

A REVISED TEXT OF THE DECREE OF THEMISTOKLES FROM TROIZEN

SINCE the publication of this inscription in the April-June issue of *Hesperia* for 1960 (Volume XXIX, Number 2, pp. 198-223) it has been possible (with the assistance of the American Philosophical Society) to reexamine the stone (E.M. 13330) in the Epigraphical Museum in Athens, thanks to the unfailing courtesy of its Director, Doctor Markellos Mitsos, to study new squeezes and a series of eight excellent new photographs by Miss Alison Frantz, to submit the contents of the text to an intensive analysis, and to profit from the comments of a wide circle of scholars. In particular, the text has benefited greatly from Professor B. D. Meritt's continuing generosity with his time and skill. In addition to other scholars, whose contributions are noted in the apparatus, I have to thank Miss Mabel Lang for many detailed discussions and suggestions, especially on line 28, and Mr. Ronald Stroud for reexamining line 32. Changes from the *editio princeps* (other than the confirmation of parts of the restorations) are noted in the apparatus which, however, does not attempt to record all suggestions that have been put forward. Bibliographical references have been noted and will continue to be noted in *S.E.G.* The stone itself, it may be added, is of Pentelic marble, and the consensus of epigraphic opinion is that it was inscribed in the first half of the third century B.C. and not in the late fourth century (specifically between 330 and 322 B.C.), as proposed in the *editio princeps*.

The new readings permit an improved understanding of the provisions for mobilization. Their historical implications will be discussed in an article to be submitted to *Historia*. Here I would point out only that, assuming the various provisions to be consistent with one another and complete, three categories emerge for each of which selection, qualifications, and assignment are prescribed. From this analysis it becomes inescapable that the *epibatai* and *toxotai*, who are selected and for whom qualifications are given but who are not assigned, and the *hyperesia*, who are assigned but not selected and for whom no qualifications are given, are the same, and that there is no separate category of petty-officers, as I had argued on the basis of late fifth and fourth century evidence. This meaning for *hyperesia* is altogether contrary to fourth century usage and is not attested in any extant text, all such uses of the word being considerably later than 480 B.C. But it agrees so well with the analysis of the history of this and related words by L. J. D. Richardson in *Cl. Quar.*, XXXVII, 1943, pp. 55 ff., that I have no hesitation in regarding it as a genuine example of early fifth century usage.

