# INTERNATIONAL ARBITRATION IN THE GREEK WORLD, 337-146 BC 

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## Abstract

The subject of this thesis is international arbitration in the Greek world in the Hellenistic period, between 337 and 146 BC. The settlement of a dispute between two states through the intervention of another, a settlement carried out either by conciliatory or judicial methods, was a vital and widespread phenomenon in ancient Greece.

The bulk of this work consists of case studies of the individual instances of arbitration, rather than being a general analysis of the phenomenon of Hellenistic arbitration as a whole. The purpose was to produce a work for the Hellenistic period which would correspond to that of L. Piccirilli (Gli Arbitrati Interstatali Greci) for the Archaic and Classical periods. The latter work consisted of a series of case studies of individual instances of arbitration in Greece and its environs from the eighth through the fourth centuries.

Evidence for roughly three times the number of cases survives from the Hellenistic period as compared with the Classical period. Clearly international arbitration played an even more important role in diplomatic relations in the years between Alexander the Great and the Roman takeover of Greece. In the Hellenistic world, as in the earlier era, arbitration was
quite clearly a Greek institution, one which the Greek states used with far greater ease than Rome. Nevertheless, owing to the historical and political circumstances of the time, Roman intervention necessarily plays a large role in the study of arbitration in the Hellenistic Age.

In order to arrive at the evidence for the various case studies which make up this work, research was carried out in both literary and epigraphic fields. The ancient historians, particularly Livy and Polybios, were examined for any evidence of specific instances of arbitration. The epigraphic research consisted of a search through the published corpora of inscriptions in order to uncover evidence of individual cases.

Once the evidence was collected, the material was organized under individual case headings. The testimonia, literary and epigraphic, have been cited in full in each instance. Each case is also provided with a specific bibliography and an individual commentary. The end result is intended to be an exhaustive survey of all known cases of international arbitration from the Hellenistic Age.

Although this work has concentrated primarily on the case studies, some analysis has also been offered in the final chapter. The conclusion provides a general interpretation of the phenomenon of arbitration in the Hellenistic period.

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The phenomenon of third-party intervention in order to end disputes and prevent wars between other states is one whose origins lie far back in ancient history. The ancient Near East can provide examples of arbitration from the Bronze Age, and it may be that we should trace the roots of Greek international arbitration to its oriental predecessors. ${ }^{1}$ One thing, however, is certainly clear: the Greeks may have adopted the concept of arbitration from the more developed nations of Asia, but by the Classical period they had made it an integral part of their own diplomatic life. By the fifth century $B C$ the Greek poleis were already attaching arbitration clauses to their treaties, clauses which attempted to provide for the pacific settlement of future disputes. Instead of using the time-honoured method of warfare, some of the Greeks were apparently trying to settle their differences through diplomacy and negotiation. ${ }^{2}$

By the fifth and fourth centuries the institution of international arbitration was one frequently employed in the Greek world. In the Hellenistic period, as diplomatic protocol in general became more and more refined, third-party diplomacy also became more significant. Evidence for about 170 cases of arbitration and mediation survives from the two centuries between the Battle of Chaironeia and the sack of

Corinth, as opposed to some sixty cases from the four centuries preceding Chaironeia.

Luigi Piccirilli examined the evidence for arbitration in the Greek world from the period before 338 in his work Gli Arbitrati Interstatali Greci. His is the most recent exhaustive study of arbitration for the Classical Age. Earlier works, such as those of Raeder and Tod from the early years of the twentieth century, were detailed studies for their time. But neither of these works provided the testimonia for the cases they examined, nor did they pay sufficient attention to the literary evidence. The evidence for ancient arbitrations comes from both epigraphic and literary sources.

The inscriptions which give us this evidence consist for the most part of publications of the findings of arbitral courts, or copies of inter-state treaties which record arbitration clauses. Frequently the evidence can be gleaned from decrees of gratitude for judges or advocates. The literary evidence, on the other hand, comes from the ancient historians of the Hellenistic period: Polybios, Livy and others. Largely ignored by the early treatments of arbitration, which tended to concentrate on the epigraphic sources, these historians nevertheless provide us with extensive evidence
for arbitration and mediation.
More recent epigraphic finds have also made it necessary to update these works, a task carried out by Piccirilli already for the earlier period. The number of cases of arbitration detailed by Piccirilli, and in the present work, should suffice to demonstrate that arbitration was a vital component of Greek diplomacy, a component which warrants independent study. ${ }^{3}$

The present work is intended to be a continuation of Piccirillis study. An upper time limit has therefore been set by the lower limit of Piccirilli's work: Philip II's "arbitrations" in the Peloponnese after his victory in Greece. ${ }^{4}$ A reasonable lower limit is provided by the year 146, when Greek independence, on the mainland at least, was curtailed by Mummius's victory over the Achaian League. Arbitrations certainly continued to be carried out by Greek states for Greek states after 146, but more and more the presence of Rome was felt. ${ }^{5}$

Since this study is meant to supplement Piccirilli's work, an attempt has been made to follow as closely as possible his approach and criteria. In many instances it was considered to be more valuable to take an inclusive rather than an exclusive approach. Arbitration can be seen as
a strictly defined legal process: both parties are to submit legal arguments and then accept the neutral and binding judgement of a disinterested party. ${ }^{6}$ in theory, they are to abide by that judgement even if they consider it unacceptable. ${ }^{7}$ This is a process which, if adhered to rigidly, leaves no room for mediation and compromise. But it is clear, particularly in international relations, that the best interests of all concerned are frequently better served by mediation than by the strict legal procedure of arbitration. It is much better to achieve a settlement through agreement, if at all possible, than through judgement. The Greeks of course recognized this. Many of their arbitrators acted also as mediators. ${ }^{8}$ The opposite was also sometimes true, when an individual called upon to mediate between two disputants might take it upon himself to impose a judicial settlement. Sometimes the third party who was intervening might feel it incumbent upon himself to dictate the terms of peace, with the implicit threat of force more or less in the background. ${ }^{9}$

Arbitration, then, cannot always be separated from the related phenomenon of mediation and voluntary compromise. On occasion it can even be difficult to distinguish it from the rather more brutal diplomacy of dictation. Much depends on the point of view taken by the interpreter.

If a Roman consul were to arbitrate between two small Greek states, and if he adhered strictly to all the proper protocol and legal procedure required, then his action could legitimately be called arbitration. But if there were an undercurrent of fear on the part of the disputants, and a belief that military action might be impending if the states did not comply, then the picture would not be complete if it was not admitted that dictation was also a factor. This might be true even if the arbitrator had no intention of using military force or pressure of any other kind; the only necessity would be a perceived threat.

The approach taken here has therefore been to include as well certain cases of mediation and dictation which might have some connection with true arbitral procedure. This inclusive approach is especially required when dealing with the literary evidence. Despite the often frustrating and fragmented nature of the epigraphic evidence, its formulaic nature sometimes makes it a better source for determining cases of "true" arbitration. 10 The literary sources, on the other hand, were rarely interested in the details of the phenomenon of arbitration as such, and the actual character of third-party interventions recorded by the historians could of ten be masked by that lack of interest.

In addition to taking an inclusive approach with respect to the nature of these interventions, this study has also followed Piccirilits lead in other criteria used for the inclusion of cases. For example, it has not been restricted to the examination only of success in the field of arbitration. Failed attempts have also been recorded. In addition, each case is not necessarily an example of arbitration at work: màny cases consist of clauses in treaties which provided for future arbitration between the states. We often have no way of knowing whether or not these arbitration clauses actually succeeded if the occasion arose. ${ }^{11}$

The subject of this study is international arbitration in the Greek world, as Piccirilli's study was also Greek arbitration. The criteria employed here have been to include all instances of arbitration which involved Greeks or the Hellenistic kingdoms in any way. Frequently in the Hellenistic period the arbitrators were not Greek, but if at least one of the disputants was Greek, then the case has been included. Hence numerous cases appear in which the arbitrator was Rome, a diplomatic and military power in the Greek world in the second century which cannot be ignored. If the arbitrator was Greek, but neither of the disputants were, then the case has still been included. ${ }^{12}$ Instances of wholly non-Greek arbitration,
however, have been excluded. Thus the case of Rome arbitrating between Carthage and Massinissa does not appear here, although it does fall within the time-frame of the study. ${ }^{13}$

The format of the work also follows that of Piccirilli. Each instance of arbitration has been identified and dealt with as an individual case study. Each case study includes a bibliography specific to that case, the relevant testimonia, and a commentary. Hence the general bibliography at the end of the work consists only of select works of some relevance to the phenomenon of arbitration or the history of the Hellenistic period. The individual cases should be consulted for more detailed bibliographic information.

The index and appendices have been prepared with a view to utility for the reader. The index of names provides an overview of those states and individuals involved in arbitration in the Hellenistic period. Lists of the literary passages and inscriptions which provide the testimonia for the various cases are provided in the appendices. Another appendix provides a concordance of previous treatments of the cases included in the present study. The major earlier works on arbitration from the end of the nineteenth century and the beginning of the twentieth are included in this
concordance. ${ }^{14}$
The list of abbreviations includes some of the standard, but perhaps less immediately recognizable, abbreviations of various periodicals. Most of the abbreviations found will also be those in L'Année Philologique, although for some older periodicals now out of print, the L'Année references will not be easily available. In some cases the inclusion of certain abbreviations to be found in L'Année may seem redundant or unnecessary; nevertheless, they have been included for the greater ease of reference for the reader. Also to be found in the list of abbreviations are references to various epigraphic collections, some familiar, others perhaps less so. In addition to standard periodicals and works of epigraphy, the abbreviations list also includes references to certain works of central importance to this study, such as Piccirilli or Tod. Abbreviations of other works, cited by author, will be found in the general bibliography.

1 See Tod pp. 169-171. According to Tod, the specific example which he cites actually predates the Bronze Age (Sumeria, c. 4000 BC ), although de Taube, who discusses the oriental predecessors of Greek arbitration at greater length, corrects Tod's date to 3000 BC (pp. 17-19). See de Taube pp. 11-19.

Pernaps significant in this connection is the fact that the earliest
arbitration treaty of which we have any knowledge among Greek states was carried out under the auspices of a Persian satrap. At the end of the Ionian revolt, Artaphernes, the satrap of Sardis, required the Ionian cities to enter into agreements with one another by which they would settle their differences by arbitration (Herodotos 6.42, 1). See Piccirilli *11

2 On arbitration clauses in fifth century treaties, cf. Piccirilli *21. The success rate of arbitration, of course, does not come near to matching the frequency of its use.

3 That an updated study of arbitration in the ancient world, and an evaluation of its significance to Greek diplomacy, could prove beneficial to scholarship beyond the realm of classicists seems clear from the following statement in one of the standard handbooks on international law: "The institution of arbitration was known to the Greek City-States, but, even in the settlement of their inter-city disputes, did not play any significant role." (G. Schwarzenberger/E.D. Brown, A Manual of International Law Milton 1976, p. 195). That one sentence is the sum of the discussion or ancient arditration in the nistorical perspective orrerea by the handbook.

$$
4 \text { Piccirilli *60, *61. }
$$

5 As will be evident from the case studies in this work, Rome also played a large part in Greek arbitrations before 146; nevertheless, there was at least a hypothetical difference between the theoretically independent status of the Greek states vis-à-vis Rome in that period, and the relationship between Greece and Rome after 146.

For some important cases of arbitration carried out by Greeks under the Roman aegis from the period after 146, cf. the following:

1) the Roman request to Miletos to settle the eternal dispute between Sparta and Messene over the Dentheliatis (SIG ${ }^{3} * 683$; see ${ }^{*} 54$ ).
2) the senate's instructions to Magnesia in its settlement of affairs between Itanos and Hierapytna on Crete (see Sherk *14).
3) Sardis's settlement of a quarrel between Miletos and Priene, probably at the behest of the Romans (IPriene *111, *|20).

Cf. Schwarzenberger/Brown (p. 550), who define arbitration in its strict sense as "settlement on a legal basis by a third party" (my emphasis). They point out as well, however, that international arbitration in its wider sense can be defined simply as the "binding settlement of a dispute by a third party". The theoretically binding nature of arbitation, of course, still distinguishes it from mediation. Cf. also J.B. Moore (American Diplomack, 1905, p. 200): "Mediation is an advisory, arbitration a judicial, process."

7 In practice, of course, arbitration generally lacks effective sanctions which would ensure adherence to a judgement. Short of military action, there is little which can be done, even in the way of financial penalties, to force compliance with an international settiement. And as for military action, that is of course what arbitration sets out to avoid in the first place.

8 This is especially evident in the case of foreign judges who came to a state to settle outstanding differences between citizens; the judges in these cases usually earned the gratitude of the state they visited by doing everything in their power to achieve a voluntary compromise between the disputants before going on to give a formal judgement. While this related phenomenon of foreign judges has not been dealt with in this study, whose subject is international arbitration, the desire to achieve a settlement through mediation before going to arbitration also appears in international disputes between states: cf. for example *92, * 150 .

The Greeks always recognized the preferability of mediation and friendly, rather than strictly judicial, solutions. This is not an attitude which has always prevailed in the modern world. When the king of the Netherlands was asked to arbitrate between Great Britain and the United States, and delineate the northeastern border of the U.S. (1829), he apparently went beyond his strict judicial capacity and set himself up as an "amiable compositeur" of the differences between Britain and the U.S. Accordingly, when the king gave his final decision on the matter in 1831, it was rejected by the U.S., ostensibly on the grounds that he had gone beyond the competency of his capacity as a judge. See W.E. Darby. International Tribunals ${ }^{3}$ (London 1900) p. 488, *14.

Cf. also J.H. Ralston. International Arbitration from Athens to Locarno (Stanford 1927, reissued 1972) pp. 23-24, and p. 22: "among the Greeks in
the international field their first impulse as to arbitration [was] to bring about a settlement of the difficulties between the parties rather than to insure justice, in other words, that the demand for order should prevail over the demand for justice." Ralston's statement has some truth, but his claim that justice was an issue neglected by ancient tribunals is far from accurate, and has been coloured by his desire to prove that modern international arbitration is based on an existent system of international law and justice, rather than on voluntary co-operation and mutual compromise.

## $9 \mathrm{Cf}=138$.

10 The epigraphic sources, for example, are more likely to draw a distinction between cú $\lambda \lambda$ ucic (mediation) and крícic (judgement).

II There is no reason to think that the arbitration clauses embedded in Hellenistic treaties were necessarily more effective in general than those of the Classical Age: cf. $=121$ for one instance of failure. It is true, however, that the Hellenistic Age does not offer an example of an arbitration treaty which is quite as spectacular a failure as the Thirty Years Peace between Sparta and Athens in the fifth century (Piccirilli *21).

$$
12 \mathrm{cf} .=6 .
$$

13 Polybios 32.2; Livy 34.62, 40.17, 42.23-24; Appian Pun 68-69; see de Ruggiero pp. 270f., * 12.

[^0]
## *1: Amphissa and Delphi-Ambryssos-Antikyra/ The Delphic Amphiktiony

 338/7A number of inscriptions from the temple of Apollo at Delphi from a later period ( 125 B.C.), containing various decrees regarding the treasure of Apollo and the delimitation of the sacred land. One of the inscriptions makes reference to earlier judgments in the same dispute. See Plassart EDelphes III. 4.3 pp. 5f. for epigraphic details.

Mommsen CIL III. 2 p. $987{ }^{*}$ XVI, II. 1-44; G. Colin BCH 27 (1903) p. 107; Dittenberger/Pomtow SIG $^{3}$ *826E; *Plassart EDelphes III.4.3.280.
G. Colin BCH 27 (1903) pp. 140-53; Daux Delphes pp. 377-82; H. Pomtow Klio 16 (1919) p. 139; Steinwenter pp. 184, 186; Tod *26.

Col. II:

'Апо́ $\lambda \lambda \omega \nu$ ос, поíoc öроис

 то́тє уєуovóc, ӧтє Пaucavíac
30 Өeccanòc kaì oí $\mu \in \tau$ ' aưtoû ópouc énoíncav. VV 'Avtikupeîc,












Col. 111



 ctîval.











 "Opot
 tıvec kat]éxoucl toùc ét cuykдńtou סóy
 . . . кa]í tıvec ס̂ñu[ol ó $\mu$ ]opoûcav éкáctou. *Apxovtec kai


 По $\lambda \mathbf{u}-$
 ミevo-
 $\left[{ }^{W}\right]_{\text {] }}$ пресвєи-
15 [таì . . . c. 58 . . .] 'A $\mu u ́ v t a c ~ E u ̛ \delta a ́ \omega \rho o u, ~ ' A y i ́ \omega v ~ П о \lambda u k \lambda \epsilon i ́ t o u, ~ ' A \mu-~$
 Mocxísv
 Xaıpé-





 'Aпò эa入ác-

 äкр $\omega v$








 ' $Y$ п̣[оч 24... oư éctuv] íp[ $\omega$ oov.] 'Ek








[ảп]ò [toút]ov ékxшpпcáto кaì t̀̀v oíkíav каэє $\lambda \in ́ t \omega$. 'Ek

 [ỏ]poòv єíc пє́tтp[av . . . 23 . . o oṽ]
 Meyápt]ac M[eдıccímvoc ékx
 k]atéx [ et . . . 29 . . .]
 к]a入є[îta।] ô [évtòc toút $\omega \nu$ ópí $\omega v$ кaté $\chi \in \iota$ Ka $\lambda$ ]-





 Col. IV

 $\Delta[\in \lambda \varphi \omega \nu]$

 to]út $\omega \nu$ ópí $\omega[\nu]$

 toút $\omega \nu$ o ${ }^{-}$

 Tapuínt-

 'Еивá-



``` \(\vartheta \propto ́ \lambda \alpha c[c] a \nu\).
```




 || III 13: Pomtow restores ['A ${ }^{2}$ Bpúcciol] in the first part of the line. I| III 15: [ $\left.\Delta \in \lambda \varphi o^{\prime}\right]:$ idem. II III 16: [Muaveîc]: idem. || III 19: ['Au $\varphi$ icceîc]: idem. II III 36 : $\in[$ ic $]$ 'ópo[c]: SIG ${ }^{3}$.

Our sources for this case are a set of inscriptions from Delphi dealing with a number of events from the year 125 BC , including an arbitration and delimitation of the sacred territory of Delphi. The dispute was only one of a series lasting through several centuries between Delphi and her neighbours. ${ }^{\text {I }}$ It involved Amphissa, Delphi's western Lokrian neighbour, on one side, and Delphi itself and the towns to the east, Antikyra and Ambryssos, on the other. The community of Myania may also have been a party to the dispute. ${ }^{2}$ The arbitration was carried out by the regular amphiktionic court.

In the arbitration of 125 BC Amphissa appealed to a decision handed down by Pausanias of Thessaly and his commission at some indeterminate previous date, ${ }^{3}$ while Delphi, Ambryssos and Antikyra pleaded that a decision made by a hieromnemonic court in the year of the archonship of

Ornichidas be upheld. It is this latter amphiktionic judgement which forms the present case.

Most scholars have followed Colin in identifying Ornichidas with the Delphian archon of $338 / 7$ B.C. ${ }^{4}$ A revision of boundaries in favour of Delphi, and to the detriment of Amphissa, would have followed naturally from the situation after Chaironeia. The year before the battle, in a successful attempt to divert attention from a charge brought against Athens by the Amphissans, Aischines the Athenian had brought a counter-charge against Amphissa, claiming that they were illegally cultivating the sacred plain of Kirrha and charging dues for the use of the sacred harbour. ${ }^{5}$ The result was the declaration of the Fourth Sacred War on Amphissa by the Amphiktiony. The war, such as it was, was successful, and the Amphissans were subjected to a fine, ordered to receive back some exiles, and banish some citizens. They refused to comply, and thus afforded Philip the excuse for interference in Greece late in 339. After Chaironeia, then, would have been the ideal time to redraw the boundaries of the sacred land in a manner favourable to Delphi.

According to this inscription (III 7f.), the final and unanimous judgement of the Amphiktiones in 125 was to uphold the boundary
settlement made in the time of Ornichidas. In addition, however, there appears to have been some input from a later date: a senatus consultum is mentioned (III 10), which should possibly be related to the settlements made by Manius Acilius in $190 .{ }^{6}$ If so, the boundary delimitation in this inscription (III 20-IV 6) may not correspond exactly with the delimitation of $338 / 7$, although it says that it does so (III 7-8). ${ }^{7}$

The land under discussion is the sacred land of Apollo ( $\pi \in \rho$ ㅇóp $\omega v$ 'Amó $\lambda \lambda \omega v o c, ~ B 28)$, the area to the south and west of Delphi, comprising the plain of Kirrha and the plateau of Desphina as far as the borders of Antikyra. While it has been argued that decisions regarding the boundaries of the sacred land were a matter of internal hieromnemonic jurisdiction, ${ }^{8}$ the frequency with which Delphi and her neighbours appealed to both the Amphiktiony and outside powers, such as Rome, warrants the treatment of these cases along with those concerning public land. ${ }^{9}$

$$
1 \mathrm{Cf}=25,=104,=131 ; \underline{S I G}^{3} \text { pp. 155-56. }
$$

2 Myania may have been involved if Pomtow was right in restoring Muaveîc at $\underline{S I G}^{3}$ * $826 E$ III 16.

3 *25.

4
BCH 27 pp. 142 f.

5 Aischines 3.106-129; Demosthenes De Corona 140-159. Colin BCH 27 p. 145. See J.R. Ellis. Philip II and Macedonian Imperialism (London 1976) pp. 186f., and R. Bonner/G. Smith CPh 38 (1943) pp. 3f.; Ténékides pp. $591 f$.

6 See * 104. One of Acilius' settlements is referred to specifically in III 38.

7 On the other hand, the mention made in 125 of the sc of 190 may simply refer to the rationale for having a new arbitration in 125, rather than indicating that the boundary lines set out in 125 in accordance with those of $338 / 7$ were necessarily modifled by the 190 judgement.

8 Pomtow Klio 18 (1923) p. 264; cf. Bonner/Smith p. 9; Steinwenter, p. 184.

$$
9=131 .
$$

*2: The League of Corinth
337
I: Two fragments of a stele discovered on the Athenian acropolis, which apparently bore an inscription of the oath sworn by the Athenians upon entering the League of Corinth.
A. Wilhelm SAWW 165.6 pp. 1, 6f.; Kirchner $1 G 1 I^{2} .236$; Dittenberger SIG ${ }^{3}$ *260; U. Wilcken SPAW 1929 p. 317; W. Schwahn Klio Beiheft 21 (1930) pp. 2, 37; Tod GHI 177; *Schmitt 403, I.

II: Polybios 9.33, 11-12.
Calabi RFIC; Calabi Bicerche 139-44; N.G.L. Hammond/G.T. Griffith. A History of Macedonia II (Oxford 1979) 634f.; Harding "99; J.A.O. Larsen. CPh 20 (1925) 313-29; idem. CPh 21 (1926) 52-71; idem. Representative Government in Greek and Roman History 47-65; H.O. Raue Untersuchungen zur Geschichte des korinthischen Bundes (Diss. Marburg 1935) pp. 5-6,

72-74; Roebuck CPh 73-92; T.T.B. Ryder. Koine Eirene (Oxford 1965) 102f., 150f.; idem CQ NS 26 (1976) 85-87; F. Schehl JÖАІ 27 (1932) pp. 115-45; P. Treves. HHS 64 (1944) 102-6; Walbank Comm II.172-3.

I:









 $\left.{ }_{\epsilon} \epsilon \mu \Omega u\right] \tau \hat{\omega} \mathrm{t}$ : Wilhelm.

## II:

Polybios 9.33, 11-12: oưX aưtòv àmoठєíłac kpıtìv úmèp t $\omega$ $v$
 kpitípiov.

It is generally accepted that primary evidence for the constitution of the "League of Corinth" may, within reasonable limits, be taken from the Pseudo-Demosthenic speech on the treaty with Alexander, the Athenian inscription retailing the oath which the Athenians were to take on entering the League, and the later inscription from Epidauros which sets down the constitution and regulations of the Hellenic League established
by Antigonos and Demetrios in 303/2. ${ }^{1}$
None of these sources of evidence offers us a complete picture of the constitution of the League of Corinth, and much controversy remains about the exact details of its organization. Nevertheless, it may be conjectured that the League of Corinth included provision for arbitration between its member states. If such a provision did not consist of a formal clause included at the inception of the League, then it probably arose as the natural outcome of the constitution of such an organization. ${ }^{2}$ Once the League was constituted, it would have become the obvious arbitrating body within Greece. Although the primary evidence for the League does not explicitly state anywhere that it was to arbitrate disputes between member states, the implication is strong that some such activity on its part was to take place.

Previous common peace treaties in the fourth century had begun to include a guarantee clause in case of aggression. ${ }^{3}$ In these instances, those states which had taken oaths to uphold the common peace would be obliged to take up arms against any aggressor who broke the peace. This type of guarantee of the common peace does not, however, appear to provide for any inquiry into the claims made by the states involved in the
potential hostilities. The basic guarantee clause appears to have made provision only for military action, not for judicial settlement.

As time went on, however, some innovations were made in this respect. It appears that the common peace of $362 / 1$ featured provision for arbitration. ${ }^{4}$ The same would seem to hold true for the peace of 338/7. A guarantee clause was part of Philip's common peace, as well as previous common peaces. The states partaking in the treaty were to come jointly to the aid of any victim of aggression. ${ }^{5}$ But it appears that provision was also made for a legal or judicial decision to preface, and perhaps render unnecessary any military action. Military action was only to be taken in accordance with a decision of the synedrion of the League. ${ }^{6}$ This might, therefore, provide an opportunity for arbitration to be carried out by the League council. A judicial decision could be made which could give a ruling on the legal aspects of the dispute. Clearly if the synedrion was to make a decision before any military action was taken, their ruling would ideally be based on a determination of right and wrong. ${ }^{7}$

The hegemon of the League was also to have a say in any action taken against transgressors. ${ }^{8}$ Given the nature of the relationship between the League of Corinth states and the Macedonian hegemon, it is hardly to be
expected that the king would agree to delegate the absolute power of final decision on transgressors of the peace to the synedrion. Fellow Greek sympathies and anti-Macedonian feelings might combine to create a situation unfavourable to Macedon. 9

Hence the hegemon, or his representative in Greece, was endowed with the power to make war on transgressors of the common peace, and exercised that power when such transgressions threatened his hegemony. Alexander therefore took military action to put down the Thebans in 335, and Antipater acted as the agent of the king in making war on Sparta during Agis's "revolt" of $331 .{ }^{10}$ In both these instances the legal or judicial power of the synedrion appears to have functioned only after the fact, when it was consulted about a suitable judgement on the defeated transgressors. Therefore, although it was consulted, theoretically as the supreme authority, on these matters, the synedrion could scarcely be said to have arbitrated between Macedon and the rebellious Greek states. It was consulted because it was expected to make a judgement which would be in keeping with the hegemon's wishes.

Nevertheless, there is no evidence that Philip or his successor interfered in a "hegemonial" capacity in the settlement of minor problems
among the Greek states. The Macedonian concern was with disputes or transgressions of the peace which might be a potential threat to their control and exploitation of Greek military power. Minor border squabbles would not concern the kings, just as they would not concern the historians. Hence our one example in which the Greek synedrion does appear to have exercised its arbitral function with no pressure or perceived pressure from Philip or Alexander involves a pair of small states, and is known only through the fortuitous discovery of an inscription. This is the dispute between Melos and Kimolos over the ownership of three small islands, a dispute which was apparently submitted to the synedrion for settlement and referred by it to Argos. ${ }^{11}$ We should perhaps not expect to find much notice in the literary sources of the synedrion's independent actions as a neutral arbitrator. A dispute important enough to have gained attention in the confused literary records of this period would quite probably also have attracted the attention of the Macedonian hegemon. In such a case, the dispute might be dealt with in similar fashion to Philip's "arbitration" between Sparta and her neighbours, and the strict neutrality of the procedure would be overshadowed. ${ }^{12}$

Although the territorial arrangements made by Philip in 338 were for
the most part far from disinterested settlements, and were certainly meant to be advantageous to him through benefitting his allies, they were later considered to have been arbitrations. The reason for this is that these settlements were in all probability ratified in 337 by the synedrion of the League of Corinth and given a perhaps specious legal standing. ${ }^{13}$ Polybios tells us that in the year 210 the orator Lykiskos could argue that Philip had established a neutral judicial tribunal of states which dealt with the land disputes between Sparta and her neighbours. Given the pro-Macedonian stance of Lykiskos, the statement may be suspicious. Philip II certainly did settle Sparta's borders to suit himself. Nevertheless, the claim makes no sense without some basis in fact, and the best explanation seems to be that an arbitral tribunal was in fact established and did ratify Philip's settlements. ${ }^{14}$

Whether Philip actually set up a separate tribunal of Greek states to ratify his decisions, or whether this was carried out by the synedrion of the League of Corinth sitting as a tribunal, it would be hard to define this as neutral arbitration. Sparta would indeed have been justified in challenging both the de facto decision of Philip and the de iure decision of the Greeks. Nevertheless, the "arbitral" activity perhaps carried out at
this time by the synedrion would have set a precedent. At the very least, it would now be recognized that there was a body available which was empowered to arbitrate disputes. ${ }^{15}$ This was probably a precedent to which the states of Melos and Kimolos were able to refer. ${ }^{16}$ Guarantees against aggression such as were typical in a common peace treaty were not in themselves guarantees of arbitration. But with the synedrion now available as a permanent institution, a body now existed which could take a judicial approach to the settlement of disputes, not just a military one.

1 The speech on the treaty with Alexander: [Demosthenes] 17. The Athenian oath: $\underline{\underline{G}} \|^{2} .236$ (see 1). The Epidaurian inscription: $\underline{\mathbb{G}} \mathrm{IV}^{2} .1 .68$ (see *11).

See Ryder pp. 150-1, 159; Larsen CPh 20 p. 318; Representative Government p. 54; Hammond/Griffith p. 634.

2 Cf . Hammond/Griffith p. 636: "[The question is, whether] judicial powers were assigned or defined at all for the sunedrion at its foundation, or whether these powers accrued to it empirically and through the years....Though no certain answer can be given it is indisputable that the primary function of the sunedrion to preserve the koine eirene, itself conferred on it something of the character of a court of justice from the very start, since any and every inter-state dispute that ever came to its notice inevitably threw up its plaintiff and its defendant, addressing the sunedroi like dicasts."

3 See Ryder pp. 128 (the Peace of 371 at Sparta), 132 (the Peace of 371 at Athens), 141 (the Peace of $362 / 1$ ).

4 See Piccirilli *48.

5 Cf. [Demosthenes] 17, passim.
 largely restored, and Wilhelm does offer an alternate reading: kaงót।| ["a $\nu$
 played an important role in questions of transgression of the treaty, the document recording the constitution of the later Hellenic League of 302 may be cited ( ${ }^{*} 11$, $11111.28-31$ ):

$$
\text { [óc } \delta^{\circ} \text { 次 } \tau \text { єicn] }
$$

 fícay[yє]î̉aí tıvac éc ú-
 $\delta_{\varepsilon \delta о ү \mu \epsilon}-$
 [про̀]c toùc про́́ $\delta$ pouc

7 Cf. Larsen Representative Government pp. 62f., and CPh 20 p. 323. See also Ryder pp. 151-2, who points out that the treaty referred to in the speech on the treaty with Alexander apparently relied on the synedrion for the maintenance of the regulations of the peace ([Dem.] 17.15).

8 11. 21-22: каì ò ग̀ $\gamma є \mu \omega ̣ \mid[\nu \quad \pi a \rho a \gamma \gamma є ́ \lambda \lambda \eta t]$.
9 Such feelings were so widespread at the time of the Lamian War that there was naturally no question of the hostilities being submitted to the synedrion for a decision, as there had been in the case of Agis' revolt or the Theban uprising. See Ryder p. 109.
${ }^{10}$ Diodoros 17.14; 17.73, 5-6; Curtius 6.1, 18-21; Arrian Anabasis 1.9, 9; Just in 11.3, 8 .

11 *3. Cf. Tod GHI p. 227, where he cites the case of Melos and Kimolos in claiming that one of the duties of the synedrion "was to secure, if possible, by arbitral procedure the peaceful settlement of disputes between members of the League."
${ }^{14}$ For other evidence that Philip's de facto settlements were given a de lure "arbitral" basis through the League, cf. the following testimonia, which may refer to these settlements of Philip as judicial decisions:
(1) SIG $^{3}$ *665, the document which records a later arbitration between Sparta and Megalopolis, refers to kpíceic made by the Greek allies, perhaps at this time ( $* 150,11.19-20$ ). Larsen is the main proponent of the theory that the kpíceic of the Greeks referred to here must be those made in 338/7. Other scholars dispute this, believing that the reference is more naturally to be applied to the Greeks constituting the Hellenic League of Antigonos Doson (cf. *49). Cf. Hammond/Griffith pp. 627-8.
(2) Livy $38.34,8$ refers to an old decree of the Achaians (decreto vetere Achaeorum, the last probably a mistake for Hellenes), whereby the Spartans lost the ager Belbinates in the time of Philip II.

See Walbank Comm II.172-3; Roebuck CPh pp. 91-2; Calabi RFIC 63-69; Ricerche 139-44.

15 If the term єipnvoøú $\lambda a \xi$, which appears in Aischines (3.159) does indeed refer to a member of the League synedrion (as argued by Ryder CQ 26 and Hammond/Griffith pp. 644-5), it might further emphasize the important role played by the synedrion in preserving peace.
$16=3$. Cf. Hammond/Griffith p. 637 for the suggestion that the case of Melos and Kimolos is potential, though far from certain, proof of an arbitration clause in the constitution of the League of Corinth.

The fact that the synedrion was involved in this affair might lead us to believe that the synedrion was always the arbitral body and that no separate tribunal was ever constituted. See Larsen CPh 21 p. 55, and Hammond/Griffith p. 636 ("The argument from silence must be decisive here, since the 'cases' which presently do go to the sunedrion would not
have gone to it if a separate Court of Justice had existed for the purpose．＂）．Cf．，however，Calabi RFIC 63f．，who thinks that Philip set up a separate tribunal before the states met at Corinth．

## ＊3：Kimolos and Melos／Argos and the League of Corinth 337 or later

Stele bearing a decree of Kimolos，discovered in Smyrna，where it had been built into a wall．H．（max．）c． $0.45 \mathrm{~m} .$, w． 0.315 m .17 lines．

P．LeBas RA 11 （1855）pp．577f．；F．Schneidewin Philologus 9 （1854） pp．588－591，＊37；LeBas／Waddington＊1；Mouceîov kaì Bı日入ıośnkn tn̂c Eヘ̉ayy．cxo入n̂c 1 （1873－1875）p．101，＊103；Cauer ${ }^{2}$＊58；Prellwitz SGDI ＊3277；Berard＊30；Dittenberger $51 \mathrm{G}^{2}$＊428；Michel＊14；＊Hiller von Gaertringen 16 XII．3．1259；Hicks／Hill ${ }^{3} 150$ ；Phillipson p． $141^{3}$ ； Dittenberger／Hiller von Gaertringen SIG ${ }^{3}$＂261；Schwyzer ${ }^{*} 85$ ； Nachmanson HGI＊50；W．Vollgraff Mnemosyne 43 （1915）pp．383－84；Tod GHI＊179；Calabi Bicerche p．116；Buck＊86；G．Pföhl．Griechische Inschriften（Munich 1965）＊105；M．Guarducci．Epigrafia Greca II（Rome 1970）pp．552－53，＊172；J．J．Hondius．Iituli ad dialectos Graecas illustrandas selecti II（Leiden 1972）＊37．

F．Bechtel Bezzenberger＇s Beiträge 20 （1894）p．24I；C．D．Buck CPh 8 （1913）p．151；Busolt／Swoboda p．1259；Calabi RFIC p． $63^{2}$ ；Calabi Bicerche pp．116－18；P．Charneux BCH 82 （1958）pp．4－5；de Ruggiero．p．141；W． Feldmann．Dissertationum Philologicarum Argentoratensium IX（Strasbourg 1885）p． 113 ［209］；M．Fränkel SPAW 1898 pp．637f．；R．Heberdey／A． Wilhelm．Reisen in Kilikien p．112；F．Hiller von Gaertringen SPAW 1919，p． 660；J．Kaerst BhM 52 （1897）p．526；A．Kirchhoff．Studien zur Geschichte der griechischen Alphabets ${ }^{4}$（Amsterdam 1887； 1970 reprint）pp．100－101； Klose p． $145^{625}$ ；J．A．O．Larsen．Representative Government in Greek and Roman History p．64；Martin p．553；R．Meister BPhW 12，p．259；D．Mosley Phoenix 25 （1971）pp．328－29；Preaux p．249；Raeder＊29；J．\＆L．Robert REG 72 （1959）pp．220－21，＊295；Roebuck Diss．p．55；SEG XII．367；Sonne ＊54；Steinwenter p．181；Ténékides pp．545－46；Tod＊47；Tod Sidelights p． 47；W．Vollgraff Mnemosyne 44 （1916）pp．61－64， 58 （1930）pp．34f．；A． Wilhelm．GGA 1898 p．205；idem．GGA 1900，p．14；idem．Beiträge p． 119.

Өєóc.
*ekplve ó $\delta$ â $\mu o c$ ó t $\hat{\omega} \nu$
'Apyeí $\omega v$ кatà tò סókп-
$\mu a$ toû cuve
5 ' $巨 \lambda \lambda \alpha ́ v \omega \nu$, ó $\mu \circ \lambda о \gamma \eta-$ cávt $\omega \nu$ Ma $\lambda i ́ \omega \nu$ kai
 ãt ka סıkáccatev toì
'Apyeiol $\pi \in \rho i ̀$ tâv
10 [ $\nu$ ]ác $\omega \nu, K ı \omega \lambda i ́ \omega \nu$
П̉ $\mu \in \nu$ По $\lambda$ úalyav 'Etínt-

Kaccav $\nu \operatorname{kin} \nu \operatorname{Kı\mu } \omega \lambda[$ í]-
[o]uc. 'Aṕ́teve $\Lambda \in \omega \nu$ '
15 [ $\beta$ ] $\omega \lambda[\hat{a}] c$ c $\in \cup \tau \in ́ \in \rho a c \cdot$ Посı $\delta a ́-$ ov $\gamma \mathrm{po}[\varphi] \epsilon \grave{c} \beta \beta \omega \lambda a ̂ c \cdot \Pi \epsilon ́ p i \lambda-$ $\lambda 0 c \pi \in \delta \circ \circ$.
 ka: Moucê̂ov. || 14: $\Lambda \in ́ \omega v$ : LeBas; $\Lambda \epsilon$ '́n $\eta \xi$ : Moucê̂ov. || 15-17: [ $\beta$ ] $\omega \lambda$ -
 Vollgraff, followed by Charneux, Robert. II 17: חє $\delta$ íov: Schwyzer, Tod, Buck, Guarducci, Hondius. Hiller von Gaertringen explains $\pi \in \delta^{\prime}$ iov as the present
 indicated the name of a kômê (i.e. a "demotic").

This stone, which bears an inscription in the Argive dialect ${ }^{1}$ concerning an arbitration between two islands in the Cyclades, was found at Smyrna in Asia Minor. This copy of the judgement was doubtless
originally from Kimolos, the state in whose favour the decision was made, and was carried from there to Smyrna, perhaps as building material. ${ }^{2}$ The inscription tells of the adjudication of Argos, at the behest of the "synedrion of the Hellenes", in a dispute between the islands of Melos and Kimolos over the possession of three small islands nearby. ${ }^{3}$

The vagueness of the term toû cuve $\delta \rho$ íou $\tau \hat{\omega} \nu$ ' $E \lambda \lambda$ áv $\omega \nu$ has in the past led to some confusion in dating this arbitration. LeBas, for instance, identified the synedrion with an Argive amphiktiony, ${ }^{4}$ supposedly a later form of the Hellenic League which was first formed against Persia. ${ }^{5} \mathrm{He}$ dated the inscription to 417 B.C., reasoning that after 416 no appeal could have been made from Melos to a Dorian state. Kirchhoff identified it with the Delphic Amphiktiony, and dated the event to the period after the Melian restoration under Lysander. ${ }^{6}$ Sonne was one of the first to see in the synedrion the League of Corinth, and to date the arbitration to $337 .{ }^{7}$ It could then be one of the many cases that were settled after the Macedonian victory at Chaironeia and the organization of the Greek alliance. ${ }^{8}$

Although it is now generally accepted that the synedrion of this decree refers to the League of Corinth, there is little else we can learn
from the inscription regarding the mechanisms for arbitration within the League itself. Certainly we may conclude that in this case, as was a not uncommon practice among the leagues in general, the task of arbitration was delegated to a neutral city which was also a member of the League. ${ }^{9}$ Melos and Kimolos may have approached the League voluntarily; at any rate they bound themselves to act by its decision or that of its delegate (11. 4-6). ${ }^{10}$. This might indicate that, whatever the circumstances of the settlements between Sparta and her neighbours, settlements which were perhaps imposed by Philip and then ratified by the League of Corinth, here at least both disputants and arbitrators were acting with a certain degree of autonomy.

The decision may have been made by the entire Argive assembly
 may refer to the Argive council sitting for the second half of the year, assuming that Argos had some such administrative division of the year as had Rhodes and Tarsos, among others. ${ }^{12}$

1 For discussions of the dialectal forms, see Schneidewin pp. 590f; Buck p. 287 and CPh 8 p. 151; LeBas BA 1.11 pp. 584f.; LeBas/Waddington pp. 6 f.

2 LeBas BA 1.11 pp. 578f.; LeBas/Waddington pp. 1 f .
3
See LeBas RA 1.11 pp. 580f., for a discussion of the identification and location of these islands (Polyaiga, Heteireia, Libeia). See also Schneidew in p. 589; LeBas/Waddington p. 2 (map); $51 G^{3}$ p. 470.

4 RA 1.11 pp . 583, 586; he did recognize that the lettering is more consistent with a later date. See also Kirchhoff. Studien ${ }^{4}$ p. $101 ; 516^{2}$ p. 15.

5 LeBas/Waddington p. 7. See $516^{2}$ p. 15.
6 Kirchhoff p. 101, and Feldmann p. 113, based on the terminology of the Attic orators; SGDI *3277.

7 See Sonne $* 54$, and the arguments there concerning the proper nomenclature on public inscriptions. See also Berard p. 41; Kaerst RhM p. $526{ }^{1}$; Hiller von Gaertringen $16 ; 516^{2}$ p. 15; Hicks/Hill; Nachmanson p. 43; Sig $^{3}$ p. 469; Schwyzer p. 43; Tod GH11.

8 see ${ }^{2}$ 2.
9 See Larsen. Representative Government p. 64. Cf. *43, *46, 59 , *60. It should be mentioned that the League of Corinth was of course a looser organization than these regional leagues, and should perhaps not be referred to as a "league" at all; see Klose p. $145^{625}$.
${ }^{10}$ Steinwenter p. 180-81.
${ }^{11}$ Raeder p. 64; de Ruggiero p. 141 ${ }^{1}$. Tod, however, (p. 100) considers the term $\delta a \mathfrak{\mu} \mu \mathrm{c}$ merely to refer to the supreme authority of the court; he does not believe that the whole people of Argos would have sat in judgement.

12 Heberdey/Wilhelm p. 112; Wilhelm. Beiträge p. 119; Meister p. 259; $51 G^{2}$ p. 16; Hicks/Hill; $\operatorname{SIG}^{3}$ p. $470 ; \operatorname{Tod} G H$.

## 4: Aspendos and Side [?]/Alexander the Great 334/3

Arrian Anabasis 1.27, 4
E. Badian. Ancient Society and Institutions: Studies presented to V. Ehrenberg (Oxford 1966) p. 49; A.B. Bosworth. A Historical Commentary on Arrian's History of Alexander I (Oxford 1980) pp. 168-69; Meyer p. 11; Schmitt $=405$.

Arrian Anabasis 1.27, 4: ópńnpouc $\delta €$ è $\delta o u ̂ v a l ~ c \varphi \hat{\omega} v$ toùc $\delta u v a t \omega t a ́ r o u c ~$


 óca étn Make


Throughout his campaigns Alexander maintained a policy of making generous settlements with those states, small or large, who came over to his side voluntarily and remained faithful to him. The corollary to this policy was that he was quick to impose harsh terms on those who betrayed their agreements with him. An example of the latter behaviour is his treatment of Aspendos in southern Asia Minor. When the people of Aspendos forsook their agreement with Alexander he immediately, and much to their surprise, laid siege to the town.

The Aspendians tried to persuade Alexander to take them back into his alliance on the terms of their old agreement. He, having been betrayed
once, refused and demanded a harsher settlement: the Aspendians were to provide hostages, an immediate delivery of horses previously promised, and an immediate financial contribution which was twice their original assessment. In addition they were to pay a yearly tribute to the Macedonian treasury.

Another area in which the Aspendians now suffered as a result of their breach of the original agreement with Alexander was that of their territorial holdings. As far as we can tell, Aspendos had had an outstanding dispute over a certain border with one of its neighbours, perhaps Side. ${ }^{1}$ Aspendos was accused of having annexed the territory forcibly. An adjudication was now to be held and it would not be surprising were we to discover that Aspendos lost. ${ }^{2}$

Alexander had apparently ignored this dispute previously. Arrian's account implies that the territorial arbitration between Aspendos and her neighbour was just one more disadvantage imposed on Aspendos as punishment. This particular instance of arbitration is a good example of the kind of political manipulation to which the institution could be subjected. ${ }^{3}$


#### Abstract

1 Bosworth suggests side on the strength of a recorded hostility between Aspendos and Side in 218 BC（Polybios 5．73，4）．


See Badian p． 49.
3
Cf．Philip II＇s treatment of Sparta：Piccirilli＊ 60 ，＊61．

## 5：Various States／Alexander the Great 323

Arrian Anabasis 7．15，4－5；Diodoros 17．113， 3.
Arrian Anabasis 7．15：Katoóvtı ठè aùtê єỉc Baßu入へ̂va nıbúcu tє пресßєial évetúyxavov émavoúvt $\omega \nu$ te кaì cteழavoúvt $\omega \nu$＇́mi








 ૭a入óccпп кúplov．






It is reported that in the last year of Alexander＇s life numerous embassies from all over the inhabited world came to see him．＇Not only
ambassadors from the Greek states, but also those from North Africa, from Libya and Carthage, came to congratulate him on his victories, as did representatives from various Italian and Iberian peoples.

In addition to congratulating Alexander on his victory and on becoming "King of Asia", many of these embassies would also have been concerned to assure Alexander of their good will. By 324/3 he appeared to the rest of the world to have completed his conquest of the East and to be in the midst of his plans for his next venture. ${ }^{2}$ Given the awesomely vigorous nature of the campaign which had given him the Persian empire, many of these states would have been concerned to turn aside, if at all possible, by expressions of friendship any plans which Alexander might have had against them.

Many of these embassies were also concerned with matters of business which needed the attention of the king. A number of the Greek states, for example, were objecting to Alexander's exiles decree. ${ }^{3}$ Among the problems which some of these embassies, both Greek and non-Greek, wished to bring to Alexander's notice were disputes which the states had with one another. ${ }^{4}$ Alexander, as the most prestigious individual in the world at this time, was asked to arbitrate these differences.

We have no way of knowing any further details: how much attention Alexander may have given to these requests for arbitration, which specific peoples were involved, what the nature of the disputes was, or whether a judgement by Alexander was ever implemented. ${ }^{5}$

 Anabasis $7.19,1-2$.

2 When Alexander died plans were already under way for the expedition against Arabia, and rumours were probably spreading that he had his eye on the western Mediterranean, no matter what his real plans may have been. Diodoros recorded that Alexander had an "agenda" to attack. Carthage (18.4, 4f.); see J.R. Hamilton Alexander the Great (London 1973) 154f., Will ${ }^{2}$ 1.113-14.

## 3 Diodoros 17.113, 3.

4 Diodoros says toùc ópópouc, which might suggest that some of these problems were typical boundary disputes.

5 If Alexander did undertake to arbitrate various disputes, it would not be surprising if he delegated much of the detailed work to his agents, perhaps restricting his own contribution to the promulgation of general guidelines in the form of a $\delta$ tá $\gamma p a \mu \mu$.

## *6: Rome and the Samnites/Tarentum 320 or 314 [?]

Livy 9.14, 1.
Gruen 1.100; Matthaei CQ pp. 250f.; Tod p. 178.

Livy 9.14, 1: Per id tempus parantibus utrisque se ad proelium legati Tarentini interveniunt denuntiantes Samnitibus Romanisque, ut bellum omitterent: per utros stetisset, quo minus discederetur ab armis, adversus eos se pro alteris pugnaturos.

The great war between Rome and the Samnites, the so-called Second Samnite War, broke out in 326. Livy reports that prior to the declaration of war the Romans invited the Samnites to refer their differences to the common friends and allies of both. ${ }^{1}$ The Samnites, however, refused arbitration and insisted on settling the matter by war. This refusal, in the ethical terms in which Livy presents it, made the Samnites responsible for the war. The guilt lay with them. ${ }^{2}$

Five years later, in 321 , the roles were reversed. The Samnites, desperate for peace and the retrieval of their ethical situation, offered extensive atonement for the hostilities. ${ }^{3}$ Along with their offer went, perhaps implicitly, the suggestion that they were now amenable to any request for arbitration. ${ }^{4}$ But this time it was the Romans who were adamant about not only not going to arbitration, but also about demanding harsh terms from the Samnites. ${ }^{5}$ It may be that the Roman humiliation which shortly ensued at the Caudine Forks was to be perceived in some sense as punishment for the Roman superbia. ${ }^{6}$

Matthaei has plausibly suggested that these rumours of arbitration offered by both Romans and Samnites in the course of the Second Samnite War do not reflect the historical reality of the diplomatic relations between the two nations at this time. Arbitration was of course a Greek diplomatic institution, and relatively foreign to the Roman way of thought, not to mention the Samnite. ${ }^{7}$ Rather, these ideas probably derive from a Greek or Hellenizing annalist used as a source by Livy. ${ }^{8}$ They serve the purpose, therefore, of reinforcing moral and ethical judgements about where the guilt lay in this war, and show it to have been waged by the Romans as a iustum piumque bellum.

There is, however, another reference to arbitration in the context of this war, which, given the provenance of the offer to arbitrate, might have a greater claim to historical veracity. In 320, according to Livy, shortly after the affair of the Caudine Forks, the Romans repudiated the humiliating peace concluded there by the consuls, and took up arms against the Samnites again. ${ }^{9}$ L. Papirius Cursor, one of the consuls for 320 , advanced against Luceria. The Samnite army met him there and both sides prepared for battle. ${ }^{10}$ Before they fought, however, both Romans and Samnites were approached by envoys who had arrived from the Greek city
of Tarentum. These envoys told the belligerents to lay down their arms; if one side persisted in continuing hostilities, the Tarentines would join the fight on the behalf of the other. Livy completes his story of the Tarentine intervention by saying that the Romans, while they pretended to lay aside their arms, had taken the auspices, seen that the gods would be on their side in the battle, and so were secretly determined to fight. The consul Papirius furthermore was contemptuous of the Tarentine offer as emanating from a people incapable of managing their own internal affairs properly. The Samnites, for their part, had accepted the Tarentine suggestion, and laid aside their arms. They were therefore stunned to see the Romans, who had also intimated that they would be willing to make peace, suddenly drawn up for battle, a battle which resulted in a Roman victory. ${ }^{11}$

There is nothing implausible in the notion that Tarentum at some point in the course of the Samnite Wars might have offered her services as a mediator or arbitrator to the belligerents. As Greeks, the Tarentines would be familiar with the institution. The exact details of this episode, however, might raise suspicion. For one thing, the Tarentine offer, as Livy presents it, is not so much an offer to arbitrate as it is an attempt to
dictate a settlement. This order is then emphasized by the threat of military action. The whole affair seems to resemble not so much the Greek institution of arbitration, as a possible Roman notion of Greek arbitration: an enforced peace, not a judicial procedure. ${ }^{12}$

The Tarentine episode may be suspect on other grounds as well. It is said to have occurred in 320, during the vengeful campaign undertaken by the Romans to wipe out the memory of the Caudine Forks. But Livy's account of the Roman repudiation of the Caudine Peace has been called into question. It may be that the story was invented by annalists in order to fill the gap between the Caudine Peace and the year 316, a time during which the Romans actually did abide by the foedus (not sponsio) with Samnium. ${ }^{13}$ If this is so, then the Tarentine intervention is misplaced in 320. If it is to be retained as a historical fact, some other opportunity for it must be found, perhaps in 314, shortly after the war did in fact break out again. 14

1 Livy 8.23, 8.
2 The Samnites acknowledge this themselves: Livy 8.39 and 9.1, 3. Cf. the Spartan attitude in 414/3: they had considered themselves guilty in the case of the outbreak of the Peloponnesian War in 431 because they had refused arbitration; hence they were not surprised that the Archidamian
war had not gone as they wished (Thucydides 7.18, 2). See Piccirilli *21; Matthaei p. 251.

3
Livy 8.39.
4
5 Livy 8.39; 9.1.
6
Matthaei p. 251.
7
Cf. Gruen I.99-100.
8
See Matthaei p. 253.
9 Livy 9.8-12. Livy insists that the Caudine Peace was a sponsio, the guarantors of which were the consuls of 321, not a foedus. Hence Rome's repudiation of the peace and attempted surrender of the sponsoring consuls to the Samnites were legal acts and meant that, for Rome, the continued war could still be iustum piumque. Livy does, however, allow the Samnite leader Pontius to express eloquently Samnite contempt for Rome's "mockery of religion" (9.11).

## ${ }^{10}$ Livy 9.13.

11 Matthaei (p. 254) points out the ramifications of this episode in Livy: if the incident is historical it displays the Roman indifference to arbitration at this period; if it is a fiction, it displays the attitude, perhaps of Livy, certainly of his sources on this episode, towards the moral aspect of arbitration. The Romans do not suffer for their treacherous rejection of the Tarentine offer; rather they are victorious.

12 Compare the episode of the Rhodians in Rome in 169 (Livy 44.14; see $=137$ ). Livy reports that the Rhodians arrogantly demanded that Perseus and Rome cease from fighting, and implied that they might take action against the party which continued hostilities. But this story is almost certainly a fiction contrived by one of the annalists rather than an accurate reflection of typical Greek diplomatic methods. See Walbank

Comm III. 327.
13 In which case the story of the repudiation may have been inspired by the senate's attitude to the capitulation of Mancinus in Spain in 137 BC. See E.T. Salmon Samnium and the Samnites (Cambridge 1967) pp. 228f.; Schmitt *416; and H.H. Scullard. History of the Roman World ${ }^{4}$ (Methuen 1980) pp. 134, 481.

14 See P. Wuilleumier Tarente (1939).p. 93; and E.J. Bickerman CPh 42 (1947) p. 141.

## *7: Apollonia and Illyria/Akrotatos of Sparta 315

Diodoros 19.70, 7.
Piper pp. 10-11.
 $\mu \epsilon ิ \nu$ єic




In spite of the much-reduced position of Sparta as a hegemon after Leuktra in 371, Philip's settlement in 338, and the defeat at Megalopolis in 331, she still retained her military reputation. This reputation was largely maintained through activities abroad, as Sparta pursued foreign commitments such as those of Agesilaos in Egypt in 361 and Archidamos in Italy in $338 .{ }^{\text {. }}$

Military expeditions abroad could also prove useful for those kings who found life at home under the ephors too restrictive. In this particular instance, Akrotatos, the son of the Agiad Kleomenes II, was apparently unpopular enough at home for his outspokenness to have warranted physical violence from his enemies. ${ }^{2}$ Accordingly, when some Syracusan exiles arrived in Sparta to ask for military aid on behalf of Akragas against Agathokles of Syracuse, Akrotatos leapt at the chance of leading a foreign military expedition. He left at once without awaiting the ephors' permission.

It was while Akrotatos was on his way to Italy that Diodoros tells us he was blown off course and driven to make a landing at Apollonia in northwestern Greece. At that time Apollonia was under attack by Glaukias the lllyrian dynast. Akrotatos was apparently successful in putting an end to the war between the two. In addition he also effected a treaty between them, perhaps by acting as an impartial arbitrator of the agreement.

We are told that Akrotatos's landing in northwest Greece was purely fortuitous, the result of adverse weather patterns. It is not impossible, however, that Akrotatos planned his brief stopover. He may have envisioned the possibility of mediation, and seen it as a chance to enhance
his prestige. Or he may simply have wished to cement favourable relations with the region generally. If he planned to maintain the Sicilian link over time, then the coastal towns of northwest Greece could prove to be of strategic value.

1 Plutarch Agesilaos 36; Diodoros 16.88.
2 Akrotatos had opposed the decree lifting the dishonour from those Spartans who had survived the defeat at Megalopolis, and had, not surprisingly, of fended all those affected by the decree.

Akrotatos' failure and unpopularity at home was matched by that of his brother Kleonymos, who was deliberately passed over in the succession, although his services as general, and perhaps regent, were exploited. Kleonymos also pursued a policy of military activity abroad: see *33.

## *8: Messana and Agathokles of Syracuse/Hamilcar of Carthage 315-314

Diodoros 19.65, 5; 19.71, 6-7.
E.A. Freeman. History of Sicily (London 1892) pp. 238f.; G. \& C. Picard. The Life and Death of Carthage (London 1968) pp. 167f.; Schmitt \#424; B.H. Farmington. Carthage (London 1960) pp. 105 f.






Diodoros 19,71: (6) toútou $\delta^{\circ}$ àman $\lambda a y \in ́ v t o c ~ T a \rho a v t i ̂ v o l ~ \mu e ̀ v ~$









Agathokles, tyrant of Syracuse in the late fourth century, was initially benefitted in his rise to power by his friendship with the Carthaginian power in Sicily represented by the general Hamilcar. ${ }^{1}$ The tyrant, however, soon proved himself to be too ambitious an individual to have as a comfortable friend, and Carthaginian policy shifted to a stance of trying to restrict Agathokles.

Although war eventually broke out between Agathokles and Carthage, the initial attempts of the latter to constrain the former consisted of a diplomatic offensive. ${ }^{2}$ In 315, Agathokles was threatening to extend his control in Sicily through an attack on Messana. Envoys arrived from Carthage, and through their intervention he was persuaded to relinquish his attempt and make peace with Messana.

This peace, however, was not of long duration. The following year Messana combined in alliance with Akragas and Gela in order to try to withstand Agathokles. The anti-Syracusan alliance succeeded in gaining
the aid of the Spartan leader Akrotatos, and of Sparta's Italian colony, Tarentum. ${ }^{3}$ Akrotatos himself, however, on his arrival at Akragas, one of the leading states of the anti-Agathokles movement, began to act tyrannically. He manifested a character which seemed worse than that of Agathokles, and was soon driven out of Sicily. ${ }^{4}$

With the enforced departure of their general Akrotatos and the subsequent loss of their ally Tarentum, the anti-Agathokles alliance dissolved. Akragas, Gela and Messana were forced to put an end to the war against the tyrant. In coming to an agreement with him, they once again had the services of a Carthaginian mediator: Hamilcar. In the treaty as mediated by Hamilcar it was stipulated that Herakleia, Selinous and Himera were to be under Carthaginian domination, while all the other Sicilian Greek cities were to be "autonomous, under the hegemony of Syracuse."

Diodoros says that Hamilcar acted as a mediator or an arbitrator in bringing about the peace between Agathokles and Messana and the others. Insofar as he helped to establish a peace this may be true, but Diodoros may be seeing Hamilcar's activity through the eyes of a Greek accustomed to the notion of neutral arbitration. The actual terms of the treaty read
more like an agreement between Syracuse and Carthage to share the benefits of Sicily, rather than an equitable peace between Agathokles and the Greek states. The terms of this agreement were ambiguous, and obviously capable of varying constructions. While Messana was one of the parties to the settlement, we find her not long afterwards at war with Agathokles again. ${ }^{5}$ Perhaps she had failed to recognize Syracusan "hegemony", at the expense of her own autonomy, to as great a degree as Agathokles might have deemed appropriate.

The agreement with Agathokles apparently caused difficulties also for Hamilcar, probably because it disadvantaged the other significant Sicilian cities vis-à-vis the Syracusan tyrant. If it was now the policy of Carthage to try to weaken Agathokles, Hamilcar had not done well in recognizing Syracusan hegemony over much of Greek Sicily. He was evidently heavily fined for this diplomatic faux-pas. ${ }^{6}$ It was also the last significant act of his career. ${ }^{7}$

1 Justin 22.2, 6.

2 For an earlier ( 410 BC ) Carthaginian diplomatic intervention in Sicilian disputes see Piccirilli *32.

3 Cf. $=7$.



Although the picture of Akrotatos presented in Diodoros is probably highly coloured, he certainly does not appear to have possessed a talent for endearing himself to people; cf. *7.

5
Diodoros 19.102.
6 Justin 22.2-3. Justin claims that Hamilcar was condemned to death; he also reports a rumour that Hamilcar was deliberately plotting to give most of Sicily to Agathokles in return for Agathokles's help in becoming tyrant of Carthage.

7 See Picard p. 168, Warmington p. 106 for the supersession of Hamilcar by another Hamilcar (the son of Gisco).
*9: Rhodes and the Antigonids/Athens, Aitolia and others 304

Plutarch Demetrios 22, 8; Diodoros 20.95, 4-5; 20.98, 2-3; 20.99, 3.
Austin *39; K.J. Beloch. GG IV.I pp. 159f.; Berard *40; Berthold pp. 74f.; G. Elkeles. Demetrios der Städtebelagerer (Diss. Breslau 1941) pp. 20-23; W.S. Ferguson. Hellenistic Athens (1911) p. 117; H. Hauben Historia 26 (1977) p. 338; E. Manni. Demetrio Poliorcete (1951) p. 31; Raeder p. 141; Schmitt *442; Sonne *14; H. van Gelder. Geschichte der alten Rhodier (1900) pp. 105f.; C. Wehrli. Antigone et Démétrios (Geneva 1968) pp. 147-8; Will I ${ }^{2}$ pp. 70, 73-74.

 параує


Diodoros 20.95: (4) Siaceíovtoc ס'aủtoû toîc kploîc kà toîc




 évпруєîto тà тîc подıоркíac.






 а́тракто.





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Through the years 306-305 Antigonos Monophthalmos attempted to coerce Rhodes into an alliance as part of his campaign against Ptolemy of Egypt. The Rhodians, who had friendly relations with Egypt, if not a formal alliance, refused. By the summer of 305 , after Ptolemy's defeat at Kypros, Antigonos's son Demetrios had begun his famous siege of the city.' The Rhodians held out for a year against Demetrios, with the help of some rather limited support from Ptolemy, Kassander and Lysimachos. ${ }^{2}$

Towards the middle of 304 , Demetrios received word from Antigonos to end the siege, as the latter could no longer afford to devote a military force to Rhodes. ${ }^{3}$ Ptolemy had also been advising Rhodes to accept reasonable terms. At this juncture an embassy, perhaps from the Aitolian League, arrived, and offered to mediate a peace between Rhodes and Demetrios. ${ }^{4}$ This peace was eventually established on the basis of a symmachy with Antigonos which would exempt the Rhodians from having to partake in any action against Ptolemy. ${ }^{5}$

While it is clear from the sources that the mediation of some Greek state or states was instrumental in establishing the peace between Rhodes and the Antigonids, it is not so clear which state it was. It seems that a number of attempts at arbitration were made. Earlier in the siege, an embassy had been sent by the Knidians, an embassy which had sought unsuccessfully to mediate between the two sides. ${ }^{6}$ Plutarch records that the envoys who successfully put an end to the hostilities were Athenian, which may have been a reasonable choice, given the good state of Athenian relations with Demetrios at this time. These envoys, according to Plutarch, gave Demetrios the excuse he needed to stop the siege. It seems possible, however, that Plutarch's source may have substituted
"Athenians" for "Aitolians" here because he confused the final (successful) embassy with yet another embassy from Athens and several other Greek states, which Diodoros reports arrived earlier in the siege but was no more successful than that of Knidos. ${ }^{7}$ On the other hand, Sonne believes that the error here is Diodoros's, and that Athens was the state which finally succeeded in mediating the settlement.

1 Diodoros 20.81f.; See Beloch pp. 157f.; Elkeles pp. 20f.; Berthold c. 3; Will pp. 70f.

2 See Berthold pp. 77f.
3 See Beloch p. 159; Elkeles p. 22; Berthold p. 77.
4 See Hauben p. 338, who attributes part of Antigonos's anxiety to obtain a settlement to the presence already of this delegation.

5 Diodoros 20.99, 3; Plutarch Demetrios 22, 8.
6 Diodoros 20.95, 1-5. Cf. Tarn CAH VI p. 500. Berthold (p. 74) believes this attempt failed because as far as the Rhodians were concerned, the issue of port access would have been completely nonnegotiable. Knidos was within Rhodes' economic sphere, and would naturally have been affected adversely by the siege.

7 Diodoros 20.97, 7-98, 3. Cf. Tarn CAH VI p. 500. Cf. G. Klaffenbach IG $1 x^{2} .1 \mathrm{p} . \mathrm{xv}$ and Niese $1332^{3}$.

## * 10: Lebedos and Teos/Antigonos 1 and Mytilene c. 303

An inscription discovered in the Turkish cemetery at Teos, bearing two letters of Antigonos I, totalling 126 lines. The stele has disappeared, and epigraphic details were not given. Only the relevant portions of the inscription (parts of the first letter) are cited here.

LeBas/Waddington *86; Hicks *149; W. Feldmann. Analecta Epigraphica (1885) pp. 10-17 [Dissertationum Philologicarum Argentoratensium_1X pp. 106f.]; Dittenberger SIG ${ }^{2}$ \#177; Michel *34; Dittenberger/Hiller von Gaertringen SJG ${ }^{3}$ *344; Schroeter *3, ${ }^{*}$; *Welles BC *3, *4.

Austin *40; Bagnall/Derow *7; Berard \#36; E.R. Bevan. House of Seleucus (1902) 1.114f.; E. Egger. Études Historiques sur les Traités Publics (1866) pp. 75f.; V. Enrenberg Hermes 65 (1930) pp. 341, 351; H. Francotte. Mélanges Nicole (1905) pp. 135-48; Gauthier pp. 315-16; Gruen 1.98; B. Haussoullier. Études sur l'histoire de Milet (Paris 1902) pp. 22-24; idem. Iraité entre Delphes et Pellana (1917) pp. 102-5; Hitzig *30; P. Jouguet. Macedonian_Imperialism (London 1928; trans. M.R. Dobie) p. 350; G. Klaffenbach Philologus 97 (1948) pp. 179-80; U. Köhler SPAW 1898 pp. 838-42; Lenschau LS pp. 182-84; Phillipson p. 145; Préaux p. 249; C. Préaux. Le monde hellénistique II (Paris 1978) p. 423; Raeder *30; Rostovtzeff SEHHW I pp. 155-58; SEG IV.618, XV.717; Sonne *62; Steinwenter pp. 177, 192; E. Szanto. Das griechische Bürgerrecht (Freiburg 1892) pp. 108f.; W.W. Tarn CAH VI (1927) p. 491; A. Wilhelm. Beiträge zur griechischen inschriftenkunde (1909) p. 21; idem Klie 28 (1935) p. 280; E. Ziebarth WKPh 12 (1895) pp. 283 f.
\$6
 บ́ாápxovta $\mathfrak{\epsilon ์} K a]-$
 toùc ékatép $\omega \nu$ ]
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S8
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 [ypawtivt $\omega \nu$ oûc ãv frrf]-


 [ $\epsilon$ íceve $\chi^{\prime} \epsilon \in \tau \tau \omega \nu$ óca]



[ク̃ по́ $\lambda ル$ à $п о \delta є i ́ \xi \omega$ ]-

 25: aùtoùc пpòc aủtoùc kt $\lambda$ : LeBas/Waddington, Hicks. aỦto<î> mpòc aútoúc: Klaffenbach. I| 25: [кaтà toùc matpíouc]: LeBas/Waddington,

 $\underline{\text { SIG }}^{2}, \underline{\text { SIG }}^{3}$, Schroeter, Welles. || 27-28: [поוñcal поò à à $\left.\lambda \lambda \hat{\eta} \mid \lambda\right]$ ouc



 Mitu

 Waddington, Hicks, Michel. || 45-46: [кaì кa入ov̀c кaì ảya|ө]oùc: LeBas/
 'Єாıkpıvoûcav": LeBas/Waddington, Hicks, Michel.

These two letters from Antigonos Monophthalmos to the people of Teos in Asia Minor dealt with the synoikism of the latter state with its neighbour Lebedos. The letters set out a number of regulations with respect to the proposed amalgamation of the two states. The date of this synoikism, which was apparently never fully carried out, fell in the last years of Antigonos's life, when he was already styling himself as king.'

Synoikism of dependent states appears to have been a fairly common practice among the Hellenistic kings, as is shown by this inscription, by Antigonos's earlier removal of the population of Skepsis to Antigoneia Troas and by Lysimachos's later removal of the populations of Lebedos and Kolophon to Ephesos. ${ }^{2}$ We can probably exclude the possibility that the synoikism as a whole was the result of objective arbitration on the part of Antigonos. It is true that these letters were written in response to
embassies from the two states involved. ${ }^{3}$ Nevertheless, as Welles has suggested, an initiative from Antigonos is not to be ruled out. ${ }^{4}$ Synoikism would have been to the advantage of the ruler, both through honours he would receive as the founder and benefactor, ${ }^{5}$ and through the increased economic security of the cities themselves. ${ }^{6}$

The first section cited above (\$6) deals with outstanding suits within
 cities. The suits within each city are to be decided according to the existing laws of that city, but the two states are to establish a special
 between them. ${ }^{8}$ If either city disagrees with any point in this special agreement, then that dispute is to be submitted to Mitylene, which has been agreed upon as the arbitrating city ('́ккК $\lambda$ птос по́ $\lambda(c){ }^{9}$ Any point under dispute must be submitted within six months. ${ }^{10}$ While the suits between citizens of the two states, which were the subject of the special agreement, were probably of a private nature, the agreement itself was a public matter between communities. Thus any arbitration about it was also a public matter, and merits consideration here. ${ }^{11}$

The second section deals with the establishment of laws for the new
state. Here too there is the notion that some arbitration may be necessary before the synoikism can be carried out and the two states made one. Antigonos requests that any proposed laws about which there is some disagreement be submitted to him, and he will pass judgement on them, or


 upon which the two sides have agreed. Antigonos merely implies that he will delegate one. If such disputed laws were decided upon by a truly disinterested third party, this would be more closely akin to true arbitration, ${ }^{12}$ but Antigonos later indicates that he seems to envisage himself as both arbitrator and punisher in these disputes. ${ }^{13}$

At certain other sections of his letter, however, Antigonos does appear to adopt the tone of a neutral arbitrator. For instance, he speaks of having "judged" ( $\epsilon$ ' $\Pi$ (кєкрíka $\mu \in \nu, 1.60$ ) between the claims and desires of the two cities regarding the temporary use of a foreign law-code. He also requests that any further disputed points about the synoikism which have not been foreseen be submitted to him for decision (11. 107-108). Here again Antigonos sounds the neutral arbitrator, but this may be more the
result of a gracious style than a reflection of fact. ${ }^{14}$

1 See the opening of the second letter: [Bac]/ $\lambda \in u ̀ c ~ ' A v t i ́ y o v o c ~$
 Hicks p. 254; Feldmann p. 17 [113]; Welles p. 25. The inhabitants of Lebedos never did move to Teos, as was intended; some years later Lysimachos moved the citizens of Lebedos, apparently still dwelling in their native city, to Ephesos. Pausanias 1.9, 7; 7.3, 5. See Feldmann p. 17 [113]; Welles p. 25.

2 See the previous note, and Welles p. 8.
3 Previous envoys from one state or the other are frequently mentioned, envoys who, among other things, had already agreed upon Mytilene as the arbitrating state: cf. II. $30,56,68,72,101$. Feldmann p. 18 [114].

4 See Welles, pp. 25-26, who suggests that the initial move came from Antigonos, and that the synoikism may well have been unpopular with both Teos and Lebedos. See also Jouguet p. 350.

5 See LeBas/Waddington pp. 45-46; Hicks p. 254.
6 See Welles p. 25; Rostovtzeff pp. 155-56.
7
Cf. 99.
8 The cuvЯńkn may here be equivalent to the agreement elsewhere termed cú $\mu \beta \circ \lambda a$, which regulated legal matters between citizens of the different participating states. Hicks p. 255. Feldmann pp. 25 [121]f.

9 See Waddington p. 46, who cites the Etymologicum Magnum:
 28 [124]. For other examples of the é́ккдптос по́ $\lambda ı$ с, see $=51,=52, ~ 81$, *83, 92.
${ }^{10}$ Feldmann's reading of these lines (pp. 27 [123]f.) would make them
 sitting of a court" (Welles p. 28). However, the term 'ékK ${ }^{\prime}$ ) to móגlc is more natural, especially with Hiller von Gaertringen's restoration of $\epsilon \nu$, and also since it follows in the next phrase. See Schroeter p. 50.
${ }^{11}$ See Gauthier p. 316.
12 Feldmann p. 34 [130].



 каi $\zeta п \mu i \hat{\omega} \mu \in \nu$. Cf. Welles p. 28; Bevan I pp. 114-15.

14 See Welles p. 26. Nevertheless, this carefully polite tone which is maintained throughout most (but not all) of the letter has led at least one scholar in the past (Köhler. SPAW 1898:2 pp. 838-42) to classify the involvement of Antigonos as an additional aspect of arbitration in the case. Against this view, cf. Jouguet p. 350, and Haussoullier pp.23-24.

## *11: The Hellenic League of Antigonos and Demetrios 302

Twelve fragments of a limestone stele found in the Asklepieion at Epidauros. Inscribed on both sides in the upper part. The relevant passages are taken from sections II, III and IV of Schmitt's arrangement.
J. Baunack Philologus 54 (1895) p. 61, *6, p. 24, \#7; Fränkel IG IV.924; A. Wilhelm SAWW 165.6 (1911) pp. 31f.; P. Kavvadias AE 1918 pp. 128f., \#3; S.B. Kougeas AE 1921 pp. 6f.; A. Wilhelm AAWW 1922 pp. 52-70, xv-xviii; U. Wilcken SPAW 1922 pp. 122f., xviii; P. Roussel RA 5.27 (1923) pp. 121f.; J. Hondius SEG I.75; U. Wilcken SPAW 1927 pp. 277f., xxvi; Hiller
von Gaertringen IG IV²．1．68；Moretti ISE 44；W．Peek ASAW 60.2 （1969）pp． 19－22，\＃23；＊Schmitt＊446．

H．Bengtson．Die Strategie in der hellenistischen Zeit I（1937）pp． 154f；I．Calabi Athenaeum NS 28 （1950）pp．59－66；M．Cary CQ 17，137f．；G． Daux AE 1953／54 pp．245－54；W．S．Ferguson．Hellenistic Athens（1911）pp． 121－2；idem Hesperia 17 （1948）pp．112－36；Harding＊138；J．A．O．Larsen CPh 20 （1925）pp．313－29；idem CPh 21 （1926）pp．52－71；W．Peek ASAW 60.2 （1969）pp．19－22，＊23；L．Robert Hellenica II（1946）pp．15－33；SEG II．56，XI．399，XXV．381，XXX．107，XXXI．325；C．Wehrli．Antigone et Démétrios （Geneva 1968）pp．122－26；Will ${ }^{2}$ I．77－79．

11

a̋え入入 тı пра́т－


 ठè cúv］єסpol крıvóvt $\omega$－




 єicay［yє］î $\lambda a^{\prime}$ tıvac $\omega c$ ć ${ }^{-V}$
 $\delta \in \delta o \gamma \mu \epsilon ́-V V V$

［трро̀］c toùc про́́Spouc• oí ठè протөө́धt $\omega c a v$ єic toùc cuvéסpouc．

83：єícпүŋ̂çal（for єícпүєîçaı）：Peek．｜｜84：［тaîc пó $\lambda \epsilon$ ］cıv：Kougeas， Roussel．Il 85－86：［тоíc kown̂ $\delta \in \delta 0 \gamma \mu \epsilon ́] \mid v o i c: ~ K o u g e a s . ~$


Roussel. || 86: [ $\epsilon$ 'i]c: Kougeas.




 Schmitt suggests the following as an example: $\tau\left[\hat{\omega} \nu \stackrel{?}{\epsilon} V\right.$ taîc ó $\mu 0 \lambda o \gamma_{\text {íaic }}$
 $\Pi \rho o ́ \in \delta p o t]:$ Bengtson.

In the spring of 302, when tensions between the Antigonids and the other new Hellenistic kingdoms were reaching a crisis, Antigonos and Demetrios decided to exploit the positive feelings towards themselves in Greece. Demetrios with his reputation as a liberator, particularly significant in Athens, was able to construct a more successful coalition of the Greek states than either Polyperchon or 'Ptolemy before him.' This coalition, whose primary aim was that of military backing for the Antigonids, took the form of a renewal of the League of Corinth of Philip and Alexander. ${ }^{2}$

Despite the new Hellenic League's importance as a military alliance for immediate exploitation, it was nevertheless apparently endowed with a full and complete constitution which provided for a permanent existence,
even if such was not envisioned by its founders. ${ }^{3}$ As a renewal of the League of Corinth, this organization also embodied a common peace. This is implicit in the provision for common resort to arms in case of a transgression of the treaty: the typical guarantee clause. ${ }^{4}$ It seems most likely that, as was the case with the League of Corinth, it would be the synedrion's judgement which would determine whether to take up arms. Hence an opportunity for arbitration and a legal settlement would be available. ${ }^{5}$ The hegemons would naturally always be interested, and any serious enough infraction might warrant their interference. But in the case of a dispute which could be settled by military or legal means, it would be to the advantage of the hegemon to pursue the latter course, and not allow the League to squander its military resources on internal fighting.

That the synedrion of the Hellenic League of 302 was indeed vested with various powers of judgement is clear from the regulations which were set out in the inscription of the League's constitution. ${ }^{6}$ The first passage cited (11.34-37), although heavily restored, appears to imply that legal process will take over if any of the member states does or says (?) anything contrary to the treaty. In that case anyone would have the right
to bring an indictment against the offender with the proedroi the presiding officers of the council. The proedroi or, more probably, the synedroi would then sit in judgement on the case, and if the offending state was found to be guilty, would convict it either to pay a fine or suffer some other form of punishment. The regulation states that whoever wished to do so could bring the indictment. ${ }^{7}$ Naturally one could envision that "the one who wished" might easily be a representative of the state directly injured by the offending party. In that case, this regulation clearly provides for the arbitration of the synedrion between the parties.

Similar regulations are reiterated in other portions of the inscription. In section III, which deals largely with the rights and responsibilities of the proedroi and the synedroi, it is again stated that anyone who wishes may impeach those who are acting contrary to the interests of the allies or who are disobedient to the decisions of the League. Again the impeachment is to be made before the proedroi, who are then to submit the matter to the synedrion. In a more fragmented section (IV), there appears to be provision for the synedrion penalizing any city or individual transgressing any of the regulations of the treaty.

The synedrion of the Hellenic League, then, clearly had general powers
of judgement both over individuals and over member states. It seems most likely, judging both from the constitution of the League itself and from comparison with its predecessor, the League of Corinth, that this would include the right and responsibility to arbitrate between member states.

However, to assert that the Hellenic League formed by the Antigonids embodied in its constitution potential provisions for arbitration is far from making the claim that such provisions were actually put into effect.

The League's existence was so ephemeral that it is quite probable that a call for arbitration was never placed before it.

1 See Will p. 79.


 ${ }^{3} A \lambda \epsilon ́ \xi \propto \nu \delta p o v$.

3 J.A.O. Larsen argued (Rapport au lXe Congrès international des sciences historiques I, Paris 1950, p. 404) that the Hellenic League's constitutional basis was well conceived and highly developed, and had it had a chance to survive, the League could well have developed into a viable federal state. Will (p. 79) believes this to be an overly optimistic view: "C'est là sans doute méconnaître le caractère en réalité fallacieux de cet instrument diplomatique qui, sous son apparat juridique et institutionnel, n'était qu' un instrument de la domination antigonide." Cf. also Wehrli pp. 122-23.





5 Cf. Larsen CPh 20 p. 323: "in case of a dispute about what constituted a violation of the treaty it would clearly be the central government that had the authority to decide." Cf. comments made in *2.

6 Among other things, the synedrion also had the right and responsibility to sit in judgement on cases of goods illegally. seized in reprisal (cu $\lambda \hat{\alpha} v, 1 I I .60 \mathrm{f}$. ), and in cases of default of representative or military responsibility (III.91f.).

7 II.36: ó Bouरó $\mu \in \nu O c$.

## * 12. Biannos [?] and an Unknown City End of the fourth century [?]

Inscription discovered in south Crete. Mutilated limestone slab, h . $0.13 \mathrm{~m} .$, w. 0.18 m. , d. 0.025 m .12 lines.
N.G. Pappadakis. 'Aøí́pwua єic [.N. Xat<iठáknv. (Athens 1921) pp. 72-77; W. Crönert. SEG I (1923) *410; Guarducci IC II.xxx, pp. 310-12, *1; *Schmitt *454.

```
    .....- - \omegaxat\deltae
    - - . - - \omega\nu tò \psiux\etá\imathov - . . . -
    vacat "Oc[\deltaè ka - -]
[- - - прò] тâc ^єсхаvopíac [ve\muо\nu\etaíac - -]
5 [- - - - \delta\iota]кастпрí\omegaı \deltaè хрпс[!о́\mu\in\varthetaa - - -]
```



```
    [- - tàc m\rhoocó]\deltaovc kà tàc п\rhoá\xiıv[c - -]
```




```
10 - - - -тєрсос \muпта\nu- . . . -
```






 toîc סıкact]aîc or [mo入ít]aıc or [tít]aıc: Pappadakis. I| 10: tepcòc $\mu \bar{\lambda}$

 Crönert.

This text, discovered near the town of Kerame in Crete, apparently deals with a treaty between two states. ${ }^{1}$ Although the inscription itself gives us no idea of the names of the states involved, Guarducci has conjectured, from the provenance and the one topographical point mentioned (Psycheion), that one of the states may have been Biannos. ${ }^{2}$ The inscription is for the most part in the dialect of Gortyn.

The mention of a Sikactinplov in 1.5 led Pappadakis to think that this might be either an early reference to the Kretan koinodikion or a reference to a provision for a tribunal of foreign judges for the purpose of settling possible disputes between the two states. ${ }^{3}$ The settlement inscribed here seems to call for the use of $\mathrm{F}^{\prime} \mathrm{c}[$ [opavc], possibly judges or witnesses. ${ }^{4}$ This provision might be for private disputes between citizens
of the two states, as Schmitt seems to think, but the inscription is too fragmented to rule out the notion of a tribunal that would arbitrate public disputes between the two states.

1 Pappadakis p. 74; Guarducci p. 311; Schmitt p. 88.
2 p. 310. The mention of Psycheion, a promontory and suitable landmark, might indicate that some boundary-delimitation had been carried out as part of this agreement.

3 p. 74. Crönert's restoration of $11.3-4$, based on IC 111.111 \# 4 ( * $^{2} 1$ ), 11. 46 f., is taken from a clause which guarantees the prosecution of anyone, a private or a public individual, acting against the treaty before the kowov

 סılкастпрía.

4 See Guarducci, Crönert, ad 6; Schmitt p. 88. Cf. M. Bohacek lura 3 (1952) pp. 196f., on the term fíct $\omega \rho$ in Homer as an arbitrator.

## *13: Klazomenai and Teos [?]/Kos <br> End of the fourth century

Fragment of a marble stele, inscribed on both sides, discovered in the Asklepieion on Kos. H.: 0.68 m. ; w.: 0.35 m. ; d.: 0.155 m . Total of 45 lines.
G. Pugliese Carratelli PP 33 (1978) pp. 153-56; *SEG XXVIII. 697 (after Pugliese Carratelli).

1 [..............................]


- . . . . . . . . . . - - тос, өєо́чаขтос лА - . . . . -







 －．．．．．Aetrna．QN éwc éc tòv＇Apvikéqa入ov kai





．．．．．．．．．．．－IA－é énc tn̂c 入atouíac－Bí $\omega v$ oc toû ca－




．．．．．．．．．－．N｜A｜－－ánò סè toû náyou toû＇$\gamma$－



－．．．．．．－－oúcпnc кátт парà tà aủ－

30
AEYミANA币－
ҮKOПАГО
ENת

11
$\mathrm{A} \Delta \mathrm{H}$ Gic tinv I


```
    [ - - . . - - є]íc toùc к\rho-
    vacat
5 -.......................
    - -. - - - - \OmegaTO - - - - - --
    [- - - - - ámò \delta]è т\etâc 「-
    [------- є]ic Г\omegavíac-
    -.-.-. - апєтос кат[à - -- - -]
```



```
    - - -oc ánò tn̂c
    --- v वै
    - - - - 이-
```

This inscription contains the Koan record of a boundary dispute on the mainland settled by judges from their state. ${ }^{1}$ The judges indicate that they have given their decision in accordance with the laws of the cities (in dispute), and with a $\delta$ tá $\gamma p a \mu \mu a$ of Antigonos. ${ }^{2}$ There follows a list of names of individuals, at least one of whom is from Teos, and one from Klazomenai. The rest of the inscription is taken up with the delimitation of the boundaries of the disputed territory. The "borders of Kolophon" are mentioned [I.11], as is some landmark in the direction of Erythrai [II.9].

It is possible that this case may be similar to $=10$, insofar as the presence of Antigonos is concerned. Possibly the two states who were laying claim to the territory submitted their claims to him voluntarily as
an arbitrator. Or it may be that in the interest of preserving a general peace, Antigonos took the initiative in settling a quarrel that might have turned to violent means for settlement. In either case, if "кatà tò $\delta$ tád -]" really is sufficient ground for understanding here a reference to an edict of Antigonos, he would have set down some general rules according to which the Koan judges could make their decision, and then passed the task on to them.

The identity of the two states involved in this dispute is not certain. One is certainly Klazomenai, since the land is adjudged to belong to that state (1.10). The original editor suggested that the other might be Kolophon. ${ }^{3}$ In many ways, however, Teos seems the more likely candidate. Teos is much closer to Klazomenai than is Kolophon; indeed, it lies almost between Klazomenai and Kolophon. One of the landmarks in the boundary description is described as being in the direction of Erythrai. Both Klazomenai and Teos lie between Kolophon and Erythrai. It seems more likely that Klazomenai and Teos would have contiguous land which might have a landmark which could be described this way, rather than Klazomenai and Kolophon. In addition, private individuals from Teos are mentioned twice in this inscription. In the first place (1.6), they seem to
form part of a list, perhaps of representatives from Teos to Antigonos, or to Kos. The Klazomenian(s) mentioned in the following line would be performing the same service for their country. In the second place, the property of an individual Teian is mentioned as part of the boundary settlement (1.22). If the disputed territory lay between Klazomenai and Teos, then one would expect to find Teians in possession of some part of it, and Klazomenians in possession of other parts. This in fact is the case (1.15).

If, then, the two states involved here are Klazomenai and Teos, and not Kolophon, there must be some explanation for the reference to the "borders of Kolophon". The most probable is that the borders of Kolophon merely served as a convenient extreme eastern starting point for the demarcation of territory lying between two of its western neighbours. ${ }^{4}$

If this settlement between Klazomenai and Teos took place late in Antigonos's reign, just before 301, perhaps it can be connected to the synoikism of Teos and Lebedos. It may be that the proposed shifting of populations (the Lebedians were to move to Teos) would have inspired the Teians to try to expand their territory. If so, they were disappointed.

1 These judges are probably named in 1.3-4.
2 Here, as in $=10$, this would be Antigonos Monophthalmos, presuming that this restoration is accurate. Pugliese Carratelli compares OGIS *7. (from Kymai) II. If.: tò סıкactípıov пapyevó $\mu \in[v o v] \mid$ Є’y Mayvпcíac katà tò סtáypapua tò 'Avtıyóva.

3
See I. 11.
$4 \mathrm{Cf}=143,=163$, for the use of the borders of another community as a landmark for territorial demarcation.

## -14: Koroneia and Lebadeia/The Boiotian League Fourth or third century?

A round limestone column discovered at Granitza in Boiotia; the inscription runs along the length of the pillar, which is broken at the top. H. 1.0 m ., diam. (base) 0.39 m ., (top) 0.33 m .7 lines.
W. Vollgraff BCH 26 (1902) p. 570; A. Wilhelm Neue Beiträge I ( $=$ SAWW 166.1) (1911) pp. 13-19, *3; *P. Roesch. Ihespies et la confédération béotienne (1965) pp. 61-63; SEG XXIII. 297 (after Roesch).
E. Preuner Hermes 55 (1920) pp. 394-95; Tod *21.
["0pıa tâc Троч] $\omega v$ tá $\delta o c$ yâc
[iapâc кì $\Lambda \in \beta a] \delta \in i \not ŋ \omega \mu$ потi
[Kopwveiac $\check{\omega} c$ ] Botwtoi ${ }_{\omega}^{\text {©́pittay }}$
[кàt tàv ó óòv tà lv éc tâ $\mu$ пayá $\omega v$

 [òc t $\hat{\omega}$ лayouctí] $\omega$.




Wilhelm was apparently the first to recognize this inscription as a boundary demarcation, from the words Bolwtoì ©̈plttay.' The stone itself, a round pillar, was eminently suited to act as the actual ópoc or т́́p $\mu \omega \nu$.

The stone was found at Granitza, approximately 4 kilometers south-east of Lebadeia, in the direction of Koroneia. ${ }^{2}$ Koroneia is, therefore, a reasonable restoration of the second party to the dispute. ${ }^{3}$ Koroneia and Lebadeia were both members of the Boiotian League, and here, as in $\mathbf{2 0}$, the federal league arbitrated a dispute between two of its members. There is no mention of the delegation of this arbitration to a third city, such as took place occasionally in the Achaian League. It can perhaps be inferred that the Boiotian League settled disputes between her members directly. On the other hand, both this inscription and the one dealing with the arbitration between Kopai and Akraipheia contain so little information about the formalities of the affairs that it would be rash to assume that this was always the case. ${ }^{4}$

The second part of the inscription (11. 4-7) deals with the actual delineation of the boundaries. 5 it seems that the disputed land (the

Helikonian territory of Wilhelm, and the Trophonian territory of Roesch) lay to the southeast of Lebadeia and to the west of Koroneia. ${ }^{6}$ The area in question contained an important sanctuary of Zeus. Proprietorship of this sanctuary may well have been the initial source of the dispute, as the land itself is mountainous and arid, and of little intrinsic worth. ${ }^{7}$

1 Wilhelm p. 13. He compared the inscriptions IG VII.2792 (*20:





2 See Roesch p. 61.
3 Wilhelm p. 14.
4 Wilhelm ( $p .14$ ) adduces several other cases of federal arbitration for comparison: see $=3,=43,=46,=60$. These two cases ( $=14,=20$ ) are, however, the only evidence we have for federal arbitration within the Boiotian League.

5 See Wilhelm pp. 14-15 for a discussion of the topographical terms which appear in this inscription, and in several others which record
 * $1, * 6, * 9, * 92$ )

6 Wilhelm pp. 16-17; Roesch p. 61. Wilhelm first suggested the possibility that the epithet of Zeus which should be restored in 1. 7 could be "Laphystios", but maintained that "Helikonios" was still a possible reading. Preuner and Roesch both denied that Helikonian should be an epithet of Zeus here, or the title of the land in 1.1 , as Lebadeia is too far
removed from the Mt. Helikon of Hesiod. Roesch suggests rather [Tpo甲] $\omega v$ tá $\delta o c$ from Trophonion, a precinct close to Granitza, and [ $\Lambda a \varphi o u c t i ́] \omega$ from the temenos of Zeus Laphystios on Mt. Laphystion mentioned in Pausanias 9.34, 5.

7
Roesch pp. 62-63.

## *15: Lebedos and Another State/The Ionian League Early third century

An inscription found at Panionion on the promontory of Mykale. 11 lines.
G. Wheler. A Journey Into Greece (London 1682) 268; Böckh CIG *2909; F. Bechtel. L_Ion_Dial 144; O. Hoffmann. Gr. Dial III pp. 55f., *115; Bechtel SGDI *5588; Michel *484; *Hiller von Gaertringen IPriene *i39.
De Taube p. 21; Lécrivain p. 8; Raeder \#32; Sonne p. 29; U. von Wilamowitz SPAW 25 (1906) p. 50.


$\omega \nu$ ảłıóvt $\omega \nu$ ảvaypámuat єỉc cт́́n-
$\lambda \eta \nu$ té $\lambda \in c l$ toîc é $[\omega] \cup \tau \hat{\omega} \nu$ кai
5 ctn̂cal єic $\Pi \alpha v(\iota) \omega \nu L o v \pi \in \rho i$

tinc ífpateínc toû $\Delta$ iòc toû
[B]ou入 níou kaì tñc "H[p]n[c]. $\delta o u ̂[v] a t$

10 'Eாì Xíou притave(ú)[o]vtoc $\Lambda \epsilon \beta \in$ -
Síoıc kata

This document is an inscription put up at Panionion by the Lebedians
to record an arbitral decision in their favour in a dispute with one of their neighbours. It is an example of a controversy over religious jurisdiction. Lebedos and another Ionian city, possibly Priene, had laid conflicting claims to the direction of a priestly college.' The cult concerned was that of Zeus Boulaios and Hera, apparently a federal cult of the Ionian League. The council of the Ionian League acted as arbitrator in the dispute. ${ }^{2}$

The inscription has been dated to the end of the fourth century, after the reconstitution of the Ionian League in the time of Alexander. ${ }^{3}$ it could therefore fall after Antigonos's attempt at synoikism between Teos and Lebedos, but before Lysimachos's removal of the population of Lebedos to Ephesos. 4

Another interpretation may be feasible. In the letter of Antigonos which set out the synoikism agreement between Teos and Lebedos, the opening lines (as they now exist) deal with Teian and Lebedian religious representation at the Panionion. ${ }^{5}$ The Lebedians were no longer to have a separate delegation, but were to be part of the Teian one. This is all that is left of the opening lines of the letter, and it is possible that other religious matters were also regulated here. It is known that all the plans for this synoikism were never fully carried out; this inscription from

Mykale may be evidence of later claims put before the Ionian League, not
on behalf of Lebedos and Priene, but rather on behalf of Lebedos and Teos in the aftermath of the unsuccessful attempt at synoikism. Lebedos had certainly been the subordinate partner in the regulations laid down by Antigonos. Perhaps it was trying to recoup certain losses. ${ }^{6}$
 comparable case involving religious jurisdiction, cf. 14 , where it was suggested that the territorial dispute between Lebadeia and Koroneia was over the control of an important sanctuary. On the identification of Priene here, see Böckh's comments on Priene's claims to the cult of Poseidon at Mykale. Cf. Lécrivain.

2 the decision is dated according to the prytany of the Ionian League:
 compares the case of Ionian arbitration between Miletos and Myos (Piccirilli \#36), while pointing out that in the latter case it was an actual federal tribunal. Cf. Piccirilli *11, the arbitration-clause between the Ionian cities in 493 B.C. (Hdt. 6.42, 1).

3 Michel \#484; Raeder p. 67.
4 See $=10$ above. It has, however, been dated earlier by Bechtel on dialectal grounds (c. 350 B.C.), and by Hiller von Gaertringen on the basis of the appearance of the term prytany (before 335). See IPriene p. 13 and notes to *139.


 калєiçal Tńíov. (Welles RC * $\$ 1$ ).

6 This is admittedly speculation, and it should be pointed out that Böckh initially connected this case to Priene because of the evidence regarding Priene's association with the cult at Mykale.

## *16: Kondaia and an Unknown State/Larisa [?] Early third century

Two fragments of the same inscription discovered at Larisa in Thessaly. i: h. $0.46 \mathrm{~m} .$, w. 0.33 m. , d. 0.11 m . II: h. $0.20 \mathrm{~m} .$, w. 0.13 m . Total of 46 lines.
G.D. Zekides $\operatorname{AE} 1901$ pp. 124-28, * 1 [I] and p. 135, * 13 [II]; *Kern IG IX.2.521 [1] and 1014 [II].

Raeder \#33; J. \& L. Robert REG 66 (1953) p. 143, *100; SEG XIII.392; Tod *43; Wilhelm GIRI p. 44.

I:




рє̂̂ лádiкoc 'Apu[oס]íov 'Ackupteùc


10 тaîc ámò tîc кориழ̂̃̂c toû N[v]ceíou




15 [K]ovסatєÛct кatà to[û]tov tòv tómov к[aì aủ]-
 плєíc х хо́vov кaì [K]ovסalєîc тпpoûvta[c]


 túpпcev . avtaloc K入єoboú入ou [Mo]$\psi \in$ єátn[c - - - . . - .-. - -] voxopío vu . . o....c. [k]ov[8at]-


 ழápavyoc tñc àn' 'Opxєíou ảyoúcnc, ka[i] oída $\gamma \in \omega$ руoû $\nu t a c[K] o v \delta a \epsilon i ̂ c ~ k a i ̀ ~ \nu \in \mu o-~$








[тT̂c Kрокє1ád]oc. пap[écxo]vto סè Ko[vסau]-

7: 'Apu[ov]íov: Zekides. I| 10 : N[v]ccío[u]: Zekides. || 11: tòv [ $\beta a t$ ]òv:
Zekides. tòv 'е́ $\mathrm{\epsilon}[\mathrm{y}[$ ]ov: Wilamowitz. || 14: про́cxo[pov]: Zekides. || 15-16:

|| 21: 'Avt[a]îoc: Zekides. || 22-23: [ $\pi \lambda \pi \mid c]$ loxopio: Zekides. || 34: tinc Kpo[ $\nu] \epsilon$ ádoc: Zekides.

II
--૭เ----
[. $\pi \in \lambda$ ]єधрaíac $v \in \mu$.
... a $\pi \in \lambda \in \vartheta p a i ́ a c$
. . a íkatı évv́́́[a .]
$5 \xi$ ठíkaloc кр- - -

```
Tध́ \(\mu \pi \epsilon \subset[1\) - - - -]
```

.. тpaca-- - -

Hiller von Gaertringen (ap. Kern. $\underline{\underline{G}} \mathrm{IX} .2 .1014$ ) conjectured that this was a fragment of the same document as IG IX.2.521. || 6-7: $[\kappa \epsilon \mid \lambda \epsilon \bar{\epsilon}]$ pac: Kern.

The arbitration for which this inscription furnishes the proof arose from a dispute over claims to a particular piece of land, as so often occurred. Where this inscription differs from many others is that it contains a record of the actual testimony given by several witnesses. ${ }^{1}$ This testimony is given in the first person and, in all likelihood, represents a fairly faithful copy of what was actually said. This inscription, unlike many others which briefly record cases of arbitration, no doubt gave a detailed picture of the trial procedure, evidence of witnesses, decision of the judges, and delineation of the boundaries. ${ }^{2}$ Unfortunately, all that remains is the evidence given in favour of Kondaia, and possibly a fragment, from which little information can be gleaned, of the boundary demarcation.

The inscription was set up at Larisa in the temple of Apollo. It is possible, therefore, that the arbitrators were from Larisa. On the other hand, it may have been that a temple of Apollo at Larisa simply provided a
suitable place to publish a settlement of a land dispute among Thessalian communities nearby. ${ }^{3}$

A shepherd named Ladikos, from Askyria or Askyrion, is the first witness named in the inscription to give his evidence (11. 5-18). ${ }^{4} \mathrm{He}$ establishes his claim to be an "expert" witness: he knows from his elders that the Kondaians had a legitimate claim to the territory, and he himself is acquainted with the land and Kondaian use of it (apparently they exercised some kind of tariff) ${ }^{5}$ because he pastured his flocks there. Ladikos in fact had earlier escorted the judges over the disputed land. It was common for the judges in a land dispute to visit the disputed territory in person. ${ }^{6}$ Perhaps this would have occurred prior to the formal trial proceedings in Larisa, if that is in fact where the trial took place.

The next witness is an individual from Mopseion, perhaps a certain Antaios. His testimony (11. 21-30) was also given in favour of Kondaia, and also described the actual landmarks of the area in dispute, stating that he knew Kondaians to have been working the land there. The confluence of the rivers Peneios and Europos (Titarissios) is mentioned, which helps to identify the general area under discussion. ${ }^{7}$

The final evidence in this inscription is that of three more people
from Mopseion, again testifying in favour of Kondaia. Beyond that, however, it is difficult to determine exactly what proof it is that they are offering, as a central term which they use is obscure. ${ }^{8}$

The witnesses listed here may have had some claim to neutrality, as none of them were Kondaians. While it is impossible to be sure, of course, of the political situation of the various states, it may be that being able to produce at least ostensibly unbiased witnesses testifying on its behalf would have improved Kondaia's case.

1 Cf * 58.
2 The main portion of our inscription is broken at the top and bottom; presumably, if the rest of the inscription was as detailed as the testimony cited here, it would have been fairly lengthy. The small fragment is perhaps part of what was once the boundary demarcation; it mentions units of measure, and may contain a reference to the valley of Tempe.

3 Public documents dealing with international arbitration were often "published" by being set up at a temple. The fact that other arbitrations have been found in important international sanctuaries such as Delphi, Olympia and Delos, where they were recorded for publicity purposes, might tell against the notion that Larisa was necessarily the arbitrator here.

4 The city of Askyria or Askyrion, as with many other place names in this inscription is otherwise unknown. Cf. Zekides p. 126, Kern IG IX. 2.521 notes. On the identification of Kondaia itself, see AE 1912 pp . 80f. The city-name Kondaia (' $\in v$ Kov $\delta a i ́ a u)$ appears in an proxeny list from Delphi
(BCH 7 [1883] p. 185); Latyschev (MDAI(A) 8 [1883] p. 381 and Dittenberger (IG IX. 1.689; cf. ${ }^{(132)}$ ) had wanted to change the reading to ${ }^{\epsilon} \cup V$ Mov $\delta \alpha_{i}$ al.

5 Cf. Raeder p. 68.

6 Cf. *22, * 43, *92 et al.
7 Zekides p. 126.
8 Kє $\lambda^{\prime}$ tpa (LSJ supplement 1968): "dub. sens., a point in a boundary, IG $9(2) .521$." Zekides compared the word $K^{\prime} \AA \in \tau \rho 0 \nu$, from Hesychios, meaning a place in the rivers where fish were caught. Wilamowitz (ap. Kern IG IX.2.521) compared the words cкє́ $\lambda \lambda \omega$ ("dry up, parch") and скє́ $\lambda \in T$ т. At any rate, whatever the thing is, it seems that there are two of them under discussion here, one belonging to the Mopseians, the other to the Kondaians (Zekides AE p. 126).

## * 17: Phthiotic Thebes and Halos [?] First half of the third century

The right-hand remaining portion of an inscription built into the wall of a house in Nea Anchialos in Thessaly. H.: $0.36 \mathrm{~m} . ;$ w.: $0.20 \mathrm{~m} . ;$ d.: 0.07 m . 24 lines.
*N. Giannopoulos AE 1932 pp. 19-21, *5.
L. Robert BCH 59 (1935) pp. 208-9; A.S. McDevitt. Inscriptions from Thessaly (Hildesheim 1970)*33.
kai ${ }^{\prime} \mu$



5




```
    L\mu\epsilońv\omegaV ANEEIKA
    \mu\grave{̀}}\mathrm{ пon̂t katà tà ү[eypaunéva(?) ध́]-
10 кастос статпिра[c(?) - . . . . . . - ]
    \alpháрхо\nuт\inс каї па
```



```
    taîc óm\lambdao\varphiavíalc \epsilon
    \iotaav \epsilon\̉val aùt\hat{\omegal kaì }\gamma\mathrm{ -}
15 . . v ké́\mu\epsilonva kaì \epsilońv
    [к\epsilon]_\mu\epsilońvovc ailmó\lambdaıa p
    [. .]ca прос\tilde{j}\lambda0\in EU`
    ékTív\omegacıv ày\omega-
    v\omegav \epsilońàv \deltaè T[
20 T\omega toú \Deltaiòc
    vó\muoc \Delta-
    \SigmaTA\Sigma
    0\SigmaA-
    \Sigma-
```

8: 'A $\lambda$ ' $\epsilon \subset \nu$ : Robert (from Robert's reading of Giannopoulos: AAELINKA [sic]).

Although this inscription is quite fragmented, and the exact sense is obscure, its editor nevertheless believed that it might deal with a boundary arbitration. The inscription is apparently a decree of the city of Thebes in Achaia Phthiotis, and it may be that her adversary was the polis of Halos to the south. ${ }^{1}$ One of the matters dealt with by this decree was the issue of certain temples; ${ }^{2}$ it is possible that there was a dispute between Thebes and a neighbouring state about border-lands and the jurisdiction of temples therein. ${ }^{3}$ That disputed territory might be
involved here could be construed from the appearance of $\chi a \in ́ \omega \nu$ in line 5. It could pertain to a description of mountainous terrain. ${ }^{4}$ Pastureland was apparently involved in the dispute as well. ${ }^{5}$

The magistrates of the town(s) may have been charged with carrying out some task or other within a period of ten days. ${ }^{6}$ What this might be is impossible to say, although it could be conjectured that it was something to do with implementing the provisoes of the arbitration (if this is one).

The appearance of the term óm $\lambda o \varphi a v i ́ a ~(1.13) ~ m a y ~ b e ~ f u r t h e r ~$ evidence that this decree dealt with problems of religious jurisdiction between Thebes and Halos. The ómえoцavía was apparently some kind of ceremonial display of arms, perhaps to be connected with a religious festival. Robert suggested that the display might form part of the ritual of a cult of Athena Itonia, centred on the sanctuary at Itonos between Thebes and Halos. If his suggestion is correct, then this arbitration may have regulated not only territorial jurisdiction, but also participation in a religious festival or games. ${ }^{7}$

1 So Robert argued from his restoration of line 8. He points out that Phthiotic Thebes and Halos did go to arbitration over the issue of a $i \in p \mathrm{a}$ x'́pa at some point shortly after 146 (IG IX. 2 corr *205), although he
admits there would be no way of saying for certain whether the issues of dispute were the same now and later.

2 1. 2: $\pi \in \rho \grave{i} \ell \in \rho \hat{\omega} v$.
3 Giannopoulos p. 20. Cf. *14, *104. Perhaps [крícı]|c $\pi \in \rho i ̀ i \in p \hat{\omega} \nu$ might be restored. A temple of Zeus may be involved (1.20), as may a sanctuary of Athena (see Robert's argument below).

4 The editor compares the appearance of the term $x a p a ́ \delta p a$ in $* 36$.
5 1. 16: बíпó $\lambda \iota a$.
6 11. 11-12.
7 Cf. the perpetual bickering (which sometimes went to arbitration) between Argos and Kleonai over the jurisdiction of the Nemean Games: see =48, $=168$.

## *18: Unknown States/Sikinos

First half of the third century
Three fragments of a stele discovered on Delos. H.: 0.43 m. ; w. (max.): 0.19 m .; d.: 0.07 m .21 lines.
*Roussel IG XI. 1063.
M. Homolle Arch.miss.scient. 3.13 (1887) p. 420, ${ }^{*} 69$.


5 'Avt[ … . . . . . . . . Tl]

[k]pıvav סıaঠíkac૭at aừ-.....




```
vov \epsiloṅv \tau\omegât \mu\eta\nuì \tau\omegât ........
\chióvtev of Kame-
... (13) . . v vò \deltaıкас[т́́plov - -]
. . (10) . . évtac \mù̀ m\lambdá́[ov(?) - --]
cat tò \deltaiкactńpiov. ớ{)av [\muèv - - -]
```






```
-- - tà \deltaè kpו\vartheta\epsilońvt[a-. - . - - - - ]
- - va . a\nu tọ \delta@[каст́́plov - . - - - ]
```

There is little left of this inscription, but what remains indicates that it embodied an arbitration treaty. Apparently certain plenipotentiary ambassadors had convened, perhaps at Delos, in order to come to an agreement on terms of a peace. Among those terms was an agreement to submit disputes to arbitration. It would seem that certain outstanding problems were to be settled by arbitration as part of the requirements of the peace settlement. The cities concluding the peace evidently agreed on the state of Sikinos as a suitable arbitrator of their differences. Both sides were to send representatives to Sikinos within a fixed period of time in order to represent their state before the tribunal. The last lines
of the inscription apparently dealt with regulations governing the procedure of the arbitration, but they are too fragmented to give any continuous sense.

There is no way of knowing what states were involved here, beyond the fact that Sikinos was apparently the arbitrating polis. The name of Kameiros might be thought to be preserved in line 12, but Kameiros had given up her independence in 408/7 when she joined with lalysos and Lindos in order to form the Rhodian republic. Thereafter the government and name of Kameiros only appears as a local administrative unit. ${ }^{1}$ The provenance of the inscription, Delos, is not particularly helpful either, as any important international sanctuary became a natural repository for any and all important international agreements.

If the editor was correct in assigning a date of no later than the early third century to this inscription, then the provenance of Delos and the appearance of Sikinos might suggest that this was an agreement among certain member states of the koinon of Nesiotes, of which Sikinos was a member. ${ }^{2}$

[^1]2 On the koinon of the Islanders, see W.W. Tarn. Antigonos Gonatas (0xford 1913) appendix 5.

* 19: Heraia and an Unknown State Third century

Fragment of a stele, broken at the top, from Heraia. H. (max.): 0.37 m .; w.: 0.18 m. ; d.: 0.11 m .13 lines
*Hiller von Gaertringen IG V.2.415.
F. Hiller von Gaertringen. IG V. 2 p. 104.

10 . . . . .
[. . $\theta_{\epsilon}$ ]ápol фı $\left.\lambda i ́ c k[\omega, ~-~-~] ~\right] ~$

[о] рВро́тн, өєотíp[ol . . .]
5 .., ура $\mu \mu \tau \epsilon \hat{\imath} \cdot \mathrm{T} \mu \boldsymbol{\circ}\left[\vartheta^{\prime} \epsilon\right]-$
$\nu L$ 'Apıcá $\mu \omega$, cuvס́́ko[ıc]
[ $\left.\delta_{1}\right]$ ' $\epsilon \nu$ 'Hpaíal' Nıкар́́to[ [ Ni]-


10 at 'Apıctoцáveoc, 'Apx[t]-

[т]âctá $\lambda a c$ ' По $\lambda \in \notin a c$, ' $\mid \in \rho[0]-$



The editor of this inscription, which is in the Arkadian dialect, thought that it referred to an arbitration between an unknown Arkadian state and the state of Heraia, named at line $7 .{ }^{1}$ The inscription is dated by
its lettering to the third century. The fragment contains the final portion of the inscription, bearing the names of the individuals involved. If it is an arbitration, then the cúvסıkol of Heraia, named at lines 7-11, would have been the advocates who argued the case for Heraia. ${ }^{2}$

The evidence that this is actually a case of international arbitration is rather insubstantial. The presence of the term cúvסikol is not really conclusive. In addition, if this is a case of arbitration one would expect that the individuals would be described as being "of Heraia" or "acting on behalf of Heraia", rather than "in Heraia". ${ }^{3}$

1 Hiller von Gaertringen compares the later possible arbitration between Heraia and Alipheira (*68).

2 The cúvסikol of the unknown state are presumably named in 11. 1-6.


## *20: Akraipheia and Kopai/The Boiotian League Third century

Inscription on a huge block of stone, probably broken away from the cliff near the road from Karditza to Topolia in Boiotia. H. of rock: 4.0 m ; w . of inscribed face 3.90 m. ; average height of letters: 0.10 m .3 lines.
P. Jamot BCH 13 (1889) pp. 407-8; *Dittenberger IG VII.2792; idem $51 G^{2} * 454$.

Gruen 1.97; Raeder *39; P. Roesch. Thespies et la confédération béotienne (1965) p. 64; Tod *17; A. Wilhelm Neve Beiträge I (=SAWW 166.1)(1911) p. 13.
"Opıa K[ $\omega$ ]пń $\omega v$

о́рıтt[á] $\nu \tau \omega \nu$ Bot $\omega[\tau \omega \nu]$.
3: ópıtт[ó]vt $\omega \nu$ : Jamot. ópıtт[á] ${ }^{2} \tau \omega v$ : Dittenberger.

This text, like 14 , deals with a boundary dispute between two members of the Boiotian League which was settled under the auspices of the League. In this instance, it is the two communities of Kopai and Akraipheia who apparently both laid claim to territory on the eastern shores of Lake Kopais. Roesch suggested that here the contestation had economic roots: the disagreement concerned the good pasturage available by the shores of the lake, and perhaps access to the fishing of the famous eels of Lake Kopais.'

It may be that here, and in the previous case concerning Lebadeia and Koroneia, the dispute was settled by a court of League representatives from the various cities. Raeder considered this to be the result of adjudication by a regular federal tribunal, made up of League representatives drawn in the same numerical ratio as the Boiotarchs. ${ }^{2}$ Dittenberger thought that the court responsible for decisions such as this
actually was the regular federal council of the League. ${ }^{3}$ This may be so, but here, as in most cases involving a boundary decision, it may well have been necessary to delegate a small group of judges who would actually visit the site in order to determine the exact boundaries. ${ }^{4}$

1 Roesch p. 64. Perhaps the dispute was one in a long series: cf. the sixth or fifth century B.C. boundary stone, probably between Kopai and Akraipheia, published in SEG XXX.440. Jamot dated this one to the years after Kassander's restoration of Thebes in 316.

2 See Gruen 1.97; Raeder pp. 78-79.
$3 \underline{S I G}^{2}$ *454.
4 Cf . 43, where the judges who made the primary decision are clearly distinguished from those who physically went over the disputed territory.

## *21: Boura and an Unknown State Third century

Two non-contiguous pieces of a bronze plate, purchased by Froehner at Thebes in 1895 . Left fragment: $\mathrm{h} .0 .075 \mathrm{~m} . ; \mathrm{w} .: 0.117 \mathrm{~m}$. Right fragment: h.: $0.14 \mathrm{~m} . ;$ w.: 0.10 m .15 lines.
L. Robert. Collection Froehner I (1936) pp. 46-50, \#41 (majuscule text); *A.G. Woodhead SEG XI. 1122.

To[i] Bóvplot(?) víkạcav - - . - - ]avevtol ífp-




## 94


 п̣с, - . . . . . . . . . . . . . - - пс, 'Apıctó $\delta a-$
 vay[ópac?, - - . . . . . . . . - - $] \omega \nu, \Delta \iota о \varphi a ́ v \eta-$
 - - . - . . . . . . . . . . - Iıос, ’’yas . .



15

This extremely fragmented inscription appears to consist of the notice of a judgement, a delimitation of borders, and a list of judges. Although very little specific information can be taken from this inscription, its fragments definitely point to a boundary dispute and arbitration. The provenance of the inscription was purportedly Boiotian Thebes; however, the inscription does not seem to be Boiotian, and Robert pronounced himself suspicious of the supposed venue. ${ }^{1}$ Boiotian inscriptions were generally engraved on stone, not bronze; the latter material was most commonly used for inscriptions in Elis and Arkadia, although it appears also in Thessaly and in western and central Greece. ${ }^{2}$ There is, however, another indication that the Peloponnese is the correct provenance for this inscription: the appearance of the name "Bourioi" in
line 1. This probably refers to Boura in Arkadia. The inscription may originally have been published at Boura itself, or perhaps at an important sanctuary. ${ }^{3}$

Apparently Boura won the contest; it is possible that the name of the defeated party was given somewhere in the lacuna. Clearly the dispute was over a piece of territory, since lines 1-6 describe in fairly typical fashion a demarcation of boundaries. ${ }^{4}$. The provenance of the judges has also been lost. The number of judges appears to have been rather large, but with no indication as to the size of the lacuna, speculation on the exact number is futile.

1 Robert p. 47.

2
Robert p. 48.
3 Robert ( $p$. 49) conjectures that the inscription may have been published at the sanctuary of Artemis at Lousol in northern Arkadia. This might account for its appearance for sale in Thebes in 1895, a period shortly before the official excavation of the site, when it was frequently being plundered unofficially for antiquities.

$$
4 \mathrm{Cf} .=1,=14,=43
$$

## *22: Boumelita and Halai/Thebes Third century [?]

Two portions of the same inscription, discovered separately, from the Theban Treasury at Delphi. Total of 116 lines.

I: *Bourguet EDelphes III.I.362.
II: J.-P. Michaud Le trésor de Thèbes pp. 128-29, 54-55; *Pouilloux EDelphes III.4.4.354.
J. Bousquet BCH 101 (1977) p. 456; G. Daux BCH 101 (1977) pp. 331-34; Gruen I.97; M. Guarducci Epigrafia Greca II (Rome 1969) pp. 555-56; L. Robert BCH 53 (1929) pp. 156-60; J. \& L. Robert REG 66 (1953) p. 141, "90; eidem REG 1977, *266; P. Roesch. Thespies et la confédération béotienne (Paris 1965) pp. 66-67; SEG XIII.356, XXVII.78; Wilhelm GIRI pp. 47-48, *13; A. M. Woodward (ap. Robert) BCH 54 (1930) p. $322!$

1 Column 1
[. . . . . . . . . . . . . . . . . . . . . . . . . . . . . àvt]typa[ $\varphi$. . . . .]
. . . . . 0 . . . . . . eANA . . . . . . . . . . ou kaì $\delta \eta \mu \mathrm{oct}$



 . kai]
 à[ moठ] $\in$ íłouc [ $v$ ócouc óp]ouc


 áv $\delta[$ pac $\delta$ र́o (?) toùc] aí-
10 tnconévove kaì ấ\}ovtac tò סikactíniov ழépovtac ypantòv t[. . . वٌп]оסо́т $\omega$


 є́øп[ $\gamma n c a ́ c] \vartheta \omega$ ékкaté-
 к $\lambda$ пр $\omega c a ́ t \omega c a \nu \tau$ tàc пó-
 $\lambda$ ]oyían
 є́чпүпсь $\mu$ е́ $\lambda$ -
 тєрınyoú-
$\mu \in \nu 01$ ék toû cuvépíou toû пap ékatépav ǎv útoye-
 Посє $1 \delta \omega$, "Арп,
’A૭nレâv, $\Delta$ п́и пácac
 тєөєєко́тєС of


 $\delta$ каастаíc, $\mu \eta \delta^{\prime}$ '́пt-


 ठè kaì oi map ' ́̂katé-
$25 \rho \omega \nu$ סuкactay үі́veçal tóvסє
 'Aөпvâv, $\Delta \eta_{-}$
 $\mu \grave{\nu} \nu \pi \in \Pi \pi เ \hat{\text { ñ }}$
 $\tau \omega ิ \nu \delta_{1-}$
 $\tau \omega \bar{\omega} \tau \hat{c}$
 і́пархо́vтшv


 $\pi \in \pi о р і ́ c \theta a \iota ~ \mu \eta \delta \grave{\epsilon}$ €े-


 é甲Өapkévat tov̀c


 cínv kaì aủtòc
 oi סıкactai
 ỏ дuvív aía ’o $\lambda \dot{\prime} \mu$ -
 tov̀c बै̉ $\lambda$ nouc
 toíc єíc $\varphi \in \rho о \mu$ é-
 qaívпtar Bé $\lambda$ ticta
 $\chi$ х́pav [к]peєveiv

## 99



 ตaívпtal Úmápx $\in ⿺$
．．．．．（36）．．．．．пapà tò káध $\ddagger$ Kov ov̉סettépotc OYAHI


1／II Column 2
T－－－．．－－－－．．．－
0－－－－－－－．－．．－－－
$\Sigma 1$－－．．．．．．．．．．．－
15 2A－
MENI－
「AN－
ФOI乏
＾ONE－
20 इAГ－
$\triangle \mathrm{PE}$－
ᄃINE－
BNHE－
PEsene－
25 IETHN－
MEPAIET－
THIKPINO－
TMENAE－
EMMEINA－
30 vacı кa［í？－．．．．．．．．．］únóסıкоь

$\theta$ ө̂t＇Ерєт［－－－－




 cav ou- . . . . . . . . . . - $\epsilon$ เav кaง̀̀c tò $v$







 ....................-- -. - орос єiс єบ.


 following as a possible restoration: [tà $\delta \in \delta o \gamma] \mu \in ́ v a \in[T ̂ V a l ~ k u ́ p l a ~ k a i ̀ ~$

 [toîc é épúí]|vacı ka[ì]: Bourguet. || 36-37: [katà tìv 'Epetpi?]|é $\omega v$


 [ $\chi \propto \rho a ́] \delta \rho a \nu$ ơvtєc: Michaud.

1 Column 3

- .. - - - - - - - otov- - - - - - oбov- . -
[- . - . - . - - эáд]atтav - - - -.. v- - -




－－．－．－．－－סov aп－－－то⿱ про̀с тî̀ покрí－




 тâc $\chi \hat{\omega}$ рac tâc àvtite－
 xढ́pac Bou－
 ＇Акрокал入ıсті［о］и
 эa入accívŋı o
 єن่̉ยєโิด
 tov
［т］âc（＂H）pa［c íapov̂？］．（6）．I ．（8）．T－$-\cdots \nu$ áxpt nòt tàv локрі́－
 éy＇́vovto ékáte－
 ảnò toû $\beta \omega \mu 0 \hat{u}$ toû
 ү́́үраптта！


 àvaßacoóv［t $\omega v$ ］：Bourguet．II 11－13：Robert（BCH 53）suggests the




 (hesitantly), Pouilloux.

This lengthy but fragmented inscription deals with a boundary arbitration between two small Boiotian cities, close to the Lokrian border. The two litigants were Halai and Boumelita, and the judges almost certainly came from Thebes. ${ }^{1}$

This document is one of the most detailed of inscriptions dealing with arbitration. It is particularly interesting for the light it sheds on the procedures involved in submitting a dispute to arbitration, and most notably on the responsibilities of the various officials. The first column (and perhaps the lost beginning of the second) are largely concerned with regulating the process whereby the judges would be acquainted with the facts of the case, and with the oaths sworn by all concerned.

From the fragmented lines at the beginning of the first column we learn that there was a previous judgement given in this case, a judgement which apparently was not satisfactory. ${ }^{2}$ Accordingly the two cities agreed to submit the case again to a third city: Thebes, whose name no doubt appeared at the end of line 5 , as the city "from which both sides had
decided to accept judges" (1. 6). ${ }^{3}$ This judgment is to be achieved by the Theban judges visit to the disputed territory to survey the boundary markers which had been set up in the past by both sides.

Both of the disputing states are to send certain officials called Sikactaycuoí to the arbitrating state. These officials were to be in charge of escorting the dikasts upon their departure from the arbitrating state. ${ }^{4}$ The dikasts from Thebes were to receive a written register of the boundary points from each of Halai and Boumelita. Presumably this would aid them in studying the case beforehand, and might help to eliminate spontaneous claims from one side or the other during the physical examination of the ground. That both Halai and Boumelita were assured the opportunity to escort the judges over the disputed land itself, and at the same time no doubt to argue their case, is evident from lines $11-13$. There must then have been two separate examinations of the territory, one in the company of advocates from Halai, one with those from Boumelita. ${ }^{5}$ Further provisions for objectivity lay in the regulation that the judges were to choose by lot the city which was to be first to escort them over the land and argue their case.

Before any of this was to take place, however, the judges, the

Sikactareyoí or ambassadors, and those who were to show the judges about the disputed land and argue the case for their own city, in other words the advocates, all had to swear an oath. ${ }^{6}$ The advocates' oath comes first (lines 18-24), and it prohibits them strictly from interfering with the boundary markers of the disputed land in any way during their tour.

The oath of the $\delta$ iкactay $\omega$ yoí (lines 26-37), on the other hand, refers to the past rather than the future. ${ }^{7}$ They must swear that they did not discuss the land or any of the matters in dispute with the dikasts or their scribe or their servants, ${ }^{8}$ nor did they try to bribe or corrupt them in any way while they were escorting them from Thebes. In so doing, they attest to their status as neutral ambassadors rather than advocates. In essence, they are asked to swear that they in no way influenced or allowed others to influence the judges while the latter were in their charge. ${ }^{9}$

The final oath, which is largely lost, is that of the dikasts themselves, in which they swear to judge righteously and honestly, examining the land in person, and establishing the boundary in a straight line. This oath may have carried over to the top of the second column, which is also lost.

The subject of the few fragments of the second column which survive
is mostly obscure. There may have been provision for publication at Delphi (lines 17-18), sanctions to be applied in the case of one side refusing to abide by the judgement (lines 28-30), and a time limit (thirteen days?) set for the examination of the land (lines 25-26). ${ }^{10}$ There may have been a reference to the previous judgment (of the Eretrians? line 39) and the reason for its failure. After this the document would have moved on to discuss the tour carried out by the new arbitral board of the Thebans (lines 40 f .), and then would have begun the actual boundary demarcation, which is continued in column 3.

Column 3, the publication of the findings of the judges from Thebes is also in an incomplete state, but what we have of it is quite typical of other boundary delineations. ${ }^{11}$ on the whole, the delineation appears to run from the heights to the ocean, with the precinct of Zeus Akrokallistios as a starting point. ${ }^{12}$ Perhaps the first part of column 3, and the last part of column 2, described the tour of the judges and the areas and boundary points to be judged (numerous proper names appear), while lines 11f. of column 3 represent the final decision. We find at this point a new heading, and a new dialect, after a vacant space on the stone.

The date of this arbitration remains uncertain. ${ }^{13}$

1 That the two states probably bordered on Lokris is derived from 11. 8-9, 18-19 of Col. 3. See Roesch p. 67, who places Boumelita at Kastraki-Kyparissi, southwest of Opos, bordered on the south by Hyettos and Kopai and on the east by Halai. Roesch thinks (p. 66) that both Halai and Boumelita may have been part of the Bolotian League throughout most of the third century, down to 196. That Thebes was the arbitrating state is deduced from the fact that this document was inscribed on the Treasury of Thebes at Delphi. Cf. ${ }^{\text {142 }}$, where the inscription was engraved on the Treasury of the Athenians because the arbitrators were Athenian.
 cú $\mu \varphi \omega[v]$ ot. Bourguet thought, from Col. 2 I. 32, that Eretria may have been responsible for this previous decision. Bourguet also suggested that it may have been only certain details of the boundary demarcation which were not accepted; cf. * 43.

3 cf. 129, 11. 83-85: cuvaıvécal Mıスncíouc kaì 'Hpakдє́́tac
 ócouc å̀ koun̂(ı) بaívŋlitau.
$4 \mathrm{Cf}=160$. It seems from I. 12 that the dikasts would have visited both cities in turn.

5 II. 13-15. Cf. 36 note 2; cf. also *69, $=132$. These advocates were to be ten in number, chosen from the council (cuvé $\delta p$ pov) of each city (1. 17). The term cuvé́opiov meaning municipal councll is attested throughout Boiotia and the Peloponnese at the end of the second century (Robert BCH 53 p .158 ). Cf. EDelphes III.4.42, the frontier arbitration between Thronion and Skarphai, in which the cúve $\delta$ pol of the two cities took part. Bourguet (p.212) had a notion of some kind of joint assembly between Halai and Boumelita, but there is no evidence to support this. Bourguet also thought, incorrectly, that the סikactaywyoí would be responsible as well for the tour of the disputed territory. In fact the office of $\delta$ ıкactay BCH 53 (1929) p. 158, and Guarducci pp. 555-56.

6
Cf. the oaths in the arbitrations of Knidos between Kalymna and Kos (*24) and between Temnos and Klazomenai (*83).

7 Bourguet's interpretation of this oath is also untenable. He apparently thought (p.213) that there was meant to be some kind of prohibition against the סıkactaycyoí bearing any malice towards the judges. Robert's reinterpretation (BCH 53) is far more natural.

8 On the пaî $\delta \in c$ being servants, not sons, of the judges, see BCH 54 p. $322^{1}$, Wilhelm GIRI pp. 47-48, REG 66 p. $141 * 90$.

9 Ensuring that dikasts were not corrupted by either side was no doubt one of the regular duties of the $\delta$ ixactay $\omega$ yóc; cf. Tod pp. 83f. Cf. also Helly Gonnol II.98, where he compares this case of provisions taken against corruption of the judges with the decree for foreign judges from Skotoussa, in which we learn that an attempt at bribery had been made, an attempt which the judges themseives exposed.

10 See Bourguet p. 213.
${ }^{11} \mathrm{Cf}$., for example the use of the term vámn with $\geqslant 371.21$. On the use of an altar as a boundary point cf. *14. On the term caueiov (1.14), meaning landmark, as opposed to ópoc, the actual engraved boundary marker, cf. Bourguet p. 215, and Foucart ap. LeBas/Foucart \#317a (*45).

12 pouilloux p. 14.
13 The editor of EDelphes III.1. 362 dated it to the second century by the letter forms (cf. 75 ). Gruen says 263, but gives no reason for this date; Guarducci dates it to between 219-206, but her reasoning is apparently based on Robert BCH 53 p. $156^{3}$, which does not in fact refer to this inscription. SEG dates it to the third century.

## ＊23：Naxos and Another State／Eretria［？］

 Third century［？］The left side of a broken marble stele，discovered in the temple of Apollo at Eretria．H． 0.28 m. ，w． 0.25 m ．，d． 0.10 m .16 lines．

K．Kourouniotes AE 1911，p．34，＊23；＊Ziebarth IG XII．9．223；Schmitt ＊574．

H．F．Hitzig ZRG 28 （1907）p．246；Tod＊46；A．Wilhelm AE 1912，p．250； IG XII supp．p． 105.
［．．．ótav ó ó $]$－
入оүпəй́


5 aiçu［ $\mu] \nu \dot{\omega} \omega \tau \omega \nu$ c $\omega[\cdots \cdots]$－


［cú］vסiкol Naక̂́cuv oi òmo入oy［ńncavtec－－－］
ठпиосíaı паро́vтєс•
10 ＇Aya甘ícu EỦñ vopoc
＇Apıctóסпиос＇Apıctoк ［＇́́ouc］

＇Нує́стратос＇Hyєc－
［c］$\omega$ подис с́́ио
15 ［ $\Delta] \eta \mu о \mu є ́ v \eta с$ М Мппс－
－－0－－－－






Little is left of this inscription, but some of the terms which appear in it have led some scholars to believe that it may deal with an arbitration.' It clearly deals with some kind of interstate agreement; since the stone was unearthed at Eretria, ${ }^{2}$ and since it mentions Naxian officials at line 8 , the natural assumption is that two of the states involved were Eretria and Naxos. It seems that what we have here may be the end of the document, giving little beyond the fact that some kind of agreement was reached, and then providing the eponymous dating and the list of various representatives present at the agreement.

The text refers to certain Naxian cúvסıkol, apparently public
 present in a public capacity. ${ }^{3}$ It may be that here as well as in $=99$ Naxos
 furnished an arbitral court. ${ }^{4}$

1 Cf. for example Tod "46, who believes that this inscription may be related to the arbitration of Eretria between Naxos and Paros (*99). This, however, is based on Tod's dating of the inscription of *23 to the early second century, the same era as $\$ 99$. This is too late a date. The inscription from the present case is to be dated to the third century; the dating, of the document by a reference to the aicumvítal of Naxos corresponds to a similar scheme in the third century inscription $\underline{I G}$ XII.7.67B (the cú $\mu$ Boia between Naxos and Arkesine). The eponymous
magistrate of the document of $=99$ is the priest of Dionysos, and this inscription is to be dated to the first half of the second century. See Wilhelm p. 251. Nevertheless, Tod also believed that the inscription from the present case could be understood as an arbitration in its own right, and his opinion is backed by Hitzig (ZRG 28) and Schmitt.

2 The stone was found next to the temple of Apollo. As mentioned elsewhere, temple precincts were a common "publishing-ground" for important international documents, whether in one of the states involved (as in *43) or at an international sanctuary such as Delphi (as in *22).

3 It may, on the other hand, simply refer to public magistrates involved in whatever agreement took place (so Ziebarth). Ziebarth believes this to have been a financial agreement between Eretria and Naxos. For cú $\delta$ סikol as advocates representing their state in an arbitration, cf. 31 and $=150$.

4 There is no positive evidence to connect this case to $\approx 99$, as Tod did (see note 1 above). The latter case dates from a later period, and there is no evidence of Paros being involved in the present case. Nevertheless it is not impossible that the two cases arose from similar disputes, or even the same one which required settling numerous times (cf. the Samos and Priene dispute, or Sparta's disputes with her neighbours). The problem with such a fragmented document, of course, is that it can be taken to
 ZRG 28 p. 246.

## *24: Kalymna and Kos/Knidos

c. 300-286

An inscription discovered at the temple of Apollo at Kalymna. The document is inscribed on two sides of a stele, broken at the top (I B \& II). A fragment which appears to preserve the opening lines of the document (I A) was discovered built into a church wall located not far from the temple of Apollo.

Newton BMus II.299 (I B \& II); R. Dareste. BCH 10 (1886) pp. 235-44 (I

B \＆II）；Dareste／Haussoullier／Reinach RlJG I． 10 （I B \＆II）；Berard＊ 41 （I A， I B \＆II）；Müllensiefen SGDI＊3591（I B \＆II），＊3592（I A）；Michel＊1340（I B \＆II）；Dittenberger $S \mathrm{SG}^{2}$ \＃S12（I B \＆II）；Dittenberger／Hiller von Gaertringen SIG $^{3}$＊953（I B \＆II）；Schwyzer＊263（I B \＆II）；R．Herzog BFIC 20 （1942）pp．1－5，＊ 1 （I A）；＊M．Segre．Iituli Calymnil＊ 79 （Annuario della Scuola Archeologica di Atene 22／23，1944／45）pp．97－121（I A，I B \＆II）；R． Bogaert：Pleket．Epigraphica III（Leiden／Brill 1976）＊ 42 （II）．

R．Bogaert．Banques et banquiers dans les cités grecques（Leiden 1968）pp．208－10；Hitzig p．56；Phillipson pp．148－49；Raeder＊79；M．Segre Epigraphica I（1938）pp．9－16；S．M．Sherwin－White．Ancient Cos（Göttingen 1978）p．72；Sonne＊61；Tod＊75，＊76；A．Wilhelm AEM 20 pp．79－80；idem AAWW 18 （1924）pp．19－25．

I
 то－


［̂̂ סєîvoc，toû סєîvoc ．．．．．．．．．．．．．．］toû＇Акрот́́ $\lambda \in \cup c$ ， ＇Epacıкス－


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 по́－
 $\Delta a<\gamma>o ́ p a$ пat－
 ＊Ay ${ }^{*}$ aoc， T －
 пробíкои－
 ［’E］గ̣［＇́y］ộ［ov？］．．．．

 K $\omega$ ı]-
[ $\omega v$ סáuolc ámoctanèv kaì toùc kolvoùc גó]yoục toùc $y \in[$ [ouévoul-


 $\lambda а в$ вит $[\omega]$
[toì ctpatayoì toì êv àpxâı пapà tâv] sụyópa пuıర́ívv kaì tढ̂v ${ }^{\text {c, }}$
 $\Delta a<\gamma$ бора $\pi$ -
 ${ }^{\mu-}$
 un
 Tथ̂[c]
 ацерр
 паиб́́a кр[ $2 \mathrm{]}$ -
 of tikay [yevéceal toùj]-
 тì̀ tàv [8kর́kay yevéceal toù>-
 \%ัठ-
$\epsilon$. vaì tòv sía kaì tò 'ATón $\lambda \omega$ tòv núkilov kaì đàv 「âv סıкасс́é $\omega$ пері]
 סıkaotáta]-

 oứ $\delta$ єvòc]
 $\mu a x a v a ̂ ı ~ o u ̛ \delta j-$
 évavtía.]
 סa]-




 ka[i]

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 kaì єḯ тí к-
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 סıка-
 סıк-

 ärovt[ [, ]
 парŋ̂-
 $\mu$ -
 є́mi [r]-
 द́yนартирпөєíca-
 парасаиати́єөө ठѐ
 проста́таи т-
 סè
 $\stackrel{a}{a} v-$
 àc $\varphi$ ра́yıc-


 tâv $\mu$ -
[apt]uptâv tâv èyuaptupnงe[ []câv ẹ́' đưtoîc ảvtíypa甲a пacâv.

 простá[т]-
 đ̈л入a [па́थтa]
 ${ }^{\prime}$ -
 Ka入uн-
 mapex] $\epsilon \in!$
 $\mu \mathrm{ap}$ ]-
тúp $\omega \nu$ ékatépotc kąr éva $\mu \in$ tà toùc прátouc [ $\lambda$ óyouc tâc Síkac•]

 àva]-
 tò ${ }^{\prime}$ ]-
 Toi]
 Úס́droc.]
入óy]-
$75 \omega \nu$ סıס́óvtc toì ctpata[ yo]ì tàc $\psi a ́ \varphi o u[c$ aưtíka $\mu a ́ \lambda a$.]




 $\Delta a \mu a t p i ́ o u ~ \delta ı a ́ t a \gamma \mu a ~ \gamma p a \varphi e ̀ v ~ e ́ K a t] e ́ p o ̣ ̣ c ~ t o u ́ c ~ t e ~ v[o ́ \mu o u c]: ~ H e r z o g . ~ I l ~ 16: ~$






Sıkactàc: Newton, Berard, RIJG, Müllensiefen, Dittenberger, Michel, Hiller
 Berard, RIJG, Müllensiefen, Dittenberger, Michel, Hiller von Gaertringen, Schwyzer. II 36: пapaסóvtw: Newton, Berard, RIJG, Müllensiefen, Dittenberger, Michel, Hiller von Gaertringen, Schwyzer. II 66-67: ã̛[ $\varphi a ́ \lambda \in ⿺ a v$ סót $] \mid \omega$ : Newton, Berard, RlJG, Müllensiefen, Dittenberger, Michel, Hiller von Gaertringen, Schwyzer. || 70-71: Únò [ $\tau \hat{\omega} \nu$ àvtiסík $\omega v$

 Müllensiefen, Michel. || 74: écóka: Newton, Berard, RIJG, Müllensiefen, Michel.
 пробíkovc]



 ctp[at]-
















 $\mu \in c$ éxovtac tò 'Іппокра́теuc клapovóuоис éc т-







30 т $ิ$ v $ั$ ̀v
vacat


 пì ठamiopyoû 'àкщáxou' cuvayópnce toîc $\pi \alpha-$




vacat
2-3: *Ay|[ $\lambda$ aoctpátou]: Newton, Berard, RIJG, Müllensiefen, Dittenberger, Michel, Hiller von Gaertringen, Schwyzer. Il 6: ánò toû xpéwc: Newton, Berard, RIJG, Müllensiefen, Dittenberger, Michel, Hiller von Gaertringen, Schwyzer. || 28: 'Iптокра́тоис: Segre. || 37: ' E 'áкпстос: Segre.

At some point considerably prior to the process described in the present inscription, two citizens of Kos, Pausimachos and Hippokrates, had loaned a sum of money to the state of Kalymna. The claimants in this
case are the descendants of the original creditors. They alleged that the debt incurred by Kalymna was still outstanding. The Kalymnians, on the other hand, claimed that they had liquidated this debt, and were under no further obligations. The issue could not be settled, and a full-scale arbitral tribunal was instituted, with the nearby state of Knidos rendering its services as arbitrator. ${ }^{2}$

This document offers us some of our most detailed evidence with respect to the procedure which might be followed in an arbitral hearing. It has been conjectured that the first step the Koans may have taken was an appeal to the original agreement, and a possible compulsory arbitration clause contained therein. ${ }^{3}$ Whether there was any obligatory arrangement to go to arbitration, or whether Kos and Kalymna reached a compromisary agreement once the disagreement had arisen, the affair may have been referred to Demetrios I for settlement. The king would then have passed on the task of judgement to the people of Knidos. The Knidians instituted a tribunal of 204 individuals, which was presided over by the Knidian strategoi.

After retailing the preliminaries of the arbitration, the inscription gives the 0ath which the judges were to take (I lines 25-32). They were
to swear that they would render the decision which seemed most just, that they would reject any witness which seemed perjured, and that they had received no bribes. ${ }^{4}$

The inscription then details the procedure to be followed by both parties in the case. Regulations were set down regarding the production of written evidence, such as documents from the state archives (I lines 33-39). Copies of such documents to be used as evidence were to be officially sealed and conveyed to the Knidian strategoi, who would then be responsible for making the evidence available to the advocates of both parties. All such evidence was to be produced prior to the trial.

Detailed procedural rules were also applied to verbal witness (I lines 45-72). Those witnesses who could make the journey to Knidos were expected to do so, and present themselves before the tribunal in order to give their evidence in person. It was recognized, however, that some witnesses would be unable to make the trip, and some provision was naturally necessary for the hearing of their testimony. Those who were unable to give their evidence in person were therefore to be allowed to give it by proxy. ${ }^{5}$ On a fixed day, in both Kos and Kalymna, these witnesses were to go before the prostatai and give sworn depositions of
their testimony. ${ }^{6}$ It was the right of both states to have their representatives present in the opponent state when this took place. Copies were to be made of the testimony given. One copy was to be sealed, and would apparently act as the official version; the other, to be left unsealed, would presumably serve as an unofficial reference document for the interested parties. ${ }^{7}$ The two disputing states were then to exchange copies of their evidence, an act which had to be carried out within twenty days. ${ }^{8}$

Witnesses produced at the trial itself were to be subject to cross-examination. ${ }^{9}$ Similarly, the rules governing the trial procedure in general emphasized guarantees that each side would be given exactly the same treatment. The synegorol of both parties were to be given the same amount of time to state their case and make their argument: 18 measures of the water-clock for the first argument, 10 for the rebuttal. ${ }^{10} \mathrm{~A}$ certain degree of leeway was allowed for the reading of the written evidence: the water was to be temporarily stopped (। lines 43-45). Both parties, however, had to have completed their pleas before the water ran out or they would be cut short ( 1 lines 72-75).

