

The Common Voice of the People

Heralds and the Importance of Proclamation in Archaic and
Classical Greece with Special Respect to Athens



Andrew S. Brown
Wadham College

Thesis submitted for the Degree of Doctor of Philosophy
Trinity 2011

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Abstract

The Common Voice of the People is a study of the importance of heralds and their proclamations to the communal life of the ancient Athenian *polis* in the Archaic and Classical periods. This dissertation aims to contribute to the growing body of modern scholarship on issues of public communication, the tension between literacy and orality, the importance of ritual in the ancient *polis*, and the varied roles and identities of Greek heralds. While there has been a great focus in recent scholarship on literacy and the written record, the official place of orality within the Classical *polis* has been neglected, and until now there has never been a full scale study of heralds and their place within the community. Building upon the recent scholarship on news dispersal within the *polis* I have explored the positions and roles of the ancient Athenian heralds within their community, and the historical progression of the herald's position from Geometric Greece to the end of the Classical world. I have sought to determine what their importance and the importance of their proclamations was to the proper functioning of the Athenian community. Marshalling evidence from both literary and epigraphic evidence I employed these deductions about heralds to further explore the importance of both official state and unofficial citizen proclamations in the spread of news and within established ritual. This work explores a range of topics concerning *polis* life such as religion, civil communication, public notice, private citizen disinherencies and manumissions, international communication, Imperial Athenian attitudes towards subject allies, and the necessity of proclamation to the conferral of honor. *The Common Voice of the People* demonstrates the depth of integration of heralds and oral communication within a variety of aspects of *polis* life, the surprising absence of heralds from certain central aspects of internal Athenian communication, and the continued importance of orality as both a practical and ceremonial aspect of official forms of communication and ritual in an increasingly literate classical Athens.

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Preface

This study began as a result of a conversation with Professor Robert Parker in the fall of 2005 concerning the role of heralds within the classical *polis*. We noted that neither of us was entirely sure what heralds did, if anyone had ever written about them, and whether they played any important role in actually communicating serious information. This conversation proved to be the genesis for my M.phil dissertation, which focused upon the roles of heralds and their place within early and Classical Greek society. The further study which came with the D.phil convinced me that heralds and their proclamations did not always appear to serve a role in communicating new information to their communities, and that often their proclamations served an important ritual role in different aspects of society. Those aspects of communication which I thought the herald would play a significant role in facilitating, such as the spread of news concerning laws, decrees, or military mobilizations, appear within Athens to be mostly free from any heraldic involvement. This realization brought about a shift in the focus of my work from an investigation simply into the identity of heralds to one that focused on the social importance of formally ritualized proclamations made by heralds. In some cases this new approach centered upon discussions of communication in different aspects of official and unofficial information, while in others it examined the ritual and ceremonial importance of heraldic proclamations. It has been my intention to add to the constantly expanding and dynamic modern scholarship on ancient Greek communication, as well as to produce the first extensive work examining the roles and identities of heralds within the Classical World. I hope this work will prove interesting to those interested in communication, orality, the roles of *polis* officials, Athenian attitudes

towards their imperial subjects, and the importance of ritual within sacred and secular aspects of ancient society. I have always believed that the best scholarship seeks to pose two questions for every answer it provides, and this dissertation reflects that belief. The evidence regarding heralds is often incomplete, and any serious discussion of the matter will invariably raise many unanswerable questions. In such cases I have sought to propose those hypotheses which seem to my mind the most likely or interesting, and it is my hope that in doing so I will drive the reader's mind to engage with the evidence and possibilities in novel fashions. I welcome discussion and argument regarding my methods and conclusions in the hope they will answer those questions I currently find unanswerable, and will in turn further elucidate the world of the ancient herald.

Following this short preface, the Introduction will briefly discuss the issues concerning previous scholarship into news, public writing, and orality in the early and Classical *polis*. The Introduction will further explain the methodology used to explore the importance of heralds and proclamations, and especially types of searches conducted in modern databases of ancient Greek literature and epigraphy. Using the evidence gleaned from these searches, and additional evidence and discussion found in modern secondary literature on various related subjects, this dissertation was broken into six chapters which focus on individual aspects of proclamation and heraldic involvement with life in the Archaic and Classical *polis*. Each primary aspect is given a chapter of its own in order to focus upon a specific aspect of communication or ritual action within the community, and the investigation centered on the above stated desire to determine the importance of proclamation within the *polis* systems of communication.

Chapter One focuses primarily upon the information regarding the roles, qualifications, and identities of Greek heralds. It will answer many of the basic questions and definitions about heralds that are overlooked or taken for granted in other scholarship. This chapter will explore the historical evidence for heralds in pre-historical Greece and from other Near-Eastern civilizations. Later chapters will focus more on the specific communicative and ritual aspects of heraldic proclamation, but this section will seek to give a foundational knowledge of the dispersion of heralds throughout the *polis* in order that one may understand their importance to a multitude of civic institutions and practices.

Chapter Two will examine the role that proclamations and heralds played within civil governance, and whether the Athenians employed formal oral communication to disperse news to the greater citizenry. The chapter begins by looking at Athenian practices of military communication to locally occupied populations as evidence for direct communication through proclamation, then expands its view to whether such systems were employed within Athens for the communication of official news, and finishes with an investigation into the practice of ‘public notice’ for political and civic issues.

Chapter Three will turn away from questions of mass communication by the central authority, and instead will focus on how the Athenian state focused its attention on individual citizens in the form of honorific proclamations. The importance of proclamation in the ritual conferral of victory in pan-Hellenic athletic contests provides the foundation for an investigation into the growth of honorific crowns in the fifth and fourth centuries in Athens. This will follow with an examination of the laws and regulations surrounding public honorific crownings, and the importance of proclamation to the conspicuous conferral of honor. The famous legal battle between Aeschines and Demosthenes on the crown will

form the backbone of this discussion, which will also examine the nature of epigraphic records for honorific crowns in the fourth century.

Chapter Four changes the dynamic of the dissertation, and contrary to the previous two chapters focuses on the ability of the individual Athenian citizen to employ heralds to make privately commissioned proclamations. Instead of looking at a top down form of communication this chapter focuses on the ability of the individual to communicate with the community. The primary types of proclamations made by private citizens are mercantile publicity, manumissions of slaves, and ritual disinheritances. The issue of manumission is of the greatest interest as it allows for an examination of the importance of proclamation in informing the community about the changed status of the freedman, and also is interesting in the use of mixed forms of publicity which included using both proclamation and written records together to announce some manumissions.

Chapter Five expands the scope of the dissertation from within the *polis* community to the greater issues of international use of heralds in diplomacy, and more specifically the use of heralds and proclamations in the fifth century Athenian Empire. This chapter begins with an examination of the pan-Hellenic nature of inter-*polis* heraldic contact. These standardized forms of contact are used to examine if the Athenians employed a similar system within their fifth-century *arche*. The evidence for this chapter is largely based upon the famous fragmentary financial inscriptions of the Athenian Empire, and requires a great deal of care to ensure that great leaps and bounds of assumptions are not mistakenly being made. The chapter concludes with an investigation into military practices of communication between far-flung outposts and forces in the Aegean to see if the Athenians developed a specific imperial system of military communication.

Chapter Six concludes the primary chapters of investigation with an examination of the role heralds and proclamations played within the religious sphere of the *polis*. Unlike the previous chapters the evidence for Athenian heraldic involvement in religion is somewhat scarce, so a greater view of the Greek world is taken in order to open up the available evidence. The chapter explores three different aspects of heraldic religious activity: the pre-proclamation of festivals; the use of proclamation within the space of religious ritual; and the involvement of heralds in the physical sacrifice of animals. The ritualized nature of these religious proclamations draws into question how proclamations might have been used beyond simple communication, and how they could become part of the ritual and legitimization of ceremony itself.

In the Conclusion which follows, I discuss the broader significance of the material contained in the above named chapters, and how they relate to the larger questions of the place of orality in the Archaic and Classical *polis* posed in the Introduction. What will become evident is the importance of the herald and proclamation to a variety of aspects of Athenian life, and how this importance allowed the herald to survive the many changes that the Greek community underwent in the Archaic and Classical periods. However, what appears equally interesting is the unimportance of heralds and proclamations for the communication of specific aspects of communication (laws, decrees, and military information), and what this might indicate about Athenian attitudes towards the herald and his association with pre-democratic forms of governance.

A Note on Spelling and Convention

It has been my goal throughout this dissertation to present the material and analysis with simplicity and clarity. I have clung fast to my native American style of spelling for the English language (e.g. theater, not theatre). In most cases of individual ancient Greek words I have chosen to transliterate the words with italics rather than use an ancient Greek font. The exceptions are instances where I refer directly to specific epithets or words in a text, introduce important terms, or use proper titles (e.g. κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου). All Greek literary citations are from editions found in the TLG unless otherwise noted. All dates that appear in the text are BCE unless otherwise noted as CE. I have included translations for every extended piece of ancient language presented in this text. The translations of ancient languages are my own unless explicitly mentioned to the contrary. The Greek font used is Antioch, and the dissertation is presented in twelve point Times New Roman. The length of this work is approximately 83,500 words.

List of Abbreviations

<i>ABL</i>	Harper, R.F. (1892 – 1914). <i>Assyrian and Babylonian Letters</i> , (Chicago).
<i>ABSA</i>	<i>Annual of the British School at Athens</i> .
<i>AfO</i>	<i>Archiv für Orientforschung</i> .
<i>Agora</i>	<i>The Athenian Agora: Results of the excavations conducted by the American School of Classical Studies</i> , (Princeton).
<i>AJP</i>	<i>American Journal of Philology</i> .
<i>ATL</i>	Meritt, B.D., H.T. Wade-Gery & M.F. McGregor (1939 – 1953). <i>The Athenian Tribute Lists v. 1– 4</i> , (Cambridge, MA).
<i>Atra-hasîs</i>	Lambert, W.G. & A.R. Millard (1969). <i>Atra–hasis: the Babylonian Story of the Flood</i> , (Oxford).
<i>BCH</i>	<i>Bulletin de correspondance hellénique</i> .
<i>BICS</i>	<i>Bulletin of the Institute of Classical Studies</i> .
<i>BMCR</i>	<i>Bryn Mawr Classical Review</i> .
<i>Borger</i>	Borger, R. (1956). <i>Die Inschriften Asarhaddons, Königs von Assyrien</i> , (Graz).
<i>BWL</i>	Lambert, W. (1959). <i>Babylonian Wisdom Literature</i> , (Oxford).
<i>CAD</i>	<i>The Assyrian Dictionary of the University of Chicago</i> .
<i>CAF</i>	Kock, T. (1880 – 9). <i>Comicorum Atticorum Fragmenta</i> .
<i>Christesen & Martirosova-Torlone</i>	Christesen, P. & Z. Martirosova-Torlone (2006). “The Olympic Victor list of Eusebius”, <i>Traditio</i> 61: 31 -- 93.
<i>CIG</i>	<i>Corpus Inscriptionum Graecarum</i> .
<i>CGF</i>	Austin, C. (1973). <i>Comicorum Graecorum Fragmenta in papyris reperta</i> .
<i>CJ</i>	<i>The Classical Journal</i> .

<i>CQ</i>	<i>Classical Quarterly.</i>
<i>CR</i>	<i>Classical Review.</i>
<i>CW</i>	<i>Classical World.</i>
<i>Deils & Kranz</i>	Diels, H. & W. Kranz (1952). <i>Die Fragmente der Vorsokratiker</i> , (Berlin).
<i>DELG</i>	<i>Dictionnaire Étymologique de la Langue Grecque.</i>
<i>EA</i>	<i>Epigraphica Anatolica</i>
<i>FGrHist</i>	Jacoby, F. (1923 –). <i>Fragmente der Griechischen Historiker.</i>
<i>GCCI</i>	Dougherty, R.P. (1923 – 33). <i>Goucher College Cuneiform Inscriptions</i> (New Haven).
<i>GRBS</i>	<i>Greek, Roman, and Byzantine Studies.</i>
<i>HCT</i>	Gomme, A.W. (1945 – 1981) <i>A Historical Commentary on Thucydides</i> , v. 1 – 5, (Oxford).
<i>Hesp.</i>	<i>Hesperia.</i>
<i>HSPh</i>	<i>Harvard Studies in Classical Philology.</i>
<i>HSS</i>	<i>Harvard Semitic Series.</i>
<i>HTR</i>	<i>Harvard Theological Review.</i>
<i>IBM</i>	<i>Ancient Greek Inscriptions in the British Museum.</i>
<i>IG</i>	<i>Inscriptiones Graecae.</i>
<i>Inscr. Jur. Gr.</i>	Dareste, <i>et. al.</i> (1891 – 1895). <i>Recueil des inscriptions juridiques grecques.</i>
<i>IPriene</i>	von Gaetringen, F.H., <i>et. al.</i> (1906). <i>Inschriften von Priene</i> , (Berlin).
<i>JHS</i>	<i>Journal of Hellenic Studies.</i>
<i>Kassel-Austin</i>	Austin, C. & R. Kassel (1983 -). <i>Poetae comici Graeci</i> , (Berolini).
<i>LGPN</i>	<i>Lexicon of Greek Personal Names.</i>

- LSAM* Sokolowski, F. (1955). *Lois Sacrees de L'Asie Mineure*, (Paris).
- LSCG* Sokolowski, F. (1969). *Lois sacrées des cités grecques*, (Paris).
- LSS* Sokolowski, F. (1962). *Lois sacrées des cités grecques. Supplément*, (Paris).
- ML* Meiggs, R. & Lewis, D.M. (1969). *A Selection of Greek Historical Inscriptions*, (Oxford).
- Nauck* Nauck, A. (1886). *Porphyrii philosophi Platonici Opuscula selecta*, (Leipzig).
- OIP* *Oriental Institute Publications*.
- P. Oxy* *The Oxyrhynchus Papyri*.
- PA* *Prosographica Attika*.
- PAPHS* *Proceedings of the American Philosophical Society*.
- PBSR* *Papers of the British School of Rome*.
- PEP (Chios)* *Princeton Epigraphical Project*
- PF* Hallock, R.T. (1969). *Persepolis Fortification Tablets*.
- RO* Rhodes, P.J. & R. Osborne (2003). *Greek Historical Inscriptions 404 – 323 BC*, (Oxford).
- Ruschenbusch* Ruschenbusch, E. (1966). *Solonos nomoi. Die Fragmente des solonische Gesetzeswerkes mit einer Text- und Überlieferungsgeschichte*, (Wiesbaden).
- SEG* *Supplementum Epigraphicum Graecum*.
- SGDI* *Sammlung der griechischen Dialektinschriften*.
- SKT* Winckler, H. (1823 – 95). *Sammlung von Keilschrifttexten*, (Leipzig).
- Syll.*³ Dittenberger, W. (1915 – 24). *Sylloge Inscriptionum Graecarum*, 3rd edn.
- TAPA* *Transactions of the American Philological Association*.

- Thalheim* Thalheim, T. (1903). *Isaei orationes cum deperditarum fragmentis*, (Leipzig).
- Tod* Tod, M.N. (1933), *A Selection of Greek Historical Inscriptions*, (Oxford).
- Walz* Walz, C. (1835). *Rhetores Graeci*, vol. 8, (Stuttgart).
- ZPE* *Zeitschrift für Papyrologie und Epigraphik*.

Introduction

Approach, Sources, and Methodology

ὁμοίως δὲ καὶ πόλις ἢ μὲν ἐξ ὀλίγων λίαν οὐκ αὐτάρκης (ἢ δὲ πόλις αὐτάρκης), ἢ δὲ ἐκ πολλῶν ἄγαν ἐν μὲν τοῖς ἀναγκαίοις αὐτάρκης ὥσπερ ἔθνος, ἀλλ'οὐ πόλις· πολιτείαν γὰρ οὐ ῥάδιον ὑπάρχειν· τίς γὰρ στρατηγὸς ἔσται τοῦ λίαν ὑπερβάλλοντος πλήθους, ἢ τίς κῆρυξ μὴ Στεντόρειος;¹

Similarly, a *polis* consisting of too few people will not be self-sufficient (which is essential for a *polis*), and one consisting of too many, though self-sufficient in the necessities, will be just as an *ethne*, but not as a *polis*, since it will not easily possess a constitutional government—for who will be a general to its excessive multitude in war? or who will be herald, unless he is a Stentor?

In recent decades the importance of communication within the ancient Greek World has become a subject of great interest to modern scholars. These attempts to analyze the importance of communication systems within and between the *poleis* have become a means of exploring how the citizens of ancient Greece interacted with one another, with their community at large, and with the greater world on an international scale. Recent works have explored the importance of monumental inscriptions and written communication, archives, regional networks of *poleis*, and the very nature of news dispersal within the community. However, despite this increased attention on the role of communication within the *polis* there has been little direct work on the importance of oral communication, and specifically proclamations, as a means of spreading information and as an important aspect of ritual action. The source of these *polis* proclamations, the herald, appears in Greek history from the earliest Linear B records of Pylos to the epics of Homer, the histories of Herodotus and

¹ Aristotle *Politics* 1326b.1 – 6.

Thucydides, and in the abundance of late Classical, Hellenistic, and Roman inscriptions from Athens and the rest of the Greek world. Heralds made proclamations within every major aspect of Greek society from the official level of governance, religion, and military organization to private matters of slave manumissions, family affairs, and mercantile advertisement. However, despite this breadth of involvement in the life of the *polis*, the herald has been largely marginalized, glossed over, or completely overlooked by modern scholarship. His importance is evident in Aristotle's note that a *polis* must not be so large that its citizen body cannot be reached by the voice of a herald, unless he was of such a stature as to compare to the legendary Stentor of Homer's *Iliad*. However, despite Aristotle's allusion to the centrality of the herald and his voice to the proper size and functioning of a *polis*, he himself does not go into depth about the roles of heralds and their proclamations within the everyday life of the community, but he does mention them amongst the important officials of the *polis*.² Aristotle, like many ancient authors, took his readers' general knowledge of heralds for granted, and likely felt it was unnecessary to explain such a basic and highly visible official shared throughout the Greek world.

The Common Voice of the People seeks to fill the void of modern scholarship on the importance of heralds and their proclamations within the systems of communication of the classical Greek *polis*. The goal is not to overturn previous scholarship on the spread of information, or the rise and place of written communication in the classical world, but instead this dissertation seeks to dovetail with previous scholarship on communication in ancient Greece, and to explore how proclamation directly affected citizens and residents (in particular) of ancient Athens. The abundance of heralds and the multitude of official

² Aristotle *Politics* 1299a.19. Aristotle lists heralds amongst the essential officials of the *polis* such as priests.

proclamations in various aspects of life within Athens testify to their importance to the proper functioning of the state, but it is not immediately clear what was the exact nature of this importance. This thesis asks: What is the importance of proclamation and the herald to *polis* life? More specifically, in the increasingly literate world of late Archaic and Classical Athens, did formal oral communication in the form of herald proclamations play a role in conveying information to the greater community? Were there aspects of communication where heralds and proclamations appear to have been unimportant, and what might this indicate about Athenian attitudes towards heraldic proclamation? Might proclamation have further purposes in the form of direct effects upon *polis* life through speech acts, rituals of legitimization, or perceived direct communication with the divine? Were some of these proclamations simply ritualized remnants of a pre-literate society which relied upon orality as a means of communicating in a memorable fashion? This work will attempt to answer these questions by exploring the specific place of proclamations and heraldic activity within a range of aspects of life central to the *polis* community. Beyond a simple antiquarian list of roles and places for proclamations and heralds this work will attempt to understand their importance within the context of the classical *polis*.

While there has been little to no direct work on the specific importance of proclamations and heralds within Archaic and Classical Greece, there has been a great deal written about the tension between orality and writing, and the importance of orality in early Greek communities. Orality can be roughly defined as the use of verbal communication in non-literate or semi-literate cultures where literacy has not penetrated a large section of the population. Some of the earliest attempts to analyze the importance of orality to the early Greek culture sprang out of studies into the origins of the Homeric epics. Over the course of

the twentieth century Homeric scholarship, initially spearheaded by Milman Parry in the 1930s, came to the conclusion that the epics were not a set of texts passed down from the Bronze Age, but were instead composed orally by eighth- or seventh-century poets.³ As Eric Havelock notes, orally-composed epics served a purpose beyond simple entertainment by providing a repository of information regarding ethics, politics, history, and technology.⁴ Ong writes that a non-literate society must think memorable thoughts as, “You know what you can remember.”⁵ Anthropological work by Vansina indicates that in a pre-literate society each generation encodes its poetry with the information that is most important to it, and the consequence is a system that creates a profile of the past which is the historical consciousness of the present.⁶ A long-term retention of historical knowledge is largely absent in purely oral cultures as preliterate societies normally preserve collective memories of the past beyond three generations only if they are important to the present; even then they are constantly reinterpreted to fit changing needs.⁷ Consequently the Homeric epics should be viewed not as a history of the late Bronze Age, but instead as a product and reflection of the late Geometric-era culture in which they were composed.⁸ Finally, if one is to find information that can shed light upon times previous to the compositions of the epic, then one

³ For information on the nature of oral composition and epic poems: Parry (1987); Lord (1960); Finnegan (1988).

⁴ Havelock (1963) p. 24. For further discussion on embedded ethics in Homer: Adkins (1996).

⁵ Ong (1982) p. 33-34.

⁶ Vansina (1985) p. 190-1.

⁷ Vansina (1985) p. 175 further notes that specific dating within the oral composition is likewise restricted to two or three generations, and is based on domestic genealogies within the lifespan of the composer.

⁸ Raaflaub (1997); Finley (1978) p. 47 – 8. However, in order for the story to have resonance as ancient and believable to the contemporary eighth century audience the ancient singer incorporated ‘epic distance’ by employing archaisms and anachronisms: Vidal-Naquet (1986) p. 15 – 38; Bennet (1996) pp. 531 – 532.

must look for historical kernels that belong to large provable events established through outside verification.⁹

The world of the Archaic and Classical ages saw the growing use of writing in public and private matters, and a shift from the ‘primary orality’ of non-literate cultures to the ‘residual orality’ of a culture which has gained the technology of writing, but which has yet to integrate fully literacy into the daily lives of the community.¹⁰ In such a ‘residual orality’ culture the spoken word remained an extremely important means of memory retention, but it was no longer alone as writing was becoming an additional technology of remembrance. The introduction of writing, and its importance to memory retention within the previously wholly oral culture of Greece, has provoked a great deal of scholarship which will be explored below. However, modern scholarship has primarily pursued studies in orality aimed at the idea of ‘memory,’ and the importance of orality as a memory tool prior to the advent of writing. What has been largely overlooked is the role orality played in the transmission of news, the communication of ideas, and the ritual importance of the spoken word within the Greek community. Beyond a simple method of memory, some scholars have noted that the spoken word can be a very powerful tool as evidenced by examples such as ‘speech acts,’ which are utterances that have a direct effect upon the real world. Austin defines these speech acts as a means of accomplishing an action by verbalizing it;¹¹ the most common example is the pronouncement of marriage. These speech acts will form an important component of this investigation into the importance of proclamations, especially within the context of honorific proclamations and religious rituals. While some scholars

⁹ Davies, J.K. (1984) p. 99.

¹⁰ Ong (1982) p. 11, 32.

¹¹ Austin (1962).

have investigated the importance of the spoken word beyond questions of memory, there still remains a large disparity between the place of orality in ‘communication’ and ‘memory’ which this work seeks to partially rectify.

While orality’s role in the transmission of news has been largely overlooked, the distinction between memory and communication has been paid greater attention within the field of ancient epigraphy. The growth of writing in the Archaic and Classical ages led to large changes within the *polis* community, and introduced the practice of monumental inscriptions displayed at important locations within the *polis*. The lasting nature of these inscriptions, and especially the large numbers from Athens, has led many scholars to specifically look for the importance of writing within the ancient democracy. Unlike the subject of orality scholars have also sought to study the importance of writing to both memory retention and the conveyance of news. One of the primary avenues for investigating the importance of writing to the spread of news within the community is the search for ancient literacy rates. Literacy rates in the ancient world have long fascinated the scholarly community with varying results.¹² Stoddart and Whitley postulated that in archaic Attica there was a ‘generalized social literacy,’ but they also note that even at its height in the fourth century, no more than twenty percent of the population would have been literate.¹³ More conservatively, Harris argues that the rate of literacy within the Athenian population, including women and slaves, at the end of the fourth century was no more than ten percent.¹⁴ He notes that the ancient world was so lacking in the characteristics which produced extensive literacy that it would not be a mistake to suppose that the majority of people were

¹² For a bibliography see: *supra* n.2; Thomas (1992) p. 11, n. 20.

¹³ Stoddart & Whitley (1986) p. 762, 771.

¹⁴ Harris (1988) p. 114.

always illiterate.¹⁵ However, Harris' figures take into account the entire population of Attica including slaves and women who had very little opportunity or need for literacy. While his figures are low Harris does believe that the majority of the hoplite class and those above were at least semi-literate, and that some craftsmen would have developed literacy as the need arose.¹⁶ Complicating the matter of literacy is the fact that there is no widely accepted definition for what constitutes a literate human being in the ancient world. Thomas provides the most persuasive of modern commentaries on ancient literacy rates by noting that there are varying levels of literacy from an ability to write one's own name, being able to read basic texts, or to read and compose poetry and book length treatments.¹⁷ Thomas writes that it is misleading to speak of literacy rates in ancient Greece since the attempt is inherently based upon a single definition of literacy.¹⁸ The great abundance of epigraphic evidence from Athens seems to indicate that Athens did have a higher population of citizens who had at least a 'basic' ability to read even though it may be impossible to determine specific literacy rates.¹⁹ Beyond this simple ability to read the inscription or not, the peculiar Athenian practice of inscribing so much material is evidence to some scholars such as Hedrick of a particular democratic influence upon classical epigraphy. Specifically, Hedrick has argued based on his study of the formulae of disclosure contained in the texts that the

¹⁵ Harris (1988) p. 13.

¹⁶ Harris (1988) p. 102. Missiou (2011) argues against Harris, and believes that full literacy was much more prevalent in the fifth century democracy.

¹⁷ Thomas (1992) p. 8-11. Additionally, many 'read' inscriptions that appear in the sources are notable in being lists, which would have been much easier to read than full statutory documents: Thomas (1989) p. 66. The modern world is not immune from a sliding scale of variable literacy as Americans commonly refer to one's ability to read as being at a certain 'grade level' which corresponds to school grades, i.e. reading at a 'third grade' level, would be roughly equal to reading at the average ability of a 10 year old.

¹⁸ Thomas (1992) p. 11.

¹⁹ *ibid.* There were likely more people who could read than write; the ability to read simple messages was not rare; and in Athens most citizens had some basic ability.

erection of public inscriptions in Athens was motivated by the democratic ideology of the Classical period, and that the inscriptions were intended to fulfill a number of actions: to inform the citizenry where necessary, to confirm the content of the laws, and to encourage public participation and observance of the democratic process and its resulting regulations.²⁰

As has been noted above the Athenian inscriptions consisted of material regarding every aspect of official decision making in the *polis*. While the Athenian inscriptions provide tantalizing evidence for the possibility that the Athenians received much information by means of writing, Thomas has postulated that oral communication was still the primary means of information dissemination in the Archaic and early Classical periods.²¹ Thomas notes that monumental inscribed archaic law codes were often concerned with procedure that worked in concert with supposed 'unwritten' laws dealing with more universal themes, and that the written laws dealt with procedural details such as term limits for magistracies that would not be universally known in the community, or which needed the help of monumental recording and an association with religious sites to develop the same level of sanctity as existing unwritten laws.²² In effect, written law originally provided a means of retaining and sanctifying information that might otherwise be forgotten or which lacked authority, but while stone inscribed decrees and records provided a stable and incorruptible record they were not the only form of official written record. Sickinger has recently written extensively on the public records and archives maintained by the Athenian state in Classical and Hellenistic periods which far exceeded in number the monumental

²⁰ Hedrick (1999).

²¹ Thomas (1989) p. 61 – 68.

²² Thomas (1992) p. 71 – 72. For discussion of 'unwritten laws:' Hedrick (1994) p. 167; Ostwald (1973).

inscribed state decrees.²³ However, this is not to say that writing was only used as a means of memory retention, and that there were no forms of public writing that served to transmit news to the public. When speaking of public inscriptions one must distinguish between two different types of inscribed public decrees and notices: an inscribed stone (στήλη) intended as permanent display, or the wooden board (σανίς) used as a more temporary record.²⁴ Stone inscriptions take time to prepare,²⁵ are more expensive than wood, and are not an effective way of publicizing urgent or temporary information which may need to be amended. Stone was an effective way of preserving a record as a long term display. Conversely, the wooden boards in the *agora* might be used for more immediate information such as matters on the agenda to be discussed in the Assembly and the *Boule*,²⁶ notices of the date for forthcoming assemblies,²⁷ military muster lists,²⁸ or lists of magistrates and debtors.²⁹ Lewis notes that one must be careful not to view the whitened wooden boards as any type of ancient ‘newspaper’ as they were not frequent or comprehensive enough to cover all news, nor should one make a clear delineation between ‘permanent stone’ and ‘temporary wood’ as some impermanent items could be inscribed on stone as well.³⁰ However, one must recognize that the wooden boards of the *agora* did contain information

²³ Sickinger (1999).

²⁴ The wooden boards were located at the statue of Eponymous Heroes in the *agora*, and will be discussed in greater detail later in this chapter.

²⁵ Lewis (1996) p. 135, n. 56. Lewis notes the standard period was ten days for the erection of the *stèle*.

²⁶ Demosthenes 24.17 – 24; Aristotle *Ath. Pol.* 43.3.

²⁷ Aristotle *Ath. Pol.* 43.3; The agenda for the meeting was typically published four days before the meeting: Hansen (1987) p. 145 n. 160.

²⁸ Aristophanes *Peace* 1179 – 1187.

²⁹ Lewis (1996) p. 136.

³⁰ *Ibid.* Some long-term documents, such as lists of state-debtors, could be displayed on boards, while other impermanent items like work-in-progress construction accounts might be inscribed on stone.

that might be both novel and of importance to the greater citizenry, and might serve as a sort of ‘kick-start’ or inception of the news dissemination within the community. In this sense the public written word can be seen to be both a means of memory retention, and a means of communicating within the community.

The discussion concerning the differences between memorable stone inscribed decrees and more temporary wooden notice boards brings us again to the question of news dispersal, and that is how secular civic news traveled within Athens. News often travelled by means of informal links between private citizens and denizens of Attica. Other commentators have noted that rumor (φήμη) was one of the primary modes of information dispersal within Attica, and that gossip served both to inform citizens of their fellows’ actions and to establish the moral standard of the community.³¹ Hunter concludes that in the heavily participatory democracy of Athens gossip and rumor played an important role in ensuring that participants met the established requirements of citizenship, and maintained acceptable standards of action and lifestyle.³² Lewis notes that, in the radical participatory democracy of Athens, a citizen by necessity had to be informed of the current news regarding his community in order that he might take part in the political discussion,³³ and this resulted in what Finley described as a ‘continuous process of political education.’³⁴ The result was a constant word-of-mouth system of information exchange within Athens. The *agora* was the prime location for the interchanges of citizens, and the classic example of word of mouth communication in the *agora* is the report of the fall of Elatea where the news

³¹ Ober (1989) pp. 148 – 151; Lewis (1996) pp. 10 – 13.

³² Hunter (1994) p. 117.

³³ Lewis (1996) pp. 13 – 19.

³⁴ Finley (1983) p. 82.

spread like wildfire through the citizenry,³⁵ but other locations of congregation such as barber shops or perfume sellers were also likely areas of news exchange.³⁶ This informal mode of news exchange meant that reports would quickly spread through the population, but it did need an initial starting point where the news was first reported. In many cases, as this chapter has noted above, that report might have originated from written sources such as the wooden tablets on the *agora* statue of the Eponymous Heroes, or, less likely, it might come from the actual discussion and ratification of news in the Assembly or law courts where a large number of Athenian citizens actively debated the issues.³⁷ However, while the flow of news within the *polis* community is interesting, one must ask what role the herald and official proclamation played within this system of formal and informal communication.

Previous discussions of the Greek *kerux* and his place within the Archaic and Classical *polis* are rare, and far from complete in their coverage. Prior to this work the focus on heralds has always been as a minor subject to be discussed in connection with related topics. Recent research has focused on specific aspects of heraldic activity without attempting to discover the broader role of heralds within the community, or the importance of proclamation in relation to the growth of literacy. Most information about heralds

³⁵ Demosthenes 18.169.

³⁶ Plutarch *Nicias* 30.1: a barber shop in the *agora* was where news of the Sicilian disaster first spread amongst the citizenry. Eupolis fr. 331 (Kassel-Austin): the politician Hyperbolos was said to frequent barbershops to gather information. Demosthenes 25.51 – 2: Demosthenes claims it is normal for Athenian citizens to frequent barbershops, perfume sellers, and workshops.

³⁷ Lewis (1996) p. 101 – 2 notes that news discussed within the Assembly was rarely ‘new,’ but that most of it had been presented in written notice a few days prior to the meeting, and that most citizens already held a view on the matter. Additionally, Lewis notes that news might have travelled informally within the community about foreign embassies or *Boule* discussions prior to any possible presentation before the Assembly. While it is true that the Assembly was not a primary center of news dissemination, it cannot be completely discounted that some citizens might have learned some new information while taking part in the *Ekklesia*.

concerns their roles in international contact, and Pritchett and Mosely have provided the best discussion in regards to diplomacy and wartime communication both during battle and between states, but they surprisingly ignore the roles of heralds within the fifth-century Athenian empire as representatives of the power politics of Athens with her subject allies.³⁸ Some scholars of Athenian laws and regulations involving the Assembly and *Boule* have mentioned the specific roles of heralds in these bodies,³⁹ but have not expanded their gaze to further roles within the community, or how such heraldic functions might have been modified under different political systems. The roles of heralds within pan-Hellenic games appear in the survey of heralds and trumpeters by Crowther,⁴⁰ but this contribution is outclassed by the more thorough and nuanced work of Wolicki who examines not only the activities of athletic heralds but also the impact and importance of the proclamations themselves, and how they might have an effect outside mere information dispersal or empty ceremony.⁴¹ An anthropological perspective on heralds in fourth-century vase paintings appears in the French works of Goblot-Cahen,⁴² who, however, does not focus on epigraphy or larger questions of heralds within the community. Attempts to synthesize and summarize the myriad heraldic roles are difficult to find; the topic usually appears as a sub-stratum of other greater themes. In her discussion of news Lewis offers a number of valuable pages on the subject of heralds within and outside the *polis*, and covers a number of roles ranging from religious involvement in sacrifice to diplomacy, but does not focus in great detail on

³⁸ Pritchett (1974) pp. 246 – 249; Mosely (1973).

³⁹ Hansen (1987); Rhodes (1972).

⁴⁰ Crowther (1994).

⁴¹ Wolicki (2002).

⁴² Goblot-Cahen (2007a), (2007b).

the subject.⁴³ The one dissertation I am aware of which focuses on the subject was written in 1970 at the University of Cincinnati by Volke, and focused mostly on compiling a dossier of epigraphic sources concerning the Athenian heralds.⁴⁴ Unfortunately, Volke did not have access to the electronic resources of the current time, and was unable to complete as exhaustive a survey of the sources as one is able to do today. As a result his work is limited in scope, and he offers no grand conclusions regarding heralds and their relationship with the community beyond a simple recitation of roles.

The lack of attention afforded to Greek heralds is likely due, at least in part, to the absence of any prolonged discussion of heralds in the ancient sources. The knowledge of these civic officials seems to have been taken for granted by most ancient authors, and their inclusion in the sources is never expanded upon with the exception of a few lonely *scholia*. In my opinion this general lack of attention has filtered into the minds of modern scholars who have unconsciously assumed the same attitude as the ancient authors, and have applied their knowledge of related positions from other cultures such as Roman (*praecones*) or the medieval worlds of England and France (town-criers). In some cases, such as the Roman *praecones publici*, the roles could be very similar to Greek *kerukes*, but they also lacked many of the additional Greek roles and nuances. Like Greek *kerukes* Roman *praecones* served as spokesmen for city magistrates, and might perform proclamations related to a number of items such as: assembly summons; election results; court-room business and order; the proposition of official bills; and as auctioneers.⁴⁵ Unlike Greek *kerukes* the *praecones* do not appear to serve similar religious or international roles. However, as with

⁴³ Lewis (1996) pp. 52 – 56.

⁴⁴ Volke (1970).

⁴⁵ For *praecones*: Hinard (1976); Purcell (1983); Rauh (1989).

Greek heralds there is no specific work focusing solely on the *praeco* and his place within Roman society. Such a work would be a solid contribution to the field.⁴⁶

I believe the medieval town-crier has had the greatest influence how modern scholars have viewed Greek heralds in the past. These town-criers had a much more active role in directly proclaiming their lord's laws and orders to the community, and also served to proclaim news to the local populaces.⁴⁷ Their roles in international communication, and their appearance in Shakespearean works such as *Henry V*, have likely led most scholars unconsciously to assign these roles to Greek heralds. I admit that my own preconceptions concerning *kerukes* were strongly biased by these medieval town-criers. I entered my initial survey of the subject expecting to find Athenian heralds threading their way through town proclaiming all manner of news to the community, and was surprised to find little to no evidence for these practices in the Athenian evidence. This association appears to permeate the minds of most scholars, and this has resulted in their translation of *kerux* in both text and conversation as 'town-crier.' It is my hope that this work might change this perception of Greek heralds, and demonstrate both those similarities to criers of other cultures, but also their differences.

A study of this size needs boundaries as the evidence for heralds and proclamations exists not only in the earliest recorded Homeric works, but also continues through the Late Imperial Roman period and into the Byzantine Empire. In order to bring the evidence to both a manageable level and to limit it to a scope where one might be able to place it within

⁴⁶ While it is outside the scope of this work a complete comparative study of Greek heralds with Roman *praecones* would be most interesting, as would an investigation into Roman attitudes towards Greek heralds in international contact with the Greek cities of *Magna Graecia*.

⁴⁷ Mitchell (2010) provides the most recent work on the role of the town crier in Medieval society.

particular political and social contexts I have decided upon a time of inquiry in the Archaic and Classical periods of Greece. As these terms are only loosely defined by dates I define the *terminus post quem* in the Archaic period as ca. 750 – 650BC when it is believed that the Homeric works first reached something resembling their present form. Homer not only provides the first unambiguous written record of heralds and proclamations, but his works also provide some the greatest details about early heralds and their roles within late-Geometric and early–Archaic communities. I will introduce some possible pre-Homeric evidence from Linear B records of ca. 1200, and some near-Eastern Akkadian and Elamite evidence from the Babylonian, Assyrian, and Elamite empires of the late Bronze and early Iron Ages, but this evidence will only be used to suggest possibilities for earlier forms of heralds and proclamations within eastern Mediterranean cultures, and I will not dwell long on this evidence.

The *terminus ante quem* is harder to pin down exactly due to a variety of issues. As noted in the title of this work I have chosen to restrict my study to the Archaic and Classical periods of Greece, which provides a rough endpoint of ca. 300BC. Some might attribute this to the old scholarly belief that the *polis* as an institution died with the advent of the Hellenistic period, but recently scholars have pointed out that the *polis* and many of its internal institutions survived throughout the Hellenistic and Roman periods at least until Diocletian’s creation of a centralized bureaucracy in the late third century CE.⁴⁸ However, what does exist in the Classical Period of Athens as opposed to the later periods is a much fuller body of evidence for the social context in which these proclamations occurred. The wealth of constitutional and social information provided by the Attic orators and writers of

⁴⁸ Hansen & Nielsen (2004) p. 20.

the fifth and fourth centuries, coupled with the histories and political commentaries of other contemporary Greeks such as Aristotle, make this the richest context in which to study the importance of proclamation within the community. Additionally, while it has been noted that the *polis* does not die at the end of the fourth century, the grand political scheme of the Greek world does shift towards the greater alignment and influence of the Successor Kingdoms and *polis* Leagues which introduce a new dimension into the study of communication.

While I have chosen to restrict my study to the period roughly between Homer and the end of the fourth century, some evidence will come from after the rough *terminus ante quem*. This will consist primarily of honorific crown proclamations from ca. 300 – 270, and manumission decrees from the full breadth of the third century. I will make the case for inclusion of this evidence more fully in the specific chapters which deal with these issues, but generally I believe these two practices, honorific proclamation and manumission, do not change greatly enough from the fourth to the third centuries to warrant the exclusion of the evidence, and these pieces of evidence will always be used as a supplement to the larger body of Archaic and Classical evidence.

The decision to focus primarily upon Athens was made because the majority of literary evidence concerning heralds and their actions comes from Athens, as does a large amount of the relevant and interesting epigraphic evidence. There simply was no comparable, or even viable, body of evidence from elsewhere on which to base a well-rounded study. This decision was strengthened by the above noted depth of contextual evidence concerning Athenian social and political practices in the stated periods of study. However, this does not mean that I have ignored evidence from outside Athens completely.

On a minority of topics, religion above all, there is little evidence from Athens, and rather more from outside. In these cases I turn to the non-Athenian evidence, but I do so in a manner which might illustrate Athenian practices without attempting to draw large conclusions (for which the evidence is insufficient) regarding the position of heralds in other *poleis*. Non-Athenian evidence is used in those situations where there is Athenian evidence for particular heraldic practices existing, but where it is not great enough to say anything substantive. For example, evidence from Athens indicates that heralds took part in certain civic festivals, and were given perquisites for doing so, but there is no indication what their involvement in the ceremony might have constituted. In such a case one might look to outside evidence, such as the description of the ox sacrifice to Zeus Polieus at Kos, to suggest what heralds might have done within a religious ritual. A further example is the practice of proclaiming the manumission of slaves where the non-Athenian evidence far outweighs and out-describes the information which comes from Athenian sources. This does not mean I believe Athenian practice exactly mirrored those practices attested in other *poleis*, but it is a possibility worth raising, and might indicate that a similar practice existed within Athens.

I do not believe it prudent constantly to reverse the direction of these suggestions, and attempt to ascribe Athenian practices to other *poleis* where there is no direct evidence for the use of heralds and their proclamations in particular functions found at Athens. For instance, I do not believe that because the Athenians appear to have used a formal herald's proclamation, *apokeruxis*, for ritual disinheritance that the practice can be assumed or strongly hypothesized for another *polis* unless there is a specific mention or allusion to the practice in local sources. This does not mean that such a system might not have existed

elsewhere in the Greek World, but nothing is gained by engaging in pure speculation. It is always dangerous to claim Athens as a model for all *poleis*. One simply needs to look at the peculiar Athenian practice of inscribing so many civic documents compared to other *poleis* to see how unique it might be. Some aspects of heraldic communication do appear to be universal in the Greek World, and in cases such as the international use of heralds as inviolable messengers for communication between belligerent parties I do make note of the pan-Hellenic nature of the practice. Likewise, in those instances where evidence for a particular practice, such as manumission or religious proclamations, appear in multiple locations I think it prudent to mention the possibility of a wide-spread practice amongst the Greeks, even if the evidence does not completely support a pan-Hellenic conclusion. Furthermore, it is important to raise those examples which directly contradict Athenian practices in order to demonstrate that a variation of heraldic roles might have existed between *poleis*. Unfortunately, a systematic between Athenian and non-Athenian practice is not possible, illuminating as it might be; the evidence for the roles of heralds outside Athens is simply too fragmentary to permit it.

The types of evidence I use in this work break down into three general categories: archaeological evidence; literary evidence; and inscriptions. The archaeological evidence for proclamations is by its very nature sparse, but in some cases vase paintings or the physical remains of *kerukeia*, heralds' staffs, are available as evidence for heraldic activity and proclamation. The majority of epigraphy used in this work comes from the fifth- and fourth-centuries, and mostly comes from within Athens. There are a few instances of late Archaic inscriptions from the late sixth-century, mostly from outside Athens, used in this work, and a few early third-century Athenian honorific inscriptions as well. The epigraphic

evidence appears in every chapter of this work, but it provides some of the most central evidence for the discussions of honorific crowns and proclamations in chapter three; manumission decrees in chapter four; Imperial Athenian heralds and proclamations in chapter five; and the majority of the most interesting evidence for the precise religious rituals of proclamation in the Classical *polis* as discussed in chapter six. Epigraphic evidence often appears with serious reconstructions made by modern scholars where the original text has been worn away by the ravages of time, and in those instances where reconstructed text is heavily relied upon I endeavor to explain the history and probability of the reconstructions. In some cases I have concluded that specific texts might be too heavily reconstructed to be considered substantive evidence, and in these instances I have mentioned the text in footnotes, but have chosen not to include it in the full discussion.

The literary evidence hardly needs a full overview as the usual suspects of fifth- and fourth-century political and dramatic writing will all make appearances in this study, but some authors do require special note. As I have mentioned above, Homer provides some of the most detailed evidence for the position of the herald within his community. Aeschines and Demosthenes provide an interesting and useful, if confusing at times, exchange concerning an honorific crown for Demosthenes which provides a wealth of possible evidence for Athenian regulation of honorific proclamation, but the validity of their information will be discussed in fuller detail in Chapter Three due to the nature of these speeches as courtroom arguments.

The use of fifth-century comedy and tragedy requires additional discussion regarding their validity as evidence for Athenian institutions. The comedies of Aristophanes are set within the contemporary Athens of the late fifth and early fourth-centuries, and provide a

window into the daily lives of Athenians and their community in a way that other sources, such as epigraphy or histories, might not. However, the nature of comedy as a humorous take on contemporary issues and individuals must be taken into account as well as the author might exaggerate situations for comedic effect. Tragedy presents a more difficult case as it is set in mythological times, and the action often takes place in foreign *poleis* and locales. This intentional distancing means that institutions and practices presented in the text cannot be taken as firm evidence for contemporary Athens, although they may in fact reflect real practices. However, this does not mean that tragedy bears no relation to contemporary society, as the values and attitudes of tragedy must have engaged with those held by the community in order that the plays might resonate with an audience. Vernant discusses this duality of dramatic distance and resonance, and notes that the inherent contradictions of past and present in tragedy allow it to explore the social issues of its day by turning them against themselves and past traditions. Concerning this intentional placement of contemporary laws and issues within the past he writes,

For the city this legendary world constitutes the past, a past sufficiently distant for the contrasts between the mythical traditions that it embodies and the new forms of legal and political thought to be clearly visible; yet a past still close enough for the clash of values still to be a painful one and for this clash still to be currently taking place.⁴⁹

Therefore, the institutions, practices found in such texts might be products of a previous era or invented for tragic distancing, but the values implied are very unlikely to have been selected for merely antiquarian interest: the past is used as a lens through which to view the present. The references in Euripides to the general hatred felt for heralds, for instance,

⁴⁹ Vernant (1981) p. 9. Vernant's writing follows Gernet's analysis of evolving fifth-century legal elements within tragedy, and Nestle's discussion of the relationship between myth and the contemporary values of the audience.

would be pointless if they merely expressed hypothetical attitudes from the heroic age; to have dramatic interest they must have related to contemporary attitudes. With regard to practices, however, corroborating evidence is required, and in cases where I focus heavily upon tragic scenes of this type I seek to do this by placing them within known fifth-century examples of established heraldic proclamation. For instance in the discussion of Kreon's proclamations in Sophocles' *Antigone* I attempt to place the scene within the context of Athenian military proclamations made to local populaces while on campaign. The case is not identical but it is similar, and one can see what kind of contemporary behavior the playwright is evoking for the audience.

The stated goal of this thesis is to explore the importance of proclamations and heralds within the *polis* community and its systems of communication, and in order to find the greatest spread of information a search was conducted within the three general spheres of evidence to find every possible instance of cited heraldic proclamation within the thesis' boundaries. In order to conduct this search the terms of interest needed to be identified and defined so a systematic search could be undertaken. In line with the stated goal of this thesis the term searched for initially was the Greek word for herald (κηρύξ). However, it was soon discovered that the evidence for heraldic proclamation of laws and other news within the Athenian community is sparse in terms of direct references to heralds making announcements. As a consequence I expanded my investigation beyond simply looking for instances of heralds in Athenian drama or the epigraphic record, and cast my eyes also to the instances where words associated with heraldic proclamation are used. In order to do this I expanded the investigation of the sources to the uses of verbs such as κηρύσσω or the description of proclamations, κηρύγματα. The sources are clear that κηρύγματα were

proclamations and not written decrees. The only verbs of communication associated with κηρύγματα are verbs of proclamation,⁵⁰ and the only instance in literature that I know of where a κήρυγμα is described as being written down is so a herald might read it out: ...Δημήτριος, ὅς ἦν μεγαλοφωνότατος τῶν τότε κηρύκων, γεγραμμένον ἀνεῖπε κήρυγμα τοιοῦτον.⁵¹ The nature of κηρύγματα as announcements allowed me to expand the scope of the investigation beyond instances where a κῆρυξ is said to have made an announcement, and provided greater evidence for the use of proclamations within the community. A further verb often associated with official *polis* proclamations is ἀνεῖπον, the aorist of ἀναγορεύω. In epigraphy it almost always appears in connection with honorific decrees, but in the literary record it is often interchangeable with other proclamation verbs. Its use as a proclamation verb could vary greatly depending on the context from summons to feasts and rituals,⁵² to proclamations of silence in Assemblies,⁵³ ritual proclamations and curses,⁵⁴ military orders and dismissals,⁵⁵ and proclamations issued by private citizens.⁵⁶ However, when this term was used in literature its context was examined to determine if it fitted within

⁵⁰ Plutarch *Alcibiades* 30.7 – 8 (ἄνειπον); Plutarch *Timoleon* 22.1 – 2 (ἐκήρυξε), 39.4 – 5 (ἄνειπον); Polybius 8.31.1 – 3 (ἐκήρυττε), 18.46.6.2; Thucydides 2.2.4 (ἀνεῖπεν).

⁵¹ Plutarch *Timoleon* 39.4, “Demetrius, who had the greatest voice of the heralds, proclaimed this written proclamation.”

⁵² Euripides *Ion* 1167: a herald summons any who wish to take part in a ritual feast.

⁵³ Euripides *Iphigenia at Aulis* 1564. Talthybius, herald of Agamemnon, proclaims silence amongst the host of the Greeks.

⁵⁴ Aristophanes *Birds* 1076, 1084: The chorus notes the proclamation of a bounty on Dionysus the Melian and the banished Tyrants, and then proceeds to make their own bounty proclamation on bird merchants.

⁵⁵ Euripides *Medea* 272. Kreon orders the banishing of Medea. Mastronarde (2002) p. 218 believes ἀνεῖπον is the precise term for the proclamation of an order, although I believe there is evidence indicating that other verbs of proclamation could be used for orders as well.

⁵⁶ Plato *Republic* 580b – c: Two men argue whether to hire a private herald to proclaim a third man, the son of Ariston, the best of men, or simply to proclaim it themselves.

the scheme of an official proclamation, and if it did so then it was included in the body of evidence.

Using these terms as a base a search was conducted of the TLG (Thesaurus Linguae Graecae) and the Packard Humanities Institute database of Greek Epigraphy for the root κηρυ- and its dialectal variants in order to find every available instance in known Greek literature and searchable epigraphy. An additional search was made of all indexed *SEG* volumes to find published inscriptions which might have escaped the notice of the Packard Database. This search returned 1412 inscriptions in the Packard Database, of which 577 were Athenian inscriptions. The TLG search returned 25,000+ possible citations, which was more than a manageable number. Consequently further searches were conducted for more specific conjugations and declinations of the proclamatory terms which were pared down according to a textual analysis of what words had been returned, the date of the text and its subject. This returned a more manageable number of possible citations, and along with the epigraphic texts these were examined more closely according to criteria of date and context to determine if they contained applicable evidence to the goals of this project. A further search was conducted with the related proclamation verb ἀνεπιεῖν.

It is my hope that these methodological approaches will allow me to present my findings on proclamations and heralds in a logical and clear manner, and that I will be able to do justice to the importance of these two aspects of formal oral communication within the *polis* community. As will be shown in the subsequent chapters, the position of the herald and his role as a crier was of importance to many of the civic institutions of the *polis*, and while it does not appear that every instance of proclamation was intended as a means of news delivery, proclamations did serve a further variety of important ritual roles in religion,

honor, and imperial display. It is time to recognize the importance of heralds and their proclamations to the Archaic and Classical World.

Chapter One

The Identity of Heralds

Introduction:

As noted in the Introduction the aim of this thesis is to explore the importance of proclamations, and of the heralds who made them, within the community of the Archaic and Classical *polis*. As the official voices of authority in the *polis* heralds are the natural focus for much of this investigation, and while this work will primarily focus on the importance of proclamation it will also serve a secondary purpose in studying the previously overlooked role and identity of the Greek herald in the *polis* world. In order to understand the place of proclamation and heraldry within the world of the Archaic and Classical periods one must first make a quick survey of the basic roles and identities of Greek heralds in order to understand the context of these voices of state. In later chapters this work will focus more closely on each aspect of the herald and official proclamations, but for now this chapter is meant as an introduction into the subject of heralds by giving a general catalogue and history of their roles within the Greek city. This chapter will also explore the status and identities of heralds within the community of the Classical *polis*, and the possibilities of a general dislike of heralds as evidenced in fifth-century Athenian drama. Due to the limited nature of much of the evidence the exploration of the roles and identity of heralds is mostly restricted to Athens. However, many of the heraldic roles would likely have existed in any form of *polis* government, and there is evidence for such use in aspects of private proclamations, honor proclamations, issues of public notice, international communication, and religious ritual. The question of Athenian and democratic usages of heralds versus those found in more

restrictive political contexts is an interesting one, and it will be explored in general terms at the end of this chapter. What will become apparent in this chapter is that heralds and their proclamations existed within every facet of the Classical Greek *polis* community including public and private life; civic governance; commerce; religious ritual; the judicial courts; diplomacy; and athletic festivals. Heralds were central to many of the basic community activities, and it is not unreasonable to imagine that the herald's cry was one of the most prevalent and recognized noises within the Greek *polis*.

Early Non-Greek and Homeric Heralds:

The role of an official spokesman or voice of authority appears in many Near-Eastern and Mediterranean cultures that pre-date the Archaic and Classical periods of Greece. While they are not direct antecedents to Greek heralds, it is interesting to note the importance of an official voice of power in these early cultures. The Akkadian word *nâgîru*, and the Sumerian *NIMGIR*, appear in cuneiform tablets dating from as early as the Old Babylonian period of 2350 – 2200 to the Achaemenid dynasty of the Persian Empire,¹ and the roles exhibited by these near-Eastern criers can in some cases resemble later roles undertaken by Greek *kerukes*. One of the earliest pieces of evidence comes from the Old Babylonian creation myth wherein criers are instructed to proclaim the king's orders to bring sacrifices to the deity Namtara to gain his favor in ending a plague.² Many of the early sources indicate the crier was the direct servant and mouthpiece of the king,³ and often proclaimed the assembly of people for *corvée* or for religious purposes.⁴ The role of high official was continued in the Achaemenid Persian Empire with a mixture of administrative and

¹ *CAD* XI pp. 115 – 118.

² *Atra-hasîs* 68 I 376.

³ *HSS* 9 6:5; *GCCI* 2 395:4.

⁴ *Afo* 21 40:16; *BWL* 112:25; *SKT* 2 1:39; Borger 102 : 4.

proclamatory roles for the *nâgiru*. Similar to their roles in the old Babylonian and Assyrian sources Persian *nâgiru* travelled from town to town proclaiming royal and satrapal edicts, and calling together troop musters and workers to the *corvée*.⁵ In addition to these roles the Persian heralds served as administrative officials who were also in charge of the collection of taxes.⁶ Within the Assyrian and Elamite empires the *nâgiru* had become a high official beyond the capacity of mere crier who commanded large bodies of troops,⁷ and in one case a *nâgiru* led a revolt in Elam against the king.⁸ The ancient Israelites had a functionally comparable official to the *nâgiru* known as the *qôrē*,⁹ and it was often the case in ancient Israel that inscribed messages were read out in a proclamation to the greater community.¹⁰ These ancient Near-Eastern proclamatory roles are interesting as they give a deep historical context for the importance of the voice of power in early Mediterranean cultures, and might also demonstrate the ubiquity of an official spokesman of some kind in many ancient cultures. They also might provide a contemporary parallel to the earliest known Greek heralds of the Bronze Age found in the Linear B records of the Mycenaean palaces.

The earliest extant evidence for ‘heralds’ in Greek society comes from Mycenaean Linear B records found at Pylos,¹¹ and this evidence places these Bronze Age ‘heralds,’ known as ka-ru-ke in Linear B, at religious centers which suggests that the roles for these

⁵ Fried (2004) p. 87. The Persian roles for heralds will be explored in greater detail in the later chapter on fifth-century Athenian imperial communication.

⁶ *Ibid* p. 88.

⁷ *OIP* 2 45 v 82 (era of Sennacherib).

⁸ *ABL* 521 r.16 (Neo-Babylonian).

⁹ Van der Toorn (2007) p. 13 n. 22.

¹⁰ Habakkuk 2.2; 2 Chronicles 32:17(Assyrian); Esther 1:10ff (Persian).

¹¹ The Linear B title ka-ru-ke is associated with the later *kerux*, is distinct from messenger (a-ke-ro), and is attested in five different citations in two tablets: Pylos tablets PY: Fn 187, UN 219; Chadwick (1973) p. 123; Lindgren (1973) p. 144.

ka-ru-ke might have been religious in nature.¹² Sadly, neither of the Pylian tablets concerning heralds mentions any possible duties required of the office, but the evidence taken from the tablets which include individual location markers indicates that there were at least four heralds living in separate locations in the kingdom.¹³ Furthermore, the registers regarding the heralds contain symbols denoting barley and figs along with specific values connected with each which would seem to indicate that the Pylian *Wanax* paid the heralds directly.¹⁴ The similar central redistributive nature of Mycenaean palace kingdoms to their contemporary Near-Eastern equivalents might suggest that Mycenaean ‘heralds’ also served to proclaim the edicts of the king to his people, but that conclusion must remain nothing more than an educated guess until further evidence is unearthed. The association of the ka-ru-ke with later *kerukes* rests upon their names, and not upon any known similarity in roles. So, while it is tempting to suppose these Mycenaean ‘heralds’ might be foundational ancestors of the later Greek heralds, it is impossible to prove with the available evidence. One must look to Homer for the first ‘true’ piece of evidence on heralds.

As has been widely discussed by scholars in the last century, because of their oral formulaic nature the Homeric works do not represent a true history of the late Bronze Age, but they may reflect social practices contemporary with their composition by Geometric Age singers, and provide an insight into the roles of heralds in the ninth and eighth centuries. The role of the herald in Homer can be most aptly described as a split between being a *therapon* to his lord and a *demiourgos* to the community. While it is true that the

¹² The locations where the heralds are cited in the Linear B tablets are religious centers in the hither province of the Pylian kingdom: Palmer (1963) p. 259ff; Murray (1977) p. 142 – 4; Killen (2001) p. 440.

¹³ Lindgren (1973) p. 144.

