

# SYMPOSIUM 2017

קובץ הרצאות  
בהיסטוריה של המשפט היווני וההלניסטי  
תל אביב, 20-23 באוגוסט 2017

Vorträge zur  
griechischen und hellenistischen Rechtsgeschichte  
(Tel Aviv, 20.–23. August 2017)

עורכים  
גרהרד תו'ר  
אורי יפתח  
רחל צלניק-אברמוביץ

herausgegeben von  
Gerhard Thür  
Uri Yiftach  
Rachel Zelnick-Abramovitz



VERLAG DER  
ÖSTERREICHISCHEN  
AKADEMIE DER  
WISSENSCHAFTEN

Angenommen durch die Publikationskommission  
der philosophisch-historischen Klasse der  
Österreichischen Akademie der Wissenschaften

Michael Alram, Bert G. Fragner, Andre Gingrich, Hermann Hunger,  
Sigrid Jalkotzy-Deger, Renate Pillinger, Franz Rainer, Oliver Jens Schmitt,  
Danuta Shanzer, Peter Wiesinger, Waldemar Zacharasiewicz

Gedruckt mit Unterstützung der  
Israel Academy of Sciences and Humanities



Herausgeber der  
Akten der Gesellschaft für griechische und hellenistische Rechtsgeschichte  
seit 1975:

1 (1975) – 4 (1983) H. J. Wolff  
5 (1989) – 12 (1998) A. Biscardi, J. Méléze Modrzejewski, G. Thür  
13 (2001) – 19 (2007) E. Cantarella, J. Méléze Modrzejewski, G. Thür  
20 (2008) – 26 (2017) E. Cantarella, M. Gagarin, J. Méléze Modrzejewski, G. Thür  
27 (2018) E. Cantarella, M. Gagarin, G. Thür, J. Velissaropoulos

Diese Publikation wurde einem anonymen,  
internationalen Begutachtungsverfahren unterzogen.

This publication was subject to international and anonymous peer review.

Die verwendete Papiersorte in dieser Publikation ist DIN EN ISO 9706 zertifiziert und erfüllt  
die Voraussetzung für eine dauerhafte Archivierung von schriftlichem Kulturgut.

The paper used in this publication is DIN EN ISO 9706 certified and meets the requirements  
for permanent archiving of written cultural property.

Alle Rechte vorbehalten.  
ISBN 978-3-7001-8380-8  
Copyright © 2018 by  
Österreichische Akademie der Wissenschaften, Wien  
Satz: Susanne Lorenz, Wien  
Druck und Bindung: Prime Rate, Budapest  
<https://epub.oeaw.ac.at/8380-8>  
<https://verlag.oeaw.ac.at>  
MADE IN EUROPE

DELFINO F. LEÃO (COIMBRA)

## PLUTARCH ON DEMETRIUS OF PHALERUM: THE INTELLECTUAL, THE LEGISLATOR AND THE EXPATRIATE

*Abstract:* Throughout the *Lives* and the *Moralia*, Plutarch regularly mentions the work, the activity or even the exemplum of Demetrius, both as a source of information on others and as a very stimulating character *per se*. From those passages emerges the figure of Demetrius as the intellectual, the politician and the legislator, and finally that of the expatriate fallen in disgrace, who was nevertheless able to recover his vitality and influence in the court of the Ptolemies.

*Keywords:* Plutarch, Demetrius of Phalerum, legislation, Athens and Macedonia

### 1. Preliminary considerations

It is somehow surprising —and certainly regrettable— that Plutarch did not write a biography of Demetrius of Phalerum, although he did write biographies on statesmen who interacted closely with the Phalereus, as in the cases of Phocion and of Demetrius Poliorcetes<sup>1</sup>. In fact, the life of Demetrius of Phalerum does provide inspiring elements for a stimulating biography. In his early twenties, he gained public notoriety in the context of the Harpalos affair (324), during which he may have taken part in the prosecution of Demosthenes, even if the details of his involvement are not clear (cf. Diogenes Laertius, 5.75 = T 1 SOD)<sup>2</sup>. Two years later, after the battle of Crannon (322), the Athenians sent envoys to Antipater and Craterus, in order to negotiate the peace terms (Plutarch, *Phoc.* 26-27; Diodorus Siculus, 18.17-18). Demades, Phocion and Xenocrates are directly mentioned among the negotiators, but Demetrius was probably also part of the group, as can be deduced from a quotation from the *On Style* (*Eloc.* 289 = T 12 SOD), a work

---

<sup>1</sup> All the dates presented throughout this work are BC. I wish to thank the organisers, for having invited me to participate in the excellent Symposium XVII, and Manuel Tröster, who read an earlier version of this paper and whose comments helped me to improve it, especially at the linguistic level. This research was developed under the project UID/ELT/00196/2013, funded by the Portuguese FCT – Foundation for Science and Technology.

<sup>2</sup> SOD is the abbreviation used to refer to the texts pertaining to the works and life of Demetrius, edited by Fortenbaugh – Schütrumpf (2000), in accord with the abbreviation criteria established by them (p. 10). Throughout this paper, the original version and the translations of these texts (abbreviated as T) will be provided according to the edition of Fortenbaugh – Schütrumpf.

attributed to him which states that, before the insolence of Craterus in receiving the embassies of the Greeks, he managed to rebuke him indirectly by using a figure of speech. The peace terms agreed with Antipater were quite harsh, implying a change in the constitution and a minimum census of 2,000 drachmae demanded to obtain full citizenship—even if this situation would not last long, because Antipater died in 319, leaving as his designated successor Polyperchon. The latter decided to balance the rivalry with other *Diadochi* by favouring a return to the *status quo ante* in Athens, thereby restoring the democracy. Despite Phocion's reputation of being "the Good", he had nevertheless been deeply involved in the previous government, and as a consequence he was sentenced to death<sup>3</sup>. Demetrius, who was connected with him, suffered the same sentence, but managed to avoid execution, because he was not at Athens at the time when the conviction was decided (Plutarch, *Phoc.* 35.4-5; Nepos, *Phoc.* 3.1-2 = T 15A-B SOD). Meanwhile, events evolved favourably for Demetrius, because the government established at Athens by Polyperchon did not manage to expel from Munychia the garrison that Antipater had formerly fixed there, and his son Cassander was, in his turn, successful in regaining the control of the city and of the Peiraeus. As a consequence, a new government was installed in Athens, according to which a census of 1,000 drachmae was now required to qualify for full citizenship, and the rule of the polis ought to be directed by an *epimeletes* ("overseer")—an elected office in democratic Athens, but connoted with military occupation in the context of the Macedonian rulers<sup>4</sup>. Demetrius negotiated the terms of the compromise and was therefore chosen by Cassander, in 317, for heading the new government as *epimeletes* (Diodorus Siculus, 18.74.1-3; *IG* II<sup>2</sup> 1201 = T 16A-B SOD), thus being entitled with the necessary authority to prepare new laws for the city<sup>5</sup>. Later sources describe his rule either as a return to democracy or as a turn into tyranny, and

---

<sup>3</sup> On the essentially positive characterization of Phocion's biography by Plutarch, see Leão (2010). For a comparative study of the circumstances dealing with the death of Socrates, Phocion and Cato, see Trapp (1999). Geiger (1999), 358, sustains that, although Plutarch mentions Plato and Socrates quite often throughout his work, it is only in a passage of the biography of Phocion (*Phoc.* 38.5) that he directly describes and discusses the death of Socrates.

