

ARISTOTLE'S *ATHENAION POLITEIA* 65,2: THE "OFFICIAL TOKEN" *

(PLATE 87)

A distinctive feature of the Athenian popular courts, or *dikasteria*, was the great number of citizens who actively participated in each trial. An Athenian dikast heard and judged lawsuits on particular days in company with 200, 400, 500, 1,000 or more of his fellow citizens. Upon entering the court in which he was to sit, each of these men received an official token, or *σύμβολον δημοσίου* (Aristotle, *Ath. Pol.*, 65,2, ἐπε[ιδὲν δ' εἶς] ἐλθὼν παραλαμβάνει σύμβολον δη[μοσίου] παρὰ τοῦ εἰλη[χό]τος ταύτη[ν] τὴν ἀ[ρχήν]).¹ While Aristotle does remark the use of a bronze token (*σύμβολον* ν[εῦ]ρον [χ]αλκοῦν *Ath. Pol.* 68,2) which is given to each dikast after he has voted, and in return for which the dikast later receives his pay, he does not explain for what purpose the *σύμβολον δημοσίου* is issued, nor does he describe it.

The word *symbolon*, used in a numismatic sense, denotes a coin-shaped piece that may be made of bronze, lead, ivory, bone or terracotta, and into which may be stamped or incised a great variety of distinctive markings. Out of the many *symbola* (hereinafter called tokens) that survive from antiquity, a not inconsiderable number can be identified as Athenian and from the fourth century B.C.; further, these Athenian tokens sometimes identify by their markings the institution or magistracy that used them. The lead tokens marked ΒΟΛΗ (O. Benndorf, *Zeit. Öster. Gym.*, XXVI, 1875, p. 600) and those marked ΠΡΥΤΑΝΕΑ (*ibid.*) were used in connection with the Athenian Boule, and that marked ΘΕΟΦΟΡΟΥ[MENH] MENANΔ[POY] had to do with the theater (Benndorf, *op. cit.*, p. 609, no. 23 on plate facing p. 730). The bronze tokens marked ΘΕΣΜΟΘΕΤΩΝ served some function of the thesmothetes.² From

* NOTE: Several points in this paper were first developed in "Aristotle and the Dikasteria" (Harvard Diss., 1958, unpublished) and served subsequently as the basis of a paper read at the General Meeting of the Archaeological Institute of America in 1957 (*A.J.A.*, LXII, 1958, p. 222). The paper has since had the benefit of suggestions from Professors S. Dow and H. A. Thompson.

¹ I use the text of the *Ath. Pol.* presented in the Teubner edition of (Blass-Thalheim-) H. Oppermann, Leipzig, 1928 throughout this paper and cite the following works by the author's name only: J. E. Sandys, *Aristotle's Constitution of Athens*, second, revised edition, London, 1912; H. Hommel, *Heliaia in Philologus*, Supplementband 19, Heft 2, Leipzig, 1927. The translation "official token" means only that the token is handed out in behalf of the state.

² Photographs in I. N. Svoronos, *Les Monnaies d'Athènes*, Munich, 1923-26, pl. 100, nos. 42-46. H. Hommel, pp. 116-117 points out correctly where earlier attempts to define the precise function of these interesting tokens fail. His own explanation of their use, however, is vitiated by his belief that the *kleroteria* were "Losurnen." The fragments from which S. Dow subsequently

literary and epigraphical evidence one learns further that tokens were used at meetings of the *ekklesia*, at conjurers' shows, and in the market,³ as well as in the law courts, but the precise use is not always clear.

