

THE LAWCOURT ΕΠΙ ΠΑΛΛΑΔΙΩΝ

(PLATES 107-109)

TO the south of the Acropolis, in the district of Makrighianni, at No. 8 Makri Street, excavation for a modern building in September of 1962 brought to light some important ancient remains.

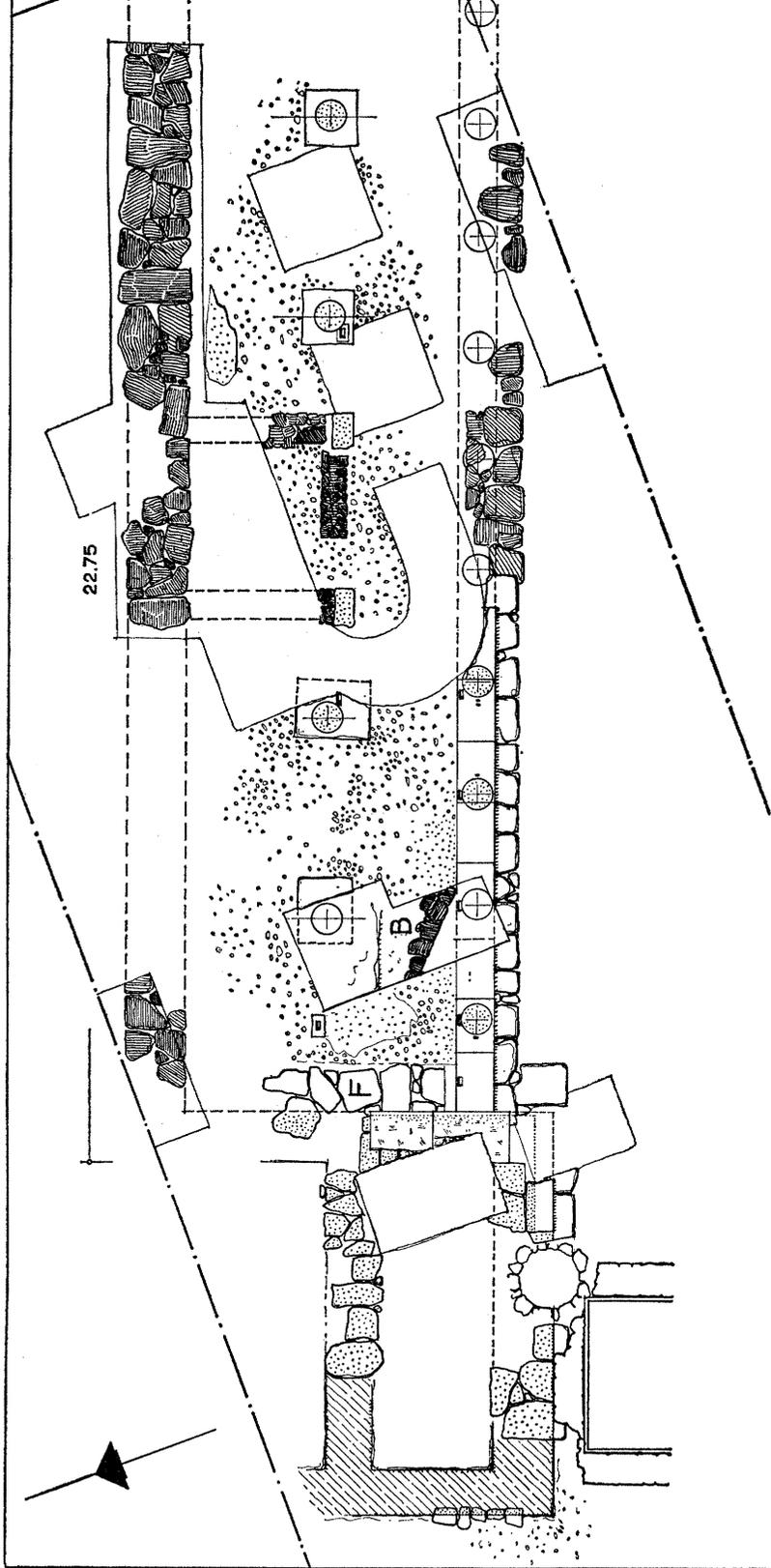
Unfortunately the ancient structure suffered serious damage from the opening of large pits for the foundations of the new building. Despite this disastrous damage the ruins seemed to me to be of quite exceptional interest, and so I applied to the Archaeological Service for permission to conduct a systematic excavation. The permission was willingly granted by Professor Nikolaos Platon, then Director of the Acropolis, who was also burdened at that time with the direction of the Third District of Classical Antiquities, comprising the lower city of Athens.

