

THE ATHENIAN *PROEISPHERONTES*

BETWEEN 378/7 and 323/2 B.C. the Athenians levied *eisphorai* through a system of contribution groups called symmories.¹ In order to ensure the collection of that tax and also spare the government the trouble of collecting it from individuals, it was decided that Athens' 300 wealthiest citizens should advance the whole amount required by the state in the form of *proeisphora*. These 300 men would themselves then recoup that sum from the larger group of contributors.² Payment of the *proeisphora* was a liturgy, and the *antidosis* procedure, and probably some form of liturgical exemption rule, applied.³ Most scholars agree on the principles by which this system was organized, at least in its later history. According to the consensus view, the Three Hundred were a standing college of the richest men in Athens, from which replacement could be obtained only by means of *antidosis*.⁴ They were distributed among 100 symmories, as *hegemon*,⁵ "second", and "third".⁶ The

¹ A version of this paper was presented at the meetings of the American Philological Association, New York, December 1987. I am greatly indebted to Vincent Gabrielsen, Edward M. Harris, Peter Rhodes, and the referee of *Hesperia* for (in each case) extensive and illuminating comments on this text.

Works frequently cited are abbreviated as follows:

- Brun = P. Brun, *Eisphora-Syntaxis-Stratitika* (*Annales littéraires de l'Université de Besançon* 284), Paris 1983
- Davies = J. K. Davies, *Wealth and the Power of Wealth in Classical Athens*, New York 1981
- Jones = A. H. M. Jones, *Athenian Democracy*, Oxford 1957
- MacDowell = D. M. MacDowell, "The Law of Periandros about Symmories," *CQ* 36, 1986, pp. 438–449
- Rhodes = P. J. Rhodes, "Problems in Athenian *Eisphora* and Liturgies," *American Journal of Ancient History* 7, 1982, pp. 1–19
- Ste. Croix = G. E. M. de Ste. Croix, "Demosthenes' *τὸ μῆμα* and the Athenian *Eisphora* in the Fourth Century B.C.," *ClMed* 14, 1953, pp. 30–70
- Thomsen = R. Thomsen, *Eisphora: A Study of Direct Taxation in Ancient Athens*, Copenhagen 1964
- Thumser = V. Thumser, *De civum atheniensium muneribus eorumque immunitate*, Vienna 1880

² The main ancient sources for the Three Hundred *proeispherontes* are Demosthenes, XVIII, 103, 171; XXI, 153; XXXVII, 37; [Demosthenes], XLII, 3–5, 25, and hyp.; L, 8–9; Aischines, III, 222; Deinarchos, I, 42; Hypereides, F 154 Blass; Schol. Demosthenes, XXVI, 21 (with Thomsen, pp. 233–234); Bekker, *Anecdota graeca* 306.22. The delegation of routine official activities to private individuals was a standard feature of Attic government (compare for example the absence of officials responsible for enforcing judicial decisions).

³ See [Demosthenes], L, 9 and XLII, 3–4 (and *passim*) and Isaios, VI, 60. On liturgical exemption in connection with the *proeisphora*, see Appendix 2.

⁴ For explicit statements of this principle, see most recently H. Schaefer, *RE*, Suppl. IX, 1962, cols. 1231–1232, s.v. *προεισφορά*; Thomsen, pp. 208 (with references in note 69), 212–213, 233–234, and 236; Brun, p. 37; E. Ruschenbusch, "Wechsel und Veränderungen im Kreis der 300 Leiturgiepflichtigen und unsere Kenntnis der Oberschicht Athens in den Jahren 376 bis 322 v. Chr.," *ZPE* 59, 1985, pp. 251–252; MacDowell, pp. 448–449. These scholars do not agree (or else have no comment) on the date when this system of organization was instituted; all of them, however, accept that it was in place at least during the later history of the *proeisphora*.

⁵ On this usage, however, see Appendix 3.

⁶ See, e.g., Demosthenes, XVIII, 103, Deinarchos, I, 42, Ste. Croix, p. 58, and MacDowell, p. 439. (MacDowell [p. 448] has doubted whether the Three Hundred were distributed three per symmory after 340, but he does not explain his reason for doubt.) Demosthenes, II, 29, seems to indicate that by 349 the Three Hundred were associated with the (*eisphora*)-symmories (see, e.g., Davies, p. 17, note 7). Demosthenes, XIII, 20, is similar and has been dated 353/2 (G. Cawkwell, "Eubulus," *JHS* 83, 1963 [pp. 47–67], p. 48 with note 9) or 349/8 (cf. D. F. Jackson and G. O. Rowe, "Demosthenes 1915–1965," *Lustrum* 14, 1969, pp. 56–59).

three *proeispherontes* of each symmory advanced the obligation of their symmory and collected from fellow-symmoritai. In the year in which [Demosthenes], XLII was delivered, *ca.* 330, the date set for announcing *antidoseis* for the *proeisphora* was 2 Metageitnion ([Demosthenes], XLII, 5).

An important text pertaining to the year 362, however, has suggested a quite different organization for the *proeisphora*. In his speech against Polykles to recover expenses incurred as trierarch, Apollodoros details his personal generosity to the state during a military crisis following 24 Metageitnion 362 ([Demosthenes], L, 8–9):⁷

οὐ μόνον τοίνυν, ὦ ἄνδρες δικασταί, τὰ κατὰ τὴν τριηραρχίαν ἀνήλiskon τότε οὕτω πολυτελῆ ὄντα, ἀλλὰ καὶ τῶν χρημάτων ὧν εἰς τὸν ἔκπλουν ἐψηφίσασθε εἰσενεχθῆναι μέρος οὐκ ἐλάχιστον ἐγὼ ὑμῖν προεισήνεγκα. δόξαν γὰρ ὑμῖν ὑπὲρ τῶν δημοτῶν τοὺς βουλευτὰς ἀπενεγκεῖν τοὺς προεισιόνοντας τῶν τε δημοτῶν καὶ τῶν ἐγκεκτημένων, προσαπηνέχθη μου τοῦνομα ἐν τριτοῖς δήμοις, διὰ τὸ φανερὰν εἶναι μου τὴν οὐσίαν. καὶ τούτων ἐγὼ, οὐδεμίαν πρόφασιν ποιησάμενος, οὐδ' ὅτι τριηραρχῶ καὶ οὐκ ἂν δυναίμην δύο λητουργίας λητουργεῖν οὐδὲ οἱ νόμοι ἐῷσιν, ἔθηκα τὰς προεισφοράς πρῶτος. καὶ οὐκ εἰσεπραξάμην, διὰ τὸ τότε μὲν ἀποδημεῖν ὑπὲρ ὑμῶν τριηραρχῶν, ὕστερον δὲ καταπλεύσας καταλαβεῖν τὰ μὲν εὖπορα ὑφ' ἑτέρων προεξειλεγμένα, τὰ δ' ἄπορα ὑπόλοιπα.

And not only, gentlemen of the jury, did I pay the trierarchic expenses, which then were so heavy, but I also paid to you in *proeisphora* not the smallest share of the taxes which you had ordered to be collected for the cost of the expedition. For when you had voted that the members of the Boule on behalf of the demesmen should report the names of those who were to pay *proeisphorai*, both of those who were members of the demes and of those who owned property in them, my name was reported from three demes, as my property was in land.⁸ Of these I was the first to pay the *proeisphorai*, nor did I make any excuse, either on the grounds that I was serving as trierarch and could not perform two liturgies at once, or that the laws did not allow such a thing. And I have never recovered the money which I advanced, because I was then abroad serving for you as trierarch, and later, when I returned, I found that the money from those with resources had already been collected by others, and that those who were left had nothing.

