

Stylistic and textual remarks on Isaeus' *On the Estate of Pyrrhus*

Abstract: Isaeus' third speech *On the Estate of Pyrrhus* appears to be different in language, style and *ēthos* than his other surviving speeches. I argue that it is not the most representative example of Isaeus' supposed simplicity and clarity of diction. I demonstrate this by interpreting select examples of perplexing and ill-structured sentences, including some features of expression unique to the third speech. Throughout I attempt to elucidate some of the numerous textual problems. The conclusion is that this speech is corrupted or not Isaeus'.

Keywords: Isaeus, style, language, Oration 3, *ēthos*.

Introduction

William Wyse's edition of Isaeus with textual and critical commentary remains a standard edition, maintaining its critical currency, despite modern scholars' effort to refute some of its convictions. After Wyse, throughout the 20th century Isaeus has been criticized as a deceptive manipulator, a clever rhetorician unscrupulously arguing weak cases for his greedy clients. Such a priori skepticism toward Isaeus is falling out of fashion only to an extent. Even though Wyse's suspicions are certainly occasionally exaggerated, he is still considered the authority on some of the main issues of Isaeus' oratory. Isaeus' "energy and unscrupulousness" was notorious already in antiquity (τὸ δραστήριον καὶ τὸ πανούργον, Plut. *Dem.* 5), but not as much as in Wyse's commentary.¹ There have been some fairly successful attempts at modifying Wyse's assessments, though typically they focus on Isaeus' character and juridical skills, not his language.² In the 21st century scholarship Isaeus is thus being rehabilitated.³

¹ WYSE 1904, *passim*, e. g. 673–74, 712–13; see also EDWARDS 2007, 4.

² Most importantly AVRAMOVIĆ 1988; HATZILAMBROU 2018; and FERRUCCI 2005; as well as: USHER 1999, 128 (n. 6) and THOMPSON 1976, X. For the speech *On the Estate of Hagnias* (XI) see: LEWIS 1959, 162–168; HARRISON 1947, 41–43, who argued that Isaeus was not trying to deceive jurors when he used the words 'ἀνεψιοῦ παῖς'; as well as just suspicions: For the speech *On the Estate of Meneclēs* (II) see: HUCHTHAUSEN 1965, 294–324.; FINLEY 1952, p. 211. "though one may question his [Wyse's] firm belief that Isaeus never had a client who was in the right". EDWARDS 2007, gave a somewhat more balanced view of Isaeus' character.

³ Cf. HATZILAMBROU 2018, 54–55.

I argue that the Oration 3 of Isaeus *On the Estate of Pyrrhus* is atypical in its language and style, as well as its *ēthos*, which, as Jebb points out,⁴ only this speech lacks. Trying to explain why exactly this speech differs from other extant speeches of Isaeus, no satisfying answer is to be found, as it seems to me, unless he is deemed a cold and opportunistic mercenary, who did not shun from furnishing weak cases with effective speeches if only his fee was high enough. Thus, the bigger the sum, the better the speech.⁵ Let it be so, but we need to agree on what does better here mean. If it means that Isaeus is a professional who invests more effort when he is paid more for assessing the strengths and weaknesses of a given case so as to plan the most expedient strategy, as a logographer would do, then such an assessment would not be really controversial. In that sense his Oration 3 would be a very good example of a vigorous, well prepared speech, starting *in medias res*, without a usual opening, repeatedly firing questions at his opponent, exhaustive argumentation and, as Dionysius of Halicarnassus would say “helping his case with everything he can” (τοῖς δὲ πράγμασιν, ὑπὲρ ὧν ὁ λόγος, ἐκ παντὸς πειράται βοηθεῖν. De Isaeo, 3).⁶

If it means, on the other hand, that Isaeus would, no matter the sum, always write a speech to the best of his abilities from the juridical, forensic point of view, and only adorn, organize and adapt proper language to his speeches according to the sum, this would leave us with a question: Who is the ‘true’ Isaeus and what is his characteristic style? Is he the one who writes ‘cheap’ speeches, or the one who writes ‘expensive’ ones? Can the speech “*On the Estate of Pyrrhus*” be characterized as ‘cheap’ in that sense, i. e. is it inferior in some way to his other speeches?

From the juridical point of view – no, it is not. Indeed it might be an excellent example of his skillful use of ‘probability argumentation’ and rhetorical syllogisms.⁷ From the aesthetic point of view, however, the third speech somewhat differs from his other extant speeches, not so much in subject-matter, but in diction. I set my goal in this paper to try and point this out as much as I can, and try to explain why it is so.

