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AFTERLIFE AND THE LIVING. THE ARGINUSAE TRIAL AND THE OMISSION OF BURYING THE DEAD

ALEXANDER RUBEL *

“Silent enim leges inter arma”¹.

Keywords: Battle of Arginusae, 406 BC, Greek Religion, Peloponnesian War, Greek Burial Customs

Abstract: After a long battle at the Arginusae Islands in 406 BC, the Athenians were victorious and what was left of the Peloponnesian fleet fled the battlefield. The defeated party lost 77 ships in this battle, meaning 64% of the entire fleet. The Athenians also lost 25 ships (a rather significant price paid), but they did crash their enemies in the greatest naval battle – as Diodorus names it – between the Greek flotillas. In this paper, I shall try answer the following question: how did the Athenians manage to turn this victory – significant from all perspectives – into a catastrophic defeat? After their return, the Athenians tried the victorious generals before the assembly and sentenced them to death. The accusation was that they left behind the shipwrecked and – especially important – that they did not pick up the bodies of their fallen comrades. I shall argue that the neglect of burying the fallen and the religious implications connected to that omission was evidently the main accusation and thus decisive for the Arginusae trial, which took place in an atmosphere of religious anxiety.

Cuvinte-cheie: Bătălia Insulelor Arginuse, 406 î.Ch., religia greacă, războaiele peloponeziace, obiceiuri funerare în Grecia Antică

Rezumat: După o îndelungată bătălie a Insulelor Arginuse, din 406 î.Ch., atenienii sunt victorioși, iar resturile flotei Ligii Peloponeziace se retrag de pe câmpul de luptă. Învinșii au pierdut 77 de vase în această bătălie, adică 64% din întreaga lor flotă. Atenienii au pierdut, de asemenea, 25 de vase (un preț relativ semnificativ plătit pentru victorie), dar și-au zdrobit adversarii în cea mai mare bătălie navală – așa cum o numește Diodor – dintre flote grecești. În articolul de față, vom încerca să răspundem la următoarea întrebare: cum au reușit atenienii să transforme această victorie – importantă din orice perspectivă – într-o catastrofă înfrângere? După întoarcerea corpului expediționar, atenienii și-au pus sub acuzare generalii victorioși, i-au judecat în fața Ecclesiei și i-au condamnat la moarte. Acuzația era că i-au părăsit pe membrii echipajelor naufragiate și – deosebit de important – că nu au colectat trupurile camarazilor căzuți. Vom argumenta că neglijarea îndatoririi de a-i îngropa pe cei căzuți și implicațiile religioase legate de această omisiune au fost principalele capete de acuzare și, ca urmare, decisive pentru Procesul Arginusei, care a avut loc într-o atmosferă de anxietate religioasă.

This paper is about the very strange fact, that the Athenians tried their generals in 406 after the perhaps most important victory of the Peloponnesian War. Some scholars blamed the radical Democracy to be responsible for this so called judicial murder, some put the blame on the political tensions of those times. I shall argue that this very irrational behaviour of the Athenians had, at the core, religious reasons. We have to remember that, during the War, Athens was afflicted with the Plague, and religious explications for the misfortunes and the calamities during this period were rampant. We can observe a growing fear of the Athenians to be victims of the wrath of the gods. I cannot mention here all the details and the different occasions were the Athenians gave proof of their piety during the war. I shall only mention the continuing and important religious building activity during the war, despite the lack of

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¹ Cic. *Mil.* 4, 11. I am indebted to Michael Vickers for revising the text. This paper is based on a talk I delivered in Alba Iulia in 2012. Most of the arguments will be also found in my recent book (Rubel 2014).

money, as well as the heavy reaction of the people on the occasion of the Herms- and Mysteries affair in 415 and the impiety trials against critical philosophers like Anaxagoras, Protagoras or Diagoras of Melos². In what follows, I shall argue, that a religious explanation for the - at first sight very wrongful - condemnation of the victorious generals is the only one which makes sense. Thus, also the Arginusae Trial, often understood as the downfall of Democracy and a sign for the outrageous rule of the crowd, can be explained in a broader context.

*

With the disastrous result of the Athenian expedition to Sicily, Fate really turned against the Athenians. The failure of the leader of the Delian League caused many of the tributary states to take the opportunity to leave the alliance. Thus, the Aegean islands and some important cities such as Miletus, Ephesus, Phokaia and Kyme, and the entire territory of the Hellespont, including Byzantium, exited the League. Byzantium was strategically very important, in particular for the control of the vitally important grain trade with the regions of the Pontus. To make matters worse, Alcibiades, now an ally of the Spartans, advised the latter to occupy Deceleia, a city on the Attic frontier. Athens was paralyzed by domestic turbulence with, in 411, power in the hands of an oligarchical junta, seized from a perplexed and helpless Assembly. The fleet stationed at Samos remained loyal to democracy, but the Athenians proved incapable of holding together their failing maritime empire. The situation at Athens became critical³.

Because their financial reserves were used up and many allies had stopped paying the *phóros*, the Athenians imposed within the League a duty (a kind of VAT) of 5% on all commodities imported or exported by sea, and they even spent the reserve fund created in 431 for the severest crises⁴. When the erstwhile traitor Alcibiades (who had regained the trust of the Athenians) reconquered the Hellespont in 410 for his native city, he was, like his fellow generals, more preoccupied with raising funds than with military operations⁵.

It is nevertheless apparent, as we have seen, that despite the difficult financial situation, building activity at important shrines was resumed or new buildings erected. During this period, the Nike temple and the Erechtheum were completed⁶. Meanwhile, “spoiled” again by success and the fortunes of war, that were at least partly responsible for the restoration of democracy, the Athenians succeeded in regaining control again over the straits (after the battles of Cynossema and Abydus in 411 and Cyzicus in 410). Shortly after, however, they were endangered by the Peloponnesian fleet, ever readier for battle, and now under the command of Lysander, who was enriched with Persian gold⁷. The naval battle of Notion (407) put an end to the operations of the Athenian fleet in the east basin of the Aegean, and to any Athenian attempt to regain the Ionian cities. This battle also put an end to Alcibiades’ political career. In the absence of the general, his luckless helmsman Antiochus, who was left in charge of the Athenian

² On all these aspects of religious anxiety during the Peloponnesian War, see Rubel 2000 and the revised and expanded edition in English, Rubel 2014.

³ Thuc. 8; Xen. *Hell.*, 1 and 2; Kagan 1987, *passim*; Andrewes 1992. For the domestic political upheavals of 411, related to the oligarchic constitutional changes (the constitution of the 400 and of the 5,000), see Flach 1977; Kagan 1987, p. 131-210; Lehmann 1997; Bleckmann 1998, p. 358-386; Welwei 1999, p. 212-231.

⁴ On the *eikosté*, see Thuc. 7, 28, 4; add Dover, in *HCT* IV 1970, *ad loc.* On the reserve fund, see Thuc. 8, 15; add Andrewes, in *HCT* IV 1970, *ad loc.* On the financial situation of the Athenians, see *IG* I³ 375 ML 84; Ferguson 1932; Thomsen 1964; Mattingly 1968; Bleckmann 1998, p. 450-456; Brun 1999. *Cf.* Ostwald 1986, p. 424-426, 433; Welwei 1999, p. 231-232.

⁵ Οὐ γὰρ ἔστιν, ἔφη, χρήματα ἡμῶν, Alcibiades laments at Xen. *Hell.* 1, 1, 14. On how the Athenians raised funds (through robbery and extortion) see: Xen. *Hell.* 1, 1, 21; *cf.* 1, 2, 4; 1, 3, 3. On the tax policy in the Hellespont area, see Rubel 2001.

⁶ See Rubel 2000, p. 262-306, with a description of the complex.

⁷ Cynossema and Abydus: Thuc. 8, 103-106; Cyzicus: Xen. *Hell.* 1, 1, 1-26. On Lysander, see Lotze 1964. On the military operations in the Aegean and the area of the straits in general, see Andrewes 1992. For the reinstatement of democracy, see Sealey 1975 and Bleckmann 1998, p. 387-442.

fleet, stood no chance against the clever tactician Lysander. The only option for the compromised general was to retire to his Thracian properties⁸.

Even after the loss of 22 ships in this battle, the fleet was not destroyed, since the Athenians still had one hundred triremes⁹. A year later when, after losing 30 more ships, Conon only had 40 triremes in readiness, the Spartan fleet under Lysander's capable successor Callicratidas cut him off in the harbour of Mytilene. The fate of the Athenian fleet (or what was left of it) was thus again on a knife's edge¹⁰. In such a situation, the Athenians decided to relieve the endangered general. At great expense, 110 ships were rapidly built, and manned as a desperate measure by not only citizens and metics, but by slaves¹¹.

The decisive battle between the two fleets took place in the autumn of 406, near the Arginusae islands, near Lesbos¹². After learning of the existence of a new Athenian fleet, Callicratidas, with his 120 ships, hurried to meet the enemy. His battle-hardened triremes were opposed to the 150 Athenian ships, manned by oarsmen and sailors with little experience, who had been trained in haste. In view of the importance of the operation, the Athenian fleet was under the command of eight generals. The Spartans counted on the tactical inferiority of their adversaries, and arranged their ships in a battle formation usually employed by the Athenians back when they dominated the sea¹³.

After a long battle in which Callicratidas himself perished, the Athenians were victorious and what was left of the Peloponnesian fleet fled. The defeated party lost 77 ships in the battle, or 64% of the entire fleet. The Athenians also lost 25 ships (quite a significant loss), but they did crush their enemies in what Diodorus called the greatest naval battle between Greek fleets¹⁴. In what follows, I shall examine the question: how did the Athenians manage to turn this victory, significant from every point of view, into a catastrophic defeat?

THE GENERALS BEFORE THE ASSEMBLY. PROBLEMS AND INTERPRETATIONS

When six of the victorious generals returned to Athens, instead of being welcomed with a celebration by their exuberant fellow citizens, the Assembly accused them of an abuse of power and high treason¹⁵; the accusation was also laid against their absent comrades in arms, apart from Conon (he had been besieged at Mytilene during the battle). As they concentrated on catching the fleeing enemy in order to inflict a final blow, the generals forgot in the heat of battle to save the shipwrecked and recover the bodies of the fallen. The charge against the generals is presented in very different terms by Xenophon and Diodorus, and it is, thus, very difficult to assess the trial objectively. Xenophon holds that the officers failed to save the shipwrecked, while the Sicilian historian maintains that the people rose against the generals because they had not gathered up the bodies of the fallen in battle (and who had thus been left unburied). In assessing

⁸ *Hell. Oxy.* 4, 1-4; *Xen. Hell.* 1, 5, 11-17; *Diod.* 13, 71; Breitenbach 1971, p. 152-171; *cf.* Bommelaer 1981, p. 90-95; Andrewes 1982 and Kagan 1987, p. 310-319.

⁹ Only 70 could be crewed given the lack of seamen; this occurred partly because of the defeat at Notion, but mostly because the Peloponnesian fleet paid better and some oarsmen deserted to join it: *Xen. Hell.* 1, 5, 20; Kagan 1987, p. 327.

¹⁰ *Xen. Hell.* 1, 6, 15-18. On Xenophon's favourable portrait of Callicratidas, see Moles 1994, p. 70-84.

¹¹ *Xen. Hell.* 1, 6, 24-26; *cf.* *Diod.* 13, 97, 1-2. Together with the ships of the allies, the fleet had more than 150 triremes. It is not clear whether the slaves who fought at Arginusae were freed afterwards; see Worthington 1989, p. 359-363. On the financial burden caused by these building works see Ferguson 1932, p. 359-360.

¹² The dating issue was thoroughly analyzed by Busolt 1904, p. 1592.

¹³ *Xen. Hell.* 1, 6, 31; Kagan 1987, p. 344.

¹⁴ *Diod.* 13, 98, 5; *Cf.* 13, 102, 4. For descriptions of the battle, see *Xen. Hell.* 1, 6, 27-38; *cf.* *Diod.* 13, 97, 3-100, 4; Kagan 1987, p. 325-353 and Morrison, Coates 1990, p. 105-110.

¹⁵ The defender of the generals speaks of *prodosia* ("treason") at *Xen. Hell.* 1, 7, 33. It is generally accepted that the procedure used in the case of the Arginusae trial was indeed *eisangelia*: Hansen 1975, p. 84-85; MacDowell 1978, p. 186-187. *Cf.* Swoboda 1893, p. 566; Busolt 1904, p. 1600; Valetton 1920, p. 61-62. Soon after the return of the generals, Erasinides was first put on trial, *περὶ τῆς στρατηγίας* (*Xen. Hell.* 1, 7, 2).

the trial, it is important to judge which of the two versions seems more reliable. This is what will be analysed in greater detail in what follows.

After the battle, a double strategy was agreed upon after a discussion: most of the fleet was to follow the fleeing enemy and relieve the city of Mytilene, while the rest (47 ships), led by the experienced trierarchs and former generals Theramenes and Thrasybulus, were to save the shipwrecked. In the event, however, neither operation succeeded on account of a violent storm¹⁶. After the storm, which had forced the Athenians to go into port, they sailed to Mytilene to face the Peloponnesians, but the Spartan fleet raised the siege as soon as they learned of the defeat¹⁷.

The generals were accused of neglecting their duties on account of their behaviour after the battle, and this led to a tense dispute in the *ekklesia*. It ended, after a delay for a second meeting, with a charge of *eisangelia*, and with a collective death sentence for the accused generals. The trial before the Assembly was accompanied by disturbances, and was probably not without procedural flaws¹⁸. Since the people were in a riotous mood, the prytanes and the generals' defending counsel, a certain Euryptolemus (who is mentioned only by Xenophon), had great difficulty in holding a regular meeting¹⁹. Euryptolemus gave a long speech in favour of the generals before the riotous Assembly, and proposed another trial procedure, according to which the accused should be tried individually and not collectively²⁰. The Assembly did not, however,

¹⁶ Xen. *Hell.* 1, 6, 35-36; 7, 29-32; Diod. 100, 1-4. Beginning from the fact that Diodorus only speaks of collecting the bodies, and not saving the shipwrecked, the stories are even more different. In Xenophon's version, the generals first called a meeting on land to reach a compromise, namely to follow the enemy and to begin the rescue mission, while Diodorus (who says that the meeting took place at sea) says nothing of such a decision, since all subsequent measures would have been prevented by the storm and the crews would have refused to recover the dead because of the heavy weather; cf. McCoy 1991, p. 318-319. Individual studies on the Arginusae trial: Cloché 1919; Andrewes 1974; Adeleye 1977-1978; Mehl 1982; Lang 1992; Burckhardt 2000; Giovannini 2002. Hunt 2001 overlooks Mehl 1982 and Bleckmann 1998.

¹⁷ Xen. *Hell.* 1, 6, 36-8.

¹⁸ See the historical and juridical analysis of every procedural irregularity in Bonner, Smith 1938, p. 265-266. Mehl 1982 attempts to prove in detail that the Assembly was not guilty of any procedural flaw. Giovannini 2002 tries to show that the Assembly was deceived by the council, and the trial should not be viewed as a sign of the degeneration of democracy. Recently, Flaig 2013 came up with the idea that the result of the trial was due to a conflict of different constitutional powers, a conflict with which the assembly could not deal at the moment. Thus, the condemnation of the generals could be seen as a collateral damage of direct democracy, but not as a result of public hysteria. In Flaig's view at a certain point the discussion was about general principles and procedures of democracy – provoked by the open conflict between the prytanes and the council – and not any more about the fate of the generals. With Flaig I share the opinion that the reasons for the conviction have to be searched beyond a often supposed outrage of the mob and can be explained without recourse to psychological explanations like mass-hysteria. But Flaig's interpretation, based on Social-Choice-Theory, only works out to even by deliberately dismissing Diodorus and his religious-based argument, by calling his account "knapp und fehlerhaft" (p. 28).