This passage provides the most detailed evidence known for the *proeispherontes*. In three respects, however, its implications have been thought to be inconsistent with the standard reconstruction of that body, at least during the later history of the *proeisphora*. First, Apollodoros makes no mention of a standing college of Three Hundred but seems to imply that, in 362 at any rate, *proeispherontes* were chosen only when an *eisphora* was required. Second, Apollodoros also seems to imply that under normal circumstances a list of possible candidates was reported by the demes, which are not otherwise known to have had any role in the *eisphora* or *proeisphora*.⁹ Finally, Apollodoros does not refer to the symmories or

⁷ For details of this crisis see [Demosthenes], L, 4–6. Other aspects of this speech are discussed by G. Cawkwell (“Athenian Naval Power in the Fourth Century,” *CQ* 34, 1984, pp. 334–345).

⁸ On this usage see V. Gabrielsen, “Φανερά and ἀφανής οὐσία in Classical Athens,” *ClMed* 37, 1986, pp. 99–114 (the passage under discussion is mentioned on p. 110, note 36; see also pp. 106–107 and 113).

⁹ Thomsen (p. 211) interprets Apollodoros’ phrase “on behalf of the demesmen” not to reflect an irregular procedure, that is, not to mean “instead of”; in Thomsen’s view the *bouleutai* regularly chose the Three

specify that the money owed him had in fact been collected by the two other *proeispherontes* of his group.

At least six different explanations have been proposed to account for these apparent inconsistencies. According to the oldest and most common of these hypotheses, at some time after 362, and perhaps as a direct result of the procedural difficulties and irregularities in 362 that Apollodoros is believed to record (see footnote 9 above), the system used to collect *proeisphora* was changed. The deme-based, *ad hoc* procedure implied by Apollodoros was replaced by the standing college inferred from other evidence.¹⁰ No decisive objection to this hypothesis has been (or even can be) raised, at least on the basis of current evidence, since the procedures used to collect *proeisphora* or appoint *proeispherontes* before 362 are uncertain. Two criticisms of this suggestion can be made, however. First, in Isaios, VI, 60 (a speech delivered in 364 or 363), two men, Chairestratos and Phanostratos, are said "to have paid all the *eisphorai* among the Three Hundred," and a younger member of the family "has been enrolled [*ἐγγέγραπται*] in the Three Hundred and pays the *eisphorai*."¹¹ This text shows at least that the institution of the Three Hundred existed before 362, a fact which Apollodoros does not mention (this is pointed out, e.g., by Jones [p. 27]). In addition, the verb *engegraptai* does not suggest that, at least in their entirety, the Three Hundred were newly constituted on an *ad hoc* basis whenever an *eisphora* was required. The perfect tense of Isaios' verb may imply that the younger member of this family had been enrolled among the Three Hundred before any call for an *eisphora*. A second criticism is based on a suggestion by Ste. Croix (pp. 58–62) which many scholars have accepted (see Appendix 1), that the purpose of the symmories was precisely to provide specific groups from which the *proeispherontes* could be reimbursed. If this is right, then a connection between the *proeispherontes* and the symmories existed from the date of their institution. In any case, since wealthy *proeispherontes* must all have been assigned to symmories, it would certainly seem sensible to stipulate that they should collect their advance payment from the members of their particular groups. Apollodoros' failure to mention his fellow-*proeispherontes* can at

Hundred. I agree with Ste. Croix (p. 60) and others, however, that the procedure used in 362 must in some way not have been regular because Apollodoros takes the trouble to describe it. (He appears to cite the actual decree of the Ekklesia: see J. H. Lipsius, *Das attische Recht und Rechtsverfahren*, Berlin 1905–1915, p. 591, note 7). Ste. Croix (p. 60 and note 121) suggests that in the normal procedure the *bouleutai* acted on behalf of the symmories. This suggestion is based on the general explanation which he adopts of several problems in Athenian taxation and which is briefly discussed below (see footnote 42). Since no connection between the Boule and the symmories is attested, I prefer the standard and simplest view, that the *bouleutai* were acting on behalf of their demes.

¹⁰ See Thumser, pp. 57–58; M. Fraenkel in A. Boeckh, *Die Staatshaushaltung der Athener*³, Berlin 1886, II, pp. 123*–124*, note 838*; C. Lécrivain, *s.v.* *Eisphora* in *DarSag* II, pp. 504–510; G. Gilbert, *The Constitutional Antiquities of Sparta and Athens*, English translation, London 1895, pp. 369–370; Lipsius (footnote 9 above) and *idem*, "Die attische Steuerverfassung und das attische Volksvermögen," *RhM* 71, 1916 (pp. 161–186), p. 176; G. Busolt and H. Swoboda, *Griechische Staatskunde* II, Munich 1926, p. 1227, note 2; Thomsen, pp. 210–213; C. Mossé, *La fin de la démocratie athénienne*, Paris 1964, pp. 307–308, note 4, and *eadem*, "Les symmories athéniennes," in *Points de vue sur la fiscalité antique*, H. van Effenterre, ed. (*Sorbonne études* 14, Centre G. Glotz), Paris 1979 (pp. 31–42), pp. 38–39; MacDowell, p. 448.

¹¹ Isaios, VI, 14 establishes the date of this speech (see MacDowell, p. 448). [Demosthenes], XLII, 25 makes explicit that the Three Hundred and the *proeispherontes* were identical.

best support an argument from silence. As we shall see, however, a variety of different explanations for his silence can be hypothesized.

The five alternative explanations of [Demosthenes], L, 8–9 all presuppose that the procedure implied by that passage was exceptional, evoked only by particular circumstances in 362, and not related to the regular *proeisphora* or system of symmories. The oldest of these five explanations, that a new procedure was used in 362 because of the military emergency then facing Athens, was justly criticized by Thomsen.¹² As he pointed out, “the last time to replace an already existing group of *proeisphora*-payers by a new group . . . would be [a] time of crisis, when speedy action was required.” Jones (pp. 27–28) suggested three alternative possibilities to account for a special procedure in 362; each of these hypotheses has subsequently been adopted by different scholars. Perhaps, Jones suggested, a *proeisphora* had been levied quite recently, and the Three Hundred claimed exemption; therefore others had to be chosen.¹³ Perhaps (by contrast) the symmory system through long disuse had become so disorganized that in the emergency it had to be abandoned for an *ad hoc* arrangement.¹⁴ Perhaps the levy of 362 was not an *eisphora* or *proeisphora* but some special tax.¹⁵

Three contrasting hypotheses imply Jones’s realization, of course, that each one of these suggestions raises difficulties. The first, that an existing Three Hundred claimed exemption, has proved to be most popular with recent scholars. There are two main objections to it, which I think are fatal. First, this hypothesis is based on the assumption that standard liturgical exemption rules applied in the case of the *proeisphora*. This is only a possibility, which in my opinion should probably be qualified (see Appendix 2). But even if the point is granted, Jones’s suggestion is nonetheless inconsistent with Apollodoros’ inclusion on the preliminary list of *proeispherontes*, even though he was serving as trierarch. His inclusion indicates that the Athenians drew up that list without regard for possible exemptions, presumably in the hope that many would be as generous as Apollodoros.¹⁶ Difficulties of course might then arise if a substantial number of those on the preliminary list claimed exemption (it is unclear how many names were submitted by the demes as possible candidates for this liturgy). At this later stage new measures might have been required. But Jones’s hypothesis

¹² Among those who accept this hypothesis are Boeckh (footnote 10 above), I, pp. 620–621 and Schaefer (footnote 4 above), col. 1231. For criticisms see Thomsen, p. 210 and Thumser, p. 58.

