

The Orations

Himerius's Son, Rufinus

Two orations concern Himerius's son, Rufinus. The first, *Oration 7*, Himerius's plea before the Areopagus for free status for his son, survives only in a few excerpts. The second, *Oration 8*, Himerius's lament at the premature death of Rufinus, survives in full.

In his brief sketch of Himerius, Eunapius mentions only the Athenian sophist's daughter, not his prematurely departed son (*Vitae phil. et soph.* 14.2 [494] Giangrande). She is presumably the "full sister" of Rufinus who is mentioned in *Oration 8.12*; Himerius there praises Rufinus's love for and protection of her. The siblings' mother belonged to a distinguished Athenian family, which is highlighted in both *Oration 7* and 8. In 7.4 Himerius identifies Rufinus as "a descendant of Plutarch, through whom you [Athenians] educate the whole world . . . [,] a descendant of Minucianus, who obtained free status for many people on many occasions by means of his eloquence . . . [,] the descendant of Nicagoras." In 8.21 he laments the fact that his son did not live long enough to outdo his ancestors by speaking "more forcefully than Minucianus, more solemnly than Nicagoras, more eloquently than Plutarch, more philosophically than Musonius, more intrepidly than Sextus." To list Rufinus's maternal ancestors, Himerius says, is to make "a list of sophists and philosophers for you, and they are truly the nobility of Attica" (7.4).

A sequence of fathers and sons is known for this learned Athenian fam-

ily: Mnesaeus—Nicagoras I—Minucianus—Nicagoras II.¹ Nicagoras II is attested in Egypt in the year 326; he is likely to be the father (conceivably the grandfather) of Himerius's wife.² Plutarch and his philosopher nephew Sextus, both Boeotians from Chaeronea, belong somewhere on the family tree before the time of Mnesaeus.³ In an Eleusinian inscription Nicagoras I boasts of his descent from them (*SIG*³ 845). The influential view that in *Oration* 7 and 8 Himerius is referring to the Minucianus attacked in Hermogenes' *On Issues* and that this Minucianus was Mnesaeus's father has been questioned, on good grounds, by Malcolm Heath.⁴ If the earlier Minucianus is not a member of Himerius's wife's family, then the question to which Minucianus Himerius is referring is eliminated. But the question to which Nicagoras he is referring remains—and whether he is referring to the same Nicagoras in both orations.⁵ What about Musonius? He may be, not Musonius Rufus, but the Musonius who was a Stoic philosopher teaching in Athens in the early third century, when Longinus was a student.⁶

Rufinus's paternal grandfather was a rhetor (*Suda* I 348 Adler), his father a successful sophist, and the philosophical and rhetorical achievements of his mother's family were unusual.⁷ The young man whom death cut off was genetically programmed for extraordinary intellectual and academic success.

In *Oration* 7 Himerius pleaded before the Areopagus for a grant of free status for his son before the latter's legal age (7.3, *πρὸ ἡβῆς*), which was traditionally at the end of one's seventeenth or possibly eighteenth year in Athens.⁸ Apparently what Himerius was seeking for his son was

1. See Schissel, *Klio* 21 (1927): 361–73; Millar, *JRS* 59 (1969): 16–17; Heath, *ZPE* 113 (1996): 66–70. Schamp (*DPA* 3 [2000]: 720–22) is unaware of Heath's article, as is Völker (*Himerios*, 9–13).

2. On this Nicagoras, see Fowden, *JHS* 107 (1987): 51–57. Father of Himerius's wife: W. Ensslin, "Nikagoras 4," *RE* 17, 1 (1936): 216; W. Stegemann, "Nikagoras 9," *RE* 17, 1 (1936): 218; *PLRE*, vol. 1, s.v. "Nicagoras 1"; Greco, *Orpheus* 15 (1994): 311n. Grandfather of Himerius's wife: Barnes, *CP* 82 (1987): 222.

3. Sextus from Chaeronea: SHA, *Marc.* 3.2; *Suda* Σ 235 Adler.

4. Schissel, *Klio* 21 (1927): 366; Heath, *ZPE* 113 (1996): 66–70. Schissel had conjectured that the elder Minucianus had married Sextus's daughter (*Klio* 21 [1927]: 363, 365, 371).

5. If 8.21 refers to Nicagoras I, 7.4 with its juxtaposition *τὸν ἐκ Νικαγόρου . . . τὸν ἐξ ἑμᾶντοῦ* may refer to the more recent Nicagoras. Cf. Schissel, *Klio* 21 (1927): 370; Greco, *Orpheus* 15 (1994): 312.

6. Heath, *Eranos* 96 (1998): 51. Barnes (*CP* 82 [1987]: 222) assumes that Himerius means Musonius Rufus.

7. For details on Rufinus's maternal ancestors' achievements in *paideia*, see Heath, *ZPE* 113 (1996): 66–70, and the articles in *RE* on the various individuals.

