

Zeitschrift: Museum Helveticum : schweizerische Zeitschrift für klassische Altertumswissenschaft = Revue suisse pour l'étude de l'antiquité classique = Rivista svizzera di filologia classica

Herausgeber: Schweizerische Vereinigung für Altertumswissenschaft

Band: 64 (2007)

Heft: 2

Artikel: Fishless mysteries or high prices at Athens? Re-examining IG II 1103

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DOI: <https://doi.org/10.5169/seals-49504>

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Fishless Mysteries or High Prices at Athens? Re-examining *IG II² 1103*

By Ephraim Lytle, Toronto

Abstract: The letter partially preserved in *IG II² 1103* has been interpreted as an attempt by Hadrian to alleviate shortages at Eleusis during the Mysteries. This article argues that the surviving clauses can be better understood as having formed part of a comprehensive measure intended to address not only shortages at Eleusis but also the underlying problem of high prices at Athens. In eliminating middlemen and perhaps waiving certain nominal port fees Hadrian hopes to lower prices by encouraging additional fishermen to deliver their catches directly to Piraeus. He appears to stop short, however, of waiving customs duties on fish in Piraeus, unlike at Eleusis, probably because these duties contributed considerable revenues to the fisc. Finally, there is little reason to believe that Hadrian is concerned specifically with the Mysteries. *IG II² 1103* intends primarily to regulate prices and should be included in a growing list of similar ancient measures motivated more by civic rather than religious concerns.

IG II² 1103 preserves a fragmentary letter to Athens. The inscription survives in two pieces. One was discovered in Piraeus and published by Curtius in 1870.¹ A second found its way to Tenos, where it was eventually discovered built into the wall of the Stavrodakhe church and published by Latschew in 1883.² Wilhelm recognized that the two fragments joined, and demonstrated that the letter was probably composed by Hadrian.³ Graindor introduced the notion that Hadrian's epistle was concerned chiefly with shortages of fish in Eleusis when the city was crowded with visitors to the Mysteries.⁴ Oliver concurred, interpreting all of the letter's surviving clauses in the context of Eleusis, and subsequent scholars have followed suit.⁵ I argue that the prevailing interpretation rests on a number of questionable assumptions, that

* I would like to thank Jim Sickinger, Kent Rigsby and especially Josh Sosin for corrections and suggestions.

1 Curtius, *Philologus* 29 (1870) 691–696.

2 Latschew, *BCH* 7 (1883) 250–251.

3 Wilhelm, *JÖAI* 12 (1909) 146–148. The lettering closely resembles other inscriptions more certainly Hadrianic, e.g. his Oil Law (*IG II² 1100*). Wilhelm's dating is, according to Oliver, *Greek Constitutions* 194, one "in which all subsequent students concur".

4 Graindor, *Athènes sous Hadrien* 127–129.

5 Oliver's interpretation is implicit in the title he gives the document: "Hadrian's Epistle about the Sale of Fish at Eleusis." Oliver is followed by, e.g., A. R. Birley, *Hadrian: The Restless Emperor* (London/New York 1997) 177; and M. T. Boatwright, *Hadrian and the Cities of the Roman Empire* (Princeton 2000) 90–91 (the inscription is not from Eleusis: cf. 90).

Hadrian was only incidentally concerned with shortages at Eleusis and that our inscription appears to preserve part of a comprehensive reform that has little to do with the Mysteries. It meant to address an underlying problem: the high price of fish at Athens.

Piraeus Museum inv. no. 91 + Tenos Museum inv. no. 141. C. Curtius, *Philologus* 29 (1870) 691–696; B. Latschew, “Inscriptions de Ténos”, *BCH* 7 (1883) 247–253, at 250–251; A. Wilhelm, “Inscripfen aus Erythrai und Chios”, *JÖAI* 12 (1909) 126–150, at 146–148 (photograph of Piraeus fragment at 146, fig. 64) [= *IG* II² 1103; F. F. Abbott and A. C. Johnson, *Municipal Administration in the Roman Empire* (Princeton 1926) no. 91]; P. Graindor, *Athènes sous Hadrien* (Cairo 1934) 127–129 [= H. W. Pleket, *Epigraphica*, Vol. I, *Texts on the Economic History of the Greek World (Textus Minores XXXI)* (Leiden 1964) no. 16; H. E. M. Smallwood, *Documents Illustrating the Principates of Nerva, Trajan and Hadrian* (Cambridge 1966) no. 444; F. Martín, *La documentación griega de la cancillería del emperador Adriano* (Pamplona 1982) no. 14]; J. H. Oliver, *Greek Constitutions of Early Roman Emperors from Inscriptions and Papyri* (Philadelphia 1989) no. 77. Date: AD 117–138.

[-----]
 1 [...]Λ[.]ει μετρη[σ -----]
 δὲ τὴν διοβελίαν [-----].α μηδὲ [----- τοῖς]
 δὲ ἐν Ἐλευσεῖνι ἀλιεῦσιν ἀτέλειαν ἰχθύ[ων εἶναι ὅταν ἐν Ἐλευ]-
 σεῖνι ἐν τῇ ἀγορᾷ πιπράσκωσιν, ὡς μὲν ἦ [εὐθενία, τὸ δὲ διὰ τὰ]
 5 εἰσαγωγία ὄφελος εἰς μέγα τι ἀπαντήση· τ[οὺς δὲ καπήλους]
 καὶ τοὺς παλινκαπηλεύοντας πεπαῦσθ[αι τῆς αἰσχροκερδίας]
 βούλομαι ἢ ἔνδειξιν αὐτῶν γείνεσθαι πρ[ὸς τ]ὸν κήρυκα τῆς ἐξ Ἄ-
 ρεῖου πάγου βουλῆς· τὸν δὲ εἰσάγειν εἰς το[ὺς Ἄ]ρεοπαγείτας, τοὺς δὲ
 τειμᾶν ὅ τι χρῆ παθεῖν ἢ ἀποτεῖσαι· πιπρασκέ[τω]σαν δὲ πάντα ἢ αὐτοὶ οἱ
 10 κομίζοντες ἢ οἱ πρῶτοι παρ' αὐτῶν ὠνού[με]νοι· τὸ δὲ καὶ τρίτους ὠ-
 νητὰς γεινομένους τῶν αὐτῶν ὠνίων με[τα]πιπράσκειν ἐπιτείνει
 τὰς τειμάς. ταύτην τὴν ἐπιστολὴν στήλῃ ἐ[ν]γράψαντες ἐν Πειραεῖ
 στήσατε πρὸ τοῦ Δείγματος. *vacat* Εὐτυχεῖτε.