The lead tokens of a series stamped on one side with a single letter and on the other with the stamp of the reverse of the Athenian *triobolon* have been proposed as those which were handed out to *dikasts* when they entered the court building.⁴ The *triobolon* design naturally prompts the explanation that this sort of token was used in the disbursement of three-obol emoluments, but, while these lead tokens may well have been used at some time in the *ekklesia* or in the *dikasteria* as pay vouchers, they cannot represent the token that Aristotle describes as being handed out to the *dikast* after voting and as being exchanged for three obols at the end of the day. That token in Aristotle's account is of bronze, and is marked with the number three.⁵ If then the lead token is not that which was exchanged for the three-obol pay, why is there on one side a stamp like the reverse of the *triobolon*? The assumption has been made that the "official token" handed out at the door has some obscure introductory part in the payment of the *dikasts*, a part which the bronze token marked with the number three later takes up and completes. Consequently, the reasoning goes, the lead token marked with the *triobolon* stamp can properly be identified as the "official token" of *Ath. Pol.*, 65,2 (see e.g. H. Hommel, pp. 68-70). To introduce a second token, however, into what ought to be the simple business of paying the *dikasts* is to impose upon Athenian *dikastic* procedure a redundancy that is at best suspicious. According to this interpretation the *dikast* receives one token, votes, turns in his token in exchange for another,⁶ and finally turns in the second token for his pay. Athenian *dikastic*

established the form and method of operation of the *kleroteria* appear to come from "descendants, rather than copies of those used" [at the time Aristotle describes] (*Prytaneis, Hesperia*, Supplement I, Athens, 1937, p. 214), and so were perhaps even further removed from those of the time around 390, the era Hommel had in mind. Still, small balls were used in the *kleroteria* of the second century, and dice (κύβοι) in those of the *Ath. Pol.*, never tokens.

³ *Ekklesia*—Aristophanes, *Eccl.* 289 ff., *I.G.*, II², 1749, lines 75-79; conjurers' shows—Theophrastos, *Char.* VI, 4 (Diels); market—Hermippos, fr. 61 (Kock).

⁴ O. Benndorf, *op. cit.*, p. 601; pictured in Daremberg-Saglio, *s.v.* *Dikastai*, col. 193, figs. 2413-2414 and in Sandys, frontispiece, figs. 4-5. Cf. Sandys' commentary at 65,2.

⁵ Editors and commentators on the *Ath. Pol.* have noted at 68,2 (σύμβολο)ν [χ]αλκοῦν [μετὰ τοῦ γ) a token marked with the letter *gamma*. See e.g. F. Blass, *Ἀθηναίων Πολιτεία*, 4th ed., Leipzig, 1903, *ad loc.*; Sandys, *ad loc.*; J. L. Lipsius, *Das attische Recht und Rechtsverfahren*, Leipzig, 1915, p. 922; G. Colin, *Rev. Et. Gr.*, XXX, 1917, p. 39; H. Hommel, p. 97. K. von Fritz and E. Kapp, however, translate the *gamma* as "three" (*Aristotle's Constitution of Athens*, New York, 1950, p. 146). Now that M. N. Tod has shown that the alphabetic numbering system was not used officially in fourth century Athens (*B.S.A.*, XLV, 1950, pp. 126-139), the letter *gamma* in the text of the *Ath. Pol.* ought to be read as the number three rather than as the mark that actually appeared on the token.

⁶ The brackets in the text of the *Ath. Pol.* at 68,2 will warn the reader that he has to do with editorial reconstructions of *dikastic* procedure rather than with Aristotle's words. The scholia at Aristophanes, *Plut.*, 277 do not note the issuance of two tokens; similarly Suidas, *s.v.* *βακτηρία καὶ σύμβολον*.

procedure was not necessarily more free of wasteful duplications than the governmental procedures of other civilizations,⁷ but at the same time, the complex Athenian system of allotting courts, dikasts and magistrates does not elsewhere reveal such wasted motion, and so it is reasonable to suppose that the two different sorts of tokens were used for distinct and different purposes. In this paper the identity and use of the "official token" will be suggested.

