

Demetrius of Phalerum

R. Bacon, 1934-35

*Good sound effort.*

## Demetrius of Phalerum

A study of the life of Demetrius of Phalerum presents many perplexities and problems. He appears as the leading figure in Athens for a brief period of ten years, and then disappears almost as suddenly as he had arisen. Literary sources and the few decrees issued during his reign enable us to gather some information of his public career and of his administration; but of the earlier and later periods of his life there is an almost complete silence upon every hand. Furthermore, the information to be found in literary sources is scanty and scattered, the longest and most detailed account of Demetrius coming from such an unreliable source as Diogenes Laertius. There was one other life of Demetrius known in antiquity, written by Asclepiades,<sup>1</sup> but of this nothing remains. The life of Demetrius by Diogenes, then, must of necessity remain the primary source of information concerning him, supplemented of course by the passing references to him in other authors and by the meagre but reliable information to be gained from inscriptions.

Phanostratus of Phalerum had two sons, Demetrius<sup>2</sup> and Himeraeus.<sup>3</sup> Of the latter little need be said except that in 322 B.C. after the battle of Crannon, Himeraeus, in company with Hypereides, Aristomeus of Marathon, and other Democrats, was sent to Cleonae and there executed by order of Antipater.<sup>4</sup>

1 Athenaeus xiii 567

2 Paus. i 25,6; Suidas, Lexicon; Diog. Laert. v 75

3 Plut. Demosth. 28; Caryst apud Athen. xii 542e

4 Lucian Demosth. encom. 31; Plu. opp. cit.;  
Caryst. opp. cit.

Oligarchic in sympathy, Demetrius escaped the fate of his more luckless and democratically-minded brother.

Of the antecedents of Demetrius nothing is known except that his father was Phanostratus. He is spoken of as belonging to the household of Conon and Timotheus,<sup>1</sup> Aelian calling him a houseslave, οἰκότριψ, and Favorinus simply saying that he was not εὐγενὴς ὢν. That Demetrius should have been born a slave, and hence not a citizen, and then should have risen to the supreme control of Athens is almost an impossibility in a state that reserved its offices and magistracies so strictly to its citizenry as did Athens. To explain this inconsistency there are only two alternatives.

1) That the testimony of Aelian and Diogenes must be regarded as false, and assume that Demetrius was born the son of Phanostratus, citizen of the deme of Phalerum, and thus by right of birth Demetrius automatically became a citizen of the same deme. In support of this assumption we find him spoken of as Δημήτριος Φανοστράτου Φαληρέως<sup>2</sup>, the usual manner by which a man who possesses citizenship is designated. 2) If we accept as true the statements by Aelian and Diogenes that Demetrius was slave-born, some such assumption as the following may be made. Born a slave, Demetrius was adopted as the son of Phanostratus of Phalerum, and hence by means of the adoption Demetrius was enrolled as a citizen. No evidence can be cited in support of this last assumption, but the fact Phanostratus should have had two sons so diametrically opposed in their political views as were Demetrius and Himeræus rather tends to confirm this assumption. Furthermore this would help to explain

1 Favorinus apud Diog. Laert. v76; Aelian Var. Hist. xii 43  
2 See above page 1 note 2.

in some measure the seemingly cold-blooded and callous desertion of Himeraeus by Demetrius in 322 B.C.<sup>1</sup>

Demetrius first appears upon the political stage about 324 B.C. at the time when Harpalus in flight from Alexander came to Athens.<sup>2</sup> This fact then would place his birth some twenty-five years earlier, approximately 350 B.C. After the crushing defeat of the Hellenic League in August of 322, Demetrius with Demades, whose civic rights had again been restored, and Phocion formed the embassy which went to Antipater in Boeotia to sue for peace.<sup>3</sup> The embassy succeeded in securing from Antipater the promise not to invade Attica, but in return had to agree to a Macedonian garrison on Munychia, drastic alteration of the constitution, and last but not least, the surrender of the orators who were regarded as the authors of the war.<sup>4</sup> Among the latter was Himeraeus, and thus it came about that Demetrius was in a measure responsible for his brother's death, though the embassy was in no position to do anything but to submit to whatever terms the Macedonian cared to dictate.

After the death of Himeraeus Demetrius sought the friendship and protection of Nicanor, being accused as the account in Athenaeus reads of celebrating the divine appearing of his brother.<sup>5</sup> That this was the real reason seems difficult to believe, and it is far more likely that it was because of political animosity that the change was made. In 318 came the return of the exiles headed by Hagnonides as a result of the proclamation of Polysperchon of the preceding year.<sup>6</sup> These exiles

