

This talk analyzes two of Hermes’ speeches within the *Homeric Hymn to Hermes* as a means of exploring the relationship between speeches in the hymn and fifth- and fourth-century sophistic theory and forensic oratory. Kennedy (1963), Görgemanns (1976), and Richardson (2010) have noted the rhetorical sophistication of Hermes, particularly his use of arguments from *eikos*, in his defense speeches to Apollo and Zeus; Clay (1989: 106) speaks more generally of “the rhetoric of Hermes” as being “persuasive, seductive, and deceptive.” This talk will delve into one particular aspect of Hermes’ oratory that has received little attention: Hermes’ strategy of arguing his case in opposite ways for two different audiences. This argumentative flexibility makes Hermes a literary precursor to the sophists, with their simultaneously playful and culturally-threatening experiments with notions of truth in persuasion (cf. Clay 1989, Gagarin 2007, and Fletcher 2008 for discussions of Hermes’ sophistry in the matter of oaths); and to forensic orators, with their exploitation of audience susceptibilities.

The two speeches under examination are Hermes’ reply to his mother’s complaint about his precocious behavior (*H. Hermes* 163-181), and his defense against Apollo’s accusation of theft (261-277). These speeches exemplify tactics of forensic oratory typically associated with the Classical era, e.g. the aforementioned argument from *eikos*, arguments offering incentives, arguments ridiculing the opponent for absurdities, and appeals to the speaker’s trustworthy character (*êthos*). Most notably, however, the two speeches show Hermes using diametrically opposed arguments for Maia and Apollo, with each speech calibrated to the individual addressee and situation. This links Hermes’ speech with the *Dissoi Logoi* (“opposed arguments”) tradition in sophistic instruction, first attested in a late-fifth century BCE treatise (Kennedy 1994:17), as well as with one of the three overarching aspects of rhetorical persuasion identified by Aristotle, namely taking into account the particular listener and “disposing the listener” accordingly (*ton akroatên diatheînai pôs*, *Rhetoric* I.2.3).

Hermes’ opposed methods to persuading Maia and Apollo appear most prominently in his self-presentation. This self-presentation forms the basis for his argument in each case. When Maia voices motherly concern that he is endangering himself by tempting the wrath of men and gods, Hermes responds that she should not speak to him as though he were a baby, ignorant of evil deeds (163-5). Here it is in Hermes’ best interest to paint himself as a worldly wise, confident, and mature young man, thereby allaying his mother’s anxieties and allowing him to continue his escapades. When Apollo accuses him shortly thereafter of stealing his cattle, however, Hermes plays the innocent: how could he be a cow-thief, he asks his brother, when he can do nothing more than sleep and drink his mother’s milk (265-8)? “I was born yesterday” (*chthes genomên*), he protests (273). Whether Hermes presents himself as “born yesterday” or as “not born yesterday” thus depends entirely on his addressee and rhetorical aim.