

# Two Notes on the Pnyx

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In memory of Fordyce W. Mitchel

## 1. *Fencing-Off of the Auditorium*

Of the scanty sources describing the opening of an *ecclesia*, two enigmatic passages refer to γέρρα, viz. the famous passage in Demosthenes' speech *On the Crown*, describing the *ecclesia* held after Philip's capture of Elatea in 339, and a passage from the Neaera speech describing the procedure adopted for ratification of citizenship decrees:

Dem. 18.169: ἐσπέρα μὲν γὰρ ἦν, ἦκε δ' ἀγγέλλων τις ὡς τοὺς πρυτάνεις ὡς Ἐλάτεια κατείληπται. καὶ μετὰ ταῦθ' οἱ μὲν εὐθὺς ἐξαναστάντες μεταξύ δειπνοῦντες τοὺς τ' ἐκ τῶν σκηνῶν τῶν κατὰ τὴν ἀγορὰν ἐξείργον καὶ τὰ γέρρα ἐνεπίμπρασαν, οἱ δὲ τοὺς στρατηγούς μετεπέμποντο καὶ τὸν σαλπικτὴν ἐκάλουν· καὶ θορύβου πλήρης ἦν ἡ πόλις. τῇ δ' ὑστεραία, ἅμα τῇ ἡμέρᾳ, οἱ μὲν πρυτάνεις τὴν βουλήν ἐκάλουν εἰς τὸ βουλευτήριον, ὑμεῖς δ' εἰς τὴν ἐκκλησίαν ἐπορεύεσθε, καὶ πρὶν ἐκείνην χρηματίσαι καὶ προβουλεύσαι πᾶς ὁ δῆμος ἄνω καθῆτο.

Dem. 59.89f: ἔπειτ' ἐπειδὰν πεισθῆ ὁ δῆμος, καὶ δῶ τὴν δωρεάν, οὐκ ἐὰ κυρίαν γενέσθαι τὴν ποίησιν, ἐὰν μὴ τῇ ψήφῳ εἰς τὴν ἐπιούσαν ἐκκλησίαν ὑπερεξακισχίλιοι Ἀθηναίων ψηφίσωνται κρύβδην ψηφιζόμενοι. τοὺς δὲ πρυτάνεις κελεύει τιθέναι τοὺς κἀδίσκους ὁ νόμος καὶ τὴν ψήφον διδόναι προσιόντι τῷ δήμῳ πρὶν τοὺς ξένους εἰσιέναι καὶ τὰ γέρρα ἀναιρεῖν, ἵνα κύριος ᾖν αὐτὸς αὐτοῦ ἕκαστος σκοπῆται πρὸς αὐτὸν ὄντινα μέλλει πολίτην ποιήσεσθαι, εἰ ἄξιός ἐστι τῆς δωρεᾶς ὁ μέλλων λήψεσθαι.

Discussion has focused on the first passage,<sup>1</sup> while the second has mostly been adduced in attempts to emend the phrase τὰ γέρρα ἐνεπίμπρασαν in 18.169. I will instead concentrate on the Neaera passage: it gives valuable information about the *gerra* and, apart from

<sup>1</sup> S. Karsten, "Over Demosthenes, De Corona § 169 p. 284," *SitzAmst* (1857) 38–65; P. Girard, "Conjecture à propos de Démosthène Disc. sur la Couronne, 169," *RevPhil* 11 (1887) 25–32; R. E. Wycherley, *The Athenian Agora III Literary and Epigraphical Testimonia* (Princeton 1957) 190f nos. 623–24; H. Wankel, *Demosthenes. Rede über den Kranz* (Heidelberg 1976) 849–54; M. Valozza, "Demosth. Cor. 169," *MusCrit* 15–17 (1980–82) 135–41.

