

Horoi as Reserved Areas

James H. Oliver

IN THE PANATHENAIC ORATION, p. 102 Jebb= 163 Dindorf, Aelius Aristides praises Attica as a first home of man, a *χωρός τις ἀνθρώπων ἴδιος ἐκ πάσης γῆς ἐξηρημένος, ὥσπερ οἱ τῶν τεμενῶν ὅροι*. The whole passage and other questions concerning it will be treated in my forthcoming study of the oration; here I wish merely to draw attention to the connection between this passage and the *senatus consultum* calling for a determination *τίνες ὅροι Περγαμηνῶν εἰσίν*, which stood in the market place of Aristides' own city, Smyrna,¹ also in Adramyttium² and perhaps other cities of Asia.

Clearly Aristides is not here using the word *ὅροι* in the sense of "boundaries." Rather the *ὄρος* he has in mind was a *χωρός τις* which had been set apart in a *τέμενος*.

Now the *senatus consultum* which called for a determination *τίνες ὅροι Περγαμηνῶν εἰσίν* concerns estates mentioned in the testament of Attalus III. Publicans with contracts from the censors of 131 B.C. had apparently tried to operate not only in the territory left to the Romans but also in certain areas which belonged to the Pergamenes. This led to an important case which the Senate settled in the extant *acta* of 129 B.C.³

In the dispute between the publicans and the Pergamenes the word for "boundaries" was probably *ὄρια*, as in the later documents of the dossier discovered at Smyrna. The word *ὄρος* had a different meaning. In fact, the above cited passage of Aristides, who compared Attica, the home of man, with other countries which gloried in elephants and lions and horses and dogs, strongly suggests that the *ὅροι Περγαμηνῶν* were certain areas set apart as *τεμένη* from the land bequeathed to

¹ A. Passerini, "Le Iscrizioni dell'Agorà di Smirne concernenti la lite tra i publicani e i Pergameni," *Athenaeum*, n.s. 15 (1937) 252–283. See further L. Robert, "Inscriptions grecques de l'Asie Mineure," *Anatolian Studies Presented to William Hepburn Buckler* (Manchester 1939) 227–230, and G. Tibiletti, "Rome and the Ager Pergamenus: The *Acta* of 129 B.C.," *JRS*, 47 (1957) 136–138.

² P. Viereck, *Sermo Graecus*, p. 62, no. 15=IGR IV, 262.

³ Tibiletti, *op.cit.*; L. R. Taylor, *The Voting Districts of the Roman Republic* (Papers and Monographs of the American Academy in Rome XX [1960]) 171, n.10.

the Romans. Later Sulla deprived Pergamum of its special status, but when Julius Caesar restored the special status of the Pergamene territory, he was honored as ἀποκαταστήσαντα τοῖς θεοῖς τὴν τε πόλιν [καὶ τὴν] χῶραν, and the man who received credit for persuading Caesar was similarly honored as ἀποκαταστήσαντα τοῖς πατρώοις θεοῖς τὴν τε πόλιν καὶ τὴν χῶραν.⁴

The ὄροι Περγαμηνῶν, which may have arisen after the Attalid bequest by which certain (Pergamene) temple estates were reserved to Pergamum, were probably close to Pergamum; in fact, Elaea and Adramyttium bordered on Pergamene territory, while Smyrna may have been chosen for one copy of the inscription because, as L. Robert suggests, it was the center of a *conventus*.

SEG IX, 352, a bilingual inscription of Cyrenaica, reports that Nero restored to the Roman People reservations occupied by individuals: *fines occupatos a privatis, ὄρους διακατεχομένους ὑπὸ ἰδιωτῶν*.

The word ὄρος in the Attic terminology of land tenure⁵ is well attested for a marker indicating that the estate where it appeared was in some special category. In some places apparently the estate so marked could itself be called a ὄρος.

This meaning occurs in a misunderstood passage of Euripides, *Heraclidae* 37–38, where the following situation exists. Iolaus, Alcmene, and the Heraclidae have landed at Marathon and taken refuge in the sanctuary of Zeus. Iolaus says: ὦν ἔκατι τέρμονας / κλεινῶν Ἀθηνῶν τόνδ' ἀφικόμεσθ' ὄρον. So Nauck and others read the manuscripts. Allen and Italic (*Concordance*, s.v. ὄρος) give “Ἀθηνῶν τόνδ' . . . ὄ. (τήνδ' . . . ὄδόν Steph.).” Both these interpretations are incorrect because the authoritative version calls for no emendation and because the word Ἀθηνῶν depends from τέρμονας (the confines of Attica) and not from ὄρον (the precinct where the temple and altar of Zeus are located). Marathon on the coast may properly be described as the confines of the Athenians. Translate: “By reason of which relationship we have come to this sacred precinct, to the confines of famous Athens.”

⁴ For the references see L. Robert, *op.cit.*

⁵ John V. A. Fine, *Horoi: Studies in Mortgage, Real Security, and Land Tenure in Ancient Athens* (= *Hesperia*, Suppl. IX [1951]), a work in which the important and, in my opinion, correct observation was first made that land in Attica did not become truly alienable until the Plague during the Peloponnesian War changed the basis of Athenian life. See further M. I. Finley, *Studies in Land and Credit in Ancient Athens, 500–200 B.C.: The Horos Inscriptions*, (Rutgers Univ. Press, 1952), reviewed by H. J. Wolff, *ZSS* 60 (1953) 411–27. See also Fritz Pringsheim, “Griechische Kauf-horoi,” *Festschrift Hans Lewald* (Basel 1953) 143–160.

Another example occurs in the *Διηγήσεις* of the poems of Callimachus.⁶ The citation from Callimachus reads *Τυρσ<η>νῶν τείχισμα Πελασγικὸν εἶχέ με γαῖα*. Then comes the explanation: "He is making mention of the separate estates of the Pelasgians at Athens and of the wall built by them." *Ἱστορεῖ περὶ τῶν Ἀθήνησιν Πελασγικῶν ὄρων καὶ τοῦ ποιηθέντος ὑπ' αὐτῶν τείχους*. The *horoi* of the Pelasgians, it seems, lay within the precinct known as the Pelargikon or Pelasgikon, and could be described as *gaia*.

The development in the Attic use of the word *ὄρος* may have been from a boundary stone or a stone marker standing in a clearly visible part of an area reserved for a special purpose. It was something to see, not to read, although inscribed *horoi* doubtless developed along with literacy, at least for new employments as with fourth-century types of hypothecation. The *horoi* which Solon removed were probably un-inscribed stones marking fields that had to be used for one purpose, e.g. to produce grain for a creditor's table. The phrase "*horoi* of the Pelasgians" suggests that a transference of meaning from "stone marking a reserved area" to the area itself occurred quite early. By the Classical period this latter usage was in Attica felt to be archaic perhaps.*

THE JOHNS HOPKINS UNIVERSITY

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⁶ A. Vogliano, *Papiri della R. Università di Milano I* (Milan 1937) 93.

* The author had the benefit of criticism from John V. A. Fine.