

ACTA CLASSICA UNIV. SCIENT. DEBRECEN.	LI.	2015.	pp. 5-16.
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SHIELDS DROPPED

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Abstract: Ancient sources regarded throwing away one's shield as a punishable crime in Greek *poleis*, and their testimony has been accepted by modern scholarship. However, if we read the accounts of actual instances of shield-dropping, we find that the interests of the whole community often took precedence over the demand to penalize shield-droppers.

Keywords: *rhipsaspis*, Horace, Archilochus, Alcaeus, Anacreon, Demosthenes, Theomnestus

Relicta non bene parmula

Horace notoriously fled the battle of Philippi by throwing away his shield, and he even perpetuated his inglorious deed in his ode to Pompeius Varus (*Carm.* II 7). We have known for long that this autobiographical moment had a literary antecedent: a poem of Archilochus; and today it is a commonplace that the relationship between the two pieces of poetry is far stronger than it had been previously presumed.¹ Although Archilochus (around 650 BC) offers the earliest lyrical example of shield dropping, he is not the only one that could inspire Horace. Alcaeus, another model of the Roman poet, also threw away his shield, and Anacreon did the same. Only fragments are known to us from the poems of the latter two, still, it is obvious that the scattered lines are meant to be literary monuments to their authors' stampede. Why they did so and whether their viewpoints were similar to that of Horace are already more difficult questions to answer. Moreover, it is essential to ascertain whether we can understand the Greek poems properly if we approach them from the moral norms of Horace's *carmina*. The Roman poet, even in a permissive-humorous manner, definitely portrayed his deed as an act of cowardice exposing the lack of military virtue. But did Archilochus and the other Greek poets consider it likewise?

¹ The substantial study is Zielinski 1927, 603-610. A thorough analysis is provided by Freund 1999, 308-320. The essential poetic parallels between Archilochus and Horace: flying from battle by throwing away the shield, Mercurius/Hermes saving the poet, encounter with a former fellow-at-arms, conversation of the poet and the friend. Freund took also the papyrus fragment of Archilochus (95 fr. West, mentioning Hermes) into consideration.

What do I care about that shield?

Escaping poverty, Archilochus moved from his home Paros to the newly colonized Thasos (about 650 BC), and he participated in fighting against the Sarii (1; 12 D), a Thracian tribe on the shores opposite to Thasos. He considered himself a servant of both Ares and the Muses, nevertheless, following an ill-fated battle, he ran away and even left his shield on the field (6 D).

Ἄσπιδι μὲν Σαίων τις ἀγάλλεται, ἦν παρὰ θάμνω
ἔντος ἀμώμητον κάλλιπον οὐκ ἐθέλων·
αὐτὸν δ' ἐξεσάωσα. τί μοι μέλει ἀσπίς ἐκείνη;
Ἐρρέτω ἐξαῦτις κτήσομαι οὐ κακίω.
Some Saian exults in my shield (*aspis*) which I left
– a faultless weapon – beside a bush against my will.
But I saved myself. What do I care about that shield?
To hell with it! I'll get one that's just as good another time.²

The subsequent interpretations of the poem in ancient and modern times alike were decisively influenced by the verdict of the Athenian Critias, uncle of Plato:

“If he [i.e. Archilochus] had not spread this kind of opinion about himself among the Greeks, ... we should not have learned that he was the son of the slave woman Enipo, or that because of the poverty and desperation he left Paros and went to Thasos; that, having arrived, he made enemies of the people there; and that he was equally rude about his friends and his enemies. In addition, ... – what is a great deal worse – that he threw away his shield (*τὴν ἀσπίδα ἀπέβαλεν*).”³

According to Plutarch, Archilochus was expelled from Sparta for his cowardice,⁴ and Valerius Maximus reported that even his poems had been banned to prevent their harmful impact on Spartan youth, though shield-dropping was not the only reason for labelling his poetry morally destructive.⁵ It is unsurprising that both Spartans, who set a high price on military virtue, and Critias, who idealized Spartans and despised democracy, deeply condemned the act of Archilochus. However, it is highly remarkable that all modern interpretations until the 1980s agreed that in his poem the author turned against Homeric, aristocratic ideals and against the entire set of traditional moral norms to express the

² Translated by D. E. Gerber.

