

# THE TEN *ARCHONTES* OF 579/8 AT ATHENS

IN THE TREATMENT by the Ἀθηναίων Πολιτεία (*AP*) of the troubled years at Athens after the Solonian reforms (chapter 13), there is a description of a composite archonship of 10 men, henceforth the 10 *archontes*.<sup>1</sup> This composite archonship was made up of 5 *eupatridai*, 3 *agroikoi*, and 2 *dēmiourgoi*.<sup>2</sup> The Athenians decided to make them archons after Damasias, who seems to have been eponymous archon for 582/1, 581/0, and the first two months of 580/79, was forcibly removed from office. I reproduce *AP*, 13.1–2 below, with the notice on the 10 *archontes* underscored.

<sup>1</sup> Τὴν μὲν οὖν ἀποδημίαν ἐποιήσατο διὰ ταύτας τὰς αἰτίας. Σόλωνος δ' ἀποδημήσαντος, ἔτι τῆς πόλεως τεταραγμένης, ἐπὶ μὲν ἔτη τέτταρα διήγον ἐν ἡσυχίᾳ· τῷ δὲ πέμπτῳ μετὰ τὴν Σόλωνος ἀρχὴν οὐ κατέστησαν ἄρχοντα διὰ τὴν στάσιν, καὶ πάλιν ἔτει πέμπτῳ διὰ τὴν αὐτὴν αἰτίαν ἀναρχίαν ἐποιήσαν. <sup>2</sup> μετὰ δὲ ταῦτα διὰ τῶν αὐτῶν χρόνων Δαμασίας αἰρεθεὶς ἄρχων ἔτη δύο καὶ δύο μῆνας ἦρξεν, ἕως ἐξηλάθη βία τῆς ἀρχῆς. εἴτ' ἔδοξεν αὐτοῖς διὰ τὸ στασιάζειν ἄρχοντας ἐλέσθαι δέκα,

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Works frequently used are abbreviated as follows:

- Atthis* = F. Jacoby, *Atthis: The Local Chronicles of Athens*, Oxford 1949  
*DAA* = A. E. Raubitschek, *Dedications from the Athenian Akropolis*, Cambridge, Mass. 1949  
Gernet = L. Gernet, "Les dix archontes de 581," *RevPhil* 12, 1938, pp. 216–227  
Hammond = N. G. L. Hammond, "Land and Society in the Athens of Solon," *Studies in Greek History*, Oxford 1973, pp. 104–144  
Hignett = C. Hignett, *A History of the Athenian Constitution to the End of the Fifth Century B.C.*, Oxford 1952  
*LSCG, Suppl.* = F. Sokolowski, *Lois sacrées des cités grecques, Supplément*, Paris 1962  
Meiggs-Lewis = R. Meiggs and D. Lewis, *A Selection of Greek Historical Inscriptions to the End of the Fifth Century B.C.*, Oxford 1969  
Oliver = J. H. Oliver, "From *Gennētai* to *Curiales*," *Hesperia* 49, 1980, pp. 30–56  
Rhodes = P. J. Rhodes, *A Commentary on the Aristotelian ATHENAION POLITEIA*, Oxford 1981  
Roebuck = C. Roebuck, "Three Classes (?) in Early Athens," *Hesperia* 43, 1974, pp. 485–493  
Sealey, "Regionalism" = R. I. Sealey, *Essays in Greek Politics*, New York 1965, pp. 9–38 (= "Regionalism in Archaic Athens," *Historia* 9, 1960, pp. 155–180)  
Sealey, "Eupatridai" = R. I. Sealey, *Essays in Greek Politics*, New York 1965, pp. 39–41 (= "Eupatridai," *Historia* 10, 1961, pp. 512–514)  
Wade-Gery = H. T. Wade-Gery, "Eupatridai, Archons, and Areopagus," *Essays in Greek History*, Oxford 1958, pp. 86–115 (= *CQ* 25, 1931, pp. 1–11, 77–89).

<sup>2</sup> The Berlin papyrus has *apoikoi* in place of *agroikoi*, but *agroikoi*, the reading of the London papyrus, is the original (M. Chambers, "The Berlin Fragments of the *Ath. Pol.*," *TAPA* 98, 1967 [pp. 49–66], p. 58). In the Berlin papyrus the number of *eupatridai* was thought to be 4, giving 9 *archontes* (F. Blass, "Neue Papyrus Fragmente eines Historiker im Ägyptischen Museum zu Berlin," *Hermes* 15, 1880 [pp. 366–382], pp. 372–373; cf. Gernet, p. 217), but indeed they number 5 as in the London papyrus. See F. G. Kenyon, "Aristotle, 'Ath. Pol. xiii.2,'" *CR* 14, 1900, p. 413; Chambers, *op. cit.*, p. 58.

πέντε μὲν εὐπατριδῶν, τρεῖς δὲ ἀγροίκων, δύο δὲ δημιουργῶν, καὶ οὗτοι τὸν μετὰ Δαμασίαν ἤρξαν ἐνιαυτόν. ὧ καὶ δῆλον ὅτι μεγίστην εἶχεν δύναμιν ὁ ἄρχων· φαίνονται γὰρ αἰεὶ στασιάζοντες περὶ ταύτης τῆς ἀρχῆς.

Many students of Athenian constitutional history have held that the tradition on the 10 *archontes* is, to a lesser or greater extent, contaminated by later theorizing.<sup>3</sup> Gernet, in an influential article, argued that the 10 *archontes* were created by a late 5th-century theorist like Kritias.<sup>4</sup> I shall argue that comparisons with later theorizing do not explain away the notice of the *AP*. The 10-*archontes* system deserves attention not only as a stage in the development of the Athenian constitution but also for what it tells us about the evolution of partisan ideology at Athens. The allocation of political power on the basis of participation in socio-economic groups rather than by census rating, blind to inherited or occupational status, is a diversion from the general line of Athenian institutional evolution from Solon to Periclean democracy. It affords us a rare view of explicit interaction between social and political history.

This diversion was the work of a group within the Athenian aristocracy, self-styled Eupatrids, which sought to arrogate for itself the status of an elite caste within a closed oligarchy, i.e., an oligarchy which does not countenance mobility among social groups. In fact, castes never existed at Athens, not even a Eupatrid caste, outside the polemics of such oligarchs, traces of which can be detected in the myths about Theseus. The 10-*archontes* system was a short-lived aberration, the authority of which may not have been recognized throughout Attica. Its institution interrupted the predominant pattern of partisan politics of these years, which were marked by the ebb and flow of agitation to extend the Solonian reforms. An analysis of the 10-*archontes* system also leads us to new understandings of two aspects of Archaic Athenian society: first, the nature and legal prerogatives of aristocrats called Eupatrids; second, the manner in which cult activity and its supporting myths became vehicles for particular partisan groups.

### THE CONSTITUTIONAL ROLE OF THE TEN *ARCHONTES*

A starting point may be taken on the premise that the creation of the 10 *archontes* was in some sense a response to the 26-month archonship of Damasias or to his expulsion from office. Yet interpreting this response is complicated by uncertainty about the character of Damasias' archonship. Wade-Gery, on the one hand, argued that Damasias signified a Eupatrid reaction to the Solonian reforms.<sup>5</sup> Through analysis of the 10-*archontes* system, on the other hand, cogent arguments will be raised that Damasias was in the "populist" tradition (see below, pp. 466–469).

Both the passage in the *AP* and its Atthidographic source for this notice go back to an annotation on the list of eponymous archons which recorded the corporate archonship of the

<sup>3</sup> M. A. Levi, *Commento storico alla Respublica Atheniensium di Aristotele*, Milan 1968, I, pp. 150–151; J. Day and M. Chambers, *Aristotle's History of Athenian Democracy*, Berkeley/Los Angeles 1962, pp. 172–173; cf. Rhodes, p. 183.

<sup>4</sup> Gernet, pp. 226–227.

<sup>5</sup> Wade-Gery, pp. 103–104; cf. F. R. Wüst, "Gedanken über die attischen Stande—ein Versuch," *Historia* 8, 1959 (pp. 1–11), pp. 8–9.

10 *archontes* as it reported the earlier two *anarchiai*.<sup>6</sup> This annotation may have represented all that was directly known to the Atthidographers (and hence to the Peripatetic author of the *AP*) concerning the 10 *archontes* (see below, p. 461). Thus, they are not to be equated with the 9 archons of the 6th century and thereafter (eponymous archon, polemarch, basileus, and 6 *thesmothetai*)<sup>7</sup> or the 10 archons of the 4th century (when the *grammateus* of the *thesmothetai* was classed among the archons).<sup>8</sup> That the 10 *archontes* and later 10 archons number the same is coincidental. Since they ἥρξαν (governed) Athens, the 10 *archontes* were a college designed to replace the eponymous archon.<sup>9</sup> This fact makes of them a unique group inasmuch as the archons (then and later) did not discharge their chief functions collegially. The unprecedented character of the arrangement may explain why we are given no information about its termination. A reader familiar with Athenian government might have assumed that such an anomaly was not long-lived. Yet a suspicion cannot be avoided that the 10-*archontes* system was not meant to be a temporary expedient and that the story of its termination has been lost.<sup>10</sup>

The *AP* underlines the singularity of the 10 *archontes* with the next sentence: ὃ καὶ δῆλον ὅτι μεγίστην εἶχεν δύναμιν ὁ ἀρχων· φαίνονται γὰρ αἰεὶ στασιάζοντες περὶ ταύτης τῆς ἀρχῆς (wherefore it is clear that the archon had the greatest power, since they seem constantly to have fought factionally over this office). To Gernet, this sentence makes best sense when the previous sentence on the 10 *archontes* is removed.<sup>11</sup> It is an interpolation, perhaps deriving from Aristotle himself. Yet the text as it stands makes good sense. The *AP* has narrated the choice of Solon as *diallaktēs* and archon and his unprecedented legislative activity as such (5.2–12). It later notes two anarchies, which are to be construed strictly as the absence of the archon. Next Damasias is elected and holds office for 26 months. As Damasias is not called a tyrant and the *AP* does not call his full second year and partial third year anarchies, in some way he was presumably elected or authorized as archon for this time. Finally, the empanelment of the 10 *archontes* is described. All these occurrences (including even the election of Solon) involve Athenians στασιάζοντες περὶ ταύτης τῆς ἀρχῆς, civil strife not only over the choice of the archon but over the very nature of the office. To an audience for whom the authority of the eponymous archon was relatively limited, the notice of the *AP* about civil strife over the archonship was a necessary reminder.<sup>12</sup>

<sup>6</sup> *Atthis*, pp. 174–176, 351–352, notes 46, 50, 51.

<sup>7</sup> Whether the *thesmothetai* yet numbered 6 (ca. 580) is uncertain. *AP*, 3.4 states that their office originated after that of the other archons. The passage in Thucydides (1.126.8) implying that there were 9 archons at the time of the Kylonian crisis, is of no great force, since the phrase “9 archons” may well be conventional here. See E. Ruschenbusch, *Untersuchungen zur Geschichte des athenischen Strafrechts*, Graz 1968, pp. 78–79, note 237. Cf. A. Ledl, *Studien zur älteren athenischen Verfassungsgeschichte*, Heidelberg 1914, pp. 268–269.

<sup>8</sup> Cf. Gernet, p. 224. On the *grammateus* of the *thesmothetai*: *AP*, 55.1–2; Pollux, viii.92. Rhodes observes that the *dokimasia* of the *grammateus* in a *dikasterion* may argue that the office is later than 487/6 (pp. 613–615), too late to be relevant to the 10 *archontes*.

<sup>9</sup> C. Mossé, “Classes sociales et régionalisme à Athènes au début de VI<sup>e</sup> siècle,” *AntCl* 33, 1964 (pp. 404–413), p. 405. Jacoby (*Atthis*, p. 175) compares them with Roman *tribuni consulari potestate*.

<sup>10</sup> Gernet, p. 216. See below, pp. 466–470.

<sup>11</sup> Gernet, pp. 223–224.

<sup>12</sup> A Classical audience would be accustomed to think of sortition for the archons, another impediment to believing in a powerful archonship. It is difficult to reconcile the *anarchiai*, Damasias’ multi-year archonship,

Moreover, the phrase *ἔδοξε αὐτοῖς* suggests that the *archontes* were authorized by a decision of the *ekklesia*. There is no reason to join Gernet in judging the phrase to be vague or objecting that a decree of the assembly led to a constitutional change.<sup>13</sup> The constitution was similarly changed in 411/0 and 404/3. Nor is this type of legislation surprising, since no firm distinction had been made between enactments of an assembly's majority and fundamental laws. A comparison with Solon's mandate is valid, for, if the Athenians could allow a *nomothetēs* to change the constitution, they could certainly make such arrangements themselves under political advice.