¹⁹ Mehl 1982, p. 41, Bleckmann 1998, p. 537 and Giovannini 2002, p. 17-23 agree that Xenophon intentionally exaggerated the vindictive aspects of the trial as well as the atmosphere of panic and terror, in order to compromise democracy. "The truth is that Xenophon hated the Athenian democracy and that he would convey this hate to posterity, and he did that with success", Giovannini 2002, p. 17.

²⁰ Xen. *Hell.* 1, 7, 16-33. It is doubtful that the speech actually represents a *verbatim* account recorded at the time, as Bleckmann 1998, p. 540-541 suggests. An argument against this is that the most important and longest speech (in Xenophon's *Hellenica*) was delivered by a marginal figure in the group of "political nobodies" Mehl 1982, p. 39. It is more likely that Xenophon presented, via the insignificant Euryptolemus, something of his own beliefs, since the ethical values in the speech are typical of his: Mehl 1982, p. 39-40. Gray 1989, p. 86-87 assumes that the narrative in Xenophon was "a memorial to the good qualities of Euryptolemus", when he uses his voice to present ideas influenced by "philanthropia", one of Xenophon's central tenets. Lang 1992, p. 276-277 believes it is impossible for such a long speech to have been delivered during a tumultuous meeting of the Assembly, cf. Mehl 1982, p. 40. Xenophon would thus have used "the popular 'memory' of Euryptolemus' role" as defence attorney for his own purposes, in order to make the generals seem nobler. Henry 1967, esp. p. 193-200 believes that Xenophon's presentation of the trial and in particular Euryptolemus' speech had as its main purpose to emphasize the positive role of Socrates who, as prytane, had taken a position against the procedural irregularities, but is unconvincing, and was opposed by Due 1983. The latter rightly states that the main purpose of the speech is to give a critical picture of Athenian society at the end of the fifth century, seen through Xenophon's eyes (41).

accept the proposal, and the *demos* sentenced all the accused generals to death by a small majority; the responsible magistrates immediately seized the accused to have them executed²¹.

It is evident that Theramenes, who took part in the battle as a trierarch, played a less than honourable role: he was not only among the accusers, but he also seems to have been responsible for an intrigue against the generals. With his friends and people hired from among the relatives of those who had perished in battle, he sought to create an atmosphere in the Assembly that was hostile to the generals. In addition, he arranged for the demagogue Callixenus to bring before the council an accusation (*probuleuma*) against the accused²².

The procedure that unfolded in the presence of the riotous *demos* does not appear to have been entirely legal, as every ancient writer observes (though allowances should perhaps be made since they all belonged to the antidemocratic camp)²³. As both Xenophon and Diodorus inform us, the Athenians soon realised that there had been a procedural flaw, and put on trial the demagogues responsible for having misled the *demos*²⁴.

Scholars who have closely studied what has been called a “scandalous trial”, often regarded it as judicial murder, as the greatest stain on the radical democracy at the end of the war. This inexorable dissent among the factions has often been invoked as responsible for the city’s downfall. This is why the Arginusae trial has remained the classic example of the perversion of justice in democratic Athens²⁵. This is precisely the effect aimed at by Xenophon in his highly tendentious and anti-democratic presentation of the trial²⁶.

The difficulties of this case which have perpetuated scholarly interest in the Arginusae affair derive, in the first instance, from the contradictory accounts of the trial provided by our two principal sources, Xenophon and Diodorus. It used to be the case that any historical reconstruction of the trial was based mainly on Xenophon’s account, to which was ascribed the greater historical credibility, as he was an eyewitness, but papyrus discoveries made during the first half of the 20th century have provided new insights²⁷.

The *Hellenica Oxyrhynchia* is preserved on two large papyrus fragments, and, at first sight, it appeared that it belonged to a tradition independent of Xenophon. It transpired that Diodorus had used it

²¹ Xen. *Hell.* 1, 7, 34-35.

²² Xenophon, however, is the only one to mention Theramenes’ plots (Xen. *Hell.* 1, 7, 8-9). Adeleye 1977-1978, p. 96-98 and Lang 1992, p. 269-270, have reservations regarding the reliability of the information. His colleague Thrasybulus does not seem to have been involved in these intrigues or else he let Theramenes express his views; see McCoy 1991, p. 318-323; Buck 1998, p. 59-60. For another view, see Cloché 1919, p. 44-45, who assumes that Thrasybulus would have taken a position against the generals.

²³ Apart from Xenophon and the moralist Diodorus, the trial was criticized as procedurally unjust by Plato and others (*Ap.* 32b-c; *Menex.* 243c; [Pl.] *Ax.* 368-369b and Arist. *Ath. Pol.* 34, 1; Plut. *Per.* 37, 6; cf. Xen. *Mem.* 1, 1, 17-20). Sources belong mainly to the Socratic circle, however, as Mehl (1982, p. 38) rightly noted. Lysias (12, 36) by contrast believes the punishment to have been correct, and a fair recompense for the bravery of those who had perished in battle, but who had not been buried. See further Bleicken 1994, p. 564-565. Bleckmann (1998, p. 510) is probably correct in stating that the procedure “should remain within the limits of the legal norms acknowledged by the Athenians themselves”.

²⁴ Xen. *Hell.* 1, 7, 35; Diod. 13, 103, 1-2. Callixenus, who is the principal main one criticised among the “inciters of the people”, suffers a different fate in each of the two versions. Bleckmann 1998, p. 510-514 has reservations about the *demos*’ post-trial remorse. Lys. 12, 36 allows us to conclude that even later the *demos* regarded the punishment of the generals as just; cf. Bleckmann 1998, p. 513: “the legend of the people’s repentance cannot be invoked as an indication for the unjust character of the Arginusae trial”.

²⁵ For example Busolt 1904, p. 1597-1609; Beloch 1914, p. 420-422; Meyer 1958, p. 349-351; Cloché 1919; Hansen 1995, 41; Lehmann 1997, p. 47-48; Bleckmann 1998, p. 570. Roberts 1977; Németh 1984; Buck 1998, p. 59 and Bleckmann 1998, p. 539-571 assume that the party-based struggles between the generals and the circle around Theramenes as triggered the process. On the already outdated concept of “parties” see Connor 1971; Bleckmann 1998, p. 334-357; Hölkeskamp 1998.

²⁶ On Xenophon’s anti-democratic tendencies, as manifested in his reaction to the Arginusae trial, see Mehl 1982, p. 41; Riedinger 1991, p. 68; Bleckmann 1998, p. 539-540; Giovannini 2002, p. 17 and *passim*; Due 1983. On his oligarchical attitude in general see, for example, Moore 1975, p. 67-73 and Bruell 1990.

²⁷ Bruce 1967, p. 1-3; McKechnie, Kern 1988, p. 3-7; Behrwald 2005.

in parallel to Xenophon as source for his own account. This led to a general reassessment of the Sicilian historian, a change eventually reflected in more recent studies of the Arginusae trial. Although E. Schwarz's harsh dismissal of Diodorus as the "compiler" was to have a long-standing influence on research, scholars began to appreciate the value of Diodorus' *Bibliotheca historica*, precisely because of those passages that, *via* Ephorus, followed the reliable source now known as the *Hellenica Oxyrhynchia*²⁸. This led to a reassessment of the Arginusae trial: faced with the serious difficulties in Xenophon's account, scholars increasingly preferred Diodorus' version of the events. Xenophon's version, though ampler and more detailed, is illogical and at times contradictory²⁹. This *Quellenkritik* had admirable outcomes³⁰, and the details of the trial were intensively discussed³¹; this makes it possible to focus here on the main aspects³².

The following questions are fundamental: were the generals guilty of the accusations brought against them, and what religious justification might there have been for pronouncing the sentence? In this context, we should pay special attention to the charge laid against the generals, since Xenophon and Diodorus contradict each other on this issue. Xenophon speaks twice of not picking up the shipwrecked sailors (ναυαγοί); later, he avoids this word and he only speaks of "the victors in the naval battle" (τοὺς νικήσαντας ἐν τῇ ναυμαχίᾳ), and of the "men who have proved themselves the bravest in the service for their country" (τοὺς ἀρίστους ὑπὲρ τῆς πατρίδος γενομένους) or simply of "picking up" (ἀνάρσεις), without saying who was meant, i.e. without referring to the physical condition of those who might have been picked up³³. Diodorus, by contrast, always speaks of those who have fallen in battle (τοὺς τετελευτηκότας, οἱ νεκροί) and who had not been recovered from the water, and, consequently, had not been buried³⁴. To Xenophon, the generals (who were in fact prevented by the storm from saving the shipwrecked) appear as innocent, and as victims of an intrigue plotted by Theramenes. On the other hand, if Diodorus is more credible, then regardless of whether there had been a procedural flaw or not, the accused were justly condemned since, when the storm was over, they could have recovered the bodies. Through their negligence, they would have violated the obligation to bury the dead, an extremely important issue in the eyes of the ancients³⁵. It would thus seem to be in order briefly to confront both accounts.

²⁸ Bruce 1967, p. 21-22: "Now that we can see the quality of Diodorus' source, his history of this period must be approached with greater respect when it is found to be at variance with Xenophon". See further Walker 1913, p. 111-133; Bruce 1967, p. 20-22; Andrewes 1982, p. 15; Meister 1990, p. 65-68; Engels 1993, p. 125. For Diodorus and the *Hellenica Oxyrhynchia*, see Andrewes 1974, p. 120-121. Schwarz 1903, col. 663-704 is sceptical, as is Bleckmann 2006: all highly speculative, see the reviews by Walter 2008, Tuplin 2008 and Rollinger 2009.

²⁹ Andrewes 1974; Adeleye 1977-1978; Mehl 1982; Ostwald 1986, p. 434; Lang 1992; Schefold 1998, p. 292. Flaig 2013, p. 28, is simply dismissing Diodorus as too short and inaccurate. He holds also that the preference of Xenophon's account in that matter is still the *communis opinio* (p. 35).

³⁰ For Diodorus' sources and his dependency on the *Hellenica Oxyrhynchia*, see Drews 1962; Breitenbach 1970, col. 383-426; Meister 1990, p. 65-68, 171-181; differently Bleckmann 1998, p. 31-40 and *passim*. More recently there has been a tendency to attribute the work to Cratippus; see Breitenbach 1970, col. 410-423; Harding 1987, p. 101-104; Meister 1990, p. 65-68; see the review of relevant literature in McKechnie, Kern 1988, p. 7-14 and Bleckmann 1998, p. 19-31 and 2006 *passim*, who opts for Theopompus. On Diodorus' presumed unreliability see the critical remarks by Gray 1987, p. 72-89. Ephorus' distortions and Diodorus' additions and omissions make it difficult to appreciate the original value of the source. For Diodorus' original contributions, see Bleckmann 1998, p. 31-40.

³¹ See Cloché 1919; Mehl 1982 and Bleckmann 1998, p. 509-571. Recently, also Flaig 2013, firmly on Xenophon's side. For internal contradictions in Xenophon, see Andrewes 1974; Lang 1992; *cf.* Roberts 1977; Adeleye 1977-1978 and Due 1983.

³² On the procedural irregularities, see Bonner, Smith 1938, p. 265-266; Mehl (1982, p. 42-48) who – with Bleckmann (1998, p. 523-531) – argues that the collective condemnation was not a violation of the law because collective was equivalent to collective leadership (as in the case of the Arginusae battle).

³³ Xen. *Hell.* 1, 7, 4; 6 and 17; *cf.* 1, 7, 9 and 11. English translation by Carleton L. Brownson.

³⁴ Diod. 13, 100, 1-4 (4 times); 101, 1-6 (4 times).

³⁵ Mehl 1982, p. 59-66, esp. 63-64.

XENOPHON OR DIODORUS? ON THE CREDIBILITY OF TRADITION

Unlike Diodorus' succinct account of the trial of the generals, Xenophon presents a full and detailed description of its unfolding but, in this case, the greater volume of data does not alas guarantee accuracy, still less a logical thread to the story. The historian provides much detailed information which does not appear in Diodorus' concise summary. There are, however, many strange inconsistencies in Xenophon's account³⁶. For example, it is especially surprising that he omits the events that occurred in the interval between the naval victory and the return of the generals summoned to Athens to explain themselves. Clearly, the events created friction at Athens. A quarrel broke out between the trierarchs, who had returned earlier, and the generals still on duty (but who kept in contact with the city authorities); in this context, they started blaming each other for what happened after the battle. Xenophon just does not mention the quarrel³⁷, and he simply speaks of the demission of the generals after the naval battle, a statement that is apparently unmotivated and somewhat arbitrary to the reader unfamiliar with what follows. A. Andrewes was the first to suggest that Xenophon is deliberately misleading the reader, in order to suggest that the Athenians, incited by the demagogues, simply threatened the generals with the death sentence as soon as they came back, with no apparent reason³⁸. This is not the only inaccuracy or contradiction in Xenophon's account³⁹.

Diodorus' version, too, has its flaws. First, unlike Xenophon, the brevity of his account does not allow us to draw any conclusions with regard to the subtleties of the legal procedure. Secondly, the principal limitations include tragic adornments, such as Thrasybulus' premonitory dream in the eve of the battle foretelling the death of the generals, or the words of Diomedon (one of the condemned), uttered in the Assembly, but influenced by the author's moralistic standpoint⁴⁰. In these adornments, scholars rightly see narrative additions on the parts of Ephorus and Diodorus. It is difficult to believe that these insertions have anything to do with the historical event, thus distorting the narrative of the trial⁴¹.

When it comes to the role played by Theramenes, a figure who is depicted in very dark colours by Xenophon and who, apparently, plotted against the generals, attempting by the most unorthodox means to mobilize the Assembly against the accused, it seems that the account of his involvement into the affair is in accordance with the facts, although Diodorus does not comment on this in his succinct outline⁴². Some have found an explanation for this omission in the partiality of Diodorus' source, favourable to Theramenes and his cause, and concerned to justify his actions and to keep silent over his infamous role⁴³. Clearly, the trierarch had good reason to rise against the generals; for otherwise he would have had to defend himself

³⁶ On the various absurdities of the narrative, see Andrewes 1974, p. 112-118; Adeleye 1977-1978, p. 95-98; Mehl 1982, p. 38-42 and *passim*; Due 1983; Lang 1992, p. 267-277; *cf.* Buck 1998, p. 53-55. Grote (1908, p. 179) was the first to draw attention to Xenophon's enormities.

³⁷ Diod. 13, 101, 5. Diodorus' general agreement with Xenophon here is indicated by the presentation of the two generals who chose not to come before the demos, retiring from the fleet in time: Xen. *Hell.* 1, 7, 1. The conclusion is that the people were set against the generals long before returned. We learn in part about the events before the trial from Xenophon's account of Euryptolemus' speech, while Diodorus is mainly interested in the chronological accuracy; see Andrewes 1974, p. 113-116.

³⁸ Andrewes 1974, p. 113: "The effect of this abrupt transition is to reinforce the general impression which Xenophon gives, of an unprovoked attack on innocent men". *Cf.* Krentz 1989, p. 157, 159, 165. In this context, Bleckmann's description (1998, p. 543) of "the precise narrative of Xenophon on the pre-history of the trial" seems downright absurd.

³⁹ Andrewes 1974, p. 113-118; Adeleye 1977-1978, p. 95-97; Mehl 1982, p. 38-41; Lang 1992, p. 267-277. Bleckmann 1998, p. 514-523, 542-548 and *passim*, however, again prefers Xenophon's version, defending his account and assuming that Diodorus' source depended directly on Xenophon. He also draws attention, however, to the anti-democratic tendencies of his favourite author (539). See Walter's review (1999): "In principle, large parts of the book could have been written this way even a hundred years ago".

⁴⁰ Diod. 13, 97, 6-7; 102, 1-3.

⁴¹ Mehl 1982, p. 61; on other absurdities in Diodorus, see Buck 1998, p. 55-56 and Bleckmann 1998, p. 539-542.

⁴² On Theramenes' role, see Xen. *Hell.* 1, 7, 4-12.

