

Ekklesia Synkletos in Classical Athens and the *Ekklesiai* Held in the Eighth Prytany of 347/6

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AN *EKKLESIA SYNKLETOS*, according to the traditional view,¹ was an extra meeting of the Assembly, held in addition to the four meetings described in the Aristotelian *Ath. Pol.* 43.3–6. In a study originally published in *GRBS*² I argued that an *ekklesia synkletos* was one of the four meetings. Each of these meetings was an ordinary meeting if it was summoned by the *prytaneis* on their own initiative and at four days' notice, whereas it became a *synkletos ekklesia* if it was summoned at short notice and/or scheduled for a festival, and/or prescribed by a decree of the *boule* or the *demos* passed in a previous meeting. There is obviously an overlap between these possibilities. Probably, the *prytaneis* were not empowered to summon the *ekklesia* on a festival day, or at short notice, or on two subsequent days. Consequently to have such meetings presupposed

¹ For which see, e.g., C. G. Brandis, "Ἐκκλησία," *RE* 5 (1905) 2163–2200, at 2164–65. The following are referred to by author and year: C. Carey, *Aeschines* (Austin 2000); M. H. Hansen, *The Athenian Ecclesia. A Collection of Articles 1976–83* (Copenhagen 1983), *The Athenian Assembly* (Oxford 1987), *The Athenian Ecclesia II. A Collection of Articles 1983–89* (Copenhagen 1989); E. M. Harris, *Aeschines and Athenian Politics* (New York 1995), *Democracy and the Rule of Law in Classical Athens* (Cambridge 2006); D. M. Lewis, "Notes on Attic Inscriptions, II," *BSA* 50 (1955) 1–36; D. M. MacDowell, *Demosthenes On the False Embassy* (Oxford 2000); W. K. Pritchett, *Athenian Calendars and Ekklesias* (Amsterdam 2001); P. J. Rhodes, *The Athenian Boule* (Oxford 1972), "Ekklesia Kyria and the Schedule of Assemblies in Athens," *Chiron* 25 (1995) 187–198; S. V. Tracy, "Ekklesia Synkletos: A Note," *ZPE* 75 (1988) 186–188.

² "How Often Did the *Ecclesia* Meet?" *GRBS* 18 (1977) 43–70, reprinted in Hansen (1983) 35–62 with addenda 63–72.

a decision made by the *boule* or the *ekklesia* itself.³

My view of the nature of the *ekklesia synkletos* was disputed by Edward Harris in *CQ* (1986). I responded in *GRBS* (1987). Harris treated one aspect of the issue in *AJP* (1991) to which I responded in *AJP* (1993).⁴ Harris restated his views in 1995 in his monograph about Aischines. Between 1993 and 2005 the Copenhagen Polis Centre took up almost all my time; but now, when the Polis project has been brought to an end, I feel an obligation to return to some of the issues concerning Athenian democracy on which I believe that I have more to say. One such issue is the nature of the *ekklesia synkletos* and problems related to that issue, in particular the number and dates of the *ekklesiai* held by the Athenians in connection with the peace negotiations with Philip II in the spring of 347/6.⁵

To shed light on these problems we have three types of source: (I) forensic speeches of the fourth century B.C., (II) lexicographical notes and scholia of the Roman period or later which explain and comment on difficult terms in the forensic speeches, (III) Athenian decrees of the Hellenistic period in which the type of meeting is recorded in the preamble.

(I) We have three passages from fourth-century speeches, one from Aischines' defence speech of 343 in which he claims that, in the period when the peace with Philip II was debated and concluded, the Athenians held more *ekklesiai synklesioi* than meetings prescribed by law (Aeschin. 2.72, see 285–286 below), and two passages from Demosthenes' prosecution in the same trial: Demosthenes tells the jurors that in June 346, Aischines and the other ambassadors who were about to serve on the third embassy to Philip feared that a *synkletos*

³ As is indicated by the formulas found in some Hellenistic decrees, e.g. *IG* II² 945.5–6: ἐκκλησία σύγκλητος ἐν τῷ θεάτρῳ κατὰ ψήφισμα ὁ Ἄριστ[- -] Σημαχίδης εἶπεν (168/7).

⁴ E. Harris, "How Often Did the Athenian Assembly Meet?" *CQ* 36 (1986) 363–377, reprinted in Harris (2006) 81–101; M. H. Hansen, "How Often Did the Athenian *Ekklesia* Meet? A Reply," *GRBS* 28 (1987) 1–16, reprinted in Hansen (1989) 177–194; E. Harris, "When Did the Athenian Assembly Meet? Some New Evidence," *AJP* 112 (1991) 329–345, reprinted in Harris (2006) 103–120; M. H. Hansen, "Was the Athenian *Ekklesia* Convened according to the Festival Calendar or the Bouleutic Calendar?" *AJP* 114 (1993) 99–113.

⁵ See M. H. Hansen, *The Athenian Democracy in the Age of Demosthenes*² (London 1999) 332 thesis no. 48.

ekklesia might suddenly be convened when they had left Athens (19.123). Again, in connection with the second embassy sent to Philip after the conclusion of peace in April 346 Demosthenes reports that as there was no meeting of the *ekklesia* left because the available meetings had been used up he proposed and carried a decree of the *boule* that the envoys set out without delay (19.154, see 287–289 below).

(II) About a dozen scholia and lexicographical notes comment on the number and types of *ekklesia* convened by the Athenians and offer information about the dates of these meetings.

(III) The terms *ekklesia synkletos* and *boule synkletos* are attested in the preambles of eight decrees preserved on stone, all from the Hellenistic period.

I. The Classical Evidence

The only one of the three Classical sources which provides explicit evidence about what an *ekklesia synkletos* was is Dem. 19.122–123:

After the Ekklesia then rose, these men [Aischines and some of the other envoys] got together and discussed whom they would leave behind here. The situation was still uncertain and the future obscure. Discussions and all sorts of talk were going on in the Agora at that time. They were afraid that an extraordinary meeting of the Ekklesia might suddenly be convened ...⁶

All Demosthenes tells us is that an *ekklesia synkletos* was a meeting called at short notice. Whether it was an extraordinary meeting—as MacDowell translates *synkletos ekklesia*—is not clear from the passage. In order to settle that question we shall have to examine the two other Classical sources and the number and dates of meetings held by the Athenians in the spring of 346, more precisely in the month of Elaphebolion 347/6, in connection with the peace negotiations with Philip II of Macedon.

1. *Was there a meeting of the ekklesia on Elaph. 8?*

The first problem to discuss is whether or not there was a meeting of the *ekklesia* on Elaph. 8. The crucial passage is Aeschin. 3.66–68:

⁶ Transl. MacDowell (2000) 109. In Greek the central passage is: ἐφοβούντο δὴ μὴ σύγκλητος ἐκκλησία γένοιτο ἐξαιφνης.

Demosthenes ... proposed a decree whose aim was to rob the city of its chances. He proposed that the presidents (*prytaneis*) convene an Assembly on the eighth of Elaphebolion, the day of the sacrifice to Asclepius and the opening ceremony (*proagon*) of the festival, on the sacred day, an occurrence without precedent in anyone's memory. And what was his pretext? "So that," he says, "if Philip's envoys are already here, the people may reach a decision as quickly as possible on relations with Philip." He was appropriating the Assembly for the envoys who had not yet arrived, surreptitiously cutting short the time available and forcing the matter to a hasty conclusion, so that you would conclude the peace alone and not in collaboration with the rest of Greece on the return of your envoys. Subsequently, men of Athens, Philip's envoys came. Yours were away calling on the Greeks to unite against Philip. At this point, Demosthenes carried another decree in which he proposed that the Assembly should reach a decision not only about peace but about an alliance as well, without waiting for your envoys but immediately after the City Dionysia, on the eighteenth and nineteenth. To prove that I am telling the truth, listen to the decrees. [DECREES].⁷

That there was a meeting of the Assembly on Elaph. 8 was assumed by all historians until 1986 when Edward Harris argued that Aischines tries to deceive the jurors about a meeting that never took place. What are Harris's reasons for questioning the veracity of Aischines' account?

First he stresses that what Aischines says is only that Demosthenes *proposed* a decree about having an *ekklesia* on Elaph. 8; he does not say that it was passed. Although γράφειν ψήφισμα in the present is a regular way of referring to a decree that was both proposed and carried,⁸ Harris is right: From the idiom γράφειν ψήφισμα alone we cannot infer that the motion was carried. But in (1989) 186 I pointed out that in the following

⁷ Transl. Carey (2000). In Greek the passages which are crucial for the problem discussed here are: 66, Δημοσθένης ... γράφει ψήφισμα τοὺς καιροὺς τῆς πόλεως ἀφαιρούμενος. 67, ἐκκλησίαν ποιῆν τοὺς πρυτάνεις τῇ ὀγδόῃ ἰσταμένου τοῦ Ἐλαφηβολιώνος μηνός. 68, μετὰ ταῦτα, ὧ ἄνδρες Ἀθηναῖοι, ἦγον οἱ Φίλιππου πρέσβεις· οἱ δὲ ἡμέτεροι ἀπεδήμουν, παρακαλοῦντες τοὺς Ἕλληνας ἐπὶ Φίλιππον. ἐνταῦθ' ἕτερον νικᾷ ψήφισμα Δημοσθένης, ἐν ᾧ γράφει ... ὅτι δὲ ἀληθῆ λέγω, τῶν ψηφισμάτων ἀκούσατε. ΨΗΦΙΣΜΑΤΑ.

⁸ Cf. e.g. Dem. 24.201, 47.20.

section (Aeschin. 3.68) we are told that Demosthenes succeeded in having yet another decree passed: ἐνταῦθ' ἕτερον νικᾷ ψήφισμα Δημοσθένης. The implication is that both decrees were passed. In (1991) = (2006) 114 Harris disputed my interpretation of ἕτερον νικᾷ ψήφισμα adducing Aeschin. 3.252 as evidence. But that passage is not a parallel at all⁹ and I still hold that the proper parallel is Aeschin. 2.62: νικᾷ γὰρ ἕτερον ψήφισμα Φιλοκράτης where the reference indisputably is to yet another decree proposed and carried by Philokrates.

