

A *LEX SACRA* OF THE STATE AND OF THE DEME OF KOLLYTOS

(PLATES 53 and 54)

TWO UNPUBLISHED FRAGMENTS of a fine-crystaled, Pentelic-type marble, found at different times in the excavations of the Athenian Agora (*d* and *e*), derive from the same stele as *IG II*² 1195 (designated fragment *c*), which includes the final clauses of a decree of the Athenian state, followed by the opening clauses of a decree of the deme Kollytos. A fourth fragment, *IG II*² 620 (designated fragment *b*), almost certainly derives from the same stele and, if so, contains parts of the state decree but does not join any of the other fragments; likewise, to judge by its letter forms and marble type, a fifth fragment, also found in the Agora and unpublished (fragment *a*). A sixth, very small, unpublished Agora fragment (*f*) might also belong but is too small for secure attribution. The two published fragments were found on the Akropolis in the last century, and the rest derive from excavations in the Agora between 1935 and 1953.¹

I number the fragments according to their thickness, where preserved.² In a previous article I have listed and discussed briefly all the published documents that I attribute to the mason who inscribed this stele.³

Fragment *a* (Pl. 53). Agora Inv. No. I 5572 (unpublished). Found on September 29, 1938, in a modern house wall, southeast of the Market Square and west of the Panathenaic Way (Q21). The rough-picked back appears to be original, in which case its thickness indicates that, if it belongs, it must be placed in the upper part of the stele but not far above fragment *b*.

P.H. 0.068 m.; p.W. 0.12 m.; Th. 0.12 m.

Fragment *b* (Pl. 54). E.M. 7659 (*IG II*² 620). Found on the Akropolis and first published from a transcript of H. G. Lolling as *IG II* v 510 *g*. The pick-dressed left side and rough-picked back are preserved; the left side of the face is broken away, but the width of the left margin can be calculated as 0.012–0.013 m. (top to bottom). The edge of the back is beveled.

P.H. 0.19 m.; p.W. 0.07 m.; Th. 0.123 m.

¹ I am grateful to Professor H. A. Thompson, the Director Emeritus of the Agora Excavations, for permission to study and to publish the four Agora fragments. I am also grateful to Mrs. C. Peppas-Delmousou, the Director of the Epigraphic Museum in Athens, for permitting me to study and republish the two E.M. fragments, and to Professor T. L. Shear, Jr., the Director of the Agora Excavations, for allowing me to work in the Agora in 1988. The photographs and permission to publish them here were provided by the Museum authorities concerned.

² I first identified these fragments as parts of the same stele when I was a Summer Visitor at the Institute for Advanced Study in Princeton, New Jersey, in May–July 1987. Subsequently, it was possible for me to travel to Athens during February and March of 1988 and to examine all the fragments at first hand, thus confirming the join between fragments *c* and *e*. I am grateful to Professor Christian Habicht for making it possible for me to study at the Institute and to make use of the collection of epigraphic squeezes stored there.

³ See Walbank 1989, pp. 395–399.

Fragment *c* (Pl. 54). E.M. 7732 (*IG* II 586 and *IG* II² 1195). Found on the Akropolis south of the Propylaia on April 18, 1845, and first published by Pittakys (1853). The pick-dressed left side and rough-picked back are preserved, with a left margin of 0.014–0.017 m. (top to bottom). The edge of the back is beveled. An improved text was published by Sokolowski in 1969.⁴

P.H. 0.26 m.; p.W. 0.252 m.; Th. 0.123–0.126 m.

Fragment *d* (Pl. 53). Agora Inv. No. I 6630 (unpublished). Found in May of 1953, in the curbing of a Byzantine well at the west end of the Middle Stoa (O 13). It is broken all around and at the back. Although there is no join, the pattern of diagonal cracks on the face of the stone is the same as that of fragment *e*, and the preserved text can be matched with lines 27–32 of the composite document.