The second portion of the inscription (II lines 2-30) reviews the Koan
claim in their prosecution of the state of Kalymna. Pausimachos and Hippokrates had loaned a sum of money to Kalymna, perhaps around the year 360. ${ }^{11}$ Both of the original creditors were now dead. Hippokrates's interests were pursued, first by his son Kleomedes, and then, on his death, by Kleomedes's son Kleophantos. Pausimachos's son Diagoras was also dead, but Diagoras's children, still apparently minors, were represented by Philinos, the Koan advocate in this case.

Pausimachos had apparently been responsible for $4 / 5$ of the original loan, Hippokrates for 1/5. The controversy over whether the debt had already been repaid hinged on the fact that the original creditors were two in number. The Kalymnians apparently argued that they had already paid over the entire balance due on the loan to Kleomedes and Kleophantos. The claim of the children of Diagoras, however, was that this did not represent a complete liquidation of the Kalymnian debt. Kalymna still owed thirty talents to them, the descendants of Pausimachos, a debt which could not be resolved by any payments to the descendants of Hippokrates.

The final portion of the inscription shows that Philinos's advocacy did not convince the Knidian judges (II lines 31-38). The verdict was given in favour of the defendant, Kalymna, by a vote of 126 to 78 . No reason is
given for the findings of the court. The inscription concludes with a list of the advocates.

I For the particulars of the case, see II II. 2-30, the review of the claim of the Koans.

2 Although theoretically this is not a case of international arbitration (the parties being a state on one side and private citizens on the other), it nevertheless warrants treatment here. It is clear from the procedure involved that the Koan state took up the cause of its injured bankers, and the entire case took on a degree of public importance.

3 See Dareste BCH p. 236, Phillipson p. 149, Raeder p. 131. If it is true that the original loan agreement contained a proviso that the two parties would go to arbitration in the case of contestation, one might conjecture that such a clause would not be calculated to inspire great confidence in the debtor's ability and willingness to repay.

4 Cf. the oaths of the judges and of their escorts in *22, where it is the duty of the escorts to ensure and personally guarantee that the judges had not been bribed.

6 Before doing so they were to take an oath that they were telling the truth, and that they were indeed unable to attend the trial. On the function of the prostatai, see Sherwin-White cos pp. 200 f.

7 It was the right of the adversaries' representatives to affix their own seal to their opponent's evidence.

8 Another regulation with respect to the hearing of evidence involved the safety of Kalymnian representatives who might be present in Kos. They represented a state which was allegedly a debtor, and hence ran the risk of personal distraint. It was therefore ruled that Philinos, the

Koan advocate, and representative of Pausimachos's heirs, should give them a guarantee of safe conduct (ảc¢á $\lambda \in I(\mathbb{}$ ). See RIJG p. 175.

9 ảvákpıcıc (1.67).
10 I II. 39-42. Philinos was the Koan synegoros; the Kalymnians were represented by two Kalymnians and a Milesian.
${ }^{11}$ Raeder suggests that these two individuals were probably bankers, who administered a loan participated in by various other Koan creditors; if so, this would be another good reason for the official involvement of the Koan state. Cf. Dareste BCH p. 235, Dittenberger SIG $^{2} 512^{8}$. Segre ( 117 ff .), on the other hand, believed Pausimachos and Hippokrates simply to be wealthy individuals loaning the ir own money, not bankers.

For the conjectured date of the loan, see Segre Epigraphica and Annuario p. 121 and Sherwin-White Cos p. 72.

## *25: Amphissa and Delphi-Antikyra-Ambryssos/Thessaly c. 290-280 or later [?]

The same inscription as $* 1$.
Pomtow SIG ${ }^{3}{ }^{*} 614^{4}$; idem $\underline{S I G}^{3}{ }^{*} 826 E^{20}$; idem Klio 16 (1919) pp. 139f.; idem Klio 18 (1923) p. 271, *XX. For further bibliography see the citations in $=1$.

The arbitration carried out by Pausanias of Thessaly and his commission was another in the long series of boundary regulations concerning Delphi and her neighbours, particularly Amphissa. The source for this case is the same as that for the arbitration of $338 / 7$ : the document from 125 BC , wherein the Delphian envoys invoked the earlier
settlement of 338/7, and the Amphissans a settlement handed down by "Pausanias the Thessalian and those with him".!

Presumably the dispute was over the same territory as in $=1$. This time, however, the case was decided in favour of the Amphissans. Nevertheless, since the later arbitration of 125 followed the boundary regulations laid down by the hieromnemones in 338/7, it is impossible to estimate, as was possible in $=1$, where the borders were, as set out by the Thessalian commission. It can be assumed that distinct parcels of land, such as "Nateia" perhaps, could have been assigned to the Amphissans wholesale, but beyond that nothing can be concluded for certain. ${ }^{2}$

What is most frustrating about this brief notice in the 125 inscription is the impossibility of assigning a definite date to the arbitration of Pausanias the Thessalian and his commission. Colin first dated the incident to around $196 \mathrm{BC}^{3}$ His argument derived from the mention in a list of Thessalian strategoi of two men named Pausanias, one from 195, the other from 184. The earlier date might correspond to the defeat of Philip V at Kynoskephalai in 197, and the subsequent settlement of various Greek disputes by Flamininus. ${ }^{4}$ In Colin's view, Flamininus would have designated Thessalian arbitrators to settle the dispute
between Delphi and Amphissa. They, keeping in mind the zeal the Aitolians, and the Lokrians among them, had displayed for the cause of Rome in the war with Philip, would then have handed down a judgement favourable to the Lokrian state of Amphissa. ${ }^{5}$

Colin's argument was soon refuted by Pomtow who pointed out that the Thessalians, excluded from the Amphiktiony by the Aitolians until 190, would have been unlikely to have judged a dispute about the sacred land shortly before that date. ${ }^{6}$ Pomtow also argued that a judgement given by the other Pausanias, the Thessalian strategos of 184, cannot be meant here, since such a decision would have appeared in the Rhodian arbitration between Delphi and Amphissa in $180 .{ }^{7}$

Pomtow did admit to wavering between a disparate choice of dates. ${ }^{8}$ One of those dates is the early years of the Aitolian supremacy, that is 290-280 and later. ${ }^{9}$ Such a time, he at first believed, would have been suitable for a reversal of the decision of 337, adverse to Amphissan interests. His final judgement on the matter, however, was to date the arbitration of Pausanias to the years after 180, and specifically to the year $167 .{ }^{10}$

In summary, Pomtow believed that Pausanias and his commission
were not to be connected to the hieromnemones, or to be seen as holding a brief from the Amphiktiony. ${ }^{11}$ Rather he and his board of arbitrators regulated the borders in favour of Amphissa independently of amphiktionic participation. To do so, they must have received the charge from a power which was superior to Delphi and the Amphiktiony, namely the Romans. Pomtow also seemed to think, on the basis of the arbitration of Rhodes (*131), which was not concerned with the iepà $\chi \omega p a$, that this regulation under Pausanias also was more political than sacral.

The later arbitration of Athens between Delphi and AmbryssosPhlygonion to the east (*142), and the present one of Pausanias between Delphi and Amphissa to the west, were, in Pomtow's opinion, to be connected to a Roman influence, and dated to the same period. The date given by Pomtow is 167 , the time of the liberation of various smaller states from Aitolian domination by Aemilius Paullus and the senatorial commission. ${ }^{12}$ Such a time would have been appropriate for new boundary demarcations. That a Thessalian would have been chosen for the task of delineating boundaries between Amphissa and Delphi, and that such a commission would have decided in favour of the Lokrian state, was a result of the political currents of the period. Delphi, having fostered

Macedonian sympathies since the accession of Perseus, was gradually incurring Roman disfavour, and was also hostile to Thessalian-Athenian interests. ${ }^{13}$

I do not believe that we can follow Pomtow in his suggestion that the judgement of Pausanias does not deal with the sacred land. It seems clear from the inscription of 125 that the point at issue is the same in 337 , here under Pausanias, and in 125: Amphissans cultivating the sacred land. The fact that so many of them were clearly doing so when Glabrio rededicated various segments of it in 190,14 might indicate that sometime in the century and a half intervening between the judgement of the hieromnemones in 338/7 (*) and that of Glabrio in 190 (*104), Amphissa received a favourable judgement. Pausanias's tribunal may have been the one to give such a judgement. On the other hand, it remains true that the Amphissans probably did not need a legal decision in order to encroach on the sacred land in the first place.

 tótє yєyovóc, ơtє חaucavíac| eeccanòc kaì oi $\mu \in \tau^{\text { }}$ aủtoû ǒpouc є поíncav.

2 Nateia, lying northwest of Delphi, close to Amphissa, is mentioned
both in the 125 inscription and in the list of lands dedicated in 190 by M. Acilius Glabrio to Apollo (SIG ${ }^{3}$ "610; 104). Among those who had property here which was expropriated in 190 are listed two Amphissans. It is clear from the 125 inscription that it was arable land. This, and other territories lying between Delphi and Amphissa were constantly encroached upon by the Amphissans, who treated the area as farmland. The Delphians, on the other hand, were constantly forced to claim them back, and rededicate them to the god as sacred lands, destroying all the structures which the Amphissans or others had raised.

3 BCH 27 (1903) pp. 141 f .
4 Cf . 88 , 95 .
5 Colin p. 144. Cf. Tod.
6 Pomtow SIG $^{3}{ }^{\text {\# }} 614^{4}$; Klio 16 p. 140. But Pomtow later on argued that this arbitration of Pausanias was not connected to the hieromnemones, and did not concern the sacred land. On the impossibility of c. 195 as a date for this arbitration see Plassart EDelphes III.4.3 p. 14. Plassart seems to follow Daux (Delphes pp. 379f.), who suggests the earliest date so far, in fact one prior to the decision of 337 which was so unfavourable to the Amphissans.

7 *131. Nevertheless, it is not necessarily true that a judgement about the sacred land (which Pausanias's decision must be) should have to appear in $=131$ which, despite the references to $\tau \in \mu^{\prime} \epsilon \eta \eta$, appear to concern the public land; cf. Pomtow's own comments in his notes to SIG $^{3}$

 Certainly Acilius's actions of 190 had gone against Amphissa; doubtless there was disagreement with his regulation of the boundaries, and perhaps an appeal against it on the part of the Amphissans. It is not impossible that the appeal could have been heard by the commission of Pausanias. Even if all of these cases concern the sacred land, 131 does not refer back to Acilius's judgements either, any more than it refers to any other previous judgements. There is no reason to assume then that they should have to refer to the judgement of Pausanias, and therefore no evidence to
show that 131 must predate Pausanias's involvement.
8 Klio 16 p. 140.
9 SIG $^{3} * 826^{20}$. I have used that date here for convenience, but I feel little confidence in it.

10 See Kllo 16 pp. 140-41, and Kllo 18 pp. 271-72.
${ }^{11}$ This from the contrast between the use of hieromnemonic terminology to designate the previous arbitration of 338/7, and the simple use of the phrase "Pausanias the Thessalian and those with him", with no mention of an official amphiktionic connection.

12 See Larsen GFS pp. 477-78.
13 Klio 16 pp. 145 f., 18 p. 272.
14 See $=104$.
*26: Samothrace and a Neighbour/Lysimachos 288-281

An inscribed stele discovered on Samothrace. H.: $0.35 \mathrm{~m} . ;$ w.: 0.375 m .; d.: 0.075 m .
*J.R. McCredie Hesperia 37 (1968) p. 220.
Will $^{2}$ I. 102.

$\lambda \in u ̀ c ~ \wedge u c i ́ \mu a x o c ~ \varphi i ́ \lambda o c ~ A ̀ \omega ~ к a i ̀ ~ \epsilon u ̛-~$






```
    [cav to]îc ө\epsilonoîc kaì àvé0\epsiloncav kaì
    [. . . . . . .]!a toû тє\muévovc кatéкр-
10 [\iotav\inv t\tilde{v .]lovoc паí\delta\omegav ảmo\deltaoひ̂[\nu]-}
    [ar . . . . . . .]cca пávta á\varphi' oṽ xpóv-
    [ov . . . . . . . .]cal \epsiloń\gammaвало́v\tau\epsilonс п̇\mu-
    [âc . . . . . . . . . . .] tò í\epsilonpòv oc̣[. . .]
    [. . . . . . . . . . . . . . .]at \deltaıat\in\[. .]
15
[. . . . . . . . . . . . . . .]TTON[. . . .]
```

This inscription records a decree of the council on Samothrace. It is an honorary decree promulgated in gratitude to King Lysimachos. Among other benefits which he had conferred upon the Samothracians, he apparently was also to be thanked for the part he played in the Samothractans regaining a tract of land on the mainland. This territory consisted of a sacred precinct which had been delimited and dedicated to the gods of the Samothracian mysteries by Philip and Alexander. ${ }^{\text {I }}$

At some point after the reign of Alexander the Samothracians had lost the jurisdiction of this sacred land, perhaps as the result of encroachments by a mainland neighbour. Lysimachos was responsible for the restoration of the precinct to the control of Samothrace. The language of the inscription implies that this may have come about as the result of a judicial decision on the part of Lysimachos. ${ }^{2}$

1 Either Philip II and Alexander the Great, or Philip III Arrhidaios and Alexander IV (cf. Will). See McCredie p. 221.

2
11. 9-10: катékpl[ $\downarrow \tau \in \nu]$.

## *27: Magnesia-the Pedieis and Priene/Lysimachos [?] 285-281

Four fragments of a document originally inscribed on the Temple of Athena Polias at Priene. I: h.: 0.11 m ; w.: 0.14 m. ; d.: 0.117 m . II: h.: 0.29 m.; w.: 0.25 m. ; d.: 0.15 m. III: h.: $0.28 \mathrm{~m} . ;$ w.: $0.38 \mathrm{~m} . ;$ d.: 0.18 m . IV: h.: 0.20 m.; w.: 0.29 m. ; d.: 0.35 m .20 lines.

Hicks BMus III.410; Kern IMagM p. xiii \#50; *Hiller von Gaertringen IPriene * 16 ; Welles RC * 8 .

II - - . . . - - (one line missing)

-     -         - . . . . . с па⿱
-     - . . $\delta \in \delta] \omega \kappa \propto \mu \epsilon v$

5 [-- -k]ócıv ŋ̊ $\mu a ̂ c ~ \mu \in Y-$

-     -         - $\mu \in \nu$ ímeîc єíc tìv

[- k]aì паронкеîv kaì év









е́ $\varphi \theta \epsilon \epsilon \rho 0 \nu$

 Mayuncíaı fícáv[eıv - . - . - - toîc סè $\varphi \theta \epsilon i ́ p a c ı ~ t a ̀ ~ B a c ı]-~$
 'єрршс $\because \in(?)]$

Hicks, Kern and Welles place fragment I after fragment IV. 4:

 [x́́pav?]: Hicks, Kern. II 8: év [toút $\%$ ]: Hicks, Kern. || 8-9: [ka|тастр]єчá́uєvol: Hicks, Kern. |l 10-11: [tìv x́́pav taútnv]


 Welles. || 16: [tıc $\hat{\omega} \nu$ iǹv x $\omega$ р]av: Hicks, Kern. || 19: єicayó[vt $\omega \nu$ ?]: Hicks, Kern.

This inscription is quite neavily fragmented, and its overall sense is quite uncertain. ' It may be, however, that it makes reference to a judicial settlement which a Hellenistic king was prepared to make between Priene and, perhaps, its neighbour Magnesia. ${ }^{2}$

The document is a letter to Priene from a monarch. It has generally, since the time of Hicks, its first editor, been dated to the third century BC . The references to the troubles which Priene was having with the "Pedieis", and possibly Magnesia, make it tempting to associate this document with others which also refer to such troubles, and which are
specifically connected with Lysimachos. ${ }^{3}$
From these documents it appears as though Priene may have become involved in the dynastic struggles of the Diadochoi. ${ }^{4}$ In 287/6 Demetrios Poliorketes, having lost his foothold in Macedon, tried to recoup some of his losses in Asia Minor. Lydia and Karia went over to Demetrios, but many cities, among them Priene, remained loyal to Lysimachos and suffered for it. Eventually, however, the forces of Lysimachos pushed back those of Demetrios, and saved Priene. ${ }^{5}$

When the troops of Demetrios threatened Priene, they were joined by forces from Magnesia, and the Pedieis. The latter were a people living in the plain around the mouth of the Maiander. ${ }^{6}$ In the opening lines of our present fragmented document, the monarch mentions these people. He had found that Priene was unable to work her land to the full, and so had granted to the Pedieis the right to become mápolkol of Priene, in the interests of efficient use of the land. ${ }^{7}$ This arrangement, however, which had been intended to benefit both the Prienians and the Pedieis, proved to be unworkable. The Pedieis, perhaps incited by the Magnesians, rose against the Prienians and were responsible for much destruction of property and physical violence.

It may be that these acts of violence on the part of the Pedieis are to be connected to the general campaign of Demetrios. We know from $\underline{\text { OGIS }}$ * 11 and * 12 that Priene suffered from the depredations of the Pedieis and the Magnesians in addition to that of Demetrios's forces. This letter may have been an attempt to bring about a peaceful arrangement locally once the major crisis had passed.

The latter portion of the inscription is extremely fragmented, but it may point to a promise by Lysimachos to arbitrate the issue of the acts of war perpetrated against Priene by her neighbours. It seems clear that the Pedieis were perceived as acting in an aggressively hostile fashion; nevertheless, it is possible that a judicial settlement, rather than an arbitrarily imposed punishment was envisioned. ${ }^{8}$

1 Cf. Welles' comments, pp. 53-54.
2 Cf. 134.
3 See the decree of the city of Priene honouring Lysimachos (OGIS *11), and the letter of Lysimachos sent to Priene in response (OGIS *12; Welles RC * 6 ).

4 The reconstruction of events is based on Welles's commentary (pp. 43-44).


6 See OGIS * $11^{4}$.
7 See Welles p. 53.
 imply legal action. See Hicks p. 25.

It is also possible that Rhodes somehow became involved in the hostilities between Priene and Magnesia. An extremely fragmented inscription from Rhodes (Hiller von Gaertringen MDAI(A) 21 (1896) pp. 39-40, *6 and IPriene T*534; Kern IMagM p. xiii) refers to both Priene and Magnesia, and the payment of some penalty.

## *28: Priene and Samos/Lysimachos 283/2

Inscription on a white marble stele found at Samos. H. 0.57 m., w. 0.45 m . d. 0.16 m .32 lines.
R. Chandler. Marmora Oxoniensia II (1763) *25; Böckh CIG *2254; Hicks \#152; Berard *39.VIII; Michel \#36; Dittenberger QGIS *13; Hiller von Gaertringen IPriene T *500; Schroeter \#6; *Welles RC \#7.

Bagnall/Derow *12; C.D. Buck CPh 8 (1913) p. 151; S.M. Burstein The Ancient World 3 (1980) p. 76; Burstein *12; G. Corradi BFIC 50 (1922) pp. 23-24; E.L. Hicks BMus 3.1 (Oxford 1890) pp. 1-5; Holleaux Etudes I.405; P. Jouguet. L'lmpérialisme Macédonien (1926) p. 408; Klose pp. 144-45; Lécrivain pp. 12-13; Lenschau LS pp. 125-130, 135f., 201-3; Magie RRAM 1.78; Meyer Grenzen pp. 29, 39; Phillipson p. 147; Préaux p. 250; C. Préaux. Le monde hellénistique II (Paris 1978) pp. 422-23; Raeder \#34; C. Roebuck CPh 50 (1955) pp. 60-61; H. Röhl. Beiträge zur griechische Epigraphik (Berlin 1876) p. 7; Shipley pp. 31-37, 266-68 (on the Samian peraia), 181-82; Ténékides p. 547; Tod *61, and pp. 135f.; Tod Sidelights pp. 53f.; U. von Wilamowitz SPAW 25 (1906) pp. 38f.; A. Wilhelm GGA 160 (1898) p. 208.

 $\tau \hat{\omega} \nu \Pi p[\iota]-$



$k\left[a \theta^{\prime}\right]$


 oi]
 $\pi \alpha \rho^{\prime} \dot{u} \omega \hat{\omega}[\nu]$


 aự[toîc]
 ícторı $\omega$ [ $v$ каi]
 $\mathrm{c}[\pi \mathrm{m} \nu \mathrm{\delta} \hat{\omega}[v]$.
 ${ }^{\prime} \mid \omega\left[v^{\prime}\right]$ -
 Cau[í]-
 [тр́] ${ }^{(?)}$

 mavte[ $\lambda \hat{\omega} c$ tó]-
 $\tau[\hat{\omega}]$.

 án[0]-
 Ca[ $\mu$ íotc aú]-
 oík[oûvt]ac $\dot{\alpha}-$
 ' e [pacav]
25 [tà прáүдata aủtoîc] $\mu$ évetv êv toútoic kaì $\mu$ éxpl tov̂ écxátov xpó-
 ápxñc [ktñ]-
 àmoctà́éєtec
 Bativítioo[c]
 nuydáal $\epsilon \omega c]$
 aủtoì
 . . . (20) . . . I . . oịíke]îv xıスíouc ợauíouc . . . . . . .]


 Wilamowitz (as from to $\mu$ uptúpiov), to Dittenberger and Hiller von Gaertringen's accentuation $\mu a p r u p i \omega v$ (as from in $\mu$ uprupía, which Holleaux believes designates the deposition of a witness, and is hence inappropriate here). Cf. IPriene *37 (*92) 1. 101: [ $\tau \hat{\omega} v$



 Gaertringen．｜｜21－22：áṃ［o｜cta入n̂vac oủv пapà t $\omega v$ ］：Welles．$\alpha[u ̀] t \omega ิ \nu$ ．｜ ［ $\pi \in \mu \varphi \vartheta \tilde{\eta} v a \iota$ oủv пapà］：editors． $\mid 1$ 22－23：Ca［ $\mu$ íocc aủ｜токрátopa，
 32：© $\mathbb{C}$ auíouc ］：Welles．

There is also a passage in IPriene＊37（lines 125－131），the document which provides evidence for $\mathbf{* 2}$ ，which is relevant to this case：

The main document here is a letter from Lysimachos to the Samians concerning the centuries long territorial dispute which the latter had with Priene．${ }^{1}$ The land in question consisted of a strip just north of the mainland peninsula of Mykale which was claimed by Samos（the plain of Anaia）．Priene also laid claim to the area，and to three districts
specifically: the land called Batinetis, the fort called Karion, and the land around the fort called Dryoussa. ${ }^{2}$ The Batinetis formed the western part of the plain of Anaia, and the area called Dryoussa was located where the Bat inet is became hilly to the west. ${ }^{3}$

This inscription mentions the earliest known incident in the history of the territory, which was the invasion of Lygdamis and his subsequent "restoration" of the land to Priene alone, rather than to Samos and Priene, the two states which had occupied the region previously. ${ }^{4}$ The Prienians claimed that the Samians, with the aid of Miletos, later seized the land from them forcibly and only as a result of the mediation of Bias did the Samian settlers leave the region and Priene receive it back. ${ }^{5}$ From that point on, the Prienian envoys say, until quite recently ( $\mu$ '́ Xpl toû écxátou xpóvov: lines 25-26) the Batinetis had been theirs. ${ }^{6}$

Nevertheless, at the time that the appeal for arbitration was made to Lysimachos, it is clear that the Prienians were no longer in possession of the land. It may be that they had not been successful in retaining this territory when Alexander crossed into Asia; he may instead have awarded it to the Samians, if he arbitrated on this issue at all. ${ }^{7}$ Or they may have lost the land at some time between the reign of Alexander and that of

Lysimachos. ${ }^{8}$
Apparently the Prienians were the first to approach the king, and request the restoration of property which they claimed was rightfully theirs. Lysimachos thereupon may have requested envoys from both cities to state their claims (the Prienians for the second time) in a formal setting. ${ }^{9}$ What the final judgement was is impossible to say for certain, as the inscription breaks off. It is probable, however, that the Batinetis was awarded to Samos. ${ }^{10}$ The tone adopted by Lysimachos at the start of the letter, where he in effect apologizes to the Samians for having
 '́ $\Pi \epsilon c \pi a c a ́ \mu \epsilon \ni \sigma$ iǹ $\gamma$ крíc(v) indicates that he must have believed the Samians to have the prior claim. If he thought their claim strong enough that he would not even have convoked a court had he known of it, it seems most unlikely that he would have awarded the land on this occasion to Priene. There is also the supporting, though not conclusive, evidence of the provenance of the inscription. The fact that it was published at Samos may lead one to conclude that the judgement was favourable to that state. ${ }^{11}$

The land in question here is that part of the Samian Anaia called $\dot{\eta}$

Batıи́тic $\chi$ ¢́pa. As far as the territory as a whole was concerned, this judgement of Lysimachos was apparently final. ${ }^{12}$ At any rate, there is no further evidence for any later arbitration involving the entire Batinetis. The Rhodian arbitration from the first part of the second century ( $=92$ ) appears to be concerned with only a part of the Batinetis, the fort called Karion and the area called Dryoussa lying around it. ${ }^{13}$ The Rhodian court awarded these possessions to Priene. Manlius Vulso gave them to Samos shortly thereafter in a decision which was reversed some fifty years later by the Roman senate. 14

It would seem, however, that in the early third century Samos did not in fact receive all the land in question. In the evidence adduced before the Rhodian court almost a hundred years later, Priene claimed to have held the possessions in dispute at that time, that is, Karion and Dryoussa, ever since the decision of Lysimachos. ${ }^{15}$ If this later Prienian claim is to be believed, Samos admitted in its depositions to Lysimachos that Karion belonged to Priene. ${ }^{16}$ Presumably, then, in the early third century, Samos may have been allowed to retain the majority of the coastal plain, while Priene was conceded the strategic fort and the land immediately surrounding it.

This inscription, when viewed together with the later ones dealing with the dispute between Samos and Priene, reveals something of the kind of evidence that might be offered in an arbitral court. The envoys from Priene offer proof of their claim ${ }^{2 \prime}$ E $\tau \in \tau \hat{\omega} \nu$ ictopt $\hat{\omega}[v$ кai $\tau \hat{\omega} \nu \stackrel{2}{\alpha}] \lambda \lambda \omega \nu$
 13-14). The reference to written histories to prove the priority of one's claims is borne out by the lengthier inscription recording the Rhodian arbitration. There the names of the historians and the side their evidence supports are given. It seems that Samos came off poorly at this later date as far as historical proof of its claims went. ${ }^{17}$ Nevertheless, Samos adduced historical evidence in Lysimachos' court as well: oi ठè Cá $\mu$ ol Tó
 kpícloc tâc Úmèp tô̂ Batıvítou. 18 Most of the historians cited in the later inscription, some of which may have been cited here, since Karion and Dryoussa formed part of the Batinetis, assigned the fort to Priene at an early date. ${ }^{19}$ This may explain why, in an arbitration whose outcome seems to have been generally favourable to Samos, this section of the Batinetis was given to Priene. Priene's claim to the entire Batinetis was
based on priority of possession and it may be that it was only able to prove satisfactorily its claim to Karion and Dryoussa. It is also possible that Samos's claim also went far back in time, too far back for Lysimachos to disturb matters now. ${ }^{20}$

Among other evidence adduced was the information given in the six years' truce, which dated back to the sixth century war. ${ }^{21}$ The Prienians also cite $\delta$ tkat $\omega \mu a t a$, which may simply be a general term for their official documents which they entered in pleading their case, or which may have been actual evidence from earlier tribunals. ${ }^{22}$

This is one of the very few cases in which it is possible to see the personal presence of a Hellenistic monarch himself in an arbitration. ${ }^{23}$ While it is always tempting to read into the arbitration of a monarch an exercise of personal power, ${ }^{24}$ in this case Lysimachos does seem to have been a neutral arbiter. There is evidence of good relations between Lysimachos and Priene at this time, yet he does not appear to have favoured it in his court. ${ }^{25}$

1 Cf. Piccirilli \#4. The inscription cited in part (IPriene \#37) provides a date for the arbitration of Lysimachos: 283/2, very late in his reign. See Hiller von Gaertringen, IPriene *37 and *500.

2 Hicks p. 260. The Batinetis ("the Brambles") is the only district mentioned by name in the third century inscription (1. 12). For the other regions, see *92. On the geography of the region see Shipley pp. 33, 267.

Meyer pp. 80-81.
4
11. 14-20. The Lygdamis mentioned in our inscription would probably have been the Kimmerian leader Tugdamme (see RE SV "Lygdamis (1)"; Lenschau pp. 128f., Dittenberger OGIS p. 41, Welles p. 48, Piccirilli p. 21), and not, as Hicks thought, the tyrant of Naxos. The history of this particular piece of land goes back even further, however, as we discover from IPriene *37 1. 56 ( $=92$ ). The land had once belonged to the small Karian state of Melia; when it was conquered around 700 B.C. by the combined forces of the Ionians, Its land was divided between Samos and Priene. See Dittenberger OGIS p. 38; Piccirilli p. 20. In the later arbitration of the Rhodians (11. 118f.), it was judged that at this early date Priene had received Karion and Dryoussa, and Samos Phygela. On the early history of this dispute, see Wilamowitz pp. 38f., Lenschau pp. 125f., Hicks BMus 111.1 pp . 1 f .

5 II. 20-24; Plutarch Aetia Graeca 20, p. 295 F-296B. See Piccirilli *4. It is this war to which the six years' truce of 1.13 refers. Welles ( p . 49) suggests that Bias may well have made "liberal concessions" in order to secure the withdrawal of the Samians, since it seems unlikely that they would withdraw amicably when they were the victors. As Welles points out, it would be interesting to have the Samian reply to this Prienian statement. On the conflicting evidence of Plutarch, and Priene's claims regarding this sixth century war see Welles pp. 50-51, and Piccirilli.

6 In the mid-fifth century the area may well have been in dispute again, when, according to Thucydides 1.115 , Samos and Miletos were at war for the possession of Priene ( $\pi \in p i$ Прín $\nu \eta \mathrm{C}$ ). Although this incident was of ten brought up in discussions of the long-standing quarrel between Samos and Priene over the Batinetis, Karion and Dryoussa, (cf., for example, Hicks and Berard) it is really not related. See Dittenberger OGIS p. 38, and Piccirilli *22.

For a possible reference to the eternal Samos-Priene dispute in an Athenian decree from the beginning of the third century honouring a

Prienian citizen, see A.G. Woodhead Hesperia 29 (1960) pp. 81-82, *157.
7 IPriene *37, II. 146-47, may indicate that Alexander ruled on the issue of Samos and Priene when he was in Asia. Alexander's name appears in the context of evidence adduced by the Prienians before the Rhodian tribunal, a fact from which we might infer that Alexander had awarded the land to Priene.

8 See Tod pp. 89-90.
9 It seems clear from the wording of the document that the Prienians had already stated their case once before (1. 8: toîc прótєpov [ $\lambda$ óyolc]). Cf. Dittenberger OGIS p. 39.
${ }^{10}$ Berard (p. 55) sees here two judgements by Lysimachos. In the first case, the Batinetis was adjudged to the Prienians, who had accused the Samians of usurping it. The Samians then appealed again to Lysimachos, who again heard the legates from both sides; the letter he sent to them both excuses and confirms his first sentence awarding the land to Priene.

That the land went to Samos is agreed by most scholars (cf. Böckh, Dittenberger, Hiller von Gaertringen, Lenschau, Röhl, Welles, Wilamowitz); that it went to Priene was claimed by Hicks and Berard (although the latter admits the difficulty of saying for certain, given the condition of the stone).

11 Cf. Lenschau pp. 201f.; Dittenberger OGIS p. 39. Lenschau argues that if Priene had been awarded the Batinetis in the time of Lysimachos, they would have referred to this at IPriene *37 II. 126f. Dittenberger raises the point that the only documents found at Priene regarding this case are those which are favourable to Priene, the Rhodian judgement (*92) and the later senatus consulta (cf. *115), while this judgement of Lysimachos appears nowhere at Priene, nor is there any contemporary evidence at Priene for the judgement of Manlius Vulso (*115), which was also favourable to Samos. (Our evidence for the decision of Vulso does in fact come from Priene, but only from a much later document recording a decision which reversed Vulso's unfavourable one.)
${ }^{12} \mathrm{Cf}$. Tod Sidelights pp. 53f.; Welles p. 48 . The Batinetis is mentioned in IPriene *37 (1. 45), but the fragmented context tells us nothing.
${ }^{13}$ IPriene \#37 11. 9, 26. That Karion and Dryoussa were part of the Batinetis, see Dittenberger $\underline{0 G I S}$ pp. 39, 40, 43, SIG ${ }^{3} * 88^{4}$ ( $=115$ ); Piccirill pp. 19-20.
$14: 115$.
 тâc $\chi$ ผ́pac tâc $\pi \epsilon$ рi tò بpoúpiov.

Cf. SIG $^{3}$ *6884: [Lysimachus] Batinetidem Samiis, Dryussam modo regionem Prienensibus attribult. See also Lenschau pp. 202-3; Lécrivain pp. 12-13.

$$
16
$$

IPriene \#37 1. 130. See also Hicks BMus III.1 p. 4.

## 17

IPriene 37 11. 118 f.
18
IPriene *3711. 101 f.
19 The incident under discussion by the historians listed in IPriene * 37 was the allotment of the lands after the Ionian war against Melia. Priority of possession, or at the least duration of possession, was clearly a factor in arbitral judgements, as the attempts of both sides to establish their own claims in this inscription show. Cf. Dittenberger OGIS p. 43 (on 1. 25): Apparet hinc quoque, in possessione quidem tum fuisse Samios, sed in eo cardinem litis verti, utrum ea possessio antiquissima sit, ut ipsi Samii, an novicia, ut Prienenses dicebant. Samos apparently did not dispute here Priene's claim to original possession, but Priene definitely disputed Samos's claim to a lengthy occupation lasting up until the moment of Lysimachos's arbitration.

20 The date of Samos's occupation of the land could go as far back as just after the war settled by Bias, a period of some 300 years. The Samians did claim to have inherited the land from their ancestors. See Welles p. 49.

## 21 See Ténékides p. 547.

22 Wilamowitz p. $43^{5}$ thinks that the term refers to the minutes of earlier arbitration courts. See Welles p. 49, and appendix sv $\delta ı k a i ́ \omega \mu a$.
${ }^{23}$ Cf. Welles p. 51; Préaux Monde pp. 422-23, who compares Antiochos III's reconciliation of the Aradians (Polybios 5.68, 7); Heuss p. 144; Klose pp. 144-45624.

24 Cf. Corradi pp. 23-24!. Shipley (pp. 181-82) suggests that Lysimachos' willingness to carry out this arbitration was a belated attempt, in the aftermath of his son's murder, to better his poor public image with the Greek city-states of Asia generally.

25 Cf . OGIS * 11 , a decree of a grateful Priene honouring Lysimachos.

## *29: Rome and the Italian Greeks/Pyrrhos 280

Dionysios of Halikarnassos 19.9, 2-4; Plutarch Pyrrhos 16, 3; Zonaras 8.3, 4.

Berard "27; E. Bickerman CPh 42 (1947) pp. 137-46; de Ruggiero p. 65; P. Garoufalias. Pyrrhus King of Epirus (London 1979) pp. 70-71, 336; Gruen I.100; P. Léveque. Pyrrhos (Paris 1957) pp. 319-21; Matthaei CQ p. 254; Schmitt *467; Will I ${ }^{2}$ pp. 120 .















 סvvá́uпข."


 каì $\delta \iota a \lambda \lambda а к т n ̂ ~ \chi \rho п с а \mu ́ ́ v o u c . ~$



The literary texts cited above tell of the message which Pyrrhos purportedly sent to the Roman consul Laevinus prior to the battle of Herakleia, which Pyrrhos and his Tarentine allies fought against the Romans in the summer of 280 . Both Dionysios of Halikarnassos and Zonaras (Dio Cassius) report that this message was contained in a letter to Laevinus, a letter which Dionysios claims he is quoting. Plutarch, on the other hand, states that the contents of the message which Pyrrhos sent to the consul were conveyed indirectly by means of a herald.

The message is an offer to arbitrate between Rome and Pyrrhos's

Greek ally, Tarentum. The Tarentines had invited Pyrrhos into Italy so that he could aid them, in the capacity of a hegemon in their struggle with Rome. According to Dionysios, Pyrrhos rather arrogantly advised Laevinus to submit the Roman disputes with Tarentum, the Leucanians and the Samnites to him for resolution. ${ }^{1}$ Pyrrhos promised to arbitrate with strict justice, and to ensure that his friends would pay whatever amends he judged. He suggested that the Romans on their part should offer securities to guarantee that his settlement would be adhered to. In return for a positive response to his suggestion of arbitration, he offered peace and alliance with himself. If the Romans should refuse his offer, then the threat of coercion is implicit in his assertion that he will not allow Rome to harm his allies. Zonaras also records that Pyrrhos will force justice on unwilling participants. ${ }^{2}$

Plutarch records a less precise, and in many ways more believable, message. ${ }^{3}$ He states simply that Pyrrhos, hearing of the approach of the consular army, marched out with his troops, but sent a herald ahead. The herald conveyed to the Roman consul Pyrrhos's offer to act as סukactìc kai $\delta ı a \lambda \lambda a \kappa t i ́ c$, provided that the Romans would be interested in

tone of the offer is much less arrogant than the one recorded by Dionysios.
The letter to Laevinus and offer of arbitration have, with a few exceptions, been presumed to be apocryphal. ${ }^{5}$ Nevertheless, there are certain points in favour of accepting as historical the facts which lie behind the letter if not the letter itself. The most extensive examination of the passage in Dionysios was carried out by Bickerman. He claimed that the anachronistic and non-idiomatic Greek of the letter headings indicated a mid-second century BC date for its original composition, and a Roman author forging it in Greek. The best candidate for the position of the Roman author, Bickerman believed, was C. Acilius, the Roman senator and annalist. ${ }^{6}$ Based on the similarities in the letter to certain aspects of Greek (not Roman) arbitration, which a Roman annalist might be unlikely to invent, Bickerman argued that Acilius constituted his forgery from historical fact, and that an offer of arbitration was actually made. ${ }^{7}$

Rome did not accept Pyrrhos's offer of arbitration, which is scarcely surprising. Even if Pyrrhos believed that he could claim to be a neutral judge when he was allied to one of the belligerents, it is unlikely that Rome could accept him as such, even if the Romans were in the habit of submitting to arbitration. Bickerman claimed that Pyrrhos's offer was
sincere, and arose from his original agreement with the Tarentines, which was to help them settle their differences with Rome. While it is perhaps too much to say, with Lévêque, that Pyrrhos'ṣ warlike character would never have allowed him to attempt arbitration, it is surely naïve to claim that Pyrrhos's ambitions were only limited to aiding Tarentum, or that an attempt to arbitrate would have been an ordinary first step at this juncture.

It seems, rather, that Pyrrhos's attempts to negotiate a settlement between the Romans and the Tarentines were a result of the unexpected military circumstances in which he found himself on his arrival in Italy. A large part of his force had been lost in crossing of the Ionian Sea, the Tarentines had turned out to be apathetic allies, and the other Italian allies did not arrive in time for the battle of Herakleia. ${ }^{8}$ Pyrrhos did win the battle which was eventually fought, but at the cost of a large number of his best men. It should not be surprising if he had attempted, under the circumstances, to negotiate rather than fight. As well, since he had not yet declared himself an open enemy of Rome, he might still have hopes of taking on the role of an arbitrator who had come to settle the dispute between the Italian Greeks and Rome. ${ }^{9}$
 recording instances of arbitration. See LSJ sy I.4.

2 Pyrrhos is the ally of the Tarentines, and makes it clear that he will fight with them if Rome refuses his offer. But in the meantime, before he has irrevocably committed himself to war with the Romans he can still advertise himself as a prestigious neutral to whom they could turn for arbitration. For a similar situation, in which ally and mediator are the same, cf. $=100$, and Bickerman p. 144.

3
Bickerman (p. 141) suggests that Plutarch as well as Dio (and Zonaras) used the letters of Pyrrhos and Laevinus as given by Dionysios; however, the fact that Plutarch does not quote a letter as such, but rather states that Pyrrhos conveyed his offer by means of a herald, suggests that he may have had some independent source.
 (Saun 10.2) reflect this initial offer, since at the point where Appian inserts them (in the speech of Appius Claudius Caecus, after Herakleia, when Pyrrhos was attempting to conclude a peace treaty) the reference to Pyrrhos's pretensions to be a judge or arbitrator is less appropriate.

5 See Lévêque pp. 319-21 and Garoufalias pp. 336-3784.
6 Bickerman pp. 140-41. Cf. Schmitt p. 108. Lévêque raises the point that if Acilius knew Greek well enough to write his annals in that language, he should have know it well enough not to make such detectable errors. This would not necessarily follow, however, in the case of formal phraseology from more than a century before Acilius's time; he could be thoroughly versed in Greek and still make such errors. Lévêque's other criticisms are not convincing either. He does not see how the letter of Pyrrhos could have survived to as late a date as the end of the second century, but Bickerman did not argue that it did. Lévêque also argued that it would not have been in Pyrrhos's nature to suggest negotiations here, when what he wanted was to make war. This seems the weakest point of all, particularly in light of Lévêque's own judgement on Pyrrhos elsewhere
(p. 532: "un politique avant d'être un homme de guerre."; cited by will ${ }^{2}$ l.126).

7 Bickerman pp. 141f., who cites various other cases to display some of these similarities. For example, the intervention of a third power in order to arbitrate an international dispute: *6, 91 . Cf. as well the attempts on the part of various Greek states to bring about a settlement in the First Macedonian War (*61). There, as here and in *6, Rome refused to accept the mediation of a third party (cf. Gruen I.100, de Ruggiero p. 65). The suggestion that sureties be given to ensure adherence to the arbitration: $=51$. Cf. Schmitt p. 108.

8 Plutarch Pyrrhos 15-17. Cf. Lévêque pp. 318, 321; Win1 ${ }^{2} 1.124$.
9 Garoufalias (p. 337) suggests that, if all else failed, Pyrrhos' offer of arbitration would at least have had the effect of making the Romans appear as "irreconcilable imperialists".

## *30: Two Unknown States/A Dorian State c. 280 [?]

Fragment of a marble stele discovered at Delphi. H.: $0.155 \mathrm{~m} . ;$ w.: 0.10 m.; d.: 0.06 m .7 lines.
H. Pomtow Klio 18 (1923) p. 264, *202; *Crönert SEG II.259.

$$
\begin{aligned}
& \text { [- . . . - ék]aтє́pa à [ пóдıc - . . - - ] }
\end{aligned}
$$

$$
\begin{aligned}
& \text { vacat }
\end{aligned}
$$

7: supplied by Crönert. пpa\}áatt kaì kat[a]: Pomtow.

This is another inscription of which we have so little left that only a tentative claim can be made for it being a case of arbitration. Pomtow, the first editor, thought it to be so largely on the basis of the judges perhaps mentioned in line 3.' This assumption is borne out by the references to ékatépa à nó $\lambda ı c$ (lines 2, 6) and possibly to deposition (of pleas or testimony?) in a lawcourt (? line 4).
 deposition of documents relative to the case, although it must be remembered that $\delta$ ıкасtínpıov is restored. Perhaps line 5, кaì ä $\lambda \lambda a \nu$ áçpáyıctov, is a partial reference to whatever documents were meant.
 taken out of court, may be what is missing here. These suggestions come from another case of arbitration, the detailed inscription documenting the dispute between Kalymna and Kos which was arbitrated by Knidos. ${ }^{2}$ That inscription refers to the deposition of pleas and evidence. ${ }^{3}$ A later passage in the same inscription refers to the taking of written testimony beforehand, as opposed to the physical presence of a witness in court. ${ }^{4}$ This testimony is to be provided to the other state in copies both sealed
and unsealed. Sealed and unsealed testimony may be present in our document $* 30$ as well (line 5). Sealed written testimony had the same legal validity as the sworn oral testimony from which it was taken; unsealed testimony did not, and was meant to be distributed for informational purposes only. ${ }^{5}$

There was also apparently a fine to be paid, perhaps as security to ensure compliance with the court's decision. ${ }^{6}$

Pomtow dated this inscription to the mid-third century, based on the similarity of its lettering to that of the Deiphi-Pellana cú $\mu \beta \circ \lambda a$, which was dated to the middle of the third century. ${ }^{7}$ However, the latter treaty has since been backdated to c. 285-280, and it is possible that this arbitration fragment should also be dated to the earlier period. ${ }^{8}$

1 He based both his decision to restore [8ıkact]aîc or [крıt]aîc here
 of international arbitration on the large number given in this line (sixty, or perhaps sixty-one, to ensure an odd number; cf. the sixty-one Athenian judges in the dispute between Thronion and Skarphai, FDelphes III.4.39, and Bourguet's comments at FDelphes III.1.362 [ ${ }^{*}$ 22]). His initial assumption,
 to me unwarranted.

2
Pomtow cited this inscription ( $=24$ ) as an example.








 є́yนap|[tup]nงท่̂.

5 RIJG I.174.
6 Crönert's restoration of line 7 would mean that the finance officials would exact whatever fine was set down, and register or deposit it in the temple ( $\epsilon$ íc tò í $\epsilon \rho^{\prime}$ ), perhaps acting as a kind of public bank. The tamiai would be officials of the arbitrating city, and it may be that the amount of money was meant here not as a fine for non-compliance, as in *51, 52 , 99 , but rather as security to ensure compliance, as in the much later arbitration of Knossos between Lato and 0los (516 ${ }^{3}$ *712); this would fit better with Crönert's suggestion regarding the temple.

7
FDelphes III.1.486.
8 See S. Cataldi ASNP 1977, 2, pp. 458-573 (cf. SEG XXVII.116) for the backdating of the Delphi-Pellana treaty.

## *31: Dymai [?] and an Achaian State/The Achaian League [?] After 280 [?]

Two marble fragments, inscribed on both sides, discovered at Olympia. I: h. $0.09 \mathrm{~m} .$, w. 0.10 m , d. 0.04 m . II: h. $0.07 \mathrm{~m} .$, w. 0.07 m ., d. 0.04 m. 13 lines.
W. Dittenberger ArchZeit 37 (1879) p. 126, *255; *Dittenberger/ Purgold LOlympia *51.

## Tod *80.

I:



5

-............- - $p u^{-}$

II:


10 [ảnò סè tâc пó $\lambda 10 c$ tâc - - -] $\omega v$. 'Apíctap[xoc - - - - - -]


[- - - . . . . . . . . - - кр]ıтаі - . . . . . -

This extremely fragmented inscription was thought by Tod to refer possibly to an arbitration within the Achaian League. ${ }^{\text {I }}$ The first legible phrase in this document (kaì áyypá $\psi a[$ []) probably refers to a provision for publication. It is possible that, as in cases of other public documents and treaties, the inscription was to be published at a number of different sites. A popular repository for such inscriptions was an important international sanctuary, such as Olympia. ${ }^{2}$

There seems to be a reference to a possible fine [?] of a thousand
drachmas. The amount ( $1 / 6$ of a talent) is not very large in terms of amends to be paid by a state; it would be more suitable to an individual fine. ${ }^{3}$

The mention of the damiorgoi in the following line does little more than affirm that this is indeed a public document of the Achaian League. If it is an arbitration between two Achaian states, then the judgement would have taken place under the auspices of the League, and the League may have delegated another member state or states to act as the arbitrator. ${ }^{4}$

The second part of the inscription consists of a list of names, and the presence of the name $\Delta v \mu \alpha[] \omega \nu$ in the genitive indicates that this is a list of representatives from two or more states, including Dymai. ${ }^{5}$ it could be that this is the list of envoys or advocates from the states who were in dispute (assuming once again that this is an arbitration), while following the list of advocates there would be a list of the judges ([kp]ıtaí).

The original editors of this inscription dated it by its lettering to the third century BC , before the "heyday" of the Achaian League. ${ }^{6}$ Perhaps it falls after 280, the "restoration" of the League, and before about 250 , when the League began its expansion under Aratos.

1 While the original editors (Dittenberger/Purgold) realized that this was a public document having to do with the Achaian League, and while they compared it with another case of arbitration (*128), they never committed themselves to a judgement on this fragment.

2 Cf . 34, and 22 , 36: the inscriptions were discovered at Delphi.

3 Cf. ${ }^{99}$, where fines are set out for both state and individual: 20 talents for a state, 5 talents for an individual. Cf. also $=51,=52$. For a 1000 drachma fine for an individual, cf. 93.

4 Cf. 43, where the Achaian League appointed Megara as arbiter between Korinth and Epidauros, and perhaps *41, where Dymai is mentioned as the provenance of some of the judges. On the damiorgoi of the Achaian League, see Larsen GFS pp. 22 If.

5 Another possible genitive ending occurs in 1. 10. Dittenberger/ Purgold compare IOlympia \#46 (*128) II. 4-9 with 11. 8-12 here, the list of representatives from various states. In * 128 it is the list of representatives from the litigant states. The editors point out that it is not out of the question that 1.12 could read [tâc $\varphi u \lambda \hat{a ̂ c} \tau]$ âc $\Delta u \mu a ́[\nu] \omega \nu$; they refer to $\underline{G} I V^{2} .1 .71(=43)$, where the list of judges was broken down by tribe). On the other hand, they think that this is quite unlikely here.

6 IOlympia p. 102.

## *32: The Hypoknemidian and Epiknemidian Lokrians [?]/ Larisa [?] <br> Shortly before 278/7 [?]

A fragment of an inscription from Delphi. H. (max.): 0.22 m.; w. (max.): $0.225 \mathrm{~m} . ; \mathrm{d} .: 0.05 \mathrm{~m}$.
H. Pomtow Klio 18 (1923) p. 261, \#201; Crönert SEG II.264; *G. Daux

BCH 66/67 (1942/43) pp. 143-146.
Daux Delphes p. 336.

 -]: Pomtow. || 3: [Niкoסрó $\mu o t o ~ \theta] \in \rho c o u v i ́ \delta a o: ~ s u g g e s t e d ~ b y ~ P o m t o w . ~| | ~ 5: ~$ ou૭ıcıev סıkactai: Pomtow. Эí(є)lev: Hiller von Gaertringen. Sıkactaì éc toûv [по入ıtáouv ámávtouv]: suggested by Pomtow. [кגap]ouvєî́v סıkactai éc toûv [mo入ıtâv návtouv]: suggested by Robert. I| 6 : [ékat?]òv wápoc ể $\lambda \lambda$ áßolev oi orol[-]: Pomtow. ópol [toûv]: suggested by Crönert. 'Oח̣óv [тıol]: Hiller von Gaertringen. II 7: [тplá?k]ovta katà


 'Ágoucíoụ[v], Пaucavíl ac.]: Pomtow.

This heavily mutilated inscription from Delphi was thought by Pomtow, the first editor, to refer to a group of six hundred $\delta$ ikactai.' The dialect points to Thessalian Pelasgiotis, and Pomtow had no doubt that the
decree (and the judges) emanated from Larisa. ${ }^{2}$
As usual, the large number of judges may point to the "democratic" ideal of equity rather than expertise. ${ }^{3}$ Pomtow speculated (surely on the basis of statistical probability) that the point at issue was a boundary dispute. He suggested that Opous, an important town in the ethnic group of the Hypoknemidian Lokrians, might be one of the parties to the quarrel. ${ }^{4}$

Based on the dialectal forms, Pomtow would have assigned this inscription to the middle of the third century. ${ }^{5}$ However, he did not believe the political circumstances of the time to have been suitable: Larisa, during the century when the Aitolians controlled Delphi, should not have been in charge of a boundary arbitration in Delphi. Nevertheless, since the dialect demanded that the text be dated as early as possible, the inscription should be referred to a date as close to the liberation of Delphi as possible. Pomtow therefore dated this arbitration to 189 or 188 , when the new Thessalian koinon was instituted, with Larisa as its capital. This arbitration, then, might be connected to the general redrawing of boundaries following the defeat of the Aitolians in their war with Rome.

Daux, on the other hand, preferred to adhere to a third century date, nearer the beginning of the third century than the middle. This would mean
that this arbitration might be dated to the period shortly before the Aitolians began their domination of the Delphic Amphiktiony. Thessaly provided the arbitrator, although it may well not have been Larisa. He further pointed out that there is no way of knowing if this was a boundary arbitration, and suggests that another alternative might be a dispute between the Hypoknemidian and Epiknemidian Lokrians over the representation of East Lokris in the Amphiktiony. ${ }^{6}$

1 For the extremely large number, compare the 600 judges of Miletos who arbitrated in the dispute between Sparta and Messene (SIG ${ }^{3}{ }^{*} 683$; see *54).

2 See Pomtow p. 261 for a discussion of the dialectal forms; and see pp. 261-62 for the prosopography of the decree, which points "decidedly" to Larisa-Krannon (Pomtow's prosopographical restorations are recorded in the apparatus). See also Daux BCH pp. 144-45.

3 Cf. Pomtow p. 262: "Daher kann man in unserer Z. 5 statt E ETTOYA des Inv. ergänzen סıкactaì éc toûv [no $\lambda_{t}$ áouv ánávtouv]."

4 p. 262: "...vielleicht verbirgt sich der Name eines der Kontrahenten in Z. 6, wo man of 'Onoú[ $v$ tiol] ergänzen möchte."

5
p. 263.

6 BCH p. 146.

## *33: Phalasarna and Polyrhenia/Sparta Before 275 [?]

Stele discovered in the ruins of the Diktynnaion on the peninsula of Tityros in west Crete. H.: $0.98 \mathrm{~m} . ;$ w.: $0.555 \mathrm{~m} . ;$ d.: 0.135 m .8 lines.
*Guarducci IC II.xi, pp. 131-33, *1; Schmitt * 471 .
G. Cardinali RSA 9 (1904) pp. 70f.; G. de Sanctis MonAL 11 (1901) pp. 494-96; SEG XXV.1027; van Effenterre pp. 203, 248.

$$
\theta \in o i ́
$$

 $K \lambda \in \omega \nu$ ú $\mu 0 \cup$ [ $K a i]$
 It
 5 - . . . . . . . . . - -v kaì - . . - tà̀ aưt $\hat{\imath} v$. кат .



 -]?: Guarducci. |l 5: EKAT: de Sanctis. ékat[ єpo--]?: Guarducci.

This fragmented inscription from a sanctuary of Artemis Diktynna in western Crete is a record of a treaty between the two states of Phalasarna and Polyrhenia. The agreement is said to have been made "in the presence of" Kleonymos and the other Lakedaimonians sent by the people of Sparta. ${ }^{1}$ This may be a reference to a previous request from the
two states involved for an embassy which could arbitrate a treaty between them. ${ }^{2}$ It is possible, on the other hand, that Sparta took the initiative in seeking out the role of mediator here. At this period it seems to have had an extensive interest in Cretan affairs. At any rate, Sparta's involvement in Crete at this time would have made it a natural choice as arbitrator.

The Kleonymos who was sent to Polyrhenia and Phalasarna was undoubtedly the younger son of Kleomenes II, the Kleonymos who in 273 attempted a coup at Sparta with the aid of Pyrrhos. ${ }^{3}$ Since the embassy mentioned in this inscription was clearly an official one sent by the Spartan people, and since Kleonymos was a part of it, it must predate Kleonymos's exile and attempted coup.

1 1. उ: oûc áméctelice . o . . alc ó $\delta$ â $\mu \mathrm{oc}$ it . . . . . Although the name of the $\delta$ âpoc referred to here has been lost, it seems fairly clear from the context that the Spartan people is meant (Schmitt p. 117, van Effenterre p. 2036). Nevertheless, Guarducci (p. 133) argued the possibility that the letters " $\mathrm{It-"}$ at the end of v .3 indicated that there might be a reference here to Kleonymos' expedition to Italy in 304 to aid the Tarentines. In her view, Kleonymos would have gone first to Crete, perhaps in order to augment his mercenary force before heading to Tarentum, and while there he would have ordered the affairs of Polyrhenia and Phalasarna. Guarducci's reconstruction of events does not, however, appear to be feasible. Kleonymos is said to have gone to Italy without delay (cuvtó $\mu \omega \mathrm{c}$; Diodoros 20.104, 2), and the lettering of the decree is
also too late to suit the end of the fourth century (van Effenterre, p. 203). Moreover, the diplomatic intervention of Sparta in Crete accords better with events of a somewhat later period: cf. the honours accorded to the Spartan king Areus by Polyrhenia (IC II.xxiii *12A), the appearance of Sparta in an inscription from Aptera (IC II.iii *16), the Spartan aid under Areus to Gortyn in 273 (Plutarch Pyrrhos 27), and the Cretan alliances with Sparta in the time of the Chremonidean War (SIG ${ }^{3}$ *334-5 II. 25f.). See de Sanctis p. 495, van Effenterre pp. 203, 248, Schmitt p. 117.

2 For other examples of a treaty being concluded with the aid of a third party, cf. *83, *90, *129. Cf. also for an earlier case involving Crete and the Greek mainland, Piccirilli *18, *19 (Knossos and Tylissos/Argos).

3 Plutarch Pyrrhos 26f. De Sanctis p. 495; Guarducci p. 133; Schmitt p. 117.

## *34: Agrai and Stratos/The Aitolian and Akarnanian Leagues c. 263-262 [?]

A hollow bronze stele, engraved on both faces, discovered in the temple of Apollo at Thermon in Aitolia. The inscription contains information pertinent to both this case and $* 46$. The stele was constructed of four separate tablets: h.: $0.42 \mathrm{~m} . ; \mathrm{w}$. (of the two broad faces): 0.36 m . (ave.); w . (of the two connecting narrow sides): 0.045 m .42 lines. Only the relevant part of the text is cited here.
G. Soteriades AE 1905 pp. 55f., "1; H. Swoboda Klio 10 (1910) pp. 397-98; Dittenberger/Hiller von Gaertringen SIG ${ }^{3}$ * 421 A; Schwyzer *381; *Klaffenbach IG IX².1.3A; Buck *67; Schmitt *480; J.J.E. Hondius. Tituli ad dialectos Graecas illustrandas selecti II (Leiden 1972) * 10.
K.J. Beloch GG IV. 1 p. 610; C.D. Buck CPh 8 (1913) p. 155; P. Cabanes, pp. 355-56 in La Béotie Antique (Paris 1985); G.N. Cross. Epirus (1932) pp. 128-34; Flacelière p. 192; M. Guarducci. Epigrafia Greca II (Rome 1969) pp. 547-49; C. Habicht Hermes 85 (1957) pp. 90, 94; G. Klaffenbach Historia 4 (1955) pp. 46-51; Klose p. 147; Larsen GFS pp. 266f., 304f.; E. Pozzi AAT

47 (1911/12) pp. 222f.; Préaux pp. 259, 297; A. Reinach JAN 13 (1911) pp. 236-39; idem REp 1 (1913) p. 395; SEG XV.358; Steinwenter p. 180; H. Swoboda Klio 10 (1910) pp. 397-405; Tod *28; P. Treves RFIC n.s. 10 (1932) pp. 276-77; T. Walek Klio 14 (1915) p. 468; A. Wilhelm SAWW 165.6 (1911) p. 37; Will ${ }^{2}$ pp. 227-28, 323-24.

## Cuvงŋ́кка кaì Cuицахía Aít $\omega$ गoíc kai 'Aкapvávoıc

 єípívav
 ä $\mu$ а-
 пот $\mu$ -
 Aít $\omega \lambda \hat{\omega} \nu \in \mathfrak{\epsilon} \mu \in \nu$, Tà $\delta \hat{\epsilon}$
 taútac $\delta$ è 'Akapvâv-
 $\mu \in ́ y$ ка Cтрátiol кaì 'Aypaî-
 $\mu \bar{\eta}$, 'Акapvâvec kaì Aít $\omega \lambda$ गò




This document, which records a treaty and alliance between the Aitolian and Akarnanian Leagues, was discovered in the temple of Apollo at Thermon, one of the sites of publication determined within the inscription. This is the Aitolian copy, as the Akarnanian one would have
been published in the temple of Apollo at Aktion. The other sites mentioned in II. 14f. were major international shrines: Delphi, Dodona and Olympia. ${ }^{1}$

The treaty between the two leagues is accompanied by certain boundary specifications. As these are the only qualifications mentioned in the treaty, it can be assumed that they represented the most important problems which had to be settled before its ratification. The other provisions of the treaty are all standard, and would not provide any occasion for disagreement. The boundary settlements, however, no doubt had to be negotiated before any formal agreement could be made. In addition, a possible future dispute is anticipated.

The conditions set out in the treaty designate the river Acheloös as the border between the two leagues, the territory to the west being Akarnanian, that to the east Aitolian. As has been pointed out by various scholars, this allowed Akarnania to retain Oiniadai, a contested possession. ${ }^{2}$ On the other hand, Aitolia, the stronger partner, was thus permitted to retain land it had conquered in $314^{3}$ In addition, Akarnania agreed to relinquish claims to Pras and Demphis, certain territories on the western bank of the Acheloös. ${ }^{4}$

The arbitration involved in this case is potential rather than actual. ${ }^{5}$ The land called Pras apparently lay to the north of the Akarnanian community of Stratos, between it and Aitolian Agrai. ${ }^{6}$ The Akarnanians had relinquished their claim to it, although it lay on the west bank of the Acheloös, but it does not seem that Pras was therefore automatically taken into Aitolian possession. ${ }^{7}$ Rather, provision was made for the two communities of Stratos and Agrai to reach some form of settlement between themselves concerning the boundaries of the land. If they could not reach an agreement, then outside authorities would take on the task of drawing the boundaries for them. ${ }^{8}$ These authorities were to take the form of a commission of ten representatives from Aitolia and ten from Akarnania. The various cities belonging to the two leagues were to be responsible for supplying the commissioners, although in the interests of objectivity, Stratos and Agrai were naturally excluded from this. The judgement of this commission was to be final and binding. ${ }^{9}$

The date to which this treaty should be assigned has been for long a vexed question. The most reasonable reconstruction of events would place it during the Chremonidean War, around 263 or $262 .{ }^{10}$ The terminus post quem for this inscription can be deduced from the fact that one tauíac of
the Aitolian League (line 21) is from a town in Doris. The inscription must therefore postdate the annexation of Doris by Aitolia, an event which probably took place in $271 /$. $^{11}$ The terminus ante quem is the agreement between Epiros and Aitolia over the partition of Akarnania. ${ }^{12}$ Most probably the treaty is to be dated to the time of the Chremonidean war. In 263 Alexander II of Epiros fled from Macedonian troops to Akarnania, which had been allied to his father Pyrrhos. ${ }^{13}$ The threat of Macedonian annexation of Epiros, and later perhaps of Akarnania and Aitolia itself, would have led the Aitolians to be reconciled with their old enemy Akarnania. This coalition could then have aided the restoration of Alexander around $262 .{ }^{14}$ Perhaps it was the imminent danger of war with Macedon that led the Aitolians to be so "generous" here, and that led the Akarnanians to renounce their territorial claims.

[^2]3 Diodoros 19.67-68. See Larsen GFS p. 267.

4 These names are otherwise unknown in this region, although "Pras" reappears as the name of a place in Thessaly near Narthakion; cf. SIG ${ }^{3}$ \# $4211^{4}$, Soteriades $\mathrm{p} .75,1 \mathrm{G} \mid \mathrm{X}^{2} .1$ p. 4. On the site of Pras, see Meyer RE supp. X (1965) col. 651.

5 Provisions in a treaty for eventual arbitration of disputes (although not always for one as specific as this) appear in $* 10, * 108$, *129, and SIG ${ }^{3} 712$ (from the end of the second century BC ). Cf. Préaux p. 259.

6 See $\underline{I G} \mid X^{2} .1$ addenda to \#3A (p. 82); Soteriades p. 75; $\underline{S I G}^{3} \# 421^{4}$.
7 Perhaps "Demphis", however, did become Aitolian, since we hear no more about it. On the other hand "Demphis" might have been some kind of topographical landmark, one which would have actually been part of "Pras", but which would have been distinctive enough to have been mentioned on its own the first time around.
 (1.11); $\tau \in \rho \mu a c t \hat{n} \rho \in c$ (1. 85). See Soteriades p. 76.

 Steinwenter p. 180. Klose (p. 147) saw here more of an arbitral "appearance" than a reality, presumably because of the obligatory nature arbitration could take on when a league was involved.

10 Soteriades (pp. 60f.) at first dated this agreement to the last years of the reign of Pyrrhos, i.e. 275-272. Reinach (JAN 13 (1911) pp. 234-36) suggested that Pyrrhos himself actually mediated between Aitolia and Akarnania here, about 273.

Swoboda, followed by several others (Buck, Hondius, Schwyzer, Hiller von Gaertringen [ $\mathrm{SIG}^{3}$ ], Wilhelm [SAWW 165.6 p. 37], Préaux) dated the treaty between 272 and early 265, i.e. just after the death of Pyrrhos, and before the Chremonidean War, though he preferred a date closer to the upper limit. Certain scholars took into account the mention of Doris in this inscription as part of the Aitolian League, while still following Swoboda's
early dating: Reinach (REp 1913 pp. 395-96) placed the annexation of Doris around 273 and the treaty shortly after, close to 270.

Flacelière ( p . 192) followed Swoboda's dating: in the years right after the death of Pyrrhos Aitolia would have allied with Akarnania through her fear of an imminent attack by Macedon. Since Flacelière dates the annexation of Doris to c. 270, in his view Klaffenbach's later dating (see the following note) was not necessary.

On dating this inscription to the time of the Chremonidean War: Cross Epirus pp. 131f. (266-264); M. Launey. Recherches sur les armées hellénistiques II (Paris 1950) p. 752 (263-262); Larsen GFS p. 304; Guarducci p. 547; Schmitt.
E. Pozzi, AAT 47 (1911/12) pp. 222f., held out for a significantly later date (c. 250-248), but his view is unsupported. See Reinach's criticisms (REp 1913 pp. 395-96).

11 Klaffenbach (KIio 24 and $\underline{I G I X} X^{2} .1$ p. xviii) first pointed this out and from it argued that the alliance postdated the years 269/68, that is the time when he believed the Dorians were brought into the Aitolian League (Beloch IV. 2 p. 393). See, however, Flacelière's point in note * 10 above, and the revision of dates by Bousquet (BCH 62 [1938] pp. 358f.), who placed the annexation of Doris in 271/0.

12 see Schmitt \#485.
${ }^{13}$ See Klaffenbach in Klio 24 (1931) and Historia 1955 (cf. SEG XV.358.) The exile of Alexander: Justin XXVI 2, 11. The treaty between Pyrrhos and Akarnania: IG IX2. 1.207.

14 Justin 26.3 , 1. Schmitt p. 144, Will ${ }^{2} 1.228$ and Larsen GFS p. 266 give concise descriptions of this reconstruction, most of which is a result of Klaffenbach's work.

## *35: Aigai and a Neighbour/Antiochos II 261-247

An inscription from the borders of the ancient state of Aigai (now the territory of Manisa in Turkey). 9 lines.