Finally, at the end of this passage the decrees discussed by Aischines are read out to the jurors. Harris (2006) 94 argues that these decrees may or may not have included the one about the *ekklesia* to be held on Elaph. 8. Now, in the passage 3.62–68 Aischines refers to five different decrees: two proposed by Philokrates (62–63), and three decrees proposed by Demosthenes: one about a safe conduct for the Macedonian envoys (63), one about an *ekklesia* to be held on Elaph. 8 (66–67), and one about both peace and alliance with Philip to be debated in two meetings of the *ekklesia* immediately after the Dionysia without awaiting the return of the Athenian envoys from a number of other *poleis* (68). The last two decrees are the crucial ones, and if Aischines omitted some of the five decrees from those read out to the jurors it would not be those. The decree prescribing the *ekklesia* on Elaph. 8 was probably a decree of the *boule* proposed and carried by Demosthenes in his capacity as a member of the *boule*.¹⁰ But we know that decrees of the *boule* were kept in the archives alongside the decrees of the *demos*.¹¹

⁹ Harris (2006) 114 n.46. At Aeschin. 3.252 we hear about two *ιδιώται*, one who is sentenced to death and another who is acquitted. The important phrases are ἀνήρ ιδιώτης ἐκπλεῖν μόνον εἰς Σάμον ἐπιχειρήσας ... ἕτερος δ' ἐκπλεύσας ιδιώτης εἰς Ῥόδον. *Pace* Harris, the point of comparison emphasised in connection with the pronoun ἕτερος is not that one was sentenced to death whereas the other was acquitted but that both had tried to escape by sailing away from Athens. ἕτερος ἐκπλεύσας ιδιώτης corresponds to ἕτερον νικᾷ ψήφισμα at Aeschin. 3.67. Thus, Harris's example does in fact support my interpretation of 3.67.

¹⁰ Cf. *Agora* XVI 102.6–7: ἐ[κκ]λ[η]σία κατὰ ψ[ήφ]ισμα βουλῆς.

¹¹ Aeschin. 2.91; cf. J. P. Sickinger, *Public Records and Archives in Classical Athens* (Chapel Hill 1999) 121.

So Aischines—the former secretary who knew and used the archives more than others¹²—would have had no difficulty recovering it. Conversely, sixteen years later one could probably get away with lying about what was said during meetings whereas it would be very dangerous to lie about a meeting that was never held. As the story is told by Aischines all the jurors must have believed that, according to Aischines, a meeting of the Assembly did take place on Elaph. 8 and it would be extremely easy to prove him wrong if such a meeting had not taken place.

So far I can see no reason for suspecting that Aischines lies about the meeting held on Elaph. 8. But Harris has more arguments: Aischines mentions the meeting in the speech made in 330 but not in the speech made in 343, and he is probably lying about a number of things he brings up in his later speech but not in the earlier one. In addition to the meeting on Elaph. 8 Harris (2006) 94–95 lists five possible false charges and argues that Aischines must be deceiving the jurors in at least two of them: (a) the ruse that Demosthenes employed to force the Assembly to accept the proposal of Philokrates on 19 Elaphebolion (3.71–72) and (b) the story of how Kersobleptes was excluded from the peace (3.73–75).

(a) In 330 Aischines claims that Demosthenes made the Athenians pass Philokrates' proposal about peace with Philip in a speech he delivered in the meeting held on Elaph. 19. But according to Demosthenes' own decree about the peace negotiations the debate was to take place during the meeting on Elaph. 18 and no speeches were to be made on Elaph. 19. In Aischines' speech of 343 there is no reference to a speech by Demosthenes on Elaph. 19 and Harris infers that Aischines must be lying in 330 and that Demosthenes did not deliver any speech on Elaph. 19. But in 343 Demosthenes tells the jurors that he did speak on Elaph. 19 and that many others did as well, including Aischines (19.15–16). From the fact that Demosthenes' decree prescribed that no speeches were to be made in the Assembly held on Elaph. 19 Harris infers that no

¹² Dem. 18.261; 19.70, 237; cf. Harris (1995) 29–30 with n.33. On Aischines' use of the archives in the trial in 330, see Aeschin. 3.75.

speeches were made.¹³ But that is an illegitimate inference from “ought” to “is.” Thus, Demosthenes’ account in 343 supports that of Aischines in 330 as to whether Demosthenes made a speech during the meeting on Elaph. 19.¹⁴ Where the two accounts contradict each other is about the content of Demosthenes’ speech. Again, in 343 Aischines denied that he made a speech on Elaph. 19 and substantiates his contention with a reference to Demosthenes’ decree according to which no speeches could be delivered during this second meeting (2.63–66). In 330 Aischines is silent about whether he himself made a speech. It may well be that Aischines’ account in 330 is closer to what actually happened in 346 than the one he presents in 343.

(b) The story of the exclusion of Kersobleptes (3.73–75) is, according to Harris (2006) 95 n.28, refuted by Aeschin. 2.83–86, where evidence is produced “that Cersebleptes did indeed have a person in Athens who could have acted as his *synedros*, namely Critobulus of Lampsacus.” Now, at 3.74 Aischines claims that Kersobleptes had no *synedros* in Athens, which was presumably true, since, at 2.83, Aischines tells the jurors that Kritoboulos of Lampsakos claims that he had been sent by Kersobleptes, i.e. he was not a *synedros* and an acknowledged member of the *synedrion* at Athens. There is no contradiction. Aischines, of course, prefers to tell the jurors what suits him best in both cases, but that is different.¹⁵

Finally, Harris himself (1995: 73) points to one reliable piece of information reported by Aischines in 330 but left unmentioned in 343: the second decree of the allied *synedrion* which explicitly recommended not to make an alliance with Philip (Aeschin. 3.69–70) whereas the first decree left the possibility of an alliance unmentioned (2.60).

As the evidence stands, I find that there is no reason to doubt the historicity of the meeting of the *ekklesia* held on Elaph. 8.¹⁶

¹³ Harris (1995) 73 and (2006) 95 n.28.

¹⁴ Carey (2000) 189 n.77.

¹⁵ This section is repeated from Hansen (1983).

¹⁶ That the meeting did take place is also assumed by Pritchett (2001) 198 and Rhodes-Osborne on *GHI* 64 (p.323).

The reason why we hear about it only once at Aeschin. 3.66–67 is that it was abortive in the sense that, since Macedonian envoys had not arrived, it could not be used for the peace negotiations as Demosthenes had anticipated.

2. *Survey of the ekklesiai held in Elaphebolion 347/6*

Accepting a meeting on Elaph. 8 as one of the meetings of the Athenian *ekklesia* in Elaphebolion 347/6 I present the following list of attested meetings.¹⁷

Late Anthesterion or Elaph. 1–3: The Athenian envoys' report to the *boule* (Aeschin. 2.45–46; 3.63, 66–67; Dem. 19.234). Demosthenes proposes and carries two *probouleumata*, one granting Philip's envoys a safe conduct (Aeschin. 3.63) and another honouring the Athenian envoys (Aeschin. 2.45–46; Dem. 19.234). This decree is read out to the jurors at Aeschin. 2.46.

Late Anthesterion or Elaph. 1–4: The Athenian envoys' report to the *ekklesia* (Aeschin. 2.47–54, 109; Dem. 19.234–236; Din. 1.28). Demosthenes moves three decrees, one granting Philip's envoys a safe conduct (Aeschin. 2.53, 109; Din. 1.28), a second ordering the *prytaneis* after the arrival of the Macedonian envoys to summon the *ekklesia* on two successive days for a debate on peace and alliance with Philip (Aeschin. 2.53),¹⁸ and a third honouring the Athenian envoys (Aeschin. 2.53; Dem. 19.234). The first and third decrees are ratifications of the *probouleumata* proposed and carried by Demosthenes in the previous meeting of the *boule*. The decrees are passed and read out to the jurors (Aeschin. 2.54). A decree proposed and carried by Kephisophon of Paiania may have been passed during this meeting (Aeschin. 2.73, cf. 285 below).

Elaph. 4–7: In the *boule* Demosthenes proposes and carries a decree ordering the *prytaneis* to summon an *ekklesia* on Elaph. 8 in which, if the Macedonian envoys have arrived in Athens, the people can debate their relations with Philip (Aeschin. 3.66–67). The decree is read out to the jurors (Aeschin. 3.68), see 275 above. Furthermore,

¹⁷ The list is a revised version of the list in Hansen (1983) 70–71, which again is a revised version of the list in Hansen (1983) 62–64. I now believe that the Macedonian envoys arrived in Athens only after the *ekklesia* on Elaph. 8 and that Demosthenes' decree about having the two *ekklesiai* on Elaph. 18–19 was a decree of the *boule* proposed and carried after the Macedonian envoys had arrived, see n.19 below.

¹⁸ This decree is different from the later decree in which the two meetings are stipulated to take place on Elaph. 18 and 19, cf. Harris (1995) 68.

Demosthenes proposes and carries in the *boule* a decree granting *proedria* at the Dionysia to the Macedonian envoys (Aeschin. 2.55, 110; 3.76; Dem. 18.28). The decree is read out to the jurors (Aeschin. 2.55).

Elaph. 8: *Ekklesia* on the day for the *proagon* (Aeschin. 3.67–68). No discussion of peace and alliance with Philip since the Macedonian envoys have not yet arrived in Athens.

Elaph. 9 or a few days later: The Macedonian envoys arrive in Athens (Aeschin. 3.68).

Elaph. 9 or a few days later: in the *boule*¹⁹ Demosthenes proposes and carries a decree that the *prytaneis* summon the *ekklesia* on two successive days immediately after the Dionysia and the *ekklesia* held in the precinct of Dionysos. The meetings are fixed for Elaph. 18 and 19 and are intended for the conclusion of peace and alliance with Philip. The first day is reserved for a discussion of the peace, the second for the passing of the decree (Aeschin. 2.53, 61, 65, 67, 109–110; 3.64–65, 68). The decree is read out to the jurors both in 343 (Aeschin. 2.61) and in 330 (3.68).

Elaph. 16?: Meeting of the *ekklesia* after the Dionysia in the precinct of Dionysos (Aeschin. 2.61).²⁰ Androtion proposes and carries an honorary decree for the Bosporan princes (*IG II² 212*). A debate on a debt to the Bosporan princes is scheduled for the *ekklesia* on Elaph. 18 (*IG II² 212.53–65*).²¹

Elaph. 18: Meeting of the *ekklesia* (Aeschin. 2.63–66, 74–77;²² 3.69–

¹⁹ Following Rhodes (1972) 61 n.4 and Harris (1995) 68 I now believe that Demosthenes proposed and carried this decree in the *boule* and not during the *ekklesia* held on Elaph. 8. In my opinion, the crucial point is that the decree was proposed and carried *after* the Macedonian envoys had arrived in Athens, and they did not arrive in time for the *ekklesia* on Elaph. 8.

²⁰ D. M. MacDowell, *Demosthenes Against Meidias* (Oxford 1990) 227–228, believes that this meeting took place on Elaph. 17, but see Harris (1995) 196 n.10.