vacat

Ἐπιμελητεύοντος τῆς πόλεως Ἰουλίου Ἡρωδιαν[οῦ] Κολλυτέως.

vacat

1–3: Wilhelm. 4: Graindor, ὡς μένη [εὐοφος?, ἀλλοῦ δὲ μή, ὡς? τὰ] Wilhelm, ἵνα τὸ διὰ τὰ] Wilamowitz (*IG* II² 1103). 5: Graindor, τ[οὺς δὲ ἰχθυοπώλας] Wilhelm. 6: Wilhelm.

[...] the two-obol fee [...] but not [...] but for the fishermen in Eleusis that there be an exemption from taxes on fish when they sell in the market in Eleusis, in order that on the one hand fish may be [abundant while on the other hand] the revenue

owing to the εἰσαγωγή may amount to something considerable. I also wish to stop [wholesalers] and retailers [from profiteering], or else that there be an indictment of them before the herald of the the council of the Areopagus. That one should bring the case before the Areopagites, who should determine precisely what punishment he must suffer or fine he must pay. And all goods should be sold either by those originally procuring them or else by those who first purchase from them. The appearance also of third-party buyers to resell the same goods increases prices. Inscribe this letter on a stele and place it before the Deigma in Piraeus. Farewell. [Erected] when T. Julius Herodian of Kollytos was epimelete of the city.

An important crux resides in lines 4–5; Oliver translates: “in order that there may be a good supply of food and that the aid through imports may amount to a lot.” Oliver interprets these clauses as relating solely to Eleusis. A μέν ... δέ construction need not always convey an oppositional sense, but Oliver’s translation, with the second clause amplifying the first, offers a certain redundancy that is not characteristic of Hadrian’s normally direct Greek.⁶ More troublesome is the construction of εἰσαγωγή. Oliver translates the entire phrase τὸ δὲ διὰ τὰ] εἰσαγωγή ὄφελος as “aid through imports”. Here Oliver’s English, although admittedly ambiguous, appears to equate εἰσαγωγή with ‘imported goods’.⁷ But εἰσαγωγίον is never otherwise attested in this sense.⁸ The word does not occur in any literary source, and in epigraphic sources it seems to mean either an ‘entrance-fee’ or an ‘import duty’, with the latter sense securely attested in a number of papyri.⁹ The

- 6 The brevity of Hadrian’s administrative prose has been noted before; see e.g. P. J. Alexander, “Letters and Speeches of the Emperor Hadrian”, *HSPH* 49 (1938) 141–177, at 149: “It is true that in some of his literary works he used a more rhetorical style; but the Emperor drew a sharp line between literature and administration. The conciseness of his speech even borders on roughness [...]”
- 7 As suggested by his commentary, which makes no mention of revenues from import duties. The term is similarly translated as “imports” by H. Fries, *Historische Inschriften zur römischen Kaiserzeit von Augustus bis Constantine* (Darmstadt 1984) no. 89: “[...] so daß verbleibt [... damit der] Gewinn [durch] / Importe beträchtlich ansteigt?”
- 8 A. Kocevalov argues, unconvincingly, that in *CIRB* 1134.7 (AD 174–211) the term [εἰσ]αγωγίον should simply mean ‘import’ (“die Einfuhr”); see “Beiträge zu den euxeinischen Inschriften”, *WJA* 3 (1948) 163–174, at 166–169. Kocevalov overlooks a number of ready parallels and more recent editors restore [ἐξ]αγωγίον. In *CIRB* 1134 the King appears to have supported the construction of a temple by the θέασος ναυκλήρων by contributing the export duty on a thousand artabas of wheat (ll.3–8): ... θέασος ναυκλήρων, / οἱ καὶ ποιήσαντες τὰ ἀγάλματα καὶ τὸν ναὸν ἐκ / θεμελίων ἀναστήσαντες, εἰς ἃ καὶ [ἐ]τείμησεν ὁ βα/σιλεὺς τὸν θεὸν καὶ τὴν θέασον [ἐξ]αγωγίον ἀρτα/βῶν χειλίων.
- 9 See LSJ, s.v. The entry in *DGE* is considerably more complete, but repeats a citation error found in *LSJ Rev. Supp.*: the reference to *SEG* XIV 639.E.9 (Caunus, 1st cent. AD) should surely refer to F.9, in which instance the term refers, as at F.6 (τῆς ῥητείν[ης ἐ]κάστου κεραμίου εἰσαγωγίον), to an import duty, and not, following LSJ and *LSJ Rev. Supp.*, to an ‘entrance fee’. The term is less commonly attested in the sense of ‘entrance fee’ (see *Syll.*³ 1106.51) and, as noted by Habicht, “normally mean[s] a customs-charge on imported [...] goods”: “New Evidence on the Province of Asia”, *JRS* 65 (1975) 64–91, at 89. So also in the papyri and ostraca, where the word occurs four times, in all cases referring specifically to an ‘import duty’. In *P.Hels.* I 36

meaning ‘import duties’ should apply here at Athens as well.¹⁰ In this case it is possible that something has gone wrong in the widely adopted restoration in the preceding line, ὡς μὲν ἦ [εὐθενία, τὸ δὲ διὰ τὰ]: if, in fact, there are no duties on fish at Eleusis, the state cannot have received any assistance from them.¹¹ But I think it is likelier that the restoration of Graindor and Wilamowitz is essentially correct and that the problem lies in how scholars have assumed the clauses to correspond, a problem reflected in Oliver’s translation.