¹³ Versions of this are adopted by Brun (pp. 37–38, without attribution to Jones) and by Davies (pp. 143–150), who wrongly attributes the suggestion to Lipsius, *Das attische Recht* (footnote 9 above), p. 591, note 7. Davies’ exposition has recently been accepted by D. Whitehead (*The Demes of Attica*, Princeton 1986, pp. 132–133); it is criticized by Rhodes (p. 14).

¹⁴ See also Ste. Croix, pp. 58–62. The hypothesis is criticized by Brun (p. 37). S. Hornblower (*The Greek World 479–323 BC*, New York and London 1983, p. 243) combines a version of this idea with part of Davies’ hypothesis (on which see p. 477 below). The regular system of *proeisphora*, he suggests, was “as old as 377 (Isaios vi 60) but had evidently broken down by the time of Demosthenes’ Fiftieth Oration (362/1) when we hear of an old-fashioned system of deme-based collection.”

¹⁵ See Davies, pp. 143 and 145 and Brun, p. 38. Brun’s assertion that, in contrast to regular *eisphorai* or *proeisphorai*, the payment to which Apollodoros refers was based only on landed property is in fact excluded by Apollodoros’ comment that he was reported by three demes because his property was in land.

¹⁶ For parallels of extraordinary liturgical service see Rhodes (p. 2), Gabrielsen ([footnote 8 above] pp. 112–113), and also Davies (pp. 25–26), who discusses the voluntary aspects of the liturgical system. (This element of volunteerism partly explains why certain rich persons could avoid liturgical service.)

implies that a new mode of organization was adopted at a much earlier stage, at the time when the *eisphora* was voted. Apollodoros' inclusion on the preliminary list indicates that the Athenians were not yet concerned about liturgical exemptions. Hence Jones's first hypothesis is excluded.

The second main objection to this hypothesis is based on its implication that the Athenians had instituted a system of military finance that could not readily accommodate campaigns in two or more consecutive seasons—or indeed at any time. This implication in fact constitutes the basis of Davies' historical reconstruction (p. 144), which needs to be examined, especially as it has recently been accepted by Whitehead. As Davies points out, if the rules against performing two liturgies either simultaneously or within one or two years meant that many current or recent trierarchs could claim exemption from the *proeisphora*, "the incidence of any major naval expedition . . . would tend to reduce the Three Hundred *proeispherontes* to a useless rump, from which the generals and the *apostoleis* could extract no ready money of any consequence or usefulness, at the very moment when it was wanted most." In Davies' view, in order to circumvent this problem in 362, the proposer of the decree at [Demosthenes], L, 8 (Davies thinks he was Aristophon) bypassed the usual liturgical procedure based on symmories and returned to what Davies supposes was the (non-liturgical) method used to levy funds before 378/7, through the demes and demarchs.

Davies' hypothesis is open to three specific objections and one general one. First, it implies that Apollodoros lied about the levy of a *proeisphora* in 362. Davies suggests that the purpose of Apollodoros' lie was to demonstrate that he paid more in taxes than he need have done. But surely Apollodoros would not have gained very much from such a lie, if he could truthfully have said that he was trierarch and paid his taxes promptly. Two or three years later at least some members of the audience might be expected to remember if a special procedure had been used in 362, and not the *proeisphora*. Second, Davies' hypothesis requires that L, 8 be emended by an addendum ("you resolved that <the demarchs and> the *bouleutai*, on behalf of the demesmen . . ."), so that the procedure used in 362 resemble (Davies' reconstruction of) the procedure used before 378. This emendation is without adequate justification. Third, Davies' suggestion implies that Aristophon was able to pass a major piece of tax legislation on the spur of the moment. It is difficult to see, however, how such an obviously deceptive procedure as Davies supposes could have passed the Assembly if the *proeisphora* in question was opposed; but if there was no such opposition, Aristophon's manoeuvre would not have been necessary. As Rhodes rightly remarks (p. 14), "it would have been much easier to suspend the limits to liability than to introduce a new (or reinstate an old) method of levying *eisphora*."

On a more general level, the limitations of such a system of finance as Jones and Davies hypothesize would surely have been exposed long before 362. Since at least a substantial number of trierarchs and other liturgists were appointed at the beginning of the year, every time the Athenians called for an *eisphora* they would have discovered that many, if not most, of a standing college of Three Hundred *proeispherontes* were exempt from that liturgy. It is difficult to imagine that the Athenians could have instituted, or persisted in, so ineffectual an arrangement for procuring military funding.

Therefore, for these main reasons Athens' liturgical exemption rules cannot supply an explanation for the use of a special procedure for appointing *proeispherontes* in 362 B.C.

Jones's second hypothesis to explain the role of a special liturgical procedure in 362 is that the symmory-system may have become disorganized through long disuse. This suggestion too is hard to accept. It is likely that an *eisphora* had been levied in 366;¹⁷ Isaios, VI, 60 (of 364 or 363) implies that the Three Hundred were normally involved with *eisphorai* and that an *eisphora* had been levied recently (*nun*); and precisely the point of the *proeisphora* was to facilitate the collection of funds.

Finally, none of Jones's three suggestions seems appropriate to what Apollodoros actually says. The first two hypotheses are both inconsistent with Apollodoros' apparent implication that the unique aspect of the procedure followed in 362 was nomination by *bouleutai* instead of by demes (see footnote 9 above). In any case, Apollodoros certainly mentions neither of the alternative situations which Jones presupposes. As for Jones's third possibility, he himself observes that Apollodoros twice uses the term *proeisphora* to describe his payment. It is difficult to assume that Apollodoros is referring not to an actual *proeisphora* (a technical term) but some other tax.

In the last of the six hypotheses adduced to explain [Demosthenes], L, 8–9, Rhodes has suggested that the exceptional procedure used in 362 was an attempt to produce a more accurate register of property.¹⁸ "If a report of property owned in each deme was required from men other than the property-owners, this points . . . to a suspicion that in the current register, probably based on declarations by the property-owners, holdings of property had been suppressed." Once again, however, a situation of military emergency would probably not have been the best time to undertake a reassessment of the *timema*. Furthermore, Apollodoros says only that the *bouleutai* reported the names of wealthy people who were either fellow-demesmen or owned property in demes. He does not indicate that they actually sought to estimate the wealth of these citizens.

Each of these conflicting and problematic hypotheses proceeds from the assumption that the system of collecting *proeisphora* reflected in [Demosthenes], L was fundamentally different from the system implied by the other sources for that liturgy. The ancient texts, however, will I think permit a much simpler resolution to the problem. That is, so far from constituting an exception, Apollodoros' uniquely detailed description of the *proeisphora* reveals specific information about a procedure used continuously at Athens from the inception of the Three Hundred down to 323/2.