8. I follow Harrison, *Law of Athens: The Family*, 74; cf. id., *Law of Athens: Procedure*, 205–7.

full citizen rights and cessation of tutelage.⁹ The assertion that this appeal was made when Rufinus was two years old arose from the assumption that the situation described in 8.15 was the occasion when Himerius sought full citizen rights for his son.¹⁰ In that passage Himerius recalls a time when he brought his two-year-old son before the Areopagites. They were impressed by the boy's behavior. But it seems inherently improbable that Himerius would have sought full citizen rights for Rufinus at such a young age; on that occasion the boy must merely have been in his father's tow. Furthermore, the remark at 8.9 that "your burial follows my plea for you before the Areopagus, your death follows my obtaining free status for you" would have no point at all if a long chronological gap separated the two juxtaposed events.¹¹ Death in Rufinus's late teens or early twenties fits the details of *Oration* 8 well. The early grant of full citizen rights was perhaps made only several years earlier, before Rufinus's seventeenth or eighteenth birthday, if in fact that was still the age of majority at Athens in the fourth century A.D.

Himerius was away from Athens when Rufinus, apparently unusually prone to disease (8.13), died there (8.17). The only indication he gives of his whereabouts at the time is his reference to the banks of the Melas River, where he poured libations for his dead son (8.22). A number of rivers were called Melas in antiquity. Inevitably, there have been conjectures as to which one Himerius means.¹² I incline to the only one of them that may be supported by an item in Himerius's monody. In 8.23 Himerius imagines his son's soul in the company of Eros, Hymenaeus, Bacchus, and Trophonius. Now Rufinus, marriageable and deprived of marriage by death, suitably consorts with Eros and Hymenaeus, as he does with Bacchus/Dionysus, to whom he was consecrated (8.7). But why does Himerius bring in Trophonius? Perhaps because he was near that god's oracular shrine at Boeotian Lebadea at the time of his son's death. That would fit well with (and is itself suggested by) the old conjecture

9. Note Harrison, *Law of Athens: The Family*, 188: "Sometimes [in classical Athens] the word ἐλεύθερος is used in an extended sense for a free man with full citizen rights."

10. See Wernsdorff in his opening comment on *Orat.* 7 and on 8.15; Schenkl, *RE* 8, 2 (1913): 1623; cf. Schemmel, *NJbb* 22 (1908): 499: "für seinen dreijährigen [sic] Sohn."

11. The actual Greek at 8.9 is very terse: τάφος μετὰ Ἀρειον πάγον, μετ' ἐλευθερίαν ὁ θάνατος.

12. For the various Melas rivers, see *RE* 15, 1 (1931): 438–40; *RE* Suppl. 8 (1956): 352; cf. Talbert et al., *Barrington Atlas*, index. In addition to the conjecture I discuss below, note *PLRE*, vol. 1, s.v. "Himerius 2" (the Thracian Melas); Schemmel, *NJbb* 22 (1908): 499, and Barnes, *CP* 82 (1987): 222–23 (the Cappadocian Melas).

that the Melas River in question is the one near Boeotian Orchomenus.¹³ And why was Himerius in Boeotia rather than in Athens at the time of his son's death? At 8.2 he asks his dead son, "Why did I separate myself from your embraces?" The answer is, "You were the spoils of an envy aimed at me, an unjust spirit's accidental victim." Himerius, it has been suggested,¹⁴ had become involved in a professional quarrel—with his rival Prohaeresius?—and was temporarily driven out of Athens.¹⁵ Although sheerly conjectural, the notion is plausible. Prohaeresius himself had once been temporarily driven into exile from Athens.¹⁶ Himerius's wife's family had ancestral ties to Boeotia; it may still have had land there, to which Himerius could have retreated. He could have easily hoped there that his son would visit him from Athens (see 8.2).

Oration 8 is not an *epitaphios* or *paramuthētikos logos*, but a monody. The purpose of a monody is to express lamentation, although it also contains praise of the deceased.¹⁷ Monodies were commonly delivered over the young; they told of hopes raised and then dashed to the ground, complaining against the divine powers and the injustice of fate.¹⁸ Himerius's loss was made especially bitter because he was not with his son during the latter's last days, death, and funeral. *Oration* 8 has a strong tragic coloration and is influenced by the master monodist, Aelius Aristides.¹⁹

Himerius praises his son's virtues and rhetorical skill, underscoring his precocity, his "exceed[ing] the limits of [his] age" (8.12). Precocity seems to have been a common encomiastic theme, whether the individual being praised had died prematurely or not.²⁰ In Himerius's monody this theme is taken to great heights. When Rufinus was almost three years old and Himerius brought him before the Areopagites, the boy astounded them with his seriousness, "like someone who had already been learn-

13. For this river, see F. Gisinger, *RE Suppl.* 8 (1956): 352. It does not appear in Talbert et al., *Barrington Atlas*. Wernsdorff on 8.22 had already suggested that Himerius's Melas was the Boeotian river. For the possible relevance of the mention of Trophionius, cf. Wilamowitz, *Kleine Schriften*, 4: 648.