No matter how skilled a logographer can be in adapting his speech for a speaker

⁴ JEBB 1876, 282.

⁵ See: WYSE 1904, 179. This opinion about Isaeus is nowhere found in antiquity. Dionysius of Halicarnassus says nothing about such behavior of Isaeus. Moreover I wouldn’t agree with Wyse’s interpretation that Isaeus’ character was regarded with suspicion in antiquity, as he quotes a passage in Dionysius of Halicarnassus “πρὸς μὲν τὸν ἀντίδικον διαπονηρεῖται, τοὺς δὲ δικαστὰς καταστρατηγεῖ, τοῖς δὲ πράγμασιν, ὑπὲρ ὧν ὁ λόγος, ἐκ παντὸς πειράται βοηθεῖν” (D. H., *De Isaeo*, 3); I would rather agree with N. Lewis’ view that ancient scholars had appreciation of the orator’s art cf. LEWIS 1959; R. Hatzilambrou also disagrees with this opinion of Wyse (concerning hiatus), but goes on saying that this might have been “a matter of choice on the orator’s part which had to do with personality and rhetorical gifts of his client”. HATZILAMBROU 2018, 41–42.

⁶ All the translations are mine unless specified otherwise.

⁷ Cf. AVRAMOVIĆ 1988, 167. sqq.

at the court, he is expected to have his own language and style, and ‘natural’ speech, or at least some specific characteristics that can be distinguished. Lysias is one of the best examples of a logographer who mastered ‘ethopoeia’ (D. H. *De Lysia* 8.), i. e. adapting the speech for a specific type of person while paying attention to his character. Moreover, Lysias “adapts even the appropriate language for their characters” (ἀλλὰ καὶ τὴν λέξιν ἀποδίδωσι τοῖς ἡθεσιν οἰκείαν) (D. H. *De Lysia*, 8). But, even where those types of characters are different, his diction, style and *ēthos* are the same and one can easily say that he is reading one of his speeches. This is also true for the Oration 11, where Lysias himself gave a speech at the court.⁸ Even though Isaeus can use character as a means of proof,⁹ G. Kennedy argued that he cannot imitate Lysias. He also noticed that in all twelve¹⁰ surviving speeches of Isaeus speakers reveal the same intense earnestness.¹¹ This would even more make us raise a question: what is the reason for stylistic differences between speeches?

Isaeus’ third speech, however, differs in some sense from his other speeches and from our overall impression of him, not so much in argumentation and rhetorical skill, but in language and style, and, what I think is the most remarkable, in its *ēthos*. Not only is it the longest one among his extant speeches, but large parts of it are ‘clumsy’, ‘careless of refinements’, as Wyse¹² would put it. Some of its parts abound in hiatus, even though it is believed to be one of his earlier speeches.¹³ It is structured in long sentences with many questions, repetition, and perplexing syntax with parenthesized thoughts.¹⁴ Even a superficial comparison of the Oration 3 with e. g. *On the Estate of Nicostratus* (Oration 4), whose *argumentum* says that it was delivered by Isaeus himself,¹⁵ or the speech *On the Estate of Hagnias* (Oration 12), which came to us thanks to Dionysius of Halicarnassus, alerts the stylistically acquainted reader to the lack of simplicity and *ēthos* in the third speech, as well as for somewhat different diction. Reading other Isaeus’ speeches one can think that the speakers are decent citizens who defend their interests or at least appear as such, similarly to Lysias’ speeches, while the third speech does not have this dimension. It simply does not seem to make an impression of decency and simplicity in diction as it should.

⁸ Lysias and Isaeus have been compared since antiquity, see D.H. *De Isaeo*; cf. JEBB 1876, 261–310.

⁹ EDWARDS 2007, 4.; cf. Is. 4.27., Is. 8.40.

¹⁰ 12th is a fragment cited from Dionysius of Halicarnassus, other 11 are complete.

¹¹ KENNEDY 1963, 144.

¹² WYSE 1904, 293.

¹³ Wevers dates it ca. 389; WEVERS 1969, 21.; see also: HATZILAMBROU 2018, 10;

¹⁴ Even though Isaeus is generally considered to be very narrow in his syntactical structure; cf. JOHNSON 1909, 77.; and also MILLER 1936.

¹⁵ If the argument to the fourth speech is right, which almost every scholar deny, when it says that: “Ἰσαῖος οὖν ὁ ῥήτωρ, ὡς συγγενῆς ὢν περὶ τὸν Ἀγνώνα, λέγει συνηγορῶν αὐτοῖς.”, cf. WYSE 1904, 369; EDWARDS 2007, 66–67.