³ Aelian, *Varia historia* X 13. (Translated by N. G. Wilson.)

⁴ Plut., *Mor.* 239B.

⁵ Val. Max., VI 3 Ext. 1. “Lacedaemonii libros Archilochi e civitate sua exportari iusserunt, quod eorum parum verucundam ac pudicam lectionem arbitrabantur: noluerunt enim ea liberorum suorum animos imbui, ne plus moribus noceret quam ingeniis prodesset. itaque maximum poetam aut certe summo proximum, quia donum sibi invisam obscenis maledictis laceraverat, carminum exsilio multarunt.”

nascent lyrical self or even the voice of the rising *demos*.⁶ W. Jäger even claimed that the poem was meant to be humorous.⁷ However, as a papyrus fragment testifies, Archilochus was proud of his ancestors, including his father Telesikles (bearing an obviously aristocratic name) and his grandfather Tellis, who was one of the founders of the *apoikia* at Thasos.⁸ Moreover, in his poem addressed to Aisimides he openly queried the legitimacy of the judgement of the *demos* (9 D). Based on all these, we can hardly expect Archilochus to formulate the sentiments of the *demos*.⁹

Alcaeus is safe

Herodotus, Strabo, and also Diogenes Laertius¹⁰ reports the conflict between the Athenians and the Lesbians fought for the area of Sigeion, an Athenian property since 7th c. BC. The Athenian army was lead by Phrynon, a former Olympic victor in the *pankration*. His fatal duel with Pittacus is dated to 607/6 BC.¹¹

“Among the various incidents of this war, one in particular is worth mention; in the course of a battle in which the Athenians had the upper hand, Alcaeus the poet took to flight and escaped, but his armour was taken by the Athenians and hung up in the temple of Athena at Sigeion. Alcaeus wrote a poem about this and sent it to Mytilene. In it he relates his own misfortune to his friend Melanippus”,

wrote Herodotus.¹² The fragment itself is quoted by Strabo:

“Alcaeus is safe, but not his arms (*ἄρμενα*)”.

⁶ I dispense with the list of particular interpretations. A useful overview is provided in Schwertfeger 1982, 253-280. However, I mention the explanation I heard at a seminar of E. G. Schmidt at Jena (18 Jan 1979). In his view, the poem expresses the voice of the *demos* growing more and more prosperous and already fit to oppose aristocratic *andreia*. The enrichment of the *demos* is proved by the poet’s ability to purchase another shield. Ridiculing the shield was a revolutionary act, albeit covertly revolutionary, since the poet did not draw any further conclusions. What prof. Schmidt might have had on his mind was that Archilochus did not start an anti-aristocratic revolution. Nevertheless, the enrichment of the poet is discredited by the report that he had to move to Thasos because of his poverty. On his tone as voice of the *demos*, see below.

⁷ Jäger 1934, 165. Such exaggerated opinions are vigorously attacked by Treu (1979, 192), who also emphasized that no humour is to be found in the poem. The poet is anyway linked with aristocracy by birth, cf. 157.

⁸ Treu 1979, 157, cf. P. Oxy. 2310 fr. 1, 13.

⁹ D 60 is often misunderstood and misinterpreted as an anti-aristocratic outburst, though it simply reproached a conceited *strategos* to favour a *smikros* private, since the latter had more use in battle, if he was bold.

¹⁰ Diog. Laert. I 74.

¹¹ Liberman 1999, XVI. Herodotus falsely dates the war to the age of Pisistratus, but Alcaeus died earlier.

¹² Hdt., V 95. (Translated by A. D. Godley.)

