Oligarchia revisisted

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Summary: This article revisits an ostensibly important monument in Classical Attic historiography: the so-called Tomb of Critias, as preserved in a scholium note in Aeschines' "Against Timarchus" (1.39). We survey prior scholarly positions on the *realia* of this monument, suggest it is a fiction, and consider the possible sources for the hexameter verse associated with it. We argue that the poetic composition from which the entire tradition derives, rather than being an inscription on a tomb, may in fact be an oligarchic commemoration, perhaps an *encomium* or *epitaphios logos* recited at Eleusis in the aftermath of the fall of the Thirty. As such, the verse composition may allude to a historiographical tradition that viewed the Thirty as a subversive *hetaireia/kōmos* group led out to govern the unruly *dēmos*. The reception of this composition generates a 'lieu de mémoire' in the historical imagination of later readers. The composition offers a piece of comparanda for the political views expressed by other Athenians with pro-oligarchic tendencies, an extreme formulation that strongly contrasts with the extant writings of Critias, Plato, and Xenophon. In revisiting this short anecdote we highlight the relevance of both scholia and monuments in our understanding of Attic historiography.

Keywords: *Adikia*, *Dikē*, Chest of Cypselus, Democracy, Eunomia, Critias, Oligarchy, Political Personification, Polygnotus' *Nekyia*, Thirty Tyrants

Introduction

This article seeks to clarify a series of issues surrounding the personification of *Demokratia* (Democracy) and *Oligarchia* (Oligarchy) on an Athenian monument at the end of the fifth century BCE.[1] Scholarship relating to this memorial is split

1 All dates hereafter are BCE unless otherwise noted.

In memoriam J. J. Pollitt

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between those who blindly accept it[2] and those who take it to be a literary invention.[3] A number of scholars remain agnostic while nevertheless dutifully documenting the evidence.[4] We begin our effort to resolve these divergent perspectives – and consider why it matters – with this well-known anecdote concerning the demise of Critias and the Thirty Tyrants at Athens in 403/2. According to a scholium preserved in Aeschines' "Against Timarchus" (1.39):[5]

> δεῖγμα δὲ τῆς τῶν τριάκοντα πολιτείας καὶ τόδε ἐστίν. Κριτίου γὰρ ἑνὸς τῶν τριάκοντα ἀποθανόντος ἐπέστησαν τῷ μνήματι Ὀλιγαρχίαν δᾷδα κατέχουσαν καὶ ὑφάπτουσαν Δημοκρατίαν καὶ ἐπέγραψαν τάδε
> μνῆμα τόδ' ἔστ' ἀνδρῶν ἀγαθῶν, οἳ τὸν κατάρατον
> δῆμον Ἀθηναίων ὀλίγον χρόνον ὕβριος ἔσχον.
>
> "And this is also an example of the constitution of the Thirty: for when Critias, one of the Thirty, died, they set up, upon a memorial, Oligarchy, brandishing a torch and burning Democracy; and they inscribed the following:
> This is a commemoration of good men, those who held back the abominable
> Athenian *dēmos* (populace) from *hybris* (arrogance) for a short time."[6]

This comment follows a historical gloss on the rule of the Thirty in Athens at a level of fine-grained detail that would put most modern scholars to shame. It is appended to Aeschines' proposition that his jury of fellow citizens treat the alleged indiscretions of Timarchus' youth, prior to his age of legal majority, like the deeds of the Thirty

2 Waser 1903; Musti – Pulcini 1996, 298–304; Bultrighini 1999, 316–319; Canfora 2013, 117–119; Canfora 2018, 222–223; Boschi 2021, 5–6. See also Azoulay – Ismard 2020, 53–54 with n. 75 who follow Bultrighini and consider the tombstone to be historically possible, given that the Oligarchic faction persisted in Athens for another four months: "la réalisation d'une telle stèle est, à tout le moins, fort envisageable."

3 Battegazzore 1962, 236–238. Stupperich 1977, 252 n. 2, "ein literarisches Produkt." See also Müller 1997, 922, "allenfalls fiktiv." Learned comment goes back (at least) to Wilamowitz 1893, 177, but see the earlier collection of scholia in Müller 1858, 493; see also the remarks in Wilamowitz 1924, 129–130. The verses are absent from Peek 1955 which may be understood as an implicit judgement that the epigram was ahistorical. Cf. Boedeker – Raaflaub 1998, 422–423, with n. 34 and n. 36. Boedeker and Raaflaub make reference here to an unpublished manuscript by J. J. Pollitt that remains unpublished and which neither Boedeker nor Pollitt were able to locate. We are grateful for their correspondence on this matter.

4 Raubitschek 1962, 238–243; Palagia 1980, 60–61 cat. A1; Alexandri-Tzahou 1986, 173 (with previous bibliography); Messerschmidt 2003, 5; Wilson 2003, 183 and n. 14; Smith 2011, 15, 125, 146 S 3.

5 *Vetera Scholia in Aeschinem* 1.39 (Dilts 1992 = BNJ (338A) Test. 13 and Diels – Kranz 1952, Test. 13). Cf. Carey 2007, Fr. 307. Discussion of this fragment is absent from Iannucci 2002 as it is unrelated to Critian elegy.

6 All translations are those of the authors.

Tyrants.[7] There is some irony in the gloss itself, therefore, in relation to the speech of Aeschines: the orator succeeds in recalling these unstated misdeeds of Timarchus in his *praeteritio*, reflecting the precise conceptual limits of the famously difficult phrase, *mē mnēsikakein*, both for his own contemporary audience and the members of the Attic community following the reconciliation agreement of 403/2.[8] The reconciliation was not as rosy as some fourth-century orators would have us believe and the scholium's recollection of the historical actions of the Thirty shows how partisan memories persisted, despite the restoration of the democracy.[9] One wonders if the jury Aeschines addressed did not then associate the abominable behavior of the Thirty tyrants with Timarchus in a cruel act of transhistorical association.

Biographers of Critias frequently quote this passage as evidence of a memorial (μνῆμα) – probably a tombstone – in both the quoted verse and the scholium itself, in the hopes of recovering an authentic historical witness, however distorted, to the life and times of the Thirty.[10] Our anonymous commentator, perhaps the Alexandrian scholar Didymus Chalcenterus (c. late first century), tells us that this memorial bore a depiction of Oligarchy shown in the act of burning Democracy with a torch.[11] Old 'Bronze Guts' himself then quotes a double hexameter verse inscription, perhaps on the memorial, that commemorated the supposed good deeds of the Thirty. The usage of the genitive plural to describe this memorial – μνῆμα ἀνδρῶν ἀγαθῶν – indicates that the commemoration is not just of Critias but of a broader group of oligarchs. Indeed, if our poem appeared on a tombstone, it would likely be for multiple men, not Critias alone. Nor is Critias himself explicitly mentioned in the verse. Neither can nor should we assume, therefore, that it is Critias' tomb, as suggested by the author of our scholium.

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7 Aeschin. 1.39 (καὶ ἔστω ταῦτα ὥσπερ τὰ ἐπὶ τῶν τριάκοντα ἢ τὰ πρὸ Εὐκλείδου).

8 On the historical context of this speech, see e.g. Harris 1995, 101–106. On the phrase *mē mnēsikakein* and the Thirty, see Ps.-Aristot. Ath. Pol. 39.6 (τῶν δὲ παρεληλυθότων μηδενὶ πρὸς μηδένα μνησικακεῖν ἐξεῖναι, πλὴν πρὸς τοὺς τριάκοντα καὶ τοὺς δέκα καὶ τοὺς ἕνδεκα καὶ τοὺς τοῦ Πειραιέως ἄρξαντας, μηδὲ πρὸς τούτους, ἐὰν διδῶσιν εὐθύνας). See also Loraux 2002, 149–152 originally published as Loraux 1997. More recently, see e.g. Carawan 2012. The tension of forgetting is aptly articulated in the analysis of Azoulay – Ismard 2020, 105–107 and 139–141, who consider the oath as both effectively repressing the continuation of the civil war and drawing attention to the historical *stasis* like an amputated limb.

9 Sources tend to paint the reconciliation agreement as almost miraculous and unique among Greek political communities, see e.g. And. 1.140; Isocr. 18.31–32; Xen. Hell. 2.4.43; Ps.-Aristot. Ath. Pol. 40.3. Cf. Azoulay – Ismard 2020, 132–134.

10 E.g. Krentz 1982, 130 concludes his study with discussion of this monument and epigram; on the Thirty at Athens cf. Diehl 1922, Whitehead 1982/3 and more recently Németh 2006, who provides a prosopography. Cf. Ostwald 1986, 460–475 on various members. See also Wolpert 2002 and Azoulay – Ismard 2020, especially at 39–65 on Critias; cf. Ostwald 1986, 462–465.

11 See Dickey 2007, 53 regarding Didymus and the scholia derived from Aeschines' writing.

This alleged verse inscription is important, however, insofar as it is the most politically explicit social document ever associated with a Classical Attic monument. It expresses an ideological viewpoint – that the Athenian *dēmos* is filthy or abominable (κατάρατον), deserving of scorn and utter contempt – not dissimilar to the attitude of the Old Oligarch.[12] The anti-democratic sentiment and engagement with the politics of baseness is otherwise unparalleled; indeed, while readers frequently detect irony or a skewed sense of humor in the Old Oligarch's passages, this poetic composition is unabashedly direct. Its mash-up with a monument bearing a similarly politically charged image heightens its singular nature. We suggest, therefore, that this scholium provides a lens into an essential counternarrative in which sympathizers of the Thirty did not meekly dissolve into the woodwork following the restoration of the *dēmos* but tarried in the streets of Athens. Indeed, the Thirty themselves, and their sympathizers, from this perspective, may be viewed as a subversive *kōmos* group that sought to govern the unruly *dēmos.*

Our writer presents here two *mnēmata* that scholarship has synthesized into one. At the beginning of the scholium, our anonymous author refers to the image of Oligarchy set upon a memorial. This seemingly refers to a monument, or tomb, in honor of the dead.[13] The *mnēma* to which the verse inscription refers, however, is perhaps more of a commemoration, not necessarily a physical thing. Indeed our anonymous source must have conceived the 'memorial' without personal autopsy, having inferred its existence from the 'commemoration' in the hexameter verses. That is, the poetry appears to generate an ur-performative context or 'lieu de mémoire' that later readers and excerpters, both ancient and modern, took for granted. For the purposes of this article, therefore, we consider and refer to the image of Oligarchy and Democracy as the 'memorial' separately from the 'commemoration' mentioned internally in the apparent verse inscription. This distinction is critical when understanding the uncertain nature of the scholium and the variety of distortions, or accretions, that accumulated over the centuries until the recording of the anecdote we now possess. We first consider the iconographic parallels for such a scene reported by our commentator. We then deconstruct the text and consider a variety of ways this tradition might have been preserved and transmitted in the historiographical tradition. Fundamentally, we are interested in promoting an interdisciplinary approach to this historical crux and seek to integrate a series of readings of this enigmatic anecdote in order to better understand its historic significance.

12 E.g. Ps.-Xen. 1.6 on wretched men speaking (ἄνθρωπος πονηρός); cf. Ps.-Xen. 1.10 on the slavish appearance of citizens (ἐσθῆτά τε γὰρ οὐδὲν βελτίων ὁ δῆμος αὐτόθι ἢ οἱ δοῦλοι καὶ οἱ μέτοικοι καὶ τὰ εἴδη οὐδὲν βελτίους εἰσίν).

13 LSJ[9], s.v. μνῆμα.

This line of argumentation expands on the work of U. Wilamowitz, whose interpretation has not been fully appreciated in later scholarship, although cited in passing by many interpreters. Even Wilamowitz seems inconsistent on the historicity of the anecdote, adducing historical visual comparanda for such a tombstone but simultaneously rejecting the existence of the monument. We quote him in full on the verse memorial in particular:

> "Der Vers paßt nicht auf das Grab des Kritias und hat auf keinem Grabe gestanden, aber ein Zeugnis für den Geist der überwundenen Oligarchen ist er, und das Bild mochten sie auch damals wenn nicht zeichnen, so doch im Geiste auf das Grab der gefallen Parteigenossen setzen."[14]

> "The verse does not belong upon the grave monument of Critias and was never inscribed on any grave monument, but it is a witness to the spirit of the vanquished oligarchs, and even if they did not inscribe the image at the time, they set it in their minds on the graves of fallen party comrades."

