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# Philosophical Schools in Athenian Society from the Fourth to the First Century BC: An Overview

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## 1. Introduction

In *On the Cities in Greece*, a *periegesis* written in the third century by a certain Heracleides Criticus, the author mentions the high presence of philosophers in the cityscape as one of the remarkable aspects of contemporaneous Athens:[1] in public, they offered intellectual pleasure and recreation to the interested people living in Athens.[2] Athens and philosophers, philosophy and Athens – since antiquity this connection has often been considered as an almost natural symbiosis. One of the most famous depictions of this 'imaginaire' can be grasped in Raphael's fresco *La scuola di Atene* in the Stanza della segnatura in the Vatican palaces: discussing, reading and musing philosophers, walking around or sitting on the ground – a cheerful re-

1. For critical readings of the manuscript in various stages and valuable comments I am deeply indebted to Ilias Arnaoutoglou (Athens), Tiziano Dorandi (Paris), Ann-Cathrin Harders (Bielefeld), and Paulin Ismard (Paris); I am especially grateful to Vincent Gabrielsen (Copenhagen), the *spiritus rector* of the association project, for inviting me to participate in the Copenhagen conference whose participants contributed essentially to the sharpening of the arguments. Last, but by no means least, I am much obliged to Marie Drauschke and Anna Linnemann (both Münster) for improving the English text. The following outline is necessarily a restricted one since an entire exploration of the topic would require a monographic study which is a true *desideratum*. Fröhlich and Hamon 2013; Canevaro and Lewis 2014, 103-110 and Dreßler 2014 appeared too late to be taken into account. Unless otherwise indicated, all dates are BC.

2. Heracl. Crit. 1,1 Arenz; on this passage, see Arenz 2006, 56–64 and Haake 2007, 14–15; on Heracleides' description of Athens in general, see Perrin 1994, 197–202.

public of 'hommes de lettres'.[3] Athens, as the thirteenth-century Arabian scholar Ibn Abī Uṣaybi'a has written in the lemma on Aristotle in his *Sources of Information about the Generations of Physicians*, was called the 'city of philosophers'.[4]

The image of Athens as *the* city of philosophy is in no small measure an idealised construct, but it is by all means an efficacious one since antiquity.[5] Yet, between the fourth and the first centuries, the relationship between Athens and the philosophers living in the city was troubled on various occasions. To name but a few examples: Socrates' sentence to death in 399,[6] the philosophers' short-time exodus from Athens between 307/6 and 306/5,[7] or even the emigration of many philosophers from Athens to Rome and elsewhere during the nineties and eighties of the first century.[8] Nonetheless, without gainsaying sporadic troubled moments in the relationship between Athens and philosophers especially in the course of the fourth century, it can be stated that Athens was from the early fourth century onwards and throughout the Hellenistic period generally 'the place to be' for philosophers and philosophising people from all over the Mediterranean World. As interesting as this matter might be: it is not the issue of the present investigation to discuss the conditions of this hitherto not satisfyingly resolved circumstance.[9] However, since philosophising in antiquity was generally not a hermitic, but a convivial practice, the strong presence of philosophers and philosophising people in Athens directs to a crucial aspect which is deeply enmeshed in the topic 'Athens and philoso-

3. On Raphael's *La scuola di Atene*, see, e.g., Most 1999.

4. See Düring 1957, 214 (5).

5. See Habicht 1994, 246-47; Haake 2007, 168-70 and more detailed Primavesi 2009. See also di Branco 2006, 199-240.

6. See Hansen 1995; Parker 1996, 199-217; Wolpert 2002, 63-65; Millett 2005 and Haake 2009, 121-23.

7. See, e.g., Korhonen 1997, 75-85; O'Sullivan 2002 and especially Haake 2007, 16-43 as well as Haake 2008.

8. See, e.g., Ferrary 1988, 434-95 and Haake 2007, 271-73; see also Ludlam 2003, 34-35.

9. On the development of the 'intellectual field' in Athens, see Azoulay 2007, 175-93; see also Lynch 1972, 63-65 and Haake 2009, 116 n. 17.

phy': the forms and structures of philosophising groups and the so-called philosophical schools in Athens, whose most prominent exponents are the Academy, the Peripatus, the Stoa and the Garden of Epicurus; nevertheless, there are other philosophical groups in Athens such as the Cynics, various ephemeral schools as well as those which are counted among the Minor Socratics.[10]

Before analysing the phenomenon of the so-called philosophical schools in the Athenian *kosmos* from the fourth to the first century which is the aim of the current contribution, it is necessary to deal with the following crucial, but often unconsidered questions: what was a philosophical school in antiquity generally?[11] And what defined the so-called philosophical schools in Athens in particular? By answering these two questions, it is important to have in mind the relative 'Schwammigkeit des Begriffs der antiken Philosophenschule'.[12]

Yet, a philosophical school in antiquity can be generally understood as an institution, which means – at least in the widest sense – as 'a complex of positions, roles, norms and values lodged in particular types of social structures and organising relatively stable patterns of human activity with respect to fundamental problems in producing life-sustaining resources, in reproducing individuals, and in sustaining viable societal structures within a given

10. In this context, see the remarks by Dorandi 1999, 61; see also Cambiano and Repici 1993, 527-35.

11. For a careful analysis of the Greek terms *schole*, *diatribe* and *hairesis* which were used by ancient authors to describe philosophical schools, see Glucker 1978, 159-92. Despite their respective difficulties, Wilken 1971; Meeks 1983, 81-84 and Ascough 2002 are worth reading.

12. For the quotation, see Laks 2005, 21; on this aspect in general, see, e.g., Sedley 1989, 97-103; 117-19; Natali 2003, 40-41; Mitsis 2003 and Bénatouïl 2006, 415. The flabbiness of the term 'philosophical school' originates not least from two aspects: firstly, no general consensus on the essential categories to conceptualise philosophical schools in Antiquity is currently reached in modern scholarship where descriptive approaches are dominating; secondly, the history of philosophy as written by ancient authors (and often influencing modern attempts) is predominantly the history of individuals which has its initial point in a 'founding father' and his philosophical construct of ideas and which continues with records regarding his 'successors' and their respective enhancements of the particular doctrines. In this context, see Mansfeld 1999, 16-26; see also Döring 1987.

environment'.[13] This ample categorisation of philosophical schools facilitates the subsumption of two different, but interrelated facets of the term 'philosophical school' – the one relatively broad, the other more narrow. On the one hand, there were the various schools of 'constructs of ideas' such as *the* Pythagoreans, *the* Academics / *the* Platonists, *the* Peripatetics, *the* Stoics or *the* Epicureans. These schools, covering a huge spectrum of implementations that need to be distinguished,[14] were not necessarily attached to a certain place, but consisted of all philosophical followers in the Mediterranean world after their respective formation.[15] On the other hand, there were the locally embedded schools which consisted of larger or smaller communities of different perpetuity and which were places of philosophical theorising and teaching; in this context one might refer to *the* Academy, or *the* Peripatus, to *the Stoa* as well as to *the* Garden of Epicurus or *the* school of Clitomachus in the Palladium in Athens; but there was also a huge amount of philosophical schools beyond Athens elsewhere in the Mediterranean world.[16]

Against this background, four major aspects have to be taken into account in different detail regarding the so-called philosophical schools in Athens between the fourth and the first centuries: firstly, in which way were the philosophical schools organised regarding their legal status; secondly, how were the philosophical schools internally organised; thirdly, was there anything like a collective identity of the members and followers of each philosophical school and, if so, what was the respective base for the particular identities; fourthly, what were the modes of interaction between philosophers and philosophical schools on one side and the Athenian political institutions as well as the Athenian public on the other side. The investigation submitted here is chronologically limited

13. For this definition of the term 'institution', see Turner 1997, 6. In this context, the instructive thoughts of Mitsis 2003 should be mentioned.

