NUOVE RICERCHE SULLA LEGGE GRANARIA ATENIESE DEL 374/3 a.C.

a cura di

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NUOVE RICERCHE SULLA LEGGE GRANARIA ATENIESE DEL 374/3 a.C.

PRESENTAZIONE

È ormai un dato acquisito che la legge granaria ateniese del 374/3 a.C. rappresenta una delle più importanti scoperte degli ultimi anni nel campo dell'epigrafia greca. L'iscrizione, edita magistralmente da Ronald S. Stroud nel 1998, è divenuta subito oggetto di numerosi studi, stimolati dall'estrema complessità delle implicazioni economiche e giuridiche del documento, nonché dall'ottimo stato di conservazione del testo, che ne consente una lettura perfetta, anche se tutt'altro che limpida dal punto di vista esegetico.

Nel giugno 2006 alcuni protagonisti del dibattito scientifico sviluppatosi intorno alla legge, esperti di economia e fiscalità antica e giovani studiosi della Scuola Normale Superiore si sono incontrati a Pisa per discutere delle molteplici questioni sollevate dal documento.

A seguito di questo incontro, di cui ci piace ricordare anche l'atmosfera di viva cordialità, tra i relatori si è sviluppato un proficuo dibattito scientifico sfociato nei contributi che qui presentiamo e che sono il riflesso di momenti diversi del pensiero dei singoli autori fra il 2006 e il 2010. Alcuni di questi affrontano singole sezioni o aspetti controversi del documento, altri prendono il via da osservazioni puntuali sulla legge di Agirrio per estendere poi la trattazione a un orizzonte più ampio, legato ad aspetti giuridici, istituzionali ed economici ateniesi e del mondo greco sul finire dell'età classica. Auspichiamo che il volume possa rappresentare un contributo alla soluzione o all'approfondimento di almeno una parte delle problematiche scaturite dal testo della legge e all'aggiornamento della storia degli studi, già assai nutrita a pochi anni dall'*editio princeps* e in continuo sviluppo.

Agli autori per primi va il più sincero ringraziamento per aver risposto al nostro invito con generosa sollecitudine, e in

particolare a Ronald Stroud, che ha accettato di aprire e chiudere il volume con una mirabile sintesi degli studi successivi alla sua edizione e con importanti osservazioni sulle prospettive di ricerca future.

Un ringraziamento tutt'altro che formale va a Mauro Moggi, che ha voluto accogliere il volume nella collana "Studi e testi di storia antica" da lui diretta; alla Scuola Normale Superiore di Pisa, che ci ha consentito di pubblicare questi studi grazie a un contributo del Fondo Giovani Ricercatori, e in particolare al Laboratorio Informatico per le Lingue Antiche "G. Nenci" e al Laboratorio di Storia Archeologia e Topografia del Mondo Antico, che hanno offerto alle nostre ricerche un prezioso supporto logistico e scientifico; a Carmine Ampolo, che ha ispirato questo progetto e lo ha costantemente sostenuto nella sua realizzazione.

Pisa, agosto 2010

A.M., D.E., C.C.

INTRODUCTION

Ronald S. Stroud

First, I would like to express my gratitude to our colleagues here in Pisa who have organized today's session. It was for me a great honor to have introduced into the world of scholarship the amazing Greek inscription that forms our main topic, as it is now to join a distinguished group of scholars invited to Pisa to discuss it. As I said in the Preface to my publication of the *Athenian Grain-Tax Law of 374/3 B.C.*, «The impossibility of having the last word on this inscription cannot diminish the pleasure of having the first one». All will agree that it will be a long time before anyone has the last word on this long and complex document.

One of the first things we should do is pay homage to the remarkable stone from the Agora Excavations that is the reason we are all here. The Grain-Tax Law of 374/3 B.C. is one of the most important surviving inscriptions from Classical Athens. Among other factors, it owes its reputation to its novelty, its state of preservation, and the amount of information conveyed in its 61 lines of text. On this stele of white marble we read for the first time of a new Athenian tax in kind on the wheat and barley produced by the three islands of Lemnos, Imbros, and Skyros; new also are the detailed provisions for the public auction of the right to collect this tax and procedures to be followed by the tax-farmers in transporting the 'people's grain' to Peiraieus and to the city of Athens; a new board of ten Athenian magistrates is to be elected to care for this grain and supervise its sale to their fellow citizens at a time and at a price to be determined by the Athenian Assembly; an obscure building in the sanctuary of the hero Aiakos in the Athenian Agora is to be provided with a roof and secured by a door as a place for storage of the people's grain until it is sold; new also is the return to active political life, after a term served in prison, of the