I will try to point to a number of stylistically atypical passages for Isaeus in the Oration 3, both in particular examples and in general, as well as to follow Dionysius of Halicarnassus in his way of distinguishing Isaeus' speeches from those of Lysias, because, as he says:

εἰ μή τις ἔμπειρος πάνυ τῶν ἀνδρῶν εἶη καὶ τριβὰς ἀξιολόγους ἀμφοῖν ἔχων, οὐκ ἂν διαγνοίη ῥαδίως πολλοὺς τῶν λόγων, ὁποτέρου τῶν ῥητόρων εἰσίν.

unless you are well acquainted with these men and have extensive experience in reading both of them, it is difficult to distinguish many of their speeches and to attribute them to one or another. (*De Isaeo*, 2, 6)

Particular examples and textual problems

Example No. 1:

Is. 3. 1.

Ἄνδρες δικασταί, ὁ ἀδελφὸς τῆς μητρὸς τῆς ἐμῆς Πύρρος...

Gentlemen of the jury, my mother's brother Pyrrhus...

The third speech lacks *exordium* and goes straight into the narrative.¹⁶ To address the *judges* i. e. jury, at court without an exclamation ὦ before ἄνδρες (δικασταί) is extremely extraordinary, but in the beginning of a speech (where these are the first words) it is not unattested.¹⁷ Interestingly, examples of this practice are found in Isaeus' reputed disciple, Demosthenes (Dem. 20 and 32).¹⁸ Every other instance of such an address must have an exclamation. Overall direct address to the judges ὦ ἄνδρες and ὦ ἄνδρες δικασταί in Isaeus' are very frequent. Most frequently used (relative to its length) in the Oration 12 (14 times), which Dionysius cites. Dionysius arguably felt this as characteristic that distinguishes Isaeus' down-to-earth Attic style and respectful attitude towards the judges. Besides, it is important to state that the Oration 12, as well as Oration 3, as Avramović argues,¹⁹ had a solid chance of winning.²⁰ Therefore, since the speaker had a superior legal position, the argument that because of that he did not have a need to directly address the judges and 'beg', but focus on argumentation simply does not seem to be right.

¹⁶ For its abrupt ending without 'rhetorical exclamations' see AVRAMOVIĆ 1988, 170. He argues that only in the corpus of Demosthenes (47, 50, 55) we find similar examples, and that he (Demosthenes), being a disciple of Isaeus, adopted this approach. Even though we do not have much of Isaeus' speeches, this seems somewhat innovative, and I would be careful with such conclusions.

¹⁷ Is. Frg. 16. (Ἐπερ Εὐμάθους), THALHEIM 1903a, 191.

¹⁸ See also: SCHÖMANN 1831, 228.

¹⁹ Cf. AVRAMOVIĆ 1988, 179–181.

²⁰ Because the risk of initiating the given case in the Oration 12 was quite high and that was exactly what Isaeus' client had done. He would have lost all of his property and become a slave if proven wrong; cf. Is. 12, hypothesis; WYSE 1904, p. 715; FORSTER 1927, 429.

To show how the third speech differs from the others in this sense I will give an overview of direct addressing of the judges in Isaeus:

I	<i>'On the Estate of Cleonymus'</i>	(18 times)
II	<i>'On the Estate of Meneclēs'</i>	(12 times)
III	<i>'On the Estate of Pyrrhus'</i>	(5 times)
IV	<i>'On the Estate of Nicostratus'</i>	(10 times)
V	<i>'On the Estate of Dicaeogenēs'</i>	(21 time)
VI	<i>'On the Estate of Philoctemon'</i>	(18 times)
VII	<i>'On the Estate of Apollodorus'</i>	(8 times)
VIII	<i>'On the Estate of Ciron'</i>	(9 times)
IX	<i>'On the Estate of Astyphilus'</i>	(19 times)
X	<i>'On the Estate of Aristarchus'</i>	(22 times)
XI	<i>'On the Estate of Hagnias'</i>	(6 times)
XII	<i>'On Behalf of Euphiletus'</i>	(14 times)

Direct cases of addressing the judges in Oration 3 are rare. Except the one without an exclamation ω in the beginning, we find only four instances (§33, §36, §66, §72). First of all, it is important to remember that this speech surpasses the others in its length which makes the difference even more obvious, since e. g. the Orations 7, 8 and 11, which are the only ones that have less than 10 instances, are significantly shorter than the third.