P.H. 0.08 m.; p.W. 0.15 m.; p.Th. 0.065 m.

Fragment *e* (Pl. 53). Agora Inv. No. I 5825 (unpublished). Found on May 9, 1939, in a context of the 2nd–3rd centuries after Christ, in the shaft of a brick drain south of the Eleusinion (U 22:1). The pick-dressed left side and rough-picked back are preserved, with a left margin of 0.017–0.0185 m. (top to bottom). The edge of the back is beveled. It joins the bottom left side of fragment *c*.⁵

P.H. 0.205 m.; p.W. 0.14 m.; Th. 0.128–0.131 m. Fragments *ce*, combined H. 0.36 m.

Fragment *f* (Pl. 53). Agora Inv. No. I 2799 (unpublished). A very small fragment, found on April 15, 1935, in a disturbed Byzantine context over the East Stoa (O 14). It is broken all around and at the back. Thus, its position on the stele cannot be determined, if, indeed, it belongs to this document.

P.H. 0.050 m.; p.W. 0.084 m.; p.Th. 0.063 m.

All fragments: L.H. 0.006–0.007 m.; stoichedon, with a square checker pattern, 0.013 × 0.013 m.

post a. 327/6 *a.*

ΣΤΟΙΧ. 39

a [----- ἐν]ῆαυ[τόν? -----]
 [----- .]ων τῶν [-----]
 [----- ..]σττ[-----]
 [----- ...]ηξ[-----]

lacuna

b 5 ρσιτ[.....³⁴.....τ]-
 ὦι Μου[σεῖω?.....²⁹.....]
 ντας ρ[.....³⁴.....]

⁴ Sokolowski 1969, pp. 72–73, no. 38 (with earlier bibliography).

⁵ S. V. Tracy independently recognized the join between *IG* II² 1195 and Agora I 5825 in 1991, working from squeezes at the Institute for Advanced Study, but without being aware of my work. See his discussion of the cult of Agathe Tyche in the following article in this journal (Tracy 1994). I acknowledge his courtesy in allowing me to see a draft of his article; his comments upon an earlier version of my article have enabled me to clarify and improve my text.

ατα ησ[.....²⁷..... ἐφ' Ηγήμο]-
 νος ἄρ[χοντος ?.....²⁸.....]
 10 τὸν δῆ[μον ?³¹.....]
 αὐτῶν [.³¹..... τὸν]
 δῆμον [.³⁴.....]
 τῶι [.³⁶.....]
 ὦ[.....³⁸.....]

lacuna

c 15 [...] ἐν στήλῃ [λιθίνῃ¹⁷..... τὸν γ]-
 ραμματέα τὸν κ[ατὰ πρυτανείαν καὶ στήσαι ἐν ἄκρ]-
 οπόλει· εἰς δὲ τὴν [ἀναγραφὴν δοῦναι τὸν ταμίαν τ]-
 οῦ δήμου [P]^v δραχμ[ὰς ἐκ τῶν κατὰ ψηφίσματα ἀναλι]-
 20 σκομένων τῶι δῆ[μωι *vacat*]
vacat
 Εὐκαδμίδης εἶπε[ν·¹¹..... τοῖς θεοῖς πᾶσι]-
 ν καὶ τοῖς ἥρωσιν [.¹⁵..... καὶ τὴν κατὰ]
 τὰ δόξαντα θυσίαν [ποιεῖν¹¹..... ἐπιτελο]-
 25 υμένων τῶν ἀγαθῶν [.¹⁶..... ἀγαθῇ τύ]-
 χῃ· δεδόχθαι Κολλυ[τεῦσιν· θῦσαι τοὺς ἱερέας κα]-
 ἰ τὸν δῆμαρχον τοῖ[ς θεοῖς πᾶσιν καὶ τοῖς ἥρωσιν]
d πρόπανα καὶ πελανὸ[ν καὶ¹⁰.....] σμε[.... τὰ ὕ]-
e πάρχοντα· τὰς δὲ πρ[ώτας θυσίας τ]ὰς τῶν δη[μότων ὕ]-
 πάρχειν Ἀγαθῇ Τύ[χῃ εἰς σω]τηρίαν τοῦ δήμου το]-
 30 ῦ Ἀθη[ν]αίων· ^vΧΧ^v δ[ράχμων· ἐάν] δέ τινες βο[ύλωνται]
 τῶν δημ[ο]τῶν δανεῖσαι ἐπὶ τοῖς κοινοῖ[ς ἐπὶ τὰ νῦ]-
 ν καὶ τὰ [ἐμπ]ροσθ[εν ἀναλώματα?] Ι[... Σ[.....¹¹.....]
 ιν τινε[ς ...] α[.....²⁸.....]
 εισάντω[ν³⁰..... ἐ]-
 35 νιάυτογ[.....³².....]
 νος ἄν τυ[.....³².....]
 σασινεσ[.....³².....]
 δὲ αὐτῶ[ν³².....]
 [. .]βι[.....³⁵.....]