Wilamowitz here is acutely sensitive to recovering the ancient 'mentalité' of Attic oligarchs and their ideological sentiments. This may explain his inconsistency, in that Wilamowitz was willing to dispose of the monument but cautious about preserving the authenticity of the poetic composition. This text therefore warrants reconsideration; our perspective on the subversive attitude of defeated oligarchs is an important historiographical matter, no less than the origins of such a hexameter composition. We view these verses as a genuine subversive social document from the early fourth century that was transmitted orally, much as democratic *skolia* songs had been earlier.[15] They may in fact preserve an authentic oligarchic tradition, a counter-history of the Thirty.

The Image of Oligarchy Burning Democracy

For archaeologists and art historians, this textual witness is critical for the study of political personifications in Athenian art. If genuine, this monument would be the only visual personification of *Oligarchia* and the earliest depiction of *Demokratia* in

14 Wilamowitz 1924, 130.

15 As Wilamowitz 1924, 129 envisions for the Harmodius' Lied: "wie dies von Mund zu Mund ging und gelegentlich aufgezeichnet ward." Cf. Wilamowitz 1893, 177 where he considers the forms of censorship in Attic literature following the fall of the Thirty which would mask anti-democratic sentiment: "sondern das grabmal zu ihrem ehrengedächtnis gegenüber der ächtung durch die attische allmächtige litteratur erfand."

history.[16] The writer of the scholium and his sources took it to be 'real' insofar as it had already become their reality, i.e. a fact in the Attic historiographical tradition produced by the Atthidographers, *vel sim.*[17] To visualize the image that the scholium conjures up, we employ the basic archaeological methods of deduction and comparanda. We assume that it is not a memorial dedicated to a divinity, for there is no record of Oligarchy's deification; thus the pervasive scholarly assumption that it was a funerary monument. In 403/2, during the rule of the Thirty Tyrants, and in the early fourth century, following this period of *stasis*, Athenian funerary monuments came in all different shapes and sizes. They were made in a variety of media, including stone, ceramic, and even metal, or combinations thereof. Some funerary monuments were topped with free-standing statues, others with relief decoration, while many more were simply painted. Olga Palagia infers – but never clarifies – that this one had a painted image, with which she starts her catalogue of the paintings of Euphranor.[18] Perhaps she means to suggest that the depiction employed in this Critian monument was reliant in some way on a particular depiction first pioneered by Euphranor. Extant testimonia refer to Euphranor's skills as a sculptor and panel painter;[19] it is unlikely that he decorated this particular tomb with a painting, however, unless it was a state tomb. More essentially, there is no evidence that Euphranor – whose floruit Pliny places a few generations later than Critias', in the 104th Olympiad (364) – painted or influenced this image.[20] Palagia rather conflates the Critian memorial with Euphranor's wall painting in the Stoa of Zeus Eleutherios that showed Democracy with Theseus and *Dēmos*.[21] The relief atop the anti-tyranny decree from 337/6 might recall that famous painting, which is otherwise lost (figure 1).[22]

So we turn to the more likely possibility that our memorial was sculpted, either in relief or in the round. The tendency throughout the fourth century was to decorate

16 Smith 2011, 124–126 lays out the evidentiary issues clearly; cf. Boedeker – Raaflaub 1998, 422–423 n. 34 and n. 36, and Müller 1997.

17 Such ontological problems have been thoroughly explored recently by Anderson 2018, especially 129–148.

18 Palagia 1980, 60–61 cat. A1.

19 Palagia 1980; Pollitt 1990, 93–94 (sculptor) and 166–169 (painter); Stewart 1990, 287–288 (sculptor).

20 Pliny HN 34.77 and 35.128.

21 These paintings are discussed by Pausanias (1.3.3–4); see discussion in Smith 2011, 125 and 142 MP 6. Cf. Sealey 1973, 291–292.

22 Anti-tyranny decree: SEG 21.87; see discussion in Smith 2011, 99–100; 139 DR 40 with fig. 9.11. On historical points, see generally Teegarden 2014, 85–112 with bibliography. Conceivably, the imagery on the stele could go back to the decree of Demophontus, although the document as quoted or inserted into the speech of Andocides is a forgery (Myst. 95–98) and a physical copy of the decree of Demophontus does not survive. On the mashed-up nature of the document quoted in Andocides, see Harris 2015. On the general historical background, see Teegarden 2014, 15–53.

Fig. 1: Athens, Agora I 6524, 337 (IG II–III^3, 1, 2, 320). Photo: Agora Museum, Athens

tombs with reliefs in increasing depth until the figures were almost freestanding. At the end of the fifth century, however, relief figures – as we have employed in our reconstruction (figure 2) – might be more usual. Our reconstruction is completely hypothetical except for the elements that we analyze below: the juxtaposition of two contrasting female figures and the torch in one of their hands. We employ this hypothetical model not to make this memorial more 'real' but to define our parameters. Most scholars engaged in this debate seem to have imagined a form of memorial that they have not explicitly shared with their readers; indeed, how each scholar imagines the memorial is in itself a sort of Rorschach test for their own understanding and imaginative rethinking of partisan historical discourses in fourth-century Attica.[23]

While two-figure scenes, depicting battles or other forms of competition, are ubiquitous in the art of ancient Greece, they are used in two distinct ways in the

23 Smith 2011, 124 and 146 S 3 assumes it was a statue and thus places it, without further comment, in the statue part of her catalogue of political personifications.

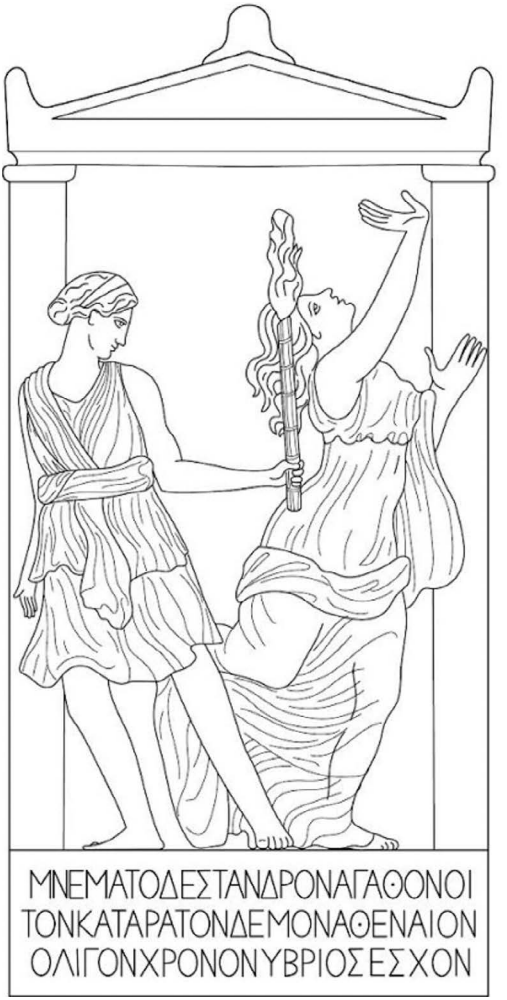

Fig. 2: Hypothetical reconstruction of Oligarchia and Demokratia. Illustration by C. Kolb.

realm of personifications, either as complements or as contrasts. Complementary personifications sometimes decorated reliefs atop treaty and honorary documents from Classical Athens. A late fifth-century document relief only a few years older than our supposed Critias memorial, for example, shows Athena, as proxy for Athens, shaking hands with the personification of Bithynian Kios, presumably to emphasize the happy results of the treaty (figure 3).[24] *Kios*, who is labeled as such,

24 Bithynian *Kios* document relief: IG I^3 124; see discussion in Lawton 1995, 87 no. 9 and pl. 5; cf. Ritter 1997, 25–26 with fig. 1; Smith 2011, 103; 134 DR 4 with fig. 9.18. This document relief is the ear-

is simultaneously personification and eponymous founder of that city.[25] Our monument as envisioned in the scholium, however, seems to conjure up an anti-*dexiōsis*. That is to say, rather than seeing an embrace or the clasping of hands between two personifications (as in figure 3), we instead are presented with their combat and hostility towards each other.[26] The aforementioned relief crowning the anti-tyranny decree, in the next century, seems to show another affirmative pairing, *Demokratia* crowning the enthroned *Dēmos*, the body politic himself (figure 1). While neither personification is labeled on this relief, both are well attested in contemporary art.[27]

Dikē & *Adikia*

Such document reliefs are roughly contemporary with the death of Critias, but we have to go back to images on Archaic pots for combative two-figure groups, in which personifications – notably *Dikē* (Justice) triumphing over *Adikia* (Injustice) – are pitted against each other to contrast their opposite natures. We find *Dikē* in Greek literature, earliest in Hesiod, who tells us of a race in which she beat *Hybris*

liest of a number that feature political personification: see Smith 2011, 133–141 DR 1–49. Compare this relief with IG II^2 18 which, while damaged, similarly shows Athena, as proxy of Athens, possibly shaking hands with a personification or deity from the city of Syracuse. Cf. Smith 2011, 103–104 and Lawton 1995, 90–91 no. 16 and pl. 9. See also, IG I^3 127 with Elsner 2015, which depicts the patron goddesses of both Athens and Samos respectively, Athena and Hera, as possible civic personifications. This decree is especially relevant given its historiographical relationship to the Thirty, and the suppression of their regime in its text. On this aspect of the decree, see Shear 2011, 236–237, 249, 252, and 258–259; Blanshard 2007 and Lawton 1995, 64–66, no. 12.

25 For further evidence of the personification of Kios as founder of the city, see Strabo 12.4.3. See also the scholium on Apoll. Rhod. 1.1177–78a (Rose Fr. 519: ἔστι δὲ πόλις Μυσίας ἀπὸ Κίου τοῦ ἀφηγησαμένου τῆς Μιλησίων ἀποικίας, ὡς ἱστορεῖ Ἀριστοτέλης ἐν Κιανῶν πολιτείαι). See also, Weiss 1992; cf. Smith 2011, 103.

26 Elsner 2015, 60 astutely notes that the visual *dexiōsis* on Attic decrees illustrates the *agathos* nature of the citizens in both cities, pointing to the parallel phenomenon on Attic funerary stelai. This value is further emphasized in the texts of the decrees themselves. Cf. Azoulay – Ismard 2020, 54 with n. 77 who consider the image of *Oligarchia* burning *Demokratia* as an inversion of the Tyrannicides in the Athenian Agora, i.e. the perversion of the foundational violence of the democratic state.

27 See Smith 2011, 96–102; 124–126. We cannot respond to every hypothesized political personification attributed to the context of late fifth-century Athens and we have focused on those artistic works most relevant to our analysis. For instance, Drougou 2004 argues the Pella *hydria* – Pella 80514 (BAPD 17333) – is an elaborate metaphor for the Thirty Tyrants and their actions in Athens; this analysis is rightly rejected by Neils 2013, 608–610.

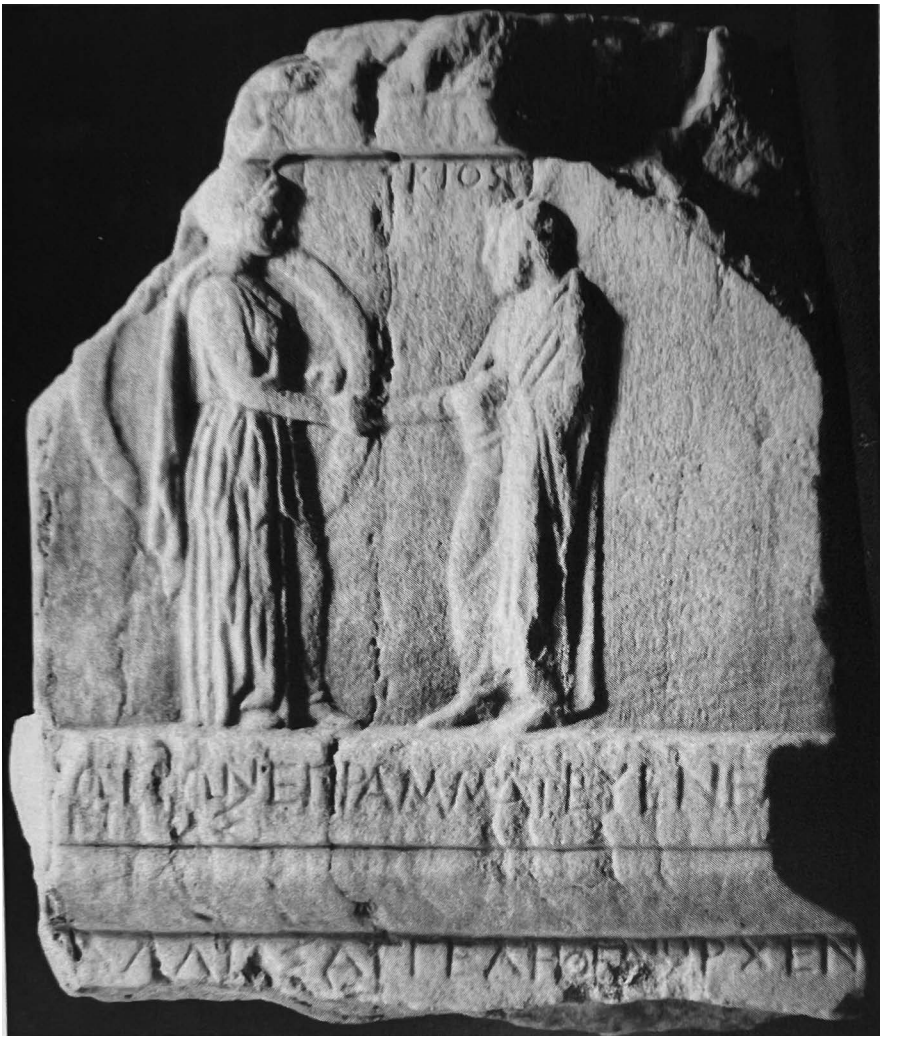

Fig. 3: Athens, Epigraphic Museum 6928, 406/5 (IG I³ 124). Photo: Epigraphic Museum, Athens