²¹ If the decree stipulating that the meetings of the *ekklesia* be held on Elaph. 18 and 19 was proposed and carried in the *boule* after Elaph. 8 it follows that *IG II² 212* must have been proposed and carried during the *ekklesia* held after the Dionysia. Note, however, that Rhodes-Osborne, *GHI* pp.322–323, prefer to follow Lewis (1955) 25 and assume that the honorary decree for the Bosporan princes was passed on Elaph. 8. Pritchett (2001) 198 takes the same view, see 282 below.

²² According to Demosthenes 19.16 the speech by Aischines summarised at Aeschin. 2.75–77 was delivered during the *ekklesia* held on Elaph. 19. Aischines at 2.66 denies that he made any speech on Elaph. 19.

71; Dem. 18.21; 19.13–14, 144). The meeting is opened by a discussion of three items *περὶ τῶν ἰσθῶν* and of the Athenian debt to the Bosporan princes (*IG II² 212*).²³ Then follows the debate on the peace with Philip. All the *rhetoires* who address the people speak in favour of τὸ δόγμα τῶν συνέδρων and oppose the proposal made by Philokrates (Aeschin. 3.71).

Elaph. 19: Meeting of the *ekklesia* (Aeschin. 2.63, 65, 66–68, 75–77; 3.71–72; Dem. 18.21; 19.15–16, 57, 144, 159–161, 174, 291). Antipater addresses the assembly on behalf of the Macedonian envoys, the debate on the peace is reopened, and as a result Philokrates' proposal is passed.

Elaph. 19–24: In the *boule* (?) a decree or a *probouleuma* is passed re-appointing the envoys for a second embassy to Philip (Aeschin. 2.82; Dem. 19.17, 150).²⁴

Elaph. 25: *Ekklesia* in which Demosthenes is *proedros* (Aeschin. 2.82–85, 90; 3.73–75). Philokrates proposes and carries a decree that the allies take the oath on the peace immediately after the meeting on the same day (3.74). Aleximachos of Pelekes moves a proposal that Kritoboulos take the oath on behalf of Kersobleptes. The proposal is put to the vote in spite of Demosthenes' protests (Aeschin. 2.83–86) but is probably voted down (Harris [1995] 74–77). The people pass the decree containing the instructions for the second embassy (Aeschin. 2.98, 101, 104, 120; Dem. 19.37, 151, 161, 174, 278).

Moun. 3: Since no more meetings of the *ekklesia* are left, Demosthenes proposes and carries in the *boule* a decree that the second embassy to Philip set out immediately in order to find Philip and administer the oath on the peace (Aeschin. 2.91–92; Dem. 18.27–28; 19.154, 164).

In the speeches all dates are given in accordance with the festival calendar, in which a year of 354 days was divided into 12 months with 29 or 30 days each. But the Athenian *ekklesia* was summoned by the *prytaneis* in accordance with the bouletic calendar, in which a year of 354 days had 10 prytanies of

²³ My interpretation of *περὶ τῶν ἰσθῶν* (1983) 42–43 was questioned by Harris in 1986 (2006) 91–92, countered by Hansen (1989) 184–185, followed by Rhodes (1995) 195.

²⁴ It cannot be precluded that there was a meeting of the Assembly between Elaph. 19 and Elaph. 25 (Hansen [1983] 52), but the preferable and generally accepted view seems to be that there was no such meeting and, accordingly, that the election of the envoys took place in the *boule* (Hansen [1983] 68).

36 days (Pryt. I–IV) or 35 days (Pryt. V–X). In an intercalary year of 383 or 384 days Pryt. I–IV had 39 days and Pryt. V–X 38 days.²⁵

How do meetings held on Elaph. ca. 1–4, 8, 18, 19, and 25 fit the conciliar calendar? In an ordinary year Elaphebolion would run from Pryt. VII 23 to Pryt. VIII 16 or 17. In an intercalary year the equation would be from Pryt. VII 35 to Pryt. VIII 25 or 26.²⁶ A crucial question is, then, whether the year 347/6 was ordinary or intercalary.

3. *Was 347/6 an ordinary or an intercalary year?*

If 347/6 was an intercalary year the equations between the festival calendar dates and the prytany calendar dates are: Elaph. 1–4 = Pryt. VII 35–38, Elaph. 8 = Pryt. VIII 4, Elaph. 16 = Pryt. VIII 12, Elaph. 18–19 = Pryt. VIII 14–15, Elaph. 25 = Pryt. VIII 21. If it was an ordinary year the equations are Elaph. 1–4 = Pryt. VII 23–26, Elaph. 8 = Pryt. VII 30, Elaph. 16 = Pryt. VIII 3, Elaph. 18–19 = Pryt. VIII 5–6, Elaph. 25 = Pryt. VIII 12.²⁷

Lewis (1955) 25 argued that 347/6 must have been an intercalary year, because:

(a) 345/4 was an ordinary year in Delos and 346/5 was an ordinary year in Samos. Lewis believed that both islands followed the Athenian calendar. Since in most cases every third year was intercalary, the presumption is that 347/6 was an intercalary year in Athens. But, following Samuel, *Greek and Roman Chronology*, Pritchett (2001) 199 pointed out—in my opinion convincingly—that both islands had their own calendar.

(b) Lewis' other argument was that *IG II² 212* (*GHI* 64), an honorary decree for the Bosporan princes, was passed in Pryt.

²⁵ W. K. Pritchett and O. Neugebauer, *The Calendars of Athens* (Cambridge [Mass.] 1947) 112. For the reason why the orators use the festival calendar dates whereas the meetings of the *ekklesia* were summoned in accordance with the bouleutic calendar, see Hansen (1993) 109.

²⁶ See the tables in Hansen (1983) 62–64.

²⁷ We do not know whether Anthesterion and Elaphebolion were hollow months of 29 days or full months of 30 days and, consequently, the equations may be one day wrong in either direction. But that has no consequence for the distribution of *ekklesiai* between Pryt. VII and Pryt. VIII.

VIII 347/6. In lines 53–65 it is stipulated that some business concerning a debt to the princes was to be dealt with in the *ekklesia* held on Elaph. 18—the very *ekklesia* in which the peace of Philokrates was debated by the Athenians. Since the *ekklesia* held after the Dionysia was reserved for business relating to the festival, *IG II² 212* must have been passed in the previous meeting held on Elaph. 8, and it is only in an intercalary year that Elaph. 8 falls in Pryt. VIII. The reason why the forthcoming *ekklesia* at *IG II² 212* is referred to as the meeting held on Elaph. 18 and not as the next meeting²⁸ is that the meeting on Elaph. 18 was the first available for political business. That may be so but Lewis' argument—repeated by Pritchett (2001) 198—rests on the unproved assumption that the *ekklesia* after the Dionysia was reserved for business related to the festival. We know that business related to the festival was a fixed item on the agenda (Dem. 21.9), but it is nowhere stated that no other business could be debated. Honorific decrees were often passed in the *ekklesia* held after the Dionysia.²⁹ Therefore we cannot preclude the possibility that *IG II² 212* was passed in the meeting of the *ekklesia* held after the Dionysia. The reason why the following *ekklesia* is referred to by date is that in this exceptional case the date for this *ekklesia* had already been fixed by the decree proposed and carried by Demosthenes. Normally it would be unknown when the next meeting of the *ekklesia* would take place.³⁰ Furthermore—as argued above—Demosthenes' decree about having *ekklesiai* on Elaph. 18 and 19 was probably passed in the *boule* at a meeting on Elaph. 9 or later after the Macedonian envoys had arrived in Athens. It follows that *IG II² 212* cannot have been passed during the *ekklesia* held on Elaph. 8 and the *ekklesia* after the Dionysia is the only possibility.

²⁸ *IG II² 212* is the only attestation of a forthcoming meeting of the *ekklesia* referred to by date. The usual formula is: εἰς τὴν πρώτην (or ἐπιούσαν) ἐκκλησίαν, cf. e.g. 103.14 (πρώτην) and 643.3 (ἐπιούσαν).

²⁹ *IG II² 345, 346, 347, 348; Agora XVI 79*. Only one of these decrees can be shown to concern the Dionysia (*IG II² 348*) and another one (*Agora XVI 79*) seems not to be related to the festival at all. The other three are too fragmentary to bear on this issue.

³⁰ The exception is the first *ekklesia* in a year which invariably took place on Pryt. I 11 = Hekatombaion 11 (Dem. 24.20).

The conclusion is that we are still ignorant about whether 347/6 was an ordinary or an intercalary year. The chances are two to one that it was an ordinary year. Furthermore, Pritchett (2000) 201 notes that if 347/6 was an intercalary year, the Athenians did not observe the rule that the year began with the first new moon after the summer solstice. That is another indication that the year was not intercalary but ordinary, and, accordingly, we must take both possibilities into account when we reconstruct the number of meetings in Pryt. VIII.³¹

4. *The ekklesiai held on Elaph. 18 and 19*

Did the *ekklesiai* held on Elaph. 18 and 19 count as one or two of the four meetings listed at *Ath. Pol.* 43.3? Both Aischines (2.60, 61, 63, 65, 67) and Demosthenes (19.13) refer to two meetings. Harris (2006) 371–372 has no doubt: “It is simply unacceptable to count the two meeting on 18 and 19 Elaph. as one meeting.” But at 2.53—a passage not mentioned by Harris—Aischines describes the meetings as one *ekklesia* over two days (ἐκκλησίαν ἐπὶ δύο ἡμέρας).³² Furthermore, the two meetings on successive days were prescribed by one and the same decree (Aeschin. 2.61, 65, 109), the agenda set forth in this decree covered both days, and the *prytaneis* issued probably only one summons. It would be strange to assume that, before the monument of the *eponymoi*, the Athenians would find one summons for the meeting to be held on the 18th and, on the next day, a different one for the meeting to be held on the 19th. These two *ekklesiai* were closely connected and it is perfectly possible that they counted as only one of the four meetings of the *demos* which, according to the *Ath. Pol.*, the *prytaneis* had to

³¹ If, following Harris, we assume that there was no *ekklesia* on Elaph. 8 we are forced to assume that *IG II²* 212 was proposed and carried in the *ekklesia* held after the Dionysia which would always fall in Pryt VIII. So, again, we do not know whether the year 347/6 was ordinary or intercalary. In Hansen (1983) 62–64 I suspended judgement on the issue, but in the addenda 68–69 I preferred the view that the year was intercalary. *Pace* Pritchett (2001) 198 and 201 I prefer, once again, to leave the question open.

