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**Athens' Contribution to Hellenistic Institutional *Koine*:
Some Further Considerations**

1. *In the footsteps of Georg Busolt* (Busolt 1920, 439): “So wurde trotz allen Schwankungen und Reaktionen die Demokratie in der hellenischen Welt zur vorherrschenden Staatsform, und auch da, wo keine demokratische Verfassung bestand, machten sich Einflüsse demokratischer Grundsätze und Einrichtungen geltend. Im Laufe der bei aller Mannigfaltigkeit doch in wesentlichen Zügen gleichartigen Entwicklung der griechischen Poleis glichen sich nach und nach die partikularen Besonderheiten aus. **Wie, vorwiegend unter attischen Einflüssen, eine *koivḗ* der Verkehrs- und Literatursprache sich ausbildete und die gemeinsame Bildung und Sitte, die gemeinsamen Verkehrsformen und Rechtsanschauungen zum Ausdruck brachte, so erwuchs auch ein stetig sich vergrößernder Bestand von gemeingriechischem Privatrecht und, trotz der Fortdauer lokaler Eigenheiten, eine von demokratischen, vielfach attischen Institutionen bedingte oder beeinflusste *koivḗ* von staatsrechtlichen Formeln und Begriffen, von Grundsätzen und Organen der Staatsverwaltung**”. [italics original]

2. Honorary decree of Priene for Alexandria Troas (*I.Priene*² 119, 2nd c. BCE)

δεδοχθαι τῇ βουλῇ καὶ τῷ	8
δήμῳ· ἐπηνῆισθαι τὸν δῆμον τὸν Ἀλεξανδρέων ἐπὶ τε τῇ προαιρέσει ἣν ἔχει εἰς τὴν πόλιν ἡμῶν ἀκόλουθα πράττων τοῖς προϋπάρχουσιν ἀμφοτέραις ταῖς π[ό]λεσιν [φ]ιλανθρώποις καὶ διότι τῇ πᾶσαν σπουδὴν προαιρούμενος ποιεῖσθαι ὑπὲρ τῶν παρα- γινόμενων εἰς τὴν πόλιν δικαστηρίων, ὅπως ἴσα καὶ δίκαια πᾶσι τοῖς πολίταις πα- ραγίνηται, διὰ τὸ μάλιστα διὰ τοῦτο τηρεῖσθαι τὴν δημοκρατίαν, ἀποσταλέ[ντων] πρὸς αὐτὸν παρ' ἡμῶν δικαστῶν τοὺς μὲν παραγενομένους ἄνδρας εἰς Ἀλεξάνδ[ρ]εια[v] ἐπήνεκεν ἐπὶ τε τῷ σωφρόνως καὶ ἀνεγκλήτως παρεπιδημήσαι καὶ διότι τὰς δίκας ἴσως καὶ δικαίως ἀπάσας ἔκριναν τὰς τε τῶν παρανόμων καὶ τὰς τῶν βιαίων, τὸν δὲ δῆμον ἔστεφάνωκεν ἀρετῆς ἕνεκεν καὶ εὐνοίας τῆς εἰς τὴν πόλιν καὶ διότι ἄνδρας καλοῦς καὶ ἀγαθοὺς ἀπέστειλεν· [...]	12 16

[...] it was decided by the council and the people: we commend the people of the Alexandreians for the goodwill they have for our city, (manifest) in their acts harmonious with the pre-existent grants exchanged between the cities, and because, **by deciding to take great care that the judges who come to their city be impartial and just for all the citizens, for it is through this most of all that the democracy is preserved**, after we sent the judges to the people (of Alexandreians), it commended the men who arrived in Alexandria for their chaste and blameless sojourn and **for their impartial and just decisions in all the cases, the ones concerning proposals of unconstitutional measures, as well as the ones concerning violence**, and it crowned our people for its good services and for the goodwill towards their city and for sending excellent men. [...] (trans. M. Riel, with slight modifications)

3. Decree of Demetrias honouring three judges sent by Herakleia Trachinia (*SEG* 58 1906, last third of the 2nd c. BCE)

ἐ]-	
πελ, αἰρεθείσης ἐν τῇ ἐκκλησίᾳ (τῆς) πόλεως Ἑρακ[λειωτῶν, ἀφ' ἧς ἔδει] μεταπέμψασθαι δικαστήριον ἐπὶ τὴν [δίκην τὴν εἰσαχθεῖσαν] ὑπὲρ ψηφίσματος ὡς παρανόμου κ[- - - - - ca. 22 - - - - -] καὶ ἐκκλησίας κατακολουθ[- - - - - ca. 20 - - - - -]	12