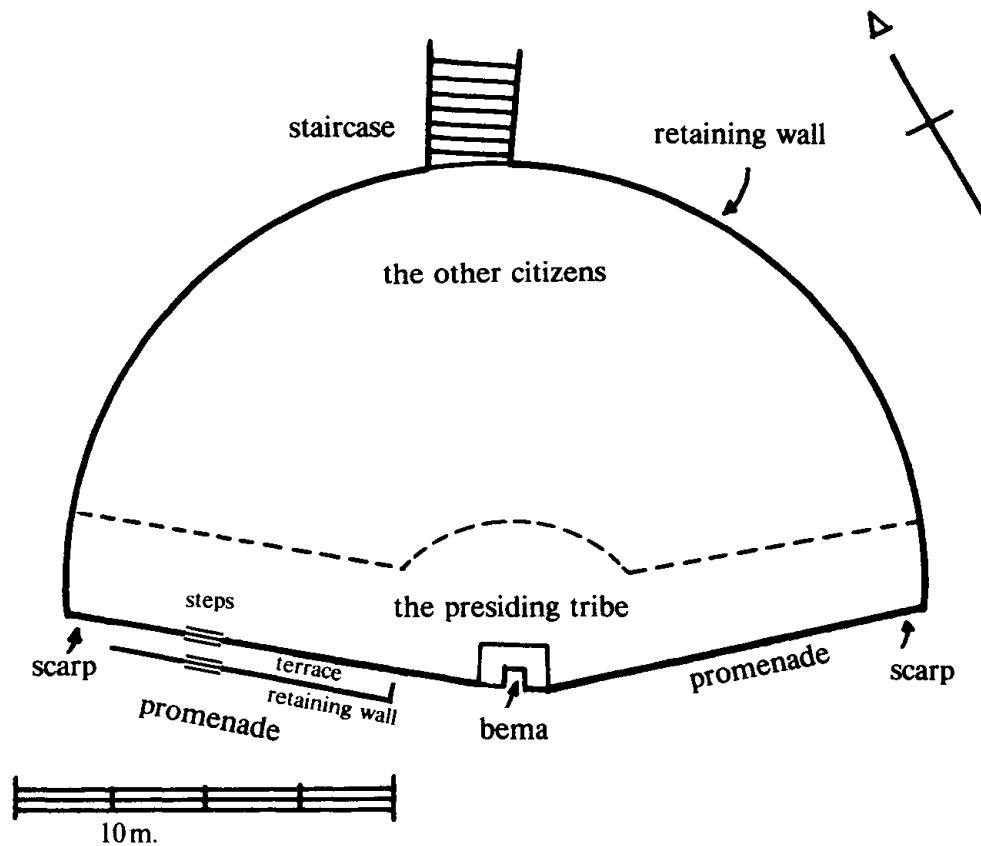


Figure 1

a transposition of the two infinitives *εἰσιέναι* and *ἀναρπεῖν*,<sup>2</sup> the text has never been questioned.

From Dem. 59.89f, as well as from other sources,<sup>3</sup> we learn that sessions of the *ecclesia* were regularly attended by foreign spectators. Moreover, when an *ecclesia* was preceded by a ratification, requiring a quorum of 6,000 voting by ballot, foreigners were not admitted until the *psephophoria* was over. They were kept out by *gerra*, which were removed when the ballot was over and the session was opened. Where were the foreigners seated during the session? Here a plan of the Pnyx will be helpful, and since the Neaera speech was delivered *ca* 342–340,<sup>4</sup>

<sup>2</sup> Karsten (*supra* n.1) 44, note.

<sup>3</sup> Aeschin. 3.224, Ar. *Eccl.* 243f.

<sup>4</sup> Cf. L. Gernet, *Démosthène, plaidoyers civils* IV (Paris 1960) 69. Gernet's assumption (98 n.1) that these meetings of the *ecclesia* took place in the Agora and not on the

Fig. 1 shows Pnyx III, which, following Thompson,<sup>5</sup> I take to have been constructed in the 340's. The foreigners were probably not seated in the northern part of the auditorium with the other citizens, nor is it likely that they were admitted to the front part of the auditorium, which, I have argued previously,<sup>6</sup> was probably occupied by the presiding tribe (ἡ προεδρεύουσα φυλή). Because of the high semi-circular retaining wall, spectators cannot have watched the *ecclesia* from the area to the west, north, and east of the auditorium. So the only possible location for spectators is the open area with promenades above the scarps that bound the auditorium to the south. The narrow terrace (of ca 40 × 4 m.) to the southwest between the scarp (north) and a retaining wall (south)<sup>7</sup> is an obvious location for (some) spectators and (perhaps) foreign ambassadors as well as *xenoi* to be honoured. The steps leading down from the terrace into the auditorium may have been used by ambassadors and *xenoi* when called to the platform. Similarly, the small stairway from the promenade down to the terrace (probably to be closed by a two-leaved gate) is too narrow (ca 1.5 m.) to have served as an entrance to the auditorium used by a great number of citizens, but may well have been used by a smaller number of foreigners descending from the promenade to the terrace.

