relationship to the content of Isaeus' speeches has been examined in the previous two chapters.

a) Figures

i) The occurrence of the figures throughout the speeches as a whole.

The proportion of the figures which contribute to the emphasis, clarity, and vividness of the speech, or which facilitate the presentation of an argument (Antithesis, Amplification, Hyperbaton, Correspondence, Rhetorical Questions and Answers, Asyndeton, Polysyndeton, and Correlative, 78.20% of the total real figures) exceed by nearly four times those figures which contribute merely an aesthetic sense to the style of the speech (Paronomasia, Homoeoteleuton, Figura Etymologica, Parechysis, Repetitions, Parison and Chiasmus, 21.80%).

Taking into account the relative proportion of the figures, it is evident that Isaeus, in his capacity as advocate, wished to concentrate the attention of his audience on the thought of his argument rather than on the form, since he prefers those figures which contribute to the comprehensibility of an argument rather than those which simply embellish it.

ii) The occurrence of the figures among the individual speeches.

The following speeches seem to have been provided with the greatest number of examples of one or two of those figures which, as the previous section explained, are most frequently used to give clarity and vividness to the presentation of argument: Speech I, Correlative and Hyperbaton; Speech II, Correspondence; Speech III, Rhetorical Questions and Answers; Speech IV, Antithesis and Polysyndeton; Speech VII, Amplification and Asyndeton.

On the other hand, the following speeches appear provided with the greatest proportion of those figures which are used to enhance the speeches' aesthetic appeal: Speech V, Chiasmus and Repetitions; Speech VIII, Parechesis.

It is also worth noting that Speech XII appears devoid of figures which enhance the aesthetic sense of the style, since it lacks Parison, Chiasmus, Paronomasia, Parechesis, Homoeoteleuton, Repetitions and Polysyndeton.

iii) The occurrence of the figures in certain sections of the speech.

The most ornamental passages are those which bear much of the weight of the argumentation (e.g. VI. 21; VII. 38-40; IX. 12,15, 31-32; XI.25); those which constitute a recapitulation or conclusion of the preceding arguments (e.g. I.29,34; IV.26; VI.10; VIII.14,20,28,33-34; XI.36); and those which include a personal attack against the opponent (e.g. V.35-36, 43-44; IX. 3-4).

The least ornamental passages are the plain narrative-passages or passages which include quotations of laws.

Passages at the beginning of the narratives are constructed mainly in plain style and are less ornamental than the middle and conclusions (e.g. II.3-4; VI.3; VII.5; VIII.7).

The narrative-passages in plain style are very few by comparison with the argumentative passages. The narratives themselves are generally characterised for their intricate construction rather than for their narration.

In passages including ethical and pathetic proof the figures of Antithesis, especially of the type οὐ(μή)..ἀλλά are fewer than the figures of Amplification, Correspondence, and Paronomasia (e.g. II.24-44).

iv) The occurrence of the figures among the four parts of the speech.

Isaeus does not seem to have any particular preference for the distribution of the figures among the four parts of each speech, but the pattern continues - as has already been noted - of using proportionately

more figures in those parts of each speech which include presentation and interpretation of argument. In Speeches III, V, VIII, and XI the proof which contains the bulk of the argument thus appears with the majority of the figures, while in Speeches I, II, VI and X it is the exordium and in Speeches IV, VII, and IX the peroration which contains more figures than the other three parts.

b) Arrangement

Isaeus realized that the arrangement of the speech in the stereotyped order: exordium, narrative, proof, peroration, and the conventional treatment of these sections was not so appropriate to his intricate cases, and made some innovations which helped him to handle his points at issue more effectively. Thus:

i) With regard to the exordium, only Speeches I, II, VIII and X can be regarded as having proper introductions; Speeches IV and VI have an exordium ἐξ ὑπολήψεως in which the συνήγορος gives the reason why he speaks on behalf of his friends; Speeches VII and XI begin with a direct confrontation of the points at issue for the sake of making a more effective impression on the audience: Speech IX opens with a Πρόθεσις and the greater part of the long exordium is devoted to the presentation of the bad conduct of the opponent; Speeches III and V have a preliminary argument (Προκατασκευή): probably Isaeus preferred this sort of exordium in order that the jurors might be more easily introduced into a complex case (Speech III), or discarded the conventional proem for the sake of a more impressive introduction (Speech V); Speech XI opens with a law for the sake of a more impressive effect upon the jurors.

ii) With regard to the narrative, three speeches have no proper narratives for the following reasons: Speech III, because an earlier action had been brought against the opponents for perjury, and the orator

preferred to devote the whole speech to reasoning, since the circumstances of the case were supposed to be known already; Speech IV, presumably because the speech is an "epilogue" (δευτερολογία); and Speech IX, because narrative and proof are welded together in order for the subject-matter to be handled more effectively.