The Athenians have hung his discarded cock-feather (*ἀλεκτόριον*) in the temple of the Grey-Eyed Goddess.¹³

It is remarkable that throwing away the shield was insufficient for Alcaeus: he discarded his whole armament, as is suggested not only by the word *armena*, but also by the mention of the cock-feather that probably decorated not his shield but his helmet.¹⁴ Liberman has proposed that these lines might constitute an intended allusion to the *Iliad*:

κεῖται Πάτροκλος, νέκυος δὲ δὴ ἀμφιμάχονται
γυμνοῦ ἄτὰρ τὰ γε τεύχε' ἔχει κορυθαίολος Ἴκτωρ.
Low lies Patroclus, and around his corpse are they fighting,
his naked corpse; but his armour is held by Hector of the flashing helm.¹⁵

If Liberman is right, we need to ascribe a touch of self-irony to Alcaeus. Still, the poet was a very distinguished aristocrat, whose entire life was determined by the strife of aristocratic families. In my view, it is inexplicable why he would have ever confronted the norms of his own social group or why he would show the slightest sympathy to the values of the *demos*.

Throwing down my shield

A one-line fragment of Anacreon, a lyric poet with deep aversion to warfare, was preserved by Atilius Fortunatus only for its metre, revealing nothing about the historical context of the poem.

“throwing down my his (my?) shield (*ἀσπίδα ρίψας*) by the banks of the fair-flowing river.”¹⁶

We cannot be sure, but this inglorious event may have occurred either BC 541 or in 495 BC, when the Persians occupied Teos, the home city of the poet. The inhabitants of Teos moved to Abdera in Thrace. Anacreon lived in the court of Polycrates of Samos, and then Hipparchus (murdered in 514 BC) invited him to the court of Hippias, tyrant of Athens (527-510 BC). Although several fragments of Anacreon testify his military experience,¹⁷ his most remembered poem formulates harsh criticism against those who boast with war feats.¹⁸ Anacreon was definitely not linked to the *demos* by emotional bonds. He painted a brutally ruthless portrait of the upstart Artemon, who had recently risen from pov-

¹³ Alcaeus fr. 32 Bergk, 401B Liberman.

¹⁴ For an interpretation of *ἀλεκτόριον*, see *Etymologicum Magnum* A 792. For a correction of uncertain explanations cf. Liberman 1999, 252.

¹⁵ *Iliad* XVIII 20-21. All citations from Homer were translated by A. T. Murray.

¹⁶ Anacreon fr. 28 Bergk. (381 Campbell), translated by D. A. Campbell.

¹⁷ E.g. 401 Campbell (Strabon C 661).

¹⁸ fr. 94 Bergk; fr. 96 Diehl, eleg. 2. Campbell.

erty to luxury.¹⁹ Accordingly, we can hardly presume that his poem on his shield reveals sympathy for the values of the *demos*.

Fair arms full many fell...

The best sources of the aristocratic scale of values in the archaic age are the *Iliad* and (to a lesser extent) the *Odyssey*. Thomas Schwertfeger has pointed out in an excellent study that fleeing a battle was neither glorious nor particularly shameful in the aristocratic world of epics.²⁰ He collected numerous examples of great heroes escaping the battlefield, e.g. when Odysseus took to flight, even Diomedes could not stop him (*Iliad* VIII 93-98). Agamemnon put it the following way (XIV 80-81):

“For in sooth I count it not shame to flee from ruin, nay, not though it be by night. Better it is if one fleeth from ruin and escapeth, than if he be taken.”

The most downright expression of the morality of the epic world is found in Nestor’s advice given to Diomedes (VIII 139-144):

“Son of Tydeus, come now, turn thou in flight thy single-hooved horses. Seest thou not that victory from Zeus waited not on thee? Now to yon man doth Zeus, the son of Cronos, vouchsafe glory for this day; hereafter shall he grant it also to us, if so be he will. But a man may in no wise thwart the purpose of Zeus, be he never so valiant; for in sooth he is mightier far.”