¹⁴ The payment of the heralds by the king would seem to indicate a status similar to the *therapon* servitude enjoyed by heralds in the works of Homer.

responsibilities of the herald ensured that he enjoyed a position both in the public and private sphere, one must remember that in Homer the herald was always a servant to his lord.¹⁵ Regardless of which particular duty he was performing, on every occasion he only acted at the instigation of his master. The primary religious duty of the Homeric herald was to prepare sacrifices and libations to the Gods.¹⁶ Heralds seem to take part in sacrifices that either involve the entire community such as those in *Odyssey* twenty and *Iliad* eighteen, or that are concerned with diplomatic relations such as in *Iliad* three. Within the more secular sphere the Homeric herald was a primary means for the conveying of a king's wishes or orders to other parties as when Agamemnon sends a herald to Achilles to demand Briseis,¹⁷ or when the Trojan herald Idaios bears an oral message to the Achaean assembly.¹⁸ Heralds might also have played a role as sacrosanct escorts to diplomatic parties as they did in the later Classical period, and there appears to be evidence of this in Odysseus' inclusion of a herald with his scouting parties in the lands of the Lotus Eaters and the Laestrygonians, and when he himself sets out to visit the house of Aeolus.¹⁹ The Homeric herald appears to have been the agency through which defeated parties might ask for their war dead returned after a battle, which is a practice that becomes ritualized in the Archaic and Classical periods.²⁰ The Homeric herald also played a role in mustering men for military service, which is

¹⁵ Glotz (1928) pp. 55 – 56.

¹⁶ Instances of the herald being responsible for bringing forth the sacrificial items: *Il.* 3.116; 3.245; 3.248; 3.258; 3.274; 9.174; 18.558-9; *Od.* 1.109 ; 1.146; 3.338; 7.163; 17.334; 20.276-70; 21.270.

¹⁷ *Il.* 1.334-5. Such intra-Achaean use of heralds can be seen in the further instance of Agamemnon sending a message to Achilles in 9.170ff.

¹⁸ *Il.* 7.381-92.

¹⁹ *Od.* 9.90 = Lotus Eaters; *Od.* 10.59 = Aeolus; *Od.* 10.102 = Laestrygonians.

²⁰ *Il.* 7.394-7. Priam also is told to take a herald with him when he goes to recover the body of Hector in book twenty-four. However, one should note that in later periods the sending of a herald to recover the war dead was a ritual admission of defeat in battle, but that institutional meaning does not yet seem to exist in Homer's description of events.

reminiscent of the crier's role in the Akkadian texts of the early Near-East cultures, and in proclaiming royal edicts to the subjects of the king. One of the most interesting communicative episodes for heralds appears in Book Eleven where Nestor's father, Neleus, orders his heralds to spread the news throughout the land that whoever was owed a debt by the Eleans would be paid from Nestor's war spoils.²¹ Furthermore, the epithet 'ἄστυβοώτην' attributed to Idaeos, the Trojan herald, illustrates the herald's role as a 'town crier' who spread news.²² In book seven Hector sends forth heralds to proclaim that all the old men and young boys should man the battlements while the women stoked watch fires to ward against a sneak attack while the Trojan host was in the field of battle.²³ Finally, the heralds proclaimed the convocation of the Assembly, and maintained order during discussions as well. In three instances in the *Iliad* and one in the *Odyssey* a herald is ordered to summon the assembly through proclamation.²⁴ In *Odyssey* book eight Athena disguises herself as the herald of Alcinoos and seeks to draw the Phaeacians to the assembly to hear the news of Odysseus' arrival.²⁵ During the assembly itself heralds were responsible for both holding the crowd in check and organizing the order of speakers.²⁶ Perhaps the most indicative scene of *polis*-like heralds can be seen in the Shield of Achilles trial scene where heralds are described as holding back the crowd and maintaining order in roles reminiscent of the later Classical *polis* assemblies,²⁷ and it has been commented by other scholars that

²¹ *Il.* 11.685ff.

²² *Il.* 24.701.

²³ *Il.* 8.517ff.

²⁴ *Il.* 2.50; *Il.* 2.437, 442; *Il.* 9.10; *Od.* 2.6.

²⁵ *Od.* 8.7-14.

²⁶ *Il.* 2.96-100, 2.280.

²⁷ *Il.* 18.503.

the proto-*polis* is seen in many of these Homeric scenes involving assemblies.²⁸ I believe it is possible to see in some of this Homeric evidence the beginning of the transition of the herald from an attendant of kings to a community official whose roles extended to every aspect of *polis* life.

One final interesting note regarding heralds in Homer can be seen in the relationship between them and bards in the *Odyssey*. On multiple occasions it is the job of the herald to lead the blind singer to the evening's gathering, to arrange the singer's position, and fetch the lyre.²⁹ Furthermore, following the slaughter of the suitors in Book Twenty-Two Odysseus spares both the bard Phemius and the herald Medon at the insistence of Telemachus, and orders them to sit together outside the hall.³⁰ He later orders Medon to know in his heart how far better are good deeds than evil, and to spread this knowledge to other men.³¹ This moral message seems more indicative of the sort of ethics which would be suited to encoding in an epic poem. Interestingly, some etymologists have connected *kerux* and 'ka-ru-ke' with the Sanskrit word for poet 'kārú'.³² Beekes disputes this association and employs a dizzying etymological argument to dispute the connection of *kerux* and *kārú*. He also writes that the role of the 'kārú' as a wandering singer does not mesh with the job of a herald as "[he] is not a singer and does not wander."³³ However, this is exactly what heralds appear to do in at least one example of Homer where Neleus sends

²⁸ Raaflaub (1996) pp. 642 – 648.

²⁹ *Od.* 1.153; 8.47, 62ff, 107, 256ff, 471ff. Additionally, when Odysseus cuts a slice of meat for the Phaeacian bard Demodocus he gives the meat to Pontonos, Alcinoos' herald, to take to the singer.

³⁰ *Od.* 23.330ff.

³¹ *Od.* 22.372-3.

³² See: DELG s.v. κῆρυξ; Thieme (1938) p.75; Monier-Williams (1899) s.v. kārú. Monier-Williams defines the kārú as 'one who sings or praises, a poet.'

³³ Beekes (2003) p. 114.

heralds throughout his kingdom to proclaim official news.³⁴ Furthermore, it is not unreasonable to believe that in a completely oral and non-literate society heralds would have composed their proclamations in such a way that their listeners would remember it,³⁵ and that in attempting to frame their messages in a memorable manner a herald might employ vocal devices similar to epic poets, or proclaim in a rhythmical or song-like fashion. I believe the connection between Homeric heralds and bards is not an accident, and might be the result of a shared responsibility for social communication in Homeric society.

Athenian Herald:

As was noted above, this work will by necessity focus primarily on Athenian heralds due to the lack of comprehensive evidence elsewhere. However, when possible this dissertation will supplement that information with evidence from other *poleis* to contrast with Athenian systems, and when there is no strong Athenian evidence for an aspect of official proclamation this work will use outside evidence in order to suggest possibilities. Heraldry pervaded every aspect of Athenian society. The most visible of these heralds was the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου whom Demosthenes describes as speaking with the ‘common voice of the people,’³⁶ and whom Hansen considers to be the most important herald in the community.³⁷ The κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου opened meetings of the Assembly by raising the σημεῖον,³⁸ proclaiming a curse upon any aspiring to tyranny or to bring back the tyrants,³⁹ and a prayer. There is no surviving copy of the curse and prayer, but Aristophanes

³⁴ *Od.* 7.394 – 7.

³⁵ Cf. Ong (1982) p. 33-34: In a non-literate society “you know what you can remember.”

³⁶ Demosthenes 18.169: τῆς πατρίδος τῆ κοινῆ φωνῆ.

³⁷ Hansen (1987) p. 218 sv. *Kerux*.

³⁸ Andokides 1.36; for the σημεῖον in the assembly: Aristophanes *Thesmophoriazusae* 277-8 and scholia; for the δικαστήρια: Aristophanes *Wasps* 689-90; Rhodes (1972) p. 36.

³⁹ Demosthenes 19.70.

parodies it well enough in his *Thesmophoriazusae* to suggest the contents of the real version.⁴⁰ Following the opening of the Assembly the κῆρυξ would regulate the meeting by proclaiming the order of business, direct the order of speaking amongst the citizens and help to maintain silence and order amongst the rest of the crowd.⁴¹ A related scene appears in the mid-fifth-century *Eumenides* of Aeschylus where Athena tasks a herald to call the people to order and silence in order to learn her *thesmoi* regarding the trial of Orestes.⁴² When not actively recognizing a new speaker the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου worked to keep order amongst the crowd and organized the Assembly in a fashion similar to the *proedroi*.⁴³ A dramatization of these roles appears in Aristophanes' *Acharnians* where the herald attempts to silence unruly members of the Assembly, and also directs the official order of business.⁴⁴ A further possible role for the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου might be an involvement in the proclamation of individual honors at the Dionysia, or another large festival, as voted by the Assembly. These proclaimed civic honors were an increasingly regular occurrence in the later fourth century and onwards, and as is argued at length later in

⁴⁰ Aristophanes *Thesmophoriazusae* 331ff.

⁴¹ Euripides *Orestes* 885; Demosthenes 18.170, 191. It is strange to suppose that the herald chose the order of speakers, and it seems more likely that the president of the *prytaneis* selected the order of speakers while the herald officially announced their turn to speak and kept order amongst the rest of the crowd.

⁴² Aeschylus *Eumenides* 566ff. This example does not overtly relate to the Assembly or later democratic process, but it does demonstrate a mid-fifth-century use of heralds to organize civic crowds. An ancient scholiast also notes this scene as an example of Aeschylus anachronistically introducing contemporary Athenian practice into the play: schol. Aeschylus *Eumenides* 566 – 569.

⁴³ For the role of the *proedroi*: Rhodes (1972) p. 25-8; Hansen (1987) p. 37-9. The herald's duty in maintaining order amongst the Assembly is one of the oldest known roles assigned to heralds, and can be seen clearly in passages from Homer: *Il.* 18.503. It might plausibly be supposed that a similar role existed in most Greek *poleis* which had assemblies as it was important to be able to keep order in the meeting.

⁴⁴ Aristophanes *Acharnians* 43-200.

this dissertation the proclamation was essential to the proper conferral of honor on the individual.⁴⁵

The actions of the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου are relatively straightforward, but questions about his identity are more complicated to flesh out. Epigraphic evidence from the fourth century indicates that either the *Boule* or the *Ekklesia* elected the herald.⁴⁶ *IG II² 145*, dated to either 359/8 or 364/3 on the surviving citations of officials in the text,⁴⁷ is a privately-commissioned text containing two inscriptions that indicate the election of Eukles as κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου, and the later election of his son Philokles presumably in the year the decree is dated.⁴⁸ Damage to the inscription prevents a clear reading to determine if the *Boule* [ἔδοξεν τει βουλει] or the *Demos* [ἔδοξεν τῶ δήμῳ] elected the herald. Rhodes makes a good case that while the *Boule* might have recommended a candidate to the *Demos* for election it would have been unable to elect the position itself.⁴⁹ The *Boule* was often in charge of electing heralds for foreign communications,⁵⁰ but the position of the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου as serving both the *Boule* and Assembly likely disqualifies a simple vote in only the *Boule*. The two inscriptions indicate that somewhere around 402-399 the Assembly elected a foreigner named Eukles as the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου. Osborne believes Eukles was a *metic* who aided the democrats in their overthrow of the oligarchy in 403 and was granted the perpetual honor of right-of-

⁴⁵ For more see Chapter Three.

⁴⁶ *IG II² 145*.

⁴⁷ Lewis (1954) p. 36 – 7.

⁴⁸ Woodhead (1997) p. 82. In his commentary on the text in *IG II²* Hartel believes the inscriptions are privately commissioned due to the lack of the customary instructions for the *anagraphe* and the payment, and Woodhead adds to this conclusion by noting the unusual location of the *prosodos* clause immediately after the verb of proposal.

⁴⁹ Rhodes (1972) p. 84-5, 121-2. For argument in favor of the *Boule* electing the herald: Lewis (1954) 36-7.

⁵⁰ *IG I³ 78 21 – 24*.

access to the Athenian Assembly and *Boule* (*prosodos*), given naturalized citizenship, and made herald.⁵¹ It would appear that there were no term limits on the position and that he served from election until he stepped down or died.⁵² This position was of high visibility, and likely of great honor to whoever met the requirements to serve in the role, but from the restoration of democracy in 403 until the second century the position became a *de facto* hereditary position enjoyed by a succession of fathers and sons from the same family line.⁵³ Intriguingly, evidence from Hellenistic inscriptions mentioning the κῆρυξ τῆς βουλῆς καὶ τοῦ δῆμου indicates that the members of this family held the position from 305 down to 140/39, all bearing the name Eukles or Philokles.⁵⁴ A Diophon is attested as being herald in 335/4, and this likely means there was a brief intermission in the family of Eukles and Philokles,⁵⁵ but the later records show that starting in 305 the family had once again regained control of the position. The fact that Philokles had to be elected to his position seems to refute the possibility that the post had become formally hereditary; similarly some priesthoods could become *de facto* hereditary but not explicitly so.⁵⁶

The κῆρυξ τῆς βουλῆς καὶ τοῦ δῆμου was not the only official herald employed by the civic authorities of Athens, and it is likely that heralds were a common attendant to all

⁵¹ Osborne (1983) p. 40. Eukles is also named in Andokides *On the Mysteries* (399BCE) where he is described as the herald of the *Boule*, and called by Andokides to testify to some of the events that took place in the council while he was acting as herald: Andokides 1.112.

⁵² One might suppose that had Eukles been disgraced and stripped of office his son would most likely not have been elected to follow him. Woodhead (1997) p.83 contends that line 24 of the inscription discussing the election of Eukles indicates that he was elected for life.

⁵³ *IG II²* 145; Osborne (1983) p. 40; Woodhead (1997) p. 82; Merritt & Traill (1974) p. 14; cf. the *Talhythiadai* as a hereditary herald family in Sparta: Herodotus 7.133 – 7. Parker (1996) p. 292 – 3 notes that some Athenian priesthoods could become *de facto* hereditary in nature if not officially so. A brief interval between 335 and 305 saw a break in this hereditary claim to the position.

⁵⁴ Merritt & Trail (1974) p. 14.

⁵⁵ *Agora XV* 43.234 = *IG II²* 1700.220

⁵⁶ Parker (1996) p. 292-3.

levels of government that had direct contact with the larger citizenry. The board of *Archons* maintained a herald who was paid by the state.⁵⁷ Likewise, the board of the *poletai* maintained a herald who served as an auctioneer for property they confiscated from public debtors.⁵⁸ Heralds also served in the law courts where they played a role in the courts analogous to that played by the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου in the Assembly. Each court had its own herald who called the vote and announced the jury's decision.⁵⁹ It can be inferred that the herald also played a role in the calling of witnesses and strove to keep order and silence amongst the jurors in a fashion similar to the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου in the Assembly.⁶⁰ Other magistracies and boards might have also maintained heralds, and as is postulated later in Chapter Two it is possible that the *agoranomoi* in Athens maintained a herald to proclaim their regulations on business in the *agora*.⁶¹ The individual demes might also have hired their own heralds as there is evidence for specific deme honors and religious rituals being proclaimed and performed by heralds within the demes, but these deme heralds would likely have been part-time and hired from private heralds specifically for a certain job. This list of civic magistracies which might have employed heralds is by no means complete as it seems likely that there were additional civic heralds for which there is no surviving evidence, and in the case of other *poleis* different systems of governance and ritual communication might have required additional heralds which might not have existed within

⁵⁷ Aristotle *Ath. Pol.* 62.2.

⁵⁸ Langdon (1994) p. 262-3.

⁵⁹ Aristophanes *Wasps* 753; Plato *Laws* 958b1; Aristotle *Ath. Pol.* 68 – 69.

⁶⁰ See above and Aristophanes *Acharnians* 43ff.

⁶¹ Aristophanes *Ekklesiazusae* 816 – 822; Plato *Laws* 917e. For more detail see Chapter Two pp. 51 – 57.

Athens.⁶² It is unclear how these magisterial heralds were selected, or how long they served in their positions. Qualifications for such positions were probably very functional in nature. The most basic requirement was a loud and clear voice, which led Aristophanes to analogize the herald with a rooster.⁶³ Additionally, Aeschines notes that a candidate for any official *polis* herald position could not have prostituted himself in the past.⁶⁴ However, other than these basic qualifications there is no solid evidence for the procedure of herald selection.

State heralds were not simply employed for jobs within the *polis* boundaries, but also famously served outside and between *poleis* and throughout the Greek World and the eastern Mediterranean. These international heralds served as guarantors of diplomatic exchange by providing safe conduct to diplomatic embassies they travelled with,⁶⁵ and provided a means of safe and protected communication between belligerent parties during conflict for the proposal of truces and treaties.⁶⁶ Famously the Spartans and Athenians did not respect the protected nature of heralds prior to the Persian War when they put to death the heralds of the Persian king.⁶⁷ Heraldry was used internationally by the Athenians in their fifth-century empire to proclaim with the ‘voice of power’ imperial edicts such as the Coinage or Standards Decree to their subject allies.⁶⁸

⁶² This work will explore this possibility in the discussion of public notice later in Chapter Two pp. 57 – 80, and specifically it will look at Theophrastus’ discussion of the different forms of public notice in the Greek world.

⁶³ On necessity of a loud voice: Demosthenes 19.338. Aristophanes *Ecclesiazusae* 30.

⁶⁴ Aeschines 1.20.

⁶⁵ Thucydides 4.118.6; Mosley (1973) p. 84; Demosthenes 19.163.

⁶⁶ Thucydides 1.29.1, 1.29.3, 2.1.1, 2.5.5, 2.64.6, 4.118.3; Xenophon *Anabasis* 2.3.2. This subject will be explored in greater detail in Chapter Five pp. 151 – 156.

⁶⁷ Herodotus 7.133 – 136. For further ancient discussion of the sacrilege resulting from the killing or detaining of heralds and sacred envoys: Herodotus 3.13 – 14; Xenophon *Anabasis* 5.7.30; Anaximenes of Lampsacus *FGRHist* 72 F 41.4; *RO* 35.

⁶⁸ This subject is the main topic of Chapter Five where the evidence is presented.

International exposure for a *polis*' heralds might also come through their extensive use within the archaic and classical militaries. On the most basic level heralds served directly within the formations of hoplites during battle to shout the orders of the commander in a manner akin to a modern signal corps.⁶⁹ These military heralds also served a valuable role in the ritual ending of battle when the losing side signaled their acceptance of defeat by dispatching a herald to formally request the retrieval of dead from the battlefield which was physically occupied by their victorious opponents.⁷⁰ These military heralds might also make proclamations on behalf of their commanders to any conquered or occupied populaces in the form of new edicts or general prohibitions.⁷¹ However, again there is no extant evidence regarding the particulars of selection, service terms, or pay for military heralds. It is likely that these men had some specific training in order to serve as military signal men in battle, and it seems unlikely that any poor and destitute herald off the streets might find service in an active campaign without a good understanding of the order of battle, but again this is merely an educated conjecture.

Heralds also played an important role within *polis* religion. One of the best known aspects of heraldic involvement in religious ritual is the Eleusinian *genos* of the *Kerykes*, who might derive their name from an ancient role as heralds of the sacred Eleusinian truce. However, despite their name recognition, these *Kerykes*, with a capital 'K,' were not functional heralds, and there is no evidence explicitly linking them directly to any practice of proclamation. Modern scholarship often assumes these *Kerykes* are easily substituted for any mention of heralds in ancient texts, but this is an erroneous assumption based upon no

⁶⁹ Herodotus 6.78.2-3; Xenophon *Anabasis* 5.2.18; *Hipparchus* 4.9; *Constitution of the Lakedaemonians* 11.6, 12.6, 12.7; Aineias Tacticus *Poliorketika* 27.11 – 13.

⁷⁰ Diodorus 17.68.4; Pritchett (1974) v. 4 p. 246-249.

⁷¹ This topic will be discussed in fuller detail later in Chapter Two pp. 49 – 50.

solid evidence, and should be avoided in all cases unless there is explicit evidence linking the mentioned heralds with the Eleusinian *genos*. The evidence for heraldic involvement in religious ritual is somewhat scant within Athens, so it has been supplemented with additional evidence from other *poleis*. In some cases heralds proclaimed upcoming festivals in advance of their start date as a means of publicizing them.⁷² However, there is no indication that it was a uniform and regular occurrence to have heralds proclaiming all religious festivals. Within the religious rituals heralds often had a role in making ceremonial proclamations during the rites,⁷³ and sometimes took a direct role in the physical slaughtering of the sacrificial animal.⁷⁴

Related to this religious role is the inclusion of heralds within the athletic festivals of Greece, both the large pan-Hellenic and local types. In these cases the heralds served as announcers during the games proclaiming the competitors,⁷⁵ and later would provide the proclamation of victory with the crown which officially denoted the victorious athlete.⁷⁶ The position of athletic herald became itself a reward in the Classical and later periods when a heralding competition was held at the beginning of the games to select the best herald to serve as the official mouthpiece.⁷⁷

The final aspect of heralds within the Archaic and Classical *polis* is their position as private heralds hired by individual citizens to proclaim specific pieces of information.

⁷² See Chapter Six pp. 210 – 217.

⁷³ See Chapter Six 201 – 210.

⁷⁴ See Chapter Six 217 – 224.

⁷⁵ Sophocles *Electra*. 683 – 4; Gorgias fr. 8 (Diels-Kranz).

⁷⁶ Pindar *Olympian Odes* 13.100 – 103, 5.8; Sophocles *Electra* 690 – 95; Euripides *Epinicion in Alcibiadem* fr. 1 (Plutarch *Alcibiades* 11.3); Herodotus 6.103; Demosthenes 18.319; Pausanias 6.13.1, 6.18.6; Posidippus 71.3, 82.5 – 6; Timotheos fr. 802 (Hordern). See Chapter Three pp. 84 – 91.

⁷⁷ Pollux 4.92; Crowther (1994) p. 135.

These private heralds were hired by citizens for the purpose of publicizing information such as the manumission of a slave where the proclamation served to notify the community that the former slave was now free.⁷⁸ Likewise, a father might hire a herald to ritually disinherit his son by proclamation or *apokeruxis*.⁷⁹ In some *poleis* other than Athens a citizen selling land needed to hire a herald to proclaim the sale in order to give public notice in case any disputes over the sale arose.⁸⁰ Finally, merchants in the *agora* or in the *emporion* in the Piraeus might hire heralds to publicize their businesses and wares to the shopping public,⁸¹ and one might imagine the *agora* was often full of a cacophony of herald's cries both for official and private business.

Qualifications and Social Standing:

The qualifications for being a herald were not overly complex, and were rather basic in simply requiring the ability to shout loudly with clarity. The best place to see these criteria in action for the selection of heralds is in the records of herald competitions at the Olympics and other athletic festivals where the official herald of the games was selected through competition. Pollux gives a detailed description of how a herald's voice should sound: τὸ δὲ φθέγμα αὐτῶν μέγα, ἄδρόν, ὑψηλόν, πρόμηκες ἐπίμηκες, σαφές, ἀρτίστομον, συνεχές, διηνεκές, ἀποτάδην φθεγγόμενον, ἀπνευστί, καὶ τᾶλλα ὅσα ἐν τοῖς περὶ φωνῆς εἴρηται.⁸²

The Olympic herald Archias was considered so powerful a speaker that he is noted as not

⁷⁸ Aeschines 3.44. See Chapter Four pp. 129 – 143.

⁷⁹ Demosthenes 39.39; Plato *Laws* 928d – 929g; Euripides *Alcestis* 737; Menander *Samia* 508.

⁸⁰ Theophrastus frag. 650 (Fortenbaugh); Stobaeus, *Anthologium* 4.2.20.

⁸¹ Antiphanes fr. 123, 247 (Kassel – Austin). Demosthenes 44.4.

⁸² Pollux 4.94, “loud, powerful, sublime, prolonged, extensive, clear, distinct, precise, continuous, unbroken, stretched out at length, recited in one breath, and all the rest that has been said in the section about the voice.”

needing the aid of a trumpet to shout down the entire audience in the *altis*.⁸³ The need for a loud and clear voice was obviously important for the proclamation of news in communal situations such as assemblies, marketplaces, law courts, religious festivals, or athletic contests where heralds were making their various proclamations. In Homer the epithets *λγύφθογγος* and *ἠερόφωνος* are applied to heralds in order to denote the clear and loud voices they must possess.⁸⁴ Additionally, intelligence was highly prized in a Homeric herald attached to a king as is seen in the use of *πεπνυμένος* and about the statement in Odysseus' attitude to Eurybates as: *τίεν δέ μιν ἔξοχον ἄλλων ὧν ἐτάρων Ὀδυσσεύς, ὅτι οἱ φρεσὶν ἄρτια ἦδη*.⁸⁵ A further qualification might be applied to those heralds who served as auctioneers. In Athens a board of ten men named the *poletai*, who were selected by lot from each *phyle*, sold confiscated debtors' property with the aid of a herald as their auctioneer.⁸⁶ The *praecones publici* of Rome who served a similar function as auctioneers were drawn from the ranks of the private *praecones* who showed skill in auctioneering,⁸⁷ and it is not a far stretch of the imagination to conclude that the Athenian *poletai* chose their herald from amongst the private heralds who worked in the *agora*. In terms of heralds who served on the international scene in matters of diplomacy one might imagine that the men selected for these positions were well acquainted with foreign travel, likely had excellent memories in order to recall the precise message they might have to carry to a foreign power, and perhaps also had a general literacy to read any written messages they bore as memory aids.

⁸³ Pollux 4.92.

⁸⁴ For *λγύφθογγος*: *Il.* 2.50, 442; 9.10; 23.39; *Od.* 2.6. For *ἠερόφωνος*: *Il.* 18.505.

⁸⁵ *Od.* 19.247-8, "and Odysseus honored him above his other comrades, because he was like-minded with himself."

⁸⁶ *Agora* XIX P45 (*Hesp.* 16 p. 149 no. 39); Hesychios s.v. *ἐκαθίσατο*; Langdon (1994) p.262 - 3.

⁸⁷ Rauh (1989) p. 457.

The life of a private herald might have varied greatly depending upon his skills. Skilled heralds might have been employed permanently by the state, or made a lucrative business out of their skills as auctioneers, or enriched themselves through agonistic victory at athletic competitions, but for many the job was likely a poorly-paying position taken as a last resort when they had no other skills or vocation other than their voice. The position as a herald auctioneer of the *poletai* might have proved one of the more profitable positions due to the skills required. An inscription notes that one fifth of the property's sale price went back to the state along with a sales tax and a herald's fee.⁸⁸ The herald of the *poletai* also played an important role in the auctioning of slaves captured in war and of *metics* who fell into debt and thereafter slavery.⁸⁹ However, there is no indication of the exact monetary values paid to the herald as auctioneer. Religious heralds likewise often enjoyed the advantages of perquisites taken from sacrificial animals,⁹⁰ and in the Solonian festival calendar of Athens money is given to participating heralds in lieu of perquisites of the sacrificed animals.⁹¹ It is unclear how much heralds attached to the state might have been paid for their roles in the courts, the Assembly, some of the magistrates' boards, or for international diplomatic work, and the best possible evidence is Aristotle's mention of the money given the Archons from which they were required to employ an *auletes* and a

⁸⁸ *SEG* 12.100 36 – 9. The herald's fee, κηρύκεια, was common for any auction involving a herald: Cf. Harpocration sv. κηρύκεια; Souda cv. κηρύκεια; Pollux 4.93. The Athenian grain tax law of 374/3 contained a provision for the payment of the herald for auctioning the tax collections: *SEG* 48.96 27 – 29. Stroud (1998) p. 64 assumes that the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου would have conducted the auction of the tax collection, but I am not convinced as there is no evidence the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου had any experience as an auctioneer, and I believe it more likely a herald with the proper experience was employed.

⁸⁹ Euripides *Trojan Women* 184; Xenophon *Hellenica* 1.7.9, 3.4.19, 4.5.2, *Agésilaios* 1.28.

⁹⁰ See Chapter Six pp. 223 – 224.

⁹¹ *SEG* 52.48 [A] fr. 3.31 – 44, fr. 3.45 – 58.

herald.⁹² It is tempting to suppose that a herald position as high profile as that of the κήρυξ τῆς βουλῆς καὶ τοῦ δήμου was likely well compensated, but there is no direct evidence to support or refute that hypothesis. However, what is likely is that the majority of heralds toiled in relative poverty. In Demosthenes' speech *Against Leochares* the plaintiff, Aristodemos, is described by his son as being a penniless herald who has to toil continuously in the Piraeus:

ὁ δὲ πατὴρ οὗτος (εἰρήσεται γάρ) ἅμα τῆς πενίας ἣς ὑμεῖς ἅπαντες ἴστε, καὶ τοῦ ιδιότης εἶναι φανεράς ἔχων τὰς μαρτυρίας ἀγωνίζεται· διατελεῖ γὰρ ἐν Πειραιεῖ κηρύττων· τοῦτο δ' ἐστὶν οὐ μόνον ἀπορίας ἀνθρωπίνης τεκμήριον, ἀλλὰ καὶ ἀσχολίας τῆς ἐπὶ τὸ πραγματεύεσθαι· ἀνάγκη γὰρ ἡμερεύειν ἐν τῇ ἀγορᾷ τὸν τοιοῦτον.⁹³

My father here (for the truth shall be told you) comes into court with manifest signs that he is, as you are all aware, a poor man, and that he knows nothing of pleading in court, for he has long been a herald in Piraeus, and this is not only a sign of the poverty which is common to man, but also the fact that he has no time to meddle with the law, for a man so employed has to spend the whole day in the market-place.(Murray)

This statement seems to indicate that the majority of heralds were likely poor men who had turned to basic heraldry as a last resort when they lacked any other marketable skills. It is also important to note that such heralds were not employed part-time, but were engaged constantly in the proclamation of whatever information they had been hired to spread. This passage is also interesting as it allows us to assign a name to a herald, which is typically very difficult as most heralds in the Archaic and Classical records are nameless.

The faceless nature of most heralds is surely testament to the lack of social prestige attached to many of the heraldic positions, and the simple ability to replace the majority of

⁹² Aristotle *Ath. Pol.* 62.2. ἔπειτ' εἰς σίτησιν λαμβάνουσιν ἐννέ' ἄρχοντες τέτταρας ὀβολοὺς ἕκαστος, καὶ παρατρέφουσι κήρυκα καὶ αὐλητήν· “The nine archons receive four obols each for maintenance, and they support a herald and *auletes*.”

⁹³ Demosthenes 44.4.

active heralds in the community with another without any serious disruption. What is seemingly most important is the role, not the man. The only herald position in Athens which is consistently named is the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου, which is named in official epigraphic documents in the Hellenistic period.⁹⁴ This is unsurprising due to the central and highly visible nature of this role within the Athenian community. Likewise, Xenophon names the sacred herald of Eleusis, Cleocritus, due to his leadership role in the overthrow of the tyranny in 403.⁹⁵ This was likewise a highly visible and respected role in the community, but unlike the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου there is no consistent record of who served. The poor herald who worked in the *agora* of the Piraeus is Aristodemus of Otrynê. A spurious decree added to the text of Demosthenes *De Corona* purports to name Eunomos of Anaphlystus a diplomatic herald of Athens sent to Phillip II of Macedon, but as noted this decree is considered by modern scholars to be a spurious addition made sometime during the Second Sophistic.⁹⁶ However, despite these few instances, the majority of civic heralds remain anonymous to history.⁹⁷

The great exception to the faceless herald is found in the Homeric works where the *therapon* heralds of the Homeric kings are often named. Homer names eight heralds in the *Iliad*, and another five in *Odyssey* with Eurybates, Odysseus' κῆρυξ, being mentioned in both. Interestingly, when the heralds were employed in proclamation and sacrificial acts

⁹⁴ Eukles is also mentioned in a text of Andokides as the herald of the *Boule*: Andokides 1.112.

⁹⁵ Xenophon *Hellenica* 2.4.20.

⁹⁶ Demosthenes 18.165. Yunis (2001) p. 30, n. 103.

⁹⁷ The great exception to this rule are the lists of victorious heralds at athletic festivals such as the Olympics.

they were typically not named.⁹⁸ For example, the heralds are nameless when Hector sends orders through Troy that the old and young men should man the wall. Heralds appear to be named when taking direct part in the action of the scene, or when directly attending a king, but they are not named when engaged in off-scene action. This is likely the result of Homeric conventions of composition. A table helps to display the named heralds and their association to their lords.⁹⁹

<u><i>Iliad</i></u>		<u><i>Odyssey</i></u>	
<u>Name</u>	<u>Occupation</u>	<u>Name</u>	<u>Occupation</u>
Talthybius	Herald to Agamemnon	Peisenor	Ithacan Herald
Eurybates	Herald to Agamemnon	Medon	Ithacan Herald
Eurybates	Herald to Odysseus	Eurybates	Herald to Odysseus
Odios	Achaean Herald	Pontonos	Herald to Alcinoos
Thoötes	Herald to Menestheos	Mulius	Herald of Dolichium
Idaeos	Herald to Priam (Trojan)		
Eumedos	Father of Dolon (Trojan)		
Periphas	Son of Epytos (Trojan)		

The additional honor attached to being a *therapon* to a king likely resulted in the elevated statuses of these heralds, and might be the reason they were named, but so too the dramatic nature of Homer's work might mean that the more active role of these *therapon* heralds in the story resulted in their names being mentioned.

The most interesting and emotional appraisal of ancient Athenian heralds appears in the tragedies of Euripides who superficially appears to paint an unsavory picture of heralds. In his *Trojan Women* he has Cassandra note that all men unite in their hatred of heralds, the attendants of tyrants and *poleis* (οἱ περὶ τυράννους καὶ πόλεις ὑπηρέται).¹⁰⁰ Euripides

⁹⁸ For Proclamations: *Il.* 7.183; 8.517; 11.685. For sacrifices: *Il.* 3.116, 245, 268ff; 9.174; 18.558; *Od.* 20.276.

⁹⁹ Interestingly, in the *Iliad* Agamemnon has multiple personal heralds, which is perhaps a mark of his status as the 'king of kings' amongst the Achaeans.

¹⁰⁰ Euripides *Trojan Women* 424ff.

continues in this vein when he has Talthybius, the herald of Agamemnon, note that the work of a herald is ruthless and without pity, and that he wishes another could do the job for him.¹⁰¹ Euripides ostensibly continues his contemptuous presentation in the *Children of Herakles* where a herald appears to forcibly take the refugee children back to Argos,¹⁰² and also in the *Suppliant Women* where Theseus pejoratively describes a Theban herald as ‘κομπός’ in his speech.¹⁰³ In both of these plays Euripides continues his poor portrayal of heralds by having them act as the antagonist in a verbal *agon* with the protagonist. In the *Suppliant Women* as Theseus is ordering a message be borne to Kleon of Thebes to return the bodies of those slain in Eteocles’ attack against Polyneices a Theban herald arrives and engages Theseus in an argument regarding the virtues of democracy.¹⁰⁴ In this *agon* Euripides employs the herald as the mouth of anti-democratic belief. Were these universal attitudes towards heralds in Classical Athens and elsewhere? Are they indicative of a particular democratic outlook on heralds, or are these descriptions simply the result of a mixture of dislike for authority figures, diplomatic roles for heralds and dramatic convention?

The first point to note is that Euripides is not completely unsympathetic towards heralds. Despite the accusation of heralds being attendants to tyrants and governments, Euripides makes Talthybius a very sympathetic character in the *Trojan Women*, who himself notes that he takes no delight in his actions, is merely doing as he has been ordered, and even chooses to prepare the body of Astynax for burial himself. Nor are the portrayals of

¹⁰¹ Euripides *Trojan Women* 786ff.

¹⁰² Euripides *Children of Herakles* 120ff.

¹⁰³ Euripides *Suppliant Women* 426. Morwood (2007) p. 178 cf. 426 translates this term as ‘nifty debater,’ and notes that this term is often used with a sense of contempt.

¹⁰⁴ Euripides *Suppliant Women* 395 – 580.

heralds in the *Suppliant Women* completely negative. Theseus initially orders his herald to bear a message to Kleon in Thebes, and claims in his speech that his herald had always served him *and* the *polis* faithfully in carrying his proclamations.¹⁰⁵ Furthermore, once Theseus has won the verbal *agon* against the Theban herald he announces that his army will march on Thebes, and that he will serve as his own herald.¹⁰⁶ It seems unlikely that Euripides would directly associate the mythical progenitor of Athenian democracy with heralds if they were considered universally vile by the community. So what of the negative portrayals? In terms of the verbal *agon* the herald's appearance as the antagonist can be explained by a mixture of diplomatic and dramatic conventions. Both argument scenes involve communication from foreign *poleis*, and as noted earlier in this chapter it was common to employ heralds for such missions. The audience would be well aware of this diplomatic use of heralds, and their appearance in the scene bearing a message from an off-scene antagonist would be understood as an aspect of this diplomatic convention. However, diplomatic convention cannot explain the *agon* itself as heralds who bore messages between *poleis* were not allowed to deviate beyond the specific messages imparted to them, and diplomatic negotiation was the purview of *presbeis* not heralds. The heralds' involvement in the *agon* is likely the result of dramatic convention as the representatives for off-scene antagonists such as Kleon in the *Suppliant Women*. This allowed the herald to engage in the sort of verbal battle which they would be unable to do in any normal real-world diplomatic exchange. Furthermore, due to the well known position of heralds as the mouth-pieces for government bodies, the dramatic heralds of a Euripidean *agon* could be understood by the

¹⁰⁵ Euripides *Suppliant Women* 381 – 2, τέχνην μὲν αἰεὶ τήνδ' ἔχων ὑπηρετεῖς πόλει τε καὶ μοι διαφέρων κηρύγματα. “With this skill you have always served the *polis* and me by carrying my proclamations.”

¹⁰⁶ Euripides *Suppliant Women* 589.

audience to speak with the full authority of the off-scene antagonist. Therefore, the use of heralds as mouth-pieces of foreign antagonists in Euripidean drama is the result of diplomatic and dramatic conventions, and is not indicative of a universal hatred for heralds.

While diplomacy and drama might explain away the possibility of a negative portrayal of heralds in the verbal *agon*, it does not explain Euripides' description of heralds as 'attendants to tyrants and *poleis*.' However, it should be noted that in this case the condemnation of heralds and Talthybius is made by Cassandra, and her particular abilities might have led her to know of the impending doom carried on the words of Talthybius. This portrayal of the statement tempers its universal applicability to all heralds, but it is still possible to see how the official voices of governments might in some cases incur the dislike of the 'normal people' who saw the herald as the physical representative of government authority. One need simply think how the citizens of Melos felt when an Athenian herald proclaimed the enslavement of all women and children and the executions of all men in 416, or similarly the citizens of Mytilene listening to Paches read the same order for them in 428, or any of the allied states who received word of the Athenian Coinage (Standards) Decree. In such cases it is not difficult to see how a herald might be viewed poorly when he quite literally served as the attendant to tyranny. However, as noted above this dislike of some heralds should not be extended universally as it is likely people could make the distinction between an imperial or government herald making a specific proclamation and a poor private herald proclaiming a price reduction on fish in the *agora*.

Finally, one must ask whether heralds had different roles and so were viewed differently in a democracy from an oligarchy or tyranny? This is a difficult question to answer as most of the evidence comes from Athens, and aside from the Athenian

playwrights there are no dramatic representations of reactions against heralds. To return to the previous example of the verbal *agon* between Theseus and the Theban herald in Euripides *Suppliant Women*, it might be the case that Euripides is consciously associating heralds with a non-democratic form of government by having the Theban herald argue against Theseus' democratic ideals. However, as noted above, this role as spokesman against democracy is likely the result of diplomatic and dramatic conventions, and not the result of any overt association of heralds with non-democratic forms of governance. There is no strong evidence for the proclamation of Assembly decrees to the internal Athenian community, which would seem to suggest that the Athenians believed such measures were unnecessary. As will become clear in the next chapter the Athenians communicated information regarding new decrees and laws internally mostly by informal word-of-mouth transmission. Such a system was likely heavily based on both the publication of public issues in writing in the *agora*, and the attendance of many citizens at the Assembly and *Boule* who would have been aware of the new decrees through their participation in the decision making process, and who would in turn spread the information to the rest of the community. It is possible that the Athenians believed that in such a system a herald was extraneous to the spread of news, and perhaps having the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου proclaim the new decrees to the populace would be considered too *tyrannical*. In a more restrictive form of government such as an absolute monarchy or an oligarchy there needed to be a more systemized form of communicating information to the greater public, and one might suppose that a herald was the means of accomplishing this communication. The only piece of evidence that I am aware of, however, for such proclamations by a restrictive form of government is found in the *Iliad* where Neleus sends heralds to proclaim his invitation for

anyone owed anything by the Eleans to approach him for payment from Nestor's war spoils.¹⁰⁷ This example is by itself problematic as it is dangerous to employ epic evidence as broad foundational proof for larger conceptual questions of political communication systems. It might be that this was an epic reminiscence of a prior period, or a reflection of Geometric political practice, but in either case it does not provide solid proof of restrictive governments making proclamation. However, Chapter Two will present evidence that military campaigns used heralds to proclaim orders and regulations to local occupied communities, and Chapter Five will show how the Athenians communicated Imperial decrees to their fifth century allies by heraldic proclamation. Both examples demonstrate how a restrictive, or possibly tyrannical, authority used heralds to communicate with controlled populations. One thought which I will return to on multiple occasions is the possibility that the Athenians might have recognized this association of heralds with non-democratic governments, and consequently curtailed the public proclamation of decrees and laws by the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου in the increasingly radical democracy of the Classical period.

Conclusions:

This overview of heralds' roles and identities in Archaic and Classical Greek communities provides us with a brief glimpse into the central position of heralds to the daily activity of the *polis*. Evidence from the early Near-East indicates that an official crier attached to the central authority was an aspect of many of the early civilizations. While these Mesopotamian criers cannot be directly linked to Greek heralds there are some similarities

¹⁰⁷ *Il.* 11.685ff.

in the type of proclamation, and might indicate that such an official proclaimer, whatever his additional roles and status might be, was an essential component of Eastern Mediterranean cultures. Every aspect of *polis* life from governance to religion, military, diplomatic, private life, and mercantile activity contained heralds and their proclamations. The identities of Classical heralds might vary from the highly visible κήρυξ τῆς βουλῆς καὶ τοῦ δήμου to the penniless and hard working private heralds of the *agora*, and despite their near ubiquity in *polis* life there is a lack of individual names for heralds in the record. The faceless nature of heralds as the spokesmen and proxies for governments might have resulted in an occasional public dislike, but it is unlikely any dislike was uniform in nature. What is unclear, and what this dissertation will look more into in the subsequent chapters, is to what extent the classical heralds and their proclamations served to communicate information to the greater public, and whether official oral communication was still important in an increasingly literate community.

Chapter Two

The Proclamation of Law

Introduction:

The stated objective of this dissertation is to explore the place that heralds, and more specifically oral communication through proclamation, had within the Archaic and Classical Athenian *polis*. This chapter will deal with the conspicuous Athenian practice of political participation, and the need for the notice of new upcoming political decisions and issues of public notice involving individual property and inheritances to the greater community, and the necessity of a well informed citizenry for the proper functioning of a participatory democracy.

This chapter will focus on an investigation into the questions of Athenian civic proclamation and written notice, and will seek to understand the role that proclamation and writing had in the dissemination of important civic information. First, it will begin by looking at Athenian practices of military communication to local populations while on campaign, then expanding to questions of the dissemination of information about new decrees and laws, and finally will finish with an investigation into the practice of ‘public notice’ for upcoming political and civic issues. What will become evident through this examination of Athenian political and legal communication is that there is little evidence for the use of proclamation for the communication of new laws, decrees, or regulations within Athens, and that the available evidence seems to indicate that written notice was the more common form of official communication between government and citizenry. However, the picture is far from completely clear, and this investigation will demonstrate that while there

is little direct evidence for the heraldic proclamation of some forms of civic news there are intriguing questions raised concerning possible areas where oral communication might have been used, but simply has not survived in the extant sources, and instances where mixed forms of publication involving both written and oral communication were used. Additionally, some evidence will reveal that outside of Athens other *poleis* employed different forms of official intra-*polis* communication reliant upon oral proclamation and heralds, and one must be careful not to extrapolate finds from Athens to the larger Greek world as a whole.

Civic Proclamations?

Before I begin an analysis of the place of oral communication in the spread of law it is important to note that the evidence for the heraldic proclamation of laws within the Athenian community is sparse in terms of direct references to heralds making announcements. As a consequence I have expanded my investigation beyond simply looking for instances of heralds in Athenian drama or the epigraphic record, and cast my eyes also to the instances where words associated with heraldic proclamation are used. As noted in the Introduction, in order to do this I have expanded the investigation of the sources to the uses of verbs such as κηρύσσω or the description of proclamations, κηρύγματα. One might protest that despite the obvious root connection of κηρυ- with κῆρυξ these associated words do not by themselves mean that a herald was making the proclamation. However, these instances are still useful to the central goal of this thesis to determine the importance of official oral communication within the Athenian *polis*. It is true that it is uncertain whether every instance of κήρυγμα indicates that a herald was making the proclamation, but when a direct agency of

proclamation is noted in the sources it is a herald who does the deed.¹ In some cases a general or civic leader is noted as issuing a proclamation to a community, and in these cases it is possible to assume that a herald made the announcement, but we cannot be certain of that. However, while it is unclear who made the proclamation, the sources are clear that κηρύγματα were proclamations and not written decrees.

The place to begin any investigation into the role of oral proclamation in the dissemination of formal civic information within the *polis* must be the clearest and most direct instances of civic proclamation taken from Athenian drama. Sophokles' *Antigone*, produced sometime before 429,² provides an interesting example of proclamation in the community. However, while this might at first appear as evidence for the proclamation of decrees within the community, an analysis of the evidence would seem to indicate that the forms of proclaimed law within *Antigone* are more indicative of military campaign proclamations than civic proclamations, or, alternately, as an Athenian expression of a tyrant's actions, and the sort of proclamation never experienced by the democratic Athenian audience. In the opening lines of the play Antigone converses with her sister Ismene about a decree proclaimed by Kreon, the new leader of the *polis*, which forbids the proper burial of their dead brother Polynikes while calling for the burial of Eteokles.

Καὶ νῦν τί τοῦτ' αὖ φασὶ πανδήμῳ πόλει
 κήρυγμα θεῖναι τὸν στρατηγὸν ἀρτίως;
 ἔχεις τι κείσῃκουσας; ἢ σε λανθάνει
 πρὸς τοὺς φίλους στείχοντα τῶν ἐχθρῶν κακά;³
 And now, what is this new edict
 which they say that the general has

¹ Plutarch *Timoleon* 39.4 – 5; Polybius 18.46.4; Thucydides 2.2.4; Aeschines 1.79; Euripides *Suppliant Women* 382.

² Taplin (1993) p. 87.

³ Sophocles *Antigone* 7 – 10.

just laid down for the entire city?
 Have you any knowledge? Have you
 heard? Or do you not realize that the
 evils of our enemies are coming upon
 our own people? (Brown)

Antigone then goes on to expand upon the content of the decree, and Kreon's pattern of proclamation.

τὸν δ' ἀθλίως θανόντα Πολυνείκους νέκυν
 ἀστοῖσιν φασιν ἐκκεκηρῦχθαι τὸ μὴ
 τάφῳ καλύψαι μηδὲ κωκυῖσαι τινα,
 ἔἴν δ' ἄκλαυτον, ἄταφον, οἰωνοῖς γλυκὺν
 θησαυρὸν εἰσορῶσι πρὸς χάριν βορᾶς.
 τοιαῦτά φασιν τὸν ἀγαθὸν Κρέοντα σοὶ
 κάμοι, λέγω γὰρ κάμέ, κηρύξαντ' ἔχειν,
 καὶ δεῦρο νεῖσθαι ταῦτα τοῖσι μὴ εἰδόσιν
 σαφῆ προκηρύζοντα, καὶ τὸ πρᾶγμ' ἄγειν
 οὐχ ὡς παρ' οὐδέν, ἀλλ' ὅς ἂν τούτων τι δρᾷ,
 φόνον προκεῖσθαι δημόλευστον ἐν πόλει.⁴
 But for the wretched corpse of
 Polynikes, they say that Kreon has
 proclaimed to the townsfolk that no one
 may lay him in a tomb or mourn for him;
 they must leave him unwept, unburied, a
 delightful treasure-house for the birds
 which will gaze upon him as their
 welcome prey. Such, they say, is the
 edict which the good Kreon has
 pronounced for you and me – for *me too*,
 I tell you – and he is coming here to
 proclaim this explicitly to those who do
 not know it. And he does not consider
 the matter trivial; no, the penalty laid
 down for anyone who does any of these
 things is murder by public stoning in the
 city. (Brown)

These two excerpts provide multiple interesting aspects of proclamation within the *polis*.

The first is that Antigone clearly denotes that Kreon's law concerning the burial of

⁴ Sophocles *Antigone* 26 – 36.

Polynikes is an oral proclamation, κήρυγμα, as opposed to a written law, and this is then confirmed in the second excerpt with the use of the verbs ἐκκεκηρῦχθαι, κηρύξαντ', and προκηρύζοντα to further describe Kreon's publication of the edict. At no time in the description of this law is any writing mentioned by Antigone or Ismene. Second, Kreon's initial proclamation of the edict was to the townspeople, ἄστοῖσι, and the knowledge of it has now spread by word-of-mouth to the citizenry residing in the *chora*. It is likely that this initial proclamation came in the *agora* of the *asty*. Additionally, Kreon is described as travelling to the location of Antigone and Ismene to make the proclamation again in order to inform those who are unaware of it. Third, as just noted, Kreon's publication of his edict through proclamation is intended to communicate actively with the populace as Antigone notes: καὶ δεῦρο νεῖσθαι ταῦτα τοῖσι μὴ εἰδόσιν| σαφῆ προκηρύζοντα.⁵ This line clearly indicates that the proclamation was intended to educate the public, and that the proclamation was not simply a ceremonial formality of any kind. However, what is not clear is if this scene is evidence for the regular proclamation of law within Athens. Griffith notes that Kreon's constitutional status in this play is unclear as he is styled a general in the early scenes, and is not called king until later scenes.⁶ As will shortly be seen, a general on campaign had the authority to make κηρύγματα of his own without the consent of a legislative body, and unlike the lack of evidence for civic proclaimed decrees the evidence for military κηρύγματα is relatively well documented.

Heralds served a valuable role within the archaic and classical militaries. It goes without saying that to direct a highly organized body of men in hoplite warfare a decent means of communication must have been used to get messages to the entire force in a short

⁵ Sophocles *Antigone* 33 – 34.

⁶ Griffith (1999) p. 122.

period. The logical answer to this problem would be the use of loud-voiced heralds who could shout the orders of their officers in a manner akin to the modern signal corps.⁷ Instances of the herald serving as a signal officer in hoplite battle appear in multiple sources,⁸ and Aineias Tacticus notes that heralds gave orders and helped generals to maintain order amongst the soldiers.⁹ One interesting example appears in Herodotus Book Six wherein the Argives, facing a Spartan invasion, encamped across from their enemies, and in order to avoid any Spartan advantages listened for and emulated any order given by the Spartan signal-herald. However, Cleonymus, the Spartan king, recognized this trick and turned it against the Argives by mixing the meaning of the herald's calls, and having his men attack to devastating consequence upon the order to break order for breakfast.¹⁰ Heralds also might proclaim the public banning of an insubordinate soldier from service,¹¹ and one might imagine such a proclamation was a great dishonor to whomever it concerned. These military heralds likely served a valuable role in the large proclamations generals often made to the inhabitants of regions they had conquered or were campaigning in. In these instances the general likely did not have access to the established system of communication in whatever region of *polis* he might be in, but instead had to rely upon the basic form of communication of oral proclamations. In some cases these campaign proclamations might be a form of propaganda used to win over the local populace. This can be seen in the actions of Brasidas who, campaigning against Thucydides in the Chalkidike, issued a

⁷ It should be noted here that the modern word 'herald' derives from the Frankish '*hari-waldi*' or 'commander of an army'. See Beekes (2003) p. 115.

⁸ Xenophon *Anabasis* 5.2.18; *Hipparchus* 4.9.4; *Constitution of the Lakedaemonians* 11.6.5, 12.6.2, 12.7.1.

⁹ Aineias Tacticus *Poliorketika* 27.11 – 13.

¹⁰ Herodotus 6.77 – 8. Plutarch *Mor.* 223 gives a less flattering and conflicting account wherein the Spartans broke a truce to make a sneak attack.

¹¹ Lysias 3.45; Aristotle *Ath. Pol.* 61.2; Pritchett (1974) p. 242.

proclamation guaranteeing the land rights of the citizens of Amphipolis and any Athenians residing there promising them political equality and safe passage for five days if any wished to leave before his occupation.¹² This proclamation had its desired effect in bringing Amphipolis over to Brasidas. It should be noted that his proclamation, described as a *kerugma*, was meant for immediate dissemination amongst the citizenry as it had a specific time limit of five days for guaranteed safe passage. The military use of *kerugma* for propaganda to win the citizenry over to an invading forces side was used a number of times: by the Thebans when they secretly marched into Platea during the early stages of the Peloponnesian War,¹³ by Agesilaus during his campaign against the Persians at Sardis,¹⁴ and by Timoleon during his capture of Syracuse.¹⁵ Beyond the simple propaganda value of these proclamations they might sometimes contain specific legal matters being instituted by the conquering force. As has been seen with the Brasidas example he proclaimed legal equality for all citizens of Amphipolis, regardless of their affiliation during the conflict. Alcibiades, upon capturing Selymbria in his Hellespont campaigns of 410/9, made a formal proclamation (ἀνεπιεῖν) that the Selymbrians were to never raise arms against Athens.¹⁶ Likewise, when Alcibiades fought against Mindarus at Cyzicus in 410 he proclaimed (ἐπεκήρυξε) the death penalty for any local who sailed across the straits.¹⁷ It is tempting, in the lack of any strong evidence for the regular civic proclamations of decrees, to assign Kreon's proclamation in *Antigone* to this context of military proclamation. What appears clear is that either as a military occupation proclamation or as the action of a tyrant this type

¹² Thucydides 4.105 – 106.

¹³ Thucydides 2.2.4.

¹⁴ Xenophon *Agesilaus* 1.33.

¹⁵ Plutarch *Timoleon* 22.1 – 2.

¹⁶ Plutarch *Alcibiades* 30.7 – 8.

¹⁷ Xenophon *Hellenica* 1.1.15.

of proclamation would have been alien to the Athenian audience. and if nothing else the possible tension between civic or military proclamation in the play prevents us from using the *Antigone* passage as direct evidence of civic proclamation.

While the above evidence indicates that there is strong support for the military proclamation of decrees by generals on campaign, the evidence for the standard proclamation of new laws and decrees passed by the Athenian government is extremely sparse. The closest one gets to direct evidence for the proclamation of a new law comes from Aristophanes' *Ekklesiazusae*, written in 390, wherein a private conversation between two characters reveals the news of an off-scene proclamation made by the state herald concerning a new law on coinage. In this excerpt the character Chremes tells a fellow citizen how he was in the *agora* looking to buy barley with copper coins when he heard a herald's proclamation changing the law regarding coinage to prevent the use of copper coins.

καὶ κακόν γέ μοι
 τὸ κόμμι' ἐγένετ' ἐκεῖνο. πωλῶν γὰρ βότρυς
 μεστήν ἀπῆρα τὴν γνάθον χαλκῶν ἔχων,
 κᾶπειτ' ἐχώρουν εἰς ἀγορὰν ἐπ' ἄλφιτα.
 ἔπειθ', ὑπέχοντος ἄρτι μου τὸν θύλακον,
 ἀνέκραγ' ὁ κῆρυξ μὴ δέχεσθαι μηδένα
 χαλκὸν τὸ λοιπὸν· “ἀργύρω γὰρ χρώμεθα.”¹⁸
 And a bad job for me that coinage
 proved. I sold my grapes, and stuffed
 my cheek with coppers; then I steered
 away and went to purchase barley in the
 market; when just as I was holding out
 my sack, the herald cried, ‘No copper
 coins allowed, nothing but silver must be
 paid or taken.’ (Rogers)

¹⁸ Aristophanes *Ekklesiazusae* 816 – 822.

The most basic point to make concerning this scene is that it demonstrates the pattern of an informal word-of-mouth news transmission between two citizens as has been discussed previously. Chremes initially heard the news in the *agora*, but he then carried that news beyond the limits of the market to the greater community. This is in itself interesting, but the content of the proclamation might be relatable to a specific historical incident in Athenian law. This dramatic law is likely a reflection of the introduction of silver coated copper coins in Athens following the seizure of Decelea by the Spartans during the Peloponnesian War which prevented the use of the Laurium silver mines. The only other evidence supporting this special issue of debased coinage in the latter years of the war is another reference found in Aristophanes *Frogs* which refers to ‘τοῖς πονηροῖς χαλκίοις,’¹⁹ and scholars such as Kim and Kroll believe this strongly points towards the special issue of a debased coinage, although the specifics of this coinage are debated.²⁰ The lack of a firmly datable and controversy-free coin series complicates any attempts to prove or disprove the existence of this historical incident, and one must simply rely upon a consensus of scholarly opinion. The actual appearance of bronze coinage is not attested in Athens until the third quarter of the fourth century;²¹ far too late to be directly related to this excerpt of

¹⁹ Aristophanes *Frogs* 725.

²⁰ In private conversations Henry Kim, keeper of Greek coins at the Ashmolean Museum, has noted that in his opinion the special issue of coinage was likely a pure copper coinage such as is seen in the later fourth century, and that no physical remains of this specific minting has been found due to their recall from circulation in the early fourth century, or that it simply has not yet been recognized for what it is by numismatists. Conversely, Kroll believes evidence for this special issue can be found in a hoard of silver-plated bronze coins found in the Piraeus, and dated by some to the late fifth century: Kroll (1976). Kim argues that these silver plated coins are not to be associated with Aristophanes’ ‘worthless bronzes,’ but are likely simple attempts at counterfeiting standard Athenian silver issues. As in many numismatic disputes neither side can claim a conclusive victory, and the issue must remain open to individual interpretation.

²¹ Camp & Kroll (2001) p. 144.

Aristophanes. The lack of a clearly identifiable coinage issue related to this debased currency, or the scarcity of it if one accepts Kroll's thesis, is likely evidence for a comprehensive Athenian recall of these coins from circulation, and it is hard to imagine that either the Athenian people, or their business partners, would have accepted the circulation of such coins which obviously ran counter to the renowned purity of the standard Athenian issues. I believe it is safe to conclude that this scene is a direct reflection of a real law recalling the special wartime debased coinage passed sometime in the final years of the fifth or early fourth centuries. However, there are two further important points to make about this passage: one, that a herald makes the proclamation of this law in the *agora*, and two, that this is evidence for the direct publicity of an Athenian *nomos* as opposed to a *psephisma*.