14. Wernsdorff, *Himerii sophistae quae reperiri potuerunt*, 1 ("Vita Himerii").

15. In Wilamowitz, *Kleine Schriften*, 4: 648, the conjecture has become fact.

16. For Prohaeresius's exile, see Penella, *Greek Philosophers*, 86.

17. For the three possible rhetorical responses to someone's death, see Russell and Wilson, *Menander Rhetor*, 347. Monody's purpose: Men. Rhet. 2.16 [434] Russell-Wilson.

18. Men. Rhet. 2.16 [435.2–11, 436.21–22].

19. For the influence of tragedy and of Aelius Aristides, see the introduction and commentary, passim, in Greco's forthcoming edition of *Orat.* 8.

20. Wiedemann, *Adults and Children*, 49–80 passim, 167–70. Cf. Ael. Aristid. *Orat.* 31.4, 11 Keil.

ing the ancient stories about that court for some time.” Rufinus on that occasion was more silent than his father, more reserved than the Areopagites themselves (8.15).²¹ No “terrible twos” here. Also, at a young age Rufinus, with special ties to Athena, Dionysus, and the Eleusinian deities (8.7, 8, 13, 18), had an old man’s attachment to the worship of the gods (8.11). And Himerius asserts that Rufinus was already a public speaker when he spoke his first words, in his swaddling clothes (8.4). This, of course, is not intended to be taken literally. But we may accord some credibility, despite exaggeration, to the representation of Rufinus as precocious in eloquence. Himerius contends that, despite the young man’s premature death, he had already outdone his father as a rhetor: “I regarded your words as better than mine. I always preferred your inarticulate speech to my serious efforts.”²² And Himerius had hoped that his son’s eloquence would also eventually outdo that of the latter’s highly learned maternal ancestors (8.21). Eloquence and *paideia* in general were routinely valued by the upper classes of the Empire and encouraged in their offspring,²³ but Himerius portrays his son as a budding rhetor’s rhetor, who would have taken family traditions of excellence in *paideia* to an even higher level had cruel fate not struck him down.

TRANSLATIONS

7. *From the Areopagiticus; or, [The Plea] for Free Status for His Son, Rufinus*

[1] Men [i.e., Areopagites] who long ago made decisions for the gods on who should [legally] prevail and now make decisions for the Athenians on the granting of free status < . . .>²⁴

21. Cf. Themistius’s panegyric on the three-year-old Valentinianus Galates: sitting on the speaker’s platform, he was “more still than any old man”; while the rest of the audience fell asleep, he was prepared to sit patiently through the proceedings all day long (*Orat.* 9.121C).

22. Cf. Aelius Aristides’ praise of his young pupil Apellas: “Nor would Nestor, although an old man, seem still to speak like ‘honey,’ if he were compared to this boy” (*Orat.* 30.19 Keil, trans. C. Behr).

23. See Schmitz, *Bildung und Macht*, 105–8.

24. Himerius is thinking of the days when gods heard cases on the Areopagus. See Dem. 23.66; Apollod. *Bibl.* 3.14.2; Ael. Aristid. *Orat.* 1.45–48 Lenz-Behr; Him. *Orat.* 6.8; August. *De civ. Dei* 18.10. These texts specifically mention trials of Ares and of Orestes and make clear that the gods themselves did the judging. Yet Himerius here says that, in those mythological days, “men . . . made decisions for the gods” (cf. Him. *Orat.* 8.15: “gods pleading their cases before those judges [i.e., Areopagites]”; Liban. *Orat.* 18.115: “Gods were judged [at Athens] before [a tribunal of] Athenians”; Amm. Marc. 29.2.19: “[Areopagites], whose justice is said to have resolved even the gods’ disputes”). In *Orat.* 6.8

[2] So, in obedience to the law, I shall speak only with reference to the matter at hand.²⁵ I have been both a sophist and a father among you. You know whether or not I am an accomplished sophist, for I am always speaking, and my life is lived in lecture halls. Whether or not I am an Attic father, the present occasion will show. [3] For I find it intolerable not to call the son of Athenians free. I entrust my son with freedom even before he reaches the legal age. He is mine, he is an Athenian, he belongs to a city that honors its own antiquity as a commonwealth more than others honor their fathers' old age. < . . . >

[4] This young man is a descendant of Plutarch, through whom you educate the whole world. He is a descendant of Minucianus, who obtained free status for many people on many occasions by means of his eloquence. I have brought before you the descendant of Nicagoras, my own son. [In mentioning these ancestors of my son], I am making a list of sophists and philosophers for you, and they are truly the nobility of Attica.²⁶ < . . . >

[5] I have often spoken as a sophist, now I speak as a father. < . . . >

[6] You have given me a son of the Attic race; accept him now as one made free by your decree. Free my son for me by your decree and let your free voices resound with [his], so that as an Athenian—which is the same as saying as a free man—he may speak and propose laws among you and, if the gods are willing, play a political role in your commonwealth.²⁷

[Exc. Phot.]

