butterflies (*ψυχαί* in Greek), tend to have uncanny associations, like the *νεκύδαλος* and the death's head moth *Acherontia atropos*.

III

In conclusion, although the disciples and admirers of Socrates were not literally themselves furnished with the demonic gaze of the true *Blepedaimon*, it could be said that it was by their being in thrall to, and—in the most literal sense—fascinated by, Socrates' insistently glaring eyes that their appearance and behaviour could, at least in the case of Chaerephon, be accounted for. Plato himself provides an allusion to the magical, paralytic powers which he seemed to exert over those with whom he conversed in *Meno* 80a, who says in remonstrance *γοητεύεις με καὶ φαρμάττεις καὶ ἀτεχνῶς κατεπάδεις*, going on to compare Socrates to 'the flat torpedo fish' (*νάρκη*), which paralyses its prey before devouring it. In a letter of Alciphron (2.38) a father attributes the craziness (*χόλος*) of his deranged son, *ἐμπεσὼν ἐξ ὅτου δαιμόνων εἰς αὐτὸν οὐκ ἔχω λέγειν*,[14] to his always gazing upon the *θέαμα ἀποτρόπαιον* of certain philosophers inhabiting a *phrontisterion*, who although there named Cynics are described in language that clearly recalls the famous picture of the Socratics, and particularly Chaerephon, in *Clouds*. A tradition is recorded, in a number of writers from Cicero (*Fat*. 5.10, *Tusc*. 4.80) to the fourth/fifth-century monk John Cassian (*Collationes* 13.5.3), attributed to the mysterious physiognomist Zopyrus (a contemporary of Socrates whose name was the title of a dialogue by his pupil Phaedo), who interested himself in identifying a man's character from his facial features, about the grossness of Socrates' Silenus face, and his *ὄμματα παιδεραστοῦ*, which the philosopher was obliged to discount. One wonders whether Alcibiades' elaborate panegyric in his somewhat bizarre eulogy in Plato's *Symposium* about the beautiful interior of Socrates satyr-like exterior is a defence against such a current unfavourable opinion.

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[14] There are clear allusions in this epistle to *Clouds* and to Pheidippides' corruption by what he himself calls *ἄνδρασιν χολῶσιν* (833).

LYCURGUS 1.149 AND THOSE TWO VOTING URNS

ὑμῶν δ' ἕκαστον χρὴ νομίζειν τὸν Λεωκράτους ἀποψηφιζόμενον θάνατον τῆς πατρίδος καὶ ἀνδραποδισμὸν καταψηφίζεσθαι, καὶ δυοῖν καδίσκοιν κειμένοιν τὸν μὲν προδοσίας, τὸν δὲ σωτηρίας εἶναι, καὶ τὰς ψήφους φέρεσθαι τὰς μὲν ὑπὲρ ἀναστάσεως τῆς πατρίδος, τὰς δ' ὑπὲρ ἀσφαλείας καὶ τῆς ἐν τῇ πόλει εὐδαιμονίας.

Each one of you must consider that if you acquit Leocrates you condemn your country to death and enslavement, that of the two urns before you, one stands for betrayal, the other for survival, and that you are casting your ballots in one urn for the desolation of your fatherland, in the other for security and prosperity in the city.

Professor Alan Boegehold has argued at some length that the above passage is anachronistic and that Lycurgus was evoking a balloting procedure no longer used by the Athenians when he refers to two voting urns at the trial of Leocrates in 330.[1] By

[1] 'Lycurgus 1.149', *CPh* 80 (1985), 132–5, and most recently in *When a Gesture was Expected* (Princeton, 1999), 90–1.

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that time, Athenian jurors acquitted or condemned the accused by using one of two bronze ballots in the form of disks, each with an axle through its centre.[2] One ballot had a solid axle to acquit the defendant, the other a hollow one to convict. Jurors deposited their voting ballots in one of two urns, the 'active' urn (made of bronze), and simply threw away the ballot which was not to count in the other or 'discard' urn (made of wood). Only those ballots in the 'active' urn were counted, and thus a decision reached on the defendant.

However, Boegehold believes that the above passage indicates two 'active' urns, one for acquittal (the urn standing for betrayal, which would lead to the devastation of the country) and one for condemnation (the urn for survival, which would bring about happiness and prosperity in the city). These two 'active' urns would be consistent with Athenian voting practice of the fifth century, perhaps even of the early fourth, when votes to condemn were placed in one urn and those to acquit placed in another, and both contents were counted to reach a decision. Boegehold explains the apparent anachronism of the passage by suggesting that the words δυοῖν καδίσκοιν κειμένοιν, which form two-thirds of an iambic trimeter, are not accidental metrical feet in a prose sentence but could be part of a line from a lost fifth-century tragedy which featured or at least described dialogue at a trial.[3] Thus, Lycurgus was not guilty of misrepresenting the trial procedure of his own day; he was simply evoking the procedure of the fifth century for rhetorical effect. Moreover, continues Boegehold, the jurors would be made aware that they were being given an allusion to the grand days of Athenian tragedy if Lycurgus gestured with his arm or hand as he spoke these particular words.