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P. Herrmann Denkschr. Wien. 77 (1) (1959) pp. 4-6, *2; *SEG XIX. 720 (after Herrmann); J. \& L. Robert REG 1960 *340.
R.E. Allen. The Attalid Kingdom (1983) p. 18.
CuvTákav-
тос \(\beta\) acı \(\lambda \epsilon \omega c\)
'Avtióxou ópol
Tîc Aỉaí̊oc
5 oi teง́єvtec
по̀ 'Ame \(\lambda \lambda\) '́ouc
тоบ̂ Mntpoó \(\omega\) -
[pou to]ט̂ Kג- -
[-- - - - - -
```

8-9: [тo]Û ka[tà - - oíkovónou or Siolkntoû or something similar: Robert.

This document records the delimitation of the boundary of the state of Aigai by a certain Apelles. Apelles appears to have been a royal functionary, as the king Antiochos is said to have prescribed this boundary demarcation. The Antiochos who appears here is thought to have been Antiochos Theos. ${ }^{1}$

There is little to indicate that this is a valid case of impartial arbitration. As in so many cases involving a Hellenistic sovereign, there is little to distinguish it from dictation. ${ }^{2}$ In addition, it may be that the land whose borders here touched those of Aigai may not have been that of
another city-state, between whom and Aigai the king or his agent might have arbitrated, but rather royal land, whose proceeds would go to Antiochos. ${ }^{3}$

Nevertheless, given the brevity of this inscription and the fact that it is difficult to make secure conjectures, as well as the fact that boundary settlements were so very frequently the result of arbitration, it seems not unreasonable to include this document.

1
The letter-forms indicate a date of around the middle of the third century. Antiochos II is known to have struck coins at Aigai. See Robert.

2
Cr. Allen p. 18.
3
See Robert.

## *36: Melitaia-Chalai and Peumata/Kassandreia

c. 260-250 [?]

A marble stele discovered at the temple of Apollo in Delphi; the inscription contains information pertinent to this case and the following one (*37). H.: $0.77 \mathrm{~m} . ;$ w.: (top) 0.39 m ., (bottom) $0.44 \mathrm{~m} . ;$ d.: 0.12 m .35 lines.
M. Laurent BCH 25 (1901) pp. 337-44, * 1; Kern IG IX. 2 add. p. xi, *205 II; Schwyzer (1923) *555; J. Bousquet BCH 82 (1958) pp. 67-69; SEG XVIII. 238 (after Bousquet); *Pouilloux EDelphes III.4.4.35I.
G. Daux BCH 63 (1939) pp. 158-59; Gruen I.98; H. Pomtow Klio 18 (1922/23) pp. 260-61; Raeder \#36; F. Stählin MDAl(A) 39 (1914) pp. 85f.;

Stählin pp．162－70；Tod \＃38．
［＇Apxóv］ṭ $\omega \nu$ 三́є $\nu \omega \nu$ оc По $\lambda u c a \omega \nu \epsilon$ íou，Kuvíckou －－окєíou，＇Ayávopoc Nıковоидєíou＇ảyaэ̂̂ı ［тúxクl＇т］áde ékplvav ol סıкастaì ék Kaccav－
 5 －－za入íac Catúpov，＇Apx́́ctратос Париеvíc－






 ［ $p a ̂ i \in p]$ ］òv，kaì ảnò toû ínpoû énì tò Maxúpor kaì ảmò ［toû M］akupíou $\epsilon$ €ì tà $\Delta ı к o ́ p u \varphi a ~ к a i ̀ ~ a ̀ n o ̀ ~ t \omega ̂ v ~ \Delta ı к о-~$
 ［ov ém］ì tòv Crov

1：［тay］$\omega$ ：Laurent，Kern，Schwyzer．［ảpxóvt］$\omega v$ ：Bousquet．｜｜2： ＇Ayávopoc $k \lambda \in о$ Bou $\lambda$ eíou：Laurent，Schwyzer；omitted by Kern． Niko月ou入cíou：Bousquet．｜｜2－3：＇Ayå̀ोl［túxn］：Laurent．｜｜3－4：

 ｜｜5：［．．．．］a入íac：Laurent，Kern，Schwyzer．｜｜6：［kou］，Mávधnc：Laurent． ＊Avधnc：Kern（following Hiller von Gaertringen），Schwyzer．［Tı］uávөnc： Daux，Bousquet．｜｜12－13：Boo｜［＇́́ou］：Laurent．

This inscription records the results of two boundary arbitrations between several small states in Achaia Phthiotis．The first（lines 6－16） dealt with a dispute between Peumata on one side and Melitaia and Chalai
on the other. The second (lines 16-30: 37) was between Peumata again, and the two towns of Pereia and Phylladon. In both cases Peumata lost. The judges of both disputes were five citizens from the Macedonian city of Kassandreia. The inscription also names twelve witnesses, nine of whom were from Phthiotic Thebes, and three from Demetrias. No doubt the judges and witnesses were the same for both arbitrations. The inscription is dated by the names of three magistrates. ${ }^{\text {' }}$

In the first case, the arbitration between Peumata and Melitaia-Chalai, the judges proclaim that their decision is that the disputed territory is to go to Melitaia and Chalai together. If this and the following case are indicative of competition between Melitaia and Peumata, then perhaps Chalai had turned to Melitaia for support in a struggle that really concerned land between Peumata and Chalai.

The Melitaians and Chalaians had escorted the judges over the land previous to their giving judgement. ${ }^{2}$ While the arbitrators apparently adjudged the entire land to the one side, nevertheless a border demarcation, very frequently an additional duty of the judges, had to be carried out to ensure that there would be no further dispute over details. ${ }^{3}$ This boundary demarcation begins from the same point as the one in the
following case; in this case we are dealing with the area east of the starting point, whereas the following case is concerned with the area west of this point. 4

 curious fact of having two separate states on one side of a land arbitration, led the first editor to think that the Melitaians and Chalaians also disputed the land between themselves. ${ }^{5}$ This explanation, however, seems to make awkward phrasing still more awkward and obscure. If Melitaia and Chalai had in fact reconciled themselves for the purpose of presenting a united front against Peumata, then it seems unlikely that the fact of their disagreement would receive notice in an arbitration procedure by judges to whom they would have refused to submit this alleged dispute. It may be that Melitaia and Chalai had some agreement whereby they made joint use of certain lands. ${ }^{6}$

The presence of Chalaian representatives in the border examination, and the absence of Phylladonians in the similar exercise in $=37$ may be a result of the status of these two communities vis-à-vis Melitaia and Pereia. If Chalai was fully independent, then she would have definitely
have been there to make sure that her own interests were served as well as Melitaia's. If Phylladon, on the other hand, was dependent in some way on Pereia, then perhaps her presence would have been deemed unnecessary. ${ }^{7}$

The dating of this inscription relies heavily on the letter-forms; traditional interpretation of them places this arbitration late in the first half of the third century. ${ }^{8}$ In addition we are provided with a terminus post quem in the founding of Demetrias, the provenance of some of the witnesses; and a possible terminus ante quem in the inclusion of Achaia Phthiotis in the Aitolian League. ${ }^{9}$ There is no mention of the Aitolian League in our inscription, and in fact it is the Macedonian influence which appears here, via Kassandreia and Demetrias. ${ }^{10}$

1 If the restoration [ápxóvt] $\omega v$, suggested by Bousquet, is correct, then the arbitration may have been dated by a reference to Melitaian municipal magistrates, as in $=59$ (so Bousquet pp. 68-69, and Daux p. 159). Some earlier scholars, reading [tay] $\bar{\omega} \nu$, argued that these would be federal magistrates, indicating the active presence of some kind of Phthiotic Achaian confederation (see Laurent's lengthy argument in favour of this, pp. 340, 343; cf. Raeder p. 76). One of the officials named at the end of the inscription (1.35) is called a трaпє $\zeta$ 自пnc; Laurent suggests ( $p$. 342) some kind of financial functionary, perhaps responsible for receipt of monetary guarantees.

2 Cf. ${ }^{2}$ 16, 22 (Col. I, II. 11-12: oi $\pi \in p ı n y o u ́ \mu \in V O 1$ ). Peumatan
representatives are conspicuously absent here, as they are in the following judgement. In $=16$ as well it is only the representatives from one side, as far as we can tell, who show the land to the judges; in $=22$, careful attention is paid to ensuring that representatives from both sides have the opportunity. Cf. also *69. It is difficult to believe that in a truly objective arbitration the envoys from one side or the other would be prevented from escorting the arbitrators over the territory concerned, as this would be an ideal opportunity for arguing one's case. It is also hard to believe that the Peumatans would simply have defaulted on their obligations, to their own detriment. However, as we generally have the publication of the decision from the winning side, that may account for the lack of attention given to the arguments of the losing side. Perhaps the judges did indeed examine the land in the company of the Peumatans; but the Melitaians would not necessarily record that fact in an inscription.

$$
3 \mathrm{Cf.}=1,=21,=43
$$

4 The starting point of both demarcations appears in 1.10 (ámò
 [ $A \cup \cup \lambda] \hat{\eta} C$ ). Of the five communities mentioned in this inscription (Melitaia, Chalai, Peumata, Pereia, Phylladon), the southernmost is Melitaia, the northernmost Peumata, and the other three are strung out in a rough arc between them, running from the northwest to the east: Pereia, Phylladon, Chalai (see the map in Stählin's article in MDAI(A)). Therefore, territory which Melitaia and Chalai shared should be land to the east of this starting point, land close to Chalai, to the south of Peumata and to the northeast of Melitaia.

[^3]6 Cf. the mutual use of a commonly held piece of ground in the agreement between Messene and Phigaleia, *45, I.13ff.

7 Laurent p. 340, suggests a sympolity between Pereia and Phylladon. Cf. Stählin p. 88; Raeder pp. 75, 76.

8 Cf. Laurent (c. 270-260). Schwyzer dates these arbitrations to c . 200, without any apparent reason; Kern to the second century on extremely tenuous prosopographical grounds (cf. Pomtow's criticism Klio 18 pp. 260-61). See Pouillloux pp. 5-6.

9 The founding of Demetrias: c. 290 . The inclusion of Achaia Phthiotis in the Aitolian League: c. 234 (Klaffenbach $\underline{\underline{G}} 1 \mathrm{X}^{2} .1 \mathrm{p} . \mathrm{xxii}$ ) c. 239 (Daux, with reservations).
${ }^{10}$ Cf. Laurent p. 343, Daux p. 158, Bousquet p. 67.

## *37: Pereia-Phylladon and Peumata/Kassandreia c. 260-250 [?]

In the same inscription as * 36 .
Raeder \#35. For further bibliography see the citations in *36.

[vav oí] Mє









［toû bou］तєîoc cíc tòv＇E入ınєîa kaì ảnò tn̂c Xapá－





 ［tov，E＇̛́］avסpoc＇AvtıBoúخou，＇Actoк $\lambda$ éac Xa－
35 ［рi入áolu $\Delta п \mu$ пtрреîc＇фavíac＇ictiaíou tрame－ ［ $\zeta i ́ t n c]$ ，Eưavסpoc Прштayópou，По入ítac Кад－ ［ $\lambda$ ecté］youc．

22：［．．．．］v9єıav：Laurent，Schwyzer．［．．．．］v૭єiav：Kern．［3－4］lıveıav：


 Wilamowitz，and the rest，as an Aeolism for ctó $\begin{gathered}\text { ouc．} \left.\| \frac{1}{25-26: ~} \operatorname{tin} \nu \right\rvert\, \text {［．．．}\end{gathered}$
 ．Jov：Laurent，Schwyzer．Xu｜［tpeî］ov：Kern（following Hiller von Gaertringen）．Xu｜［ ？$\uparrow$ pîv］ov：Bousquet．｜｜ 32 ：［ $\phi]$ ı $\lambda$ окра́тєoc：Laurent，Kern， Schwyzer．［ $\phi$ ］$\lambda$ okpátou：Bousquet．Eủpubátov：Laurent，Kern，Schwyzer．
 Schwyzer．＇Amп｜｜［นávt］ou：Bousquet．｜｜32－34：the names between Leon and Euandros were omitted by Kern．｜｜34：＇Apıctok $\lambda$ éac：Laurent，Kern， Schwyzer．＇Actok $\lambda$ є́ac：Bousquet．｜｜34－35：Xa｜c．．．．Jv：Laurent． xa｜［рíno］u：Kern，Schwyzer．Xa｜［pı $\lambda$ áo］u：Bousquet．｜｜ 36 ：Протayópou． Laurent．I｜36－37：Ka入｜［ $\lambda\left(y^{\prime} \epsilon \nu\right]$ ouc：Laurent，Kern，Schwyzer． $\left.\mathrm{Ka} \mathrm{\lambda \mid[ } \lambda_{ı c} \theta^{\prime}\right]$ ］vouc：Bousquet．

From this second arbitration by Kassandreian judges we learn that the territorial dispute between Peumata on the one hand and Pereia and

Phylladon on the other had already been judged once by Melitaia (lines



It seems probable that at this period both Melitaia and Peumata were trying to expand their territories. The communities lying between the two larger states may have been in some way reliant on Melitaia, perhaps forfeiting complete independence for the sake of protection against the aggrandizement of Peumata. ${ }^{1}$ Perhaps we see here the reason for the success of Melitaia; in effect, there may have been an anti-Peumatan coalition. ${ }^{2}$

Apparently the decision in this case also went against Peumata, which is scarcely surprising considering the choice of Melitaia as an arbitrator. ${ }^{3}$ After all, she had a border dispute with Peumata herself. Perhaps Peumata even requested the second judgement, in hopes of an unbiassed decision. But the Kassandreian judges upheld the first decision, making this the second time that they decided against Peumata. The presence of Melitaians at the boundary examination is suspicious; ostensibly objective judges in this case at a previous date, they must now be advocates of Pereia and Phylladon. It may be that their supposedly
neutral status influenced the Kassandreian judges. Again it would be interesting to know why there were apparently no Peumatan representatives at the examination of the disputed land. ${ }^{4}$

The boundary demarcation, like the one in the previous case, is very similar to others of its type, making use of the same phraseology. ${ }^{5}$

1 Cf. Stählin p. 88; the intervening communities may well have been caught between two equally harsh alternatives, neither of which left room for cont inued complete independence.

2 By the end of the century Melitaia and Pereia were contesting land (*60), where some of the landmarks, notably the rivers, seem to be the same as the ones mentioned here. Stăhlin believes that the territory mentioned in that inscription was at least in part the same as that mentioned here and was in fact the territory about Phylladon (cf. MDAI(A) pp. 86, 89).

3 Cf . Stählin p. 87, on the "Komödie" of Melitaia acting as an arbitrator in the dispute between Peumata and the others.

4 A conjecture has already been made about the lack of Phylladonian representatives. See * 36 note 2 above.
 $\dot{\rho \in i}$ i (cf. $=1,=14,=21, * 60=92,=142$ ). The first term can here be taken to mean the joining of two lines of hills or mountains, rather than the confluence of rivers. (Laurent p. 341; Kern note on 1. 28).

## *38: Melitaia and Narthakion/Macedon c. 260-250 [?] or c. 210-197 [?]

An inscription found near Limogardi in Thessaly, the site of ancient Narthakion. The stone is engraved on two of its sides. I: h. $0.67 \mathrm{~m} ., \mathrm{w}$. 0.345 m . II: h. $0.68 \mathrm{~m} .$, w. 0.425 m . Total of 72 lines. See $11.28-29$ for this specific case; see also ${ }^{*} 95$.
B. Latyschev BCH 6 (1882) pp. 356-87; P. Viereck. Sermo Graecus (1888) pp. 16-19, *12; de Ruggiero pp. 251-55, *8; Berard *26; Dittenberger $\frac{51 G^{2}}{}{ }^{2}$ \#307; Kern IG IX.2.89; Dittenberger/Hiller von Gaertringen SIG ${ }^{3}$ *674; Abbott/Johnson pp. 258-61, *8; *Sherk \#9.
5. Accame. 11 dominio romano in Grecia dalla querra acaica ad Augusto (Rome 1946) pp. 69-70; Calabi p. 118; G. Daux BCH 57 (1933) p. 97; Gruen I.105; ARS \#39; A.H.M. Jones. A History of Rome I (New York 1968) pp. 76-78; H. Kramolisch. Die Strategen des thessalischen Bundes vom Jahr 196 v. Chr bis zum Ausgang der römischen Republik (Bonn 1978) p. 69; Larsen GFS p. 288; Lécrivain p. 13; N. Lewis/M. Reinnold. Roman Civilization I (New York 1951) pd. 333-34. *133: H.G. Lolling MDAl(A) 10 (1885) pp. 284-85; Martin p. 550; Nlese III.318; Phillipson p. 158; Raeder *19; SEG XXVIII.505; Sherk IDGR pp. 37-38, \#38; Sonne \#28; Stählin pp. 188-89; Tod "34, p. 106; A. Wilhelm GGA 165 (1903) p. 795; P. Willems. Le Sénat de la république romaine I (Louvain 1878) app., pp. 708-14.



[тоû Фєi]ס́ímпоv, 「 $\lambda a u k \in ́ t a ~ t o u ̂ ~ ' A y \in \lambda a ́ o v, ~ a ̉ \nu[\epsilon]-~$







［víò Kop］un入ía，「vaîoc notátioc 「vaíou viò［c］
［＇A ．．．in $\nu$ ］cп，Aủ





［ $\varphi i \lambda i ́ a \nu c] \cup \mu \mu a x i ́ a \nu ~ \tau \epsilon ~ a ̉ \nu \in \nu \epsilon \omega c a \nu t o, \pi \epsilon-$



［pav Napөa］kıєîc $\mu \in \tau$ tà tav̂ta é $a v t \omega ̂ \nu$ ảסík $\omega c$


［ $\gamma \mu a$ áképa］！ov aủtoîc ảmoкатастaөt̂ oưt $\omega$




［тос cuveuס́ók］ncev injîv kaì Napэaкıє̂̂ctv





［Napөakieíc N］ıkátac Ta
［．．．．．，прєсвє］utaì $\lambda$ óyo［uc］è $\pi[0$ óńcavto кatà］









[ $\mu$ ]aí $\omega[\nu$ ] Nap૭akıєíc парay[ $\epsilon$ yové $\nu$ ]aı, [к]ại пєpì

50 vat katà vónouc toùc $\theta \in c c a \lambda \hat{\omega} \nu$, ofc [ $v_{0}{ }^{\prime}$ ]-







 yєyovóc éctiv. mєрì toútou toû пра́үцатос


 ayopєи̂cal, ớa кєкрцнє́va écтìv ката̀ vónovc




oc "Octí入loc ctpatnyòc tòv tauíav סoûval ke-
[ $\lambda$ ]є́́cп á à




3: [ảpxóvt] $\omega v$ : Latyschev, Viereck, de Ruggiero, Berard, Dittenberger, Kern Hiller von Gaertringen, Abbott/Johnson. [tayєvóv]ṭ $\omega v$ : Stählin, Accame,

Kramolisch. || 4: [toû Ku]סím поv: Latyschev, Viereck, de Ruggiero, Berard, Dittenberger. [toû $\varnothing \in \iota] \delta i ́ m \pi o u:$ Lolling. || 9-10: про|[т́́ $\rho a l ~ v \omega] v \hat{\omega} v:$

 Latyschev, Berard. [ $\epsilon^{\prime \prime}$ ínacav]: Wilamowitz ap. Viereck. il 26: [úmò 'P $\omega \mu \mathrm{ai}$ ? $] \omega v$ : Latyschev, Viereck, de Ruggiero, Berard, Dittenberger. [áќ́pa]ıov: Kern. || 27-28: $\theta \in c c a \lambda \hat{\omega} v \mid$ [a̛̛тovo Berard. |l 30: [kúpla aủtoî]c ฟ̃: Latyschev, Viereck, de Ruggiero, Berard, Dittenberger, Hiller von Gaertringen, Abbott/Johnson. [ómw]c ni: Kern. II 34: é[ mıt $\in п о ́ v \tau \omega \nu]$ : Hiller von Gaertringen. II 44-46: Hiller von Gaertringen. || 45: $\varphi \in \rho \eta$ : Latyschev, Berard. ${ }^{\prime} \varphi \varphi[\eta \iota] p \eta[c \vartheta a \iota]$ : Viereck, de Ruggiero, Dittenberger, Kern. || 48: mapay[ $\left.\epsilon v^{\prime} \in \theta\right] a t:$ Latyschev, Berard. || 49-50: $k[a i]$ [ $[\rho i c ~ v \in v]$ ckn[ $\left[\kappa_{\epsilon}\right] \mid v a t:$ Wilamowitz ap. Viereck, de Ruggiero. $k[a i] \pi[\rho] i[\nu v \in \nu]<k \eta\left[\kappa^{\prime}\right] \mid v a l:$ Dittenberger. $k[a i] \pi[a ́ \lambda ı v]$ : Sonne. Kern, however, clearly read KPITHPIOI $\Sigma$ on the squeeze.

The small city of Melitaia, in addition to being involved in numerous border disputes with her northern neighbours, also had a similar quarrel with her neighbour to the south-east, Narthakion. This quarrel was continually renewed over a period of at least two and a half centuries. ${ }^{1}$ This inscription is a Greek copy, published at Narthakion, of a senatus consultum issued probably shortly after 146. The Roman senate at that time handed down the most recent ruling for which we have any evidence on the disagreement between the two states. ${ }^{2}$ The arguments adduced by the embassies of Melitaia and Narthakion at that time provide us with the evidence for previous judgements in this dispute. Prior to the settlement
made in the current case there had been at least two earlier awards, all of them apparently favourable to Melitaia (lines 27-29). ${ }^{3}$

The issue of the dispute was once again the ownership of certain territories lying between the two states. The Melitaians mention the "public" or "common" land, 4 and a "deserted region", claiming that this land, rightfully theirs, had been taken from them at some point in the past by the Narthakians. This must refer to a previous judgement which awarded the land to Narthakion; no mention is made of a forcible taking of the land. The Narthakian claim adds the information that the land in question also included certain temples, frequently a point of contention in inter-state quarrels like this. ${ }^{5}$

The award under discussion in the present case is one in the series adduced by the envoys of Melitaia when they laid their claims before the Roman senate. It, like the previous judgements of Medeios and of the Thessalians, was favourable to Melitaia.

Beyond that, there is very little which we can say for sure about this particular arbitration. The implication of the phrase $\epsilon \in \pi i t \hat{\omega} \nu \pi \in \rho \bar{i}$ חú $\lambda \lambda \frac{1}{}$ Make|[ $\left.\delta o ́ v \omega \nu\right]$ seems clear: the decision was made by a court of Macedonian judges under the leadership of an individual named Pyllos.

This has caused some trouble for previous scholars, who believed that the name of an important political figure, as in the case of Medeios, was required here. No such figure by the name of Pyllos is known. Accordingly, Berard changed the reading of the stone, proposing ПYPPON for חY $M$ MON, and suggested that Pyrrhos of Epiros was the arbitrator at a date sometime around 288-287. ${ }^{6}$ Niese, on the other hand, corrected the reading to KYMAON, and understood it for a place name; he dated the arbitration to the time after Pydna, 167-150. ${ }^{7}$

There is no reason, however, to correct the reading of the stone. A recognizable historical figure by no means has to be understood here. An individual of some prestige would be sufficient to act as an arbitrator, along with a court of fellow-Macedonians. ${ }^{8}$ For instance, Pyllos may have been a Macedonian epistates, responsible for the affairs within his jurisdiction in Thessaly. In the arbitration between Herakleion and Perrhaibian Gonnoi, the Macedonian epistates was responsible for carrying out the investigation and adjudication of their dispute in accordance with a $\delta$ táypapua of the king, Philip V. ${ }^{9}$ It may be that this Macedonian arbitration between Melitaia and Narthakion should also be dated to the reign of Philip V, perhaps at some time after about 210, when Philip took

Achaia Phthiotis out of Aitolian hands. ${ }^{10}$ On the other hand, another possibility would be to date the arbitration of the Macedonian Pyllos to the period around 260-250, when other arbitrations favouring Melitaia were carried out under the Macedonian aegis. ${ }^{11}$

1 For other cases involving Melitaia, see *36, 37, *59, $\mathbf{* 0}$. For other long-standing disputes, cf. 28, 92, 115 (Samos and Priene), $=54$ (Sparta and Messene), $=148,=150$ (Sparta and Megalopolis).

As part of the settlement of 196, Achaia Phthiotis, with the exception of Phthiotic Thebes and Pharsalos, was joined to the liberated Thessalian koinon ( $=88$ ). See Latyschev pp. 384-5, Dittenberger p. 488.

2 See Daux BCH 57.
3 For the (probably) early fourth century judgement of Medeios, see Piccirilli \#35; for the mid fourth century judgement of the "Thessalians", see Piccirilli \#51. Later judgements in this case: 1) the Thessalian League after Flamininus's organization of that region (*95); 2) Samos, Magnesia and Kolophon, almost certainly after 146 (see 11. 55-57); and 3) the senate.
 $\chi \omega$ |pav, where it may mean the land shared by the two states. Cf. also -92, l. 85.

5
11. 44, 49. Cf. $54,=71,=131$. The land between Narthakion and Melitaia is mountainous, and Sherk, p. 53, suggests that the desirable territory may have been mountain pastureland.

6 Berard pp. 34-35. See Raeder p. 48. Cf. Tod p. 106.
7
Niese III. 318.
8

$$
\text { Cf. } \underline{S I G}^{2} \# 307^{18} ; \underline{S I G}^{3} \# 674^{17} ; \underline{A R S} \# 39 \text { p. 35; Lewis/Reinhold }
$$

*133.
9 *58; cf. also *67 [?]. On epistatai see Holleaux Études I.409-17, III.216-19.

10 See G. Klaffenbach "Fasti Aetolici" $1 \underline{G} \mathrm{IX}$. 1 p . xxxili. Just before Aitolia lost Achaia Phthiotis to Philip Melitaia had been involved in other arbitrations with her other neighbours, adjudicated by Aitolian judges: *59, 60 .

$$
11=36,37
$$

## *39: Phigaleia and an Unknown State 260-230 [?]

Fragment of a stoichedon inscription discovered at Pavlitsa (ancient Phigaleia). H.: $0.25 \mathrm{~m} . ;$ w.: $0.26 \mathrm{~m} . ;$ d.: 0.10 m .14 lines.

## *G.-J. te Riele BCH 90 (1966) pp. 256-62, *5; SEG XXIII. 236 (after te Riele).

G.-J. te Riele Mnemosyne 21 (1968) p. 346; SEG XXV. 454.

-     -         - -á $\mu \in \vartheta ̣ a$ โ̣̣̀ -
. . . . - $\boldsymbol{\eta}$ ànò Capா-













Little can be gleaned from this inscription beyond the fact that it is clearly a boundary demarcation, with the typical phrasing. ${ }^{1}$ There is no proof that arbitration was involved; the communities concerned may have been able to reach an agreement on their own. If, however, te Riele's conjecture [ánєкрıг]áuєधa at line 1 is correct, then this may well be a case of arbitration. ${ }^{2}$ The dialect is Doric kotv $\eta^{\prime}$, which would have been current at Phigaleia; it may however, point to an Achaian provenance for the judges, if there were any. ${ }^{3}$

2 See te Riele $\mathrm{BCH} \mathrm{p} .258^{3}$, who compares Robert's restoration ( $\underline{\mathrm{BCH}}$ 49, 1925, pp. 219-21) of [ảmоко́vac] lal at IPergamon *245 I. 11 ( $=163$ ).

3 For boundary settlements without benefit of the arbitration of a third party, cf. IG $1 X^{2} .1 .666$, and perhaps $=143$.

## ＊40：Carthage and Rome／Ptolemy II 252

Appian Sic 1.
Gruen I．100；H．Heinen ANRW 1.1 （1972）p．638；M．Holleaux．Rome，la Grèce et les monarchies hellénistiques（Paris 1935）p．65；Matthaei CQ 254－56；G．C．and C．Picard．The Life and Death of Carthage（London 1968）p． 199；Will ${ }^{2}$ I．194f．
 Птo入єцaíou toû náyou Bacı入є́a Aíyúmtov，סıcxí入ıa tá入avta




In the latter years of the First Punic War，both Carthaginians and Romans were finding it difficult to maintain the financial effort necessary to carry on the war．Appian reports that the Romans were unable to continue to build ships，although they managed to continue to levy infantry．The Carthaginians turned to their friend，Ptolemy II of Egypt （282－246），and asked him for a loan of 2000 talents．Aside from the expense involved in such a loan，Ptolemy would have been aware that it was intended for use against another of his allies，Rome．Accordingly he refused，and instead offered his services in bringing about a peace between Rome and Carthage．

As a potential arbitrator，Ptolemy offered all that could be desired．

As monarch of Egypt he certainly had sufficient prestige. ${ }^{1}$ His refusal to send aid to either party, whatever its motivation, was a public indication of his neutrality. In addition, this apparent objective interest in a fair and peaceful settlement went hand in hand with good will towards both parties: Ptolemy could claim ties of friendship with both Rome and Carthage. ${ }^{2}$

Nevertheless, neither Rome nor Carthage, in their struggle for dominance, appear to have been interested in pacific third-party settlement by a Hellenistic monarch. ${ }^{3}$

As for Ptolemy himself, of course, the possibility of settling the Punic conflict might have presented itself to him as a way of enhancing his prestige considerably. Even if the possibility of settlement appeared to be a long shot, his offer to arbitrate would have freed him from the situation of being caught between two warring friends. After refusing his offer to arbitrate, neither side could now reasonably call upon him for financial or military aid.

[^4]2 As exemplified in his (apocryphal?) statement as recorded by Appian. See Holleaux 64f. on the nature of the ties between Rome and Egypt at this stage; and cf. Will $195 f$.

3 Matthaei (p. 256) does argue that since the Carthaginian ambassadors had approached Ptolemy first, and were (apparently) at his court when the offer was made, then the attempt to mediate should have had their consent; it was therefore the Romans who, typically, refused to go to mediation. But the account in Appian is too imprecise to say whether this must have been the case.

## *41: Two Unknown States/The Achaian League <br> c. 250-200

Inscription on a limestone slab, broken away along the left side; discovered at Aigion in the Peloponnese. H.: $0.366 \mathrm{~m} . ;$ w.: 0.26 m. ; d.: 0.10 m. 31 lines.
*J. Bingen BCH 77 (1953) pp. 616-28, * 1.
N. Roberston Hesperia 45 (1976) p. 266 ${ }^{29}$; SEG XIII.278.


[ctacíou - - kaì toû - - - - пот]a

5 [à̀ ảnò - . . . . . . . - ] ẹnì tò í $\operatorname{pòv~tâc~Nukeíac~tâ-~}$
 sıкастaì
[toì крívavtec toí $\delta \in \cdot$ ]

The rest of the inscription (to line 31 ) is taken up with the names of the judges. Fifty-nine names remain, in whole or in part; the actual
number of judges must have been much higher. At line 16 the ethnic $\Delta u \mu a \hat{i o l}$ tells us that some of them, at any rate, came from the Achaian city of Dymai, and from the form of the inscription it seems at least two other cities must have provided judges.

The inscription, mutilated as it is, clearly shows that it contained a boundary delimitation and a list of the judges who carried it out.' The topographic references to cuppo $\lambda^{\prime}$ and $\delta^{\prime} \epsilon \rho a$, and to a sacred precinct as a landmark for border demarcation are all paralleled in other boundary arbitrations. ${ }^{2}$

The first part of this inscription, the boundary demarcation, is written in the Doric kolvín common to other Achaian inscriptions of the same period. ${ }^{3}$ It would have been standard practice to publish the findings of the judges in their own dialect. ${ }^{4}$ The list of judges, on the other hand, with the genitive endings in $-\omega$, is clearly a different dialect from that of the judges themselves. The conclusion to be drawn is that this inscription is a copy of the arbitration published by one or the other of the two litigant states; the dialect of the judges was naturally conserved in their decision, but when it came to listing their names, the native dialect of the litigant state was employed. This appears to have been one of the states
of the western Peloponnese, though whether it might have been Messenia, Lakonia or Elis remains uncertain. ${ }^{5}$

1 In form it thus resembles closely the delimitation and list of judges in 43 , a case from around the same period, also involving the Achaian League. Cf. also the form of $=21$. Apparently the judges were listed by city, as the ethnic $\Delta u \mu a \hat{i} 0 \mathrm{l}$ shows. Cf. ${ }^{50}$, where judges from cities in Achaia were also listed by city, among them Pellene, Aigion and Thelpoussa.
 See AE 1927/28 pp. 119-127 (Melitaia and Lamia). ífóv: cf. cases $=21$, $=36$.

3 Bingen p. 618.
4 Bingen p. 619, who cites Buck Dialects ${ }^{2}$ (1928) p. 154, W. Vollgraff BCH 34 (1910) p. 352; and see Buck CPh 8 (1913).

5 Bingen p. 620. The inscription may have been published at the Hamarion, the federal sanctuary of the Achaian League at Aigion. For publication at an important sanctuary, cf. *46, $=60$.

## 42: Alipheira and a Neighbour [?]/Elis 244-219

A fragment of a stele discovered in an irrigation channel at Alipheira in Arkadia (now illegible). 20 lines.
 1967/8) pp. 151-57, *2; *A.G. Woodhead SEG XXV. 448.
N.D. Robertson Hesperia 45 (1976) pp. 260-62; SEG XXVI. 470.
[- - - - . . - . - . . - . - - - - . - . - - -



-     - kupíav uèv itnana tivà tâp пó $\lambda เ o \rho ~ \tau a ̂ p ~ \tau[~ \hat{\omega} v ~ ' A \lambda ı \varphi \in เ p]-~$



-     - eokiar . otenyanait . á̛ $\lambda \lambda$ olp A. onte-
-     - -TEI Úmò 'Aplctoóá $\omega \omega$ à Ka $\lambda \lambda ı c t p a ́ t \omega ~ \mu a \lambda-~$

10 - - -ПО . . ONTSN . ПYГOMMENMNAEIOP ékatòv
-     - -neneant . . aủtòv סè uà kataxpácto -
-     -         -             - Таггего. . . enanial tàp dè ctá入ap 1-

. . . . - A三AANTIPAIIIANI . . ITOP oi modîtat
. . . . - - INMII . tò $\mu e ̀ v[\epsilon \in] \nu$ 'A $\lambda \iota \varphi \in$ ípat toî ठá $\mu 0[1]$ toîp -






 по́ $\lambda 10 p \tau \hat{\omega}[\nu$ 'A $\lambda \epsilon i ́ \omega v--]:$ Robertson. || 6: taìp: Robertson. || 9: $\mu \nu a i ́ p:$ Robertson. il 10: $\mu \nu$ âc $10 \rho$ ékaròv: Orlandos. || 12-13: tâp $\delta$ è ctánap t[à $\nu$
 Robertson.

The extreme illegibility of this inscription makes it difficult to
determine the subject of the document. It seems not impossible that it refers to an arbitration between Alipheira and some neighbouring state. The mention of a Sukactípiov (line 5) and the potential payment of some fine (line 9) might lead us to believe that this is so. The oath (lines 13 , 16), the guarantee-clause (line 3) and the provision for publication in a temple (lines 12-13) were also typical aspects of international arbitration.

Orlandos believed the document to be a decree of the Alipheirans. Robertson's careful study of the Eleian dialect used in this inscription and elsewhere, however, indicates that this is more likely to be a decree of Elis. ${ }^{1}$ If so, then this may be an arbitration carried out by Elis in order to settle local disputes. The most appropriate time for such activity on the part of Elis is during the decades when she controlled the neighbourhood of Alipheira, from about 244, when she received it from Lydiades of Megalopolis, down to 219, when she lost it to Philip V. ${ }^{2}$

Robertson p. 260.
2
Polybios 4.77-78. See Robertson p. 261.
*43: Corinth and Epidauros/The Achaian League and Megara 242/1-238/7

Two independent inscriptions, discovered separately in the Asklepieion at Epidauros, which may relate to the same case.

I: h. 1.43 m., w. 0.69 m., d. 0.18 m .96 lines.
II: h. (max.): 0.26 m.; w. (max.): 0.345 m .23 lines.
I: B. Staes. AE 26 (1887) pp.9-24; F. Bechtel SGDI *3025; J.\&T. Baunack. Studien auf dem Gebiete des griechischen und der arischen Sprachen I (Leipzig 1888) pp. 219-236; P. Kavvadias. Eovilles d'Epidaure I (1891) *234; Dareste/Haussoullier/Reinach BlWG 1 * 16 (II.1-32); Dittenberger $\mathrm{SIG}^{2}{ }^{*}$ 452; Michel *20; Fränkel LG IV.926; Dittenberger/Hiller von Gaertringen $51 \mathrm{G}^{3}$ * 471 (11.1-32); Schwyzer * 157 (11.1-32); *Hiller von Gaertringen. 16 IV ${ }^{2} .1 .71$; Buck *99 (11.1-32).

II: Hiller von Gaertringen IG IV².1.70; M. Mitsos AE 1937 pp. 708-14; *Schmitt *489. W. Peek ASAW 60.2 (1969) pp. 23-25, *25, added another fragment.

Austin *136; J. Baunack Philologus 48 (1889) pp. 391-94, 54 (1895) pp. 44-48; K.J. Beloch. GG IV. $2^{2}$ p.224; Berard ${ }^{*} 11$; J. Bingen BCH 77 (1953) p. 624; Bölte BE $^{2}$ IIIA.2: "Speiraion"; Gruen I.97; Klose p. 145; Lécrivain pp. 8-9; A.J. Marshall ANRW II:13 (1980) p. 635; W. Peek ASAW 60.2 (1969) p. 25, *26; Philarétos p. 39; Phillipson pp. 142-143; Préaux pp. 249-251; Raeder *50; L. Robert BEG 53 (1940) p. 210, "53; SEG XI.402, XIII.251, 281, XXIII.193, XXVIII.389, 402; Sonne *48; Steinwenter p. 186; Tod *15; A. Wilhelm GGA 1898 p. 206; J. Wiseman. The Land of the Ancient Corinthians. (Göteborg 1978) pp. 136-142; W. Wyse CR 7 (1893) p. 17.
 lapev̂c
[to]Û 'Ack roíc
 kai
 $\tau \bar{\omega} \nu{ }^{\top} \mathrm{A}-$

 kpıиáv-
 Kopevaí-
 $\tau \in \rho \mu 0^{-}$
 Čva ka-
 хผраи

 toû
[K]єpauvíou. ảmò toû Kєpauvíov émì tàv kopuøàv toû Kopvíáta. ánò tâc kopuøâc toû Kopviáta énì tàv óoòv énì tòv p páxiv tòv toû
15 Kopviáta. ảnò toû páxloc toû Kopviáta émì tòv páxiv tòv émì taî-
c ’Avéáac únèp tàv Cкод入єíav. ánò toû páxioc toû úmèp tàv Cкол-


 บ̇ாセ̀-
 àпо̀
 Aíyt－

коричòv
tòv t［ oû＇A］paíac．ànò toû＇Apaíac $\in$＇mì tòv кори甲òv tòv únò tấ Пе́тр－
al．ảnò toû úmò tâı חétpaı énì tòv kopu甲òv tòv énì toû Cxolvoûv－
тос．ả［ $\pi$ ］ò toû корuழoû toû úmèp toû Cxolvoûvtoc énì tòv коричòv
 é［ пi］
 т 1 ác
 toû
［к］opu甲oû toû únèp tâc $\Pi \in \lambda \lambda \in$ pítioc émì tòv kopu甲òv tòv toû Mav－
［ío］u．ánò toû חavíou énì tòv páxuv tòv únèp toû ‘0 0 коû．ámò т 0 û $\mathfrak{\rho} \mathfrak{a ́}_{-}$
 $\Delta$ tkac－ ［taì t］ò̀ крívavtec toíbe．

4：$C \in \lambda \lambda \alpha v$ v́oc：Fränkel， $\mathrm{SIG}^{3}$ ，Schwyzer．C $C \in \lambda \lambda a v$ v́o［v］：Staes，Bechtel， Baunack，RIJGG，S1G ${ }^{2}$ ，Michel，Buck．C€ $\lambda \lambda a v$ úou：Berard．II 30 ：tòv 〈Úmèp〉 toú＇Am［o $\lambda \lambda] \omega v i ́ o u: ~ B e c h t e l, ~ B a u n a c k, ~ F r a ̈ n k e l, ~ S c h w y z e r, ~ B u c k . ~ t o ̀ v ~ t o u ̂ ~$
 Hiller von Gaertringen seems to credit Fränkel with the suggestion，but Bechtel，Kavvadias，and Baunack all added the necessary úmép．The rest of the inscription is taken up with the names of the 151 judges，arranged
according to the three Dorian tribes: 1. 32: ' $\gamma \lambda \lambda \epsilon$ ' $\omega v$ ( 50 names); I. 49:
 commission of 31 ( $\tau \in \rho \mu a c t \tilde{\eta} p \in c \tau \hat{\omega} \nu$ aỦT $\hat{\omega} \nu \delta$ (кactâv) is also listed by tribe (11.85-96).

 тoíc 'Enidau]-

 aủtóvouol(?) ờu-
 - ävยu(?) ő]-
 vacat



кастпрíoוс пєрі̀ т-



Saupíwv Bounà ov-


$\mu \in \nu$ tov̀c 'Axaıov̀c [-. . . . . . . . . . . . . . - toì]


[. . r]oi 'Axaioi nס-
20 [. . . . .]aı toùc $\in$ énì tac-

[. . . (9) . . . ả]постє $\lambda \lambda$ -
(13) . . . . $\lambda \in t$






 $\tau \in[\tau] \hat{\omega} \nu$ iap̣̂[ $v$ k]ại [- -]: Peek. || 11: katà toùc: Peek. |l 11-12: [kaì







Inscription I, dated by Achaian and Epidaurian magistrates, records the decision of a panel of Megarian judges in a boundary dispute between Epidauros and Corinth. At the request of the Achaian League, to which all three states at this time belonged, Megara delegated 151 citizens to investigate the ownership of Spiraion and Sellanys ${ }^{1}$, the regions in dispute. This tribunal went to the area and adjudged the territory to Epidauros. Both states apparently accepted the verdict in its general terms, but Corinth objected to the precise details of the boundary delimitation. As a result, again at the request of the Achaian League, Megara sent a further commission of 31 men, drawn from the original 151, which carried out another investigation of the territory. The decision of this second commission is recorded in lines 11-31 of the inscription, which def ine the border in detail by reference to roughly twenty landmarks along its length. This second demarcation was, as far as we can tell, final.

The date of this arbitration is fixed both by the references to the involvement of the Achaian League and by the style of the lettering. ${ }^{2}$ Corinth, Epidauros, and Megara all joined the League in $243^{3}$; Megara left it in 224 and joined again in 192, which may be too late a date for the style of the lettering. ${ }^{4}$ The inscription must therefore fall between the years

243 and 224. Within the limits of these two dates it is possible to be even more specific, since Aigialeus is stated to be the strategos of the Achaian League when this arbitration took place and many of the strategoi of the twenty years between 243 and 224 are known. The decade 234-224 is out of the question, as all the strategoi from this period are known, and Aigialeus is not among them. In the previous decade, 243-235, only three, or at most four, years, present themselves as possibilities for the strategia of Aigialeus: 242/1, 240/39, 238/7 and perhaps 236/5. ${ }^{5}$

Although in this dispute it was Megara which acted as judge, this office was undertaken katà tòv aỉvov of the Achaian League, which probably means by a decree of the League council. ${ }^{6}$ Although there is no direct evidence that members of the Achaian League were obliged to submit their disputes to the League council to be settled, either by the council itself or by delegation, it seems likely that there was some stipulation made. There is some indirect evidence, in that it seems from a passage of Pausanias as though the League had control over inter-state relations within the League through its control over embassies. ${ }^{7}$ Since a movement in the direction of peaceful settlement would entail some such form of inter-state communication, it would follow that League
involvement was obligatory. Although this passage of Pausanias on embassies is generally the only positive evidence adduced here, it seems a rather indirect argument to support the view that the Achaian League explicitly required its members, as a condition of membership, to submit all possible disputes to the League council for settlement. On the other hand, it does seem logical that there was some kind of implicit, if not explicit, rule about obligatory arbitration. ${ }^{8}$

Even if there was not an agreement undertaken on entry into the League that the new member would submit all possible future disputes to the League, in the case of Epidauros there is some evidence which indicates that provision was made on entry to settle all her outstanding disputes. Inscription II, which Hiller von Gaertringen thought recorded the first arbitration mentioned in inscription 1 , has since undergone a new reading by M. Mitsos. ${ }^{9}$ Mitsos argued that the inscription is not in fact the first decision, the judgement which Korinth refused to accept, but rather the formal document relating to the entry of Epidauros into the Achaian League in 243. Included within the details of this agreement, then, is a stipulation for arbitration of the specific disputes which Epidauros had outstanding with Corinth, either as a condition of membership laid down
by the League, or as an instance of Epidauros taking advantage of a situation favorable for the settlement of its disputes. ${ }^{10}$ If this interpretation of inscription 11 is correct, it also allows us to date inscription I more closely. If the arbitration recorded in the latter was specifically provided for in the year 243 , it seems likely that it would have taken place very shortly thereafter, perhaps in 242/1, the first possibility for the strategia of Aigialeus.

Although it seems a case may be made for the existence of some degree of obligatory arbitration in the Achaian League, this is not to say that all initiative was therefore removed from the disputing states; it is quite possible that they could express, for example, a desire for a specific state as arbitrator. ${ }^{11}$ In addition, the fact that Corinth was clearly not obliged to accept as final the first delimitation suggests that the parties had at least the freedom to appeal the details, if not the judgement as a whole. Nevertheless, it is probable that the League would act as a guarantor of the final decision handed down, and it is unlikely that it would tolerate long-standing divisive disputes between its members.

The delegation of the actual duties of arbitration to a third member city by the League council seems to have been common enough practice. ${ }^{12}$

It is probable that the geographical location of Megara played a large part in the choice of this city as arbitrator. ${ }^{13}$ Once it accepted the role, it was Megara's duty to choose the individuals who would act as judges. While 151 is a large number, it is by no means the largest number on record in a case like this. ${ }^{14}$ An arbitral court consisting of as many individuals as this may be indicative of a desire to take advantage of the justice and 'common sense' of the people as a whole. ${ }^{15}$ We do not know how the court was chosen, but if it is true that a large number reflects a desire to make the court 'democratic' it is possible that it may have been selected by lot. ${ }^{16}$ On the other hand, if we infer from an inscription from Megara of the same period, in which several of the names from this inscription are repeated, that at least these individuals were probably wealthy and perhaps prominent, it would then seem possible that the court could have been appointed or elected rather than drawn up by lot. 17

Although it was not always the case, usually those who acted as judges in a dispute over a piece of land not only would have to decide to which party it should go, but also would have to act as surveyors themselves. ${ }^{18}$ This is certainly the case here, where it is stated that both the original court of 151 , and the smaller commission of 31 carried
out a personal inspection of the region. The larger tribunal is only said to have gone to the area; the smaller is said to have actually determined the fixed points of the border enumerated in lines $11-31$. The practical difficulties of accommodating and escorting 151 judges throughout a detailed investigation of the frontier could account for the reduction in numbers; it seems clear that the first group could not have carried out such a detailed inspection or demarcation. This may perhaps account for the Corinthian dissatisfaction, and the need for a smaller group to carry out a more leisurely and expert examination. ${ }^{19}$

1 Or Sellas; see note on 1. 4.
2 Raeder ( $\mathbf{p} .95$, following Niese $111.36^{2}$ ) attempts to make a case for dating this inscription to the early second century, basing his argument on the fact that Epidauros, Corinth and Megara were again all members of the League in this period, and arguing (cf. Beloch III.2.360) that dating an inscription by the strategos of the League was a second century practice. This, however, takes no account of the stoichedon style of the inscription, which even in the mid-third century is late. See also Fränkel on IG IV.926, and Tod *15. The Epidaurian priesthood mentioned in the inscription is no help to us for dating, as Dionysios is otherwise unknown.

3 Pausanias 2.8, 5; Polybios 2.43, 5; Plutarch Aratos 24.
4 Polybios 20.6, 7-8.
5 The fact that Aratos held office so often during these years is what allows the greater degree of accuracy. Sonne (*48, pp. 30-32) gives
the most detailed study of the dating of the strategei of the Achaian League in this period. Sonne and Berard ( $* 11$, pp. 18-19) considered the year 236/5 as a possibility, but Beloch (IV.2.2.226), followed by Hiller von Gaertringen (IG IV². 1 prolegomena $p . x x v i$ ), assigns the strategia of Dioitas to 236/5. See also $51 G^{3}=471$, and $1 G \mid V^{2} .1 .71$.

6 II. 4, 9-10. On aivoc see Buck, n. on 1. 4; SIG ${ }^{3}$ * $471^{5}$; RlJG pp. 346-47; LSJ s.E III. It appears from 1.10 that not only the original dispute, but also the Corinthian protest was referred to the League.

7 See Sonne p. 40; S1G ${ }^{3}$ * $471^{5}$; 16 IV. 926 n. on 1. 4; Phillipson p. 142; Raeder p. 220; H.F. Hitzig. "Der griechische Fremdenprozess." ZRG 28 (1907) p. 248f.; M. Dubois. Les ligues étoliènne et achéenne (Paris 1885) p. 143; RlJG pp. 344-45. The text generally cited is Pausanias 7.9,4, where it is explicitly stated that federated cities could not send their own embassies. Although, as the editors of $\mathrm{Bl} \sqrt{ } \mathrm{G}$ point out, this particular passage seems to refer specifically to embassies sent to the Roman senate, it has generally been accepted that such communication within the League was also submitted to the League council.

8 Although the analogy does not always hold, it seems that there was some such provision within the Aitolian League. See Raeder p. 220; RIJG pp. 344f.; and cf. Tod pp. 74-75 on the compulsion of member states in the Achaian League to submit to arbitration, and p. 180 on the regular use of arbitration within the league by the Achaian, Aitolian, Thessalian and Boiotian Leagues. It has, nevertheless, been argued that the request for the services of the League in this case was completely voluntary (and so, presumably, there was no obligation): see Moretti ISE I p. 131. For other cases of arbitration involving the possible intervention of a league, cf. *3, *14, *20, *59, *60.

## 9 AE 1937, pp. 708-714.

${ }^{10} 16$ IV ${ }^{2}$. 1.72 should also be mentioned here: Kavvadias (AE 1918) also relates it to our inscription. Epidauros would have ensured, on its entry into the League, that it would have League help in dissolving current disputes with its neighbours. Hiller von Gaertringen AE 1925/26 p. 71.

For a similar case in which a state's entry into the Achaian League
brought with it provision for the settlement of specific outstanding disputes, cf. case *47.
${ }^{11}$ Cf. Raeder pp. 221, 234.
12 Cf. Raeder D. 220; RIJG pp. 344f.
${ }^{13}$ Cf. Tod p. 96; Raeder pp. 257-58.
14 In the long-standing dispute between Sparta and Messenia, 600 judges from Miletos handed down a decision (SIG ${ }^{3}$ *683; cf. *54).

15 In addition to the fact that a large number is harder to bribe; see Tod pp. 100-105; BlJG p. $347^{3}$. On the possible bribing of judges, cf. 22 .
${ }^{16}$ Cf. Raeder pp. 254-55.
17 The inscription (IG VII.42) is the dedication of a temple to Apollo, presumably an expensive undertaking. On the comparison of the names in the two inscriptions, see Staes col. 21; IG IV. 926 p. 202; SGDI *3025.

18 See Tod pp. 54-55, 111-12; Austin *136 ${ }^{3}$; Raeder pp. 310-11.
19 The most detailed discussions of the actual landmarks referred to in this inscription, some of which are mentioned by ancient authors, are those of Bölte in RE under "Speiraion", and of Wiseman in his Land of the Ancient Corinthians pp. 136-42. See also Wyse CB 7 p. 17.

## *44: Aratos-Achaian League and Argos/Mantineia

 240Plutarch Aratos 25.
K.J. Beloch GG III. 1 p. $653^{1}$; Berard * 10; Gruen 1.98; Klose p. $146^{629 ;}$ A. Koster. Plutarchi Vitam Arati (Leiden 1937) p. 80; Larsen GES p. 310 ; Niese II.263; Phillipson I p. 144; W.H. Porter Plutarch's Life of Aratus (Cork 1937) p. lii; Raeder *40; Sonne *17; Steinwenter p. 182 ${ }^{2}$; Tod p. 59;

Walbank Comm I.242; F.W. Walbank. Aratos of Sicyon (Cambridge 1933) p. 56; Will 1 p. 337.







In the year 240 Aristomachos, the tyrant of Argos, was assassinated by his slaves, and his son Aristippos took power. Aratos took advantage of the opportunity to make an attempt to free Argos of the tyrant's dynasty and bring her into the Achaian League. He prepared a military expedition against Argos, using the resources of the Achaian League, and doubtless acting in his capacity as Achaian strategos. Aratos apparently expected the people of Argos to rise up and join him when his force arrived; nowever, they did not. Aratos was forced to retreat, leaving Aristippos in power.

The abortive expedition had furnished grounds to Aristippos for accusation against the Achaian League, that is that they had initiated an act of war in a time of peace. He therefore brought an accusation against them before the Mantineians, and won his case when Aratos did not appear to defend his actions. ${ }^{1}$ Aristippos's victory in the suit took the form of a
fine of thirty mnai, or half a talent, levied on the offending party. It is not clear whether the fine was ever paid.

The reason for the choice of Mantineia as arbitrator is obscure. She was apparently not affiliated with the Achaian League at this time, although she became so sometime within the next decade. ${ }^{2}$ Presumably, then, she was perceived as a neutral power. ${ }^{3}$ There is no mention of a compromise between Argos and the Achaian League to choose Mantineia as an arbitrator, but Plutarch's account is too brief for this to be proof that there was not such a compromise. What is more telling is the fact that Aratos failed to appear at the trial, and indeed it is uncertain whether there were any Achaian representatives at all. ${ }^{4}$ Certainly the entire military affair was presented as having been an Achaian action, not merely a personal exploit of Aratos. Aristippos had accused the Achaian League as a whole. Thus it seems strange that the case should go by default to Aristippos if only Aratos failed to appear but Achaian representatives were there. In any case, if the Achaian League had agreed to arbitration, it seems likely they could have ensured that their strategos would be there. It seems clear then that there was no ad hoc agreement to choose Mantineia as an arbitrator.

On the other hand, if there were no kind of arbitration agreement in effect, it would be strange to see Mantineia pronouncing a formal sentence against the Achaian League. It may be that there was a past treaty in effect between Argos and the Achaian League which called for arbitration, and which specified Mantineia as the arbitrating city. This hypothesis would account for the formal legalities of the arbitration taking place without the participation of one of the parties. A compromise agreement made at the time would surely have led at least to the attendance of both parties, even if the final judgement was not observed. Obligatory arbitration resulting from treaties had to overcome the obstacle of political circumstances and willingness to negotiate that shifted in the interval between the making of the treaty and the time when its clauses would be invoked. ${ }^{5}$

The fine imposed by Mantineia, half a talent, is a very small amount to award to a city which has suffered an armed attack by a league. It is small enough that one could in fact conclude that it was meant to be a personal fine against Aratos. ${ }^{6}$ This is difficult to believe; the Achaians took part in the raid, and the Achaians were accused by Aristippos. Rather, we should believe that the fine was deliberately nominal. Raeder
thought that it was so because while Aratos had technically broken the peace, there were extenuating circumstances in that it was a tyranny that he was attempting to overthrow. ${ }^{7}$ However, it may be that Mantineia, while she was forced to find against Aratos for default, nevertheless would have preferred to of fend Argos rather than the League and therefore kept the fine to an absolute minimum. ${ }^{8}$ it was not long after that Mant ineia joined the Achaian League herself.

1 On default cf. Steinwenter p. 182. In the arbitration between Miletos and Myos in the early part of the fourth century (Piccirilli *36) Miletos won the case automatically when Myos withdrew. Cf. also the provisions in the first century BC arbitration treaty between Sardis and Ephesos (0GIS *437, II. 83f.).

2 Before 229. Walbank Comm 1.252; Larsen p. 310 ; Will p. 337.
3 Cf. Walbank Comm I.252; Koster p. 80.
 simply that they were accused (by Aristippos) before the Mantineian court, not that representatives of the Achaian League were actually present. See Koster p. 80.

Porter ( p . lii) suggests that Aratos was not present because he was out of office when the case was heard (and thus dates the trial to 240/39).

5 Naturally this does not mean that the arbitration clauses were never successful; they could scarcely have been so popular if they were not.

6 This appears to be Tod's belief: "Aratus, though general of the

Achaean League, appears to have acted on his own responsibility and consequently to have borne in person the penalty for his rash attempt."

Tarn (Antigonos Gonatas, Oxford 1913, p. 404), although he does not address the issue directly, appears to believe that it was the Achaians who were fined; he may, however, have been misled by his misconception that the fine was in the amount of 30 talents rather than 30 mnai.

7 Raeder p. 79.
8
Walbank (Aratos p. 56) refers to the fine as "nominal".

## *45: Messene and Phigaleia/The Aitolian League c. 240

Three separate inscriptions, one [1] a decree of Messene found at Phigaleia, the other two [II \& III] boundary regulations discovered at Messene. All of them probably relate to the same arbitration. I: n.: 0.49 m.; w.: 0.42 m. d.: 0.09 m . I: 27 lines; II: 20 lines: III: 14 lines.

I: S.A. Koumanoudes Philopatris July 1, 1859, "231; Idem AA 1859 cols. 111f.; K.S. Pittakis AE 1859 pp. 1823-1824, *3493; LeBas/Foucart *328a; Cauer ${ }^{2}$ "45; R. Meister SGDI *4645; Berard "2: I; Dittenberger SIG ${ }^{2}$ *234; Michel *187; *Hiller von Gaertringen 16 V.2.419; Dittenberger/ Hiller von Gaertringen SIG $^{3}$ *472; Schwyzer *71; Schmitt *495.

II: W. Leake. Iravels in the Morea III *46; Keil. Analecta epigraphica et onomastica 98; LeBas/Foucart \#317a; Meister SGDI *4646; Berard *2: III; *Kolbe IG V.1.1430.

III: R. Meister SGDI *4647; J. Martha BCH 5 (1881) p. 150 *1; Berard *2: II; *Kolbe IG V.1.1429.

Aymard PR p. $23^{39}$; K.J. Beloch. GG III. 1 p. $651^{1}$; C.D. Buck CPh 8 (1913) pp. 154-55; Flacelière p. 240; Gauthier pp. 366-68; F. Hiller von Gaertringen AE 1914 pp. 134f.; Hitzig *18; 0. Hoffmann. Die Griechische Dialekte I (1891) pp. 20f.; G. Klaffenbach 16 IX2.1 p. xxi; Larsen GFS p. 203; Meyer RE XIX. 2 (1938) s.V. "Phigaleia", cols. 2082f.; Niese II.260; Préaux p.

250 ${ }^{1}$; Raeder *51; Roebuck Diss. pp. 66-68; SEG XI.1142; Sonne *32, * 41 ; H. Swoboda Klio 12 (1912) p. 34; E. Szanto. Das Griechische Bürgerrecht (Freiburg 1892) pp. 76f.; Tarn CAH VII p. 733; J.H. Thiel Klio 20 (1926) p. 55; Tod *5 [I], *6 [II], *7 [III]; Walbank Comm I.452; R. Weil MDAI(A) 7 (1882) p. 211; A. Wilhelm GGA 165 (1903) p. 791; Will ${ }^{2}$ I. 332.





















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[oc Meccavícu• ỏ $\mu v$ ]ú $\omega$ día ' $1 \partial \omega \mu$ útav, 'Hpa



. . . (15) . . . $\mu \in V$. . . (18) . . .
 парауєvó $\mu \in \nu 0]$ п $п е є \beta \in[v] \tau a i ̀ ~ k a i ̀ ~ \delta ı a \lambda u \mid[\tau a i ̀]: ~ C a v e r, ~ M e i s t e r, ~$ Dittenberger, Michel. סıaגu|[taì mapà]: Koumanoudes. In $\underline{A E}^{\text {and }} \underline{S I G}^{3}$ Hiller von Gaertringen (followed by Schwyzer) revised his opinion, and



 Dittenberger, Michel, Hiller von Gaertringen [SIG ${ }^{3}$ ], Schwyzer, Schmitt. || 6 :
 Hiller von Gaertringen [IG, SIG ${ }^{3}$ ], Schwyzer, Schmitt. ỉkíwv. Cauer, Meister, Dittenberger, Michel. || 12-13: "á|[v ka סokei]: Koumanoudes, Cauer, Meister, Dittenberger, Michel. II 16: [^^ ó $\mu 0 \lambda 0 \gamma$ 向couec: Koumanoudes, Pittakis. [ómóca $\delta^{\prime}$ k]a: Foucart, Cauer,





 Dittenberger, Michel. || 20: ákupócє: Pittakis. || 21 : [á̛ta á ópo $\lambda_{0}$ ] yía: Cauer. [ $\alpha$ ©́ $\delta \epsilon$ à óuono] yía: Meister, Dittenberger, Michel, Hiller von

 $\left.{ }^{\circ} \mu \mu\right] v u ́ \omega:$ Pittakis. || 23: "Hpa[v]: Cauer, Meister, Dittenberger, Michel,
 Hiller von Gaertringen [IG]. I| 23-27: "H|[pav 'Evuádi]ov kaì $\theta \in \grave{\omega} c$ ópk[íouc| ánavtac toùc] év tộ Фa toùc $\mathfrak{e ́ v}$ | Meccávn toùc] Me[ccavícc]: Pittakis || 25: [пapaueveîv]:


11

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5 －．－．Ú $\delta \omega \mathrm{p}$ kolvòv．vacare videtur


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 Hiller von Gaertringen，ap．Kolbe．｜｜ $14: \in \mathbb{f}$ toे caueitov］：Meister．

III
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 reservations. || $11:[\epsilon \in \pi /] \nu_{0} \mu \mathrm{la}:$ Meister.

These inscriptions may all relate to the same event, but initially they should all be dealt with on an individual basis. The first is the most important historically. It records an isopolity agreement between the towns of Phigaleia and Messene, her southern neighbour in the Peloponnese. This agreement was carried out under the auspices of the Aitolian League, who clearly lent her services as mediator to the treaty (1.1-2: прєс kaì $\delta ı a \lambda$ úvol[vtcc]).' Not only were the three ambassadors from Aitolia to effect the official agreement between Phigaleia and Messene, but they
also had to settle outstanding disputes between the two before they could do so. It may be that they did not act in a formal capacity as an arbitral court in these matters, but their task, as decreed by the Aitolian League, was described as persuading the Messenians to be reconciled with the
 included settling a boundary dispute is made clear by lines 13-15. Some of the disputes may also have been private ones, between citizens of the two states, as provision is made for dealing with such disputes in a legal manner in the future (1.12: noińcacөat $\delta$ è кaì cuvßo $\lambda$ àv).

The style of the inscription should place it in the third century, and it is generally dated to around the year 240. ${ }^{2}$ A little before that date Timaios the Aitolian, who most believe should be identified with Timaios, the Aitolian legate mentioned in this isopolity agreement, invaded Lakonia from Messenia. ${ }^{3}$ A later date, defended by 5zanto, ${ }^{4}$ is less appropriate since from the end of 222 at least, Phigaleia was already incorporated into the Aitolian League through ties of cunподıteía (Polybios 4.3, 6), while in this inscription Phigaleia's association with Aitolia is said to be only one of $\varphi$ i í́a. $^{5}$ As well, in 221 war broke out between the Aitolian League, which incorporated Phigaleia, and the Achaian League, to which

Messene was joined.
The isopolity provided for the joint use of a piece of contested territory which must have lain between Messenia and Phigaleia. The fact that the decision is to use the land in common "as before" indicates that the Aitolians, or at least the treaty arranged by them, simply ratified a previously existing, but perhaps legally unsatisfactory situation. ${ }^{6}$ In spite of this settlement, however, there was apparently still some controversy over the borders between the two states, which was either settled at the time, perhaps by the Aitolian delegation, or at a later date, possibly even in the early second century. ${ }^{7}$

Inscription II refers to both Messenians and Phigaleians, and even if it cannot be seen to be a part of the Aitolian reconciliation and settlement (there is no reference in it to Aitolians), it can perhaps be seen as part of the same struggle between the two states. In inscription III the name of Megalopolis was restored (although very tentatively), leading the original editor to believe that this was in fact a dispute between Megalopolis and Messene. ${ }^{8}$ Nevertheless it was later shown that this was probably also a dispute between Messenia and Phigaleia, perhaps settled by Megalopolis. ${ }^{9}$ It must be kept in mind, however, that the original editor himself, who
suggested the restoration of Megalopolis, was very dubious of it.
In inscription II, there appear to be three separate boundaries drawn, although it is the same commission of arbitrators which does the work each time. ${ }^{10}$ It is just possible that the reference to ú $\delta \omega \rho$ kotvòv should be related to the common land described in I, the isopolity agreement, although water of course makes a natural boundary and could easily be described as common to both sides. In the final inscription there is a
 as in I , the issue is use of the land rather than ownership. If in fact we can date these two inscriptions to the same period as inscription I, then they may be the specifications called for in the isopolity agreement (I.16:
 provided a sort of general framework. ${ }^{11}$
 or participle from $\delta เ a \lambda u ́ \omega$ is not central; it is clear that part of the task of the Aitolian ambassadors was reconciliation of the two states. Aitolia was not being selfless; she was securing her influence in the western Peloponnese by her involvement in this treaty, both through the promotion of harmony and through the closer ties with Messene. See particularly 1.19-21, which states that the treaty is to be in effect only as long as the Phigaleians remain in the alliance with Aitolia. See Roebuck pp. 67-68, and Gauthier pp. 366f., who assigns the initiative for isopolity and many of the details of the arrangements to Aitolia.

2 See Roebuck p. $67^{6}$, who dates this inscription to c. 240 , following shortly after a possible alliance between Messene and Aitolia c. 244 (cf. Polybios 4.6, 11, who says that in 221 a Messenian-Aitolian alliance had been in effect for a long time). Roebuck points out however, that it is not definite that there was a pre-existing $\varphi 1 \lambda i ́ a$ between the three states when the isopolity agreement was made. $\phi 1 \lambda i ́ a$ between Messene and Aitolia may in fact date from the time of the isopolity, although Phigaleia and Aitolia may have been already tied through federal isopolity (see Gauthier p. 366, Larsen p. 203.) See Klaffenbach, who also believes Messene and Aitolia already had an agreement before the isopolity; and Szanto, Swoboda, Aymard and Larsen, who think the isopolity is the first occasion for rapprochement between Messenia and Aitolia.

3 Hiller von Gaertringen [IG], Dittenberger. Another of the Aitolian legates, Kleopatros, may have been the Aitolian hieromnemon at Delphi in 236/5 (see Flacelière p. 402).

4 Szanto argued that the agreement should be dated to the start of the Social War.

5 See Meister, Dittenberger et al. Cf., however, the comments of
 means no more than ícono入ıteía." and Larsen GFS p. 203: "...Polybius at times uses expressions that imply sympoliteia or full membership in the Confederacy when the city in question was connected with it by some looser tie such as isopoliteia." See Roebuck p. 67³. Schmitt (p. 184) suggests that Phigaleia entered into an isopolity accord with Aitolia shortly before the treaty with Messene.

Cf. the comments made elsewhere by Walbank (Comm I [on 2.46, 2]): "счиподıтєчоц́́vac то́тє по́ $\lambda \epsilon \mathrm{Ic}$ : this should mean full membership of the Aetolian Confederation with corresponding limitation of independence (cf. 43.1; xxii.8.9). But occasionally P. uses cu limited sense, to indicate a treaty of ícomo $\lambda t \tau \in 1 ́ a$ (cf. xvi.26.9), which implied an exchange of citizenship under certain specified conditions.
 but a treaty of ícomo入ıteía between Phigaleia and Messene (Syll 472: date, c. 240) makes the Aetolians allies of the former."

6
Weil (p. 211) suggests that it was Phigaleia who had sought to encroach on the fruitful territory of Messenia to the south. Roebuck (p. 65) conjectured that when Phigaleia was drawn into the Spartan orbit by Areus, she was used as a base for infringement on Messenian territory.

7 The dates of these two boundary regulations [II and III] are disputed. Meister claimed that they both belonged to the time and circumstances of the isopolity. Swoboda denied that III was late, and argued as well that it probably dated to the same time as the isopolity decree. See also Tod, who joined all three inscriptions [I, II and III] to the same third century event.

Kolbe, however, dated inscription II to the second century, and Sonne dated III to the second century as well.

8 Martha suggested both the restoration of Megalopolis (which many followed) and the controversy between Messene and Megalopolis, which was denied by Sonne, on the basis of Martha's own comparison with this inscription to the isopolity between Phigaleia and Messene, and the fact that Phigaleia's name can be restored at 11. 5-6. Martha had suggested that this inscription might be related to the Messene-Phigaleia isopolity arbitrated by Aitolia (dating it, like Szanto to around the time of the Social War), but he was hesitant here as well.

9 Both Sonne and Swoboda believed this to be a dispute between Phigaleia and Messene settled by Megalopolis, though Sonne dated it to the second century and Swoboda to the third. Berard also believed Megalopolis to be the arbitrator here, and thought it was a result of the circumstances of the Social War, which would have destroyed the original accord between Messene and Phigaleia, and allowed the dispute to be renewed. Raeder referred the two boundary inscriptions II and III to the period shortly after 191, when Messene, like Megalopolis, was part of the Achaian League.

10 Meister (SGDI *4646) and Kolbe (IG V.I.1430) divide the inscription into three sections: 11. 1-8; 9-16; 17-20. The arbitrators are named at $11.6,9,17$.
${ }^{11}$ See Schmitt p. 184.

## *46: Matropolis and Oiniadai/Thyrrheion 239-231

The inscription is on the reverse side of the hollow bronze stele described in 34.
G. Soteriades AE 1905, pp. 57f., *2; Dittenberger/Hiller von Gaertringen $\underline{S I G}^{3}{ }^{*} 421 \mathrm{~B}$; Schwyzer *396; *Klaffenbach $\underline{\mathrm{IG}} \mathrm{IX}^{2} .1 .3 \mathrm{~B}$.

Guarducci Epigrafia Greca II (Rome 1969) p. 554; G. Klaffenbach Klio 24 (1931) pp. 232-34; idem $161 X^{2} .1 \mathrm{pp} . \mathrm{xxi}$, xxil; Idem SPAW 1954(1), pp. 23-24; Larsen GFS pp. 197, 267; Préaux pp. 253, 260, 297; A.J. Reinach JAN 13 (1911) p. 236; SEG XV.359; Tod *27; A. Wilhelm SAWW 166.1 p. 13.




5 tíxıcua (sic) kaì àmò toû סıateıxícuatoc





This inscription records the decision given by a commission of Thyrrheian land-judges in a border dispute between the towns of Oiniadai and Matropolis.' Although it is not stated explicitly, the Aitolian League probably should be understood to have been in some way involved in the arbitration. The document is dated by an Aitolian strategos, and the states involved are part of the Aitolian League. Perhaps Thyrrheion was
delegated by the League to act as arbitrator in this matter; her status as an Akarnanian state currently a member of the Aitolian League, and a neighbour of the litigant states would make the choice natural. ${ }^{2}$ The boundary delimitation itself is brief and straightforward; the judges' decision was apparently made easier by the existence of a wall between the lands of the two states. ${ }^{3}$ Both Matropolis and Oiniadai were to be responsible for the publication of the judgement at the temple of Apollo at Thermon.

The territory in dispute appears to have been in an Aitolian federal district named for the Akarnanian town of Stratos, west of the Acheloos. ${ }^{4}$ The two litigant states were also of Akarnanian origin, as was the arbitrating state. The area, a long strip lying along the west bank of the Acheloos, had been annexed by Aitolia, at some point after the treaty documented in $=34$. It has been suggested in the past that the border regulation described in this case should be attributed to the period shortly after that treaty, when Aitolia and Epiros divided Akarnania between them. ${ }^{5}$ The letter forms, however, appear to call for a greater lapse of time between the two documents. Klaffenbach has argued convincingly for a later date, following the Aitolian invasion of Epirote Akarnania around

239-238. ${ }^{6}$ At this time, or shortly thereafter, Thyrrheion would have been conquered, though it was lost to Aitolia again before 231. The general Charixenos mentioned in the first line would therefore not be the Charixenos of the earlier part of the third century, ${ }^{7}$ but rather the one who held his first strategia c. 255.

1 The term yaoסíkal is unusual, but clear enough. Cf. Préaux p. 253, who likens them as experts to the $\tau \in \rho \mu \circ \nu i \xi o v \tau \in c$ of *43.

2 Cf . $\mathbf{6 0}$, where the Kalydonian arbitrators were nominated by the Aitolian League. See Soteriades pp. 60, 78-79. Klaffenbach (SPAW) points out that it would be "inconceivable" that the Aitolian League would have a free Akarnanian state arbitrate, and therefore Thyrrheion must be a member of the Aitolian League at this time. However, cf. G.N. Cross. Epirus (1932) p. 134², and (against Cross) E. Kirsten RE XVII 2213.

3 See Guarducci p. 554.
4 Larsen GFS p. 197, on the Aitolian telos.
5 Cf. Reinach p. 236 (before 265); SIG $^{3}$ p. 659 (268); Préaux p. 260 (268).

6 Justin 28.1, 1. See Klaffenbach $\underline{I G} 1 X^{2} .1$ p. xxi, SPAW 1954 and Larsen GFS p. 267. The dating of this document to sometime in the 230's is followed by Tod and Guarducci.

7 As thought by Reinach and $\underline{\text { SIG }}^{3}$.

## =47: Megalopolis and Orchomenos/The Achaian League c. 233

An inscription built into a wall, found near Orchomenos in Arkadia. H. (max.): 0.63 m. ; w.: 0.57 m .21 lines.
P. Foucart RA 32 (1876) pp. 96f.; LeBas/Foucart II.353; Hicks *187; Dittenberger $\underline{S I G}^{2} 229$; 0 . Hoffmann SGDI 1634; Michel *199; Hiller von Gaertringen IG V.2.344; Dittenberger/Hiller von Gaertringen SIG ${ }^{3}$ *490; *Schmitt * 499.
W. Dittenberger Hermes 16 (1881) pp. 176-84, *3; Larsen GFS p. 310; Walbank Comm I.220, 242.

## параваívற̣!





 ỏ $\mu \nu v o ́ v \tau \omega \nu$ tò $\nu$ ópкov tò $v$ ]
 of cúveठpot t $\hat{\nu} \nu$ 'Axaı $\omega \hat{\nu}$ кaì ò ctpa]-
 'ápxovtєc t $\omega \nu \nu$ 'Opxouєví]-






 ठè $\lambda a \beta_{0} v \tau \omega \nu$ év 'Op[xo]-


 'Opxoú́viot 'Axatò é 'үє́-


 Néapxoc $\mu \eta \delta e ̀ ~[\tau \omega ิ \nu]$
[ví]ผ้̣





 кá́ тtvec aủt $\omega$ v ánín $[\in \gamma]$ -


 пooouvtac tà סíkala.





 Foucart. || 18: [8è tâc tpańȩ́a]c tâc: Foucart. || 19: [oi $\mu \in \tau a c t \not ́] c a v t e c: ~$ Foucart. Il 19-20: àré[quyov, пapéxєlv aủtoùc, è $]$ à $\mu:$ Foucart. ámé $\delta_{\text {ocal }}$

 по́] $\lambda \iota v:$ Hoffmann.

Although it is not absolutely assured that the Achaian League invariably was involved in cases of arbitration between her members, ${ }^{1}$ it is nevertheless clear that it was quite common for the League to play an active role in the administration of justice among the member states. ${ }^{2}$

The present document is the decree regulating the entrance of Orchomenos into the Achaian League, an event which probably took place around 233. Naturally, typical safeguards and provisions for legal action in case of transgression of the agreement appear. ${ }^{3}$ In such a case one envisions unilateral action by the synedrion. However, there is an additional provision in this decree, one which could not have been typical of agreements between the Achaian League and new members, as it relates specifically to the unique circumstances of Orchomenos. ${ }^{4}$ This special provision may well imply a potential arbitration by the League between the new member Orchomenos and a state which had joined the League in 235, Megalopolis.

Methydrion, one of the small towns from which the city of Megalopolis had originally been formed, had recently made a bid to re-establish its independence. The Methydrians, in need of money, had pledged a golden statue of a Nike in return for more easily spent silver.

When Megalopolis brought Methydrion back into the fold, the leaders of the rebellion fled to Orchomenos, taking the money with them. Thus when Orchomenos joined the Achaian League shortly thereafter there was an outstanding dispute between her and Megalopolis, now her fellow-member of the koinon. Megalopolis claimed the return of the money.

The Achaian League thereupon took part in this dispute. They ruled, and Orchomenos agreed, that the money should be returned. However, it appears that a potential problem was envisioned. If the money were not returned, then the parties involved were apparently to have the chance to argue the case in court, presumably before the synedrion of the Achaian League. Strictly speaking, it was the Methydrian exiles who were held responsible, but as Orchomenos had undertaken to see that they would return the money, then that state would presumably also be held liable.

$$
1 \mathrm{Cf} . * 69=93 .
$$

2 See Walbank Comm I.220.
3 Cf. the case of Epidauros, and IG IV ${ }^{2} .1 .70$, discussed in $* 43$.
4
II. 17f.

## 48: Argos and Kleonai

c. 229 [?]

Eleven fragments of a limestone slab discovered at Nemea. $H$. (combined): $0.53 \mathrm{~m} . ;$ w.: 0.29 m ; d.: 0.16 m .30 lines.
*D.W. Bradeen Hesperia 35 (1966) pp. 323-26, *6.
C. Blegen AJA 31 (1927) pp. 429-30.

$k \lambda \in \omega \nu a i ́ \omega \nu$
по $\lambda \in \mu$ а́pхотс т $\hat{\omega}[\nu$-]










$\nu$ [ò]c óyסóou tplak . . t $\omega$.
at


v $\omega$. ठ́́covtı то . с . . .-. . . . . . . . . . . . . -


тoú c $\omega \tau \hat{n}[\rho 0 c$ T]

ca $\lambda_{o ́[\mu] є ө a ~ п о \lambda i ́[T] a v ~ a u ̀ t a ~ v e-~}^{\text {- }}$
ck[ $\epsilon]$ Úєı סíkac ta. ФAPAEI-
$\Delta \ldots a \delta \ldots$. . . oc Meध́́kovtoc.

25 ... ac 'Ap[ıct]ouáxou. 'Eппре $\theta \in a ́ c \omega \nu ~ П[0] \lambda є \mu a ́ \rho \chi о \cup . N \in \omega$

$\operatorname{Ka[\lambda ]\lambda ........~.~\delta \omega voc.~} \Delta$
חب шсццо-

Restorations suggested by Bradeen: 13-14: [ $\mu \eta$ ] $\mid v[$ io]c óy óou

 'Ap[ict]ouáxou.

The fact that this inscription is so heavily fragmented makes it impossible to determine its exact sense in detail. Nevertheless, enough of it remains to demonstrate that this apparently consists of an agreement between the Peloponnesian states of Argos and Kleonai. This agreement seems to have been established in order to settle the differences which the two states had with each other. There was probably some kind of boundary problem, as reference is made to a $\pi \epsilon$ pıáyncıc.' The appearance of the term Sukactinpiov also suggests some kind of legal action and perhaps a judicial decision between the states. ${ }^{2}$

The editor suggested that the frequent appearance of forms of the word параүíүvouat, "the regular word for attendance at festivals", might indicate that one of the points at issue was the Nemean Games, a
contentious matter between Kleonai and Argos. ${ }^{3}$ The two states were perpetual rivals for the right and honour of celebrating the sacred festival. ${ }^{4}$ At some point between 315 and 251 Argos had taken control of Nemea and the conduct of the Games. ${ }^{5}$ Aratos, however, after his unsuccessful attempt on Argos, ${ }^{6}$ brought Kleonai into the Achaian League in 235 and celebrated the Nemeia under the auspices of Kleonai. Argos continued to maintain her right to celebrate the Games down to, presumably, 229, the year in which she entered the Achaian League.

It is the time of Argos's entry into the League which seems to offer the most reasonable date for an agreement between Argos and Kleonai, an agreement which settled, among other matters, the right of celebration of the Nemeia. If this is so, and this agreement is to be connected to the circumstances of Argos becoming a member of the Achaian League, then it is possible that the League itself arbitrated the differences between the new member and the old, just as it had been involved in settling the differences between the new member Orchomenos, and the old, Megalopolis, around 234/3. ${ }^{7}$

$$
1 \text { 1. } 5 . \mathrm{Cf} .22,=36,=37,=132 .
$$

2 11. 9, 15 (?). Cf. also the reference to the "law about acts of violence and murder" (1. 12).

3 mapayíyvouat: 11. 6, 7, 15, 18, 19. See Bradeen p. 326.
4 The Games were the subject of a later arbitration between Argos and Kleonai, carried out by Mummius in 145 (*168).

5 See Bradeen p. 326.
6 Cf. 34 .
7 *47. Prosopographical criteria can also be used in dating this inscription. The Timokleidas referred to as "Soter" in 1.20 was probably the Timokleidas who aided Kleinias, the father of Aratos, in the restoration of constitutional government in Sikyon (Plutarch Aratos 2). Timokleidas died before 264, and the appearance of his name provides a def inite terminus post quem for the inscription. Bradeen (p. 325) suggests that the appearance of Timokleidas "the saviour" here is only a passing reference, perhaps to a statue of the benefactor. If the restoration of Agias the son of Aristomachos is correct, then it may be a reference to an Agias, who may have been a son of the Argive tyrant, the elder Aristomachos, and who helped the younger Aristomachos to power in Argos in 235 on the death of Aristippos (Plutarch Aratos 29; cf. *44).

## *49: Megalopolis and Sparta

 229/8-221Plutarch Kleomenes 4, 1; Polybios 2.54, 3.
See the bibliography cited in $* 150$.






 $\tau \omega \nu \nu{ }^{\prime} A x a t \omega \nu$ cúvoסov єic Aíyov.

Part of the inscription discussed in $\geqslant 150$ may also be relevant:

$$
a^{\prime \prime} \tau^{\prime}{ }^{\prime} \nu \nu \text { тoîlc] "E } \lambda \lambda a c ı \text { кaì cu } \mu \mu a ́ x o l c
$$


 tò [ $v$ ]
áci xpóvov....

When Philip II carried out his settlement of the Peloponnese in 338, Megalopolis was one of the states to benefit from his re-allocation of Spartan-held territory. ${ }^{\prime}$ The lands in question were those known as Aigytis and Belminatis or Belbinatis. Both regions were of strategic significance. The Belminatis lies about the upper waters of the Eurotas, and gives access to Lakonia. ${ }^{2}$ The Aigytis is in north-west Lakonia, around the tributaries of the Alpheios. ${ }^{3}$ Both districts were perennial objects of dispute between Sparta and Megalopolis in the Hellenistic Age.

Philip II had given the Belminatis to Megalopolis, in a decision which was probably ratified by the synedrion of the League of Corinth, or by a judicial body empanelled from League representatives. ${ }^{4}$ Over a century later Kleomenes III seized the district forcibly from Megalopolis when he
occupied the Athenaion in 229/8 at the beginning of his war with the Achaians and, later, Antigonos Doson. At this time the region was said to be $\in \epsilon^{\prime} \Pi$ ílokov, the object of a legal dispute. This may mean that at the time when Kleomenes invaded, the old matter of the ownership of the Belminatis had been submitted once again to litigation. Or it may simply be that Plutarch was giving recognition to the eternally contested nature of the territory. ${ }^{5}$

Later in the war, when Antigonos had been invited in by Aratos, the Macedonian king forced the Spartans out of the Megalopolitan territory which they had occupied. Antigonos ejected the Spartan garrisons from the forts in the Belminatis and the Aigytis in 224, and handed these districts back to Megalopolis. ${ }^{6}$ This clearly cannot be construed as an arbitral settlement of the region. Yet the knowledge that it was the object of ongoing legal wrangling may have affected later views of the situation and the nature of Doson's settlement.

It is also possible that Doson implemented certain policies of his forerunner Philip II in dealing with the cases both of Megalopolis and Messene. After Sellasia it may be that the king invited his Greek allies to ratify the de facto situation with a de iure ruling. ${ }^{7}$ In that case, it is
possible that the later inscription from the years after 164/3, cited above, makes a reference to this. The kpíceic may be judgements passed by the Greeks after Sellasia on the status of the Aigytis and the Belminatis, and perhaps also Messene's Dentheliatis. ${ }^{8}$

1 See Piccirilli \#60.
2 See Walbank Comm 1.243-44. The Belminatis also had a temple of Athena located within it, which may have increased its value as desirable territory; cf. ${ }^{54}$, and the issue of the temple of Artemis Limnatis.

3
Walbank Comm 1.255.
4 Cf. $=2$.
5 The fact that Plutarch specifies that the territory was disputed "at that time" (tót $\epsilon$ ) might indicate that the quarrel had once again found outward expression in legal action. The term ${ }^{\epsilon} \pi^{\prime} \delta^{\prime}($ ckoc certainly implies a judicial process.

6 The territory was subsequently invaded by Sparta under the tyrants' rule, and handed back again to Megalopolis after the death of Nabis when Philopoimen forced his settlement on Sparta in 189 . See $=112$, -150 .

7 Cf. the Messenian claim ( $=54$ ) that Antigonos's restoration of the Dentheliatis amounted to a judicial decision.

8 Although there is no direct evidence linking the decision made at this time regarding Megalopolis's territory with that made about Messene's (*54), it is quite likely that a connection should be made; depriving Sparta of the northern districts which she constantly sought to control was
probably a consistent policy of Macedon as well as the Achaian League. See Hammond/Griffith. A History of Macedonia (Oxford 1979) II.628.

On the inscription, and whether it refers to kpíceic made now or in 337, see 2, note 11. Cf. also (loc. cit.) the passage of Livy ( $38.34,8$ ), which refers to the "Achaian decree", by which the Megalopolitans received back the Belminatis in the time of Philip II. Livy evidently refers to a decision made in 337, but the erroneous appearance of the Achaians in this passage may be a result of Livy or his sources confusing judicial settlements made in 337 (by the League of Corinth) with those made after Sellasia (perhaps by Doson's Hellenic League, the most prominent members of which were the Achaians).

## *50: Arsinoē (Methana) and Epidauros/The Achaian League After 228

Stele, inscribed on both sides [| \& II], found in the Asklepieion at Epidauros. H.: 0.26-0.28 m.; w.: 0.19 m .; d.: 0.145 m . Total of 33 lines.
P. Kavvadias AE 1918 pp. 151-54, *5, *5a; *Hiller von Gaertringen IG IV².1.72.
F. Hiller von Gaertringen AE 1925/26 p. 71, \#7; W. Peek ASAW 60.2 (1969) p. 25, *27; N.D. Robertson Hesperia 45 (1976) p. $266^{29 .}$

1 Өєóc


['Eாıठav]píoıc кaì 'Apcıvoe[v̂cıv...........]
5





c äxpl ka tpeîc
molńcovtal $\gamma$



15


[. . . . . . .taє
 || 3-4: [’̌̌крıvav| 'Emı反au]píolc: Kavvadias. || 6: [крícıc]: Hiller von Gaertringen. II 10: áxpı Katpetc-: Kavvadias. II 13: парayıvécө⿴cav: Peek.
 |AIP: Peek. || 17: NTAI: Peek.

## II [סıкастaì ékpı]vav toíd́ <br> $[\theta \in \lambda \pi]$ oúcc[ $10 \cdot]$

Side II would have carried the names of all the judges from the eleven cities; however, only the names of some of the judges from Thelpoussa have survived, in lines 20-33.

The arbitration recorded in this document once again relates to a disputed territory between the two states involved. In this case it is Epidauros and her neighbour Arsinoë.' Although it is not stated explicitly, it would seem from the dating of the inscription by reference to the Achaian League, and from a comparison with * 43, that the Achaian League was again involved in settling a dispute between her members. Kavvadias suggested that Epidauros's appearance here and in the latter case may be related to her entry into the Achaian League in 243/2. This would have
been the time for the League to involve itself, directly or indirectly, in the settlement of the outstanding boundary disputes of the new member. ${ }^{2}$

This inscription bears a number of similarities, in form and content, to the one discussed in case $* 43$. Both relate to arbitrations performed between and by cities who are members of the Achaian League in the latter half of the third century. As such they are dated by the Achaian strategia, and since both cases involve Epidauros, by the priesthood of Asklepios at Epidauros. ${ }^{3}$ Both, as in other cases of arbitration within the Achaian League and elsewhere, preserve the list of judges. ${ }^{4}$ It may be that here, as in the previous case, the actual boundary termination was to have been preserved within the inscription; however, there is so little left of it that this is a risky judgement. ${ }^{5}$

There is, however, one major difference between this case and the previous one involving Corinth. There, one city, Megara, another member of the League, was chosen as the arbitrating state. Here, some eleven cities were delegated to send judges to settle the dispute, among them Pellana, Aigion and Thelpoussa. All of these states were also members of the League, confirming the notion that there was official League intervention. The eleven cities were proposed, perhaps by the disputing states; if so,
then the proposals were probably approved by the League council. In the earlier case involving Corinth, the Corinthians had been unsatisfied with the initial boundary terminations, although we do not know exactly why. The fact that eleven cities were chosen to send judges here may indicate that a single arbitrating city could be accused of bias or favouritism. ${ }^{6}$

1 Or Methana. See Kavvadias p. 151, Hiller von Gaertringen AE 1925/26 p. 71, IG IV². 1.72 notes.
$2 \mathrm{Cf} . \mathrm{also}=47,48$.
3 An eponymous magistrate for Arsinoë should perhaps be restored here (see Hiller von Gaertringen AE 1925/26 p. 71, and IG IV2.1.72). Compare ${ }^{*} 153$, dated by references to the magistrates of both Troizen and Arsinoe. On the other hand, the latter is a pact between the two states, and it is more probable that it would be dated in such a way. The document which more closely resembles this one, *43, is dated only by the Achaian strategia and the Epidaurian priesthood.

4 Cf . 31 and $=41$, both of them Achaian arbitrations from the third


5 Kavvadias thought (p. 154) that 1. 10, which he read as áxpl Katpeic-, preserved a topographical name, and therefore was part of a boundary description.

6 It should be remembered, however, that in $=43$ the Megarians also constituted the revised court, and their decision was apparently accepted by the Corinthians, although we do not know with how good a grace.

## *51: Eleutherna and Antigonos III c. 224 [?]

Marble stele with pediment found possibly at Eleutherna in Crete; largely broken away on the left side. H. (with pediment): 0.80 m. ; w. (max.): 0.33 m. ; d. ( $0.08-0.13 \mathrm{~m}$.). 34 lines.
G. Doublet BCH 13 (1889) pp. 47-51, \#1; F. Halbherr ANA 11 (1896) pp. 582-86, "67; Guarducci IC II.xii pp. 158-161, "20; *Schmitt *501.
W. Bettingen. König Antigonos Doson von Makedonien (Diss. Jena 1912) pp. 30-32; G. Cardinali RSA 9 (1904) pp. 91-93; idem RFIC 33 (1905) pp. 527-29; J. Delamarre RPh 26 (1902) pp. 316f.; de Taube p. 41; S. Dow/C.F. Edson HSCPh 48 (1937) p. 135; Gauthier p. 323; G.T. Griffith. Mercenaries of the Hellenistic World (Cambridge 1935) p. 69; Gruen 1.99; Heuss pp. $141 \mathrm{f} . ;$ Klose p. 144; M. Launey. Recherches sur les armées hellénistiques (Paris 1949-50) I pp. 253f., II pp. 753-4; Muttelsee p. 12; Niese II.336; M.T. Piraino AAPal 4.13, fasc. 3 (1953) pp. 323f.; E. Pozzi MAT 2.63 (1913) pp. 373-74; A. Scrinzi AlV 7.9 (1897/98) pp. 1516f; SEG XXV.1028; Steinwenter pp. 193f.; W.W. Tarn JHS 29 (1909) p. 270; idem. Antigonos Gonatas (1913) p. 471; Tod *48; van Effenterre pp. 219f., 252; Walbank Comm I (on Polybios 2.66, 6); A. Wilhelm. Attische Urkunden I (SAWW 165.6) pp. SOf.; Will ${ }^{2} 1.389$.

$$
\begin{aligned}
& \text { [ - . . . . . . . . . . . . . . . . . . . - - ] }
\end{aligned}
$$

[vac - . . . . . . . . - toùc] 'e入єuӨєpvaíouc' кatà





 [ouc пресвєutaì парà 'Avtıү]óvou, cuvay'́tccav























[--- - - - - - - - - - - - - - - - -

 évavtíav пр]ọ̣c: Guarducci. || 4: Makєठó|[vac ì toùc cunuáxouc tov̀c]:
















 є́кка|[tov ävסpa]: Doublet.

This inscription contains an alliance between the Cretan city of Eleutherna and a Macedonian king Antigonos, probably Doson. The section which has survived deals with restrictions placed on the future alliances of both parties and with mutual military aid. The balance of this aid seems to be the responsibility of the Eleuthernaians; we can perhaps assume that the alliance was initiated by Macedon in the interests of acquiring a mercenary force. ${ }^{1}$ Eleutherna is obliged to respond to a request for troops within a fixed period of time (twenty days), and to grant priority to a Macedonian embassy; presumably this would be an embassy which would have been sent to secure military assistance. If the magistrates of Eleutherna do not send troops within the prescribed period,
or if the symmachy is broken by them in any other way, they are to pay amends to Antigonos. If the Macedonian ambassadors are not given priority, the Eleuthernaians are likewise liable to a prescribed penalty. Antigonos is also bound to send aid to Eleutherna within twenty days from a request, but no mention is made of a penalty to be paid by Antigonos in case of default. Antigonos undertakes to pay the troops which are sent by Eleutherna, a further indication that this may not be so much a full military alliance as an agreement regarding mercenaries. ${ }^{2}$

The potential for arbitration here lies in the clause which provides for the payment of a fine in case the Eleuthernaians transgress a provision of the alliance (lines $17-22)^{3}$ The agreement between them and Antigonos may have set a maximum penalty, which would then be a matter
 Antigonos. The ' $\epsilon$ Kк ${ }^{\prime}$ пtoc пó $\lambda$ ıc would have been decided upon by both parties.

It does not appear in this case that the third city which was to act as an arbitrator would have had quite the freedom of judgement that is apparent in some other cases. For instance, the payment of a penalty for default of obligations does not appear to extend to Antigonos. Therefore,
an arbitrator would be restricted to judging degrees of the guilt of Eleutherna; Antigonos would not himself be subject to an arbitral ruling. In addition, the penalty which the arbitrator could inflict consists of a fine as set out in the alliance; perhaps the arbitrator would have the freedom to set the sum (up to 10,000 drachmai, almost two talents, the
 nó $\lambda$ ıc would probably not have much license.

There is no question that the Antigonos referred to here, and in the following case, is either Gonatas or Doson, but there has been much disagreement about a more precise dating of this inscription. ${ }^{5}$ The weight of opinion is in favour of dating this to the reign of Antigonos Doson. The style of the lettering may be more suitable to the later date, and the use of certain phrases more appropriate to Antigonos III. ${ }^{6}$ If these alliances with Cretan states are to be attributed to Antigonos Doson, then the most plausible conjecture would assign them to a date around 224, the period when Doson was preparing to join the Achaian League in the war against Kleomenes III of Sparta. ${ }^{7}$ By these treaties, Doson not only assured himself a source of troops, but also ensured that his enemies' chances for recruitment would be limited, since they could not recruit from any state
to which he was allied. ${ }^{8}$

I On the one-sidedness of this treaty cf. Guarducci p. 160, Klose p. 144, Schmitt p. 197.

2 See Schmitt p. 197.
3 On provision for financial penalties cf. $=99$.

5 Gonatas: Blass (SGDI \#5043 [*52]), de Taube, Doublet, Halbherr, Pozzi, Tod. Doson: Bettingen, Cardinali, Delamarre, de Sanctis, Griffith, Gruen, Guarducci, Heuss, Klose, Launey, Muttelsee, Niese, Schmitt, Scrinzi, Tarn, van Effenterre, Walbank, Will.

6 On the phraseology argument, see Tarn JHS 1909 p. 270, who argues that the term "Antigonos and the Macedonians" is the royal style of Antigonos Doson. Against this, see Pozzi p. 373, Dow/Edson p. 135, who believe that this and the text of ${ }^{52}$, are too fragmentary to make a definite judgement (the headings of both inscriptions are missing); see also A. Aymard "BAEIAEY乏 MAKE $\triangle O N \Omega N$ " RevIntDroitsAnt. 4 (1950) pp. 75-76 ( $=$ Études d'histoire ancienne [Paris 1967] p. 109, and Gauthier p. $323^{100}$. The reference to ékrovol (1.5) could then be taken in a general sense (see Guarducci p. 160), or as referring to Philip $V$ as an adoptive son of Antigonos (Muttelsee p. 12). On the letter forms see Muttelsee p. 12; Delamarre p. 323.

7 See Griffith p. 69; Guarducci p. 160; Launey I p. 253; Schmitt p. 197; van Effenterre pp. 219f.; Will p. 389. Antigonos would have been following the example of his predecessor Demetrios, who had concluded an alliance with Gortyn in 236 (IC IV.167; van Effenterre p. 252). See Polybios 2.66, 6 for Antigonos's Cretan mercenaries; and see Larsen GFS p. $323^{2}$, who supports their appearance.

## =52: Hierapytna and Antigonos III

 c. 224 [?]Two separate fragments of a grey limestone stele, found at Hierapetros (Hierapytna), now apparently lost. I: h.: $0.35 \mathrm{~m} . ;$ w. (max.): 0.23 m.; d. 0.10 m . II: h. (max.): 0.28m., w. (max.): 0.20 m. ; d.: 0.10 m .35 lines.
G. Doublet BCH 13 (1889) pp. 51-54, *2; F. Halbherr Musital 3 (1890) cols. 601-7, \#34a and *35a; Blass SGDI *5043; Guarducci IC III.iii pp. 24-28, \#1A; *Schmitt *502.

SEG XXV.1033; Tod *55. For further bibliography see the citations in $=51$.

1 [




5 [val . . . . . . . . . . .] ппар' є́ка́стоис ن́тархо́vтьv

[ $\delta \rho a \chi \mu a ̀ c ~ \mu и р i ́ a c, ~ o ́ ~ \delta e ̀ ~ с т р а т ı \omega t a c ~ \delta p a \chi] \mu a ̀ c ~ \chi ı \lambda i ́ a c . ~ Є ̉ v \delta є ı к \nu u ́ є \nu ~$ ठє̀

勈


[ . . . . . . . . . . . . . . $\mu \eta \delta] є ̀ ~ t o ̀ c ~ e ́ y \gamma o ́ v o c ~ \mu \eta \delta e ̀ ~ M a-~$
 [xєv ............... - ن́া]єvavtíov пра́ccev тâı про15








 $\tau \omega(y \in]-$
 ámotıvéto]-

 трс́ákov]-
 Bacinc]-


 'Avtí]-



кatà tò סuvatòv ßa[ci入єùc ’Avtíyovoc - . . . . . - -]

35 т $¢$ роо àmoえuc
[- . . . . . . . . . . . . . . . . . . - - $]$
 прòl [tâcסe tâc cuvónkac - -]: Blass, Guarducci. II 4-5: [toùc c]TPATE Yomenoysynoaikozen[aı toîc émituíoic]: Doublet. લỉ̉|[vat toîc





ún]evavtíov: Blass. [undèv ív]enantionnpazzentainol $\lambda \in l$ t $\hat{\omega} \nu$

 ¿YMMAXIANYחENANTI[av moleiçal]: Doublet. || 17-18: IEPARYTNI [ $\omega \nu$

















 ‘iєpanútviot: Halbherr, Blass. || 33-34: $\Delta Y N A T O N B A[c i \lambda \epsilon i ̂$ 'Avtiyóvol| tòc 'I $\epsilon$ parut]nioznole Iatekalo. Doublet.

This inscription, bearing an agreement between the south Cretan city of Hierapytna and Antigonos of Macedon, is virtually identical in substance to, though differing in phrasing from the document in the previous case.

We can presume, therefore, that the historical circumstances surrounding this treaty were the same as those discussed in $* 51$.

Here, as there, arbitration is provided for in the case of the Hierapytnians not fulfilling their commitments (lines 22-25). Both Hierapytna and Antigonos are to provide a military force within thirty days of a request, but here again only Hierapytna is liable to a penalty for default of this obligation, or for any other breach of the agreement. The fine is again set at 10,000 drachmai, again to be paid in an ${ }^{\prime \prime}$ KK $\lambda \Pi$ TOC nó $\lambda_{\text {ıc. }}$ Although it is not specified that the fine was to be paid to Antigonos, it would have been handed over to him by the judges of the third state. ${ }^{1}$ Once again, we see the one-sidedness of the arrangements, and the narrow limits of the task allotted to the éккК

1 See wilhelm p. 52; Guarducci p. 28.
2 See Schmitt p. 201. Cf. Launey 1.254: "Certes, le roi doit aussi, s'ils le réclament, aider les Hiérapytniens dans le même délai, mais
 bénéfice du roi de Macédoine."

## =53: Achaios and Attalos I/Byzantion 222-220

Polybios 4.49, 2. Cf. Polybios 8.22, 2. Hansen ${ }^{2}$ pp. 38-40; McShane p. 65.

Polybios 4.49, 2: סucnpéctel $\delta^{\circ}$ aưtoîc kaì émi t@ mâcav


 qi入íav.

When Seleukos III was murdered in 223, he was campaigning in Asia
Minor in an attempt to recover the losses inflicted on the Seleukid kingdom by the new kingdom of Pergamon under its king Attalos. Upon Seleukos's death his youthful brother Antiochos III became the lawful king. Antiochos, however, was far away in Babylon, and the conduct of the war in Asia Minor was committed to the man on the spot, the Seleukid kinsman Achaios.

Although Achaios, who was shortly to rebel against Antiochos, was initially loyal to his king, he had in essence sovereign command of the western portion of what the Seleukids still considered to be their empire. He conducted the war with vigour and managed to pen Attalos up within the original confines of Pergamon.' It was, according to Polybios, his elation at his good fortune in the war with Attalos which induced him to renounce his loyalty to the young Antiochos and assume the royal title himself.

The continuing hostility between Achaios and Attalos was the subject of repeated mediation efforts on the part of Byzantion. Polybios speaks of these attempts in the context of Byzantion's war with Rhodes and Bithynia. It may be that Byzantion's diplomatic efforts were exerted with a view to gaining the undivided support of Achaios and Attalos in her own trade war. These attempts to reconcile the two powerful individuals, Seleukid and Pergamene, were perceived as a threat by Prousias of Bithynia, and are cited by Polybios as one cause of Prousias entering the war against Byzantion on the side of Rhodes. ${ }^{2}$

Byzantion's efforts to mediate between Achaios and Attalos were unavailing, insofar as she apparently succeeded neither in reconciling the two nor in gaining support from them for her own war. ${ }^{3}$

1 Polybios 4.48.
2 See $=55$. Byzantion did receive positive responses, but no real help from either Achaios or Attalos, for differing reasons.

3 Cf., however, Hansen (p. 40), who believes peace must have been established between the two by 220/19, since at that time both of them appear as Byzantion's allies. Against Hansen, see McShane, and *55.

## *54: Messene and Sparta/Antigonos III

c. 221

Tacitus Annales 4.43, 1-3.
Berard " 1; de Ruggiero pp. 286-87; J.V.A. Fine AJP 61 (1940) p. 155; Gruen I.98; ARS \#37a; W. Kolbe MDAl(A) 29 (1904) pp. 375f.; idem IG V. 1 (1908) p. 260; Martin p. 495; Phillipson pp. 162-64; Piper p. 75; Raeder *28; L. Robert. BEG 59/60 (1946/47) p. 327, "114; Roebuck Diss pp. 62-64, 118-21; Steinwenter pp. 184-86; Tod Sidelights pp. 49-53; R. Weil MDAl(A) 7 (1882) pp. 213 f.

Tacitus Annales 4.43: Auditae dehinc Lacedaemoniorum et Messeniorum legationes de iure templi Dianae Limnatidis, quod suis a maioribus suaque in terra dicatum Lacedaemonii firmabant annalium memoria vatumque carminibus, sed Macedonis Philippi, cum quo bellassent, armis ademptum ac post C. Caesaris et M. Antonii sententia redditum. (2) contra Messeni<i> veterem inter Herculis posteros divisionem Peloponnesi protulere, suoque regi Denthaliatem agrum, in quo id delubrum, cessisse; monimentaque eius rei sculpta saxis et aere prisco manere. (3) quod si vatum, annalium ad testimonia vocentur, plures sibi ac locupletiores esse; neque Philippum potentia, sed ex vero statuisse. Idem regis Antigoni, idem imperatoris Mummii iudicium; sic Milesios permisso publice arbitrio, postremo Atidium Geminum praetorem Achaiae decrevisse. Ita secundum Messenios datum.

In a passage which deals with deputations to Tiberius in the year AD 25, Tacitus tells us of legations from Sparta and Messene who came to dispute their claim over a certain territory located on the border of the two states. This piece of land, lying on the western slopes of Taÿgetos and known as the Dentheliatis, contained a famous sanctuary of Artemis Limnatis. The ownership of this temple was the point of contention in this
particular quarrel between the Spartans and the Messenians. ${ }^{1}$
The controversy had lasted for centuries. ${ }^{2}$ The Spartan envoys, backing their argument with the evidence of historical records and the poets, claimed that the temple had been theirs from the days of their ancient ancestors, and that it had been lost to them when Philip II had taken it by force. ${ }^{3}$ Almost three centuries later they had received it back again by rulings of Julius Caesar and Antony.

The Messenians on their part appealed to a legendary past, claiming that the land had been given to them when the Peloponnese had been divided among the descendants of Herakles. They also cited the poets and the histories, and inscriptions as well, for evidence to support their claim. They defended Philip li's award of the land to them as a legal decision rather than an act of power. ${ }^{4}$ Philip's judgement had apparently been upheld by an Antigonos, Mummius when he was ordering the affairs of Greece in 146 and after, Miletos shortly after that, Atidius Geminus the governor of Achaia, and finally Tiberius himself. ${ }^{5}$

By the long list of consecutive decisions in favour of Messene, some of them apparently uninterrupted by any period of Spartan tenure of the land, it would seem that Sparta tried to take advantage of any new turn of
events, or the appearance of a new power to gain a new judgement in her favour. On the other hand it is possible that this reflects repeated military action by Sparta in seizing the land.

Tacitus does not tell us whom he means when he says "King Antigonos", and the sequence of judgements as it stands in his bald summary of the Messenian argument is such that it could refer to Monophthalmos, Gonatas or Doson. ${ }^{6}$ Antigonos 1 is the least plausible choice for an arbitrator between Sparta and Messene. There is a greater possibility that Antigonos II could have been the king meant by Tacitus. An argument can be made that Messene, deprived of the Dentheliatis by Spartan military action undertaken by Areus somelime after 280, was restored to her possession of it by Antigonos when Sparta was defeated in the Chremonidean War. ${ }^{7}$

Nevertheless, the weight of general opinion is in favour of seeing Antigonos Doson as the arbilrator mentioned by Tacitus. ${ }^{8}$ In this case it seems likely that the Dentheliatis was taken from Messene by Kleomenes rather than Areus. ${ }^{9}$ It would then have been restored to Messene after Antigonos had defeated Sparta at Sellasia in $222 .{ }^{10}$ it is interesting to note that, although the judgement of Antigonos is listed in Tacitus as an
arbitral award, scholars have sought a military operation against Sparta to which it can be connected. It is possible simply that a new trial was sought. ${ }^{11}$ Nevertheless, the number of powerful and probably interested individuals involved in making the arbitral judgements in this dispute over the centuries does call into question the general objectivity of the awards made. The differing Spartan and Messenian interpretations of Philip II's award should be borne in mind. In the present instance, the Messenians may have distorted the action of Doson, making it appear as a legitimate judicial decision, rather then one influenced by political manipulation of the defeated enemy Sparta. Of course, in Messenian eyes, the actions of Doson, like those of Philip II, in giving them the Dentheliatis, were perfectly legal and legitimate. ${ }^{12}$

1 For the ownership of land containing a sanctuary as a reason for land disputes, cf. case $=14$.

2 Cf. Lécrivain p. 13, Steinwenter pp. 184f., who mentions this among a list of other interminable disputes: Samos and Priene ( ${ }^{*} 28, * 92$, *115), Narthakion and Melitaia (*38, *95), Megalopolis and Sparta ( $* 148$, $* 150$ ), and Delphi and her neighbours ( $* 1, * 25$ ).

It may be that Tiberius's decision in AD 25 put an end to the matter, but it seems unlikely. It had been thought that IG V.I.1431, a boundary inscription from AD 78 between Sparta and Messene, which mentions a temple of Artemis Limnatis, was evidence that the dispute continued to at least that date (cf. Hiller von Gaertringen $\underline{S I G}^{3} \# 683$, Kolbe $\underline{\underline{G}}$ V. 1 p. 260).

However, if Roebuck is correct in his examination of the site of the ager Dentheliatis, this would not be the famous sanctuary which was the cause of dispute (Diss., Appendix I, pp. 118-21). Nevertheless, this is not proof that the dispute did not continue.

For examples of some of the numerous ópoc-inscriptions between Sparta and Messene, of. the very extensive IG V.1.1431 mentioned above; IG V.1.1371, 1372; SEG XIII. 269.

3 On the appeal to historical records and poets, cf. cases $=28,92$. On the intervention of Philip II in this dispute (Piccirilli \#61), cf. Polybios 9.28, 7 and 9.33, 11-12.

## 4 See *2 and Piccirilli *60, *61.

5 This dispute between Sparta and Messene provides us with a rare instance where there are epigraphic and literary sources for the same case (cf. Martin p. 495, Tod Sidelights pp. 49-53). For the Milesian judgment, see the inscription cited at the end of the present case.

6 Cf. Gruen I.98.
7 See Walbank Comm 1.288, and Roebuck Diss. p. 62: "Sparta, about 280, under its king Areus, began to reorganize a Peloponnesian League directed against Gonatas . . . The pro-Antigonid states were Troezen, Sicyon, Megalopolis, and Messene . . . It is probable that Messene lost control of the Ager Denthaliatis to Sparta during the war."; and p. 64: "Antigonus is said to have awarded the Ager to Messene. If Gonatas is meant, the end of the Chremonidean War was probably the time of the restoration (Ehrenberg P-W IIIA, 1422, 1426)."

Beloch GG III. 2 p. 304 thought that Tacitus meant Antigonos Gonatas, and dated this arbitration to around 285. Cf. Kolbe MDAI(A) 29 p. 376 (who, however, apparently thought better of this, since he cites Doson as the king meant in $\underline{G} \mathrm{~V} .1 \mathrm{p} .260$.

8 R. Neubauer ArchZeit 1876 p. 131, Hicks p. 343 ( ${ }^{*} 200$ ), Berard p. 5, Dittenberger/Purgold $101 y$ mpia *52, p. 104, Dittenberger SIG $^{2} * 314$, p. 498, Weil MDAI(A) 7 p. 213, Kolbe IG V. 1 p. 260, Raeder p. 61, ARS \#37a.

9 Dittenberger/Purgold $101 y$ mpia *52, p. 104; Kolbe IG V. p .260 . of course, there is no positive evidence for this, the land and the temple may not have been taken at all; Messene may still have held them and this may be an example of a request by Sparta for a new trial. It would certainly seem strange though to see Sparta asking one of the Macedonian kings, particularly Doson, to act as arbitrator.

10 Polybios 2.70. Roebuck Diss. p. 64; Beloch $\underline{G G}^{2}$ IV. 1 p. 718 ; Fine ANP
${ }^{11}$ Neubauer p. 131, Dittenberger $\underline{S I G}^{2}$ \#314, p. 498.
12 Cf . 49, and some of the comments there on the possibilities for arbitration after Sellasia.

An inscription discovered at Olympia (10lympia *52) is a record of one of the judgements (the Milesian one mentioned by Tacitus) in the series of which this case is a part. The inscription is engraved on the base of the Nike of Paionios, dedicated by the Messenians, and is dated to around 138 B.C. It falls into three sections:

1) a decree of Elis permitting the Messenians to inscribe the arbitral award of the Milesians at Olympia.
2) a letter of the Milesians to Elis enclosing a sealed copy of the award.
3) the copy of the award.

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70 ठєкає́є.

## *55: Byzantion and Rhodes-Bithynia/Kavaros 220

Polybios 4.51, 9-52, 4.
Berthold pp. 94-96; Hansen ${ }^{2}$ pp. 40-41; McShane p. 65; Schmitt \#516 (and cf. *514); Will ${ }^{2}$ 11.45-46.





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Among those states adversely affected by the movement south of the Gauls in the first half of the third century was Byzantion. The Gauls, some of whom settled in the country around Byzantion, exacted regular and hefty amounts of "protection" money from the Greek state. In return for this "tribute", they agreed not to devastate Byzantine territory.

During the reign of the Gaulish king Kavaros, the Byzantines sent
embassies to other Greek states asking for help and relief from this tribute. When they received no response they turned to a time-honoured solution: controlling the sea-traffic through the Bosporos. The Byzantines began to levy a toll on ships passing to and from the Black Sea. ${ }^{1}$

Among the powers affected by this Byzantine move was the important trading nation of Rhodes. The Rhodians served as a forum and champion for all the complaints of the other states involved. Diplomatic attempts to persuade Byzantion to abolish the duty failed, and Rhodes declared war on the recalcitrant state. ${ }^{2}$

The war expanded beyond the immediate interests of those concerned with the Black Sea trade route. Rhodes acquired the aid of Prousias of Bithynia, who had his own grievances against Byzantion. ${ }^{3}$ Prousias was to conduct the war on land, the Rhodians by sea. Byzantion, for her part, was counting on the aid of the Seleukid usurper Achaios, and was planning to unseat Prousias if possible, by bringing in a rival claimant, Prousias's kinsman Tiboites. ${ }^{4}$

Byzantion relied heavily on the promise of support from Achaios, but the Rhodians, perceiving this, used diplomatic means to undermine this alliance. The father of Achaios, Andromachos, was a prisoner of Ptolemy
of Egypt. The Rhodians, exploiting their ties with Egypt, publicly urged Ptolemy to free Andromachos; when Ptolemy did so, it would have been clear to Achaios that Rhodes had used her influence in his favour. This action was therefore calculated to undercut the alliance between Achaios and Rhodes's enemy Byzantion. ${ }^{5}$

The loss of Achaios and the strangely fortuitous death of the potential Bithynian usurper Tiboites seriously weakened the Byzantine cause. With increased pressure from Prousias on one side, and from Thracian mercenaries on the other, Byzantion began to seek a solution to the war. It was at this juncture that Kavaros arrived in Byzantion.

Kavaros's mission was to put an end to the conflict. His action may have been influenced by familiarity with Greek ideas of arbitration and mediation, but his chief motive was no doubt the fact that the war was probably interrupting the flow of Byzantine "protection" money. His first act was to intervene between Prousias and Byzantion, both of whom agreed to his mediation. The Rhodians, on hearing of this, sent an embassy to Byzantion to partake in the settlement.

It was with the efforts of Kavaros, then, that peace was made between the belligerents, probably in the autumn of 220 . It may be that
the treaties drawn up at the time were arbitrated by him．${ }^{6}$

1 Shortly before 220．Polybios 4．46．
2
4.47.

3
Polybios lists the reasons in 4．49．Among them was the fact that Byzantion had been attempting to promote friendship between the Seleukid Achaios and Attalos of Pergamon and reconcile the two warring parties． Such a friendship Prousias believed would not be in his own interests．Cf． ＊ 53.

4 4．50，1；50， 9.
5 4．51．Cf．Walbank Comm I．505．
6 See C．Habicht RE XXIII．1（1957）sy＂Prusias＂，cols．1089－91 Terms of the treaties：Polybios 4．52．See Walbank I．506－7；Schmitt \＃516．
＊56：Antiochos III and Ptolemy IV／Aitolia，Byzantion，Kyzikos， and Rhodes 219／8

Polybios 5．63，4－7；5．67， 11.
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In the course of the Fourth Syrian War (221-217), the new Seleukid king Antiochos III attempted to capture Koile Syria. After some initial setbacks, Antiochos carried on some relatively successful siege warfare in the campaign season of 219. Indeed, Antiochos was so successful, and Egypt so weak and threatened, that Ptolemy's ministers decided that some stalling was necessary before Antiochos should take Egypt itself.

According to Polybios, in the winter of 219/8 Ptolemy's "evil geniuses" Sosibios and Agathokles put into effect a plan whereby they began secretly to build up Egypt's military strength through innovative, if desperate, measures. But in order to lull Antiochos into temporary inactivity himself, they invited mutual friends of Antiochos and Ptolemy to carry out mediation between the two belligerents. Embassies were sent to Rhodes, Byzantion, Kyzikos and the Aitolians, asking them to conduct
negotiations. 1 The delay in the fighting caused by the mediation of these states worked to the advantage of Egypt. Polybios implies that Antiochos and the mediators themselves were acting in good faith, but that Sosibios and Agathokles, naturally, were merely using the negotiations as a smokescreen for their real activities. ${ }^{2}$

The negotiations were carried out during a four month armistice in the winter of 219/8. Antiochos wintered in northern Syria, in Seleukeia, where, Polybios reports, the mediators were called upon not only to try to reconcile the two parties, but also to listen to putative legal aspects of the case. Antiochos emphasized the legal rights of his position. ${ }^{3} \mathrm{He}$ cited priority of ownership of Koile Syria, going back to the occupation of it by Antigonos Monophthalmos and Seleukos. He emphasized especially the agreement after lpsos, between Kassander, Lysimachos and Seleukos, which awarded ownership of Koile Syria to Seleukos. The Ptolemaic argument naturally claimed that the Ipsos agreement was invalid, as Seleukos had defaulted on a promise to Ptolemy I, and the latter had only rectified the situation by the simple expedient of occupying Koile Syria.

Despite the fact that the embassies of both sides, however sincere or insincere they may have been, were advancing "legal" arguments before the
representatives of the four states, it nevertheless is clear that these representatives were not admitted to have the powers of arbitrators. ${ }^{4}$ Polybios in fact makes a direct comment on the weakness of mediation as opposed to arbitration, and on the fact that friendly efforts at conciliation were apt to be less efficacious than a strict and neutral judgement.

1 The major trading nations of the Mediterranean, in particular Rhodes, were always willing to act as mediators in the interests of a general peace, which would naturally be to their advantage. Kyzikos and Aitolia had evidently tried to help their fellow-mediator Rhodes some eighty-five years previously by acting as mediators between that state and Demetrios (*9). Cf. $57, * 61$.

2 Antiochos could be sald to nave been negotiating in good ralth, but only because he expected to be able to gain his ends through diplomatic means. Rhodian good faith may also have been suspect. On the position of Rhodes, cf. Berthold's remarks (p. 97): "The Rhodians certainly understood the real point of the negotiations from the start and were quite willing to undertake the deception in order to help protect. Egypt from resurgent Seleucid power, but their role in achieving this goal should not be overstated. As recognized peacemakers in the Greek world, they presumably lent some credibility to the negotiations, but the special relationship between Rhodes and Alexandria was also widely recognized and could very well have raised suspicions."

3 Polybios 5.67, 2.
4 If Polybios is correct in his interpretation of this whole affair, it is scarcely surprising that binding arbitration would not be accepted.

## *57: Aitolia and Philip V-Achaia/Byzantion, Chios, Ptolemy, Rhodes 218-217

Polybios 5.24, 11; 5.28, 1-2;5.100, 9-11.
Berthold pp. 103-4; Larsen GFS pp. 352-54; Walbank Philip V pp. 24-67; Will ${ }^{2}$ 11.75-76.










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Aitolian aggressions in the Peloponnese and elsewhere after the death
of Antigonos Doson in 221 finally led to the outbreak of war between the

Aitolians and the Hellenic League organized by Doson, of which Achaia was by far the most important Greek member. The other important member of this alliance was of course Macedon itself, now under the reign of Philip V. Although initially it was the Achaian League which had been threatened by Aitolia, eventually the war comprised the entire alliance formed by Doson on the one side, and Aitolia, Elis and the disaffected Sparta on the other.

The first attempt by neutral parties to effect a peace between Philip and Aitolia took place in the summer of 218 . While Philip was at Corinth, after some successful campaigning against Sparta, he was met by an embassy from Rhodes and Chios. The Rhodian and Chian ambassadors had come in order to put an end to the war, and offered their services as arbitrators. Economic motivations will of course have been uppermost in the decision of these states to attempt to bring about peace. The commercial states of the Aegean were generally interested in maintaining an atmosphere conducive to trade. ${ }^{1}$

Polybios tells us that Philip agreed to the proposals of the embassy and claimed that he had always been ready to make peace with the Aitolians. He then sent the ambassadors on to communicate this to his enemies, thereby representing himself publicly as a reasonable and pacific
individual. In reality, however, Philip's strategic position was such that he saw no reason for anything other than a dictated peace for the Aitolians. The Aitolians were aware of this, and hence quite prepared to accept the arbitration of Rhodes and Chios. They sent back word with the mediators that they would meet with Philip in order to discuss peace. Before such a meeting could take place, however, the Aitolians underwent a change of heart. Believing that the conspiracy of Apelles signified domestic problems for Philip, they were encouraged about their own prospects in the war. They put off the meeting with Philip, and the latter thereupon dropped any notion he might have had of negotiating. The first attempt at arbitration was a failure. ${ }^{2}$

Nevertheless, Rhodes and Chios determined to make a second effort to procure peace in Greece. In 217, shortly after Philip had taken Phthiotic Thebes, the two states sent a further embassy to try to arbitrate between Philip and Aitolia. This time they were supported by ambassadors from Byzantion and Ptolemy IV. ${ }^{3}$

Initially Philip's response appears to have been identical to that of the previous year. He sent the ambassadors on to the Aitolians, again claiming that he was always ready to make peace, but his professions,
according to Polybios, were no more sincere than they had been in 218. What changed the entire status of the peace negotiations was, apparently, the news of Hannibal's victory at Lake Trasimene. ${ }^{4}$ Whatever Philip's western aims were at this time, the news of the Roman crisis and the influence of Demetrios of Pharos combined to make him desirous of a Greek peace in order to allow him to concentrate on affairs in Illyria.

Once Philip had decided that he wanted peace he went about it in a forthright fashion. He did not await the return of the ambassadors from the neutral states, but sent his own agent to open negotiations with the Aitolians. ${ }^{5}$ Thus the second embassy also failed, in a sense, to mediate a peace. It is probably the case, however, that the fact that negotiations (however insincere) under neutral auspices were already underway may have facilitated the final negotiations for peace.

1 Cf. 56, *61, and see Berthold p. 103.
2 Polybios 5.29. See Walbank Philip $\vee$ pp. 60-61; Larsen p. 352.
3 The appearance of ambassadors from Egypt at this point led Holleaux (Rome, la Grèce et les monarchies hellénistiques, Paris 1935, p. 78) to conjecture that Sosibios had a new policy of cultivating the friendship of Philip as a potential weapon against Antiochos (cf. Berthold p. 103). It is clear, however, from the reactions of the belligerents that mediation at this stage favoured Aitolia rather than Philip (cf. M. Feyel.

Polybe et l'histoire de Béotie, Paris 1942, pp. 165-66). Sosibios may also have had in mind the favour performed for Egypt by the Aitolians in the previous year (see *56).

4
Polybios 5.101.
5
5.102. See Walbank Philip V p. 66; Larsen p. 356.

## *58: Gonnoi and Herakleion/Philip V After 218 [?]

Two stelai, one of them inscribed on both faces [I \& II], discovered at Gonnoi in Thessaly. I \& II: h.: $0.68 \mathrm{~m} . ;$ w.: $0.53 \mathrm{~m} . ;$ d.: 0.15 m . III: $\mathrm{h} .: 0.17 \mathrm{~m}$.; w.: $0.29 \mathrm{~m} . ; \mathrm{d} .: 0.07 \mathrm{~m}$. There are also numerous fragments from the same venue which may deal with the same case: for further epigraphic details see the notes, and Helly Gonnoi II.106f. I: 18 lines; II: 29 lines; III: 13 lines.

I: A.S. Arvanitopoullos AE 1913 pp. 25f., \#165D; *Helly Gonnol II *93 A.

II: Arvanitopoullos AE 1913 pp. 25f., \#165a; *Helly Gonnoi II \#93 B.
III: Arvanitopoullos AE 1913 pp. 43f., \#173; *Helly Gonnoi II \#98.
T.A. Arvanitopoulou Polemon 2 (1939) pp. 45-46, \#108, p. 48 \#114; Gruen I.110; A. McDevitt. Inscriptions from Thessaly (Hildesheim 1970) \#538 and *540; P. Roussel REG 27 (1914) p. 453; A. Wilhelm AAWW 67 (1930) pp. 90, 102-6.

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Arvanitopoulos's readings, which differ widely from the more cautious Helly's, have not been reproduced. Arvanitopoulos read a great deal which is unsubstantiated, and providing an apparatus of his readings would amount to giving a completely different edition of the inscription.

This stele discovered in the ruins of the Perrhaibian city of Gonnoi bears two documents relating to an arbitration between that city and a neighbouring city, Herakleion. ${ }^{1}$ Herakleion was Macedonian, the arbitration was carried out by Macedonians, and it seems that Gonnoi at this point was also under the aegis of Macedon. ${ }^{2}$ The arbitral procedure was nevertheless essentially international in character, in that it was apparently not an obligatory process imposed by the Macedonian monarch, but rather came about because of the petition of the two states concerned.

Thus Philip V and his officials, who actually carried out the arbitration, had the neutral status of uninvolved judges.

Inscription I contains a number of orders to be carried out by the epistatai, Macedonian officials who acted for the monarch, with the same jurisdiction in the Perrhaibian town of Gonnoi as in the Macedonian one of Herakleion. ${ }^{3}$ These orders relate among other things to a boundary
delineation (line 9: toù[c] ópouc ictával), apparently the responsibility of the epistatai. They are to act in accordance with the ordinance of the
 made to the revenues of Gonnoi (lines 6-7; perhaps from the disputed land?), ${ }^{5}$ and to penalties to be paid, presumably by anyone contravening the agreement; perhaps the cities were intended to be liable as well as individuals (lines 17-18).

The second text, on the other hand, seems to contain a collection of material directly pertaining to the trial of the conflicting claims of the two cities. The most striking data given in this document is the direct verbal witness, given in the first person, by the herder Menippos, regarding his knowledge of the boundaries. The format of this is exactly similar to the evidence of the shepherd Ladikos preserved in the inscription recording the Kondaian border arbitration from early in the third century. ${ }^{6}$ Apparently Menippos testified in favour of the city of Gonnoi; it is from his verbatim evidence that we get a picture of the history of the disputed land. ${ }^{7}$

This collection of evidence was apparently gathered and dispatched to the hearing by one Hippokrates of Olosson. This individual may well have
been one of the epistatai charged with settling this affair. He mentions a letter which the evidence was to accompany, perhaps the official act regulating the dispute, which may be the text preserved in inscription $1 .{ }^{8}$

The third in our set of inscriptions [III] appears to contain two separate documents, the second of which, starting at line 9 , is clearly a formal letter to the city of Gonnoi from Petraios, an official of Philip V. ${ }^{9}$ This letter mentions an embassy from Herakleion to the king, an embassy which may well have been inviting royal arbitration in the dispute with Gonnoi. 10

The first part of the inscription contains a text which handed down a number of decisions and orders. It mentions a certain Mikion, a $y \in \omega \mu \notin \tau \rho \cap c$, whose task it may have been to survey and draw up the outline of the districts (line 8: [8ı]ạpáqai toùc tómouc). ${ }^{11}$ There is also a reference to the survey ( $[\in \in \Pi$ '́l]cke $\Psi(v$, line 6) of certain lands (?) in Botteia. Helly's reconstruction of events is that certain individuals, Macedonian functionaries, who were to be called to Pydna had been absent on a tour of inspection there, perhaps one analogous to the survey to be carried out at Gonnoi and Herakleion. Helly believed that the whole
document represented a royal edict, a $\delta$ táypa $\mu \mu a$, relating to the border conflict between Gonnoi and Herakleion. ${ }^{12}$

The sequence of these documents might then be:

1) the royal $\delta$ (áypauца (III), setting out certain orders regarding the boundary conflict. Perhaps this is the $\delta$ (áypa $\mu \mu a$ referred to in the instructions preserved in inscription I.
2) The letter of Petraios (III), informing the disputants of the royal decision to become involved as arbitrator in the conflict.
3) The instructions to the epistatai (I).
4) The evidence heard by the epistatai (II), collected and conveyed to the two cities involved by the official Hippokrates (II). 13 .

This affair would have taken place sometime after 220. Helly dated the inscriptions I and II to the period 220-200 based on the testimony of the shepherd, in which he states that he had heard some evidence from his elders regarding an event to be dated to the time of the "war of Sosthenes", which must be the campaigns of c. 280-278. The elders would have been eyewitnesses to the war of Sosthenes, and this gives a generation spread of $60-70$ years from 278 to the time of the present inscription. In addition, the presence of a Macedonian epistates is only
possible before 197. ${ }^{14}$ McDevitt, following Arvanitopoulos, dated the letter from Petraios to 218, on the basis of Petraios's military duty in Thessaly.

1 Several fragments, too numerous and fragmented to edit here, also appear to be related to this arbitration: Arvanitopoulos AE 1913 pp .38 f ., *166, *166a, *167, *168, *170, *171, *172, *174, *175 = Gonnoi II *94, "95, \#99, \#96, *100, *103, "97, *101, *104; cf. McDevitt Thessaly *539, *541, *542, *543, *544, *545, "547, *548, *549, "550, and possibly *668.

These fragments appear to consist variously of evidence relating to the boundaries, perhaps part of the actual boundary delimitation, and the text of a letter, perhaps the royal letter of inscription III. Arvanitopoulos conjectured, on very little evidence, that AE 1911 p. 145 \#84 (= Gonnoi 105) was a decree of Gonnoi recording the (favourable) judgement in their dispute with Herakleion.

Many of these fragments are only questionably related to the arbitration. The fullest restorations are by Arvanitopoulos, but in general they should be considered as too venturesome. Cf. Roussel's criticism, REG 27 (1914) p. 453.

2 Gonnoi appears, nevertheless, to have been at least semiindependent, and to have enjoyed the same status as a Macedonian city: Helly Gonnol 1.83.

3 Helly Gonnoi 1.83. Whether the epistatai had a permanent official status in the two cities, or whether they were only sent to deal with specific problems such as this is unclear; see Helly Gonnoi II.103. On the epistatai in general see Holleaux Etudes 1.409-17 and III.216-19; L. Robert Études anatoliennes 1936 pp. 233-34; Walbank Comm I.559, 579.

4 Although it is not stated specifically that this סiá $ү p a \mu \mu \alpha$ emanates from the king, it can hardly be doubted. Helly believes that the סláypa $\mu \mu \alpha$ referred to in these lines was a more general document,
setting out general legislative guidelines, than the document which we have in inscription I. Inscription I specifically relates to Gonnoi, and hence in Helly's view should not be identified with the סtáypau $\mu$ which it mentions.

Nevertheless, it seems possible that the $\delta$ táypapua referred to in inscription I is not necessarily a general codification of laws, but rather may be the royal document which occupies the beginning of inscription III (see below).

For a $\delta$ táypa $\mu \mu a$ as royal correspondence amounting to an ordinance,




See also C.B. Welles AJA 1938 pp. 255-60.

## 5 Cf . 45 and $\geqslant 93$.

6 * 16. Here, as there, the witness speaks from his own knowledge of the land, and from what he has heard from his elders (II II. 20f.; cf. 16 11. 14f.) That herders were valuable witnesses because of their knowledge of the countryside seems clear. See Helly Gonnoi II p. 104, and L. Robert Hellenica VII pp. 155-56.

7 See Helly Gonnoi 1.92-93. Apparently until early in the third century the citizens of Gonnoi had used the disputed territory, but had abandoned it around the time of the war of Sosthenes against the Gauls (280-278). It then lay unused until the time when Herakleion and Gonnoi are found in dispute over it, at the end of the third century; Helly conjectures that it was the abandonment of the land which provoked Herakleion to claim it.

8 Helly Gonnoi II. 105.
9 Helly identifies the Petraios mentioned here with the one who in 218 was commanding Macedonian troops stationed in Thessaly; if this letter is from the same man then he clearly would have been a royal representative in an administrative capacity as well (Gonnoi II. 109).
${ }^{10} \mathrm{Cf}$ * $28,11.2-4$.
11 on the $\gamma \in \omega \mu^{\prime} \epsilon$ tpnc, see Helly Gonnoi II.109. Cf. IPergamon \#333; L. Robert. Mélanges René Dussaud 1939 p. 731; the surveyor mentioned in the Herakleian Tables (IG XIV.645); the inscription honouring a $\gamma \in \omega \mu$ '́́тpпc from Asia Minor: ISestos ${ }^{\text {\# }} 5$ (SEG XXX.784).

12 Gonnoi II.109-10.
13 However, cf. Helly Gonnoi 1.92-93, who gives this reconstruction: the "competent authority", after the witnesses were heard, would have taken the decision to proceed to a delimitation. It would have been a matter again of a royal act, accompanied by the letter of the functionary Petraios, who would have ensured its transmission. So to Helly, all of inscription Ill follows the main part of the trial. It seems odd that the trial's final decisions would be delayed while messengers went to wherever they would have to go to get a diagramma. Why, at this stage of the proceedings, would Petraios speak of a Herakleian embassy to the king?

14 Helly p. 105.

## *59: Melitaia and Xyniai/The Aitolian League $214 / 3$

Inscription found at Delphi, on the same stele as case * 60 [II]. The stone is apparently lost. 22 lines.
> M. Laurent BCH 25 (1901) pp. 344f., *2A; Kern IG IX. 2 add. *205 IIIA; Dittenberger/Pomtow SIG $^{3}$ \#546A; H. Pomtow Klio 15 (1918) pp. 9-14, \#37; P. de la Coste-Messelière BCH 49 (1925) pp. 100-101; *Klaffenbach. IG $1 X^{2} .1 .177$.
G. Daux/P. De la Coste-Messelière BCH 48 (1924) pp. 351-53; Larsen GFS pp. 209-10; H. Pomtow Klio 17, p. 197; idem Klio 18 (1923) p. 261 *II; Préaux pp. 254, 297; Raeder *42; SEG II.315; Stählin p. 161; Steinwenter pp. 178-79; Tod \#37; A. Wilhelm AAWW 59 (1922) pp. 8-9.




 $\left\langle\tau \omega \hat{\nu} \nu A_{i}^{i} \tau \omega \lambda\right] \omega \hat{\omega} \nu \tau \omega \nu$

(14) . . . . єос П . . . (12) . . . с өєоסо́тои A[.]-

 [. . . . . . кàt r]àv váñav êv tàv nayàv toû XapáB[p]ov kạ[i]
 $\nu \epsilon \in[\mu \epsilon$ ]-




 [кос . . . . .], Аикíскос скорпíшиос, 'Адঠро́vікос ві́ттои, $\Delta a-$ . . . (9) . . . víkou, $\Delta i ́ k \omega v ~ п о \lambda u x a ́ p u o u, ~ \Delta ı к а i ́ a p x o c ~ к р ı v o-~$




2: $\Pi_{0} \lambda \epsilon \mu_{i ́ \delta a}$ [tov̂]: Laurent, Kern, de la Coste-Messelière. По $\overline{\epsilon \mu i ́ t ̣ a: ~}$
 'Apíct $\omega v o c:$ Laurent, Kern. || [oút $\omega c$ cékpp [va]v: de la Coste-Messelière. II






AAWW 59; cr. Pomtow Klle 18 (1923) p. 317. [- -]áy[pou








 $v[\epsilon ́ \mu \in O c]$ : Kern. ám(ò?) tov̂ v́́[ $\mu \in O C$ ]: Pomtow SIG ${ }^{3}$. '̛́v( $\omega$ ?) tov̂ $\nu ́ \in[\mu \epsilon \mid O c]$ : Pomtow Klio 15. || 13: OPIAN: de la Coste-Messelière. || 13-14:

 17: [Tàv maүàv] 三utapífa: Pomtow SIG ${ }^{3}$, Klio 15. || 17-18: Aukíc|[koc
 SIG ${ }^{3}$, Klio 15. $\Delta$ í|[к $\omega \nu$ ?]: de la Coste-Messelière. || 20-21: Eủ[pú|סa $\Delta a ́ ?] \mu \omega v$ : Pomtow SlG ${ }^{3}$, Klio 15. || 21: [-] $1 \omega \nu$, Eil[p] $\eta v i ́ a c: ~ d e ~ l a ~$
 15.

This document, like the one in $* 60$, is evidence for another boundary dispute involving the town of Melitaia in Achaia Phthiotis, this time with her western neighbour Xyniai. ${ }^{1}$ At the time of this arbitration Achaia Phthiotis was evidently under the control of the Aitolian League. Here and in the following case the arbitrators were chosen by the Aitolian League, and were perhaps delegated by the council. ${ }^{2}$

The arbitrators carried out a complete tour of the boundaries,
although the fact that they were apparently guided only by Melitaian envoys casts doubl on the objectivity of their final decision. ${ }^{3}$ The disputed territory is not said to have become the property of either Melitaia or Xyniai, but Melitaia had a history of winning these border disputes with her neighbours. ${ }^{4}$

The two documents for this case and * 60 were published together at Delphi. ${ }^{5}$ It has been shown, however, that these two arbitrations took place as much as a year apart. ${ }^{6}$ It may be that international publication of such decrees was briefly delayed and then carried out in batches, whereas publication in the cities involved would be done immediately. That this may have been regular procedure also appears from the fact that the stone found at Melitaia bearing the inscription discussed in * 60 apparently bore only the one inscription.

1 For a map of the frontier see Daux/de la Coste-Messelière p. 352.
2
Larsen GFS pp. 209-10.
3 On the $\pi \in$ рıńyncic, cf. $=22,=36, * 37,48$, $=132$. In $* 36$ and * 37 as well, representatives of one of the parties to the dispute may have been absent from the border examination of the judges. Cf. the speculations in 36 note 2 ; and compare the safeguards in $\$ 22$ to ensure against a one-sided tour.

4 From Laurent's original restoration of the text (11. 9-10), it appeared that the land had been adjudged to Melitaia. Cf. Laurent p. 346 and Raeder p. 82. However, Pomtow's re-examination of the stone restored phrasing like that in $* \mathbf{6 0}$, which simply states that the boundaries were drawn between the two states.

Judging from what Pomtow apparently believed he could read on the stone (corroborated by Klaffenbach), his restoration of 11. 9-10 is more certain than other of his restorations: for example, II. 5-6, which he has restored almost completely from $* 60$; it is true that the latter includes a boundary arbitration, but it is also a sympolity agreement, and as such an exact formal correspondence with this case should not be assumed. Pomtow also restores (SIG ${ }^{3}$ p. 27, and Klio 15 p. 11) 11. 10-11 from * 36 (1. 12: tò Bop[ $\rho \hat{\alpha}$ i $\epsilon \rho$ ]óv); but in that case it was a matter of Melitaia's northeastern borders with her neighbour Chalai. In this case the boundaries under discussion lie west of Melitaia.

5 Pomtow Klio 15 p. 11, compares * 36 and *37, both published on the same stone, also at Delphi.

6 On historical grounds this arbitration must postdate the entry of Achaia Phthiotis into the Aitolian League, sometime after 240, and predate at least 196, the "liberation" of Greece. Another possible terminus may be provided by Philip V's activity in Thessaly during the First Macedonian War: after 210 Philip was capturing towns in Achaia Phthiot is, and Melitaia may have fallen under Macedonian hegemony at that time. See G. Klaffenbach "Fasti Aetolici" $1 \mathrm{GG} \mathrm{XX}^{2} .1 .1 \mathrm{pp} . \mathrm{xxi} \mathrm{xxii}$. Cf. *38.

A more exact date comes from the explicit dating to the fifth Aitolian strategia of Pantaleon. Comparison with other inscriptions and the known generals of the Aitolian League gives a date of $214 / 3$ for $* 59$ and $213 / 2$ for case ${ }^{*} 60$. See Pomtow SIG $^{3}$ and Klio 17 (1921) p. 197; Stählin pp. 161, 166; Klaffenbach $\underline{I G I X} X^{2} \cdot 1.177$ and $\underline{I G} I X^{2} .1 .188(* 60)$.

## *60: Melitaia and Pereia/Kalydon and the Aitolian League 213/2

Two inscriptions, one [I] a lengthy document found at Avaritsa (Melitaia), the other [II] a much briefer and fragmented version of the
same decision, recorded at Delphi along with the document discussed in case *59. I: h.: $0.85 \mathrm{~m} . ;$ w.: $0.555 \mathrm{~m} . ;$ d.: 0.47 m .37 lines. II: 7 lines.

I: A. Rangabé Antiquités Helléniques (Athens 1842) *692; J.L. Ussing Inscriptiones Graecae Ineditae 2 (1847) *2; LeBas/Foucart *1179; Cauer ${ }^{2}$ *239; A. Fick Bezzenberger's Beiträge 6, p. 312; idem SGDI *1415; W. Feldmann. Dissertationes Philologicae Argentoratenses Selectae IX (1885) pp. 104 [200]-128 [224]; Berard *25; Michel *22; Giannopoulos/ Spyriadakis AD 3 (1900) p. 24 II ; Dittenberger SIG $^{2}$ *425; Kern 1 G IX.2.205; Dittenberger/Pomtow $\underline{S I G}^{3}$ \#546B; Schwyzer ${ }^{*} 388$; *Klaffenbach $\operatorname{IG}$ IX².1.188.

II: M. Laurent BCH 25 (1901) pp. 345f., \#2B; *Kern IG IX. 2 add. \#205 IIIB; Dittenberger/Pomtow $\underline{S I G}^{3}$ \#546B; H. Pomtow Klio 15 (1918) pp. 9-14, \#37.
C.D. Buck CPh 8 (1913) p. 151; P. De la Coste-Messelière BCH 49 (1925) pp. 100f.; M. Dubois. Les Ligues étoliennes et achéennes (Paris 1885) p. 225; Hitzig ${ }^{19}$; G. Klaffenbach $\underline{G} 1 X^{2} .1$ p. xxix; E. Kuhn. Über die Entstehung der Städte der Alten (Leipzig 1878) pp. 124-25; Larsen GFS pp. 198-99, 209-10; Phillipson p. 143; H. Pomtow JKPh 149 (1894) p. 833; idem JKPh 155 (1897) pp. 788-99; idem Klio 17 (1921) p. 197; idem Klio 18 (1923) p. 261 \#IV; Préaux pp. 250, 251, 297; Raeder \#41; Stählin pp. 159-69; F. Stählin MDAI(A) 39 (1914) pp. 83-103; Steinwenter pp. 178-79, 193; E. Szanto. Das Griechische Bürgerrecht (Freiburg 1892) pp. 151-54; Tod \#35 [I], \#36 [II]; A. Wilhelm AEM 15 (1892) p. 120; idem GGA 1898 р. 206.




Me入ıtaíé-
 ànò toû
 Kо入 $\omega$ -
$\nu a v$, kaì ámò tâc Ko $\lambda \omega v a c$ énì tò 'Epuaiov $\in$ énì tà Eủpúvia, kaì ảmò t $\omega \nu$ E [ $u$ ]-
 Eủpo-
 "A $A \mu \pi \epsilon]$ -







 $\operatorname{MEN}[1]-$
 каĭ $\begin{gathered}\text { é- }\end{gathered}$





 o[i]
Ппрєîc пàp tâc пó $\lambda$ loc kat' éviautóv, toîc te ảpxóvtolc àpyupíou
 $\nu \in a v i ́-$
olc [sic] ctatñpac ס́éka kaì fic tàv งucíav tâv C $\omega$ tnpí $\omega v$ статñpac пévtє,
 Me入ıta-
 хрп́с-
 סíkac yıvoué-
 of ${ }^{\prime} \neq \mathrm{Mc}$ -
 Me $\lambda$ rté́al
 cuvéסpiov ă-
 [ $n \in t]$ -
 [ nú]-
 пе]-
 $\Delta а \mu о ́ \xi є \nu о с$ өєобброи 'Нракдє $\omega т а с$.

1: Me $\lambda$ ıtaíocc: Rangabé. || 4, 7, 11: Ev̌p $\omega$ mov: Rangabé, Cauer, Berard, Feldmann. || 17-18: [kaì $\lambda a]$ |xóvt $\epsilon \mathrm{c}$ : Caver, Berard. || 20: tà $\bar{\epsilon} \mathrm{c}$ tov̀c: Rangabé. || 23-24: é $\lambda$ áa $\mu a v o v \mid$ ппреîc: Rangabé. || 25-26: veaví|auc: Rangabé, Cauer, Berard. $v \in a v v^{\prime} \mid[a]$ lc: Fick SGDI, Feldmann, Michel, Dittenberger $\underline{\underline{516}}{ }^{2}$. $v \in a v i ́|o 1 c: ~ K e r n, ~ P o m t o w ~ s| G^{3}$, Schwyzer. || 27-28:

 $c u v \epsilon ́ \delta p i o v ~ A[i ̉ \tau \omega \mid \lambda] \omega \hat{\nu}$ : Rangabé, Cauer, Berard, Fick SGDI, Feldmann, Michel. tò cuvéछpoov á|nav: Dittenberger $\underline{51 G^{2}}$, Kern, Pomtow $516^{3}$,
 [0ivó]|uaoc: Fick SGDI Feldmann, Michel. ['Op]l|ó $\lambda$ qoc: Dittenberger

 Feldmann, Michel. [ $\Lambda \bar{u}]$ ]koc: Dittenberger $\underline{\underline{S \mid G}}{ }^{2}$, Kern, Pomtow $\underline{S I G}^{3}$,

Schwyzer. || 35-36: $\Pi \alpha \nu \tau \alpha \lambda \epsilon \in[\omega \nu$ 'At]|tá $\lambda o v:$ Rangabé, Cauer, Berard, Fick SGDI, Feldmann, Michel. [ $\Pi \in] \mid \tau \alpha ́ \lambda o u:$ Dittenberger $\underline{S I G}^{2}$, Kern, Pomtow SIG $^{3}$, Schwyzer.



 є́ $\left.\mu \beta \beta^{\prime} \lambda \lambda \in!\right]$





This text, of which one complete copy and part of another have survived, contains a sympolity agreement between the two small states of Melitaia and Pereia. The fragmented second copy [II] was discovered at Delphi; from lines 31-32 of I we learn that copies of the inscription were to be published at Melitaia, Delphi, Kalydon, the home state of the arbitrators, and Thermon, the Aitolian sanctuary. ${ }^{1}$ The Delphi copy was inscribed on the same stone as the arbitral judgement of the Altolians between Melitaia and another of her neighbours, Xyniai ( $=59$ ).

This sympolity agreement entailed an arbitral judgement which settled certain disputes between the two parties to the union. Three
judges, citizens of Kalydon, were chosen to arbitrate by the Aitolians, with the agreement of the two litigant states. It is not certain whether this was the result of a binding agreement placed on members of the Aitolian League to submit their disputes to arbitration, or of a voluntary decision on the part of the two states involved to turn to the League for help. ${ }^{2}$

The duties of these judges included preparing a detailed boundary demarcation. ${ }^{3}$ Although the two states were joined in a sympolity, and made joint use of at least part of their land, a boundary demarcation was necessary because the option of leaving the sympolity was open to Pereia. Melitaia, as the stronger partner, would presumably have no wish or need to secede. The delimitation was therefore carried out to act as a safeguard against future disputes. The boundaries set by the Kalydonian judges were meant to be permanent. ${ }^{4}$

The judges were also to rule on the use of certain territories, "Phyliadon" and "Karandai", which were to be held in common. It may be that this had been Pereian land before the sympolity took place, and their objection to the apparent Melitaian plans to sell it was based on the certainty that it would be lost to them if the sympolity broke up. ${ }^{5}$ So
much seems certain. What is less sure is the implication of the judges' decision for the possible dissolution of the union. Some scholars believed that in this matter Pereia had her way: in the case of a split, the joint land would go to her. ${ }^{6}$ However Stählin held that it was unlikely that Melitaia would lose so completely on her claim. He believed that the ruling on the common land meant that Pereia won her case insofar as she would have the use of it as long as the sympolity lasted; but if she left it, she would retain only that land which was within the prescribed borders. ${ }^{7}$ Melitaia would then be free to do what she wanted with the rest of it.

In addition they set out regulations for the sympolity in constitutional, financial and legal matters, including the contingency of dissolution of the union. The judgement was witnessed by the whole council of the Aitolian League, which acted as witness and guarantor of the treaty.

It is clear that Melitaia was the senior partner in the union. ${ }^{8}$ It was suggested in *37 that the communities lying between Melitaia and Peumata, including Pereia, may have been in some way dependent on Melitaia to protect them against Peumata. It certainly seems that Melitaia acted as Pereia's advocate in the latter's land dispute with

Peumata. That the common land set out in the sympolity was to be made use of in a manner ка૭̀̀c кaì tò поо́тєроv indicates that some agreement must have been in effect previously between Pereia and Melitaia. ${ }^{9}$ In addition it seems that Melitaia in some way controlled the finances of Pereia, which may have been another cause of dissatisfaction. ${ }^{10}$ It may be that Pereia and Melitaia were already in some form of sympolity and that dissensions arose after the joining of the two states. At this stage they would have turned to the League. ${ }^{11}$ Nevertheless, the fact that the judges recognize the possibility of Pereia dissolving the sympolity, and grant her independent representation in the council of the Aitolian League, shows that Pereia had some claim to the status of an independent community. ${ }^{12}$ Perhaps implicit in this judgement is that Melitaia wanted to refuse Pereia the right to leave the union as an independent state. The Kalydonian arbitration, however, guaranteed this right. ${ }^{13}$

> 1 Cf. the inscriptions in $\geqslant 34$ and *46, which were published at the temple of Apollo in Thermon.

> For the date of this arbitration see $* 59$ note 6 .

2 Dittenberger (SIG ${ }^{2}$ ) maintains that the two states turned to
 ó $\mu 0 \lambda$ óy $\omega v$, with which he compares $\$ 54$ (1. 46) and 3 (1. 5). Cf. Steinwenter pp. 178-79, and Larsen GFS p. 210. The fact that the states
involved were agreeable, however, does not rule out a League initiative.
Raeder (pp. 222-23) interprets these words to refer to the individual treaty signed with the Aitolian League when a city became a member, requiring that disputes be submitted to the authority of the League.

3 Raeder maintains that a physical tour of the disputed territory on the part of the judges took place. While this was usually the normal procedure, particularly with such a small tribunal, it should be pointed out that in this case, unlike the other cases involving Melitaia (*36, *37, *59), no mention is made of such a tour.


#### Abstract

$4 \mathrm{Cf} . \underline{S I G}^{2}$. Phillipson p. 143 wrongly thought that a new boundary examination would be called for in the event of the dissolution of the union.

5 See SIG ${ }^{2}$. Stählin (p. 168) believed that "Phyliadon" was a community dependent on Pereia, which she brought with her into the sympolity. Cf. 37, where Pereia acted for what was perhaps the same community, although there the place was called Phylladon. See also *36, note 6, where it was suggested that Phylladon was dependent on Pereia.


6 See Feldmann p. 212, SIG ${ }^{2}$ note 10 , Tod pp. 62 f.
7 See 1. 17. Stählin MDAI(A) pp. 88-89 (following a suggestion of Ussing). Cf. Rangabé p. 283, who thought that the demarcation was completely concerned with delimiting Pereia, and that everything outside the limits was to belong to Melitaia.

8 See Stählin pp. 163f. and MDAI(A) pp. 88-89 on Melitaia and her relations with the smaller states around her.

9 Perhaps there was some such arrangement for joint use of the land as was suggested for Melitaia and Chalai in $=36$.
${ }^{10} \mathrm{Cf}$. Rangabé p. 285, $\underline{\mathrm{SIG}}^{2}$.
11 SIG $^{2}$. Cf. Rangabé p. 284. Steinwenter pp. 178-79, understood from the term o $\mu 0 \lambda \lambda^{\prime} y \omega \nu$ that some kind of agreement was already in
existence, perhaps a sort of sympolity.
12 see Stathlin pp. 166-67 and MDAI(A) p. 86. On the pouleutes, the representative to the council of the Aitolian League, see $\underline{S I G}^{2}$ and Larsen GFS: proportional representation to the Aitolian Council. In the event of a separation Pereia was to retain one bouleutes, and contribute a proportionate share to the Aitolian treasury. This ratio arrangement was also to hold good for the payment of the public debt (cf. Rangabé p. 285).

13 Stählin MDAI(A) p. 89, points out that by ensuring that Pereia would lose territorially if she left the union, the arbitrators allowed her the legal right to leave, but encouraged her to stay.

## *61: Rome, Aitolia and Macedon/Various States 209-205

Appian Mak 3.1; Dio 17.58-59; Livy 27.30, 3-4; 28.7, 13-15; Polybios 11.4, 1.

Berthold pp. 104-107; Gruen 1.117; M. Holleaux. Rome, la Grèce et les monarchies hellénistiques pp. $35^{6}, 253^{1}$; G. Klaffenbach 16 XX . 1 pp . xxx-xxxi; Klose pp. 98-99, 113-14434; Larsen GFS pp. 371-73; S.I. Oost CPh 52 (1957) pp. 1-15; cf. Schmitt *543; H. Schmitt Rom und Rhodos (1957) pp. 193f.; C.G. Starr CPh 33 (1938) pp. 63-68; Walbank Philip V pp. 89f.; Will ${ }^{2}$ 11.91-93.

209 BC:
Livy 27.30, 3-4: Inde cum Aetoli metu compulsi Lamiae urbis moenibus tenerent sese, Philippus ad Phalara exercitum reduxit....Eo legati ab rege Aegypti Ptolomaeo Rhodiisque et Atheniensibus et Chiis venerunt ad dirimendum inter Philippum atque Aetolos bellum. Adhibitus ab Aetolis et ex finitimis pacificator Amynander rex Athamanum.

208 BC:
Livy 28.7, 13-15: Inde Elatiam, iussis ibi se opperiri Ptolomaei Rhodiorumque legatis, venit. Ubi cum de finiendo Aetolico bello ageretur -- adfuerant enim legati nuper Heracleae concilio

Romanorum Aetolorumque－－，nuntius adfertur Machanidam Olympiorum sollemne ludicrum parantes Eleos adgredi statuisse．

208 and 207 BC ：

 каi＇A
 $\delta ı a \lambda \lambda a \gamma n ̃$＇$P \omega \mu a i ́ \omega \nu$ кaì Aít $\omega \lambda \hat{\omega} \nu$ кaì ゅi $\lambda i ́ m m o u . ~ C o u \lambda \pi ı к i ́ o u ~ \delta ' ~$






 фí $\lambda \iota \pi$ пос каì Aítw


 $\lambda^{\prime} \dagger \in เ \nu$.

## 207 BC：

 ＇Poঠí $\omega \nu$ по́ $\lambda$ ıc oứs＇$\grave{\eta}$ т $\omega \nu$ Bu弓 avtí $\omega v$ kaì Xí $\omega \nu$ kaì Mutı $\lambda \eta \nu a i ́ \omega \nu$

 сบみ甲аขヒ́c．＂








It is possible that an inscription discovered at Delos and dated by its lettering to the end of the third century may also have some bearing on this case．H．： 0.21 m. ；w．： $0.16 \mathrm{~m} . ;$ d．： 0.03 m ．＊Roussel $\underline{\underline{G}} \mathrm{XI} .1066$ ；Schmitt ＊550．

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            [--- c. 12 - - ка]ì \deltá́x\inc[งaı?- - -]
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-------- тпcát\omegacav c- -.--
- - - - -t kaì ol cú\mu\muax[ol - - - -]
5 -.---xot éct\omegaca\nu \tau\omega-