14. See Natali 2003, 41.

15. In this context, see Mason 1996, 31.

16. The particular organisational structures of these philosophical schools as well as the forms of their legal and social situation differed throughout antiquity and have to be analysed separately.

to the period between the fourth and first centuries for two reasons: on the one hand, the development of philosophical schools as institutions with an internal organisational structure began in Athens in the fourth century with the establishment of Plato's Academy;[17] on the other hand, the demise of the philosophical schools in Athens and the city's loss as being 'the one and only' metropolis of philosophising in the Mediterranean World in the first century marks a caesura.[18] Although this statement may give at first glance the impression of a steady situation regarding the structure of the philosophical schools in Hellenistic Athens, it is necessary to emphasize that 'the schools without exception underwent an evolution (...) over the centuries of their existence, although it is not always clearly documented.'[19]

In principle, the following aspects are crucial for the subsequent considerations. Firstly, it is by no means 'natural' or self-evident that philosophers constituted communities which were not only more or less loose and sometimes temporary unions around a charismatic figure – like Socrates and his partisans –, but intentionally stable institutions with a more or less developed organisational structure which were intended to be continued after the death of the founding philosopher;[20] one might refer exemplarily to the Academy and the Epicurean Garden respectively.[21] Secondly, philosophers at Athens were never united in one group *qua* philosophers, but – at least partially due to the highly competitive character of Greek phi-

17. On the foundation of the Academy, see, e.g., Erler 2007, 51–52.

18. See Frede 1999, 790–93; Sedley 2003 and Ferrary 2007, 45–46. In this context, one should also have in mind the externally as well as internally caused changes in the socio-political conditions shaping the constitution of Athens between 'city-state and provincial town' in the first century; see Habicht 2006, 327–99 with 485–503. On the philosophical schools in Roman Imperial Athens, see, e.g., Camp 1989 and Hahn 1989, 119–36.

19. See Dorandi 1999, 56 and 59 (for the quotation).

20. On philosophers and philosophising persons as well as on the respective social and political conditions in the sixth and fifth centuries, see, among others, Collins 1998, 82–89; Martin 2003; Scholz 2003; Laks 2005; Prince 2006, 432–42, 444–51; Scholz 2006, 37–48; Nightingale 2007 and Wallace 2007.

21. See below, p. 72-77.

losophy and the vehement rivalry between the philosophic protagonists[22] – they constituted various separate and competing entities of highly diverse perpetuity and of different inner structures.[23]

## 2. Philosophical schools and the question of their legal status

In the context of the much disputed field of Athenian law, the question of the legal character of the philosophical schools in late Classical and Hellenistic Athens is most controversial.[24] On one side, this is due to the rare and exceedingly corrupt relevant source material;[25] on the other side, this is caused by the lack of a fully developed and abstract concept of the juristic or corporate person as for associations in ancient Greek law – an aspect that is not always sufficiently considered.[26]

For almost a century, it was more or less the orthodox point of view among classicists that the Athenian philosophical schools, above all the Academy and the Peripatus, were organised as *thiasoi* dedicated to the cult of the Muses.[27] This conceptualisation of the philosophical schools as religious associations was based upon the well-attested cultic worship of the Muses in the philosophical

22. On this aspect, see Gehrke 2004, 478–79 and Azoulay 2009, 305–10; see also Collins 1998, 80–109.

23. See, e.g., Natali 1983 and Dorandi 1999, 61.

24. See Ismard 2010, 186. For the current concern, it is neither the aim nor is it necessary to give an entire and detailed overview on the history of research regarding the legal status of the philosophical schools in Athens; therefore, only the most important approaches are mentioned in the following outline. Further references can be easily found in the quoted literature; see, however, most recently Ismard 2010, 186–87.

25. For the sources regarding the field of Hellenistic philosophy, see, e.g., Mansfeld 1999.

26. In this context, see, e.g., Ustinova 2005, 177–80.

27. See Wilamowitz-Moellendorff 1881, 263–91; Ziebarth 1896, 69–74 and Boyancé 1936, 231–327; on the prevailing character of Wilamowitz-Moellendorff's achievements see, e.g., Habicht 1994, 232 and Ismard 2010, 186 n. 209. On 'private religious associations' in Athens, see Parker 1996, 333–42 and Arnaoutoglou 2003; see also Leiwo 1997 with the appropriate criticism of Kloppenborg and Ascough 2011, 6–7.

schools.[28] Approximately at the same time as the *thiasoi*-thesis emerged, a competing attempt to conceptualise the philosophical schools was also developed: according to this, the philosophical schools (in Athens), especially the Academy and the Peripatus, were compared with modern research facilities and universities.[29] It was with good reason that this approach never became accepted to a greater extent.[30] Only since the 1970s, the notion of the philosophical schools as religious associations has been vigorously and validly criticised amongst other aspects due to the fact that none of the philosophical schools has ever been denoted *thiasos* by any ancient author.[31] Yet, until now, a new *communis opinio* in respect of the legal status as well as the organisational form of the philosophical schools in Athens has not resulted from this debate.[32] The most sweeping and widely accepted hypothesis for nearly three decades was at the same time the first in the course of the anti-thiasotic turn: according to its proponents, philosophical schools were not *thiasoi*, but 'private organizations (...) detached from governmental regulation' without any 'official legal status at all' and 'secular organizations formed for an educational purpose'.[33] Despite the mostly positive

28. On the cultic worship of the Muses in two of the philosophical schools, the Academy and the Peripatus, see, e.g., Boyancé 1936, 249-327 and Scholz 1998, 16-17. See Jackson 1971, 15, 20-24, 32-33 on prayers to the Muses as literary element in the Platonic dialogues. It is worth mentioning in this context that in the Imperial Period a 'priest of the Philosophical Muses' is attested epigraphically; see Meritt 1946, 233 no. 64 = *SEG* 21.703. However, nothing else is known about this priesthood since there is no further evidence; see Oliver 1979; Camp 1989, 50-51 and Hahn 1989, 122. On Harpocration's reference to Theophrastus' will in his lemma on *orgeonas* (Harp., *s.v.* ὀργεῶνας), which is for various reasons difficult to interpret, see Sollenberger 1983, 54-55; Ustinova 2005, 180 and Ismard 2010, 198.