I suggest that εἰσαγώγια should indeed refer to import duties and that ὄφελος, which almost always conveys a sense akin to ‘help’, ‘aid’, ‘assistance’, is here used with reference to civic finances. When the term appears in documents on stone and papyrus it inevitably denotes fiscal rather than alimentary benefit.¹² Hadrian uses ὄφελος in the same sense to refer to revenues accruing

(2nd cent. BC), a certain Herakleides has purchased the contract to collect various taxes, among them τὸ εἰσαγώγιον / τοῦ οἴνου (5–6), or an import duty on wine. In *P.Giss.Univ.* I 2 (Euhemeria, 2nd cent. BC), Aristarchus has purchased a contract to collect in his village the μαγειρική, a ‘butcher’s tax,’ as well as τὸ εἰσαγώγιον τῶν ὑικῶν ἱερειῶν (5–6), a duty on the import of sacrificial pigs. *P.Oxy.* XX 2272r.2 (Oxyrhynchus, 2nd cent. AD) contains an account of various expenditures, including an entry that refers to an import duty (65): τέλους εἰ[σα]γωγί[ο]υ τῶν α[ὐ]τῶν ξύλων ἀ[να]λημφθ[έντων] (δραχμαὶ) μ’. Finally, *O.Stras.* 258 (Apollonopolite Heptakomias, AD 146) records the monthly revenues from the local import and export duties (1): ... εἰσαγωγίου καὶ ἐξαγωγίου Ἀπολλωνοπολίτου ...

- 10 The term does not appear elsewhere at Athens in the Roman period. It does occur twice in the Hellenistic period: in *SEG* 33.115.26 (3rd c. BC) the term is used somewhat anomalously, see *DGE*, s.v. (“*sacrificios de entrada efectuados al asumir un cargo relig.*”); and in *Ath.Decr.* 306.13 (2nd c. BC) the term appears to refer to a fee charged to new members enrolling in a religious fraternity. Hadrian’s usage in *IG* II² 1103 appears to find a better analogy in the contemporary papyri, as *DGE* appears to recognize in correctly citing this inscription under the definition ‘*impuesto de importación*’. For similar use of the term in the plural, see *SEG* XXXVII 859.B.16: τὰ εἰσαγώγια καὶ τὰ ἐξαγώγια[τα].
- 11 See Graindor (1934), 127–9, where he proposes εὐθενία following Wilamowitz’s suggestion of ὡς μὲν ἦ [.....τὸ δὲ διὰ τὰ]. Wilhelm’s proposed restoration, ὡς μένη [εὐθοπος?, ἀλλοῦ δὲ μή, ὡς? τὰ] is dismissed by Wilamowitz as ungrammatical. But it appears to be an attempt to preserve the commonly attested sense for εἰσαγώγια. Wilhelm wishes the clause to specify that fishermen will be tax-exempt in Eleusis to encourage supply, “but not elsewhere, in order that the import duties [...]”.
- 12 I find the term in the papyri only nine times in the first three centuries A.D. In two of those instances it is used to refer specifically to the state treasury. *P.Oxy.* I 58 (Oxyrhynchus, AD 288) is a letter from a Roman official Nervaes Africanus to the στρατηγοί of the Heptanomis and Arsinoite nome (for the correction to [N]εῤῥεῖος see *BL* 2.2.92). It would appear that individuals associated with estates in the possession of the treasury have been inventing designations for themselves, such as administrator, secretary, or overseer, in order to draw salaries. These individuals “offer no assistance to the treasury but devour the profits” (ὄφελος / μὲν οὐδὲν περιποιῶσιν τῷ ταμείῳ / τὰ δὲ περιγεινόμενα κατεσθίουσιν ..., ll. 8–11). A similar use occurs in a dossier from Panopolis (*P.Panop.Beatty* 2 [AD 300]) comprising various circulars from Aurelius Isidorus, Procurator of the Lower Thebaid, to his subordinate στρατηγοί. A στρατηγός appears to have allowed the sale of state property without following established auction procedures. The land in question sold for 2500 *atticae*, or a mere 1/27th of its actual value as determined by another bid of 45 talents, apparently ignored. The property is to be re-auctioned,

from import duties. Given that there will be no revenues from import duties on fish at Eleusis, the second half of our μέν ... δέ construction should refer to Athens. The situation engendering Hadrian's intervention must be considerably more complicated than has heretofore been suggested. Indeed, there are other good reasons to suppose, against scholarly consensus, that this inscription was concerned not only with a shortage of supply at Eleusis but also with a general situation in Athenian ports, especially Piraeus. Commerce in both ports seems to have fallen under the purview of the same laws from at least the late second century BC when a well-known reform of the city's weights and measures specifies that it will apply in the Agora, in Piraeus and in Eleusis.¹³ This explains why the language of the clause in lines 3–4 is careful to limit the exemption from duties specifically to Eleusis: the fishermen *in Eleusis* will be tax-exempt when they sell their fish *in Eleusis*.