The board of 10 *archontes* has parallels in similar, contemporary colleges such as the ephors at Sparta, *dāmiourgoi* at Argos, or *basileis* in several cities.<sup>14</sup> The number was probably determined by the need to balance the 5 Eupatrids against the total of the other two groups and so in principle to preclude a Eupatrid unanimity from nullifying the influence of the other two groups.<sup>15</sup> It may also have been important that each group have more than one member (a check against subornation?) and that the *agroikoi* outnumber the *dēmiourgoi*. The idea that the *archontes* numbered 10 because each served as archon for one month (10 months equaling the remainder of Damasias' third year) can be ruled out.<sup>16</sup> A move to collective leadership after Damasias was held to have usurped the archonship is understandable, but a single man holding sole power for one month is an unsatisfactory solution to a chief executive's abuse of his authority. In fact, the *AP* reports that the 10 *archontes* were in office the full year after the third partial year of Damasias.

## THE SOCIAL ORIGINS OF THE *ARCHONTES*

### THEIR STATUS RELATIVE TO THE SOLONIAN CENSUS SYSTEM

The most noteworthy feature of the system of the 10 *archontes* is that it seems to ignore the Solonian census system. Can it be that the *archontes* from the *agroikoi* and *dēmiourgoi* were drawn from the Solonian zeugites and thetes, when the former were authorized to become archons only in 457/6 and the latter were never admitted in principle?<sup>17</sup> If we answer this in the negative, are we right to think of those wealthy members of the political elite (Pentekosiomedimnoi and Hippeis) outside the hereditary aristocracy as the *agroikoi* and *dēmiourgoi*? This concept appears to make nonsense of the implicit evaluative distinction in the terminology between the Eupatrid *archontes* and the others, whose names were never associated in Attica with the elite or with politically active groups.<sup>18</sup> Could even

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and the 10-*archontes* system with the appointment of the archons through *κλήρωσις ἐκ προκρίτων* (*AP*, 8.1). See the Appendix.

<sup>13</sup> Gernet, p. 216.

<sup>14</sup> Argive *dāmiourgoi*: *SEG* XI, 314, 336 (cf. N. G. L. Hammond, "An Early Inscription at Argos," *CQ* 10, 1960, pp. 33–36). *Basileis*: at Mytilene, Theophrastos *apud* Stobaeus, *Florilegium* XLIV.22; at Chios, Meiggs-Lewis, no. 8, line 4 (L. H. Jeffery, "The Courts of Justice on Archaic Chios," *BSA* 51, 1956 [pp. 157–167], p. 165); at Elis, *DGE*, no. 409 (early 5th century).

<sup>15</sup> Cf. Gernet, p. 217.

<sup>16</sup> Cf. F. Adcock, *CAH* IV, p. 60.

<sup>17</sup> *AP*, 26.2, 47.1; cf. [Xenophon], *Ath. Pol.*, 1.2. See Gernet, pp. 219–220; J. Holladay, "The Followers of Peisistratus," *Greece and Rome* 24, 1977 (pp. 40–56), pp. 53–54.

<sup>18</sup> Sealey, "Regionalism," (pp. 33–34) attempts to see in the *agroikoi*, whom he equates with the *geōmoroi* of

a parvenu Pentekosiomedimnos have been termed an ἄγροικος (boor)? Yet even if one ignores the differing prestige of the three names, one is still forced to agree with Gernet that it is difficult to differentiate a Eupatrid from a rich *agroikos*, as both will have depended on agricultural production for their wealth.<sup>19</sup> Because the agricultural Eupatrids and the equally agricultural *agroikoi* are in fact distinguished, the compromise represented by the 10-*archontes* system was not intended to change the calculation of income (to include non-agricultural sources) for establishing census rating.<sup>20</sup> It is also unlikely that there were enough rich *dēmiourgoi* to make differentiating them from the farmers worthwhile. Thus, the purpose of the 10-*archontes* system does not appear to have been either to change how census ratings were calculated or to open the archonship to more census classes.

I offer as an alternative the idea that the 10-*archontes* system was designed by those to whom social gradations based on wealth were less significant than distinctions based on inherited status and whose attention was focused on differences in status between groups rather than between individuals. We do not know how wealthy the 3 *agroikoi* or 2 *dēmiourgoi* were, because this was not one of the most important factors in their selection. The relative wealth of each of the *archontes* might not have been important to the designers of the system, if the *archontes* were considered representatives of their socio-economic groups, rather than magistrates representing the whole community in a plutocratic system. The poverty of *agroikoi* relative to Eupatrids was already accounted for by their possession of only 3 of the *archontes*, despite their numbers.<sup>21</sup> The election of lower-class archons does not amount to the same thing as participation of those with modest fortunes in a college, especially when collegial office held by the relatively poor was their only protection against political and economic exploitation by the rich.

Just as the division of the *archontes* into the three groups is incommensurable with the Solonian census system, it is also irreconcilable with the main tradition of terminology on conflict in 6th-century Attica. In *AP*, 13.2, *eupatridai*, *agroikoi*, and *dēmiourgoi* appear to be groups contesting political power. Yet in *AP*, 13.4 the factions are regional groups (cf. Herodotos, 1.59.3). Moreover, the *AP* sees the Solonian crisis as precipitated by the aggrandizement of the *gnōrimoi* (notables; see below, p. 459). These conflicting data regarding the

*AP*, fr. 2, and in the *dēmiourgoi* the names of magistrates in once independent thirds of Attica whose inhabitants composed the regional parties of the post-Solonian period. While *dēmiourgos* can be a magistrate's name, it is unattested in Attica (K. Murakawa, "Demiurgos," *Historia* 6, 1957 [pp. 385–415], pp. 388–394; L. H. Jeffery, "Demiourgoi in the Archaic Period," *ArchCl* 25–26, 1973–1974, pp. 319–330). Moreover, the equation of *agroikoi* with both *geōrgoi* and *geōmoroi* is disturbing, because it ignores the evaluative nuances of the three terms. The name *agroikoi* for a board of magistrates seems unlikely. The parallel of aristocratic elites called *geōmoroi* or *gāmoroi* elsewhere is invalid, since it is always a name for the social group providing officials and never for the officials themselves. The *geōmoroi* (or *gāmoroi*) provide the members of the Council at Samos and Syracuse (see below, pp. 462–463), but the Council is never called *Geōmoroi* (or *Gāmoroi*). Cf. Sealey, "Eupatridai," pp. 39–41; Mossé, *op. cit.* (footnote 9 above), pp. 406–407. See also Roebuck, pp. 486, 492–493 for the similar view that the *geōmoroi* and *dēmiourgoi*, both agricultural groups, are local notables, differentiated by the time at which their home villages were settled.

<sup>19</sup> Cf. Gernet, p. 220.

<sup>20</sup> Gernet, pp. 222–223.

<sup>21</sup> Even if former *hektēmoroi* were excluded from the *agroikoi* who contributed *archontes* to the board, there were still probably enough smallholders who had been independent even before Solon to have outnumbered the Eupatrids. See below, pp. 463, 470–471.

10-*archontes* system are aspects of a single phenomenon, namely that the record of political conflict is written by its victors. The *stasis* of 6th-century Athens was won in the first place by Peisistratos, who became tyrant, and secondarily by the Paralioi, since the fall of the tyranny and the Kleisthenic reforms were their eventual vindication.<sup>22</sup> The 10-*archontes* system exemplifies a tradition of political analysis relatively unimportant in later Athenian political terminology and historiography.

#### A TRIPARTITE ATHENIAN SOCIETY

Since the 10-*archontes* system did not embody the Solonian census system, it was then an attempt to supersede Solon's dispositions with a new order based on a tripartite division of society.<sup>23</sup> Such an attempt so soon after the reforms suggests that its initiators should be sought among the enemies of Solon's reforms.<sup>24</sup> They were later associated with the Pedieis (Plutarch, *Solon*, 13.2) or Pedion party of Lykourgos (*AP*, 13.4) and shall be called by these names, *faute de mieux*, although the activities of the Pedieis before *ca.* 570 are unattested.<sup>25</sup> To determine whether the three-fold division of the 10-*archontes* system is connected with opponents of Solon and other *dēmotikoi* (populist) political figures entails an investigation of other passages where a tripartite society, divided into socio-functional groups, is posited. For our purposes, the most important of these passages are *AP*, frs. 2 and 3 (Kenyon).<sup>26</sup> In fr. 3, the Athenian *plēthos* is divided into *geōrgoi* and *dēmiourgoi*.<sup>27</sup> A system is established of 4 tribes, each subdivided into 3 trittyes or phratries, with 30 *genē* to each trittys/phratry and 30 men to each *genos*. Wade-Gery suggested that this system was put in place by Ion and emended by Theseus (cf. *AP*, 41.2).<sup>28</sup> Fr. 2 relates the *synoikismos* of Attica by Theseus wherein he distinguished the Eupatrids from the rest of the population and established the social functions of the *geōmoroi* (agriculturalists) and the *dēmiourgoi*. In Kenyon's fr. 2, it is probable that only the idea of Theseus as the initiator of the evolution toward democracy, specifically attributed to Aristotle, is from the *AP*.<sup>29</sup> Therefore, one should be reluctant to claim the authority of Aristotle or of any member of his school on the historicity of the other data presented in the fragment. In other words, the account of the synoecism of Attica in

<sup>22</sup> Any interpretation of the 10-*archontes* system must be reconcilable with the motives for post-Solonian civil strife in the *AP* (13.3): 1) the abolition of debts; 2) the magnitude of the constitutional change; 3) *philonikia* or rivalry.

<sup>23</sup> For a discussion of the alternative view that the 10-*archontes* system, as a revision of the procedure for sortition of the archons, was in support of the Solonian reforms, see the Appendix.

<sup>24</sup> See J. E. Sandys, *Aristotle's Constitution of the Athenians*, 2nd ed., London 1912, p. 53.

<sup>25</sup> On the name of the faction: Herodotos, 1.59.3: οἱ ἐκ τοῦ πεδίου Ἀθηναῖοι; *AP*, 13.4; Aristotle, *Politics*, 1305<sup>a</sup>5–6: πεδιάκοι; *Suda*, s.v. παράλοι: πεδιάσιοι. See R. J. Hopper, "Plain", "Shore", and "Hill" in Early Athens," *BSA* 56, 1961 (pp. 189–219), pp. 194–196.

<sup>26</sup> Fr. 2 = Plutarch, *Theseus*, 25; fr. 3 = Scholia Plato, *Axiochos*, 371D; *Lexicon of Demosthenes of Patmos* (Sakkellion), s.v. γεννήται; Harpokration, *Suda*, s.v. τριττύς (partial); cf. Harpokration, *Suda*, s.v. γεννήται.

<sup>27</sup> G. Kaibel and U. von Wilamowitz-Moellendorff (*Aristotelis ΠΟΛΙΤΕΙΑ ΑΘΗΝΑΙΩΝ*, 3rd ed., Berlin 1898, p. 86) add *eupatridai* to *geōrgoi* and *dēmiourgoi* without justification. Cf. A. W. Gomme, "The New Teubner ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ," *CR* 42, 1928 (pp. 224–226), p. 226.

<sup>28</sup> Wade-Gery, pp. 88–90.