29. See Usener 1884.

30. See, e.g., Lynch 1972, 65-67 and Laks 2005, 25-26.

31. See Lynch 1972, 109-10.

32. See Gottschalk 1972, 329 n. 2; Lynch 1972, 106-21; Glucker 1978, 229-30; Jones 1999, 227-34 and Ismard 2010, 186-87.

33. For the quotations, see Lynch 1972, 130, 129, 128. Affirmatively commented on Lynch's approach, among others, Glucker 1978, 229-30; Habicht 1994, 232; Korhonen 1997, 81-82 and – more cautiously – Sedley 1998, 472; for further references, see Ismard 2010, 187 n. 217. Critically or at least sceptically commented on this approach, among others, Isnardi Parente 1986, 352-57; Natali 1991, 100-04; Müller

reception of this hypothesis, it is not without inconsistencies – one might refer to the insufficient attempts to explain the annulation of the so-called law of Sophocles in 306/5[34] as well as to the patrimonies of some of the philosophical schools and their endorsements over several generations.[35] Resting predominantly upon a passage from Aristotle's *Nicomachean Ethics*, a new suggestion was brought into play at the very end of the last millennium: according to this suggestion, the philosophical schools in Athens are to be counted among the *koinoniai*.[36] On *koinoniai*, usually translated more or less accurately with 'communities' or 'associations',[37] Aristotle has written in the *Nicomachean Ethics*:

> For in every *koinonia* there seems to be some justice, and some kind of *philia*[38] also. At any rate, fellow-voyagers and comrades-in-arms are called *philoi*, and so are members of other *koinoniai*. And the extent of their *koinonia* is the extent of their *philia*, since it is also the extent of the justice found there. (...) But while brothers and companions have everything in common, what people have in common in other types of *koinoniai* is limited, more in some *koinoniai* and less in others since

1994, 68 n. 45; Dorandi 1999, 54-55 and Scholz 1998, 16-17 n. 17; see also Ismard 2010, 186-87. Scholz's conclusion that the sacrifices to the Muses by the members of the Academy (as well as by other 'teaching personnel' in the gymnasia) were credentials of their loyalty towards the Athenian citizenry is, however, not compelling. The reference of Scholz 1998, 17 n. 17 to Aeschin. *In Tim.* 10 regarding the Athenian philosophical schools should be at the very last considered as uncertain; see in this context Morgan 1999, 49. On cults of Muses in Athenian educational institutions and gymnasia, see Fisher 2001, 130-34, esp. 132, *ad loc.* and Parker 2005, 251-52.

34. See Lynch 1972, 103-04, 109-10; 117-118; 128-29, 153; for some critical remarks, see Jones 1999, 229 esp. n. 36 and Ustinova 2005, 180 esp. n. 20. For the interpretation of the so-called law of Sophocles in its historical context, see below on p. 67-71.

35. See Ismard 2010, 187.

36. See Jones 1999, 228-29; this point of view has been accepted by Ustinova 2005, 180; Haake 2007, 32; Gabrielsen 2007, 184 with 195 n. 48 and Haake 2008, 105.

37. See, e.g., Finley 1970, 8; see also the remarks by Ismard 2010, 14-15.

38. Millet 1991, 114 by quoting Goldhill 1986, 82, describes the meaning of *philia* in the following words: '(...) *philia* (...) represents (...) a way of marking a person's position in society by his relationships. The appellation or categorization *philos* is used to mark not just affection, but overridingly a series of complex obligations, duties and claims.'

> some *philiai* are more and some are less. (…) All *koinoniai* would seem to be part of the political *koinonia*. For people keep company for some advantage and to supply something contributing to their life. Moreover, the political *koinonia* seems both to have been originally formed and to endure for advantage; (…) The other types of the *koinonia* aim at partial advantage. Voyagers, for example, seek the advantage proper to a journey, in making money or something like that, while comrades-in-arms seek the advantage proper to the war, desiring either money or victory or a city; and the same is true of fellow-tribesmen and fellow-demesmen. Some *koinoniai* – religious societies and *eranistai* – seem to arise for pleasure, since these are respectively for religious worship and companionship. All these *koinoniai* seem to be subordinate to the political *koinonia*, since it aims at some advantage close at hand, but at advantage for the whole life.[39]

Even if Aristotle does not mention philosophers or philosophical schools in the quoted text or in any related passage, it is a plausible suggestion to subsume philosophical schools under the wide-ranging Aristotelian concept of *koinoniai*[40] consisting of what one might

39. Arist. *Eth. Nic.* 1159b26–60a23: ἐν ἁπάσῃ γὰρ κοινωνίᾳ δοκεῖ τι δίκαιον εἶναι, καὶ φιλία δέ· προσαγορεύουσι γοῦν ὡς φίλους τοὺς σύμπλους καὶ τοὺς συστρατιώτας, ὁμοίως δὲ καὶ τοὺς ἐν ταῖς ἄλλαις κοινωνίαις. καθ' ὅσον δὲ κοινωνοῦσιν, ἐπὶ τοσοῦτόν ἐστι φιλία· καὶ γὰρ τὸ δίκαιον. (…). ἔστι δ' ἀδελφοῖς μὲν καὶ ἑταίροις πάντα κοινά, τοῖς δ' ἄλλοις ἀφωρισμένα, καὶ τοῖς μὲν πλείω τοῖς δ' ἐλάττω· καὶ γὰρ τῶν φιλιῶν αἳ μὲν μᾶλλον αἳ δ' ἧττον. (…). αἱ δὲ κοινωνίαι πᾶσαι μορίοις ἐοίκασι τῆς πολιτικῆς· συμπορεύονται γὰρ ἐπί τινι συμφέροντι, καὶ ποριζόμενοί τι τῶν ρεύονται γὰρ ἐπί τινι συμφέροντι, καὶ ποριζόμενοί τι τῶν εἰς τὸν βίον· καὶ ἡ πολιτικὴ δὲ κοινωνία τοῦ συμφέροντος χάριν δοκεῖ καὶ ἐξ ἀρχῆς συνελθεῖν καὶ διαμένειν·(…) αἱ μὲν οὖν ἄλλαι κοινωνίαι κατὰ μέρη τοῦ συμφέροντος ἐφίενται, οἷον πλωτῆρες μὲν τοῦ κατὰ τὸν πλοῦν πρὸς ἐργασίαν χρημάτων ἤ τι τοιοῦτον, συστρατιῶται δὲ τοῦ κατὰ τὸν πόλεμον, εἴτε χρημάτων εἴτε νίκης ἢ πόλεως ὀρεγόμενοι, ὁμοίως δὲ καὶ φυλέται καὶ δημόται. ἔνιαι δὲ τῶν κοινωνιῶν δι' ἡδονὴν δοκοῦσι γίνεσθαι, θιασωτῶν καὶ ἐρανιστῶν· αὗται γὰρ θυσίας ἕνεκα καὶ συνουσίας. πᾶσαι δ' αὗται ὑπὸ τὴν πολιτικὴν ἐοίκασιν εἶναι· οὐ γὰρ τοῦ παρόντος συμφέροντος ἡ πολιτικὴ ἐφίεται, ἀλλ' εἰς ἅπαντα τὸν βίον. – The translation is taken from Millett 1991, 114–15; for the constitution of the text and a commentary, see Gauthier and Jolif 1959, 697–99. On the quoted passage, see also Jones 1999, 27–33; Bendlin 2002, 19–20; Arnaoutoglou 2003, 125–44; Vlassopoulos 2007, 86–88 and Ismard 2010, 13–15. One might refer in this context also to Arist. *Eth. Eud.* 1242a1–19; see Schofield 1998, 40–43 and Jones 1999, 28.