(Arrogance).[28] Nowhere in the visual arts, however, do we find *Dikē's* contest with *Hybris*. At the beginning of the 6th century, Solon revived Hesiod's *Dikē*, whom he

28 Hes. Op. 216–18 (ὁδὸς δ' ἐτέρηφι παρελθεῖν / κρείσσων ἐς τὰ δίκαια· δίκη δ' ὑπὲρ ὕβριος ἴσχει / ἐς τέλος ἐξελθοῦσα· παθὼν δέ τε νήπιος ἔγνω). As Shapiro 1993, 41 points out, personified *Hybris* is unknown in Greek art except for the name of a satyr on a red-figure pelike in Munich 2360 (BAPD 215719), for which see Kossatz-Deissmann 1991, 155–156.

held up as a paragon of virtue for Athens' putative 'proto-democracy.'[29] This conceptualization of *Dikē* is fundamentally aristocratic, much like Solonian *Eunomia* (Good Order). Here we follow K. Raaflaub, who explains that "Sparta, then, was as yet far from the radical 'other' it became much later, just as Athens was as yet far from fully egalitarian, let alone democratic […]."[30] In other words, when considering early Attic political formation, we understand the Athenian proto-democracy as, in essence, a mixture of hereditary elite elements and popular features rather than the more radical fifth-century phenomenon.[31] When Pausanias viewed at Olympia the cedarwood box known as the 'Chest of Cypselus' (in reference to the Corinthian tyrant, c. 657–627), a masterpiece of ancient art long since lost, he noted *Dikē* among its personifications (Pausanias 5.18.2):[32]

> γυνὴ δὲ εὐειδὴς γυναῖκα αἰσχρὰν κολάζουσα καὶ τῇ μὲν ἀπάγχουσα αὐτήν, τῇ δὲ ῥάβδῳ παίουσα, Δίκη ταῦτα Ἀδικίαν δρῶσά ἐστι·
>
> "A beautiful woman punishes an ugly woman and she is both throttling her and striking her with a rod; that is, Justice is doing these things to Injustice."

We find the same two-figure group – *Dikē* and *Adikia* – decorating at least two Attic vases by the end of the sixth century.[33] There is no literary precedent for this graphic image, despite the ubiquity of *Dikē* in Archaic literature. On one of these vases the unnamed artist distinguished *Adikia* as ugly and/or diseased by giving her spots – tattoos or lesions – perhaps likening her to a (Thracian) barbarian (figure 4).[34] If the image is indeed an ethnicized stereotype, it may evoke a

29 Solon Fr. 4.14 (οὐδὲ φυλάσσονται σεμνὰ Δίκης θέμεθλα).

30 For this comparison, see Raaflaub 2006, 399–404. See also Cartledge 2018 on Sparta's contribution to proto-democracy.

31 Cf. Solon Fr. 23 on aristocratic topoi, i.e. pederasty, horses, hunting dogs, and xenia relations (ὄλβιος, ᾧ παῖδές τε φίλοι καὶ μώνυχες ἵπποι / καὶ κύνες ἀγρευταὶ καὶ ξένος ἀλλοδαπός). See also Fr. 4.31–32 with the personification of *Eunomia* and *Dusnomia* (ταῦτα διδάξαι θυμὸς Ἀθηναίους με κελεύει, / ὡς κακὰ πλεῖστα πόλει Δυσνομίη παρέχει, / Εὐνομίη δ᾽ εὔκοσμα καὶ ἄρτια πάντ᾽ ἀποφαίνει, / καὶ θαμὰ τοῖς ἀδίκοις ἀμφιτίθησι πέδας·). This is an idea shared with Tyrtaean *eunomia* and the Rhetra at Sparta (Fr. 1–4).

32 Text of Pausanias is Spiro 1967. For the dates of Cypselus, see e.g. Jeffery 1976, 146–148. For the chest see Stuart-Jones 1894 and more recently LaCroix 1988. For the date of the chest (or a copy thereof dedicated at Olympia) scholars associate it with another Cypselid dedication at Olympia, an inscribed gold phiale, dated to c. 625–550: Boston, Museum of Fine Arts 21.1843 (Jeffery 1990, 131 cat. 13). See also Carter 1989 on the Cypselid dedications.

33 Basel HC 826 (BAPD 28963) and Vienna, Kunsthistorisches Museum 3722 (BAPD 200050), both c. 520–500. See discussion in Shapiro 1993, 39–44.

34 On this particular scene, see discussion in Frel 1963; Shapiro 1993, 39–40, fig. 5; Smith 2011, 15, fig. 2.2.

Fig. 4: Vienna, Kunsthistorisches Museum 3722, c. 520–500 (BAPD 200050). Photo: Kunsthistorisches Museum, Vienna

domestic slave, or 'declassé' person, in Athens at that time, and therefore alludes to a sort of domestic strife.[35] Or might the spots suggest she is filthy? The portrayal of filthy democracy in our poem – κατάρατον δῆμον – certainly matches this sort of aesthetic viewpoint. In the images on both vases, *Dikē* attacks *Adikia* with a mallet, a bit thicker than the rod or ῥάβδος specified by Pausanias. Possible explanations, whether textual – mistaking ῥόπαλον (club) for ῥάβδος[36] – or visual – a mallet thinned out to look like a rod – could be accommodated in the passage of time: the cedarwood chest was more than 700 years old by the time Pausanias saw it! In either case, this blunt, probably wooden, instrument, is *Dikē*'s weapon of choice in literary as in visual arts.[37] *Dikē* punishes *Adikia* much as an elite person might punish a slave, with whatever tool was at hand in a domestic setting. Such domestic images of strife would work well as an intra-*polis* civic metaphor for civil war and *stasis* – as in the rule of the Thirty at Athens – in contrast to the conceptualization of military enemies, or *polemoi*.[38] Yet even outside the home, in non-domestic space, a staff would be an appropriate image for conflict within the *polis* in contrast to weapons for war. The staff is an elite male's implement of choice when moving through *astu* spaces and being 'about town.'[39] An elite man might chastise a supposedly base person for some sort of social infraction with his

35 On Thracian tattooing, the classic article is Jones 1987; see now Tsiafakis 2015, 96–98 and 108–113 on Thracian tattoos associated with slavery and punishment.

36 Bushala 1969 rightly argued for the equivalence of ῥόπαλον and ῥόπτρον (a piece of wood used variously in an animal trap, as a percussion instrument, or a door knocker), the latter used by *Dikē* when she struck Hippolytus in Euripides' telling of that story (ἔπαισεν αὐτὸν ῥόπτρον αἰσχύναντά με at Hipp. 1172).

37 Shapiro 1986, 389–390. We reject, however, Shapiro's suggestion (1993, 42; 1986, 389–390) that that same general pose is used for both the youthful Theseus and the tyrannicide Harmodius. See Azoulay 2014, 245–257 for a survey of imagery that responds to the Tyrannicides statue group and Carpenter 2021 for a novel reinterpretation of the group. Both heroes are in the main swordsmen (ξιφηφόροι), and swordsmanship requires a different hold on the weapon. *Dikē* is later associated with swords, earliest in 458 (Aeschyl. Lib. 639–441), but does not exhibit sword wielding until the fourth century, and on South Italian vases, themselves strongly influenced by theatrical presentations.

38 See Shear 2011, 317–318 on the Demophontus decree redesignating Athenians as external *polemioi,* though again, the document as we have it is a forgery perhaps based on some historical distillate. See again Harris 2015. Certainly, the same phenomenon is at play in the decree of Theozotides, SEG 28.46, which treats victims of the oligarchic regime (shortly after the fall of the Thirty, in all likelihood) as war orphans. That is to say, the conflict with the Thirty was viewed or recast as a conflict with external enemies of the state. Cf. Stroud 1971 and more recently Shear 2011, 234–238 and Dmitriev 2019.

39 On walking sticks see the general comments of Lee 2015, 170–171: "Adult men are represented so frequently with walking sticks that they could almost be considered another bodily appendage!" They are a notable fashion accessory of the elite: see e.g., van Wees 1998, 359–360.

walking stick.[40] The use of non-military imagery – rods, mallets, hammers, or in the case of our memorial to *Oligarchia*, a torch – thus alludes to civic and domestic conflict, not conflict between *poleis.* The image of domestic disputes, particularly class differentiation, might be employed intentionally to evoke ideas about *stasis* and the internal maintenance of the intra-*polis* political community. If *Dikē*, the expression of an Archaic aristocratic value, punishes *Adikia* with such an allusion to domesticity, it may suggest keeping the classes 'in line'.[41]

The personification of *Dikē* disappears from the visual and literary arts of Athens in the 5th century. *Dikē*'s class-laden associations continue elsewhere into the fifth century, as evidenced, for example, in the works of Pindar and on the Temple of Zeus at Olympia. There A. Stewart suggests "*dikē*, *aretē* and *sōphrosynē* have a class meaning and are interpreted from a conservative, aristocratic, and Dorian bias."[42] It is also at Olympia – in its Heraion – that Pausanias viewed *Dikē* attacking *Adikia* on the Chest of Cypselus more than half a millennium later. The presence of these same labeled figures – *Dikē* and *Adikia* – on two extant vases in the next century would seem to confirm that the imagery was familiar, presumably because it had been seen in such a public space. The Chest of Cypselus – small and delicate though it must have been – either set the visual standard for an image of contrasting concepts personified or was replicated in another more influential prototype that is also lost to us. While Dikē in particular is a place for everyone and everyone in his place, she is absent in the visual arts of fifth century Greece.[43]

Even if we accept the 'Chest of Cypselus' as a valid early iconographical comparandum for two-figure scenes that illustrate personifications in conflict, it seems difficult to associate this particular exemplum with proto-democratic or oligarchic values, thus retrojecting fifth-century political ideas into the Archaic past. Indeed, as a dedication at Olympia, the 'Chest of Cypselus' may have had more to do with athletic conceptions of justice (even if these were properly aristocratic) than with

40 Note the supposed conduct of the elite Penthilidae of Lesbos (Aristot. Pol. 1311b). Cf. Ps.-Xen. Ath. Pol. 1.10 on the need to strike slaves (τῶν δούλων δ᾽ αὖ καὶ τῶν μετοίκων πλείστη ἐστὶν Ἀθήνησιν ἀκολασία, καὶ οὔτε πατάξαι ἔξεστιν αὐτόθι οὔτε ὑπεκστήσεταί σοι ὁ δοῦλος). See also Hornblower 2000, revisited again in 2011, 257–266 on the phenomenon of proud Spartans swaggering about with their walking sticks (*baktēria*) and looking down on other Greeks, perhaps a trope of anti-democratic and tyrannical behavior. See now Zaccarini 2022, 161–164, however, who revisits the issue of Spartan exceptionalism when it comes to discipline and violence.

41 Frel 1963 explains the late 6th century *Dikē-Adikia* vases (e.g. fig. 4) as visualizations of the Athenians' desire for justice in the worst years of the Peisistratid tyranny. This view chimes with the political scenario, but these personifications could equally be Peisistratid, where personified Justice takes the place of individuals of the elite chastising the *dēmos*, or the *dēmos* through the (popular) Peisistratid tyranny chastising elites on account of their injustice.

42 Stewart 1983, 142; cf. Bowra 1964, 97–98.

43 Stewart 1983, 142.

later discourses on democracy and justice. At Olympia, moreover, punishment with a rod might be better associated with the rods magistrates used to punish athletes.[44] In other words, the Chest of Cypselus might be a stronger analogue for sport than political preferences.