In three out of the remaining eight speeches the narratives are divided into two parts, since the orator narrates and proves section by section for the sake of easier comprehension on the part of his audience (Speeches II, VII, and VIII). From the five narratives which are not divided into sections those of Speeches I and XI are conspicuously short, because the orator tries to evade telling the whole truth by concealing several details; while the narratives of Speeches V and VI seem to be extended, because Isaeus tries either to secure the sympathy of the jury for his client and to blacken the opponent's character (Speech V), or to emphasize as far as possible several interesting points of the case (Speech VI).

iii) With regard to the proof, Isaeus seems to be fond of long proofs which he expands: on one occasion by repetitions of thought and "trick"-formulas, to try to reinforce those points which bear much of the weight of the argumentation (Speeches I, V, VIII); on another occasion by skilfully interpolating narrative-passages so that intricate cases may be fully understood (Speeches III, IV, VI, VII); and on another by ethical and pathetic proofs which usually contain personal attack upon the opponent, or an eulogy of the virtue, generosity or public spirit of the client and his ancestors (Speeches IV, 27 ff.; V. 35 ff.; VI. 60 ff.; VII. 31-43). But the main reason why the proofs are expanded is that the orator proves through epicheiremes rather than enthymemes, and the former

constitute forms of argumentation which are developed more precisely and extensively than those of the latter (e.g. I, 18-21; VII. 18-21; VIII. 30-34).

Yet, for tactical reasons, Isaeus is able either to divide the proof into two parts (Speech VI), or to weld it on the narrative (Speech IX).

iv) With regard to the peroration, Isaeus usually neglects the rhetorical precepts; the perorations of Speeches I and VII lack an appeal to pity probably because the cases themselves do not provide the orator with the necessary material, or because Isaeus preferred to leave the judges to estimate their duty rather than to attempt an appeal to their mercy. The peroration of Speech III lacks both an appeal to pity and an admonition to the judges to remember their duty either to the deceased or to their oath or to justice, possibly because the reasoning does not leave room for these conventional devices. The peroration of Speech X includes an argument which Isaeus, disregarding convention, preferred to cite in the epilogue rather than in the proof in an attempt to achieve a more favourable judgement from the jurors. Speech V lacks peroration, perhaps because Isaeus realized that a more impressive effect was to be gained by finishing the speech with a conclusive sentence terminating in a direct address to the opponent. The perorations of Speeches IV and VIII are merely devoted to a denigration of the characters of the opponents in an effort on the part of the orator to gain the sympathy of the jurors for his clients.

Having concluded this investigation of Isaeus' treatment of figures and arrangement and their relationship to the subject-matter, it would seem appropriate to end the present work with the general observation of Dionysius of Halicarnassus (De Isaeo Jud. ch.3) - which throughout the foregoing analysis has been justified - that Isaeus habitually exhausts all the means at his disposal as an orator to advance his cases: τοῖς δὲ πράγμασιν, ὑπὲρ ὧν ὁ λόγος, ἐκ παντός πειρᾶται βοηθεῖν.

B I B L I O G R A P H Y

1.- Texts and Ancient Critical Sources.

Aristotle, Art of Rhetoric *

(E.M. Cope, An Introduction to Aristotle's Rhetoric,
London, 1867; E.M. Cope, The Rhetoric of Aristotle with
a Commentary - ed. J.E. Sandys - vols. 3, Cambridge, 1877).

[Cicero], Ad Herennium *

Cicero, Brutus,* De Inventione,* De Oratore,* Orator,*
Partitiones Oratoriae.*

Demetrius, On Style *

G.M. Grube, A Greek Critic : Demetrius On Style,
Toronto, 1961.