The excavation began on September 24, 1962 and ended on October 20 of the same year. In the course of the excavation it became clear that the ruins belonged to a stoa and to another structure which adjoined the stoa on its west side. The outline of this second structure, however, can not be completely cleared because its northern part is still hidden beneath the adjacent lot (Fig. 1 and Pl. 108, a-b). At the close of the excavation, at my suggestion, a part of the west end of the stoa was preserved in the basement of the new apartment house where it is accessible today to anyone interested in visiting it.¹

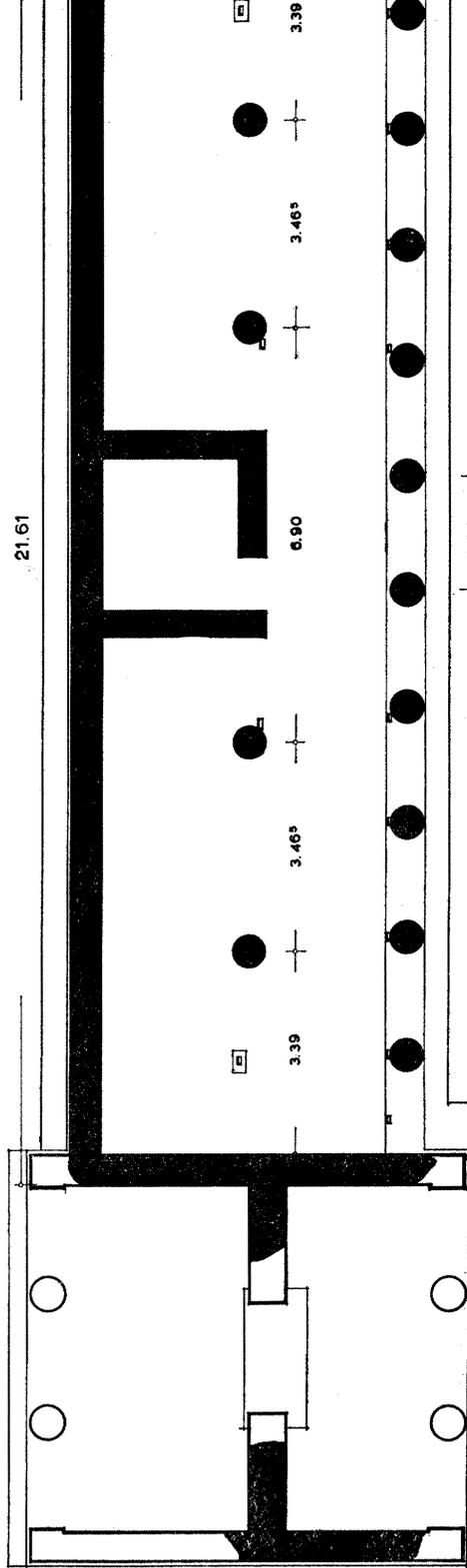
The ground level of the ancient stoa lay at a depth of 2.15 m. below the sidewalk of Makri Street. The building was founded on a firm filling of earlier date the depth of which was not uniform at all points in the lot. At the west end the depth was barely 0.10 m. while at the eastern end, near Makri Street, it reached 1.60 m., the difference being due to the steep downward slope of the rocky terrain from west to east. As a result only the western wall of the building rested on living rock while all the other walls of the stoa and the isolated bases of the interior columns either penetrated only a little into the earth filling or rested directly on it.

The foundations of the stoa, 1.10 to 1.30 m. in width, were made of large, roughly worked blocks of limestone which probably came from quarries on the Hill of the Pnyx. Only the upper surface, on which rested the stylobate and the toichobate of the stoa, was carefully finished. The stylobate consisted of squared blocks of poros

¹ The results of the excavation were first presented in my book *Pictorial Dictionary of Ancient Athens*, London, 1971, pp. 412-416. Here, too, I should like to express my warmest thanks to the Archaeological Service and to Professor N. Platon for permission to conduct excavations in the building lot at No. 8 Makri Street. I am grateful also to Professor H. A. Thompson for translating the present study.



21.61



0.38 m. in height and ranging in length from 0.90 to 1.15 m. This course was set toward the inner edge of the foundation in such a way that the outer part of the foundation formed a step, a kind of broad euthynteria the top of which lay only a few centimeters above the surface of the ground in front of the stoa. The upper surface of the blocks of the stylobate had been much worn by feet and by the passage of time; only in the places where the columns had rested was the surface preserved completely intact. In these places could be distinguished the setting marks for the columns: crossing lines scratched with a sharp instrument parallel and at right angles to the axis of the stylobate. From these indications we were able to fix not only the positions of the columns but also their spacing from center to center, which proved to be 1.918 m. In the case of the first column from the west a circle was also incised on the stylobate with a diameter of 0.52 m.; this fixes precisely the lower diameter of the column.

On the stylobate, and close to the columns, were also preserved characteristic small rectangular sockets measuring 0.125×0.06 m. in plan with a depth of 0.065 m. (Pl. 108, a); these served for the support of wooden uprights. Similar sockets of approximately the same dimensions were also preserved alongside the two central interior columns of the stoa, while still another socket, isolated and measuring 0.14×0.08 m. with a depth of 0.065 m., was found between the westernmost column and the west wall of the stoa.

Exterior columns, it seems, existed only on the south foundation so that the principal façade of the stoa must have been on this side. On the other three sides the stoa was bounded by walls, now represented only by foundations. On the west side, however, there was preserved also a part of the toichobate consisting of blocks from the quarries of Kara. By analogy with the construction on the west side it is easy to fix the position of the other walls on their foundations. The resulting exterior dimensions of the stoa according to my calculations must have been 21.61×5.80 m.