40. Otherwise, but inconclusively, see Lynch 1972, 111; against Lynch's explanations, see Jones 1999, 229 n. 35.

call 'public subdivisions' as well as 'voluntary associations' because of two reasons:[41] firstly, there are two sections in the *Nicomachean Ethics* where Aristotle 'uses the verb corresponding to the noun *koinonia* (i.e. κοινωνεῖν) of those participating in philosophical activity';[42] secondly, Aristotle did not aim to present an entire catalogue of *koinoniai* or a clear definition of this term in the quoted passage, but rather to propound a theoretical framework combined with a delineation that contains various examples. This descriptive approach by Aristotle originates from the peculiar circumstance that in the language of Greek law no term for the phenomenon of associations ever existed.[43] In the case of Athens, this circumstance manifests itself in the formulation in the so-called Solonian law on associations.[44] Yet, against the background that 'the testimony of non-philosophical texts supports Aristotle's conception of *koinoniai*, incorporating associations of all kinds',[45] it is a legitimate undertaking to consider the Aristotelian conception of *koinoniai* not simply as a philosophical construct beyond social reality, but to apply it to the world of ancient Athens and, furthermore, to use it with all necessary methodological elaborateness in modern research on associations in Classical and Hellenistic Athens.[46]

At first glance, subsuming the philosophical schools in Athens under the *koinoniai*, the voluntary or – less appropriate – non-public or also private associations, might appear to be an aspect of little

41. See, e.g., Gabrielsen 2007, 178–79.

42. See Jones 1999, 228 who refers to Arist. *Eth. Nic.* 1164b2–3 and 1172a1–8. Furthermore, it is worth reconsidering in this context that also Theophrastus in his will also uses the word *koinonountes* to designate those of his friends who should inherit the garden, the walk as well as the houses adjacent to the garden and who might wish to philosophise together (Diog. Laert. 5.52–53); thus, the *koinonountes* are those who should constitute the core of the Peripatus after the scholarch's death. See again Jones 1999, 228 and also Ismard 2010, 197–98.

43. See, e.g., Hadzopoulos 1975, 6–7 and Ismard 2007, 61. One should also have in mind, what Finley 1970, 8 has pointed out: 'Obviously no single word will render the spectrum of *koinōniai*.'

44. *Dig.* 47.22.4 = Ruschenbusch 2014, 145 F 76a; see also below n. 57.

45. See Millett 1991, 115. For an exhaustive study on *koinoniai*, see Endenburg 1937.

46. In this respect, see, e.g., Gabrielsen 2007, 179; see also Vlassopoulos 2007, esp. 86–88. Differently, however, Ismard 2007, 61 and Ismard 2010, 13–15.

importance; yet, its consequences are considerable as in general the *koinoniai* certainly 'had no formal (*i.e.* constitutional) affiliation to the *polis*', but 'they all remained subject to *polis* law'.[47] The crucial point is how and to what extent the Athenian law treated associations in general and the philosophical schools in particular. The solution to this aspect comes along with the explanation of the successful proceedings against the so-called law of Sophocles in 306/5.[48] This law, decreed in the previous year, is one of the most neuralgic points in the history of philosophers in Athens and at the same time the most important starting point to explain the legal status of the philosophical schools in Athens. This complex has often been explained unpersuasively,[49] due to the difficult source material since the relevant text passages by Alexis, Athenaeus, Diogenes Laertius and Pollux do not easily result in a coherent conclusion.[50] Nevertheless, it can be argued convincingly that the so-called law of Sophocles, which was resolved immediately after the expulsion of Demetrius of Phalerum from Athens in the course of a series of politically motivated anti-Macedonian acts by Athenian democratic partisans,[51] decreed 'that no philosopher should preside over a school except by permission of the *boule* and the *demos*, under penalty of death'.[52] This

47. So Gabrielsen 2007, 179; for a general overview on voluntary associations, see Wilson 1996.

48. Sophocles, son of Amphiclides, of Sounion is otherwise unknown; see Haake 2007, 19 n. 26. The statement of Ustinova 2005, 187 that '[b]ehind Sophocles stood Xenocrates and the Academy (*cf.* Athen., XIII, 610e), rivaling the Peripatos in philosophy as well as in politics' is not correct.

49. See, e.g., Wilamowitz-Moellendorff 1881, 270-72; Lynch 1972, 117-18 as well as O'Sullivan 2002, 252-53 and 260-61.

50. See Kassel-Austin, *PCG* II Alexis *fr.* 99 *ap.* Ath. 13.610e; Ath. 13.610e-f; Diog. Laert. 5.38 and Poll. *Onom.* 9.42; for a detailed interpretation, see Haake 2008, 89-89 and 94-96.

51. For the historical context and the political background of the so-called law of Sophocles, see in greater detail and with further references Haake 2007, 16-43 and Haake 2008, 97-103. On the political climate in Athens after the expulsion of Demetrius of Phalerum, see Habicht 2006, 85-93 with 424-27.

52. Diog. Laert. 5.38 (transl. by R.D. Hicks): (...) μηδένα τῶν φιλοσόφων σχολῆς ἀφηγεῖσθαι ἂν μὴ τῇ βουλῇ καὶ τῷ δήμῳ δόξῃ· εἰ δὲ μή, θάνατον εἶναι τὴν ζημίαν. – See Haake 2008, 94-96. The true meaning of ἀφηγεῖσθαι is not clear.

clause reflects the aforementioned unawareness of Greek law with respect to associations as juridical persons, since it is not directed against philosophical schools as institutions, but against the philosophers acting as 'heads' of philosophical schools. Even if this was not the regulation of the decree, its effect was the exodus of all philosophers from Athens.[53] However, this situation did not last for long because a certain Philo, a man related to the Peripatus,[54] successfully initiated a procedure of illegality against the so-called law of Sophocles.[55] Even if it is not known from ancient sources which Athenian law was violated by the so-called law of Sophocles, it can be plausibly suggested that it was a law cited by the Roman jurist Gaius in his tract on the Law of the Twelve Tables: the so-called Solonian law on associations.[56] According to Gaius, this law was of the following content:

> If the inhabitants of a district, or precinct, or (performers?) of sacred rites, or sailors, or messmates, or individuals providing for their burial, or members of religious groups, or individuals engaged in some enterprise for plunder or trade, whatever they agree between themselves shall be valid unless forbidden by public statutes.[57]

It must be conceded that the suggestion that the repealing of the law of Sophocles in 306/5 was connected with the so-called Solonian law on associations, is based upon two improvable, but plausible

53. This can be inferred from Ath. 13.610e; Diog. Laert. 5.38.

54. On Philo, see, e.g., Haake 2007, 29.

55. The philosophers' return to Athens is only mentioned by Diog. Laert. 5.38.

56. *Dig.* 47.22.4; see Wilamowitz-Moellendorf 1881, 279; Whitehead 1986, 13–14; Habicht 1994, 237; Jones 1999, esp. 39 and 229; Ustinova 2005, 186–87; Haake 2007, 30–32 and Haake 2008, 103–04.

57. *Dig.* 47.22.4 = Ruschenbusch 2014, 145 F 76a: ἐὰν δὲ δῆμος ἢ φράτορες ἢ ἱερῶν ὀργίων ἢ † ναῦται † ἢ σύσσιτοι ἢ ὁμόταφοι ἢ θιασῶται ἢ ἐπὶ λείαν οἰχόμενοι ἢ εἰς ἐμπορίαν, ὅ, τι ἂν τούτων διαθῶνται πρὸς ἀλληλους κύριον εἶναι μὴ ἀπαγρεύσῃ δημόσια γράμματα. – The Greek text follows Arnaoutoglou 2003, 44; the translation is basically that by Arnaoutoglou (2003, 44), but also uses some elements of his translation presented in oral contribution at Copenhagen. For discussions of the partially corrupt Greek text, see, e.g., Radin 1910, 36–51; Jones 1999, 33–35 and 311–20; Arnaoutoglou 2003, 44–50; Ustinova 2005, 183–85 and Ismard 2010, 44–57.