THE DECREE OF THEMISTOKLES

- [θεοί]
 ἔδοξ[εν] τῆι βουλῆι καὶ τῶι δήμῳ
 Θεμισ[τοκλ]ῆς Νεοκλέους Φρεάρριος εἶπεν
 τῆ[μ] μὲν πό[λιν παρ]ακατ[αθέ]σθαι τῆι Ἀθηναίῳ τῆι Ἀθηνῶ
 5 μ[μεδεο]ύ[σηι] κ[αὶ τοῖς ἄλλ]οις θεοῖς ἅπασιν φυλάττει
 ν κα[ῖ] ἀμ[ύνειν τὸμ βά]ρβαρ[ο]ν ὑπὲρ τῆς χώρας· Ἀθηναίου
 [ς δὲ α] ὑτ[οὺς καὶ τοὺς ξένο]υς τοὺς οἰκούντας Ἀθήνησι
 [τὰ τέκ]ν[α καὶ τὰς γυναῖκ]ας ε[ἰς] Τροιζῆνα καταθέσθαι
 [προστάτου ὄντος Πιπθέως] τοῦ ἀρχηγέτου τῆς χώρας· τ
 10 [οὺς δὲ πρεσβύτας καὶ τὰ] κτήματα εἰς Σαλαμίνα καταθ
 έ[σ]θ[αι· τοὺς δὲ ταμίας καὶ τ]ὰς ἱερέας ἐν τῆι ἀκροπόλε
 [ι μένειν φυλάττοντας τὰ τῶ]ν θεῶν· τοὺς δὲ ἄλλους Ἀθη
 [ναίους ἅπαντας καὶ τοὺς ξέ]νους τοὺς ἠβῶντας εἰσβαί
 νειν ε[ἰς τὰς ἐτοιμασθ]ε[ἰ]σ[α]ς διακοσίας ναῦς καὶ ἀμύ
 15 νεισ[θαι] τ[ὸμ βάρβαρον ὑπὲρ τῆ]ς ἐλευθερίας τῆς τε ἑαυ
 τῶν [καὶ τῶν ἄλλων Ἑλλήνων] μετὰ Λακεδαιμονίων καὶ Κο
 ριθ[ίων καὶ Αἰγυνητῶν] καὶ τῶν ἄλλων τῶμ βουλομένω
 [ν] κοινῶ[ν ἡσείν τοῦ κινδύνο]ν καταστήσαι δὲ καὶ τριη
 [ρ]ά[ρχους διακοσίους ἕνα ἐπὶ] τὴν ναῦν ἐκάστην τοὺς [σ]
 20 τρατη[γ]οὺς [ἀρχομένους τ]ῆι αὔριον ἡμέραι ἐκ τῶν κ[εκ]
 τημέν[ω]ν γ[ῆν] τ[ε κ]αὶ [οἰκί]αν Ἀθ[ῆ]νησι καὶ οἷς ἀμ παῖδ[ες]
 ὧσι γνή[σιοι μὴ πρεσβυτέρο]υς πεντήκοντα ἐτῶν κα[ῖ ἐ]
 πικλ[ηρώσαι αὐτ]οῖς [τ]ὰς ναῦς· ^{vv} καταλέξει δὲ καὶ ἐπ[ι]
 βάτας [δ]έκα [ἐφ' ἐκάστη]ν ναῦν ἐκ τῶν ὑπὲρ εἴκοσιν ἔτη [γ]
 25 εγονότω[ν μέχρι τριά]κοντα ἐτῶν καὶ τοξότας τέτταρ
 ας· δια[κληρώσαι δὲ κ]αὶ [τ]ὰς ὑπηρεσίας ἐπὶ τὰς ναῦς ὅτ
 αμπερ κ[αὶ τοὺς τριηράρ]χους ἐπικληρώσιν· ἀναγράψα
 ι δὲ κα[ῖ τοὺς ἄλλους κατὰ] ναῦν τοὺς στρατηγούς εἰς λ
 ευκώ[ματα τοὺς μὲν Ἀ]θηναίους ἐκ τῶν ληξιαρχικῶν γρ
 30 αμματεί[ων τοὺς] δὲ ξ[έν]ους ἐκ τῶν ἀπογεγραμμένων πα
 [ρ]ά τῶι [πολε]μ[άρχ]ω[ι] ἀναγράφειν δὲ νέμοντας κατὰ τάξ
 εις [εἰς διακοσί]α[ς] ἀ[ν]ὰ ἑκατὸν ἀριθμὸν καὶ ἐπιγράψα
 ι τῆι [τάξ]ει ἐκάστη τῆς τριήρους τοῦνομα καὶ τοῦ τρι
 ηράρχου καὶ τ[ὰ]ς ὑπηρε[σί]ας ὅπως ἂν εἰδώσιν εἰς ὅποι
 35 αν τριήρη ἐ[μ]βήσεται ἢ [τ]άξις ἐ[κ]άστη· ἐπειδὴν δὲ νεμη
 θῶσιν ἅπα[σ]αι αἱ τάξεις καὶ ἐπικληρωθῶσι ταῖς τριή
 ρεσι πληροῦν ἀ[π]άσας τὰς διακοσίας ναῦς τῆμ βουλῆν
 καὶ τ[ο] ὑστρατηγοῦ[ς θύ]σαντας ἀρεστήριον τῶι Διὶ τῶι