The arrangement of the interior colonnade of the stoa is of very special interest. The inner columns were supported on large, square isolated blocks of poros measuring between 0.90 and 1.30 m. to the side. These bases were set only a few centimeters deeper than the surface of the firm earth filling. The exact positions of the interior columns could be fixed from the circular discs 0.52 m. in diameter which projected above the general surface of the bases some 0.02-0.03 m.; the remaining surface was more roughly finished and was overlaid by the flooring made of sea pebbles (Pl. 108, b).

It is noteworthy that the interior columns did not correspond in position with the exterior columns. Thus while the interaxial spacing of the interior columns was 3.465 m. the corresponding figure for the exterior colonnade was 3.836 m. Still another unusual feature was observed in the stoa. Of the four interior columns the two in the middle, with an interaxial spacing of 6.90 m., were separated from one another by twice the normal interval, and it seems that no other column ever stood between them. In place of an intermediate column, but contemporary with the normal

columns, two small rectangular bases had been placed one on either side of the transverse axis of the stoa. These bases measured 0.35×0.65 m. Their upper surfaces were finished with special care and were set at the same level as the tops of the bases of the regular interior columns. These bases were clearly intended for the support of wooden or stone pilasters rectangular in section. Like the stylobate, the pilaster bases were of poros, but they were cut from sections of old Doric column drums that had 16 flutes and a diameter not greater than 0.42 m. The bases rest on a foundation packing of small, unworked stones and clay.

As to the exact arrangement of this middle part of the stoa we are not in a position to know. It is certain, however, that between the rectangular pilasters was enclosed a small square space forming a special room with an entrance from the south. Such a restoration is indicated by the walls that have survived between the pilasters. The walls were made in their lower parts of small unworked stones and clay with a thickness of 0.42 m.; they stood on a broader foundation which also supported the bases of the pilasters. It is thus evident that the construction of the room is contemporary with that of the pilasters and consequently also with that of the whole stoa. The walls of the room in their upper parts were probably built of crude bricks, strengthened only at the corners with pilasters of wood or stone. Additional and certain proof of the contemporaneity of room and stoa comes from the fact that the floor of the stoa ran up to the walls of the room and overlay the projecting parts of their foundations. This floor consisted of an underpinning of small stones set by hand with a thickness of 0.04-0.08 m. on which had been laid a thinner layer, 0.02-0.03 m. thick, consisting of sea pebbles imbedded in strong mortar.

Of the architectural members from the superstructure of the stoa not the smallest scrap was found. Judging, however, from the small diameter of the columns and from the traces they left on the stylobate, I would suppose that they were of the Doric order, unfluted and probably made of poros. It seems, too, that the whole entablature would have been of poros, perhaps only the capitals and probably the metopes being of white marble. At any rate the filling 0.30-0.40 m. deep which was laid down during the construction of the stoa over the whole extent of the building consisted for the most part of working chips of poros with a certain proportion also of white marble. Poros or Kara stone would seem also to have been used for the orthostates of the walls, which were certainly of stone inasmuch as pry-holes were preserved on the top of the toichobate. The upper part of the walls, with a thickness of about 0.50 m., appears to have been of crude brick, which after the destruction of the stoa would have dissolved and formed the hard and very characteristic deposit that was found on the floor. Finally, the surface of all the walls of the stoa was covered with hard, white plaster, traces of which were preserved on the toichobate as also on the eastern wall of the small room in the middle of the stoa.

In order to complete the description of the ruins found in the lot on Makri Street,

we must also examine the contemporary structure that extended westward from the stoa (Pl. 107, b). Unfortunately this structure is represented only by very slight traces, and furthermore a large part of it is still hidden, as we have seen, beneath the neighboring lot. Thus we can be sure only of the width of the building: 6.75 m. For its eastern wall the structure made use of the western wall of the stoa which we have described above. Of the western wall of the structure there survived only a row of small, slablike stones which had been laid directly on bedrock on a level with the euthyteria of the stoa. The eastern half of the tops of these stones had been dressed in such a way as to form a line which fixed the position of the toichobate.

The principal face of the lesser structure, as of the stoa, looked south. The foundation on this side was preserved in much better condition. It had a width of 1.35 m., and its blocks were carefully finished. On this foundation rested a step of Kara stone, 0.29 m. high and 0.30 m. wide, which in a way formed a continuation of the toichobate of the stoa. On this step in turn rested the stylobate, likewise of Kara limestone. Of this course a small part appears to have survived at the southeast corner, but, unfortunately, it was destroyed in the course of excavating the pits for the foundations of the modern building. Fragments of the corner step and of the stylobate, which had a height of 0.29 m. and breadth of 0.70 m., were found nearby; they showed the characteristic wear from foot traffic. The existence of the step and the wear on its surface as well as on the stylobate shows that here too there must have been a kind of stoa consisting probably of two columns between antae. Behind the stoa and at a distance of 2.60 m. from the edge of the stylobate there is another foundation on which, as appears from its construction, would have stood the door wall of the structure.

How the structure just described ended toward the north, and also its exact form, we shall perhaps learn when the neighboring lot in this direction is excavated. Probably the structure was a propylon in which case it would have had columns also on the north side on analogy with the south side.

