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SLOBODAN DUŠANIĆ

The ὄρκιον τῶν οἰκιστῆρων and Fourth-century Cyrene

As is well known, the document discussed in the present article was cited in the sequel to a fourth-century Cyrenean decree;¹ the texts of both are reproduced here in the form given by R. MEIGGS and D. LEWIS, *A Selection of Greek Historical Inscriptions*, Oxford 1969, no. 5:²

Θεός. τύχα ἀγαθά

Δᾶμις Βαθυκλεῦς ἦιπε· περι ὄν λέγοντι τοῖ Θηραῖο[ι]
Κλευδάμας Εὐθυκλεῦς, ὅπως ἅ πόλις ὀρθῶται καὶ ὁ δ[ᾶ]-
μος εὐτυχηῖ ὁ Κυραναίων, ἀποδόμην τοῖς Θηραῖοις τ-
5 ἄμ πολιτήμαν κατὰ τὰ πάτρια, τὰ οἱ πρόγονοι ἐποιήσαν-
το, οἱ τε Κυράναγ κα[τῶ]ικιξαν Θήραθε καὶ οἱ ἐν Θήραι [μέ]-
νοντες, καθὼς Ἐπόλλων ἔδωκε Βάπτωι καὶ τοῖς Θηρα[ί]-
οις τοῖς κατοικίξασι Κυράναν εὐτυχὲν ἐμμένοντας το[ῖς]
ὄρκιοις, τὰ οἱ πρόγονοι ἐποιήσαντο αὐτοὶ ποτ' αὐτός, ὅκα

* A short version of this paper was read at the Seventh International Congress of Greek and Latin Epigraphy at Constantza.

¹ I have not seen the stone, which is preserved in the Museum of Cyrene. The main editions are: G. OLIVERIO, *RFIC* 56, 1928, 222–232, T. X–XII (SEG 9, 3); F. CHAMOUX, *Cyrene sous la monarchie des Battiades*, Paris 1953, 105 f.; MEIGGS – LEWIS, *GHI* 5; S. FERRI, *Abh. Ak. Berlin, Phil.-hist. Kl.* 1925, no. 5, 19–24, T. II 2 (*editio princeps*). – Cf. U. VON WILAMOWITZ-MOELLENDORFF, *ib.* 38–40; A. FERRABINO, *RFIC* 56, 1928, 250–254; S. FERRI, *Historia* 3, 1929, 289–396; S. A. ŽEBEL'EV, *C. R. Ac. URSS* 1929, 429; AD. WILHELM, *Griechische Inschriften rechtlichen Inhalts*, Athenae 1951, 5–7; A. J. GRAHAM, *JHS* 80, 1960, 94–111; L. H. JEFFERY, *Historia* 10, 1961, 139–147; J. SEIBERT, *Metropolis und Apoikie*, Diss. Würzburg 1963, 9–67; A. J. GRAHAM, *Colony and Mother City in Ancient Greece*, Manchester 1964, 27. 40. 224–226; J. H. OLIVER, *Greek, Roman and Byzantine Studies* 7, 1966, 25–29; V. P. YAILENKO, *Vestnik drevnei istorii* 1973, no. 2, 43–57. 68; W. GAWANTKA, *Isopolitie*, München 1975, 101–111. – Some minor contributions, which are not of immediate interest for the historical problems analyzed here, are omitted from this list.

² Cf. *ib.* 6 f.: «Our text, like other recent texts, depends heavily on Oliverio, *RF LVI* (1928) 224 f., but since he read letters not seen by others before or since, some caution is necessary. We have had the benefit of notes by P. M. Fraser and have underlined readings of importance which depend solely on Oliverio; these should probably rank higher than mere restorations (cf. Fraser, *Berytus*, XII, 1956–8, 120 ff.).» – Following that in MEIGGS' and LEWIS' *GHI* no. 5, my *apparatus criticus* is reduced to the variants of importance; for the earlier history of the text see OLIVERIO's edition.

10 τὰν ἀποικίαν ἀπέστελλον κατὰ τὰν ἐπίταξιν τῷ Ἀπό[λ]-
λωνος τῷ Ἀρχαγέτα· ἀγαθὰί τύχαι, δεδόχθαι τῷ δάμου[ι],
καταμείγαι Θηραίοις ἴσαμ πολιτήϊαν καὶ ἐγ Κυράναι κ[α]-
τὰ αὐτὰ· ποιείσθαι δὲ πάντας Θηραίους τὸς ἐπιδημέ[ον]-
15 τας ἐγ Κυράναι τὸν αὐτὸν ὄρκον ὅμπερ τοὶ ἄλλοι ποτ-
ἐ διώρρωσαν· καὶ καταστᾶμεν ἐς φυλὰν καὶ πάτραν ἕς θε
ἐννήη ἐταιρήας· καταγράφεν δὲ τότε τὸ ψάφισμα ἐν στάλ[αν]
λυγδίαν, θέμεν τὰν στάλαν ἐς τὸ ἱερὸν πατρῷον τῷ
Ἀπόλλωνος τῷ Πυθίῳ, καταγράφεν καὶ τὸ ὄρκιον ἐς τὰν στάλ[αν],
τὸ οἱ οἰκιστήρης ἐποιήσαντο καταπλεύσαντες Λιβύανδε [σῦ]-
20 μ Βάττωι Θήραθεν Κυράνανδε. τὸ κα ἀνάλωμα τὸ δέμη ἐς τ[ὸν λ]-
ᾶον ἢ ἐς τὰν καταγραφάν, οἱ ἐπιστάντες ἐπὶ τὸς ἀπολόγους [κο]-
μισάσθων ἀπὸ τῶν Ἀπόλλωνος προσόδων. *vacat*

Ὅρκιον τῶν οἰκιστήρων.

[Ἔ]δοξε ταῖ ἐκκλησίαι· ἐπεὶ Ἀπόλλων αὐτομάτιξεν Β[άτ]-
25 τωι καὶ Θηραίοις ἀποι[κίξαι] Κυράναν, ὀριστὸν δοκεῖ Θη[ραί]-
[οις] ἀποπέμπεν ἐς τὰν [Λιβ]ύαν Βάττωι μὲν ἀρχαγέτα[ν]
[τ]ε καὶ βασιλῆα, ἐταίρους δὲ τοὺς Θηραίους πλέν· ἐπὶ ταῖ ἴσα[ι κ]-
αὶ ταῖ ὁμοίαι πλέν κατὰ τὸν ὄρκον, υἰὸν δὲ ἕνα καταλ[έ]-
γεσθαί. ΤΟΣΔΕΒΛΟ [-c. 7-] καὶ τοὺς ἡβῶντας καὶ τῶν [ἄλ]-
30 [λ]ων Θηραίων ἐλευθέρους, [ὄ κα λῆι], πλέν. αἱ μὲν δὲ κα κατέχ[ων]-
τι τὰν οἰκίαν οἱ ἀποικοί, τῶν οἰκειῶν τὸν καταπλέον[τα]
ὑστερον εἰς Λιβύαν καὶ πολιτήϊας καὶ τιμᾶμ πεδέχ[εν]
καὶ γὰς τὰς ἀδεσπότηω ἀπολαγγάγεν· αἱ δὲ κα μὴ κατ[έχ]-
ωντι τὰν οἰκίαν μὴδὲ οἱ Θηραῖοί μιν δυνῶνται ἐπικοιν[ρέ]-
35 ν, ἀλλὰ ἀνάγκαι ἀχθῶντι ἔτη ἐπὶ πέντε, ἐκ τὰς γὰς ἀπίμ[εν]
ἀδιέως Θήρανδε ἐπὶ τὰ αὐτῶν χρήματα καὶ ἡμεμ πολιάτ-
ας. ὁ δὲ κα μὴ λῆι πλέν ἀποστελλοίσας τὰς πόλιος, θανά[σι]-
μος τένται καὶ τὰ χρήματα ἔστω αὐτοῦ δαμόσια. ὁ δὲ ἀπ-
οδεκόμενος ἢ ἀδήϊζων ἢ πατῆρ υἰὸν ἢ ἀδελφεὸς ἀδελ-
40 φερὸν παισεῖται ἄπερ ὁ μὴ λέων πλέν. ἐπὶ τούτοις ὄρκια ἐπ-
οιήσαντο οἱ τε αὐτεῖ μένοντες καὶ οἱ πλέοντες οἰκίξοντε-
ς καὶ ἀρὰς ἐποιήσαντο τὸς ταῦτα παρβεῶντας καὶ μὴ ἐμ-
μένοντας ἢ τῶν ἐλ Λιβύαι οἰκεόντων ἢ τῶν αὐτεῖ μεν-
όντων. κηρίνος πλάσαντες κολοσὸς κατέκαιον ἐπα-
45 ρεώμενοι πάντες συνενθόντες καὶ ἄνδρες καὶ γυναῖκ-
ες καὶ παῖδες καὶ παιδίσκαι· τὸμ μὴ ἐμμένοντα τούτοις
τοῖς ὄρκιοις ἀλλὰ παρβεῶντα καταλείβεσθαί νιν καὶ κα-
ταρρὲν ὥσπερ τὸς κολοσὸς, καὶ αὐτὸν καὶ γόνον καὶ χρή-
ματα, τοῖς δὲ ἐμμένουσιν τούτοις τοῖς ὄρκιοις καὶ τοῖς
50 πλέοισι ἐλ Λιβύαν κ[αί] τ[οῖς μέ]νοισι ἐν Θήραι ἦμεν πολλ-
ὰ καὶ ἀγαθὰ καὶ αὐ[τοῖς καὶ γό]νοισ.