- Παγκρατέϊ καὶ τῆι Ἀθηνᾶι καὶ τῆι Νίκηι καὶ τῶι Ποσει
 40 δῶνι τῶι Ἀσφα[λ]είωι· ^{vv} ἐπειδὴν δὲ πεπληρωμέναι ὄσων
 αἰ νῆες τα[ι]ς μὲν ἑκατὸν αὐτῶν βοηθεῖν ἐπὶ τὸ Ἀρτεμίω
 [ι]ον τὸ Εὐβοϊκὸν ταῖς δὲ ἑκατὸν αὐτῶν περὶ τὴν Σαλαμ
 ἶνα καὶ τὴν ἄλλην Ἀττικὴν ναυλοχεῖν καὶ φυλάττειν
 τὴν χώραν ὅπως δ' ἂν καὶ ὁμονοοῦντες ἅπαντες Ἀθηναῖοι
 45 ἀμύνωνται τὸμ βάρβαρον τοὺς μὲν μεθεστηκότας τὰ [δ]
 [έκα] ἔτη ἀπιέναι εἰς Σαλαμίνα καὶ μένειν αὐτοὺς ἐ[κε]
 [ι ἔως ἂν τι τῶι δήμ]ωι δόξῃ περὶ αὐτῶν· τοὺς δὲ [ἀπίμου]
 [s -----] traces [-----]

NOTES ON THE TEXT

Line 6. The upper tips of the **PB** and the upper right parts of the **AP** that follow are visible on the stone.

Line 8. Possible traces seen on the stone of the top of the left-hand sloping stroke of the **A** and of the top of the **Σ** in *γυναίκας* favor the restoration as printed in the text. The new photographs, however, seem to show the right-hand sloping stroke of an **A** at the right side of the gap, suggesting the restoration [τὰς γυ]ν[αίκας καὶ τὰ τέκν]α.

Line 9. A tentative restoration by B. D. Meritt based upon an intimation suggested by Spyridon Marinatos. Christian Habicht has suggested [εἰς παραθήκην τοῦ Θεσέως *vel* Πιθέως in *Hermes*, LXXXIX, 1961, p. 1, note 3.

Line 20. [ἀρχομένους τ]ῆι αὐριον ἡμέραι first published by Habicht (*op. cit.*, note 2) removes the anomalous use without the article, καταρχομένο]υς αὐ[ρ]ιον ἡμέραι of the *editio princeps*.

Lines 20-21. I had proposed that one of the qualifications for the trierarchs be restored as κ[εκ] | τημέν[ων οὐσία]ν [πατρῶ]αν Ἀ[θ]ήνησι with a reference to Deinarchos, *In Demosthenem*, 71. But D. M. Lewis pointed out (*Cl. Quar.*, N.S. XI, 1961, p. 63) that *πατρῶαν* does not refer to the qualifications Deinarchos gives for general and speaker in the assembly, and, secondly, that *οὐσίαν* is not specific enough. The new restoration gives us the standard phrase for "real property." Cf. Thucydides, I, 143, 5, τὴν μὲν γῆν καὶ οἰκίας ἀφείναι and VIII, 21, τὴν γῆν αὐτῶν καὶ οἰκίας νειμάμενοι; Plato, *Legg.*, V, 739E, νειμάσθων μὲν δὴ πρῶτον γῆν τε καὶ οἰκίας; Lysias, XIX, 29 and 42; *I.G.*, I², 116, lines 17-18 (= Tod, *Greek Hist. Insc.*, 98). The use of the phrase in the conferring on foreigners of the right to own real property in Athens is seen in *I.G.*, II², 8, line 18; II², 351 (= Tod, 198), line 29; II², 360, line 19. The traces visible on the stone are the horizontal bars of the **Γ** and **Τ**, and the right-hand sloping stroke of the **A** and most of the **Ι** of *καί*.

Line 24. This reading had been rejected when only the K was clear in favor of εἰ]κ[οσιν ἐπὶ τῆν] ναῦν. Habicht (*loc. cit.*) first published the correction. The significance of the smaller number of marines will be discussed in the forthcoming study of the mobilization (see above). See also H. Berve, "Zur Themistokles-Inschrift von Troizen," *Sitzungsberichte, München, Phil.-Hist.-Kl.*, 1961, 3, pp. 15-17.