Athenian politician Agyrrhios, known from the plays of Aristophanes and the speeches of Demosthenes as a favorite of the demos and a man with considerable experience in finance and in tax-farming; we learn valuable new facts about the relative weights of a *medimnos* of wheat compared to a *medimnos* of barley; among many other new features, we have for the first time intricate details about how the budget officers of Athens will deal with the transition of this tax from one formerly collected in cash to one now collected in grain.

Paradoxically, the many new questions raised by this inscription derive not from the fact that it is preserved only in fragments or difficult to read. In fact, restoration of lost or missing text plays almost no role in the interpretation of its contents. The full text is almost all there: 61 lines each with 31 letters. But many serious problems of interpretation remain, reminding us graphically of how little we know about Athenian agriculture, finances, food supply, business and profit, the economy, and many other areas.

Having been asked to speak first today, I do not want to turn this forward-looking round table into a session of «The original editor replies to his critics», but eight years after the publication of the *editio princeps* it might be helpful briefly to take stock of where we are before we hear all the new ideas that our colleagues have come here to tell us about today. The bibliographic response to the publication of this important new inscription has been lively and productive. Of the many new suggestions put into print about the interpretation of this inscription we have time here to consider only a few. I begin with work published by three of our colleagues on the panel.

One of the earliest contributors to the on-going discussion of the Athenian Grain-Tax Law, particularly on points that the *editio princeps* did not deal with adequately, was Michele Faraguna (1999). He first tackled in detail the question of the liability of Athenian *klerouchoi* on the three islands to the new tax. He also underlined Stroud's inference from lines 51-61 that the new tax of one-twelfth in kind replaced in 374/3 B.C. a previously existing tax collected in cash. Perhaps the most novel contribution of Faraguna's paper was to seek an explanation as

to how the tax-farmers made a profit from bringing the tax grain from the islands to Athens in the word *meris* of lines 8-10. Drawing on his earlier studies of land tenure and the Athenian mining establishment, Faraguna urged that the word *meris* should have a precise geographic connotation as well as designating a certain «portion» of wheat and barley. The system of farming the grain-tax on the islands, he suggests, resembled that for leasing the Laureion Mines. In both instances there was a registration fee per *meris* of twenty drachmas for the leaser, but one will seek in vain in the poletai accounts of the mines and in Agyrrhios's new law for more explicit evidence of how the entrepreneurs made a profit. The law is concerned only with the tax-farmers' obligations to the polis.

Philippe Gauthier (2001) rejected Faraguna's suggestion that the word *meris* has a topographical connotation, observing that it is twice defined exclusively in terms of amounts of wheat and barley. It, therefore, is a portion, not a place. It is likely, however, that Faraguna has identified one of the key terms in the law and that when we more fully understand the meaning of *meris* we will more fully understand the meaning of the law as a whole.

[In the discussion following the papers, Stroud argued that one of the difficulties in taking the word *meris* to mean a topographic unit is that in order for the tax-farmers to collect enough wheat and barley to satisfy the requirements of the law, each *meris* or topographic unit would have to have been planted in both wheat and barley to the proportion of one part of the former to four parts of the latter. It is perhaps difficult to imagine that every unit of land on all three islands would have been cultivated to these uniform proportions. It seems more likely that many fields, perhaps as large as a *meris*, might have been planted in either one crop or the other.]