³² But Harris (2006) 115 n.48 infers from the difference between Aeschin. 2.53 and his other references to two meetings that “Aeschines’ language is not a reliable guide.” It is impossible to infer anything from Aeschin. 2.109: βουλευσασθαι τὸν δῆμον ἐν τακταῖς ἡμέραις.

convene. To conclude: I think there is no way of deciding whether the *ekklesiai* held on Elaph. 18 and 19 constituted one or two of the four meetings mentioned at *Ath. Pol.* 43.3.

5. *The number of meetings in Pryt. VIII*

How many meetings, then, did the Athenians convene in Pryt. VIII 347/6? If we leave open the questions whether the year was ordinary or intercalary and whether the *ekklesiai* held on Elaph. 18 and 19 counted as one or two of the four meetings we are left with four possibilities:

Year	Elaph.18–19 = 2 meetings	Elaph.18–19 = 1 meeting
Intercalary	1. Elaph. 8 2. Elaph. 16 3. Elaph. 18 4. Elaph. 19 5. Elaph. 25	1. Elaph. 8 2. Elaph. 16 3. Elaph. 18–19 4. Elaph. 25
Ordinary	1. Elaph. 16 2. Elaph. 18 3. Elaph. 19 4. Elaph. 25	1. Elaph. 16 2. Elaph. 18–19 3. Elaph. 25

Rejecting the possibility that there were only three meetings, the very rich sources we have provide us with information about four or, at most, five meetings of the Assembly.³³ But at 2.72 Aischines tells us that in the period before the peace with Philip was concluded the Athenians “were forced to hold more special meetings of the Assembly, amid anxiety and confusion,

³³ Since Harris believes that there was no meeting on Elaph. 8, there are in his view only four attested meetings of the *ekklesia* in Pryt. VIII: the meeting after the Dionysia, the two meetings held on Elaph. 18 and 19, and the meeting held on Elaph. 25, and according to this reconstruction it is irrelevant whether 347/6 was an ordinary or an intercalary year. See Harris (2006) 95–96, Hansen (1989) 186. Pritchett (2001) 199 has *ekklesiai* on Elaph. 8, 15–17, 18, 19, 25, and possibly one later meeting. But if 347/6 was an ordinary year and if the *ekklesiai* Elaph. 18 and 19 counted as one of the four meetings in a prytany we are down to four meetings even including his last meeting for which there is no evidence, see 280 and n.24 above.

than meetings prescribed by law.”³⁴ In Greek the passage runs: πλείους δὲ ἐκκλησίας συγκλήτους ἀναγκάξεσθε ἐκκλησιάζειν μετὰ φόβου καὶ θοοῦβου, ἢ τὰς τεταγμένας ἐκ τῶν νόμων.

In this passage (2.70–74) Aischines surveys the whole war from 357 to 346, and consequently we must determine which period he has in mind when he refers to the numerous *ekklesiai synkletei*. The point of departure is the struggle for Amphipolis at the beginning of the war, but the information about the *ekklesiai synkletei* is connected with a description of a military crisis in the Chersonese caused by Philip’s attack on Thrace and his threat to the Athenian islands of Skyros, Lemnos, and Imbros. Today there is general agreement among historians that Philip’s attack must be dated to the spring of 346.³⁵ Aischines’ statement about the *ekklesiai* is preceded by the information that the Athenian klerouchs were about to leave the Chersonese, and it is followed by a reference to a decree proposed and carried by Kephisophon of Paiania to the effect that Antiochos, the commander of the dispatch-boats, shall leave Athens and seek out the *strategos* Chares, whose whereabouts are unknown to the Athenians. Aischines has Kephisophon’s decree read out and concludes (74): “this was the city’s situation at the time we were discussing the peace,” i.e. in Elaphebolion 347/6.

Harris agrees that the period during which the Athenians convened more special meetings than those prescribed by law was the spring of 346: “If we interpret the term ἐκκλησίας συγκλήτους in this passage according to the traditional defini-

³⁴ Transl. Carey (2000) 117.

³⁵ For a detailed discussion with more arguments for the view that the context of Aischines’ remark about the *ekklesiai synkletei* is the spring of 346, see Hansen (1983) 44–46 (written in 1977), and in particular the period when the Athenians debated the peace, i.e. Pryt. VIII (Hansen [1983] 63–64), cf. J. Buckler, *Philip II and the Sacred War* (Leiden 1989) 128; R. Sealey, *Demosthenes and His Times* (New York 1993) 155. Independently of me the same view was argued by G. L. Cawkwell, *Philip of Macedon* (London 1978) 92, and G. T. Griffith, *A History of Macedonia II* (Oxford 1979) 331. Pritchett (2001) 233 tries—in my opinion in vain—to avoid this conclusion with the remark that the Aischines passage covers the entire war, i.e. eleven years. MacDowell (2000) 266 accepts the view that the reference is to the spring of 346 but believes that Aischines makes a sweeping statement which need not be taken literally.

tion, Aeschines is saying in effect that things went so badly in early 346 that, in addition to the four ordinary meetings, at least five ἐκκλησίαι σύγκλητοι were called every prytany for the purpose of discussing urgent business.”³⁶ And again: “We cannot rule out the possibility that Aeschines and Demosthenes did not report all meetings of the Assembly that took place during prytany viii of the archonship of Themistokles. After all, they were only interested in discussing the Peace of Philokrates and may well have left out of their speeches any references to other meetings of the Assembly that met during prytany viii simply because these meetings did not discuss business that was relevant to this treaty” (Harris [2006] 96).

My conclusion was—and still is—that Aeschines must be referring first of all to the meetings attested in the sources we have, i.e. four meetings or, at most, five if we combine three assumptions: (a) that 347/6 was an intercalary year, (b) that the *ekklesiai* on Elaph. 18 and 19 count as two of the four meetings described at *Ath. Pol.* 43.3, and (c)—contrary to what Harris believes—that there was an *ekklesia* on Elaph. 8. According to Harris we must assume that during Pryt. VIII at least five meetings of the *ekklesia* were held in addition to the four attested in our sources. Of these Harris takes those held on Elaph. 16 and 18 to be ordinary meetings, whereas the meeting on Elaph. 19 was an *ekklesia synkletos*.³⁷ The status of the meeting on Elaph. 25 is unknown. Furthermore, in Harris’s view several of the unattested meetings must have been *ekklesiai synkletoni* in the sense of extra meetings with no fixed items on the agenda but summoned to debate and decide on one specific urgent matter. I find it particularly alarming not to say unbelievable that even such meetings—which in that period must have been related to the prospective conclusion of peace—have left no traces in our sources. It is unlikely that an *ekklesia* was

³⁶ Harris (2006) 92, cf. (1995) 65 and 195 n.1. I agree that Aeschines’ remark, though particularly relevant for Pryt. VIII, may have covered Pryt. VII as well.

³⁷ The *ekklesia* held on Elaph. 18 was an ordinary meeting with fixed items on the agenda (Harris [2006] 92), that on Elaph. 19 was an *ekklesia synkletos* (Harris [2006] 120).

held between Elaph. 19 and Elaph. 25, see n.24 above, and it is most unlikely that there was an *ekklesia* between Elaph. 26 and Moun. 3 (Hansen [1983] 52–53).

It follows that *ekklesia synkletos* must signify not an extra meeting but a meeting summoned in a special way, and not as prescribed in the law, i.e. summoned by the *prytaneis* on their own initiative and with four days' notice. Of the meetings held during Elaph. 346 at least those held on Elaph. 8, 18, and 19 were, on my definition, *ekklesiai synkletoni* by being convened in accordance with a decree of the *boule* and not by the *prytaneis* on their own initiative. Furthermore, the *ekklesia* on Elaph. 8 was held on a annual festival day, and, no matter whether we count them as one or two meetings, the *ekklesiai* on Elaph. 18 and 19 constituted a special kind of double meeting. We do not know whether the meetings on Elaph. 1–4 and Elaph. 25 were *ekklesiai synkletoni* or *ekklesiai tetagmenai kata tous nomous*. The only ordinary meeting in Elaphebolion may have been the *ekklesia* held after the Dionysia. So, in accordance with my interpretation of Aeschin. 2.72, there was indeed a remarkable excess of *ekklesiai synkletoni* in Pryt. VIII 347/6.

But this interpretation of the Aischines passage does not rule out the possibility that an *ekklesia synkletos*—in addition to being one of the four meetings, convened at short notice and/or on a festival day and/or by a special decree—could *also* be an extra meeting which, of course, would have to be especially convened—i.e. *synkletos*—for the debate of some urgent matter.

The only Classical source which can shed light on this question is Dem. 19.154, where Demosthenes states that, since no more meetings of the *ekklesia* were left, he proposed and carried in the *boule* a decree that the second embassy to Philip set out immediately in order to find Philip and administer the oath on the peace. This decree of the *boule* was passed on Mounichion 3, i.e. a week after the *ekklesia* in which the envoys got their instructions from the people:

Since there was no meeting of the Ekklesia still left because they'd already been used up, and these men weren't setting off but were wasting time here, I proposed a decree—I was a member of the Boule, and the people had given the Boule authority—that the ambassadors should set off as quickly as possible, and Proxenos the general should convey them to whatever district he

heard Philip was in; I drafted the proposal quite explicitly in these words, as I now speak them. Please take that decree and read it.³⁸

Most scholars have assumed that in this passage “no *ekklesia*” means “no ordinary meeting of the Assembly.” I took it to mean that only a fixed number of Assemblies could be held every prytany—viz. four as indicated by *Ath. Pol.* 43.3—and that the people in Pryt. VIII after the *ekklesia* held on Elaph. 25 had exhausted the number prescribed by law.³⁹

Harris’s reply (2006) 87–88 is that at 19.154 Demosthenes shrewdly suppresses the fact that an extra meeting could have been called—i.e. an *ekklesia synkletos* as the term is traditionally understood. This interpretation is—correctly in my opinion—rejected by MacDowell (2000) 266–267:

Harris’s explanation ... is that D. is deliberately suppressing the possibility of an additional meeting, in order to deceive his audience: “the possibility of summoning an extra meeting of the Assembly to denounce the insidious schemes of his opponents is cunningly passed over in silence (p. 367 of his article [= 2006 p. 88]). But that answer is not quite satisfactory. If additional meetings were possible, and if many such meetings had been held recently (as *Ais.* 2.72 says), all Athenian citizens must have known that and D. could not hope to conceal it. The point is, rather, that on this occasion there were no adequate grounds for calling an extraordinary meeting. The *Ekklesia* had already resolved to send the Second Embassy and had appointed the ambassadors; it would have been thought unreasonable to call a special meeting of the *Ekklesia* simply for the purpose of telling them to set out, and D. did not consider asking the *Boule* to do that—especially since, as he goes on to say, the *Boule* had authority to deal with the matter.⁴⁰

³⁸ Transl. MacDowell (2000) 123. In Greek the crucial part of the passage runs: ἐπειδὴ γὰρ ἐκκλησία μὲν οὐκέτ’ ἦν ἀπόλοιτος οὐδεμία διὰ τὸ προκατακεχρησθαι ... γράφω ψήφισμα βουλευόν, τὴν βουλὴν ποιήσαντος τοῦ δήμου κυρίαν ...