THE MARK H

It will first be necessary to establish the nature of the peculiar mark H that is found on certain Athenian tokens, *psephoi*, and dikastic *pinakia* of the fourth century B.C. P. Girard, in discussing the occurrence of the marking H on several dikastic *pinakia* (*B.C.H.*, II, 1878, p. 531 note 2), correctly reasoned that it was neither a monogram made up of the letters *eta* and *upsilon* nor the error of an engraver who had tried to inscribe a simple *eta*. This judgment was accepted by U. Köhler, who described the marking as "*forma litterae H*" (*C.I.A.*, II, 911), and by S. Bruck, who remarked in addition to the necessity for the form, but stopped just short of analyzing its composition (*Philologus*, LII, 1894, p. 420). E. Caillemer, however, in his article, "Dikastai," (*Daremberg-Saglio*, *s.v.*, col. 189) asked: "Le signe H, que l'on voit sur deux tablettes, et que M. Rayet déclarait inexplicable, ne pourrait-il pas également indiquer, au moyen d'un E et d'un H réunis en monogramme, qu'un héliaste appartenait à la cinquième et à la septième section?" That the answer to this question is "no" will be clear once the composition of the monogram is recognized.

From the many Athenian tokens stamped with letters, two series⁸ of the fourth century B.C. are of especial interest here. The pieces of what we may call Series A (Pl. 87, a) show on the obverse a lion's head right, and on the reverse single letters of the Athenian alphabet. It was of course absolutely essential that the letters be distinguished from one another, and so those who designed the tokens created monograms which they hoped would preclude any chance of confusion. To the right of the *sigma* was placed a small *iota* indicating the first two letters of ΣΙΓΜΑ (Pl. 87, a, no. 39), and a short vertical stroke descending from the crossbar of the *eta* forms a monogram of the first two letters of ΗΤΑ (Pl. 87, a, no. 33). Without these additions, an *eta* (Η) or a *sigma* (Σ), occurring on a round piece where no other marks orient the letters, could not be distinguished from *zeta* (Ζ) or *mu* (Μ).

⁷ A. W. Gomme in his excellent review of H. Hommel's *Heliaia* suggested that the redundant use of two tokens "was not more unnecessary than our own procedure with passports, when, before embarking, we show them to one official and receive a card which ten seconds later we give up to another." *Cl. Rev.*, XLIV, 1930, p. 65 note 1).

⁸ The two series were published as series B'a' (here called Series A) and Γ'a' (here called Series B) by I. N. Svoronos in *Jour. Int. Arch. Num.*, I, 1898, pp. 37-120. See too his *Les Monnaies d'Athènes*, pls. 100-101, from which the photographs of tokens that accompany this article were taken.

Similar care was given to the letters of Series B (Pl. 87, b): obverse, helmeted head of Athena left; reverse, single letters of the Athenian alphabet. The *eta* is again distinguished by the addition of a *tau* (Pl. 87, b, no. 7), but apparently the monogram form of *sigma* had not been successful. Doubtless Athenians had mistaken the *iota* for an orienting mark and had read the letter as *mu*. (Σ^1 , when turned on its side, becomes \overline{M} .) Consequently it is now the *mu* that is distinguished from the *sigma*. This is done by the addition of a small *upsilon* under the *mu* (Pl. 87, b, no. 12.)⁹

We turn to the bronze *psephoi* with which the Athenian dikasts registered their decisions. These were marked on one side of the disk with the identifying label $\Upsilon\text{ΗΦΟ}\Sigma\ \Delta\text{ΗΜΟ}\Sigma\text{ΙΑ}$, and on the other with single letters of the Athenian alphabet from A to M. When the single letter *eta* is intended to be read, it is represented by the monogram form H (*I.G.*, II², 1923a). Here again, where there are no other means of orienting the letter, *eta* must be distinguished from *zeta* (I). The *mu* needed no distinctive mark since the letters on the *psephoi* run only from A to M, and there was therefore no question of confusing *mu* and *sigma*.

