

THE WALLS INSCRIBED WITH NIKOMAKHOS' LAW CODE

(PLATES 9-11)

THE fragments of the Law Code in *Hesperia*, X, 1941, pp. 31-37, were published without personal examination by me of the marbles themselves in Athens, but instead from descriptions sent to this country. Ordinarily such descriptions might suffice; autopsy, always ideally desirable, is often practically unnecessary. The Code inscriptions, all of them, have turned out to be exceptional. With the aid of scholars more expert in architectural details, I was able recently in Athens (April-August 1960) to make repeated examinations of all the fragments, and the physical aspects were found to be of great importance. The present article reports the findings.¹

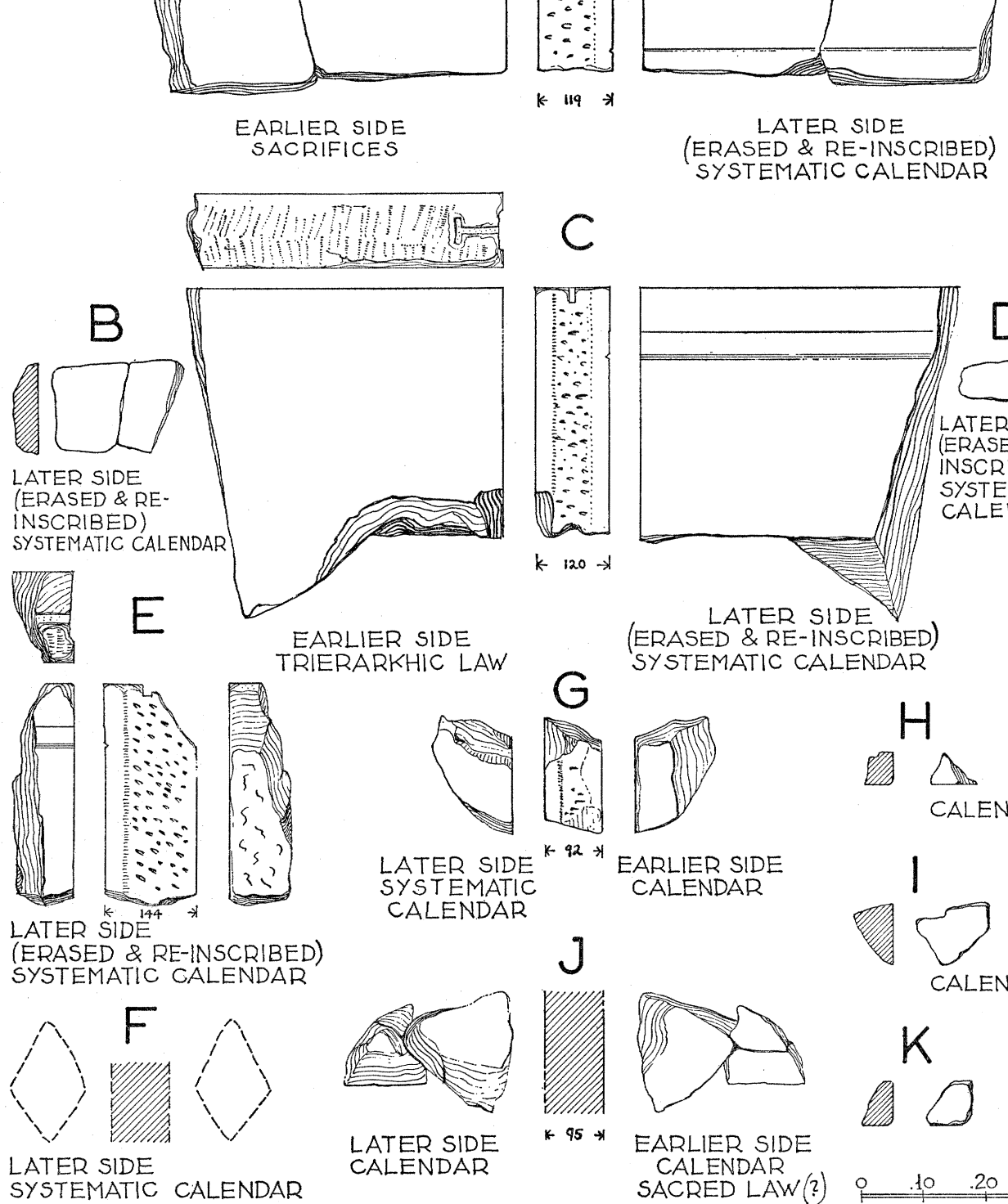
There is bound to be much theorizing about the Code; the theorizing must not contradict facts. I have therefore put the new findings in a context of full descriptions, trying however to omit particulars which cannot conceivably have historical or archaeological significance. Scholars who wish to read only what appears immediately to have new historical interest can turn to the summary at the end.

The numbering of the fragments, A through K, is meant to serve temporary convenience. The eventual order and numbering may differ somewhat. The descriptions of the stones will generally be self-intelligible. They imply no criticism. "Dirty" means ingrained with (pre-museum) dirt. No one will blame anyone for some slight scratches reported as incurred in museums. Careful workers will always lay inscribed faces on clean newspapers; but all workers cannot be forced to be careful.

TERMS. The narrow ends of blocks intended to be joined so as to form a wall were normally cut with smooth flat *bands* to make joint surfaces at the front and back edges. Between the (two) smoothed bands was a *trough* hollowed out with a pointed chisel and left rough. These features are well shown e.g. on Plate 9, a. The words *bands* and *trough* have been used strictly as terms to describe the various instances of anathyrosis in the Walls.

For the Walls as such, now that a third one (fragment E) has been proved, the only precise designations must be numerical. The former "Thicker Wall" (0.120 m. thick) is now the "120 mm. Wall," except for Fragment E, which (alone) represents the "144 mm. Wall." The former "Thinner Wall," with thicknesses which vary slightly, 0.092-0.095 m., is treated as one, the "92 mm. Wall."

¹ Figure 1, drawn by John Travlos, illustrates all the fragments. For a bibliography of the Code, see *Historia*, IX, 1960, pp. 292-293.



THE 120 MM. WALL

FRAGMENT A

I.G., I², 843 (Earlier Side) and II², 1357 *a* (Later Side)

Two squarish pieces of goodish size, joining tightly throughout their height, but different in their post-fracture history. One, the larger, has a door socket on the Later Side, and the E(pigraphical) M(useum) number 6721; it is orange-brown all over, from patina. The lesser piece, E.M. 8001, is white.

