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On the location of inscribed Athenian *nomoi*  
in the 4th century BCE\*

1. Introduction

The purpose of this paper is to analyze the 4th-century Athenian *nomoi* in order to understand the criteria followed for their publication in the urban space. Such a study was first undertaken by M.B. Richardson in 2000. In her paper on *IG II<sup>2</sup> 244* (now *IG II<sup>3</sup>, 1 429*), a law of 337/6 concerning the reconstruction of the walls of Piraeus, she briefly discussed other 4th-century *nomoi* that contained publication clauses. Her aim was to show that «the subject matter of an inscribed law figured heavily in the selection of the site of its placement» and that «we cannot afford to ignore the intended audience in attempting to determine the original site of an inscribed law»<sup>1</sup>. More recently, she revisited this topic in the Appendix to the *editio princeps* of the law of Epikrates (Agora I 7495). In this update,

\* I presented a first version of this paper in May 2019 at the conference «Le vie come pagine scritte» organized in Turin by Chiara Lasagni. I thank her for providing me the opportunity to explore this topic as part of the project *The Epigraphic Landscape of Athens*. I am thankful to the entire project team, as well as to the colleagues and professors who participated in the conference, for their valuable contributions to the stimulating discussions. I would also like to thank Daria Russo for reviewing an initial version of this paper, and Federico Rausa and Rosa Vitale for discussing certain aspects of it. Furthermore, I am grateful to the anonymous reviewers whose feedback significantly improved the text. I take full responsibility for any remaining errors. Unless otherwise noted, all dates are in BCE.

<sup>1</sup> See Richardson 2000, especially 607-608 for the quotations. Cf. Liddel 2003, 84 and, more recently, Lambert 2018, 41-43, who, following Richardson's assumption, has focused on the laws in the age of Demosthenes.

she provided a complete list of the 4th-century Athenian *nomoi*, along with information on their discovery sites and original locations<sup>2</sup>. It contains ten inscribed texts, numbered in chronological order:

- No. 1      *SEG* XXVI 72. The law of Nikophon on silver coinage (375/4);
- No. 2      *SEG* XXXVII 146. The law of Agyrrhios on a grain tax (374/3);
- No. 3      Richardson 2021 (= Agora I 7495). The law of Epikrates on the cult of Hephaistos and Athena *Hephaistia* and on the silver mint;
- No. 4      *IG* II<sup>2</sup> 140. The law of Meid[--] on Eleusinian first fruits (353/2);
- No. 5      *IG* II<sup>3</sup>, 1 429. The law of [?]Aphidnaios on rebuilding the walls of Piraeus (ca. 337);
- No. 6      *IG* II<sup>3</sup>, 1 320. The law of Eukrates against tyranny (337/6);
- Nos. 7-8   *IG* II<sup>3</sup>, 1 445. Two laws regarding cults (ca. 335);
- No. 9      *IG* II<sup>3</sup>, 1 447. The law of Aristonikos on the Lesser *Panathenaia* (ca. 335-330);
- No. 10     *SEG* LII 104. The law of [--]les on the sanctuary of Artemis at Brauron (before 321?).

Based on this roster, the 4th-century Athenian *nomoi* are here divided into two groups: those laws with the publication clause (nos. 1, 4, 6, 7-8 Richardson) and those without (nos. 2, 5, 9, 10 Richardson)<sup>3</sup>. Within each group, they are further organized chronologically. While I generally agree with Richardson's conclusion, a more thorough examination of the physical characteristics of the *stelai*, the content of the provisions, and their historical background for each law might be useful in better understanding the specific reasons behind their placement in the urban space. However, before delving into the details of the 4th-century *nomoi*, it seems useful to provide a brief introduction to the late 5th-century legal reform and the subsequent role of the Stoa *Basileios* as the preferred location for displaying the revised legal code. This will highlight the significant differences with the following century.

<sup>2</sup> Richardson 2021, 739-743.

<sup>3</sup> Due to the lack of a publication clause and the fragmentary nature of the preserved text, I have excluded the law of Epikrates (Richardson No. 3) from this discussion. On the upper part of a heavily abraded marble stele discovered southeast of the Classical Agora (Agora grid square S 13), we have about 32 lines of text somehow related to the cult of Hephaistos and Athena *Hephaistia*, and to the Athenian silver mint. Speculating about its possible location based on this information would be unfounded. For the *editio princeps* see Richardson 2021; cf. Harris 2022.

## *2. The Stoa Basileios as a repository of nomoi at the end of the 5th century*

The year 403/2 marks a significant turning point in the history of Athens, both politically and legislatively. Following the restoration of democracy after the rule of the Thirty, the Athenians implemented a reform that introduced a new legislative body: the *nomothetai*. This body was responsible for enacting laws through a new legislative procedure known as *nomothesia*<sup>4</sup>. Additionally, they institutionalized the distinction between *nomoi* (general permanent rules) and *psephismata* (individual rules for specific cases), establishing a hierarchical relationship between them. The *psephismata* enacted by the Council or Assembly had to be consistent with the *nomoi*, higher-level rules enacted by the *nomothetai*<sup>5</sup>. The process of revising the laws began in 410, after the oligarchic coup of 411. A College of Codification (*anagrapheis ton nomon*) was appointed to collect the laws of the city, submit them to the *demos* for approval or rejection, and inscribe the revised code in the Stoa *Basileios*<sup>6</sup>. This process, however, was interrupted by the rule of the Thirty and resumed in 403/2, but was not completed until 400/399<sup>7</sup>. In this context, the Royal Stoa, which served as the repository of legal archives and the official seat of the Archon *Basileus* (the magistrate responsible for both religious and legal matters), acquired an ideological function. It became a symbolic space intended to house the revised *nomoi*. According to Aristoteles, the Stoa had supposedly served this function since the time of Solon, housing the

<sup>4</sup> On the procedure of *nomothesia* see Canevaro 2013; 2015; 2019 with previous bibliography.

<sup>5</sup> M.H. Hansen (1978) demonstrated that the terminology used in both the inscriptions and in the literary sources establishes a clear distinction between *nomoi* and *psephismata* from 403/2 onwards.

<sup>6</sup> Andoc. 1, 81-82. In the following sections (1, 83-84), he quotes Teisamenos' decree of 403/2, which mentions a «wall» (τὸν τοῖχον) with inscribed laws. In the introduction to the decree and in the subsequent text, Andokides specifies that the newly ratified laws were to be «inscribed in the stoa» (1, 82: ἀναγράψαι ἐν τῇ στοᾷ; 85: ἀνέγραψαν εἰς τὴν στοάν). Based on this information, J. Shear, by assuming the authenticity of the Teisamenos' decree, has suggested that the term «wall» must refer to the two wings added to the northeast and southeast corners of the Stoa *Basileios* in the last decade of the 5th century. The presence of slots in the intercolumniations of the two wings and a number of bases for *stelai* led her to hypothesize a “screen construction” of intercolumniations filled with slabs that served both as architectural elements and as opisthographic *stelai* bearing the revised laws (Shear 2011, 89-96). *Contra* Canevaro - Harris 2016-2017, who argue against the authenticity of the document in Andokides 1, 83-84, which mentions the «wall», and believe that the laws were inscribed on *stelai* and placed in front of the Stoa.

<sup>7</sup> On the delay in execution of procedure see Lys. 30, 2-5, where Nikomachos is accused of having extended the term of office of τῶν νόμων ἀναγραφεὺς from four months to six years (from 410 to 404/3), and then from thirty days to four years (from 403/2 to 400/399).

*kyrbeis* inscribed with laws<sup>8</sup>. However, archaeological evidence does not seem to support this possibility. The monument is located in an area that shows no signs of previous occupation, and its first phase of construction has been dated to the year 500, during the time of Cleisthenes<sup>9</sup>. H.A. Thompson's suggestion of a pre-

<sup>8</sup> Arist. *Ath. Pol.* 7, 1: ἀναγράψαντες δὲ τοὺς νόμους εἰς τοὺς κύρβεις ἔστησαν ἐν τῇ στοᾷ τῇ βασιλείῳ καὶ ὤμοσαν χρῆσεσθαι πάντες, «after inscribing the laws on the *kyrbeis*, they set them in the Stoa *Basileios* and all swore to observe them». The question of *axones* and *kyrbeis* (whether they were the same or different types of objects, how they differed, and what kind of text was inscribed on them) has long been debated. A summary of the theories developed over time, along with previous bibliography, can be found in Davis 2011, 3-9, tab. 1. Based on literary and epigraphic sources, G. Davis considers *kyrbeis* to be three-sided, freestanding wooden objects inscribed with authoritative texts and used as precursors of *stelai* since the Archaic period. *Axones*, on the other hand, are considered to be four-sided, wooden, and possibly rotating objects inscribed solely with the so-called “Laws of Solon” (the Athenian laws revised in the late 5th century). For further information on *kyrbeis*, see Meyer 2016. Contrary to Aristoteles, Anaximenes of Lampsacus says that the *axones* and *kyrbeis* were moved from the Acropolis to the *Bouleuterion* and the Agora by Ephialtes (Anaximenes *FGrHist* 72 F 13 = Harp. s.v. Ὁ κάτωθεν νόμος Dindorf). Similarly, according to Pollux the objects containing laws were moved from the Acropolis to the *Prytaneion* and the Agora in order to make them more accessible (Poll. *Onom.* VIII 128). The problem of the original location of the so-called “Solonian Laws” in the Stoa *Basileios*, as affirmed by Aristoteles, or on the Acropolis, as stated by Anaximenes and Pollux, is a subject of debate. The attribution of a five-book treatise on *axones* (Περὶ τῶν Σόλωνος ἄξόνων εἶ) to the Stagirite, as opposed to the long chain of information derived from the passage in Anaximenes (quoted by Didymos, in turn quoted by Harprokration), has given weight to the Aristotelian claim. This is the position of U. v. Wilamowitz (1893, I, 45, n. 7) and N. Robertson (1986, 157), the latter finding it odd that a lawcode was housed in a temple on the Acropolis and suggesting that both *axones* and *kyrbeis* were always placed in the Stoa *Basileios*. Conversely, R.S. Stroud (1979, 12-13, 42) favors literal interpretation of Anaximenes' passage: the laws were originally located on the Acropolis until Ephialtes moved the *axones* to the *Prytaneion* and the *kyrbeis* to the Agora. J.P. Sickinger (1999, 30, n. 87) also finds the original location on the Acropolis plausible, seeing it as a reflection of the religious and symbolic nature of the laws. Furthermore, he thinks that the double oath mentioned in the *Athenaion Politeia*, where the nine archons are said to have sworn on oath on a *lithos* in front of the Stoa *Basileios* and another one in the Acropolis before taking office (Arist. *Ath. Pol.* 55, 5), supports this view. Following an earlier interpretation by E. Will, Sickinger see the double oath as an indication of the transfer of the *axones* from the Acropolis to the Stoa *Basileios*. According to T.L. Shear (1994, 240-241), the *kyrbeis* were originally located in the lower city and were displayed on the low platform surrounding the walls of the Stoa *Basileios*. They were accessible to those who went to the Stoa for lawsuits from about 500 onwards. After the Persian War, during repairs to the building in the Agora, the *kyrbeis* would have been removed from the Stoa and stored on the Acropolis. Therefore, Ephialtes simply returned the old monuments to their original location. Recently, G. Davis (2011, 24, n. 65) has proposed the hypothesis that Ephialtes moved the *kyrbeis* from the Acropolis to the Agora, while the *axones*, inscribed by the *anagrapheis* in the late 5th century, were moved to the *Bouleuterion*.