The transmission of visual imagery among the arts of Greece is a fraught, indistinct, and largely unfathomable pursuit, and scholars have perhaps stepped too far also in their search for *Dikē* or her echoes in fifth-century art. Polygnotus' *Nekyia*, a lost painting also saved for posterity by Pausanias' description of it, once decorated part of the Cnidian Lesche at Delphi.[45] At 10.28.4 Pausanias notes the image of a pair of men whose identity he cannot discern because they are not labeled:

> ἐπὶ δὲ τοῦ Ἀχέροντος τῇ ὄχθῃ μάλιστα θέας ἄξιον, ὅτι ὑπὸ τοῦ Χάρωνος τὴν ναῦν ἀνὴρ οὐ δίκαιος ἐς πατέρα ἀγχόμενος ἐστιν ὑπὸ τοῦ πατρός.
>
> "On the bank of Acheron there is a notable group under the boat of *Charōn*, consisting of a man who was unjust with respect to his father and is now being throttled by his father."

Although Pausanias is clear that this is a pair of men, who are genealogically related, fighting without weapons, scholarly consensus has elided it with the image of *Dikē* and *Adikia*. M. Stansbury-O'Donnell (following his forbears, H. Brunn and H. A. Shapiro), asserts "the theme of *dikē* and *adikia* figures prominently in the Lesche program and may be announced symbolically with the struggling figures here."[46] He then reconstructs this corner of the painting with a pair (figure 5) that strongly resemble the image on our Vienna amphora (figure 4). Regardless of the complication of a gender difference, however, Pausanias does not inform us that the *Nekyia* attacker uses a weapon, but rather that he is throttling his opponent. Perhaps he is rather drowning his son, which would explain why they are under Charon's boat.[47] The visual connection between these two lost monuments – the Chest of Cypselus (7–6th century) and Polygnotus' *Nekyia* (5th century) – is vaguely suggestive at best. In any case, neither the Chest nor Polygnotus' painting, both used as parallels for the Critian monument by earlier scholars going back to Wilamowitz, get us closer to the memorial conceived by the scholium for Critias or other members of the Thirty.

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44 E.g. Hdt. 8.59 on the flogging of runners for false starts. For a full survey of sources on whipping, striking, and flogging as punishment in athletics at Olympia and elsewhere, see Crowther – Frass 1998, especially at 153–156 for the terms of different officials who might wield the ῥάβδος. The fragmentary inscription on a bronze tablet at Olympia, B 6075 and 6616, clearly attests to this punishment in the late sixth century.

45 Shapiro 1993, 42, following Brunn 1865.

46 Stansbury-O'Donnell 1990, 217.

47 LSJ^{9}, s.v. ἄγχω.

Fig. 5: Part of M. Stansbury-O'Donnell's reconstruction of Polygnotus' Nekyia, after Stansbury-O'Donnell 1990, fig. 3.

Democracy on Stage

Lacking extant Classical images of *Dikē* and *Adikia*, let alone *Demokratia* and *Oligarchia*, we turn to the stage, in which venue the Athenian eye feasted on many visualizations now lost to us in our reading of their dramas. The most compelling Athenian fifth-century visual representation of *Dikē* is found in an *ekphrasis* in Aeschylus' "Seven Against Thebes" (467). In describing Polyneices' *sēma* or shield device, Eteocles' spy explains that it is an allegory of *Dikē* presumably leading a righteous man (644–649):[48]

> χρυσήλατον γὰρ ἄνδρα τευχηστὴν ἰδεῖν
> ἄγει γυνή τις σωφρόνως ἡγουμένη (645)
> Δίκη δ' ἄρ' εἶναί φησιν, ὡς τὰ γράμματα
> λέγει· "κατάξω δ' ἄνδρα τόνδε, καὶ πόλιν
> ἕξει πατρώιαν δωμάτων τ' ἐπιστροφάς."
>
> "For a chaste woman comes leading a man with weapons, it seems, made of hammered gold. *Dikē*, she is said to be, as the letters state, says 'I will lead this man back and he will have the city and occupy the halls of his father'."

Yet this vignette represents a rescue, not an attack, so it is irrelevant to our search for comparanda for one personification attacking another.

48 Text: Page 1972.

While the personification of Oligarchy remains elusive, as noted above, Democracy was also spotlighted on stage, perhaps unsurprisingly, in the era of the Peloponnesian War. Several of Aristophanes' characters call on *Demokratia*. In 425, for example, Lamachus shouts ὦ δημοκρατία, ταῦτα δῆτ' ἀνασχετά; (Ach. 618); and in 414, Poseidon exclaims ὦ δημοκρατία, ποῖ προβιβᾷς ἡμᾶς ποτε, / εἰ τουτονὶ κεχειροτονήκασ' οἱ θεοί (Av. 1570). Yet, in both of these passages, the apparent personification of *Demokratia* is alone. No doubt, these references to personified feminine Democracy may be seen as similar to Old Man *Dēmos* in "Knights" (in 424), a prominent character in the play and a personification of the Attic body politic in an elaborate political metaphor. Yet, this personification of *Dēmos*, or a caricature of the average Attic voter, is not the same as *Demokratia*. By 411 Heniochus presented *Demokratia* as a young woman who opposed *Aristokratia*, a personification who is not found in the visual arts of Athens. This comic episode on stage, albeit fragmentary and unattriubuted to a particular comedy, offers our best literary comparandum the images of Democracy and Oligarchy personified in art.[49] We quote the fragment here in full, as preserved in Stobaeus (Flor. 4.1.27), which is surely part of a prologue setting up the wider comedic plot:[50]

ἐγὼ δ' ὄνομα τὸ μὲν καθ' ἑκάστην αὐτίκα
λέξω· συνάπασαι δ' εἰσὶ παντοδαπαὶ πόλεις,
αἳ νῦν ἀνοηταίνουσι πολὺν ἤδη χρόνον.
τάχ' ἄν τις ὑποκρούσειεν ὅ τι ποτ' ἐνθάδε
νῦν εἰσι, κἀνέροιτο, παρ' ἐμοῦ πεύσεται. (5)
τὸ χωρίον μὲν γὰρ τόδ' ἐστὶ πᾶν κύκλῳ
Ὀλυμπία, τηνδὶ δὲ τὴν σκηνὴν ἐκεῖ
σκηνὴν ὁρᾶν θεωρικὴν νομίζετε.
εἶεν· τί οὖν ἐνταῦθα δρῶσιν αἱ πόλεις;
ἐλευθέρι' ἀφίκοντο θύσουσαί ποτε, (10)
ὅτε τῶν φόρων ἐγένοντ' ἐλεύθεραι σχεδόν.
κἄπειτ' ἀπ' ἐκείνης τῆς θυσίας διέφθορεν
αὐτὰς ξενίζουσ' ἡμέραν ἐξ ἡμέρας
Ἀβουλία κατέχουσα πολὺν ἤδη χρόνον.
γυναῖκε δ' αὐτὰς δύο ταράττετόν τινε (15)
ἀεὶ συνοῦσαι· Δημοκρατία θατέρᾳ
ὄνομ' ἐστί, τῇ δ' Ἀριστοκρατία θατέρᾳ,
δι' ἃς πεπαρῳνήκασιν ἤδη πολλάκις

49 The classic discussion of this fragment is in Edmonds 1957, 916 but his translation takes many liberties. See now the new edition and commentary by Mastellari 2020, 241–263 for full bibliography, and especially at 261–262.

50 Text is Mastellari 2020. Cf. PCG Heniochus Fr. 5. Mastellari prints κἀνέροιτο for κἂν ἔροιτο at line 5 and αὐτὰς for αὐτὴν at line 15 along with some minor changes in punctuation.

"I shall speak the names attached to each of them straightway,
and there are there together all types of cities,
which have been now devoid of intelligence for a long time already.
Perhaps someone would interrupt and would inquire why they
are now here at this time; he will find out from me.
For this place is Olympia all in a circle,
and with this *skēne* [backdrop] there you should
suppose that you're seeing a *skēne* for the festival [*theōrikos*].
So be it! What are the cities doing here?
They've come sacrificing in honor of *eleutheria* [freedom]
at the time when they've just been freed from their *phoroi* [tributes].
And then after that sacrifice *Aboulia* [Thoughtlessness] has
abraded them, having them as a host day after day and
dominating them for a long time already.
Some two women there are who are always around and confound
them. *Dēmokratia* is the name for one of them, and
Aristokratia for the other,
on whose account they often now have behaved badly over drinks."

Personifications seem to abound in this passage generally. Indeed, the cities to which the speaker refers may have all been personified on stage.[51] One wonders if *Aboulia* (Thoughtlessness) made an appearance anywhere outside comedy: as yet there is no further evidence for her; likewise with *Eleutheria*, who is not personified in art until the Roman period, yet might easily be understood as a personification in this particular passage.[52] But how did Heniochus show the difference between Democracy and Aristocracy? These two appear as fleshed-out characters, not mere conceptualizations, in the play. Did these two personifications fight it out on stage? We can only say that they appear as unwelcome, feuding houseguests of a sort: their heavy drinking may be an act of *hybris* enacted on stage (cf. PCG Eubulus Fr. 93). Perhaps they carried implements as weapons? It is unlikely that we will ever know – especially as there are no visual representations of *Aristokratia* – but if it did come to a fight, did one of them use the mallet or rod of *Dikē*, her sword, or a torch? The wooden mallet or rod is most likely, because such domestic implements were common in comedy, yet we simply cannot know.[53]

51 Mastellari 2020, 248. The best parallel is Eupolis' *Poleis* on which see now Olson 2016, 228–313 (Frs. 218–258). See Lazar 2024, 59–65 on the issue of personification in this comedy. As Olson 2016, 228 notes, it is conceivable that Heniochus' comedy was also called *Poleis* but this is not historically attested.

52 Vollkommer 1992.

53 For discussion of costume and accoutrements in old comedy, see Stone 1981, Geddes 1987, Hughes 2006, and Compton-Engle 2015.

Eunomia as *Oligarchia* / *Oligarchia* as *Eunomia*

It is unsurprising that *Oligarchia* and *Aristokratia* are absent from the visual record, since neither is likely to be claimed or endorsed by any group in democratic Classical Athens; by this time, and likely at any time in fifth-century Athens, the charge of oligarchy was a political slur.[54] So we are left to wonder if *Eunomia*, an oligarchic appropriation of the personified *Dēmos* and *Dikē*, was rebranded as *Oligarchia* in the visual arts of Athens: indeed, *Eunomia* is frequently found in images of Aphrodite's entourage that decorate ceramics made in the era of the Peloponnesian War.[55] *Eunomia* receives worship with *Dikē*, from perhaps as early as Hesiod, who classes them together – along with *Eirēnē* (Peace) – as *Horai*.[56] The pair share an altar with *Aidos* (Reverence) in the 4th century, in the earliest secure attestation of the worship of *Dikē*.[57] Between these two monuments, however, is only an altar at Brauron, which may show *Eunomia* alongside *Eirēnē*, Dionysus, *Opōra* (Harvest), Hermes, and perhaps Eros and Charis (figure 6).[58] More often *Eunomia* and her sometime companion and natural partner *Eukleia* (Good Repute) populate scenes on Athenian vases.[59] What motivated the personification, let alone worship, of such ideas? A staunch democrat might see the personification of *Eunomia* as *Oligarchia* in a brazen act of partisan re-labelling. Indeed, a member of the Attic *dēmos* would surely associate praise of *Eunomia* with an enamored view of Sparta typical of late fifth-century Attic Laconizers.[60] Depictions of *Eunomia* might be viewed (or

54 See e.g. Ostwald 1986, 478–479 who shows how the Thirty did not refer to themselves as oligarchs. It is noteworthy that *Oligarchia* is conceived of as a personified woman by the author of the scholium, in contrast to the later trope of the Olgarch in Theophrastus (Char. 26). See Diggle 2004, 463–476 and 2022, 199–201 on this later image. See also Ebner-Landy – de Nicolay 2023 on the political significance of Theophrastus' work, with recent bibliography. We might also consider the trope of the Miser or Oligarch in Old and Middle Comedy, which may also be illustrated in comic figurines. A certain comic old man at the Metropolitan Museum of Art (13.225.19), published by Karoglou 2016 has been interpreted as an oligarchic man by Shapiro 2010. While outside of the scope of this article, no scholar has noted that the image of the Oligarch in Theophrastus seems to have shifted and is that of a well-groomed wealthy man, whereas in Old Comedy and comic figurines, the Oligarch is imbricated with performative austerity and Laconism.

55 Smith 2011, 61; 71–75; 83; 155 VP 17–18; 162 VP 33; 164 VP 36; 164–165 VP 39–40; 165–166 VP 42–45; and 168–169 VP 49–51. See also Kossatz-Deissmann 1988a and 1988b.