To evaluate this thesis, the three contradictions thought to exist between [Demosthenes], L, 8–9 and the other sources for the *proeisphora* must be re-examined. In the first of these, the conception of the Three Hundred as a standing college is contrasted with Apollodoros' description of the appointment of *proeispherontes* only at the time when an *eisphora* was required. The evidence cited to show that the Three Hundred were a standing college,

¹⁷ See Brun, pp. 42–43; for an *eisphora* possibly as recently as 364/3, see Thomsen, pp. 228–229 and Brun, *loc. cit.*

¹⁸ Rhodes, p. 14; Rhodes's suggestion is criticized (as unnecessary) by MacDowell (p. 448).

however, is inadequate to demonstrate that point. This evidence consists, first, of the case in [Demosthenes], XLII (*ca.* 330) in which the speaker, alleging business losses, seeks exemption from the *proeisphora* through *antidosis*; and second, of Demosthenes' discussion (XVIII, 103) of his trierarchic reforms in 340, reforms which Demosthenes says were opposed by the Three Hundred because these measures would substantially increase their future financial obligations. (In addition to these texts Isaios, VI, 60 [of 364 or 363] might also be cited, if that passage implies that individuals were or could be enrolled among the Three Hundred before any specific call for an *eisphora* [see p. 475 above].) As regards the first of these texts, however, in [Demosthenes], XLII, 3 and 32 the speaker makes clear that in spite of alleged business losses, he still possessed a fortune large enough that he could in future pay the state the sum of 3 talents.¹⁹ Since he had been a member of the Three Hundred and remained a wealthy man, it may well have been quite reasonable for his local deme once again to submit his name to the government when an *eisphora* was required and then for the government to include his name on a provisional list of *proeispherontes*. (If he had complaints, the courts could adjudicate them.) As noted above, Apollodoros implies that the *proeispherontes* were constituted only when an *eisphora* was needed. Between 347/6 and 323/2, however, *eisphorai* of 10 talents were levied annually.²⁰ Accordingly, there need be no contradiction between Apollodoros' remarks in [Demosthenes], L and the report concerning the *proeisphora* in [Demosthenes], XLII, dated *ca.* 330.

No more compelling for this matter is the evidence from Demosthenes, XVIII. Although estimates of the size of the Athenian liturgical class are controversial, all will agree that this class was in any case not much larger than 1200 and that within this group the size of individual estates differed substantially. Because of these two factors, and also because of the degree of voluntary participation in the system (see Appendix 2), it must be right to hypothesize a significant degree of corporate continuity from year to year among the Three Hundred. Isaios, VI, 60 further attests to this continuity: two men have paid "all the *eisphorai* among the Three Hundred", and a third "has been enrolled among the Three Hundred." This degree of continuity is not inconsistent with the hypothesis that the group of *proeispherontes* was newly constituted whenever *eisphorai* were required.

By contrast, both general considerations and specific evidence support the view that, although many Athenians must have regularly performed this liturgy from year to year, the *proeispherontes* were never a standing college but were always newly constituted at the time when an *eisphora* was required. First, it is worth stressing the number of factors that must have caused changes in the composition of this group. The *proeispherontes* were to be Athens' richest eligible men, but individuals' levels of wealth were obviously subject to change.²¹ Death must also have affected the composition of the group, and the absence of

¹⁹ It is generally agreed that men worth 3 or 4 talents would find themselves liable to liturgical service (see MacDowell, pp. 443–444; E. Ruschenbusch, "Symmorienprobleme," *ZPE* 69, 1987 [pp. 75–81], pp. 76–77 still does not convince me that there was a fixed property qualification for the trierarchy).

²⁰ *IG* II², 505, lines 14–17; II², 244; discussed by Thomsen (pp. 238–242) and Brun (pp. 49–54).

²¹ See, e.g., Lysias, XXXII, 25, which does not imply that a profit of 2 talents on a single ship-cargo worth 2 talents was anything extraordinary.

laws of primogeniture meant that heirs might not attain the same level of wealth as had their ancestors.²² As a liturgy, the payment of *proeisphora* was probably subject to the usual exemptions of age (see Appendix 3) and (in some measure) alternative liturgical service (see Appendix 2). As Davies and others have realized, at every *eisphora* the liturgical exemption rules, if and when they were applied, would have caused fluctuations in the membership of the Three Hundred. Finally, as Isaïos, VI, 60 may show (see Appendix 3), the element of volunteerism must also have had consequences in this matter. The younger member of the family in question, when he became a *proeispheron*, obviously displaced another member of the group.

The question then arises of when these changes in the composition of the Three Hundred were put into effect. If the *proeispheron*tes were a standing college kept at full strength regardless of the need for an *eisphora*, individual *proeispheron*tes must have been replaced on an individual basis: after a death, for example, or the coming of age of a rich young Athenian, or else by *antidosis*. In practice, however, such an arrangement would often have meant a large but futile effort. First, if the membership of the Three Hundred was adjusted irrespective of the need for an *eisphora*, this would inevitably have required a certain amount of pointless manoeuvring. Men might have sought relief from this liturgy through annoying *antidoseis*, when in fact no financial obligation was subsequently incurred. Second, if some form of exemption from the *proeisphora* was available for past or current liturgical service (as Appendix 2 will show that there probably was), the hypothesis of a standing college requires that every year some Athenians had to decide in advance whether they were willing to pay *proeisphorai* (if needed) as well as perform other liturgical service. Every year the state had then to procure substitutes for those who chose not to serve simultaneously as liturgists and potential contributors to the *proeisphora*. This effort to constitute a list of *proeispheron*tes at least every year (if not more frequently) would more often than not have been pointless: for in the majority of years before 347, no *eisphora* was required.

The alternative hypothesis, that the *proeispheron*tes were always newly constituted at the time when an *eisphora* was required, is subject to none of these objections, and is also supported by specific evidence. The major advantage of this type of organization was that all effort spent to constitute the Three Hundred *proeispheron*tes was immediately and directly related to the performance of the liturgy and to raising cash. Its main defect when viewed against a standing college was the time needed to assemble the group after an *eisphora* had been voted by the Assembly. Yet this difficulty may not have been very serious. As shown above, there is reason to think that many members of the Three Hundred performed this liturgy on a regular basis. Those who did not contest the assignment could pay at once. In addition, most *eisphorai* were not levied in periods of crisis, while in the one attested crisis, that mentioned by Apollodoros, the regular system seems in fact to have been adjusted. Finally, that the Athenians adopted this procedure is supported by specific evidence from periods both early and late in the history of the *proeisphora*. Apollodoros shows that in 362 the *proeispheron*tes were chosen only when an *eisphora* was required (and he boasts that he

²² See Ruschenbusch (footnote 4 above), p. 252 and for inheritance laws, Davies, pp. 74–75.

was the first to contribute his share). A similar conclusion can be inferred from the date (2 Metageitnion) set for the declaration of *antidoseis* as reported by [Demosthenes], XLII, *ca.* 330, during the period when annual payments of *eisphorai* were required. Since Metageitnion was the second month of the Attic year (and the first day of every month was a festival day on which no public business was conducted),²³ this date implies that the list of *proeispherontes* that year had been constituted in Hekatombaion. If there existed a standing college of 300 men from which one could seek exemption only by *antidosis*, that procedure should have been made available right at the beginning of the year, before any call for an *eisphora*.²⁴

On this analysis, therefore, the Three Hundred *proeispherontes* were never a standing college but were always newly appointed when an *eisphora* was required. The testimony of [Demosthenes], L, 8–9 (for 362) and [Demosthenes], XLII (*ca.* 330) in support of this thesis is not contradicted by the evidence of Demosthenes, XVIII, 103 (330) and Isaaios, VI, 60 (364 or 363) that many of the Three Hundred performed that liturgy on a regular basis.