conditions: firstly, this law, whose Solonian origin as well as its dating are a matter of controversy, must have been generally valid regarding its central elements at the end of the fourth century;[58] secondly, this law must have been applicable to the philosophical schools.[59] Provided that both conditions are the case: How did the so-called law of Sophocles violate the so-called Solonian law on associations? It seems reasonable to assume that Philo referred to the *patrios politeia*, and thus to the figure of Solon, and argued successfully along the line that presiding over a school was not forbidden by public statutes.[60]

However, assuming that the so-called Solonian law on associations was violated by the so-called law of Sophocles and that the latter was therefore annulated, then it is possible to explain a noticeable fact, too: although there is some literary evidence that prove the unproblematic establishment of philosophical schools in Athens between the fourth and the first centuries, there is only marginal

58. It should be stressed that in respect to the current concern it is not of any relevance whether the so-called Solonian 'law on associations' is genuinely Solonian or not; the crucial point is that this law was valid in the last decade of the 4th century. See in this context Haake 2007, 31-32 and Haake 2008, 104. It has been pointed out that Gaius' explanations in the *Digests* reflect his contemporary legal reality; see, e.g., Bendlin 2002, 10 n. 5. Yet, this conclusion does not spare the question for the original historical setting as well as the original content and wording of the law attributed to Solon. To mention just two positions put forward recently in the ongoing scholarly debate, one might refer to the controversial points of view of Arnaoutoglou 2003, 44-57 and Ismard 2010, 45-56. For further references regarding the discussion of *Dig.* 47.22.4, see, e.g., Haake 2007, 30-32 and Haake 2008, 104. See furthermore Scafuro 2006 as well as Rhodes 2006 for the ongoing discussion on the possibilities and limitations of the identification of Solonian laws.

59. On the one hand, this means that the law was not exclusively valid for those types of associations mentioned, but that it was applicable to all *koinoniai*; its content was therefore descriptive, but not definitive. See Jones 1999, 39 as well as 229 and see furthermore Haake 2008, 105. On the other hand, this implies that the philosophical schools were subsumed under the *koinoniai*. In this context, it might be worth reconsidering once again the cryptic and much discussed *dikai koinonikai* attested in the Aristotelian *Constitution of Athens* (Arist. *Ath. Pol.* 52.2). See the controversial points of view by Lipsius 1908, 771-72; Harrison 1968, 22; Harrison 1971, 242-43; Cohen 1973, 14; Rhodes 1992, 586; Arnaoutoglou 2003, 139 and Ismard 2007, 62-66.

60. Haake 2008, 105.

proof which depicts the foundation of a philosophical school in a detailed manner, and there is not a single piece of evidence suggesting any difficulty in the process of founding a philosophical school at all.[61] Against the background of the so-called Solonian law, this finding, which is consistent with our information about other types of associations, becomes evident:[62] since the rules of the philosophical schools did not affect Athenian law, neither founding nor heading a philosophical school was generally a concern of Athenian political or legal institutions. Yet, two aspects can be deduced from this point. Firstly, this matter of fact makes clear that the exceptional political circumstances of 307/6 provided the necessary conditions for the initial success of Sophocles and his law. Even if Demetrius of Phalerum, who dominated Athens between 317/6 and 307/6, was by no means a 'philosopher-ruler', his contacts with philosophers in general and Peripatetics in particular were sufficient to discredit philosophers as politically untrustworthy, oligarchic and philo-Macedonian partisans after Demetrius' expulsion from Athens. These charges were in no way innovative, but topics in the arsenal of anti-philosophical polemics.[63] But only in the climate of 307/6

61. Exemplarily, one might refer to the foundation of philosophical schools by by Cleitomachus in the Palladium in 140/39 (Phld., *Hist. Acad.*, col. XXV, ll. 1–11 ed. Dorandi; see Brittain 2001, 46–47) and a certain Charmadas in the Ptolemaeum at *c.* 130 (Phld., *Hist. Acad.*, col. XXXII, ll. 6–10 ed. Dorandi; see Brittain 2001, 47) respectively; next to these Academic philosophers the Stoic Aristo of Chius is worth to be mentioned: He established his own school in the Cynosarges at an unknown time in the early second third of the third century (Diog. Laert. 7.161; see Ioppolo 1980). A thorough analysis of the literary accounts on the foundation of philosophical schools in Athens and elsewhere in the Classical and Hellenistic periods is still missing.

62. See, e.g., Ustinova 2005, 184–85.

63. These allegations were part of the apology for Sophocles written by Demosthenes' nephew Demochares and held in the course of the proceedings regarding the legality of the law of Sophocles in 306/5; see Democh. frg 1 Marasco = *BNJ* 75 Demochares F 1 ed. Dmitriev *ap.* Ath. 11.508f–509b; Democh. frg. 2 Marasco = *BNJ* 75 Demochares F 2 ed. Dmitriev = Aristocl. frg. 2.6 Chiesara *ap.* Euseb. *Praep. Ev.* 15.2.6; Democh. frg 3a ed. Marasco = *BNJ* 75 Demochares F 3a ed. Dmitriev *ap.* Ath. 5.215c and – slightly different – Democh. frg 3b Marasco = *BNJ* 75 F 3b ed. Dmitriev *ap.* Ath. 5.187d. Even if Demochares' oration failed, it is plausible to assume that its charges against philosophers, who were members of various schools, reflected the public attitude in

was it possible to 'transform' these political charges into a law regarding all philosophers instead of referring to the single charges of *asebeia* against individual philosophers.[64] Secondly, the successful procedure of illegality against the law of Sophocles in 306/5 which attested that philosophical schools were generally not a concern of Athenian political or legal institutions resulted not only in the return of the philosophers who had left Athens in the previous year, but it should also be regarded as a factor in the context of the foundation of two new philosophical schools in the following years: the Stoa and the Garden of Epicurus.[65]

Even if it should become plausible that the philosophical schools in Athens are to be subsumed under the general concept of *koinoniai*, it is necessary to ask at the end of this chapter for possible differences between the various philosophical schools in Athens in respect of their legal structure, since the '*koinoniai*-status' of the philosophical schools does not essentially imply that they were organised in an identical juridical form.[66] In this context, the testaments of various Academic, Peripatetic and Epicurean scholarchs,[67] are of crucial significance and have been discussed for more than a century.[68] These legal documents, altogether eight in number, are handed

307/6 when the Sophoclean law was decreed by the Athenians. On Demochares' polemics against philosophers, see the detailed analysis by Haake 2007, 32–40; see also the commentary by Marasco 1984, 163–76 and see most recently Dmitriev's commentary within the framework of his BNJ-edition of Demochares.

64. On trials of *asebeia* against philosophers in the 4th century, see, e.g., Scholz 1998, 62–68; Haake 2006, 344–48; Haake 2007, 21 n. 34; Haake 2008, 100 and Haake 2009, 121–24; see also O'Sullivan 1997 and Mari 2003.

65. See, e.g., Haake 2007, 42–43 and Haake 2008, 106.

66. See, e.g., Maffi 2008, 124.

67. It seems worth noting that words with the stem σχολαρχ- are very rarely attested in ancient Greek texts; according to the *Thesaurus Linguae Graecae*, there are less than a dozen pieces of evidence. Therefore, the term scholarch, common in modern literature, should not be considered in the first instance as an ancient concept, but as an expression of modern homogenising terminology for a phenomenon labeled variously by ancient authors.