Schwertfeger remarked that Homeric heroes usually escaped with their armour, since the shield slung over the back protected the warrior from missile weapons; however, he also listed instances when fleeing heroes got rid of their weapons. (The shield itself is not highlighted by the epic poet – except for the case of Lycaon.) This latter was the gesture of surrender (XXI 50-52; XXII 11-125; *Odyssey* XIV 276-279). Nevertheless, the fact that epic language used the term ‘fleeing with weapons’ (*σὺν τεύχεσι*, see *Iliad*, XIII 737-738; 16, 367-368) indicates that throwing arms away was also possible. There is only one example in the *Iliad*, but it speaks for itself (XVII 755-761):

“And as flieth a cloud of starlings or of daws, shrieking cries of doom, when they see coming upon them a falcon that beareth death unto small birds; so before Aeneas and Hector fled the youths of the Achaeans, shrieking cries of doom, and forgat all fighting. And fair arms (*τεύχεα*) full many fell around and about the trench as the Danaans fled; but there was no ceasing from war.”

We can claim – still following the thread of Schwertfeger – that the aristocratic warrior fights for himself and for his own glory. The glory of yesterday

¹⁹ fr. 21 Bergk; fr. 54 Diehl, 388 Campbell.

²⁰ Schwertfeger 1982, 254-261.

or of tomorrow is not fatally influenced by running away from the stronger today, since this may be the purpose of Zeus. The quoted lines of Archilochus, Alcaeus, and Anacreon do neither confront the aristocratic scale of values, nor do they approach the world of the *demos*. The German scholar assumed that the change was provoked by the transition of warfare. The protection of the *polis* was taken over by the hoplite *phalanx* of citizens. In the closed ranks of a *phalanx*, a shield protected not only an individual soldier but the one to the left and the entire line behind. If anyone flew away from the front line, or even dropped his shield, he endangered not only himself but also his companions. A good example is the concise answer of the Spartan Demaratus to the question why Spartans punish with *ἀτιμία* (disfranchisement) only those who threw away their shields (*τὰς ἀσπίδας ἀποβαλόντας*), but not those who lost their helmets or breastplates.

“Because these they put on for their own sake, but the shield for the common good of the whole line.”²¹

He was not ashamed to belie the inscription on his shield...

It is a fact that *ρίψασπιδες* (shield-droppers) were punished with *ἀτιμία* not only in Sparta but also in Athens. They were deprived from their civic rights, they were not allowed to address the assembly, and they were unfit to hold office. The best example is Lysias 10 *Against Theomnestus*. This man allegedly threw away his shield in the battle of Corinth in 394 BC. When he stood up to speak in front the people, Lysitheus sued him claiming that Theomnestus, being a *ρίψασπις*, has no right to address the assembly. Two witnesses supported the charge of Lysitheus, still, Theomnestus was acquitted, and moreover, he started a prosecution against the witnesses for false testimony. Lysitheus was ultimately convicted and disfranchised, although as a slanderer he could have been punished only to pay a fine of 500 drachmas.²² All this evidence proves only that Theomnestus was acquitted from the charge, but not that he did not throw away his shield. The unexpected judgement was probably due to practical considerations. The troops of six of the ten Attic tribes fled the battle of Corinth.²³ Theomnestus did not throw away his shield alone. Members of the jury were chosen by lot according to tribes, i.e. in a panel of 500 jurors (this was the smallest board, but the case did not require a larger one) at least 300 members were involved (either themselves, or through their relatives or friends) in the

²¹ Plut., *Mor.* 220A. Translated by F. C. Babbitt.

²² The legal definition of shield-dropping used the verb *ἀποβεβληκέναι*, not *ρίψαι*, see Lys. 10, 9; Lys. 11, 5.

²³ Xen., *Hell.* IV 2, 19.

disgraceful failure. When Theomnestus was released, the majority voted for an acquittal over their own cowardice.