Now, in Dem. 59.89f Apollodorus tells us that, before the *ecclesia* was opened, spectators were kept out by *gerra*, which were then removed. What are *gerra*, where were they set up, and why were they removed before the *ecclesia*? Γέρρον is wickerwork,<sup>8</sup> and in this passage the reference must be to some kind of fence; but *gerron* can also be used of e.g. a shield made of wickerwork, which suggests that fences made of *gerron* could well be so closely plaited that spectators would not be able to watch the *ecclesia* from behind.

Where were the *gerra* set up? We know that admission to the assembly was checked by thirty συλλογῆς τοῦ δήμου and that every

Pnyx is refuted in my article, "How Many Athenians Attended the *Ecclesia*?" *GRBS* 17 (1976) 117–21 (= *The Athenian Ecclesia* [Copenhagen 1983] 3–7 with addendum 21).

<sup>5</sup> H. A. Thompson, "The Pnyx in Models," *Hesperia* Suppl. 19 (1982) 144f. Let me point out, however, that the reconstruction I suggest here is equally compatible with the period of Pnyx II (ca 400–345), in which citizens entered the auditorium not by one central stairway, but by two narrower stairways, one to the west and one to the east of the axis.

<sup>6</sup> M. H. Hansen, "The Athenian *Ecclesia* and the Assembly-Place on the Pnyx," *GRBS* 23 (1982) 246–48 (= *The Athenian Ecclesia* [supra n.4] 30–32).

<sup>7</sup> K. Kourouniotes and H. A. Thompson, "The Pnyx in Athens," *Hesperia* 1 (1932) 169–72.

<sup>8</sup> Eust. *Od.* 1924.3; *Lex.Seg.* 33.25; Hesych. *et al.*; Hdt. 7.61.1; Xen. *Cyr.* 2.1.21; Strab. 7.2.3; cf. P. Chantraine, *Dictionnaire étymologique de la langue grecque* (Paris 1968) 217.

citizen approaching the auditorium was issued a *symbolon* (probably to be exchanged for *misthos* when the meeting was over).<sup>9</sup> This practice suggests that only one entrance to the Pnyx was kept open. If citizens had been allowed to enter the auditorium both from the staircase to the north and from around the ends of the scarps to the southeast and southwest, control of admission and distribution of *symbola* would have had to be conducted at different places, and the procedure would be unreasonably complicated. First, the *πίναξ ἐκκλησιαστικός* was kept locally in the demes (Dem. 44.35), and there is no evidence for a central register of citizens entitled to attend the *ecclesia*. The checking of attendants was probably based on the idea that any citizen approaching the auditorium would be known to at least one of the thirty *syllogeis*, so that an *atimos*, for example, who attempted to sneak in could be recognized and refused admission. But this form of control can only have been effective if all the *syllogeis* were grouped together and could inspect all the prospective attendants. Second, when an *ecclesia* was preceded by a vote by ballot, admission to the auditorium through several entrances would have required that urns be set up and *psephoi* dispensed at several different places, which, again, is most unlikely. Accordingly, the reasonable assumption seems to be that *all* citizens had to enter the auditorium by ascending the staircase to the north. But in that case the free entrance to the auditorium from the south around the ends of the scarps must have been blocked, probably by fences set up along the south side of the auditorium above the scarps from the western to the eastern end of the retaining wall.