The second alleged inconsistency in the sources for the *proeisphora* concerns Apollodoros' apparent implication that normally the demes reported wealthy deme members and property owners to some central authority (I agree that this must have been the *strategoi*²⁵) which selected a preliminary group of *proeispherontes*. Otherwise the demes are not known to have played any role in the *proeisphora* or *eisphora*. In determining the membership of the Three Hundred, however, there is no need to regard such a procedure as exceptional or unexpected.²⁶ On the contrary, the demes would have been very much the appropriate body to make reports concerning wealthy Athenians. Information about the ownership of land and "invisible property", the acquisition of inheritances, dowries, and sudden changes of fortune, was best known by one's neighbors. The demes also had access to the most accurate information about age. It may be noted that the defendant in [Demosthenes], XLII, who had allegedly avoided his tax obligations, owned estates in two different demes (XLII, 21–23). Furthermore, it is striking that in 362 the Athenians did not constitute a list of *proeispherontes* on the basis of individuals' published *timemata*, which presumably would have been easy to do. *Timemata* were self-declared, and there is considerable evidence of under-reporting,²⁷ while the *proeisphora* represented a large payment by particular individuals

²³ See J. D. Mikalson, *The Sacred and Civil Calendar of the Athenian Year*, Princeton 1975, pp. 4–5, 14–15, 213.

²⁴ The dates for *antidoseis* in other years are of course uncertain, but there is no reason to believe that the situation in [Demosthenes], XLII was exceptional.

²⁵ See Thumser, p. 58; Ste. Croix, p. 56; Thomsen, p. 210; P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia*, Oxford 1981, p. 681, note 57; and Brun, p. 32; cf. [Demosthenes], XLII, 5 and 14 and Demosthenes, XXXIX, 8.

²⁶ See V. Gabrielsen, "The *Diadikasia*-documents," *ClMed* 38, 1987 (pp. 39–51), p. 41: "the distribution of (*pro*)*eisphora*-payers into symmories is not incompatible with selection of property-owners liable for the tax at the deme-level." In connection with this statement Gabrielsen cites [Demosthenes], L, 8–9. He also states ([footnote 8 above] pp. 113–114) that "the procedure followed with the registration of property owners in 362 may have been less exceptional than scholars tend to think."

²⁷ See Ste. Croix, pp. 33–34 and note 17 for the ancient sources. The use of *antidosis* in the *proeisphora* further implies recognition of the inaccuracy of published *timemata*.

who had no certainty of recovering their money.²⁸ We may therefore conclude that the Athenians were anxious to ensure that this burden always fell on their 300 richest citizens, and for this purpose required deme reports. Producing such reports need not have been a lengthy or complicated task. Wealthy locals would be well known to their neighbors and to deme officials; as we have seen, many would serve as *proeispherontes* on a regular basis. Nonetheless, there was apparently insufficient time to procure this information in the normal fashion during the military emergency of 24 Metageitnion 362.

The third alleged inconsistency in the sources for the *proeisphora* is that Apollodoros makes no mention either of his two fellow-*proeispherontes* or of the symmories to which the *proeispherontes* were assigned. Apollodoros' omissions, however, do not signify. Certainly his comments in no way preclude that he paid *proeisphora* on behalf of a symmory. The only serious question is why he states that the available money had been collected by "others" without mentioning his two fellow-*proeispherontes*. Three explanations for this omission are available, however, each consistent with the organization of the *proeisphora* which is elsewhere attested. First, in this passage of almost studied vagueness and concerning a matter for which he no longer sought redress, it is possible that Apollodoros simply wished to be tactful, his comment about "others" obscuring the fact that his two fellow-*proeispherontes* had naturally proceeded to recoup their advances as soon as possible, while Apollodoros was away at sea. This left Apollodoros with the less satisfactory task of collecting from those least able (or willing) to pay. Alternatively, the term "others" may actually refer to others. As is shown in Appendix 4, the members of the symmories changed regularly, as did levels of wealth. Perhaps Apollodoros' fellow-symmorites were, after 17 months, no longer liable for the *eisphora* or else scattered among different symmories, with new financial obligations to different *proeispherontes*, and thus unable to repay him. A third possibility is that Apollodoros has misrepresented the facts in an effort to stir up pity for his plight and also to demonstrate his *philotimia*. At the time of Apollodoros' speech, who was in a position to deny his claim of self-sacrifice?

Apollodoros' remarks on the *proeisphora* in 362 may therefore be construed not as contradicting the other available sources for that liturgy but as providing more detailed information on the way in which the *proeisphora* was organized. On the basis of the preceding analyses the procedure used to appoint Athens' *proeispherontes* throughout the duration of that liturgy may accordingly be reconstructed. When an *eisphora* was required, the demes reported to the government the names of wealthy demesmen and local property owners. Some of those named will have regularly performed this liturgy; others must have been new to it. From these names a provisional list was drawn up, probably by the *strategoï*, presumably in accordance with comparative wealth. As is shown in Appendix 2, those who could (or wished to) claim relief in the light of other liturgical obligations (or for other reasons) might do so. *Antidosis* was then available.²⁹ All sources are consistent with this reconstruction.

²⁸ See Demosthenes, XXXVII, 37 for a general statement, and of course Apollodoros himself ([Demosthenes], L, 9).

²⁹ Two possible procedures were available to ensure that each symmory had three *proeispherontes*. The generals may have newly distributed the *proeispherontes* among the symmories on every occasion when an

APPENDIX 1

The date of the institution of the *proeispheroentes* is controversial. As has been mentioned, Isaios' comment, in 364 or 363, that two men had paid "all the *eisphorai* among the Three Hundred" (VI, 60) implies that the *proeispheroentes* were well established by that time. *Prima facie* this statement also implies that the *proeisphora* and *eisphora* were instituted either simultaneously, in 378/7, or at no great interval. In order to explain several "problem passages" concerning the *timema* and *eisphora* in Demosthenes' speeches against Aphobos, Ste. Croix (pp. 30–70) argued on other grounds that the *proeisphora* was instituted in 378/7. He supported this proposal first by suggesting that the only purpose of the symmories was to provide specific groups from which the *proeispheroentes* could be reimbursed.³⁰ This suggestion is possible but of course not certain. The symmories themselves could have been intended to facilitate the collection of *eisphora*, but additional measures (i.e., the *proeispheroentes*) subsequently proved to be required (thus, e.g., Brun, p. 33). As further evidence for his argument, Ste. Croix adduced statements (Demosthenes, XXI, 157, XXVIII, 4) that Demosthenes became *hegemon* of his symmory ca. 376, on the premise that the *hegemon* was the richest of the three *proeispheroentes* of each symmory. This evidence may be unacceptable, however, if (as the sources indicate) minors could not perform this or any other liturgy (see Appendix 3).