Earlier Sides. Hesperia, IV, 1935, p. 31, photograph, p. 32, text. While still one, the two pieces received heavy horizontal wear, as if from dragging. The surface is left very hard, but small patches in it stand up to, or near to, the original height. At some time, 8001 was eroded by moisture, whereas the lettered part of 6721 was smoothed a little, perhaps by wear, although the letters are sharp. The slab as a whole was a good piece of marble, different, apparently, from the marble of the slabs represented by Fragment C. A little mica shows only on the Earlier Side of 8001, which also has some patches of dark brown, like those on the Earlier Side of Fragment C.

The Later Side of E.M. 8001. Hesperia, IV, 1935, p. 22, photograph, p. 23, text. The preserved areas of the Later Side are smooth—they may have received some footwear—but even so there are traces of tooth-chisel marks, as if the slab had been erased. (In a vague way, the Earlier Side of E.M. 6721 affords a control: letters equally clear, no marks of a tooth chisel). The Later Side is worn in the same manner as the Earlier, whatever the agent; but the wear is very shallow. It extends across the middle in a band up to 0.14 m. high.

The Later Side of E.M. 6721. Hesperia, IV, 1935, p. 22, photograph. The larger, brown, piece is heavily footworn all over. A socket for a door, cut near one end in the middle (the usual place), was hardly used at all. Possibly the stone was broken too soon; but a chisel mark for breakage purposes shows at the top. In any case the surface is worn smooth, obliterating all letters, though not deeply enough to remove the (deeper) incised line near the bottom.

The Anathyrosis on E.M. 6721. Plate 9, a. Patinated like nearly all the other surfaces of this piece, the end with anathyrosis has notable features. The point strokes in the trough are mere quasi-circular hollows, with almost (so to speak) no length and no predominant direction. The trough was notably shallow, evidently; adequate perhaps but not careful. The band at the Later edge is fairly well preserved: evenly bordered, it may well have been straight and true. The width of this band is 0.026 m. The band at the Earlier edge is hard to know about. Wear has rounded off the edge.

There *may* have been a matching band, equally wide and smooth, but if so, hardly a trace remains. A right-angle shows that if the anathyrosis was true, then *ca.* 0.002 m. is missing from the surface of the band at the Earlier side, where some attrition has certainly taken place.

FRAGMENT B

I.G., II², 1357 b

Two hand-palm-sized pieces joined, preserving only the one (inscribed) face; otherwise broken away. Bottom, etc., Plate 9, b.

Inscribed (Later) Side. *Hesperia*, IV, 1935, p. 24, photograph and text. Worn and dirty, nevertheless tooth-marks are visible (see photo), three sets near the upper right corner, and others at left. In the course of the inscribing or re-inscribing, some error was made: a slightly curved gouge worked on the area of lines 4-6 (the photo shows this also). It was not an attempt to erase the present text, but rather to correct it; the cutting is too shallow, and moreover begins only in the area of the second letter in each line. The inscription being corrected was evidently cut fairly deep just here, and it can be conjectured that the erased lines had letters of about the same height and spacing as the later. In line 5, just above the sigma of *ἱερεώσυνα*, two marks can be seen which would make an (erased) *upsilon*, but neither they nor any other strokes of earlier letters can be read with confidence.

Other Surfaces. The two fragments were for long embedded in some road, upside down, like rude cobble stones. The bottoms are rounded, and the wear extends up the front, some also up the left side and back. The left side is worn throughout. The top is one break, all the way across both fragments; in the break, some oxidizing—the break is not recent. The right side is worn enough to show that the cobblestone was never much wider. The backs, dirty and somewhat patinated, were split off in even planes.

Altogether a much-suffering Fragment.

FRAGMENT C

Agora Inv. I 727

Photographs: Plate 10, a (Later Side), Plates 10, b and 11 (Top and End). *Hesperia*, IV, 1935, Earlier Side p. 14, Later Side p. 20, texts on facing pages in both instances; Later Side, *Proceedings of the Massachusetts Historical Society*, LXXI, 1953-1957, facing p. 3.

The Marble has notable defects. It has veins of mica which when exposed gleam

like silver; marking faults in the stone, they lie in a plane diagonal to the preserved surfaces. The erosion of the Earlier Side has exposed two kinds of harder matter, one being solid white and quartz-like, the other a dead, non-luminous white with many small cracks. Both the inscribed Sides also have deep pittings, as if softer stone had been eaten out by water.

Dimensions and Workmanship. The maximum height (0.537 m.) is preserved on the Earlier Side, the maximum width (0.510 m.) is preserved in the middle of the top. The thickness, at the top, is just under 0.120 m.: but at a point 0.35 m. below the top, on the preserved (joint) side, it is hardly 0.119 m.; and the same at the bottom. As a straight-edge shows, this slight but distinct difference is due to the wearing away of the lower surface on the Earlier Side. The original thickness was uniformly 0.120 m. The angle formed by the preserved side (with anathyrosis) and the top is an exactly true right angle. In these respects the block was carefully cut. It is notable therefore that the top was not trimmed precisely even. When the fragment is rested (upside down) on the top, it leans some 0.003 m. (measured at the full height) toward the Later Side. This is because the top edge of the Later Side was worked down smooth, whereas the roughest part, not worked down, is over the Earlier Side. In the area just around the clamp cutting, however, the surface is smooth.

On the *Earlier Side*, the area of fairly-well-preserved letters is *ca.* 0.19 m. in height (14 lines), and extends across the stone *ca.* 0.35 m., *i.e.* about two-thirds of the whole width, measured from the (broken) edge at the left. The rest of the surface was exposed to erosion by water; the surface is not crumbly, but has been eaten away sufficiently so that hardly any letters except an occasional *omicron* (made as usual with a point, hence tending to be cut deeper) can be read. The erosion not only removed the surface, it also cut rivulets and pits. All this results, here and elsewhere, from condensation of moisture on the undersides of blocks which span wet places. Gravity, and perhaps also faults in the stone, made the water trickle toward the lower right, creating long scars. In this period, therefore, the slab may be supposed to have been used as a cover of the Great Drain.

Earlier Side, Other Damage. Apart from the erosion by moisture, the history of the Earlier Side is difficult to understand. At some time or times before it was discovered in the excavations, it received two further kinds of damage. One is a deposit of very hard mortar. This is seen only in the non-eroded area, where it still fills many letters; cleaning has evidently removed some. Distinct apparently from this deposit is a darker brown matter, found in the non-eroded part only a little, but much over the rest of the surface, where it lies in patches and in curved streaks. There is a certain amount also in the (otherwise fairly fresh) break at the bottom; hence some of this deposit occurred when the stone lay in the place where it was found.

A heavy block to shift about, it has received the following post-discovery damage. Some small white areas in lines 13 and 14 are due doubtless to early cleaning, and in areas where no letters could be read, two scratches show white; they were caused by moving the stone on its shelf in the course of setting up the epigraphical collection. At some recent date a small chip has apparently been knocked off the (broken) left at lines 11-13; one or two letters may have been lost.