8. *A Monody for His Son, Rufinus*

[1] I am utterly wrong in speaking now that Rufinus lies buried; nonetheless I shall speak, since fate has preserved me solely to lament

Himerius has the gods do the judging, but with human Areopagites as their judicial colleagues. If more of *Orat.* 7.1 had survived, it might have emerged that 7.1 is not at odds with 6.8, for “men who . . . made decisions for the gods” does not necessarily exclude gods deciding along with them as colleagues.

25. Himerius promises to speak εἰς τὸ πρᾶγμα, acknowledging his obligation, for example, to avoid digressing from the issue and to refrain from rhetorical tricks that arouse emotions. See, e.g., Arist. *Rhet.* 1.1 [1354a11–31]; Lysias 3.46; Lycurg. *Contra Leocr.* 11–13; Lucian *Anachars.* 19. Dübner and Colonna assume a lacuna after this opening sentence.

26. For Rufinus's ancestors, see p. 36 above.

27. “resound with [his]”: or “resound with [mine]”? “propose laws”: γράφῃ. Cf. Him. *Orat.* 4.17, with my note.

this tragedy.²⁸ For it would not be right for me to fail to mourn in words the child of eloquence. And what a glorious subject to speak on! Surely, [my son], glorious fortune has preserved your father's eloquence for you. I do wish that I had been speaking next to your tomb, that your grave had been my platform—a platform of the thrice-happy. As it is, you have been snatched away from me without having spoken to me, without having addressed me, without having embraced me for the last time.

[2] Fate actually seemed to give birth to tragedy before you died, from that day when it deprived me [by my absence] of my enjoyment of you and separated you from my hugs and kisses. But why do I bring a charge against fate? It was I who was responsible for losing you, my child, [by my departure]. Why did I separate myself from your embraces? You were the spoils of an envy aimed at me, an unjust spirit's incidental victim.²⁹

Oh, what a tragic and cruel day that was! What light shone on me before that, what darkness then took its place! I had stood there every day with my ears ready to take in much-desired news [about my son]. I always kept watch for a messenger who would tell me that Rufinus was coming. What great news that would have been. But what news the [evil] spirit was preparing for me instead!

[3] At night I used to think about a bath, a house, and riches for you—about all the things that human beings consider the finest. During the day I worked to provide such things for you. Little did I know, wretch that I was, that I was preparing a tomb for you instead of a bath, a grave and a mound instead of a house, gifts for the tomb—the most tragic offerings there are for human beings—instead of riches and luxury.³⁰

[4] Would that you had not been born at all, my dear son, or at least that you did not shine on me so much and so greatly with your soul, your body, and your virtues. You were already a public speaker as soon

28. "Fate" here is δ δαίμων, which I usually translate as "the [evil] spirit" in this oration (see Burkert, *Greek Religion*, 179–81). "Thrice-happy" in sections 1 and 5 is τρισευδαίμων.

29. "an envy aimed at me": For what Himerius might be alluding to here, see p. 39 above. Himerius feels himself, not his son, to be fate's primary victim. "an . . . incidental victim": πάρεργον. For ἔργον meaning "victim," see LSJ, s.v. IV 3.

30. Wernsdorff suggested that with the word "bath" Himerius is referring to his son's future marriage, a ritual bath for bridegroom as well as for bride having being part of the preparations for a wedding (see, e.g., Oakley and Sinos, *Wedding in Ancient Athens*, 15). But the juxtaposition "a bath, a house, and riches" makes it easy to conjecture that Himerius instead means a private bath, which would have been an aristocratic amenity (Berger, *Das Bad*, 31–33; Y. Thébert in Veyne, *History of Private Life*, 1: 380). "Little did I know . . . preparing": ἡγγόουν δὲ ἄρα . . . ἀνιστῶν. With Greco, AAP 42 (1993): 315, I prefer codex R's ἀνιστῶν to Photius's ἀνιστάς, which Colonna adopted. R's reading makes better sense temporally.

as you spoke your first words. You made the whole world hang on you with your still unintelligible whimperings. Pericles was the love of elite ears from all over the world, but he became a public speaker only after studying under Anaxagoras; you, on the other hand, were a public speaker right in your swaddling clothes. Alcibiades won over his whole audience with his [physical] beauty, but he was already at the peak of young manhood and in his teens; you had this effect on people when you were still at the breast, taking your mother's milk.³¹

Oh calamity worthy of Aeschylus's grandiloquence! What shall I lament? What shall I praise? I shall say what those who were familiar with you know and what those who hear about you suppose. [5] O you who once were the adornment of the Graces but now that of the Erinyes! Alas, on account of you I have acquired epithets quite opposite to the ones I had: I was once called thrice-happy because of you, but now I am called thrice-wretched. For what land did you not traverse in reputation? What place did you not fill with your fame and your young qualities? Heracles needed to do much traveling and to endure the Twelve Labors, I suppose, in order to get the whole earth to witness his virtue; but you, with your wonders, have gone beyond the Pillars of Heracles for us [in reputation] without even leaving your circle of acquaintances.³² How you have ensnared everyone with your charms!

