

# A Note on the Administration of Lycurgus

*Sophocles S. Markianos*

THE EXTANT SOURCES attest clearly that Lycurgus held control of the finances of Athens for three consecutive administrative periods,<sup>1</sup> each one of which is defined by the word *πενταετηρίς* in Plutarch, while all together they are called *δώδεκα ἔτη* by Diodorus.<sup>2</sup> This period is generally thought to have extended from 338 to 326 B.C.;<sup>3</sup> these dates are used in the following discussion, since a variation of a year or two should have no effect on the argument. The literary sources do not explicitly name the office which Lycurgus held in that period, but they use expressions such as [ἐ]πὶ τὴν δι[οί]κησιν τῶν αὐτοῦ ἅπασαν [ταμ]ίαν ἐχειροτόνησ[εν] (*sc. ὁ δῆμος*);<sup>4</sup> *ταχθεὶς δὲ ἐπὶ τῇ διοικήσει τῶν χρημάτων εἶρε πόρους* (Hyperid. fr.118); *τὰς προσόδους τῆς πόλεως διοικήσας* (Diod. 16.88.1); *πιστευσάμενος τὴν διοίκησιν τῶν χρημάτων, ταμίας . . . ταλάντων, . . . αὐτὸς ἐποιεῖτο τὴν διοίκησιν, . . . μὴ πλείω ἐ' ἐτῶν διοικεῖν τὸν χειροτονηθέντα ἐπὶ τὰ δημόσια χρήματα* (Ps.-Plut. X orat., Lycurg. §3 [841B-C]); *τῆς κοινῆς προσόδου ταμίας, . . . δόξας δὲ ἅπαντα ταῦτα δικαίως διωκηκέναι* (Ps.-Plut. X orat., Rog.Strat. [852B]). They make clear that, whatever the name of the office, he was in charge of

<sup>1</sup> Ps.-Plut. X orat., Lycurg. §3 [841B] (*Lycurgi Oratio in Leocratem*, ed. F. Blass [BT, Leipzig 1899] xxiii), *ταμίας γὰρ ἐγένετο ἐπὶ τρεῖς πενταετηρίδας*; Ps.-Plut. X orat., Rog.Strat. [852B] (ed. Blass, *op.cit.* xxxii), *γενόμενος τῆς κοινῆς προσόδου ταμίας τῇ πόλει ἐπὶ τρεῖς πεντετηρίδας*; Diod. 16.88.1, *δώδεκα μὲν ἔτη τὰς προσόδους τῆς πόλεως διοικήσας*.

<sup>2</sup> For the word *πενταετηρίς* as a Greek idiom which indicates a period of four years, see RE 19 (1937) 537ff s.v. PENTETERIS.

<sup>3</sup> G. Busolt / H. Swoboda, *Griechische Staatskunde* II (München 1926) 1147. G. Colin, "Note sur l'administration financière de l'orateur Lycurgue," REA 30 (1928) 189–200, suggested that the first year of Lycurgus' administration was 337/6. Colin's suggestion was based on the doubtful restoration of the word *ἔτους* in the corrupt fragment of Hyperid. *Contra Dem.* 28.17 (ed. C. Jensen), but in his Budé edition (*Hypéride, Discours* [Paris 1946] 223) he rejects that view, proposes the restoration of the word *μηνός* and accepts 338 as the first year of Lycurgus' office. J. J. Buchanan, *Theorika* (Locust Valley [N.Y.] 1962) 75–77, inclines toward 337/6.

<sup>4</sup> Hyperid. *Contra Dem.* 28.17–20 (ed. C. Jensen [BT, Leipzig 1917]). See also *Lycurgue Contre Léocrate*, ed. F. Durrbach (Paris 1932) xxi.

public finances. From a passage in Plutarch we know that, although Lycurgus had control of these finances from 338 to 326, he did not hold office continuously, but that for a certain period “he entered the name of one of his friends” for that office while actually “he himself had the administration” (Ps.-Plut. *X orat.*, *Lycurg.* §3 [841c]). This passage has raised much discussion, and because of it a number of doubtful conjectures concerning the administration of Lycurgus have been offered.