<sup>4</sup> Fortenbaugh – Schütrumpf (2000) 49. Further details in Banfi (2010) 53-63.

<sup>5</sup> Gagarin (2000), 348-349, accepts *epimeletes* as the title given to Demetrius and maintains that "[the sources] indicate that he certainly enacted some legislation, but we can only determine the substance of two or three laws, and we have no evidence that the legislation was comprehensive". Banfi (2010), 53-63, gives as well preference to *epimeletes*. Canevaro (2011), 64-65, argues instead that, although the term *epimeletes* is in accord with Diodorus' account, the missing word in *IG* II<sup>2</sup> 1201, line 11, is probably *nomothetes*. This possibility was suggested already by Dow – Travis (1943) 153-156. See also Fortenbaugh – Schütrumpf (2000) 51.

modern scholarship keeps being divided in the judgement of his political activity<sup>6</sup>. This is not the place to discuss this question in detail, although his political and legal activity is most probably to be understood as a consequence and a mirror of the times in which he lived, and therefore as the possible balance between the end of the polis-system (as it had emerged during the Archaic and Classical Period) and the keeping of some internal autonomy within the frame of Macedonian rule. And it is a fact that he was quite well succeeded in seeking this design, as can be deduced from the period of peace and prosperity that Athens lived under his rule, an accomplishment that even his critics were forced to recognise, although at times dismissing this as a simple achievement of a ‘common tax-collector proud of himself’ (τελώνης σεμνυθείη βάνασος), as Demochares<sup>7</sup> is said to have commented on him (apud Polybius, *Hist.* 12.13.1; 6-12 = T 89 SOD).

Demetrius was able to keep his government for ten years, until another Demetrius (Antigonos’ son, and later celebrated as *Poliorketes* “the Besieger”) unpredictably entered the Peiraeus, announcing that he had come to free Athens (in 307). Surprised by events that he had not anticipated, the Phalereus was not able to resist the attack and ended up by accepting a safe-conduct to Thebes, where he remained until Cassander died (in 297), a loss that meant for him as well the end of the expectation to resume power in Athens. After this, he went to Alexandria, where he assisted Ptolemy I *Soter* in outlining the laws for his new kingdom, and perhaps even in the creation of the Museum and of the Library, although his real contribution to those projects remains dubious and debateable. Plutarch says that “Demetrius of Phalerum advised the King Ptolemy to acquire the books dealing with kingship and leadership, and to read them: ‘For the things their friends do not dare to offer to kings as advice, are written in these books’<sup>8</sup>”. This statement may suggest that Plutarch thought that the Phalereus had an active role in the founding of the Alexandrian Library, although this is not stated openly. In fact, his advice to the king is very general and may simply be a typical counsel given to a monarch. Furthermore, this *dictum* is quoted between other five attributed to Pisistratus and another five ascribed to Lycurgus, a symmetric arrangement that may indicate that this compilation of sayings may be spurious<sup>9</sup>. Notwithstanding the role that he might have had in these major undertakings of the Ptolemies, Demetrius was not

<sup>6</sup> For a balanced consideration of the problem, see Tracy (2000); Muccioli (2015) 18-38. As Gottschalk (2000), 370, underlines, “the circumstances of its institution lend some plausibility to either view”.

<sup>7</sup> On the reasons that may explain the hostility of Demochares (Demosthenes’ nephew) towards the Phalereus, see Muccioli (2015) 19-25.

<sup>8</sup> *Reg. et imp. apophth.*, 189D (= T 38 SOD): Δημήτριος ὁ Φαληρεὺς Πτολεμαίῳ τῷ βασιλεῖ παρήνει τὰ περὶ βασιλείας καὶ ἡγεμονίας βιβλία κτᾶσθαι καὶ ἀναγινώσκειν· “ἅ γὰρ οἱ φίλοι τοῖς βασιλεῦσιν οὐ θαρροῦσι παραινεῖν, ταῦτα ἐν τοῖς βιβλίοις γέγραπται.” For the other substantial *testimonia* dealing with Demetrius as Director of the Alexandrian Library, see T 58A-66 SOD.

<sup>9</sup> A possibility also envisaged by Fortenbaugh – Schüttrumpf (2000) 83 *ad locum*.

able to keep the same influence over the successor of Ptolemy I *Soter*, whom he had advised to hand over the kingdom to Ptolemy *Keraunos* (son of Eurydice) and not to Ptolemy II *Philadelphos* (son of Berenice). When the latter came to power, he banished Demetrius to Diospolis, where he died not long afterwards, bitten by an asp. Cicero (*Rab. Post.* 9.23 = T 42 SOD) says that he was deliberately killed, but Diogenes Laertius (5.78 = T 1 SOD) suggests instead that it was an accident and that he died during sleep<sup>10</sup>.

Taking as a whole this animated and sparkling existence, one may wonder why Plutarch did not take the initiative of writing a biography of Demetrius of Phalerum, especially considering that he decided to write one of his homonymous adversary Demetrius Poliorcetes, a choice that he justifies in the opening lines of the pair Demetrius – Antony, a passage that is in fact worth being recalled more in detail (*Demetr.* 1.7-8):

Περιέξει δὴ τοῦτο τὸ βιβλίον τὸν Δημητρίου τοῦ Πολιορκητοῦ βίον καὶ τὸν Ἀντωνίου τοῦ αὐτοκράτορος, ἀνδρῶν μάλιστα δὴ τῷ Πλάτῳ μαρτυρησάντων, ὅτι καὶ κακίας μεγάλας ὡσπερ ἀρετὰς αἱ μεγάλαι φύσεις ἐκφέρουσι. γενόμενοι δ' ὁμοίως ἐρωτικοὶ ποτικοὶ στρατιωτικοὶ μεγαλόδωροι πολυτελεῖς ὕβρισταί, καὶ τὰς κατὰ τύχην ὁμοιότητας ἀκολούθους ἔσχον. οὐ γὰρ μόνον ἐν τῷ λοιπῷ βίῳ μεγάλα μὲν κατορθοῦντες, μεγάλα δὲ σφαλλόμενοι, πλείστων δ' ἐπικρατοῦντες, πλείστα δ' ἀποβάλλοντες, ἀπροσδοκίτως δὲ πταίνοντες, ἀνεπίστως δὲ πάλιν ἀναφέροντες διετέλεσαν, ἀλλὰ καὶ κατέστρεψαν ὁ μὲν ἀλοὺς ὑπὸ τῶν πολεμίων, ὁ δ' ἔγγιστα τοῦ παθεῖν τοῦτο γενόμενος.

This book will therefore contain the *Lives* of Demetrius the City-besieger and Antony the Imperator, men who bore most ample testimony to the truth of Plato's saying that great natures exhibit great vices also, as well as great virtues. Both alike were amorous, bibulous, warlike, munificent, extravagant, and domineering, and they had corresponding resemblances in their fortunes. For not only were they all through their lives winning great successes, but meeting with great reverses; making innumerable conquests, but suffering innumerable losses; unexpectedly falling low, but unexpectedly recovering themselves again; but they also came to their end, the one in captivity to his enemies, and the other on the verge of this calamity<sup>11</sup>.

<sup>10</sup> Gottschalk (2000), 373, is correct in saying that “we can give Philadelphos the benefit of doubt”, because he had nothing to fear from an old man like Demetrius. Building on Diogenes' account, Sollenberger (2000), 325-326, pertinently argues that he may have committed suicide.