Typical of his wide-ranging and precise understanding of the ancient economy is the paper of Léopold Migeotte (2001). Bringing the new Athenian law of 374/3 B.C. into play with two recently published decrees of Kolophon of the third century B.C. found at Klaros, Migeotte sets all these new documents in the wider context of ancient Greek regulations on taxation,

the *telonikoi nomoi*. The new Athenian law on grain-tax, as he points out, is not itself strictly a *telonikos nomos*, but it partakes of many features of the more general Athenian legislation governing the farming of taxes, such as a public auction, guarantors, a sales-tax, a herald's fee, and the definition of specific quantities (*merides*) of wheat and barley for which each tax farmer is responsible. Migeotte aptly notes also what the new law does not state: for instance, the total number of *merides* of grain to be collected in a given year, since this will vary according to the richness or scarcity of the annual harvest. From my own selfish point-of-view, Migeotte has also greatly helped by citing persuasive parallels from other inscriptions and literature to elucidate the regulations for recovering what they owe the polis from each individual and from all individuals participating in a tax-farming company of six members. I believe that Agyrrhios' law employs the term *symmoria* in lines 33-36 to designate such a group of tax-farmers. Others strongly disagree on this point, and if I had the *editio princeps* to do over again, I would have argued in more detail in favor of my interpretation and against the view that the group of six in lines 33-36 is a group of tax-payers. Here we are all the beneficiaries of the progress of scholarship, for Migeotte has, in my view, advanced our understanding of joint-tax companies beyond the point that I had reached in my monograph.

Another valuable contribution to our understanding of the law of Agyrrhios is the excellent paper of Ugo Fantasia (2004). While pointing up the fact that the text on the stone is extremely well preserved and raises few difficulties in reading or restoration, the author rightly stresses that «it presents difficulties in exegesis, both because of the technical language in which it is expressed and the lack of parallels for many of the provisions it contains». Fantasia further very courteously observes that «*consapevolmente*» Stroud has left open several questions of interpretation inviting further discussion from scholars. He turns to three of these topics.

The first concerns the obscure financial arrangements both for the present and for the future detailed in the difficult final lines 56-61. Here Fantasia infers not only that the *dodekate* tax

on the grain from the three islands was not originally a tax in cash but remained unchanged as a tax in kind while the *pentekoste* tax originally collected in cash was still collected in cash after Agyrrhios' law. As far as I know, this is a totally new point and its omission from the *editio princeps* was due more to negligence than to *consapevolezza.* Even after lucid explanations by Fantasia, Edward Harris (1999), and others, however, I remain baffled by the exact purport of these difficult lines. It seems to me that here Agyrrhios is assuming on the part of his readers technical knowledge of the state budget that we do not yet have.

Fantasia next turns to the complex relationship between the polis and the *priamenoi*, especially the novelty of a tax in kind being collected by private tax-farmers. He offers two very intricate scenarios as to how the tax-farmers made a profit – an unstated major problem of this inscription. In my view, the very complexity of the scenarios proposed by Fantasia constitutes their greatest strength because I believe that many of these business deals were very intricate, complex, and perhaps not always perfectly legal. This is what any reader of the private speeches of Demosthenes would conclude and the tangled web of interactions among Greek ship-owners, merchants, bankers, customs officers, and other state officials frustrates our attempts to penetrate it and to reach a satisfying analysis. On the stone we have only one side of the story. I return to this point on pp. 23-25.

Another topic on which Fantasia goes far beyond the competence of the original editor of this inscription concerns the process of measuring and weighing the wheat and barley as specified in lines 16-25. He is prepared to see a certain amount of flexibility in the requirements of this section and I have to confess that on this point, in the presence of Fantasia himself and experts like Carmine Ampolo, Luigi Gallo, and others better informed than I am on this topic, I refrain from making further comment. We will probably hear more on this topic later today.

In his stimulating book, *La cité marchande*, Alain Bresson (2000), while accepting Stroud's estimated annual yield of the

one-twelfth tax at *ca.* 31,000 *medimnoi,* suggested that wheat and barley were sold in Athens in 373 B.C. at prices that produced only 11 talents, rather than 18 1/2, as I had proposed. Herein he sees an echo of the grain donated by Leukon of the Bosporos in 357 B.C., 15 talents (Demosthenes 20, 31-33), and even Psammetichos' famous gift of 30,000-40,000 *medimnoi* in 445/4 B.C.

One of the aims of my monograph was to demonstrate the futility, indeed the impossibility of computing today in detail the volume of wheat and barley produced in the fourth century B.C. on the three islands on the basis of projected estimates of the annual yield of the harvest. This has been a method followed by many previous scholars, particularly in Great Britain. In my view this method is fallacious because: (1) we cannot determine the total acreage under cultivation for wheat and barley on each of the three islands in antiquity; (2) we cannot always know if grain fields were planted every year or if they were left fallow in alternate years; (3) we do not have reliable ancient figures of crop yields of wheat and barley; how many *medimnoi* per acre or hectare; (4) we do not have even approximate numbers for the population of these three islands in the fourth century B.C., especially for slaves. There are many other variables that render such estimates unreliable.