1 See below

2 Dem. of Magn. apud Diog. Laert. v 75

3 Plut. Phocion 27; Diodor. xviii 18, 2; Demet. *Περὶ Ἐπισημίας* 289

4 C.A.H. vol. vi p. 459

5 Carsyst. opp. cit. also Athen ed. Gulick xii 542 note d

6 C.A.H. opp. cit. p. 473

immediately began reprisals upon the supporters of Antipater, and Demetrius with other oligarchs was forced to flee! Phocion was executed, and Demetrius who had escaped to Nicanor, Cassander's commander of the Macedonian garrison in the Piraeus, was condemned to death in absentia.<sup>2</sup> No doubt it was through the latter's good influence that Demetrius became a friend of Cassander, and thus the way was paved for his eventual rise to the rule of Athens. Athens again became democratic but not for long. Cassander seized Panactum late in 318,<sup>3</sup> and the Athenians, faced with starvation because of Polysperchon's inability to recover the Piraeus and rendered still more helpless by this new loss, were forced to sue for peace.<sup>4</sup> Though no mention is made in Diodorus of the names of the men who arranged the terms of peace with Cassander, quite probably Demetrius was one of them, for it was he who was selected by Cassander to manage the city.<sup>5</sup>

Demetrius' exact title is somewhat uncertain. He is spoken of as ἐπιμελητής twice by Diodorus,<sup>6</sup> again as προστάτης,<sup>7</sup> and again as ἐπιστάτης.<sup>8</sup> Technically Demetrius was the superintendent of Athens, ruling the city in the interest of his Macedonian superior. I.G.11<sup>2</sup> 584 has been restored by Wilhelm to read ἐπιστάτης αἰρέθεις ὑπὸ τοῦ δήμου. Since Demetrius obtained this office from the demos, and not from Cassander, Mr. Sterling Dow suggests νομοθέτης as a better reading for the lacuna.<sup>9</sup>

1 C.A.H. opp. cit. p.475 ff.

2 Ferguson, Hellenistic Athens p.20; Plu. Phocion 35

3 Paus. 1 25,6

4 Diodor. xviii 74,1,2; C.A.H. opp. cit. p.476,480

5 Diodor. xviii 74,3

6 Diodor. xviii 74,3; xx 45,2; Ferguson opp. cit. p.47 n.3

7 Demochares apud Polyb. xii 13,9

8 Strabo ix 398c; Diodor. xx 45,5

9 See Ferguson opp. cit. p.47 n.5, and bibliography cited

Furthermore the latter reading is supported by the fact that Demetrius was known as *ὁ τρίτος νομοθέτης Ἀθηνῶν*<sup>1</sup>. From a decree in honor of Euphron C.I.A. iv 2 231b it can be definitely learned that Demetrius did not assume office before January of 317 B.C. Demetrius ruled Athens for ten years<sup>2</sup>. During this time he was strategos at least four times and archon once.<sup>3</sup>

The foreign policy of Athens was of course necessarily in harmony with the aims and desires of Cassander, and consequently any attempt to study it involves the much larger and more general question of the struggles of the pretenders to the kingdom of Alexander. Such a study is beyond the purposes of this paper, but it might be well in passing to note a few of the events that occurred during this period outside of Athens but with which she was concerned. In 316 we find the Athenians playing a conspicuous part in the rebuilding of the walls of Thebes,<sup>4</sup> a move upon the part of Cassander to strengthen himself in Boeotia. Two years later Demetrius was ordered to send a fleet to Lemnos<sup>5</sup> to help in the subjection of that island which had revolted through the

1 Syncellus 521,12

2 Diodor. xx 45,5; Diog. Laert. v 75

3 From an honorary dedication to Demetrius C.I.A. 1217 we learn Demetrius has been three times strategos and is now holding the office for the fourth time. This was probably 314/3. He would then have been strategos 317/6, 316/5, 315/4. He was archon in 309/8 (Duris apud Athen. xii 542e; Dionys. Hal. Dinarchus 9 p.650,5; Diodor. xx 27,1) and general again 308/7 (Polyaenus iv 7,6) For the years 313/2-310/9 there is no information but probably Demetrius was strategos for those years. See Ferg. opp. cit. p.47 n.5 and bibliography cited there.

4 Diodor. xix 54,1,2

5 Diodor. xix 68,3 ff.

instigation of Antigonus. Then in 313 B.C. we find Demetrius opening negotiations with Antigonus as the result of the successes of Ptolemaeus in Boeotia.<sup>1</sup> These negotiations were broken off because of the abandonment of Antigonus' European campaign the following year, and in 311 the conclusion of a general peace among the contenders made it possible for Demetrius to enjoy the years 311-7 in peace and security.<sup>2</sup>

Antigonus, however, was not yet finished with Athens, and knowing full well that the oligarchic government of Demetrius could be pleasing only to the small circle of Macedonian sympathizers, he was waiting merely for the opportunity to intervene. In 308 Ptolemy of Egypt formally proclaimed the freedom of Andros, Corinth, and Sicyon,<sup>3</sup> and in the following year Antigonus, doubtless using Ptolemy's proclamation as a pretext for his own intervention into Athenian affairs, sent his son Demetrius Poliorcetes to the Piraeus. The latter appeared off the Piraeus with two hundred and fifty ships on the twenty-fifth of the month of Thargelion. Finding the harbor booms down, he at once sailed in, and from the deck of his ship proclaimed the freedom of Athens and the restoration of her laws and ancient form of government.<sup>4</sup> Demetrius of Phalerum withdrew to Athens, and Dionysus, commander of the Macedonian garrison, surrendered the Piraeus and retired to the fortress on Munychia where he was besieged.<sup>5</sup> On the following

1 Diodor. xix 78,4

2 Ferguson opp. cit. p.52 ff.; C.A.H. opp.cit. p.487 ff.

4 Plu. Demetrius 8; Polyaeus iv 7,6 records that Demetrius Poliorcetes came to the Piraeus with only twenty ships, the remainder staying at Sunium.

