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*Graeco-Latina Brunensia*. 2013, vol. 18, iss. 1, pp. [159]-170

ISSN 1803-7402 (print); ISSN 2336-4424 (online)

Stable URL (DOI): <https://doi.org/10.5817/GLB2013-1-12>

Stable URL (handle): <https://hdl.handle.net/11222.digilib/127204>

Access Date: 18. 03. 2026

Version: 20220831

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## KILLING OF ERATOSTHENES BETWEEN REALITY AND MIME (OR, WAS LYSIAS 1 REALLY PRONOUNCED?)

*Lysias' speech On the Murder of Eratosthenes deals with a case of a husband (named Euphiletus) who caught an adulterer (called Eratosthenes) in flagrante delicto with his wife, killed him and pleaded before a court that what he had done was in keeping with law. In a stimulating article written in 1997, J. R. Porter pointed out many parallels with plots of mimes and adduced some additional arguments from comparison with other Athenian court speeches, which led him to suggest that the speech has never been pronounced and is actually a rhetorical exhibition, made by Lysias in order to advertise his skill. The main purpose of this paper is to challenge this assumption. Further, a tentative suggestion concerning the date of the speech's composition is made. A problem of a familiarity of average Athenian with mimic productions is raised, too.*

**Key words:** Lysias, ancient Greek oratory, ancient Greek mime, Athens.

Lysias, son of Cephalus, an elder contemporary of Plato, was ranked among the ten canonical Attic orators by the Alexandrine scholars and was famous for lucidity of his style and vividness of his characterisation (*ethopoia*).<sup>1</sup> It is commonly held<sup>2</sup> that he began his literary career in 403 BCE, after his family's prospering weaponry manufacture had been confiscated by an oligarchic régime of Thirty tyrants. Lysias then became a *logographos*, that is, a man who was writing court speeches for others.<sup>3</sup> Of

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<sup>1</sup> For the precise meaning of the term which implies rather an active creation of character than its precise description, see, e. g., USHER (1965: esp. 99n2), CAREY (1989: 10–11), referring to ARIST. *Rhet.* 1408a or D. H. *Lys.* 7–9, CAREY (1994b: 39–42), COOPER (2007: 210).

<sup>2</sup> See, e. g., BLASS (1887: 347), KENNEDY (1963: 134), CAREY (1989: 2–3), BEARZOT (1997: 95), TODD (2007: 12–13).

<sup>3</sup> The theory of DOVER (1968: 148–196) that *logographos* was rather a consultant and

more than four hundred speeches attributed to him in the antiquity ([PLUT.] *Mor.* 836a), some thirty pieces survived, some of them mutilated, others forgeries.

The speech habitually assigned number one is titled *On the Murder of Eratosthenes*. A speaker (named Euphiletus) tells us a story of his marriage: after a wedding he kept a close eye on his wife (whose name is not given), but after a child was born, he came to trust her unconditionally (§§ 6–7). Yet on a funeral of his mother, his wife got acquainted with a man called Eratosthenes, who finally seduced her (§§ 7–8). After a brief description of somehow unusual arrangement of his house (§§ 9–10), Euphiletus goes on to narrate how he once got locked in a room by his wife after his unexpected return from a field; but (he claims) he did not as yet suspect anything, though he was surprised at seeing his wife powdered in the morning (§§ 11–14). It was only after a warning by an old woman, sent by a former mistress of the adulterer, that Euphiletus questioned his housemaid and found out the truth (§§ 15–21). With the maid's cooperation, he learned a day of another *rendezvous*, summoned his friends, caught the adulterer *in flagrante delicto* and killed him (§§ 22–27). The argumentative part of the speech, trying to establish that Eratosthenes' act was in accordance with Athenian law, cannot be discussed here, interesting though it is.