<sup>11</sup> English translation by Bernadotte Perrin, available in open access at the Perseus Digital Library (<http://www.perseus.tufts.edu/hopper/text?doc=Perseus%3Atext%3A2008.01.0040%3Achapter%3D1%3Asection%3D7>).

In terms of political and personal upheavals, there would be enough reason to maintain that the Phalereus could substitute the Poliorcetes and provide as well a fitting pair to Antony. On the other hand, although the Phalereus played an important role in Alexandria as an intellectual, his political deeds were mainly domestic (i.e. Athenian). Besides this, a discrete but perhaps significant detail is given when Plutarch evokes Plato, in the passage quoted above, whose authoritative perception of human nature (ὅτι καὶ κακίας μεγάλας ὥσπερ ἀρετὰς αἱ μεγάλαι φύσεις ἐκφέρουσι) he intends to illustrate with the biographies of Demetrius Poliorcetes and Antony. After all, in the earlier biography of Phocion (with whom the Phalereus was also acquainted, but in this case in a friendly way), too, the image of the death of Socrates (and thereby the pattern shaped by Plato in his work) played a core role for the interpretation of the pair Phocion and Cato. Inversely, Demetrius of Phalerum was notorious as a student and associate of Theophrastus, and especially as an eminent politician and philosopher of the *Peripatos* (see T 8-11 SOD), representing as well the last really significant *nomothetes* in Athens, in the line of Draco and Solon, as he apparently liked to be represented, unfolding his legal activity within the frame of the long lasting debate over the *patrios politeia*<sup>12</sup>.

This turned Demetrius into a special case study for the possible relations between philosophic teaching and political activity, but the reasons behind the interest arisen in modern scholarship seem not to have been sufficiently persuasive to convince Plutarch that it would have been worth to devote a biography to him. Had he decided differently, he would perhaps be as well for the Phalereus what he is in fact for the great lawgiver Solon, with whom he liked to be compared: the most important source for the understanding of his legal and political activity, even if at times he is not entirely reliable in terms of historical accuracy<sup>13</sup>.

## 2. Plutarch on Demetrius: the man and his life

Plutarch proves to be quite well acquainted with the personal upheavals, the political deeds and the intellectual work of the Phalereus, as can be clearly deduced from the frequent references made to him and to his work throughout the *Lives* and the *Moralia*<sup>14</sup>. Most of the occurrences are to be found in the *Lives* (fourteen)<sup>15</sup>. The

<sup>12</sup> See Canevaro (2011), 65, who pertinently underlines the importance of Demetrius of Phalerum in providing the last example of what he calls the “twilight of *nomothesia*” in early-Hellenistic Athens. Faraguna (2015), 154, thinks that the possible institution of the *nomophylakes* by Demetrius may be an expression of the discussions motivated by the *patrios politeia*. On the emergence of the concept of *patrios politeia* within the context of the Peloponnesian War, especially in what pertains to the figure of Solon, see Leão (2001) 43-72.

<sup>13</sup> On the consistency of Plutarch’s writings respecting the laws of Solon, see Leão (2016a). For a broader commentary on his legislation, see Leão – Rhodes (2015).

<sup>14</sup> Some of the arguments now adduced are an expansion of the approach made by Leão (forthcoming), which is directed at the connections of intertextuality and intratextuality between the work of Plutarch and that of the Phalereus.

number in the *Moralia* is slightly smaller (nine references), including one from the *Consolatio ad Apollonium* (104A-B = T 83 SOD) and another from the *Vitae decem oratorum* (850B-C = T 9B SOD), which have some value in what regards ethical and factual information respecting Demetrius, as shall be argued later. Factual information vis-à-vis Demetrius or other personalities and events appears more regularly in the *Lives* than in the *Moralia*, with preference being given in the latter to ethical considerations, respecting the Phalereus or other figures. Even so, it cannot be said that there is a clear dividing line between the *Lives* and the *Moralia* in terms of factual, legal and ethical content.

Plutarch cites Demetrius relatively often as his explicit textual source. This applies to eight passages from the *Lives* that provide information for the characterization of Aristides, Demosthenes, Lycurgus, and Solon. Those respecting Aristides are the most extensive and give a clear example of how Plutarch used the contributions of his sources. In fact, at the opening of the biography, Plutarch starts making considerations on the tradition of Aristides' poverty, on which he recognises that there were diverging accounts (περὶ δ' οὐσίας αὐτοῦ λόγοι διάφοροι γέγονασιν). He then recalls an anecdote according to which Aristides left two daughters unmarried for a long time, owing to the lack of material resources (*Arist.* 1.1-4; 6; 7; 8-9 = T 102 SOD), and he evokes more in full the way Demetrius argued against that version (*Arist.* 1.2-4; 9):

(2) πρὸς δὲ τοῦτον τὸν λόγον ὑπὸ πολλῶν εἰρημένον ἀντιτασσόμενος ὁ Φαληρεὺς Δημήτριος ἐν τῷ Σωκράτει χωρίον τε Φαληροῖ φησι γινώσκειν Ἀριστείδου γενόμενον ἐν ᾧ τέθραπται, καὶ τεκμήρια τῆς περὶ τὸν οἶκον εὐπορίας ἐν μὲν ἡγεῖται τὴν ἐπώνυμον ἀρχὴν, ἣν ἦρξε τῷ κυάμφω λαχὼν ἐκ τῶν γενῶν τῶν τὰ μέγιστα τιμήματα κεκτημένων, οὓς πεντακοσιομεδίμνους προσηγόρευον, ἕτερον δὲ τὸν ἐξοστρακισμόν· οὐδενὶ γὰρ τῶν πενήτων, ἀλλὰ τοῖς ἐξ οἴκων τε μεγάλων καὶ διὰ γένους ὄγκον ἐπιφθόνους ὄστρακον ἐπιφέρεσθαι· (3) τρίτον δὲ καὶ τελευταῖον, ὅτι νίκης ἀναθήματα χορηγικούς τρίποδας ἐν Διονύσου καταλέλοιπεν, οἳ καὶ καθ' ἡμᾶς ἐδείκνυντο, τοιαύτην ἐπιγραφὴν διασφύζοντες “Ἀντιοχίς ἐνίκα, Ἀριστείδης ἐχορήγει, Ἀρχέστρατος ἐδίδασκε.” (4) τοῦτ' ἐμὲν οὖν καίπερ εἶναι δοκοῦν μέγιστον, ἀσθενέστατόν ἐστι. [...] (9) ἀλλὰ γὰρ ὁ μὲν Δημήτριος οὐ μόνον Ἀριστείδην, ἀλλὰ καὶ Σωκράτη δηλὸς ἐστὶ τῆς πενίας ἐξελέσθαι φιλοτιμούμενος ὡς μεγάλου κακοῦ· καὶ γὰρ ἐκείνῳ φησὶν οὐ μόνον τὴν οἰκίαν ὑπάρχειν, ἀλλὰ καὶ μνᾶς ἑβδομήκοντα τοκιζόμενας ὑπὸ Κρίτωνος.