56 Hes. Theog. 901–902.

57 Ps.-Demosth. Or. 25.35; see Smith 2011, 73.

58 IG I^3 1407bis, see Smith 2011, 72, 77–78, 142 R 2.

59 Smith 2011, 74–76, with all previous bibliography, for the possibility of *Eukleia* and *Eunomia*'s joint cult at Athens.

60 Shapiro 2022, 175–178 links members of the Thirty to sacrificial scenes for Apollo *Patroös*; we might consider the possibility that members of the Thirty were similarly enamored with *Eunomia*.

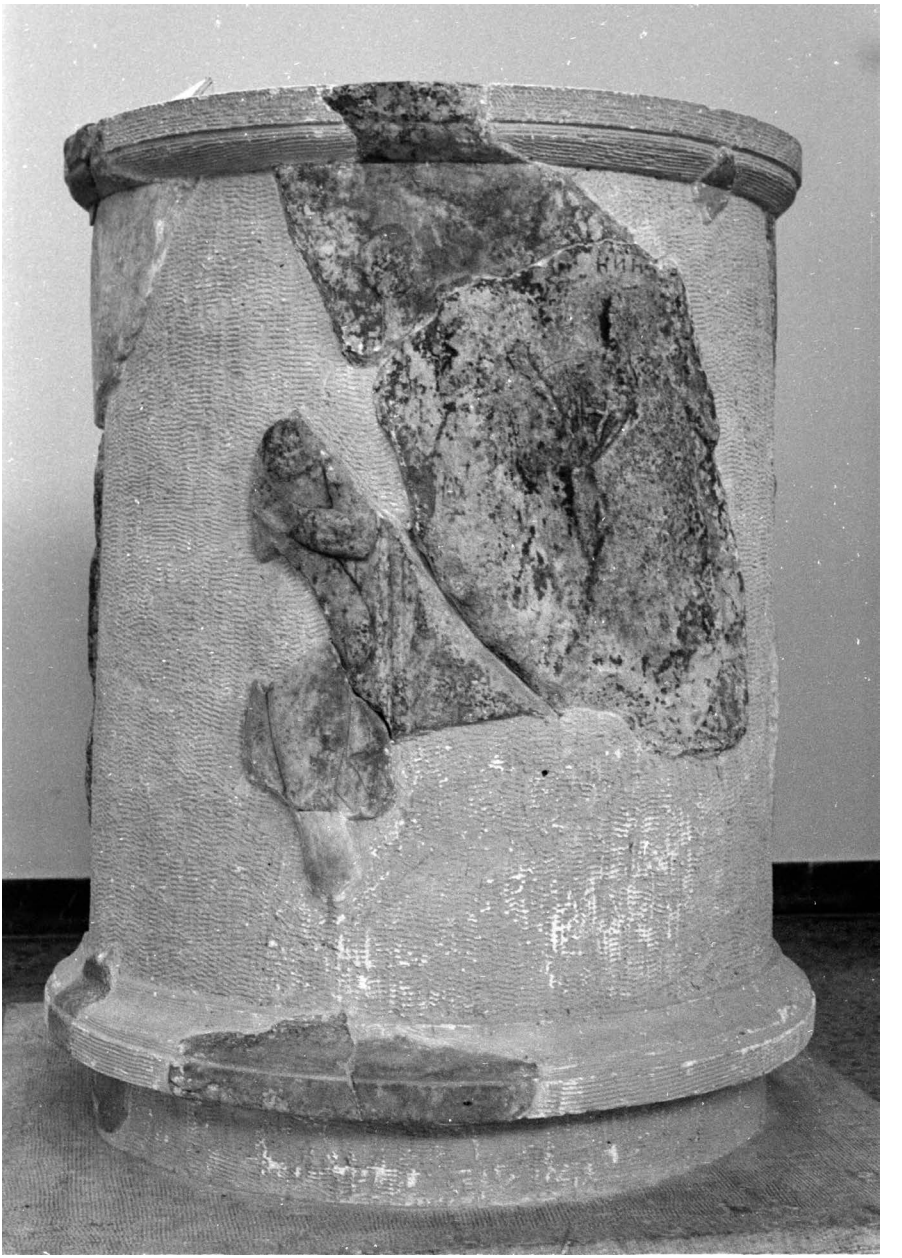

Fig. 6: Fragmentary round altar or statue base, decorated with *Eirēnē*, Dionysus, *Opōra*, Hermes, *Eunomia* or *Theōria*, perhaps Eros and Charis: Brauron Museum 1177, c. 400. Photo: A. C. Smith

mocked) by critics of oligarchic behavior, therefore, as *Oligarchia* herself. M. Simonton notes that oligarchies were much more repressive than democracies, "despite appeals to greater 'good order' (*eunomia*) and 'moderation' (*sōphrosynē*)."[61] While personified *Eunomia* is popular in Attic vase painting, she nevertheless remains largely absent from reliefs (except perhaps figure 6) and is never seen in conflict with another individual or personification; indeed conflict would undermine *Eunomia*'s inherent meaning, not to mention her visual associations. The stasis envisioned in the alleged tombstone of Critias is the very inversion of *Eunomia*'s mien. In the late fifth-century, such a redesignation and ideological reconstitution of an artistic depiction should hardly be surprising.

Oligarchia's Torch

In the absence of a parallel visual representation of *Aristokratia* or *Oligarchia*, we turn to an investigation of the torch of which Oligarchy apparently makes use on our memorial. In a broader discussion of New York's Statue of Liberty (!), Musti and Pulcini claim the torch of *Oligarchia* was an appropriation of democratic light by oligarchic sympathizers.[62] Wilson rather detects here the reappropriation of the aristocratic ideal of the *andres agathoi*, first usurped by the Athenian *dēmos* at their *dēmosion sēma*, and reclaimed here by the Thirty and their ilk.[63] Yet there is no precedent for a torch in the hand of either Democracy or Oligarchy. Torches are indeed found in the realm of political personifications, but in obscure places. Winged *Anankē* (Necessity) holds a torch in her unique appearance on an early Classical Attic red-figure lekythos.[64] A possible explanation for this torch is its widespread use at social events for which *Anankē* is responsible, namely weddings, according to Aristotle.[65] A few decades later, we find *Themis* – who usually represents Law according to custom, but also Justice – wielding a torch on a red-figure skyphos, where she greets the Thracian goddess Bendis.[66] This is surely an allusion to the torch race – on horseback – that compelled Socrates to tarry at the introductory *Bendideia*, a festi-

61 Simonton 2017, 71. On *eunomia* as an oligarchic concept (not personified), see also: Raaflaub 2006, 392 who follows Andrewes 1938, Ehrenberg 1965, Ostwald 1969, 62–95, and Meier 1970, 15–25 and 1990, 160–162.

62 Musti – Pulcini 1996, 289–290; 298–304.

63 Wilson 2003, 183 with n. 14.

64 Moscow, Pushkin IIb 117 (BAPD 41489).

65 See Aristot. Pol. 1252b26; discussion in Smith 2011, 21; 151 VP 5, fig. 2.6. See also Parisinou 2000, 28–34 on nuptial torches.

66 Tübingen, Universität S./10 1347 (BAPD 214330). Smith 2011, 46–47; 151 VP 7 with fig. 4.3.

val to Artemis Bendis, at Piraeus.[67] *Themis*' other attribute in this instance, a *kanoun* or cane basket, indeed puts this image in the realm of religious festivals, as befits a skyphos.[68] *Themis* here is sanctioning Athens' institution of a new cult of Bendis, as Erika Simon first suggested.[69] *Eirēnē* cradles a double-torch at a Dionysiac feast on an Attic red-figure calyx krater.[70] In this festival context – which again explains the torch – *Eirēnē*'s name is highly relevant, for she also cradles the *keras* or horn of plenty (*cornucopia*) that signals her role as the bringer of wealth, which gained her fame in Kephisodotus' statue (lost but known from copies in statuary and ceramic decoration).[71] On these vases, the identifications – of *Anankē*, *Themis*, and *Eirēnē*, respectively – are made clear by *dipinti* or labels their artists painted alongside each figure. The unlabeled torchbearer on a late Classical calyx krater, however, has been identified as the personification of *Phylē* (Tribe).[72] Although she is never labeled as such, this youthful female, who appears on several such vases from the last quarter of the fifth century, indeed celebrates tribal victories, thus her previous moniker "wingless Nike."[73] This is the only case in which *Phylē*, however, holds a torch and a sword, both of which attributes are relevant to tribal torch races.

The torches and their bearers we have so far discussed – *Anankē*, *Themis*, *Eirēnē*, and *Phylē* – illustrate aspects of religious festivals. The religious festival context most relevant to the imagery of women holding torches is of course Eleusis. On a red-figure amphora now in Palo Alto, an unlabeled female figure in procession with *Pompē* (yes, Procession herself), Papposilenus, and Dionysus, may be the geographic personification of Eleusis.[74] While *dipinti* here identify *Pompē* and Dionysus, Eleusis' label is alas missing. Her identification as Eleusis is based rather on a process of elimination – the Eleusinian triad are in the same procession, which wraps around to the other side of the vase – and comparison with the famous skyphos from the Brygos Tomb, on which a labeled Eleusis greets Demeter, Triptolemus, and Kore.[75]

67 Plat. Rep. 328a. See Sekunda 2016.

68 For *skyphoi* at festivals see Smith – Volioti forthcoming. For the *kanoun* see Schelp 1975 and Pettitt 2016, 14; 15; and 30 with table 1.V.

69 Simon 1953, 26.

70 Vienna, Kunsthistorisches Museum IV 1024 (BAPD 215261).

71 Smith 2011, 78–79; 109–118; 146–147 S 4 (for the statue); and 157–158 VP 22 with fig. 7.2 (for the vase).

72 Mannheim, Reissmuseum Cg123 (BAPD 218047); Smith 2011, 93 and 169–170 VP 54.

73 A. Milchhöfer (1880, 183) first suggested a *Phylē* identification for the 'wingless Nike' type although H. Schoppa (1935, 40) first identified the figure on the Mannheim krater as such.

74 Stanford University 70.12 (BAPD 8110). Smith 2011, 33–35; 154 VP 15 with fig. 8.2.

75 London, British Museum 1873.8–20.375 (BAPD 204683). S. Dunn has kindly called our attention to another hypothetical personification of Eleusis with a pair of torches: Tübingen, Universität S./10 1610 (BAPD 261).

Fig. 7: Two satyrs, named *Kōmos and Sikinnis*, facing Prometheus, each with a torch, on the lower frieze of side A of a calyx krater attributed to the Dinos Painter. Oxford, Ashmolean Museum 1937.983, c. 420–400 (BAPD 215266). Photo: A. C. Smith

It is Kore, Demeter's daughter, of course, who usually carries the torch: in her case it is an allusion to their festivals, but also her own descent and marriage to Hades, and therefore nuptial associations. While the imagery of torches was common at the *Eleusinia* in Athens and Eleusis, not least on votive reliefs, we cannot find precursor instances of a female figure literally torching another. Indeed two-figure groups are also rare in Eleusinian iconography.

There is a chance that a later Attic historiographer might have been inspired by images of women with torches on votive reliefs, which he might even have misconstrued as tombstones in a garbled misreading of fourth-century evidence. Eleusis was littered with relevant votives and indeed is a place where – if anywhere – one might expect to find a monument commemorating Critias or other oligarchs, as we explain below. Both within and beyond festivals, torches were common amongst bands of revelers, namely komasts. At Athens both *lampadēdromia* and *lampas* races – individual or in teams (relays) – honored certain deities: Artemis Bendis, as noted above, and of course Athena (in the *Panathenaia*), but also Hephaestus and Prometheus, to name a few. An image of satyrs and Prometheus, all with lamps, on an Athenian calyx krater from the end of the fifth century, may allude to the festival that honored Prometheus (figure 7). In any case, lamps in the hands of komasts, whether satyrs or men, old or young, allude to the *kōmos*, or nocturnal

revel.[76] A politically-charged group of oligarchs engaged in a *kōmos* in the streets of Athens would most certainly yield torches that might threaten the commoners. It is most likely therefore that *Oligarchia*'s torch was envisioned as a komastic torch.[77] Yet there remain no artistic parallels for the depiction of *Oligarchia*, least of all in conflict with *Demokratia*. *Oligarchia*'s complete absence from the visual arts of Athens might be explained by an apparent reluctance of Athenian oligarchs to refer to themselves as such; the term was pejorative in Classical Attica.[78] In sum, we doubt the existence of a monument to 'Oligarchy', the memorial described in our scholium.