2 fin. <καί> *plerique*. 11 [τῷ ἐν Δελφοῖς] FERRI. 12 καταγεῖμαι WILAMOWITZ. 20 Θήραθε *edd., corr.* FRASER. 28–30 καταλ[έ]γεσθαί τ[ε ἀπὸ τῶν χώρων ἀπάντων] τοὺς ἡβῶντας, καὶ τῶν [ἄλ|λ]ων Θηραίων ἐλευθέρους, [ὄ κα λῆι], πλὴν OLIVERIO; καταλ[έ]γεσθαί τ[ῷ οἴκῳ ἐκάστῳ, πλὴν δὲ] τοὺς ἡβῶντας WILHELM; καταλ[έ]γεσθαί τῷ[ν δὲ ἀστῶν πλὴν (*vel* περιοίκων) ἐκατὸν] τοὺς ἡβῶντας καὶ τῶν [ἄλ|λ?]ων Θηραίων ἐλευθέρους ἐκατὸν πλὴν JEFFERY (cf. Bull. ép. 1962, 364); καταλ[έ]γεσθαί τῷ[οἴκῳ ἐκάστῳ, ἐκατὸν αὐ]τούς, ἡβῶντας, καὶ τῶν [ἄλ|λ]ων Θηραίων ἐλευθέρους [ὄ κα λῆι] πλὴν OLIVER (cf. Bull. ép. 1967, 677). All these restorations conflict with FRASER's reading of l. 29 med.,³ and must be set aside, like YAILENKO's suggestion τὸς δὲ ἐλ[ευθέρους υἱὸς] καὶ τοὺς ἡβῶντας καὶ τῶν [χώρ]ων Θηραίων ἐλευθέρους [ἄνδρας] πλὴν, which i. a. does not take into account the rest of a round letter seen by FRASER after Δ (ἐλ[θόντας υἱός]? A. G. WOODHEAD, *apud* YAILENKO). Perhaps τὸς δὲ ἐνο[μεόντας] (see below, text to notes 89–91). 30 δὲ *del.* SEIBERT. 33 ἀδ[ά]στῳ WILAMOWITZ. 35 ἀχθῶντι, SEIBERT, replacing the comma which is generally put after πέντε.

I

The authenticity of the *ὄρκιον*, denied by its first editors and commentators, has been defended, with some qualifications, by several scholars (A. J. GRAHAM, L. J. JEFFERY, J. SEIBERT, V. P. YAILENKO) and accepted in such an authoritative publication as MEIGGS – LEWIS, *Greek Historical Inscriptions*.⁴ The editors of the selection, commenting upon that matter, stated that «we are faced with a problem of distinguishing between authenticity of form and authenticity of content similar to that we meet in the Decree of Themistocles». Their conclusion that the content of the *horkion* is genuine and the form partially modified through «a long and complex moulding» of the original seventh-century document well summarizes the prevailing attitude as to this most interesting text.⁵ Our understanding of the *horkion* undoubtedly owes much to the analyses which sought to establish its genuineness – especially to GRAHAM's fine study of 1960 – but the thesis of its being apocryphal still remains uncontroverted.

Though it is difficult, when discussing the authenticity of a text, to separate

³ Professor P. M. FRASER has been so kind as to examine for me his squeeze of the inscription. He has found that «the space between ΤΟΞ and ΤΟΥΞ is about 15 letters» and, the middle of the line being «quite illegible» on the squeeze, that the letters as printed in MEIGGS and LEWIS cannot be improved on (cf. below, note 91).

⁴ Op. cit., pp. 8 f.

⁵ See, beside the works of GRAHAM, JEFFERY, SEIBERT (who accepts as genuine the lines 26–31, 34–44, 49–51), OLIVER, YAILENKO (who accepts only the lines 26–30, 37–40), and GAWANTKA, cited in my note 1, also H. VOLKMANN, *Der Kleine Pauly* 3 (1969) 410; A. J. GRAHAM – B. H. WARMINGTON, *Oxford Class. Dict.*² (1970) 307; R. WERNER, *Chiron* 1, 1971, 63 n. 149; R. J. LITTMAN, *The Greek Experiment*, London 1974, 60, et al. – An important exception is H. BENGTSOHN's *Griechische Geschichte*,⁵ München 1977, 99 f. with n. 8 («nicht authentisch»).

the formal aspect from that relating to its content,⁶ it would not be impossible, perhaps, to accept the seventh-century origin of the *horkion*, notwithstanding some later traits in its style⁷ and vocabulary⁸ and two of its factual anachronisms, Κυράναν (l. 25) and Βάτρον (ll. 24 f., cf. 26); instead of these latter, the original document would have given, certainly, Libya⁹ and, probably, Aristoteles (or even Grinnus)¹⁰ as emphasized by A. FERRABINO and F. VON HILLER,¹¹ and repeated by many others. For, some modernizing of the decree's language could be expected to have taken place in the times preceding its reproduction in the fourth century,¹² and, on the other hand, the historically scrupulous precision as to the destination of the colony and the name of its oecist may not have been considered indispensable.¹³ The institutions and circumstances alluded to in the text, however, present quite a different case.

Admittedly, an analysis of the realities reflected in the *horkion* is made rather complex by the virtual absence of comparative documentary material dating from the latter part of the seventh century,¹⁴ the epoch of the founding of Cyrene (c. 630 B. C.).¹⁵ But our knowledge of the archaic Greek society and, more specifically, the Dorian one, is sufficient to show that several elements in the content of the document are incompatible with a seventh-century situation, viz. (1) ἐκκλησία, l. 24, (2) ἐπὶ ταῖς ἴσα[ι κ]αὶ ταῖς ὁμοίαι, ll. 27 f., (3) the qualification τῶν [ἄλλ]ων Θηραίων ἐλευθέρου, ll. 29 f., (4) πολιτείας . . . πεδέχ[εν], l. 32, (5) the clause on the ἔτη πέντε, ll. 33–37, (6) χρήματα ἔστω . . . δαμόσια, l. 38, and (7) the ἀραί, ll. 40 ff.¹⁶ Except for (3) and (6) all of these were pointed out in the previous research,¹⁷ though the scholars who are inclined to dismiss

⁶ Against the notion of «relative authenticity» (which, in the present case, correlates with SEIBERT's distinction between the «Echtheit» and «Authentizität» of a document [op. cit., 231]) see e. g. J. et L. ROBERT, Bull. ép. 1969, 243.

⁷ Which is, generally, more developed than it is expected in a seventh-century inscription. See below, III.

⁸ Notably, the formulae with [ἐ]δοξε (l. 24), ἐπεὶ (l. 25) and ὀριστὸν δοκεῖ (l. 26), and the words ἀδέσποτος (l. 34) and θανά[σι]μος (l. 38), are unlikely to have been in usage before the fourth century. Cf. GRAHAM, loc. cit., 103–109; SEIBERT, op. cit., 24 ff.

⁹ Cf. Hdt. 4, 153. 156.

¹⁰ Cf. Pind. Pyth. 5, 87; Hdt. 4, 150. 155.

¹¹ FERRABINO, loc. cit., 250; v. HILLER, RE 5 A (1934) 2292 f.

¹² GRAHAM, loc. cit., 110, adduces the Great Rhetra as an «illuminating parallel» in that connection.

¹³ Cf. for the analogous simplification Hdt. 4, 153 (Battus) and 156, 2 (Battus and Cyrene).

¹⁴ Cf. GRAHAM, loc. cit., 95 («the obvious and normal arguments from analogy are denied to scholars»), 103.

¹⁵ CHAMOUX, op. cit., 120 ff. (p. 124: «aux environs de 631 av. J.-C.»; the first departure of the colonists fell c. 639).

¹⁶ I omit the points whose authenticity cannot as yet be refuted with certainty (such as the provision of ll. 37 f.: θανά[σι]μος τένται).

¹⁷ See for (1) WILAMOWITZ, loc. cit., 39, and SEIBERT, op. cit., 26 ff.; for (2), the reserves

the whole of the document as a forgery have never subjected it to systematic criticism. Their opponents, on the other hand, have found the doubts as to the genuineness of the points just listed either unnecessary or irrelevant to the kernel of the problem, being allegedly concerned with those parts of the text which belong to a later re-edition of the Theraean decree, not its original redaction.¹⁸ A brief reconsideration of these questions cannot be avoided, therefore.

(1) It is impossible to adhere to the popular view that the sanction formula ἄδ' ἔφαθε πόλι of the Dreros inscription (roughly contemporary with the foundation of Cyrene)¹⁹ provides a satisfactory parallel for the *horkion's* [ἔ]δοξε τῷ ἐκκλησίαι, a parallel which opens up the possibility of admitting, if not proving, the authenticity of l. 24 of the Cyrenean document. The *polis* of the Dreros law naturally means the whole community, of which the assembly represented neither the only nor the most important organ. The idea of identifying the πόλι with τοῖς Δρηροίοις as representing the assembly of the citizens²⁰ is anachronistic; such a degree of political cohesion could not have been attained as yet in archaic Greece,²¹ and the seventh-century Theraeans must have been a compound wherein the assembly had, beside and above itself, the king²² and a council of some sort.²³ This may be seen rather clearly from the Lycurgan Rhetra, which speaks first of the tribal units of the community, next of its *gerousia* and the kings, and then only of the *apella*.²⁴

(2) As GRAHAM has already put it, the phrase *on fair and equal terms*²⁵ «raises the questions whether this equality is in place in a colonial expedition of the seventh century and whether this formula would have been used to express it». That scholar inclines to the affirmative answer on both the questions, though he frankly admits that there is «no evidence from early colonies which shows that lots were equal». In my opinion, evidence of that kind is quite unlikely to appear

of GRAHAM, loc. cit., 108; for (4), SEIBERT, op. cit., 38–43, and YAILENKO, loc. cit., 51 f.; for (5), SEIBERT, op. cit., 45–49, and YAILENKO, loc. cit., 52; for (7), the critical remarks by A. D. NOCK, Archiv f. Religionswiss. 24, 1926, 172 f., GAWANKA, op. cit., 102 ff., and SEIBERT, op. cit., 51 ff.

¹⁸ See GRAHAM, loc. cit., 104 f. (on [1]), 106 ([4]), 108 ([2]), 109 ([7]); SEIBERT, op. cit., 35 f. ([2]); MEIGGS–LEWIS, op. cit., p. 8 ([5] and [7]); YAILENKO, loc. cit., 55 ff. ([3]), 57 ([2]).

¹⁹ MEIGGS–LEWIS, GHI 2, ll. 1 f.

²⁰ GRAHAM, loc. cit., 105, referring to P. DEMARGNE – H. VAN EFFENTERRE, BCH 61, 1937, 342.

²¹ Cf. V. EHRENBURG, Polis und Imperium, Zürich–Stuttgart 1965, 98 f.; M. WÖRRLE, Gnomon 1967, 521.

²² CHAMOIX, op. cit., 110, stresses justly the absence of a reference to the Theraean ruler in the context.

²³ Ib. 214.

²⁴ Plut. Lyc. 6. Cf. EHRENBURG, op. cit., 170 f.