Furthermore, it is apparent from the Neaera speech that, in order to exclude foreigners, *gerra* were placed in the area where the ballot took place, and that the ballot was conducted while the citizens were approaching the Pnyx. If, as argued above, all citizens entered the auditorium by ascending the staircase, these *gerra* must have been set up either (a) in the area in front of the staircase (if the vote was taken before ascending) or (b) in the northern part of the auditorium (if the vote was taken after the citizens had mounted the steps and entered the auditorium). If we accept (b), it follows first that foreigners were allowed to mount the steps and stand in the auditorium, but outside the *gerra*, when the ballot took place; and second, that when the *gerra* had been removed and the session was opened, there would no longer be any clear separation of foreigners from citizens in this part of the auditorium. Both consequences are open to objection

<sup>9</sup> *IG* II<sup>2</sup> 1749.75–79 (*Agora* XV 38.78–82); Poll. 8.104. Cf. 249 *infra*.

and force us to accept (a) as the more plausible reconstruction of where the ballot took place.

To sum up, before an *ecclesia* was opened the auditorium was fenced off by a set of *gerra* running from the western to the eastern ends of the retaining wall along the promenade above the scarps. Another set of *gerra* was put up in the area in front of the staircase to the north. But why were these *gerra* removed before the meeting and not simply left to be taken down when the session was over? Moreover, why, as reported by Apollodorus, is the sequence (1) admission of foreigners, (2) removal of *gerra*? The explanation may be that the speaker adopts the figure *hysteron-proteron*. But the passage is otherwise straightforward, and we expect the various stages in the procedure to be reported in chronological order. I suggest the following reconstruction: when the control (and, occasionally, the ballot) was over and the citizens had all ascended the staircase and taken their seats, the foreign spectators standing outside the *gerra* around the staircase were allowed to come forward through the fence to walk along the retaining wall and to go to the area above the scarps (where other foreigners are perhaps already waiting behind the fence); then the *gerra* along the top of the scarps were removed so that spectators could have a full view of the auditorium in front of them. On this reconstruction we can explain both why the spectators were admitted to their place before the *gerra* were taken down and why the *gerra* (above the scarps) had to be removed before the meeting was opened, and could not simply be left till after the *ecclesia* was over: they would have obstructed the view for spectators watching the *ecclesia* from above the scarps.

To judge from the Neaera passage alone, the fence in front of the staircase may have been left in place from *ecclesia* to *ecclesia*; but, on my interpretation, at least the *gerra* above the scarps had to be put up in advance of an *ecclesia* and taken down again just before the session was opened. Since a session of the *ecclesia* started early in the morning,<sup>10</sup> it is a fair assumption that the *gerra* were set up the evening before, and with this in mind we can now turn to our other passage (Dem. 18.169),<sup>11</sup> describing the notorious events in 339 when

<sup>10</sup> Ar. *Eccl.* 740f, cf. 283f, 291, 390f; *Thesm.* 376.

<sup>11</sup> Schol. Ar. *Ach.* 22 is another source in which *gerra* are connected with the opening of an *ecclesia*. For its discussion of *gerra*, however, this scholium is probably based on Ar. *Ach.* 21f, Dem. 18.169, and Dem. 59.89f combined. Consequently, it is not an independent source and, *pace* Girard (*supra* n.1), I reject it as a source for the meaning and use of *gerra*. It is a valuable source for τὸ μεμλτωμένον σχοινίον, but that is a different problem, not to be discussed in this note.

Philip's capture of Elatea was reported to Athens in the evening and an *ecclesia* (σύγκλητος) was held the next morning.

In the phrase τὰ γέρρα ἐνεπίμπρασαν, the noun has never been doubted and, following several commentators both ancient and modern, I take these *gerra* to be identical with the *gerra* mentioned in the Neaera speech. On the other hand, I agree with most editors and commentators that ἐνεπίμπρασαν must be corrupt.<sup>12</sup> It does not make sense to set fire to the *gerra* needed the very next morning to fence off the auditorium when the citizens approaching from the Agora had to be checked and foreigners kept out of the auditorium.<sup>13</sup> Since we can infer from the Neaera passage alone that the *gerra* had to be put up before an *ecclesia*, a verb meaning 'erect' will give the required meaning, and ἐνεπετάννυσαν or ἀνεπετάννυσαν suggested by Karsten, Girard, and others must be on the right lines.<sup>14</sup>

