

- S. Patterson, *Marriage and the Married Woman in Athenian Law*, in S.B. Pomeroy (ed.), *Women's History and Ancient History*, Chapel Hill 1991, 48-72.
- K.L. Phelan, *A Social and Historical Commentary on Demosthenes' Against Euboulides*, PhD diss., Maynooth 2016.
- R. Sealey, *Women and Law in Classical Greece*, Chapel Hill 1990.
- J.-P. Vernant, "Le mariage en Grèce archaïque", *PP* 28, 1973, 51-74.
- H.-J. Wolff, "Marriage Law and Family Organization in Ancient Athens: A Study on the Interrelation of Public and Private Law in the Greek City", *Traditio* 2, 1944, 44-95.
- [E. Poddighe – M. Deriu]

***Enktēsis* (ἐγκτησις)**

According to a legal principle which is ubiquitously attested in the Greek world (Hennig 1994), *enktēsis*, the right to acquire (and own) real estate, was one of the privileges organically associated with citizenship (*politeia*, see *s.v.*). The territory of a *polis* was in other words conceptualised as the property, private or collective, of its citizens and, conversely, in performative terms, ownership of land often identified the *politēs* and symbolised full membership in the civic community (Ampolo 1996, 320; Faraguna 2024, 126-32; Müller 2026, 63-64). Although generally taken for granted, and for this very reason hardly ever defined in the sources (see however Dem. 36.6, where the banker Phormion, not having yet acquired Athenian citizenship, is said to have been legally unable to foreclose on land and buildings offered as security for loans for the total amount of 11 talents), such principle clearly emerges from the theoretical constructions of the ideal city in Plato's *Laws* (737e) and in Aristotle's *Politics* (1265a 18-20; 1329a 17-20, b 36-37) as well as from the provisions of decrees where, to quote an example, *enktēsis* of a house, land and/or other real properties is granted to foreigners καθὰ καὶ τοῖς πολίταις (Jacobsen, Smith 1968, 189, ll. 32-33; Kimolos, second half of the third century BCE; cf. also *I.Magnesia* 7b, ll. 14-19: ἐὰν δέ τις Φωκα[ιέων ἐ]ν-οικῇ ἐμ Μαγνησί[αι, εἶναι] αὐτῷ γῆς καὶ οἰκίας ἔ[γκτησιν] καὶ τῶν ἄλλων αὐτῷ μετεῖναι π[άντων ὧν] καὶ τ[οῖς Μάγ]νησιν). In this framework, it is no surprise that the intervention of public institutions in regulating land tenure and property relations within the territory of the *polis* is amply documented at least since the sixth century (Faraguna 2024; Canevaro 2026, 78-82, 94-97).

The occurrences of the term in the literary sources being remarkably scarce (for an analysis of the few attestations see Stelzer 1971, 3-5; for the meaning of *enktēsis* see also Méndez Dosuna 2007), *enktēsis*, as already noted, is especially known through a very large number of honorific decrees which bestowed the right to own real property to non-citizens as part of a wider package of honours most often associated to the grant of proxeny (Marek 1984, 8-118; Mack

2015, 122-7; for the case of Athens see Faguer 2021, 69, 71 and 87-91). In these decrees, which in the case of Delos, Delphi and Oropos come in the hundreds (Hennig 1994, 307-9 with notes; Habicht 2002; Grzesik 2021), other dialect forms, such as ἵμπασις (*IG* V 2, 394, ll. 13-18: γὰς ἵμπασις καὶ οἰκίας), ἵνπασις (*IG* V 2, 17: ἵνπασιν γὰδ, οἰκίαν) and, more frequently, ἔμπασις (*IG* IX 1² 4, 786, ll. 8-9: γὰς καὶ οἰκίας ἔμπασιν) are well attested, although such variants tend to be replaced by *enktēsis* during the Hellenistic period (Hennig 1994, 307 n. 9; Rubinstein 2026, 20-1).