This particular stipulation is concerned with Eleusis, whereas the rest of the letter appears to address a problem at Athens. This fact explains better why Hadrian specifies that the inscription should be erected in the Deigma, where goods were displayed and examined subsequent to wholesale.¹⁴ That the ensuing clauses would have applied at Athens was already recognized by earlier scholars, including Abbot and Johnson, who suggest that the measures were intended to apply to all commodities and that Hadrian was attempting to eliminate middlemen altogether from Athenian markets.¹⁵ It is not surprising to discover that subsequent scholars have been hesitant to see in this letter such a sweeping measure, instead wishing to restrict its scope by suggesting that the clauses concerning middlemen and profiteering should be tied directly to the clause mentioning Eleusis. Höppener, for example, suggests that Hadrian is offering Eleusinian fisherman a tax break but forcing them to retail the fish themselves

and it is in the course of this discussion that an official uses the term in question (vi.137–138): διόπερ καλῶς / ἄν ἔχοι ὑπὸ δημο[σίοις κελεύ]σματος προτρέψεσθαί σε τοὺς βουλομένους πλέον προσκομ[ί]ζειν ὄφελος τῷ ταμείῳ, “You would do well to encourage, by means of public announcements, those who are willing to secure greater profit to the treasury”. See also *P.Oxy.* I 58r.8; *P.Oxy.* I 118v.30; *P.Oxy.* II 237.8.15 and 37; *P.Oxy.* XII 1468r.6; *P.Oxy.* XVIII 2190r.2.31; *P.Oxy.* XLII 3069r.18; and *Stud.Pal.* V 119v.Fr.4.12.

13 See *IG* II² 1013, lines 1–2 (restored), 39–40, 47–48 and 56–57.

14 Oliver recognizes the importance of the location (*Greek Constitutions* 195): “The emperor ordered the epistle to be published on a stele at the Deigma in the Piraeus because that was the place through which the commerce in food supplies from outside Attica was funneled, partly for the convenience of buyers and sellers and partly for the ease of public control and taxation.” On the Athenian Deigma see W. Judeich, *Topographie von Athen*² [*HAW* III.2.2.] (München 1931) 448 and K.-V. von Eickstedt, *Beiträge zur Topographie des Antiken Piräus* (Athen 1991) 64–65.

15 See Abbot and Johnson, *Municipal Administration* 414; similarly J. Day, *An Economic History of Athens under Roman Domination* (New York 1942) 192–193: “Another attempt on the part of the emperor to curb the middleman is to be seen in the imperial rescript which is concerned with the regulation of the sale of fish or possibly – the fragmentary condition of the opening lines makes it difficult to arrive at absolutely certain conclusion – of commodities in general.”

by eliminating middlemen at Eleusis.¹⁶ The law, however, only attempts to eliminate one layer of middlemen, those between the fishermen and the fishmongers. Oliver recognizes this fact, and instead wishes to link the provision exclusively with Eleusis by suggesting that it was only intended to apply to middlemen carrying fish to *Eleusis*:

The epistle both encouraged fishermen to take their fish directly to Eleusis at the time of the festival and warned off the wholesale merchants from trying to get the business as middle-men. Otherwise, the wholesale merchants who were their usual buyers might have worried the fishermen into letting them have all the supplies and so a chance to profiteer. Since Eleusis, unlike Athens, was on the coast and accessible, the middlemen would have been performing no essential service.¹⁷

The problem does not seem to be one of middlemen buying fish in Piraeus and then transporting it to Eleusis, which cannot have been common anyway. And there is no language in the letter itself to suggest that the restriction on middlemen would not also apply at Athens.

But why should Eleusinian fishermen need to be encouraged to sell their catch close to home? The answer is simple, and explains why the majority of Hadrian's measures appear to be concerned with Athens: in Athens fish routinely fetched a better price. The basic problem is the same as that familiar to any student of Athenaeus or Attic Comedy: the price of fish is distressingly high at Athens where supply perpetually falls short of demand.¹⁸ Consequently, fishermen from as far away as Eleusis, rather than selling their catch in local ports, are pursuing better prices in Piraeus. This need not imply that fishermen were themselves making daily journeys away from their fishing grounds to deliver fish in Piraeus. Tenders could have purchased fish along the Attic coast and then delivered it, or, in larger operations, fishermen could entrust this task to specific employees.¹⁹

One might cite as anecdotal corroboration a passage from Xenophon's *Hellenica* describing the Spartan Teleutias' raid on Piraeus in 388 BC. Before dawn he entered the harbor, ordering his men to destroy whatever triremes they found but to make off with whatever fully loaded merchant vessels they encountered. Before the Athenians could muster a response Teleutias and his marines departed, merchant vessels in tow, whereupon we are told that as they left the har-

16 H. Höppener, *Haliutica: Bijdrage tot de Kennis der oud-grieksche Visscherij* (Amsterdam 1931) 143.

17 Oliver, *Greek Constitutions* 195.

18 See Athen. 6.224c ff., as noted already in this context by Wilhelm, *JÖAI* (1909) 148.

19 The closest analogy is a letter of Alciphron (1.2) where a fisherman complains about the man who owns the operation in which he is employed and whose demands have led a fellow employee entrusted with the delivery of the catch to abandon them, taking with him both fish and skiff: καὶ ὁ Ἐρμων ἀφείλ τὸ φερνίον αὐτοῖς ἰχθύσιν, ἀφείλ δὲ καὶ ἡμᾶς αὐτῷ σκάφει, ὄχρητο ἐπὶ λέμβου κωπήρους Ῥοδίοις τισὶ θαλαττουργοῖς ἀναμιχθεῖς.

bor they also captured a “great number of fishing vessels and crowded ferryboats sailing in from the islands” (πολλὰ καὶ ἀλιευτικὰ ἔλαβε καὶ πορθμεῖα ἀνθρώπων μεστά, καταπλέοντα ἀπὸ νήσων, 5.1.23). Depending upon how we distribute the participle, this passage would seem to imply that these fishing vessels are streaming in from the islands (and probably other ports on the mainland such as Eleusis) with the obvious intention of selling their catches at the dock at dawn or at least in time for the fish to make it to the market that same day.²⁰