³⁹ Hansen (1983) 36–37, 42, 52–53, cf. (1989) 181, 191.

⁴⁰ Let me add that this line of argument is already suggested by Harris (2006) 86 as yet another reason for believing that no meeting of the *ekklesia* means no ordinary meeting of the *ekklesia*.

But if the issue is as simple as that why does Demosthenes tell the jurors that no meeting of the people could be convened any longer? Note the emphatic negation οὐκέτ' ... οὐδεμία. If everything conformed with standard procedure and if an extra Assembly could be summoned any time, it would be superfluous to mention that the number of *ekklesiai* had been exhausted. If what Demosthenes did was just routine business he could have told the jurors: "The people had authorised the *boule* and, as a member of the *boule*, I proposed and carried a decree that ..." Any mention of the *ekklesia* would be out of place and might only create suspicion that not everything was at it ought to be.

To conclude: Harris's explanation that Demosthenes cunningly concealed the fact that an extra meeting could be called will not do, and Macdowell's own explanation that the whole matter was just routine business will not do either. Demosthenes' emphatic remark at 19.154 that no meeting of the *ekklesia* was available any longer because they had been used up is a source which cannot be disposed of as easily as believed by Harris and MacDowell and Pritchett.

If the Athenians—as I assume—could not convene more than four meetings of the Assembly in the course of a prytany, it follows that the *prytaneis* must always have postponed the fourth meeting to a day late in the prytany. The epigraphical evidence seems to support such an assumption: of all dated meetings held during the period 368/7–308/7 as many as 36% were held on the 30th day of the prytany or later although this period constitutes no more than 20% of the days of the year.⁴¹ But one important problem remains: what happened if, in an emergency, there were no more meetings left? As Harris puts it (2006) 83: "would the *prytaneis* have simply turned to the people and said that they could not call another meeting and that the matter would just have to wait until the beginning of the next prytany? I find it hard to believe that they would." So do I, and my answer was and still is (1989) 37: "They would have broken the rules, as all people have done in all states throughout history." In my reply to Harris I adduced evidence of legis-

⁴¹ Hansen (1983) 87–89.

latures that meet every year although the constitutions prescribe that sessions can be held only every other year. And although sessions of a legislature are often restricted to a fixed number of days it happens not infrequently that, just before midnight of the last day, the clock in the chamber is stopped and the meeting goes on often for hours and sometimes for days on end under the fiction that stopping the clock is stopping the time (Hansen [1989] 179, 193). These examples and many others that can be added show two things, (a) that people throughout history have had laws that restricted the total number of meetings and the length of meetings and rules for how meetings can be summoned, and (b) that such rules are simply disregarded in an emergency. I believe that the Athenians' rule to have four *ekklesiai* per prytany is an example of this very human behaviour.

Consequently—as I pointed out in my reply to Harris—I cannot rule out that during the period when the Athenians could have no more than four meetings per prytany, they may unconstitutionally have convened a fifth meeting. If they did, such a meeting must have been summoned as an *ekklesia synkletos*.

II. Scholia and lexicographical notes

The piece of information that an *ekklesia synkletos* was an extra meeting comes from some scholia and lexicographical notes. There are altogether a dozen of them but in this context I can restrict myself to quoting three, and since the terms used are very important I give the Greek original in the text and the translation in the notes.

Harp. Σ59 (Keaney): σύγκλητος ἐκκλησία] τῶν ἐκκλησιῶν αἱ μὲν ἐξ ἔθους καὶ κατὰ μῆνα ἐγίνοντο· εἰ δέ τι ἐξαίφνης κατεπέξειεν ὥστε γενέσθαι ἐκκλησίαν, αὕτη ἐκαλεῖτο σύγκλητος ἐκκλησία· Δημοσθένης ἐν τῷ κατὰ Αἰσχίνου.⁴²

Schol. in Dem. 24.20 no. 53 (Dilts): τῇ ἐνδεκάτῃ] κατὰ μῆνα τρεῖς ἐκκλησίας ἐποιοῦντο βουλευόμενοι περὶ τῶν ἐν τῇ πόλει πραγμάτων,

⁴² “*Synkletos ekklesia*] Of the *ekklesiai* some took place habitually and in accordance with the month. But if some urgent matter required attention so that an *ekklesia* took place, this meeting was called an *ekklesia synkletos*. Demosthenes in the speech against Aischines.”

πλὴν εἰ μὴ ἄρα ἀνάγκη τις κατέλαβε πόλεμον, ὥστε καὶ περὶ ἐκείνου ἄλλην ἐκκλησίαν ποιῆσαι πλέον τῶν ὠρισμένων. καὶ ἐγένετο ἡ πρώτη ἐνδεκάτῃ τοῦ μηνός, ἡ δὲ δευτέρα περὶ τὴν εἰκάδα, ἡ δὲ τρίτη περὶ τὴν τριακοστήν.⁴³

Schol. in Dem. 19.123 no. 263a: μὴ σύγκλητος ἐκκλησία γένηται] ὅτι τρεῖς ἐκκλησίαι τοῦ μηνός γίνονται ὠρισμέναι· ἡ δὲ σύγκλητος οὐχ ὠρισμένη. b: σύγκλητος ἐκκλησία ἢ γινομένη διὰ τι ἐξαίφνης κατεπίγειον. c: μὴ ... γένηται] σύγκλητος δὲ ἐκκλησία ἐκλήθη, ἐπειδὴ ἐν μὲν τοῖς νομίμοις καὶ συνήθεσιν ἀφ' ἑαυτοῦ ὁ δῆμος συνέτρεχεν· ὅταν δὲ ἐξ ἀνάγκης τινὸς σύλλογος γένηται, συγκαλοῦσί τινες περιόντες.⁴⁴

The most detailed and thorough presentation and discussion of all the lexicographical notes is that of Pritchett (2001) 186–192 and 223–226. He distinguishes between two traditions: one which follows the *Ath. Pol.* and explains that the Athenians convened four *ekklesiai* per prytany,⁴⁵ and one which states that there were three *ekklesiai* per month (of the festival calendar).

In his discussion of the calendar Pritchett rejects all the lexicographical notes in the second group and writes as his conclusion: “the second group cannot be traced to any source earlier than the rhetoricians of the third and fourth centuries of our era. We are not dealing with authorities who walked about the akropolis and agora and examined the prescripts of Athenian decrees.”⁴⁶ But when he discusses whether the *ekklesia*

⁴³ “On the eleventh] They held three *ekklesiai* in the course of a month, debating matters concerning the *polis*, except if an emergency occurred during a war so that they held another *ekklesia* about the war in addition to the ordained *ekklesiai*; and the first took place on the eleventh day of the month, the second around the twentieth, and the third around the thirtieth.”

⁴⁴ 263a: “that a *synkletos ekklesia* be held] that because there are three *ekklesiai* in a month which are ordained, but the *synkletos ekklesia* is not ordained.” 263b: “a *synkletos ekklesia* is one that takes place because of some urgent matter.” 263c: “it was called *synkletos ekklesia* because in those prescribed by law and habit the people convened on its own initiative, but whenever a meeting take place in an emergency, there are some who travel around and summon the people.”

⁴⁵ These notes include Harp. K100; Poll. 8.95; *Suda* K2760; Maximus Planudes in Walz V 509.20–510.2.

⁴⁶ Pritchett (2001) 185–192, 235, the quotation from 192. The sources he rejects are: Phot. s.v. κυρία ἐκκλησία; *Suda* E470; schol. Ar. *Ach.* 19; schol. Dem. 18.73, 19.123, 24.20; schol. Aeschin. 1.60, 3.24.

synkletos was an extra meeting he writes (224): “all the lexicographical sources which mention the *synkletei*, including Harpokration, the Souda, *Ety. Mag.*, Pollux, Planudes, and several scholiasts are in agreement that this extraordinary meeting was in addition to the regular *ekklēsias*.”

Now, in addition to the scholiasts and lexicographers in group two—whose reliability Pritchett has himself questioned (185, 192)—the list of sources which he is now prepared to trust includes Harpokration (Σ59), Pollux 8.116, and Maximus Planudes. But his contention that they define an *ekklēsia synkletos* as an extra meeting applies in only one case, Planudes. Harpokration (repeated verbatim by *Etym.Magn.* 733.15–18) and Pollux describe the *ekklēsia synkletos* as a meeting summoned at short notice in an emergency, and Harpokration is kind enough to tell us that his source is Demosthenes’ speech against Aeschines (19.123), where, again, an *ekklēsia synkletos* is described as a meeting summoned at short notice in an emergency, but that it was an extra meeting cannot be deduced from the text, see 273 above.

So of all the sources lined up by Pritchett to show that an *ekklēsia synkletos* was an extra meeting, there is, apparently, only one that counts: Maximus Planudes, the scholar of the late thirteenth and early fourteenth centuries, who offers his note on the Athenian *ekklēsia* in a commentary on Hermogenes’ treatise *On Types of Style*. Pritchett is the first to draw attention to this scholion in connection with the controversy over what an *ekklēsia synkletos* was. Let me add that Planudes’ scholion is an almost verbatim repetition of a scholion on the same treatise by Syrianus (fifth century A.D.). Also I think it important in this context to point out that the lemma which the scholion is supposed to explain is the very passage from Dem. 19.154 discussed above. With the lemma the older version of the scholion reads as follows (Syrianus *Comm. in Hermogenis librum Περὶ ιδέων* 325.24 [p.65 Rabe]):

ἐπειδὴ γὰρ ἐκκλησία μὲν οἰκέτ’ ἦν ὑπόλοιπος οὐδεμία διὰ τὸ προκατακεχρησθαι] ὠρισμένοι γὰρ ἦσαν ἐκκλησίαι κατὰ πρυτανείαν ἐκάστην τέσσαρες· δέκα δὲ οὐσῶν Ἀθήνησι φυλῶν ἐπρυτάνευον αἱ μὲν πρῶται λαχοῦσαι φυλαὶ τέσσαρες ἀπὸ τριάκοντα ἕξ ἡμερῶν αἱ δὲ λοιπαὶ ἕξ ἀπὸ τριάκοντα πέντε. μετὰ οὖν τὰς ὠρισμένας τοῦ δήμου συνόδους ἐν ταῖς ἐκκλησίαις εἴ τι ἀναγ-

καίον ἐμπεσοίτο πράγμα, περὶ οὐ τὸν δῆμον ἐχρῆν συνελθόντα γνῶναι, σύγκλητος ἐγένετο ἐκκλησία. προκατακεχρησθαι οὖν ἔστι τὸ ἤδη τὰς ὠρισμένας ἐκκλησίας παρεληλυθέναι.⁴⁷

This note combines the two traditions distinguished by Pritchett. The first half is a paraphrase of *Ath. Pol.* 43.4. The second part belongs in a different context, and the term ὠρισμένη indicates that the source of this part of the scholion belongs with all the lexicographical notes in Pritchett's second group⁴⁸ which he rejects because they speak of three meetings of the *ekklesiai* in each month of the festival calendar, and because all three meetings are called *kyriai* and opposed to an *ekklesia synkletos*. It is in these notes that an *ekklesia synkletos* is described as an extra meeting and opposed to "ordinary" meetings, called *ekklesiai horismenai*. Is it legitimate to dissociate the scholiasts' information about dates and number of meetings from their explanation of what an *ekklesia synkletos* was, and to distrust their information about the first issue but trust what they have to say about the second?