The image of a herald proclaiming this new law in the *agora* might be taken by some as proof of the heraldic proclamation of new laws on a regular occasion. In such a conclusion it might seem likely that the κήρυξ τῆς βουλῆς καὶ τοῦ δήμου made the proclamation as the spokesman of the Assembly and *Boule*. Such a proposition likely sees the official herald standing upon the herald's stone in the *agora* proclaiming each and every decree and law.²² However, I do not accept that this was a regular occurrence as there is no

²² The existence of a herald's stone in the *agora* is indicated in two citations. Plutarch *Solon* 8.2: ἐξεπήδησεν εἰς τὴν ἀγορὰν ἄφνω, πιλίδιον περιθέμενος. ὄχλου δὲ πολλοῦ συνδραμόντος, ἀναβάς ἐπὶ τὸν τοῦ κήρυκος λίθον, ἐν ᾧδι διεξῆλθε τὴν ἐλεγείαν ἣς ἐστὶν ἀρχή: “αὐτὸς κήρυξ ἦλθον ἀφ’ ἱμερτῆς Σαλαμῖνος κόσμον ἐπέων ᾧδὴν ἀντ’ ἀγορῆς θέμενος. “...he sallied out into the market-place of a sudden, with a cap upon his head. After a large crowd had collected there, he got upon the herald's stone and recited the poem which begins: “behold in me a herald come from lovely Salamis, with a song in ordered verse instead of a harangue”(Perrin). Also, in Euripides *Electra* 706 – 9: πετρίνοις δ’ ἐπι|στάς κᾶρυξ ἴαχεν βᾶθροις·| Ἀγορὰν ἀγορὰν, Μυκη|ναῖοι. “Standing upon a stone platform, the herald cried: Mycenaean! Assemble! Assemble!”. There is no archaeological record of this herald's stone, and if it was real then it was likely a vestige of an earlier time when the *agora* was used for Assembly meetings where the herald was intimately involved in maintaining order. Speaking platforms are attested in the *Bouleterion* in the fifth century:

further Athenian evidence for the proclamation of new laws and decrees within the community outside the legislative space. There is strong evidence for the use of private heralds in the *agora* for commercial purposes such as the advertisement of businesses,²³ the conducting of auctions,²⁴ or the proclamation of private information such as manumissions or disinheritances.²⁵ In fact, the business of the *agora* was regulated by a board of magistrates known as the *agoranomoi* who collected market fees, maintained quality control, and kept general order,²⁶ and I believe these mercantile magistrates should be connected with this heraldic proclamation. It was not uncommon for Athenian magistrates to have their own heralds to proclaim specific decisions,²⁷ and it would be natural for the *agoranomoi* to likewise have a herald who could orally publicize decisions related to the business of the *agora*. Plato appears to give evidence for this practice in the idealized view of *agora* regulations in his *Laws* when discussing the punishment for fraudulent merchants in the *agora*.

ὁ δὲ δὴ φανερός γενόμενός τι πωλῶν τοιοῦτον, πρὸς τῷ στερηθῆναι τοῦ κιβδηλευθέντος, ὀπόσης ἂν τιμῆς ἀξιώσει τὸ πωλούμενον, κατὰ δραχμὴν ἑκάστην τῇ μάλιστα τυπτέσθω πληγὰς ὑπὸ κήρυκος ἐν τῇ ἀγορᾷ κηρύξαντος ὧν ἔνεκα μέλλει τύπτεσθαι. τὰ δὲ κιβδηλεύματα τε καὶ κακουργίας τῶν πωλούντων οἷ τε ἀγορανόμοι καὶ οἱ νομοφύλακες, πυθόμενοι τῶν ἐμπείρων περὶ ἕκαστα, ἀναγραφάντων ἅ τε χρῆ ποιεῖν τὸν πωλοῦντα καὶ ἃ μὴ, καὶ

ATL II D8.21; Antiphon *Choreutes* 40; and in the later Roman period when the Romans constructed a *bema* outside the Stoa of Attalos: Athenaeus 5.212e.

²³ Antiphanes fr. 247 (Kassel-Austin), “...πᾶσι τοῖς κήρυξιν ἐν ἀγορᾷ...”; Antiphanes fr. 123 (Kassel-Austin); Demosthenes 44.4.

²⁴ *SEG* 12.100 36 – 9; Euripides *Trojan Women* 184; Xenophon *Hellenica* 1.7.9, 3.4.19, 4.5.2, *Agésilao*s 1.28 ; Lysias 18.20, 19.34,38; Antiphanes fr. 166 (Kassel-Austin); Langdon (1994 p. 262-3.

²⁵ See Chapter Four for more on these subjects.

²⁶ Aristotle *Ath. Pol.* 51.1; Aristophanes *Acharnians* 724, 824; *Wasps* 1407; Plato *Laws* 849a – e, 917 b – e. These *agoranomoi* had their office in the *agora*, the *agoranomion*: Syll.³ 313.11; Plato *Laws* 917e.

²⁷ The archons: *Ath. Pol.* 62.2; the *Poletai*: *supra* ch. 1 n(s). 79 – 82.

πρόσθε τοῦ ἀγορανομίου θέντων ἐν στήλῃ γράψαντες νόμους εἶναι τοῖς περὶ τὴν τῆς ἀγορᾶς χρεῖαν μηνυτὰς σαφεῖς.²⁸

He who is proved to have sold any adulterated goods, in addition to losing the goods themselves, shall be beaten with stripes—a stripe for a drachma, according to the price of the goods; and the herald shall proclaim in the agora the offence for which he is going to be beaten. The warden of the agora and the guardians of the law shall obtain information from experienced persons about the rogueries and adulterations of the sellers, and shall write up what the seller ought and ought not to do in each case; and let them inscribe their laws on a column in front of the court of the wardens of the agora, that they may be clear instructors of those who have business in the agora. (Jowett)

The herald mentioned here is likely to be attached to the *agoranomoi* as the proclamations directly refer to the market regulations set by this board. It is interesting that these regulators were further required to post in writing their regulations and instructions in the *agora*.²⁹ This public notice of a change in regulation seems similar to what is seen in the *Ekklesiazusae*, except the notice is made in writing as opposed to verbally, but it is possible that a proclamation was made as well in order to supplement the written notice. As noted above this passage is from an idealized concept of how the *agoranomoi* should operate, but Plato likely based his description of a herald for the *agoranomoi* off an existing institution. It should be noted that the proclamation from Aristophanes' *Ekklesiazusae* directly concerns issues of exchange within the space of the *agora*, and would seem to fall under the remit of the *agoranomoi*.

The second important distinction to note about this passage from Aristophanes is that the content of the proclaimed regulation, the complete ban on all copper coinage in the *agora*, reflects the Athenian practice of *nomoi*, or laws, as opposed to *psephismata*, or decrees. The distinction between *nomoi* and *psephismata* was codified in 403 with the creation of the board of the *nomothetai* who could pass *nomoi*, which were distinct from

²⁸ Plato *Laws* 917d – e.

²⁹ A similar practice appears in Aristophanes *Acharnians* 724.

psephismata in their lack of temporal or political limits.³⁰ *Nomoi* were by their nature much rarer in Athens than *psephismata*, and this relationship is apparent in the surviving record of seven laws compared to four-hundred and eighty eight decrees.³¹ These *nomoi* were passed following a procedure of proposal in the Assembly, public notice, and then vote in a special board of 501 citizens called the *nomothetai*. *Nomoi* were considered superior to *psephismata* and superseded all previous laws and decrees with which they might come into conflict.³² The new coinage law that the herald proclaims in the *agora* in the *Ekklesiazusae* would have been a *nomos* passed by the *nomothetai* since it was a general law applying to everyone without limits. A real example of a law similar to this instance is the Athenian Coinage Law of 375/4 which the *nomothetai* passed, and which sought to regulate the use of purely Athenian or approved coins within the markets of Athens.³³ However, despite their special status there is no indication in the text of the surviving laws of any clauses specifying types or periods of either oral or written publication. Clearly, the survival of some of these laws and decrees on stone is evidence for the occasional memorialization of the event in a permanent manner, but as noted previously in the Introduction such stone records were not intended for rapid dissemination of the information, but instead served to memorialize publically the information and to maintain a permanent record. One can point to the practice of honorific decrees from the late fifth century onwards as evidence for at least some proclaimed decrees,³⁴ but aside from the evidence from the *Ekklesiazusae* I know

³⁰ Hansen (1991) p.171 – 177; for *nomothetai*: Hansen (1991) p.167 – 8.

³¹ Hansen (1991a) p.176.

³² *SEG* 26.72. The power of *nomoi* to supersede decrees can be seen in the final clause of this inscription (lines 55-6) where instructions are given to the Secretary of the Council to expunge any decree inconsistent with the new law, Hansen (1991) p. 174.

³³ *RO* 25 (pp. 112 – 119).

³⁴ This topic will be covered in detail in Chapter Three.

of no evidence for the oral publicity of an accepted *nomos*.³⁵ This general lack of emphasis placed upon proclamation for *nomoi* would, in my opinion, give further weight to the hypothesis that the heraldic proclamation witnessed in the *Ekklesiastusae* was a proclamation made not by the greater civic government, but of the magistracy of the *agoranomoi* who saw the necessity for publicizing this information in the course of their responsibilities. While little is known about the publication of new laws and decrees after their acceptance, more is known about the public notice given to inform the citizenry before their votes in the Assembly.

Public Notice:

The practice of public notice in Athens provides us with the clearest example of an Athenian attempt to inform their citizenry officially through written and oral means of new and important political information. As previously noted in the Introduction this type of public notice might cover information concerning a variety of *polis* news such as the date of Assembly and *Boule* meetings and matters on the agenda,³⁶ proposed new *nomoi*,³⁷ military muster lists,³⁸ the sale of private property,³⁹ inheritances and confiscated property,⁴⁰ or lists

³⁵ One might contend that the scene later in *Ekklesiastusae* 335 – 341, where the heraldess calls the citizens to dinner, is proof of government decrees being proclaimed, but I see this episode as being more indicative of the heraldic role in summoning people to assemble: Euripides *Electra* 706 – 9; Sophocles *Antigone* 158 – 162; Homer *Il.* 2.50; 4.37, 442; 9.10; *Od.* 2.6; 8.7 – 14; For emergency military summons: below pp. 62 – 63.

³⁶ Aristotle *Ath. Pol.* 43.3 – 4. The agenda for the meeting was typically published four days before the meeting: Hansen (1987) p. 145 n. 160.

³⁷ Demosthenes 24.25,36.

³⁸ Aristophanes *Peace* 1179 – 1187.

³⁹ Theophrastus frag. 650 (Fortenbaugh);

⁴⁰ Aristotle *Ath. Pol.* 43.4.

of magistrates and debtors.⁴¹ Of this variety of types of public notice this chapter will focus first on those concerned with the publication of upcoming Assembly votes on new *nomoi*.

As has just been noted, aside from the possible reflection of a proclaimed coinage law in the *agora* in the *Ekklesiazusae*, there is no direct indication of any sort of general publicity for the acceptance of new *nomoi* or *psephismata*. In light of this lack of significant evidence for the proclamation of new legal decisions one must assume that the citizens were left to carry the information of the votes to the greater community through the informal networks of gossip and word-of-mouth communication. However, news of the proposed laws and decrees likely was already well known to politically active citizens through the posting of notice in written form on the statues of the Eponymous Heroes in the *agora*. New *nomoi*, which had to be proposed in the Assembly, required public notice to be given for a considerable amount of time in the *agora* so that any citizen might bring objections to the new law. Demosthenes describes this process of public notice during his legal speech against Timocrates, which was likely given in 353:

καὶ πρῶτον μὲν ἐφ' ὑμῖν ἐποίησαν διαχειροτονίαν, πότερον εἰσοιστέος ἐστὶ νόμος καινὸς ἢ δοκοῦσιν ἀρκεῖν οἱ κείμενοι· μετὰ ταῦτα δέ, ἂν χειροτονῆτ' εἰσφέρειν, οὐκ εὐθὺς τιθέναί προσέταξαν, ἀλλὰ τὴν τρίτην ἀπέδειξαν ἐκκλησίαν, καὶ οὐδ' ἐν ταύτῃ τιθέναί δεδώκασιν, ἀλλὰ σκέψασθαι καθ' ὅ τι τοὺς νομοθέτας καθιεῖτε. ἐν δὲ τῷ μεταξύ χρόνῳ τούτῳ προσέταξαν τοῖς βουλομένοις εἰσφέρειν ἐκτιθέναί τοὺς νόμους πρόσθεν τῶν ἐπωνύμων, ἵν' ὁ βουλόμενος σκέψηται, κἂν ἀσύμφορον ὑμῖν κατίδη τι, φράση καὶ κατὰ σχολὴν ἀντείπη.⁴²

In the first place, they entrusted to you citizens the decision whether a new law is to be introduced or the existing laws judged satisfactory. Then, if your vote is in favor of introduction, they did not order immediate enactment, but appointed the next assembly but one, and even at that assembly, they do not permit you to legislate, but only to consider the terms on which the Legislative Committee shall sit. In the intervening time they instructed

⁴¹ Lewis (1996) p. 136.

⁴² Demosthenes 24.25.

persons wishing to introduce laws to exhibit them in front of the Heroes, so that anyone who chooses may inspect them, and, if he discovers anything injurious to the public interest, may inform you and have time to speak against the laws. (Vince)

This written notice was clearly intended to inform the citizenry of any upcoming votes on new *nomoi*, and clearly the system was established in such a way that proper time was given for the consideration and spread of the laws by a large percentage of the citizen body. Conversely, matters appearing before the *Boule* or the Assembly were also given public notice through writing,⁴³ but this was given in a much shorter period of time. The *Boule* met every day of the year, with the exception of holidays, and thus the written notice of their agenda was likely less important to the average citizen. Assembly agendas were posted four days before the meeting,⁴⁴ and this seems to be the only notice given regarding upcoming votes on decrees other than any word-of-mouth knowledge derived from the *probouleuma* of the decree in the *Boule*. In both instances of the decrees and the laws there is no indication of any oral forms of publicity prior to Assembly votes, aside from the actual reading out of the proposal in the Assembly itself, and the Athenians seem to have relied completely upon written notice to inform their citizenry of upcoming votes.

This reliance upon a written notice is also evident in the Athenian practice of military muster lists. As will be seen later in this dissertation the Athenians did have a sort of military communication network in the fifth century for their imperial garrisons,⁴⁵ maintained at least two state ships to carry important messages over distance,⁴⁶ at one point

⁴³ Aristotle *Ath. Pol.* 43.3 – 4.

⁴⁴ Hansen (1991) p. 133.

⁴⁵ See Chapter Five pp. 185 – 194.

⁴⁶ See Chapter Five pp. 189 – 190.

employed a historically shadowy figure known as the commander of the dispatch boats,⁴⁷ and in the cases of military emergencies might have a herald bear an important message directly to a general,⁴⁸ but for the extremely important system of military muster the Athenians display only the most basic of centralized communication in the form of a written notice board in the *agora*.

When men were called by the state to serve on campaign a list of muster was published on the white boards in front of the statue of eponymous heroes in the *agora*.⁴⁹ Each deme had their own muster list published, and it was expected that this information would get back to demes so the appropriate men might appear for duty. This system left the *chora* dwellers of outlying demes at a natural disadvantage as they could not constantly check the notices at the Eponymous Heroes. In the *Peace*, written in 421, Aristophanes presents a vignette which demonstrates the problems associated with this lack of greater communication when he has his chorus note that some cowardly men erase and replace names on the muster lists with names of *chora* dwellers who then have barely any notice before their duty must begin.

ήνίκ' ἄν δ' οἴκοι γένωνται, δρῶσιν οὐκ ἀνασχετά,
 τοὺς μὲν ἐγγράφοντες ἡμῶν, τοὺς δ' ἄνω τε καὶ κάτω
 ἐξαλείφοντες δις ἢ τρίς. αὔριον δ' ἔσθ' ἤξοδος·
 τῷ δὲ σιτί' οὐκ ἐώνητ'· οὐ γὰρ ἦδειν ἐξιῶν·
 εἶτα προσστάς πρὸς τὸν ἀνδριάντα τὸν Πανδίωνος
 εἶδεν αὐτόν, κάπορῶν θεῖ τῷ κακῷ βλέπων ὀπόν.
 ταῦτα δ' ἡμᾶς τοὺς ἀγροίκους δρῶσι, τοὺς δ' ἐξ ἄστεως
 ἦττον, οἱ θεοῖσιν οὗτοι κἀνδράσι ριψάσπιδες.

⁴⁷ Aeschines 2.73. cf. schol. on Aeschines 2.73.

⁴⁸ Aristophanes *Acharnians* 1069 – 1084.

⁴⁹ As noted in the Introduction p. 9 the white boards were used for multiple types of information to be quickly communicated to the public such as muster lists, debts, proposed laws, and notices of forthcoming assemblies; Lewis (1996) 135 – 137.

ὧν ἔτ' εὐθύνας ἐμοὶ δώσουσιν, ἦν θεὸς θέλη.⁵⁰
 When they get back home, they do intolerable things: they enter some of our names on the lists and erase others, higgledy-piggledy, two or three times. The expedition sets out tomorrow, and the man's bought no provisions, because he didn't know he was going on it – and then he stops in front of the statue of Pandion and sees his name, and rushes off in distress, with a curdling look in his eyes because of his misfortune. They do all that to us country folk – not so much to the townspeople – these men whom gods and mortals... see throwing their shields away; and, god willing, they'll yet render account to me for it. (Sommerstein)

This text notes that the common target for these sorts of shenanigans was the *chora* dwellers. This seems possible due to the eternal rivalry between ‘city-dwellers’ and ‘rural-types,’ but it was also likely because the *chora* dwellers simply did not have the means of learning of their name change in an efficient manner. This extract indicates that there was no copy of the muster list displayed in the demes, and that the central list was the only evidence for the call up. There is no direct evidence for the proclamation of the muster lists anywhere in the *polis*, but a passage from earlier in the *Peace* might help in this matter. Early in the play Trygaeus calls for all men to assemble to aid in the rescuing of Peace, and the chorus responds that this proclamation asking for support is much better than that which orders them to come with three day's food: ἀλλ' ἀκούσαντες τοιούτου χαίρομεν κηρύγματος. | οὐ γὰρ ἦν ἔχοντας ἦκειν σιτί' ἡμερῶν τριῶν.⁵¹ In this case the three days'

⁵⁰ Aristophanes *Peace* 1179 – 1187. In his commentary on this work Olson notes that Pandion was Aristophanes' tribe: Olson (1998) p. 293.

⁵¹ Aristophanes *Peace* 311 – 2, “We're overjoyed to have heard such a proclamation, as it wasn't an order to ‘come with three days' provisions.” The ‘three day's food’ is the common amount of food that mustered men must provide for themselves on campaign. The only other instance which I am aware of that associates a direct verb with the call to muster with rations is in the *Wasps* 311 where Kleon is said to have ordered (ἐφεῖτ') the men to

rations (στί' ἡμερῶν τριῶν) is clearly associated with the proclamation (κηρύγματος) in the preceding clause, and as has been seen previously the use of κήρυγμα is associated with an oral proclamation as opposed to a written declaration.⁵² One might postulate that this could be evidence for a centrally proclaimed muster, perhaps occurring concurrently with the publication of the lists at the Eponymous Heroes, but it is not certain this was the case, and I believe at the moment that the primary mode of muster communication was written notices with individuals from the outlying districts carrying the news of the muster with them when they returned home.⁵³ It is possible that a general proclamation concerning an upcoming campaign might have been made, with the additional note to the audience that they should check the muster lists to see if their name is there. It is unlikely a proclamation containing each individual name of the muster existed as this would not only be ridiculously long, but also a poor and inefficient means of communicating as anyone listening would quickly forget the majority of names read. It should be noted that this system existed only for planned campaigns, and in the case of military emergencies a more direct form of heraldic summons might be used to contact the relevant military authorities.⁵⁴ The communication separation of *asty* and *chora* seems to be rather complete within Athens with little to no

come with three days' rations, but the verb (ἐφίημι) could easily have taken the form of written notices on the white boards.

⁵² *Supra* pp. 145 – 146.

⁵³ Missiou (2011) p. 24 – 25 notes that in her opinion writing provides the best means of communicating such information with demes, and proposes that written communication must have been used to inform demesmen. However, she is unclear whether she believes that further lists were erected in outlying demes, or whether simple written lists were sent to be read out.

⁵⁴ Aristophanes *Acharnians* 1069 – 1084. In this instance a herald bears a message calling Lamachus, a general, to gather his troops and march against an imminent invasion of Boeotians. This is also one of the few instances that I am aware of where the state employs a direct heraldic message within the boundaries of Attica.

evidence for anything beyond a word of mouth system of carrying news into the outlying districts, and there is no evidence within Athens for any heraldic travel outside the center.

A related aspect of public notice which appears to have been largely reliant upon oral communication was the emergency summons of citizens to either a legislative meeting or for immediate military service. The *agora* served as a good location for the immediate proclamation of any emergency or time-sensitive news. During the Theban occupation of Plataea early in the Peloponnesian War Thucydides describes how the Thebans went to the Plataean *agora* and had their herald make a proclamation asking all Plataeans who wished to join with the Thebans to assemble in the *agora*: γνώμην δ' ἐποιοῦντο κηρύγμασί τε χρήσασθαι ἐπιτηδείοις καὶ ἐς ζύμβασιν μᾶλλον καὶ φιλίαν τὴν πόλιν ἀγαγεῖν, καὶ ἀνεῖπεν ὁ κῆρυξ, εἴ τις βούλεται κατὰ τὰ πάτρια τῶν πάντων Βοιωτῶν ζυμμαχεῖν, τίθεσθαι παρ' αὐτοῦς τὰ ὄπλα.⁵⁵ This citations also bears witness to another aspect of the herald's role in formal legal proclamations, namely that of calling citizens to assembly and an emergency muster of troops. Heralds might have been used to summon troops to muster quickly within the *polis* for immediate emergency action,⁵⁶ to summon celebrants to public feasts or festivals,⁵⁷ or to summon urgently a special assembly meeting as seen in Sophokles *Antigone* when the chorus describes Kreon as summoning a special assembly: τίνα δὴ μῆτιν ἐρέσσω, ὅτι σύγκλητον τήνδε γερόντων προὔθετο λέσχην, κοινῷ κηρύγματι πέμψας;⁵⁸

⁵⁵ Thucydides 2.2.4, “This, however, the Thebans refused to do, but determined to make a conciliatory proclamation, and if possible to come to a friendly understanding with the citizens. Their herald accordingly invited any who wished to resume their old place in the confederacy of their countrymen to ground arms with them.”(Dent).

⁵⁶ Thucydides 2.2.4; Xenophon *Hellenica* 5.4.10.2 (Theban expulsion of Spartan garrison); Polybius 1.49.10; Plutarch *Timoleon* 22. 1 – 2; Aristophanes *Acharnians* 1069 – 1084.

⁵⁷ Aristophanes *Ecclesiasuzae* 834ff; Euripides *Electra* 706 – 9.

⁵⁸ Sophocles *Antigone* 158 – 161, “What policy is he setting in motion, that he has proposed this special conference of elders, and summoned it by a general mandate?”(Jebb).

Griffith notes that what Sophokles is referring to here is the ‘σύγκλητος εκκλήσια’, or ‘extraordinary meeting of the assembly.’⁵⁹ By the fourth century Hansen suggests that these Athenian *ekklesiai synkletei* were likely not completely extraordinary meetings designed to deal with one pressing issue, but were more likely one of the four regular prytany assemblies which had been summoned at short notice or by decree of the *Boule* or *Ekklesia*.⁶⁰ However, within the scene of *Antigone* the meaning of an ‘extraordinary meeting’ does seem to better fit the context of the play than one of regular meeting which had simply been called on short notice.

In the cases of non-emergency muster lists and public notice the evidence seems to indicate that only written forms of public notice were employed by the Athenian state, but within the structure of Assembly meetings themselves there are instances of mixed written and oral public notice used to inform the citizenry of possibly important financial information. These instances of mixed public notice could cover aspects of specific information concerning confiscated property, inheritances, and heiresses, and were likely read out in the Assembly meeting by the κήρυξ τῆς βουλῆς καὶ τοῦ δήμου following their posting in written notice in the *agora* by the *archon*. Aristotle describes this process in his description of the running of the Assembly meetings in the *Athenian Politeia*: καὶ τὰς εἰσαγγελίας ἐν ταύτῃ τῇ ἡμέρᾳ τοὺς βουλομένους ποιεῖσθαι, καὶ τὰς ἀπογραφὰς τῶν δημευομένων ἀναγιγνώσκειν, καὶ τὰς λήξεις τῶν κλήρων καὶ τῶν ἐπικλήρων ἀναγιγνώσκειν, ὅπως μηδένα λάθῃ μηδὲν ἔρημον γεγόμενον.⁶¹ These items for public notice were first

⁵⁹ Griffith (1999) p. 155.

⁶⁰ Hansen (1991) p. 134 – 135.

⁶¹ Aristotle *Ath. Pol.* 43.4, “and on this day *eisangelia* have to be laid by those who wish, and the inventories of estates being confiscated read, and the lists of suits about inheritance

posted on the wooden notice board (σανίς) of the magistrates in the *agora*.⁶² However, inheritances and heiresses were given further notice in the form of heraldic proclamation at an undetermined later date.⁶³ Rhodes notes that the *eisangeliai* mentioned in this passage were charges of treasonous actions brought against individuals, and while most of these charges often went through the *probouleuma* process some might have been brought directly to the Assembly.⁶⁴ The issues of inheritances and confiscated property were likewise unknown to the majority of those in attendance beyond those who might have read the written notice, and the purpose of the publication of confiscated property was likely as a check against a mistaken or wrongful confiscation which would allow the citizen to appeal the confiscation.⁶⁵ The purpose of these proclamations was clearly to communicate directly with the community at large, and to publicize the information about inheritances and heiresses in order to allow citizens to make any necessary claims against these estates. In all these cases there was an important need for publicity as the majority of the citizenry would

and heiresses, so that all may have cognizance of any vacancy in an estate that occurs.”(Rackham).

⁶² Isocrates 15.237.

⁶³ Demosthenes 43.5. καὶ ἐπιδημῶν τότε Θεόπομπος ὁ τουτουὶ πατήρ Μακαρτάτου, καὶ τοῦ κήρυκος κηρύττοντος, εἴ τις ἀμφισβητεῖν ἢ παρακαταβάλλειν βούλεται τοῦ κλήρου τοῦ Ἀγνίου ἢ κατὰ γένος ἢ κατὰ διαθήκας, οὐκ ἐτόλμησεν παρακαταβαλεῖν... “And Theopompus, the father of Macartatus, being in town when the herald made the proclamation asking whether anyone wished to dispute or claim the estate of Hagnias according to kinship or will, or to deposit security for the costs of such claim, yet did not venture to make a deposit...”(Murray); Harrison (1998) p. 158 –159 notes that it is unclear when this second proclamation might be made, but he speculates that it might have been after a trial concerning the inheritance issue had been adjudicated. If one accepts this theory the proclamation would have been made by the herald attached to that specific court, and would likely have called for any possible appeals to the decision. I remain skeptical as to where to place the proclamation at this specific time.

⁶⁴ Rhodes (1981) p. 524 – 25.

⁶⁵ MacDowell (1978) p. 102 – 3; A similar situation appears in an inscription from Chios which details a system of heraldic proclamations to inform the citizenry of land redistributions so they might be likewise aware of the situation: *PEP (Chios) 76*.

likely be unaware of these specific issues, and publicity was the only means of preventing miscarriages of justice. The proclamations attached to these issues of public notice were intended to communicate directly with the citizenry. The mixture of the written λήξεις and the reading of these written notices at the Assembly ensured that the greatest possible publicity was afforded to these issues. It is not explicitly mentioned in the *Ath. Pol.* whether a κήρυξ read these proclamations within the Assembly. However, Hansen believes a herald read out the information,⁶⁶ and I agree as the ‘loud and clear-voiced’ herald would be the most likely candidate for such a role, and his very existence was based upon such actions. This issues also provides the only clear example of heralds making civic proclamations within Athens that were intended to directly inform the public. Earlier I noted that the Aristophanic passage referring to a change in coinage regulations was the only example of a herald proclaiming new laws or decrees to the community, and I know of no other examples of such a practice. These examples of public notice concerning private matters are the only conclusive proof of a consistent and established system of informative proclamation within the Athenian *polis*.

It is surprising that such a mixture of types of public notice in Athens existed. In some cases, such as issues dealing with the larger state (proposed *nomoi*, Assembly agendas, muster lists), the Athenians employed written notice in the central location of the *agora*, while in other cases such as inheritances oral address in the Assembly supplemented written notice. The importance of Assembly agendas, proposed *nomoi*, and public prosecutions within a radical democracy such as Athens required an important central display for everyone to be able to reference, and the publicity afforded these items is not surprising.

⁶⁶ Hansen (1987) p.27.

One might postulate that a large number of issues regarding heiresses, inheritances, and confiscations would require additional public notice in both written and oral form to insure that individual cases were not overlooked on the written *lexeis*. The further heraldic proclamation regarding inheritances and heiresses is interesting, and indicates that the Athenians greatly valued the legitimate transfer of private property to the rightful heirs, and in order to ensure that this happened properly they made use of an abundance of publicity. If this is the case then the Athenians are demonstrating a self-awareness regarding their official means of communication, and must have recognized certain advantages and disadvantages to the respective forms of communication, and that multiple forms and instances of communication increased the likelihood of informing such a large and spread out citizenry which might be unaware of a simple written note. It is a further interesting peculiarity of this system that the Athenians seemed to have placed a greater emphasis upon the proclamation and notice of personal issues such as inheritances than grander state issues of decrees and laws. This might lead one to wonder whether there was an Athenian objection against what they perceived as the particular political connotations concerning the central proclamation of legal matters.

The Athenians did employ written notice for some instances of public notice dealing with individual citizens which did not affect the greater community as a whole. Specifically, the Athenians required the public notice, in writing, of private property sales. Within Athens there was no known central roster of landed properties, and Finley notes that while there is often a general assumption amongst scholars that such a register must have existed there is no direct evidence to support it.⁶⁷ Such a register did exist in some other

⁶⁷ Finley (1973) p. 14 n. 19.

poleis, and it is surprising that the usually record-loving Athenians did not feel such a register was necessary. However, there was a great variety in the types of public notice of land sale throughout the Greek world, and these types varied from purely oral notice in the form of heraldic proclamation to a written register of all land transactions. The greatest evidence concerning the classical attitude towards public notice comes from a fragment of Theophrastus' lost work on the laws of Greek *poleis* which concerns the law of sale. The most relevant sections of this fragment are quoted in the following extract:

Οἱ μὲν οὖν ὑπὸ κήρυκος κελεύουσι πωλεῖν καὶ προκηρύττειν ἐκ πλειόνων ἡμερῶν· οἱ δὲ παρ' ἀρχῆ τινὶ καθάπερ καὶ Πιττακὸς παρὰ βασιλεῦσι καὶ πρυτάνει· ἔνιοι δὲ προγράφειν παρὰ τῇ ἀρχῇ πρὸ ἡμερῶν μὴ ἐλαττόνων ἢ ἑξήκοντα καθάπερ Ἀθήνησι, καὶ τὸν πριάμενον ἑκατοστὴν τιθέναι τῆς τιμῆς ὅπως διαμφισβητήσαι τε ἐξῆ καὶ διαμαρτύρεσθαι τῷ βουλομένῳ καὶ ὁ δικαίως ἐωνημένος φανερὸς ἢ τῷ τέλει· παρὰ δὲ τισὶ προκηρύττειν κελεύουσι πρὸ τοῦ κατακυρωθῆναι πένθ' ἡμέρας συνεχῶς, εἴ τις ἐνίσταται ἢ ἀντιποιῆται τοῦ κτήματος ἢ τῆς οἰκίας· ὡσαύτως δὲ καὶ ἐπὶ τῶν ὑποθέσεων ὡσπερ καὶ ἐν τοῖς Κυζικηνῶν.

Οἱ δὲ Θουριακοὶ τὰ μὲν τοιαῦτα πάντα ἀφαιροῦσιν οὐδ' ἐν ἀγορᾷ πράττουσι προστάττουσι libri ὡσπερ τᾶλλα, διδόναι δὲ κελεύουσι κοινῇ τῶν γειτόνων τῶν ἐγγυτάτῳ τρισὶ νόμισμά τι βραχὺ μνήμης ἔνεκα καὶ μαρτυρίας· τρισὶ νόμισμά τι βραχὺ μνήμης ἔνεκα καὶ μαρτυρίας. Ἀναγκαῖον δῆλον ὅτι τοῖς μὲν τὰς ἀρχὰς ὑπευθύνους ποιεῖν τοῖς δὲ τοὺς γείτονας ἐὰν μὴ λάβωσι, ἢ δις παρὰ τοῦ αὐτοῦ λάβωσιν, ἢ ἔχοντες μὴ λέγωσι τῶν ἐωνημένων. Οὐ χρὴ δ' ἀγνοεῖν ὅτι αἱ προγραφαὶ καὶ αἱ προκηρύξεις καὶ ὅλως ὅσα πρὸς τὰς ἀμφισβητήσεις ἐστὶ πάντῃ τὰ πλεῖστα δι' ἔλλειψιν ἐτέρου νόμου τίθεται. Παρ' οἷς γὰρ ἀναγραφὴ τῶν κτημάτων ἐστὶ καὶ τῶν συμβολαίων, ἐξ ἐκείνων ἐστὶ μαθεῖν, εἰ ἐλεύθερα καὶ ἀνέπαφα καὶ τὰ αὐτοῦ πωλεῖ δικαίως· εὐθὺς γὰρ καὶ μετεγγράφει ἢ ἀρχὴ τὸν ἐωνημένον.⁶⁸

Some enjoin that the sale be made through a herald and announced several days in advance; others (that it be made) in the presence of a magistrate, as Pittacus too (enjoined that it be done) in the presence of *basileis* and a *prytanis*. Some (enjoin) that the sale should be pre-registered with a magistrate no less than sixty days in advance, as at Athens, and that the buyer deposit one percent of the value, so that it may be possible for anyone who wishes to dispute it and lodge an obstructive plea, and that the legal purchaser may be identified by the payment. Among some they enjoin that the sale be

⁶⁸ Theophrastus frag. 650 (Fortenbaugh); Stobaeus, *Anthologium* 4.2.20 (t.4 p.127.20 – 130.26 Hense).

announced for five successive days before validation, in case someone should stand in the way of a claim to the property or house: so also with hypothecary mortgages, as in the (laws) of Cyzicus.

But the people of Thuri do away with all such measures nor do they post a notice in the *agora* as they do with other things, but they enjoin parties in common to give a small sum of money to the three nearest neighbors so that they will remember and give witness. In the former case it is clearly necessary to make the magistrates accountable, in the latter the neighbors, if they do not receive (the money) or receive it twice from the same party or, having received it, do not speak to the purchaser. One should not be unaware that preliminary registrations and announcements and in general measures to deal with legal disputes – all or most of them – are established because of the lack of another law. For among some peoples there is a registry of the properties and contracts, from which it is possible to learn whether a person is legally selling what is free, i.e., not liable to seizure and his own; for the magistrate immediately puts down (the name of) the purchaser. (Fortenbaugh)

This summary of a variety of laws regarding sale notes that there were a variety of possible forms of notice in different *poleis*: proclamation by a herald in advance of the sale, consummation of the sale before a magistrate, payment of a token to three neighbors, or public sacrifice and oath. Specifically, within Athens he notes that notice must be posted at a magistrate's office for no less than sixty days, and a sale tax of one percent of the value of the land was to be paid. Conversely, in Cyzicus it was a requirement that a herald proclaim the sale for five successive days. These practices were established so that anyone who wished might contest the sale of the land, and Theophrastus goes on to note that these practices only existed in *poleis* which did not contain a central record of properties or transactions.⁶⁹ Athens appears to have maintained an oral form of notice in the Assembly for subjects such as land seizure and inheritance cases, while allowing written notification for private matters of land sale. In this summary of types of publication and regulation one gets a hint that the Athenian method of publicity might not be the norm for the Greek world,

⁶⁹ This is another clear piece of evidence against the existence of such a register in Athens.

and that there might have been a great variety of different styles for the publication of information in the different *poleis*. It is widely accepted that Athenian attitudes towards the memorialization of law through epigraphy was a general exception to the majority of ancient states, and it can be imagined that Athenian attitudes towards the immediate publication of information might also be an exception to the norm elsewhere.

This possible variance between Athenian and non-Athenian practices of publicity can be seen clearly in evidence of heraldic networks of proclamation of public notice of land confiscation and distribution in fifth-century Chios. While there is no conclusive and clear evidence for the heraldic proclamation of legal news in the Athenian community, an inscription from Chios demonstrates an established system of multiple heralds travelling through the *asty* and *chora* delivering news of land distribution. This system of communication is found on an early fifth-century inscription from Chios. *PEP* (Chios) 76, dated on letter forms to between 475 and 470,⁷⁰ and arranged on three stele faces appears to be a legal document detailing the court procedures and redistribution of confiscated land. The first and third faces describe specific financial punishments and regulations concerning property, but the second face details the process by which proper notice must be given to the populace regarding legal cases involving land:

οἱ π[εν]τεκα[ίδεκα] ἀ ἐς βολή[ν ἐν]εικάντων [ἐν]πέντ' ἡμέρη[ι]σιν· τὸς δὲ κήρυκας διαπέμψαντες ἐς τὰς χώρας κη[ρ]υσσόντων καὶ διὰ τῆς πόλεως ἀδηγέως γεγωνέοντες, ἀποδεκνύντες τὴν ἡμέρη, ἣν ἂν λάβω[σιν], καὶ τὸ πρῆγμα προσκηρυσσόντων ὅ τι ἂμ μέλλη[ι] πρήξασθαι, κἀγδικασάντων τριηκοσίων μὴ ἴσσο[ντες] ἀνηρίθε[υτοι] ἔόντες.⁷¹

Let the fifteen bring it before the *Boule* within five days. Having sent out heralds into the countryside let them proclaim by unmistakable cry the

⁷⁰ Jeffery (1961) p. 338 (no. 48), 344.

⁷¹ *PEP* (Chios) 76 B1 – 25; *SGDI* 5653; Koerner (1993) no. 62.

chosen day and proclaim the matters which are to be discussed, and it should be no fewer than 300 uncorrupted men who decide.

This text clearly indicates the use of multiple heralds to proclaim throughout the entire *polis*, including the *chora*, the news of upcoming legal cases involving land disputes. The proclamations are clearly intended to inform the citizenry of both the date and the subject matter of the cases, and there is no indication of any written form of communication such as notice boards in the *agora*, but it is purely oral communication which is used. It is true that this inscription is describing a process of notice concerning legal court cases specifically dealing with land that would be located outside the central *asty*, and not of new laws or statutes. This practice of notice is similar to what has been seen previously in the discussion of the Athenian Assembly and the roles of the official Assembly Herald who read out all land confiscations and inheritance cases. In that case the Athenian Assembly provided a captive audience of a large number of citizens, and would be the ideal location to provide notice of legal seizures or inheritances that might need to be challenged. However, the political structure of early fifth-century Chios was probably different. Modern scholars are generally unable to say conclusively whether Chios was an oligarchy or democracy,⁷² and it is possible to conclude simply that a moderate form of some kind of government existed. No popular assembly is attested until the changes of 412, but this inscription does note the existence of a *Boule*, a board of 15 officials, and a jury of at least 300 men. This inscription from Chios, and the evidence from Theophrastus, lends weight to the idea that the Athenian example of formal legal communication was not the model for the Greek world. Instead, perhaps I might suggest that the large role of written notice in the Athenian *polis* is a later

⁷² Hansen 2004 p. 1067.

stage or form of development, and that the original styles of public notice came in the form of oral proclamations made by heralds or other state representatives.

Intercalation and the Athenian Calendar:

One further, and I believe important, area of public notice which is largely overlooked by modern scholars is the question of how the Athenians managed to maintain and communicate a *polis* calendar whose dates could be changed depending on the necessity of the state. This process of intercalation allowed the Athenians to add or subtract days from the month in order to massage the calendar to their own needs. This ability to intercalate days leads us to question how the Athenians kept track of and publicized the changes in their calendar, and one might imagine there are three important questions the Athenians citizens might have asked themselves regarding the calendar: what is the specific date today, when is the next festival, and are there any extra days added to this month. A subsequent chapter of this dissertation will focus upon the possible ritual proclamation of religious information, and amongst other aspects of this investigation into religious proclamations it will seek to determine if heralds provided practical communication of festival dates to the general public. However, this section will seek to understand if the civic powers of Athens had a need and means of changing the date, and if so then how might they have publicized this information. It will become apparent that while there appears a strong possibility for the necessity of heraldic proclamation regarding manipulations of the Athenian calendar there is no direct evidence which proves that such a system existed.

The first known Athenian calendar regarding the succession of religious festivals and sacrifices was recorded in the early period of the sixth century, and is traditionally attributed

to Solon. Only a few fragments of this original calendar survive in the writings of Solon,⁷³ but the Solonian calendar provided the basis for the revised festival calendar adopted by the Athenians at the end of the fifth century.⁷⁴ In addition to the Athenian Solonian calendar individual demes in Attica each had their own smaller local festivals which were recorded in local deme calendars.⁷⁵ For the organization and recording of days within the monthly calendar the Athenians employed three different calendar systems: first, a lunar calendar known as *κατὰ θεόν*;⁷⁶ second, a *Prytany* calendar based upon the changing membership of the *prytaneis*;⁷⁷ and finally, a festival calendar known as *κατ' ἄρχοντα* which contained twelve months and was roughly based upon the lunar cycle, but which could be tampered with by the addition of intercalated, *ἐμβόλιμος*, days or subtracted, *ἐξαίρεσιμος*, days as determined by an *archon*. The typical process was to subtract one day from a later date for each one added.⁷⁸ The intercalation of days into months could cause a wide discrepancy between the *κατ' ἄρχοντα* and the *κατὰ θεόν* calendars⁷⁹. The reasons for the addition of days to the *κατ' ἄρχοντα* calendar varied from practical to political. Practical reasons for

⁷³ Solon fr. 81 – 86 (Ruschenbusch).

⁷⁴ The epigraphic record of the festival calendar indicates that it was revised twice. The first revision appears to have occurred in 410 – 404, and the second revision appears to have occurred in 403 – 399. Lambert (2002) pp. 353 – 399; *SEG* 52.48.

⁷⁵ Whitehead (1986) ch. 7; Mikalson (1977).

⁷⁶ There is a natural problem with the lunar cycle in that it only lasts 354 days as opposed to the 365 of the solar cycle. Without correction this discrepancy would cause serious long-term problems, and as a result a solution was to add an additional month to the calendar year approximately every eight years: Parker (2005) p. 193. This process of adding days and months to the calendar will be covered later in this chapter.

⁷⁷ Aristotle *Ath. Pol.* 43.2 – 44.

⁷⁸ Pritchett believes that the standard practice was to remove days from the last month, Skirophorion, and this is evidenced by the small number of festivals in that month: Pritchett (2001) p. 10 – 11. For an argument that days were taken out in the same month as they were intercalated: Merritt (1961) p. 207 – 208.

⁷⁹ See Pritchett (2001) p. 3, table 1 for a comparison of the different dates between the lunar, festival, and *prytany* calendars in the second century.

intercalation appear in cases where extra days were added to ensure the proper preparations for a festival were completed,⁸⁰ and political reasons could range from assuaging the whims of powerful men to providing strategic advantages in wartime.⁸¹

With all the possible changing of the Athenian calendar that could occur one must wonder how well the Athenians knew the proper date, and how they responded to intercalation. In the fifth century Aristophanes notes that the process of changing the days received a poor reception amongst the citizenry. In the *Clouds* Aristophanes has the chorus sing, ὑμᾶς δ' οὐκ ἄγειν τὰς ἡμέρας οὐδὲν ὀρθῶς, ἀλλ' ἄνω τε καὶ κάτω κυδοιδοπᾶν,⁸² and in the *Peace* he has Hermes say, ταῦτ' ἄρα πάλαι τῶν ἡμερῶν παρεκλέπτετον καὶ τοῦ κύκλου παρέτρωγον ὑφ' ἁμαρτωλίας.⁸³ While the citizenry was well aware that intercalations were playing havoc with the proper alignment of the months, there is very little evidence for actual Athenian knowledge of the specific date at any given moment. It is generally assumed that the date was known by the citizenry in order for the proper functioning of the festival calendar and the administrative bodies, but it must be noted that this is an assumption based on little evidence. A general personal knowledge of the basic Athenian

⁸⁰ *SEG* 14.65 notes the addition of five days to the month of Elaphebolion, and scholars believe this was in order to complete preparations for the Dionysia: Dinsmoor (1954) p. 309; Pickard-Cambridge (1968) [2nd ed.] p. 65. *IG* I³ 78.53 – 4 notes the addition of an additional month of Hekatombaion, which Meiggs and Lewis believe was to provide additional time for the gathering of first fruits: *ML* p. 221.

⁸¹ Plutarch *Demetrios* 26 describes how Stratokles changed whole months to allow Demetrios to be initiated into the Greater and Lesser Eleusinian Mysteries concurrently. Argos famously manipulated their calendar to prevent Spartan invasion on one occasion and on another to prevent allies aiding Epidauros during an Argive invasion: Xenophon *Hellenica* 4.7.2, Thucydides 5.54.3.

⁸² Aristophanes *Clouds* 615 – 16, “but you don’t keep the calendar right, you make topsyturvy havoc of it.”(Sommerstein).

⁸³ Aristophanes *Peace* 414 – 15, “Ah, that’s why for a long time they’ve been quietly stealing some of the days and nibbling at the cycle of the year, wicked ones that they are!”(Sommerstein).

festival cycle might be inferred from Theophrastus' remarks concerning idle chatter in his *Characters* wherein he cites as one example of chatter a remark concerning the months of some major festivals, καὶ ὡς Βοηδρομιῶνος μὲν ἔστι τὰ μυστήρια, Πυανοπιῶνος δὲ τὰ πατούρια, Ποσιδεῶνος δὲ <τὰ> κατ' ἀγρούς Διονύσια.⁸⁴ However, this citation only displays the possible knowledge of festival months. For evidence regarding Athenian knowledge of individual festival days one must turn to Polyaeus whose recounting of a naval battle between Athens and Sparta contains a note that the Athenian sailors took heart knowing they fought on the sacred day of the women's festival the Skira, ἦν ἑορτὴ Σκίρα. Τιμόθεος κατὰ ταύτην τὴν ἡμέραν μυρσίνῃ στεφανώσας τὰς τριήρεις ἦρε τὸ σημεῖον· ἀναχθεῖς, ναυμαχήσας ἐνίκησεν· οἱ δὲ στρατιῶται μετὰ ἐλπίδος ἀγαθῆς ἠγωνίσαντο τὸ θεῖον ἔχειν οἰόμενοι σύμμαχον.⁸⁵ While this evidence might suggest that all the Athenians naturally knew the date of the Skira, I am cautious as it only took one of the sailors to know the proper date of the festival and mention it to his fellow sailors.

The intercalation of days in the κατ' ἄρχοντα calendar raises interesting questions regarding how the citizenry learned of date changes. The citizenry needed to be informed of the current date to ensure their participation in the state cults which helped to define Athenian identity. The intercalation of days and its effect upon the calendar was just as important to the citizens residing in the *chora* as it was to those in the *asty*, and they could not wait for informal means of communication to bring news. The demes contained their own religious calendars, and if they followed the κατ' ἄρχοντα calendar they needed to

⁸⁴ Theophrastus *Characters* 3.4, "the Mysteries happen in Boedromion, the Apatouria in Pyanopsion, and the Rustic Dionysia in Poseidon."

⁸⁵ Polyaeus *Strategies* 3.10.4, "It was the day of the Skira festival. On this day Timotheus put myrtle crowns on the triremes and raised the signal flag. Having put out to sea, he won the naval battle. The soldiers fought with good spirits because they thought they had the divinity as an ally."

make revisions to their own calendar so as to celebrate their local festivals in the correct relationship to state festivals. Pritchett has proposed that the demes might have relied upon the lunar, *κατὰ θεόν*, calendar for their local festivals,⁸⁶ but even if this were the case the demesmen would still need to know the *κατ' ἄρχοντα* calendar in order to properly participate in the larger state cults. Additionally, a proper knowledge of the calendar and the current date was essential not only for proper religious adherence but also for secular legal matters such as legal fees and arbitrations.⁸⁷

The central importance of the calendar and its intercalation to the Athenian citizenry indicates how essential a system of communication regarding date changes would have been. Unfortunately, there is no direct evidence from Athens indicating how the information regarding intercalation would have been spread both in the immediate vicinity of the *asty* or in the *chora*. All it is possible to do is employ circumstantial evidence drawn from other forms of official communication and non-Athenian comedic evidence which weakly associates heralds with proclaiming official dates.

Previous sections have concluded that state information such as that concerning new decrees passed in the Assembly relied more on word-of-mouth transmission systems amongst the citizenry, and in a subsequent chapter it will appear that in the case of the honor decrees the public proclamation of the decree in the setting of the Theater of Dionysus was intended to increase the individual's honor through public attendance at the crowning.⁸⁸ In both these cases knowledge of the news concerning these events would have already been

⁸⁶ Pritchett (2001) p. 35. See also Mikalson (1977).

⁸⁷ Aristophanes *Clouds* 1134, 1180ff notes that the end of the month was fixed for the lodging of legal deposits by plaintiffs and defendants. Demosthenes 21.86 w/ scholion notes that the festival calendar determined the last day arbitrators could meet.

⁸⁸ See Chapter Three.

known and transmitted through the citizenry through their participation in the legislative process. However, in the case of the intercalation of days this informal system could not exist alone as the decision to add or subtract days was taken, with the exception of the Eleusinian First Fruits Decree, by a single *archon* without legislative notice or discussion. This form of decision making is more reflective of the practice of private citizens proclaiming manumissions or disinheritances where one individual needed to spread news through the private hire of a herald.⁸⁹ The evidence for a herald's role in the proclamation of intercalation to the *κατ' ἄρχοντα* is sparse. It is known that heralds were attached to archons,⁹⁰ but it cannot be supposed that one *archon's* herald travelled the entire breadth of Attica announcing this news. It is tempting to suppose the state employed multiple heralds assigned to each specific areas of Athens to proclaim the news, but as has been seen previously in this chapter no such system of heraldic proclamation existed in Athens for any civic proclamations. The closest to an official proclamation of civic news was the likely heraldic proclamation made by the *agoranomoi* regarding bronze coins in the *agora*. Outside of Athens Theophrastus and the land reform inscription from Chios demonstrates that some *poleis* employed heralds to proclaim important decisions, and further evidence from outside Athens seems to indicate that heralds might have played a role in the proclamation of intercalation in other *poleis*.

A fragment of the third-century Alexandrian recounter of comic stories Machon found in the second-century CE writer Athenaeus, and a response found in Hesychios to a proverb posed by the fifth-century Athenian dramatist Krates, provide highly absurd and comic depictions of heralds proclaiming calendar dates. The first, and most vivid,

⁸⁹ See Chapter Four.

⁹⁰ Aristotle *Ath. Pol.* 62.2.

description regarding heraldic proclamation of dates comes from Athenaeus' citing of Machon. In this instance Machon provides an absurd description of an Abdera wherein every citizen had his own herald who was proclaiming the *νουμηνία*, or the first day of the new month. The scene is an instance of the general derision and ethnic mocking which Greeks directed towards Abdera and its citizenry not unlike modern American 'polack' or English 'irish' jokes.⁹¹ With that in mind, and taking into account the absurdity of the presentation, the citation does at least suggest that heralds might have been involved in proclaiming calendar issues.

Στρατόνικος εἰς Ἄβδηρ' ἀποδημήσας ποτέ
ἐπὶ τὸν ἀγῶνα τὸν τιθέμενον αὐτόθι,
ὁρῶν ἕκαστον τῶν πολιτῶν κατ' ἰδίαν
κεκτημένον κήρυκα κηρύττοντά τε
ἕκαστον αὐτῶν ὅτε θέλοι νουμηνίαν
σχεδόν τε τοὺς κήρυκας ἐν τῷ χωρίῳ
ὄντας πολὺ πλείους κατὰ λόγον τῶν δημοτῶν,
ἐπ' ἄκρων ἐβάδιζε τῶν ὀνύχων ἐν τῇ πόλει
σκέδην, δεδορκῶς ἀτενὲς εἰς τὴν γῆν κάτω.
πυνθανομένου δὲ τῶν ξένων αὐτοῦ τινος
τὸ πάθος τὸ γεγονὸς ἐξαπίνης περὶ τοὺς πόδας
τοῦτ' εἶπε, Τοῖς ὅλοις μὲν ἔρρωμαι, ξένε,
καὶ τῶν κολάκων πολὺ μᾶλλον ἐπὶ δεῖπνον τρέ
χω, ἀγωνιῶ δὲ καὶ δέδοικα παντελῶς
μή ποτ' ἐπιβὰς κήρυκι τὸν πόδ' ἀναπαρῶ.⁹²
Stratonicus visited Abdera at one point for a
competition that was being held there. When
he saw that every citizen had a private herald,
and that each of them was issuing a
proclamation about when he wanted the new
moon celebrated, and that the heralds in the
place were, by his count, almost more
numerous than the citizens, he walked slowly
around the city on tiptoe, staring intently
down at the ground. When someone visiting
from out of town asked him what sudden

⁹¹ As seen above all in the late joke collection *Philogelos* nos. 110 – 127.

⁹² Athenaeus 8.349b – 349e; Machon 119 – 133 (Gow).

injury he had suffered to his feet, he said the following: I'm by and large healthy, stranger, and I can outrace the flatterers to dinner. But I'm thoroughly anxious and terrified that I'm going to step on a *kerux* and injure my foot.⁹³ (Olson)

Aside from providing the only ancient *kerux* pun that I am aware of this text provides evidence, admittedly weak, for the employment of the sort of private heralds noted in chapter four's discussion of private proclamations such as disinheritance and manumissions, and for the possible proclamation of changes in the date. A similar scene can be seen in Hesychios' explanation of a proverbial phrase used by Krates. Krates originally wrote, ἐν Κέωι τίς ἡμέρα,⁹⁴ and this proverb was explained in Hesychios as, ἐπὶ τῶν ἀγνώστων. οὐδεὶς γὰρ οἶδεν ἐν Κέῳ τίς ἡμέρα ὅτι οὐχ ἔστᾱσιν αἱ ἡμέραι ἀλλ' ὡς ἕκαστοι θέλουσιν ἄγουσιν. ὅθεν λέγεται, Σαυτῶι νουμηνίαν κηρύσσεις.⁹⁵ A joke similar to what is in Machon seems to underlie the proverb.

In his commentary on the fragments of Machon Gow has taken these two pieces at face value and suggested that Abdera and Keos had no centralization of calendars, but that individual citizens could fix their own dates.⁹⁶ However that may be, the fact that both pieces of evidence mention heralds as proclaiming the new month suggests that the standard practice in some *poleis* might be to employ heralds publicly to proclaim important date changes. This assumption is very tentative, and does not bear directly upon the question of Athens. Furthermore, both pieces of evidence do not directly address the matter of

⁹³ *Kerux* is not only the word for herald, but also for a spiky whelk.

⁹⁴ Krates fr. 32 (Kassel-Austin). "In Keos what is the day?"

⁹⁵ Hesychios sv. ἐν Κέωι τίς ἡμέρα: (3156 Latte), "No one in Keos knows what day it is because the days are not set, but individuals reckon them as they please. From this comes the saying you are proclaiming the new month to yourself."

⁹⁶ Gow (1965) p. 86.

intercalation and the proclamation of changes, but instead focus on the proclamation of the first day of a new month. This is a related feature to intercalation, and one might hypothesize that a new month was always proclaimed as a means of reminding the citizenry of the exact date.⁹⁷ It is tempting to imagine the Athenian *archon* in charge of intercalation sending a herald to proclaim the new moon in the *agora* along with a specific list of which festivals will be celebrated and when, but it is unclear that this was the case. As has been shown previously in this chapter the Athenians seem to have relied heavily upon writing as a means of communicating important universal political and civic information to the populace such as proposed laws, agendas, prosecutions, and muster lists. It might have been more in keeping with this Athenian reliance upon written notice that the *archon* had a note of the current month and its intercalations posted in the *agora*, or perhaps this was done in addition to a heraldic proclamation of the ‘new moon’ as seen in the above ancient passages. Earlier, this chapter explored a similar system whereby the *agoranomoi* appear to use both written and oral notice for new regulations, and they seem to have employed their own herald. I contend that the *archon* in charge of the calendar would follow a similar practice of public notice. Whatever the case, I cannot conclusively answer the question of how the Athenians knew the specific date and any related changes to the calendar, but the question is still an intriguing one, and points to the necessity of public notice and communication by the central authority of the *polis* and its citizenry.

⁹⁷ Gow (1965) p. 86 proposes that the announcement of the new month was perhaps a common, but not universal, practice in *poleis*, and that in a state such as Athens where the lunar and daily calendars did not strictly match the private citizen might be in doubt as to the date without proper public notice.

Conclusions:

This chapter began by asking the question of how the Athenian civic institutions communicated important political and legal information with the larger citizen body, and if that communication took the form of written or oral forms. It is clear that the Athenian participatory democracy was reliant upon the individual knowledge of specific political and legal information for the proper functioning of the state. Without a base of knowledge of the current and upcoming issues facing the community a citizen would be unable to engage directly in political action. This chapter noted in an early section that scholars have seen this need for news transmission answered by the loose system of rumor, gossip, and word-of-mouth communications within the populace. However, what has become abundantly clear through this investigation is that despite the importance of proper public knowledge within the community there was no single system of initial public communication which could disseminate all types of political and legal news comprehensively and uniformly to the entire *polis*.

The Athenians employed both oral and written forms of communication within the *polis* depending on the type of information and the specific persons issuing the news, and in some cases employed mixed forms of publication. In the case of military commanders on campaign it appears that heraldic proclamation was the common means of communicating with a local populace, and this appears to be logical as the military force not only made a constant use of heralds within itself, but also did not have access or knowledge of particular forms of local notice and communication. Within Athens there is little evidence for the proclamation of new decrees and laws outside of the legislative space, and the evidence that does exist is indicative not of a central proclamation made by the Assembly of *Boule*, but by the magistrates who had to directly deal with the physical change imposed by the legal

procedure. Of course the Athenians did choose to inscribe some decrees and laws on stone, but these were not used as a means of communicating information quickly to the public, and were intended more to memorialize and maintain the information in a monumental form. The best evidence for the Athenian communication of broad civic information to the public appears in the form of the public notice of a variety of issues. Those issues which are most important to the broader citizenry as a whole, issues of proposed laws, assembly and *Boule* agendas, public prosecutions, regulations for trade in the *agora*, private land sales, and military muster lists were maintained in written form in the *agora*. In the case of a radical participatory democracy this seems only natural as it would allow the perusal of the information by a large number of citizens at their own convenience without the need to rely upon a small number of proclamations occurring in a specific location. However, one must not assume that *all* citizens checked these boards, and that the majority of communication still occurred by word-of-mouth from those who had read the boards or were present in the legislative bodies. The use of oral forms of communication seems restricted to issues that do not necessarily deal with the community as a whole such as inheritances, heiresses, and public confiscations, and was still mixed with written forms of notice. It was perhaps the danger of possible confusion or overlooking of names on such a list that led the Athenians to supplement written notice with proclamation. However, it is essential to be careful not to extend the conclusions about the Athenian reliance upon written notice for civic information to the greater Greek world. There seems to have been a great variety of civic communication systems amongst the multitude of Classical *poleis*, and while Athens might not have made strong use of the herald and oral communication in the public sphere of political and legal communication, it does not mean that other *poleis* did likewise.

Chapter Three

The Proclamation of Honors

Introduction:

The previous chapter examined the role that heralds and proclamations played in the spread of official *polis* information related to civic statutes and news to the larger public. The goal of that chapter was to look at how the community as a whole spread information that pertained to a large number of its inhabitants. However, this chapter will focus not on the question of greater public knowledge, but instead will look at how the community focused its attention on one individual and honored him through ritualized actions. More specifically, it will look at how Athens honored individual citizens and foreigners with honorific crowns and accompanying proclamations made to large audiences. The display of honor amongst the community is one of the most recognizable forms of heraldic address, and the importance of the herald's public proclamation to this ritual of honor indicates how inseparable large scale publicity was from the conferral of honor.

