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## Epilogue to Hans Julius Wolff, Demosthenes as Advocate

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## EPILOGUE

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Hans Julius Wolff gave his famous Berlin lecture, 'Demosthenes als Advokat', in the summer of 1967, when he was at the high point of his

<sup>33</sup> As scholars have often observed; see e.g. Wolf 1956: 159.

<sup>34</sup> Even though the practice of rhetoric as an art form originated in Sicily, we do not have a record of anything similar from there.

work on Athenian law of procedure. Just one year earlier his book on the *paragraphē* ('special plea') was published, and in the fall of 1967 he spoke in Venice about the significance of Athenian court speeches for the study of legal history (Wolff 1971). His strength lay in his 'wide-angle analysis' of the speeches—*Gesamtinterpretation*—an approach that he himself developed. In Wolff's view, the law of Athens cannot be understood from individual passages observed in isolation, but rather from the everyday practices of the *dikastēria*, as large juries of laymen. Wolff recognized that the original legal aim of a suit could only be explained in modern times by carefully peeling away the rhetorical layers of the case. He thus arrived at new insights regarding Greek family, contract, and procedural law.

His lecture itself leads us into a world of trial procedure that is foreign to us. Wolff emphasizes the external conditions, in particular the strict rules of the competition (*agōn*) that took place between litigants in front of the lay-judges. The implicit rules of conduct before the court are thereby also determined. What Athenian litigants needed most of all, in addition to legal advice, was a rhetorical strategy. The orators offered both. These experts are roughly described as 'advocates'; 'speechwriters' is more fitting (*logographoi*; see Wolff 1964). With Demosthenes as a paradigm, Wolff explores the working conditions and mindset of the Athenian legal expert without modern prejudice. His overall assessment is still valid today.<sup>35</sup>

Wolff was also an astute scholar of Roman and late antique law. After 1970 he devoted himself to legal papyrology (Wolff 1978–2002), a study that he had begun in his youth. Thus, this version of his 1967 lecture, newly published here in English, has the ring of a parting tribute to the discipline that he brought to maturity.

A comprehensive bibliography of Wolff's scholarship can be found in *Symposion 1977* (Modrzejewski and Liebs 1982), pp. xiii–xxviii. A supplement, covering publications that appeared until Wolff's death in 1983, is provided in the obituary that I wrote in *Zeitschrift der Savigny Stiftung* in 1984 (ZRG 101: 476–92, esp. 491–2).

<sup>35</sup> For a more recent appraisal of rhetoric and law in ancient Athens, see *The Cambridge Companion to Ancient Greek Law* (Gagarin and Cohen 2005), Part 2: Law in Athens I: Procedure.