



# Federal Treaty Cultures in Hellenistic Greece\*

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## I. Introduction

In 263/2 BC, an interstate agreement was concluded between the neighboring leagues of the Aitolians and the Akarnanians. The treaty begins with the following lines:

συνθήκα καὶ συμμαχία  
Αἰτωλοῖς καὶ Ἀκαρνανοῖς.  
ἀγαθαὶ τύχαι. συνθήκα Αἰτωλοῖς καὶ Ἀκαρνανοῖς ὁμόλογος· εἰρήνην | εἶμεν  
καὶ φιλίαν ποτ' ἀλλήλους, φίλους ἔοντας καὶ συμμαχούς ἅμα | τὰ τὸν πάντα  
χρόνον, ὅρια ἔχοντας τὰς χώρας τὸν Ἀχελώϊον ποταμὸν ὄν ἄχρι εἰς θάλασσαν.  
τὰ μὲν ποτ' ἄνω τοῦ Ἀχελώϊου ποταμοῦ Αἰτωλῶν εἶμεν, τὰ δὲ | ποθ' ἔσπεραν  
Ἀκαρνανῶν πλὴν τοῦ Πραντός καὶ τὰς Δεμφίδος. ταύτας δὲ Ἀκαρνανῶν | ες οὐκ  
ἀντιποιοῦνται. ὑπὲρ δὲ τῶν τερμόνων τοῦ Πραντός, εἰ μέγ κα Στρατίοι καὶ  
Ἀγραῖοι συγχωρέωντι αὐτοὶ ποτ' αὐτούς, τοῦτο κύριον ἔστω· εἰ δὲ μή,  
Ἀκαρνανες καὶ Αἰτωλοὶ | τερμαξάντω τὰμ Πραντίδα χώραν, αἰρεθέντας(!)  
ἐκατέρων δέκα πλὴν Στρατίων καὶ Ἀγρακίλων· καθὼς δὲ κα τερμαξώντι,  
τέλειον ἔστω. (...)

Compact and alliance between the Aitolians and the Akarnanians.  
With good fortune. Agreed compact between the Aitolians and the Akarnanians.  
They shall keep peace and friendship towards each other, being friends and allies  
for all time, having as a border the river Acheloos, as far as the sea. The regions to  
the east of the river Acheloos shall belong to the Aitolians, and the regions to the  
west shall belong to the Akarnanians, except for Pras and Demphis – the  
Akarnanians do not lay claim to these places. Concerning the borders of Pras, if  
the Stratioi and Agraioi reach agreement with each other, their agreement shall be  
binding; but if not, the Akarnanians and the Aitolians shall determine the borders  
of Pras, each choosing ten of their men, but excluding the Stratioi and the Agraioi,  
and they shall make the final decision on the borders. (...)<sup>1</sup>

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After some standard provisions on peace, friendship, and alliance, the river Acheloos is stipulated as the boundary between the two leagues. The river constituted a natural border between Aitolia and Akarnania,<sup>2</sup> but was nevertheless repeatedly disputed among both *ethne*. Especially the territory overflowed by the river, the so-called Paracheloïtis, constituted a constant source of dispute.<sup>3</sup> In order to solve the problem, the passage includes a “potential”<sup>4</sup> arbitration between the bordering communities of Akarnanian Stratos and Agrai in Aitolia.<sup>5</sup> It is striking that both leagues appointed the judges for the arbitration directly. Since the power of final judgement could not be granted to only one of the leagues involved, they solved the issue by establishing provisions for a joint commission with equal representation from both leagues. However, this is not the only possible way the procedure of interstate arbitration could be organized by Greek federal states. Other leagues like that of the Achaian *koinon* favored another, less direct procedure to appoint the judges: they did not settle boundary conflicts by a commission appointed by a federal body but delegated the decision to a city within the league.<sup>6</sup>

Considering the different practices of arbitration in Greek federal states mentioned above, I cannot help but wonder: would it be possible to unveil characteristic sets of treaty-making practices including boundary regulations on a federal level? Or, in other words: can we identify specific federal treaty cultures in Ancient Greece? In order to answer this question, this article focuses on the way treaties were concluded in the two politically most important Greek federal states of the Hellenistic age: the Achaian and Aitolian Leagues. The notion of looking for different treaty cultures is borrowed from the field of political history. Especially in the area of Roman Republican

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anonymous reviewers also provided helpful comments; unnecessary to mention that the remaining errors are my own.