Line 26. The new reading, proposed by D. M. Lewis (*op. cit.*, p. 64), and subsequently confirmed by autopsy, replaces δια[νέμειν δὲ τὰς ἄλλας ὑ]πηρεσίας (a καὶ following the δέ was a misprint).

Line 28. The reading replaces κα[ὶ τὰ πληρώματα τῶν] ν[εῶν]. For ἄλλους Geoffrey Woodhead and Ronald Stroud have proposed ναύτας. The choice will be discussed in the study of the mobilization.

Line 32. For [ἴσας διακοσίας π]ά[ν]τα τὸν ἀριθμόν of the *editio princeps*. Habicht (*loc. cit.*) reported δέκα τὸν ἀριθμόν. This I take to represent ΛΕΚΑ which Meritt and I have also seen, and Ronald Stroud reports the lower left-hand of the Λ followed by the three horizontal bars of the Ε. Working back, Meritt and I have also seen, faintly, the initial Λ of ἀνά and, distinctly, Λ for the second Α of διακοσίας (so, too, Stroud). For the remainder of this very tentative restoration either Meritt or I have seen traces agreeing with each of the letters restored, particularly the upper tip of the l of εἰς and the O of διακοσίας. I do not, however, minimize the difficulties of the line.

The meaning of the line is determined in narrow limits by the context. νέμοντας κατὰ τάξεις [—] ἀριθμόν is the process referred to by νεμηθῶσιν in lines 35-36. The clause that follows (which is similarly resumed by ἐπικληρωθῶσι in line 36) shows that there was no less than one *taxis* to a ship, while the sense of ἐπικληροῦν requires exactly one *taxis* to a ship.¹ Therefore the line refers to the assignment of the Attic residents to 200 divisions, which are then attached to the 200 ships, trierarchs, and sets of *hyperesiai*. This eliminates Habicht's suggestion that the *deka* refers to the number of *taxeis*, i.e., that there were ten instead of two hundred *taxeis*. The number must refer to the composition of each *taxis*: thus Λ ἑκατόν (rather than δέκα τόν) preceded by a distributive such as ἀνά. Cf. Herodotos, VII, 184, 1, ὡς ἀνὰ διηκοσίου ἀνδρας λογιζόμενοι ἐν ἐκάστη νηί; Xenophon, *Anabasis*, III, 4, 21, ἐποίησαν ἕξ λόχους ἀνὰ ἑκατόν ἀνδρας; V, 4, 12, ἔστησαν ἀνὰ ἑκατόν; VI, 5, 11, ὁ δὲ τρεῖς ἀφελὼν τὰς τελευταίας τάξεις ἀνὰ διηκοσίου ἀνδρας; also, Andokides, I, 38. The omission of the article before ἀριθμόν is common in Herodotos (e.g., I, 14; 50; 180; IV, 14, 3; 82; V, 20;

¹ For the use of ἐπικληροῦν in the sense of matching items by lot, one to one, cf. lines 22-23 and 27 of this inscription, and Plato, *Legg.* VI, 760B; Demosthenes, XIV, 23; Aristotle, *Ath. Pol.*, 63, 5. For νέμειν (or a compound) followed by κληροῦν (or a compound) cf. Thucydides, VI, 42; Plato, *Legg.*, VI, 760B; Aristotle, *Ath. Pol.*, 21, 4 and 30, 3.

VIII, 60) and may be omitted before other such accusatives in Attic, e.g., εὔρος, Xenophon, *Anabasis*, I, 2, 23 (cf. Kühner-Gerth, *Ausführliche Grammatik der griechischen Sprache*, I, p. 317, note 20). We have no knowledge of early fifth century usage.