3 C.A.H. opp. cit. p.494 ff.

5 Plu. opp. cit. 8; Diodor. xx 45,3

day Demetrius with some others was sent on an embassy to Demetrius Poliorcetes, and, upon obtaining a promise of safe escort from him, he went into exile.<sup>1</sup> That in the main is the outline of the events relating to the freeing of Athens, but there are one or two inconsistencies in the sources. In Plutarch, Demetrius Poliorcetes throws a besieging force about Munychia, sails to Megara to expel the Macedonian garrison there, and it is not until his return from that place that he drives the garrison out of Munychia and enters Athens in triumph.<sup>2</sup> Diodorus, on the other hand, places the capture of Munychia and the entry into Athens within a few days of the arrival of Demetrius Poliorcetes at the Piraeus.<sup>3</sup> The Megaraian episode in the latter author is subsequent to all the events at Athens. The Parian Marble dates the downfall of Demetrius in the archonship of Kairimos - 308/7,<sup>4</sup> whereas Diodorus places it in the archonship of Anaxicrates - 307/6;<sup>5</sup> yet both sources date the capture of Munychia and entry of the Antigonid into Athens in the archonship of Anaxicrates.<sup>6</sup> The difference in the dating of the retirement of Demetrius of Phalerum may, I think, be explainable in this manner. Demetrius Poliorcetes enters the Piraeus, and Demetrius of Phalerum withdraws to Athens in the month of Thargelion, May 307, yet still in the archonship of Kairimos.<sup>7</sup> This is in accord with the Parian Marble. Diodorus, on the other hand, while correct in his dating of the capture of Munychia in the archonship of Anaxicrates, places the withdrawal

1 Plu. Demet. 9; Diodor.xx 45,4

2 Plu. opp. cit. 9,3; 10,1

3 Diodor.xx 45,7;46,1

4 Athen. Mitt. xxii p.189v.25

5 Diodor.xx 45,1

6 Athen. Mitt. opp. cit.v.26;Diodor.xx 45,1;46,1;also Philoch. apud Dionys.Hal. Din.3p.636,10;2p.633,16;9p.650,5

7 Anaxicrates assumed office July 307, see Athen. calendar in Classical Philology iii,1908,p.386

of Demetrius coincident with the latter event, evidently unaware that between the arrival of Demetrius Poliorcetes at the Piraeus and the capture of Munychia the Megarian episode intervened, a lapse of time sufficiently long to place the arrival of the Antigonid and the withdrawal of Demetrius in the late spring or early summer, and hence still in the archonship of Kairimos.

The reign of Demetrius was productive of several reforms, and it is upon these that the reputation and fame of Demetrius depend. Tradition records that he was a friend and pupil of the peripatetic Theophrastus<sup>1</sup>, and though Aristotle died in 322<sup>2</sup> when Demetrius was just entering upon his political career,<sup>3</sup> it is conceivable that the latter may have studied under him before becoming so intimately connected with Theophrastus. However that may be, the reforms of Demetrius bear the mark of the teachings and influence of Theophrastus, though quite probably the basic ideas underlying them may be traced through Theophrastus to Aristotle, inasmuch as Theophrastus was the successor of the latter. The Parian Marble dates the reforms of Demetrius in the first year of his reign - that is, in the archonship of Demogenes,<sup>4</sup> 317/6. It is unlikely that anything more than the revision of the franchise was attempted the first year. At that time the franchise was limited to those possessing one thousand drachmas or more,<sup>5</sup> and election by show of hands

1 Diog. Laert. v 39, v 75; Stabo ix 398; Cic. De. Leg. iii 6, 7  
iii 14; De. Fin. v 54; De. Offic. i 3

2 Diog. Laert. v 10

3 above page 2

4 Jacoby, Marmor Parium p. 22, 13

5 Diodor. xviii 74, 3

from among all the citizens was substituted for election by lot and rotation of offices among the tribes.<sup>1</sup> This change was in keeping with oligarchic principles, for it limited the franchise to the upper classes - presumably the least inclined to democracy; and the change in the method of voting was brought about because the citizen body was now reduced sufficiently in size to make such a procedure feasible. The main body of Demetrius' reforms was probably instituted the following year, 316/5.<sup>2</sup>

One of the principal administrative moves of Demetrius was the institution, or revival, of the nomophylaces. Harpocration defines the nomophylaces as follows:

*ἀρχὴ τις παρ' Ἀθηναίοις οὕτω ἐκαλεῖτο, διαφέρονσα τῶν θεσμοθετῶν. Φιλόχορος ἐν τῷ ἐβδόμῳ ἄλλα τε τινα διεξήλθε περι αὐτῶν καὶ ὅτι οὗτοι τὰς ἀρχὰς ἐπὶ νάγκῃ τοῖς νόμοις χρῆσθαι.<sup>3</sup>*

The seventh book of Philochorus deals with the time of Demetrius.<sup>4</sup> Suidas defines nomophylaces in precisely the same terms as Harpocration except that he makes no mention of Philochorus. In the appendix Photii Porsoni there is the following definition:

*Νομοφύλακες ἕτεροι εἰσι τῶν θεσμοθετῶν, ὡς Φιλόχορος ἐν τῇ ζ'. οἱ μὲν γὰρ ἀρχόντες ἀνέβαινον εἰς Ἄρειον πύλον ἐστειφανωμένοι, οἱ δὲ νομοφύλακες στροφία χαλκῆ ὄγοντες καὶ ἐν ταῖς θέαις ἐναντίον ἀρχόντων ἐκαθέζοντο. καὶ τὴν πομπὴν ἐπέμπον τῇ Παλλάδι, τὰς δ' ἀρχὰς ἠνάγκαζον τοῖς νόμοις χρῆσθαι.*

1 Ferguson opp. cit. p.39 ff.

2 For a thorough discussion of the date of D.'s reforms see *Klio* 1911 p.265 ff.

3 F.H.G. 1 p.407, 141b

4 In libro septimo (Philochori) memorati sunt magistratus, quos Demetrius Phalereus constituit. Credibile est hunc librum ab Olymp. cxv 3 usque ad Olymp. cxvii7. (Mueller F.H.G. 1 p.407)

τοῖς νόμοις χρῆσθαι, καὶ ἐν τῇ ἐκκλησίᾳ καὶ ἐν τῇ  
 βουλῇ μετὰ τῶν προέδρων ἐκάθοντο, κωλύοντες τὰ  
 ἀσύμφορα τῇ πόλει πράττειν. Ἐπτα δὲ ἦσαν, καὶ  
 κατέστησαν, ὡς Φιλόχορος, ὅτε Ἐφιάλτης μόνα  
 κατέλιπεν τῇ ἐξ Ἀρείου πάγου βουλῇ τὰ ὑπὲρ τοῦ  
 σώματος.<sup>1</sup>

There are two things to be noted in the comparison of the two definitions. A) According to Harpocration the nomophylaces were not thesmothes; whereas Photius says they were. B) Harpocration seems to imply that the nomophylaces were instituted in the time with which the seventh book deals, namely at the time of Demetrius; whereas Photius states that according to Philochorus they were instituted in 462/1. Turning to the statements of Pollux concerning the nomophylaces, there is the following;

Onomasticon viii 94

νομοφύλακες ἔστε φάνωνται μὲν στροφίῳ λευκῷ,  
 τὴν δὲ πομπὴν πέμποῦσι τῇ θεῷ, τοῖς δὲ προέδροις  
 ἐν ἐκκλησίαις συγκαθίζουσιν, διακωλύοντες  
 ἐπιχειροτονεῖν ὅσα μὴ συμφέροι.

This passage is in complete accord with the two passages cited above. The duties of the nomophylaces are clearly defined, and there is no disagreement as to the functions of the nomophylaces, but in another passage of Pollux there is the following:

Onomasticon viii 102

οἱ ἑνδεκά εἰς ἑκάστης φυλᾶς ἐγένετο, καὶ γραμματεῖς  
 αὐτοῖς συνηριθμαῖτο, νομοφύλακες δὲ κατὰ τὸν Φαλίφρα  
 μετωνομάσθησαν, ἐπεμελοῦντο δὲ τῶν ἐν τῷ δεσμοφυρίῳ  
 καὶ ἀπὺγον κλέπτας, ἀνδραποδιστὰς - - - -

<sup>1</sup> F.H.G. I p. 407, 141a

Here Pollux states that the Eleven, the Police Commissioners of Athens, were renamed nomophylaces in the time of the Phalerean. Briefly summing up the four passages cited we find A) that the nomophylaces were and were not thesmothetes; B) that they were instituted in 462/1, and yet it is implied that they were created in the time of Demetrius; C) that they were the Eleven, but were renamed nomophylaces in the time of the Phalerean; D) that they compelled the magistrates to conform to the laws, sat in the ecclesia and maintained a supervision over the legislation of that body, and furthermore it was their duty to act as police commissioners supervising prisons and the punishment of criminals. The last passage quoted is undoubtedly incorrect and may be safely explained as a confusion on the part of Pollux of the Eleven and the nomophylaces; and yet, however, the passage is important in that it is the only place where the nomophylaces are definitely connected with Demetrius. Much has been written in an attempt to clarify and resolve the difficulties and inconsistencies that appear in the above passages. Ferguson, in Klio 1911 p.271 ff., has set forth an exhaustive study of the nomophylaces, their powers, and the date of their creation. Whether the nomophylaces were created by Demetrius or simply revived by him, the interesting and significant point in their connection with Demetrius is that they did exist in his administration and existed with the powers which Harpocration, Photius, and Pollux attribute to them. That the nomophylaces should sit in the ecclesia and maintain an active check and guidance upon the legislation of that highly democratic body is illustrative of the oligarchic policy of Demetrius; and how great was their success in curbing the ecclesia and keeping it under the control of Demetrius may easily be

judged from the paucity of decrees issued by that body during the ten years of his reign. The origin of the nomophylaces probably is to be found in Aristotle, for from his Politics comes this passage:

In oligarchies, on the other hand, it is advantageous either to co-opt some persons from the multitude, or to institute an office like the one that exists in certain constitutional governments under the name of Preliminary Councillors or Guardians of the Law (νομοφύλακες) (iv 1289b Loeb translation)

and again this passage concerning probouleumatic bodies:

This (the office of Preliminary Councillors) is undemocratic, although a Council is a popular body, for there is bound to be some body of this nature to have the duty of preparing measures for the popular assembly, in order that it may be able to attend to its business; but a prefatory committee, if small, is oligarchical, and Preliminary Councillors must necessarily be few in number, so that they are an oligarchical element. (iv 1299c Loeb trans.)