Treatment of the Later Side (Pl. 10, a). From the time of its discovery in 1933, it has been supposed by everyone who has dealt with the fragment that the slight cutting back of the surface below the (uninscribed) fascia at the top was due to a desire to secure an ornamental effect. The fascia, projecting slightly, would receive a running painted design. No trace of the design (or paint) can be detected, but the bare area is definitely the original well-smoothed surface, and undoubtedly it was left uninscribed for ornamental purposes.

The projection constitutes a feature of a different sort. The amount of projection is very slight indeed, only some 0.001 m., but no one knew enough to be troubled by this until H. A. Thompson pointed out that the amount of projection is most unusually slight, and queried (*per litt.*) whether the projection was in fact planned in advance for ornamentation. He suggested that instead the entire surface below the fascia had been removed, i.e. erased, in order to be re-inscribed with a text presumably different.

The issue thus raised affects Fragments A, B, and E also, but it was raised, and it can be fully tested, in the case of Fragment C. Thanks to the interest which the problem aroused, several scholars examined the stone: C. N. Edmonson, M. Lang, D. F. Ogden, W. K. Pritchett, R. Stroud, E. Vanderpool, and later H. A. Thompson. There was general agreement in the principal finding, viz. the fact of erasure.

In the first place, the amount of projection is indeed very slight, being of the order of 0.001 m. Contrary to appearances and to common belief, letters of the size used in calendars would rarely be cut to any depth greater than this, viz. *ca.* one millimeter. The fact that often erased letters can be read is explained by the shallowness and carelessness—and sometimes the intent—of many erasures. In the present instance, no erased letters can be read with certainty. With a light raking from the lower left, ΜΑ appear very doubtfully just above the third and fourth letters of line 1; a few traces above, as if in the original line 1 of this slab, appear even more doubtfully. I am unable to find others.

But the theory that the entire surface below the (uninscribed) fascia was stripped bare of inscriptions does not depend on the reading of letters erased. There are two other indications. The lower edge of the fascia is not quite even; it has the slight irregularity and the tooth-chisel marks which the process of erasing might leave. Secondly, the surface below the fascia was not smoothed as carefully as that of

the fascia itself. The fascia shows only a few traces, and slight at that, of the teeth of a tooth-chisel. Beginning just below the fascia, as we have seen, tooth-chisel marks appear clearly; and over the inscribed surface generally, at least a score of sets of tooth-marks are plainly visible.

In sum there are three items of positive evidence: (1) the uniquely slight projection of the fascia; (2) its lower edge, by no means as sharply measured and cut as would be expected on the part of the workmen of these slabs; and (3) the difference in treatment resulting from the failure to rub down the erased surface so as to obliterate chisel marks.

Later Side, Other Features. The Later Side has holes several millimeters deep. One or two at the bottom clearly were made by blows, one or two at the right clearly were made by erosion in faults; about the others it is hard to say. The surface is a little worn along much of the left side; the lower two-thirds of the first (half-) column is slightly dim. There is a patch of iron-rust at lines 2-7. Otherwise the letters of this face are crisp and clear—including the incompletely-smoothed-away tooth-chisel marks of the erasing. So many letters still so fresh probably, though not necessarily, reflect the fact that the Wall stood under a roof.

The End with Anathyrosis (Pl. 10, b) has smoothed bands *ca.* 0.03 m. in width. The trough in the middle was made by strokes of the point cross-wise, and slightly oblique, but again not regularly. The trough is fairly deep, 0.003-0.005 m. The inner edge of the smoothed bands, where they slope off to the central trough, is very irregular.

On the surfaces of this end, there is no cement or other hard deposit. It is notable, however, that all the surface, except most of the band along the Earlier Side, is eroded by moisture, just like most of the Earlier Side itself. Similar erosion of the narrow sides of stelai is to be seen on certain other Drain covers.

There is one bothersome fact. As the fragment is at present, the anathyrosis is inexact. When stood upright on this (anathyrosis) side, the fragment leans markedly toward the Earlier Side; and measurement shows that the smoothed (contact) band of the anathyrosis projects 0.002 m. less on the Earlier than on the Later Side. The difference shows clearly in a photograph (Pl. 11). The Later-Side band is somewhat battered, but much of the surface looks and feels original; yet a straight-edge shows there is some irregularity. The eroded (Earlier-Side) band is straight and true; only a little is lost. Since the inscription on the Later Side was carried over the cracks, the conclusion must be that the next slab was trimmed with a compensating difference of projection in the contact bands of its adjoining anathyrosis. This is quite unusual and surprising.

The one more-or-less preserved corner was chiselled off by vigorous strokes with a point. This was done before the slab was exposed to moisture; the surface is eroded

where the chisel marks show. The chiselling may have been done in the course of removing the clamp.

The Clamp Cutting (Pls. 10, b and 11). The block was joined to its neighbor by a double-T clamp. The clamp was set 0.019 m. down into the stone, and presumably was itself *ca.* 0.015 m. high. The width of the cutting at the bottom is 0.012 m., and it extends *ca.* 0.08 m. from the joint into the slab. The cutting is not exactly centered; it is 0.057 m. from the Later Side, but 0.052 m. from the Earlier Side. Nor are the angles right angles; the two arms of the T turn slightly upwards, as it were. From tip to tip they measure 0.038 m.

FRAGMENT D

A very small piece, its membership in the Code was realized very soon after it was discovered. A squeeze was made at once, and is shown in *Hesperia*, X, 1941, p. 34, Fragment E with text. The squeeze had been marked with soft black pencil on the right sides of the strokes (to give the effect of shadow). In printing, the image was reversed, so that the text reads from left to right. The readings are indubitable throughout—fortunately, because the fragment disappeared even before it could be catalogued; nor has the record of excavation been recovered. The fragment was certainly found before May 1936. Measured from the squeeze, it was *ca.* 0.065 m. in height, *ca.* 0.11 m. in width; the thickness was a few centimeters.

The lettering and arrangement are unmistakably like those of the Later Side of Fragments A, B, C, and E.

THE 144 MM. WALL

FRAGMENT E

Agora Inv. I 4310

Photograph of right end with anathyrosis, Plate 9, c; of back, Plate 9, d; of inscribed ("Later") Face, before (recent) cleaning, with text, *Hesperia*, X, 1941, p. 35.

Marble. The marble shows some traits similar to those of Fragment C: straight faults with some mica visible, and a habit also of breaking in curves.

The Inscribed Face has considerable patina—oxidized brown color—more than any other fragment. Hard matter, still darker, is seen in patches on the front, bottom, and preserved side. It seems to be mortar. The right edge, like the edges of Fragment C, has been somewhat worn and battered, taking most of the last column of letters; and much has also been chipped away.