This story, which is told by many, is countered by Demetrius of Phalerum in his *Socrates*. He says that he knows the land in Phalerum which belonged to Aristides,

<sup>15</sup> There is another reference in *Dem.* 28.3 (= T 164 SOD), but it respects most probably Demetrius of Magnesia and not Demetrius of Phalerum.

and where he is buried. He takes as proofs of the affluence of (Aristides') house (the following). First, there is the office of eponymous archon, which is obtained by lot among the families with the highest property tax assessments, those called 'five-hundred-corn-measurers'. Second, there is the ostracism. For it is not the poor who are subjected to ostracism but those from great houses, who incur envy owing to the prestige of their family. Third and last, he has left in the temple of Dionysus tripods, dedicated in recognition of a prize-winning chorus production. These, which were still shown in our own time, preserve the following inscription: "the (tribe) of Antiochis won; Aristides was the sponsor; Archestratus was the producer". Now, although this last argument appears to be very strong, it is in fact quite weak. [...] Clearly, however, Demetrius is eagerly striving to exonerate not only Aristides but Socrates too from poverty as from a great evil: he says that Socrates too not only owned the house (he lived in) but also seventy minas, which were put out at interest by Crito.

Although Plutarch recognises that Demetrius' arguments are strong, especially the last one, he maintains nevertheless that they turn in fact to be weak, and challenges them one by one. By doing so, he is adopting, with reverse effects, the same historical-antiquarian approach used by his source, whose opinions he tries to discredit. The final stroke comes when he gives an explanation for the perspective sustained by the Phalereus: according to the biographer, Demetrius merely intends to free Aristides and Socrates from the state of poverty, as if it were a great evil (*δηλός ἐστι τῆς πενίας ἐξελέσθαι φιλοτιμούμενος ὡς μεγάλου κακοῦ*). It is possible that, with this statement, Plutarch is indirectly rebuking Demetrius' fondness for fame and honours as he does elsewhere (e.g. *Praec. ger. reip.* 820E = T 25B SOD). The reference to Demetrius' work *Socrates* or *Apology of Socrates* is, on the other hand, confirmed by Diogenes Laertius (9.15; 9.57; 9.37 = T 106, 107, 108 SOD), as well as allusions that the Phalereus made to other philosophers. It is also possible that, by claiming that Aristides and Socrates were not poor, Demetrius was somehow trying to defend himself from his possible critics, who could have sustained that, with the census of 1,000 drachmae that he had introduced, those two famous personalities of the democratic golden years would have been unable to qualify for full citizenship<sup>16</sup>.

In another passage of the same biography (*Arist.* 5.9-10 = T 103 SOD), Plutarch questions again the account of Aristides by Demetrius, who retained that the former was eponymous archon after the battle of Plataea, hence shortly before his death. Plutarch argues instead that Aristides held the office immediately after the battle of Marathon, therefore in 489/8, basing his perspective on the information displayed at the 'public records' (*ἐν δὲ ταῖς ἀναγραφαῖς*). Plutarch mentions Demetrius' opinion a third time in the same biography, although with a mixed stance respecting the information provided (*Arist.* 27.3-5 = T 104 SOD). He aligns the Phalereus with Hieronymus of Rhodes, the musicologist Aristoxenus of

<sup>16</sup> Banfi (2010) 86-87.

Tarentum and possibly Aristotle, who all maintained that Aristides' granddaughter Myrto lived in wedlock with Socrates (Σωκράτει τῷ σοφῷ συνοικῆσαι), who, although being married already, took her in his house, because she remained a widow due to her poverty, and lacked the necessities of life. Plutarch does not bother to argue directly against this tradition, saying simply that Panaetius had already answered these authors adequately in his chapters on Socrates. More significant therefore is the fact that those who were said to sustain the opposite opinion are all members of the Aristotelian school<sup>17</sup>. This may explain why Plutarch is so hostile to Demetrius' views in this particular biography: he seems to be reacting more broadly against the positions held by the *Peripatos*<sup>18</sup>. Even so, Plutarch does not seem to contradict Demetrius, who says in this passage that, when he himself was a legislator (νομοθετῶν), he awarded to the mother and aunt of Aristides' grandson (Lysimachus), who lived in misery, a daily support of one drachma<sup>19</sup>. This may be interpreted simply as an *ad hoc* measure, directed specifically to the descendants of Aristides, but it has also been argued that it could reflect a more embracing regulation in support of the poor, possibly combined with the reintroduction of a closer control of those who lived in idleness (*argia*)<sup>20</sup>. If this were the case, it would resemble again the *nomos argias* that the tradition went back to the times of Draco and Solon, but the passage in Plutarch does not support this reasoning<sup>21</sup>.

In the biography of Demosthenes, Plutarch evokes three times the testimony of Demetrius, but now always with approval, and even as a special authoritative voice. In fact, the biographer recalls the Phalereus, among other sources, when he is discussing the oratorical brilliance of Demosthenes (*Dem.* 9.1-4 = T 135A SOD), and identifies Demetrius as the source of a famous metrical oath pronounced by the orator. Later in the same biography (*Dem.* 11.1-3 = T 137 SOD), Demetrius is again used as an authoritative testimony, because he claimed to have heard Demosthenes in his old age, and thereby to be acquainted with his training methods in order to improve the quality of his voice, which by nature was very feeble. In asserting this, Plutarch highlights the weight carried by Demetrius' opinion, which is ranked among the 'connoisseurs' (οἱ δὲ χαρίεντες) and thereby as someone with good taste.

<sup>17</sup> Baltussen (2016) 165-166.

<sup>18</sup> On the question of the two wives of Socrates (Myrto and Xanthippe), see also Athenaeus, *Deipnos.* 13.2. 555D-556B (= T 105 SOD).

<sup>19</sup> On the importance of this passage for the attribution of the designation *nomothetes* to Demetrius, see Banfi (2010), 59-60; Canevaro (2011) 65. The *Marmor Parium* (B 15-16, *Ep.* 13 = T 20A SOD) states that Δημήτριος νόμους ἔθηκεν 'Demetrius made laws' and Georgius Syncellus (*Ec. Chr.* p. 521 = T 20B SOD) says that Demetrius was the third 'lawgiver' (*nomothetes*), implying probably that the other two predecessors were Draco and Solon, as suggested already by Dow – Travis (1943) 156 n. 39.

<sup>20</sup> Banfi (2010), 103-104 and 188.

<sup>21</sup> For the sources pertaining to the attribution of the *nomos argias* to Draco and Solon, see Leão – Rhodes (2015) 109-112.

Plutarch mentions, a third time, the name Demetrius as his explicit source in this same biography (*Dem.* 14.1-2 = T 156 SOD), but the attribution of the registered statement to the Phalereus is uncertain. Although the opinion expressed is unfavourable to Demosthenes (who is accused of lacking courage in fight and of not being wholly immune to bribery), Plutarch does not question his source, probably because, in this context, he wants to enhance the qualities of Phocion over those of Demosthenes. At any rate, in these three passages, Plutarch uses Demetrius' intellectual work, without any specific reference to his political or legislative activity.

In the biography of Lycurgus (*Lyc.* 23.1-2 = T 113 SOD), Plutarch mentions the opinion of Hippias the sophist and of Philostephanus, who attributed to Lycurgus a patent warlike character, and then cites Demetrius, as holding a very different view: in fact, the Phalereus maintained, on the contrary, that Lycurgus did not engage in armed conflicts (οὐδεμιᾶς ἀψάμενον πολεμικῆς πράξεως) and that the Spartan constitution had been established in times of peace (ἐν εἰρήνῃ καταστήσασθαι τὴν πολιτείαν). Plutarch is again inclined to agree with Demetrius, adducing in his turn the example of the Olympic truce, which he reckons to be the work of a mild person, inclined towards peace. No specific work of the Phalereus is mentioned, but it is not wholly improbable that the context for this statement could have been Demetrius' defence of his own political activity, which was marked by peace and prosperity. In fact, Athenaeus (*Deipnos.* 12.60 542B = T 43A SOD) registers the opinion of Duris, who states that the annual revenues went up to twelve hundred talents, although he regrets that the Phalereus spent more money in personal amusements than in supporting the army and the administration of the city. Although the opinion is evidently hostile to Demetrius, Duris recognises nevertheless the prosperity of the city, which is connected as well with a smaller involvement in military affairs<sup>22</sup>. Demetrius himself is said to be proud of the low prices and abundance of food during his government (apud Polybius, 12.13.9-10 = T 89 SOD), quoted in a context in which Demochares criticised him because of the way he administered the city.