<sup>29</sup> Kaibel and Wilamowitz, *op. cit.* (footnote 27 above), fr. 2; H. Oppermann, *Aristotelis: ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ*, 2nd ed., Stuttgart 1961, fr. 4, p. 100. See Hammond, pp. 107–108, note 4 and footnote 30 below.

fr. 2, although traditional, need not represent an especially authoritative account in Attidographic tradition.<sup>30</sup>

Many objections can be raised against these descriptions as accurate portrayals of pre-historic political orders. Both posit basic institutions created by fiat by a single *nomothetēs*. Rather, tribes and *genē* (at least) evolved organically, and the political system accommodated them as pre-existing entities. Against a background of low population and unsettled habitation it is hard to believe that inheritability of status was high, a prerequisite for the social orders envisaged in the fragments. Although these polities cannot belong to the Dark Age, one could argue that they existed in the early Archaic period and were retrojected to the time of Theseus and Ion. It can be shown, however, that much of the system in fr. 3 never existed. The equation of trittys and phratry is disturbing. Twelve phratries for all Attica seems too few. As thirds of tribes, it is hard to understand how trittyes could be the same as smaller, perhaps closer-knit phratries.<sup>31</sup> The high number of *genē* per phratry is surprising and clashes with prevailing interpretations of the relationship between phratry and *genos*.<sup>32</sup> To maintain 30 adult males for each *genos* is biologically impossible,<sup>33</sup> and the system gives the improbably high number of 10,800 for the total manpower of Dark Age/early Archaic Athens. Also, with nearly the entire population engaged in agriculture, it is hard to envisage conditions under which a legislator would separate the *dēmiourgoi*. Finally, the whole, all too neat system is explicitly compared to the seasons and months of the year, which condemns it as abstract speculation.<sup>34</sup>

In fr. 2 (Plutarch, *Theseus*, 25.2), Theseus makes the Eupatrids controllers of *ta theia*, providers of the *archontes*, *didaskaloi* of the laws, and *exēgētai* of religion. The *geōmoroi* and *dēmiourgoi* were made equal by Theseus. The Eupatrids excel “by reputation” (δόξη), the *geōmoroi* “by usefulness” (χρεία), and the *dēmiourgoi* “by numbers” (πλήθει). The attributes of the farmers and craftsmen are incongruous; one would suspect that they have been transposed were it not for a parallel in the 10-*archontes* system (see below, pp. 462–463, 470–471). By itself, the division of society into farmers and craftsmen is merely crude sociology and serves no specific political or social policy. The existence of a tripartite Athenian society, composed of three castes, depends on our interpretation of the best attested of the “castes”, the Eupatrids. Is it, then, possible that the Eupatrids were a juridically discrete

<sup>30</sup> *Atthis*, pp. 247–248, note 49.

<sup>31</sup> Rhodes, pp. 68–70.

<sup>32</sup> *IG* II<sup>2</sup>, 1237, as interpreted by Wade-Gery, “Studies in the Structure of Attic Society: I. Demotionidai,” *Essays in Greek History*, pp. 116–134 (= *CQ* 25, 1931, pp. 129–143). See also W. Thompson, “An Interpretation of the ‘Demotionid’ Decrees,” *SymbOslo* 42, 1968, pp. 51–68. Cf. Aischines, 2.147; also Isaïos, 7.15–17; [Demosthenes], 59.57–61; Demosthenes, 57.67; *LSCG*, *Suppl.*, no. 19; on all of which see A. Andrews, “Philochoros on Phratries,” *JHS* 81, 1961, pp. 1–15.

<sup>33</sup> Cf. Oliver, pp. 30–38, who would dissociate these *genē* from the familial *genē* and make of them military subdivisions like the *hetaireiai* of other Archaic cities. Such *genē* would have been weakened by the reduction to serfdom of their members in the succession of events leading up to the Solonian crisis.

<sup>34</sup> Hignett, pp. 47–50. The artificiality of the system has led some to suggest that the *AP* reported rather than endorsed it (e.g., K. von Fritz and E. Kapp, *Aristotle's Constitution of Athens and Related Texts*, New York 1950, p. 209; R. Weil, “Philosophie et histoire: la vision de l'histoire chez Aristote,” *Entretiens Fondation Hardt* XI, Geneva 1964 [pp. 161–189], pp. 164–165). Rhodes suspects subsequent elaboration (pp. 70–71).

group, a caste whose rights were recognized, if not by Theseus, at least in the late 7th century? This view has been argued forcefully by Wade-Gery.<sup>35</sup> To him, the Eupatrids monopolized major political office as did Roman patricians before the Licinio-Sextian Rogations. Eupatrid privileges in Athenian cult after Solon were a vestige of this monopoly. Nevertheless, the evidence does not authorize such a conclusion. As will be seen, the social system of Theseus outlined in fr. 2 is not an accurate representation of Archaic Athens. It is rather a construct which combines features of reality with a polemical interpretation of Attic society proposed by those who desired the establishment of an oligarchy.

## THE ATHENIAN EUPATRIDS

### ARCHAIC USAGE

In order to investigate the existence of a Eupatrid caste, it will be necessary to trace the history of the term *eupatridēs*. In the sense of aristocratic, that is, anti-tyrannical, the term *eupatridēs* is the converse of *kakopatridēs*, attested earlier than *eupatridēs* in Alkaios (frs. 67, 75, 348 [Lobel-Page]), who uses it of Pittakos, and of *kakopatris* in Theognis (v. 193). Neither word is a term of a legal character but rather a partisan jibe. The two early uses of *eupatridēs* at Athens bear a similar connotation. Chairion, an Athenian, is described as of the *eupatridai* on a tombstone at Eretria.<sup>36</sup> He seems to have been the same man who, as a *tamias* of Athena, made a dedication on the Akropolis ca. 550 (DAA, no. 330 = IG I<sup>2</sup>, 467). The unique emphasis on Chairion's derivation from the *eupatridai* in the absence of a patronymic on his tombstone should be juxtaposed with the fact of his burial at Eretria. Such a burial suggests his exile at the hands of the Peisistratids. In exile, Chairion stresses his derivation from the *eupatridai*, just as Alkaios railed from exile against the *kakopatridēs* Pittakos. It is reasonable to conclude that *eupatridēs* on the tombstone assigns its recipient to some segment of the anti-tyrannical elite. The name of his father may be restored from his dedication as either Klei[dikos] or Klei[demos]. The name Kleidikos may appear in the family of Alkibiades (Demosthenes, 57.42, 44). It is striking that the term *eupatridēs*, used by Isokrates (16.25) with such emphasis about Alkibiades, appears first in association with a possible relative. Chairion's son, Alkimachos, dedicated a statue of his father as *tamias* ca. 520 and described himself as ἐσθλὸν δὲ πατρός ἡὺς (son of a good [noble] father; DAA, no. 6 = IG I<sup>2</sup>, 663). This dedication was probably made during the reconciliation between the sons of Peisistratos and members of the aristocracy after Peisistratos' death (attested by the list of archons from the 520's [SEG X, 352]). Alkimachos emphasized his father's office (by the erection of a statue depicting him as a treasurer) and his own claim to an aristocratic background through his "noble father", a phrase functionally equivalent to the *eupatridai* on his father's tombstone and clearly not legal in character.

The second early occurrence of the term is in the skolion commemorating the anti-

<sup>35</sup> Wade-Gery, pp. 108–110; see also J. H. Oliver, "The Reforms of Cleisthenes," *Historia* 9, 1960, pp. 503–507. Rhodes believes the Eupatrids were *nobiles*, not *patricii*, but also believes that the *AP* shows them as an "order" and "caste" which monopolized office before Solon (pp. 74–76, 78–79, 98). Roebuck (pp. 485–493) sees them as an aristocracy whose roots go back to the Mycenaean period but which solidified in the 8th century. Cf. Sealey, "Regionalism," pp. 30–34.

<sup>36</sup> IG XII, 9, 296. See DAA, pp. 10–12, 364–365; J. K. Davies, *Athenian Propertied Families: 600–300 B.C.*, Oxford 1971, pp. 12–15.



Peisistratid fighters who fell at Leipsydriion. Here, Leipsydriion is cursed as the destroyer of men who are μάχεσθαι ἀγαθούς τε καὶ εὐπατρίδας (both good at fighting and noble; *AP*, 19.3 = fr. 907 [Page]). To oppose Peisistratos was on this account the correct stance of a *eupatridēs*, suggesting that the word by this time had taken on the partisan meaning of merely anti-Peisistratid. We may note Isokrates' emphasis on the exile of the Eupatrid ancestor of Alkibiades during the Peisistratid tyranny and the same man's role in expelling the tyrants in conjunction with the Alkmaionids (16.25–27). The polemical tone of Chai-rion's tombstone and of the Leipsydriion skolion, seen in their historical context, is at odds with a juridical class of Eupatrids, unless one supposes that all families that had produced archons before 594/3 were anti-Peisistratid, except for Peisistratos' own family.

The evidence on how magistrates were chosen before 500 is consonant with this interpretation of the Archaic valence of *eupatridēs*. It does not support the existence of a Eupatrid caste.<sup>37</sup> *AP*, 1.1 reports that the Kylonians were tried before judges chosen "by merit" (ἀριστίνδην). In Archaic Greece, however, wealth along with birth was always a prerequisite for membership in the elite, and by itself wealth offered a presumption of elite status (cf. Solon, fr. 14 [West]). So *AP*, 3.1 and 3.6 say that before Drako archons were chosen "by merit and by wealth" (ἀριστίνδην καὶ πλουτίνδην). Pollux has the *ephetai* chosen "by merit" (ἀριστίνδην: viii.125) but has abbreviated his Atthidographic source(s), which had "distinguished both by wealth and by sound character" (καὶ πλούτῳ καὶ βίῳ σώφρονι διαφέροντων: Philochoros, *FGrHist*, 328, F 20; cf. Androtion, *FGrHist*, 342, F 4). Later in the same passage, the Areopagites are those excelling "by family, wealth, and good (useful) character" (γένει, πλούτῳ, and βίῳ χρηστῷ). The republication of Drako's homicide law (409/8) has the *ephetai* chosen "by merit" (ἀριστίνδην: Meiggs-Lewis, no. 86, line 19). There are, then, apparently three qualifications for office: membership in the elite (ἀριστίνδην), wealth (πλουτίνδην), and character (βίος σώφρων or χρηστός). That Aristotle uses the phrase "not only *aristindēn* but also *ploutindēn*" of the Carthaginians suggests the possibility that selection *aristindēn* and *ploutindēn* could be contrasted or at least juxtaposed (*Politics*, 1272<sup>a</sup>23–24). Aristotle also contrasts those chosen *aristindēn* with those chosen from the *tuchontōn* (ordinary people). It is certain that personal qualities are included here (cf. *Politics*, 1272<sup>b</sup>35–37). It is hardly surprising, then, that the word ἀριστίνδην could mean choosing by personal excellence, as in Plato's *Laws* (855c6–d1; cf. Theopompos, *FGrHist*, 115, F 224; also Aristotle's true aristocracy: *Politics*, 1293<sup>b</sup>10–11). Moreover, even when *aristindēn* stands alone, we cannot be certain that it is not a synecdoche for the three qualifications (Polybios, vi.10.9). Thus in Archaic Athens, hereditary nobility (like that of Wade-Gery's Eupatrid caste) would not usually have been by itself sufficient to ensure access to office.

#### CLASSICAL USAGE

In the Classical period, in tragedy, *eupatridēs* and related terms denote someone of aristocratic birth.<sup>38</sup> As a term of political or social approbation, *eupatridēs* stresses the inherited

<sup>37</sup> Cf. Hammond, pp. 107–115.

<sup>38</sup> See, e.g., Sophokles, *Electra*, 162, 859, 1081?; Euripides, *Hippolytos*, 152, 1283; *Iphigenia at Aulis*, 1077; *Alkestis*, 920; *Ion*, 1073.

character of the behavior of the subject of praise (Alkibiades: Isokrates, 16.25; Kallias: Xenophon, *Symposium*, VIII.40). The honorific sense of *eupatridēs* makes it difficult to determine the precise range to which the term could be applied. Isokrates has Alkibiades descended from the *eupatridai* on one side and the Alkmaionids on the other, which suggests, if not a *genos* called Eupatridai (balancing the family of the Alkmaionids), at least the arrogation of the term *eupatridai* for a particular family or group of families. Isokrates' distinction between Eupatrids and Alkmaionids suggests that the latter, however eminent, were not clearly associated with the Eupatrids in his mind. This distinction would not prevail if the Eupatrids were merely the political caste monopolizing office before Solon, since such a caste would have to include the Alkmaionids, who provided pre-Solonian archons. Furthermore, Wade-Gery observes that Alkibiades probably belonged to the *genos* of the Salaminioi.<sup>39</sup> That Alkibiades could be both a Eupatrid and a Salaminios is difficult to reconcile with the existence of a Eupatrid caste. Membership in the Salaminioi ought to have signified incorporation into Attic society from Salamis (perhaps a historical event of the late 7th century), an event happening after Theseus on any reckoning. One might dispute the historicity of the origin of the Salaminioi being Salamis or argue against a date before 550 for this origin. Yet by definition aristocratic Salaminioi cannot have been ennobled by Theseus, because his reign precedes the Athenian date for the cession of Salamis to Athens by Eurysakes. And so when Isokrates spoke of Alkibiades' *eupatridai* ancestors, he was hardly thinking of a caste created by Theseus.