From a long fragment of the Laws of Theophrastus

οὐ χρεὶν δ' ἀγνόειν ὅτι αἱ προγραφαὶ καὶ αἱ προκυρήξεις  
καὶ ὅλως ὅσα πρὸς τὰς ἀμφισβητήσεις ἐστὶ πάντ' ἢ τὰ  
πλείστα δι' ἑλλείψιν ἑτέρου νόμου τίθεται. παρ' οἷσ' γὰρ  
ἀναγραφὴ τῶν κτημάτων ἐστὶ καὶ τῶν συμβολαίων,  
ἐξ ἑκείνων ἐστὶ μαθεῖν εἰ ἐλεύθερα καὶ ἀνέπαφα  
καὶ τὰ αὐτοῦ πολεῖ δικαίως, εὐθὺς γὰρ καὶ μετογγράφει  
ἢ ἀρχὴ τῶν ἐωνυμίων (Stob. Flor. iv 44,20 ed. Heuse)

we learn that he advocated a public registry of property and contracts as a means of ceasing law suits and other difficulties arising because of the uncertainty as to ownership and clear title to property. Demetrius did not go so far as to set up a public bureau for the registry of deeds, but he did seem to aim at providing the courts with a means of judging law suits, by requiring the deposit of deeds and other documents of transactions with a third party.<sup>1</sup>

<sup>1</sup> Klio, 1911 p.270; Ferg. opp.cit. p.43

Demetrius increased the number of jurors to try cases of eisaggelia from one thousand to fifteen hundred.<sup>1</sup> This move is significant in that in view of the disenfranchisement of the poor, it reserved to the upper classes the right to pronounce judgment upon men of public life accused of treason to the state, betrayal of military or naval forces, or, in the case of an orator, of misguiding the ecclesia upon some political action. It well illustrates Demetrius' policy of maintaining his own power by securing a majority of men of oligarchic sympathies in the positions of importance and responsibility in the state, as in this case it was left to men of his own party to pronounce judgment upon men accused by the democratic ecclesia.

Another reform of Demetrius was the institution of the gynaecomoi or the Supervisors of Women,<sup>2</sup> a social rather than political reform aimed at curbing the licentiousness and vice so prevalent in Athens and of which the New Comedy gives much evidence. Their title was not so inappropriate as it might seem at first sight, for they were instituted primarily to regulate the *ἐξοδοί* or public appearances of women.<sup>3</sup> It seems clear from Plutarch, Solon 21, that the duties of the gynaecomoi were extended to include the supervision of funeral ceremonies and to see to it that there was no undue expense in connection with the burial of the dead. There was a law in Syracuse forbidding the wearing of gold ornaments or gaily-colored clothes by women, and it entrusted

1 Pollux viii 53; Philoch. frag. 155b, F.H.G. 1 410

2 Timocles and Menander apud Athen. vi 245a-c  
Philoch. frag. 143, F.H.G. 1 408

3 Aristotle, Politics iv 1300a

to the gynaeconomi not only the duty of supervising this regulation, but also gave them the power to exact penalty for infraction of the law<sup>1</sup>; and it seems highly probable that some such restriction against costly apparel was also in force in Athens, and that it was the duty of the gynaeconomi to see to its enforcement. Furthermore not only was it the duty of the gynaeconomi to enforce these restrictions, but it seems they were also given the power to exact fines for infractions<sup>2</sup>. The utterly care-free attitude prevalent in Athens must have been the despair of Demetrius, and it is not strange that a man whose character was such as to cause him to utter such sentiments as the following:

τοὺς νέους ἔβριμ δειν ἐπὶ μὲν τῆς οἰκίας τοὺς γονέας  
αἰδεῖσθαι, ἐν δὲ ταῖς ὁδοῖς τοὺς ἀπαντῶντας, ἐν  
δὲ ταῖς ἐρημίαις ἑαυτοῦς. (Diog. Laert. v 82)

should be the one to attempt to check this spirit of abandon.

There is no need to look beyond Theophrastus to Aristotle to find the influences which which were the basis for the institution of the gynaeconomi, for from the Laws of Theophrastus come the following fragments:

παρα δὲ Μασσαλιώτας ἄλλος νόμος τὰς γυναῖκας ὑδροποτῶν,  
ἐν δὲ Μιλύτων ἔτι καὶ νῦν φησι Θεοφράστου τοῦτ' εἶναι  
τὸ νόμιμον.<sup>3</sup>

and again:

οὐ χρὴ δὲ τὴν γυναῖκα δεινὴν ἐν τοῖς πολιτικοῖς  
ἀλλ' ἐν τοῖς οἰκονομικοῖς εἶναι.<sup>4</sup>

1 Phylarchus apud Athen. xii 521b

2 Plu. Solon 21; Pollux, Onomaviii 112, the latter adds that the fines were committed to writing and posted on the plane tree in the Ceramicus.