FUNCTION OF THE MONOGRAM

The utility of the monogram H is easily appreciated when it occurs within a circle, i.e. on a surface that has no top, bottom or side, but how does one account for its appearance on dikastic *pinakia*?¹⁰ Into these rectangular bronze strips there were punched and incised the following: (1) the letter that represents the citizen's dikastic section, (2) his name, (3) his demotic, sometimes (4) his patronymic, and (5) often one or more ("official," as they are called by scholars) stamps. All the words are written from left to right, and the orientation of each letter is clear at a glance. This may be seen in the *pinakion*, Plate 87, c (cf. the shape of the *psephoi* in the same picture). Still, the citizen's dikastic section, when it happens to be denominated by

⁹ Another way of orienting the *mu* may be seen on plate 102, no. 22 of Svoronos' *Les Monnaies d'Athènes* where a small owl distinguishes at once the letter and the token.

¹⁰ See S. Dow in *H.S.C.P.*, L, 1939, pp. 1-34 for the process in which the *pinakia* functioned. (E. Berneker in his note, *R.E.*, s.v., " $\Pi\lambda\alpha\acute{\kappa}\epsilon\varsigma$ [2]," cols. 1408-1409 [1950] does not know this important article.) The largest number are published in *I.G.*, II², 1835-1923, 1864a, 1871a, and the following additions are known to me: G.M.A. Richter, *Greek, Etruscan and Roman Bronzes*, New York, 1915, p. 462, no. 1831; E. Vanderpool, *A.J.A.*, XXXVI, 1932, p. 293; T. L. Shear, *Hesperia*, II, 1933, p. 474, fig. 23; L. Robert, *Collection Fröhner*, I, Paris, 1936, pp. 7-11, pls. 6-7 (Robert's proposed addition of no. 4071 from A. de Ridder's *Bronzes Antiques du Louvre* II, 1915 appears as *I.G.*, II², 1910); B. D. Theophranides, *Ἀρχ. Ἐφ.*, 1939/41, παρ. p. 17, no. 5 with G. Stamires, *Hesperia*, XXVI, 1957, p. 237, note 5; D. M. Robinson, *Olynthus*, X, *Metals etc.*, Baltimore, 1941, p. 500; F. Stähelin, *Arch. Anz.*, LVIII, 1943, cols. 16-19; G. Davidson and D. B. Thompson, *Hesperia*, Suppl. VII, 1943, pp. 12-14; A. Meletopoulos, *Πολέμων*, III, 1947/8, pp. 33-40 with *συμμεκτα κβ'* no. 15. H. A. Thompson, *Archaeology*, VII, 1954, p. 182 publishes a photograph of a new fragment.

the letter *eta*, is represented on the *pinakion* by the monogram Η.¹¹ It seems natural to suggest that either the *psephoi*, or the lettered tokens, or both, had been designed before the *pinakia*, and that Η had come to be thought of as the special form of the letter that designated not just a dikastic section, but one of any of the artificial divisions necessitated by Athenian dikastic procedure. Consequently the monogram appears where it is not actually needed. If this is so, then it can be inferred with some plausibility that on dikastic equipment generally, where artificial divisions were to be denominated, Η represented *eta*, and that the tokens of Series A and B were used in the Athenian law courts.¹² Hitherto the Athenian institution whose functions these tokens served has not been recognized. I. N. Svoronos (*Jour. Int. Arch. Num.*, I, 1898, p. 64) attempted to identify them (and others) as *εἰσηγήρια τοῦ Διονυσιακοῦ θεάτρου*, but O. Broneer's lucid explanation of how the letters on the inner curb of the gutter in the Theater of Dionysos were used removes the basis of Svoronos' argument.¹³ It is not inconceivable that some of the series of bronze tokens published by Svoronos served as entrance tickets to the theater, but at the same time it is equally possible that tokens of other series besides those of Series A and B were employed in the *dikasteria*.