²⁵ Its earliest attestation known so far is Inscr. Cret. 4, 72, l. 2 (c. 450 B. C.).

in any pre-democratic polis (and both Thera and Cyrene must have been virtually such until the later sixth century if not longer²⁶) for the lots of at least the king²⁷ and the nobles²⁸ must have been greater than the other lots and, on the social level, some of the differences existing in the mother city should have been retained, like those between the ἀστοί and περίοικοι in the case of Thera and Cyrene.²⁹

(3) The anachronism of the expression τῶν [ἄλλ]ων Θηραίων ἐλευθέρου might seem to concern the terminology of the document more than its institutional essence if it did not go together with other anachronisms of a political character (cf. below, II) dealt with under my entries (1), (2) and (6). Namely, the mention of the <free Theraeans> implies the occurrence of some <unfree Theraeans>; that notion, whether referring to the slaves or the serfs would have sounded contradictory in the seventh century as the unfree could not have been labelled Theraeans at all, regardless of the place where they lived. The expression probably alluded to the Theraean perioeci (cf. the restoration of l. 29 offered here, II) and even they, strictly taken, were not Theraeans; no wonder that Herodotus calls the (descendants of the) Theraean *astoi* and (of) the inhabitants of their perioecis simply Θηραῖοι καὶ περίοικοι.³⁰

(4) The concept of πολιτεία is abstract enough to be hardly compatible with the archaic society. We should not regard its being attested for the first time in Herodotus (9, 34) as a mere chance³¹ – one would otherwise expect to find it, perhaps, in Solon's poems – for its birth or, better, its evolution toward the abstract meaning of <citizenship> obviously had something to do with the age of the sophists.³² There is, in the epigraphical field, a clear sign of the modernity of that notion:³³ Greek formulae for the award of citizenship had read εἶναι αὐτὸν Ἀθηναῖον (or another ethnic) – a variant term has been εἶναι αὐτὸν πολίτην – down

²⁶ Cf. Aristot. Pol. 4, 3, p. 1290 b12.

²⁷ For the Battiad τεμένη (comparable to the τεμένη of the Spartan kings) see Hdt. 4, 161.

²⁸ Corresponding to the Spartans centred at *gerousia* (EHRENBERG, op. cit., 213); that these possessed more than simple *kleroi* is a natural assumption (ib. 181). – Cf. the occurrence of *gamoroi* in (early) Syracuse (Hdt. 7, 155), another Dorian colony.

²⁹ See the next note. – In some colonies (e. g. Leontini), the social discrimination provoked political struggles and the rise of tyranny not later than the beginning of the sixth century.

³⁰ 4, 161 (cf. JEFFERY, loc. cit., 142 f., for a conclusive interpretation of that controversial passage). – An analogous distinction may be observed between the *Spartiatai* and their *perioikoi* (EHRENBERG, op. cit., 188 f. 216 f.).

³¹ Thus GRAHAM, loc. cit., 106.

³² Cf. F. JACOBY, FGrHist 328 F 119 comm. (p. 474 with n. 49).

³³ Duly pointed out by SEIBERT, op. cit., 41. That scholar also reminds us that it would be illogical for an oligarchical metropolis to plan a colony whose citizens would all have a share in the τιμᾶ.

to a rather late date (in the thirties or twenties of the third century, for Athens) when it was superseded by the δέδοσθαι αὐτῶι πολιτείαν.³⁴

(5) To judge from the sacral character of the Theraeans undertaking of c. 639 as described by Herodotus³⁵ – something close to a *ver sacrum* expedition³⁶ – it is difficult to believe that any possibility of the colonists' return was foreseen.³⁷ The rough reaction of the metropolis to their actual attempt to do so (shortly after their first arrival in Libya) seems to corroborate such a conclusion.³⁸ No satisfactory parallel for the clause in the lines 33 ff. of the *horkion* may be found in the Eastern Locrians' law relative to the Locrian settlement at Naupactus (?),³⁹ for the latter, issued under more favourable conditions and at a later date, posits no time limit for the return of the ἐπίΦοικοι. In fact, the term of five years prescribed in l. 35, suspect in itself, seems to have been tendentiously chosen to justify the Theraean refusal mentioned by Herodotus, 4, 156, to accept their colonists after the initial failure.⁴¹ The same conciliatory tendency appears in ll. 34 f., μηδὲ οἱ Θηραῖοί μιν δυνῶνται ἐπικου[ρέ]ν, where some help of the mother city to the future Cyreneans is promised, which, in reality, has neither been recorded nor is likely to have taken place under the circumstances.⁴²

(6) There is a reason to contest the authenticity of the confiscation formula too.⁴³ It remains uncertain whether the adjective δαμόσιος could have been employed at such an early date to denote something belonging to the whole polis – for instance, we do not know whether the Spartan *damos* was held a broad enough notion to include the Spartan *gerousia* or not⁴⁴ – but it is beyond any

³⁴ M. J. OSBORNE, BSA 67, 1972, 144–157.

³⁵ The detail on the representation by families (4, 153: ἀδελφεὸν τε ἀπ' ἀδελφεοῦ [emended ἀδελφεῶν by LEGRAND, ἀ(ντ)' ἀδελφεοῦ by WILHELM]) is especially characteristic in this respect.

³⁶ Cf. P. ROUSSEL, REG 49, 1936, p. XLII; YAILENKO, loc. cit., 54. Though the custom has something typically Italian, there is no need to doubt (with W. EISENHUT, RE 8 A, 1955, 911 f.) the existence of its Greek counterpart.

³⁷ Be it noted that the unusual αἰ μὲν δὲ κα (instead of αἰ μὲν κα), l. 30, suggests that the lines 30–31 must have represented a secondary insertion made with a (cursory) reference to the parallel clause in ll. 33 f. (SEIBERT, op. cit., 44). That circumstance, if not fatal for the hypothesis of authenticity of ll. 33 f., tends to lower our confidence in the scrupulosity of the redactor, rather than the engraver, of the document.

³⁸ Hdt. 4, 156. Cf. FERRI, loc. cit., 20 with n. 2; YAILENKO, loc. cit., 68.

³⁹ Adduced by MEIGGS and LEWIS ad loc.

⁴⁰ Ib. no. 20 («[?] 500–475 B. C.»), ll. 6 ff.

⁴¹ As justly assumed by YAILENKO, loc. cit. Cf. SEIBERT, op. cit., 48, for the emphatic ἀδιέως; GAWANTKA, op. cit., 104 f.

⁴² Cf. FERRI, loc. cit., 20 with n. 2.

⁴³ Cf. SEIBERT, op. cit., 50 n. 1: «An dieser Bestimmung ist nicht zu zweifeln, obwohl diese Formel erst in späterer Zeit vorkommt: IG I² 10, 32 . . .»

⁴⁴ See e. g. EHRENBERG, op. cit., 211 ff. The special relation (visible i. a. through the wording of the Rhetra and its rider) between the Spartan Council and the *damos* was

doubt that it did not cover the sacred property: τὰ ἱερά and τὰ δημόσια were constant complements. Now, with regard to the importance of the affair in question and to its religious colouring, one would expect the confiscated goods, partially⁴⁵ or wholly,⁴⁶ to be promised to a god.⁴⁷ In a similar context, the Pappadakis bronze prescribes, it is true, only χρέματα δαμειύσθων;⁴⁸ however, that document does not provide a useful analogy for the *horkion's* line 38, being some three generations later than the enterprise of c. 639 and originating from a state which was already at an advanced stage of the evolution of an aristocracy into a democracy.⁴⁹ In a monarchical polis like Thera of the seventh century the process of secularization of the priestly sector of the community and its lands must have been particularly slow;⁵⁰ in the Locrian settlement, on the contrary, the general belief that the sacred domains should be at the disposal of the entire population had become so strong⁵¹ that the Pappadakis bronze could regulate the division and something like a sale of the τεμένη among the settlers of the Ὑλία and Λισκαρία.⁵²

(7) J. SEIBERT's discussion⁵³ of the lines 40 ff. has shown, beyond any doubt to me, that the ceremony of cursing described there purported to represent the «oath» spoken of in l. 23 and passim.⁵⁴ It contains two points at least revealing its apocryphal character⁵⁵: the participation of women and girls, who otherwise had nothing to do with an oath sanctioning a political agreement,⁵⁶ and the magical act «altogether different from the symbolical acts which often accom-

maintained thanks primarily to the Council's close link to the kings and its (originally) religious character (cf. EHRENBERG, *The Greek State*², London 1969, 61 f.).

⁴⁵ Cf. e. g. MEIGGS-LEWIS, *op. cit.*, no. 49 (Athenian colony at Brea, c. 445 B. C.), ll. 24 f.

⁴⁶ Cf. e. g. *ib.* no. 32 (Halicarnassian law concerning the disputed property, [?] 465-450 B. C.), ll. 35 f.

⁴⁷ See in general G. BUSOLT, *Griechische Staatskunde*, I, München 1920, 522 f.

⁴⁸ MEIGGS-LEWIS, *op. cit.*, no. 13 ([?] 525-500 B. C.), l. 12.

⁴⁹ Cf. *ib.* p. 25.

⁵⁰ Cf. the competence for the τεμένη, royal and those of temples, of the Cyrenean king, *Hdt.* 4, 161.

⁵¹ Perhaps as a result of the στενοχωρία in the infertile territory of Locris.

⁵² Ll. 1-3 (cf. MEIGGS-LEWIS, *op. cit.*, p. 25). The problem of the sale alluded to in rider B has been dealt with in another paper of mine, BCH 1978 (forthcoming).

⁵³ *Op. cit.*, 51 ff.

⁵⁴ The alternative translation of the *horkion* by «agreement» (GRAHAM, *loc. cit.*, 103 f.; MEIGGS-LEWIS, *op. cit.*, p. 7) must be abandoned (SEIBERT, *op. cit.*, 62 ff; YAIENKO, *loc. cit.*, 44); it was provoked by the unjustified belief that the inscription contains «no oath recorded as such».

⁵⁵ Not to speak of its language and the form of its redaction, cf. GRAHAM, *loc. cit.*, 109, and MEIGGS-LEWIS, *op. cit.*, p. 8. See below, III.

⁵⁶ SEIBERT, *op. cit.*, 52 f.; cf. GAWANTKA, *op. cit.*, 105 n. 31.

pany an oath».⁵⁷ In fact, though the burning of wax images was rather practised in the Greece of the fourth century B. C., to become a wide-spread phenomenon in later times, it seems that such magic was not Greek in its origin; its early popularity in Egypt⁵⁸ suggests an Egyptian custom adopted by the Cyreneans and other Greeks (mainly through Cyrene?) in the post-archaic epoch only.