⁴³ Busolt 1904, p. 719; Meyer 1958, p. 350; Bleckmann 1998, p. 551-554. On the "myth of Theramenes", see Engels 1993, p. 145-154.

since, together with Thrasybulus, he had been in charge of the recovery operations, and would have been responsible for abandoning them. Adopting the policy that attack is the best defence, Theramenes (whose nickname was “Cothurnus” or Turncoat for his dexterity in changing sides)⁴⁴, rose against the generals at just the right time in order to save his own skin⁴⁵. There may also have been personal reasons for his behaviour. His steep rise as moderate politician had been halted during the oligarchic *coup* of 411/10, and he was demoted from general to the rank of trierarch. The ambitious man was elected general in the year following the trial (when the victors at Arginusae self-evidently could not participate, having been executed), but he was rejected in the *dokimasía* as unworthy to hold office, which suggests that he did not cover himself with glory in the Arginusae business⁴⁶.

It remains open to debate as to whether Theramenes inflamed passions in the *ekklesia* when, together with his comrades (*hetaíroi*), he took pains to have the support of the relatives of those who had perished in the battle (who were in public mourning), and even of “fake” relatives paid in order to create a hostile atmosphere. The circumstances are controversial since, as Andrewes rightly noted, the manoeuvre could have turned against Theramenes himself, in that the position of the trierarch in charge of recovery operations was already endangered⁴⁷. Although it is possible to doubt the reliability of both authors, it is Xenophon, as a contemporary (and probably even an eye witness) who has been preferred to Diodorus, the latter not being always seen as a reliable source.

THE ACCUSATION AGAINST THE GENERALS: SHIPWRECKED OR FALLEN IN BATTLE?

It was Xenophon’s different presentation of the accusation against the generals on their return that used to be held by many scholars, as opposed to the supposedly unreliable version of Diodorus based on the *Hellenica Oxyrhynchia*, and the verdict was often in favour of the “eye-witness” Xenophon. How is it possible, we might ask, for a contemporary to stand so far from the truth? To favour the Diodorus tradition would mean, in effect, accusing Xenophon of telling blatant lies⁴⁸. To postulate a scribal error, as has been proposed as the simplest way to solve the issue in the case of Diodorus, is impossible⁴⁹.

Diodorus does not just speak consistently about the failure to pick up the dead, but he harks back to the idea in a subsequent passage: when, in 377, after a naval battle near Naxos, the Athenian general Chabrias was concerned with recovering the dead from the sea and with arranging for their funeral, he did

⁴⁴ Xen. *Hell.* 2, 3, 30.

⁴⁵ Diod. 13, 101, 1; Xen. *Hell.* 2, 3, 32. Andrewes 1974, p. 113-118; Adeleye 1977-1978, p. 98; McCoy 1991, p. 321-232; Riedinger 1991, p. 68; on Theramenes’ possible motivation, see Bleckmann 1998, p. 554-558.

⁴⁶ Lys. 13, 10. Németh 1984 insists on Theramenes’ ambition; cf. Bauman 1990, p. 75. It is, however, unlikely that trial came about as the result of factional conflict; see Roberts 1977; 1982, p. 64-69 and Németh 1984. On the characters of the condemned generals see Lang 1990; cf. Ostwald 1986, p. 435; Kagan 1987, p. 358-539. For the view that Theramenes harboured revolutionary plans to overthrow the democracy, see Sordi 1981.

⁴⁷ Andrewes 1974, p. 118; Adeleye 1977-1978, p. 95-98; Riedinger 1991, p. 68. Understanding what happened is made more difficult by philological issues. While authors such as Grote (1908, p. 194); Cloché 1919, p. 47; Mehl 1982, p. 35-36; Due 1983, p. 36; Kagan 1987, p. 389; Lang 1992, p. 273-274 and Welwei 1999, p. 237 interpret the problematic passage of Xen. *Hell.* 1, 7, 8 in the sense that Theramenes and his companions tried to manipulate public opinion by using “fake” relatives who put on mourning clothes. Bleckmann 1998, p. 561-563 believes that the plotters hired real relatives. Cf. besides Bleckmann’s reflections see too Mehl’s grammatical analysis (1982, p. 36) of the complicated sentence. If we consider the great number of victims (2,500 according to Mehl 1982, p. 65; 5,000 according to Giovannini 2002, p. 19, there could have been so many “real” relatives, that Theramenes and his friends would not have had to look for “actors”). On the size of a trireme crew, see Morrison, Coates 1990, p. 124-144. The emergence of a real survivor who accused the generals before the Assembly seems also to be related to this plot, if in fact the episode really happened (Xen. *Hell.* 1, 7, 11).

⁴⁸ E.g. Bleicken 1994, p. 565; cf. Andrewes 1974, p. 113: “Xenophon [...] can hardly be wrong in making the rescue of living survivors the main issue”.

⁴⁹ Beloch 1914, p. 421; Hatzfeld 1940, p. 165-171; Roberts 1982, p. 179.

so out of fear that he might share the fate of the generals in 406⁵⁰. This allows us to assume that Ephorus' narrative (from which Diodorus got his inspiration) exclusively mentioned the dead⁵¹.

To make things even more difficult, neither of the two accounts receives clear support from other sources, something that would have made such a decision easier. Thus, both Lysias and Plato are equally inaccurate in speaking vaguely of "those who were not picked up out of the water", or "those of the naval battle", τοὺς ἐκ τῆς θαλάττης ἀνελέσθαι or τοὺς ἐκ τῆς ναυμαχίας⁵². It is clear that we should look elsewhere for a solution.

A "synthetic" method, combining both versions employing criteria of plausibility, was rejected outright by Bleckmann, since both variants of the accusation (omitting to save the shipwrecked, and abandoning the bodies of those who had perished in the battle) would eliminate each other⁵³. In what follows, an attempt will be made to show that this is not necessarily the case and that the accusation evolved in two phases during the trial: in the first phase, the generals were accused of abandoning the shipwrecked, and in the second phase, after the accused convincingly pointed out that they had been prevented to do so by a storm, they were accused of not recovering the bodies⁵⁴.

BURIAL AND THE CULT OF THE DEAD. THE IMPORTANCE OF BURYING THE DEAD AT ATHENS

One of the most emotional scenes of the *Iliad*, perhaps the one with the most human touch in the whole of the epic, is the passage where Priam, a father burdened by grief, kneels before his son's killer and begs for the body of Hector, whatever the price⁵⁵. The vengeful Achilles cannot resist this plea and he gives the body of the man who had slain his best friend Patroclus to his father, since Priam had knelt before him and kissed his hands: "the terrible, man-killing hands that have slaughtered many of his sons"⁵⁶. This impressive scene reflects, perhaps most convincingly, how important it was for the Greeks to bury their dead. Πανελληνίων νόμος, a tradition commonly practiced by all Greeks, as Euripides called the generally binding custom, lay

⁵⁰ Diod. 15, 35, 1. Cf. Thuc. 1, 47-51, according to whom the Corinthians, victorious in battle, first gathered the wrecks, saved the shipwrecked, and recovered the bodies of the fallen, thus prioritizing rescue measures; cf. Mehl 1982, p. 62, who drew attention (p. 60-62) to the fact that Diodorus' alleged source must have included the issue of neglecting to pick up the dead.

⁵¹ Mehl 1982, p. 60-61. For Bauman 1990, p. 72, this would not be a contradiction because "Diodorus' source concentrated on the religious aspect".

⁵² Lys. 12, 36; Pl. *Ap.* 32b. Indeed, Pl. *Menex.* 243c clearly talks about those who had fallen in battle (οὐκ ἀναιρεθέντες ἐν τῆς θαλάττης κείνται ἐνθάδε), but since the passage is concerned with the "funeral speech", it can only be used to support Diodorus' version with the greatest caution; cf. Andrewes 1974, p. 115.

⁵³ Bleckmann 1998, p. 515. Cloché 1919; von Wedel 1971, p. 159; Andrewes 1974, p. 115; Roberts 1977, p. 108 and Roberts 1982, p. 65; Kagan 1987, p. 354; Lavelle 1988, p. 19; Bauman 1990, p. 69; Schuller 1991, p. 76-77 combine the accusations, maintaining that both Xenophon and Diodorus appear to be right in making a connection between the reproach against the generals related to abandoning the shipwrecked, and that relating to the failure to recover the bodies. Andrewes 1974, p. 115 and Buck 1998, p. 56, however, believe the two versions to be incompatible.

⁵⁴ Cf. Mehl 1982, p. 63; followed by Schuller 1991, p. 77. Schuller's attempt to "cut the Gordian knot", despite its laconism, includes important arguments of both variants, but without explaining why Xenophon does not mention those who had fallen in battle and remained unburied: "The tone of Xenophon's narrative – who calls the demos a 'mob' ... reflects Xenophon's moral depreciation of the demos, who closed its mind to rational causes. And the outrage of the demos, looking for those guilty of not performing the sacred ritual of the burial, is also founded on a pejorative concept, the notion of the rationalist mentality of a part of the elite. Both, elite and demos, thus support positive values, but neither sees – in the fray of public debate – the just cause, not even partially, of the others, but each of them deforms and simplifies".

⁵⁵ *Il.* 24, 468-674. On burial traditions in the Homeric period, see Kurtz, Boardman 1971, p. 49-67; Pritchett 1985, p. 100-102; Sourvinou-Inwood 1995, p. 108-140. On the ethnology of the cult of the dead in general, see van Genneep 1999, p. 142-159.

⁵⁶ *Il.* 24, 479: χεῖρας δεινὰς ἀνδροφόνους, αἵ οἱ πολέας κτάτον υἷας.

behind the ritualized behaviour of armies after battles⁵⁷. In the Plataean oath, the various parties in the Greek coalition army make a mutual oath not to leave any fallen combatant unburied⁵⁸. Any battle between enemy cities usually ended with the defeated party supplicating for permission to bury the dead, a demand which could not be denied by the victors. Moreover, the very act of sending messengers to ask to recover the fallen was regarded as official acknowledgement of defeat, while rejecting such a request was thought to be an infamous and impious act⁵⁹. The very few known examples when this custom was violated are universally condemned⁶⁰.

Sophocles' *Antigone* best illustrates the fact that beyond this unwritten law there was a divine commandment to observe, in order to avoid menacing situations and the revenge of the gods. The play presents just such a conflict between the divine order and human laws as well as State authority. The explanation given by the heroine who, despite Creon's categorical command, secretly buries her brother provides an impressive illustration of the fundamental religious importance of this burial duty. Antigone emphasizes that the command of Creon, a mere mortal, cannot override the immutable unwritten laws of the gods (*ἄγραπτα θεῶν νόμιμα*). Furthermore, the divine norms were not created yesterday or today, but are of eternal validity and existed from earliest times, since nobody knows when they were laid down (*οὐ γὰρ τι νῦν γε κἀχθές, ἀλλ' ἀεί ποτε ζῆ ταῦτα κοῦδεις οἶδεν, ἐξ ὅτου φάνη*)⁶¹. The heroine thus expresses in poetical terms what Lysias later confirms in a speech, in which he talks of the iniquities of the Thirty Tyrants, who had also left the bodies of their enemies unburied. The orator interprets the deed as testimony of the tyrants' arrogance and *hybris*: in their arrogance, they firmly believed that they could escape the revenge of the gods. Thus, refusal of burial is seen as *hybris*, and the neglect of the burial rite was regarded as dishonouring behaviour⁶².

It is perhaps relevant to note that at Athens, a man whom his father had previously forced to become a male prostitute (thus releasing him from the duty of taking care of his father in his old-age) was still obliged by law to fulfil the burial rituals for his father after he died⁶³. Aelianus even knows of an Athenian law to the effect that if a citizen found a dead body by accident, he was responsible for burying the dead⁶⁴. The pious general Nicias was reluctant to leave two of his fallen soldiers unburied after his army had withdrawn from the shore near the village of Solygeia; he sent a messenger to the enemy camp, even though he knew that such a gesture would be interpreted as an acknowledgement of defeat⁶⁵. The instructions in Onasander's military handbook are in keeping with Nicias' action. In his treatise *Strategikos*, the philosopher draws attention to the duty of army commanders to permit the lawful burial of those fallen in battle, even in the case of defeat, without ever considering any "factual constraints" that might prevent a commander from carrying out this

⁵⁷ Eur. *Supp.* 526, 563: νόμος παλαιὸς δαιμόνων. On the duty of burial, see Rohde 1898a, p. 216-258; Garland 1985, p. 101-103; Pritchett 1985, p. 94-259. Tragedy is a useful source, on which see Mikalson 1991; on death, burial and the belief in the afterlife, especially p. 114-131; 121: "The fullest descriptions of such [sc. burial] ritual come from tragedy, and these descriptions are generally in accord with the occasional evidence from vase paintings and other fifth- and fourth century literary and archaeological sources". See further, Griffin 1998. Bernstein 1993 provides a general presentation of the concepts on the afterlife.

⁵⁸ See the text in Siewert 1972, p. 8-9.

⁵⁹ Lysander commits a heartless crime when he fails to bury the executed Athenian prisoners after Aegospotami: Xen. *Hell.* 2, 1, 31; Paus. 9, 32, 9. Significantly, Xenophon, a friend of Sparta, only describes the execution of the prisoners, while Pausanias is outraged by Lysander's impious attitude; even the Persians were buried after Marathon. Cf. Pritchett 1985, p. 237 and Kagan 1987, p. 394, who believe that it was not Lysander, but Spartan allies who committed the massacre.

⁶⁰ Thuc. 7, 75, 3; Diod. 13, 60-63; 75; Paus. 9, 32. See also Pritchett 1985, p. 235-241, with more examples and with the observation at p. 236: "The historians who narrate these incidents devote space to them because they were exceptional".

⁶¹ Soph. *Ant.* 450-455. Cf. Soph. *Aj.* 1343; Eur. *Supp.* 524-527, 563. On burial duty theme in *Antigone*, see Cerri 1979, p. 17-32. Cf. Ehrenberg 1956, p. 34-40; Rösler 1980, p. 14-15; Lesky 1971, p. 320-323; Oudemans, Lardinois 1987 and Geisenhanslüke 1999.

⁶² Lys. 12, 96; Soph. *Ai.* 1385; Eur. *Supp.* 512, 575, 630-633, 728-730, 743; *Phoen.* 1663; *Herc.* 708; Soph. *Aj.* 1091-1092, 1151. Cf. Isoc. 14, 55. Other examples in orators: Lys. 31, 21; Dem. 25, 60; 60, 33; Hyp. 1, 21; 6, 35 and 43; cf. Garland 1985, p. 7; Pritchett 1985, p. 95-96; Mikalson 1991, p. 126-127.

⁶³ Aeschin. 1, 13.

⁶⁴ Ael. *V.H.* 5, 14.

⁶⁵ Thuc. 4, 44, 5-6; cf. Plut. *Nic.* 6, 5-6.

sacred task (εὐσέβεια)⁶⁶. In cases where the body could not be found or recovered, there were burial rituals *in absentia*, and a funerary monument was erected above an empty grave (a cenotaph)⁶⁷.

The exceptional importance of burial duties in the 5th century is explained not only through the long tradition of this custom, but it is also based on concrete religious ideas. E.R. Dodds thus speaks of the incomplete separation between the concepts of “soul” and “body”, a separation that is familiar to us in our post-Cartesian world, but one that was only partially accomplished at the end of the 5th century. This makes the careful and ritually regulated attitude towards the bodies of the dead highly important⁶⁸.

The burial of the dead and, consequently, the veneration of the dead were of exceptional importance. In the first place, it ensured a lawful withdrawal from the community of the living, and it had to be organized within a ritual⁶⁹. The basic requirement for burial rites and the cult of the dead was the physical presence of the dead body; the abstract idea of a “day to commemorate the dead”, with no relation to the gravesite where one should bring offerings to the dead, was unthinkable. The dead could pass to the world of shadows only after a correct burial and the lawful execution of the funerary rites⁷⁰. Elpenor, the unfortunate companion of Odysseus, who died unnoticed by his comrades, appears to his captain during his *katábasis* as a soul restlessly wandering between the Underworld and the world of the living, in order to draw Odysseus’ attention on the need to bury his mortal remains, so that the son of Laertius should “not be touched by the gods’ revenge”⁷¹.