There is hardly any secure attestation of the legal concept of *enktēsis* before the late fifth century. Although the earliest examples are from Athens (*IG* I³ 227, ll. 19-21; 81, ll. 22-23; 102, ll. 30-31, with the unparalleled formula [καὶ ἔγκτεσι]ν εἶναι αὐτοῖς ὅμπερ Ἀθηναίοις, [καὶ γεπέδο]ν καὶ οἰκίας), it is nonetheless possible that *enktēsis* is already implied both in *Nomima* I.44 = OR 126, B, ll. 23-25, the *dossier* regulating the relations between the adjacent cities of Knossos and Tylissos in Crete (second quarter of the fifth century), where the verb ἐμπιπύσκειν, an *hapax*, is possibly the equivalent of ἐγκτάσκειν, and in *Nomima* I.18 = *I.dial. Sicile* 219, ll. 2-3, an even more tantalising document—a late archaic bronze plaque from Kasmenai in Sicily—which, if correctly restored, provides the earliest (and somewhat unexpected) use of the term (Fraguna 2024, 143-44).

As for Athens, the *corpus* of decrees granting the honorand permission to acquire real estate consists of 62 inscriptions (a full updated list in Faguer 2021, 87-91; a survey of the evidence also in Henry 1983, 204-61, and, for the second half of the fourth century, Lambert 2012, 93-183). They span from the end of the fifth century to the mid-second century BCE and allow us to trace the evolution of the political, social and economic significance of *enktēsis*, as well of the changing profiles of the grantees, over three centuries.

As underlined by J. Faguer, *enktēsis* was no doubt an important privilege conferred on the honorands but it was at the same time granted rather sparingly and, above all, was subject to limitations of various sorts that never made it equal to the right of ownership enjoyed by citizens. In the first place, for instance, Xenophon proposed in his *Poroi* that selected metics should be awarded the right to acquire (ἐγκεκτῆσθαι) vacant *oikopeda* on condition that they built houses on the plots thus obtained and that they filed an application and underwent judicial scrutiny (2.6: οἱ αἰτούμενοι ἄξιοι δοκῶσιν εἶναι) (Gauthier 1976, 66-68; Whitehead 2019, 120-24). Based on the epigraphical evidence, metics were in fact not the most obvious grantees of *enktēsis*, which was mostly reserved for non-resident aliens who, under normal conditions, were unlikely to make use of their privilege (Niku 2007, 115-16; Faguer 2021, 69-71). *Enktēsis* could even be awarded on a temporary basis, as in the case of political exiles, who could possess houses for the time until they were able to return home (*IG* I³ 1, 316 = RO 77, ll. 24-26). In the second place, the award did not have

unrestricted validity but, as a rule, was apparently limited to one single purchase of land and a house (γῆς καὶ οἰκίας ἔγκτησις) or a house only (οἰκίας ἔγκτησις). The legal consequences of such limitations, alongside the fact that the grant often applied to the beneficiary but was not hereditary, are a matter of discussion (compare Faraguna 2012, 173-75 with Faguer 2021, 67-69; Hennig 1994, 317-18, is still fundamental). Likewise, in the early 320s (most probably between 329 and 325) references to a law regulating the grant of *enktesis* begin to appear in the inscriptions, although without a regular and consistent pattern, through the formula κατὰ τὸν νόμον (Stelzer 1971, 213-25; Henry 1983, 214-15). The contents of the *nomos* remain unclear. As maintained by Stelzer, such law was with some likelihood “ein...positives Gesetz..., das vielleicht die Voraussetzungen der Verleihung der Enktesis geregelt hatte, wie uns vom goldenen Kranz und vom Bürgerrecht Bestimmungen über die Zulässigkeit der Verleihung und das Verleihungsverfahren bekannt sind” (219). A clause possibly introduced a ban on the legal capacity of grantees to acquire communal or sacred land (*IG II³ 1*, 324, ll. 44-46, with Lambert 2012, 119 with n. 66). Whether such law moreover set limits to the value of the properties to be acquired is a plausible assumption (see Henry 1983, 214-15; Faguer 2021, 72-73) but, in my opinion, altogether unlikely (see n. 14 in my contribution to this volume). From the mid-third century the specification of maximum values both for the land and the house is nevertheless indeed encountered in a number of decrees, which, together with the *dokimasia* of the honorand and his merits (Feyel 2009, 236-42) and the requirement that the potential recipient should formally file an αἴτησις, an application, for the *enktesis* to be conferred which begins to be attested in the early second century (*IG II³ 1*, 1356, ll. 8-9: δεδόσθαι δὲ αὐτῷ καὶ γῆς καὶ οἰκίας ἔγκτησιν αἰτησαμένῳ κατὰ τὸν νόμον), clearly reveals that the restriction that made ownership of real property contingent on the status of citizen was never relaxed until after 130 BCE, when *enktesis* disappears from the record and there are indications that the institutional and social dynamics underlying the award of citizenship were in the process of changing, in other words “que la *politeia*...a eu tendance à être accordée plus fréquemment” (Faguer 2021, 75; cf. Osborne 1983, 160-1 and 185, with important qualifications in Oliver 2010). On the controversial issue whether the privileges, including *enktesis*, connected to *isopoliteia* listed in a significant number of Hellenistic bilateral agreements provided just a specification of the benefits pertaining to citizen status or are to be interpreted as “fragments of citizenship” that could be enjoyed even without activating political enrollment compare, most recently, the opposing views of Gagliardi 2026 and Müller 2026 (see also Müller 2023; Maffi 2023).