lacuna

FRAGMENTUM SEDIS INCERTAE

lacuna

f 40 [-----]μι[-----]
 [-----]όσαν[-----]
 [-----]ιδησ[-----]

I have placed fragment *a* above fragment *b* because, if its full thickness is preserved, it should lie level with or above *b*; since the left margin on *b* is 0.013 m. at the bottom and that of *c* is 0.014 m. at the top, the distance between *b* and *c* cannot have been very large, and there is probably not room for *a*, if it does derive from the same stele, to be fitted between *b* and *c*.

Line 1: [κατ' ἐν]ιαν[τόν]? See also lines 34–35.

Line 2: Perhaps the same phrase that appears in lines 23–24: [ἐπιτελουμένων]ων τῶν [ἀγαθῶν]? One might expect the deme decree to repeat parts of the text of the state decree.

Line 3: Possibly the numeral [εἴκο]σι? See also line 5.

Line 4: The top of eta survives, followed by a badly cut epsilon or kappa.

Line 5: The bottoms of these letters survive; possibly some reference to a sum of money occurs here, i.e., [εἴκ]οσι? See also line 3. The apparent omicron, however, seems too low in relation to the sigma; other omicra are placed well above the bottom of the stoichos (see line 9, for instance).

Line 6: In what context the Mouseion is mentioned, if it is, cannot be guessed, unless it is the location of one of the sanctuaries at which the sacrifices mentioned below in the deme decree (lines 19–28) are to be offered.

Line 7: The left half of a circular letter survives, perhaps the theta of θ[υσίας]?

Lines 8–9: Perhaps an archon formula? If so, in the period to which this document seems to belong, [ἐφ' Ἡγήμιο]νος ἔρ[χοντος] is the only possible restoration. If correct, this will date the decree in or after 327/6 but can be used to provide only a *terminus ante quem non*. As S. V. Tracy points out (*per ep.*), however, many other restorations are possible, including names of persons or places.

Line 10: or δῆ[μαρχον]?

Line 13: The top of iota survives.

Line 14: The top of a circular letter is preserved; from its shape, it appears more likely to be omega than omicron.

Lines 16–20: The formulas are the regular ones for the period involved. The operative imperative is presumably [ἀναγράφαι].

Line 19: The numeral has perished, but, since there is space for only one numeral, it is likely to have been the symbol for fifty; ten drachmai would be too small a sum for a stele such as this, and any other figure would be too large. The normal cost of a stele in the period under consideration was twenty or thirty drachmai. Possibly the stele was very large or, more likely, adorned with a relief. From line 16 it is clear that only one stele was ordered.

Lines 20–21: The mason has left a gap of one line between the two decrees.