This chapter will begin its investigation into honor proclamations with the heraldic role in victory announcements at the pan-Hellenic games of Archaic and Classical Greece. These games provide the earliest evidence for honor proclamations, and demonstrate the importance of the heraldic address to the proper legitimization of victory. This discussion of early forms of honor proclamation will lead directly into the growth of Athenian honorific crownings in the late fifth and fourth centuries. The famous legal battle between Aeschines and Demosthenes on the crown provides the basis for the discussion of fourth century Athenian honorific rituals, and in order to try and work the truth out of these legal arguments

this chapter will examine the spread of epigraphically attested honorific crowning in the fourth century. What will become apparent through this investigation is the great importance of a specific ritual of heraldic honorific proclamation, protected and regulated by civic statutes, to the proper display and conferral of honor upon an individual.

Heralds and the Athletic Games:

The origin of heraldic involvement in the proclamation of civic honors can be found in their essential role of proclaiming victory in Archaic athletic festivals. The Games provide the origin for such an investigation not only because they are the oldest evidence for the honoring of an individual, but also because they might provide the very basis for later traditions such as civic honorific crowns. Athletic victories provide clear evidence that honor was gained through the public witnessing of the conferral of victory through a herald's proclamation. This important functional role for the herald was so conspicuous and essential to the games that it became a form of competition in the later Classical and Hellenistic periods.

An individual herald served as the official announcer of the games, and he performed such roles as introducing contestants, calling the competitors to the starting blocks, and proclaiming the victors. Prior to the fourth century these official Olympic heralds appear to have been selected from amongst the local Eleans, but by the fourth century a competition had been introduced that awarded the position of official herald for that festival to the victor. The earliest evidence concerning the identity of Olympic heralds comes from Eusebius' Olympic victory list which notes that a local Elean, Krates, became the first victor of a

herald competition in 396.¹ Pollux remarks that Archias was the first non-Elean to become herald at Olympia in the fourth century: πρότερον δ' Ὀλυμπίασι τῶν ἐπιχωρίων κηρυττόντων, οἱ ταῖς ἱερουργίας ὑποδιηκονοῦντο, πρῶτος τῶν ξένων ἠγωνίσαστο τὰ Ὀλύμπια Ἀρχίας Ὑβλαῖος, καὶ τρεῖς ὀλυμπιάδας ἐφεξῆς ἐνίκα.² This passage also indicates that locals originally served as the heralds of the games prior to the advent of the competitions. Epigraphic evidence from elsewhere indicates that this practice of heraldic and trumpeter competitions existed at multiple festivals throughout the Greek World beginning in the fourth century and continuing through the Imperial era.³ These competitions occurred on the first day of the festival, and took place on an altar in the *Altis* near the entrance to the stadium, ἔστι δὲ βωμὸς ἐν τῇ Ἄλτει τῆς ἐσόδου πλησίον τῆς ἀγούσης ἐς τὸ στάδιον· ἐπὶ τούτου θεῶν μὲν οὐδενὶ θύουσιν Ἥλειοι, σαλπικταῖς δὲ ἐφεστηκόσιν αὐτῷ καὶ τοῖς κήρυξιν ἀγωνίζεσθαι καθέστηκε.⁴ The criteria for the herald competition would not have been unlike those basic requirements for civic heralds, namely a loud and clear voice that could be heard over the throng of spectators.⁵ The Olympic herald

¹ Eusebius *Chronographia* 210 (Christesen & Martirosova-Torlone); Moretti (1957) p. 115 no. 375; Crowther (1994) p. 135.

² Pollux 4.92, “Previously the local inhabitants, who served in the religious rituals during the games, were the heralds at the Olympic Games. Archais of Hybla was the first foreigner to be victorious at Olympia, and he was victorious three times in a row.”(Wolicki). Moretti (1957) p.121 no 422.

³ Boeotia: *IG* 7.419, 420, 540, 1667, 1773, 1760, 1776, 2448, 2727, 2871, 3195, 3196, 3197, 4147, 4151. Theseia: *IG* Π² 956.1.40; Aphrodisias: *CIG* 2758, 2759. Eleutheria: *IG* 9.2.525. Basilea in Egypt: *SEG* 27.1114. Erotideia at Thespieae: *SEG* 29.452. Mouseia at Thespieae: *SEG* 31.514. Oropos: *SEG* 34.362.

⁴ Pausanias 5.22.1, “There is in the *Altis* an altar near the entrance leading to the stadium. On it the Eleans do not sacrifice to any of the gods, but it is customary for the trumpeters and heralds to stand upon it when they compete.”(Jones).

⁵ Pollux 4.94 gives a detailed description of how a herald’s voice should sound: τὸ δὲ φθέγμα αὐτῶν μέγα, ἀδρόν, ὑψηλόν, πρόμηκες ἐπίμηκες, σαφές, ἀρτίστομον, συνεχές, διηνεκές, ἀποτάδιον φθεγγόμενον, ἀπνευστί, καὶ τᾶλλα ὅσα ἐν τοῖς περὶ φωνῆς εἴρηται. “loud, powerful, sublime, prolonged, extensive, clear, distinct, precise, continuous,

Archias was considered so powerful a speaker that he is noted as not needing the aid of a trumpet to shout down the entire audience in the *altis*.⁶ The growth of heraldic competitions at festivals throughout Greece is intriguing as it is evidence for the absorption of the herald within the agonistic *ethos* of the games, but it also demonstrates the pan-Hellenic nature of the heraldic role in athletic festivals. As in other functions within the *polis*, the herald's role in athletic festivals appears to have been common, and perhaps ubiquitous, throughout the Greek World.

Within the Games themselves the official herald had a variety of roles. The herald was responsible for keeping the audience at the games in control and silent during presentations and proclamations, and was often accompanied in this role by an official trumpeter.⁷ This role is indicative of heralds' roles in maintaining order in any large crowd such as an assembly,⁸ a religious ritual,⁹ or other large gatherings.¹⁰ The first heraldic action once silence had been established was to introduce the competitors and call them forward by name and ethnic one at a time.¹¹ Following introductions the herald appears to have had some procedural proclamations to make including calling the competitors to the start and then later clearing them off the competition area.¹² The final, and most important,

unbroken, stretched out at length, recited in one breath, and all the rest that has been said in the section about the voice.”

⁶ Pollux 4.92.

⁷ Polybius 18.46.4; Seneca *Epistulae* 78.16; Livy 27.19.40, 33.32.4; Plutarch *Flaminius* 10.5. The trumpeter of the games was also selected by a competition at the same time as the herald competition.

⁸ Aeschylus *Eumenides* 566ff; Euripides *Orestes* 885; Aristophanes *Acharnians* 43 – 200; Demosthenes 18.170, 191; Homer *Il.* 2.280, 18.503, 23.567 – 568.

⁹ Sopater 8.118 (Waltz).

¹⁰ Aristoph. *Ecclesiasuzae* 684 – 86, 711 – 13.

¹¹ Sophocles *Electra*. 683 – 4; Gorgias fr. 8 (Diels-Kranz).

¹² Julian *The Caesars* 318; Moeris *Attic Terms* B 30; Lucian *Demonax* 65; Philostratus *Gymnastic* 7.

heraldic proclamation at the games was the proclamation of the victor by his name and ethnic.¹³ Miller believes this proclamation happened immediately after the conclusion of the particular race or event as a sort of victory lap was happening.¹⁴

The herald's proclamation of victory is the most interesting aspect of the games for this investigation. Wolicki has noted that the herald's proclamation was indispensable for two primary reasons: first, that it is the herald's cry of victory that provides the conferral of *kleos* upon the victorious athlete; and second, that the herald's proclamation 'defined' the victor.¹⁵ The association of the herald's proclamation of victory and the conferral of *kleos* is readily attested through the earliest pieces of evidence for heraldic involvement at the Pan-Hellenic games. The first pieces of evidence for heralds at the games are two sixth-century vase paintings which depict heralds proclaiming victories.¹⁶ The oldest, a black-figure vase attributed to the Swing Painter, depicts the herald leading the victorious horse and rider and proclaiming 'ΔΥΝΕΙΚΕΤΥ:ΗΠΠΙΟΣ:ΝΙΚΑΙ',¹⁷ while the second is a red-figure painting of the Pezzino Group which contains no writing but depicts athletes approaching a proclaiming herald and a judge who is tying ribbons on a victorious athlete. These two visual depictions of victory clearly associate the herald and his proclamation with the act of victory and the commemoration of *kleos*.

¹³ Pindar *Olympian Odes* 13.100 – 103, 5.8; Sophocles *Electra* 690 – 95; Euripides *Epinicium in Alcibiadem fr. 1* (Plutarch *Alcibiades* 11.3); Herodotus 6.103 Demosthenes 18.319; Pausanias 6.13.1, 6.18.6; Posidippus 71.3, 82.5 – 6; Timotheos fr. 802 (Hordern).

¹⁴ Miller (2004) p.84. To support this theory Miller seems to only cite the images of heraldic proclamations on vase paintings.

¹⁵ Wolicki (2002) p. 76 – 80.

¹⁶ British Museum inv. B144 (1849.11 – 12)[c. 540 – 520]; Munich, Staatliche Antikensammlungen und Glyptothek inv. 2420 [c. 500].

¹⁷ "the horse of Dysneiketos won"

Early literary examples of the herald's announcement being identified with *kleos* appear in the epinician odes of Pindar. In his fourth Nemean ode the poet compares himself to a herald who will announce the victories of the Theandridai:

Θεανδρίδαισι δ' ἀεξιγυίων ἀέθλων
 κάρυξ ἑτοῖμος ἔβαν
 Οὐλυμπία τε καὶ Ἴσθμοῖ Νεμέα τε συνθέμενος,
 ἔνθα πεῖραν ἔχοντες οἴκαδε κλυτοκάρπων
 οὐ νέοντ' ἄνευ στεφάνων, πάτρων ἴν'
 ἀκούομεν,
 Τιμάσαρχε, τεὰν ἐπινικίοισιν ἀοιδαῖς
 πρόπολον ἔμμεναι.¹⁸
 It is for the Theandridai that I contracted to come
 as a ready herald of their limb-strengthening contests
 at Olympia and the Isthmos, and at Nemea.
 From there, when they compete, they do not return
 without the fruit
 of glorious crowns to their home, where we hear,
 Timasarchos, that your clan is devoted
 to victory songs. [Race]

Likewise, in other instances, when referring to the victory of his patrons, Pindar consciously links the victory and glory with the herald's announcement. In the fifth Olympian Ode Pindar writes: τὴν δὲ κῦδος ἀβρόν| νικάσας ἀνέθηκε, καὶ ὄν πατέρ' Ἄκρων' ἐκάρυξε καὶ τὰν νέοικον ἔδραν,¹⁹ and in his thirteenth Olympian Ode the poet clearly notes the evidence for victory was the herald's cry: Ἴσθμοῖ τά τ' ἐν Νεμέα παύρω ἔπει| θήσω φανέρ' ἀθρό', ἀλαθῆς τέ μοι| ἔξορκος ἐπέσσεται ἐξηκοντάκι δὴ ἀμφοτέρωθεν| ἀδύγλωστος βοὰ κάρυκος

¹⁸ Pindar *Nemean Odes* 4.73 – 79.

¹⁹ Pindar *Olympian Odes* 5.8 – 9, “By winning, he has dedicated luxurious glory to you and proclaimed his father Akron and your newly founded home.”(Race) In this instance Pindar also indicates that the heraldic proclamation of victory contained a formula whereby the victor's father and ethnic would be announced along with his own name. In such an announcement the glory was able to be shared amongst all three of the parties.

ἔσλοῦ.²⁰ The association between victory and heraldic proclamation is also seen in other fifth century writers such as Euripides and Timotheos. Euripides, quoted by Plutarch in his life of Alcibiades, wrote an epinician ode for Alcibiades where he employed the imagery of the olive crown and the herald's announcement when commemorating Alcibiades' feat:

σέ δ' ἄγαμαι,
 ὦ Κλεινίου παῖ· καλὸν ἄ νίκα,
 κάλλιστον δ', ὃ μή τις ἄλλος Ἑλλάνων,
 ἄρματι πρῶτα δραμεῖν καὶ δεύτερα καὶ τρίτατα,
 βῆναί τ' ἀπονητὶ Διὸς στεφθέεντ' ἐλαίαι
 κάρυκι βοὰν παραδοῦναι.²¹
 But of you, son of Cleinias, I stand in awe:
 victory is a fine thing, but finest of all to do
 what no other Greek has done, to run first and
 second and third with the chariot and arrive
 without labor, wreathed with the olive of Zeus,
 to provide the theme for the herald's cry.
 (Campbell)

A fragment of Timotheos provides evidence that heraldic proclamation of victory was not simply confined to the realm of athletic competition, but was also included in contests of song and poetry.

μακάριος ἦσθα, Τιμόθε', ὅτε κἄρυξ
 εἶπε· νικᾷ Τιμόθεος
 Μιλήσιος τὸν Κάμωνος τὸν ἰωνοκάμπταν.²²
 Blessed were you, Timotheos, when the herald
 said, "Timotheos the Milesian is victorious over
 the Ionian-bending son of Kamon."

Finally, Kurke, in her study into the cultural poetics of *kudos* and victory, has noted that the inscriptions on statues commemorating athletic victories actively call to mind the victory

²⁰ Pindar *Olympian Odes* 13.97 – 100, "As for their victories at the Isthmus and Nemea, in a brief word I shall reveal their sum, and my true witness under oath shall be the noble herald's sweet-tongued shout heard full sixty times from both those places." (Race).

²¹ Euripides *Epinicium in Alcibiadem* fr. 1 (Plutarch *Alcibiades* 11.3).

²² Timotheos fr. 802 (Hordern).

proclamation of the herald.²³ Like the black-figure pot discussed above, when one viewed the inscription and read it aloud, as one did when reading in the ancient world, one would be reenacting the herald's proclamation and the conferral of glory.

Aside from merely conferring *kleos* upon the victorious athlete, the herald's proclamation of victory served an important role in formally recognizing a victory, or as Wolicki would note, it 'defined' the victor. This concept is based upon the historical phenomenon whereby the physical victor of an event might bargain away his victory to another competitor for a price, or where the judges might announce a victor other than the one who physically won. Herodotus recounts an instance where the Athenian Cimon, who had been exiled from Athens by Pisistratus, won the chariot race, and made a deal whereby Pisistratus would be proclaimed victor in exchange for Cimon being allowed to return home.²⁴ Another instance occurred when a Spartan, banned from taking part in the Olympic Games of 420, entered a chariot team and physically won, but was denied the victory when the judges had a Theban proclaimed victor.²⁵ In the chariot races this bargaining of the victory might have occurred more often than in other events as the contestant was officially the owner of the chariot and horses, and would not have physically been taking part in the competition.²⁶ The manipulation of victory announcements could occur in other manners for non-chariot races, and could be used for political gain by an individual. Pausanias notes that there was a statue of a runner named Astylus of Croton at Olympia who had won at Olympia three times, but in the latter two victories he had himself proclaimed a Syracusan to

²³ Kurke (1993) p. 142 – 44. Kurke bases her conclusion on the arguments of Day, who has proposed that funerary and dedicatory inscriptions functioned with monuments as substitutes for and reenactments of an original ritual event: Day (1989).

²⁴ Herodotus 6.103.

²⁵ Thucydides 5.50.4.

²⁶ Wolicki (2002) p. 78.

ingratiate himself with Hieron the tyrant of Syracuse.²⁷ The importance of the herald's announcement of the ethnic of the victor and its effect upon the glory gained by that *polis* is shown in the reaction of the local Crotonians to Astylus' manipulation of his identity. In response to his being proclaimed a Syracusan they confiscated Astylus' house and made it into a prison, and pulled down a statue of him which had previously stood in the town near the temple of Hera. Likewise, in order to gain a greater share of *kleos* for their own *polis* the Ephesians bribed the Cretan Sotades, a previous winner of the Olympic games in the long race, upon his victory to have him proclaim himself an Ephesian.²⁸ Similarly, in his first Pythian ode Pindar names the victorious Hieron by the ethnic of Aetna, the *polis* which he had founded, instead of Syracuse in order to confer upon Aetna *kleos*.²⁹

What appears from this evidence of heraldic victory proclamations is that the proclamation was absolutely essential for the proper conferral of honor upon the victorious athlete. As Lewis notes, the prestige of victory was not solely the result of physical prowess, but was equally linked to the announcement of the victor's name.³⁰ There is some evidence to suggest that this ritual of athletic crowns became the foundation for the conferral of honorific civic crowns, which appear for the first time in evidence during the fifth century.

The common fifth-century Athenian would have been well acquainted with the practice of awarding victory crowns and proclamations to athletic victors in the Pan-Hellenic Games, or in the Panathenaia where athletic contests began in the mid-sixth century. It is within this context of athletic victory crowns that the first civic honorific

²⁷ Pausanias 6.13.1.

²⁸ Pausanias 6.18.6.

²⁹ Pindar *Pythian Odes* 1.32

³⁰ Lewis (1996) p. 70.

crowns began to appear in the fifth century. The earliest examples of civic honorific crowns in the fifth century are directly tied to the honoring of a general following a military victory. Both Herodotus and Plutarch note that Themistocles, fresh from the Greek victory in 479, was honored by the Lakedaemonians with an olive crown, a fine chariot, and many words of praise.³¹ The conferral of an olive crown upon Themistocles might be a parallel to the Olympic Games, but the adulation of the Spartans for Themistocles is more likely representative of the Spartan practice of hailing an individual as a θεῖος ἄνηρ or ‘god-like man.’³² According to Plutarch, Pericles, following his subjugation of the Samian revolt in 440, gave a funeral speech for the fallen, and following this speech he was informally crowned by a group of women as after an athletic victory, Καταβαίνοντα δ’ αὐτὸν ἀπὸ τοῦ βήματος αἱ μὲν ἄλλαι γυναῖκες ἐδεξιοῦντο καὶ στεφάνοις ἀνέδουν καὶ ταινίαις ὥσπερ ἀθλητὴν νικηφόρον.³³ This is the first attested instance where the Athenians honored one of their own citizens with a crown,³⁴ but it should be noted that this seems to be an informal occasion rather than an official civic act. The text clearly associates the crowning of Pericles with an athletic victory, and the use of both wreaths and woolen fillets is indicative of an athletic victory. However, the possibility arises that Plutarch, or his sources, is over-elaborating this picture, since there are no contemporary sources to back up this story. Finally, Plutarch claims that Athens awarded two gold crowns to Alcibiades upon his return from exile in 407,³⁵ but Dunbar rightly points out that the honor of two gold crowns seems

³¹ Herodotus 8.123-24; Plutarch *Themistocles* 17.3.

³² Currie (2005) p. 172 – 175.

³³ Plutarch *Pericles* 28.5, “But as he came down from the bema, while the rest of the women clasped his hand and fastened wreaths and fillets on his head, as though he were some victorious athlete.”(Perrin).

³⁴ Blech (1982) p. 154.

³⁵ Plutarch *Alcibiades* 33.2.

improbable,³⁶ and Xenophon makes no mention of this incident.³⁷ The first example of fifth-century evidence referring to crowns appears in Thucydides, and deals with the pseudo-athletic crowning of Brasidas. In 423 the *polis* of Scione revolted from the Athenians under the influence of the Spartan general Brasidas, and the *polis* crowned him with a golden crown and with ribbons in the style of a champion.

...καὶ τὸν Βρασίδαν τὰ τ' ἄλλα καλῶς ἐδέξαντο καὶ δημοσίᾳ μὲν χρυσῷ στεφάνῳ ἀνέδησαν ὡς ἐλευθεροῦντα τὴν Ἑλλάδα, ἰδίᾳ δὲ ἑταινίου τε καὶ προσήρχοντο ὥσπερ ἀθλητῆ.³⁸

They received Brasidas warmly, and in the name of the city they crowned him with a golden crown as the liberator of Greece; in addition, many people showed their personal admiration by putting ribbons round his head, and going up to greet him as if he were an athlete. (Hornblower)

Once again, as with the case of Pericles the honors accorded to Brasidas have a strong athletic overtone. However, the addition of a golden crown to the honor is a new element not seen previously, and strongly separates the civic honors (crown) from the individual informal honors (ribbons) which are more indicative of an athletic victory.³⁹ This account, along with those of Plutarch, does not include any mention of an accompanying proclamation with the crowning. The examples of Themistokles and Pericles might not have included proclamations as they were informal events, but the crowning of Brasidas seems a more formal affair indicative of later honorific crownings. The proclamation was the official act of conferring honor, and the crowning ceremony was empty without it. So in Brasidas' case it is plausible that a proclamation accompanied the crown.

³⁶ Dunbar (1995) p. 635 sv. 1274 – 5.

³⁷ Xenophon *Hellenica* 1.4.20.

³⁸ Thucydides 4.121.1.

³⁹ Hornblower (1996) p. 380 sv. 121.1.

Civic Honor Proclamations:

As has just been seen, there is some evidence to suggest that civic honorific proclamations evolved out of the pre-existing athletic crownings of the pan-Hellenic games. By the late fifth century solid evidence of honorific crownings appears within Athenian documents, and this provides the beginning of the Athenian practice of granting civic crowns which was greatly expanded, regulated, and standardized in the fourth and third centuries. Additionally, by the late fifth and fourth centuries the civic crowns had acquired a large material value through the introduction of gold crowns worth many *drachmai*. However, while this introduction of gold into the crowning ceremony provided an additional monetary aspect to crowns, the focus of civic honorific crowning remained upon the public proclamation and witnessing of the crowning. This dependence upon the proclamation of honor is the focus of this investigation, and it will seek to explore the evolution and standardization of the practice in Athenian documents.

Proclamation is explicitly mentioned in two other late fifth-century pieces of evidence concerning honorific crownings. The first strong epigraphic evidence for the honorific crowning of an individual with a gold crown in Athens appears when the Assembly officially decreed an honorific crown for Thrasyboulos, in honor of his assassination of the oligarch Phrynichus.

[...] καὶ τὸν δέμ[ο]ν τὸν Ἀθηναί[ο]ν στεφανῶσαι αὐτὸν χρυσοῖ στε[φ]άνοι, ποιέσαι[ι δὲ τὸν στέφανον ἀπὸ χιλίων δρα]χμῶν· ἡοι [δὲ ἡ|ελλενοταμίαι δόντον τὸ ἀργύρι]ον. καὶ [ἀνειπ|έν τὸν κέρυκα Διονυσίον ἐν τοῖ] ἀγῶσι ἡὸν ἡέν|[εκα αὐτὸν ἡο δέμος ἐστεφάνοσ]ε :⁴⁰

And the Athenian people crown him with a golden crown, and the crown is to be made from one thousand drachmas. Let the Hellenotamiai provide the money. And the herald shall proclaim in the competition of the Dionysia for what reasons the people crowned him.

⁴⁰ *IG I³ 102 9 – 14*. The text of the inscription is stoichedon 36.

Though much here is restored, parallels make the general shape of this required restorations certain;⁴¹ all that is in doubt is whether a herald is explicitly named as making the proclamation or not.⁴² It is important to note that this proclamation occurred in the Dionysia because it provided the largest possible audience of spectators to witness the honor being conferred upon Thrasyboulos, and as noted previously, and as will continue to appear in later examples, the amount of honor accorded to an individual was proportional to the number of witnesses. Later examples will also show that the Dionysia was not alone in being the location of honorific proclamations, but the Panathenaia and the Ptolemaia also became popular locations in the third century. This crown is also given a specific monetary valuation of one thousand *drachmai*, and the financing and arrangements for this crown were to be subcontracted to the board of the Hellenotamiai.⁴³

Aristophanes' *Birds*, produced in 414, also provides evidence for Athenian practice of awarding gold honorific crowns in the late fifth century and an accompanying proclamation. In this comedy, Aristophanes has the birds of Cloudcuckooland crown the Athenian Pisthetaerus for his wisdom in founding the bird city:

[ΚΗΡΥΞ] ὦ Πισθέταρ', ὦ μακάρι', ὦ σοφώτατε,
 ὦ κλεινότατ', ὦ σοφώτατ', ὦ γλαφυρώτατε,
 ὦ τρισμακάρι', ὦ—κατακέλευσον.
 [ΠΙ.] Τί σὺ λέγεις;
 [ΚΗ.] Στεφάνῳ σε χρυσῶ τῷδε σοφίας οὔνεκα
 στεφανοῦσι καὶ τιμῶσιν οἱ πάντες λεῷ.⁴⁴

⁴¹ The inclusion of ἀγοῖν requires a verb of proclamation as seen in comparanda from later crown proclamations, eg. *IG II*² 657 60 – 63.

⁴² In the original reconstructions of the text a herald was not included: καὶ [ἀνεπι]εῖν Διονυσίων τῶν ἐν ἄστει τῷ] ἀγοῖν. *IG I*² 110; Tod 86.

⁴³ The subcontracting of the preparations and payment of the crown to a smaller civic magistracy was a common practice in later examples of civic honors.

⁴⁴ Aristophanes *Birds* 1271 – 75.

Herald: Oh! blessed Pisthetaerus, very wise,
very illustrious, very gracious, thrice happy, very
... Come, prompt me, somebody, do

Pisthetaerus: Get to your story!

Herald: All peoples are filled with admiration
for your wisdom, and they award you this golden
crown.

(trans O'Neill)

Along with *IG I³ 102* this makes two pieces of evidence containing the ritualized civic crowning of individuals within Athens as opposed to the spontaneous crowning of Pericles. In both cases an official representative of the *polis* authority, a herald, proclaims the crown and honor. Likewise, both instances demonstrate a regular formula of proclamation that closely resembles the formulas seen at later dates.⁴⁵ The action of having the herald proclaim the honor face-to-face directly to Pisthetaerus is likely a dramatic convention, and I do not believe this would have been the case in a real life civic crowning. In artistic depictions of an athletic crowning the herald does not physically crown the victory himself, but instead a judge takes care of the physical role while the herald makes the proclamation.⁴⁶ It is tempting to suppose that a civic magistrate of some sort might have performed the direct crowning of the honoree, and Chaniotis notes this type of scene is implied on some documentary reliefs.⁴⁷ In both cases the individual being honored is a foreigner to the honoring civic body: Pisthetaerus in Cloudcuckooland, and Thrasyboulos in Athens. Evidence that Athenians were willing to honor their own citizens with gold crowns and public proclamations does not appear until the fourth century. Finally, in these two

⁴⁵ This formula is often simple and contains the basic phrase “the (insert civic body) crowns (insert name) with a crown because of (insert quality).” In the case of the *Birds* Dunbar notes that the phrase οἱ πάντες λεῶ is a common heraldic phrase in public addresses: Dunbar (1995) p. 635 sv. 1274 – 5.

⁴⁶ Munich, Staatliche Antikensammlungen und Glyptothek inv. 2420 [ca. 500BC].

⁴⁷ Chaniotis (2007) p. 59; Meyer (1989) p. 132 – 40.

examples it is possible to witness a shift away from the previously military-based reasons for civic honors.⁴⁸

It is difficult to gain a clear picture of Athenian practices in the fourth century due to conflicting, and often unclear, evidence. What appears is an expansion in the number of civic honors given to individuals, the beginning of Athenian honors and crowns for its own citizenry, and a standardization and regulation of the process of crowns through law. The most extensive source for understanding the growth in regulation of civic honors in fourth century Athens is the legal dispute between Aeschines and Demosthenes regarding an honor accorded to Demosthenes. Arguing against the public crowning of Demosthenes Aeschines brought a *graphe paranomon* against Ctesiphon for allegedly illegally proposing a decree that would crown Demosthenes in the theater during the Dionysia for his good service to the community during his term as a magistrate.⁴⁹ Aeschines' prosecution rests upon three primary arguments: first, that Ctesiphon illegally proposed the crown for Demosthenes while he was still in office, thus directly contravening a law preventing such actions (ch. 9 – 31); second, that Ctesiphon illegally made his proposal to crown Demosthenes in the theater, which also directly contravened established Athenian law (ch. 32 – 48); finally, that Ctesiphon falsely claimed Demosthenes was a patriot and benefactor to the *polis* through his past actions (ch. 49 – 167). The final point was largely political in nature, and irrelevant to this investigation, but the first two points of Aeschines' prosecution speak directly to the Athenian regulation of honorific crownings and proclamations in the fourth century.

⁴⁸ Although it should be noted that Thrasybulos was honored for assassinating Phrynichus.

⁴⁹ A *graphe paranomon* was a legal prosecution brought by a private citizen against another citizen who had allegedly proposed a decree (ψηφισμα) or law (νόμος) that directly contravened existing Athenian constitutional law. Hansen (1991) p. 205 – 212; Hansen (1974).

Aeschines' first point, that Ctesiphon had broken an Athenian law preventing the honoring of magistrates while still in office, appears to have been the strongest of his attacks, and was the natural start for the prosecution.⁵⁰ Aeschines argues that in former times financial officers of the *polis* would have been honored in the Dionysia,⁵¹ but since corrupt officials were being crowned before evidence of their corruption had been discovered a *nomos* was passed that restricted the crowning of such officials until after a formal audit.⁵² Demosthenes wisely sidesteps this argument in his defense by distorting the thrust of Aeschines' first prosecution point away from a simple illegality to a personal and vindictive attack, and claims that no previous honoree has had to account for his conferring benefits on the state and submit to an audit for them.⁵³ The lack of any direct refutation of the existence of this law by Demosthenes seemingly demonstrates that the law existed as Aeschines presents it. There is no extant epigraphic evidence for the acceptance of this law, but one might provide a *terminus ante quem* of 343/2 for its acceptance based upon an inscription that seemingly refers to this practice. In *IG II² 223* of that year the phrase “ἐπειδὴν τὰς εὐθύνας δῶν” is tacked on to the *Boule's* recommendation for the people to crown their best speaker.⁵⁴ The inclusion of this phrase referring to *euthynai* is a clear reference to the examination of officials described in Aeschines, and this then provides us a

⁵⁰ Goodwin (1901) p. 308 – 309.

⁵¹ Aeschines 3.9 “...Ἐν γὰρ τοῖς ἔμπροσθεν χρόνοις...”. This practice seems very similar to the large number of honors awarded to the Amphictyonic *hieromnemes* for their good work towards the League: Lefèvre (1998) 279 – 280.

⁵² Aeschines 3.11. “Κατιδὼν δέ τις ταῦτα νομοθέτης τίθησι νόμον καὶ μάλα καλῶς ἔχοντα, τὸν διαρρήδην ἀπαγορεύοντα τοὺς ὑπευθύνους μὴ στεφανοῦν.” “Now some statesman who had observed this situation caused a law to be passed—and a most excellent law it is—which expressly forbids crowning men before they have passed their final accounting.”(Adams).

⁵³ Demosthenes 18.110 – 119.

⁵⁴ *IG II² 223.A13*.

terminus ante quem of 343/2 for the creation of this *nomos*. A *terminus post quem* of 409 might be assigned based upon *IG I³ 102* being the first instance of a civic honor. It is likely that this law came into existence in the fourth century during the expansion of the Athenian practice of giving honorific crowns. Aeschines makes clear that this law was a reaction to the growing evolution of crowning corrupt magistrates, so the practice must have existed for some time before regulation was needed.

The second, and more lengthy, legal argument of Aeschines attacks Ctesiphon for his proposition to crown Demosthenes in the theater during the Dionysia. Aeschines argues that such a proposition was unconstitutional as no honor was to be proclaimed outside the physical space where the legislative body which gave the honor convened, and that Athenian law directly prevented the proclamation of crowns for Athenian citizens in the theater. Aeschines' argument regarding these laws is long, but I will now provide the text of the relevant passages:

Ὡς τοίνυν καὶ τὴν ἀνάρρησιν τοῦ στεφάνου παρανόμως ἐν τῷ ψηφίσματι κελεύει γίγνεσθαι, καὶ τοῦθ' ὑμᾶς διδάξω. Ὁ γὰρ νόμος διαρρήδην κελεύει, εἴαν μὲν τινα στεφανοῖ ἢ βουλή, ἐν τῷ βουλευτηρίῳ ἀνακηρύττεσθαι, εἴαν δὲ ὁ δῆμος, ἐν τῇ ἐκκλησίᾳ, ἄλλοθι δὲ μηδαμοῦ. Καί μοι λέγε τὸν νόμον.

[Νόμος]

Οὗτος ὁ νόμος, ὃ ἄνδρες Ἀθηναῖοι, καὶ μάλα καλῶς ἔχει. Οὐ γὰρ οἶμαι ὄρετο δεῖν ὁ νομοθέτης τὸν ῥήτορα σεμνύνεσθαι πρὸς τοὺς ἔξωθεν, ἀλλ' ἀγαπᾶν ἐν αὐτῇ τῇ πόλει τιμώμενον ὑπὸ τοῦ δήμου καὶ μὴ ἐργολαβεῖν ἐν τοῖς κηρύγμασιν. Ὁ μὲν οὖν νομοθέτης οὕτως.⁵⁵

Furthermore, I will show you that the proclamation of the crown, as proposed in his decree, is to be made in an illegal manner. For the law expressly commands that if the *Boule* confer a crown, the crown shall be proclaimed in the *Bouleuterion*, and if the people confer it, in the assembly, “and nowhere else.” Read me the law.

[LAW]

This, fellow citizens, is an excellent law. For it seems that it was the idea of the lawgiver that the public man ought not to be thinking of outsiders as he

⁵⁵ Aeschines 3.32 – 33.

receives his honors, but to be well content with honor received in the city itself and from the people; and that he ought not to treat such proclamations as a source of revenue. So thought the lawgiver. (Adams)

Οὗτοι γάρ, ὡς μὲν οὐκ ἀπαγορεύουσιν οἱ νόμοι τὸν ὑπὸ τοῦ δήμου στεφανούμενον μὴ κηρύττειν ἔξω τῆς ἐκκλησίας, οὐχ ἔξουσι λέγειν, οἴσουσι δὲ εἰς τὴν ἀπολογία τὸν Διονυσιακὸν νόμον, καὶ χρήσονται τοῦ νόμου μέρει τινὶ κλέπτοντες τὴν ἀκρόασιν ὑμῶν, καὶ παρέξονται νόμον οὐδὲν προσήκοντα τῆδε τῇ γραφῇ, καὶ λέξουσιν ὡς εἰσὶ τῇ πόλει δύο νόμοι κείμενοι περὶ τῶν κηρυγμάτων, εἷς μὲν, ὃν νῦν ἐγὼ παρέχομαι, διαρρήδην ἀπαγορεύων τὸν ὑπὸ τοῦ δήμου στεφανούμενον μὴ κηρύττεσθαι ἔξω τῆς ἐκκλησίας, ἕτερον δ' εἶναι νόμον φήσουσιν ἐναντίον τούτῳ, τὸν δεδωκότα ἔξουσίαν ποιεῖσθαι τὴν ἀνάρρησιν τοῦ στεφάνου τραγωδοῖς ἐν τῷ θεάτρῳ, ἐὰν ψηφίσηται ὁ δῆμος· κατὰ δὲ τοῦτον τὸν νόμον φήσουσι γεγραφέναι τὸν Κτησιφῶντα.⁵⁶

They will not be able to deny that the laws forbid the man who is crowned by the people to be proclaimed outside the assembly, but they will present for their defense the Dionysiac law, and will use a certain portion of the law, cheating your ears. For they will offer a law that has nothing to do with this case, and will say that the city has two laws governing proclamations: one, the law that I now offer in evidence, which expressly forbids the man who is crowned by the people to be proclaimed outside the assembly; but they will say that there is another law, contradictory to this, and that that law has given authority for the proclamation of the crown at the time of the tragedies in the theater, “if the people vote.” And so they will say that it is in accordance with that law that Ctesiphon has made his motion. (Adams)

Ὅθεν δὲ δὴ τὸ ψεῦδος τοῦτο ἐπιφέρουσιν, ἐγὼ διδάξω ὑμᾶς, προειπῶν ὧν ἔνεκα οἱ νόμοι ἐτέθησαν οἱ περὶ τῶν ἐν τῷ θεάτρῳ κηρυγμάτων. Γιγνομένων γὰρ τῶν ἐν ἄστει τραγωδῶν ἀνεκῆρυττόν τινες, οὐ πείσαντες τὸν δῆμον, οἱ μὲν ὅτι στεφανοῦνται ὑπὸ τῶν φυλετῶν, ἕτεροι δ' ὑπὸ τῶν δημοτῶν· ἄλλοι δὲ τινες ὑποκηρυζάμενοι τοὺς αὐτῶν οἰκέτας ἀφίεσαν ἀπελευθέρους, μάρτυρας ποιούμενοι. Ὁ δ' ἦν ἐπιφθονώτατον, προξενίας εὐρημένοι τινὲς ἐν ταῖς ἔξω πόλεσι, διεπράττοντο ἀναγορεύεσθαι ὅτι στεφανοῖ αὐτοὺς ὁ δῆμος, εἰ οὕτω τύχοι, ὁ τῶν Ῥοδίων ἢ Χίων ἢ καὶ ἄλλης τινὸς πόλεως ἀρετῆς ἔνεκα καὶ ἀνδραγαθίας. Καὶ ταῦτ' ἔπραττον οὐχ ὥσπερ οἱ ὑπὸ τῆς βουλῆς τῆς ὑμετέρας στεφανούμενοι ἢ ὑπὸ τοῦ δήμου, πείσαντες ὑμᾶς καὶ μετὰ ψηφίσματος, πολλὴν χάριν καταθέμενοι, ἀλλ' αὐτοὶ προελόμενοι, ἄνευ δόγματος ὑμετέρου. Ἐκ δὲ τούτου τοῦ τρόπου συνέβαινε τοὺς μὲν θεατὰς καὶ τοὺς χορηγοὺς καὶ τοὺς ἀγωνιστὰς ἐνοχλεῖσθαι, τοὺς δὲ ἀνακηρυττομένους ἐν τῷ θεάτρῳ μείζουσι τιμαῖς τιμᾶσθαι τῶν ὑπὸ τοῦ δήμου στεφανουμένων. Τοῖς μὲν γὰρ ἀπεδέδεικτο τόπος ἢ ἐκκλησία ἐν ἧ ἤντιν στεφανοῦσθαι, καὶ ἀπείρητο ἄλλοθι μηδαμοῦ κηρύττεσθαι· οἱ δὲ ἀνηγορεύοντο ἐναντίον ἀπάντων τῶν Ἑλλήνων· κάκεῖνοι μὲν μετὰ ψηφίσματος, πείσαντες ὑμᾶς,

⁵⁶ *Ibid* 35 – 36.

οὔτοι δ' ἄνευ ψηφίσματος. Συνιδὼν δὴ τις ταῦτα νομοθέτης, τίθησι νόμον οὐδὲν ἐπικοινωνοῦντα τῷ περὶ τῶν ὑπὸ τοῦ δήμου στεφανουμένων νόμῳ, οὔτε λύσας ἐκεῖνον· οὐδὲ γὰρ ἡ ἐκκλησία ἠνωχλεῖτο, ἀλλὰ τὸ θέατρον· οὔτ' ἐναντίον τοῖς πρότερον κειμένοις τιθείς· οὐ γὰρ ἔξεστιν· ἀλλὰ περὶ τῶν ἄνευ ψηφίσματος ὑμετέρου στεφανουμένων ὑπὸ τῶν φυλετῶν καὶ δημοτῶν, καὶ περὶ τῶν τοὺς οἰκέτας ἀπελευθερούντων, καὶ περὶ τῶν ξενικῶν στεφάνων, καὶ διαρρήδην ἀπαγορεύει μὴτ' οἰκέτην ἀπελευθεροῦν ἐν τῷ θεάτρῳ, μὴθ' ὑπὸ τῶν φυλετῶν ἢ δημοτῶν ἀναγορεύεσθαι στεφανούμενον, μὴθ' ὑπ' ἄλλου, φησὶ, μηδενός, ἢ ἄτιμον εἶναι τὸν κήρυκα.⁵⁷

But I will show you where they get this false assertion. First, however, I will tell the reason why the laws governing the proclamations in the theater were enacted. It frequently happened that at the performance of the tragedies in the city proclamations were made without authorization of the people, now that this or that man was crowned by his tribe, now that others were crowned by the men of their deme, while other men by the voice of the herald manumitted their household slaves, and made all Hellas their witness; and, most invidious of all, certain men who had secured positions as agents of foreign states managed to have proclaimed that they were crowned – it might be by the people of Rhodes, or of Chios, or of some other state – in recognition of their merit and uprightness. And this they did, not like those who were crowned by your *Boule* or by the people, by first obtaining your consent and by your decree, and after establishing large claims upon your gratitude, but themselves reaching out after the honor with no authorization from you. The result of this practice was that the spectators, the *choregi*, and the actors alike were discommoded, and that those who were crowned in the theater received greater honors than those whom the people crowned. For the latter had a place prescribed where they must receive their crown, the assembly of the people, and proclamation “anywhere else” was forbidden; but the others were proclaimed in the presence of all the Hellenes; the one class with your consent, by your decree, the other, without decree. Now some legislator, seeing this, caused a law to be enacted which has nothing to do with the law concerning those who are crowned by our people, and did not supersede it. For it was not the assembly that was being disturbed, but the theater; and he was not enacting a law contradictory to the previously existing laws, for that may not be done; but a law governing those who, without your decree, are crowned by their tribe or deme, and governing the freeing of slaves, and also the foreign crowns. He expressly forbids the manumission of a slave in the theater, or the proclamation of a crown by the tribe or deme, “or by anyone else,” he says, “and the herald who disobeys will lose his civic rights.” (Adams -- adapted)

Despite this lengthy argument from Aeschines Demosthenes chose to respond very pithily to Aeschines' attack by quoting a section of law that seemingly allows the Assembly or *Boule*

⁵⁷ *Ibid* 41 – 44.

to crown a citizen in the theater. He responds by quoting the passage from the law which reads: ...πλὴν ἐάν τις αὖς ὁ δῆμος ἢ ἡ βουλὴ ψηφίσῃται· τούτους δ' ἀναγορευέτω.⁵⁸ This simple response from Demosthenes to the long and involved argument from Aeschines causes problems by its failure to counter Aeschines point by point. Goodwin has attempted to reconcile the two arguments by proposing that the legal exception clause read by Demosthenes must have followed immediately the clause of the Dionysiac law quoted by Aeschines in 44. The reconstructed full clause would then approximately read: μήτ' οἰκέτην ἀπελευθεροῦν ἐν τῷ θεάτρῳ, μήθ' ὑπὸ τῶν φυλετῶν ἢ δημοτῶν ἀναγορεύεσθαι στεφανούμενον μήθ' ὑπ' ἄλλου μηδενὸς, ἢ ἄτιμον εἶναι τὸν κήρυκα, πλὴν ἐάν τις αὖς ὁ δῆμος ἢ ἡ βουλὴ ψηφίσῃται, τούτους δ' ἀναγορευέτω.⁵⁹ Demosthenes would have thus been able to use the clause 'μήθ' ὑπ' ἄλλου (φησὶ) μηδενὸς' as justification that this law and its exception applied to all crowns including those of the *Boule* or Assembly. Whether this exception did indeed apply to crowns of the Assembly and *Boule* or not the ambiguity of the phrase was all Demosthenes needed in order to cite a law in his defense,⁶⁰ and this response also turned the tables on Aeschines for allegedly misrepresenting the law. Wankel seemingly agrees that Demosthenes focuses his defense upon the Dionysiac law because his interpretation of it is correct, while ignoring the second law cited by Aeschines as he has no

⁵⁸ Demosthenes 18.121, “unless the People or the *Boule* votes as such, then let it be proclaimed for these cases.”

⁵⁹ Goodwin (1901) p. 315, “[It is forbidden] the manumission of a slave in the theater, or the proclamation of a crown by the tribe or deme, or by anyone else, (he says) and the herald who disobeys will lose his civic rights, unless the People or the *Boule* votes as such, then let the herald proclaim these honors.”

⁶⁰ Simcox (1872) has noted that ancient scholiasts agreed with Aeschines that the law only applied to foreign crowns, and not official Athenian crowns.

defense against it.⁶¹ On this view, the situation declared by Aeschines to be impossible, that two contradictory laws existed at the same time, will in fact have been the case.

As noted above, the law preventing the crowning of magistrates until they have been audited clearly reflects a long-standing practice of civic honors for Athenian citizens. However, the first explicit instance of an Athenian citizen being crowned does not appear until 343/2 with *IG II² 223*. This inscription contains clauses which detail the crowning of the winner of the *Boule's* prize for best speaker,⁶² to crown the *Boule* itself for its administration of the Dionysia,⁶³ and also to crown Eudoxos, a citizen and member of the *Boule*.⁶⁴ The inscription makes no provision for any form of publicity such as a proclamation. *IG II² 338*, dated to 333/2, likewise contains no provision for publicity for the honorific crowning of Pytheas, a citizen, for his service as an *epimeletes*. *IG II² 410*, dated to c.330, provides the first evidence for any provisions of publicity for a citizen crown when the decree calls for the publication of the decree honoring priests and a *hieropoios* with crowns to be inscribed on stone and placed in the theater of Dionysus: ἀναγράψαι δὲ τὸδε τὸ ψήφισμα τὸν γραμματέα τῆς βουλῆς ἐν στήλῃ λιθίνῃ καὶ [σ]τῆσαι ἐν τῷ θεάτρῳ τοῦ Διονύσο[υ ...].⁶⁵ Interestingly, while there is not yet evidence for proclamations occurring in the theater, this inscription provides evidence that the theater was still being used as a center of honorific publication. Another inscription from c.330, *IG II² 415*, crowns the individual citizen Kallikrates, but does not stipulate any publicity for the honor. In his defense of

⁶¹ Wankel (1976) p. 649. Wankel suggests that the law concerning the proclamation of crowns in legislative spaces might have fallen out of common practice by the time of the Dionysiac law's adoption.

⁶² *IG II² 223 A6 – 8*.

⁶³ *Ibid B7 – 8*.

⁶⁴ *Ibid B10 – 13*.

⁶⁵ *IG II² 410 37 – 39*, “The *grammateus* of the *Boule* will write this decree upon a stone stele and stand it in the theater of Dionysus.”

Ctesiphon Demosthenes cites the precedent of the civic crowning of other Athenian citizens – Diotimus, Nausicles, Charidemus, and Neoptolemus – who gave financial donations to the *polis* while serving as officials.⁶⁶ There is no remaining evidence for the formal decrees honoring these individuals, but an inventory of the treasury of Athena contains the list of gold crowns dedicated by these men to Athena.⁶⁷ The first instance of honorific proclamation that is epigraphically attested for a citizen does not occur until 303 in the heavily reconstructed text of *IG II² 492*: ...[ἐπαινέσαι] Ἀπολ[λωνίδην Χά]ροπος Π[ε]ι[ρ]αι[έα ἀρετῆς ἔνεκα] κα[ὶ εὖν]ο[ίας τῆς εἰς τὸν δῆμον] τὸν Ἀθηνα[ίων καὶ στεφαν]ν[ῶ]σ[αι αὐτὸν χρυσῶι στεφάν]ωι κατ[ὰ τὸν ν]όμον καὶ ἀνειπ[εῖν [τὸν στέφανον Παναθηνα]ίων τῶι] γυμνικῶ[ι ἀγῶνι[vacat]...⁶⁸ Thereafter, the first non-reconstructed epigraphic text of a proclamation for a crowning of an Athenian citizen that I am aware of appears in 287 in *IG II² 657* wherein the crown is to be proclaimed in the Dionysia during the tragedy competition: [...]στεφανῶσαι αὐτ[ὸν]ν [χρ]υσῶι στεφάνωι κατὰ τὸν νόμον καὶ ἀνειπεῖν τὸν σ[τέφανον] Διονυσίων τῶν μεγάλων τραγωιδῶν τῶι ἀγ[ῶνι].⁶⁹

The closest to epigraphic evidence for citizen honorific proclamations in the fourth century comes from the Attic demes where honorific crowns and proclamations were awarded by the demes themselves. The first possible instance of a proclaimed deme

⁶⁶ Demosthenes 18.114 – 116.

⁶⁷ *IG II² 1496* 22 – 25, 28 – 46. This subject of the crown donations will be revisited later in this chapter.

⁶⁸ *IG II² 492* 25 – 29, “praise Apollonidos the son of Charopos of the Piraeus because of his excellence and goodwill to the Athenian people, and crown him with a gold crown according to the law and proclaim the crown in the athletic contest of the Panathenaia.”

⁶⁹ *IG II² 657* 60 – 63, “and crown him with a gold crown according to the law and proclaim the crown during the tragedy competition in the great Dionysia.”

honorific decree, *IG II² 1187*,⁷⁰ comes from Eleusis and is tentatively dated to the mid-4th century.⁷¹ This Eleusinian decree honors a general, Derkylos, for his charity in providing education for the youths of the deme, and amongst other awards it provides for a golden crown and a proclamation in the theater during the tragedies competition, ‘δεδοχθαι Ἐλευσινίοις ἐπαινέσαι| Δερκύλον Αὐτοκλέους Ἀγνούσιον καὶ στεφανῶσαι χρυσῶι στεφάνῳ ἀπὸ Χ δραχμῶν καὶ ἀνειπεῖν τὸν στέφανον Ἐλευσῖνι ἐν τῷ θεάτρῳ τραγωιδῶν τῷ ἀγῶνι| ὅτι στεφανῶι ὁ δῆμος ὁ Ἐλευσινιῶν Δερκύλον Αὐτοκλέους Ἀγνούσιον ἀρετῆς ἔνεκα καὶ φιλοτιμίας τῆς εἰς τὸν δῆμον τὸν Ἐλευσινίων.’⁷² Aside from perhaps providing the first chronological instance of a direct reference to proclamation of honors in a deme honorific decree, the decree also clearly notes that the proclamation is to occur during the tragedies competition in the Eleusinian theater; presumably during the rural Dionysia. This practice of crowning an honoree during the Rural Dionysia competition also appears to be cited in two other deme honorific inscriptions,⁷³ and is a microcosm of the practice ostensibly happening during the Great Dionysia within the central *asty*. These deme inscriptions provide an earlier record of Athenian citizens being honored with proclamations and crowns within the demes, and they also show that the system of proclaiming the crowns

⁷⁰ An earlier deme decree, *SEG 42.112*, also discusses the deme crowning of an individual, but makes no provision for proclamation.

⁷¹ *IG II² 1187*. Foucart (1879) dates this decree on historical grounds to the mid-fourth century, and most later commentators agreed with this general dating. Mitchel (1964) disagrees, and argues for a dating to 319/8 also based on historical arguments.

⁷² *IG II² 1187* 5 – 16, “The Eleusinians resolved to praise Derkylos son of Autokleos of Hagnous and crown him with a golden crown worth X drachmas and proclaim the crown in the theater of Eleusis during the tragedies competition that ‘the deme of the Eleusinians crowns Derkylos the son of Autokleos of Hagnous because of his excellence and desire for honor in respect of the Deme of the Eleusinians.’”

⁷³ *IG II² 1189* (334/3) [Eleusis]; *SEG 22.117* (c. 330) [Ikarnia].

in the theater during the Great Dionysia – which Aeschines argues so strongly against – was also happening on a small scale in the demes.

The honoring of foreigners with gold crowns and proclamations appears much earlier in the record than the honoring of Athenian citizens. *IG I³ 102* in 409 and *IG I³ 125* in 405 provide evidence for the late fifth-century practice of crowning foreigners, and this continues largely without an extended break into the fourth century. The heavily reconstructed *IG II² 20*, dated to 392/1, honors Evagoras of Salamis: ὁ δὲ κῆ[ρυξ ἀναγορευσάτω ἐν τῶι ἀγῶνι ὅταν οἱ τρα[γωικοὶ ᾄσι ὅτι ὁ δῆμος ὁ Ἀθη]ναίων Εὐαγόρ[αν στεφανοῖ εὐνοίας ἔνεκ|α τ]ῆς ἐς Ἀθηναίω[ς].⁷⁴ *IG II² 103*, dated to 369/8, honors Dionysus I of Syracuse and his two sons with gold crowns, but there is no indication of publicity attached to the decree. *IG II² 212* provides an interesting case in 347 when the Athenians vote to honor the two rulers of the Bosphoran kingdom, Spartocus and Paerisades, with gold crowns. These crowns were to be awarded and proclaimed every four years at the Great Panathenaia,⁷⁵ and the crowns to be dedicated to Athena following their conferral upon Spartocus and Paerisades.⁷⁶ *IG II² 448*, dated to 322/1, is likewise an Athenian honor decree for Euphron of Sicyon(?) which also includes a clause calling for a proclamation to be made in the Great Dionysia during the tragedy competition: [καὶ ἐπαινέσαι τὸν δῆμον τὸ]ν Σικυωνίων [ἀρετῆς ἔνεκα καὶ εὐνοίας τῆς εἰς τὸν δ]ῆμον τὸν Ἀθηναίων καὶ στεφανῶσαι χρυσῶι στεφάνω]ι ἀπὸ :X: δραχμῶν καὶ ἀνειπεῖν α[ὐτ]ὸν [Διονυσίων μεγάλ]λων τῶι

⁷⁴ *IG II² 20* 6 – 9, “Let the herald proclaim in the competition of the tragedies that the Athenian People crown Euagoras because of his good nature to the Athenians.” This inscription, which reconstructed, contains clauses for the proclamation of the crown unlike most fourth century Athenian citizen honors.

⁷⁵ *IG II² 212* 24 – 33.

⁷⁶ *Ibid* 33 – 39.

ἀγῶνι.⁷⁷ *IG II² 360*, dated 325, also clearly indicates that the *polis* is honoring foreign individuals with gold crowns, but while it makes explicit mention of the publication of the decree on stone upon the Acropolis it does not make any mention of an accompanying proclamation.⁷⁸

What emerges is that while there are proclamations accompanying crowns at the beginning and end of the century, there is very little evidence for any proclamations concurrent to the indictment of Ctesiphon in 330, or for the majority of the century for the matter. Between 392, when *IG II² 20* occurs, and 322, *IG II² 448*, there are 20 individuals given crowns in the epigraphic record. Five of these individuals also receive proclamations with their crowns: the two rulers of the Bosphoran kingdom who were to be crowned with proclamations every four years in the Great Panathenaia,⁷⁹ and three men crowned by their deme and proclaimed in the rural Dionysia.⁸⁰ No citizen, prior to 303, was recorded on stone as being both crowned and proclaimed by the Athenians. No honorific proclamations were demonstrably made during the Dionysia between 392 and 322. Using this evidence I might propose a number of possible conclusions.

The first conclusion is that proclamations were not directly tied to honorific crowns, and they were an exceptional addition to some crowns in the fourth century. Henry has proposed that the proclamation of crowns was by no means automatic, and their inclusion in honorific decrees was indicative of an extra honor for the recipient.⁸¹ I believe this

⁷⁷ *IG II² 448* 22 – 26, “And Praise the demos of the Sicyonians because of excellence and good will to the Athenian People and crown with a gold crown made from X drachmas, and proclaim it in the competition [of the tragedies] during the Great Dionysia.”

⁷⁸ *IG II² 360* 21 – 27.

⁷⁹ *IG II² 212*.

⁸⁰ *IG II² 1187*; *IG II² 1189*.

⁸¹ Henry (1983) p. 28.

conclusion is wrong, and I think one can largely disprove it. The law as discussed by Demosthenes and Aeschines seems to have no stipulations regarding the value of crowns, or the requirements needed in order to confer a crown, but is completely concerned with the location of publicity through heraldic proclamation. At no time in his arguments does Aeschines ever make the distinction between proclaimed and unproclaimed crowns. Nor for that matter does he give any indication that a crowning would ever occur without a proclamation, but in each instance where he cites the action of crowning he discusses the proclamation. Additionally, it must be asked what would be the point of an honorific crown if it was not proclaimed before an audience. Public honor was only honor if it was witnessed,⁸² and the greater the crowd the greater the honor.⁸³ Without a public proclamation the honoring of an individual with a crown was simply a financial reward, and while this was likely enjoyed by the individual it defeated the purpose of an honor decree. This financial reward was itself not always a certainty. As in *IG II² 212* where the crowns given to the Bosphoran rulers were dedicated to Athena, or in the treasury receipt of *IG II² 1496*, the crowns given to individuals were often rededicated to Athena,⁸⁴ which was essentially returning the crown to the state and balancing the financial expenditure of the crown's creation. Additionally, it has been noted elsewhere that the Athenians were generally slow to develop standard formulae for their inscriptions,⁸⁵ and Henry himself notes that it was not until the late fourth and early third centuries that a formula for the announcement of honors including the location of proclamation is standardized in Athenian

⁸² Lewis (1996) p. 70, "...the announcement of an honor in the state was as much, if not more, to do with the honor of the act of proclaiming, as with telling the citizens."

⁸³ Lissarrague (1999) p. 361

⁸⁴ *IG II² 212* 34 – 39; *IG II² 1496* 22 – 25, 28 – 46.

⁸⁵ Rhodes & Lewis (1997) p. 18.

inscriptions,⁸⁶ so it is also possible that this lack of regularity can also account for the lack of proclamations being mentioned in fourth century honor decrees. Consequently, I believe it is likely that even the fourth century examples of honorific crown decrees were proclaimed in the legislative bodies where they were voted upon.

A more likely proposition is that in the fourth century honor inscriptions where a proclamation is not mentioned an accompanying proclamation of the crowning was made in the legislative space where it was voted. In this second law on honorific crowns Aeschines noted that the law required local crowns to be proclaimed in the spaces where they were decreed,⁸⁷ and I believe that in these fourth-century epigraphic cases the proclamation within the legislative space was implicitly understood, and that it was not necessary to add a clause directing the herald to make proclamation. The deme crowns were not covered by this law, which allowed them to be proclaimed within their own local festivals, but they were restricted from the larger Great Dionysia. The case of *IG II² 212* is an obvious thorn in this proposal as it is proclaimed outside the legislative space, and it does not fall under the purview of the Dionysiac law. Had this decree been proclaimed in the Dionysia then one might say that it is a representation of Demosthenes' interpretation of the law that the Assembly might allow proclamations during the Dionysia, but neither Aeschines' second law of crowning nor the Dionysia law allow for proclamations to occur outside the Dionysia or the legislative space. However, Henry notes that this law is exceptional as it calls for the proclamation and crowning of the two individuals *every four years*,⁸⁸ and this clause is not found in any other fourth-century inscription that I am aware of. Due to the importance of

⁸⁶ Henry (1983) p. 32.

⁸⁷ Aeschines 3.32, 45.

⁸⁸ Henry (1983) p. 31.

the Bosphoran rulers to the grain trade which fed the Athenian *polis* it does not seem unlikely that the Athenians might have bent the rules slightly to keep these two gentlemen on friendly terms. The need for Athens sometimes to bend the rules, as in such cases as this, demonstrates why the exception clause Demosthenes argues for might have existed.