By eliminating one layer of middlemen Hadrian’s measure will require Eleusinian fishermen who wish to pursue a better price at Athens to deliver their fish personally. Hadrian hopes to solve the problem of shortage at Eleusis simply by keeping Eleusinian fishermen at home. In other words, the tax-break is the carrot, and the requirement that they make the journey themselves is the stick. At the same time, I would argue that Hadrian’s letter was not concerned exclusively, or even primarily, with Eleusis. Rather, the clause concerning middlemen, which does not restrict itself to Eleusis and which Hadrian specifically relates to the question of price, is aimed chiefly at ameliorating a general problem at Athens. Hadrian recognizes that shortages at Eleusis are related to prices at Athens and he attempts to find a nuanced solution.

The mention of revenues from import duties suggests that Hadrian has avoided lifting duties on fish at Athens. This is hardly surprising: ancient evidence suggests that taxes on fish contributed considerable sums to the treasuries of many Greek city-states. The evidence suggests that these “fish-taxes” most commonly took the form of simple import duties assessed at the dock.²¹ This raises another serious complication. Oliver simply identifies the διοβελία mentioned in line 2 with the tax exemption on fish, ἀτέλειαν ἰχθύων, enjoyed by Eleusinian fishermen in line 3.²² Every other scholar has similarly assumed that the διοβελία should be identified with the tax exemption at Eleusis.²³

20 On the other hand, there is no doubt that Aegean fishermen routinely exploited nocturnal fisheries and it is possible that these fishing vessels may have been captured returning to port after a night’s fishing. On ancient nocturnal fisheries see E. Lytle, *Marine Fisheries and the Ancient Greek Economy* (Diss. Duke University 2006) 64, 261–262 and 274–278. Modern scholarship continues to underestimate the significance of these fisheries; cf. T. Bekker-Nielsen, “Fish in the Ancient Economy”, in: K. Ascani, V. Gabrielsen, K. Kvist, and A. H. Rasmussen, eds., *Ancient History Matters: Studies Presented to Jens Erik Skydsgaard on His Seventieth Birthday* [Analecta Romana Instituti Danici Suppl. 30] (Rome 2002) 29–37, at 31 and 36, n. 14.

21 Much of the evidence is from the Hellenistic period (e.g. the δεκάτη ἰχθύων attested at Delos in *IG XI.2* 287.9–10), but in the first century AD a special customs house was constructed at Ephesus (*I.Eph.* Ia 20) to collect what appears to be an import duty on fish, see Lytle, *Marine Fisheries* 146–190 and 281–302.

22 *Greek Constitutions* 194.

23 See e.g. Wilhelm, *JÖAI* (1909) 148; Höppener, *Halieutica* 141–142; Graindor, *Athènes sous Hadrien* 129; Day, *An Economic History of Athens* 193; and Boatwright, *Hadrian and the Cities of the Roman Empire* 90.

No explicit evidence whatsoever exists for a two-obol tax of any kind at Athens but a διοβελία is attested in Athens as a public subsidy (or perhaps subsidies) of two obols, apparently initiated during the Peloponnesian War.²⁴ Nevertheless, it is likely that the διοβελία here refers to some kind of two-obol fee. It is possible that it is a kind of market tax assessed on retailers, in which case Eleusinian fishermen will be exempted. Indeed, this is how it has previously been interpreted. But a fixed two-obol fee could hardly correspond to an import duty, for which one would expect either a standard *ad valorem* or perhaps a fixed rate per mina (a rate of two obols per mina would obviously be too high).

In fact, it is not necessary, based on the surviving Greek, that τὴν διοβελίαν in line 2 be associated with the new clause that begins τοῖς] δὲ ἐν Ἐλευσεῖνι ἀλιεῦσιν, nor is it necessary to believe that the tax-exemption indicated by ἀτέλειαν in line 3 should refer to the διοβελία. It is possible that, when selling fish in Attic harbors, fishermen were subject not only to duties but also to some other fixed two-obol fee, perhaps a kind of harbor tax, a fee levied on ships entering the ports of Piraeus and Eleusis. There is no good study of ancient harbor fees, as distinct from customs duties, but it is clear that ship-owners or captains were often responsible for paying various nominal port fees.²⁵ In addition to various

24 See *DGE*, s.v.: “pago de dos óbolos, subsidio público ... diversamente expl.”; and, citing only this inscription, “*impuesto de dos óbolos*”. Scholarship on the history and nature of the Athenian two-obol subsidy is considerable; for a brief summary of the evidence and competing views, see P. J. Rhodes, *Commentary on the Aristotelian Athenaion Politeia* (Oxford 1981) 355–356; a recent contribution, with complete bibliography, is S. Podes, “Zur Problematik der Diobelie und Obolos-Zahlungen”, *Grazer Beiträge* 18 (1992) 35–45. I find no examples of the word διοβελία outside of Athens. The adjective δυοβολιαῖος with a sense of “weighing two obols” occurs five times in Galen (92.16, 93.9, 290.5, 290.12, and 291.17). Likewise διοβελιείαν occurs in an inscription from Caunus, referring, it would appear, to an amount of gold, on which see G. E. Bean, “Notes and Inscriptions from Caunus II”, *JHS* 74 (1954) 85–110, at 87–88, no. 22, line 30.