Line 21: Sokolowski restored [ἐπειδὴ] as the first word of the deme decree and in his commentary remarked that the sacrifice was to be made “à la suite d'un voeu”; presumably this refers to the vote of the Assembly. [ὅπως ἔν] might also be restored here, depending on the sense of what follows. In either case, however, the available space is very small. The restorations of lines 21–26 are those of Sokolowski. The new fragments necessitate changes to his supplements for lines 27–32, but I have not been able to devise a satisfactory restoration that completely fills up line 27.

Line 27: On fragment *e* the bottoms of the verticals of pi survive, along with the bottom of omicron. The preserved letter traces at the top of fragment *d* look, in the photograph, to be an omega followed by a delta, but on the stone and on my squeeze there is an almost horizontal bar at the bottom of the stoichos, above the omega of line 28, followed by what seems to be a faint and irregular mu, where, in the photograph, there appears to be an omega. After this there is a left vertical, joined at its base by the beginning of a horizontal bar; again, in the photograph, this looks like a delta. Thus I read ΣΜΕ, but this is by no means secure. If I am correct, these letters might be part of a participle, such as, for instance, [ἐψηφί]σμε[νας], but I have not been able to devise a convincing restoration here. What is needed is some other kind of sacrificial material that can be included with πῶπανα καὶ πελανό[ν] in the description [τὰ ὑπ]άρχοντα.

Lines 28–30: The main interest lies in the appearance of Good Fortune (Ἄγαθὴ Τύχη) as the first recipient of sacrifices in order to ensure the safety of the Demos of the Athenians.⁶

⁶ For this deity as a recipient of worship, see *IG II² 333c*, lines 19–20, a decree proposed by Lykourgos in 335/4 for the regulation of various cults in Attica. See also Tracy 1994.

Line 30: The sum of 2,000 drachmai is surprisingly large, particularly for a deme sacrifice.⁷ It suggests that the occasion for this sacrifice was out of the ordinary, a response to some momentous event.⁸

Lines 31–32: The vertical and the beginning of the middle bar of epsilon survive: some form of the verb δανείζειν seems to be required, in the context of loans by the *demotai* on the security of the common funds of the deme with reference to present and past expenditures of some kind; my restorations are devised accordingly but are not necessarily secure, particularly that of line 32. Below the sigma of line 31 (fragment *d*) the tip of a left vertical survives, not, therefore, an iota but perhaps eta, kappa, or nu. Several of the epsilons on this stone, however, have the vertical projecting slightly above the top horizontal; it might be possible to restore an epsilon here, and thus the imperative ἐ[ξέ]σ[τω], since below the first iota of κοινῶ[ς] there is a diagonal mark on the break, somewhat flattened, that may be the top diagonal of a sigma; upsilon or kappa, or even epsilon, is not ruled out.

Line 33: The initial letters IN may be the end of an infinitive, followed by τινε[ς]. The apex, and perhaps also the bar, of alpha survives under the omicron of line 32.

Lines 33–34: An aorist active imperative is required here. In light of what has probably gone before, either [δαν]εισάντων or [ἀποτ]εισάντων is the likeliest restoration: the loans are to be made, or payment made, presumably at a given time. If the correct restoration is [ἀποτ]εισάντων, the payment will likely be a repayment and, therefore, the obligation of the deme authorities.

Lines 34–35: Here a term of one year, or yearly payments(?), is involved (for instance [κατ' ἐ]νιαυτόν), perhaps, therefore, the yearly repayments of these loans. Alternatively, this may involve provision for a regular, annual sacrifice. See also line 1 above.

Line 36: The tip of the left diagonal of upsilon survives. Some form of the verb τυγχάνειν seems inevitable. The opening letters of this line, ΝΟΣ, might be a final nu, followed by the relative pronoun ὅς, [τι]νός, or the end of a word such as [ἰκα]νός, [ἐκεί]νος, or [ἐρα]νος.