Wealth was also an important prerequisite for anyone's claim to be *eupatridēs*. Alexis, a dramatist of Middle Comedy (active from ca. 350), comments sarcastically on wealth and status (fr. 90 from the *Thebaioi* [Kock]):

ἔστιν δὲ ποδαπὸς τὸ γένος οὗτος;

B. πλούσιος.

τούτους δὲ πάντες φασὶν εὐγενεστάτους  
εἶναι· πένητας δ' εὐπάτριδας οὐδεὶς ὀρᾷ.

For Alexis, a question about *genos* (extraction) should be answered with an observation about wealth. For him, everyone concedes that the rich are well born; no one perceives a poor person to be a Eupatrid. In contrast, poor patricians were commonplace at Rome. There were, of course, poor men in Attica who were known to have had prominent ancestors and who thereby may have been Eupatrids. Yet Alexis seems to be telling us that such Eupatrids were vulnerable to doubts as to their rank if they did not have wealth. Alexis' evidence, then, tells against a Eupatrid "caste", with legally recognized rights, in the 4th century, earlier than the testimonia used by Wade-Gery to prove its existence.

Consider now two passages wherein Wade-Gery thought that *genos* must mean "caste", a definition necessary in order to attribute to "Eupatrids" of the Classical period their residual religious rights. [Plutarch], *Moralia*, 834B states that Hellanikos believed Andokides was of the *genos* (caste) of the Eupatrids (*FGrHist*, 323a, F 24) but also belonged to the *genos* (clan) of the Kerykes. Polemon speaks of a sacrifice forbidden to the *genos* of the Eupatrids (Scholia Sophokles, *Oidipos Koloneus*, 489). To Wade-Gery *genos* means

<sup>39</sup> Plato, *Alkibiades*, 121A; Plutarch, *Alkibiades*, 1.1; Scholia Pindar, *Nemean*, 2.19. See Wade-Gery, p. 111.

“caste”, not “clan” in Hellanikos.<sup>40</sup> But to have *genos* mean sometimes “clan” and sometimes “caste” gives the surprising result of a term with two very different technical definitions. Even more striking is the appearance of the word in each of its technical meanings in succeeding clauses in [Plutarch]. The passage in the *Moralia*, however, is garbled and probably incorrect about Andokides’ membership in the Kerykes.<sup>41</sup> Hellanikos may have observed that Andokides was of a γένους [τῶν] εὐπατριδῶν (of [the] Eupatrids), i.e., “of an aristocratic clan”, just as Xenophon described Kallias of the Kerykes as a Eupatrid.

The passage in Polemon also seemed to Wade-Gery to provide information about the technical definition(s) of the term *genos*. He says that the *genos* of the *eupatridai* is forbidden to share a sacrifice which the *genos* (clan) of the Hesychidai conducts. His phrasing seems to suggest a clan called the *eupatridai*, as some have thought (see below, footnote 45). But if, like Wade-Gery, one does not accept a “clan” of the *eupatridai*, one might posit that *genos* means “caste”. Yet a widely accepted emendation of this passage changes τὸ δὲ τῶν εὐπατριδῶν γένος οὐ μετέχει τῆς θυσίας ταύτης . . . to . . . γένος ὁ μετέχει . . .<sup>42</sup> In this case, the phrase τὸ δὲ τῶν εὐπατριδῶν γένος stands for the Hesychidai and means “*genos* of the nobility”. The emendation has the attraction of removing the problems of why it should have been necessary to stipulate that a sacrifice assigned to one *genos* was not to be shared by others, when such sharing is exceptional, and why the *genos* of the Hesychidai were not considered Eupatrids. Yet if one is still reluctant to explain away Polemon’s *genos* of the Eupatrids by such a simplification, a translation “lineage” for *genos* is possible, if the scholion is not emended, and takes on plausibility from the uses of *eupatridēs* which are to be discussed now.

#### LATE CLASSICAL, HELLENISTIC, AND ROMAN USAGE

Delphic inscriptions mention *exēgētai ex eupatridōn* and *theōroi ex eupatridōn*.<sup>43</sup> Although it has been argued that these *eupatridai* are the caste of Eupatrids,<sup>44</sup> the formula ἐξ εὐπατριδῶν is equivalent to phrases in the form ἐξ + name of *genos* (clan) (e.g., Kerykes). This equation seems superficially to argue that these *eupatridai* are a *genos* (clan).<sup>45</sup> One of these *eupatridai*, however, is elsewhere attributed to another *genos*.<sup>46</sup> The formula ἐξ εὐπατριδῶν is, therefore, a shorthand expression connoting membership in the religiously active Athenian upper class. The same terminology appears in Attic inscriptions of the Roman period. One, a funerary inscription from the end of the 2nd century after Christ,

<sup>40</sup> Wade-Gery, pp. 108–110.

<sup>41</sup> Jacoby, *FGrHist*, *Kommentar* 3b (*Suppl.*), I, p. 53.

<sup>42</sup> G. Herrmann, “Aeschylus Eumeniden,” *Opuscula*, Leipzig 1835, VI, ii, p. 118; cf. K. O. Müller, *Fragmenta historicorum graecorum* III, Paris 1883, pp. 130–131; L. Preller, *Polemonis Perigetiae: Fragmenta*, Leipzig 1838, p. 92. Cf. V. De Marco (*Scholia in Sophoclis Oedipum Coloneum*, Rome 1952, p. 31) who shows no awareness of the emendation.

<sup>43</sup> E.g., *SIG*<sup>3</sup>, 773 (1st century B.C.) = *FdD* III, ii, no. 59; *SIG*<sup>3</sup>, 711 (end of 2nd century B.C.) = *FdD* III, ii, no. 13. Cf. *FdD* III, ii, nos. 7, 61–64.

<sup>44</sup> A. W. Persson, *Die Exegeten und Delphi*, Lund University Årsskrift n.f. I, xiv, fasc. 22, 1918, pp. 12–17; cf. Wade-Gery, p. 108.

<sup>45</sup> J. Toepffer, “ΕΥΠΑΤΡΙΔΑΙ,” *Hermes* 22, 1887, pp. 479–483.

<sup>46</sup> G. Daux, *Delphes au II<sup>e</sup> et au I<sup>er</sup> siècle*, Paris 1936, pp. 551–554; Daux supports this conclusion by arguments based on the organization of the inscriptions.

contains the expressions ἐξ εὐπατριδῶν and πρόγονοις καὶ γένει εὐπατρίδου (IG II<sup>2</sup>, 7447). The two phrases have approximately the same meaning, and *progonois* suggests that *genos* cannot mean “caste” but refers to the noble family of the honorand’s father, an exegete.

The first appearance of the term *ex eupatridōn* is in a context where it cannot mean Eupatrid caste. A scholion on Dionysius the Areopagite (*Patrologia Graeca* IV.16–17 [Migne]) cites both Androtion (*FGrHist*, 324, F 4) and Philochoros (*FGrHist*, 328, F 20) on the *ephetai*. The scholion is garbled, since it first has the Areopagus choose the *ephetai* from the archons and then seems to equate the Areopagus with the 51 *ephetai*.<sup>47</sup> The *ephetai* are to be chosen πλὴν ἐξ εὐπατριδῶν (except [those?] from eupatrids). Hammond observes that the formula disproves Wade-Gery’s idea of the Eupatrids monopolizing office before Solon.<sup>48</sup> If non-Eupatrids staff the *ephetai*, then many archons (future Areopagites) would not have been Eupatrids. Unfortunately, there is no certain date for the procedure described by the Atthidographers. If it was Solonian (as Jacoby conjectures), the Areopagites under consideration would be mainly pre-Solonian ex-archons. Hammond suggests that the *eupatridai* forbidden participation were involved in purificatory rituals and so unsuited to judge in murder trials. The phrase *ex eupatridōn* in the scholion is used in a fashion similar to that on the later Delphic and Attic inscriptions to mean aristocrats prominent in religious activity. Thus, the formula may be relatively late (e.g., from Philochoros?, an *exēgētēs* [*FGrHist*, 328, T 2] or a *mantis/hieroskopos* [T 1]). It is doubtful that everyone who, during the 6th century, would describe himself as a *eupatridēs* for political reasons (like Chairion) was barred from the *ephetai* in the original law. The law perhaps listed the *genē* or priesthoods involved or described their functions. Later, with many old *genē* extinct or no longer functioning ritually, the formula *ex eupatridōn* came into use. The phrase *ex eupatridōn* is merely shorthand for denoting membership in the religiously active Athenian elite.

In the same spirit, we find in Pollux φυλοβασιλεῖς ἐξ εὐπατριδῶν (VIII.111). Dorotheos of Askalon (reign of Tiberius) said that a particular ritual was written among τὰ τῶν εὐπατριδῶν πατριά, the ancestral rites of the Eupatrids, perhaps in a work of the same name (Athenaeus, IX.410A). Georgius Syncellus speaks of the eponymous archons chosen *ex eupatridōn* (*Chronographia*, p. 400, lines 2–3 [Niebuhr]). All these *eupatridai* are merely upper-class Athenians. That, so many centuries afterward, each one could prove that his title to be *eupatridēs* went back to Theseus (or was even pre-Solonian) and that other prominent men, who could not, were not called *eupatridai* and were thereby banned from priesthoods is inconceivable. These Eupatrids fulfilled some common-sense criterion for bearing the title, just as the *gennaios* of Plato’s *Theaitetos* (174E), who based his claim on his ability to name seven wealthy ancestors, was “noble”.

The term *eupatridēs* was therefore used in the 6th century in self-descriptions by the anti-Peistratid elite. In the Classical period, it served as an honorific term for those of inherited wealth and prominence. Thereafter, the term *eupatridai* stood for upper-class Athenians, especially those involved in traditional cults. Although this meaning is best

<sup>47</sup> Jacoby, *FGrHist, Kommentar* 3b (*Suppl.*), I, pp. 113–114.

<sup>48</sup> Hammond, pp. 107–108 with note 4.

attested at Hellenistic Delphi and in the Roman period, it may appear as early as Philochoros. The connotation to be given to *eupatridēs* in *AP*, 13.2 and related texts is naturally nearest to its use in the grave inscription of Chairion and in the Leipsydriion skolion. I shall argue, however, that in *AP*, 13.2 and elsewhere *eupatridēs* had an even narrower, partisan connotation, one that expressed a claim to membership in a closed oligarchy to be dominated by the Pedion party.

It may also be concluded that no Eupatrid caste ever existed in Athens. The 10-archontes system with half its places guaranteed to Eupatrids is not in whole or in part a recreation of the pre-Solonian constitutional order. While Solon's census system by its nature opened participation to any with the requisite census rating and so broadened access to office, nothing indicates that non-Eupatrids (i.e., those not recognized universally to be *eupatridai* by other self-professed Eupatrids) had been kept from power like the plebians at Rome or that a group of families had been holding office exclusively. Note that the economically exploitative group in the *AP* and in the poems of Solon on which it is based are the *gnōrimoi*, not the Eupatrids (*AP*, 2.1, 5.1, 6.2[?], 11.2; cf. 16.9, 28.2, 34.3). If wealthy non-Eupatrids held *hektēmoroi*, as the use of the term *gnōrimoi* suggests, it would be most surprising if they lacked access in some degree to political power.

Solon's installation of a census system governing access to office was from this perspective a conservative measure, inasmuch as it reaffirmed an earlier dispensation on office holding in the face of some *gnōrimoi*, styling themselves Eupatrids, who sought to introduce restrictions based on the criterion of heredity. At the same time, Solon broke new ground. Previously, achievement of the right to stand for office was probably a part of the political process, involving matters like patronage or populist agitation, so that not every wealthy Athenian would in practice be eligible. Solon made access to office a part of the framework of political life, i.e., a feature of the "rules of the game," rather than of the "play of the game." Consequently, the upwardly mobile, the marginal aristocrats, and the prominent men of the Attic countryside could now redeploy advantageously resources freed from the task of achieving eligibility for office.