25 Most of the scholarship concerns the term ἐλλιμένιον, see e.g. J. Hasebroek, *Trade and Politics in Ancient Greece* [I. M. Fraser/D. C. Macgregor, trans.] (London 1933) 164, where the author relies on the assumption that the terms ἐλλιμένια and ἐλλιμενισταί correspond to harbor fees and the officials charged with collecting them. Similar assumptions are found already in G. Busolt, *Griechische Staatskunde*, vol. 1 [HAW IV.1.1] (München 1920) 614, n. 3; A. Boerner, “Ἐλλιμένιον”, *RE* 5 (1905) 2437; and H. Michell, *The Economics of Ancient Greece* (New York 1957) 257: “We know that there were harbour dues (*ellimonia*), which were evidently charged for the use of docking privileges.” The evidence however is less than clear and Andreades agrees with Thiel in arguing that wherever the term ἐλλιμένιον is attested it seems simply to refer to customs duties, see J. H. Thiel, “Zu altgriechischen Gebühren”, *Klio* 20 (1926) 54–67, at 62–67; and N. M. Andreades, *A History of Greek Public Finance* [C. N. Brown, transl.] (Cambridge, MA 1933) 138, n. 5. A number of subsequent scholars concur, including C. Habicht, “Eine Urkunde des Akarnanischen Bundes”, *Hermes* 85 (1957) 86–122, at 109. But see H. W. Pleket, “Note on a Customs-Law from Caunus”, *Mnemosyne* 11 (1958) 128–135, where he argues that the term is definitely used in *SEG* XIV 639 to refer to harbor dues assessed immediately on all ships entering the port rather than the customs duties, which are discussed separately in the same inscription. Vélissaropoulos follows Pleket in arguing that the term sometimes could be used generally to include a variety of fees assessed in ports, includ-

fees to use lifting equipment and other harbor infrastructure, it is possible that at Hellenistic Delos half-obol fees, ἡμιωβέλια, were assessed on boats docking or anchoring in the harbor.²⁶

Elsewhere it would appear that specific fees were sometimes assessed on local fishing vessels. For example, on Cos in the late second century BC, the owners of fishing vessels based in the city's harbor were required to pay five drachmas annually to the sanctuary of Aphrodite Pandamos and Pontia (*SEG* XL 766.27–29): διδόντω δὲ ἐς ἀπαρχὰν καὶ τοὶ / ἀλιεῖς ὀρμόμενοι ἐκ τᾶς πόλιος καὶ τοὶ ναύκλαροι τοὶ πλείοντες / περὶ τὰν χώραν καθ' ἕκαστον πλοῖον τοῦ ἐνιαυτοῦ δραχμὰς πέντε, “Let the fishermen based out of the city and those ship-owners sailing around the χώρα pay as an offering five drachmas for each vessel annually”.²⁷ The wording suggests that only those fishermen based in the harbor were required to pay the fee.²⁸ The city itself probably imposed additional harbor fees on vessels not based locally.²⁹

ing perhaps duties, but also seems to have occasionally referred specifically to harbor fees; see J. Vélissaropoulos, *Les nauclères grecs: recherches sur les institutions maritimes en Grèce et dans l'Orient hellénisé* (Paris/Geneva 1980) 219–222. Outside of ἐλλιμένα the evidence is scattered and heterogeneous.

26 Among the eleven entries regularly appearing in the temple accounts under the general heading of “taxes” (τὰ τέλη / τὰ ἐγκύκλια) are a number that have been associated with harbor or docking fees. One regularly occurring entry is αἰρέσεις, which Homolle suggests should be linked to a tax on the unloading of goods on the quays. Homolle suggests a similar meaning for another tax, apparently on the use of στροφεῖα, or windlasses, which may have been used to load or unload heavy cargoes. On these taxes most discussions still rely on Th. Homolle, “Comptes des hiéropes du temple d'Apollon délien”, *BCH* 6 (1882) 66–68. Unfortunately Tréheux's promised work on the subject of these taxes never appeared, see J. Tréheux, “Retour sur l'Artémision de l'île”, in: *Recueil Plassart. Études sur l'antiquité grecque offertes à André Plassart par ses collègues de la Sorbonne* (Paris 1976) 175–204, at 200, n. 7. For a very brief discussion see C. Vial, *Délos indépendante* [*BCH* suppl. 10] (Paris 1984) 231. Homolle (68) suggests that the entries for the ἡμιωβέλια (*IG* XI.2 203.30, *I.Délos* 290.30, 316.64, 353. A.32–33, etc.) perhaps refer to half-obol fees assessed on ships using the sacred harbor.

27 On the inscription's date the original editors, Parker and Obbink, follow Herzog in linking the lettering to that of *Syll.*³ 1000, and note Sherwin-White's suggestion of a date in the late second or perhaps the first half of the first century BC. Crowther subsequently identifies additional inscriptions by the same hand; these suggest a date in the late second century. See R. Parker and D. Obbink, “Sales of Priesthoods on Cos I”, *Chiron* 30 (2000) 415–447, at 432; S. Sherwin-White, *Ancient Cos: An Historical Study from the Dorian Settlement to the Imperial Period* [*Hypomnemata* 51] (Göttingen 1978) 230; and C. Crowther, “The Dating of Koan Hellenistic Inscriptions”, in K. Höghammer, ed., *The Hellenistic Polis of Kos: State, Economy and Culture* [*Boreas* 28] (Uppsala 2004) 21–60, at 26.