That the structure was contemporary with the adjacent stoa and that the two formed a united building complex is put beyond doubt by the similarity in the construction of the foundations and in the working of the stones. It is indeed probable that there was a corresponding structure at the other, the eastern end of the stoa. Moreover, the discovery in 1965 of a wall 2 m. wide in lot No. 12 on the same side of Makri Street² built with limestone and in exactly the same way as the foundations of the stoa, as also the finding in 1969 of another section of similar foundation at right angles to the first in lot No. 9 of Diakos Street,³ permits us to suppose that the recently uncovered stoa and the adjacent structure to the west probably belonged

² O. Alexandri, 'Αρχ. Δελτ., XXI, 1966, Χρον., pp. 81-83.

³ O. Alexandri, 'Αρχ. Δελτ., XXV, 1970, Χρον., pp. 58-59.

to one large official building which would have consisted of a rectangular open-air courtyard measuring about 33×25 m. surrounded by colonnades (Fig. 2).

But let us now attempt to fix the date of construction of this peculiar stoa. As noted above, the stoa was built on an existing older earth filling. In the deepest part of this filling, near bedrock (Fig. 3, A), were found sherds of the 8th century B.C. A little higher was found a wall (B) built of small unworked stones (Figs. 1, 3) which must be dated around the end of the 7th century, whereas in the uppermost part of the filling (C) in which were the foundations of the stoa were found sherds of the end of the 6th century. It is to this period that we should at first glance assign the building of which the ruins have appeared on Makri Street. However, from the abundant potsherds that were found beneath the flooring of sea pebbles it appears that the stoa must be assigned to a much more recent period. In fact from the filling with which the whole area of the stoa was covered (D), and which consisted principally of poros and marble chips from the working of the various architectural members, were recovered sherds datable to the end of the 4th and the beginning of the 3rd century B.C. Granted that this filling was made at the same time as the laying of the stylobate and the bases for the interior columns, it is to this time, i.e. to the end of the 4th or the beginning of the 3rd century, that the construction of the stoa should be dated. In agreement with this conclusion is the chronology of the accumulation of earth in front of the stoa (E). Immediately after the construction of the stoa the ground level in front of it, which had been only a few centimeters lower than the euthynteria-like step, began to rise; within the accumulating earth which gradually covered the euthynteria were found sherds of the 3rd and 2nd centuries B.C.

On the other hand the way in which the foundations were built, as also the use in various parts of the building of stone from the quarries of Kara, together with the undisturbed fill of the end of the 6th century upon which the foundations of the stoa rested, lead us to the conclusion that there must have been an older building of the end of the 6th or more probably of the beginning of the 5th century B.C. After the destruction of this older building the stoa which we have described would have been erected on its foundations. This hypothesis, i.e. the assumption that an older structure had been rebuilt at the turn of the 4th and 3rd centuries B.C., may also explain the presence beneath the western end of the stoa of a foundation 0.80 m. wide which had been covered by the new flooring of the stoa (Fig. 1, F and Pl. 109). Such a hypothesis will account too for the re-use in the new phase of older architectural members such as the parts of Doric column drums employed as bases for the pilasters at the corners of the interior room at the middle of the stoa.

The stoa was in use throughout the whole of the Hellenistic and Roman periods until the middle of the 3rd century after Christ when, as we believe, it was demolished so that its stones might be used for the construction of the new fortifications erected