Boegehold's explanation is ingenious, but perhaps overly so, and thus alerts us to the dangers of 'deconstructing' any text too much. Certainly, Lycurgus is not averse to quoting poetry in his speech, but when he does so he tells us he is going to and, more often than not, gives us the names of the poets: at Section 92 (four lines of poetry which Lycurgus says were composed by ancient poets), Section 100 (fifty-five lines from Euripides' *Erechtheus*, who is named), Section 103 (six lines of Homer, who is named at 102), Section 107 (thirty-two lines of Tyrtaeus, who is named), Section 109 (the Spartans' epitaph at Thermopylae, also named by Lycurgus), and Section 132 (two lines of poetry, which, as in 92, Lycurgus says were composed by ancient poets). It is hard to see why he would choose to throw in, as he seems to do, three words, not even a complete line, towards the end of the speech without some sort of an introduction. Boegehold explains this by saying that Lycurgus simply 'falls short—as human beings do—of perfect consistency, but only within the narrow range of a single oration. If we had fifteen of his speeches, we might find more unannounced quotations.'[4] Yes we might; then again, we might not. We have only this one speech with which to work, and given Lycurgus' careful attention elsewhere, it is unlikely that he would make such a surprising slip.[5] Far more importantly, Section 149 forms part of

[2] Aeschines, *Against Timarchus*, delivered in 345, refers to this procedure at section 79. See also Aristotle, *A.P.* 68.2–69.2 on the fourth-century procedure.

[3] Boegehold in 'Lycurgus 1.149' (n. 1), 133, compares the similarity of these words with Euripides, *Erechtheus* fr. 362 N^2, line 9: δυοῖν παρόντοιν πραγμάτοιν; he suggests (134–5) that the lost play could have been Euripides' *Palamedes*.

[4] 'Lycurgus 1.149' (n. 1), 133.

[5] The anonymous referee points out that the authorship of a short phrase that is universally recognized outside its original context might not need to be identified, and gives as a (modern) example Shakespeare's 'To be or not to be'. True. Then again, 'to be or not to be' has been quoted so many times by authors and speakers and even used in other genres (I once saw a cartoon of an

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the epilogue of the speech, and thus it was even more important for Lycurgus to get things right in his final few minutes to persuade the jury to condemn Leocrates, especially as his case was not especially strong.[6] Finally, there is the question of revision of speeches.[7] Were Lycurgus to have revised his, and we have no reason to think that he would not, any slip on his part in the oral version of the speech could easily have been rectified in the revised version.

Boegehold also draws attention to other authors who appear to have similar 'slips', in particular Callicles at Plato, *Gorgias* 484b3–c4, who, in quoting Pindar, begins in verse and finishes in prose.[8] He also cites Plutarch as an example of an author who does not introduce quotations in a uniform manner. However, the analogies do not follow. Plato and Plutarch were not writing forensic oratory, and Callicles (as Boegehold says) admits he is quoting Pindar incorrectly and so finishes with a prose summary. For the analogy to hold, we would expect Lycurgus to admit the same, but of course he does not.

There are also the questions of whether the jurors would have immediately realized to what Lycurgus referred in this phrase and whether a simple gesture (if indeed he made any movement) would have alerted them to a quotation. We do not know whether Lycurgus was quoting from a play, and if he was, and if it happened to be Euripides' *Palamedes*, as Boegehold posits, we do not know much about that play. How popular was it in 330 compared with Euripides' other plays which have survived? Lycurgus, as part of his cultural policy, was responsible for the 'canonization' of Aeschines, Sophocles, and Euripides since he arranged for their texts to be edited and for statues of the tragedians to be erected.[9] Presumably most, if not all, of Euripides' plays were performed in Lycurgus' day. However, how many Athenians would recognize such a tiny snippet from one of them? And if they could not, why would Lycurgus risk this by quoting the snippet and not naming the author? It is stretching credibility too far to imagine that while Lycurgus felt it necessary to name Euripides as author of the fifty-five quoted lines of *Erechtheus* (another play which has not survived) in Section 100, he does not feel the need to name him, or any author, for a mere three words in Section 149.

The solution to this apparent problematic passage is simple, and was first advanced by Sauppe, followed by Lipsius and Harrison, and noted also by Boegehold in his article.[10] At Leocrates' trial in 330 there was just the one 'active' urn (made of bronze), into which the decisive ballots were deposited. The second urn (of wood) was merely

optometrist's reading chart which had on it 2B OR NOT 2B) that even if a reader cannot identify the play in which it first appeared by sheer exposure alone he/she knows that it was penned by Shakespeare. However, we do not have the same exposure of the Greek phrase in question here in our other source material.