δικασταγωγου[- - - - - ca. 30 - - - - - ἡ πό]
 λισ τῶν Ἡρακλειῶ[τῶν ἀπέστειλεν πρὸς ἡμᾶς δικαστὰς ἄνδρας]
 καλοὺς καὶ [ἀγαθοὺς - - - - -]

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10 τῆς add. Habicht πόλεως Ἡρακ[λειωτῶν, ἀφ' ἧς ἔδει] BE 1969, 327 : (ἐκκλητίου) πόλεως Ἡρακ[λείας περὶ τοῦ] Helly 11 εἰσαχθεῖσαν
 Habicht : ἐνεστηκυῖαν BE 1969, 327 12 κ[Habicht : κεκ[ριμένου Helly

4. Decree of Mylasa regarding the sacred works in the shrine of Labraunda (*I.Labraunda* 56, early Imperial period)

- - - - - μηδεὶς]
 [τὰς εἰσαγομένας (?) δ]ίκας [π]ερὶ το[ύ]των εἰς τὸ[ν δῆμ]ο[ν ἐν]εγγραφέ-
 [σθ(?)]) τῇ τῶν ἐκκλησιῶν τάξει, **καθ' ὃ ξῆτι εἰσάγοντα[ι] ν αἱ ἐ[κ τοῦ]**
παρὰ νόμου ψηφίσματος δίκαι, ν ἐξεῖναι δὲ τοῖς ἄρχουσι [καὶ]
 τῷ γραμματεῖ τῆς βουλῆς καὶ τῷ ἱερεῖ τοῦ θεοῦ ν καὶ τῇ βουλῇ ἐ[σ]-
 ἀγγέλλειν τὸν ἀδικοῦντα ἢ κακουργοῦ(ν)τα ἐπιστάτην περὶ τὰ ἔ[ρ]-
 γα τοῦ ἱεροῦ, τὴν δὲ βουλὴν ν ἐπιστρέφειν κατὰ τοῦ ἀδικήσαν[τ]-
 ος τοῦ ἀδικήματος ἀξίως καὶ ζημιοῦν ὅσῳ κυρία ἐστὶ[ν],
 ὅντος αὐτοῦ ὁμοίως καὶ ὑπευθύνου τῷ ἀδικήματι τῷ[ι]
 ἱερῷ, καθότι προέγραπται [...]

- - nobody shall enter in] the register of the charges [the] causes [which are brought] before the [people] concerning this
 (or them), **as the causes are still brought forward [in consequence of the] illegal decree.** It shall be permitted to
 prosecute the epistates who does wrong or evil in respect of the works of the shrine to the archons, the secretary of the
 council, the priest of the god and the council. The council shall give due heed to the offender as the offence deserves,
 and punish him so far as it is entitled and he shall equally be also responsible for the offence against the god, as it is
 written above. (trans. J. Crampa)

5. Citizens' oath in Mylasa (*I.Labraunda* 47, 2nd c. BCE)

[- - - - - c. 42 - - - - - M]υ[λ]ασεισιν οὐθ' ἐν[ὶ οὐθ' ἐν(?)]
 [- - - - - c. 41 - - - - - ἀλλὰ διαφυλάξω τ]ῷ[δ]ῆμῳ τῷ Μυλασέων καὶ
 [οὐ καταλύσω τὴν δημοκρατίαν οὐδὲ τῶν ἐψηφισμέ]γων οὐθ' ἐν οὐδὲ ἄλλῳ ἐπιτρέ- 4
 [ψω οὐθ' ἐν ἐπιβουλεύοντι ἀλλὰ τὸν προδιδόντα] καὶ καταλύοντα κωλύσω κατὰ
 [δύναμιν καὶ πολέμιος ἔσομαι τῷ ἀδίκῳ πολίτῃ] ἢ ξένῳ, καὶ διαφυλάξω τὰ τε ἔτε-
 [ρα e.g. φιλόφρονες καὶ τὴν αὐτὴν προαίρ]ν καὶ τὴν τῶν προγόνων αἴρ[εσιν] [M]υλασεισιν εἰς ἅπαντα τὸν χρόνον.
 [εὐορκοῦντι μὲν ἐμοὶ εἴη καὶ αὐτῷ κα]ὶ γένει καὶ ὑπαρχόντων ὄντων καὶ γῇ καὶ 8
 [καρποὶ καὶ εὐτεκνία καὶ πρόβατα κα]ὶ οἰκήματα, ἐφορκοῦντι δὲ πάντα τὰ ἐναντία.