28 See LSJ, s.v. ὀρμάω.

29 Parker and Obbink are probably correct in assuming (*Chiron* (2000) 443–444) that the second clause refers to short-haul traders. On short-haul trading in the Mediterranean, or cabotage, see P. Horden and N. Purcell, *The Corrupting Sea: A Study of Mediterranean History* (Oxford 2000) 140–142 and 565. The wording seems intentionally to exclude the larger merchant vessels, both local and foreign, that would only periodically set into port, as Parker and Obbink note (444: “But it is puzzling that, here as not before, a definition should have been chosen that would exempt the longer distance trader.”). This fact is perhaps not surprising given that the impressive sanctuary of Aphrodite appears to have been directly adjacent to the ancient

And I would suggest that in a fifth century BC inscription from Sunium a clause specifying ships based in the sanctuary's harbor pay a small fee, apparently once every three years, applied chiefly to local fishermen. Ships with tonnages of less than a thousand talents paid seven obols, and larger ships paid seven additional obols for each additional thousand talents of tonnage.³⁰ But, as on Cos, the law seems to have allowed local vessels, many likely fishermen, to pay a much smaller fee.³¹ It is possible that in the second century AD fishing vessels may have had to pay a two-obol fee to tie up to a dock in Piraeus or in Eleusis.

Previous scholars assume, as I have mentioned, that Hadrian's grant of ἀτέλεια was simply an exemption from the two-obol fee, in which case the clause in lines 2–3 that begins τοῖς] δὲ ἐν Ἐλευσεῖνι ἀλιεῦσιν ἀτέλειαν amplifies a stated exemption, i.e. “the fishermen will not have to pay the two-obol fee, but fish-

waterfront on the north, where these smaller vessels may have tied off. And, contrary to the claim of Parker and Obbink (443) that “Aphrodite has no specific association with fishing”, there is some evidence to suggest a definite link, most notably a Hellenistic dedication to Poseidon and Aphrodite Pontia originally published by Mordtmann, republished by the Roberts, and most recently collected as *RGR* 1.296. The inscription appears to have been dedicated by individuals involved in a fishing operation at Cyzicus. See J. H. Mordtmann, “Zur Epigraphik von Kyzikos. III”, *MDAI(A)* 10 (1885) 200–211, at 204–207, no. 30 (= Michel 1225); and J. and L. Robert, “Pêcheurs de Cyzique”, *Hellenica* 9 (Paris 1950) 94–97. For a brief discussion and plans of the harbor at Cos and the poorly published sanctuary of Aphrodite Pontia and Pandamos, see L. Laurenzi, “Coo”, in: *Enciclopedia dell'Arte antica classica e orientale*, vol. 2 (Rome 1959) 795–800, esp. 795–796 and figs. 1041 and 1043. Of course, the sanctuary would not have been in any position to monitor the comings and goings of every transient trading vessel. Exacting fees and duties from these long-distance traders would have fallen to civic officials or revenue farmers.

30 See *IG* I³ 8.15–22.

31 Many of Wilhelm's restorations (see *SEG* X addenda, p. 156) seem to give suitable sense and fit the required space (stoich. 32). Incorporating the most reasonable of them into the new text given in *IG* I³ 8, lines 15–22 read: ... τὰ δ[ἐ] πλοῖ[α τὰ κατα]/[πλέοντα ἐς] Σούνιον ἢ ἡσ' ἂν ἡορμ[ίζετ]/[αι παρὰ τὸ] Σούνιον κα[τ]αθιθέ[ναι ἀπὸ [. . .] / [. 10] τ' ὀβολ[ὸ]ς ἐπὶ τῆς τριετηρί[δ]/[ος . . . 7 . . . , ἀ]πὸ δὲ τὸν ἄλλον πλοῖον δὸνα/[ι, ἐὰν μέχρι χίλιον ταλάντων ἄγε[ι], ἑπτὰ / [ὀβολός, ἡσά] δὲ ἡπὲρ χίλια, ἑπτ' ὀβο[λ]ός / [κατὰ τὰ χίλια], “Ships sailing into Sunium, however many are based out of Sunium, will put down [...] x obols every three years [...] but any other ship will, if it is up to a thousand talents burden, pay seven obols, and [for] however many additional thousands [burden], seven [additional] obols per thousand.” Wilhelm proposed for the lacuna in lines 17–18 ἀπὸ [μὲν τ]/[ὸν ἰδίων πέν]τ' but it is entirely unclear why the stipulation “from their own funds” should be necessary, and μὲν finds no correlative. What should be restored here is not at all certain, and the editor of *IG* I³ reports that in fact the stone preserves no trace of an omicron in ἀπό. It is tempting to suggest we restore instead ἀπ[αρχὲν] / [τῶι θεῶι πέν]τ' which would give “[...] whatever ships are based out of Sunium will put down [as payment] an offering to the god worth five obols every three years [...]”. This finds a parallel on Cos where for each fishing vessel the owner was required “to give for an offering [...] five drachmas” (*SEG* XL 766.27–29: διδόντω δὲ ἐς ἀπαρχὰν ... δραχμὰς πέντε). At Sunium the verb form used for the act of paying required of visiting vessels is not καταθιθέ[ναι], as with the local ships, but, as at Cos, comes from δίδωμι (19–20: δὸνα/[ι). For larger vessels the small harbor at Sunium would have offered only seasonal protection; I suspect the boats that called it home were chiefly fishermen and perhaps a few coastal traders.

ermen in Eleusis will be tax-exempt [...]”. But lines 2–3 read δὲ τὴν διοβελίαν [- - - - -].α μηδὲ [- - - - - τοῖς] / δὲ ἐν Ἐλευσεῖνι ἀλιεῦσιν ἀτέλειαν ... and in the previous translation, as in Oliver’s, μηδὲ is unaccounted for. The Greek appears to specify something regarding “the two obol fee but not [the duty on fish?], but fishermen in Eleusis [...]”. I offer the following hypothesis: Hadrian’s letter introduces the general problem that prices are high in Athens and the related problem that no one is delivering fish in Eleusis. Hadrian then offers a remedy, namely that “[in Piraeus] the two-obol fee will [be lifted] but not [the duty on fish], but for the fishermen in Eleusis there will be an exemption from taxes on fish when they sell in the market in Eleusis, in order that on the one hand fish may be abundant while on the other hand the revenue through import duties may amount to something considerable”.