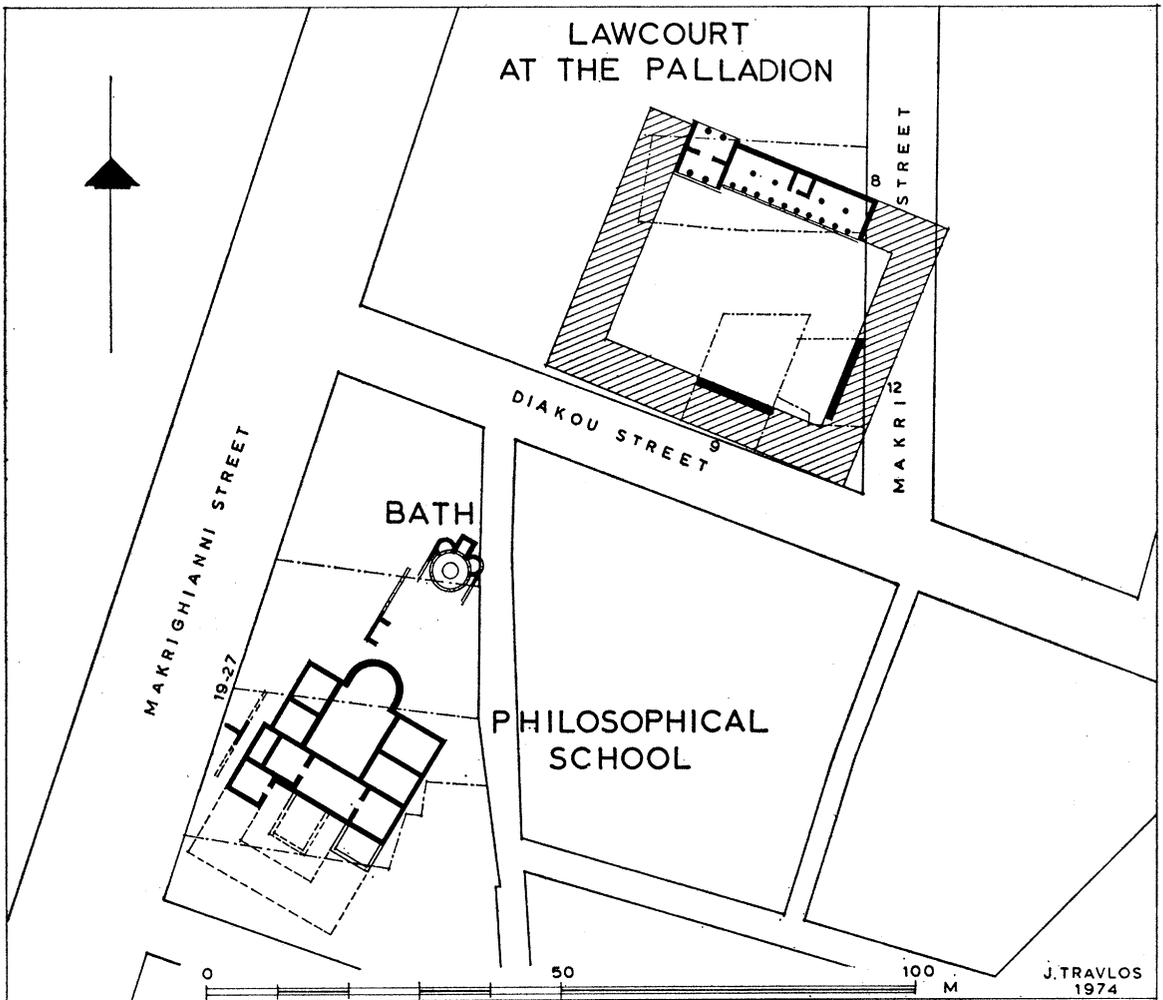


FIG. 2. Lawcourt at the Palladion and the Philosophical School Excavated to the South.

by the Emperor Valerian (A.D. 253-260).⁴ Within the accumulation which overlay the ruins of the stoa were found sherds of the end of the 3rd and beginning of the 4th century after Christ. Pottery of the same period also came to light in the pits which were left by the removal of the foundation stones at various points. In the 5th century a small water basin was constructed in front of the propylon just on the line of its first step, and throughout the whole area sherds of the same period, as also of Byzantine times, were found in the earth.

⁴ On the dating of the Valerian Wall cf. J. Threpsiades-J. Travlos, *Ἀρχ. Δελτ.*, XVII, 1961-1962, *Χρον.*, pp. 12-13. For the demolition of buildings in the course of the construction of the wall cf. J. Travlos, *Pictorial Dictionary*, pp. 83, 100, 290, 357, 403, 429, 523.

With regard to the identification and function of the recently excavated building great difficulty is caused by the complete lack of characteristic movable finds and inscriptions. Moreover the few literary references which apply in a general way to this area to the south of the Acropolis do not allow us to draw definitive conclusions. Nevertheless, despite the meagerness of the evidence, we shall attempt an interpretation of the building excavated on Makri Street. In doing so we shall base our argument on the many and very important ancient buildings which have been found in this

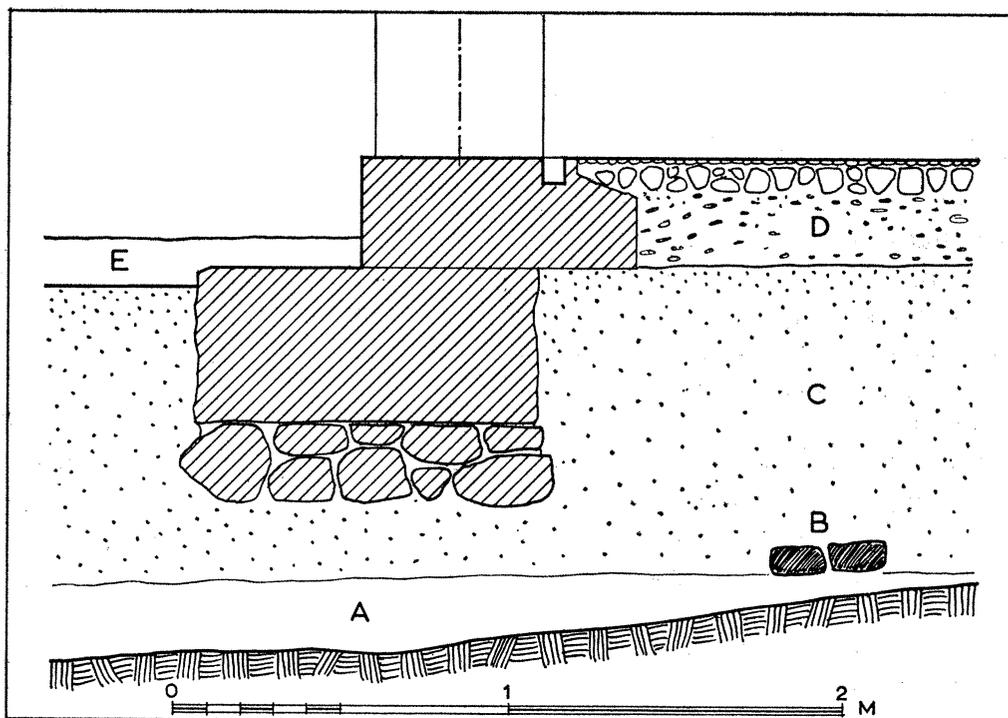


FIG. 3. Section through the Stylobate of the Stoa.

part of the city both long ago and in the course of the past few years; these buildings are indicated on the plan (Fig. 4). I have felt bound to publish this plan for two reasons, first to emphasize the importance of the region to the south of the Acropolis where, according to Thucydides, lay the most ancient city of Athens before the time of Theseus, and secondly to make clear that the newly found stoa, because of its peculiar plan, can have no connection with the sanctuaries known to us from various sources in this part of the city.