According to the foregoing analysis, the entire *horkion* displays anachronisms and inaccuracies which make it an apocryphal document as a whole. In fact, the partisans of the hypothesis of authenticity had very little to quote in support of their views. The substance of the decree could have been constructed, easily enough, from Herodotus 4, 150 ff.⁵⁹ The elements not to be found in Herodotus are either manifest forgeries ([1], [2], [3], ll. 30–37 with [4]–[6],⁶⁰ [7]) which do not archaize much, with the exception of the magic of the *arai*, or borrowings from also popular authors, Pindar⁶¹ and Homer (?).⁶² The only detail to contain an improvement upon the Herodotean version, ἀρχαγέτα[ν τε καὶ βασιλῆα, ll. 26 f., corresponding to the Ionic ἡγεμόνα καὶ βασιλέα of Herodotus (4, 153),⁶³ has no probative force as the usage ἀρχαγέτας «the leader of a colonial ex-

⁵⁷ NOCK, loc. cit.

⁵⁸ R. BÜLL – E. MOSER, RE Suppl. 13 (1973) 1361 f.

⁵⁹ 4, 153 in the first place. The virtual agreement between the two texts has been demonstrated by GRAHAM, loc. cit., 111, and SEIBERT, op. cit., 64 ff.; on the discordant points adduced by them as proving allegedly the reliability of the document (cf. SEIBERT, op. cit., 64 f.: «Aber die Tatsache, daß Herodots Dekret die Bestimmung über die Freiwilligen nicht enthält, viel kürzer ist als das ὄρκιον und zudem die Bestimmung der Wahl durch Los enthält, macht es . . . unwahrscheinlich, daß unser ὄρκιον nach Herodot verfaßt wurde») see below. – The problem, much debated previously, of whether it reflects the Theraean (Hdt. 4, 150–153) or Cyrenean (Hdt. 4, 153–156, 2) tradition of the foundation of the colony must be set aside if we condemn the whole of the *horkion* as a fourth-century forgery. On the other hand, I agree with SEIBERT, op. cit., 61–63, that the usage of the plural ὄρκια and the singular ὄρκιον in the inscription was intended to be distinctive, with the singular meaning the «oath of the (future) Cyreneans»; this last circumstance accords with the thesis that we are dealing with an apocryphal text addressed to the Cyreneans.

⁶⁰ The lines 32 f. paraphrase, very probably, another passage of Herodotus (4, 145, 4), cf. SEIBERT, op. cit., 43; YAILENKO, loc. cit., 51.

⁶¹ Αὐτομάτιξεν (l. 24), cf. αὐτομάτῳ κελάδῳ (Pind. Pyth. 4, 107). See H. W. PARKE, JHS 82, 1962, 146.

⁶² Ἐταῖρους (l. 27). GRAHAM, loc. cit., 108 f., rightly prefers to see in these the Homeric ἑταῖροι «the band of close companions of a lord» rather than «the members of the *hetairiai*» (cf. SEIBERT, op. cit., 35; MEIGGS–LEWIS, op. cit., p. 7, seem to adopt the latter alternative). Though the matter is far from certain, it is more attractive to attribute some of the «aeolisms» of the inscription and, especially, the τοῖσι of l. 49, to the influence of the epic than to regard them (with WILAMOWITZ, loc. cit., 39) as a feature of the (composite) Cyrenean dialect. Cf. G. DEVOTO, RFIC 56, 1928, 379–381 ([on the «gruppo *ns*» in Cyrenean] «P«eolismo» letterario è una concezione ormai superata»). 383. 403.

⁶³ See GRAHAM, loc. cit., 108 (against WILAMOWITZ, loc. cit., 39).

petition» was of the commonest.⁶⁴ On the other hand, the document's omission of the Herodotean *πάλω λαχόντα* (loc. cit.), the emphasis on the *οἶκος* (l. 28)⁶⁵ and the provision for volunteers (ll. 29 f.) cannot indicate an informant both reliable and independent of the account of the father of history since these characteristics must have been due to a political tendency perceptible throughout the *horkion*. That tendency definitely proves that we are dealing with a forged document, and gives a clue to divining its authors and its context, historical and theoretical.⁶⁶

⁶⁴ For the other Cyrenean inscriptions mentioning Apollo Archagetas and Battos Archagetas see SEG 9, 7 (l. 26); 72 (l. 22). Cf. Pind. Pyth. 5, 60. 93.

⁶⁵ GRAHAM, loc. cit., 98 f. and 111, suggests that the *horkion's* *κατὰ τὸν οἶκον* represents merely a different formulation for the Herodotean *ἀδελφεὸν τε ἀπ' ἀδελφεοῦ πέμπειν* (above, n. 35). However, the equation holds only partially. GRAHAM has noted (loc. cit., 98 n. 14) that the wording of l. 28 *med.* is somewhat unusual, rejected OLIVIERIO's and CHAMOUX's translations and proposed tentatively his own, «according to house (family)» (the meaning of *κατὰ* listed in LSJ s. IV), which is too vague. One expects, naturally, a distributive *κατά*; the singular (which induced GRAHAM to abandon the translation «by family») and the article show us that the *οἶκος* is used here generically, «by the household». That usage, contrasting with the normal *κατ' οἴκου*, emphasized that no simple households were in question but those forming a unit in the tribal system and entitling their members to certain rights. See below, notes 85 and 91.

⁶⁶ No consent has been reached so far as to the precise date, source and circumstances of the publication of the *horkion* (see below, III). Several possibilities have been proposed or envisaged by several scholars but criticized ably by GRAHAM, loc. cit., 100 ff.: a modified reedition (c. 400 B. C.), due to Apollo's priest in Cyrene, of the original document (SEIBERT, op. cit., 60 f. n. 1. 65–67, who notes [cf. p. 21] that it is uncertain whether our marble stele was really made of white marble, as prescribed by ll. 16 f. If not, he allows for two explanations: (1), «daß gleichzeitig mehrere Kopien angefertigt wurden und nur bei einer die Bestimmung eingehalten wurde, während uns eine andere überkommen ist», and (2), «daß diese Inschrift in späterer Zeit nochmals abgeschrieben wurde [our copy]». SEIBERT prefers the latter alternative; however, in view of the propaganda purpose of the *horkion* the former seems more attractive); a fourth century copy from a Cyrenean chronicle (JEFFERY, loc. cit., 142; cf. CHAMOUX, op. cit., 111) or a construction from a local *ktisis* epic (cf. JEFFERY, loc. cit., 142); a fourth-century excerpt from a Theran narrative source of VI–V century, based upon the original document which was adapted to support the Theraeans' economic «interests in their rich step-daughter Cyrene» (YAILENKO, loc. cit., 52 f. 68); a political forgery comparable to the *κτίσις Μαγνησίας*, IVM 20 (WILAMOWITZ, loc. cit.); an act of c. 331 B. C. to be connected with the agreement (cf. Diod. 17, 49, 2 f.) between Alexander and Cyrene (ZEBELEV, loc. cit.). – GAWANTKA, who concludes convincingly that «die Auffassung, wenigstens ein Kolonialverhältnis sei eine latente Isopolitie . . ., nicht unmittelbar oder mittelbar bis in die große Kolonisationsepoche zurückreichte, sondern eine Konstruktion darstellt, die erst im 4. Jahrhundert entstanden ist», sees in our inscription «ein[en] ganz normale[n] (kaum im Bereich der Realpolitik anzusiedelnde[n]) Fall von Isopolitie . . ., die dazu dienen sollte, in leicht romantischer Weise an die Vergangenheit der Gründungszeit anzuknüpfen, nämlich so als ob bisher nichts geschehen wäre und man miteinander (Thera and the colonists) auf bestem Fuße stünde» (op. cit., 107 f., note 111). Cf. below, nn. 86, 147.

II

The internal conflicts of the Cyreneans in the earlier fourth century are inadequately known. There are, though, two pieces of information which throw some light on that matter. Aristotle's *Politics* records an aristocratic *coup d'état* against a radical democracy in Cyrene.⁶⁷ No date is given there but the event must have fallen after – in all probability, not immediately after – the institution of the Cyrenean democracy *c.* 440 B. C. The *coup* is usually put now at *c.* 401 B. C. (cf. Diod. 14, 34, 4–6),⁶⁸ though a date in the fourth century cannot be excluded. Another note in the *Politics*, attesting to a reform of the Cyrenean political structure in the Cleisthenic sense,⁶⁹ may also allude to an extremely democratic régime in fourth-century Cyrene;⁷⁰ however, it seems more likely that it describes the same change of 440 B. C.⁷¹ Notwithstanding the chronological uncertainties, the two Aristotelian notes are of interest for the fourth-century history of Cyrene in so far as the social difficulties mentioned therein, interrelated as they were,⁷² must have lasted throughout that century: the tension between the oligarchs and democrats, and the political monopoly of the exclusive tribal units, or their aspirations to it. The position of these units, namely, reflected the specific history of the city's population, with its layers of unequal merits and civic rights (original settlers from Thera, *astoi* and *perioikoi*; several strata of the *epioikoi*; descendants from marriages with the natives).⁷³ The relevance of both the problems is illustrated by the civil war of the late 320's, in which Cyrenean differences of wealth as well as of origin were in play.⁷⁴

⁶⁷ 6, 4, p. 1319 *b* 11 ff.: εἰώθασι μὲν οὖν οἱ δημαγωγοὶ κατασκευάζειν οὕτω, δεῖ μὲντοι προσλαμβάνειν μέχρι ἂν ὑπερτείνῃ τὸ πλῆθος τῶν γνωρίμων καὶ τῶν μέσων, καὶ τούτου μὴ πέρα προβαίνειν ὑπερβάλλοντες γὰρ ἀτακτοτέρων τε ποιούσι τὴν πολιτείαν, καὶ τοὺς γνωρίμους πρὸς τὸ χαλεπῶς ὑπομένειν τὴν δημοκρατίαν παροξύνουσι μᾶλλον, ὅπερ συνέβη τῆς στάσεως αἴτιον γενέσθαι περὶ Κυρήνην.

⁶⁸ R. WEIL, *Aristote et l'histoire. Essai sur la «Politique»*, Paris 1960, 287.