But the phrase τοὺς τ' ἐκ τῶν σκηνῶν τῶν κατὰ τὴν ἀγορὰν ἐξεῖργον still has to be explained. Note first that Demosthenes refers to σκηναὶ κατὰ τὴν ἀγορὰν, not ἐν τῇ ἀγορᾷ. The preposition κατὰ + acc. may well indicate that these *skennai* are 'in the neighbourhood of the Agora' rather than 'in the Agora' itself.<sup>15</sup> Next, I follow Thompson and Wycherley in their interpretation of σκηναί: "A distinction should be made between the booths (*skennai*), light wooden structures flimsily covered, and more permanent shops or small factories (*ergasteria*), built of stone or brick."<sup>16</sup> Third, the τε . . . καὶ construction suggests that τοὺς . . . ἐκ τῶν σκηνῶν ἐξεῖργον and τὰ γέρρα ἐνεπίμπρασαν (read: ἐνεπετάννυσαν) should be taken together and interpreted in the light of each other. Now, if the area between the Pnyx and the Agora itself was regularly filled with

<sup>12</sup> The corruption must, however, be early, since ἐνεπίμπρασαν is both attested in *P.Ryl.* I 57 (early third century A.D.) and is the reading of all scholiasts and lexicographers.

<sup>13</sup> Valozza (*supra* n.1) 137–41, rejecting the parallel between Dem. 18.169 and 59.89f, takes γέρρα to be the roofs of the σκηναί and, emphasizing the θόρυβος, defends ἐνεπίμπρασαν. For a system of beacons lit first in the city and then spreading over the countryside, she refers to Aen. Tact. 6f and Onosander 25.2f. I am not persuaded and insist that the *gerra* in Dem. 18.169 must be the same as those referred to in Dem. 59.89f.

<sup>14</sup> Cf. Wankel's lucid *Forschungsbericht* (*supra* n.1). Wankel's own position (849–52) is that ἐνεπίμπρασαν is probably corrupt, but he rejects all emendations proposed. He is skeptical about the value of the Neaera passage and does not believe that it can shed any light on Dem. 18.169. Karsten's emendation and interpretation (*supra* n.1) are based on the parallel between Dem. 18.169 and 59.89f; in my opinion his account, presented in 1857, surpasses all later treatments of the problem.

<sup>15</sup> Cf. Kühner-Gerth, *Ausführliche Grammatik der griechischen Sprache* II.1 (Leipzig 1898) 477f, §433.

<sup>16</sup> *The Athenian Agora* (Princeton 1972) 170.

booths,<sup>17</sup> these booths had to be taken down before a session of the *ecclesia* in order to make room for the *gerra* that fenced off the area in front of the staircase leading up to the auditorium of the Pnyx. The checking of some 6,000 citizens by the thirty *syllogeis* will have required a free space of several thousand square meters surrounded by *gerra*.

On this interpretation of the two passages, Dem. 19.169 and 59.89f can be combined to give a coherent and perfectly intelligible picture of the preparations for a session of the Athenian *ecclesia*: on the day preceding the session all booths (*skenai*) were removed from the area to the north of the central staircase leading up to the auditorium of the Pnyx. Next, *gerra* were set up to fence off the area in front of the staircase where citizens the next morning would be checked by the *syllogeis* and sometimes would have to take a vote by ballot on the ratification of e.g. a citizenship decree. *Gerra* were also put up along the scarps to the south of the auditorium to prevent foreigners and *atimoi* from sneaking into the auditorium. When all the citizens attending the session were seated in the auditorium, foreigners were admitted and the *gerra* along the scarps were removed to allow spectators to have a clear view of the session from the area behind the scarps. Then the meeting was opened by sacrifice and prayer.

## 2. *Trittys Divisions in the Auditorium?*

Over the years it has often been discussed whether the Athenians were organized into *phylai* during an *ecclesia* or whether they were seated in the auditorium as they pleased, irrespective of tribal divisions. I have adopted the latter view,<sup>18</sup> but in a fascinating recent study P. Siewert has argued that Athenians attending an *ecclesia* were, in some way, organized into *trittyes*. In support of his view Siewert invokes a group of fifth-century *horoi* inscribed with the names of *trittyes*.<sup>19</sup> He notes that, of the ten *horoi* found in Athens, six are made of *poros* stone and four of marble. Of the four marble *horoi*, one was found in the Pnyx “not far from the *bema*” of Pnyx III (*IG I<sup>2</sup> 884*), another was found on the western slope of the Areopagus (*IG I<sup>2</sup> 883*) and the other two were discovered in the south-eastern corner of the Agora (*SEG 10.370, 21.109*). Insofar as the original size of these *horoi* can be measured, Siewert believes that

<sup>17</sup> That *σκηναί* were set up in the neighbourhood of the Pnyx is strongly indicated by Ar. *Thesm.* 658.