Euripides says more about those left unburied, and condemned to wander between the two worlds; such wandering can only be stopped through a lawful and ritual burial. In a later period, the restless souls of these *átaphoi* might be invoked for magical purposes⁷². The subliminal idea of a certain consubstantiality between body and soul attested in the practices described, has still today a vestigial role, exemplified by collections made for elaborate funerals after accidents or natural catastrophes⁷³.

⁶⁶ Onasander *Strategikos* 36, 1: Προνοείσθω δὲ τῆς τῶν νεκρῶν κηδείας, μήτε καιὸν μήθ’ ὄραν μήτε τόπον μήτε φόβον προαισιζόμενος, ἅν τε τύχη νικῶν, ἅν τε ἠτῶμενος· ὅσα μὲν γὰρ καὶ ἡ πρὸς τοὺς ἀποικομένους εὐσέβεια, ἀναγκαῖα δὲ καὶ ἡ πρὸς τοὺς ζῶντας ἀπόδειξις. Onasander’s use of fourth-century sources, see Peters 1972, p. 84-87, 229-231 and Ambaglio 1981, p. 353-372. On the duty of burial, Onasander relies on older material, since “this custom seems to have been questioned” later on Peters 1972, p. 230. See e.g. Philip V’s refusal to pick up the dead after Cynoscephalae: Liv. 36, 8.

⁶⁷ E.g. Thuc. 2, 34, 3-5; Garland 1985, p. 165.

⁶⁸ On the concept of the unity of body and spirit, see Dodds 1951, p. 136-140; followed Mehl 1982, p. 67-68; van Gennepe 1999, p. 142-159; Rohde 1898a; Bremmer 1983. On the demarcation between body and soul, *Il.* 23, 103; *Od.* 11, 216-224; Jahn 1987; Bernstein 1993, p. 21-33; Bremmer 1994; King 2006 and Frede 2009.

⁶⁹ Kurtz, Boardman 1971, p. 143; Garland 1985, p. 101-103; Johnston 1999, p. 36-81. On the Greeks’ attitude towards death and the dead, see in general Garland 1985; 1996, p. 433-434; Bremmer 1994; Johnston 1999. On the concept of the afterlife, see Bernstein 1993. On the influence Mystery cults, see Burkert 1990, p. 19-34. Neglect by heirs of the duty of burial was punishable in law *κάκωσις γονέων*: Demosth. 24, 107; cf. Xen. *Mem.* 2, 2, 13. In the *dokimasia*, the official examination to test capacity to hold public office, candidates were examined to see if they had carried out the required tasks in connection with their parents’ burials: Arist. *Ath. Pol.* 55, 3. If the relatives of the deceased neglected these duties, the administration of the demes took charge of the funeral: [Dem.] 43, 57-58. Mikalson 1991, p. 128 underestimates the religious importance of the burial duty.

⁷⁰ On the cult of the dead, see Rohde 1898a, p. 216-258; Nilsson 1967, p. 174-199; Burkert 1977, p. 293-300. Cf. Garland 1985, p. 21-120; Johnston 1999, p. 32-81. On the archaeological data related to the burial practice and to the cult of the dead, see Kurtz, Boardman 1971, esp. p. 142-161; Herfort-Koch 1992. On the Homeric period, see especially Griffin 1980. On the role of prayer in the cult of the dead, see Pulleyn 1997, p. 116-131. Lloyd-Jones 1983 convincingly showed that early religious representations are surprisingly similar to those of the classical period.

⁷¹ *Od.* 11, 55-83 (citation 11, 73: μὴ τι θεῶν μῆνιμα γένομαι). On an unburied person failing to find peace in the afterlife, see too *Il.* 23, 71-74, where Achilles sees the grieving soul of Patroclus, who asks him to bury his body.

⁷² Eur. *Hec.* 27-34; *Tro.* 1081-1085; cf. Isoc. 14, 55; Garland 1985, p. 101. On magical practices, see in detail Graf 1996.

⁷³ In order to find the body of J.F. Kennedy Jr., who had died in a plane crash, teams and marine divers of the American coastguard were mobilized, at considerable expense (*Frankfurter Allgemeine Zeitung* of 20.07.1999 and 24.07.1999), only for his ashes to be cast into the sea a few days later. After plane crashes or train derailments, rescue teams only give up when there is no longer any chance of finding bodies or human remains. There are of course significant differences in attitudes towards death, as well as in the measures taken to deal with it, in different cultures and at different periods. Freud’s dictum of 1919 has considerable merit: “In hardly any other sphere has our thinking and feeling changed so little since primitive times or the old been so well preserved, under a thin veneer, as in our relation to death” (Freud 2003, p. 148). Nilsson (1967, p. 180-181) rightly draws attention to the similarities between the funerary customs of the Greeks today and those of their ancestors. On the ethnography of death, see van Gennepe 1999, p. 142-159; Stolz 1997, p. 94-100.

The Greek conception was rather more concrete. It is present everywhere in the literary tradition, according to which the failure to accomplish burial rituals was followed by a divine punishment⁷⁴. When a proposal was made that the traitor Ajax might lose his right to burial because he had risen against the Atrides, Teucrus and the chorus in Sophocles' play draw attention to the punishment that might be anticipated if they offended the gods in such a manner⁷⁵. The failure to bury a body brought about not only the revenge of the gods, but the dead could become dangerous too, since they could "survive" as revenants and ghosts⁷⁶.

THE RELIGIOUS DIMENSION OF THE ARGINUSAE TRIAL

Diodorus' description of Athenian irritation on account of the dead not having been buried is entirely plausible. He explicitly draws attention to the influence of the many relatives of the dead shipmen, dressed in mourning clothes, who asked for justice in the Assembly because their relatives had not been properly buried⁷⁷. In reality, the demos was justified in considering the negligence of the generals to be a serious violation of customary law and indifference towards a religious obligation, which could have dreadful consequences for the entire city represented by the generals as leaders. The loss of dear ones and their relatives' fear that those who had fallen in battle with no grave or rituals performed could not properly pass to the other world probably served to increase the anger of the citizens towards the negligent generals⁷⁸.

The violation of a religious commandment, which might offend the gods and arouse their displeasure, could cause major public disquiet, especially in times of crisis marked by religious sensibility. Such an explanation would allow for clarity in the question of fault. At the same time, the prosecution of the generals, in Xenophon's version downright arbitrary and unfair since a storm had prevented them from rescuing the shipwrecked, would thus appear in a very different light. If the generals were in fact guilty as charged, then the condemnation would be wholly explicable, although punishment may seem to be exaggerated and overly harsh by comparison with modern legal norms⁷⁹.

Against such an interpretation, and against the version we receive *via* Diodorus, arguments have been presented that the burial duties would be "only" a traditional custom; such issues and offences would consequently not have been actionable, and Diodorus was wrong here⁸⁰. As the common law of the religious tradition, the duty of burial was of course important, but the generals could not have been punished only for this⁸¹. Such an assessment overestimates, however, the mandatory and exclusive character of positive law for 5th-century Athens. Clearly, juridical life in classical Athens was, in practice, highly influenced by basic legal procedures and an increasing appreciation for the rule of law⁸². The Attic legal system left

⁷⁴ Lys. 12, 96. Cf. Soph. *Ant.* 77, 450-455, 745, 749.

⁷⁵ Soph. *Ai.* 1129-1131, 1155, 1389-1392. Cf. *Od.* 11, 73.

⁷⁶ E.g. Isoc. 14, 55. Cf. Mehl 1982, p. 68, with examples. On ghosts and the undead, see Rohde 1898a, p. 189-194; 1898b, p. 362-365; Nilsson 1967, p. 182-184; Bremmer 1994, p. 105-106; Johnston 1999; Ogden 2008. On necromancy, see Hdt. 5, 92; Plat. *Leg.* 909b; Burckhardt 1956b, p. 238-239; Garland 1985, p. 1-4, 114-115, 123; on magic, see especially Graf 1996, p. 174-180. For Nilsson (1967, p. 183-184), heroes are the ghosts of the classical period, with a "dark side" and who occasionally appear in ghost stories; cf. Burckhardt 1956b, p. 236-237. People had to take precautionary measures even against the wrath of the buried dead: thus, Odysseus would not attend the funerals of his adversary Ajax, just as Alcamene had to perform blood offerings at the grave of her enemy Eurystheus in order to appease him (Soph. *Aj.* 1393-1399; Eur. *Heracl.* 1040-1044). On conciliating the dead through libations: Aesch. *Cho.* 15; Eur. *Hec.* 535; cf. Garland 1985, p. 5-7, 110-115. On fear of the unburied dead and ghosts, see Johnston 1999.

⁷⁷ Diod. 13, 101, 6: οὐκ ἐλάχιστα δ' αὐτοὺς ἔβλαψαν οἱ συγγενεῖς τῶν τετελευτηκότων, παρελθόντες μὲν εἰς τὴν ἐκκλησίαν ἐν πενθίμοις, δεόμενοι δὲ τοῦ δήμου τιμορήσασθαι τοὺς περιεωρακότας ἀτάφους τοὺς ὑπὲρ τῆς πατρίδος προθύμως τετελευτηκότας.

⁷⁸ Mehl 1982, p. 65 estimates that there were 2,500 dead (Giovannini 2002, p. 19, goes for 5,000), and emphasizes that, if we take into account "the Mediterranean extended family", there must have been many relatives and friends of those who had perished in the battle.

⁷⁹ Mehl 1982, p. 63-64.

⁸⁰ Bleicken 1994, p. 565-566. Cf. Parker 1983, p. 45.

⁸¹ Bleckmann 1998, p. 516.

⁸² Wolff 1968, p. 99-100; Ostwald 1973; Ostwald 1986. Hillgruber 1988, p. 105-120, however, was able to show that orators and judges had considerable freedom in interpreting the law. Sometimes the law was not only misinterpreted, but the letter of the law was actually ignored, by invoking the spirit of the law and the alleged intention of the legislator Hillgruber 1988, p. 109.

enough room for the use of unwritten traditional norms, mostly in the religious field, because of its unsystematic structure that was characterized *i.a.* by the lack of clear definitions of offences⁸³. The law cited in a passage of Andocides, promulgated in the context of the major revision of the laws in 403, and according to which the further use of unwritten norms was formally prohibited, implies that ἄγραφοι νόμοι would have been in force earlier and could have been applied⁸⁴. In the absence, moreover, of any clear regulation, arbitrary decisions taken *ad hoc* were a part of the legal order, as shown, for example, by the oath taken by judges in the 4th century, and thus in a period rightly considered as the beginning of “the rule of law”⁸⁵. In this oath, the jury members swore to judge, in the absence of unequivocal legal prescriptions, according to their conscience and a sense of justice⁸⁶.

Unwritten laws in the religious sphere were considered, through their importance, to be above human regulation. Ἐθῆ, sacred through their venerable age, through their “immemorial character”, were thus inviolable, and were considered “either as general moral norms, or as mandatory rules of positive law, without enforcing a clear distinction of these concepts or even feeling the need for such a dissociation”⁸⁷. Even Aristotle, in the late 4th century, considers the moral law of tradition to be more relevant than positive law⁸⁸. The unwritten laws were seen as regulations imposed by gods, and their violation implied divine punishment⁸⁹.

Despite the extraordinary importance of unwritten laws for Athenian morals, we can scarcely infer that, in the case of the Arginusae generals, an abstraction of such unwritten laws, like “whoever ignores the duty of burial will be put to death”, had been applied⁹⁰. It is, on the contrary, clear that the generals were accused of neglecting their duties to the detriment of the State: hence they were charged of abuse of office and treason (*prodosia*). The question whether the ἄγραφοι νόμοι could also be considered in practice by courts of law or the assembly, virtually *praeter legem*, remains less relevant⁹¹.

⁸³ Thuc. 2, 37, 3. According to [Lys.] 6, 10, Pericles would have asked the Athenians to use, in impiety cases, not only the written law, but also ἄγραφοι νόμοι, as *e.g.* orally inherited by the board of priests at Eleusis, the Eumolpidae. On whose role, see Oliver 1950, p. 18-23. In regard to the importance of ἄγραφοι νόμοι, see Hirzel 1903; Ehrenberg 1956, p. 25-62; and especially de Romilly 1971, p. 25-49; Cerri 1979, p. 33-49 and Thomas 1996. Ostwald 1973, however, disputes the existence of orally-transmitted legal norms in the fifth century.

⁸⁴ Andoc. 1, 83-86, where the orator is preoccupied not with the moral norms, but with preventing the application of laws in force before the legal reform of 403 and not admitted in the new legislation. *Cf.* MacDowell 1962, p. 125; de Romilly 1971, p. 27.

⁸⁵ Cohen 1995. Ostwald 1986 understands the development of the State throughout the fifth century as a process of growing judicialisation of the State structures and of an evolving awareness that sovereign acts must have a statutory basis. *Cf.* Hansen 1995, who characterizes the fourth-century Athenian democracy, perhaps over-optimistically, as effectively ruled by law. Cohen 1995 discusses notions of “the rule of law” at the time.

⁸⁶ Dem. 24, 149-151; Hyp. 3, 40; Wolff 1968, p. 101; Hansen 1995, p. 188-189; Christ 1998, p. 196: “Indeed, whereas magistrates were expressly forbidden to enforce ‘unwritten laws’ (Andoc. 1, 85-87), jurors were apparently free to do so”.

⁸⁷ Wolff 1968, p. 102. Thomas 1996 suggests that written laws had their origins not so much in the interests of democracy (as was the case in the fourth century), but that laws – initially only sanctioned religiously – used the monumentality of inscriptions in order to obtain divine protection.

⁸⁸ Arist. *Pol.* 3, 11, 6; 1287b.

⁸⁹ Xen. *Mem.* 4, 4, 19; Isoc. 4, 19. *Cf.* Soph. *Ant.* 450-560. See also de Romilly 1971, p. 32-38.

⁹⁰ See, however, Thomas 1996, p. 30: “Unwritten law often continued alongside written law, rather than being forced out by it”.

⁹¹ Andoc. (1, 115-116) shows that here, when there were both written and unwritten laws, priority was given to the former. In order to embarrass Andocides, Callias the keryx cited a supposed νόμος πάτριος stipulating that whoever brought to the Eleusinion an olive branch should be killed without a trial. Fortunately for him, Andocides was able to invoke a law written on a *stèle* that mentioned only a fine for such an offence. In the case of the Arginusae trial, the statutory basis of the procedure could have played a lesser role than many accounts of Athenian law suggest. The protests of the irritated citizens that it would be scandalous if someone prevented the demos from expressing its will (πράττειν ὃ ἂν βούληται: Xen. *Hell.* 1, 7, 12) were also interpreted as the reflection of an unconditioned popular sovereignty in the fifth century. “For the first time in Athenian history, the principle of popular sovereignty was asserted to its logical conclusion”: Ostwald 1986, p. 444. For a similar opinion see von Wedel 1971, p. 163-170 who wants to acknowledge in the confrontation between Euryptolemus and the accusers during the trial, the opposition of two principles: the sovereignty of the people and the rule of law. See too Bauman 1990, p. 73; *cf.* Beloch 1914, p. 421, who refers to Fränkel 1877, p. 75-83, and Wolff 1970, p. 23. For another view, see Bleicken 1994, p. 564 and Bleckmann 1998, p. 535, who see the furious exclamations just as “an expression of spontaneous discontent”.

The unwritten laws, sanctioned through the divine will, do not offer in this case legal grounds for the trial but, because of their unanimously acknowledged prestige and their religious dimension, they were responsible for the exacerbated indignation of the demos. The moral law was responsible, after all, for the maximum penalty and for the tumultuous scenes within the *ekklesia*. The alternative proposals made by Euryptolemus with respect to the trial procedure show that the Assembly could choose between various possibilities for the conduct of the trial and consequently for the sentence. The accused could, in this way, have obtained a much milder punishment. Given the religious importance of the duty of burial, the enraged Assembly decided to take into account the extraordinary gravity of the crime⁹².

