

A BAN ON PUBLIC BARS IN THASOS?

Among the late fifth-century regulations governing the wine-trade in Thasos is a ban on *κοτυλιζειν* ('selling wine in half-pint measures', or more generally 'breaking bulk'). It is normally characterized as a law of rather narrow relevance, something to do with maintaining the quality of Thasian wines and guarding against false measures.¹ Here I want to examine the possibility that it is in fact a highly political measure on the part of a government hostile to the *demos*, an attempt to ban an institution identified with democracy—the public bar.

The public bars, or *kapēleia*, are a well-attested, but curiously neglected phenomenon of the classical Greek world. In part this neglect is a corollary of the attention accorded the symposium in modern scholarship, but there are also, to be fair, some difficulties in translation. A *kapēlos* can be both a merchant in general and a wine-merchant in particular, although when it is not qualified, the latter can almost always be safely assumed. These *kapēloi* seem to have sold wine, vinegar, and torches to light the way home (it is entirely appropriate, then, that the *kapēlos*' wife Geusistrate ('Marshaller of the tastings') in the *Ecclesiazusae* brings a torch with her, line 49). Hug's entry in Pauly-Wissowa, which remains, as far as I can see, the most extensive treatment of the subject, notes: 'Am häufigsten versteht man unter einem *κάπηλος*, einem der Getränke, Wein oder Weinessig im einzelnen verkauft oder ausschenkt.'

In almost every case they seem to be wine-bars as well as wine-shops, since they opened up the amphoras on the premises and sold by the *kotylē* (approximately half-pint), *κοτυλιζειν*, providing also water to blend with the wine.² Barmen and barmaids were widely thought to cheat in their measures or to make the wine too watery. Blepyrus in *Wealth* (436) thinks the goddess Poverty is in fact his local barmaid who 'cheats grossly' in her *kotylai*. The herald in *Thesmophoriazusae* (347–8) curses among others 'the taverner or the bar-maid who cheats without shame on the full legal measure of the *chous* or *kotylē*'.³

Although the evidence is either anecdotal or impressionistic, there are enough references in all manner of different texts to indicate that *kapēleia* were widespread in Athens. Aristotle in the *Rhetoric* ascribes to Diogenes the Cynic the observation that: *τὰ καπηλεία τὰ Ἀττικὰ φιδίτια*, 'the taverns are the canteens of Attica'.⁴ The remark plays on the incongruous juxtaposition of two opposites, the Spartan messes, an institution at the heart of the peculiar Spartan way of life, reflecting commensality and equality, and Athenian taverns, quintessentially commercial, private, and modern institutions, a commoditized form of drinking, but Diogenes is also making an observation about the ubiquity of taverns in Attica.

There were presumably concentrations of these places in the Agora and in the Piraeus, but many of the references in comedy and oratory talk of 'local *kapēleia*',

¹ G. Daux, 'Nouvelles Inscriptions de Thasos 1921–24', *BCH* 50 (1926), 213–49 esp. 214–26; François Salviat, 'Le vin de Thasos, amphores, vin et sources écrites', in J.-Y. Empereur, Y. Garlan (edd.), *Recherches sur les Amphores Grecques*, *BCH* Suppl. 13 (École Française d'Athènes, 1986), pp. 186–7; R. Osborne, *Classical Landscape with Figures* (London, 1987), pp. 104–5.

² Nicostratus, 80 K-A.

³ cf. Ar. F699 K-A, *Ecc.* 154–5, where the women want to ban water-tanks from the *kapēleia*, a joke about the taverners diluting wine, or about the women wanting their wine served neat.

⁴ Arist. *Rhet.* 3.10.4, 1411a.24.

offering a picture of individual bars spread widely throughout the city.⁵ There are references to the practice of selling wine from carts, and some of these *kapēleia* may have been nothing more than this, conveniently situated by a spring, perhaps, to enable the wine to be mixed with cold water and drunk there and then.⁶ More solidly founded *kapēleia* had their own wells or cisterns (*lakkos*) dug on or close to the premises.⁷ The tondo of a cup in a private collection on loan to the Ashmolean Museum seems to show just such a tavern. A youth with a sponge in his hand stands before an amphora of wine. Behind him the mouth of a huge water-cistern emerges from the ground. An inscription reads *τρικότυλος οἶνος*, designating the wine as cheap plonk, since, according to Hesychius' gloss, the phrase referred to wine sold at three *kotylai* for one obol. Alternatively, since at Athens trading places are known by the names of what is sold there—'the sprats', 'the olive-oil', etc.—it perhaps refers more generally to a cheap wine-bar. That the wine could be drunk on the premises is indicated not only by the *lakkos* of water, but by an *oinochoe* hanging on the wall in the background.⁸