Dionysius of Halicarnassus, Opuscula (ed. Teubner)

Dionysius of Halicarnassus, De Compositione Verborum, (ed. Roberts).

S.F. Bonner, The Literary Treatises of Dionysius of
Halicarnassus, Cambridge, 1939.

Isaeus *

Isaei Orationes, (ed. Teubner).

W. Wyse, The Speeches of Isaeus, Hildesheim, 1967.

Longinus, On the Sublime *

Quintilian, Institutiones Oratoriae,* vols. I - IV.

L. Spengel, Rhetores Graeci, vols. I-III, Teubner, Leipzig, 1853.

* = edition LOEB.

2.- Modern Works

(a) General

F. Blass, Die Attische Beredsamkeit, Hildesheim, 1962 (vols.4).

J. Carriere , Stylistique Grecque, Paris, 1967.

J.D. Denniston, The Greek Particles, Oxford, 1966.

J.D. Denniston, Greek Prose Style, Oxford, 1970.

J.F. Dobson, The Greek Orators, London, 1919.

K.J. Dover, Greek Word Order, Cambridge, 1960.

A.R.W. Harrison, The Law of Athens, vol.I: The Family and Property,
Oxford, 1968.

A.R.W. Harrison, The Law of Athens, vol.II: Procedure, Oxford, 1971.

R.C. Jebb, The Attic Orators from Antiphon to Isaeus, vols. I - II,
New York, 1962.

W.E. Jelf, A Grammar of the Greek Language, vol.I: Accidence,
vol.II: Syntax, Oxford, 1851.

G. Kennedy, The Art of Persuasion in Greece, London, 1964.

W.B. Stanford, The Sound of Greek, California, 1967.

R. Volkmann, Die Rhetorik der Griechen und Römer,
Hildesheim, 1963.

(b) Special Studies.

- W.W. Baden, The Principal Figures of Language and Figures of Thought in Isaeus etc. dis., Baltimore, 1906.
- I.M. Casanowicz, Paronomasia in the Old Testament, diss., Boston, 1894.
- B. Gildersleeve, "The Stylistic Effect of the Greek Participle", *Am. J. Phil.*, XXIV (1888), pp. 137-157.
- D.J. Gillis, Argumentation in Isocrates, Cornell University, Ph.D., 1963 (University Microfilms, Inc., Ann Arbor, Michigan).
- C. Hiddemann, De Antiphontis, Andocodis, Lysiae, Isocrates, Isaei Oratorum Judicialium Proomeis, dis., 1913.
- G.A. Kennedy, "Focusing of arguments in Greek Deliberative Oratory", *TAPhA*, XC (1959), pp. 131-38.
- S.S. Kingsbury, A Rhetorical Study of the Style of Andocides, diss., Baltimore, 1899.
- E.M. Lincke, De Elocutione Isaei, diss., Lipsiae, 1884.
- H.W. Miller, "Isaeus' vocabulary", *CJ*, XXXI (1936), pp. 442-444.
- G.P. Palmer, The topics of Aristotle's Rhetoric as exemplified in the Orators, diss., Chicago, 1934.
- J.C. Robertson, The Gorgianic Figures in Early Greek Prose, diss., Baltimore, 1893.

C.A. Robinson, The Tropes and Figures of Isaeus, diss., Princeton, 1901.

G. Ronnet, Étude sur le Style de Demosthène dans les Discours Politiques, Paris, 1951.

T.D. Seymour, "Hypophora In Isaeus", CR, 1901, pp. 108-109.

S. Usher, Development of Post-Attic Prose Narrative Style, Ph.D. Thesis, (London), 1955.

S. Usher, "Individual Characterisation in Lysias", *Eranos*, LXIII (1965), pp. 99-119.

S. Usher, "Some Observations on Greek Historical Narrative from 400 to 1 B.C.", *Am.J. Phil.*, LXXXI (1960), pp. 358-372.

T.B.L. Webster, "A Study of Greek Sentence Construction", *Am.J. Phil.*, LXII (1941), pp. 385-415.

R.F. Wevers, Isaeus: Chronology, Prosopography, and Social History, Paris, 1969.

*****XXX*****