<sup>1</sup> *Staatsverträge* III 480 (AGER, *Arbitrations* 33; MAGNETTO, *Arbitrati* 27; Thermos and Olympia, around 263/2 BC; cf. DANY 1999, 69-86, SCHOLTEN 2000, 253-256, MACKIL 2013, 382 and FREITAG 2015, 76).

<sup>2</sup> Strab. 10, 2, 1.

<sup>3</sup> For it was confusing the designated boundaries. According to Strab. 10, 2, 19, the problem was compounded by the fact that “they (sc. the Aitolians and Akarnanians) had no arbitrators” (οὐκ ἔχοντες διαιτητάς); cf. AGER 1996, 106.

<sup>4</sup> AGER 1996, 106.

<sup>5</sup> MACKIL 2013, 318.

<sup>6</sup> AGER 1996, 24.



History, the concept of political culture became very popular recently.<sup>7</sup> The idea is based on the assumption that the political culture of a given political unit extends far beyond its constitutional aspects. Therefore, it does not only include the formal aspects of politics, but all informal rules, norms, discourses, and practices which are characteristic for a particular political community. With regard to the Greek world, however, it is precisely the fact that a multiplicity of political cultures in the plural form existed that allows for the creation of a more nuanced picture of political structures and practices.<sup>8</sup> This article starts from the assumption that those practices included the way of how different federal states dealt with treaties and boundary regulations.

Yet in order to understand how processes of treaty-making functioned in Greek federal states, it is necessary to shed light on other forms of treaty cultures beyond the level of the polis as well. I will start with a look at the characteristic treaty culture of Hellenistic Crete. I will then compare the Achaian and Aitolian Leagues by analyzing their specific forms of third-city arbitration. In a third step, some typical examples of both leagues' treaty-making activities will be discussed in order to finally take a closer look at the main political actors behind those treaties.

It has to be emphasized from the beginning that this article cannot give a comprehensive account of the topic. Rather it is intended to introduce a new concept into the debate: the idea of regional/federal treaty cultures.

## *II. Non-Federal Treaty Cultures beyond the Polis Level*

The best example of a regional treaty culture that functioned according to its own rules stems from Hellenistic Crete, an island that clearly constituted a 'microcosm'<sup>9</sup> of its own in this period. The first element of this treaty culture can be seen in the fact that the Hellenistic Cretans were particularly productive with regard to the conclusion of interstate agreements. From nowhere else in the Hellenistic world, so many treaties survived.<sup>10</sup> The Cretans also had a

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<sup>7</sup> See e.g. HÖLKESKAMP 2004, 57-72, HÖLKESKAMP 2017, 73-106, and the volumes DAVID – HURLET – JEHNE 2020, and ARENA – PRAG 2022.

<sup>8</sup> In a similar way, the concept of agonistic cultures has recently been applied to the study of Hellenistic athletics, with the result that it is an oversimplification to speak of *the* agonistic culture of the ancient Greeks. Rather, it must be emphasized that ("Ambivalenz von Vielgestaltigkeit und Einheit" [GEHRKE 1986, 13]) was also characteristic of Greek sport (SCHARFF 2024).

<sup>9</sup> CHANIOTIS 2004, 8.