#### THE AGROIKOI AND DĒMIOURGOI

While *eupatridēs* is a term of socio-political approbation, more or less exclusive, *agroikos* and, perhaps, *dēmiourgos*, the terms for the other groups in the 10-archontes system, suggest contempt. The use of *agroikos* in Dionysios of Halikarnassos (for the enactments of Romulus based on Greek precedent) to refer to a group without political power seems to set up the dichotomy: Eupatrids = privileged/political class and *agroikoi* = dependent, agricultural class (11.8.1). A more neutral term would have been *agroiotēs* (cf. *Odyssey* 11.293), which Hesychios glosses as *agroikos* and explains as a *genos* (= social group?) at Athens, that of the *geōrgoi*. It is significant that he describes the *agroiotai* as opposed (*antidiestellon*) to the Eupatrids. Perhaps it is only by virtue of this opposition to the Eupatrids that the agriculturalists became the *genos* of *agroikoi* and not *geōrgoi* or *agroiotai*. An *agroikos* indicates an uncultured rustic or boor (and by extension any rude person), as do its derivatives.<sup>49</sup> While *agroikos* and related terms can be used without a clear intent to

<sup>49</sup> Aristophanes, *Knights*, 41, 317; *Wasps*, 1320; *Clouds*, 47 (cf. 43), 628, 646, 1457; *Ekklesiazoussai*, 279;

insult,<sup>50</sup> it never conveys a high evaluation. The *agroikos* as a man lacking education and a facility for social intercourse seems an odd choice to denominate a group sharing the archonship. The term *dēmiourgos* usually has a neutral coloration but can also be equated with the later and always negative *banausos*.<sup>51</sup> Plato, in the *Republic*, and Hippodamos, as quoted by Aristotle, use the more neutral *technitai* in their tripartite systems. Paradoxically, although the language of *AP*, 13.2 is the most elitist, when compared with other systems, the system which it describes is the most liberal of the tripartite systems inasmuch as non-elite members of the community are admitted to the highest circles of authority. These observations are substantiated when the data on tripartite systems are presented in tabular form (see the following Table).

Table: Tripartite Systems

<i>AP</i> , fr. 2 (Thesean system) (cf. Diodorus Siculus, 1.28.4–5)	<i>eupatridai</i>	<i>geōmoroi</i>	<i>dēmiourgoi</i>
<i>AP</i> , fr. 3 (Ion's system?)	-----	<i>geōrgoi</i>	<i>dēmiourgoi</i>
<i>AP</i> , 13.2 (10 <i>archontes</i> )	<i>eupatridai</i>	<i>agroikoi</i>	<i>dēmiourgoi</i>
Strabo, VIII.7.1 (c383) ( <i>bioi</i> [lifestyles]: primitive Athens)	<i>hieropoioi/phylakes</i>	<i>geōrgoi</i>	<i>dēmiourgoi</i>
Plato, <i>Timaios</i> , 24A–B (Athens: 10,000 B.C.)	<i>hierēs/machimoi</i> (two separate <i>genē</i> )	<i>nomēs, thereutes,</i> <i>geōrgoi</i>	<i>dēmiourgoi</i>
Plato, <i>Kritias</i> , 110C, 112B (primitive Athens)	<i>machimoi</i>	τὸ ἦθος περὶ τὴν ἐκ τῆς γῆς τροφὴν	<i>dēmiourgoi</i>
Plato, <i>Republic</i> , 369C–376, 415A (sometimes schematized into 3 groups)	<i>phylakes</i>	<i>geōrgoi</i>	<i>technitai</i> <i>dēmiourgoi</i>
Hippodamos (Aristotle, <i>Politics</i> , 1.268 <sup>a</sup> 16–20; 1267 <sup>b</sup> 30–33)	<i>ta hopla echontes</i>	<i>geōrgoi</i>	<i>technitai</i>

*Ploutos*, 705; Isokrates, 5.82; Plato, *Gorgias*, 461C6; *Republic*, 560D5, 607B4; *Symposium*, 194C; *Theaitetos*, 146A6, B2; Aristotle, *Nicomachean Ethics*, 1104<sup>a</sup>24, 1108<sup>a</sup>26, 1128<sup>a</sup>9, 1151<sup>b</sup>13; Theophrastos, *Characters*, 4.

<sup>50</sup> Aristophanes, *Acharnians*, 371, 674; *Birds*, 230; *Peace*, 595, 1185. Note that Aristophanes adopts the stance of an inhabitant of the *chōra* in confrontation with the *asty* and its preoccupations.

<sup>51</sup> Hesychios, s.v. *δημιουργός*; Diodorus Siculus, 1.28.5. See Gernet, p. 220, note 1.

Thus, we seem to have propounded a paradox. The notice in the *AP* on the 10 *archontes* is to be traced back to a notation on the archon list. Yet the term *agroikoi* seems inappropriate to an official document. If, however, the primitive character of record keeping in Archaic Athens is remembered, a solution to this dilemma is possible. The archon list was updated annually, it is thought under the direction of the eponymous archon, in whose care the list resided. Clearly, all 10 of the *archontes* could not have had the list in their possession. Since the Eupatrids made up the majority of the *archontes* and may have had the most experience in Athenian traditions of record keeping, we should look to one of the Eupatrid *archontes* as the author of the note on the archon list. Instead of describing the *agroikoi* as they themselves might have wished, he could not resist indulging in a partisan slur.

### THE *ARCHONTES* AND LATER THEORY

On the basis of the similarity between philosophical constructs with tripartite division and the 10-*archontes* system, Gernet rejected the notice of the *AP* as late theorizing.<sup>52</sup> Yet several salient features of *AP*, 13.2 (and to a lesser extent frs. 2 and 3) clearly separate it from the philosophical constructs:

1) In the 10-*archontes* system all the social divisions share not only citizenship but political power. Outside the 10-*archontes* system, the *agroikoi* are not a political class. Plato's *phylakes* and *geōrgoi* in the *Republic* illustrate well the philosophical distinction between a politically active elite and politically passive agriculturalists. Dionysios of Halikarnassos, drawing on similar material for a comparison of early Rome and primitive Athens, states that the *agroikoi* did not at first participate in political life.<sup>53</sup>

2) In 5th- and 4th-century theories, the group with political leadership (not the *agroikoi* or *dēmiourgoi*) embodies the military function of the community (*phylakes* and *machimoi*). Yet it is hard to believe that the *agroikoi* and *dēmiourgoi* of *AP*, 13.2 were not armed, since they provided magistrates, and their members of the zeugite census (at least) were armed in the Solonian system. The *geōmoroi* of *AP*, fr. 2 are explicitly said to have been armed according to Diodorus Siculus, 1.28.4–5, a collateral passage derived from the same tradition.

3) While the Eupatrids may have been envisaged as aristocratic fighters and as priests (making them like *hierēs* of Platonic theory), it is their hereditary status which is emphasized in the *AP*. Plato's detailed reconstruction of the demography of a tripartite society in the *Republic* accommodates upward and downward mobility in a way foreign to the Eupatrids of fr. 2, a hereditary order created by Theseus. Those Eupatrids are a genetic entity, whose recruitment was only through inheritance. The political elites of the theoretical systems are not equivalent, since they are functional groups whose recruitment must be in part non-biological.

4) Moreover, it is unique that in the 10-*archontes* system an arithmetic value is given to the participation of the three groups with a ratio of 2.5:1.5:1.

<sup>52</sup> See Gernet, p. 226, who suggests Kritias, in his lost *Constitution of the Athenians*, as the source. The emphasis, however, on the hereditary quality of the groups clashes with the plutocratic and oligarchic emphases of Kritias' known political activity.

<sup>53</sup> II.8.1; cf. *AP*, fr. 2; Hesychios, s.v. ἀγροῖται.

5) At times, the tripartite system tended to be resolved into four castes or orders, as in Strabo and in Plato's *Timaios*. This division appears to be a philosophical elaboration of traditional ideas, one based on a theoretical distinction between warriors and priests.

6) Finally, the 10-*archontes* system differs from later theorizing in that it uses terms with positive and negative connotations which distort and obscure the political and military functions of the groups involved.

The tripartite division of society is not in itself a piece of sophisticated analysis, awaiting discovery by a Hippodamos, let alone a Plato or an Aristotle.<sup>54</sup> The ease with which thinkers adopted a tripartite classification suggests that it was traditional long before the end of the 5th century. Plato, describing the social order of primitive Athens in the *Kritias*, states that Attica included the Megarid, which suggests that he has reworked old Athenian oligarchic traditions such as those informing Plutarch, *Theseus*, 25 (see below, pp. 462–466). If the 10-*archontes* system, therefore, has a theoretical air to it, it is not necessarily that of philosophical thinking, but merely of the practical ideologizing favored by political groups trying to justify their positions. Offsetting the schematic aspect of the 10-*archontes* system are its partisan flavor and its unexpected liberalism. These aspects are best explained if this scheme represents the confrontation between an exclusivist political program (one promoting a narrow oligarchy) and the compromises which it had to make to achieve political power.

Therefore, 5th- and 4th-century theorizing does not seem to have been the basis for the notice on the 10 *archontes* in the *AP*. This, of course, does not prove the historicity of the system. Rather, that conclusion is urged both by the derivation of the notice from an annotation on the archon list and by a demonstration that the 10-*archontes* system is explicable in terms of 6th-century politics in a way it is not for politics after 500.

## THE TEN *ARCHONTES* AND 6TH-CENTURY OLIGARCHS AND DEMOCRATS

### THE TRADITIONS ON THE SYNOECISM OF ATTICA

Before we can speak about the political agents in the creation of the 10-*archontes* system, it will be necessary to return once more to Plutarch, *Theseus*, 25 (*AP*, fr. 2, according to Kenyon and Wade-Gery), which Wade-Gery cited in support of a Eupatrid caste. The details of this chapter make it suspect as a historical description, even an anachronistic one. The traditional picture of Theseus as the inaugurator of the evolution toward Athenian democracy is explicitly credited to the *AP*: ὅτι δὲ πρῶτος ἀπέκλινε πρὸς τὸν ὄχλον.<sup>55</sup> Yet a democratizing Theseus is hard to justify here.<sup>56</sup> First, he segregates the Eupatrids

<sup>54</sup> Cf. Mossé (*op. cit.* [footnote 9 above], pp. 406–407), who notes both the influence of philosophical thinking on the political climate of the 6th century and the systematic character of the compromise inherent in the empanelment of the 10 *archontes*.

<sup>55</sup> Cf. Euripides, *Suppliants*, 350–353, 399–408; Isokrates, 10.34–37 (cf. 12.126–129); [Demosthenes], 59.75, 60.28; Plutarch, *Theseus*, 24.2–25.1; *Marmor Parium*, *FGrHist*, 239, A 20; cf. Pausanias, 1.3.3. On Theseus' self-subordination to the laws, see also Diodorus Siculus, iv.61.8–9.

<sup>56</sup> For the non-democratic quality of Plutarch, *Theseus*, 25; *Atthis*, pp. 247–248, note 49; cf. Hammond, pp. 107–108, note 4.



(ἀποκρίνας χωρίς).<sup>57</sup> He makes of them the sole source of Athenian sacred and secular law, for they are the νόμων διδασκάλοι, and καὶ ὅσιων καὶ ἱερῶν ἐξηγηταί (suggesting greater influence than the historical *exēgētai*).<sup>58</sup> Furthermore, the impression of the social predominance of Theseus' Eupatrids which strikes us in this passage can also be seen in the use of *geōmoroi* for the farming component of the community. In other tripartite formulations the farmers are *agroikoi* or, most commonly, *geōrgoi*. Elsewhere, *geōmoroi* (or *gāmoroi* in the Dorian dialect) are a politically elite group, a dominating landowning aristocracy as at Syracuse (Herodotos, VII.155.2; Aristotle, fr. 586) or on Samos (Plutarch, *Moralia*, 303E–304C; Thucydides, VIII.21). In Attic, *gāmoros* appears in Aischylos where it means “inhabitant” (*Suppliants*, 613; *Eumenides*, 890). In Plato, *Laws*, 737E (cf. 919D), the *geōmoroi* are an agricultural class, but even here the term is not simply equivalent to *geōrgoi*. Plato has set a lower limit to the size of allotments for the *geōmoroi* so it is evident that they did not include transient laborers, dependent agricultural workers, or even marginal farmers. The term *geōmoros* seems by its second element to invite a direct contrast to be made with *hektēmoros*.<sup>59</sup> If chapter 25 intends to distinguish the *geōmoroi* from other rural agriculturalists, then the numerous poorer rural inhabitants (dependent labor, *pelatai* or *hektēmoroi*) will not have been included in the three social groups. Hence, the *dēmiourgoi* in this fragment are distinguished by their number, although they could never have been very numerous if compared to the total farming population.<sup>60</sup>

Our suspicions that chapter 25 is aristocratic or oligarchic in ideology are strengthened when it is seen in context. Chapters 24 and 25 each report a foundation of the Athenian state. Plutarch reconciles the two by calling chapter 24 the synoecism and chapter 25 an augmentation of the city. But the proclamation of Theseus, δεῦρ' ἵτε πάντες, opening chapter 25, was certainly meant originally to introduce an account of the synoecism. In 24.2, Theseus promises to the *dynatoi* (men of power) an ἀβασιλευτον πολιτείαν (kingless constitution) and democracy, with himself only as war leader and guardian of the laws. He offers *isomoiria* (equal sharing) to the common people. The *idiōtai* (common people) and the *penētes* (poor) eagerly accept his appeal, but others fearing Theseus, who are probably the *dynatoi* previously mentioned, only comply so as not to be compelled. Thus, the conflict between Theseus, champion of the common people, and the aristocracy is apparent. This democratizing tradition on Theseus is dominant in Plutarch, who appears to use it again in 32–35, where the discomfiture of Theseus at the hands of Menestheus, a proto-demagogue,

<sup>57</sup> Wade-Gery, p. 91. In contrast, in Strabo, VIII.7.1 (c383), the system attributed to Ion, although it is still aristocratic, is described in language that is neutral and functionally descriptive rather than in terms that refer to hereditary status.