I would like to concentrate on a question of the speech's "authenticity of occasion",<sup>4</sup> that is, the question whether the speech as we have it was actually pronounced. Former scholarship expressed no doubt about it,<sup>5</sup> but in a stimulating article written in 1997, Prof. J. R. Porter pointed out many parallels with plots of mimes and adduced some additional arguments from comparison with other Athenian court speeches that led him to suggest that the speech has never been pronounced and is actually a rhetorical exhibition, made by Lysias in order to advertise his skill as *logographos*<sup>6</sup> by

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the authorship of the speech was joined by him and his client, never won much approval and may nowadays be considered refuted; see, e. g., WINTER (1973), USHER (1976), WORTHINGTON (1993: 69–70), TODD (2007: 28–9).

<sup>4</sup> For the definition of this concept, see TODD (2007: 30).

<sup>5</sup> In real base of the case believed, e. g., STIEBITZ (1927: 74–76); TREKNER (1958: 156–160), or (by implication) CAREY (1989: esp. 59–60), WEISSENBERGER (1993).

<sup>6</sup> See PORTER (1997). PEROTTI (1989–1990: 47–48) went even further, interpreting the whole speech as an allegory in which Euphiletus stands for the city of Athens, his wife for democracy and Eratosthenes for oligarchy. Since Athenian laws prescribed an obligatory divorce with adulterous wife ([Dem.] LIX 86–87; cf. HARRISON (1968: 35–36), TODD (1993: 279)), I believe this theory can be dismissed; see also criticism of WEISSENBERGER (2003: 90).

showing his skill in transferring motifs from mimes to courtroom speeches. I shall summarise Prof. Porter's arguments and try to weaken their force.<sup>7</sup>

Before that, it only needs to be stressed that there is no doubt that Lysias is not telling us a complete truth.<sup>8</sup> Yet this does not mean that he invented the whole affair; there may be a kernel of truth in what he wrote. Rapes and adulteries probably were not as common in Athens of Lysias as it is sometimes presumed,<sup>9</sup> but obviously something of the kind did happen at times.

1. The main argument of Prof. Porter's theory is concentrated on parallels between Lysias' speech and mimes of his days,<sup>10</sup> so we must turn our attention to the mimes for a short while. Cicero says (*Rab. Post.* 12/35) mimes originated in Alexandria, but he is certainly false.<sup>11</sup> The first explicit mention of mimes comes from Aristotle (*Po.* 1447b). The philosopher notes that there is no common name for Socratic dialogues and mimes by Sophron of Syracuse. Sophron, we are told by a later tradition, was a contemporary of Euripides and was admired by Plato (*Duris FGrH* 76 F 72; *Suda* σ 893),<sup>12</sup> fragments show he wrote in rhythmic Doric prose.<sup>13</sup> Sadly, we are in no position of deciding whether he was known to wider Athenian public at the turn of 5<sup>th</sup> and 4<sup>th</sup> Century BCE. Perhaps there were mimes or farces held on Peloponnese since archaic times,<sup>14</sup> yet about their influ-

<sup>7</sup> In what follows, I usually confine myself to adducing examples from the fifth-century literature only. Prof. Porter pointed out many parallels with New Comedy and even later literature.

<sup>8</sup> For a question of historical accuracy of the orators, see PEARSON (1941) and DOVER (1974: 11–31). For their rather free attitude to obeying laws see, e. g., LAVENCY (1964: 174–182), FERABOLI (1980: 14–19), TODD (1990: 171–175) and (1993: 38, 59–60 and *passim*) and (2007: 4), CAREY (1994a: 101–102), ALLEN (2000: 174–183), SCHMITZ (2000: 56–57); on the other hand, HARRIS (1994: 130–140) and (2007: 66–72), emphasises the importance of laws at Athenian courts. For Lysias, see especially BATEMAN (1958), KENNEDY (1963: 138–140), KRENTZ (1984: 23), CAREY (1994a: 102), COOPER (2007: 210–214) and TODD (2007: 4).

<sup>9</sup> Well argued by PORTER (1997: 423–424).