<sup>10</sup> The comprehensive corpus of Cretan treaties has been meticulously analyzed by Chaniotis 1996.



particularly bad reputation for being untrustworthy, so bad in fact that there was a well-known saying about it.<sup>11</sup> They were engulfed in endless wars against each other and cultivated their enmities by means of public affirmation of collective memory. The ephobic oath of the Drerians, for instance, included a clause as its first article that explicitly linked loyalty to the polis with hatred for a rival city and made every new cohort of young Drerians swear their hostility to their neighbors.<sup>12</sup> To become a Drerian meant to be a sworn enemy of the Lyttians. There can be no doubt that rivalry and hostility between neighboring towns existed elsewhere in the Greek world and that it was a rather typical phenomenon.<sup>13</sup> And yet, the situation on Crete was special by a combination of different factors: first, the island was home to a great many cities in a comparatively small area which is why it was called *hekatompolis* (“island of 100 city-states”) for a reason;<sup>14</sup> second, the precarious character of inner-Cretan interstate relations was reinforced by the fact that the Cretan way of life was based on transhumance, which ultimately meant that shepherds constantly crossed the borders of other poleis since the need for seasonal grazing made it essential for a polis to have pastures on both the mountains and the coastal plains, a requirement that few Cretan polities could fulfill.<sup>15</sup>

What is more, an education explicitly centered on the preparation for war<sup>16</sup> and a social order based on the division of labor between a small class of citizens exclusively engaged in warfare, on the one hand, and a dependent population responsible for food supply, on the other, also played an important role.<sup>17</sup> Such a system necessarily presupposed that there was enough arable land to supply the population. If this was not the case, the entire social order

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<sup>11</sup> ὁ Κρής τὸν Κρήτα; cf. CHANIOTIS 1996, 1, 6.

<sup>12</sup> CHANIOTIS 1996, no. 7 (transl. AUSTIN 109), l. 14, 36-43: ὀμνύω (...) μὴ μὰν ἐγὼ | ποκα τοῖς Λυττίοις | καλῶς φρονησεῖν | μήτε τέχνηαι μήτε μα | χανᾶι, μήτε ἐν νυκτὶ | μήτε πεδ’ ἀμέραν, καὶ | σπευσίω ὅ τι κα δύναμαι | κακὸν τᾶι πόλει τᾶι τῶν Λυττίων. – “I swear (...) that I will never be well disposed to the Lyttians in any way or manner, by night or by day. I will endeavour to do whatever harm I am able to the city of Lyttos.” Note that the 21½ lines between ὀμνύω and the first clause of the oath regarding the Lyttians are only to list the names of 20 oath deities and an all-the-gods-and-goddesses formula.

<sup>13</sup> MA 2001.

<sup>14</sup> The *locus classicus* is Hom. *Il.* 2, 649; cf. Strab. 10, 4, 15. In Hom. *Od.* 19, 174, we find a ‘Crete of 90 poleis’, cf. CHANIOTIS 2004, 10 (“Paradies der Klein- und Kleinststaaten”), 43-4. In reality, there were probably a few less: CHANIOTIS 2004, 62 thinks of ‘more than 60’ autonomous polities in fifth-century BC Crete. PERLMAN 2004, 1149-1189 is able to identify at least 48 of them in her catalogue.

<sup>15</sup> CHANIOTIS 2004, 87.

<sup>16</sup> CHANIOTIS 2005, 9-12.

<sup>17</sup> CHANIOTIS 2004, 86.



was plunged into an existential crisis. In short, it can be stated that a culture of transhumance coupled with insufficient resources triggered a characteristically Cretan culture of war, which in turn gave rise to the island's own treaty culture.