Top. The original top is preserved in a small patch near the front. The surface here, which is tooth-chiselled, is slightly concave, as if it were not a bearing surface. Along the edge over the Later Side, moreover, there was only a narrow smoothed band, less, certainly, than on Fragment C; actually none whatever is preserved. The clamp cutting, 0.012 m. wide, is 0.059 m. long and ends in a break. At the break, i.e. at the end farthest from the preserved left side, the edge of the clamp cutting is 0.060 m. from the front surface; but the cutting is not straight. It bends slightly toward the front, so that near the joint it is 0.058 m. from the front. The distance from the present back surface is *ca.* 0.070 m. The depth of the cutting, only 0.016 m., is somewhat less than that of the clamp cutting on Fragment C.

The Left End (left as seen from the Later, inscribed, face) is all broken, long enough ago to be dirty, but it has no patina and only one or two small spots of soft plaster. *The Bottom* is similar, but there is more plaster. *The Right (Anathyrosis) End* (Pl. 9, c) is patinated all over, and some of the hard dark brown matter (mortar) adheres at the front. The flat band for anathyrosis, preserved at the Later Side, is like that on Fragment C in being 0.03 m. wide; its original surface, straight vertically, is largely preserved. Next it a fairly regular tooth-chiselled slope is cut down into the rough central trough. The trough was fashioned by a blunt point; the strokes are comparatively short, and tend to run in slanting rows. In these latter respects the cuttings differ from those of Fragment C; the mason was different.

Back ("Earlier" Side; Pl. 9, d). At first glance the back seems to preserve some at least of a quarry (i.e. original rough-picked) surface. This appearance is the one recorded in the excavation records, and it was so published, unseen, by me. I supposed that this part of the (120 mm.) Wall was unfinished and that hence it was left thicker than the rest of the 120 mm. Wall, perhaps because the back of this part of the Wall was in a dark corner. Just where such a dark corner would be was hard to imagine; moreover it seemed strange that although some of the surface of the 120 mm. Wall was still available, *scil.* on this present fragment (E), where it needed only to be cut back and smoothed, the codifiers proceeded to construct, and to inscribe on both faces, another, thinner (92 mm.) Wall.

The recent close examination of the fragment has altered rather than solved the difficulties. Part of the back has a hard yellow matter of uncertain nature; but much of the back is unsmoothed white stone. H. A. Thompson has explained this white surface: Late Roman mortar, used to hold the block in place, was so strong that when it broke away, it took the surface with it. Some of this mortar still adheres to the end of the stone. It is for this reason that the back is at present somewhat uneven; although it happens that a few less worn spots have surfaces near enough one plane so that when the fragment is set upon this uneven back surface, the side then uppermost, *viz.* the Later Side, is within 0.002 m. of being horizontal.

The 'right' end, as we have seen, had a contact band of anathyrosis of normal width at the Later edge. At the Earlier edge the surface is preserved only in scattered areas. About some of these areas it is not easy to be sure that they are ancient. But it is certain that *if* there was a band of anathyrosis, it was extremely, indeed implausibly, narrow. Practically, in fact, there need be no doubt whatever that no anathyrosis joint was provided at the back. The blocks met only at the front. In more than one protracted and thorough examination, H. A. Thompson and others have established this conclusion. It may fairly be called astonishing.

It follows that the back was intended never to be seen. The back, as we have seen, appears not to have been finished with an inscribable surface. This impression agrees exactly with what has now been discovered about the lack of anathyrosis at the back.

Nor does the strangeness end here. The anathyrosis at the front does not project as far as the rough surface of this same end at the back. Accordingly the next block in the series must have been cut to allow for this; we have seen that Fragment C demands a similar adjustment on the part of its neighbor.

THE 92 MM. WALL

FRAGMENT F

I.G., I², 844 (Earlier Side) and 845 (Later Side).

Fragment F, long lost, is known solely from a copy and notes by L. Ross. It was claimed by me as part of the Code before (*Hesperia*, X, 1941, p. 31) and no objection has been raised. The facts that it was opisthographic, one side being Old Attic Letters and the other Ionic, and that both Sides are Sacred Law, the Later Side being in calendar form and resembling e.g. Fragment C, are sufficient proof that it belongs to Nikomakhos' Code. The problem is where to put it. Because its Later Side appeared to have been stoichedon, I had supposed that it belonged to the "Thicker" Wall. There is evidence now, which can be set forth more conveniently elsewhere, that the Later Side was not stoichedon. Consequently Fragment F should be assigned to the 92 mm. Wall.

FRAGMENT G

Agora Inv. I 251

Hesperia, III, 1934, p. 46, no. 34, drawing and text. The Later Side has two kinds of thin brown deposit which is not mortar, nor is there any erosion by moisture. Similarly with the more battered Earlier Side. The three broken faces show no mica in the marble, nor erosion, nor mortar on it; some surfaces have patina, all are

dirty. The end with anathyrosis has a flat band, straight vertically although now much battered, *ca.* 0.027 m. wide, and sloping a little toward the trough. Except for a chip lost (not recently) at the bottom, the end with anathyrosis is heavily patinated. It is remarkable how the band for anathyrosis on the Earlier Side has disappeared without a trace. The right angle shows that more than 0.007 m. of stone are missing; the area is rounded off and heavily patinated, as if there never had been a joint, and indeed the fact that the Earlier Side bore a text is the only evidence for a contact surface. It is therefore notable that the text on the Earlier Side seems to respect the edge.

FRAGMENT J

Agora Inv. I 687 + 1026 *a* + 1026 *b*

Hesperia, X, 1941, pp. 33, 36, Fragment C, photographs and text. There is some light patina on all the exposed (i.e. non-joined) surfaces, but no other deposit save for a streak of hard brown matter below the lowest line of the Earlier Face, and some very small traces of dirt or plaster. Apart from blows, the inscribed surfaces have received very little damage. Marks of the tooth-chisel show faintly and evenly as lines on the Earlier Side; on the Later Side, tooth-marks show in abrupt rows, as on the (erased) Later Side of Fragment C, but more faintly; the surface is fairly smooth, no trace of earlier letters is detectable, and there is no positive indication that Fragment J was erased.

FRAGMENT I

Agora Inv. I 945

Hesperia, X, 1941, p. 32, Fragment B, photograph and text. There is some patina on front, top, and back; this small piece has long been broken and exposed. There is also some brown deposit, part of it plaster. But except for one hole, the front is very crisp.

FRAGMENTS H AND K

Agora Inv. I 591 and 590

Hesperia, X, 1941; Fragment H is p. 32, Fragment A; Fragment K is p. 34, Fragment D. Faces only a little browned; but the (bottom) edges had enough wear to make them battered and rounded; while broken surfaces behind show fresh breaks (contrast Fragment I). The bottom of Fragment K (Pl. 9, e) shows only tooth-chisel marks. The bottom of Fragment H (Pl. 9, e) is preserved to a larger extent. Beyond the (more even) tooth-chisel band at the front, deeper point strokes show, and in fact it was a very uneven bottom on which to rest a Wall. Still, the cutting

is so exactly parallel to the lines of the inscription that one is reluctant to assume that the cutting is post-classical.