For the first part of the line what is wanted is either the number of the *taxeis*, i.e., διακοσίας, or a reference to the composition of each *taxis*, concluding with ἀ[ν]ὰ ἑκατὸν ἀριθμόν. A number for the *taxeis* is not absolutely necessary for the sense in view of the κατὰ ναῦν of the preceding sentence. For the latter alternative [ἐκάστην] ο[ὔσ]α[ν] or [καὶ τάσσο]ο[ντ]α[ς] ἀ[ν]ὰ ἑκατὸν ἀριθμόν may be suggested, but neither one agrees closely with the possible traces nor seems sufficiently appropriate to make me wish to dismiss the traces as accidental markings.² With the restoration printed in the text the chief difficulty rests with the εἰς following κατὰ τάξεις.³

The most common constructions after νέμειν or one of its compounds are: (1) μέρος (or an equivalent word) in the accusative plus a number (or the equivalent), e.g., Thucydides, VI, 42, 1, τρία μέρη νεύμαντες ἐν ἐκάστῳ ἐκλήρωσαν; (2) εἰς governing the word for the division in the accusative plus a number (or the equivalent), e.g., Aristotle, *Ath. Pol.*, 21, 2, συνένειμε πάντας εἰς δέκα φυλάς and *I.G.*, II², 1, lines 33-34, νέμαι[...ἐς...τὰ]ς φυλάς δεκαχά. The preposition κατὰ appears to be much less common, e.g., Plato, *Legg.*, VI, 758E, σύμπασα δὲ ἡ χώρα κατὰ δώδεκα μέρη διανεμένηται (cf. *Phaedr.*, 247A, στρατιὰ...κατὰ ἔνδεκα μέρη διανεμένηται). More commonly in such sentences κατὰ is used freely in various adverbial senses, requiring a variety of translations: e.g., Aristotle, *Ath. Pol.*, 63, 4, νεύμηνται γὰρ κατὰ φυλάς δέκα μέρη οἱ δικασταί ("each part comprising the judges belonging to one tribe"); Decretum ap. [Dem.], LIX, 104, κατανεύμαι δὲ τοὺς Πλαταιέας εἰς τοὺς δήμους κατὰ φυλάς ("to demes throughout the [ten] tribes"); *Ath. Pol.*, 21, 4, διένειμε τὴν χώραν κατὰ δήμους τριάκοντα μέρη ("with demes as units"); Plato, *Legg.*, VI, 756B, μέρη δὲ διανεύμαντας τέτταρα κατὰ ἐνεήκοντα τὸν ἀριθμὸν τούτων ("of ninety each") and Demosthenes, XIV, 22, διανεύμαι τόπους δέκα τῶν νεωρίων, σκευαμένους ὅπως...κατὰ τριάκοντα ὡσι νεώσοικοι ("in groups of thirty").

It may be suggested, therefore, that κατὰ τάξεις stands here for "by divisions" and εἰς is the preposition preceding the unit into which a total is divided: "assigning [them] by divisions into two hundred [sc., divisions] of about one hundred each in number." The historical implications of the round number of one hundred for each

² Cf. the use of συντάσσειν in conjunction with συνένειμιν, Plato, *Legg.*, V, 745D and Aristotle, *Ath. Pol.*, 21, 2-3. Conceivably, τάσσοντας...ἀριθμόν might have the sense of ποιώντας...ἀριθμόν, "making a muster," a use in which the article is not needed.

³ If the ΕΙΣ were clear beyond question (as it is not), and if we were dealing with a problem of text transmission (as, in a sense we are, since a paper text is probably the immediate predecessor of the stone copy) one would be inclined to delete half of the ΕΙΣΕΙΣ at the beginning of line 32.

taxis (a figure I find inescapable, whatever the restoration of the first part of the lacuna) will be discussed in connection with the mobilization.

Line 34. The restoration τ[ὰ]ς (instead of τ[ῆ]ς) ὑπηρε[σί]ας is due to Habicht (*loc. cit.*). The noun ὑπηρεσίας is a direct object of ἐπιγράψαι parallel to τῆς τριήρους τοῦνομα καὶ τοῦ τριηράρχου, and not genitive modifying τοῦνομα, since a group would have no “name.”

Lines 46-47. For μένειν αὐτοῦ [μέχρι] | [ἂν ὅτου τι τῶι δήμ]ωι δόξει περὶ αὐτῶν.

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