Many scholars have argued that the *proeisphora* was instituted only some years after 378/7, for the following reason. Around 356 Androtion was elected to recover arrears of *eisphora* that had accumulated since the archonship of Nausinikos, in 378/7 (Demosthenes, XXII, 44, 65, etc.). According to Demosthenes (XXII, 44), "of the *eisphorai* from Nausinikos—say 300 talents or a little more—you [Athenians] have a deficit of 14 talents, of which this man [Androtion] exacted seven."³¹ In performing his duties, Androtion allegedly collected, or attempted to collect, back taxes from a large number of people, including the prostitutes Sinope and Phanostrate (XXII, 56), and the sums involved could be quite small (XXII, 60). Now, once the system of *proeisphora* was in place (it is argued), no such arrears of *eisphora* could occur. The *proeispheroentes* might well have failed to collect from all members of their symmories, but the debts of these members were not debts to the state. At the same time, those who were the targets of Androtion, such as Sinope and Phanostrate, were clearly not among the Three Hundred, and Demosthenes expressly and frequently states that Androtion was collecting debts of *eisphora*, not *proeisphora* (see, e.g., XXII, 62, 65, 70; XXIV, 8). It is therefore supposed that the *proeisphora* was introduced a few years after

eisphora was required. Alternatively, since the wealthy *proeispheroentes* must all have been members of symmories, the generals may have replaced current members of the Three Hundred from men of their own groups. One or both of these procedures must have been employed even on the standard assumption that the Three Hundred were a standing college.

³⁰ Ste. Croix, p. 59. His hypothesis is accepted by Jones (p. 27), Davies (pp. 17–19), and Rhodes (p. 14) and is called "the least improbable" interpretation of the evidence by H. Pleket (review of Thomsen, *Mnemosyne* 20, 1967 [pp. 206–210], p. 209).

³¹ ὑμῖν παρὰ τὰς εἰσφορὰς τὰς ἀπὸ Ναυσινίκου, παρ' ἴσως τάλαντα τριακόσι ἢ μικρῶ πλείω, ἔλλειμμα τέτταρα καὶ δέκ' ἐστὶ τάλαντα, ὧν ἐπτά οὗτος εἰσέπραξεν.

378/7, in response to difficulties in collecting from individual citizens, and that Androtion was collecting arrears from that intervening period, some twenty years earlier. Three hundred talents was the total amount of *eisphora* levied (and for the most part collected) during those few years.³²

For various reasons, this reconstruction cannot be accepted. In particular, it is contradicted by Demosthenes, XXII, 44, written in 355, where the orator clearly states that the amount of *eisphora* collected since 378/7 was 300 talents or a little more and that Androtion was to collect arrears that had accumulated since that time (this passage is quoted in the preceding paragraph).³³ Furthermore, the collection of more than 300 talents in *eisphora* over so short a period is inconsistent with the amounts of *eisphora* collected at other times during the 4th century.³⁴ Ste. Croix defends a total of 300+ talents in *eisphora* for the twenty-year period 378/7—ca. 356. Alternatively, if Demosthenes' figure is a little low, it is easier to assume not that Androtion was appointed to exact small debts now two decades old from aging prostitutes but that, as elsewhere, Demosthenes was simply not very good at counting.³⁵

Ste. Croix and Jones suggest an alternative solution to the problem of Androtion's activities, that the *proeisphora* at this time was normally used only in emergencies.³⁶ This conception of the *proeisphora* is possible, but the objections to it should be stated clearly. First, it must be pointed out that such a conception is inconsistent with Ste. Croix's own position that the symmories were intended to provide regular groups of specific individuals

³² See Thomsen, pp. 220–226 (with references to Lipsius and Beloch); Schaefer (footnote 4 above), col. 1235; P. Brunt, in his review of Thomsen, *JHS* 86, 1966, pp. 246–247; Brun, pp. 38–39, 63; MacDowell, p. 448. U. Kahrstedt ("Die athenischen Symmorien," in *Forschungen zur Geschichte des ausgehenden V. und des IV. Jahrhunderts*, Berlin 1910 [pp. 207–233], pp. 214–215) had thought that Androtion was appointed as tax collector in 374 (*contra*: Ste. Croix, pp. 47–48). M. Cary (*CAH*, VI, p. 75) thought he had been appointed in 376 and had probably proposed the system of *proeisphora*. Brun (pp. 38–39; see also *idem*, "IG II² 1609 et le versement en nature de l'eisphora," *REA* 87, 1985 [pp. 307–317], pp. 316–317) dates the inception of the *proeisphora* to the years 370–366, largely because Demosthenes is nowhere said to have performed this liturgy in his minority. Brun, however, does not make clear why this idea is not contradicted by his own belief (p. 34, and *REA* 87, 1985, p. 316), which I share, that the *proeispherontes* could not be minors.

³³ The interpretation of Demosthenes, XXII, 44 adopted here is standard: see, e.g., Ste. Croix, p. 47; Jones, p. 26; Mossé, 1964 (footnote 10 above), p. 307; Rhodes, p. 14; and Brun, p. 33.

³⁴ See Ste. Croix, pp. 34 (the usual levy was probably 60 or 120 talents) and 48–53 (there were perhaps six levies of *eisphora* between 378/7 and ca. 356). Brun (pp. 39–46, 55) contends that as many as ten such levies took place during that period, but he has little evidence for the new ones he suggests. He merely asks how else expeditions could have been funded. (Cf. Ste. Croix [pp. 50–51], who mentions war booty, *syntaxeis* from the allies, and voluntary contributions [*epidoseis*] as possible sources of funding.) Complaints by wealthy Athenians of oppressive taxation (cf., e.g., Xenophon, *Hellenica*, vi.2.1) should not be taken too seriously (see Ste. Croix, pp. 69–70). These may largely reflect the problem of coming up with ready cash. The Athenian fleet was very poorly funded during this period.

³⁵ Compare Demosthenes, XX, 21, that "perhaps sixty or a few more" performed the encyclical liturgies, with the conclusion of J. K. Davies ("Demosthenes on Liturgies: a Note," *JHS* 87, 1967, pp. 33–40) that almost one hundred such liturgists were required each year.

³⁶ Ste. Croix, pp. 61–62 and Jones, p. 26. Against Jones's idea that the *proeispherontes* may have served simply to guarantee the payment of *eisphora*, see Ste. Croix, pp. 64–65.

from whom the *proeispheroentes* recouped their advances.³⁷ A second objection is that this conception is not easily reconciled with Isaïos' statement (VI, 60) that Chairestratos and Phanostratos "have paid all the *eisphorai* among the Three Hundred." Isaïos' wording suggests that the Three Hundred had some function whenever *eisphorai* were levied, and that accordingly they were not a body summoned into operation only by emergencies. A third objection is that, as has been noted, an emergency actually did arise in 362, and in this crisis the regular system of *proeisphora* was altered. The inability of that regular system to function in an emergency argues that this was not its purpose. Finally, both Jones and Ste. Croix admit that in the later history of the liturgy its use was not restricted to emergencies. This later period, of course, is also that which supplies the most detailed evidence. It is special pleading to argue that the earlier system was different and was later changed.

If the *proeisphora* was a regular part of this taxation system from its inception in 378/7, only two interpretations of Androtion's activities are possible. Either Androtion was collecting arrears of *proeisphora* (which could perhaps have been called *eisphora*: Isaïos, VI, 60) and Demosthenes was tendentiously misleading his audience concerning the identities of those who were in debt to the state (cf. XXII, 42: "large arrears which a few men had not paid"); or the state was collecting arrears of *eisphora* that should at one time have been paid to the *proeispheroentes*. As has been seen (footnote 28 above), it is clear that some of those who owed payments of *eisphora* to the *proeispheroentes* in fact did not pay. Quite possibly, wealthy *proeispheroentes* did not bother to pursue small amounts such as those mentioned by Demosthenes (although they could sue to collect: Demosthenes, XXXVII, 37). It must also be supposed that payments to the *proeispheroentes* were recorded and that the state thus had a record of those in debt for the *eisphora*. Therefore, it may be suggested that during the financial crisis brought about by the Social War, the Athenians themselves decided to pursue those whose payments of *eisphora* were in arrears. It is unclear how this attempt was arranged, but it is possible to imagine that a legal provision was enacted whereby money not collected by the *proeispheroentes* might be collected by the state.