THE THINNER WALL

The problem created by the new study of the fragments of the Thinner Wall arises from the thicknesses. Fragment G was associated with the group of three joined pieces, now called Fragment J, because the thicknesses of G and J were thought to be the same. The lettering, to be sure, was different, but the Earlier Side of the Thicker Wall showed various hands and arrangements. The marble too looked different, but the two pieces could be from different slabs. Most troublesome, perhaps, but not a detail that anything could be made of, was the fact that the Thinner Wall was inscribed, at least in two columns (Fragments H and K) to the very bottom. Still, none of these obstacles was fatal. Against them were the facts that both fragments were opisthographic, which is rare in Athens, and both apparently dealt with Sacred Calendars, of which there are few from all the periods together. Most impressive was the fact that Fragment J has an Earlier Side with (Attic) letters of ante-403/2, and a later Side with (Ionic) letters of 403/2-. In agreement, seemingly, was the thickness, catalogued as 0.094 m. for Fragment G and as 0.095 m. for Fragment J.

Autopsy has given rise, again, to an awkward difficulty. Fragment G is worn on the Earlier Side, and slopes a little; but where it is better (though not perfectly) preserved, the thickness is 0.095 m. Fragment J, which is not worn on either side, is only 0.092 m. in thickness, at most 0.093 m. The difference is clear when the two fragments are set on a level surface side by side. (In Figure 1 the thicknesses of Fragments G and J, through an error of my own, have been interchanged.)

There is no other new fact. Certainly the two Fragments cannot be regarded as parts of one and the same slab. The question is doubtful whether they are parts of one and the same Wall. Inscribed to the bottom, the monument made up of Fragments J, I, K, and H (all these certainly belong together) has some strange features. But to divorce this group altogether from the rest of the Code, even if a fourth (!) wall had to be admitted, would be hazardous. Opisthographic walls in the Athenian Agora, one side inscribed ante-403/2, the other 403/2-, and devoted to Sacred Calendars with related matter, would naturally all be assigned, apart from the physical characteristics of the inscriptions, to one large undertaking. No one can have been doing, independently of him, in the very same years, what Nikomakhos was doing.

THE WALLS

THE ASSIGNMENT OF FRAGMENTS TO WALLS. Formerly it appeared that all the fragments belonged to one of two Walls: a Thicker Wall, which was planned and

inscribed on its Later Side with great care—the Calendar proper was to be stoichedon —; and a Thinner Wall not designed as a whole, and presenting a somewhat chaotic appearance—parts are stoichedon, parts are irregular, and parts are non-stoichedon. The Thicker Wall had a thickness of 0.120 m. To it belonged, certainly, the largest Fragments, A and C, and with them seemed to go the small pieces B and D, which preserve only a little thickness. Fragments E and F were also assigned to it.

Fragment E has an inscription on the Later Side similar in arrangement to those of Fragments A, B, C, and D, and the mason appears to have been the same. But it now seems unlikely that the Wall was also the same. Because of the lack of an anathyrosis joint at the back, it is quite clear that there was never any intention of the back being trimmed down and inscribed; this is no “unfinished” part of a wall. Nor does it seem likely that one long wall would be planned to be set partly in the clear (so that the part in the clear could be inscribed on both sides), and then to continue straight alongside a wall of the building (so that this part of the inscribed wall could be inscribed on only one side). The obvious probability is that the 120 mm. Wall, which being opisthographic certainly stood in the clear, proved to have an area insufficient for the Systematic Calendar, and that it was then supplemented by a wall 0.144 m. thick set alongside a near-by wall of the building, where it would take a minimum of floor space, but of course could never be inscribed on its reverse side.

The two walls, then, bore the Systematic Calendar of Sacrifices. It was laid out on one side only, the Later Side, of the 120 mm. Wall, and on the newer one-sided 144 mm. Wall. The two Walls together sufficed.

So much seems clear enough. When the 144 mm. Wall was set up, there was already standing a thinner Wall, 0.092-0.095 m. in thickness, represented for us by Fragments G, H, I, J, and K. One side of it had already been inscribed. The other side was either (a) inscribed already, or (b) was not inscribed but was already assigned to Calendar matter considered suitable for it, or (c) was clearly too small for all that remained to be inscribed, or (d) stood in a position unsuitable for the continuation of the great Systematic Calendar. Its thinness, and the related fact that it stood on a base (so that it could be inscribed to the bottom), suggest that (c) is the preferable alternative.

Whether the small Fragments B and D belonged to the 120 mm. or to the 144 mm. Wall cannot be decided at present. The lost Fragment F should now be assigned (*supra*) to the 92 mm. Wall. This Wall certainly included Fragments H, I, J, and K, which are bound together by similarity of hand. Fragment G, with a thickness up to 0.095 m., and with distinctive lettering on both Sides, *may* represent a fourth Wall; but until more evidence appears, it is better to regard the slight difference of thickness as insignificant, and to treat Fragment G as part of the 92 mm. Wall.

THE ERASURE. It can be no accident that all the preserved fragments with

Systematic Calendar whose surface is reasonably intact (Fragments A, B, C, E) bear unmistakable traces of erasure. Inscriptions which covered one whole side each of two Walls were obliterated and replaced by others. On such a scale, it was a most unusual action. One may doubt whether there ever stood in Athens a larger erased area, or more extensive inscriptions written *in rasura*.

The whole area laid out to bear the systematic Sacred Calendar was inscribed at some time earlier than the time when the surviving inscription was inscribed, with a text sufficiently different so that erasure of the whole and a new inscription were necessary. About the erased inscription a few inferences can be made.

(1) It had an (the same) ornamental fascia above. This means that the side herein called the 'Later' Side was regarded doubtless from the beginning as the more ornate side, the side intended for the long series of columns which made up the Systematic Calendar, and the side which in fact presently was reinscribed with the Systematic Calendar of Sacrifices. It seems reasonable to infer that the first (erased) inscription was also Systematic Calendar of Sacrifices.

(2) And yet the Later Side *was* inscribed and then erased—a process so long and so laborious that it would not have been undertaken without extreme provocation. What sort of provocation could this have been? Clearly the text which had to be supplanted had such faults, i.e. differed so much from the text which was to supplant it, that partial corrections—a numeral here, a victim there—would not suffice. Not even the substitution of different texts for entire days would be enough. So much was null and void that the whole had to be obliterated.

(3) The doubtful traces of the first (erased) inscription will have to be read less doubtfully before we can be more specific; but the letters of the first (erased) inscription can hardly have been deeper, and hence can hardly have been much larger, than the letters of the second (surviving) text.