In Athens the *kapēleion* had a distinctly plebeian reputation in (implicit) contrast to the symposium. In the *Areopagiticus*, for instance, Isocrates looks back with nostalgia to the way young men used to behave in the good old days: 'No-one, not even a servant possessed of any kind of decency would have been so brazen as to eat or drink in a *kapēleion*. For they cultivated dignity, not buffoonery.'⁹ The same theme is repeated with some elaboration in the *Antidosis*:

You have brought it about that even the most *epieikeis* of the young men are wasting their time in *potoi* and *sunousiai*, and idleness and childish games . . . whereas those who are worse in nature (τοὺς δὲ χεῖρω τὴν φύσιν ἔχοντας) spend their days in *akolasiai* in which not even an *epieikes* servant would have dared to indulge, in former times. For some of them chill wine at the Enneakrounos, others drink in *kapēleia*, there are some who play dice in the gambling-dens and many who loiter around the place where the flute-girls are trained.¹⁰

A similar association of bars and the lower orders is contained in a fragment of Aristophanes which refers to people (demagogues?) who 'blend our city with water (*kirnantes*) and then retail it by the glass (*kotulizete*) to the poor'.¹¹

The Athenians themselves may have banned drinking in bars in certain circumstances. In his speech *Against Patrocles*, Hyperides noted that 'the Areopagites barred anyone who had breakfasted (*ἀριστήσαντα τινα*) in a *kapēleion* from going up to the Areopagus'.¹² It seems quite likely that when our sources talk of people

⁵ Lysias 1.24, Blepypus in the *Plutus* 435, mistakes Poverty for the *καπηλὶς ἢ 'κ τῶν γειτόνων*. The female speaker in Antiphanes 25 K-A mentions *γείτων τις κάπηλος*, who knows just how to mix wine for her, not too strong and not too watery. A character from Nicostratus' *Patriotai* 22 K-A mentions another *κάπηλος οὐκ τῶν γειτόνων* who sells watery wine, vinegar, and torches. Another local *kapēleion* crops up at Eubulus 80 K-A, where, it seems, a nurse nips across the road for a drink. Pollux, to illustrate *κομήτης* or *κομήτις*, in the sense of 'local, neighbourhood', cites a fragment of Aristophanes in which the term qualified is *κάπηλος* (285 K-A). *Kapēloi* also feature in the corpora of curse-tablets; see index to R. Wuensch (ed.), *IG* 3.3, Appendix: *Defixionum tabellae* and esp. #87; cf. J. G. Gager (ed.), *Curse Tablets and Binding Spells from the Ancient World* (NYC, 1992), p. 157 n. 8. Another tablet is listed in D. R. Jordan's supplementary survey, 'A Survey of Greek Defixiones Not Included in the Special Corpora', *GRBS* 26 (1985), 151–97 #11, with curses directed against two women each described as *γαυῆς καπηλὶς*.

⁶ Alexis 9 K-A 1.5 cf. Isoc. *Antid.* 286–7.

⁷ Cf. Ar. *Ecc.* 154–5.

⁸ I am not sure of the purpose of the sponge. Is it for stopping the opened amphora or a metaphor for someone who drinks too much? Theopompus 41 K-A also mentions a sponge in the context of drinking.

⁹ Isoc. *Areop.* 49.

¹⁰ Isoc. *Antid.* 286–7.

¹¹ Ar. 699 K-A.

¹² Hyperides 138 Jensen ap. Ath. 13.566f.

drinking in the morning at the time of debates in the *ekklesia*, it is to the *kapēleia* that they are referring.¹³ So when Aristophanes in *Knights* 353–5 attacks Paphlagonian Cleon for drinking jugfuls of neat wine before a debate, the most probable context is a *kapēleion* in the Agora. It is not just his greed and flippancy which is being satirized, but his vulgarity. Likewise, when Smicrines complains about Charisius drinking wine which he buys at one obol a *kotylē* in Menander's *Epitrepontes* (127–31), it is not so much his stinginess which is being attacked nor his son-in-law's extravagance, but the manner of Charisius' drinking—not in a gentlemanly symposium with gentlemanly friends, but among the low-life in a plebeian bar.