Plutarch mentions again Demetrius as his explicit source in the *Life of Solon* as he evokes the legislation on the price of sacrificial animals (*Sol.* 23.3-4 = T 117 SOD):

<sup>22</sup> χιλίων καὶ διακοσίων ταλάντων κατ' ἐνιαυτὸν κύριος γενόμενος καὶ ἀπὸ τούτων βραχέα δαπανῶν εἰς τοὺς στρατιώτας καὶ τὴν τῆς πόλεως διοίκησιν τὰ λοιπὰ πάντα διὰ τὴν ἔμφυτον ἀκρασίαν ἠφάνιζεν ('when he had gained control over an income of twelve hundred talents a year, spent only a little out of this income on the army and the administration of the city; the remainder he completely squandered through his innate lack of self-control'). See O'Sullivan (2009), 165-166, who rightly underlines the sign of prosperity implied by these measures.

(3) εἰς μὲν γε τὰ τιμήματα τῶν θυσιῶν λογίζεται πρόβατον καὶ δραχμὴν ἀντὶ μεδίμνου, τῷ δ' Ἴσθμια νικήσαντι δραχμάς ἑκατὸν ἔταξε δίδοσθαι, τῷ δ' Ὀλυμπιονίκῃ πεντακοσίας, λύκον δὲ τῷ κομίσαντι πέντε δραχμάς, λυκιδέα δὲ μίαν, ὧν φησιν ὁ Φαληρεὺς Δημήτριος τὸ μὲν βοὸς εἶναι, τὸ δὲ προβάτου τιμὴν. (4) ἄς γὰρ ἐν τῷ ἑκκαιδεκάτῳ τῶν ἀξόνων ὀρίζει τιμὰς τῶν ἐκκρίτων ἱερείων, εἰκὸς μὲν εἶναι πολλαπλασίας, ἄλλως δὲ κάκειναι πρὸς τὰς νῦν εὐτελεῖς εἰσιν. ἀρχαῖον δὲ τοῖς Ἀθηναίοις τὸ πολεμεῖν τοῖς λύκοις, βελτίονα νέμειν ἢ γεωργεῖν χώραν ἔχουσι.

With respect to the valuation of sacrifices he [Solon] reckons a sheep and one drachma as the equivalent to one bushel (of grain); he fixed the prize to be awarded to a victor at the Isthmian Games at one hundred drachmas, for one at the Olympic Games at five hundred, for bringing in a wolf five drachmas, and a wolf-whelp one drachma, the first being the price of an ox and the second of a sheep according to Demetrius of Phalerum. These prices for select sacrificial animals specified by him in the sixteenth of his Tables are naturally many times as high (as those for ordinary animals), and even so these (prices) are affordable compared to current ones. The Athenians have been fighting wolves from days immemorial, their land being better suited to pasture than to agriculture.

This passage of the biography transmits significant information respecting several different laws enacted by Solon: regulations for offerings, prizes for victors in games, rewards for bringing in a wolf or a wolf's cub<sup>23</sup>. Demetrius' testimony is adduced specifically in connection with the legislation mentioned last, by establishing a direct correspondence between the compensation attributed to those who hunted wolves and the price of choice victims, by the time of Solon, thus making it possible to compare values and different realities. Plutarch adds the very important detail that Solon specified these prices in the sixteenth of his Tables (ἐν τῷ ἑκκαιδεκάτῳ τῶν ἀξόνων), although he does not make it clear whether this information is provided by Demetrius himself or by another source. Either possibility is acceptable, because there are good reasons to concede that the *axones* could be seen and studied during the fourth century, even if only meager fragments survived until the time of Plutarch<sup>24</sup>. This kind of material was therefore available to Demetrius and could have been used by him. In fact, the titles of his works transmitted by Diogenes Laertius (5.75-83 = T 1 SOD, especially 5.80-81) strongly suggest that he might have done so, in such works as *On Legislation in Athens* (5 books), *On Constitutions in Athens* (2 books), *On Laws* (1 book).

There is another set of passages (five in total), where Plutarch mentions the Phalereus, mostly because of events that deal with the upheavals of Demetrius' life, but without naming him as his explicit source for the evidence provided. Still, the possibility that the Phalereus is the source behind this cannot be entirely ruled out,

<sup>23</sup> See Leão – Rhodes (2015) frgs. 80/2, 81, 89/1a and 92, with commentary.

<sup>24</sup> For further details, see Leão – Rhodes (2015) 7-9.

especially in a passage from the biography of Theseus (*Thes.* 23.1 = T 114 SOD), significantly the sole one that does not deal with the existence of Demetrius or of his family and associates. The information that the ship of Theseus was preserved ‘down to the times of Demetrius of Phalerum’ (ἄχρι τῶν Δημητρίου τοῦ Φαληρέως χρόνων) may be simply a way of establishing a general *terminus ad quem*, broadly equivalent to saying now something like the last quarter of the Fourth Century BC. But there may also be here an indirect suggestion of Demetrius’ personal involvement in the intellectual controversy arisen as a result of the continual renewal of Theseus’ ship, as time passed, to the point of motivating a discussion on whether or not it was still the original ship, a question that became a topic of debate (παράδειγμα) among philosophers (τοῖς φιλοσόφοις)<sup>25</sup>.

The four other passages in the *Lives* all deal with aspects of Demetrius’ life and deeds, especially before having come to power. The longest of them (*Demetr.* 8.4-9.3 = T 29 SOD) is the sole one that considers the downfall of the Phalereus (in 307), as a result of the offensive approach of Demetrius Poliorcetes, who quickly won the city and —Plutarch suggests— also the hearts of most of the Athenians, who welcome his disembarkation by ‘addressing him (Poliorcetes) as benefactor and saviour’ (εὐεργέτην καὶ σωτήρα προσαγορεύοντες). This statement may reflect the opinion of a source hostile to the Phalereus, or simply the very opinion of Plutarch, who, elsewhere in the same biography (*Demetr.* 10.2 = T 18 SOD), commented that “the constitution had been oligarchical in name but monarchical in fact, owing to the power of the Phalerean” (λόγῳ μὲν ὀλιγαρχικῆς, ἔργῳ δὲ μοναρχικῆς καταστάσεως γενομένης διὰ τὴν τοῦ Φαληρέως δύναμιν). This would be in accord with what Plutarch says about the feelings that the Phalereus nurtured after his downfall, by stating that he feared his fellow citizens more than his enemies (*Demetr.* 9.3).

