

# Law code from the first half of the I cent. BCE

ELA id: 277

## SEG 26, 120, SEG 30, 80

Inv. number	Ag. I 2351 + Ag. I 1619
PHI	233282 <a href="https://epigraphy.packhum.org/text/233282?hs=432-444">https://epigraphy.packhum.org/text/233282?hs=432-444</a>
Translations	
Images	<a href="http://agora.ascsa.net/id/agora/object/i%202351?q=i%202351&amp;t=&amp;v=list&amp;sort=&amp;s=1">http://agora.ascsa.net/id/agora/object/i%202351?q=i%202351&amp;t=&amp;v=list&amp;sort=&amp;s=1</a> <a href="http://agora.ascsa.net/id/agora/object/i%201619?q=i%201619&amp;t=&amp;v=list&amp;sort=&amp;s=1">http://agora.ascsa.net/id/agora/object/i%201619?q=i%201619&amp;t=&amp;v=list&amp;sort=&amp;s=1</a>

## Description

Text category decree, law

### Notes:

The interpretation of this text is as disputed as its chronology. Firstly it is not clear if it reports a resolution of the Boule and the Demos ratified after a preliminary action of the Demos (I. a 5: [... ἔδοξεν τῷ δήμῳ]; a 16: ἀγαθὴ τύχη δεδοχθαι τῷ δήμῳ). In any case, it should bear the official acceptance of a law code firstly approved by the Areopagus (II. a 17-18). LI. a 3-4 show us that the Assembly gathered after having been transferred from another place ([... ἐκκλησία ἐν — —] ἢ μεταχθεῖσα [ἐκ — — —]), as it happened frequently in the II cent. BCE, especially from Piraeus to the Theatre of Dionysos. The proposer of the decree is Demeas son of Demeas, from the deme of Azenia or more probably of Halae (I. a 6).

From I. a 6 it begins the ἐπειδὴ-section and especially from that point the restorations of the main editors, Geagan and Oliver, appear to be even more tentative. Particularly controversial is the interpretation of ἐν δημοκρατίᾳ at I. a 7, which may refer either to the democratic government established at that time in Athens (Oliver), or, as a contrast, to a oligarchic constitution (Geagan), perhaps revealed by the association of election and sortition as opposite ways of appointing magistrates (I. a 8) and by the key role played by the Areopagus in those years. Other debatable points are the references to allotment (II. a 8, 10, 20, 23) and to equality (I. a 14: κατὰ τὸ ὅμοιον), the mention of Athenion, restored at I. a 17 by Badian and Oliver ([τὰ] μὲν προνομοθετημέν[α σὺν Ἀθηνίωνι(?)]...), which would point to the regime founded under Mithridatic patronage, and the presence of elected public defenders ("syndikoi" or "synegoroi") at I. a 12.

Oliver saw in the political theory behind the text a "Peripatetic colour" which makes it possible to assign it to Athenion and to the archonship of Philanthes (87/6 BCE) and restored the text following Aristotelian principles; the validity of such reconstruction has been recently defended by Antela-Bernárdez, ZPE 171, 2009, 105-108, who believes that the new constitution was composed by Demeas himself, Apellicon and Athenion in 88/7, the year of "anarchy", and then approved in the following year with the purpose of favouring the newly-appointed citizens enriched through commerce, representing the new elite of the city.

On the disputed interpretation of the text see Habicht 1995 318-320.

## Monument description

**Monument type:** stele

**Material:** white Pentelic marble

**Letters Height Mt:** 0.009-0.01

## Physical features

### Frg. a

**Measurements:** h: ca. 0.385 \* w: 0.25 \* t: 0.08

**State of conservation:** Left side preserved

**Legibility:** Twenty-four lines of text (left portion). The lettering looks neat, at least superficially; the dimension of circular letters is not regular and serifs were cut perfunctorily

**Reuse:** Reused

### Frg. b

**Measurements:** h: 0.09 \* w: 0.053 \* t: 0.083

**State of conservation:** Broken on all sides

**Legibility:** A very few letters of five lines of text

**Reuse:** Reused

## Findspot

### Frg. a

Agora --> East Building of the South Square --> East Building (west of)

--> #O13: modern context

**Date of discovery:** 1935

**Circumstances:** archeological excavation

**First edition:**

Geagan, Hesperia 40, 1971, 101-102 no. 3

## Frg. b

Agora --> Bouleuterion (area of/by the) --> #F10-11

**Details:**

Found in a late context over the south porch of the New Bouleuterion (F 10)

**Date of discovery:** 1934

**Circumstances:** archeological excavation

**First edition:**

Geagan, Hesperia 40, 1971, 102 no. 3

## Original location

Agora

**Details:**

Since both fragments were reused in the Agora, the original location of the decree should be searched in a building of that square, although we cannot rule out also a place on the Acropolis or in the area between the Areopagus and the Agora.

Keeping in mind these remarks, it is perhaps possible to suggest a parallel with another decree of the I cent. BCE dealing with a democratic constitution (IG 2[2] 1062 = ELA id: 276), which preserves the publication provision for the Acropolis and the law courts of Athens. As well as in that case, we may think that also the present constitutional approval of the I cent. BCE, which might have included judicial regulations as well, was set up in more copies in prominent places of the city, like the Acropolis, the Agora or the area of the Prytaneion. The great square, in fact, especially on its north-east corner, had housed buildings often considered by the archaeologists as the judicial courts of Athens. Nevertheless, in that area the last of those buildings seems to have hosted a law court only until the beginning of the II cent. BCE.

Although it is not clear the relation of the present inscription with Athenian judicial activities, it is particularly interesting that beneath the north part of the Stoa of Attalos, in the buildings recognized as law courts, have been found several "psephoi" and a "ballot box" that may recall the practice of allotment mentioned at least four times in the present inscription.

Other Agora buildings probably used as law courts in the II cent. BCE were those of the South Square, like the East Building, the Middle Stoa, the South Stoa (II), perhaps not incidentally occupying the area in which Frg. a has been reused (see Ath.Agora 28 91-98; Dickenson 2017 153-157).

Moreover, the discovery in the Plaka of a new decree dealing with lawcourts and a new (still unpublished) "ballot box" has enhanced the possibility that in Late Hellenistic Athens texts regarding judicial regulations and settlements may have been set up in the district of "dikasteria" close to the Prytaneion and the Theseion; cf. ELA id: 347 = Papazarkadas, *Hesperia* 86, 2017, 325-352 and IG 2[2] 1062 = ELA id: 276.

✓ uncertain

#### Inscribed on the same monument as:

IG 2[2] 1062 = ELA id: 276 (copy of) ?

#### Notes:

On the buildings housing law courts in the north-east corner of the Agora and the finding of materials related to sortition see Camp 2010 119-122; Topografia di Atene, 3\*\* 1147-1151.

On the Prytaneion cf. Topografia di Atene, 2 535-537, F42 (Di Cesare); on the Theseion cf. Topografia di Atene, 2 551-553, F47 (Di Cesare)

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