

The Traffic in Φιλανθρωπία: Elite Voluntarism and Administrative Oversight

in Demosthenes' *Against Leptines*

... ὅταν ὄν ἐδώκατέ τῳ πρότερόν τι, τοῦτ ἀφέλησθε, καὶ τὰς ὑπολοίπους ἀπίστους ποιήσετε πάσας δωρεῖας. τί γὰρ ἔσται πιστότερον τὸ τῆς εἰκόνοσ ἢ [τὸ] τῆσ σιτησέωσ ἢ τὸ τῆσ ἀτελείασ, ἣν πρότερον τισι δόντες ἀφηρημένοι φανεῖσθε;
... whenever you take back something of what you gave to someone, you also render all future rewards equivocal. For what grant of a publicly displayed statue, or of dining at public expense or than exemption from taxes will be at all credible which you will be shown taking away after giving it? (Demosthenes 20.120)

In 356 BCE the midst of the Social War, Leptines proposed a law to stabilize Athens' public finances: abolishing exemptions from liturgies, "except for the descendants of Harmodios and Aristogeiton" (Dem 20.29). The rationale for the law was simple. Athens was in desperate need of resources to prosecute the war and sources of such support were desperately few. The law was adopted but never came into force. Soon after it was adopted Apsephion lodged a *γραφὴ παρανόμων* (Sandys 1890: xxiii) in order to overturn it and perhaps a replace it with a law which mandated that every liturgical exemption be reviewed for its validity (Dem 20.98-101). Demosthenes served as his *συνήγορος*. Dio Chrysostom (31.128) reports that Apsephion's suit was successful and the law was repealed.

Demosthenes repeatedly argues that Leptines' law was a misguided effort to stabilize Athens' public finances that would ultimately undermine them by alienating elites upon whose largess Athens relied (e.g. Dem 20.25, 34-5, 51-4). Leptines did not appreciate the essential role of political patronage in harnessing elite *φιλοτιμία* to provide essential government services, especially defense. In the wake of the war, it is generally believed that Demosthenes realized that Athens had become even more dependent upon the largess of wealthy, elite citizens and foreign potentates willing to underwrite the City's endeavors. Harris suggests that the young Demosthenes (the *Against Leptines* was his first political speech) sincerely believed that

Leptines' law was inexpedient as he precociously recognized that Athens' precarious political position depended heavily upon elite rather philanthropy (Harris 2008: 20, n. 15). In contrast, Hesk argues that Demosthenes was motivated by aristocratic bias and found the democratic egalitarianism encoded in the law (*cf.* Hesk 2000: 40-51). Others have amplified the debate over the orators' motives and arguments which centers primarily around ideological considerations of elite φιλοτιμία and its value as an engine for public service (e.g. Fisher 2003, Christ 2013: 208). Whether or not Leptines' law attempts to dismantle elite privilege, a salutary practical aspect of his law has been generally overlooked. The law prescribes a firm rule that is impersonally administered. Because Leptines' law does not provide for any political or administrative discretion in its enforcement, as I will demonstrate, the law is very efficient in assigning liturgical liability and monitoring liturgists for compliance, much as Periandros' reform of the trierarchy is a step towards better monitoring and oversight of trierarchs. In this respect, Leptines' law is a positive reform of a very inefficient system. I will then show that Demosthenes displays a striking lack of awareness of these beneficial aspects of Leptines' (and Periandros') law while the orator also fails to recognize the very tangible administrative deficiencies of the civic φιλανθρωπία for which he advocates in the *Against Leptines* and throughout his storied political career.

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