Clearly, I was not able to convince Alfonso Moreno of Oxford on this point, for in his charmingly entitled paper, «Athenian Bread-Baskets» (2003), he used all of the above mentioned methods to compute the annual yield of the new *dodekate* tax as roughly 300,000 *medimnoi*. This is a remarkably high estimate in view of the statements in Demosthenes 20, 31-32 that Athens annually imported roughly 800,000 medimnoi of grain in the middle of the fourth century B.C. Moreno's estimate would mean that almost half of it would have come from these three islands alone. To transport this enormous volume of grain to Athens from the three islands required, in his view, at least ninety grain ships. I have to leave to one side other controversial aspects of Moreno's reconstruction such as his contention that (1) the *dodekate* tax in Lemnos, Imbros, and Skiros was levied only on Athenian *klerouchoi* and only on

those in the highest Solonian tax-bracket of the *pentakosiomedimnoi*; (2) there was only one *priamenos*, tax-farmer, who emerged as the winner-take-all in the auction and was awarded exclusive rights to collect the grain-tax on each island; (3) the *symmories* in lines 33-36 consisting of six men each are not companies of tax-collectors, as Stroud, Migeotte, and others have argued, but groups of tax-payers. There are many other challenging conclusions in Moreno's paper that have not yet provoked detailed discussion, but I want to concentrate on one final point.

Another aim of my monograph was to offer a persuasive candidate in the Athenian Agora for the Sanctuary of Aiakos that would satisfy the demands of the literary and epigraphic *testimonia*, the archaeological remains on the site, and the new information provided by Agyrrhios' law. Our new inscription instructs the tax-collectors to transport the tax-grain to Peiraieus and then up to the city where they are to heap it up in the Aiakeion. They are told to do this before the month of Maimakterion and to have the grain weighed there within thirty days of its delivery. These deadlines clearly apply to *all* the grain, not to a fraction. I suggested that the requirements for the identification of the Sanctuary of Aiakos could best be accommodated by the Rectangular Peribolos excavated in the southwest corner of the Agora and sometimes identified on early plans as the Heliaia. I estimated that a volume of tax-grain of ca. 31,000 *medimnoi* could be housed in this structure if it was provided with a roof as Agyrrhios' law specifies. It is important to remember, however, as Moreno has pointed out to me, that my identification of the Aiakeion rests partly upon a restoration in the text of *IG* I^3 426, lines 5-8, a record of the sale of the confiscated property of the Hermokopidai[1].

Moreno estimates that the annual yield of the grain tax on the islands reached about 300,000-270,000 *medimnoi* but that «only a fraction» of this tax would be stored in the Aiakeion, «say, half of 270,000 *medimnoi*», requiring a structure «at least four times the size of the Rectangular Peribolos». In my view,

[1] See also MORENO 2009, 113 n. 163.

few students of Athenian topography will be persuaded that the open *temenos* of the Aiginetan hero laid out *ca.* 506 B.C. in the Athenian Agora had reached such massive proportions by 374/3 B.C., or that, having so far totally eluded the American excavators, «perhaps it still lies undiscovered to its [the Agora's] north or east».

We do not have time to consider the many other contributions to the interpretation of the Grain-Tax law made by scholars such as E. Harris (1999), J. Engels (2000), and V.J. Rosivach (2000), although we should note that Harris has persuaded few that the *dodekate* was a transit tax. I close simply by noting that the law is now included as no. 26 in Robin Osborne's and Peter Rhodes' new collection of *Greek Historical Inscriptions 404-323 B.C.* After reading a fairly kinky review of my monograph by Robin Osborne (2000), I was a little worried about how the Grain-Tax law would be presented in this authoritative publication, but I am now happy to see that I am in basic agreement with almost everything Osborne and Rhodes have to say about the new inscription. I cannot follow them, however, in their strange view that the law is poorly drafted and has not been thoroughly thought out. I believe that our problems in interpreting it are due to our own ignorance, not to that of Agyrrhios and the Athenians.