In Blass' edition the passage reads: τὸ μὲν πρῶτον αἰρεθεὶς αὐτός, ἔπειτα τῶν φίλων ἐπιγραφάμενός τινα αὐτὸς ἐποιεῖτο τὴν διοίκησιν, διὰ τὸ φθάσαι νόμον εἰσενεγκεῖν, μὴ πλείω εἴ ἐτῶν διοικεῖν τὸν χειροτονηθέντα ἐπὶ τὰ δημόσια χρήματα.<sup>5</sup> The key word which concerns us here is the infinitive φθάσαι. It constitutes, with the preposition διὰ and the article τό, an adverbial expression modifying the preceding phrase: τῶν φίλων ἐπιγραφάμενός τινα αὐτὸς ἐποιεῖτο τὴν διοίκησιν. It has generally been interpreted to mean that Lycurgus “was elected in his own person the first time, but afterwards he entered the name of one of his friends, though he himself administered the office, because a law had previously been introduced forbidding anyone elected treasurer of the public funds to hold the office more than four years.”<sup>6</sup> The historical consequences of such an interpretation are that during the first administrative period of Lycurgus (338–334) a law had been passed preventing anyone who held the office of the treasurer (τὸν χειροτονηθέντα ἐπὶ τὰ δημόσια χρήματα) from keeping it more than four years (μὴ πλείω εἴ ἐτῶν). About this two questions have been raised: (1) Who proposed the law or, grammatically speaking, what is the subject of φθάσαι? (2) Does the phrase μὴ πλείω εἴ ἐτῶν mean “not for two successive penteterids” or “for not more than five years”? With regard to the first question Boeckh accepted that the subject of φθάσαι has dropped from the text and may have been τινά or a certain name; he seems to suggest that the mover of the law should have been one of the opponents of Lycurgus.<sup>7</sup> Bernardakis remarks that “nomen rogatoris excidisse vid. R[eiske], nisi Lycurgus

<sup>5</sup> In his Teubner ed. of the *Moralia*, V (Leipzig 1893) at 841c, G. Bernardakis has a different punctuation, which H. Fowler follows in the Loeb ed., X (Cambridge [Mass.] 1936) p.396.

<sup>6</sup> Fowler's translation, *op.cit.* (*supra* n.5) p.397, accepted by B. Meritt in his article “Greek Inscriptions,” *Hesperia* 29 (1960) 4.

<sup>7</sup> A. Boeckh, *Die Staatshaushaltung der Athener* I (Berlin 1886) 201 n.g.

ipse legis auctor fuerit";<sup>8</sup> Blass, on the other hand, suggests that Lycurgus himself might have been the mover of the law but "id vix probabile est."<sup>9</sup> Durrbach thinks that the text "signifierait que Lycurgue était lui-même l'auteur de cette loi restrictive,"<sup>10</sup> and Malcovati that Lycurgus himself was the mover of the law.<sup>11</sup>

With regard to the second question raised above, Blass suggested that the phrase *μη πλείω ε' έτων* should be understood as "not for two successive penteterids," considering that Lycurgus "suo nomine curam harum rerum gessisse" (330–326 B.C.),<sup>12</sup> as seems evident from *IG II<sup>2</sup> 1672*, line 11, *δ προέλαβεν Λυκούργου κελεύσαντος*. However the text of Plutarch does not allow such an interpretation. On the contrary it should be understood "for not more than five years," which suggests that if such a law had passed Lycurgus could not hold the office for a second *penteteris* (330–326) in his own name. On that basis Ferguson inferred that Lycurgus "can . . . have served from Hekatombaion 28th, 338 B.C., to Hekatombaion 28th, 334 B.C. and have had dummies elected for the two following *penteterides* . . ., while he himself was Chairman of various commissions—on the Nikae, *dermatika*, public buildings, etc.—after 334 B.C."<sup>13</sup> This opinion led Meritt to date the tenure of the office by Xenocles of Sphettos, who was also *επι τη διοικήσει της πόλεως*, at sometime between 334 and 326.<sup>14</sup>

The obscurity of the passage lies in the phrase *δια το φθάσαι*, which has been interpreted in a causal sense so that the action indicated by the infinitive *φθάσαι* precedes that of the phrase *των φίλων επιγραφάμενός τινα αυτός έποιείτο την διοίκησιν*. But the phrase affords a different

<sup>8</sup> *op.cit.* (*supra* n.5) *app.crit. ad loc.*, p.171.

<sup>9</sup> *op.cit.* (*supra* n.1) *app.crit. ad loc.*, p.xxiii.