68. See, among others, especially Bruns 1880; Gottschalk 1972; Clay 1973; Glucker 1978, 226–55; Dimakis 1987; Dorandi 1992 and Ismard 2010, 188–204.

down by Diogenes Laertius and in a papyrus from Herculaneum.[69] In the course of a renewed discussion of the associational character of the Athenian philosophical schools it has recently been suggested on the basis of the scholarchs' testaments that the Academy, the Peripatus and Epicurus' Garden were associations in the form of testamentary foundations,[70] and that it is necessary to distinguish between the scholarchs of the schools and their private property and the proprietaries of the landed estate of the schools.[71] If this attractive suggestion, which is admittedly rich in prerequisites, is true,[72] a much debated aspect would be solved, too: the difficulty regarding the often debated right of *enktesis* of scholarchs who were mostly not Athenians, but metics.[73]

69. For the testament of Plato, see Diog. Laert. 3.41-43; for the Academic scholarchs Crantor and Arcesilaus the existence of wills is attested, See Diog. Laert. 4.25 and 4.43-44. The testaments of the following Peripatetic scholarchs are handed down: Aristotle (Diog. Laert. 5.11-16; see Arist. *priv. script. frag.*, p. 35-42 Plezia), Theophrastus (Diog. Laert. 5.51-57 = Theophr. frg. 1 [p. 40-47] Fortenbaugh - Huby - Sharples), Strato of Lampsacus (Diog. Laert. 5.61-64 = Strato frg. 10 Wehrli = Lyco frg. 4 [p. 30-33] Stork - Fortenbaugh - Dorandi - van Ophuijsen) and Lyco of Alexandria Troas (Diog. Laert. 5.69-74 = Lyco frg. 15 Wehrli = Lyco frg. 1 [p. 20-27] Stork - Fortenbaugh - Dorandi - van Ophuijsen). Next to Epicurus' testament (Diog. Laert. 10.16-21 = Epicur. frg. 1 [p. 12-17] Arrighetti²) the wills of the Epicurean scholarchs Polystratus (*PHerc.* 1780, frgs. VIIIc, VIIId, VIIIe and VIIIi) and Dionysius of Lamptrae (*PHerc.* 1780, frg. VII) are known, too; see Tepedino Guerra 1980, 18-21. From A.D. 121 and A.D. 125 respectively, two letters by the empress Plotina regarding legal aspects of the Epicurean scholarch's succession and testament to the Epicureans from Athens are known; see, e.g. with detailed, but divergent interpretations and restorations of the texts Follet 1994 (= *SEG* 43.24) and van Bremen 2005 (= *SEG* 55.249).

70. See Ismard 2010, 186-204, esp. 203: 'Dans le cadre de fondations testamentaires, ces associations (*i.e.* les écoles philosophiques [M.H.]) pouvaient être gestionnaires directs de patrimoines, qui avaient été affectés à perpétuité en vue d'une destination precise (le Lycée et peut-être l'Académie), ou indirects, par l'intermédiaire des héritiers du fondateur (le jardin d'Épicure).'

71. See again Ismard 2010, 203.

72. Unfortunately, it would go beyond the scope of this article to discuss in detail the conceptualisation of the Platonic, Peripatetic and Epicurean schools in Athens as testamentary foundations.

73. See, e.g., O'Sullivan 2002, esp. 254-57.

However, even as testamentary foundations the Academy, the Peripatus and Epicurus' Garden would be part of the world of Athenian *koinoniai*.[74] But what about the other philosophical schools? Due to the fact that there is, for example, no evidence for any estate in connection with the Stoa[75] – if not to bring up the already mentioned ephemeral philosophical schools – it is compelling to infer that the Athenian philosophical schools must have been organised differently in respect to their specific legal status within the framework of *koinoniai*.

## 3. The Athenian philosophical schools: their organisational structure

One of the main characteristics of voluntary associations is the fact that they were generally organised like 'true imitations of the *polis*',[76] although 'they distanced themselves from prevailing juridical distinctions between status categories'.[77] How can the situation of the philosophical schools be described in terms of these statements? To begin with a general remark regarding the relevant sources: their condition allows only for some cursory views, but they do not offer a complete image. Calling to mind the fragmentary evidence concerning the internal structure of the Athenian philosophical schools, one has to admit that it is not possible to describe them as 'true imitations of the *polis*'. Nevertheless, the sidelights already mentioned confirm that at least the Academy, the Peripatus and Epicurus' Garden had a more or less elaborated, but distinct internal structure with different 'administrative functions'.[78] What all these schools, probably also the Stoa, had in common was the fact that each of them was headed by one person, in Greek labelled occasionally *prostates* or *archon*, but hardly

74. Differently, however, Ismard 2007, 61 and Ismard 2010, 13–15.

75. See Ludlam 2003, 36–38 and Bénatouïl 2006, 417. The opinion that the Stoa was organised comparably to the Academy, the Peripatus and Epicurus' Garden is widely accepted, but by no means certain; however, see Steinmetz 1994, 495.

76. See Gabrielsen 2007, 181 and already Poland 1909, 337–40.

77. See Gabrielsen 2007, 179.

78. A short, but careful overview on the 'organization and structure of the philosophical schools' has been presented by Dorandi 1999.

ever *scholarches*.[79] This person was responsible for the philosophical affairs of the respective school in Athens,[80] but not for the school's real estate.[81] In contrast to the institutions of the *poleis*, being head of a philosophical school had no temporal restriction, but was in general taken on for life; there are only few examples of 'retirement'.[82] Besides the scholarchs, who always acted as sole 'office holders',[83] it is possible to identify one further office. The respective 'office holder' is also called *archon*, but he is obviously to be distinguished from the scholarch. According to Diogenes Laertius, Aristotle, following the example of the Academic Xenocrates, 'made it a rule in his school that every ten days a new *archon* should be appointed'.[84] Even if it is often suggested and widely accepted that Athenaeus, referring to Antigonus of Carystus' *Life of Lyco*, relates some details regarding the Peripatetic 'archonship', this point of view should be considered at least partially as doubtful.[85] According to Athenaeus,

> a person was required to assume the standard duties in Aristotle's school (that is, to supervise the behavior of the new students) for 30 days, and on the final day of the month he had to collect nine obols from every new student and offer a dinner not only on the individuals who had contributed money, but to anyone Lycon might invite as well, along with whatever older men visited the school regularly. (...) In addition, he had to make a sacrifice and take care of the rites in honor of the Muses.[86]

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79. See Dorandi 1999, 58; for a sceptical view with regard to the existence of a Stoic scholarch in a literal sense, see Ludlam 33. On the Greek word *scholarches*, see above on p. 71 n. 67.

80. See, e.g., Steinmetz 1994, 495 and Dorandi 1999, 58. As already mentioned, this view is called in question by Ludlam 2003, esp. 35-36 regarding the Stoa; see also Mitsis 2003, 465.

81. See above, p. 72.

82. See Dorandi 1999, 58.

83. See Dorandi 1999, 58.

84. Diog. Laert. 5.4 (= Xenocr. Phil. *test.* 27 ed. Isnardi Parente and Dorandi): ἀλλὰ καὶ ἐν τῇ σχολῇ νομοθετεῖν μιμούμενον Ξενοκράτην, ὥστε κατὰ δέκα ἡμέρας ἄρχοντα ποιεῖν. The translation is by R.D. Hicks. On this passage see, e.g., Isnardi Parente and Dorandi 2012, 219 *ad loc.*; Lynch 1972, 82 and Ismard 2010, 198.