[6] Fathers exalt other children, I think, by commonly and often making up things about them. But in your case the normal situation was reversed: your father was silent or said little about your fine qualities, being apprehensive of fortune's spite because of the greatness of your virtue. It was everyone else who told your father about your fine qualities! Thus by your wondrous nature you enslaved people of every station and of every age all by yourself.

31. For the beneficial effects of Anaxagoras's teachings on Pericles' eloquence, cf. Pl. *Phaedr.* 269e–70a; Cic. *De orat.* 3.34 [138]; Plut. *Per.* 5.1–2, 8.1–2; Them. *Orat.* 26.329c. Alcibiades: For his physical beauty, see Pl. *Protag.* 309a–c; Corn. Nep. *Alcib.* 1.2; Plut. *Alcib.* 1.4–5, 4.1.

32. Aeschylus's grandiloquence (*μεγαλοφωνίας*): cf. Basil *Ep.* 74.2 Courtonne. Erinyes: In the context of this oration the Erinyes may be thought of as goddesses of fate and of death (or of the fate of death) as well as of vengeance; see Roscher, "Erinyes," *Ausführl. Lex.* 1, 1 (1884–1890): 1327–28; Dietrich, *Death, Fate, and the Gods*, 91–156. "your young qualities": τῶν νέων καλῶν. I accept Greco's restoration of codex R's νέων over Castiglioni's conjecture σῶν (Greco, *AAP* 42 [1993]: 316), despite the occurrence of the phrase τὰ σὰ καλὰ elsewhere in the oration (sections 6, 14, 21). "beyond the Pillars of Heracles": i.e., beyond the Straits of Gibraltar or the most southerly coast of Spain west of the straits, depending upon where one located the Pillars. Whatever one understood them to be, they marked the most westerly limit of Heracles' activities. See Pind. *Nem.* 3.19–25; Strabo 3.5.5–6 [169–72]; Diod. Sic. 4.18.4–5; Plin. *HN* 3.1 [4].

[7] What [evil] spirit cut off my hearth's golden lock of hair? What spirit extinguished that most bright fire of my glory? What grave's dust covers that sacred hair that you began to grow for Dionysus shortly after you were born? What dust covers those eyes that in their beauty almost put the sun's rays to shame?³³ What Erinyes carried off the blush of your cheeks and the soft and sweet smile of your face? Alas, Dionysus, how did you put up with the seizure of this young man, consecrated [to you], from your precinct? The Erinyes have erected this trophy both against you and against my hearth. [8] What a gloomy Bacchic festival! Oh, how Cithaeron has been outdone by the misfortunes that I have suffered! Alas, Demeter and Kore, you did not take care of your hearth- initiate. He is being initiated all right, but in an underground precinct, and, I think, with some gloomy and bitter spirit instead of a father as celebrant of the rites. He beholds, not the fire of the daduchs, but the torches of the Erinyes and the Poenae.³⁴

Why did I not pass away first? Why did I, the father, not precede my son in death? Why was I not preparing a place beneath the earth where he could lie, since the envy of the Erinyes deprived him of a bed in this upper world on which he would have lain with a wife?³⁵ For what mourning have I been kept alive! I have dared to speak on every subject, avoiding only laments. I was unaware, of course, that I was being kept alive to lament my own misfortune.

33. "lock of hair": i.e., adornment. Cf. Ael. Aristid. *Orat.* 18.9 Keil; Liban. *Orat.* 61.12; Him. *Orat.* 31.11. "to grow for Dionysus": It was a common custom to consecrate one's hair to and grow it for a god. The unshorn hair would have been cut and offered to the god at puberty or earlier (note *Anth. gr.* 6.155). See Sommer, *Das Haar*, esp. 18–34; Rouse, *Greek Votive Offerings*, 240–45.

34. For Cithaeron as a tragic site, see Him. *Orat.* 66.6, with my note. Demeter and Kore were the goddesses of the Eleusinian mysteries. "your hearth- initiate": τὸν ἀφ' ἐστίας, i.e., τὸν παῖδα ἀφ' ἐστίας μνηθέντα. For this position and its "quasi-sacerdotal functions," see Clinton, *Sacred Officials*, 98–114. "instead of a father": Himerius is alluding to the dedication of a child to Dionysus by his father, such dedicants being called πατρομύσται (Merkelbach, *Die Hirten*, 88–89). "daduchs": The title of these Eleusinian officials means "torch-bearers." The punishing Poenae were commonly associated, when not identified, with the Erinyes. See Kruse, "Poine 1," *RE* 21, 1 (1951): 1211–13; cf. Him. *Orat.* 4.24.