What was in a democracy associated with vulgarity was in the broader context of the Greek world associated with democracy itself. This is already implicit in Diogenes' ironic comparison of Athens' bars and Spartan messes, and Theopompus attacks the people of Byzantium and Chalcedon on precisely these grounds:

The fact that they had been practising democracy for what was by now a long time together with the fact that their city was situated at a trading post, not to mention the fact that the entire populace spent their time around the agora and the harbour, meant that the people of Byzantium were *akolastoi* and accustomed to congregate for a drink in *kapēleia*. And the Chalcedonians, before they came to share with the Byzantines in their government all used to pursue a better way of life. But when they had tasted the democracy of the Byzantines, they fell to *truphe*, and from having been the most self-controlled and moderate as regards their daily life, they became drinkers (*philopotai*) and spenders (*poluteleis*).¹⁴

Later the historian Phylarchus, echoing Diogenes' observations about Athens, observed that the Byzantines actually live in *kapēleia*.¹⁵

The ban on *κοτυλιζειν* in the Thasian inscription comes in the context of a series of laws regulating the trade in wine. Thasian ships are banned from importing foreign wine within a certain area. There are allusions to penalties for mixing wine with water. The legislation seems to be concerned above all with the activities of the *kapēloi*. The relevant clause states that 'no one may break the bulk [*κοτυλιζειν*] from amphoras, *pithaknē* or *pseudopithos*. If someone does sell wine [sc. on these terms] the same legal processes [*dikai*], pledges [*apenguai*], and penalties [*thōiai*] will apply as for the admixture [*parachusis*] of water.'

Daux thought these measures were designed to restrict the sale of wine to standard vessels, to *pithoi*. This was rightly rejected by later commentators. Salviat notes that *pithoi* are normally permanent fixtures in a winery, not moveable units suitable for trading. However, his own solution, that wine could only be sold from smaller vessels like *stamnoi*, is hardly more cogent. The most obvious effect of a ban on *κοτυλιζειν* would be to make drinking in *kapēleia* impossible, since normally in such establishments wine was sold from amphoras. It was precisely the practice of breaking bulk that transformed a wholesalers into a bar. It seems very likely that this was not merely an unforeseen and accidental side-effect of a measure designed to improve quality control, but the reason for the law in the first place.

It was, of course, impossible to forbid breaking bulk for all moveable units if you wanted to have any wine-trade at all—the bulk had to be broken to get the wine into the amphoras in the first place—but this law apparently restricts the trade to

¹³ Cf. *Ecc.* 134, where the women accuse the men of attending the Assembly in a state of inebriation.

¹⁴ Theopompus *FGrHist* 115 F 62.

¹⁵ Phylarchus *FGrHist* 81 F 7. For these and other references to the popularity of the *kapēleia* in Athens, see Athenaeus 10.442c, cf. 8.351e.

wholesale. It seems to be an attempt by an oligarchic regime to ban sale by the glass, by the *kotylē*, a practice that enabled the kind of drinking that went on in public bars. The ban on admixture of water might have the same effect, since this too was needed to turn a shop into a pub. On the other hand, it might be a reference to illegal dilution (as most commentators have thought). In that case the collection of regulations would be miscellaneous in purpose, put together only because they all dealt with the wine merchants.

It has already been noted that the reference in the Thasian laws to *dēmiourgoi* seems to place the regulations in a period when the democracy was no longer in power, at the very end of the fifth century and the beginning of the fourth.¹⁶ In democratic Athens drinking in *kapēleia* was clearly marked out as vulgar, but it was the symposium that might actually help to cement *hetaireiai* and threaten the state. In an oligarchic city exactly the opposite was true. Symposia were the refuge of rich men with aristocratic pretensions. The *dēmos*, on the other hand, congregated in great numbers in the *kapēleia*. An oligarchic regime may simply have shared the prejudices of Theopompus and Isocrates against the practice of drinking in bars, seeing a ban as a measure against decadence and vulgarity, but it is not hard to think of more practical considerations too. Any kind of gathering of the lower classes was threatening to a newly installed oligarchy. The admixture of alcohol and the bonding implicit in Greek drinking would have made it dynamite. An anti-democratic government in Thasos would have very good reason to ban public bars altogether.

Warwick University

JAMES DAVIDSON

¹⁶ François Salviat, 'Le vin de Thasos, amphores, vin et sources écrites', in J.-Y. Empereur, Y. Garlan (edd.), *Recherches sur les Amphores Grecques*, BCH Suppl 13 (École Française d'Athènes, 1986), p. 149; cf. J. Pouilloux, *Recherches sur l'histoire et les cultes de Thasos* I (1954), p. 212, with note 2, IG XII Suppl. #347.