<sup>58</sup> On the *exēgētai*: *Atthis*, pp. 8–51.

<sup>59</sup> Wüst, *op. cit.* (footnote 5 above), p. 2. Cf. Roebuck, pp. 490–491, to whom they are internal colonists who have become prominent in peripheral villages.

<sup>60</sup> Wüst (*op. cit.* [footnote 5 above], p. 2) has all poor Athenians as *dēmiourgoi* (*hektēmoroi* plus *dēmiourgoi* equals *penētes* in Plutarch, *Theseus*, 24.2). Yet his equation of the *agroikoi* and the *geōmoroi* is invalid. Wealthy *dēmiourgoi* (admittedly a small group) are ignored. It is more likely that the *dēmiourgoi* would have been classified with the more numerous freed *hektēmoroi* as *thetes*. Diodorus Siculus, 1.28.4–5, cited by Wüst for support, in fact illustrates the opposite. The *dēmiourgoi* were probably classified not by some negative criterion, that they possessed little or no land, but by the positive criterion of engaging in a craft, which affiliation was perhaps validated by participation in certain cults.

and the *dynatoi* is related. On the other hand, the hierarchical, tripartite division of Attic society in *Theseus*, 25 is justified by Theseus' desire to preclude an *ἄτακτον* (disordered) and *μεμιγμένην* (promiscuous) democracy, created by an *ἄκριτον* (indiscriminate) mass swamping the community.<sup>61</sup> Moreover, instead of the neutral or pejorative *dynatoi* for the elite, the honorific Eupatrids is used. Plutarch appreciated the dissimilarity of the two accounts on Theseus, for he concluded the second synoecism (his "augmentation") by citing the *AP* on Theseus as the initiator of Athenian democracy in order to mitigate the incongruity of the two accounts.

Theseus' abolition of the *prytaneia*/*bouleuteria* in the rest of Attica, and creation of an Athenian *prytaneion*/*bouleuterion* for all the notables of Attica were treated as democratizing or of a neutral political character from an ideological perspective (Thucydides, II.15–16.1; Plutarch, *Theseus*, 24.3). If we imagine, however, a synoecism of Attica together with the creation of a hereditary Eupatrid caste, synoecism itself takes on an oligarchic appearance. If the *dynatoi* (cf. Plutarch, *Theseus*, 24.3) in all Attica lost their local *prytaneia* and were moved to the *asty* (town) as Eupatrids, any person claiming to belong to the political elite whose principal domicile lay outside the *asty* was an imposter. It is not surprising that one version of the antecedents of the synoecism of Attica was a transparent justification of the Pedion *στράσις* (party), since the leaders of the parties of the Paralioi and the Diakrioi probably lived in the same regions as their followers. In this version, Attica and Megara were divided among the four sons of Pandion II. The eldest son, Aigeus, held the *asty* and its plain. The Paralia fell to Pallas, and the Diakria to Lykos. Nisos became ruler of Megara.<sup>62</sup> By war Aigeus and his son Theseus reconquered Attica, and we may note that Plutarch, *Theseus*, 25.5 (cf. *Theseus*, 10.4) shows an awareness of the tradition that Theseus also conquered the Megarid. Thereupon Theseus embarked on a reorganization of Attic society.

In this treatment of the synoecism, the parties opposed to Lykourgos and the Pedion faction are equated with the usurping cadet lines of Pandion II's descendants. This tradition may well be a part of polemics against the Peisistratids by self-advertised Eupatrids. Lykourgos, like his 4th-century namesake, was probably a member of the *genos* of the Eteoboutadai, whose ancestor Boutes was a son of Pandion I. He received the priesthood of Poseidon Erechtheus by inheritance from Pandion.<sup>63</sup> The Eteoboutads' claims to hereditary priesthood and the Eupatrids' claims to legitimacy as Athens' aristocracy both went back to the validity of the actions of Pandion I and II and their rightful successors Aigeus and Theseus. An equation of the Eupatrids with the Pedion party is made by the *Lexica Segueriana* (*Anecdota Bekkeri* I, p. 257) where the Eupatrids are οἱ αὐτὸ τὸ ἄστυ οἰκούντες (the ones inhabiting the town itself) and μετέχοντες βασιλικῶν γένους (members of the royal line or family).<sup>64</sup> It is traditions like those behind *Theseus*, 25 to which we should look for the basis of this lexical notice.

<sup>61</sup> This is the stock language of criticism of democracy. Whether it came from Plutarch's source or the biographer has supplied us with his own estimation of Theseus' motives (to smooth the jarring transition between chapters 24 and 25) is unknown.

<sup>62</sup> Scholia Aristophanes, *Lysistrata*, 58; *Wasps*, 1223; Sophokles, fr. 872; Andron, *FGrHist*, 10, F 14; Philochoros, *FGrHist*, 328, F 107 (the last three in Strabo, IX.1.6 [C392]); cf. Pausanias, I.5.4; Plutarch, *Theseus*, 13.

<sup>63</sup> Harpokration, s.v. Βούρης; Apollodoros, *Bibliotheca*, III.15.1; Stephanus of Byzantium, s.v. Βούραδαι.

<sup>64</sup> The gloss shows its affinities with Plutarch, *Theseus*, 25 and its *geōmoroi* for farmers by using *epigeōmoroi* for the *dēmiourgoi*.

Moreover, Boardman has shown that Theseus is relatively insignificant in Athenian vase painting during the Peisistratid period when compared with Herakles.<sup>65</sup> One reason for this might be that Peisistratos and his followers did not see Theseus as their exemplar and antecedent, perhaps because the hero had already been pre-empted by their opponents of the Pedieis. Exalting the Pedion faction over the Paralia and Diakria has no obvious echo in 5th- and 4th-century politics, a fact which points to a 6th-century provenience for the story of the war against the cadet lines of Pandion. That Megara is treated as though it should be a part of Attica and is ruled by Nisos, an Athenian, may also indicate a 6th-century date for the inception of the tradition. While it is impossible to be certain how early Athens claimed the Megarid, Megara was most intensely at odds with Athens during the 6th century, until Salamis became permanently Athenian by Spartan arbitration (Plutarch, *Solon*, 10.6; Aelian, *Varia Historia*, VII.19). Although Athens and Megara were hostile to each other before the Peloponnesian War and again in the 340's, there is no indication that the Athenians ever tried to annex Megarian territory after 500.

#### THE FESTIVAL OF THE SYNOIKIA

The festival of the Synoikia may have preserved traces of an oligarchic, "Eupatrid", sectarian interpretation of Theseus (cf. Plutarch, *Theseus*, 24.4). The Synoikia, a trieteric and perhaps annual festival, occurring on the 16th of the first month of the Attic year, Hekatombaion, celebrated the unification of Attica.<sup>66</sup> Although it is mentioned in Thucydides (II.15.2), the absence of other references to the festival during the Classical period and the modest sacrifices associated with it in the late 5th-century Athenian state calendar of Nikomachos suggest that it was no longer important.<sup>67</sup> This unimportance is surprising, given the prominent placement of the festival at the beginning of the year and the historical importance of the event which it commemorated. The explanation is that the role of the Synoikia as a celebration of the creation of the Athenian people had been taken over by the other great festival of Hekatombaion, the Panathenaia. Plutarch (*Theseus*, 24.3), in the very sentence before his reference to the Synoikia, describes the Panathenaia as a foundation of Theseus in honor of the synoecism.

The Synoikia has an aristocratic appearance. In the first place, the *phylobasileis*, whom Pollux says were chosen from the Eupatrids (VIII.111), are cited either as authorities or as a source for funds (*ek phylobasilikōn*: *LSCG, Suppl.*, no. 10, lines 33–38, 45–46), and they shared in the sacrifice (lines 41–42), facts which attest to the antiquity of the festival.

<sup>65</sup> J. Boardman, "Herakles, Peisistratos, and Sons," *RA* 1972 (pp. 57–72), pp. 57–58; *idem*, "Herakles, Peisistratos, and Eleusis," *JHS* 95, 1975 (pp. 1–12), pp. 2–3. Theseus becomes more important on Attic pottery after 510, exactly what might be expected if he were associated with the opponents of Peisistratos. See K. Schefold, "Kleisthenes," *MusHelv* 3, 1946 (pp. 59–93), pp. 72–77, 89–90.

<sup>66</sup> Plutarch, *Theseus*, 24.4 has *Metoikia*, but it should be emended to *Synoikia* on the strength of Scholia Aristophanes, *Peace*, 1019, which reports that a sacrifice to Eirene was instituted, probably in the 4th century, on the same day as the Synoikia, another indication of the insignificance of the Synoikia by that time. Cf. Isokrates, 15.110; Nepos, *Timotheus*, 2.2; Philochoros, *FGrHist*, 328, F 151; Pausanias, 1.8.2; see also Plutarch, *Kimon*, 13.6.

<sup>67</sup> On the calendar of Nikomachos: *LSCG, Suppl.*, no. 10, lines 31–58. See, in general, H. W. Parke, *Festivals of the Athenians*, London 1977, pp. 30–33; L. Deubner, *Attische Feste*, Berlin 1932, pp. 36–38; S. Dow, "Six Athenian Sacrificial Calendars," *BCH* 92, 1968, pp. 170–186.

Second, and more significant, a prominent role was also played by the tribe of the Geleontes, its *phylobasileus*, and by a trittys of that tribe called the Leukotainioi (White-filleted). The name Leukotainioi, the only known pre-Kleisthenic trittys, suggests priestly office. In Plutarch, *Theseus*, 25.2, the leadership of Athenian religion is made the duty of the Eupatrids by Theseus (cf. Strabo, VIII.7.1 [c383], where one of the *bioi* of primitive Athens is that of the *hieropoioi*). One hypothesis might be that the pre-Kleisthenic trittyes (thirds) were secondary divisions of the tribes into the three social groups, Eupatrids, *geōrgoi*, and *dēmiourgoi*.<sup>68</sup> The Leukotainioi would be the Eupatrid trittys of the tribe Geleontes, made up of certain *genē*. The division of the tribes into phratries and their *genē* would be older and incommensurable with the division into trittyes (as also in the Kleisthenic 10-tribe system). Yet a religious structure making use of the trittyes does not necessitate a thorough division of Athenians among the three social groups, i.e., an assigning of every Athenian to a trittys of the *geōrgoi* or *dēmiourgoi* within each tribe and the inheritance of that assignment. In sacral terms, only the trittys Leukotainioi of the trittyes of the tribe Geleontes need really count, with the other trittyes not fully operative. Hence, pre-Kleisthenic trittyes are nebulous entities. In this way, there would result a situation where religious and political structure did not faithfully mirror each other. Rather, an organization of ritual provided a model for a restructuring of society, a template from which a tripartite polity might be created, when general political conditions were propitious.

#### THE PANATHENAIA

The view that would see the Synoikia as an oligarchic homologue to the Panathenaia takes on greater probability from the involvement of the Panathenaia in the rhythm of political crisis in early 6th-century Attica. From the late 590's, significant events seem to be taking place at 4-year intervals. Solon was chosen archon for 594/3, in which year he presumably promulgated his reforms. After four quiet years, there was a year of *anarchia* in 590/89. The term *anarchia* denotes that no archon was chosen, in contrast to other irregularities in the archonship. In 508/7, when Isagoras was expelled, he remained eponymous.<sup>69</sup> In 411, when the 400 fell, another archon took the place of the eponymous appointed by them.<sup>70</sup> Both events were irregularities in the archonship, but the sources do not refer to *anarchia*.<sup>71</sup> After 590/89, another *anarchia* followed in 586/5.<sup>72</sup> Then Damasias

<sup>68</sup> See Wüst (*op. cit.* [footnote 5 above], pp. 8–9), the details of whose argument I do not accept.

<sup>69</sup> *AP*, 21.1; Dionysios of Halikarnassos, I.74.6, v.1.1.