A striking testimony to such a treaty culture can be seen in the extremely long formulae of oath deities in Cretan treaties. These lists were completely different from what we know from the rest of the Hellenistic world. They regularly included more than twenty gods and goddesses,<sup>18</sup> which is more than thrice the number of oath deities usually invoked in Greek interstate agreements. In consequence, the names and epithets of 38 different oath gods survived from Hellenistic Crete.<sup>19</sup> Note the comparatively small number of 25 deities invoked in treaties from everywhere else in the Greek world.<sup>20</sup> It is only in Cretan treaties that we find Hestia at the very beginning of the god lists instead of Zeus (*Horkios*) and that originally pre-Greek gods like Britomartis, Diktynna, and Welchanos appear.<sup>21</sup> Another essential part of the Cretan treaty culture was that the flock was integrated into the formula of the curse which accompanied every swearing of an oath.<sup>22</sup> This characteristic element resulted from the importance a livestock economy based on transhumance had for the Cretan way of life.<sup>23</sup> Also, the semantic field of 'oath and swearing' seems to have been more broadly developed in the Cretan dialect than it was otherwise the case in ancient Greek.<sup>24</sup>

Finally, 'anti-deceit clauses' which can be interpreted as a clear sign of mistrust between the contracting parties at the time of the conclusion of the

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<sup>18</sup> For the god lists of Cretan treaties, cf. CHANIOTIS 1996, 68-76, BRULÉ 2005, 161-162, and SCHARFF 2016, 118-129.

<sup>19</sup> CHANIOTIS 1996, 71.

<sup>20</sup> SCHARFF 2016, 127 with n334.

<sup>21</sup> SCHARFF 2016, 127.

<sup>22</sup> CHANIOTIS 1996, 76-77 with n412: "Die Einbeziehung des Viehs in diese Verwünschung ist fast nur aus kretischen Eiden bekannt." See also CHANIOTIS 2004, 12, and STRUBBE 1991, 37-43.

<sup>23</sup> A typical Cretan curse, for instance, reads: μήτε ἀμῖν γὰν καρπὸν φέρειν μήτε πρόβατα μήτε γυναῖκας τίκτειν κατὰ φύσιν. – "And may the earth not bear crops for me nor women give birth according to nature nor flocks give birth." That way the clause can be found in CHANIOTIS 1996, no. 7 (civic oath from Dreros sworn by the *agelaoi*; ca. 220 BC), 10 (Eleutherna-Phaistos, ca. 250-230 BC), 16 (Axos-unknown polis, late third century BC), 27 (Gortyn-Hierapytna-Priansos, after 205 BC), 74 (Hierapytna-colonists from Hierapytna, second century BC); and IC III IV 8 (civic oath from Itanos, beginning of the third century BC).

<sup>24</sup> MARTÍNEZ FERNÁNDEZ 1997, 115-117.



treaty appear notably frequent in Cretan interstate agreements,<sup>25</sup> and it is remarkable that we find explicit boundary regulations already in the earliest known Cretan treaty which at the same time appears to be the first epigraphic evidence of interstate arbitration from the Greek world at all.<sup>26</sup> The relevant passage reads as follows:

μεδὲ χῶρας ἀποτάμνεσθαι μεδατέρονς μεδ' ἄ[π] | ανσαν ἀφαιρίσθαι. ὄροι τᾶς  
γᾶς ἠυδὸν ὄρος καὶ Αἰετοὶ κάρταμίτιον καὶ τὸ τὸ Ἀρχὸ τέμενος κα[ι] | ἡ  
ποταμὸς κῆλ Λευκόπορον καὶ γάθωια, ἡἷ ἠυδὸ | ρ ὀρεῖ τὸμβριον, καὶ Λᾶος.

Neither party is to cut off land of the other or to take all of it. Boundaries of the land: Swine's Mountain, Eagles, Artemision, the precinct of Archus, the river towards Leukoporos and Agathoia, where the rainwater flows, and Laos.<sup>27</sup>

The degree of regulation regarding the boundary lines between the two communities is striking. It later represented a typical phenomenon that such clauses are to be found in the context of interstate arbitration.<sup>28</sup> This seems to have been the case everywhere in Greece, but it is clearly no coincidence that the earliest case attested on stone stems from ancient Crete with its large number of city-states on a small area, an island where shepherds crossed the borders of other poleis time and again.