⁶⁹ 6, 4, p. 1319 *b* 19 ff.: ἔτι δὲ καὶ τὰ τοιαῦτα κατασκευάσματα χρήσιμα πρὸς τὴν δημοκρατίαν τὴν τοιαύτην, οἷς Κλεισθένης τε Ἀθήνησιν ἐχρήσατο βουλόμενος αὐξῆσαι τὴν δημοκρατίαν, καὶ περὶ Κυρήνην οἱ τὸν δῆμον καθιστάντες. φυλαί τε γὰρ ἕτεραι ποιηταὶ πλείους καὶ φρατρίαί, καὶ τὰ τῶν ἰδίων ἱερῶν συνακτέον εἰς ὀλίγα καὶ κοινά, καὶ πάντα σοφιστέον ὅπως ἂν ὅτι μάλιστα ἀναμειχθῶσι πάντες ἀλλήλοις, αἱ δὲ συνήθειαι διαζευχθῶσιν αἱ πρότερον.

⁷⁰ BROHOLM, *RE* 12 (1924) 162.

⁷¹ WEIL, *op. cit.*, 287 with n. 205.

⁷² An exaggerated increase of the civic body was probably among the reasons for the *stasis* mentioned at 1319 *b* 17, cf. *ib.* 6–11.

⁷³ The status and mutual relations of these categories of the Cyrenean population had become a political problem rather early, for the most part by the middle of the sixth century (Hdt. 4, 161, cf. CHAMOUX, *op. cit.*, 138 ff. 221 ff.; JEFFERY, *loc. cit.*, 142 [cf. above, n. 23]).

⁷⁴ Diod. 18, 19 f.; FGrHist 156 F 9, 17 f.; FGrHist 239 F 11 etc. Cf. F. TÄGER, *Hermes* 64,

It came to an end through the intervention, in 322 (?) B. C., of Ptolemy I, whose διάγραμμα, issued immediately after, gave the Cyreneans a constitution of compromise.⁷⁵ Replacing a full oligarchy, the new régime was very moderately oligarchical; furthermore, it extended the citizenship to include the previous κομᾶται of the Cyreneans and even the sons of Cyreneans and Libic women.⁷⁶

Now, it is natural to assume that the political leaders in fourth-century Cyrene – as elsewhere, notably in Athens – tended to make some use of the early history of their city to popularize their programmes. A fragment from the Λιβυκαὶ ἱστορίαι of Meneclēs of Barka (II century B. C.), explaining the colonial enterprise of Aristoteles-Battus as a result of political struggles in Thera, not of the circumstances described by Herodotus, confirms this,⁷⁷ though the birth of Meneclēs' version cannot be ascribed with complete certainty to the epoch we are concerned with.⁷⁸ Actually, our inscription shows that the political propaganda in Cyrene had dealt with the story of the foundation of the city much earlier than Meneclēs – palaeographically, it belongs to the first half or the middle of the fourth century⁷⁹ – and helps us to understand the conditions under which the Herodotean κτίσις account had to be reshaped in two directions at least, represented by the *horkion* and the ultimate source of Meneclēs' fragment 6 respectively. In the light of what was said in the previous paragraph, those conditions must have been such as to demand, in the opinion of the author of the *horkion*, a political régime both moderately democratic and favourable to the unity of the several strata of the Cyrenean population.

The democratic inspiration of the forger – and one should not forget that he was in the service of a democratic régime (l. 11) – found its clearest expression in the anachronism ἐπὶ ταῦ ἴσα[ι κ]αὶ ταῦ ὁμοίαι (2). Referring only to the ἐκκλησία, the formula of sanction has the same meaning approximately (1), for the assembly was generally held to be the democratic organ κατ' ἐξοχήν.⁸⁰ It is pos-

1929, 453–455; J. SEIBERT, Untersuchungen zur Geschichte Ptolemaios' I, München 1969, 91–95. 108–110.

⁷⁵ SEG 9, 1 (on the date, controversial for a long time [below, n. 102], see A. LARONDE, REG 85, 1972, pp. XIII f.); cf. P. M. FRASER, Berytus 12, 1956–8, 120–128.

⁷⁶ SEG 9, 1, ll. 2 ff. 6 ff.

⁷⁷ FG^rHist 270 F 6 (with comm.). Obviously a modernization, cf. BROHOLM, RE 12, 158, and YAILENKO, loc. cit., 54 (for a different view see CHAMOUX, op. cit., 112 ff.).

⁷⁸ YAILENKO, loc. cit., 54, dates it, without arguments or probability, to the Hellenistic period.

⁷⁹ The attribution by FERRI, OLIVERIO and CHAMOUX; according to some (cf. GRAHAM, loc. cit., 100 with n. 22) even a date in Alexander the Great's reign must be allowed for. In a letter, Professor P. M. FRASER has kindly informed me that «the middle of the fourth century seems to be about right» and that «the later fourth century seems excluded».

⁸⁰ Aristot. Pol. 4, 14, p. 1298 a 13. 30. Cf. e. g. BUSOLT, op. cit., 311 ff. The occurrence of an *ekklēsia* in fourth-century Thera (IG XII 3, Suppl. 1289, l. 5) is rightly attributed to a democratic régime adhering to the Athenian Maritime League (cf. below, nn. 134, 144).

sible that the term *χρήματα* . . . *δαμόσια* (6), improbable in the seventh century, had also had propaganda value, though an untendentious anachronism should not be ruled out. On the other hand, the forger's political moderation has left less visible traces only. His silence as to the method of appointment of the colonists (by lot, according to Herodotus, who was obviously right) would have been due to his disinclination for that trait of radical democracy.⁸¹ An analogous tendency may be sought in the formulation of l. 28, where the *κατὰ τὸν οἶκον*, in a rather strange construction,⁸² replaces the Herodotean *ἀδελφεόν τε ἅπ' ἀδελφεοῦ*⁸³ and smooths the omission of the number of Battus' men, a number which was probably mentioned in the original decree.⁸⁴ Though the matter cannot be ascertained, it seems that the *κατὰ τὸν οἶκον* was intended to defend, given the authority and the character of the document, the aristocratic families and their cults endangered by the consequences of the Cyrenean revolution spoken of in Aristotle's *Politics* (supra, note 69).⁸⁵

Second, the elements aiming at the cohesion of the free population of different origins. One of them is quite obviously the grant of equal citizenship to the Theraeans, which was of immediate benefit to those resident in Cyrene at the moment of passing of Damis' decree (ll.4 ff.);⁸⁶ though not attested,⁸⁷ the presence

⁸¹ Cf. Aristot. Pol. 4, 9, p. 1294 b 8. See also BUSOLT, op. cit., 315. 367. 468 f.

⁸² See above, note 65, and below, note 85.

⁸³ Above, note 35. Cf. OLIVER, loc. cit., 28f.

⁸⁴ OLIVER, loc. cit., 25 f.

⁸⁵ Obviously, these *οἴκοι* may be labelled as aristocratic (oligarchic) only from the perspective of the fourth century; in the seventh, the distinction had to be simpler: the members of the Theraean tribal system (of which the *οἶκος* represented the smallest unit, cf. for a similar structure R. F. WILLETTS, *The Law Code of Gortyn*, Berlin 1967, 11 f.) were citizens, others not, even if personally free. In Crete, that distinction gave rise to the term and category of *ἀπέταιροι*, who seem to have included or matched the *περίοικοι* (WILLETTS, op. cit., 12 f., cf. WÖRRLE, loc. cit., 520). Judging from the generic usage of the *οἶκος* in l. 28 (cf. above, n. 65), the author of the *horkion* should have had some knowledge of the social importance of the ancient *οἰκιστῶν*, which must have contributed, through the specific history of the Cyrenean population, to the inequalities characteristic of the fourth century. With regard to the similarity or identity of status between the *perioikoi* and those not belonging to the *οἰκιστῶν*, the forger was able, it seems, to imply an (historically defective) antithesis, which is both social and lingual: the members of the *οἶκος* (= *ἐγχοικέοντες* [?], l. 29) versus the other free Theraeans (ll. 29. f) (= *περιοικέοντες* [unexpressed, see below, n. 91]). – On the other hand, one may hardly doubt that the measure recorded by Aristotle (above, n. 69) was intended to destroy the aristocratic *genel hetaireiai* (cf. SEIBERT, op. cit., 20 f. n. 1); even fractions of clans will have been affected, because of their importance for the *genos* and the *patra* as a whole. However, it is not probable that the author of the *horkion* wished to save the social privileges of such *οἰκιστῶν*; rather, by defending them from maltreatment and expulsions, he endeavoured to keep them in their country (see below, n. 113).

⁸⁶ FERRABINO, loc. cit., 252, argued on the basis of ll. 13 f. (Θηραίους τοὺς ἐπιδημέοντας ἐν Κυράναι) that isopolity was given only to the Theraeans living in Cyrene (similarly

of some Theraean metics there is almost indubitable. Its importance for the foreign policy of Cyrene will be discussed later; that it was the forger's reason for constructing the whole *horkion*, and the lines 30–33 in particular, has been widely recognized. The next element is contained in the clause on volunteers (3), absent from Herodotus, which implies that the free inhabitants of Thera who did not belong to the οἶκοι – περιόικοι most probably⁸⁸ – were not only called Theraeans but were also entitled to participate in the expedition ἐπὶ ταῖ ἴσα καὶ ταῖ ὁμοίαι. That the first part of the phrase beginning in τὸς δὲ (l. 29) concerned those chosen κατὰ τὸν οἶκον (l. 28) as distinct from the «other free Theraeans» (ll. 29 f.) is almost beyond doubt;⁸⁹ it is to be expected that a paraphrase for the «sons from the οἶκου» stood there,⁹⁰ perhaps τὸς δὲ ἐγο[ικεόντας].⁹¹ The anachronistic lines 29 f. may have consequently had a twofold effect on popular opinion as to the social relations of early Cyrene: to show, contrary to the version preserved now in Meneclēs, that no social discrimination or dissent underlay the choice of Aristoteles' companions c. 639, and to suggest, by means of implication from the anachronisms (2) and (3), that the Cyrenean differences in political status between the original settlers and *epoikoi*, as well as between the *astoi* and *perioikoi* among the former, had had no historical justification.⁹²

It follows from what had just been said that the *horkion* was conceived as a forgery with a political aim, of a nature analogous to, but more complicated than, for instance, the constitution attributed to Draco in the Ἀθηναίων πολιτεία 4.⁹³ Political forgeries engraved in stone were no rarity in the fourth cen-

MEIGGS–LEWIS, *op. cit.*, p. 7) but the expression quoted obviously alludes to the embassy sent by the Theraeans to Cyrene (below, n. 131). GAWANTKA, *op. cit.*, 106 ff. n. 33, excludes justly the possibility of a fresh and large immigration from Thera. Cf. my notes 66 and 147.

⁸⁷ Cf. below, n. 131.