<sup>10</sup> PORTER (1997: 422–433).

<sup>11</sup> He was followed by REYNOLDS (1946: 77) who, admittedly, concentrates on Roman mimes. There may have been little or no continuity between Sophron and later mimes, see CSAPO – SLATER (1994: 370).

<sup>12</sup> For Sophron's relation to Plato, see RUTHERFORD (1995: 12 and 15), HORDERN (2004: 26–27).

<sup>13</sup> For Sophron's language, see HORDERN (2004: 16–25).

<sup>14</sup> The discussion focuses on a Corinthian krater Louvre E 632, first edited by Dümmler in 1885, see DÜMMLER (1901: 21–25). Some respectable scholars, BREITHOLTZ (1960: 163–181), and BOUZEK (1963), for instance, explained the crater painting as several scenes connected with pottery, brushing a depicted flute-player and dancer aside as

ence on Athenian culture we know even less than about that of Sophron's works.<sup>15</sup> It is of interest (and may be of significance) that both most conspicuous Athenian examples of something approaching mime from a late 5<sup>th</sup> Century BC are connected with Syracuse. The first is so-called mime on love described in Xenophon's *Symposium* 9.2–7 (though it seems rather as a pantomime than as a dialogic piece in Sophron's fashion). The impresario of actors performing the piece is a Syracusan (X. *Symp.* 2.1).<sup>16</sup> The second is the Lysias' speech. Lysias' father Cephalus came to Athens from Syracuse and Lysias himself spent his youth in Thurii, a colony founded on Pericles' initiative in south Italy (D. H. *Lys.* 1.1; [PLUT.] *Mor.* 835c). It is fair to conclude this excursus with an admission but that we do not know to what extent were mime motifs known to wider Athenian public at the end of 5<sup>th</sup> Century BCE.

Yet the speech strongly suggests it, as there are many typical motifs of a romance in Lysias' defence of Euphiletus: Eratosthenes met Euphiletus' wife on a religious celebration, in this case, a funeral procession (compare EUR. *Hipp.* 24–28); there is a slave girl in a rôle of a messenger (compare the character called Nurse in Euripides' *Hippolytus* or ARISTOPH. *Thesmoph.* 340–342); of course, we find a dim-witted husband and a cunning wife (already in Semonides' famous misogynistic poem: fr. 7.108–711);<sup>17</sup> there are also some details, such as husband occupied with a womanish work during his wife's act of adultery (compare the rather disgusting episode in ARISTOPH. *Thesmoph.* 476–489, esp. 486), or questioning of servant maid by master who only pretends to know everything (see MEN. *Sam.*

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a conventional motive. More persuasively, SEEBERG (1967) argued for a religious yet non-dramatic context. On the other hand, the dramatic setting of the depicted scene is assumed by other important scholars, e. g., BIEBER (1961: 38b), CSAPO–SLATER (1994: 95), KERKHOF (2001: 24–30), and perhaps also by WIEMKEN (1972: 32–3), who dated the origin of Peloponnesian mimes to 6<sup>th</sup> Century. STEHLÍKOVÁ (2005: 166a) is more cautious, giving the 4<sup>th</sup> Century BCE as the *terminus ante quem*. More literature is assembled, and an agnostic position held, by STARK (2004: 47–65). ISLER-KERÉNYI (2007: 81–84) makes a valid point that it is methodologically questionable to draw a strict line between the real and the imaginary on depictions that are themselves fiction of a kind.

- <sup>15</sup> Sophron himself probably drew on local folklore, see WIEMKEN (1972: 32–34). HORDERN (2004: 7–8), on the other hand, emphasises literary character of Sophron's works.
- <sup>16</sup> On the Xenophontic „mime“, see BIEBER (1961: 106b); WIEMKEN (1972: 36); CSAPO – SLATER (1994: 370); STEHLÍKOVÁ (2005: 166a).
- <sup>17</sup> Before Prof. Porter, these features of mimes were noticed by STIEBITZ (1927: 79); CAREY (1989: 61–62); PEROTTI (1989–90: 44–5). See also REYNOLDS (1946: 83).