The main problem that arises from this interpretation that (rightly, in my view) privileges the *Hellenica Oxyrhynchia* tradition is that it would imply that Xenophon, the contemporary, must have been telling lies. Mehl rather clumsily tries to explain that the historian omitted the essential part of the accusation (that was otherwise decisive for the trial) because of his Socratic education. On this view, the individualist religion preferred by philosophers like Socrates would not have attached much importance to the duty of burial, and this made Xenophon omit what he considered to be insignificant. Such an interpretation is called into question by the historian's well known religiosity of a traditional kind. While it is possible to see in Xenophon, despite his traditional religiosity, an Illuminist outlook (that can be explained by his sometime membership of the Socratic circle), this very fact should have made him incline moreover towards condemnation of the "superstitions" of the demos, exemplified by the case of the Arginusae⁹³. Bleicken rightly criticized Mehl's view, and attempted to defend Xenophon's credibility, arguing that it would have been impossible for him to have hidden such an important point of the accusation⁹⁴.

In reality, it would be problematic to label Xenophon as a premeditated and shameless liar. His attitude towards reality is extremely questionable, however, as indicated by the tendentious manner in which he describes the demos. The fact that he omitted the main aspect of the accusation in describing the trial, appears, on closer examination, not to be a false assertion, but an equivocation. The historian does not actually tell an untruth, but simply omits a decisive detail. A reconstruction of the trial must show the reasons why the Athenian historian pretended not to know anything about those left unburied.

The constant attempt to denounce the demos as a bunch of stupid peasants, a mob without any respect for the law, has been seen as a *Leitmotiv* in Xenophon's report of the trial. The entire account is designed in order to make the reader believe that the democratic Assembly of the time represented the most degenerate state of political culture⁹⁵. As a consequence, the author attempts to prove the tyrannical nature of the demos and, as such, the serious decadence of the rule of the Athenian mob. He does so by labelling the trial a thorough perversion of justice, while presenting the accused generals as innocent, virtually sent like lambs to the slaughter. One should take this into account in reconstructing the events.

⁹² Hillgruber 1988, p. 116-117 emphasizes the strong influence of the orators in their role as lawyers or prosecutors on non-professional jury members in the law courts or in the assembly.

⁹³ Mehl 1982, p. 78-80, followed by Schuller 1991, p. 77. On Xenophon's religiosity see, e.g. Xen. *An.* 3, 1, 4-8; 6, 4, 12-22; cf. Diog. Laert. 2, 56; Anderson 1974, p. 34-40; Dillery 1995, p. 179-194; Dietzfelbinger 1992, p. 133-145; Parker 1992. Lang (1992, p. 274-275) unconvincingly attempts to explain the distortions in Xenophon's version as the repercussion of a "collective regret" of the demos; she also tries to suggest that Xenophon is a historian who wrote only "what the Athenian Demos wanted to believe had happened". Bleckmann 1998, p. 510-514, however, showed that the demos clearly saw the sentence as just.

⁹⁴ Bleicken 1994, p. 565. On a similar note, see Bleckmann 1998, p. 514-523, who also emphasizes that the Athenians should have put the generals on trial for impiety, not *eisangelia*, if the accusation had been one of neglecting the burial duty. This cannot be right, however, since impiety trials before 403 did not have a definite procedure, but were characterized by a certain vagueness. Moreover, Euryptolemus' proposal for two different kinds of procedure – the decree of Cannonus, against those "who bring harm to the people (*ἀδικεῖν*)" and a law against temple robbers and traitors (Xen. *Hell.* 1, 7, 20-23) – shows that the legal situation was far from clear. See also Lavelle 1988. The accusation of treason (*prodosia*), formulated against the generals (Xen. *Hell.* 1, 7, 33) for omitting to pick up the bodies should also be taken into account, since it was indeed an "abandonment" (the literal meaning of *prodosia*) of the "bravest in the service of their country". See further Bleckmann 1998, p. 514-515.

⁹⁵ Adeleye 1977-1978, p. 94-99; Mehl 1982, p. 38-41; Due 1983, p. 36-37; Lavelle 1988, p. 41; Krentz 1989, p. 157; Schuller 1991, p. 77; Lang 1992, p. 273; Giovannini 2002, p. 19-26.

If the generals had been guilty of the charge, and their condemnation had thus been just, with the whole procedure being explicable and justifiable, then it would be difficult to object to tumultuous scenes and the unruly attempts of the crowd to perturb the Assembly. Xenophon, however, modelled his narrative in a very subtle way when, through the significant semantic mutation from τὸ πλῆθος to ὁ ὄχλος, (from “crowd” to “mob”) as an appellative for the demos, he creates the impression “of increasing violence and illegality”⁹⁶ or when he omits to present what had happened before the trial, according to which it was not Theramenes, but the generals themselves who, far from being innocent, were the ones who started the dispute⁹⁷.

Taking this into account, it becomes apparent that, even if the condemnation was only partly justified because the generals really neglected to pick up the bodies, the entire line of argumentation would compromise itself, and the violations of the law, so obvious in Xenophon’s account, would appear in the context to be minor procedural flaws. Nevertheless, not even Mehl, who argued in favour of Diodorus’ version, wants to admit that Xenophon “deliberately kept silence on the issue of neglecting burial duties, only to attack and denigrate the Athenian democracy”⁹⁸. This, however, is precisely what the historian with his oligarchic inclinations does. But it is useless to speak of pure arbitrariness, since Xenophon only omits the decisive detail that was responsible for the change in the accusation during the course of the trial.

A TWO-PHASE RECONSTRUCTION OF THE TRIAL

On their return, the generals had to face the manifest annoyance of the Athenians, in mourning because of their fallen relatives and fellow citizens who were left unburied. Fearing the displeasure of the gods, the demagogue Archedemus began hostilities by bringing Erasinides to justice for embezzlement and for the way in which he had carried out his generalship (περὶ τῆς στρατηγίας)⁹⁹. It is not at all unlikely that the first attack was directed against Erasinides, since he was the most vulnerable among the board of generals. The reason was probably because, as Xenophon states, he had objected to the rescue plan¹⁰⁰. After Erasinides’ arrest, the other five generals were also imprisoned, to be brought before the demos for trial, after they had given their account before the Council of the way the battle unfolded, and of the proportions of the storm. Their story was deemed unsatisfactory¹⁰¹.

At the first meeting of the Assembly, the generals were accused, in the first instance, of not having saved the shipwrecked. In such a case, and if they had been responsible for the death of the seamen, the

⁹⁶ Xen. *Hell.* 1, 7, 12-13; quotation: Due 1983, p. 37.

⁹⁷ Andrewes 1974, p. 114; Adeleye 1977-1978, p. 98; Lang 1992, p. 268-269. Xenophon appears to confirm the fact in a subsequent passage (Xen. *Hell.* 2, 3, 35): Theramenes recalls in his defence speech that the generals began making accusations, and then his allegation, taken under oath, that the storm would have prevented the rescue mission, was accepted by the demos. Meyer (1958, p. 350) and Bleckmann (1998, p. 551) do not give much credit to this late testimony of Theramenes, since it appears in the context of his defence speech.

⁹⁸ Mehl 1982, p. 78-79. Krentz 1989, p. 157, however, believes that “Xenophon’s silence about the corpses suits his overall attempt to show the generals as innocent victims”.

⁹⁹ Xen. *Hell.* 1, 7, 2. On Archedemus, see Ar. *Ran.* 416-430; Xen. *Mem.* 2, 9, 4; Lys. 14, 25; see also Christ 1998, p. 87-89. Cloché 1919, p. 41 argues – not very convincingly – that the accusation against Erasinides was a diversionist manoeuvre of the “democratic party” to get the other generals out of the line of fire. The fact that Protomachus and Aristogenes – after cleverly assessing the tense atmosphere – removed themselves from the troops (Xen. *Hell.* 1, 7, 1) shows that the “sword of Damocles” in the form of legal action hung over the heads of the generals even before their return.

¹⁰⁰ Xen. *Hell.* 1, 7, 29. Lang 1990, p. 27; Kagan 1987, p. 366. Kagan also believes that perhaps Archedemus “wanted to be sure that someone was punished; perhaps he hoped that if Erasinides was singled out he might give evidence against his colleagues”.

¹⁰¹ Xen. *Hell.* 1, 7, 2-4. On the time of his dismissal, see Xen. *Hell.* 1, 7, 1; add Diod. 13, 101, 5. According to the information provided by Diodorus, the generals were relieved of their posts after a preliminary investigation, while Xenophon says that it occurred immediately after their return. See also Bleckmann 1998, p. 542-545.

legal situation would have been clear, and sentence would have been pronounced rapidly and unequivocally¹⁰². But, when the generals denied the accusation, calling witnesses to the stand, it became clear that they could not be found guilty, since the storm had made any rescue mission impossible¹⁰³. The expected acquittal did not occur only because it was too late to cast votes, since evening was already falling, and the meeting was postponed¹⁰⁴.

The Apaturia festival took place between the two meetings of the Assembly, and taking advantage of the fact, Theramenes began to plot in the most unobvious manner. The strategy of the prosecution began to change, shifting the focus to the charge of not having had the bodies buried. This happened because the generals could no longer be considered guilty of not having saved the shipwrecked on account of the violent storm, and especially because they had taken the decision to conduct a rescue before the storm hit¹⁰⁵.

Once public opinion was swayed by the emergence of the mourners, whose relatives had only received a watery grave, Callixenus made the Council take a decision (*probuleuma*) according to which the guilt of the generals (who had already spoken about the issue in the previous meeting) would be voted upon without granting them the opportunity to defend themselves further. By this proposal of the Council, quoted *verbatim* by Xenophon together with the modalities of voting, the generals were accused of not picking up “the victors in the naval battle”: οὐκ ἀνελόμενοι τοὺς νικήσαντας ἐν τῇ ναυμαχίᾳ¹⁰⁶. In the subsequent description of the trial (apart from a passage within the defence speech of Euryptolemus), Xenophon still hesitates to name the shipwrecked as such, and he remains ambiguous even when citing the official text of the accusation. Apart from this, he says nothing of the physical state of “those who had won the battle”, the verb ἀναίρῶ also raises doubts about the way in which accusation was formulated. This is because, apart from its principal meaning of “to pick up”, the verb can be also translated as “to bury”.

This also holds good for the frequently-employed word ἀναίρεσις, which, besides “picking up” (such as the wounded or shipwrecked), can also mean “burying”¹⁰⁷. Of course, the context indicates that, here, perhaps one should add τοὺς ναυγούς, or τῶν ναυαγῶν, respectively. Granted these facts, and bearing in mind Diodorus’ insistence in the matter as well the arguments invoked above, Xenophon’s ambiguity appears rather problematic. Although the accused could not have been found guilty for not saving the survivors, they certainly would have had the chance to pick up nearby floating bodies after the storm, just as they could have settled on part of the neighbouring shore in order to bury the bodies washed ashore¹⁰⁸. In reality, the generals appear to have believed such an action futile, and since they could no longer rescue any survivors, they prioritized the military operation by advancing towards Mytilene to attack the rear of the Spartan fleet¹⁰⁹.

The generals probably underestimated the religious feelings of their fellow citizens, or believed that an important military success, which would have convinced the by now fleetless Spartans perhaps to accept peace on any terms, would have rapidly silenced any criticism. They had pushed their luck much too far, however, because the Spartan Eteonicus had wisely, and rapidly, retreated with the Spartan fleet to Chios. After correctly assessing the importance of religious issues to the demos, which had increased during the

¹⁰² Xen. *Hell.* 1, 7, 5. The accuser Theramenes also speaks of ναυαγοί.

¹⁰³ Xen. *Hell.* 1, 6, 35; 7, 7-8 and Diod. 13, 100, 3 agree. Later, Theramenes invoked the storm in his own favour as an impediment to the rescue mission (Xen. *Hell.* 2, 3, 35).

¹⁰⁴ Xen. *Hell.* 1, 7, 9.

¹⁰⁵ In combining the information in Xenophon and Diodorus, Mehl 1982, p. 63 emphasizes that the accusation “must have had as initial subject just ‘rescuing’, with no particular distinction made”, and it was only later in the trial that a distinction between rescuing the living and burying the dead. For a contrary opinion see Bleckmann 1998, p. 519.

¹⁰⁶ Xen. *Hell.* 1, 7, 9.

¹⁰⁷ ἀναίρεσις, s.v.: “Taking up or away; *esp. of dead bodies for burial*” (my italics). For the verb form, see Ar. *Vesp.* 386; Xen. *An.* 6, 4, 9 (active); Hdt. 4, 14; Thuc. 4, 97, 1 (middle); Pl. *Resp.* 614b. The semantic field relates to all three voices, but most frequently the middle. See further *LSJ* s.v.

¹⁰⁸ Diod. 13, 100, 4 speaks of bodies brought to the shore after the battles of Kyme and Phokaia. Mehl 1982, p. 63: “The bodies could have been picked up easily after the stormy weather had stopped”. Pritchett 1985, 204-6 suggests that the bodies of the drowned would not resurface in the first day after their death does not exclude that the Athenians could have picked up both the dead on the floating remains of ships and the bodies brought to the shore the next day, as Krentz 1989, p. 157 justly noted.

¹⁰⁹ Xen. *Hell.* 1, 6, 36-38; Diod. 13, 100, 6. Burckhardt 1956a, p. 335, is the first to underline that this would be a correct military decision.

years of war, Theramenes and Callixenus for various reasons, exploited the atmosphere in the Assembly and took advantage of the demos' irritation (in light of the flagrant violation of the religiously based moral law). In this way, they succeeded in having the generals convicted.

To begin with, Theramenes may have only tried to minimize and to camouflage his own role, and to put the blame exclusively on the generals, but their political enemy, the demagogue Callixenus, wanted to overthrow the generals¹¹⁰. Although the storm made the accusation of not rescuing the survivors impossible, Theramenes and Callixenus, after managing to get the generals accused of neglecting the burial customs, succeeded in making the Assembly convict them. The fact that they managed to do so (albeit with a small majority of votes) is related mainly to the religious implications, on account of the neglect of the proper burial of the dead. If this proposed reconstruction is correct, then we have to reconsider the religious issues, and see them as possessing considerable historical relevance. It is the religious factor again, just as it was with the impiety trials and the affair(s) of the Herms and the Mysteries in 415, which is symptomatic of the tense situation in the city during the war.

CONCLUSIONS

If we recognise the great importance from a psychological point of view, of the unexpected victory at Arginusae, then we can clearly see how much the Athenians harmed themselves by charging the generals with not recovering the fallen. By insisting on convicting the generals on charges of sacrilege, they lost the entire experienced high command and thus turned the victory into a tremendous defeat. The amateurish behaviour that led to the crushing defeat of Athenian military forces at Aegospotami was the direct result of the leadership crisis caused by the Arginusae trial.

This shows, once again, the importance of the religious tradition for the Athenians, and how much they were ready to take action against violations of religious traditions and customs. If we take into account the realities of those times, Xenophon cannot be easily blamed for omitting a crucial point in the accusation, since his account follows its own internal logic, and shows his tendency to present the democracy as a less desirable and compromised form of rule¹¹¹. In fact the Athenian democracy did not cover itself with glory by convicting the generals on the charge of failing to recover and bury the fallen. The moralizing judgement of Diodorus is well founded in this case.

The conviction seems perfectly comprehensible, indeed fully justified, by the standards of those times, even though it was not a glorious event. The generals were clearly guilty of not fulfilling a religious obligation. This is confirmed by the fact that, despite the allegations of the two main sources (pursuing antidemocratic ideas), the demos did not regret the decision afterwards. This leads to the conclusion that the generals were not innocent victims, wrongly convicted for the deaths of the shipwrecked (who had, as a matter of fact, fallen victim to the storm)¹¹². The harsh judgement is not a prime example of a case of the perversion of justice, although the death sentence pronounced in the Assembly may seem to have been exaggerated.