3 Athen. x 529b (Wimmer, Theo. frag. cxvii)

4 Wimmer opp. cit. frag. clvii (Stob. Serm. 83p.481)

and a third fragment:

οὔτε ὄραν οὔτε ὄρασθαι γυναῖκα καὶ ταῦτα  
ἐξυσηκνημένον πρὸς κάλλος. ἐπίσταται γὰρ  
ἀμφότερα πρὸς ἅ μὴ δεῖ.<sup>1</sup>

Surely the issue of such views must have been the institution of gynaeconomoi to regulate the conduct of women.

Extravagant and lavish outlay upon funeral ceremonies and grave monuments had long been characteristic of Athens, and even as early in the history of Athens as the time of Solon, attempts were made to check by legislation the costly expenditure upon funerals and the glorification of the dead,<sup>2</sup> but the laws of Solon had long since been disregarded, and the remembrance of the dead became more and more costly as the various families vied with one another in lavishness of ceremony, and size and beauty of monument. Demetrius attempted to check this costly expenditure by limiting the size of monuments to not more than three cubits in height, and by ordering funeral services and the actual burying of the dead to be held before daybreak.<sup>3</sup> The latter provision was aimed not only at reducing the cost of the processions, but at eliminating much of the pomp and professional display of mourning that were equally so offensive to good taste.

As in the case of the gynaeconomoi, these sumptuary laws probably find their origin in Theophrastus, for in his will there is this passage:

θάψαι δὲ καὶ ἡμᾶς ὅπου ἂν δοκῆ μάλιστα ἁρμοττόν εἶναι  
τοῦ κήπου μηδὲν περιέρχον μήτε περὶ τὴν ταφὴν μήτε  
περὶ τὸ μνημεῖον ποιούοντο (Diog. Laert. v 53)

1 Wimmer opp. cit. frag. clvii (Stob. Serm. 72p.439)

2 Plu. Solon 21

3 Cicero, De Leg. ii 66

In the will of Strato, the successor of Theophrastus, there is something of the same nature;

ἀπὸ δὲ τοῦ Ἀθήνησιν ὑπάρχοντός μου ἀργυρίου  
πρῶτον μὲν οἱ ἐπιμελιταὶ τὰ περὶ τὴν ἐκφοράν  
ἐπιμεληθήτωσαν καὶ ὅσα νομίζεσθε μετὰ τὴν  
ἐκφοράν μηδὲν μῆτε περίεργον ποιούντας μὴτ'  
ἀντὶλευθέρων. (Diog. Laert. v 61)

In this connection it is rather striking to find that in the will of Aristotle there is no such provision against extravagance upon his funeral or monument.<sup>1</sup>

Perhaps the greatest reform of Demetrius was the abolition of the leiturgies, the public services expected of the very wealthy men in the state. It had been the custom formerly for the archon to select three of the wealthiest men in the state, and it devolved upon these chosen men to finance the tragic choruses for the Dionysia, the Lenaea, and the Thargelia.<sup>2</sup> As archon, then, Demetrius would have had to select three wealthy men to provide funds for the production of choruses, and also to see to it that the tribes chose men to pay for the presentation of comedies and the men's and boy's dithyrambic contests; but Demetrius changed the whole institution and made the state defray the expenses of all the choruses. The choregi were abolished, and henceforth an official, with the title of agonothes and elected for one year, assumed charge of the choruses and met the expenses of the latter

<sup>1</sup> Diog. Laert. v 11ff; the philosophic basis for the law is to be found in Plato, Laws xii 958d,e

<sup>2</sup> Aristotle, Const. of Athens 56 2 ff.

from money contributed by the state.<sup>1</sup> The importance of this reform scarcely needs comment, for it relieved the wealthy men of the state of what had been hitherto a heavy and grievous burden. There was some precedent for this reform, for at one time the superintendants of the Dionysiac procession had had to pay for the expenses of that ceremony, but in the time of Aristotle they received one hundred minas from the state.<sup>2</sup>

Though the date is not fixed, it may have been during his archonship that Demetrius held a census of the people,<sup>3</sup> the first recorded instance of a complete census in the history of Greece. It was found that there were twenty-one thousand citizens, ten thousand metics, and the obviously incredible number of four hundred thousand slaves.<sup>4</sup> The object of the census is not known, but it may have been carried out to determine the number of men of military age Athens could muster in the advent of war.<sup>5</sup>

In addition to the extensive reforms that he instituted, we hear of Demetrius as being the first to introduce the Homeric rhapsodists into the Dionysia.<sup>6</sup> He dispensed doles to the poor and needy,<sup>7</sup> and looked out for the comfort and well-being of the citizens by taking care that "the market was plentifully supplied and cheap, and that there was an abundance of all the necessities