The ruins excavated on Makri Street belong, I believe, to the Palladion in which were included temples of Zeus and Athena as also the famous lawcourt of the same name. This identification is supported especially by the recently found stoa, which

by reason of its construction and design is shown to be an important public building. We know many plans of stoas, but in the majority of cases it is difficult to determine the particular function of the building from its ground plan alone. By exception, however, in the case of the stoa of Makri Street the presence of the small interior room, and more especially the sockets preserved in the length of both the internal and external colonnades, indicate for this stoa a particular use (Pl. 108, a, b). These sockets would have been used obviously for the support of light barriers, the "druphaktoi" ⁵ which, like the "kinklides," are frequently referred to by the ancient authors in their descriptions of the lawcourts.

We do not know the exact layout of the ancient lawcourts, but on the other hand there seems not to have been any one clearly defined type. In the Agora of Athens buildings with various ground plans have been identified as lawcourts, as for instance the Heliäia and the complex excavated beneath the Stoa of Attalos where indeed a number of jurymen's ballots were found within a terracotta container. In spite of the fact that very little has survived of these lawcourts it has been shown that the ruins belonged to large, open-air enclosures, square or rectangular in plan, and frequently surrounded by stoas. In some of these stoas, as for instance in the lawcourt excavated below the Stoa of Attalos, there are rows of rectangular sockets in the ground, running parallel to the colonnades, for the support of the wooden "druphaktoi." ⁶

It is also known that on occasion various public buildings were used as lawcourts, even, for instance, the Stoa Poikile.⁷ The best example, however, is the famous Royal Stoa that was found in 1970, after so much fruitless searching and discussion, at the northwest corner of the Agora.⁸ This stoa which, as it appears, served among other purposes as a lawcourt at least for the preliminary proceedings in trials such as that of Sokrates,⁹ is also of modest dimensions: 17.72 × 7.18 m. With respect to construction it has many features in common with the stoa found on Makri Street. Most significant however is the discovery of settings for posts also in the Royal Stoa: they consist of rectangular sockets measuring 0.225 × 0.105 m. and 0.075 m. in depth, worked in isolated blocks set along the inner edge of the stylobate of the outer colonnade. These were intended, I believe, for setting "druphaktoi."

⁵ Hesychios, *s.v.* Δρύφακτοι; Pollux, VIII, 17. It is worth noting that the terms δρύφακτοι and κινκλίδες were applied also in the Early Christian basilicas to the low parapets in front of the chancel of the sanctuary which enclosed the sacred area reserved for the clergy and for the performance of the divine liturgy. Cf. A. Orlandos, *Ἡ ξυλόστεγος Παλαιοχριστιανικὴ βασιλική*, Athens, 1952, p. 512.

⁶ H. A. Thompson-R. E. Wycherley, *The Athenian Agora*, XIV, *The Agora of Athens*, Princeton, 1972, pp. 59, 61.

⁷ R. E. Wycherley, *The Athenian Agora*, III, *Literary and Epigraphical Testimonia*, Princeton, 1957, pp. 31, 45.

⁸ T. Leslie Shear, Jr., *Hesperia*, XL, 1971, pp. 243-255.

⁹ Thompson-Wycherley, *The Agora of Athens*, pp. 87-88.

The majority of the lawcourts mentioned by the ancient authors appear to have stood in the region of the Agora. Of the other lawcourts the Delphinion can be placed with assurance to the south of the Olympieion.¹⁰ The lawcourt ἐπὶ Παλλαδίῳ, in which took place trials concerning the unintentional homicide of a slave, a resident foreigner or a citizen of another country, seems also to be looked for in the region to the south of the Acropolis. The ancient authors connect it with the unpremeditated killing of the Argives by Demophon and the carrying off of the Palladion from Troy; certain of the authors leave one to understand that the first trial took place at Phaleron.¹¹ Plutarch, however, in specifying the points from which the Athenians emerged in the battle against the Amazons, gives the following account: "attacking from the Palladion and Ardettos and the Lykeion they pushed their wing back as far as the encampment and struck down many of them."¹² According to other testimonia the Palladion was associated also with the Gephyraioi and the Gephyrismoι that also took place along the Ilissos.¹³

The old students of Athenian topography looked for the site of the Palladion somewhat to the east of the Ilissos,¹⁴ others to the west of the stream on the level land at the foot of the Mouseion Hill.¹⁵ My own view is that this last position, the place containing the ruins of the building that we have characterized as a lawcourt, is the most suitable, not only because the region of the Mouseion is associated with the battle against the Amazons but also because it lies on the road that comes from Phaleron where is localized the myth of Demophon and the Argives. Of particular importance, I believe, for the identification of the building that has been brought to light on Makri Street is the notice that one of the philosophical schools of the city had been installed in the Palladion already by the 2nd century B.C.¹⁶ At a short distance from the excavated building which we have identified with the Palladion, at Nos. 19-27 Makrighianni Street, have been uncovered the ruins of a large building terminating in an apse¹⁷ (Fig. 2), the whole arrangement of which resembles the plan

¹⁰ J. Travlos, *Pictorial Dictionary*, p. 83.