One possible explanation, as I mentioned above, could be that this speech (contrary to the Wyse's opinion), is considered to have a superior legal position of Isaeus' client and an easier path to victory,²¹ and because of that large parts of it are argumentative and full of rhetorical questions, which are mainly indirectly addressed to his opponent, not the judges. Therefore, it is constructed according to the principle: let the arguments make a better impression than the trivial exclamations and rhetorical entreaties addressed to the jury.²² But, regardless of that, keeping in mind the overall picture and comparison with other speeches (especially those where argumentation and legal position are stronger, as in the Oration 12), we would expect more instances of these addresses, given that the third speech is the longest one. Moreover, those addresses by themselves are, arguably, not considered to be mere begging of the judges and do not reveal the weak case, but only show respect and dignity of the speaker who knows before whom he gives a speech.

²¹ Because of the previous verdict; cf. HATZILAMBROU 2018, 7.

²² Cf. AVRAMOVIĆ 1988, 170.

I would say that the main reason for this kind of difference is the lack of *ēthos* in the third speech, which Jebb mentions,²³ and, as the comparison with the 12th speech shows, this cannot be because of the superior legal position and stronger argumentation.²⁴

Somewhat similar situation we have with the expression νῆ/μὰ Δία. Half of all instances in Isaeus are found in the third speech (5 times).

Example No. 2:

Is. 3. 2.

... ὑπερβάσα τὸν τελευταῖον κληρονόμον, γνησίᾳ θυγάτηρ τοῦ ἡμετέρου θείου ἦκει φάσκουσα εἶναι Φίλη, <καὶ Φίλη> καὶ κύριος Ξενοκλῆς Κόπρειος τοῦ Πύρρου κλήρου λαχεῖν τὴν λήξιν ἠξίωσαν, ὃς τετελεύτηκε πλείω ἢ εἴκοσιν ἔτη, τρία τάλαντα τίμημα τῷ κλήρῳ ἐπιγραψάμενοι.

... ignoring the last heir, Phile has come forward claiming to be our uncle's legitimate daughter, and Phile and her kyrios (i.e. legal representative) Xenocles of Coprus made a claim to the estate of Pyrrhus, who had been dead for more than twenty years, assigning its value to three talents.

In this passage the word order is unusual for Isaeus. The predicate noun is in the beginning, before the main verb ἦκει, and participle and infinitive to which predicate nominative refers φάσκουσα εἶναι are far away from each other. We can compare it with §5 and §6 in the Oration 3 where we find: διαμαρτυρηθεῖσα γνησίᾳ θυγάτηρ εἶναι and ἀμφισβητούσης γνησίας θυγατρὸς Πύρρω εἶναι. The latter example even sounds incoherent because of the unusual use of the verb ἀμφισβητέω which caught the attention of Reiske.²⁵ Herwerden likewise argued that it was impossible to leave this passage as it is and proposed to delete γνησίας ... εἶναι.²⁶ Wyse, however, rejects the objection as unfounded, adducing examples of such use of ἀμφισβητέω.²⁷ Nonetheless the construction itself is rare. Also, the text above is the result of Wyse's editorial interventions, but the closer one goes to the manuscript reading the more awkward and ill-structured the paragraph appears. Wyse added <καὶ Φίλη> to save the original reading ἠξίωσαν from the main (A) manuscript,²⁸ which the scribe corrected and turned it into ἠξίωσαν, but since the main verb is connected to the

²³ JEBB 1876, 282.

²⁴ In the 12th speech Forster also approves Dionysius' admiration for Isaeus' argumentation in that speech, cf. FORSTER 1927, 430.

²⁵ Reiske 1773, 17. "malim tamen sic legi: ... ἀμφισβητούσης <τοῦ κλήρου> γνησίας θυγατρὸς Πύρρω <φασκούσης> εἶναι."

²⁶ HERWERDEN 1881, 384.

²⁷ WYSE 1904, 293.

²⁸ Hatzilambrou thinks that *prima manu* reading is ἠξίωσ*, i. e. that the ending is lost because of the faded letters; HATZILAMBROU 2018, 60.

feminine participle ὑπερβᾶσα the change of the subject (Xenocles) seems strange. Some editors pointed out that the first part of the cited passage is incoherent and tried to delete the verb ἦκει.²⁹ That, however, would render the main verb plural and leave all the feminine participles unattributed. On the grounds of frequent repetitions in the speech, Dobree also suggested the deletion of apposition ὅς τετελεύτηχε ... ἔτη.³⁰ Thalheim and Hatzilambrou take the second part to be singular, to agree with Xenocles. That resolves the loose structure of the sentence that we have in Wyse's edition, but the impression is made that Isaeus could organize a simple information in his narrative part into a somewhat clearer and simpler sentence.

Example No. 3:

Is. 3. 4.

