choose the one that best suits his circumstances. He gives theft as an example: a thief may be prosecuted by *apagoge*, by *ephegesis*, by *graphe*, or by a private *dike*. In fact, however, not all these actions were available in every case; in most cases the facts allowed only one or two of them. I have often wondered to what extent an Athenian prosecutor really had a choice of actions, but I have never got around to investigating the question. Now Carey has performed the task. He examines the actions available for various delicts and shows that for some of them there was only one action, so that the prosecutor had no choice at all. For others the choice was more restricted than Demosthenes suggests. Assault and rape are the offences which come nearest to Demosthenes' model; Carey also considers more briefly different actions which could be used to prosecute for seduction, misconduct by a guardian, male prostitution, homicide, and impiety. He concludes persuasively that Demosthenes' explanation is elegant but oversimplified.

'Legal Arguments in the Attic Orators' is the theme of Part III. Athenian forensic speeches often include passages which seem to us not to be relevant to the legal issue, and several scholars have said that this is because an Athenian trial was considered to be a contest between two men, so that aspects of the litigants' characters were regarded as relevant. P. J. Rhodes in 'Keeping to the Point' conducts an extended survey of such passages and concludes that the orators have higher standards of relevance than is generally thought. He reaches this result mainly by maintaining that it is relevant to include 'the larger story' of the circumstances of a case. Even so, he has to concede that some passages are irrelevant. Really the question is one to which no definitive answer is possible, because different listeners or readers have different criteria of relevance. Adriaan Lanni, who has a legal as well as a classical background, makes greater use of comparison with modern legal systems than the other contributors do: in a discussion of arguments from precedent, she shows that references to earlier cases, intended to provide legal justification for a verdict in the present case, played little part in the Athenian courts.

The last part of the volume ranges beyond Athens. Michael Gagarin, 'The Rule of Law in Gortyn', distinguishes three senses of 'the rule of law': the orderly regulation of society, the principle that nobody is above the law, and the strict adherence to the requirements of the law. He then shows that the laws of Gortyn imply a commitment to the rule of law in all three senses. Finally, Angelos Chaniotis, in a discursive but interesting contribution, surveys arbitrations between cities in disputes about the ownership and possession of territory in the classical and Hellenistic periods, and argues that certain rules are applied consistently in all such disputes. This indicates that treaties between individual cities are not the only source of law for their arbitrations, and he suggests that we have here the beginning of international law.

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RURAL ATHENS

N. F. JONES: *Rural Athens Under the Democracy*. Pp. xiv + 330, map. Philadelphia: University of Pennsylvania Press, 2004. Cased, US$59.95, £42. ISBN: 0-8122-3774-9.

'Town and country', I concluded in 1985 (*Demos: the Discovery of Classical Attika* [Cambridge, 1985], p. 188) 'fail to be important blocks either to act in or to think

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with'. *Rural Athens* has been written in the conviction that that view needs to be challenged, that 'rural Athens . . . constituted, or at least was dominated by, a distinct, characteristically nonurban society and culture' (p. ix). Building further upon the picture he offered in *The Associations of Classical Athens: the Response to Democracy* (Oxford, 1999), Chapter 3 of which was entitled 'The Isolation of the Deme', J. concludes that we should 'think in terms of spatially segregated and essentially distinct cultures for the most part beyond the reach of everyday contact with one another' (p. 274).

On the face of it, the evidence against J.'s view is colossal. Every time the Athenians were called up to fight, the residents of the five demes situated inside the Themistoklean wall of the town of Athens were brigaded with country residents. Every time the Council met, Athenians belonging to demes outside the wall debated with those belonging to demes within the walls. Open Robert Develin's *Athenian Officials 684–321 B.C.* (Cambridge, 1989) at any date in the fifth or fourth century and officials hailing from the town are found sharing membership of boards of magistrates with those hailing from the country. Read any comedy, old or new (J. makes much use of comic evidence, particularly from a play regularly called '*Archarnians*'), and you will find yourself expected to be familiar with places and events situated in country as well as town.