⁸⁸ See above, text to n. 30.

⁸⁹ Cf. YAIENKO, *loc. cit.*, 47.

⁹⁰ The author of the *horkion* understandably preferred to use synonyms and paraphrases rather than technical terms. See e. g. the lines 31, 41 f., 43, 49 f. for his variations for οἱ ἄποικοι and the lines 34, 41, 43 f., 50 for his variations for οἱ Θηραῖοι.

⁹¹ The participle, obviously given a meaning more specific than that it usually has, contrasts with the περιουικεόντας (= περιουίκους; for the form cf. e. g. ὑποικουόντες ~ ὑπόφοικοι, WILLETTS, *op. cit.*, 13 n. 52, and the expressions like οἱ τὰν Καυδὸν (ἐν Καυδοῖ) Φουκίοντες, J. A. O. LARSEN, *RE* 19 [1937] 828), unexpressed in the sequel of the phrase but matching the tendentious τῶν [ἄλλ]ων Θηραίων ἐλευθέρος (ll. 29 f., cf. above, notes 65 and 85). This highly conjectural restoration implies a slight change in Professor P. M. FRASER's reading (γ instead of λ) of l. 29 *med.* and in his estimate of the length of its lacuna (8 letters with a iota, instead of about 7) respectively.

⁹² In reality, the Theraean oligarchy was led precisely by οἱ διαφέροντες κατ' εὐγένειαν καὶ πρῶτοι κατασχόντες τὰς ἀποικίας, ὀλίγοι ὄντες πολλῶν (Aristot. *Pol.* 4, 4, p. 1290 b 11 f.).

⁹³ Not only Aristotle's «Polity» but also a casual reference in the pseudoplatonic Axiochus (p. 365 d) indicate that «Draco's Constitution» was not unknown in the Academy.

ture and otherwise;⁹⁴ nevertheless, the present one, extraordinary as it is, calls for more comment. Appended to a decision of the *damos* (l. 11), it could not have been published by the oligarchy presumably established c. 401 B. C. nor by that of the <Thousand> mentioned (l. 35) in the Ptolemaic *diagramma* of 322/1. Chronologically, the *horkion*'s régime must have taken place somewhere between the two and – a not unreasonable supposition – it might be identified with the democracy overthrown by the *χίλιοι*.⁹⁵ There are details to indicate that several elements in the liberal constitution of the *diagramma* were inherited from the democracy preceding the polity of the <Thousand>; notably, the brachylogy of the *diagramma*'s l. 6, *πολί[τευμα δ' ἔστω] οἱ μύριοι*, with no further explanation of such a *politeuma*, is best understood if referring to a régime already well-known to the Cyreneans.⁹⁶ That assumption would throw light upon certain points of concordance between the *diagramma* and our document,⁹⁷ of which their common usage, unattested elsewhere, of *θανάσιμος* <liable to the death penalty>,⁹⁸ is perhaps the most striking. What is more, it also provides a plausible explanation of the occurrence of the political term and institution of the <Thousand> in Cyrene in (approximately) the second half of the fourth century. Otherwise rare, and unknown to Cyrene in the early period, this term – applied to a body lying between an assembly and a council – has clearly theoretic connotation.⁹⁹ As such, the <Thousand> of the Cyrenean oligarchy are far more likely to have been created in reaction to a democratic institution of similarly theoretic design – the *μύριοι* precisely – than to have been born from the Cyrenean aristocratic tradition with the Spartan aid, as was presumably the case with the régime of 401 B. C. In other words, we have good reasons to suppose that the main organ of the democracy which ruled in Cyrene in the first half and/or the middle of the fourth century, and which produced the *horkion*, was called

⁹⁴ See e. g. GRAHAM, loc. cit., 100 f.; Rivista stor. dell'antichità 1, 1971, 197–217; R. ETIENNE – M. PIÉRART, BCH 99, 1975, 67 ff.

⁹⁵ Cf. TÄGER, loc. cit., 453 f.; H. SCHAEFER, Probleme der alten Geschichte, Göttingen 1963, 425 with n. 4.

⁹⁶ The solution considered but, mistakenly, abandoned by G. DE SANCTIS, RFIC 4, 1926, 148 f., and A. PAGLIARO, Studi in onore di A. Calderini et R. Paribeni, I, Milano 1956, 102; see also TÄGER, loc. cit., 440. Cf. ll. 15 (τῶι δὲ πρώτῳ ἔτει πολιτευέσθωσαν ἐκ τῶν πρότερον τιμημά[τω(ν)] and 37 (πρότεροι νόμοι).

⁹⁷ In the constitution of the *diagramma* the use of the lot in the elections was restricted to the bodies of the least importance, 1500 *dikastai* (ll. 36 f.) and 500 *bouleutai* (l. 16); members of all other bodies and magistratures had to be appointed by other methods, which recalls the omission of Herodotus' *πάλλω λαχόντα* from the *horkion*. If that point may be ascribed to many a polity of non-radical type, the status of women in both the documents (ll. 45 f. of the *horkion*, ll. 8. 10 of the *diagramma* [cf. M. CARY, JHS 48, 1928, 225 f.]) seems to have been quite uncommonly elevated.

⁹⁸ Cf. GRAHAM, loc. cit., 106.

⁹⁹ SCHAEFER, op. cit., 414 ff. 425.

οἱ μύριοι;¹⁰⁰ the reformed régime of 322/1 should have taken over from it not only some constitutional elements but also the actual name of its *politeuma*.

The concept of the μύριοι originated evidently from an Athenian circle of state theoreticians.¹⁰¹ Their influence on Cyrenean affairs could have been only indirect, according to those scholars who prefer to date the *diagramma* c. 250 B. C. and see in it a result of the Cyrenean activity of the Megalopolitans Demophanes and Ecdemus:¹⁰² the Arcadian <Ten Thousand>, who allegedly served these two as the model for the assembly of the *diagramma*, had been designed in the Academy in the 80's or 70's of the fourth century.¹⁰³ However, as the late fourth-century dating of Ptolemy's document seems conclusive, the possibility of a direct Athenian influence imposes itself. This has been already noticed by H. SCHAEFER, whose remarks on the subject implied that Plato's school was in question, without saying so explicitly.¹⁰⁴ Many concurring indications to be studied in the next chapter – the Platonic origin of the Arcadian <Ten Thousand> included – suggest that the Academy was the spiritual mother of both the μύριοι régimes in fourth-century Cyrene.

III

The results of the foregoing research entitle us to see in the *horkion* a product of the political teaching and practice of Plato's Academy. That conclusion provides the best basis for interpreting the forgery, intelligent and sophisticated as it is.¹⁰⁵

First, Plato approved of the political ἐπ' ἀγαθῷ ψεῦδος.¹⁰⁶ As in our case, the <noble fiction>, concerning the very early history of a state or a people, was to

¹⁰⁰ The organ sanctioning Damis' proposal (ll. 1, 11), it is true, is not named οἱ μύριοι here, but this seems to show that the *horkion* was published at a time immediately preceding the reform of the probably radical democracy into the constitution of the <Ten Thousand> (cf. below, text to n. 124 and nn. 118, 143).

¹⁰¹ There are also other elements of Athenian provenance in the constitution of the *diagramma*, cf. e. g. CARY, loc. cit., 238; SCHAEFER, op. cit., 426.

¹⁰² E. g. DE SANCTIS, loc. cit., 148 ff. (cf. id., RFIC 6, 1928, 240 ff.; 8, 1930, 261 ff.; 12, 1934, 47 ff.); OLIVERIO, loc. cit., 213 ff.; more recently, PAGLIARO, loc. cit., 101, and G. CAPOVILLA, Aegyptus 43, 1963, 141 ff. That low dating was soon abandoned by the majority of scholars, cf. TH. LENSCHAU, Burs. Jb. 244, 1934, 93 f.

¹⁰³ S. DUŠANIĆ, The Arcadian League of the Fourth Century, Beograd 1970, 342–344.

¹⁰⁴ Op. cit., 426 (cf. p. 424). See also TÄGER, loc. cit., 440.

¹⁰⁵ The following lines deal with more important features of the document attributable to its Platonic inspiration. Minor points or those whose Platonic origin remains disputable (e. g. the coincidence between ll. 16 f. ἐν στάλ[αν] λύγιδιναν [cf. above, n. 66] and the precepts given in the Laws 12, p. 956 a) are omitted.

¹⁰⁶ Rep. 3, p. 389 b f., 414 b f.; 5, p. 459 c f.; Leg. 2, p. 663 d.

aid the untrained minds among its sons to keep the cohesion of the reformed community.¹⁰⁷

Second, as the myths in Plato's own dialogues show, the «fiction» must be effective through both poetic language and suggestive images; to make its impact on the reader more profound and more lasting, the philosopher tended to place it *after* his logical argumentation. The *arai* of our document,¹⁰⁸ and poetical words or unusual forms distributed in crucial places of the whole text,¹⁰⁹ are in complete accord with this. In my opinion, the Platonic inspiration could explain also the inscription's mixture, if there is such,¹¹⁰ of Theraean and Cyrenean dialectal characteristics: an analogous procedure, probably intended to support the «useful belief» in the close relationship of the two *poleis* concerned, was applied to the redaction of an Elean law written under Platonic influence too.¹¹¹

Third, the political ideas expressed or implied by the *horkion* accord with those of the «Republic» and «Laws», especially the latter:¹¹² the document re-

¹⁰⁷ E. g. the myth of autochthony, Rep. 3, p. 414 *de* (the autochthony seems to have become, thanks to the advice of Plato's pupil Aristonymus, the watchword of the Arcadian League, DUŠANIĆ, *op. cit.*, 344); cf. the parable on three Dorian kingdoms in the Peloponnese, Leg. 3, p. 684 *e ff.* Our case conforms closely to what Plato said of the law-giver and the νόμοι ἀκίνητου (Leg. 7, p. 798 *b*).

¹⁰⁸ Exceptionally, Plato approved of curses (Leg. 9, p. 871 *b*; 11, p. 931 *b-d*); both the cases, especially the former (α πολιτικῆ ἀρά), resemble ours rather closely. Besides, he mentions once the magic with the «wax manikins» (Leg. 11, p. 933 *a f.*). Be it noted that Sophron, greatly admired by Plato, was the first (?) to shape the curse into a literary genre (Ταῖ γυναῖκες αἱ τὰν θεόν φαντι ἐξελάων).