OBVERSE AND REVERSE. At an early stage in my study of the Code fragments, it appeared that there was a close relation between the provision of walls, in place of separate stelai, and the needs of a systematic calendar, which called for the broad surface of a wall. If correct, this meant that the inscriptions of 410-404 were cut on the poorer side, which thus became the Earlier, whereas the Later Side was left uninscribed until the various systematic Dramosynai were successively ready. It is now learned that the Later Side bore an inscription of unknown date, which was erased before the present inscription was carved. The question might therefore be asked, Does the Later Side still appear to have been the principal one, regardless of when it was first inscribed? The answer is that the two pieces of non-epigraphical evidence are still valid. One is that on the top of the stone the edge above the Later

Side was smoothed, above the Earlier not. The other is that the Earlier Side is inscribed to within 0.010 m. of the very edge, i.e. there was not space for another line—i.e. for heading or for ornament—above the first line. These facts are still conclusive.

CROWNING MEMBERS? Formerly I assumed that on an inscribed wall, as regularly in Greek stone construction, clamps would not be left uncovered, and that a crowning course ought to be “restored.” This was certainly an error. Clamps high enough to be out of sight, I am told, need not be covered. The recent examinations of the stones have added relevant facts. The top of Fragment C, as noted *supra*, is not trimmed to a perfect right angle with the sides. Nor is it perfectly level horizontally; although a straight-edge shows that most of it was trimmed to match a straight-edge, nevertheless over the Earlier Side, in an area *ca.* 0.10 m. from the break, too much stone was left protruding upward. The top of Fragment E, only a small patch to be sure, is slightly hollow. These facts settle the matter. The 120 mm. and 144 mm. Walls certainly had no crowning course; and doubtless also the 92 mm. Wall. The only crowning ornament preserved is the uninscribed smooth band at the top of the Later Sides of the 120 mm. and 144 mm. Walls.

OTHER FEATURES. With respect to architectural features, inscribed walls might be expected to throw light on each other. No study of inscribed walls had ever been made, and I was able only to complete enough of it to settle the problems about the Code. Apart from the Code Walls, there are in Athens fragments of eight other walls erected solely to be inscribed. In the first place, they prove that some at least of such walls could be free-standing; no posts or columns at the ends were felt to be necessary, and for the Code we need no longer seek a building with interior columns suitably placed. The study also confirmed the finding *supra* about the absence of a separately-cut crowning member.

Clamps set at a slight angle, as in Fragment E, are also not unusual. The irregularities of anathyrosis are however without parallel elsewhere in Athens in this period, and altogether are surprising. Fragments A (?), C, and E have one band of the anathyrosis, or at least had a surface of some sort, protruding slightly beyond the other. This too is most extraordinary. But only Fragment C did certainly have a trimmed band at the Earlier Side; E had none, A and G are doubtful.

In short, only the Later Sides show good workmanship, and this is matched by the fine quality of the inscription there. Moreover the joints were good enough so that the inscriptions could be carried across the cracks. For the rest it would appear that the restored democracy after the revolutions of 411/10 B.C. sanctioned some cheap crude workmanship in the Walls that were to bear the re-codified Law. The alternative, looking at the whole in another way, is that strictly only Fragments A, B, C, D, and E can be said positively to belong to the Code. They are the ones

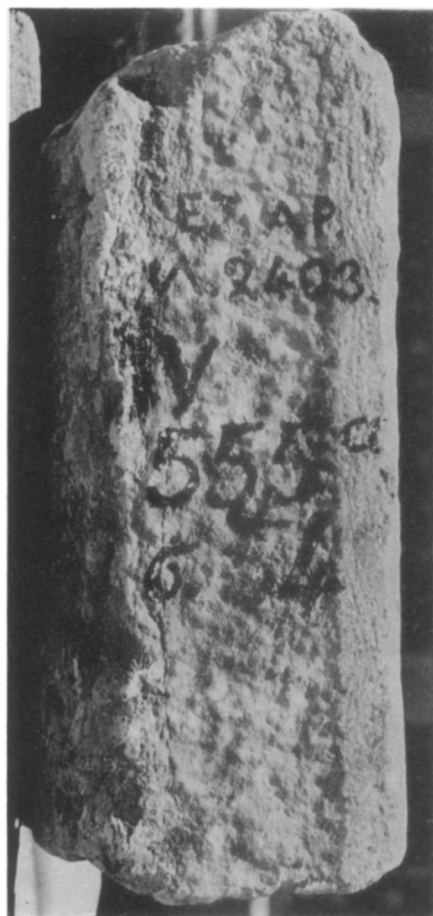
united by design and lettering. Apart from content only for Fragment J, and the fact, known in some cases, that they come from opisthographic Walls, all the other fragments could be from quite other documents. It may be wise to keep this in mind, however unlikely it seems.

Study of the four preserved instances of anathyrosis (Fragments A, C, E, and G) suggests that no two were trimmed by the same workman, and it is also clear from all the indications that no two of these four fragments came from the same slab. Only Fragments H, I, J, and K are enough alike to have come from one slab. Considering all the eleven fragments as a group, the diversity of their post-classical histories is to be noted: Fragment A had been a sill, B a cobblestone, C a drain cover, E and others building blocks. This then is a further indication that what we have is some six (at least) pieces which came from six different areas of three extensive inscribed Walls.

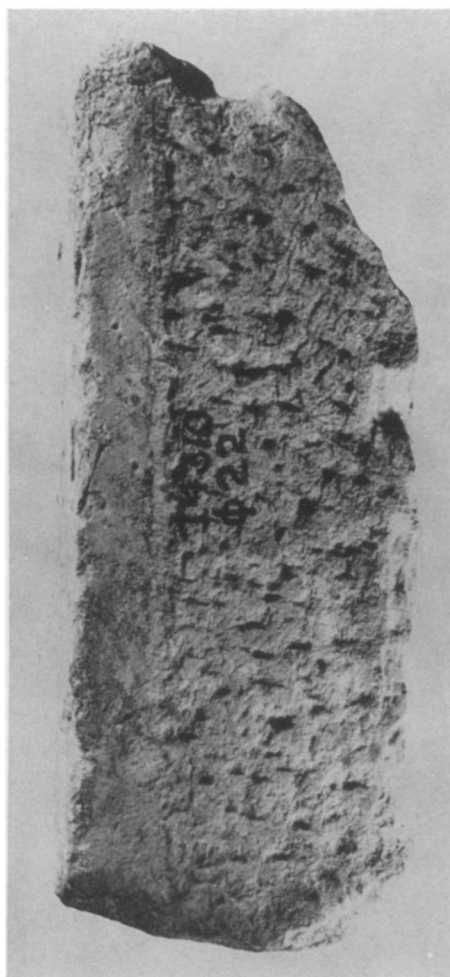
By the same token, the Walls were much broken up. Before joins were made, our eleven fragments were 15 stones. Study of the places of finding will show that they had been scattered (though all come from the Agora). The largest, C, is no more than one-eighth of the slab from which it came. On the other hand, the study of the fragments—both of their varied workmanship and of the indications of varied post-classical history—has emphasized once again the great size and complexity of the Code. Limited though they are, our fragments give us some 350 lines. The elaboration which all this diversity attests fits better than ever with the fact that Nikomakhos required ten years to complete the Code.

