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Book Reviews: Popular Books Section





HIGHLY ENTERTAINING, VERY READABLE AND QUITE INSTRUCTIVE

Hypereides - The Forensic Speeches: Introduction, translation and commentary *by* David Whitehead. Hardcover, 6" x 9".

Oxford University Press, 198 Madison Avenue, New York, NY 10016 U.S.A., . Publication Date Jan 2001. 544 pages, ISBN 0198152183. Price $240.00

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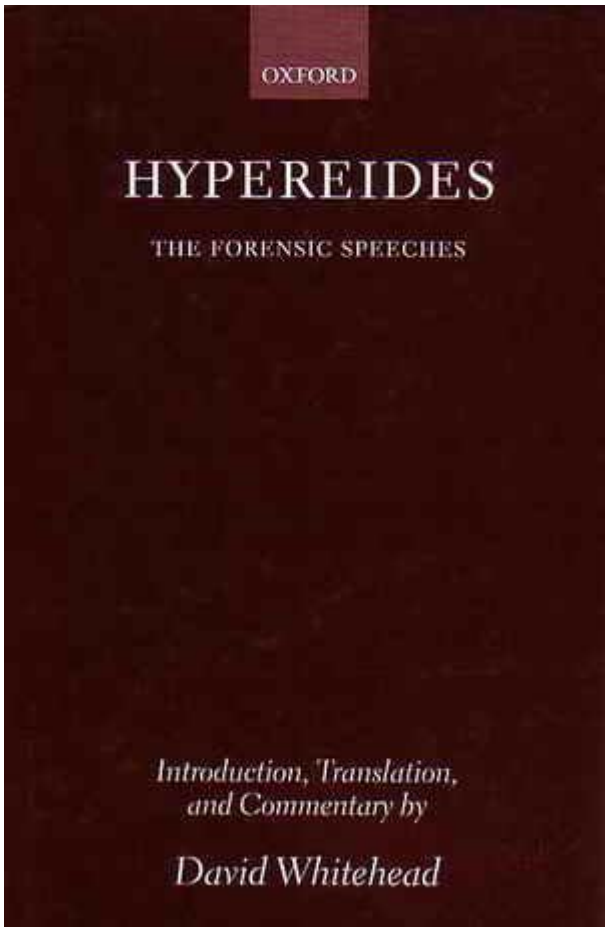

Historians often find it prudent to study the political and art history of ancient Greece in five periods - the Preclassical period, up to the end of the 6th century BC; Archaic period (c. 625-500 BC); Early Classical (c. 500-450 BC); High Classical (c. 450-400 BC) and Late Classical period (c. 400-323 BC).

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Athens, one of the most famous and prosperous ancient cities and the cultural capital of the Greek world, was captured and destroyed by the Persians in 480 BC. The Acropolis buildings were burned and the houses in the lower town mostly destroyed, except for a few that had been spared to house the Persian leaders. Peace with Persia was finally established in 449 BC.

With the ascendance of the Athenian empire in the course of the 5th century BC, Attic - an ancient Greek dialect that was the language of ancient Athens too - became the most prestigious of the Greek dialects. It was adopted later as the standard language by the Macedonian kings too. During this period, Aristophanes of Byzantium and Aristarchus of Samothrace compiled a list of ten greatest Attic orators. These were Aeschines, Andocides, Antiphon, Demosthenes, Dinarchus, Hypereides, Isaeus, Isocrates, Lycurgus and Lysias.

The primary purpose of speech (or oration) in those times - as it is pretty much today too - was to persuade the listeners. What was necessary was that the orator ought to have sounded truthful, even if he was not. Several speeches of these great orators are available today. These speeches were delivered in a wide variety of settings - public occasions, political meetings, and law-courts. Many details concerning the public and private life, politics, social structures, religion, ideology and culture of Athens in the late fifth and fourth century BC are preserved in these speeches. This is why these texts are particularly valuable to modern day social and political historians.

...Lysias delivered many valuable speeches in court. His surviving forensic speeches often deal with crimes against the state-murder, malicious wounding, sacrilege, men fighting over prostitutes, the judicial torture of slaves in Athenian law and taking bribes...

As is true of the lawyers of today -in ancient Greece too- lawyers ought to have sounded convincing. For this reason, the ten great Attic orators - and indeed all other good orators - were in great demand as lawyers. Their speeches are very illustrative in more ways than one. Not only do they offer valuable insights into their political and legal system, they also offer us valuable means to assess how those cases were argued. Lysias (c. 445 BC - after 380 BC) for instance delivered many valuable speeches in court. His surviving forensic speeches often deal with crimes against the state-murder, malicious wounding, sacrilege, men fighting over prostitutes, the judicial torture of slaves in Athenian law and taking bribes. A particularly delightful speech, "*For the Cripple*" defends a cripple's right to a state pension. In this and other works Lysias displays his characteristic adaptability in suiting his composition to the character of the speaker. Though the tone of his professional writing was quiet, he was capable of passionate oratory.