How, then, does J. sustain his contrary view? Partly by insisting that military activity was 'intermittent and exceptional' (p. 15) (the index has no entry for 'Council' or 'Boule'); partly by insisting that since a citizen retained the deme affiliation of his ancestor in the time of Kleisthenes, those bearing rural demotics whom we find in the town were probably long standing urban residents (cf p. 15). Migration from country to town is the key to J.'s view, and turns out to underlie the arguments of *Associations* to which he refers for support (e.g. the claim that the tribes 'were in fact dominated by their urban memberships', a statement that has to be read against *Associations* p. 193 n. 95). J. demands both that individuals migrated and that once they had done so they cut off ties with those who had been their neighbours and with any kinsmen left in the country. But discussion of migration is curiously hard to find. The index yields but one page reference, on which J. summarizes the work of Damsgaard–Madsen on the number of rural demotics found on grave stelai from Athens and the Peiraieus. But the issue is not whether there was more movement from country to town than from town to country, but the scale of that movement, and surviving grave stelai cannot indicate that (cf. my discussion in *Oxford Journal of Archaeology* 10 [1991], 231–52, which J. appears not to know).

Rather than discuss migration J. discusses at great length the settlement pattern of Attica. Osborne is again the villain here, for his minimizing of isolated farms and stress on village communities (J. manages to imply [p. 39] that Osborne thinks *no oikia* was residential!). J. assumes that if a house has land attached to it then it must be isolated. But, as the English strip village shows, a house may have land attached and still be within yards of—or, indeed, physically attached to—its neighbour (cf. the situation at Demosthenes 47.52–61). J. valuably demonstrates that mortgage *horoi* from outside Athens and the Peiraieus regularly include both land and a building, and that the vast majority of mortgage *horoi* for a building without land come from Athens itself (p. 45), with five from Rhamnous, three from the Peiraieus, two from Eleusis, and one from Teithras. This reinforces what archaeology has shown, that the settlements of the countryside did not look like the centre of Athens, but it does not enable nucleated settlement to be distinguished from dispersed farmsteads and will not establish a physical basis for the isolation which J. posits for rural residents.

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Failing to find clear literary evidence for nucleated settlements, J. curiously regards them as 'unsubstantiated' (e.g. p. 123) despite acknowledging the substantial architectural remains found by archaeologists at such places as Halai Aixonides.

That Athenians distinguished between 'urbane' and 'rustic' types is not in dispute (J. explores images of the countryman in his Chapter 6). But the existence of such types does not establish that there was a general division between those dwelling within the wall and those dwelling outside it. The Kleisthenic trittys composed of demes 'around the *astu*' included fifty-five demes, of which only five were within the walls; such a trittys division could serve no useful purpose were there a marked break between urbane and rural types occurring at the walls. J. acknowledges that the Rural Dionysia took place inside as well as outside the Themistoklean walls, but attempts to justify this by insisting that it should be termed the Agrarian Dionysia and that the town versus country dichotomy is here secondary to the festival's cultural orientation (pp. 126–7). Yet earlier (p. 8) J. suggests that the walls of Athens constituted the significant physical, social, and cultural barrier between the town and the 'fields' alluded to in the title of the Agrarian Dionysia. The truth is surely that 'urban' and 'rural'/'agrarian' were not technical terms for the areas inside and outside the walls of Athens, but were broad designations that might be variously used of physical space or social and cultural attitudes.

J. is clearly right that the experience of living miles from the Acropolis in a small agricultural community was very different from the experience of living as a hermoglyph in the centre of Athens (though his use of Hesiod to illustrate the life of a classical Athenian farmer is questionable). But the experience of the poor who lived in the town was also very different from that of the rich. Wealth, occupation, family history, *genos* affiliation, all these, as well as place of residence, divided the Athenians. J.'s strained arguments provide a better demonstration that town and country was not the privileged division than that it was.

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ATHENS UNDER THE MACEDONIANS

O. Palagia, S. V. Tracy (edd.): *The Macedonians in Athens 322–229 B.C. Proceedings of an International Conference Held at the University of Athens, May 24–26, 2001*. Pp. xii + 266, maps, ills. Oxford: Oxbow Books, 2003. Cased, £75. ISBN: 1-84217-092-9.

We are told in the editors' preface that the conference that gave rise to this collection aimed to 'illuminate various aspects of Athenian art, archaeology and history' of the period between the end of the Lamian War in 322 B.C. and the departure of the Macedonian garrison from the Piraeus in 229 B.C. The twenty-eight papers published in this volume use literary, numismatic, epigraphical, sculptural, architectural, ceramic, and metallic evidence to re-evaluate the issues that have traditionally dominated the history of Athens in the early Hellenistic period (democracy and the undermining of democratic institutions; euergetism and community; royal domination and *polis* freedom; cultural influence and imitation, tradition and innovation in religion). Limitations of space prevent me from even mentioning all of the contributions, but I shall describe those that contribute most to the expressed intention of the volume.

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