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. . . . то́то\nu \muп́тє \nuıкп- - - -
[. . Aí]т\omega\lambdaol̀ \deltaè ф\omegáка\iotaav - - 
[. . . \beta]aci\lambdaéa фí\ıппо⿱亠䒑 ка[i- -]
10 [. . . . т]oùc cuvé\deltápovc kaĭ
    [. . . . . ка]i 'н\lambda\epsiloním\nu tàc cт-
    ----- - каĭ 'A\muúvav\delta[poc - -]
    ------\pi\omega\nu \tau\omegaิ\nu \epsilońкат[\epsiloń\rho\omega\nu -]
    ------п́\ouc ámoct-- -
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5：［＇évo］xol？：Roussel，after Holleaux．｜｜5－6：［－－ctpatnyoûvto］c tò


In the year 209，during the course of the First Macedonian War，Philip $\checkmark$ was successfully campaigning against the Aitolians at Lamia in

Thessaly. At the town of Phalara, the Lamian port on the Malian Gulf, he met with ambassadors from Rhodes, Chios, Athens and Ptolemy IV of Egypt. Aitolian representatives must also have been present at the meeting, for they are said to have brought with them as a mediator Amynandros the king of Athamania. The purpose of the mediators seems to have been to bring about a peace between Philip and Aitolia only. Livy says that their motive was to keep the great powers of Philip, Rome and Attalos out of Greece.' Some of the states involved, in particular Rhodes, will of course have had the standard economic reasons for wanting a general peace in the Mediterranean. ${ }^{2}$

An armistice was signed at Phalara under the auspices of the foreign envoys, and a meeting set for a month later at Aigion, the seat of the Achaian Council. At this meeting the mediating embassies were also present, but their attempts failed when Aitolia, heartened by hearing of the proximity of Attalos and her Roman allies, refused to bargain in a fashion that Philip could accept. ${ }^{3}$

The following year, while Philip was campaigning in Phokis, he met with envoys from Ptolemy and Rhodes at Elateia. These ambassadors, still trying to bring about a peace between Philip and Aitolia, had previously
met with the Aitolians at Herakleia. This may be what Appian refers to as the first meeting of the mediators with the representatives of the Aitolian League in their own venue. Appian says that the envoys came from Chios, Mytilene and Ptolemy, as well as from Amynander, who, according to Appian, was apparently not there in person. Presumably the mediators would have obtained a proposal from this meeting at Herakleia, which they would have taken to the meeting with Philip at Elateia. ${ }^{4}$ This conference as well, however, had no issue, as it was interrupted by the threat of a Spartan attack on Achaia. ${ }^{5}$

The conference, or conferences, of 207, are rather more obscure. In Polybios the speech of an ambassador who is attempting to mediate between the two sides is preserved. It is possible that this speech was meant to be one given at a second meeting with the Aitolians described by Appian. The ambassador cites the attempts at peacemaking, at least two previous to this one, made by Ptolemy, Rhodes, Byzantion, Chios and Mytilene. ${ }^{6}$ According to Polybios this speech was well received by the Aitolians. Appian implies strongly that the Aitolians would have made peace on both occasions he describes, but that the Romans hindered it. Appian's account of the second meeting of the mediators with the

Aitolians, his description of what was said and of the general reaction to the envoys' speech or speeches tally with the account of Polybios. ${ }^{7}$

The Aitolians did eventually (in 206) go ahead and contract a separate peace with Philip. If the inscription cited above is a reference to this treaty, then perhaps it could be argued that the many attempts at mediation between the warring parties did finally pay off. It may be that the appearance of the name Amynandros in this inscription should be seen as a reference to his actions as mediator. ${ }^{8}$ Amynandros appears again in 205, when negotiations are going ahead for the final settlement, the Peace of Phoinike between Philip and Rome. 9

1 Starr (p. 66) supports Livy's contention that part of the motive behind this Rhodian mediation attempt was the desire to reduce the possibilities for Pergamene aggrandizement. He argues that fear of Attalid ambition often influenced Rhodian policy.

2 Cf. $=56=57$.
3 Cf. the Aitolian reaction during the Social War ( $=57$ ): initially interested in arbitration when their own situation was strategically poor, they backed out when they belleved Philip was facing trouble during the Apelles conspiracy.

4 Appian's account of this first meeting of the ambassadors with the Aitolian League would lead us to believe that their proposals may have been stalemated from the start; he represents the Roman interest in continuing the war, and Sulpicius's refusal to bargain in good faith, urging
the Senate to forbid a treaty with Philip.
5 Larsen GFS p. 373; Walbank Philip V p. $304^{5}$.
6
Cf. the list of states who attempted to mediate between Philip and Aitolia during the Social War (*57): Chios, Rhodes, Byzantion and Ptolemy.

7 Polybios, however, makes no mention of the Roman presence, and Appian makes no mention of a Macedonian embassy.

8 See Roussel's notes; Walbank Philip Vp. $101^{1}$; Oost p. 5.
9 Livy 29.12, 12. Epiros instigated the peace proceedings and, in Livy's account, appears to act as mediator; however, it should not be forgotten that she was technically Macedonia's ally.

## *62: Megalopolis and the Achaian League/Philip V 208-199/8

Livy 28.8, 6; 32.5, 4-5.
Aymard PR pp. 59-61 ${ }^{53}$; Briscoe $\underline{X X X I-X X X I I I ~ p p . ~ 174-75 ; ~ W a l b a n k ~}$ Philip V pp. 17, 97, 148.

Livy 28.8, 6: Reddidit inde Achaeis Heraeam et Triphuliam, Alipheram autem Megalopolitis, quod suorum fuisse finium satis probabant, restituit.

Livy 32.5: (4) Itaque et in Achaiam legatos misit, simul qui iusiurandum -- ita enim pepigerant, quotannis iuraturos in verba Philippi -exigerent, simul qui redderent Achaeis Orchomenon et Heraean et Triphylian Eleis <ademptam, Megalopolitis〉 Alipheran, (5) contendentibus numquam eam urbem fuisse ex Triphylia, sed sibi debere restitui, quia una esset ex iis quae ad condendam Megalen polin ex concilio Arcadum contributae forent.

Late in the course of his first war against Aitolia and Rome, Livy says that Philip V restored certain territories in the Peloponnese to his allies, the Achaians. The town of Heraia and the region of Triphylia were promised to Achaia, while the town of Alipheira was to go to the Megalopolitans, not to the Achaian League as a whole.

Livy states that Philip did indeed restore these territories in 208. However, he is contradicted by his own record of the events of 199, when he reports that Philip carried out this restoration. ${ }^{1}$ It seems likely therefore that in 208 Philip had merely announced his intention of giving the lands to Achaia, but did not fulfill this promise until 199, when the Achaians were ambivalent about what course to pursue in the Second Macedonian War. At that time Philip did indeed restore Heraia, and also Orchomenos to the Achaian League. Triphylia, which had been taken from the Eleians in 219/8, went to the Achaians, and Alipheira, as promised, to the Megalopolitans.

On the surface it appears as though this is simply a case of Philip trying to keep his erstwhile allies loyal and friendly by handing over covetted territory, somewhat in the manner of Philip II in $338 .{ }^{2}$ Livy's account, however, implies that a judicial decision may have been made on
conflicting claims. It appears as though Megalopolis actually put into effect legal arguments in order to advance her private claim to Alipheira. If we may read between the lines, it might be conjectured that the opposing Achaian claim argued that Alipheira was part of Triphylia and should be awarded to the Achaian League as a whole. Megalopolis claimed that Alipheira was a separate entity, and urged the legality of her own possession of it on the grounds that Alipheira was one of the communities which had originally been designated to form the city of Megalopolis. She obviously won her case.

1 Livy also states later $(33.34,9)$ that it was the Romans who restored Heraia and Triphylia to the Achaians in 196; however, it seems probable that this refers only to the judicial ratification of Achaian possession in the context of the general Roman settlement of Greece: see *88. Cf. Aymard pp. 60-61.

## 2 Cf. Roebuck CPh pp. 74-92.

## *63: Crete and Rhodes [?]/Antiochos III c. 201 [?] or c. 195 [?]

One of a series of inscriptions from the wall of the temple of Dionysos in Teos. 29 lines. Only the relevant portion of the inscription is cited here.

LeBas/Wadd \#71; Böckh CIG \#3047; Michel \#57; Blass SGDI \#5177; *Guarducci IC II.xii, 21*.

Berthold p. 108; Holleaux Études IV.174-75, 191f.; H.R. Rawlings AJAH 1 (1976) pp. 17f.; Walbank Philip V p. 121.





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A series of inscriptions from the temple of Dionysos in Teos informs us of several successful attempts made by the Teians around the turn of the third and second centuries to have the right of ácu $\lambda_{i ́ a}$ accorded to their sanctuary by other states. Among the states who agreed to recognize this right were the Romans, the Athamanians, the Delphians, the Aitolians, and some twenty Cretan cities. One of the latter was Eleutherna. The present inscription is a decree of that state, recognizing the àcu $\lambda^{\prime}$ í of the Teian sanctuary.

From the inscription we learn that the Teians had sent two ambassadors, Apollodotos and Kolotas, to Crete to lay their request before the Eleuthernaians and the other states. The Eleuthernaian decree mentions incidentally the contemporary presence of two other foreign
diplomats who supported the Teian request: Hagesandros of Rhodes, the ambassador of Antiochos III, and Perdikkas, the agent of Philip V. The inscription gives us the information that Hagesandros had been sent "to put an end to the war". 1

LeBas and Waddington dated this event to the year 193, and believed that the war referred to may have been a dispute between Eleutherna and her neighbours. ${ }^{2}$ Antiochos's interest in putting a stop to any hostilities which may have existed on the island of Crete would have sprung from his desire to have a secure source of mercenary manpower, a special commodity of Crete. Such a need would of course have been paramount for Antiochos in 193.

Holleaux, however, believed that the war referred to here was the so-called "крптוко̀с по́ $\lambda \in \mu \circ с$ ", the war which broke out between Rhodes and certain Cretan states in 204. ${ }^{3}$ Holleaux therefore dates the inscription to 201, and the settlement of the war between Crete and Rhodes to perhaps the same year. ${ }^{4}$

If the war mentioned in the inscription from Teos was indeed the one between Crete and Rhodes, then Hagesandros must presumably have been acting as a neutral representative of Antiochos, not as an advocate of his
own government. While this is certainly not impossible, it might suggest the possibility that this war was after all a Cretan affair, and may not have involved Rhodes. ${ }^{5}$

1
11. 15-16.

2 LeBas/Wadd III pp. 28-29, 35.
3
Holleaux pp. 165f. Cf. Guarducci p. 162.
4 As evidence for a settlement between Rhodes and Crete at that time, Holleaux ( $p$. 175) cites the treaty of 201/0 between Rhodes and Hierapytna.

5 Berthold suggests that Hagesandros's mission was essentially to detach the Cretan cities from their allegiance to Philip V, and undermine Philip's widespread influence on Crete.

Rawlings (pp. 18f.) argues that in 201/0, Antiochos could not possibly have been using a Rhodian agent for anything, and hence he believes that a date around the mid-190's is a more reasonable conjecture for Hagesandros's activities. He believes the war mentioned in this inscription could have been either the war between Rhodes and Crete (which he argues did not necessarily end in 201), or a war between Knossos and Gortyn and their allies (Pausanias 8.50, 6).

## *64: Philip V and Attalos I-Rhodes/Rome 200

Polybios 16.27, 1-3; 16.34, 3-4. Cf. Livy 31.18.
Badian FC pp. 66f.; J.P.V.D. Balsdon JRS 44 (1954) pp. 30f.; Berthold pp. 125f.; E.J. Bickermann RPh 61 (1935) pp. 161f.; Gruen I.101f., II.392f.; Hansen ${ }^{2}$ pp. 56f.; J.A.O. Larsen CPh 32 (1937) pp. 15f.; A.H. McDonald/F.W.

Walbank JRS 27 (1937) pp. 189f.; McShane pp. 122f.; Walbank Philip V pp. 127f.; Will ${ }^{2}$ II.132-49.















At the end of the third century BC Philip V's ambitions in the Aegean and Asia Minor had provoked conflict with the other powers of the region, most notably Pergamon and Rhodes. In the autumn of 201, these two states despatched embassies to Rome in order to complain of Philip to the senate. Although an Aitolian embassy which had requested Roman support against Philip's aggressions had failed miserably only a year before, the Pergamene and Rhodian ambassadors met with a positive response. The senate promised to investigate, and sent a commission to the East consisting of C. Claudius Nero, M. Aemilius Lepidus, and P.

Sempronius Tuditanus.
It seems as though the senate may already have determined on war with Philip, but had as yet been unable to convince the Roman people. ${ }^{2}$ Nevertheless, the legates were no doubt sent out with a view to preparing the ground for a potential war with Philip. The commission visited various points in Greece, publicizing the senate's intentions towards Philip. It was not until an encounter with a Macedonian force in Athens that the legates came close to a declaration of senatorial intentions to Philip himself. While the commission was staying in Athens in the spring of 200, a Macedonian force under Philip's general Nikanor overran the Attic countryside. The Romans were thereupon forced to deliver the first "ultimatum" to Philip's agent Nikanor. Philip was to cease from making war on any of the Greeks, and was to submit to the judgement of a neutral tribunal with respect to the wrongs he had done against Attalos. ${ }^{3}$ Otherwise Philip was to rest assured that Rome would be hostile towards him.

The legates then removed to Rhodes, where they spent most of the summer. It was probably during the summer that the Roman people was persuaded to declare a war against Philip. Accordingly, when Aemilius

Lepidus sailed north at the end of the summer to confront Philip at the siege of Abydos and deliver the second ultimatum personally, he was assured of Roman military action if Philip should be recalcitrant.

Hence the second ultimatum had a rather more forceful tone. Philip was to cease from making war on the Greeks and keep his hands off Ptolemaic possessions. He was also to submit to arbitration with respect to the injuries done to Rhodes and Attalos. Otherwise, the Romans would make war on him. Philip of course refused the ultimatum, and the Second Macedonian War was the result.

It is possible, though by no means certain, that the Romans may have envisioned themselves as the potential arbitrators between Philip and his enemies, had he agreed to submit to their demands. This is, however, the first time that Rome suggested arbitration to a Greek, and it no doubt was a proposal which originated with Attalos and the Rhodians, rather than the Romans. ${ }^{4}$ Later Roman practice was often to pass on the task of arbitration to another neutral Greek state. Nevertheless, in this case, given the prestige and power of the belligerents involved, the Romans might have wished to arbitrate themselves. It is difficult to see who, other than the Romans, might have been a suitable arbitrator at this stage.

The entire episode, however, seems to have been a propaganda move on the part of Rome. It seems certain she was at any rate already determined on war; and her ultimatum delivered to Philip was not consonant with Greek notions of arbitration. ${ }^{5}$ The subject of the potential arbitration was Philip's ả́sıќfuata against Rhodes and Attalos, a term which indicates that a tribunal would not rule on the justice of the claims of both sides, but rather would simply assess penalties against Philip. ${ }^{6}$ This view is substantiated by the anecdote Polybios reports about Aemilius. After Aemilius had delivered the ultimatum, Philip attempted to defend the justice of his position and point out the technical aggressions of his enemies. He was interrupted, in truly brusque Roman fashion, by the youthful legate, and his arguments ignored. ${ }^{7}$ The response of Lepidus indicates that Philip might stand no chance of upholding his own claims if he did agree to arbitration.

1 Polybios 16.24; Livy 31.2; Appian Mak 4.2. See Walbank Philip V pp. 310 f . for an examination of the chronology of these events. See Gruen 11.393, who supports the traditional chronology of 201.

2 See Walbank pp. 127f. The first vote rejected a declaration of war on Philip, a decision which was hardly surprising after the drawn-out Punic conflict. See Gruen II.391f. for a recent discussion of the causes of the Second Macedonian War.

4 Cf. Gruen 1.102. Bickermann suggested that Rome and Philip were bound by the terms of the Peace of Phoinike to consider arbitration. He interpreted the Peace as a kolvì єip $\eta \quad \eta$, and hence Rome was justified in intervening not only between Philip and Attalos, but also between Philip and the Greek states. Larsen (pp. 30f.), however, argued that Rome was only justified in her demands as far as Attalos was concerned, as the vague and general ultimatum about the Greeks covered more than merely those states who were adscripti to the Peace: "the demand [that Philip abstain from making war on the Hellenes] was not based on the Peace of Phoenice and was couched in general and indefinite terms without any suggestion of arbitration...Under the circumstances the demand that Philip abstain from war against the Greeks amounted to a demand that he accept Rome as arbiter of his policy in Greece."

5 This must be the case, in spite of Badian's claims that Rome's demands were reasonable and not prejudicial to Philip's interests. See the previous note, and cf. Berthold p. 132 and Walbank Comm II.537.

6 Cf. Walbank Comm II.537.
7 Polybios 16.34, 5-7. Cf. Livy 31.18.
Cf. Philip's claim in 197 (Polybios 18.6, 1-2): toû סè Títou






## *65: Antiochos III and Ptolemy V/Rome 200

Polybios 16.27, 5.
E. Badian CPh 54 (1959) pp. 81-99; J.P.V.D. Balsdon JRS 44 (1954) pp. 39-41; M. Holleaux. Rome, la Grèce et les monarchies hellénistiques (Paris
1935) pp. 58-59, 320f.; idem Études V.350f.; A.H. McDonald \& F.W. Walbank JRS 27 (1937) pp. 204-7; Walbank Philip V pp. 313-16; Will ${ }^{2}$ I.119-20.
 $\delta \eta \lambda \omega ́ c a \nu \tau \in c$ aủtoì $\mu \in ̀ \nu$ à $\Pi \epsilon \in \Pi \epsilon \cup u c a \nu$. ف̀c 'Avtíoxov kaì


Polybios tells us that when the Roman legation of Nero, Lepidus and Tuditanus had delivered their first "ultimatum" to Philip's general Nikanor in the spring of $200,{ }^{1}$ they then set out to bring about peace between Antiochos the Great and the youthful Ptolemy Epiphanes. Livy also reports that this embassy was sent, although he reports that its motive was to inform Ptolemy of the final Carthaginian defeat at Zama, and to solicit Egyptian support in case of a war with Philip. ${ }^{2}$ Appian and Justin intimate that the embassy was directed, not to Ptolemy and Antlochos, but rather to Philip and Antiochos, and that its purpose was to warn the Macedonian and Seleukid kings against aggression in Egypt rather than to attempt to put an end to the Fifth Syrian War. ${ }^{3}$

As all the sources except Livy relate it, the Roman action was intended to serve the best interests of Egypt. The threatening Seleukid was warned off from Egyptian territory itself; or, as Polybios relates it, the legation intended to mediate or arbitrate a settlement in the Syrian
conflict. In any case the Roman embassy acts in a disinterested fashion, as a true arbitrator should.

In reality, the Roman action was probably undertaken very much in the Roman interest. The real intention, as it appears from their later actions, was to secure the neutrality of Antiochos in the face of the coming war with Philip. ${ }^{4}$ Far from demanding that Antiochos not invade Egypt, the Romans may have been willing to sacrifice Egypt, a negligible ally in 200, in order to buy Seleukid neutrality. ${ }^{5}$

Nothing is heard of the actual arrival of this legation, the first formal appearance of the Romans at the court of Antiochos. ${ }^{6}$ The time of its arrival is uncertain; Polybios implies that Lepidus and his companions travelled on to Syria and Egypt directly after their sojourn in Athens in the spring of 200. Hence they should have sounded out Antiochos prior to the delivery of their final ultimatum to Philip at Abydos in the late summer of 200 . This might account for the appearance of concern for Ptolemy's interests in the second ultimatum which had been lacking in the first. Walbank, however, believes that the legates carried out their eastern mission after Lepidus had returned from Abydos. ${ }^{7}$ See $=64$.

2 Livy 31.2, 3-4.
3 Applan Mak 4, 2. Justin 30.3, 3-4; 31.1, 2. Justin adds the apocryphal tale that one of the Roman legates, Lepidus, was the tutor of young Ptolemy. For a collection and translation of documents dealing with the alleged guardianship of Lepidus, see Sherk IDGR *3.

4 Holleaux Rome p. 59. Cf. Walbank Comm II.534; Philip V p. 316; Will p. 120.

5 Badian ( $p .82$ ) dismisses the tale that the embassy gave orders to Antiochos as an annalistic fabrication, although he thinks that a friendly meeting may indeed have taken place.

6 Holleaux Rome p. 58.
7 Philip V p. 316. It is also not known whether the legation arrived before or after Antiochos's victory over the Egyptian forces at Panion. Cf. Will p. 120. If they arrived after Panion it may have made their work easier for them: Antiochos could present them with a fait accompli with respect to Koile Syria, and they would have to do nothing. They could, however, salve their conscience and show friendship for Ptolemy by asking Antiochos not to invade Egypt itself.

## *66: Philip V and Rhodes/The Achaian League 200

Polybios 16.35.
Gruen II.442; McShane p. 127; C.G. Starr CPh 33 (1938) pp. 63-68; Walbank Philip V p. 135.





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Immediately on the heels of the delivery of the Roman ultimatum of 200 to Philip at Abydos ${ }^{1}$ came an effort on the part of the Achaians to mediate between Philip and the Rhodians. The Achaians were longtime allies of Philip, if not always the most enthusiastic. At this juncture they apparently did not wish to be pulled into what was beginning to look like a potentially major conflict between Philip and Rome. ${ }^{2}$ They therefore attempted to bring about peace between Philip and Rhodes at the least.

The Roman commission which had delivered the ultimatum to Philip managed to forestall their efforts. They were still in Rhodes in the early fall of 200. Rome now was officially at war with Philip, and had no desire to be deserted by a state which had played an important part in instigating the present situation. ${ }^{3}$

1 See $=64$
2 See Gruen's comments, p. 442.
3 Starr (p. 68) suggests that the whole episode displays a lukewarm enthusiasm for the war on the part of the Rhodians, an attitude which could have arisen from the uneasiness Rhodes might have felt about an
alliance with Pergamon, and the possibility that Pergamon could aggrandize itself in the course of the war (cf. *61). Cf. McShane p. 127.

## *67: Chyretiai and Erikinion/Philip V [?] or Flamininus [?] c. 200 or a little later [?]

A fragmented inscription from a column drum discovered in Thessaly. H.: 0.57 m .; diam.: 0.60 m .21 lines.
*A. Arvanitopoullos AE 1917 pp. 15-18, \#308.
A.S. McDevitt. Inscriptions from Thessaly (Hildesheim 1970) \#1132; Stählin p. 28.





















This inscription evidently recorded an arbitration between the two neighbouring Perrhaibian towns of Erikinion and Chyretiai. The issue was, as so often, the subject of their mutual boundary. It is also possible that there was a matter of sacred land involved, and a disputed occupation of it. ${ }^{1}$

In addition to identifying the two states who were parties to the arbitration, the inscription also mentions (line 4) a certain Phalannaian citizen, a son of Solon (?). Phalanna was a community on the opposite side of Chyretiai from Erikinion, to the north-east. This community does not, however, appear to have taken part in the arbitration in an official capacity, at least as far as we can tell from the poor state of the inscription. Rather it seems that this citizen of Phalanna may have contributed his own services to the arbitration, perhaps by acting as a witness or a judge. ${ }^{2}$

The inscription also refers to Kassander, the son of Antipater. ${ }^{3}$ The reference to the dynast at first glance would indicate that he may have been involved in this minor boundary arbitration in some such way as

Philip V was involved in that between Gonnoi and Herakleion. ${ }^{4}$ The editor, however, believed that this inscription could not be dated as early as the period around 300 BC . He therefore conjectured that the inscription may be referring to an older arbitration agreement or treaty, concluded under the auspices of Kassander or his agent. This older agreement was then brought up at the later date, either in order to regulate the process of the current arbitration by reference to procedural guidelines, or perhaps to provide evidence for one of the disputants of a favourable judgement in the past. ${ }^{5}$

It may be that this arbitration, which the editor dated to around 200, was similar in procedure to that between Gonnoi and Herakleion. It is possible that this, too, was the result of a $\delta$ óaypa $\mu \mu \alpha$ of Philip $V$, who in turn may have made reference to a ruling by one of his forerunners as King of Macedon. On the other hand, if the dating to the beginning of the second century is reliable, there is another obvious opportunity for arbitration in this period. After the defeat of Philip in 197, the Romans under Flamininus devoted a fair amount of time and labour to the "settlement" of Greece. Among the matters dealt with by Flamininus were arbitrations of disputes dividing the various Greek communities. ${ }^{6}$ It is possible that

Flamininus or his delegate may have been responsible for arbitrating between Erikinion and Chyretiai. We know that Flamininus did carry out a settlement of at least the internal affairs of Chyretiai in this period. ${ }^{7}$

1
11. 1-3. Cf. $=1$. For the appearance of a burial site as a landmark (1. 8), cf. 58 . Perhaps the reference here may be to a heroon, the shrine of a dead hero, and the dispute may involve the disparate claims to the shrine and its rituals.

2 Arvanitopoullos (p. 17) suggested that the man of Phalanna may have acted as a witness. As a neighbour of the states in dispute he will have been familiar with the territory. He may have been a farmer or a shepherd, such as the witnesses in * 16 and $* 58$.

However, there is nothing in the inscription to indicate that he could not have acted in the capacity of a judge between his two neighbouring communities. If that is so, then Phalanna might have been more formally involved than appears from the inscription, since a request for judges in an arbitration normally went through official channels, and was not usually a private invitation to a particular individual.

3 11.5, 11.
$4=58$. Cf. Arvanitopoullos p. 17.
5 Cf. the Samos-Priene arbitrations ( $* 28, * 92, ~=115$ ) for the use of previous arbitral judgements as support for one's position.

6 See $=88$, 95 .
7 See SIG ${ }^{3}$ \#593 (Sherk TDGR *4), the letter of Flamininus to Chyretiai, dated between 197 and 194.

## *68: Alipheira and Heraia

c. 200 [?]

An extremely mutilated fragment of an inscription set up at Olympia. H.: 0.23 m. ; w.: 0.135 m. ; d.: 0.07 m .
*Dittenberger/Purgold $\underline{\text { IOlympia * } 48 . ~}$
De Taube p. 27; Tod *10.

> сицв-

€ $\lambda$ е́cta, ' $\gamma$ -
'Hpaєic, Aix[ $\mu$ - . - ., . . . . . .- $]$

[8]ıкactàc $\mu-$


кпсаит-
10 ' $А \lambda \iota \varphi \in\llcorner\rho-$



1:[katà tò]l cú $\mu$ [ 0 خov]?

What remains of this inscription seems to indicate that some kind of judicial process had taken place, a process which involved the Peloponnesian states of Heraia and Alipheira. The two poleis whose names appear here had a contiguous border, a fact which led Tod to believe that
this inscription may refer to an arbitration between them.
It is clear, however, that there is no way of knowing that such was the case.' Either Heraia or Alipheira may have provided the judges mentioned here, rather than acting as a disputant. In addition, if the beginning of the fragment does contain a reference to a symbolon, it may be that the judges who carried out the process dealt with suits between individual citizens, rather than an arbitration between states.

The inscription is dated to the second century. If it is a boundary arbitration between Heraia and Alipheira, perhaps it commemorates an event which took place during the period when the more important powers were struggling for control over the smaller states of the Peloponnese. ${ }^{2}$

[^5]
## *69: Hermione and Epidauros/Miletos and Rhodes End of the third century

This document consists of two judgements, the first of Milesian dikasts, the second of Rhodian. The text below is based on that of Peek (MDAI(A) 59), with later corrections and additions; Peek's text was a composite of the several fragments of these two judgements found in the Asklepieion at Epidauros (IG IV ${ }^{2} .1 .75$ ) and the more complete copy of the same inscription found at Hermione. For epigraphic information, see Hiller von Gaertringen 16 IV ${ }^{2} .1 .75$; Peek MDAI(A) $59 \mathrm{pp} .47-48$ and ASAW 60.2 (1969) pp. 26-27.

Fränkel IG IV. 927 [Epidauros]; Hiller von Gaertringen IG IV ${ }^{2} .75$ [Epidauros]; *W. Peek MDAI(A) 59 (1934) pp. 47-52 and ASAW 60.2 (1969) pp. 26-27, "30; A. Wilhelm AAWW 85 (1948), pp. 57-80; SEG XI.377, XI. 405 (after Peek and Wilhelm); Moretti ISE \#43.
B. Bravo ASNP 3.10.3 (1980) pp. 866-67; Gruen I.109; M. Guarducci. Eniorafia Greca II (Rome 1969) dD. 556-57: M. Jameson Hesneria 22 (1953)
 62 (1949) \#68, REG 67 (1954) \#116; Tod \#12; SEG XXV.375, XXXI.328; Steinwenter p. 179; A. Wilhelm. Neue Belträge I (SAWW 166.1) pp. 26-32.













$\omega \nu$ tîc te кatà cen $\lambda$ âvia_kaì 'Aypíouc nué $v a c$ ấxpl toû

 кєíue-


 é[п]ако入[ou]-












 по́]-
 katà]
 taútav]


кпдочи́́vac]
 CTpousoûu]-
 Ưסata]
 âppaı taû]-
 крі́cloc] ठè̀ $y \in]$ -
 ки́pıov éct

The first part of this text (lines $1-25$ ) is based on the fuller Hermione inscription; the underlined sections indicate those portions of the Hermione copy which are also found in the Epidaurian copy; lines 27f. are only to be found in the Epidauros inscription. Since the disposition on the stones of the two copies was slightly different, and since the first half of this text is based on the Hermione inscription and the second half on the Epidauros one, this composite does not exactly reflect either of them as a whole in terms of line divisions.


 toû| Ka入入ıctpá]tou ${ }^{\vee}$ Meve[kpátouc ${ }^{\vee}$ toû Meveкрátouc]: Mitsos.

The two judgements recorded in this document, one in the Ionian kouv́ of the Milesians, the other in the Doric dialect of the Rhodians, were handed down in the case of a boundary dispute between the two towns of Epidauros and Hermione. ${ }^{1}$ Six Milesian judges came at the request of embassies, possibly of $\delta$ ikactay $\omega$ yoí, 2 from Hermione and Epidauros, two
men from each. These embassies found the Milesians in the town of Kleitor in Arkadia. As the Rhodian judgement is word for word exactly the same as the Milesian one, it may be that the Milesians and Rhodians formed a mixed tribunal and handed down one judgement. The even number of judges from Miletos is certainly strange; usually precautions were taken to have an odd number of judges. If the representatives from both Miletos and Rhodes formed one tribunal, and the number of Rhodian judges was odd, this may have remedied the situation. ${ }^{3}$

If in fact the two states formed one tribunal, it is very strange that they should record their findings separately. ${ }^{4}$ Nevertheless, if we wish to see here two separate tribunals, of which one might have formed a court of appeal from the judgement of the other, it is equally strange that we find no record of such an appeal. A second tribunal might have upheld the decision of the first in all its points, but if so, we would simply expect to find it recorded that the judgement of the first tribunal (from whatever state) was to stand, not to find a complete repetition of the findings of that first court. ${ }^{5}$

The judges made a survey of the disputed territory in the company of envoys from both sides. ${ }^{6}$ The court was obliged, as usual, both to make a
judgement and to set the boundaries of the disputed territory. ${ }^{7}$ In this case, the decision was that the land was to be held in common by the two states. ${ }^{8}$ In addition to the decision about the land, regulations were set down cancelling fines and prohibiting claims between the two parties that antedated the judgement.

It seems that the two disputants decided between themselves, upon Hermione's challenge to Epidauros, ${ }^{9}$ to refer the dispute and its settlement to Rhodes and Miletos. ${ }^{10}$ Although both Hermione and Epidauros were members of the Achaian League at this time (the end of the third century), and it has been argued elsewhere that the League played an active role in arbitration between her members, it seems that the League was not involved in this case. At any rate we hear nothing of it . ${ }^{11}$

1 Prior to the article of Wilhelm (SAWW 166.1), and the later discovery of the Hermione copy, it had been thought that Hermione's opponent here was Kleonai (Fränkel IG IV.927, Raeder). Wilhelm, however, pointed out that a border dispute between Hermione and Kleonai was impossible; cf. Tod.

Wilhelm (AAWW $85 \mathrm{pp} .69-70$ ) argued that common rights to the area in dispute were established in the first half of the third century, connecting this with $\underline{\underline{G}} \operatorname{IV} V^{2} .1 .74$, and then renewed in the first half of the second century.

$$
2 \mathrm{Cf} .22,=160 \text {; cf. also the } \delta \text { ıкастоф́́ } \lambda a \kappa \in c \text { in }=134 \text {. }
$$

3
Cf. Mitsos p. 217. In * 83 there were six judges from Knidos.
4 Peek MDAI(A) 59 p. 50.
5 Cf. for example the inscription cited in $\geqslant 38$, which states simply that it will uphold the judgement of Flamininus, leaving the details to be


 are somewhat removed in time, but that would be even more reason for repeating the previous award in toto. In any case, if a case is appealed, that fact is usually recorded, even if only briefly: cf. $=22,=37, * 43$.

Within this inscription itself there is a reference to an earlier judgement which is to remain in force: $11.22-23,41-42$ : tò $\delta e ̀$ yeyovòc


Bravo (pp. 866-67) and Jameson (p. 160) apparently see this as being the work of two commissions, but fail to specify whether they see this work as proceeding simultaneously or consecutively. Cf. Mitsos p. 217.

 always, carried out in the company of representatives from both parties, cf. *22, *36, *37, *48, *59, *132.

7 on similar phraseology in boundary demarcations, cf. with 1.18
 Өá $\lambda a c<c>\alpha \nu$; and $\underline{S I G}^{3}$ \#685 1. 65: €Ủधv ̌̌סata кatapế, $1,=14,60, * 92$. The Sellas, here a river providing a landmark for the boundary demarcation, also appears as the name of a river in * 43; cf. Jameson pp. 165-66.

For maps of the disputed territory see Peek MDAI(A) 59 p. 51; Wilhelm AAWW 85 p. 58; Jameson Hesperia 22 plate 49; ISE 43 p. 102. On some of the difficulties with identifying the land, see Wilhelm, SAWW 166.1, AAWW 85; Robert REG 62; Jameson Hesperia pp. 160-67;

8 On кoẁ̀ $\chi \omega \rho a$, cf. $* 36, * 45, * 60,93$. Cf. these cases as well for ' $\in \Pi เ \nu \circ \mu \not ́$ ("right of pasturage") and карпєía. See Bravo pp. 866-67.

9 On прока $\lambda \in \omega$ in this sense, cf. Piccirilli *21.



 *23, *24, *28, *29, *30, *32, *33, *36, *42, *56, *58, *60; and
 MDAI(A) 59 cites this inscription as the first inscription to make use of the term in this context; but cf. Piccirilli *33, *36.

On the terms cú $\lambda \lambda u c ı c, ~ c u \lambda \lambda u ́ \in เ v, ~ c f . ~=90, ~=92, ~=99, ~=120, ~$ $=148$.

11 See Raeder p. 104; Guarducci pp. 556-57; Moretti p. 101. If Kleitor was a member of the League at this time, as seems probable, and if the Milesians were there perhaps on League authority performing another arbitration (cf. ISE 43 p. 104²; Guarducci p. 557), it could simply be that the Milesians were rather informally requested by the League -- or by the two cities (Guarducci, Moretti, Wilhelm) -- to settle the EpidaurosHermione dispute while they were there. This nypothesis would mean that there would have been no necessity for a separate League embassy to Miletos for the sake of this particular dispute.

The Achaians may have attempted to repay the Rhodian favour by offering to mediate between Rhodes and Philip in 200 ( $* 66$ ).

## *70: Two Unknown States/Karpathos [?] Third or second century

A largely destroyed inscription found at Tristomo (Porthmos) on the island of Karpathos. H.: $0.39 \mathrm{~m} . ;$ w.: 0.49 m .12 IInes.
M. Beaudouin BCH 4 (1880) pp. 264-66, *2; Sonne pp. 14-15, *21; Berard *44; SGDI *4319; *HIller von Gaertringen IG XII.1.1031.

Raeder *45; Sonne p. 70, * 118 ; Steinwenter p. 179; Tod * 82.
[- - . . . . . . . - $\quad$ прєс $]$ -
[ $\beta$ ] $\in \cup \cup \tau-$
$\epsilon \omega \nu$ п . . . . . . . a $\mu \in v 0^{-}$- -

['Ek]atépac tâv по入íwv пар[a]кaлоuमévac [ $\mu \mathrm{f}$ ]-








 mapá[ $\mu \mathrm{v}$ ]ov: Kaibel ap. Hiller von Gaertringen. II 6: xoóvov mapácauov:
 "̈́ $\lambda \lambda a$ : Wilamowitz ap. Sonne, Berard. Il 10: cuve $\lambda$ úөncav: all except Hiller von Gaertringen who has cuve $\lambda \eta \lambda \tilde{\vartheta} \theta \in c a v$ by error; his facsimile has
 13: . . i ípà kata . . .: Beaudouin. || 14-15: - -ómeva- - -|-v (t) ̂âı to[ $\hat{v}$ - -]: SGDI.

Very little can be gleaned from this inscription beyond the fact that it dealt with an arbitration, apparently international (1. 4: ékatépac tâv
 between the two states was the object of the arbitration; perhaps the codification of a legal system was in question (1. 5: v[ou]оурачíav). ${ }^{2}$ in
the end, it may not have gone to formal sentencing, as a conciliation (cú $\lambda \lambda u c i c ; 11.8,10,11$ ) apparently took place. ${ }^{3}$ This settlement was effected by the whole people of the arbitrating state, or by a court representative of the people, not by select judges.

As in numerous other cases of arbitration, the decision of the arbitrating city is published at a sanctuary, this time the temple of Poseidon Porthmios. The original editor suggested that the matter could have been restricted to the island of Karpathos, and that the states involved all belonged to the island; alternatively, the reference to the people as arbitrator could have been a reference to the population of the whole island, and the litigant states would have completely foreign. ${ }^{4}$ As the sanctuary is in the territory of Brykos, Raeder argued that the city of Brykos may have been involved as arbitrator or as disputant. ${ }^{5}$

The inscription is dated to the second century, or perhaps the end of the third by the letter forms. ${ }^{6}$

1 For the term $\mu \in c i t \in \mathcal{U} \omega$ (and related words) in arbitration, cf. Polybios 11.34, 3; 28.17, 8; OGIS * 437 ( $=$ Tod *60); Diodoros 4.54; Piccirilli *7.

2 Cf. Sonne p. 70, * 118.

3 On the term cú $\lambda \lambda \cup c ı c / c u \lambda \lambda u ́ \omega$, cf. *69, *90, *92, *99, *120, *148, $=150$; $\underline{51 G}^{3}$ *685 (Itanos and Hierapytna). Cf. Tod pp. 124-26, where he discusses the term cú $\lambda \lambda$ ucic as referring to the work of a mediator or concilator rather than a judge.

Here, as in some other arbitration decrees, the willingness of the litigant parties to submit to arbitration is emphasized. Cf. *60 (1. 3:
 * 148 (1. 31: [á $\left.{ }^{2} \mu \varphi 0 \tau\right] \in ́[p] \omega \nu$ émitpe[ $\left.\psi a ́ v \tau \omega \nu\right]$ ); See Steinwenter p. 179, who cites SIG $^{3 *}$ *88 1. 5.

4
Beaudouin p. 266; cf. Sonne pp. 14-15.
5 Raeder \#45.
6
SGDI *4319, p. 678; Raeder *45.

## *71: Angeiai and Ktimenai/Thaumakoi [?] Late third or early second century

Two fragments of a marble block discovered near the ruins of Thaumakoi in Thessaly. The block bears an inscription on the front [1] and on the right-hand side [II] H.: $0.60 \mathrm{~m} . ;$ w.: $0.26 \mathrm{~m} . ;$ d.: $0.25 \mathrm{~m} . \mathrm{I}: 23$ lines; II: 25 lines.
*A.5. Arvanitopoullos RPh 35 (1911) pp. 289-93, *41 [I], *41a [II].
A.S. McDevitt. Inscriptions from Thessaly (Hildesheim 1970) *152; Tod *39.

1 [白ací $\delta$ oi Ktluevaîo]e xpóvolc úctepov ảmo[סoû]-




[. . . . ol' kaì tà $\mu$ è̀ $v$ tìc $\Delta ı k a i ́ o[v] ~$
［ $\gamma \in v \in$ éçal ．．．．］otátпv émĩaußávovta．



［．．．．．$\lambda \eta$ ］$\mu \mu a ́ t \omega \nu$ кaì тinc voцŋ̂c
［aủtoíc］парєтíधєто́ тє каì пра－

．．．．．．．$\mu$ еval toùc Ktıuevaì－

［tac toùc äג］$\lambda$ ouc ôpla［ $\delta 1$ ］acuv\｛ $\delta$ ］óv－
［tac，aưtoì oủ pou］${ }^{\text {ón }} \boldsymbol{\mu} \in v o l$ toùc mapà tò $[v$ ］
［ потацо̀v＇Aпıба］vóv ñүии́vоис вари́－
［ $\nu \in ⿺ \nu$.


［тaût＇oủv cuviઠóvtec r］n̂c xผ́pac крívouev

II［toútouc］$\delta$ ề $\mathfrak{e}[$ rì ．．．］
［тîc пó $\lambda$ ］$\epsilon[\omega] c$［ùnò t $\omega \hat{\nu}$ ．．．toû］
［8］โ̊uои．

$5 \hat{\omega} \nu \delta п[\lambda 0 u ́ \nu \tau \omega \nu \ldots(\hat{\varphi}]$
［＇A］пó $\lambda \lambda[\omega \nu \mathrm{L} . . . .$.


＇Ayye［ tâtal aưtoì tìvo＇ou］－
10 甲á入n［v каяเєрติcat про́］－
tepol［âveiróvtoc toû ’Amó $\lambda \lambda \omega \nu$ oc kaì］

по $[v t] \in \epsilon$ סo［v̂val ．．．．］


15
Bí $\omega \nu$ ảc¢á $[\lambda \in เ a \nu . .$. oủ $\delta]$ -

[v] € $\ddagger$ пíкрıcıг• \&
[a]vòv єíc aử toùc . . toùc 'Hpak $\lambda \in$ t]-

20 . $\pi$ тóvt $\omega[\nu \mu \eta \delta$ è toîc $] \delta \eta \mu[$ ótaic . . . . Taîc]

. . ov ovto . . . ठì toùc K[tıuevaíove mit]-

סıákpıcıv taîc סıau[pıcßฤтoúcaıc]
25 по́ $\lambda \in c[v]$ oư map[é $\chi о \mu \in \nu$.]

This inscription records the differing claims of Angeiai and Ktimenai, two neighbouring Thessalian communities, to a piece of land doubtless on their borders. There is no indication of the identity of the judges, except for the provenance of the inscription; they may have been from Thaumakoi. ${ }^{1}$ The inscription is too fragmented for us to make much of it , but at least part of the controversy may have centred around the jurisdiction of a local cult of Omphale, which may have been located in the disputed territory. ${ }^{2}$ The first fragment records the claims of Ktimenai, the second the claims of Angeiai. Both states may have attempted to establish the priority of their claim to consecration of the cult. ${ }^{3}$

It appears that the Ktimenaians were successful in their suit, if the editor's restoration is correct (l lines 22-23: [Taût' oûv cuvióovtec t]n̂c
$\chi$ б́pac крívouєv| [kupíouc Gỉval Ktıцєv]aíovc.). Arvanitopoullos thought that in their decision the judges had recourse to an ávaypaب́n of the "ancient kings" (I lines 19-20: t $\omega \nu \pi \rho \omega \tau \omega \nu[\beta a \mid c \iota \lambda \epsilon \epsilon \nu]$ ) and to the foundings of the cities, but it is unclear exactly what this means. ${ }^{4}$ Arvanitopoullos also thought that there may have been a previous unsuccessful attempt at arbitration in this case, but this conjecture is quite uncertain. ${ }^{5}$

1 Arvanitopoullos points out (p. 292) that Thaumakoi, as an important local centre, would be a natural choice for arbitrator; this is true, but its local importance also makes it a natural choice for publication of the award. Cf. $=16$, and note 2 there.

2 II. 4; II II. 9-10. Cf. =14, =15, $=54$.
3 Cf. the claims of Angeiai, II II. 8-12, and Arvanitopoullos p. 293.
4
p. 293.
 пó $\lambda \in c \mathbb{L}[v]$ oủ $\pi \alpha \rho[$ éxoutv.] Cf. Arvanitopoullos p. 292, Tod *39.

## *72: Kallatis/Apollonia Third or second century [?]

An inscription found at Kallatis. H.: $0.6 \mathrm{~m} . ;$ w.: $0.33 \mathrm{~m} . ;$ d.: 0.11 m . Dimensions. 40 lines.
*C. Jirecek AEM 10 (1887) pp. 197f. (11. 1-10); *SGDI *3089 (11. 11-40).

Raeder *75; L. Robert REG 77 (1964) p. 193 *287; SEG XXIV.1024; Sonne *37; Tod *77.
[ $\varphi$ ]aívntal toùc $\in \mathfrak{̉ v}$



$20 \mu \omega c$ àvti入außavóuєvov tâc $K a \lambda \lambda a \tau[\iota a]-$









30 [ả]vtíypayov toîc 'Amo $\lambda \lambda \omega \nu \mathrm{a} a \mathrm{a}$ âv á̛[pxoucıv]
[k]aì паракадécal aủroùc tòv 'émau[ov ảva]-



35 [т]aveiov. toùc $\delta$ è mpoboú ${ }^{2}$ ouc [toùc пpo]-


[ $\epsilon$ íc] ôv àvateөnceítal [----]
[ó т]є $\lambda a] \mu \omega ้ ~[-\cdots---]$
40 [-- - - ]поте [- - - - ]



This inscription is a decree of the polis of Kallatis, situated on the shore of the Black Sea near the mouth of the Danube. In it the people of Kallatis express their gratitude to the people of Apollonia, which should no doubt be identified with Thracian Apollonia on the Black Sea. The Apollonians had dispatched one of their citizens, a certain Stratonax, to act as an arbitrator or mediator in a war in which Kallatis was involved. The name of the enemy state is lost, although it apparently began with " 5 ". 1 One of Kallatis's neighbouring states is probably to be understood nere.

The original editor, Jirecek, dated this inscription to the period after the death of Attalos III, based on its style. Woodhead, however, evidently believed it to be earlier, and dated, it to the turn of the third and second centuries. ${ }^{2}$

1 The first letter remains in the first line of the inscription.
2 SEG XXIV. 1024.

## *73: Kaphyai and Tegea Second century

Two fragments of a limestone slab, inscribed on both sides; discovered at Olympia. H. (together): $0.29 \mathrm{~m} . ;$ w. (together): 0.14 m .; d.: 0.093 m. 27 lines.
*Dittenberger/Purgold LOlympia *50.
Tod *9.

Aa [ $\ldots \ldots \ldots$. . . . . . . . . . . - $]$

- . . . . . . . . - - - аv парахр[ $\hat{\eta}]-$
[นa - - - - tàv] toû סıkactnpíou kpí-
[cıv - . . . . . . - - ]acav ̊́ptîc tàv
5 . . . . . . . - av, oí $\mu$ èv toîc t $\hat{\omega} \nu$
- . . . . . . - - aca[v ka]ì tô̂c cuvo
[ . . . . . . . . i] $\delta^{\prime}$ 'al тос[ẫт]a(?) т $\hat{\omega}[v]$
[ . . . . . . . . . - t]òv aủ[tòv?] t . . $\epsilon$.
[ - - . . . - - k]atà [т]àv [kpí]cıv(?) $\eta-$

-     -         -             - . - - - тa $\lambda a \chi$ - - -

| Ab | - |
| :---: | :---: |
|  | ——.-. - . - - o áya[ |
| 15 |  |
|  | - . . . . . . . . - -c[ $\theta$ ]п кaì $\left.{ }_{\epsilon}\right\}[\eta]$ |
|  |  |
|  | [ ¢уєatâv . . . . . . - to]ט̂ סikactn- |
|  |  |
| Ba | [ - - - . . . - - - - - т]- |
| 20 |  |
|  | [ t ]ò ypamròv |
|  |  |
|  | cet, kaì taú[ta]v t[àv крícıv - - - - - |
|  | toùc to[0 п] 0 入ét $[$ OOU $\cdots \cdots \cdots$ |
| Bb | -oic e- |
| 26 | - - oi Tєyєă[taı - . - . - . - . - - ] |
|  | . $\omega \nu$ ٌápxєcөa[ |

It was suggested by the original editor of this extremely fragmented text that it might refer to an arbitration between the two states, Tegea and Kaphyai, whose names are preserved in it. Certain terms which appear in the text might relate to the judgement of a tribunal, ${ }^{1}$ but if so, there is nothing to indicate the provenance of the judges, the nature of the dispute, or the outcome of the trial. There does appear to be a reference made to a
war in line 24. In fact the only point that can be made for certain about this possible arbitration is a negative one: it would not have been over a boundary conflict if the two states mentioned in it are the disputants, since they do not have a common border. On the other hand, there is nothing to prevent one of the states whose name has survived from having been the arbitrating state.

The original editors compared this inscription in its "neat and compact" second-century style to other arbitral documents of the Achaian League. Dittenberger cited IOlympia * 49 as a similar document and perhaps from the same period. However, both are so fragmented, and particularly $101 y m p i a$ * 49 , that it is impossible to make any kind of judgement about them. ${ }^{2}$

1 II. 3-4: [đà̀v] toû סikactnpíou kpílcıv]; 1. 9: [k]atà [т]àv [крí]cıv (?); 11. 18-19: [то]へ̂ ठıкастпрíou; 11. 22-23: [крí]ceı, kaì тaú[ta] $\nu$ [ $\alpha ̀ \nu$ kpícıv]. Obviously a number of these phrases have been heavily restored.

2 Indeed, iolympia *49 falls into the category of documents accepted by Tod (Tod *79) as evidence of international arbitration which was criticized by de Taube ( $p$. 27) as being far too fragmentary to be of any certainty or value. Dittenberger himself admitted that IOlympia *49 could just as easily be part of an honorary decree.

## *74: Two Unknown States

## Second century

Fragment of a stele discovered at the Asklepieion at Epidauros. H . (max.): $0.14 \mathrm{~m} . ;$ w. (max.): 0.21 m. ; d.: 0.09 m .5 lines.

Fränkel IG IV.929; *Hiller von Gaertringen IG IV².1.78.


$\mu \in \nu$ ámò tâc $\alpha \gamma-$



The meagre fragments preserved here may refer to an arbitration between two of the states on the peninsula of Argolic Akte. The inscription was discovered in the Asklepieion, where documents have been preserved which record other arbitrations between the states of Epidauros, Hermione, Troizen and others. ${ }^{1}$ Judging from the Doric dialect, the judges may also have been from this region.

The wording appears to refer to a demarcation of boundaries, with reference to a river as a landmark, probably with respect to the [á $\mu \varphi / \lambda] \lambda \in \gamma_{0} \mu^{\prime} \in \operatorname{\nu ac}[\chi \omega \rho \rho a c ?] .^{2}$ This would indicate that the states concerned had a contiguous border. In addition to the dispute over their borders, the arbitration may have regulated or dismissed certain suits
between the cities, but the inscription is so extremely fragmented, that this is only speculation based on the editor's restoration. ${ }^{3}$

1 Cf. *43, *50, *69, *93, 153.

 reading of $11.38-39$ of the document in *69: $\epsilon i$ ' $\delta_{\epsilon}^{\prime}$ tıva $\epsilon$ 'mitíuıa






## *75: Two Unknown States/The Thessalian League [7] Second century

Two fragments from Delphi, recognized by Marcadé as belonging to the same inscription. H. (max.): $0.265 \mathrm{~m} . ;$ w. (max.): $0.23 \mathrm{~m} . ;$ d. (max.): 0.24 m . 14 lines.

Upper portion: H. Pomtow Klio 18 (1922/23) p. 285, *212; SEG II.279; Daux Delphes p. 647; J. Poullloux EDelphes III.4.368; G. Daux BCH 105 (1981) pp. 576-80.

Lower portion: J.-P. Michaud EDelphes II p. 129; *F. Queyrel BCH 108 (1984) pp. 703-7 (both fragments).
G. Daux BCH 101 (1977) pp. 333-34; J. Marcadé Signatures I (1953) pp. 122-23; J. \& L. Robert BEG 1974, *291.

 áyoutl]: Daux BCH. || 2: [Еє]v[0]крátєoc, TANOTE- -: Pomtow. Daux suggests [三є]voкрátєoc or [ $\Delta \in t$ ]voкрátєoc. Il 3: Mєरít $\omega V$ [oc toû



J.-P. Michaud, in his edition of the lower fragment of this inscription, conjectured that it might belong to the extensive inscription retailing the arbitration between Halai and Boumelita. ' However, the recognition by Marcadé and Queyrel that this fragment joins instead with the upper portion cited here precludes this. The inscription appears instead to record the results of an arbitration between two unknown states. The
upper portion speaks of the judges and their decision, the lower records a boundary delimitation.

The inscription may have been dated by the eponymous magistrate of the homeland of the judges. ${ }^{2}$ The appearance of the ethnic (line 1 : - taĺfoc) indicates that the magistrate may have been the official of a koinon, such as perhaps the Phokian koinon or the Thessalian League. ${ }^{3}$ Both choices seem to be a possibility, as the city-names of Phanoteos (in Phokis) and Melitaia (in Thessaly) appear in the following lines. Nevertheless, the inscription is really too fragmentary to say whether these states appear as arbitrators, as witnesses, or as parties to the dispute. The only thing which seems certain is that Phanoteos and Melitaia could not have had a boundary dispute with one another, as they have no common border.

1 See $=22$. Michaud based his argument (p. 129) both on the content of the inscription and the style of the lettering, and envisioned a second century date for both this inscription and the document discussed in $\mathbf{*}^{22}$.

2 Queyrel p. 706.
3 Queyrel pp. 706-7. Daux suggests the Thessalians.

## *76: Mylasa and Neighbours [?] Second century [?]

Several fragments which may or may not pertain to the same boundary delimitation. Dimensions of I, II and $V$ not given. III: h.: $0.37 \mathrm{~m} . ;$ w.: 0.34 m.; d.: 0.012 m . IV: h.: $0.22 \mathrm{~m} . ;$ w.: 0.49 m . I: 8 lines; II: 7 lines; III: 18 lines; IV: 9 lines; V: 21 lines.

I: *LeBas/Waddington *423 (and cf. *427).
II: *LeBas/Waddington *424.
III: *W. Judeich MDAI(A) 15 (1890) pp. 265-66, * 18.
IV: *A.W. Persson BCH 46 (1922) p. 405, *9.
V: *Persson BCH 46, pp. 405-7, *10.
De Taube pp. 27-28; Tod *73, *74.








[-- - - т $\omega t]$ с $\omega \rho о в о \lambda[i ́ \omega t ?-\cdot-\cdot-$ - $]$
-- - a пapà tât éxou[évטt - - .-. - -]

-     -         - $v$ ánò $\delta$ è toútou проє[ $\lambda \theta$ óvtєc - - - -]




III . . - . pa є́ по̀ . . то - . . . . . -
[- - xa]pa̧̧anévov кa[i . . . .....]















 ${ }^{\prime} \in \operatorname{Tn}[1]$





入óxпL (?)

[....................................................̀̀ t]óvto[u]

7: 入óx $\mu \eta$ ?: Persson.

 ¢є́povta émi tà aủtá.
 ỏ $\varphi$ ]púoc tn̂c aủtñc aí $\alpha$ -


 toútou toû


 $\varphi \in ́]$ povta $\mathfrak{\epsilon} \Pi i ̀$ tà aútá ánò
 Sè toútou toû ó-
[рои - . . . . . . . . . - проє $\lambda \theta$ ]о́vtєс парà тòv пєрíßoдоv
 катацерои́cŋı ảmò то̂̂
[őpouc - . . . . . . . . . . . . . - ] ánò đè toútou kataßáv-
 őpouc oủk åuv-

[-. . . . . . ámò סè toútou toû ơp]ou סıaßávtec tòv потa-






20



Fragments I-III appear to consist of the report of a commission charged with setting the borders between Mylasa in Karia and a neighbouring state. ${ }^{1}$ Although there is no def inite reference to arbitration here, the large number of boundary settlements which required arbitration makes it not unlikely that the same process was involved here. ${ }^{2}$

The inscriptions cited above may not all be related to the same arbitration. There are numerous epigraphic fragments from Mylasa which appear to record boundary settlements between that state and her neighbour(s), and they cannot all be part of the same inscription. ${ }^{3}$ Nevertheless, given the state of the fragments and the impossibility of determining for certain whether arbitration was even involved, it has seemed best to collect all the Mylasa fragments in one case. The wording of all the fragments is similar, and it is not impossible that they represent various parts of a connected series, even if they are not all from the same document. ${ }^{4}$

1 LeBas/Waddington compared the boundary demarcation carried out in the case of Samos and Priene (*92).

2 Cf. *39, $=143$. Tod thought that this was a case of arbitration; however, de Taube criticizes Tod's inclusion of this case, conceding that it is a boundary delineation, but denying that it was necessarily the result of
an arbitration. Cf. D. Magie RRAM II p. 96584. "The fragments from Mylasa...are too meagre to serve as the basis for any conclusion."

3 Persson (p. 407) pointed out that fragments IV-V are probably not to be connected directly to I-III, as the lettering of the inscriptions is different.

4 Fragments I and IV at any rate were found in the same venue.

## *77: Gonnoi and Another State/Kierion Second century

A black marble stele intact only on the right side, discovered at Gonnoi. H.: $0.20 \mathrm{~m} . ;$ w.: 0.14 m. d.: 0.04 m .13 lines.
A.S. Arvanitopoulos AE 1911 p. 144, *82; *Helly Gonnol II.115-16, * 106.
A.S. Arvanitopoulos AE 1913 p. 101; T.A. Arvanitopoulou Polemon 2 (1939) p. 25, *41; Helly Gonnof 1.114.

-     -         -             - .-. .-. - - - $0 \Sigma$
-     -         -             -                 -                     -                         - . - - - - - - MA
[- . . . . . . . . - - тauiєvóvt] $\omega \nu$ סè
[- . . . . . . . . . . . . . - k]aì 'Acá́v-

[ $\delta \hat{\text { è - - - - - toû - - - }] \xi \in ́ \in v o u ~ \mu \eta \nu o ̀ c ~}$



10 [парауєvoú́voıc $\delta$ ]ıкас[тa]îc ék Kle-
[píou - . . - - ]an - . . - - wpov



 єiká]סı, Kol[vסatcûct סè - -]: Arvantipoulos 1911. || il: @por: Arvanitopoulos. ọ̣ć $] 0[u]$ : Arvanitopoulou.

This much fragmented decree resembles on the surface several other decrees from Gonnoi which deal with foreign judges. These judges would come to the city and deal with outstanding suits and disputes between the citizens, problems which, for one reason or another had proved impossible to settle locally. The phenomenon of inviting in foreign judges to settle local disputes was a very common one in the Hellenistic Age.' In the case of Gannai, the city of Kierian had often perfarmed this service far her. ${ }^{2}$ Perhaps Gonnoi reciprocated with like favours.

In one important respect, however, this decree differs from the standard decree for foreign judges. The decree appears to be dated by reference to the calendar not of Gonnoi alone, but also of another unknown city which was named along with Gonnoi (lines 7-8). As Helly points out, the calendar here referred to does not appear to be either that of Thessalian Kierion, or that of the Perrhaibians, the ethnic group to which Gonnoi belonged. ${ }^{3}$

Thus it may be that the Kierian judges this time were called in to
settle, not local disputes between citizens of Gonnoi, but a technically international dispute, perhaps with one of Gonnoi's neighbours. ${ }^{4}$ The format of the decree may resemble that of a decree regarding foreign judges simply because the latter contained appropriate and well-known formulae which could be exploited.

1 See L. Robert pp. 765-82 in Xenion. Festschrift für Pan. J. Zepos I (1973).

2 See Helly Gonnol 1.115.
3
Gonnoi 11.116 . The first editors read here the month name Xandikos, a month in the Macedonian calendar, but also known at Gonnol. They therefore had to assume that the month fell at different times in Gonnoi and the unknown city. This is entirely possible. However, Helly points out that no Thessalian or Perrhaiblan city other than Gonnoi is known to have this month-name. He therefore suggests the possibility of restoring Phyllikos, the last month of the Thessalian year.

4 Of course such a dispute could well have opposed the citizens of the two states rather than the states themselves.

## *78: Gonnoi and Another State/Kierion Second century

White marble stele found at Gonnoi. H.: $0.18 \mathrm{~m} . ;$ w.: $0.22 \mathrm{~m} . ; \mathrm{d} .: 0.07 \mathrm{~m}$. 10 lines.

[^6]A.S. Arvanitopoulos AE 1912 p. 244; T.A. Arvanitopoulou Polemon 2 (1939) p. 24, *40; Helly Gonnoi I. 114.

## - -- - - - - - APOY[- - ур $\mu \mu \alpha]$ -






['́K Kıє]píou [ $\tau$ ]o[ ̀̀]c [ $\pi$ ] $\in \rho \mathrm{ol}$ 'Apıct-

-     -         - é . . A, Пapuєvíck[ov -. - -]
- . . - - -tov ka[ì] tòv [ $\mu \in \mathrm{T}^{\prime}$ aưt $\omega \hat{\omega}$ ]

10 [ үрациатє́ $\alpha$ - - - - ]фіп-
[-...............................



The format of this inscription is virtually identical to that of the previous inscription (*77) from Gonnol dealing with judges from Kierion. Once again the system of dating by reference to two city-calendars indicates a possible inter-city judgement. ${ }^{\prime}$ As before, the city which obliged by sending judges was Thessalian Kierion.

1 In this case, the remaining initial "p-" for the name of the second people gives little help in ascertaining their identity.

## *79: Gortyn and Kaudos

 Early second centurySeveral fragments, discovered separately, of an inscription from Gortyn. I: h.: $0.7 \mathrm{~m} . ;$ w.: $0.8 \mathrm{~m} . ;$ d.: 0.48 m . II: h.: $0.24 \mathrm{~m} . ;$ w.: 0.39 m . III: h.: 0.63 m. ; w.: $0.35 \mathrm{~m} . ;$ d.: 0.2 m .

I: M. Guarducci RFIC 8 (1930) pp. 471f.; *Guarducci IC IV.184a.
II: F. Halbherr AJA 1 (1897) pp. 232f., *37; Blass SGDI *5022; M. Guarducci RFIC 8 (1930) pp. 471f.; *Guarducci IC IV.184b.

III: *K. Davaras AD 18.1 (1963) pp. 141f., \#1; SEG XIII. 589 (after Davaras).
G. de Sanctis RFIC 8 (1930) pp. 483f.; Gauthier p. 328; M. Guarducci RFIC 11 (1933) pp. 488f.; eadem RFIC 14 (1936) pp. 362f.; J.A.O. Larsen CPh 31 (1936) pp. 14f., 20f.; A. Scrinzi AlV 55.2 (1897/98) p. 1549; van Effenterre p. 89.










 סt-


 n-



 Tâv $x{ }^{-1}$
 סєк[átav.]
[several lines missing]








tàvctarac 「optuf $\nu$ lacuna
. . . . !
c. 30 oi $\epsilon \in$ Kav]-
סoî forkiovtec ta
c. 31

[o]í roptúviol, tpaøóvtiov ठè . . . . . . . c. 24

c. 21 . . . . . . .v]-
 ővta]





 ка ó ${ }^{\mu} \mu \mathrm{èv}$ ]

 Kavooí]



 סíj-

 סıаура́циатос]



lacuna
 suggests [-K|p] $\theta \in \nu \tau \omega \nu$.

The document cited here is a treaty between the Cretan states of Gortyn and Kaudos, and is probably the Gortynian copy of this agreement.' The Kaudians appear to be in rather a subordinate position vis-à-vis Gortyn here. Nevertheless, they are declared to be free and independent and with the enjoyment of their own judicial system. ${ }^{2}$

The fragment discovered by Davaras (III) and joined to the inscription
published by Guarducci (1-II) indicates that there was some provision for arbitration between the Gortynians and the Kaudians. It is stated specifically that they are to offer and accept arbitration katà tà cú $\mu \beta 0 \lambda a$ tà ${ }^{\prime \prime}$ óvta, as Davaras restores it. ${ }^{3}$ The use of the term cú $\mu \beta 0 \lambda a$, if correctly restored, would indicate that this is an agreement governing the judgement of disputes, especially commercial disputes, between the citizens of the states.

However, it would be impossible to state with absolute certainty that the arbitration clause here refers only to individuals. Further on, both parties promise to make use of an arbitrator in terms very reminiscent of the covenant between Hierapytna and Priansos. ${ }^{4}$ In the latter case, it seems that both private and public suits were envisioned. The same may be the case here. ${ }^{5}$ While some of the terminology ${ }^{6}$ suggests private disputes, the provision would probably be extended to cover inter-city disputes as well.

1 Guarducci IC IV p. 265.
2
II. 5-6.

3 I. 34.
 хрŋ́сөөш.

5 On the impossibility of distinguishing between private and public suits in some of these Cretan agreements cf. Gauthier p. $328^{114}$, van Effenterre p. 144², Davaras pp. 148-49.

6 Cf. II. 37f.

## *80: Gortyn, Hierapytna and Priansos Early second century

An inscription on both sides of a stone block built into a wall in Venice, where it had been carried from Crete. H.: 1.365 m. ; w.: 0.23 m. ; d.: 0.135 m .86 lines.
R. Bergmann Festschrift des Gymnasiums zu Brandenburg (Berlin 1860) pp. If.; Cauer * 42; Blass SGDI *5024; *Guarducci IC IV.I74.

Gauthier p. 321; M. Guarducci Epigraphica II (1940) pp. 150f., 165f.; Hitzig *45; Muttelsee p. 61; A. Scrinzi AlV 55.2 (1897/8) pp. 1570f.; van Effenterre p. 142.

 cúv - - $\omega \hat{c}$ - - $\omega$ \}-




[ $п$ ]útviol toîc Пplavclễclv k[aì oi חplavciéec toîc Гoptuvíolc kaì to]-
[î]c 'Iєpamutvíoc' cu xpóvov àm]-
 ' $є$ epamutví]-
 полєнíovtac à]-
 tòvc [optuvío]-





 Boa]-
 паขті̀ $\operatorname{c\theta }^{\prime} \epsilon \in \epsilon$ ]-
[1] ảnpoцасíctшc кaì кaтà [yâv кaì кaтà өá入aəəav. őpot tâc nplavcí]-
[a]c. ámò өa入áधөас éc пора- .-.................
















 roptuví]-

 vо́нос]







[ka] $\mu \mathrm{j}$ кат[-
45 [----] $][. . ..] \in \pi \epsilon-$
[about 30 lines missing]

[. .] $k \lambda a \rho \omega \nu \tau \omega \nu[$. . . ] $\pi \omega \nu$







 прааисьoî к $\omega$ ]
[п]plavciєùc Гóptuv. ơpкос п[plavcí́cul Гортиvíotc кaì 'iєpamutvíoc.]
[ỏu]vón tàv 'lctíav kaì Ttn̂va [Bióátav kaì Ttn̂va Movvítiov kaì TTn̂va]
 kai 'Aəa]-
 $\mathrm{k}^{\text {' }}$ "apea kaì 'A]-
 ' E (é́j]-

 toíc roptu]-
 toíc
 ka
 roptúv[1]-
[oc кaì ó 'lapanútvioc кaì пávta t' đ̋入] c[ v ]-


 є̇пторкі́оццє $\nu, \mu \boldsymbol{\eta}[\tau \epsilon]$
 katà ب̣[ú]-
 द́ $\neq 0$ ó $\lambda \mathrm{uc}[$ [өat]
 ö́p p koc [ op f -
[tuví $\omega v$ кaì 'lapanutví $\omega v$ toîc חpıavcıễcıv•] ỏ $\mu v i ́ \omega ~ t a ̀ v ~ ’ ı c t i ́ a v ~$ kaì T[tñ]-
[ va bióátav kaì Ttn̂va Movvítiov кaì T]Ṭ̣̂̂va Cкú入ıov kaì Ttn̂vạ ['opá]-
 kg［t＇A］－
 kaì＇Epuâv $\Delta a[k u ́]$－
 งıòc［пávtac］
［kaì návcac єủvonctiv toîc חplavciê̂cl］！̣ tọ̀y ̣̣̣̣̆avta xpóvov ［ám $\lambda o ́ \omega c$ ］



 $\tau$［oic］
 ${ }^{\epsilon} v$［tât］







1：［ $\theta \epsilon$ ］òc ảyat［óc．tú］x［a］］ảy［ââu］：Bergmann，Blass．｜｜5：［oí te「optúviot kaì of kt入］：Bergmann．［「optúviot kaì＇lєpa｜п］útviol：Blass．II 7：［ ［́c tòv návta xpóvov］：Bergmann．II 8：єủ［voncîv］：Bergmann，Blass．II


 Bergmann，Blass．｜｜22－23：［éc tò íapòv tê Trnlvòc］：Blass．｜｜ 23 ：kñc： Bergmann，Blass．｜｜24：＇Opukómmav：Bergmann，Blass．｜｜29：［kєí］tat：Blass．
 Bergmann，Blass．｜｜42－43：［ả｜yє］خáoc vıò［c］：Bergmann，Blass．｜｜43－44：

 [ $\left.{ }^{2} \xi^{\prime} \xi\right] c t \omega:$ Blass. || 47: $\left.k \lambda \alpha \rho \omega \nu \tau[\omega] \nu\left[{ }^{2} \xi\right\}\right] \epsilon c \tau \omega$ : Bergmann, Blass. || $52: \tau \alpha ̀ v$ סík[av]: Blass. || 55: éviavtóv: Bergmann. || 58: k[ai "Hpav]: Blass. || 60 : [k]ại Kú[ $\rho \beta a v t a c$ ]: Blass. || 60-61: ['I $\left.\lambda^{\prime} \neq v 1\right] a v:$ Bergmann, Blass. || 61-62:
 [ $\epsilon$ Ưvoncn̂v]: Bergmann, Blass. || 66: [ỏ $\mu v v^{\prime} \omega$ ס̀̀ kai návta]: Bergmann,

 Bergmann, Blass. || 79: ['́mitpaభn̂v]: Bergmann, Blass. || 82-83: tòc п̣á[vtac| Olóc]: Bergmann, Blass.

This inscription preserves a treaty between the Cretan states of Gortyn and Hierapytna on the one side, and Priansos on the other. Gortyn and Hierapytna apparently had some kind of pre-existing treaty arrangement between themselves, judging by the phrasing of the document. At some stage in the near future Hierapytna and Priansos were to have a sympolitical arrangement with one another.' At the moment, however, Gortyn and Hierapytna, having formed a connection between themselves, apparently decided to extend it to Priansos. Given the geographical situation of Priansos, on a direct line between Gortyn and Hierapytna, this is not surprising. Soon after this the Hierapytnians formulated their separate agreement with the Priansians, and the Gortynians may have followed in their footsteps. ${ }^{2}$

The present treaty contains a typical boundary delineation. ${ }^{3}$

Priansos, the new member who bordered on both the old ones, was to have its boundaries settled. Boundary demarcation of course is the kind of thing which we frequently find carried out by a neutral arbitrator. There is no evidence for that here. The borders may have been settled by arbitration, or it may be that the presence of three participants in this treaty, rather than two, to a certain extent obviated the need for an outside arbitrator. If the borders of Priansos were indeed delineated without the aid of a completely uninvolved party, it is hard not to suspect that the demarcation may have been less than advantageous to Priansos.

Where arbitration does seem certain as a contingency is in the section dealing with potential future disputes. Mention is made of an ' $\epsilon$ пıкрıtínplov, perhaps a judgement which is to be made within a fixed number of days. ${ }^{4}$ Whether the term ${ }^{\prime} \boldsymbol{\pi} \pi$ ккрıtinplov here means the tribunal itself or the judgement of a tribunal, it does appear that some mechanism was set up to deal with future disputes between the parties to the treaty.

This section also refer to the $\delta$ tá $^{\gamma} p a \mu \mu \alpha$ of the Cretans. ${ }^{5}$ This סtáypaupa was perhaps a general legal code of the Cretan koinon. Decisions were to be made in accordance with the agreed-upon principles enshrined in that code, despite the fact that the koinon itself was not in
existence at this time. ${ }^{6}$
As with numerous other arbitration-clauses in treaties, it is impossible to say with certainty whether the disputes envisioned as being settled by an arbitral tribunal were those between states or between individuals. If this is the symbolon referred to in the Hierapytna-Priansos treaty, then one would expect them to be disputes between individuals, Given the state of the inscription, however, we cannot completely rule out the notion that inter-state quarrels might also fall under the jurisdiction of this provision for arbitration.

1 See $* 1$.
2 See Guarducci IC IV p. 243, and Epigraphica p. 165.

3
II. 16-34.

4 II. 49, 50. The ${ }^{\prime}$ mikpltinptov might also be a tribunal to which appeal is to be made. The term appears to be flexible, and the context here is too fragmented to give a definitive answer as far as this treaty is concerned. However, in the Hierapytna-Priansos treaty (*81), it does appear to refer to the very sentence of the judges, not to the tribunal itself. See Gauthier p. $321^{96}$, Guarducci (IC IV p. 244, Epigraphica p. 161) and van Effenterre.

5

$$
\mathrm{Cf} .=81 .
$$

6 Guarducci IC IV p. 244.

## *81: Hierapytna and Priansos Early second century

A lengthy, well-preserved inscription of a treaty from Crete. H.: 1.57 $\mathrm{m} . ;$ w.: $0.43 \mathrm{~m} . ;$ d.: 0.20 m .83 lines. Only the relevant portions of the treaty are cited here.

Price. Observationes ad Apuleji Apologiam (Paris 1635) pp. 59f.; Prideaux. Marmora Oxoniensia (1676) pp. 116f., *57; Reinesius. Syntagma inscriptionum antiquarum (Leipzig 1682) pp. 491f., *22; Chishull. Ant. Asiat. (London 1728) pp. 129f.; Maittaire. Marmorum Arundellianorum. Seldenianorum (London 1732) pp. 15f., *3; Barbeyrac. Histoire des anciens traités I pp. 282f.; Torres y Ribera. Antiquitates Cretenses pp. 53f.; R. Chandler. Marmora Oxoniensia (1763) pp. 59f., *27; Van Dale. Dissert. IX antiquitatibus quin et marmoribus..inservientes pp. 747f.; Böckh CIG *2556; Hicks *172; Cauer ${ }^{2}$ *119; Michel *16; Blass SGDI *5040; *Guarducci IC III.iii, pp. 43-49, *4.

Berard * 47; Busolt/Swoboda p. 1258; G. Cardinall RFC 35 (1907) p. 20; E. Egger. Etudes historiques sur les traités publics chez les Grecs et chez les Romains ${ }^{2}$ pp. 129f.; Gauthier pp. 316-24, 328, 365; Gruen I.88, 110 ; M . Guarducci Epigraphica 11 (1940) pp. 1497.; B. Haussoullier. Iraite entre Delohes et Pellana (Paris 1917) pp. 81-85; Hitzig *46, pp. 51-53; Maiuri RAL 1910 pp. 40f.; Muttelsee pp. 54f., 68f.; Phillipson p. 136; Raeder *76; A. Scrinzi AlV ser. 7, 9 (1897/98) pp. 1564f; Sonne *56; Tod *54; van der MiJnsbrugge. Cretan Koinon (New York 1931) pp. 78f. and pp. 38f.; van Effenterre pp. 141f.; A. Wilhelm SAWW 183 (1924) Abh. III, 18.

## 


 кастпрím тíuaца émıүрачáuєvov tâc סíkac katà tò

 $\tau \omega$ тâv $\pi_{0} \lambda \epsilon \omega \nu$.














 пеvt

 (after Price), Caver, Michel. || 52: <kata>ס́íkac: Bb̈ckh, Hicks. || 68 : $\tau \in \lambda \epsilon\langle i ̂\rangle \tau a t:$ Böckn, Hicks, Michel.

This inscription records an agreement between the south Cretan cities of Hierapytna and Priansos. The isopolitical relationship which the two states now entered into was probably the result of an agreement made earlier when Priansos joined the already entreatied states of Hierapytna and Gortyn in a three-way treaty.' Among the matters dealt with in this agreement are regulations governing the legal relationships between the
cities in the case of any dispute. ${ }^{2}$
There has always been controversy over whether these regulations refer to the contingency of an "international" dispute between the two communities, or whether they were meant to deal with suits between individual citizens of the two states. Tod believed that the treaty referred primarily to disputes between citizens, but also that it covered the possibility of international disagreements. Raeder also believed that it covered both contingencies; he thought also that the kolvodíkiov would have dealt with inter-city disputes both private and public. ${ }^{3}$ Guarducci argued that the first passage (lines 47-53) dealt with the only public crimes to be mentioned in the treaty, while the second passage was concerned with private disputes. ${ }^{4}$ It has been argued, however, by both Hitzig and Gauthier, that the preponderant role of the kosmoi should lead us to believe that the disputes foreseen are public ones, and that the kosmoi are to be representatives of their cities. ${ }^{5}$

The first passage deals specifically with any attempt to contravene the terms of the treaty, whether by a private individual or by a kosmos. ${ }^{6}$ If the suit against the accused, brought before the kotvòv $\delta$ ixactifplov, is successful, then the accuser is to receive a third of the penalty assessed,
and the remainder is to go "to the cities". ${ }^{7}$
The passage regarding the settlement of past disputes (lines 58-63)
refers to an institution called the kolvoסíkiov. This institution is clearly a court or tribunal which would have dealt with disputes between the communities, since it is just such disputes which have apparently gone unjudged since the dissolution of the kolvodíkiov. It may be that this is a reference to a federal tribunal of the Cretan koinon. ${ }^{8}$ Since this institution is no longer functioning, it becomes the responsibility of the kosmoi of the two cities to settle the outstanding disputes. They are to convene a tribunal agreed upon jointly by the two cities and carry through the hearing of the cases within the year they are in office. ${ }^{9}$ Here, as is the case with future disputes, it is up to the kosmoi to furnish financial securities to ensure the execution of these duties. The fact that they, rather than private individuals, were required to deposit a security led Hitzig to believe that these were public, not private, cases. ${ }^{10}$

The method of dealing with future disputes arising after the signing of this treaty, although laid out in detail, is far from clear. Some have envisioned a two-stage process, whereby a dispute is first of all submitted to an arbitrator for conciliation ( $п \rho 0 \delta i ́ k \omega t ~ \mu e ̀ v ~ \chi \rho ́ n c ̧ \omega \nu$ ).

This is to be in accordance with the סtó $y p a \mu \mu \alpha$, perhaps a general Kretan code setting out certain regulations. ${ }^{11}$ If this proved to be ineffective, the second stage was to refer the case to the formal judgement of a third city, which would be appointed by the kosmoi with the approval of both sides. ${ }^{12}$ It may be that the tribunal set up by this third city, which rendered the final judgement (' $'$ inikplíńpiov), is the same as the kotvòv Slkactinplov referred to in lines 49-50, since the disputes foreseen in the earlier passage would also postdate this treaty. ${ }^{13}$

The term про́סikoc has given some trouble. Hitzig, interpreting this treaty as referring to public international differences, saw in the term the "Vertreter", the representative or advocate of the community. ${ }^{14}$ The nature of the term itself would certainly lend credence to this view, and it is used elsewhere in the sense of an advocate. ${ }^{15}$ Nevertheless, the context of its appearance here seems to indicate that here at least $\pi$ módikoc means an arbitrator ( $\delta$ taititinc). $^{16}$ it may be that the appearance of the substantive without the article should lead us to believe that no particular office or specific individual is envisioned as permanently acting in this capacity; rather, the arbitrator might be anyone
who could be called upon when the occasion arose. Thus a dispute might go to friendly arbitration or mediation before going to official arbitration. 17

Part, at least, of these regulations are to be related to a symbolonagreement between the two states. It is clear that this treaty itself is not the symbolon, and it may be that the surviving treaty between Gortyn, Hierapytna and Priansos is what is referred to. ${ }^{18}$

1 See $=80$, which appears to be the treaty which organized the three-way koinon referred to in the present document (11. 8-9): кatà koıvòv [「optuvíolc]| kaì 'lepamutvíolc kaì Пpıavcíolc.

2 Cf. Busolt/Swoboda p. 1258, who cite other cases of planning for arbitration in treaties. Cf. $\mathbf{*} 10,12, * 108$.

3 Tod *54; Raeder *76.
4 ICIII p. 49.
5 See Gauthier pp. 316 f . See Muttelsee p. 57 for a brief overview of the views of other scholars. Public disputes: Caillemer, Deiters, Hitzig, Maiuri. Private disputes: Voretzsch, Ciccotti, Szanto, Partsch, Haussoullier.

Cf. van Effenterre's comment (p. 1442): "L'erreur vient peut-être de ce qu'on a voulu retrouver dans ce texte des distinctions trop tranchées et trop modernes. Les Crétois n'avaient pas souci de définir droit international privé et droit international public et leur vocabulaire était tout autre que précis."

6 The distinction here is presumably that between a private act and a public act, in which the kosmos is the representative of the community.

7 This may be a general term, meaning that the balance of the sum was to go to the injured city; Tod "54.

8 Guarducci IC III p. 49; Gauthier p. 323. Cf. Böckh pp. 415-16, Berard *47. Polybios may make a reference to this institution (22.15, 4; see (123): $\mu \in \tau \in ́ \chi \in เ \nu$ t $\hat{\omega} \nu$ katà kolvoסíkiov, tô̂ kolvoסıkíou, where kolvoסíkiov should perhaps be read for kolvoסíkalov. See Walbank on this passage. If it is the same thing, it must have been revived again shortly after this treaty (the Polybios passage is discussing an event of 184); Hicks p. 294, Blass p. 314.
 кoıv $\omega$ סıkactnpí $\omega$ of $11.49-50$, set up for specific future disputes?

10 Hitzig pp. 52-53; cf., however, Haussoullier p. 84, who thinks that the guarantees to be offered by the kosmoi were only to assure their performance of their duties.

11 The nature of the $\delta$ tó $\gamma \mathrm{p} a \mu \mu$ a is also controversial. Raeder saw it as an edict of the Cretan koinon of which the two states had been members, setting out procedural rules for such cases; cf. Guarducci IC III p. 49, Muttelsee pp. 54f. Van der Mijnsbrugge p. 73 saw the $\delta 1$ áypau $\mu$ as the common codified law of the Cretan koinon, a law which specifically required arbitration between member states. In his view (pp. 41-45), the
 rule which would have been realized in the émikpltinptov; thus a one-stage process.
tt may be that the $\delta$ 'áypau $\mu a$ enumerated the penalties for particular charges, a codification which is implied in II. 50-51: Guarducci IC III p. 48, who compares IC I.xvi. 1 (a treaty between Gortyn and Lato): tıuaic $\delta$ e
 '́ypartal. Cf. Gauthier p. 323. Van Effenterre (pp. 141f.) believed the סtáypapua to be this code of financial penalties; in his view there would have been a primary general conciliation attempt, based on the code of pecuniary considerations and compensations; only after the failure of this would a definite tribunal and judgement have been carried out.

Cardinali, on the other hand (RFIC 35 p. 20) did not believe that the term Stáypa $\mu \mu a$ here referred to a general code of laws with widespread participation, but rather to a particular regulation pertaining only between Priansos and Hierapytna. See note 18 below.

12 For the referral of a case not settled by an arbitrator to a tribunal, Guarducci (IC III p. 49) compares the Athenian model. Cf. Böckh p. 416;
 mó $\lambda_{\mathrm{lc}}$, which it is not called in this inscription, citing as his example the third-century symbolon agreement between Athens and the Boiotian


Gauthier pp. 323 f . sets up a scenario which he conjectured to cover instances of private and public disputes both during the period of the koinon and in its absence:

1) during the period when the koinon had some substance:
a) for litigation between individuals, the regulations would have been set out in the $\delta$ tá $ү p a \mu \mu$ a.
b) for litigation between cities, there would have been recourse to the kolvoסíklov, perhaps formed of judges from various cities. Before going to this tribunal, cities would have had to submit to a conciliation procedure in accordance with the $\delta$ óa $\gamma p a \mu \mu a$.
2) when the koinon was not in existence:
a) for litigation between individuals, there would have been recourse to the symbola set up between cities.
b) for communities, there would have been arbitration, "in accordance with the $\delta$ tá $\gamma \rho a \mu \mu a^{\prime \prime}$, as before; but now, in the absence of the federal tribunal, an unsettled case would be submitted to a third city.

13 Cf. Böckh p. 416; Guarducci LC III pp. 48-49. Hicks (p. 293) thought that the koıvòv סıkactinpiov was a court empanelled from both sides.
${ }^{14}$ Hitzig p. 52. Cf. Egger, Phillipson.
15 See $=141$, where it clearly means advocate: пробикє́огtєc únèp

${ }^{16}$ suidas gives the following definition of the term: "ठıкactìc ${ }^{\epsilon} \pi i$甲í $\lambda \omega \nu$ кai $\delta$ taltпtńc". That in the Hierapytna-Priansos agreement прódıkoc means arbitrator is the most widely-held view: Böckh, Demargne, Voretzsch, Lolling, Caillemer, Ciccotti, Muttelsee, Guarducci, van Effenterre, Gauthier. See also K. Davaras AD 18 (1963) I pp. 141f. (*79). There the term appears in an exactly analogous context: xpncóó $\in \Theta a$ $\pi[p] o \delta i ́ k \omega 1$ (III 1. 16).

17 See Davaras AD 18.1, pp. 146-48.
$18=80$. See Hicks p. 291, Blass p. 314, Guarducci IC III p. 46. On the argument that IC IV.174 (*80) was the symbolon regulating private disputes, as opposed to the public ones of this treaty, cf. Maiuri.

Some scholars also connect the סtáypau $\mu \alpha$ mentioned in 1.65 of the treaty of $=81$ with the earlier treaty of $=80$; Böckh p. 417, Hicks p. 294: " $\Delta$ có $y p a \mu \mu \mathrm{a}$ is the regulation of this matter decreed in the [Gortyn-Hierapytna-Priansos] Treaty."
*82: Halikarnassos and Telmissos Beginning of the second century

An inscription on a limestone block found at a site in Karia. 25 lines.
E.L. Hicks JHS 14 (1894) pp. 377-80; *Michel * 459.
 Пoció́ov














 $\pi \pi^{\prime} \lambda \iota v$




 àté $\lambda \in เ a v$


 ${ }_{0}^{\circ} v[$ [́ct]-
 пáv[tac]




The Telmissos named in this inscription is the small community in Karia, not far from Halikarnassos, not its more famous namesake in Lycia. The Karian Telmissos appears not to have been a polis as such, but rather a collection of villages organized in a koinon. Hence its status as an
independent community was at times negligible; indeed, Alexander the Great had awarded Telmissos to Halikarnassos. ${ }^{1}$

Nevertheless, Teimissos retained a certain stature of its own through its religious character. It had a cult of Apollo Telmisseus which was renowned for augury. Along with the religious reputation of this community, then, went a long-standing set of rights and privileges for the members of the ancestral Telmissian koinon. In essence it was a state within a state.

It was the interruption of the ancestral rights of Telmissos which gave rise to the events detailed in this inscription. It consists of a decree of gratitude for one Posideos for his services to Telmissos in certain disagreements with Halikarnassos. Evidently Posideos acted as the Telmissian advocate.

Halikarnassos had apparently attempted to tax the produce from certain lands which the Telmissians claimed belonged to Apollo. Posideos was successful in maintaining the cause of Telmissos, and the Halikarnassians thereupon attempted to tax the lands of the Telmissians themselves, thereby infringing on ancestral rights of à $\tau^{\prime} \in \in \boldsymbol{\lambda} \epsilon$ a . Again Posideos was successful in arguing his case.

It appears as though this dispute between Telmissos and Halikarnassos may have gone to the courts in Halikarnassos. ${ }^{2}$ Nevertheless, despite Telmissos's subordinate position with respect to the city, the character of the dispute was essentially international. As such, it was evidently deemed appropriate to gain the judgement of a neutral


1 Pliny NH 5.29. See Hicks p. 379.
2 1. 22: סıкactípıa tà évtâ̂धa.
3


## *83: Klazomenai and Temnos/Knidos

 First half of the second centuryMarble block, inscribed with two separate decrees [| \& II], one on each side, perhaps discovered at Klazomenai. H.: 0.78 m . [1], 0.96 m . [II]; w.: 0.495-0.515 m.; d.: 0.16-0.17 m. I: 41 lines; II: 65 lines.
*P. Herrmann MDAI(1) 29 (1979) pp. 239-71; SEG XXIX. 1130 bis. (after Herrmann).

Gruen I. 110.
 $k \nu \delta i ́ \omega \nu$
 Ú-
 кスa̧oué-











 тà̀ $\mu \in \gamma_{[i ́]}$ -
 ảvo-
 $\delta t \in\}$ a-
 kai]
 kpí]-
 «[ò $\mu]$
 ù $[$ náp]-
[xєiv á] ${ }^{\epsilon}$ €] $]$ -
 tє]-
 ${ }^{\prime} \mathcal{Y}[k \in K \lambda \eta]-$


 éctiv тà]
 Éy]-



 te]-
[ $\mu$ ] $\in$ vouc tà пátpıa кaì ánò toû tónou toû єíc tàc . . . . . .

ФANTI tov̀c á ápopicuévouc T

kaì $\mu \in \mathrm{tà}$ taûta émick-

. a ${ }^{\text {é }} \mathfrak{\xi}$ ảpxñc $\Omega$

40
. . . חSNKA-
АП-

II

-     - .-. .-. - T $\Delta \Sigma$







 kai -]

 aitíca[c]-

 $\gamma$ véco $\theta \omega c a[\nu]$
 парay[ $\epsilon$ ]-









 $\pi^{\boldsymbol{\epsilon}} \boldsymbol{\mu}$ -
 є́àv סà àj-
 ө̂̃va[ L ]
 оркı̧́є́tшcav
25 ठè of єícay ékác-
 ठík[acc] тì $\mu$ пó $\lambda เ \nu$
 Tàc nó-
 K $\lambda$ ]a̧oue-
 '́v taíc
 ठè $\mu \grave{\eta}$
 т $\mu \eta \tau \grave{a}[c]$

 वै入 $\lambda$ -
 kaì ka-




 $\pi a \delta^{[i]}$


 єícayळyeîc


 סıka̧o-
 $\in$ éóikacev
 порєчє́сӫ.
 порешөท̂t,
 $\beta \lambda a ́ p m c$ ̀̀-
 סוóuvuçal-
 tàc $\delta$ [ $[\mathrm{kac}]$


 oưt[ $\epsilon$ đ̛̉ $\lambda]$ -
 єiv[al, é $\varphi$ 甲op]-
 kúpoloc, toútove émo-


 ['evartíov toû ê]-
 просо[ $\mu \nu u ́ t \omega ~ \delta \grave{c}$ à̉ $\lambda \eta \vartheta n ̃]$

 tàc ס́íkac Bo]- $^{2}$










 $\delta_{\iota k}[\hat{\omega} \nu]$ : Herrmann, who considered the first to be the better conjecture.

The first of these two documents, in the Doric dialect, is a decree of Knidos publishing the judgement reached by certain Knidian judges in an arbitration between Temnos and Klazomenai. This arbitration was largely concerned with charges which the two states were pressing against each other with respect to a war between them which was apparently only recently over. The second text, in koine is perhaps the Klazomenian copy of what was apparently a joint agreement between Temnos and Klazomenai regarding future arbitration between them. Thus we have examples here of the two recognized "types" of arbitration, "compromisary" and "obligatory". 1

In the first text, the Knidian judges begin by proclaiming their judgement to the two states which had submitted their claims to them for settlement. ${ }^{2}$ The judges are six in number, which is unusual in light of the fact that tribunals in these cases were generally made up of an odd
number. ${ }^{3}$ The duty of the judges is to judge the claims of Temnos and Klazomenai as justly as possible and to the advantage of both states, insofar as that is possible, and, what appears to be the most important, to restore the friendship which had previously existed between the two cities (lines 5-11). This latter goal seems to be the most important because, as we discover farther on (lines 20-22) the dikasts simply dismiss, rather than judge, all claims and charges arising from a war between the two parties, all of them charges which the judges consider to be inimical to the restoration of good relations between the disputing states (lines 11-16). ${ }^{4}$ In their motivation, then, they appear as conciliators rather than as judges; nevertheless, they have the authority of judges and act as such.

We have no other evidence for this war between Temnos and Klazomenai. The settlement of claims arising from the war, claims which possibly involved demands for the payment of damages, the restoration of territory, and so on, appears to have been the major task of the Knidian judges. It was these charges which they apparently considered to have been the chief impediment to peace and the renewal of friendship between the two states. Nevertheless, there was another charge outstanding which
the Temnitans had levelled against the Klazomenians, and which the Knidians were obliged to settle (lines 22f.). This accusation seems to have dealt with trespass and violation of a sacred precinct, perhaps in territory which Temnos considered to be hers. ${ }^{5}$ Clearly, however, part of the required procedure was the production of reliable proof or witnesses: the Knidians dismissed the charges against the Klazomenians when the Temnitans were unable to give any proof of their claim. The Temnitan accusations appear to have risen from secondhand information given them by some other people; perhaps this accounts for their inability to produce proof (lines 28f.).

The second text deals at length with the procedure to be used in future arbitrations between Temnos and Klazomenai, an example of "obligatory" arbitration outlined in a treaty. ${ }^{6}$ The first portion of the agreement (as we have it) is concerned with the selection of an $\mathfrak{\epsilon} \Pi$ пíкоoc, or delegate who would be responsible, when the need for arbitration arose,
 responsibility, on the part of city or individual, was punishable by a fine of 6000 Alexandreian drachmai for the city, 1000 for the individual (lines 10-16). ${ }^{8}$ The next several lines are very fragmentary, but they appear to
contain stipulations ensuring the non-partisan position of the ' $\in \Pi$ п́nkooc. ${ }^{9}$ If he violates any of these stipulations, he is to liable to prosecution himself. An $\mathfrak{\epsilon} \Pi \Pi \dot{\eta} k 00 c$ must be dispatched on all occasions of litigation which required the tribunal in the éfкКス occasions were specified in another document or elsewhere in this one. If for any reason he cannot fulfill his duties, the city is obliged to send another one (lines 21-24).

The regulations regarding the delegate are followed by those regarding the eicaywyeic. ${ }^{10}$ These officials are to take an oath in the presence of the delegate every day while the trials are under way. There is a certain difficulty in these lines (26-28). The city pursuing or prosecuting a case is said to be responsible for providing the sacrifice in certain kinds of cases, ${ }^{11}$ while in the suits heard in the ékк ${ }^{\prime \prime}$ Птос пó $\lambda$ ıc, which are clearly meant to be opposed to the first kind, both cities are responsible for providing the offerings. It may be that a distinction is being made between suits which were capable of being settled without recourse to a third party, the regulations for which may have been found in the lost beginning of this document, and those cases which had to be
referred to the neutral third city. ${ }^{12}$ The oath which follows the regulation of the activities of the ficayตyєic is the oath of the judges: in it they promise to judge justly, evaluate penalties fairly, take no bribes and scrutinize testimony severely. This oath is standard and quite similar to other judges' oaths. ${ }^{13}$

After the judges' oath comes a regulation of degrees of affinity of
 this is mostly a matter of familial relationships, but also includes proxenoi, participants in the suits, the $\epsilon i c a y \omega \gamma \in \hat{i} c$ of the suits, and those brought up by the city. The fact that familial relationships play such a large part in these regulations indicates that here it is perhaps a matter of suits to be tried in one or the other of Temnos or Klazomenai, not in a third city foreign to both.

The opponents in the suits, the ávtíduol, are also required to swear an oath that they have not and will not offer bribes (lines 47-52). Regulations are also set down for proxies acting for interested persons, and strict procedures regarding the oaths of all parties are set out in order to ensure that honesty is maintained in this situation (lines 53-58). The final part of the inscription as it stands is concerned with false
witness and prosecution for perjury, perhaps also with regulations for the acceptance of written as well as oral testimony. ${ }^{14}$

What kinds of cases are under discussion in II is not certain. It would seem from the detailed provision for numerous and frequent suits that this might not be the regulation of future major international disputes between the communities, but rather of suits between individual members of the two states. Of course, a city could and would act on an individual's behalf;
 some of these cases it is foreseen that the cities will be unable to agree; otherwise we might expect to see the frequent symbola procedure: a court in one city or the other dealing with cases involving citizens of both cities. And even if the major provision here is for ongoing minor disputes between individuals, there is nothing to say that if a truly international dispute arose involving the two communities as a whole, they would not make use of the machinery already at hand in this agreement.

> 1 See Herrmann p. 257; Raeder pp. 144f.; Tod pp. 53-69; Martin pp. 492-93.
> 2 II. 1-4. For the term $\delta t \epsilon \xi \propto \gamma \omega \gamma{ }^{\prime}(1.2)$ and $\left.\delta \iota \epsilon\right\} a ́ \gamma \omega$ (1.5) cf. ${ }^{*} 81$, *109, and Polybios 5.15.

3 See Tod p. 102, Herrmann p. 259. However, compare the six judges from Miletos in *69.

4 The judges also outlaw any further claims, at least as far as the war is concerned, in the future. Cf. Herrmann p. 260. For another instance of á $\mu \nu \eta$ стía, cf. ${ }^{129} 1.36$.

5 Temnos and Klazomenai were separated by the territory of Smyrna; however, Herrmann conjectures that Klazomenai may have been making a bid for some territory on the mainland in the area of Temnos (pp. 26If.).

6 Cf. $=10,=12,=51,=52,=81,=108,=99,=129$; see also SIG $^{3}$ *712 and IEphesos $1 a * 7$. See Gruen 1.110. Herrmann compares the following agreements to various points of this inscription: Schmitt *558 (Delphi and Pellana), *567 (Stymphalos and Aigeira), IPriene 28 (Miletos and Priene: cf. ${ }^{116}$ for a similar conjunction of specific arbitration + general agreement; cf. Herrmann p. 262 ${ }^{54}$ ), 24, $=99,=106$.

7 For the $\epsilon \Pi \Pi$ п́коос, cf. *99, where these officials were delegates of the litigant states, who brought their state's case derore the court. See
 *106. See Gauthier pp. 308f.

8 For other defaults or transgressions in arbitration clauses for which a fine is stipulated, cf. 31 ( 1000 drachmai), 51 , 52 ( 10,000 drachmai), 30,93 ( 10,000 drachmai for a city, 1000 for an individual), *99 (20 talents for a city, 5 for a private citizen, by far the largest of such prefixed fines). Cf. Herrmann pp. 264f.
 cuvпүopeíta.

10 This term, if it is to be connected to the appearance of tin $\mu$ nó $\lambda ı v \mid$ ì̀v cicáyoucav tàc [ $\delta$ í]kac (il. 26-27), should refer to individuals who would act in some capacity as prosecutors for their state. The term $\epsilon i c a y \omega y \in \hat{i c}$ is elsewhere used to designate magistrates who would introduce a case into court and preside over the trial (Aristotle AP
52.2-3). In the present case, nowever, it seems clear that the cicaywyєic had no judicial capacity, although it is possible that rather than having been prosecutors they were instead officials who simply "introduced" the cases.

The difficulty of determining the role played by these officials is further complicated by the matter of the oath which follows (11. 28-37). At $11.24-25$ it is stated that the eicay $^{2} \omega \gamma \in \hat{i} \mathrm{c}$ were to take their daily oath; it is natural to assume that the oath which follows a few lines later is theirs. But the oath is a classic dikast's oath, and cannot be that of any other official involved in the arbitration. Even if we were to conjecture that the eicaywyeic had some judicial capacity in this case, that notion becomes impossible when we read a few lines later (II. 40-41) that they were specifically excluded from judging. The eicay $\omega \boldsymbol{\epsilon} \epsilon \hat{i c}$ appear in a list of other individuals who were to be excluded from giving judgement, all of whom are assumed to have a partisan position.

There appears, then, to be some problem in the inscription as it stands; something seems to be missing, such as a break between the discussion of the ficaywyєic (11. 24-28) and the citation of the oath (II. 28-37). At this point one would expect a new introduction and discussion of the judges, before proceeding on to the judges oath. There is no problem with the stone, so perhaps something was left out of the original inscription.

11 Unfortunately the text is mutilated at a point which might have clarif ied the distinction which is being made here. See Herrmann p. $268{ }^{75}$.

12 See Herrmann pp. 266 f.
13 Cf. the judges' oath in $=22,24$.

 $с \varphi p a y i \delta 1]$; on the official sealing and treatment of written testimony, cf. *24; and Herrmann pp. 263f.

## *84: Megalopolis [?]

## First half of the second century

A mutilated fragment of an inscription discovered at Olympia. H. (max.): $0.155 \mathrm{~m} . ;$ w. (max.): 0.185 m .9 lines.
F. Eckstein in E. Kunze's VI. Bericht über die Ausgrabungen in Olympia 1953/4 und 1954/5 (Berlin 1958) pp. 209-11 (majuscule); *SEG XVII. 195.
E. Mastrokostas AE 1960 p. 140, *3; SEG XXII. 343 .
[- - - - tàc xap]ád[pac - - - - - - ]


- . . . - - - גov áxpı IM-


- . . . . katà tà̀v vámalv - . . . . . - $]$

-.-. - - - IAПIANT
-     -         -             -                 -                     - YAET-

5: $\epsilon^{\prime} \Pi^{\prime}$ ò $\rho \vartheta \hat{a} \mathrm{c}$ : Mastrokostas.

This text in the Doric dialect is clearly a fragment of a boundary demarcation, with similarities to others of its type.I If Eckstein's restoration of line 7 (katà kp[ícıv]) is correct, then the boundary delineation may well have been the result of an arbitration.

Eckstein compares this inscription to the one detailing the arbitration between Megalopolis and its neighbours, also discóvered at

Olympia. ${ }^{2}$ The temple of Artemis is a landmark which appears in both documents. However, this fragment cannot be part of the inscription in * 128, as both the style of the inscription and the nature of the stone preclude it. Hence, although Eckstein suggests that this may be another arbitration involving Megalopolis, this remains a conjecture based on little evidence.

 *39, *45. For the use of a temple as a landmark, cf. $21, * 22,=36$, *41, 98 .

2 128. See Eckstein p. 210.

## *85: Flamininus and Philip V 198

Livy 32.10; Diodoros 28.11.
Badian FC pp. 70f.; Briscoe XXXI-XXXIII pp. 185-86; Gruen I.102-3; Matthaei CQ pp. 260-61; Walbank Philip V; Walbank Comm II.550-51; Will ${ }^{2}$ II. 153 .

Livy 32.10: Diesque quadraginta sine ullo conatu sedentes in conspectu hostium absumpserant. Inde spes data Philippo est per Epirotarum gentem temptandae pacis; (2) habitoque concilio delecti ad eam rem agendam Pausanias praetor et Alexander magister equitum consulem et regem, ubi in artissimas ripas Aous cogitur amnis, in colloquium adduxerunt. (3) Summa postulatorum consulis erat: praesidia ex civitatibus rex deduceret; iis, quorum agros urbesque populatus esset,
redderet res quae comparerent; ceterorum aequo arbitrio aestimatio fieret. (4) Philippus aliam aliarum civitatium condicionem esse respondit: quas ipse cepisset, eas liberaturum; quae sibi traditae a maioribus essent, earum hereditaria ac iusta possessione non excessurum. (5) Si quas quererentur belli clades eae civitates, cum quibus bellatum foret, arbitrio quo vellent populorum, cum quibus pax utrisque fuisset, se usurum. (6) Consul nihil ad id quidem arbitro aut iudice opus esse dicere; cui enim non apparere ab eo, qui prior arma intulisset, iniuriam ortam, nec Philippum ab ullis bello lacessitum priorem vim omnibus fecisse? (7) Inde cum ageretur, quae civitates liberandae essent, Thessalos primos omnium nominavit consul. Ad id vero adeo accensus indignatione est rex, ut exclamaret: "Quid victo gravius imperares, T. Quincti?" (8) atque ita se ex colloquio proripuit.














In 198, in the course of the Second Macedonian War, Philip V had occupied a position in the valley of the River Aoos and was awaiting an engagement with the Roman army when the new consul for 198, T . Quinctius Flamininus arrived in Greece. Flamininus advanced to meet Philip in the Aoos pass, but his attempts were ineffectual. ' The armies of
the two belligerents spent forty days in unsuccessful skirmishes.
At the end of this period of time the Epirotes attempted to mediate between Philip and Flamininus. ${ }^{2}$ They were successful in bringing about negotiations at least, in that they induced both generals to meet and discuss possible peace terms.

The Aoos conference between Philip and Flamininus is in some ways a locus classicus of the clash between Greek and Roman concepts of diplomacy. The senate was now making harsher demands than it had two years previously. ${ }^{3}$ And while arbitration was mentioned by both sides, Philip's offer of arbitration failed to mesh with Flamininus's demand of it.

In 200, Rome had delivered an ultimatum which demanded that Philip stop making war on the Greeks. Now she demanded that Philip evacuate Greece entirely. In other words, not only was Philip to relinquish conquests he had achieved himself, he was also to give up ancestral Macedonian holdings: the so-called "fetters of Greece". ${ }^{4}$ Philip's response was not surprising. After a year and a half of fighting the Romans, he was willing to submit to terms in keeping with the demands made at Abydos in 200: he would give up his own conquests, but not territories which he had inherited. This concession, however, was no longer deemed sufficient by
the Romans.

The truly significant failure of Roman and Greek to apprehend each other's methods of diplomacy came with Flamininus's demand that Philip submit to arbitration. Flamininus stated that Philip must make restitution of property, insofar as this was possible, to those states which had suffered his depredations. For the rest, he was to submit to impartial arbitration which would evaluate the amount of compensation he was to pay for lost, damaged or destroyed property.

Although the details differ somewhat from the terms of the ultimatum given at Abydos in 200, the spirit behind this demand that Philip submit to arbitration was really the same. Both in 200 and 198, the clear Roman assumption was that Philip was guilty of aggression and various crimes. As far as they were concerned, the only task of an arbitral tribunal would be to determine the degree of his guilt and sort out the details. ${ }^{5}$

Philip, on the other hand, both in 200 and in 198, responded as a Greek familiar with the notion of impartial arbitration might be expected to respond. In 200, he had tried to point out that he had legal right on his side. In 198, he agreed to go to arbitration with any state which had
complaints against him. But from the tenor of Flamininus's response to Philip's apparent acquiescence, it seems that what Philip agreed to was arbitration "on the merits of his case", not a neutral assessment of the damages he was bound to pay. ${ }^{6}$

This was not acceptable to Flamininus. Rome had determined, had in fact known from the start, that Philip was "guilty". Everyone knew that Philip was guilty. There was no need for a judge or arbitrator to settle that point. As far as the Romans were concerned it was a non-issue.

The final straw at the Aoos conference was Flamininus's suggestion that Philip begin his good work by freeing Thessaly. Thessaly, of course, had been a Macedonian buffer-state since the time of Philip II. The mention of the Thessalians at this point was sufficient to destroy whatever hope the conference still had of succeeding. Philip departed and the fighting began again the next day.

1 Livy 32.8-9; Plutarch Flamininus 3-4.
2 The Epirotes had been eager for peace in the First Macedonian War as well, although then, as now, they were technically allies of Philip. Cf. Livy 31.7.

3 Cf. $\mathbf{6 4}$. See Badian p. 70 on the tone of the Roman demands being due to the senate, not Flamininus alone.

4 Demetrias, Chalkis, Corinth. See Badian p. 71.
5 In a way this bears a certain resemblance to their later policy when appealed to for arbitration by Greek states. The Romans would lay down the general rule, and make the basic decision, generally, if this were relevant, politically advantageous to Rome (such as the rule that disputed territory was to go to whichever state had possessed it when the states in question entered into amicitia with Rome; cf. 38). They would then delegate the labour of working out the details to someone else.

6 Briscoe p. 187. Although the passages can be understood to read that Philip agreed to arbitration in exactly the way that Flamininus demanded it, it seems unlikely, given Flamininus's response. For the view that Flamininus misunderstood Philip (far from impossible!) and only thought that the king was offering arbitration on the general question of war guilt, see Gruen I.102-3.

## *86: Antiochos III and Attalos I/Rome 198

Livy 32.8, 9-16; 32.27; cf. 33.20.
E. Badian CPh 54 (1959) pp. 82-83; Briscoe XXXI-XXXIII pp. 183, 219; Hansen ${ }^{2}$ p. 63; Holleaux Etudes $111.331-35$; McShane pp. 132-33; H.R. Rawlings AJAH 1 (1976) pp. 3f.; H.H. Schmitt Historia Einzelschrift 6 (1964) pp. 269-70; Will ${ }^{2}$ II. 179.

Livy 32.8: (9) Attali deinde regis legatos in senatum consules introduxerunt. Ii regem classe sua copiisque omnibus terra marique rem Romanam iuvare quaeque imperarent Romani consules, impigre atque oboedienter ad eam diem fecisse cum exposuissent, vereri dixerunt, (10) ne id praestare ei per Antiochum regem ultra non liceret; vacuum namque praesidiis navalibus terrestribusque regnum Attali Antiochum invasisse. (11) Itaque Attalum orare patres conscriptos, si sua classi suaque opera uti ad Macedonicum bellum vellent, mitterent ipsi praesidium ad regnum eius tutandum; si id nollent, ipsum ad sua defenda cum classe ac reliquis copiis redire
paterentur. (12) Senatus legatis ita responderi iussit: quod rex Attalus classe copiisque aliis duces Romanos iuvisset, id gratum senatui esse; (13) auxilia nec ipsos missuros Attalo adversus Antiochum, socium et amicum populi Romani, nec Attali auxilia retenturos ultra, quam regi commodum esset; (14) semper populum Romanum alienis rebus arbitrio alieno usum; et principium et finem in potestatem ipsorum, qui ope sua velint adiutos Romanos, esse; (15) legatos ad Antiochum missuros, qui nuntient Attali naviumque eius et militum opera adversus Philippum communem hostem uti populum Romanum; (16) gratum eum facturum senatui, si regno Attali abstineat belloque absistat; aequum esse socios et amicos populi Romani reges inter se quoque ipsos pacem servare.

Livy 32.37: Eodem anno legati ab rege Attalo coronam auream ducentum quadraginta sex pondo in Capitolio posuerunt gratiasque senatui egere, quod Antiochus legatorum Romanorum auctoritate motus finibus Attali exercitum deduxisset.

While the Romans were still engaged in dealing with Philip in the course of the Second Macedonian War, another potential threat appeared in the east. Antiochos the Great had returned from his eastern "Anabasis", and had been successful in the Fifth Syrian War. He was now turning his interests to Asia Minor, a move which was going to bring him into conflict with Rome's allies there, and eventually with Rome herself.

In 198, however, Antiochos was still a "friend and ally" of Rome. ${ }^{1}$ Nevertheless, his new interest in Asia Minor was detrimental to another friend and ally of Rome, Pergamon. When Antiochos encroached on the territory of Attalos, therefore, the Pergamene king turned to their mutual
friend Rome for help. ${ }^{2}$
Rome, of course, would not give military aid to Attalos against Antiochos, although the senate did authorize Attalos's departure from the scene of the Macedonian war in order to deal with the Seleukid threat himself. Instead, the Romans sent a neutral message to Antiochos, encouraging peace between both parties.

The message evidently worked. Antiochos was concerned to maintain friendship with Rome at that time, and graciously withdrew his forces from the territory of Attalos. In fact, as Livy presents the tale, so friendly were feelings all round that the Roman legates were scarcely called upon to mediate, let alone arbitrate between Antiochos and Attalos. The mere expression of Roman wishes was at this time sufficient to persuade the Seleukid king.

1 Livy 8.13: socium et amicum populi Romani. It is questionable just how close an "alliance" Antiochos had with Rome. The formal or informal ties between Antiochos and Rome would probably date from 200 when the Roman legates visited Antiochos after giving the ultimatum to Philip at Abydos (Brisoe p. 183).

2 There is a fair amount of controversy over the historicity of these events; see Hansen, Holleaux, and McShane, who argues that Antiochos was in Syria in 198, and therefore Livy probably made at the least a chronological error in "anticipating" Antiochos's progress into Asia Minor
by a year or two. Badian, on the other hand, argues in favour of accepting the general veracity of Livy's account, as does Will, who points out that the actual invasion of Asia Minor could have been carried out by an agent of Antiochos rather than Antiochos himself. See also Rawlings.

## *87: Boiotia and Flamininus/The Achaian League and Athens 196

Livy 33.29, 7-12.
Briscoe XXXI-XXXIII pp. 300f.; P. Cloché Thèbes de Béotie pp. 253f.; W.S. Ferguson Hellenistic Athens (1911; New York 1969) p. 279; Gruen I.117, II.449; Larsen GFS p. 400; Matthaei CQ pp. 259-60; Walbank Comm II.608-9; Philip V p. 178.

Livy 33.29: (7) Quinctius primo noxios tradi sibi iussit et pro quingentis militibus -- tot enim interempti erant -- quingenta talenta Boeotos conferre. (8) Quorum neutrum eum fieret, verbis tantum civitates excusarent nihil publico consilio factum esse, missis Athenas et in Achaiam legatis, qui testarentur socios iusto pioque se bello persecuturum Boeotos, (9) et cum parte copiarum Ap. Claudio Acraephiam ire iusso ipse cum parte Coroneam circumsidit vastatis prius agris qua ab Elatia duo diversa agmina iere. (10) Hac perculsi clade Boeoti, cum omnia terrore ac fuga completa essent, legatos mittunt. Qui cum in castra non admitterentur Achaei Atheniensesque supervenerunt. (11) Plus auctoritatis Achaei habuerunt deprecantes quia, ni impetrassent pacem Boeotis bellum simul gerere decreverant. (12) Per Achaeos et Boeotis copia adeundi adloquendique Romanum facta est iussisque tradere noxios et multae nomine triginta conferre talenta pax data et ab oppugnatione recessum.

In the winter after Kynoskephalai, 197/6, Flamininus became entangled in an unfortunate series of events in Boiotia. The Boiotians had fought on Philip's side during the war, but Flamininus, seeing the spectre
of Antiochos on the horizon, was prepared to be conciliatory.' Accordingly, when they sent him an embassy requesting the return and safe conduct of the men who had fought with Philip, Flamininus was happy to oblige them. The men were therefore returned from Macedon. Among them was the pro-Macedonian Brachylles, whom the Boiotians thereupon rather tactlessly elected Boiotarch. They then compounded this tactlessness by continuing to advance other pro-Macedonian politicians, and by expressing their gratitude for the return of the soldiers not to Flamininus, but to Philip.

The pro-Romans in Boiotia, among whom were the politicians Zeuxippos and Peisistratos, were understandably alarmed at this turn of events. Their response was to plan the assassination of Brachylles. Polybios relates that Zeuxippos, Peisistratos and friends informed Flamininus of their intentions. Flamininus offered no help, but neither did he oppose the plot. Livy, attempting to keep the proconsul's image clean, ignores Polybios's implication of Flamininus.

The plot was carried through successfully, but in the aftermath of the assassination and the outcry in Boiotia, Peisistratos and others were executed and Zeuxippos forced to flee into exile. What was more
significant in Roman eyes was the widespread wave of violence directed against the Romans in Boiotia. Several Roman soldiers were waylaid and murdered, although Livy's account of 500 deaths may be exaggerated. ${ }^{2}$ Nevertheless, the threat became so serious that Flamininus was obliged to step in.

The Roman commander chose to treat these actions as officially sanctioned by the Boiotian state. He demanded reparation from the League, to the tune of 500 talents, in addition to requiring the surrender of the guilty parties. When the League obeyed neither order, claiming reasonably enough (if again undiplomatically) that the state had not sanctioned these acts of violence, Flamininus prepared to invade Boiotia. Before doing so, however, he wished to call the allies of Rome to witness that he was waging a iustum bellum on Boiotia. Ambassadors were sent to Athens and Achaia for this purpose. Flamininus and Appius Claudius thereupon moved the Roman forces into Boiotian territory.

The Boiotians had not committed an act of war against Rome. Whether or not the acts of violence against Romans had received secret approbation from the pro-Macedonian Boiotian politicians was immaterial.

Technically the Boiotian League was perfectly justified in claiming that it
was not responsible for criminal acts by outlaws. It seems as though Flamininus may have realized this, and his embassies to Athens and the Achaians may have provoked exactly the response he wanted. He had achieved the desired effect of frightening the Boiotians by devastating their territory and refusing to receive their ambassadors; but the arrival of Athenian and Achaian ambassadors, bent on mediating a settlement between the Romans and the Boiotians, allowed him to come to a peaceful arrangement with a government which had done no legal wrong, but which now might be expected to be more circumspect in the future.

The Achaians in particular had influence, and it was through them that the Boiotians gained the opportunity to meet with Flamininus. This time the indemnity they were required to pay was more reasonable: a mere thirty talents. ${ }^{3}$

1 Cf. Polybios 18.43, and Livy 33.27f.
2 Larsen p. 400.
3 Of course we have no idea of the value of the property destroyed by the Romans in their brief invasion of the country.

## *88: The Roman Settlement of Greece 196

Polybios 18.42, 5-7; 18.47, 5-13; Livy 33.34, 5-11; Plutarch Flamininus 12, 2-3.

Briscoe XXXI-XXXIII pp. 313 f. ; Errington Dawn pp. 153f.; Gruen I.103, II.448-49; Roebuck Diss. pp. 90f.; Walbank Philip V pp. 179f.; Walbank Comm II.604f.









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Polybios 18.47: (5) $\mu \in \tau a ̀$ dè toútouc єícekan oûvto mávtac toùc ánò








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Livy 33.34: (5) Dimissis regis legat is conventus civitatum gentiumque est haberi coeptus; eoque maturius peragebatur, quod decreta decem legatorum in civitates nominatim pronuntiabantur. (6) Orestis -Macedonum ea gens est -- quod primi ab rege defecissent, suae leges redditae. Magnetes et Perrhaebi et Dolopes liberi quoque pronuntiati. (7) Thessalorum genti praeter libertatem concessam Achaei Phthiotae dati, Thebis Phthioticis et Pharsalo excepta. Aetolos de Pharsalo et Leucade postulantes ut ex foedere sibi restituerentur ad senatum reiecerunt. (8) Phocenses Locrensesque, sicut ante fuerant, adiecta decreti auctoritate iis contribuerunt. (9) Corinthus et Triphylia et Heraea -- Peloponnesi et ipsa urbs est -- reddita Achaeis. (10) Oreum et Eretriam decem legati Eumeni regi, Attali filio, dabant dissentiente Quinctio; ea una res in arbitrium senatus reiecta est; senatus libertatem his civitatibus dedit Carysto adiecta. (11) Pleurato Lychnidus et Parthini dati; Illyriorum utraque gens sub dicione Philippi fuerant. Amynandrum tenere iusserunt castella quae per belli tempus Philippo capta ademisset.

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In the aftermath of the Second Macedonian War, the Romans took it upon themselves to settle the affairs of Greece in the course of their settlement with Philip. Naturally the Romans were concerned to regulate matters in Greece and Macedon to their own advantage. This is reflected in the debate on Roman policy with respect to the garrisoning of Greece. Already in 196 Rome recognized the potential threat of Antiochos the Great. There were, however, differing beliefs among the Romans themselves about now best to deal with this threat. One school of thought believed that the safest way to forestall action by Antiochos was to take over the so-called "fetters of Greece" from Philip and garrison these places themselves. ${ }^{1}$ The policy of Flamininus, however, held that the best way to keep Greece secure from the influence of Antiochos was to reinforce positive feelings in Greece towards Rome and her interests. The most advantageous course for Rome, then, was to declare that all the Greek states were to be free and ungarrisoned. Hence the famous "declaration at the isthmos" has its roots in Roman policies of self-interest, not in disinterested philhellenism. ${ }^{2}$

Such a philosophy is generally evident in Rome's dealings with Greece at this time. In order to maintain Macedon as a possible bulwark against Antiochos, Philip was not chastened as severely as he might have expected. And the Aitolians, Rome's allies, were accordingly not allowed to profit at Philip's expense as much as they had hoped. ${ }^{3}$

The Romans did not restrict themselves to dealing only with the broad major issues of the time. In the aftermath of the war and the liberation of Greece, much of the country was in turmoil. Hence there were many less important decisions to be made as well, which constituted part of the work of the decemvirate sent out to join Flamininus. It was in these labours that we might expect to find evidence of local arbitrations between the Greek states. These arbitrations might be either impartial, as not affecting Roman interests, or politically influenced. ${ }^{4}$

In part, evidence for arbitrations at the time of the settlement of Greece may be adduced from the inscription recording a series of arbitrations between two towns in Achaia Phthiotis. ${ }^{5}$ This region was confirmed as the property of the liberated Thessalians after the war. Two of its towns, Melitaia and Narthakion, had a long-standing border dispute. According to the inscription, the dispute was settled at this time in
accordance with the laws of the Thessalians as established by Flamininus. ${ }^{6}$ As is the case with the states of Priene and Samos, where the arbitrations between these two by Rome's representatives in Asia Minor after Apameia is only one epigraphic example of many arbitrations we know from the literary sources to have taken place, the document concerning Melitaia and Narthakion is probably indicative of more instances of arbitration for which we happen to have no epigraphic evidence. ${ }^{7}$

There is more significant evidence for Rome adjudicating territorial disputes after the Second Macedonian War in the literary sources. Polybios, and Livy in following him, tell us of the territorial adjustments made after the war.

After Kynoskephalai, and the peace granted to Philip by Flamininus, the final peace had to be ratified by the senate. Along with ambassadors sent by Philip and legates sent by Flamininus, representatives of the Greek states also visited Rome at this time. ${ }^{8}$ Their concern was to get in the first claim on territories they feit they could persuade the Romans to adjust in their favour. In particular, Rome's new friend, the Achaian League, in addition to pressing Rome for a formal alliance, wanted Rome to
recognize her claim to territories in the Peloponnese: Triphylia, Asine, Pylos and Heraia. ${ }^{9}$ But there were counter-claims: Elis, Rome's ally, wanted Triphylia back, and Messene, also Rome's ally, wanted Asine and Pylos. ${ }^{10}$ The Aitolians laid claim to Heraia.

This may well be the first instance of embassies from the states of Greece attempting to exploit the Roman senate as an arbitral tribunal. ${ }^{11}$ The ambassadors from these states brought their claims to Rome and tried to argue their cases before the senate as they might before a Greek Sikacińpiov. The senate, however, shelved the matter as far as its own discussion went, and referred these issues to the decemvirate which was to join Flamininus.

It was after the Isthmia of 196 that the Roman legates announced their findings on the conflicting territorial claims of the Greeks. Their general approach seems to have been to support the interests of those states which would prove or had proved themselves to be most beneficial to Rome. Whatever the validity of the claims of Elis and Messene, these were relatively insignificant states and, although allied to Rome, had done nothing to help her in the Second Macedonian War. Rome was apparently more interested in pursuing its new friendship with Achaia. Hence the

Achaian League was confirmed in its ownership of Triphylia, Asine and Pylos. ${ }^{12}$ The League's ownership of Heraia was also recognized, in spite of Aitolia's claim.

The Aitolian League was disgruntled with the Roman arrangements at the end of the war. Aitolia's alliance with Rome had been fraught with difficulties in the past. They had alienated Rome by their separate peace with Philip in 206. In 202 the senate gave them a cold response when they appealed for help against Philip's new aggressions. The Aitolians and Flamininus failed to get along together, and it was the policy of both the Roman commander and the senate that Aitolia not be permitted to expand and take the place of Philip after the second Macedonian conflict. ${ }^{13}$ It was the ingratitude of Rome, as the Aitolians perceived it, which was to lead within a few years to a new war in Greece for the Romans, this time against their old allies.

Nevertheless, Aitolia did receive some, though not all, of what she had claimed. Heraia was lost to her, but the Romans approved her possession of Dolopia, Phokis, Lokris and Phthiotic Thebes. In addition, the decemvirate appears to have taken very seriously the legality of the Aitolian claim to Pharsalos and Leukas. The issue of the ownership of
these two places was actually referred back to the senate for adjudication. The Aitolians might have had cause for hope in this, and they sent an embassy to Rome in order to argue their case. This hope, however, was short-lived. The senate appears to have had no notion of dealing with the issue as a neutral arbitrator would deal with a question of legal ownership to be settled. In the following year, 195, in the face of deteriorating relations with Aitolia, the senate delivered a slap in the face to the Aitolians: it referred their request for adjudication of their claim to Pharsalos and Leukas back to Flamininus. ${ }^{14}$

1 Demetrias, Chalkis, Corinth. Polybios 18.45; Livy 33.31.
2 Polybios 18.46. Livy 33.32.

3 See Walbank Philip V pp. 173f.
4 Cf. Gruen's comment (11.448): "The 'freedom of the Greeks,' as directed by senatorial decree and advertised by Flamininus at the Isthmian Games, took its cue from sloganeering long prevalent in the Hellenistic world. But the territorial ambitions of particular Greek states were not thereby shut off, any more than they had been when the slogans were mouthed by Greeks."

## 5 See $=38,95$.

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7 On Samos and Priene, see $=114$, 115. Cf. Raeder p. 49.
8
Polybios 18.42, 1.
9 Cf .62 for the earlier fate of some of these regions. Philip had taken Triphylia from Elis during the Social War, promised it to Achaia in 208, and handed it over in 199/8. Asine had been taken by Achaia, perhaps by 209, and Pylos was an Achaian possession by 220 . The conflicting claims to Heraia present a problem. It too had been promised to Achaia by Philip in 208 and delivered in 199/8. But on what did the Aitolians base their claim to possession? Aymard (PR pp. 25-27) argues that they based their claim on a possible brief tenure during the First Macedonian War; he conjectures that they captured it, only to have Philip recapture it sometime before 208. See Walbank Comm 11.607 and Philip V p. 17 for objections to this. It may be that Philip had promised it to Aitolia in the peace agreement of 206; or Aitolia's claim may date to farther back in the third century before the Achaians first acquired it in 236/5. See Walbank Comm II.607-8 and Briscoe DD. 174-75.

10 See Roebuck p. 90.
' 1 From now on we find more and more examples of Greeks arguing their cases in front of the senate as though it were a court of arbitrators. The senate, of course, did not always give full attention to these claims. Cf. $=38$ (the later arbitration by the senate), *94, * $117, * 121, * 122$ et al.

12 See Roebuck pp. 90-91. Asine and Pylos are not specified separately, but it seems likely that they, like the other Achaian claims, were now recognized as Achaian.
${ }^{13}$ Livy 33.11. See Walbank Philip V p. 173.
14 Livy 33.49.

## *89: The Conference at Lysimacheia Fall 196

Polybios 18.49, 2-50, 5; 51, 10-52; Livy 33.39, 1-4; 33.40, 3; Appian Syr 1.2. Cf. Diodoros 28.12.
E. Badian CPh 54 (1959) pp. 81-99; Badian FC pp. 75-76; Berthold pp. 147-48; Errington Dawn pp. 159-60; P. Frisch LLampsakos pp. 132-34; Gruen I.103, II.541-43; Klose p. 144; H.R. Rawlings AJAH I (1976) pp. 8f., 15f.; H. van Gelder. Geschichte der alten Rhodier (Haag 1900) p. 132; Walbank II.620-23; Will ${ }^{2}$ II.185-89.



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 ^auwaknvoùc kaì tov̀c chupvaíouc kaì $\delta o u ̂ v a ı ~ \lambda o ́ y o v ~ a u ̉ t o i ́ c, ~$







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Livy 33.39: Sub hoc tempore et L. Cornelius, missus ab senatu ad dirimenda inter Antiochum Ptolomaeumque reges certamina, Selymbriae substitit, (2) et decem legatorum P. Lentulus a Bargyliis, P. Villius et L. Terentius ab Thaso Lysimachiam petierunt. Eodem et ab Selymbria L. Cornelius et ex Thracia paucos post diebus Antiochus convenerunt. (3) Primus congressus cum legatis et deinceps invitatio benigna et hospitalis fuit; ut de mandatis statuque praesenti Asiae agi coeptum est, animi exasperati sunt. (4) Romani omnia acta eius, ex quo tempore ab Syria classem solvisset, displicere senatui non dissimulabant restituique et Ptolomaeo omnes civitates quae dicionis eius fuissent aequum censebant.

Livy 33.40, 3: Quod ad Ptolomaeum attineat, cui ademptas civitates querantur, sibi cum Ptolomaeo et amicitiam esse, et id agere ut brevi etiam adf initas iungatur.





 'Avtióxou kaì kw入úcetv óca סúvatvto.

The subject of arbitration was in the air when Roman envoys met with Antiochos the Great at Lysimacheia in the fall of 196. Part of the
mandate of the legates who met with the king there was to mediate a settlement to the existing conflict between Antiochos and Ptolemy. This Roman "mediation", nowever, took the form of attempted dictation. The chief demand was that Antiochos retire from Ptolemaic possessions which he had acquired. Now that the Romans were no longer hampered by the fear of a rapprochement between Philip and Antiochos, they could afford to speak out in support of their friend Ptolemy. Four years previously they had not been so vigorous in his defense. ${ }^{1}$

Antiochos's response to the Roman attempt to mediate between himself and Ptolemy was to remove all initiative from the Romans. He surprised the legates by the pronouncement that he and Ptolemy had already reached an agreement between themselves without Roman help. Not only had he and Ptolemy concluded peace, they had contracted a marriage alliance. Ptolemy had evidently given up hope of significant Roman support against Antiochos, despite the Roman propaganda efforts of 200. Clearly Roman actions on that occasion had spoken louder than words.

The Lysimacheia conference also dealt with disputes between Antiochos and certain of the Greek states of Asia. In the late fall or winter of 197/6 Antiochos had been extending his rule over the cities of

Asia Minor. Only a few resisted him; among them were the Aiolian city of Lampsakos and the Ionian city of Smyrna. ${ }^{2}$ Part of their resistance to Antiochos took the form of an appeal to the Roman forces then in Greece with L. Flamininus, and beyond them to the Roman senate itself. ${ }^{3}$

In spite of the grateful and optimistic tone of the extant Lampsakene inscription honouring their ambassador to Rome, it does not seem as though Lampsakos was specifically included in the treaty with Philip. 4 Nevertheless, Lampsakos and Smyrna would no doubt have fallen into the category of Greek Asian cities whose autonomy Rome made it her policy to support. ${ }^{5}$ As such, their complaints against Antiochos were brought forward on the Roman side at the conference. Antiochos, resentful of the Roman presence in Asian affairs, and not wishing to appear to be defending himself against the charges of Lampsakos and Smyrna before a Roman tribunal, ${ }^{6}$ suggested that Rhodes could act as an arbitrator between himself and the disgruntled cities. Despite the phraseology employed by Antiochos, it is clear from the tenor of the entire affair that there was no question of Rome acting as a neutral arbitrator; ${ }^{7}$ the Greek cities had turned to her from the start as a champion, not as a judge, and it was in this capacity that Rome's envoys introduced their case into the conference.

Rather, it was the neutral Greek state of Rhodes which Antiochos proposed as a suitable arbitrator. At this time, the fall of 196, Rhodes was heading a commission of arbitrators who were settling the hostilities between the cities of Miletos and Magnesia. ${ }^{8}$ Sometime during the 190's Rhodes also acted as arbitrator in the long-standing dispute between Samos and Priene. ${ }^{9}$ Clearly Rhodes had sufficient prestige at this time to act as an international arbitrator between the Greek states in Asia Minor, even between those states and the Seleukid monarchy. ${ }^{10}$ She would also have had the requisite neutrality. ${ }^{11}$

Of course, it could be asked whether Antiochos ever actually expected this arbitration which he offered to be carried out. His offer would have been sufficient to put him in the right in the propaganda battle with the Romans at Lysimacheia. ${ }^{12}$ The fact that Rome was apparently not interested at this stage in pursuing the matter further might indicate that Antiochos chose to ignore the claims of the two cities. Since Lampsakos and Smyrna were hostile to Antiochos at the time of the war between Rome and Antiochos it is probable that Rhodes did not arbitrate their case in 196 or later. ${ }^{13}$

1 See $=65$.
2 Livy 33.38: Zmyrna et Lampsacus libertatem usurpabant, periculumque erat ne, si concessum iis foret quod intenderent, Zmyrnam in Aeolide Ioniaque, Lampsacum in Hellesponto aliae urbes sequerentur.




 кекратпко́та.

It may be that Alexandria Troas should be included among the states who attempted to withstand Antiochos; cp. Livy 35.42, and see Frisch ILampsakos p. 22, who cites Polybios 21.13-14, Diodoros 29.7, Appian Syr. VI.29, Livy 37.35.

For the Lampsakene embassy both to (Lucius) Flamininus in Greece, and to the Roman senate, asking to be included in the Roman treaty with Philip, and thereby to have Lampsakene autonomy guaranteed, see LLampsakos ${ }^{*} 4$ ( SIG $^{3}$ *591; Sherk IDGR *5). It is generally assumed that the threat from Antiochos was the motivation for this appeal. Walbank ( $p$. 623) suggests that Lampsakos may even have threatened to make an act of deditio.

4 E. Bikermann Philologus 87 (1932) pp. 277f.; Gruen II.542f.; Walbank Comm II.614; Frisch ILampsakos p. 26.

5
Polybios 18.44.

 p. 623.

Cf. the comments of the Athenian ambassadors in Sparta prior to the outbreak of the Peloponnesian War (Thucydides 1.73): "пapin $\lambda \varnothing \rho \mu \in V$, oủ



## 7 Cf. Gruen I. 103.

$8=90$.
$9=92$.
10 Klose, p. 144, citing this case, points out the rarity of finding one of the great powers as a litigant party in an arbitration.

II Rhodes was now (after Kynoskephalai) in a state of more or less passive friendship with Antiochos; cf. Livy 33.20, Walbank II.602. Gruen II.541: " [Antiochus and Rhodes], in essence, stayed out of each other's way. . . It goes too far, however, to reckon this relationship as based on a 'pact' or issuing in active collaboration....A reasonable amount of information survives on Antiochus' movements in the mid- and late 190's, and nowhere does he receive Rhodian assistance. His suggestion to the Romans in 196 that Rhodes might arbitrate their differences implies that the island was regarded as neutral, not in the camp of the Seleucids."

Cf., however, Rawlings, who favours the interpretation that there was a more active co-operation between Rhodes and Antiochos. In his view, Antiochos's offer of arbitration was perfectly sincere, since he could count on his new friends the Rhodians being favourably disposed towards him. The Romans, for their part, recognized the situation, and were forced to dismiss Antiochos's suggestion for that very reason.

12 See Errington p. 160.
13 On Antiochos's later relations with Lampsakos and Smyrna, see Polybios 21.13-14; Livy 35.42 and 37.34f. Cf. Gruen II.543.

## *90: Magnesia on the Maiander and Miletos/Rhodes and Others Fall 196

Four fragments of a marble stele discovered in the Delphinion at Miletos. 94 lines. See Rehm Milet 1.3 p. 341 and Mezger Inscriptio Milesiaca p. 54 for epigraphic details.
*Rehm Milet I.3.148; F. Mezger Inscriptio Milesiaca de pace cum Magnetibus facta (Diss. Munich 1913) pp. 55f.; Dittenberger/Hiller von Gaertringen $\underline{\text { SIG }}^{3} * 588$.

Berthold p. 148; Burstein *37; Gruen 11.540, 542; Holleaux Études IV.229-32, 331; Magie RRAM I.113, 204, 11.944-45, 964; Préaux pp. 254-58, 279; H.R. Rawlings AJAH 1 (1976) pp. 12-13; L. Robert Anatolia 4 (1959) pp. 15-24; Rostovtzeff SEHHW II.634; Schmitt Historia Einzelschrift 6 p. 288; SEG XIX.677; U. von Wilamowitz GGA 2 (1914) p. 94; Walbank Comm III.169; Will ${ }^{2}$ II.184.

## Cuven̂kaı M[ $[\wedge \lambda] n c i ́ \omega \nu$ кaì Maỵ[ $\nu \bar{\eta} \tau \omega \nu$.]

 MiAṇ̂[ciot]

 по́ $\lambda \epsilon \omega V$ ' 'P[0]-
 $k a \theta \cdot$ viofeć $\left[a v\right.$. $\left.\delta^{\circ} \epsilon\right]$
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 өєопо́[ $\mu \mathrm{L}$ -
 tô $X \in \underline{p}$
['Ap]xєctpátou to[ $\hat{0}$ 'A]p̣x














 Xapt－


 To［ 1 ］
 तoे $[v$ ］
 $\chi^{x} \omega \rho[$［ac］

30 ［ $\rho$ ］ov úmápxєเv aưtoîc tòv＂YBavסov потauòv кaì ảnò tọ［v̂］
 tì［ $\left.\boldsymbol{v} \delta^{1}\right]$




 cuv $\lambda u ́[c \in ⿺ 廴]$
［пр］есвєvtaí，кaì єỉvaı aưtoíc őpov סıà пavtòc tó te vûv บ́пápx［ov］
 $\pi[$ ét $]$－
 c̣［vレ $\lambda u ́]$－


 $\mu\left[\tilde{n}^{\prime}\right]$ -
 Mi $\lambda$ ncíól tc]
 $\mu n ̣$ [̣̀ $]$






 таре́́pєci[c ñ] тро́-




 $\pi a p \in \cup[\rho \in ́]-$
 $\mu \in \theta \in \epsilon \tau a \mu \epsilon \nu \omega[\nu]$
 Tñc M[1]-
 àt $\lambda \in \hat{i c c},{ }^{\epsilon}$ '
ạ̀ $\mu \mu \in \tau a ́ y \omega c i v \mu \in t a ̀ ~ \mu \tilde{v} v a c$ סv́o ámò toû xpóvou toû tîc cuvańnṇ[c.] II
 Máyvnt[ $\epsilon c$ ]


 Eic tinv ísiav, $\in[\hat{i}]-$
 tov̀c év $^{\text {éka- }}$
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S9 [xŋ́]c̣acı Má Mıancíolc. Il óró-


 ót $\omega 10 \hat{v}$, u̇mápx $\in[v]$


 $\tau \hat{\omega} \nu$ проүєуovó-
 c $\omega \mu \boldsymbol{\alpha} \alpha$ по $\lambda[1]-$
 Mıス́́tct


 Úmepáyov-




 Máquпtac $\mu \in \in[\nu$,
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 ［ $[$ वic］
 t $\omega$ ข ．．

［Some lines missing］
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 Minncícuv of סè mapà］
 Mayvпcíav ópkıća］－


 о́ркор то̀v úmoүє］－
 лєบко甲рипレウ̀ン kaì toùc］
 Kaì ${ }^{\epsilon} \mu \mu \in V \in \hat{\imath} \nu$ toíc］
 $\pi p o\left[\gamma \in y o \nu o ́ t \omega V^{\cdot}\right.$ єỦop］－
 Mı $\lambda \eta c i ́ \omega \nu$ ỏ $\mu \nu$［̌́ $\omega$ tòv＇Aпó $\lambda \lambda \omega]$－
 ठıa甲u入áketv Tọ̆c]
 $\pi \epsilon \rho \grave{~} \mu$ Пөє-
 ठè tàvavtía. Il


 סè Máyvntec


 'Poסí $\omega v$
 toû ảvtiypa-


 каэєє $\rho \omega с \epsilon \epsilon:$ Mezger, Hiller von Gaertringen. II 47: <óc>tıc потєоûv: Hiller




 סñuolụ tòv Maүvít $\omega v$ : Mezger.

This treaty between Miletos and Magnesia which put an end in 196 to a war between them opens with a list of the states which sent ambassadors to arbitrate the agreement. ${ }^{1}$ A total of thirteen states is
listed, three of whom were members of the Achaian League, which is also mentioned. This is an unusually large number of states to be involved in an arbitration, although the total number of arbitrators was apparently only around forty or so. It is clear that Rhodes was the prime mover among the arbitrators, and most of the states who worked with her here were apparently dependent upon her or allied with her. ${ }^{2}$ The event is dated to 196 largely on the basis of Rhodes's expulsion of Philip from Karia in 197, her "understanding" with Antiochos after Kynoskephalai, and her own subsequent domination of the area. ${ }^{3}$ Rhodes frequently offered or was requested to act as an arbitrator toward the end of the third century and the beginning of the second. ${ }^{4}$

Following the list of arbitrators and of representatives from the hostile states we have the terms of the agreement between Miletos and Magnesia. First, and apparently most important as the original cause of the war between them, is the question of the Peraia, the territory which both states claimed. This may well have been the district of Myos, an eternally disputed territory. 5 The arbitrators in 196 designated a new boundary for the Peraia, giving it as a whole to neither side. Rather they divided it and set the river Hybandos as the new border, with all the land
upstream along the Maiander from the confluence of the Hybandos and the Maiander designated as a Magnesian possession, and the territory downstream to the sea as Milesian. ${ }^{6}$ The arbitrators ordered that boundary markers be set up along the course of the river on the spots selected by them. It appears that the ambassadors arbitrating the treaty as a whole may also have acted as a boundary commission, actually visiting the district in question; this would confirm the fact that the settling of the border dispute was their most important task. ${ }^{7}$ an interesting point is that they took into account a possible change in the course of the river, and attempted to ensure the perpetuity of the agreement by designating the present course as the boundary for all time. ${ }^{8}$

In order to make the settlement secure, detailed regulations were also set out forbidding either side from acquiring in any way territory belonging to the other. Other matters, typical of peace treaties, were also settled by the arbitrators, such as the restitution of goods and persons seized during the war, and the declaration of an amnesty. ${ }^{9}$ The treaty was extended to include Priene, the ally of Magnesia, and Herakleia on the Latmos, the ally of Miletos. ${ }^{10}$

Magnesia had either a surplus of Milesian prisoners, or else had the
possession of certain Milesian dignitaries; ${ }^{11}$ at any rate, the fact that she clearly was in some sort of superior position as regards prisoners, and the fact that she made it an act of grace to restore them freely, through the Rhodians, to Miletos, leads us to believe that she may have had the upper hand in the war. ${ }^{12}$ If so, then perhaps the Rhodian alliance which arbitrated the peace was less "pro-Milesian" than Rehm believed. If Magnesia had come out of the war in a better position than Miletos, then she would have been under no necessity to concede to the judgement of arbitrators who unilaterally favoured her opponent.

The final sections of the treaty deal with the oaths which the Milesian ambassadors were to administer to the Magnesians in Magnesia (and vice versa), and with a security provision for the maintenance of the treaty in the exact form agreed upon. The Rhodian position as chief arbitrator is again emphasized in the last section ( $\$ \mid 2$ ), where it is stated that Rhodes is to preserve a sealed copy of the agreement until such time as the treaty is engraved. ${ }^{13}$

1 This war is undocumented elsewhere. See note 5 below.
2 The arbitrating states were: Rhodes, Athens, Knidos, Myndos, Samos, Halikarnassos, Kaunos, Mylasa, Teos, Kyzikos, and, from the

Achaian League, Megalopolis, Antigoneia (Mantineia) and Patrai. Cf. Livy 35.20: causaque libertatis fuerunt [Rhodii] Cauniis Myndiis Halicarnassensibus Samiisque. Cf. Gruen II.54049.

See Rehm pp. 346 f ., who cites of these states only Teos as standing outside the Rhodian alliance, an alliance which he believes would have sympathized with Miletos; Teos was friendly to Philip V, Antiochos and Magnesia (Michel 55-60, 1 MagM *97). See also S1G ${ }^{3}$ p. 108, Mezger pp. 11 f .

Knidos, an ally of Miletos and Rome in 190 (Livy 37.16, 2) also acted as an arbitrator in this same period between Temnos and Klazomenai (*83).

One of the Rhodian arbitrators, Nikostratos the son of Teisylos (1. 6), also acted in the Rhodian arbitration between Samos and Priene in this same period ( $=92,1.4$ ). See Renm p. 345, SIG $^{3}$ p. 108, Mezger pp. 10-11, Préaux p. 279.

3 On Rhodes and Philip, see Livy 33.18; $\underline{S I G}^{3}$ p. 108, and $\underline{S I G}^{3}$ *586. On her modus vivendi with Antiochos, see Livy 33.20, and cf. the comments in 589 , especially note 11 , and Gruen II.542. In favour of a more active co-operation between Antiochos and Rhodes, see Rawlings AJAH 1 (1976) pp. 2-28.

4 Cf. Rhodes' offers during the Social War (*57) and the First Macedonian War (*61), and *89, 92.

5 See Piccirilli *36 for the arbitration in 392 of Struses and the Ionians between Myos and Miletos over territory in the Maiandrian plain. In 201 Philip transferred Myos from Miletos to Magnesia (Polybios 16.15, 5-6), an act which may have instigated the war between the two (see Will ${ }^{2}$ II.184). See Rehm pp. 347f., $\underline{S I G}^{3}$ p. 109. It may be that this is the "sacred land" which Manlius restored to Miletos in 188 ( $=114$; Polybios 21.46, Livy 38. See Rehm pp. 202, 348). Cf. also the conjectures in * 116.

7
See 11. 34-36. Mezger p. 22.
8
11. 36-37. Rehm p. 349.

9 s7, 59, $\$ 10$.
$10 \mathrm{Cf} .=116$, the arbitration between Priene and Miletos; $=134$, the arbitration of Mylasa, one of the arbitrators here, between Priene and Magnesia; and *129, the treaty between Herakleia and Miletos. Cf. Preaux p. 255. The Milesian representative Theogenes the son of Leodamas who appears in this treaty between Miletos and Magnesia (I. 25), reappears in the Herakleia-Miletos treaty (II. 4, 8).

11 The interpretation depends on the translation of úmepáyovtac (II. 67-68); most translate the term to mean 'surplus"; but see Sherk's interpretation.

12 Rehm p. 348.
${ }^{13}$ Cf. Préaux p. 254, who discusses the role of the cuyypa甲o $\rho \dot{\rho} \lambda a \xi$.

## *91: Gortyn and Knossos/Magnesia on the Maiander After 196 [?]

Two decrees, one of Gortyn [1] and one of Knossos [II], inscribed in the west portico of the agora at Magnesia in Asia Minor. Both inscriptions pertain to the same event. I: 41 lines; II: 36 lines.

I: Kern IMagM *65a, *75; Blass SGDI *5153; P. Deiters RhM 59 (1904) pp. 565-79; *Guarducci IC IV pp. 246-48, * 176.

II: Kern IMagM *65b, \#76; Blass SGDI *5154; P. Deiters RhM 59 (1904) pp. 565-79; *Guarducci IC I.viii pp. 63-65, *9.
G. Cardinali RFIC 33 (1905) p. 549; idem RFIC 35 (1907) pp. If.; M. Guarducci Historia 8 (1934) pp. 64f.; Heuss p. 144; Holleaux Études (1952) IV.174; Klose pp. 111, 146; F. Mezger. Inscriptio Milesiaca (Diss. Munich 1913) pp. 33f., 53; Muttelsee pp. 11, 17, 51; Raeder *44; A. Rehm Milet III: Delphinion pp. 201f.; P. Roussel REG 27 (1914) p. 467; Tod *49; Van der Mijnsbrugge. Cretan Koinon (New York 1931) pp. 163f.; van Effenterre pp. 216, 260f.; A. Wilhelm BCH 29 (1905) p. 577; idem Attische Urkunden
(SAWW 165.6) pp. 53f.; R.F. Willets. Aristocratic Society in Ancient Crete (London 1955) pp. 234-40; idem. Ancient Crete: A Social History (London 1965) pp. 152-56.
. o $\lambda$. . . c кaì $\mu \in t a ̀ ~ a-$



 ov̂cıv סıa入ucauévouc [tòv пó $\lambda \in \mu \circ \nu$ tòv] прòc Kvшcíouc âpal ảmok[atactaधn̂vaí t $\epsilon$ ]
10 єỉc $\varphi 1 \lambda i ́ a \nu$ kaì toîc áyavo[îc - . . .- - $]$


 нократíaı подıтє乇́єсөаь



 tàc émalvoûuev [. . . . . . ov Miкíwvoc, Xapí]-















 tàv ísíav，ả $\lambda \lambda$ à tà únápxov［ta aưtoîc $\epsilon i \mu \in \nu$ סa］－


 $40 \mu a t a$ àmocteî̀aı про́c tє Mıえ［ncíouc kaì mpòc］


 ［tàv סıaبopàv tàv or tòv nó $\lambda \epsilon \mu$ ov tòv］l mpòc Kишcíouc ăpat ámok［atactaən̂vaí $\tau \epsilon] \mid$ єíc بiスíav：Wilhelm BCH 29．॥ 9：apiov ánoк［atactâcal？］：Kern．apıovanok：Blass．apıov？ảmok［aөíctaçaı？



 Blass．｜｜16－17：［81］｜ót：：Kern，Blass．｜｜17：¢í入ou［c kaì cuyyєveîc kaì










 ưmápxov[ta aưoiic ẻv róptuvi]: Kern, Blass. |l 37: [kaqámep émi]: Deiters. || 37-38: [тoîc потì]| tàv ìíav: Kern. || 40-41: [kaì Гoptuví $\omega v \mid$ тoไục $\mu \in \tau \in \lambda \theta$ óvtac: Kern, Blass.

11

$$
\begin{aligned}
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& \text { - - - - - - - - alav kaì oi пapa- } \\
& \text {------- - -av... пар . ..... } \\
& \text { [------ - полí]tac(?) тє єivai [каì] }
\end{aligned}
$$

5 [ $\epsilon$ êav aủtov̀c é̉ $\lambda$ ]evéćpouc ôvtac
[кaì ảlauíouc èv tâı] סauoкратíaı по入ıteú[ecЭaı кaтà tà пát]pıa àmoкрívacधaı aủ-


 ['́maıveîv - - - ]ov Mıкí $\omega v$ oc, Xapíctov Niкo-

 [ac oưo óסòv oưtє кa]копаөíav épyovtєc, кaì пávta


 Nr . [ $\beta \omega \lambda$ ]ó $\mu \in \nu[0 t$ к]à єípívav áyєเv пот $\quad$ aủtoúc.






25 [ $\xi \in$ K $\nu \omega c i ́ \omega \nu \nu$ тоîc] кó[c] $]$ olc кaì tât пó $\lambda \in 1$ ơcol éк





5: [é̉] ]eṿeqoúcovtac: kern. ॥ 10: [énaveîv ठè kaì toùc







 [roptuvícu]: Kern. |l 25: [roptuvíwu]: Kern. II 26: [rópruvoc]: Kern.




 kai] toîc Kalv]taviotc: Detters. || 31 : tốc [roptu?]víoc: Kern, Blass. ||
 Blass.

These two texts, both thought by the original editor Kern to be decrees of Gortyn, are in fact decrees from Gortyn (1) and Knossos (II) pertaining to the same event, the arrival of mediators from the state of

Magnesia on the Maiander.' The Magnesians were interested in promoting peace between the two Cretan states and they also intervened on behalf of the Cretan colonists in "Miletos". Both Gortyn and Knossos praised the Magnesians for their mediation, but refused to accept their proposals in toto regarding the colonists. They did, however, agree to submit their differences to King Ptolemy to settle.

There is some disagreement as to which Miletos is in question here. Kern though it to be the Cretan state of that name, destroyed by Lyttos, and resettled by the younger population of Gortyn, who had supported Lyttos in the war with Knossos and the elders of Gortyn. ${ }^{2}$ Deiters, however, argued that the Asiatic Miletos must be the state referred to, as the form of the name is not Cretan, and no positive evidence remains that Milatos, the Cretan state, was ever settled by Gortyn. ${ }^{3}$

Kern's interpretation of these decrees is that they represent the arbitration of Magnesia, the state to which Knossos and Gortyn turned after the attempt of Ptolemy IV Philopator (222-205) failed. However, it seems clear that it was in fact the Magnesian attempt that failed, as evidenced by the lack of agreement regarding the Milesian colonists. At any rate, the Ptolemaic arbitration of $* 139$, whether it is to be connected
with the appearance of Ptolemy here in $=91$ as a judge or not, was successful in bringing about an agreement. Deiters dated the settlement of the Cretan colonists at Miletos to the time of the Social War, and their inability to return to Crete to the peace concluded in 216, by which time Gortyn and Knossos were again dominant. ${ }^{4}$ Magnesia would have intervened at that time, but to no avail, and the affair would have been settled shortly thereafter by Ptolemy Philopator.

Guarducci and van Effenterre, following Rehm, did not believe that the Ptolemy referred to here was IV Philopator, but rather V Epiphanes (204-180). ${ }^{5}$ The war between Knossos and Gortyn was to be dated to the years after the Second Macedonian War, and the arbitration of Magnesia was to be dated to shortly after 196, when the war between Miletos and Magnesia ended, ${ }^{6}$ and Ptolemy would have been about twelve years old. Those Cretans living in Miletos who had suffered in the war would have tried to return to Crete, and Magnesia would have interceded for them. The Ptolemaic intervention between Knossos and Gortyn would have been successful, because around 189, they are seen to be allies again, against Kydonia. ${ }^{7}$ The corollary to this view is that the arbitration of a Ptolemy, recorded in $* 139$, is not after all to be connected to the appearance of

Ptolemy as judge in this case. Rather, that affair is independent and the Ptolemy referred to there is VI Philometor (180-145). ${ }^{8}$

Another inscription, a decree of Epidamnos found at Magnesia, may make a reference to this arbitration attempt of the Magnesians. ${ }^{9}$ The inscription speaks of $\tau a ̀ \nu \mid \epsilon \cup \cup \in[p \gamma] \in c i ́ a \nu, ~ a ̃ v[c u] v \in \tau \in \lambda \in \in c a v t o ~ \epsilon i ́ c ~ t o ̀ ~$
 Some scholars have thought that the mediation which put an end to the war mentioned in this inscription must have been that of the Magnesians recorded in the two decrees of Gortyn and Knossos. ${ }^{10}$ Cardinali apparently did not think that such an unsuccessful attempt on the part of Magnesia would have been brought up in the Epidamnian inscription. ${ }^{11}$ But was it necessarily completely unsuccessful? If the primary purpose had been to establish peace, and the matter of the Cretan colonists at Miletos was only secondary, then the arbitration may well have been generally a success.