The epigraphic evidence cannot, it seems, decisively settle the issue between Aeschines and Demosthenes. It probably confirms Aeschines' claim that the normal procedure was for proclamation in the legislative space, but leaves unclear the application of the exception introduced by Demosthenes' rider. In favor of Aeschines is the cessation of evidence for proclamation in the theater between 392 and 322. In favor of Demosthenes is the occurrence of such proclamation from 322 onwards, though a change in the law might also provide an explanation. In favor of Demosthenes is also the strange illogicality of the rider to the Dionysiac law on Aeschines' account of it. For Aeschines, the Dionysiac law was intended to prevent trivial proclamations (manumissions; deme honors; honors conferred by foreign states) being made at the Dionysia. By implication, the rider was intended to allow such trivial proclamations none the less to be made by special permission of the Assembly, although no such case appears in the epigraphic record. But it is very hard to see why exceptions should have been thus allowed in the case of trivial proclamations and not in the case of more important ones. Aeschines notes that citizens who sought to have their proclamations made in the theater during the Dionysia would receive greater honor than those who did the same in the Assembly or *Boule*, “τοὺς δὲ ἀνακηρυττομένους ἐν τῷ θεάτρῳ μείζοσι τιμαῖς τιμᾶσθαι τῶν ὑπὸ τοῦ δήμου στεφανουμένων.”⁸⁹ Aeschines quite rightly indicates that the reason the theater was a greater honor was because proclamations

⁸⁹ Aeschines 3.43, “and that those who were proclaimed in the theater had a greater share of honor than those crowned by the People.”(Adams).

made there occurred before ‘ἀπάντων τῶν Ἑλλήνων.’ There was no reason for the Athenians even to envisage, as Aeschines claims, allowing minor proclamations publicity on this scale. The point about publicity is reinforced if one considers alternative or later venues for proclamation. A further location for proclamation, appearing in decrees from *IG II² 212* in 347 and onwards, was the Panathenaia, another well attended and potentially Pan-Hellenic event.

In all the instances of proclaimed honor I believe it was a herald who was making the proclamations. As this chapter has previously noted, in athletic competitions the official herald of the games made the victory proclamation.⁹⁰ Aristophanes’ *Frogs* clearly provides an example of a crowning wherein a herald makes the proclamation,⁹¹ and the reconstructed text of *IG I³ 102* also provides a possible example of heraldic proclamation of honor crownings. Aeschines directly associates the practice of proclamation with heralds, and he even quotes from the Dionysiac law which forbids heralds to make illegal honor proclamations on pain of *atimia*.⁹² However, Chaniotis has claimed that there was a variation amongst who performed the proclamation of crowning, and that civic magistrates would relish the opportunity to themselves be the center of attention during the proclamation, and in doing so claim a small share of the imparted honor.⁹³ I strongly disagree with Chaniotis that magistrates, rather than heralds, might make the honorific proclamation. The Athenian evidence which Chaniotis cites as proof does not demonstrate

⁹⁰ *Supra* p. 87 – 91.

⁹¹ Aristophanes *Frogs* 1271 – 75.

⁹² Aeschines 3.44.

⁹³ Chaniotis (2007) p. 58.

magistrates personally making honorific proclamations,⁹⁴ but instead shows that they were only responsible for the preparations of the crowning. For example, *SEG* 28.60 – dated to 270/69 – directs the financial officers, τοὺς ἐπὶ τεῖ διοικήσει, to make the preparations for the crown itself and the proclamation:

ὅτι δοκεῖ τεῖ βουλευὶ ἐ[π]αινέσαι Καλλίαν Θυμοχάρου Σφήττιον ἀρετῆς ἔνεκα καὶ εὐνοίας ἣν ἔχων διατελεῖ περι τὸν δῆμον τὸν Ἀθηναίων καὶ στεφανῶσαι αὐτὸν χρυσῶι στεφάνωι κατὰ τὸν νόμον, καὶ ἀναιρεῖν τὸν στέφανον Διονυσίων τῶν μεγάλων τραγωιδῶ[ν] τῶι ἀγῶνι τῶι καινῶι τῆς δὲ ποιήσεως τοῦ στεφάνου καὶ τῆ[ς] ἀναγορεύσεως ἐπιμεληθῆναι τοὺς ἐπὶ τεῖ διοικήσει.⁹⁵
 ...that the *Boule* resolved to praise Kallias the son Thumacharos of Sphettios because of his excellence and good- nature (and his accomplishments?) for the Athenian People and crown him with a gold crown according to the law, and proclaim the crown during the tragedy competitions of the Great Dionysia. The financial officers have charge of the making of the crown and the proclamation.

In this instance the financial officers are charged with making the crown itself and the provisions for the proclamation. This formula also appears in *SEG* 28.75 – dated to 203 – for the *strategoī* and their *tamias*: τῆς δὲ ποιήσεως τ[οῦ] στεφ[άνου] καὶ τῆ[ς] ἀναγορεύσε[ως] ἐπιμεληθῆναι τοὺς στρατη[γούς] κα[ὶ] τὸν τα[μίαν τῶν] στρατιωτικῶν.⁹⁶ These inscriptions simply reflect the practice of having particular magistrates provide the funding and supervision for the creation of the honorific crowns.⁹⁷ Heralds did not proclaim for free, so it is likely these magistrates would have needed to supply the payment to whoever was

⁹⁴ *Demarch*: *SEG* 34.106 (Eleusis); ‘τοὺς ἐπὶ τεῖ διοικήσει’: *SEG* 28.60, *SEG* 38.143; *Strategoī*: *SEG* 28.75.

⁹⁵ *SEG* 28.60 89 – 95.

⁹⁶ *SEG* 28.75 15 – 19, “the *strategoī* and the *tamias* of the *strategoī* are to make the preparations for the creation of the crown and the proclamation.”

⁹⁷ The first instance of this practice appears in a reconstructed clause from *IG* I³ 102 1.12 – 13.

herald for this particular occasion.⁹⁸ Chaniotis also cites *SEG* 34.106, an ephebic dedication from Eleusis, which provides for a crown and proclamation at the Dionysiac tragedy competition, and which directs the *demarch* to ‘call’ the honoree just as the others who are receiving the *proedria*.⁹⁹ This inscription is troublesome as *demarch* is completely reconstructed, but more troubling is that the *demarch* is charged with ‘calling,’ καλείτω, the honoree. I know of no other Athenian inscription which associates καλέω directly with the honorific proclamation. Finally, Chaniotis cites an Athenian treasury inventory from 304/3 which indicates that twelve crowns were proclaimed on the same occasion.¹⁰⁰ One heavily reconstructed clause in particular indicates that a named individual is to make the proclamations: στ[ε]φά[v]ου[ς το]ῦ ἀνακηρ[υχθέντας Διο]νυσίων τῶν τ[ραγωιδῶν] τῶι ἀγῶνι, οὗς ἀ[νεκήρυξε]ν Φίλιππος Νικ[ίου Ἀχαρ]νεὺς ὁ ἐπὶ τ[ῆ]ι [διοικήσει]ι κατὰ τὸ ψ[ή]φ[ισμα τοῦ δή]μου ὃ ἔγ[ραψε] [Φίλιππος] Νικίου Ἀχαρν[εύς].¹⁰¹ Chaniotis accepts the reconstruction of the verb ἀ[νεκήρυξε]ν as it was initially reconstructed by Miller and Koumanoudes, but Lewis has proposed that this reconstruction is incorrect, and instead has inserted the verb ἀ[νεκόμισε]ν.¹⁰² This verb, meaning ‘to bring back,’ indicates that the honorees would get their honor proclaimed, but the crowns would be returned to the Acropolis. Lewis cites as comparanda *IG* II² 1492, dated to the end of the fourth century,

⁹⁸ It is tempting to suppose that the herald of the *Boule* and Assembly might have made these proclamations, but there is no direct evidence to support this theory.

⁹⁹ *SEG* 34.106 10 – 12.

¹⁰⁰ *SEG* 38.143. (*IG* II² 1467 + 1477 + 1485 + 1473 + 1490). Included in the honors list are: Antigonos the One-Eyed; his son Demetrios the Besieger, the *Boule* and the Assembly, and some civic magistrates.

¹⁰¹ *SEG* 38.143 [B] 3 – 12, “the crowns that were proclaimed at the Dionysia during the competition of the tragedies, which were proclaimed by Philippos son of Nikias of Archarnai, the magistrate, according to the decree of the People which was proposed by Philippos son of Nikias of Acharnai.”

¹⁰² Lewis (1988)

which includes the clause: ...ἀ]νεκόμισεν κατὰ ψήφισμα δήμ[ου, δ] ἔγ[ραψε Δη|μοχ]άρης Λευκονοεύς.¹⁰³ This formula closely matches that found in *SEG* 38.143, but it contains a largely unreconstructed [ἀ]νεκόμισεν.¹⁰⁴ The non-Athenian evidence for magistrates other than heralds making honorific proclamations is likewise weak and inconsistent. Two second-century examples Chaniotis cites, *SEG* 35 912(Kos) and *SEG* 29 1243(Kolophon), indicate explicitly that the *agonothetai* are to make the *preparations* for the crown and the proclamation in a way similar to what has been seen in the examples above.¹⁰⁵ Another inscription, *SEG* 36 1046, is too fragmentary to reconstruct a full clause regarding the proclamation of the honor.¹⁰⁶ Only two inscriptions, *SEG* 29 1216 and *SEG* 33 1039, both from second-century Kyme, provide evidence that might support Chaniotis' view. In these two inscriptions it appears as if the *agonothetes* was to make the proclamation himself. However, these texts provide two different possible conclusions. Either that Kyme, alone amongst the *poleis*, explicitly ordered their *agonothetai* to make honorific proclamations, or that the epigraphic practice in Kyme did not include the references to a herald making the proclamation as it was implicitly understood that the heralds would be making the proclamation in keeping with the larger corpus of evidence. If one accepts Chaniotis' view then all this evidence does is prove that second-century Kyme might have had non-heralds making the proclamations of honor, and it does not speak directly to the fourth-century Athenian practices. It must be remembered that heralds existed for this very purpose of

¹⁰³ *IG* II² 1492 B.126. Evidence for the return of crowns to the state through dedication to Athena appears in other inscriptions: *IG* II² 1496; *IG* II² 212.

¹⁰⁴ Lewis' reconstruction seems more likely to me based on the comparanda, and due to the fact that I know of no other instance where the proposer of an honor decree was to officially proclaim the honor himself.

¹⁰⁵ *SEG* 35.912 Kos (2nd C); *SEG* 39.1243 Kolophon (c. 130 – 110).

¹⁰⁶ *SEG* 36.1046 Miletos (c. 167 – 159)

proclaiming to a large, and likely loud, crowd in a clear voice. It seems unlikely that in an instance where the proclamation was so very important to the proper conferral of honor the *polis* would choose an agent of proclamation who might speak too quietly or garble the speech act.

Conclusions:

The role of heralds and proclamations appears to have been an important aspect within the conferral of civic and athletic honors upon individuals. The earliest evidence for heraldic involvement in the proclamation of honors comes from their involvement in the athletic festivals of the Archaic Greek World. In these festivals the herald's cry of victory following the competition was the most important aspect of legitimizing the victor before the crowd, and the moment of greatest honor as his victory was witnessed by the audience listening to the proclamation. The central importance of the heraldic proclamation to athletic victories can be noted in the bargaining of victory amongst competitors where the physical winner might have the herald proclaim another man as official victor in exchange for some form of payment. In these instances the official victor was the one proclaimed by herald, not he who physically won the race. This importance of proclamation to the conferral of honor carried over into the growth of civic honor crowns in the late fifth and fourth centuries.

Beginning in the late fifth century the Athenians begin to offer honor crowns to foreigners, and in the fourth century to their own citizens. These crowns became prevalent enough to become disruptive to large gatherings, and the community began to regulate the manner and location in which proclamations occurred. The evidence from the inscriptions seems to indicate that until the late fourth century the standard location for the crowning was the legislative space where the crown was awarded, and the regulation of these locations

speaks directly to the importance of the heraldic proclamation to the conferral of honor. As with athletic victories and their proclamations civic honors were dependent upon the public witnessing of the conferral of honor upon the individual, and this meant that the heraldic proclamation of the crown was of greater honorific value than the material wealth of the crown itself, and these crowns were themselves often returned to the state through their dedication to Athena. Consequently, these proclamations of honor were always directly tied to the conferral of honorific crowns, despite not always being directly mentioned in honor decrees. The heraldic involvement in these proclamation seems certain and ubiquitous. The importance of heraldic proclamation to the honoring of an individual is yet another instance of the importance of the herald and oral communication to the classical Athenian *polis*. In such instances the herald and his oral communication were vital to the proper conferral of honor upon a recipient, and were not simply a ceremonial addition to a ritual devoid of functional importance. In a ritual where honor was directly proportional to the number of witnesses the herald and his voice were the primary agency of *kleos*. Finally, it is intriguing to note that this is a practice that spans the breadth of the Greek world. This Pan-Hellenic practice appears with increasing regularity from the Classical period onwards, and once again provides evidence for the ubiquitous nature of the herald to the Greek *polis*.

Chapter Four

Private Proclamations

Introduction:

Previous chapters have examined formal practices of civic proclamation emanating from a central authority, be it the state making sweeping general proclamations regarding laws, public notice, intercalation, or the state singling out an individual citizen for honors. It has been shown that heraldic communication can serve both as a practical means of initiating communication within a community such as in some issues of public notice, and also as a ritual means of increasing the significance of an event without communicating any new information such as in honor proclamations. Whereas all of these aspects of heralds and oral communication have focused on the state communicating with the public, this chapter will focus upon the individual citizen communicating information to the greater community.

Individual citizens had numerous opportunities to employ heralds for personal proclamations. The two chief examples of these types of individual forms of communication which affected a person's social relationship to the greater community are the examples of public manumission and of *apokeruxis*, or a ritual disinheritance. The most apparent opportunity for individual proclamations in the ancient evidence is slave manumissions. The literary and epigraphic records for these manumissions appear in varying numbers throughout the Greek world, and reveal a system which employed both oral and written forms of communication. In some cases only one form of communication, written or oral, is attested for a single manumission, while in others individuals employed a mixed form of publication using both proclamations and inscriptions. Meanwhile, older

citizens had the opportunity to ritually disown their sons through a public proclamation known as *apokeruxis*, but unlike manumissions there are no epigraphic records of this process happening. Both of these forms of private proclamation involved the employment of professional heralds who did not serve the state, but instead varied in skill and cost from those who served as auctioneers to those who were poor and served as heralds due to their lack of any employable skills beyond a loud voice.

Private proclamations served as a means of communicating information previously known only to an individual, and most often involving a change to a person's social position within the community. This chapter will seek to explore the relationship between publicity and private proclamations. It will examine the evidence for proclaimed manumissions, the necessity of witnesses to the conditional and unconditional nature of freedom for former slaves, and the alternative means of publication. Finally, this chapter will take a look at the evidence for *apokeruxis*, and the competing community and familial purposes for publication of this act. What will become apparent is that manumissions were dependent upon a practical publication of the act in order to ensure the freedom of the freedman and the fulfillment of certain contractual obligations sometimes placed upon the act of freeing. The majority of manumissions were likely private affairs conducted before a small number of witnesses within households, but beginning in the fifth century there is increasing evidence for the proclamation of manumissions in public locations such as the theater. This oral publicity appears to have been the standard practice of public manumissions in Athens and elsewhere, but by the Hellenistic Period it had been replaced by permanent written records in some *poleis* other than Athens. In the case of *apokeruxis* the publicity of disinheritance served a practical role in the community in helping them to change their social relationship

with the disinherited, but it also served as a ritual break within the family between the father and son.

The Need for Publicity and the Imperiled Freedman:

The importance of witnesses to the act of manumission cannot be overstated as manumission was only legitimate as long as the community recognized the freedman's right to be free. Much the same as the example of a tree falling in the woods and no one hearing it, if there was no proof in the form of witnesses or an inscription noting his freedom then a slave could hardly have claimed it. Publicity was not only important for the acceptance of the freedman as free within the community, but it was also important as a defense against others who might try to deny the freedman his status in the future. In Athens any citizen might claim a freedman, who had no individual right of legal representation, as his own slave who had never been manumitted, and thus it was incumbent upon the freedman to make sure notice of his manumission was as widely known as possible.¹ In such cases the burden of proof was on the freedman to prove his freedom as there was a presumption of slavery. This problem was especially acute when dealing with the heirs to former slave-owners who might wish to reclaim particular slaves they wished had never been freed. Demosthenes alludes to this problem in his third speech against Aphobus when he notes that his opponent claims Demosthenes' former slave Milyas was still a slave despite Demosthenes' testimony that his own father had manumitted Milyas on his deathbed, and he goes on to prove this by calling witnesses of this manumission.² The defense of the freedman's status through witnesses indicates the importance of publicity for the freedman, but publicity also served a role to aid the former master of the freedman.

¹ Zelnick-Abromovitz (2004) p. 107 – 113.

² Demosthenes 29.25 – 26.

Publicity was important to the former master of the slave in instances where the freedman's release was conditional upon his completion of certain contractual obligations. This process of conditional manumission was known as παραμόνη.³ Conditional manumission required slaves to continue performing certain duties to their former master as spelled out in a manumission contract, or they might be required to pay a certain sum over the course of time. The practice of conditional release, known in Athens as ἀπελευθερία, accounted for 31% of the manumissions detailed in inscriptions at Delphi.⁴ The number of παραμόνη inscriptions fluctuated depending on the period,⁵ but the majority of manumissions at Delphi were of the unconditional type. The processes of παραμόνη and ἀπελευθερία existed throughout the Greek world, and both are attested in multiple locations in epigraphic evidence. In Athens the only epigraphic evidence for παραμόνη comes from the φιάλαι ἐξελευθερίκαι, but Pollux's citation of Demosthenes notes that both forms of manumission were regulated under Athenian law.⁶

The publication of a slave's conditional manumission was important to the citizen-owner as it compelled the freedman, if the freedman's release was conditional, to live up to his contractual obligations. In these cases the more the general public knew of the manumission the greater was the contractual security for both the master and the freedman. Additionally, scholars have proposed other theories as to how publicity of manumission was important to the greater community. Gibson has proposed that publicly witnessed

³ The standard work on this subject can be found in Hopkins (1978). Zelnick-Abromovitz (2005) ch.2 contends that the Athenian term, ἀπελευθερία, is synonymous with παραμόνη, and in every instance where it is employed refers to conditional manumissions.

⁴ Hopkins (1978) p. 140, see table III.I.

⁵ The highest point of conditional manumissions came at the beginning of the Roman Imperial period when the number reached 61%.

⁶ Pollux 2.83.

manumissions also served to enhance the social status of the former master through their witnessed benefaction,⁷ but it is very doubtful whether the freeing of a slave (often on payment) was generally intended or perceived as an act of charity. The single possible example where this might be relevant would be from the act of Nicias spontaneously manumitting his slave in the theater in response to the crowd's approval of his slave's appearance on the stage as Dionysus,⁸ but this is not only an unique instance, but it is also one where Nicias was not publically demonstrating his benevolence, but his piety. Finally, Zelnick-Abromovitz claims that the publicity of a freedman's status ensured that his new social standing would be immediately known within the local community so as to differentiate the freedman from the citizenry to avoid infringement of citizens' rights.⁹ The differentiation of freedmen from citizens was especially important in a *polis* such as Athens where it was difficult to distinguish visually between each class.¹⁰ I do not believe this point is as important as Zelnick-Abromovitz claims as there is no indication in the evidence for Athenian manumissions that this was an issue, and were it a serious issue the Athenians would have maintained a centralized system of record keeping for manumissions. Publicity was important for the preservation of the freedman's individual liberty and the contractual obligations detailed in conditional releases for the slave-owners.

Alternative forms of Publicity:

So far I have spoken vaguely of the need for publicity without specifying the forms that such publicity could take. It is now necessary to locate the practice of proclaimed manumissions in relation to other forms of publicity. These forms of publication could include private

⁷ Gibson (1999) p. 52 – 55.

⁸ Plutarch *Nicias* 3.4.

⁹ Zelnick-Abromovitz (2004) p. 189.

¹⁰ Pseudo-Xenophon *Athenian Politeia* 1.12.

manumissions with the household, legal documents such as wills or inscribed manumission records kept at central locations, or fictive trials within the Athenian law courts.

Private Manumission and Manumission by will:

While the earliest forms of public manumission in Athens appear to have been oral,¹¹ one cannot discount the probability that the majority of manumissions happened privately within the household or were clauses in wills. The popularity and prevalence of private manumission in early and later society cannot be properly measured as its very nature precludes much surviving evidence, but I believe it to have been a wide-spread practice. These private manumissions could take the form of small rituals before the family hearth or the pouring of wine, and were by their very nature restrictive in the number of witnesses present. The manumission of a slave could be included within the will of a slave owner, and this was likely a common occurrence. Diogenes Laertius notes that many notable figures, including Plato, manumitted their slaves by will.¹² Similar to the private household manumissions the nature of the reading of a will naturally limited the number of witnesses, but some wills sought to overturn this difficulty by introducing a form of mixed publication where the will was read out publicly. In one later, and perhaps exceptional, instance from Oxyrhynchus the will of Acousilaus states that the will's clause concerning the manumission of his slaves upon his death should be read out on the street.¹³ This public reading was ostensibly to increase the number of impartial witnesses of the manumission. The legal

¹¹ Garland (1988) p. 73.

¹² Diogenes Laertius 3.43. Diogenes also recognizes other figures who manumitted slaves through their wills: (Aristotle) 5.11; (Theophrastus) 5(?).56 – 57; Strato (5(?).62; (Lycon) 5(?).74.

¹³ *P.Oxy* III, 494. It cannot be certain how common was this practice of publicly reading a will's manumission clause. The only other instance which I know of where a manumission clause was read out was in the Mantinean manumission inscription *IG V(2) 274 I* where the will was read in the sanctuary of Poseidon.

legitimacy of the document itself was still based upon the testimony of those men who witnessed it, so while written proof of manumission had acquired an important role it was still contingent upon oral testimony if challenged in court.¹⁴ Manumission by will is reminiscent of the similar form of deathbed manumission where a master gave a slave his freedom shortly before his death; either orally or through the ritual pouring of wine.¹⁵ This practice was likewise probably conducted quite often, but due to its very nature there is very little evidence for it. One bit of evidence for this practice also notes that this form of freeing was less effective in publicizing the manumission due to the limited number of witnesses. Demosthenes, in his third speech against Aphobus, has to defend the freedom of the freedman Milyas, manumitted by Demosthenes' own father, who is being claimed as a slave, and he is forced to offer the oath of his mother as witness and the testimony under torture of his servants.¹⁶ This case shows how inefficient a deathbed or private manumission could be without a proper number of citizen witnesses, and why in some cases the freedman and owner sought alternative and more public displays of manumission. Demosthenes' legal defense of the freedman's freedom calls to mind the previously mentioned peril faced by manumitted slaves, but it also alludes to the role the Athenian courts could play in the process of manumission.

Manumission through the Courts:

While the previous examples of manumission are all privately conducted by the individuals involved in the process, evidence from fourth-century orators alludes to the possibility of an

¹⁴ Harris (1989) p. 121.

¹⁵ Zelnick-Abrovitz (2004) p. 127.

¹⁶ Demosthenes 29.25 – 26. Only free adults were allowed to act as direct witnesses. Women were not allowed to be physically present in Athenian courts, but were allowed to offer oaths read out as documentary evidence. The testimony of a slave would only be deemed valid if it was offered under torture. Hansen (1991) p. 200 – 201.

Athenian form of legal manumission through the law courts. Demosthenes first indicates that laws existed concerning both conditional and unconditional manumissions when Pollux cites him as writing, Δημοσθένης φησὶν ἐξελευθερικοὺς νόμους καὶ ἀπελευθερικοὺς νόμους.¹⁷ This citation does not in itself provide any evidence for the court system as being responsible for manumissions, but it does indicate that the Athenians were actively regulating manumissions. Isaeus' defense speech 'For Eumanthes' is concerned with the protection of a freedman who, as he says, was freed by his master in the law courts, ἀφειμένον ἐν τῷ δικαστηρῷ ὑπο Ἐπιγένους.¹⁸ Unfortunately the Demosthenic allusion or the speech of Isaeus cannot be dated to a specific year, but Isaeus' text does note that the speaker refers to having served as a *trierarch* in a sea battle during the archonship of Cephisodotus, which provides us with a *terminus post quem* of 358.¹⁹ Unfortunately neither citation provides any evidence regarding the legal manumission of slaves in the courts, and it is unclear what legal processes these two orators are referring to. One possibility might be the *dike apostasiou*, which was a lawsuit that a manumittor could bring against a manumitted slave if they did not act lawfully. Harpocration describes the *dike apostasiou* as:

Ἀποστασίου: δίκη τίς ἐστὶ κατὰ τῶν ἀπελευθερωθέντων δεδομένη τοῖς ἀπελευθερώσασιν, ἐὰν ἀφιστῶνται τε ἀπ' αὐτῶν ἢ ἕτερον ἐπιγράφονται προστάτην, καὶ ἃ κελεύουσιν οἱ νόμοι μὴ ποιῶσιν. καὶ τοὺς μὲν ἄλόντας δεῖ δούλους εἶναι, τοὺς δὲ νικήσαντας τελέως ἤδη ἐλευθέρους.²⁰
[...]*A kind of private law-suit, which manumittors could bring against their manumitted slaves, if they left them or registered another epistates and did*

¹⁷ Pollux 2.83. "Demosthenes says there are laws of unconditional manumission and laws of conditional manumission."

¹⁸ Isaeus fr. 15 (Thalheim). "he had been set free in the court by Epigenes."

¹⁹ Develin (1989) p. 273.

²⁰ Harpocration s.v. ἀποστασίου.

not do what the laws required. Those who are convicted must become slaves; those who are acquitted become completely free.

Many scholars have seen this law as evidence for a fictitious prosecution that provided a legitimate and lawful means of manumitting slaves in Athens in a fashion similar to the fictitious sale of slaves to deities.²¹ In such a trial the only option was acquittal for the slave as the whole exercise was simply a form of legitimization for the manumission. Scholarly consensus typically associates the *dike apostasiou* with the dedication of silver bowls to Athena by manumitted slaves, known as φιάλαι ἐξελευθερίκαι, which are attested through epigraphic evidence.²²

The φιάλαι ἐξελευθερίκαι were silver bowls dedicated to the state by a manumitted slave supposedly after ‘acquittal’ in a trial. Our evidence for this practice comes from an inscription stele found in the Athenian *Agora* that seems to record the acquittal of slaves who had been brought to trial by their former masters for ostensibly being runaways.²³ The inscription stele contains two faces of texts recording the dedications, and Lewis dates face A to 333 – 317 and face B to 334 – 320.²⁴ The inscriptions are very simple and document the dedication of a silver bowl worth 100 drachmas to the state by the acquitted slave.²⁵ None of the silver bowls survive, and it is assumed that they were kept in the Athenian treasury or melted down for use. It is likely that the bowls were not kept as a record of manumission as the inscription served this purpose instead. Kränzlein sees the silver bowl

²¹ Lewis (1959); *ibid* (1968); Rädle (1969) 20 – 21.

²² Wilamowitz (1887) p. 110 was the first scholar to connect the two practices together, and it is currently consensus that this is the case, though Meyer (2010) has challenged the consensus.

²³ *IG II²* 1553 – 1578. Lewis (1959); *ibid* (1968).

²⁴ Lewis (1959).

²⁵ The bowls themselves were most likely stored in the Athenian treasury upon the Acropolis, but the primary evidence of a slave’s freedom was the inscription in the *agora* as the bowl itself was most likely un-inscribed.

as a manumission tax set upon a freed slave,²⁶ but it seems more reasonable to assume that the bowl was a flat fee for publication as a tax would probably have been proportional to the slave's value, as in Rome where a five percent tax on the slave's value was levied upon the instance of manumission.²⁷ This flat fee for manumission is most likely a product of Lycurgus' financial reforms and his attempts to increase the coffers of the state.²⁸ The nature of these inscriptions, and their association with the *dike apostasiou*, has strengthened scholarly opinion that the *dike apostasiou* was a fictive set of trials concerned with the manumission of slaves. One of the chief foundations of this argument is that since the inscriptions come from the same stele it indicates that they all occurred in a short period, and that it is highly implausible that so many cases of actual *apostasiou* occurred in such a restricted time-span. There existed then at Athens from c.330 a procedure for the public record of manumission through the *phialai*. The cost of it, however, will surely have been prohibitive for many ordinary slaves. There existed also before that, as witnessed by the Isaeus fragment, a procedure of manumission through the courts, which may have been the same procedure minus the obligation to dedicate a *phiale*. What costs may have been attached to this procedure and how popular it was is not known.

In his work on the public archives of Athens Sickinger notes that while some late sources contend that some records of judicial cases were contained within the Metroon there is no concrete evidence to support the theory that any judicial records of cases taken outside

²⁶ Kränzlein (1975) p. 264.

²⁷ Cicero *Att.* 2.16.1

²⁸ Herrmann-Otto (2009) p. 100.

the Assembly or *Boule* were kept in the Metroon.²⁹ However, he does propose that individual magistrates might have kept records of proceedings that did take place in the courts, but there is no direct evidence of this. One might hypothesize that records of judicial manumissions were kept by the particular magistrates responsible for the judicial proceedings, and if the judicial form of manumission became the norm in Athens for the legal freeing of slaves then an archive system of manumissions would help to explain why there is no epigraphic evidence from Athens beyond the *phialai exeleutherai*.

Inscribed Manumission:

While the evidence for inscribed manumissions in Athens is non-existent outside of the one instance of the *phialai exeleutherai*, there is a great deal of evidence outside of Athens for the epigraphic recording of manumissions. The first extant manumission inscription is a sacral manumission, comes from Arcadia, and is dated to approximately 425.³⁰ Only a few further inscribed texts of manumission are found from this date until the third century when the numbers begin to increase greatly in some locations. The epigraphic evidence regarding manumission is often found in large collections such as the corpus of over twelve hundred manumission inscriptions found at Delphi dating from the second century to the first century CE.³¹ Other large collections of inscriptions come from places such as Epidaurus and Bouthroton, but it must be noted that these are exceptions to the rule that manumission records are rarely found in large numbers in Greece. Greek *poleis* such as Lebadea, Calydon and Mantinea produce a handful of records whereas Magnesia, Iolchos, Echinus, Oropus and

²⁹ Sickinger (1999) p. 131 – 133. Sickinger notes that the *ekklesia* tried cases which involved treason and high crimes against the state, and the records of these cases would have been deposited in the Metroon.

³⁰ *IG* V(2) 429; Guarducci (1974) p. 268.

³¹ Guarducci (1974) p. 265; Hopkins (1978) p.134. For Hopkin's complete chronological breakdown of the inscriptions: table III.I on p.140.

Amphipolis have produced only a single record each.³² There is no scholarly consensus as to why there is a void of manumission inscriptions in much of the Greek world. Grainger has proposed that the cost of inscriptions precluded most small landowners with slaves from publicizing their manumissions on stone,³³ but this theory does nothing to explain why a *polis* such as Bouthroton, which was not noted for its wealth, could produce over 600 manumission inscriptions. The location of the large numbers of inscriptions in the theaters of Epidaurus and Bouthroton might indicate a civic statute that required civil manumissions to be inscribed in a place of Assembly, or it might simply reflect the theater's nature as a location where large numbers of the public congregate and so would be able to view the inscriptions.³⁴ Within Athens the epigraphic evidence for the *philai exeleutherai* is the only extant physical evidence for inscribed manumission records, and the only known attempt by the *polis* to official record manumissions. As noted above, these lists of manumissions are commonly associated with the *dike apostasiou*, and the large fee introduced for the manumission was probably introduced by Lycurgus in his financial reforms. The large numbers of inscribed manumissions found in certain locations would seem to indicate that in some *poleis* manumitting individuals were required to inscribe a record of the transactions, but it must be stressed that this does not mean that the proclamation of manumissions had been entirely replaced throughout the Greek world by inscriptions.

³² Wickramasinghe (2005) p. 79; Reilly (1978) index. While epigraphic evidence of manumissions has only appeared in the form of single inscriptions in these *poleis* one must assume that there were more instances of inscribed manumission which simply have not been found.

³³ Grainger (2000) p. 40.

³⁴ As noted previously the *phialai exeleutherai* were located in the *agora*, perhaps the most public of spaces in Athens.

The Public Records Office:

The first place to look when searching for Athenian records of manumissions would be the state records complex of the Metroon. Dio Chrysostom notes that agreements made with the sanction of the state and entered in *polis*' records have a greater validity than those simply between individuals, and includes in his list of such recorded agreements the practice of manumission.³⁵ This discourse, delivered in Rhodes sometime in the late-first century CE, would seem to indicate that by this point it was common, at least for the Rhodians, to keep an archive of manumissions amongst other contracts and bills of sale. Unfortunately, there is no evidence to indicate that the Classical or Hellenistic Athenian Metroon contained any archival records of manumissions. The problem of social status does not seem to have concerned the keepers of the Metroon as it did not even contain a list of Athens citizens, but instead left the enrollment and recording of citizens to the individual demes.³⁶ The single Athenian possibility for the archival record of manumissions in the Metroon could come from the occasional deposit of personal wills. In some instances individual citizens without clear heirs might deposit wills in the Metroon in order to avoid prolonged and bitter inheritance disputes,³⁷ but this would have been an exceptional case where the publicity of manumission was likely not the motivating factor.

Proclaimed Manumissions:

By its very nature as an oral form of communication the evidence for proclaimed manumission does not survive in its complete form, but literary evidence from Athens alluding to the practice and a few instances of 'mixed' manumissions that employ both oral

³⁵ Dio Chrysostom 31.51.

³⁶ Sickinger (1999) p. 135.

³⁷ Isaeus 1.3, 14, 18, 21, 22. Sickinger (1999) p. 133.

and written forms of publicity will demonstrate how the process worked. The proclamation of manumission appears to be a very straightforward process wherein the former owner of a slave could either hire heralds to proclaim the manumission,³⁸ or do the proclamation himself.³⁹ Alternatively, the freedman himself could make the proclamation,⁴⁰ or the executor of a will might do so in some instances.⁴¹ The earliest evidence for proclaimed manumissions comes from fifth-century Athens where Plutarch, in his life of Nicias, recounts how Nicias was once moved by political considerations to manumit one of his slaves who was performing in a drama as the god Dionysus.

λέγεται δ' ἔν τινι χορηγία παρελθεῖν οἰκέτης αὐτοῦ κεκοσμημένος εἰς σχῆμα Διονύσου, κάλλιστος ὄφθῆναι καὶ μέγιστος, οὐπω γενειῶν· ἠσθέντων δὲ τῶν Ἀθηναίων τῇ ὄψει καὶ κροτούντων ἐπὶ πολὺν χρόνον, ἀναστὰς ὁ Νικίας εἶπεν ὡς οὐχ ὅσιον ἠγοῖτο δουλεύειν καταπεφημισμένον θεῶ σῶμα, καὶ τὸν νεανίσκον ἀπηλευθέρωσε.⁴²

A story is told how, in one of his choral exhibitions, a house servant of his appeared in the costume of Dionysus, very fair to see, and very tall, the down of youth still upon his face. The Athenians were delighted at the sight, and applauded for a long time. At last Nicias rose and said he deemed it an unholy thing that one who had been acclaimed as a god should be a slave, and gave the youth his freedom. (Perrin)

In this instance the manumission occurs spontaneously, and Nicias himself appears to make the pronouncement of manumission. There is no indication in this episode if Nicias employed a particular formula or procedure of manumission, nor does Plutarch make it clear if this was a unique event or one that happened often in this period, but as will be seen

³⁸ Aeschines 3.44.

³⁹ Plutarch *Nicias* 3.4.

⁴⁰ *IG VII* 1780.

⁴¹ *P.Oxy III*, 494. In this case, the will of Acousilaus of Oxyrhynchus states that the will's clause concerning the manumission of his slaves upon his death should be read out on the street. This public reading was ostensibly to increase the number of impartial witnesses of the manumission.

⁴² Plutarch *Nicias* 3.4.

shortly the proclamation of manumissions in the theater of Dionysus became an acute problem in Classical Athens. There is not a specific date for this episode, but Plutarch places this story within the context of Nicias competing with Kleon for the attentions of the Athenian people, and one might suppose that it could have happened sometime during the 420s. Nicias' proclamation of manumission in the theater foreshadows the popularity of this action in Athens and the subsequent ban on such activities.

A further example which would seem to support fifth-century public proclamations of manumissions comes from Aristotle's *Rhetoric* and also makes reference to Kleon. While explaining the importance of rhythm in prose, Aristotle provides us with a portion of the manumission proclamation that a herald would make when he writes, ὥσπερ οὖν τῶν κηρύκων προλαμβάνουσι τὰ παιδιά τὸ “τίνα αἰρεῖται ἐπίτροπον ὁ ἀπελευθερούμενος;” “Κλέωνα.”⁴³ This little dialogue provides us with three important clues regarding oral manumission in Athens. First, the children's response of ‘Kleon’ to the herald's query is an allusion to the fifth-century Athenian politician Kleon and his reputation as a ‘champion of the people.’⁴⁴ This quotation would then seem to indicate that this formula for manumissions existed in Kleon's era of the fifth-century. Additionally, as Aristotle presents this quotation in the present tense, it would seem to indicate that this custom was still in use in Aristotle's day.⁴⁵ Second, this is the first evidence for heraldic involvement in the proclamation of manumissions, and the only evidence for fifth-century heraldic involvement. Finally, this quotation might lead us to believe that the manumitted slave was

⁴³ Aristotle *Rhetoric* 1408b 24 – 26. “just as, when the public criers ask, “Whom does the emancipated choose for his patron?” the children shout “Cleon.”(Freese).

⁴⁴ Aristophanes *Frogs* 569; Grote (1872) p. 667; Sandys (1877) p. 84 ; Dufour & Wartelle (1973) p. 109 n.2.

⁴⁵ Sandys (1877) p. 84.

present at a heraldic proclamation of manumission, and that the ritual of proclamation involved not only the herald but also the freedman. If a freedman was involved in the ritual with the herald, and was likewise shouting answers to the herald's questions, it would seem to indicate that the herald's role in the manumission was not simply a practical dispersal of news, but that he also served a ceremonial role within the ritual which provided legitimacy akin to a priest's role within a wedding. Harrison believes this heraldic proclamation occurred within the law courts as part of the process of the *dike apostasiou*,⁴⁶ but this possibility can be discounted as children were not allowed within the courts,⁴⁷ and as such could not yell the response of 'Kleon' to the herald's proclamation. The children's response to the herald indicates that the proclamation occurred in a public space where there were no restrictions on attendance. It seems most likely that this sort of proclamation would have occurred in the *agora*.

The most complete piece of evidence for the place of proclaimed manumissions in Athens appears in Aeschines' speech *Against Ctesiphon*. Aeschines notes that the Athenians had adopted a law against non-state-sanctioned proclamations in the theater regarding manumissions and honors. This law was a response to the increased number of crownings and manumissions in the theater, which was beginning to have an adverse effect upon the performance of drama.

Γιγνομένων γὰρ τῶν ἐν ἄστει τραγῳδῶν ἀνεκέρυττον τινες, οὐ πείσαντες τὸν δῆμον, οἱ μὲν ὅτι στεφανοῦνται ὑπὸ τῶν φυλετῶν, ἕτεροι δ' ὑπὸ τῶν δημοτῶν· ἄλλοι δὲ τινες ὑποκηρυζάμενοι τοὺς αὐτῶν οἰκέτας ἀφίεσαν ἀπελευθέρους, μάρτυρας τοὺς Ἕλληνας ποιοῦμενοι... Ἐκ δὲ τούτου τοῦ

⁴⁶ Harrison (1998) p. 183 n. 2.

⁴⁷ Hansen (1991) p. 201. Only free adult males were allowed in the courts.

τρόπου συνέβαινε τοὺς μὲν θεατὰς καὶ τοὺς χορηγοὺς καὶ τοὺς ἀγωνιστὰς ἐνοχλεῖσθαι.⁴⁸

It frequently happened that at the performance of the tragedies in the city proclamations were made without authorization of the people, now that this or that man was crowned by his tribe, now that others were crowned by the men of their deme, while other men by the voice of the herald manumitted their household slaves, and made all Hellas their witness;...The result of this practice was that the spectators, the *choregi*, and the actors alike were discommoded. (Adams)

This disruption of the theater motivated the Athenian *Demos* to enact a law forbidding the heraldic proclamation of honors not conferred by the Assembly and of private manumissions in the theater.

ἀλλὰ περὶ τῶν ἄνευ ψηφίσματος ὑμετέρου στεφανουμένων ὑπὸ τῶν φυλετῶν καὶ δημοτῶν, καὶ περὶ τῶν τοὺς οἰκέτας ἀπελευθερούντων, καὶ περὶ τῶν ξενικῶν στεφάνων, καὶ διαρρήδην ἀπαγορεύει μήτ' οἰκέτην ἀπελευθεροῦν ἐν τῷ θεάτρῳ, μήθ' ὑπὸ τῶν φυλετῶν ἢ δημοτῶν ἀναγορεύεσθαι στεφανούμενον, μήθ' ὑπ' ἄλλου, φησι, μηδενός, ἢ ἄτιμον εἶναι τὸν κήρυκα.⁴⁹

...but a law governing those who, without your decree, are crowned by their tribe or deme, and governing the freeing of slaves, and also the foreign crowns. He expressly forbids the manumission of a slave in the theater, or the proclamation of a crown by the tribe or deme, "or by anyone else," he says, "and the herald who disobeys shall lose his civic rights. (Adams)

This law, which forbade the proclamation of certain crowns and manumissions in the theater, does not survive in any other form of documentation, and its date is not accurately attested. The date of Aeschines' *Against Ctesiphon* in 330 provides a basic *terminus ante quem*, but it is possible to move the *terminus* back to 336 as the original decree to crown Demosthenes, which Aeschines argues was unlawful, occurred in 336.⁵⁰ The existence of this law establishes the popularity of publicly-proclaimed manumissions, and that the Athenians were aware of the increasing role private proclamations were playing within their

⁴⁸ Aeschines 3.41, 43.

⁴⁹ Aeschines 3.44.

⁵⁰ Zelnick-Abromovitz (2004) p. 72.

community, and the need for the state to place limits on these proclamations. Additionally, this text specifically notes the popularity of heralds for the proclamation of manumissions in fourth-century Athens. Aeschines notes that the law forbidding proclamations in the theater of manumissions or private honors not voted by the Assembly explicitly forbids heralds from making an announcement, “[...]μήθ’ ὑπ’ ἄλλου, φησὶ, μηδενός, ἢ ἄτιμον εἶναι τὸν κήρυκα.”⁵¹ The above examples are all drawn from Athenian literary sources, but the majority of evidence for the practice of manumission comes in the form of epigraphic evidence. As will appear later this corpus of epigraphic evidence is quite large, and dates primarily from the second century onwards into the late Roman period. In some instances inscriptions note the use of proclamations in addition to the written recording of the manumission, and these ‘mixed’ forms of manumission are what this chapter will focus on next.

The matter of mixed manumissions, that is to say manumissions which involve both inscriptions and proclamations, is an important one to examine. These mixed forms are worth attention, though they fall outside the period of this thesis, because the persistence of proclamation alongside inscription reinforces the likelihood that before manumission records were inscribed proclamation was a standard or at least a common procedure. One of the best examples of manumission with a mixed form of publicity comes from second-century Thespieae. The inscription contains a *paramone* clause that binds the slaves to continue serving their master until his death when their freedom and the clauses of their service will be proclaimed at their master’s tomb.

⁵¹ Aeschines 3.44. “...nor by anyone else,” he says, “and the herald who disobeys shall lose his civic rights.”(Adams).

θεός.

τύχα ἀγαθά. Πασιβοίω [ἄ]ρχ[οντ]ο[ς], Εὐτυχος Καλλικράτεος [ἀφ]ίε[ι]τι ἐλευθέρως Ἀγίαν, Ὀν[άσι]μον, Ἀ<γ>είσιππον, Σέλευκον, Εὐρ[έ]αν, Βουκατίαν, Σύραν. εἴμεν δὲ [αὐ]τοῖς πανελευθερίαν παρα[μει]νάντεσι εὐνόως, ἀνε[γ]κλείτο[ις] γ[ε]νομένοις Εὐτύχο[ι] ἄς κα [ζώει]· ἐ[π]ὶ δέ [τί] κα πάθει Εὐτυχος, πα[ρακατα]τίθεται οὕτα τὰ σώμα[τα] ἐναντία τῷ Ἀσκλαπιῶ παρὰ [Ἐ]πίτιμον Σαμίχω κῆ Σάμιχον κ[ῆ] Καλλικράτην Ἐπιτίμ[ω]· οὕτ[ως] [δ]ὲ προστατεῖμεν αὐτῶν κῆ [ἐπι]μέλεσθαι [ὄ]πως βεβεία εἴ αὐτ[ο]ῖς ἀ ἐλευθερία, καθὰ Εὐτυχος ἀπ..οει, ἐν τὸν ἅπαντα χρόνον. ἐπὶ δέ κα τελευτάσει Εὐτυχος, ἀπ[ο]καρυζάτω ἐπὶ τῷ μνάματος Ἐπίτιμος κῆ Σάμιχος κῆ Καλλικράτης ἐλεύθερα [οὔ]τα τὰ σώ[μ]ατα ἀφιέντα Εὐτυχον κατ [τ]ὰν στάλαν τὰν ἐν Ἀσκλαπ[ιε]ίοι. ρίστορες Μνασιγένεξ Θεδώ[ρω], Θεόδωρος Μνασιγένεος, Δαμάτριος Δάμωνος, Κλειτ[ί]δας Σαμίχω.⁵²

God. Good Fortune. Under the archon Pasiboios, Eutychos son of Kallikrates lets go as free Agias, Onasimos, Ageisippos, Séleukos, Euréas, Boukatia, and Syra. There is to be for them complete freedom, provided they remain with him with good disposition for as long as he lives, but when he dies he deposits these bodies in front of Asclepius under the protection of Épitimos son of Samichos, as well as Samichos, and Kallikratès the son of Épitimos; These are to be the *prostatai* and take care of them in order that the freedom will be secure as Eutychos intended for ever, and when Eutychos has died let Epitimos and Samichos and Kallikrates proclaim at the tomb that Eutychos freed these bodies according to the stele in the Asklepeion. Witnesses: Mnasigénès, son of Theodoros, Theodoros, son of Mnasigénès, Damatrios, son Damon, Kleitidas son of Samichos.

Here it is plain to see that the primary form of recording the manumission is the inscription itself, but in addition a proclamation of freedom is to occur upon the death of Eutychos and the full freedom of the slaves. What is interesting is that the proclamation is to refer back to the inscription itself as it reads, ‘proclaim at the tomb that Eutychos freed these bodies according to the stele in the Asklepeion.’ This sentence indicates that the proclamation of manumission was subordinate to and a reflection of the inscription, and that the proclamation was either an immediate form of communication to the community, or, what seems more likely given the location of the proclamation at the tomb, a ritual form of

⁵² IG VII 1780.

proclamation that gave additional legitimization to the manumission. Had Eutychos wished for the proclamation of manumission to have an immediate communicative effect within the community it seems logical that he would have had the proclamation occur in a more communal space such as the *agora*. The location of the inscription in the Asklepeion would perhaps indicate that this was a sacral manumission, but the implication within the text is that the former master served as *prostates* for the freedman with the additional stipulation that upon the death of the *prostates* three new representatives, Epitimios, Samichos and Kallikrates, would take over. The inclusion of living protectors for the freedman's status as opposed to a sacred guarantor likely indicates that this is a civil manumission.⁵³ Lest one take an extreme view and believe that the inscription was the final and ultimate proof of manumission it is important to note that the inscription itself was witnessed by four men. The legal legitimacy of the manumission was arguably still based upon the testimony of these men, so while written proof of manumission had acquired a much more important role than the proclamation, it was still contingent upon oral testimony if challenged in court.⁵⁴

The location of manumission inscriptions in the theater at Epidaurus has led Zelnick-Abramovitz to claim that these texts indicate a mixed form of publicity which also involves proclamation despite the fact that there is no indication in the inscriptions that they were

⁵³ There is an ambiguity in cases such as this regarding the characterization of the manumission as secular or sacral. In this case the location of the manumission in the Asklepeion probably served to further legitimize and sanctify the contract, but major stipulations of the contract, namely that living citizens were to act as *prostatai*, were entirely civil in nature. One should expect that many manumissions were probably conducted in such a manner where the line between sacral and civil was not entirely clear.

⁵⁴ Harris (1989) p. 121 notes that there is no concrete indication that written proof had overcome oral testimony in Hellenistic Greece, and that "in the Hellenistic world in general documentary proof may not have gained much or indeed any ground at the expense of direct testimony."

ever announced.⁵⁵ She instead infers that because they were located in the theater there must have been an accompanying proclamation. However, the theater of a *polis* often served as a public gathering place for assemblies,⁵⁶ and one might justifiably claim that due to this civic importance any legally mandated inscriptions of civil manumissions would be displayed in the theater. What does work in favor of this theory is Aeschines' description of the popularity of the theater as a place for manumission proclamations,⁵⁷ but there is no explicit evidence linking the proclamation of manumissions in a theater with inscriptions, either in Athens or elsewhere, and to make this inference is complete supposition. Therefore, while it is a possibility that some or most of the inscriptions found in a theater might have been proclaimed, there is no direct evidence supporting such a conclusion and it remains pure speculation.

These mixed forms of publication are very rare in the epigraphic record, and it seems likely that inscription had replaced proclamation in those *poleis* where a large number of epigraphically-attested manumissions occurred. Of the sixty examples of inscribed manumissions from Calymna which Segre collected only three make explicit mention of an accompanying proclamation of freedom. The first, dated based on letter forms to 14 – 54 CE, was found in a list of six manumission documents inscribed on a statue base.

ἐπὶ στεφαναφόρου Ἀρισταίου, τοῖδε| ἀνεκαρύχθησαν ἐπ' ἐλευθερίᾳ|
 Ἀπολλωνία ὑπὸ Κρατίδα καὶ Ἰππίχης, παρα|μίνασα ἀνφοτέροις μέχρι ζωᾶς|
 Ἀγάθων ὑπὸ Εὐν[ί]ωνος καὶ| Εὐνίωνος.⁵⁸

When Aristaios was stephanaphoros, these (people) were proclaimed free: Apollonia by Kratidas and Hippichos provided she remain with both while they lived. Agathon by Eunion and Eunion.

⁵⁵ Zelnick-Abromovitz (2004) p. 73. *IG IV*² 353 – 366.

⁵⁶ Kolb (1981) pp. 88 – 89.

⁵⁷ Aeschines 3.41 – 44.

⁵⁸ Segre (1952) no. 178; *IBM* 306; *Inscr. Jur. Gr.* p. 301 no. 36.

The manumission of Apollonia is a conditional release contingent upon the freedwoman remaining with her masters while they yet live. The second manumission, which relates to Agathon, bears no indication of conditions. Unlike the previously noted inscription from Thespieae the aorist passive verb ‘ἀνεκαρύχθησαν’ seems to indicate that the proclamation of freedom had already occurred, and was not delayed till the death of the masters. In this instance the proclamation is not contingent upon the inscription, but instead seems more indicative of a practical attempt to inform the larger public of the manumission when it occurred. The proclamation occurs both for the unconditional release of Agathon and for the conditional release of Apollonia, so it cannot be assumed that proclamations only occurred at the moment of full release from bondage. Unfortunately, there is no indication of where the proclamation happened. Nor is it certain that this practice was institutionalized for all manumissions in Calymna as of the six manumission inscriptions found on this same statue base this is the only instance which makes explicit mention of proclaimed manumission.

Another inscription also dated to the first half of the first century CE was found by Newton in the temple of Apollo of Calymna.⁵⁹ This inscription contains two separate manumission records written together in one inscription, both of which note the proclamation of the manumission.

ἐπὶ στεφανηφόρου Κλευφῶντος τοῦ Φιλωνίδα,| μ(ηνὸς) Θευδαισίου <α>ι,
 Μο|ναρχίσις· Νείκη Μενε|κράτου ἀνεκήρυξε τὴν| ἰδίαν θρεπτὴν Ἥδονή[ν]|
 ἐλευθέραν, ἐφ’ ᾧ παρα|μενεῖ αὐτῇ τὸ[ν] τῆς| ζωῆς αὐτῆς χρόνον.| ἐπὶ τοῦ
 αὐτοῦ, τοῖς ἐπὶ Ποσειδῶ, μ(ηνὸς) Πανήμου| ζ· [Κ]ριοφῶν καὶ [Α]βριά|δας οἱ

⁵⁹ Newton (1881) p. 363.

Δωροθέου ἀνεκίηρυξαν ἐλεύθερον| Ἀγαθόποδα κατὰ| τοὺς
ἀπελευθερωτικούς νόμους.⁶⁰

(A)When Kleuphon son of Philonidas was Stephanephoros, on the eleventh day of Theudaisios, during the Monarchia, Neike son of Menekratos proclaimed his slave Hedone free on the condition that she remain with him for the length of his life. (B)Under the same *stephanephoros*, at the procession to Poseidon on the seventh day of Panamos, Kriophon and Abriadas the sons of Dorotheos proclaimed the freedom of Agathopous according to the laws of manumission.

The inclusion of the same *polis* official in both instances would seem to indicate that they both came from the same year, although it is obvious in the text that they were conducted in separate months. Newton notes that the first eight months of Calymna mirror those of Rhodes, and *Theudaisios* is the fifth month while *Panamos* is the eighth.⁶¹ In the first instance the condition that the freed slave must remain as servant to the master until his death echoes what was just discussed in the previous inscription from Calymna.⁶² However, in the second instance there is no indication of any conditions placed upon the manumission. It is true that the term ‘ἀπελευθερωτικούς’ can mean ‘conditional release,’ but it is unclear if this is always the case.⁶³ It is important to note that this inscription refers to established ‘ἀπελευθερωτικούς νόμους’, or laws of manumission, which must have existed within Calymna. Two interpretations are possible. First, that ‘κατὰ| τοὺς ἀπελευθερωτικούς νόμους’ was simply a part of the ritual proclamation made by the herald regarding the freedom of Agathopous; she was to be ‘free in accord with the laws concerning manumission.’ Or second, if this phrase refers to the act of proclaiming as opposed to its content, then it would indicate that the proclamation of manumission was required by the

⁶⁰ *Syll.*³ 1210; Segre (1952) no. 196; Guarducci (1974) p. 291.

⁶¹ Newton (1882) p. 363.

⁶² Newton (1882) p. 363 notes that the majority of conditional releases he found at Calymna employ this same condition of service until the death of the master.

⁶³ Kamen (2005).

polis' regulations for the freeing of slaves. However, the general scarcity of evidenced proclamations within the epigraphic texts from Calymna seems to indicate that proclamation was not a required element of manumission, and I believe that this reference to the laws of manumission is part of the content of the actual herald's proclamation. In either case the phrase does indicate that Calymna maintained official *polis* regulations on how manumissions occurred. The association of these texts with specific *polis* laws dealing with the freeing of slaves indicates that these manumissions were 'civil' in nature as opposed to sacral despite their location in the temple of Apollo. Interestingly, in the first record within the inscription the manumission happens during the Monarchia, Μο|ναρχίῳις, which would appear to be a religious festival. The location of this manumission at a religious festival might lead some to believe this a sacred manumission, but I believe the large gathering of people at a festival made for a prime occasion for manumission proclamations similar to the popularity of Athenian proclamations during the Dionysia. Similarly, the second record of manumission on the inscription indicates that the manumission occurred during a procession to Poseidon. This seems similar to the previous proclamation at the Monarchia, and likely occurred for the similar reasons of a greater audience.

Two inscriptions from Mantinea provide further interesting examples of apparently mixed manumissions. The first inscription is dated to 102BC to 15CE,⁶⁴ and is the second part of a two-part inscription that is laid out in inverse chronological order. The first part of the inscription contains the manumission by will of Pitylos of one of his slaves. The second

⁶⁴ The dating of this inscription is based upon two different possible calendars which the 'year 46' might refer to: the Macedonian beginning in 148BC; or the Actium calendar in 31BC. The letter forms point towards the likelihood of a date based upon the Actium calendar.

part is dated to the previous year, and contains the record of a conditional manumission made by Pitylos regarding his slave Lukoleon.

ἐπὶ ἱερέος τῷ Ποσιδῶνι Γοργίππου τὸ ἕκτον καὶ τεσσαρακοστὸν ἔτος ἱερατεύσαντος οἱ ἀποκαρυχθέντες ἐλεύθεροι Πιτύλος Ποσειδίππου τὸν ἴδιον θρησκόν Λυκολέοντα ἀφῆκεν ἐλεύθερον παραμείναντα αὐτῷ τὸν τῆς ζωᾶς χρόνον.⁶⁵

Under the priest of Poseidon Gorgippos, who served as priest for year 46, those who were proclaimed free. Pitulos son of Poseidippos gave freedom to his slave Lukoleon provided he remain with him for the rest of his life.

In this instance the manumission record itself is preceded by the phrase οἱ ἀποκαρυχθέντες ἐλεύθεροι. This would seem to indicate the proclamation of freedom for manumissions was still in effect, despite the obvious epigraphic recording of this manumission. Additionally, this formula calls to mind the phrase ‘τοῖδε ἀνεκαρύχθησαν ἐπ’ ἐλευθερίᾳ’ found in one of the inscriptions of Calymna, which also preceded the mention of who was being manumitted. Unfortunately, the actual text of the manumission does not employ a verb of proclamation as seen in the examples from Calymna. The formula οἱ ἀποκαρυχθέντες ἐλεύθεροι also appears in another inscription from Mantinea that is dated on letter forms to the first or second century CE.

[...c.13.... — — τούτοις δὲ καὶ ἀποκεκαρ[ύκασι]...c.9...όνιος Νικομάχην vac. | ..5.. Ἀνφίμαχον παραμείναντα Νικε|..5..ιγένης Ἐπανδ[ρον]. vac. | [ἐπὶ ἱερέος τῷ Ποσειδῶνι Εὐτελίνου, τα[μία] δὲ Διονυσόδωρου οἱ ἀποκαρυχθέντες ἀπελεύθεροι Τίμων καὶ Νικοπό[λεια] ἀφῆκαν τὸ ἴδιον παι[δίον]. vac.?⁶⁶

[fragmentary text]... Under the priest of Poseidon Eutelinos, and the treasurer[?] Dionysodoros, those who were proclaimed free: Timon and Nikopoleia gave freedom to their child.

⁶⁵ IG V (2) 274 II.

⁶⁶ IG V (2) 342a.

The first and most important point to take from this second text is the retention of the formula οἱ ἀποκαρυχθέντες ἐλεύθεροι, which indicates the continued use of proclamations for manumissions. The first inscription was found at the temple of Poseidon at Mantinea, and both of the manumissions appear to have occurred in this location as they both make reference to the current priest of Poseidon at the beginning of the register. The lack of any mention regarding sacred protection for the freedmen prevents us from directly assigning these inscriptions as sacral in nature.

Manumissions that happened under the auspices of a particular deity in that deity's shrine are referred to as sacral,⁶⁷ while those that occurred without divine involvement are termed civil manumissions.⁶⁸ The distinction between the two goes beyond the location of the freeing, and is mostly concerned with the identity of the *proistamenos*, or protector, of the freed slave. In the case of sacral manumissions the deity to whom the slave was sold or 'dedicated' served theoretically as the legal protector of the newly freedman's rights,⁶⁹ and this served to make any wrongdoing against the freedman a form of impiety. In the case of civil manumissions the freedman's former master often acted as the legal representative for the freedman as freedmen were unable to represent themselves in law courts.⁷⁰ Sacral manumissions could perhaps be proclaimed in sanctuaries as one can infer from a tale about

⁶⁷ Sacral manumission can be further subdivided into two different forms: fiduciary consecration and a fictitious sale to a deity. In the case of fiduciary consecration a slave gains freedom under the fiction that he was dedicated or consecrated to the divinity of a shrine. The fictitious sale of a slave to the deity differed in that a priest of the deity, having previously received the manumission fee from the slave, paid the manumission price to the former owner, and in doing so created the fiction of a sacred purchase. For more: Bömer (1960) p. 12; Darmezín (1999) p. 9; Sokolowski (1954) p. 174.