... καὶ τουτονὶ Νικόδημον παραχρήμα ἐξηλέγξαμεν ἐν τοῖς αὐτοῖς δικάσαις ἀναίσχυντότατον τῇ μαρτυρίᾳ ὄντα ταύτη, ὅς γε ἐτόλμησε μαρτυρῆσαι ἐγγυῆσαι τῷ θείῳ τῷ ἡμετέρῳ τὴν ἀδελφὴν τὴν ἑαυτοῦ γυναῖκα εἶναι κατὰ τοὺς νόμους.

... and we immediately proved before the same judges that Nicodemus here was the most shameless in the testimony he gave, since he had the audacity to testify that he had given his sister to our uncle in marriage as his wife in accordance with the laws.

Here the infinitive εἶναι seems redundant and unconnected to anything else in the sentence. It probably just depends on μαρτυρῆσαι. Nobody thought this to be a problem since the meaning of the passage practically does not change if the infinitive depends on something else, and because of that editors and commentators focused on other things.

I assume one of these interpretations can explain the position of εἶναι in the sentence above:

- εἶναι depends on μαρτυρῆσαι and goes with κατὰ τοὺς νόμους, i. e. *'he had the audacity to testify that it is in accordance with the laws that he...'*³¹ In this case we would probably expect κατὰ τοὺς νόμους to be somewhere closer to μαρτυρῆσαι or ἐγγυῆσαι to have an article. Of course, the difference in the meaning is close to none, but the way it is said in Greek seems redundant and unpolished; indirect speech that seems somewhat bureaucratic. The one good thing in this explanation is that the infinitive εἶναι is not connected to γυναῖκα, which, I suggest, must be subordinate to the verb ἐγγυάω.³²

²⁹ E.g. DOBREE 1831, 289.

³⁰ On repetition and Isaeus' 'sparse' vocabulary see also: MILLER 1936, 443.

³¹ No English translation shows this explicitly, cf. HATZILAMBROU 2018, 80; EDWARDS 2007, 49.; FORSTER 1927, 79.

³² Cf. Dem. 28, 15. ('καὶ γυναῖκ' αὐτῷ ταύτην ἐγγυῶν'); and Dem. 29, 47. ('τούτῳ γυναῖκ' ἡγγύησεν'). On the meaning of ἐγγυάω, see: WYSE 1904, 289–93.

- εἶναι goes with γυναῖκα and means: ‘that he had given his sister to be (his) *lawful wife*’. This usage of present infinitive εἶναι instead of future ἔσεσθαι would be very rare (not attested with ἐγγυάω) and would be extremely extraordinary. If it was true, we would probably expect a pronoun αὐτῷ, which we do not have.
- εἶναι κατὰ τοὺς νόμους as in my first given interpretation just lacks conjunction and is kind of *asyndeton*; as if it is elliptically said and one needs to think of a καὶ. In that case the meaning would be: ‘(and) that (this) is in accordance with the laws’, and we would have to add not only the conjunction, but probably a pronoun τοῦτο or ταῦτα also.

As for τῇ μαρτυρίᾳ ὄντα ταύτη, which we have in §40 also, compare Reiske:³³ “*Duriuscule dictum, fateor*”. He also wanted to add σύμμαχον or ὁμόφωνον to ὄντα.³⁴

My opinion is as follows: in a long sentence as this one, the statement εἶναι κατὰ τοὺς νόμους comes at the end and, indeed, this infinitive, despite what it may seem at first sight, does not depend on anything. This is a mark of a rash and disorganized thought, bordering on *anacoluthon*. It is not that hard to imagine that one can repeat an infinitive of the verb ‘to be’ among many accusatives and other infinitives, especially in the narrative part when he focuses on the subject-matter and not on style.

Reading Isaeus (as well as Lysias) one can hardly get confused in a narrative and wonder why is this infinitive here, since their language is simple and easily comprehensible.

Example No. 4:

Is. 3. 6.

... πότερον ἐξ ἐγγυητῆς ἢ ἐξ ἐταίρας ἢ ἀμφισβητοῦσα τοῦ κλήρου τῷ θείῳ
[γυναικὸς] εἶη ·

... whether the woman claiming the estate was the daughter of our
uncle by lawfully wedded wife or by a hetaira.

Most editors had to choose what to do with the word γυναικὸς. Either to try and keep the manuscript reading or emend it. Almost all of them noticed that something was wrong and left some space in their *apparatus criticus* to say what others argued. Hatzilambrou, Thalheim and many others leave γυναικὸς untouched and, as it seems to me, do that correctly (precisely because clumsiness finds its place from time to time in this speech). It refers to ἐγγυητῆς or ἐταίρας.³⁵ This

³³ REISKE 1773, 16. On the dative case see WYSE 1904, 256.