304–322).<sup>18</sup> Clearly, then, there are many similarities between the content of the speech and the motivic treasure of mimes, but it does not suffice to deny the speech's authenticity of occasion.<sup>19</sup> Sure, there are also another arguments Prof. Porter presented to convince his readers that Lysias' speech had no factual basis.

2. The speech is quite short compared to other murder cases speeches (Antiphon 5 is 2.5 times longer, Antiphon 1 1.4 times).<sup>20</sup> But if we imagine a real-life Euphiletus, we should note that his ability to learn a text by heart could have been more limited than that of Antiphon's customers.

3. Prof. Porter also lacks some courtroom *topoi*,<sup>21</sup> for example a prolonged slandering of Eratosthenes. Only his demotic is given, perhaps to emphasize that Euphiletus had not known Eratosthenes before. Yet I feel that Eratosthenes' character was denigrated sufficiently enough by simple description of what he had been doing. We learn relatively little about Euphiletus, too: unlike many other speakers, he does not enumerate his past services to the Athenian state nor accentuate his inexperience with courts. We may hypothesise, however, that he had not much favourable to say.

4. Prof. Porter also found conspicuous that the speaker concentrates only on the facts known from narration; he does not beg for compassion, does not cite parallels and summons witnesses only twice;<sup>22</sup> further, some commentators noted the absence of the maid who knew everything about the affair.<sup>23</sup> I would rather say that although the narrative is the more appealing part of the speech, arguments occupy some half of it (§§ 28–50, including an epilogue) and are by no means without interest. Witnesses are summoned only twice also in Lysias' speech 12, which is twice as long as this piece. As for the maid, she was a slave and thus had to be tortured in order that her testimony be acceptable; and it is at least conceivable that Euphiletus did not want her to be tortured, for whatever reasons, and decided to pass the dangerous topic in silence.<sup>24</sup>

<sup>18</sup> I owe this reference to WEISSENBARGER (1993: 62n24). See also REYNOLDS (1946: 82).

<sup>19</sup> This point was made already by WEISSENBARGER (2003: 90–91).

<sup>20</sup> PORTER (1997: 435).

<sup>21</sup> PORTER (1997: 435–438).

<sup>22</sup> PORTER (1997: 438–440).

<sup>23</sup> Cf. MACDOWELL (1963: 105–106), who concentrates on the question whether women and slaves could appear as witnesses at Athenian courts; DOVER (1968: 188), who saw in the maid's absence a proof of the speech's revision after the trial, a suggestion criticised by CAREY (1989: 63n11), GAGARIN (1996: 9n44), and PORTER (1997: 439).

<sup>24</sup> This is the conclusion suggested, e. g., by MACDOWELL (1963: 106), CAREY (1989: 63) and GAGARIN (1996: 9).

5. Prof. Porter also compares Lysias' defense of Euphiletus with speeches by Apollodorus (preserved in a *Corpus Demosthenicum*) which are longer, richer in structure and contain many details, such as place and personal names, financial sums, dates, etc.<sup>25</sup> But perhaps Lysias strove for unity and simplicity (praised by Prof. Porter, too<sup>26</sup>), not burdened with technicisms, or did not want his client to look pedantic? What is more, Lysias is separated from Apollodorus by some forty years, a time sufficient to change the jury's expectations and demands.