At this point I would like to query the conclusion of Schwertfeger. In his view, the three Greek poets, clinging to the aristocratic values, confronted with the ideals of the nascent *polis*, thus posterity turned critical to their poetry, especially to that of Archilochus. So far, so good, but when Schwertfeger discussed the punishment applied to shield-droppers, he fell victim to his own conception, as did those who had misinterpreted the poems of Archilochus. It is unquestionable that shield-droppers could be punished with *atimia*, but Theomnestus was ultimately not convicted. Furthermore, surprising as it is, none of the cases cited by Schwertfeger resulted in conviction. Even Theomnestus' father was allegedly a shield-dropper (Lys. 10, 28), but nobody punished him for that. A most notable Athenian politician, whose shield-dropping was perpetuated in contemporary literature, was Cleonymus, a loyal friend of Cleon. Aristophanes and Eupolis started a stage campaign against him in 424 BC.²⁴ In *The Knights* (1369ff.) Aristophanes charged him only with cowardice, but in the *The Clouds* (423 BC, line 353) the playwright called Cleonymus a *ρίψασπις*. We can deduce that this illustrious example of shield-dropping happened at Delion in 424 BC. At the battle of Delion, the Athenian army turned into a headlong flight, and ultimately they lost at least a thousand men.²⁵ Aristophanes continued the offensive in *The Wasps* (422 BC), in *Peace* (421 BC) and in *The Birds* (414 BC), too.²⁶ These attacks may have harmfully affected Cleonymus' political career, but he was surely not deprived from his civic rights, because in 415 BC he had his resolution (*ψήφισμα*) carried in the case of the mutilation of the Herms.²⁷ Thomas Schwertfeger believes that it was Cleon's authority and influence that protected Cleonymus from facing the political consequences of his cowardice. However, Cleon died in 422 BC, and seven years later Cleonymus was still active in the public life of Athens! He probably escaped condemnation for shield-dropping because almost the whole Athenian army ran away, thus he should have been convicted in Athens by those who fled from the Thebans together with him.

The most famous shield-dropping politician was Demosthenes, who fled the battle of Chaeronea by leaving his shield behind. This episode is reported by Plutarch as well as the *Life of the Ten Orators* wrongly attributed to him.

²⁴ For Eupolis see Schwertfeger 1982, 268.

²⁵ Thuc., IV 96.

²⁶ *Wasps* 15ff., 590ff., 822ff., *Peace* 670ff., 1295ff., where Aristophanes has the son of Cleonymus sing the first two lines of Archilochus' shield-dropping poem! See also *Birds* 290, 1274ff.

²⁷ Andoc. 1, 27.

“Up to this point, then, he was a brave man; but in the battle he displayed no conduct that was honourable or consonant with his words, but forsook his post, cast away his arms, and ran away most disgracefully, nor was he ashamed to belie the inscription on his shield, as Pytheas said, whereon was written in letters of gold, ‘With good fortune.’ (*ἀγαθῆι τύχῃ*)”²⁸

“When Philip had taken Elateia Demosthenes himself went out with those who fought at Chaeronea, on which occasion it appears that he deserted his post, and that, as he was running away, a bramble-bush caught his cloak, whereupon he turned and said, ‘Take me alive.’ And he had as a device on his shield the words ‘With good fortune.’”²⁹

This incidence was a good opportunity for Aeschines to mount an offensive against Demosthenes.³⁰ Still, he did not call anyone to account why Demosthenes had not been punished as a coward and a deserter in accordance with the law of Solon, but rather asked how a man like him could be honoured with a gold crown. Needless to say, Demosthenes was not alone escaping the battle of Chaeronea, thus Aeschines vainly hoped that the jury would convict the defendant – the result was no different from that in the case of Cleonymus or Theomnestus.

Was the situation any different in the military state of Sparta? Anecdotal tradition maintained that Spartan mothers expected their sons to return from a campaign either carrying their shields themselves, or, if they would be killed in action, being carried on their shields.³¹ However, this image of Sparta is somewhat misleading in the case of shield-droppers. The most renowned case was that of Spartan hoplites captured on the island of Sphacteria near Pylos in 424 BC.³² The incident shocked Sparta, since this was allegedly the first time that Lacedaemonian soldiers were forced to surrender themselves, and they were even deprived from their armour. It was not a negligible quantity: at least 120 shields (Thuc., IV 38.), 99 of which were fixed to the Nice Temple bastion, while the remaining 21 were probably placed in the Stoa Poikile.

“But as to their man who had been taken on the island and had given up their arms, fearing that these might expect to suffer some degradation because of their misfortune and if they continued in possession of the franchise might attempt a revolution, they disfranchised them, though some of them now held office, and with such a disfranchisement that they could neither hold office nor have the legal right to buy or sell anything. In the course of time, however, they were again enfranchised.”³³

²⁸ Plut., *Dem.* 20. Translated by B. Perrin.