Postscript: August 2009

Since the above lines were written, Agyrrhios' law of 374/3 B.C. has continued to stimulate a very steady flow of published research. I cannot produce a full *chronique* of this work here nor a detailed commentary, and will do no more than point out what I regard as a few of the most important contributions I have encountered to date[2].

By far the most substantial discussion of the grain-tax law in this period has been A. Moreno's book, *Feeding the Democracy*

[2] For bibliography on this inscription published since our Tavola Rotonda in June 2006, see *SEG* LIII 88, LIV 108, LV 135.

(Oxford 2007). In Chapter 1 and elsewhere, the author expends many pages on additional speculative calculations about the proportion of land under cultivation in the cleruchies, the yield per hectare of wheat and barley, the universality of alternate-year fallowing, daily dietary requirements, the population of Attica, and several other imponderables. Moreno demonstrates that he is at least as nimble a player in this guessing-game as his precedecessors, but for the reasons given above (p. 16) and in Stroud 1998, 41-43, I am still not convinced that we have the evidence to elevate these maneuvers to anything more than exercises in futility.

In *Feeding the Democracy*, the author basically repeats his reconstruction of the Grain-Tax Law presented earlier in his article of 2003. Although Moreno frequently mentions the «errors», «mistakes», and other failings in the work of his predecessors, it is perhaps too early to tell yet, how many converts he will win to his theory about the law[3]. In my view, he has not yet provided conclusive supporting evidence for at least the following essential points in his reconstruction: (1) The Athenians settled Lemnos, Imbros, and Skyros only with *klerouchoi* of the *pentakosiomedimnoi* class, who were the exclusive targets of the *dodekate* tax[4]. (2) Despite the use of the plural *priamenoi* in lines 21 and 47, only one *priamenos* emerged victorious from the alleged 'winner takes all' auction in lines 5-36. (3) The amount of the grain produced by the *dodekate* in the islands reached roughly 300,000 *medimnoi* and required approximately 90 ships to transport it to Peiraieus. (4) Only a portion of this grain was stored in the Aiakeion in the Agora. (5) A new location must be sought for the Aiakeion roughly four times the size of the Rectangular Peribolos proposed in the *ed. pr.* (6) The six members of a *symmoria* in lines 31-36 are tax-payers, not *priamenoi.* (7) He can accurately calculate the size of individual *kleroi* on the islands and their per hectare yield of wheat

[3] HANSEN 2009, 152 n. 7 has registered his scepticism on points (1), (2), (3), and (6), below.

[4] Are we then to regard the «Lemnians» (Athenian citizens) whose deaths are recorded on, e.g. *IG* I^3 1164, 1165, or who fought with Kleon at Pylos (Thuc., 4, 28-30), as all coming from the top income bracket of *klerouchoi?*

and barley and their population (including slaves). (8) «The Grain-Tax of 374/3 B.C. itself is probably best considered as an *eisphora* … the first known *yearly eisphora*» (p. 115).

In a very important contribution, R. Descat (2003a) urges that the *pentekoste* in lines 9 and 57 of the law is to be identified as a special insular tax on the grain from the three islands that was farmed at the same time as the *dodekate.* He further looks to the long-range impact of Agyrrhios' law, characterizing it as a prophetic early manifestation of state intervention in the grain trade, leading to an increase in 'public grain' and in agreements by cities with importers for the purchase of entire cargoes at a 'negotiated price', καθεστηκυῖα τιμή. This latter practice is reflected in the numerous honorific decrees for grain merchants attested, for instance, at Athens after the 330's B.C. Descat ties this expansion of public involvement in the grain trade to the increase in the number of σιτοφύλακες in Athens, (Aristotle, *Ath. pol.*, 51, 4), not merely as a reaction to a crisis or grain shortages brought about by the victory of Macedon but as «une politique nouvelle qui est le prolongement et le développement de celle instaurée par Agyrrhios en 374. Nous assistons en fait au cours du IV^{e} siècle à une transformation de l'attitude de la cité qui intervient de manière plus nette vis-à-vis des importateurs de grains» (p. 600). See also *SEG* LIV 108, LV 135.