6. What is conspicuous is that both the defendant's and the victim's names are connected with love; Euphiletus might be translated as „beloved“, Eratosthenes „vigorous in love“. May this not be another sign of the case's being a product of imagination?<sup>27</sup> It calls to mind a case of a Greek novelist, who calls himself Chariton of Aphrodisias, a scribe of Athenagoras the rhetor (Charito I 1.1). An obvious pseudonym, it was presumed, until graves with these names were uncovered in Aphrodisias in Anatolia.<sup>28</sup> Other names mentioned in course of the speech pertain to Euphiletus' friends Sostratus and Harmodius (LYS. 1.22, 39 and 41) and are more or less common in the epoch of our interest.<sup>29</sup>

The most interesting possibilities are hidden in the adulterer's name, because it was extremely rare. We know only two its bearers from the 5<sup>th</sup> Century, the other one being a member of the Thirty tyrants who arrested Lysias' brother Polemarchus and after a renewal of democracy in 403 was (it seems) prosecuted by Lysias, as evidenced by his twelfth speech.<sup>30</sup> Four possibilities emerge, only three of which have as yet been given full attention by scholars.

<sup>25</sup> PORTER (1997: 440–441).

<sup>26</sup> PORTER (1997: 438).

<sup>27</sup> PORTER (1997: 437).

<sup>28</sup> I owe this reference to DOSTÁLOVÁ (2005: 9); cf. already ROHDE (1914: 520–521n2), and see index of names in REYNOLDS – ROUECHÉ – BODARD (2007). Chariton's name can be a pseudonym nevertheless, see wise remarks of VESSEY (1991–1993: 147–148).

<sup>29</sup> See OSBORNE – BYRNE (1994: 64, 419–420), TODD (2007: 116, 140–141).

<sup>30</sup> For Eratosthenes' membership in the Thirty, cf. X. *HG* II.3.2, Lys. 12; for Polemarchus' arrest cf. LYS. 12.16–17. It is not absolutely certain that the speech *Against Eratosthenes* (LYS. 12) was really pronounced; it depends on whether Lysias, being a metic, could have prosecuted the former tyrant at his *euthynai* (rendering of accounts); if he could not, the speech as we have it would be most likely a pamphlet written to influence the jury before the trial, as suggested by CARAWAN (1998: 367–368). A theory that Lys. 12 was pronounced as late as in 401/0 (see LOENING (1981)) was effectively demolished by TODD (2007: 14–16).

Firstly, one might identify the two, as Kirchner did more than 100 years ago.<sup>31</sup> If this is accepted, LYS. 1 would have to be written after LYS. 12; Lysias, having failed in his attempt to secure a conviction of the oligarch, would have some time thereafter written a defence-speech for his killer. However, this has several serious setbacks. Eratosthenes the oligarch, for instance, was adult in 411 BCE,<sup>32</sup> while Eratosthenes the adulterer was called “young man (νεανίσκος)” by Euphiletus (LYS. 1.37). Further, it is noticeable that oligarchic past of the adulterer, so easily employable to prejudice the jury against the victim, is far from being a running theme in Lys. 1. It is mentioned in § 2 to underline the common rejection of adultery, and a far-fetched allusion could be found in § 44.<sup>33</sup> Therefore, a majority of modern scholars refused to identify the two Eratostheneses.<sup>34</sup>

A second possibility is that Eratosthenes the adulterer was totally unrelated to the oligarch. One cannot disprove such a possibility, but the rareness of the name speaks strongly against it, to my eyes at least.

Thirdly, the adulterer could be a close relative to the oligarch, perhaps his son, nephew or grandson.<sup>35</sup> Lysias would then be involved in a kind of hereditary feud, first prosecuting the oligarch (with result unknown) and then writing defence speech for the killer of the related adulterer. And yet, would he not be tempted to mention the tyrannical past of the victim’s relative?<sup>36</sup> In the most recent and comprehensive commentary, Prof. Todd argued for what he called “double bluff”, the aim of defendant being to bluff the pros-

<sup>31</sup> KIRCHNER (1901: 332, n. 5035).

<sup>32</sup> In the year in question, he was trierarch (Lys. 12.42), a duty that probably could be bestowed only on adult men disposing with their property, cf. DAVIES (1971: 185). This could mean they were older than twenty five (as mentioned in a decree inserted into Dem. 18.106, see STRASBURGER (1939: 112)) or than thirty, the age required to attending the Council and Assembly and serving as a juror – cf. RHODES (1981: 389–390), TODD (1993: 83 and 295).