<sup>10</sup> *op.cit.* (*supra* n.4) xxi n.4.

<sup>11</sup> Licurgo, *Orazione contro Leocrate e frammenti*, ed. E. Malcovati (Roma 1966) 10 n.1. In a review of that edition N. Conomis remarks that the motion of the law by Lycurgus himself "seems unlikely" (*Gnomon* 40 [1968] 437). See also ed. A. Petrie, *Lycurgus, the Speech against Leocrates* (Cambridge 1922) xvii n.2.

<sup>12</sup> *loc.cit.* (*supra* n.9): "Id est non per duas pent. continuas." See also Petrie, *loc.cit.* (*supra* n.11), who accepts that view and adds that Lycurgus' "vicarious administration" (334–330 B.C.) was perhaps held by his son Habron, who was *ο επι τη διοικήσει* in 307/6. Such an assumption cannot be attested.

<sup>13</sup> W. S. Ferguson, *The Treasurers of Athena* (Cambridge [Mass.] 1932) 139 n.2. It seems to me that Ferguson assigned to Lycurgus these minor commissions after 334 B.C. because he probably thought that the law forbidding anyone to hold the office for more than four years had previously been passed.

<sup>14</sup> *op.cit.* (*supra* n.6) 4.

interpretation which can better explain the related facts; it can very well have indicated purpose. That the preposition *διά* with accusative may express purpose is attested as early as Thucydides,<sup>15</sup> but its use in that meaning becomes more common in later times.<sup>16</sup> Although in Plutarch the use of *διά* with accusative is frequent in its causal meaning, often the context or an explanatory note makes it express purpose: *καὶ τοῦτο διὰ τὴν πόλιν, ὅπως ἰσχύοι τὸ σῶμα πρὸς τὰς στρατείας* (*Cat. Mai.* 4.4), *διδάσκονται γὰρ αἱ συντρεφόμεναι καὶ μανθάνουσι, οὐ διὰ μισθὸν οὐδὲ πρὸς δόξαν* (*Μορ.* 973B), *τῶν διὰ φιλοσοφίαν πλησιαζόντων* (*Dem.* 2.2), *τὸν μὲν γὰρ ὕπατον ἐψηφίσαντο γυμνὸν καὶ δεδεμένον παραδοῦναι τοῖς Νομαντίνοις, τῶν δ' ἄλλων ἐφείσαντο πάντων διὰ Τιβέριον* (*Ti. Gracch.* 7.4). In the two last examples the adverbial expressions with *διά* and accusative vacillate between cause and purpose, and there is no grammatical factor which points conclusively to one or the other meaning. What makes them more likely to indicate purpose is that in both cases we discern the will of the subjects of the modified verbs (*πλησιαζόντων, ἐφείσαντο*) to achieve an end, namely the first “to learn philosophy” and the second “to please Tiberius.” But this is exactly what differentiates purpose from cause: the existence of a will to achieve an end.<sup>17</sup> Therefore, it remains to examine whether the phrase

<sup>15</sup> 2.89.4, *Λακεδαιμόνιοι . . . διὰ τὴν σφετέραν δόξαν ἄκοντας προσάγουσι τοὺς πολλοὺς ἐς τὸν κίνδυνον*; also 5.53.1, *παρασκευάζοντο οἱ Ἀργεῖοι ὡς αὐτοὶ ἐς τὴν Ἐπίδαυρον ἐσβαλοῦντες διὰ τὴν τοῦ θύματος εἰσπραξίν*. See G. Hadjidakis, *Μεσαιωνικά καὶ Νέα Ἑλληνικά* I (Athens 1905) 458, and *Ἀκαδημεικὰ Ἀναγνώσματα* III (Athens 1915) 464; E. Schwyzer, *Griechische Grammatik* II (München 1950) 454; H. W. Smyth/G. M. Messing, *Greek Grammar* (Cambridge [Mass.] 1956) §1685.2c; J. Humbert, *Syntaxe grecque* (Paris 1945) §436, p.299. Humbert, examining the development of purpose from causality, remarks: “il est probable que la formule interrogative *διὰ τί*; ‘pourquoi?’, par laquelle on demande aussi bien les *raisons* d’un état de choses existant que les *intentions* qui cherchent à la réaliser, a beaucoup contribué à ce glissement de sens.”