- - but I shall guard carefully] for the people of Mylasa. **[I shall not dissolve democracy nor] anything [which has
 been voted.] Nor shall I permit [anybody] else [to plot, but] I shall prevent to the best of [my power everybody
 who is betraying] and dissolving (it)** [and I shall be hostile to every unjust citizen] or stranger. I shall guard carefully
 for the Mylasans for ever the other [e.g. concessions and - - devotion. If I keep my oath, may there be to me myself and]
 my family profit from resources, land, [fruits (of it), blessing of children, cattle and] houses, if I do not, all the opposite.
 (trans. J. Crampa)

6a. Decree of the Acarnanian League re-establishing the Games at Actium (*IG IX.1*² 2, 583, c. 216 BCE)

α δὲ εἴμεν τὰ κατακεχωρισμένα ἐν ταῖς στάλαι καὶ **μήτε νόμῳ μήτε ψα-**
φ[ί]σματι λύεσθαι τῶν ἀναγεγραμμένων μηθέν· εἰ δέ τις ψάφισμά τι ἢ [νό]-
 μον γράψαι ἢ ἄλλως πως ἐπιχειροῖ διακόψαι τὰ συνκειμένα, εἰ μὲν πόλις, ἀπο-
 τεισάτω μὴ πεντακοσίας, εἰ δὲ ἔτας, ἀποθνασκέτω κριθεὶς ἐν τῷ
 δ[ι]καστηρίῳ καὶ ὁ νόμος καὶ τὸ ψάφισμα ἀτελὲς ἔστω [...]

κῆρι-

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[...] les dispositions enregistrées sur la stèle auront force de loi, et **aucune loi ni aucun décret ne pourra abroger les conventions inscrites en quoi ce soit**; au cas où on essaierait de proposer un décret ou une loi, ou de rompre les conventions par tout autre moyen, si le responsable (de cette tentative) est une cité, qu'elle paie cinq cents mines, si c'est un simple particulier, qu'il soit mis à mort après jugement au tribunal, et que la loi et le décret soient frappés de nullité [...] (trans. J. Pouilloux, *Choix d'inscriptions grecques*, Paris 1960, 113)

6b. Honorific decree of Kos for Antipater, an official or courtier of Seleucus II (*IG* XII.4 33, after mid-3rd c. BCE) [*cf.* *IG* XII.4 81, 40–42; *IG* XII.4 82, 31–33; *IG* XII.4 199, 1–2]

εἰ δέ τι ἐ(ν)αντίον ἐστὶ τῷδε τῷ ψ(α)φίσ[ματι – – c. 5 – –] 10
 – – c. 8 – – ἐκ τῶν νόμων, περιίκαντι κατ' [αὐτὸ τοῦτο]
 [τοὶ νόμοι – – – –] ἦν ὡς ἐλαχί[στην – – – – –]

6c. Honorific decree of Magnesia on the Maeander for Prienian judges (*I.Priene*² 112, late 3rd c. BCE) [*cf.* *I.Magnesia* 92a, 13–14; *I.Magnesia* 92b, 18–19; *I.Magnesia* 94, 12–13; *I.Magnesia* 102, 21–22]

[ἀνα]-
 [γράψαι] δὲ τὸ ψήφισμα εἰς στήλην λιθίνην καὶ στήσαι τὴν στή(λη)ν ἐν τῷ ἐπι[σημοτά]-
 [τῷ] τόπῳ· λελύσθαι δὲ καὶ εἴ τι ψήφισμα ἐναντίον ἐστὶν τῷδε τῷ ψηφίσ[ματι] 30
 [κατ' αὐ]τὸ τοῦτο καθ' ὃ ἐστὶν ἐναντίον.

man soll den Beschluß auf einer steinernen Stele [aufzeichnen] und die Stele an [einer möglichst prominenten] Stelle aufstellen; und wenn es einen Beschluß gibt, der diesem Beschluß entgegensteht, soll er aufgehoben sein, insoweit er ihm entgegensteht. (trans. W. Blümel & R. Merkelbach)

7. *The prospective founder of a Hellenistic city according to Sir William Tarn* (Tarn 1952³, 145–146): “he had to find land and settlers for it, build the wall, supply food, seed-corn, cattle, and tools to give the people a start, remit taxation till the city found its feet, decide personally innumerable housing, economic, and social questions, give a constitution and get political life started, and **settle the city law, though here he could order the adoption of some well-known Greek city code, with or without modifications**”.