- 1 This reform can not be dated exactly. There are choregi mentioned as late as 317/6 in I.G.ii 5 584b; agonotheses is first mentioned in I.G.ii 3 1290,307/6. It is probable that this reform Demetrius instituted as archon 309/8. Cf. Duris apud Athen. xii 542c
- 2 Aristotle, Const. of Athens 56 4
- 3 Ctesicles apud Athen. vi 272b
- 4 Gomme, Pop. of Athens in v and iv Cent. p.18 n.5
- 5 Gomme opp. cit. p.19
- 6 Athenaeus xiv 620b
- 7 Plu. Aristides 27 this may have been an exceptional case, for it concerned a descendant of Aristides.

of life for everybody."<sup>1</sup> He freed the philosopher Theodorus, about to be arraigned before the Areopagus on a charge of impiety,<sup>2</sup> and bought the garden for his friend and teacher Theophrastus.<sup>3</sup>

That Demetrius was in favor with the people during the ten years of his rule is evidenced by the fact that no less than three hundred and <sup>SIXTY</sup> ~~fifty~~ statues were set up in his honor,<sup>4</sup> but the instant that Athens was freed from his rule, revulsion and hatred of Demetrius gained the ascendancy, and the statues were thrown down.<sup>5</sup> So strong in fact was the hatred of Demetrius that the comic poet Menander was very nearly brought to trial for no other reason than that he was a friend of Demetrius.<sup>6</sup> His administration has been commended in the highest terms. Of his reign Diogenes Laertius says:

πολλὰ καὶ κάλλιστα τῇ πατρίδα ἐπολιτεύσατο, καὶ γὰρ προσδοκῶν καὶ κατασκευαῖς ἤνευξε τὴν πόλιν (v 75)

and Strabo;

ὅς (αὐτὸς) οὐ μόνον οὐ κατέλυσε τὴν δημοκρατίαν, ἀλλὰ καὶ ἐπυνώρθησε. (ix 398)

and Cicero;

postremo civitatem exsanguinem iam et iacentam doctus vir Phalereus sustentassit. (De Reb. 11 2)

On the other hand Plutarch speaks of the reign of Demetrius as an oligarchy in name but a tyranny in deed, (Demet. x) and

1 Demochares apud Polyb. xii 13,10

2 Diog. Laert. ii 101

3 Diog. Laert. v 39

4 Diog. Laert. v 76; Pliny N.H. xxxiv 37; Nepos Milt. vi 4; Strabo ix 398; Plu. Prae. ger. reip. 820e

5 Diog. Laert. opp. cit.; Strabo opp. cit.

6 Diog. Laert. v 79

Demochares (apud Polybius xii 13) tells us that it was the boast of Demetrius that Athens was the subject of Cassander.

With the arrival of Demetrius Poliorcetes at the Piraeus, Demetrius fled into exile<sup>1</sup> and was condemned to death in absentia.<sup>2</sup> He went first to Thebes and then later to Egypt.<sup>3</sup> Of his stay at Thebes there is almost nothing known. From Polyaeus iii 15 we learn the rather curious item that Demetrius at one time was on the point of being captured by Thracians, but that he hid himself in a hay wagon and thus escaped into the neighboring country. He evidently led a much more humble existence at Thebes than he did at Athens.<sup>4</sup> It is probable that he lived for some time in Boeotia before withdrawing to Egypt and seeking the protection of Ptolemy Soter.<sup>5</sup>

Demetrius seems to have held the position of librarian at Alexandria under Ptolemy.<sup>6</sup> He drew up the law code for Ptolemy,<sup>7</sup> and counselled him to study philosophical tracts upon the subject of kingly power.<sup>8</sup> Cicero describes the manner in which Demetrius spent his leisure time thus;

multa praeclara ----- scripsit, non ad usum aliquem suum quo erat orbatus; sed animi cultus ille erat ei quasi quidam humanitatis cibus. (De. Fin. v 54)

Demetrius seems to have taken too great an interest in Ptolemy's private affairs, and this eventually led to his death. He advised

1 above page 7

2 Diog. Laert. v 77; Philoch. frag.144, F.H.G. l 408

3 Strabo ix 398; Diodor. xx 45,4; Herm. apud Diog. L. v78; Cic. de Fin. v 54; Syncellus 521,13; Ael. Var. H. iii17

4 Plu. Moralia (Quamodo Adul. Am. Inter.) 69b

5 Clinton F.H. iii p.478 places the withdrawal of D. to Egypt in 296 after death of Cassander. cf. Diog. L.v78

7 Ael. Var. Hist.iii 17. This code has many similarities with the one in Athens, see Klio,1911,p.276

6 Josephus, Jew. Ant. xii 12,34

8 Plu. Reg. et Imp. Apoph. 189d

Ptolemy to bestow the sovereign power upon his son by Eurydice, but he designated Ptolemy Philadelphus, his son by Berenice, as his successor.<sup>1</sup> Ptolemy died in 283, and the new Ptolemy immediately made Demetrius a prisoner. Demetrius was detained a short while in prison, and then died of an asp-bite received in his sleep, as the traditional account reads.<sup>2</sup> It is quite evident that Ptolemy Philadelphus, either distrustful of or revengeful of the man who had favored his half-brother's interests against his own, simply had Demetrius executed. Demetrius was buried in the district of Busiris near Diospolis.<sup>3</sup> One other point in connection with the exile of Demetrius might be noticed. In Josephus (Contra Apionem ii 46; Jew. Antiq. xii 12,34) Demetrius is still acting as the librarian at Alexandria under Ptolemy Philadelphus, and is credited with making a Greek version of the Pentateuch. Josephus here seems to be confusing Demetrius of Phalerum with a Jewish historian of the same name, and there is no evidence to dispute the traditional date of Demetrius' death as following close upon that of Ptolemy Soter.