D. Marchiandi (2002) has considerably advanced the interpretation of our law through her detailed investigation of the topography and archaeology of the Athenian settlement at Hephaisteia on Lemnos. From her perspective 'on the ground' she issues a welcome caveat against the continuing efforts of modern scholars to calculate the relative annual yields of wheat and barely harvests on Lemnos and in Attica on the basis of e.g. the accounts of the Eleusinian *epistatai* of 329/8 B.C. (*IG* II^{2} 1672), characterizing this procedure as «il miraggio». Like some other researchers, she infers from its opening and closing lines that Agyrrhios' law of 374/3 B.C. may have been preceded by earlier legislation taxing the grain on Lemnos in cash. This conjecture enables her to offer a challenging and novel interpretation of a long, detailed, but very fragmentary Athenian document of

387/6 B.C., concerning Lemnos, *IG* II^2 30. Among the many other features of her important work, I note briefly that she is inclined to support the interpretation of a μερίς (line 8) as «un distretto territoriale» and the συμμορία of line 31 as consisting of tax-farmers, not tax-payers[5].

We might infer from the research of both Marchiandi on the size of Lemnian farmsteads and Culasso Gastaldi (2008 a,b) on security horos stones found on Lemnos and other epigraphical evidence that, with the exception of some members of the liturgical class, most Athenian *klerouchoi* in the fourth century B.C. on the island were farmers of moderate economic status, possibly a cross-section of Athenian citizens, not all of them *pentakosiomedimnoi* and not all of them resident all the time.

Éva Jakab (2005) has argued strenuously that Stroud and several others have fundamentally misunderstood the nature and purpose of Agyrrhios' law. Far from being a «Steuergesetz», the inscribed stele from the Agora records in fact a «Frachtvertrag», whose main purpose is to prescribe the timing, manner, risks, and the choice of the shipowners who transported the tax grain from Lemnos, Imbros, and Skyros to Peiraieus and up to the Aiakeion in the Agora. The *priamenoi* of the law are not bidding in public auction for the right to collect the *dodekate* tax in the islands, for the tax had already been collected. The auction and the contracts concern only the right to convey the collected tax to Athens. This accounts for the detailed concentration on the transportation of the grain in lines 10-36.

In clearing the ground for her own reconstruction, Jakab begins with a major misconception: «Der Editor sieht darin die Steuerangabe nach dem Ertrag eines konkreten geographischen Bezirk» (p. 107), repeated on pp. 109, 119. Ironically, I have argued in some detail both in the *editio princeps* (1998, 40-41) and later in my remarks at Pisa (see above p. 13) against the view that the μερίδες which the law defines as consisting of 400 medimnoi of barley and 100 of wheat in lines 8-10 are

[5] I have not yet been able to consult MARCHIANDI 2008a and 2008b.

geographical units in the three islands in question. She is right to take up this problem, since it is central to the interpretation of the purpose of Agyrrhios' law, but it is M. Faraguna, her respondent (2007), who has argued this position most eloquently, not «Der Editor»[6].

Working independently and including some different nuances, M.H. Hansen (2009) proposed a model similar to that of Jakab, arguing that the *priamenoi* do not «buy the right to collect the *dodekate* and the *pentekoste*», but only the monopoly on transporting the tax-grain to Athens. Unlike Jakab, who does not explain how the *emporoi* were reimbursed for providing this service to the state, Hansen suggests a very bizarre kind of auction in which an official asks the assembled merchants, «Who are willing to take on a *meris* for 300 drachmas? – no reply», and so on as the price the state will pay goes up until all the *merides* have been sold. This scenario strains credulity.

There are many other twists and turns to the theories of Jakab and Hansen but both are vulnerable to the clear meaning of the first instruction of the law, τὴν δωδεκάτην πωλ[εῖ]ν τὴν ἐν Λήμνωι καὶ Ἴμβρωι καὶ Σκύρω[ι κ]αὶ τὴν πεντηκοστὴν σίτο, which they have to persuade us means «sell the (right and duty to transport and deliver the already collected) *dodekate*». It is difficult to believe that any ancient Athenian would have read the Greek this way[7]. As Faraguna (2007, 125) observes, Jakab's theory basically creates «un *unicum* di enorme interesse nel panorama della documentazione delle città greche», implying an auction where the contract goes to the lowest bidders, who perform a service for the state at the lowest cost, rather than one that rewards the highest bidders (in this case the most *merides*) typical of the sale of the right to collect a tax.