³⁴ REISKE 1773, 16.

³⁵ Even though the collocation ἐξ ἐταίρας γυναικὸς is not attested; cf. HATZILAMBROU 2010, 39.

passage should be compared with §24: ἡ ἐξ ἐταίρας ἢ ἐξ ἐγγυητῆς τὴν ἑαυτοῦ γυναῖκα εἶναι. This could, however, lead to emendation of γυναικός into γυνή, which Bekker³⁶ suggested, and with whom Schömann agrees.³⁷ There were some thoughts that γυναικός here can go only with ἐγγυητῆ and nothing else.³⁸ The fact of repetition of the collocation supports that.³⁹ That is the reason why Thalheim proposed replacement of ἐγγυητῆς and ἐταίρας.⁴⁰ Dobree thought that γυναικός needs to be removed or moved after ἐγγυητῆς.⁴¹ Wyse thinks that γυναικός is redundant and brackets it in his edition (cited above).

Therefore, this word order (ἐγγυητῆ and γυνή so far from each other) is comparable to γνησία θυγάτηρ τοῦ ἡμετέρου θείου ἦκει φάσκουσα εἶναι Φίλη. This is in line with Dobree's observation that this speech abounds with repetition of "*verba, locutiones, sententiae*", as well as with Wyse's note that Isaeus can be "careless of such refinements".⁴²

Example No. 5:

Is. 3. 7.

ἀναγίγνωσκε λαβών τασδι αὐτοῖς

Take these and read them to the jurors

Here we have one more characteristic that catches the eye of an attentive reader. In Isaeus present imperative of the verb ἀναγινώσκω in such cases is quite rare (15 times total), of which the Oration 3 alone contains two thirds (10 instances). Imperfect aspect of the verb seems to prevail and be intentionally used in this speech. Sometimes the rhythm of a sentence might demand a certain change in the choice of grammatical forms, but Isaeus shows that he deliberately avoids present imperative. Somehow Isaeus thought this apt for this speech. Maybe it should have made an impression that the law or testimony were of such importance that the auditorium had to pay more attention to it. It is difficult to say why the present imperative is used so actively in Oration 3 compared to other extant speeches of Isaeus, but it can be seen that it is done intentionally. For the sake of comparison, there is not a single instance of the form ἀναγίγνωσκε in Lysias, which is noteworthy, given that we have more of his speeches compared to Isaeus. And in the whole corpus of Demosthenes such form is attested only 20 times.

³⁶ BEKKER 1822, 601.

³⁷ SCHÖMANN 1831, 232.

³⁸ cf. WYSE 1904, 293–94.

³⁹ Cf. §8 "πότερον ἢ ἐγγυητῆ γυνὴ ἀπέλιπε τὸν ἄνδρα... and §10 "περὶ τῆς ἐγγυητῆς ...γυναικός." and "ἐγγυητὴν ἔσχε ...γυναῖκα."

⁴⁰ THALHEIM 1903b, 458.

⁴¹ DOBREE 1831, 289.

⁴² WYSE 1904, 293.

Example No. 6:

Is. 3. 7. and 48.

παραχρήμα εὐθὺς ...

immediately without hesitation ...

This rare, virtually pleonastic, phrase is found only in this speech of Isaeus, two times. In a way, pleonasm might even be appropriate for a speech known for repetitions.⁴³ The alternative approach would be deletion of εὐθὺς, such as that found in a Renaissance copy of Stephanus' *Greek Orators*.⁴⁴ Reiske mentioned that the author of the annotations in that book wanted to erase εὐθὺς.⁴⁵ He also tried to compare Isaeus' phrase with the Latin "*statim e vestigio*".

Example No. 7:

Is. 3. 30.

καὶ οἱ αὐτοὶ θεῖοι οὗτοι ἐν τῇ δεκάτῃ τῆς θυγατρὸς ἀποφανθείσης εἶναι ὑπὸ τοῦ ἀδελφιδοῦ κληθέντες μεμαρτυρήκασι παραγενέσθαι.

And these same uncles have testified that they were present, by their nephew's invitation, at the tenth-day ceremony when his daughter was formally acknowledged as his child.

This is very similar to Is. 3. 2.; θυγατρὸς is used predicatively. The removal of the infinitive εἶναι we see in the 17th century emendations on Isaeus, which are commonly called in critical commentaries *Tophanes Taylori*.⁴⁶ Reiske argued that this passage should be left as it is, and after him nobody seemed to have commented on the grammar.⁴⁷

Example No. 8:

Is. 3. 45–64.