¹¹ J. G. Frazer, *Pausanias's Description of Greece*, II, London, 1898, pp. 369-370, with the relevant bibliography.

¹² Plutarch, *Theseus*, 27, 3-4.

¹³ Scholiast on Aristeides, *Panathenaikos*, III, p. 320 (ed. Dindorf); Joannes Lydus, *de Mensibus*, IV, 15. Cf. also J. N. Svoronos, *Journ. int. d'arch. num.*, XVIII, 1916-1917, pp. 90-91.

¹⁴ J. G. Frazer, *op. cit.*, p. 370; J. N. Svoronos, *op. cit.*, p. 91; W. Judeich, *Topographie von Athen*², Munich, 1931, p. 421.

¹⁵ The Palladion is indicated to the west of the Ilissos on the following maps of Athens: D. Pantazis, *Περιγραφή τῶν Ἀθηνῶν*, Athens, 1868; H. Kiepert, *Neuer Atlas von Hellas und den Hellenischen Colonien*, Berlin, 1879, pl. VI; G. F. Hertzberg, *Athen*, Halle, 1885.

¹⁶ Plutarch, *de Exilio*, 14; *Academicorum Philosophorum Index Herculanensis*, cols. xxiv, 36; xxv, 8-9; xxx, 9 (Mekler).

¹⁷ O. Alexandri, *Ἀρχ. Δελτ.*, XXIII, 1968, Xρον., pp. 73-75; XXIV, 1969, Xρον., p. 56.

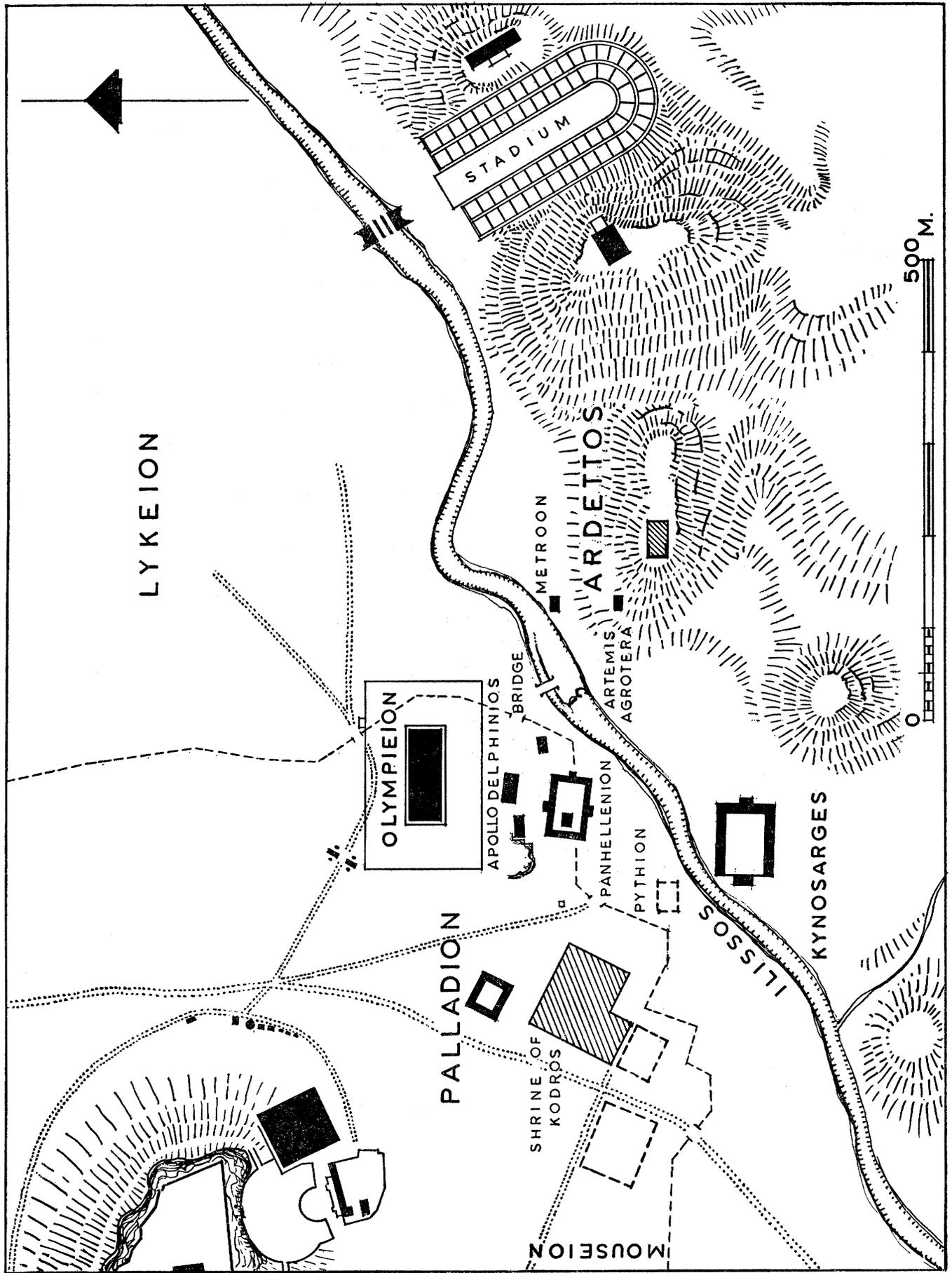


FIG. 4. General Topographic Map of the Region South of the Acropolis.