1 MagM *75 and *76 were recognized by Wilhelm (ap. Deiters RhM 59 p. 566) as belonging to these two decrees; MagM * 75 was used in restoring II. 16-29 of the Gortynian decree [I], and *76 in restoring II. 16-20 of the Knossian decree [II].

2 Strabo 10.479. Kern MagM p. 57; cf. Raeder p. 84, and Klose p. 146,
who sees this as evidence of a struggle between Knossos and Gortyn over the possession of Milatos. Kern (p. 58) refers to the treaty between Gortyn and Knossos made under the auspices of a king Ptolemy ( ${ }^{(139 \text { ), but fails }}$ to see the consequences for his own conjectures regarding Ptolemy in this inscription.

Deiters (p. 571) points out that the fact that a joint colony (apparently) was sent to Miletos indicates that the hostility between Gortyn and Knossos recorded in this inscription may have been only a recent development.

3
Deiters p. 572; cf. Tod p. 32.
4 See Deiters pp. 571f.
5 IC I pp. 64-65. Rehm Delphinion pp. 201f.; van Effenterre pp. 216, 260f.; and cf. Mezger p. 53. Guarducci (IC IV p. 247) thinks also that the Gortynians, stronger than the Knossians at this point, would have arrogated to themselves the power of choosing the arbitrator.

## 6 Cf. $=90$.

7 Van Effenterre p. 260. Cf. $=111$.
8
Van Effenterre p. 266. See $=139$.
9 IMagM * 46, SIG ${ }^{2}$ *259.
${ }^{10}$ Cf. Kern pp. 57-58; Dittenberger $\underline{S I G}^{2}$, who cites Polybios 4.53, 7; Blass SGDI *5154, p. 391; Raeder p. 85. Tod mentions this inscription, but believes that it must refer to another occasion, though he fails to mention his reasons for thinking so.

11 RFIC 33.

## 92: Priene and Samos/Rhodes 196-192

A very long inscription on a series of blocks from the wall of the temple of Athene Polias in Priene. 170 lines. For the epigraphic details see Hiller von Gaertringen IPriene *37. IPriene *38 (=BMus *409) is a collection of small fragments which may well belong to the same inscription. Cf. $=115,111.7-8$ and $1111.9-12$.
R. Chandler. Inscr. Ant. P.I. I pp. 14-15, "38; idem. Hermes logios (1812) pp. 186f.; Böckh CIG *2905; LeBas/Wadd *189-*194, *205; Cauer ${ }^{2}$ *178, *179; Hicks BMus *403; van Gelder SGDI *3758; Berard *39.XI; *Hiller von Gaertringen IPriene *37; Dittenberger/Hiller von Gaertringen SIG $^{3}$ *599; Schwyzer $* 289$.
K.J. Beloch. $\underline{G G}^{2}$ IV. 2 (1927) pp. 548f.; Berthold pp. 148-49; E. Bousquet BCH 35 p. 464; C.D. Buck CPh 8 (1913) p. 151; Busolt/5woboda p. 1259; de Taube pp. 42-44; P. Foucart RPh 20 (1896) pp. 87f.; Klose p. 147 ${ }^{635}$; Lenschau LS pp. 121-22, 203f.; Meyer Grenzen pp. 80f.; F. Mezger. Inscriptio Milesiaca de pace cum Magnetibus facta (Diss. Munich 1913) pp. 10-11, 41, 46, 49-50; Préaux pp. 250, 251, 279; E. Preuner Hermes 29 (1894) pp. 530f.; idem. Ein Delphisches Weihgeschenk (Leipzig 1900) p. 69; Raeder *34; SEG IV.474; Shipley pp. 31-37, 194, 266-68; Sonne *18; Steinwenter pp. 177, 188; Tod Sidelights pp. 56f.; Tod *62; H. van Gelder. Geschichte der Rhodier (Haag 1900) pp. 132f.; U. von Wilamowitz SPAW 25 (1906) pp. 4If.; A. Wilhelm AAWW 67 (1930) pp. 106-8; Will ${ }^{2}$ I.370-71.

IPriene \#37a (II. 1-6): LeBas/Wadd \#205.
IPriene *37e (11. 26-33): Chandler. Inscr. | 38; CIG *2905 E. 5 (11. 1-6); LeBas/Wadd * 189 (II. 1-8); MDAI(A) 5 p. 339.

IPriene \#37f (11. 34-38): CIG *2905 E. 5 (fin.); LeBas/Wadd \#189 (11. 9-12).
IPriene *37r1/r2 (11. 97-109): Chandler. Inscr. I 38 (r1); CIG \#2905 A. 2 ( r 1 ); LeBas/Wadd *190-191 ( $\mathrm{r} 1 / \mathrm{r} 2$ ).

IPriene *37ul/u2 (11. 124-135): Chandler. Inscr. I 38 (u1); CIG *2905 B. 3 (u1); LeBas/Wadd *192 [*192-194 11.1-12] (u1).

IPriene *37y (11. 150-157): Chandler. Inscr. I 38; CIG *2905 C.4; LeBas/Wadd *193 [*192-194 II. 13-20].

IPriene *37z (11. 158-171): Chandier. Inscr. I 38; CIG *2905 D.1; LeBas/Wadd * 194 [*192-194 II. 21-34].
a Прıпvé $\omega[v$ кaì c]auí $\omega v$.
 cíav $\delta$ è Nıкасі $\delta a ́ \mu o v, ~ ' A Y \eta ́ c a v \delta p o[c] ~$

 т $\omega v$ र́भ

 [ave] . . . . . . olc kà toû 甲poupíou ô ka入єî[t]at K[á]-

 $\omega \nu$ ǎv


c

15

- . . . . . . - . . - . - - - $\Omega^{-}$- - - [toû]


a кра́тєuc toû 'Апо $\lambda \lambda \omega v i ́ o u, ~ П a p p a c i ́ o u ~ t o u ̂ ~ П a p p a c i ́ o[u]$,























 Өapyn]-


g2
. . . . toùc $\delta$ -


n1



## 442

 cíouc voc K／

## lacuna

 ［taîc Maıavסo］íou toû Mı ncíou ícto［píaıc katakє］$\chi \omega \rho ı c \mu[\epsilon ́ \epsilon \nu \nu$, i2
 aùroíc ${ }^{\epsilon}$－
 đùtậ c ．．］



k＊Avaıa Úாセ̀̀

 toûto toîc（？）－
［7－8 lines of $K$ missing］
65
［ ．．．．．．．．．．．．．－é $\pi i ̀ ~ с т є \varphi a v a \varphi o ́ \rho о и ~ М а к а р є ́ \omega c] ~$
 بpoupapxoûv－
 фú入の－
 kai




 '́ $\overline{[ }[\epsilon]-$ m2

 Eic

 $\psi a ́ \varphi ı c \mu a$
парà 'Poठícuv ن́mèp toû кataquye[îv to]ùc пєpì [tòv t]úpavvov, кaì ä入-


 éc tà̀



 ठıє रóv-


[toû] $\lambda$ ạ́xo[vc] tplákovta кaì émtà̀ к $\lambda a ́ p \omega \nu$, кaì [énì cteqava]-

 cápıot]

c. 25

. . . . . c. 23 . . . . . тò بpoúpıov aủt $\omega$ v пapaıp[n̂çaı]
[. . . . . . . c. 29 . . . . . . . t]ô̂ tupávvou кat- - - -
c. 31 ov ámocteî̀aı mor[ì - - -]
[. . . . . . . . . 32 . . . . . . . по]тì nucíuaxo[v - - - - -]
pq
[17-18 lines missing]



 Cauíovc ánocteî̀aı потì tòv סáhov]
 Прıaveîc пapà tò ס́́ka]ıov [kaì $\mu$ á $\lambda ı c t a$ tò]


каөà каì émì tâc крícloc tâc úmèp toû Batıv́́tou, ảnò [toút $\omega v$



xढ́pav, $\lambda a x \in i ̂ v ~ a u ̉ t o i ̀ ~ K a ́ p o \nu ~ k a i ̀ ~ \Delta p u o u ̂ c c a v ~ k a t a ̀ ~ t a ̀ ~[e ́ v ~ t a i ̂ c ~$ éппıүрачоиє́valc Malavסpíov toû Ml-

 tàv yєvouévav aủtoîc пotì חpıaveîc émì $\Delta p u$ кaì víkac крícıv

 кaì пар[є́́x]ovто íctoploypáqouc tov̀c $\mu$ арти-




 проспоוncanévou tàv tupavvíða кaì tâv пєpì aùtóv,] є́ $\mathfrak{\xi}$ oṽ óp

 toû tupávvou toû év tấı [ $\pi$ ó $\lambda \in l^{\prime}$ kaì]

[toùc ékyóv]ovc aủtâv tâc $\delta$ è X $\omega$ [pac tâc пєpì aư]-


115 Эaı пávtac Cauíouc kaì ảmoypạàv tâc te ${ }^{\text {év } v a ̂ ı ~ \nu a ́ c \omega t ~ k a i ̀ ~ t a ̂ c ~}$

















t [7-8 lines missing]


[катєлөєîv émì ctepavapó]-

 cte]-
 пеvte[ka]]ठ́́кatoc, кai àmò кívou toû xpóvou
 بрои́pıov [пє]прако́t $\omega \nu$ к $\lambda$ ápovc тєссєра́коขта

кaì סúo, oủk ảyavaktn̂cal toùc Cauíouc oưס' ảmocteî̀aı пòt

 үєчóveiv(?) [п]apopíac tov̀c(?) ék toû Kapíou oủk ảupec-










 ôv x[pó]-



 140 [pav - - - - пара?]вaívovtac tàc хผ́pac tàc ó óópouc âc aủ-











 oủ\& $\epsilon \mathfrak{\epsilon}]$
[єірпко́тас, каі̀ поті̀? - - 'Av?]тíoxov tòv Úпо̀ Bacı入є́ $\omega c$

 aítíac tàc кata-
 $\nu$ v́vtac ótı kaì tò بpoúpiov
 Úmò Пpıavé $\omega \nu$ kaì katakex[ $\omega p ı c \mu \epsilon ́ \nu a]$
[- - ékpívouєv tò بpoúpiov кaì tàv $\pi \epsilon \rho i ̀ \tau] o ̀ ~ \varphi p o u ́ p l o v ~ \chi \omega ́ p a v ~$





 àvatével à ék toû пapakethévou motaroû









 ча́раує





 tòv ảné-

 ánò
170 סè toútov [kaì mapà taú]tav katévavtı toû ôpevc סıaßávt $\omega v$ tòv
 є́птстр́́чшข-
[TEC - - - - - - - - - - - - - - - - - - - - - $]$
1: HvG IPriene suggests that kpícıc $\pi \in \rho i \chi$ र́wpac is to be restored, or at least understood here. || 7: ảmo甲ávacधat: HvG SIG ${ }^{3}$, Schwyzer. || 8-9: kaì
 Прı|[aveîc Cauí]oıc: HvG SIG ${ }^{3}$, Schwyzer. |l 14: סıкaıo possible": Prott (ap. IPriene) || 36: [toîc Пpıavé $\omega v$ ctpatayoíc] suggests




 Schwyzer. Il 99-105: [ $\mu \in \tau$ à taûta סè (Cauíovc) прєсвєíav ảmостєî̃al








 Cápuol Kápıov kaì $\Delta p] u o v i c c a \nu$ : Wilhelm AAWW 67. || 107: ópíłaçat

Chandler．ópícaçal：Hicks．｜｜112：［пó $\lambda \in 1$ tò ठè Kápiov］：van Gelder．II
 katacxóvtac］：Schwyzer．｜｜129：HvG IPriene suggests a phrase more to be
 ＇́K toû Kapíou．｜l 134f．：［from SEG IV．474］Beloch $\underline{G G}^{2}$ IV． 2 （1927）pp．548f． against Wilamowitz p．309．｜｜135：TAYTOY乏EחIETATA乏ミIMQNOIONX：Hicks facsimile．But Hicks＇s edition reads：［по］t＇aÙtoùc é $\overline{\Pi i}$ ctacíp $\omega \nu$ óco［ $\nu$ x｜póvov］．｜｜137－38：HvG IPriene records that Wilamowitz pointed out the uncertainty of this restoration，and that＇Avtíoxov or Cé $\lambda \in U X O V$ ］tò
 For those editors previous to the new and revised reading of IPriene，only Hiller von Gaertringen＇s apparatus has been reproduced．

This lengthy text is a Rhodian decree which was inscribed on the wall of the temple of Athene Polias at Priene，the same provenance as the inscription recording the decision in the dispute between Miletos and Priene，and the senatus consultum of a later period regulating the resurgent border dispute between Priene and Samos．${ }^{\prime}$ This appears to have been Priene＇s official place of publication of the awards in the boundary disagreements with her neighbours．${ }^{2}$

Early in the second century Rhodes acted as arbitrator in yet another phase in the long series of disputes between Samos and Priene over territory on the peninsula of Mykale．${ }^{3}$ The Batinetis，a piece of land in the plain of Anaia appears to have been for long a bone of contention between the two states；however，it would seem that the judgement of Lysimachos
in c. 283 was accepted as final by both sides as regards the Batinetis as a whole. At that time it was given to Samos.

The disagreement which was to be settled by the Rhodians was over the claim to certain possessions within the Batinetis, specifically the fortress of Karion and the land around it, called Dryoussa. The fortress were apparently not included in Lysimachos's grant of the land to Samos, but rather remained at the time in Prienian hands. This may have set the groundwork for further unsuccessful Samian attempts, perhaps through litigation, throughout the next century to add Karion and Dryoussa to her possession of the entire Batinetis, until we come to the time of the Rhodian judgement. ${ }^{4}$

The inscription opens with the list of the five arbitrators who were to judge or to mediate in the case, men named by the people of Rhodes, the state upon which both of the litigants had agreed. ${ }^{5}$ The list of the advocates from both states is also given, and they are said to have had numerous chances to argue their cases: first in the precinct of Dionysos at Rhodes, then during a survey of the disputed land, when each side had the chance to escort the Rhodian tribunal, and then at Ephesos in the temple of Artemis. ${ }^{6}$ The Rhodian judges declare that they have made their decision
based on autopsy, and this decision is that Karion and Dryoussa are to remain the possessions of Priene. A letter containing this decision was sent to each of the two litigants (lines 24-44).

The bulk of the inscription is taken up with recitals of the evidence adduced by either side, presumably for the purpose of justifying the final decision which the Rhodians made. The first section (lines 44-63) of evidence, although very fragmented, appears to have been the Samian claim. The Samian advocates refer to ancient history, and cite specifically the historian Maiandrios of Miletos, in an attempt to establish the priority of their claim, apparently not just to the Batinetis, but also to Karion and Dryoussa. The Prienian argument which follows (lines 63-90) also offers a fragment of the history, much more recent, of Karion. The tyranny to which they refer, during and after which they can prove that the citizens of Priene held Karion, should be dated to the end of the fourth century. The Prienians list a number of documents in support of their contentions. While it may be unfair to make a comparison, given the poor condition of the stone in the place where the Samian argument had been inscribed, it seems that the Samians had far less in the way of contemporary documentary evidence to offer. ${ }^{7}$

The next statement of the Samians (lines 90-96) is also extremely fragmented; a few phrases survive which suggest that they accused the Prienians, perhaps in response to the historical evidence dating from the time of the Prienian tyranny, of having taken the fortress from them. ${ }^{8}$ A representation to Lysimachos is mentioned, which must refer to the judgement of Lysimachos in 283; perhaps the Samians tried to use his favourable verdict to strengthen their own arguments. ${ }^{9}$ There is a large lacuna, some seventeen or eighteen lines, following these phrases; here would have stood the conclusion of this Samian evidence, and the opening of the next stage of Prienian evidence (lines 97-118, or perhaps only 97-101). It is difficult to tell who is said to have given the evidence in this section, as all of it is a Rhodian summary.

All that is left of the Prienian claim is their statement that while certain complaints had been lodged by Samos about individual cases of private trespass, ${ }^{10}$ the Samians had not availed themselves of the opportunity to make a case about Karion; at least, not until now. The next section (lines 101f.) appears to be a reversion to the Samian claims, as summarized by the Rhodians. They again referred to the evidence of the historians, and the previous award of the Batinetis, trying to show that

Karion and Dryoussa had been theirs from the time of the Melian War. ${ }^{11}$ Here they definitely accuse the Prienians of taking the fortress from them at the time of the tyranny of Hieron, and keeping it until the present.

The next section (lines 118-157) is the Rhodian justification of their decision. The first part (line 118 to the lacuna at line 123) is their judgement on the value of the Samian evidence. The Samians had relied on ancient history and the historians for much of their argument. It is difficult to see why they would have chosen the evidence of some of these historians, as all of them except Maiandrios, whose writings were suspect anyway, apparently denied the ancient Samian claim to Karion and Dryoussa, granting Samos only the town of Phygela or Pygela. ${ }^{12}$ The Rhodians then go on to review the claims of Priene (lines 124-157); she had been awarded Karion and Dryoussa a century before and since that time, despite the fact that they had had numerous opportunities, the Samians had not at any time laid a claim to Karion (lines 128-31, 133-34). It may be that the fragmented lines here do record one or more judgements in this case sometime in the late fourth and the third centuries; if so, the thrust of the Prienian claim would have been that Samos always lost. Having summarized the arguments of both sides, the Rhodians then repeat
the judgement which they had announced at the beginning of the inscription, that the fortress and the land around it were to remain a Prienian possession.

This is still not the end of the inscription. The rest of it ${ }^{13}$ deals with an exact termination of the boundaries of the land in question, even to the extent of noting specific places for the placing of boundary-markers. ${ }^{14}$
$1=115$ (Manlius's decision, which is mentioned in the later SC) - 116 (Miletos and Priene).

2 at least or the successrul ones: despite the large number or inscriptions unearthed from the temple, no record has been found of the decision of Lysimachos, probably in favour of Samos (*28); nor has a contemporary record been found of the decision of Manlius in 188, also in favour of Samos (*115).

3 For the early history of this quarrel, see $=\mathbf{2 8}$, and Hicks BMus 3.1 pp. 1-5.

For Rhodes' frequent position as an arbitrator in this period, cf. *89, *90; see Hicks BMus 3.1 p. 2. Van Gelder, p. 132, suggested that Antiochos had requested Rhodes to act in this capacity; in support of this, cf. H.R. Rawlings AJAH I (1976) pp. 2-28; against it, cf. Mezger p. 46

4 II. 131 f appear to refer to various dynasts throughout the late fourth and the third century, who may have been called upon to give a judgement. The evidence for these cases is not conclusive enough to warrant separate treatment. See Lenschau pp. 201f.; Meyer pp. 67-68, 80, 85, 142; Hicks. BMus 3.1 pp. If.; Raeder pp. 69f. (Antigonos Monophthalmos); Berard pp. 54f.; OGIS *13 p. 38; Will $\left.\right|^{2}$ pp. 370-71
(Antigonos Doson; cf. Hiller von Gaertringen IPriene *40).
5 Two of the arbitrators at least are found elsewhere. Euphaniskos is named as a Delphian proxenos in the year 180/79 (SIG ${ }^{3}$ *585 1. 218); cf. P. Foucart RA 2.11 (1865) p. 294, ArchMissSci 2.2 (1866) p. 222 and RPh 2.20 (1896) p. 87; E. Preuner Hermes 29 (1894) p. 531 and Delphisches Weihgeschenk p. 69; van Gelder Geschichte p. 133; IPriene p. 38. Euphaniskos acted as one of the arbitrators in a dispute between Delphi and Amphissa around 180 ( $=131$ ). Nikostratos acted as an arbitrator in the arranging of the treaty between Miletos and Magnesia in 196 (*90). This means that the earlier dating of the Rhodian arbitration between Samos and Priene to c. 240 by several scholars is untenable. Cf. Hicks, Berard, Lenschau, Sonne.

The appearance of the name of Euphaniskos both here and in the Delphian inscription, and the wording of the later $\underline{s c}$ (in * 115) led Preuner to date this Rhodian arbitration between Priene and Samos to around 180, after the arbitration of Manlius (cf. also Raeder pp. 71-72, and Niese III. $80^{4}$ (188-167]). However, the position of Rhodes in Asia Minor in the 190's (cf. $\mathbf{= 8 9}=90$ ), and the fact that the Romans are not mentioned in the Rhodian inscription should lead us to accept an earlier date. Cf. IPriene p. 43; Mezger pp. 49-50.

6
11. 20-24. Perhaps certain documentary evidence relevant to the case of Samos and Priene had been deposited in the nearby state of Ephesos. For the hearing of cases in the holy precinct, cf. the conjectures in * 108 and $* 109$. On the survey of the district in question by the judges in the case of a boundary dispute, cf. *22, *43, *132, *163 et al.

7 The fact that the Prienians appear to have been in possession of Karion at a much more recent date might seem to support the strength of their own claim; however, it was of ten the priority of one's claim, rather than the status quo of possession, which would be adduced as the juster cause in a case like this. This is what the Samians argue.

8
Cf. 11. 109-110. There is no notion in the Prienian evidence that when the fugitive citizens occupied Karion when Hieron became tyrant they were taking it from the Samians. Hicks (BMus 3.1 p. 3) suggests possible collusion between the Samians and the tyrant of Priene.

9 If so, they may have weakened their own case by mentioning this award; as the Prienians later apparently pointed out (11. 130-31), Samos did not claim Karion and Dryoussa in 283. Cf. 28 notes 13, 14.
${ }^{10}$ on парорía, cf. $=134$.
11 This time, in addition to Maiandrios, they cite other historians, Euagon, Olympichos and Douris.

12 This in spite of the fact, as the Rhodians point out, that four of the historians themselves were Samians. Cf. Hiller von Gaertringen's comments on the improbability of Maiandrios's claims (IPriene p. 39). See Tod Sidelights pp. 60-61.

On the use of historians and other writers for evidence, of. *28, * 163, cited by Holleaux Études I.404-405.
${ }^{13}$ From I. 158 on; we do not know how long it could have gone on, as the end of the inscription is lost.

14 Cf . 90 II. 34-36. Presumably the line of demarcation would have separated the Prienian possession of Dryoussa from the area of the Samian Batinetis.

## *93: Hermione [?] and Troizen/Rome [?] and Athens After 196 [?]

Two fragmented inscriptions, one [I] from Troizen, the other [II] from the Asklepieion at Epidauros. In all probability these two inscriptions are copies of the same decree. Copy I is a stele broken at the top ( $\mathrm{h} .: 0.45 \mathrm{~m}$.; w.: 0.44 m .; d.: 0.11 m .). Copy II consists of two pieces of a stele, one from the right upper corner (h.: 0.19 m. ; w.: 0.13 m. ; d.: 0.09 m. ), the other from the left margin (h. $0.35 \mathrm{~m} . ;$ w.: $0.16 \mathrm{~m} . ;$ d.: 0.12 m .). Nikitsky recognized that the two inscriptions were copies of the same text. The single text cited here is Hiller von Gaertringen's copy of the Epidauros inscription, restored fully from the Troizen inscription (the latter is represented by the underlined letters). 26 lines.

I: P. Legrand BCH 24 (1900) pp. 190f., *5; Fränkel IG IV.752; A. Nikitsky ZMNP 1902 pp. 445f. [in Russian]; Schwyzer * 104; Buck *88.

II: Fränkel IG IV.941; Nikitsky ZMNP 1902; *Hiller von Gaertringen IG IV ${ }^{2} .1 .77$ [restored with the help of IG IV.752].
F. Bechtel Hermes 36 (1901) pp. 610-11; idem. Die Griechische Dialekte II p. 512; B. Bravo ASNP 10 (1980) pp. 745-46, 805-6, 865-68; Busolt/5woboda p. 12404; B. Haussoullier RPh n.s. 25 (1901) pp. 336-38; Hitzig p. $38^{2}$; A. Nikitsky Hermes 38 (1903) pp. 406f.; W. Peek ASAW 60.2 (1969) pp. 27-28, \#31, \#32; Raeder *47; L. Robert Hellenica 11/12 (1960) p. 159; SEG XI.407, XXX.385, 388; Steinwenter pp. 171, 190, 192, 196; H. Swoboda Klio 12 (1912) p. 34; Tod $=13$ [I], *14 [II]; A. Wilhelm. Neue Beiträge I (1911=SAWW 166.1) pp. 28f.; Idem AAWW 1948, pp. 70 f.
. . . . . . кaì oi kata пa
Tàv koıvàv x[ $\omega$ ]pav . т--


 єí סè סıкáłaıto,]
 xıлíac $\delta р а х \mu a ́ c$,
 е́пп[ [карпі́ac]
 tây $y \in v o u \in v a ̂ v]$
 ठıкázaıto, àmotel-
 kaì à סíka àt $\in \lambda[$ ǹc]

 по $[900 \delta \omega \nu \tau \hat{\alpha} \nu]$
ék $\tau \hat{\omega} \nu \vartheta u[\nu v] \in[i ́ \omega \nu$ ẻminusîuev toùc épputiacuévouc] ctácl ảv'

 äпolmoaxөєiciv [ì]-
尤káctol ${ }^{V}$
 Iàc oíkía[c].






 cuu] $\wp \omega v n \theta[\epsilon ́ v]-$
 à $\varepsilon]$ loúvt[ $\omega$ ]
 qưtoîlc ó ó[ó]-


 'Aяávalc è èvàkponój-



1: [ $\delta$ í]kalol katá or kaì oi katan[ $\lambda$ éovtec ?]: Nikitsky. II 7: [пє]pì tâc
 то<í> épputiachévo<i>c: Legrand. ctacíavo ő ka: Legrand, Fränkel. |l 16 :
 пáouaı = ктáouaı?: Bechtel. || 21: прєсВє́áac: Legrand, Schwyzer, Buck. ||

It is possible that another inscription found at Troizen (n.: 0.60 m. ; w.: $1.10 \mathrm{~m} . ;$ d.: 0.19 m .) may be connected with this case. Fränkel IG IV.791; *Hiller von Gaertringen $\frac{16}{}$ IV $^{2} .1 \mathrm{p} . \mathrm{xxvii}$.
[г]á[py]ımпо⿱ 'Ex . . . . . . ova
 âyopavouícavta каї пре[свєú]-




5: [ Eípávac]: Fränkel.

There is some controversy as to whether the Troizen inscription (1) represents a preliminary decree of the city of Troizen or whether it is one of the copies of the international agreement of which it speaks. The continual reference to "the city" without an ethnic (lines 11, 17, 19) and perhaps also to certain civic officials treated similarly (lines 14, 15), would lead us to believe that this must be a decree of the city. ${ }^{1}$ on the other hand, a corresponding version (II) has been found at Epidauros, where one of the final copies was to be published. The latter, however, is so fragmented that it is impossible to say that it could not have been the finalized version, and yet still be very close in wording to a Troizenian preliminary decree. Nevertheless, in spite of certain peculiarities of
style, the subject matter of the Troizenian inscription does read like the copy of an international agreement between Troizen and the city with which she had a dispute. This agreement was to have been published in Athens, the arbitrating city, at Epidauros in the Asklepieion, and at the sanctuary of Poseidon in Kalaureia. It is this last copy which the Troizenian inscription has been conjectured to be. ${ }^{2}$

Because a copy of the decree was to be set up at Epidauros, and because the state with which Troizen was in dispute must have been a neighbour, it has been suggested that Epidauros is the other state involved here. ${ }^{3}$ However, the Asklepieion, like other prominent sanctuaries, was a common choice for a publication site of important inscriptions which did not necessarily concern Epidauros. ${ }^{4}$ Another problem is raised by the question of membership in the Achaian League. The general consensus of opinion has been that the Achaian League was invariably involved in arbitration between her members, and thus some scholars have sought to date this event to a period when not all the states of Argolic Akte were members of the League. 5 The presence of Athens as arbitrator between two members of the Achaian League would be unusual. ${ }^{6}$ Because of these difficultics, Legrand suggested Megara as a possible party to the dispute
with Troizen. ${ }^{7}$ Hermione, however, is a more plausible choice for Troizen's opponent, particularly if there is any connection between the dispute referred to in inscriptions I and II, and the possible Roman mediation of a dispute between Troizen and Hermione. ${ }^{8}$

Whether this is a civic decree of Troizen or the official compromissum between Troizen and her opponent, it must represent the state of the agreement as made between Troizen and the other state prior to the embassy sent to Athens to seek arbitration and the ratification of the treaty in its final form. Indeed, this embassy is foreseen as a future event within the bounds of this inscription. Both states would have published the settlement they had reached before going to arbitration so that there would be no question as to what claims or concessions had been made by either side.

This agreement was made to settle outstanding differences between Troizen and a neighbour state, whether Epidauros or Hermione. This settlement may or may not have followed on a period of war. 9 The fact that commerce and other intercourse between the states was suspended for a time does not necessarily indicate a period of outright war. The concessions made by Troizen are largely economic, and mostly represent
compensation for seizure of goods and property, and persons, of the other state. Such seizure, the objects of which are referred to here as tà
 meant as reprisal for non-payment of debt or some such offense. ${ }^{10}$

From the inscription it seems clear that Troizen had been guilty of such reprisals, and the agreement between the two states was meant to settle the terms of compensation. Other matters were also dealt with: future litigation was ruled out regarding certain matters, including certain land which was to be held in common and the proceeds from it, and from the tuna-fisheries. ${ }^{11}$ Both city and individual were prohibited from litigation, and a fine was set down as a penalty for attempting it. ${ }^{12}$

The arbitration in this case may have amounted to little more than ratification of an agreement worked out already between the parties. Part of this agreement called for the sending of an embassy to Athens to request the sending of three men. These Athenians would presumably hear any outstanding complaints that Troizen and its neighbour were unable to settle between themselves, and then pass a judgement (' $\epsilon$ mıкрívavt $\epsilon c$ ). ${ }^{13}$

1 See Legrand $\frac{\text { BCH }}{} 24$ pp. 191-92, RPh 1902 p. 99. See also Bravo ASNP 1980 p. $865^{135}$, who suggests this is an extract of a treaty
concluded with the other city.
2 Nikitsky Hermes 38 (1903) p. $412^{1}$.
3 Cf. Haussoullier RPh 1901; Raeder p. 90; Wilhelm AAWW 1948 p. 70, revising the view he held in SAWW 166.1. Cf. Raeder *60 (*69).

4 See Raeder pp. 90-91. Cf., for example, ${ }^{*}$ 153, involving Arsinoë and Troizen. Robert (Hellenica) thought that Arsinoë was the state involved in the present case as well.

It may be, in fact, that the present case should be even more closely connected with *153. Peek argued that IG IV².1.76 (*153) and 77 (*93) were actually fragments from the same inscription.

5 Cf. $=31,=41,=43,=50 ;=69$, on the other hand, might indicate that Achaian official involvement was not completely invariable.

6
Legrand BCH 24 p. 198. See also Swoboda Klio 12, who points out that the presence of Athens, the absence of the Achaian League, and the fact that Troizen was apparently issuing her own coinage, all point to a period when Troizen was not a member of the League. He therefore rejects a date in the first part of the second century (it is generally agreed that the style of the inscriptions dates them to the first part of the second century).

Raeder, however, simply claims that as Troizen was a member of the Achaian League at this time, then the arbitration must have been carried out under the authorization of the League; but cf. *69.

7 BCH 24 p . 199. He based this conjecture on the fact that Megara was not in the Achaian League from 223 to 192, but rather the Boiotian League, and would have had officals named polemarchs at this period; also Kalaureia may have been independent after 210, and would have been acting, as the Asklepieion, simply as an important sanctuary where publication of decrees could take place. But he fails to note that the mention of common land must mean that Troizen actually bordered on the state with which she had the dispute.

In addition, we might conjecture that if an non-Achaian state was involved in arbitration with an Achaian state, then the League might be
more, rather than less, apt to be involved in a official capacity. When Boiotian Aigosthena and Achaian Pagai were in dispute over the possession of a port, both Leagues were formally involved ( $=101$ ). On the other hand, the appearance of Athens as an arbitrator in the present case is in fact analogous to the choice of arbitrator in the case of Aigosthena and Pagai: there too the arbitration went completely outside both Leagues, and the states invited to arbitrate were from western Greece. Cf. also $=132$.


See the next note.
9
Fränkel first connected the Troizen/Epidauros document with the other inscription found at Troizen and cited above, which refers to a Roman mediation to end a period of dispute between Troizen and Hermione.

If there is any connection, it may be that the term ${ }^{\boldsymbol{\epsilon}} \mathrm{V}$ taic àveாเBacíalc in our inscription, which must mean a period when traffic between the two states was prohibited (Bravo p. 745), could refer to the period of war, and the state that was hostile to Troizen would be Hermione (cf. Wilhelm. SAWW 166.1 p. 28, Tod, Schwyzer, Buck, Bravo). The two inscriptions are dated to the same period, early second century, by their lettering. Fränkel believed that the disturbed conditions of the Peloponnese, evidenced in our inscription, and the referral of Greek disputes to Rome, evidenced in IG IV.791, all fit the time indicated, after 196 (IG IV ${ }^{2} .1$ p. xxvii).

It should be mentioned that, although the above interpretation of the term ảvemıBacía, is now generally accepted, several scholars previously thought that it meant "incursions", that is raids into enemy territory (Legrand, BCH 24 p. 193; Fränkel [although cf. IG IV corr. p. 381]; Haussoullier RPh 1901). Under such an interpretation, the goods and property seized would have originally been in enemy territory, rather than, as seems to have been the case, in Troizenian territory. Cf. Legrand RPh 1902 pp. 100f, who sees it more as a case of Troizenian citizens, perhaps creditors, with the sanction of the Troizenian government seizing on property of citizens of the other state held within Troizenian territory.

10 ṕucía̧ $\omega$ (LSJ): "to seize, distrain upon, treat as a p puc cov la surety or pledge]." See B. Bravo "Sulân" ASNP 3.10.3 (1980). See also Haussoullier RPh 1901 pp. 336-38. Raeder suggests that the original conflict was perhaps to be related to a loan-dispute. Cf. 120 , 156.
${ }^{11}$ For an examination of the topographical issues here see $M$. Jameson Hesperia 22 (1953) pp. 160f.

It may be that the common land referred to in this inscription (1. 7) reflects a similar arrangement to that conjectured in $=36$. For the common land, and the sharing of the proceeds from it, cf. $45,111.13 \mathrm{f}$. For an arbitral decision that disputed land should be the property of both parties, see *69; cf. Bravo p. 866-67.

12 The fine for an individual is 1000 drachmai, for a city, 10,000. Cf. *31, where it was conjectured that the fine of 1000 drachmai had to refer to an individual. Cf. the much heavier fine, also set out for city and individual (20 talents for the former, 5 for the latter) in $=99$. Cf. Steinwenter p. 171.

13 See Steinwenter pp. 190, 192, 196. He adduces the synoikism between Teos and Lebedos ( $* \mathbf{1 0}$ ) for the term ${ }^{\epsilon} \pi$ пкрíveiv referring to future ratification and settlement of outstanding problems of a treaty



## -94: Larisa and Pteleion/Rome After 196 [?]

An inscription, broken at the top and bottom, discovered at Larisa in Thessaly. 17 lines.
G. Fougères BCH 13 (1889) p. 379, *2; *Kern IG IX.2.520.

Jardé/Laurent BCH 26 (1902) p. 368, *4; Larsen GFS pp. 288-89; Raeder *59; Tod *33; A. Wilhelm AEM 20 (1897) p. 90.








 10 [aútò]v ảпарáкдптос парєскєúaкє $\nu$, ả $\lambda \lambda$ à кai ^apıcaí $\omega[\nu$ ]
 ${ }^{2}[\nu 0]-$





. . . . (13) . . . . пácac . . . tov
 Kern addenda. $\Phi[\alpha p c a \lambda$ íou]: Fougères. II 2: Aí̧ócioc: Kern addenda. || 11-12:
 $\pi p[o п \gamma o u ́ \mu \epsilon] v o c:$ Fougères. $\pi p[00 p \omega \mu \epsilon] v o c:$ Wilhelm.

In this decree of the city of Pteleion, Nysandros, a citizen of Thessalian Larisa, is being honoured for numerous benefactions. Among other things, he acted as advocate for the Pteleians in a dispute which they had with their neighbour, Larisa Kremaste (Phthiotis). It is clear from the inscription that Larisa initiated a suit against Pteleion, and challenged the Pteleians to submit to the arbitration of the Roman senate. ${ }^{1}$ This case is one of many disputes which the Greek cities submitted to Rome for settlement. The appeal to Roman arbitration had of
course become an ever more significant trend among the Greeks after the end of the Second Macedonian War. Pteleion was naturally obliged to send an embassy to Rome to defend herself, and Nysandros, a foreigner, may have acted as chief advocate. ${ }^{2}$ Perhaps he had influence and ties at Rome which the small city of Pteleion could not emulate.

We do not know the nature of the accusations brought against Pteleion by Larisa. Stählin thought that this was a land dispute, over the fertile areas between the two states. ${ }^{3}$ Nothing in the inscription gives us any evidence for this, however, and indeed the wording would be unusual for a border dispute. The emphasis placed on the unjust and impious denunciations of Pteleion by Larisa ( $\epsilon \neq \pi \iota c[\kappa \eta \psi] a ́ v \tau \omega \nu$. . . ảdík $\omega c$ кai
 account, scarcely leads us to believe that this is a matter of conflicting claims to a piece of land. Rather, it seems that Larisa may have accused Pteleion of some "crime", although an attempt to establish exactly what could only be speculation.

Unfortunately we can tell nothing from this inscription of the procedure of the senate in this particular case. Clearly the embassies from both sides would have been heard and a decision given, a procedure
we see very often in the pages of Polybios and Livy. However, whether the senate itself judged the matter, whether it passed it on to a committee, or whether it passed it on to commissioners who would be visiting Greece and would investigate the matter there cannot be told. ${ }^{4}$

 $c]$ úvкえ $\eta$ тov. On the term поока $\lambda^{\prime} \epsilon$, to invite or challenge a party to arbitration, cf. *69.
 formal notice of an intention to prosecute a witness" (A.R.W. Harrison. The Law of Athens II, 1971, p. 192). The particular application was to cases of
 however, the term appears to be used more generally, meaning simply "denounce" or "accuse".

2 It is not stated explicitly that Nysandros acted as the head of the embassy, but the tone of the inscription leads us to believe that he may well have been. Although Nysandros is not called a cúvóıoc, he would have fulfilled the same role as those mentioned in $=23, * 31,=150$.

3
p. 182. Cf. Raeder, p. 103, who also thought it was a border dispute.

4 Cf . some of the following for cases of arbitration involving embassies sent to the Roman senate: Polybios 23.4 ( $=122$; cf. 112 and * 165); Polybios 32.7 (*155). Cf. also among the epigraphic evidence, the testimonia in $\geqslant 115$, which records the coming of Samian and Prienian embassies to Rome c. 136 BC to argue their case; and $=144$, which mentions foreign (Teian) advocates acting for Abdera in their dispute with Kotys before the senate.
=95: Melitaia and Narthakion/The Thessalians and Flamininus 196/5-194

In the same inscription as *38.
See ${ }^{\pi} 38$ for editions and bibliography.

$$
\text { [k]ạ̀ } \pi \in \rho \grave{~}
$$


50 vai katà vópouc toùc $\theta \in c c a \lambda \hat{\omega} \nu$, oîc [ $\nu o ́]$ -




...öca кєкрццéva éctiv katà vónouc



This case is another in the series of judgements given in the land-dispute between the Thessalian towns of Narthakion and Melitaia. In arguing their case before the Roman senate shortly after the middle of the second century, the Melitaians had listed a number of past awards favourable to them. It is from the Narthakian counter-claim that we learn of the present award, favourable to Narthakion, made shortly after the end of the Second Macedonian War.

The Narthakians say that at that time the land was adjudged to them
according to the "laws of the Thessalians", which were established by Flamininus, the Roman proconsul who became responsible for the settlement of Greece. The reference must be to the administrative and constitutional work carried out by Flamininus and the decemvirate in Thessaly in 194. ${ }^{1}$ It should be emphasized that this arbitration is not said to have been carried out by Flamininus himself, but rather in accordance with laws which he set down. ${ }^{2}$ Indeed, it could even be argued that the Narthakian embassy only brought up Flamininus's name after 146 in order to lend greater weight to the claim which they were making in front of a Roman audience.

Nevertheless, it is not unlikely that Flamininus's organization of Thessaly may have included the arbitration of certain outstanding claims between the member states as well as the institution of legislation. At any rate, his dispositions were later ratified by the senate, ${ }^{3}$ and it seems
 53-54 of this inscription. ${ }^{4}$

1 Livy 34.51, 3-6: Pergit ire [Flamininus] in Thessaliam, ubi non liberandae modo civitates erant, sed ex omni colluvione et confusione in aliquam tolerabilem formam redigendae; nec enim temporum modo vitiis ac. violentia et licentia regia turbati erant, sed inquieto etiam ingenio
gentis, nec comitia nec conventum nec concilium ullum non per seditionem ac tumultum iam inde a principio ad nostram usque aetatem traducentis. A censu maxime et senatum et iudices legit, potentioremque eam partem civitatium fecit, cui salva et tranquilla omnia esse magis expediebat.

See ${ }^{\boldsymbol{8}} 88$. Flamininus's work in Thessaly may in fact have begun as early as late 196. This inscription implies that the decemvirate was still working with Flamininus when the Thessalian constitution was re-established, and the ten legates left Greece in the winter of 196/5 (see Briscoe XXXIV-XXXVII p. 128).

2 Cf. Gruen I p. $105^{38}$ : "the contest between Narthacium and Melitea states that the determination was made according to Thessalian statutes instituted by Flamininus and the legati -- not that Romans rendered the decision."

3
Livy 34.57, I (193): Postquam consules dilectu habito profecti in provincias sunt, tum T . Quinctius postulavit ut de iis quae cum decem legatis ipse statuisset senatus audiret eaque, si videretur, auctoritate sua confirmaret.

4 See Viereck p. 19, Raeder p. 49, Accame p. 70, Lécrivain p. 13, et al. On speculation that some other $\underline{\text { sc }}$ is meant, cf. Latyschev pp. 379-80, Berard p. 35, Dittenberger p. 490, Willems p. 713, Sonne \#28.

## *96: Epidauros Limera [?] and Zarax/Tenos 195-146

Two fragments of a stele found in the precinct of Apollo Hyperteleatas near the village of Phoiniki in Lakonia. I: h.: 0.25 m. ; w.: 0.15 m . II: h.: 0.26 m .; w.: 0.17 m . Total of 38 lines. Wilhelm recognized that both fragments were part of the same stele (Kolbe, Tod).

I: G. Mylonas BCH 9 (1885) pp. 244-46, \#3; Meister SGDI *4547; Berard "3; Kolbe IG V.I.931; *Wilhelm GIRI pp. 60-67; SEG XIII. 259 (after Wilhelm).

II: G. Mylonas BCH 9 (1885) pp. 244-46, \#2; Meister SGDI *4546;

Kolbe IG V.1.931; *Wilhelm GIRI pp. 60-67; SEG XIII. 259 (after Wilhelm).
Raeder *61; J.\&L. Robert REG 66 (1953) p. 138, *76; SEG XI.894; Sonne \#33; Steinwenter pp. 1831, 186; H. Swoboda. Klio 12 (1912) p. 34'; Tod *3.




5 [............................âc тâc $\in \Pi$ ì т̂̂

[т $\hat{\omega} \nu$ поть- ог сиүкиро́vt $\omega \nu$ ] тaútat кaì тoû $\lambda t$ -











[cıv кaì toùc по入íta]c n̉ $\lambda \in \cup \vartheta \theta \in \rho \omega c a \nu$ тâc aití-
20 [ac, т]à кat . . (7) . . x $\omega$ рac . . . (14) . . .
















 veíou סekátal.



 Mylonas, Berard. I| 13: [tàv áp甲ıc日ŋ́tncıv]: Mylonas, Sonne, Berard, Meister. II 13-14: $\lambda a \beta o ́ v t \omega v$ [ $\mathfrak{\alpha} \mu \mid \omega ิ \nu \quad \delta i ́ k n \nu]$ : Sonne. || 14-15:
 15: [kaì tàv x $\omega$ р $] a v:$ Mylonas, Sonne, Berard, Meister. Il 16: [kaì fic
 Kolbe. || 16-17: à[vөl|ctáuєvol]: Sonne. || 17: [пapà toíc ס1]kactaic:



 27-28: [kaì tє $\overline{\text { écat }}$ aủ]|toîc: Mylonas. [ $\delta$ ó $\mu \in \nu \quad \delta$ è aù]|ṭîc: Kolbe. II

 taútaı tâı àtє $\lambda \epsilon$ є́á]: Mylonas. || 32 : [a]ủto[îc ảvaypapàv]: Mylonas.

This inscription records honours voted to two citizens for their services as advocates in an arbitral trial. The arbitration was carried out
by a tribunal from Tenos between the Lakonian community of Zarax and an unknown state, the promulgator of this decree. This state may well have been Epidauros Limera, a better conjecture for a state which would have a boundary dispute with Zarax than either Azopos or Kotyrta, both suggested by previous scholars. ${ }^{1}$

The Epidaurian advocates were two brothers, Angeles and Theodoros, sons of Zenon. They defended their state's case in a dispute with Zarax over territory which included such landmarks as water-courses (or sources), a summit which may have had a watch-tower, and a harbour. They won their case, but the Zarachian advocates were apparently successful in their demands for a second trial (lines lif.), this time in front of a Tenian tribunal. ${ }^{2}$ The Epidaurian decree emphasizes the danger they were in of losing their case, and the gravity of the penalty they would subsequently have faced. Accordingly, it emphasizes the value of the services of the sons of Zenon, when they again succeeded in winning the case.

The inscription was dated to the mid-second century by Kolbe and Wilhelm. Earlier scholars had dated it to the period 195-146, after the Romans had freed the Lakonian towns from the Spartan domination of

Nabis, but before the Peloponnese became a Roman province. ${ }^{3}$ Swoboda, however, argued that the inscription must postdate 146 and the dissolution of the Achaian League, since at this time this area became part of the Achaian League, which is not mentioned in this inscription. If we accept the argument that the Achaian League was always involved in arbitrations within the League, then Swoboda's argument is valid. ${ }^{4}$ However, it should also be pointed out that it is by no means definite that the Laconian towns actually became members of the Achaian League. Larsen believes that they were placed under the protection of the Achaians by Flamininus, in order to ensure their continued liberation from Sparta; but he does not believe that they were therefore incorporated into the confederacy. 5 In any case, the argument that the Achaian League must of necessity appear in any arbitration between her members is not completely valid. ${ }^{6}$ It is therefore possible and in fact probable that this inscription predates 146.

1 Sonne and Tod suggested Kotyrta, Raeder Azopos, Meister Thalamai; see Kolbe, and Wilhelm p. 62 for the choice of Epidauros Limera. Tenos, the arbitrating state, could be the Aegean island, but it is more likely to be the Lakonian town. See Mylonas p. $247^{1}$, Berard.

2 It is not certain that Tenos did not act as the arbitrator in both
trials, but it would seem unlikely that if Zarax successfully overturned the first decision, unfavourable to her, by such means as, for instance, a charge of corruption (Kolbe), the second judgement should then be made by the same judges. On the other hand, cf. $=43$, where the same judges from Megara acted as arbitrators twice in succession. See Steinwenter p. 186, Wilhelm p. 61, who compares * 43, on the double trial.

$$
3
$$

Sonne, Berard, Raeder, Tod.
4 Klio 12 p. 34, where he also cites $=93$ and $\approx 97$.
5 Larsen GFS p. 403. See Livy 35.13, 2 and 38.31, 2.
${ }^{6}$ On whether the Achaian League always necessarily involved herself, cf. *69 and *93. It should also be emphasized that this is an internal decree, not directly concerned with the arbitration as such, but rather with honouring Epidauros's own citizens. It is not the official publication of the arbitration; the latter would be an externally oriented document which might be more likely to show evidence of Achaian influence if there was any.

## *97: Geronthrai and a Neighbour/The Lakedaimonian Koinon After 195

A stone inscribed on both sides, found at Geronthrai. Total of 38 lines.
P. LeBas RA 2 (1845/46) pp. 73f., 139f.; LeBas/Foucart *228 a, b; Cauer $^{2}$ \#30; P. Müllensiefen De titulorum Laconicorum dialecto (1882) *43; Meister SGDI *4530; Berard *4 (partial); *Kolbe IG V.1.1111; Schwyzer \# 48.
S. Accame. Il dominio romano in Grecia (Rome 1946) p. 126; Raeder *81; L. Robert REG 37 (1924) pp. 180-81; SEG III.321, XI.911; Sonne *23; H. Swoboda Klio 12 (1912) p. 34; Tod *4.


[- - . . . . . . . . - - п]apa $[\gamma] є v o ́[\mu \epsilon]-$
[vol---------- - $]$ octov ot
5 .................. єто кatà tò

[-..... - àváyyє]]ג[á]v tє ớcac étúv-







15 [-.-.- $\delta]$ la $\lambda u ́[c a \nu]$ toc $\omega c$.... $\lambda$ lav kaì cu


[лакє $\delta a \iota \mu о \nu i ́ \omega \nu$ ठ́кк]ас т[âı] по́ $\lambda \iota \tau \omega \nu \nu$ Гєроия[рп]-

20 [aưt $\omega v$ ] . . . . . . tov Kócco Kapúctiov kaì


- .-....-. - -окра́тіос Гиөєєá-
[тav, - - - - - - ]oкрátп חupíxıov kaì ả[п]-
[éctei入av aủt̀̀c] cíc tàv nó $\lambda ı \nu$ taútav I





30 kaì tà hoinà tíma únápxøv a[ủroîc ơ]-








 Cauer, Meister. || 6: 'ॄ̇tov: Cauer. || 7: [п]p
 [паракалєîv]: Cauer, Berard. I| 22-23: [êk t̂̂ kovê $\tau \hat{\omega} \nu$ ]
 חupíxıov: Cauer, Berard. || 24-25: á[mo|cteîגau]: Cauer, Berard. || 27: [ảvań́ $\mu \pi$ ]єсөaı tò àvtíypaчov: Caver, Berard.

This inscription from Lakonia is a decree of the town of Geronthrai.
In it the Geronthraians voted proxeny privileges to certain citizens of Eretria and Karystos, member-states of the Euboian League. These individuals had been invited to Geronthrai to act as foreign judges, that institution so common in the Hellenistic period. ${ }^{1}$ They evidently performed this task with even more than the usual zeal: ${ }^{2}$ The Geronthraians invited the Euboian judges to stay on and represent them in an inter-city dispute which was being heard before the Lakedaimonian League (tò kolvòv t $\hat{\omega} \nu \Lambda a k \in \delta a l \mu o v i ́ \omega \nu$ ). ${ }^{3}$ it would seem that the koinon of the Lakedaimonians had the power to arbitrate between its
member-states. The Euboians again acquitted themselves so well, presumably as advocates, that the Geronthraians enthusiastically voted them various honours. Unfortunately, it is the standard formulaic inscription of the honours of proxenia and euergesia which is the only part of the stone to be clearly legible.

The dating of this document has given some trouble in the past, not least through the confusion of the koinon of the Lakedaimonians with the koinon of the Eleutherolakones. ${ }^{4}$ The literary evidence on the founding of the Leagues is to blame for this confusion. 5 Pausanias says that the koinon of the Eleutherolakones was founded by Augustus. Strabo, however, says that the Eleutherolakonian League was founded, or at least given a constitution, by the Romans as a reward for the Lakonian perioikoi for having joined the Romans against "the tyrant" (Nabis). ${ }^{6}$ Strabo's date therefore places the foundation of the League not in the time of Augustus, but in 195.

The confusion probably stems from Strabo's anachronistic use of the title "Eleutherolakones" for a koinon which was no doubt that of the "Lakedaimonians". Epigraphic and numismatic evidence indicate the existence of a koıvòv t $\hat{\omega} \nu \Lambda a k \in \delta a \mu \rho \nu i ́ \omega \nu$ in the period long before the
principate and Augustus's establishment of the Eleutherolakonian League.
It would seem then that the Romans may indeed have established the Lakedaimonian koinon in 195, and Augustus may have been responsible for modifying its constitution and changing its name. ${ }^{7}$ Thus it is entirely possible that this inscription is to be dated to the period shortly following 195.

1 II. 10f. See L. Robert pp. 765-82 in Xenion. Festschrift für Pan. J. Zepos (1973).

 typical formula. See Robert REG.

3 This is the interpretation followed by Berard, Tod and Raeder; but the stone is very mutilated, and it is impossible to make a definite judgement. Kolbe appears to believe that the Euboians themselves acted as judges in the inter-city dispute.

4 Based on the dialectal forms in this inscription, Cauer dated it to 220-200, and Meister to the first half of the second century. Most other scholars have based their dating schemes on the appearance of the League of Lakedaimonians and the non-appearance of the Romans. The termini 195-146 have therefore been ascribed to this inscription (Berard, Tod, Meister, and Schwyzer [add/corr p. 460]). Others believed that the inscription falls after 146 (Kolbe, Swoboda, Raeder). Swoboda argues that Geronthrai was not independent of the Achaian League until that date; but cf. ${ }^{96}$ notes 5, 6; see also note 7 below. Raeder confounds the League of the Lakedaimonians with the League of the Eleutherolakonians.

5 See K.T. Chrimes Ancient Sparta (Manchester 1949), Appendix III:
"The Lacedaimonian and Free Laconian Leagues" pp. 435-41. Cf. also Piper pp. 161-62 and Accame p. 126.

6 Pausanias 3.21, 6. Strabo 8.366.
7 See Chrimes op. cit. for citation of the evidence. She also points out that the koinon of the Lakedaimonians was fully capable of existing under the auspices of the Achaian League, and denies Swoboda's view (which contradicts the evidence of both Pausanias and Strabo) that the koinon could only have been constituted after 146.

## *98: Alipheira and Lepreion After 194/3 [?]

Two fragments of a stele discovered at Alipheira in Arkadia. I: h. (max.): $0.26 \mathrm{~m} . ;$ w. (max.): $0.76 \mathrm{~m} . ;$ d.: $0.10 \mathrm{~m} . ~ I I: ~ h . ~(m a x):. ~ 0.28 ~ m . ; ~ w . ~$ (max.): 0.22 m. ; d.: 0.05 m . Total of 51 lines.
 1967/68) pp. 158-67, *3 [I], * 4 [II]; *A.G. Woodhead SEG XXV. 449.
A.K. Orlandos. 'H 'Apkaסıkì 'A入ípelpa p. 15; N.D. Robertson Hesperia 45 (1976) pp. 265-66; SEG XXVII.44.


 24: aỉ kav amє $\boldsymbol{\lambda}$. l: Orlandos.

This heavily mutilated text apparently contained the decision of a board of Sıkactaí on the subject of a boundary dispute between the Arkadian town of Alipheira and her neighbour to the southwest, Lepreion. ${ }^{1}$ Although there is no indication as to the nationality of the judges, we can assume that they too came from an Arkadian town, as the decree is in the Arkadian dialect. ${ }^{2}$ A brief notice may have been given regarding some kind of proof which the Alipheirans brought forward; or perhaps the judges made a survey of the disputed territory in the company of Alipheiran envoys. ${ }^{3}$ Most of the inscription, such as it is, is taken up with the boundary demarcation, using roads, temples, and perhaps neighbouring communities as landmarks. ${ }^{4}$ The inscription concludes with a list of the judges, and perhaps a statement recording the name of the successful party, now lost. 5

Orlandos, the original editor of this inscription, and Woodhead, ${ }^{6}$ dated it by the script to the latter part of the third century, or the first part of the second. A third century date for the arbitration has been ruled out by Robertson. ${ }^{7}$ Since Alipheira and Lepreion both belonged to Elis in the
period 240-219, and to Philip of Macedon from 219 until 199/8, Robertson believes that "a border dispute between the two dependencies would not [at that time] have been the subject of external arbitration." 8 A similar objection is brought against the period 199/8 to c. 194/3, a time when Alipheira was incorporated in Megalopolis. ${ }^{9}$ Robertson finds the most reasonable conjecture for a date to be after 194/3, when Philopoimen detached a number of Arkadian towns, including Alipheira, from Megalopolis, and made them independent. ${ }^{10}$

1 11. 3-4. Orlandos compares $101 y m p i a$ \# 48 (*68), the possible arbitration between Alipheira and another neighbour Heraia.

2 Orlandos p. 159. Decrees of arbitration were normally published in the dialect of the judges. See C.D. Buck CPh 8 (1913) pp. 150-52.

3 11. 4-5.
4 11. 7, 8, 9, 11-12.
5 1. 29.
6
SEG XXV. 449.
7 Hesperia 45 p. 266.
8 Cf ., however, *58, the arbitration of a land dispute between Gonnoi and Herakleion, both communities at that time under the aegis of Macedon and Philip V. It is true that in that case the arbitration was also carried out by Macedonian authority, but there is nothing to say that such
authority could not have been delegated in this case, perhaps to another Arkadian town.

## 9 See $=62$.

10 Plutarch Philopoimen 13.

## *99: Naxos and Paros/Eretria 194-166

Two fragments, recognized as belonging to the same inscription by Wilnelm (JOAl 8) I: the upper part of a marble stele, found at Paros (probably carried there from Delos); h. (max.) $0.45 \mathrm{~m} .$, w. 0.54 m. , d. 0.17 m . II: the lower part of the same stele, discovered at Delos; w. (max.) 0.325 m ., originally perhaps 0.56 m . Total of 48 lines.

I: Hiller von Gaertringen IG XII.5.128; *Roussel $\mathbb{G}$ XI. 1065 [| \& II].
II: Böckh ClG *2265; E.L. Hicks JHS 11 (1890) pp. 260f., *4; Berard *28; Hiller von Gaertringen $1 G$ XII. 5 p. 308, addenda to *128; *Roussel 16 XI. 1065 [| \& II].

Busolt/Swoboda p. 1259; De Taube p. 46; P. Herrmann MDAl(1) 29 (1979) pp. 262f.; Hitzig \#3I (II); M. Holleaux REG 10 (1897) p. 165, VII; Phillipson II p. 144; Raeder \#31 (II), "63 (I); J. \& L. Robert REG 66 (1953) p. 161, *159; SEG XIII.444; Sonne *15, *59; Steinwenter pp. 188f., 194; Tod "45; A. Wilhelm JÖAl 8 (1905) p. 289; idem. Beiträge p. 262; idem. Neue Beiträge 6 (1921) p. 15; Wilhelm GlRI pp. 44-46, *12; E. Ziebarth 16 XII.9 p. 157; 16 XII supp., p. 105.

1 $\square$

































[boúnouc kaì toùc ctpain]yoùc tov̀c 'Epetplé $\omega v$ єîc te tà $\delta[\eta]$ -

 ©[п]-
[ $\mu$ осі́aı с甲рауîठ" коиícaơ]aı סè kaì toùc é $\Pi \eta к o ́ o u c ~ e ́ k a t e ́-~$







 von Gaertringen. II 25-26: toùc $\delta$ è mpol[ctátac?]: Hicks. toùc $\delta$ è про|[Boú $\lambda$ оис]: Wilhelm AE 1892. || 29: [коиі́с]at: Hicks. [коиі́сасэ]at:
 Wilhelm JOAI 8.

The first text cited above is a decree of the Eretrians regarding the arbitration which they performed between the islands of Paros and Naxos.

Embassies had come from the two states requesting a tribunal. This court was chosen by lot from among the people, and as was often the case with this democratic process, the court was quite large. The tribunal of three hundred and one judges would emphasized equity rather than expertise. The delegates' from the two litigant states brought their cases before this court, which effected a settlement between them, apparently with the
agreement of the two parties, rather than resorting to a formal judgement. The Eretrians thereupon determined to send out copies of their decision. One each would of course go to Naxos and Paros, and one presumably also to Delos, the provenance of this inscription. ${ }^{2}$

The second text is this copy of the Eretrian decision. They state that no past charges or claims or suits are to have any future validity, because they have been settled by the Eretrians. ${ }^{3}$ This interdiction was to apply to all suits between individual citizens, and between individual and city, as well as to suits between the two states (lines 6-8). The phrasing of the judgement would lead us to believe that the interdiction of litigation between the cities was to apply to any future disputes as well, as it does not appear to specify that the forbidden suits are only those arising from the former disputes. On the one hand, if this is so, the Eretrian court may have believed the outlawing of all litigation between the two states in future would help safeguard the harmony the Eretrians had hoped to establish between them. On the other hand, this can scarcely be seen as an arbitral agreement which would make effective provision for the future pacific settlement of possible disputes.

Rather than provide for future litigation, the Eretrians instead
instituted a fine for anyone transgressing the terms of the settlement, individual or city. This fine, twenty talents for a city, and five for an individual, was to go to the injured party. ${ }^{4}$ The decision is then dated according to the various magistrates, and orders given for the publication of the agreement and the conveyance of it by the delegates to the two cities. ${ }^{5}$

We do not know the subject of the dispute between Naxos and Paros, although it appears that Paros may have brought the original suit or suits (lines 3-4). We can assume that there were numerous disputes between their citizens in addition to some disagreement between the states themselves. ${ }^{6}$ Hicks suggested that it might have to do with fishing rights, but this is only speculation. ${ }^{7}$ We also do not know in whose favour the case was settled, although most scholars seem to agree that Paros won her point, and a penalty was assessed against Naxos; from this amount Paros was to use a sum to make a sacrifice to the Naxian Dionysos. ${ }^{8}$

1 For the $\epsilon$ ' $\Pi$ ńrool, cf. $* 83$.
2 Delos, like the other important sanctuaries, also acted as a place of publication for international agreements. Cf. 22 (Delphi), 31 (Olympia), $=34$ (Delphi, Dodona, Olympia), $=36,37$ (Delphi), $=54$ (Olympia), *59, *60 (Delphi), * 108 (Delos).

In this case Delos may also have acted as a venue for the tribunal itself, if the suggested restoration of 1.21 is correct (see apparatus). See Tod p. 101.

3 For a similar interdiction, which (apparently) involved a complete dismissal of suits, cf. 83 .

4 wilhelm GIRI p. 45, who compares case $=81$ (11. 40f.). Cf. also =30, $=31$, $51,=52, * 83, * 93$. Busolt/Swoboda p. 1259, de Taube p. 46, Steinwenter p. 194.

5 For the forwarding of a sealed copy of an award to the two cities involved, cf. the Milesian inscription in *54 (1. 36).

6 Cf. Steinwenter pp. 188f.
7 HHS 11 p. 264.
8 Hicks JHS 11 p. 261; Berard; Raeder. Based on 11. 12-15. Nevertheless, it seems possible that Naxos could have been the one to have won the case, and Paros was therefore supposed to sacrifice to the Naxian god as atonement; in this case, ' ${ }^{\text {Emitíf}} \mathbf{\mu} \mathbf{o v}$ would refer to the price set for the sacrifice (set by the judges?).

## * 100: Aitolia and Rome/Antiochos and Athens 192

Livy 35.32, 6-7; 35.32, 12-14; 35.33, 4-7; 35.45, 2-8.
W.S. Ferguson Hellenistic Athens (1911; New York 1969) pp. 282-83; D. Golan RSA 7 (1977) p. 318; Gruen I.104, 118; Larsen GFS pp. 411-412; Matthaei CQ p. 260.

Livy 35.32: (6) tamen non ab re esse Quinctio visum est sociorum aliquos legatos interesse el concilio, qui admonerent Romanae societatis Aetolos, qui vocem liberam mittere adversus regis legatum auderent. (7) Athenienses maxime in eam rem idonei visi sunt et propter
civitatis dignitatem et vetustam societatem cum Aetolis. Ab iis Quinctius petit ut legatos ad Panaetolicum concilium mitterent.... (12) Athenienses, quibus primis post regiam legationem dicendi quae vellent potestas facta est, mentione omni regis praetermissa Romanae societatis Aetolos meritorumque in universam Graeciam T . Quincti admonuerunt: (13) ne temere eam nimia celeritate consiliorum everterent; consilia calida et audacia prima specie laeta, tractatu dura, eventu tristia esse. Legatos Romanos, et in iis T. Quinctium, haud procul inde abesse; (14) dum integra omnia essent, verbis potius de iis quae ambigerentur disceptarent quam Asiam Europamque ad funestum armarent bellum.

Livy 35.33: (4) Postquam ventum est eo, Quinctius in concilio orsus a principio societatis Aetolorum cum Romanis, et quotiens ab iis fides mota foederis esset, pauca de iure civitatium de quibus ambigeretur disseruit: (5) si quid tamen aequi se habere arbitrarentur, quanto esse satius Romam mittere legatos, (6) seu disceptare seu rogare senatum mallent, quam populum Romanum cum Antlocho lanistis Aetolis non sine magno motu generis humani et pernicie Graeciae dimicare?... (7) Haec nequiquam velut vaticinatus Romanus. Thoas deinde ceterique factionis eiusdem cum adsensu omnium auditi pervicerunt ut ne dilato quidem concilio et absentibus Romanis decretum fieret, quo accerseretur Antiochus ad liberandam Graeciam disceptandumque inter Aetolos et Romanos.

Livy 35.45: (2) Post discessum regis inter duos principes Aetolorum, Phaeneam et Thoantem, contentio fuit. (3) Phaeneas reconciliatore pacis et disceptatore de iis quae in controversia cum populo Romano essent utendum potius Antiocho censebat quam duce belli.... (5) Thoas negare paci studere Phaeneam, sed discutere apparatum belli velle, ut taedio et impetus relanguescat regis et Romani tempus ad comparandum habeant: (6) nihil enim aequi ab Romanis impetrari posse totiens legationibus missis Romam, totiens cum ipso Quinctio disceptando satis expertum esse, nec nisi abscisa omni spe auxilium Antiochi imploraturos fuisse.... (8) Armatum regem aliquid impetraturum; inermem non pro Aetolis modo, sed ne pro se quidem ipso momenti ullius futurum apud Romanos.

In the period after the Roman settlement at the end of the second Macedonian War, relations deteriorated between the Romans and their erstwhile allies, the Aitolian League. ${ }^{1}$ During this time as well the Romans were becoming increasingly hostile toward Antiochos III. By 192 a new Roman war in Greece and the east seemed inevitable. Livy records some attempts at arbitration or mediation to avert this war, but it seems clear that the notion of "arbitration" at this time was used both by the Aitolians and the Romans as political propaganda rather than a sincere attempt to avert the conflict. ${ }^{2}$

Flamininus made use of Athenian support for Rome by inducing the Athenians to speak before the Aitolians, urging the Aitolians not to form ties with Antiochos, but rather to submit their grievances with Rome to arbitration. The Athenians, Flamininus believed, were well placed, as old friends of Aitolia, to act in this capacity; nevertheless they failed to persuade the Aitolians to their point of view, and Flamininus himself was forced to address the Aitolian council. He too invited them to arbitration; however, that the Roman notion of arbitration of a dispute differed greatly from the Greek is made clear by the fact that Flamininus really does not distinguish between arbitration and appeal to the senate. ${ }^{3}$

The response of the Aitolians, not surprisingly, was a propaganda move not unlike that of the Romans. They pronounced themselves willing to accept arbitration, but in a manner wholly unacceptable (and presumably calculated to be so) to the Romans: they decreed that Antiochos be invited to arbitrate between Rome and Aitolia. This decree, and the concomitant invitation to Antiochos to "liberate" Greece ensured that Rome and Aitolia would go to war.

Nevertheless, it seems that not all the Aitolians looked upon the decision to call in Antiochos as arbitrator with cynicism. Livy reports dissension within Aitolian ranks: Phaeneas, the Aitolian strategos for 192/1, later argued in favour of sincerely accepting Antiochos as an arbitrator between Aitolia and Rome. His arguments, however; carried no weight against those of Thoas, another of the leading Aitolians. Thoas asserted, and surely with some justification, that Rome would not accept a pacific Antiochos as an arbitrator: in order to impress Rome, unfamiliar with the Greek notion of arbitration, Antiochos would have to appear as a formidable military power, not as a judge. 4

$$
1 \mathrm{Cf} . * 88 .
$$

2 This material no doubt derives from Polybios. For further arbitration in the war between Rome and Aitolia, see * 110.

3 Livy 35.33, 6: seu disceptare seu rogare senatum mallent. Although Flamininus distinguishes between the formal procedures, it appears that as far as the Romans were concerned it really would have made no difference. The Romans would never have submitted themselves to neutral, objective third-party arbitration; and the Roman senate could scarcely be said to be the true arbitrator of a quarrel in which Rome itself was concerned. Cf. Gruen I.104, and Golan p. 318.

See also the arbitration proposals which Rome made to Philip V prior to and in the course of the Second Macedonian War (*64, *85).

4 As a dictator of a settlement who backed up his decision with the implicit threat of force, Antiochos would surely be even less acceptable to Rome than as a neutral and peaceful arbitrator.

## *101: Aigosthena and Pagai/Kassopa and Thyrrheion c. 192

Two inscriptions from the area of Pagai in the Megarid, recognized as parts of the same document by L. Robert. I: upper right-hand portion of the stele; Il: lower left-hand portion. Total of 41 lines.

I: Dittenberger IG VII.188; Berard *23; *L. Robert RPh 3.13 (1939) pp. 97-122, * | [| \& II]; SEG XIII. 327 (after Robert).

II: Dittenberger IG VII.189; Berard *14; *L. Robert RPh 3.13 (1939) pp. 97-122, * | [| \& II]; SEG XIII. 327 (after Robert).
E. Bikerman REG 56 (1943) p. $291^{\prime}$; M. Feyel. Polybe et lhistoire de Béotie (Paris 1942) pp. 30-32; Raeder * 43 [I], *62 [II]; P. Roesch. Thespies et le confédération béotienne (Paris 1965) p. 68; H. Swoboda Klio 12 (1912) p. 33; Tod *29 [I], * 16 [II].
$\left[\begin{array}{llllllll}M & \epsilon & \gamma\end{array}\right] \quad a \quad \rho \quad\left[\begin{array}{lll}\epsilon & \omega & \nu\end{array}\right]$

 Ctpát $\omega v$ oc Me[. . (9) . .]


 Пavópuov каì [. . . . . .]
[. . c. 10 . ., ] прєсвєutàc ántéctein]av oí t $\epsilon$ 'Ахaloò кaì oí Bоเштoì потì tà $\nu$ по́ $\lambda$ ıv]


 oítu[ec . . .]
 [ $\theta \in v i ̂ t a l ~ k a i ̀ ~ П a \gamma a i ̂ o l ~ п р o ̀ c ~ a ̀ \lambda \lambda \tilde{́ n} \lambda o u c]$, oí tє Өuppeíc кaì oi касс $\omega$ maino toùc ap $[\mathrm{c}]$ -
 tày крícuv toùc tàv [ $\epsilon^{\prime \prime}$ ]-
voiav [toû そégvouc . . c. 17 . .] óctpatov Nikáaסpou. Aivncímva三́́ $\llcorner[\omega]$ -


 aủtoíc [ $\epsilon$ v̉vó]-
 Ctpatío N. . . c. 30 . . .]ṭou, 'Apéav пevééa, 'EmL. . . .]

20 tíbav Catúpo[u . . . c. 30 . . . B]oíckov ’ovacípou [. . . . . . .] "Apxiாпои 'Apıct[. . ., c. 30 . ., . .] Auкíckou, Aìr[. . . . . . . .]


 סıà пavj-
 ónevol fic? toùc tó\}-

 $\tau \omega ิ \nu$ 'Axat $\omega$ v]



 є U'vo]-

 énaıvécal ઠè kaì tàv]
 u̇пápxovcav piスíav]
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 aủtoîc kaì про६̧६]-
 уєขо́иєvov крі́иа уєүраи]-


40



Prior to Robert's careful reading of these fragments, it was thought that the two pieces of the stone, discovered separately, represented evidence for two different cases of arbitration. ${ }^{1}$ It seems clear, however, from Robert's persuasive re-examination, that the fragments belong to the same inscription. ${ }^{2}$

The inscription records an honorary decree promulgated by Megara on behalf of the town of Pagai for Achaian and Sikyonian advocates in a case involving disputed territory in the Megarid on the Gulf of Korinth. Although the stone does not appear to record the detalls of the actual judgement, it does give some interesting background to the case. The small towns of Aigosthena and Pagai were in dispute over Panormos, a harbour, and its surrounding territory which lay between their respective frontiers. The curiosity of this case is that Aigosthena, a small town generally linked to Megara, appears at this juncture to be part of the Boiotian League, while Pagai (and Megara presumably) are members of the Achaian League. ${ }^{3}$ It is perhaps not surprising then that we find that this case of arbitration was referred outside the provenance of both leagues entirely. The Achaians and the Boiotians, both acting as advocates for their respective members, Pagai and Algosthena, turned to the Akarnanian
town of Thyrrheion and the Epirote town of Kassopa to find judges to act in this dispute. ${ }^{4}$ These two towns agreed to send judges, men chosen for the task on an aristocratic basis. The Achaians thereupon acted as advocates for Pagai in the trial, nominating the Achaian city of Sikyon to undertake this duty. Presumably the Boiotians did the same for Aigosthena.

This decree provides us with an interesting example of the procedure that could be followed when the dispute involved two members of different federal states. In this case, although it must be admitted the fragmented state of the inscription, and the fact that it obviously does not record all information pertinent to the case may mislead us, the agreement arrived at between the federal governments, if not between the two individual states involved, appears to have been fairly amicable.

Robert dates the inscription to the circumstances of $192 .{ }^{5}$ Megara was a member of the Achaian League between 243 and 224, and again between 192 and 146; between 224 and 192 Megara was part of the Boiotian League. Since it is clear from the inscription that Megara is part of the Achaian League, the arbitration should be dated to before 224, or after 192. The hostility implied between Megara-Pagai, and Aigosthena, a
member of the Boiotian League, suggests the latter date. Megara's entry into the Boiotian League in 224 was undertaken peacefully, with the agreement of the Achaian League; but her departure in 192 resulted in hostilities. ${ }^{6}$

1 Cf. Sonne *24/Tod *29/Berard *23/Raeder *43 (IG VII.188); and Sonne \#34/Tod \# 16/Berard *14/Raeder *62 (1G VII.189). Interpretations of the fragments varied greatly as to the identity of the disputants, the object of dispute, and the arbitrators.

2 Robert brings a number of arguments to bear on his reinterpretation of the two fragments. He points out the inconsistencies in previous interpretations (pp. 98f.), particularly in the view (Dittenberger's) which held that the Achaians were at one and the same time both judges and advocates (Robert p. 101).

3 Feyel and Roesch suggest that Aigosthena was detached from Megara in the mid-230's by the Macedonian king Demetrios II and given to Boiotia, remaining Boiotian perhaps as late as 172 or even 146 (cf. Feyel pp. 31-32, Roesch p. 68; cf. Robert pp. 113f.).

4 Although it is not an absolute certainty that the Achaian League was inevitably involved in arbitration of disputes between its members (cf. *69), it nevertheless is probably safe to conclude that, had Aigosthena joined the Achaian League along with the rest of the Megarid, the arbitration would probably not have gone outside the federation.

5 Robert pp. 119 f.
6 Polybios 20.6.

## - 102: The Achaian League and Messene/Rome 191

Livy 36.31, 9.
Aymard PR pp. 338f.; Errington Philopoemen pp. 122f.; Roebuck Diss. pp. 9 If.; Will $^{2}$ II. 208.

Livy 36.31, 9: Messeniis imperavit ut exules reducerent et Achaeorum concilii essent; si qua haberent de quibus aut recusare aut in posterum caveri sibi vellent, Corinthum ad se venirent.

In the war against Antiochos and the Aitolians Messene and Elis, fearful of the growing power of the Achaian League in the Peloponnese, and having just seen the League incorporate Sparta, 'threw in their lot with the Aitolians. ${ }^{2}$ At the end of the war in Greece, while Rome was putting the final touches on her campaign in Aitolia, the Achaians decided to use the opportunity to incorporate Elis and Messene. Messene was prepared to resist, but the Achaian strategos Diophanes and the League army invaded Messenian territory. As a last resort, the Messenians sent an embassy to Flamininus at Chalkis to offer him the deditio of their city. ${ }^{3}$

Flamininus agreed to intervene. He contacted Diophanes and told him to withdraw his army from the territory of Messene. He then met with the strategos at Andania and ordered him to disband his army, and reproached him for disrupting the Peloponnesian peace without seeking Roman
authorization first. ${ }^{4}$
Flamininus then went on to put an end to the dispute between Messene and the League. The League, in spite of the Roman's sharp words to Diophanes, received the major benefit from the settlement: Messene was to join Achaia. Messene also abandoned her claim to certain territories, such as Asine and Pylos, ${ }^{5}$ and retained only Thouria, Abia and Pharae. ${ }^{6}$ Flamininus also instructed the Messenians to recall their exiles. ${ }^{7}$

Messene might have hoped for better when she decided to offer deditio to Rome. The restoration of exiles, as always, was bound to cause difficulties. Flamininus did, however, offer a safeguard: if any disputes arose over his settlement, or if the Messenians thought any problems would arise, they were to come to him at Corinth for arbitration. Nevertheless, this was scarcely the equivalent of an arbitration clause in a treaty. Rather it was an arrangement which relied on Flamininus's personal prestige and was limited by the temporary nature of his presence. ${ }^{8}$

1 Cf. 112.
2
Roebuck p. 91.

Livy 36.31, 1-5.

4
Briscoe (XXXIV-XXXVII p. 268) suggests Flamininus was probably acting by virtue of the Messenian deditio. Nevertheless, the tone of the order was far from diplomatic.

5
Cf. $=88$.
6 Cf . 128. Walbank Comm III.193.
7 Flamininus's decision may have been promulgated in the form of an edict ( $\delta$ tá $\gamma p a \mu \mu \alpha$ ), to which Polybios (22.10) refers.

For discussions as to whether or not Flamininus was acting on the grounds of acceptance of the Messenian deditio, see Walbank Comm III.193, Roebuck pp. 92-93.

8 There was evidently no permanent arbitration clause in the agreement between Messene and the League. Cf. Aymard pp. 346-47 ${ }^{14}$.

Shortly thereafter Philopoimen interfered with Flamininus's edict (Polybios 22.10). Cf. 125, and Errington pp. 154f.

## =103: Elis and an Unknown State/Corinth After 191

Fragment of a stele found at Kokkinovrysi near Korinth. H.: 0.21 m.; w.: 0.225 m. ; d.: $0.085 \mathrm{~m} .-0.10 \mathrm{~m}$.
*N.D. Robertson Hesperia 45 (1976) pp. 253-66; SEG XXVI. 392 (after Robertson).

Gruen I.109; N.D. Robertson AJA 68 (1964) p. 200; SEG XXII. 23 I.



 '́malvécal]
 kai?]
 kai? проद́ध́]-
 23) - - -ím]-
 toû סєîvoc tòv סєîva (c. 28)]
 סeîva toû סeivoc (c. 26)]
 26) - - - ]
 кaì êkyóvoıp?]
 єípávap kaì tà]




 оैт $\omega \rho$ то̀ $\psi$ व́øссиа то́ $\delta \in$ ? ?
 t[òv xpóvov סıaцévŋı ${ }^{w v}$ ?]

This text in the Eleian dialect, found at Corinth, records an honorary decree for Corinthian judges. ${ }^{1}$ Although the name of the state which promulgated this decree does not appear in the inscription as we have it,
the dialect naturally suggests Elis as the state to which the Corinthian judges were sent.

As with several other cases in which our only evidence consists of the honorary decree for the judges or advocates, rather than a record of the actual judgement, it is impossible to tell what the nature of the dispute or the method of arbitration was here. ${ }^{2}$ The decree simply records the award of honours to the people of Corinth and the judges, thirteen in number, sent by them. ${ }^{3}$

Nevertheless, Robertson has speculated that this decree provides evidence for a case of international arbitration, rather than a thank-offering for foreign judges who would have come to settle internal disputes within Elis itself. 4 If this is a case of arbitration between Elis and another state, the most obvious possibility which comes to mind is that the circumstances were those of a border dispute. 5

The date, Robertson believes, must be after 191, the year when Elis joined the Achaian League. ${ }^{6}$ After joining the League, it would have been in keeping with general, if not absolutely consistent, League practice for Elis to turn to another member of the League to settle a dispute.

1 For a discussion of the Eleian dialect and the few inscriptions outside Olympia in which it appears (such as *42), see Robertson pp. 259 f.

2 Cf. for other honorary decrees $=94,=107,=131$.
3 The honours are typical of those awarded to arbitrators: they are to be proclaimed proxenoi and euergetal of the city (Elis), and are to have politela, atelela, asphalela, and so on.

4 Robertson cites Polybios 4.73, 7-8 as evidence for a generally peaceful internal situation in Elis.

5 See Robertson pp. 265f., for his arguments in favour of a boundary dispute, given the generally unsettled condition of the western Peloponnese and the shifting alliances in the light of the Second Macedonian War and the Roman-Aitolian War. He compares the boundary arbitrations involving Lepreion, Heraia and Alipheira (*68, "98).

6 Prior to that date, when Elis was connected with the Aitolian League, it is unlikely that Elis would have requested or accepted arbitration from a member of the Achaian League such as Corinth. See Robertson pp. 264f.

## * 104: Amphissa, Myania, Antikyra and Delphi/ Rome and the Delphic Amphiktiony [?] 191/0

The testimonia for this case consist of documents from two separate series of inscriptions from Delphi:

I: Part of a series of documents from the statue base of Glabrio at Delphi. A letter [A] from Glabrio to Delphi, and an enumeration of confiscations [B], engraved on the block forming the rear of the base. H .: $0.76 \mathrm{~m} . ;$ w.: $0.69 \mathrm{~m} .-0.71 \mathrm{~m} . ;$ d.: $0.57 \mathrm{~m} .-0.58 \mathrm{~m}$.

II: A set of inscriptions from a much later period (A.D. 116/7), from the so-called "Bilingual Monument" at Delphi, containing decrees of

Avidius Nigrinus regarding the sacred land. Among others, these inscriptions may make reference to a hieromnemonic decision (under the aegis of Glabrio) of 190.

III: See as well the document from 125 B.C., cited in $* 1$, which refers to a senatus consultum which dedicated land to the god ( $* 1$, col. III II. 9-10), as well as to a piece of land (Nateia, also mentioned in the enumeration of I B below) given by Glabrio to Apollo (* ${ }^{(1, ~ c o l . ~ I I I ~ 1.38) . ~}$

I: Dittenberger/Pomtow $\underline{S I G}^{3}$ *609 [A], *610 [B]; H. Pomtow Klio 16 (1919) p. 123, * 117 [A], p. 126, * 118 [B]; P. Roussel BCH 56 (1932) pp. 3-5; *Sherk (1969) *37 [A and B]; J.-P. Michaud ED 125-136 [B]; SEG XXVII. 123 [ B , after Michaud].

II: C. Moroni. Inscriptiones seu Epigrammata Graeca et Latina reperta per Illyricum a Cyriaco Anconitano apud Liburniam. (Rome 1747) * 197 [C], * 199 [B]; E. Dodwell. A Classical and Topographical Tour through Greece. II (1819) pp. 510-11 [A, B, C, D]; Böckh CIG *171I A [B], B [C]; LeBas/Foucart *853 A [B], "853 B [C]; C. Wescher. t́tude sur le monument bilingue de Delphes. (1869) 34 [B], 7 [C]; Mommsen CIL III.I. 567 [B, Cl; de Ruggiero pp. 232f., "1 A [C]; G. Colin BCH 27 (1903) [A, D]; Dittenberger/Pomtow SIG ${ }^{3}$ *827 C [A], D [B], E [C], and F [D]; Smallwood. Documents lllustrating the Principates of Nerva. Trajan and Hadrian (1966) *446 [A]; *A. Plassart. EDelphes III. 4.3 *292 [A], *293 [B], *294 [C], *295 [D].

III: See the editions cited in $* 1$.
E. Bourguet BCH 35 (1911) pp. 461f.; Daux Delphes pp. 225-33, 664-70; P. de la Coste BCH 50 (1926) pp. 121f.; de Ruggiero pp. 65, 142, 155, 225, 369f.; Flacellère pp. 356f.; Gruen I.104 ${ }^{38}$; M. Holleaux BCH 54 (1930) pp. 1-41; ARS *21 [A]; Larsen (Frank) pp. 284-86, 311-12; L. Lerat. Les Locriens de louest I (1952) pp. 5f., 78f. (et al.); Phillipson p. 154; A. Plassart EDelohes III.4.3 (Paris 1970) p. 3; Rostovtzeff SEHHW II.614; J. Schmidt Hermes 15 (1880) p. 276-8 (CIL III supp. (1889) p. 1317, *7303); Steinwenter p. 184; Tod *26.

I:
 по $\lambda$ ]íta[ı. 'Yueîc ठè $\varphi \rho 0 \nu t i ́ c a t \epsilon]$
















10 тn̂c пó $\lambda \in \omega c$ кaì toû í poû aùtovouíac.


 ., $\delta t \in\} a \gamma a ́ \gamma[\varepsilon T \in$ tò $\delta i ́ k a t o v:$ suggested by Sherk as an alternative. $\|$ 9-10:
 kaì тñc]| . т̂̂c пó $\lambda \in \omega c: \underline{S I G}^{3}$. пár[pıa tà $\left.\pi \in \rho i ̀ ~ \tau \eta ̂ c\right]: ~ s u g g e s t e d ~ b y ~ S h e r k ~$ as an alternative.

B Tà $\delta \in \delta o \mu \notin \nu a \chi \omega p i ́ a ~ t \hat{\omega} t ~ \theta \epsilon \hat{\omega} t$

[There follows a list of 13 names of persons whose property was
expropriated, including 4 from Tolophon, I from Physkos, 3 from Amphissa, 1 from Kallipolis, 1 from Arsinoe, 1 from Tritea, and 2 from Chalai]
[3 names, 1 from Naupaktos, 1 from Plygoneion, 1 from Amphissa] ' $\mathrm{E} \nu$ Tafeíal.
[1 name, from Amphissa]
'Ev Báccal'
[1 name, from Plygoneion]
'Ev Aíá́al'
[2 names, from Plygoneion]
'E $v$ Nateíal
[3 names, 2 from Amphissa, 1 from Physkos]
' $\varepsilon v$ ' $A \nu \delta \rho \in ́ \in a l \cdot$
[1 name, from Chalai]

[46 names, including 4 from Naupaktos, 3 from Tolophon, 8 from Physkos, 2 from Herakleia, 10 from Amphissa, 2 from Alpa, 3 from Chalai, 4 from Kallipolis, 2 from Dryopis, 1 from Arsinoe, 1 from Antaia, 2 from Triteia, 1 from Trichonia, 1 from Pleuron, 1 from Agrina, 1 from Oinoe]



A new fragment published in SEG XXVII. 123 [Michaud] continues the list of expropriations, with 4 names listed from Tolophon, 4 from Oianthe, 11 from Amphissa, 3 from Plygoneion, I from Matropolis, 1 from Akyphania, 1 from Naupaktos, 1 from Bouttion [?], 1 from Herakleia, 1 from Physkos, 2 from Chalai, 1 from Kallipolis. The inscription continues with more donations of Glabrio:
［тád．＇ékplve Mávioc＇Aкíлıo］c̣ cтратпyòc




$[\lambda \omega \nu] o c ~ र\left[0 \hat{u}\right.$ חu］${ }^{\text {ọíou }}$



45 חusíou $\hat{\omega}[\nu]$ єỉxov Aitcon［o］i ktícetc．

tàv núкov＇Au甲ıcćéoc
$T[a ̀ \nu]$＇A $\nu \delta p o c \theta \epsilon v i ́ \delta a \quad T[0 \lambda \varphi] \omega \nu i ́ o u$

50 Tàv＇Apictoqú̃ou \＄［u］ckéoc
Tàv［．．．．．］or＇Au甲 甲сćéoc

Tàv Eú $\quad \nu$ ］íkou Фucḱ́oc

55 tou $\begin{aligned} & \text { úkioc } \\ & \text { éV tò } \\ & \text { è } \lambda a t o x p i ́ c t i o v ~ t o ̀ ~ x \omega-~\end{aligned}$


ô émpíato парà c̣！［p］atín поu toú－

 $\alpha \nu \tau[\hat{d}] \iota$ пó $\lambda \epsilon \iota \tau \omega \bar{\omega} \Delta \in \lambda \varphi \omega \hat{\nu}$



II：
A XK Octobres Elatiae ${ }^{V V V}$ De c［o］ntroversia Delphorum adversus Amphissienses［et］

Myanenses de finibus, de qluilbus Optimus Princeps cognoscere me iussit, quae, aulditis]
saepius utrisque et peragr[at]is adque inspectis secundum utriusque partis demon[stra]-
tionem locis de quibus amb[ig]ebantur, item instrumentis ad eam rem pertinentibus [perpen]-
5 sis, compereram, hoc decret[0 c]omplexus sum. Cum hieromnemonum iudicio <quod» ex auctor(itate Maj-
ni Acili et senatus facto Op[ti]mus Princeps stari iusserit, et prolata sit apud me determinatio per $\mathrm{h}[\mathrm{i}]-$
eromnemonas facta qu[ae etialm Delpes in latere aedis Apollinis incisa est, placet secundum eam dete[r]-
minationem: a Trin[apea, quae e]st petra imminens super vallem quam Charadron vocant in qua e[st]
fons Embatleia, usque ad eum flontem, quod ad Delphos spectat finium Delphorum esse; ab eo font[e, cum]
10 [determinatio ad Astrabalnta fines oportere derigi demonstret, placet ad eum ter[minum,]
[qui in rupe quadam quae Astrab]as v[ocaltur non procul a mari mini <n> ostensus est, in quio tripus]
[insculptus est, quod proprium esse sa]crae Delphor[u]m regionis videtur, fin[ium Delpho]-
[rum esse quod ad sinistrum usque ad mare ad Delphos verg]ens demonstratu[m est - - -]

9: fons [En]balteia, usque ad f]ontem: $\underline{S I G}^{3}$. || 10: dirigi: $\underline{S I G}^{3}$. || 11 : [qui in rupe quae Astrabas] a[ppella]tur: SIG $^{3}$. $\mid 111-13$ : [tripus| insculptus est qui proprius sa]crae Delphor[ulm regionis videtur finlis esse, quod adl Delphos spectat, finium Delphorum esse. Eo termino fínilens demonstrat [determinatio - - ]: SIG ${ }^{3}$.
 t̂̃c $\Delta \in \lambda \varphi \omega \hat{\nu}$ про̀с 'А ${ }^{\prime} \mu-$


 үєVó $\mu \in V O \subset$ каі̀


 є́ $\pi \in \neq \gamma \nu \omega \nu$ taú-


 ó Méyictoc Aú-
 тaútnv $\in$ ival tìv
 $\epsilon[i c] \frac{̣}{[ }[\nu \tau \omega \nu]$ évke-
 [ặ]oplicuòv yєvó]



т[̀̀] про̀c [ $\Delta \epsilon] \lambda \varphi \circ$ ùc $\mu \in ́[\rho]$ oc $\Delta \epsilon \lambda \varphi \hat{\omega} \nu$
 à форосио̀с спиа́ivet [ка]тт 'Астра́вал-




 Өá $\lambda a c c a \nu$ Eivat $\Delta \epsilon \lambda \varphi \omega ิ \nu$
 ka[tà̀? - -]
[. . . . . c. 46 . . . . .]voc éq̆áve[to - - - -]
Another fragment (edited by Plassart, Delphi inventory *3935) may continue this inscription:
[a largely destroyed line]


[ảnò əa入]ạ́ccпnc katà tò Bpax[ú - - - -]
[- - - - ] toùc ópouc àméxєıv к[-- - ]



 óp]ov: Wescher. [toû Tapu]ṇov: Schmidt. || 12: [крívn Kр]át $\in ⿺ a:$ : Wescher.













C. Avidio Nigrino leg. Aug. pro pr.

Decreta ex tabellis recitata VI idus Octobr. Eleusine. Cum Optimus Princeps sententia[m]
hieromnemonum qua consecratam regione(m) Apolloni Pythio ex auctoritate Mani Acili et s[enatus]
determinaverunt sequendam esse praescripsisset, quae etiam Delphis in latere aedis insculpta
5 est, neque veniret in dubium inter Anticyrenses quoque et Delphos quibus iudex datus [sum]
ab Optimo Principe ea sententia stari oportere, necessaria fuit diligentior exploratio tam ve-
tustakt>e rei tanto magis quod et possessio quibusdam locis variaverat et vocabula regionum qu-
ae hieromnemonum determinatione continebantur vix iam nota propter temporis spatium
utraque pars ad utilitatem suam transferebat. Cum itaque et in re praesenti saepius fuerim et
quid aut ex notitia hominum aut ex instrumentis quae exstabant colligi potera<n>t pluribus diebus [excus]-
serim, quae maxime visa sunt cum hieromnemonum iudicio congruere hac sententia comprehendi, [qua]
etiamsi utrorumque spei aliquid apscisum est, poterit tamen videri utrisque consultum quod [in]
posterum beneficio Optimi Principis certa possessio eis et sine lite continget. Opoentam in mari quod [ad]
Anticyram vergit, quam primam in determinatione hieromnemones nominaverunt,
eam esse constitit quae nunc ab aliis Opus ab aliis Opoenta dicitur promunt(o)rium quod
est a Cirra Anticyram navigantibus citra Nolo[chum haud procul] a Sall]musis. Ab eo recto ri-
gore ad monticullos quos applellatos Acra Colop[hia esse in sen]tentia hieromne<mon>-
monum etiam ex eo apparet quod naturales in ut[roque] monticulo lapides ex[stant]
quorum in altero graeca inscriptio quae sign[ificat Delphi]cum terminum [hunc esse]
20
adhuc manet, cui vetustas fidem faciat, in altero [vero ea]mdem inscriptionem
[fuisse patet qua, quamvi]s sit erasa, fines o[b]ser[vari est mani]festum ad[s]cendent[ibus a mari]
[ita ut ab iis] dextra Anticyrensium, laeva sacra(e) regionis Delphorum sint. Ab iis [recto]
[rigore ad rupem illam quae D]olichonos vocatur et indubitatus inter Delphos [et]
[Anticyrenses limes est . . . c. 8 . . . ]t perinde Delphorum region[- - -]


3: qua consecrata<m>(s) regiones: SIG $^{3}$. I| 6-7: veltustaie rei: Dodwell: veltusta<i>e rei: Mommsen, SIG $^{3}$. || $10-11$ : [conges]lserim: Mommsen. II 11-12: comprehend[i]; etiamsi etc.: SIG $^{3}$. || 15: pro[mulnturium: Wescher, SIG $^{3}$. \|l 17: ad monticul<um>[os duo, quos applellatos: Wescher, SIG $^{3}$. $\| \frac{11}{}$ 1: [quae quamvi]s sit erasa fines o[b]ser[vari mani]festum: SIG $^{3}$. Il 22: [ita ut] dextra Anticyrensium: SIG ${ }^{3}$. || 25: te[rras?]: SIG ${ }^{3}$.

 Aưtoкра́тороc $\operatorname{\tau i} v \tau \hat{\tau} v$ ípo-

 סо́үиатос




 tố Meyíctou

 tinv

 $\bar{\epsilon} \nu \tau \hat{\varphi} \tau \hat{\omega} \nu i-$

 $\mu \in \tau \alpha \varphi \in ́-$

 $\tau \hat{\omega} \nu{ }^{\prime} v \chi \omega \rho^{\prime} \omega v \gamma \nu \omega ́-$

 cumpんveív




 парє́cх[ $\epsilon$ ]

 $\left.\omega^{\omega}\right] v o ́ \mu a c[\alpha \nu$.

 ámò Kíppac]
 $\tau \hat{\omega} \nu \chi \omega \rho^{\prime} \omega \nu \hat{a ̂}$ кaneîtal ca[ $\lambda \mu 0 \hat{c} c c a l$. 'ek ồ toútou toû ákpou]

 $\pi \in \tau р \omega \delta \in เ c \tau]$ т

 mıct由téa,]
 étépqu a]ưtò toûto émeүध́ ypant[o, кaítot vûv










III (From 1):
III 7



 "Opol


 . . . ка]í tเvec $\delta$ ñu 0 ot óu]opov̂cav ékáctov.
 ठ́́̊ $\delta \omega \kappa$ к.



This incident in a long series of arbitrations involving Delphi and her neighbours is attested by a combination of contemporary documents and material from the later Roman period.' The contemporary evidence (I) consists of a letter from the Roman consul for 191 BC, Manius Acilius Glabrio, to the Delphians, and an inscription which enumerates land confiscations ordered by him. The later documents, which record arbitrations between Delphi and her neighbours from 125 BC (III) and AD

117 (II), refer to earlier settlements made by Acilius and the senate, and possibly a contemporaneous hieromnemonic judgement. This would seem to indicate that the issues raised in 125 BC and AD 117 were also raised at the time when Acilius was settling the affairs of Delphi. We can therefore supplement the contemporary evidence we have of Acilius' actions at Delphi, and tentatively make the following assumptions: 1) that Delphi in 191/0 had a dispute, settled in her favour, with her Lokrian neighbours to the west and northwest, Amphissa and Myania. 2) that she had a similar dispute at the same time with her eastern Phokian neighbour, Antikyra. ${ }^{2}$

As part of their offensive in the war against the Aitolian League, the Romans, under the consul Acilius, liberated Delphi and the Amphiktiony in 191 from a century of Aitolian domination. Acilius then established a new koinon of the Delphians, granted various favours and privileges to the city, and redefined disputed boundaries in favour of Delphi and the sanctuary. ${ }^{3}$

In the letter which Acilius addressed to the Delphians (1 A), he affirms that the judgements he has made with respect to land confiscated from Delphi's neighbours and given to the city of Delphi and the sanctuary of Apollo are to stand. ${ }^{4}$ it is obvious that the decisions made by Acilius
were disputed by those to whom they proved detrimental; and it seems quite clear from the enumeration of confiscations that the state who lost the most from the new apportionment of land was Amphissa, Delphi's western neighbour and constant rival for land. 5

Although when dealing with matters concerning Delphi it is not always possible to separate the affairs of the city from the affairs of the sanctuary, it appears that in this case we are dealing with both public land awarded to Delphi, and sacred land dedicated to the sanctuary. Although the Romans would have had their own political reasons for wishing to act to the detriment of Amphissa, it does seem that Amphissa had an infamous history of encroaching on the sacred land. ${ }^{6}$. It may be that in this case, however, the Amphissans could have argued justification: if the sentence of Pausanias the Thessalian ( ${ }^{*} 25$ ), which favoured the cause of Amphissa, predated the decision of Acilius, then the Amphissans could have been in control of the territory quite legitimately.

The later documents appear to refer to a series of more formal boundary arbitrations undertaken at this time. In the second century $A D$, when Avidius Nigrinus was settling a number of boundary disputes between Delphi and her neighbours, he was ordered by the emperor Trajan
to adhere, presumably as closely as possible, to a previous judgement which was made by the Delphic hieromnemones according to a principle laid down by Acilius and the senate. ${ }^{7}$ Although it is much disputed, it is not impossible that this "hieromnemonic judgement" refers to settlements made in or perhaps shortly after 190 by the Delphic Amphiktiony, settlements based on a general ruling made by Acilius and the senate. ${ }^{8}$

The hieromnemonic judgement to which Nigrinus refers apparently regulated boundary disputes between Delphi and Amphissa and Myania to the west, and between Delphi and Antikyra to the east. A copy of this judgement was apparently still extant at Delphi in the later Roman period, inscribed on the left wall (as one entered) of the temple of Apollo. Here too the issue seems to have been both public and sacred land. Presumably the judgements favoured Delphi, since to do so was clearly a part of Acilius's policy, and the judgements of the hieromnemones were made in accordance with Acilius's principles.

It seems more natural to connect this hieromnemonic judgement, specifically said to have been based on the express desires of Acilius and the senate, with a judgement made c. 190, rather than with the judgement made in 125 for which we have the independent evidence already cited. ${ }^{9}$

In addition, a few details might lead us to believe that Nigrinus in AD 117 is not referring to the extant arbitration of 125 BC . For example, Myania, Delphi's northwestern neighbour, was apparently not a disputant in 125 BC (its name does not appear in the 125 inscription); however, Myania was a party to the dispute in AD 117, and the quarrel with Myania at that time was settled by a reference to the hieromnemonic decision taken katà tin Mavíou 'Akei $\lambda_{i ́ o u ~}^{\gamma \nu} \boldsymbol{\omega} \mu \boldsymbol{\eta} \nu$. Such a decision, taken with respect to Myania, should not be referred to 125, when Myania was apparently not involved.

Another discrepancy involves the case of Antikyra. in 125 BC , according to the extant contemporary inscription, Delphi and Antikyra were on the same side, jointly disputing territory with Amphissa. But in AD 117, when Nigrinus was judging the case, Delphi and Antikyra were in dispute with each other. At that time Nigrinus appears to have followed the hieromnemonic settlement in making his own decision in the arbitration between Delphi and Antikyra. Again, this would tend to argue that the hieromnemonic arbitration is not to be referred to 125 , when Delphi and Antikyra were on the same side, but rather to the more plausible date of 190 BC .

1 See $=1$ and $* 25$ for earlier incidents.
2 These later documents, which record a settlement of Delphi's disputes with her neighbours made by the representative of Trajan, C. Avidius Nigrinus, in AD 117, appear to indicate that in 190 Delphi had a dispute with Antikyra (assuming that the connection of the "hieromnemonic judgement" to the time of Acilius is correct). Since Antikyra had been on the side of Delphi in 337 (see * 1), it seems clear that Delphi's ties of friendship, at least with respect to mutual boundaries, were not unchanging; therefore it would be unwise to assume that Ambryssos, also recorded as a "friend" of Delphi in 337, was necessarily involved on the Delphian side in 190, or even that Ambryssos was involved at all in 190. In fact, in 117 Nigrinus appears to refer to a separate previous judgement, that of Valerius lustus, which was perhaps a more recent one than the "hieromnemonic judgement", for guidelines in dealing with Ambryssos.

3 Grateful for Acilius's actions, the Delphians erected an equestrian statue of the Roman consul, and it was on the base of this statue that the documents relevant to this case, and to the nistory of Deiphi at this time, were inscribed.

4 Apparently the judgements (крíc $\epsilon \mathrm{Ic}$ ) to which Acilius refers in his letter (I A . 4) are those by which the parcels of disputed land were awarded to Delphi after being taken away from the Lokrians (and Aitolian) inhabitants.

[^7]
II C II. 2-5: Cum Optimus Princeps sententia[m]/ hieromnemonum qua consecratam regione(m) Apolloni Pythio ex auctoritate Mani Acili et s[enatus]l determinaverunt sequendam esse praescripsisset, quae etiam Delphis in latere aedis insculptal est...






 $\delta \in \delta о \mu \epsilon ́ v o u c$ ảypoúc]...

> 8 In favour of the view that the reference to a hieromnemonic judgement is to the 125 BC judgement, rather than a judgement made in 190, see Daux pp. 664-70. See also Pomtow, Plassart, Roussel.
> In support of a 190 hieromnemonic decision, see Tod, Colin BCH 27 .

The letter of Acilius (I A) may refer to a tribunal (Kpıt]npıov) by which the Delphians were to have future disputes arbitrated (? Cf. Sherk *37, p. 224). It is not impossible that this tribunal may have some connection with the Amphiktiony.

It was not unusual for the Romans, when they were called in to arbitrate between Greek states, to set out general guidelines and then leave the Greeks to arbitrate the dispute themselves. Cf. the case of Flamininus's treatment of Narthakion and Melitaia (*95), and the later Roman request to Miletos to arbitrate between Sparta and Messene (cf. *54). With respect to the "general guidelines", compare the diagrammata of some of the Hellenistic kings (cf. *58).

9 See $=1$. Although the case of Nigrinus itself argues that previous settlements, even ones hundreds of years old, could be used as a basis for judgement, it seems more plausible to connect a judgement made on the basis of a general ruling by Acilius with a contemporary case, rather than one 65 years later ( 125 BC ), particularly if the statement of Acilius's and the senate's principles were based on contemporary political realities.

* 105: Hypnia and Myania/Chalai, Physkos, Tritea c. 190

Two fragments of an inscription found at Delphi. I: h. (max.): 0.165 m .; w. (max.): $0.10 \mathrm{~m} . ;$ d. (max.): 0.06 m . II: h. (max.): $0.40 \mathrm{~m} . ;$ w. (max.): 0.64 m .; d.: 0.24 m . 67 lines. The inscription is apparently extremely difficult to read, and the underlined portions represent sections where Klaffenbach, on autopsy, admitted himself to be unsure about the previous readings of the stone.
J. Bousquet BCH 89 (1965) pp. 665-81; SEG XXIII. 305 (after Bousquet); *Klaffenbach $\operatorname{IG}$ IX2..1.3.748; J. Pouilloux FDelphes III.4.4 *352.
J. Bousquet BCH 101 (1977) p. 455; G. Daux BCH 63 (1939) p. 167; L. Lerat. Les Locriens de l'Ouest II pp. 88-89; SEG XXVII. 77.

1 Col. 1
[. . . .]NOA[ - . - . . . . . . . . . . . . . . - ]
[. .]anamoar - . . . . . . . . . . . . . . - - ]

[. .] xoc toíc $\underset{\in}{\in} \nu$ top




[. .]tat@N[- - . . . . . . . . . . . . . . - - - ]


II Col. 2
[- - - . . . . - - ] $]$
[. . . . . (16) . . . . . k]aə̀̀̀c toîc 'Yாvt-
[́́olc . . . . (12) . . . .]in[. . . .]aíou סóne-

[ac тa]útac Suкactípiov סót $\omega$ à пó $\lambda ı$



 ac, є"̈ toíc кa ảmocté $\lambda \lambda \omega \nu \tau \tau$, ảmостє $\lambda \lambda$ -



 víat кata[ үрафо́] $v t \omega \nu$ поùc ctoantáta-



 oùc ä à $\lambda$ ouc $\delta$ auocleproùc év 'Y 'Yvíaı kara-



35 aveîc tà $\nu \mathrm{Mua[vtá} \mathrm{\delta a]}{ }^{V}$ toì 'Ymvieîc tàv 'Ymviáda $V$ tàc ckomiàc kai tà ópta кotvấ ă ámó-


[uavía]ı ${ }^{v}$ про́вata ${ }^{v}{ }^{\text {ékat }}$ ep . . . . (11-12) . . . .]
Col. 3
[. . . .] tu tâı пpotépal tac̣[ . . . (13) . . .]
 рпcauévav tà поógata потáyol прò tâ c $\lambda$ ]-


45 ovtec tàc пókac, vé



 50 twi ゆucḱ́olc ${ }^{\vee}$ Kpatívwi Tplteî ${ }^{\vee}$ K]......]-


 пеí ka $\lambda a ́ \beta n \iota$ ó éy Muavíac Boú $\lambda a p \times 0$ [c пap]-



 émeí ka $\lambda a ́ \beta \omega v \tau l ~ \tau a ̀ ~ a ̀ v t i ́ y p a c \rho a ~ n a p a ̀ ~ t o u ̂ ~[~ ' ~ ' ~ y ~ M u]-~$




 65

 read in place of ápxóv. || 34: Bousquet suggests toì ' $\gamma$ rivieíc might be read as well as á $\mu \varphi$ о́тєpol.

This inscription records a partial sympolity between the Lokrian communities of Hypnia and Myania. Apparently Myania was the dominant partner in this arrangement, but both states retained a certain degree of autonomy. This was not a complete synoikism: one new state was not created. Rather, the two communities seem to have been concerned to
strengthen their own position by cooperating in certain community services and international obligations, as well as arranging for a peaceful use of joint territory. ${ }^{1}$

There appears to be a reference to a tribunal, or to judges, chosen by lot, in the first section of the agreement, but unfortunately the inscription is so fragmented that it is impossible to determine the context. The reappearance of the term in the second column, together with the mention of land, might suggest a neutral arbitration over some territorial rights. ${ }^{2}$. There is, however, a definite reference in the third section of the inscription (lines 46-52) to the settlement of disputes by a neutral tribunal. Myania and Hypnia clearly added an arbitration clause to their sympolity agreement. The fact that not only are the arbitrating communities named, but that the individual judges are also specified might indicate that a rather limited view was taken of the issues over which Myania and Hypnia might go to arbitration: presumably matters relating to the sympolity. ${ }^{3}$ Arbitration may have been used in forming the sympolity in the first place; if these men from Tritea, Chalai and Physkos had acted satisfactorily as neutral negotiators at that time, it would be natural to arrange to hold them in reserve for possible future need. ${ }^{4}$

The sympolity should probably be dated to around 190 BC . The political circumstances of the time, the vacuum created by the defeat of the Aitolians by Rome and the disappearance of their dominance over Delphi and the surrounding regions, must have created an atmosphere of uncertainty for the small communities of Lokris. ${ }^{5}$ In particular, it is quite clear from the inscriptions relating to the history of Delphi in this period that while Delphi benefitted greatly from the new Roman presence, the Lokrian communities suffered. If the hieromnemonic boundary arbitration discussed in $* 104$ is in fact to be referred to 190 , then we know that Myania suffered a loss with respect to her neighbour Delphi at this time. ${ }^{6}$

1 The public doctor: 1. 30; mutual military obligations: 11. 34-37; embassies: II. 20-22.

2 Bousquet BCH 89 p. 672.
3 Incidentally, it is the name of one of the judges (Kratinos of Tritea) which allows the inscription to be dated to the first or second decade of the second century. He appears in a few inscriptions relating to affairs of Delphi around the turn of the century (SIG ${ }^{3}$ *538A, SGDI *1994); and was in fact one of the individuals who lost by the confiscations of Acilius ( $5 \mathrm{GI}^{3}{ }^{*} 610 \mathrm{II} .10,75$ ).

The specification of individuals by the communities who requested judges is unusual (though not unprecedented: cf. IG IX. 2 corr 205); generally the arbitrating city made the choice, by lot or election.

4 Cf. 163, where the Pergamene ambassadors had apparently acquitted themselves so well in arranging for an arbitration between Pitane and Mytilene that the disputant states requested the same five men to act as judges in the arbitration itself.

5 Cf. Bousquet BCH 89 p. 671, Lerat pp. 88-89, and Pouilloux p. 7. It is notable, as Lerat points out (p. 88), that the joint tasks Myania and Hypnia plan to undertake, such as embassies and military service, are those which would normally have been the province of a koinon and after the removal of Aitolian influence in this area, these responsibilities would have been up to the individual communities.

Lerat believes the sympolity was instituted between the Lokrian communities at the moment when Acilius was besieging Amphissa; this would explain the absence of Amphissa from the list of arbitrating states, which is perhaps unusual given the otherwise apparently close relations between Amphissa and Myania, attested by their common stance in the arbitrations with Delphi (cf. *1, *104).

6 Not only Myania, but also those Lokrian communities chosen to support the sympolity by sending judges apparently suffered in the new allocation of territories carried out by Acilius in 191/0. In the list of confiscations cited in $=104$, three Triteans are mentioned (including the judge Kratinos), eight Chaleians, and thirteen citizens of Physkos.

## * 106: Lampsakos and Parion/Chios

c. 190

A fragment of an inscription discovered on Chios. H.: $0.40 \mathrm{~m} . ;$ w.: 0.28 m.; d. (max.): 0.15 m .25 lines.
*J. Vanseveren RPh 63 (1937) pp. 337-44; Frisch LLampsakos T * 105 ; Frisch IParion pp. 68-69, T *59.
P. Herrmann. MDAI(I) 29 (1979) pp. 262 .



 5 ［кас $\lambda$ oınàc ${ }^{⿹ 勹}$ ［та $\hat{\eta}$ ỏ甲 єî́ tıáá kat．


［xpóvov，кaì єỉ toîc ísi］ẃtac únápxeı пpòc éautoùc
сиивóN［ata］

cuүкатаөє $\mu \in ́[\nu \omega \nu]$

$\delta_{[ }[\delta \delta$ óx $\theta a t]$
 kaì］

［кaì пácacc ríveçat cuu］øєрóvt［ $\omega$ ］c̣ тìv cú $\lambda \lambda u c \iota v$ én＇ äyaot $\hat{\omega}$ ］



 Пapt－










 $\dot{u} \pi \tilde{n} p] x \in V$ : Frisch $\mathbb{L}$ ampsakos, IParion (already suggested as a possibility


This decree of Chios provides us with the evidence for a case of arbitration by Chios between the town of Parion and its neighbour Lampsakos. As when Eretria arbitrated between Paros and Naxos (*99), and perhaps also in the arbitration agreement between Temnos and Klazomenai (*83), it appears that Chios may well have dealt both with private cases and with cases involving an individual and a city, as well as with public disputes between the two states themselves. The Parians and Lampsakenes agreed to submit to the arbitration of the Chians various outstanding disputes. The disputes specified appeared to have run the gamut: all types fall into the category of cases to be settled by the Chians. ${ }^{1}$

The settlement of the various matters was carried out at Chios, and no mention is made of a journey to either of the disputing cities. In fact, it appears that the first embassy sent by the Chians to the parties to the dispute was the one sent to tell them of the Chians' final decision. Instead, the two states sent delegates of their own to argue their cases in

Chios. ${ }^{2}$ This might indicate that no border disputes were involved here; or perhaps at least not a boundary dispute that would have necessitated the kind of complex on-the-spot investigation by the judges which we find so frequently. No mention is made of a specific arbitral court at Chios, and the settlement is simply said to have been made by "the people", though this may be an indication that the tribunal (or tribunals) was drawn from all the people. ${ }^{3}$

This inscription also records the information that there was a war in the recent past between Parion and Lampsakos. ${ }^{4}$ The historical circumstances of this inscription therefore seem to be connected to the actions of Antiochos the Great in the 190's BC. Antiochos' expansion westwards during this period, which eventually brought him into conflict with the Romans, met with resistance in the state of Lampsakos. ${ }^{5}$ A war between Lampsakos and Parion might fit the circumstances of Lampsakos's hostility towards Antiochos, while Parion was under Antiochos's control. ${ }^{6}$
11. 2-6. Cf. Vanseveren p. 339: "On distingue trois catégories de procès. Tout d'abord, les procès entre les cités, et parmi eux, dune part ceux qui étaient ékk sans doute, les procès entre une cité et les citoyens de l'autre....La troisième catégorie comprend les litiges qui opposent les citoyens les uns aux autres du fait de contrats contestes."

Friscn appears to interpret the ékkдntol סíkal as cases under appeal. as does Vanseveren.

Cf. Herrmann p. $267^{73}$ : "Für unsicher halte ich auch, ob, wie Vanseveren anzunehmen scheint, cúv $\lambda \lambda u c i c$ wie auch kpícıc von den chiischen Richtern vorgenommen wurden. Gerade nach der neueren Untersuchung von Gauthier kann es angesichts des Terminus '̈́kк $\lambda \eta$ tol Síkal naheliegen, nur die Prozedur der kpícıc auf die Chier zu beziehen."

See Vanseveren pp. 339 f . on the крícıc/cú $\lambda \lambda u c i c$ issue.
2 '́ $\Pi$ ínkool (1. 17). Cf. $* 83$ and $* 99$.
$311.19-22$. This is of course based on the restoration of
 the judgement of Miletos between Sparta and Messene (cf. *54) II. 19f. ( ${ }^{( }$

 outstanding from the war, either unsettled because of it, or arising from the war itself, were to be settled. Cf. the "amnesty" for wartime suits in - 129 (II. 36f.).

5
See $=89$.
6
See P. Frisch $\geqq$ Lampsakos pp. 131-32, and IParion pp. 68-69.

## * 107: Phokaia and Smyrna/Priene <br> c. 190

One of two inscriptions engraved on a column drum found at Priene. H.: 0.71 m. ; diam.: 0.55 m .20 lines.
*Hiller von Gaertringen IPriene *65.
Magie RRAM II.965; L. Robert RA 24 (1926) pp. 180-81; SEG IV. 482.
['0] $\delta$ f̂uoc ó $\Phi \omega[k a t \in ́ \omega \nu]$
['Апо $\lambda \lambda о$ бо $\sigma \omega \rho о \nu$ Пос $\in[\delta \omega \nu i ́ o v$.

 5 cєtઠ














20

9: Hiller von Gaertringen suggests [Ma]ccaníac as an alternative, though less likely, restoration. Robert considers it to be a better restoration than [ $\theta \in$ ]ccaníac. Cf. P. Frisch. Llampsakos p. 225. || 17: [to]ùc


This inscription, found at Priene, is a decree of Phokaia honouring a citizen of Priene. This individual, Apollodoros the son of Poseidonios, was evidently a man of some importance. In addition to acting as a
representative of Priene in the matters mentioned in this inscription, he was also one of the advocates of Priene in the arbitration carried out by Rhodes between that state and Samos. ${ }^{1}$ Perhaps it was the success of the Prienian advocates at that time that advanced Apollodoros's career. Certainly he had the respect of his fellow citizens: we learn from the present inscription that he was elected to his position as Priene's ambassador.

Unfortunately, the inscription tells us little of the nature of the dispute between Phokaia and Smyrna. The exceedingly friendly tone evinced by the Phokaians towards Apollodoros, who apparently was instrumental in working out a settlement, might indicate that the final decision in the arbitration favoured Phokaia; but there is no way of knowing def initely.

Hiller von Gaertringen dated this inscription to about 190 BC . He suggests that Priene offered her services as an arbitrator between Phokaia and Smyrna because Priene herself was indebted to Smyrna for its arbitration of the dispute between Priene and Miletos. ${ }^{2}$ The order of course could be reversed: Smyrna may have been indebted to Priene for settling the current dispute with Phokaia, and therefore willing to offer
her services to settle the quarrel with Miletos.

> 1 -92 (see 11.16-17).
> 2 =116. See IPriene p. 66.

## 108: Antissa, Eresos, Methymna and Mytilene 190-167

Three fragments found severally at Delos, believed to be part of the same document. I: the top part of a stone, which seems to have disappeared. II: heavily mutilated marble slab; h. (max.): $0.50 \mathrm{~m} . ;$ w.: 0.21 m.; d.: 0.229 m . III: mutilated fragment; h.: 0.10 m . I: 14 lines; II: 52 lines; III: 10 lines. It is possible that the fragments published at IG XI. 1315 belong to the same document.

I: Ravoisié/Poirot Expédition de Morée III (1829) tab. 12, 1; H.L. Ahrens De dialecto Dorica (De graecae linguae dialectis II) (Göttingen 1843) pp. 496f.; P. LeBas Inscriptions grecques et latines V.191; Böckh CIG *2265 add D; Bechtel SGDI *319; O. Hoffmann Die Griechische Dialekte II (Göttingen 1893) p. 97, *127; F. Dürrbach/A. Jardé BCH 29 (1905) pp. 209f., *68; *Roussel IG XI.4.1064; Hiller von Gaertringen IG XII supp. * 136.

II: F. Dürrbach/A. Jardé BCH 29 (1905) pp. 209f., *68; *Roussel IG XI.4.1064; Hiller von Gaertringen IG XII supp. * 136.

III: F. Dürrbach/A. Jardé BCH 29 (1905) pp. 209f., *68; *Roussel IG XI.4.1064.
S. Accame RFC 74 (1947) pp. 104-21; F. Bechtel Bezzenberger's Beiträge 6, pp. 115f.; J. Boüüaert La Nouvelle Clio 6 (1954) p. 362; C.D. Buck CPh 8 (1913) p. 155; Busolt/Swoboda p. 1258; Gauthier p. 344; 0. Masson BN 16 (1965) pp. 172-74; Raeder *48; J.\&L. Robert REG 1925, *38; eidem REG 1927, *219; SEG XVI.449, XXIII.491; Steinwenter p. 180; Tod *58; A. Wilhelm BCH 29 (1905) p. 577; Idem Beiträge p. 315.


 протávi]-

 про́с]-








 'Avtíccac: Hoffmann. Il 3: 'Avtícca $\delta$ ': LeBas. 'Avtícca: Ahrens, Bechtel

 Hoffmann. II 7: По $\lambda u \delta \epsilon$ úkп: Ahrens, Bechtel SGDI. Eủa[ $[\varphi]^{\prime} \nu \eta$ : Wilhelm. II 8:

 Masson. II 10: 'Exé ( $\lambda$ )a: Ahrens, Bechtel SGDI. 'Exéíoa: Hoffmann.





II

|  |  |
| :---: | :---: |
|  |  |
|  |  |
|  |  |





-.-. ппитєc фu入áccovtov kaì סóvtєc émı -.........








 vón[ıсиа? -]






-     -         - ànò tâc tplakoíctac tâc ánotєтaүulé) va[c - .-- - ]

25




-     -         - -vó $\mu[\epsilon] v o l ~ \beta o \lambda \lambda \epsilon$ úcovtal Ziva סè kaì vó $\mu$ ol єícevex[ $\theta$ ติcıv--]
 [cac - - -]














45





50


24: кє по́धєva: Dürrbach/Jardé. ॥l 37: просө́є́tac éкддc[íac]:



$$
\begin{aligned}
& \text { III } \\
& \text {-- -cıl - - } \\
& \text { - - ov- - - }
\end{aligned}
$$

$$
\begin{aligned}
& 5 \text { - - } \mu \iota \alpha \text { - - } \\
& \text { [- - п]ó } \lambda \iota v \text { - - - } \\
& \text { - - - €́map- - } \\
& \text { - - -ccte- - }
\end{aligned}
$$

$$
\begin{aligned}
& \text { [- - K]aì of } \gamma \text { - - - } \\
& 10 \text { - - ÉXO- - }
\end{aligned}
$$

This document is an alliance and a treaty regulating relations between the Lesbian cities of Mytilene, Methymna, Antissa and Eresos, perhaps the original contract of the League of Lesbos.' The script dates the inscription to the early part of second century. It must predate 167, when Antissa, one of the signatories, was destroyed by the Romans, and her population removed to Methymna in the aftermath of the Third Macedonian War. ${ }^{2}$ Wilamowitz believed that this treaty had to fall after 190, when Ptolemaic domination in this region ended. ${ }^{3}$

Among other matters covered by this treaty, such as military contributions, and financial and legal regulations, there was also provision made for the settlement of disputes between the cities. ${ }^{4}$ Because the inscription is so mutilated, it is impossible to tell from it what exactly the provisions were. However, mention is made of a kpıtípiov [II line 40], which probably refers to a tribunal, ${ }^{5}$ and of $\epsilon$ icaywy ${ }^{\prime}$ Ic [II line 44], a term which at Athens and elsewhere referred to magistrates responsible for bringing cases into court. On the other hand, Dürrbach and Jardé claimed that єicarẃwєac is an impossible restoration at line 43, and read rather

 41-42 refer to a register of particular cities, from which, when the need arose, certain ones were to be picked by lot to send judges. ${ }^{8}$ A federal sanctuary may have been established at the precinct of Messa in the centre of the island; the foreign tribunal would sit there. ${ }^{9}$ The decision of the tribunal, whether by compromise or by judgement, was to be final. ${ }^{10}$

1 Accame p. 104.

2 Livy 45.31.
3
GGA 1914 p. 105. Cf. Accame p. 104, who dates it after 196 and the Roman victory at Kynoskephalai, or 190. Accame cites Niese II.648, 718. Sherk p . 241, on the date of the founding of the League, believes it must have come after the defeat of Philip (197-196) or that of Antiochos (190-189), since the freeing of the island from Ptolemaic domination and "the introduction of a new and sterner Roman policy in Eastern affairs against Philip -- and later against Antiochus -- must have made the Lesbians realize that they would have to present a united front in order to achieve the 'common safety' as well as the 'growth and harmony' mentioned in their treaty."

5 Robert REG 38 p. 39². Cf. $=160$; SIG $^{3} * 683$ (in *54); Polybios 9.33, 2 (Piccirilli *60) and 16.27, 12.

6 Roussel read [ $\epsilon$ ic]arẃw $\ddagger$ ac here, whereas the original editors
reserved it for the following line, since they believed that there was not sufficient room to restore it at 1.43 . See Robert REG 38 (1925) p. 39. On єícaү́́vyєic cf. $=83$.

$$
7
$$

$$
\text { Cf. }=109 \mid 1.16 .
$$

8
Raeder, p. 91, thought that the lot referred to the Lesbian cities themselves: the necessary arbitrators would come from the two cities not involved in the dispute ( 11 1. 42: $\lambda a x o i ́ c a v ~ n o \lambda i ́ \omega v ~ \tau \epsilon c c a ́ p \omega v) . ~ B u t ~ e v e n ~$ if this does refer to the choice of arbitrators, it may be that four non-Lesbian cities were chosen; if this case is in fact connected to the following one, $=109$, then it follows that the arbitrating cities were to come from outside the Lesbian league.
 III 1. 70 , which refers to the place where the judges convened: fic Méccov. $^{\text {l }}$ See Wilhelm, Roussel, Wilamowitz GGA 2 pp. 104-105, Robert REG 38 (1925) p. 37, Accame p. 104.


 "kupía-Klausel"; and cf. 45.

## * 109: Eresos and Methymna/Aigai, Miletos and Samos 190-167

3 inscriptions on a marble stele found at Miletos. H.: 2.117 m. ; w.: (top) 0.705 m. , (bottom) 0.775 m. ; d.: (top) $0.16 \mathrm{~m} .$, (bottom) 0.195 m . Total of 106 lines.
*Rehm Milet 1.3 *152; Schwyzer *631 [I].
Gauthier p. 344; L. Robert REG 38 (1925) pp. 29-43; SEG IV.43I; Steinwenter pp. 154, 177; U. Wilamowitz GGA 2 (1914) pp. 97, 104f.; E. Ziebarth GGA 1915 p. 758.
 ctpá-


 '́micul-
 'Avtíyo-
 kat-
 mopn! [i]-



 $\chi \in t-$


 cuvano-

 ко(í)-
 'Apxía.
 стра́tayol
 є́ாппス-

 סıкac-
 cúp-
$\varphi \in p o \nu \tau a ̀ \nu \pi \alpha(i ̂) c a \nu \tau \omega \bar{\nu} \delta<к a ́ c t a \nu \quad \pi p o c \in \nu\langle\epsilon \nu\rangle \Pi \nu \in \gamma \mu \epsilon \nu \omega \nu$ сппov́a[ $\nu$ ]
 кa[i]

 $\pi \in p i ̀ t i ́-$


$\tau \omega$
 Sıкаст́npoov,
30 mináctot e̛ovtec ả̛umi cuyyévéc kaì øínol kaì єưvool tàv maîcav $\dot{\epsilon} \pi \iota \mu \epsilon ́ \lambda \epsilon \iota a \nu$
 àyávocc ’Akíoxov
Мо́ $\lambda \pi \omega$, ’Avtíyovov $\Delta п \mu \eta \tau \rho i ́ \omega$, oí каì парауєvónєvol taíc te ס́íkac ééíkaccav
őpə ávactрópà
 кá $\lambda \omega c$ кaì єủkó[c]-
 aưtoc סán $[\omega$.]
 стєєа́vшc-



кє ỏ סâuoc cuvtéñ tá̛v te пavárupıv kaì taic ૭vcíalc

 áпост́́ $\lambda$ доита
 tâc eic aủtov
 סıка́ctaic кaì стеழ[á]-


 $\Delta п \mu \pi \tau$ í́ $\omega$ Mı $\lambda a c[$ [́]-
 öpөwc kaì
 кaì Sıкaıo-


 èvectákov-
 $\mu \in \tau \in \chi$ о́vtecc[1]
 Mı入áciol пapako-
 ékk $\lambda$ ncía
 व


 стє甲́́vши [émi]
 чáqıсца т[о仑̂]-


 прєсвєи́тас [' $\bar{\epsilon}]-$
סєíxэŋ 'Epuíac 'Apxía.


 סıaסєסíkactal aỉ סíkal aì поòc
 $\mu \in \tau \in \pi \epsilon \mu \psi a ́ \mu \in \ni a$
 á $\mu \mu \omega \nu$ кaтà tò Ká-
 Bо $\lambda \lambda \epsilon$ úcalto ó $\delta[a \hat{]}$ -
 o(ỉ) ékaпостá $\lambda \in \nu \tau \in c$ ù-
 åy $\omega$ уєос Прштía
 по́рос $\delta \cdot \in$ єі́n, ờ кє ỏ $\delta \hat{\alpha}-$




 паîcav про́volav кa[i]
 Káyáधoıc 'A $\mathrm{A}[$ [í]-
 $\mu \in ́ c c o v ~ \tau a i c ~ \mu e ̀ v ~ e ̀ ~ ' ̇[i ́]-~$


 סıká̧ovtéc
 kaì тâc éáaut $\omega \nu$
 ध́поו́ncavto tà $\nu \pi a \rho \in \Pi t-$


 atonvcíolct t $\hat{\omega}$ ä


 Mıдасí $\omega \nu$ áпост́́ $\lambda$ -




 $c t \in \varphi a ́ v \omega c \theta a t$ aÚtolc áv' ' '-




 $\Delta \eta \mu \eta \tau$ í́ סскáccavtac taic סí-
 ảpétac ěveka kaì єủvoíac tâc






 ruцvacíapxov．éfueval סè aútolc


 єї́cплоuv каì éкплоuv


 пó入 $10 c$ єíc ctá $\lambda a v$ ó－
 àvaү́́ypantal ò סè Sıkactáy $\quad$ yoc
95 （ 1 ）$\rho \omega \tau$ тíac à à廿а́甲ıсиа каі̀ é－


 kaì tàv ávaryє $\lambda_{i ́ a v ~ \tau \omega ิ \nu}$
стєழávんv поíncəal кai пар＇éaútolc кat＇ékactov ẻvíavtov év тоîc alovucíouct，kai ǐva àvá－
 émเ甲avéctatov tómov tâc
 סıкáctaic kaì tòv סıкactáyo－
you єíc tò протavítov énì tàv koívav ẻctíav tâc nó $\lambda 10 c$ ，tò $\delta^{\prime}$





 єic порєîov 'A-
 éovtoc ápyupí́ каì


These texts from Miletos appear to be evidence for an arbitration conforming to the regulations set out in the treaty between the Lesbian cities, documented in the previous case (*108). The inscription consists of three decrees, two from the city of Methymna and one from the city of Eresos. The first decree of Methymna is concerned with the conveyance and the payment of two judges from Miletos. These judges were sent for in order to settle the disputes which Methymna had with the Eresians, in
 with the cuvońka.' The second decree of Methymna honours the judges, and the city of Miletos, mentioning also the fact that there were representatives from Samos and Aigai. The decree of Eresos also votes honours to the judges, honouring also the $\delta$ iкactáy $\omega$ yoc who accompanied them. ${ }^{2}$

There is no way of knowing the precise nature of the disputes referred to here, and there is some controversy over whether they are to be seen as private suits between individual citizens of the two cities, or whether we have an international disagreement between communities. ${ }^{3}$ it seems likely that the former is the case, given the large number of unspecified disputes which the decrees mention. ${ }^{4}$ As such, this is not a true case of international arbitration; nevertheless, its association with the previous case, necessitated its inclusion as an example of the arbitration provided for in the general Lesbian treaty, whether public or private.

This inscription is generally dated after c. 190 and the founding of the Lesbian league, and before 167, the date of the destruction of Antissa, one of the founding members. ${ }^{5}$

I | II. 4-5. Cf. || II. 20-21: aỉ סíkal aỉ kattàv émıcuvधŋ́kav| tàv прòc 'Epecíolc kai cuvএŋ́kav; III II. 59-60: ai סíkat ai mpòc|
 raic Síkalc raic mpòc Maधuमvaíolc taic kattàv cuvध白kav kaì Є̇mcuvoṇ|kav.

Rehm, the first editor, thought that the disputes we read about in this inscription were over a treaty and a subsidiary clause, the ' $\in$ micuvońka. It is clear, however, from the wording that the treaty was what provided for the arbitration of disputes. See Robert pp. 35-36. The cuvońka is doubtless the general agreement between the Lesbian cities recorded in
-108, while the '́micuvónka was a rurther agreement limited to Methymna and Eresos. See Wilamowitz GGA 2 p. 105, and Robert p. 40.

2 On the $\delta$ ıкастaywyoí, cf. *22, *69, *160. Cf. also here 11.16, the à ávyєuc.
 century agreement between Smyrna and Magnesia on the Sipylos [cf. T. Innken IMagsipylosl). Robert associates cuvan $\lambda a ́ \gamma \mu a$ with cuppó $\lambda a \iota a$

 following.

Rehm thought from the fact that three cities sent judges that the matter here was a very important one, and therefore he conjectured a boundary dispute between Eresos and Methymna, but there is absolutely no evidence for that, and indeed the wording of the decrees argues against it. Rehm's reconstruction also led him to date this after 167, since he assigned a border-dispute between Eresos and Methymna to the date when Antissa was destroyed by the Romans and her population moved to Methymna (see * 108).

Robert, pp. 33-34, believed that judges from more than one city were in fact unusual in boundary arbitrations; on the other hand, when it was a matter of inviting judges in to settle litigation between citizens of the same city, there frequently was recourse to more than one foreign city; cf. lllion 51, once thought to be a case of arbitration, now recognized as an internal matter involving foreign judges.

For cases of international arbitration involving judges from more than one city, see *69, ${ }^{20}$, 101. See also Piccirilli *36; and cf. Tod pp. 97, 129-31.

4 Cf. Steinwenter p. 154; Robert pp. 33-34; Gauthier p. 344.
5
On the possibility of this arbitration post-dating 167, see Rehm note 3 above, and Wilamowitz Kleine Schriften V 1, Berlin 1937, pp. 46 If.; IG XII supp. p. 45 *139.

## * 110: Aitolia and Rome/Athens and Rhodes 190-189

Livy 37.6, 4-5; 37.7, 3-4; 38.3, 6-7; 38.9, 3-4; 38.10, 1-4; Polybios 21.4, 1-2; 21.4, 6-8; 21.25, 9-11; 21.29, 1-2; 21.29, 9; 21.30, 6-7; 21.30, 15-16; 21.31, 1-5; 21.31.16.

Berthold p. 162; W.S. Ferguson Hellenistic Athens (1911; New York 1969) pp. 285-87; D. Golan. RSA 7 (1977) pp. 315-27; Gruen I.118; Larsen GFS pp. 427-28.

Livy 37.6: (4) Eo legati Athenienses primum ad P. Scipionem praegressum agmen, sicut ante dictum est, deinde ad consulem venerunt, deprecantes pro Aetolis. (5) Clementius responsum ab Africano tulerunt, qui causam relinquendi honeste Aetolici belli quaerens Asiam et regem Antiochum spectabat, iusseratque Athenienses non Romanis solum, ut pacem bello praeferrent, sed etiam Aetolis persuadere.

Livy 37.7: (3) Nihil impetratum ut mutaret consul; et ea quoque irrita legatio dimissa est. (4) Secuti et Athenienses sunt; et princeps legationis eorum Echedemus fatigatos tot repulsis Aetolos et complorantes inutili lamentatione fortunam gentis ad spem revocavit, auctor indutias sex mensium petendi, ut legatos Romam possent.

Livy 38.3: (6) Quibus circumiectis gentibus iam undique se a Macedonibus tutos credentibus esse Aetolis fama adfertur Antiochum in Asia victum ab Romanis; nec ita multo post legati ab Roma rediere sine spe pacis Fulviumque consulem nuntiantes cum exercitu iam traiecisse. (7) His territi, prius ab Rhodo et Athenis legationibus excitis, ut per auctoritatem earum civitatium suae preces nuper repudiatae faciliorem aditum ad senatum haberent, principes gentis ad temptandam spem ultimam Romam miserunt, nihil, ne bellum haberent, priusquam paene in conspectu hostis erat, praemeditati.

Livy 38.9: (3) Haec mora iniecta est paci, cum iam Atheniensium Rhodiorumque legati, qui ad deprecandum pro iis venerant, apud consulem essent. (4) Amynander quoque Athamanum rex fide accepta venerat in castra Romana, magis pro Ambracia urbe, ubi maiorem
partem temporis exulaverat, quam pro Aetolis sollicitus.
Livy 38.10: Eo tandem legati Aetoli, mirante consule quod morarentur, venerunt. (2) Inde, postquam approbasse pacem concilium Aetolorum accepit, iussis proficisci Romam ad senatum permissoque ut et Rhodii et Athenienses deprecatores irent dato, qui simul cum iis proficisceretur, C. Valerio fratre ipse in Cephallaniam traiecit. (3) Praeoccupatas aures animosque principum Romae criminibus Philippi invenerunt.... (4) Rhodii tamen et Athenienses cum silentio auditi sunt. Atheniensis legatus Leon Hicesiae filius eloquentia etiam dicitur movisse.












 'Pшиа́ót.











 ^úkமாтоv.

Polybios 21.29: "Ott katà tòv katpòv toûtov oí חapà t $\bar{\omega} \nu$ 'AЭ




 хєîpac tòv стратпуòv t $\hat{\omega} \nu$ 'Р $\omega \mu a i ́ \omega \nu$ каі поккí $\lambda \omega c$ ó $\mu і \lambda о u ̂ \nu \tau \in c$,



















 סıa入úधçal пpòc toùc Aít $\omega \lambda$ oúc.

In 190, Rome's war against Aitolia was only slowly coming to a close. The Aitolians, despite the fact that they were in a poor position, were holding out desperately for acceptable terms. In 191, Acilius Glabrio had demanded concessions which appeared impossible. The following year, Publius Scipio Africanus and his brother Lucius, the new consul, arrived in Greece. Africanus was eager to settle the Aitolian question in order to move on to Asia and deal with Antiochos, and he intimated that the Aitolians could now expect more lenient terms. ${ }^{2}$

The Athenians, in particular an individual by the name of Echedemos, were instrumental in mediating the initial abortive attempt at negotiations between the Aitolians and the Scipios. ${ }^{3}$ The Athenians at first interceded on behalf of the Aitolians with Africanus, and were then deputed by him to persuade the Aitolians to come to terms as well. Nevertheless, this initial attempt at mediation by a Greek state between Rome and another Greek state failed when Africanus's brother, the consul Lucius, made it clear that he was not prepared to offer the lenient terms at which Africanus had hinted. ${ }^{4}$ The Aitolians were surprised and distressed by this response; however, the Athenians continued their attempts at mediation, and managed at least to buy time in the form of a
six month armistice for the Aitolians.
In the following year, 189, Antiochos was defeated by the Romans at the Battle of Magnesia. This news, combined with the failure of Aitolian envoys to obtain acceptable terms from the senate during the armistice, frightened the Aitolians badly, and this time the request for mediation originated with them. ${ }^{5}$ They requested Athens to act again on their behalf, and invited Rhodes, Rome's friend and a state with a long history of acting as a mediator or arbitrator, to join her. ${ }^{6}$ Both Athens and Rhodes sent representatives to the consul of 189 , Fulvius, and succeeded in gaining provisional terms that were more acceptable to the Aitolians. ${ }^{7}$

While these terms proferred by the Roman consul in Greece were acceptable to the Aitolians, they were not valid until ratified by the Roman people. It was in Rome itself that the Rhodian and Athenian mediators, and in particular the Athenian Leon, played a decisive role. Upon their arrival in Rome, it was discovered that the prevailing attitude there was strongly anti-Aitolian. Polybios records that it was the intercession of the Athenian Leon especially that persuaded the Romans to ratify the settlement with Aitolia. ${ }^{8}$

While this is not, strictly speaking, a case of true arbitration, this
mediation between Rome and Aitolia does appear to have worked both ways; in other words, at least in the case of Scipio Africanus, the Athenians were apparently not merely interceding as advocates on behalf of Aitolia, but were acting also in the interest of the Romans. Although this initial attempt in 190 failed, it is interesting to note that in 189 at least, Rome was willing to accept the interference of a more or less neutral third party, and was willing to modify her own views accordingly. This was an unusual event, to say the least, in the history of Rome's relations with the Greek states, and unusual too in light of Rome's general attitude to Greek arbitration.

1 Polybios 20.9-10.
2 Livy 37.6; Polyblos 21.4.
3 On Echedemos, a prominent Athenian citizen, see Walbank Comm III.94-95. For the "pro-Roman" stance of both Echedemos and Leon, the Athenian mediator in 189, see Walbank III.94, 131.

4 Lucius instead informed the Aitolians that they had two choices: either to make a complete deditio or to pay 1000 talents to Rome and form an of fensive/defensive alliance with her.

5 Livy 38.3, 7.
6 For other instances involving the arbitration of Rhodes, cf. *57, *61, *69, *89, *90, $=92, * 131$. I am not sure what Golan (p. 323)
means by his interpretation of Polybios 21.29, 1: "The conspicuous victory of the Romans in Magnesia seems to have convinced at least the Rhodians that they should not arouse Roman suspicions by joining the Athenians in making entreaties on behalf of the Aetolians."

7 Polybios 21.30, 1-5; Livy 38.9, 9-10.
8
Polybios 21.31, 5-16; Livy 38.10, 4-6.

## * 111: Gortyn-Knossos and Kydonia/Rome 189

Livy 37.60.
Briscoe XXXIV-XXXVII pp. 394f.; van Effenterre pp. 261-62; Walbank Comm III. 163.

Livy 37.60: Eodem fere tempore et Cn. Manlius consul in Asiam et Q. Fabius Labeo praetor ad classem venit. (2) Ceterum consuli non deerat cum Gallis belli materia. Mare pacatum erat devicto Antiocho, cogitantique Fabio, cui rei potissimum insisteret, ne otiosam provinciam habuisse videri posset, optimum visum est in Cretam insulam traicere. (3) Cydoniatae bellum adversus Gortynios Gnosiosque gerebant, et captivorum Romanorum atque Italici generis magnus numerus in servitute esse per totam insulam dicebatur. (4) Classe ab Epheso profectus cum primum Cretae litus attigit, nuntios circa civitates misit ut armis absisterent captivosque in suis quaeque urbibus agrisque conquisitos reducerent, et legatos mitterent ad se, cum quibus de rebus ad Cretenses pariter Romanosque pertinentibus ageret. (5) Nihil magnopere ea Cretenses moverunt; captivos praetor Gortynios nulli reddiderunt. Valerius Antias quattuor milia captivorum, quia belli minas timuerint, (6) ex tota insula reddita scripsit; eamque causam Fabio, cum rem nullam aliam gessisset, triumphi navalis impetrandl ab senatu fuisse. (7) A Creta Ephesum Fabius redit; inde tribus navibus in Thraciae oram missis ab Aeno et Maronea praesidia Antiochi deduci iussit, ut in libertate eae civitates essent.

In the aftermath of Rome's military victory over Antiochos, the consul Gnaeus Manlius Vulso was given the command in Asia. ${ }^{1}$ Before going on to deal with the actions of Vulso in Asia, however, Livy digresses in order to discuss the Cretan adventures of the praetor in charge of the Aegean fleet, Q. Fabius Labeo. Labeo crossed to the island where he found it, as usual, in a state of war and turmoil. Gortyn and Knossos, so frequently enemies, were actually allies in this particular conflict. ${ }^{2}$ Together they were engaged in fighting a third state, Kydonia. In addition to considering this state of war in Crete to be undesirable, the Roman praetor also was dissatisfied with the fact that there were a great number of captives destined for slavery on the island, both Romans and Italians. ${ }^{3}$ When Labeo arrived in Crete he sent messages to all the various states to the effect that they should lay down their arms, restore the captives, and send ambassadors to him. They would then discuss "certain issues" which would be of interest to both Romans and Cretans.

If Labeo's mission was to pacify Crete and secure the release of the captives, it was largely a failure. The Cretans were not particularly interested in what he had to say. None of them apparently acted on his suggestions, except for the Gortynians, who did restore the captives in
their jurisdiction. Beyond that, however, Labeo's pacificatory mission accomplished nothing in Crete.

For Labeo hinself, however, it was another story. Livy says that the only reason Labeo went to Crete in the first place was essentially that it looked to be as good a place as any to enhance Labeo's gloria during his term in office. This he did achieve. He was given a naval triumph by the senate, according to Livy, for his return of 4000 captives. ${ }^{4}$ Labeo may have been looking for a way to balance and offset the current prestige of the Scipios. ${ }^{5}$

One way for Labeo to garner political prestige for himself, naturally, would be to present himself to the Cretans as the arbitrator of their disputes, just as Flamininus had settled the affairs of the Greeks a few years previously, and as Vulso was about to do in Asia. ${ }^{6}$ Rome had no official standing in Crete, and no legal right or obligation to settle her quarrels. ${ }^{7}$ However, the prestige to be gained from the successful or even only partially successful attempt to pacify the island was an obvious goal for an ambitious politician.

But there may also have been a further reason for a visit to Crete by a Roman at this time. After the Battle of Magnesia, in wheh Antiochos had
been defeated, Rome's old nemesis Hannibal, who had been at Antiochos's court, fled to Gortyn in Crete in order to escape being handed over to the Romans. ${ }^{8}$ It has been suggested that the "matters of interest" which Labeo suggested the Cretans might wish to discuss with him would have been the issue of Hannibal's presence on the island. ${ }^{9}$ The fact that Hannibal resided at Gortyn in the course of his flight might also explain why only Gortyn chose to offer Rome the gesture of good faith by restoring the captives.

As far as a pacifying mission went, however, the sojourn of Labeo on Crete was largely fruitless. Five years later, when Appius Claudius came on a similar mission, Cretan internecine warfare was still at a height. ${ }^{10}$

$$
1 \mathrm{Cf} .=113,=114,=115 .
$$

2 Cf. 91, 123. 139. Van Effenterre (p. 261), who dates the mediation of Ptolemy ( $* 139$ ) to shortly before 196, sees this alliance as a result of Ptolemy's success.

3 No doubt the result of piracy, at least in part. See Briscoe p. 395.
4 The number, which Livy says he has taken from Valerius Antias, may be an exaggeration. However, there seems no reason to doubt the triumph itself, which would have been also a result of Labeo's activity at Ainos and Maroneia, and his naval activity on the Asian coast in 188 (38.39). See Briscoe p. 395.

5 Briscoe pp. 394-95; van Effenterre p. 261.

## 6 See 88 , 114 .

7 Cf. Briscoe p. 394: "We are, however, at the beginning of the period where Rome poses as arbiter of all matters in the Hellenistic world, and Fabius' action is a foretaste of what is to come."

Whether or not one agrees with Briscoe's somewhat sweeping statement on Rome's stance, it is true that this is the period when Rome's increasing contacts with the Greek east were to lead to a greater variety of diplomatic maneuvres in Rome's repertoire, including mediation and arbitration.

8 Plutarch Flamininus 20; Nepos Hannibal 9; Justin 32.4, 3.
9 For this view see M. Guarducci RFIC 7 (1929) p. 82; van Effenterre pp. 261-62.
$10=123$.

## *112: The Achaian League and Sparta/Rome 188

Livy 38.32, 3-10.
Badian FC pp. 89f.; Berard p. 109; K.T. Chrimes Ancient Sparta (Manchester 1949) pp. 30f.; de Ruggiero c. 12, \#3; Errington Philopoemen (Oxford 1969) pp. 133f.; ; E.S. Gruen JHS 96 (1976) pp. 54f.; Gruen I.120f.; J.A.O. Larsen CPh 30 (1935) pp. 193-214; Larsen GFS pp. 448-49; Larsen (Frank) pp. 286f.; Phillipson pp. 155-56; Piper pp. 117-40; Will ${ }^{2}$ II.242f.

Livy 38.32: (3) Hic tumultus consulem Peloponnesum adduxit, iussuque eius Elin concilio indicto Lacedaemonii ad disceptandum acciti. (4) Magna ibi non disceptatio modo sed altercatio fuit, cui consul, cum alia satis ambitiose partem utramque fovendo incerta respondisset, una denuntiatione ut bello abstinerent, donec Romam ad senatum legatos misissent, finem imposuit. (5) Utrimque legatio missa Romam est. Exules quoque Lacedaemoniorum suam causam legationemque Achaeis iniunxerunt. (6) Diophanes et Lycortas,


#### Abstract

Megalopolitani ambo, principes legationis Achaeorum fuerunt qui, dissidentes in re publica, tum quoque minime inter se convenientes orationes habuerunt. (7) Diophanes senatui disceptationem omnium rerum permittebat: eos optime controversias inter Achaeos et Lacedaemonios finituros esse; (8) Lycortas ex praeceptis Philopoemenis postulabat ut Achaeis ex foedere ac legibus suis quae decressent agere liceret, libertatemque sibi illibatam, cuius ipsi auctores essent, praestarent. (9) Magnae auctoritatis apud Romanos tum gens Achaeorum erat; novari tamen nihil de Lacedaemoniis placebat. Ceterum responsum ita perplexum fuit ut et Achaei sibi de Lacedaemone permissum acciperent, (10) et Lacedaemonii non omnia concessa iis interpretarentur.


One of the most significant factors in Greek history and Greek relations with Rome in the second century $B C$ was the hostility between Sparta and the Achaian League. The arbitration of Rome played its own part in this conflict from time to time. One of the first instances of Roman adjudication of this dispute came not long after the Achaian League had first incorporated Sparta.

Flamininus had carried on a war against the Spartan tyrant Nabis in 195. After his defeat, Nabis remained in control of the city, and the city itself remained independent, but he was to give up his fleet and relinquish control of the coastal cities of Lakonia. He was also forbidden to make foreign alliances, and required to pay an indemnity and deliver hostages to the Romans. ${ }^{1}$

Although Nabis accepted the situation for the moment in order to free
himself of the immediate military presence of the Romans, he did not tolerate the situation for long. The access to the coast and trade provided by control of the coastal towns and ownership of a fleet was vital to Sparta's military and economic well-being. Furthermore, not only had the coastal towns been freed of Spartan control, they had been given into the protectorate of the Achaian League, Sparta's old enemy. Accordingly, when the opportunity for re-establishing Spartan power arose in the shape of an alliance with the Aitolians and Antiochos in 193, Nabis took it. Accepting the risk of war now that he had the Aitolians and the Seleukid king to take some of the pressure off him, he took action and regained most of the coastal cities.

The Achaian League, under Philopoimen, declared war on Nabis. ${ }^{2}$ Military actions against him were successful, but Flamininus intervened and imposed a truce before the Achaians could take the city of Sparta. Nabis remained in control. It was at this stage, in 192, that the Aitolians became a factor. Committed to war with Rome, and expecting Antiochos to invade Greece shortly, they determined to gain key strongholds, among them Sparta. Nabis expected the aid of his allies, but the Aitolian approach was simply to gain Sparta for themselves in order to have a
counterbalance against the Achaians, and to rid themselves of the tyrant as a mere encumbrance. ${ }^{3}$ The Aitolians, then, when they moved into. Sparta, assassinated Nabis.

The coup was unsuccessful, however, as far as the Aitolians were concerned. The Spartan citizens turned against the Aitolian troops and drove them out of the city. It was during the confusion following Nabis's death that Philopoimen decided to take advantage of the situation by marching directly to Sparta and annexing it to the Achaian League by force.

The removal of Sparta as an independent challege to the Achaian League's control of the Peloponnese was a substantial boon in one sense for Achaia. Nevertheless, the long-standing hostility between Sparta and the Achaians was only exacerbated by the annexation. And not only did the Achaian League have the issue of Spartan-Achaian hostility to deal with, it now also had to face the problem of the existence of factions and civil strife within Sparta itself.

When Philopoimen brought Sparta into the Achaian League, he established a group of aristoi in control of the Spartan government, among them a friend of Philopoimen himself, Timolaos. ${ }^{4}$ Therefore, when Sparta first joined the League the government in power was a group willing to
acquiesce in membership in the League. There was, however, opposition within Sparta both to this government, men who had presumably been at least passive enemies of the popular Nabis, and to its policy of adherence to the League. ${ }^{5}$ In 191, this opposition came to a head when Sparta, no doubt at the moment under the control of the anti-Achaian party, seceded from the League. ${ }^{6}$ The League, now under the strategia of Diophanes, determined to use military action and the co-operation of Flamininus to force Sparta back into its membership. Philopoimen, now ex officio argued against such a move. Philopoimen was eager to save his prestige and own position and connections with the official Spartan government. If Diophanes succeeded in bringing Sparta back in, then he could replace Philopoimen; and Flamininus's aim may have been to get his own connections, the Nabis party, in power as the local government. ${ }^{7}$

Philopoimen thereupon took the risky course of anticipating the joint Roman-Achaian invasion. He hurried to Sparta himself, as a private citizen, and shut out the invading army until he had "put an end to the disorder in Sparta." 8 In other words he was no doubt able to see his own friends, the aristoi, back in power, and hence able to bring Sparta back into the League.

In addition to the political factions within Sparta which affected her relationship with the Achaian League, there was also the thorny problem of the Spartan "exiles". 9 There were large groups of individuals floating around in exile from Sparta as a result of the various social upheavals and revolutions in that state over the past decades. There were aristocrats exiled by the tyrant Nabis; there were also possibly still some exiles from the time of Doson's conquest and individuals driven out by Lykourgos and Machanidas, including the king Agesipolis. ${ }^{10}$ There had been no question of restoring them in 195 or 192, while Nabis was still in power. And even after his death, their return, and subsequent property claims, would have caused too much turmoil. As it was, however, the exiles had caused turmoil enough by living in the neighbourhood: many of them had settled in the coastal towns which had been detached from Sparta and placed under Achaian protection.

Naturally enough, after the death of the tyrant, the exiles began to put on more and more pressure to be restored to their homeland. Shortly after Philopoimen restored Sparta to the Achaian League, the issue of the restoration of the exiles was brought up at a League meeting. ${ }^{11}$ The issue was not settled at this time, the Achaians preferring to settle it in their
own way and their own time.
The matter of the exiles also apparently formed part of the raison d'être of Sparta's independent embassy to Rome in 191. ${ }^{12}$ Strictly speaking, by the rules of the Achaian League, this embassy was illegal. Member cities of the League did not have the right to act as independent states in the sending of embassies. Nevertheless, throughout the history of her conflict with the Achaian League, Sparta consistently refused to conform to the rules of the League, and continued to act as an independent state in sending her own embassies to Rome. ${ }^{13}$ In the 191 embassy, the intent was to ask the Romans to adjudicate certain issues: the hostages (of 195), the coastal villages and the matter of the "old exiles". The Roman senate promised to give instructions about the villages to the legates they were sending out, and to consult further about the matter of the hostages. As for the problem of the "old exiles", they gave a purely noncommital answer: Sparta could do as she liked, but Rome would not help. ${ }^{14}$ Not only, then, was the issue of the Spartan-Achaian problem confused by the presence of factional conflict in Sparta and exiles demanding restoration, it was further complicated by a curious distinction between "old exiles" and (presumably) "new exiles". 15 And all the exiles
will have wanted restoration.

Rome took no action on the issue of the exiles or the perioikic towns; however, in 190, she did restore the hostages taken from Nabis. As perhaps some of the closest adherents of the tyrant, they will only have exaggerated the Spartan problem. ${ }^{16}$ They were certainly bound to be hostile to the "old exiles", while the pro-Achaians in Sparta will have been anxious for their return.

In 189, the tensions in Sparta broke out in a military action. The threat of the exiles living all around in the coastal towns, and the lack of access to the sea which Sparta felt keenly led to a raid on the town of Las. 17 The terrified response of the other towns, and of the exiles living there, was to send an embassy to the Achaian League.

Whatever her provocation, Sparta could claim no legal basis for her action. By the terms of Nabis's peace in 195, she had relinquished the control of these towns. Since 191 she had been a member of the Achaian League and now had engaged in an unauthorized military action against an Achaian protectorate. The Achaian League responded to this action by demanding the surrender of those who had planned the capture of Las. The Spartans in turn, convinced that Philopoimen's plan was to bring about the
disintegration of the Spartan state by restoring the exiles, killed thirty pro-Achaian Spartans and seceded from the League. ${ }^{18}$

Sparta, however, had no intention of fighting a war with the forces of the Achaian League. She knew she could never succeed. Instead she decided to throw herself on the mercy of Rome. If Sparta offered deditio to the Roman commander in Greece, M. Fulvius Nobilior, he would then be obliged to take her under his protection.

The Achaians declared war on Sparta, but were unable to carry any great military successes before the arrival of Fulvius, as it was now winter (189/8). Fulvius summoned both sides to meet with him at Elis, where he would listen to their dispute. ${ }^{19}$ it may be that Fulvius envisioned himself as successful arbitrator and settler of this quarrel. He certainly seems to have taken the trouble to listen to their arguments. In the end, however, he apparently did not feel himself well-enough equipped, authorized, or interested to give a definitive judgement on the dispute. His final decision was that both sides were to maintain a truce until they had laid their case before the senate.

The Achaians and the Spartans thereupon both sent embassies to argue their claims in Rome. The Spartan exiles relied on the Achaians to
represent their claims. The chief ambassadors on the Achaian side were Lykortas, the friend of Philopoimen, and Diophanes, and the conflict between these two further complicated the issue. ${ }^{20}$ Diophanes urged that all the disputes between Achaia and Sparta be submitted to the senate for total adjudication. Whatever the purpose behind Diophanes's stance of co-operation with Rome, in legalistic terms he was urging that Sparta be recognized as an independent entity, between whom and Achaia Rome would act as a neutral international arbitrator. Such a policy was diametrically opposed to that of Lykortas and Philopoimen. They insisted that the punishment of Sparta was a purely Achaian affair and of no importance to the Romans, who had no right to interfere. ${ }^{21}$

Although the senate did not endorse this independent Achaian stance, their decision in the end was essentially in accord with it. They did not interfere. Instead, they essentially tried to proclaim a solution on the basis of the status quo: "no change was to be made in the status of the Lacedaemonians". What the senate meant to convey by this response is anyone's guess. Probably they wanted nothing beyond the opportunity to remain free to make decisions at a later date. An ambiguous reply like this one would enable them to come down on either side of the fence, as
circumstances might require, and still claim to be acting in accordance with their previous decision. ${ }^{22}$

That the senatorial response was ambiguous and created further trouble in the Peloponnese is attested by the reactions of the Achaians and Spartans. The Spartans believed they would maintain some measure of freedom, while the Achaians chose to understand that they now had carte blanche where the Spartans were concerned. Essentially both sides were back where they had been before Fulvius's arrival in Greece. The Achaians extended Philopoimen's strategia another year, and in May 188, he collected the Spartan exiles (both groups) and marched with them and the Achaian army to Kompasion on Lakonian territory and demanded the surrender of those responsible for the secession. ${ }^{23}$ When these men and some others came to confer with Philopoimen under a safe-conduct, they were attacked by the exiles and seventeen of them murdered; the following day, the remaining sixty-three were executed after a scarcely impartial trial.