85. See Isnardi Parente 1982, 289 and Dorandi 2002, 50 n. 115.

86. Antig. Car. *frg.* 23 Dorandi *ap.* Ath. 12.547e–f: ἔδει γὰρ ἄρξαι τε τὴν νομιζομένην ἐν τῷ

The mode of appointment is known only in the case of the scholarchs: they could be either nominated by their predecessor or elected by the members of the school. Remarkably, both modes are traceable in one and the same school – at least in the Academy.[87] Speaking of 'members', an important group comes into play which leads to the question of membership in the philosophical schools. The knowledge of how membership in philosophical schools was organised is rather limited, and it is only possible to make some general statements. Firstly, membership in the philosophical schools was not restricted to male Athenian citizens, but was open to metics and even women as well as slaves; yet, whereas women and slaves are only rarely attested as members in the philosophical schools, there were numerous metics.[88] This phenomenon is a general characteristic of associations[89] – and in the case of the philosophical schools it should therefore not be interpreted by referring to philosophical theorems on human nature, but first and foremost with regard to comparable contemporary social practices. However, this does not mean that the established social order was completely turned upside down within the philosophical schools: nei-

περιπάτῳ ἀρχὴν (αὕτη δ' ἦν ἐπὶ τῆς εὐκοσμίας τῶν ἐπιχειρούντων) τριάκονθ' ἡμέρας, εἶτα τῇ ἕνῃ καὶ νέᾳ λαβόντα ἀφ' ἑκάστου τῶν ἐπιχειρούντων ἐννέα ὀβολοὺς ὑποδέξασθαι μὴ μόνον αὐτοὺς τοὺς τὴν συμβολὴν εἰσενεγκόντας, ἀλλὰ καὶ οὓς παρακαλέσειεν ὁ Λύκων, ἔτι δὲ καὶ τοὺς ἐπιμελῶς συναντῶντας τῶν πρεσβυτέρων εἰς τὴν σχολήν, (…) ἱεροποιῆσαί τε καὶ τῶν Μουσείων ἐπιμελητὴν γενέσθαι. The translation is by S.D. Olson. On this passage, see the various approaches by Lynch 1972, 112–14; Scholz 1998, 16–17 n. 17; Dorandi 2002, 50 n. 116 and Ismard 2010, 198–99.

87. See Dorandi 1999, 58.

88. See Dorandi 1999, 58. On some alleged female Epicureans, see, however, Haake 2007, 295–96 who argues that they were hetaerae interested in philosophers, but not in philosophy.

89. On this general characteristic see Gabrielsen 2007, 179: 'Another general characteristic is that they (*i.e.* the voluntary associations; M.H.) distanced themselves from prevailing juridical distinctions between status categories, freely admitting as members both citizens and all categories of non-citizens – that is, foreigners, women and in some cases slaves as well.' Thus, the Athenian associations were 'true imitations of the *polis*' (Gabrielsen 2007, 181) regarding their institutional organisation, but they did not adopt the social and political stratigraphy of the *polis* in respect of their membership. This fact seen individually does not imply anything about the modes of inner-associational hierarchies.

ther a female nor a slave member is ever attested as scholarch of one of the philosophical schools which were dominated by free-born male Athenians and non-Athenians who originated mostly from the upper classes of the *poleis* of the Mediterranean world or the Black Sea region. This is not surprising since philosophising was from the very beginning an integral part of a male elitist habitus.[90] Secondly, it seems reasonable to differentiate between various groups within and surrounding the philosophical schools: permanent members, temporary members, listeners of philosophical lessons and a group which might be labelled as 'friends and followers'. At least, it is to establish that nothing is known about any regulation or forms of membership in any of the philosophical schools. Thirdly, there is some sporadic evidence for internal distinctions within the Academy, the Peripatus, the Stoa and the Epicurean Garden.

In the Academy and the Peripatus the younger and the older students are attested as distinct groups.[91] With respect to the Stoa for instance, it is known that there were teachers who taught introductory courses.[92] As for the Epicurean Garden the 'functional' groups of *philosophoi*, *philologoi*, *kathegetai* and *synetheis* are known; however, this should not lead to the conclusion that a very elaborated and hierarchical internal differentiation existed in Epicurus' school. Rather, next to the 'big four', namely the 'models' Epicurus, Metrodorus, Hermarchus and Polyaenus, there was one group which formed the core of the Garden after the deaths of the Epicurean founding fathers: the *sophoi*, the wise men.[93]

This broad overview illustrates that the Athenian philosophical schools were not 'true imitations of the *polis*'.[94] Yet, at least for the Academy, the Peripatus and Epicurus' Garden some organisational

90. See, e.g., Haake 2009, 132; see also Perrin-Saminadayar 2003.
91. See Dorandi 1998, 58. For the Academy, one might refer to Phld. *Hist. Acad.*, coll. VI, l. 41 and XVIII, ll. 4–6 ed. Dorandi; as for the Peripatus, see Diog. Laert. 5.70–71.
92. Phld. *Hist. Stoic.*, col. LXXVII, ll. 2–3 ed. Dorandi; in this context, see, e.g., Haake 2012, 52.
93. See Dorandi 1999, 57 and Haake 2007, 310–11; see Scholz 1998, 304 n. 181 with a different interpretation of evidence.
94. This quotation is taken from Gabrielsen 2007, 181.

structures can be grasped which refer in some sense to a 'typical' associational character of the philosophical schools even if the image is rather sketchy. Beyond question, one of the most important aspects regarding the internal organisational structures of the philosophical schools in Athens are the differences between the various philosophical communities. It might be a worthwhile undertaking to analyse in greater detail the nexus between the organisational characteristics of the different philosophical schools, the opportunity to have some real estate at their disposal or not, and the question of the schools' educational and constructional infrastructure, the manner of generating income, the issue of a fixed meeting place in cases where estate and infrastructure were lacking, the size of the philosophical schools, and their persistence.

## 4. The Athenian philosophical schools as social entities

What held the Athenian philosophical schools together at the core? To answer this question, it is necessary not only to emphasise the organisational aspects of the philosophical schools, but also to underline social practices and theoretical, in a way 'ideological', frameworks which provide the basis for the forming and possibly the perpetuation of a collective identity of a philosophical school as a particular entity.[95]

Not surprisingly, the philosophical doctrines constituted the central element of the identity of a philosophical school that distinguished one philosophical school from another. However, in this context the role and the consequences of written and oral impartation of the philosophical theories regarding the stability of a philosophical school need to be investigated further. An important part is undoubtedly played by a characteristic form of discussion in the philosophical quarrels between the various philosophical schools competing with each other: the invective.[96] In order to distinguish

95. One might refer in this context to the general, but highly instructive remarks by Bendlin 2002 and Galli 2003.

96. In this context, see the instructive explanations by Owen 1983 and Brunschwig 2003.

one philosophical school from another two further aspects are of some importance: language and dress.[97] Both elements found their use on various occasions. Next to the doctrinal and behavioural aspects as well as the common philosophising, there are a number of collective acts to create and to orchestrate a community. These acts were by no means influenced by philosophy, but reflect 'traditional' practices of communities not merely in the ancient world: first and foremost, the common meals in the philosophical schools are to be mentioned which are attested for the Academy, the Peripatus and Epicurus' Garden.[98] In addition to this, the ritual acts, which are attested for these three philosophical schools, are of fundamental importance: sacrifices not only to the Muses, but also to the founder of a philosophical school – quasi to its *heros ktistes*.[99]

Again, it has to be admitted that the extant pieces of evidence are mostly restricted to the Academy, the Peripatus and Epicurus' Garden. But a careful re-reading of the relevant source material is a promising proposition – also in respect to other philosophical groups in Hellenistic Athens. After all, this may be the case, too, in terms of the aforementioned fragmentation of the philosophical schools in the late second and early first centuries: besides the external influences in this process, the condition of their inner coherence needs further investigation.