<sup>9</sup> Shear 1994, 240. On the basis of some architectural features, in particular the profile of the Doric capitals, the building was originally dated to the middle of the 6th century, at the latest to the

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existing building, supported by the reuse of ancient materials in the foundations, was intended to lend credibility to Aristoteles' claim<sup>10</sup>. Nevertheless, it is more plausible that Aristoteles' description was influenced by the later Athenian reality. In other words, he may have projected a later situation onto the Archaic period, attributing to the Solonian era the privileged role of a place for the display of laws that the Royal Stoa only assumed in the late 5th century, following the comprehensive revision of the Athenian legislative code<sup>11</sup>.

In contrast to this scenario, the inscribed *nomoi* of the 4th century, now clearly distinguished from the *psephismata*, show remarkable differences. Those with publication clauses do not mention the Stoa, and it becomes clear that they were not all installed in the same place. The portico seems to have lost its ideological function as a repository of Athenian laws, and the classification of these provisions as laws alone is not sufficient to determine their place of display.

#### *3. The 4th-century nomoi with publication clause*

Four of the 4th-century *nomoi* well preserved on stone include a publication clause that provides insight into their placement in the urban space. These laws span a period from 375/4 to the years of Lykourgos and cover a wide range of topics. They include the law of Nikophon on the *dokimastes* of silver coinage (375/4), the law on the Eleusinian *aparche* (353/2), the law of Eukrates against tyranny (337/6) and two Lykourgan laws regarding cults (ca. 335). By briefly considering both their publication clauses and their content, scholars have suggested that they were all placed in places strictly related to their content and their intended audience. While this observation is true, a more detailed analysis reveals that the two criteria may have different implications for the choice of location of inscriptions in public spaces, and may even be mutually exclusive<sup>12</sup>.

third quarter; this chronology seemed to be confirmed by the latest pottery fragments found in the foundation under the floor, dated to the second quarter of the 6th century (Shear 1971, 249-250).

<sup>10</sup> H.A. Thompson in *Agora* XIV 88.

<sup>11</sup> Cf. Shear 1994, 240, who suggests that the Stoa *Basileios* was purposely built to house the *kyrbeis* and that Aristoteles, aware of this, assumed that this was the case at the time of Solon's original promulgation of the laws; Davis (2011, 24 n. 66) suggests that Aristoteles saw the ancient Stoa with the *kyrbeis* and assumed that both had always been there.

<sup>12</sup> D. Marchiandi reached the same conclusion regarding the two mutually exclusive criteria during her lecture *Epigrafia di Atene, topografia di Atene: i criteri che presiedono alla scelta dei luoghi di esposizione delle iscrizioni* at the conference in Turin in 2019.

### 3.1 The law of Nikophon on the *dokimastes* of silver coinage (375/4)

The law of Nikophon on the *dokimastes* of silver coinage, dated to 375/4, is the earliest surviving *nomos*<sup>13</sup>. The stele, repaired from two pieces of white marble, is complete except for some fragments on the back. It was found reused as building material in the west wall of the Great Drain in front of the Stoa *Basileios*. It consists of two legislative texts: the law ordering the *dokimastes demosios* to sit among the tables and to test the cash payments (ll. 1-36), and the integrative law proposed by Nikophon establishing a second *dokimastes em Peiraiei* for ship-owners, merchants, and other commercial operators of the port (ll. 37-44). According to these provisions, both testers had to accept Attic silver coins with the official die, return imitation silver coins and confiscate plated or counterfeit coins<sup>14</sup>.

Since R.S. Stroud's first publication of the law in 1974, it has been the subject of much debate<sup>15</sup>. Initially, scholars focused on the problem of currency circulation and, in particular, on the interpretation of the clause concerning the imitation of silver coins<sup>16</sup>. S. Alessandri, first, refused the definition of "currency law", considering it to be only a regulation of the import market with measures to settle disputes in commercial transactions<sup>17</sup>. More recently, J. Ober has argued

<sup>13</sup> Stroud 1974; Rhodes - Osborne 2003, no. 25, 112-118.

<sup>14</sup> Rhodes - Osborne 2003, no. 25, ll. 3-13: τὸ ἀργύριον δέχεσθαι τὸ Ἀττικὸν ὅταν εὐρίσκηται ἀργυροῦ καὶ ἔχη τὸν δημόσιογ χαρακτήρα. ὁ δὲ | δοκιμαστὴς ὁ δημόσιος καθήμενος με[ταξὺ τῶν τρ]απεζῶν δοκιμαζέτω κατὰ ταῦτα ὅσα ἡ[μέραι πλὴν] | ὅταν ἡ[τ] χρημάτων καταβολή, τότε δὲ εἴν τῶι βουλευτ]ηρίωι. ἐὰν δέ τις προσενέγκῃ ξ[ε]ν[ικὸν ἀργύριον] | ἔχον τὸν αὐτὸγ χαρακτήρα τῶι Ἀττικῶι, ἐκ[-----], | ἀποδιδότω τῶι προσενεγκόντι. ἐὰν δὲ ὑπ[όχαλκον] | ἢ ὑπομόλυβδον ἢ κίβδηλον, διακοπτέτω πα[ραυτίκ]α καὶ ἔστω ἱερὸν τῆς Μητρὸς [τ]ῶν θεῶγ καὶ κ[αταβαλ]λέτω ἐς τὴν βολίην. «Attic silver shall be accepted when it is found to be silver and has the public stamp. The public approver shall sit between the tables and approve on these terms every day except when there is a deposit of money, but then in the bouleuterion. If anyone brings forward foreign silver having the same stamp as the Attic – he shall give it back to the man who brought it forward, but if it has a bronze core or a lead core or is a counterfeit, he shall cut through it immediately and it shall be sacred property of the Mother of the Gods and he shall be deposited in the council».

<sup>15</sup> A summary is in Engen 2005, 368-376, and n. 27.

<sup>16</sup> According to R.S. Stroud (1974, 169), by returning the "pseudo-owls" to the man who brought them, the *dokimastes* accepted their legal tender. Conversely, A. Giovannini (1975, 192-193) correctly noted that the return of imitation coins did not imply their obligatory acceptance.

<sup>17</sup> Alessandri 1984. On the basis of Giovannini's assumption that there was no obligation to accept imitation coins, he rejected the definition of "currency law" for the provision in question, stressing that none of the measures required the use of only Attic coins or only Attic coins and good imitation in commercial transactions and that there was no prohibition on the use of foreign currency; the law only required sellers to accept Attic owls approved by the *dokimastes*, and the fact that good imitation coins were returned only meant that they could circulate, but sellers were not obliged to

that the purpose of the law was to reduce transaction costs in commercial exchanges. In particular, he argues, it was designed to guarantee the quality of Athenian owls and to mandate their acceptance in trade in order to protect their value at a time when the Athenians, no longer able to extract resources from the allies, could only base their economy on domestic production and commercial exchanges<sup>18</sup>. In this way, not only they did support confidence in the official Athenian coins, but by certifying the imitations as good, they also implicitly franchised the owl brand to facilitate exchanges and encourage traders to do business in Athens, where the reliability of the coinage was guaranteed<sup>19</sup>. In a period of silver

accept them. See especially 381-393 for his reconstruction of the historical background of the two laws: he dates the former to 402-399, as a result of the remonetization of Athenian silver coinage after the emergency bronze coins issued during the Peloponnesian War, and the latter to 374/4. *Contra* Engen 2005, 374-375, who does not accept the years 402-399 for the remonetization of silver coins.

<sup>18</sup> Ober 2015, 53. He bases his reconstruction on Stroud's restoration of ἔ[αν καλόν] at the end of l. 9 and interprets the clause about imitation owls as follows: they were returned to the owner only if the *dokimastes* certified them as good. A. Matthaïou, who has examined the stone and read a *kappa* after the *epsilon* and before the gap at the end of l. 9, has recently proposed to restore here ἐκ[κόπτων] with the meaning of "score it", or "test cut it" (Matthaïou 2017, 49-52). Even if, in the absence of parallels for the verb ἐκκόπτω used in this sense, he expresses great caution in this restoration, it seems very plausible because, as it has already been noted (<https://www.atticinscriptions.com/inscription/RO/25>, n. 5), it would explain the treatment reserved for these coins: before being returned to the owner, they were cut to check that they have a silver core. Moreover, given that these coins were returned to their owners, a countermark would also serve to distinguish the coins that had already been examined and certified by the approver from those that had not. However, this restoration does not invalidate Ober's interpretation of the law: although not explicitly stated, it seems obvious to think that only "good" (not adulterated) coins could be returned to the owner without being confiscated. An alternative integration of l. 9, based on Matthaïou's new examination of the stone, is given in Psoma 2011.

<sup>19</sup> Ober 2015, 66. Cf. Engen 2005, 376, who sees the law of Nikophon as a measure aimed at strengthening consumer confidence in Athenian coinage, both at home and abroad, in order to encourage foreign merchants to bring their cargoes to Athens. See 372-376 for a brief summary of the earlier interpretations of the law. He rejects Stumpf's suggestion that the law should be seen as an attempt to ensure that payments resulting from *syntaxeis* and *eisphorai* were made in genuine coins, by stating that the law did not refer to payments to the Athenian state but to private transactions. Perhaps we should consider that the money from commercial transactions was put into circulation and could be reused both by individuals as taxes to be paid into the Athenian coffers and by the state to pay its officials. Thus, the intervention of measures aimed at the approval of good Attic money, the certification of good non-Attic money and the confiscation of counterfeits, could not only resolve commercial disputes in private daily transactions and safeguard trade (which remained the primary concerns of the law), but also prevent possible financial damage caused by the circulation of bad money, that is, a lower amount of silver coins than expected. Although the law does not explicitly mention the origin of counterfeits, Ἀττικόν or Ξενικόν, it is reasonable to assume that Athens was interested in eliminating them all (Buttrey 1979, 34; 1981, 75-76). The fact that the Athenians were

scarcity after the Peloponnesian War, when mining was in decline as a result of the Lacedaemonian occupation of Attica, the acceptance on the Athenian market of imitations from abroad led to the proliferation of counterfeits<sup>20</sup>. That probably led to enact the first law on the *dokimastes demosios* in the Agora, with the aim of removing counterfeits from circulation, resolving disputes in commercial transactions, and facilitating exchange. Similarly, the new *dokimastes* in Piraeus had to help to resolve commercial disputes and secure trade in the port. His appointment also made it possible to intercept and eliminate the bad coins brought into Athens by the *emporoi* and *naukleroi*. Xenophon, in his *Poroi*, written in 355/4, after the defeat of Athens in the Social War, suggests building accommodation for the *naukleroi* near the ports, assuming that most of them were foreigners<sup>21</sup>. It is evident that foreigners constituted the largest holders of pseudo-owls.