<sup>16</sup> See Schwyzer, *loc.cit.* (*supra* n.15); Hadjidakis, *loc.cit.* (*supra* n.15); A. T. Robertson, *A Grammar of the Greek New Testament* (New York 1914) 584; E. Mayser, *Grammatik der griechischen Papyri aus der Ptolemäerzeit* II.ii (Berlin & Leipzig 1934) 426; R. Funk, *A Greek Grammar of the New Testament* (Chicago 1961) §222.

<sup>17</sup> The phrase *τῶν διὰ φιλοσοφίαν πλησιαζόντων* can be translated ‘those who approach for . . .’ or ‘those who approach because they want to . . .’ According to Schwyzer, *loc.cit.* (*supra* n.15), *διά* + acc. indicated at first an “objective Grund,” but later the confusion of the meaning of purpose and cause gave ground to the development of the “Zweckgrund.” Hadjidakis, *Ἀκαδημεικὰ Ἀναγνώσματα* (*supra* n.15) III.464, explains clearly the transition from cause to purpose: “*Ἐπειδὴ πολλάκις τὸ ἀναγκαστικὸν αἴτιον ἠδύνατο νὰ ἐκληφθῆ καὶ ὡς τελικόν, ἦτοι ἡ αἰτία δι’ ἣν τι ἐπέζητεῖτο, νὰ ταυτίζεται πρὸς τὸν σκοπὸν δι’ ὃν ἐπέζητεῖτο, διὰ τοῦτο ἡ *διά* + αἰτ. ἢ δηλοῦσα τὸ ἀναγκαστικὸν αἴτιον ἐδήλου ἐνίοτε καὶ τὸν σκοπὸν.*”

διὰ τὸ φθάσαι (νόμον εἰσενεγκεῖν) indicates the will of a subject to achieve an end or not.

The construction φθάνω+ infinitive is not uncommon in the post-classical period,<sup>18</sup> and Plutarch makes use of it very often without, however, abandoning the use of φθάνω+ participle: καὶ συνειδὸν μὲν οἱ τῶν Ῥωμαίων στρατηγοὶ τὸν δόλον, ἐπισχεῖν δὲ τοὺς στρατιώτας οὐκ ἔφθησαν (Mat. 26.2), οὐ γὰρ ἔφθη τῆς ἐκκλησίας λυθείσης ὁ Αὔλος εἰς οἶκον ἐπανελθεῖν, καὶ πυρετὸς ἐξήνθησεν (Mat. 17.11), καὶ μικροῦ ἔφθη τὴν πόλιν ἔρημον ἐξ ἐφόδου καταλαβεῖν καὶ κατασχεῖν (Mor. 346C), φθάσαντος δὲ τοῦ Σύλλα διαφυγεῖν εἰς τὸ στρατόπεδον (Sull. 9.1); on the other hand, φθάνω+ participle is also employed: ὁ δὲ φθάνει μικρὸν εἰς ἱερὸν ἄλσος Ἐρινύων καταφυγών, κάκει διαφθείρεται (Ti. Gracch. 38.3), φθάσαι δὲ τὰς Ἐπιπολὰς κατασχών (Nic. 17.1), καὶ παρελθὼν μὲν εἰς Ἄργος ἔφθη καὶ τροπὴν τινα τῶν πολεμίων ἐποίησεν (Atrat. 44.2). Humbert has pointed out that there is a significant difference between these two types of expressions, which he analyses as follows: “Xén. An. 3, 4. 49 φθάνουσιν ἐπὶ τῷ ἄκρῳ γενόμενοι τοὺς πολεμίους ‘ils préviennent l’ennemi en occupant la hauteur’ ne se comporte pas autrement au participe puisque, là aussi, il s’agit d’un fait réel. Mais l’infinitif est quelquefois attesté, parce que l’idée de volonté, qui existe à l’état latent dans ‘prévenir’, prend de l’importance au détriment de la considération de la réalité: ainsi Ar. Can. 935 ὅπως . . . φθαίης ἔτ’ εἰς ἐκκλησίαν ἐλθεῖν ‘pour que tu veuilles encore arriver le premier à l’assemblée.’”<sup>19</sup> Thus in the examples cited above, οὐκ ἔφθησαν ἐπισχεῖν, οὐκ ἔφθη ἐπανελθεῖν, μικροῦ ἔφθη καταλαβεῖν καὶ κατασχεῖν, φθάσαντος διαφυγεῖν, the idea of will to achieve an end expressed by the infinitive is considered more important than its reality. In the phrase διὰ τὸ φθάσαι νόμον εἰσενεγκεῖν, what the author emphasizes more is the will of Lycurgus (the subject of φθάσαι) to achieve an end, not the reality of his action. The phrase is best translated, therefore, ‘because he wanted to anticipate’ or ‘in order to anticipate’.<sup>20</sup>

