AN ASPECT OF ATHENIAN PUBLIC FINANCE

Two of the famous events of Greek history, the condemnation of the generals after Arginousai and the crowning of Demosthenes, involve violations of rules which the Athenian demos had imposed to limit its own freedom of action. Conversely, there were times when the demos and its leaders went out of their way to avoid breaking such rules. Recognition of this fact will help explain certain puzzling aspects of Athenian finance: even though only small sums of money might be at stake, the Athenians had recourse to various expedients in order to observe the formalities.

In 418/7, for example, the assembly voted to use Athena's money for an expedition headed by Demosthenes, so her treasurers transferred the funds to the Hellenotamiai, who in turn gave them (or at least were authorized to give them) to Demosthenes and the others in charge. Then, however, the assembly decided that the money should go toward another campaign instead. But regulations apparently did not allow Demosthenes and his colleagues or the Hellenotamiai to transfer the funds directly to the generals in charge of the second expedition. The Hellenotamiai in accordance with another decree of the assembly returned the money to the treasurers of Athena, who then gave it over to the Hellenotamiai again, who finally gave it to the commanders of the second campaign.

The main limit, however, on the assembly's power to spend Athena's money in the fifth century was a provision in the Kallias Decrees that any such expenditure in excess of ten thousand drachmai must be authorized by a vote of adeia. We do not know the exact details of this stipulation, but in other contexts a grant of adeia required six thousand affirmative votes. This, of course, would prevent a hasty decision taken in a rump caucus of a small minority of citizens. In the fourth century the principal restriction on haste was the requirement that any new addition to the budget voted by the assembly had to be approved subsequently by the nomothetai before it could go into effect, just as a vote of the demos to confer citizenship on a foreigner had to be ratified by a process of dokimasia before it became effective.

The politicians, however, managed to devise ways to circumvent the restrictions. In 329/8, for example, as part of the Lykourgan reforms the Athenians celebrated games in honour of Amphiaraos. Demosthenes of Lamptrai moved

3. Cf. Dem. XXIV, 45 f.; this passage may mean, however, that six thousand votes in all—affirmative or negative—were required: cf. A. E. Raubitschek, Hermes 83, 1955, 119.

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to honour the overseers of the festival, including Lykourgus himself, and to spend one hundred drachmai on a sacrifice and offering to the hero. His motion calls for the treasurer of the demos to advance the money for the sacrifice (προδανείσσαι) and then continues, ἐν δὲ τοῖς πρώτοις νομοθέταις προσνομοθετήσαι τῷ ταμιῇ: 'δοῦναι δὲ καὶ τὰς τριάκοντα δραχμὰς τὸν ταμίαν τοῦ δήμου τοῖς [α]ληθευτὶς ἐπὶ τὸν ἄγγον ἀς εἴρηται διδόναι ἐν τῷ νόμῳ τῶν αἱρεθέντιν ἐπὶ τὴν εὐταξίαν'. That is, at the first opportunity the nomothetai are to add to the standing orders of Athens the requirement of a previous decree that the treasurer annually provide thirty drachmai for this festival. Despite the difference in the numbers, the two provisions should be taken together: every year thirty drachmai will be spent on the sacrifice, but in the first year of the reorganized feste there will be a dedication in addition. The reason the treasurer will lend the money for the sacrifice is that he is not permitted to fund recurring expenses which have not been included in the basic budget, as determined in the νομοθεσία. Once it has been arranged in the νομοθεσία to allocate (μερίζειν) funds for this new expense, the treasurer will be able to pay for the sacrifice outright.

Rhodes holds that in the fourth century the Athenians established certain funds which could act independently: 'various ἀρχαὶ were now given an annual allowance for their ordinary expenses, which presumably was theirs to spend without further interference.' One of these was what he calls the ekklēsia's expense-account (τὰ κατὰ ψηφίσματα ἀναλισκέμενα τῷ δήμῳ). I am arguing instead that the independence of the assembly was limited. Again according to Rhodes, 'the μεριζόμος was so nicely calculated that a small additional burden imposed on the ekklēsia's expense-account necessitated an adjustment to the μεριζόμος.' I think that his emphasis is wrong here. The expenditure of thirty drachmai for Amphiaraos is not a burden to the treasury. What matters is, not the size of the expenditure or the solvency of the treasury, but the satisfaction of all the formal requirements which have been established to prevent misuse of public funds. Demosthenes' decree was voted in the third prytany of the year, yet it was necessary to borrow rather than spend thirty drachmai. If the budget was drawn up so stringently that as early as the third prytany the assembly could not add such a small sum to it or could not even pay for the sacrifice to Amphiaraos by deleting some other expenditure, surely it had very little freedom in the use of its expense-account.