However the problem of these fiscal arrears is resolved, Demosthenes' explicit, contemporary description of Androtion's activities rules out the possibility that Androtion was collecting debts incurred during a brief period two decades earlier. Therefore the only evidence for the date of the inception of the *proeisphora* is Isaïos, VI, 60. That passage will certainly support an origin for that liturgy sometime in the 370's. It can also support the hypothesis that the *eisphora* and the *proeisphora* were created simultaneously.

³⁷ See p. 483 above and footnote 30.

APPENDIX 2

Athenians were legally exempt from performing two liturgies during the course of one year (Demosthenes, XX, 8, 19; XXI, 155) or in successive years (Demosthenes, XX, 8; cf. *AthPol*, 56.3).³⁸ The applicability of temporary liturgical exemption rules to the *proeisphora* is disputed.³⁹ In [Demosthenes], L, 9, Apollodoros seems to imply that as a point of law, he could have avoided this liturgy on the grounds that he was serving as trierarch. He does not, however, directly state this, and his failure fully to emphasize what would have been an act of personal generosity some may find difficult to explain. By contrast, in Isaios, VI, 60 (as already seen), the speaker commends the liturgical activities of a certain family of which two members “have paid all the *eisphorai* among the Three Hundred.” Thomsen (p. 212) inferred from this remark that the *proeisphora* was not a liturgy subject to exemption. Yet even if Isaios is understood to mean that *proeisphorai* were used in each of these *eisphorai*, it cannot be known that the *proeisphorai* in question did not occur at sufficiently long intervals that liturgical exemption rules were not applicable. It also cannot be known whether some of the payments to which Isaios refers were voluntary. Finally, it is possible that Isaios is being misleading (or untruthful). Perhaps these two individuals merely paid “all” the *eisphorai* (or *proeisphorai*) for which they were liable.

An answer to this question of liturgical exemption may be suggested by the increasing awareness of the importance of volunteerism in liturgical service (see footnote 16 above). As noted above, in 362 Apollodoros was included in the list of *proeispherontes* even though he was serving as trierarch, but at the same time he implies that he could have sought to be excused from the *proeisphora* on the basis of that prior obligation. This fact suggests that when a *proeisphora* was required the *strategoí* made a list of *proeispherontes* strictly on the basis of their comparative wealth, but any member of that list could (if he wanted to) point out to the *strategoí* that he was already performing liturgical service and ask to be excused. It makes sense that prior liturgical service could serve as the basis for such exemption if the liturgist requested it, since (for example) a trierarch out at sea could hardly perform the duties required of a *proeispheron*. It also makes sense that the *strategoí* should ask Athens’ 300 richest men to perform this purely financial service, since if all liturgists were exempted from it, those who remained might be very much poorer than men such as Apollodoros. The hypothesis of voluntary exemption fully clarifies Apollodoros’ remarks in L, 9: he is not lying, but his generosity was probably not very exceptional. It is also consistent with Isaios, VI, 60.

³⁸ Isaios, VII, 38 may imply an interval of two years for the trierarchic liturgy (and see E. Ruschenbusch, “Demosthenes’ erste freiwillige Trierarchie und die Datierung des Euboeaunternehmens vom Jahre 357,” *ZPE* 67, 1987, pp. 158–159). This case (and in Ruschenbusch’s view, the case which he discusses) occurred before the introduction (as I and others believe) of trierarchic symmories in 357, and the exemption rule may have changed (from two years to one) in the light of the reduced cost. Cawkwell ([footnote 7 above] p. 343, note 28) interprets Isaios, VII, 38 to mean only that in normal circumstances an individual need not serve as trierarch more than once in three years, although legally he could be compelled to serve more frequently. (If Ruschenbusch is right, however, the case he discusses excludes this possibility.)

³⁹ Thus, according to Ste. Croix (pp. 58–59, note 118) and V. Gabrielsen (“The *Antidosis* Procedure in Classical Athens,” *ClMed* 38, 1987 [pp. 7–38], p. 8, note 4), exemption rules did apply; Gilbert ([footnote 10 above] p. 370, note 2), Thomsen (p. 212), and Rhodes (p. 19, note 68) have doubted that they did.

APPENDIX 3

A minimum age requirement for the *proeisphora* is sometimes inferred from Isaios, VI, 60 (a younger son “has now been enrolled among the Three Hundred”).⁴⁰ This evidence is ambiguous. Isaios is here emphasizing the public generosity of a certain family. Hence the enrollment in the Three Hundred of a younger member of that family could have been voluntary and not the result of his coming of age. An age requirement for the *proeisphora* is sometimes denied on the basis of Demosthenes’ statements (XXI, 157, XXVIII, 4) that for 10 years as a minor he was *hegemon* of his symmory. Since the *hegemon* is later mentioned together with the “second” and “third” of a symmory (Demosthenes, XVIII, 103) at a time when there were 100 symmories, the *hegemon* is commonly identified as the richest of the three *proeispherontes* of each symmory.⁴¹ This evidence is also ambiguous. For although he sets out in great detail the various expenses that his guardians charged against his inheritance, Demosthenes nowhere states that he paid *proeisphora* as a minor or as *hegemon* of his symmory, or that his estate did so. The expenses charged to his estate included a substantial amount of *eisphora*, which (it may be noted) Demosthenes himself does not claim to have paid, but which he says his guardians paid on behalf of the estate (see, e.g., XXVII, 9, 36). These payments must refer to *eisphora* proper and not *proeisphora*, since Demosthenes subtracts them in full from the amount he is seeking in compensation from his guardians. Presumably at least some part of any *proeisphora* payment would have been recovered by the guardians.

A solution to the problem posed by Demosthenes’ status as *hegemon* during his minority is suggested by Harpokration (*s.v.* ἡγεμῶν συμμορίας), citing Hypereides. According to this text, the *hegemon* was simply the richest member of a symmory; nothing is said about the *proeisphora*. It may therefore be suggested that the richest member of each symmory was designated its *hegemon*, but he was normally also a *proeispheron*, since in most cases that person was an adult. Since the richest *proeispheron* in each symmory was normally also its *hegemon*, by common usage (as in Demosthenes, XVIII, 103) he came to be called by that term. The case of Demosthenes in his minority, however, was an exception to this standard usage. Demosthenes was *hegemon* of his symmory but not one of its *proeispherontes*. And since Demosthenes was the richest member of his symmory but not a *proeispheron*, it follows that a minimum age requirement was set for that liturgy. (Since a child of seven, as Demosthenes was in 376, could serve as *hegemon* of his symmory, the position presumably entailed no administrative functions. It did, however, honor the richest member of each symmory for contributing the most.) This conclusion is supported by the further consideration that a minor would have had great difficulty performing the main duty required of a *proeispheron*, which was to raise cash (for example by mortgaging property) and then to collect what was due to him from the other members of his symmory. The *eisphora* owed by Demosthenes’ estate, as already noted, was paid not by Demosthenes himself but by his guardians.⁴²

⁴⁰ See Demosthenes, XXI, 154 and Lysias, XXXII, 24 for age limits in the trierarchy, *AthPol*, 56.3 for age limits in the *choregia*, and, e.g., Thomsen, p. 209 and Brun, p. 34.