Harris prefers a different approach. Of the lexicographical notes in Pritchett's group two he dissociates one, which he believes we can trust, from the others which, admittedly, are muddled and do not betray much understanding of types of meeting of the Athenian *ekklesia* or the number and dates of the meetings. The note in question is the scholion on Dem. 24.20 which he quotes (2006) 103 but without the lemma, which I have included in my quotation above. The lemma is τῆ ἑνδεκάτῃ and it refers to the law on the annual revision of laws which is quoted at Dem. 24.20–24. For this issue the two crucial passages of the law are 20, ἐπὶ δὲ τῆς πρώτης πρυτανείας τῆ ἑνδεκάτῃ ἐν τῷ δήμῳ ... ἐπιχειροτονίαν ποιεῖν τῶν νόμων, and 21, τοὺς πρυτάνεις, ἐφ' ὧν ἂν ἡ ἐπιχειροτονία γένηται, ποιεῖν περὶ τῶν ἀποχειροτονηθέντων τὴν τελευταίαν

⁴⁷ The second half of the note reads: "after the ordained meetings of the people in the *ekklesiai*, if some urgent matter happened about which the people ought to convene and make a decision, a *synkletos ekklesia* took place. 'To be used up in advance' means that the ordained *ekklesiai* had already taken place."

⁴⁸ ὠρισμένη recurs in *Suda* E470; schol. Ar. *Ach.* 19; schol. Dem. 18.73, 19.123, 24.20.

τῶν τριῶν ἐκκλησιῶν. So the scholiast's piece of information that the Athenians had three *ekklesiai* per month is a comment on a passage which states that the *prytaneis* convened three *ekklesiai* per prytany. The scholiast equates prytanies with months and assumes that to have three *ekklesiai* per prytany is the same as having three *ekklesiai* per month.⁴⁹ We know that was not the case in the period of ten *phylai* when a prytany was at least five and sometimes ten days longer than a month. What the scholiast has in mind is—as acknowledged by Harris (2006) 105—the period of twelve *phylai* when, in ordinary years, there were twelve prytanies and twelve months and when a prytany was co-extensive with a month. According to the scholiast the three meetings were held on the 11th day of the month, around the 20th, and around the 30th.

Harris (2006) 105–118 has put this piece of information to the test by collecting all the evidence we have of meetings of the assembly dated according to the festival calendar; and his investigation demonstrates that in the Hellenistic period 71% of the dated *ekklesiai* were held on the 11th, on one of the days between the 18th to the 23rd, and on the 29th or 30th of the month. The only other frequently attested meeting day is the 9th, but several of the attested meetings fell in Elaphebolion in which the 11th was a festival day.

For the period of ten *phylai* festival calendar dates are recorded in the preambles of decrees from the mid 330s onward and the preserved decrees testify to a similar pattern: a high concentration of meetings on the 11th and 29th–30th, whereas the meeting around the 20th is less well attested.

The conclusion is that for the entire period covered by our sources the Athenians were in the habit of having their ordinary *ekklesiai* on the 11th (or the 9th), on a day around the 20th, and on the 29th or the 30th. The rule was, I think, to have the

⁴⁹ Cf. the scholion on Dem. 24.20 no. 51: “ἐν τῇ πρώτῃ δὲ πρυτανείᾳ” ὁ ἔστιν ἐν τῷ πρώτῳ μηνί. For a short period in the 350s there may have been three *ekklesiai* per prytany, see M. H. Hansen and F. Mitchel, “The Number of *Ecclesiai* in Fourth-Century Athens,” *SymbOslo* 59 (1984) 13–19, reprinted with addenda in Hansen (1989) 167–175. I shall return to this problem in a forthcoming article.

meeting on the last day of the month, but when the people were summoned four days before the meeting, the *prytaneis* could not know whether the month would be a hollow one of 29 days or a full one of 30 days.⁵⁰ Accordingly, some meetings took place on the 29th even in full months of 30 days. Since the *ekklesia* was summoned in accordance with the bouleutic calendar and scheduled to take place on a certain day of the prytany, it did not matter whether the month turned out to be full or hollow.

Harris (2006) 117 infers from the epigraphical evidence combined with the scholion on Dem. 24.20 that “the normal schedule of regular meetings of the Assembly was obviously dictated in both periods by the festival calendar.” But is that possible in the period of ten *phylai* when there had to be four meetings per prytany?

In the original version of his article it was not clear how Harris interpreted his three meetings per month in relation to the four meetings per prytany; he did not record the decrees of the period ca. 365–336/5 in which meetings were dated by prytany only; and he did not come up with a clear answer to his own question (113) about those months in which there had to be four meetings to make the festival calendar fit the bouleutic calendar. But in the afterthoughts to the reprinted version (2006) 119 Harris does make it clear that for the period of ten *phylai* he accepts what Aristotle says at 43.4: that the *prytaneis* had the *ekklesia* convened four times in a prytany. “When viewed from the perspective of the festival calendar, the *prytaneis* summoned three regular meetings per month in the Hellenistic period and roughly the same number during most months in the Classical period. When viewed from the perspective of the bouleutic calendar, the *prytaneis* summoned four regular meetings every prytany in the period of the ten tribes.” It follows that during the period of ten *phylai* there would always be four meetings in every prytany whereas in an ordinary year there would be four months in which four and not three meetings of the *ekklesia* were summoned. The implication is that, for meetings of the *ekklesia*, it was the festival calendar that

⁵⁰ A. E. Samuel, *Greek and Roman Chronology* (Munich 1972) 14–15.

had to conform to the bouletic calendar, and that the bouletic calendar had the priority is further corroborated by the fact that, when the Athenians in the 360s began to add dates to the prescripts of decrees, it was for a whole generation only the prytany date that was recorded. Dates according to both calendars begin to occur in the 330s.

In the period of twelve *phylai* months and prytanies would coincide in ordinary years but in intercalary years, if there were three *ekklesiai* per month, there would be altogether 39 *ekklesiai* and three prytanies in which there were four *ekklesiai*, or, if there were three *ekklesiai* per prytany, there would be a total of 36 *ekklesiai* and three months in which one of the regular three meetings was omitted.⁵¹ If the Athenians adopted the first system, the festival calendar would take precedence over the bouletic calendar, as the scholiasts seem to indicate. To the best of my knowledge, no historian has yet suggested that the Athenians in the Hellenistic period convened 39 *ekklesiai* in intercalary years; but it is a possibility.

Harris's investigation of meetings dated according to the festival calendar shows that the scholiast was well informed about the normal dates of meetings of the Assembly by contrast with some other scholiasts and lexicographers who state that meetings were held on the 1st, 10th, and 30th of the month.⁵² From this Harris (2006) 118 infers: "Whatever his source, his information is clearly reliable. And that ought to apply also to his statement that the Athenians normally held three meetings of the Assembly each month, but might in emergency situations hold an extra meeting." I find the inference too optimistic: It is true that the Athenians even in the period of ten *phylai* preferred to hold their meetings of the Assembly on certain days of the festival calendar, but it is not true that they held three

⁵¹ A year of 384 days with alternating full and hollow months and Poseideon repeated gives the following result: With three *ekklesiai* per month in thirteen months, there would have to be four *ekklesiai* in Pryt. IV or V, in Pryt. VIII or IX, and in Pryt. XI or XII. With three *ekklesiai* per prytany in twelve prytanies, there would have to be two *ekklesiai* only in Maimakterion, Gamelion, and Thargelion.

⁵² Schol. Ar. Ach. 19; Suda Σ470.

ordinary meetings each month. Commenting on the law quoted at Dem. 24.20–24, the scholiast mixes up months with prytanies and erroneously extrapolates into the period of ten *phylai* what was correct in most years of the Hellenistic period.

Similarly we cannot know whether his information about *ekklesiai synkletoi* being extra meetings is an erroneous extrapolation of what was the case in the Hellenistic period or perhaps even an erroneous analogy with the fact that in the Achaian federation in the Hellenistic period a *synkletos* was an extra meeting with a single item on the agenda.⁵³ To shed more light on these issues we must study the epigraphical evidence we have about Athenian *ekklesiai synkletoi* in the period of twelve *phylai*.

III. The Hellenistic evidence

In preambles of Hellenistic decrees the term *synkletos* is attested in three different contexts:⁵⁴ (a) a *boule synkletos* convened on the orders of the *strategoí* is followed by an *ekklesia* (1–3 below), (b) an *ekklesia synkletos* is convened on the orders of the *strategoí* (4–6), and (c) an *ekklesia synkletos* is convened in consequence of a *psephisma* (7–8).

1. *Agora* XV 167.3–4 (193/2): Ποσιδεῶνος ἐμβολίμου ἑνδεκάτει, ἐνάτει καὶ εἰκοστῇ τῆς πρυτανείας· βουλή ἐμ βουλευτηρίῳ σύνκλητος στρατηγῶν παραγγειλάντων καὶ ἀπὸ βουλῆς ἐκκλησία κυρία ἐν τῷ θεάτρῳ
2. *IG* Π² 897.3–6 (185/4): Μουνιχιῶνος ἐν[δεκά]τει· βουλή ἐμ βουλευτηρίῳ σύνκλητος στρατ[ηγῶν] παραγγειλάντων καὶ ἀπὸ βουλῆς ἐκκλησία [κυρία] ἐν τῷ θεάτρῳ
3. *Agora* XVI 276.1–4 (181/0?): Μουνιχι[ῶνο]ς δευτέρῳ μετ' εἰκάδας⁵⁵ βουλή ἐμ] βουλευτηρίῳ[ι] σύ]νκλητος στρατηγῶν παραγγειλά]ντων κ[α]ὶ ἀπ[ὸ] βου]λῆς ἐκκλησία ἀρχαιρεσίαι κατὰ τ]ὴν μαντε[ίαν τοῦ] θεοῦ
4. *Agora* XVI 289.3–4 (ca. 170): [Μαιμακτηριῶνος ἔνει καὶ νέαι, τρια-

⁵³ Cf. F. W. Walbank, *A Historical Commentary on Polybius* III (Oxford 1979) 408–414.