35. "A place beneath the earth where he could lie" is τὸν κάτω θάλαμον, and "a bed in this upper world . . . with a wife" is τὰς ἀνω παστᾶδας. There is play in the word *thalamos*, which can refer both to the grave and to the bride-chamber. Lurking here too is the idea of the death of an unmarried young person as an ersatz marriage. An unmarried girl could be thought of as "taken" by Hades. A young male, "not having looked upon a bridal bed (νύμφεια λέχη)" in life, "descended to the inescapable *thalamos* of Persephone" (*Anth. gr.* 7.507b; cf. 7.508). See, e.g., Alexiou and Dronke, *StudMed* 12, 2 (1971): 819–51 passim; Seaford, *JHS* 107 (1987): 106–7 and passim; Rehm, *Marriage to Death*, index s.v. "Hades (as ersatz bridegroom)." Menander Rhetor recommends that, in a monody for a prematurely deceased young man, reference should be made to the marriage he never experienced (2.16 [435.4–5, 436.13]).

[9] I am wrapping you in words, my child, since I have been prevented from wrapping you in a shroud. I am building you a sepulchral mound with words, since my absence kept me from heaping up the one over your corpse. And what words I am uttering about you now after the equally noteworthy ones of an earlier occasion! For your burial follows my plea for you before the Areopagus [i.e., *Orat.* 7], your death follows my obtaining free status for you.

Because of you, it seems, the spirits who are neighbors of that court [the Areopagus] remembered their ancient names, being unable to bring any charge or accusation against you.³⁶ [10] For who loved his father as much as you did? Who was more just in his relations with his kin and parents? I and your mother, ill-starred parents that we are, used to compete with one another in our love for you. But you would put an end to that competition, approaching each of us in such a way that we both thought we were winners of the prize. Oh how the words you spoke flowed with honey! What a voice you had, sweeter than the nectar that is praised and celebrated among the gods!

[11] Long ago you were giving thought to your departure from this world, long ago you were making clear to those capable of reading the signs that you were too good for life here on earth. For what old man was as attached to the worship of the gods as you were? What seer or priest would run to sacred precincts and altars with such divine inspiration? What sacred pipe sounded hymns more sweetly than your tongue did? What *lyra*, what *kithara* played paeans to the gods that were more melodious than what came out of your mouth?³⁷

[12] O you who earlier exceeded the limits of your age in your possession of the virtues and have now done so in your dying! O you who in your love of your sister deserve more praise than the Dioscuri! For they waged war on Helen's behalf but could not prevent her from being carried off; you, though, were a phalanx for your full sister, stronger than any wall.³⁸

36. The "spirits" are the Erinyes, who had a sanctuary near the Areopagus (Paus. 1.28.5–6). The ancient name alluded to here is the Eumenides (E. Wüst, "Erinyes," *RE Suppl.* 8 [1956]: 88). This name ascribes *εὐμένεια*, "goodwill," to them, a quality not consonant with the bringing of accusations.

37. For the philosophical "giving thought" (*ἐμελέτας*) to death, cf. Pl. *Phaedo* 67e. *Lyra* (i.e., *chelys-lyra*) and *kithara* are two different types of stringed instrument, but *lyra* can also be used generically: Maas and Snyder, *Stringed Instruments*, chaps. 3 and 4, and note pp. 79–80.

38. The Dioscuri (Castor and Polydeuces) waged war to recover their sister Helen, which they did, but they had been unable to prevent her original capture by Theseus: see

Who, even among the very solemn, was more naturally made for self-control than you? You kept away from what was harmful on your own, often not even waiting for someone to tell you to keep away. Once you knew that something could lead to harm or disease, you would never have touched it, not even with the tips of your fingers, not even if you were drawn to it by thoughts of thousands upon thousands of happy outcomes. And if you did ever come into contact with something harmful in ignorance, it was enough to tell you so, and you would immediately heed the warning.

[13] How could one marvel [enough] at your courage? Severe attacks of disease get the better of people who are otherwise invincible. But you, relying only on your soul's fortitude, always stood firm against all the diseases that attacked you—and they were serious. Perhaps it was for this very reason that that evil and savage spirit, having striven to defeat you and worsted by you so many times, in the end used a treacherous and deceitful contrivance to knock you down.³⁹ Even so, you did not yield to the spirit until the very last, as one can learn [from those who witnessed your death]. You succumbed in body, but not in mind. He kept trying to strangle and overpower you, while you, with a noose around your neck, continued to call out the name of your dear nurse Athena, until he isolated you from all your allies and thus was able to tighten the noose. For he knew that, when your father was present and fighting by your side, he had often gone away defeated.