The lion's head and the head of Athena that occur on the obverse of the tokens in Series A and B cannot be related specifically to the *dikasteria*. Perhaps they do no more than differentiate series of tokens. Since, however, the stampings ΒΟΛΗ, ΤΡΥΤΑΝΕΑ, and ΘΕΣΜΟΘΕΤΩΝ noted *supra* on page 393 restricted the use of those tokens to the use of a single institution or magistracy, it does not seem likely that other sorts of tokens would have been used promiscuously, i.e. in the service of more than one institution. All bronze tokens, then, stamped with a lion's head or a head of Athena on the obverse and with a letter of the alphabet on the reverse may well have been used in the *dikasteria*.

The marking Η should probably be regarded as a clue to the identity of the tokens: rather than as a *sine qua non*. Other ways of distinguishing the Η from the Ι occur on bronze tokens (see Svoronos, *Les Monnaies d'Athènes*, pl. 100, nos. 26, 27), and it may be too that the bronze tokens marked ΔΗΜΟ [ΣΙΟΝ], which also bear the

¹¹ The dikastic section letter *eta* in *Hesperia*, Suppl. VII, p. 12, no. 1, fig. 12 appears in the photograph to have the additional vertical stroke. The missing section letter of I.G., II², 1900 (see L. Robert, *Coll. Fröhner*, p. 7, n. 1) should also be printed with the extra stroke. It shows clearly in the drawing published by E. Michon, *Bull. Soc. Antiq. Fr.*, 1908, p. 379.

¹² A. Postolacca catalogued a lead token marked with the monogram Η (*Annali d. Inst.*, XL, 1868, p. 272, no. 51, plate K), and I. N. Svoronos listed another (*Jour. Int. Arch. Num.*, III, 1900, p. 324, no. 50, pl. IZ', no. 30). These tokens were also used in the law courts. The substance from which the tokens are made is not relevant to the institution that used them. Compare the reference to boxwood *pinakia* in ca. 326 (*Ath. Pol.*, 63,4) and the earlier (*Demosthenes*, XXXIX, 10, 12) *pinakia* of bronze that have survived.


¹³ O. Broneer, "The ΟΧΕΤΟΣ in the Greek Theatre," *Classical Studies Presented to Edward Capps*, Princeton, 1936, pp. 29-41.

stamp of an urn (Svoronos, *op. cit.*, pl. 102, nos. 37-39), served in the law courts at a time when the procedure was not precisely that which Aristotle describes.

The conclusions reached above receive support from material evidence unearthed in the Athenian Agora. H. A. Thompson reported in 1954 the discovery of foundations under the northern part of the Stoa of Attalos that must certainly have supported a building in which law-suits were heard and judged in the fourth century B.C. The excavator describes the most important evidence as "a pair of water channels, rectangular in section, *ca.* 0.60 m. long, standing upright at a little distance from one another, with their concave sides turned inward. On the floor, within the hollow of one of the tiles, lay five bronze dikastic ballots of the familiar wheel shape . . . a sixth ballot . . . lay near by on the floor. Such a concentration of ballots, hitherto unparalleled, could scarcely occur outside of a law court. The evidence of the new discovery is strengthened by the finding, in earlier seasons, of three other ballots and one dikast's name plate at various points within the same general area" (*Hesperia*, XXIII, 1954, pp. 58-59; cf. R. E. Wycherley, *The Athenian Agora*, III, *Literary and Epigraphical Testimonia*, Princeton, 1957, pp. 146-147). Miss M. Crosby, who is preparing the final publication of *pinakia* and tokens found in the Athenian Agora, has brought to my attention eight bronze, lettered tokens (Agora B 3165-3172) that were found in contexts that could have been associated with the law court building, one token in the ballot box itself.