Hadrian is attempting to balance two goals, to ensure supply at Eleusis and lower prices generally, that are in a sense at odds. Fish sold in Eleusis will not be available in Athens, driving Athenian prices up further. It is clearly Hadrian’s hope that eliminating a layer of middlemen will ameliorate this problem. And I would suggest that he possibly has another related factor in mind as well. Hadrian recognizes that fishermen, rather than delivering their fish directly to the dock in Piraeus or Eleusis and paying in the process a harbor fee each time, are instead selling their fish to middlemen, who are more than willing to pay a two-obol fee for an easy arbitrage opportunity. The literary sources also suggest that fish was being sold by extra-market means, often to avoid exactions by the state.³² The problem was apparently common enough to have generated a satirical proposal in Antiphanes’ comedy *The Wealthy*. Antiphanes’ character, frustrated by the slim pickings available on the fishmongers’ tables, suggests that the state ought to protect the supply of fish by escorting it to Piraeus.³³ The elimination of the two-obol fee will, Hadrian hopes, bring the fishermen directly to the docks, eliminating a layer of middlemen, and bringing down the price of fish, without, however, depriving the treasury of all of its revenues.

Hadrian clearly is worried about the supply of fish at Eleusis, but this interpretation suggests that shortages at Eleusis are not the overriding concern. Rather, he recognizes that he is dealing with concurrent and entangled problems. His solution is to press on two different levers. By eliminating duties in Eleusis for local fishermen he hopes to alleviate shortages by dissuading local fishermen from pursuing better prices at Athens. By eliminating harbor fees at Athens and outlawing third-party buyers he hopes that more fishermen will deliver their

32 See Lytle, *Marine Fisheries* 179–181.

33 Fr. 188.14–19 K-A (Athen. 8.343a): ἔστι δὴ / νόμῳ κατακλείσαι τοῦτο, παραπομπὴν ποιεῖν / τῶν ἰχθύων. νυνδὶ Μάτων συνήρακεν / τοὺς ἀλιέας, καὶ (δὴ) Διογείτων νη Δία / ἅπαντας ἀναπέπεικεν ὡς αὐτὸν φέρειν, / κοῦ δημοτικόν γε τοῦτο δρᾶ τοιαῦτα φλῶν ..., “It is possible to secure it by law, to make a convoy for the fish. For now Maton, he co-opts all the fishermen, and Diogeiton, by God, he is paying everyone under the table in order that he himself can bear it off, and it is simply not democratic [...]”.

catches directly to the docks and that this fish will make it to Athenian retailers at a lowered cost, resulting in lower prices.

This interpretation ought to lead us to question the specific association commonly made between this inscription and the Mysteries, a connection universally accepted despite the fact that the inscription itself contains no reference to the festivals. The assumption that this inscription must be related to a religious festival is paralleled by other scholarship on the subject of ancient measures attempting to control prices and otherwise regulate sale. A list of maximum prices for fish from Hellenistic Acraephia, for example, is often linked to an attempt to prevent gouging during the Ptoia festival.³⁴ And numerous scholars have suggested that much of the other evidence for price controls should similarly be linked to religion.³⁵ These assumptions are now being questioned. In his discussion of a recently published price list from Piraeus, Bresson suggests that such measures were probably far more prevalent than previous scholars have assumed and that they should not necessarily be linked to religious festivals.³⁶ I will conclude by suggesting that *IG II² 1103* should also be disassociated from festivals and instead be considered another example of a growing class of ancient regulatory measures intended to control price that were generally applicable and largely the product of civic rather than religious concerns.

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34 *SEG XXXII 450*. On the Ptoia festival and gouging see C. Vatin, “Le tarif des poissons d’Akraiphia”, in: F. Salviat and C. Vatin, *Inscriptions de Grèce centrale* (Paris 1971) 95–109, at 109. Vatin’s interpretation is followed by a number of subsequent scholars, see e.g. T. W. Gallant, *A Fisherman’s Tale: Analyzing the Potential Productivity of Fishing in the Ancient World* (Gent 1985) 39 (“Regulatory measures of this type were not extraordinary at religious sanctuaries and *poleis* close to sanctuaries [...]”); R. I. Curtis, *Garum and Salsamenta: Commerce and Production in Materia Medica* [Studies in Ancient Medicine 3] (Leiden 1991) 170; and J. Davidson, *Courtesans and Fishcakes: The Consuming Passions of Classical Athens* (New York 1997) 187.

35 For a discussion of parallels for such price-fixing see M. Wörrle, *Stadt und Fest im kaiserzeitlichen Kleinasien. Studien zu einer agonistischen Stiftung aus Oinoanda* [Vestigia 39] (München 1988) 215, n. 84. Migeotte similarly concludes that much of the evidence for maximum prices should be linked to religion, see L. Migeotte, “Le contrôle des prix dans les cités grecques”, in: J. Andreau, P. Briant, and R. Descat, eds., *Économie antique: prix et formation des prix dans les économies antiques* (Saint-Bertrand-de-Comminges 1997) 33–52.

36 A. Bresson, “L’inscription agoranomique du Pirée et le contrôle des prix de détail en Grèce ancienne”, in: *La cité marchande* [Scripta Antiqua 2] (Bordeaux 2000) 151–182. On the tariff from Acraephia in particular, based in part upon the fact that again no mention of the festival is made in the text, he concludes (175–176, n. 110): “Rien n’oblige donc à considérer que le tarif des poissons ne s’appliquait que lors des *Ptoia*. Le parallèle qui en a été tiré pour la liste de Delphes tombe de la même manière. N’est-ce pas plutôt l’action des agoranomes d’Athènes et de Pergame qui peut fournir un parallèle au texte d’Akraiphia?”