### III. The Achaian and Aitolian Leagues in Comparison

#### III.1. Arbitration

But what about boundary lines and interstate arbitration on a federal level? Let us take the cases of the Achaian and Aitolian Leagues and analyze if and how both leagues developed particular treaty cultures with regard to these aspects.

<sup>25</sup> As a coherent group, 'anti-deceit clauses' such as ἀδόλως, ἀδόλως καὶ ἀβλαβέως or οὐδὲ τέχνη οὐδὲ μηχανῆ which were designed to prevent fraud with oaths (on stories of successful scammers, BAYLISS 2014, 249-255) were first described by WHEELER 1984. They were rampant in Cretan treaties, as GAZZANO 2005, 29-30 has shown.

<sup>26</sup> The treaty between the two Cretan polities of Knossos and Tylissos *Staatsverträge* II 148a-b (PICCIRILLI 1973, no. 18-19 [mid-fifth century BC]) is known from two inscriptions, one from Tylissos, the other from Argos which served as arbitrator between the two communities.

<sup>27</sup> *Staatsverträge* II 148b (PICCIRILLI 1973, no. 19), l. 24-29 (Argos, mid-fifth century BC [transl. RHODES - OSBORNE, *GHI* 2017 126]). On the border between Tylissos and Knossos, KYRIAKIDIS 2012.

<sup>28</sup> FUNKE 2007, 188; on the construction of borders in ancient Greece, FREITAG 2007, REGER 2017, 194-211; on borderlands: FACHARD 2017; on religious borderland not assigned to anyone: MCINERNEY 2006.

One difference between Achaian and Aitolian practices is in the field of intra-federal arbitration.<sup>29</sup> In cases of boundary disputes between member states, there were principally two possibilities to carry out the arbitration. The first was to appoint “a third city within the league to make a decision”<sup>30</sup> – we can call this procedure ‘third-city arbitration’; the second was to employ “the league governing body itself for the task”<sup>31</sup>, an approach that can be observed very clearly in two cases from third-century-BC Boiotia. In both examples, it is explicitly emphasized that it were “the Boiotians” who settled the borders. The respective lines read: [ὡς] Βοιωτοὶ ὄριτταγ<sup>32</sup> and ὄριτ[ά]ντων Βοιω[τῶν]<sup>33</sup>. We can infer from this that, although the reference to “the Boiotians” remains rather vague, the federal level took center stage here.<sup>34</sup> The arbitration was probably carried out by some organ of the federal state, and it is remarkable how strongly this aspect is emphasized at a time when we hear close to nothing of the Boiotian *koinon* beyond that.<sup>35</sup> Obviously, the league which had just lost its leading member Thebes wanted to stress that its institutions were nevertheless working well.<sup>36</sup> Similarly, federal organs might have acted in Thessaly<sup>37</sup> and in minor leagues like the Lykian *koinon*.<sup>38</sup> In the Cretan *koinon*, there might even have been a tribunal (*koinodikion*), a body, among other things, responsible for the resolution of disputes between member-states.<sup>39</sup>

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<sup>29</sup> On interstate arbitration, see RAEDER 1912, AGER 1996, MAGNETTO 1997, HARTER-UIBOPUU 1998, 119-129, LURAGHI – MAGNETTO 2012, HARTER-UIBOPUU 2014, and RIZAKIS 2015, 128-131.

<sup>30</sup> AGER 1996, 107.

<sup>31</sup> AGER 1996, 107.

<sup>32</sup> SEG XLIV 412 (AGER, *Arbitrations* 16, MAGNETTO, *Arbitrati* 15; Granitsa, fourth or third century BC), l. 3. The inscription consists of a federal boundary stone between the territories of Lebadeia and Koroneia.

<sup>33</sup> IG VII 2792 (AGER, *Arbitrations* 17, MAGNETTO, *Arbitrati* 63; Kopai, third century BC), l. 3.

<sup>34</sup> AGER 1996, 23-24; MAGNETTO 1997, XXIII.

<sup>35</sup> It is no coincidence that the period is not addressed by BECK – GANTER 2015.