Nevertheless, we are concerned here with understanding how the system required by the law worked in practice and what the principle of its publication on stone was. On the first point, Ober has proposed a detailed reconstruction of the dynamics provided by the *nomos*: during a commercial transaction of wheat, if a seller was concerned about the quality of the coins offered by a buyer, the two of them (or their agents) took money to the *dokimastes* sitting at his table. The *dokimastes* certified and approved Athenian coins and certified and returned good pseudo-owls to the buyer<sup>22</sup>. The seller was obliged to accept Athenian owls but was free to choose whether or not to accept pseudo-owls after receiving a guarantee of their authenticity from the *dokimastes*. If the buyer chose to exercise the right to demand Athenian owls, he had to exchange the imitation coins for Athenian owls at a money changer. This means that money changers had to be located near the *dokimastes*, both in the Agora and in Piraeus. At this point, we can address the question of the location of the law inscribed on stone in the urban space. We know from the publication clause that there were to be two *stelai*, one in the city between the tables (ἐν [ἄσ]τει μέμ μεταξὺ τῶν τραπεζῶν) where the *dokimastes demosios* sat, another in Piraeus in front of the stele of Poseidon (ἐμ Πειραιεῖ δὲ πρό[σ]θεν τῆς στήλης τοῦ Ποσει[δ]ῶνος), where the *dokimastes em Peiraiei* sat (ll. 44-47). M. Richardson has concluded, briefly but correctly,

always concerned to ensure the authenticity of payments into the state coffers seems to be confirmed by this law when it orders the *dokimastes demosios* to sit among the tables every day except when there was a *chrematon katabole* (ll. 5-8), that is when he had to be in the *Bouleuterion* to check the authenticity of silver coins of public revenue.

<sup>20</sup> For the main bibliographical references on the jump in pseudo-owls documented by numismatists for the years 400-375 see Ober 2015, 60, n. 12.

<sup>21</sup> See Pischedda 2018, 10, n. 23 for the date, 77 for a comment to Xen. *Vect.* III, 12.

<sup>22</sup> Ober (2015, 70) imagines that the buyer had a strong incentive not to offer the seller fakes, which would have been confiscated by the *dokimastes*.



that the laws were placed where buyers and sellers in the Agora and Piraeus could consult them<sup>23</sup>. This means that the location of the display was chosen according to the number of people who would see it. It was as if the two *stelai* placed next to the *dokimastai* were explaining to the people engaged in commercial transactions the role of the new testers appointed by the *nomothetai*.

However, even if the publication clause seems precise, identifying the exact location of the *stelai* in the urban space is more problematic. With regard to the first, although scholars disagree on the meaning of *τράπεζαι* in this law, they all place them in the Agora. Stroud, relying on some passages in Plato (Pl. *Hp. mi.* 368 B; *Ap.* 17 C) and on the evidence of the present law, has suggested that “the tables” were those of bankers and money changers in the Agora. Furthermore, on the basis of a passage in Theodoretos in which Socrates is said to be hanging out “by the tables” and “by the herms” (Theodoret. *Ther.* XII 175, 17), he has placed the *τράπεζαι* in the northwest corner of the Agora, close to the Stoa of the Herms<sup>24</sup>. On the other hand, interpreting the text as a law on commercial matters, Alessandri has suggested that the *τράπεζαι* could be better understood as tables for the display of saleable goods (as attested in Theoph. *Char.* 9, 4; Poll. *Onom.* 7, 11), again located somewhere in the Agora<sup>25</sup>. Whatever the meaning of *τράπεζαι*, the legal procedure required the presence of money changers near the *dokimastes*. Although there is still a lack of conclusive evidence on the exact location of bankers and moneychangers in the Agora, the concentration in the northeast corner of the *stoai*, where bankers’ tables are attested elsewhere, suggests that this was the location of the banking district<sup>26</sup>. Bearing all this in mind, the findspot of the stela, although not conclusive in itself, could in this case strengthen the hypothesis of its original location somewhere in the northwest corner of the Agora.

As for the stela of Poseidon in Piraeus, it is not otherwise known, but, as Stroud has already noted, a reference to a cult of Poseidon in this area is in [Plut.] 842 A, where a *nomos* creating a dithyrambic *agon* for a festival of Poseidon in

<sup>23</sup> Richardson 2000, 608.

<sup>24</sup> Stroud 1974, 167.

<sup>25</sup> Alessandri 1984, 370-372, n. 6.

<sup>26</sup> We know from Luc. *Dial. meret.* 8, 2 of a money-lender behind the Stoa *Poikile* (ὁ δανειστής ὁ κατόπιν οἰκῶν τῆς Ποικίλης). On the *stoai* as a privileged place for bankers see Bogaert 1968, 186, 231, 253, 375, already quoted by Stroud (1974, 167, n. 30). The discovery of beddings for tables set in the mosaic floor in the southern part of mid-2nd-century East Building on the south side of the Agora, together with the identification of the mint and the commercial activity in the same area, had led R.E. Wycherley (in *Agora III* 193) to suggest that these were the tables of the money changers. For the identification of the *trapezai* with the dining rooms of the South Stoa I, see Travlos 1980, 534.

Piraeus is attributed to Lykourgos<sup>27</sup>. The passage does not contain any topographical information, but by taking into account the intended audience of the law proposed by Nikophon, we can tentatively suggest a more precise location for the stele. A probable location for a *dokimastes* explicitly intended for shipowners, merchants, and other commercial operators could be the *Emporion*, the commercial area of the port of *Kantharos*. Here, the existence of two piers (*Choma* and *Diazeugma*) and five *stoai* confirms that it was regularly visited by both *naukleroi* and *emporoi*<sup>28</sup>. We could think of the area in the northern part of the *Emporion*, where the remains of a building identified with the *Stoa Alphitopolis*, also known as the *Makra Stoa*, have recently been found near the modern market, between Akti Posidonos and *odos Gounari*<sup>29</sup>. On the basis of this discovery, Longo has suggested that the ἀγορὰ τοῖς ἐπὶ θαλάσσης quoted by Pausanias in connection with the *Makra Stoa* (Paus. I 1, 3) should be located in this area and that it should be understood as a place for buying and selling goods from the port, especially wheat<sup>30</sup>. Another suitable place to house the new *dokimastes* and a copy of the law could be the *Deigma*, a building (or area?) in the *Emporion* where goods were displayed for sale and where bankers and moneychangers carried out their activities<sup>31</sup>. In Imperial times, a fragmentary epistle to Athens, probably written by Hadrianus, concerning fish prices, had to be inscribed exactly here, “in Piraeus in front of the *Deigma*” (ἐν Πειραιῇ πρὸ τοῦ δείγματος), according to its publication clause (*IG II<sup>2</sup> 1103*, ll. 12-13). On the basis of the findspot of this inscription, W. Judeich has hypothesized that the *Deigma* was located somewhere in the center of the *Emporion*, perhaps behind the *Diazeugma*<sup>32</sup>.

<sup>27</sup> Stroud 1974, 183.

<sup>28</sup> A description of the *Emporion* with its five *stoai* and sixty *neoria* is in *Schol.* in *Ar. Pax* 145. For the recent revision of the topography of the *Emporion*, with the correct interpretation of the orientation of the *stoai* according to the ancient coastline, see the summary offered by Longo 2014, 219-220.

<sup>29</sup> Steinhauer 2007, 200-201; 2009, 483-484. On the *Stoa Alphitopolis* see *Schol.* in *Ar. Ach.* 548; for the *Makra Stoa* see Paus. I 1,3. Cf. Dem. 34, 37.

<sup>30</sup> See Longo 2014, 229-230 for the problem on the *agorai* of Piraeus.

<sup>31</sup> The existence of a *Deigma* in classical times is attested by Xen. *Hell.* V 1, 21 and Dem. 25, 29. On the so-called “*Deigma* of Magnus”, erected with the 50 talents offered by Pompeius, see Plut. *Pomp.* 42, 11 and *IG II<sup>2</sup> 1035*, l. 47. On the *Deigma* as part of the *Emporion* where products were sold see Garland 2001, 83-84, 154. On the *Deigma* as the seat of bankers and moneychangers see Polyaeus, *Strat.* IV 2, 2. Cf. Harp. s.v. δείγμα Dindorf. On the Attic bankers in Piraeus see Bogaert 1968, 61-98.

<sup>32</sup> Judeich 1931, 448, n. 3; cf. Steinhauer 2009, 485.

### 3.2 The law of Meid[... on Eleusinian *aparche* (353/2)

The stele is made up of two pieces, both found near the wall of the *Hephaisteion* (formerly known as the *Theseion*) in the lower layer of the excavations carried out in the area by the Archaeological Society in 1907 and 1908<sup>33</sup>. It has a pediment on the top and is missing on the entire right side. Similar to the previous stele, this one also contains two legislative texts dated to 353/2. The first, proposed by Chairemonides, was a general revision of the rules governing the Eleusinian *aparche*. It granted the *demos* greater control over the collection of *aparche*, while assigning the supervision of the process to the *Boule*, in office after the archonship of Thoudemos. The second *nomos*, proposed by a certain Meid[...], modified the previous text, stipulating that the *Boule* had to elect ten *hieropoioi* responsible for the transportation of the harvest to Eleusis and the provision of sacrifices, in accordance with the law and the oracle<sup>34</sup>.

The preserved publication clause in ll. 33-35 established to inscribe the law near the previous one of Chairemonides, on the stele in front of *Metroon* (πρὸς τὸν πρότερον τὸν Χαιρημονίδου εἰς τὴν στήλην τὴν ἔμπροσθεν τοῦ Μητροῦσιου). The *Metroon* is well known as a repository for official documents, including laws, but its role as a place for displaying inscribed *stelai* is rather unusual<sup>35</sup>. It is worth noting that the City *Eleusinion* served as the primary location for exhibiting documents related to Eleusinian matters. Most of the fragments of the sacred laws concerning the Mysteries were found in its surroundings and were intended for display there<sup>36</sup>. Instead, the so-called First Fruit Decree of the mid-

<sup>33</sup> For more detailed information on the circumstances of the stele's discovery, see Oikonomos 1910, 1.