Compared to the account of Xenophon, the behaviour of the Athenians is far from justified – as the more credible tradition of the *Hellenica Oxyrhynchia* shows, but seems at least comprehensible and easy to accept in the light of the religious disposition and feelings of the population. In this sense, the conviction was a direct result of the *Zeitgeist*. Concerned about the fate of the fallen, and also frightened lest the impious incident should perturb the divine order, the Athenians involved themselves in a tense and emotional trial, following an exceptional victory. Irrational fears and religious feelings which, by modern standards, might be viewed as superstitious, prevailed over any rational political arguments and military requirements¹¹³.

¹¹⁰ See further Bleckmann 1998, p. 558-571.

¹¹¹ I agree with Flaig 2013, p. 44 concerning the general assessment that the trial should not be considered to be the downfall of direct democracy, as it was by antidemocratic criticism until the 20th century. But certainly my arguments, based on the importance of religion at that time, are different.

¹¹² Bleckmann 1998, p. 510-514.

¹¹³ Schefold 1998, p. 292: "The superstitious dispositions were also [...] [to blame] for convicting the victorious generals in the Battle of Arginusae; they were accused of not having buried their dead".

BIBLIOGRAPHY

- Adeleye 1977-1978 – G. Adeleye, *The Arginusae Affair and Theramenes' Rejection at the Dokimasia of 405/4 B.C.*, Mus. Afr. 6, 1977-1978, p. 94-99.
- Ambaglio 1981 – D. Ambaglio, *Il trattato 'sul comandante' di Onasandro*, Athenaeum 59, 1981, p. 353-372.
- Anderson 1974 – J.K. Anderson, *Xenophon*, London, 1974.
- Andrewes 1974 – A. Andrewes, *The Arginousai Trial*, Phoenix 28, 1974, p. 112-122.
- Andrewes 1982 – A. Andrewes, *Notion and Kyzikos: the Sources compared*, JHS 102, 1982, p. 15-25.
- Andrewes 1992 – A. Andrewes, *The Spartan Resurgence*, in D.M. Lewis et alii (eds.), *The Cambridge Ancient History* (2nd edition), Vol. V: *The Fifth Century B.C.* Cambridge, 1992, p. 464-498.
- Bauman 1990 – R. Bauman, *Political Trials in Ancient Greece*, London-New York, 1990.
- Behrwald 2005 – R. Behrwald (ed.), *Hellenika von Oxyrhynchos* (= *Texte zur Forschung* 86), Darmstadt, 2005.
- Beloch 1914 – J.K. Beloch, *Griechische Geschichte*, vol. II/1, Straßburg-Berlin-Leipzig, 1914.
- Bernstein 1993 – A.E. Bernstein, *The Formation of Hell. Death and Retribution in the Ancient and Early Christian Worlds*, Ithaca-London, 1993.
- Bleckmann 1998 – B. Bleckmann, *Athens Weg in die Niederlage. Die letzten Jahre des Peloponnesischen Kriegs*, Stuttgart-Leipzig, 1998.
- Bleckmann 2006 – B. Bleckmann, *Fiktion als Geschichte. Neue Studien zum Autor der Hellenika Oxyrhynchia und zur Historiographie des vierten vorchristlichen Jahrhunderts* (Abhandlungen der Akademie der Wissenschaften zu Göttingen, Philologisch-Historische Klasse. Folge 3, 277), Göttingen, 2006.
- Bleicken 1994 – J. Bleicken, *Die athenische Demokratie*, 2nd ed. entirely revised and significantly enlarged, Paderborn-Munich-Vienna-Zurich, 1994.
- Bommelaer 1981 – J.-F. Bommelaer, *Lysandre de Sparte*, Paris, 1981.
- Bonner, Smith 1938 – R.J. Bonner, G. Smith, *The Administration of Justice from Homer to Aristotle*, Vol. I, Chicago, reprint New York, 1938.
- Breitenbach 1970 – H.R. Breitenbach, s.v. *Hellenika Oxyrhynchia*, RE suppl. 12, 1970. col. 383-426, 1970.
- Breitenbach 1971 – H.R. Breitenbach, *Die Seeschlacht bei Notion (407/6)*, Historia 20, 1971, p. 152-171.
- Bremmer 1983 – J. Bremmer, *The Early Greek Concept of the Soul*. Princeton, 1983.
- Bremmer 1994 – J.N. Bremmer, *The Soul, Death and the Afterlife in Early and Classical Greece*, in J.N. Bremmer, Th.P.J. van den Hout, R. Peters (eds.), *Hidden Future. Death and Immortality in Ancient Egypt, Anatolia and the Classical. Biblical and Arabic-Islamic World*, Amsterdam, 1994, p. 91-106.
- Bruce 1967 – I.A.F. Bruce, *A Historical Commentary on the Hellenika Oxyrhynchia*, Cambridge, 1967.
- Bruell 1990 – C. Bruell, *Xenophons politische Philosophie*, Munich, 1990.
- Brun 1999 – P. Brun, *Guerre et finances: état de la question*, Pallas 51, 1999, p. 223-240.
- Buck 1998 – R.J. Buck, *Thrasybulus and the Athenian Democracy. The Life of an Athenian Statesman* (Historia Einzelschriften 120), Stuttgart, 1998.
- Burckhardt 1956a/1956b – J. Burckhardt, *Griechische Kulturgeschichte*, vol. I and II (Gesammelte Werke V and VI), Basel, 1956.
- Burckhardt 2000 – L. Burckhardt, *Eine Demokratie wohl, aber kein Rechtsstaat? Der Arginusenprozess des Jahres 406 v. Chr.*, in L. Burckhardt, J. von Ungern-Sternberg (eds.), *Grosse Prozesse im antiken Athen*, München, 2000, p. 128-143, 273-274.
- Burkert 1977 – W. Burkert, *Griechische Religion der archaischen und klassischen Epoche*, Stuttgart, 1977.
- Burkert 1990 – W. Burkert, *Antike Mysterien. Funktionen und Gehalt*, Munich, 1990.
- Busolt 1904 – G. Busolt, *Griechische Geschichte bis zur Schlacht bei Chaeroneia* (2nd edition), vol. III/2, Gotha, 1904.
- Cerri 1979 – G. Cerri, *Legislazione orale e tragedia greca*, Napoli, Liguori, 1979.
- Christ 1998 – M.R. Christ, *The Litigious Athenian*, Baltimore-London, Johns Hopkins UP, 1998.
- Cloché 1919 – P. Cloché, *L'affaire des Arginuses (406 avant J. C.)*, RH 44, 1919, p. 5-68.
- Cohen 1995 – D. Cohen, *The Rule of Law and Democratic Ideology in Classical Athens*, in W. Eder (ed.), *Die Athenische Demokratie im 4. Jahrhundert v. Chr. Vollendung oder Verfall einer Verfassungsform?*, Stuttgart, 1995, p. 227-244.
- Connor 1971 – W.R. Connor, *The New Politicians of Fifth-Century Athens*, Princeton, 1971.
- Dietzfelbinger 1992 – R. Dietzfelbinger, *Religiöse Kategorien in Xenophons Geschichtsverständnis*, WJA 18, 1992, p. 133-145.
- Dillery 1995 – J. Dillery, *Xenophon and the History of His Times*, London-New York, 1995.
- Dodds 1951 – E.R. Dodds, *The Greeks and the Irrational*, Berkeley-Los Angeles, 1951.
- Drews 1962 – R. Drews, *Diodorus and his Sources*, AJPh 83, 1962, p. 383-392.
- Due 1983 – B. Due, *The Trial of the Generals in Xenophon's Hellenica*, C&M 34, 1983, p. 33-44.
- Ehrenberg 1956 – V. Ehrenberg, *Sophokles und Perikles*, Munich, 1956.

- Engels 1993 – J. Engels, *Der Michigan-Papyrus über Theramenes und die Ausbildung des 'Theramenes-Mythos'*, ZPE 99, 1993, p. 125-155.
- Ferguson 1932 – W.S. Ferguson, *Athenian War Finance*, Proceedings of the Massachusetts Historical Society 64, 1932, p. 347-363.
- Flach 1977 – D. Flach, *Der oligarchische Staatsstreich in Athen vom Jahr 411*, Chiron 7, 1977, p. 9-33.
- Flaig 2013 – E. Flaig, *Die Versammlungsdemokratie am Nadir. Entscheidungstheoretische Überlegungen zum Arginusenprozess*, HZ 297, 2013, p. 27-63.
- Fränkel 1877 – M. Fränkel, *Die attischen Geschworenengerichte. Ein Beitrag zum attischen Strafrecht*, Berlin, 1877.
- Frede 2009 – D. Frede (ed.), *Body and soul in ancient philosophy*, Berlin and New York, 2009.
- Freud 2003 – S. Freud, *The Uncanny*, London, 2003.
- Garland 1985 – R. Garland, *The Greek Way of Death*, London, 1985.
- Garland 1996 – R. Garland, *Death, attitudes to ...*, in S. Hornblower (ed.), *The Oxford Classical Dictionary*. (3rd edition), Oxford, 1996, p. 433-434.
- Geisenhanslüke 1999 – A. Geisenhanslüke, *Sophokles Antigone* (Oldenbourg Interpretationen 92), Munich, 1999.
- van Gennep 1999 – A. van Gennep, *Übergangsriten*, Frankfurt-New York, 1999.
- Giovannini 2002 – A. Giovannini, *Xenophon, der Arginusenprozeß und die athenische Demokratie*, Chiron 32, 2002, p. 15-40.
- Graf 1996 – F. Graf, *Gottesnähe und Schadenzauber. Die Magie in der griechisch-römischen Welt*, Munich, 1996.
- Gray 1987 – V. Gray, *The Value of Diodorus Siculus for the Years 411-386 BC*, Hermes 115, 1987, p. 72-89.
- Gray 1989 – V. Gray, *The Character of Xenophon's Hellenica*, London, 1989.
- Griffin 1980 – J. Griffin, *Homer on Life and Death*, Oxford, 1980.
- Griffin 1998 – J. Griffin, *The Social Function of Attic Tragedy*, CQ 48, 1998, p. 39-61.
- Grote 1908 – G. Grote, *A History of Greece: From the Earliest Period to the Close of the Generation Contemporary with Alexander the Great* (2nd edition), vol. VIII, London, 1908.
- Hansen 1975 – M.H. Hansen, *Eisangelia. The Sovereignty of the People's Court in Athens in the Fourth Century B.C. and the Impeachment of Generals and Politicians*, Odense, 1975.
- Hansen 1995 – M.H. Hansen, *Die Athenische Demokratie im Zeitalter des Demosthenes. Struktur, Prinzipien und Selbstverständnis*, Berlin, 1995.
- Harding 1987 – P. Harding, *The Authorship of the Hellenika Oxyrhynchia*, AHB 1, 1987, p. 101-104.
- Hatzfeld 1940 – J. Hatzfeld, *Socrate au procès des Arginusés*, REA 42, 1940, p. 165-171.
- Henry 1967 – W.P. Henry, *Greek Historical Writing, A Historiographical Essay based on Xenophon's Hellenica*. Chicago, 1967.
- Herfort-Koch 1992 – M. Herfort-Koch, *Tod, Totenfürsorge und Jenseitsvorstellungen in der griechischen Antike*, München, 1992.
- Hillgruber 1988 – M. Hillgruber, *Die zehnte Rede des Lysias. Einleitung, Text und Kommentar mit einem Anhang über die Gesetzesinterpretationen bei den attischen Rednern*, Berlin–New York, 1988.
- Hirzel 1903 – R. Hirzel, *ΑΓΡΑΦΟΣ ΝΟΜΟΣ* (Abhandlungen der sächsischen Akademie der Wissenschaften, Philosophisch-Historische Klasse, 1. Abhandlung), Leipzig, 1903.
- Hölkeskamp 1998 – K.-J. Hölkeskamp, *Parteiungen und politische Willensbildung im demokratischen Athen: Perikles und Thukydides, Sohn des Melesias*, HZ 267, 1998, p. 1-27.
- Hunt 2001 – P. Hunt, *The Slaves and Generals of Arginusae*, AJPh 122, 2001, p. 359-380.
- Jahn 1987 – T. Jahn, *Zum Wortfeld "Seele-Geist" in der Sprache Homers*, Munich, 1987.
- Johnston 1999 – S.I. Johnston, *Restless Dead. Encounters Between the Living and the Dead in Ancient Greece*, Berkeley-Los Angeles-London, 1999.
- Kagan 1987 – D. Kagan, *The Fall of the Athenian Empire*, Ithaca-London, 1987.
- King 2006 – R.A.H. King (ed.), *Common to body and soul. Philosophical approaches to explaining living behaviour in Greco-Roman antiquity*, Berlin and New York, 2006.
- Krentz 1989 – P. Krentz, *Xenophon Hellenica, I-II.3.10. Edited with an Introduction, Translation and Commentary*, Warminster, 1989.
- Kurtz, Boardman 1971 – D.C. Kurtz, J. Boardman, *Greek Burial Customs*, London, 1971.
- Lang 1990 – M. Lang, *Illegal Execution in Ancient Athens*, PAPHs 134, 1990, p. 24-29.
- Lang 1992 – M. Lang, *Theramenes and Arginusai*, Hermes 120, 1992, p. 267-275.
- Lavelle 1988 – B.M. Lavelle, *Adikia, The decree of Kannonos, and the Trial of the Generals*, C&M 39, 1988, p. 19-41.
- Lehmann 1997 – G.A. Lehmann, *Oligarchische Herrschaft im klassischen Athen Zu den Krisen und Katastrophen der attischen Demokratie im 5. und 4. Jahrhundert v. Chr.* (Nordrhein-Westfälische Akademie der Wissenschaften, Vorträge G 346), Düsseldorf, 1997.
- Lesky 1971 – A. Lesky, *Geschichte der griechischen Literatur*, Berna-München, 1971³.
- Lloyd-Jones 1983 – H. Lloyd-Jones, *The Justice of Zeus*, 2nd edn, Berkeley-Los Angeles-London, 1983.