⁵⁴ Hansen (1983) 151–152. Tracy (1988) adds *LDélos* IV 1507 and suggests improved restorations of *SEG* XXIV 134 (= *Agora* XVI 289) and *IG* Π² 911.

⁵⁵ Moun. 29 = Pryt. X 29 in an ordinary year, but = Pryt. XI 4 in an intercalary year.

- κοστῆ τῆς πρυτανείας· ἐκκλησίᾳ σύγκλητος ἐμ Πειραιεὶ στρατηγῶν παραγγειλάντων]
5. *IG II²* 911.5–7 (169/8): [Σκιοφοριῶνος ἐνήϊ καὶ νέαι, ἐνάτε[ι καὶ εἰκοστῆ τῆς πρυτανείας· ἐκκλησίᾳ σύγκλητος ἐμ Πειραιεὶ στρατηγῶν παραγγειλάντων]
6. *IDélos* 1507.38–40 (144/3): Ἄνθεστηριῶνος τρίτει μετ' εἰκάδας, τετάρτη[ι καὶ εἰκοστῆ] τῆς πρυτανείας· ἐκκλησίᾳ σύγκλητος ἐ[ν τῷ θεάτρῳ [κυρίᾳ] στρατηγῶν παραγγειλάντων]
7. *IG II²* 838.3–7 (226/5): Μεταγεινιῶνος ἐνάτ[η] καὶ δεκάτῃ δευτέρῃ ἐμβολίμῳ, εἰκοστῇ τῆς πρυτανείας· ἐκκλησίᾳ ἐν τῷ θεάτρῳ [συγκλητος] κατὰ ψήφισμα ὃ ... σίας Θεορίκιος εἶπεν]
8. *IG II²* 945.5–6 (168/7): Σκιοφοριῶνος ἐνεὶ καὶ νέαι, μίαι καὶ τριακοστῆ τῆς πρυτανείας· ἐκκλησίᾳ σύγκλητος ἐν τῷ θεάτρῳ κατὰ ψήφισμα ὃ Ἄρισ[τ - - -] Σημαχίδης εἶπεν

There is one more decree to discuss in this context, *Agora XVI* 291, an honorary decree for Kalliphanes who brought news of the battle of Pydna in 168. It was passed on the last day of Skirophorion = Pryt. XII 29, i.e. on the same day as *IG II²* 911 (no. 5 above). In *IG II²* 911 this meeting of the assembly is recorded as an *ekklesia synkletos*, but in *Agora XVI* 291 the naked term *ekklesia* is used to describe the same meeting. I infer that since both decrees we passed in the same meeting of the Assembly, it was optional in the preamble to record whether or not a meeting of the *ekklesia* was *synkletos*.⁵⁶

Re 1–3: Although the term *synkletos* is applied to the *boule* and not directly to the *ekklesia*, it seems reasonable to infer that in these cases a *boule synkletos* convened by the *strategoí* was followed by an *ekklesia synkletos* opened later in the day.⁵⁷ In an emergency the *strategoí* had to convene the *boule* to pass a *probouleuma*, either an open one (*Agora XV* 167.6) or a concrete one (*IG II²* 897.7–8), which later was placed before the *demos*. The obvious

⁵⁶ Pointed out to me by Christian Habicht, see Hansen (1989) 191 and C. Habicht, "Athens and the Attalids in the Second Century B.C.," *Hesperia* 59 (1990) 561–577, at 570 n.45. Tracy (1988) 187 n.2 notes that the prescript of *Agora XVI* 291 is unusual. Harris (2006) 112 n.42 does not take into account that the *ekklesia* held on the last day of 169/8 was the meeting in which the Roman victory at Pydna was reported.

⁵⁷ For a full account, see Hansen (1983) 75–77, questioned by Harris (2006) 98–99, countered by Hansen (1989) 188–190.

parallel is the meeting first of the *boule* and then of the *demos* held in the autumn of 339 after Philip's capture of Elateia. In this case too the *prytaneis* seem to act on the orders of the *strategoï* (Dem. 18.169).

Re 4–6: As in 1–3 the *strategoï* are involved but without any mention of the *boule*. Here the formula is just *ekklesia synkletos strategon parageilanton*. I can think of two explanations of why the *boule* goes unmentioned: either the *ekklesia* was in fact preceded by a meeting of the *boule* which, however, is passed over in silence in the preamble, or the *strategoï* had a meeting of the *ekklesia* convened without any previous meeting of the *boule*, perhaps because the *boule* had already passed the necessary *probouleuma* in its ordinary meeting held on the previous day in the afternoon.

Re 7–8: The calling of an *ekklesia synkletos* is authorised by a decree. I suggest that a parallel is the peace negotiations in the spring of 346 when the *ekklesiai* held on Elaph. 8 and 18–19 were convened in accordance with decrees proposed and carried by Demosthenes, see 278–279 above.

Were these decrees passed in an extra meeting, i.e. “a meeting for which there was no previously set agenda, as opposed to ‘ordinary’ meetings for which the agenda contained certain items that had to be discussed”?⁵⁸ Or, as I suppose, were they at least in most cases passed in one of the three “ordinary” meetings summoned in a special way to deal with some urgent matter and, in addition, with the other items regularly on the agenda for that meeting? To answer these questions we must study (a) the contents of the decrees, (b) the type of meeting in which they are passed, and (c) the date of that meeting.

Re (a): If we take a look at the contents it is remarkable that all the decrees attested as passed in an *ekklesia synkletos* are honorific decrees. Admittedly, most of the Athenian decrees we have preserved are honorary decrees because such decrees were inscribed on stone much more frequently than other types of decree.⁵⁹ Nevertheless, if, as Harris supposes, an *ekklesia synkletos* was convened to debate some urgent matter and no other

⁵⁸ Harris (2006) 99–100, cf. 92 and 118.

⁵⁹ See Hansen (1987) 110.

business was on the agenda one would not expect all the evidence we have to concern routine matters.

It may be objected that in these cases the honours were voted by the people in close connection with the urgent matter that had caused the holding of a meeting of the *ekklesia*. Thus, the *ekklesia synkletos* held in Skirophorion 168 (*IG II²* 911) was undoubtedly convened to debate what the Athenians should do after the Roman victory at Pydna. And it would be obvious during this meeting to vote honours for the person who brought the news of the victory (*Agora XVI* 291).

Harris first suggested a similar but less obvious reason for the passing of the honorary decrees *IG II²* 838 and 945⁶⁰ but is now inclined to believe that in some years an *ekklesia synkletos* held on the last day of the year had to deal with much business which the Athenians had not had the time to get through during an ordinary meeting held on the previous day.⁶¹ But there is no evidence that an *ekklesia synkletos* held on 30 Skirophorion was preceded by an *ekklesia* held on the previous day, either ordinarily or extraordinarily. I hold to my view that the epigraphical evidence of the Hellenistic period supports the conclusion that the Athenians, in addition to the urgent matter that was the reason for having an *ekklesia synkletos*, used such meetings to debate and vote on other matters, including routine business. The most obvious case is the decree *I.Délos* 1507.37–54. It is a mere ratification by the Athenian *ekklesia* of some honours conferred by the Delian klerouchs on some of their own officials. A parallel of the Classical period is the *ekklesia* held on 18 Elaph. 346, in my opinion an *ekklesia synkletos* (280 above). In this meeting the Athenians debated first three items of sacred business, then a debt to the Bosporan princes, and only then what had caused the summoning of this meeting: the peace with Philip.

Re (b): To have an *ekklesia kyria synkletos* would be impossible if, as Harris assumes, there was a sharp distinction between *ekklesiai synkletoi* and ordinary *ekklesiai* of which in every prytany one was an *ekklesia kyria*. Yet, on my interpretation of the re-

⁶⁰ Harris (1986) 376 = (2006) 100, countered by Hansen (1989) 190–191.

⁶¹ Harris (2006) 112 n.42.

lation between *boule* and *ekklesia* in 1–3 above, the first two decrees were passed in an *ekklesia kyria synkletos*, and the third in an *ekklesia archairesiai synkletos*.

Second, direct evidence of an *ekklesia kyria synkletos* is provided by *I.Délos* 1507.40 (no. 6 above), if we accept the restoration [κυρί]α suggested by Tracy (1988) 187–188 instead of the impossible reading [μετ]ᾶ? suggested by the editor.

Third, meetings of the *ekklesia* are particularly well attested for the twelfth prytany of the year 303/2. Three different *ekklesiai* are attested: (1) an *ekklesia kyria* held on Skirophorion [6] = Pryt. XII [8] (*IG* II² 498 + add. p.661); (2) an *ekklesia kyria* held on Skirophorion 21 = Pryt. XII 23 (*IG* II² 493, 494); (3) an *ekklesia* held on Skirophorion 30 = Pryt. XII 31 (*IG* II² 495, 496, 497). The first and the second of these meetings are each an *ekklesia kyria*.⁶² Admittedly, the text of *IG* II² 498 is restored, but in my opinion convincingly.⁶³ Furthermore, no matter how one restores the date of this meeting, there can be no doubt that it was the first of the three attested meetings. But the epigraphical evidence shows that the *ekklesia kyria* was hardly ever the first *ekklesia* to be held in a prytany. Finally, as Harris has shown (2006) 106, there is no other attestation of a meeting of the Assembly held on the sixth day of the month. Rhodes (1995) 191 sees the two *ekklesiai kyriai* as “perhaps an exceptional measure to provide an extra *ekklesia kyria* in the last few days of the year.” If so, it must have been an *ekklesia kyria synkletos*, but we still have to decide whether the second *ekklesia kyria* was an extra—fourth—meeting or an ordinary *ekklesia* which had been converted into an extra *ekklesia kyria*.

Fourth, it was exceptional to have a meeting of the *ekklesia* on a festival day and it seems to have happened only in an emergency.⁶⁴ I believe that meetings held on festival days must have

⁶² Cf. Hansen (1989) 189 n.33 and Pritchett (2001) 219–220.