[14] How much time will be needed to end my attachment to your fine qualities? What mix of Egyptian drugs will detach me from them?⁴⁰ How can I look upon the plain of Athena now that you are gone? What

Isoc. 10.18–19; Diod Sic. 4.63; Plut. *Thes.* 31–33; Apollod. *Bibl.* 3.10.7. Himerius specifies that Rufinus had a full sister (τῆς ἀδελφῆς) surely because he adheres here to a view that would deny at least one of the Dioscuri a full sibling relationship with Helen. He is probably assuming here that all three siblings had Leda as their natural mother, but that Zeus fathered Helen and Polydeuces, whereas Tyndareus fathered Castor; this, despite the fact that at *Orat.* 47.11 Himerius calls Castor the son of Zeus. (Note that in *Hymn. Hom.* 33 the brothers are “sons of Zeus” and “Tyndaridae” at one and the same time; cf. Theoc. 22.135–37.) Another version has Helen raised by Leda but the natural offspring of Zeus and Nemesis. Yet another version makes Helen the daughter of Ocean and Tethys. See Bethe, “Dioskuren,” *RE* 5 (1905): 1112–13; id., “Helene 3,” *RE* 7, 2 (1912): 2826–28. For Himerius, then, Rufinus outdoes the Dioscuri both as a defender of his sister and in the fullness of his relationship to her. “a phalanx”: Greco (AAP 42 [1993]: 318) restores codex R's “phalanx” in place of Photius's φύλαξ (guardian), the reading adopted in Colonna's edition. Photius's reading is a trivialization of the hyperbolic metaphor.

39. “a treacherous and deceitful contrivance”: Himerius seems to be saying that the fatal nature of Rufinus's final disease was not apparent to anyone.

40. For Egyptian drugs that palliate sorrow, see Hom. *Od.* 4.219ff.

place in the countryside or in the city shall I look upon without immediately being filled with lamentation, tears, and all manner of wailing? If I go to the council-chamber, I shall think that I see you on the speaker's platform trying to win over the members of the council. If I go before an audience, it will remind me of my gloomy tragedy, for it was before audiences that everyone often praised you en masse. [15] Even the best of the Athenians all let the acclamations go to you alone. It was you alone who caused all alike to rejoice when you outdid them, some because of the goodwill engendered by their love [of you], others perhaps out of fear of what might happen [to you] in the future. The former you won over, the latter you unsettled—no, you carried off the victory prize in every contest in a spirit of goodwill and love.

How can I look upon the Areopagus? When you were not yet three years old, you astonished everyone there with your seriousness, like someone who had already been learning the ancient stories about that court for some time. You outdid your father there by maintaining a silence that was more remarkable than his eloquence. You were more reserved and imperturbable than the members of the court. On that occasion one could see the always pensive council smiling for the first time. You touched their souls, and they fell in love with you. Not even gods pleading their cases before those judges had managed to touch their souls in this way.⁴¹

[16] How shall I be affected when I look out at audiences who have gathered to hear [my] oratorical displays? It was you who used to convene such gatherings at our home for me, although in your character you gave me something sweeter than all the voices of the world. In the future, the places that I formerly loved the most will be hostile to me; all the places I previously preferred I shall regard as unfriendly. The beautiful grove that I planted for your wedding has become your grave.⁴²

[17] Where will you embrace me if I come [back to Athens]? In our house? But you deserted that house, having left it behind as a reminder

41. "you astonished": Colonna's ἐξέπληξα must be a typographical error for ἐξέπληξας. "seriousness . . . silence . . . reserved": These were proverbial qualities of Areopagites; see *CPG* 1.181, 2.146; Wallace, *Areopagos Council*, 110–11. "Not even gods" etc.: For what Himerius is referring to here—one of the "ancient stories" mentioned above in this paragraph—see his *Orat.* 7.1, with my note.

42. "all the voices of the world": the voices of auditors, which had expressed approval of Himerius's oratory. "The . . . grove that I planted": Wernsdorff suggested that this grove would have provided the ceremonial branches and torches used in a wedding; see Oakley and Sinos, *Wedding in Ancient Athens*, index s.vv. "branches (sprigs)," "torches."

of my gloomy tragedy alone. Well, will you embrace me in those sacred groves, thick with trees? I shall find you there, but I shall find you offering me streams of tears instead of kisses. O sweetest child, how you paraded [in death], as they tell it, from the city to a place that was once pleasant but is now more tragic than Cithaeron!⁴³ Not the way you once paraded with your father, sometimes on horseback, sometimes in a carriage. O you who often said things more marvelous than what men have written in serious memoirs! What day went by, what journey or place was there, in which one did not hear your pleasant voice or a well-aimed remark from you?

[18] By your death you have barred me from the gates of the city. For how will my eyes be affected if I pass through them? You have barred me from Eleusis. For how shall I, who bring a charge against the goddesses of that place [Demeter and Kore], enter their sacred precinct? How shall I put my trust in a Dionysus who has failed to protect for me my son, who was consecrated [to him]? How shall I sacrifice to Athena, who did not shake her Gorgon [aegis] at that [evil] spirit in defense of you, my child? How shall I pray to the god of our fathers, a father myself in grief over what happened to my son?⁴⁴ How can I go before a Greek audience to make a lament for you the introduction to my rhetorical displays? How shall I tolerate my suffering when I look at your coevals? How, after setting my eyes on my young students, can I endure my woe? When I was away, you shepherded them for me, guiding all of them by kindnesses rather than words. [19] You were a guard to my years through the love people felt for you; for with you in mind people were ashamed to do any injury to me. They all respected your youth more than my old age.