This blow took the heart out of Spartan resistance for a time. Philopoimen was able to restore Sparta to the League yet again, this time under much harsher terms, including the destruction of her walls, the
restoration of the exiles, and the abolition of the Lykourgan system. 24

1 Livy 34.35. The freeing of the coastal cities of Lakonia at this time may have resulted in the founding of the koinon of the Lakedaimonians. Cf. 97 .

2 Livy 35.25.
3 Livy 35.34-35. Cf. Errington pp. 108-9.
4 Plutarch Philopoimen 15.
5 See Errington pp. 111 f ., Piper pp. 117 f .
6 Plutarch Philopoimen 16. Errington p. 119.
7 Errington pp. 119-20.
8 Plutarch Philopoimen 16.
9 See Piper pp. 120f.; Errington p. 130. See also B. Shimron Late Sparta (Buffalo 1972) appendix A, pp. 135-50.
${ }^{10}$ Livy 34.26.
11 Livy 36.35.
12 Polybios 21.1.
13 Cf . 122 and $=165$.
14 polybios 21.1, 4: $\pi \in \rho \grave{~ i ́ ~} \delta$ tê $\varphi \hat{\nu} \varphi$ بuá $\delta \omega \nu$ t $\hat{\omega} \nu$ ảpxaí $\omega \nu$



15 Errington (pp. 133f.) argues that the reference to old exiles, and, therefore, the existence of new, indicates yet another change of government at Sparta. Timolaos's group, the aristocrats, after only a few months in power, will have been ousted again, to form the "new exiles". This embassy to Rome will then have been sent by the new government, the pro-Nabis, anti-Achaian group. Shimron (p. 139) thinks the new exiles could have been the democrats, forced out of Sparta when Philopoimen brought down his second settlement. Piper maintains that the "old exiles" were primarily those exiled by Nabis, and the new were Nabis's followers.

16 Piper p. 122.
17 Livy 38.30.
18 Livy 38.31.
${ }^{19} \mathrm{He}$ appears to have ignored the deditio; cf. Gruen I.120.
20 See Errington p. 143.
${ }^{21}$ Livy's interest in this passage is in the conflicting Achaian speeches. He gives no account of the Spartan defense.

22
Cf. $=121$.
23 Livy 38.33. Plutarch Philopoimen 16.
24
Livy 38.34.

## *113: The Peace of Apameia

 188Livy 38.38, 17; Polybios 21.42, 26.
ARS *27; Austin \#161; Errington Dawn pp. 178-83; Gruen 1.87f., 104, 110; Klose p. 144; Magie RRAM I.113; Préaux pp. 271f.; Walbank III.156-62; Will $^{2} 11.221 \mathrm{f}$.









Livy 38.38: (16) Si qui sociorum populi Romani ultro bellum inferent Antiocho, vim vi arcendi ius esto, dum ne quam urbem aut belli iure teneat aut in amicitiam accipiat. (17) Controversias inter se iure ac iudicio disceptanto, aut, si utrisque placebit, bello.

The Treaty of Apameia, formulated at Rome over the year 189, and ratified by Antiochos in Syria in 188, put an end to Rome's war with Antiochos. Polybios quotes the terms of the treaty in full, and Livy takes his own rather peculiar version from Polybios. ' One of the clauses in the peace treaty appears to provide that future disputes between the two signatories are to be settled by arbitration. ${ }^{2}$

This appears to be the natural interpretation of this clause. However, it has been argued that the arbitration referred to was to take place between Antiochos and any of the other eastern states with whom he might have a future disagreement, and that Rome was to be the arbitrator. ${ }^{3}$

It would certainly be startling to see Rome binding herself by treaty
to arbitration, particularly given Rome's generally cynical attitude towards Greek arbitration. As when Athens and Sparta bound themselves to arbitration in a peace treaty of the fifth century, the question of who could possibly arbitrate between them arises. ${ }^{4}$ The Athenians and Spartans failed to find a powerful or prestigious enough arbitrator in the fifth century, and it seems impossible that Rome and Antiochos could have found one in the second; certainly not one who would have been acceptable to Rome. ${ }^{5}$

It seems more likely, if this clause is to be applied to Rome, that it was merely accepted into the treaty as an increasingly standardized attempt to provide for the settlement of potential disagreements without the ultimate step of going to war: but these would surely only have been disagreements which did not affect the vital interests of Rome. Rome very clearly did not participate in any arbitration, as arbitrator or as disputant, which might have threatened her own vital interests. In that case, perhaps Livy's mutilation of the text of Polybios might not seem so strange after all: the Romans might have been willing to settle minor disputes by arbitration, but the threat of war would always have been in the background.

1 In particular, Livy inserted a suspect clause about the availability of war as a future option between the parties. Cf. Gruen p. 87, Préaux p. 271.



Livy 38.38, 17: Controversias inter se iure ac iudicio disceptanto, aut, si utrisque placebit, bello.

3 The potential quarrels with other states are discussed in \$24-25 of the Polybios passage.

Gruen interprets the passage in this way, although he denies that Rome envisioned herself as the future arbitrator of eastern disputes.

4 Piccirilli \#21: the 30 year peace treaty of $446 / 5$ provided for arbitration in the event of future dispute between Athens and Sparta; obviously this provision broke down in the face of the events leading up to the Peloponnesian War.

5 Cf. Préaux p. 272: "De toute manière, l'arbitrage lui-même était illusoire, car on ne voit pas à quelle puissance Rome aurait reconnu, pour l'accepter comme arbitre, une force supérieure à la sienne."

## *114: The Settlement of Asia 188

Polybios 21.24, 4-6; 21.45, 1; Livy 38.39, 5-7.
ARS 23; Berthold pp. 162f.; Hansen ${ }^{2}$ pp. 92f.; Hiller von Gaertringen IPriene T*528; Magie RRAM I.113, II.964; McShane pp. 149f.; C. Préaux. Le monde hellénistique II (Paris 1978) p. 423; Sherwin-White pp. 22f.; Walbank Comm III.164-74; Will ${ }^{2}$ II.224f.




 ठè taútac tàc àmokpícelc $\mu \in t a ̀ ~ t a u ̂ t a ~ k a t e ́ c t n c a v ~ \delta e ́ k a ~$



Polybios 21.45, 1: "Otı кatà tìv 'Anáneıav oí te ס́éka kà 「vaîoc ó стрatnyòc t $\hat{\nu} \nu$ 'Pตцaí $\omega v$. ठıakoúcavtec пávt $\omega \nu$ t $\hat{\nu} \nu$




Livy 38.39: (5) Cn. Manlius cum inter cetera quae accipienda ab Antiocho erant elephantos quoque accepisset donoque Eumeni omnes dedisset, causas deinde civitatium, multis inter novas res turbatis, cognovit....
(7) Civitatium autem cognitis causis decem legati aliam aliarum fecerunt condicionem.

Despite the fact that a certain reluctance to arbitrate the affairs of the Greek states has been attributed to the Romans, ${ }^{1}$ the Roman involvement became inevitable through their own actions in the first decades of the second century.

After the war with Antiochos and the Roman victory, Rome was recognized by the Greek states as the new dominant power in the Mediterranean. Accordingly, at the time when Rome was settling her own peace treaty with Antiochos, she was inundated with embassies from the Greek states requesting her to settle their differences as well. Many of the Greek city states of Asia Minor at this time were of course concerned
about their own situations with respect to the new power of Rome. Those states which had been on Antiochos's side were particularly concerned, and with good reason. But it is clear that the Greek states also exploited this opportunity in order to further their own interests, and numerous embassies appeared in Rome asking the Romans to settle a particular dispute. ${ }^{2}$

The Roman senate had little interest in spending its time listening to the lengthy legal arguments natural to the Greek forms of arbitration. The senators did, of course, grant the time and patience to listen to the arguments of their allies, Eumenes and Rhodes. ${ }^{3}$ Both of them argued their cases at length before the senate, and the senators obligingly listened. Nevertheless, the opposition between Eumenes and Rhodes did not manifest itself on legal grounds. Rather it was based on political and territorial ambition, although Rhodes advertised herself as the champion of Greek liberty. Hence the arguments of Eumenes and Rhodes before the senate were based on appeal to Roman policy, not Greek law.

For the majority of the cases, the delegates from the Greek states were informed that Rome would send out a commission of ten legates who, together with the Roman proconsul in Asia, Manlius Vulso, would settle all
disputes. Even this commission, however, although it ensured that disputes were settled in a way agreeable to Rome, did not always undertake the task of arbitrating itself. ${ }^{4}$ Many, at least, of the cases requiring arbitration were delegated to another Greek state, on which the disputants were agreed. ${ }^{5}$

Polybios speaks of several of the individual arrangements made by the Roman legates. Although he does not deal with each case in great detail, it nevertheless seems that many of these settlements, referred to so briefly, could represent cases of arbitration; certainly many of them must represent evidence of long-standing disputes. ${ }^{6}$

1 See Gruen Ic. 3.
2 Cf . 88 and the settlement of affairs in Greece in 196 and later.
3 Polybios 21.18-23; Livy 37.52-54.
4 The fact that the commission ensured the outcome of at least some of the decisions is clear from the fact that Rome's friends benefitted (and no doubt her enemies suffered); cf. Polybios 21.45 (6):







6 Examples of the kind of settlements made which might have entailed arbitration are the grants of territory to Chios, Smyrna, Erythrai, and Phokaia (21.45, 6-7); and also the restitution of the sacred land to Miletos (21.45, 5 [cf. $=116]$ ). From a later inscription ( $=115$ ) we learn that Manlius Vulso was responsible for a judgement made in the long-standing dispute between Samos and Priene. It seems reasonable to assume that some of the other less well-documented cases referred to briefly in this passage of Polybios may represent similar disputes.

## * 115: Priene and Samos/Manlius Vulso 188

A pair of inscriptions recording two senatus consulta from a later period, both of which make reference to the arbitration of Manlius. Both inscriptions come from the cella wall of the Athene temple at Priene. I: h.: 0.50 m. ; w. (max.): 0.59 m . II consists of four fragments. I: 11 lines; II: 14 lines.

I: Böckh CIG *2905 G.7; LeBas/Wadd *199; P. Viereck Sermo Graecus (1888) *XIII; Hicks BMus *404; *Hiller von Gaertringen IPriene * 40; Sherk *10A.

II: Böckh CIG *2905 F.6; LeBas/Wadd *195-*198; P. Viereck Sermo Graecus (1888) *XIV; de Ruggiero *9; Berard *39.XIII; Hicks BMus * 405; Dittenberger SIG $^{2}$ \#315; *Hiller von Gaertringen IPriene *41; Dittenberger/Hiller von Gaertringen $\underline{\text { SIG }}^{3}$ \#688; Sherk *10B.

ARS *41a; Magie. RRAM 1.114, 11.892-93, 965; Raeder p. 73; Sonne *19, "20; Tod *63 [I], *64 [II]; Walbank Comm III.164. See also the bibliographies in $* 28,92$.
 oi]


 ảvєvєఱ́cavto, [кaì $\pi \epsilon-$ ]






 кatéxelv ékéivnc tîc x $\omega$ ю́pc,
 єivar єỉ ס́́ tí éctiv


10 [toîc ảmocteî入aı tòv tauíav énc ảnò vó] $\mu \omega \nu$ спстертí $\omega$ ékatòv єíkocı mévte кaӨ éкáctпи


 кт $]$ ]: Viereck. || 2: [ạ̉ıко́ $\mu \in \nu 01]$ : Hicks. || 3: [xápıta $\varphi \iota \lambda i ́ a v ~ c u \mu \mu a x i ́] a v: ~$
 ämoкрі́|[vaçau]: Hicks. II 10 : [nom. eius qui senat. cons. tòv tauíav
 oút $\omega c$ ]: Viereck.


Cepoúloc фo дoúloc Koívtou víóc, ct[patnyòc ú]пatoc, tiń






 émoı́ńcavto



 прєсвєutàı [--- - ]pou, ${ }^{v}$ 'Ava[ $\left.\xi\right][[-\cdots]$,



 ó 'pooícív

 éctı $\mu \in \tau a-$

 kaì toú[toic toíc ópíoce]

 прєсвєíav є́шс
 Koîvtou ưmatoc tò̀ tauía ánocteî̀ al ke[ $\lambda \in u c a ́ t \omega$, кaì праद̆́ct $\omega$ ]
 пíc] $\tau \in[\omega c \varphi a i ́ v \eta \tau a t]$. ${ }^{\prime} \in \delta 0 \xi \in \nu$.

7: [ $\mu \in \mathrm{tà} \mathrm{tòv} \mathrm{’Avtióx} \mathrm{\epsilon tov} \mathrm{пó} \mathrm{\lambda} \mathrm{\epsilon} \mathrm{\mu ov]:} \mathrm{Hicks}, \mathrm{Berard}. \mathrm{|\mid} \mathrm{8:} \mathrm{[2]nvó} \mathrm{\delta otoc}$
 Ruggiero, Berard. || 13 ánoctêì $\alpha \mathrm{k}$ кє[ $\lambda \epsilon$ ÚcП]: Hicks, Viereck, De Ruggiero.
 $\varphi a_{i ́ v \eta][[a ı] . ~ " E \delta o \xi \in v .): ~ H i c k s . ~}^{\text {. }}$

Both of these texts contain senatorial decisions with respect to the interminable border dispute between Samos and Priene.' Document II can be dated by the name of the presiding consul, Servius Fulvius, to the year 135. The first document appears to predate the decision of 135 , but a definite date cannot be determined.

From these documents we learn that a judgement made in the Samos and Priene affair by the proconsul Manlius Vulso was appealed many years later. Vulso and his commission of ten senators in Asia in 188 had apparently made a decision in the dispute, a decision which overturned the Rhodian judgement made less than a decade before. ${ }^{2}$ Naturally enough, the records of some fifty years later give little in the way of detail with respect to the actual workings of the arbitration of Vulso in this case. It does seem that this decision, at any rate, was made by the proconsul and his commission of ten; no mention is made of the task of arbitration being delegated to another Greek state.

The judgement of Rhodes had been made with great care and attention to detail, yet Vulso overturned it with little compunction. Priene had been
the winner when Rhodes arbitrated, as she had apparently been frequently throughout the long history of this dispute. Nevertheless the Roman commission in 188 awarded the disputed land to Samos. ${ }^{3}$ It is interesting to note that the senate several decades later supported Priene's claims, and overturned the decision of its own commission under Vulso; the grounds for the senatorial decision in 135 were that the Rhodian decision had been made with the blessing of both sides, and the senate could not ignore it. ${ }^{4}$ It has been suggested that the first Roman decision in the case, that of Vulso, was the result of bribery, and that therefore the senate later (some fifty years later!) felt some obligation to deny it. This may be true, although it should be added that Manlius may have been moved by political considerations as well. ${ }^{5}$ Certainly the evidence regarding the general settlement of Asia (*114) indicates that the relationship of the various states with Rome influenced the decisions undertaken by the commission with respect to them.

Although the senate in 135 (and at some point prior to 135 ) did not put itself to the trouble of listening to all the evidence over again, merely confirming the decision resulting from the incredibly detailed labour of the Rhodian commission, the Prienian and Samian embassies were able to
present their pleas before the senate in person. And it appears that at this time the senate was also concerned with dealing with other long-standing disputes among the Greek states: the Milesian decision, sanctioned by the Roman senate, in the arbitration between Sparta and Messene is also to be dated to 135.6

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    1 See \(=28\), 92 , and cf. \(=114\).
2
    *92.
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3
Fifty years later, the Prienian ambassadors to Rome appealed to the senate to uphold the prior decision of the Rhodians, on the grounds that it had been made with the consent of both Priene and Samos (II II. 9-10).

The Samians naturally urged the Romans to support the judgement of their own countrymen (II II. 5-7).

 $\pi \in \pi 0 ו \mathfrak{n} \tau a l$.

5 Manlius had a certain reputation for greed, though it seems clear that part at least of that reputation could well have been the work of political enemies at Rome. Cf. Polybios 21.35, 4 and Livy 38.42, 11 and 38.45. Cf. Raeder p. 71: "D'après ce qui se passa dans la suite, on peut conclure que le jugement de Manlius reposait sur une base fragile; il a sans doute attaché plus d'importance au point de savoir comment les États en désaccord s'étaient comportés vis-à-vis Rome, qu'à leurs droits véritables, pour ne pas parler des présents personnels qu'il avait dû très probablement recevoir."

6 Cf. the inscription (SIG ${ }^{3}$ *683) in *54, and cf. Hicks BMus p. 21 : "It is singular that the Milesian award in the dispute between Sparta and

Messene took place under sanction of the Senate this very year....For in line 41 of that award, if we read ctpatnyòc [úmatoc] Kóìvtoc Ka入ıпо́риוос, we have the name of the colleague of Servius Fulvius in the consulate."

## -116: Miletos and Priene/Smyrna After 188 [?]

Three fragments of an inscription from the wall of the Athene temple at Priene. I: $\mathrm{h}:=0.14 \mathrm{~m} . ;$ w.: 0.33 m . II: $\mathrm{h} .: 0.23 \mathrm{~m} . ;$ w.: 0.26 m . III: h.: 0.07 $\mathrm{m} . ; \mathrm{w} .: 9.10 \mathrm{~m}$. Total of 20 lines.

Hicks BMus (1890) *412; Berard *38; *Hiller von Gaertringen IPriene \#27a [I], b [II], c [III]; Schroeter fr. 20 [I]; Welles RC * 46.
E.L. Hicks BMus 3.1 p. 5; F. Hiller von Gaertringen IPriene pp. 212-13; Lenschau LS pp. 206f.; F. Mezger. Inscriptio Milesiaca (Munich 1913) pp. 24f.; Philarétos p. 38; C. Préaux. Le monde hellénistique II (Paris 1978) p. $423^{1}$; Raeder *66: 5onne *30; Tod *67.

1 [- . . . - àmот]єícпı про̀с то - . . . . . . . . . -



- . . . . ' 'A入кífov, 'Avt-















---- ou tà про- - .-
 Welles. || 5:-ac émì Niko-: Hicks, Berard. Il Hicks, followed by Berard, joined fragment III to the beginning of fragment II (II. 6f.) and suggested the following restoration: [каэámepl парaý́]ypamta[t кatà taủtà

 Gaertringen dismissed this proposal on the grounds of the differing








These inscriptions are inscribed on the fragmented wall blocks from the temple of Athene Polias in Priene, the same location as several other records important to the city. ${ }^{1}$ The first editor, Hicks, gave extensive restorations which are very doubtful, although he admitted that his work was an attempt only to show the general thrust of the inscription; nevertheless he went on to make some untenable conclusions from his own
restorations. ${ }^{2}$ Hiller von Gaertringen rejected most of Hicks's restorations, and emphasized that his own conjectures were open to question. ${ }^{3}$

The texts consist of a letter, possibly from one of the Hellenistic kings, or perhaps from a Roman official, with respect to an arbitration concerning a disputed piece of land between Miletos and Priene. ${ }^{4}$ This letter may have set a time-limit of 120 days for the performance of the task outlined in the document appended to it. The latter regulated the judgement in this affair and required that the boundary between the two states be demarcated according to the award of the people of Smyrna. ${ }^{5}$

Clearly then some previous judgement had been given in this case, apparently by the $\delta \hat{\eta} \mu \mathrm{moc}$ of Smyrna. Apparently this had taken place fairly recently, or else there had been some other reason for delay, as the boundary-stones were not yet erected. This is the task of this boundary commission, which appears to have been convened by the authority of the letter-writer. We cannot tell in whose favour the first award was made, but perhaps appeals reached the letter-writer from both sides, both to enforce the decision which had been made, and to repeal it. If so, the original judgement was upheld, and while we are not told who the boundary
commissioners were to be, it is not impossible that they were convened from Smyrna. ${ }^{6}$

We do not know from whose hand this letter comes. Hicks thought of Ptolemy Euergetes (d. 222). ${ }^{7}$ The script, however, seems to belong rather to the early part of the second century, and Hiller von Gaertringen suggested that the writer of the letter may have been an Attalid, although he apparently changed his mind and, dating the affair to after 189, referred the letter to Rome rather than Pergamon. ${ }^{8}$ Wilamowitz and Sonne believed it to be the letter of a Roman proconsul, who asked an unknown party to judge the case, or rather to confirm the judgement given by Smyrna. ${ }^{9}$

A tempting reconstruction of events is to assign this letter to Manlius Vulso's presence in Asia in 188 after the defeat of Antiochos, when he settled numerous disputes between the Greek cities. ${ }^{10}$ These cities could well have appealed to him, hoping that he would reverse recent decisions in their favour. In the case of Priene's dispute with Samos, which the Rhodians arbitrated in favour of Priene in the 190's, Samos must have appealed to Manlius, who reversed the Rhodian decision. In this case he could have requested an unknown party, perhaps Smyrna
itself, to carry out the physical demarcation of boundaries, confirming the previous judgement made by that city. ${ }^{11}$ We do not know in whose favour the initial arbitration was, and so we do not know who might have made the appeal to Manlius. It may be that the disputed land was awarded to Miletos, if Polybios 21.48 ( $* 14$ ) can be connected to this affair:
 по $\lambda є \mu$ íouc поо́тєрои $\epsilon \notin \epsilon \chi \omega \rho \eta с \propto \nu$. The Polybios passage refers to Manlius's actions in arbitrating between the Greek states of Asia Minor. A possible conjecture is that Smyrna first arbitrated the disputed district between Miletos and Priene some time after 196, the year when Miletos and her allies and Magnesia and her allies, among them Priene, made peace after a period of war. ${ }^{12}$ If the letter and document confirming the award of Smyrna is from Manlius, a supposition which is admittedly open to question, it may be that this passage of Polybios echoes the original Smyrnaian decision which Manlius confirmed, and the land which he restored to Miletos is land which was taken from her earlier during the war with Magnesia and Priene. It must be emphasized again, however, that this is speculation based on a fragmented text.

It may be that a further document from about the same time, which
records a treaty between Miletos and Priene, regulating lawsuits between their citizens, was also a result of the Smyrnaian arbitration. ${ }^{13}$ There is no positive evidence, however, that the boundary arbitration and the treaty were necessarily the result of the same series of mediation and negotiations.

## Cf. $92,=115$.

2
BMus p. 27.
3
IPriene p. 33.
4 IPriene \# 111 and \#120 (= Tod \#68, \#69) record further disputes between Miletos and Priene in the early first century, arbitrated by Erythrai and Sardis at the behest of the Roman senate.

5 The wording leads us to believe that all that was required here was a setting up of the boundary markers.

6 Although it appears that the boundary commissioners are to be distinguished from the Smyrnaians (cf. Sonne \#30), it may be that the distinction should be between the Smyrnaian people, who are said to have arbitrated here, and a special board which would go over the actual site. If the initial group of people which arbitrated was a large one, the commissions which examined or did the actual work of demarcating the disputed territory were almost invariably a smaller group than that which judged. Cf. $=43$. Again, however, it should be emphasized that the restorations in this inscription are open to doubt.

7 Lenschau agreed with Hicks's argument; dating the inscription to c . 240, he suggested that Seleukos II (d. 225) was also a possible choice. Hicks himself points out that the use of $\gamma^{\prime} \gamma \rho a \pi \varphi \alpha$ is unusual in the case
of a Hellenistic monarch, in that letters from the Greek kings normally exhibited the use of the first person plural.

8 IPriene p. 33 and p. 212, \#519. Cf. Préaux p. 4231. Welles (p. 190) claimed that the "peremptory tone" of the letter accorded better with a Roman official than with a Pergamene king. Cf. Magie RRAM I.114, II.964.

9 Sonne \#30, who compares the affirmation by the senate in 136 B.C. of the earlier award of Rhodes in the arbitration between Samos and Priene ( $* 92$; for the 136 judgement, see the documents in $=115$ ).
$10_{\text {See }}=114$, and cf . $=115$. Cf. Hiller von Gaertringen, and Welles p . 189.

11 Cf. *92, the Rhodian judgement between Samos and Priene in the 190's and $=115$, the reversal of that judgement by Manlius.

12 Dittenberger/Hiller von Gaertringen believed that the land which was restored to Miletos, according to Polybios (cf. 114), should be connected with the disputed land (Myos) and the settlement made in the peace treaty between Miletos and Magnesia (*90). See Walbank Comm III.169-70. Of course Priene and Magnesia, both of which lie north of Miletos, were listed as allies in the latter treaty. It is not impossible that certain lands may have been contested by Miletos on one side and both Magnesia and Priene on the other.

13 IPriene \#28. Cf. IPriene p. 212; \#519, and Tod \#67. P. Herrmann MDAI(I) 29 (1979) p. $258{ }^{36}$ compares these two documents (IPriene *27 and *28) to the two discussed in *83, as examples of an arbitration on a specific matter plus a general treaty regarding arbitration (or, in this case at least, mutual legal arrangements for individual citizens [cú $\beta \beta \circ \lambda a$ ]), arising from it.

## ＊117：Mylasa and Stratonikeia／Rome After 188

A marble fragment discovered at Mylasa．H．： $0.2 \mathrm{~m} . ;$ w．： 0.42 m ．
＊Dubois and Hauvette－Besnault BCH 5 （1881）pp．101－105；＊Berard ＊42．

Raeder＊58；Sonne＊26；Tod＊71．

 стоиס́ńv，＂́cte
 пра́чиата．е̌ є́бькос
 סıкаст́́pıa，


 $\tau \hat{\omega} \nu \pi a ̂ c ı ~ \delta ı a \varphi \in$ рóv－


［taî］c aitíatc ôvtac kaì toùc íbíouc toút $\omega v$ ả $\Pi \epsilon \chi \vartheta \epsilon$ íac $\lambda o ́ \gamma o v$ où пого́́ $\mu \in \nu 0 c$ ，про̀


 cuvסıaாєழ́́入акхєレ тท̂ пó $\lambda \in 1$
［то⿱̀］c vó éкасто⿱ $\epsilon$－
15
 Bíou［．．．．．．］c Úாั̀ toû vóno［v ．．．．］

Berard's restoration of 11. 1-6:

 хш́pac [. .]
 а́ $\mu \varphi с$ с五-

 спочס́nv, $̈ c t \epsilon]$
 үра́цдата [. . .]

This inscription is a decree from the Karian city of Mylasa, recording honours for an unknown citizen. Among other functions, this individual apparently acted as Mylasa's advocate in an arbitration over a long disputed piece of territory. The other claimant of the land, and the loser in this case, was the city of Stratonikeia.

The arbitrator was evidently the Roman senate, since Mylasa appears to have been awarded the land by a senatus consultum. It may be that this inscription should be dated to the period after Rome's victory over Antiochos and the Roman settlement of Asia Minor, i.e. after $188 .{ }^{\prime}$

1 Raeder points out that it would be unusual for the senate actually to hand down the arbitration in the form of a sc; what is more likely is that the sc laid down the general guidelines, and referred the judgement
elsewhere (such as to Rome's legates in Asia Minor after the Peace of Apameia?). Cf. $=114$, and $=104$ note 8.

## * 118: Rhodes and Lycia/Rome 188 and later

Polybios 22.5; 25. 4-6; Livy 41.6, 8-12; 44.15.
Berthold pp. 167-78; Errington Dawn pp. 192f.; P.M. Fraser/G.E. Bean The Rhodian Peraea and the Islands (Oxford 1954) pp. 107-17; E.S. Gruen CQ 25 (1975) pp. 58-81; Gruen I.123; Larsen GFS pp. 245-47; Meyer Grenzen pp. 56-58; H.H. Schmitt Rom und Rhodos (Munich 1957) pp. 81-128; Sherwin-White pp. 22f.; Walbank Comm III.181-84, 277-81; Will ${ }^{2}$ II.295f.



 nukíav кai Kapíav xáplv tñc eưvoíac kai mpoงvuíac, ìv

 прòc aútoùc oíkéótnta cuyyvón




 прòc aủtoùc toùc 'poठíouc oủk єủkataبpóvпtoc. (6) of $\mu$ èv yăp
 пар







 пâcıv 'Є́к



 'Poóíolc tò mpoctattó $\mu \in V$ VV.























 ámacl toîc cká $\varphi \in c l$ toîc úmápxoucıv aútoîc. (10) kaì yàp そú $\lambda \omega \nu$






 סefóçal tov̀c ^ukíouc aủtoîc, à a $\lambda$ à katà cuphaxíav. (2) âptı











 а̀то́крıсь.

Livy 41.6: (8) Aeque miserabilis legatio Lyciorum, qui crudelitatem Rhodiorum, quibus ab L. Cornelio Scipione attributi erant, querebantur: (9) fuisse se sub dicione Antiochi; eam regiam servitutem collatam cum praesenti statu praeclaram libertatem visam. Non publice tantum se premi imperio, sed singulos iustum pati servitium. (10) Coniuges liberosque vexari; in corpus in tergum saeviri; famam, quod indignum sit, maculari dehonestarique; et palam res odiosas fieri iuris etiam usurpandi causa, ne pro dubio habeant, nihil inter se et argento parata mancipia interesse. (11) Motus his senatus litteras Lycils ad Rhodios dedit, nec Lyclos Rhodils nec ullos alli cuiquam qui nati liberi sint in servitutem dari placere; (12) Lycios ita sub Rhodiorum simul imperio et tutela esse ut in dicione populi Romani civitates sociae sint.

Livy 44.15: Claudius nihil responsum auctor est, tantum senatus consultum recitatum, quo Caras et Lycios liberos esse iuberet populus

Romanus litterasque extemplo ad utramque gentem mitti; (2) qua audita re principem legationis, cuius magniloquentiam vix curia paulo ante ceperat, corruisse. (3) Alii responsum esse tradunt, populum Romanum et principio eius belli haud vanis auctoribus compertum habuisse Rhodios cum Perseo rege adversus rem publicam suam occulta consilia inisse, et si id ante dubium fuisset, (4) legatorum pauio ante verba ad certum redegisse, et plerumque ipsam se fraudem, etiamsi initio cautior fuerit, detegere. (5) Rhodios nunc in orbe terrarum arbitria belli pacisque agere; Rhodiorum nutu arma sumpturos positurosque Romanos esse. Iam non deos foederum testis, sed Rhodios habituros. (6) Itane tandem? ni pareatur iis exercitusque de Macedonia deportentur, visuros esse quid sibi faciendum sit? (7) quid Rhodii visuri sint, ipsos scire. Populum certe Romanum devicto Perseo, quod prope diem sperent fore, visurum ut pro meritis cuiusque in eo bello civitatis gratiam dignam referat. (8) Munus tamen legatis in singulos binum milium aeris missum est, quod ii non acceperunt.

After Antiochos the Great had been defeated at the Battle of Magnesia, Rome's faithful allies, Pergamon and Rhodes, considered themselves justified in asking Rome to dispose of Asia Minor in a way that suited them. The two states, however, were far from being in agreement about what exactly that arrangement was to be. Eumenes, naturally, wanted everything he could persuade the Romans to give him. But Rhodes was concerned about Pergamon's potential aggrandizement, and chose to present herself as the free republic, the champion of liberty among the Greek poleis, and in the end Rome compromised. ${ }^{1}$

Nevertheless, despite her championship of freedom for the other Greek states, Rhodes had no desire to come out of the conflict
empty-handed. She therefore requested that Rome assign her Lycia and Karia, territories which of course were not as Hellenic as the coastal cities. $^{2}$ The senate apparently granted this request. In 189, when the senate was laying down the general guidelines to be pursued by Manlius and his decemvirate in Asia in 188, they directed that Lycia and Karia were to be given to Rhodes. ${ }^{3}$

When the decemvirate arrived, however, and was carrying out its work, the legates were approached by an embassy from Ilion, which had come to intercede on behalf of Lycia. ${ }^{4}$ The Romans decided to compromise on the settling of the Lycian matter, and gave a decision which turned out to be conducive to widely differing constructions. They informed the llian ambassadors that they would impose no punishment on the Lycians for having been in Antiochos's camp; but they also told the Rhodians that they were giving them Lycia.

Polybios says that the Romans gave Lycia to Rhodes "as a gift". 5 This, at any rate, is what the Rhodian ambassadors reported back to their state, while the llians, no doubt over-enthusiastically, informed the Lycians that the Romans had promised them their freedom. It was the status of Lycia and the nature of the Roman grant which later led to all the diffculty.

Whether deliberately so or not, the Roman decision certainly seems to have been ambiguous. In later years, both Lycians and Rhodians were to appeal back to the original decision of the decemvirate in support of their case. In the meantime Lycia began to act on the assumption that she was independent, while Rhodes began to act on the understanding that Lycia was now her subject. ${ }^{6}$ When Lycian ambassadors arrived in Rhodes, the Rhodians made it clear to them that they considered Lycia to be a subject-province, and would not deal with the Lycians as free equals. The text of Polybios is lacunose at this point, and it is impossible to say whether the Lycian embassy appealed now to the Roman decision. ${ }^{7}$ What they certainly did do was return to Lycia, which shortly thereafter revolted from Rhodian control.

The original Roman intent certainly seems to have been to grant full control of Lycia to Rhodes. This decision was modified by the Ilian ambassadors, and the Romans gave their "fuzzy" response. ${ }^{8}$ But lack of Roman activity over the next ten years, during which time Lycia was struggling against Rhodes, would indicate that they were happy enough to let things ride, and allow Rhodes to have control if she could get it. At a time when Rome still wanted to maintain friendship with Rhodes, as well
as neither alienate Eumenes nor gain a reputation in the East for betraying her own guarantees, her hands were tied by the ambiguity of her own pronouncement. ${ }^{9}$

By a decade later, in 178/7, the situation had changed. The Rhodians had effectively conquered the Lycians. Enough independence remained, however, to send an embassy to make an appeal to Rome. This time the senate listened, and decided to send a message to Rhodes, clarifying their decision of a decade earlier. They said that Lycia had been given to Rhodes not as a gift, but assigned to their protection as a friend and ally. ${ }^{10}$ Livy, in keeping with the emotional tone of this passage, expands the Roman message into a grand statement of Roman championship of liberty. It may be that the message actually was couched in these terms, which would indicate that the Roman judges were drawing attention to the equity of their decision, rather than its somewhat shaky legality.

The Rhodians were unimpressed. They considered that the Romans had been fooled by the Lycian ambassadors, ${ }^{11}$ and furthermore that the Romans were politically motivated in refusing to support Rhodes's viewpoint.

The reason for Rome's decision to make its diplomatic protest and
clarification of the post-Apameia settlement at this late date may well have been political. Recent Rhodian activities in partnership with Macedon and the Seleukids might have aroused Roman fears. Perseus, the new king of Macedon, was to marry Laodike, the daughter of Seleukos IV. The Rhodian fleet had escorted the princess to her husband, and Rhodes had been lavishly rewarded. The coincidence of timing of Rhodes's gesture of friendship to Perseus and Seleukos, and the Lycian embassy, might have been too much for Rome to resist. The Rhodians believed Rome used the Lycian affair to deliver them a slap on the wrist. ${ }^{12}$

When Rhodes tried to present its view of the case, the senate deferred answering. Nevertheless, Rome characteristically took no real action in the matter, and Rhodes and Lycia went back to fighting. ${ }^{13}$ The real crisis in the Rhodes-Lycia dispute came a decade later, at a time when Rome was once again redefining her policy towards Rhodes. This was a time of crisis between Rome and Rhodes, when Rhodes's friendship for Macedon had offended Rome deeply. ${ }^{14}$ The decision of Rome to free both Lycia and Karia entirely in 167 must be linked to this.

Both Rhodes and Lycia, then, had turned to Rome to settle their dispute. Both sides had what they believed to be perfectly legitimate
claims, claims which they based on the decision of the Roman decemvirate in 188. Naturally, each expected Rome to support their own argument. But the issue was clouded by the apparent ambiguity of Rome's original pronouncement. It was, in legal terms, a case in which a legislator was asked to be judge and interpreter of the very pronouncement it had made. Rome felt free to interpret that pronouncement as she saw fit, as she was the original source of it. But she was clearly not a neutral arbitrator in this case. Lycia was ignored until it was time to punish Rhodes. The political motivations behind Rome's "arbitration" are obvious.

1

## Cf. 114

2 Errington (p. 192) points out the contradiction with Rhodes's image as she presented it: "When the Roman commissioners were discussing the details of the settlement, Rhodes had conveniently forgotten her insistence that the Greeks of Asia should be freed, and had asked for Caria and Lycia -- Hellenized territories on the Asiatic mainland which contained some purely Greek communities."

Berthold ( p . 167) suggests that Rhodes managed to extend its hegemony often the guaranteed free states as well at this time through a series of alliances, such as that between Herakleia and Miletos (cr. *129) which bound the states to the Rhodian alliance.

3 Polybios 21.24, 7. Livy 37.56, 5-6. The Rhodians may not have felt entirely sure of this grant, as they sent a couple of pro-Roman ambassadors to the decemvirate in 188 to ask for Lycia and Karia.

4 This may have been a ploy on the part of Pergamon. Errington
points out that llion was in the Pergamene camp, and Eumenes may have seen this as a way to undermine Rhodes's profits from the settlement. This would also explain Rome's response to the Ilian request. They were not impressed so much by llion's mythical kinship with Rome as by the desire to please both Eumenes and Rhodes as far as possible.

5 ' $\epsilon V \delta \omega \rho \in \hat{a}$. It has been suggested that Polybios's supposedly objective version of events is here influenced by a Rhodian source (Fraser/Bean pp. 112-13; Walbank III.183). Naturally, the granting of Lycia as a gift would be the optimum state of affairs for Rnodes, and it is certainly what they later argued.

6 Lycia sent an embassy to Rhodes to ask for an alliance, while Rhodes began to appoint governors for the Lycian and Karian towns.

7 Berthold (pp. 168-69) argues that the Rhodians were clearly given complete control of Lycia from the start. The fact that Lycia revolted rather than making an appeal to the decemvirate (as far as we know) is an argument in favour of that view. The argument is weakened, however, by the fact that the Lycians clearly did believe themselves to be legally justified. Their interpretation of the "revolt" was that they were legitimately resisting armed aggression as Rhodes attempted to take control. Berthold's argument that the later Lycian appeal to the senate (Livy 41.6) was based on moral rather than juridical grounds arises from Livy's "subjective" source (pro-Roman and anti-Rhodian?) which was concerned to bring out the cruel suffering of the innocent Lycians, rather than any legal arguments they might have. Livy is also inaccurate ( $41.6,8$ ) in ignoring the work of the decemvirate and presenting the grant of Lycia to Rhodes as a war-prize given by L. Scipio. The fact that the Roman decision of 178/7, in response to this embassy, itself makes reference to the 188 decision shows that the Lycian ambassadors must have made an appeal to law.

8 Gruen I. 123.
9 The fact that Livy (Polybios is full of lacunae) reports no Lycian embassy to Rome until 178/7 has also been taken to show that Lycia had no "legal leg to stand on" (Berthold pp. 169-70). This may well be true,
though if a Lycian embassy evoked no response from the senate, it may not have been reported.

10 The fact that the Lycians had tried to contract an alliance with Rhodes in 188/7 should indicate that the pronouncement of the Roman decemvirate, however it was worded, could have been read this way.

11 Polybios 25.5, 4: ${ }^{\prime} \notin \eta \pi a r n ̂ c \ni a L$
12 See Berthold pp. 174f.; Errington pp. 193-94. The Romans also guaranteed absolutely that there would be further military trouble for Rhodes, who thought she had crushed the revolt.

13 Cf. the comments in Gruen I.123.
14 Cf. 137.

## * 119: Antiochos III and Eumenes II/L. Scipio 187

Livy 38.39, 17; 39.22, 8-9; Polybios 21.45, 11.
De Ruggiero pp. 40, 65, 142, 155, 161-63, 238-240 *2; Gruen I.105-6; Hansen $^{2}$ p. 96; Klose p. 144; A.H. McDonald JRS 57 (1967) pp. 1-8; Phillipson pp. 154-55.

Livy 38.39, 17: De Pamphylia disceptatum inter Eumenem et Antiochi legatos cum esset, quia pars eius citra pars ultra Taurum est, integra res ad senatum reicitur.

Livy 39.22: (8) L. Scipio ludos eo tempore, quos bello Antiochi vovisse sese dicebat, ex collata ad id pecunia ab regibus civitatibusque per dies decem fecit. (9) Legatum eum post damnationem et bona vendita missum in Asiam ad dirimenda inter Antiochum et Eumenem reges certamina Valerius Antias est auctor.


 тìv cúyкえптov.

Livy reports that the historian Valerius Antias recorded an arbitration performed by L. Scipio between the two Asian kings Antiochos and Eumenes. The information given is exceedingly scanty, and perhaps untrustworthy. ${ }^{\text {I }}$ No details are given with respect to the subject of the dispute or the nature of the arbitration.

De Ruggiero connected this brief notice in Livy to other evidence pertaining to a dispute between Antiochos and Eumenes, that which took place over Pamphylia. ${ }^{2}$ Following the settlement at Apamela, a disagreement arose over whether the Asia Minor region of Pamphylia should be regarded as subject to Antiochos or Eumenes. Naturally it was claimed by both sides, and the dispute was submitted to Rome for arbitration. The natural choice to arbitrate this dispute would have been Vulso and his senatorial commission; presumably the issue involved was too weighty for the competence of the legates in Asia. Accordingly the dispute was referred to the senate.

The senate may then have given L. Scipio special powers to settle the matter between Antiochos and Eumenes. Livy states that Scipio's
settlement of the question took place after his trial in 187. While possible, this gives us a fairly restricted time limit, as Antiochos died in 187.3

In any case, the Roman arbitration over Pamphylia, whether it is to be connected to L. Scipio or not, had apparently little result. Less than twenty years later Pamphylia is attested as an independent state. 4


#### Abstract

1 Cf. Gruen I.105: "The report carries little authority: unattested elsewhere, not endorsed by Livy, and a product of the tangled tales surrounding the trials of the Scipios."


2 De Ruggiero *2. Cf. also Phillipson, Klose, and Weissenborn/Müller (Commentary on Livy 39.22, 9), Hansen ${ }^{2}$.

3 Gruen also raises the question of the unwonted delay between the submission of the dispute to senatorial arbitration and the alleged mission of Scipio.

4 In 169 an independent Pamphylia was sending embassies to Rome (Livy 44.14).

## *120: The Achaian League and Boiotia/Megara 187/6

Polybios 22.4, 9-17.
Gruen I.109; B. Haussoullier. Traité entre Delphes et Pellana (Paris 1917) pp. 105-9; Larsen (Frank) p. 287.

Polybios 22.4: (9) év סè toîc kalpoîc toútoic пресßєúcavtoc aủtoû toû






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 moגùv $\bar{\eta} \delta \eta$ xpóvov. (12) $\grave{\omega} \nu$ סlakoúcavtec of Botwroí,



 тoîc aítounévoic tà p̊úcia katà t $\hat{\omega} \nu$ Bot $\omega \tau \hat{\omega} \nu$. (14) $\epsilon \in \xi \hat{\omega} \nu$






 тє Meyapeîc émécxov tà pécia, סıampecßєucaú́v $\nu \omega \nu$. . . toîc cuva入入áү $\mu a c ı$.

The antecedents to the quarrel between Achaia and Boiotia, a quarrel
settled by the arbitration of Megara, were to be found in a lengthy history of unsettled private disputes between Achaian and Boiotian citizens, and in the political schemes of Rome.

After the Roman war against the Aitolians and Antiochos, Boiotia was
divided between those among the more affluent citizens who tended to support Roman policies, and those among the poorer classes who did not. The latter were of course by far the more numerous. Flamininus, concerned for Roman influence in Boiotia, was working constantly for the return of the pro-Roman Boiotian statesman Zeuxippos, and managed to persuade the senate to submit a formal request to the Boiotians to recall Zeuxippos from exile. ${ }^{1}$ The Boiotians refused, and the Romans then turned to the Achaian League, pressing them to use their influence. The Achaians thereupon sent envoys to the Boiotians with a double request: they asked the Boiotians on behalf of the Romans to restore Zeuxippos; and on their own behalf they requested the Boiotians to settle the long outstanding disputes between private Boiotian and Achaian citizens. ${ }^{2}$ The Boiotians failed to respond vigorously to either of these requests, and the Achaians, under the less than tactful Philopoimen, retaliated by granting the right of reprisal to any Achaians concerned in the private suits. ${ }^{3}$

It was this action on the part of the Achaian League which led to the hostility between Achaian and Boiotian citizens taking on national proportions. ${ }^{4}$ In order to avert a war, the Megarians apparently intervened between the two states, and put a stop to the reprisals, and perhaps also
helped to bring about an agreement with respect to the outstanding suits. ${ }^{5}$
Strictly speaking, Megara at this point was again part of the Achaian League; however, up until a few years previously she had been part of the Boiotian League, ${ }^{6}$ and perhaps in some respects still occupied a kind of middle ground with respect to Achaia and Boiotia.
$1 \mathrm{Cf} .=87$.
2 polybios records a general state of unsettled litigation within Boiotia itself. Cf. as well Polybios 20.6; and see, on untried suits in Boiotia, Haussoullier pp. 105f.

 $\tau \omega ิ \nu$ Botwt $\omega$ v. On pócta cf. 93 .



5 Unfortunately, the text of Polybios has a lacuna at this point.

 perhaps it was only the Boeotians who sent envoys and asked for Megarian intervention (offering to resolve the judicial impasse)." (Walbank Comm III.181).

There is some epigraphic evidence that Megara may have been involved at this time in settling suits within the Boiotian cities (an inscription discovered in Megara [ $\underline{G}$ VII.21] records the sending of judges from Megara to Orchomenos).

6 Megara rejoined the Achaian League in 192. Cf. $=101$. As Walbank
points out, the Megarians will have been directly concerned with respect to reprisals, as their territory separated the Achaians and Boiotians, and such activity would have been carried on across their borders.

## *121: Philip V and Various States/Rome 186/5 and later

Appian Mak 9.6; Livy 39.24, 5-6; 39.24, 13-14; 39.25, 1-7; 39.25, 16-17; 39.26, 1-4; 39.26, 14; 39.29, 1-2; 39.33, 1-4; 39.46, 6-9; 39.53, 10; Pausanias 7.8, 6; Polybios 22.6; 22.11, 1-4; 23.1, 1-5; 23.1, 10-13. Cf. Diodoros 29.16; Polybios 23.8-9.

Badian FC pp. 92f.; Errington Dawn pp. 195-201; Gauthier pp. 94-100, 340-42; E.S. Gruen GRBS 15 (1974) pp. 225f.; Gruen I.105, 125, II.399-402; Larsen (Frank) pp. 288-89; McShane pp. 157f.; Walbank Philip V pp. 223-45; Walbank Comm III.184-86, 195, 214-16; Will ${ }^{2}$ II.250-52.














 Baípıov кaì Tєв́єplov к $\lambda$ aúdıov.

Livy 39.24: (5) Rediere deinde causae, quae de integro iram moverent in Romanos. (6) Thessalorum et Perrhaeborum querellae de urbibus suis
ab eo possessis, et legatorum Eumenis regis de Thraciis oppidis per vim occupatis traductaque in Macedoniam multitudine, ita auditae erant ut eas non neglegi satis appareret.

Livy 39.24: (13) Senatus, ne quid absente rege statueret, legatos ad eas controversias disceptandas misit $\mathbf{Q}$. Caecilium Metellum M. Baebium Tamphilum T. Sempronium. (14) Quorum sub adventum ad Thessalica Tempe omnibus iis civitatibus, quibus cum rege disceptatio erat, concilium indictum est. [25] lbi cum Romani legati disceptatorum loco, Thessali Perrhaebique et Athamanes haud dubii accusatores, Philippus ad audienda crimina tamquam reus consedissent, (2) pro ingenio quisque eorum, qui principes legationum erant, et gratia cum Philippo aut odio acerbius leniusve egerunt. (3) In controversiam autem veniebant Philippopolis Tricca Phaloria et Eurymenae et cetera circa eas oppida, (4) utrum, Thessalorum iuris cum essent, vi ademptae possessaeque ab Aetolis forent -- nam Philippum Aetolis ademisse eas constabat -- an Etolica antiquitus ea oppida fuissent: (5) ita enim Acilium regi concessisse, si Aetolorum fuissent, et si voluntate, non si vi atque armis coacti cum Aetolis essent. (6) Eiusdem formulae disceptatio de Perrhaeborum Magnetumque oppidis fuit: omnium enim iura possidendo per occasiones Aetoli miscuerant. (7) Ad haec quae disceptationis erant, querellae Thessalorum adiectae, quod ea oppida, si iam redderentur sibi, spoliata ac deserta redditurus esset.

Livy 39.25: (16) Thessalis auditis Perrhaebi Gonnocondylum, quod Philippus Olympiadem appellaverat, Perrhaebiae fuisse, et ut sibi restitueretur, agebant; et de Malloea et Ericinio eadem postulatio erat. (17) Athamanes libertatem repetebant et castella Athenaeum et Poetneum. [26] Philippus, ut accusatoris potius quam rei speciem haberet, et ipse a querellis orsus Menelaidem in Dolopia, quae regni sui fuisset, Thessalos vi atque armis expugnasse questus est; item Petram in Pieria ab iisdem Thessalis Perrhaebisque captam. Xynias quidem, haud dubie Aetolicum oppidum, sibi contribuisse eos; et Paracheloida, quae sub Athamania esset, nullo iure Thessalorum formulae factam. (3) Nam quae sibi crimina obiciantur de insidiis legatorum et maritimis portubus frequentatis aut desertis, (4) alterum ridiculum esse, se reddere rationem, quos portus mercatores aut nautici petant, alterum mores respuere suos.

Livy 39.26, 14: Causa cognita pronuntiarunt legati placere deduci praesidia Macedonum ex iis urbibus, et antiquis Macedoniae terminis regnum finiri. De iniuriis quas ultro citroque illatas querantur quo modo inter eas gentes et Macedonas disceptetur, formulam iuris exsequendi constituendam esse.

Livy 39.29: Movit aliquantum oratio regis legatos. Itaque medio responso rem suspenderunt: si decem legatorum decreto Eumeni datae civitates eae essent, nihil se mutare; (2) si Philippus bello cepisset eas, praemium victoriae lure belli habiturum; si neutrum eorum foret, cognitionem placere senatui reservari et, ut omnia in integro manerent, praesidia quae in iis urbibus sint deduci.








 Make $\delta o v i ́ a v ~ k a i ̀ ~ t \omega ̂ v ~ k a t a ̀ ~ ח \in \lambda o m o ́ v u \eta c o v, ~ \epsilon i ́ c \eta ̂ Y o v ~ \epsilon i ̉ c ~ t i ̀ v ~$
 єícє $\lambda \theta^{\prime}$










Livy 39.33: Principio insequentis anni P. Claudius L. Porcius consules, cum Q. Caecilius M. Baebius Ti. Sempronius, qui ad disceptandum inter Philippum et Eumenem reges Thessalorumque civitates missi erant, legationem renuntiassent, (2) regum quoque eorum civitatiumque legatos in senatum introduxerunt. (3) Eadem utrimque iterata, quae dicta apud legatos in Graecia erant. Aliam deinde novam legationem patres, cuius princeps Ap. Claudius fuit, in Graeciam et Macedoniam decreverunt ad visendum, redditaene civitates Thessalis et Perrhaebis essent. (4) Iisdem mandatum, ut ab Aeno et Maronea praesidia deducerentur, maritimaque omnis Thraciae ora a Philippo et Macedonibus liberaretur.



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Livy 39.46: (6) Nec umquam ante tantum regionis eius hominum Romae fuerat. (7) Nam ex quo fama per gentes, quae Macedoniam accolunt, vulgata est crimina querimoniasque de Philippo non neglegenter ab Romanis audiri, (8) multis operae pretium fuisse queri, pro se quaeque civitates gentesque, singuli etiam privatim -- gravis enim accola omnibus erat -- Romam aut ad spem levandae iniuriae aut ad deflendae solacium venerunt. (9) Et ab Eumene rege legatio cum fratre eius Athenaeo venit ad querendum simul quod non deducerentur ex Thracia praesidia, simul quod in Bithyniam Prusiae bellum adversus Eumenem gerenti auxilia missa forent.












Livy 39.53, 10: Postquam legati alit Romani venerunt. et cogebatur decedere Thracia praesidiaque deducere et alia aut ex decreto priorum legatorum aut ex nova constitutione senatus facere.




At the end of the Second Macedonian War, the Romans had taken care not to crush their defeated enemy. Philip was ordered out of Greece, and his kingdom was curtailed, but the Romans wanted to maintain Macedon in some strength as a balance to the Aitolians and Antiochos. Accordingly, Philip was left with rather more power than he might otherwise have expected, and he proved to be a useful enough ally to Rome in the subsequent Antiochene war.

Rome, however, was also concerned that Greece be strong enough to maintain its own independence and that she be friendly to Roman interests. The Romans had no desire to see Philip encroaching on Greece again and extending Macedonian influence in the southern states once more. The settlement at the end of the Second Macedonian War reflects this desire to maintain a balance, and the position of Rome as "guarantor" of that settlement meant that she became the focus of various appeals from the east to adjudicate when that balance was disturbed. This wealth of appeals to Rome when disputes erupted between Philip and various other states was of course a recognition of Rome's power and her claim to ensure the freedom of the Greeks, as well a recollection of erstwhile Roman hostility to her present ally Philip.

Nevertheless, there are also indications that the actual terms of the peace treaty of 196 may have enshrined an arbitration clause similar to that found in the peace treaty of Apameia eight years later. ${ }^{1}$ It seems unlikely that Rome envisioned arbitrating these disputes herself; probably she intended that the Greeks make use of what was, after all, a Greek institution. ${ }^{2}$ But problems arose with the Greek tribunals. It is nowhere stated explicitly, but probably the greatest problem of all was that of insufficient prestige on the part of these tribunals. Rome, on the other hand, never suffered from a lack of prestige, and it never hurt for complainants to go directly to the top. Therefore, disputes which Rome may have realized would take place, but which she never contemplated having to deal with herself, came to be arbitrated by Roman commissions and senatorial hearings.

There were various complaints made against Philip in the 180's. Most of them sprang from his attempts to reconstruct Macedon. This in itself might have made the Romans nervous and quite willing to listen to Philip's enemies.

During the course of the war against Aitolia and Antiochos Philip succeeded in restoring the old Macedonian influence in the territories
south of Macedon, Perrhaibia and Thessaly. As he was a Roman ally fighting Aitolian forces, Rome could not really do anything to stop him. However, his continuing successes were an added incentive for the Romans to put a quick end to the war in Greece. ${ }^{3}$ As the Aitolians had been embittered at the end of the Second Macedonian War because they had not profitted enough at Philip's expense, so Philip felt in 189/8 about the Aitolians, and the rest of Rome's settlement. Eumenes now held Seleukid possessions in Europe, such as the Thracian Chersonese and Lysimacheia, possessions which Philip would have thought should reasonably fall to him. 4 The Thracian coast towns of Ainos and Maroneia, when freed from Seleukid control in 189, had been declared independent rather than attached to Philip's territory. ${ }^{5}$ Macedonian Orestis, which had revolted from him in 198/7, was never returned. ${ }^{6}$ As for Greece, the Thessalian League continued to be independent and controlled much strategic territory, especially Lamia. ${ }^{7}$

Philip, then, was embittered by the solution to the war, and in the 180's set about rebuilding and consolidating his power. He appears to have attempted to avoid Roman hostility or interference by keeping to the letter of his agreements, but it was not long before complaints from other
states invited the intervention of the Romans.
One of Philip's first acts was the seizure of the towns of Ainos and Maroneia. ${ }^{8}$ Not only did this offend the inhabitants of the towns, it also concerned Eumenes, as it eliminated the neutral ground between Philip's territory and his own. ${ }^{9}$ Accordingly, Eumenes's ambassadors accompanied the exiles of Maroneia to Rome in 186/5 in order to lodge a complaint.

At the same time embassies also arrived in Rome to request the senate to rule on the matter of territories Philip had appropriated in the course of the war against the Aitolians. Philip, of course, felt that he had not taken enough towns in Thessaly. The Thessalians, on the other hand, felt that he had taken too much. Hence representatives came to Rome from Thessaly, Perrhaibia and Athamania regarding Philip's conquests in the war.

The Romans were not especially concerned about the plight of the Thessalians, perhaps reasonably enough. Philip had the perfectly legitimate excuse that he had taken the towns from Aitolian control, and his actions had been sanctioned by the Roman general at the time. Philip's envoys pointed this out when they argued his case. ${ }^{10}$ The senate was, however, alarmed by Philip's aggression against Ainos and Maroneia, and
decided to investigate.
The senate followed their rather typical policy of deferring a decision until they could send out a group of legates to report. A commission of three was empanelled, with instructions to go to Greece and hear the arguments of both Philip and his opponents. ${ }^{11}$ In other words the commission had all the appearance of a neutral tribunal or court of law. ${ }^{12}$ The legates were to sit in judgement on Philip and his accusers.

The meeting where the "trial" took place was at Tempe, in the spring of 185. The three legates heard all the charges against Philip. The Thessalians brought forth arguments and evidence that Philip had no legal right, according to his agreement with Rome, to hold certain towns. ${ }^{13} \mathrm{He}$ was also accused of all kinds of other crimes: illegal enslavement of Thessalian youth, attacks on envoys, despoliation of Thessalian property and economic warfare. As Livy presents the Thessalian arguments they were highly coloured and inflammatory. ${ }^{14}$ After them, the Perrhaibian and Athamanian complaints were an anticlimax. They also claimed Philip to be illegally holding territory which belonged to them. Again the issue was the nature of Philip's compact with the Romans during the Aitolian war.

Philip's response to the charges of his accusers was counter-attack.

He levelled many irrelevant and trivial complaints himself against his opponents, but his purpose was probably to obfuscate the issue and undermine the Thessalian standing with the Romans. On the other hand, he may simply have been despairing. He was evidently offended by the nature of the whole situation: having to argue with his opponents, who he believed were better suited to be his subjects, before the impartial bar of the Roman judges. And what was worse, he knew that that impartiality was only a stance. The Romans would, as always, make their judgement based on political considerations. If it required them to "reinterpret" one of their own earlier contracts, that would present no problem. ${ }^{15}$ Philip allowed the Romans to see that he really did not expect much from them as his judges, and that certainly did not help his case.

The commission made a general decision which was a blow to Philip. He was to remove his garrisons from the cities under discussion, and Macedon was to be limited to its "ancient boundaries". 16 As for all the rest of the complaints, the legates deferred decisions until they could determine the procedure by which the disputes were to be settled.

The commission then moved north to have further discussions about the issue of Ainos and Maroneia. Philip, Eumenes and the Maroneians all
presented their arguments. Philip emphasized again that he considered the Romans to be treating him as an enemy, not as a friend, and hinted that he would be prepared to meet hostility with hostility. ${ }^{17}$

The commission evidently did not feel that it had a mandate to adjudicate between Philip and Eumenes. They would not make a final decision on the matter, but rather would refer it back to the senate. In the meantime, however, the interim decision clearly went against Philip: he was to remove his garrisons until a final judgement was made.

The envoys, after carrying out various other missions, ${ }^{18}$ returned to Rome, where, in the winter of 185/4, the senate heard the report of the Roman commission, as well as delegations from all the parties to the disputes. Evidently nothing new was said in the way of arguments, and the senate'e judgement was as expected: Philip was indeed to relinquish Ainos and Maroneia, and not only that, but the entire coast of Thrace outside the borders of Macedon. Adding insult to injury, the senate then commissioned another group of legates, under Appius Claudius, to go to Greece and ensure that Philip did indeed withdraw his garrisons from these places, and to make sure that he had evacuated the Thessalian and Perrhaibian cities.

Relations between Rome and Macedon were worse now than at any
time since the Second Macedonian War, and matters were not helped by Philip's machinations which resulted in the massacre of the population at Maroneia. ${ }^{19}$ The obvious breach between Rome and Philip, and the positive reception given by Rome to Eumenes, the Thessalians and the rest, encouraged others to believe that Rome was always happy to hear charges against Philip. Polybios, followed by Livy, states that the "embassy season" of $184 / 3$ brought an unparalleled number of envoys to Rome bearing complaints against Philip.

The complaints of Philip's southern neighbours were of a different nature this time. The Thessalians and Perrhaibians, probably since shortly after 196, and perhaps as a result of a Roman arrangement, had had judicial treaties, symbola, with Philip. 20 In accordance with these treaties, disputes between Philip and his neighbours were to be settled by impartial arbitration. ${ }^{21}$

The complaint against Philip this time was that he was not using this judicial process. There were several embassies, from Thessaly, Perrhaibia, Athamania, Epiros and Illyria, all with their various claims against Philip. There were claims for material goods, as well as complaints against Philip for refusing to use the authorized courts, and, if
he agreed to arbitration in the first place, for having bribed the judges.
Evidently, then, the judicial arrangements for arbitration between Philip and his neighbours had broken down. In the absence of further information it is difficult to accuse Philip simply of bad faith. However, it would probably be correct to say that he found it galling to have to deal with his erstwhile subjects as equals in a court of law. Those "subjects" of course now had another alternative. They could come to Rome.

Eumenes also had further complaints to make against Philip, through his brother Athenaios. Eumenes had been keeping a close eye on the situation at Ainos and Maroneia, and Philip had still not removed the garrisons. Eumenes also accused Philip of sending aid to Pergamon's enemy, Prousias of Bithynia.

Philip's representative sent to answer all these charges before the senate was his son Demetrios. Demetrios impressed the senate favourably with his character, and the senate, eager perhaps to propitiate the next generation and dismiss the father as a loss, treated the prince generously. In a decision which was an implicit criticism of Philip himself as well as the validity of Philip's legal stance, the senate accepted Demetrios's justification of the Macedonian position, but sent a clear message to

Philip that he owed all his good fortune to his son. ${ }^{22}$ This was the final straw for Philip. His alienation from Rome was now complete.

$$
1 \mathrm{Cf}=113
$$

2 See Gruen I. 105.
3 Walbank Philip V pp. 207-8.
4 Polybios 21.45.
5 Livy 39.27.
6 Polybios 18.47. Livy 33.34; 39.28.
7 On the extent and significance of Thessalian control in central Greece see Walbank Philip V pp. 218-19. Philip had acquired much important territory: Demetrias, along with the rest of Magnesia, and the coast of Malis.

8 The first we hear of it is from the complaints of the envoys of Eumenes and the exiles from Maroneia in Rome in the winter of 186/5 (Polybios 22.6). Philip must have seized the towns in 187 or 186 . We hear of stasis within the towns, and Philip probably gave the excuse that he had been invited to install garrisons by pro-Macedonian factions.

9 Eumenes later suggested to the Romans in an offhand manner that if they really did not care what happened to Ainos and Maroneia, then they might just let him, Eumenes, have them (Livy 39.27).
${ }^{10}$ Livy 39.24, 10-12.
11 The three legati were Q. Caecilius Metellus, M. Baebius Tamphilus and Ti. Sempronius Gracchus (on the possibility of the third legate being instead Ti. Claudius Nero, see Walbank Comm III.186).

13 Their argument hinged on whether the towns taken were really Aitolian towns who had fought against Rome voluntarily, or whether they had been forcibly taken over by the Altolians first. See Walbank Philip V pp. 227f. on the "re-interpretation" of Philip's compact with the Romans.

14 Livy 39.25, 7-15.
15 Cf . the Roman re-interpretation of the status of their grant of Lycia to Rhodes (* 118 ).

16 The ambiguity of this statement would of course allow for further Roman re-interpretation in future if necessary. For now, Philip still retained some possessions in Thessaly. See Walbank Philip V p. 232.

17 Livy 39.27-28. It was at this point that Eumenes argued that he had a better claim to Ainos and Maroneia than Philip did.
${ }^{18} \mathrm{Cf} .=122$.
19 Livy 39.34.
20 See Gauthier pp. 340-41, Gruen I.105. The actual status of these treaties may have been threatened or eroded by the fact of Philip's military aggressions and conquests during the Aitolian war. It is also possible that these symbola were a result of the arrangements the Roman legates promised to make after the meeting at Tempe.

21 The symbolon as such should be applied to disputes of an individual or commercial nature. However, Polyblos seems to imply that disputes of an inter-state nature were also envisioned here. Perhaps Philip and his neighbours had full-fledged arbitration treaties. Cf. Gauthier pp. 341-42.

22
Cf. Walbank Philip V p. 239: "By their decision...the Senate for the first time jettisoned all pretence of justice in their dealings with Philip; henceforward, he was to hold his position only by virtue of Demetrius' popularity at Rome."

## * 122: The Achaian League and Sparta/Rome 184/3

Polybios 23.4; Livy 39.48, 2-4; Pausanias 7.9, 3-5. Cf. Plutarch Philopoimen 16, 6.

Sonne *138. See the works cited in $=112$.











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 Пє $\lambda_{0}$ о́vи








 Títov Bounópevol kaì toùc 'Axatoùc eic iǹ óc óno $\lambda \frac{\gamma i ́ a}{}$





 kaì $\tau \hat{\omega} \nu \tau \epsilon \theta a v a \tau \omega \mu \in \nu \omega \nu$ ठià tò ríveçal пapà tà $\tau \hat{\omega} \nu$ 'Axai $\omega \nu$





Livy 39.48: (2) Lacedaemonii deinde introducti sunt. Multae et parvae disceptationes iactabantur; sed quae maxime rem continerent, erant utrum restituerentur quos Achaei damnaverant necne; (3) inique an iure occidissent quos occiderant, et utrum manerent in Achaico concilio Lacedaemonii an, ut ante fuerat, secretum eius unius in Peloponneso civitatis ius esset. (4) Restitui iudiciaque facta tolli placuit, Lacedaemonem manere in Achaico concilio scribique id decretum et consignari a Lacedaemoniis et Achaeis.

















 по́ $\lambda \epsilon i c$ öcal cuvépíou toû 'Axalâv $\mu \in \tau \epsilon i x \neq v$. (5)












The ambiguous and indifferent Roman decision of 188, and the brutal repression by Philopoimen which followed it were not conducive to Sparta remaining a compliant member of the Achaian League. ${ }^{1}$ As far as the Spartans were concerned, their independence had been in some degree endorsed by that Roman judgement, and they were to continue to act in an autonomous fashion.

Once the Spartans had begun to recover from Philopoimen's actions in 188, one of their first moves was to send an embassy to Rome to complain of the massacre at Kompasion, and Philopoimen's settlement. ${ }^{2}$ Given the bitter factionalism at Sparta in these years, the group which complained to Rome in the winter of 188/7 probably represented only a portion of the population, and that most damaged by the restoration of the exiles in
spring 188. This is likely to be what was left of the anti-Achaian Nabis party, those who had survived the massacre. ${ }^{3}$ The Achaians were of course forced to send their own counter-embassy to defend themeselves when the Roman consul M. Lepidus sent them an official complaint for the massacre. ${ }^{4}$ An official complaint, however, was as far as the matter went, and Achaia's ambassador to Rome was able to return with the news that the senate did not intend to do anything further. ${ }^{5}$

Matters appear to have remained relatively unchanged until the summer of 185 when $\mathbf{Q}$. Caecilius Metellus was in Greece and Macedonia investigating complaints against Philip. V. ${ }^{6}$ Perhaps in order to enhance his own prestige as a mediator, he met in an ex officio capacity with the magistrates of the Achaian League at Argos. Despite the fact that the Achaians might have considered the matter to be closed, and certainly of no further interest to the Romans, Metellus remonstrated with them for their conduct towards the Spartans, and urged them to change their ways. Such an address might have seemed like a bolt out of the blue. ${ }^{7}$ The criticism certainly acted as a springboard for the expression of various differences of policy within the League. Diophanes, true to the path he had tried to follow three years earlier, criticized Philopoimen's disregard of

Roman wishes. His opponents, however, Philopoimen, Lykortas and Archon, won the day. When Metellus tried to convoke an official meeting of the League he was denied when he was forced to admit that he had no official instructions from the senate on the matter.

Not only was Metellus personally angered by this affront to his prestige, he also succeeded in communicating the insult to the senate., When an embassy from the Achaian League came to discuss the Spartan issue in the winter of 185/4, it found itself faced with the charges of an angry Metellus. ${ }^{8}$ The ambassadors defended themselves by an appeal to the laws of the Achaian League, which forbade the synkletos to be summoned to deal with matters unauthorized by the senate. The senate was not concerned with Achaian law; it simply urged that the Achaians grant Roman representatives the same diplomatic privileges which the Roman senate was always willing to grant the Achaians.

The Spartan issue was another matter. There was an embassy present from Sparta as well to argue its case. The issue was still the settlement imposed on Sparta by Philopoimen, an arrangement which was eroding the old anti-Achaian and pro-Achaian barriers between Spartan factions. Policies such as the abolition of the Lykourgan system were non-partisan:
they offended all Spartan citizens equally. 9 Hence on this embassy to Rome in 185/4 we find two prominent former Spartan exiles, Areus and Alkibiades. Both were men whom Philopoimen had restored and had every reason to believe should be grateful to him. Yet they were now taking an anti-Achaian stance before the Roman senate. And the senate, now that Metellus had stirred up the hornets' nest again, was obliged to take up a stance of positive action on the Spartan issue. ${ }^{10}$

Both the Achaian and Spartan delegates argued their case before the senate. The Achaians claimed that Philopoimen's solution was the best possible; the Spartans argued the opposite. Clearly the senate could not come close to making an equitable judgement between two such subjective views without further information. It therefore indulged its traditional reluctance to make a firm decision on Greek affairs, and added an investigation into the Spartan problem to the tasks to be carried out by the new commission to be sent to Macedon. ${ }^{11}$

Before the arrival of the commission under the "arbitration expert" Appius Claudius Pulcher, ${ }^{12}$ the Achaian synodos was convoked by Lykortas to discuss the matter. The meeting was swayed by emotion, and the "ingrates" Areus and Alkibiades were condemned to death. ${ }^{13}$ However,
when Appius arrived at Kleitor for his meeting with the Achaian assembly, he was accompanied by Areus and Alkibiades. The clear expression of Roman support for Sparta's case frightened the Achaians, as did the bullying response Appius gave to the Achaian self-defense. Pausanias states that Appius was sent out to arbitrate between Sparta and Achaia, but Appius was clearly acting as the champion of Sparta, with no interest in listening to Achaian legal appeals. ${ }^{14}$ His response, perhaps prompted by personal concern for his own dignitas, ${ }^{15}$ was to threaten the Achaians until, cowed by his threats, they rescinded the decrees of execution promulgated against Areus and Alikibiades, and agreed to Roman demands.

Both sides then sent embassies to the senate in the winter of $184 / 3$ in order to settle the matter. Evidently there was a great deal to be settled. Polybios records that four different sets of Spartan envoys were present: the "old exiles", headed by Lysis, whose immediate concern was property in Sparta which presumably had proved impossible to recover; the group headed by Areus and Alkibiades, who perhaps for popularity's sake, or for the sake of renewing the citizen population, proposed the recovery of property up to a talent's worth, and the distribution among "worthy citizens" of property beyond that value; ${ }^{16}$ a third group, headed by

Serippos, was apparently pro-Achaian and argued in favour of maintaining the Achaian-imposed settlement; the fourth group, headed by Chairon, was those who had suffered the most from the Achaian settlement. This last group demanded the restoration of the anti-Achaian exiles and the Lykourgan constitution.

Faced with this morass of conflicting claims and arguments, the senate finally appointed an arbitration commission to deal with them. The tribunal consisted of three men with previous experience in the issues of the Peloponnese: Flamininus, Metellus, and Appius. It carried out its task in Rome, and presumably the embassies of the Achaians and Spartens presented their claims to the commission to be arbitrated. ${ }^{17}$ The commission managed to come to an agreement on the matter of the exiles, who were to be restored to Sparta. ${ }^{18}$ They also argued, however, that Sparta should remain a part of the Achaian League. ${ }^{19}$ Condemnations and penalties voted against anti-Achaian exiles were revoked and remitted. Machinery was set up to avoid future violent disputes, at least over certain matters: all cases which involved a capital charge were to be referred to foreign courts, $\xi_{\epsilon} \boldsymbol{v}$ kà $\delta$ (kactinpla. The issue of the restoration of property, however, continued to be a problem. The
commissioners differed over which of the solutions suggested by the various Spartan embassies should be employed, and apparently no solution was reached.

The arbitrators, however, wanted the ratification by the disputants of the terms they had agreed on. The Achaians hesitated over the matter of the restoration of the anti-Achaian exiles, but finally agreed to sign the agreement, moved partially by fear of the commission's reaction if they refused. They had after all acquired Roman recognition of the irrefutable fact of Sparta being a member of the Achaian League.

The arbitration commission of Flamininus, Metellus and Appius was probably the most vigorous reaction the Greek states ever succeeded in achieving from the senate in these years of dispute between Achaia and Sparta. It is clear, however, that the Achaian League was not particularly moved by a desire for neutral arbitration by a third party. They came to Rome because they were under attack by Sparta, which they perceived to have Rome's favour, and were required to defend themselves. The nationalists of the Achaian League, unlike Diophanes, did not believe that any of this was Rome's business, and she had no right to arbitrate in a dispute between the League and one of her members. They bowed to the
force of circumstance, but the affair of Sparta, and Roman interference, in Achaian eyes, and Achaian recalcitrance, in Roman eyes, continued to be a chief source of aggravation in Roman-Achaian relations.

The arbitration of $184 / 3$ was meant to settle the Achaian-Spartan dispute, but the quarrels continued. The property issue was never settled, and new factional lines were drawn in Sparta. Serippos the pro-Achaian and Chairon the anti-Achaian joined hands to force out the "old exiles" and take possession of their property. An embassy of these "old exiles", led by Arkesilaos and Agesipolis came to Rome in 183/2 to complain of their treatment. 20 Another Spartan embassy also arrived, this one an "official" one headed by Serippos. ${ }^{21}$ His intentions may have been to affirm his loyalty to the Roman settlement, in the face of his recent expulsion of the "old exiles". It is uncertain what his stance was with respect to Sparta's attachment to the Achaian League. 22 Whatever it was, it is clear that the senate's reaction on this occasion was dictated not by embassies from Greece but by the report of its commissioner to Greece, $\mathbf{Q}$. Marcius Philippus. ${ }^{23}$ Marcius reported that the Achaians were being unco-operative and were not eager to fall in line with Roman wishes. But in light of the current unrest in Sparta and the Messenian revolt, if Rome
merely adopted a hands-off policy, Achaia would soon come begging to them. Thus, when Achaia asked for Roman co-operation on the issue of Messene, the Romans turned the tables on the Achaians, and claimed that the internal affairs of the Peloponnese were none of their business. ${ }^{24}$

In this declaration the senatorial response to the Achaians was that it was no affair of the Romans even if Argos, Corinth or Sparta itself should choose to secede. In view of the Roman attitude it is not surprising that Sparta under Chairon's leadership revolted from the League yet again in 182. The League was no doubt too occupied with Messene to carry out any military activity against Sparta. ${ }^{25}$ But when Serippos returned the balance swung again in Achaia's favour and Sparta was allowed to rejoin the League, on the condition that those of the "old exiles" who had been guilty of "ingratitude" to the League not be restored. ${ }^{26}$ In representations to the senate in the winter of $182 / 1$, the ambassadors representing those old exiles who were not to be restored, succeeded in extracting a promise from Rome to support their cause in a letter to the Achaians. Nevertheless, the senate appeared complaisant in the Achaian settlement, and the Achaians decided to ignore the letter. ${ }^{27}$

In 181/0, the exiles were in Rome again. ${ }^{28}$ Leadership of the Achaian

League had now shifted away from the nationalists who were devoted to Philopoimen's policy, to the pro-Romans represented by such politicians as Kallikrates. ${ }^{29}$ In the Achaian embassy to the senate Kallikrates urged the Romans to exploit pro-Roman sentiments in Greece. He impressed the Romans favourably, and, in spite of Polybios's personal feelings, the Achaians as well, since he was elected strategos for 180/79. ${ }^{30}$ One of his first acts upon entering office was to restore the Spartan exiles. ${ }^{31}$ Although, given the state of our sources, it is by no means possible to say for certain, it seems as though Kallikrates's solution was more viable than anything tried in the previous 12 or 13 years. Although Sparta and the Achaian League did not live in perfect peace over the next few decades, ${ }^{32}$ there is no evidence of disputes of the magnitude which had divided them in Philopoimen's day until shortly before the Achaian War. ${ }^{33}$

See $=112$.
2
3
See Errington pp. 148-49; Piper p. 126.
4
5
Polybios 22.3.
Polybios 22.7; Diodoros 29.17.

Polybios 22.10. Cf. 121 .
7
Cf. Errington p. 166.
8 Polyblos 22.11; Livy 39.33; Pausanias 7.9, 1.
9 Piper pp. 126-27. Spartan internal conflicts on other matters of course continued.

10 Errington p. 174.
11 Polybios 22.12. Pausanias $(7.9,3)$ appears to envision that Appius and his colleagues were actually to carry out arbitration between Achaia and Sparta.

12 Cf . 123. The tone he used to the Achaians makes it interesting to speculate where his expertise in mediation and arbitration lay.

13 Livy 39.35.
14 Cr . Pausanias's comment 7.9, 6: át́
 àvtıвálvovtoc...

Appius may have invited the Spartans to make their representations to Rome (Larsen GFS p. 452).

15 Gruen II. 488.
16 See Errington pp. 175f. on the nationalist ambitions of this "royalist splinter group".

17 Pausanias mistakenly confuses the work of this commission with the visit of Appius to Greece in the summer of 184.

18 These were the exiles driven out by the Achaians, Chairon's group. The remains of those who had died at Kompasion were also to be brought back to Sparta.

19 This will have pleased the pro-Achaian Serippos and his party. On the compromise solution, cf. Piper p. 128, Errington pp. 182-83.

20 Polybios 23.6. See Walbank Comm III.224, and Piper pp. 129-30.
21 Polybios 23.9.
22 Piper (p. 130) thinks that he was seeking Roman permission to secede from the League; Errington (pp. 188-89) believes that there was a split on this issue between the policies of Serippos and Chairon, and that Serippos was seeking Roman support for the Spartan union with Achaia.

23 Polybios 23.9, 8-10.
24 Polybios 23.9, 13.
${ }^{25}$ Errington pp. 196, 288-91.
26 Polybios 23.17.
27 Polybios 24.1-2.
28 Polybios 24.7.
29 Errington pp. 200-1.
30 Polybios 24.10.
31 See IOlympia \#300 for the dedication of gratitude from the exiles

 סıa入úcavta motì toùc monítacl kai єic tàv दُł ảpxâc é[oûcav]


32 Cf . 148 , 150
$33=165$. See Piper p. 134.

123: Gortyn and Knossos/Rome 184

Polybios 22.15.
Berard *46; G. Cardinali RFIC 35 (1907) pp. 16f.; de Ruggiero pp. 40, 65, 142, 155, 161-63, 205, 244-45 * 4; Gruen I.106, 233f.; Larsen (Frank) pp. 287-88; Muttelsee pp. 52-53; Phillipson p. 156; Préaux p. 279; Raeder *52; van Effenterre pp. 145f., 262f.; Walbank Comm III.200-202.












 voc̣icaú́vouc. (4) пepì ठè tâv katà kotvoסíkiov cuvex'́pncav




In the summer of 184 Polybios records that a Roman commission headed by Appius Claudius Pulcher arrived in Crete in time to settle disputes between the two rivals Knossos and Gortyn. ' At that time, Gortyn was apparently taking the offensive in a campaign to weaken

Knossos. Nevertheless, the Cretan states were apparently willing to listen to the Roman commission, and entrust their affairs to its arbitration. Gortyn acquiesced in the restoration of territory to Knossos, while Claudius apparently also settled some issues concerning Kydonia and Phalasarna. ${ }^{2}$ The Roman commission was also awarded the competence to regulate some federal matters, since the kolvoסíkiov, probably the federal tribunal of the Cretan koinon, is mentioned. It may be that this Roman settlement of Cretan hostilities influenced the important treaty of the following year between Eumenes II and thirty Cretan states. ${ }^{3}$

This was of course not the first time a Roman commission had interfered in Cretan affairs. Only a few years previously Q. Fabius Labeo had tried to put a stop to the war between Kydonia on one side and Knossos and Gortyn on the other. ${ }^{4}$ At that time Knossos and Gortyn had been acting as allies, but that was a brief and anomalous situation. ${ }^{5}$

1 In a sense, Appius Claudius Pulcher had become a Roman "expert" on arbitration: he had just headed the commission to the Peloponnese (*122), and the Cretan mission will of course have served to enhance his political prestige. Cf. Préaux p. 279, who compares Claudius to the Rhodian Nikostratos ( $=90$, $\mathbf{* 2}$ ); and cf. as well the Rhodian Euphaniskos ( $=92$ : 131 ).

Phillipson (p. 156) suggests that the Cretans applied to Rome for an arbitration, and that Rome then passed the task along to her
representative who was already in Greece. This is possible, but Claudius is spoken of as having persuaded the Cretans to submit to his arbitration.

2 See Cardinali pp. I6f. (and Guarducci IC I pp. III and 219-20), van Effenterre p. 263 and Walbank Comm III. 202 for hypotheses regarding the situation involving Kydonia and Phalasarna.

3 SIG $^{3}$ *627. Cf. Walbank Comm III. 202 and van Effenterre p. 263.
$4=111$.
5 See *91, $=139$ for other arbitrations between the hostile states of Knossos and Gortyn.

## * 124: Eumenes II and Prousias I/Rome 183

Justin 32.4, 8; Livy 39.51, 1: Polybios 23.5, 1; Appian Syr 2.11; Plutarch Flamininus 20, 3.
J. Briscoe Latomus 31 (1972) pp. 23-24; C. Habicht Hermes 84 (1956) pp. 90f.; Hansen ${ }^{2}$ pp. 97f.; McShane pp. 158f.; Niese III.70-72; Sherwin-White p. 27; Will ${ }^{2}$ 11.286-87.

Justin 32.4, 8: Quae ubi Romam nuntiata sunt, missi a senatu legati sunt, qui utrumque regem in pacem cogerent Hannibalemque deposcerent.

Livy 39.51, 1: Ad Prusiam regem legatus T. Quinctius Flamininus venit, quem suspectum Romanis et receptus post fugam Antiochi Hannibal et bellum adversus Eumenem motum faciebat.


 C'́ $\lambda \in$ ukou...




Plutarch Flamininus 20, 3: Títoc $\delta$ è прєє


When the consul Manlius arrived in Asia in 189/8 the war against Antiochos was already essentially over. Nevertheless, Manlius managed to find scope for military activity by undertaking, in concert with Eumenes's brother, a campaign against the Galatians. ' The campaign appears to have been largely fought for the sake of booty and Manlius's own military gloria. No political advantage seems to have resulted: the Romans conquered no territory, and do not appear to have established any control over the Galatians. ${ }^{2}$ They did, apparently, lay down regulations in accordance with which the Galatians were to maintain peace with Eumenes, but their legal capacity to do so by right of conquest is questionable. ${ }^{3}$ At any rate, the Galatians did not consider themselves bound to act by the Roman ruling. One chieftain in particular, Ortiagon, began to prepare immediately for future hostilities. ${ }^{4}$

Another threat faced by Pergamon in the years after Apameia was the kingdom of Bithynia to the north-east. Prousias, the king of Bithynia, began to carry out certain aggressions, probably in 186 , which were
perceived as threatening by Eumenes. Prousias captured Kieros and Tios, and encroached on the territory of the independent Greek state of Herakleia on the Black Sea coast. He also refused to evacuate a certain territory which had been granted to Eumenes by the settlement of Apameia. Eumenes therefore invaded Bithynia, and Prousias responded by forming an anti-Pergamene coalition. Prousias had the Galatian Ortiagon as his ally, as well as the fugitive Hannibal, who commanded the Bithynian fleet. He also received help from Philip of Macedon.

Little is known of the war itself, as the sources are very fragmentary and references scattered. ${ }^{5}$ But it appears as though Rome was requested to or intended to play a part in reconciling the two kings. An embassy under Flamininus was sent out in 184 with a view to putting an end to the war. The other purpose of this embassy, a purpose on which the sources tend to concentrate was to force Prousias to relinquish Hannibal to the Romans.

Independent sources, however, indicate that the Roman attempt to mediate had no real effect. An inscription discovered on Rhodes speaks of the victory of Eumenes and the Pergamene forces over those of Prousias and Ortiagon and the Galatians. ${ }^{6}$ The fact that Prousias accepted terms
somewhat less than favorable to himself indicates that he had suffered a decisive military defeat. ${ }^{7}$

Thus it would seem the Roman mediation in this case was irrelevant. ${ }^{8}$ In any event, it would still have been likely to favour Eumenes at this date.

1
Cf. Livy 37.60.
2 See Livy 38.12-27.
3
Livy 38.40. Cf. Polybios 21.40.
4
Polybios 22.21 .
5
See Nepos Hannibal 10-11; Livy 39.46; Polybios 23.1f.; Justin 32.4. Cf. ${ }^{2}$ 121, Eumenes's complaint of Philip's aid to Prousias.

6 The inscription is a decree of Telmessos, honouring the Attalids for their victory, and their championship of other states including Telmessos. See M. Segre RFIC 60 (1932) pp. 446-52, *1.

7 Strabo (C 564) says that Prousias was required to withdraw from Hellespontine Phrygia as a result of his agreement with Eumenes. Cf. IPergamon *225.

8 Cf. McShane p. 160: "If Eumenes had not already won the war, it is doubtful whether the Roman envoys would have frightened Hannibal into taking poison and have forced Prusias to come to terms favoring his enemy."

## *125: The Achaian League and Messene/Rome 183

Polybios 24.9, 12-13.
Errington Philopoemen pp. 154f., 183f.; Roebuck Diss. pp. 95 f.
 пoińcavtoc Koî̀vtou Mapkíou прòc tò $\mu \eta \delta$ èv toùc 'Axatoùc
 (13) пapakoúcavtac kà $\psi \Pi \varphi i c a \mu \epsilon ́ v o u c ~ a u ̉ t o u ̀ c ~ t o ̀ v ~ п o ́ \lambda ~ \lambda \mu ~ о \nu ~ o u ̉ ~$

 aùtề ékסótouc $\lambda$ abóvtac aíkicauévouc mâcav aíkíav
 'Pwuaíouc.

When Flamininus arranged to arbitrate any disputes which might arise between Messene and the Achaian League, he apparently only envisioned problems arising from his immediate settlements, and only problems which could be dealt with quickly and personally. 'There was no provision for permanent arbitration, which is not surprising, as Messene was to join a federation, and it would be most unusual to find provision for external arbitration between a koinon and a member state. ${ }^{2}$

Nevertheless, Messene, inspired perhaps by Flamininus's offer in 191, continued to hold out the idea of referring her problems with the League to Roman arbitration. Philopoimen had allegedly "interfered" with

Flamininus's settlement in some unknown way, perhaps by 190/89.3 It may well be that the Achaian intervention and undermining of the Roman edict had to do with internal matters in Messene such as the restoration of exiles and the inevitable property disputes. ${ }^{4}$ Perhaps it was a general attempt to revise the contract between Messene and the League itself in Achaia's favour, giving her greater control. ${ }^{5}$

In any case, the evidence is clear that Messene's first years in the Achaian League were not happy ones. Initially invaded by Achaia, her hopes in the deditio betrayed, and essentially abandoned by the Romans after Flamininus's departure, she chafed under Achaian domination. In the winter of $184 / 3$ the Messenian Deinokrates arrived in Rome just after Flamininus had been appointed as legate to Prousias of Bithynia. ${ }^{6}$ Deinokrates wished to have Flamininus stop off in Greece and retrieve Messene from her difficult situation with the Achaian League. Perhaps Flamininus could be persuaded to take up the task of arbitration which he had offered before. ${ }^{7}$ Nevertheless, however agreeable Flamininus may have been to this, the senate was, on this occasion at least, cognizant of the delicacy of the situation: they would not offer official Roman arbitration between the League and a member well-nigh in revolt when the

League had not requested it. Accordingly, Philopoimen, when Flamininus arrived, probably in the early summer of 183 , was able to deny him a special meeting of the League on the grounds that he was only a private individual.

When Q. Marcius Philippus, the Roman legate investigating affairs in Greece and Macedon later in 183, was in the Peloponnese, the Messenians suggested a solution to the problem. Flamininus had failed to arbitrate, but Marcius was an official representative of the senate in Greece; it seemed only reasonable to suggest that Marcius might perform that task for them now. It seemed a particularly reasonable solution to the Messenians when Marcius tried to restrain the Achaians from making war on them. Marcius was quite willing to urge the Achaians to turn to Rome to arbitrate the dispute. The Achaian League, however, maintained its right to deal with its member without Roman interference, and went to war with the rebellious Messene. ${ }^{8}$

$$
1 \mathrm{Cf} .102
$$

2 This is not to say, of course, that such an arbitration was inconceivable. Cf. ${ }^{\text {150 }}$, an arbitration between Sparta and the Achaian League at a time when Sparta was not disputing her membership.

It should also be recalled that the 184 settlement between Sparta and
the Achaian League (*122) provided for the use of $\xi \in \nu$ Lкà $\delta$ ıкactinpia in certain circumstances.

3 Polybios 22.10. See Roebuck pp. 94-95. Errington (p. 155) argues for a date after spring 188.

4 Roebuck p. 95.
5 Errington pp. 155 f.
6 Polybios 23.5. Cf. $=124$.
7 Deinokrates, of course, was probably less concerned with a neutral arbitration than with exploiting Flamininus's political clout in order to gain independence for Messene (cf. Errington p. 183).

8 The context of this information on Marcius is a speech delivered by Kallikrates at Rome in 181/0; cf. $=122$.

## * 126: Eumenes II and Pharnakes/Rome 183-180

Polybios 23.9, 1; 23.9, 3; 24.1, 1-3; 24.5, 3; 24.5, 7; 24.14, 1-3; 24.14, 10; 24.15, 1-12; Livy 40.2, 6; 40.2, 8; 40.20, 1; Diodoros 29.22, 2.

Hansen $^{2}$ pp. 101f.; McShane pp. 161f.; Sherwin-White pp. 28, 42; Walbank Comm III.254, 267f.; Will ${ }^{2}$ II.288-90.

Polybios 23.9: (1) "OtL кatà tò סeútepov étoc ì cúyк入Пtoc,








Livy 40．2：（6）Legationes deinde transmarinae in senatum introductae sunt，primae Eumenis et Pharnacis regum et Rhodiorum querentium de Sinopensium clade．．．．（8）Asiae regibus ac Rhodiis responsum est legatos ad eas res visendas senatum missurum．












〈тоі́c〉 проєьрпие́voic．

Livy 40.20 ， 1 ：Legationes deinde in senatum introduxerunt，regum primas Eumenis et Ariarathis Cappadocis et Pharnacis Pontici．Nec ultra quicquam eis responsum est quam missuros qui de controversiis eorum cognoscerent statuerentque．


 סè mepì tòv＂Atta
 кaì toû фариákou катпүор́́cavtec парекá $\lambda о u v$ émıстро甲ín tıva




Polybios 24．14：＂Otı katà iǹv＇Acíav Фapváknc ó Bacı入єúc，пá $\lambda ı v$




 tò cupbaîvov סià tò mávtac toùc tn̂c míctenc ópouc






 Suvatóv, 〈єíc> cúdiरoyov aưtoùc cuvarayeîl mpòc tòv





 <прє́c $\beta \in \omega \nu$ 〉 kai $\lambda o ́ \gamma o u c ~ п о t o u \mu e ́ v \omega \nu ~ u ́ m e ̀ p ~ \delta ı a \lambda u ́ c e \omega \nu, ~ đ ̛ ́ \mu a ~$


















 matatomovoûcıv, oủ yàp oíóc т đ̂̉v cuykatabaívetv ò фapvákпс






Diodoros 29.22, 2: àme甲́nvato yàp ảnocte入єîv ék toû cuveסpíou
 фариáкпи по́ $\lambda є \mu о \nu$.

When Prousias of Bithynia was forced by circumstances, and perhaps by pressure from Rome, to make peace with Rome's friend Pergamon, the anti-Eumenes torch was passed to Pharnakes of Pontos.' The Galatians, who were defeated by Pergamene forces and who had lost their chief leader Ortiagon in the Bithynian conflict, were now probably under Eumenes's control. ${ }^{2}$ This brought the borders of Pergamene or Pergamene-controlled territory up to the frontiers of Pharnakes's kingdom. ${ }^{3}$

Pharnakes appears to have been motivated by general expansionist desires. He initiated hostilties by capturing the independent Greek city of Sinope on the coast of the Black Sea. Around the same time (183) he also
tried to extend his borders to the south by an attack on Ariarathes of Kappadokia, and probably also trespassed on Eumenes's interests by an attack on Galatia. ${ }^{4}$

The attack on Sinope offended Rhodes, which had close ties with the city. 5 The invasion of Galatia, and of Kappadokia, the kingdom of Eumenes's father-in-law, was direct provocation to Eumenes. The latter, however, had only just concluded a war in 183, that with Prousias and his allies. ${ }^{6}$ He may also have been ill at the time. ${ }^{7}$ In an effort perhaps to avoid the responsibility of battling Pharnakes himself, Eumenes in the winter of $183 / 2$ mounted yet another of his many embassies to Rome. The Rhodians also arrived to complain of the treatment of Sinope.

The Romans had no more intention now than they had had during the conflict between Eumenes and Prousias of providing either side with military support. Pharnakes had also sent an embassy to Rome in the winter of $183 / 2$, and the senate was willing at least to appear to listen to both sides impartially. As usual, however, they had no wish to commit themselves irrevocably to a particular stance on eastern affairs, and temporized by dispatching a commission to investigate.

The senate was always much more willing to send an investigative
commission than an arbitral commission. ${ }^{8}$ This particular commission, under a certain unidentified Marcus, did return with a def inite opinion on the nature of the claims of both sides: Pharnakes was being greedy and aggressive, while Eumenes's claims were just and moderate.

Evidently in the period since the first set of embassies to Rome in 183/2, open war had broken out between Pharnakes and Pergamon itself. In the winter of 182/1, when more eastern embassies came to Rome, Polybios could speak of the "war" between the kings. ${ }^{9}$ Eumenes, Ariarathes and Pharnakes were all represented this time, and the senate had already had the report of the commission. Nevertheless, it delivered no decision and offered no censure of Pharnakes's conduct. With apparently no desire to commit itself once again, the senate sent more legates to Asia, this time to investigate the conflict "more zealously". 10

The war in Asia Minor continued, with Prousias II, who became the Bithynian king c. 182, coming to the aid of Pergamon, and with some of the Galatians joining the Pontic side. ${ }^{11}$. Diodoros says that the conflict threatened to spread even more widely, with Seleukos IV contemplating joining the war against Pergamon. ${ }^{12}$ Eumenes, still ill, had been forced to entrust the conduct of the war to his brother Attalos. Attalos apparently
succeeded, in 181, in concluding a truce with Pharnakes. ${ }^{13}$ There is no explicit reference to it in Polybios, but it may be that the truce was the result of Roman mediation by the commission sent out after the winter of $182 / 1 .^{14}$

Upon recovering from his illness, and while the truce was still in effect, Eumenes determined to make yet another effort to have Rome take a stand in the east. Conscious of Attalos's popularity at Rome, he sent his three brothers, Attalos, Athenaios and Philetairos to Rome in the winter of 181/0. He hoped by means of this embassy both to counter any cooling towards him personally in Rome, and also to put an end to the war with Pharnakes. Although Eumenes's stated desire in Polybios was to put an end to the war, which could be achieved by Roman arbitration, Attalos, in the absence of a Pontic counter-embassy, made accusations against Pharnakes and asked for the Romans to punish him. Attalos was clearly asking for military support, which the Romans just as clearly did not wish to send. Rather they sent yet another commission, this time to put an end to the war. ${ }^{15}$

While the Attalid embassy had not yet returned from Rome, Pharnakes violated the truce by invasions of Galatia and Kappadokia. He is said to
have done so in contempt of the reference of the matter to Rome, although given the courtesy with which Rome had evidently listened to Pergamene accusations, Pharnakes can hardly have expected Rome to support his view. Perhaps the news of Attalos's reception in Rome sparked Pharnakes's violation of the truce.

In any event, war had broken out again and Eumenes and Ariarathes marched on Pharnakes. They had advanced as far as Mokissos, or perhaps Kamisa in the territory of Pontos when Eumenes had word that the Roman legates had arrived in order to arrange a peace. ${ }^{16}$ Less eager than formerly, now that he perceived a cooling in the Roman attitude, to show himself as passionately attached to Rome, Eumenes dispatched Attalos to greet the legates. He himself remained with the army and continued their drilling.

The legates arrived and asked the kings to put an end to the war. At this stage, as Eumenes and Ariarathes were inside Pontic territory, it involved the withdrawal of their troops. In other words, they were being asked by the Roman mediators to give up their real advantage for the sake of a peace which the Romans could not promise to supply. The request that Eumenes withdraw his troops was a perfectly reasonable one for a
mediator to make; nevertheless, it also implies that Rome was not willing to back Eumenes either to the military or the diplomatic hilt.

Eumenes agreed to the Roman request, and he and Ariarathes withdrew to Galatia. Nevertheless this final Roman attempt to arbitrate a settlement was also a failure. Pharnakes refused to meet Eumenes face to face. Under pressure from the Romans he did, however, consent to send plenipotentiary ambassadors to Pergamon in order to make peace on the terms stated by the Roman legates.

This agreement was evidently made by Pharnakes only in order to get the importunate Romans out of his kingdom. The ambassadors he had dispatched to Pergamon were recalcitrant through every step of the proceedings, no doubt on the orders of their king. When the Roman legates perceived that Pharnakes had no intention of coming to terms, they finally abandoned their mission as a failure. In the end, Eumenes had to win the war by his own resources (179).

1 Cf. McShane p. 161, Hansen ${ }^{2}$ p. 101.
Walbank Comm III.227.
3 Hansen ${ }^{2}$ p. 101.

4 Cf. Walbank Comm III.227, Hansen ${ }^{2}$ pp. 101-2.
5 Cf. Polybios 4.56, on the aid given to Sinope in 220.
6
Cf. 124.
7 Eumenes's recovery from his sickness is mentioned in Polybios 24.5, 2. Cf. McShane p. 161.

8 Cf. Gruen's comment (1.126): "Time and again the Romans were asked to intervene but went only to investigate."

9 24.1, 2: tòv Eưú́vet kai Фapvákп cuvectпко́тa пó $\lambda \in \mu о \nu$. Previously it had been a matter of "disagreements" ( $\tau \hat{\omega} \nu$ roîc Bacı $\lambda \epsilon \hat{\cup}$ úcl ${ }^{2} \mu \varphi \iota \subset$ пптоu $\mu \in \nu \omega v$ : Polybios 23.9, 3).
${ }^{10}$ باлотєцо́тєрои (24.1, 3). Walbank (Comm III.254) suggests that the senate, no longer favouring Eumenes as much as formerly, may have been critical of Marcus's report which did favour the Pergamene king.

11 Hansen ${ }^{2}$ p. 102.
12 29.24. Seleukos, if he did consider joining hands with Pharnakes evidently thought better of transgressing the treaty of Apameia by crossing the Tauros range.

13 Mistakenly called a treaty by Polybios (or rather probably his excerptor).

14 Walbank Comm III.257.
15 polybios 24.5, 8: прєс $\lambda u ́ c o v t a c ~ t o ̀ \nu ~ \pi o ́ ~ \lambda \epsilon \mu о \nu . ~$

16 on the problem in the manuscripts, and Eumenes's location, see Walbank Comm III.268-69, Hansen ${ }^{2}$ p. 103.

## *127: The Achaian League and Messene/Boiotia 182

Polybios 23.16, 4-5.
Errington Philopoemen pp. 193f.; Roebuck Diss. pp. 101 f.








Perhaps the most significant event of the Messenian revolt from the control of the Achaian League in 183/2 was the death of Philopoimen. ${ }^{1}$ His murder at the hands of the radical Deinokrates and his faction helped to alienate the leaders of the rebellion from the people of Messene, who had evidently never been terribly eager for revolt. Now that the Achaian strategos had been murdered in Messene, the Messenian people began to see their chances for an equitable settlement with Achaia slipping away. By July of 182, when Lykortas invaded Messenian territory and destroyed the harvest, the people were even readier to make peace. ${ }^{2}$

They were helped in the direction of peace by two envoys from the Boiotian League, Epainetos and Apollodoros. ${ }^{3}$ These two individuals had
apparently arrived at some unspecified time before midsummer, intent on mediating a peace settlement between Messene and Achaia. As a traditional friend of both parties, Boiotia was suitable to play the role of mediator. ${ }^{4}$ At this stage Epainetos and Apollodoros persuaded the people to treat for peace. Deinokrates and his party no longer dared to interfere.

1 Livy 39.50. Plutarch Philopoimen 19-20.
2
See Errington p. 195.
3 Rome was conspicuously absenting herself from Peloponnesian affairs at this time.

4 Roebuck p. 101.

## *128: Megalopolis and Messene-Thouria/The Achaian League Shortly after 182

Six fragments of a marble slab, inscribed on both sides, discovered at Olympia. Fragments I and II together: h.: $0.28 \mathrm{~m} . ;$ w.: 0.25 m . Fragments III and IV together: h.: 0.22 m ; w.: 0.25 m . Fragments V and VI together: h : 0.27 m .; w.: 0.115 m . Total of 82 lines.
W. Dittenberger ArchZeit 37 (1879) p. 131, *260 [II]; *Dittenberger/ Purgold IOlympia * 46.
A. Aymard. Les assemblées de la confédération Achaienne (Paris 1938) pp. 25-26; J. Bingen BCH 77 (1953) p. 627; F. Hiller von Gaertringen IG V. 2 p. xxvii; Préaux pp. 254, 297; M.A. Levi RFIC 59 (1931) pp. 94-95; Roebuck Diss pp. 102-104; SEG XI.1189; H. Swoboda Klio 12 (1912) p. 33; Tod "8; Walbank Comm III.249-50.

Side $1: I, I I, V$ \& VI
[- - - - - $]$ àme[ $y p] a[\psi a ́ \mu \in ө a]$


toîc $\mu[$ èv пapayєvouévolc ảmò tâc mó $\lambda$ เo]c t $\hat{\mu} \mu$ Meyano[no $\lambda เ \tau a ̃ \nu]$

















[- . . . . . . . . . . - - $] є \in[a] \nu$
[- - - - ]
Side 1: III \& IV

[ - - . . . - - $]$ c[ - . . . . . - - - $]$
25

[т]oîc Mєya入оподít[aıc ............ тâc]



35 خóqov єỉc tò toû $\Delta[$. . . . í ípòv - - . - ánò dè̀ toû]


[-- - ]c aútoì [-- - - - - - - - - - - ]
40 ..... [-------]тı $\in[-$ - - - $]$
Side 2: I, II, V \& VI

45 [. . . . .]ıaкatoна [то]тauo[и̂ ..... ]v
[. . . . .] ग̂cav ản[ó] tє Mєcc[avíwv - .-. - кaì â]пò[. . .]avoc toù [. . .] ckíou є[- - . . - - ó ópıcu]òc


นèv katà tòv vóuov [----- - ]cka[.]
ME[ccavíw]v [по́ $\lambda]$ lc(?) [-- .-. - - -] кaì [. . .]
55 oi Meccáviol ta[- ..... -]cav kaitàv $\Delta \omega p i ́ \delta a[-\cdots--$ ànò toû потauoû toû] 'Avámou [т]o[ṽ]


Side 2: III \& IV
65
[- - - - . - - $]$ ]pa[ - . . . . . - - ]
[- - . - - - - -c]uvte[ - . . . . . - - -


[ - . . . . . . . - tò íєpòv t]oú $\Delta$ iòc toú Aukaíou





75 [-. . . . . . . . . . - т]âı ó ô $\hat{\iota}$ tâı ảpxaíaı







[- - - - - ]

Little continuous sense is to be had from this very fragmentary
inscription. Nevertheless, it is clear that it refers to some kind of
boundary settlement involving Megalopolis on the one hand, and Messene and the Messenian town of Thouria on the other. ${ }^{1}$ Most of the fragments deal with the actual delineation of the borders, and are fairly typical of other documents of this type. ${ }^{2}$

There are a few phrases remaining, however, which might be connected with the actual procedure of the case. The final decision in the land dispute appears to have been made by the standard procedure of recourse to neutral judges. It seems that these judges, after hearing the arguments of the representatives of both sides based their decision on a general ruling of the Achaian League. ${ }^{3}$ An individual named Aristomenes appears frequently as having been the leading arbitrator. Although there has been some question as to whether this case represents true arbitration, given the Achaian League's relationship with the states involved, the inscription, fragmented as it is, seems to reflect standard arbitral procedure. ${ }^{4}$

The historical circumstances of this boundary arbitration can be determined from the literary sources on Messene's relationship with the Achaian League. In 183/2, after several years of being an uneasy member of the League, Messene revolted. ${ }^{5}$ Although the Achaian general

Philopoimen was killed during the revolt, Messene's attempt to liberate herself failed at the hands of Philopoimen's successor Lykortas. Messene's control of her territory had been curtailed when she had joined the League less than a decade before; in the aftermath of the revolt she lost still more of her possessions, including the town of Thouria. ${ }^{6}$ It is at this time, 182 or very soon thereafter, that a boundary arbitration involving Megalopolis on the one hand, and Messene and Thouria on the other is most likely to have taken place. ${ }^{7}$ The meeting of the Achaian League at Sikyon, mentioned in this inscription, may be that recorded by Polybios. ${ }^{8}$

The inscription is interesting from the prosopographical point of view, and supports the notion that a state's more prominent citizens were chosen to represent it before an arbitral tribunal. We have the names of several of the representatives of Megalopolis: among them are Diophanes the son of Diaios, Thearidas, and Polybios the historian. All are of course statesmen well known from the pages of Polybios himself. ${ }^{9}$

As was so often the case, this decree was published at an important sanctuary. In this particular instance, the final decision was made public at Olympia.

1 Cf. 162, which is also an arbitration between Megalopolis and Thouria.

2
Cf. $=1,=22,=43$.
3

$\hat{\epsilon}] \nu \tau \hat{\alpha} \mathrm{L} \stackrel{\epsilon}{\epsilon} v[\mathrm{Cl}] \mid \kappa v \hat{\omega} \nu \mathrm{~L}$ cuvó $\delta \omega \mathrm{L}$. Cf. the function of the diagrammata of the Hellenistic kings in cases of arbitration (*58).

4 The editors of IOlympia questioned the validity of arbitration in the strict sense here; however it is quite clear that the standard procedures of international arbitration were carried out within as well as without the Leagues. Cf. Tod. Messene's position, of course, as a revolted and defeated member state was not promising; nevertheless her representatives were no doubt given at least a superficially legal hearing.

## 5 See $=127$.








## 7 Cf. Aymard pp. 25-26.


 пó $\lambda ı v$. So the editors of IOlympia; however, cf. Walbank Comm III.251, who argues that the meeting mentioned in Polybios was "a syncletos...since it was called at short notice to deal with a particular problem [i.e. the situation of Sparta]. The readmission of Sparta was comparable to that of Messene, but the latter had been dealt with at the synodos because one happened to be due at the time [23.16, 12]. It follows that [the meeting of the League mentioned at $23.17,5]$ is not the synodos mentioned in Insch. olympia, no. 46 II. 56-57." See also Aymard p. 254; Roebuck p. $103^{167}$;

Larsen p. 181.
9 For Diophanes, characterized by Polybios as an opponent of Philopoimen and Lykortas, and a member of Kallikrates's pro-Roman group, see also cases $=102,=112$, 122; cf. Polybios 21.9, 2; 22.13, 4; 23.17. 12; Livy 37.20-21; 38.32, 6. On Thearidas (Polybios's elder brother), cf. Polybios 32.7, 1; 38.10, 1.

## * 129: Herakleia and Miletos 180

A marble stele, containing a treaty between Herakleia and Miletos; discovered in the Delphinion at Miletos. H.: 3.015 m . ( n . of inscribed surface: 2.76 m. ); w. of inscribed surface: $0.76-0.85 \mathrm{~m}$. ; d.: $0.22-0.28 \mathrm{~m}$. 126 lines. Only the relevant portion of the treaty is included here.
*Rehm Milet I.150; Dittenberger/Hiller von Gaertringen $\underline{S I G}^{3}{ }^{*} 633$.
Berthold p. 167; Gruen 1.110; Magie RRAM I.113, 11.962, 965; U. von Wilamowitz GGA 2 (1914) pp. 94, 103-4.


 тєрßıvध́́ $\omega c$, kaì $\eta v$ єỉvaí pacıv
 Kıcapíסoc кaì tn̂c прòc




 Mı $\lambda \eta c i ́ o u c ~ к а ̀ ~ ' Н р а к \lambda є ́ \omega t a c ~ п о ́-~$
 Sıkactác, őcouc àv кoוvî(l) чaívŋ-




 крі́ce $\omega c$.

This treaty, tentatively dated to April of the year 180 by the editor, is one of the numerous examples of treaties between Greek states which provide for future arbitration.' The treaty itself provides for an isopolitical association between the two states of Miletos and Herakleia on the Latmos. Both states, we learn from this inscription, were allied to Rhodes. ${ }^{2}$ Nevertheless, as we also learn from this inscription. Miletos and Herakleia had recently been at war with each other. ${ }^{3}$ Apparently this did not violate their agreement with Rhodes, though one is tempted to speculate that the latter state may have had a hand in putting a stop to the nostilities between its two allies. There is no evidence for this, but the station of mediator was one often assumed by Rhodes.

One, at least, of the factors in that war will have been the dispute over certain territories, territories which would have provided income from produce and manufacture. ${ }^{4}$ Sixteen years earlier, in 196, when the mediation of Rhodes and several other states put an end to the war
between Miletos and Magnesia, Herakleia had been a friend and ally of Miletos. ${ }^{5}$ In the interim, however, Miletos had been granted territory in the post-Apameia settlement of Manlius Vulso. At that time, a tract of "sacred land" was restored to Miletos, and we learn from the isopolity agreement of 180 that part of the territory claimed by both Miletos and Herakleia was said by Miletos to be the sacred land of Myos. ${ }^{6}$ It therefore seems reasonable to assume that at least a part of the dispute between Herakleia and Miletos sprang from the settlement of Asia Minor in $188 . ?$

The two cities agree to turn to a third "free and democratic" state, on which they were both to agree, to settle their differences. The designation of the arbitrator as a free and democratic state is not unprecedented. ${ }^{8}$ One interesting specification of this agreement is that in the intervening period between the treaty and the final settlement, the produce of the disputed region is to be placed under the guardianship of a neutral third party. 9

1 Cf . 81, 83; $\underline{S I G}^{3}$ *712; $\underline{0 G I S}$ *437. In particular, cf. 10, a sympolitical agreement in some ways similar to the present isopolitical agreement; and *34, which, like this, provides for arbitration over a specific territory.


про̀с 'Posíouc cupuaxíal.




4 One of the regions contained a brickworks.
5 See $=90$. One of the representatives of Miletos in 196, Theogenes son of Leodamas, appears in 180 as a magistrate of the city.






7 An inscription from Herakleia records the reply of Vulso and the decemvirate to an embassy from that city in 188 (SIG $^{3}$ "618). While responding favourably to Herakleia's overtures, and agreeing to grant Herakleia the status of a free city, no mention is made of any territorial concessions.

Herakleia may also have been threatened by the rapprochement between Miletos and Pidasa, Herakleia's southern neighbour, which took place c. 182 (Milet III.149; cf. $\underline{S I G}^{3} * 633$ notes).

8 Cf. 134 (II I. 16), where the arbitrator is designated as a "free people". It is interesting to note that, in spite of Rhodes's reputation as an arbitrator, and in spite of her presumably friendly relations with both states, no mention is made of the possibility of turning to Rhodes for the settlement of the dispute (not, of course, that Rhodes is necessarily ruled out).



## *130: Araxa and a Neighbour/The Lycian Koinon c. 180 [?] or the mid-second century [?]

A limestone block discovered at Ören Köyü in Turkey. H.: 0.91 m.; w.: $0.36 \mathrm{~m} . ; \mathrm{d} .: 0.07 \mathrm{~m} .79$ lines. Only the relevant portions are cited.
G.E. Bean JHS 68 (1948) pp. 46f., " 11 ; L. Moretti RFIC NS 28 (1950) pp. 326-50; *J. Pouilloux. Choix d' inscriptions grecques (Paris 1960) *4; SEG XVIII. 570 .
J.A.O. Larsen CPh 51 (1956) pp. 151-69; Larsen GFS pp. 241f.; J. \& L. Robert REG 63 (1950) pp. 185-97, \#183; Sherwin-White pp. 49f.



 $5 \mu \hat{\omega} \nu$, ảvìp калòc каì àyaधòc úmápx $\omega \nu$ ठià проуó-

 тпс $\grave{\eta} \lambda$ ıкíac'....




 '่ $\lambda a \tau \tau \omega ง ิ ̂ v a l . . .$.

This inscription is a decree of the people of Araxa in Lycia, honouring the Araxian citizen Orthagoras, son of Demetrios, for his services to his city.' When Araxa was involved in a war against one of its neighbours, the
town of Boubon, controlled by the tyrant Moagetes, Orthagoras acted as the Araxian commander. He also acted as ambassador to Kibyra in order to complain of the actions of Moagetes and the Boubones. ${ }^{2}$

When hostilities continued the Araxians chose Orthagoras to go on an embassy to the federal government of the Lycian koinon. The koinon then sent him to carry out negotiations with Moagetes, but the war continued, with Kibyra joining in on the side of the tyrant. The hostilities went on for some time, and the generally loose structure of the Lycian koinon ${ }^{3}$ evidently allowed the federal government to pay little attention to the conflict.

Orthagoras continued to serve both the military and diplomatic interests of his city, and in the end some kind of settlement must have been reached in time for the Araxian to donate his services to the next venture for which he was honoured. A coup took place in the city of Xanthos, and the koinon this time intervened, with Orthagoras leading the Araxian contingent. ${ }^{4}$

Among the various services which Orthagoras offered his city in times of unrest was that of advocate in a federal arbitration. Araxa evidently had a territorial dispute with a neighbour over a piece of land in
"Soasa". 5 Orthagoras was once again detailed by the Araxians to act as their ambassador and advocate in the lawsuit. The case was arbitrated by the koinon itself, as was customary in a federal league when disputes arose between members. ${ }^{6}$ Orthagoras evidently won the case for the Araxians.

The date of this case is uncertain. It is generally recognized that Orthagoras's activities may be dated by relating them to the appearance of a Roman connection in the inscription. Orthagoras was also instrumental in establishing a cult of Roma. ${ }^{7}$ This has been interpreted as an attempt by Lycia to curry favour with Rome, an attempt which has been dated to the period shortly after 189/8, and Lycia's attempts to gain Roman support against Rhodes. ${ }^{8}$ The prosopographical approach to dating this inscription connects the Roman names which appear in it, "Publius" and "Appius", with the decemvirate in Asia in 188, which included an Appius and two Publii. ${ }^{9}$ Nevertheless, a more recent study has argued that the appearance of the Romans Publius and Appius in this inscription should be connected to the sojourn in Asia of Publius Lentulus and Appius Claudius, sent out to deal with the wars of Pergamon and Bithynia between 156 and 154.10

1 See Larsen GFS pp. 243f.
2
11. 8-14. Larsen (GFS p. 244) suggests that Moagetes and the Boubones may have been in some way subject to Kibyra.

3
Larsen p. 243.

4
II. 36 f.

5 Unknown; see Bean p. 50. The neighbouring state, with whom Araxa had the dispute, must have been either Tlos or Kadyanda (Robert p. 191).

6 Larsen (CPh p. 161) suggests the institution involved may have been the federal court mentioned by Strabo (C 665).

7 11. 69f.
8 Larsen; A.H.M. Jones (ap. Bean p. 53). See $=118$.
911.62 f.: Jones. cr. $=114$. See Robert for a detailed discussion of the dating of this inscription.
${ }^{10}$ Sherwin-White pp. 50f. Cf. 157. See also Bean, who argues in favour of a date later in the second century.

## *131: Amphissa and Delphi/Rhodes

## 179

This case consists of two separate documents, both of which in all probability refer to the same incident:

I: An inscription on the base of the chariot of the Rhodians at Delphi. H.: $0.508 \mathrm{~m} . ;$ w. (max.): 0.53 m. ; d. (max.): 0.525 m .36 lines.
E. Bourguet BCH 35 (1911) pp. 460f.; Dittenberger/Pomtow $\underline{S I G}^{3}$ \#614; *Daux FDelphes III.3.383.

II: An inscription from the treasury of the Athenians at Delphi. I5 lines.
G. Colin BCH 30 (1906) p. 326, "66; jdem. Le Culte d' Apollon Pythien à Athènes p. 165, *66; *idem FDelphes III.2.89; Dittenberger/Pomtow SIG $^{3}$ *615.

Daux Delphes pp. 276-80; M. Holleaux REG 33 (1920) p. xlix; H. Pomtow Klio 16 (1919) p. 139; idem Klio 18 (1923) p. 271, XVIII, XIX; Préaux p. 251; Steinwenter p. 182²; Tod *22 [I], *23 [II]; A. Wilhelm AAWW 59 (1922) p. 25.
 Cwcivíkou,]


 тоîc є́ $\mu$ просөє
 єủcє $\boldsymbol{\beta \in i ́ a c ]}$
5 кaì тâc потì tà $\mu$ пó $\lambda ı v$ aípécıoc кaì [ $\epsilon$ Ưvoíac, кaì v̂̂v

 Пра६̂́av]
 aíltncoú́vouc íva]
 T $\omega \nu$ óp $\omega \nu$ ]
 [toúc тє прєс $\beta \in \cup$ ]-




 то́то⿱ ппра］－


 tò $\gamma \in$ yovóc．］
15 öm ［тàv пот＇aútòv．］
 ＇Po $\delta i ́ \omega \nu]$
 ［ $\epsilon$ Ủvoíal kà ka入o］－


 roùc］
 $\chi$ $\left.{ }^{\omega} \rho a c\right]$


 К $\lambda \in \iota с \leftharpoonup \mu[\beta$ о́точ，Пєเงเá $\delta \alpha \nu]$
 viof
 ＇Aрıстокра́тєос，］
 cuv］－
 ${ }^{\prime} \in \mathrm{I}$ ］－
 € $\bar{\prime}[0$ íncav ka入àv $]$
 єival]
 проє 0 рíar]
 тоîc ầ $\lambda$ дос]
 छ́évia]
 tâc]
 סokñ.]
 vóuov, tò $\delta \grave{\text { c }}$ ]
 $\tau \bar{\omega} \tau \theta \epsilon \omega t]$
[úmò] toû סáuou toû Pofí $\omega v$.






 évto éupavโcuòv émoińcavto]: tentatively suggested by Daux. || 15: [по૭'




 || 32-33: toùc ạ̛pxovtac kaì tâc| ádça入éáac: Pomtow. || 35: toû

II: $\quad$ ’A $y$ a $\vartheta$ à 1 t ú $x$ a 1 .






 пó入ıv, каі̀, параүєvónєvoc, тá тє поті̀ тàv крícıv
 кaì tàv émiбauíav énoíncato eủcxínova,
[кa]í, öcov xpóvov ảkíncav aưtòv toì кa(૭)єctaúévol úmò Tâc



 пónıv, паракалєîv סè đưtòv кaì êv tò [ $\lambda$ ]













#   'Aधпиаícuv. 



The first document records a decree of Delphi honouring certain Rhodian citizens. The Rhodians were honoured for their action as judges in an arbitration between Delphi and Amphissa, an arbitration which concerned the holy precincts and the borders of some mutually claimed territory. ${ }^{1}$ The Delphians had sent a request to Rhodes asking for judges, and Rhodes had complied, sending nine citizens to examine the case. ${ }^{2}$

The second document is also an honorary decree, this time for a single Athenian citizen, Apollodoros the son of Olympiodoros. ${ }^{3}$ Apollodoros acted, apparently not as a judge, but rather in the capacity of advocate or general overseer of the Delphian interests in an arbitration. The similarity of phrasing between the two documents indicates that the two honorary decrees sprang from the same event. ${ }^{4}$ The choice of Rhodian judges, and an Athenian representative, may well be connected to the mediating roles played by these states in previous years. ${ }^{5}$

This arbitration was apparently a failure. The Amphissans refused to send representatives to the trial, and the tribunal was forced to leave the
case unresolved. If the two documents are connected, this impasse might explain the perhaps unusually lengthy stay at Delphi forced on Apollodoros. ${ }^{6}$ It is interesting to note that, at least in this instance, the non-appearance of one of the disputants apparently meant that the case could not go forward. In other instances, default had sometimes meant automatic forfeiture. ${ }^{7}$

From the tone of the inscription, however, the Amphissans were probably right not to appear for the trial. It seems clear that the case would have gone against them no matter what arguments they could have brought to bear. The Delphians are profuse in their gratitude for the good will of the judges. Judges were often thanked for their general good will, but in this case it is quite clear that the Rhodians were considered to be zealous in the cause of Delphi, rather than anxious to settle the case as fairly as possible for both sides. ${ }^{8}$ This is certainly an anomalous situation, where one thanks the judges for their partiality, rather than their impartiality! ${ }^{9}$

An interesting addition to the honours awarded the judges in this case, perhaps more an indication of the general atmosphere of the times, rather than a new phenomenon with respect to arbitration in particular, is
the care given to the safe conduct of the judges. ${ }^{10}$ Only a few years previously, Delphian ambassadors to Rome had been murdered on their return through Aitolia. ${ }^{11}$

The inscription can probably be dated to the year 179 BC . Some connection might therefore be drawn between the current dispute involving Delphi and Amphissa, and the actions of Acilius Glabrio a decade earlier. ${ }^{12}$ Amphissa had of course suffered in the confiscations and rededications of sacred land in 190. It might be thought that she then sought a new arbitration ten years later, at a time when relations between Delphi and the Aitolian League were apparently at a new low, in order to try to recoup some of her losses. ${ }^{13}$ However, the fact that the Amphissans apparently refused to appear at the trial would indicate that the initiative came from the side of Delphi. Perhaps the Amphissans had simply refused to vacate some of the territory from which they were banished by the Romans in 190. ${ }^{14}$



2 One of the Rhodian judges, Euphaniskos the son of Kallixeinos, was an "expert" arbitrator: he had acted on the Rhodian commission of five which arbitrated the dispute between Samos and Priene almost two
decades earlier (*92). SIG $^{3}$ \#585, the list of Delphic proxenoi, bears the names of the Rhodians honoured here.

3 PA \#1407.
4 See Daux Delphes pp. 277-79. If the honorary decrees for the Rhodian judges and the Athenian advocate are to be connected, then it follows that the unspecified adversary of Delphi in the second document is probably Amphissa. Cf. Pomtow for varied speculation on the identity of Delphi's opponent here (SIG ${ }^{3}$ : Ambryssos, connecting it with the later arbitration between Ambryssos and Delphi [*142]; Klio 16 and 18: Myania).

Colin (and Tod) connected the mission of Apollodoros with the tribunal of Pausanias the Thessalian (*25), which he dated to 195.

5 Cf. the role played by both Athens and Rhodes in mediating between Rome and Aitolia a decade earlier ( $=110$ ).
 по́дıос, Є̇пі̀ таûta потє́ $\mu \in เ \nu \in$.

7 Cf. 44, where the decision went against Aratos and the Achaian League automatically when they did not turn up. Cf. also the case of Miletos and Myos from the early fourth century (Piccirilli *36), where the Myesians forfeited the case by not appearing at the hearing. See Steinwenter p. 182².



 aútov̀c].

9 Cf . 22 , where so much care is given to ensuring the incorruptibility and fairness of the judges.





Cf., however, Daux's comments (Delphes p. 279).
${ }^{11} \underline{\text { sig }}^{3} * 611$, a letter from the Roman consul to Delphi, dated to 189 , deals with the subject of the murdered Delphians.

12 104. See Daux Delphes p. 276, who argues in favour of placing the archonship of Mantias in 179/8.
${ }^{13}$ On Altolia's relations with Delphi at this time, see Daux Delohes pp. 276-77.
${ }^{14} \mathrm{Cf}$. Bourguet p. $463, \underline{S 1 G}^{3} * 614$ notes.

## *132: Azoros and Mondaia/Apollonia, Dyrrhachion and Korkyra Soon after 178

An inscription found at Korkyra. The stone is apparently lost. 19 lines.
M. Mustoxydis. Delle cose Corciresi I (Corfu 1848) p. 208, "13; C. Wachsmuth RhM 18 p. 540; Blass SGDI 3205 ; *Dittenberger $\underline{\underline{16}}$ IX. 1.689; Dittenberger $\underline{S I G}^{2}$ *453; Dittenberger/Hiller von Gaertringen $\underline{S I G}^{3} * 638$.

Busolt/Swoboda p. 1259; Kern IG IX. 2 p. xxi; Raeder *54; Tod *44.
[Ctpatayo]ûvtoc $\theta \epsilon c c a \lambda \hat{\omega} v$


[ $\omega$ c $\theta \epsilon$ ]ccanoì áyovtı $\theta \in \mu$ цстíou

[тayo]ûvtoc $\Delta п \mu \eta \tau$ píou tô̂ $\Delta п \mu a \iota v e ́-~$
[tou Г]ovvé $\omega c$, uпvòc каэ由̀с Пєрраıвоі̀



[toû] Фıvtú $\lambda o u$ 'Amo $\lambda \lambda \omega \nu$ ááta кa[i]
[cuv]ठıкactâv ミєvoبávtou toû
[ $\Delta a]$ ]é́a Kopкypaíov, K $\lambda$ єостра́то[v]
[то̂̂] $\Delta a \mu a ́ p x o u ~ \Delta u p p a x i ́ v o u, ~ e ́ k p i ́ v a u[\epsilon-] ~$


[ $\delta a 1 \epsilon$ Ûc]l kaì ’Aswplactaîc ánò t[. .]

[. . . . . . ., 'A 'A $\omega$ ]pıactâv [8̀ . . . (11) . . .]
1-2: $\theta \in c c a \lambda \hat{\omega} \nu \mid$ ['Iппо] ${ }^{\prime} o ́ x o v: ~ M u s t o x y d i s . ~| | ~ 6-7: ~ \Delta \eta \mu \eta t \rho i ́ o v ~$


 'Alwpíac raîc ảmò: Mustoxydis. Movl[סaıâ]v kai 'Al $\omega$ píac TAIइAПOT: Blass.

This text, which records the findings of a mixed tribunal in a boundary arbitration, was presumably published by all the states concerned. This inscription was found by French soldiers in 1812 in the ruins at Korkyra; Korkyra had been responsible for contributing one of the judges to the tribunal.

The inscription is dated according to the magistracies of both the Thessalian and the Perrhaibian Leagues. ${ }^{1}$ Since one of the disputant cities, Azoros, is known to have been a member of the Perrhaibian League,
it follows that its opponent in this case, the city of Mondaia, was part of the Thessalian League. ${ }^{2}$

The two states, Mondaia and Azoros, agreed to submit themselves to arbitration in order to settle their dispute. It was the common, if not unvarying, procedure for a league to play a major role in an arbitration involving a member state. In this case, however, where the disputants were members of different leagues, arbitrators were found from outside both leagues. ${ }^{3}$ The west coast of Greece provided the mixed tribunal of three judges: Lysanor of Apollonia, Xenophantos of Korkyra, and Kleostratos of Dyrrhachion. The first of these individuals, Lysanor, appears to have acted in some kind of presidential capacity over the tribunal. ${ }^{4}$

The tribunal undertook the journey from western Greece to the Thessalian-Perrhaibian border. There they were escorted over the disputed territory by representatives from both sides. ${ }^{5}$ The final specifications of the tribunal would have been published in this text; however, at this point the inscription breaks off.

1 It is the name of the Thessalian strategos, Hippolochos, son of Alexippos, of Larisa, said to be holding his second strategia, that allows
us to date this inscription. He is known to have held his first strategia in 182, and his second will have fallen soon after. See H. Kramolisch Die Strategen des thessalischen Bundes (Bonn 1978) pp. 52 (A 15) and 54 (A 18).

2 No doubt in the region of Hestiaiotis, bordering on Perrhaibia; cf. $\underline{S I G}^{3} \# 638^{4}$.

3 Cf. 101, the arbitration between members of the Achaian and Boiotian Leagues.

 Kоркирaíou, Кдєострáto[u| тoû] $\Delta a \mu a ́ p x о u ~ \Delta u p p a x i ́ v o u . ~$

$$
5 \mathrm{Cf.}=22,=36,=37,=48,=59,=69
$$

## *133: The Achaian League and Eumenes II/Rhodes Before 172

Polybios 28.7, 3-4; 28.7, 8-15.
A. Aymard Les assemblées de la confédération achaienne (Paris 1938) p. 185 ${ }^{3}$; Berthold p. 180; Gruen 1.109; Hansen ${ }^{2}$ p. 108; Holleaux Études I.441-43; Walbank Comm III.335-36.






 ảvactàc émoincato $\mu$ èv кai m $\lambda$ єíovac $\lambda$ óyouc, $\mu a ́ \lambda ı c t a ~ \delta e ̀ ~$









 ク̉סıknuévouc tı toùc 'Axatoùc Bouneúcaçal tàc тนàc aípetv tàc



 пácac tàc tıác, oúta toùc 'Axaloùc kuptatatov ìyncauévouc


 Bacı $\lambda \in ́ a ~ t i ̀ v ~ \chi a ́ p ı v ~ a ́ m e p e ́ ́ \delta є c \theta a \iota ~ t a u ́ t \eta v, ~ ' e ́ t ı ~ \delta e ̀ ~ \mu a ̂ \lambda \lambda o v ~ \epsilon i ̉ c ~ t o ̀ v ~$



 (15) toûtov $\mu \in ̂ v$ ठ̂̀n tòv tрónov kaì katà toûtov tòv kaipòv



In the Achaian year 170/69, shortly after Archon had been chosen as the Achaian strategos, with Polybios the historian as his hipparch, the Achaian assembly received envoys from Attalos, the brother of Eumenes II of Pergamon. Attalos requested the restitution of certain honours to his brother, honours which had been accorded to Eumenes by the Achaian

League, but subsequently taken away at some time before $172 .{ }^{1}$ This request on the part of Attalos sparked a great deal of controversy in the Achaian synod. Naturally, it was not simply a question of Achaia's relations with Eumenes; the wider issue of Achaia's stance with respect to Rome also had to be considered. Archon, characterized by Polybios as pro-Roman, was quite eager to court the friendship of Rome's friend Eumenes.

It was Polybios's own speech, as he reports it, that carried the day. Polybios steered a moderate course, calling for the restoration of some (probably most) of the honours previously voted to Eumenes. It is from this speech of Polybios that we learn of an international court called in to arbitrate between Eumenes and the Achaians at the time of the first quarrel.

The Achaians had apparently decided to reduce the honours given to Eumenes, not, as Polybios says, because they felt themselves wronged by Eumenes in any way, but rather because they were offended at his asking for more than they felt he deserved. It does not appear, however, that the Achaian League took their decision unilaterally. We learn that two Rhodians, Sosigenes and Diopeithes, were invited to judge the matter. ${ }^{2}$

The Achaian League had handed down a general decree, and the judges were meant to work out the details. ${ }^{3}$ Presumably the judges would have heard arguments from both sides.

As Polybios presents it Sosigenes and Diopeithes overstepped their authority in taking away all of Eumenes's honours. They are said to have acted out of personal spite towards Eumenes, and their judgement is characterized as a foolish mistake. One should note, of course, that the Achaians seemed willing to let this mistake ride until Attalos complained and a new policy intervened. The Rhodians acted as a convenient scapegoat for Polybios: absent and unable to defend their judgement, they provided the excuse for a change of Achaian policy without a loss of Achaian face.

Whatever the political rationale that lay behind blaming the Rhodian judges, this declaration by the Achaian League that a Rhodian tribunal had acted out of personal pique rather than a sense of justice would have been bad press for the Rhodian reputation for impartiality. 4

1 Cf. Polybios 27.18.
2 The presence of the word 'Poסíouc has always caused a certain amount of controversy, since it was felt that they would have been completely out of place here. But see Holleaux, and Walbank Comm III.335-36: "the word 'Poסíouc, omitted by Ursinus and bracketted by

Büttner-Wobst, should be retained....The choice of Rhodians was not unusual; they had a reputation for fairness."

3 Cf. the general ruling of the Achaian League in * 128 .
4 It has been pointed out that Rhodian judges might well have been expected to favour Achaia against Eumenes (Holleaux p. 443, Walbank p. 336). See $=137$ for a discussion of the relations between Eumenes and Rhodes in the 170's. Eumenes's help to Lycia (see *118) would not hav endeared him to Rhodes, and neither would his provocation of a Roman war with Perseus have been in keeping with Rhodian policy.

If in fact Sosigenes and Diopeithes were prejudiced in this case, it is worth comparing $=131$, where the Rhodian judges in the affair were evidently far from impartial.

## 134: Magnesia on the Maiander and Priene/Mylasa 175-160 [?]

Marble block inscribed on all rour sides, discovered in the Magnesian agora. H.: $0.50 \mathrm{~m} . ;$ w. and d.: 0.83 m . I: 33 lines; II: 30 lines; III: 27 lines; IV: 16 lines.
*Kern IMagM \#93 [I, II, III, IV]; Dittenberger $\underline{S I G}^{2}$ \#928 [I, II, III, IV]; Hiller von Gaertringen IPriene T*531 [I, II, III, IV]; Dittenberger/Hiller von Gaertringen SIG ${ }^{3}$ \# 679 [I, II, III, IV]; V. Arangio-Ruiz. Fontes iuris Romani antejustiniani $^{2}$ pt. 3 (Florence 1943) pp. 501-4, \#162; Sherk \#7 [II].

Colin pp. 509f.; Gruen I.108; M. Holleaux REA 5 (1903) p. 221; Holleaux Etudes 1.334-35, Etudes V.436-37, 446-47; ARS *38; Lewis/Reinhold. Roman Civilization $1 \mathrm{pp} .336-37$, ${ }^{\text {(133; }}$ Magie RRAM $1.113-14,11.964$; Préaux pp. 25 If.; Raeder \#73; L. Robert REG 66 (1953) p. 170, "183; SEG IV.508, XIII.494; Sherk TDGR *34; Tod *66, pp. 140f.; A. Wilhelm JÖAI 6 (1903) p. 11; Wilhelm GIRI pp. 67-68.

 toîc Mu入[ac - - - -]
 ［Má́pкov Aíuv入íou тpòc］


 кan［oùc kaì àrafoùc $\epsilon$ éni］
［т］ǹv aítncıv toû ס́kactnpíou，Mu入aceîc ảkó тท̂t［ $\mathrm{m} \pi a p x o u ́ c \eta!~ \pi \in p i ̀]$


 únakoúcavtec］
éxєєротóvпса⿱

 ［кaì $\mu \in \tau$ à taûta $\hat{\epsilon} v$ ］
 tîc toû c［tpatnyoû סıkat］－




 кaì［á］yao［ov̀c đ̛́vסpac，］
 kaì toùc［．］e［－－－－］


ävסpa，ôc $\mu \in \tau$ à toû ápxitéктtovoc Kpatívou éyס́́cet

 п［apactá $\delta] 0[$－－－－$]$




$\lambda a c \in ́ \omega \nu$ tò $\delta$ вкаст

 $\ldots . . \tau \omega \nu \delta 1] k a[c] t \omega \varphi$


 проэvuíac [-- - каì стí]-


т $\mathfrak{c} \delta \delta \epsilon \cdot$ "









 пácnc тn̂c - - - -]

[. . . . (23) . . . ]ẹ̣[. . (14) . . .]poc[.]єтo[ - . . . . . - - ]





Holleaux, Hiller von Gaertringen S16 ${ }^{3}$. || 13 : Úmo[ $\left.\delta\right] \in[\delta \eta \lambda \omega \mu \epsilon ́ v a$ (?) $\varphi a v \in \rho a ̀$ ]: Hiller von Gaertringen $\frac{1 P r i e n e . ~ I I ~ 14: ~[a ̉] y a O[o u ̀ c ~}{T} \omega \hat{\nu}$ àv
 Wilhelm JöAl, Hiller von Gaertringen |Priene. || 17-18: [cín $\lambda \eta \nu \lambda \in u] \mid$ koû $\lambda$ ívou: Hiller von Gaertringen IPriene SIG ${ }^{3}$. || 18: проüapxoúcn[c] (sc.
 Gaertringen IPriene, SIG ${ }^{3}$. проӥпápxoucn[c] m[pòc vót]o[ $v$ тои̂
 $M[u] \mid \lambda a c \in ́ \omega \nu$ tò $\delta$ ккастńpıov: Dittenberger $\underline{S i G}^{2}$, Hiller von Gaertringen


 SIG ${ }^{2}$, Hiller von Gaertringen IPriene, SIG ${ }^{3}$. \|| 24 -25: [kaì $\varphi$ |á]| $\lambda \eta \nu:$ Hiller

 àvìp: Hiller von Gaertringen IPriene, $\underline{S I G}^{3}$. $\|$ 28-29: xpucoîc íl]|خocc:
 Dittenberger $\underline{\underline{51 G}}{ }^{3}$, Hiller von Gaertringen $\underline{51 G^{3}}$. \| $30-31: \Lambda \in \cup к 0[\varphi p u n \nu \hat{\eta} c$
 Holleaux, Hiller von Gaertringen IPriene, Sig ${ }^{3}$. II 31-32: nácnc tîc

 тồ $\mathfrak{e} v i a u \mid \tau]$ ồ: Holleaux, Hiller von Gaertringen $\underline{S I G}^{3}$. tîc ['Aptéfuiooc

 - -]
[. . . (20) . . .]Máapkoc Aípú入ıoc Maápкou [viòc ctpatnyòc Mu入aćé $\omega v$ ]

Прıпиєíc - - - -]


［．．（12）．．фо？］vtítoc Koí үктои Maпєєрía Títoc Má $\lambda \lambda \iota o c ~ ф a ̣[\beta i ́ a ? ~$ $\lambda \epsilon ́ \rho \nu a ?]$
 ＇Нра́кк $\lambda$ єाтос－－敞 $\nu$ ］－
 cup［ $\mu$ áxou tє $\ddagger \mu \in t \epsilon ́]$－
 $\pi \rho \in[c \beta \in u t a i]$
 kanoû ka［ì à ya૭oû kaì بí］－


 ${ }_{\epsilon} \epsilon \xi \in \chi \hat{\omega}[\rho \eta c a v]$




 ठè èv aủtoîc ó óó入oyoc［ $\mu \grave{\lambda}$ yívn］－


 $\delta \eta \mu о с i ́ \omega \nu$ праүна́т $\omega[v$ пíctє］－
 ПрıпレєÛcıv пєpì тaú［тпc tñc］


 єúpícкптat taútŋv
 парєує́ $\downarrow \in \tau 0, \tau \alpha u ́ t \eta[\nu]$


 $\lambda o ́ y o u c$ émoińcav-
 toútou пра́yuatoc oü-
 đưtòv סñuov




 стратпуòc пєрі̀ то́́t $\omega \nu$ т $\omega v$
 парауivшขtal про̀ é éкátepa tà крı-


 3-4: прєс日єutaì Máyuпtєc кa[ì Прıпиєíc 入óyouc émoińcav|то ómшc aủtoîc cúyk $]$ ]ntov: Hiller von Gaertringen IPriene, SIG ${ }^{3}$. [ $\epsilon$ 'hoì




 $\eta_{\eta}^{\mu} \boldsymbol{\epsilon}_{\mathrm{p}}^{\mathrm{p}} \mathrm{v}:$ Hiller von Gaertringen IPriene, sig ${ }^{3}$, Sherk.

III





 モ́ $\chi \circ \mu \epsilon ́ \nu \omega \nu$ по $\lambda \lambda \hat{\omega} \iota \mu a ̂ \lambda \lambda o \nu$
 סıà tíva aitíar oúté équ－


 про́тєро⿱
 парорі́ас，ӧпєр


 グто єic［ $\quad$ пра］－
 tıva тро́тои 入ol－


 ѐ $\lambda$ є́ $ү$ єто $\dagger$ к катаठ́́кп


 $\mu e ̀ v$ прєсвєヒ́шv єic＇ P ＇ ＇
 п̀ßou


 систท̂cal, őtı Máyuпt
 Úпò Прıпレヒ́ $\omega \nu$ пр[о́]-
 тои́toाc Úпó te Aítw
 ०ưงศน $\omega \mathrm{c}$

7: $[\epsilon \in \mu \pi] p \eta c \theta^{\prime} \epsilon \tau \tau \omega v$ : Hiller von Gaertringen IPriene. II 9:
 Hiller von Gaertringen IPriene. || 13-14: ó $\pi \epsilon \rho[i \mid$ tñc kata]ठíknc $\lambda o ́ y o c: ~$ Dittenberger $\underline{S I G}^{2}$, Hiller von Gaertringen IPriene, $\underline{S I G}^{3}$. || 16-17: $\lambda$ oi|[ nòv $\lambda u ́ c \in \omega]$ c: Dittenberger $\underline{S I G}^{2}$, Hiller von Gaertringen $\underline{S I G}^{3}$. $\lambda 01[[$ nòv aitía]c: Hiller von Gaertringen IPriene. $\lambda o i \mid[$ поypạíac]: Wilhelm GIRI. II

 $\gamma[\epsilon \mid \text { yov }]^{\prime} v a t:$ Hiller von Gaertringen SIG ${ }^{3}$. \| 20 : à $\lambda \lambda$ ' ótè $\mu \epsilon ̀ v:$ Hiller von Gaertringen IPriene SIG $^{3}$.

[ $\Lambda \in \cup к о \varphi \rho u \eta \nu] \hat{\imath} \iota$

$\Delta$ avúcloc alovucíou
5 то̂́ C $\omega$ сוкра́тто

Пuงóס $\omega$ рос
חaucavíac
Прштíav
Пupeví̊пс

Eviǵ́rov
'Avסротínov
Притáviסoc
10 'Eпíkoupoc
'Артєці́ठ $\delta$ рос

'A ${ }^{2}$ кívou
Aícхр $\quad \omega$ voc
'Apıctoкра́тои

> 'Aрıстокрátпc "Avסpшvoc
> 15 دlovúcioc 'Eпıкрátou
'Apt $\epsilon \mu \delta[1 \mid \Lambda \epsilon \cup к о \varphi p u \eta \nu] \hat{\eta}!:$ Hiller von Gaertringen IPriene, $\underline{\text { SIG }}{ }^{3}$.

Sometime in the first half of the second century the Asia Minor cities of Magnesia and Priene turned to the Roman senate to settle a land dispute which had arisen between them. ${ }^{1}$ At that time both these states were allied to Rome, though it is possible that the dispute itself predated the alliance with Rome. ${ }^{2}$

In 196 Magnesia and Priene had been allies in the war against Miletos. ${ }^{3}$ One of the issues between Miletos and Magnesia at that time had been the question of the ownership of the land of Myos. This territory had been given to the Magnesians around 200 by Philip $V$ in return for the Magnesians offering supplies for his army. ${ }^{4}$ They did not, however, retain it uncontested. As a result of the arbitration which put an end to the war between Magnesia and Miletos a few years later, the greater part of the land of Myos was divided between Magnesia and Miletos. It may be that the
land in dispute between Magnesia and Priene was also part of the old territory of Myos. Priene may have felt betrayed by her ally Magnesia in the settlement of the war in 196, and put forth her own claim to the desirable land. ${ }^{5}$

It is impossible to say at what point Priene made her first claim to the land disputed in this case. We learn from this series of inscriptions that the appeal to Rome, and the subsequent judgement of Mylasa, was the second occasion of arbitration over the same issue. ${ }^{6}$ In that first judgement, as now, Magnesia was the victor. Nevertheless, we also learn that at the time of the appeal to Rome the Magnesians had vacated the land; but the land is also spoken of in the senatus consultum as being separated as well from Priene. Perhaps preparatory to going to arbitration both parties evacuated the disputed territory. ${ }^{7}$

Both Priene and Magnesia were agreed on consulting their joint friend and ally Rome in order to settle their differences. The Roman senate followed its customary course in these matters. They promulgated a sc which laid down some general rules, and then authorized the praetor $M$. Aemilius to delegate the task of the actual arbitration to an independent Greek city.

The peculiarly Roman criteria for judgement in cases of land arbitration bore little resemblance to the notion of legal proof of legitimate ownership enshrined in the Greek idea of an arbitral tribunal. The basic requirement laid down in the sc was that the disputed land was to go to whichever of the two states had possessed it at the time they entered the Roman alliance. ${ }^{8}$ Clearly this is neither Greek, nor, as far as the methods of legal arbitration go, legitimate. It is a perfect example of the Roman manipulation of the Greek system to their own purposes and ways of thought.

In light of this, it is interesting to note that the rationale for the Mylasan decision (at least insofar as it can be gathered from the fragmented state of III) does not appear to have been directly related to the demands of the sc. In fact, the arguments brought forth by the two parties imply that the criteria employed by this tribunal were related to the "worthiness" of the two states to hold the land. Magnesia attempted to show, apparently successfully, that the irresponsible Prienian tenure of the land proved that they were unworthy to be in possession of it; while the Prienians attempted to obfuscate this argument by blaming particular Prienian individuals rather than the state as a whole. This rationale may
eventually have been connected to the Roman requirements by the argument that the Prienians were not "truly" in possession of the land at the time they entered the Roman amicitia, but had forfeited that right by their own actions.

1 The dating of this series of inscriptions is a difficult question. The authoritative involvement of a Roman magistrate, and the status of the cities vis-̇̀-vis Rome point to a date after 188 and Rome's treaty with Antiochos (cf. $113,=114$; Kern, Hiller von Gaertringen IPriene *531, Tod). The style of the lettering, insofar as stylistic dating can be trusted, was thought by Kern the original editor to indicate a date early in the second century.

It was Colin who downdated this inscription to 143 on a prosopographical basis: he identified the unknown Roman praetor M. Aemilius M. f. who was in charge of this arbitration with the praetor urbanus of $143 \mathrm{BC}, \mathrm{M}$. Aemilius Lepidus Porcina. (Incidentally, this M. Aemilius Lepidus, praetor in 143 and consul in 137, may have been involved in an arbitration c. 139 BC between the Cretan states of Hierapytna and Itanos [see $\underline{S I G}^{3}{ }^{*} 685$ ].)

Cf. Raeder; SIG ${ }^{3}$; ARS; Lewis/Reinhold; Préaux.
Holleaux (Etudes V.446f.) argued against Colin's dating as inappropriate and unnecessary. Comparing this document (the letter of M. Aemilius) with the letter of another Roman magistrate, P. Cornelius Blasio (see 135) he believed that both should be dated to c. 175-160. See Sherk, who points out the M. Aemillus Lepldus who was consul in 158, "praetor in 161 at the latest".

Hiller von Gaertringen believed that Pausanias the vewkópoc (11.30) was the same as the ${ }^{\text {z/ }} \mathrm{\epsilon}$ \% © okoc Pausanias the son of Euphemos (IV I. 7); his son and successor Euphemos appears in 1 MagM ${ }^{*} 94$ and $\underline{S I G}^{3}{ }^{*} 685$. Since $\underline{S I G}^{3}$ *685 is dated to 139, it might be a reasonable supposition that Pausanias, the father of Euphemos, and advocate in the case with Priene, was active twenty or thirty years before 139.

2 The evidence consists of the remains of an entire dossier of documents relating to this case, a dossier that was inscribed at Magnesia:

1) the decree of the Magnesians providing for honours for the Mylasans and the Magnesian advocates, and providing for publication of the material relevant to the case [I].
2) the letter of the Roman praetor M. Aemilius to the Mylasans (including the SC which made a general ruling on the case) [II].
3) the Mylasan decree in accordance with which the Mylasan tribunal
 $M[u] \mid \lambda a c \in ́ \omega \nu$ tò Sukactípiov (Kern's restoration); or, as is more generally accepted, the decree providing for the choice of the tribunal:
 von Gaertringen IPriene, $\underline{S I G}^{3}$ ) [this decree is lost].
4) the Mylasan response, to the letter of Aemilius or to the embassy of the Magnesians [the reponse is lost].
5) the judgement of the Mylasans [III forms part of the fragmented award].
6) the list of the names of those to be honoured: the judges [lost], the advocates [IV], the dikastophylakes [lost].

## 3 See $=90$.

4 Polybios 16.24, 9.
5 Cf . however $\underline{\mathrm{SIG}}^{3}$, where it is argued that the land in question here is not Myesian, since the temple of Apollo, mentioned as being ${ }^{\prime} \in V$ Muoûvtl, appears to have been outside the disputed territory (the phrasing of the decree opposes it to $\epsilon^{\prime} \Pi i ̀ \tau \hat{\omega} \nu$ tó $\pi \omega \nu$ ).

Certainly it is true that the situation of the temple in which the arbitrators were to carry out part of their task need have nothing to do with the situation of the land in question; cf. cases $=92,108$ for provision for the sitting of a tribunal in a sanctuary.

But see Sherk p. $47^{10}$ : "considering the previous connection between Magnesia and Myus and considering the fact that the arbitrators did in fact go to the temple in Myus, I am strongly tempted to believe that the land in the present dispute lay south of the Maeander [i.e. was in the territory of

## Myos]."

Priene also had a land dispute with Miletos ( ${ }^{(116 \text { ); was she }}$ attempting to recoup losses she had suffered as Magnesia's ally, losses which had benefitted both her old enemy Miletos and her old ally Magnesia?








7 The fact that Magnesia was awarded the land in a previous arbitral judgement apparently did not preclude Prienian interference. Indeed, it appears from the evidence submitted to the Mylasan arbitrators (III) that Priene was meant to be in some sense responsible for safeguarding the land.

This might lead one to speculate that Sherk ( $p .46^{1}$ ) may have been right when he mentioned in passing that the first judgement between Priene and Magnesia might have had nothing to do with this particular piece of land, but was concerned with some other area. It seems clear that there was more than one contentious issue between Priene and Magnesia: in this same instance the Mylasan judges were also asked to deal with the question of certain injuries which the Prienians alleged were committed by the Magnesians (II 24-27: пєрi ảdıкпuát $\omega \nu$ â aùtoíc






Despite the fact that Priene and Magnesia had been allies in the war with Miletos, they had a past history of hostility between them. See $=27$.

8 For the same criteria applied in other instances, of. the case of Melitaia and Narthakion ( 38 ) and that of the Kretan cities of Hierapytna and Itanos (SIG ${ }^{3}$ *685).

## －135：Ambrakia and Athamania／Rome and Korkyra

c．175－160
Two inscriptions，discovered severally at Korkyra，but apparently related：

I：a letter of a Roman magistrate and a senatus consultum．H．： 0.44 m．；w．（max．）： 0.26 m .20 lines．

II：a Korkyrean decree．H．： $0.35 \mathrm{~m} . ;$ w．： 0.16 m .9 lines．
I：＊M．Holleaux BCH 48 （1924）pp．381－98［Études V．433－47］；L．Robert SEG III．45I；Sherk＊4；Moretti ISE＊91．

II：C．Wachsmuth RhM 18 （1863）p．539，＂2；Mustoxydis Della cose Corciresi（Corfu 1848）p．207，＊12；Blass SGDI＊3204；＊Dittenberger IG IX．1．690．