Of the eight tokens, six are stamped on the obverse with the head of Athena or with a lion's head, and with single letters on the reverse. The remaining two are stamped on the obverse and reverse with a single letter. Token B 1171 has on the obverse the letter *phi*, on the reverse a smaller *phi*, as Svoronos, *Les Monnaies d'Athènes*, pl. 101, no. 37. Token B 1175 has been stamped on both sides with the letter *beta*, as Svoronos, *op. cit.*, pl. 101, no. 26 (I thank C. Edmonson for this information). The concentration of *psephoi* at once identifies the building and establishes a strong presumption that the tokens, found in the same general area, were used in the same building. In view of this presumption, the tokens stamped with the same letter on both sides ought to be regarded as dikastic along with the Athena-head and lion-head tokens discussed above. The different ways of stamping the bronze, lettered tokens may have been an attempt to discourage dikasts from bringing their own to the *dikasteria*. On a day when Athena-head tokens were being issued, a dikast who had brought along a lion-head token would simply have been unable to use it.

THE MARK

The figure  (Pl. 87, b, no. 24) is used to fill out the Athenian alphabet so that twenty-five tokens (instead of twenty-four) can be differentiated. It is not a monogram, but an imported letter. F. W. G. Foat published a thorough study of the letter

as it appears outside of Athens in "Tsade and Sampi," an article which is still cited.¹⁴ A year later Foat acknowledged among other contributions a letter from I. N. Svoronos who pointed out the existence of the figure on several series of Athenian bronze tokens. Of them Foat said "these are thus perhaps the oldest instances extant of the numeral Π " (*J.H.S.*, XXVI, 1906, p. 287). In view of the authority generally conceded to Foat's article, it may be useful to point out that Π does not in fact have any numerical value on these tokens, and cannot be considered a numeral. The presence of monograms clearly shows that the letters were used only to denominate sections. Any alphabetical series that acts as a sequential determinant can, to be sure, be regarded as effectively a series of numerals, but the alphabetic numbering system was not used officially in fourth century Athens (see note 5 *supra*). Furthermore, arithmetical computations were not contemplated in the use of denominative letters.¹⁵

THE FUNCTION OF THE "OFFICIAL TOKEN"

The *σύμβολον δημοσία* of *Ath. Pol.*, 65,2 was not used in connection with any of the allotments noted by Aristotle as having a place in the dikastic procedure of his day. He describes or notes eight sorts of allotment in the course of his description, and they effect the following assignments: (1) dikasts to courts, (2) magistracies to courts, (3) men to regulate *klepsydra*, hand out *psephoi*, disburse pay, (4) letters to courts, (5) thesmothetes to the allotment of magistracies, (6) man to hand out tokens at door, (7) man to hand out tokens at voting, and (8) places to dikasts who are being paid. Aristotle details the procedure of the first three allotments noted above. There is no place in them for tokens. The allotment of letters to courts would most improbably demand a series of tokens lettered from Λ to Π , since the *dikasteria* were denominated only by the letters from *lambda* on (*Ath. Pol.*, 63,2). The allotment numbered (5) above involved the selection of two men from six, and the allotments numbered (6) and (7) above involve the selection of one man from an unknown number. None of these three allotments suggests the number twenty-five postulated by the lettered tokens.

¹⁴ *J.H.S.*, XXV, 1905, pp. 338 ff. Cited e.g. by W. Larfeld, *Griechische Epigraphik*, Munich, 1914, pp. 225 ff.; M. N. Tod, *B.S.A.*, XLV, 1950, p. 136, note 23, but not by V. Gardthausen in *R.E.*, s.v., *Kleinasiatische Alphabete*, col. 611 (drawn from his article in *Zeitschrift des deutschen Vereins für Buchwesen und Schrifttum*, I, 1918, pp. 57-60), or by E. Schwyzer in *Glotta*, XI, 1921, pp. 77-78; *Griechische Grammatik*, Munich, 1939, 1.149, 318-319.

¹⁵ M. N. Tod, *B.S.A.*, XLIX, 1954, pp. 1-8. Tod cites *I.G.*, II², 1443, lines 12 ff., where the Athenians acknowledge receipt of twenty-eight *ρῥυμοί* of uncoined silver. The letters that label each *ρῥυμός* stop at the letter *chi*, and then start over again from *alpha*, using double letters for the second series (AA, BB etc.). In the case of the tokens of Series B, the addition of an imported letter suggests that the full number of divisors was twenty-five, and that the number to be divided was divisible by twenty-five. A dikastic panel, made up as it was of even hundreds of men (leaving aside for the present the question of the one odd man) could be so divided.