of the building excavated to the south of the Odeion of Herodes Attikos, as also the similar buildings in the area of the Athenian Agora, all of which have been identified as philosophical schools.¹⁸ Consequently it is very probable that in keeping with the tradition of the school of the Palladion a philosophical school should have continued to exist in this place even in later times. This consideration, I believe, provides one more argument in favor of identifying the building uncovered on Makri Street with the Lawcourt ἐπὶ Παλλαδίῳ.

J. TRAVLOS

AMERICAN SCHOOL OF CLASSICAL STUDIES

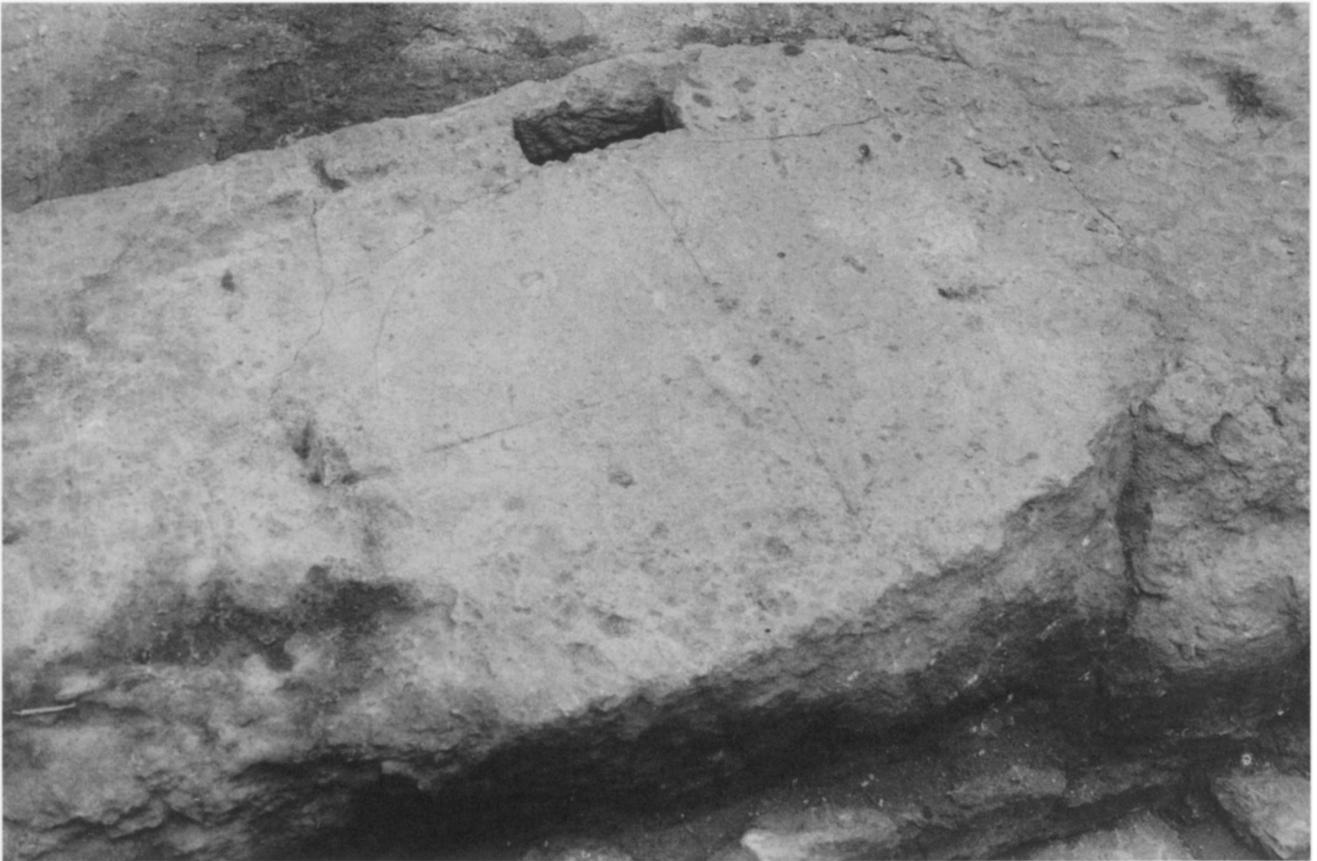
¹⁸ J. Travlos, *Πολεοδομικὴ Ἐξέλιξις τῶν Ἀθηνῶν*, Athens, 1960, pp. 130, 132-134.



a. General view of the excavated remains of the stoa



b. General view of the stoa foundations looking west



a. Rectangular socket and setting marks for the column as preserved on the stylobate



b. Base for interior column and rectangular socket alongside



Part of earlier foundation (F) beneath the floor of the stoa

JOHN TRAVLOS: The Lawcourt ΕΠΙ ΠΑΛΛΑΔΙΩΙ