<sup>70</sup> *AP*, 33.1; Diodorus Siculus, XIII.38.1; Meiggs-Lewis, no. 81, line 2.

<sup>71</sup> The situation in 404/3, when Pythodoros was archon under the Thirty, is superficially at odds with the view just outlined since Xenophon, *Hellenika* II.3.1 (if, in fact, this is Xenophon and not an interpolator) and Diodorus Siculus (XIV.3.1) call 404/3 a year of *anarchia*. Cf. Aelian, *Varia Historia* v.13. Yet Xenophon mentions Pythodoros while saying that the Athenians do not name him. Lysias (7.9) used Pythodoros to date an event in a speech to be given before the Areopagus, and the *AP* (35.1, 41.1) also made use of him. This suggests that the *anarchiai* of the 580's, when no archon at all could be named, were different in character. Pythodoros remained on the "list" of archons in some sense, even though he may have been considered in office illegitimately. In the 580's, no one at all seems to have held the archonship during the *anarchiai*. The language of the *AP* (13.1) for the second *anarchia*, ἀναρχίαν ἐποίησαν (they created an anarchy), may suggest something more than the accidental result of civil strife.

<sup>72</sup> The majority of scholars support this chronology: F. G. Kenyon, ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ: *Aristotle on*

was elected in 582/1. It appears in retrospect, however, that there may have been something unusual about his election. He held office for 26 months, but his second year (581/0) does not appear as another year of *anarchia*. It is therefore possible that Damasias was elected to a multi-year term or a change was made to allow re-election to the archonship either in 582/1 or in 581/0. Furthermore, while it is usually thought that the 10 *archontes* governed for the remaining 10 months of the year after the expulsion of Damasias,<sup>73</sup> the *AP* says: οὔτοι τὸν μετὰ Δαμασίαν ἤρξαν ἐνιαυτόν (they were in office the year after Damasias). The *AP*, then, tells us nothing about the remaining 10 months of the third year of Damasias. These months may have been a period of anarchy in our sense, rather than *anarchia*, if Damasias was legitimately in office. Finally, the *AP* is silent about 578/7, the year in which a return was presumably made to an individual archon after the year of the 10 *archontes*, 579/8. The *AP* chose to mark out the appearance of political crisis at 4-year intervals. It dates the archonship of Damasias with the phrase: μετὰ δὲ ταῦτα διὰ τῶν αὐτῶν χρόνων. The preposition διὰ with the genitive is used to express the idea of a sequence by stated intervals. Although many have found the expression αὐτῶν χρόνων odd, it is needed to specify the interval. The phrase αὐτῶν χρόνων emphasizes the periodicity of crisis in a way in which the clearer phrase τῷ δὲ πέμπτῳ or ἔτει πέμπτῳ (in the 5th year) would not.<sup>74</sup>

These 4-year intervals coincide with the incidence of the Panathenaic festival.<sup>75</sup> The penteteric Panathenaia evolved from the annual Panathenaia, supposedly founded by Erichthonios, son of Hephaistos.<sup>76</sup> Its inception was also assigned to Theseus.<sup>77</sup> An early reference to the Panathenaia may be in the Catalogue of Ships, *Iliad* II.550–551. Clearly the Athenians believed the festival to be very old (Aelius Aristides, XIII.189). At some date, the festival changed its name from Athenaia to Panathenaia (Istros, *FGrHist*, 334, F 4),

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*the Constitution of Athens*, 3rd ed., Oxford 1892, p. 41; Sandys, *op. cit.* (footnote 24 above), pp. 50–52; Hignett, p. 319; *Atthis*, p. 351, note 46; T. J. Cadoux, "The Athenian Archons from Kreon to Hypsichides," *JHS* 68, 1948 (pp. 70–123), pp. 93–101; and N. G. L. Hammond ("The Chronological Basis of Solon's Reforms," *Studies in Greek History*, Oxford 1973 [pp. 145–169], pp. 146–150), who, however, separates the Seisachtheia, dated to Solon's archonship in 594/3, from his *nomothesia*, to be dated to 592/1. An attempt, however, to date Solon's reforms to 592/1 on the basis of *AP*, 14.1 with its reckoning back from the archonship of Komeas in 561/0 or 560/59 demands either an elimination or an unacceptable translation of διὰ τῶν αὐτῶν χρόνων (about the same time) and must conflate the second year of Damasias (so as not to conflict with the Delphic evidence) with the second *anarchia* (G. V. Sumner, "Notes on Chronological Problems in the Aristotelian ΑΘΗΝΑΙΩΝ ΠΟΛΙΤΕΙΑ," *CQ* 11, 1961 [pp. 31–54], pp. 49–54). The Delphic evidence is consonant with the chronology cited. See Rhodes, p. 181.

<sup>73</sup> See Rhodes, p. 182.

<sup>74</sup> The translation "about the same time" confuses the passage considerably because μετὰ ταῦτα (after these) precedes and seems to give a contradictory chronological marker. See Sumner, *loc. cit.* (footnote 72 above); M. Miller, "The Earlier Persian Dates in Herodotus," *Klio* 37, 1959 (pp. 29–52), pp. 47–49, who would see the phrase as a repetition of ἔτει πέμπτῳ with no further passage of time. G. Kaibel (*Stil und Text der Πολιτεία Ἀθηναίων des Aristoteles*, Berlin 1893, p. 153) sees the phrase as an interpolation and superfluous after μετὰ ταῦτα.

<sup>75</sup> In general, see Parke, *op. cit.* (footnote 67 above), pp. 33–50; Deubner, *op. cit.* (footnote 67 above), pp. 22–35.

<sup>76</sup> Evolution from the annual Panathenaia: Harpokration, *s.v.* Παναθηναία; Menander, fr. 428; cf. Lysias, 21.2; and founded by Erichthonios: Hellanikos, *FGrHist*, 323a, F 2; Androtion, *FGrHist*, 324, F 2; Harpokration, *loc. cit.*; compare Scholia Aelius Aristides, XIII.189.4–5; Aristotle, fr. 637.

<sup>77</sup> Plutarch, *Theseus*, 24.3; Scholia Plato, *Parmenides*, 127A; cf. Pausanias, VIII.2.1.

emphasizing the participation of all inhabitants of Attica (Pausanias, viii.2.1). In 566, according to Jerome, reporting Eusebius, the *agōn gymnasion* began (102a–b [Helm]). About this time (ca. 560), the earliest Panathenaic amphoras, prizes awarded in competition, appear.<sup>78</sup> Marcellinus reports, quoting Pherekydes (*FGrHist*, 3, F 2) via Didymos, in a badly garbled notice, that the Panathenaia was instituted in the archonship of Hippokleides (*Vita Thucydidis*, 3), whose archonship, on the basis of Eusebius, has been dated to 566/5. Yet another account states that Peisistratos created the *megala* (great) Panathenaia, presumably the quadrennial festival (Scholia Aelius Aristides, xiii.189.4–5). The date for Hippokleides' archonship, while plausible, is not certain, and attempts to place Hippokleides' political affiliations vis-à-vis Peisistratos are highly conjectural.<sup>79</sup> Later, Hipparchos, son of Peisistratos, helped promote a rhapsodic contest at the Panathenaia (Plato, *Hipparchos*, 228B). There is no certainty that the changes either in the 560's or under Peisistratos signify that the Panathenaia became quadrennial at that time. The 5th-century Panathenaia was a complex socio-religious event which probably evolved in many stages. For all the conflicting data on the Panathenaia, there is nothing to deny the existence of quadrennial festivals in the early 6th century.

If the occurrence of the Panathenaia had a relationship with the rhythm of political crisis, it is likely that the character of the election of officials to hold office in Panathenaic years was somehow different from other years. In the 5th century, the Panathenaia fell on the 28th of Hekatombaion, the first month of the Attic year. The record of the two *anarchiai* suggests that at least a part of the troubles in the early 6th century was connected with the meeting of the *ekklesia* at which the next magistrates were chosen. That an *anarchia* was possible at all may argue that there was no mechanism to try repeatedly during the year to elect the archon if there was a disruption of the customary electoral assembly. Moreover, elections considerably before the beginning of a magistrate's term of office may be a relatively advanced constitutional feature. It is not hard to imagine a situation where magistrates were elected and immediately took office. In the 4th century the archons served during the archontic year. However, the *AP* reports that other important magistrates (such as the treasurer of the stratiotic fund, the controllers of the theoric fund, and the supervisor of the fountains) served during the Panathenaic year, from Panathenaia to Panathenaia (43.1).<sup>80</sup> The *AP* next observes that the Athenians chose all magistrates belonging to the regular administration (*enkyklios dioikēsis*) by allotment, except for those just listed. They elected these others, and the magistrates having been elected served during the Panathenaic year. The Hellenotamiai, important officials during the 5th-century *archē*, were probably elected

<sup>78</sup> J. D. Beazley, *The Development of Attic Black Figure*, Berkeley/Los Angeles 1951, pp. 88–90; cf. P. E. Corbett, "The Burgon and Blacas Tombs," *JHS* 80, 1960 (pp. 52–60), pp. 56–58.

<sup>79</sup> J. A. Davison, "Notes on the Panathenaea," *From Archilochus to Pindar*, London 1968 (pp. 28–69), pp. 35–41 (= *JHS* 78, 1958, pp. 23–42; *JHS* 82, 1962, pp. 141–142).

<sup>80</sup> For the Panathenaic year from annual Panathenaia to Panathenaia: W. S. Ferguson, *Hellenistic Athens*, Oxford 1911, pp. 474–476; P. J. Rhodes, *The Athenian Boule*, Oxford 1972, pp. 236–237; Rhodes, p. 517. There is also no doubt that the phrase "from Panathenaia to Panathenaia" occasionally meant a 4-year interval (e.g., *IG* I<sup>3</sup>, 292, line 2; 300, line 2; Meiggs-Lewis, no. 72, lines 1–2), but the 4-year period is specified. Cf. F. W. Mitchel, "Demades of Paenia and *IG* II<sup>2</sup> 1493, 1494, 1495," *TAPA* 93, 1962 (pp. 213–229), pp. 220–221, notes 19, 20.

officials, and they also served for the Panathenaic year.<sup>81</sup> It is uncertain whether or not it is merely coincidental that allotted civilian officials served the archontic year while elected officials served the Panathenaic year. It is conceivable that the archons, while still elected, served the Panathenaic year and were elected shortly before the festival. The Panathenaia, from its name, from its association with Peisistratos, and from its subsequent elaboration in Periclean Athens, can be seen to have had a “populist” hue (quite different from the Synoikia). Elections held shortly before the quadrennial Panathenaia may have been particularly well attended by Athenians outside the *asty*, who may have been stirred into activity by the festival itself. Thereby, Panathenaic years may have seen populist agitation, starting from the archonship of Solon. The festival provided a “critical mass” for populist agitation. On at least one occasion, the Panathenaia itself provided an opportunity for political activity. Harmodios and Aristogeiton planned to assassinate the Peisistratids at the Panathenaia of 514/3 (*AP*, 18.3; Thucydides, vi.56.2). The tyrannicides sought to take advantage of the gathering of Athenians for the festival in order to get help against the tyrants’ bodyguards.

### THE AUTHORITY OF THE TEN *ARCHONTES*

It is appropriate here to draw out some ramifications of the analysis of the 10-*archontes* system presented above. In the 580’s, there was a quadrennial effort to uphold and to strengthen Solon’s reforms.<sup>82</sup> In this interpretation, Damasias becomes a reformist figure, who was elected perhaps for a multi-year term, or re-elected, and charged with curbing the aggrandizing behavior of the socio-economic elite.<sup>83</sup> Driven out by force (*βιῆ*), Damasias was succeeded by the 10-*archontes* system, which, as has been observed, is intrinsically opposed to the Solonian census system. There had never been a Eupatrid caste, but the term *eupatridai* was adopted by the opponents of Damasias, who may have used the term in the same sense as Plutarch, *Theseus*, 25 to mean a closed political order claiming to derive from Theseus. These Eupatrids were later grouped under the banner of the Pedion party and its leader Lykourgos. Their Theseus had crushed usurpers from the Paralia and Diakria, much as they aspired to bring low the followers of Megakles and Peisistratos. In the festival of the Synoikia, these aristocrats celebrated this vision of the unification of Attica, and by the organization of the cult of the Synoikia, they may have attempted to promote a tripartite caste system. That the 10-*archontes* system was out of phase with the Panathenaic cycle of

<sup>81</sup> R. Meiggs (*The Athenian Empire*, Oxford 1972, p. 234) who cites Meiggs-Lewis, no. 72, lines 25–28, no. 84. The treasurers of Athena and the treasurers of the other gods, both selected by lot, also served the Panathenaic year (Meiggs-Lewis, no. 58A, lines 28–29, no. 84).