⁶⁸ Wickramasinghe (2005) p. 78.

⁶⁹ Hopkins (1978) 133 – 171.

⁷⁰ The purpose of legal representation for the freedman is tied up in the idea of *paramone* which is discussed below.

the Cynic philosopher Krates. Krates, having renounced his wealth and letting his fields go fallow, proclaimed his liberation while sitting upon an altar.⁷¹ In this instance the freedom that Krates proclaims is liberation from what he sees as the shackles of wealth and not a real manumission, but in order for Krates' figurative liberation to have its dramatic effect it needed to reflect a legitimate practice of manumission. Some claim that the Krates example does not demonstrate any religious elements, but I disagree as I feel one cannot overlook the fact that Krates makes his proclamation on an altar. I believe this is a classic example of a metaphorical adaptation of a sacral manumission where in the literal form a divinity would serve as protector of the freedman's new status.⁷² However, I know of no other firm examples of proclamations occurring in regard to sacral manumissions.

These examples all demonstrate that proclamations for manumissions did occur. The amount of evidence for this practice is scarce due to its impermanent nature, but the mixed manumissions indicate that at least in some instances the two forms of publicity were used together, and Aeschines speaks to the popularity of the practice of proclaimed manumission in Athens.

Apokeruxis:

Another prominent form of proclamation that had immediate and important effects upon citizens was the act of ἀποκήρυξις, or formal disinheritance of a son.⁷³ Hesychius defines ἀποκήρυξις as applying to 'one who has been expelled from his father's house because of

⁷¹ Suda s.v. Κράτης.

⁷² See also Latte (1920) 106 – 107. Latte sees the action of sitting upon the altar as a symbolic escape from slavery, and the claiming of the divinity as protector.

⁷³ For sources: Demosthenes 39.39; Plato *Laws*. 928d – 929g; Euripides *Alcestis* 737; Menander *Samia* 509.

wrongdoings.⁷⁴ Dionysus of Halicarnassus writes that a son who has been disinherited is banned from ‘sacred and holy rites.’⁷⁵ Demosthenes also hints at this law when he writes, “ὁ μὲν νόμος... τοὺς γονέας ποιεῖ κυρίουσ οὐ μόνον θέσθαι τοῦνομ’ ἐξ ἀρχῆς, ἀλλὰ κἀν πάλιν ἐξαλειψαί βούλωνται καὶ ἀποκηρῶσαι.”⁷⁶ A more overt reference to the practice can be found in Euripides’ *Alcestis* where he writes, ἐῖ δ’ ἀπειπεῖν χρῆν με κηρύκων ὑπο τὴν σὴν πατρώϊαν ἐστίαν, ἀπειπὼν ἄν.⁷⁷ In this case the son of Pheres, Admetus, has figuratively turned the practice of *apokeruxis* around on his father as a means of displaying his desire to be cut off from his paternity. The evidence here clearly indicates that a herald was the primary means of publicizing the severing a child from his paternal hearth. Likewise, Plato speaks in a broad manner about the practice of *apokeruxis* in his *Laws* when he writes:

Διαφοραὶ πατέρων τε πρὸς αὐτῶν παῖδας γίνονται καὶ παίδων πρὸς γεννητὰς μείζους ἢ χρεῶν, ἐν αἷς οἱ τε πατέρες ἡγοῖντ’ ἂν δεῖν τὸν νομοθέτην νομοθετεῖν ἐξεῖναι σφισιν, ἐὰν βούλωνται, τὸν ὕδον ὑπὸ κήρυκος ἐναντίον ἀπάντων ἀπειπεῖν ὕδον κατὰ νόμον μηκέτ’ εἶναι, ὑεῖς τ’ αὖ σφίσι πατέρασ ὑπὸ νόσων ἢ γήρωσ διατιθεμένους αἰσχυρῶσ ἐξεῖναι παρανοίας γράφεσθαι.⁷⁸
Between fathers and their children, and children and their fathers, there arise differences greater than is right, in the course of which fathers, on the one hand, are liable to suppose that the lawgiver should give them legal permission to proclaim publicly by herald, if they so wish, that their sons have legally ceased to be their sons; while the sons, on the other hand, claim permission to indict their fathers for insanity when they are in a shameful condition owing to illness or old age. (Bury)

⁷⁴ Hesychius s.v. ἀποκήρυξις.

⁷⁵ Dionysus of Halicarnassus *Roman Antiquities* 2.26.

⁷⁶ Demosthenes 39.39. “But the law, [which you all know as well as I,] gives parents the right not only to give the name in the first place, but also to cancel it and renounce it by public declaration, if they please.”(Murray). Gernet has interpreted the passage to reflect the ability of the father to revoke the formal acceptance of a child into the family at the ἀμφιδρόμια: Gernet (1955) p. 10.

⁷⁷ Euripides *Alcestis* 737. “If I had to renounce your paternal hearth by public herald, I would have renounced it.”(Kovacs).

⁷⁸ Plato *Laws* 928d.

Once again, as in the example from Euripides, the herald and his proclamation is the agency of the formal disinheritation.

In real terms the disinheritation of a son would result in his exclusion from any inheritance, and a ban from participating in family religious matters. What is not clear is what would be the effect of *apokeruxis* upon the son's citizenship. Harrison supposes that the *polis* would not strip citizenship from the son, but that if called into question at a later date it would be more difficult to prove one's citizenship without a proper family and lineage.⁷⁹

Unfortunately, despite the mentions of this practice by the above authors, there is no direct evidence for this practice ever being used. Modern scholars typically point to somewhat similar examples as evidence for the process of disinheritation. Plutarch describes a scene wherein Alcibiades' father had him declared a runaway,⁸⁰ and another tale describes Glaukippos being evicted from the family home by his father, Hyperides.⁸¹ Scholars use this evidence to suppose that the process by which disinheritation occurred was rather simple as it simply included a father hiring a private professional herald and having it announced that he disowned his son. However, neither one of these instances explicitly states that the action undertaken by the father is disinheritation, and Plutarch immediately rejects the tradition of Themistocles being disinherited by his father.⁸²

The lack of direct evidence in either the literary or epigraphic sources proves very troubling as there is almost nothing to prove that this practice truly existed. The lack of usage of *apokeruxis* might be a reflection of the severity of the action, and Harrison

⁷⁹ Harrison (1968) p. 75.

⁸⁰ Plutarch *Alcibiades* 3.1.

⁸¹ Athenaeus 13.58.590c; Plutarch *Mor.* 849c.

⁸² Plutarch *Themistocles* 2.8; Val. Max. 6.9; Ogden (1996) p. 126.

proposes that fathers might be hesitant to subject their sons to such harsh treatment for fear of condemnation from the larger community due to the religious implications.⁸³ The lack of any securely attested instances of *apokeruxis* would seem to indicate a few important points. First, *apokeruxis* might have been so rare and drastic that no records survive to this day. Second, the practice was entirely private in nature and cannot have affected the son's citizenship status as one might suppose there would have been some mention of such a serious consequence among the occasional allusions to the practice. The sources do mention the announcement of disinheritance by herald, but there is no trace of any permanent form of display such as inscriptions. Finally, the son had no legal recourse to challenge his disinheritance; for if there was recourse there would most likely be evidence of such a lawsuit.⁸⁴

Whatever the final conclusion as to the actual nature of *apokeruxis* may be, it is important to return to the means by which the ritual was accomplished. In this case, as in manumission, a proclamation was made by a herald in a direct attempt to inform the greater community. Lewis notes that such an action was essential to the process as the community needed to modify its own behavior towards the disinherited son according to his new status.⁸⁵ A father looking for a proper husband for his daughter would have to take strong note of any man who was disowned. Therefore, while *apokeruxis* might not have directly affected the legal and citizen status of a disinherited son, it would definitely affect his relationships within Athenian society. However, one cannot draw direct parallels with

⁸³ Harrison (1968) p. 76. However, Harrison also notes that the loss of a son would not irreparably damage a father's ability to ensure the continuance of his household after his death due to a citizen's right to adopt an heir.

⁸⁴ Harrison (1968) p. 75.

⁸⁵ Lewis (1996) p. 53.

manumission as it must be assumed that gossip and news such as this would follow the standard word-of-mouth transmission between citizens whereby legislative news too was transmitted through the populace. In the cases of manumission the proclamation sought a direct audience in order to create witnesses of the act in order to protect the legal status of the freedman. It does not appear that *apokeruxis* required such legal witnesses as there is no indication that any legal challenges could be made in the law courts. Additionally, while there was a practical element to this type of proclamation, it must also be noted that there are strong ceremonial aspects inherent in *apokeruxis*. The heraldic proclamation of disinheritance was in essence an ostentatious public repudiation that must have truly cemented the ritual break between the father and son.

Conclusions:

When this chapter began it sought to explore the possibilities for dispersal of news from the individual to the greater community, and how such a flow of communication would be managed. Chiefly it has sought to find examples of private citizens employing public proclamations, and if any alternatives existed to these private forms of proclamation.

This chapter has shown that manumissions could have been performed in various ways. Within Athens this process of manumission appears in four distinct fashions, only one of which involved the proclamation of freedom to the greater community. The likely most prevalent form was a simple declaration in private by the slave-owner. The one attested case of this form of manumission was only witnessed by slaves and women, though one can imagine that witnesses competent to testify in a court were sometimes also summoned. A similar form of manumission which also took place in the privacy of the household was a witnessed will, which could perhaps in some cases be centrally deposited in

the Metroon. In the fourth century an official legal procedure for manumission is alluded to in sources, which might be the *dike apostasiou*. This court-based form of manumission seems for a short period from c.330 onwards to have carried with it inscriptional publicity on the payment of a fee in the form of the *phialai exeleutherai*. Finally, there was public proclamation, which was popular and disruptive enough to result in a law attested by Aeschines banning its use in the theater, but which may have carried on in other locales. What seems to the modern mind to be the obvious procedure, registration in a public registry office, was not available in classical Athens, though Dio Chrysostom speaks of it in general terms in the late first century CE. Manumission by inscription is first attested in the late fifth century, and in many parts of the Hellenistic and Roman world was evidently a standard procedure, though never found in Athens; in a few cases it is explicitly accompanied by proclamation, and may in reality have been so accompanied much more often.

The evidence is too spotty to allow a proper history and geography of manumission to be written; it should be noted that those *poleis* whose manumission practices are known are far fewer than those that have left no record. Even for classical Athens one can only note the existence of different possibilities without being able to arrange them in a developmental sequence: did proclamation remain common after the ban in the theater attested by Aeschines? When did the ‘in the courts’ option emerge? As for what happened in post-classical Athens, the sources let us down. Outside Athens, inscription becomes the dominant attested mode. But the early Athenian evidence for proclamation, and the survival of mixed forms at a much later date, make it highly plausible that public proclamation had been widespread and important in Greece.

Manumission through proclamation and *apokeruxis* both display how heraldic proclamation could have both a communicative and real world effect upon either the community or an individual. In both cases the proclamation served to create a significant break from the previous social status of the individual whom the proclamation concerned, drastically altering the individual's position in relation to the greater community. At the same time these proclamations could serve to inform the larger community of the change in the individual's status so they might adjust their relationships to the freed/disowned person accordingly. Like honorific proclamations these appear to be examples of speech acts wherein ritualized speech and proclamation, occasionally done through a herald, had a powerful real-world effect.

Chapter Five

The Voice of Power

Imperial Proclamation in the Athenian Empire

Introduction:

Previous chapters have looked at the role heralds played in both state and personal formal communication within the *polis* community. However, this chapter will expand the scope of this investigation to explore the role of heralds and proclamation in formal communication within the larger imperial body of the fifth-century Athenian Empire, and at the heraldic involvement in international communication in general. Large imperial and federal bodies such as the fifth-century Athenian Empire, the Delphic Amphictiony, or the Boeotian Federation present interesting cases for communication as their shared political institutions would seem to require some sort of regular and formal political communication to inform the constituent members of important news. Additionally, these large political bodies would need to coordinate on other important decisions regarding military, religious, and economic matters. Imperial bodies such as the fifth-century Athenian Empire might also have employed proclamations made by imperial heralds as a means of emphasizing power over their subject allied *poleis*. However, while the cases of religious bodies such as the Delphic Amphictiony or federal states such as the Boeotian or Achaean federations are very intriguing, it is the intent of this chapter to explore the specific phenomenon of the fifth-century Athenian Empire. The question of federal and amphictionic communication is itself a rather large topic and would require a great deal more space than is available in this

chapter, and since this work has restricted itself in previous chapters to primarily Athenian questions due to the preponderance of Athenian evidence it seems logical that this chapter likewise do so now. The restriction of the Athenian investigation to the fifth-century is largely based upon the availability of evidence regarding imperial communication from the mid 430s – 410s.

This chapter will first examine the general role that heralds played in international communication and diplomacy. Then it will explore the types of information that the Athenians chose to further communicate to their subject states. Finally, it will seek to define the role of the herald by establishing that there was no heraldic role in the military communication of the Empire. This investigation will admittedly be hampered by the sometimes weak nature of the epigraphic evidence from Imperial Athens, and in many cases will need to argue at length regarding the validity of specific dating and reconstructions, but ultimately it will reach some general conclusions, and it will become apparent that far from simply providing a means of conveying information to their allies, Athens appears to have employed heralds in a manner by which their proclamations served to reinforce their imperial dominion over the allies.

Heraldic Involvement in International Communication and Diplomacy:

Before exploring the specifics of fifth-century Imperial Athenian heralds, and their role in imperial communication, it is important to understand the context of heralds and inter-*polis* communication. The very nature of Archaic and Classical Greek diplomacy was intimately tied to the herald as the conduct of diplomacy was based directly upon direct oral exchange

between *polis* governments.¹ Within this diplomatic sphere the herald served multiple functions: he was able to bear direct oral messages between *poleis* whenever it was necessary for purposes of war, peace, honors, and protests; by means of his inviolability he provided protection to diplomatic embassies, and in war he was able to carry messages without harm between belligerent states. In Athens the *Boule* selected a herald to accompany embassies to hostile states.² Mosley argues that an embassy could not travel without a herald, citing as examples Pericles' suggestion that contact be broken off with the Spartans and that they receive no parties consisting of embassies accompanied by heralds.³ Additionally, when they negotiated a truce Athens and Sparta stipulated that they should exchange embassies accompanied by their attendants and heralds.⁴ In such instances Mosley believes that the herald would precede the embassy to arrange safe passage for the ambassadors,⁵ but the herald would bear no direct diplomatic message himself.

While embassies could bear messages of truce, contact in wartime was often confined to messages sent through single heralds. Thucydides is rife with mentions of heralds bearing declarations of war and offers of truce,⁶ and notes that once the Peloponnesian War had started the only communication between the main belligerents was

¹ Adcock & Mosley (1975) p. 152. It is not until the Hellenistic period that indirect forms of communication such as letters from kings became the norm for long-distance political communication.

² Demosthenes 18.165.

³ Thucydides 2.12.2. Mosley (1973) p. 84 notes that, "The decree proposed by Pericles was not that neither a herald nor an embassy should be admitted, but that admission should be denied to a herald and embassy."

⁴ Thucydides 4.118.6.

⁵ Mosley (1973) p. 84. See also Demosthenes 19.163.

⁶ Thucydides 1.29.1, 1.29.3, 2.1.1, 2.5.5, 2.64.6, 4.118.2. See also Xenophon *Anabasis* 2.3.2.

through the medium of heralds.⁷ It appears that in peace time heralds served to ensure the protection of ambassadors who engaged in the diplomacy, while in wartime heralds bore direct messages of truces and peace between belligerent parties.⁸ Fourth-century texts indicate that one could declare a war to be *akeruktos* (without herald),⁹ but the exact meaning of this term is somewhat in doubt. Myres believes that in some instances this might indicate a war propagated without any possible recourse to truce by herald,¹⁰ and this appears to be the case in the actions of Xenophon's Ten Thousand who elect to follow this very course during their conflict in Persia.¹¹ It seems that like many Greek terms *akeruktos* held multiple meanings based upon the period of use and context. There appear to be three forms of diplomatic exchange involving heralds: regular peacetime contact through heraldic address and ambassadorial negotiation; wartime contact restricted entirely to heraldic contact; total war with no herald contact whatsoever. It is unclear how a war declared *akeruktos* might be resolved except through complete annihilation of the losing side.

The *Athenian Politeia* states that assemblies dealing with heralds and embassies were to be taken each *prytany* throughout the year, but the text does not make clear if the author meant the reception of foreign or the sending of local embassies.¹² It is clear that the reception of heralds was to follow a strict protocol wherein the foreign heralds were to go to

⁷ Thucydides 2.1.1.

⁸ See also Suda (Adler number 1550) s.v. Κῆρυξ: “Κῆρυξ ἐν πολέμῳ, πρέσβυς ἐν εἰρήνῃ.” (herald in war, ambassador in peace).

⁹ Aeschines 2.37, 3.230; Plato *Laws* 626a; Xenophon *Anabasis* 3.3.5.

¹⁰ Myres (1943) p. 66. Myres also notes that in the fifth century *akeruktos* could also mean ‘unannounced’ in the context of a war where a herald had never delivered a formal declaration of war. He goes on to conclude that Herodotus’ use of the term in 5.81 concerning the Aegina-Athens conflict should be interpreted as a war consisting of low-level raiding and reprisal.

¹¹ Xenophon *Anabasis* 3.3.5.

¹² *Ath. Pol.* 43.6.

the *Prytaneis* first before announcing the news to the Assembly.¹³ This allowed a controlled flow of information that could officially be presented in the Assembly, but while the *Boule* could control the official news it could not suppress unofficial news from reaching the citizenry.¹⁴

The ability of heralds to bear offers of truce was not confined to larger state actions but also appears after battles when one side sought the recovery of the dead.¹⁵ Lateiner notes that one third of the thirty-three instances of the word *kerux* in Thucydides deal with the recovery of the dead post-battle by a herald.¹⁶ The act of sending a herald to recover the dead was an admission of defeat, and Diodoros labeled it as shameful.¹⁷ The sending of a herald for the recovery of the dead was not simply a matter of ritual but was also practical since the defeated army would have been driven from the field of battle and the victors would be in complete possession of the dead. The herald's status as the official in charge of recovery of the dead was not simply a Classical invention but can be seen in *Iliad* 23 when Priam goes to recover the body of Hector and takes with him a herald, and in *Iliad* 7 when the Trojan herald seeks a truce for the recovery of their war dead.¹⁸ In some instances the heralds were refused the right of recovery such as in 424 after a battle between the Athenians and Boeotians when the Thebans refused to return the Athenian bodies on the grounds that they had violated an international sacred law against the occupation and

¹³ *ibid.* See also Xenophon *Hellenica* 6.4.19-20.

¹⁴ Lewis (1996) p. 118.

¹⁵ For some of the many examples: Euripides *Suppliant Women* 385; Thucydides 3.113.1-3; Xenophon *Hellenica* 4.3.21.4, 6.4.15; *Agesilaos* 2.16.

¹⁶ Lateiner (1977) p. 99.

¹⁷ Diodoros (17.68.4); see also Pritchett (1974) p. 246-249, and Justin 6.6.9 – 10.

¹⁸ It is not explicitly stated that the defeated side seeks recovery of the dead bodies in Homer, but the fact that Priam is recovering Hector's body after he lost his duel with Achilles and the impending doom of Troy as foreseen in *Iliad* 24 speak to the spirit of this tradition.

fortification of the sacred spaces of an invaded *polis*.¹⁹ This passage, and those that follow, present a case for a general Greek knowledge of international sets of traditional laws. In this case the conversation between the parties is completely conducted through the medium of heralds, and demonstrates the international standard of safe contact between belligerent parties by herald.

Any hostile action taken against heralds by a party brought with it repercussions that severely limited the ability of that party to use heralds themselves in the future. In his *Anabasis* Xenophon speaks to the danger of losing one's heralds' rights when his men had violated the sacrosanct nature of visiting heralds and stoned them to death.

οἱ δὲ καταλεύσαντες τοὺς πρέσβεις διεπράξαντο ὑμῖν μόνοις μὲν τῶν Ἑλλήνων εἰς Κερασοῦντα μὴ ἀσφαλὲς εἶναι, ἂν μὴ σὺν ἰσχύι ἀφικνησθε· τοὺς δὲ νεκροὺς οὓς πρόσθεν αὐτοῖ οἱ κατακάνοντες ἐκέλευον θάπτειν, τούτους διεπράξαντο μηδὲ ζῶν κηρυκείῳ ἔτι ἀσφαλὲς εἶναι ἀνελέσθαι. τίς γὰρ ἐθελήσει κῆρυξ ἰέναι κήρυκας ἀπεκτονῶς;²⁰

Take those who stoned to death the ambassadors: they have accomplished this result, that you alone of all Greeks cannot go to Cerasus safely unless you arrive there with a strong force; and as for the dead whom previously the very men who killed them proposed burying, the result accomplished is, that now it is not safe to pick up their bodies even for one who carries a herald's staff. For who will care to go as herald when he has the blood of heralds upon his hands? (Brownson)

In this instance Xenophon uses practicality to demonstrate the tenuous nature of the protected status of heralds by pointing out that the system of herald communication is based upon trust. Unlawful attacks on heralds not only constituted affronts to the standard social

¹⁹ Thucydides 4.97.2ff. See also Euripides *Suppliant Women* 121 for a similar situation in drama where the heralds of Adrastus were refused the right to reclaim the dead. Some scholars see this historical event as a possible inspiration for Euripides' play: Hornblower (1996) p. 309.

²⁰ Xenophon *Anabasis* 5.7.30.

order but also reflected a sacrilege since the heralds enjoyed divine protection.²¹ A famous episode from the Persian Wars can be found in Herodotus wherein a Persian embassy of heralds came to Sparta seeking earth and water as signs of submission and were subsequently thrown down a well.²² This action angered Talthybius, the herald of Agamemnon who was enshrined and worshipped at Sparta, so that the Spartans later sent two men to Xerxes to offer themselves for punishment in payment for their sacrilege.²³ Interestingly, Xerxes replies that he will not kill the Spartans despite their breaking ‘the laws of all men.’ Xerxes’ statement might seem to indicate that heralds enjoyed a protected status in multiple cultures other than the Greeks, but one must be careful not to assume that Herodotus was intimately acquainted with imperial Persian attitudes towards Greek heralds. Instead, it is more likely that Herodotus is reflecting the general Greek attitude towards the sacrosanct nature of heralds instead of the standard Persian view. It is true that within the Greek world heralds were sacrosanct, and under the divine protection of Hermes, as the divine herald, and Zeus, who stood for divinely sanctioned order.²⁴ Outside the Greek world the protected nature of heralds was even respected amongst the Romans who recognized the essential nature of the protection,²⁵ but it is unclear whether the Persians extended such

²¹ Anaximenes of Lampsacus *FGRHist* 72 F 41.4. Anaximenes calls the violation of the heraldic prerogative impious.

²² Herodotus 7.133. Sealey (1976). The Athenians were guilty of doing the same thing and Herodotus supposes that the destruction of Athens was punishment for treating heralds in such a manner.

²³ Herodotus 7.133-136.

²⁴ Within the Greek world the lack of a central authority and its standardized laws meant that any pan-Hellenic laws needed to be divinely based.

²⁵ Paul. ex Fest. p. 47 s.v. *caduceatores, legati pacem petentes. Cato caduceatori, inquit, nemo homo nocet.* “ambassadors to ask for peace. Cato says no man harms a caduceator.”; Ampolo (2006) p. 182.

safeguards to the heralds as well. It is likely that they did provide such protection, but there is no direct evidence to prove it.

The intricate and exhaustive nature of the Persian taxation bureaucracy required a safe and efficient system of communication that would ensure the proper reporting of local tributes. As a result the Persian Empire boasted one of the most advanced road and messenger systems of the ancient world.²⁶ Following his discussion of the failure of Aristagoras to persuade the Spartan king to support the Ionian revolt Herodotus famously describes the ‘royal road’ which ran from Sardis in Anatolia to Susa.²⁷ These intricate and far-reaching roads allowed the Persians to operate a postal system wherein a series of way stations were set up roughly a day’s horse travel apart, and were stocked with fresh horses and provisions so riders could continuously bear their messages either from or to the royal throne without having to stop.²⁸ The Persians referred to their messengers as *pirradaziš*, and the Persepolis Fortification tablets attest to their use both as messengers to and from the king:

4 QA flour, allocations by Haturdada: Harmasula and his companion each receive 2 QA. He carried a sealed document of Mishmina, and they went to the king. Year 27, month X. (Belonging to) the express service.²⁹ (Kuhrt)

Datiya received 7 *marriš* of wine as rations. He bore a document sealed by the king. He came from Sardis on the express service and was going to the king at Persepolis. Month 11, year 27. At Hidali.³⁰ (Briant)

²⁶ Kuhrt (2007) pp. 730 – 762.

²⁷ Herodotus 5.52 – 4. The specific route mentioned by Herodotus is somewhat in doubt: French (1998). Also, Kuhrt notes that Herodotus most likely received his information from a source akin to the map Aristagoras showed to the Spartans, Kuhrt (2007) p. 739 n. 1.

²⁸ Herodotus 8.98; Briant (2002) p. 370.

²⁹ PF 1315 (Darius I, 495 – 4).

³⁰ PF 1809 (Darius I, 497).

The importance of these messengers' actions, and the trust placed in them by the Great King as the bearers of his orders and sensitive business, meant they enjoyed a great deal of prestige in the Royal court.³¹ Plutarch notes that Darius III carried the title of *astandes*, Plutarch's term for Persian messengers, before ascending to the throne.³² The *Suda* defines *astandai* as 'the bearers of letters who pass the messages successively on to the next.'³³ It is clear from this evidence, and from the Greek description of the messengers as *angeloi* and *hemerodromoi*, that they are not equated with Greek heralds, and that their role is primarily to deliver a written, not oral, message. However, it should not be assumed that there were no heralds in any part of the Persian Empire. As was noted in Chapter One the ancient Akkadian word for a herald-like official in the Old Babylonian and Assyrian empires appears as the title of an official within the Achaemenid Persian Empire as well. This Persian *nâgîru* appears to have travelled from town to town in the Egyptian province proclaiming royal and satrapal edicts, and calling together troop musters and workers to the *corvée*.³⁴ However, unlike the Athenian imperial heralds who are explored shortly, these Persian *nâgîru* also served as administrative bureaucrats who served to collect local taxes.³⁵ In the Greek *poleis* of western Anatolia who were under the dominion of the Persian Empire there might have remained a usage of heralds reminiscent of their roles from the times before Persian dominance, which fulfilled old roles within the community, who might have served to facilitate communication between other Persian controlled *poleis*, or with the rest of the Greek world.

³¹ Khurt (2007) p. 732; Briant (2002) 771 – 2.

³² Plutarch *Alex.* 18.7.

³³ *Suda* cf. *Astandai*.

³⁴ Fried (2004) p. 87.

³⁵ *Ibid* p. 88.

There is a tantalizing possibility to see Greek-style heralds at work within the western reaches of the Persian Empire in the form of two inscriptions from Mylasa,³⁶ dated tentatively to 354/3,³⁷ which describe the sale of land within the fifth century Carian *koinon* from the *polis* of Kindya to Mylasa, and the subsequent delimitation of the land.³⁸ In the course of the text ambassadors/witnesses from other Carian communities attend the delimitation of the land accompanied by heralds in a manner reminiscent of their role in safeguarding the passage of diplomatic missions in the rest of the Greek world, and the names of these attendants are recorded in the text of the inscription:

[—]ου, Σπουδαῖος Πακτωλ[λ]ιος, Ἰδυσσωλλος [—]εω, [.]ΕΙΛ[.]Κ[—]
 [—]μείς Μόσχος Μυός, Ἰδυσσωλλος Σιδυατου, [—]λλος Μανεω,
 [—] κῆρυξ· Ἀρλισσεῖς Σαγγοτβηηρις Σαμου, Ὑσσωλλος Μανεω,
 [Πα]ρμένων Θυσσου, Κεβιωμος κῆρυξ· Ὑδαεῖς Ὑσσωλλος Θυσσου,
 [Πα]κτυς Αρτιμεω, Καλλίαιρος Ὑθεω, Σαρνασσις κῆρυξ· Καύνιοι Ὑργίλος
 [.]ρνασσιος, Νυταρ Ὑσσαλδωμου, Οριδυμις Ζερμεδυβερου, Νετερβιμος,
 [Υ]σσαλδωμος κῆρυξ· Κοαρενζεῖς Πας Μετεβιδος, Αρτιμης Ὑσσωλλου,
 [Σ]ανουρτος Μισκω, Χασβως κῆρυξ· Ἴεροκωμίται Εκατομνω Χασβω,
 [Π]μβρης Δερσω, Μανης Αρλισσιος, Εκατομνω κῆρυξ· Ἀλαβανδεῖς
 [Π]ας Αρτέμωνος, Μεμακος Παναμω, Αρτιμης Σαμου, Μανης κῆρ[υξ·]
 Λάτμιοι Σαμωος Αρτιμεω, Υαρκελας Πελαου, Ἀρτεμίδωρος Σαμου·
 [Π]λαδασιῆται Θυσσος Σαμβακτω, Ἰμβρασσις <Σ>εσκω, Σανορτος Σαυριγ[ου]
 [Ε]ρμαπις Σαυσσωλλου, Κυλαλδισ κῆρυξ· Κεράμιοι Ὑλιατος
 [Ν]ωτρασσιος, Σενυριγος Τρυσεω, Κοτβελημος κῆρυξ· Ἀρμελίται
 [Π]ακτυς Ἀδράστου, Μῦς Πιγρεω, Κύδωρος Τρυσσεω, Ἰμβρασσις
 [κ]ῆρυξ· Οὐρανηῆται Ὑσσωλλος Αρταου, Σεμευριτος κῆρυξ· [—]
 Εκατομνω Σαυριγου, Ὑσσαλδωμος Εκατομνω, Τυμν[ης —]
 Κολυργεῖς Μανης Πακτω, Αρλισσις.Ι[—]
 Αρλισσιος, Αρτιμης Πυρκεω, Πισκυ[—]
 [.]ωρλεμις Καρξαδος, Μανης Κ[—]
 [Μ]ανης κῆρυξ· Κολωνεῖς Μανης [—]

³⁶ *SEG* 40.991 & 992.

³⁷ The inscriptions are dated based on a restoration of the year of Artaxerxes III's rein in the opening line of *SEG* 40.991. The text mentions the satrapy of Maussollos, who was Satrap until 353/2, so the inscriptions must predate this, and the restoration of the eighth year of reign has been proposed.

³⁸ For the Carian *Koinon*: Debord (2003) pp. 115 – 124.

[—]ω, Ἑρμαῖος κῆρυξ· ΕΠΙΙ[.]ΥΜ[—].³⁹

The inscription contains a number of Carian names alongside others in Greek, and the Carian names can be denoted in some cases by the lack of breathing marks on initial vowels.⁴⁰ It is unclear what the exact roles of these ambassadors and heralds are, but it is a tantalizing piece of evidence that heralds were employed within the Western parts of the Persian Empire.⁴¹ Of course it must be remembered that these are mostly Carian cities mentioned, and the use of heralds might reflect a local practice or an imitation of Greek practices. It is also worth noting that of the seventeen named heralds in the text only 4 bear Greek names with the others all being Carian. One might postulate that the Carians were grafting Greek institutions or titles onto existing Carian traditions of diplomacy and contact, or it might be that the Greek style of heraldic international exchange was a stable and universal form of contact in the periphery of the Greek world. It is ultimately unknowable with the current evidence whether any of the above mentioned possibilities were reality, but they are tantalizing questions.

Recent writings by Kurt Raaflaub have suggested that the Athenian Imperial system might have been largely modeled upon the example of its Persian counterpart.⁴² However, in terms of imperial forms of communication I do not see a direct relationship between the Persian and Athenian systems. While there are initial similarities between the Athenian and Persian systems of communication, it ultimately appears that the Persians sought greater

³⁹ *SEG* 40.992. 1 – 22. The communities mentioned in this text are: Arlissos, Hydai, Kaunos, Koarenza, Hiera Kome, Alabanda, Latmos, Pladasa, Keramos, Armelitai (?), Ouranion, Koliorgos, and Koloneis.

⁴⁰ For a complete list of Greek and Carian names in the text: Blümel (1990) pp. 35 – 42.

⁴¹ This partial use of Greek systems within the western Persian Empire has antecedents in the Persian usage of coinage in its Western provinces in emulation of Greek practices.

⁴² Raaflaub (2009)

depth and a two-way conversation with their communication while the Athenians sought to communicate on a more uniform scale within their empire with no provision for official return messages. The obvious similarity between the Athenian and Persian systems is the similar importance placed upon the collection and recording of tribute and tax revenue. Both empires were heavily dependent upon revenue generated by their subject allies, but due to the difference in scale the system of collection shows great differences. The Athenian system was focused upon direct payment of tribute to a central treasury first in Delos then in Athens, while the Persians had numerous local treasuries which collected local taxes in a variety of forms with only the highest metal valuables going to the central treasury in Persepolis. The intricate and far-spread Persian system required an advanced system of record keeping and communication between accountants in the provinces and in the capital.⁴³ It was absolutely essential that a complete inventory of taxed goods be sent to the central administration on a yearly basis, and in turn it was essential for the central administration to be able to communicate orders for the proper disbursement of the collected taxes. In the Athenian system the Kleinias Decree demonstrates that the emphasis seems to be more on the proper communication to the subject allies of their assessed tribute levels, and the collection of the tribute in Athens means that the central administration had no need of the back and forth communication of receipts and orders found in the Persian system. While they employed a strong taxation system similar in some ways to the Athenians, the Persians had no sense of an Imperial law code similar to the Athenian ‘general laws.’⁴⁴ Persian attitudes towards religion mirror those they held towards local laws. The Persians

⁴³ Kuhrt (2007) p. 765. For examples: Kuhrt (2007) ch. 14 no. 1 – 8, section A(a) – (b).

⁴⁴ Kuhrt (2007) p. 828. Kuhrt does note that local law could, in exceptional circumstances, be overridden by a specific royal edict.

would only intervene in local religious matters when they directly affected the local Persian administration.⁴⁵ It appears the Persians employed a systematic and minute economic micromanagement of their Empire in contrast to the looser Athenian administration which was more concerned with the central collection of tribute without any need for redistribution. However, the use of herald-like officials, *nagâru*, within their empire provides an interesting similarity with the Athenian use of heralds to proclaim decrees to their subject allies.

Imperial Financial Decrees:

The following texts are those imperial decrees which contain direct textual references of proclamation and heralds.⁴⁶

IG I³ 68: The Tribute Collectors (or Kleonymos) Decree:

IG I³ 68 deals with the tightening of the tribute system which by this point had become somewhat ‘leaky,’ and this decree sought to improve the system by appointing local collectors (ἐγλογεῖς) in each allied *polis*.⁴⁷ Initially it was believed that these ἐγλογεῖς were Athenians,⁴⁸ but the current scholarly opinion is that they were citizens of the allied states.⁴⁹

The document is dated to 426 based on the assumption that its mover, Kleonymos, who was

⁴⁵ Kuhrt (2007) 829.

⁴⁶ One related inscription I have chosen not to include is *IG I³ 66*, the Mytilene ‘treaty,’ as I felt the reconstructions related to the herald and the publication of the decree are simply too extensive to support any reasonable discussion.

⁴⁷ *IG I³ 68* 5 – 9. The text mentioning the appointment of ἐγλογεῖς is reconstructed, but not controversially so as l. 55 refers to the practice. The establishment of ἐγλογεῖς also echoes a practice of the Eleusinian First Fruits Decree (*IG I³ 78* 14 – 15).

⁴⁸ *ML* p. 187.

⁴⁹ Antiphon frag. 52 (Thalheim); Meritt (1937) p. 15 – 17.

responsible for the Methone Decree in the first prytany of 426/5,⁵⁰ and another Athenian decree found on Delos also dating to 426/5,⁵¹ also moved this decree during his probable time in the *Boule* in 426.⁵² Kleonymos was active enough in Athenian politics to be directly attacked in many of Aristophanes' plays from the *Akharnians* (425) to the *Birds* (414).⁵³

A second decree is attached to the bottom of the original decree ordering the establishment of the ἐγλογεῖς, and this deals specifically with judicial arrangements required by the first decree and the publication of the decree within the allied *poleis*. The text specifying publication reads as follows:

τὸς δὲ κέρυκας ἡόσοι ἂν τιν]ες [οῦ]σ[ι] ὃς ἂν ἡοι πρυτάνες με[τὰ τῆς βολῆς
 ἡέλοντα]ι πέμψαι ἐς τὰς πόλεις ἐπὶ τῆς Κεκροπίδος πρ]υτανείας ἡόπος ἂν
 αἶρε[θόσι ἡοι ἄνδρες ἡοι] τὸν φόρον ἐγλέχσοντες κ[αὶ ἀναγραφῶσι ἐν][τοῦ]ι
 βουλευτερί[ο]ι.⁵⁴

All the heralds (as many as there may be) who are elected by the *prytaneis* together with the *Boule*, are to be sent to the cities during the prytany of the tribe Kekropis, so that the men to collect the tribute may be chosen and be recorded in the Bouleterion.

The text obviously contains a slight reconstruction of heralds (κέρυκας]), but I know of no alternate proposed reconstructions, and this reconstruction fits the context of the decree. The text lacks a typical heraldic verb of announcement present in most other decrees mentioning heralds, but presumably it is to be inferred that the heralds were to act in the manner that will be seen later in this chapter and publicly proclaim the decree to the allied

⁵⁰ *IG I³* 61 34.

⁵¹ Lewis (1985) p. 108.

⁵² *ATL i* p.213; *ML* p. 180, 188. This date is based on Meritt & co.'s assumption that this decree is related to Kleonymos' role in *IG I³* 61 which is dated to the first prytany of 426. Meiggs and Lewis state that this date is 'probably' correct.

⁵³ Aristophanes satirizes Kleonymos for being an obese glutton: *Acharnians* 88; *Knights* 958, 1290 – 9. He also mocks Kleonymos for being a coward in battle: *Clouds* 353 – 4; *Wasps* 19 – 23; *Birds* 1473 – 81; also: Eupolis fr. 352 (Kassel-Austin).

⁵⁴ *IG I³* 68, 52 – 57.

poleis. It is unclear what the criteria for selection might have been. As noted previously in the first chapter of this work, it is possible that these imperial heralds had experience travelling between *poleis*. Perhaps they came from wealthy families who might have the necessary contacts within foreign communities to aid the heralds' travels. Additionally, one might assume these heralds had either excellent memories to retain the knowledge of the details of their proclamations, or a literacy level of such an extent as to allow them to read written versions of texts sent with them as memory aids and proofs of the legitimacy of the proclamation. A further note that must be mentioned is that if the reconstruction in the text is accepted then it would appear the Athenians had not institutionalized the role of imperial herald to the level that required a permanent corps of imperial heralds.

IG I³ 71: The Tribute Reassessment of 425:

The Reassessment of 425 is a well known document as it records the Athenian decision to reassess tribute in a non-regular year as a response to the growing costs of the war with Sparta. The reassessment's stated goal was the increase of tribute required of all allies except those unable to pay because of poverty,⁵⁵ and most states saw a double or triple increase in tribute requirements. The decree is positively dated to 425, but while the year is certain the specific month of movement is more contentious.⁵⁶ The text was heavily reconstructed from forty-three fragments, and the *IG* text is primarily based on the *ATL* ii revision of Meritt and West's original text.⁵⁷

⁵⁵ *IG I³ 71* 21 – 22.

⁵⁶ Meritt & Wade-Gery (1936) attribute the movement of the decree to the period directly after Sphacteria when Kleon's influence was greatest, and even postulate that the mover of the decree, Thoudippos, was the son-in-law of Kleon. Gomme *HCT* v.iii 500ff. disputes the influence of Kleon, and McGregor (1935) p. 146ff. has proposed the decree was a result of Nikias' expedition against Corinth. For a full discussion of the argument: *ML* pp. 194 – 197.

⁵⁷ Meritt & West (1934).

The first section to deal with communication and publication concerns the Athenian summoning of representatives from the allied states to Athens in order to partake in the reassessment process. The text dealing with this provision as printed in *IG I³* follows:

[πέμψαι κέρυκας] ἐκ τῶν [μισθοτοῶν ἡδὺς] ἄν χειρο[τονέσει] ἡ βολὴ ἐς τὰς πόλεις δύο [μὲν ἐπ' Ἰονίαν καὶ Καρίαν] δύο δὲ ἐπὶ Θράικην δύο δὲ ἐπὶ Ν[έσος] δύο δὲ ἐφ' Ἑλλέσπ[οντον]· ἡοῦτ[οι] δὲ ἀνειπόντων ἐν τοῖς κοινῶι ἡ[εκάστας] τῆς πόλ[εως] πα[ρῆναι] πρέσβεις τῷ Μαι[μακτεριῶν]ος μενός.⁵⁸

Heralds chosen from the hirelings are to be sent, as the *Boule* shall elect, to the cities, two to Ionia and Caria, two to Thrace, two to the Islands, and two to the Hellespont. They are to proclaim in the Assembly of each city that representatives are to present themselves in Athens during Maimakterion

The second clause of this decree which deals with heralds and the allied publication can be found in lines forty to forty-four, and is likewise heavily reconstructed. The text is as follows:

τὰς δ[ὲ] πορ[εΐας] τοῖς κέρυχ[σι] τοῖς ἰοῖσι χσυγγράφσαι κατὰ τ]ὸν ἡόρ[κον] τὸς τάκ[τας] ἡέο]ς τ[ὸ] πορ[ε]υθ[έσ]ον[τα]ι ἡίνα μὲ ἀύ[τοῖ] ἄτακτοῖ ἰοῖσι· ἡοι δὲ κέρυκες]τὰς τά[χ]σε]ς τέσι π[ό]λεσι ἐπ[α]ναγ]κα[σθέντ]ο[ν] ἡό]πο ἄν δοκε]ι τοῖς ἄρχοσι ἀνειπέν· ἡό τι δὲ πε]ρὶ τῶν [τ]άχσεον κα[ὶ] τῷ φσεφίσμα]το[ς] τέσι] π[ό]λεσι] χρεὲ λέγ[εσθαι] περὶ τούτο τὸν δεμον φσε]φίξεσθ[α]ι καὶ ἑάν τ[ι] ἄλλο ἐσάγοσι] ἡ[οι] πρυτάνες πε]ρὶ τῷ δ[έ]οντος.⁵⁹

The routes for the heralds who are to set out are to be prescribed by the Assessors in accordance with their oath, indicating to what point they will proceed, so that they will not proceed on their own initiative without instructions. The heralds are compulsorily to announce the assessments to the cities wherever the *archontes* judge best. The *demos* is to pass a decree concerning what must be said to the cities about the assessments and about the decree and any other urgent matter the *prytaneis* may introduce.

⁵⁸ *IG I³* 71 4 – 8.

⁵⁹ *IG I³* 71 40 – 44.

As is readily apparent this text is heavily reconstructed. The reconstruction of [κέρυκας] in line three is initially troubling, but is defended by the existence of κέρυχ[σι in line forty.⁶⁰ It seems certain that heralds were used by the Athenians in relation to this decree to spread the decree to the allies, and I believe it is relatively certain that the role of heralds was to proclaim the news in some form.

What is unclear is who these Imperial Athenian heralds were. The most contentious aspect of this reconstruction is the use of [μισθοτοῶν] in line three to designate the body from which the heralds were selected, and multiple scholars have noted the precariousness of this reconstruction.⁶¹ *ATL* v.i originally sought to employ a reconstruction of [βουλευτῶν], but this was amended in the second volume to [μισθοτοῶν] as the authors were uncomfortable with the idea of heralds being selected from the membership of the *Boule*.⁶² The choice of [μισθοτοῶν] was based primarily upon a text of Isocrates which notes that the men who led the tribute into the Dionysia were chosen from μισθοταῖ.⁶³ However, I agree with Gomme that this term does not suit heralds assigned to state diplomatic duty,⁶⁴ and as McGregor points out there is no parallel to this association in any other document.⁶⁵ Meritt & co. do

⁶⁰ Tod p. 148, no. 66 originally proposed a reconstruction of “...[πέμφσαι ἄνδρας] ἐκ τῶν [κηρύκων, ὄσους]...” instead of “...[πέμφσαι κέρυκας] ἐκ τῶν [μισθοτοῶν ἡδὲ]...” but Meritt and West (1934) p. 31 disputed this reconstruction and replaced it based upon the their repositioning of the fragments of the decree which increased the possible letter spaces before ‘ἐκ τῶν’ One might add further historical arguments against Tod as his reconstruction seems to imply a professional class of state heralds from which the imperial heralds would be drawn, but I know of no such pool with the exception of the heralds attached to specific judicial and administrative officials, and I do not believe that the state would send away such heralds for extended periods of time.

⁶¹ *ATL* iii p. 74; *ML* p. 192; Gomme *HCT* iii p. 502 n.1; McGregor (1958) p. 420; Meritt (1971) p. 112 – 113.

⁶² *ATL* iii p. 74.

⁶³ Isocrates 8.82

⁶⁴ Gomme *HCT* iii p. 502 n.1.

⁶⁵ McGregor (1958) p. 420.

propose another alternative in *ATL iii* of [αἰρετῶν] instead of [μισθοτοῶν] with the resulting text reading “the *Demos* will send heralds [who it will pick] from among those to be chosen by the *Boule*”,⁶⁶ but this is also problematic as there is no historical evidence for the *Boule* providing herald candidates for the *Ekklesia* to choose. However, a more recent hypothesis was proposed by Meritt who reconstructed [κλετέρον] instead of [μισθοτοῶν],⁶⁷ and I believe this to be the most likely possibility.

The κλητῆρες were a professional class of Athenian officials whose duty it was to summon foreign and domestic defendants to court. Two instances in Aristophanes show the process of a foreigner summoned to trial in Athens. The first instance comes from the *Birds* where the two main characters are discussing where to go to avoid Athens and its citizens: Οἴμοι, μηδαμῶς /ήμῖν γε παρὰ θάλατταν, ἴν’ ἀνακύπεται/ κλητῆρ’ ἄγουσ’ ἔωθεν ἢ Σαλαμινία.⁶⁸ The second appears later when a man appears to summon Peisetaerus to court.⁶⁹ A clear instance of this can be seen in Thucydides when Alcibiades was recalled to Athens from the Sicilian campaign to face trial for profaning the Mysteries and the herms.⁷⁰ This practice reflected the intra-*polis* Athenian system of court summons where the prosecutor in a case had to make a formal oral summons to the defendant to, ‘appear before magistrate X on day Y for the offense Z.’⁷¹ In these cases the κλητῆρ was simply a

⁶⁶ *ATL iii* p. 74.

⁶⁷ Meritt (1971) p. 113 n. 19.

⁶⁸ Aristophanes *Birds* 145 – 147, “Oh, no. Not a coastal town, where some fine morning the Salaminia can appear, bringing a summoner.”

⁶⁹ Aristophanes *Birds* 1046: καλοῦμαι Πεισέταιρον ὕβρεως εἰς τὸν Μουνιχιῶνα μῆνα, “I summon Peisetaerus to appear in the month of Munichion on a charge of wanton outrage.” (Sommerstein). Dunbar (1995) p. 180 n. 145 – 7.

⁷⁰ Thucydides 6.53.1.

⁷¹ MacDowell (1978) p. 238; Harrison (1971) p. 86 – 87. Of note: only oral, not written, notice was required for a court summons.

‘witness’ that the official summons had occurred.⁷² However, when dealing with Athenians in foreign lands the κλητήρ was the actual summoner.⁷³ Within the *polis* the summons was conducted explicitly orally and without any written notification,⁷⁴ and there is no evidence in any of the written sources to refute this for the inter-*poleis* summons. This practice closely resembles the practice of the κλητῆρες in tribute collection. In *IG I³ 68* κλητῆρες were charged with summoning to trial anyone who schemed to disrupt the imperial tribute collection.

ἐὰν δέ τις κακοτεχνεῖ [λόπος μὲ κύριον ἔστα]ι τὸ φσέφισμα τὸ τὸ φόρο [ἔ
λόπος μὲ ἀπαχθέσεται]αι ἡ φόρος Ἀθέναζε γράφουσθαι προδοσίας αὐ]τὸν
τὸν ἐκ ταύτης τῆς πό[λεως τὸν βολόμενον π]ρὸς τὸς ἐπιμελετάς· ἡο[ι δὲ
ἐπιμελεταὶ ἐσαγό]ντων ἔμμενα ἐς τὸ δ[ικαστήριον ἐπειδὴν ἡοι κ]λετέρες
ἔκοσι δι[πλο]ῖ δὲ [ὄντων ἡοι κλετέρες] ἔ κατὰ ἡὸν γράφουσθαὶ τις β[όλοιο].⁷⁵
If anyone schemes to render void the tribute-decree or to prevent the bringing
of the tribute to Athens, a charge of treason will be lodged against him by any
man from that city who wishes and it shall be brought before the
Commissioners. The Commissioners shall take it to the court within a month
of the Summoners’ return. Twice as many Summoners shall there be as there
are men whom anyone wishes to indict. (Fornara)

While the indictment might be brought by anyone, the specific summoning to trial was conducted internationally by the κλητῆρες as court summoner. It is interesting that this summons and penalty seems to apply to any man regardless of citizenship. A further example can be seen in *IG I³ 71* where civic officials who did not properly conduct the business of tribute assessment might be fined large sums, stripped of citizenship, and summoned to trial before the *Boule* to judge their actions: τὸς δ[ὲ κέρυ]κας

⁷² MacDowell (1978) p. 238. In the 420s only one witness was required: Aristophanes *Clouds* 1218, *Wasps* 1408, 1416. In the late fifth and fourth centuries two witnesses were required: *Hesperia* 4 (1935) 15 no. 1 1.5; Demosthenes 40.28, 53.14

⁷³ Aristophanes *Birds* 145 – 7, 1046, 1425 – 1426, 1455.

⁷⁴ Aristophanes *Clouds* 1222 – 1223; *Wasps* 1406 – 1408, 1418.

⁷⁵ *IG I³ 68* 43 – 50.

πρ[οσκε]κλεμέ[νος ἀχθ]έναι[ι h]υπ[ὸ τοῦν] δεμοσίον κλετέ[ρον hίνα h]ε βολ[ἔ δικά]σε[ι
 αὐτὸς ἐ]ἰ μὲ ὀ[ρθός] δοκοσ[ι διακο]νε[ν].⁷⁶ In this case the reconstructed clause seems to
 refer to heralds being summoned to trial if they did not perform their duties properly. This
 would make contextual sense as the clause detailing the routes of the heralds follows
 immediately onwards, and as the heralds would be operating outside the territorial bounds of
 Athens it would be natural to assume (κλητήρες) would be used to summon them to trial. It
 is also only natural that the *Boule* was to conduct the heralds' trials as it was often
 responsible for the selection and sending of heralds. I believe the reconstruction of
 [κλετέρον] suits the context of the clause much better than [μισθοτόν]. However, this
 reconstruction is not assured as I know of no evidence where κήρυξ and κλητήρ are
 explicitly linked except for the retrieval of misbehaving heralds by summoners in the above
 mentioned clause of *IG I³ 71*, and here, though linked, they are also distinguished. It is true
 that both serve very similar roles to announce a specific piece of news orally to an individual
 or group, and both would have experience operating in foreign lands so it is not too
 implausible to assume they might be drawn from the same pool of internationally-
 experienced citizens. The distinction between these two officials is evidence that Athens
 had institutionalized certain types of imperial communication assigned to particular officials.

One further aspect of this decree is the direct stipulation concerning the travel routes
 of the heralds. Our first clause clearly indicates, with reconstruction, that units of two

⁷⁶ *IG I³ 71* 38 – 40, “Those heralds are to be brought to trial by the Public Summoners in order that the *Boule* may judge immediately whether they do not appear to be performing their duties correctly.” It is interesting to note in this case that the *Boule* is given jurisdiction over the review of heralds and their performance. It seems likely that this was the case for all international use of heralds, and that the *Boule* would often judge whether the heralds had performed according to the proper fashion.

heralds are each to each travel to the administrative regions of the Empire,⁷⁷ and the second clause details, with heavy reconstruction, that the *taktai* are to set the specific routes of travel. Unfortunately, the decree does not go any further in its discussion of how these heralds physically travelled within the empire. The basic route of travel must have been by sea, and it is known from later sources of military communication that Athens maintained a system of small boat communication in the fourth century and a specific official in charge of the ‘dispatch boats.’⁷⁸ The use of triremes was unlikely as they were both too expensive and too essential for mainline military service to spare for communication purposes. In some exceptional cases, as will be explored later, triremes were used when speed of communication was paramount, but I do not believe triremes would have been used in this case, but the possibility must remain at least partially open as the Athenians do use them to carry messengers in *IG I³ 34*.⁷⁹ The routes for the heralds were likely planned out in advance to ensure complete coverage of the respective regions of the Empire. In terms of local support within the allied *poleis* Athenian officials or *proxenoi* might provide accommodation and sustenance much as *theorodokoi* did for *theoroi* announcing religious festivals,⁸⁰ and might provide further help in travel arrangements.

IG I³ 34: The Kleinias Decree:

IG I³ 34 is another decree dealing with the tightening of the tribute system. The decree contains, amongst other things, provisions for sealed receipts of tribute as an anti-fraud measure, specific judicial punishments to the disruption of tribute payment, and religious tribute requirements for the Panathenaea. The decree was originally dated to the 420s due to

⁷⁷ Lines 5 – 6.

⁷⁸ See below pp. 192 – 194.

⁷⁹ *IG I³ 34* 27.

⁸⁰ See below pp. 179 – 180.

letter forms, its ‘imperial tone,’ and its similarity to *IG I³ 68* and *IG I³ 71*, but the publication of a new fragment in 1944 with a mover’s name ‘Kleinias’ led scholars to date the decree to the 440s thanks to an association with the well known Kleinias, father of Alcibiades.⁸¹ However, more recent scholarship has made a strong case to bring the date of the decree back to the 420s. The strong similarity between the Kleinias Decree’s language and that of *IG I³ 68* and *IG I³ 71* makes a case that it was ‘part and parcel of the Athenian financial experimentations in the Archidamian War.’⁸² Additionally, Mattingly points out that the language of the decree in relation to the requirement for allies to send the cow and panoply to the Panathenaea presupposes the existence of the Reassessment of 425,⁸³ and while there are not many records for men named Kleinias in the 420s one cannot logically rule out their existence or participation in politics. It is not possible to provide an exact date for the Kleinias Decree, but it seems most probable that the decree was moved at some point in the second half of the 420s.

The only clause dealing with communication in the empire concerns the sending of messengers with receipts of tribute payment to the allied states. The text is as follows:

[Αθ]εναίος δὲ ἡελομένος ἄνδρας τέττ[αρας ἀποπέμπεν ἐπὶ] τὰς πόλεις ἀντιγραφσομένου τ[ὸμ φόρον τὸν ἀποδοθέντα κα]ὶ ἀπαιτέσοντα τὸμ μὲ [ἀποδοθέντα παρὰ τὸν ἐλλιποσ]όν, τὸ μὲν δύο πλεν ἐπ[ὶ τὰς ἐπὶ Νέσον καὶ ἐπ’ Ἰονίας ἐπὶ] τριέρος ταχείας, [τὸ δὲ δύο ἐπὶ τὰς ἐφ’ Ἑλλεσπόντο κα]ὶ ἐπὶ Θράικες.⁸⁴

The Athenians are to choose four men and send them to the cities to give a receipt for the tribute which has been paid and to demand the unpaid tribute from those which have defaulted; two shall sail in a fast trireme to the cities

⁸¹ Hill & Meritt (1944); Wade-Gery (1945) dates the decree to 447; *ML* p. 121 ruled out the 420s due to letter forms and suggested the 430s as a possibility.

⁸² Papazarkadas (2009) p. 73 n. 38; Samons (2000) 188 – 193; Rhodes (2008) 503.

⁸³ *IG I³ 34* 41 – 43, cf. *IG I³ 71* 55 – 57; Mattingly (1987) p. 67.

⁸⁴ *IG I³ 34* 22 – 28.

of the islands and of Ionia, and two to those of the Hellespont and towards Thrace.

There is a large amount of reconstruction to this decree, but I know of no serious challenges to the current reconstruction. The most obvious feature of this clause is that it does not directly mention heralds as being responsible for the receipts, nor does it include any related heraldic verbs. The sending of message bearers to the specific regions of the Empire echoes similar clauses found in other documents of this period such as *IG I³ 1453* and *IG I³ 71*. It is tempting to believe that the men mentioned in line twenty-three should be considered heralds based on the contextual similarity to *IG I³ 68* and *IG I³ 71*,⁸⁵ i.e. a group of men (heralds) will be chosen to bring news of the payment, or lack thereof, to the allied states, and their travel is to be organized according to the formal regions of the Empire. However, in this case the men are simply bearing the receipts of payment of tribute as opposed to proclaiming Imperial decisions. The lack of any mentioned heralds or elements of proclamation is perhaps evidence for what heralds did not do, which is to say they did not serve simply as bearers of receipts.⁸⁶ Even though I propose that this decree does not concern heralds it still provides evidence for the communication from Athens to her subject allies by means of message bearers, who in this case are also clearly bearing written receipts of the tribute having been paid in to the Athenians. A further possibility that might be drawn from this decree is that these messengers were the same experienced international travelers who constituted the imperial heralds found in other decrees, but who in this case simply did not go in the role of heralds as they were not making formal imperial

⁸⁵ *IG I³ 68* ; *IG I³ 71*

⁸⁶ I do admit that this conclusion is not ironclad, and one might make the case that the similarity of this decree to other Athenian decrees which mention the sending of heralds might indicate that these men were heralds, but I simply do not believe at this time that is the case.

proclamations. If so this would seem to indicate recognition amongst the Athenians that heralds were only to be used in particular situations within the empire that involved the proclamation of decrees to the subject allied states. A further interesting aspect of this decree is the stipulation that the chosen messengers should be sent via ‘fast trireme.’ I have postulated that the use of triremes as communication tools would be limited due to their expensive upkeeps and their value as military assets. However, from the description of the triremes as needing to be ταχείας it is clear from this decree that speed of delivery was an essential aspect of this receipt process, and I would propose that speed was sought primarily to acquire the unpaid tribute which the Athenians would have desperately wanted to increase their war coffers.

IG I³ 1453: The Athenian Coinage (or Standards) Decree:

The Athenian Coinage Decree is one of the best known and most contentious inscriptions of Ancient Greece. The Decree requires that all members of the Athenian Empire use Athenian coins, weights and measures, and that local mints are to be closed. The one exception to the rule seems to be electrum coinage which is not mentioned at all in the text. A great deal of ink has been spilt regarding the dating of the text. For the first third of the twentieth-century the decree was dated to the late 420s or 410s based primarily upon the clear reference to its existence in Aristophanes’ *Birds* which was produced in 414.⁸⁷ Before any fragments of the decree were recognized its existence was deduced in the nineteenth century by Wilamowitz simply by this reference in Aristophanes.⁸⁸ Segre’s publication of a fragment found at Kos

⁸⁷ Aristophanes *Birds* 1040 – 41. χρῆσθαι Νεφελοκοκκυγιάς τοῖσδε τοῖς μέτροισι καὶ σταθμοῖσι καὶ ψηφίσμασι, ξαθάπερ Ὀλοφύξιοι, “The Cloudcuckoovillians will use Athenian measures, weights, and decrees, in like manner as the Olophyxians.” See Kallet (2001) p. 218 n. 133 for in depth bibliography of early dating.

