

A DECREE FOR KOAN JUDGES *

Among the decrees of foreign states honoring Koan judges, found more than a century ago by Herzog, but only recently published by Charles Crowther,¹ there is one sent by an unidentified Ionian city, dating to the first half or middle of the second century BC.² Preserved are the remains of 24 lines; they are “the conclusion of an honorific decree of an unidentified city granting citizenship (4) to judges sent from Kos (6–7) and providing for the choice of an ambassador to Kos to deliver a copy of the decree to the Koans (7–9) and invite them to accept, proclaim and inscribe the honours awarded to them and their judges (12–20), and to maintain and strengthen their ties of friendship with the city (20–22). Two concluding clauses assign the decree to a privileged class of public business (22–23) and record the identity of the envoy sent to Kos”.³

Attempts to identify the city issuing this decree have remained inconclusive. Both Herzog (in his unpublished notes) and Crowther focused mainly on Erythrai and Chios. Herzog was inclined to ascribe it to Erythrai, whereas Crowther, while admitting this as a possibility, seems to favor Chios. In what follows, another suggestion will be proposed.

Crowther correctly stresses that the wording “suggests a particularly close relationship between the Koans and the city which received their judges”.⁴ Not even these words indicating a strong bond between the two states have allowed for an identification, nor can I contribute

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¹ C. Crowther, “Koan Decrees for Foreign Judges”, *Chiron* 29 (1999) 251–320, nos. 1–11, as part IV of the series “Aus der Arbeit der *Inscriptiones Graecae*”. A more precise title would have been “Decrees for Foreign Judges Found at Kos”, since all eleven documents are decrees of foreign states and not of Kos. The contents of Crowther’s paper attest to his undisputed mastery in all questions concerning the institution and use of foreign judges.

² Crowther, *op. cit.*, 279–284, no. 7, and fig. 11.

³ Crowther, *op. cit.*, 281.

⁴ Crowther, *op. cit.*, 283. The Koans are called “relatives and [friends and well-disposed] and allies”, lines 13–14.

any helpful suggestion based upon them (but see at the end of this paper). The *syngeneia*, in any event, was one between a Dorian and an Ionian city and is, for that reason, not easily identified.

There remain the two concluding clauses. The first says [τὸ δὲ] ψήφισμα τόδε ἀφήκειν εἰς φυλακὴν.⁵ Similar, but not quite identical provisions are found in decrees of both Erythrai and Chios and an identical formulation once in a Chian text.⁶ Crowther concludes, correctly in my opinion: “General similarities of this kind, however, are insufficient to provide a reliable index of identity”. We still are at an impasse. There remains the name of the chosen ambassador, lines 23–24: πρ[ε]σ[βε]υτῆς] ἡρέθ[η] v. v. Ἀρίστ[αν]δρος] Ἀπολλ[---]. This was read by Herzog.⁷ If correct, the name seems to provide the clue to the identity of the ambassador’s city which issued the decree for Kos and Koan judges: Kyzikos. A man with these names served as eponymous *hipparch* of Kyzikos when the city received a decree of Rhodes dated by the Rhodian eponym Aratophanes.⁸ Aratophanes has been dated to one of the years between 169 to 167, due to his appearance on stamped amphora handles from his year as eponym.⁹ The year, in which Aristandros served as the eponym of Kyzikos, is hereby also dated to one of these years during or shortly after the end of the war of the Romans against King Perseus. The name Aristandros occurs several times in a leading family at Kyzikos, for instance, in the same combination of name and patronymic, for a

⁵ I have omitted to indicate dotted letters. ἀφήκειν, instead of Herzog’s suggestion of ἀνήκειν, has been confirmed by Klaus Hallof from the squeeze at the *Inscriptiones Graecae* and is also guaranteed by the numerous parallels in Gschnitzer’s list of similar expressions, “Zur Normenhierarchie im öffentlichen Recht der Griechen”, *Pantheios* (Athen 1981) 161–162, nos. 23–26.

⁶ See Crowther’s discussion, 283–284; the identical text from Chios is *FD III* 3, 215, 38: [τὸ δὲ ψήφισμα τόδε]ε ἀφήκειν εἰς φυλακὴν.

⁷ Crowther notes in his *app. crit.*: “the reading of the ambassador’s patronymic does not look altogether secure on the Berlin squeeze”. He does not doubt the reading of the ambassador’s individual name and his doubts concerning the patronymic refer only to the squeeze and not to the stone which Herzog, one would assume, must have copied.