<sup>82</sup> In supporting such efforts, Peisistratos could present himself as primarily a defender of the Solonian constitution (Plutarch, *Solon*, 29.4).

<sup>83</sup> The *Marmor Parium* (*FGrHist*, 239, A 38) has Damasias as Δαμασίου τοῦ δευτέρου (Damasias the Younger); the phrase does not mean “in the 2nd year of Damasias” (Cadoux, *op. cit.* [footnote 72 above], p. 102, note 162). The elder Damasias was archon in 639/8 (Dionysios of Halikarnassos, iii.36.1). On the slight support of the elder Damasias, the theory of a reactionary younger Damasias has been erected: Wade-Gery, pp. 103–105; Wüst, *op. cit.* (footnote 5 above), p. 9. Only the notion of a Eupatrid “patrician” caste supports the idea that the pre-Solonian archonship was closed to non-Eupatrids and newcomers. Nor is there any reason why even a Eupatrid Damasias cannot have deserted the Eupatrid camp for political advantage. Moreover, a multi-year archonship is rather like a tyranny and hardly seems an oligarchic measure (cf. Pittakos of Mytilene).

agitation indicates that its originators stood toward the other end, the oligarchic side, of the political spectrum. So too does the reservation of half the places to Eupatrids suggest an origin for the system among those who sought a narrow oligarchy. They were not strong enough, however, to make their vision of Athens prevail. Other social groups had to be taken into account. The deprecating view held of them by the Eupatrids is clear from the use of *agroikoi* (boors) in referring to the farmers, a word, like *konipodes* or *penestai* (Epidaurian and Thessalian serfs), which was a fitting term for a rural dependent class. The *agroikoi* of 579/8 were probably in large part the *hektēmoroi* liberated by Solon in 594/3. Some of them had grown in influence, and they had probably been joined by smallholders in the central plain who had never been reduced to serfdom.<sup>84</sup> The 10-*archontes* system grudgingly recognized that they must be included in the executive.

Yet the 10-*archontes* system certainly does not favor the *agroikoi*. They received only 3 out of the 10 *archontes*, although independent farmers must have made up the majority of the inhabitants of even the central plain in *ca.* 580. Indeed, it is the *dēmiourgoi* who seem to be favored. They receive 2 of the *archontes*, which must over-represent them in comparison with the 3 *agroikoi*. That there were 2 craftsmen for every 3 farmers in Attica in the early 6th century is inconceivable. For the *asty*, however, the ratio of 3 *agroikoi* to 2 *dēmiourgoi* is somewhat closer to reality. The same disproportionate role of the *dēmiourgoi*, noteworthy for their numbers, is seen in Plutarch, *Theseus*, 25. There, the reckoning works only if most of the rural population has been ignored by excluding all except middle-class farmers from the classification *geōmoroi*. The favoring of the *dēmiourgoi* is a justifiable policy for those attempting to resist Solon's reforms. The anti-Solonian party was aggrieved at the Seisachtheia, which released agricultural debtors from the authority of the elite. It is unlikely at this time, before Athenian coinage, that loans by the aristocracy played much of a role in the crafts, and such loans as there were, were probably not covered by the Seisachtheia. The oligarchs of the *asty* could offer an alliance to the *dēmiourgoi*, who might be induced to cooperate to the detriment of the former *hektēmoroi*. In fact, had the *dēmiourgoi* been allies of the *agroikoi*, it is odd that anyone would have bothered to differentiate the two non-elite groups.<sup>85</sup>

The disproportionate role of the *dēmiourgoi* points to the conclusion that only groups within the *asty* were represented among the 10 *archontes*. If the foregoing analysis is correct, Plutarch, *Theseus*, 25 and related texts reveal that the title of Eupatrid could have been appropriated by the aristocrats of the *asty*. The system seems to have ignored the existence of the other two *staseis* (parties) and their leaders. The devisers of the system underestimated the political power of the Attic *chōra*, a power strengthened by the Seisachtheia and by the encouragement of rural notables through the census system. Rather than seeking a rapprochement with the Paralioi and Diakrioi, the 10-*archontes* system seeks to broaden the base of support for the Pedieis in the *asty* and its vicinity by concessions to the small farmers of the plain, the *agroikoi*, and to the *dēmiourgoi*. By ignoring the other two parties,

<sup>84</sup> Those smallholders not reduced to the status of *hektēmoroi* still would have been classed with the *agroikoi*, not with the Eupatrids. Our analysis of the term *eupatridēs* in the 6th century excludes the meaning of merely "free-born" (see above, pp. 454–455).

<sup>85</sup> Cf. Mossé, *op. cit.* (footnote 9 above), pp. 407–408, on the different aims of the two groups.



however, the system probably doomed itself to failure. Accordingly, we may hypothesize why the 10-*archontes* system did not become permanent. The year 578/7 was another year in the Panathenaic cycle and should mark a resurgence of populist ferment, which restored the Solonian census system for the election of the eponymous archon. Consequently, one may doubt whether the 10 *archontes*' authority extended very far beyond the *asty*. The system represents a diversion from the constitutional development of Athens based on an acceptance of the general outlines of the Solonian reforms and specifically of the Seisachtheia and the census system. It signaled an attempt to impose upon Athens a political order closely attuned to socio-economic function and hereditary status, rather than to political activity or wealth. The remainder of Athenian history in the 6th century emphasizes the rejection of the attempt. Peisistratos unites the strongest political following, and it is Megakles and the Paralioi, also opposed to narrow oligarchy, who provide the viable alternative to tyranny.

Two secondary conclusions may also be drawn:

1) Difficulties over how the troubled 580's are to be reconciled with Solon's reforms and with the emergence of the regional parties have encouraged a downdating of Solon's *nomothesia*.<sup>86</sup> Our interpretation of the 10 *archontes* obviates some of these difficulties. Except for the expulsion of Damasias and the institution of the 10 *archontes*, the *stasis* of the 580's was caused by efforts to extend, not repeal, Solon's reforms. The tripartite conceptualization of Attic society is at odds with the dominant interpretative tradition, holding both that Solon had thwarted economic exploiters (*gnōrimoi*) bent on an oligarchy and that after him regional parties came to the fore. The 10-*archontes* system represents the transitory realization of a minority view on the political situation, one that saw it as a confrontation between Eupatrids of royal blood, inhabiting the town, and farmers and craftsmen. Outside of Plutarch, *Theseus*, 25, few traces of this tradition survive.

2) To Jacoby, the crystallization of the portrait of Theseus occurs on the level of Atthidographic reformulation of traditional material.<sup>87</sup> Yet to attribute to Theseus a tripartite division of society or to assimilate his opponents to the factions of the 6th century has polemical point, but, unlike the arguments over the Seisachtheia (*AP*, 6.1; Androtion, *FGrHist*, 324, F 34; Philochoros, *FGrHist*, 328, F 114) or over the credit for the manning of the fleet in 480 (*AP*, 23.1; Kleidemos, *FGrHist*, 323, F 21), such polemics have no echo in contemporary political history. Therefore, to Jacoby, the account in Plutarch, *Theseus*, 25 is unlikely to come from an *Atthis*, and one must postulate a vague, theoretical fabricator with unfathomable motives.<sup>88</sup> But the *Theseus* is so thoroughly dependent on Atthidography that such a conjecture is dubious. Rather, the traditions reworked by the Atthidographers were themselves already partisan, preserving interpretations which were pervaded by extinct ideology.

<sup>86</sup> Hignett, pp. 319–321.

<sup>87</sup> *Atthis*, pp. 74–79, 121–123, 135–141, 219–220.

<sup>88</sup> See *Atthis*, pp. 247–248, note 49, where he suggests Theophrastos in the *Nomoi*, as though this work were not dependent on Atthidography for its data, much as the *AP*.

## Appendix

*The Archonship and Sortition in the 6th Century*

The system of the 10 *archontes* appeared so anomalous to E. Cavaignac that he suggested that lying behind the account of the *AP* is a description of a reform of κλήρωσις ἐκ προκρίτων (allotment from the pre-selected) wherein each tribe was enjoined to provide 10 *prokritoi* in the proportion of the 3 groups of the 10 *archontes*.<sup>89</sup> Rhodes has revived and extended this suggestion.<sup>90</sup> Yet this hypothesis founders on complications of its own making. First of all, it would be necessary to assume that someone confused a notice on the archon list that 4 tribal groups of 10 *prokritoi* were to be chosen henceforward with a notice of 10 *archontes* of a single year. This is a mistake of enormous dimensions, especially if the archon list can be assumed to have had “*klērosis*” or some related term. In any case, that 20% of the candidates for the archonship throughout the 6th century were *dēmiourgoi* is most unlikely. Nor is the use of the word *agroikoi* any easier to explain on this hypothesis. If the 10-*archontes* system is merely a form of Solonian *klērosis* disguised, then the candidates must meet Solonian census requirements. Therefore, a second stage of distortion must be posited (as Rhodes suggested) in which 5 non-Eupatrids of the original notice were split among *agroikoi* and *dēmiourgoi*. Why anyone should have further confused the issue in this fashion is unexplained.

But there are still more historical problems. The *stasis* over the archonship which led to the two *anarchiai* and the election of Damasias was of such an intensity that it cannot have been merely over the relative proportion of Eupatrids and non-Eupatrids among the candidates. The only adequate explanation would be that the archonship was closed to non-Eupatrids before the first *anarchia* (590/89) and after the archonship (no earlier than 593/2) of Dropides, friend of Solon. This leaves the elections of the archonships of Eukrates (592/1) and Simon (591/0). Presumably, one of these archons would have had to have refused non-Eupatrid *prokritoi*, and there was no redress short of *anarchia* until the 10 *archontes*’ year. So Damasias is a Eupatrid. But his retention of office is then inexplicable, since in the past the Eupatrids had never needed a multi-year archon to resist pressure to accept non-Eupatrid *prokritoi*. It is preferable to see Damasias as a “populist” figure. That Solon’s census arrangements were suspended within two years of their passage is also unlikely.

Moreover, the treatment of *stasis* in *AP*, 13.1–3 is on every count difficult to reconcile with *klērosis*, which suggests a diminishing of the importance of the archons. The evidence in support of Solonian *klērosis ek prokritōn* is not strong. The *AP* (8.1, 22.5) supports it but undermines its support by citing a law of Solon on sortition of treasurers rather than archons. Aristotle in his *Politics* says that Solon made no change in the method of selection of archons (1273<sup>b</sup>35–1274<sup>a</sup>3, 1274<sup>a</sup>15–18; cf. 1281<sup>b</sup>25–34).<sup>91</sup>

In addition, the case for *klērosis* is not strengthened by the other passages alluding to it. Isokrates (12.145) praises *prokrisis* in the midst of an encomiastic and anachronistic celebration of Athens vaguely dated after Theseus. Isokrates (7.22–23) compares *prokrisis* of the best men and sortition (*klērosis*), with the advantage to the former. [Demosthenes] (59.75) speaks of election *ek prokritōn* “when” or “after” Theseus established the democracy and synoecized Athens. All that these amount to is that there were vague traditions about election and *klērosis*, both of which could be turned to good purpose in epideictic oratory. Plutarch (*Perikles*, 9.4) and Pausanias (iv.5.10) speak of yearly archons allotted from of old and an ancient allotted archonship, but the former could

<sup>89</sup> “La désignation des archontes Athéniens jusqu’en 487,” *RevPhil* 48, 1924 (pp. 144–148), pp. 145–146.

<sup>90</sup> Rhodes, p. 183.

<sup>91</sup> See Rhodes, pp. 146–148, with 130–134; cf. Hignett, pp. 321–326; Day and Chambers, *op. cit.* (footnote 3 above), pp. 80–81.

be pre-Solonian and the latter Thesean as much as Solonian. It is particularly noteworthy that no other source envisages a hiatus in sortition as does the *AP*. Therefore, the balance of the surviving evidence is against *klērosis ek prokritōn* as Solonian. A belief in *klērosis ek prokritōn* must then fall back on positing an edition of Solon's laws (if not the survival of the *axones* and *kyrbeis* themselves) free from later interpolation and emendment. The references to Solonian *klērosis*, improbably, as it seems to me, would stem from such a source.<sup>92</sup>

THOMAS J. FIGUEIRA

RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY  
Department of Classics and Archaeology  
New Brunswick, N.J. 08903

<sup>92</sup> Cf. Rhodes, p. 147.