⁸⁸ Wilamowitz (1880).

in 1938 contained a three-barred sigma, and this single fragment drastically changed the dating.⁸⁹ For much of the twentieth century the orthodoxy of Attic letter forms held that the three-barred sigma was obsolete from Attic inscriptions by 445 which meant the Coinage Decree must date to the early 440s or earlier. This back-dating of the decree created an academic firestorm with deeply entrenched positions based on letter form dating and the historical context of Athenian imperialism. To make matters worse there is no strong indication in the numismatic evidence for a sudden and complete break consistent with the decree being put into practice.⁹⁰ However, recent scholarship has disputed the orthodoxy of the three-barred sigma dating, and opinion has largely reached a consensus that the decree must be down-dated to at least the 420s.⁹¹ The entirety of the arguments against the 3-barred sigma are too much to sum up in this text, but perhaps the single greatest argument comes from the widely-accepted re-dating of the Egesta Decree to 418/7.⁹² The firm dating of this decree, which contains a 3-barred sigma, clearly contradicts the orthodoxy of the 3 or 4 barred sigma dichotomy. Beyond this I believe the strongest case might be found in the work of Kallet who returns the dating to c.414, and associates the decree with the Athenian replacement of imperial tribute with an empire-wide five percent harbor tax (*eikoste*).⁹³ This argument makes strong economic and historical sense and brings the date of the decree back into close association with Aristophanes' allusions in the *Birds*.

The text of the Coinage Decree contains three sections which deal directly with the publication of the decree in allied states, and the selection of heralds to proclaim the news.

⁸⁹ Segre (1938).

⁹⁰ Figueira (1998) 47, "...no chronologically discrete series of hoards on allied territory from the later fifth century was composed exclusively of Athenian coinage..."

⁹¹ Rhodes (2008); Mattingly (1996) 51 – 52, 478; Mattingly (1987); cf. Lewis (1987).

⁹² Matthaïou (2004); *SEG* 52.44.

⁹³ Kallet (2001) p. 205 – 226; Kroll (2009) 201 – 202.

κήρυκας δὲ ἐλέσθαι τὸν δῆμον καὶ πέμψαι ἀπαγγελοῦντας τὰ ἐψηφισμένα] ἕνα μὲν ἐπὶ Νή[σους, ἕνα δὲ ἐπὶ Ἰωνίαν, ἕνα δὲ ἐφ' Ἑλλάσπο]ντον, ἕν[α] δὲ ἐ[πὶ τὰ ἐπ]ὶ Θράκιης· το[ύτοις δὲ τὴν πορείαν ἐκάστωι συγγράψαντες οἱ στρατηγοὶ ἀπ]οστελάντ[ων αὐτίκα μάλα·...]

[ἀναγ]ράψαι δὲ τὸ ψήφισμα τ[όδε τὸς ἄ]ρχοντα[ς ἐ]ν ταῖσι πόλεσιν [καὶ θεῖναι ἐν στή]λῃ λιθίνῃ ἐν τῇ ἀγορᾷ [ἐκάστης] τῆ[ς πό]λεως καὶ τὸς ἐπιστ[άτας ἔμπροσθεν] τῷ ἀργυροκοπίῳ· ταῦτα δὲ ἐπ[ιτελέσαι Ἀθηναίος, ἐ]ὰμ μὴ αὐτοὶ βόλωνται.[...]

δεηθῆναι δὲ αὐτῶ[ν] τὸν κήρυκα τὸν ἰόντα ὅσα [κ]ελεύο[σιν] Ἀθηναῖοι.⁹⁴

The *demos* will choose heralds and send them to the cities to proclaim the decree: one to the Islands, one to Ionia, one to the Hellespont, and one to the Thrace-ward district. The Generals will prescribe the route for each of the heralds and send them off[...]

The *archontes* in the cities will set up the decree, recording it on a stone stele in the agora of each city and the *epistatai* are to place the decree in front of the mint; the Athenians are to carry out these instructions if the officials are not willing[...]

The herald who comes round shall request them to do as the Athenians command.

As in reconstructed sections of the Tribute Reassessment of 425 this decree contains provisions for the sending of heralds and the local publication on stone of the decree by officials. Clause nine of the Decree explicitly indicates that the Athenians used heralds to disseminate the information of the decree to the allies. It is true that the verb [ἀπαγγελοῦντας] is reconstructed, but one can assume that the heralds were continuing their traditional practice of proclaiming the news of the decree. This decree ostensibly would have had a direct impact upon the daily lives of the individual citizens of allied *poleis*, and as such the publication of the decree to the greater public was much more necessary than decrees regarding tribute reassessment which might have been more focused upon the legislative bodies of the allied *poleis*.

⁹⁴ IG I³ 1453 sections 7, 8, 9 (composite text).

The arguments regarding whether local or resident Athenian officials were charged with the publication of the decree rests largely upon the reconstruction of ταῦτα δὲ ἐπ[ιτελέσαι Ἀθηναίος, ἐ]ἄμ μὴ αὐτοὶ βόλωνται. This largely accepted reconstruction, offered by Wilhelm, and Hiller von Gaertringen and Klaffenbach,⁹⁵ was made to provide an antithesis to αὐτοὶ, and would seem to indicate that local officials were responsible the publication of the decree on stone as it is only upon their disobedience that Athenians are to take a part.⁹⁶

Imperial Religious Decrees:

Aside from the importance of communicating the judicial and economic laws of the Empire the Athenians also had need to spread instructions concerning religious matters. The nature of the *polis* was such that religion and secular matters could not be separated. Mogens Hansen writes of the *polis* as being defined by its citizens more than by its territory.⁹⁷ The primary unifying feature amongst the citizenry was the practice of a common cult, and thus it could also be said to be the defining feature of the *polis*. The civic cult and the *polis* enjoyed a symbiotic relationship as neither could survive without the other. The *polis*

⁹⁵ Hiller and Klaffenbach (1924 – 25) 219.

⁹⁶ The opposite argument is offered by Figueira, who wishes to replace ἐπ[ιτελέσαι Ἀθηναίος, ἐ]ἄμ with ἐπ[ιτελέσαι τὰς πόλεις, ἐ]ἄμ, and who contends that it is more natural for resident Athenian officials to work with the *epistates* of the Athenian mint in the erection of the decree, and that it was only upon the disobedience of resident Athenian officials that the local *poleis* were to get involved. However, I believe that Figueira basis his argument on an implausible conclusion regarding the psychology of the Athenians and their allies. It does not stand to reason in my mind that Athenian officials would for some reason refuse to inscribe an Athenian edict in an allied *polis*, and that instead the local officials would somehow be more willing to erect this grossly imperialistic law.

⁹⁷ Hansen & Nielsen (2004) 31. Hansen defines the *polis* as being, “a small, highly institutionalized and self-governing community of adult male citizens living with their wives and children in an urban centre and its hinterland together with two other types of people: foreigners and slaves. As a political community, the *polis* was felt to be one’s fatherland and it was identified with its citizens more than its territory.”

“anchored, legitimized, and mediated all religious activity,”⁹⁸ but at the same time the civic cult gave unity, protection, and representation to the *polis*.⁹⁹ The importance of the civic cult in providing unity amongst the entire citizen body cannot be overestimated. Christiane Sourvinou-Inwood explains that common cult was the established method for giving social groups cohesion and identity.¹⁰⁰ Athens took this local importance of cult for establishing identity and used it as a means of legitimizing and expressing its imperial dominance. As this chapter did with secular decrees it will now look at the individual documents for religious laws within the Empire, and then seek to find any larger conclusions and similarities to the process of publication of general laws.

IG I³ 78: The Eleusinian First Fruits Decree:

The Eleusinian First Fruits Decree provides an example of religious tribute being imposed upon the allied states of the Empire without any accompanying monetary tribute such as is found in the inscriptions discussed previously. The First Fruits Decree has three different components of tribute: first, Athenian farmers are to tithe a specific fraction of their first fruits produce to the Eleusinian Mysteries every year;¹⁰¹ second, the allied *poleis* of the empire are required to pay tribute of first fruits to the Mysteries;¹⁰² and finally, an invitation is to be sent out to all of Greece for the dispatch of first fruits to Eleusis.¹⁰³ The dating for *IG I³ 78*, like the Kleinias Decree, varies depending upon the scholar. Early scholars

⁹⁸ Sourvinou-Inwood (1990) 297.

⁹⁹ Brackertz (1976) 155.

¹⁰⁰ Sourvinou-Inwood (1990) 301.

¹⁰¹ *IG I³ 78* 4-10.

¹⁰² *IG I³ 78* 14 – 21.

¹⁰³ *IG I³ 78* 30 – 34. Isocrates *Panegyricus* 31 notes that most Greek *poleis* did send sacrificial first fruits to Eleusis.

attempted to associate it with the Periklean Congress Decree dated in the 440s,¹⁰⁴ but Meiggs and Lewis with others have dated the decree, with trepidation, to c.422.¹⁰⁵ Rhodes, drawing upon the work of Cavanaugh, makes a strong case for dating the decree to c435 or earlier.¹⁰⁶ However, I am not yet convinced by this argument as V.J. Rosivach has effectively criticized Cavanaugh's dating conclusions.¹⁰⁷ Additionally, the only other evidence for imperial Athenian heralds acting in a manner similar to lines twenty-one to twenty-four can be found in the above mentioned secular decrees dated from c.427 to c.424.¹⁰⁸ However, one cannot take the lack of evidence for imperial heralds in other decrees as proof that heralds were not employed earlier by the Athenians. We can hardly assume that at the height of the war the Athenians were sending out envoys in this manner, so the period of conflict in the mid 420s is unlikely. One final piece of evidence regarding the date of this decree is the creation of *eklogeis* which is reminiscent of *IG I³ 68* which also established *eklogeis* in the empire for a more efficient tribute collection. To me the two strongest possibilities for dating are the mid 430s and pre-war years, or the late 420s following the Peace of Nicias.

Regarding publication of the decree one must assume that the local farmers learned of the decree in the usual manners of intra-*polis* communication as discussed in previous chapters. For the allies the decree explicitly states that the *Boule* was to select heralds and

¹⁰⁴ Plutarch *Pericles* 17.

¹⁰⁵ *ML* p. 222 – 223.

¹⁰⁶ Rhodes (2008) p. 505. Cavanaugh (1996) p. 19 – 27, 73 – 95 believes the First Fruits Decree must have preceded the decree creating the *epistatai* (*IG I³ 39*) as there is no mention of them in the First Fruits Decree. Rhodes accepts the dating of *IG I³ 39* to c.432 which obviously informs his dating of the First Fruits.

¹⁰⁷ Rosivach (1997). Rosivach correctly points out that *IG I³ 391* (422 – 418) indicates that in the 420s the *epistatai* had not replaced the *hieropoioi* and were not responsible for the collection of the first fruits.

¹⁰⁸ *IG I³ 66* c.427/6; *IG I³ 68* 426; *IG I³ 71* 425; *IG I³ 34* c.424; *IG I³ 1453* (c.414?).

have them proclaim the decree within the empire, [κέρ]υ[κα]ς δὲ *ηελομένε ηε βολὲ πεμφσάτο ἐς τὰς πόλες ἀ[γ]γέλλον[τ]ας [τὰ] [νῦν] ηεφσεφισμένα τοῖ δέμοι, τὸ μὲν νῦν εἶναι ηος τάχιστα, τὸ δὲ [λ]οιπὸν ἡόταν δοκεῖ αὐτεῖ.¹⁰⁹ It is tempting to suppose that these heralds might be the Eleusinian *genos* of the *Kerykes*,¹¹⁰ but the fact that the *Boule* is specifically charged with selecting the heralds calls to mind the selection of diplomatic and secular proclamatory heralds as seen elsewhere.¹¹¹ The communication to the rest of Greece is a slightly more difficult section to deal with as the text does not explicitly make clear if heralds are involved in the invitation, ἐπαγγέλλεν δὲ τὲν βολὲν καὶ τέσι ἄλλεσι πόλεσιν [τ]ε[σι] ηε[λ]λενικέσιν ἀπάσεσι.¹¹² With the use of ἐπαγγέλλεν as a verb, and the previous mention of the *Boule* as selecting the heralds for the imperial proclamations, it seems very logical to assume heralds would deal with the pan-Hellenic proclamation, but the lack of any specific mention of them is somewhat troubling. The use of heralds within the Empire stands to reason as heralds were the standard form of direct diplomatic contact between *poleis* in the Greek world, but it is rare to see heralds specifically working on a broad uniform pan-Hellenic scale. It is perhaps more fitting to be look to the example of the *theoroi* or *spondophoroi* as the bearers of the Eleusinian First Fruits invitation to the rest of Greece.*

¹⁰⁹ *IG I³* 78 21 – 24, “Heralds will be chosen by the *Boule*, which shall send them to the cities announcing the present decree of the People, in the present instance as quickly as possible and in the future, whenever it seems best.” This clause gives specific *comparanda* to the reconstruction of the *Boule* in selecting heralds in *IG I³* 68 & *IG I³* 71.

¹¹⁰ For more on this *genos*: Parker (1996) p. 300 – 302.

¹¹¹ *IG I³* 71 4 – 5; *IG I³* 68 51 – 56; Demosthenes 18.165.

¹¹² *IG I³* 78 30 – 1.

Theoroi and *spondophoroi* were religious officials whose role it was to announce the festivals of a specific *polis* to their neighbors and the rest of the Greeks.¹¹³ Etymologically the original duty of the *theoroi* was to serve as spectators who traveled to the large festivals, but in time the term also came to describe officials whose job it was to proclaim a festival and its sacred truce. The term also had secondary meanings beyond the messenger and spectator that included oracular consultants, festival participants, and civil magistrates.¹¹⁴ The first explicit evidence for the *theoroi* as proclaimers of festivals is found in the fourth century, but an inscription from Olympia seems to indicate that the practice existed in the fifth century.¹¹⁵ The *spondophoroi*, like the *theoroi*, are known for proclaiming the sacred truce of the Olympic Games, but this term is used specifically for the officials who announced the sacred truce of the Eleusinian Mysteries.¹¹⁶ The *spondophoroi* first appear for certain in the fifth century,¹¹⁷ were drawn from the two Eleusinian *gene* of the Kerykes and the Eumolpidai,¹¹⁸ and a sixth-century text ascribed to Solon might indicate that the *genos* of the Kerykes originally received their name from serving as proclaimers of the Eleusinian sacred truce.¹¹⁹ The *spondophoroi* received the same sacred protection accorded to diplomatic heralds as can be seen in the uproar caused by the fourth-century imprisonment of Athenian *spondophoroi* by the Trichonians.¹²⁰ In the third century

¹¹³ Boesch (1908). Other sacred envoys mentioned in texts who announced festivals were: *presbeutai*, *spondophoroi*, *katangeloi*, *epangeloi*, see Boesch (1908) p. 7-11. *Spondophoroi* were only found in Athens outside of Olympia, Robert (1960) p. 109-111.

¹¹⁴ Perlman (2000) p. 13.

¹¹⁵ For evidence for the origins of the *theoroi* in the fifth and fourth centuries: Perlman (2000) p. 13.

¹¹⁶ Aeschines 2.133 – 34; *RO* 35; *IG* II² 1235.

¹¹⁷ *IG* I³ 6.

¹¹⁸ *IG* II² 1235; *RO* 35 11 – 12; Parker (1996) p. 300 – 301.

¹¹⁹ Solon fr. 88 (Ruschenbusch); see Parker (1996) p. 300 for discussion.

¹²⁰ *RO* 35 11 – 12.

spondophoroi carry a written copy of the proclamation of the sacred truce with them.¹²¹ *Theoroi*, and consequently *spondophoroi*, act so similarly to heralds in their proclamatory business that Xenophon uses the word *kerykes* to describe Argive *theoroi*.¹²²

It is tempting to conclude that in the case of the Eleusinian First Fruits Decree the *Boule* would select not normal heralds to proclaim the invitation for pan-Hellenic sacrifice, but instead would select from amongst the standard *spondophoroi* drawn from the Eleusinian *gene*. Whereas the use of imperial heralds to proclaim what was in essence an additional imperial tax to the allies was perfectly fitting, the invitation offered to the rest of Greece seems very in keeping with the role typically conducted by *theoroi*. It also seems likely that since the *spondophoroi* would already be planning to travel throughout Greece proclaiming the sacred truce they would be the natural option for proclaiming the invitation for first fruits. This would also explain why the First Fruits Decree does not make explicit mention of heralds as bearing the invitations to the rest of non-imperial Greece. This would also support a conclusion that the Athenians consciously used heralds for imperial communication within the Empire. In effect they viewed the power relationship with their imperial allies/subjects as different from the non-aligned or hostile *poleis* of the rest of Greece.

The Periclean Congress Decree:

Another instance of pan-Hellenic communication regarding religious matters is the Congress Decree found in Plutarch. This decree has met with some skepticism about its authenticity,¹²³ but I agree with Meiggs and others who believe it to be a genuine

¹²¹ *IG II²* 1235. Clinton (1974) p. 23.

¹²² Xenophon *Hellenica* 4.7.3.

¹²³ Seager (1969) pp. 129 – 141; Bosworth (1971) pp. 600 – 616.

document.¹²⁴ Griffith has rightly pointed out that the stipulation that men of at least fifty years serve as envoys is only found elsewhere in the fifth-century Methone Decree.¹²⁵ MacDonald correctly disarms Segre's argument against authenticity by pointing out the many erroneous assumptions Segre builds his thesis upon; chiefly that the freedom of the seas was intended to prevent piracy, a fourth-century problem. MacDonald rightly points out that maintenance of a fleet was an essential component of deterrence against any future Persian action, and the continued threat of Persian aggression concerned all the Greeks.¹²⁶ The decree, as Plutarch presents it, concerns the attempt by Pericles to invite all of Greece to a council at Athens where the rebuilding of temples and sanctuaries destroyed by the Persians in the war and other matters concerning security would be discussed.¹²⁷ The part of the text that is most interesting to the discussion concerns the manner of pan-Hellenic publication.

ἐπὶ ταῦτα δ' ἄνδρες εἴκοσι τῶν ὑπὲρ πενήκοντα ἔτη γεγονότων ἐπέμφθησαν, ὧν πέντε μὲν Ἴωνας καὶ Δωριεῖς τοὺς ἐν Ἀσίᾳ καὶ νησιώτας ἄχρι Λέσβου καὶ Ῥόδου παρεκάλουν, πέντε δὲ τοὺς ἐν Ἑλλησπόντῳ καὶ Θράκῃ μέχρι Βυζαντίου τόπους ἐπήεσαν, καὶ πόντῳ καὶ Θράκῃ μέχρι Βυζαντίου τόπους ἐπήεσαν, καὶ πέντε ἐπὶ τούτοις εἰς Βοιωτίαν καὶ Φωκίδα καὶ Πελοπόννησον, ἐκ δὲ ταύτης διὰ Λοκρῶν ἐπὶ τὴν πρόσσοικον ἥπειρον ἕως Ἀκαρνανίας καὶ Ἀμβρακίας ἀπεστάλησαν· οἱ δὲ λοιποὶ δι' Εὐβοίας ἐπ' Οἰταίους, καὶ τὸν Μαλιέα κόλπον καὶ Φθιώτας [καὶ] Ἀχαιοὺς καὶ Θεσσαλοὺς ἐπορεύοντο, συμπείθοντες ἰέναι καὶ μετέχειν τῶν βουλευμάτων ἐπ' εἰρήνῃ καὶ κοινοπραγίᾳ τῆς Ἑλλάδος.

To extend this invitation, twenty men, of such as were above fifty years of age, were sent out, five of whom invited the Ionians and Dorians in Asia and on the islands between Lesbos and Rhodes; five visited the regions on the

¹²⁴ Meiggs (1972) p. 514 – 515; Griffith (1978) pp. 218 – 219; MacDonald (1982) pp. 120 – 123.

¹²⁵ Griffith (1978) pp. 218 – 219

¹²⁶ MacDonald (1982) pp. 121; de Ste Croix (1972) p. 311 – 12 also notes that naval forces were necessary to preserve the peace.

¹²⁷ Plutarch *Pericles* 17. Some see this decree as an attempt by Pericles to extend and legitimize Athenian hegemony within Greece, MacDonald (1982) pp. 120 – 123.

Hellespont and in Thrace as far as Byzantium; five others were sent into Boeotia and Phocis and Peloponnesus, and from here by way of the Ozolian Locrians into the neighboring continent as far as Acarnania and Ambracia; while the rest proceeded through Euboea to the Oetaeans and the Maliac Gulf and the Phthiotic Achaeans and the Thessalians, urging them all to come and take part in the deliberations for the peace and common welfare of Hellas. (Perrin)

For anyone who has studied the usage of heralds in the publication of imperial decrees this passage is interesting because at first it closely resembles the manner and itinerary of publication found in other Athenian decrees.¹²⁸ The resemblance appears closest in the explicit selection of a group of men to carry the message to specific regions which closely mirrors the selection of heralds and their dispatch to the four administrative regions of the empire. Many commentators have taken this similarity at face value, and they have assumed that the ἄνδρες spoken of in this decree refer to heralds.¹²⁹ However, for a number of reasons I am not so certain that this natural association is correct.

The first mistake is assuming that the regions of the Congress Decree correspond to those found in other Athenian sources. In the Athenian tribute lists and decrees the main four regions listed are: Ionia, the Hellespont, Thrace, and the Islands.¹³⁰ However, if one looks at the passage cited above the regions break down into: Ionia and the islands, the Hellespont and Thrace, Boeotia and the mainland, Acarnania and Ambracia, and Pthia. Only the first two categories correspond to the Athenian herald itineraries from later documents, and as Meiggs notes this pattern of travel is more reminiscent of the Delphic

¹²⁸ *IG I³ 71 4 – 7; IG I³ 34 26; IG I³ 1453 section 7 (composite); Hornblower & Greenstock (1984) no. 72 p. 70.*

¹²⁹ MacDonald (1982) pp. 120; Cavanaugh (1996) p. 81; Meritt & Wade-Gery (1962) p. 72; Hornblower & Greenstock (1984) p. 71.

¹³⁰ *ATL 12 – 16; IG I³ 71 4 – 7; IG I³ 34 26; IG I³ 1453 section 7 (composite).*

Amphictiony.¹³¹ Second, the decree uses the verb ‘συμπείθοντες’ which can translate as to ‘persuade’. This verb is unsuited for association with heralds who usually employ verbs of proclamation and announcement, whereas ‘συμπείθοντες’ seems much more indicative of a diplomatic mission than an invitation or announcement. Finally, and perhaps most notably, is the clause that restricts the men who can be chosen to those being over the age of 50. This restriction makes sense in regards to a diplomatic mission where age was highly valued as a sign of wisdom, and it was common for diplomatic parties to consist of older gentlemen.¹³² However, this selection criterion is completely alien to the appointment of a herald. The only restriction on the election of a herald which I am aware of is the statute that no man may act as a herald, amongst other diplomatic positions, who has prostituted himself in the past.¹³³ The only two instances which I know of where the statutes limiting an office to someone over the age of 50 exist are the Methone Decree and a fragment of Heracleides of Pontus’ work, and both of those cases deal with the appointment of ambassadors (*presbutai*). Heracleides writes, Νομός δὲ ἦν Χαλκιδεῦσι μὴ ἀρξαι μηδὲ πρεσβεῦσαι νεώτερον ἐτῶν πεντήκοντα,¹³⁴ and the Methone Decree reads, π[ρέσβε]ι[ς δ]ὲ τρεῖς πέμψαι ὑπὲρ πεντέκοντα ἔτ ε γεγον[ότας] [ό]ς Περδίκκα[ν].¹³⁵ From the above cited evidence it seems much more likely that the men spoken of in the Congress Decree should be considered ambassadors and not heralds. This also meshes well with the implications discussed above that Athens seems to make a conscious choice to use heralds only in diplomacy and in Imperial matters where they might carry the voice of Athenian power to the allies.

¹³¹ Meiggs (1972) p. 299.

¹³² Mosley (1973) p. 46.

¹³³ Aeschines 1.19 – 20.

¹³⁴ Heracleides of Pontus *FGRHist* 11 F31, “There is a law for the Chalkidians that those younger than 50 will not serve in office no serve as ambassadors.”

¹³⁵ *IG I³* 61 16 – 17, “Three envoys over 50 years of age are to be sent to Perdiccas.”

The Cow and Panoply:

The Great Panathenaea was one of the central festivals of the Athenian religious calendar, and under the Empire it became an imperial festival with displays of imperial tribute. Monetary tribute was already displayed publicly during the religious festival of the Dionysia,¹³⁶ and this served to display to other Greeks and to the allies the power and wealth of Athens.¹³⁷ In addition to the regular monetary tribute required of the allies Athens also began to require a religious tribute of a cow and panoply to be dedicated at the Great Panathenaea. The first certain instance of this tribute appears in the Tribute Reassessment of 425 where the inscription reads:

ἡπόσ[εσι πό]λεσι φόρος [ἐτάχ]θ[ε ἐπὶ τ]ῆς [β]ολῆς ἡεὶ Πλειστί]ας πρῶτος [ἔ]γρα]μμάτευε ἐπὶ Στρατοκ [λέος] ἄρχοντος βο[ν καὶ πανθοπ]λ[ίαν ἀπά]γεν ἐς Παναθ]έναια τὰ με[γάλα] ἡπάσας.¹³⁸
 All the cities assessed for tribute under the Council to which Pleistias was first Secretary in the archonship of Stratokles are to bring a cow and a full panoply to the Great Panathenaia.

Another instance of this requirement occurs in the Kleinias Decree (probably dated to c. 424) where the inscription reads:

καὶ ἐ]άν τις περὶ τὲν ἀπα[γογῆ]ν τῆς βοῦς ἢ [τῆς πανθοπλία]ς ἀδικεῖ, τὰς γραφά[ς ἐ]νά]ι κατ' αὐτῶ κ[αὶ τὲν ζεμίαν κ]ατὰ ταῦτά.¹³⁹
 If anyone commits an offence over the bringing of the cow or of the panoply, he shall be prosecuted, and the penalty shall be in accordance with these same prescripts.

¹³⁶ Isocrates 8.82.

¹³⁷ Raaflaub (2009) p. 107; Smarczyk (1990) pp. 155 – 166, 298 – 317.

¹³⁸ *IG I³* 71 56 – 57.

¹³⁹ *IG I³* 34 41 – 43.

Mattingly notes that the use of the definite article in this clause presupposes the existence of the clause in the Reassessment of 425.¹⁴⁰ In fact, the practice of a tribute dedication of a cow and panoply is a previous institution that existed between Athens and its colonies,¹⁴¹ and the Tribute Reassessment of 425 clearly indicates that the allies must take part in the procession in a manner similar to the Athenian colonists. There is no specific clause discussing the proclamation of this new religious tribute, but it seems likely that it would have been no different from the means by which the greater information of the tribute assessment was announced to the allies.

Imperial Military Communication:

Military communication is obviously an important element of communication within the Athenian Empire, and it is relevant to ask whether heralds were used in this type of imperial communication as well. The nature of the Empire as being based around coastal and island *poleis* necessitated a naval form of communication. The Athenian military presence in the Aegean and Mediterranean existed both in terms of large mobile forces and smaller local garrisons in allied *poleis*, and the means and types of information needed by these different types of forces varied depending on their role. Athenian forces often operated in large fleets which had been organized for a specific goal or campaign such as Paches' expedition against the rebellious Mytilene or the Sicilian expedition.¹⁴² Likewise, a large Athenian fleet was permanently stationed at the island of Samos in the later stages of the Peloponnesian War, and this would have necessitated communication between the local commander and Athens. The formal communications between these forces and Athens are

¹⁴⁰ Mattingly (1987) p. 67.

¹⁴¹ *IG I³* 46 15 – 17. In addition to the panoply and cow the colonists at Brea were to send a phallus to the Dionysia every year.

¹⁴² Thucydides 3.1-50; Thucydides bks. 6-7.

the best known and documented instances of military communication, and a study of these communications is important to determine if the commonly-known examples were the norm in the Empire, or if they were only noted in Thucydides because of their exceptional nature. Furthermore, an examination of this material will help to inform us if there was an aspect of regular imperial Athenian communication which did not involve heraldic proclamation.

Perhaps the best known and cited example of military communication within the Empire is the episode involving the rebellion of Mytilene, and the subsequent decision by Athens to lay waste to the *polis*.¹⁴³ In this instance the Athenians, following their previous decision to destroy the Mytilenians, decided to countermand their previous orders and issued a reprieve. The race between the two communication ships and its results are described in the following,

κατὰ τύχην δὲ πνεύματος οὐδενὸς ἐναντιωθέντος καὶ τῆς μὲν προτέρας νεὼς οὐ σπουδῆ πλεούσης ἐπὶ πρᾶγμα ἀλλόκοτον, ταύτης δὲ τοιοῦτω τρόπῳ ἐπειγομένης, ἡ μὲν ἔφθασε τοσοῦτον ὅσον Πάχητα ἀνεγνωκέναι τὸ ψήφισμα καὶ μέλλειν δράσειν τὰ δεδογμένα, ἡ δ' ὑστέρᾳ αὐτῆς ἐπικατάγεται καὶ διεκώλυσε μὴ διαφθεῖραι. παρὰ τοσοῦτον μὲν ἡ Μυτιλήνη ἦλθε κινδύνου.¹⁴⁴
 Luckily they met with no contrary wind, and the first ship making no haste upon so horrid an errand, while the second pressed on in the manner described, the first arrived so little before them, that Paches had only just had time to read out the decree, and to prepare to execute the sentence, when the second put into port and prevented the massacre. The danger of Mytilene had indeed been great.

In both cases the ships that were employed were triremes (τριήρης),¹⁴⁵ but as will appear below a trireme was used for communications only in the most exceptional or important of occasions. The trireme was not only the largest and most powerful ship in the Athenian navy, but it was also the fastest, and was suited for the quickest and most secure means of

¹⁴³ Thucydides 3.1-50.

¹⁴⁴ Thucydides 3.49.4.

¹⁴⁵ Thucydides 3.36.3, 3.49.4.

communication. However, a trireme's expense of operation and its value as a military asset would argue against the common usage of such powerful and valuable ships as couriers. Instead, the extraordinary nature of the original decree and its reversal required both security of communication and speed, and it is because of these factors that triremes were used.¹⁴⁶

The nature of the communiqué is important to note as it was not simply a military order, but was instead an actual decree of the Athenian Assembly (ψηφισμα). Likewise, the actions of Paches are akin to the actions undertaken in the publication of an imperial decree such as the Coinage Decree or the Tribute Reassessment in that there is a proclamation of an Athenian decree to the local populace. In this case Paches reads out publicly (ἀνεγνωκέναι) a written copy of the decree (ψηφισμα) to the local populace. In this case an Athenian official proclaims the decree as opposed to a local herald or official, and I think it is safe to assume that the Athenians would not have gone through local channels for a decree of this subject matter. The military proclamation of an order or decree to a local occupied populace was by no means a rare occurrence, but seems to have been a regular form of communication between an army and the general population. As this dissertation has noted in a previous chapter, in these instances the general likely did not have access to the established system of communication in whatever region of *polis* he might be in, but instead had to rely upon the basic form of communication of oral proclamations. In some cases these campaign proclamations might be a form of propaganda used to win over the local populace such as Brasidas' proclamation to Amphipolis,¹⁴⁷ by the Thebans when they

¹⁴⁶ The necessity for speed of communication would seem to call for the use of one of the sacred ships, the *Paralos* or the *Salaminia*, but since Thucydides mentions neither name it must be assumed they were on duty already with the fleet, or were away on other duties.

¹⁴⁷ Thucydides 4.105 – 106.

secretly marched into Plataea during the early stages of the Peloponnesian War;¹⁴⁸ by Agesilaus during his campaign against the Persians at Sardis;¹⁴⁹ and by Timoleon during his capture of Syracuse.¹⁵⁰ Beyond the simple propaganda value of these proclamations they might sometimes contain specific legal matters being instituted by the conquering force in a similar context to that seen in the example of Paches and Mytilene. As has been seen, Brasidas proclaimed legal equality for all citizens of Amphipolis, regardless of their affiliation during the conflict. Alcibiades, upon capturing Selymbria in his Hellespont campaigns of 410/9, made a formal proclamation (ἀνειπεῖν) that the Selymbrians were to never raise arms against Athens.¹⁵¹ Likewise, when Alcibiades fought against Mindarus at Cyzicus in 410 he proclaimed (ἐπεκήρυξε) the death penalty for any local who sailed across the straits.¹⁵²

Another famous example of military communication in the Athenian Empire is the case of the Sicilian Expedition and the recall of Alcibiades to face charges of sacrilege.

καὶ καταλαμβάνουσι τὴν Σαλαμινίαν ναῦν ἐκ τῶν Ἀθηνῶν ἤκουσαν ἐπὶ τε Ἀλκιβιάδην ὡς κελεύσοντας ἀποπλεῖν ἐς ἀπολογία ὧν ἡ πόλις ἐνεκάλει, καὶ ἐπ' ἄλλους τινὰς τῶν στρατιωτῶν τῶν μετ' αὐτοῦ μεμνημένων περὶ τῶν μυστηρίων ὡς ἀσεβούντων, τῶν δὲ καὶ περὶ τῶν Ἑρμῶν.¹⁵³

There they found that the *Salaminia* had come from Athens for Alcibiades, to order him to come home and defend himself against the accusations which the polis was bringing, and for some of the soldiers, some of them having been denounced with him as guilty of sacrilege concerning the Mysteries, and some also concerning the Herms.

¹⁴⁸ Thucydides 2.2.4.

¹⁴⁹ Xenophon *Agesilaus* 1.33.

¹⁵⁰ Plutarch *Timoleon* 22.2.2.

¹⁵¹ Plutarch *Alcibiades* 30.3.

¹⁵² Xenophon *Hellenica* 1.1.15.

¹⁵³ Thucydides 6.53.1.

In this case the Athenians choose to use one of the sacred state ships, the *Salaminia*, to communicate the orders to Alcibiades to return. These ships, the *Salaminia* and the *Paralos*, were two so called ‘sacred’ ships because in addition to their naval duties with the fleet they served a role in bearing *theoroi* on theoric business.¹⁵⁴ Each individual ship had unique duties as well. The *Paralos* often served as a diplomatic ship bearing embassies to foreign nations,¹⁵⁵ and the *Salaminia* served a role in bearing summons to citizens abroad to return to Athens to face trial.¹⁵⁶ This is interesting as it demonstrates an aspect of empire-wide communication. As noted previously, there was a system of summoners who travelled the empire summoning Athenians to stand trial in Athens for religious offenses and homicide.¹⁵⁷ In this instance, the *Salaminia*’s mission to deliver the court summons to Alcibiades is indicative of other aspects of Imperial Athenian communication, and not of military communication.¹⁵⁸

So this investigation has dealt with exceptional cases of communication involving large Athenian fleets, but it has ignored more regular communication that would have

¹⁵⁴ *Suda* sv. θεωροί; Thucydides 3.77.3 (mentioned as being amongst the Athenian fleet); Aristophanes *Birds* 1204; Jordan (1975) pp. 156 – 60; Rhodes (1981) p. 687.

¹⁵⁵ *IG II*² 213 6ff; Arrian *Anabasis* 3.6.2; Aeschines 3.162; Jordan (1975) pp. 172 -- 176.

¹⁵⁶ Aristophanes *Birds* 147, 1204; Schol. Dem 829; Schol. Dem 21.171 – 174; Phot. *Lex* s.v. *Paralos*; *Suda* s.v. *Paralos* & *Paralos* e *Salaminia*; Jordan (1975) p. 166 – 172.

¹⁵⁷ *Supra* pp. 166 – 169.

¹⁵⁸ There are two attested instances of one of the sacred ships serving a role as a communication vessel from the main Athenian fleet. In 411 the *Paralos* was stationed with the Athenian fleet at Samos (Plutarch *Themistocles* 7.5; Thucydides 8.73; Xenophon *Hellenica* 2.1.29) and acted as a communications vessel bringing news back to Athens that the democrats in Samos had defeated the oligarchs (Thucydides 8.74.1). Likewise, after the defeat of the Athenians at Aegospotami the *Paralos*, one of the nine ships to survive and escape with Konon, sailed for Athens to bring news of the disaster (Xenophon *Hellenica* 2.1.29, 2.2.3). In both instances the *Paralos* is bringing news from the fleet to Athens. In both the above mentioned cases involving the *Paralos* the subject of communication with Athens was one of exceptionally important circumstances, and there is no indication of a more mundane or typical form of military communication, but there is evidence that classes of ships smaller than triremes were used to bear less important messages between forces.

occurred between Athens and her fleets and garrisons. The Athenians employed a wide system of maritime forts throughout her empire to control piracy, control rebellious land such as Euboea, and to act as aggressive forces such as at Pylos. Moreno notes five instances where the Athenians employed aggressive maritime forts,¹⁵⁹ and other forts that were used to control the island of Euboea.¹⁶⁰ These forts might have varied in garrison size, but typically they included a land force plus a naval force of two to five triremes.¹⁶¹ With these large numbers of men and ships spread around Athenian possessions a system of communication would have been necessary. In the case of local forts such as Boudoron, which was located on a promontory near Megara, they might have been able to communicate with Athens by means of fire-signals,¹⁶² but for forts such as at Pylos a different system was necessary.

The communication route would have been by necessity the sea. Garrisons were unlikely to use their triremes for communication as losing one of their few warships would have greatly weakened their military power. Instead, it seems more likely that small ships would have been used to bear messages. Pentakonters, fifty oared ships, and triakonters,

¹⁵⁹ Moreno (2007) p. 127 – 8. These forts included: Atalante from 431 (Thucydides 2.32.1); Boudoron from 429 to 427 (Thucydides 2.93 – 4); Minoa from 427 (Thucydides 3.51.4, 4.67, 4.118.4); Pylos from 425 to 409 (Thuc 4.2 – 6, 8 – 23, 26 – 41, 118.4; Diod. 13.64.5 – 7); and Delphinium from 412 to 407 (Thucydides 8.38.2, 40.3, 55.2; Xenophon *Hellenica* 1.5.15).

¹⁶⁰ Moreno (2007) pp. 132 – 134 no. 263 – 288.

¹⁶¹ Diodorus Siculus writes that 500 men were captured at the fall of Delphinium, Diodorus 13.76.4. The number of ships in a fort can range from two at Atalante in 431 (Thucydides 3.89), to three at Boudoron (Thucydides 2.93.4), and five at Pylos in 425 (Thucydides 4.4). Strabo, citing Demetrius of Callatis, notes that these were triremes, Diodorus 1.3.20. Moreno (2007) pp. 130 – 31.

¹⁶² Boudoron communicated with the Piraeus by this means, Thucydides 2.94.

thirty oared ships, are attested as dispatch ships during the Persian Wars.¹⁶³ While these ships appear in naval catalogues up till Salamis, in the latter half of the fifth century their use fast disappears as they became too small for effective use as capital ships in the age of the trireme.¹⁶⁴ The ineffectiveness of these ships in the Peloponnesian War line of battle might indicate that while they had fallen out of favor in regards to battle they might have found use as dispatch boats. We might postulate that the regularity and unspectacular nature of these ships and their use for basic communication is the reason there is no mention of them in the sources. Unfortunately, there is no direct evidence to support this theory, but there is evidence from the fourth century that might shed light on an imperial communication system.

In Aeschines' speech *On the Embassy* a man named Antiochos, who served as the 'commander of the dispatch boats' (τὸν ἐπὶ τῶν ὑπηρετικῶν), was given orders to set sail immediately to find and report news of Philip's aggressive moves to the commander of the Athenian expeditionary force.

οὕτω δ' ἦν σφαλερὰ καὶ ἐπικίνδυνα τὰ πράγματα ὥστε ἠναγκάσθη γράψαι ψήφισμα Κηφισοφῶν ὁ Παιανιεύς, εἷς τῶν φίλων καὶ ἐταίρων τῶν Χάρητος, ἐκπλεῖν τὴν ταχίστην Ἀντίοχον τὸν ἐπὶ τῶν ὑπηρετικῶν, καὶ ζητεῖν τὸν στρατηγὸν τὸν ἐπὶ τῇ δυνάμει τεταγμένον, κἂν ἐντύχη που, φράζειν ὅτι θαυμάζει ὁ δῆμος ὁ Ἀθηναίων εἰ Φίλιππος μὲν ἐπὶ Χερρόνησον τὴν Ἀθηναίων πορεύεται, Ἀθηναῖοι δὲ οὐδὲ τὸν στρατηγὸν ἴσασιν οὐδὲ τὴν δύναμιν, ἣν ἐξέπεμψαν, ὅπου ἐστίν. Ὅτι δ' ἀληθῆ λέγω, ἀκούσατε τοῦ ψηφίσματος, καὶ ἀναμνήσθητε τοῦ πολέμου, καὶ τὴν εἰρήνην τοὺς ἡγεμόνας, ἀλλὰ μὴ τοὺς πρέσβεις ἀπαιτεῖτε.¹⁶⁵

¹⁶³ Her. 7.163.2, Herodotus notes that Gelon of Syracuse sent three pentakonters to Delphi in 480BC to bring word of the results of Xerxes' invasion. Her. 8.21.1, Communication between the Spartan led force at Thermopylae and the fleet at Artemesium was conducted by triakonters.

¹⁶⁴ Morrison & Williams (1968) p. 246.

¹⁶⁵ Aeschines 2.73. cf. *schol.* on Aeschines 2.73.

The situation was so precarious and dangerous that Cephisophon of Paeania, one of the friends and companions of Chares, was compelled to make the motion that Antiochus, who commanded the dispatch boats, should sail immediately and hunt up the general who had been put in charge of our forces, and in case he should happen to find him anywhere, should tell him that the people of Athens were astonished to learn that Philip was on the way to the Chersonese, Athenian territory, while as to the general and the force which they themselves had sent out, the Athenians did not even know what had become of them. To prove that I am speaking the truth, hear the decree and recall the facts of the war, and then charge the peace, not to the ambassadors, but to the commanders of our arms. (Adams)

This is the only piece of evidence for this Athenian official, but the urgency of Antiochos' mission would seem to indicate the importance of the position within the Athenian military.¹⁶⁶ It is also important to note that the decree (ψηφίσμα) that authorized Antiochus to bear a message to the Athenian commander did not stipulate a herald was to bear the message, but simply the official in charge of the messenger boats. We might suppose that the non-international or non-proclamatory nature of this message is why no heralds were used, and why a simple messenger was used instead. Another usage of the ὑπηρετικὸν appears in Demosthenes when Callistratus sends a letter aboard a ὑπηρετικὸν to the Athenian forces at Thasos under the command of Timomachus.¹⁶⁷ The only other usage of this term, and the only one from the fifth century, comes from the Spartan forces when news of the Spartan defeat at Arginusae was originally brought to Spartan forces by a ὁ ὑπηρετικὸς κέλῃς, but when the commander learned this he had the ship sneak back out and reenter shouting false news of a great victory to increase his troops' morale.¹⁶⁸ In this instance the word ὑπηρετικὸς is associated with κέλῃς, which is also a word for small boats.

¹⁶⁶ Jordan (1975) p. 137.

¹⁶⁷ Demosthenes 50.46. It should be noted that in this instance the dispatch boat is bearing a private message from a citizen to the commander of the forces, and not an official piece of news from Athens or another commander.

¹⁶⁸ Xenophon *Hellenica* 1.6.36

The κέλις appears in another instance of fifth-century communication. Following the battle of Sybota between the Corcyran and Athenian allied forces and the Corinthians a κέλις is used to communicate between the fleets.¹⁶⁹ The poet Ephippos describes a κέλις as a ship with five oars to a side,¹⁷⁰ and one shows up at Pylos in 425 along with a *triakonter* from Naupaktos with a crew of 10 men.¹⁷¹ While some might question the ability of such a small ship to be seaworthy enough for the purposes of communication it should be noted that these ships were quite capable of long distance journeys.¹⁷²

While there is no direct evidence to support a fifth-century system of dispatch boats comprised of ὑπηρετικά and κέλιτες, there is circumstantial evidence to suggest that the common usage of these boats as communication tools might be indicative of their use for the delivery of news. The Athenians' many naval forts required some sort of system of communication, and as noted previously the use of triremes would be too expensive from a military standpoint. It is possible to hypothesize that in the early years of the Empire there was no established system for dispatch, but as time dragged on it became more standard for small ships to be employed as couriers, and it is a reflection of this later standardization that there appears in the Second Athenian Confederacy a 'master of the dispatch boats.' What does appear clear is that heralds were not employed in imperial military communication, and once again appear to only take part in imperial decrees.

¹⁶⁹ Thucydides 1.53.1.

¹⁷⁰ Ephippos 18a, 19: 17 – 18; Casson (1973) p. 160.

¹⁷¹ Thucydides 4.9.1.

¹⁷² Thucydides 4.9.1, the boat travels from Naupaktos to Pylos. The Spartan commander Theramenes, having been relieved of command at Miletus, attempted to sail home to Sparta aboard a κέλις, Thucydides 8.38.2.

Conclusions:

Befitting their historical nature as tools of oral communication the imperial Athenian heralds bore the message of decrees to the allied *poleis*, and likely proclaimed the decree to the legislative bodies or directly to the people of these allies. We only see heralds in issues of Imperial decrees pertaining to the allied states, while other forms of long-distance communication such as military communiqués, the receipts of tribute mentioned in the Kleinias Decree, or court summons all employ different sorts of messengers. This focus on a specific aspect of imperial communication sprang from traditional heraldic roles in the Greek community: the proclamation of decisions or important official news, and their roles as the mouthpieces for the community.

We must ask what happened in regards to the specific proclamation made by the heralds in the allied *poleis*. The lack of specificity and the fragmentary nature of most of the herald clauses leaves us with no clear idea whether the heralds proclaimed imperial decrees directly to the allied populace in a communal space such as the *agora*, or whether they instead made proclamation to the governing bodies of the allies. The evidence on the matter can be quickly summarized. Aristophanes' *Birds* provides an instance of the public announcement of decrees when a decree-seller appears to quote the text of the Coinage Decree.¹⁷³ In regards to this proclamation Pébarthe notes that this passage is meant to reflect the Athenian dominion over Cloudcuckooland, and is a reflection of an imperial decree being forced upon an allied state.¹⁷⁴ In the incident of the Mytilene affair too the Athenian naval commander, Paches, 'reads out' (ἀνεγνωκέναι) the Athenian Decree

¹⁷³ Aristophanes *Birds* 1035 – 1052.

¹⁷⁴ Pébarthe (2006) 306

concerning the impending destruction of the *polis*.¹⁷⁵ But it does not necessarily follow that Athenian decrees in allied states were always proclaimed to the citizenry at large. The contact might follow the standard for heraldic diplomatic communication throughout the Greek World which involved proclamation of a message between the legislative authorities of the *poleis*. This style of contact fitted well with the irregular forms of local official communication found in different *poleis*. There was no standard for these official local communications, and it is likely the Athenians allowed the local authorities to disseminate the information of imperial decrees through these local established systems. The proclamation of the imperial decree to the local authorities does not take away its imperial dominating tone as was noted by Pébarthe, although it does lessen the imperial overtones of the proclamation a little, but it simply shifts the responsibility of the dissemination to the local officials. In the end I do not believe the question is fully resolvable with the evidence at hand. If it was possible to prove conclusively that the Athenians proclaimed directly to the allied populaces it would provide a very physical and real representation of imperial domination in the form of the herald and his address, which would be in keeping with the general dislike felt for heralds as, in the words of Euripides, attendants to tyrants and kings. It must be noted again that heralds only proclaimed decisions that had already been reached and finalized solely within the Athenian Assembly. These heralds could be said to speak with the ‘voice of power’ for the Athenian Empire to its subject states. This view of the selective use of heralds as the direct voice of imperial domination is strengthened by the other forms of communication used within the Empire for more mundane issues. Unfortunately, it is indeterminable if the use of heralds, and Athenian attitudes towards and

¹⁷⁵ Thucydides 3.49.4.

conventions of imperial proclamation, changed over time as the evidence is limited in both size and temporal scope.

What of writing? It had various important roles within the Athenian Empire. The Kleinias Decree requires that allied states send to Athens sealed documents stating the value of the tribute paid, and these were only to be opened at Athens with the delivery of payments to ensure that no fraud or theft of the tribute had occurred in transit.¹⁷⁶ This document also mentions written indictments that can be brought against individuals who interfere with the tribute.¹⁷⁷ In Aristophanes *Birds* an *episkopos*, or inspector, arrives in Cloudcuckooland looking for the local Athenian official, the *proxenos*, and bearing a written document he calls ‘φαῦλον βιβλίον Τελέου τι.’¹⁷⁸ Dunbar describes this ‘wretched paper of Teleas’ as a decree that was proposed by Teleas and whose text, after being ratified by the Assembly, would have been handed to the secretary of the *Boule* to be preserved in the archives and copied for the inspector as his instructions and authority.¹⁷⁹ This itself was not an order to the allies, but instructions to send out an *episkopos*. A third century inscription notes that the *spondophoroi*, who proclaimed the sacred truce of the Eleusinian Mysteries, carried a written copy of the proclamation with them.¹⁸⁰ The very nature of the Coinage Decree as a composite text favors the idea of individual texts tailormade for each allied *polis* or region.¹⁸¹ The possibility of specific texts for individual or groups of allied *poleis* would logically call for written copies of the specific decrees as the heralds would be hard-pressed to remember the differences between the alternate texts. Finally, the importance of a written

¹⁷⁶ *IG I*³ 34 6 – 18.

¹⁷⁷ *IG I*³ 34 31 – 41.

¹⁷⁸ Aristophanes *Birds* 1021 – 1026.

¹⁷⁹ Dunbar (1998) p. 564 – 565 s.v. 1024; Sommerstein (1987) p. 268 s.v. 1024-5.

¹⁸⁰ *IG II*² 1235.

¹⁸¹ Stroud (2006) p. 26.

record within the allied *poleis* is attested by the inclusion of the clause in the Coinage Decree that calls upon Athenian officials (*archontes*) serving in these *poleis* to erect a stele of the Decree in the *agora* of each *polis*, and one in front of the local mint.¹⁸² We may conclude from this evidence that in addition to the heralds' proclamation of the Coinage Decree written copies of the decree were sent along with the heralds to ensure proper long-term display of the decrees to the allies. The written material of the empire served various roles: as a memory aid, and as a means of authorizing an official proclamation. However, in the case of the Coinage Decree and its erection as a monumental inscription in all the allied *poleis*, one can see the use of writing as an extension of the herald's proclamation. The erection of this *stele* in a foreign *polis* was a constant reminder of the relationship between Athens and her subjects, and it was essentially a perpetuation of the herald's voice of power.¹⁸³

In the Introduction to this dissertation I noted that one of the central questions which would drive my investigation throughout this work is, what aspects of communication did heralds not engage with, and what can this unimportance of heralds reveal about their greater place within a system of communication? While heralds were used for some specific Imperial proclamations, they were not employed for the more mundane and common need for military communication. To me this represents a selective use of heralds for specific aspects of communication, and a decision taken by the Athenians to only use heralds within

¹⁸² *IG I³* 1453 section 8 (composite). Aside from the importance of the *agora* as a central location for the populace of the local *polis*, it also served as the financial center of the community and was thus the fitting location for a stele of the coinage decree to be placed.

¹⁸³ Missiou (2011) p. 107 – 108 seemingly misses this point in her scant discussion of the Coinage Decree, and views only the erection of the *stele* as a communicative act. She appears to ignore the very explicit mention of proclamation in the text as the primary and immediate form of communication.

the Empire to carry proclamations imposing new regulations on allied *poleis*. One conclusion to draw from this material is that heralds did play an important role in conveying certain types of information to the Empire, but the use of these heralds also reflects a conscious decision by the Athenians to use the heralds as tools of imperial dominance. This display of power through a herald's proclamation brings to mind the relationship between a restrictive government and its people, and Euripides' indictment of heralds as attendants to tyrants and governments. The Athenian use of heralds within their empire can perhaps be seen as a macrocosm for the use of heralds in restrictive governments where it was necessary for an official representative to proclaim information and orders, but also to assert the authority of the governing party. Perhaps this might indicate why the Athenians did not appear to have used a herald to proclaim new laws and decrees within their own *polis*. Perhaps they made a conscious decision to curtail some of the aspects of such a vestige of pre-democratic governance within their community, but also to employ this same technique within their imperial domains.

Chapter Six

Heralds and Religion

Introduction:

The last chapter of this dissertation will examine the importance of heralds and their proclamations in the religious rituals of the Archaic and Classical Greek *polis*. The earliest possible evidence for heralds in Greek society comes from Mycenaean Linear B records found at Pylos,¹ and this evidence places these Bronze Age officials at religious centers which suggests that the earliest roles for ‘heralds’ might have been religious in nature.² However, it is not until Homer that a clear portrait of heraldic activity appears. Homer portrays heralds as being involved directly in the preparations for sacrifice and feasting, and these heralds were intimately involved in the preparation of sacrificial feasts. In the Archaic and Classical *poleis* too heralds were integral in the functioning of religious ritual. As noted in the previous chapter the *polis* “anchored, legitimized, and mediated all religious activity,”³ but at the same time the civic cult gave unity, protection, and representation to the *polis*,⁴ and heraldic involvement in religious ritual made them highly visible in this central aspect of *polis* life and identity. Within the religious sphere inscriptions clearly describe the specifics of heraldic proclamation and involvement in sacrifice, and demonstrate the highly ritualized nature of religious heraldry and proclamation. The heraldic involvement in

¹ The Linear B title for heralds is ka-ru-ke, which is distinct from messenger (a-ke-ro), and which is attested in five different citations in two tablets: Pylos tablets PY: Fn 187, UN 219; Chadwick (1973) p. 123; Lindgren (1973) p. 144.

² The locations where the heralds are cited in the Linear B tablets are religious centers in the hither province of the Pylian kingdom: Palmer (1961) p. 259ff; Murray (1977) p. 142 – 4; Killen (2001) p. 440.

³ Sourvinou-Inwood (1990) 297.

⁴ Brackertz (1976) 155.

religious rites consisted of ritual proclamations which both preceded and were a concurrent aspect of the sacrificial ceremonies, and the occasionally physical participation in the slaughter and preparation of the sacrificial beasts. These religious roles for heralds demonstrate one of the greatest links of continuity with the pre-historical Greek world, and it might be that this religious association helped the institution of the herald survive the great changes in social organization of the Archaic and Classical periods.

The difficulty in the study of heralds has always been the lack of hard evidence providing a full and clear picture of their involvement in *polis* life. Previously I have compared this situation to an enemy tunneling below the surface of perception who only occasionally pops his head above ground to give an idea of what lay unseen. The focus of this work until this point has largely been on Athens as the preponderance of evidence is found within its epigraphic and literary sources, which has allowed us to use the well-known context of Athenian life to understand the involvement of heralds and their proclamations with the particulars of Athenian *polis* life and its other forms of official communication. When evidence from outside Athens was used it was as a contrast to Athenian systems, or as a means of filling in the gaps where no evidence survives to inform us as to the specific activities of Athenian heralds. However, in the case of religious heralds a great deal of the best evidence originates from outside the Athenian sphere of influence, which leaves problems of contextual comparison and compatibility between the sources. It is possible to suppose that the pan-Hellenic nature of Greek religion allows us to view the evidence without too heavy a regard placed on the political context of each individual *polis*. However, in order to resolve the issue in the best way I propose to present the evidence without any assumptions on heraldic roles, and simply look for common features. The

evidence for religious heralds and heralds will be presented in a tripartite scheme which focuses on heraldic proclamations within religious ritual; proclamations preceding or opening festivals; and the physical involvement of heralds within the rite of sacrifice.

Proclamations and Festivals:

The best examples of religious heraldic proclamations come from herald activity within the confines of specific rituals, ie. once the sacrifice or festival has begun. The most detailed epigraphic account of heralds' roles in the announcement of festivals comes not from Athens, but from the island of Kos.⁵ The Cult Calendar of Kos is an inscription which appears on four stelai, each representing a single month, and it is supposed that originally there were twelve stelai. The inscription is dated to the mid-fourth-century following the synoecism of the island in 366.⁶

Stele A provides the fullest discussion of heralds and their role in sacrifice. This inscription concerns the month of Batromios, the equivalent of the Athenian Gamelion, and the text is largely concerned with the proper procedure for the selection and sacrifice of an ox to Zeus Polieus in a way reminiscent of the Athenian Bouphonia. The fragment contains numerous references to heralds in the context of proclamations, sacrificial ritual, and the apportionment of meat. The present section will concentrate on the role of heralds in proclaiming the ritual.

The first surviving section of this inscription deals with the selection of the sacrificial oxen and its public notice involving heralds. An elaborate system of judging between oxen drawn from each of the sub-divisions known as *chiliastyes* is described in lines 5 through

⁵ *IG* XII(4) 278; Paton & Hicks (1891) nos. 37 – 39; *RO* 62.

⁶ *LSCG* p. 255.

21, but the description proves to be very confusing and seems to possibly describe two different sacrificial choices.

Π[άμφ]υλοι δὲ ἐπελάντω βοῦ[ς] τρεῖς τοὺς καλλίστους, αἱ μ[έ]γ
κα] τούτωγ κριθῆι τις· αἱ δὲ [μή, Ὑλλεῖς τρ]εῖς ἐλάντω, αἱ μ[έ]γ
[κα τ][ο]ύτωγ κριθῆι τις· αἱ δὲ μ[ή, Δυμᾶνες τρ]εῖς τοὺς
λοιπούς, αἱ [μέ]γ κα τούτων κριθῆι τις· αἱ [δὲ μή, ἀτέρους]
ἐλάντω ἐς τὰν ἀγ[ο][ρ]ὰν καὶ ἐπελάντω κατὰ τα[ύ]τά, αἱ μ[έ]γ κα
τούτωγ κριθῆι τ[ις]· αἱ δὲ μή, τρίτον ἐπελάντω κατὰ τα[ύ]τ[ά]· αἱ
δέ κα τούτωγ κρι[θῆι] μηδεῖς, ἐπικρινόντω βοῦν ἐκ
χι[λιασ]τύος ἐκάστας· ἐλά[σα]ντες δὲ τούτους συμμίσγον[ται
τοῖς] ἄλλοις καὶ εὐθὺ κ[ρίν?]οντι καὶ εὔχονται καὶ
ἀποκαρῦ[σσο]ντι· ἔπειτα ἐπελᾶντ[ι αὖ]τις κατὰ ταῦτά· θύεται
δέ, αἱ μ[έ]γ κα ὑποκύψει τᾶι Ἴστίαι· θύ[ει] δὲ γερεαφόρος
βασιλέων καὶ ἱερὰ παρέχει καὶ ἐπιθύει ἱερὰ ἐξ [ή]μιέκτου· γέρη
δὲ λαμβάνει τὸ δέρμα καὶ τὸ σκέλος, ἱεροποι[οὶ] δὲ σκέλος, τὰ
δὲ ἄλλα κρέα τᾶς πόλιος.⁷

The Pamphyloi are to drive in the three finest oxen, to see if one of these is chosen. If it is not, the Hylleis are to drive in three, to see if one of these is chosen. If it is not, the Dymanes are to drive in the three remaining ones, to see if one of these is chosen. If it is not, they are to drive other oxen into the agora and drive them forward in the same way, to see if one of these is chosen. If it is not, they are to drive in for a third time in the same way. If none of these is chosen, they are to choose an extra ox from each *chiliastyes*. They drive these, and they mix together with the others, and immediately they choose and pray and make an announcement. Then they drive (the oxen) again in the same way. It is sacrificed if it bows its head to Hestia. The Portion-Holder of the kings sacrifices it, and provides and sacrifices in addition offerings of half a *hekteus*. As honorific portions he takes the skin and a leg, and the *hieropoioi* get a leg, and the rest of the meat is the city's. (Kearns)

The great difficulty in this passage comes from the fact that apparently two sacrificial oxen are being chosen. The first problem arises since the verb of choice for the ‘first’ sacrificial animal, κ[ρίν?]οντι, is unreliably supplemented. In the following lines the ‘second’ oxen is chosen when it bows its head to Hestia. This is a practice of sacrificial choice where the

⁷ IG XII(4) 278 10 – 23.

animal appears to offer itself for sacrifice, and is reminiscent of another practice where just before the killing water is sprinkled on the head of the animal to cause it to shake its head and seemingly give its consent.⁸ Burkert believes this to be anticipatory of the main sacrifice in lines 46ff.,⁹ but this is problematic as the perquisites mentioned in line 20 do not agree with those in line 49.¹⁰ If one accepts the reconstruction of κ[ρίν?]οντι, as Kearns believes to be most likely, then it is proper to conclude that there were two different sacrifices. It seems likely that the process of selection for both sacrifices followed the procedure wherein the animal dipped its head to Hestia. One might wonder what all this discussion has to do with the role heralds played in ceremonial or practical communication, but the answer lays in the fact that all this description in the calendar inscription indicates the importance of elaborate ceremony and theatricality for this central *polis* festival.