The problem of *enktesis* in federal states must in turn be left open-ended: while from Xen. *Hell.* 5.2.19 we learn that all citizens of the Chalkidian League *qua* citizens of the federal state automatically possessed the right to own real property in any other *polis* of the *koinon* (Bearzot 2004, 45-56), it can hardly be

proved that this was a universal rule that applied to all federations (Hennig 1994, 323-29; Beck, Funke 2015, *passim*; Manning 2024, 525). For the case of the Achaian League, where there is some evidence that in the second half of the third century ownership of land was permitted in the territory of all its members, even those that had newly joined the *koinon*, cf. *IG V 2*, 344, ll. 11-13, with Müller, Priol 2025, 233-4 (see also Sisov 2021).

C. Ampolo, "Il sistema della polis. Elementi costitutivi della civiltà greca", in S. Settis (ed.), *I Greci. Storia, cultura, arte, società*, II: *Una storia greca*, 1: *Formazione*, Torino 1996, 297-342.

H. Beck, P. Funke (eds.), *Federalism in Greek Antiquity*, Cambridge 2015.

M. Canevaro, *L'Atene dei diritti*, Roma-Bari 2026.

J. Faguer, "Statuts et propriété foncière dans l'Athènes des III^e et II^e siècles av. J.-C.: la question de l'*enktesis*", in S. Maillot, J. Zurbach (eds.), *Statuts personnels et main-d'oeuvre en Méditerranée hellénistique*, Clermont-Ferrand 2021, 61-91.

M. Faraguna, "Società, amministrazione, diritto: lo statuto giuridico di tombe e *periboloi* nell'Atene classica", in B. Legras, G. Thür (eds.), *Symposion 2011. Études d'histoire du droit grec et hellénistique (Paris, 7-10 septembre 2011)*, Wien 2012, 165-85.

M. Faraguna, "Land and Citizenship in the Greek *Polis*: Real Property, Public Control and Institutionalisation", *Dike* 27, 2024, 121-74.

L. Gagliardi, "Contributo all'inquadramento dogmatico dell'*isopoliteia* dei trattati bilaterali ellenistici", in M. Faraguna (ed.), *Symposion 2024. Comunicazioni sul diritto greco ed ellenistico (Milano, 2-4 settembre 2024)*, Wien 2026, 459-83.

Ph. Gauthier, *Un commentaire historique des Poroi de Xénophon*, Genève-Paris 1976.

D. Grzesik, *Honorific Culture at Delphi in the Hellenistic and Roman Periods*, Leiden-Boston 2021.

Chr. Habicht, "Die Ehren der Proxenoï. Ein Vergleich", *MH* 59.1, 2002, 13-30.