8. Letter of Antigonos to Teos concerning the projected synoecism with Lebedos (*RC* 3, c. 303 BCE)

εἰς δὲ τὸ λοιπὸν καὶ διδόναι [καὶ λαμβάνειν δίκας κατὰ νό]-
 μους οὓς ἂν ὑπολαμβάνοιτε ἴσους ἀμφοτέροις εἶναι. ἃ[ποδείξαι δὲ ἐκατέρους]
 νομογράφους τρεῖς μὴ νεωτέρους ἐτῶν τεσσαράκοντα [ὄντας ἀνεριθεύ]- 45
 [τους]· οἱ δὲ αἰρεθέντες ὁμοσάντων γράψειν νόμους οὓς ἂν νομίσωσιν βελ]-
 τίστους εἶναι καὶ συνοίσειν τῇ πόλει· ὅταν δὲ ὁμόσωσιν, [γραψάντων οὓς ἂν ἡγή]-
 [σωνται ἴσους ἀμφοτέροις ἔσεσθαι καὶ ἐνεγκάντων ἐντὸς ἑξαμήνου· εἶναι δὲ]
 [καὶ] ἄλλῳ τῷ βουλομένῳ γράψαντι νόμον ἐσφέρειν· τῶν δὲ [εἰσενεχθέντων ὅσα]
 μὲν ἂν ἐξ ὁμολογουμένων ὁ δῆμος ἐπικυρώσῃ, χρᾶσθαι τού[τοις, ὅσα δὲ ἀντιλεγό]- 50
 μενα ᾖ, ἀναπεμφθῆναι πρὸς ἡμᾶς, ὅπως ἢ αὐτοὶ ἐπικρίνωμεν [ἢ πόλιν ἀποδείξω]-
 [μεν τὴν ἐπικρινοῦσαν· ἀναπέμψαι δὲ καὶ τοὺς συνομολογηθέν[τας νόμους, καὶ δια]-
 σαφεῖν τοὺς τε ὑπὸ τῶν νομογράφων εἰσενεχθέντας καὶ τοὺς [ὑπ' ἄλλων γραφέντας,]
 [ὅπως] ἐάν τινες φαίνωνται μὴ τὰ βέλτιστα νομογραφοῦντες ἀλλ' [ἀνεπιτήδεια, αὐτοῖς]
 ἐπιτιμῶμεν καὶ ζημιῶμεν· ταῦτα δὲ συντελέσαι ἐν ἐνιαυτῷ. [ἔξω δ' ἂν οἱ σύμπαν]- 55
 [τε]ς νόμοι συντελεσθῶσιν, οἱ μὲν παρ' ὑμῶν ὄντο δεῖν τοῖς παρ' ὑμῖν [νόμοις χρᾶσθαι, οἱ δὲ παρὰ]-
 [τῶν Λεβεδίων ἡξιοῦν ἐξ ἐτέρας τινὸς πόλεως μεταπεμψαμένους [χρᾶσθαι· ἐπεὶ δὲ δικαί]-
 ὄτερον ὑπολαμβάνομεν εἶναι ἐξ ἄλλης πόλεως μεταπέμψασθ[αι νόμους, κελεύσαντες μὲν ἀμ]-
 φοτέρους λέγειν ἐκ ποίας πόλεως βούλονται χρᾶσθαι νόμοις, συνο[μολογησάντων δὲ]
 [ἀμφοτέρων ὥστε τοῖς Κώϊων νόμοις χρῆσθαι, ἐπικεκρίκαμεν, τοὺς [δὲ Κώϊους παρεκαλέσα]- 60
 [μεν πρὸς τοὺς νόμους ὅπως δῶσιν ὑμῖν ἐγγράψασθαι. οἰόμεθα δὲ [δεῖν ἀποδειχθῆ]-
 ναι τρεῖς ἄνδρας εὐθὺς ὅταν [ἡ] ἀπόκρι[σις] ἀναγνωσθῇ, καὶ ἀποστ[αλῆναι ἐς Κῶν ἐν ἡμέ]-
 [ραις] τρισὶν ἐκγράψασθαι τοὺς νόμους, τοὺς δὲ ἀποσταλέντας ἐ[π]α[νεγκεῖν τοὺς νόμους]