The importance of ceremony and theatricality is evidenced by the multiple instances in this ritual where the heralds proclaim matters for no practical reason outside of the creation of spectacle and importance. Including and following the selection of the sacrificial oxen there are four instances where heralds make proclamations on the first day of the festival, and another where the individual who owns the sacrificial ox makes an announcement. When the first animal is chosen the choice is proclaimed seemingly by a herald, ἐλά[σα]ντες δὲ τούτους συμμίσγον[ται τοῖς ἄλλοις καὶ εὐθὺ κ[ρίν?]οντι καὶ εὔχονται καὶ ἀποκαρύ[σσο]ντι.¹¹ Later, when the animal selected for Zeus is led into the

⁸ Kearns (2010) p. 233.

⁹ Burkert (1983) p.138 n.10.

¹⁰ Line 20 mentions that the skin of the sacrificed ox will go to the 'king's share receiver, while in line 49 the skin is to go to the priest.

¹¹ *IG* XII(4) 278 17 – 19. Once again, this relies upon the acceptance of the unreliable supplement κ[ρίν?]οντι. I take the verb ἀποκαρύ[σσο]ντι as evidence that a herald make the proclamation.

agora the owner of the ox, or another person, makes a proclamation that he is giving the animal for the Coans, τὸν δὲ κριθέντα τ[ῶι] Ζηνὶ κάρυκες ἄγοντι ἐς ἀγοράν· ἐπεὶ δὲ καὶ ἐν ταῖς ἀγοραῖς ἔω[ν]τι, ἀγορεύει οὗ καὶ ἦι ὁ βοῦς ἢ ἄλλος ὑπὲρ κήνου ἐνδέξιο[ς]. "[Κώ]ιοις παρέχω τὸμ βοῦν, Κῶιοι δὲ τιμὰν ἀποδόντω {το} ταῖς Ἰστίαι[ι]".¹² Then when a price for the animal has been agreed upon the heralds announce the price publicly, ἐπεὶ δὲ καὶ τι[μαθῆ]ι, ἀναγορευέτω ὁ κᾶρυξ ὀπόσσου καὶ τιμαθῆι.¹³ The ox is led away, and a herald's proclamation is made for a silence from inauspicious words, ἐξάγο[ντ][ε]ς δὲ καρύσσοντι εὐφαιμίαν,¹⁴ and following the purification sacrifice of a pig the herald announces that the festival and feast of Zeus Polieus must be kept the next day: ὁ δὲ [κᾶρ]υξ καρυσσέτω ἐορτάζε[ν Ζην]ὸς Πολιέως ἐνιαύτια ὥραῖα ἐορτάζαν.¹⁵ In each of these instances no new practical information is communicated to the populace of the *polis* who were presumably present during these actions. What each of these instances seems to be doing is providing a sort of play-by-play of the sacrificial actions designed to enhance the spectacle. The importance of proclamation might be seen as a sort of speech act that served a role in reinforcing or creating the realness of the sacrifice to the officiates. Chapter Three demonstrated how speech acts in the form of herald proclamations directly conferred honor or victory upon individuals, and it is possible that in the case of sacrifices a proclamation likewise served as a speech act which gave meaning to what otherwise might have been a

¹² *IG XII(4)* 278 23 – 26, “The heralds lead the ox selected for Zeus to the agora. When they are in the agora, the person who owns the ox or another enabler on his behalf calls out: “I am providing the ox for the Coans; let the Coans give the price to Hestia.”(Kearns)

¹³ *IG XII(4)* 278 27 – 28, “When a valuation has been made, let the herald announce how much the valuation is.”

¹⁴ *IG XII(4)* 278 31 – 32, “Leading away the ox they call for silence from inauspicious words.”

¹⁵ *IG XII(4)* 278 36 – 37, “Let the herald proclaim that they should keep the annual festival as a feast for Zeus Polieus.” The [κᾶρ]υξ is partially reconstructed in this case, but the following heraldic verb and the contextual evidence make this reconstruction a certainty.

less significant action. The act of proclamation made the ritual whole and complete. Furthermore, these proclamations might have been seen as a means of communicating directly to the deities involved to assure them that the proper rituals of sacrifice and worship were being followed. Likewise, these proclamations might have had an important role in demonstrating to the audience witnessing the ceremony that the proper procedure of sacrifice and worship was being followed. The very fact that these proclamations were inscribed indicates how important they were to the proper functioning of the festival. Kearns notes that the sacrifice to Zeus Polieus in Kos was the festival *par excellence* of the community, and because of this the ceremonial actions were further emphasized in an attempt to enhance the spectacle and importance of the event.¹⁶

Stele B of the Kos calendar describes the daily sacrifices for the ninth through twelfth days of an unknown month supposed by modern scholars to be Karneios.¹⁷ This shorter fragment does not contain the detail regarding a specific sacrifice found in stele A, but it provides a description of multiple days of sacrifice. On the eleventh day a mention is made of a heraldic pre-proclamation concerning the next day's sacrifice to Zeus. The text reads:

ένδεκάται· Ζηνὶ Μαχανῆϊ βοῦς κρίνεται τὸ ἄτερον ἔτος ἐφ' οὗ κα ἔωντι Κ[α]ρνεῖαι, κα[θά]περ τοῦ Βατρομίου τῶι Ζηνὶ τῶι Πολιῆϊ κρίνεται, κ[αὶ] χοῖρος προκαυτεύεται, καὶ προκαρύσσεται καθάπερ τῶι Πολιῆϊ.¹⁸
 On the Eleventh Day: to Zeus Machaneus, an ox is selected in alternate years in which the Karneia occurs, just like the one offered to Zeus Polieus in the month of Batromios, and a pig is burnt as an offering in advance and a pre-proclamation made as for the Polieus.

¹⁶ Kearns (2010) p. 239.

¹⁷ Sokolowski supposes that this month must be Karneios: *LSCG* p. 258. Hicks (1888) p. 329 also proposes Karneios, and provides a bit more of a discussion of the matter.

¹⁸ *IG XII(4)* 274 10 – 13; Paton-Hicks (1891) no. 38.9 – 12.

This inscription obviously calls to mind the pre-proclamation of Zeus Polieus in Stele A lines 35 and 36.¹⁹ In both instances the proclamations precede the final sacrifice by a day, and both take place after the purification ritual of a swine burnt offering.²⁰ It is possible to conclude from this that the final and official heraldic proclamation of the next day's sacrifice and feast was an important part of the sacrificial ritual that needed to be contained within a purified space. However, in the case of the sacrifice to Zeus Polieus on stele A a final ritual that ensured the purity of the appointed slaughterers occurred later that evening when a *hieropoios* and herald, both chosen from amongst their respective groups, were ordered to remain pure from sexual contact during the night.

ἐπεὶ δὲ καὶ σπονδὰς π[οιή]σ[ω]νται, αἰρέσθω ὁ ἱερεὺς [σφ]αγῆ τῶν ἱεροποιῶν βοῶς τοῦ θυομένου τῶι Ζηνὶ τῶι Πολιῆι καὶ προα[γορ]ευέτω ἀγνεύεσθαι γυναικὸς καὶ ἀνδ[ρὸς] ἀντὶ νυκτός· τοὶ δὲ κάρυ[κες] αἰρέισθω σφαγῆ τοῦ βοῶς ὃν καὶ χρήζωντι ἡγύτων καὶ προαγορευέ[τω] ὅς καὶ δῆ]ληται τῶι αἰρεθέντι κατὰ ταῦτα.²¹

When they make libations let the priest choose one of the *hieropoioi* as slaughterer of the ox that is being sacrificed to Zeus Polieus and let him proclaim that the slaughterer shall be pure from woman and man during the night. And let the heralds choose whoever they want of their own number as slaughterer of the ox and let whoever of them wishes make a proclamation to the person chosen in the same way.

The verb for proclamation in this case is *προαγορεύω*, which is the same verb found in the Eleusinian deme calendar where the herald is proclaiming the upcoming Proerosia.²² In the first case, the selection of a *sphageus* by the priest, the priest is the active agent of proclamation. In the second instance one of the heralds, whoever wishes to, is to make the

¹⁹ IG XII(4) 278 33 – 37. The similarity in the inscriptions and procedures provides support, in addition to the verb [κηρύσσω], that it was a herald who made the announcement of the sacrifice to Zeus Polieus.

²⁰ Paton-Hicks (1891) p. 86 n.30; Hicks (1888).

²¹ IG XII(4) 278 41 – 45.

²² IG II² 1363 5 – 6.

same proclamation, but this time the proclamation is to be made directly to the chosen herald. The requirement that the slaughterers be completely pure from sexual activity, both heteroerotic and homoerotic, is an interesting aspect of the ritual that bears similarities to the Eleusinian Mysteries and the same prohibition on initiates engaging in sexual contact.²³ However, the most important aspect of this scene is the fact that the requirement of abstinence is proclaimed ceremonially. It is not only essential for the *sphageus* and the herald to remain sexually pure, but also that it be proclaimed in company that they will be so.

Literary sources for the role of heralds in the announcement of festivals are few and far between. One of the best known instances of a herald's proclamation accompanying a religious festival is found in Aristophanes' *Acharnians* which portrays a herald ritually opening a drinking competition at the festival of Choes. The scene finds one of the main characters, Dicaeopolis, outside his house fussing over the preparations for a feast and hearing the herald's call to prepare for the drinking contest. The text reads: ΚΗΡΥΞ: Ἀκούετε λεῶ· κατὰ τὰ πάτρια τοὺς Χοῶς πίνειν ὑπὸ τῆς σάλπιγγος· ὃς δ' ἂν ἐκπῆ πρότιστος, ἄσκὸν Κτησιφῶντος λήψεται.²⁴ The herald in this case is referring to the traditional drinking contest that occurred at the public celebration of the Choes festival.²⁵ This public celebration seems to have occurred at the house of the priest of Dionysus,²⁶ but this was only a small part of the festival as most celebrations were private affairs within

²³ Parker (1983) p. 86. Parker notes that while sexual purity was a common enough aspect of sacrificial ritual so that it was familiar, prolonged periods of religious abstinence were exceptional.

²⁴ Aristophanes *Acharnians* 1000 – 1002, “Hear ye, O People! Drink your pitchers at the sound of the trumpet, according to ancient custom; and whoever shall first have emptied his jug, shall receive a skinful of Ctesiphon.” (Sommerstein).

²⁵ Phanodemos *FGrH* 325 F11.

²⁶ Dicaeopolis goes to this celebration later, ll. 1085 – 7.

personal residences.²⁷ In this instance I believe the herald's announcement to be a part of the official drinking competition at the public ceremony in the house of the priest of Dionysus.²⁸ The logistics of proclaiming the impending start of the competition to each individual celebration seem difficult, as does the belief that one trumpet blast could be heard throughout the entire community. The formula 'Ἀκούετε λαῶ' is attested in two other Aristophanic scenes,²⁹ and in both instances it precedes an order for military demobilization. The formula appears to be used in the context not of a general proclamation to the citizenry at large, but as a specific order to an assembled group. In light of this I believe the proclamation is fitting for the official celebration of the Choes where the celebrants were already assembled. In this case the herald's proclamation was a ritual aspect of the festival which served to sanctify the competition, and formally set the rules and victory conditions.

Another famous example of a herald being associated with a festival is the sacred herald of the Eleusinian Mysteries. This official is first attested in the late fifth century by Xenophon who recounts the role Kleokritos, the sacred herald, played in the overthrow of the Thirty. Xenophon describes Kleokritos as the herald of the initiates and as a man with a very fine voice, Κλεόκριτος δὲ ὁ τῶν μυστῶν κῆρυξ, μάλ' εὐφωνος ὢν.³⁰ The term sacred herald, or ἱεροκῆρυξ, does not appear in any sources until the Roman period, and instead it must be assumed that he was simply referred to as the herald of the initiates, ὁ τῶν μυστῶν

²⁷ Hamilton (1992) p. 12 – 13; Olson (2002) p. 319; Parker (2005) p. 293 – 4.

²⁸ It is worth noting that there is no evidence for private drinking competitions, but some have assumed it. Parker (2005) p. 294 n. 21.

²⁹ *Peace* 551; *Birds* 448. Neither instance has a herald proclaim the formula, but instead has characters of the comedy do so. Some past editors of the text of the *Birds* have had a herald make the announcement, but Dunbar (1995) p. 308 and current scholarly opinion seems to have accepted Peisetaerus as the speaker.

³⁰ Xenophon *Hellenica* 2.4.20, "And Kleokritos, the herald of the initiated, a man with a very fine voice..."

κῆρυξ. The sacred herald was most likely chosen from the *genos* of the *Kerukes*,³¹ but this is not explicitly said in the Classical period. As far as his role in the Mysteries is concerned, he proclaimed the *prorresis* of the Mysteries in the company of the Hierophant and the Daduch,³² and maintained order amongst the initiates.³³ As seen above, Xenophon clearly mentions that Kleokritos had a fine voice, μάλ' εὐφρονος ὄν, which is noted in other instances as the basic quality necessary for a herald,³⁴ and this quality would seem to indicate that the job of the sacred Eleusinian herald was based around vocal proclamations of some kind. The Sacred Herald's role in the Mysteries seems to be concerned with making ceremonial proclamations such as the *prorresis*, and it seems similar to the example from Kos where ritualized and theatrical ceremonial proclamations added the sense of importance. It is important to note that the Mysteries were an experience 'built up to' in a manner unique in all of Greek religion.³⁵ The *prorresis* was a dramatic aspect of this build up, and since the *prorresis* only stipulated that those who could not speak Greek or who had bloodguilt could not take part in the festivities,³⁶ not wholly unique requirements of purity in Greek religious ritual, it seems likely the public was well aware of what would be proclaimed. In this context the Sacred Herald was likely not proclaiming new information, but as in the earlier cases the *prorresis* seems to be a sort of speech act which served a role in sanctifying the

³¹ Oliver (1970) p. 4, 11 – 13; Clinton (1974) p. 77 n. 8.

³² Suetonius *Nero* 34; Clinton (1974) p. 78.

³³ Sopater VIII, p. 118, ed. Waltz. A similar occurrence of heralds playing a role in directing groups of people appears in some scenes from Aristophanes *Ecclesiasuzae* where a heraldess is charged with directing the people to their individual messes, Aristophanes *Ecclesiasuzae* 684 – 86, 711 – 13.

³⁴ Demosthenes 19.338; Aristotle *Politics* 1326b.

³⁵ Parker (2005) p. 346.

³⁶ Parker (2005) p. 347.

ritual of the Mysteries by prohibiting polluting influences, and which formally began the event.

Anticipatory or Pre-proclamations of Festivals and Sacrifices:

The first epigraphic evidence for the role of heralds in the pre-proclamation of festivals appears in an Archaic religious calendar from Miletus written in *boustrophedon* dated to the period between 530 – 500.³⁷ The surviving part of the calendar is twelve lines long, and contains a list of sacrifices that occur in succession to one another, and the dates given (12, 13, 14, and 6) would seem to indicate that the calendar spans two different months. The final line of the inscription reads, -----]τηι ισταμένο έορτή κηρύσσεται Απόλλωνος Δελφιν[ιο].³⁸ It is not at first clear why this sacrifice, alone of all those mentioned in the calendar, contains a clause requiring heraldic announcement. Apollo Delphinios was the patron god of Miletos, was worshipped in nearly all Milesian colonies, and a sacred building dedicated to him, the Delphinon, housed the central administrative records of Miletos.³⁹ Due to the centrality of the cult of Delphinios to the people of Miletus, any festivals dedicated to Apollo Delphinios would have a great importance to the *polis*. This importance above other sacrifices is probably the reason why in the Archaic calendar the feast for Delphinios is the only event proclaimed by herald, and for that matter it is also the only event that contains the word έορτή, or festival. The date of the festival is clearly set in the calendar as the sixth day of the new month, so the festival was not a floating agricultural festival that needed proclamation for publicity. Additionally, the importance of the cult to the citizenry would likely mean that they would have been aware of the general, if not

³⁷ *LSAM* 41. Jeffery (1961) p. 334 – 5 dates this decree based on the letter forms.

³⁸ *LSAM* 41 1.12 – 13, “on the sixth day of the rising month the feast of Apollo Delphinios will be announced.”

³⁹ Gorman (2001) p. 168ff.

specific, annual timing of the feast, and a herald's proclamation would then be a part of the ritual itself. The announcement of the festival by a herald was probably an indication of the respect and importance of this festival in comparison to other religious activities witnessed in the calendar.

Another possible interpretation of the proclaimed festival to Apollo Delphinios in the Miletos calendar might exist. At a recent meeting of the Oxford Epigraphy Workshop Alexander Herda proposed a rearrangement of the months in the Miletos calendar based upon a new reconstruction of the stone of the calendar, and he proposes that the feast of Apollo Delphinios would be the first state festival of the year,⁴⁰ and one might postulate that the proclamation of this festival might have served a dual role of not only publicizing the upcoming festival, but that it also helped to formally announced the start of the new year. As seen in chapter two the ability of the state to intercalate dates into the year implies to me that some form of proclamation or publicity likely existed in order to inform the citizenry of changes to the calendar. The proclamation of the festival of Apollo Delphinios might then have been a way of ensuring that the citizenry knew of the date. Of course, there is a basic issue with this theory as the festival is not until the sixth day of the month, and would not be an exact match for the start of a new year. However, the festival would still have been the first state sacrifice of the year, and could still have served as a start to the sacrificial calendar.

The sacred calendar of Kos, and its description of the sacrifice to Zeus Polieus discussed above, contains a heavily reconstructed series of opening lines which might contain information regarding the pre-announcement of the sacrifice. The first mention

⁴⁰ Alexander Herda, 'The Archaic Sacred Calendar from Miletus in its Architectural Setting' delivered at the Oxford Epigraphy Workshop May 30, 2011.

made of heralds is the beginning of the document as restored by Herzog which relates the announcement of the festival to the general public: ἐορ[τᾶν ἐνιαύτια ὥρ]αῖα(?) ἱερεὺς καὶ ἱεροφύλακες καὶ ἀρχεὺο[ντε]ς [ἀ]πο[καρ]υσσόντω, ἱεροποιοὶ δὲ καὶ τοὶ κάρυκες ἰόντω κ[ατ]ὰ χ[ι]λ[ιασ]τύας, βοῦς δὲ ἐγνῆ [ἐ]λᾶντι, βοῦν ἐξ ἐνάτας ἐκάστ[ας].⁴¹ While this text might seem to indicate pre-announcement of the festival, one must be wary with the heavily restored verb [ἀ]πο[καρ]υσσόντω. However, the text in the recently released *IG XII(4)* does not accept this restoration, and instead proposes ἱερεὺς καὶ ἱεροφύλακες καὶ ἀρχεὺο[ντε]ς [κα]τὰ φυ[λ]ὰς ἰόντω, ἱεροποιοὶ δὲ καὶ τοὶ κάρυκες ἰόντω κ[ατ]ὰ χ[ι]λ[ιασ]τύας. It is true that in both versions heralds are mentioned as going to the *chiliastyes* with the *hieropoioi*, but even if [ἀ]πο[καρ]υσσόντω is correctly restored as in *LSCG* there is no indication that this process was a proper practical pre-announcement to an unaware citizenry. The *chiliastyes* were a sub unit of the typical three tribe division within Doric *poleis*,⁴² and were not geographically distinct but were mixed together within the community. It is difficult therefore to envisage how heralds could have gone around κ[ατ]ὰ χ[ι]λ[ιασ]τύας in advance of the festival to proclaim it. There is no indication in the inscription of a particular time period between the initial pre-announcement, if this occurred, and the beginning of the sacrificial festival, and one might just assume that this ‘pre-announcement’ and the going of the heralds κ[ατ]ὰ χ[ι]λ[ιασ]τύας occurred as a ceremonial proclamation opening the already arranged and prepared festivities somewhat akin to the *proresis* of the Eleusinian Mysteries. Due to the known date of the festival, and the need to provide healthy and sound animals for potential sacrifice, it seems likely that the *chiliastyes* would have already

⁴¹ *LSCG* 151.2 – 5, “Let the priest and the sacred guardians and the magistrates proclaim by herald the annual festivals as a feast, and let the *hieropoioi* and the heralds go to each of the *chiliastyes*, and let them drive nine oxen.”

⁴² *RO* p. 308.

selected their oxen and have them prepared and ready to be driven into the *agora*. Additionally, the festival's date was not floating, but was set on the nineteenth and twentieth days of Batromios so there was no need to pre-announce the date of the festival. As the central festival of the *polis* it seems likely the citizenry would have known the dates.

Another text provides a much clearer indication of the herald's possible role in the pre-announcement of a particular religious event. In Euripides' *Electra* a chorus of Argive women approach Elektra in her rustic abode with the news that a feast had been proclaimed for two days hence, and that all maidens were to journey to the temple of Hera, “ἀγγέλλει δ’ ὅτι νῦν τριταίαν καρύσσουσιν θυσίαν Ἀργεῖοι, πᾶσαι δὲ παρ’ Ἡραν μέλλουσιν παρθενικαὶ στείχειν.”⁴³ In this instance the verb suggests that a herald was making the proclamation. It is also important to note that the use of *τριταίαν* indicates the days until the festival as opposed to the length of the festival,⁴⁴ and that the sense of ‘the third day from now’ actually means that the herald was giving two days notice. So this is not a simple ritual proclamation during the sacrifice, but instead it precedes the festival in such a fashion that it serves a role in informing the populace that they need to begin preparations. While this evidence does not speak directly to the Athenian practice of proclamation, its inclusion in a fifth-century text of Euripides which was produced in Athens indicates that the idea of a herald pre-proclaiming a festival was one that the Athenian audience would have been familiar with. This evidence does not conclusively prove that the herald's announcement was serving a practical purpose in informing the citizenry of an impending festival that they

⁴³ Euripides *Electra* 171 – 174, “He reports that the Argives are proclaiming a sacrifice for the third day from now, and that all maidens are to go to Hera's temple.” Commentators have taken the reference to Hera's temple to indicate that the festival was the Heraia which took place at the Argive Heraion: Keene (1893) sv. 171 – 172; Denniston (1939) p. 70 sv. 171.

⁴⁴ Denniston (1939) p. 70 sv. 171.

did not know about. However, Elektra, who is living at this time in a rural residence, is presented with the information in a manner which seems to suggest she would not have been aware of the sacrifice were it not for the proclamation. This may be the first indication of a heraldic proclamation serving a practical role in informing the populace of an impending religious ritual they might not have been aware of previously.

The best epigraphic evidence to suggest the possible proclamation of festivals and sacrifices within Athens is the Solonian calendar's mention of festivals with no fixed dates. Along with the list of sacrificial entries in the Solonian calendar there is a rubric of general types of sacrifices. Parker provides a summary of this rubric along with the number of times each type is attested:

‘From the Tribe-Kings’ <sacrifices> (ἐκ τῶν φυλοβασιλικῶν)	(attested 4 times)
‘From those <arranged> month by month’ (ἐκ τῶν κατὰ μῆνα)	(attested 3 times)
‘From those on no fixed day’ (ἐκ τῶν μὴ ῥητῆ)	(attested once)
‘From the <i>stelai</i> ’ or ‘From the draft proposals’ (ἐκ τῶν σ[τηλῶν] or ἐκ τῶν σ[υγγραφῶν])	(attested once)

Table 6.1⁴⁵

The rubric that most concerns us is those sacrifices that had no fixed day, ἐκ τῶν μὴ ῥητῆ. These sacrifices would most likely have been agriculturally based,⁴⁶ and originally, before their dates were fixed in the codification of the festival calendar in the late fifth century, the dates of celebration for these festivals and sacrifices would have ‘floated’ depending on the weather for that growing season. While there is no direct evidence in the Greek corpus to suggest that these ‘no fixed date’ festivals were agricultural, Roman evidence demonstrates

⁴⁵ Parker (1996) p. 45.

⁴⁶ Parker (1996) p. 47.

that in addition to fixed festivals, *feriae statae*, there were moveable celebrations, *feriae conceptivae*, of which some were certainly agricultural.⁴⁷ Several Athenian festivals contain a link to the agricultural cycle in their very name,⁴⁸ but the one which most concerns us is the Proerosia, literally the ‘pre-ploughing,’ since there is an explicit mention of heralds and proclamations in relation to it.

The Proerosia is attested in five different deme calendars: Paiania, Thorikos, Piraeus, Myrrhinous, and Eleusis. These deme festivals are spread out over multiple months, Hekatombaion (Thorikos), Boedromion (Thorikos), Pyanopsion (Eleusis), and the primary deities involved are Zeus (Thorikos, Myrrhinous) and Demeter (Paiania, Piraeus, Eleusis). These festivals are all deme festivals, and no evidence exists to demonstrate that the Proerosia was also a state festival, but some scholars believe the Eleusinian version became the most prominent within Attica and became in essence a state festival.⁴⁹ In its origin the Proerosia was a pre-ploughing festival, which suggests that it may originally have been postponed until the proper weather and season dictated the need to plough.⁵⁰

The most interesting aspect of the Proerosia in respect to this chapter is the process of publication mentioned in the Eleusinian calendar. The calendar’s entry for the Proerosia calls for the herald and the *hierophant* to travel to the Eleusinion in Athens on the fifth of Pyanopsion and to proclaim the festival:

⁴⁷ Parker (1996) p. 47 n. 17; Ovid *Fasti* 1.657 – 62.

⁴⁸ Parker (2005) p. 195. Other festivals such as the Thesmophoria in Pyanopsion and the Haloa in Posideon have a looser connection to the agricultural year, Brumfield (1981) p. 88, 108.

⁴⁹ Dow & Healey (1965) p. 16 – 17 and Parke (1977) p. 74 believe the Eleusinian Proerosia to be a state festival, while Mikalson (1975) p. 68 believes it was only a deme festival no different from the other instances, and Whitehead (1986) p. 197 leaves the question open.

⁵⁰ Brumfield (1981) p. 58 – 59.

πένπται ἰσταμένου
 ἱεροφάντη καὶ κήρυκι
 εἰς ἄριστον τὴν ἑορτὴν
 προαγορεύουσιν τῶν
 ---Προηροσίων.⁵¹

In this case the inscription employs a verb, προαγορεύω, that the LSJ defines as ‘to proclaim by herald’ or ‘to give notice of.’ Dow has supposed that the use of this verb calls to mind the proclamation of the *proresis* for the Eleusinian Mysteries, which is a proclamation calling for the exclusion of barbarians, murderers, and people of unclean speech.⁵² However, I disagree with this conclusion and believe that based upon the strong possibility that the Proerosia was originally a floating festival the herald’s announcement was a remainder from a time when his proclamation was necessary to inform the citizenry of the official setting of the festival date. In contrast, the date for the beginning of the Mysteries’ build up, the sacred procession to Athens on 14 Boedromion, was well established, and I know of no time when it floated. Additionally, the Mysteries’ *proresis* came on the second day of the build-up, 15 Boedromion, and occurred in the *agora* in front of the assembled initiates who were there specifically to hear the *proresis* proclaimed.⁵³ It is important also that the proclamation of the Proerosia found in the Eleusinian calendar was the day before the festival. To me the timing of this anticipatory proclamation is much more indicative of a publication originally intended to inform the citizenry than of a ritual pronouncement. However, since by the date of the inscription the annual timing of the festival was specifically set, the need for an anticipatory proclamation no longer existed, and the pre-

⁵¹ *IG II²* 1363.1 – 6, “To the Hierophantes and the Herald for a mid-day repast, when they announce the festival of the Proerosia.”[Dow]

⁵² Dow & Healey (1965) p. 19 – 20.

⁵³ Dow & Healey (1965) p. 19.

proclamation then became a ceremonial part of the ritual akin to the pre-proclamation of the sacrifice found on Kos or the feast of Apollo Delphinios in Miletos.

The Physical Role of Heralds in Sacrifice:

As noted in the Introduction the earliest notice of religious heralds appears in the Mycenaean Linear B records of Pylos, and the later Geometric age writings of Homer. Unfortunately, the Linear B records do not allow for many serious conclusions, but the Homeric writings give us a more detailed view. The role of the herald in Homer can be most aptly described as a split between being *therapontic* and *demiourgic*. It appears that in Homer the herald was almost always a direct attendant to a king.⁵⁴ The primary religious duty of the Homeric herald was to prepare sacrifices and libations to the Gods. Classical Greeks recognized the tradition of heralds serving in the sacrifices, and Athenaeus cites a work by Kleidemos who notes that heralds served as butchers and cooks.

ὅτι δὲ σεμνὸν ἦν ἡ μαγειρικὴ μαθεῖν ἔστιν ἐκ τῶν Ἀθήνησι κηρύκων. οἶδε γὰρ μαγείρων καὶ βουτύπων ἐπεῖχον τάξιν, ὡς φησιν Κλειδήμος ἐν Πρωτογονίας πρώτῳ...ἔδρων δ' οἱ κήρυκες ἄχρι πολλοῦ βουθυτοῦντες, φησί, καὶ σκευάζοντες καὶ μιστύλλοντες, ἔτι δ' οἰνοχοοῦντες.⁵⁵

And yet, that the cook's art was dignified may be learned from the case of the Heralds at Athens. For the heralds held the office of cooks and butchers, as Cleidemos declares in the first book of his *Early Origins*... The heralds, he says, acted for a long period as slayers of oxen, dressing and cutting up the meat, besides serving as wine-pourers. (Gulick)

Gulick's translation of this passage, found below in the footnotes, brings to light a common incorrect assumption made by many scholars when confronted by references to heralds in ancient sources. This assumption is the regular association of any mention of heralds with

⁵⁴ Glotz (1968) p. 55 – 6. The exception to this might appear in *Il.* 18.503 during the Shield of Achilles section where heralds are seen organizing a crowd in a trial scene, and which some scholars have associated with the proto-*polis*: Raaflaub (1996) pp. 642 – 648.

⁵⁵ Athenaeus 660 A = Kleidemos 323 FGrH F5.

the Eleusinian *genos* of the *Kerykes*. This is often incorrect as aside from the name and a possible heraldic origin for the *genos* there is no evidence directly linking the Eleusinian *Kerykes* with any heraldic activity. In this particular passage Parker rightly argues that the heralds in question cannot be the *Kerykes* of Eleusis as there is no mention of any *genos* in the Kleidemos fragment, the surrounding text of Athenaeus who quotes Kleidemos, or in the Athenian sacred calendar which records financial payments to the heralds of the Dipolieia, and therefore κήρυκες should be translated with a small ‘k.’⁵⁶ One should always be careful to avoid the casual translation and association of heralds with the Eleusinian *Kerykes*.

In the *Iliad* the primary responsibility of the herald in relation to sacrifices was to bring together and prepare the sacrificial animals and items, but in at least one instance they were not to engage in the ritualized killing of the animals.⁵⁷ Instead, as book three shows during the sacrifices prior to the duel between Menelaus and Paris, the king completed the ritual killing with the herald holding the animal.⁵⁸ However, in the shield of Achilles a group of heralds is depicted dressing an ox that they had slaughtered in sacrifice, κήρυκες δ’ ἀπάνευθεν ὑπὸ δρυὶ δαῖτα πένοντο,/ βοῦν δ’ ἱερεύσαντες μέγαν ἄμφεπον.⁵⁹ Interestingly, there is only one instance in the *Odyssey* where the herald deals with animal sacrifice. In book twenty the poet sings that heralds led the holy hecatomb through the town to the grove of Apollo, κήρυκες δ’ ἀνὰ ἄστυ θεῶν ἱερὴν ἐκατόμβην/ ἦγον· τοὶ δ’ ἀγέροντο κάρη

⁵⁶ Parker (1998) p. 320 n. 91.

⁵⁷ Instances of the herald being responsible for bringing forth the sacrificial items: *Il.* 3.116; 3.245; 3.248; 3.258; 3.274.

⁵⁸ *Il.* 3. 275ff.

⁵⁹ *Il.* 18.558-9, “And apart and under a tree the heralds made a feast ready and trimmed a great ox they had slaughtered.”

κομόωντες Ἀχαιοὶ ἄλσος ὕπο σκιερὸν ἑκατηβόλου Ἀπόλλωνος.⁶⁰ The poet does not make it clear who made the sacrificial kill, but based upon other evidence the dressing and serving of the animal will doubtlessly have been the duty of the heralds. While the *Odyssey* is lacking in scenes involving sacrifices and heralds it has a few mentions of feast scenes where the herald is responsible for serving the meat and wine.⁶¹ Between the evidence from the *Odyssey* for the role of the herald in serving the meat and the dressing of the sacrificial animal in *Iliad* eighteen, one can be confident that the sacrificial meat in *Odyssey* twenty was most likely dressed and served by the heralds. In addition to his duties regarding the preparation of sacrifices the herald also took charge of the preparation of the wine for libations and washing of the feasters' hands.⁶²

While heralds do take part in some sacrifices in the Homeric epics they do not participate in every instance and do not appear to be vital to the institution of sacrifice. In *Odyssey* book three Nestor makes a private sacrifice with his sons and Telemachus to Athena without the aid of a herald.⁶³ It is tempting to conclude that heralds only take part in sacrifices that either involve the entire community such as *Odyssey* twenty and *Iliad* eighteen, or that are concerned with diplomatic relations such as in *Iliad* three. However, it is important to remember that the conventions of orally-formulated epic might preclude the constant mention of heralds in the accounts of sacrifices.

The most vivid description of a heraldic involvement in the physical sacrifice and apportionment of meat comes from the sacred calendar of Kos and the sacrifice to Zeus

⁶⁰ *Od.* 20.276-70, “Meanwhile, the heralds were leading through the city the holy hecatomb of the gods, and the longhaired Achaeans gathered together beneath a shady grove of Apollo, the archer god”

⁶¹ *Od.* 1.109; 17.334.

⁶² *Il.* 9.174. *Od.* 1.146; 3.338; 7.163; 21.270.

⁶³ *Od.* 3.404-463.

Polieus discussed previously in this chapter. Within the description of the festival there are four distinct sacrifices: an ox to Hestia on the eve of the festival,⁶⁴ the holocaust of a pig on the eve of the festival,⁶⁵ the sacrifice of a pig to Dionysus Scyllites,⁶⁶ and the ox to Zeus Polieus as the central sacrifice.⁶⁷ The selection of a single herald and a single *hieropoios* to conduct the sacrifice of the ox to Zeus Polieus together indicates the central importance of heralds to this ritual, but it is an exception to the rule for Koan heralds to be mentioned as being directly involved in sacrifices. The only instances where a herald is directly involved in the slaughter of a sacrificial animal in this festival are the holocaust of the pig and the major ox sacrifice to Zeus Polieus. Furthermore, of the eighteen extant sacrifices found on the Kos calendar these are the only two instances where heralds are involved in the sacrifice, and they only receive perquisites from the ox slaughtered to Zeus Polieus. Conversely, a priest is noted in the calendar as being directly involved in twelve sacrifices, and receives perquisites fourteen times. Since the festival to Zeus Polieus was central to the Koan *polis*, and probably involved large crowds, it would be natural for heralds to be involved in terms of ritual ceremonial proclamations, but their involvement in the physical sacrifice harkens back to their Homeric roles as slaughterers for large scale community sacrifices. However, there is no clear indication as to why heralds were necessary for this sacrifice and not for others.

A similar case is found of limited attested heraldic involvement in civic sacrifice in classical Athens. The extant pieces of the Athenian state calendar contain a list of thirty-five

⁶⁴ IG XII.4.278 20 – 23. A fuller discussion of this sacrifice and the controversy concerning its existence can be found above in nos. 8 – 10.

⁶⁵ IG XII.4.278 33 – 35.

⁶⁶ IG XII.4.278 45 – 46.

⁶⁷ IG XII.4.278 41 – 45, 47.

sacrifices,⁶⁸ and of these only four mention heralds as being involved. The two fullest examples appear in the month of Hekatombaion, on the fifteenth and sixteenth days, and concern the festival of the Synoikia. Neither entry mentions the role heralds played in the sacrifices, but it does give the monetary value given to the heralds in lieu of what used to be their portion of the sacrificial meat.⁶⁹ The Synoikia celebrated the synoecism of Attica, and it was a central civic festival in which the rituals probably occurred on the Acropolis.⁷⁰ One can only guess as to the specific role of the herald mentioned in the state calendar, but the festival's focus on the polis' identity suggests that the most appropriate herald for the ritual was the Herald of the *Boule* and Assembly. Not only was this herald the voice of the Assembly, but he was the most visible and recognized of the civic heralds, and as such seems most appropriate for the Synoikia.

Two other entries exist that mention heraldic involvement, but do not contain as much information. Multiple heralds are mentioned in the entry for the Dipolieia,⁷¹ which was possibly held on the fourteenth of Skirophorion, but the text is fragmentary and does not mention their role or their perquisites. The Dipolieia was an elaborate festival which included an ox sacrifice, the Bouphonia, to Zeus Polieus after which the sacrificial knife was put on trial and condemned for murder.⁷² Herald's were attached to the courts to proclaim the judgment and keep order,⁷³ so it can be supposed that one of the heralds mentioned in the sacred calendar was a court herald at the trial of the sacrificial knife. The further roles of

⁶⁸ *SEG* 52.48; Lambert (2002).

⁶⁹ *SEG* 52.48 [A] 31 – 44; ⁶⁹ *SEG* 52.48 [A] fr.3.45 – 58.

⁷⁰ The deme Skambonidai offered a sacrifice during the Synoikia on the Acropolis, *IG* I³ 244 C16 – 17.

⁷¹ *SEG* 52.48 [B] fr.1.7 – 15.

⁷² Porphyry *Abstinentia* 2.28.4 – 31.1 (Nauck). Parker (2005) p. 187 – 191.

⁷³ *Ath. Pol.* 66.1; 68.4; 69.1.

the multiple heralds mentioned remain a mystery, but one might hypothesize from the similarity of the Bouphonia to the Koan ox sacrifice to Zeus Polieus that heralds were likewise ceremonially employed. The involvement of multiple *gene* in the sacrifice might suggest that the heralds came from these *gene*, or represented them, but this is nothing more than a guess. A final and very fragmentary entry from the calendar uses the dual form of herald, κηρύκοι, but does not mention roles, perquisites, or even the festival name.⁷⁴

The Attic demes provide two instances where heralds participated in local deme sacrifices and their feasts. The first, and less useful, example comes from the sacred calendar of Phrearrhioi which is dated to the first half of the third century.⁷⁵ Lupu believes the text describes a sacrifice to Demeter Thesmophoros: the text is too fragmentary to get a full understanding of the possible role for the herald, but he is mentioned as dining with the *hieropoi*.⁷⁶ The sacred calendar from the deme of Erchia by contrast contains a clear reference to a herald being directly involved in the sacrifice.⁷⁷ The calendar, dated on letter forms to the mid-fourth century, provides a large collection of sacrifices over a course of months, and most important notes that on the fourth of Thargelion a herald was to conduct a sacrifice of a ram to Hermes in the deme *agora*.

Θαργηλιῶνοις τετράδι ἰσταμένο, Ἐρμῆτι, ἐν ἀγορᾷ Ἐρχιᾶσι, κριός, τούτοι
ἱερεῶσθαί τὸν κήρυκα καὶ τὰ γέρα λαμβάνειν καθά<π>ερ ὁ δήμαρχος.⁷⁸

⁷⁴ SEG 52.48 [A] fragment 12.

⁷⁵ SEG 53.170.

⁷⁶ SEG 53.170 6, [...οἱ ἱεροποι]οὶ καὶ ὁ κῆρυξ δαινύσθως[αν].

⁷⁷ SEG 21.541.

⁷⁸ SEG 21.541 [E] 46 – 58, “Hermes. On the fourth day of the rising of Thargelion in the agora of Erchia the herald will officiate as priest and take the prime portions just as the demarch.”

This sacrificial entry is interesting because it is the only one that mentions the involvement of a herald, and is the only one which takes place in the *agora*. The involvement of the herald as the officiating priest in this sacrifice is obviously a result of the sacrifice being to Hermes, the patron of the heralds, and because it took place in the *agora*, the province of the heralds.⁷⁹ We can infer that this sacrifice was probably to Hermes in his role as the patron of heralds, and this would explain why a herald was involved in this sacrifice and not the one to Hermes on the twenty-seventh of Boedromion.

The heralds who were involved in sacrifices often were included in the apportionment of meat from the animal. As noted previously in the examples from Kos and the Athenian state calendar the heralds primarily received choice cuts of meat,⁸⁰ and in the example from Erchia the herald is given the same share of the perquisites as the demarch commonly received. Many late sources state that the tongues of sacrificial animals went to heralds, but both the literary and epigraphic evidence from the classical period shows the tongue either burnt on the altar or given to the priest.⁸¹ The only counter-indication from the classical period is the joke in Aristophanes *Wealth* where the slave Karion says to Hermes, who has brought unfriendly messages, ἡ γλῶττα τῷ κήρυκι τούτῳ τέμνεται,⁸² which may

⁷⁹ The herald had a speaking platform in the *agora* from which he made proclamations, Euripides *Electra* 706 – 7; *Hellenica Oxyrhynchia* 365 – 6; Plutarch *Sol.* 8.

⁸⁰ Although by the late fifth century the Athenian heralds involved in the Synoikia were given monetary compensation instead of meat.

⁸¹ For the burning of the tongue on an altar: *Od.* 3.332 – 341; Athenaeus 1.16b – c; Dieuchidas *FGrH* 3 B 451. For the tongue being given to a priest: *Syll.*³ 1002; *Syll.*³ 1013; *Syll.*³ 1017; *Syll.*³ 1037; *IPriene* 174.8 – 10; *IPriene* 364.4.

⁸² Aristophanes *Wealth* 1110. A scholion to this line indicates that tongues were sacrificed to Hermes, and that Kallistratus wrote that tongues from sacrificial animals were given to heralds: διχῶς νοεῖται· ἡ γλῶσσα τῶν θυομένων τῷ Ἑρμῇ δίδοται, ἐπειδὴ τῶν θυομένων δεσπότης ἐστίν· ἢ τῶν καταρωμένων ἀπ’ αὐτοῦ ἢ ἀρχῆ. Καλλίστρατος δὲ τῶν θυομένων φησὶ τὰς γλώσσας τοῖς κήρυξιν ἀπονέμεσθαι, διὸ καὶ τὸν ποιητὴν ποιεῖν τῷ Ἑρμῇ τεμνομένασ αὐτάς..., “It is taken in two ways; the tongue of the sacrificial victim is given to

reflect either an occasional practice or a proverb; it certainly does not reflect the normal practice.⁸³

Conclusions:

The first conclusion to draw is that proclamation within or before a religious ritual is not attested in every festival or sacrifice, nor is direct heraldic involvement in the sacrificial process a certainty. However, one should not assume that heralds and proclamations were restricted only to these few instances extant in the evidence, and it is likely that they appeared more often in rituals, but that there is no record of their activity. Despite this lack of complete evidence one must see what conclusions can be drawn from the evidence that does exist.

What of the ritual proclamations within a religious ceremony? It appears that in some cases of festivals, such as the sacrifice to Zeus Polieus at Kos, the proclamation was seen as an essential part of the ceremony due to the repeated references to heraldic activity within the ritualized instructions of how the selection and slaughter of sacrificial animals is to be conducted. The actual purposes of the heraldic proclamations within the ceremony can be viewed from two different angles: one from the modern researcher's vantage; and one from within the view of the ancient heralds and audience themselves. From a modern perspective the ritualized proclamations served to direct and solemnize the proceedings for the participants. They informed the celebrants of what was happening, and assured them that what was happening was occurring directly according to the proper plan. These were community events after all, and it was necessary for the community engaged in the

Hermes, since he is the master of the sacrificial animals; or curses begin with him. Kallistratos, on the other hand, says that the tongues of sacrificial victims are assigned to the heralds, and so the poet has them cut out for Hermes [the herald]..." (Kadletz).

⁸³ Stengel (1910) p. 172 – 3.

celebration to feel a part of the action, and that the ritual was being followed correctly. From the view of the ancients themselves it is possible the proclamations served as a sort of speech act which was essential to making the ritual actions of the ceremony real. To return to the example of the sacrifice on Kos, the selection of the sacrificial ox was not completed until a proclamation of the selection had been made. In effect these proclamations legitimized and solemnized the sacrificial actions. Nor were these speech acts simply directed at the audience of celebrants, but it can also be thought that the proclamations might have been directed at the Gods themselves as a way of proving and communicating that the celebrants were following the correct procedures so as not to arouse any divine anger.

Proclamations that opened or preceded festivals also served a dual role. Originally, and especially in the case of movable 'floating' agricultural festivals, these proclamations served a real purpose in informing the citizenry of the *polis* of the upcoming event. By the Classical period these floating festivals had been fixed in Athens, and the original intent of the proclamation to inform the citizens of the event was no longer relevant. The survival of these proclamations in the religious rites can be seen in one sense as a surviving remnant of a prior period that had been ritualized and standardized, but it cannot be completely discounted that the local citizenry might not have had a complete grasp on the specific dates of the myriad of *polis* rituals, and subsequently might need reminding through proclamation. These proclamations might also have served to keep the citizenry abreast of the current days of the month, which they otherwise might have been confused about due to intercalation issues. Beyond the simple publication of the festival date these proclamations likely gained a role as the ritualized opening or beginning of the ceremony in a manner akin to the speech act roles for proclamations within the ceremony. These formal proclamations opening the

festivities might be considered in some cases to be the official beginning of the central celebrations.

The sacrificial role of heralds in the physical slaughter of the beasts is an interesting aspect of their religious involvement, and it is intriguing to wonder why heralds took part in this activity. There remains the possibility that this physical involvement might have existed in the Bronze Age citadels of Mycenaean Greece, but it is unclear as the Linear B records do not provide enough information. The earliest evidence for physical involvement appears in the Homeric texts, and it seems that the heraldic inclusion in the sacrificial rites is the result of their status as the closest of attendants to the Homeric kings.

The identity of these sacrificial heralds is difficult to determine. As noted above the direct association with the *Kerukes* of the Eleusinian *genos* is unlikely. Other than the basic requirements mentioned elsewhere that heralds must be loud and clear, and not have prostituted themselves, there is no other specific criteria given as to who served in these roles. As in other heraldic positions one is left to propose possible solutions without conclusive amounts of evidence. It is likely that these heralds must have been considered pure from any polluting factor, as is partially seen with the exclusion of prostitutes, and one can likely exclude any man who might have any sacred pollution associated with a serious crime. Those heralds who served directly as slaughterers, butchers, and cooks likely had some experience with these specific skills as the participants would scarcely have wanted an amateur to ruin a sacred ceremony. As was postulated earlier the Herald of the *Boule* and Assembly might have served as an official herald in some large Athenian rites. However, this cannot explain every festival as in some ceremonies, such as on Kos, multiple heralds appear within the description of events. As these were state festivals it seems possible that

heralds employed by the state in other capacities might have been expected to participate in religious ceremonies as well, and that only the herald(s) directly engaged in the physical sacrifice and preparation of meat would have needed to be skilled at cooking and knife work. This possibility would display continuity with the Homeric heralds who were directly employed by the central authority of the king, and with the rise of the *polis* community in the Archaic period the heralds shifted from attendants of the kings to attendants of the community, and their roles in sacrifice likely survived in part as a ritualized remnant of these earlier times.

Conclusions

The Importance of Heralds and Proclamations

The Common Voice of the People has explored the place of heralds and proclamations within a variety of aspects of the ancient Archaic and Classical Athenian community. Aside from simply investigating the roles and identities of heralds this dissertation has focused mostly on the question of what was the importance of the heraldic proclamations to the *polis* community, and from which central aspects of *polis* communication heralds were absent. This work has sought to explore questions such as: What can be said concerning continuity of heraldic roles from the pre-historical period to the end of the Classical age? Did oral communication play a formal role in the conveyance of information to the greater community? Did ritualized proclamation have further effects on the community in the form of speech acts which directly affected individuals and ceremonies, rituals of legitimization, or communication with the divine?

The first, and most basic, conclusion to draw from the amassed material is the impressive depth of heraldic involvement within the domestic and international institutions of Athens. While most previous scholarship has largely focused on heralds as either literary characters or diplomatic agents bearing messages of peace, war, or battlefield truces, the truth as revealed in this dissertation is that they also served prominent roles within local government bodies and courts, smaller aspects of government such as boards of magistrates and officials, and in capacities where individual citizens and businesses might hire them to communicate particular pieces of information to the greater community. The consistency of

heraldic involvement throughout society leads me to believe that the herald's cry must have been one of the most common human sounds in the community. The limited nature of requirements needed to be a herald, effectively a loud and clear voice, meant that nearly any able bodied man might find some sort of employment as a herald. This possible oversubscription of the herald employment pool meant that the socio-economic position of heralds ran the gamut from wealthy and respected professionals who served as auctioneers, prominent civil heralds, sacred heralds, or those who won competitions at athletic festivals to those less experienced and skilled men who might be hired on a daily or hourly basis to announce individual or commercial information.

While heralds do appear to make proclamations at a variety of levels throughout the community, there is a surprising lack of evidence for heraldic proclamation of new Athenian laws or decrees within the *polis*. There is only one mention in Aristophanes of such an act, and I believe it to be indicative of a herald attached to a specific government office rather than the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου making a general proclamation. This is extremely surprising as when I began my research I expected a state herald to be responsible for making regular state proclamations in the *agora* and throughout the community. This absence within Athens is doubly surprising considering the Athenian use of heraldic proclamation to communicate decrees to militarily-occupied populaces and to their fifth-century imperial allies. This evidence, coupled with the Homeric citations mentioning orders and decrees being proclaimed by heralds, suggest that other *poleis* might have institutionalized systems of proclamation for new legal statutes. Additionally, the above examples seem indicative of more restrictive forms of governance (military occupation, imperial domination, Homeric kingship), and I would propose that restrictive forms of

government likely maintained heralds as the official mouthpiece of the ruling authority in order to relay information to the general population. It is clear from the discussion of public notice that some *poleis* employed heralds on a more expansive basis than Athens for some issues, and it is not unreasonable to imagine they likewise did so in some cases for central state communication as well. This raises the question as to why Athens does not appear to employ heraldic proclamations, and I have postulated previously that the Athenians consciously removed such a role from common use precisely because of an association with more restrictive governments. This might help to account for Euripides' judgment of heralds as attendants to tyrants and governments, and perhaps lends weight to Demosthenes' description of the κῆρυξ τῆς βουλῆς καὶ τοῦ δήμου as speaking with the common voice of the people as he only seems to appear within the communal spaces of government and theater.

One of the most interesting aspects of the ancient heralds is their survival from early pre-historical Greece through the Archaic, Classical, and Hellenistic periods, and onwards through Roman dominion. However, despite this seeming continuity through periods it is impossible to create a full history of heralds due to the large gaps in evidence. While it is not determinable whether the *ka-ru-ke* mentioned in Pylean linear B records reflects a recognizable position, what is clear is that the heralds of the Homeric works conducted many actions which their later historical descendants likewise did. The clearest continuity from the Homeric works is the involvement of heralds in religious sacrifice. This heraldic role is well attested in Homer where numerous scenes depict heralds actively preparing and slaughtering beasts. This appears in Classical examples as well as in the sacrificial calendars of Kos and the Attic deme of Erchia. Further evidence in the Athenian sacrificial

calendar indicates that heralds were involved in further religious rituals, but it is unclear if this was in a physical or proclamatory role. The practice of heralds making religious proclamations, both anticipatory and directive within the ritual, is not attested in Homer, but it seems likely that the anticipatory nature of some of the proclamations comes from moveable agricultural feasts of the Archaic and earlier periods which would have needed to publicize their annually changing dates. That the directive proclamations within religious rituals too may have had antecedents in pre-historical rituals, but unfortunately there is no direct evidence to support this theory conclusively.

The international diplomatic aspect of heralds is evident in Homer's descriptions of communication between the Trojans and Achaeans, and this aspect of heraldic communication is clearly evident throughout the Archaic and Classical periods where heralds continued to be the means of safely communicating between peaceful and belligerent *poleis*. Coupled with this role was the sacrosanct nature of heralds which also endures throughout their appearance in the evidence. The last great issue of continuity for heralds is their close association with power which is a constant throughout the whole history of the role. Euripides' description of heralds as being attendants to governments appears as truth from the early records of Mesopotamia to the historical periods of Greece. Perhaps most interestingly it is possible to see the transition of heralds from serving the Homeric kings to attendants of the proto-*polis* assembly – a position which they maintained in Athens in the role of the herald of the Assembly and *Boule*. It is extremely interesting that despite the changes and evolutions in types of governance heralds never disappear, and despite their close relationship with what must have become unpopular rulers and

governments the official state heralds appear to have been recognized as essential to the proper functioning of the community.

There are many aspects of heralds where it is impossible to determine how far back their origins might go. Some institutions such as honorific crowning only appear in the late fifth-century, but at least in this case it can be postulated that honorific proclamations had antecedents in the victory proclamations of athletic festivals. However, other forms of heraldic addresses associated with government bodies such as auctions or intercalations are unlikely to have existed earlier due to the less complex nature of earlier pre- or proto-*polis* communities. *Apokeruxis* and manumission might have existed in proclamation form in earlier times, but there is no evidence to determine whether this is true. The search for continuity in the proclamation of law and decree is a difficult issue as the evidence of this practice within historical Athens is so scarce.

What of the proclamations themselves, and their importance within the community? Is it possible to break these down into clearly delineated examples of communicative and non-communicative but ritually important examples? The answer is no. It is not possible to categorize all the examples of formal proclamation as based purely on practical communication or ritual ceremony. Many of the types of heraldic proclamation could contain both communicative and ritual aspects, and their particular importance cannot be judged simply upon an evaluation of one of the components. The most obvious forms of pure communicative proclamation would appear to be proclamations within the space of the Athenian Assembly that concerned the public notice of inheritances, proposed constitutional changes, the sale of land, and the possible proclamation of intercalation. These cases appear to be purely communicative in nature, and designed to raise the public's awareness of

certain specific issues directly. Again, it is interesting that the available evidence indicates that the Athenians seem to prioritize the publication of private citizen issues over public statutes. Conversely, military and Athenian Imperial proclamations ostensibly communicated new information concerning decrees to a populace, but in both of these cases the proclamations served not simply to inform the subject/occupied people but also to demonstrate Athenian dominance through the conspicuous use of an official Athenian spokesman. Privately-moved proclamations such as manumissions and *apokeruxis* played a role in publicizing the new social status of the individual in question to the greater community so they might adjust their own relationships with that individual, and in the case of the freedman this also served as a guard against any illegal enslavement, but in both cases the speech act of the proclamation also served as a real means of creating change through a powerful verbal ritual. In effect, the proclamation made the break between the former and the new status real, and especially in the case of *apokeruxis* the proclamation was essential for the act to be accomplished. Within the realm of warfare the herald has always played an important role in allowing communication between belligerent forces, but the very act of sending a herald proclaiming a truce and asking for the right to take up the dead following a battle was a ritual and formal admission of defeat, and a conferral of victory upon the opponents. Pre-proclamations of festivals might have played a role in informing the citizenry of upcoming religious ceremonies, but by the Classical period they had also become established and essential aspects of the ceremony. All of these examples demonstrate how seemingly communicative proclamations might also have contained important ritual elements.

On the other hand, there are examples of ritually important proclamations which could also contain important elements of communication. Athletic victory and honorific proclamations served as the moment of ritual conferral of honor upon an individual, but they also might inform some of the community witnessing the act about who was being crowned as victor or honoree. This is especially true in the case of athletic contests which might have the victory bargained away by the physical victor, or where the audience was not completely sure who was the victor of a certain event. Proclamations made by heralds within religious rites might appear to many to be the most likely case of ceremonial utterances, but these too might have served an important role in both communicating and legitimizing a ritual. These internal ceremony proclamations might not have communicated news to the public, but they could serve to communicate to the participants the current progression of the rite so they might follow along. The importance of a particular series of ritual actions is evidenced by the in-depth description of the schedule of events in some sacrificial calendars. Not only did these proclamations serve to communicate the stage of the ceremony, but they might have worked to convince the participants that they were conducting the proper series of rites. A modern scholar must also not discount the possibility that these proclamations might have been viewed by the ancients as a communication with the Divine, confirming that the gods were being honored in the appropriate fashion.

Ultimately, it seems to me that it is this mixture of both communicative and ritual importance of the heralds and their proclamations that established such a long lasting importance within the Greek community from the Geometric to the Roman periods. While it is not provable with the available evidence, it seems likely that in the pre-literate and more autocratic world of early Greece heralds played an important role in communicating

information from the authorities to the greater community. With the advent of new and more participatory forms of governance such as the radical democracy of Classical Athens the official state heralds might have lost many of their central communicative roles, but vestiges of their former centrality were maintained in the form of the κήρυξ τῆς βουλῆς καὶ τοῦ δήμου, and the attachment of heralds to a multitude of government bodies. It is likely that in a more restricted form of *polis* the official herald of the government maintained a more communicative role in announcing decisions. However, beyond the simple aspect of communication the herald's voice became a symbol of an official and legitimate act, whether in the field of government, religion, family matters, athletics, or international relations, and this respected legitimizing voice became the reason for the survival of the herald throughout the great changes within Greek society from the early Archaic to the end of the Classical periods. The universally accepted power of a herald's voice to proclaim important and true matters meant that he could serve within a variety of positions from high to low in the community, and would be equally applicable to any new institutions that required legitimacy. The position of heralds and their proclamations appears to have been double-sided within the Athenian *polis*. On the one hand heralds existed in a variety of roles throughout private and public life making proclamations that could both directly inform and have a real effect upon individuals and the community, and on the other there was an absence of heralds and official proclamations in those areas of statutory communication where many have assumed they would have played an active and important role.

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