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The Oikos under challenge: Scandals in the Athenian Demes and Courts, c. 349-340BCE

Our records of citizenship procedures and trials in this period suggest that alarm about the stability and legitimacy of Athenian family life was often expressed in public. The *diapsephisis* proposed by Demophilos and carried out in 346/5BCE appears a strong response to widespread fears that the rules of marriage, succession and enrolment in phratries and demes were being systematically broken, and needed dramatic reassertion. Its emergency procedures in every deme, with disputed cases going to arbitrators, and on appeal to a court, challenged the males of each citizen *oikos* collectively to justify their civic identity and familial relationships explicitly before their deme assembly, and if necessary before a wider citizen body. Many had to defend, without the possibility of appeal to adequate written records, their commitment to the official ideology of both city and *oikos*, by arguing that they had maintained the chastity of their women, had resisted the financial temptations from richer non-Athenians prepared to pay substantially for citizen legitimisation, and had withstood the emotional attractions of upgrading the status of a sexual partner. The process would have exacerbated family divisions, and offered excellent opportunities to hostile kin, fellow- demesmen and outsiders for revenge; such elements are visible in the individual cases we hear of (Isaeus 12, Demosthenes 57, Aeschines 1.77-8 and 114-5, Demosthenes 18.132). Other cases of this period raised similar concerns, notably Aeschines' prosecution of Timarchos, just after the completion of the *diapsephisis*, and Apollodoros' of Neaira and Stephanos, whose chronological relation to the other cases remains unclear; there are also the allegations of familial disorders thrown around between politicians such as Aeschines and Demosthenes. All sides in these trials had to mobilise support of family and friends and present (whatever the realities) a positive picture of their own family life and values. Consideration of the possibility of a stark dissonance between these social and political norms and actual behaviour in these areas will include engagement with recent views that social identity based on deme membership and the values of the *oikos* was in tension with other, by now more genuinely local, organisations (Jones, *Associations of Classical Athens*, Oxford, 1999), and that commercialised sexual relationships involving members of citizen families was less problematic than has usually been considered (Cohen, in *Law and Social Status in Classical Athens*, Oxford, 2000, 113-48). This paper will analyse the rhetorical strategies employed in this decade in presenting images of *oikos* solidarity and deviance; it will ask whether the impression of a particular intensity of concern at this time is justified, and whether awareness of this increased public concern may itself have influenced decisions of many of the actors visible (darkly) in the narratives of these speeches.