ἐπειδὴ δὲ τῷ Ξενοκλεῖ ἡγγύα ὁ Ἐνδιος τὴν ἀδελφιδὴν σου, ἐπέτρεψας, ὦ Νικόδημε, τὴν ἐκ τῆς ἐγγυητῆς τῷ Πύρρῳ γεγενημένην ὡς ἐξ ἐταίρας ἐκείνῳ οὐσαν ἐγγυᾶσθαι; καὶ οὐκ [ἄν] εἰσήγελλες πρὸς τὸν ἄρχοντα κακοῦσθαι τὴν ἐπίκληρον ὑπὸ τοῦ εἰσποίητου οὕτως ὑβριζομένην καὶ ἄκληρον τῶν ἑαυτῆς πατρῶων καθισταμένην, ἄλλως τε καὶ μόνων τούτων τῶν δικῶν ἀκινδύνων τοῖς διώκουσιν οὐσῶν καὶ ἐξόν τῷ βουλομένῳ βοηθεῖν ταῖς ἐπικλήροις;

But when Endius gave your niece in marriage to Xenocles, did you, Nicodemus, allow the daughter borne to Pyrrhus by his lawfully wedded wife to

⁴³ On repetition in the third speech see also: JEBB 1876, 296.

⁴⁴ The manuscript (bibl. reg. Par. n. X 1756) belonged to Fabio Brulart de Sillery (1655–1714). More on this in: WYSE 1904, LIV–LV.

⁴⁵ REISKE 1773, 18.

⁴⁶ On this see: WYSE 1904, LV–LVII.

⁴⁷ "τῆς θυγατρὸς ἀποφανθείσης εἶναι idem est, atque si planius et incomitius dixisset τῆς κόρης, περὶ ἧς ἀπεφαίνετο, ὅτι Πύρρου θυγάτηρ ἐστί." REISKE 1773, 34.

be married as if she were his child by a hetaira? And did you not bring an impeachment before the Archon for injury of the heiress, who was thus maltreated by the adopted son and deprived of her patrimony, especially since these suits alone involve no risk to the plaintiff and anyone who wishes is allowed to help heiresses?

In this passage we have two direct questions addressed to Nicodemus which are connected with the conjunction *καί*. The problem is that in the first part we have pure indicative *ἐπέτρεψας*. The sense is clear and needs no emendation,⁴⁸ but Reiske, Schömann and Thalheim, for example, add <ἄν> after *ἐπέτρεψας*. And in the second question (§46) we have *οὐκ ἂν εἰσήγγελες*. Editors, therefore, had to choose either to add the first <ἄν> or to remove the second. I would agree with Buermann and remove the second <ἄν>, since the speaker states the fact and does that by means of direct question to Nicodemus. After that, upon proven fact, he raises a hypothetical question addressing the jurors (§48):⁴⁹

ἔπειτα εἰ ἦν ἐξ ἐγγυητῆς ἢ τούτου ἀδελφιδῆ τῷ ἡμετέρῳ θείῳ γεγενημένη, ἐπέτρεψεν ἂν Νικόδημος ὡς ἐξ ἐταίρας οὖσαν αὐτὴν ἐγγυᾶσθαι; καὶ γενομένων αὐτῶν οὐκ ἂν εἰσήγγελε πρὸς τὸν ἄρχοντα ὑβρίζεσθαι τὴν ἐπικληρον ὑπὸ τοῦ οὕτως ἐγγυήσαντος αὐτῆς; καὶ⁵⁰ εἰ ἦν ἀληθὴ ἂν νυνὶ τετόλμηκας μαρτυρῆσαι, παραχρῆμα εὐθύς τότε ἐτιμωρήσω ἂν τὸν ἀδικούντα·

So, if his niece was our uncle's daughter by a lawfully wedded wife, would Nicodemus have allowed her to be married as if she were the daughter of a hetaira? And when that happened, wouldn't he have brought an impeachment before the Archon that the heiress was being maltreated by the man who had given her in marriage in this way? And if it were true what you have now dared to testify, you would have punished the one doing her wrong right away.

Example No. 9:

Is. 3. 59.

... ἅπαντες γὰρ, <καί> ὑμεῖς καὶ οἱ ἄλλοι πολῖται, ἀνεπίδικα ἔχουσι τὰ ἑαυτῶν ἕκαστοι πατρῶα.

... since all, and you and other citizens, possess their patrimonies without having to go to law.

Wyse adds conjunction *καί* following Buermann,⁵¹ because after *ἅπαντες ὑμεῖς* we can have only 2nd pers. pl., which is impossible because of *ἑαυτῶν*. Herwerden,

⁴⁸ Cf. BUERMANN 1884, 336.