⁴¹ See, e.g., Jones, p. 22; Ste. Croix, pp. 57–59; and Davies, p. 17.

⁴² If the conclusion reached in this Appendix is correct, then Ste. Croix’s solution to the “problem passages”

APPENDIX 4

It is still disputed whether the *timemata* of individual contributors and hence the aggregate *timema* of Athens remained constant or changed between 378 and 322.⁴³ For four reasons the latter view should be accepted. First, it is obvious and also demonstrable that over time some wealthy Athenians would become poor and some poor Athenians rich. Would the former continue to be assessed at their original *timemata* and the latter escape the *eisphora* entirely? *A priori*, a normal tendency to contest taxation (implicit for example in the *antidosis* procedure) argues that an anomalous and unjust situation of this kind would not have been tolerated. Second, a change in Athens' aggregate *timema* is reported by the ancient sources, from 5750 talents in 378/7 (Polybios, II.62.7) to 6000 talents in 354 (Demosthenes, XIV, 19, 27).⁴⁴ Thomsen argues against this implication of the data on the grounds that no change in the *eisphora* system is mentioned, at least in Demosthenes' speeches against Aphobos, and also that any new assessment must necessarily have reflected a much larger total than 6000 talents. For in the years between 378/7 and 354, Thomsen claims, Athens grew wealthier, and the value of money was reduced. These arguments, however, are not compelling. Demosthenes' silence on the *timema* between 376 and 366 need mean nothing, and as Thomsen himself is aware (p. 223), after Athens' defeat in the Social War the city's financial situation grew quite desperate. Thus Demosthenes' 6000 talents is a perfectly possible total in 354.⁴⁵ (Thomsen implies that by 354 B.C. the figure of 6000 talents was entirely fictional. He fails to grasp the essential point, that 5750 and 6000 talents were not the aggregates of the same individual *timemata*.) Third and by contrast, Demosthenes' statement that he was *hegemon* of his symmory for 10 years (XXI, 157) implies that after that period, someone else with a higher *timema* replaced him. Thus, either Demosthenes'

in Demosthenes' speeches against Aphobos (that Demosthenes' puzzling references to his tax obligations as a minor refer not to *eisphora* but to *proeisphora*) cannot be correct. For other criticisms of that solution see Brunt (footnote 32 above), p. 246. The problem passages remain problematic.

⁴³ See Thomsen, pp. 89–93 with discussion and references. Thomsen and the majority of scholars (e.g., Beloch, Lécivain, Francotte, and Schwann) have assumed that the aggregate *timema* remained fixed (at least through 354). Ste. Croix (p. 57) suggests that probably occasional modifications occurred; Brun (p. 10) asserts that modifications were frequent.

⁴⁴ Philochoros (*FGrHist* 328, F 46) also cites the figure of 6000 talents, but F 46 is attributed to Book 10 of his *Atthis*, a book which seems to have treated the period at the end of the 4th century. Jacoby (*FGrHist* III b, p. 112; cf. III b, Suppl. I, p. 327) emended “10” to “6” on the assumption that Philochoros must have been speaking of the 350's. As Ste. Croix (p. 36, note 26) and others have suggested, it is easier to suppose that Philochoros' remarks here pertained to an earlier period.

⁴⁵ The sum of 6000 talents as aggregate *timema* must have been obtained not by adding together the *timemata* of individuals worth more than a certain amount but by adding up the *timemata* of wealthy individuals until the figure of 6000 talents was reached. If Demosthenes' and Philochoros' 6000 talents represented an official “rounding up” of 5750 talents, such a procedure would have posed considerable and unnecessary complications for individuals taxed at simple percentages of their *timemata*. Furthermore, if the possession of property below a fixed amount exempted one from taxation, would not an inordinate number of Athenians have declared *timemata* just below that level?

timema was reduced, or that of someone else was increased.⁴⁶ (In addition, Demosthenes had presumably replaced someone else as *hegemon* in 376.)

Our final argument is based on descriptions of the symmory officer called the *diagrapheus*. According to the *Suda* (s.v. *διάγραμμα*), “the *diagrapheus* is the one appointed in the symmories to decide how much each man owes as *eisphora*.” According to the *Lexicon Seguerianum* (Bekker, *Anecdota graeca* 236.13), “the *diagrapheus* is the one who assigns the appropriate *eisphora* to each of those in his symmory.”⁴⁷ What was the function of this official? If the tax owed by each member of a symmory was simply a percentage of his *timema* (as scholars rightly believe), and if each man’s *timema* remained constant, there would have been nothing for the *diagrapheus* to decide or assign: he could not have had the function attributed to him by the lexicographers. We can make sense of the lexica, however, if *timemata* were adjustable. That is, every time an *eisphora* was required, the *diagrapheus* assembled from the members of his symmory a record of their current *timemata* and then divided the obligation of the symmory proportionately among them. It is important to remember that *timemata* were always self-declared.

If therefore individual *timemata* were subject to change, was the membership of the symmories also adjusted, so that the financial obligations of each group might be similar? Again, redistributions of this type would seem, at least to modern observers, both sensible and fair, provided each symmory owed the same amount, since men in one symmory may have been more prosperous than those in another. In fact, the procedure used to make this adjustment is mentioned by Hypereides and described by the *Suda*:⁴⁸ “Revaluation: the *timemata* registered in the symmories, whenever the demos decides these need an addition or removal, and they elect persons to do this, this they call a revaluation.” As several scholars have seen, shifting *timemata* from one symmory to another implies that the composition of the symmories was altered.⁴⁹ This reallocation must have been done in order to maintain an equitable balance among them. In a passage dealing specifically with economic fluctuations in states with a property qualification for holding public office, Aristotle (*Politics*, 1308a35–b1) remarks that to avoid a change of polity the size of the aggregate *timema* should be compared with the preceding *timema*, on an annual basis where the assessment is annual, and “where—as in the larger states—the assessment is made at intervals of three or four years, the comparison should be made at those intervals.”⁵⁰ This passage may supply some indication of the frequency with which reassessments were undertaken at Athens.

⁴⁶ Ste. Croix (p. 55) believes that Demosthenes’ failure to mention the amount of his *timema* anywhere in his speeches against Aphobos indicates that he was being dishonest. But perhaps the amount varied.

⁴⁷ Cf. Harpokration, s.v. *διάγραμμα*: “the register in the symmories of how much each man must pay in *eisphora*.”

⁴⁸ See Hypereides, F 154 Blass (*apud* Harpokration, s.v. *ἀνασυντάξας*) and see Pollux, vi.179. *Suda*, s.v. *Ἀνασύνταξις*: τὰ διαγεγραμμένα τιμήματα ταῖς συμμορίαις, ὅταν δόξη τῷ δήμῳ χρήζειν προσθήκης ἢ ἀφαιρέσεως, καὶ ἔλονται τοὺς τοῦτο πράζοντας, τοῦτο ἀνασύνταξιν καλοῦσιν.

⁴⁹ See Thomsen, p. 93, with references.

⁵⁰ For an instance of annual assessment, see *SEG* IX, 1.7–15 (Cyrene, 4th century B.C.).

It may be concluded that in the years between 378/7 and 322 there were periodic alterations in the composition of the symmories, and the contribution of each member was adjusted in accordance with his declarations of capital worth.

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