D. Hennig, "Immobilienwerb durch Nichtbürger in der klassischen und hellenistischen Polis", *Chiron* 24, 1994, 305-44.

A.S. Henry, *Honours and Privileges in Athenian Decrees: The Principal Formulae of Athenian Honorary Decrees*, Hildesheim-Zürich-New York 1983.

S. Lambert, *Inscribed Athenian Laws and Decrees 352/1 – 322/1 BC: Epigraphical Essays*, Leiden-Boston 2012.

W. Mack, *Proxeny and Polis: Institutional Networks in the Ancient Greek World*, Oxford 2015.

A. Maffi, review of S. Saba, *Isopoliteia in Hellenistic Times* (Leiden-Boston 2020), *Dike* 26, 2023, 294-307.

J. Manning, "Property", in C. Humfress, D. Ibbetson, P. Olivelle (eds.), *The Cambridge Comparative History of Ancient Law*, Cambridge 2024, 512-64.

- J.V. Méndez Dosuna, “En torno al significado de *enktasthai*, *enktesis* y *enktema*”, *Estudios Clásicos* 131, 2007, 29-44.
- Chr. Müller, “Περ τῶν συμβολῶν. La question de l’*isopoliteia* chez Philippe Gauthier”, *Dike* 26, 2023, 163-93.
- Chr. Müller, “Contribution to the Theoretical Framing of *Isopoliteia* in Hellenistic Bilateral Agreements: Response to Lorenzo Gagliardi”, in M. Faraguna (ed.), *Symposion 2024. Comunicazioni sul diritto greco ed ellenistico (Milano, 2–4 settembre 2024)*, Wien 2026, 485-93.
- Chr. Müller, *La fabrique du citoyen. Les Grecs et la politeia d’Aristote à Auguste*, Paris 2026.
- Chr. Müller, É. Priol, “How to Be a Citizen in a *Koinon*? Practices of ‘Common Citizenship’ in the Classical and Hellenistic Periods”, in L. Cecchet, C. Lasagni (eds.), *Citizenship Practiced, Citizenship Imagined: Multiple Ways of Experiencing Citizenship in the Greek World*, Stuttgart 2025, 225-44.
- M. Niku, *The Official Status of the Foreign Residents in Athens 322-120 B.C.*, Helsinki 2007.
- G.J. Oliver, “Foreign Names, Inter-Marriage and Citizenship in Hellenistic Athens”, in R.W.V. Catling, F. Marchand (eds.), *Onomatologos: Studies in Greek Personal Names Presented to Elaine Matthews*, Oxford 2010, 158-67.
- M.J. Osborne, *Naturalization in Athens*, III-IV, Brussel 1983.
- L. Rubinstein, “Aegean Networks: Dissemination of Legal Culture from the Archaic to the early Hellenistic Period”, in M. Faraguna (ed.), *Symposion 2024. Comunicazioni sul diritto greco ed ellenistico (Milano, 2–4 settembre 2024)*, Wien 2026, 19-44.
- S.K. Sisov, “Federal Citizenship and the Right of ΕΓΚΤΗΣΙΣ in the Achaian Koinon”, *ZPE* 217, 2021, 105-18.
- E. Stelzer, *Untersuchungen zur Enktesis im attischen Recht*, München 1971.
- D. Whitehead, *Xenophon: Poroi. Revenue Sources*, Oxford 2019.
- [M. Faraguna]

Entelēs (ἐντελής)

The meaning of the term is rarely straightforward. In certain cases, it appears to refer with reasonable certainty to the enjoyment of full rights: e.g. SEG 46.167, l. 9, an honorific decree from Athens dating to ca. 281 BCE, referring to Tarentine mercenaries who augmented the ranks of the Athenian cavalry and are described as *enteleis*—thus holders of full rights and probably assimilated to citizens. By the mid-second century BCE, Tarentine cavalrymen are attested as full Athenian citizens under the command of two Athenian *tarantinarchoi* (IG II² 958, l. 55). In the same sense of “possessing full rights”, but in a Roman