Oh you shameless words! Rufinus lies dead, but you keep pouring forth [from my mouth] with youthful insolence! Oh unfortunate tongue [of mine], previously the instrument of the Muses, but now that of a crude (*ἀμούσου*) spirit!⁴⁵ Let this rhetorical display of mine be part of the painful dirge being sung for him.

[20] O sweetest son, once much-desired, now lamented more than anyone else. In the past you were the support of my house, now you are its

43. Cithaeron: see section 8 above with my note 34.

44. At Athens, “the god of our fathers” or “our ancestral god” (*πατρῶος*) should almost certainly be Apollo, although conceivably Zeus; see Roscher, *Ausführl. Lex.* 3, 2 (1902–1909): 1714–17. In *Orat.* 48.33 Himerius does call Apollo at Athens *πατρῶος* (but see Dübner’s apparatus criticus).

45. I.e., the spirit or fate (*δαίμων*) that brought death to Rufinus.

dark and gloomiest sorrow. You shone more quickly than the morning star, but you were also quickly extinguished. When the sun first saw you, you showed me a day brighter than all other days; and after I got that tragic and unfortunate news [of your death], you showed me one darker than all others.

[21] What shall I say that is worthy of your qualities? What sort of mournful and tragic music shall I compose in order to bewail you as much as I wish? What hopes I had for you! To what bad luck my [evil] spirit has condemned me! I now lament the person who I hoped would speak more forcefully than Minucianus, more solemnly than Nicagoras, more eloquently than Plutarch, more philosophically than Musonius, more intrepidly than Sextus—in a word, more brilliantly and better than all of his ancestors.⁴⁶ I myself yielded the prize to you when you were still a boy. I regarded your words as better than mine. I always preferred your inarticulate speech to my serious efforts. But the [evil] spirit has robbed me of all this and gone off, letting me have laments and tears instead of you.

[22] Accept these libations, then, which I pour out for you by the banks of the Melas [Black] River. The experts would know if this river ever confirmed the appropriateness of its name on some other occasion by the character of its waters. But in the present circumstances it really did turn dark and black for me, more dismal than any a Cocytus or Acheron.⁴⁷ It is just as if the [evil] spirit waylaid me so that everything would be worthy of the stage and the tragedy—the place, the time, the knowledge of my misfortune. The time was night, the place was the Melas River, the message was that Rufinus was dead. In the middle of this was your father, simultaneously lamenting and writing a speech, torn between my labors and my tears.

[23] You, O child, have gone, of course, to the place to which the [evil] spirit led you. But, if possible, you will be immortal [here on earth] through your father's efforts, even if you now surely observe everything from up there somewhere, frolicking with the gods—playing with Eros, making merry with Hymenaeus, prophesying with Bacchus, being inspired with Trophonius. (It would not be likely, of course, that such a great soul went down somewhere into the netherworld instead of joining the company of gods.) I shall honor you with funeral competitions,

46. For these ancestors, see p. 36 above.

47. For the Melas River, see p. 38 above. The Cocytus and the Acheron are rivers of the underworld.

I shall hand down your name to time, and I shall be more ambitious than the [evil] spirit at least to this end: that, if that spirit has your body and heaven your soul, your repute may be a possession of all humankind.⁴⁸

[*cod. R, with passages also in Exc. Phot.*]

48. Bacchus: According to Wernsdorff and Dübner, codex R has *Βάκχου*; according to Colonna, *Βάγχου*. Turcan has reexamined the manuscript and determined that it is Colonna who is misreporting its reading (*MEFR* 79 [1967]: 147–51). Dübner and Colonna both adopted Wernsdorff's emendation "Branchus," the mythological founder of Apollo's oracle at Didyma, who had himself been given the gift of prophecy by Apollo (Conon *Narrat.* 33 [*FGrH* 26 F 1]; Lactant. *Plac. on Stat. Theb.* 8.198). But I am persuaded by Turcan to return to the (true) reading of codex R. Bacchus was, in fact, associated with prophecy (Turcan, 149–50), and Rufinus was consecrated to him (above, section 7). Trophonius: Trophonius was the god of an oracle at Boeotian Lebadea. "Being inspired" (*θεοφοροῦμενος*) probably hints at prophetic activity (see Dio Chrys. 10 [11].56; Lucian *Philops.* 38); thus there are two varied references to love (with Eros and Hymenaeus) and two to prophecy (with Bacchus and Trophonius). "funeral competitions": Perhaps Himerius means only that he will encourage people to compete in eulogizing his son. For actual funeral competitions in ancient Greece, see, e.g., Pritchett, *Greek State*, 4: 106–24.