STERLING DOW

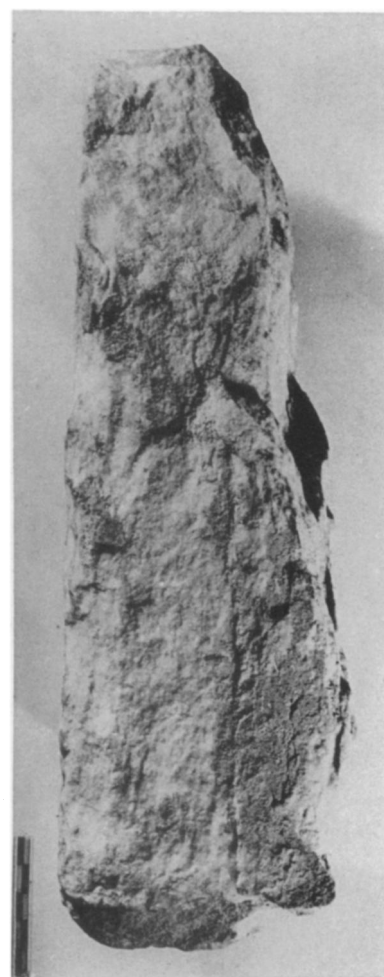
HARVARD UNIVERSITY



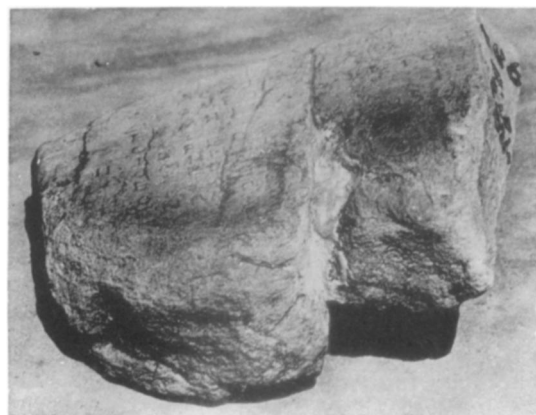
a. Fragment A. Anathyrosis



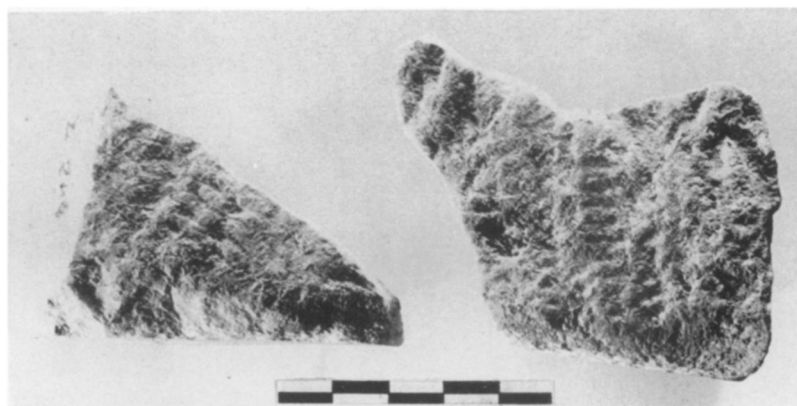
c. Fragment E. Right (anathyrosis) End



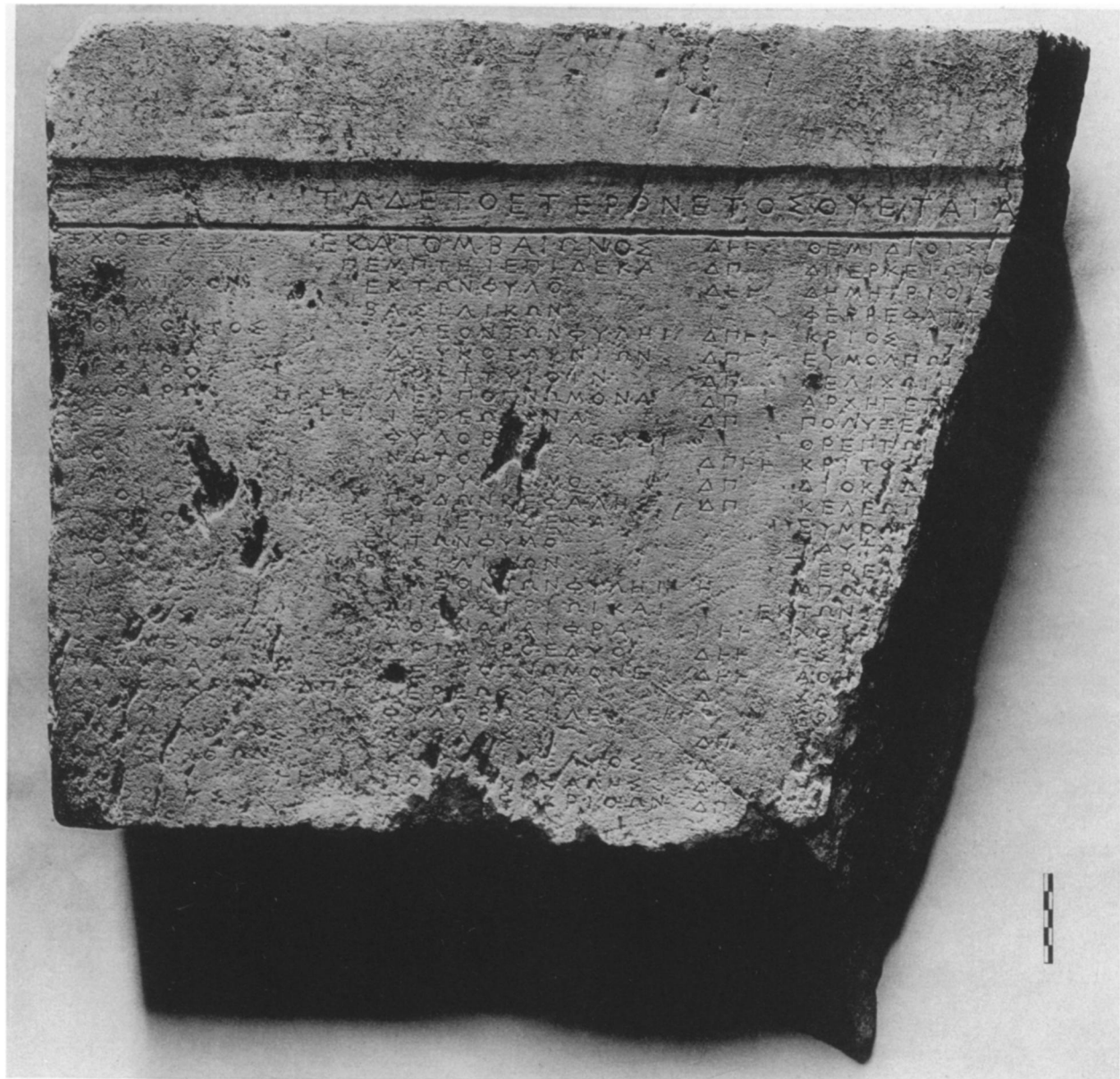
d. Fragment E. Back



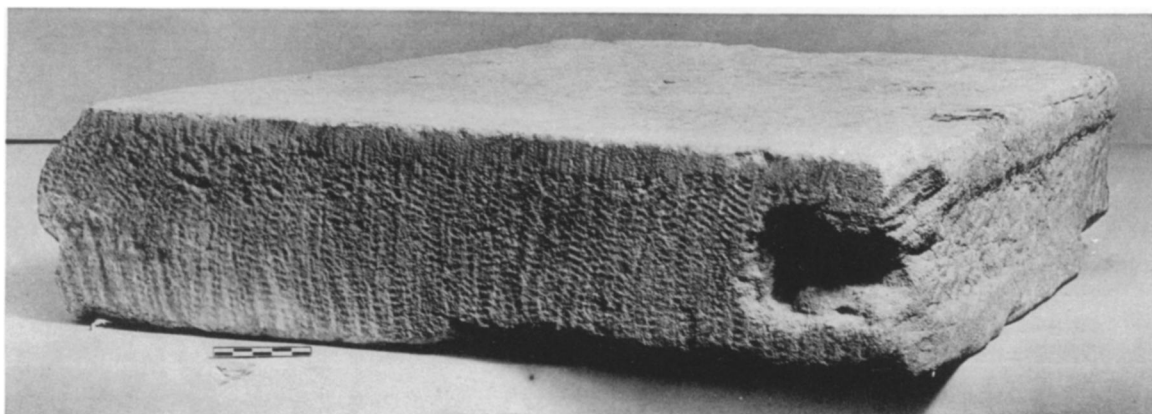
b. Fragment B. Bottom, etc.



e. Fragments H and K. Bottoms