The allotment of places to dikasts, number (8) above, who are being paid must be discussed at greater length. Aristotle says at *Ath. Pol.*, 69,2 that the dikasts receive their pay ἐν τῷ μέρει οὗ ἔλαχον ἕκαστοι, and the word ἔλαχον has not been satisfactorily explained. Sandys (*ad. loc.*) refers the reader to *Ath. Pol.*, 66,3, which is no explanation at all. A πρόγραμμα is not an allotment, nor does it necessarily involve an allotment. G. Colin (*Rev. Et. Gr.*, XXX, 1917, p. 80) says, "Le mot ἔλαχον ne s'expliquerait pas," and H. Hommel (p. 28) simply translates, "an dem Platze wo ein jeder hingehört." The allotment may, however, be correctly explained, and it will be seen that no tokens are involved.

Those who have been selected by lot as disbursers (actually, selected by being rejected in a sortition, *Ath. Pol.*, 66,3) establish the order in which the dikasts receive their pay. The allotted disbursers take the dikasts' *pinakia* one by one and at random out of the boxes into which they had been thrown by the magistrate who superintended the first allotment of the day for each tribe, and read off the names. Each dikast comes forward when he hears his name called and receives his pay (*Ath. Pol.*, 65,4 [ὅπ]ως ἐκ τούτων [κ]αλοῦντες ἀπο[δι]δῶσι τὸν μισθόν). While waiting to hear his name called the dikast waits in the area of the court building that has been assigned to his *phyle*. He has no way of knowing whether he will be the next man called, or whether he will be the last man. He can only wait until his *pinakion* is drawn from the box. It may be said then that the dikasts are paid, each in his allotted order. Aristotle regularly during his account of Athenian dikastic procedure uses a form of the word λαγχάνειν to describe a sortition that has been effected by the chance drawing of *pinakia* out of a box or *balanoi* out of a *hydria*: *Ath. Pol.*, 64,4 εἰς οἶον ἀν λάχῃ; 66,2 τοὺς πρώτους λα[χόντας κληροῖ]; 66,3 οἱ δὲ ἀπολαχόντ[ες]; 68,2 [οἱ] δὲ λαχόντες [ἐπὶ τὰς ψήφους].

Another possible use of the tokens may be considered. The Athenian dikasts sat during trials on wooden benches, and in the late fifth century those who arrived first had first choice of a seating place (Aristophanes, *Vesp.*, 89 ff.). At the time Aristotle describes, however, dikastic procedure had changed in many ways from that of the fifth century,¹⁶ and to surmise that by a time well before 326 the Athenians had found it useful to establish some rule of order for the seating of the large numbers of dikasts does not seem unreasonable. If the wooden benches were marked off into twenty-five general seating areas, each denominated by a letter of the alphabet, and if the dikasts were to receive upon entering the court a token marked with a letter that directed them each to one seating area, at least two advantages would result. First, the inevitable confusion involved in the seating of e.g. 1,000 men would be reduced, and second, the possibility of prejudiced or bribed dikasts sitting in a concen-