Line 39: The tops of these letters survive; despite the irregular shapes of most of the omicra on this stele, the first traces resemble more the top loop of a beta (compare that of line 30) than the curve of an omicron or the loop of a rho.

⁷ From the scanty information available, it appears that the cost of sacrificial animals was remarkably stable in Attica during the 4th century B.C., with variations depending more upon age, sex, or pregnancy, or upon the sex of the divine recipient of the sacrifices, than upon market prices. Piglets cost 3–3 1/2 drachmai, adult sows 20 drachmai if pregnant. Lambs cost 4–7 drachmai and adult sheep and goats between 10 and 20 drachmai. Although the evidence suggests that cattle were subject to greater variations in price, perhaps reflecting a more volatile market, the average price of a cow was between 70 and 90 drachmai. The evidence for prices derives from various sacred calendars, especially those of the Law Code of Nichomachos (*SEG* X 348), of Erchia (*SEG* XXI 541), of the Marathonian Tetrapolis (*IG* II² 1358), and of the Salaminioi (*SEG* XXI 527, lines 85–95), which have been analyzed by Van Straten (1987, pp. 165–170 and figs. 14, 15, and 16). Thus, the 2,000 drachmai specified for the sacrifices to Agathe Tyche, in theory, represent a considerable outlay, which may be compared with the 4,100 drachmai budgeted for the sacrifice of a hecatomb of cattle at the Lesser Panathenaia in ca. 338/7 (an estimate of 41 drachmai a head; *IG* II² 334, lines 16–25). These prices, however, may not reflect the realities of the market. For instance, in the Eleusinian accounts (*IG* II² 1672, lines 207 and 289 [330/29–329/8 B.C.], and 1673, line 62 [333/2 B.C.]) the price of sheep seems to vary, dropping from 30 to 12 drachmai, presumably reflecting actual market prices rather than what was laid down in the sacred calendars (see Clinton 1988, pp. 69–70). Likewise, these Eleusinian accounts show a price of 400 drachmai a head for bulls in 329/8 (*IG* II² 1672, line 290), a figure considerably higher than that envisaged in the sacred calendars.

⁸ In the light of the sums recovered from the sale of hides of animals offered in state sacrifices during the late 330's B.C. (*IG* II² 1496, lines 68–151), which, presumably, reflect in a crude manner the numbers of animals sacrificed, the festival of Agathe Tyche emerges as relatively minor beside even those of such similar divinities as Peace and Democracy and as quite insignificant alongside such major festivals as the Dionysia, Olympieia, Panathenaia, Bendideia, Asklepia, Theseia, and Diisoteria. Thus, despite the evidence marshaled by Tracy (1994), the cult of Agathe Tyche was not normally of major importance at this time, so that the amount budgeted here ought to represent a quite exceptional and perhaps unique circumstance.

Line 40: The bottoms of two letters are preserved: the right-hand stroke of the first is nearly vertical, so that a mu seems more likely than alpha or lambda. The findspot of this fragment is almost the same as that of fragment *d*; thus, if it does belong, it may derive from a similar level on the stele, but no satisfactory restoration of this fragment comes to mind except in line 40, where the end of a personal name may be preserved, possibly that of Eukadmides, the proposer of the deme decree (line 21).

Whatever the context and meaning of this document may be, it has long been recognized that two decrees are involved: first, a decree of the state; then a decree of the deme of Kollytos. The new fragments do not add much information, but *d* and *e* necessitate some modification of the restorations proposed by Sokolowski. The deme decree may be expected to reflect and to repeat much of the language of the state decree, but except for fragment *a*, which, if properly assigned, may derive from the state decree, there are no points of comparison; what survives on fragment *b* provides little help. The state decree may be expected to have mentioned the cult of Agathe Tyche and will probably have referred specifically to the deme Kollytos or to sanctuaries within that deme. Thus, the possible reference in lines 5–6 to a place called Mou[seion] in the dative could indicate the site of the sanctuary of Agathe Tyche: the deme Kollytos lay southwest of the Areopagus and thus likely incorporated all or part of Mouseion Hill, which formed the southwest boundary of the city at this point.⁹