<sup>33</sup> Cf. TODD (2007: 60n61).

<sup>34</sup> The only recent advocate of the identification, AVERY (1991), rather unconvincingly tries to circumvent the difficulties. Against Kirchner’s thesis, see DAVIES (1971: 184–185); WHITEHEAD (1980: 210); KRENTZ (1982: 52–53); NÉMETH (1988: 185); AVEZZÙ (1991: 128–129); KAPPARIS (1993); OSBORNE – BYRNE (1994: 154); BEARZOT (1997: 140); TODD (2007: 59–60).

<sup>35</sup> So DAVIES (1971: 184–185); KRENTZ (1982: 53); TODD (2007: 59–60). TODD (2007: 59n59) makes much of the fact that Eratosthenes’ demotic is given, which seems to him unlikely in a pamphlet. But it could be thought up as easily as anything in the story. The agreement with theory about the organisation of the list of the Thirty tyrants in X. *HG* II 3.2, for which see DAVIES (1971: 185), WHITEHEAD (1980), KRENTZ (1982: 52–54) or NÉMETH (1988), would then be just a coincidence.

<sup>36</sup> This point was raised by WHITEHEAD (1980: 210).

ecutor in mentioning the oligarchic past of Eratosthenes' relative as a possible motive, and then to pass it over in silence himself in order to emphasise that the murder was not premeditated, a crucial point of his defence.<sup>37</sup>

I would like to suggest here a fourth possible solution, namely, that Lys. 1 was composed before the oligarchy of the Thirty in 404 BCE,<sup>38</sup> which would rule out any mention of the family's oligarchic past in the speech<sup>39</sup> and the hereditary quarrel outlined above would proceed the opposite way.<sup>40</sup> If so, the oligarch could be (say) a cousin of the adulterer. This theory, as well as the preceding one, could also explain the rarity of the name – if one of its bearers ended up as a defamed oligarch and the second as a killed adulterer, the family could see the name as unlucky and avoid it.

While the first of the aforementioned theses seems untenable, I see no way of deciding confidently between the last three. I think scholars should take into account all of them.

7. At the end, Prof. Porter concludes that Lysias' defence of Euphiletus is a rhetorical exercise comparable to *Tetralogies* by Antiphon or Polycrates' lost *Accusation of Socrates*.<sup>41</sup> I dare to advance a purely subjective argument that the *Tetralogies* are far less vivid and much more professorial than Lysias' speech. Plato's *Defence of Socrates* bears comparison, but its goals and methods differ widely from those of Lysias. Again, certainty seems to be beyond our reach.

<sup>37</sup> TODD (2007: 60).

<sup>38</sup> So far it occurred, as far as I know, only to AVERY (1991: 384n19), who, however, did not explore the possibility in detail.

There are two motives leading scholars to believe LYS. 12 was the first court speech written by Lysias: First, Lysias' words in §§ 3–4 (ἐγὼ μὲν οὖν ... οὐτ' ἔμμαντοῦ πάποτε οὔτε ἀλλότρια πράγματα πράξας νῦν ἠνάγκασμαι ὑπὸ τῶν γεγενημένων κατηγορεῖν... [4] οὐδενὶ πάποτε οὔτε ἡμεῖς οὔτε ἐκεῖνος [sc. our father Cephalus] δίκην οὔτε ἐδικασάμεθα οὔτε ἐφύγομεν), which are hardly more than a *locus communis*, cf. Antipho 1.1, 5.1; LYS. 19.2; Isae. 10.1; D. 24.1; AESCHIN. 1.1 and for further references LAVENCY (1964: 71n2). Second, they presume that Lysias did not have to make money as *logographos* while possessing prospering weaponry. But why should he have refused an extra income?

<sup>39</sup> The fact that the victim's relative was a trierarch in 411 BCE (LYS. 12.42) would hardly deserve a mention.