Hansen, like Jakab, infers his overall theory of the interpretation of the law from the fact that the «transportation, storage and sale of the grain are regulated down to minute details»,

[6] Faraguna 1999; 2007, 129.
[7] See also Faraguna 2007, 129.

whereas «there is not a word about the collection of the tax». Jakab (2007, 111-120) provides a useful commentary on parallels for these details in Ptolemaic papyri. It should come as no surprise, however, that in regulating a tax previously collected in cash and now assessed in kind that Agyrrhios placed heavy emphasis on one of its most novel aspects, the fact that large quantities of tax-grain would now have to be transported to Athens.

Finally, I return to a topic that arose in the general discussion at the end of our day in Pisa and which deserves more prominence. One of the most frustrating aspects of Agyrrhios' law is the puzzle of how the *priamenoi* made a profit. The puzzle equally confronts those who identify the *priamenoi* with the tax-farmers of the *dodekate* on the grain in the islands and those who argue that they were concerned solely with the transport of the people's grain to Athens. Both those who believe that more than one *priamenos* emerged from the auction with state authorization to collect and/or transport the grain to Athens and those who hold that there was only one 'winner takes all' *priamenos* must grapple with this problem. As has often been observed, the answer to this question can only be teased out of the law as published on the stone, be it the full law or an excerpt[8], by reading between the lines. The legislation lays down certain terms for which the polis will hold the *priamenoi* responsible; it is concerned only with those terms. It does not set a specific limit on the number of *merides* but assumes that readers will not remain confused as to what a *meris* is. It says nothing about *priamenoi* being assigned or restricted to one or more of the three islands by the terms of the auction. It does not establish or confirm a specific annual due date by which time the farmers on the islands had to pay the *dodekate*. It is possible, of course, that this and more information could have been found in earlier legislation, particularly if the *dodekate* in kind was in a way a new tax replacing an earlier *dodekate* in cash. But all we have before us today are the 61 lines

[8] See FARAGUNA 2007, 123 n. 2.

inscribed on this stone, precious though they are.

In my view, with the exception of Moreno, most scholars who have published on this difficult text, beginning with its first editor, have given insufficient recognition to the fact that, regardless of their specific identity, the *priamenoi* of Agyrrhios' law, like its proposer, were men who had considerable mercantile experience. They were accustomed to the intricate details of shipping, harbors and ports, tax-contracts, negotiations with grain-farmers, and the whole complex web of entreprenurial interaction with public property, be it tax-grain, auction fees, guarantors, a new storage facility in the Agora, and a host of other 'angles'. These were the men who provided a large part of the machinery by which the economy of the ancient *polis* operated. Without such heavy participation by the private sector there probably would not even have been an 'economy' of the city state as we know it from inscriptions and literature. Moreno's excellent discussion (2007, 211-299) of the political, social, and economic backgrounds of these men is a timely reminder that our *priamenoi* are closely related to the clever, wily, infinitely imaginative – and sometimes dishonest and unscrupulous – men we meet in the private speeches of the Demosthenic corpus or in Andokides' boast (1, 133-134) of how he outwitted the farmers of the *pentekoste* in 402/1 B.C. or Plutarch's famous anecdote of Alkibiades giving money to a metic in order artificially to bid up the auction price of public taxes by a talent (*Alkibiades*, 5).

Moreno has demonstrated, in my view, to put it very bluntly, that we academics are trying to draw inferences from the bald terms of this law as to how very clever, experienced businessmen and Greek shipowners in fourth century B.C. Athens made a profit from farming the *dodekate* tax on *sitos* in the islands. It is little wonder that each one of us has come up with a different scheme and will probably continue to do so as long as Agyrrhios' law sparks interest. Also, it is significant, I think, that most of our theories have been monolithic, as if there was only one way in which these daring entrepreneurs made a profit. But the testimony of the Attic orators and much recent financial history both show that the range of making a profit out

of a state contract could have been almost infinite. Is it uncharitable to suggest that we professors might resemble an academic who, armed with only the tax codes of modern Greece, the U.S., and other relevant countries, is challenged to explain how powerful figures like Aristoteles Onassis and Stavros Niarchos amassed their enormous shipping fortunes in the twentieth century?