In future you shall pay [and receive penalties according to whatever] laws seem equitable to both your cities. **[You should each appoint] three codifiers of the laws aged 40 or more and [above corruption];** let the men chosen swear to draw up laws [they think are] the best and will benefit the city. When they have sworn [let them draw up laws they think] fair to both sides and let them present them within [six months; and let] any one else who wishes draft a law and introduce it; **of the laws [that are introduced, all those] which are agreed on and ratified by the people should be put into practice, [but all those which meet with objections] should be referred to us, so that we may either decide on them ourselves [or appoint a city] to give a decision; the [laws] that have been agreed on (by you) should be sent to me, and it should be made clear which laws were introduced by the codifiers of the laws and which laws [were drawn up by others, so that] if it is clear that some of the codifiers have not provided the best laws but [some which are unsuitable] we shall censure and punish [them];** all this should be carried out within one year. [Until such time as the complete code of] laws was drawn up, your envoys thought it right [that you should use] your own [laws, while the envoys] **of the Lebedians requested to send for laws from another city [and to use them; and since we] think it more just to send for [laws] from another city, [and instructed both] sides to declare the city whose laws they wished to use, and both sides [agreed] to use the laws of Cos, we decided accordingly, and [invited] the [people of Cos] to give you a text of their laws to copy.** We think it [right] that three men should be [appointed] immediately as soon as [this] answer is read out, and be [sent to Cos within] three [days] to take a copy of the laws, and that these envoys should [bring back the] laws bearing the seal of the people of Cos within [thirty] days.

9. Alexander the Great and Chios (*GHI* 84A, 334 BCE)

τοὺς φυγάδας τοὺς ἐκ Χίου κατιέναι πάντα, **πολίτευμα δ' εἶ]-
ναι ἐν Χίῳ δῆμον. αἰρεθῆναι δὲ νομογράφους, οἵτινες γρα-
ψουσι καὶ διορθώσουσι τοὺς νόμους,** ὅπως μηδὲν ἐναντί-
ον ᾗ τῇ δημοκρατίᾳ μηδὲ τῇ τῶν φυγάδων καθόδῳ· **τὰ δὲ δι-
ορθωθέντα ἢ γραφέντα ἐπαναφέρεσθαι πρὸς Ἀλέξανδρον.**

5

All the exiles from Chios shall return, and **the constitution in Chios shall be a democracy. Law-writers shall be elected, who shall write and correct the laws,** so that nothing shall be contrary to the democracy or to the return of the exiles; **what is corrected or written shall be referred to Alexander.** (trans. P. J. Rhodes & R. Osborne)

10. Ael. *VH* 3.17 Dilts (= Demetr. F 65 Wehrli; F 40 SvOD)

Δημήτριος δὲ ὁ Φαληρεὺς καὶ Ἀθήνησιν ἐπιφανέστατα ἐπολιτεύσατο, ἔστ' [ἂν] αὐτὸν ὁ συνήθης Ἀθηναίοις φθόνος ἐξέωσε· **καὶ ἐν Αἰγύπτῳ δὲ συνὼν τῷ Πτολεμαίῳ νομοθεσίας ἤρξε.**

Demetrius of Phalerum not only had a most distinguished career at Athens, until the typical jealousy of the Athenians ousted him; **he then took charge of legislation in Egypt as an associate of Ptolemy.** (trans. N. G. Wilson)

11. Plb. 5.93.1, 8

ταῦτα δὲ ἄρμοσάμενος διέλυε [i.e. Aratus] τοὺς Μεγαλοπολίτας πρὸς αὐτοὺς κατὰ τὸ τῶν Ἀχαιῶν δόγμα. [...] **μάλιστα <τε> τῶν νόμων ὑπὸ Πρυτανίδος γεγραμμένων πρὸς ἀλλήλους ἐφιλονείκουν, δν ἔδωκε μὲν αὐτοῖς νομοθέτην Ἀντίγονος, ἣν δὲ τῶν ἐπιφανῶν ἀνδρῶν ἐκ τοῦ Περιπάτου καὶ ταύτης τῆς αἰρέσεως.**

After having arranged this, he [i.e. Aratus] put an end to the intestine disputes of the Megalopolitans in accordance with the decree of the Achaeans. [...] **The most serious controversy of all, however, was in regard to the laws framed for them by Prytanis, an eminent member of the Peripatetic school, whom Antigonos had sent to them to draw up a code.** (trans. W. R. Paton, rev. F. W. Walbank & C. Habicht)

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