<sup>18</sup> Cf. Hansen (*supra* n.6: 1983) 29, 105, 115f, 228.

<sup>19</sup> P. Siewert, *Die Trittysen Attikas und die Heeresreform des Kleisthenes* (Munich 1982) 10–13.

they may fit some stele beddings cut in the rock surface of the Pnyx and uncovered by the excavators in the 1930's. Siewert suggests that the four marble *horoi* belong to a series of originally thirty *horoi* set up on the Pnyx to indicate subdivisions of the auditorium.

What are the consequences of this view? Were the Athenians seated *trittys* by *trittys* in the auditorium? This is, *a priori*, most unlikely for Pnyx I, with which Siewert associates the *horoi*. (a) The auditorium of Pnyx I (*ca* 2,400 m.<sup>2</sup>) could accommodate no more than 6,000 citizens, *i.e.* the quorum required for the ratification of certain decrees.<sup>20</sup> (b) The theory that *ecclesiai* attended by 6,000 or more citizens were held as *Vollversammlungen* in the Agora has no foundation in the sources and must be rejected as a fantasy.<sup>21</sup> Apart from occasional meetings held in the Piraeus or in the precinct of Dionysus, all *ecclesiai*, down to the end of the fourth century, were probably held on the Pnyx. (c) Let us assume, for the sake of argument, that the auditorium of Pnyx I was subdivided into thirty sections of the same size. It is unbelievable that the citizens attending an *ecclesia* were evenly distributed over the thirty *trittyes*. On the contrary, we must assume that citizens belonging to one *trittys* (*e.g.* Kydathenaion) usually outnumbered citizens belonging to another (*e.g.* Phrearrhioi). Moreover, the number of attendants coming from any of the thirty *trittyes* could probably vary from *ecclesia* to *ecclesia*. On Siewert's reconstruction some *trittys* sections may have been filled to the last man, while in other sections considerable space must have been left open. But Pnyx I could hold only 6,000 attendants if they were evenly distributed over the entire auditorium without interspersed open areas. So, *a priori*, the grouping of attendants into well-defined *trittys* sections is most unlikely; and a closer inspection of the *horoi* seems to disprove Siewert's reconstruction.

Siewert had not had the opportunity to study the marble *horoi* themselves.<sup>22</sup> Neither have I, but in Athens John Camp and Judith Binder have been kind enough to examine the stones for me, and they report that no two of the marble *horoi* would seem to be associated (PLATES 1-2).<sup>23</sup> Siewert's suggestion that they belong to the

<sup>20</sup> Cf. Hansen (*supra* n.6: 1983) 25f.

