SUPPLICATION AND REQUEST: APPLICATION BY FOREIGNERS TO THE ATHENIAN POLIS*)

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The status of foreigners in the Greek world was always delicate; outside his own polis the foreigner was usually without rights or protection. These he could obtain by applying to the authorities in another polis. However, the sources do not provide a detailed description of the procedures established in these cases, and these procedures have to be inferred from the large number of inscriptions that refer to the granting of privileges to foreigners.

The terminology used in Attic inscriptions indicates that the two methods used by foreigners to apply to the polis were the request (οἰτίσια) and the supplication (ιετεία). Requests made by private non-citizens (in contrast to those made by official emissaries of foreign cities) appear in Attic honorary decrees from the Hellenistic period, while supplication by foreigners to the polis is found only in fourth-century B.C. inscriptions. The different terminology used in these different periods has led Ph. Gauthier to conclude that these were two distinct procedures, and that the rules which regulated application to the polis by foreigners may have been changed by the reforms of 330 B.C. These reforms, he suggests, also ruled out the supplication as a form of application¹).

A review of the evidence, however, seems to lead to a different conclusion. I shall argue in this paper that both these methods of applying by foreigners already existed as a defined procedure in the fifth century B.C.; that the difference between these two forms of application was one of wording rather than procedure; and that the procedure of applying to the polis, known from sources of the classical and Hellenistic periods, was an institutionalized form of an

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ancient practice. By procedure I mean the methods used by foreigners to approach the political institutions, the rules established to allow foreigners to request privileges and the form of the decision made in their case.

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The different wording used in the various request inscriptions may indicate the procedures required in these instances. Thus in *Syll.* 536 (dated 212/1 B.C.), a decree in honor of Eumaridas of Cydonia, we read the simple statement: καθάπερ αἰτοῦνται αὐτῷ ('according to what they request for him'), whereas *IG II* 2 810 (dated before 230 B.C.) is formulated somewhat differently: ἐν τῇ αἰτίᾳ γέγραπται ('what is written in the request')². In second-century inscriptions we find a reference to laws concerning requests: αἰτησαμένωι κατὰ τὸν/τοῦ νόμον/νόμους ('to him who requests, according to the law/s')³.

On the basis of such references to submission in writing (as in *IG II* 2 810) and to a law, or laws (as in the inscriptions from the second century B.C.), as well as in the light of examples of detailed requests (as in *IG II* 2 505, from 302/1)⁴, Gauthier concludes that there may have been a defined procedure that obligated foreigners to submit requests in writing, to which obligation the phrase κατὰ τὸν/τοῦ νόμον/νόμους may have referred⁵. Gauthier cites Xenophon (*Vect.* 2.6) as evidence for the existence of laws regulating application to the *polis* by way of request already in the fourth century B.C. In 355/4 Xenophon proposed to grant the right of owning a house (ἐγκτίσις ὁικίας) to *metics*—οἱ ἄν αἰτοῦμενοι ἄξιοι δοκῶσιν εἶναι ('those who may seem worthy of it'). This text indeed seems to indicate that foreigners could, under certain circumstances, submit a

² Ibid., 186. This may suggest that in the third century B.C. such requests had to be submitted in writing.
⁴ The justification for the request in this inscription is extremely long and detailed, and might have been based on a written request. On this inscription see further below.
⁵ Gauthier (n. 1), 186.