[6] See further, Ian Worthington, 'Demosthenes' (in)activity during the reign of Alexander the Great', in Ian Worthington (ed.), *Demosthenes*: *Statesman and Orator* (London, 2000), 100–1 with n. 44.

[7] On revision see, for example, Ian Worthington, 'Greek oratory, revision of speeches and the problem of historical reliability', *Classica et Mediaevalia* 42 (1991), 55–74 and 'History and oratorical exploitation', in Ian Worthington (ed.), *Persuasion*: *Greek Rhetoric In Action* (London, 1994), 109–29; cf. E. M. Harris, *Aeschines and Athenian Politics* (New York, 1995), 7–16.

[8] 'Lycurgus 1.149' (n. 1), 133–4.

[9] See e.g. F. W. Mitchel, 'Lykourgan Athens: 338–322', *Semple Lectures* 2 (Cincinnati, 1970), *passim*; E. M. Burke, 'Lycurgan finances', *GRBS* 26 (1985), 251–64.

[10] H. Sauppe, *De Atheniensium ratione suffragia in iudiciis ferendi* (Göttingen, 1883); J. H. Lipsius, *Das attische Recht und Rechtsverfahren* (Leipzig, 1905), 926–7, n. 98; A. R. W. Harrison, *The Law of Athens* 2 (Oxford, 1971), 165, n. 2 (who was, however, attacking the view that the two procedures operated concurrently); Boegehold, 'Lycurgus 1.149' (n. 1), 133.

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the discard receptacle, as was consistent with judicial practice at that time. As we might expect in the epilogue of his speech, Lycurgus was asking the jurors not to discard the ballot for condemnation but to make that the one which counted in the present case, and so to deposit it in the 'active' urn. In that way, with more condemnation ballots in that urn, Leocrates would be found guilty and so the city would be secure and prosper. However, if the discard urn were filled with too many condemnation ballots, then Leocrates would be acquitted, and so the jurors would be condemning their city to enslavement and condoning treason. As far as gesturing goes, we simply do not know. The use of the dual would invite a gesture of some sort, perhaps only for emphasis, not an indication that Lycurgus was quoting poetry and then suddenly switched to a prose summary. Hence, there is no need to believe the passage in 1.149 is anachronistic, but merely the expected rhetorical plea to the jury to find the accused guilty in the final moments of a prosecution speech.

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HALLS FULL OF GIRLS? CATULLUS 89.3*

Catullus 89 (Mynors' *OCT*):

> Gellius est tenuis : quid ni ? cui tam bona mater
> tamque valens vivat tamque venusta soror
> tamque bonus patruus tamque omnia plena puellis
> cognatis, quare is desinat esse macer?
> qui ut nihil attingat, nisi quod fas tangere non est,
> quantumvis quare sit macer invenies.

This six-line epigram, suggesting that Gellius' slender physique is owed to incestuous sexual overindulgence, is one of a number of similar Catullan invectives. Gellius is accused in poems 74, 88, 90, and 91 of incest and of aunt-seduction, in 80 of fellatio; poem 91 suggests that he is an erotic rival of Catullus, while poem 116 may hint that he is a poetic adversary too.[1] This poem adds Gellius' female cousins to his list of family conquests: *bonus patruus* suggests not only the complaisance of the uncle who lets Gellius sleep with his wife (as in poem 74), but also the further complaisance of a father who allows him full sexual access to his daughters, the *puellae* of line 3.

One word in line 3 seems problematic: *omnia*, though universally transmitted here. This gives an apparently satisfactory universalizing climax to the list of lines 1–3, but in fact sits oddly with the adjective *plena* and the previous detailed list of relations ('mother, sister, aunt, everything full of girls'?): following *mater*, *soror*, and *patruus*, the reader expects a noun which gives *plena* more point. To make sense of *omnia*, translators are forced to render it as referring more specifically to the uncle's house with its content of attractive cousins: so Goold 'the whole place so full of girls', repeated by Godwin and Lee 'the whole place so full of female cousins'; or to make it completely generalizing— so Thomson, 'the world is full of . . .'.[2] A generalizing *omnia*

* My thanks to *CQ*'s anonymous referee for helpful comment.

[1] For Gellius' identity see T. P. Wiseman, *Cinna the Poet and other Roman Essays* (Leicester, 1974), 119–29.

[2] G. P. Goold, *Catullus* (London, 1979), 205; J. Godwin, *Catullus: The Shorter Poems* (Warminster, 1999), 95; Guy Lee, *The Poems of Catullus* (Oxford, 1991), 133; D. F. S. Thomson, *Catullus* (Toronto, 1997), 519.

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