What, then, is the traditional opinion of Demetrius? His character as reflected in his public and private life presents a curious and striking complex. "The man who made statutes and ordained the conduct of lives for other people constructed his own life with utter freedom from law."<sup>4</sup> Evidently a handsome man,<sup>5</sup> but inordinately vain of his personal appearance, he dyed his hair blonde, rubbed rouge upon his face, and used salves and ointments

1 Hermippus apud Diog. Laert. v 78

2 Hermippus opp. cit.; Cic. pro C. Rabirio Post. 23

3 Hermippus opp. cit.

4 Duris apud Athen. xii 542d

5 Diog. Laert. v 76; Suidas; he is called Χαριτοβλέφαρον, Λαμπιτώ

so that he would appear attractive to all he met.<sup>1</sup> He kept open house for courtesans, corrupted the beautiful young men and boys of Athens, and seduced other men's wives.<sup>2</sup> He was luxurious and extravagant in his habits, spending lavishly upon banquets and entertaining great numbers of guests.<sup>3</sup> The charge is brought against him that he received twelve hundred talents annually, and of this he spent little upon the army and administration, but diverted the greater part to his own lusts and incontinent habits.<sup>4</sup> His relations with boys and courtesans, while surprising in the light of modern standards of conduct, was by no means unusual in the Athens of his day; but the latter charge of lavish entertainment is indeed remarkable in that it is laid at the feet of the man who promulgated such legislation as the sumptuary laws, the *gynaecomoi*, and the abolition of the *leiturgies*. How, then, is it possible to reconcile his private life with the fact that his administrative programs was aimed at abolishing much of what his life seemed so full? Any explanation of this is purely conjectural, but it may well be that Demetrius was solely interested in the economic welfare of the Athenians, and for that reason alone instituted measures to keep them from ruinous debts. One would like to believe that all the aspersions cast upon him were but the idle gossip of scandalmongers, and that through the confusion of names, much that has been said to the discredit of Demetrius might far more properly be said of Demetrius Poliorcetes.<sup>5</sup>

1 Duris apud Athen. xii 542d-e

2 Duris loc. cit.

3 Duris loc. cit.; Carystus apud Athen. 542f

4 Duris loc. cit. It is interesting to note that Ael. Var. Hist. ix 9 tells the same story of Demetrius Poliorcetes.

5 D. has a mistress by the name of Lamia, Diog. L. v76, likewise D. Pol., Plu. Demet. 21; cf. n.4

Whatever may be the real truth as to the private life of Demetrius, there is no doubt but that he was endowed with remarkable intellect and extraordinary talent.<sup>1</sup> Of his ability Cicero speaks in the highest praise:

Mirabiliter doctrinam ex umbraculis eruditorum otioque non modo in solem atque in pulverem, sed in ipsum discrimen aciemque produxit ----- qui vero utraque re excelleret, ut re doctrinae studiis et regenda civitate princeps esset. (De. Leg. iii 14)

and again:

Phalereus enim eis senibus adulescens eruditissimus ille quidem omnium horum, sed non tam armis institutus quam palaestra; praecesserat enim in solem et pulverem, non ut eemilitari tabernaculi sed ut e Theophrasti doctissimi hominis umbraculis. (Brutus 37)

He is called by Quintillian the last of the Attic orators<sup>2</sup>

Philosophic in style with an admixture of rhetorical vigor and force,<sup>3</sup> "he charmed his audiences rather than arousing them."<sup>4</sup>

He wrote a great number of treatises and papers upon historical, political, and various other subjects, "surpassing nearly all contemporary Peripatetics in number of works and total length of lines."<sup>5</sup> Of his works probably the most important were the *Περὶ Νόμων*, *Περὶ τῆς Ἀθηνῶν Νομοθεσίας*, *Περὶ τῆς Δικαστίας*, and the *Ἀρχόντων Ἀναγραφὴ*.<sup>6</sup> The latter is not listed by Diogenes Laertius with his other works, but it is mentioned by Diogenes in l 22, again in ll 7, and by Marcellinus, Vit. Thuc. 50. The subject of this work was evidently a list of the archons, and perhaps a brief account of the principal events that happened during the repective years of office.<sup>7</sup> Of the Laws nothing has

1 Diog. Laert. v 80

2 Institutio Oratoria x 80

3 Diog. Laert. v 82

4 Cic. Brutus 37

5 Diog. Laert. v 80

6 See list of D.'s writings, Diog. Laert. v 81

7 F.H.G.ll 362ff.

survived, and but few fragments of the *Περί τῆς Ἀθηνῶν Νομοθεσίας* remain.<sup>1</sup> The loss of the Laws is perhaps the most severe, for it no doubt would have shed considerable light upon the reforms which Demetrius instituted. As we learn from Strabo ix 398, the *Περί Δεκαετίας* was a history of the rule of Demetrius and seemingly a defense of his oligarchic government.

1 F.H.G. opp. cit.