¹⁰⁹ E. g. οἰκιστῆρων (l. 23, cf. SEIBERT, *op. cit.*, 24 ff.), ὄριστόν (l. 25, cf. WILAMOWITZ, *loc. cit.*, 39; FERRABINO, *loc. cit.*, 251; GRAHAM, *loc. cit.*, 108), ἀδεσπότηω (l. 33, cf. GRAHAM, *loc. cit.*, 106, who comments appropriately that «the first record of the word ἀδέσποτος is in the high-flown language of a Platonic myth [Rep. 617 *e*] . . .»), ἀδιέως (l. 36, cf. GRAHAM, *loc. cit.*, 106; SEIBERT, *op. cit.*, 48: «es besteht gar kein Anlaß, diese Sicherheit besonders hervorzuheben»); see also above, n. 62. Of course, in Plato's own texts such stylistic devices were used for the sake not only of literary but also of psychological (ποιητικῆ = ἔητορικῆ = δημηγορία, Gorg., p. 502; cf. for the two kinds of persuasion Statesm., p. 304 *c f.*) effects. The sporadic usage of extraordinary words or forms in the *horkion* may be compared to Plato's usage of intentional anachronisms in his writings: both lay special emphasis on the context.

¹¹⁰ It has been asserted by WILAMOWITZ, *loc. cit.*, 38 f., but doubted by FERRABINO, *loc. cit.*, 251, and others. A thorough analysis of the *horkion's* language still remains to be undertaken (cf. GRAHAM, *loc. cit.*, 99 n. 18. 109; DEVOTO, *loc. cit.*, 365 ff. [p. 394: «iscrizione eterogenea»]).

¹¹¹ S. DUŠANIĆ, Zbornik Filozofskog fakulteta u Beogradu (Recueil de travaux de la Faculté de philosophie de Belgrade) XI/1, 1970, 62. 63 f.

¹¹² Plato must have had a partial concept of the Laws in 361/0 or 367/6 (Ep. 3, p. 316 *a*, cf. A. E. TAYLOR, *Plato. The Man and His Work*², London 1960, 465; E. BARKER, *Greek Political Theory*, London 1918, 338), probably even earlier than that (DUŠANIĆ, *The Arcadian League*, 344 f.).

flects a régime both democratic and moderate¹¹³ – admittedly, Plato was against the elections by lot in principle –,¹¹⁴ striving for the unity of the state¹¹⁵ and, it seems, the preservation of the social and religious role of the family.¹¹⁶ In this respect, the participation of women in the *arai* is perhaps the *horkion*'s most remarkable feature displaying Platonic influence.¹¹⁷

There remains the problem of the date and the historical circumstances under which our document was published. We know that Plato had been sent an invitation to be the Cyrenean legislator but that he found himself obliged to decline it because of Cyrenean prosperity.¹¹⁸ This fact has been usually discarded as a fable,¹¹⁹ though without adequate arguments. Such invitations, especially by states in crisis or in the process of formation, were addressed more than once to the philosopher¹²⁰ and, in the case of Thasos at least, he refused them for essen-

¹¹³ Cf. Plutarch's testimony from the «Vita Luculli» quoted below, note 118 (δημος, πολιτεία σώφρων). On the qualified democracy of the city of the Magnetes see Leg. 3, p. 693 *de*; 6 p. 756 *e*; cf. e. g. M. PIÉRART, *Platon et la Cité grecque*, Bruxelles 1974, 99 f. 469 ff. Through the legislations of three disciples of Plato, the constitutions of the Arcadian League, Elis and, probably, Pyrrha, also became democratic (DUŠANIĆ, *The Arcadian League*, 344). – No doubt, the Platonic lawgiver in Cyrene had to display moderation of a practical order as well, in his attitude to political refugees (the provisions of the Elean document referred to above, note 111, are instructive in this respect) and the opponents to the new régime in general (see Ep. 7, p. 350 *d-f*, and 8, *passim*; cf. K. v. FRITZ, *Platon in Sizilien und das Problem der Philosophenherrschaft*, Berlin 1968, 131 f.).

¹¹⁴ PIÉRART, *op. cit.*, 99 f. 294 f. 470 f.

¹¹⁵ Cf. Rep. 4, p. 423; 5, p. 462 (social); Leg. 4, p. 708 (ethnic). In Plato's opinion, the unity of a state need not be endangered by the state's being a member of a sympolity or a federation (see DUŠANIĆ, *The Arcadian League*, 343 f.).

¹¹⁶ Cf. Leg. 11, p. 923 ff. and *passim*, and the Elean decree mentioned above, notes 111, 113. In Plato's conception, the preservation of the family was closely associated, on the one hand, with the economic balance of the agrarian state, and on the other, with its cult obligations (PIÉRART, *op. cit.*, 71–74).

¹¹⁷ On the status and role of women in the state of the «Laws» see PIÉRART, *op. cit.* 75–77.

¹¹⁸ Plut. *Ad princ. iner.* 1, p. 779 *d*: Πλάτωνα Κυρηναῖοι παρεκάλουν νόμους τε γραψάμενον αὐτοῖς ἀπολιτεῖν καὶ διακοσμήσαι τὴν πολιτείαν, ὃ δὲ παρητήσατο φήσας χαλεπὸν εἶναι Κυρηναίους νομοθετεῖν οὕτως εὐτυχοῦσιν «οὐδὲν γὰρ οὕτω γαῦρον» καὶ τραχὺ καὶ δύσαρκτον «ὡς ἀνήρ ἔφ» «εὐπραγίας δοκούσης ἐπιλαμβανόμενος (Euripides, frag. 786 NAUCK); *id.* Lucull. 2, p. 497, 15 ff.: Δεσμένων γάρ, ὡς ζοικεν, ὅπως τε νόμους γράψῃ καὶ τὸν δῆμον αὐτὸν εἰς τύπον τινὰ καταστήσῃ πολιτείας σώφρονος, ἔφη χαλεπὸν εἶναι Κυρηναίοις οὕτως εὐτυχοῦσι νομοθετεῖν (cf. above, n. 113); Ael. VH 12, 30: ἐς τοσοῦτον δὲ ἄρα Κυρηναῖοι τρυφῆς ἐξώκειλαν, ὥστε Πλάτωνα παρεκάλουν, ἵνα αὐτοῖς γένηται νομοθέτης· τὸν δὲ ἀπαξιῶσαί φασι διὰ τὴν ἐξ ὀφθυμῖαν αὐτῶν.

¹¹⁹ Most recently by A. S. RIGINOS, *Platonica*, Leiden 1976, 191–193 (no. 142). The hypercriticism has not been shared by some, e. g. J. P. THRIGE, *Res Cyrenensium*², Roma 1940, 223 f.; P. FRIEDLÄNDER, *Platon*, I², Berlin 1964, 108; G. R. MORROW, *Plato's Cretan City*, Princeton 1960, 8.

¹²⁰ The *locus classicus* is Plut. *Adv. Col.* 32, p. 1126 *c*. Cf. P.-M. SCHUHL, *REG* 59/60,

tially the same reason.¹²¹ There is no cogent motive to question the veracity of the tradition on the Cyrenean appeal to Plato,¹²² the more so as he must have had connections of friendship with some Cyrenean notables.¹²³ Further, the *horkion* as discussed in the present article lends considerable support to that tradition; be it noted that the ὅπως ἂ πόλις ὀρθῶται in its line 3 indicates that the document appeared in a difficult situation.¹²⁴ Plato's refusal need not mean that his counsel was definitely denied to the citizens of that outpost of Hellenism in the barbarous South,¹²⁵ for he may have sent the Cyreneans a pupil of his¹²⁶ or received a leader of theirs to instruct him.¹²⁷

One last point has to be elucidated. An analysis of the interventions Plato and his followers undertook in the affairs of Greek cities reveals that they were as a rule in the service of a Pan-Athenian policy as pursued by a number of

1946/7, 46 ff., and the works cited in my notes 103, 111 and 128.

¹²¹ Ep. 11, p. 359 *a*. The doubts as to the authenticity of the letter are unjustified, see J. POUILLOUX, *Recherches sur l'histoire et les cultes de Thasos*, I, Paris 1954, 222–223 (with n. 1), 237, and: *Akten des VI. Int. Kong. für Griech. und Lat. Epigraphik – München* 1972, 1973, 363 f.; F. SALVIAT, *Études classiques* 2, 1967, 43 ff. SALVIAT (*loc. cit.*, 54 n. 48 and *passim*) follows the traditional reference of the Eleventh Epistle to the foundation of Crenides (Philippi), not to the reform of Thasos itself. The latter possibility, argued for conclusively by J. POUILLOUX, is preferable in view of both the Platonic traces in the Thasian institutions and Plato's own words at the close of the letter (the ἀνήρ καλός τε καὶ ἀγαθός saves an already existent city); οἰκιστής (Ep. 11, p. 359 *a*), in Plato's terminology, may denote a reformer (e. g. Rep. 2, p. 379 *a*, cf. 8, p. 547c [οἰκεῖν]) and not only an oecist.

¹²² Though preserving, in the main, those biographical details on Plato which were drawn from the tradition(s) favourable to the philosopher, both Plutarch and Aelian give also some Platonic anecdotes of hostile tendency (RIGINOS, *op. cit.*, 208. 210). Aelian's data on Plato's refusal to legislate in Megalepolis (as well as Plutarch's on Aristonymus' nomothesis in Arcadia) are trustworthy too (DUŠANIĆ, *The Arcadian League*, 343 f.).

¹²³ At least with Theodorus the mathematician (Th., p. 147 *d*–148 *b*; Xen. Mem. 4, 2, 10; Diog. Laert. 3, 6) and Anniceris, his saviour in 388 (there is no proper ground for rejecting [with e. g. RIGINOS, *op. cit.*, 86 ff.] the historicity of the episode of Plato's ransom in Aegina [cf. G. C. FIELD, *Plato and His Contemporaries*³, London 1967, 17 f.]; after all, the rare name of Anniceris really points to Cyrene). Even the tradition of Plato's visit to Egypt and Cyrene c. 390 B. C. need not be fictitious (FIELD, *op. cit.*, 13; contra, RIGINOS, *op. cit.*, 64 f.). – On the mention of Epicerdes in Demosthenes' 'Contra Leptinem' see DUŠANIĆ, *Recueil de travaux de la Faculté de philosophie de Belgrade* (forthcoming).

¹²⁴ SEIBERT (*op. cit.*, 16) identifies the πόλις with Thera, not Cyrene; it is obvious, however, that the possessive genitive Κυρηναίων (l. 4), though formally linked to the δ[ᾶ]μος only, qualifies also the πόλις.