## 5. Athenian politics, the Athenian public and the philosophical schools in Athens

If one ponders on the relationship between the city of Athens and the philosophical schools situated in the city, then this field is not restricted to politics, but also includes the public perception of the philosophical schools. Since the fifth century, philosophers were

97. On language as medium of distinction between schools of thought, see Burke 1995 in general and Haake 2007, 108 with n. 403 in particular. In terms of clothes, see the short remarks by Haake 2009, 125–26. A detailed analysis as to the clothing of philosophers does not exist.

98. See, e.g., Scholz 1998, 22.

99. See Clay 1986; Dorandi 1998, 57 and Bendlin 2002, 9–10; see the general remarks by Arnaoutoglou 2011, 42–44.

onstage in Athens – and this is true in a triple sense. On the one hand, philosophers were part of the ordinary public life in the Agora and the gymnasia; on the other hand, various types of philosopher constituted an integral component of the comic stage repertoire and, finally, philosophers were visibly present in the form of statues in Athenian public space.[100] To grasp the social and political position of philosophers in Athens, these three aspects have to be considered in combination with four events which best illustrate the changing position of philosophers and philosophy: the so-called and already mentioned law of Sophocles, the famous embassy to Rome in 155, the philosophical lectures as part of the ephebic curriculum after 122/1 and the philosophers who left Athens in the early first century.

In 155, the heads of the Academy, the Peripatus and the Stoa, Carneades of Cyrene, Critolaus of Phaselis in Lycia, and Diogenes of Babylon, were sent to Rome. The reason for this embassy was a conflict between Athens and the small Boeotian city Oropus. In the course of this conflict, the Athenians were judged by the Achaean city of Sicyon, which had been established as arbiter by the Romans, to pay a penalty of 500 talents to Oropus. The aim of the Athenian embassy to Rome was to decrease this immense amount. Leaving the Roman context of this embassy aside, the three philosophers were very successful from an Athenian point of view: They achieved a reduction of the penalty down to 100 talents. As a result of their success, the three philosophers seem to have been awarded the right of Athenian citizenship. The reason for choosing the three scholarchs as ambassadors lay in their social esteem by the Athenian public. Therefore, it is justified to say that in the middle of the second century, philosophers were generally perceived as distinguished members of the public life of Athens.[101] That this was not always the case has already been mentioned by reference to the events in 307/6,

100. On philosophers in Attic comedy, see still Weiher 1913; see also more generally Imperio 1998. In respect of the presence of statues of philosophers in the Athenian public, see, e.g., Zanker 1995, esp. 46-49, 62-66, 93-132 and 168-86.

101. On the famous Athenian embassy of 155 to Rome, see, e.g., Ferrary 1988, 351-63; Habicht 2006, 291-96 and Haake 2007, 106-17 and 255-59; see now also Powell 2013 It is noteworthy that no Epicurean philosopher was sent to Rome.

when in the course of a number of anti-Macedonian processes and acts after the liberation from the 'rule' of Demetrius of Phalerum, a law was proposed which caused a one-year-exodus of all philosophers from Athens until the annulation of the law.[102] From this starting point, it was a long way to the 120s, when the participation in philosophical lectures became for some 80 years part of the ephebic curriculum as it is known from the so-called ephebic inscriptions. This aspect is part of a reform of the Athenian ephebate in the 120s, when it became possible for foreigners to participate in the Athenian ephebate. In the course of the ephebate, the ephebes visited lectures by various philosophers in the Athenian gymnasia. Unfortunately, it is completely unknown whether and in which way the participation of the ephebes in the philosophical lectures was regulated and organised.[103] During the period when the ephebes participated in philosophical lessons, in the late 90s and early 80s, turbulent incidents shook the eastern Mediterranean as well as Athens.

In 88, the Peripatetic philosopher and Mithridatic supporter Athenion came to power in Athens. After a short rule and a disastrous military campaign by his companion, the Peripatetic Apellicon of Teus, Athenion's traces are lost in the darkness of history. He was for a short time succeeded by an Epicurean philosopher named Aristion – until Sulla conquered Athens in 87.[104] In spite of these 'philosophical tyrants', nothing comparable to the events of 307/6 happened to the philosophers. That a great number of them had left Athens since the 90s was caused by the difficult circumstances in general and the attractive alternatives elsewhere in Greece, in Southern Italy and, above all, in Rome. However, visiting philosophical lectures remained an element of the ephebic curriculum until 38/7, and during the Imperial period Athens again became a centre for practicing philosophy.[105]

102. See above on p. 70.

103. See in detail Haake 2007, 44–55 and Perrin-Saminadayar 2007, 261–66.

104. See Ferrary 1988, 435–86; Habicht 2006, 327–45 and Haake 2007, 271–73;

105. On philosophy and philosophers in Imperial Athens, see, e.g., Hahn 1989, 119–36.

## 6. The philosophical schools in Athenian society: final remarks

In the context of a project regarding Greek associations, the topic 'philosophical schools in Athens between the fourth and the first century' is admittedly a wide field, wherefore the preceding remarks are necessarily restricted to an outline. Although it should be taken for granted that the philosophical schools in Athens are to be counted among the Aristotelian *koinoniai*, the preceding explanations have made obvious that philosophical schools share some characteristics with other types of associations, but that there is also a considerable number of differences. The main reason for these differences originates – as can be assumed with good reason – in the primary concern of the philosophical schools: philosophising together, which has nothing to do with a profession, but is first and foremost a social practice based on *schole*, that is leisure. Despite this shared concern, it is important to emphasise that the philosophical schools in Athens – though being *koinoniai* – differed from each other in many respects; exemplarily, one might refer to the above-mentioned disparities as to the organisational structures, their possessions or their 'infrastructure'. Nevertheless, if one is not inclined to conceptualise philosophical groups completely as phenomena *sui generis*, it is hardly surprising in a world full of associations that philosophising groups adapted associational elements as a model for their own purposes.

In order to clarify that the issue of philosophical schools in the context of the world of associations is far from being closed, an agenda for further research will conclude this contribution. In undertaking this, two important aspects need to be kept in mind: firstly, due to the extant ancient sources the perspective on philosophical schools is quite Athenocentric. However, this should not lead to negelcting other places where philosophical schools existed under different conditions, too, like Rhodes, Tarsus, Olympia or even Alexandria. Therefore, a complete investigation of the philosophical schools in the ancient Mediterranean world starting with their emergence in the Archaic period and ending with their expiring in Late Antiquity is a true *desideratum*. Secondly, stronger than to date,

prospective analyses of philosophical schools require a combination of philosophical, legal, organisational and group sociological approaches. In doing so, one important point is to deal with the position of the philosophical schools between 'private' and 'public'; it is reasonable to expect that such an undertaking will also cast a new and differentiated light on the concept of 'private' and 'public' in the Ancient world.[106]

Yet, notwithstanding the important results which were achieved in the course of the last 150 years or so, an analysis of the ways in which the philosophical schools were embedded in their respective historical and local context, in line with the parameters already mentioned, will result in fresh insights regarding their associational character and will also make a new diachronic and supra-local panorama of the philosophical schools in the ancient Mediterranean world possible.

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106. In this context, see the well-thought-out considerations by Moos 1998.

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