⁸ *SGDI* 3752 found at Kyzikos: ἐπὶ Ἀριστάνδρου τοῦ [Ἀπ]ολλοφ[άνου] in line 1. In line 3 follows: ψηφίσματα παρὰ Ῥοδίων· ἐπ’ ἱερέως Ἀρατοφάνεως.

⁹ G. Finkielsztein, *Chronologie détaillée et révisée des éponymes amphoriques rhodiens de 270 à 108 av. J.-C. environ* (Oxford 2001) 192. The eponym is Aratophanes I. See also my paper “Rhodian Amphora Stamps and Rhodian Eponyms”, *REA* 105 (2003) 543–546 and 552. More in a forthcoming paper “The City of Kyzikos, Client of Oracles”, section 1.

man responsible for an honorific decree of Kyzikos in the first century BC,¹⁰ and in the inverted combination, Apollophanes Ar[istandrou], as eponym in a list of names from the gymnasium at Kyzikos, in which also Aristandros Apollophanous, obviously the son of this eponym, is mentioned.¹¹ This list belongs, as Robert has stated (and illuminated by his plate XXXVIII 2), to the second century BC. It is obviously one generation earlier or later than the Rhodian decree received at Kyzikos in the year of Aristandros.

The repeated occurrence of the name Aristandros in combination with Apollophanes at Kyzikos strengthens the confidence that Herzog's reading of the name and the patronymic of the ambassador to Kos in Crowther's decree no. 7, lines 23–24, was, after all, correct. The “unidentified Ionian city” turns out to be Kyzikos. This is furthermore corroborated by the fact that a variation of the clause τὸ δὲ ψήφισμα τόδε ἀφήκειν εἰς φυλακὴν is twice attested among the (still very small) number of decrees of Kyzikos, first in an hellenistic document in the form τὸ [δὲ] ψήφισμα [εἶναι περὶ τῆς σ]ωτηρίας τῆς πόλεως,¹² second in a decree of the first century AD as [τὸ δὲ ψήφισμα] εἶναι περὶ φυλακῆς [τῆς πόλεως].¹³

Finally, the clause calling the Koans συγγενεῖς καὶ [φίλοι καὶ εὔνοους]¹⁴ καὶ σύμμαχοι ὑπάρχοντες resembles very closely the clause of the Rhodian decree for Kyzikos, calling the Kyzikenians φίλοι καὶ εὔνοι καὶ σύμμαχοι ὑπάρχοντες τῷ δάμῳ. It follows that between Kyzikos and Rhodes around 168 BC existed the same strong bond that united at that same time¹⁵ Kyzikos and Kos. It is a bond between an Ionian and two Dorian cities. Both Rhodes and Kos had, half a century ago, successfully supported the city of Sinope against the attack of the Pontic king Mithridates II¹⁶ and both stood fifty years later, while not unanimously, still with the majority of their citizens, by

¹⁰ Michel, *Recueil* 537, 2–3. The parallel decree, no. 538, was introduced by his brother, Apollonios Apollophanou.

¹¹ L. Robert, *Etudes anatoliennes* (Paris 1937) 199–200, line 3 for the eponym, line 11 for his son.

¹² *AM* 9 (1884), 28 ff., line 22; Gschnitzer (n. 5) 162, no. 34.

¹³ *SEG* 28, 953, lines 87–88; Gschnitzer, *l. c.*, no. 35.

¹⁴ Not εὔνοι: see L. Threatte, *The Grammar of Attic Inscriptions* II (Berlin–New York 1996) 289–290.

¹⁵ “First half or middle of the second century BC” says Crowther (n. 1) 279.

¹⁶ Polybius 4, 56, 1–9 for Rhodes; *Chiron* 28 (1998) 137–140, no. 21, for Kos.

the side of the Romans against King Perseus of Macedon. All of this, in my opinion, confirms the conclusion that the “unidentified Ionian city” of Crowther’s decree no. 7 was none other than Kyzikos.

Christian Habicht
Princeton, New Jersey

В статье доказывается, что ионийский город, издавший в первой половине или середине I в. до н. э. недавно опубликованный декрет в честь судей с Коса (см. прим. 2),— это, очевидно, Кизик. Посол Ἀρίστῆ[δος] Ἀπολλ[- -], отправленный этим городом в Кос, носит то же имя, что гиппарх-эпоним Кизика между 169 и 167 г., в семье которого комбинация имен Аристандр и Аполлофан не раз повторялась. К тому же в документах Кизика можно найти аналогии заключительной формуле декрета в честь косских судей, а наши сведения об исторической ситуации говорят о вероятности союза между Кизиком и Косом в данный период.