¹²⁵ On Plato's Panhellenism see e. g. Rep. 5, p. 469 *b* ff.; Ep. 7, p. 332 *e* ff. 336 *a*. Cf. BARKER, *op. cit.*, 307 ff.

¹²⁶ As in the cases of Arcadia, Elis and Pyrrha (above, n. 113); cf. Ep. 11, p. 358 *d* (Socrates the Younger).

¹²⁷ Cf. Ep. 11, p. 358 *d* (Laodamas himself).

Athens' conservative statesmen.¹²⁸ Of these, Timotheus and Chabrias were the most prominent; a testimony which has been generally overlooked presents the two men as Plato's relatives and supporters in public matters.¹²⁹ To be sure, that coincidence between the foreign relations of the legislators from the Academy and Athens' political interests must be ultimately put down to Plato's Athenian patriotism, regardless of its qualification.¹³⁰ On the other hand, our inscription, which records a Theraean embassy¹³¹ to Cyrene and grants full citizen rights to all the Theraeans – not only those living in Battus' city –, has a bearing on the current foreign policy of Cyrene in a way which has for long attracted scholarly attention.¹³² If no both satisfactory and complete explanation of that aspect has been found, A. FERRABINO's conjecture deserves to be mentioned. According to it, the *horkion* indicates that the Cyreneans approached Thera in order to approach Athens through the mediation of their metropolis,¹³³ a member of the Second Confederacy since 376/5.¹³⁴ Though generally discarded, FERRABINO's combination has the advantage of fitting in with the data on Plato's connection with the Athenian generals and politicians. It is also attractive from other points of view.¹³⁵ A forgery dealing with the origin of Cyrene may have been desirable to some Cyreneans as a pious means to alleviate the internal problems of the city but a part of the latter required, to judge from the formulation of ll. 2–3, ὅπως ἂ πόλις ὀρθῶται καὶ ὁ δ[ᾱ]μος εὐτυχῆι ὁ Κυρναίων, the concrete help of a foreign factor, benevolent to Cyrenean democracy. Thera alone, unimportant as it was in the fourth century, could not have represented that factor; Athens, the tra-

¹²⁸ S. DUŠANIĆ, *L'Académie de Platon et la Koinè eirenè athénienne de 371 av. J.-C.* (to appear).

¹²⁹ Vita Aristot. Marciana 12: καὶ ὅτι οὐδὲ εἰκὸς ἦν Ἀριστοτέλει ξένον ὄντα τοῦτο δύνασθαι ποιεῖν κατὰ Πλάτωνος πολίτου τυγχάνοντος καὶ μέγα δυναμένου διὰ Χαβρίαν καὶ Τιμόθεον τοὺς Ἀθήνησι στρατηγήσαντας καὶ κατὰ γένος αὐτῶ προσήκοντας (cf. O. GIGON's edition, p. 41). For the additional evidence on Chabrias' relations with Plato see Plut. Adv. Col. 32, p. 1126 c and Diog. Laert. 3, 23 f. (cf. J. K. DAVIES, *Athenian Propertied Families*, Oxford 1971, 561; unnecessary reserves in RIGINOS, op. cit., 153 f.).

¹³⁰ On it, Ep. 7, p. 336 d; 5, p. 322 b. Cf. MORROW, op. cit., 89 ff.

¹³¹ Cf. SEIBERT, op. cit., 13–15; GAWANTKA, op. cit., 109 f. It is difficult to say whether Κλευδάμας figures here as the head of the Theraean embassy (FERRI, loc. cit., 19; MEIGGS – LEWIS, op. cit., p. 7) or, less plausibly, as a Cyrenean speaking in the assembly for the Theraean metics of Cyrene (FERRABINO, loc. cit., 252); according to a communication by Professor O. MASSON, his name and the patronymic are not typical enough to be ascribed with certainty to the Theraean or Cyrenean onomastics.

¹³² FERRI, loc. cit., 23 f.; GRAHAM, loc. cit., 100; SEIBERT, op. cit., 67; YAILENKO, loc. cit., 52. Cf. the note 66, above.

¹³³ FERRABINO, loc. cit., 253 f. The Italian scholar tentatively dated that action (and the publication of the *horkion*) c. 373 B. C., linking it with Iphicrates' return (*via* Cyrene?) from Egypt to Greece.

¹³⁴ J. E. COLEMAN – D. W. BRADEEN, *Hesperia* 36, 1967, 102–104.

¹³⁵ FERRABINO, loc. cit., 253 f., remarked that his conclusion «è confermata dall'assoluta mancanza nella nostra epigrafe di ogni accenno a Sparta come a madrepatria di Thera».

ditional protector of democratic régimes, certainly could. Athens, like Thera, will have found an economic interest in that intervention – one thinks primarily of Cyrenean cereals¹³⁶ – but the two states may have had secondary motives too: Thera – its care for the (unattested) metics of Theraean origin in Cyrene; Athens – its ambitions, political and cultural, of a great power. For its part, Cyrene probably needed the support of the Maritime League not only to preserve its democratic constitution but also to intensify its commerce in the League's sphere.¹³⁷ It is even possible that the Cyrenean grant of the isopolity to a member of the Confederation rendered the Cyrenean admission¹³⁸ to that organization simpler in the formal respect, or less offensive to a mighty neighbour, Persia or Egypt.

The whole episode may perhaps be dated rather precisely. Of the two main friends of Plato among the Athenian potentates, Chabrias appears the more likely candidate for the mediation between Cyrene and Athenian political and philosophical circles. Except for a short-lived generalship in Artaxerxes II's army in the Egyptian war (c. 372),¹³⁹ Timotheus does not seem to have entertained close connections with the Theraeans or inhabitants of Cyrene and the neighbouring countries. Chabrias' case is different. He was fond of living in Egypt,¹⁴⁰ for which he had fought as early as the 380's,¹⁴¹ and that fondness must have brought him into contact with Cyrene.¹⁴² His activity in the southern Cyclades of 363/2 (?), by which he defended the Athenian interests of a political and economic order, especially in Naxos and Ceos, and initiated judicial reforms there,¹⁴³

¹³⁶ Cf. TOD, GHI 2, 196 (ll. 5, 17). See CHAMOUX, op. cit., 241–243.

¹³⁷ Chabrias' Egyptian mission of c. 360 (note 145, below) may have been a further reason, for the Cyreneans, to accept his and the Athenian help (cf. FERRABINO, loc. cit., 254; below, note 142).

¹³⁸ In the quality of not a complete member (cf. A. G. WOODHEAD, AJA 61, 1957, 373)?

¹³⁹ Ps. Demosth. 49, 25. 28. 30. 60. Though a combination with Timotheus in the Cyrenean affair we are dealing with remains implausible (i. a. it is hard to believe that a democratic régime in Cyrene, unlike an oligarchical one, would be willing to collaborate with Persia), it should be noted that two, perhaps three Academicians intervening c. 371 in the Greek cities outside Athens were connected to Timotheus (my note 128).

¹⁴⁰ FGrHist 115 F 105; Corn. Nepos 12, 3, 4.

¹⁴¹ Diod. 15, 19, 2; Demosth. 20, 76, et alii. Cf. above, note 123, for a possible connection between Chabrias and Epiclerdes' family.

¹⁴² The Cyreneans were linked to Egypt by many links, notably by that of the Ammonium in Siwa (CHAMOUX, op. cit., 239 f.); also, their city seems to have been regarded by the Greeks as a convenient station on the way leading from the Nile to Greece (cf. FERRABINO, loc. cit., 254). Cf. below, n. 145.

¹⁴³ IG II² 179 and TOD, GHI 2, 142 (cf. 162), with the commentaries. Cf. U. KÖHLER, MDAI(A) 2, 1877, 146 ff.; F. H. MARSHALL, The Second Athenian Confederacy, Cambridge 1905, 96 f.; H. BENTSON, Staatsverträge, II, nos. 289, 320 and 321 (with a too late dating of the last two items); M. J. OSBORNE, Eranos 72, 1974, 170–174 (esp. 174 n. 15). – Contrary to Aristophon (cf. Hyper. 4, 28), Chabrias seems to have proceeded on that occasion as a διαλλακτής (cf. IG II² 1979 c, l. 4) rather than a punisher. The same tendency may be surmised behind the Cyrenean changes.

touched also the island of Thera.¹⁴⁴ At the same time approximately, Chabrias was a member of an Athenian *theoria* sent to the shrine of Ammon in the Libyan desert.¹⁴⁵ His attention must have remained concentrated on the South during the following years, to judge from his services, military as well as financial, offered to Tachos *c.* 360 B. C.¹⁴⁶ Chabrias' contact with Cyrene, resulting in a change of the Cyrenean political attitude¹⁴⁷ and, through the authority and wisdom of Plato's Academy, of the Cyrenean constitution, must therefore have taken place in 363, 362 or early 361.¹⁴⁸ The ὄρκιον τῶν οἰκιστῆρων will have been engraved on that occasion.

¹⁴⁴ Cf. IG II² 179, l. 9. 11. See also above, text and n. 80.

¹⁴⁵ Cf. A. M. WOODWARD, BSA 57, 1962, 5–13 (on SEG 21, 241 and 562 [esp. l. 37]).

¹⁴⁶ Diod. 15, 92, 3; Plut. Ages. 37; Ps. Aristot. Oecon. 2, 2, p. 1350 *b* 33 ff. (cf. E. D. WILL, REA 62, 1960, 254–275) et al. Agesilaus' simultaneous presence in Egypt must have been politically immaterial for Cyrene; Sparta's foreign ambitions after Mantinea and the Koine Eirene of 362 became quite modest, judging *i. a.* by her abstinence from the alliance Staatsverträge, II, no. 290.

¹⁴⁷ The new pro-Athenian orientation of Cyrene, directly or indirectly connected with the events discussed here, seems to be reflected in IG II² 176 («Cyrenaeorum quorundam honores»; 370's–350's?). It is even possible that the model for the Theraean-Cyrenean isopolity was found by Chabrias himself, in the Corinthian union with Argos of 392–386 B. C. (GRIFFITH, *Historia* I, 1950, 236–256), which must have been well known to him as the Athenian general in Corinthiad in the early 380's; cf. above, nn. 66, 86.

¹⁴⁸ The year 361/0, during which Plato was absent from Athens, seems excluded. Neither do the early 350's seem a suitable context for the Athenian intervention (albeit indirect) in Cyrene, since both the prestige and interest of Athens in the South began to decline then.