In classical Greek, and in later times as well, the subject of an

<sup>18</sup> See A. N. Jannaris, *An Historical Greek Grammar* (London 1897) §2121; Robertson, *op.cit.* (*supra* n.16) 1120.

<sup>19</sup> Humbert, *op.cit.* (*supra* n.15) §265 p.190; cf. Schwyzer, *op.cit.* (*supra* n.15) 395–396.

<sup>20</sup> The translation of the word φθάνω as ‘anticipate’ is quite conventional; it means to ‘do something first’ in an actual or supposed competition and consequently ‘to prevent someone from something’. Its meaning corresponds to the modern Greek word προφθάνω; cf. Jannaris, *op.cit.* (*supra* n.18) §2121.

articular or non-articular infinitive is not expressed when it is identical with the subject of the main verb;<sup>21</sup> thus the subject of τὸ φθάσαι is identical with that of the governing verb ἐποιεῖτο. By the same reasoning one would expect that the subject of εἰσενεγκεῖν should be the same, but in certain cases, when the subject of the infinitive (here εἰσενεγκεῖν) is indefinite, it can be omitted.<sup>22</sup>

If our phrase is given this meaning in its context, the sentence would then signify that "Lycurgus entered the name of one of his friends, though he himself had the administration, in order to anticipate (or because he wanted to anticipate) a law being introduced by someone . . ." It seems that Lycurgus, foreseeing that it was quite possible for one of his opponents to move a law preventing him from being elected for a second time to the newly created office,<sup>23</sup> put forward one of his friends to hold the office for the second period (334–330) in order to prevent a law being introduced forbidding anyone who had been elected for the administration of the public funds to remain treasurer more than five years. Thus Lycurgus not only could have the actual administration during the second period, but he could also be reelected for a second time, as is indicated in IG II<sup>2</sup> 1672. This interpretation explains the problems raised above: (1) the subject of φθάσαι is Lycurgus, and he did not move a law against himself but forestalled it; (2) the subject of εἰσενεγκεῖν (τινά) is omitted as indefinite; (3) no law had been introduced forbidding anyone to hold office more than five years during the period 338–326; (4) Lycurgus held the office twice, 338–334 and 330–326; (5) during the period of 334–330 Lycurgus did not hold the office in his own name but rather entered the name of a friend, through whom he continued to influence the administration of public finances. It seems quite probable that this friend was

<sup>21</sup> Mayser, *op.cit.* (*supra* n.16) II.1.334; Funk, *op.cit.* (*supra* n.16) §405; Jannaris, *op.cit.* (*supra* n.18) App. vi §21.

<sup>22</sup> Mayser, *op.cit.* (*supra* n.16) II.1.336–337; Funk, §407; A. Wifstrand, "Εἰκότα. Emendationen und Interpretationen zu griechischen Prosaikern der Kaiserzeit, II.4. Plutarch," *Kungl. Humanistiska Vetenskapssamfundet i Lund, Årsberättelse 1932–1933*, I.19, remarks: "Es ist aber eine nicht ungewöhnliche Erscheinung, dass nach einem Verbum voluntatis oder einem damit gleichgestellten Ausdruck ein Subjekt bei dem Infinitiv nicht ausgesetzt wird, wenn als Subjekt etwas Allgemeines gedacht wird, dass wir mit 'man' wiedergeben können, oder auch wenn das Subjekt ohne Schwierigkeit aus dem Zusammenhang ergänzt wird." It is evident that our case falls under the first category. Wifstrand cites among others two similar cases from Plutarch, *Sol.* 20.1 and *Mor.* 166b.

<sup>23</sup> See Meritt, *loc.cit.* (*supra* n.6).

Xenocles of Sphettos, whose name is known from the inscription mentioned above (n.6 and p.327) and whose tenure in office can now be defined more accurately as from 334 to 330.<sup>24</sup>

UNIVERSITY OF CINCINNATI

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