Lewis calls attention to the same device of using a 'loan' in the fifth century. Normally the treasurers of Athena say, 'the Athenians spent the following sums' and 'we handed over' (παρέδοομεν) the monies. In 415/4, however, they say that they loaned (ἔδανείσσαμεν) nine talents to the Hellenotamiai for

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6. SIG 298, especially lines 35 ff.
the Panathenaia. In this case the Panathenaia is not a new item like the sacrifice to Amphiaraos. Lewis suggests that the proper fund was temporarily short of money, so that recourse was had to borrowing from Athena. I think it equally possible that the men in charge simply failed to round up the necessary vote for a decree of adeia and thus were forced to borrow rather than spend Athena’s money for her own festival. Whatever the reason, they made use of the same loophole as Demosthenes of Lamptrai a century later in order to comply with all the formal regulations.

In neither case is it stated how the ‘loan’ should be repaid. In one fragmentary fourth century decree, however, there does appear to be such a provision. The treasurer of the demos is told to pay or lend (the word is missing) for a gold crown, and the nomothetai are to take action so that the treasurer may recover the money: δπως δ’ ἄν ο ζ[α]μιας ἄπολαβ[η].

Another example of a loan is a curious transaction of 408/7 in which the overseers of the monies of Demeter and Kore handed over twenty thousand drachmai in silver to another group of treasurers, taking in pledge a sum of gold worth as much. At this time Athens had not yet begun to mint gold and could only make use of it by selling the metal in the open market. The anomaly here is that the treasurers of Athena and the treasurers of the Other Gods regularly lent the funds under their control without requiring security. The Athenians clearly had some sort of restriction on lending the monies of the Eleusinian goddesses. In passing the Eleusinian First Fruits Decree (IG I2 76) they had invited non-Athenians to contribute to the cult, and, of course, initiates from all over Greece paid into the Eleusinian treasury. Perhaps the Athenians considered it close to sacrilege to spend on war monies which they had collected from others during a sacred truce. To borrow on proper security would help to overcome any such scruples.

The ‘loan’, whether fictitious or genuine, is not the only device the politicians invented. In 347/6 Androtion proposed a decree to honour Spartakos and Pairsiades which includes a provision to crown them at each celebration of the Greater Panathenaia: to δε ἀργύριον διδόναι τοῖς ἀθλοθέταις εἰς τοὺς στεφάνους τόν τοῦ δήμου ταμίαν ἐκ τῶν εἰς τὰ κατὰ ψηφίσματα ταῖς δήμωι με[ρ]ξιόμενον τὸ δὲ νῦν εἶναι παραδοῦναι τοὺς ἀποδέκτας τὸ εἰς τὸν στ[εφά]νο[υ]ς ἐκ τῶν στρατιωτικῶν χρ[η]μάτων. Thus we see that the normal procedure will be for the treasurer to pay for the crowns but on the first

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11. IG I2 330, lines 15 ff. and 62 ff.
12. IG I2 313, lines 174 ff. and 314, lines 14 ff.
14. That the payments from the treasuries of Athena and the Other Gods were loans is proven by the computation of interest on them in IG I2 324, but in none of the records of the treasurers of Athena (IG I2 293–309a) is security mentioned.
15. IG I2 212, lines 39 ff.
occasion the apodektai will provide the funds. Surely this is not a sign that the treasurer is temporarily out of money: even though Androtion is less explicit than Demosthenes of Lamptraï, we must conclude that the treasurer is not permitted to pay for the crown until the nomothetai have made formal arrangements. Instead, however, of using the device of a ‘loan’ in advance of such arrangements, he simply takes the necessary money from a fund which had fewer restrictions. The military fund would certainly be used in emergencies. Apparently Androtion has chosen to define this occasion as one.