²⁹ [Plut.] *Mor.* 845F. Translated by F. C. Babbitt.

³⁰ Aeschin., 3, 175; 244; 253.

³¹ Plut., *Mor.* 241F 16. The anecdote was adopted by numerous ancient authors.

³² According to Aristophanes (*Knights* 848-849), the handle (*porpax*) of the shields taken at Pylos was not removed, see Lippman, Scahill, Schultz, 2006, 551-563. The shields were kept safe still in the Roman imperial age (Paus., I 15, 5.). One preserved item can be seen today in the Agora Museum (Inv. Nr. B 262). Another shield was excavated in 1999 (Inv. Nr. B 1908).

³³ Thuc., V 34. Translated by C. F. Smith.

The number of captives at Pylos, though they yielded and lost their shields, was too high compared to the whole body of Spartan citizens, thus it was not in the interest of the state, i.e. of the community of citizens to punish them severely or to deprive them from their civic rights permanently.

In later years, the treatment of shield-droppers in Sparta was even more lenient. When Epaminondas nearly occupied Sparta in 369 BC, a rebellion broke out in the city, and according to Plutarch, many of the *perioikoi* and of the conscripted helots escaped and joined the enemy.³⁴ King Agesilaus had the rebels executed, and collected the weapons (*τὰ ὄπλα*) left at the sleeping-quarters, so that the others could not learn the number of deserters by counting abandoned weapons. Polyaeus also reports the story, but in his version the king collected the dropped shields (*τὰς ἐρριμμένας ἀσπίδας*).³⁵ The purpose of concealing abandoned shields was obviously to prevent losing courage if the soldiers found out the awkwardly high number of mutineers. None of our sources tell us about pursuing or punishing the shield-droppers. This is not surprising, since Plutarch also tells us that more and more citizens showed themselves cowards (*τρέσαντες*) on the battlefield, and they also acquired considerable political influence as well. They were not even humiliated in accordance with Spartan law, which ordered cowards not to hold office but to wear patched cloak and to shave one cheek. However, their number grew so high in the 4th c. BC that dishonouring them might have led to their rebellion.³⁶

The opinion on shield-dropping was no different in Thebes. In 362 BC Epaminondas launched a night attack against the city of Sparta because he learned that the Lacedaemonian army was away from home. Nevertheless, Agesilaus stopped the invaders with the help of the young, the old, and even women; and his returning army chased the Thebans away. While describing the chaotic combat, Polyaeus reports that the Thebans got confused and started to stampe, and *many* of them threw their shields away (*ἀπέβαλον πολλοὶ τὰς ἀσπίδας*).

“When Epaminondas saw what happened, he did not wish to convict the shield-droppers (*ρίψασπίδας*), so he proclaimed that ‘No hoplite is allowed to carry his shield himself, instead he must give it to the armour-bearers or to other servants, and the soldiers should follow their general with only their spears and their swords.’ Thus the number of those who threw away their arms (*τὰ ὄπλα*) remained unknown, and in return for the act of his favour, they were more eager to execute Epaminondas’ commands.”³⁷

³⁴ Plut., *Ages.* 32, 12.

³⁵ Polyaeus., *Strateg.*, II, 1, 15.

³⁶ Plut., *Ages.* 30, 3-5.

³⁷ Polyaeus., *Strateg.* II 3, 10.

During the campaign, it was more important for Epaminondas to maintain his soldiers' ardour and to strengthen their discipline than to frighten them by strictly punishing shield-droppers. The source also implies that the number of shield-droppers reached a critical mass that was indispensable for his army camping in hostile area: losing their loyalty would have endangered all their lives. Therefore Epaminondas decided to give up punishment.

Athenian, Spartan, and Theban examples lead us to the conclusion that city-states (which are in fact the very communities of citizens) never effectuated severe punishment against shield-droppers, if their number was too high. Jurors were selected from the same body of citizens that fought by the side of shield-droppers, and may have fled the battle together. It was impossible to expect them to convict themselves as well.