<sup>34</sup> This interpretation of the content of the two legislative texts follows the hypothesis of Alessandri (1980, 1150-1155), according to which the law of Chairemonides ends at l. 25, where the amendment of Meid[...] begins. Differently, G.P. Oikonomos (1910, 4-5) made the amendment begin at l. 10, while A. Elter (1914, 25-26) at l. 13, with the disposition entrusting the *Boule* with the supervision of the *aparche*. By accepting Alessandri's division, the reference to Thoudemos, archon in 353/2, would be part of the first provision. However, Alessandri also ascribed to the same year the proposal of Meid[...], which specified only one aspect of the law of Chairemonides. In his opinion, the latter was, in fact, a general reform of the *aparche*, from the *egloge* to the offerings, while the amendment of Meid[...] concerned only the sending of the harvest to Eleusis and the sacrifices.

<sup>35</sup> On the constitution of the *Metroon* as an archive for official documents, see Sickinger 1999, 93-138.

<sup>36</sup> I refer to *IG I<sup>3</sup>* 231-232, inscribed boustrophedonic altars with cult regulations (510-500 and 510-480); *IG I<sup>3</sup>* 6, an inscribed pillar with a decree regulating the Mysteries (475-450); *SEG XXX* 61, the provision containing the most extensive set of regulations concerning the Eleusinian cult, including legal procedures dealing with violations (376/6-348/7). The latter was considered by K. Clinton (1980) to be a law enacted by the *nomothetai* rather than a decree, but the absence of a

430s, which called on the allies of Athens to contribute to bringing the first fruits to Eleusis, had to be inscribed in two copies at the sanctuary of Eleusis and on the Acropolis<sup>37</sup>. Choosing the Acropolis as the site for the exhibition of a 5th-century *psephisma* on religious matters is not uncommon. However, the decree also specified the placement of a *pinax* listing the amount of grain received from demarchs by demes and cities both in the *Eleusinion* at Eleusis and in the *Bouleuterion* in the Agora (ll. 26-29)<sup>38</sup>. The placement of a copy in the *Bouleuterion* meant that the *Boule* was responsible for overseeing the recording process. This is not surprising, especially considering that in the 430s the *Bouleuterion* was used both as a Council chamber and as an archive<sup>39</sup>. Later, in the last decades of the 5th century, the *Boule* moved to the New *Bouleuterion* and the *Metroon* replaced the Old *Bouleuterion* as a systematic archive of papyrus copies of laws and decrees<sup>40</sup>. Thus, the stele with the 4th-century laws on the *aparche* was placed in front of the same building where the *pinakes* inscribed with the sums of crops received from the demarchs were kept in the 430s, likely under the supervision of the *Boule*. The placement of the stele in front of the *Metroon* could possibly be explained by the role played by the *Boule* in the law. Indeed, the provisions enacted by the *nomothetai* increased the duties of the *Boule* in the procedure relating to the *aparche*. It was now required to oversee the collection of the first fruits according to the *demos*' provisions and to elect the *hieropoioi* for the shipment of the harvest to Eleusis and for the offering of sacrifices to the gods. It seems, therefore, that the new *nomoi* were not placed in a sanctuary relevant to their content, near other sacred laws on Eleusinian matters, but in a place where they could be read by those directly involved in the measure, the members of the *Boule*<sup>41</sup>. The close connection between the *Boule* and the sanctuary of the Mother of Gods is beyond doubt in the 4th century. Aside from their topographical proximity, they were likely perceived as a unified complex. This can be inferred from the previous law on the *dokimastes*, that provided for the consecration of the counterfeits to the Mother of Gods and their deposit in the *Boule* (ll. 10-13). Additionally, the orator Lykourgos, on his deathbed, requested to be taken to the temple of the Mother of

prescription prevents us from stating this with certainty. The area of the City *Eleusinion* is the site of most of the fragments belonging to these documents (see M.M. Miles in *Agora* XXXI 200-202).

<sup>37</sup> *IG* I<sup>3</sup> 78, on which see Clinton 2010.

<sup>38</sup> On the role of the Acropolis as the place for displaying inscribed documents see Liddel 2003, 79-81, 86-87, tab. 2-3; Lambert 2018, 21-30.

<sup>39</sup> Sickinger 1999, 73-83.

<sup>40</sup> Sickinger 1999, 93-138.

<sup>41</sup> According to Richardson (2000, 608), the law on the Eleusinian First Fruits was placed next to another law on the same subject, that of Chairemonides, to confirm the close relationship between the location of the *nomoi* and their content in the 4th century.

the Gods and to the *Bouleuterion* to give an account of his administration ([Plut.] *X orat.* 842 F)<sup>42</sup>.

### 3.3 The law of Eukrates against tyranny (337/6)

The law against tyranny, proposed by Eukrates in 337/6, has been extensively studied and debated. It is inscribed on a white marble stele discovered in the fill of the Square Peristyle, under the portico of the Stoa of Attalos<sup>43</sup>. The stele is largely intact, except for the upper acroterion, and features a relief depicting a woman (representing Democracy) crowning a seated man (representing the Athenian *Demos*), surmounted by a pediment. The law guaranteed the immunity of the tyrannicide (ll. 7-11), stopped the activities of the Areopagus if the *demos* or the democracy was overthrown in Athens, and punished the offenders with *atimia* and confiscation of their substances (ll. 11-22). The measure was enacted after Philip II's victory at Chaironeia, the final dissolution of the Second Athenian League, and the establishment of the so-called League of Corinth, a *synedrion* of Greek states in which Philip II played the role of *hegemon*. If the proponent of the law, Eukrates of Piraeus, can be identified with the Athenian citizen who died at the hands of Antipater's soldiers in 322, after the defeat of Athens in the Lamian War, the anti-Macedonian nature of the provision cannot be denied<sup>44</sup>. Furthermore, it is likely that the stele was removed from sight and reused as building material when the Macedonians abolished Athenian democracy in the same year<sup>45</sup>. Numerous interpretations of the meaning of the law have been proposed,

<sup>42</sup> These examples can be found in Sickinger 1999, 106-107, nn. 63-64.

<sup>43</sup> Meritt 1952, 355-359; Rhodes - Osborne 2003 no. 79, 388-392.

<sup>44</sup> Apart from this law, Eukrates is known only from Lucianus (*Dem. Enc.* 31), who states that he was executed with other anti-Macedonians after the defeat of Athens in the Lamian War in 322. Cf. the commentary on the law at ll. 4-5 by Meritt 1952, 357. The fact that the law was promulgated twenty-two months after the battle of Chaironeia, when it was clear that Philip's leniency towards Athens was genuine, leads Teegarden (2013, 85-112) to reduce the anti-Macedonian nature of the provision: according to him, the tyrannical threat of 337/6 was that of individuals who could achieve positions of extra-legal authority through Athens' dependence on Macedonian goodwill. He defines Eukrates as «apparently ardently anti-Macedonian».

<sup>45</sup> *Agora* XIV 61, n. 173. The Square Peristyle, in which the stele was reused, is dated precisely on the basis of the discovery of the law of 337/6. However, there are other indicators that suggest that work began around 325, such as the style of the architecture and the associated pottery. Cf. Lalonde 2013, 449, n. 41.

but it is not possible to review all of them here<sup>46</sup>. Of particular interest is the significant role of the Areopagus, which distinguishes this law from other Athenian provisions against tyranny. This aspect helps to explain the choice of the exhibition site for a copy of the law.

The publication clause directs the inscription of the text on two stone *stelai*: one ἐπὶ τῆς εἰσόδου τῆς εἰς Ἄρειον Πάγον τῆς εἰς τὸ βουλευτήριον εἰσιόντι (ll. 25-6) and another ἐν τῇ ἐκκλησίᾳ (ll. 26-7). As regards the first stele, the reference to the entrance to the Areopagus has been translated and understood in different ways.

Firstly, B.D. Meritt, in the *editio princeps* of the text, translated: «by the entrance into the Areopagus, that entrance, namely, near where one goes into the Bouleuterion». He interpreted the participle εἰσιόντι with εἰς τὸ βουλευτήριον and the clause as «a clear topographical indication that the Court of the Areopagus had at least two entrances and that one of them was near the entrance of the Bouleuterion», this last conceived as the council house in the Agora<sup>47</sup>.

Then, taking the participle εἰσιόντι alone, and interpreting εἰς τὸ βουλευτήριον with the preceding τῆς, left unexplained in the earlier rendering, Meritt himself proposed a new, more literal translation: «by the entrance, the one into the Areopagus, the one into the Bouleuterion, as one goes in». Although the syntactical arrangement of the sentence was not a problem in this way, the use of εἰσιόντι alone after the very precise ἐπὶ τῆς εἰσόδου remained tautological, as Meritt himself admitted. Moreover, if there was no longer any reason to suppose two entrances to the Areopagus, the existence of an entrance shared by the Areopagus and the *Bouleuterion* in the Agora did not solve the topographical problem of their location<sup>48</sup>.

Differently, H.A. Thompson translated: «at the entrance to the Areopagus as one goes into the Bouleuterion» by assuming that in the same period «the Council of the Areopagus met in a building with an entrance which one would normally pass on going into the (New) Bouleuterion»<sup>49</sup>. According to him, the building best suited to this interpretation was the Old *Bouleuterion*, identified with the συνέδριον mentioned in the same law at ll. 15 and 19 and where the Areopagites used to meet. So, the *Areios Pagos* of l. 25 would not mean the Hill but the Council.

This interpretation has been rejected with convincingly argument by

<sup>46</sup> See Teegarden 2013, 101-104 for a summary of some of the main theories concerning the intention behind the provision. A shorter but comprehensive summary of all previous scholarly interpretations of this law can be found in Squillace 2018, with bibliography.

<sup>47</sup> Meritt 1952, 358, where he also states that in the 4th century the court of the Areopagus could not have been too far from the *Bouleuterion*, as Mars' Hill was.

<sup>48</sup> Meritt 1953, 129.

<sup>49</sup> Thompson 1953, 51-53.

Wycherley. He has noted that the Areopagus had a meeting place on the Hill which could be called βουλευτήριον, as we know from Aeschylus (*Eum.* 570, 684). Therefore, the βουλευτήριον of l. 25 should not be identified with the Council House in the Agora but with the place where the Areopagites met on the Hill of Ares. The term would be used here as a synonym for the already mentioned συνέδριον<sup>50</sup>. This explanation is indeed convincing as it avoids any forced interpretation of the Greek text and resolves the topographical issue regarding the relationship between the New *Bouleuterion* in the Agora and the Areopagus.