The appeal to private individuals to lend money to the deme in order for it to obtain sufficient funds for the sacrifices that this decree entails is, in some ways, reminiscent of the measures taken by Lykourgos in 338/7 ([Plutarch], *Vit X Orat.* 841D and 852B) to raise a sum of 650 talents from private contributors by means of a loan.¹⁰ Compare, too, *IG II*² 479 and 480, fragments of two apparently identical decrees by which an Athenian metic is honored for his gifts [εἰς τὴν σωτηρίαν τοῦ δήμου] (*IG II*² 479, line 8); in the copy of this decree (*IG II*² 480, line 14) the phrase [χρήματα] προεδάνει[σε] occurs, implying a loan to the state.¹¹ (Cf. also *IG II*² 1260, lines 15–18, as restored by Wilhelm: χρήματά τε προεδάνεισεν Σαλαμινί[οις] εἰς τὴν ἐπισκευὴν [τῆς πόλεως].) The potential contributors from Kollytos, as members all of the same deme and therefore close neighbors with common interests, might be thought of as making up the *koinonia* of an *eranos* (cf. Lykourgos, *Contra Leocratem* 143): they are *eranistai* making a *phora* to the community; equally, what they are called upon to do is, in effect, to perform a liturgy or make an *eisphora*. Thus, despite the use of the verb δανείζειν (line 31), the loans may actually have been interest free.¹²

The hand is one that is found in several decrees of the late 320's and early 310's, with the bulk of examples grouped in the period when the *anagrapheus* was the official responsible for the publication of decrees, between 321/0 and 319/8; but this document, to judge from the publication formula of *c* (lines 18–20), must fall outside that period and, to go by comparison

⁹ For the location of Kollytos, see Traill 1986, p. 126. The sanctuary of Agathe Tyche might possibly be the one mentioned in the inscription of early Imperial date *IG II*² 1035, line 48 (in the revised version of Culley 1975, pp. 207–223), where it seems to be located somewhere near a sanctuary of Athena Polias beside the Long Walls. A second sanctuary of Agathe Tyche, mentioned in line 44 of the same inscription, is clearly in Peiraieus.

¹⁰ This passage has been discussed most recently by Migeotte (1984, pp. 25–27), who believes that the money was destined for a reserve fund as part of Lykourgos' financial measures.

¹¹ Migeotte (1984, p. 26) regards the verb προδανείζειν as signifying a loan at interest, not an interest-free loan as some previous commentators have thought.

¹² On such *eranos* loans, see Millett 1991, pp. 152–159, especially p. 154.

of the letter forms with others of this group, probably in the 320's rather than in the 310's.¹³ Lines 8–9, if correctly restored as an archon formula, may provide a *terminus ante quem non*. In any case, this document is probably to be regarded in a similar light as the decrees of the era of Lykourgos by which the religious affairs of Athens and Attica were reorganized, although the state decree is likely to be dated later than the lifetime of Lykourgos.¹⁴

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¹³ See the list in Walbank 1989, pp. 397–399.

¹⁴ For the religious program of Lykourgos, see *IG* II² 333, 334 (= *SEG* XVIII 13), 338, and *SEG* XXXII 86, as well as Stratokles' decree of 307/6 by which posthumous honors were conferred upon Lykourgos (*IG* II² 457, of which *IG* II² 513 seems to be a copy; see *SEG* XXXI 84). Tracy (1994) suggests that the decree was dated to 323 B.C. He may well be correct.



Fragment a. I 5572



Fragment f. I 2799



Fragment d. I 6630



Fragment e. I 5825



Fragment *b*. E.M. 7659



Fragment *c*. E.M. 7732