P．Cabanes／J．Andréou BCH 109 （1985）pp．540f．；W．Dörpfeld AA 1914 p．50；E．S．Gruen JHS 96 （1976）p．50；Gruen I．108；Raeder＊53；L．R．Taylor． The Voting Districts of the Roman Republic（1960）p．168；Tod ${ }^{*} 81$ ；Will ${ }^{2}$ 11.263.
 $\pi \lambda i ́ o u ~ v i o ̀ c ~ B \lambda a c i ́ \omega v$ стрatпүòc xaípeıv $\lambda \in ́ y \in ⿺$ ápxoucı $\delta$＇́n $\mu \omega \iota$
5 тє Коркираícuv прєсвєу－ тaì ’Ацвракıิ̂tat kai
 ந́ $\lambda \theta 0 \mathrm{cav}$ ív＇aủtoîc cú кえпто⿱ $\delta \boldsymbol{\omega}$ ．＇Ey⿳亠二口丿 aủtoíc
10 си́үкスпто⿱
Cuүкス $\delta \varepsilon$ éctív．Прò $\grave{\eta} \mu \in \rho \omega \hat{\nu}$
трเ $\omega v v \omega v \hat{\omega} v$ Kоtүкть－

15 甲ои́́vou парîcav
「váıo＇Evuá＜c＞tıoc 「aí－ ou viò̀ $\mathrm{c}(\mathrm{t})$ ŋnatívac，tí－ toc ’ऽчí́loc Mápkou vi－ ò поть入íac，Гátoc $\mathrm{C} \in \mu$－
20 врш́vioc $\Lambda$ пикíou vi［óc］
［－－－．．．．．．．－－$]$

［．．．．．．］катавávt $\omega \nu$ tâı пєpı［．．．（10）．．．］
［．．．．．．．］єỉc ópónoyov кaì ámò tâc［．．（8）．．］



［．．．．àv］à tòv ßouvòv âv
［．．．．．．］каөে＇áкроv є́тì tòv $\mu \in[$ ．．．．．．］
［．．．．．．］tép
4：É $\varphi^{\circ}$ ．ãv：Mustoxydis，Blass．｜l 6 ：$\pi \rho^{\prime}\langle[$［ $\epsilon v]:$ Mustoxydis．

These fragmented inscriptions shed some light on the mechanism of
Rome＇s referral of a request for arbitration to a neutral third party in Greece．${ }^{1}$ The first document is a letter from Publius Cornelius Blasio，the Roman praetor，to the city of Korkyra．${ }^{2}$ This letter informs the people of Korkyra that Blasio had received delegations from the neighbouring peoples of Ambrakia and Athamania．The Ambrakians and Athamanians apparently had a border dispute which they had agreed to refer to Rome．

The embassies sent by the two states requested a senatorial hearing from the praetor, which was granted. The senate thereupon handed down a decision on the matter, which was included in the original letter, but which is now lost. Nevertheless, judging from the fact that the letter to the Korkyraians was from Blasio, it is probable that the senate asked the praetor to take charge of the affair, and find a suitable arbitrator to judge between Athamania and Ambrakia. ${ }^{3}$ The arbitrator he chose, and who was presumably acceptable to the two disputants, was Korkyra.

The letter and sc were inscribed on the same stone as a fragmented, and apparently still unpublished inscription which recorded the findings of the Korkyraian tribunal which judged the dispute between Athamania and Ambrakia. The fragment [II] is probably part of this judgement. ${ }^{4}$

It may be that this dispute between Ambrakia and Athamania should be connected to other disputes involving Ambrakia in this period. In one, we hear of five Athenian judges being sent in 163 to resolve a quarrel between Ambrakia and Akarnania. ${ }^{5}$ The evidence for the other dispute consists of a boundary delineation between Ambrakia and its neighbour. Charadros. ${ }^{6}$

1 Cf. $=134$, and the inscription ( $5 \underline{1 G}^{3} * 683$ ) cited in $=54$. Cf. also

SIG $^{3}$ *712. The reconstruction of the prescript in * 134 is largely based on this letter from Blasio.

The form of the prescript, in addition to numerous historical and prosopographical factors, was used by Holleaux in his extremely detailed work on the date of this inscription (pp. 438-47).

Will places this request to Rome for arbitration in the context of the troubles discussed in $=136$.

2 It is not known whether Blasio was the praetor urbanus or peregrinus; cf. Holleaux p. 437. See Broughton 1.438, who suggests a date for Blasio's praetorship of very soon after 166.

3 As Aemilius Lepidus was charged with finding an arbitrator (*134).

4 Holleaux, p. 438, cites conjectural restorations of one or two of the twenty-four lines of the unpublished inscription:
 is suggested as the possible resoration of the heading of the inscribed judgement.

Holleaux also cites 1. 13: à кpícıc úuîv te K[оркúpal].

The Ambrakians are mentioned by name at 1.17 of the unpublished inscription, and the Athamanians of course appear in that fragment published in IG.

5 -152. Cf. Holleaux p. $445^{4}$.
$6=143$.

## * 136: Aitolia, Crete, Perrhaibia, Thessaly/Rome 173-172

Livy 41.25; 41.27, 3-4; 42.2, 2; 42.4, 5; 42.5, 7-12; 42.12, 7; 42.13, 9; 42.40, 7; Appian Mak 11.1.
G.E.M. de Ste. Croix. The Class Struggle in the Ancient Greek World
(Cornell 1981) pp. 521, 523f.; A. Fuks PP 21 (1966) pp. 444f.; E.S. Gruen AJAH I (1976) pp. 29-60; Gruen I.106; Larsen (Frank) p. 289; Préaux p. 247; van Effenterre p. 263; Will ${ }^{2}$ II.255-60, 262-63.

Livy 41.25: Per haec tempora Aetolorum in semet ipsos versus furor mutuis caedibus ad internecionem adducturus videbatur gentem. (2) Fessi deinde et Romam utraque pars miserunt legatos et inter se ipsi de reconcilianda concordia agebant; quae novo facinore discussa res veteres etiam iras excitavit. (3) Exulibus Hypataeis, qui factionis Proxeni erant, cum reditus in patriam promissus esset fidesque data per principem civitatis Eupolemum, (4) octoginta illustres homines, quibus redeuntibus inter ceteram multitudinem Eupolemus etiam obvius exierat, cum salutatione benigna excepti essent dextraeque datae, ingredientes portam, fidem datam deosque testis nequiquam invocantes interfecti sunt. Inde gravius de integro bellum exarsit. (5) C. Valerius Laevinus et Ap. Claudius Pulcher et C. Memmius et M. Popilius et L. Canuleius missi ab senatu venerant. (6) Apud eos cum Delphis utriusque partis legati magno certamine agerent, Proxenus maxime cum causa tum eloquentia praestare visus est; qui paucos post dies ab Orthobula uxore veneno est sublatus; damnataque eo crimine in exilium abiit. (7) Idem furor et Cretenses lacerabat. Adventu deinde $\mathbf{Q}$. Minuci legati, qui cum decem navibus missus ad sedanda eorum certamina erat, ad spem pacis venerant. Ceterum indutiae tantum sex mensum fuerunt; inde multo gravius bellum exarsit.

Livy 41.27: (3) Consules votis in Capitolio nuncupatis in provincias profecti sunt. Ex iis M. Aemilio senatus negotium dedit ut Patavinorum in Venetia seditionem comprimeret, quos certamine factionum ad intestinum bellum exarsisse et ipsorum legati attulerant. (4) Legati, qui in Aetoliam ad similes motus comprimendos ierant, renuntiarunt coerceri rabiem gentis non posse.

Livy 42.2, 2: Item in Aetolia seditionem gliscere in dies, neque discordiarum principes auctoritate sua coerceri potuisse.

Livy 42.4, 5: Per idem tempus, quo haec agebantur, legati ex Aetolia Romam venerunt de discordiis seditionibusque suis....

Livy 42.5: (7) Erant autem non Aetoli modo in seditionibus propter ingentem vim aeris alieni, sed Thessali etiam; et contagione velut tabes in Perrhaebiam quoque id pervaserat malum. (8) Cum Thessalos in armis esse nuntiatum esset, Ap. Claudium legatum ad eas res aspiciendas componendasque senatus misit. (9) Qui utriusque partis principibus castigatis, cum iniusto faenore gravatum aes alienum, ipsis magna ex parte concedentibus qui onerarant levasset, iusti crediti solutionem in decem annorum pensiones distribuit. (10) Per eundem Appium eodemque modo compositae in Perrhaebia res. Aetolorum causas M. Marcellus Delphis per idem tempus iisdem hostilibus actas animis quos intestino gesserant bello cognovit. (11) Cum certatum utrimque temeritate atque audacia cerneret, decreto quidem suo neutram partem aut levare aut onerare voluit; communiter ab utrisque petit abstinerent bello et oblivione praeteritorum discordias finirent. (12) Huius reconciliationis inter ipsos fides obsidibus ultro citroque datis firmata est. Corinthus, ut ibi deponerentur obsides, convenit.

Livy 42.12, 7: lam Aetolos quem ignorare in seditionibus suis non ab Romanis, sed a Perseo praesidium petisse?

Livy 42.13, 9: confudit et miscuit [Perseus] omnia in Thessalia Perrhaebiaque spe novarum tabularum, ut manu debitorum obnoxia sibi optimates opprimeret.

Livy 42.40, 7: In Aetolia bellum intestinum et caedes principum per quos, nisi per tuos, factae videri possunt?




 ठєठì̀c Пєрсє́a




Өettanoùc kaì חeppatboùc ठıactactácele bounouévouc ti прєсвєÛcat прòc úpâc.

In the years prior to the Third Macedonian War several of the Greek federal states were suffering from internal problems. The Romans in their previous settlements of Greece, while careful to proclaim Greek liberty and independence, had nevertheless contrived to support the propertied classes within the various states. 'As time went on factional strife in Greece became pronounced: we hear of stasis within the Aitolian, Perrhaibian and Thessalian Leagues, and on Crete as well. ${ }^{2}$ This factionalism will have sprung not only from the economic factors of which Livy speaks, ${ }^{3}$ but also from a fear of progressive Roman domination. Accordingly, much of Greece had reached a point where it was divided between the generally pro-Roman well-to-do, and the great majority of the poorer classes, many of them indebted to the wealthy and many of them turning to the only possible bulwark against Rome, Perseus of Macedon. 4

It was a situation potentially dangerous to Rome, and the approach taken by the senate in the years before the outbreak of the Macedonian War In 171 was to send legates to Greece to attempt to settle Greek
factionalism by arbitration. Naturally Rome's motivation was self-interested: settling the factional disputes could only benefit the Greek friends of Rome, and establishing amicable relations among the Greeks might woo their attachment away from Rome's potential enemy Perseus. ${ }^{5}$

Among the various legates who travelled to Greece during these troubled years in an attempt to bring some stability was Appius Claudius Pulcher, who was becoming something of an expert on arbitration among the Greeks. ${ }^{6}$

1 see de Ste. Crolx pD. 521, 523-24.
2 For the settlement of problems within the Perrhaibian League by a foreign judge (from Gyrton?), cf. IG IX.2.1230.

3 Apparently a severe debt problem existed: Livy 42.5 and 42.13.
4 Cf. Appian Mak 9.11 and Livy 42.5 and 42.12-13. Against the traditional view of a Greece divided strictly into two camps of pro-Roman aristocrats and anti-Roman poorer classes, see Gruen AJAH.

5 Despite the fact that it was naturally in Rome's interest to promote a strong and stable pro-Roman Greece, the initiative was not all hers: for example, the Aitolians turned to Rome for aid in 174: Livy 41.25. Nevertheless, the fact that the Aitolians had apparently also turned to Perseus (Livy 42.12) would have been a cause for Roman concern. Perseus's influence was held responsible by the Romans for the attacks on the pro-Roman party in Altolia (Livy 42.40, 7), as well as for the
dissensions in Perrhaibia and Thessaly (Appian Mak 9.11, 1).
Cf. FDelphes III. 4.75 [the Roman manifesto on the origins of their war



Ten years before these incidents, of course, the federal states had been turning to Rome because of Philip V's interference with their internal affairs, and his refusal to deal with them on a legitimate basis ( $* 121$ ).

6 Livy 41.25 and 42.5. Cf. $=122,=123$.

## 137: Perseus and Rome/Rhodes and Others 172-168

Livy 42.46, 3-4; 44.24, 6; 44.25, 5; 44.29, 7-8; 44.35, 4; 45.3, 3-6; Polybios 27.4, 4-6; 28.1, 7-8; 29.7, 6-8; 29.10, 1-4; 29.11, 1-6; 29.19, 1-9; Diodoros 30.2; 30.24; Appian Mak 17.

Badian EC pp. 100-1; Berthold pp. 179-94, 240f.; Errington Dawn pp. $211 \mathrm{f} . ; \mathrm{E} .5$. Gruen CQ 25 (1975) pp. 71f.; Gruen 1.118, 11.564f.; Hansen ${ }^{2}$ pp. 116-18; Matthaei CQ p. 261; McShane pp. 181-82; H.H. Schmitt Rom und Rhodos (Munich 1957) pp. 139-50; Sherwin-White pp. 30f.; Will ${ }^{2}$ II.275-78.

Livy 42.46, 3: Apud Rhodios legati adiecerunt confidere pacem futuram; auctoribus enim Marcio atque Atilio missos Romam legatos. Si pergerent Romani contra foedus movere bellum, tum omni gratia, omni ope nitendum fore Rhodiis ut reconcilient pacem; si nihil deprecando proficiant, id agendum, ne omnium rerum ius ac potestas ad unum populum perveniat.
 пapeká $\lambda$ ouv toùc 'Poठíouc katà $\mu e ̀ v$ tò mapòv ìcuxíav é éx
















 ǒ $\lambda \eta \nu$ ảnávtncıv ícxupâc, $\lambda a \beta \omega ̀ \nu$ aưtòv кat' íoíav eíc tàc

 каө́́nкоvtoc. (5) по́тєра סè toût' émoí́є tòv 'Avtíoxov






 ámoঠeîłat, kà toûto mpázavtac סoûvat toîc 'Pwuaíoic àqpopuàc


 cuивávta toíc 'Poסíoic.







 étépouc про̀с Mápkiov.

Polybios 29.7: (6) [ó Eưjévnc] úmé $\lambda a \beta \in v$ oủk áóv́vatov eỉval tò




 モ̇ $\lambda \pi i ́ \delta a$ таútпи.

Livy 44.24, 6: Haec cogitantem providere iubebat, ut aut ad pacem secum faciendam compelleret Romanos aut perseverantes in bello iniusto communes duceret omnium regum hostes.

Livy 44.25, 5: Hac utriusque partis voluntate explorata, quod fieri etiam sua sponte taedio validioris, metu infirmioris credebat posse, in eo suam operam venditare conciliandae gratia pacis cupit.







 К $\lambda เ v o ́ \mu$ рротоv, про̀c ठè tòv ctpatпyòv kaì Персе́a Aá $\mu \omega \nu$,

 toû revaíou, kaì cùv toútoic toû Mntpoठ́́pou mapayevouévivv єíc iǹv 'Póסov, кai cuvaxөeícnc tn̂c Bounn̂c, (2) mavtánacıv








 kákeívouc eủס̇ıaरútouc úmápxetv.

Livy 44.29: (7) non benigne modo responsum regibus est, sed palam pronuntiatum bello finem se auctoritate sua imposituros esse; (8) itaque ipsi quoque reges aequos adhiberent animos ad pacem accipiendam.

Livy 44.35, 4: Sub idem tempus Rhodii legati in castra venerunt cum isdem de pace mandatis, quae Romae ingentem iram patrum excitaverant. Multo iniquioribus animis a castrensi consilio auditi sunt.




 'Po катà tìv 'Póסov. (3) oi ठè mєpì tòv 'Ay'




 кatà tinv. T $\omega$ v 'Po



cuvéxovta tav̂ta, (6) סוótı tìv пресвеíav taútnv oưte tâv




 (8) tò ठè пapévtac ékeîvov tòv kalpòv vôv mapeîvai







Livy 45.3: (3) Tradidere quidam legatos Rhodios nondum dimissos post victoriam nuntiatam velut ad ludibrium stolidae superbiae in senatum vocatos esse; (4) ibi Agepolim, principem eorum, ita locutum: missos esse legatos ab Rhodiis ad pacem inter Romanos et Persea faciendam, (5) quod id bellum grave atque incommodum Graeciae omni, suptuosum ac damnosum ipsis Romanis esset. (6) Fortunam populi Romani bene fecisse, quod finito aliter bello gratulandi sibi de victoria egregia Romanis opportunitatem dedisset. Haec ab Rhodio dicta.

Responsum ab senatu esse: Rhodios nec utilitatium Graeciae cura neque impensarum populi Romani, sed pro Perseo legationem eam mississe. (7) Nam si ea fuisset cura, quae simularetur, tum mittendos legatos fuisse, cum Perseus in Thessaliam exercitu inducto per biennium Graecas urbes alias obsideret, alias denuntiatione armorum terreret; (8) tum nullam pacis ab Rhodiis mentionem factam. Postquam superatos saltus transgressosque in Macedoniam Romanos audissent et inclusum teneri Persea, tunc Rhodios legationem misisse, non ad ullam aliam rem quam ad Persea ex imminenti periculo eripiendum. Cum hoc responso legatos dimissos.

 ánє甲п́vavto.

After the tensions which developed between Rome and Rhodes during the Lycian affair, ${ }^{\prime}$ relations between the two states never improved. Rhodes also found herself in a situation where her relations with Pergamon were deteriorating still further. The two had joined hands before the Second Macedonian War to persuade Rome to take action against the common Macedonian threat, but they were not natural partners. Rivalries were evident after the end of the war against Antiochos. ${ }^{2}$ A decade later Eumenes was openly supporting the Lycian uprising, a rebellion in Rhodian eyes. ${ }^{3}$

On the other hand Rhodes was forging closer ties with Macedon. ${ }^{4}$ Rhodes's own position as an independent republic relied on the maintenance of a relatively stable balance among the great powers. She had no desire to see Rome's control extended further eastward, whether Rome actually had that ambition or not. Rhodes was therefore anxious to see Macedonian power remain as a bulwark. She was equally anxious that Macedon and Rome remain at peace, as she may have foreseen that a third conflict between them would have precisely the result it did. Consequently, Eumenes's anti-Macedonian complaints and propaganda, evidently aimed at provoking yet another war between Rome and Macedon,
were inimical to Rhodian policy and desires. ${ }^{5}$
Rhodes was therefore anxious to prevent a war between Rome and Macedon, while Eumenes appeared anxious to bring one on. The Romans themselves were nervous about the growing popularity of Perseus in Greece, and when Eumenes and Rhodes both sent embassies to Rome in 172, the anti-Macedonian Eumenes received a much more gracious reception from the senate than he had been accustomed to for a long time. ${ }^{6}$ The Rhodians, on the other hand, chose the wrong moment to urge caution: Eumenes had fired the senate and had possibly made some accusations against the Rhodians. ${ }^{7}$ When the Rhodian embassy was admitted a few days later, and criticized Pergamon, they were speaking to a prejudiced audience. All they accomplished was to make the Romans suspicious of them. ${ }^{8}$ A further spark was added to the situation when Eumenes was almost killed at Delphi on his way home and rumour instantly had it that Perseus was behind the "attack". 9

The Roman senate, then, by the late summer of 172, had decided on war with Perseus, although it was not yet laid before the people. ${ }^{10}$ Instead the Romans used the next months for some preliminary diplomatic warfare: legates were sent out to investigate the state of affairs in

Greece and the east, and to sound out attitudes to Rome and opinions about a war with Macedon. The main purpose was to prop up potentially shaky alliances and pressure reluctant Roman allies to commit themselves to support the anti-Macedonian cause.

The chief Roman representative in Greece itself was $\mathbf{Q}$. Marcius Philippus. Perseus requested a meeting with him, and Philippus agreed to a conference at Tempe. Philippus repeated the accusations Eumenes had made, but appeared willing to listen to Perseus's defense, and in the end agreed to a truce for the winter of $172 / 1$ to allow Perseus to send representatives to Rome to discuss a settlement. ${ }^{11}$

It was at this point that Perseus began to employ some diplomatic warfare as well. He began to cast about for the possibility of finding a mediator, and his natural choice was to look to Rhodes. Rhodes was known to be a friend of Rome, in spite of the cooling of relations over the last years; but Rhodes was also friendly towards Macedon. In addition, Rhodes had her impressive track record as an arbitrator and mediator. ${ }^{12}$

Rhodes, however, had already been visited by the Roman legation. However reluctant she may have been, she had decided to support her link with Rome against that with Perseus. She therefore refused to consider
any notion of actually supporting Perseus against Rome, and seemed reluctant even to offer her traditional services as an arbitrator if war should break out. The Rhodian reply was essentially self-interested: Rhodes gave Perseus's envoys a friendly reception, but asked them vaguely not to request anything of the Rhodians which might damage their relationship with Rome. ${ }^{13}$ It would seem, then, that the Rhodian attitude at the outbreak of the Third Macedonian War was that the vital thing was not to alienate Rome, even by acting as a neutral party in offering to mediate between Rome and Perseus. ${ }^{14}$

The war was soon a reality. War had been declared before Perseus's envoys ever reached the senate, and in spring of 171 the Roman army crossed to Greece. Initially the Roman forces were supported, as promised, by Eumenes and by Rhodes. In the first years of their third war against Macedon, however, the Romans seemed cursed with particularly ineffective and brutal commanders. Their actions in Greece not only orfended the Greeks, but also Rhodes and even Pergamon. ${ }^{15}$ In the winter of 171/0 Rhodes permitted the ransoming of certain Macedonian prisoners of war it held, and it seems as though the small naval force Rhodes sent in 171 was her only military contribution to the war. ${ }^{16}$ From then on Rhodes
was in fact, even if she chose to deny it in name, a neutral.
Perseus continued to enjoy military successes through 170, and Roman defeats and harsh treatment of their allies and plundering all contributed to the increasing popularity of the Macedonian cause. Rhodes was probably also suffering economically from the disruption of trade and shipping caused by both this war and the Syrian-Egyptian conflict which broke out in 170/69. ${ }^{17}$ Just prior to the outbreak of that war embassies arrived in Rome from Antiochos IV and Ptolemy VI. Antiochos's ambassadors had come to complain of Ptolemy's actions and justify Antiochos to the senate. Ptolemy's envoys, on the other hand, Timotheos and Damon, had been instructed to keep an unofficial eye on the embassy of Antiochos, but to restrict their official activity to renewing the friendship with Rome. ${ }^{18}$ They were to demonstrate their friendship by offering to mediate a peace settlement between Rome and Perseus. ${ }^{19}$ The Ptolemaic envoys, however, were advised to say nothing of their mission to mediate by M. Aemilius Lepidus, presumably on the same grounds as the Rhodian reluctance to mediate in 172: Rome in these days did not look kindly on the "neutrality" of her friends.

In the spring of 169 the Rhodians sent out two embassies, one, under

Hagesilochos, to Rome, and the other, under Hagepolis, to meet with the consul Q. Marcius Philippus in Greece. ${ }^{20}$ The embassy to Rome appears to have been an attempt to renew friendship and clear up Roman suspicions, as well as gain Roman permission for exporting Sicilian grain. ${ }^{21}$ The senate, aware of the internal discord at Rhodes, attempted to shore up the "Roman" party by giving this embassy a courteous reception. The embassy to Greece also met with a friendly welcome, and were assured by Philippus that he never paid any attention to any accusations of disloyalty which might be levelled against the Rhodians.

Polybios, followed by Appian, reports that Philippus secretly advised Hagepolis to try to mediate between Rome and Perseus. 22 While the story should not be dismissed out of hand, it is suspicious. The clandestine atmosphere of Philippus's advice, for example, and the fact that, given the difficulty in which the Rhodians found themselves as a result of their mediation attempt after Pydna, this would naturally be the kind of story they might spread in order to recoup their reputation. Nevertheless, it is far from impossible that a Roman commander might suggest a Rhodian intervention, so long as it would compromise only Perseus's position, not the Roman one. ${ }^{23}$

Under Philippus the Roman conduct of the war had improved, although something of a deadlock was reached after Philippus's invasion of Macedon. Perseus apparently felt that a diplomatic initiative would be useful. Polybios and Livy both report a rather dubious tale of Perseus's overtures to Eumenes in 169, and Eumenes's professed willingness to mediate between Rome and his old enemy. According to this story, Eumenes, whose ruling passion is here portrayed as cash rather than principle, agreed to take a large bribe from Perseus (500 or 1000 talents) in order to stay out of the war in 168, or an even larger bribe ( 1500 talents) in order to mediate a peace settlement for Perseus and Rome. The scheme broke down when Perseus proved unwilling to offer a retaining fee.

The story smacks of invention with the purpose of discrediting Eumenes, and may emanate from anti-Pergamene Macedon. It did not come out until after the war, a time when more Romans would have been willing to listen to discreditable stories about Eumenes, now that Perseus was crushed and suspicions raised by Eumenes's lack of vigorous military activity towards the end of the war. 24

This tale aside, however, it is not impossible that Perseus was exploring avenues to peace. Late in 169 Perseus had finally succeeded in
bribing and persuading Genthius the Illyrian to join the war on his side, and the Illyrian forces were just enough to create more military difficulties for the Romans by opening a second front in the Adriatic. Rhodes, watching and not participating, will have recognized that Rome was simply not operating with top-notch military efficiency, and the war might drag on for years more. The "pro-Macedonians" are now said to have come to the forefront of Rhodian politics, but it also seems likely that desire for general peace was not partisan in Rhodes: it simply made economic sense for the trading state. ${ }^{25}$

Accordingly, when envoys arrived from Perseus and Illyria at Rhodes in 169/8, they found a Rhodes which had now changed its policy. With Macedonian successes, pro-Macedonian hopes and feelings had gotten stronger; as a result of Roman military dilatoriness, a quick end to the war did not appear to be forthcoming. Hence Rhodes, while she had avoided it before so as not to alienate Rome, decided that she was now prepared to intercede and mediate. Surely the Romans need not object to the friendly offers of a neutral party: they might even welcome them. In the late spring of 168, then, the Rhodians sent out two embassies, one to Rome and one to the new consul in Macedon, L. Aemilius Paullus, both of which were
to urge the Romans to accept the mediation of Rhodes.
The trust placed in Roman military failures by Rhodes, Perseus and the Illyrians proved false in 168. The praetor Anicius Gallus destroyed Genthius's fleet and removed Illyria from the conflict in the space of a month. But most disastrous for the Rhodian reputation at Rome was the victory of Paullus at Pydna. The embassy which was sent to the consul's camp arrived a week before the battle. The consul was not welcoming, but informed the Rhodian ambassadors that he would give them his answer within two weeks. Within one, however, the Macedonian army had been destroyed and the Rhodian embassy, its mission now pointless with Rome the victor, returned home.

More disastrous was the coincidence in timing for the embassy which had been sent to Rome. It arrived in the city before the news of the battle of Pydna did, but it was not summoned to its senatorial hearing until after the news broke in the city. The senate already was aware of the purpose of the embassy, and its leader Hagepolis was caught in a difficult situation. He still referred to the Rhodian mission to arbitrate, but managed to slip in an official congratulation on the Roman victory. ${ }^{26}$

The senatorial response probably exposed feelings which had only
been repressed in recent years through fear of provoking pro-Macedonian feelings in Rhodes. The senate replied that Rhodes had no real concern for the sufferings of the Greeks, or for the Romans for that matter. All they cared about was trying to save Perseus.

The breach of friendship, and the obvious fact that the senate had no need or desire to heal it frightened the Rhodians badly. They attempted to mollify the Romans, but the senate kept them in a state of apprehension for months. 27 The issue was finally forced in the winter of $168 / 7$ when the praetor M. Iuventius Thalna proposed to the people that a war be declared on Rhodes. ${ }^{28}$ The senate had no wish to take that step, and Thalna's proposal was vetoed and the Rhodian envoys in Rome allowed to plead their case. The anti-Rhodian movement, still calling for war, was offset when M. Porcius Cato came to the defense of Rhodes. The senate decided against war, and the Rhodian people in relief voted to send Rome a crown of 20,000 gold pieces and an embassy to do everything possible to obtain a formal alliance. The last, a formal tie with Rome, represented exactly what Rhodes in the last centuries had striven to avoid: permanent alliances which would obstruct her freedom and independence. 29

1 Cf .118.
2
Cf. 114.
3 Livy 42.14. Cf. 118 ; Hansen ${ }^{2}$ p. 109.
4 The friendship with Macedon and Rhodes's escort of Perseus's bride may well have made Rome suspicious; cf. 118.

5 Cf. Berthold pp. 179f., McShane pp. 177f.
6 Cf. McShane p. 178: "the menace of war and the value of such an ally as Eumenes made the senate less haughty for the time being."

7 Livy 42.11f.
8 Appian Mak 11. Livy 42.14.
9 Livy 42.15, 3-16, 5. Diodoros 29.34. Appian Mak 11. Polybios 22.18.
${ }^{10}$ Errington p. 209. The Romans did send an advance force into northwestern Greece in the late fall of 172.

11 See Errington p. 210 for a discussion of Philippus's real reason for agreeing to a truce, to delay Perseus's military preparations and advance the Roman.
$12 \mathrm{cf} . * 89,=90,=92,=110,=131,=133$. Rhodes's reputation as a guardian of peace and justice was emphasized by Perseus's envoys.

13 Livy 42.46, 6. Polybios 27.4, 9.
14 It is possible that this attitude was dictated by varying degrees of pro- and anti-Roman feeling within Rhodes itself. See Errington pp. 211-12; on the other hand, rather than seeing Rhodian politics as divided between pro- and anti-Romanism at this time, it may be possible that the split in Rhodian policy had to do with to what degree anti-Roman feeling
should be expressed (Berthold pp. 181-82).
${ }^{15}$ Errington pp. 214 f., McShane pp. $179 f$.
${ }^{16}$ See Berthold p. 186.
17 Berthold p. 188. Cf. $=138$.
18 Diodoros adds, probably incorrectly, that they discussed the issue of Koile Syria. See Walbank III. 326.

19 Perhaps a reflection of the fact that Rome's military situation appeared less than favourable. See Walbank's III.326. Putting an end to the conflict would also work in the favour of Ptolemy's friend Rhodes.

20 Polybios 28.2; 28.17. Livy 44.14.
21 Livy reports that the Rhodians arrogantly asserted that they would make war on whichever side in the Roman-Macedonian conflict refused to co-operate. This passage is generally thought to be due to the imagination of an annalist (Gruen CQ pp. 59-60; Walbank III.327). Cf. Dio 20.2 and Zonaras 9.2. Cf. the Tarentine offer to "arbitrate" (*6).

22 The text of Polybios appears ambiguous, and there is controversy
 was the one between Rome and Perseus or between Antiochos and Ptolemy. It would seem from Polybios's account of Philippus's putative intentions (either that Rome not have to face Antiochos as an enemy while still embrolled with Perseus, or that Rhodes might be embarrassed by her attempt: the latter reason, of course, comes from hindsight of what did happen) that Polybios himself belleved that Philippus was referring to the Macedonian War. Cf., however, Gruen CQ pp. 72-74; and Walbank III.350-51.

Appian, of course, believed Polybios to be referring to the Macedonian conflict.

23 For a recent discussion of this affair see Berthold, appendix 3: " Q . Marcius Philippus and the Rhodians".

24 See Hansen ${ }^{2}$ p. 117; Errington pp. 242-43; McShane pp. 181-82; Walbank III.365-66.

25 See Berthold pp. 190-91. Gruen (CQ p. 76) makes the point that the embassies sent by the supposedly pro-Macedonian politicians were led by some of the pro-Boman Rhodians. Hence he argues that Polybios's view of factionalism in Rhodes is exaggerated.

26 Perhaps Hagepolis changed his mandate, and suggested that the Rhodians might be willing to arbitrate the details of the peace settlement between Rome and Perseus, as they had arbitrated that between Magnesia and Miletos (*90).

27 Cf . Badian's comment (pp. 100-1) on the senate choosing to make an example of Rhodes: "the client had no business to offer arbitration to the patron, who had come to expect nothing but unquestioning support".

28
Livy 45.20-21; Polybios 30.4
29 See Berthold p. 199; Sherwin-White p. 31.

## *138: Antiochos IV and Ptolemy VI/Rome, Rhodes, and the Achaian League <br> 170-168

Polybios 27.19, 1-2; 28.1, 1; 28.1, 6-9; 28.17, 4-8; 28.17, 13-15; 28.19, 1-7; 28.20, 1; 28.23, 1; 29.2, 1-3; 29.24, 10; 29.25, 1-6; 29.27, 1-7; Livy 44.19, 6-8; 44.19, 11-14; 45.12, 3-7; Diodoros 30.2; 31.1-2; Appian Syr 11.66.
J. Briscoe JRS 54 (1964) pp. 71-73; Gruen 1.114; Sherwin-White pp. 46f.; J.W. Swain CPh 39 (1944) pp. 73-94; Walbank Comm III.319, 321-24, 350-51, 361-63, 396-406; Will $11^{2} \mathrm{pp}$. 311-25.



 סıaцaptúpaçaı סוótı пapà пávta tà סíkaıa Птодєцаîoc aủtê tàc $\chi \in \hat{p} \rho a c$ émı陷 $\lambda \epsilon 1$ 〈про́тєрос〉．．．


 ó mpoeipnuévoc toùc ámo入oүnconévouc kaì sióázovtac iǹv
 ＇Autióxoc éautoû проуoviкñc úmapxoúcпc．évetéíגato $\delta$ è tá te ழiスávधि








 ăvavéćc

 cunbouneúcavtoc aútoíc Aípi入íou．．．．（9）toîc סè mepì tòv


 е́хєєрі́сөп ката̀ тò паро́v．











 ánodeî\}al, kà̀ toûto прágavtac סoûval toîc 'P


 кат 'ííav évto





Polybios 28.19: "Otı $\mu \in \tau$ à tò пapa $\lambda a \beta \in i ̂ v$ 'Avtíoxov tà katà tìv







 Mı $\lambda$ 亿́tou пар


 cíc tì̀ ánávetncıv.

Polybios 28.20, 1: "Otı katà tòv kalpóv, öt 'Avtíoxoc tìv Aî́yumtov




 ＇Avtíoxov．
 Aíyúmtou Kúplov yєyovéval，tn̂c $\delta^{\circ}$＇A $\lambda \epsilon \xi a v \delta p \in i ́ a c ~ \pi a p ' ~ o ́ \lambda i ́ y o v, ~$

 По入í入ıov，（3）tóv te пó入єцо⿱ 入úcovtac кaì кaधónou




 toùc Sıa入úcovtac toùc Bacineîc mpòc tòv＇Avtíoxov．

Polybios 29．25：＂Otı éwc $\mu$ év tıvoc of mepi tòv＇Avסphví́סav kaì


 Koívtou Mapkíou，סı＇̂̂c mapeká $\lambda \in t$ toùc＇Axatoùc áko $\lambda о \cup \theta 0 u ̂ v t a c ~$

 toùc mepì Neméciov סıaגúcovtac toùc bacıスeîc．（4）finv סè toûto



 Sianúcovtac．





















Livy 44.19: (6) Primi Alexandrini legati ab Ptolemaeo et Cleopatra regibus vocati sunt.... (8) Antiochus Syriae rex, qui obses Romae fuerat, per honestam speciem maioris Ptolemaei reducendi in regnum, bellum cum minore fratre eius, qui tum Alexandriam tenebat, gerens.... (11) Ea merita populi Romani in Antiochum, eam apud omnes reges gentesque auctoritatem esse ut, si legatos misissent qui ei nuntiarent non placere senatui sociis regibus bellum fieri, extemplo abscessurus a moenibus Alexandreae abducturusque exercitum in Syriam esset..... (13) Moti patres precibus Alexandrinorum extemplo C. Popilium Laenatem et C. Decimium et C. Hostilium legatos ad finiendum inter reges bellum miserunt. (14) Prius Antiochum, dein Ptolemaeum adire iussi et nuntiare, ni absistatur bello, per utrum stetisset, eum non pro amico nec pro socio habituros esse.

Livy 45.12: (3) Ad Eleusinem transgresso flumen, qui locus quattuor milia ab Alexandrea abest, legati Romani occurrerunt. (4) Quos cum advenientis salutasset dextramque Popilio porrigeret, tabellas ei Popilius senatus consultum scriptum habentis tradit atque omnium primum id legere iubet. (5) Quibus perlectis cum se consideraturum adhibitis amicis quid faciendum sibi esset dixisset, Popilius pro
cetera asperitate animi virga quam in manu gerebat circumscripsit regem ac "priusquam hoc circulo excedas" inquit "redde responsum, senatui quod referam." (6) Obstupefactus tam violento imperio parumper cum haesitasset, "faciam" inquit "quod censet senatus." Tum demum Popilius dextram regi tamquam socio atque amico porrexit. (7) Die deinde finita cum excessisset Aegypto Antiochus, legati concordia etiam auctoritate sua inter fratres firmata, inter quos vixdum convenerat pax, Cyprum navigant....:

Diodoros 31.2: "Ott ànavtíncact tòv 'Avtíoxov toîc 'Pouaíocc.





























 катаплауєі் $\mathfrak{a} \nu \in ́ \zeta \epsilon \cup \xi \in \ldots . .$.

The new role played by Rome in eastern affairs in the second century is seldom to be seen more clearly than in the history of the period of the Sixth Syrian War. Appeals were made to Rome to induce her to intervene in the Syrian conflict, either to arbitrate or to send military aid. Even more significant of the new attitude to Rome was the fact that envoys were sent to the Senate by both sides before the war even began, in order to explain and defend their actions.

Koile Syria was the much coveted prize in a series of wars between the Ptolemies and the Seleukids throughout the Hellenistic period. At the time of the Sixth Syrian War (170-168) it was Seleukid territory, having been taken from the young Ptolemy V by Antiochos the Great thirty years before. ${ }^{1}$ Polybios indicates that the initiative in this sixth episode in the series of conflicts, the war between Antiochos IV and Ptolemy VI, came from Egypt. ${ }^{2}$ Both sides sent embassies to Rome in the winter of 170/69 prior to the outbreak of war: Antiochos complained of Ptolemy, while Ptolemy's ambassadors were instructed to cultivate good relations with

Rome. ${ }^{3}$ It is clear that neither the Seleukid nor the Ptolemaic kingdoms could afford to ignore the position of Rome.

The war opened in the spring of 169 with an overwhelming Ptolemaic defeat. ${ }^{4}$ Antiochos swiftly took advantage of his victory, and advanced on Alexandria. The young Egyptian king attempted to flee the country, although we shortly thereafter find him back in Alexandria, trying to open diplomatic channels to Antiochos. ${ }^{5}$

Throughout the conflict there had been some attempts to arbitrate the differences of the two empires. Rome had instigated some of the moves in this direction. It had been suggested to the Rhodians by the Roman consul in Greece that they should try to put a stop to the war. ${ }^{6}$ Ptolemy himself requested several neutral Greek embassies present in Alexandria to mediate with Antiochos. ${ }^{7}$ Although these embassies failed to convince Antiochos of Ptolemy's rights, nevertheless some kind of agreement was eventually reached between the two kings, and Ptolemy joined Antiochos at Memphis. ${ }^{8}$

Thereafter the war took on a new aspect. Antiochos in effect had become the "guardian" of his nephew Ptolemy VI. ${ }^{9}$. The capital at Alexandria reacted by proclaiming Ptolemy's younger brother, Ptolemy VIII

Euergetes $11,{ }^{10}$ and his sister, Kleopatra II, the new rulers. This afforded Antiochos the chance to march on Alexandria on the pretext of restoring the legitimate ruler, Ptolemy VI. He laid siege to the city for a time, and then abandoned the siege, without, however, abandoning his ultimate intentions. It was at this point that the Rhodian embassy arrived, the embassy originally sent out to mediate between Antiochos and Ptolemy VI. ${ }^{11}$ They now found themselves dealing with a different situation, but nevertheless tried to put a stop to the war. Antiochos, however, exploited the claim that he was merely trying to restore the rightful king to the throne.

Although Antiochos withdrew from Alexandria in 169, the events of the following year made it clear that neither had the Rhodian mediation had any effect, nor was Antiochos in truth concerned about upholding the rights of the elder Ptolemy. Over the winter of 169/8, the brothers and sister reconciled themselves without Antiochos's help, Ptolemy VI pointing out that Antiochos was counting on a fratricidal war between the Ptolemies to give him an entry into Egypt. ${ }^{12}$ Although Antiochos had therefore lost his "legitimate" excuse to invade Egypt by 168, he nevertheless planned to continue his aggressions.

Either by 169, when Antiochos was besieging Alexandria, or by 168, when his designs on Egypt were clear, Rome became concerned enough to intervene herself. ${ }^{13}$ A legation under $C$. Popilius Laenas was sent out to try to achieve a settlement between Antiochos and Ptolemy. That Rome's concern over the situation was linked closely to her own interests is clear from the fact that Popilius was obviously under instructions to delay his mission until the Macedonian War was decided, and then to act accordingly. ${ }^{14}$ But Rome in the meantime also made it clear to the Achaian league that sending an embassy to mediate between Antiochos and Ptolemy would be considered as a friendly act towards Rome. ${ }^{15}$

The Achaians decided to send the embassy, but in the end it was the dictation, not the mediation, of the Roman legate Popilius that put an end to the Sixth Syrian War. In one of the more famous examples of brute diplomacy, Popilius, having word of the Roman victory at Pydna, ordered Antiochos out of Egypt. ${ }^{16}$ Thus all the attempts at arbitration on the part of the various Greek states, and even an earlier and more diplomatic effort on Rome's part had failed. ${ }^{17}$ In the end it was the threat of Roman military power, now freed from the Macedonian conflict, which convinced Antiochos.

1 See * 65.
2
Polybios 27.19 and 28.1: Antiochos sent an embassy to Rome to complain about Ptolemy's aggressive intent. Cf. Polybios 28.20, 5, where the embassies defending Ptolemy before Antiochos implicitly admit Egyptian guilt in initiating the conflict.

3 Polybios 28.1. On the chronology of the war, see Walbank III.321f.
it seems that Egypt's ambassadors may have had a thought for offering their mediation services to Rome itself, now involved in the Third

 пó $\lambda \in \mu \circ v$. Nothing, however, came of this. See $* 137$.

## 4 Diodoros 30.14; Porphyry FGH 260 F49a.

5
Polybios 28.19.
6 Rhodes of course would have been a natural choice, given their reputation as arbitrators, and their relatively prestigious position in the eastern Mediterranean.

It should be pointed out that the passage in which Marcius suggested to the Rhodian ambassador that they arbitrate in the "present war" (Polybios 28.17, 4) is not unambiguous. It may refer to the war between the Romans and Perseus. See $=137$. Walbank believes it to refer to the Macedonian conflict; nevertheless, Rhodes did go on to try to mediate the Syrian conflict (Polybios 28.17, 15 and 28.23). It seems likely that Marcius did suggest mediation in the Syrian War, whether the specific passage refers to the Macedonian War or not. See Walbank III. 352.

7 Polybios 28.19-20. Among the embassies which happened to be present at the time in Alexandria were Achaians, Athenians, Milesians and Klazomenians. The mediation of these embassies, convinced as they were by Antiochos's arguments, was futile as far as Ptolemy's interests were concerned.

9
Cf. Walbank III.358: "...Ptolemy VI's ambiguous position: he is king, but the army is that of Antiochus."

10 Ptolemy VIII Euergetes II also appears in some works as Ptolemy VII. The appellation depends on whether Ptolemy Neos Philopator, the child of Ptolemy VI, who was briefly enthroned as a minor in 145, is included in the dynastic reckoning as Ptolemy VII.

11 Polybios 28.23.
12 Livy 45.11.
13 Livy 44.19, 6; Polybios 29.2. See Walbank Comm III.361-63 for a discussion of the chronology and sequence of the initial Roman intervention.

14 Livy 45.10, 2-3.
15
Polybios 29.25.
16 Polybios 29.27. Livy 45.12. Appian Syr 11.66.
17 The mission of T. Numisius Tarquiniensis, probably in 169 : Polybios 29.25, 3; Livy 45.17, 3.

## * 139: Gortyn and Knossos/Ptolemy VI <br> c. $\mathbf{1 6 8 / 7 - s h o r t l y}$ after $166 / 5$ ?

Several fragments from the same venue (the temple of Apollo at Gortyn), bearing a treaty [I] and a boundary settlement [II]. I: two separate stones, one of which bears only the title ( $\mathrm{h} . \mathrm{:} 0.588 \mathrm{~m} . ; \mathrm{w} .: 10.775 \mathrm{~m}$. ), the rest of inscription I being on the other stone ( h :: 0.615 m. ; w.: 0.67 m. ; d.: 0.505 m .). 30 lines. II: h.: $0.76 \mathrm{~m} . ;$ w.: 0.8 m. d.: 0.49 m .30 lines.

I: F. Halbherr MonAL I (1889) pp. 44f., B; Blass SGDI *5015; *Guarducci IC IV pp. 254-59, *181.

II: F. Halbherr MonAL I (1889) pp. 44f., C; Blass SGDI *5016; *Guarducci IC IV pp. 259-62, * 182.
F. Dümmler Phillologus 54 (1895) pp. 205f.; P. Faure BCH 82 (1958) p. 5031; idem Kpпtıkà Xpoviká 17 (1963) pp. 22-23; idem BCH 89 (1965) p. $38^{3}$; M. Guarducci Historia 8 (1934) pp. 67f.; J. \& L. Robert REG 71 (1958) p. 362, *561a; eidem REG 78 (1965) D. 152, "325; SEG XIII.590, XVIII.394; Tod *50; van Effenterre p. 266. Cf. also the citations in *91.
$1 \quad$ Cuvẹ[ń]ka Гoptuví $\omega v$ kai K $\nu \omega c i ́[\omega v$.]

 ठєкátal, Kvш]-
 $\mu \eta$ ]-
 Bact]-

 Гортuvíove map]-
 а́пох $\omega$ ]-

 покатастâcal tât 'Aəavaíat tatct











 àvтâ]-
 tòv xpó]-


 $\stackrel{\gamma}{\alpha} \varphi^{\prime} \stackrel{\tau}{\omega} K^{\prime} \alpha^{\prime}-$


 катаßо入áve - - - -]





 каì á]|покатастâcat: Halbherr. [Kvwcíove - Eípク́vav kaì
 Halbherr. || 16: $\pi \epsilon \delta^{\prime}$ 'Apx['́ $\mu a x o v$ tòv]: Blass. || 16-17: 'Apx[ $\epsilon \mu a ́ x \omega ~ \tau \hat{\omega}$



































Before 1. 1: [ódòv tàv]: Halbherr. || 1: tâc [óô̂]: Halbherr. || 2-3: c[toàv?|c]: Halbherr. || 7: $\gamma(\omega)$ viaiov: Guarducci. The stone has ГONIAION. |l 9: àm' 'Opuypâv: Halbherr. àmò 'Pıypâv: Blass. || 16-17: me



Inscription I records a treaty between Knossos and Gortyn, brought about under the auspices of a King Ptolemy on the request of the Knossians. The second inscription is a boundary settlement. By the terms of the settlement the disputed land was divided between Knossos and Gortyn, although some of the land was to be held in common between them. ${ }^{1}$ The territory of Apellonia was restored to Gortyn, an issue which had also appeared in the first inscription. ${ }^{2}$ The issue of the conflict between the states thus appears to be the same in both documents, although the actions inspiring the two inscriptions may be separated by one or two years.

The dating of these inscriptions, and whether they refer to the same struggle between Knossos and Gortyn as did *91, is much disputed. Blass dated this arbitration to the years after 183 B.C., Dümmler to the time of Ptolemy III Euergetes, and Deiters to the same time as his dating of $=91$, that is, shortly after 216.

Guarducci and van Effenterre would date this arbitration to the period of Ptolemy VI Philometor. ${ }^{3}$ Knossos, unable to defeat Gortyn, would have asked for the intervention of Ptolemy, who thereupon arbitrated the question of Apellonia and other matters unsettled between the two cities. Knossos and Gortyn, in one of their brief spates of cooperation, then undertook a common expedition against Rhaukos, which was conquered and partitioned in 166/5; at this time the two states would have fixed their boundaries once again, and we have the result of this in our second inscription. ${ }^{4}$

1 The demarcation of the boundaries appears to run through the middle of a city or town, which Knossos and Gortyn would presumably have divided between them. (11. 3f.; Blass p. 296).

2 For an examination of the sites on the plain of Mesara between Knossos and Gortyn, see I.F. Sanders ABSA 71 (1976) pp. 131-38. For a recent survey of territorial settlements between Knossos and Gortyn in the later Roman period see M.W. Baldw in Bosky C. 82 (1987) 218-29.

3 Guarducci Historia 8 (1934) pp. 67f.; van Effenterre p. 266. The appearance of Apellonia gives a terminus in that it was a free town up until 171 (Guarducci IC IV p. 257).

4 This is the view of Guarducci and van Effenterre. The expedition against Rhaukos: Polybios 30.23, 1. Guarducci (IC IV p. 261) believes that the town divided in the boundary settlement would have been Rhaukos.

## =140: Eumenes and Galatia/Rome <br> 167

Livy 45.20, 1-2; 45.34, 10-14; Polybios 30.3, 1-2; 30.3, 7-9.
Errington Dawn pp. 242f.; Hansen ${ }^{2}$ pp. 120f.; McShane pp. 183f.; Sherwin-White pp. 37r.; will ${ }^{2}$ 11.291-95.

Livy 45.20: Itaque introductus in senatum gratulatus victoriam est; sua merita eo bello fratrisque, si qua erant, et Gallorum defectionem, quae nuper ingenti motu facta erat, exposuit; (2) petit ut legatos mitteret ad eos, quorum auctoritate ab armis avocarentur.

Livy 45.34: (10) Cum haec in Macedonia Epiroque gesta sunt, legati. qui cum Attalo ad finiendum bellum inter Gallos et regem Eumenem missi erant, in Asiam pervenerant. (11) Indutiis per hiemem factis et Galli domos ablerant et rex in hiberna concesserat Pergamum gravique morbo aeger fuerat. Ver primum eos domo excivit iamque Synnada pervenerant et Eumenes ad Sardis undique exercitum contraxerat. (12) Ibi Romani cum Solovettium, ducem Gallorum, Synnadis esse comperissent eo proficisci decreverunt ad colloquium; Attalus cum eis profectus, sed castra Gallorum intrare eum non placuit, ne animi ex disceptatione irritarentur. (13) P. Licinius consularis cum regulo Gallorum est locutus rettulitque ferociorem eum deprecando factum, (14) ut mirum videri possit inter tam opulentos reges, Antiochum Ptolemaeumque, tantum legatorum Romanorum verba valuisse et extemplo pacem facerent, apud Gallos nullius momenti fuisse.

Polybios 30.3: $\Delta 10 ́ \pi \epsilon \rho$ єíc $\epsilon \lambda \vartheta \grave{\omega} \nu$ єíc tìv cúyk
 єưvoíac каi проэчиíac, ŋ̀v паре́схєто катà tòv про̀с Пєрсе́a









In the summer of 168 , after Perseus was defeated in the battle of Pydna, but before the Pergamene troops who had been operating in the Third Macedonian War returned home, the kingdom of Pergamon was faced with a crisis: the uprising of the Galatians.' In the first months of the conflict the Galatians inflicted severe damage on a number of cities and defeated a Pergamene force. Eumenes managed to obtain a truce for the winter of $168 / 7$. In the breathing space provided, the king, ill again and unpopular in Rome, sent his brother Attalos on a mission of appeal to the senate.

The visit of Attalos to Rome in the embassy season of 168/7 is most noteworthy for the edifying, if dubious, tale of Attalos's temptation and redemption. ${ }^{2}$ One of the issues which has been somewhat obscured in the process of the transmission of this tale is the Pergamene request for aid in the Galatian rebellion. Attalos evidently had learned not to request a Roman military presence; instead this time he specifically asked for mediators. The Greeks and the Hellenistic rulers were growing accustomed to the Roman way of doing things, and their habit of sending
out legates. Here was an opportunity to exploit that custom.

The senate agreed to send out a commission under Publius Licinius Crassus to meet with the Galatians. Their stated purpose was apparently not so much to mediate between Eumenes and the Galatians as it was to persuade the Galatians to abandon their uprising. Presumably, however, a peaceful negotiation, carried out by the Romans and aimed at inducing the Galatians to lay aside their arms, would have involved compromise on both sides.

In Asia, when the Roman legates arrived in the spring of 167 , the Galatians had abandoned the truce and taken the field again. The Romans went to Synnada to confer with Solovettius, the Galatian leader. Crassus, however, in speaking with Solovettius, found that he became more intractable the more the Romans appealed to him. The Roman mediators therefore abandoned their mission and Eumenes was forced to return to the fight.

The treatment accorded to Eumenes when he came to Rome himself in the winter of $167 / 6$ led Polybios to believe that the Romans secretly encouraged, and only publicly deprecated the Galatian revolt. The senate refused to see the king, and he was able to come no further than

Brundisium. Polybios believed that this refusal was motivated by a desire to humiliate Eumenes, and the knowledge that such a refusal would encourage his enemies, the Galatians. ${ }^{3}$ The belief expressed by Polybios with respect to the Roman attitude towards Eumenes puts rather a Machiavellian slant on the Roman embassy dispatched as a favour to Eumenes's brother Attalos. 4

1 Walbank Comm III.415. Hansen ${ }^{2}$ (p. 120) considers the rebellion took place before Pydna and accounted for Eumenes's absence.

2 Polyblos 30.1-2; Livy 45.19.
3
Polybios 30.19.
4 Cf. Hansen ${ }^{2}$ p. 122: "it was clear that this Roman mission was not trying to make peace but was actually intriguing with the Gauls against the Pergamenes."

## *141: Erythrai and Hypata/Chalkis

## 167-146 [?]

A small marble stele, inscribed on both sides, found at Hypata; now lost. I: 17 lines; II: 23 lines.
H.G. Lolling MDAI(A) 4 (1879) pp. 206-17, \# 1a, b; Fick SGDI \#1432; Berard *24; *A. Wilhelm JÖAI 8 (1905) pp. 285f.; Kern IG IX. 2.7 \& corr. p. viii.

Muttelsee p. 69; Raeder \#69; Steinwenter p. 183'; Tod \#30; A. Wilhelm SAWW 166.1 p. 28.

। пó $\lambda \in ⿺$＇Epv૭p

 tàv ס́́ńpav $^{2}$ ．．．．．．．．］anaekabias éf－
5 крıvav oi $\delta$ ıкастaì каө̀̀c oi пробıкє́－






каї öca ék toû［＇้̇vк久ク́natoc toútou yé－］

’Epuөp
15 тá tє ن́moypaф［évта кр́́uата àva－］



 Fick，Berard．II 6：ék［ a］t c рa［c］：Lolling，Fick，Berard，Kern．｜｜10－11：to＇ópoc

 Gaertringen（IG）．

II Aiviapx́óvtav ’Ackえamiáda $\Delta t \omega$－
$\xi 0 \cup$＇Ayєна́хоо＇Apictovóov＇A $\lambda \epsilon$－

［．．．．＇Aө］aváda по $\lambda є \mu a ́ p x о и ~ \Delta a \mu[i ́-] ~$


［ypou］，ć́ctipatoc Molpíxou，＇Aue［t－］


|  |  |
| :---: | :---: |
| 10 |  |
|  | [voic - - - 'o]vouápxwt kai toîc $\alpha$ - |
|  |  |
|  | [ . . . . - т тoíc Kрát $\omega$ voc, Nıke- |
|  |  |
| 15 | [- - - - - - - ]ov, Cтрата́y |
|  |  |
|  |  |
|  | [- . - . . . - - - ]тос, 'A ${ }^{\text {- }}$ |
|  |  |
| 20 |  |
|  |  |
|  | [ - . . . . . . . . - - ]áxou, |
|  | [- - - - - - - - - - $]$ c |

 Díxaגı|[ŋ́n $\omega \nu$ oi] סıкастai: Lolling, Fick, Berard, Kern. II 6-7: Пo $\lambda$ ıá|[pxou]: Lolling, Fick. || 8-9: Гopyíac| [「opyíסou?]: Lolling. || Ll. 10-23 are as read by Kern in 1G. || 11-12: kaì toíc 解[ $\lambda \lambda$ otc]: Fick. ||
 Lolling, Berard. II 16: [Mva]cíwvoc: Lolling, Fick, Berard. || 17-18: ['Apıctí] $\omega v$ 'Apıcta|[yópou]: Lolling, Berard. || 19: [Eủध]uס́á $\mu$ ou: Lolling, Fick, Berard.

The towns of Hypata and Erythrai in the region of Thermopylai had a quarrel over the ownership of a certain mountain, no doubt a ridge separating their respective territories, and perhaps of some military significance.' It was long thought that this dispute was arbitrated by the Oichalians, the name restored on the stone by the first editor. However,

Wilhelm's re-reading of the stone established the arbitrating state as Chalkis.

Hypata was apparently accused by Erythrai of having usurped the territory which was not rightfully hers. She was therefore the defendant in the case. ${ }^{2}$ Both sides willingly accepted the arbitration of Chalkis, and the advocates ${ }^{3}$ of both states agreed on the procedure. Hypata was acquitted of the accusation of wrongful occupation of the disputed land, and all charges between Erythrai and Hypata were to be dropped.

The inscription was found at Hypata, and the dating of the document by the Hypatan magistrates confirms that this is the Hypatan copy of the findings of the arbitral court. ${ }^{4}$ it is also dated according to the "Ainiarchs", the magistrates of the Ainian federation. Neither the Aitolians nor the Romans appear here to interfere with Ainian independence. It seems most likely then that the arbitration took place at a time prior to the Roman occupation of 146, but after the end of Aitolian domination. ${ }^{5}$

1 Tod p. 57.
2 Hypata is called the ámó $\delta$ ıкос пó $\lambda$ ıc. Cf. I 11. 8-10:

 see Wilhelm p. 289.

3 | $11.5-6$ : проסскє́ $\neq v \tau \in \mathrm{C}$. Cf. Piccirilli \#36 (the dispute between Miletos and Myos) 1. 25: пооסıкастá.

4
A copy of an official judgement stemming from an arbitral court would act in some sense as the property deed to the disputed territory.

5 See Raeder pp. 111-12. Sonne, Berard and Tod opted for a date of after 196, when Flamininus liberated Greece; Raeder however, downdates the inscription to after 167: "11 y a pourtant beaucoup de raisons d'admettre que leur sortie de la Ligue [Étolienne] n'eut lieu qu'en 167."

Larsen (GFS p. 282) cites the Ainians as still Aitolian in 178; they became independent at some unknown date, and were eventually absorbed by Thessaly. See $\underline{S I G}^{3}{ }^{\text {m }} 653^{1}$ on the restitution of minor leagues in 167.

## *142: Delphi and Ambryssos-Phlygonion/Athens

## c. 167-140 [?]

An inscription [1] from the treasury of the Athenians, and two fragments which may be related, one [II] from the Athenian treasury, the other [III] from the column of Eumenes II at DelphI.

Some other inscriptions and fragments from Delphi, cited by H . Pomtow (Klio 18 [1923] pp. 272-75, *XXI-*XXVI; cf. SEG II.265-268), may be related to this arbitration.

I: *Colin EDelphes III.2.136.
II: Colin EDelohes III.2.142; H. Pomtow Klio 18 (1923) p. 272. *XXI: *J. Bousquet BCH 66/67 (1942/43) pp. 124-25, A.

III: B. Haussoullier BCH 5 (1881) p. 387; G. Daux. Mélanges Glotz (1932) | p. 291; *idem FDelphes III.3.243.

Daux Delphes pp. 234f., 479f.; H. Pomtow Klio 16 (1919) p. 139-141; Tod " 25.

। $\quad$ є́óc. [T]úxav ảyao áv.
[11. 2-17 almost completely destroyed]

















II






 kaì tìv




$$
\begin{aligned}
& \text { [. . . c. 11 . . .]EIE[. . . c. 12-13 . . .] 'E[ } \mu \mu] \in[v i ́ \delta a c ~ K a] \lambda \lambda i ́ a, ~
\end{aligned}
$$

[. . c. 5-6 . .]

Pomtow Klio 18, *XXI-\#XXVI:
*XXI = document II.
\#XXII: a proxeny decree for an Athenian (FDelphes III.2.91), from the year 167, connected by Pomtow with the Athenian judges.
*XXIII = document III (SEG II.266)
*XXIV: a fragment of an Athenian letter concerning a Delphian embassy, from the year 167.
*XXIVa: a letter from Deiphi regarding an Athenian embassy (FDelphes III.2.94).
*XXV: the publication of the Athenian arbitral court, edited by Pomtow (cf. SEG II.267); these are the extremely small fragments from the missing 11. 2-17 of document 1 , published in upper case by Colin (FDelphes III.2 p. 141):
[- - - ]ovin - - - ]ax[ - - - - ]

[ - - - ]oul - - -] ч́пò т[ - - - - ]




*XXVI: Roman confirmation of the Athenian arbitral award, from about 167 (cf. SEG II.265):





5

[.....................................]
The following fragment may belong to the same inscription:

$$
\begin{aligned}
& \text { - -] }
\end{aligned}
$$

Delphi's border disputes were not restricted to those with her western neighbour Amphissa. ${ }^{1}$ The land to the east of Delphi was also claimed by Delphi's eastern neighbours, Ambryssos and Phlygonion. ${ }^{2}$ The first document in this series records a boundary delineation between Delphi and the two towns to the east. A clear boundary line is drawn between Delphian territory on the one side, and Ambryssian and Phlygonian territory on the other. It is specified, however, that the river which forms part of this border is to be the common property of all parties. ${ }^{3}$ in addition, provision is made for the ancestral jurisdiction of any temples which might lie in the disputed lands.

The document was inscribed on the Treasury of the Athenians at Delphi, a fact which suggests that the Athenians acted as arbitrators. ${ }^{4}$ Little remains of the second inscription [II], which is of the same provenance; nevertheless it may be related to the boundary arbitration documented in the first inscription. Both the names of Athens and Ambryssos appear, as does the title of a Roman magistrate. ${ }^{5}$ Perhaps this is a fragment of an original decree or letter which dealt with a Roman request to Athens to arbitrate the dispute. ${ }^{6}$

The third document is a decree of the city of Delphi. It refers to the dispatch of ambassadors to Athens to request an arbitral court. Daux suggested that the names of Ambryssos and Phlygonion could be restored to this decree, thereby relating it as well to this particular case. ${ }^{7}$

It is tempting to connect the Roman involvement with this arbitration between Delphi and Ambryssos-Phlygonion with the decision of a certain Valerius Justus. In the boundary arbitration involving Delphi and all her neighbours which was carried out by Avidius Nigrinus in AD 117, ${ }^{8}$ the legate reports, in dealing with the boundaries between Delphi and Ambryssos, that he has had recourse to a previous judgement made by Valerius Justus. ${ }^{9}$

Pomtow dated this arbitration and the various documents he believed to be connected with it to 167 BC , after the end of the Third Macedonian War, and identified the proconsul mentioned in document II with Aemilius Paullus. ${ }^{10}$ Other editors have not been so precise and definite in their conjectures. Colin dated the events to around the middle of the second century, as did Daux. ${ }^{11}$

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1 See =1, 25, =104, \(=131\).
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2 Not to be confused with the Plygonians (see Colin FDelphes III. 2 pp . 143f., and cf. 104). See Daux Delphes p. 234: "ll faut écarter d'abord une confusion qui a souvent été falte par les erudits modernes entre les
 est une toute petite cité de Phocide bien connue par plusieurs auteurs."

Daux believes that the fact of a boundary arbitration between Delphi on one side and Ambryssos and Phlygonion on the other indicates a partial synoikism between the latter two. Cf. Colin p. 144.

For a similar phenomenon of arbitration between more than one state, cf. 36 , 37.

3 See 143 for another instance of assurance of common waterrights.

4 An Athenian had already acted for the Delphians in an arbitration with Amphissa, not as a judge, but rather as an advocate and general overseer of Delphian interests (*131).

5 A proconsul (àvधúmatoc). Bousquet found the name Lucius in the fragment which he attached to II, but that it is little help in identifying the proconsul. Rather it appears that two letters are referred to: one of the proconsul, and one of "Lucius".

6 Pomtow (Klio 18 p. 272) interprets this fragment as an Athenian decree concerning the sending of Athenian judges to the Delphi-Phlygonion-Ambryssos border dispute. Colin also believed it to be a decree of the Athenians.

7
Daux EDelphes III. 3 p. 219: "L. 2-3, j'ai indiqué que l'on pouvait songer à tàv kpícıv m[oti toùc Фגuyov]eîc [kai 'Außpucceîc] et rattacher ce décret au dossier de la contestation entre Delphes dune part et Phlygonion-Ambryssos de l'autre."

## $8 \mathrm{Cf}=131$.

9 SIG $^{3}$ \#827, A.3-4: [- - decr]etum quod inter Delphos et Ambrossios in controversia quam inilerunt - -1- isque iis disceptat]orem dederit Valerium lustum, factamque ab eo deter[minationem - -]; and 7-8: [--Ambros]sios de phinibus determinatione per Valerium lus[tum facta constitut is decedere(?)| placet.].

10 See Klio 18 pp. 272-75. Daux (Delphes p. 479-80) dated the Athenian arbitration to around the middle of the second century, using the prosopographical evidence of document III to arrive at termini of $c$. 160-135.

## *143: Ambrakia and Charadros

c. 167-157

Two large portions of a stele discovered at Arta in Epiros. I: h. (max.): 0.955 m . (inscribed portion 0.59 m .); w. (max.): 0.67 m . (inscribed portion 0.60 m. ); d.: 0.15 m . If: h. (max.): 0.72 m. ; w. (max.): $0.55 \mathrm{~m} . ;$ d.: 0.15 m .
*P. Cabanes/J. Andréou BCH 109 (1985) pp. 499-544.
 по入ıtapхои̂ขtoc Meváv[סpou]






 $\Delta a \mu a ́ x o u ~ к а i ̀ ~ т \omega ̂ v ~ п о т и к а т е с-~$


 cwóáuou, Страто⿱íkou


 м́́ovtoc, пикíckoy toû
[. . . . . . . . ., . . . . . .] ]voc toû cడ́tcuoc, nauíckou toû 'Apıctápxov, xalpéa toû Aícomí̊a, фi $\lambda$ áv-




 $\tau \omega \hat{\nu}$ потикатєстаиє́ $\nu \omega \nu$
[. . . (22) . . .]voc, Nıќ́vópou toû лauíckou, Boíckou toû Xáporoc, 'Avíка toû $\Delta a \mu o i ́ t a, ~ T \omega v$ -
15 [. . . (12) . ... . . . . . . t]ỗ Ká $\lambda \lambda \omega \nu$ oc, Niкávopoc toû





 $\mu^{\prime}$ рос каì тєөє́vtoc t́́ppovoc, ànò toútov
[toû tépuovoc émì tàc коı入áda]c toû 'Aqátac пот' "Oppaov, кaì





 пóca ка стádıa àпє́хп ánò
 kaì ánò toútou toû tépuovoc katà ű-
 cuvópla tà пот' 'Oppafítac tà пот' 'A-




 toû $\epsilon ้ \nu$ toútol qpoupíou
 ’Außpakíav 'Auвpakıштâv
 סucuàc đ̊ $\lambda i ́ o u$ ánò t $\omega$ v 'A-
 порєчоне́vமข єíc "орраог Xa-






 є́тькале́єасөaı $\mu \eta$ -
 у́́үраптаг кupíouc






[- - . . - . - - tò yo]aпtòv [- . . . . . . - $]$


[-- - - - - - -]aтрıа ко[- - - - - - - - -]
[- - - - - - - -]taı кaì ópól[wc - - - - - - -]










 $\tau \omega ้]$


 харабрí-
 потì ápyupíou тá̃avta $\delta$ é-
 ні́те oi
 кaтà uпठєцíav парєúpeciv, à $\lambda \lambda a ̀$


 тá入avta трıákovta, nooó-


 toî $\mu \in t a ̀ ~ \Delta l o-$


 пар' ékatépav
 aủtoùc toû $\psi u \delta \rho \in ́ o c ~ \mu \eta$ -




 тâc пó $\lambda_{\text {loc }}$ т $\omega$ v


30


[--- - $\omega \omega \nu \tau \iota$ потì tà cuvópla â écrì пот' 'Oppaítac toîc 'Аивраккю́talc' паре-
[ xóvto $\delta$ ề ékátepal tìv] cỉc toùc téphovac סanávav kaì toî






тєphác///tat єíc te ${ }^{\top} A \lambda \iota v$ кà̀ $\wedge a-$




 ảvtíypa甲a єíc tà ypauцатофu-


 oi 'Aцвракı́́tal eíte oi Xapa-
 àpyupíou tá $\lambda \alpha \nu \tau a ~ t p l a ́ k o \nu t a ~ п о о o ̛ ́ \mu \epsilon-~$


 épuevoúvtı ol te[pиáctal]



 п[ó $\lambda 10 c \tau \omega ิ \nu$ Xapaסpıtâv]
 Xapaסpítac]


[--- - - т]oútouc [- - - - - - - - - - - $]$

Discovered in 1964 in the ruins of a temple situated in the modern city of Arta in Epiros, these two large fragments of an inscription record an agreement between the cities of Ambrakia (Arta) and its neighbour to the west, Charadros. ${ }^{1}$ Although an undetermined number of lines is now missing from the inscription, it seems clear that the main issue which was to be settled was that of the boundary between Ambrakia and Charadros. Much of the boundary delineation would normally have been effected by an arbitral court, which appears to have been fairly common procedure among states with border disputes. In this case, however, the two states apparently solved the issue themselves. ${ }^{2}$ Nevertheless, the appearance of Rome (as a guarantor?), and the fact that in many ways this document is an archetypal boundary settlement warrant its inclusion.

The first portion of the document states that an agreement has been reached between the states, lists the delegates chosen by both states to represent them, and details the new boundary delineation. In a very fragmented section, which apparently dealt with sanctions to be applied in order to ensure adherence to the new agreement, the Romans are mentioned. $^{3}$ Their appearance at this point suggests that they were in some sense to act as guarantors of the agreement. Perhaps a Roman
magistrate had overseen the arrangements. Among the sanctions it was provided that the city which broke the convention in any way should pay a fine of thirty talents to the injured party. ${ }^{4}$

These general rules and sanctions are continued in the second fragment, which also deals with the practical considerations of carrying out the boundary delimitation. By the year following the agreement, each city was to appoint delegates who would meet with a surveyor on the frontier and set out the actual boundary markers at the points already agreed upon. ${ }^{5}$ This section also provided for the expense of the operation, which was to be covered jointly, and for the sending of copies of the agreement to Elis and Larisa, for deposit in major sanctuaries.

The presence of the Romans, possibly as guarantors to the agreement, points to a date probably after the Third Macedonian War. ${ }^{6}$ The position of Charadros as an independent city, albeit much less important than Ambrakia, also indicates a date after the war. ${ }^{7}$ A lower terminus is provided by the fact that nowhere does the Epirote koinon appear in this inscription, yet one of the communities mentioned, Horraon, should have been a member of it when the koinon was reunited c. 157/6. Similarly, no mention is made of the famous sanctuary of Zeus at Dodona, as a possible
repository for a copy of the agreement between Ambrakia and Charadros.
This would again indicate a date after 167, when Dodona suffered at Roman hands, but before 157 when the Epirote koinon revived.

The editors adduced two other cases of arbitration which they believe to fall in this period, arbitrations involving Ambrakia with her other neighbours. ${ }^{8}$ One was a boundary settlement involving her north-eastern neighbours the Athamanians, in which both sides turned to Rome, who then passed the judgement on to Korkyra. ${ }^{9}$ In the other instance, the Athenians sent five judges to arbitrate between Ambrakia and Akarnania, the state to the south. ${ }^{10}$ The editors of the present inscription believed all these requests for arbitration to be contemporary.

1 The editors believe Charadros to be the modern town of Palaia Philippias. See pp. 514-30 for a discussion of the geographical situation, and a study of the actual boundary demarcation.

2 Unless the fact that a copy of the decision was to be registered at the temple of Apollo Kerdolos in Thessalian Larisa (a more surprising choice than the temple of Olympian Zeus, where a copy was also to be deposited) should lead us to belleve that Larisa had had a hand in helping the two states towards an agreement. Cf. *16, $=160$. However, the phrasing of the document does lead us to believe that Ambrakia and Charadros were able to settle the matter between themselves. The editors (pp. 531-32) believe that close ties between Thessaly and this region were sufficient to explain the choice of Larisa; they also believe that similar ties to Elis, rather than the prestige of the Olympian sanctuary, were the
primary factor in the choice of Elis.
3 111. 38: ảpxàc $\rho \omega \mu \neq \ddot{k} k a ̀ c$.
4
II II. 41.

6 Cf. p. 537: "En premier lieu, on a relevé déjà la mention...des ápxàc j́ $\omega \mu a \ddot{k}$ àc, qui supposent une présence romaine permanente ou, au moins, durable dans la région....il parait nécessaire d'aller jusqu'à la troisième guerre de Macédoine et à la défaite de Persée, pour comprendre cette mention de magistrats romains.

7 Charadros probably separated from the Epirote koinon and joined the Roman camp at the time of the Third Macedonian War. See pp. 537-39 for the arguments with respect to the dating of this inscription.

8 Cf. p. 539: "Cette préoccupation qui anime les Ambraciotes du côté de leur frontiére occidentale, au couchant comme dit l'inscription, a existe également à l'égard d'autres voisins."
$9=135$.
$10=152$.

## *144: Abdera and Kotys of Thrace/Rome Shortly after 167

A decree of Abdera found at Teos. The inscription is in two pieces, both of roughly the same dimensions: $\mathrm{h} .: 1.95 \mathrm{~m} . ;$ w.: 0.25 m. ; d.: 0.30 m .50 lines.
E. Pottier/M. Hauvette-Besnault BCH 4 (1880) pp. 47-59; W. Dittenberger SIG $^{2}$ *303; Michel *325; *Dittenberger/Hiller von Gaertringen SIG ${ }^{3}{ }^{*} 656$; IGRR IV. 1558.

Colin p. 494; Gruen 1.107; B. Haussoullier RCr 1900 II p. 27; P. Herrmann ZPE 7 (1971) pp. 72-77; M. Holleaux REA 3 (1901) p. 130'; R. Laqueur. Epigraphische Untersuchungen zu den griechischen Volksbeschlüssen (1927) pp. 73-75; Magie RRAM II.960-61; L. Robert BCH 59 (1935) pp. 507-13; SEG XII.408, XIX.687; Sherk TDGR *26; A. Wilhelm GGA 1898 p. 226; idem MDAI(A) 1914 pp. 185-86; idem J0̈Al 24 (1929) pp. 172-74, 177-84; idem AAWW 1930 pp. 91-102; idem. Neue Beiträge $5 \mathrm{pp} .5-9,6$ (1921) p. 33; Wilhelm GIRI p. 79.
‘O ठ
'Аци́ио-
$\nu \alpha$ 'Епाkoúpou.

Meyáou-
 vaíou.










 хผ́рас пâcav émívolav п[apécx]ovto xápıv toû $\mu \pi ө \grave{c} \nu ~ \Pi[a-]$









 $\omega \nu$ éqi入oпооо仑vto.

The rest of the inscription consists of a fairly standard honorary decree.

 Besnault. 14: [проэ]ỵuíac: Herrmann. || 17-18: ả|
 Herrmann. || 19: єíc Tn[íouc, кai $\pi$ ] $\rho \in c \beta \epsilon$ úcavtєc: Pottier/Hauvette-



 Pottier/Hauvette-Besnault. т[oùc mpo]voou $\mu$ évouc: Michel. т[ıvác тє


 Michel. || 26-27: ${ }^{3} \tau \rho \in[$ [́] $\mid \omega v$ : Pottier/Hauvette-Besnault.

During the Third Macedonian War, King Kotys of Thrace, although an amicus of Rome, had given assistance to Perseus. His later defence to the Romans was that he had been constrained to do so against his will, having given hostages, among them his own son Bithys, to Perseus. Bithys fell into Roman hands when Perseus was defeated, and was taken to Rome. Kotys's request to have him returned was the occasion of his apologia to Rome. While the senate made it clear that they were sceptical about the sincerity of Kotys's motivation, they nevertheless undertook to restore the

Thracian hostages. ${ }^{1}$
It may be that Rome's generosity in restoring his son, in addition to the fact that Bithys had apparently made personal contacts with some leading Romans, encouraged Kotys sometime shortly thereafter to forward a request to Rome through an embassy which included his son. In the aftermath of the downfall of Macedon, Kotys laid a claim before the Roman senate to a piece of territory belonging to one of the Greek states which had been dependent on Macedon, Abdera. ${ }^{2}$

Abdera turned to its mother city Teos for help. At least part of the rationale for appealing to Teos will have been the probability that the Teians would have had more influential connections at Rome. ${ }^{3}$ The Teians responded by appointing two of their citizens to act as advocates of Abdera's cause before the Roman senate. This decree honours those two ambassadors.

The inscription provides an interesting insight into the procedures involved in having a case arbitrated before the Roman senate. The Teian advocates are said to have joined the ranks of the clientes, doing the morning rounds of salutationes, and in so doing gained the friendship of important individuals for the Abderan cause. ${ }^{4}$ Clearly personal
connections and private persuasion, rather than the legal paraphernalia of an open court were of paramount importance.

It has generally been assumed, from the tenor of this honorary decree, that the Teians were successful in their mission, and Kotys's case was overturned. Nevertheless, Robert points out that it is strange that no mention of Teian success is given in such a detailed inscription. ${ }^{5}$

1 Polybios 30.17, Livy 45.42; cf. Walbank Comm III.440, 513.
2 Robert has clarified a point frequently misunderstood by previous scholars: Kotys was not attempting to claim Abdera as a whole, but rather its "ancestral land".

Abdera was one of three states, along with Ainos and Maroneia, which were not incorporated into Rome's new organization of Macedonian republics after the war (Livy 45.29). Attalos put in a request for Ainos and Maroneia (Polybios 30.3, Livy 45.20); Kotys may have been inspired by this example.

3 The patrones referred to at 1.23 must be the patrons of Teos; cf. Robert BCH 59 p. 513 .

4 11. 21-27.
5 BCH 59 p. 513: "Je suis un peu surprise que ce décret si verbeux, nous exposant le détail des démarches des ambassadeurs, ne consacre pas un mot à dire que tout leur zèle a eu le résultat désiré."

One rationale for presuming that the Teians had been successful was that Abdera is attested as a libera civitas at a later date (Pliny IV, 11 (18), 42). However, as Robert points out, this fact offers no support to the argument when it is recognized that Abdera's liberty was not the issue.

## *145: The Achaian League and Tenos/Rhodes 166-146

A fragmented stele discovered on the island of Tenos. H.: $0.27 \mathrm{~m} . ;$ w.: 0.30 m .; d.: 0.08 m .18 lines remaining.
H. Demoulin BCH 27 (1903) pp. 242f., *4; Hiller von Gaertringen $\underline{I G}$ XII.5.829; *Dittenberger/Hiller von Gaertringen SIG $^{3}{ }^{*} 658$.

















סє $\delta$ о́x $\vartheta a \mathrm{al}$
 -]: Demoulin.

This inscription is a fragment of a decree of the island-state of Tenos. It is an honorary decree for a certain citizen of Rhodes, Idomeneus.

Idomeneus had perhaps acted for the Tenians in dealings with the Achaian League. Tenos and Achaia apparently had a symbolon a treaty regulating judicial procedures in the case of disputes between their citizens. ${ }^{1}$ This treaty may have appeared to be no longer satisfactory. It may have become obsolete, and circumstances may have changed so that Tenos and Achaia no longer agreed on the procedure to be followed.

Idomeneus the Rhodian was sent to deal with the issue of revising the treaty. Although the Tenian decree in its praises of Idomeneus indicates that he acted on their behalf, the fact that he was a citizen of a neutral state might indicate that third-party arbitration was used in the revision of the treaty. Tenos and the Achaian League may not have been able to come to an agreement between themselves, and hence might have called in an arbitrator friendly to both.

1 See Gauthier.

## - 146: Alabanda and Mylasa/Lanthes of Assos After 166

Part of a stele found at Assos. H.: 0.49 m. ; w.: 0.455 m .
J.R.S. Sterrett PASA I (1882/83) p. 26, "9; Berard *43; *Merkelbach |Assos (1976) \#9; M.B. Comstock/C.C. Vermeule. Sculpture in Stone. The

Greek, Roman and Etruscan Collections of the Museum of Fine Arts Boston (Boston 1976)*280.

Clarke/Bacon/Koldewey. Investigations at Assos 1902-1921 p. 67; Raeder *67; Tod *72.

ヘáv૭ŋŋレ Проסíkov<br>סıкácavta



This stele was erected at Assos to honour a certain Lanthes, the son of Prodikos, no doubt a citizen of that state, for having given judgement in some dispute or disputes which involved at least four other states. The names of two of the four states are missing; the two which are left are those of the Karian cities of Mylasa and Alabanda. ${ }^{1}$

The conjunction of the names of the two states has led some to believe that Lanthes arbitrated in some international dispute between Mylasa and Alabanda. However, it is obvious that in the face of so little evidence there is really nothing to indicate the nature of Lanthes's service. $^{2}$ Lanthes could simply have been a popular choice to act as a foreign judge, with the Karian cities as his circuit. ${ }^{3}$ On the other hand, it
is possible that Lanthes could have been requested to arbitrate a dispute between all four states mentioned. For example, a disagreement over a distinct piece of territory or jurisdiction over a sanctuary could involve Mylasa, Alabanda, and other neighbouring states such as Labranda or Lagina.

Presumably Lanthes's father's name is mere coincidence.

1 The stele is headed by the words návӨпи Проסíkov סıкácavta; beneath his name the names of at least four states were inscribed, each one separately within a crown.

2 In fact the obvious vagueness of the inscription might lead us to believe that this was not an international issue.

3 He could have been a kind of "professional", such as the Rhodians Euphaniskos (*92, *131) and Nikostratos (*90, *92).

## *147: Skarphai and Thronion/Athens, Amphissa, Rome 165-160 [?]

Part of a series of documents from Delphi dealing with relations between Thronion and Skarphai in the latter half of the second century.
H. Pomtow Klio 16 (1919) p. 163, *130 C; *Colin FDelphes III.4.1.38.
R. Bonner/G. Smith CPh 38 (1943) p. 12; Daux Delphes pp. 334-40; G. Klaffenbach Klio 20 (1926); H. Pomtow Klio 16 (1919) pp. 146, 160f.; idem Klio 18 (1923) pp. 265f., \#|X, \#X; A. Wilhelm AAWW 59 (1922) p. 24.
 $\nu \in \nu$ ккпко́тa[c]
 ठè Ck[ap-]




 Tñc 日po-
 $\epsilon \in \xi a \pi 0 c t a \lambda \epsilon \bar{\epsilon} \tau \omega[\nu]$
 đ по́ $\lambda_{\text {ıc }} \tau \hat{\omega} \nu$ Өроvté $\omega[v]$




 'Aupıктíovac cu[ $\mu$-]
 'Auríccal katà tò[ $\nu$ ]


 $\pi \epsilon ́ \mu \pi \epsilon-$
 по́ $\lambda \iota$ Скарф́́-


 'A пó $\lambda$ ıc т $\hat{\omega}[v]$




 yeyoveíac $\pi \in \rho ो$ to[ú-]
 tòv í $¢ \rho \mu \nu$ á $[\mu 0-]$
 [ [ $\hat{\alpha}] c \stackrel{\alpha}{\alpha} p x[\hat{\alpha} c]$

1: [- - èvvéa kaì mevtínk]ovta cú ụ

 Pomtow.

Late in the second century or early in the first one or more arbitrations took place which settled two issues between the Epiknemidian Lokrian towns of Thronion and Skarphai. ${ }^{1}$ The first had to do with a bitter disagreement of long standing over the Epiknemidian Lokrian representation to the Amphiktiony, the $i \in p o \mu \nu a \mu o c u ́ v a$. Both Thronion and Skarphai were rivals for the right to appoint the delegate from their koinon. ${ }^{2}$ The second dispute had to do with the borders between the two towns.

Around the turn of the century these disputes were arbitrated. We
learn from the chief document dealing with the dispute over hieromnemonic representation that earlier arbitrations had taken place. Although it is of course impossible to date these earlier arbitrations with any certainty, it is not unlikely that they predate 146, and may perhaps be datable to the period after the Third Macedonian War. ${ }^{3}$

In fact, we hear of more than one previous arbitration: the Thronians appealed to the judgement of Amphissa, while the Skarphaians put forth that of Athens, Rome and the Amphiktiony itself. ${ }^{4}$ Thronion's appeal to the judgement of Amphissa indicates that whenever it was that Amphissa settled the case, she ruled that Thronion's share in the hieromnemonic representation of Epiknemidian Lokris should be in equivalent proportion to her contributions in kind to the Amphiktiony. Thronion claimed a third part, so her interests would be served by allowing her to nominate one out of three delegates.

It is interesting to note that Thronion claims the earlier judgement of Amphissa to have been made in keeping with amphiktionic law, while Skarphai, notwithstanding, also appeals to an amphiktionic judgement. In Skarphai's view, the earlier judgements of Athens and the Amphiktiony, which were in keeping with a Roman communication, ought to be upheld. It
is likely that the Roman participation in the matter had to do with general rulings on the broader questions of the administration of the Delphic Amphiktiony, rather than the specific issues involving Thronion and Skarphai. 5 .The decision made at that time was that the entire koinon of the Epiknemidian Lokrians should be responsible for sending their nominees to Delphi, not a few select cities.

Although strictly speaking it is irrelevant to these earlier arbitrations which may fall before 146, it is interesting nevertheless to note the tone of the statements made by Thronion and Skarphai to the arbitrating commission at the turn of the second and first centuries. The summary Thronion makes of her own case in particular is quite bitter, accusing Skarphai of sophistic wrongdoing and addressing her in intensely personal terms. ${ }^{6}$ In contrast, the Skarphaian summary is quite restrained and diplomatic.

1 The dossier of documents dealing with these arbitrations was inscribed on the monument of Aemilius Paullus. See FDelphes III.4.1, *38-*42.

Epiknemidian Lokris should be distinguished from East Lokris; see Klaffenbach. Klio 20 pp. 66-88, and cf. Daux Delphes p. 336. Cf. *32.
$2 \mathrm{cf} .=154$, which may date from the same period, and see Strabo 9.3, 7.

3
For the dating to the period 165-160, see Pomtow Klio 18 pp . 265-66. Pomtow argues that the arbitrator whose decision we have in this dossier is Athens (the dialect is Attic); and that since Athens late in the century voted 59 to 2 in favour of Thronion, whereas we know that Athens had previously voted in favour of Skarphai, several decades must therefore separate the two judgements. This is of course faulty reasoning, as any number of other factors could have intervened.

Nevertheless it does not seem inappropriate to connect Athens and Rome working together on an arbitration with the period after the Third Macedonian War (cf. 142). Certainly that would make the inscription of later documents dealing with the same dispute on the monument of Aemilius Paulus appropriate. It also fits in with a Roman communique on the composition of the Amphiktiony (Daux Delphes p. 339).

4 Amphissa's name may also appear in a fragment published by Colin in majuscule (*41).

For the citing of precedents as the basis for a new judgement, cf. the dispute between Delphi and Amphissa ( $=1,=25,=104,=131$ ) and that between Samos and Priene ( ${ }^{*} 28, * 92$, 115).

5 Daux Delphes p. 338.
6 14: "Tù $\delta \in ́$, по́ $\lambda \iota$ Скар甲́́ $\omega \nu$ ". Thronion also refers to herself in the first person singular.

## *148: Megalopolis and Sparta/Rome

164/3
Polybios 31.1, 6-7; Pausanias 7.11, 1-2.
See the works cited in $=150$.












 '́́pya oút




See as well lines 41-46 of the Olympia inscription cited in $=150$ :
 $\delta_{1 \kappa[a c t] \eta-}$
 व’ $\mu \varphi о т є ́ \rho[\omega \nu$ ураи-]
 єบ่vouí-]
 $M \in y[a \lambda о \pi о \lambda i ̂ \tau a t]$
 та́́tav]
 .]

At the beginning of 163 the legates G. Sulpicius Gallus and Manius Sergius were sent east to observe matters in Greece and Asia. Among other matters, according to Polybios, they were charged with arbitrating
the question of a piece of territory claimed by both Sparta and Megalopolis.

Polybios has no more to say on the matter, but a passage in Pausanias may deal with the mission of Sulpicius and Sergius to arbitrate this dispute. Pausanias says that Gallus was sent to Greece to arbitrate between Sparta and Argos, again over a disputed territory. Many have chosen to view the appearance of Argos here as incorrect, stemming from a confusion on the part of Pausanias or his source, and have preferred to correct it to Arkadia. ${ }^{\prime}$

If the Pausanias passage does refer to the Sparta-Megalopolis dispute, which is by no means certain, it could add a further piece of evidence. Pausanias says that Gallus, contemptuous of Greek opinion, handed the case over to the Achaian Kallikrates. If this is so, it indeed indicates a considerable degree of unconcern for Sparta, at least at the moment. Sparta at this time was an unhappy member of the Achaian League, which included Megalopolis, and could probably only have expected what she would have considered a fair arbitration from some power outside the League. 2 If Sparta had purposely gone outside the League, to have their request to Rome referred back to the League was a diplomatic
slap in the face. On the other hand, Kallikrates had in the past shown that he was not untalented in dealing diplomatically with the problems between Sparta and the Achaian League. ${ }^{3}$

The third piece of evidence for Roman involvement in the dispute comes from the slightly later inscription from Olympia recording yet another arbitration between Sparta and Megalopolis. ${ }^{4}$ The later arbitrating commission favoured upholding the status quo as had the Romans before them. No mention is made in the inscription of the Romans delegating the task to Kallikrates. ${ }^{5}$

1 See Berard \#5; Raeder *27; Colin Rome p. 499; Walbank III p. 465. It should be noted that there was in fact a historical land dispute between Sparta and Argos which was also arbitrated by Philip II (Polybios 9.28, 7). See 149.

Cf. Piccirilli *60, which deals with the historical antecedents to the Sparta-Megalopolis dispute.

See SIG $^{3}{ }^{*} 665^{1}$ for an argument against the identification of the legations mentioned by Polybios and Pausanias.

2 But cf. Gruen's comments ( HS .96 p. 50): "Transference of the matter to Callicrates was surely not a private arrangement; rather a decision that Achaean officials should pass judgement on a contest between members of the League. Rome's practice of referring disputes to another state for arbitration is common enough."

Nevertheless, it was also common practice for the Achaian League to be involved in arbitration between her members; if she was not, there may well have been a reason. Rome could hardly have been unaware of the bad blood between Sparta and the Achaian League. That is not to say that she
would necessarily have been overly concerned that Sparta get a fair hearing.

3 See $=122$. The general picture of the evil Kallikrates is of course a biased view.
$4=150$.
5 This is another point which might favour the acceptance of Pausanias's version.

* 149: Argos and Sparta/Rome 164/3

Pausanias 7.11, 1-2.
Larsen (Frank) p. 289; Piper pp. 134-35, 214-15; H. Swoboda Klio 12 (1912) p. 33; Walbank Comm II. 173.






 о́p ép




Pausanias reports that in 164/3 the Roman senator Gallus was sent to the Peloponnese to deal with, among other things, a territorial dispute
between Sparta and Argos. Pausanias betrays his prejudices in his account of the affair. Gallus displayed his arrogance and contempt for the faith the Greeks had placed in Roman partiality by passing the task of arbitration on to the Achaian Kallikrates, the "bane of all Greece".

It is possible that Pausanias has mistakenly substituted an arbitration with Argos for one we know to have taken place with Megalopolis in this year. Beyond the coincidence of timing, however, there is no evidence to dispute an arbitration between Argos and Sparta in 164/3. ${ }^{2}$ Their history of territorial disputes went back for centuries. The territory of Kynouria and the Thyreatis were bones of contention over which the two states alternately fought and arbitrated. Philip II had ruled on the matter, and had, not surprisingly, awarded the land to Argos. ${ }^{3}$

1 See the comments in $=148$.
2 See $\underline{S I G}^{3}{ }^{*} 665^{1}$.
3 Polybios 9.28, 7; Pausanias 2.20, 1. See Roebuck CPh.

150: Megalopolis-The Achaian League and Sparta 163-146

A fragmented inscription discovered at Olympia. W. (varying): 0.52-0.54 m.; d.: 0.05-0.06 m. 53 lines.
W. Dittenberger ArchZeit 37 (1879) p. 127, *259; K. Purgold ArchZeit 39 (1881) p. 191; M. Dubois. Les ligues étoliennes et achéenne (1885) pp. 231-32, *14; de Ruggiero pp. 246f., ${ }^{\text {* }}$; Berard *5; Dittenberger/Purgold 10lympia *47; Dittenberger S1G $^{2}$ *304; *Dittenberger/Hiller von Gaertringen SlG $^{3}$ *665.
C.D. Buck CPh 8 (1913) pp. 150-51; Colin p. 499; de Ruggiero pp. 155f.; M. Dubois. Les ligues étolienne et achéenne p. 80; E.S. Gruen لHS 96 (1976) pp. 50f., 55; Gruen I.107-8; Larsen GFS p. 485; Larsen (Frank) p. 289; J.A.0. Larsen CPh 30 (1935) p. 206; idem Representative Government in Greek and_Roman History (Berkeley 1955) p. 210; Phillipson p. 157; Piccirilli *60; Préaux pp. 251f., 290f.; Raeder *27; Roebuck Diss pp. 53-56; Roebuck CPh pp. 85-92; Sonne *49, "52; Steinwenter pp. 179f.; H. Swoboda Klle 12 (1912) pp. 33, 37; Tod *2; P. Treves لHS 64 (1944) pp. 105-6.
 $\left.\alpha i p \in \vartheta^{\prime} \in \nu \tau \omega V\right]$
Sıkácal toîc ’Axatoîc k[aì toîc nake $\begin{gathered}\text { aluovíolc, . . . (13) . . .] }\end{gathered}$ toû ’Eாเyóvov, ’Apıctápxou [toû - - - . . . - - toû . . åv-]


 Meyanomo $\lambda$ เtâv taútac tâc [x́́pac . . . (17) . . . $\lambda o ́ \gamma \omega \nu$ סè]

тac $\delta$ เà $\tau \omega ̂ \nu$ cuv xpóvou]



 íka[ vòv]
 ávaүкaîóv [тє]
 $\tau \omega \bar{\nu}{ }^{\prime} A-$


 $\mu^{\prime \prime}-$
 ๙ưtoùc
 ${ }^{\prime} \in V \in i-$
 ує $є \in \nu \eta \mu \epsilon$ -
 tò $[v$ ]
 Tâv $\operatorname{kpi[cí-]~}$
 y $\in \mathrm{y} \in \nu[\eta \mu \mathrm{E}-]$


 (14). . .]

[- - . . - - ]cта катакодоия[- - . . . - ]



 ...]
 katé-]
 ú[по̀ пакєठat-]


 [ $\gamma \in \nu$ v́ćcau]
35 [Tàv Ckıp]ịtıv kaì tàv Aíyûtıv 'Ap[káס $\omega \nu$ ánò] toû toùc 'Hpakえєífac єíc
 סıкастaì $\epsilon$ -
 $\pi \lambda$ 万́धєє éкatòv
 kpívoltec
 ónovooûv-


 $\delta_{1 k}[a c t] n-$
 ảцрот́́р[ $\omega v$ ураи-
 є v̌ouí-]
 Mey[anomoдîtal]
 тaútav]
 ки́pla . . . .]
[-- - - - - - $] a[$ - - - - . - - - $]$
[- - - - - кр] $[$ [с]ıv ка[i - - - - - - -]


[----] tàv 〈a]uíav àv ${ }^{\epsilon}\langle[$ [aíncav-----]




 17-18: [- - по́ $\lambda] \mid \epsilon \mu о \nu$ [- - oí] 'Axaıò $\delta \iota a t \in[\lambda \hat{\omega} c ı \nu]$ : Berard, Dubois,

 'Axai]l̂ิu: Berard, Dubois. II 22: unงè[v]: 10lymoia || 31-32: [катєc|xへ̂cधaı]: 10lympia. || 33: ö́pploc tâc xผ́pac: Berard, Dubois,

 Berard, Dubois, Dittenberger ArchZeit.

Despite the numerous difficulties arising from the fragmentation of this text, it nevertheless contributes much to the understanding of the long-standing dispute between Sparta and Megalopolis, a dispute which was exacerbated in the second century by the bad relations between Sparta and the Achaian League itself.

In 338/7, as part of his settlement after Chaironeia, Philip II awarded various disputed territories to Sparta's neighbours, to the detriment of Sparta herself. ${ }^{1}$ Among the lands included in this redistribution was the so-called ager Belbinates, restored to Megalopolis by the decision of the council of Greeks instituted by Philip. ${ }^{2}$ The same
land was an issue later in the third century, when Kleomenes fortified part of it against Megalopolis and the Achaian League. ${ }^{3}$ Shortly thereafter it was taken away from Sparta again when she lost the Battle of Sellasia to Antigonos Doson. 4 The disputed territory continued to be a bone of contention for decades, with both Sparta and Achaia taking turns in reclaiming it by force. By 188 the land was in the hands of Megalopolis again. ${ }^{5}$

That is the last we hear of this disputed area until we learn that Rome was sending legates to arbitrate the issue between Sparta and Megalopolis. ${ }^{6}$ Whether the Roman legates performed the arbitration themselves, or whether the task was handed over to Kallikrates, it is clear from the inscription cited here that Megalopolis won her case in 164/3, and it is equally clear that Sparta was unwilling to accept that answer. ${ }^{7}$

Strictly speaking, the present arbitration, by unknown judges, was over the issue of Sparta's refusal to accept the previous decision. Whether or not she actually tried to take the land from Megalopolis by force, she apparently refused to heed the Roman (or Achaian) judgement. As a result a fine was imposed; perhaps provision for this had been taken by the first tribunal. ${ }^{8}$ At any rate, the matter of the penalty appears to be the new
issue in the arbitration, and Sparta's new opponent, curiously enough, is the Achaian League. ${ }^{9}$

This is clearly a legally anomalous situation, even given Sparta's unique position vis-à-vis the League. An arbitration was required between a federal body and one of her member states, over an issue which initially arose from a dispute involving that member with another. ${ }^{10}$ We do not know the identity of the arbitrators; it is not impossible, although it may be unlikely that they came from without the Achaian League. ${ }^{11}$ They attest to their objectivity and concern for both parties in that they claim to have tried for a long time to reconcile the disputants, and were forced in the end to render a legal judgment only through the obduracy of both sides. Nevertheless the fact that the judges may well have come from some other state within the Achaian League, and the fact that the judgement again went against Sparta is cause enough for suspicion as to their objectivity.

The history of Sparta's ownership of the disputed territory meant that they should not have been surprised to lose their case through legal process once again. Sparta's only success had come in the past through war. Any judicial or semi-judicial process tended to award the land to

Megalopolis. ${ }^{12}$ In this case, the Megalopolitan claim was further asserted by an appeal to semi-legendary history. ${ }^{13}$ Presumably the fact that previous awards of the land to Megalopolis were upheld meant that Sparta was once again enjoined to pay the penalty to the Achaian League which she had apparently refused.

1
Cf. *54, and Piccirilli *60, *61.
2 Livy 38.34. Cf. Polybios 9.28 and 9.33. This inscription refers to judgements made by "the Greeks and the allies" (11. 19-20: aí $\tau^{\top} \in \mathcal{G} V$ toillc]
 was known as Belemina, Belmina, or Belbina. The other districts named elsewhere as being part of this contested group are Skiritis and Aigytis.

3 Plutarch Kleomenes 4; Polybios 2.46.
4
See $=49$.
5
Livy 38.34.
6
148.

7 See the discussion on Kallikrates in $=148$.
Could an Achaian decision on the matter, under the presidency of Kallikrates (assuming that Pausanias should be corrected), be the source of the fine imposed by the Achaians, the fine Sparta apparently refused to pay? (11.5,51) It has generally been assumed that this fine was imposed by the League on Sparta, as one of her members, because after the Roman decision had gone against her, Sparta tried again to resort to violence against Megalopolis, another member state. There is, however, no proof of violence on Sparta's part.

8 Numerous arbitral courts included with their sentence a penalty for those who refused to adhere to the judgement. Cf. $\$ 83,99,{ }^{*} 16$, *143. See Steinwenter pp. 181-82.

9 This arbitral court naturally reaffirmed the land decision as well, so this also constitutes an arbitration between Sparta and Megalopolis.

10 of course the political situation between Sparta and the Achaian League should not be ignored. Much more was brewing there than a simple legal matter. Cf. $=112,=122$.

11 perhaps we should say rather that it would not have been inappropriate for the arbitrators to have come from without the League. Nevertheless, the Doric kounf of the inscription indicates that a Peloponnesian provenance for the judges is perfectly likely (cf. Buck CPh 8 pp. 150-51).

Naturally if this were only an arbitration between Sparta and Megalopolis, the presence of another Achaian state as arbitrator would have been perfectly acceptable and customary league practice (cf. *43). However, the presence of the Achaian League itself as in some sense a disputant would surely obviate the objectivity of a member state.

12 Sparta of course had been the more important threat in the past, and to weaken her, politically, militarily and economically, with respect to the states around her was a not infrequent goal on the part of other powers.
$1311.34-36 . C f .54$, and the use made of legendary "history" by the Messenian advocates in arguing their case before Tiberius.

## =151: Eumenes II and Prousias II and Others/Rome 164-160

Polybios 31.1, 2-8; 31.32, 1-2; 32.1, 5-6; Diodoros 31.7, 2.
Errington Dawn pp. 244f.; Hansen ${ }^{2}$ pp. 124f.; McShane pp. 185-86; Will $^{2} 11.380$.

 tòv 'AGfívalov. (3) culéßaive yàp tòv Mpoucíav oủ hóvov aưtòv

 CE $\lambda$ yeic kai m $\lambda$ é́ouc étépouc katà tìv 'Acíav пpòc tìv aỦtìv


 про̀с ánavtac toùc кatnyopoûvtac moincacөat tìv ámoдоyíav.


 cúyкдпtoc, à à入à 「áıov con míkiov kaì Máviov cépyiov







Diodoros 31.7, 2: "Ott katà toùc aủtoùc xpóvouc mo $\lambda \lambda \hat{\omega} \nu$










 tòv Eบ̇ú́ṽ.













This series of literary references is evidence for some of the final "judicial" hearings which Rome undertook between Eumenes and his enemies. The Roman position is legally presented as that of a judge: the senate listened to accusations and heard a defence. But in reality these accusations were all presented to the senate in the first place because Rome was now perceived as unfriendly to Eumenes, and would presumably lend an ear to any complaints against him. ${ }^{1}$ Rome's position was now the reverse of what it had been twenty-five years before, when, in the aftermath of the war with Antiochos the Great, it had seemed that Eumenes had only to ask and it would be given. ${ }^{2}$ Now, on the contrary, the senate was blocking him at every opportunity. ${ }^{3}$

In fact, Eumenes was replaced as Rome's favourite in these years by Prousias II of Bithynia. He was in fact presumably still in a treaty relationship with Pergamon. ${ }^{4}$ But he now began to exploit Eumenes's unpopularity with the Romans to his own advantage through diplomatic means. The Romans. nervous at Eumenes's power through his system of alliances, were ready to listen. Eumenes was tied to both Ariarathes of Kappadokia and the Seleukid king, Antiochos Epiphanes. Now that Eumenes was no longer a friend of Rome such a power system was alarming, and the Romans were eager to hear the complaints of Prousias and others.

Prousias began his complaints against Eumenes in 165/4 by claiming that Eumenes had taken certain places in Bithynia, had not evacuated Galatia, and was conspiring with Antiochos against the Roman people. ${ }^{5}$ Despite their distrust of both Eumenes and Antiochos the senate initially took no action. The envoys who were sent out were received so courteously that they returned to Rome with no firm evidence of an anti-Roman coalition.

The following year, however, 164/3, Prousias continued to accuse Eumenes before the senate, and instigated accusations from others as well: the Galatians, the Selgians, and other unnamed embassies. Eumenes,
aware that his enemies were being given hearings before the senate, realized that he had to defend himself. Accordingly, he sent his two ever-useful brothers, Attalos and Athenaios, to state the Pergamene case. To all appearances, their defence satisfied the senate: Polybios says that they managed to free Eumenes from the charges. Nevertheless, the senate's suspicions continued: the legates Sulpicius and Sergius, who had been detailed to arbitrate between Sparta and Megalopolis that year, ${ }^{6}$ were also requested to go to Asia and enquire into the doings of Antiochos and Eumenes. ${ }^{7}$ While in Asia Sulpicius advertised for anyone who wished to bring charges against Eumenes to do so within a set period of time. He gave audience to all those who brought accusations against the king, but there was still nothing to justify an open break between Rome and Pergamon.

Prousias and the Galatians continued to bring charge against Eumenes before the Romans up until the end of his life. The issue continued to be Eumenes's interference in Galatia in spite of the Roman declaration of its independence. ${ }^{8}$ In 160, embassies from both sides in the dispute were arguing their cases in Rome. Attalos, always Eumenes's best man in Rome, and by now his co-regent, ${ }^{9}$ answered the charges. Because it was Attalos,
the senate acquitted him and showered kindnesses on him.
The judicial nature of the senatorial proceedings was farcical.
Theoretically they were being requested to take the impartial stance of a judge between Prousias's accusations and Eumenes's defence. Nevertheless the dominant motif throughout the hearings seems to have been the Roman desire to embarrass Eumenes by favouring his brother. They made it clear that they welcomed charges against the Pergamene king; but they would then ostentatiously dismiss the charges and praise Attalos profusely.

1 Cf. the similar circumstances recounted in Polybios 23.1, Livy 39.46 ( ${ }^{121}$ ), where the Greek states perceived that Rome was hostile to Philip V, and would be happy to hear charges levelled against him.

2 cf .114.
3
Cf. 140.
4
Cf. $=124,=126$.
5 Polybios 30.30. The Romans had indicated their displeasure at Eumenes's success in quelling the Galatian revolt by declaring the autonomy of the Galatians to an embassy from that people in 166.

6 Cf. 148.
7 In fact, by the time Rome dispatched these legates Antiochos was already dead (Walbank Comm III.473).

8 See Hansen ${ }^{2}$ p. 126.
9 Hansen $^{2}$ p. 127, Walbank Comm III.516.

## * 152: Akarnania and Ambrakia/Athens 164/3

Three fragments of an inscription discovered on the acropolis at Athens. 11 lines.

Köhler IG II.356; Kirchner IG $\|^{2} .951$; *A. Wilhelm SAWW 166.1 pp. 23f. (reproduced in $\underline{G} \|^{2}$ add/corr p. 669).
P. Cabanes/J. Andreou BCH 109 (1985) pp. 539-40; Holleaux Études V. 445 .






 [ $v$ âcı - . . . . . . . . - Кал]入ıстрátov 'Epoıá[סov, - . . . . . . . . . -, Kпүісо]סо́тои Cußpíסov,




 Kirchner.

The initial restoration of this inscription in $\underline{G} \|^{2}$ was based on the
assumption that it represented the oath sworn by the Ambrakian and Akarnanian ambassadors who represented their states in negotiations with the Athenians with a view to a three-way treaty. However, the restoration by Wilhelm suggests rather that the inscription is evidence for an arbitration performed by the Athenians for the Ambrakians and Akarnanians. The oath, then, would be the oath sworn by the Athenian judges elected by the people. It would probably contain clauses intended to guarantee impartial judgement and incorruptibility. ${ }^{1}$

The arbitration, if Wilhelm's restoration is correct, probably took place in 164/3. ${ }^{2}$ It is possible that an arbitration carried out for the Ambrakians at this time should be connected to other Ambrakian arbitrations of the period. Sometime between 175 and 160 Rome referred a request for a boundary arbitration between Ambrakia and Athamania to the neutral Korkyra. ${ }^{3}$ Also around this time Ambrakia and Charadros redefined their mutual boundary, perhaps with Roman aid. ${ }^{4}$ Perhaps this was a time, after the Third Macedonian War, when Ambrakia was seeking to redraw her boundaries in all directions.

There is no way of knowing, of course, the subject of the dispute which the five Athenian judges were to settle between Ambrakia and

Akarnania. If Wilhelm's restoration [ $\epsilon$ ' $\pi \grave{\imath}$ סíkac] (line 7) is correct, then it may not have been a matter of a boundary arbitration. The plural term would indicate that the Athenians were to settle unresolved disputes between the Ambrakians and Akarnanians, perhaps suits of a private rather than a public nature. The Athenian judges may have been invited in accordance with a symbolon between Ambrakia and Akarnania.

1 For other judges' oaths, cf. $=22, * 24, * 83$.
2 See Wilhelm pp. 24f., for the assigning of the archon Nikosthenes to $164 / 3$.
$3-135$.
$4=143$
5 Cf. $16\left\|\|^{2} .779\right.$ (the symbolon between Athens and Boiotia): ' $\epsilon \pi \in i \delta \dot{n}$



## * 153: Arsinoē and Troizen/Ptolemy VI

 163-146A stele discovered in the Asklepieion at Epidauros. H. (max.): 0.515 m.; w. (max.): 0.20 m. ; d. (max.): 0.12 m .38 lines.
F. Hiller von Gaertringen AE 1925/26 pp. 71-75, *7; *Hiller von Gaertringen IG IV².1.76.

[^8]Egypt (Leiden 1976) pp. 135-36; W. Peek ASAW 60.2 (1969) pp. 27-28, \#31; J. \& L. Robert REG 55 (1942) pp. 335-36, *57; L. Robert Hellenika 11/12 (1960) pp. 159-60; SEG XI.406; G. Welter. Troizen und Kalaureia (Berlin 1941) p. 7; A. Wilhelm AAWW 85 (1948) pp. 69-70.

## vacat




[каì ’Apcıvó́ $\omega v$ ] єic ánavta tòv xpóvov.















20 [ka, kaì tòv xápa]ka tòv émì toû Ctevíta. tòv סè VVV



















15: [oỉkoûvta]: Hiller von Gaertringen AE. || 24: [t $\mathrm{\omega} \nu$ ouv]veínv kaì tâc коเขâc хผ́pac kotvá: Robert Hellenica. || 27: ['Epuâv tòv moì +/-5]:




An inscription deposited in the sanctuary of Asklepios at Epidauros provides the evidence for yet another arbitration involving the states of the Argolic peninsula. Clearly the Asklepieion was the chief repository for important international documents in this region. ${ }^{\prime}$

The states involved in arbitration in this particular case were Troizen and its neighbour Arsinoè. Arsinoë was located on a volcanic peninsula north of the city of Troizen, a peninsula which is joined to the mainland only by a narrow and easily defended neck of land. ${ }^{2}$ in its
territory was located the one Ptolemaic base in mainland Greece. ${ }^{3}$ Arsinoë had formerly been called Methana, and was almost certainly given its new name by Ptolemy II in honour of his wife and sister after her death in 270.

The Ptolemaic presence in this region was central to this arbitration. Ptolemy VI sent ambassadors and judges to deal with the issues in dispute between Troizen and Arsinoë. The chief problems appear to have been matters of joint land, border delineation, and the use of the productive areas of the region. ${ }^{4}$ it may be that each side had been indulging in harrying or hindering the other in their use of the local resources. A ruling was given on the quarrying of stone and cutting of timber, as well as on the provisions for the transportation and purchase of these products. Other local resources which came in for discussion were the salt-works, and perhaps the tuna-fisheries. ${ }^{5}$

As in several other cases of arbitration, provision was made for non-adherence to the rulings, as usual in the form of a fine. In this case, it was a fine of 10,000 drachmai for either of the cities, of 1000 for an individual. ${ }^{6}$ This money was perhaps to be paid to the royal treasury. ${ }^{7}$
$1 \mathrm{Cf} .43,-50, * 69, * 74,=93$. It is possible that the present case should be connected with *93; Peek argues that the two inscriptions, IG IV ${ }^{2} .1 .76$ and 77 , which provide the evidence for cases $=153$ and $=93$ are actually fragments of the same inscription.

2 For a discussion of the geography of Arsinoè see Robert Hellenica pp. 158-60. Cf. Thucydides 4.45.

3 See Bagnall p. 135, who discusses the strategic importance of the peninsula, lying near Attika, and its excellent port facilities. The probable date of the foundation of the Ptolemaic base was during the Chremonidean War.

Cf. 1. 14, tòv Xápaka, which must refer to the Ptolemaic base.
4 On the matter of joint land, cf. 93 . The presence of commonly held land in this case and in $=93$, has led Robert (Hellenica p. 159) to believe that in $=93$ as well Troizen's opponent was Arsinoë rather than Hermione: "Je pense qu'il s'agit d'Arsinoè, tant est frappante la concordance: non seulement la koıvì x $\omega$ pa (il y en a une aussi possédée par Hermione et Épidaure...), mais les Auvveîa communs; l'émikapnía parait aussi dans $\underline{I G}$ IV ${ }^{2} 76,1.38$; rapprocher aussi les formules de 76,1 . $15-16$ et de 77, 1. 10. See note 1 above.

5 The last restored at 1. 24 by Robert, Hellenica p. 159: [ $\tau \hat{\omega} \nu$ Əuv]veí $\omega v$ kaì tâc kotvâc x $\omega$ pac kovó́.

On the salt-works as an issue for arbitration, of. the later arbitration between Priene and Miletos (IPriene * 111 II. 138f.)
$6 \mathrm{Cf} .=31,=51,=52,=30,=83,=93,=99,=116,=143,=150$.



Cf., however, Hiller von Gaertringen AE p. 74, who believes that the money would have been deposited in a local temple of the deified Arsinoë.

## *154: Doris and Sparta/Lamia 160/59

An inscription found at Delphi. H.: $0.296 \mathrm{~m} . ;$ w. (max.): 0.39 m. ; d. (max.): 0.265 m .14 lines.
T. Walek/H. Pomtow GGA 1913 p. 177; Dittenberger/Pomtow $\underline{\text { SIG }}^{3}$ *668; *Daux Delphes p. 679.

Daux Delphes pp. 329-35; idem BCH 81 (1957) pp. 95-120; R. Flacelière REA 42 (1940) pp. 142-56; H. Kramolisch. Die Strategen des thessalischen Bundes vom Jahr 196 v. Chr. bis zum Ausgang der römischen Republik (Bonn 1978) pp. 57-58; H. Pomtow Klio 18 (1923) p. 265, "VIII; SEG XXVIII.505; Ténékides p. 586.

## Kuti[ $v$ し́́ $\omega v$ ]

 ठè]
лaцíat tayєบóvt $\omega \nu$ Tí $\mu \omega \nu \circ c$, Aì[..........., $\mu \eta \nu o ̀ c]$

прєсвєчтâ $\nu \propto \rho \sigma \gamma є \nu \eta]$ ]-
 -, каì парà]
 Kutiví́ $\omega$ v ? - - - -]
 $\mu \epsilon ̀ \nu$ - - - - -]









## үрациатє́vovtoc 'Aөáubou toû 'Abpou[áxov.]

2: [aanoөoívou tố neovtoúєvovc Фepaíou]: Kramolisch. [uпvòc













In the year 160/59, the matter of an amphiktionic vote was again contested, this time between Sparta and the Dorians of Kytinion.' It seems that the Spartans and the central Greek Dorians had at some point shared an amphiktionic representation. We learn from this text that the Spartans claimed half of the Dorian representation, a representation which the Dorians were trying to keep to themselves. The issue went before a panel of thirty-one judges from Lamia, who evidently decided the matter in favour of the Dorians, as the city of Kytinion was responsible for setting up the inscription at Delphi. ${ }^{2}$

Pausanias tells us that the Spartans were excluded from the

Amphiktiony following the Sacred War in $346 .^{3}$ Nevertheless, the amphiktionic list from 329 shows that one of the two Dorian representatives was a Spartan. ${ }^{4}$ This evidence has been differently interpreted. ${ }^{5}$

Pomtow presumed, from the evidence of a Spartan hieromnemon in 329, and from the evidence of the arbitration inscription, that the Dorians of the "metropolis" offered a half of their vote to the Spartans. ${ }^{6}$ This system of sharing would have come to an end when the Aitolians took over Doris. However, after Doris regained its independence from Aitolia c. 167, Sparta would have tried to reclaim its half of the Dorian vote, and the present arbitration would have been the result.

Daux interprets the evidence differently. ${ }^{7} \mathrm{He}$ argues that the Dorian votes (of which there were two in the Amphiktiony) were not originally divided between the Dorians of the "Metropolis", that is to say central Greece, and the Dorians of the Peloponnese, including Sparta. Rather the votes had always been divided into the group of the Dorian cities of the Peloponnese, which included Argos, Corinth, Megara, Sikyon and Troizen, and whose representatives at Delphi were always called "Peloponnesians", and the other group, which included Sparta and the Dorians of Doris. The

Spartans had in fact never appeared as representatives of the Peloponnesian group of Dorians. ${ }^{8}$ Rather, when the Spartans did send a hieromnemon, they sent him as a representative of the "Metropolitan" Dorian franchise.

At any rate, whether the amphiktionic link between Sparta and Doris dated back to after 346, or whether it was of much greater antiquity, it is clear that in the second century it was broken.

1 Cf. the contest for the Epiknemidian Lokrian vote between Thronion and Skarphai, $=147$.

2 Daux points out (p. 335) that the Spartans were not necessarily altogether excluded from hieromnemonic representation as a result of this arbitration; they may have been granted a proportion of somewhat less than the half they had requested.

3
10.8, 2.

4
FDelphes III.5.20.
5
Cf. Ténékides.
6 GGA pp. 176-77; $\underline{\text { SIG }}^{3} * 668^{5}$.
7 See Delphes pp. 329f. Cf. his comment on Pomtow's argument, $p$. 334': "Il est probable que l'affirmation de Pausanias ne vaut que pour un temps très court; en tout cas, on ne voit pas comment, si les Lacédémoniens ont vraiment été exclus de l'Amphictionie en 346, les Doriens de la métropole auraient pu se permettre d'infliger au conseil un tel démenti."

8
Against Daux's arguments, see Flacelière REA who argues that this arbitration shows that Sparta and Doris did not historically share a hieromnemonic vote: Sparta is here forced to try to claim that vote, and her claim was dismissed by the Lamian judges as illegitimate. On the amphiktionic composition, see Daux BCH.

## * 155: The Achaian League and Athens/Rome 159/8

Polybios 32.7, 1-5.
Colin p. 503; de Ruggiero c. 12, *6; W.S. Ferguson. Hellenistic Athens (1911; NY 1969) pp. 323f.; Gauthier p. 173; E.S. Gruen JHS 96 (1976) p. 51; Gruen I.106-7; Hitzig *14; Larsen GFS p. 486; Larsen (Frank) p. 280; Phillipson p. 157; Raeder *55; Walbank Comm III.525f.

 (2) toîc yàp $\Delta \eta \lambda i ́ o i c ~ \delta o \vartheta \epsilon i ́ c \eta c ~ a ̉ m o к р i ́ c e \omega c ~ п а р a ̀ ~ ' P \omega \mu a i ́ \omega \nu, ~ \mu \in \tau a ̀ ~$


 '́Boún



 vónouc yeyevnuévac mapà toîc 'Axaloîc oíkovouíac mepi tâv $\Delta \eta \lambda i ́ \omega \nu$.

In 167/6 the island of Delos lost its independence and was ceded to Athens by the Romans. Athens, perhaps suffering from population pressures, expelled the Delians from the island and recolonized it herself.

The expulsion of the Delians was effected with Roman support.
The exiled Delians turned to the Achaian League for help and were welcomed in as new Achaian citizens. ${ }^{2}$ The Delians were thereupon naturally eager to exploit their new connection with the Achaian League. They claimed the right to prosecute Athenians, no doubt on various charges arising from the subjugation and evacuation of their island, in accordance with the cú $\mu \beta 0 \lambda o v$ which the Athenians and the Achaians shared. ${ }^{3}$ This treaty between Athens and Achaia would have governed the procedure to be taken in private suits between Athenian and Achaian citizens. ${ }^{4}$

The Athenians, not surprisingly, refused to consider the Delian exiles as having a legitimate share in their treaty with Achaia. As a result, faced with what they considered "un déni de justice", the Delians pressured the Achaians to authorize them to carry out official reprisals and seizure of Athenian goods. ${ }^{5}$

The Achaians apparently sanctioned the Delian fócıa, and this situation may have continued for a long time. ${ }^{6}$ Finally in 159/8 both sides sent embassies to request the Roman senate to arbitrate the issue. ${ }^{7}$ The Roman answer, perhaps surprising when it is considered that they had earlier essentially given the Athenians carte blanche in dealing with

Delos, was that the Delian claim was to be upheld. ${ }^{8}$ They were to have the right to be included in the Achaian-Athenian cú $\mu$ Boえov.

1 See Polybios 30.20, and Walbank Comm III.443.
2 See Walbank Comm III.525-26 on the mechanism of the Delians becoming Achaian citizens.

3 What may have particularly led to trouble was the Roman specification allowing the Delians to take their personal property with them; cf. Larsen GFS p. 468.

4
Cf. Gauthier p. 173, *XXI.
5 The Athenians had refused סikaloסocía. See Gauthier, p. 173, on the official nature of péciá $\zeta \in \iota v . \mathrm{Cf} .=93$.

6 Cf. Walbank Comm III.444, 526; Ferguson pp. 323-24.
7 Thearidas, Polybios's brother, who had worked on the settlement of Messene twenty years earlier ( $* 128$ ), was one of the Achaian representatives.

8 Raeder believes that in this case the Romans merely acted out of a simple sense of justice. But it is interesting to compare another "private" arbitration of a few years previously, when the Romans again ruled against Athens in a matter that involved their jurisdiction of Delos. Around 164, Athens ordered the closing of the Sarapeion on Delos; the priest appealed to Rome and won his case ( $51 G^{3} * 664$ ).

Cf. also the Roman decision against Athens in the Oropos affair (*156).

## *156: Athens and Oropos/Sikyon and Rome 156-155

Pausanias 7.11, 4-5.
De Ruggiero c. 12 *7; W.S. Ferguson. Hellenistic Athens (1911; NY 1969) pp. 324f.; A. Griffin. Sikyon (Oxford 1982) p. 87; E.S. Gruen JHS 96 (1976) pp. 51-53; Larsen GFS pp. 486f.; Larsen (Frank) pp. 289-90; M.H.E. Meier. Die Privatschiedsrichter und die öffentlichen Diäteten Athens (1846) p. 35; Phillipson p. 146; Raeder *56; Sonne *50; Walbank Comm III pp. 531-33; U. von Wilamowitz-Möllendorf Hermes 21 pp. IOIf.











The town of Oropos, on the border between Boiotia and Attika, was a constant source of contention between Athens and the Boiotians.' In 157 Athens raided Oropos, claiming it as her own subject. ${ }^{2}$ Clearly the inhabitants of Oropos considered things in a different light; they acted independently in sending an embassy to Rome in autumn of the same year.

Rome responded to this request for arbitration in two stages. First the senate ruled that Athens had acted unjustly, thereby reserving the
main judgement, that of guilt or innocence, to herself. The senate thereupon delegated the task of fixing the sentence to a third Greek state, Sikyon, an act more in keeping with their common procedure. It would seem then that political interests may have had a part to play, and Rome wished to ensure that the decision went against Athens. ${ }^{3}$

Nevertheless, even if this was so, the Romans were apparently interested more in making their point than in punishing Athens severely. Probably in the summer of 156 , Sikyon sentenced the Athenians to a fine of 500 talents. ${ }^{4}$ When Athens appealed the fine, the Romans commuted it to 100 talents. 5 The Athenians, however, did not pay even this amount, and relations with Achaia, already strained, deteriorated further over the continuing unsettled issue of Oropos. ${ }^{6}$

Cf. Piccirilli \#45 ( 366 BC ). Oropos was lost to Athens in 338/7 (cf. Roebuck CPh pp. 80, 84). It formed part of the Boiotian League between 287 and 171 (Walbank Comm III.531). See P. Roesch Thespies et la confédération béotienne (Paris 1965) p. 65, who claims that it was part of the confederacy until 146; but the confederacy was dissolved in 171, and Oropos was independent until 146.

2 The chronology is based on that suggested by Walbank Comm III. 532 .

3 Cf. the judgements made by Rome against Athens in the matter of the Delian exiles ( $* 155$ ) and the Delian Serapeion ( $\underline{S I G}^{3} * 664$ ).

4
It may be that the sum of 500 talents reflected at least in part the fact that the Athenians had not shown up at Sikyon for the sentencing, and therefore forfeited the sympathy of the court.

5 The Athenian appeal heard in Rome in 155 was the occasion of the famous embassy (despatched in late 156) of the three philosophers, Karneades, Kritolaos and Diogenes (Cicero Acad. 2.137; Aulus Gellius NA 6.14, 8-10; Polybios 33.2).

6 Pausanias 7.11, 5-8. See Larsen GFS pp. 486-87; Gruen JHS 96.

## *157: Attalos II and Prousias II/Rome 156-154

Polybios 32.16, 5; 33.1, 1-2; 33.7, 1-3; 33.12, 2-5; 33.13, 4-5; Appian Mith 1.3.

Gruen 1.111, 114; C. Habicht Hermes 84 (1956) pp. 101f.; Hansen ${ }^{2}$ pp. 133f.; McShane pp. 188f.; Préaux p. 275; A.N. Sherwin-White. Rome's Foreign Policy in the East (Duckworth/London 1984) pp. 37-38, 45-46; Walbank III pp. 540f., 549, 555f.; Will II ${ }^{2}$ pp. 381 f.











 по $\lambda \in \mu \in i ̃ \nu$.






 ’Avíkiov kai 「áıov đávviov kaì Kóıvtov Đáßıov Máłıцov，（4）kaì
 по́ $\lambda \in \mu$ оv кaì tòv חpoucíav ảvayкácal סíkac úmocxeîv＇Attá $\lambda \omega$








 $\dot{\omega} \mathrm{c}$ tòv＊Atta入ov．


 Aũ̉ ov Постómıv．（5）oî kaì mapayєvóuevol mpòc iǹv＇Acíav
 тoùc Bacı入є́ac ǻน甲отє́pouc．．．


















 àvехб́рє.

An inscription from the temple of Athene at Pergamon is also relevant to this case. Fränkel IPergamon *225; *Dittenberger OGIS *327. H.: 0.555 m. ; w.: $0.965 \mathrm{~m} . ;$ d.: 0.21 m .





##  

2: [прòc חpoucíav]: Fränkel. Il 5: [xapıctíņıv]: Fränkel. Il 6:


Prousias II of Bithynia, desirous of expanding his kingdom, invaded Pergamene territory, probably in the summer of 156. Attalos II was defeated in the initial attack, and hastened to send his brother Athenaios and the Roman ambassador P. Cornelius Lentulus on an embassy to Rome to
appeal for their intervention.
Attalos had already sent an embassy to Rome earlier that year on the Bithynian matter.' The senate, prior to the arrival of Athenaios and Lentulus, had been reluctant to believe Attalos whole-heartedly; their suspicions that Attalos was himself intending to attack Prousias were strengthened by the representations of Prousias himself through his son Nikomedes. ${ }^{2}$ Nevertheless, the senate agreed to send out legates after listening to the first embassy of Attalos in order to investigate the matter. Rome was the ally of both kings, and more and more had taken up the role of arbitrator of affairs in the east. She naturally became involved in most disputes, whether through her own interests in maintaining a balance of power, or through the appeals of the disputants. ${ }^{3}$

It was on hearing the embassy of Athenaios and Lentulus in the spring of 155 that the senate recognized that Prousias was indeed the aggressor. Their reponse was to send out more legates, this time with instructions to put a stop to Prousias's war on Attalos.

These legates ordered Prousias to agree to negotiations with Attalos, and attempted to mediate a meeting between the two kings. ${ }^{4}$ Prousias, however, attempted to ambush Attalos and the Roman ambassadors, and
forced them to retreat to Pergamon, where he laid siege to them in the summer of 155.

Attalos's territory suffered in Prousias's attack, but it may have been the insult offered to the Roman ambassadors and implicitly to Rome herself, and her position as arbitrator of eastern affairs, that dictated the senate's next move. The senate reacted with great indignation, and sent out a legation of ten, a decemvirate. ${ }^{5}$ This time their orders were not only to put an end to the war, but to force Prousias to compensate Attalos for the injuries he had inflicted upon him. ${ }^{6}$

In the meantime Attalos had been furnishing himself with reinforcements and allies, including Pontos and Kappadokia. ${ }^{7}$ It was while he was involved in these preparations for a renewal of the conflict with Prousias in the spring of 154 that the Roman decemvirate arrived. Their attempts to force Prousias to come to terms with Attalos initially failed. Prousias agreed to some of their demands, but not to most.

The Romans appear to have been determined to force Prousias to submit to arbitration. However, the tone adopted by the legates was apparently not as diplomatic as that of mediators might be expected to be. Rather the approach taken was a typically Roman one, an approach which
threatened rather than trying to conciliate him. When Prousias refused their first demands, the Roman legates renounced the Roman alliance with him, and did everything possible, short of declaring a Roman war on Prousias, to favour the cause of Attalos.

There is a gap in Polybios's account at this stage, but it is still clear that Prousias's first reaction to Roman hostility had been one of fear. ${ }^{8}$ Although Rome had in fact not actually threatened war, the tone of the demand that Prousias make peace with Attalos was close to that of an ultimatum. When yet another legation arrived, they had apparently little difficulty in mediating a treaty between the two kings. ${ }^{9}$

The treaty between Attalos and Prousias was thus achieved through Roman arbitration, a rather more harsh and demanding diplomatic method than traditional Greek arbitration tended to be. It is this treaty which is mentioned in the inscription from Pergamon. 10

1 See Walbank pp. 540-41.
2
Cf. Will p. 381 on the initial Roman reticence with respect to Attalos's appeal for help.

3 Cf. Sherk's comments (p. 42): he compares the Senate's approach to dealing with Attalos and Prousias with the problem of Ariarathes and Priene ( $=158$ ).

4
Appian Mith 3. Cf. Polybios 32.15.
5
Cf. Walbank p. 549: "the sending of decemviri indicates the serious view taken of Prusias' intransigence."

6 Polybios 33.7, 4: tòv חроucíav ảvayкácat סíkac úmocxeîv 'Atтá $\lambda \omega$ t $\hat{\omega} \nu$ кatà пó $\lambda є \mu 0 \nu$ ả áckпиát $\omega \nu$. Cf. Appian Mith 3: oî tòv


7
Polybios 33.12, 1.
8 There is a gap in the narrative of events between 33.12, 9 and 13, 1; see Walbank p. 556.

9 There is an outside chance that a rather elderly Appius Claudius Pulcher, the "expert arbitrator" (cf. =122, =123, *136) was involved in this mediation; however, as Walbank, p. 556, points out, the Appius Claudius mentioned was more probably Ap. Claudius Centho.
 the inscription is the later hostilities between Prousias and his own son Nikomedes, aided by Attalos (see Will pp. 384-85). Cf. Dittenberger's comment ( OGIS ${ }^{*} 327^{5}$ ): "Sane postremum illud bellum non Prusias intulit Attalo, sed Nicomedes ab Attalo adiutus patri, ut minus recte ille foedus a Romanis conciliatum violasse dicatur."

## *158: Ariarathes and Priene/Rome c. $155 / 4$

I: Two fragments of an inscription from the temple of Athene at Priene. I: h.: $0.5 \mathrm{~m} . ;$ w.: 0.33 m . 11 (now lost): h.: 0.5 m .
P. Viereck. Sermo Graecus (Göttingen 1888) *28 [I]; Hicks BMus *424; Dittenberger OGIS *351; Hiller von Gaertringen IPriene *39; *Sherk *6.

II: Polybios 33.6, 1-2; 33.6, 6-9; Diodoros 31.32.

Gruen 1.114; Hansen ${ }^{2}$ pp. 130-31; Hiller von Gaertringen IPriene T*538; ARS *36a; Magie RRAM I.117, 202, 11.969, 1097; McShane pp. 187-88; H.H. Scullard. Roman Politics 220-150 B.C. (Oxford 1951) pp. 232-36; Sherk TDGR *32; Sherwin-White pp. 41-42; A.N. Sherwin-White JRS 67 (1977) p. 63; Walbank Comm III.547-49; Will ${ }^{2}$ II.372f.

1
[- - . . . . . . . . . . - - ]








2: [ tìv cuuuaxíav]: suggested by Hiller von Gaertringen. || 4-5: Hiller von Gaertringen suggests something along the lines of $\delta \iota d \begin{gathered}\text { I } \\ \omega\end{gathered} \nu \quad \delta \pi \pi \omega \nu$
 'P $\omega \mu \alpha i \omega \nu \tau \hat{\omega} \nu[--] . \| 6:[\pi \rho 0 \in c \tau \omega] \tau \omega \nu$ : Dittenberger (by analogy with $\underline{S I G}^{3} * 665,=150,1.43$. || 7 f .: Hiller von Gaertringen suggests that the

 document is a Roman letter, which is not certain; it could be a decree of Priene (cf. Dittenberger).

 kai]

 àmoкрíva]-


 про̀́c]
 ' $\boldsymbol{\pi} \pi \mathrm{l}$ ]-
 пі́сté́nc]




Polybios 33.6: "Otı кatà toùc кaıpoùc toútouc kaì Пpıпиeîc évé $\downarrow \in$ cov




 cuvepyoûvtoc 'Attá $\lambda$ ou kaì mapołúvovtoc aủtòv $\delta$ ià tìv í ííav



 'Pwuaíouc katéழuyov. (8) oi $\delta$ ' où просєîxov toîc $\lambda \in$ уoú́voic....

 סıà tìv параง̈́nknv.




The throne of Kappadokia was contested by Ariarathes $V$ and his half-brother Orophernes. In 159 Orophernes was successful in driving his
brother, the legitimate heir, out of the kingdom. During his tenure as sole ruler, Orophernes collected a vast amount of wealth. He deposited 400 talents of it in the famous temple of Athena at Priene, where he could rely on it in case of future difficulties.

Those difficulties were not long in coming. Ariarathes, ousted from his kingdom, obtained the official if not the actual support of Rome, and was reinstated with the aid of Attalos II by spring 157. The Roman ruling on the matter had required that Ariarathes should share the kingdom with his brother. ${ }^{1}$ Nevertheless, Ariarathes, unwilling to tolerate such a situation, made war on his brother with the help of Attalos II. Orophernes was driven out of the kingdom.

Ariarathes thereupon required the return of Orophernes's deposit from the people of Priene. They were caught in a trap. The money had been deposited by Orophernes, who was still alive, not by Ariarathes. Moreover Priene had cause to be grateful to Orophernes. ${ }^{2}$ But Ariarathes was now the king, and claimed that it should revert to the royal treasury. The Roman stance was of no real help, since the senate had recognized the legitimacy of both kings. Priene decided to refuse to relinquish the money to Ariarathes and the result was a war waged against Priene by Ariarathes
and Attalos. Accordingly, the people of Priene appealed to Rhodes to settle the situation. Rhodes, however, apparently refused to have anything to do with it. ${ }^{3}$

Priene then turned to Rome. According to Polybios the Romans also ignored their plea. However, the fragmented inscriptions from Priene indicate that this was not the entire truth. The second document, which is a decree of the senate, provides for the dispatch of a letter to Ariarathes and Attalos, requesting them to desist from their attacks on Priene.

This was the extent of the Roman arbitration in this affair. The Romans were forced to compromise, since Ariarathes and Attalos were their allies. Nevertheless, despite the fact that this has been called a weak and ineffectual response on the part of the Romans, it may well have done what it was meant to do. Priene clearly suffered, as Polybios pointed out; but she was also able to repay the deposit to Orophernes after having refused it to Ariarathes.

1 Appian Syr 47; Zonaras 9.24.
2
Orophernes had made various gifts to Priene; cf. Walbank III p. 548; and Welles BC *63.

3 It is not clear whether Priene wished for military assistance or
not from Rhodes. It seems more likely that they wanted to enlist the Rhodians as arbitrators. However, Rhodes's heyday as an arbitrator was evidently past. We hear of no response to the Prienian embassy. See Will p. 383.

## *159: Crete and Rhodes/Rome

153

Polybios 33.15, 3-4.
Berthold pp. 223-24; van Effenterre pp. 267-69.
Polybios 33.15: (3) Kai 'Actuиńסnc ó 'Póסıoc, пресBevtìc ápa кaì



 по́ $\lambda \in \mu о \nu$.

In 155/4 the resurgence of Cretan piracy drew Rhodes into its second war with the islanders. ${ }^{1}$ Little is known of the conflict, but it seems clear that it caused difficulties for Rhodes. ${ }^{2}$ At one point the Rhodian navy was apparently defeated in a naval encounter with the pirates. ${ }^{3}$ The Rhodians were also pressured by their commitment to aid the Attalid prince Athenaios against Prousias. ${ }^{4}$ In addition, there is a strong tradition that the Rhodian admiral Aristokrates was a bungler. 5

Rhodes appealed to the Achaian League for military aid, but this request was blocked by a simultaneous embassy from Crete to the

Achaians. ${ }^{\text {T }}$ Antiphates, the Cretan envoy, successfully put a stop to any Achaian activity, despite the fact that the majority of the Achaians were leaning in the direction of helping the Rhodians. The final Achaian decision was not to take any action without first ascertaining Rome's position.

As a final resort, the Rhodian navarch Astymedes himself turned to Rome in the summer of 153 for a settlement. The Romans for once responded with vigour. The senate sent out a certain Quintus whose mandate was to put a stop to the Rhodian-Cretan conflict. ${ }^{7}$

1 For the first Rhodian-Cretan war, see $=63$.
2 See Berthold p. 223.
3 Diodoros 31.38.
4 Polybios 33.11.
5 Polybios 33.4.
6 Polybios 33.16.
7 Van Effenterre (p. 269) identifies him as Q. Fabius.

## * 160: Akraipheia and Neighbouring States/Larisa c. 150 [?]

Two inscriptions on half-cylinders discovered at the temple of Apollo Ptoos near Akraipheia in Boiotia. H. (of both): 0.90 m. . diam.: 1.00 m . I: 75 lines; II: 37 lines.

I: M. Holleaux BCH 14 (1890) pp. 33f., * I I; *Dittenberger IG VII. 4130.
II: M. Holleaux BCH 14 (1890) pp. 44f., *12; *Dittenberger IG VII. 4131 ; Michel ${ }^{235}$.

Gauthier pp. 343-44; Raeder *70; Steinwenter pp. 155-56, 177, 188; Tod * 18 [I], * 19 [II].

1 'Епеєठो̀ únapxouc $\omega$ v ninîv прòc tàc
äctuyeítovac t $\hat{\nu} \nu$ èv Bointíal пó $\lambda \in \omega \nu$

cuvácuevot ypantò̀v прòc aủtoùc
5, кaì cuve $\lambda_{0} \mu \in \nu 0$ ol




 Úmapxoúc[nc $\mathfrak{c} \xi \xi$ àp]xñc
 Bou入єu-












[. . . . . .]etv aut[. . . . . . . . . .]
25
[. . . . . . . .] tò Sıkactńpıov [. . . . . . . . . . .]ev
[. . . . . . . . . . . . .] парауєyov(ó)cıv єic [. . . . . . . . .] ]c


 'Акрпр(ı) еíwv
30
 [ ${ }^{\text {áv }}$ סpac ka入oùc kảy]-

 [סıкactác.]


乇́Kat'́p $\omega \nu$ ]



 $\gamma_{\gamma \rho \alpha(\mu \mu \sigma)} \boldsymbol{\eta}$
 aủtòv












 $\lambda \epsilon \mu a ́ p x o u c[k a i ̀ ~ t i ̀ v ~ п o ́ \lambda ı v ~ п р o ̀ c ~ \tau i ̀ v ~ п o ́ \lambda ı v ~ \tau \omega ิ \nu] ~$ napica[ínv kaì oícçat $\delta \in i ̂ v ~ a u ̛ t \grave{̀ v} \nu ~ t o u ̂]-~$
 [1] ] $\varphi \nu \in c t a ́ t \omega t ~ t o ́[\pi \omega t ~ t n ̂ c ~ \pi o ́ ~ \lambda \epsilon \omega c, ~ o ̈ \pi \omega c ~ \pi a ̂]-~$










65
[------------------ - - $]$
[- - - ]ov[- - - - - - - - - - - -
[-- - - - - - - - - - - - - - $]$

סıкac[ińpıov . . . . . кaì oi napıcaîot]

 'Ac]-
клnmiádov, âvסpac [. . . . . . . . . . . . . .] кa入ov̀c кảya-

[-- - - - - .-. .-. .-. .-. .- - $]$
ka[----- - - - - - - - $]$



 [ $\quad$ пíctıv ẻv пâcıv éxovtac кaì кa入ov̀c кảya]|əov̀c: Holleaux.
[- -- - .-............- - - $]$
кaì xápitac ảnoठ̊ઠoûcı toîc éautoû єủєpyétalc,



 סè kaì tov̀c סıкactàc 'Avtıyévnv rópyo[voc], חaucavíav

 [tò]c toû $\beta \in \lambda$ tíctou kaì סikalotátou ả $\xi i ́ \omega c$ aút $\omega \nu$ te kaì











 [tí]













 като́ттас.

These texts form two decrees of the city of Akraipheia in Boiotia. ${ }^{1}$
From them we learn that Akraipheia had a large number of disputes with the neighbouring communities. ${ }^{2}$ These cases had gone unresolved for some time, and it may be presumed that all parties were suffering as a result. ${ }^{3}$

Certainly when Akraipheia took the initiative in suggesting that a tribunal
be imported from outside of Boiotia her neighbouring states agreed. This
tribunal was to settle the long-standing disputes dividing Akraipheia and her neighbours.

Larisa in Thessaly was the state chosen to send the tribunal, a court which would consist of three men. ${ }^{4}$ Akraipheia, as it had taken the initiative in proposing the external arbitration, was also responsible for the embassy sent to Larisa, and for the conveyance of the tribunal. ${ }^{5}$ The choice of Larisa is said to have been a result of Larisa's kinship with all the Boiotian cities. Presumably this would give her the required characteristics of good-will in addition to objectivity.

The two decrees of Akraipheia honoured the city of Larisa and the two tribunals sent by her. ${ }^{6}$ The judges are said to have done their best to reconcile the disputants in some of the cases. It was always the first task of a judge, to attempt a voluntary reconciliation without being forced to give a formal judgement. ${ }^{7}$ The latter was more likely to lead to future disputes. The text is quite mutilated at this point, but it seems probable that the judges succeeded in reconciliation in some of the cases, but were probably forced to give judgement in others.

It has been assumed that, since Akraipheia voted the honours to the judges, they had decided in Akraipheia's favour. This does not necessarily follow. Akraipheia had been largely responsible for bringing about the arbitration in the first place, and certainly responsible for requesting the
tribunal and conveying the judges. It is only natural that such a decree should emanate from Akraipheia. In addition the large number of cases apparently involved indicates that some decisions probably favoured Akraipheia, while others probably went against her.

There are a couple of unresolved questions with respect to these Akraipheian decrees. Their date is uncertain, as is the nature of the disputes which Akraipheia had with her neighbours. Holleaux compared the boundary disputes which Akraipheia had had in the past with Kopai. ${ }^{8}$ Perhaps a more relevant comparison, both in terms of numbers and in the length of time matters had gone unresolved, would be to the huge number of disputes which plagued Boiotia in the early years of the second century. ${ }^{9}$ In that case it was largely a matter of private disputes between citizens of the various cities. While it is entirely possible that Akraipheia had something in the way of a truly international dispute with her neighbours, it seems probable that at least some of the quarrels which Larisa was invited to arbitrate were more in the nature of private disputes between the citizens of Akraipheia and those of the other cities. ${ }^{10}$

As to the date of these inscriptions, they were first dated to post-146
by Holleaux. He argued that the use of the kolvín in a Boiotian decree indicated a date of at least the second half of the second century. ${ }^{11}$ This argument was reinforced by the apparent absence of the Boiotian koinon from the arbitration. It would seem that these events took place at a time when the koinon was not in existence. Holleaux thus dated the inscription to the years after 146.

The most important objection to a date after 146 is the complete absence of any mention of the Romans in the inscriptions. ${ }^{12}$ Although they may well have looked upon this matter as too unimportant to concern them, it would not have been surprising to find them involved in some fashion after 146.

Another date proposed for these events, in spite of the use of the kolví in the inscriptions, is the years after 171, when the Romans had dissolved the Boiotian League during the Third Macedonian War. ${ }^{13}$ The use of the dialect, and the absence of both the Boiotian koinon and the Romans, suggested to Raeder that a date around 150 might be correct. ${ }^{14}$

1 The first decree occupies II. 1-61 of inscription I; the second is II. 62-75 of inscription I, and all of inscription II.

2 Akraipheia's main Boiotian neighbours were Anthedon, Thebes and

Kopai. For a boundary arbitration of the previous century involving Akraipheia and Kopai, see ${ }^{\mathbf{2}} \mathbf{2 0}$.

3 Cf. the situation in Boiotia at the beginning of the second century (*120).

4 The three judges were accompanied by a secretary who, as usual, recelved his own share of the honours.

5 On the $\delta$ ıкастаүшүóc, cf. $* 22, * 69 * 109$.
6 The two decrees appear to be related in this fashion. Apparently two arbitral commissions of three men each were sent by Larisa, perhaps in sequence.

Provision was made for publication of these decrees, both in Akraipheia, where they were found, and in the temple of Apollo Kerdoios in Larisa. For publication of arbitration-related decrees in the Kerdoion, cf. =16, $=143$.

7 Cf. Steinwenter pp. 155-56.
$8=20$. Holleaux pp. 39-40.
9
Polybios 22.4. Cf. $=120$.
${ }^{10} \mathrm{Cf}$. on this Holleaux pp. 39-40; Tod; Raeder; Gauthier pp. 343-44; Steinwenter p. 188.

Certainly the phrasing at the beginning of inscription I suggests inter-community, rather than inter-personal hostility:
 Bot $\omega$ tíal пó $\lambda \epsilon \omega \nu \mid$ ठık $\omega \nu$ oưk ỏ $\lambda i ́ \gamma \omega \nu$ ék $\pi \lambda \epsilon$ óv $\omega \nu$ xpóv $\omega \nu$.

However, the large number of disputes would indicate that individuals were involved here. For an arbitration involving both public and private disputes, cf. ${ }^{99}$.

11 This would rule out the natural hypothesis that these decrees were to be connected to the events described in $\geqslant 120$. Cf. the Orchomenos decree honouring the Megarian judges (IG VII.21), which probably is to be
connected to those events．
12 Holleaux did recognize this objection（p．44）．
13 Gauthier p．343．See P．Roesch．Ihespies et la confédération peotienne（Paris 1965）pp．69－71．Polybios $(27.2,7)$ states that Rome dissolved the Boiotian League in 171．Pausanias（7．14，6）implies a restoration after the Third Macedonian War，but his evidence has often been rejected（cf．Raeder）．Roesch＇s belief is that the koinon was re－established by the Romans in 168，but on a less independent footing．

14 Raeder pp．113－114．Tod also dates the inscriptions to c． 150.

## ＊161：Akraipheia and a Neighbouring State／Megara

## c． 150 ［？］

Inscription on the narrow side of a limestone slab containing a third－century epigram；discovered at Akraipheia．W．： 0.70 m. ；d．： 0.21 m ．
＊P．Perdrizet BCH 24 （1900）pp．74－79．
Raeder＊71；Tod＂20．


［－－－－Meyapeíc ßou入єucáuevol кatà tò кá入入ıctov］

［kactàc tòv סeîva toû סeîva，tòv $\delta$ ．toû $\delta$ ．，＇Apıctóvikov Kıkкш］voc đ̛́vס́pac ka入oùc［káy］－

［－．．．．．．．．．．．．．．－－］e日entotakatenit［－－］



10


 $\delta^{\prime} \eta \mu \omega$

 cteqavผ̂cal aútòv xpu-






 kai $\delta$ ıкalocúvnc], ématvécaı $\delta$ è kaì tò ypaци-








 tò $\mathrm{C} \omega$ -

 кai [ 0 " 1$]$ -









This fragmented text records a decree of the Boiotian city of Akraipheia honouring three (?) judges and their secretary sent from Megara. ${ }^{\prime}$ There is very little which can be said for certain with respect to the nature of the disputes or the arbitral procedures involved here. One thing which can be determined is that the judges were able to reconcile at least some of the disputants without resorting to a formal judgement. ${ }^{2}$

It is not at all unlikely that the points at issue here were private ones, either suits between the citizens of Akraipheia, or between the citizens of Akraipheia and neighbouring states. ${ }^{3}$ The original editor, as well as Tod and Raeder, believed that an international public dispute was possible; but it does seem that the evidence is too scanty. ${ }^{4}$

1 Perdrizet thought that the number of the arbitral commission was three ( $p .76$ : "c'était le chiffre ordinaire"); however, it must be admitted that Perdrizet based his restorations, which are very extensive, very. largely on the documents cited in $\boldsymbol{*} \mathbf{1 6 0}$. The rationale for the dating of this text is the same as for those in $* 160$.

2 1. 5: cuvé $\lambda u c a \nu$.
3 Cf. the similar service which Megara performed for Orchomenos (IG VII.21).

4 Although by no means conclusive, the fact that there was more than one dispute involved might lead us to believe that individual suits were the issue here. Cf. 1.2 (tàc סíkac) and I. 7 (tàc крíceic).

## *162: Megalopolis and Thouria/Patrai

c. 150

A stele, inscribed on both sides, found at Thouria. H.: $1.12 \mathrm{~m} . ;$ w.: 0.80 m.; d.: 0.14 m .128 lines.
N.S. Valmin Bulletin de la Société Royale des Lettres, Lund 1928/29 pp. 108-23, " 1 ; SEG XI. 972 (after Valmin); *Moretti ISE *51.
S. Accame. 11 dominio romano (Rome 1946) pp. 142f.; A. Aymard. Les assemblées de la confédération Achaienne (Paris 1938) p. 175; G. de Sanctis RFIC 57 (1929) p. 570; M. Guarducci RFIC 60 (1932) p. $85^{2}$; M.A. Levi RFIC 59 (1931) pp. 93-97; L. Robert REG 79 (1966) pp. 378-79, *202; C.A. Roebuck CPh 40 (1945) p. 165; Roebuck Diss. pp. 103-4, 168; SEG XXIII.208, 215-217, XXIV.284, XXV. 433.
 'Aрістои́'
vєoc tov̂ 'Apıctíwvoc. Чá甲ıcда.
’Е $\mu \varphi a \nu \iota \zeta$ óvt $\omega \nu \tau \hat{\omega} \nu$ cuv móдıv
 по́ $\lambda เ \nu$


 Пatpeîc
 T $ิ$ ข

 үрацца-


 ípin
tâc ’Aəávac kai tò wápicua.
15 Cúvókoc [104 names follow, with space for 7 more now completely lost]



9: OYחIEIAE: Valmin.

This inscription is a decree of the town of Thouria in Messenia, near the head of the Messenian Gulf. Thouria had apparently a number of disputes with Megalopolis. ${ }^{1}$ Their nature is unclear from the inscription. The plurality of suits might indicate that they were of a private nature, and involved individual citizens of the two states. ${ }^{2}$ Nevertheless, it is quite clear that the arbitration was to be on a public and international level, with the two states of Thouria and Megalopolis as the two disputants.

The representatives (cúvסikou) of Megalopolis and Thouria apparently met, perhaps on some neutral ground, in order to come to an arrangement for dealing with their differences. The city chosen to act as arbitrator between the two states, both of whom were members of the Achaian League, was Patrai, one of the founding members. ${ }^{3}$ Nevertheless, the

Achaian League as a regulator of disputes within the federation does not appear here, at least within the lines of the inscription. That of course does not rule out the possibility of the official participation of the League; ${ }^{4}$ but it seems likely that it was unnecessary for the League to involve itself when its members turned to arbitration voluntarily.

That this decree forms the intial agreement to go to arbitration, the compromissum, is quite clear from the fact that it is making provisions for the conduct of the case. The officials and representatives of Thouria are to rendezvous at Patrai with those from Megalopolis. These plans are of course dependent on Patrai accepting the task of arbitration. Should they do so, the judgement is to take place within a set period of time. If Thouria wins her case, the names of all those who went to Patrai are to be inscribed on a stele in the temple of the Syrian goddess. The fact that the stele bears over a hundred names indicates that Thouria did indeed win her case. ${ }^{5}$

Valmin and others after him have dated this case to the same period as the boundary arbitration between Megalopolis, Messene and Thouria of 182, and have believed it to be connected. ${ }^{6}$ Roebuck, however, has conclusively shown that the rationale for connecting the two inscriptions
is faulty. ${ }^{7}$ The prosopographical grounds, whereby Valmin connects the Aristomenes mentioned in the earlier inscription with the Aristomenes mentioned in this one, do not hold up. ${ }^{8}$ Aristomenes in 182 seems to have acted in some kind of judicial capacity, whereas in the present case, he is an advocate of one of the disputing states, Thouria. It cannot be the same individual.

This inscription is therefore tentatively dated to around the middle of the second century. If the dispute between Thouria and Megalopolis had to do with their borders, it should predate 146. It has been pointed out that Rome's restoration of the ager Dentheliatis to Messene in 146 would have ruled out any border contact, and therefore any border conflict between Thouria and Megalopolis. ${ }^{9}$

1 For an earlier boundary arbitration involving Thouria with Messene and Megalopolis, see*128.
 $\tau \hat{\nu} \nu$ Meya入oroдıtâv.

3 Polybios 2.41 . It seems that more than one choice might have been available, given that the representatives of Thouria are said to have "preferred" Patrai. Valmin (p. 115) suggests that Megalopolis proposed two cities to Thouria's cúvסikol, who chose Patrai.

4 Cf. Levi p. 96, who points out that the Achaian League may not have
been mentioned here, simply because it was superfluous in what he believes to have been a commemorative decree. He questions the identification of this decree as a compromissum.

5 The fact that Thuria can speak of "winning", as though there was one major issue, and the fact that so many representatives and onlookers went to Patrai would tend to show that the dispute was over some matter of national importance.
$6-128$.
7 Diss. pp. 103-4 ${ }^{168}$.
$8=128,11.3,14,67$. Aristomenes appears in 1.17 in the list of cúvסikot in the present case. Other prosopographical reasons set forth by Valmin are that a number of men whose names appear in the list of cúv $\delta$ ikol appear to be the fathers of the ephebes whose names appear in a list from the end of the second century (IG V.1.1384). This would surely, however, argue a date closer to the middle, rather than the beginning, of the century for our inscription.

9
Accame p. 142; cf. Moretti. On the restoration of the ager Dentheliatis to Messene in 146/5, see Tacitus Annales 4.43 and IOlympia 52 II. 52-55 (both cited in *54). Cf., however, Guarducci's argument (challenged by Moretti) that the decree should postdate 146 on the grounds that the municipal officials are called synedroi rather than bouleutai.

## *163: Mytilene and Pitane/Pergamon

c. 150-133

Numerous fragments of a large marble stele, which fall into three sections:

I: a decree of Pitane and the beginning of a decree of Mytilene.
II: the continuation of the decree of Mytilene.

## III: a decree of Pergamon.

It is uncertain where section IV (II.158-161) fits in. The inscription was found at Pergamon. H.: c. 2.0 m. ; w.: 0.62 m . (above) -0.675 m . (below); d.: 0.215 m . (above)-0.23 m.(below). I: 61 lines; II: 29 lines; III: 65 lines; IV: 4 lines.

Fränkel IPergamon *245; Berard *35; *Dittenberger 0GIS *335; Hiller von Gaertringen IG XII supp. pp. 48-49, *142.

De Taube pp. 44-45; Heuss p. 144; 0 . Hoffmann. Die griechische Dialekte II (Göttingen 1893) p. 69, *95; Magie RRAM I.114, II.965; Meyer Grenzen pp. 106-7; Raeder *46; L. Robert BCH 49 (1925) pp. 219-21; idem BCH 101 (1977) p. 128; SEG IV.680, XXVII.807; Steinwenter pp. 177, 180, 183, 188; Tod *59, pp. 142f.; A. Wilhelm AEM 20 (1897) p. 57.

## [ni]tavaímv.

甲í ${ }^{2}$ ol кaì єưvów[c]
 $\pi \rho \in c \beta \in \cup \backslash a ̀ c ~ a ̀ m e[c]-$
 Mu[tiスnvaíou]c• Bákxıov Eưס́ńpou,
 Me[ үíctepuov] 'Attá $\lambda o v, ~ C к a ́ \mu \omega \nu[a] ~$
 $\tau \in$ á] $\nu \tau i \lambda \in \gamma 0 \mu[\epsilon ́]-$

(18) . . .] ŋ̊ yoûvta[1]

Пєрүацпиoì т[. . . (16) . . . ảy]ađá, oí тє прєсßе[vtaì toút $\omega t$

 п]óv[ouc, кaì c] пouס


 ¢ídoıc [kaì cluv[y]-
















[-- - - -]a aipoú $\mu \epsilon \theta a$ крıтàc av̉tov̀c toùc [-.....- -]

 vónevol toû êlv חutávnı]




 єîlvat kúpıa кaì]






 นі́tє veîkoc]




[-- - - émпı]


 каї кале́cal émi]
 стрatnyoúc.]

## [mutinnvaíav.]

 $y \in \nu 0 \mu \epsilon ́ v \omega$ únò $\tau \omega \hat{0}$ ठá $\mu \omega \tau \omega \bar{\omega}$


 ска́ $\mu \omega \nu$ 'Аск入ám $\omega \nu o c$,


[. . .]oic tàc прpo[- - - - - - - - - - - - - - -]

[.]v ăv $\lambda$ ábntaı c[ - . . . . . . . . . . . . . . . - ảu]-







[-..............................................