It is in this sense that the clause has recently been read by G.V. Lalonde, who has made a fundamental contribution to the discussion of this question, in his analysis of Agora I 5054 *a* and *b*, an inscription conceived as a palimpsest of two *horoi* of the *Bouleuterion* of the Areopagus<sup>51</sup>. According to him, the stone, found in 1937 on the northeast slope of the Areopagus Hill, was originally built into a *peribolos* wall at the *bouleuterion*'s entrance: the Horos *a*, (ἡὸρ[ος ῥῆς(?)] β[ο]λῆς), inscribed sometimes in the second half of the 5th century, was erased and replaced with Horos *b* (βολῆς ἐξ Ἀρείο πάγο) between the end of the 5th century and the mid-4th century<sup>52</sup>. By assuming that the Horos *b* was still in use in the late 4th century, he convincingly suggests that «the bouleuterion of the Law of Eukrates (337/6 B.C.) was the same meeting place as that marked by Horos *b*»<sup>53</sup>.

As regards the second stele, all scholars agree that it was placed on the Pnyx, where the *Ekklesia* used to meet. If so, it could have been placed in one of the beddings for *stelai* discovered on the sides of the *bema* on the so-called Pnyx III (ca. 340-335)<sup>54</sup>.

Even if, given the finding place of the surviving stele, it is more probable that it is the copy from the entrance of the *Boule* of the Areopagus, we cannot say for sure. In either case, the stone would have been reused as building material in a location far enough away from its original site. This is not surprising: *stelai* or other monuments could be reused on distant building sites, especially if the original exhibition sites were not affected by construction in their immediate vicinity. This seems to have been the case at the Areopagus, where no significant

<sup>50</sup> Wycherley 1955, 118-120, followed by Alessandri 1974.

<sup>51</sup> Lalonde 2013.

<sup>52</sup> On the possible reasons for replacing Horos *a* with Horos *b*, see Lalonde 2013, 452-455.

<sup>53</sup> Lalonde 2013, 450; cf. 444, fig. 7, for a hypothetical reconstruction of the entrance to *Bouleuterion* as it may have looked between 337/6 and 322, with Horoi *a* and *b* and the Eukrates stele *in situ*.

<sup>54</sup> On the Pnyx, see most recently Moretti 2019. On the beddings for *stelai* on Pnyx III see Kourouniotes - Thompson 1934, 156-156, fig. 36. On Period III of the Pnyx, variously associated with the time of Eubulos (ca. 340) or Lykourgos (338- 326), see Monaco 2011a, 337-341 with previous bibliography. On the date of Pnyx III and the law of Eukrates see Richardson 2003 (*infra* n. 62). On the law of Eukrates on the Pnyx see Teegarden 2013, 109-110.

construction had taken place on the hill or its slopes by the end of the 4th century<sup>55</sup>.

The decision to publish the law at the entrance of the Areopagus and in the *Ekklesia* was likely a deliberate choice to reach specific audiences<sup>56</sup>. This explains why no copy of the law was placed in or in front of the *Bouleuterion* in the Agora, near Demophantos' late 5th-century anti-tyrannic decree, considered by the scholars as the model for Eukrates' law<sup>57</sup>. It stated that anyone involved in overthrowing democracy or holding public office during such a period would be considered an enemy, killed with impunity and deprived of his property<sup>58</sup>. There are clear parallels between this decree and Eukrates' law. However, while Demophantos' decree forbade all magistrates from serving during a coup, the law specifically targeted one political institution, the Council of the Areopagus. The Council had experienced a significant increase in power in the years leading up to the enactment of Eukrates' law in 337/6, when it had gained authority in the *apophasis* process, an investigation of threats against the state, and perhaps also the power to judge criminal cases without appeal<sup>59</sup>. This increase of power seems significant with respect to *nomos* that prohibited the *bouleutai* of the *Boule* of the Areopagus from ascending to the Areopagus, sitting together in the *synedrion*, and deliberating on anything, if the *demos* or the democracy was overthrown in Athens (ll. 11-16: μή ἐξεῖναι δὲ τῶν βουλευιτῶν τῆς βουλῆς τῆς ἐξ Ἀρείου Πάγου καταλλελυμένου τοῦ δήμου ἢ δημοκρατίας τῆς Ἀθήνησιν ἀυιέναι εἰς Ἀρειον Πάγον μηδὲ συνκαλιθίζειν ἐν τῷ συνεδρίῳ μηδὲ βουλεύειν μηδὲ περὶ ἐνός)<sup>60</sup>. It seems clear that the stele placed at the entrance of the Areopagus was

<sup>55</sup> The Ionic temple on the highest point of the hill was already built when the law was promulgated. Its chronology varies between the last quarter of the 6th century and the last quarter of the 5th century (see a synthesis in Di Cesare 2010, 219 with previous bibliography). On the northeastern slope of the hill, no traces have been found of a predecessor of the 16th-century CE church dedicated to St Dionysius the Areopagite (Thompson in *Agora* XXIV 74). Moreover, the residential areas on the slopes of the hill underwent little construction during the 4th century (Longo - Tofi 2010, 216).

<sup>56</sup> Cf. Lambert 2018, 33-34.

<sup>57</sup> According to Andokides it was placed «in front of the *Bouleuterion*» (Andoc. 1, 95: ἔμπροσθεν τοῦ βουλευηρίου); according to Lykourgos: «in the *Bouleuterion*» (Lycurg. *Leoc.* 124 ἐν τῷ βουλευτηρίῳ). On this difference see Alessandri 1974, 180.

<sup>58</sup> The text is not preserved on a stone stele, but only in Andokides' speech *On the Mysteries* (96-98), where the oath of allegiance imposed on the Athenians is also quoted. On the relationship between the decree of Demophantos and the law of Eukrates, see first Ostwald 1955, 119-123, followed by Alessandri 1974, 179-182 and, more recently, Teegarden 2013, 51-52.

<sup>59</sup> See Teegarden 2013, 99-105 on the Areopagus at the time of the promulgation of Eukrates' law; Harris 2017, 67-71 on the role of the Areopagus at the end of the 4th century.

<sup>60</sup> Teegarden 2013, 104-105 suggests that, according to the law, the Council of the Areopagus was a "signalling institution": given the authority attributed to it in this period, the failure of the



*On the location of the inscribed Athenian nomoi*

intended for the Areopagites, serving as a reminder before they entered the *Bouleuterion* and potentially committed a crime. Additionally, since the law granted immunity to those who killed traitors of democracy (ll. 7-11), presumably in the Areopagus murder court, the stele at the entrance of the *Bouleuterion* of the Areopagus also informed the Areopagites that tyrannicides could not be prosecuted for murder<sup>61</sup>.

As regards the publication in the *Ekklesia* of the second stele, it was addressed to the members of the *demos* in order to discourage orators from supporting anti-democratic positions and to warn all citizens against becoming traitors<sup>62</sup>.

The role played by the placement of the law of Eukrates in Athenian public space is reinforced by the sculptural relief that adorns the preserved stele. As mentioned above, it depicts *Demos* and *Demokratia*: the former in the guise of Zeus, seated on a throne and holding a scepter in his left hand, crowned by *Demokratia*, depicted as a young woman standing immediately to the left of *Demos*. The combination of *Demos* and *Demokratia* is a novelty in Attic documentary reliefs, where they are usually depicted together with other figures. Their identification on this relief is justified by the fact that they are mentioned together three times in the law (ll. 8-9, 13, 16-17). It is clear that such a visual document was intended to convey a strong political message, closely related to the content of the law: just as the personification of Democracy honored the *Demos* through the gesture of crowning, so the Athenian political regime had to honor the *Demos* without turning it into a tyranny<sup>63</sup>.

Areopagites to convene would be interpreted by the Athenians as a clear sign of the overthrow of democracy.

<sup>61</sup> Richardson 2003, 334; Lalonde 2013, 450-451.

<sup>62</sup> Teegarden 2013, 109-110. For a persuasive consideration of the relationship between displaying a copy of the law of Eukrates and renovating the Pnyx to become Pnyx III, see Richardson 2003. First, she demonstrates the equivalence between the terms “*Ekklesia*” and “Pnyx” and explains that in the epigraphic documentation the meeting place of the *Ekklesia* is better specified only when it was different from the Pnyx. She then focuses on the fluctuation of the membership and the meeting place of the *Ekklesia*, which would have made it difficult to choose a location for the stele that was permanently addressed to the members of the assembly. Finally, she links the publication of the law of Eukrates to the renovation of the Pnyx III, which the authors of the law mistakenly expected to be the permanent home of the *Ekklesia*.

<sup>63</sup> For a good analysis of the placement of the law of Eukrates and its relief in Athenian public spaces, see Teegarden 2013, 105-110. On the representation of *Demos* on Attic document reliefs, see the useful appendix in Glowacki 2003. On the sculpted relief of the law of Eukrates in particular, see Blanshard 2004.

### 3.4 Two laws regarding cults (ca. 335)

This stele contains parts of two laws concerning cult objects. It consists of several fragments, all from the Acropolis. The first law, which is poorly preserved, seems to regulate the dedication and transport of cult objects to or from the Acropolis, and the flogging of public slaves for offenses (fr. a-b, ll. 1-12). The second law, proposed by Lykourgos and dated to the sixth of Skirophorion of an unknown year (fr. a-b, ll. 13-19), is believed to be by S. Lambert the law on *exetasis*, a special examination of valuable objects in temples, referred to in the previous law (l. 11). The best-preserved section of the text is that on fr. c+e and f, but it is unclear whether it refers to law 1 or 2. It mentions loans, processional vessels, and cult objects of deities<sup>64</sup>. These two laws are considered typical of Lykourgan Athens, mainly because of the explicit mention of the proponent in the second law and the focus on cult at the micro-level of objects rather than large temples<sup>65</sup>. They can be dated to around 335 from their connection with some accounts of works from 334/3 onwards<sup>66</sup>.

The publication clause preserved in the first law stipulates that both provisions should be inscribed on a stele on the Acropolis (ll. 11-12: τὸν δὲ νόμον τόνδε καὶ τ[ὸν πε]ρὶ τῆς ἐξετάσεως τῶ[ν...] | [...ἐν στήλῃ λιθίν]ει καὶ στήσαι ἐν ἀκροπόλει). This is the earliest surviving 4th-century law placed on the sanctuary of Athena, as well as most of the 5th-century decrees. Unlike these, however, the decision to place the laws on the Acropolis seems to have been influenced by the content of the provisions rather than the importance of the *plateau* as the city's main sanctuary. Indeed, the first law probably concerns the movement of objects to or from the Acropolis, and although the text is poorly preserved, there is a clear mention of «public slaves on the Acropolis» (οἱ δημόσιοι οἱ ἐν τῇ ἀκροπόλει)<sup>67</sup>. Furthermore, a passage in Ps.-Plutarch's *Lives of the Ten Orators* mentions Lykourgos allocating a substantial sum of money for the Acropolis (χρήματα πολλὰ συνήγαγεν εἰς τὴν ἀκρόπολιν), providing ornaments for the goddess, gold *nikai*, silver and gold processional vessels, and gold ornaments for a hundred *kanephoroi* (παρασκευάσας τῇ θεῷ κόσμον, Νίκας τε ὄλοχρύσους πομπεῖά τε χρυσᾶ καὶ ἀργυρᾶ καὶ κόσμον χρυσοῦν εἰς ἑκατὸν κανηφόρους)<sup>68</sup>. The similarities with the laws are undeniable. In the first one processional vessels and dedications of gold and silver are mentioned at ll. 2

<sup>64</sup> See most recently Lambert 2012, 68-79 (= Lambert 2005, 137-143). For the previous editors of each fragment see Schwenk 1985, no. 21, 108.