On the other hand, it should not go unnoticed that, in the *Life of Pericles*, Plutarch mentions as well, several times, the ‘monarchical’ or ‘aristocratic’ power of Pericles: (*Per.* 9.1) λόγῳ μὲν οὖσαν δημοκρατίαν, ἔργῳ δ’ ὑπὸ τοῦ πρώτου ἀνδρὸς ἀρχὴν (here quoting directly from Thucydides 2.65.9, cited also by Plutarch at *Praec. ger. reip.* 802C)<sup>26</sup>. However, this does not prevent Plutarch from recognising, at the end of the biography, that the insinuations respecting Pericles’

<sup>25</sup> In the *Lives of the Ten Orators* (*Dec. or. vit.* 850B-C = T 9B SOD) information is given according to which Demetrius was a pupil of Theophrastus, with whom he was associated, together with other fellow students from the *Peripatos*. The same details are confirmed by several other sources, but it may carry some significance that (besides the possible indirect allusion in the biography of Theseus mentioned above) it is only in the *Moralia* that the question of Demetrius’ philosophical background is clearly mentioned. For the sources respecting his philosophical formation, see Fortenbaugh – Schütrumpf (2000) 39-41 (T 8-11 SOD).

<sup>26</sup> See also *Per.* 11.1 (in the context of the division of the polis into two political tendencies); 16.1-2 (citing Thucydides and the comic writers).

monarchical or tyrannical power corresponded, in fact, to the expression of his great responsibilities in defending the *politeia*<sup>27</sup>. Plutarch does not make a similar statement regarding Demetrius of Phalerum, but the suggestion is actually present. In fact, the picture of his departure to voluntary exile is permeated with positive overtones, which suggest that the biographer may have been too harsh in his global evaluation of the Phalereus' regime. Moreover, Plutarch goes to the point (*Demetr.* 9.3) of stating that Demetrius Poliorketes recognised the 'value' (ἀρετή) and 'reputation' (δόξα) of his adversary, a statement that could be a sign that Plutarch may have shared the same opinion respecting the Phalereus.

Plutarch has three other references to Demetrius of Phalerum respecting events prior to the instauration of his regime. In the biography of Demosthenes (*Dem.* 28.4 = T 13B SOD), he states that Himeraeus, the brother of the Phalereus, was killed (in 322) in the context of the opposition to Antipater —information that is confirmed as well by Arrianus (apud Photius, *Biblioth.* 92.69b34-40 = T 13A SOD). In the biography of Phocion (*Phoc.* 35.4-5 = T 15A SOD), Plutarch mentions Demetrius' association with Phocion and his sentence to death *in absentia* (in 318), a biographical and political detail that is confirmed by Nepos (*Phoc.* 3.1-2 = T 15B SOD), although the latter does not mention explicitly his condemnation to death while he was absent from Athens.

These references are, nevertheless, rather ambivalent or even neutral in terms of the way they consider the life and deeds of Demetrius. But at other times, Plutarch is unequivocal in his criticism, as happens in a passage from the *Praecepta gerendae reipublicae*, where he reproaches Demetrius' praise of honours (*Praec. ger. reip.* 820E = T 25B SOD):

οὐ γὰρ μισθὸν εἶναι δεῖ τῆς πράξεως ἀλλὰ σύμβολον τὴν τιμὴν, ἵνα καὶ διαμένῃ πολὺν χρόνον, ὥσπερ ἐκεῖναι διέμειναν. τῶν δὲ Δημητρίου τοῦ Φαληρέως τριακοσίων ἀνδριάντων οὐδεὶς ἔσχεν ἰὸν οὐδὲ πίνον, ἀλλὰ πάντες ἔτι ζῶντος προσηρέθησαν.

For honour should be awarded not in payment for the action performed but as a symbol, in order that it may also last a long time, as the honours mentioned earlier have lasted. Of the three hundred statues of Demetrius of Phalerum not one became rusty or dirty; rather all were pulled down in his lifetime.

<sup>27</sup> *Per.* 39.4: ἡ δ' ἐπίφθορος ἰσχὺς ἐκείνη, μοναρχία λεγομένη καὶ τυραννὶς πρότερον, ἐφάνη τότε σωτήριον ἔρυμα τῆς πολιτείας γενομένη ('that objectionable power of his, which they had used to call monarchy and tyranny, seemed to them now to have been a saving bulwark of the constitution'). As Stadter remarks (1989), 349, "in the grandness of the final sentences, monarchy is no longer a charge to be avoided, but a boast". Respecting Demetrius, Pausanias (1.25.6 = T 17 SOD) sees on the contrary his government as an expression of tyranny with the support of Cassander. O'Sullivan (2009), 42 and 126-128, rightly interprets this as an expression of Demetrius' pre-eminence (and thereby *epimeleia*) and not as a strictly constitutional statement.

Plutarch is not arguing against the right of receiving public esteem, but in favour of moderation: thereby, an inscription or honorary decree would be enough for a sensible person, who would not feel the need of having a statue dedicated to him. The ethical considerations of the biographer therefore move around the balanced correlation of ‘honour’ (τιμή) and of the ‘payment’ (μισθός) that it may stimulate. Thereby this passage is probably directed against a disproportionate and megalomaniac aspiration for public distinctions, which is something that Demetrius was said to have cultivated, erecting to himself hundreds of statues all over Athens. In fact, according to the sources (T 24A-25C SOD), the number of bronze statues ranged from three hundred up to fifteen hundred. Those figures fostered the idea that Demetrius behaved in a lavish way, but they are far from certain, in historical terms<sup>28</sup>.

At any rate, in several passages, Plutarch mentions Demetrius as an *exemplum* of rise and downfall, which may consequently illuminate others, either when he is the source of information or when others are evoking his figure. Those passages are clearly characterized by an ethical motivation, and therefore it is not surprising that they all occur in the *Moralia*. In fact, in the *De exilio* (601F-602A = T 35 SOD), Plutarch mentions Demetrius as a constructive paradigm, to show that it is possible to endure the hard experience of exile and to be again well succeeded, as he was in Alexandria with Ptolemy. In fact, as was observed already in the preliminary remarks (supra section 1), after his voluntary exile in Thebes, Demetrius went to Alexandria, where he is said to have given assistance to Ptolemy I *Soter*, perhaps even having an active role in the founding of the Alexandrian Library, although this is not stated explicitly by Plutarch.

The same paradigmatic dimension may be perceived in a passage from the *Quomodo adulator ab amico internoscatur* (69C-D = T 32 SOD), where the biographer comments on what is being told (λέγεται) about the way the Phalereus appreciated a kindly word from friends, when he was banished from his country and had to live near Thebes in obscurity. In the *De tuenda sanitate praecepta* (135C = T 67 SOD), Plutarch compares pairs of figures (Xenocrates and Phocion, Theophrastus and Demetrius) in order to illustrate the statement that being quiet is not better for health than being committed to an activity, especially political activity.

---

<sup>28</sup> As Tracy (2000), 334, pertinently argues: “if this really happened, and in the huge numbers reported, the stone bases of these statues would surely have been reused and some of them at least should have survived. Yet, as we shall see, not a single one has with certainty.” In the *Consolatio ad Apollonium*, Plutarch combines the traditions of the autocratic regime of Demetrius and his fondness for honours with passages from Euripides’ tragedy, finally turning them into a moral statement (*Cons. ad Apoll.* 104A-B = T 83 SOD).