- Lotze 1964 – D. Lotza, *Lysander und der Peloponnesische Krieg*, Berlin, 1964.
- MacDowell 1962 – D.M. MacDowell, *Andokides. On the Mysteries (Text with Introduction and Commentary)*, Oxford, 1962.
- MacDowell 1978 – D.M. MacDowell, *The Law in Classical Athens*, London, 1978.
- Mattingly 1968 – H.B. Mattingly, *Athenian Finance in the Peloponnesian War*, BCH 92, 1968, p. 450-485.
- McCoy 1991 – W.J. McCoy, *Thrasybulus and his Trierarchies*, AJP 112, 1991, p. 303-323.
- McKechnie, Kern 1988 – P.R. McKechnie, S.J. Kern, *Hellenica Oxyrhynchia. Edited with translation and commentary*, Warminster, 1988.
- Mehl 1982 – A. Mehl, *Für eine neue Bewertung eines Justizkandals. Der Arginusenprozeß und seine Überlieferung vor dem Hintergrund von Recht und Weltanschauung im Athen des ausgehenden 5. Jh. v. Chr.*, ZRG 29, 1982, p. 32-80.
- Meister 1990 – K. Meister, *Die griechische Geschichtsschreibung. Von den Anfängen bis zum Ende des Hellenismus*, Stuttgart, 1990.
- Meyer 1958 – E. Meyer, *Geschichte des Altertums*, vol. IV/2, Darmstadt, 1958.
- Mikalson 1991 – J.D. Mikalson, *Honour Thy Gods. Popular Religion in Greek Tragedy*, Chapel Hill-London, 1991.
- Moles 1994 – J.L. Moles, *Xenophon and Kallikratides*, JHS 114, 1994, p. 70-84.
- Moore 1975 – J.M. Moore, *Aristotle and Xenophon on Democracy and Oligarchy*, London, 1975.
- Morrison, Coates 1990 – J.S. Morrison, J.F. Coates, *Die athenische Triere: Geschichte und Rekonstruktion eines Kriegsschiffs der griechischen Antike*, Mainz, 1990.
- Németh 1984 – G. Németh, *Der Arginusen-Prozeß. Die Geschichte eines politischen Justizmordes*, Klio 66, 1984, p. 51-57.
- Nilsson 1967 – M.P. Nilsson, *Geschichte der griechischen Religion* (3rd edition), Vol. I, Munich, 1967.
- Oliver 1950 – J.H. Oliver, *The Athenian Expounders of the Sacred and Ancestral Law*, Baltimore MD, 1950.
- Ogden 2008 – D. Ogden, *Night's black agents. Witches, wizards and the dead in the ancient world*, London, 2008.
- Ostwald 1973 – M. Ostwald, *Was there a Concept ἄραπος νόμος in Classical Greece?*, in E.N. Lee, A. Mourelatos, R.M. Rorty (eds.), *Exegesis and Argument: Studies in Greek Philosophy Presented to Gregory Vlastos*, Assen, 1973.
- Ostwald 1986 – M. Ostwald, *From Popular Sovereignty to the Sovereignty of Law. Law, Society, and Politics in Fifth-Century Athens*, Berkeley-Los Angeles-London, 1986.
- Oudemans, Lardinois 1987 – T.C.W. Oudemans, A.P.M.H. Lardinois, *Tragic Ambiguity. Anthropology, Philosophy and Sophocles' Antigone*, Leiden, 1987.
- Parker 1983 – R. Parker, *Miasma. Pollution and Purification in Early Greek Religion*, Oxford, 1983.
- Parker 1992 – R. Parker, *The Origins of Pronoia: A Mystery*, in M.L. West (ed.), *Apodosis. Essays Presented to Dr. W.W. Cruickshank*, London, 1992, p. 84-94.
- Peters 1972 – W. Peters, *Untersuchungen zu Onasander*, Bonn, 1972.
- Pritchett 1985 – W.K. Pritchett, *The Greek State at War*, Vol. 4, Berkeley, 1985.
- Pulleyn 1997 – S. Pulleyn, *Prayer in Greek Religion*, Oxford, 1997.
- Riedinger 1991 – J.-C. Riedinger, *Étude sur les Helléniques. Xénophon et l'histoire*, Paris, 1991.
- Roberts 1977 – J.T. Roberts, *Arginusae Once Again*, CW 71, 1977, p. 107-111.
- Roberts 1982 – J.T. Roberts, *Accountability in Athenian Government*, Madison, 1982.
- Rohde 1898a/1898b – E. Rohde, *Psyche. Seelencult und Unsterblichkeitsglaube der Griechen* (2nd edition), vol. I and II, Leipzig-Tübingen, 1898.
- Rollinger 2009 – R. Rollinger, Rezension zu: Bruno Bleckmann, *Fiktion als Geschichte. Neue Studien zum Autor der Hellenica Oxyrhynchia und zur Historiographie des vierten vorchristlichen Jahrhunderts*. Göttingen 2006 (Abhandlungen der Akademie der Wissenschaften zu Göttingen, Philologisch-Historische Klasse, Dritte Folge, Band 227), *Anzeiger für die Altertumswissenschaft* 62, 2009, 1./2., p. 54-57.
- de Romilly 1971 – J. de Romilly, *La loi dans la pensée grecque*, Paris, 1971.
- Rösler 1980 – W. Rösler, *Polis und Tragödie. Funktionsgeschichtliche Betrachtungen zu einer antiken Literaturgattung*, Konstanz, 1980.
- Rubel 2000 – A. Rubel, *Stadt in Angst. Religion und Politik in Athen während des Peloponnesischen Krieges*, Darmstadt, 2000.
- Rubel 2001 – A. Rubel, *Hellespontophylakes – Zöllner am Bosphoros? Überlegungen zur Fiskalpolitik des attischen Seebundes (IG I³ 61)*, Klio 83, 2001, p. 39-51.
- Rubel 2014 – A. Rubel, *Fear and Loathing in Ancient Athens. Religion and Politics during the Peloponnesian War*, Durham and Oxford, 2014.
- Schefold 1998 – K. Schefold, *Der religiöse Gehalt der antiken Kunst und die Offenbarung*, Mainz, 1998.
- Schuller 1991 – W. Schuller, *Öffentlichkeit und politische Moral im klassischen Athen*, in G. Roellecke (ed.), *Öffentliche Moral, Gut und Böse in der Beobachtung durch Geschichte, Religion, Wirtschaft, Verteidigung und Recht*, Heidelberg, 1991, p. 69-80.

- Schwarz 1903 – E. Schwartz, s.v. *Diodoros*, *RE* 5, 1903, 1, col. 663-704.
- Sealey 1975 – R. Sealey, *Constitutional Changes in Athens in 410 B.C.*, *CSCA*, 1975, p. 271-295.
- Siewert 1972 – P. Siewert, *Der Eid von Plataiai*, Munich, 1972.
- Sordi 1981 – M. Sordi, *Teramene e il processo delle Arginuse*, *Aevum* 55, 1981, p. 3-12.
- Sourvinou-Inwood 1995 – C. Sourvinou-Inwood, *Reading Greek Death. To the End of the Classical Period*, Oxford, 1995.
- Stolz 1997 – F. Stolz, *Grundzüge der Religionswissenschaft* (2nd edition), Göttingen, 1997.
- Swoboda 1893 – H. Swoboda, *Ueber den Process des Perikles*, *Hermes* 28, 1893, p. 536-598.
- Thomas 1996 – R. Thomas, *Written in Stone? Liberty, Equality, Orality, and the Codification of Law*, in L. Foxhall (ed.), *Greek law in its political setting*, Oxford, 1996, p. 9-31.
- Thomsen 1964 – R. Thomsen, *Eisphora. A Study of Direct Taxation in Ancient Athens*, Copenhagen, 1964.
- Tuplin 2008 – C. Tuplin, Review of (B.) Bleckmann, *Fiktion als Geschichte: Neue Studien zum Autor der Hellenika Oxyrhynchia und zur Historiographie des vierten vorchristlichen Jahrhunderts*, *JHS* 128, 2008, p. 239-240.
- Valeton 1920 – M. Valeton, *De Praetoribus Atheniesium qui victoriam reportaverunt apud Arginusae insulas*, *Mnemosyne* 48, 1920, p. 34-79.
- Walker 1913 – E.M. Walker, *The Hellenica Oxyrhynchia, its Authorship and Authority*, Oxford, 1913.
- Walter 1999 – U. Walter, *Noch einmal für Xenophon*, *Frankfurter Allgemeine Zeitung*, 23.03.1999.
- Walter 2008 – U. Walter, Review for: Bleckmann, Bruno. *Fiktion als Geschichte. Neue Studien zum Autor der Hellenika Oxyrhynchia und zur Historiographie des vierten vorchristlichen Jahrhunderts*. *Göttingen 2006*, in *H-Soz-u-Kult*, 15.01.2008, <http://hsozkult.geschichte.hu-berlin.de/rezensionen/2008-1-038>.
- von Wedel 1971 – W. von Wedel, *Die politischen Prozesse im Athen des fünften Jahrhunderts. Ein Beitrag zur Entwicklung der attischen Demokratie zum Rechtsstaat*, *BIDR* 13, 1971, p. 107-188.
- Welwei 1999 – K.W. Welwei, *Das klassische Athen. Demokratie und Machtpolitik im 5. und 4. Jahrhundert*, Darmstadt, 1999.
- Wolff 1968 – H.J. Wolff, *Gewohnheitsrecht und Gesetzesrecht in der griechischen Rechtsauffassung*, in E. Berneker (ed.), *Zur griechischen Rechtsgeschichte*, 2nd edn, Darmstadt, 1968, p. 99-120.
- Wolff 1970 – H.J. Wolf, *'Normenkontrolle' und Gesetzesbegriff in der attischen Demokratie. Untersuchungen zur γραφή παρανόμων* (Sitzungsberichte der Heidelberger Akademie der Wissenschaften, Philosophisch-historische Klasse 2. Abhandlung), Heidelberg, 1970.
- Worthington 1989 – I. Worthington, *Aristophanes' 'Frogs' and Arginusae*, *Hermes* 117, 1989, p. 359-363.

ABRÉVIATIONS

- AA – Archäologischer Anzeiger. Deutsches Archäologisches Institut, Darmstadt, München, Tübingen–Berlin
- ABSA – The Annual of the British School at Athens, Athens
- ActaArchCarp – Acta Archaeologica Carpatica, Kraków
- ActaArchHung – Acta Archaeologica Academiae Scientiarum Hungaricae, Budapest
- Acta Classica – Acta Classica. Journal of the Classical Association of South Africa, Pretoria
- ActaHistHung – Acta Historica Academiae Scientiarum Hungaricae, Budapest
- ActaMN – Acta Musei Napocensis. Muzeul Național de Istorie a Transilvaniei, Cluj-Napoca
- ActaMP – Acta Musei Porolissensis. Muzeul Județean de Istorie și Artă, Zalău
- ActaTS – Acta Terrae Septemcastrens. Institutul pentru Cercetarea Patrimoniului Cultural Transilvănean în Context European, Sibiu
- AÉ – L'Année Épigraphique, Paris
- Aegean Studies – Aegean Studies. Aegeus - Society for Aegean Prehistory, Athens
- AEM – Archäologisch-epigraphische Mitteilungen aus Österreich-Ungarn, Wien
- Aevum – Aevum. Rassegna di Scienze Storiche Linguistiche e Filologiche. Vita e Pensiero – Pubblicazioni dell'Università Cattolica del Sacro Cuore
- Agria – Agria. Az Egri Múzeum Évkönyve – Annales Musei Agriensis. Dobó István Vármúzeum, Eger
- AHA – Acta Historiae Artium. Academiae Scientiarum Hungaricae, Budapest
- AHB – The Ancient History Bulletin (digital version only: <http://ancienthistorybulletin.org/>)
- AHR – The American Historical Review, Bloomington
- AIIA (Cluj-Napoca) – Anuarul Institutului de Istorie și Arheologie, Cluj-Napoca
- AInf – Archäologische Informationen, Mitteilungen zur Ur- und Frühgeschichte, Bonn
- AISC – Anuarul Institutului de Studii Clasice, Cluj-Napoca
- AJA – American Journal of Archaeology, Boston
- AJN – American Journal of Numismatics. American Numismatic Society, New York
- AJPh – American Journal of Philology, Baltimore
- AM – Mitteilungen des Deutschen Archäologischen Instituts. Athenische Abteilung, Athen
- Am. J. Phys. Anthropol. – American Journal of Physical Anthropology. Journal of the American Association of Physical Anthropologists, ([http://onlinelibrary.wiley.com/journal/10.1002/\(ISSN\)1096-8644](http://onlinelibrary.wiley.com/journal/10.1002/(ISSN)1096-8644))
- American Anthropologist – American Anthropologist. Journal of the American Anthropological Association, ([http://onlinelibrary.wiley.com/journal/10.1111/\(ISSN\)1548-1433](http://onlinelibrary.wiley.com/journal/10.1111/(ISSN)1548-1433))
- American Antiquity – American Antiquity. Society for American Archaeology, Washington
- ANarch – Archäologisches Nachrichtenblatt, Berlin
- AnB (S.N.) – Analele Banatului (Serie Nouă), Muzeul Banatului, Timișoara
- AnSt – Anatolian Studies. British Institute at Ankara, Ankara
- Antaeus – Communicationes ex Instituto Archaeologico Academiae Scientiarum Hungaricae, Budapest
- Anthropology Today – Anthropology Today. Royal Anthropological Institute, London
- Antiquity – Antiquity. A Review of World Archaeology, Durham, UK
- AntOr – Antiguo Oriente: Cuadernos del Centro de Estudios de Historia del Antiguo Oriente. Pontificia Universidad Católica Argentina Santa María de los Buenos Aires
- AO – Arhivele Olteniei, Craiova
- AO Moskow – Arheologičeski Otkritja, Moskva
- Apulum – Acta Musei Apulensis. Muzeul Național al Unirii, Alba Iulia
- ArchA⁵ – Archaeologia Aeliana, Fifth Series. Society of Antiquaries of Newcastle upon Tyne, Newcastle
- Archaeol. Rev. Camb. – Archaeological Review from Cambridge. University of Cambridge, Cambridge
- Archaeologia – Altum castrum online. Mátyás király Múzeum, Visegrád
- Archeometriai Műhely – Archeometriai Műhely a Magyar Régészeti és Művészettörténeti Társulat interdiszciplináris kutatásokkal foglalkozó vitaülés-sorozata, Budapest
- ArchÉrt – Archeológiai Értesítő, Budapest

- ArchHung – *Archaeologia Hungarica, Acta Archaeologica Musei Nationalis Hungarici*, Budapest
- ArchKorr – *Archäologisches Korrespondenzblatt*, Mainz
- ArchPolski – *Archeologia Polski*, Wrocław – Warszawa
- ArchRozhledy – *Archeologické Rozhledy*, Praha
- ArhMed – *Arheologia Medievală*. Complexul Muzeal Bistrița-Năsăud, Bistrița
- ArhMold – *Arheologia Moldovei*. Academia Română, Institutul de Arheologie, Iași
- ArhVestnik – *Arheološki vestnik*, Ljubljana
- AȘUI – *Analele Științifice ale Universității “Al. I. Cuza” din Iași*, Iași
- Athenaeum – *Studi di Letteratura e Storia dell’Antichità* pubblicati sotto gli auspici dell’Università di Pavia, Pavia
- AVANS – *Archeologické Vyskumy a Nálezy na Slovensku*, Nitra
- Banatica – *Banatica*. Muzeul Banatului Montan, Reșița
- BARBrSer – *British Archaeological Reports, International Series*, Oxford
- BARIntSer – *British Archaeological Reports, British Series*, Oxford
- BayVgBl – *Bayerische Vorgeschichtsblätter*. Kommission für bayerische Landesgeschichte bei der Bayerischen Akademie der Wissenschaften in Verbindung mit dem Bayerischen Landesamt für Denkmalpflege und der Archäologische Staatssammlung, München
- BCH – *Bulletin de Correspondance Hellénique*, Athènes–Paris
- BÉ – *Bulletin Épigraphique*, Paris
- BerRGK – *Bericht der Römisch-Germanischen Kommission des Deutschen Archäologischen Instituts*, Frankfurt am Main
- BIAUL – *Bulletin of the Institute of Archaeology (University of London)*, London
- BIDR – *Bulletino dell’Istituto di Diritto Romano*, Roma
- BJb – *Bonner Jahrbücher des Rheinischen Landesmuseums in Bonn*, Bonn
- BMN – *Bibliotheca Musei Napocensis*, Cluj-Napoca
- Britannia – *Britannia. Journal of the Society for the Promotion of Roman Studies*, Cambridge
- BSNAF – *Bulletin de la Société nationale des antiquaires de France*, Paris
- BSNR – *Buletinul Societății Numismatice Române*, București
- BUFM – *Beiträge zur Ur- und Frühgeschichte Mitteleuropas*, Wilkau-Haßlau - Langenweißbach
- Byzantina (Thessalonic) – *BYZANTINA. Annual Review of the "Byzantine Research Centre"*, Thessalonic
- Byzantinoslavica – *Byzantinoslavica. Revue internationale des Études Byzantines*, Slovanský ústav Akademie věd ČR, Praha
- C&M – *Classica et Mediaevalia: Danish Journal of Philology and History*, Aarhus
- Caiete ARA – *Caiete ARA. Arhitectură, Restaurare, Arheologie*. Asociația ARA, București
- CCA. Campania – *Cronica Cercetărilor Arheologice din România*, București
- Chiron – *Mitteilungen der Kommission für Alte Geschichte und Epigraphik des Deutschen Archäologischen Instituts*, München
- CICSA – *Centrul de Istorie Comparată a Societăților Antice*, Universitatea București, București
- CIL – *Corpus Inscriptionum Latinarum*, Berlin
- CN – *Cercetări Numismatice*. Muzeul Național de Istorie a României, București
- ComArchHung – *Communicationes Archaeologicae Hungariae*, Budapest
- CQ – *The Classical Quaterly*, The Classical Association, Cambridge
- CRAI – *Comptes Rendus des Séances de l’Académie des Inscriptions et Belles-Lettres*, Paris
- Crisia – *Crisia*. Muzeului Țării Crișurilor, Oradea
- CSCA – *California Studies in Classical Antiquity*. University of California, Los Angeles
- Current Anthropology – *Current Anthropology*. University of California, Merced
- CW – *Classical World*. Temple University, Philadelphia
- Dacia – *Dacia. Fouilles et recherches archéologiques en Roumanie*, București
- Dacia N.S. – *Dacia (Nouvelle Série)*. *Revue d’archéologie et d’histoire ancienne*. Académie Roumaine. Institut d’archéologie « V. Pârvan », București
- DIR, C, I – *Documente privind Istoria României, sec. XI–XIII, C, Transilvania, I (1075–1250)* (eds.: I. Ionașcu, L. Lăzărescu-Ionescu, B. Cămpina, E. Stănescu, D. Prodan, M. Roller), București, 1951.