Deconstructing the Text

Textual details, furthermore, encourage us to doubt the existence of a physical memorial as the source of our poem. In concise terms, the poetry itself seems to create a 'lieu de mémoire'.[79] Before we explore ur-performative contexts for the poem, we consider why and how such a monument was generated from hexametric poetry. While these verses are preserved in a scholium, this composition is in neither the "Greek Anthology" nor any other source, and did not enjoy circulation in a broader textual tradition, either on Critias or any other Athenian. One might claim that here we have a poem that has lost its original context – as with compositions in the "Greek Anthology" – and that it was decoupled from its initial performative space and stone. We reject this possibility. The purported, i.e. invented, memorial was not known in the later historiographical or epigrammatic tradition. In Hellenis-

76 Smith 2007.

77 We are grateful to T. J. Figueira for bringing our attention to the *kōmos* here. Perhaps the two personifications are meant to be envisioned as courtesans (*hetairai*) fighting each other much like the women in the tent of Heniochus.

78 Simonton 2017, 3 n. 8 writes that oligarchy is a relatively obscure noun: "there is actually no attested instance of the Greek noun oligarchos." The one possible exception noted by Simonton is SEG 32.161, line 5 where Walbank 1982 proposes to restore a genitive plural *oli*[*garchōn*]. Cf. the use of the adjective Lys. 25.8 or use of the participle at Aristot. Pol. 4.1300a8. On the perjorative view of oligarchy as a form of government, see Demosth. Or. 15.17–21.

79 This article is not the place for a full discussion on cultural memory and 'lieux de mémoire'. See e.g. Nora 1989, 11–12, who writes that "The moment of *lieux de memoire* occurs at the same time that an immense and intimate fund of memory disappears, surviving only as a reconstituted object beneath the gaze of critical history." The hexameter verses arguably create a fragment of memory through which the monument is conjured or reconstructed through later historiography. Cf. Wood 1994. For bibliographical review on memory studies, see Olick – Robbins 1998, especially at 126–128 on contested memory.

tic epichoric writing, a monument with such significance for Athenian history would surely be the focus of local savants and experts. Its absence from any other source, fragmentary or otherwise, therefore furthers our skepticism that it ever existed.

Our only later source that might be germane to this discussion is a passage from Philostratus, who writes in his "Lives of the Sophists" that Critias was buried by tyranny.[80]

> Ἀπέθανε μὲν οὖν ὑπὸ τῶν ἀμφὶ Θρασύβουλον, οἳ κατῆγον ἀπὸ Φυλῆς τὸν δῆμον· δοκεῖ δ' ἐνίοις ἀνὴρ ἀγαθὸς γενέσθαι παρὰ τὴν τελευτήν, ἐπειδὴ ἐνταφίῳ τῇ τυραννίδι ἐχρήσατο.
>
> "So he (Critias) died at the hands of those with Thrasybulus, those who led the *dēmos* back from Phyle. It is thought by some that Critias was a good man at the end, after he used tyranny as his death shroud."

This may be an allusion to a common source text concerning the death and burial of Critias, on which both our scholiast and Philostratus drew. The notion that Critias was an ἀνὴρ ἀγαθὸς may be paralleled in the usage of the plural ἀνδρῶν ἀγαθῶν in our hexameters, but this is not particularly marked language. Indeed Philostratus seems to indicate an alternative Attic tradition that defended Critian policy from the perspective of nostalgic oligarchs or critics of Athenian policy at the end of the Dekeleian War.[81] In such ideologically skewed logic, Critias' embrace of tyranny seemed an act of anti-heroism that encouraged posterity to pin on him the misdeeds of the other members of the Thirty, as a bad man who at least died bravely.[82] As a tyrant he becomes the worst of all men, who thereby keeps the reputations of the other oligarchs such as Theramenes and sympathizers of the Thirty respectable.[83] This view of Critian apologetics is certainly expressed by the author of our scholium, and in the nostalgia expressed in the poetry itself. Nevertheless, Philostratus does not clarify any of our problems with the mash-up of funerary monument and possible inscription. In this passage tyranny is neither personified nor an element of a tomb but rather used as a focus on Critias' behavior in contrast to that of other allegedly more moderate members of the Thirty.

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80 Philostr. V.S. 1.502.11–14; text is Kayser 1964 = BNJ (338A) Test. 1. M. Simonton suggests to us a strong intertext for the remarks of Philostratus to be found at Diod. Sic. 14.8.5 with respect to Dionysius I of Syracuse: Ἔλωρις μὲν οὖν, εἷς τῶν φίλων, ὡς δ' ἔνιοί φασιν, ὁ ποιητὸς πατήρ, εἶπεν αὐτῷ, διότι καλὸν ἐντάφιόν ἐστιν ἡ τυραννίς.

81 Canfora 2013, 339–352 examines the later sophistic reception of Critias.

82 The passage in Philostratus may also have tragic overtones, on which see e.g. McGlew 1993, 190–206. On the relationship between the Thirty and Tyranny in Attic political discourse, see also Mitchell 2006.

83 See e.g. Xen. Hell. 2.15–19 and 50–56 on the contrasting view of Theramenes and the tyrannical Critias. Further discussion in e.g. Pownall 2012 and Danzig 2014. Cf. Munn 2000, 203–205.

Further historical problems might be offered with the burial of Critias. The individuals associated with the Thirty Tyrants were ultimately political losers, exiles, and failed revolutionaries. It is conceivable that such a monument might be erected for dead oligarchs slain with Critias after the battle for the Piraeus and Munichia, when around seventy members of the oligarchic party – including a certain Hippomachus, and Charmides, one of the *Deka* overseeing the Piraeus – died.[84] Indeed, memorialization of deceased members of the Thirty may have transpired in Athens under the brief rule of the *Deka* following the dissolution of the Thirty. Similarly, a burial or commemoration might have transpired after the city had reconciled and the remaining oligarchs decamped and withdrew from Athens.[85] A monument could have been erected among members of the oligarchic community at Eleusis until 401, when the democracy finally put down this form of political separatism by killing the remaining oligarchic leaders. Any commemoration of the dead following these events could be chronologically acceptable. We specify Eleusis because these individuals likely held onto the hope that Sparta might once more decide to back the oligarchic community, then at Eleusis, and subvert the Athenian *dēmos*. Even when we exclude the monument, the verses themselves offer a political logic and alternative historical timeline: the oligarchy was successful, and would have continued to check the Athenian *dēmos* if not for the machinations of the Theramenean infiltrators who were not sufficiently ideologically hard-core from the perspective of these Eleusinian exiles. Such a historical viewpoint was surely in vogue amongst the failed oligarchs at Eleusis looking to explain their own circumstances and seeking mutual-aid from their ideological counterparts in the Peloponnese. Yet there is no reason to associate the hexameters with Critias as opposed to any other member of the Thirty.

We might counter our anonymous scholiast with archival skepticism when we consider the documentality of these infamous men: it seems unlikely that any material monument to Oligarchy would be allowed to stand in the fourth-century Athenian democracy.[86] While some oligarchic sympathizers persist in the fourth-century Athenian community and Attic epigraphic archive, such political tolerance

84 On the Battle for the Piraeus or Munichia, see Xen. Hell. 2.4.10–22 and Ps.-Aristot. Ath. Pol. 38.1; cf. Diod. 14.33.2–4; Nepos Thrasyb. 2.5.7; Justin 5.9.14–10.3; Oros. 2.17.11–12. See Krentz 1982, 90–92 for further analysis of the battle. Cf. Munn 2000, 234–239; Wolpert 2002, 3–47, especially at 24–28 and Azoulay – Ismard 2020, 95–99. We know famously where the Spartan casualties were buried in the Ceramicus, but it is curious that other Athenian oligarchs, as far as we know, did not receive state burial. On the Spartans, see Stroszeck 2006 and 2013, with prior bibliography, which supersede all earlier literature on this subject.

85 Xen. Hell. 2.4.43; Ps.-Aristot. Ath. Pol. 40.1–4; Lys. 25.9; Isocr. 7.67; Plat. Menex. 243e; Justin 5.10.8–11. See Krentz 1982, 109–124. Cf. Wolpert 2002, 30–35.

86 The best discussion of the expulsion of tyrants, and their expulsion from the political community is Connor 1985.

was hardly extended to members of the Thirty themselves.[87] Could Critias even be buried in Attica following the rule of the Thirty? Could one even pay a professional stonecutter to create such a monument in fourth-century Athens? Would such a monument be protected by the reconciliation agreement in some way?[88] How might such a monument be viewed by the restored *dēmos*? And why would the oligarchic party wish to represent the personified political slur *Oligarchia*? On this issue we follow the position expressed by W. R. Connor, among others, that the members of the Thirty, as exiled oligarchs, were permanently expelled from Athens.[89] Indeed, individual sympathizers who were not formally members of the *junta* may well have gone into self-imposed exile as well.[90] It is likely also that their tombs were demolished and any remains scattered. Yet Lysias (2.63) indicates the tomb of the Spartans was viewed not so much as a memorial of the nadir of Athenian autonomy but a monument to the victory of the restored democracy and the martial valor of Thrasybulus and his party.[91] If there were tombs for members and sympathizers of the Thirty in fourth-century Athens, they too may have been viewed as trophies by the resurgent *dēmos* and reinterpreted in the context of the renewed democracy.

Even if the monument in our source text is an invention derived from the historicizing act of commenting on this short verse composition, the verses themselves may still be an authentic social document composed after the death of Critias or in the events following the rule of the Thirty. In isolating our source text from later accretions of commentary that invented the *locus* of commemoration, we argue that scholars need not undermine the possibility of an authentic poetic tradition.

87 On the limits of the historical archive see especially the initial remarks in Foucault 2000; cf. Mbembe 2002. We might simply state that history tends to be written by the victors, yet this is precisely not the case for the historiography of the Thirty at Athens as illustrated by Xenophon's historical writing. On this issue, see e.g. Azoulay 2018, 277–278 originally published as Azoulay 2004. Nevertheless, the civic history of Athens is naturally hostile to enemies of the democracy and thus such individuals are more likely to be excluded from the modern historian's archive.

88 For scholarship on the reconciliation agreement, see Loening 1987, 19–30; cf. Cloché 1915, 232–250 on reconciliation, 252–277 and 296–308 on the amnesty, and 278–295 on Eleusis. See also Ostwald 1986, 497–499 and 509–524 and Munn 2000, 279–280. More recently see Azoulay – Ismard 2020, 318–324 with discussion of various proposed timelines, their own provided at 341–342.

89 Connor 1985.

90 Many members of the Athenian cavalry may have gone into mercenary service, following the rule of the Thirty, as they were seen as oligarchic partisans remaining in the city. See further discussion in Bugh 1988, 120–153, especially at 120–129 on their actions under the Thirty and 129–143 on the issue of reintegration after the amnesty. They were certainly under scrutiny, as witnessed in Lys. Or. 16. Xen. Hell. 3.1.4 famously relates that the Athenians thought it would be a good thing for the restored democracy if their own cavalry campaigned and died abroad in Ionia in 400/399, supplying Thibron with 300 cavalrymen. Cf. Diod. Sic. 14.36.1–3 and Isoc. 4.144.

91 We are grateful to M. Zaccarini for reminding us of this text and its implications here.

In this sense we are emphasizing Wilamowitz's sensitivity to 'mentalité' ("doch im Geiste").[92] It is unlikely that our anonymous commentator invented this poem on the spot out of sheer boredom. We do not tend to attribute such imaginative partisan interventions to Hellenistic scholars, let alone scribes and copyists. So from where might the poem be derived? Other scholars suggest our author drew upon a dramatic historical source such as Theopompus, who covered the events and history of the Thirty in his *Philippika*, in passages that are no longer extant.[93] While Theopompus was not enamored with Attic democratic imperialism, such sentiments are rather extreme for him to compose on his own. Theopompus composed in prose, moreover, so if these verses are derived from his history, it presumably came from a source Theopompus himself, as intermediary, was quoting; perhaps early fourth-century Attic comedy. This theory is best supported through the Heniochus fragment discussed above, showing other forms of political personification on stage and in conflict. If *Demokratia* and *Aristokratia* were on stage, *Oligarchia* cannot be far away from comedy, presumably an object of scorn and abjection. Indeed, later writers drew on tragic or comic material in the later antiquarian tradition. Historians have taken incidents from the Attic stage as evidence of real historical events or to bolster historiographical tradition through supposed contemporary witness.[94] While this argument is compelling – some language used in our hexameters can be paralleled in other comic poetry – hexameter is not the normative metrical mode for old or middle comedy,[95] so we seek a different source for our hexameters.