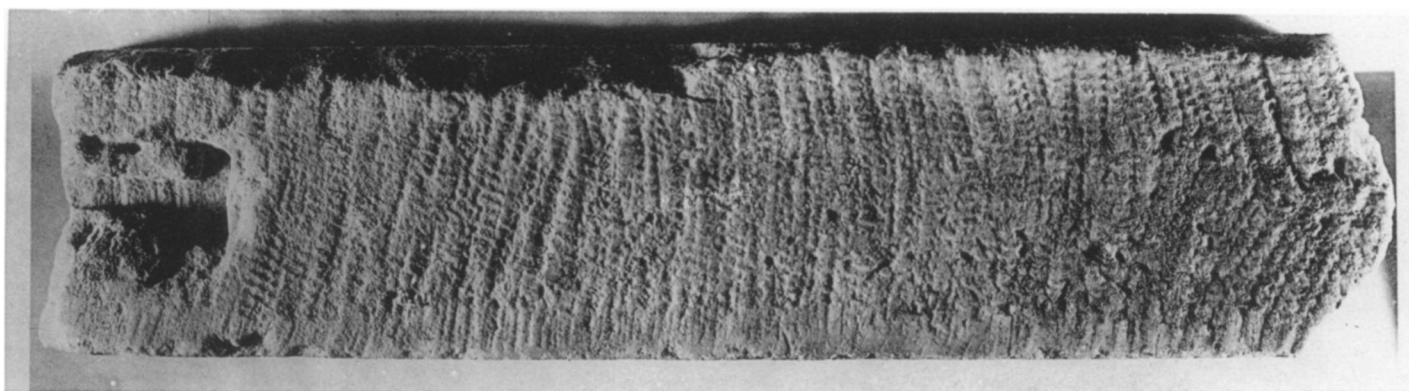


a. Fragment C. Later Side



b. Fragment C. Top, End, etc.

STERLING DOW: THE WALLS INSCRIBED WITH NIKOMAKHOS' LAW CODE

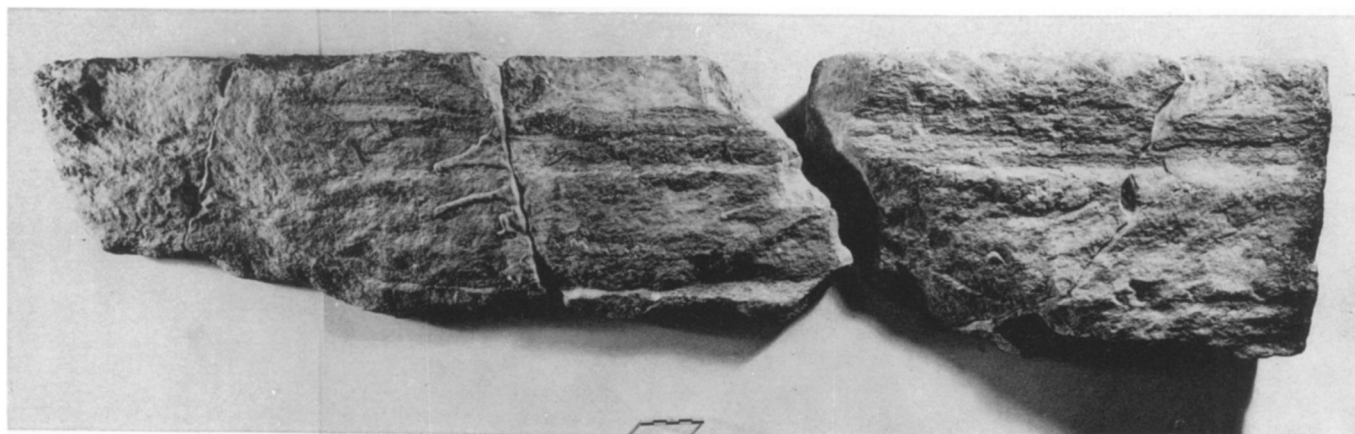


Fragment C. Top

STERLING DOW: THE WALLS INSCRIBED WITH NIKOMAKHOS' LAW CODE



a. I 944 h. Fragment L.



b. I 944 f and h. Backs of Fragments A and L.

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