Hypereides (390 BC -322 BC) was one of the classical ten Attic orators, and a contemporary of Demosthenes (384 BC -322 BC) and Alexander the Great (356 BC-323 BC). He has been credited with a total of about seventy seven speeches. All were lost until the second half of the nineteenth century, when papyrus finds in Egypt recovered (in whole or part) six of them. Large fragments of his speeches *Against Imosthenes* and *For Lycophron* and whole of *For Euxenippus* were found in a tomb at Thebes in Egypt in 1847. Nine years later, in 1856, some more of this oratories were discovered. Towards the end of the century further discoveries were made of the conclusion of the speech *Against Philippides*, and of the whole the *Against Athenogenes*. These have been edited by F. G. Kenyon in 1893 (*Hypereides: The Orations against Athenogenes and Philippides*, London, 1893).

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Fortunately for the forensic world, five of these speeches deal with forensic matters (the sixth is a funeral oration). The book under review deals with these five forensic speeches. Of these five, no commentaries are available on three of them in any language. Of the other two, no commentaries are available in the English language.

The book under review gives not only all these five speeches in full, but a detailed and erudite commentary on each of them. The cases are (i) **prosecution of Philippides for an illegal proposal** (winter 336-335 BC) (ii) **defense of Lykophron against an impeachment** (333 BC) (iii) **defense of Euxenippos against an impeachment** (c. 330 BC) (iv) **private prosecution of Athenogenes for damages** (after 330 BC) and (v) **State prosecution of Demosthenes for receiving bribes** (Against Demosthenes, 323 BC). David Whitehead - the author of this book - is a professor of Ancient History at the Queen's University, Belfast, Northern Ireland. He is the author of six books and more than hundred erudite papers. He was one of the best equipped to provide historical and literary commentaries on these speeches.

...Five greatest cases argued by Hypereides were (i) prosecution of Philippides for an illegal proposal (winter 336-335 BC) (ii) defense of Lykophron against an impeachment (333 BC) (iii) defense of Euxenippos against an impeachment (c. 330 BC) (iv) private prosecution of Athenogenes

for damages (after 330 BC) and (v) State prosecution of Demosthenes for receiving bribes (Against Demosthenes, 323 BC). The book under review gives not only details of all these cases, but a detailed and erudite commentary on each of them...

The book under review includes a general introduction, a new and accurate translation, and lavish historical and literary commentary on all these cases. Each speech is dealt with in one chapter. Each chapter starts with an introduction, where the speech is identified, details of the issue are given and detailed information is given on the date of the speech and the defendant. Whitehead then provides an English translation of the speech and finally the commentary, which is the largest and juiciest portion of each chapter.

A brief summary of some the cases would give a glimpse of what we are going to discover in this book. The case of Euxenippos of Lamptrai is interesting. Euxenippos and two other fellow-citizens (who are unnamed) were asked to sleep overnight in the sanctuary of the god Amphiaraos at Oropos, so as to discover, through what the god told them in their sleep, whether a particular tract of land in Oropos belonged to him or could be allocated to two of the ten Athenian tribes, Akamantis and Hippothontis. It was alleged by Polyeuktos - the party trying to prosecute him - that Euxenippos falsely reported his dream concerning this territory, and that he had been bribed for doing so. An action was brought against him for impeachment. Hypereides defends him in his speech. The details of the speech and the commentaries are given in the third chapter of the book.

In another case, Hypereides' client is one Epikrates who proceeds to prosecute a non-citizen Athenogenes. Epikrates had entered into a contract to purchase three slaves and a perfumery with Athenogenes. But he (Epikrates) found the contract intolerable, because of the undisclosed debts that accompanied it. It was Hypereides' task to convince the jurors that in this instance damages would result from it being honored.

...In "the Harpalos affair", Alexander the Great's fugitive treasurer Harpalos was alleged to have stolen 700 talents (one talent of gold about $100,000 modern US dollars)! Of this Demosthenes received about 20 talents. Hypereides fought against him and Demosthenes was fined 50 talents...

Another case - the one against Demosthenes - given in the fifth and final chapter of this book is worth mentioning. It is popularly known as "the Harpalos affair". Alexander the Great's fugitive treasurer Harpalos was alleged to have stolen 700 talents (out of a total of about 5000 talents belonging to Alexander). Talent was a unit of currency in Greece, rather large by today's standards; a talent of gold was roughly a person's weight in gold. Thus in modern dollar equivalent, a talent of gold was worth about $100,000 US dollars! Harpalos had thus stolen the equivalent about 70 million US dollars. When Harpalos fled Athens for Crete, only half the amount was found on the Acropolis, where the money had been deposited. It was alleged that this money had been given away in bribes and of this Demosthenes received about 20 talents (2 million dollars). There is evidence today that if Demosthenes did receive this money, he perhaps used it not for his personal benefits, but for civic constructions etc. Thanks to Hypereides speech - who argued against him - Demosthenes was found guilty of taking this bribe. He was fined 50 talents (interestingly only two and one-half times the amount involved instead of the 10 times usually levied in such cases), and imprisoned. The details of this speech and accompanying commentaries are given in the final chapter.

This book is highly recommended not only to historians, lawyers, police officers, judges and forensic practitioners but to students of Greek literature too. I found it very valuable and it would be one of my most prized possessions.

the linked page (mailto:d.whitehead@qub.ac.uk?subject=Read about your book in Anil Aggrawal's Internet journal of forensic medicine and toxicology&bcc=dr anil@hotmail.com) to send an Email to David Whitehead, the author of this book.

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