In the *Praecepta gerendae reipublicae* (818C-D = T 50 SOD), Plutarch aligns Demetrius side by side with Pericles and Cimon, whose ‘political acts’ (*politeumata*<sup>29</sup>) are presented as examples of measures involving communal distribution of benefits:

ἐὰν δ’ ἐορτὴν πάτριον οἱ πολλοὶ καὶ θεοῦ τιμὴν πρόφασιν λαβόντες ὀρμήσωσι πρὸς τινα θέαν ἢ νέμησιν ἔλαφρὰν ἢ χάριν τινὰ φιλάνθρωπον ἢ φιλοτιμίαν, ἔστω πρὸς τὰ τοιαῦτα ἢ τῆς ἐλευθερίας ἅμα καὶ τῆς εὐπορίας ἀπόλαυσις αὐτοῖς. καὶ γὰρ τοῖς Περικλέους πολιτεύμασι καὶ τοῖς Δημητρίου πολλὰ τοιαῦτ’ ἔνεστι, καὶ Κίμων ἐκόσμησε τὴν ἀγορὰν πλατάνων φυτείας καὶ περιπάτους.

If, on the other hand, the masses find a pretext in a traditional festival in honour of a god and are bent on some spectacle or a small distribution or a boon for the welfare of the public or an act of private munificence, they should be allowed to enjoy the liberty and (to have) the means to do so. After all, there are many things of that sort among the public acts of Pericles and also of Demetrius, and Cimon too adorned the Agora having plane-trees planted and promenades laid out.

This is a curious and *prima facie* surprising choice of characters, because the Phalereus is grouped with well-known personalities from the golden times of democratic Athens, a decision that is somewhat difficult to reconcile with the idea that Plutarch saw Demetrius as a simple autocrat. As remarked before in discussing the way Plutarch characterized the government of the Phalereus (*Demetr.* 10.2 = T 18 SOD), the implication is rather that Pericles and Demetrius were both powerful and charismatic leaders, and both prone to public largess, in order to secure political favour. Demochares (apud Polybius, 12.13.10-12 = T 89 SOD) ascribes to his political opponent Demetrius a policy of *panem et circences*, but Cicero maintains (*Off.* 2.17.60 = T 110 SOD), on the contrary, that Demetrius disapproved of the excessive costs involved in the construction of the Propylaea by Pericles. Furthermore, the idea that he was rather moderate in terms of public constructions seems to be consistently confirmed by other sources (Diogenes Laertius, 5.75; Vitruvius, *De arch.* 7, praef. 16-17 = respectively T 1 and 54 SOD)<sup>30</sup>.

In the above-mentioned passage, Plutarch implies that festivities in honour of gods, spectacles and private acts of munificence were comprised by this general statement, although he fails to specify in which kind of those manifestations of public largesse Demetrius may have been directly involved. His adversary Demochares accused him of having sponsored, with public funds, lavish demonstrations of symbolic subjugation to Cassander (apud Polybius, 12.13.11:

<sup>29</sup> On the wide range of meanings covered by the term *politeuma* in Plutarch’s work, see Leão (2016b).

<sup>30</sup> See also O’Sullivan (2009) 128; Banfi (2010) 188-189.

ἐποίει Κασσάνδρῳ τὸ προσταπτόμενον), during his archonship in 308, as a device to distract people from political engagement against the Macedonian domination<sup>31</sup>.

Notwithstanding these acrimonious considerations, the regulations of the Phalereus in what pertains to the use of public funds and of private contributions in festivals and other services are far from being undisputed. It is particularly debated up to what extent he was responsible for restructuring the liturgies and especially for transforming the choregic system by the introduction of a new official, the *agonothetes*<sup>32</sup>. This is not the moment to discuss this controversial question in detail, but because a text in Plutarch is usually adduced as important evidence in this context, it is still worth to evoke it now. This happens in a passage from the *De gloria Atheniensium* (349A-B = T 115 SOD), where a reproach is made on the resources spent by the Athenians in promoting dramatic contests (or at least in celebrating their victories), by comparison with the meager investment in fighting the Barbarians and in the defense of liberty. After this general statement, Plutarch explicitly adduces the opinion of Demetrius, albeit without mentioning any of his works in particular (349B):

καὶ τούτων τοῖς μὲν ἡττηθεῖσι περιῆν προσυβρίσθαι καὶ γεγονέναι καταγελάστους· τοῖς δὲ νικήσασιν ὁ τρίπους ὑπῆρχεν, οὐκ ἀνάθημα τῆς νίκης, ὡς Δημήτριός φησιν, ἀλλ' ἐπίσπειαμα τῶν ἐκκεχυμένων βίων καὶ τῶν ἐκλελοιπότην κενοτάφιον οἴκων. τοιαῦτα γὰρ τὰ ποιητικῆς τέλης καὶ λαμπρότερον οὐδὲν ἐξ αὐτῶν.

For those of them [i.e. *the choregoi*] who were beaten, there was nothing left but to be the object of scorn and ridicule; but for those who won, there was the tripod, this being, as Demetrius says, not a votive offering to celebrate their victory, but a last libation of their spilt livelihood and an empty memorial of their bankrupt states. For such were the rewards of the art of poetry and nothing more splendid (ever) came from them.

This criticism to the choregic monuments has been interpreted as a proof that Demetrius was responsible for the creation of the *agonothesia*, which would be attached to the abolition of the traditional choregic system: instead of leaving to a rich citizen the obligation of covering the expenses of the dramatic festivals, the

<sup>31</sup> Fortenbaugh – Schütrumpf (2000) 171.

<sup>32</sup> As an example of the disparaging perspectives, in revising the question O'Sullivan (2009), 168-185, sustains that the *agonothesia* was introduced in 307/6, along with the 'restoration' of the democratic regime, after Demetrius' deposition; Banfi (2010), 175-181, thinks instead that Demetrius had good grounds to redefine (or even eliminate) the liturgical system, taking into consideration the risks that it involved to social stability — a menace that had already been noted by Aristotle (*Pol.* 1309a11-19). On the possible influence on Demetrius of the teachings of Aristotle and Theophrastus, in what respects this particular question, see Gottschalk (2000) 378 with bibliographic references (n. 30).

appointment of an official *agonothetes* (who received public funding for this activity) turned the *demos* into the real *choregos* of those artistic productions and the beneficiary of the visibility attached to them<sup>33</sup>. It is a fact that Demetrius' creation of this innovation is not clearly attested by any ancient source and that the first epigraphic reference to an *agonothetes* appears in an inscription from 307/6 (*IG* II<sup>2</sup> 3073), i.e. soon after the fall of Demetrius' regime and the 'restoration' of democracy by Poliorcetes. Notwithstanding, this epigraphic evidence is rather ambivalent: it may simply show that the *agonothesia* was among those measures of Demetrius that were preserved and not that it was an innovation of the new regime—a possibility that appears quite improbable, taking into consideration that only a few months had passed since the fall of the Phalereus, that the new government was still unstable and that a reform of the choregic system would therefore not have been among the most obvious priorities of the new administration<sup>34</sup>. Demetrius took social and fiscal measures aiming at controlling the dissipation of wealth, whether it was caused by public indulgence or by private profligacy (cf. Cicero, *Leg.* 2.25.62-27.67 = T 53 SOD), and therefore the creation of the *agonothesia* would be in accord with them.