92 Wilamowitz 1924, 130.

93 Canfora 2018, 222–223. See Theopompus BNJ (115) Fr. 5 = Anonymous, "Life of Thucydides"; cf. Fr. 120 = Ps.-Plut. "Lives of the Ten Orators" 833a–b. It seems that the 15th book of the *Philippika* dealt with these events. On the possible Spartan sympathies of Theopompus and the alleged Laconism of his father, see Flower 1994, 11–17 (discussing the *vita* provided by Photius *Bibliotheca* 120b 19–30. Cf. Connor 1968, 2–3. See more recently Canfora 2013, 354–375.

94 See e.g. Murnaghan 2011, 266–267 on historicizing the identity of Athenian tragic choruses. More relevant here is the expansion of historiographical narrative derived from earlier tragedy and comedy to create a more robust tradition. For instance, the battle at Delium as narrated by Diodorus (12.69–72) appears to expand on the narrative in Thucydides (4.76; 89–101) through the addition of material from Euripides (Suppl. 673–730). In this way, later historians augmented their narratives with tragic or comic material. See discussion in Toher 2001. A similar phenomenon could happen with the transmission of our hexameter lines and is paralleled in Attic comedy as well, famously the Megarian Decree derived from Aristophanes (Ach. 509–40).

95 Helpful parallels for κατάρατος can be found in Old Comedy: e.g. Aristophanes Lys. 530 where the (perhaps oligarchic) Proboulos threatens Lysistrata (σοί γ᾽ ὦ κατάρατε σιωπῶ 'γώ). Cf. Pax 33 (used of the dung beetle when eating); PCG Pherecrates Fr. 155 = Ps.-Plut. De Mus. 1141c (ὁ κατάρατος Ἀττικός) used to describe Cinesias and his new music with similar political overtones. See further commentary in Franchini 2020, 262–264.

An *Epitaphios logos* for the Thirty

Our reading considers three matters that the later commentator or compiler summarizes: (1) constitutional tradition, (2) memorial, and (3) the quotation of the verses. The scholium begins by telling us that this is an example or manifestation of the constitution of the Thirty (δεῖγμα δὲ τῆς τῶν τριάκοντα πολιτείας καὶ τόδε ἐστίν), then that there is a memorial of some kind (ἐπέστησαν τῷ μνήματι) before quoting the verse, which is self-referential (μνῆμα τόδ' ἔστ'). Below we propose an analytical reading that avoids the pitfalls of earlier proposed reconstructions reliant on source criticism alone. We focus on reconstructing the occasion and ur-performative context of such a poetic composition.[96]

Our writer suggests that the two hexameter lines are representative of the πολιτεία of the Thirty, as if to claim that other members of the Thirty expressed their political views in verse, as had Critias himself.[97] In a similar way, scholarship treats the compilation of Solonian poetry as a constitutional discourse and the poems of Tyrtaeus as expressive of the constitutional tradition of Spartan *eunomia*. One wonders if the quotation as we have it was part of a broader collection of Oligarchic poetic compositions that provided a series of counternarratives or a 'secret history' of Athenian political thought. If this poetry is historical, it belongs not just to the ordinary oligarchic community, but likely to those individuals who had given up even on a limited electorate or reduced *dēmos* and rather saw the purpose of Attic government (at least, at the time of the Thirty) as a mechanism for chastising *kakoi* social groups. Such individuals, i.e. certain late fifth-century Laconizers, would accept any subordination of *polis* autonomy to stay in power, and may have read a purposefully shaped edition of Theognis and other Archaic poetry in order to reinforce their world view, representing their own behavior as a coherent code 'derived' from the poetry of Archaic elites.[98] This is to say that

96 On the idea that performative context is the fundamental distinction in the designation of genre, see the discussion in Nagy 1994.

97 We leave aside the question of whether Critias is the so-called Old Oligarch and author of the pseudo-Xenophontic Ath. Pol. See Iannucci 2002, 25 with n. 106 for this discussion. Critias did write a series of constitutional meditations in both prose and verse. See Critias BNJ (338A) Fr. 4 = Athen. 10.432d; Fr. 6 = Athen. 10.432d; Fr. 8 = Athen. 14.662 f; Fr. 10 = Athen. 11.463e; Fr. 17 = Pollux 7.59. See also Test. 16 = Philop. *De anima* 89.8. For the Critian constitutional tradition, see Figueira 2016, 9–11.

98 See Figueira 2015, 25–26 who briefly touches on this idea concerning the consolidation of Theognis by fifth-century Athenian oligarchs: "as a product of [intense social antagonisms], a Megarian 'Theognis' gave way to one shaped by the needs of Athenian dissidents." See also the initial discussion in Figueira 1985, 127–143 on the formation of the Theognidean corpus and 113–127 on the Athenian appropriation of Megarian Theognis in contrast to other local Megarian historiographical traditions. See also Azoulay – Ismard 2020, 53 with n. 76 who see a relationship to Solonian poetry

our poetic composition is of a piece with the late-fifth and early-fourth century interest in Theognis and his oeuvre among Athenian oligarchs. This may be seen in Xenophon's apparent treatise on Theognis (Περὶ Θεόγνιδος: Stobaeus Flor. 4.29.53; cf. Xenophon Symp. 2.4; Mem. 1.2.20) and Critias' interest in Theognis seen through his imitation of the Theognidean seal in his own composition (BNJ (338A) Fr. 3 = Plutarch Vit. Alc. 33: σφραγὶς δ' ἡμετέρης γλώττης ἐπὶ τοῖσδεσι κεῖται.).[99] In short, if our hexametric poetry is contemporary with the death of Critias, it is the discourse of a deeply closeted *hetaireia*.[100] The poem and its preservation in the historiographical tradition may reflect a particular mode wherein the Thirty were viewed as a secretive *kōmos* group that was led out onto the street (perhaps with Critias as *symposiarch*) to chastise the Athenian *dēmos* and whose sympathizers lurked or hid in early fourth-century Athens.[101]

While the monument itself may be a figment of the later Attic historiographical imagination, reflecting a particular historical 'mentalité', we argue that the hexameters themselves are a real social document that derive from an early fourth-century oligarchic context. The poem is a subversive remembrance, a poetic recollection recited by political sympathizers who recalled the Thirty fondly or agreed with their political convictions. If this was the case, then the Thirty and Critias were the subject of attempted rehabilitation early in the fourth century, at least in certain circles, long before the second sophistic developed an interest in Critias as a Socratic figure. We suggest therefore that the poem may have been recited initially at the burial of some of the members of the Thirty, perhaps openly at Eleusis or even illicitly in the Attic landscape. The verse itself may have been reperformed in certain political cliques as proof of oligarchic credentials or in a subversive stratum in contrast to the democratic poetic tradition in Athens. As M. Simonton has persuasively argued, oligarchic groups in Athens and elsewhere were invested in various forms of political oathing; reciting anti-democratic hex-

as well, following comments in Wilson 2003, 187. In contrast to the sentiments expressed in Solon Fr. 5.5 (ἔστην δ' ἀμφιβαλὼν κρατερὸν σάκος ἀμφοτέροισι), our hexameters seem to turn to Solon Fr. 6.3 (τίκτει γὰρ κόρος ὕβριν) and embrace the unapologetic punishment of the Athenian *dēmos*.

99 Compare with Theognis 1.19 (Κύρνε, σοφιζομένῳ μὲν ἐμοὶ σφρηγὶς ἐπικείσθω). Discussed in Figueira 2015, 25–26. Cf. Plat. Leg. 1.630a; Men. 95d–e; and Isocr. Ad Nic. 42–43. See also, Tulli 1985; Vetta 2000, 140–141; Colesanti 2011, 320 and 336; Condello 2012; and Bertocchini 2019.

100 Shapiro 2022, 184–187 supports this conceptual model for the Thirty in his analysis of a number of vases which may show Critias' *hetaireiai* or ξυνωμοσίαι at symposium, engaged in pederastic relations, and sacrificing to Apollo *Patroös*.

101 This view of the Thirty may be contrasted with Azoulay – Ismard 2020, 18–21 who see much of the historiography of the Thirty as invoking choral metaphors: "Affirmons-le d'emblée: le chœur joue le rôle d'une métaphore absolue dans la pensée athénienne – à l'instar d'autres images rectrices, comme le tissage, l'esclavage ou la navigation."

ameters might function as such a litmus test or even a *pistis* (token or pledge of good faith).[102] Badmouthing the democratic regime was a transgressive political act and thus a form of self-credentialing. It is noteworthy that while such anti-democratic behavior is commonly attributed to late fifth-century *hetaireiai* in Athens, our verses may offer evidence for the persistence (or paranoia) of such groups following the rule of the Thirty. This continued remembrance may have extended long after the restoration of democracy. A similarly subversive attitude in poetic performance was attributed to the Messenian poetic tradition attributed to Eumelus of Corinth by C. M. Bowra. Whether the Delian Prosodion of the Messenians is an authentic composition of Eumelus in the late eighth century, or, more likely, a product of fourth-century Messenian freedom fighters, those Messenian hexameter lines offer a similar vision of partisan poetics not dissimilar to our Attic oligarchic composition.[103]

Our hexameters for these supposed good oligarchs could be construed as the poetic equivalent of democratic *skolia* songs that commemorate the deeds of Harmodius and Aristogeiton.[104] It is indeed possible that our hexameters were recited similarly in oligarchic symposia. While hexameter is not the appropriate meter for *skolia* (on account of musical accompaniment and the meters preserved in our current extant corpus), recitative hexameters may have been more appropriate at

102 See further discussion in Simonton 2017, 119–120 and 261–262. Aristotle describes oligarchic oathing and the posture of hating the *dēmos* in oligarchic *sunōmotai*. See Aristot. Pol. 5.1310a9–10: νῦν μὲν γὰρ ἐν ἐνίαις ὀμνύουσι "καὶ τῷ δήμῳ κακόνους ἔσομαι καὶ βουλεύσω ὅ τι ἂν ἔχω κακόν." Cf. de Ste. Croix 1981, 73; Teegarden 2014, 3.

103 The two hexameter lines are PMG 696 attested by Pausanias (4.4.1 and 4.33.2): τῶι γὰρ Ἰθωμάται καταθύμιος ἔπλετο Μοῖσα / ἁ καθαρὰ καὶ ἐλεύθερα σάμβαλ᾽ ἔχοισα. Bowra (1963) argues that subversive helots may have recited this poem about free Messene in opposition to their Spartan masters; indeed, such pro-Messenian poetry may have been in circulation at Athens in Lykomid circles. The pro-democratic poetic tradition in Athens is well established, and thus it would be natural that Oligarchic partisan poetry was also recited or in circulation alongside constitutional compositions in verse and prose. On the fragment of Eumelus and free Messene, see also, West 2002, 110. Luraghi 2008, 5 and 73–75 distrusts the authenticity of the Messenain composition; cf. D'Alessio 2009, 137–145 who considers the fragment to be a product of the fourth century with an archaizing style. Nevertheless, D'Alessio sees the opposition between this fragment of Messenian poetry and traditional Spartan poetry attributed to Terpander (Gostoli Fr. 5: ἔνθ᾽ αἰχμά τε νέων θάλλει καὶ Μῶσα λίγεια / καὶ Δίκα εὐρυάγυια, καλῶν ἐπιτάρροθος ἔργων).

104 Athenaeus 15.695 collects the numerous Attic *skolia*. The ones most relevant here are for pro-democratic poetic expression and anti-Peisistratid sentiment: PMG 893, 894, 895 and 896, 906, and 907. Allusions to this tradition are well known from comedy: Aristophanes Ach. 979; Lys. 632, 1236; Vesp. 1225; Fr. 444. See discussion in Jones 2014, 232–237. Cf. Aristotle's skolion song (PMG 842) and Jones 2014, 237–242. This is not the place to revisit the scholarship on democratic *skolia*. See also the classic treatments by Ehrenberg 1956, Fornara 1970, and Raaflaub 2003, 65–66.

an oligarchic symposium.[105] Indeed, the meter may have been preferred on practical grounds, since hexameters had no need of instrumental accompaniment and such subversive performances might be conducted without a musician present, an individual who might inform on the group. In such a setting, oligarchs could make a particularly poignant rhetorical point, heroizing the deceased in a form of re-aristocratization, as Wilson has astutely suggested.[106] Yet this re-aristocratization is itself rather odd. It imagines oligarchs as invested in reclaiming the democratic phenomena of collective burial and casualty lists, rather than a return to lavish family tombs typical of oligarchic communities.[107] The image conceived by our scholium subverts the embodied *agathos* displayed by individual funerary monuments and attributed to the Attic *dēmos* in civic decrees. The typical image of *dexiōsis* is re-envisioned as the ultimate punishment of base *Demokratia* by her oligarchic counterpart. That is to say, the scholium conjures up a civic archive and imagines a documentary history for Athenian oligarchy on the same terms as and discursively equivalent to those through which the Athenian democracy reasserted itself after the reign of the Thirty.[108] The μνῆμα ἀνδρῶν ἀγαθῶν, taken in the scholium to be a tomb, becomes a mental counter-construct, albeit a rather absurd oligarchic recasting of the democratic civic ideology that is well attested in Athenian visual culture.