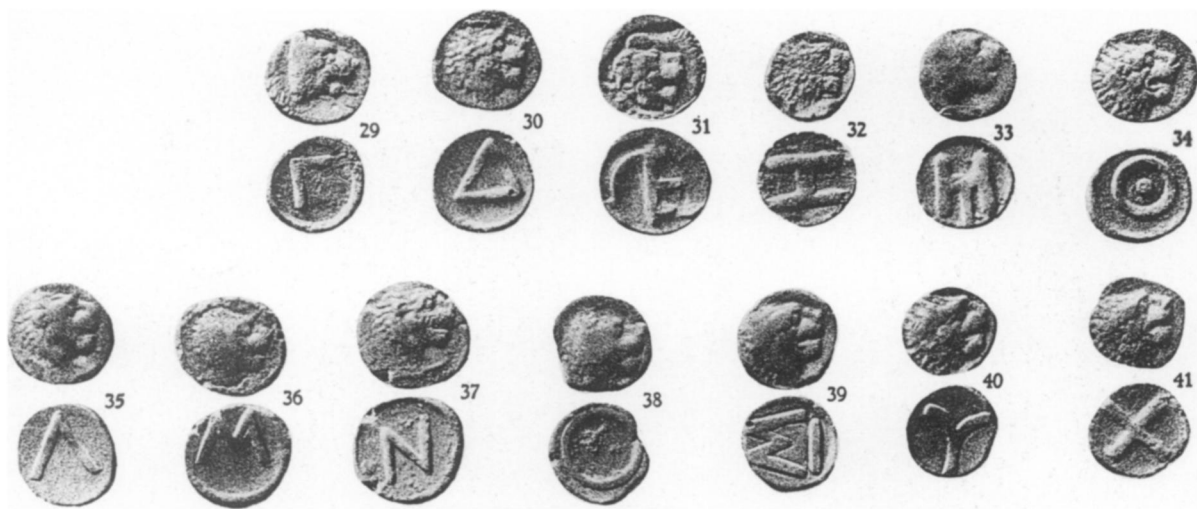
¹⁶ See H. Hommel, pp. 109-135; A. W. Gomme, *Cl. Rev.*, XLIV, 1930, pp. 65-66; R. Bonner and G. Smith, *The Administration of Justice from Homer to Aristotle*, Chicago, 1930, I, pp. 346-378.

trated group and forming a sort of clique¹⁷ would be diminished. The suggestion is made here then that the "official tokens" were handed out in a chance order at the door of the court building, and that each dikast sat in that area of the court to which the lettered token assigned him.

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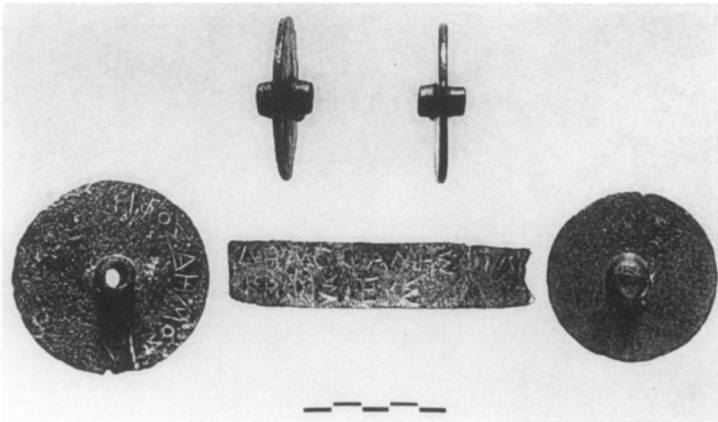
¹⁷ The Athenian dikastic panels were articulate, and if a group of dikasts sat together and supported each other in loud criticisms or approvals during the pleadings, they could to some extent influence the proceedings and outcome of the trial. Aristophanes alludes to such groups in the *ekklesia* (Eccl. 289 ff.; see also Thucydides, VI, 13,1 and Plutarch, *Pericles*, XI, 2), and the seating of bouleutai according to the letter which they have been allotted may be interpreted as an attempt to prevent similar practises in the boule (cf. F. Jacoby, *Fr.Gr.Hist.*, 328, F 140, Commentary, pp. 510-511). Apparently, however, interested persons did continue to contrive to sit near each other (Theophrastos, *Char.* XXIX, 6, Diels).



a. Athenian Tokens, Series A.



b. Athenian Tokens, Series B.



c. Athenian Dikast's Psephoi and Pinakion.