In contrast to this deviousness we have some attempts by proposers of decrees to show that they are in fact keeping within the rules. In 387/6, for instance, the Boule proposed to honour Phanokritos of Paros with a grant of euergesia and entertainment in the Prytaneion. Kephale amended their proboleuma with a grant of proxeny and a provision for the cost of all these honours: μερίσαι δὲ τὸ ἄργυριον τὸ εἰρημένον τούς ἀποδέκτας ἐκ τῶν καταβαλλομένων χρημάτων ἐπείδαι τὰ ἐκ τῶν νόμων μερίσαι. As Kirchner correctly explains it, the apodektai are not to include money for Phanokritos’ honours while making up their normal budget. Instead, they are first to provide for expenses already authorized and then, once they have done that, they shall see to Phanokritos. The cost of a meal and an inscription will not bankrupt the treasury of Athens. Kephale is merely observing the formalities.

His amendment goes a long way toward explaining a provision we find in a decree of the 430’s to improve Athens’ water supply, which is restored along the following lines. [ἀπαναλίσκειν δὲ ἀπὸ τῶν χρεμάτων] ἡόσα ἐς τὸν φόρον τὸν Ἀθηναῖον τελ[έται, ἐπείδαι ἡ θεὸς ἐχὶ αὐτὸν λαμ]βάνει τὰ νομίζεμαι. The bone of contention here has been the identity of τὰ νομίζεμαι. Is it the sixtieth part of the phoros dedicated to Athena or is it something in addition, such as a large fixed sum to be paid into her treasury each year? Meritt and Wade-Gery say, ‘Athena’s recognised current claims on tribute money (safeguarded by this clause) will no doubt include the aparché, but the aparché by itself is nowhere else safeguarded in this manner, and this clause seems to us more reasonable if it safeguards something else as well, like the payments’ of large fixed sums. The argument from silence has no value in this case, however, for we have no other instance of an appropriation from the phoros. I myself have suggested that the author of the provision was merely trying to make sure the project had first priority over any other uses for Athena’s income except, of course, τὰ νομίζεμαι. But the proposer is
neither 'safeguarding’ the phoros or any other budgeted payment, nor is he establishing priority for the water project. As one can see from Kephalos’ amendment, we have here just another way of observing the formalities, by making it clear that one is not violating the fundamental regulation that Athena shall first receive τὰ νομίζωμα, whatever that phrase encompasses.

One final text: Kallias in 434/3 directs a new board of treasurers to receive the possessions of the Other Gods from the various officials who now have charge of them and to steward in the Opisthodomos τὰ τῶν θεῶν χρήματα ἡσα δυνατόν καὶ δοιον.21 Formara, taking ἡσα adverbially, translates, ‘(administering) the funds of the gods capably and piously.’22 Some see here an indication that the Kallias Decrees really do not belong in 434/3, for we know that not all of the sacred treasures were brought to the Acropolis then,23 but Bradeen takes ἡσα as a relative with χρήματα and interprets this clause to mean that the treasurers ‘cared for the other gold and silver of the Gods, at least such as they could bring in to the Acropolis with the sanction of divine law.’24 In a deme decree of the late fourth century we find plans for raising money by leasing the deme’s property, but once again the formalities intrude: oi μισθωσόμενοι Παράλιαν καὶ Ἀλμυρίδα καὶ τὸ Θησείων καὶ τάλλα εἰ ποῦ τί ἔστιν, δοκικόν τε καὶ θεμιτόν ἐστιν ἐργάσμα ποιεῖν, κατὰ τάδε ἐργάσονται.25 The words ἡσα τε καὶ θεμιτόν are lexically equivalent to Kallias’ δυνατόν καὶ δοιον and tend to substantiate Bradeen’s version. In all of the inscriptions which I have cited we find that men who dealt with public and sacred monies had to obtain a nihil obstat.

WESLEY E. THOMPSON

University of California
(Davis)

21. IG I° 91, lines 15 ff.
24. GRBS 12, 1971, 472.
25. IG II² 2498, lines 15 ff.
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