<sup>65</sup> See Lambert 2018, 122, 125 on the strong Lykourgan character of the provisions.

<sup>66</sup> Lambert 2012, 70-73 (= Lambert 2005, 137-139).

<sup>67</sup> Cf. Richardson 2000, 607.

<sup>68</sup> [Plut.] *X orat.* 852 B.

(πομπέα), 8 (ἀνατιθέναι τὰ ἀναθήματα τὰ χρυσᾶ ἢ ἀργυρᾶ), 10 (ἀνα]τιθέναι χρυσᾶ ἢ ἀργυρᾶ); in the text preserved in fr. c+e, in addition to the processional vessels (l. 26: πο]μπέα; l. 27: πο]μπείων), we also read about the ritual equipment of the basket-bearers (l. 29: κόσμο]ν τὸν κληφορικόν) and ornaments or cult equipment for various deities (ll. 32-49)<sup>69</sup>. It seems that the choice of the exhibition site of the was based on the specific content of the provisions rather than on targeting a particular group of viewers, even on the Acropolis, which was considered the focal point of the city's religious life. In essence, the primary purpose of this stele seems to be to show the citizens of Athens the financial efforts of Lykourgos on the Acropolis<sup>70</sup>.

#### *4. The 4th-century nomoi without publication clause*

Four of the 4th-century *nomoi* do not have the publication clause: they are the law of Agyrrhios on the grain tax of 374/3, the law on the repair of the walls of Piraeus of 337/6, the law on the Lesser *Panathenaia* of ca. 335-330, and the law on the sanctuary of Artemis at Brauron of uncertain date (presumably before 340s.). Although these laws differ greatly in content, the first two are linked by

<sup>69</sup> According to C.J. Schwenk (1985, 120) «Pseudo-Plutarch tells what Lykourgos did [and] this law shows how he did it».

<sup>70</sup> S. Lambert (2018, 115-131 = Lambert 2010; cf. Lambert 2011) has highlighted the paideutic past-connectivity (*i.e.* the tendency to consider the past with the aim of improving the present) as a typical feature of Lykourgan Athens. The Acropolis, a place to which Lykourgos was related as a member of the *genos* of *Eteoboutadai*, whose ancestors were Erechtheus and Boutes, both worshipped in the *Erechtheion*, is seen as the focus of this tendency to recreate the past. According to him, the inscriptions, considered in their physical context, were also part of this process, since their placement on the Acropolis would evoke the glorious period of Periclean Athens. It is from this perspective that the location of *IG II<sup>2</sup>, 1 445* is considered. Although Lambert himself admits that it does not seem to have explicit paideutic intention, it would show how, during the Lykourgan period, the city's attention was explicitly focused on the Acropolis in order to recall the glory days of the 5th-century Athens. In my opinion, the main reason for displaying these laws in the sanctuary of Athena was their content. The “connecting-with-the-past” aspect may have more to do with the nature of the provision than with its location on the Acropolis. To me, the choice of location does not seem to be primarily motivated by its resonance with other inscriptions previously placed on the sanctuary of Athena (Lambert 2018, 125), but rather by the intention to show the Athenian citizens the results of Lykourgan religious policies on the Acropolis. The architectural and religious policies on both the Acropolis and the southern slopes of the *Eteoboutades* Lykourgos may be more reminiscent of the monumental works of the time of Nikias (the *Erechtheion*, the balustrade of Athena Nike and the *Asklepieion*) than of the *erga Perikleous*. On the Acropolis in Lykourgan times, see Monaco 2011b; on the construction works of the 420s, see Camponetti 2008; cf. Marginesu 2001 on the connection between the *Eteoboutadai* and the *Erechtheion*.

the inclusion of *syngraphai* in both texts. The nature of these 4th-century specifications is crucial for understanding the intentions behind the provisions and, consequently, the principles that guided their original exhibition in specific public spaces.

#### 4.1 The law of Agyrrhios on a grain tax (374/3)

The first surviving inscribed *nomos* of the 4th century without a publication clause was enacted by the *nomothetai* in 374/3, the year after Nikophon's law. It concerns the grain tax of Lemnos, Imbros and Skyros<sup>71</sup>. The stele was discovered in 1986 by J. Camp, reused as building material in a repair of the eastern wall of the Great Drain, approximately at the level of the northeastern corner of the Stoa *Basileios*, not far from the findspot of the law of Nikophon. It is complete, repaired from two fragments joined together. On an oval moulding surmounted by a fascia inscribed with l. 1, there is an oblong slab with a smooth polished surface and four or more roughly rounded projections at the top, where there was probably a painting<sup>72</sup>. In terms of content, it provided for the collection of grain taxes from Lemnos, Imbros and Skyros, Athenian cleruchies lost at the end of the Peloponnesian War, recovered in 393 and confirmed as Athenian domains in 387/6 with the Peace of Antalcidas<sup>73</sup>. The main novelty of this measure was the conversion of tax payments in cash into payments in kind. This allowed the Athenians to have grain in the public domain. Although the stele is complete and there is a space after the last inscribed line, the publication clause is missing. Several explanations have been proposed for this omission. According to Stroud, instructions for publication, which are certainly present in the full text preserved in the archives, may not have been necessary on stone if the stele was placed near the Stoa *Basileios*, next to other *stelai* containing laws enacted by the *nomothetai*<sup>74</sup>. Alternatively, in line with the lack of other details in the text, it has been suggested that the stele was only one of a series of grain tax laws and that a single publication clause, valid for all the *stelai*, could only have

<sup>71</sup> Stroud 1998; Rhodes - Osborne 2003, no. 26, 118-128.

<sup>72</sup> For information on the discovery and physical characteristics of the stele, see Stroud 1998, 1-2. For the probable painting on the top of the stele see *infra*.

<sup>73</sup> Since its first publication (Stroud 1998), the law has been the subject of much debate. See, for example, Magnetto - Erdas - Carusi 2010, with the results of the meeting held at the Scuola Normale Superiore di Pisa in June 2006, and Stroud 2016. A summary of the most important studies after the *editio princeps* has been offered by Stroud 2010. Cf. M. Faraguna in Antonetti - De Vido 2017, no. 38, 178-183.

<sup>74</sup> Stroud 1998, 84.

been inscribed on the last one in the series<sup>75</sup>.

If the findspot of the stele in the northwest corner of the Agora could support Stroud's hypothesis of its original display in the area of Stoa *Basileios*, I believe that the absence of the publication clause should be related to the absence of other details (such as the enactment clause). This could be seen as evidence of an abbreviated version of the original document, and a more appropriate place for publication might be the *Aiakeion*<sup>76</sup>. This has been identified by Stroud with the large enclosure in the southwest corner of the Agora, previously thought to be the *Heliaia*<sup>77</sup>. According to the law enacted by the *nomothetai*, it had to be made watertight (*i.e.* covered with a roof) and provided with a door so that the *priamenoí* could dump there the grain previously brought into the city from Piraeus (ll. 10-16). Then ten men elected by all the Athenians in the *Ekklesia* would have sold the grain in the marketplace (ἐν τῇ ἀγορᾷ) at a price set by the Assembly (ll. 36-42). Stroud has proposed to identify the generic ἐν τῇ ἀγορᾷ of ll. 41-42 with the open area north of the *temenos* of Aiakos, which was considered a suitable place for the sale of grain and was easily accessible from the nearby storehouse<sup>78</sup>. Thus, the *Aiakeion* played a crucial role in the collection of the grain tax in kind, and it seems to be the most appropriate place for a law aimed at showing the Athenian citizens how the *polis* had decided to provide for the public grain reserve, as clearly expressed in ll. 5-6<sup>79</sup>. That this must have been the main

<sup>75</sup> Clinton *ap.* Stroud 1998, 84, n. 198. Otherwise, it has been suggested that the law may have been inscribed at private initiative and expense, as in *IG II<sup>3</sup>*, 1 337, where the exhibition clause is omitted (<https://www.atticinscriptions.com/inscription/RO/26>, n. 6).

<sup>76</sup> Recently, Stroud has emphasized the value of the findspot for the original location of the stele, recalling the fact that the Stoa *Basileios* «is an area where other legal inscriptions have been found» (Stroud 2016, 191). However, it should be remembered that all the inscriptions displayed there date from the end of the 5th century and that their location is a direct consequence of the general revision of the legal code at that time. None of the surviving 4th century laws were displayed in the area of the Stoa.

<sup>77</sup> Stroud 1998, 85-108. *Contra* Moreno (2003, 103, n. 36): according to him, the amount of grain stored in the *Aiakeion* would have required a building at least four times the size of the Rectangular Peribolos. Cf. Moreno 2007, 113. Instead, according to Lippolis (2007/2008, 427-428, n. 102), the chronology derived from the excavation and the features of the monument previously identified with the *Heliaia* do not coincide with the available information on the *Aiakeion*. He has suggested locating it in the area near the *Tholos*, above the archaic necropolis. For Stroud's response to Moreno's objections, see Stroud 2010, 16-17.

<sup>78</sup> Stroud 1998, 108, where he also states that the two *horoi* of the Agora still *in situ* (*IG I<sup>3</sup>* 1087, 1088) show that there could have been temporary stalls in this area for the sale of wheat and barley from the islands.

<sup>79</sup> *SEG XLIV* 35, ll. 5-6: ὅπως ἂν τῷ δήμῳ σῖ[το]ς ᾗ ἐν τῷ κοινῷ, «in order that there may be grain for the people in the public domain». It should also be stressed that the hypothesis of the representation of sacks of grain on the tablet at the top of the stele cannot be ruled out. Indeed,

purpose of the law has recently been demonstrated with convincing arguments by C. Carusi. She has considered the section of the law containing the regulations concerning the *priamenoï* and the *polis* (ll. 8-36) as a *syngraphe*, but the absence of important information – such as the nature and the exact terms of the agreement and the profit of the *priamenoï* – has led her to believe that the law was a general description of the political initiative rather than a precise transcription of the contracts actually concluded with the purchasers of the taxes<sup>80</sup>. In her view, such a policy provision should be exposed in a place strictly related to its content, such as the *Aiakeion*<sup>81</sup>.