- Dolgozatok Cluj – Dolgozatok az Erdélyi Nemzeti Múzeum Érem- és Régiségtarából, Kolozsvár
 Dolgozatok Szeged – Dolgozatok a M. Kir. Ferencz József Tudományegyetem Archaeologiai Intézetéből, Szeged
- EJA – European Journal of Archaeology. European Association of Archaeologists (<http://e-a-a.org/eja.htm>)
- Elbinger Jahrbuch – Elbinger Jahrbuch. Zeitschrift der Elbinger Altertumsgesellschaft und der städtischen Sammlungen zu Elbing, Elbing (1920-1941)
- EphemNap – Ephemeris Napocensis. Academia Română, Institutul de Arheologie și Istoria Artei, Cluj-Napoca
- ÉPRO – Études préliminaires aux religions orientales dans l'Empire romain, Leiden
- Études Celtiques – Études Celtiques, Paris
- Evol Anthropol – Evolutionary Anthropology. Duke University, Durham NC
- FBW – Fundberichte aus Baden-Württemberg, Stuttgart
- FHDR I-II – H. Mihăescu, G. Ștefan, R. Hîncu, V. Iliescu, V.C. Popescu (eds.), *Fontes ad historiam Dacoromaniae pertinentes*, I-II, București, 1964–1970
- File de Istorie – File de Istorie. Muzeul Județean Bistrița-Năsăud, Bistrița
- FontesArchPosn – Fontes Archaeologici Posnanienses, Poznan
- FrühMitAltSt – Frühmittelalterliche Studien. Jahrbuch des Instituts für Frühmittelalterforschung der Universität Münster, Münster
- Germania – Germania. Anzeiger der Römisch-Germanischen Kommission des Deutschen Archäologischen Instituts, Frankfurt am Main
- Glasnik SAD – Glasnik Srpskog Arheološkog Društva, Belgrad
- H-Soz-u-Kult – Kommunikation und Fachinformation für die Geschichtswissenschaften (<http://www.hsozkult.de/>)
- HambBeitrA – Hamburger Beiträge zur Archäologie. Universität Hamburg, Hamburg
- HCT – A.W. Gomme, A. Andrewes, K.J. Dover, *A Historical Commentary on Thucydides*, Oxford, Clarendon Press, 1945-1981.
- Hermes – Hermes. Zeitschrift für Klassische Philologie, Franz Steiner Verlag, Stuttgart
- Historia – Historia. Zeitschrift für Alte Geschichte, Franz Steiner Verlag, Stuttgart
- HistoriaBuc – Historia, București (<http://www.historia.ro/revista#>)
- HOMÉ – A miskolci Hermann Ottó Múzeum évkönyve, Miskolc
- Homo – HOMO. Journal of Comparative Human Biology. Australasian Society for Human Biology, Elsevier Press (<http://www.journals.elsevier.com/homo/>)
- HZ – Historische Zeitschrift, Akademie Verlag GmbH, Berlin
- IDR – *Inscriptiile Daciei romane*
- IDRE – C.C. Petolescu, *Inscriptiones Daciae Romanae. Inscriptions externes concernant l'histoire de la Dacie*, I-II, București, 1996-2000
- IG – *Inscriptiones Graecae*, Berlin
- IGLR – E. Popescu, *Inscriptiile grecești și latine din secolele IV–XIII descoperite în România*, București, 1976
- Il Mar Nero – Il mar nero : annali di archeologia e storia, Roma
- ILD – C.C. Petolescu, *Inscriptii Latine din Dacia*, București, 2005
- ILS – H. Dessau, *Inscriptiones Latinae Selectae*, Berlin, I (1892), II (1902), III (1916)
- Int J Osteoarchaeol – International Journal of Osteoarchaeology
- Istros – Istros, Muzeul Brăilei, Brăila
- JAMÉ – A Josa András Múzeum Évkönyve, Nyíregyháza
- J.Archaeol.Sci – Journal of Archaeological Sciences, London – New York
- JDAI – Jahrbuch des Deutschen Archäologischen Instituts, Deutsches Archäologisches Institut, Berlin
- JEA – Journal of European Archaeology, former name of EJA
- JHS – Journal of Hellenic Studies, London
- J. Hum. Evol. – Journal of Human Evolution, Elsevier Press (<http://www.journals.elsevier.com/journal-of-human-evolution/>)
- JNES – Journal of Near Eastern Studies. The Oriental Institute, University of Chicago, Chicago
- JRA – Journal of Roman Archaeology, Portsmouth, Rhode Island

- JRA SS – Journal of Roman Archaeology, Supplementary Series, Portsmouth, Rhode Island
 JRGZM – Jahrbuch des Römisch-Germanischen Zentralmuseums Mainz, Mainz
 JRS – Journal of Roman Studies, London
 Klio – Klio. Beiträge zur Alten Geschichte, Berlin
 KölnJb – Kölner Jahrbuch. Römisch-Germanisches Museum Köln, Köln
 Közlemények – Közlemények az Erdélyi Nemzeti Múzeum Érem-és Régiségtárából, Kolozsvár
 Kuhn-Archiv – Universität Halle-Wittenberg. Landwirtschaftliches Institut, Martin-Luther-Universität Halle-Wittenberg, Landwirtschaftliches Institut, Halle
 Lethes – Lethes. Cadernos Culturais do Limia, Centro Cultural Popular do Limia, Ourense
 LSJ – H.G. Liddell, R. Scott, H.S. Jones (eds.), *A Greek-English Lexicon*, Oxford, Clarendon Press (9th edition), 1940.
 Lucentum – Lucentum. Universidad de Alicante, Alicante
 Lumea veche – Lumea Veche, Revistă de umanioare, București
 MAGW – Mitteilungen der Anthropologischen Gesellschaft in Wien, Wien
 MAInstUngAk – Mitteilungen des Archäologischen Instituts der Ungarischen Akademie der Wissenschaften, Budapest
 Marisia – Marisia. Muzeul Județean Mureș, Târgu Mureș
 MASP – Materiali po Arheologii Severnogo Pričernomorja, Odesa
 MatArch – Materiały Archeologiczne, Kraków
 MatArchNovHuty – Materiały Archeologiczne Nowej Huty, Nova Huta
 Materiały Starożytne – Materiały Starożytne i Wczesnosredniowieczne, Warszawa
 MCA – Materiale și cercetări arheologice. Academia Română, Institutul de Arheologie „Vasile Pârvan”, București
 MCV – Mélanges de la Casa Velázquez. Casa de Velázquez, Madrid
 MFME – A Móra Ferenc Múzeum évkönyve. Móra Ferenc Múzeum, Szeged
 ML – R. Meiggs, D.M. Lewis, *A Selection of Greek Historical Inscriptions to the End of the Fifth Century BC*, Oxford, OUP, 1969
 Mnemosyne – Mnemosyne, A Journal in Classical Studies, Brill, Leiden
 MSROA – Materiały i Sprawozdania Rzeszowskiego Ośrodka Archeologicznego, Rzeszów
 Mus.Afr. – Museum Africum. West African Classical Association, University of Ibadan – Department of Classics, Ibadan
 Nor.Arch.Rev – Norwegian Archaeological Review, Taylor & Francis
 NumZ – Numismatische Zeitschrift. Österreichische Numismatische Gesellschaft, Wien
 OMNI. Revue internationale de numismatique – OMNI. Revue internationale de numismatique, L’association OMNI (Objets et Monnaies Non Identifiés) – <http://www.identification-numismatique.com/> (<http://www.wikimoned.com/omni/>)
 Palaeontologia Electronica – Palaeontological Association, England
 Pallas – Pallas. Revue d’Études Antiques. Université de Toulouse le Mirail, Toulouse
 PamArch – Památky Archeologické, Praha
 PAPhS – Transactions and Proceedings of the American Philological Society. Johns Hopkins University Press, Baltimore
 PBF – Prähistorische Bronzefunde. Akademie der Wissenschaften und der Literatur, Mainz, Seminar für Vor- und Frühgeschichte der Goethe-Universität Frankfurt a. M., Abteilung für Ur- und Frühgeschichtliche Archäologie des Historischen Seminars der Westfälischen Wilhelms-Universität, Münster
 Peuce – Peuce. Studii și Note de Istorie Veche și Arheologie. Muzeul Delta Dunării / Institutul de Cercetări Eco-Muzeale „Simion Gavrilă”, Tulcea
 Peuce S.N. – Peuce, serie nouă. Studii și Cercetări de Istorie și Arheologie. Institutul de Cercetări Eco-Muzeale „Simion Gavrilă”, Tulcea
 Phoenix – Phoenix. Classical Association of Canada, Trinity College, Toronto, Ontario
 PIR² – *Prosopographia Imperii Romani, saec. I-III*, ed. II, Berlin-Leipzig
 PLRE – *Prosopography of the Later Roman Empire*, Cambridge University Press, 3 vol., 1971, 1980, 1992

- PME – H. Devijver, *Prosopographia militiarum equestrium quae fuerunt ab Augusto ad Gallienum*, 5 vol., Louvain, 1976–1993
- Pomorania Antiqua – Pomorania Antiqua, Gdańsk
- Pontica – Pontica. Muzeul de Istorie Națională și Arheologie, Constanța
- Prace i Materiały – Prace i Materiały Muzeum Archeologicznego i Etnograficznego w Łodzi, Łódź
- Proceedings of the Massachusetts Historical Society – Proceedings of the Massachusetts Historical Society. Massachusetts Historical Society, Boston
- PV – Přehled Výzkumů, Brno
- PZ – Praehistorische Zeitschrift. Freie Universität, Institut für Prähistorische Archäologie, Berlin
- RadVM – Rad Vojvodjanskih Muzeja, Novi Sad
- Raport ... – Raport, Narodowy Instytut Dziedzictwa. National Heritage Board, Warszawa
- RE – Realencyclopädie der classischen Altertumswissenschaften, Stuttgart, 1893 –
- REA – Revue des Études Anciennes. Maison de l'Archéologie, Université Bordeaux Montaigne, Pessac
- RechsArch – Recherches Archeologiques, Kraków
- RégFüz – Régészeti Füzetek. Magyar Nemzeti Múzeum, Történeti Múzeum, Budapest
- RESEE – Revue des Études Sud-Est Européennes. Academia Română, Institutul de Studii Sud-Est Europeene, București.
- RevBistr – Revista Bistriței. Complexul Muzeal Bistrița-Năsăud, Bistrița
- RevMédVét – Revue de Médecine Vétérinaire. Ecole Nationale Vétérinaire de Toulouse, Toulouse
- RFE/RL East European Perspectives – Radio Free Europe / Radio Liberty
- RH – Revue Historique. Presses universitaires de France, Paris
- RhM – Rheinisches Museum. Rheinisches Museum für Philologie, Universität zu Köln, Köln
- RI S.N. – Revista Istorică. Academia Română, Institutul de Istorie „Nicolae Iorga”, București
- RIC – *Roman Imperial Coinage*, London
- RM – Mitteilungen des Deutschen Archäologischen Instituts, Römische Abteilung, Rom
- RMD – M.M. Roxan, P. Holder, *Roman Military Diplomas*, 5 vol., London, 1978–2006
- RocznMuzGórnyBytom – Rocznik Muzeum Górnośląskiego w Bytomiu, Bytom
- RRH – Revue roumaine d'histoire. Academia Română, București
- RRHA – Revue Roumaine d'Histoire de l'Art, Série Beaux-Arts. Academia Română, Institutul de Istoria Artei „G. Oprescu”, București
- RRSE – Revista Română de Studii Eurasiatice. Centrul de Studii Eurasiatice, Constanța
- SAA – Studia Antiqua et Archaeologica. Universitatea “Al. I. Cuza”, Iași
- Sargeția – Acta Musei Devensis. Muzeul Civilizației Dacice și Romane, Deva
- Sautuola – Sautuola. Instituto de Prehistoria y Arqueología “Sautuola”, Santander
- SCIM – Studii și Cercetări de Istorie Medie. Academia Română, Institutul de Istorie „Nicolae Iorga”, București
- SCIV(A) – Studii și cercetări de istorie vecie (și arheologie). Academia Română, Institutul de Arheologie „Vasile Pârvan”, București
- SCN – Studii și Cercetări de Numismatică. Academia Română, Institutul de Arheologie „Vasile Pârvan”, București
- Scripta Mediterranea – Scripta Mediterranea. Canadian Institute for Mediterranean Studies, University of Toronto, Toronto
- SHA – *Scriptores Historiae Augustae*
- SIB – Studii de Istorie a Banatului. Universitatea de Vest din Timișoara, Timișoara
- SlovArch – Slovenská Archeológia, Nitra
- SMIM – Studii și Materiale de Istorie Medie. Academia Română, Institutul de Istorie „Nicolae Iorga”, București
- Somogyi Múzeumok Közleményei – Somogyi Múzeumok Közleményei, Kaposvár
- SpisyArch – Spisy Archeologického Ústavu v Brně, Brno
- SprawArch – Sprawozdania Archeologiczne, Kraków
- ŚSA – Śląskie Sprawozdania Archeologiczne, Wrocław
- StComSatuMare – Studii și Comunicări. Muzeul Județean Satu Mare, Satu Mare
- ŠtudZvesti AÚ SAV – Študijné Zvesti. Archeologického Ústavu Slovenskej Akadémie Vied, Nitra

- Syria – Syria. Revue d'Art Oriental et d'Archéologi., Institut français du Proche-Orient, Paris
- Talanta – Talanta. Proceedings of the Dutch Archaeological and Historical Society, Amsterdam
- Thraco-Dacica – Thraco-Dacica. Academia Română, Institutul de Arheologie „Vasile Pârvan”, Bucureşti
- Tibiscum – Tibiscum. Studii și comunicări de etnografie-istorie. Muzeul Caransebeș, Caransebeș
- TIR – *Tabula Imperii Romani*
- Transilvania – Transilvania. Centrul Cultural Interetnic Transilvania, Sibiu
- Transylvanian Review – Transylvanian Review. Centrul de Studii Transilvane, Cluj-Napoca
- Ub. I – *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen I* (eds.: F. Zimmermann, C. Werner), Hermannstadt, 1892.
- Ub. II – *Urkundenbuch zur Geschichte der Deutschen in Siebenbürgen II* (eds.: F. Zimmermann, C. Werner, G. Müller), Hermannstadt, 1897.
- Váci Könyvek – Váci Könyvek. Tragor Ignác Múzeum, Vác
- VP – Východoslovenský Právek, Košice
- Wiadomości Arch. – Wiadomości Archeologiczne, Bulletin Archéologique Polonais, Warszawa
- WJA – Würzburger Jahrbücher für die Altertumswissenschaft, Würzburg
- ZA – Zeitschrift für Archäologie, Berlin
- Zborník SNM ... , Archeológia ... – Zborník Slovensého Národného Múzea. Archeológia, Bratislava
- Ziridava – Ziridava. Studia Archaeologica. Muzeul Județean Arad, Arad
- ZPE – Zeitschrift für Papyrologie und Epigraphik, Bonn
- ZRG – Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Romanistische Abteilung, Köln