⁴⁹ Reiske removes this because of repetition, cf. REISKE 1717, 45.

⁵⁰ See: HATZILAMBROU 2010, 42.

⁵¹ Cf. BUERMANN 1884, 327–328.

according to that, proposed ἔχετε instead of ἔχουσι.⁵² Schömann was the first to regard ὑμεῖς καὶ οἱ ἄλλοι πολῖται as apposition to ἅπαντες, and Hatzilambrou follows him, referring to the comma from the main (A) manuscript after πολῖται.⁵³ But it is important to mention that Buermann thought such separation of ὑμεῖς and ἅπαντες unnatural.

Example No. 10:

Is. 3. 63.

ἔτι δ' ἂν πρότερον τοῦ Ξενοκλέους οἱ τοῦ Πύρρου θεῖοι, εἰ ἤδεσαν γνησίαν θυγατέρα τῷ ἑαυτῶν ἀδελφιδῶ καταλειπομένην καὶ ἡμῶν μηδένα λαμβάνειν ἐθέλοντα αὐτήν, οὐκ ἂν ποτε ἐπέτρεψαν Ξενοκλέα, τὸν μηδαμόθεν μηδὲν γένει προσήκοντα Πύρρω, λαβόντα ἔχειν τὴν κατὰ γένος προσήκουσαν αὐτοῖς γυναῖκα.

But even before Xenocles, Pyrrhus' uncles, if they knew that their nephew had left a legitimate daughter and that none of us was willing to take her in marriage, would never have allowed Xenocles, who was not in any way related by birth to Pyrrhus, to take and marry the women who belonged to them by kinship.

τοῦ Ξενοκλέους and οὐκ ἂν ποτε ἐπέτρεψαν Ξενοκλέα can by no means go together. The “gross clumsiness”, as Wyse says, of the phrase ‘before Xenocles’ makes the passage problematic. An option to save this reading would be to think of it as some kind of *anacoluthon*. However, Wyse did not agree with that,⁵⁴ so he followed Buermann and bracketed τοῦ Ξενοκλέους.⁵⁵ Also, πρότερον in this use was strange to Reiske who changed it to πρότεροι to which he wanted to add even the participle ὄντες.⁵⁶

Overall assessment of the third speech

I would like to point out that scholarly interventions on the text of the third speech are very frequent and that they can serve as an evidence to show more clearly that exactly this speech is not the best example of the main stylistic characteristic of Isaeus. This is not at all the case with his other speeches. Although this may seem less significant, it can nevertheless show that something was not expressed simply and clearly enough, so that throughout its reading tradition the text became corrupted in some places and modern editors had to emend it. In Wyse's edition of the third speech we find eight cases where the editor was forced to put a certain part of the text under *cruces* (†) and mark it as *locus desperatus*. This

⁵² HERWERDEN 1881, 385.

⁵³ HATZILAMBROU 2010, 43–44.

⁵⁴ WYSE 1904, p. 350.

⁵⁵ BUERMANN 1884, 353.

⁵⁶ REISKE 1773, 54.

number is significantly larger than in any other of his speeches. Six speeches, for example, have only one such case. Four speeches have two such cases. Transmission of the speech and textual tradition cannot explain this easily, since all manuscripts for speeches 3–11 belong to the same branch, represented by one manuscript.⁵⁷ Also, I do not believe that the length of the third speech could have anything to do with this, because, evidently, it is full of repetition, and other speeches, closest to the third in their length, have much simpler diction with shorter sentences and far less *loca desperata*. Perhaps additionally relevant, the number of additions and removal of parts of the text in Wyse's edition of the third speech also surpasses other speeches by far.

In the end I would like to cite Jebb and his opinion of Isaeus' style and comparison with Lysias with which one can hardly agree when it comes to passages from Oration 3 shown above:

*“As regards diction, the resemblance is close. Isaeos, emulous of that persuasive ‘plainness’ (ἀφέλεια) in which Lysias was so consummate an artist, takes the first step towards attaining it by imitating Lysias in the correctness, the conciseness, the simplicity of his language.”*⁵⁸

Having shown problematic examples and possible explanations of stylistically atypical phrases for Isaeus in Oration 3, the only logical solution, as it seems to me, would be to say that this speech has been severely corrupted throughout its transmission or that it is not Isaeus'.

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⁵⁷ About textual tradition see: WYSE 1904, i–lxiii; HATZILAMBROU 2018, 42–53.

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Кључне речи: Исеј, стил, језик, трећи говор, *ејџос*.