Specifically, the stele may have been displayed somewhere in front of the north wall of the Rectangular Peribolos, which faced the Agora and was probably the designated place for the sale of grain according to the law. That the stele had to stand in front of a wall or some other structure is suggested by the treatment of its back. Stroud described it as very roughly dressed, so as not to be seen<sup>82</sup>. Archaeological evidence indicates that the north wall of the *Aiakeion* contained other types of written texts in the Classical period. Fragments of white wall plaster inscribed with large red painted letters were discovered in a Hellenistic fill north of the Water Clock, which was built against the north wall of the *peribolos* in the 4th century. These fragments have been plausibly linked to the surviving limestone wall blocks of *peribolos*, which show signs of layers of stucco and were

the close similarities with *IG I<sup>3</sup> 68*, the decree of Klenoymos of 426/5 on the collection of the tribute of the Delian League, which is decorated at the top with a relief representing sacks of money, seem to strengthen this possibility (cf. Stroud 1998, 2, n. 2; Meritt 1967, pl. 2 for a photograph of *IG I<sup>3</sup> 68*).

<sup>80</sup> Carusi 2010, 231-233. This is based on an earlier hypothesis by Stroud, who first noted the use of the future indicative typical of *syngraphai* in ll. 8-36 (Stroud 1998, 44-48). She states that, unlike the 5th-century *syngraphai*, this one, included in a regulation issued by the *nomothetai*, was not a rule written by a technical commission, but an exposition of the mandatory conditions that *priamenoï* had to respect after signing a procurement contract. Nevertheless, comparison with other 4th-century *syngraphai*, which lack important details, such as *IG II<sup>2</sup> 1668*, *IG II<sup>2</sup> 244* (now *IG II<sup>3</sup> 1 429*) and *IG II<sup>2</sup> 463*, makes it clear that the *syngraphe* in the law of Agyrhios was not published with the practical aim of specifying the exact content of each contract, but to make the general provision known to the *polis*.

<sup>81</sup> Carusi 2010, 233, following Rhodes - Osborne 2003, 127.

<sup>82</sup> Stroud 1998, 1-2, where he also points out that the difference in the treatment of the mouldings and the squaring of the surface – for the full thickness of the stele on the right, to a maximum depth of ca. 0.07 m behind the inscribed surface, and not for the full thickness of the stele on the left – suggests that the right side was exposed to view, while the left side might have been adjacent to something and therefore not fully visible. On the physical characteristics of the back of *stelai* bearing laws and decrees, see Lambert 2012, 56-58 (= Lambert 2005, 129-130), where he also specifies that rough-picked backs of *stelai* were not intended to be seen, whereas an inscribed or smoothed back was intended to be seen.

discovered during the American Agora excavations<sup>83</sup>. Stroud has linked these elements to a glossary on papyrus (*POxy* 2078) which, according to his reading, mentions the *Aiakeion* as a place where *dikai* were “written up”. The exact meaning of *dikai* is difficult to determine, but it seems that something related to the law (perhaps notices of upcoming trials or judgments of completed trials) was displayed in the sanctuary of Aiakos, possibly painted on its northern wall<sup>84</sup>. If we agree with Stroud that the *Aiakeion* initially housed trials and, in the 4th century, changed its function to become a more utilitarian structure used for grain storage<sup>85</sup>, then the law of Agyrrhios, displayed in front of the same wall previously painted with inscribed *dikai* (next to other *stelai* on the same theme?), would not only have informed the citizens of an important political measure, but also highlighted the new function of a pre-existing building that had been properly equipped to store grain reserves.

#### 4.2 The law on the sanctuary of Artemis at Brauron (before 340s?)

In 1961, a marble pedimental stele was discovered in the northeast part of the Π-shaped building of the *Artemision* in Brauron, known as the “Stoa of the *Arktoi*”. The upper part of the stele, consisting of three joined fragments, has a text of approximately 47 lines concerning the repair of buildings in the sanctuary. However, we have at our disposal only a partial publication of ll. 1-25 (on the main upper fragment) by P.G. Themelis, according to which «the lower broken part is covered with a sediment rendering reading difficult»<sup>86</sup>. The surviving text requires inspections of various buildings in the sanctuary. These include: (a) the temple, ὁ νεώς, comprising the old temple, ὃ τε [ἀρχαῖος], and [ὁ Πλα]ρθενών, considered by P.G. Themelis to be the cella with the cult statue of Artemis and the *adyton* of the same building, respectively (ll. 3-4); (b) οἱ οἴκοι, identified with the nine dining rooms of the Π-shaped stoa, where the 99 state officials had the ritual meal every five years during the festival of Artemis *Brauronia* (l. 4); (c) the *Amphipoleion* and the

<sup>83</sup> J. Camp in *Agora* XXVIII 100; Stroud 1998, 99-100, fig. 6.

<sup>84</sup> See Stroud 1994 for a photograph and detailed commentary on his new readings at ll. 16-18 of *POxy* 2087; Stroud 1998, 90-91, 99-101 for the connection of the glossary with the topographical problem of the location of the *Aiakeion* in the Agora: according to him, information about trials taking place in the city was painted on the wall of the sanctuary of Aiakos, the hero known in literary tradition as a judge.

<sup>85</sup> Stroud 1998, 101-102.

<sup>86</sup> Themelis 2002, 112, who also published a photograph (illegible) of the entire stele. A first legible photograph of the inscription had already been published by J. Papadimitriou in 1963 (Papadimitriou1963).

*Hyperoa* above the *Amphipoleion*, still unidentified according to Themelis (ll. 4-5); (d) the *Gymnasium* and the *Palaistra*, which «should be looked for in the area to the East of the main sanctuary towards the sea» (ll. 5-6); (e) οἱ ἵππωνες, the stables for the horses, identified with the so-called *parastas*, the long narrow hall north to the Π-shaped stoa (l. 6)<sup>87</sup>. In addition, the architect responsible for the sanctuary had to go to the sanctuary whenever ordered by the *epistatai* to take care of the statue of the goddess and make any necessary repairs (ll. 15-17).

Although S.V. Tracy has suggested a date for the inscription «close to 200 or even a bit later» based on the lettering, other scholars rightly argue that the content indicates a 4th-century date<sup>88</sup>. They refer to the enactment of the *nomothetai* (ll. 8-9), attested until the 322/1, the *apodektai* (ll. 20-21), attested until the 323/2, and the treasurers of the Other Gods (ll. 9-10), not otherwise attested after the 340s. The latter may therefore serve as a *terminus ante quem* for the law.

As for the original placement of the stele, although the exact location is not preserved in the text, we can make some conjectures based on its content and its discovery in the northeast part of the Π-shaped stoa. If Themelis' identification of the stables for the "sacred" horses with the so-called *parastas* along the north side of the stoa is correct, and if the stele has not been reused, we could hypothesize that its original location was near one of the buildings which, according to the law, were to be inspected. Other *stelai* could be placed near other buildings mentioned in the law, similar to what I. Dragatsis proposed for the law on rebuilding the walls of Piraeus (see *infra*, § 4.3). However, even if this is not the case, it seems certain that the criterion followed for displaying the law was its content.

#### 4.3 The law on rebuilding the walls of Piraeus (ca. 337)

This stele was discovered in Piraeus in 1899, not *in situ* but reused as building material<sup>89</sup>. Richardson specified that it was found «face down in the entrance-way to a subterranean tunnel, and unrelated to any built structure» and that «today,

<sup>87</sup> Themelis 2002, especially 114-115.

<sup>88</sup> S.V. Tracy *ap.* Lambert 2012, 208 (= Lambert 2007, 80). Cf. Papadimitriou, who dated the provision between 300 and 200 (Papadimitriou 1963, 118). According to Themelis «on the evidence of its letter form the decree could be dated to the late 4th or early 3rd century B.C.» (Themelis 2002, 113, n. 32). For the 4th century date see: Rhodes 2013, 115, n. 85; <https://www.atticinscriptions.com/inscription/SEG/52104>, n. 1; Richardson 2021, 740, no. 10, who suggest a date «before 321 B.C.? i.e., before Antipater».

<sup>89</sup> See the *editio princeps* in Dragatsis 1900. The text was then reedited by Foucart 1902 (ll. 1-46) and Frickenhaus 1905 (ll. 14-29, 47-113). Cf. the annotated edition by Maier 1959, n. 10. Finally, Lambert 2012, 198-202 (= Lambert 2007, 74-77), who proposes a new beginning for this inscription.



*On the location of the inscribed Athenian nomoi*

the tunnel in which the stele was found is covered by buildings which also overlie remains of the fifth-century BC theatre in Mounychia in the city block framed by the streets Θεάτρου, Καραολή- Δημητρίου, Νεορίων, and Τσαμάδου»<sup>90</sup>. It contains two documents: a law enacted by the *nomothetai* regulating the repair of the walls around Eetioneia and the rest of Piraeus (ll. 1-46) and the *syngraphai* directing work on a single wall in Mounychia (ll. 47-113). Based on paleographic, prosopographic and historical factors, the inscription is dated to 337/6, when we know from the orators that a systematic program of fortification was carried out, including the circuits of Athens and Piraeus<sup>91</sup>. In Piraeus, Demosthenes played a leading role in this project as one of the ten officials elected to supervise the work on the fortification system<sup>92</sup>. Such a provision seems justified by the Athenian defeat at Chaironeia in the summer of 338. Immediately after the battle of Chaironeia, the Athenians took emergency measures consisting of digging ditches and building palisades. They then undertook a systematic fortification program which included the reconstruction of walls from scratch and the restoration of a round tower at Mounychia, probably to prevent further attacks with improved siege techniques and machinery<sup>93</sup>.

Since the preserved text does not contain a publication clause, various hypotheses have been formulated about its original location. I. Dragatsis, the first editor of the stele, suggested that it was placed near the wall of Mounychia, which was in need of repair, just as other *stelai* referring to other parts of the walls had to be placed in the corresponding locations<sup>94</sup>. In contrast, by emphasizing the role of the intended audience in determining the original location of the inscribed laws, Richardson has suggested that it was originally located in the quarry where the stone for the walls was to be extracted. According to her, the intended audience of the law were the two groups of *misthosamenoι* involved in the works described in the *syngraphai*: the men under contract for cutting the stone for the walls (οἱ μισθωσάμενοι τὰς τομάς τῶν λίθων ἐπὶ τὰ τείχη), charged also with cleaning, hewing and transporting the stones to the worksite, and the men under contract for the work (οἱ τὴν ἐργασίαν μισθωσάμενοι), responsible for supervising the first group. In her opinion, the law should be placed in a quarry where the *lithotomoi* could consult it while working. In particular, she considered the cave on the hill of Prophitis Ilias, in a cavity with a flat floor, whose dimensions she

<sup>90</sup> Richardson 2000, 601.

<sup>91</sup> Cornwell 2008, 136-138, especially nn. 33-34 for the different positions of earlier scholars.

<sup>92</sup> Cornwell 2008, 134-135.

<sup>93</sup> Cornwell 2008, 139-141.