<sup>40</sup> It could be objected that if LYS. 1 predated 403 BCE, Eratosthenes would like to take revenge on Lysias himself, not on his brother. Yet the Thirty determined their victims by drawing lots (with the exception of Theramenes – X. *HG* II 3.22). Even if the drawing was manipulated, it seems Eratosthenes was not important enough to have it manipulated in accordance with his wishes.

<sup>41</sup> PORTER (1997: 441–446). He also adduces some later examples, e. g. works of Polydamas. A testimony of Aelius Theon's *Progymnasmata* 2.69 cited by PORTER (1997: 444) carries even less weight.

So, I do not want to declare Prof. Porter's thesis refuted. Rather, I feel that nobody is today in a position to decide with certainty whether Lysias' defence of Euphiletus as we have it was pronounced at court or not.<sup>42</sup> The parallels with mimes are interesting enough,<sup>43</sup> but cannot disprove of the possibility that Lysias modified real characters on the basis of a plot known to him (if not to the jurors) from mimes. Obviously, the husband was not the most sympathetic *persona* on the stage and majority of jokes were made on his expense. The more interesting it would be to write from his point of view, and Lysias would have welcomed the possibility to try it<sup>44</sup> (irrespective of whether it was offered to him by his imagination or by real life) even if some jurors would not quite catch the point because of their ignorance of Sicilian mimes; the speech can at best be claimed prove that the Sicilian cultural import was well known to contemporary Athenian *élite*. Other observations of Prof. Porter can explained without recurring to the theory of a rethorical exercise. Thus, both possibilities should remain opened for future Lysianic scholars.<sup>45</sup>

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- <sup>42</sup> Both WEISSENBARGER (2003: 91) and TODD (2007: 56–60) seem to favour the possibility that the speech does have a claim to authenticity of occasion.
- <sup>43</sup> They could perhaps explain the strange fact of independent tradition of first two speeches in Lysianic *Corpus* (ascribed by DOVER (1968: 2) to scribe's error of copying Lys. 1 in stead of LYS. 12; for arguments against this view, see TODD (2007: 56)). Lys. 1 has many treats in common with comedy, Lys. 2 (*Funeral oration*) borrows many themes from tragedy (LYS. 2.3–16; cf. TODD 2007: 218, 221–222, 225), and thus they form a nice antithetic pair.
- <sup>44</sup> If there is any truth in a story preserved by Cicero (*De orat.* I,231) about Lysias offering a ready-made speech to Socrates, it suggests that a *logographos* could himself look for potential interesting customers and thus advertise his abilities, as suggested by USHER (1976: 36) for other speeches in Lysianic *corpus*. This could be further argument against the thesis that Euphiletus had to be quite a rich man; for the controversy, see, e. g., TODD (2007: 58, 112–13, 142).
- <sup>45</sup> I would like to thank the organizers of the conference *Laetae segetes iterum* for their unfailing kindness and smooth cooperation and to the audience and anonymous referees for their helpful comments and suggestions.

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## RESUMÉ

Lýsiova řeč *O vraždě Eratosthena* se věnuje případu manžela (jménem Eufilétoš), který přistihl cizoložníka (jménem Eratosthenés) *in flagrante delicto* se svou manželkou, zabil ho a před soudem se hájil, že jeho čin byl v souladu s právem. V podnětném článku z r. 1997 profesor J. R. Porter upozornil na mnoho paralel se záplatkami mímů a uvedl i některé další argumenty ze srovnání s ostatními athénskými soudními řečemi, což ho vedlo k závěru, že řeč nebyla nikdy pronesena a je ve skutečnosti řečnickým cvičením, které Lýsiás sepsal s úmyslem udělat si reklamu. Článek si především klade za cíl zpochybnit tento názor. Mimoto podává opatrný návrh na datování řeči a klade otázky po obeznámenosti průměrného Athénšana s mímickými představeními.