⁶³ *IG* II² 498.5–6: [τῆς πρυτανείας· ἐκκλησία κυρί]α· τῶν προέδρων... In all preserved decrees the type of meeting is the only piece of information that can be placed between the prytany date and the *proedroi*, and no other restoration fits the available spaces.

⁶⁴ J. D. Mikalson, *The Sacred and Civil Calendar of the Athenian Year* (Princeton 1975) 186–193.

been *ekklesiai synkletoi*, and since several of the *ekklesiai* held on festival days were *ekklesiai kyriai*,⁶⁵ I infer that these meetings were *ekklesiai kyriai synkletoi*.

Re (c): The dates of the meetings shed light on the difference between an *ekklesia synkletos* and an ordinary meeting. As Harris has demonstrated, the Athenians would regularly hold the first of their ordinary meetings of the *ekklesia* on the 11th day of the month, the second on a day around the 20th, and the third on the last day of the month (29th or 30th). Deviations from this schedule were caused by, for example, coincidence of festivals with meeting days of the assembly. Thus, in Pyanopsion the 11th and the 30th were festival days and accordingly in this month meetings of the *ekklesia* would normally fall on other days. Another limitation was in intercalary years to match months with prytanies. Now, two of the *ekklesiai synkletoi* listed above fell on the 11th (nos. 1–2), and three on the last day of the month, either the 29th or the 30th (nos. 3, 5, 8).⁶⁶ If the *ekklesia synkletos* was an extra meeting we should expect such a meeting to fall on a day that was not stipulated for an ordinary meeting, and that applies to only one of the meetings listed above, *I.Délos* 1507, held on the 28th of Anthesterion. The others were probably ordinary *ekklesiai* that for some reason had been summoned as *ekklesiai synkletoi*.

A particularly interesting *ekklesia* in this context is the meeting held on 30 Skirophorion 169/8. We know that this meeting was an *ekklesia synkletos* convened on the orders of the *strategoí* (*IG* II² 911, no. 5 above). We know that the occasion was the news of the Roman victory at Pydna a few days earlier (*Agora* XVI 291). In his commentary on this inscription Woodhead writes

⁶⁵ *IG* II² 359 is a decree of 326/5 passed in an *ekklesia kyria* held on the eighth day of the month, a festival day in all twelve months, see Hansen (1989) 187–188 and Harris (2006) 114 n.45. Attestations of the Hellenistic period are *IG* II² 644, 672, 775, and 1006, cf. Hansen (1983) 78. Harris (2006) 98 takes *ekklesiai kyriai* held on festival days to be “ordinary” meetings.

⁶⁶ *Agora* XVI 289 (no. 4) is too fragmentary to be adduced in this context and *IG* II² 838 testifies to a meeting held on Metageitnion 22, intercalated the second time, cf. Pritchett (2001) 6. Harris (2006) 98–99 takes 1–3 to be evidence of a *boule synkletos* followed by an ordinary meeting of the *ekklesia*, see 298 with n.57 above.

(*Agora XVI* p.409):

The present situation was unexpected and exciting; the generals had received the news and called the people together *extra ordinam*. The final, regular assembly of the prytany had, it must be concluded, already taken place. This text was not among the inscriptions discussed by E. M. Harris ... in his refutation of Hansen's arguments, but its data supports his contentions.

However, what we know about fixed days of meetings points to the opposite conclusion, cf. Mikalson (1975) 181:

From the ten meetings attested for Skirophorion 30, more than twice as many as attested for any other day of the year, we may infer that there was a meeting of the *ekklesia* on Skirophorion 30 every year. This is also indicated by the fact that no meeting is attested for Skirophorion 29. The *ekklesia* would rarely meet two days in succession, and if it regularly met on Skirophorion 30, one would not expect to find meetings dated to Skirophorion 29.

Mikalson's observation strongly indicates that it was mandatory to hold the last *ekklesia* of the year on the last day of Skirophorion, just as is was mandatory to hold the first meeting of the *ekklesia* on Hekatombaion 11. But in that case the *ekklesia* held on 30 Skirophorion 169/8 cannot have been an extra meeting. It must have been the last of the three ordinary meetings of the twelfth prytany, held, as always, on the last day of the year. Yet it was an *ekklesia synkletos*. According to my understanding of the term *synkletos* there must have been something special about the way the meeting was summoned. We do not know what it was, but we can guess. The meeting was held in the Piraeus, and that was where *ekklesiai* were held when naval matters were on the agenda.⁶⁷ Because of the new military situation after the Roman victory at Pydna, the *strategoi* may have interfered with the regular schedule; they may have ordered that a new item be added to the agenda and that the last *ekklesia* of the year be transferred from the theatre to the Piraeus, the appropriate meeting place for discussing naval matters.

Something similar seems to have happened the next year (*IG*

⁶⁷ Hansen (1987) 14 with n.109.

II² 945.5–6, no. 8 above) when, for some reason unknown to us, Arist[- -] of Semachidai proposed and carried a decree (of the *boule* or the *ekklesia*) that turned the last meeting of the year, to be held on the last day of Skirophorion, into a special meeting, i.e. an *ekklesia synkletos*, and not one summoned by the *prytaneis* on their own initiative.

IV. Conclusion

According to Harris an *ekklesia synkletos* was an extra meeting which did not have any fixed items on the agenda as opposed to the “ordinary” meetings which in the Classical period followed the agendas described in *Ath. Pol.* 43.4–6 and probably had similar agendas in the Hellenistic period. *Ekklesiai synkletoni* were sharply divided from ordinary meetings and, in Harris’s view, the Athenians can never have held an *ekklesia kyria synkletos*. Since an *ekklesia kyria* was sometimes convened on a festival day he believes that such a meeting was not an *ekklesia synkletos* but an ordinary meeting summoned in an emergency.

My view differs from that of Harris in two respects: (1) the Athenians could use an *ekklesia synkletos* to debate other matters than the issue which had caused the summoning of the meeting and there is nothing strange about having an *ekklesia kyria synkletos*. (2) An *ekklesia synkletos* was a meeting extraordinarily convened but not necessarily an extra meeting. An “ordinary” *ekklesia* was convened by the *prytaneis* on their own initiative and at four days’ notice. An *ekklesia* became *synkletos* if it was summoned otherwise, viz. at short notice and/or scheduled for a festival day, and/or prescribed by a decree of the *boule* or the *demos* passed in a previous meeting, and/or as an extra meeting. I distinguish the period of ten *phylai* from the period of twelve *phylai*. I believe that there was a bar on the number of *ekklesiai* in the second half of the fourth century. But the reform of 307/6 may have provided for *ekklesiai synkletoni* to be held as extra meetings in addition to the ordinary meetings.

In the period of twelve *phylai* the Athenians convened three *ekklesiai* per prytany = 36 in a year. In the period of ten *phylai* they convened four *ekklesiai* per prytany = 40 in a year. The reduction of the number of meetings from 40 to 36 may have entailed that more meetings could be summoned in the course of a year if necessary. Such a meeting would, of course, be an

ekklesia synkletos; and it may be such meetings the scholiasts have in mind when they refer to a system of three ordinary meetings per month (read: prytany) and *ekklesiai synkletoni* as extra meetings.

Whether extra meetings could be held constitutionally in the period of ten *phylai* depends on how one interpretes Demosthenes' remark at 19.154 that the *ekklesiai* were used up late in the eighth prytany of 347/6. Harris and MacDowell believe that it was routine business to have an extra meeting summoned if necessary. I take the passage to mean that there was a bar on the number of meetings, and that the system did not allow to have more than four meetings per prytany. The system described at Arist. *Ath. Pol.* 43.4–6 is probably a reaction to a previous system according to which there was no limit on the number of meetings and the *ekklesia* frequently acted as a court in political trials. But ca. 355 there was a major reform. Partly for economic and partly for constitutional reasons the *ekklesia* was deprived of the right to hear political trials. By the same reform the Athenians may have fixed a maximum number of meetings per prytany.⁶⁸ But what did the Athenians do if in an emergency they had to convene an extra meeting? My answer is—as it was in 1977—that in such a case the Athenians would, of course, have broken their own rules and called an extra meeting as all peoples have always done and still do. We have no explicit evidence of such an extra meeting. If 347/6 was an intercalary year and if the *ekklesiai* held on Elaph. 18 and 19 count as two of the four meetings per prytany convened by the *prytaneis*, one of the meetings held in Elaphebolion 346 may have been such an extra *ekklesia synkletos*. In the twelfth prytany of 303/2 the second *ekklesia kyria* may have been an extra meeting. We do not know, but it would not surprise me if one day we recover explicit evidence of an *ekklesia synkletos* which did take place as an extra meeting. As the evidence stands, we have only the late lexicographical notes which purport to describe the system as it was in the Hellenistic period.

⁶⁸ Hansen (1987) 22–24.

Addendum

In “Athenian State Laws and Decrees 352/1–322/1: III Decrees Honouring Foreigners,” *ZPE* 158 (2006) 137 n.108, Stephen Lambert states that “The scheduling of Assemblies in Elaphebolion 346 seems to confirm that at this period the special Assembly was not normally available for discussion of ordinary political matters or for honours for foreigners not related to the Dionysia,” citing Lewis (1955) 25–26, Rhodes-Osborne, *GHI* 64 with pp.322–323.

Now, following Lewis, Rhodes-Osborne assume that the dates of the meetings to be held on 18 and 19 Elaphebolion were fixed at the meeting of the Assembly held on 8 Elaphebolion. But Rhodes (1972) followed by Harris (1995) argued—persuasively in my opinion (cf. n.19 above)—that the *ekklesiai* on 18 and 19 Elaphebolion were stipulated by a decree of the *boule* passed after the Macedonian envoys had arrived, i.e. later than 8 Elaphebolion. The inference is that *IG* II² 212 must have been passed in a meeting of the *ekklesia* held after 8 Elaphebolion and the only one available is the meeting after the Dionysia, see n.21 above.

It is true that at *IG* II² 212.56–57 the forthcoming *ekklesia*—in which the honours for the Bosporan princes are to be debated once again—is referred to with the phrase ἐν τῷ δήμῳ [τῆι ὄγ]δοῆι ἐπὶ δέξα and not with the usual formula εἰς τὴν πρώτην ἐκκλησίαν. But the explanation need not be the one suggested by Rhodes-Osborne, i.e. that another meeting would intervene—that after the Dionysia—before the meetings to be held on the 18th and 19th. It may be (a) that in this exceptional case it was known when the next *ekklesia* would take place, viz. on 18 and 19 Elaphebolion, and (b) perhaps it was important to specify that the debate on the honours for Bosporan princes had to take place on the 18th and not on the 19th, cf. 276–277 above.⁶⁹

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