<sup>94</sup> Dragatsis 1900, 100, where there are no further details about the wall in question at Mounychia. Cf. Richardson 2000, 602, who suggests identifying it with a section of the fortification recorded in 1843 north of the underground quarry where the stele was discovered.

considered suitable for placing the stele of *IG II<sup>3</sup>*, 1 429 (h. 0.80, w. 0.54, th. 0.125-0.13). She has not ruled out the possibility that other copies of the law were erected elsewhere in Piraeus, alongside other defensive structures in need of repair<sup>95</sup>. Lambert, on the other hand, has proposed a more convincing solution for the original display in Piraeus by closely examining the physical characteristics of the stele. The autopsy of the stone led him first to suggest that the stele had been cut down for reuse not only at the bottom and right, but also at the top, where the cut is too close to the first inscribed line. Then, assuming four columns for the *syngraphai* and 111 lines of letters for the law, he has noted that a stele with a width comparable to its height would not fit into the niche in a rock face at Prophitis Ilias. It would only accommodate the preserved width of the stele (0.54 m), not the original one (more than 1 m). Furthermore, he has correctly noted that the smooth back of the stone indicates that it was displayed in such a way that it could be seen from all sides, rather than against a rocky wall. Consequently, based on these arguments, he has proposed an original location in the theater adjacent to the site of the stele, a public place considered more suitable for the placement of laws and decrees than a seldom-visited workplace<sup>96</sup>. Finally, considering that the *syngraphai* provided only a general description of the repair work, with specific details – such as the places from which the blocks were cut and their dimensions (ll. 49-54) – to be included in the individual contracts of the workers, Carusi has suggested that the purpose of the law was to emphasize the financial and organizational burden of the *polis* in defense matters after the battle of Chaironeia, rather than to provide practical instructions to the workers. The stele should be placed in a public place in Mounychia, where it could be seen by as many people as possible. Similar to Dragatsis, she has proposed an original display of several *stelai* with the law and the *syngraphai* next to each section of the fortification to be restored<sup>97</sup>. Both the theater at Mounychia and the fortification wall mentioned in the *syngraphai* are potential exhibition sites for this stele. Unfortunately, due to its multiple reuses, its findspot cannot be used as a decisive element in determining its original site of exhibition. However, based on the studies of Lambert and Carusi, the original dimensions of the stone and the intention of publishing the law appear clearer, both of which lead us to definitively exclude its original location in a cave.

<sup>95</sup> Richardson 2000, 603-607.

<sup>96</sup> Lambert 2012, 202 (= Lambert 2007, 76-77).

<sup>97</sup> Carusi 2010, 216-219, especially n. 10. That the urban fortifications were divided into sectors, probably in order to organise their construction and manage their ordinary maintenance, see Marchiandi 2019.

#### 4.4 The law of Aristonikos on the Lesser *Panathenaia* (ca. 335-330)

This law is inscribed on a stele of which two fragments of Pentelic marble have been preserved. The first, fr. a, was brought to the Agora by a taxi driver who found it by chance near Evangelistria Street (Judeich I G 3-4). It is broken on all sides, except for the rough-picked back and the top, where part of a double flat moulding is preserved. The second fragment, fr. b, was found in 1842 during Pittakis' excavations on the Acropolis in the *Propylaea*, near the Pedestal of Agrippa. It is broken all around except for the right side up to l. 24. Although there is no physical connection between the two fragments, D.M. Lewis considered them to be part of the same stele based on content, lettering and spacing<sup>98</sup>. The text inscribed on this stele concerns the financing and organisation of the Lesser *Panathenaia* (Παναθήναια τὰ Μικρά) in ca. 335-330, *i.e.* in the Lykourgan years<sup>99</sup>. Specifically, fr. a contains a law providing for the leasing of a land called *Nea*, perhaps in Oropos, while fr. b contains a decree of the *demos* allocating the income from the land to finance sacrifices for the festival. It mentions a sacrifice of two [sheep?] to Athena *Hygieia* in the [ancient temple?] and requires that all the cows acquired with the forty-one *minai* from the lease of the *Nea* be sacrificed on the altar of Athena *Polias*, with one selected from the most beautiful cows to be offered to Athena *Nike*<sup>100</sup>. Although neither of these provisions contains the publication clause, the content and location of fr. B suggest that its original location was probably somewhere on the Acropolis. According to D. Knoepfler, the stele may have originally been located in the area between the *Propylaea* and the *Erechtheion*, where he believes the double sacrifices described in the first part of the decree took place. He has also suggested that the purpose of the decree was not to introduce new sacrifices or reform an old ceremony, but to add a new source of income to the traditional one in order to make it ὡς ἄριστα (l. 29) or at least to ensure its financing in the future, since after the dissolution of the Second Athenian League Athens could only count on itself to provide animals for sacrifice. The second set of sacrifices should be identified with the traditional *hekatombe*

<sup>98</sup> Lewis 1959; Schwenk 1985, 81-94; Rhodes - Osborne 2003, 396-402; Lambert 2012, 82-85 (= Lambert 2005, 145-147).

<sup>99</sup> The approximate date of the inscription can be deduced from the name of the proposer of the law (ll. 3-4), Aristonikos, son of Aristoteles of Marathon, colleague of Lykourgos in 335/4, as we can deduce from *IG II<sup>2</sup> 1623*, ll. 280-283 (see Lewis 1959, 241; cf. Rhodes - Osborne 2003, 400). The content of the provisions concerning the financing and organisation of the Lesser *Panathenaia* also seems to refer to the increasing interest in religious matters during the Lykourgan era (Parker 1996, 242-255). On the date, see most recently Knoepfler 2016, 187-195.

<sup>100</sup> On the *Nea* see, recently, Langdon 2016; on the two preliminary sacrifices and the integration [ἄρνες] at l. 35 see Knoepfler 2016, 158-167.

of the *Panathenaia*<sup>101</sup>. If this is the case, a more appropriate location for the stele containing the law and the decree might be the area of the “great altar of Athena” mentioned in the inscription at ll. 45-46 and believed to be the site of the *hekatombe*. It has been suggested that it was located 17 metres east of the Dörpfeld foundations, but there is no strong archaeological evidence for this<sup>102</sup>. For this reason, we cannot go any further in identifying the exact location of the exhibition on the acropolis of IG II<sup>3</sup>, 1 447. However, given the provision of funds for the sacrifices to Athena *Polias* and Athena *Nike* during the *Panathenaia*, this stele seems to have been exhibited on the *plateau* for the same reason as IG II<sup>3</sup>, 1 445: to highlight the financial efforts of the *polis* in religious matters during the time of Lykourgos, especially in relation to the most significant festival of Athens, whose sacrifices were made on the Acropolis.

### 5. Conclusions

The decision to display the *nomoi* in the Stoa *Basileios* at the end of the 5th century was the result of a specific historical moment that had led to a comprehensive legislative reform, including both the legislative procedure and the revision of the law code. At that time, all laws, regardless of their content or audience, had to be displayed at the official seat of the Archon *Basileus*, for the sole purpose of being classified as laws. Later, when the entire body of laws was revised and engraved in marble, the historical and practical conditions for displaying laws in the Royal Portico ceased to exist, and new criteria for their publication emerged. As previously noted by Richardson, the new criteria were the content of the provisions and their intended audience. However, a detailed study of all the laws has revealed that in certain cases the two criteria can be mutually exclusive. For instance, laws that needed to convey a message to a particular group of people were placed where that group could easily consult them, prioritizing accessibility over visibility or association with other provisions of similar content. Examples include the law of Nikophon on the *dokimastes*, which was placed near the two approvers of silver coinage for easy reference by merchants and shipowners, rather than in the most visible areas of the Agora and Piraeus. Similarly, the law of Eukrates against tyranny was not displayed where all Athenian citizens could see it at all times, but rather in places accessible to members of the Areopagus and the *Ekklesia*. The law on the Eleusinian *aparche* was not placed in a sanctuary next

<sup>101</sup> Knoepfler 2016, 168-180. See Lambert 2018, 122-124 on the interpretation of what he sees as a ritual innovation «as containing a retrospective paideutic intentionality», recalling the power of the mid-5th century and the early years of the Peloponnesian War.

<sup>102</sup> On the great altar of Athena *Polias*, see Monaco 2010, 127-128, with previous bibliography.

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to other measures on Eleusinian matters, but presumably where members of the *Boule* could read it.

On the other hand, other laws were published to demonstrate to the citizens that the Athenian state had adopted certain regulations. These laws were therefore displayed in public places with high visibility in terms of their content, but they were not specifically addressed to a selected audience. Examples includes the two laws with *syngraphai* on the Agora and in Piraeus, the two Lykourgan laws on the Acropolis, and the law on the sanctuary of Artemis at Brauron. In particular, the law on the repair of walls in Piraeus has shown that the location could vary considerably depending on the reason for the provision and that the two criteria of intended audience and content did not always lead to unambiguous solutions.

Therefore, without a significant historical event like the legislative reform of the late 5th century, each law should be examined individually before being placed in the urban space, by taking into account its historical background and the intimate reasons for its promulgation.

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### Abstract

Alla fine del V secolo a.C., in seguito a una riforma legislativa, la Stoa *Basileios* divenne uno spazio simbolico destinato a ospitare tutte le leggi ateniesi. Nel IV secolo il portico perse il suo significato ideologico e i criteri per l'esposizione dei *nomoi* cambiarono. Lo scopo di questo lavoro è quello di analizzare sistematicamente i *nomoi* di IV secolo al fine di comprendere le nuove ragioni seguite per la loro pubblicazione nello spazio urbano. Uno studio di questo tipo si basa sul pionieristico lavoro condotto nel 2000 da M. Richardson, che riconobbe nel contenuto delle leggi e nel pubblico da raggiungere i due nuovi criteri seguiti per la scelta dei luoghi di esposizione. Benché questa osservazione sia vera, un esame più attento di ciascun *nomos*, con particolare attenzione al contenuto, al luogo di ritrovamento nonché al contesto storico di riferimento, rivela che i due criteri possono avere implicazioni diverse per la scelta del luogo di esposizione nello spazio pubblico e possono persino escludersi a vicenda.

In the late 5th cent. BCE, after a legislative reform, the Stoa *Basileios* became a symbolic space to house all the Athenian laws. In the 4th cent., the portico lost its ideological significance and the criteria for displaying *nomoi* shifted. The purpose of this paper is to systematically analyze the 4th-cent. laws to gain an understanding of the new motivations behind their publication in the urban space. Such a study builds on the groundbreaking work of M. Richardson (2000), who identified two primary criteria that influenced the choice of display locations: the content of the laws and the intended audience. While this observation remains valid, a more detailed analysis of each *nomos*, focusing on its content, findspot, and historical context, reveals that the two criteria may have different implications for the choice of exhibition sites in public space, and may even be mutually exclusive.