### 3. Final considerations

The analysis began with an inquiry into the hypothetical causes that could have led Plutarch to decide not to write a biography of Demetrius of Phalerum, taking into consideration that he had written *Lives* of two figures who were close to him, by proximity (Phocion) or by opposition (Demetrius Poliorcetes), and also that the life of the Phalereus was marked by innumerable twists of luck and by the moments of clarity and shadow that had attracted Plutarch in other personalities. Perhaps the fact that Demetrius was a pupil of Theophrastus and a representative of the Peripatetic *intelligentsia*—who had shown some criticism regarding the figure of Socrates—may have discouraged the 'Platonic' Plutarch from paying him more attention. Whether for this reason or for any other, the biographer of Chaeronea shows in any case that he was very familiar with the life and work of Demetrius. Indeed, Plutarch mentions more than twenty times the work, activity or even the

<sup>33</sup> O'Sullivan (2009), 178-177, argues that Demetrius' hostility is not directed against choregic liturgies in general, but rather to the excesses of the *choregoi* in building the monuments in which the victory tripod was installed. Wilson – Csapo (2012), 301, share the same opinion.

<sup>34</sup> Thus Banfi (2010) 179. Wilson – Csapo (2012), 301-302, recognise that there are good reasons to attribute to Demetrius the creation of the *agonothesia*, but they argue instead that "the shift from *chorègia* to *agónothesia* was a prolonged, tumultuous, and complex process" (p. 317), which possibly started earlier than Demetrius' government (by the time of Phocion) and was accomplished after his downfall, with the restored democracy of 307. See Plutarch, *Phoc.* 31.1-2, where Nicanor, an envoy of Cassander, was convinced by Phocion to act as *agonothetes* in Athens, in a strategy intending to make the Macedonian domination milder to the Athenians.

*exemplum* of Demetrius, both as a source of information on others and as a very stimulating character *per se*. From those passages where the presence of Demetrius may be detected arises the multimodal figure of the intellectual, the politician and the legislator, and finally that of the expatriate fallen into disgrace, who was nevertheless able to recover his vitality and influence in the court of the Ptolemies. Just as before him happened with Phocion (in a more drastic manner and with a more violent ending), the activity of Demetrius of Phalerum (probably the last great Athenian *nomothetes*) illustrates, above all, the limitations and contradictions of a great *polis* such as Athens, which had to learn how to reinvent itself within the framework of the effective Macedonian rule, despite the pretended attempts to ‘restore’ democracy and the true ‘ancestral constitution’, in the different ideological and propagandistic expressions of the *patrios politeia* theme.

leo@fl.uc.pt

#### BIBLIOPRAPHY

- Baltussen, Han (2016) *The Peripatetics. Aristotle's Heirs 322 BCE – 200 CE* (London, Routledge).
- Banfi, Antonio (2010) *Sovranità della legge. La legislazione di Demetrio del Falero ad Atene (317-307 a.C.)* (Milano, Giuffrè).
- Canevaro, Mirko (2011) “The twilight of *nomothesia*: legislation in early-Hellenistic Athens (322-301)”, *Dike* 14, 55-85.
- Dow, Sterling – Travis, Albert H. (1943) “Demetrius of Phaleron and his lawgiving”, *Hesperia* 12, 144-165.
- Faraguna, Michele (2015) “I *nomophylakes* tra utopia e realtà istituzionale delle città greche”, *Politica Antica* 5, 141-159.
- Fortenbaugh, William W. – Schütrumpf, Eckart (eds.) (2000) *Demetrius of Phalerum. Text, Translation and Discussion. Rutgers University Studies in Classical Humanities, vol. IX* (New Brunswick, Transaction Publishers).
- Gagarin, Michael (2000) “The legislation of Demetrius of Phalerum and the transformation of Athenian law”, in William W. Fortenbaugh – Eckart Schütrumpf (eds.), *Demetrius of Phalerum. Text, Translation and Discussion. Rutgers University Studies in Classical Humanities, vol. IX* (New Brunswick, Transaction Publishers), 347-365.
- Geiger, Joseph (1999) “Plato, Plutarch and the death of Socrates and of Cato”, in Aurelio Pérez Jiménez – José García López – Rosa María Aguilar (eds.), *Plutarco, Platón y Aristóteles* (Madrid, Ediciones Clásicas), 357-364.
- Gottschalk, Hans B. (2000) “Demetrius of Phalerum: a politician among philosophers and a philosopher among politicians”, in William W. Fortenbaugh – Eckart Schütrumpf (eds.), *Demetrius of Phalerum. Text, Translation and*

- Discussion. Rutgers University Studies in Classical Humanities, vol. IX* (New Brunswick, Transaction Publishers), 367-380.
- Leão, Delfim F. (2001) *Sólon. Ética e política* (Lisboa, Gulbenkian).
- Leão, Delfim F. (2010) “*Tyche, Kairos et Chronos dans le Phocion de Plutarque*”, in Françoise Frazier – Delfim Leão (eds.): *Tychè et pronoia. La marche du monde selon Plutarque* (Coimbra and Paris, Imprensa da Universidade de Coimbra & ArScAn-THEMAM), 183-194.
- Leão, Delfim F. (2016a) “Consistency and criticism in Plutarch’s writings concerning the laws of Solon”, in Jan Opsomer – Geert Roskam – Frances B. Titchener (eds.), *A Versatile Gentleman. Consistency in Plutarch’s Writing* (Leuven, University Press), 243-254.
- Leão, Delfim F. (2016b) “*Politeuma* in Plutarch”, *Synthesis* 23, 87-99.
- Leão, Delfim F. (forthcoming) “Plutarch and Demetrius of Phalerum: a multimodal expression of intertextuality and intratextuality”, in Maria Vamvouri – Rainer Hirsch-Luipold – Thomas Schmidt (eds.), *The Dynamics of Intertextuality in Plutarch*.
- Leão, Delfim F. – Rhodes, Peter J. (2015) *The Laws of Solon. A New Edition with Introduction, Translation and Commentary* (London, I.B.Tauris).
- Muccioli, Federicomaria (2015) “Alle soglie del ruler cult: Atene nell’età di Demetrio del Falero”, *Erga-Logoi* 3.1, 7-46.
- O’Sullivan, Lara (2009) *The Regime of Demetrius of Phalerum in Athens, 317-307 BCE. A Philosopher in Politics* (Leiden, Brill).
- Sollenberger, Michael G. (2000) “Diogenes Laertius’ life of Demetrius of Phalerum”, in William W. Fortenbaugh – Eckart Schütrumpf (eds.), *Demetrius of Phalerum. Text, Translation and Discussion. Rutgers University Studies in Classical Humanities, vol. IX* (New Brunswick, Transaction Publishers), 311-329.
- Stadter, Philip A. (1989): *A Commentary on Plutarch’s Pericles* (Chapel Hill, University of North Carolina Press).
- Tracy, Stephen V. (2000) “Demetrius of Phalerum: who was he and who was he not?”, in William W. Fortenbaugh – Eckart Schütrumpf (eds.), *Demetrius of Phalerum. Text, Translation and Discussion. Rutgers University Studies in Classical Humanities, vol. IX* (New Brunswick, Transaction Publishers), 331-345.
- Trapp, Michael B. (1999) “Socrates, the *Phaedo*, and the *Lives* of Phocion and Cato the Younger”, in Aurelio Pérez Jiménez – José García López – Rosa María Aguilar (eds.), *Plutarco, Platón y Aristóteles* (Madrid, Ediciones Clásicas), 487-499.
- Wilson, Peter – Csapo, Eric (2012) “From *chorégia* to *agónothesia*: evidence for the administration and finance of the Athenian theatre in the late fourth century BC”, in David Rosenbloom – John Davidson (eds.), *Greek Drama IV: Texts, Contexts, Performance* (Oxford, Aris & Phillips), 300-321.