

Review

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Marktbezogene Gesetzgebung im späthellenistischen Athen – der Volksbeschluss über Masse und Gewichte. Eine epigraphische und rechtshistorische Untersuchung. [Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte, 113.] By Mariagrazia Rizzi. Munich: C. H. Beck. 2017. ix + 182 pp. ISBN 978-3-406-70910-4.

Among the epigraphic sources of late Hellenism, the decree on measures and weights *Athenis in domo abbatiss Parhenii* stands out for its capital importance for the knowledge of the legal and economic history of Athens. In this work, the various sections of this decree are analyzed from a predominantly historical-legal perspective. According to the author's Foreword, this work appears after a long period devoted to the study of the ancient history of legal epigraphy, with special attention given to the economic and commercial legislation of ancient law.¹ This dense monograph appears in the prestigious *Münchener Beiträge zur Papyrusforschung und Antiken Rechtsgeschichte* collection; at the Leopold Wenger Institute of the University of Munich, Professor Rizzi surely found the essential materials for the achievement of this scholarly research.

We owe the knowledge of this historic decree to Michel Fourmont, who discovered it in an inscription on the stone of the Athenian Acropolis, in 1729. Its discovery took place within the framework of an expedition led by Louis XV himself and his minister, the Count of Maurepas, intended for the collection of Eastern and Greek manuscripts of the Ottoman Empire. The ex-

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¹ Prof. Mariagrazia Rizzi is a recognized specialist in the history of ancient law; some of her previous works are *Imperator cognoscens decrevit: profili e contenuti dell'attività giudiziaria imperiale in età classica* (Milan 2012), and *Legislazione di mercato ad Atene attraverso la documentazione epigrafica dalla fine dell'età ellenistica all'epoca imperiale* (Rome 2016).

plorers, members of the *Académie Royale des Inscriptions et Belles-Lettres*, gave attention to the recovery of Greek inscriptions. Bekker made a copy of the Fourmont manuscript in Paris and, on that basis, the first editions of the decree were made by Böckh, first in his *Oeconomia Civitatis Atheniensium* (1817), and later in the first volume of the *Corpus Inscriptionum Graecarum* (1828). In 1934, within the framework of the American excavations of the Athenian Agora, a new fragment of another copy of the same decree, published by Meritt in 1938, appeared.²

The decree contains substantial provisions relating to the rules of measurement and weight in the market (*Markmassen und -gewichten*), rules on procedure and jurisdiction, as well as a whole set of sanctions for the diversity of cases that make the decree an instrument of extraordinary value for the legal history of antiquity.

It is surprising, however, that the decree has received little attention, despite being, in Fournier's words, "d'une importance capitale pour l'histoire politique et économique d'Athènes à la fin du IIe siècle av. J.-C."³ Indeed, there are few works of substance devoted to this *Volksbeschluss*, and notably no monograph-length treatments through the particular prism of law and history, despite being first and foremost, as the author states, "ein juristisches Dokument, ein Rechtstext, und verdient es, als solcher untersucht und analysiert zu werden." Considering the small number of documents of this legal nature from this time, the task of proper legal examination seems necessary.

Professor Rizzi opens her research with the presentation of a new edition of the decree, in an original translation attentive to the legal data (Chapter I). Then, she analyzes in detail the various legal themes regulated in this decree: process and sanctions (Chapter II), public employees' duties (*Beamten*) (Chapter III), metrological reforms (Chapter IV), public provisions on measures and weights, obligations of the state slave (Chapter V), and fraudulent actions contrary to the recognized measures and weights, together with other provisions (Chapter VI). It is interesting to highlight the incorporation made by the author of new discoveries in the reconstruction of the decree, such as the laws of currency (375/374 BC),

² See H. Omont, *Missions archéologiques françaises en Orient aux XVIIe et XVIIIe siècles* (Paris 1902); C. Doyen, "An Athenian Decree Revisited," *Center for Hellenic Studies Research Bulletin*, 4/1 (2015).

³ J. Fournier, *Entre tutelle romaine et autonomie civique. L'administration judiciaire dans les provinces hellénophones de l'empire romain* (129 av. J.-C. – 235 ap. J.-C.) (Athens 2010), 150.

published in 1974 and missing in most editions of the decree made to this date. The work closes organically with a final chapter (VII), where the possible reasons for the enactment of the decree are explored, accompanied by a hypothesis as to date. The whole is preceded by an introduction giving a detailed account of the specialized literature dealing with the decree to date.⁴

The first part of the decree undoubtedly offers the most interpretative problems, mainly due to its weak state of conservation, as the first lines of the text are missing.⁵ This is the portion of the decree to which more attention has traditionally been given, and diverse readings have provoked contradictory conclusions on certain structural points of the decree. In answer to these contradictory conclusions the author offers (pp. 26–72), from the few words available for interpretation, an analysis of the purpose of these first lines in relation to the general function of the decree. One appreciates the constant dialogue the author maintains with the existing bibliographic apparatus, especially with the classical translation and comment made by Oskar Viedebatt,⁶ while attending also to the available epigraphic sources.

It is also worth mentioning the careful attention paid to the metrological and monetary reform introduced by the decree (pp. 91–107). Professor Rizzi's work gives us valuable information about metrological criteria and commercial organization in Athens during the Hellenistic period. The decree established the obligations of the magistrates: they had to make available instruments conforming to the metrological rules, without the possibility of altering these measurement standards. They also set the duties and sanctions established for that purpose; these depended on the nature of the offense and the social status of the person who committed it.

After closing the detailed analysis of the passages on weight and measure, the author devotes her attention to two final

⁴ Among others see B. Keil, *Beiträge zur Geschichte des Areopags* (Leipzig 1920); J. H. Lipsius, *Das attische Recht und Rechtsverfahren*, 1–3 (Leipzig 1905–1915); M. Lang and M. Crosby, *The Athenian Agora: Results of Excavations Conducted by the American School of Classical Studies at Athens*, 10 [Weights, Measures and Tokens] (Princeton 1964); D. J. Geagan, *The Athenian Constitution after Sulla* (Princeton 1967). In greater detail on the aspects of measurement and weight in the decree are M. Guarducci, *Epigrafia greca*, 2 [Epigrafi di carattere pubblico] (Rome 1969); S. Grimaudo, *Misurare e pesare nella Grecia antica. Teoria, storia, ideologie* (Palermo 1998).

⁵ See already E. S. Roberts and E. A. Gardner, *An Introduction to Greek Epigraphy*, 2 [The Inscriptions of Attica] (Cambridge 1905), 171 n. 64.

⁶ “Der athenische Volksbeschluss über Mass und Gewicht,” *Hermes*, 51 (1916), 120–44.

questions, transcending the specific content of the decree: the problems related to its dating and the reasons for its publication, both questions linked under traditional doctrine to the Roman influence exerted on the Athens of the time (pp. 154–63). The analysis of the issue is carried out from various approaches, such as the metrological reform itself (pp. 158–60), the improvement of commercial relations between Rome and Athens, or the oligarchic revolution that the city experienced in the years 103/102 BC (pp. 160–61). To be commended is the way the author, in addressing these issues, draws on the decree's legal content, thus going beyond the traditional socio-historical analysis.

Rizzi's examination of the decree is therefore first and foremost legal, and this is an essential aspect of the work, since a proper legal analysis has been lacking until now. This is not, however, to ignore those other social factors that define the institutes and procedures examined here: the Athens of the time is brilliantly portrayed.

The work closes with a rigorous index of literary sources and epigraphic inscriptions.