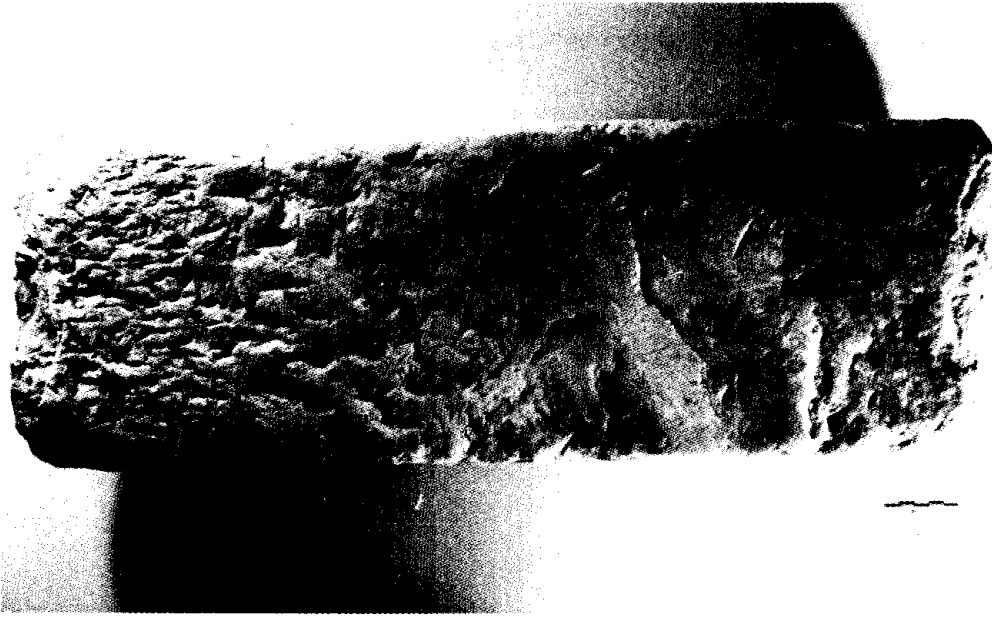
<sup>21</sup> Cf. Hansen (*supra* n.6: 1983) 7f, 13. Siewert (*supra* n.19) 58f repeats the traditional view of *Vollversammlungen* held in the Agora.

<sup>22</sup> Siewert (*supra* n.19) 12 n.61.

<sup>23</sup> "The four stones would not seem to be of the same series; they display differences of stone, letter height and forms, and disposition of text on the stone. In fact, no two seem to be associated. Agora I 5053 (*SEG* 10.370): Pentelic marble, letter height *ca* 0.017-8 m., deeply-cut careful letters. Agora I 6699 (*SEG* 21.109): Hymettian marble, fairly shallow, slight serifs? EM 10634 (*IG* I<sup>2</sup> 884): the most interesting since it is still



HANSEN PLATE 1

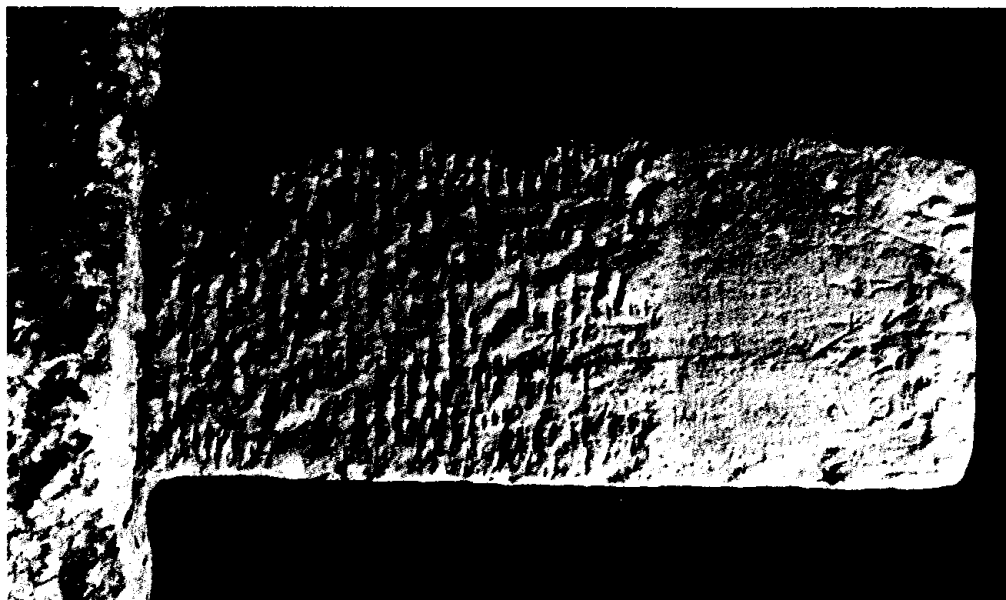


B SEG 21.109 (= *Agora* I 6699)



A SEG 10.370 (= *Agora* I 5053)

A IG I<sup>2</sup> 884 (= EM 10634)



B IG I<sup>2</sup> 883 (= EM 10072)



same series must therefore be discarded, and the only *horos* to be connected indisputably with the Pnyx is *IG I<sup>2</sup> 884*, inscribed *Λακκιδῶν τριττύς*. As Thompson suggested in 1932, it may simply indicate the border line of the city *trittys* of the Oineis tribe, *vel sim.*<sup>24</sup> We do not know. In any case, no *trittys horos* from a coastal or inland *trittys* can any longer be associated with the Pnyx.