In contrast with Thomas Schwertfeger, we can distinguish between at least three periods in the public opinion on shield-dropping: the aristocratic ideal, which permitted shield-dropping; the ideal of the early polis, which prohibited and punished it; and ultimately the ideal of the classical polis, which prohibited it and ordered it to be punished, but in practice it was ready to adapt to actual political and military conditions, thus the punishment was either not effectuated or soon revoked. The content of Archilochus' poem was probably not extraordinary to citizens of the classical polis – they could only object to its saucy, boastful tone that was also criticized by Critias.³⁸ We also have to note, however, that the above-mentioned second period may have never existed at all, and practical considerations were always respected before strict regulations, made by the polis community, were effectuated.

Not all cases should be called shield-dropping

If the above-related practice of (non-)punishing shield-dropping was permanent, the practice necessarily entailed a certain change in the theory as well. In *The Laws*, the last work of Plato, a separate chapter is dedicated to the punishment of weapon-dropping and shield-dropping.³⁹ His primary purpose is to clarify the concept of shield-dropping, and the discussion of punishment im-

³⁸ Sextus Empiricus also claimed in the *Outlines of Pyrrhonism* that Archilochus seems to be boasting when writing about his shield-dropping (III 23, 216).

³⁹ Plat., *Leg.* 943e: "and he should beware also of trespassing against Justice in any matter, and especially in respect of loss of arms in battle, lest by mistakenly abusing such losses as shameful, when they are really unavoidable, he may bring undeserved charges against an undeserving man. It is by no means easy to draw distinctions between such cases but none the less the law ought to try by some means to distinguish case from case." All excerpts from Plato's *Laws* were translated by R. G. Bury.

posed on culprits came only afterwards. Plato excluded the cases of *vis maior* caused by natural phenomena (e.g. flood) or by enemy superior in numbers.⁴⁰

“For the man who by a fair amount of violence is stripped of his arms will not be as much of a ‘shield-flinger’ as the man who has voluntarily thrown them away – rather there is a vast difference between the two cases. So let the pronouncement of the law be this: – If a man is overtaken by his enemies and, having arms, instead of turning and defending himself, voluntarily drops his arms or flings them away, thereby gaining for himself a life that is shameful by speed of foot, rather than by bravery a noble and blessed death, concerning the arms flung away in a loss of this sort a trial shall be held, but the judge shall pass over in his enquiry a case of the kind previously described.”⁴¹

The appropriate retribution, according to Plato, would be if the coward man turned into a woman. Yet since mundane justice is not capable of executing such penalty, Plato suggests that the culprit should never be a soldier any more. If he was indeed enlisted, his commanders shall be punished.

“And the soldier who is convicted of the charge, in addition to being debarred, as his own nature requires, from manly risks, shall also pay back his wage – 1000 drachmae, if he be of the highest class, – if of the second, five minas, – if of the third, three, – and if of the fourth, one mina, just as in the previous cases.”⁴²

As we see, in Plato’s ideal state a thorough investigation had to prove if a shield-dropper was really a coward, and their punishment was only exclusion from military service and a fine determined according to the culprit’s property class. The *polis* still maintained the right of retaliation, but the punishment could not result in excessive and permanent weakening of the community.⁴³ Therefore, the community that is highly moderate in the actual punishment of shield-droppers is exactly the one that, after the disappearance of aristocratic values, should harshly strike down on citizens who proved cowards.

⁴⁰ 944b: “Moreover, there are instances of men losing their arms through being flung down from cliffs, or on the sea, or in ravines, when overwhelmed by a sudden great rush of water, or from other mishaps, countless in number, which one could mention by way of consolation, and thereby justify an evil which lends itself to calumny.” A similar instance is reported by Xenophon, when shields were swept away by raging winds in 378 BC, see Xen., *Hell.* V 4, 17-18.

⁴¹ 944c-d.

⁴² 945a.

⁴³ Plato did not refer to Archilochus’ poem on his shield. The name of the poet is mentioned twice in the Platonic corpus: *Ion* 531a, *The State* 365c. The latter invoked the metaphor with the fox (81 D).

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(ISSN 0418 – 453X)