Indeed, the most obvious comparison for our received poetic composition, hitherto unremarked in earlier scholarly treatments, is the epigram for the heroes of Phyle, included as part of the decree of Archinus of Coele and preserved in Aeschines' "Against Ctesiphon" (3.187–90).[109] The epigram (at 190) reads as follows:

105 See the discussion in Harvey 1955, 162–164 differentiating *skolion* and *encomium*; on recitative poetry verses song, see Nagy 1990, 19–51. See also the remarks in Jones 2016, particularly on singing *skolia*. Cf. Yatromanolakis 2009, 271–275. On *skolia* and meter see Fabbro 1995, 51–58 who provides a *metrorum conspectus*; at VII–XXX Fabbro supplies a discussion of performative settings, namely symposia, and Attic symposia in particular. Cf. Reitzenstein 1893, 13–24.

106 Wilson 2003, 183 with n. 14: "The (re)appropriation in hexameters of the *andres agathoi* topos from funerary inscription could be understood as an aggressive 're-aristocratization' of a motif that had been transplanted from the language of aristocratic heroism to the wider, democratic citizenry." This reading is equally valid for verse preserved in oral tradition.

107 The wider topic of the *dēmosion sēma* remains outside the scope of this article. See e.g. the recent treatments by Arrington 2015 and Low 2012. See now Wienand 2023 for a comprehensive and systematic treatment of this subject.

108 See the survey of democratic monuments surveyed in Shear 2011, 227–322.

109 For the historical context of this speech, see e.g. Harris 1995, 138–148. Cf. Hobden 2007, 169–171, who emphasizes the oral memory of the epigram honoring the men from Phyle which became detached from the stele and inscription itself.

> Τούσδ' ἀρετῆς ἕνεκα στεφάνοις ἐγέραιρε παλαίχθων
> δῆμος Ἀθηναίων, οἵ ποτε τοὺς ἀδίκοις
> θεσμοῖς ἄρξαντας πόλιος πρῶτοι καταπαύειν
> ἦρξαν, κίνδυνον σώμασιν ἀράμενοι.
>
> "The indigenous *dēmos* of the Athenians honored these men with crowns because of their virtue, who, when men were ruling the city with unjust laws, first began to depose them, risking their lives."

As Aeschines tells us, the decree was set up in the Athenian Metroon and included provisions for granting each man who fought at Phyle to receive an olive crown and a sum of less than 10 drachmas.[110] A. Raubitschek first recognized that three marble fragments initially published as a casualty list from c. 375–350 by B. Meritt belonged to the stele that Aeschines and his audience knew well.[111] This article is not the place to revise the debate as to which group from Phyle was honored by this epigram and inscription, but it is largely agreed that this particular decree was for Athenian citizens, in contrast to non-citizens honored in a separate decree (IG II^2 10).[112] The date of the stele has been most recently argued as 401/0 by G. Malouchou, likely before IG II^2 10 rather than in the Archonship of Eucleides in 403/2, as first proposed by Raubitschek.[113] This later date is supported by yet another join recently published by Malouchou,[114] who follows consensus that the decree of Archinus was crowned with a statue or relief. The various hypotheses that this inscription was crowned with an image or statue of personified *Demokratia* are unprovable and unlikely, as such a representation considerably predates extant comparanda.[115] More importantly, however, we see in this epigram a contestation of Athenian *aretē*, here

110 Aeschines 3.187.

111 Meritt 1933, 151–155, revised by Raubitschek 1941 with two additional fragments assigned to the monument (Fragments d and e which join as Agora I-93); cf. remarks at SEG 28.45. The fragment that contains the initial letters of the four-line epigram is Agora I-18 (Raubitschek 1941, Fragment a).

112 *Pace* Taylor 2002, 377–397. The majority consider this decree for Athenian citizens: Krentz 1982, 84; Munn 2000, 257 with n. 19 and 20; Shear 2011, 232–234. The decree is neatly summarized in SEG 52.86. See also Malouchou 2010–13, 137–138 and Malouchou 2015, 96.

113 Raubitschek 1941, 285–286 and 295. Cf. Osborne 1981–82, II.30.

114 Malouchou 2010–13, 137–138 on chronology and Malouchou 2015, with the assistance of M. Korres and A. Matthaiou. The new fragment, EM 2756 was first documented by P. Eustratiadis who was the General Ephor of Antiquities from 1864–1884. Malouchou employs the copied text from Eustratiadis in her restoration as the lettering on EM 2756 is very badly worn today. For comparanda for personified Democracy see Smith 2011, 98–100, 124–126. The earliest secure attestation of personified Demokratia is the painting of *Dēmos* and Demokratia c. 40 years later, as in Smith 2011, 125 and 142 MP 6.

115 Malouchou 2015, 95 in conversation with M. Korres and A. Mathaiou. See also Shear 2011, 274–275 who remains rightly circumspect: "the honours for the Athenians show that it clearly supported another object such as a statue, relief, or herm […]." Cf. Shear 2007, 106–107.

attributed to Athenian democrats who were still alive. Properly speaking, it is not a funerary epigram, although some of the men from Phyle perished in the restoration of the democracy.[116] The reassertion of the autochthonous *dēmos* (παλαίχθων), which regains and monumentalizes its agency and permanence in this epigram, is in stark contrast to our oligarchic hexameters.[117] The tension between these two compositions further illustrates J. Shear's argument regarding the segmentation (or fragmentation) of the Athenian citizen body.[118] Not only were various corporate subgroups of citizens now honored in the Athenian Agora c. 400 as exempla of good citizens, but it seems that oligarchs continued to covertly contest what they perceived as the appropriation of their own *aretē* in their own oppositional subversive verse composition.[119] Much like the ardent democrat who might recast *Eunomia* as *Oligarchia*, as we envisioned above, a radical oligarch might mutter our hexameters when zealous democrats proudly performed their democratic credentials.

In contrast to relegating our hexameter to a fixed inscription on a physical tomb, we emphasize instead its oral nature:

> μνῆμα τόδ' ἔστ' ἀνδρῶν ἀγαθῶν, οἳ τὸν κατάρατον
> δῆμον Ἀθηναίων ὀλίγον χρόνον ὕβριος ἔσχον.
>
> "This is a commemoration of good men, those who held back the abominable
> Athenian *dēmos* (populace) from *hybris* (arrogance) for a short time."

116 E.g. as in the decree of Theozotides, SEG 28.46.

117 See Munn 2000, 256–258 on this choice of translation.

118 Shear 2011, 274 and 2007, 106–107. Cf. Munn 2000, 51–53 and 257–261.

119 M. Simonton points out another and much earlier possible intertext for our oligarchic hexameters, namely ML 15 = IG I^3 501 = SEG 66.16 (restored on the basis of Hdt. 5.77.4 and quoted frequently in later tradition, e.g. Diod. Sic. 10.24). This epigram and larger victory monument commemorate the defeat of the Boeotians and Chalcidians in 507/6. The original monument was put up shortly after this victory, perhaps in 505, but was reinscribed after the Persian sack of Athens in 480, perhaps as late as the Athenian victory over the Boeotians at Oenophyta in 458/7 or the Euboean revolt in 446. As M. Simonton suggests to us, here it is the Attic *dēmos* that quenches the hubris of the enemy (ἔσβεσαν), reenforcing the image of the *dēmos* as a liquid that quenches the heat of tyranny, oligarchy, or illegitimate power (i.e. the Boeotian and Chalcidian threat to Attic sovereignty). *Oligarchia's* brand, a similar fiery image, checks the liquid nature of the Attic *dēmos* like a dam. Cf. Hdt. 3.81.2 on the liquid nature of the *dēmos*. See also, Solon Fr. 36 and 37 as well as Thuc. 8.86.5 where the Alcibiades also appears to be a dam against the masses (κατασχεῖν τὸν ὄχλον). This is to say that the negative image of burning tyranny or the reactionary oligarch may be construed as a positive dam holding back the flood. Civic stasis might be imagined as the hiss and steam of a burning brand doused in water. If this late Archaic monument was reinscribed in the mid-fifth century, such poetic language may have been just as relevant at the end of the fifth century as it had been at the end of the sixth century with the empowerment of the Attic *dēmos*. See Raubitschek 1949, 191–194 and 201–205 (cat. 168 and 173). Cf. Kaczko 2016, 1–17 (cat. 1a and 1b) for full bibliography.

We posit that these verses are fitting as an *epitaphios logos*, or *encomium* for the deceased.[120] Reperformance, or recollection of this poem, would be a natural phenomenon among fourth-century Athenian crypto-oligarchs, men who were allowed to come back to Athens but were nevertheless wrapped up in the rule of the Thirty. The verses themselves commemorate the events of the Thirty from the perspective of failure (ὀλίγον χρόνον). Yet they engage in the imaginative act of considering an alternative historical reality where Critias and the other oligarchs might have succeeded and are at least vindicated. L. Canfora, for example, suggests:

> "L'espressione, chiaramente retrospettiva, «per breve tempo» sembra denotare, in chi volle quel monumento, la consapevolezza che l'avventura oligarchica era già finita o volgeva necessariamente al termine."[121]
>
> "The clearly retrospective expression 'for a short time' appears to denote, with respect to those who desired that monument, the idea that the oligarchic adventure was already over or necessarily drawing to an end."

Such poetry would not have needed to appear on a physical monument, as many have assumed, but lived in the memories of those who still felt that the oligarchy was just, or remembered the deaths of their friends and fellow failed revolutionaries.

To dismiss this hexametric poetry as merely fictive or a later Hellenistic invention is to risk losing a plausible social document from diehard oligarchic sympathizers who continued to hold out in Eleusis and perhaps even persevered at Athens after the reconciliation in 403.[122] In construing this poem as an *epitaphios logos* recalled in later sympotic contexts, we argue that the μνῆμα in the verse inscription does not refer to a physical monument but rather to act of poetic remembrance.[123] Such a composition may well have been collected by a later Atthidographer, or Theopompus, perhaps derived from a lost speech in which this material was introduced by a witness to show that a certain litigant was a determined foe of the democracy. From its ur-recitation, it was likely excerpted and thus known to the writer of our scholium. The views in these brief verses might be contrasted with others

120 On the *epitaphios logos* in lament, see Alexiou 2002, 108 who writes that, "epigram, *élegos, epitáphios lógos*, and *epikédion* grew out of the social and literary activity of the men, developing the elements of commemoration and praise, which had been present in the Archaic *thrênos*."

121 Canfora 2018, 222–223.

122 Nora 1989, 12 offers the following analysis on contested memory: "The defense, by certain minorities, of a privileged memory that has retreated to jealously protected enclaves in this sense intensely illuminates the truth of *lieux de memoire* – that without commemorative vigilance, history would soon sweep them away."

123 Such poetic commemorations are well known, e.g. Pind. Isthm. 8.63 (Νικοκλέος μνᾶμα κελαδῆσαι) the remembrance is the act of poetic recitation. See BDAG s.*v.* μνῆμα.

involved in revising and revisiting the deeds of Critias and the Thirty and critiquing the limits of Athenian-style democracy. That is to say, this composition ought to be placed next to and in conversation with Xenophon's writings and perhaps those of Plato. In contrast to the conservative discourse encountered in their writings, and their own forms of historical revisionism intended to offer nuance on the rule of the Thirty, here we see the Critian position of true radicals or anti-democrats in the open. Such political enmity further complicates how we view the conciliatory nature of the reconciliation agreement and the ability of Athenians to live with each other following the Critian revolution.[124]

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124 Cf. Azoulay – Ismard 2020, 127–130 on *katadesmoi* and a bound figurine in a lead box found in the Ceramicus, deposited next to the tombs of two young boys already buried in the 430s. This judicial curse dates to the late fifth century and is presumably directed against a certain Theozotides, Kephisophon, Diophanes, and Diodorus, all named on the lid and inscribed on the figurine's body. Azoulay – Ismard take this as good evidence for the collaboration between known moderates and oligarchs in reconciling the city. They posit that the curse was the work of bitter democrats who may have invoked such magic as an aid in litigation. While this interpretation is inherently speculative, the curse might also come from the family of a disgruntled oligarch, now in court or betrayed by his former allies who were not sufficiently committed to the Critian cause.

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