Siewert does not explicitly discuss the fourth-century *ecclesia*, but he notes, correctly, that Aristophanes' *ecclesiazousai* are all seated in the front of the auditorium,<sup>25</sup> which is impossible if the citizens in the auditorium had been organized into thirty separate *trittys* sections. Siewert might have added Aeschin. 2.64–68, where we learn that Demosthenes of Paiania (Pandionis III) was sitting next to Amyntor of Erchia (Aigeis II). In the light of Aristophanes Siewert will not argue that the Athenians in the fourth century were seated by *trittyes*. But as an alternative, he suggests that *trittys* divisions were applied when the citizens were controlled by the thirty *συλλογείς τοῦ δήμου*. He assumes, accordingly, that the board of *syllogeis* was made up of one councillor from each of the thirty *trittyes*.<sup>26</sup> But the only prosopographical evidence we have for the *syllogeis* is *Agora XV 38.78–82*, an honorary decree for three *prytaneis* from the Aigeid tribe. They are rewarded for their careful control of the *συλλογή τοῦ δήμου* and the *διάδοσις τῶν συμβόλων*, and they are undoubtedly the *syllogeis* of the Aigeid tribe. But all three *prytaneis* represent only one of the 'territorial *trittyes*' traditionally assumed, *viz.* the Mesogaios *trittys*, and only two of the so-called *τριττύες τῶν πρυτάνεων*, the Mesogaios and the Asty *trittyes*;<sup>27</sup> thus, Siewert's reconstruction runs counter to the only prosopographical evidence we have. Furthermore, the marble *horoi* were, according to Siewert, set up *in* the auditorium. But the citizens were checked by the *syllogeis* as they were approaching the Pnyx and before they entered the auditorium. If the *horoi* indicating *trittys* divisions were used for initial control of attendants, they should be associated with the area in front of the stairway(s) to the north of the Pnyx, and not with the stele beddings in the auditorium of the Pnyx.

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led into its base, a large irregular block of pinkish Acropolis limestone; Pentelic; letter height 0.02 m.; V<sup>a</sup> letters, 3-bar *sigma*, *omicron* for *omega*; it seems earlier than the other three. EM 10072 (*IG I<sup>2</sup> 883*): Pentelic; letter height 0.03 m. Judith Binder and I agree that all four were probably carved at different times by different masons. I note also that *Agora I 5053* has the word *trittys* first, unlike all the others" (letter from John Camp).

<sup>24</sup> *Supra* n.7: 105 n.2.

<sup>25</sup> Siewert (*supra* n.19) 13 with n.62, referring to Ar. *Eccl.* 296f.

<sup>26</sup> Siewert (*supra* n.19) 3 and 13.

<sup>27</sup> Cf. P. J. Rhodes, *The Athenian Boule* (Oxford 1972) 129 with n.9.

We are now left with the possibility that *trittys* divisions were applied when the Athenians in the *ecclesia* voted by ballot and not by a show of hands. But again, a vote by ballot took place either before an *ecclesia* (Dem. 59.89f) or when the session was over (Xen. *Hell.* 1.7.9). In both cases the division of voters into *trittyes* would require the *horoi* to be in front of the auditorium, not in the auditorium. Furthermore, we have no evidence whatsoever for subdivisions being applied in the ratifications by ballot preceding an *ecclesia*, and the only source for voting by ballot after an *ecclesia* is the verdict passed on the eight generals in 406 in consequence of Callixenus' decree (mentioned above). But in this case the vote was taken by tribes and not by *trittyes* and, second, the procedure prescribed by Callixenus' decree was exceptional. Regularly, a sentence of death would be passed in the *ecclesia* by a show of hands and not after the *ecclesia* by ballot (Dem. 19.31).

Summing up, the theory that *trittyes* divisions were important for how the Athenians were organized in the *ecclesia* has, on the available evidence, nothing to recommend it and should be discarded.<sup>28</sup>

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