II [- . . . . . . . . . . - - $] 0[$. . . . . . - - $]$

65 [-. . . . . . . . . - - $]$ íav про̀с Пıт[avaíoıc . . . . . . - $]$


[ - . . . . . . - ] ớ

 $\tau \hat{\omega}$ év [ắ $\mu \mu \nu \nu \mu \hat{\eta} \nu \circ c$ ]
 кат' 'є́кас[тоע ско́тє $V \tau \epsilon c$ ]


















 $\pi \lambda \in[$ íctac єủvoíac] кaì $\varphi[\lambda-]$
 є́ $п р є ́ \epsilon \beta \epsilon[u c a \nu$, oí $\beta a c i ́] \lambda \in \epsilon \subset$,
 m[putavíıov] émì tàv
 tâc пó $\lambda_{\text {_Joc, Eicarń- }}$
 ék $\tau \omega ิ\rangle \nu \nu o ́ \mu \omega \nu$.

## [пєрупипишิ.]



III [- - - - - - - - - $]$ al- - - - - - - - - - - - $]$




[nc 'A]ckגппাáóov, [Mey]íctep





100 [. . . . $\grave{\epsilon} \varphi \in]$ iva



[. . . ê]xóuєvol [- - - - - - - - - - - - - - - - - $]$










 $\tau \omega \nu$ [--- - - ]












 Kaíkou пє $\delta i ́ \omega t ~ x[\omega \hat{\rho} \rho a \nu--]$


 $\tau \omega ิ \nu \Delta о с к о ́ \rho[\omega \nu-$ - - -]













 пєpì toút $\omega v$ tàc mícteic
 Фi $\lambda \in t a i ́ p o u ~ \tau[a ́ \lambda a \nu t a-\cdots$ - - ]








 катєт́є[takто, пара]схоцє́ $\nu \omega[\nu \tau \epsilon]$





 àvtıpp[ńcє














iv [------ -]кал[єс- - - - -]

[-- - toùc àp] ${ }^{\text {óósovtac } \lambda o ́[y o u c ~-~-~-] ~}$
160 [- - - - - -] споvбa[í $\omega$ с - - - -]
 Berard. || 6: tờc [ $\delta$ takpivoûv]tac: Fränkel, Berard. || 6-9: toùc








 m[a]pîko[ $\nu$ ]: Fränkel, Berard. || 21: tá tє tîc cuyyevétac סíkala]:

 Fränkel. || 28-29: toû $\hat{e}[v$ ninîv $\mu \eta \mid v o ̀ c]:$ Fränkel, Berard. || 40: [ $\tau]$ à

 стрatnyoùc tinc ảvakouiठinc or tîc maparounîc aủtêv]: Robert.


 Berard. || 56: toilccl]: Fränkel, Berard. || 60-61: [-tot]|ct: Fränkel. || 67 :
 Hiller von Gaertringen. \|I 70: $\tau \hat{\omega} \hat{\epsilon} \nu$ [ắu $\mu \nu \nu \mu \hat{\nu} v o c$ ]: Fränkel, Berard. II
 Fränkel, Berard. || 74: €̇àv: Fränkel, Berard. || 82: [' $\varphi \in \in]$ cı $\delta$ ikíav: Fränkel,


 Fränkel, Berard. $\pi \in[п р а ́ \chi о т \epsilon c ~ t \omega ̂ \nu ~ \delta є о ́ v t \omega] v: ~ F r a ̈ n k e l, ~ B e r a r d . ~[к а т ' ~$










 Hiller von Gaertringen. || 125 : ict[opn $\mu \epsilon ́ \nu \omega \nu$ ]: Fränkel, Berard. || 135-136:




 Berard. || 143: [oú $\mu$ ] $\eta$ v àvtıpp[ $\eta t \in o v$ ]: Fränkel. [-] $\eta \nu$ àvtippntéov: Berard. || 145: [-]ı $\alpha \nu \gamma \nu[-]$ : Hiller von Gaertringen. || 146: [a]út $\omega v \nu$ ảp[-]: Hiller von Gaertringen. || 148: סıкaíav кa[- - ả]покаงíctauev aủtìv к[-]: Hiller von Gaertringen. || 149: [.]tє mo $\overline{\text { ù }}$ ка $\lambda \lambda[t-]$ : Hiller von Gaertringen. ảc $\varphi \alpha[\lambda \hat{\omega} c]$ : Fränkel, Berard. || 150: [-o]úcпc $\theta \in \omega p o[v-]$ : Hiller von Gaertringen. $\quad y \in \gamma[\epsilon \nu \eta \mu \epsilon ́ v \eta \nu]$ : Berard. Il 151-156: [. .]v aủtñc ék [- - ]oıc éctплоүрá甲п[тat - -1. .] úmapxouca[- - Пıtava]íoıc,



 ảтокрцца́т $\omega \nu$ є́vєழávicav--]: Hiller von Gaertringen.

This very lengthy, if rather fragmented, inscription from Pergamon offers some insights into the procedures of international arbitration from the point of view of all concerned. The collection of documents includes decrees of the two disputants as well as a decree of the arbitrating state.

The inscription opens with a decree of the town of Pitane.' Pitane and its neighbour across the straits, Mytilene, both claimed for themselves a certain territory lying on the mainland. ${ }^{2}$ This dispute had apparently been going on for some time: ${ }^{3}$ The decree of Pitane was given in reponse to an embassy from Pergamon, an embassy which had come to Pitane in order to help to bring about an arbitration to settle the matter of
ownership of this land. It is not certain whether Pergamon took the initiative or was responding to a plea from the disputants. Although the king is apparently mentioned in this inscription, it seems to be the $\delta \boldsymbol{\eta} \mu \mathrm{\mu}$ of Pergamon which was instrumental in carrying out this task. ${ }^{4}$

The decree of Pitane, and that of Mytilene which follows it and is couched in almost exactly the same terms, form in effect the compromissum, the agreement to submit themselves voluntarily to arbitration. ${ }^{5}$ Profuse expressions of gratitude are given to the Pergamenes for their service in bringing about this initial agreement. ${ }^{6}$ They had sent the same group of five ambassadors both to Pitane and Mytilene in order to negotiate an agreement between the two. Pitane and Mytilene accepted the good offices of the Pergamene embassy, and agreed to settle their dispute by arbitration. Apparently the five ambassadors so impressed the Pitaneans and Mytileneans that they chose the same five to act as an arbitral board. ${ }^{7}$ Despite the fact that Pitane was a member of the Attalid sphere, Mytilene appears to have entertained no suspicions about the objectivity of the chosen arbitrators.

Unfortunately much of the original agreement as to the nature and procedures of the arbitration is fragmented, both in the Pitanean and

Mytilenean copies. It is clear that the judges were chosen by Pitane and Mytilene, not by Pergamon as the arbitrating state, in that they chose the embassy of five to act also as judges. The tribunal was to listen to the testimony brought forward by both parties, to examine the evidence and make its judgement. ${ }^{8}$ A written copy of the final judgement was to be provided for both parties; that judgement was to be conclusive and irrefutable. ${ }^{9}$ Some hope, as so often, was held out for a reconciliation of the two parties, rather than a formal judgement. ${ }^{10}$

It is clear both from the initial agreements between Pitane and Mytilene and from the findings of the arbitral board that the main point at issue was the question of the mainland territory. ${ }^{11}$ Nevertheless, it seems that Pitane and Mytilene may have had some other disputes which required settlement. ${ }^{12}$ The nature of these differences is not clarified; perhaps there were some private suits outstanding as well as the main public issue of national territory. ${ }^{13}$ Whatever the case, it was to be the task of the arbitrators to ensure that no hostilities or unsettled legal questions remained between Pitane and Mytilene after a period of three months had passed. ${ }^{14}$

The decree of Pergamon which follows those of Mytilene and Pitane is
also much fragmented, but does provide more information on the object of the dispute. ${ }^{15}$ The five judges state that they listened to the evidence of the advocates of both sides, and based their definition of the borders of the disputed territory on that. ${ }^{16}$

The judgement, and probably the examination of archival and historical evidence, as opposed to the tour of the land itself and the demarcation of boundary points, took place at Pergamon, the judges' nome. 17 The history of the disputed land was scrutinized, and Pitane's claim was recognized as legal and upheld. ${ }^{18}$

The philosophical issue which appears to have been under debate was whether conquest conferred right of ownership. Again the text is fragmented, but the first historical fact we can discern is that the disputed land apparently represented part of the territory conquered by Seleukos I when he defeated Lysimachos at Koroupedion in 281. It was then sold to Pitane by Seleukos's successor, Antiochos I, for a total price of 380 talents. The Pitanean advocates were able to produce documentary proof of this purchase, in which they had been aided by a contribution from Philetairos of Pergamon. 19 Pitane was also able to produce letters from Antiochos, and from Eumenes I as well, recognizing her ownership of the
land. 20

No doubt Pitane argued that Seleukos I's conquest gave the Seleukids the right to dispose of the land as they pleased, and therefore that the Pitanean purchase of it was legal. Mytilene on the other hand probably argued that the land still legally belonged to them, as it had only been taken away from them by force of arms.

The reference to the king in the Pergamene decree indicates a date prior to the end of the Pergamene monarchy in 133 and the establishment of the Roman province of Asia. ${ }^{21}$ The letter forms, however, indicate that the inscription should be dated to the later years of Attalid rule. ${ }^{22}$ A date sometime after 150 seems a reasonable conjecture.

1 11. 1-45. Pitane was on the coast of Asia Minor, across from Lesbos, and west of Elaia and the mouth of the Kaikos River.

2 To the north, towards the Gulf of Adramyttion, Pitane's borders touched on the mainland possessions of Mytilene, possessions attested in the literary sources (cf. Thucydides 4.52, 3; Strabo 13.1, 49-51). It was no doubt in this region that the territory claimed by both states was located. See Dittenberger 0GIS note 47: "Quare inter Atarnea et Attaeam a meridie, Astyrum et Adramyttium a septentrionibus, in orientali et meridionali sinus Adramytteni ora, terra litigiosa videtur sita fuisse."

Cf. Meyer p. 106-7.
3 II. 123f. Cf. the dispute between Priene and the island of Samos for mainland territory (the "Peraia"): 28, "92, $=115$.

Fränkel (pp. 151f.) believed that a fragment of an inscription from Pergamon published by LeBas/Waddington (*1720b) was to be connected to this dispute:
 *Actupa tòv áypòv kaì [--]| кaì пavookíotc cùv toîc $\left.[--]\right|^{5}$ toîc пâclv пavtaxn̂l oîc [- -]luotc yєitviácectv aủt[- -]l écxov

 ӧठє.

4 Cf. Heuss p. 144: "Die einzige Stelle, wo er, falls die Ergänzungen richtig sind, erwähnt wird, weiß nur von seiner Zustimmung zu berichten,

 єđ̉ঠóкпсเข." (121-122)

5 The decree of Mytilene: $11.46-88$. On the compromissum cf. $=162$. See Raeder p. 88, Steinwenter p. 177.

6 The Pergamenes are said to be friends and kinsmen of both states, and to have had good will towards both sides. Much is made of the kinsmen relationship: cf. II. 2, 11, 21, 23, 61.

7 11. 26f., 68f.
8 II. 29f., 71f.



1011. 32-33, 73-74. See Steinwenter p. 188: "Auch die internationalen Schiedsrichter halten es also für ihre Ehrenpflicht, zwischen den Streitenden nicht durch $\psi \tilde{\eta} \varphi \rho 0$ und крícıc, sondern durch einen Schiedsvergleich die $\varphi$ i $\lambda$ ía wieder herzustellen." Cf. *92, 1. 12 and * $150,1.10$.

11 11. 33-34, 74-75.

13 The term [c]upßó $\lambda \alpha[\alpha]$ appears (1.79).
 Steinwenter p. 183.

15 The decree of Pergamon: II. 89f. See II. 110f. for a recounting of the trial, with the judges presenting their version in the first person.

For the recounting of evidence in the copy of the final judgement, cf. = 16, =58, 92 .

16
11. 111-117. Part of the demarcation was made with respect to the borders of the state of Atarneus to the north. For other boundary demarcations where the territory of a third state is used as a kind of landmark, cf. =13: $=143$.

17 11. 121 f. See Dittenberger $\underline{0 G I S}$ note 42.


 =92, II. 101f.: of ठè Cápıol tá te [t̂̂v íct]o[pı]o[ypá $\omega \omega] \nu$ [นaptúpıa ípay]ncavto. Cf. also the arguments of the Spartans and the Messenians before Tiberius in AD 25 (see $* 54$ ).

It would have been interesting to know what historical evidence Mytilene might have brought to bear; apparently it was not as valid as Pitane's, but it is impossible to say, as the arbitral court did not feel it worthwhile to recount the evidence of the losing side. Cf. Fränkel p. 150: "Die Gründe, auf welche die Mytilenäer ihre Ansprüche stützten, waren so sadenscheinig, dass sie mit einer ganz kurzen Berührung (2. 32-34) abgespeist werden konnten, dagegen hatte der Bericht über die Ausführungen der Pitanäer den ganzen Raum von 2. 34-55 gefüllt."

21 11. 90-91: [ $\tau] 0 \hat{1} \operatorname{Bac}[\lambda \in ́ \mid \omega c]$. Cf. the suggested restorations:

 iєpé $\omega$ ]c $\vartheta \in[\hat{\omega} \nu$ Ev̀c $\epsilon \beta \hat{\omega} \nu$ - -]: Hiller von Gaertringen.
${ }^{22}$ Cf. Dittenberger $\underline{\underline{G G I S}}$, and Hiller von Gaertringen (IG XII supp. p. 49) who dates the inscription to sometime before 138: "Propter formam $Z$ ultimis Attalidarum temporibus lapidem attribuam. Larfeld Handbuch ${ }^{3}$ 271 exempla dedit annorum 150 (?). 120. 102. 95 al. Attalo II vindicat L. Robert."

## *164: Nikomedes and Prousias II/Rome 149

Diodoros 32.20; Appian Mith I.6-7; Livy Per 50. Cf. Justin 34.4; Plutarch Cato maior 9.

Hansen ${ }^{2}$ pp. 136-38; McShane p. 190; Sherwin-White p. 46; Will ${ }^{2}$ 11.384-85.




























Livy Per 50: Prusias rex Bithyniae, omnium humillimorumque vitiorum, a Nicomede filio, adiuvante Attalo rege Pergami, occisus.... cum III legati ad pacem inter Nicomeden et Prusiam faciendam ab Romanis missi essent, cum unus ex his multis cicatricibus sartum caput haberet, alter pedibus aeger esset, tertius ingenio socors haberetur, M. Cato dixit eam in legationem, nec caput nec pedes nec cor habere.

Shortly after Prousias II's war against Attalos II was brought to an end through Roman arbitration, ${ }^{1}$ Prousias found himself at war with his own son Nikomedes. At this time Attalos joined with the Bithynian prince in the effort to dethrone his father. This represented a revolt on the part of Nikomedes, and aggression on the part of Attalos. Hence it is interesting to see Prousias accused, in an inscription from Pergamon, of breaking the Roman-arranged treaty of $154 .^{2}$

At the time of that treaty, the Romans had acted to put a stop to war
between Pergamon and Bithynia. Then it had been their friend Pergamon who had been endangered. Now it was Prousias who was threatened and besieged in Nikomedeia. The senate sent a commission to put an end to the war between Nikomedes and his father, but it was evidently not a legation of the same consequence as the decemvirate sent in 154 . Three men served on the commission, a triumvirate which became more significant for the proverbial jest it elicited from Cato, than for anything positive it achieved. The sources for this war are very sketchy, but it seems clear that the Roman attempt at mediation, half-hearted as it may have been, failed. Nikomedes defeated his father in battle and put him to death before ascending the throne himself. ${ }^{3}$

1 See $=157$.
2 OGIS *327, cited in *157.
3
Diodoros 32.21 .

## - 165: The Achalan League and Sparta/Rome 150-147

Pausanias 7.12-14; Polybios 38.11, 2; Dio 21.72; Zonaras 9.31. Cf. Polybios 38.9-13; Just in 34.1-2.

$$
\text { Will }^{2} \| .390 f \text {. See the works cited in } * 112 .
$$







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 коเvoû toû 'Axatâv majà 'Pwuaíouc íסía mpecBeíav ámocté $\lambda \lambda \in เ \nu$.
































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 просхமрへ̂cal taútac ппòc tò 'Axaïкóv. (2) taûta 'Opéctou































Although we have little specific information on relations between Sparta and the Achaian League from the time of Kallikrates's return of the exiles until about 150 , it is impossible to suppose that the tensions ever dissipated completely. The dispute over the territory of Belmina in the mid-160's between Sparta and Megalopolis led to another confrontation with the League. ${ }^{1}$ Sparta was evidently still trying to claim her ancestral prerogatives. The bitterness which both Achaians and Lakedaimonians evinced at this trial is proof of continuing hostility. ${ }^{2}$

Nevertheless, we do not hear of any major disputes in these decades, and Sparta was apparently well-enough integrated into the League that a

Spartan, Menalkidas, could be elected Achaian strategos for 151/0. ${ }^{3}$ As Pausanias tells the story, it was Menalkidas's activities which again led to an outbreak of open hostilities between Sparta and Achaia, and the further involvement of Rome.

Oropos and Athens had traditionally been bad neighbours. 4 In 150 there was an Athenian garrison in Oropos, apparently on the sufferance of the Oropians, until such time as Oropos should have cause to complain. In that year they did so, because of an Athenian raid on their territory, and requested that the Athenians withdraw their garrison and return the Oropian hostages they held. The Oropians turned to the Achaian League for help, but the Achaians refused on the basis of their friendship with Athens. Oropos then turned to the Achaian strategos Menalkidas and reportedly offered him a bribe of ten talents to induce the Achaians to offer military help. Menalkidas, presemably believing that his own word might not carry enough weight, offered half the bribe money to Kallikrates. The Achaian League was persuaded to help, but the Athenians anticipated any action by raiding Oropos again and then quickly withdrawing the garrison. Menalkidas and Kallikrates tried to persuade the Achaians to invade Attika, but met with too much opposition, especially from the

Spartans. ${ }^{5}$
Despite the fact that Achaia had done nothing positive to help the Oropians, Menalkidas nevertheless extorted the bribe money from them. He then compounded his unpopularity by adding to the hatred of the Oropians that of Kallikrates when he refused to share the bribe money with him. Not only had Kallikrates been cheated of the bribe, he had alienated the Athenians to no purpose.

Accordingly, when Menalkidas left office, Kallikrates took action against him and levelled an accusation of treason, a capital charge. He claimed that Menalkidas, while on an embassy to Rome, had done everything in his power to undermine the Achaian position and separate Sparta from Achaian control. ${ }^{6}$ This may have been a false charge; Pausanias's story implies that it is an accusation concocted by the evil Kallikrates. On the other hand Kallikrates probably had reason to think that such a charge would stick. Menalkidas certainly had friends in Rome; and whatever his policies before his Achaian strategia, he was certainly a separatist afterwards. ${ }^{7}$ The fact of the embassy to Rome must have been public knowledge, and presumably it was a Spartan embassy. The sending of independent embassies was an action technically illegal in the League,
but often tolerated in the case of Sparta.
Menalkidas decided to use some of the bribe money he had refused to Kallikrates to good effect. He gave three talents of it to his successor in the strategia, Diaios, in order to have him quash the charge. This action evidently generated a certain amount of personal political discomfort for Diaios, as this is the last time we find him favouring Menalkidas. The latter, for his part, now openly pursued his separatist policy. An embassy from Sparta came to Rome, apparently during Diaios's strategia, and therefore in the winter of 150/49. Menalkidas may well have instigated and led this deputation. The purpose of this embassy was to bring up again the problem of a disputed territory. Given the fact that Belmina had been an issue within the last decades, it is probably the territory referred to here. ${ }^{8}$ The Spartans apparently sought a new adjudication on the matter, but received only a reiteration of the Roman position of three decades previously: except for capital cases, any disputes Sparta might have were subject to the jurisdiction of the Achaian League. ${ }^{9}$

It was this embassy to Rome which Diaios exploited in order to recoup his reputation in the League. Although the senate had at the time of the embassy drawn attention to their ruling that capital cases were to be
referred to $\xi \in \nu$ LKà $\delta$ IKactínpıa, Diaios nevertheless managed to represent the senate as having given the opposite response: that the Achaian League had total jurisdiction, including that over capital cases. The Achaians were eager to accept this interpretation, but the Spartans rejected it and suggested that both sides send embassies to Rome to allow the Romans to decide between them yet again. Diaios then brought up the convenient legal issue: it was illegal for member cities to send independent embassies to Rome.

Perceiving that they would either have to submit to being treated more harshly by Achaia than they had been accustomed to for several decades, or run the risk of going to war, the Spartans chose the latter course. However, as in 189, Sparta realized that she was no match for the forces of the Achaian League, and when she received word that the other member states were prepared to march against her, if Diaios ordered it, she agreed to the punishment of her anti-Achaian leaders. Twenty-four of her prominent citizens, including Menalkidas, went into exile, and were condemned to death in absentia. ${ }^{10}$

The Spartan exiles promptly made their way to Rome. The Achaians thereupon sent a counter-embassy, led by Diaios and Kallikrates; the latter
died on the way, leaving the younger nationalist, who was without Roman connections or gratitude, to espouse the Achaian cause. The senate characteristically urged no action on either side until the legates whom they were sending to settle the disputes should arrive.

However it was that the senate worded their reponse to the opposing embassies, the reactions of the embassies read like a replay of the reaction of the Spartans and Achaians to the ambiguous senatorial response of $189 / 8 .{ }^{11}$ Diaios on his return to Greece convinced the Achalans that the Romans had given them complete jurisdiction over the Spartans; whereas Menalkidas informed the Spartans that Rome had sanctioned their secession.

Sparta officially separated from the League, and the new League strategos, Damokritos (149/8), prepared to mobilize the Achaian forces against her. The Roman commander in Macedon, Metellus, attempted to intervene. He requested certain Roman envoys, on their way to deal with affairs in Asia, to delay in Greece long enough to urge both sides to wait for the arrival of the Roman arbitrators. ${ }^{12}$ Damokritos, however, had no intention of abiding by the Roman request; instead, he carried on with the invasion of Lakonia. He succeeded in defeating the Spartans in battle, but
failed to take the city itself, a dereliction of duty for which he was heavily fined at the end of his strategia. ${ }^{13}$

He was succeeded by Diaios, strategos for 148/7. Unlike his predecessor, Diaios was willing to listen to Metellus when the latter sent yet another message urging him to do nothing until the Roman arbitrators arrived. He did not engage the Spartans in battle, but he did create difficulties for them by placing Achaian garrisons in the surrounding towns. The Spartans thereupon chose Menalkidas to be their general against Diaios. Menalkidas attacked one of the towns garrisoned by the Achaians, and thereby stirred up the war again. The Spartans, apparently forgetting that they had chosen Menalkidas to prosecute a war, turned against him, and he was forced to commit suicide. ${ }^{14}$

It was at this juncture, in the late summer or early fall of 147, that the Roman arbitration commission, under L. Aurelius Orestes, finally arrived in Corinth. All along the Roman legates had been advertised as arbitrators, who would impartially judge the disputes between Sparta and Achaia. It had been on that understanding and expectation that Diaios had not waged all-out war on Sparta, but rather had contented himself with improving the military situation of Achaia vis-à-vis Sparta, should the

Roman judgement go against Achaia.
When Orestes arrived, however, and summoned representatives of all parties to meet with him in Corinth, there was no question of arbitration. If the Achaians had truly been expecting it, then the legate's pronouncement must have come as a shock. The commission made no attempt to deal with specific points in dispute. Justin $(34.1,5)$ claims that the legates had secret orders from the senate, now that Rome was victorious in Macedon, to dissolve the Achaian koinon, and their pronouncement at Corinth could certainly have given rise to that interpretation. Orestes announced that it had been decided that not only Sparta, but also Corinth, Argos, Orchomenos in Arkadia and Herakleia in Trachis should be detached from the League.

The Achaian response was hardly surprising. The magistrates left the meeting in anger and stirred up the locals against the Spartans and the Romans. All the Spartans in Corinth were arrested, even those who tried to take asylum with Orestes. This act was a direct insult to the Romans. Orestes's commission returned to Rome and complained of the Achaian action. The senate then appointed another commission under S . Julius Caesar, in order to "censure, but conciliate" the Achaians. ${ }^{15}$

The Achaians had already despatched another embassy to Rome, shortly after Orestes's departure from Greece, under Thearidas, the brother of Polybios. The intent was apparently to excuse themselves for the Achaian behaviour towards Orestes. The Rome-bound Achaian embassy encountered the Greece-bound Roman embassy of Sextus en route, and was persuaded to return to Greece and deal with matters there. ${ }^{16}$

Polybios and Pausanias both imply that the commission of Sextus might have been more prepared than Orestes to act as a truly arbitral commission, as far as specific Achaian-Spartan disputes went. However, the view that Rome was planning to reverse her policy of separating Sparta, Corinth and the rest from the League is questionable. ${ }^{17}$ Hence the choice for the Achaians was either to acquiesce in this demand, or fight Rome. The disputes between Sparta and the League, and the continued efforts to have the Romans arbitrate them had now given way to much graver issues as Rome was contemplating clipping Achaia's wings.

Kritolaos, the strategos for 147/6, was prepared to pick up the gauntlet. At a meeting with the Roman commission at Tegea, where the Spartans and Achaians were to discuss their differences, Kritolaos was obstructive. He declared that he had no authority to discuss these matters
and could not do so until the next Achaian synod, half a year away. The Romans recognized that the Achaians had no intention of going to arbitration when the Roman demands were hanging over their heads, and broke off the negotiations. Kritolaos spent the winter of 147/6 persuading the Greeks to prepare for a war with Rome, and at the spring meeting in 146, the Achaian League voted for war, "nominally against Sparta, but really against Rome". ${ }^{18}$

$$
1 \text { See }=148,=150 .
$$

2 The arbitrators, although they worked in a spirit of conciliation, were forced in the end to make a formal judgement. They could not get both sides to come to a voluntary agreement owing to the long-standing hostilities.

3 Pausanias 7.11, 7. The fact that Menalkidas, who was a friend of the Romans, was strategos may indicate dominant pro-Roman feeling in the League at this time (Piper p. $215^{56}$ ).

4
Cf. 156.
5
Pausanias 7.11.
6
Pausanias 7.12, 1-2.
7 For the view that Menalkidas had indeed headed a Spartan embassy seeking support for secession, probably in 152/1, see Walbank Comm III. 698.

8 Belmina had been detached from Sparta and given to Megalopolis by

Philopoimen in 188; it was the subject of Sparta's dispute with Megalopolis in 164/3 ( $=148$ ). Walbank suggests that Argive territory was also involved (Comm III.702).

9 See $=122$.
10 Pausanias 7.12, 6-8.
11 See $=112$.
12 As Pausanias points out (7.12, 9), the Roman arbitral commission was rather a long time coming.

13 Pausanias 7.13, 3-5.
14 Pausanias 7.13, 6-8.
15 Pausanias 7.14, 2-3; Polybios 38.9.
${ }^{16}$ Cf. Polybios 38.10, 1-3.
17 The passage in Polybios has been emended; see Walbank Comm III. 700 .

Gruen (II.521, and JHS 96) believes that the threat to detach these places from the League may have been the work of Orestes alone, and not the Roman senate; and that Caesar therefore did not reiterate the demand. This is certainly possible, and Roman legates such as Orestes did on occasion act with rather more authority than they in fact had. Nevertheless, this does appear to have been an exceedingly outrageous threat for a Roman representative to have made without official backing.



## *166: Thebes and Various States/Rome

 147Pausanias 7.14, 7.






When Kritolaos, the Achaian strategos of 147/6, determined to take a stand against Sparta and, if need be, Rome, he spent the winter of 147/6 in diplomatic missions throughout the cities of the League seeking support for the war. ' One of the supporters he found outside the League was Pytheas, the Theban commander. ${ }^{2}$ The Thebans under Pytheas were eager to give their aid to the Achaians in the upcoming conflict, and were quite possibly the only Boiotians to do so. ${ }^{3}$

Pausanias cites the reasons why the Thebans were so eager to join in on the Achaian side. Feelings in the city were apparently anti-Roman at the time as the result of a recent arbitration carried out by the Roman commander in Macedon, Q. Caecilius Metellus. In each of three instances, Metellus had ruled against the Thebans.

All three suits involving Thebes had to do with Theban territorial
aggressions. The Thebans had apparently invaded Phokis; they had also ravaged Euboian territory; and had destroyed the harvest at Amphissa. These aggressions were all submitted to the arbitration of Metellus, at some point prior to the Theban decision to join Achaia in early 146, but doubtless after Metellus had accomplished his work in Macedon, perhaps as late as spring $147 .{ }^{4}$

The incidents do not appear to have been serious enough to have captured the attention of the contemporary chronicler Polybios. They scarcely seem important enough for Metellus to have interested himself in them, even if he did hold a "watching brief" for affairs in Greece. ${ }^{5}$ Intervention by Metellus in Greece seems to have been restricted to more serious matters, such as the dispute between Sparta and Achaia. ${ }^{6}$ Nevertheless, it is possible that Metellus's attention may have been drawn to the aggressive and troublesome, and perhaps pro-Achaian activities of Thebes. He may have decided that Thebes needed taking down, and chose this method to do it.

Metellus, however, had no official standing within Greece itself. He was the Roman commander in Macedon, and hence the nearest representative of Rome in the Balkans. But he had no status whereby he
could summarily judge Greek disputes and enforce his decision. Thebes and the others must have turned to him voluntarily. He may have offered his services initially; what is more likely is that representatives from Phokis, Euboia and Amphissa approached him first, and Thebes followed to defend herself soon after. Given the penchant the Greek states had for submitting their disputes to the nearest prestigious individual, this seems to be the most reasonable scenario. ${ }^{7}$

1 Polybios 38.11.
2 See Walbank Comm III.708-9.
3 E.S. Gruen JHS 96 (1976) p. 68.
4 See M.G. Morgan Historia 18 (1969) pp. 422-46 for the argument that he may have been campaigning into the spring of 147.

5
Morgan p. 433.
6 165.

7
Cf. $88, * 114, * 115, * 168$.

## * 167: Messene and Sparta/Rome 146/5

I: Tacitus Annales 4.43, 3.
II: IOlympia *52, II. 52-55 and 63-66.

See $=54$ for further bibliographical information.

## I:

Tacitus Annales 4.43, 3: Idem regis Antigoni, idem imperatoris Mummii iudicium; sic Milesios permisso publice arbitrio, postremo Atidium Geminum praetorem Achaiae decrevisse.

II:

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As with many other centuries-long disputes between neighbouring Greek states, the issue of the ager Dentheliates was finally submitted to Roman judgement. As Philip II had ruled on the matter in 338/7 after the battle of Chaironeia, so Lucius Mummius handed down his decision on it in 146 after the destruction of Corinth. ${ }^{1}$

Sparta and Messene had long disputed the ownership of this region. Mummius, as the conquerors Philip and Antigonos before him had done, awarded the land to Messene. Strictly speaking, his judgement was not an arbitration as such, but rather part of his settlement of Greece after the defeat of the Achaian League. ${ }^{2}$ His action is recorded by Tacitus in a list
of arbitrations on the matter, but it is not referred to as such in the Olympia inscription, which is dated to only a few years later. ${ }^{3}$

The basis of Mummius's decision was probably the same as that laid down as a general rule by the Roman senate in their request to the Milesians to form an arbitral court to decide the issue less than ten years later. ${ }^{4}$ The criterion for ownership of the land was to be the status of the disputants at the time when Mummius conquered Greece; whoever owned the land at that time was to be the lawful owner. ${ }^{5}$ In other words, the question of ownership was to be related to Roman politics rather than to the legal-historical background of the land.

It is clear that for whatever reasons Mummius's decision could be challenged. Perhaps in the confusion reigning after the fall of Corinth, doubts could be raised about who had been in actual possession of the land. Sparta may have made a move to occupy the territory, and tried to use this occupation as grounds for an appeal made only a few years later. ${ }^{6}$

1 Cf. Piccirilli *61 for the decision of Philip, and $=54$ for the decision of Antigonos Doson in this dispute.

2 Cf. the comments made by Tod *1; Raeder*28.
3 On the other hand, it should be pointed out that Mummius's name
appears in a context in the Olympia inscription which is not concerned to determine in detail Mummius's own actions with respect to the Sparta-Messene affair.

## 4 LOlympia *52

5 Cf. the criteria set out by the SC in the case involving Narthakion and Melitaia ( $=38$ ).

6 Cf. Dittenberger/Purgold IOlympia p. 107.

## * 168: Argos and Kleonai/Mummius 145

A limestone fragment found at Nemea. H.: $0.27 \mathrm{~m} . ;$ w.: $0.26 \mathrm{~m} . ;$ d.: 0.13 m. 18 lines.
*D.W. Bradeen Historia 35 (1966) pp. 326-29, *7.
[- - - - . . . . . . . . . . . $] a[] a. c \Delta a[-$ - . . . . - - $]$
[- - - - . . . . . . .]cтокра́тт $\Delta a \mu[$ - . . . . . . . . - $]$

[- . . . - - ]локра́тєос ’ікєтîvov ’ıкє[ . . . . . . . . . - $]$







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 15: [ảy] $\omega \nu$ a cte[ $\varphi a v i ́ t \eta \nu]$.

Although only a fragment of this inscription remains, it is clear that the context is that of the organization of Greece by Mummius and the decemvirate after the Roman victory in $146 .{ }^{1}$ Mummius in 145 was proconsul (ảvavinatoc) in Greece. At that time he and the other Romans undoubtedly carried out a number of arbitrations for which we have no remaining evidence. ${ }^{2}$ In this case, the dispute was an old one: that of Argos and Kleonai over the Nemean Games. ${ }^{3}$

What Mummius's solution was is unknown. Bradeen suggests that the details of the settlement may have been left up to local arbitration. ${ }^{4}$ This might be in keeping with typical Roman policy, of not bothering themselves with the details of arbitration. Thus, when the Roman decemvirate went to Asia in 188 they took care of some problems themselves, but left others to the arbitration of other Greek states. ${ }^{5}$ The same holds true of the Roman settlement of Greece in $196 .{ }^{6}$

1 Polybios 39.3, 9f. For other cases of arbitration concurrent with Roman settlements following on a war, cf. *88, *114. Although this case is, strictly speaking, beyond the terminus of 146, it is nevertheless related to the events of that year and hence is included.

2 He does appear to have handed down a decision in the long-standing Messene-Sparta dispute (* 167 ).

3 see $=48$.
4 1. $9,[\delta \iota a]$ ctíceıc. This could also easily be a reference to past (unsatisfactory) arbitrations.

5 Polybios 21.45, 1. See $=114$.
6 *88. It seems that the arbitration between Melitaia and Narthakion ( $=95$ ) was carried out by the newly liberated Thessalians, not by Flamininus.

In examining the various cases of arbitration in the Greek world, not only from the Hellenistic period, but also from Archaic and Classical times, it is clear that the submission of a dispute to the arbitrating power of a third party was a frequent expedient in international relations. This was by no means a phenomenon restricted to the great powers of the day. Indeed, it seems to be typical of international arbitration, in the ancient as in the modern world, that it is often the smaller states which would be the most likely to appeal to the process. In the eyes of a powerful state, submission to a binding judicial process could represent a restriction of goals which might otherwise easily be achieved by military action. A less significant power, however, might well be incapable of pursuing its own interests through military means, and hence would have nothing to lose and perhaps everything to gain by an appeal to arbitration. The institution of arbitration might be the only protection smaller states could have in their dealings with greater powers.

The nature of the disputes submitted to arbitration in the ancient world was wide ranging. The issues involved in international disputes in antiquity frequently bear a resemblance to issues before international courts in the modern world. Most often the problem to be resolved is a
matter of boundaries. Other matters might arise, however: disputes involving the national pride of the parties, ${ }^{1}$ questions of debt, ${ }^{2}$ or problems relating to the conclusion of treaties. ${ }^{3}$

One of the more interesting subjects of dispute between the ancient Greek states was the question of religious jurisdiction. ${ }^{4}$ Several documents survive which indicate that disputes of this nature were not infrequently submitted to international arbitration. Most commonly, the question consisted of the control of a particular shrine or sanctuary, and the prestige and profits therefrom. Hence, we find that land or boundary disagreements often spring from rival claims to a temple situated in the disputed territory. It may be that the claims of the Boiotian states of Lebadeia and Koroneia to a particular tract of unappealing land were to be linked to the fact that a sanctuary of Zeus was situated there; ${ }^{5}$ and the peoples of Angeiai and Ktimenai in Thessaly may have been rivals for the jurisdiction of a local cult of Omphale, located between the two states. ${ }^{6}$ Delphi, of course, throughout the Hellenistic period and later, was concerned to maintain control of the holy precincts in her neighbourhood. Her consistent resorts to the device of arbitration were aimed at reducing the encroachments of her neighbours, particularly Amphissa, not only on

Delphi's own public land, but also on the sacred land. ${ }^{7}$ Land disputes, then, could, and often did arise from rivalry over a sanctuary. ${ }^{8}$

We find cases which reflect other issues of religious jurisdiction as well. In one instance, the dispute was apparently not over the ownership of a sanctuary, but rather over the direction of a priestly college. The cult in this case was apparently a federal cult, embracing all members of the Ionian League. Hence the ownership of the shrine would not be in question; what was open to dispute was the question of which state would be granted the prestigious honour of controlling the priesthood. ${ }^{9}$

A further religious issue which might be submitted to international arbitration involves the sacred Amphiktionic League. The issue here is one of representation in the League, the coveted hieromnemonic vote. ${ }^{10}$ Naturally, not each and every Greek polis could contribute a representative to the hieromnemones, and as the hieromnemonic council was constituted according to the ethnic groupings of the Greeks, rivalries tended to arise within these ethnic groups. Among the Epiknemidian Lokrians, we find the two towns of Thronion and Skarphai contending for the honour of appointing the Lokrian hieromnemonic delegate. ${ }^{11}$ In similar fashion, Lamia settled the question of Dorian representation to the Amphiktiony
which arose between Sparta and the Dorians of central Greece. ${ }^{12}$
Transgression of inter-state financial agreements naturally provided opportunities for arbitration. Default on a debt could result in an appeal to arbitration or to force, depending on the circumstances and the predisposition of the injured party. In the mid-second century Ariarathes $V$ of Kappadokia tried to extort a sum of money from the Prienians. ${ }^{13}$ Ariarathes considered the money to be his as the lawful king: Priene chose to consider it the personal, rather than the public, funds of the King's half-brother Orophernes. Ariarathes tried to deal with what he perceived as Prienian default by force, although the Prienians tried to have the issue settled by arbitration.

A more peaceful, although perhaps no more successful, attempt at settling a problem of default by arbitration was carried out by unknown arbitrators between Sparta and the Achaian League. ${ }^{14}$ Sparta had been fined in a previous arbitration, and had apparently refused to pay the debt. This arbitration was over the issue of her refusal to pay.

Issues of debt were naturally taken seriously. We have an example of arbitration involving an international debt which had escalated from a private to a public matter. A sum of money had been loaned by two
individuals of Kos to the state of Kalymnos. When repayment of the loan was demanded, the Koan state took up the cause of the private creditors and the entire matter was turned over to the arbitration of Knidos. ${ }^{15}$

The question of the absolute and objective existence of something called "international law" has always engendered discussion and controversy. Nevertheless there has always existed a general, if rather imprecise, consensus about what constitutes right or "just" treatment of one state by another. Certainly there has been a sense, however subjective it might be on the part of the injured party, of what constitutes a breach of international justice. In the ancient world, actions which did constitute such a breach might, of course, lead to war. But like any issue which could find a solution in war they were also capable of submission to arbitration. Hence we find the perpetrators of hostile acts or international "crimes" could be indicted before a tribunal.

One practice, for example, which might be considered "illegal" or criminal by the state which suffered, but which was considered perfectly legitimate by the perpetrator, was that of ṕvcia. ${ }^{16}$ The raids and seizure of goods which constituted this practice were a matter for complaint on the part of the victimized state. Arbitration was a way of settling
problems related to the practice of granting púcta, a method which was a substitute for full-scale hostilities. Thus, Troizen and one of her neighbours submitted their differences, including the question of restoration of goods seized under this practice, to the settlement of Athens. ${ }^{17}$ The right of reprisals may have been perceived to be justifiable on the part of the state which granted it, as the only means of recovery of debt. On the other hand, the granting of this right could be perceived by the injured party as a deliberately hostile and politically motivated action. This is clear from the fact that the practice of púcia could raise previously private disagreements and hostilities to national proportions. When the Achaian League granted pócıa to its citizens against Boiotia in 187/6, the hostilities took a national character and Megara was required to step in. ${ }^{18}$

Nevertheless, while the granting of pucıa was undoubtedly a hostile act between nations, it remained, theoretically at least, on the level of private individuals. As such it was representative of aggravated relations between states, but was still easily capable of solution through arbitration. Less easily dealt with was the outright act of aggression on the part of one state against another. When Aratos, at the head of the
forces of the Achaian League, invaded Argos in peacetime, the Argive tyrant demanded due judicial process. ${ }^{19}$ His position was vindicated by the tribunal, but it is infrequently that we find a victim of armed aggression actually bringing a successful suit against the aggressor in an international court, for the commission of a "crime". 20

Naturally, the more frequent result of armed aggression was the declaration of war, and it is often in the settlement of a state of war that we see the intervention of a third party. In this case, it is often difficult or impossible to separate arbitration from mediation. Frequently we have in our sources only the briefest of references to a third-party solution to a state of war, references which might indicate anything from mere friendly (or not so friendly) pressure to negotiate to a full-fledged judicial board prepared to correct all grievances. ${ }^{21}$ A reasonable scenario, of course, is that a mediating individual or state which took the initiative in order to put an end to hostilities might, if successful, go on to arbitrate the differences and negotiate a treaty between the warring states. ${ }^{22}$ Certainly Knidos was responsible for arbitrating the complaints outstanding from a war between Temnos and Klazomenai, and for establishing a treaty between them which made provision for the
settlement of future disputes. ${ }^{23}$
By far the greatest number of disputes submitted to international arbitration by the ancient Greeks consisted of quarrels over a contested piece of territory. ${ }^{24}$ This is perhaps not surprising, given the relative lack of fertile land in Greece and the fiercely independent nature of even the smallest of Greek communities. And naturally it was the fertile land which was most hotly contested, to the extent that arbitrators occasionally found it necessary to award "joint custody", and grant the proceeds from the contested territory to be shared by the two parties. When the Aitolian League negotiated the isopolity between Messene and Phigaleia, it was set out in the treaty that the two states were to have the joint use of a contested piece of territory. ${ }^{25}$ This is a solution which was often resorted to. ${ }^{26}$ To a certain extent it may have relieved the arbitrator of the necessity of making an unpopular judgement, but it was probably also a realistic reflection both of the limited quantity of decent land with sufficient irrigation and also of the frequently doubtful or unprovable nature of the contestants' claims.

Disputes over the possession of a certain piece of territory could arise for reasons other than those motivated by the fertility of the land in
question. As mentioned previously, many cases of arbitration resulted from rivalry over a piece of land which contained a religious sanctuary. ${ }^{27}$ Territorial redistribution might also resolve a question of access to transportation routes, ${ }^{\mathbf{2 8}}$ or decide a dispute over the ownership of land of strategic military value. 29 The proceeds of the region, and the rights to them might also be the subject of arbitration. ${ }^{30}$ Generally the land in question would be a tract bordering on the two disputant states. Occasionally, however, it was a discrete parcel, such as an island. ${ }^{31}$

Appeals to arbitration to redraw or define boundaries were naturally sovereignty issues. Sparta's continued refusal to recognize Messene's claim to the territory of the temple of Artemis Limnatis was clearly connected to Sparta's hostile attitudes towards the existence of Messene as an independent state. ${ }^{32}$ When Philip II first took the land away from Sparta in 338, Sparta considered it an attack on her national honour and continued for centuries to perceive it as such and attempt to right the wrong. Sparta's efforts, however, to reassert her sovereignty over the state she had so long controlled were largely unavailing. This was not the case with the Thessalian community of Melitaia. Judging from the numerous inscriptions dealing with territorial arbitrations involving

Melitaia, this small state successfully exploited the practice of arbitration several times in order to extend her own sovereignty. ${ }^{33}$ And just as a disputant might exploit the practice of arbitration to the disputant's own advantage, so might an arbitrator indulge in political manipulation. Philip II's land arbitrations involving Sparta in 338/7 were probably far from disinterested. ${ }^{34}$

One realm of international diplomatic relations which not infrequently made use of the mechanisms of arbitration was the institution of synoikism, sympolity, or isopolity. Arbitration could be employed in the original institution of the agreement. Thus Antigonos I may have acted as an arbitrator between Teos and Lebedos in their attempted synoikism at the end of the fourth century, and the ambassadors of the Aitolian League certainly arbitrated between Messene and Phigaleia around the year 240 in order to establish a harmonious isopolity. ${ }^{35}$

Often in these interstate agreements which established close relations we find that provision is made for the settlement of future disputes. Any potential disagreements between Teos and Lebedos were to be settled by a designated third party, either the state of Mytilene, or Antigonos himself. ${ }^{36}$ The Cretan cities of Hierapytna and Priansos, in
forming isopolitical ties with one another, ensured that future disputes would go to the Cretan kolvodíkıov. ${ }^{37}$ Similarly, the small communities of Myania and Hypnia near Delphi, in creating their sympolity around 190 B.C., added an arbitration clause to their agreement, as did the more important states of Miletos and Herakleia in Asia Minor. ${ }^{38}$

Naturally the procedure of attaching an arbitration clause to a treaty was not restricted to sympolitical and isopolitical agreements. As time went on, it became ever more customary to provide for futurè arbitration of political disputes by attaching an obligatory arbitration clause not only to isopolitical or similar agreements but also to other international agreements, such as an alliance or peace treaty. 39

In some cases the obligatory arbitration agreement appears to be meant to apply to any and all future disputes between the states. Thus when Temnos and Klazomenai resolved their differences following a war they agreed to submit all future disputes between them to arbitration. 40 In other instances, it is a specific issue which is to go to arbitral settlement. When the Aitolian and Akarnian Leagues formed an alliance, there was an outstanding boundary issue which had yet to be settled; if the two communities involved could not reach an agreement between
themselves, they were to be obliged to turn to an arbitrator. ${ }^{41}$ In the case of Antigonos Doson's agreements with the Cretan cities of Hierapytna and Eleutherna, arbitration was envisioned in the case of a potential transgression of the specific requirements of military aid. 42 Possible contravention of the treaty itself was another issue which might have to be submitted to arbitration. ${ }^{43}$

In some cases it simply appears as though a vague and general promise was made to turn to arbitration should it be required. Details were left to be worked out at that time if arbitration proved to be necessary. This vague promise to settle any future disputes by arbitration generally consisted of a brief and imprecise clause inserted into a peace treaty, a clause without any specific provisions. That such an approach could end in failure is made clear by the failure of Sparta and Athens to arbitrate prior to the Peloponnesian War. Other treaties which were provided with an obligatory arbitration clause took more care to specify the procedure. For example, it is specified in the treaty between Miletos and Herakleia that the arbitrator to be chosen will be a free and democratic city. 44 In the case of the synoikism between Teos and Lebedos, the arbitrating state is specified by name. 45 When Temnos and

Klazomenai drew up their treaty, they appended to it an extremely detailed catalogue of procedures to be followed in the event of future arbitration. ${ }^{46}$ Attempts were also made to ensure that both parties would adhere to the provisions of an arbitration treaty. The arbitration treaty between Sardis and Ephesos from the first century BC specifically provided for a judgement in favour of the party which appeared, in case one party should default. 47

In the absence of a treaty providing for arbitration of inter-state quarrels, two states divided on a particular issue could still agree on an ad hoc basis to refer their problem to a third party. Indeed, "compromisary" arbitration was perhaps more likely to be successful than obligatory arbitration. In the latter case, the balance of politics and power had shifted as often as not since the time of the drawing up of the treaty containing the original obligatory clause. It might be that one or both parties would no longer feel any need or desire to resort to arbitration. 48

In the case of compromisary arbitration, the first steps would be to open communication between the disputing states, particularly if such communication had been interrupted by a state of war. It was necessary
for one or both sides to send embassies in order to bring about some form of initial agreement to go to arbitration. One party might formally invite or challenge the other to submit to arbitration. The city of Hermione invited the Epidaurians to go to arbitration in order to settle a dispute which the two cities had over a piece of territory. The people of Larisa challenged those of Pteleion to submit their differences to the decision of the Roman Senate. 49 Such a challenge, although initiated by one side alone, did not necessarily imply coercion or an obligation for the other party to submit to arbitration. Naturally, an agreement to the invitation was necessary in order for the affair to proceed any further. Many attempts at arbitration did indeed break down at this stage through the refusal of the challenged party. 50

More frequently, the representatives of both states would reach an agreement together to go to arbitration as a result of their preliminary negotiation. ${ }^{51}$ Thus, Halos and Phthiotic Thebes reached an initial agreement with each other to submit their territorial dispute to a third party. 52 Occasionally preliminary negotiations appear to have succeeded in settling many or most questions, leaving only certain insoluble matters to be dealt with by a third party. Thus it seems that when Troizen and a
neighbour, perhaps Hermione, asked Athens to arbitrate between them, Athens's task may well have consisted only of judging disputes which Troizen and its neighbour had been unable to settle in the agreement worked out between themselves. ${ }^{53}$

Generally the representatives of both states would try to succeed in drawing up a preliminary agreement, the compromissum, which would lay down guidelines for the arbitration. Various problems would have to be thrashed out at this stage prior to submitting the dispute to the arbitrator. Arbitration was generally agreed to be binding; 54 it was therefore necessary that it be settled, before going to arbitration, that the procedure and powers of the arbitrating body be agreeable to both parties. This was the function of the compromissum. It could delineate such matters as the identity of the arbitrating state (or even the individual), the nature of the subject under dispute, the procedure to be followed in settling it, and the limits on the power of the arbitrator.

A few of the extant documents dealing with international arbitration appear to record the compromissum, the preliminary agreement, rather than the final judgement. ${ }^{55}$ Naturally it was to everyone's advantage that the compromissum be made public. This would reduce the chances of a
potential disagreement over whether the procedure had not conformed to the agreement, or whether the arbitrator had overstepped his authority. It might also act as a signed statement from both parties, to the effect that they had agreed to arbitration and were therefore obliged to abide by the findings of the court.

One of the issues which would be set down in the compromissum was the subject of the dispute, whether it was a contest over a tract of land, a complaint over ṕúcta, or a problem of debt. The states who resorted to arbitration were in effect surrendering their sovereignty temporarily to the arbitrator. They were therefore careful about delineating exactly what the subject of the dispute was, as a way of delimiting the power of the arbitrator.

The identity of the arbitrator was one of the most important things specified in the preliminary agreement, and no doubt frequently the result of much delicate negotiation. Both sides would have to find the choice amenable, and would have to be well assured of the third state's neutrality. In one unusual instance, the preliminary agreement specified not only the arbitrating state, but also the individual to be chosen. ${ }^{56}$ The more common procedure was for the two states to agree on the arbitrating
state, and then leave the choice of the arbitrating individual or committee up to that state. 57

Procedural details might also be fixed by the compromissum before the actual trial would take place. Certain general rules reappear throughout the history of the institution of arbitration, but in the absence. of any supranational laws which would give fixed and specific guidelines to which all arbitrators would always have to adhere, procedural guidelines had to be established anew every time. Thus when Boumelita and Halai came to submit their land disputes to Thebes, they found it necessary to agree upon certain rules first. ${ }^{58}$ In particular, this document shows the specifications which might be made with respect to the duties and responsibilities of the various officials involved. The procedure to be followed is detailed with great care, down to the composition of the oaths which the judges, the advocates and the Sikactaywyoí are to swear.

A typical guideline set down in the compromissum had to do with the time within which the arbitration might take place. The preliminary agreement, and the abeyance of hostilities or legal action, could only be in effect for a limited time. Within that time the arbitral tribunal had to be convoked and a settlement made, or, presumably, the compromissum would
be invalidated and a fresh set of negotiations would have to be undertaken. In the case of Halos and Thebes, a specified time limit was set, although, owing to the wording of the specification, we cannot tell exactly what the time limit was, except that it was less than a year. ${ }^{59}$ When the Thourians and Megalopolitans resorted to the arbitration of Patrai, they not only set a time limit, they set a specific date. ${ }^{60}$

The outcome of the arbitral decision might also be regulated by a preliminary agreement. Most decisions to go to arbitration carried with them the promise to abide by the arbitrator's judgement, the clause which ensured the validity of the settlement. ${ }^{61}$ Both sides might agree to make provision for a fine should either side default or refuse to abide by the arbitral decision. Thus when Halos and Thebes composed their compromissum they agreed that whoever should fail to accept Makon's decision was liable to pay a fine of five silver talents. 62 In addition, a compromissum would generally provide for the publication of the judgement, often in an international sanctuary. ${ }^{63}$

The first step in arbitral procedure, once an arbitration treaty was invoked, or a compromissum reached, was for the parties concerned to invite the designated third state to perform the arbitration. ${ }^{64}$

Occasionally, we find that the third party which was to act as arbitrator itself apparently took the initial step which would lead to the judicial process. Thus when Pitane and Mytilene agreed with one another to ask Pergamon to arbitrate their differences, they were acting in response to an embassy from the Pergamenes themselves which suggested that Pitane and Mytilene consider arbitration. ${ }^{65}$ In the Hellenistic Age the initiation of arbitration by the third party appears to have become more and more frequent, as the Hellenistic dynasts, and later Rome, extended their influence and control over the city-states. Invitations to arbitration from these great powers generally took on the air of a command, and hence this first step in the judicial procedure in these cases came to resemble dictation rather than true arbitration. 66

The more common procedure in arbitration, however, was for the disputing parties to make the request, and invite the third state to perform the arbitration. Thus the two states who desired an arbitration would send embassies to request the services of the third state. ${ }^{67}$ Usually this was the result of the preliminary agreement between the states, and the decision had been taken with the consent of both parties. Occasionally, however, it was clear that one party might anticipate the
other in the dispatch of an embassy, and the second state would then be forced to send its own embassy hurriedly, in order to try to forestall that of the first. Kotys of Thrace sent an embassy to Rome shortly after 167 to lay a request before the senate for a tract of land belonging to the state of Abdera. Abdera was then naturally obliged to send its own ambassadors to defend its case before the senate. 68

In certain cases the choice of the arbitrating state was dictated by
 to which the participants in a treaty would turn if problems should arise between them. 69 When Antigonos I oversaw the synoikism between Teos

 portions of the inscriptions) was to adjudicate any transgressions of a treaty between Antigonos III and Eleutherna and a similar one between the same king and Hierapytna. ${ }^{71}$

If the power which was to arbitrate was not predetermined by treaty, then other factors would determine the choice of the arbitrating state. Neutrality, good will and the guarantee of an objective judgement were obviously matters of concern. ${ }^{72}$ it might be stipulated that the
arbitrating state be one which would be ideologically in sympathy with the states requesting arbitration. Thus the two disputants might agree to submit their differences to a "free and democatic" state. ${ }^{73}$ In order to ensure that a tribunal be truly objective, and remain unswayed by considerations of national interest, sometimes several different states would be invited to constitute the court. ${ }^{74}$

One of the most important factors in choosing an arbitrator was the prestige of the state or individual who was invited to judge. The more prestigious the arbitrator, the greater authority his judgement might appear to have. Thus the great dynasts of the Hellenistic Age often were invited to act as arbitrator. ${ }^{75}$ of course in the age when Rome was expanding her eastern interests, as the Greeks came to recognize her increased prestige and influence in the Mediterranean, the senate was frequently petitioned by requests for arbitration. ${ }^{76}$ of the independent Greek republics, it was Rhodes which was the favourite choice as arbitrator. Indeed, Rhodes appears to have built up quite a reputation for herself in the field of mediation and arbitration in the course of the latter half of the third century. ${ }^{77}$ Rhodes at this time was one of the more powerful independent Greek states, and would of course have increased her
prestige all the more through a series of successful arbitrations.
Once the request had been made for arbitration, the state which was invited to perform this service rarely refused. It was usually the province of the arbitrating state to choose those individuals who would actually carry out the judicial procedure. ${ }^{78}$ Generally the rationale for choosing the tribunal ${ }^{79}$ was the result of one of two differing ideological approaches. The choice might be made on the basis of the democratic ideology that fairness and equity were to be found by soliciting the opinion of a broad cross-section of the general population. Thus a state might designate a number of its citizens, chosen by lot, to form a court which might be several hundred in number. ${ }^{80}$ A further advantage to a large number is that bribery is more difficult. In this case, it would not be unusual for the trial to take place in the arbitrating state, as the trouble and expense of transporting such a large number of people would be overwhelming.

The other approach embodied the rationale of expertise rather than equity. In these cases we find a smaller tribunal, which is more likely to be elected or appointed than chosen by lot. 81 The individuals might be chosen for general aristocratic reasons ${ }^{82}$ or because they had actual
diplomatic or specific arbitral experience. ${ }^{83}$ The smaller commission would naturally be more conducive to an arbitration taking place in the disputing cities, and in the case of a land dispute, it was much easier to display the territory to a small number of people. 84 The need for examination by autopsy might therefore be a decisive factor in the size of the tribunal. Of course the most exclusive, if not autocratic, tribunal was that which consisted of only one man. 85

As was typical not only of tribunals formed to carry out international arbitration, the court generally consisted of an odd number of individuals, in order to obviate any possibility of an evenly split decision. Occasionally, though, we do find a court which consists of an even number of judges. 86 Although the evidence is scanty, it is not unlikely that one individual might be chosen to act as president of the tribunal. ${ }^{87}$

Once the third party which had been invited to arbitrate accepted the responsibility and delegated the authority to a tribunal, the venue of the trial was the next concern. The judgement would sometimes take place in the arbitrating state itself. Certainly in the case of the Hellenistic dynasts who would pass judgement, it was unlikely that the monarch himself would visit the states in dispute, although he might dispatch a
representative to take over the case. 88 Philip $V$ appointed deputies to settle the details of a territorial contest between Heraklion and Gonnoi; but when Lysimachos arbitrated between Samos and Priene, embassies from both states apparently contested their claims at Lysimachos's court. ${ }^{89}$ The general pattern of Roman arbitration was twofold: the senate would often listen to claims and counter-claims put before it in Rome, and then either dispatch legates to investigate the matter in detail on the spot, or else delegate an independent state to give judgement, usually after laying down a general rule about procedure. ${ }^{90}$

Rome and the Hellenistic dynasts, who might be expected to stand on their prestige, were not the only arbitrators to hear cases in their home state. The tribunals which consisted of several hundred individuals were likely to hear the case in their own state rather than incurring the trouble and expense of going abroad. ${ }^{91}$ When the $\delta$ ñuoc is said to have voted in an arbitration it is virtually certain that the vote took place in the arbitrating state. That in some instances "long-distance" judging was thought to be unsatisfactory can be seen from one or two cases. When Smyrna handed down a decision on a boundary dispute between Priene and Miletos, it did so by a collective vote of the people of Smyrna as a whole.

There was apparently no first-hand investigation of the site, and the evidence we have suggests that a further boundary commission may have been required to settle outstanding problems. ${ }^{92}$ When Megara arbitrated a conflict between Corinth and Epidauros, the large court of 151 judges was apparently able to carry out only the briefest of on-site inspections. Corinth was dissatisfied with the results and Megara had to send a smaller commission of 31 men to carry out a more detailed boundary delineation. ${ }^{93}$

The latter instance, that of Megara's decision between Corinth and Epidauros, displays a not uncommon pattern in terms of the choice of venue for the trial. In cases of boundary arbitration, by far the largest group of arbitrations, the judges would usually see over the land and visit the states in question, but the final judgement might be given elsewhere. When Pergamon arbitrated between Pitane and Mytilene, the judges visited the land in question and then gave judgement at home in Pergamon. ${ }^{94}$ in the case of the Rhodian arbitration between Samos and Priene, evidence was heard in numerous venues: at Rhodes, on the contested territory itself, and finally at Ephesos. ${ }^{95}$

As boundary arbitrations constitute the greatest number of cases, we
find that no matter where the final decision may have been given, the trial would generally have necessitated some travelling at some stage. The tribunal might and usually did act as a boundary commission. In other words, the judges might be asked to make not only a legal decision but also a topographic one. In certain instances of course the topographic decision would be minimal or non-existent. When Argos decided a territorial conflict between Melos and Kimolos, it was merely a matter of coming to a legal decision about who had the right to three small islands in dispute. 96 Usually, however, the tribunal would also have to make a decision in detail about the line the border between the two states was to take. 97 This naturally enough entailed a visit to the land in question. Since autopsy was often required, it is not surprising to find that geographical proximity might also be a factor in the choice of arbitrator. 98

Hence once the arbitrating state had agreed to perform the task, and it had been established that autopsy of the contested land was required, it was then the duty of the states which had requested the arbitration to arrange for the conveyance, escort and accommodation of the tribunal, in order for them to carry out their survey of the land. ${ }^{99}$ The safe escort of
the judges was the responsibility of the state or states which had requested their presence. Thus the Delphians took great care that the security of the Rhodian judges whom they had invited should be guaranteed. ${ }^{100}$

Safe escort of the judges was often the province of officials known
 escort the judges from their home state to the venue of the tribunal, to provide for their accommodation and comfort, and to see them safely home again. But they might also have a further responsibility, to ensure that not only would the judges be safe when they arrived at their destination, but also that they would be uncorrupted by bribes. The $\delta$ ikactaywyoí sent to escort the judges of Thebes who were to arbitrate between Halai and Boumelita were to swear an oath that they had carried out their duties correctly, and that they had neither bribed the judges themselves nor allowed anyone else the opportunity to do so. 102

In boundary arbitration, the survey of the disputed territory might also take place either before or after the hearing of evidence. In the interest of objectivity, the judges would generally be escorted over the land by the advocates of both sides. There might be one joint survey, or
two separate surveys to allow the judges to listen to the arguments of each side separately. ${ }^{103}$

Occasionally there appears to be an exception to the rule that both disputants should have a chance to escort the judges over the territory. When judges from Kassandreia came to Thessaly to give judgement on a border dispute between Peumata on the one had and Pereia and Phylladon on the other, it appears as though Peumatan representatives may not have been present at the boundary survey. ${ }^{104}$

Outside of the survey of the disputed land in cases of territorial dispute, which allowed the advocates of the disputing states to argue their case on the spot and also no doubt made the judges' task easier when it came to draw the boundaries, arbitral trials conformed to fairly standard legal procedures. The court, wherever it was convened, would listen to the arguments of both sides. Both disputants in the case would employ advocates to plead their cause before the tribunal. ${ }^{105}$ Several of the documents which provide evidence for arbitral cases consist of decrees of gratitude for these advocates. ${ }^{106}$ The Delphians promulgated a decree of formal thanks for the Athenian Apollodoros, who acted as an advocate for Delphi in their dispute with Amphissa. 107

Part of the advocates' task might be to escort the tribunal on its visit to the disputed land, and present the claims of their state on the spot. In the formal trial it would be the advocate's duty to present the evidence and delineate the arguments in a legal speech before the tribunal. The advocates' speeches might be strictly controlled in terms of length. 108

Evidence produced in arbitral trials was varying. We are once again most well-informed when it comes to boundary arbitrations. Evidence might consist of the verbal witness of locals, sworn depositions, documents from the state archives, inscriptions citing past agreements and treaties, notices in historical writings, and even citations of ancient legend.

A couple of the more extensive inscriptions provide us with the actual verbatim testimony of certain witnesses, given in the first person as it would have been given at the trial. ${ }^{109}$ When Kondaia disputed a piece of land with a neighbour, the final publication of the proceedings was very detailed, and cited together all the evidence which Kondaia had produced in its favour. ${ }^{110}$ A local shepherd named Ladikos had offered his testimony, asserting that he was very well acquainted with the land, since he had pastured his flocks there, and knew Kondaia to have a good claim to it. ${ }^{111}$

Similarly the herder Menippos offered his witness in the case of a conflict between Gonnoi and Heraklion. ${ }^{112}$ If a witness was unable to appear in person he might make a sworn deposition in his own state, which would then be sealed and conveyed to the court. $1^{13}$ Copies of inscriptions or state documents might also be sent under sealed cover to prevent tampering. When the Messenians argued their case against Sparta before Tiberius in AD 25, they had recourse to inscriptional evidence, and would no doubt have been able to produce copies on the spot. ${ }^{114}$ The latter case of Sparta and Messene also displays some of the perhaps less reliable evidence which might also be called upon. The Messenian advocates cited the ancient legends of the Herakleidai, and the Spartans appealed to the evidence of the poets. In an arbitration of the Archaic period, Athens also had recourse to the evidence of Homer, in order to advance her claim to Salamis. ${ }^{115}$

The evidence of historians was also adduced by Sparta in the trial before Tiberius. Similar use of historical writings appears in the arguments of Samos and Priene before Lysimachos early in the third century, and before Rhodes early in the second. ${ }^{116}$ In the latter case, the arbitrators were not only to listen to evidence based on the historians, but
were also called upon to make value judgements as to the quality and reliability of the historical writings adduced as evidence.

In making their judgements, the tribunals were theoretically obliged to practice the strictest impartiality and justice. Judges' oaths to this effect were probably a standard part of the pre-trial procedure. ${ }^{117}$ When the Knidian judges gave their decision in favour of Kalymna, they were sworn to abide by an oath they had taken before hearing the evidence:

> I swear by Zeus and Apollo Lykios and the Earth that I shall pass judgement, on these matters concerning which the disputants have sworn their complaints, in accordance with the opinion which seems most just; not give judgement in accordance with a witness if he should not appear to have given truthful evidence; nor have I received any bribe for the sake of this suit, neither I myself nor anyone else, man or woman, for me, not by any means. If I keep my oath, may it go well for me; if I break it, may it go ill. ${ }^{118}$

In the case of a dispute between Halai and Boumelita, which was a disagreement over land, part of the judges' oath declared that they would examine the land in person, and establish the boundary in a straight line in accordance with their judgement. ${ }^{119}$

The justice and fairness exercised by the tribunal is much stressed in
the honorary decrees frequently promulgated for the judges following a trial. This is hardly surprising, of course. These decrees, often offering honours such as proxenia to the judges, are invariably decrees passed by the victorious state. No doubt the state which lost might have a different view of the matter. Interesting in this regard is the decree passed by Delphi, expressing gratitude to a set of Rhodian judges, which appears to stress Rhodian partiality in favour of the Delphians. ${ }^{120}$

Prior to giving a binding arbitral decision, it was frequently the responsibility of an arbitration tribunal to try to bring about a mediated settlement. ${ }^{121}$ Thus the duty of Rhodian judges appointed to effect a settlement between Priene and Samos is said to have been "to judge and delineate the boundary and declare a formal decision or to reconcile. ${ }^{122}$ The unknown arbitrators who judged between the Achaian League and Sparta apparently tried to bring about a reconciliation, but were defeated in this task by the long history of hostility. ${ }^{123}$ It does seem as though the attempt at reconciliation prior to judgement is a phenomenon more common to the institution of foreign judges than that of international arbitration. ${ }^{124}$ Perhaps in the former case the parties in dispute were held to have more common interests. In the event that such informal
reconciliation should prove to be impossible, the court would go on to give a formal and theoretically binding judgement. ${ }^{125}$ Thus when the judges who arbitrated between Sparta and the Achaian League were defeated in their efforts to reconcile the two parties, they were forced to go ahead and make an arbitral decision properly speaking. ${ }^{126}$ This is arbitration in its purest form, when the judge or judges hands down a formal judicial decision binding on both parties.

In cases not involving a land claim, the final decision of the judges might take the form of a monetary award. Where the issue submitted to arbitration did not involve something concrete, such as territory which could be awarded to the winning side, but rather was a matter of, for example, an illegal act of war, then it might be judged that financial compensation was necessary. When Aristippos, the tyrant of Argos, accused Aratos and the Achaian League of perpetrating a hostile act in time of peace the Mantineian arbitrators found against Aratos, apparently through default, and demanded that a fine of 30 mnai be paid. ${ }^{127}$

The judges might give their judgement in the form of an áauittal or condemnation of the accused party in the case. Thus, when Hypata and Erythrai accepted Chalkis as an arbitrator of their dispute, the Chalkidian
judges formally acquitted the Hypatans of the charge of having wrongfully occupied a certain territory. ${ }^{128}$

In the case of Hypata and Erythai the land which Hypata had occupied was the contentious issue. The judges simply ruled that Hypata be ${ }_{\mathrm{A}}^{\mathrm{c}} \mathrm{q}$ uitted of the charge and therefore allowed to keep the land. This arbitration over disputed territory therefore falls into the category of those land arbitrations where a simple decision was required. The land itself was already clearly defined (as is the case with an island, for example), and all the judges were required to do was debate which party had the better claim to it. However, a large number of land arbitration cases, as has already been pointed out, required the judges to act also as border delineators. The final publication of their judgement reflects this aspect of their duties. ${ }^{129}$

It was often a requirement that the boundary be drawn in as straight a line as possible, where the topography allowed. ${ }^{130}$ Naturally this was sometimes impossible. A frequent choice for the boundary line was to have it follow a water course. ${ }^{131}$ The boundary line would be described in terms of the significant landmarks along its route. Natural features of the landscape were the most common choice of landmarks for a boundary
delineation: various bodies of water, cliffs, hills, ridges and gullies. ${ }^{132}$ Man-made objects could also provide landmarks: roads, temples or other structures, graves, altars, or the borders of a neighbouring country. ${ }^{133} \ln$ certain cases, of course, the features which appear in the boundary delineation will have been the actual objects of the litigation. The boundary will then have been drawn so as to award the object, such as a temple, to the territory of the winning side.

Naturally issues other than boundary delineations were settled by the final judgement of arbitrators. In instances where the judges were committed to settle the affairs of states which had been at war, their final decision would set out the terms of the peace settlement. Thus the Knidian judges who helped to regulate the affairs between Temnos and Klazomenai after the conclusion of a war between the two laid down the rules to be followed by both states in order to implement a state of peace. ${ }^{134}$ In cases such as this, the arbitrators might insist on a dismissal of opposing claims, and the institution of an ả $\mu \nu \eta c$ ría. ${ }^{135}$

An important step once the arbitrators had made their decision was to ensure the validity of their judgement, and institute safeguards to guarantee its execution. One important move was to provide for the
publication of the award through inscription. ${ }^{136}$ Generally both parties to the dispute would receive copies of the award, and it would be up to them to inscribe it publicly. The victor in the contest was naturally more likely actually to carry out the public inscription of the award. We have no certain copies of awards from states who did not fare well in the trial. In addition to publication in the interested cities, provision was frequently made for publication of the judgement at a neutral international site of some importance, generally a sanctuary. Hence many documents recording arbitration come from the great international religious sites such as Delphi or the Asklepieion at Epidauros.

Certain safeguards might be set down by the judges in order to ensure the validity of their award. The "kupla-clause" has already been mentioned. ${ }^{137}$ This declaration that the judgement be valid for all time might be backed up by positive rulings against potential challenges. Thus it might be declared that anyone who challenges or causes an infraction of the judgement might be liable to pay damages, of ten an amount predetermined at the time of arbitration. ${ }^{138}$ Thus when Hermione and Troizen settled their differences, part of the decision was that no further litigation was to take place between the two states on certain matters. If
any attempt was made to do so, either by a state or by an individual, the perpetrator would be fined a fixed amount: 1,000 drachmai for an individual, 10,000 drachmai for a city. ${ }^{139}$ Halos and Thebes in Phthiotis agreed that a five talent fine should be paid if either city refused to accept the judgement of Makon or failed to abide by his decision after it had been finalized. ${ }^{140}$

Oaths of course were part of the procedure to secure adherence to the decision of the arbitrators. Promises would be made at the time of the compromissum to abide by the judges' findings. An additional safeguard might be found in the presence of neutral witnesses present at the procedure, invited in order to guarantee and bear witness to the commitments made by all parties. The synedrion of the Aitolian League acted as witness and guarantor of a settlement made between Melitaia and Pereia by arbitrators from Kalydon. 141

When the evidence for cases of international arbitration in the years from Philip II's institution of the League of Corinth to the Greek defeat in the Achaian War is compared with that of the previous centuries, it becomes clear that Greek arbitration was a much more frequent
phenomenon in the Hellenistic Age than in the Classical period. ${ }^{142}$ To a certain extent this increase is of course only apparent. Much of our evidence relies on epigraphic sources, which are more abundant for the later period generally. Hence the fact that we have far more inscriptions recording cases of arbitration from the Hellenistic Age than the Classical is not necessarily of itself a reliable yardstick for measuring the increased frequency of resort to arbitration.

On the other hand, there are other factors which would account for a greater use of arbitration in the later period. The fourth century, with the introduction of the notion of koıvì єipŋnvп, the "common peace", was obviously moving in the direction of an increased interest in the diplomatic settlement of disputes and safeguards against the outbreak of war. ${ }^{143}$ The greater detail in the later epigraphic documents, as far as the procedure and legislation went, might indicate that the phenomenon of arbitration was being gradually refined as years went by. Those who turned to arbitration in the Hellenistic period could be assured that they were about to make use of a well-established procedure, with numerous precedents, and much experience upon which to draw. In the earlier period, those precedents would not have existed, and it might have been
considered a rather chancy thing to trust one's national interests to a procedure not as fully developed in the legal sense. 144

Another factor which would account for increased resort to international arbitration in the Hellenistic Age is the new political atmosphere of the age. In the fifth century, Athens and Sparta had had an arbitration clause in their treaty which put an end to the First Peloponnesian War. 145 Nevertheless, when tensions between the two states increased prior to the outbreak of war again in 431, a judicial settlement of their differences, although suggested, was ignored by Sparta. In part, this is no doubt because Sparta felt that the problems were too grave and threatening to be settled by this method. ${ }^{146}$ Another factor, however, probably also intervened: the lack of a suitable arbitrator. Sparta and Athens were the two great powers of the day, and it is difficult to see where they could have found an arbitrator prestigious enough to enforce a judicial decision.

In the Hellenistic Age, on the other hand, the political pattern of the Greek world was entirely different. This was the period of the great dynasts of the Hellenistic kingdoms. These monarchs, following in the footsteps of Philip II and Alexander the Great, frequently acted in the
capacity of arbitrators. ${ }^{147}$ This is a much increased phenomenon in the Hellenistic Age, naturally, simply because this was the age of the great dynasts. That these men were natural choices to act as arbitrators is shown by certain parallels from the earlier period, a time when the powerful individual had not been such an outstanding feature in international politics. ${ }^{148}$

The other great power which appeared in the Mediterranean world in the Hellenistic Age was, of course, Rome. Once the Greeks recognized the importance of this non-Greek state in Greek affairs, they turned to it increasingly as the arbitrator of their disputes. The heyday of the Hellenistic kingdoms was the third century, prior to Rome's appearance on the horizon as a power important not only in the west but also in the east. From the end of the third century on, however, Rome's increasing influence
 the third century, of the great powers involved, the dynasts dominate the phenomenon of arbitration. In the second century it is Rome who appears most frequently as the arbitrator of disputes. The watershed is the wars at the turn of the century with Philip and Antiochos.

Generally speaking, Rome took rather a minimalist approach to her
new position as the prime candidate for international arbitration. ${ }^{149}$ The initiative usually came from the Greek states, whether it was Melitaia and Narthakion seeking another final solution to their interminable dispute, ${ }^{150}$ or Eumenes asking Rome to step in on his behalf yet again. ${ }^{151}$ Rome never displayed any real interest in developing a detailed policy or procedure for the purpose of dealing with the number of judgements she was asked to make. The case of the Teian envoys who went to Rome on behalf of Abdera illustrates how loose the Roman approach might be. The Teians were able to influence particular senatorial friends of theirs in order to bring about a favourable judgement. Apparently the decision was made very much on an ad hoc basis. 152

The Romans did, however, have one or two basic approaches when it came to dealing with these invitations to act as arbitrator. Occasionally the senate itself might hear the case. This is what happened when the Teian representatives of Abdera came to Rome, and apparently Larisa and Pteleion, ${ }^{153}$ and Samos and Priene ${ }^{154}$ were also to lay their cases before the senate directly.

Most frequently the senate would delegate the task of making a decision to some power on the spot. In the settlement of Greece after the

Second Macedonian War, and of Asia after the war with Antiochos the Great, the Roman legates in Greece and Asia had the power of arbitrating the local disputes. ${ }^{155}$ Often the senate would send out legates specifically to investigate complaints which had been brought to it. In such cases they were frequently instructed to attempt mediation and conciliation. ${ }^{156}$

The senate could also take another course. It would pass on the task of arbitrating between Greek states to a body which perhaps understood the concept and procedure of Greek international arbitration better than the senate did itself: another Greek state. Thus Miletos was asked to arbitrate the never-ending dispute between Sparta and Messenia, and Mylasa was invited to judge between Magnesia and Priene. ${ }^{157}$

In cases such as this, or when representatives of Rome were sent to carry out an investigation, the senate might set down a vague general rule by which those who carried out the detailed procedure were to regulate their judgement. Most frequently, in cases of land dispute, the judges were to award the land to whichever state had possessed it when that state had entered into alliance with Rome. ${ }^{158}$ There is no doubt that for the state which lost in accordance with this rule, it must have appeared an
outrageous basis for a ruling, especially given the lengthy history and sophisticated development of Greek arbitral theory and procedure. Generally speaking, it seems fair to say that Rome failed to appreciate, or was simply not interested in appreciating, the nuances of Greek international arbitration. Nevertheless, this did not appear to stop the continuous stream of appeals to Rome which came out of the Greek states.

As for her own involvement as a disputant in cases of arbitration, Rome betrayed no inclination to allow her interests to be placed in the hands of one of the Greek states which of fered from time to time to settle her conflicts. In the early years of the Hellenistic Age, if our sources may be relied upon, Greeks occasionally offered their services as arbitrators to the Romans. None of these offers met with anything but a cold reception. 159 These were all connected to incidents which involved Rome's position and interests in the western Mediterranean: Italy and Carthage. Even if these offers did take place, it is not surprising that Rome would be disinclined to rely on an unfamiliar judicial procedure to protect her interests.

When Rome became involved in affairs in the east, however, she showed herself little more prepared to submit to Greek arbitration. Hence
the attempts by various Greek states to mediate a settlement in the First Macedonian War appear to have been largely unsuccessful as far as Rome was concerned. ${ }^{160}$ Flamininus actually suggested arbitration to the Aitolians in 192; however, he appears to have made no distinction between neutral arbitration and the laying of the dispute before the Roman senate. When the Aitolians responded by suggesting that Antiochos might be more suitable as an arbitrator, the Romans naturally decided to go no further with the idea of "arbitration". ${ }^{161}$

It seems clear that Rome was simply not accustomed to considering the process of arbitration as a significant tool of international diplomacy. Her own policies in dealing with international affairs were not likely to encourage her to consider surrendering her own sovereignty, even temporarily, a concession which arbitration demands. Nevertheless, so long as Rome considered that her own interests were secure, she did show that she was occasionally willing to listen to mediators. When Flamininus was preparing to make war on Boiotia after the Second Macedonian War, he showed that he was willing to accept the mediation of Athenian and Achaian ambassadors. ${ }^{162}$ The Romans were indeed amenable to mediation in situations where it would not compromise the Roman position. They
also allowed the Athenians and Rhodians to intercede on behalf of the Aitolians in 189, once the war was already won, and their own situation secure. 163

A brief survey of the powers involved in arbitration in the Hellenistic Age should also take account of the role played by Rhodes. Rhodes was the only example of a single independent Greek republic which was able to hold its own as a significant power in the Hellenistic Age. Its power increased throughout the third century, after it succeeded in maintaining its independence when under siege by Demetrios Poliorketes. ${ }^{164}$

Towards the end of the third century, Rhodes's power and prestige began to be reflected in her numerous offers of mediation and arbitration. 165 She built up a reputation as a settler of disputes, and indeed appears to have had at least a couple of citizens who became experts in the field of international arbitration. ${ }^{166}$ The height of her activity in this field fell in the early second century, when even Antiochos the Great suggested to Rome that he preferred and was willing to submit to the arbitration of Rhodes. ${ }^{167}$

Rhodes also offered her services to Rome several times over the course of the decades in which the latter became increasingly involved in
eastern affairs. ${ }^{168}$ As has been seen Rome was not, as a rule, particularly anxious to accept the arbitration of another state in settling her affairs. It was the rather spectacular diplomatic faux pas of Rhodes's offer to arbitrate between Rome and Perseus in the Third Macedonian War which signalled a distinct cooling in Roman-Rhodian relations, as well as signalling an end to Rhodes's heyday as the great independent arbitrator. 169

Thus the new political atmosphere of the Hellenistic Age may well have had a hand in the increased frequency of resorts to international arbitration. The Greeks now perceived a greater availability of strong potential arbitrators. Rome and the dynasts had all the power and prestige necessary to attract initial invitations to arbitration and to enforce decisions if they decided to accept.

Nevertheless, despite the fact that it is clear that the presence of these powers made a real difference to the use of arbitration in the Hellenistic period, another point should be raised with respect to the pattern of the phenomenon at this time: the majority of disputes leading to arbitration had to do with a piece of territory, and often involved the smaller states. The settlement of border disputes between relatively
unimportant communities was not something which absolutely necessitated referral to the great powers of the age. Hence the new political patterns of the Mediterranean which developed after Chaironeia and Alexander need have made virtually no difference to these smaller poleis engaged in settling local, though technically international, problems.

Naturally, of course, if these states chose to make an issue of it, then a minor border dispute could take on major proportions, and be referred to Rome, or to a powerful monarch, rather than to a neighbouring community of equal stature. Thus Samos and Priene had a longstanding quarrel with each other over various territories which they both claimed. in the Archaic period the influential Bias of Priene had mediated, presumably objectively, between the two states. ${ }^{170}$ In the Hellenistic Age, it is not surprising to see Samos and Priene referring the case again and again to whichever of the Hellenistic powers appeared most powerful and influential at the moment. Thus the dispute was apparently referred to Alexander the Great, and, in the third century, during the height of power of the Hellenistic kingdoms, to Lysimachos, an Antigonos and an Antiochos. At the beginning of the second century, when Rhodes's prestige as an
arbitrator was at its greatest, the quarrel was referred to her. After the defeat of Antiochos the Great, and the settlement at Apameia, it began to appear that Rome's power and influence extended not only to Greece but to Asia. Hence Samos and Priene now turned to Rome, first to the decision of the proconsul in Asia, Manlius Vulso, and many years later, in an appeal of that decision, to the Roman senate. 171

It is understandable, given the interminable nature of the territorial quarrels between Samos and Priene, that they would exploit the new opportunities of the Hellenistic Age as far as the new potential arbitrators went. This phenomenon is paralleled in some other long-standing border disputes. Narthakion and Melitaia in Thessaly of ten referred their quarrel to powerful states or individuals: among others, Medeios I of Larissa, the Thessalian League, possibly Flamininus, and later, Rome. ${ }^{172}$ The dispute between Sparta and Messene over the jurisdiction of the temple of Artemis Limnatis was arbitrated at various times by Philip II, Antigonos III, Mummius, Caesar, Antony and Tiberius. 173

These interminable disputes, however, appear to be the exception rather than the rule. Naturally, we are once again at the mercy of our evidence, but the majority of cases of arbitration do not appear to be
"repeaters". It is not unreasonable to conjecture that the degree of hostility in the interminable cases became exaggerated, and was in itself a good reason for turning to the great powers of the Hellenistic Age. For most of the smaller states involved in only minor disputes, it might prove cheaper and easier, as well as more congenial, to refer their problems to a neighbouring polis. Rome's own general lack of interest in settling what were, to her, petty squabbles between unimportant Greek states, is sufficient evidence that the small poleis might have better luck elsewhere. The majority of cases of Roman arbitration and mediation in the Hellenistic period are connected with disputes of a greater degree of international importance, such as quarrels between the Hellenistic kingdoms. When Rome was called upon to arbitrate a minor border dispute, she was wont to pass on the task to someone else.

Thus, although it has been shown that the presence of the monarchs and Rome as new powers in the Hellenistic Age affected the phenomenon of international arbitration, it also seems clear that for the small poleis, especially those of mainland Greece, their territorial disputes were not particularly influenced by the great powers. For these communities, the phenomenon of the Hellenistic Age which exercised a greater influence in
altering the pattern of international arbitration was the new importance of the Greek Leagues.

Although the existence of the koinon had already a long-standing history in Greece by the Hellenistic Age, this was the time, on the Greek mainland, when the federal states attained greater significance. This must be connected with the political realities of the time. No longer could the small polis hope to continue as an independent state in the age of the great powers. Border wars between small states became a less viable method of settling disputes when the great powers might be waiting in the background to take advantage of the situation. Instead, some kind of strong mutual support system among the poleis was required.

The Leagues' jurisdiction over their member states influenced the patterns of international arbitration in the Hellenistic Age. First and most important, of course, was general League refusal to tolerate active hostilities between its member states. Thus the mere fact of being a member of one of the Leagues would tend to divert a polis from making war to seek a pacific method of settlement.

Leagues were frequently actively involved in promoting arbitration between their members. The Achaian League in the third century took the
lead in ordering one of its members, Megara, to arbitrate between two other members, Corinth and Epidauros. 174 The Boiotian League settled boundary disputes between several of her members in the third century. ${ }^{175}$ When Melitaia, Pereia and Xyniai had some territorial disagreements with one another around the years 214-213, the Aitolian League appointed judges to make arbitral decisions in these cases. ${ }^{176}$

It has generally been assumed that international arbitration involving the members of a federal League must necessarily be carried out under the auspices of the League. ${ }^{177}$ Certainly it is true that the evidence in many cases indicates that League involvement was natural when hostilities arose among the member states. It was also natural for the League to be involved when the dispute was between one of its member states and a state belonging to another League. Thus the potential arbitration envisioned between the Akarnanian community of Stratos and Aitolian Agrai was to be regulated by a joint Aitolian-Akarnanian commission. ${ }^{178}$ When Pagai, an Achaian state, and Aigosthena, a member of the Boiotian League, had a territorial dispute, both the Achaian and Boiotian Leagues stepped in to act as advocates of their respective states, and referred the issue to Western Greek states, outside the provenance of both Leagues
entirely. ${ }^{179}$
However, despite the fact that the official machinery of the Leagues might normally be expected to be at work in settlement of members' disputes, the evidence does not seem to warrant the judgement that this was invariably so. There are at least a couple of cases involving member states of the Achaian League where there appears to be no evidence of official League involvement. Troizen turned outside the League to Athens for an arbitration in a dispute with one of her neighbours. 180 When Hermione and Epidauros were engaged in a border conflict, they decided between themselves to invite a commission from Rhodes and Miletos. ${ }^{18}$ There is no evidence in either of these cases of the official involvement of the Achaian League. ${ }^{182}$

Nevertheless, it is probably safe to assert that in the vast majority of cases involving disputes among members of a federal League the League itself was probably involved in some capacity. Certainly, based on the number of cases in which a League appears involved in arbitration, it can be said that the Leagues played a large part in encouraging and refining the procedure of arbitration in the Hellenistic Age.

1 The complaint submitted to the Amphiktiones by Sparta after Thebes erected a trophy after the Battle of Leuktra (Piccirilli *41); the quarrel between the Athenian and the Tegean contingents at Plataia (Piccirilli*14).

## $2-24 * 158$.

3 Between the Cretan states of Knossos and Tylissos (Piccirilli $* 18, * 19$. See also $=12,=93$.
$4=15,=71,=147,=154$.
$5 \quad 14$.
$6 \quad 71$.
7 See =1, 25, *104, =131, =142.
8 Cf. $=54$, where the ancestral hostilities between Sparta and Messenia found expression (or an excuse?) in their rivalry over the sanctuary of Artemis Limnatis.
$9=15$.

II 147. The dispute was a repeated one, submitted to the arbitration of Athens, Amphissa and Rome.
$12 \cdot 154$.
$13 \cdot 158$
14 150. The Spartans seem to have had a habit of not paying fines which they were adjudged: cf. Piccirilli *53.
$15 \cdot 24$.

16 tà pócia (LSJ): "the right of reprisals". The reference here is to the practice which we find of a state granting its citizens the right of reprisals against the citizens of another state. The citizens of the state granting this right were thereby entitled to seize movable property from citizens of the other state as compensation for alleged theft or debt default. Naturally enough, the state against whom the pécia was declared was seldom inclined to concede the legality of this action. In legal terms, we could compare the later practice of granting letters of marque.

17 *93. Cf. 155, where the Achaian League granted the right of ṕucta against the Athenians to the expatriate Delians in its care.

## $18 \cdot 120$.

19 *44. Cf. the Theban suit against the Spartans for their seizure of the Kadmeia (Piccirilli *53).

20 As opposed to having a court resolve hostilities between the two once they were actually in a state of war. In any event, the suit may not have been completely successful, as Aratos failed to appear, and the fine may never have been paid. For earlier examples of condemnations of international "crimes", cf. Piccirilli *6 (the amphiktionic condemnation of the Megarians for an attack on some Peloponnesian theoroi in the 6th century); Piccirilli * 17 (again, an amphiktionic condemnation, this time levelled against the Dolopians).

$$
\text { Cf. }=29,=57,=61,=100,=110,=138,=158 .
$$

22 As may have been the case when the Aitolian ambassadors became involved in the sympolity agreement between Messene and Phigaleia ( ${ }^{*} 45$ ); or when the Spartan Kleonymos is said to have been present when two warring Cretan states came to an agreement (*33).

## 23 <br> 83.

24
Tod (p. 53) makes the point that the preponderance of arbitrations dealing with land issues is not simply an accident of our sources. He refers to the Argive-Spartan treaty of 418 (Thucydides 5.79,




26 Cf. cases * 69, *93, * 105, * 153.

27 See the preceding discussion on questions of religious jurisdiction.

28 Cf . 101, where the contested area is a harbour, and $=153$.
$29 \mathrm{Cf} .=92$, 141 .
30 Cf. the fishing-rights which may have been part of the issue in $=20$ =99, 153.
313.

32 Cf. $=54$, and Piccirilli *61.
$33 * 36,=38,=59, * 60,=95$.
34 See Piccirilli *60, *61.
35 Antigonos's possible arbitration between Teos and Lebedos: $=10$ (cf. the comments there). The Aitolian arbitration between Messene and Phigaleia: $=45$.

36
$\cdot 10$.
37 81.

Hypnia and Myania: *105. Miletos and Herakleia: 129.
39 The phenomenon does appear in the Classical Age. Apparently Athens and Sparta had such an arrangement as a result of the Thirty Years'

Peace in 446/5 (Piccirilli *21). Cf. also in Piccirilli: *11 (Artaphernes's imposition of an obligatory arbitration treaty on the cities of lonia shortly after the Ionian Revolt); *25, *27 (the arbitration clause in the armistice of 423 and the peace of 421); *31 (Sparta and Argos, 418).

40 *83. Cf. $=12,=81,=108$, all of which appear to provide for future arbitration of all disputes, including perhaps suits between private individuals. It should be pointed out that the fragmented nature of $=12$ and * 108 make it impossible to tell whether the obligatory arbitration clauses referred to any and all potential disagreements.
$41 \quad 34$.
$42=51,=52$.
43
See $=10,=81$.
44 •129.

See $=83$.

48 Perhaps the most famous instance of a failure to abide by an arbitration clause in a treaty is that of Athens and Sparta just prior to the Peloponnesian War (see Piccirilli *21).

 'Епाठबup<ì $\rangle \omega \nu .$.




50 Cf . the Corinthian refusal to agree to Korkyra's offer of
arbitration in 435 (Piccirilli *23); Sparta's refusal to accept Athens's suggestion of Megara as an arbitrator (Piccirilli *38).
 єบ̉סOKヒ́ $\omega$, cuvєuסOKヒ́ $\omega$.

52
IG IX. 2 corr 205.
53.93.

54 The кúpıa-clause. Cf. $=1,=38,=45,=69,=90,=93,=108$, = 134, * 155 , $=163$.

55 They at least reflect the compromissum if they do not actually record it word for word. See cases *22, *93, *162, *163.

56
When Thebes and Halos turned to Larisa for arbitration, they specified that Makon be the individual to take on the job (IG IX. 2 corr 205). These are unusual circumstances in which we find an individual (other than a king) specified in the compromissum. Nevertheless, it is not unlikely that this occurred from time to time, particularly in the case of the "arbitration experts" such as the Roman Applus Claudius ( $=122$. *123) and the Rhodians Nikostratos ( $* 90, * 92$ ) and Euphaniskos ( $=92$, *131). Cf. ${ }^{*} 163$, where Pitane and Mytilene, when agreeing to submit to Pergamene arbitration, requested that five specific individuals, who had acted as ambassadors to the two states, also form the tribunal.



58 $=22$.



Cf . also $=163$, where it is specified that no suits between Pitane and Mytilene were to be left untried after a period of three months.
 tô̂ $\delta \omega \delta$ ккátou $\mu$ ททòc tâal $\delta v o \delta e k a ́ t a l . ~$
 à $\mu \in \tau \notin \theta \in \tau a]$.



See note 54 above.




63 Such as the Asklepietion at Epidauros or the sanctuary at Delphi.
 є́пттропп́n.

 ánîv] пєрì toút $\omega \nu$ סıa入ápп.
*69 (11. 1-2): [ka]זà táde é $\pi$ ékpıvav kaì cuvé $\lambda u c a v$ oi Mı $\lambda$ f́ctol


Cf. also $=29,=38,=83,=114,=123,=132,=138,=148,=150$, - 154.

65 *163. Cf. Pyrrhos's offer to arbitrate between Rome and Tarentum ( $=29$ ); Magnesia's attempt at mediation between Knossos and Gortyn ( $=91$ ); Athens's attempt to bring Rome and Aitolia to terms ( $=110$ ).

66 Cf. Antigonos's actions in enforcing the synoikism and arbitration treaty between Teos and Lebedos ( $=10$ ); the senate's attempt to force Antiochos the Great to submit to their judgement with respect to Lampsakos and Smyrna (*89); Popilius Laenas's high-handed treatment of Antiochos IV in 168 ( $=138$ ); Rome's demand that Prousias of Bithynia submit to arbitration ( $=157$ ); and Roman arbitrations which were to be
connected with a Roman military victory, such as Vulso in Asia in 188 (* 114 ) and Mummius in Greece in 146/5 (*167,*168).

67 Thus the Samians and Prienians sent embassies to Lysimachos (=28); Melitaia and Narthakion sent embassies to Rome (*38); and the Achaian and Boiotian Leagues sent ambassadors to western Greece to find arbitrators for a dispute between Pagai and Aigosthena (*101).

68 144. Compare the increasing tendency in the second century for states to send rival embassies to Rome in attempts to forestall the arguments of each other and be the first to accuse, a trend particularly evident in $=138$.

69 On the '̌́кклптос по́дıc, see Gauthier pp. 308f.
70

* 10. 

71 51, 52. Apparently all the responsibility not to transgress these treaties was on the side of the Cretan states. These fines which they would pay in case they were adjudged guilty would be handed over to Antigonos by the judges of the 'éккл птос по́ $\lambda$ ıc. For another example of


72 Sparta had a history of refusing either to submit to arbitration in the first place or to accept an arbitral judgement when it was given. While part of her attitude clearly sprang from an unwillingness to compromise her own sovereignty, it could be argued that Sparta, perhaps more than any other of the Greek city-states, suffered from a lack of truly neutral external arbitrators.



The principle of a tribunal empanelled from several states at once is of course embodied in present day international courts. The Greeks generally, though not always, referred their disputes to a single state.

74 Thus Samos, Kolophon and Magnesia arbitrated the MelitaiaNarthakion dispute (cf. *38). When Miletos and Magnesia settled their
differences, the representatives of several states were present as mediators or arbitrators (*90). Cf. also Piccirilli *2, *36, and *34, *50.

75 Alexander the Great: $=4$, 5 ; Antigonos 1 : 10 , 13 ; Lysimachos: 26, *27, 28; Pyrrhos: 29; Antiochos II: *35; Ptolemy II: *40; Antigonos III: *54; Philip V: *62, *63, *58; Antiochos III: *63, * 100; Ptolemy VI: 137, * 139, $=153$.

This arbitration might be carried out personally by the dynast himself, or it might be referred to subordinates who would make the decision in accordance with a general ruling laid down by the dynast: the סtáypau $\alpha$ (cf. *13, *58). Compare the Roman tendency to set down a rule and refer the trial to others.

76
See $=64, * 86$, $94, * 95, * 11, * 112, * 114, * 115, * 118$, $=119,=121,=122,=123,=124,=125,=126,=136,=138,=140$, * $143,=144, * 148,=149, * 151, * 157, * 159, * 164, * 165, * 167$, * 168.

77 See $=56,=57,=61,=69,=89,=90,=92,=110,=131,=133$, - 137. Rhodes frequently acted in concert with other states in carrying out the duties of mediation or arbitration: cf. $=56,=57, * 61, * 69,=90$. Cf. also $=50$, and Piccirilli *36.

78 The kpıtaí or סıkactaí, less frequently סıaıtntaí, סıaıtoí (IG IX. 2 corr 205). In the case of a land arbitration, we may find the judges referred to as $\gamma$ qoסíkal (*46), ópıctaí (*116), or тєpuactîpec (*43).

79 Sıкастípıov, крıтп́роо⿱.
80 In some cases the arbitral decision is said to have been made by the $\delta \tilde{\eta} \mu \mathrm{oc}$ os a democratic city-state. Perhaps the decision might be submitted to the state assembly. Cf. $=3, * 70,=116$. On the other hand, it may be that when the $\delta \tilde{\eta} \mu \mathrm{f}$ o is said to have judged, what is meant is a large court representative of the $\delta$ nfuoc (Tod p. 100). For the opposite view, see Raeder p. 254.

For large courts, see $=30$ (61), $=41$ (over 59), 50 (exact number unknown but apparently high), $\mathbf{9 0}$ ( 13 states involved: cf. $=50$, where 11

Achaian states were involved), $=99$ (301), and $=32$ (600?). Compare the massive court of 600 convened by the Milesians in order to give a decision between Sparta and Messenia around 138 BC (cited in *54).

81 For smaller tribunals, see $=34(20)=36(5), 45(3),=60(3)$, *69 (6), *83 (6), "92 (5), * 101, * 128.

82 Thus those who were to perform the arbitration between Pagai and Aigosthena were described as [aipe]toùc חגoutív $\delta a$ кà ápıctív $\delta a$
 For a larger tribunal which may still have embodied some "oligarchic" tendencies, see the speculations in * 43 .

83 It would seem that the Rhodians Nikostratos and Euphaniskos were chosen for their experience and proven ability in arbitration ( $=\mathbf{9 0}$, *92, *131). The well-known individuals who appear in $=128$-Diophanes, Thearidas, Polybios -- would have been selected to arbitrate in their capacity as statesmen. The prestige or high rank of an individual statesman influenced the choice of Roman arbitrators as well: Caesar and Antony apparently judged Sparta's dispute with Messene (cf. *54).

84 This is clearly shown by case * 43, in which the initial court numbered 151 judges; however, when it came time for a more detailed survey of the land in dispute, a select commission of 31 men was chosen.

85 Such as Lanthes of Assos (*146) or Makon of Larisa (IX. 2 corr 205).

86

$$
* 34(20),=69(6), 83(6) .
$$

87 Cf. 132 ( $\mu \nu a ́ \mu \omega \nu$, cuv (кастаí), and the positions apparently held by Pyllos (*38) and Pausanias (*25).

88 An obvious exception is Alexander the Great, who apparently settled disputes, probably more than our sources record, in the course of his expedition. Cf. *4.

Lysimachos: $\mathbf{2 8}$.
90 Such as the rule with which Roman and Roman-delegated arbitrators were frequently asked to comply: that a piece of contested territory be adjudged to the state which was proved to have been in possession of it when the states in question entered into alliance with Rome. Cf. 38, $=134$.

91 Thus the court of 600 Milesians who heard the conflicting claims of the Spartans and Messenians (cf. *54) heard the case in Miletos.


97 Hence the reference to the judges as yaoסıkaí, ópıctaí, $\tau \in \rho \mu a c \tau n \rho \in c$, and the occasional employment of a $\gamma \in \omega \mu$ е́tpnc ( $* 58$; cf. *143).

98 Cf., however, *132, where several states from western Greece arbitrated between Azoros and Mondaia in eastern Greece.



On đƯтOwia, see $=104$.



101 See cases *22, *69, 109, 160, $=161$. Cf. $=134$ (1, 1. 23): $\tau \hat{\omega} \nu \delta<к а с т о \varphi \cup \lambda a к \eta с а ́ v \tau \omega \nu$ áv $\delta \rho \omega \hat{\nu}$.

102 22 (11. 26-37)
103 69, 132. For separate surveys, see $=22$.
$104=37 . \mathrm{Cf} .56,=59$.
105 сúvঠıкос (*19, *23, *150), cuvíyорос (*83),

$106=96,=131,=144$.
107 . 131 II . The example of Apollodoros shows that the advocate who would plead a state's case or oversee its interests in a trial need not necessarily be a citizen of the state concerned.
$108 \mathrm{Cf} . * 24$, where the advocates of either side were each allowed one presentation and one rebuttal, both of them controlled by the water-clock ( 18 measures each for the first speech, 10 for the second).
$109 \mu a ́ p t u c, \mu a p t \cup p e ́ \omega, ~ \mu a p t u p i ́ a$.
110 *16.
111 Ladikos himself was not a Kondaian. It would no doubt be to the advantage of a disputant to try to produce as many apparently disinterested witnesses as possible.
$112=58$.
113 Cf . the procedure in 24 (11. 30-32): тò ठè простátal tàc

 xpeís $\omega \nu$.



Cf. also $=30$, and, for examples of documentary evidence, $=163$.

114 cf. 54.
115 piccirilli *10. Cf. the Megalopolitan claim that her rightful tenure of a piece of disputed land went back to the "return of the Herakleidai" ( $=150,11.34-36$ ).
 $\tau \omega \nu$ íct[орıүрá $\varphi \omega \nu$ ].

117 We have already seen that the סukactaywyoí might have to swear an oath. That the advocates might also have to do so is clear from*22 and $=83$.
$118: 24$ (11.4-9).
119.22. Cf. also * 83.
$120 * 131$.
 Y. Garlan BCH 89 (1965) 332f.
$\delta$ (á $\lambda$ ucıc (and related terms): $=9, * 10, * 28, * 45, * 61, * 69, ~ 81$, *83, *89, *91, *99, * 106, * 108, * $110,=123, * 138,=150,=157$.
cú $\lambda \lambda$ ucıc (and related terms): $=69,=70,=90,=92,=99$, $=106$, * 109 , $=120,=148,=150,=160,=161,=163$.

Although there is not always an absolute distinction with respect to the use of these terms, the $\lambda \nu \omega / \lambda u c i c$ compounds generally reflect reconciliation rather than formal judgement.

122 -92 (11. 12-13).

123 * 150 (II. 10f.). Cf. also * 163 .

124 Cf. Tod pp. 124 f .

125 ánó $\varphi$ асıc (and related terms): $=83,=92,=104,=129,=134$, $=138,=148,=150,=163$.

ả áкрица (and related terms): *39, *54, *114, $=115, * 134$, * $138,=155,=158,=163$.

Síákpicic (and related terms): $=10,=71,=89,=92, * 114,=131$, $=154$.
 - 162.

кр́́ $\alpha:=1, * 22, * 38, * 46, * 69,=101, * 115,=141,=142, * 162$.
кр́́v. * $1, * 3, * 18, * 22, * 29, * 36, * 37, * 38, * 41, * 43, * 45$, * $46,=50,=59, * 60, * 61, * 71,=83, * 92, * 105,=106, * 108, * 115$, $=116,=117,=132,=138,=134,=141,=143,=147,=148,=154$, * $163,=162,=167$.

крі́сіс: $=22, * 28,=45, * 50, * 69, * 73, * 83, * 84, * 92, * 94, * 96$, $=97,=101,=104,=113,=116,=128,=129,=131,=134,=142$, * 147, * $148, * 154,=156, * 161, * 162, * 163$.

126 : 150.

 tplákovia.



Hypata was the defendant city (ả пó $\delta$ ıкос пó $\lambda(c)$.
129 ánоиєтре́ $\omega$ : $=143$.
ả $\varphi о \rho_{i}^{\prime} \zeta \omega$, à $\varphi о р ı с$ о́с: $=58, * 83,=104$.
$y \in \omega \mu \in \tau \rho \in ́ \omega, \gamma \in \omega \mu \in ́ \tau \rho \eta c:=58, * 143$.
Sıopís $\omega$ : 71, $=92$.
о́рі́к $\omega$, орясио́с, оростп́с: $=1,=14,=20,=76,=92,=104,=115$, $=116,=128,=135,=150,=153,=163$.
$\pi \in р ⿺ 夂 р і ́ \zeta \omega, \pi \in р і о р і с \mu о ́ с: ~ * 143$.
$\tau \in \rho \mu a ́ \zeta \omega: 34, * 43,=98, * 135,=143$.


Єن̉งบตpía: *46, *69.

Cf. A.K. Orlandos, 'H 'Apka $\delta<k \grave{\eta}$ 'A $\lambda i ́ \varphi \in \iota \rho a$ (Athens 1967/8) p. 161, who points out the mathematical and technical uses of the terms ${ }^{\prime} \Pi^{\prime}$ ỏp૭àc, про̀c ỏp૭àc, кат' ỏpงàc.
 * 142 * 143.

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132 व̈́кроv: *1, *37, *60, *69, *104, *128, * \(135,=143\).
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$\gamma \omega \nu i ́ a:=1,=13,=59,=143$; cf. $=115$.
ס́́pa: =21, =41, * 28 , $=141$.
Өá $\lambda$ acca: $=34, * 22, * 46, * 69,=90$, 104 .
корич币!: *16, *43.
крі́ $\nabla \eta:=1,=13,=45,=104$.
$\lambda_{\text {о́ } о с: ~}^{*}=13,=92,=128,=142$.
vámп: *22, =59, *84, =139.
ò $\varphi p$ v̂c: $=13, * 76$.
па́үос: $=13,=92$.
$\Pi_{\epsilon ́ \tau \rho а: ~}^{*}=1, * 76,=92,=104,=163$.
$\pi \eta \gamma_{\eta}^{\prime}=13,=14,=59, * 60$.
потаиос: $=1,=13,=16,=34,=41,=59,=74,=76,90,=92$,

* 128. 

ṕáxıc: $=1,=43,=142,=163$.
сицвола́: $=16,=37,=41, * 60$.
фа́рау६: $=16$, 92.

133 в $\omega \mu$ о́с: $=14$, *22.
iєро́v: $22,=36, * 41,=59, * 98,=128$.
о́о́c: $=1,=13,=14,=37,=39,=43,=59,=98,=128,=139$,

* 142, 163 .

Tá $\varphi=1$ : 163 ; cf. $=58$.
بрои́piov: $=90$, $=92$, 143 .
The boundaries of another community as a landmark: *13,*98.

134 ${ }^{3} 83$.

135 For the ${ }^{\text {á }} \mu \nu \eta \mathrm{crí}$, see $=83, * 90, * 129$; and cf. also $\underline{\text { SIG }}^{3} * 633$ (1. 36).
 * $141,=143,=161,=162$.

137 See above, notes 54 and 61.
138 ánоті́v, ámоті́vоцаи: $=12,=22, * 30,=31,=93$.
$139: 93$.
140 IG IX. 2 corr 205 (11. 117-9). See note 62 above.
141 *60. Cf. 16 IX. 2 corr 205, where additional guarantees of the security of the agreement were provided by the presence of witnesses from Melitaia.

142 Piccirilli counted only 61 instances between c. 740 and 338 BC .
143 Cf. Piccirilli $* 46$ (the mediation of Persia in an attempt to bring about a common peace among the Greeks in 366/5), and *48 (the arbitration clause in the common peace treaty of $362 / 1$ ).

144 Again this may be to a certain extent an apparent rather than a real difference. In addition to the fact that epigraphic sources in all fields are more numerous from the later period, they also tend to become much more detailed. This does not prove that the Classical Age was lacking in a well-developed diplomatic and legal procedure.

145 The Thirty Years' Peace, 446/5. See Piccirilli ${ }^{2} 21$.
146 Sparta was notoriously unwilling to accept offers of arbitration, or, if forced to do so, she often refused to accept the validity of the judgement. See note 72 above, and cf. Piccirilli $=1, * 38$, $* 53$, and cases $=54,=148,=149,=150$.

147 Philip II: Piccirilli*60, *61. For the Hellenistic dynasts, see note 75 above.

148 From the age of the tyrants there is only one example: Periander of Corinth arbitrated between Athens and Mytilene over the possession of Sigeion (Piccirilli *7). Persian royal power was occasionally implemented to bring about arbitration, through the agency of the satraps (Artaphernes, Piccirilli *11; Strouses, Piccirilli *36). Cf. also the actions of Medeios I of Larisa (Piccirilli *35; cf. *38) and Amyntas Ill of Macedon (Piccirilli *40).

149 For discussions of Rome's involvement during this period with Greek arbitration, see Gruen I, chapter 3, and A.J. Marshall, "The Survival and Development of International Jurisdiction in the Greek World under Roman Rule" ANRW II. 13 (1980).

Cf. $=95$.
151 Cf. cases $=119, * 124, * 126, * 140, * 151$.
152 : 144.

## $153: 94$.

154 In 135 BC , when the senate overturned the judgement of Vulso of half a century before. Cf. ${ }^{115}$. The Spartans and Achaians were also able to argue their cases before the senate ( $* 122$ ).

$$
155 \approx 88 \text { and }=114 . \mathrm{Cf}=95=115 .
$$

156 Cf. $=136, * 138,=148,=150,=157$.

157 Miletos's arbitration between Sparta and Messenia: cf. 54 ; Mylasa's arbitration between Magnesia and Priene: *134. Cf. 135, where the Roman praetor asked Korkyra to arbitrate between Ambrakia and Athamania. See also the provisos set down in the general Roman rulings after Apameia, where several cases of arbitration were passed on to neutral Greek states ( $=114$ ).


 проскрі́vŋ̃ópla te cíncпn.

Cf. also the post-146 senatorial rulings on Melitaia and Narthakion (cf. ${ }^{*}$ 38) and the Cretan cities of Hierapytna and Itanos (SIG ${ }^{3} * 685$ ).

The Hellenistic kings were also known to set down a general rule, in a סtá ${ }^{\prime} p a \mu \mu a$, and pass the specific details on to someone else; see note 75 above.

159 *6, 29, * 40.
160 : 61.
161 : 100.
162 *87.
$163=110$.
164 Cf. $=9$.
165 Cases of mediation/arbitration involving the offices of Rhodes: $=27$ (?), 56, $=57, * 61,=89,=90,=92,=110,=129,=131, * 133$, =137, 145 .

166 Euphaniskos ( $* 92, * 131$ ) and Nikostratos ( $* 90, * 92$ ). On Rhodes's reputation as an arbitrator, cf. Polybios 27.4, 6-8.

167 89. Cf. Berthold 147f.
168 -61, $=110$ = 137 .
169 •137.
170 Piccirilli ${ }^{*} 4$.

## 956

171 For the evidence, see $* 28, * 92, * 115$.
172 Piccirilli \#35, "51; *38, 95 .
173 =54.

174 *43. For other Achaian involvement in arbitration between member states, see $=31,=41,=50, * 103, * 128, * 162$.

175 Between Lebadeia and Koroneia: 14; between Akraipheia and Kopai: *20.

176 *59, 60.
177 See in particular Raeder, and H. Swoboda Klio 12 (1912) pp. 17-50.

178 *34.

179 ${ }^{*} 101$.

180『53.

181 ${ }^{5} 69$.

182 Cf . Raeder p. 220. We are told that the Achaian League controlled the foreign contacts of its members by refusing to allow them to send embassies to foreign states independently of the League (Polybios 2.48, 7). This does not prove, however, that the League itself had to be involved in any official capacity in arbitration among its members.

## Abbreviations

The works included in this list are periodicals and epigraphic collections referred to frequently. Abbreviated citations of other works will be found in the bibliography under the author's name.

| AA | Archäologischer Anzeiger |
| :--- | :--- |
| AAI Atti della Accademia delle Scienze di-Torino. Classe di |  |
|  | Scienze morali, storiche e filologiche |

AAWW Anzeiger der Österreichischen Akademie der Wissenschaften in Wien, Philosophisch-historische_Klasse
ABAW Abhandlungen der Bayerischen Akademie der Wissenschaften.

AD Archaiologikon Deltion
AE Archaiologike Ephemeris
AEM Archäologisch-Eplgraphische Mitteilungen aus ÖsterreichUngarn

ANBW Aufstieg und Niedergang der Römischen Welt. Geschichte und Kultur Roms im Spiegel der neveren Forschung

ASAW Abhandlungen der Sächsischen Akademie der Wissenschaften (Leipzig)

ASNP $\quad \begin{aligned} & \text { Annali della Scuola Superiore di Pisa, Cl. di Lettere e } \\ & \text { Eilosofia }\end{aligned}$
BMus C.T. Newton et al. The Collection of Ancient Greek Inscriptions in the British Museum. Oxford 1874-1916.

BPhW Berliner Philologische Wochenschrift

| Cauer ${ }^{2}$ | P. Cauer. Delectus inscriptionum graecarum propter dialectum memorabilium. Second edition Leipzig 1885. |
| :---: | :---: |
| CIG | A. Böckh. Corpus lnscriptionum Graecarum. Berlin 1828-77. |
| CRAI | Comptes Rendus des séances. Académie des Inscriptions et Belles-Lettres (Paris) |
| EDelphes | Fouilles de Delphes لlllípigraphie. École française d'Athènes. Paris 1909-. |
| GGA | Göttingische Gelehrte Anzeigen |
| Gonnoi | B. Helly. Gonnoi.l.La cité et son histoire. Il: Les inscriptions Amsterdam 1973. |
| Hicks | E.L. Hicks. Manual of Greek Historical_nscriptions. Oxford 1882. |
| Hicks/Hill | E.L. Hicks, G.F. Hill. Manual of Greek Historical Inscriptions. Oxford 1901. |
| IAssos | R. Merkelbach. Die Inschriften von Assos. Bonn 1976. |
| IC | M. Guarducci. Inscriptiones Creticae opera et consilio Eriderici Halbherr collectae. 4 volumes. Rome 1935-. |
| 1Ephesos | H. Wankel et al. Die Inschriften von Ephesos. Bonn 1979-81. |
| IErythrai | H. Engelmann, R. Merkelbach. Die Inschriften von Erythrai und Klazomenai. Bonn 1972-73. |
| IGRR | R. Cagnat et al. Inscriptiones Graecae ad res Romanas pertinentes. Paris 1911-1927. |
| م011) | P. Frisch. Die Inschriften von llion. Bonn 1975. |
| LLampsakos | P. Frisch. Die Inschriften von Lampsakos. Bonn 1978. |


| IMagM | 0. Kern. Die Inschriften von Magnesia am Maeander. Berlin 1900. |
| :---: | :---: |
| 10lympia | W. Dittenberger, K. Purgold. Olympia: die Ergebnisse der. Ausgrabung V: Die Inschriften. Berlin 1896. |
| IParion | P. Frisch. Die Inschriften von Parion. Bonn 1983. |
| IPergamon | M. Fränkel. Die Inschriften von Pergamon. Altertümer von Pergamon Vlll. Berlin 1890-95. |
| 1Priene | F. Hiller von Gaertringen. Die Inschriften von Priene. Berlin 1906. |
| ISE | L. Moretti. Iscrizioni storiche ellenistiche 2 volumes. Firenze 1967-1975. |
| , K K h | Jahrbücher für Klassische Philologie |
| H0Al | Jahreshefte des Österreichischen Archäologischen Instituts in Wien |
| LeBas/ Waddington | P. LeBas, W.H. Waddington. Inscriptions grecques et latines recueillies en Asie Mineure. New York 1972. ( $=\mathrm{v} .3$, pt. 5 of Voyage archéologique en Grèce et en Asie Mineure. Paris 1870). |
| LS | Leipziger Studien zur Klassischen Philologie |
| MAI | (Monuments et)Mémoires de l'Académie des lnscriptions et Belles-Lettres (Paris) |
| MDAl(A) | Mitteilungen des Deutschen Archäologischen لInstituts. (Athenische Abt.) |
| MDAl(1) | Mitteilungen des Deutschen Archäologischen Instituts. (Abt. Istanbul) |


| MEER | Mélanges d'Archeologie et d'Histoire de l'École Francaise de Bome |
| :---: | :---: |
| Michel | C. Michel. Becueil d'inscriptions grecques. Brussels 1900. Supplements i, ii, Brussels 1912, 1927. |
| Milet | T. Wiegand et al. Milet. Ergebnisse der Ausgrabungen und Untersuchungen seit dem Jahre 1899. Band I. Berlin 1908-1914. |
| Musital | Museo italiano di antichità classica |
| NUPhP | Neve Jahrbücher für Philologie und Pädagogik (Leipzig) 1831-97. |
| OGIS | W. Dittenberger. Orientis Graecae Inscriptiones selectae. Leipzig 1905 (=Georg Olms. Hildesheim 1960). |
| PAA | Praktika tes Akademias Athenon |
| PASA | Papers of the American School of Classical Studies at Athens. |
| BA | Révue archéologique |
| BAL | Rendiconti della Classe di Scienze morali, storiche e filologiche dell Accademia dei Lincei |
| BFIC | Rivista di Filologia e di lstruzione Classica (Turin) |
| Blag | R. Dareste, B. Haussoullier, T. Reinach. Recueil des inscriptions juridiques grecques. Paris 1891-1904 (=Rome 1965). |
| BSA | Rivista di Storia Antica |
| SAWW | Sitzungsberichte der österreichischen Akademie der Wissenschaften. Philosophisch-historische Klasse (Vienna) |


| Schroeter | F. Schroeter. De regum hellenisticorum epistulis in lapidibus servatis. Diss. Leipzig 1931/2. |
| :---: | :---: |
| Schwyzer | E. Schwyzer. Dialectorum Graecarum exempla epigraphica potiora. Leipzig 1923. |
| SCO | StudiClassicie Orientali |
| SGDI | H. Collitz et al. Sammlung der griechischen Dialektinschriften. Göttingen 1884-1886. |
| Sherk | R.K. Sherk. Roman Documents from the Greek East. Johns Hopkins 1969. |
| $\mathrm{SIG}^{2}$ | W. Dittenberger. Syllege_Inscriptionum Graecarum. 2nd. ed. Leipzig 1898-1900. |
| $51 G^{3}$ | W. Dittenberger et al. Sylloge Inscriptionum Graecarum. 3rd ed. Leipzig 1915-1920 (=Georg Olms. Hildesheim 1960). |
| SPAW | Sitzungsberichte der (königlichen) preussischen Akademie der Wissenschaften. Philosophisch-historische Klasse (Berlin). |
| Tod GHI | M.N. Tod. Greek Historical Inscriptions from 403 to 323 B.C. Oxford 1948. |
| Welles BC | C.B. Welles. Boyal Correspondence in the Hellenistic Period. Yale 1934. |
| WS | Wiener Studien. |

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__ Epigrafia greca Il: Epigrafia di carattere pubblice. Rome 1970.
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## Appendix 1: Case Concordance

| No. | CASE | Berard | Sonne | Raeder | Tod |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 001 | Amphissa \& Delphi et al./ Delphic Amphiktiony. 338/7 | - | - | - | - |
| 002 | The League of Corinth. 337 | - | - | - | - |
| 003 | Melos \& Kimolos/Argos. After 337 | 30 | 54 | 29 | 47 |
| 004 | Aspendos \& Side [?]/ <br> Alexander III. 334/3 | - | - | - | - |
| 005 | Various States/ <br> Alexander III. 323 | - | - | - | - |
| 006 | Rome \& the Samnites/ <br> Tarentum. 320 [?] 314[?] | - | - | - | - |
| 007 | Apollonia \& Glaukias of Illyria/ Akrotatos of Sparta. 315 | - | - | - | - |
| 008 | Agathokles \& Messana/Hamilcar of Carthage. 315-14 | - | - | - | - |
| 009 | Demetrios I \& Rhodes/Knidos, Athens, Aitolia. 304 | 40 | 14 | - | - |
| 010 | Lebedos \& Teos/Antigonos I \& Mytilene. c. 303 | 36 | 62 | 30 | - |
| 011 | The Hellenic League. 302 | - | - | - | - |
| 012 | Biannos [?] \& Unknown State. End of fourth century | - | - | - | - |

013 Klazomenai \& Teos [?]/Kos. End of fourth century
014 Koroneia \& Lebadeia/The Boiotian ..... 21 League. Fourth/third century
015 Lebedos \& Unknown State/The ..... p. 29 ..... 32Ionian League. Early third century
016 Kondaia \& Unknown State/ ..... 33 ..... 43
Larisa. Early third century
017 Phthiotic Thebes \& Halos.First half of third century
018 Two Unknown States/Sikinos.First half of third century
019 Heraia \& Unknown State.
Third century
020 Akraipheia \& Kopai/The Boiotian ..... 39 ..... 17 League. Third century
021 Boura \& Unknown State.
Third century
022 Boumelita \& Halai/Thebes.
Third century
023 Naxos/Eretria [?] ..... 46
Third century
024 Kalymna \& Kos/Knidos. ..... 41

                                    79 ..... 75
    300-286 ..... 61 ..... 76
025 Amphissa \& Delphi et al./1
Pausanias of Thessaly. 290-280 [?]
026 Samothrace \& Unknown State/Lysimachos. 288-281
027 Magnesia-the Pedieis \& Priene/Lysimachos. 285-281
028 Priene \& Samos/Lysimachos. ..... 39 ..... 34 ..... 61
c. 283
029 Rome \& Tarentum/Pyrrhos. ..... 27 ..... 16 ..... 280
030 Two Unknown States.
c. 280 [?]
031 Dymai [?]/The Achaian League. ..... 80
After 280 [?]
032 States of East Lokris/Larisa [?] Before 278/7 [?]
033 Phalasarna \& Polyrhenia/ Kleonymos of Sparta. Before 275
034 Agrai \& Stratos/Aitolia \& ..... 28 Akarnania. 263-262
035 Aigai/Antiochos 11.261-247
036 Melitaia-Chalai \& Peumata/ ..... 36 ..... 38 Kassandreia. ..... c. 260-250

| No. | CASE | Berard | Sonne | Raeder | Tod |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 037 | Pereia-Phylladon \& Peumata/ Kassandreia. c. 260-250 | - | - | 35 | 38 |
| 038 | Melitaia \& Narthakion/Macedon. c. 260-250 or c. 210-197 [?] | 26 | 28 | 19 | 34 |
| 039 | Phigaleia \& Unknown State. 260-230 [?] | - | - | - | - |
| 040 | Carthage \& Rome/Ptolemy II. 252 | - | - | - | - |
| 041 | Two Unknown States/The Achaian League. 250-200 | n | - | - | - |
| 042 | Alipheira [?] \& Unknown State/ Elis [?]. 244-219 | - | - | - | - |
| 043 | Epidauros \& Corinth/Megara \& the Achaian League. c. 240 | 11 | 48 | 50 | 15 |
| 044 | The Achaian League \& Argos/ Mantineia. 240 | 10 | 17 | 40 | - |
| 045 | Messene \& Phigaleia/The Aitolian League. c. 240 | 2 | $\begin{aligned} & 32,40 \\ & 41 \end{aligned}$ | 51 | 5-7 |
| 046 | Matropolis \& Oiniadai/Thyrrheion 239-231 | n. | - | - | 27 |
| 047 | Megalopolis \& Orchomenos/The Achaian League. 233 | - | - | - | - |
| 048 | Argos \& Kleonai/The Achaian League. c. 229 [?] | - | - | - | - |

No. CASE Berard Sonne Raeder ..... Iod
049 Megalopolis \& Sparta.
229/8-221
050 Arsinoë \& Epidauros/The Achaian League. After 228
051 Eleutherna \& Antigonos III. ..... 48
c. 224
052 Hierapytna \& Antigonos III. ..... 55
c. 224
053 Achaios \& Attalos I/Byzantion.222-220
054 Messene \& Sparta/Antigonos III. ..... 51 ..... 28 ..... 1221
53
055 Byzantion \& Rhodes-Bithynia/ Kavaros. ..... 220
056 Antiochos III \& Ptolemy IV/ Rhodes et al. 219/8
057 Aitolia \& Philip V-Achaia/Rhodes et al. 218-217
058 Gonnoi \& Herakleion/Philip V.After 218
059 Melitaia \& Xyniai/The Aitolian ..... 42 ..... 37 League. 214/3
060 Melitaia \& Pereia/Kalydon \& ..... 25 ..... 41 ..... 35 the Aitolian League. 213/2 ..... 36

| No. | CASE Berard | Sonne | Raeder | Iod |
| :---: | :---: | :---: | :---: | :---: |
| 061 | Philip V \& Rome-Aitolia/ Rhodes et al. 209-206 | - | - | - |
| 062 | The Achaian League \& Megalopolis/ Philip V. 208-198 | - | - | - |
| 063 | Crete \& Rhodes [?]/Antiochos III. c. 201 or c. 195 [?] | - | - | - |
| 064 | Philip V \& Attalos 1-Rhodes/ <br> Rome. 200 | - | - | - |
| 065 | Antiochos III \& Ptolemy V/ Rome. 200 | - | - | - |
| 066 | Philip V \& Rhodes/The Achaian League. 200 | - | - | - |
| 067 | Chyretiai \& Erikinion/ Philip V or Flamininus [?] c. 200 or later | - | - | - |
| 068 | Heraia \& Alipheira. <br> c. 200 [?] | - | - | - |
| 069 | Epidauros \& Hermione/Miletos \& Rhodes. End of third century | - | 60 | 12 |
| 070 | Brykos [?] \& Unknown State/ 44 Karpathos [?] Third/second century | 21 | 45 | 82 |
| 071 | Angelai \& Ktimenai/Thaumakoi [?] Third/second century | - | - | 39 |
| 072 | Kallatis \& Unknown State/ Apollonia. Third/second century [?] | 37 | 75 | 77 |


| No. | CASE | Berard | Sonne | Raeder | Tod |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 073 | Kaphyai \& Tegea. Second century | - | - | - | 9 |
| 074 | Two Unknown States. Second century | - | - | - | - |
| 075 | Two Unknown States. Second century | - | - | - | - |
| 076 | Mylasa \& Unknown States. Second century | - | $\begin{aligned} & 42 \\ & 43 \end{aligned}$ | - | $\begin{aligned} & 73 \\ & 74 \end{aligned}$ |
| 077 | Gonnoi \& Unknown State/Kierion. Second century |  | - | - | - |
| 078 | Gonnoi \& Unknown State/Kierion. Second century |  | - | - | - |
| 079 | Gortyn \& Kaudos. Early second century | - | - | - | - |
| 080 | Gortyn, Hierapytna \& Priansos. Early second century | - | - | - | - |
| 081 | Hierapytna \& Priansos. Early second century | 47 | 56 | 76 | 54 |
| 082 | Halikarnassos \& Telmissos. Early second century | - | - | - | - |
| 083 | Klazomenai \& Temnos/Knidos. <br> First half of second century | - | - | - | - |
| 084 | Megalopolis [?] \& Unknown State First half of second century | - | - | - | - |

$\begin{array}{ll}\text { No. } \quad \text { CASE } \\ 085 & \text { Philip V \& Flamininus. }\end{array}$

086 Antiochos III \& Attalos I/Rome. 198

087 Boiotia \& Flamininus/The Achaian League \& Athens. 196

088 The Roman Settlement of Greece. 196

089 The Conference at Lysimacheia. 196

090 Magnesia \& Miletos/Rhodes et al. 196

091 Gortyn \& Knossos/Magnesia. 44 49 After 196 [?]

092 Priene \& Samos/Rhodes.
39
$18 \quad 34$ 62 196-192

093 Hermione [?] \& Troizen/Athens \& 4713Rome. After 196[?] 14

094 Larisa \& Pteleion/Rome.
59
33 After 196 [?]

| 095 | Melitaia \& Narthakion/Thessaly <br> \& Flamininus [?]. 196-194 | 26 | 28 | 19 | 34 |
| :--- | :--- | :--- | :--- | :--- | :--- |
| 096 | Epidauros Limera [?] \& Zarax/ <br> Tenos. 195-146 | 3 | 33 | 61 | 3 |


| No. | CASE | Berard | Sonne | Raeder | Tod |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 097 | Geronthrai \& Unknown State/The Lakedaimonian Koinon. 195-146 | 4 | 23 | 81 | 4 |
| 098 | Alipheira \& Lepreion. After 194/3 | - | - | - | - |
| 099 | Naxos \& Paros/Eretria. 194-166 | 28 | $\begin{aligned} & 15 \\ & 59 \end{aligned}$ | $\begin{aligned} & 31 \\ & 63 \end{aligned}$ | 45 |
| 100 | The Aitolian League \& Rome/ Antiochos III \& Athens. 192 | - | - | - | - |
| 101 | Aigosthena \& Pagai/Kassopai \& Thyrrheion. c. 192 | 14 | $\begin{aligned} & 24 \\ & 34 \end{aligned}$ | $\begin{aligned} & 43 \\ & 62 \end{aligned}$ | $\begin{aligned} & 16 \\ & 29 \end{aligned}$ |
| 102 | The Achaian League \& Messene/ Rome. 191 | - | - | - | - |
| 103 | Elis \& Unknown State/Corinth. After 191 | - | - | - | - |
| 104 | Amphissa [et al.?] \& Delphi/ Rome \& Amphiktiony [?]. 190 | - | - | - | 26 |
| 105 | Hypnia \& Myania/Chalai, Physkos \& Tritea. c. 190 |  | - | - | - |
| 106 | Lampsakos \& Parion/Chios. <br> c. 190 | - | - | - | - |
| 107 | Phokaia \& Smyrna/Priene. <br> c. 190 | - | - | - | - |
| 108 | Antissa, Eresos, Methymna \& Mytilene. 190-167 | - | - | 48 | 58 |


| No. | CASE | Berard | Sonne | Raeder | Iod |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 109 | Eresos \& Methymna/Aigai, Miletos \& Samos. 190-167 | - | - | - | - |
| 110 | The Aitolian League \& Rome/ Athens \& Rhodes. 190/89 | - | - | - | - |
| 111 | Gortyn-Knossos \& Kydonia/Rome. 189 | . | - | - | - |
| 112 | Sparta \& the Achaian League/ Rome. 188 | - | - | - | - |
| 113 | The Peace of Apameia. $188$ | - | - | - | - |
| 114 | The Roman Settlement of Asia. 188 | - | - | - | - |
| 115 | Priene \& Samos/Rome. 188 | 39 | $\begin{aligned} & 19 \\ & 20 \end{aligned}$ | 34 | $\begin{gathered} 63,64 \\ 65 \end{gathered}$ |
| 116 | Miletos \& Priene/Rome [?] \& Smyrna. After 188 [?] | 38 | 30 | 66 | 67 |
| 117 | Mylasa \& Stratonikeia/Rome. After 188 | 42 | $\begin{aligned} & 26 \\ & 96 \end{aligned}$ | 58 | 71 |
| 118 | Lycia \& Rhodes/Rome. 188 \& later | - | - | - | - |
| 119 | Antiochos III \& Eumenes II/ Rome. 187 | - | - | - | - |
| 120 | The Achaian League \& Boiotia/ Megara. 187/6 | - | - | - | - |


| No. | CASE | Berard | Sonne | Raeder | Tod |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 121 | Philip V \& Various States/Rome. 186/5 \& later | - | - | - | - |
| 122 | Sparta \& the Achaian League/ Rome. 184 | - | - | - | - |
| 123 | Gortyn \& Knossos/Rome. 184 | 46 | 27 | 52 | - |
| 124 | Eumenes II \& Prousias I/ Flamininus. 184 | - | - | - | - |
| 125 | The Achaian League \& Messene/ Rome. 183 | - | - | - | - |
| 126 | Eumenes II \& Pharnakes/Rome. $183-80$ | - | - | - | - |
| 127 | The Achaian League \& Messene/ Boiotia. 182 | - | - | - | - |
| 128 | Megalopolis, Messene \& Thouria/ The Achaian League. After 182 | - | - | - | 8 |
| 129 | Herakleia \& Miletos/Rhodes [?] <br> c. 180 | - | - | - | - |
| 130 | Araxa \& Unknown State/Lycian League. c. 180 or c. 150 | - | - | - | - |
| 131 | Amphissa \& Delphi/Rhodes. $179 / 8$ | - | - | - | $\begin{aligned} & 22 \\ & 23 \end{aligned}$ |
| 132 | Azoros \& Mondaia/Apollonia, Dyrrhachion \& Korkyra. After 1 | $78^{-}$ | - | 54 | 44 |

133 The Achaian League \& Eumenes II/ Rhodes. Before 172
134 Magnesia \& Priene/Mylasa. ..... 73 ..... 66
C. $175-160$
135 Ambrakia \& Athamania/Korkyra. ..... 53 ..... 81
C. $175-160$
136 Aitolia, Perrhaibia, Thessaly, Crete/Rome. 173-172
137 Perseus \& Rome/Rhodes \& Ptolemy VI. 172-168
138 Antiochos IV \& Ptolemy VI/ Rome et al. 170-68
139 Gortyn \& Knossos/Ptolemy VI [?] ..... 50 168-165
140 Eumenes II \& Galatia/Rome. 167
141 Erythrai \& Hypata/Chalkis. ..... 24 ..... 22
69 ..... 30 167-146
142 Delphi \& Ambryssos-Phlygonion/ ..... 25 Athens \& Rome. c. 167-140 [?]
143 Ambrakia \& Charadros/Rome [?]167-157
144 Abdera \& Kotys/Rome.
After 167

| No. | CASE | Berard | Sonne | Raeder | Iod |
| :---: | :---: | :---: | :---: | :---: | :---: |
| 145 | The Achaian League \& Tenos/ Rhodes. 166-146 | - | - | - | - |
| 146 | Alabanda \& Mylasa/Lanthes of Assos. After 166 | 43 | 29 | 67 | 72 |
| 147 | Skarphal \& Thronion/Athens, Amphissa, Rome. c. 165-60 [?] | - | - | - | - |
| 148 | Megalopolis \& Sparta/Rome. 164/3 | 5 | $\begin{aligned} & 49 \\ & 52 \end{aligned}$ | 27 | 2 |
| 149 | Argos \& Sparta/Rome. $164 / 3$ | - | - | - | - |
| 150 | The Achaian League \& Sparta. After 163 | 5 | $\begin{aligned} & 49 \\ & 52 \end{aligned}$ | 27 | 2 |
| 151 | Eumenes \|| \& Prousias II/Rome. $164-160$ | - | - | - | - |
| 152 | Akarnania \& Ambrakia/Athens. $164 / 3$ | - | - | - | - |
| 153 | Arsinoë \& Troizen/Ptolemy VI. $163-146$ | - | - | - | - |
| 154 | Doris \& Sparta/Lamia. $160$ | - | - | - | - |
| 155 | The Achaian League \& Athens/ Rome. 159/8 | - | - | 55 | - |
| 156 | Athens \& Oropos/Rome \& Sikyon. 156-155 | - | 50 | 56 | - |

# 157 Attalos II \& Prousias II/ Rome. 

 156-154158 Ariarathes V \& Priene/Rome.

$$
\text { c. } 155 / 4
$$

159 Crete \& Rhodes/Rome. 153
$\begin{array}{llllll}160 & \text { Akraipheia \& Unknown States/ } & - & - & 70 & 18 \\ \text { Larisa. c. } 150\end{array}$

161 Akraipheia \& Unknown State/ Megara. c. 150

162 Megalopolis \& Thouria/Patrai.
c. 150

163 Mytilene \& Pitane/Pergamon
c. 150-133

164 Nikomedes \& Prousias II/ Rome. 149

165 The Achaian League \& Sparta/ Rome. 150-147

166 Thebes \& Various States/ Rome. 147
167. Messene \& Sparta/Rome. 1

51
28
1 146-145 53

168 Argos \& Kleonai/Rome. 145

## Appendix 11: Literary Passages Cited

Appian:
Mak:
3.1 (*61)
9.6 (*121)
11.1 (*136)

17(*137)
Mith: 1.3 (*157)
1.6-7(*164)

Sic: $\quad 1(* 40)$
Syr: $\quad 1.2$ (*89)
2.11 (*124)
11.66 (*138)

Arrian Anabasis:
1.27, 4 (*4)
7.15, 4-5 (*5)

Dio:
17.58-59 (*61)
21.72 (*165)

Diodoros:
17.113, 3 (*5)
19.65, 5 (*8)
19.70, 7 (*7)
19.71, 6-7 (*8)
20.97-99 (*9)
28.11 (*85)
29.22, 2 (*126)
30.2 (*137; *138)
30.24 (*137)
31.2 (*138)
31.7,2 (*151)
31.32 (*158)
32.20 (*164)

Dionysios of Halikarnassos:
19.9, 2-4 (*29)

Justin 32.4, 8 (*124)
Livy:
9.14, 1-7 (*6)
27.30, 4-15 (*61)
28.5, 13 (*61)
28.7,13-15 (*61)
28.8, 6 (*62)
29.12 (*61)
32.5, 4-5 (*62)
32.8, 9-16 (*86)
32.10 (*85)
32.27 (*86)
33.29, 7-12 (*87)
33.34, 5-11 (*88)
33.39, 1-4 (*89)
33.40, 3 (*89)
35.32, 6-14 (*100)
35.33, 4-7 (*100)
35.40, 2-8 (* 100 )
36.31, 9 (*102)
37.6-7 (*110)
37.60 (*111)
38.3, 6-7 (*110)
38.9-10 (*110)
38.32, 3-10 (*112)
38.38, 17 (*113)
38.39, 5-7 (*114)
38.39, 17 (*119)
39.22, 8-9 (*|19)
39.24-26 (*121)
39.29 (*121)
39.33, 1-5 (*121)
39.46, 6-9 (*121)
39.48, 2-4 (*122)
39.51, 1 (\#124)
39.53, 10 (*121)
40.2, 6-8 (*126)
40.20, 1 (*126)
41.6, 8-12 (*118)
41.25 (*136)
41.27, 3-4 (*136)
42.2, 2 (*136)
42.4, 5 (*136)
42.5, 7-12 (*136)
42.12, 7 (*136)
42.13, 9 (*136)
42.40, 7 (*136)
42.46, 3-4 (*137)
44.15 (*118)
44.19, 6-14 (*138)
44.24, 6 (*137)
44.25, 5 (*137)
44.29, 7-8 (*137)
44.35, 4 (*137)
45.3, 3-6 (*137)
45.12, 3-7 (*138)
45.20, 1-2 (*140)
45.34, 10-14 (*140)

Per 50 (*164)
Pausanias:
7.8, 6 (*121)
7.9, 3-5 (*122)
7.11, 1-2 (*148; *149)
7.11, 4-5 (*156)
7.12-14 (*165)
7.14, 7 (*166)

Plutarch:
Aratos 25, 5 (*44)
Demetrios 22, 8 (*9)
Flamininus 20, 3 (*124)
Kleomenes 4, 1 (*49)
Pyrrhos 16, 4 (*29)
Polybios:
2.54, 3 (*49)
4.49, 2 (*53)
4.51, 9-52, 4 (*55)
5.24, 11 (*57)
5.28, 1-2 (*57)
5.63, 4-7 (*56)
5.67, 11 (*56)
5.100, 9-11 (*57)
9.33, 11-12 (*2)
11.4, 1 (*61)
16.27, 1-3 (*64)
16.27, 5 (*65)
16.34, 3-4 (*64)
16.35 (*66)
18.42, 5-7 (*88)
18.47, 5-13 (*88)
18.49, 2-50, 5 (*89)
18.51, 10 (*89)
18.52 (*89)
21.4(*110)
21.24, 4-6 (*114)
21.25 (*110)
21.29-30 (*110)
21.42, 26 (*|13)
21.45, 1 (*114)
21.45, 11 (*119)
22.4, 9-17 (*120)
22.5 (*118)
22.6 (*121)
22.11, 1-4 (*121)
22.15 (*123)
23.1 (*121)
23.4(*122)
23.5, 1 (*124)
23.9, 1-3 (*126)
23.16, 4-5 (*127)
24.1, 1-4 (*126)
24.5 (*126)
24.9, 12-13 (*125)
24.14-15 (*126)
25.4-6 (*118)
27.4, 4-6 (*137)
27.19, 1-2 (*138)
28.1 (*137; *138)

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28.7, 3-15 (*133)
28.17, 4-14(*138)
28.19(*138)
28.20, 1 (*138)
28.23, 1 (*138)
29.2, 1-3 (#138)
29.7, 6-8 (*137)
29.10, 1-4(*137)
29.11, 1-6 (*137)
29.19,1 (#137)
29.24, 10 (*138)
29.25(*138)
29.27 (* 138)
30.3(#140)
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## Appendix III: Inscriptions Cited

In general, only the more important epigraphic works have been cited here; however, in the event of an inscription appearing only in one of the more obscure publications, that citation has been given.

Arkhaiologike Ephemeris:
1917: pp. 15-18 (*67)
1932: pp. 19-21 (*17)

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5: pp. 101-5 (*117)
24: pp. 74-79 (*161)
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46: pp. 405-7 (*76)
66/67: pp. 143-46 (*32)
77: pp. 616-28 (*41)
108: pp. 703-7 (*75)
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|  | *205 (*60) | *245 (*163) |  |
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|  | add *128(*99) |  | p. 264, VII 202 (*30) |
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| XII.9: | \#223 (\#23) | pp. 272f., XXI-XXVI |  |
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1937: pp. 337-44 (*106)
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[^0]:    ${ }^{14}$ Berard, Sonne, Raeder and Tod.

[^1]:    1 See Berthold p. 41.

[^2]:    1 A fragment of the copy from Olympia was published in LOlympia \#40, and recognized as such by Wilhelm AE 1910 p. 147. See Préaux p. 297 on the practice of "international publication" of treaties.

    2 See $\underline{S I G}^{3}$ \# $421^{3}$. It was a "generous concession" on the part of Aitolia, according to Soteriades (p. 74). Cf. Swoboda p. 400; Reinach REp р. 395.

[^3]:    5 Laurent p. 340. In cases of arbitration we might expect á $\mu \varphi \varphi^{\prime} \lambda \in$ you mpòc á $\lambda \lambda$ j́n $\lambda$ ouc with the names of the disputants in the nominative; but here that is the position of the names of Melitala and Chalai, while the name of the Peumatans is reserved for the next clause, прòc חєuцatíouc. Either this second phrase, прòc Пeuparíouc,
     Melitaians and Chalaians disputed the land between themselves, and were only reconciled for the purpose of making sure that Peumata did not get it. Cf. Tod's criticism of Laurent's view.

[^4]:    1 The Hellenistic monarchs frequently acted as arbitrators in the fourth and third centuries: cf. *10, *26, *28, $=54, * 58, * 62, * 63$, - 139 .

[^5]:    1 Cf. de Taube, who remarks that Tod was overly enthusiastic to include this as a case.

    2 Heraia was granted by Philip to the Achaian League in 199/8, a decision that was ratified by the Romans in 196 (*62, *88). Alipheira was also granted to Megalopolis by Philip ( $=62$ ). At that time the Achaian League contested the grant of Alipheira to Megalopolis; perhaps a boundary settlement was necessary.

    On the other hand, Hiller von Gaertringen (IG V. 2 p .105 ) dated this arbitration to sometime before 219, the year in which Philip took Alipheira (Macedon had controlled Heraia since 224).

[^6]:    A.S. Arvanitopoulos AE 1911 p. 143, *81; *Helly Gonnoi II.116-17, * 107.

[^7]:    5 Amphissan-owned properties form the largest single group of confiscated estates (33).
    $6 \mathrm{Cf}=1$.
    7 Nigrinus recorded this in his decrees which published his final judgement:

    II A II. 5-6: Cum hieromnemonum iudicio «quod> ex auctor[itate Ma]ni Acili et senatus facto Oplti]mus Princeps stari iusserit...
     [k]atà iǹv Mavíou 'Akei入íou kaì tñc Cuүкスńtou $\gamma v \omega ́ \mu \eta v, ~ \eta ̄ v ~ k a ̀ ~ o ́ ~$

[^8]:    R.S. Bagnall. The Administration of the Ptolemaic Possessions Outside