<sup>36</sup> I owe this observation to HANS BECK.

<sup>37</sup> IG IX 2.89 (PICCIRILLI 1973, no. 51, AGER, *Arbitrations* 79; Narthakion, ca. 140 BC). On the conflict between Melitaia and Narthakion, see BAKER 2000; on the Thessalian *koinon*, BECK 1997, 119-134, BOUCHON – HELLY 2015.

<sup>38</sup> SEG XVIII 570 (AGER, *Arbitrations* 130; Araxa, after 167 BC or later). See AGER 1996, 23-24; on the Lykian League, BEHRWALD 2015.

<sup>39</sup> CHANIOTIS 1999 *contra* AGER 1994, accepted by AGER 2015, 479. See also CHANIOTIS 2015, 383-4. In general, however, foreign arbitrators seem to have been preferred over home-grown mediators on Crete (AGER 2015, 479 with n32).



In contrast, “[t]he most common form of arbitral action in the Achaian League seems to have been the delegation of a member state to carry out the details”<sup>40</sup>, as Sheila Ager put it. A compilation of all testified cases within the league actually indicates that third-city arbitration constituted a common enough Achaian practice.<sup>41</sup> Megara, for instance, after having been requested by the Achaian *koinon* to arbitrate between Corinth and Epidaurus, delegated 151 citizens and a commission of 31 judges to investigate the regions in dispute.<sup>42</sup> In another case, Patrai arbitrated a dispute between Thouria and Megalopolis.<sup>43</sup> The fact that in both cases the arbitration was delegated to one city, however, does not mean that no other players were involved in the overall situation. Yet the formal procedure seems to have focused on judges from one city appointed by the federal government. In other cases, however, the arbitration was not carried out by judges from one polis alone, but eleven cities could be included in the procedure as in the case of the dispute between Arsinoë (Methana) and Epidaurus.<sup>44</sup> The common denominator in all these cases is that the Achaian state tended to delegate the arbitration to its member cities.

A different practice seems to have been at stake in Aitolia where “the judges were chosen directly by a League body”<sup>45</sup>. The arbitrators in a conflict between Melitaia and Pereia, for instance, were appointed directly by the League: ἔκριναν οἱ ὑπὸ τῶν Αἰτωλῶν αἰρεθέντες δικασταὶ;<sup>46</sup> and even in a

<sup>40</sup> AGER 1996, 131; HARTER-UIBOPUU 1998, 119-129 sees even less participation of the Achaian *koinon* in cases of interstate arbitration within the league; cf. AGER 2015, 477-478.

<sup>41</sup> Two unknown poleis (SEG XIII 278 [AGER, *Arbitrations* 36, MAGNETTO, *Arbitrati* 33]; Alipheira, mid- or second half of the third century BC), Corinth and Epidaurus (IG IV<sup>2</sup> 1.71 [AGER, *Arbitrations* 38; MAGNETTO, *Arbitrati* 36, HARTER-UIBOPUU 1998, no. 3]; Aigion, ca. 250-200 BC), Megalopolis and Orchomenos (IG V 2, 344 [AGER, *Arbitrations* 43]; Orchomenos, after 235 BC), Argos and Kleonai (SEG XXIII 178 [AGER, *Arbitrations* 44, MAGNETTO, *Arbitrati* 41, HARTER-UIBOPUU 1998, no. 4]; Nemea, 229? BC), Arsinoë (Methana) and Epidaurus (IG IV<sup>2</sup> 1, 72 [AGER, *Arbitrations* 46, MAGNETTO, *Arbitrati* 42, HARTER-UIBOPUU 1998, no. 4), Thouria and Megalopolis (SEG XI 972 [AGER, *Arbitrations* 145, HARTER-UIBOPUU 1998, no. 9]; Thouria, ca. 150 BC).

<sup>42</sup> IG IV<sup>2</sup> 1, 71 (AGER, *Arbitrations* 38, MAGNETTO, *Arbitrati* 36, HARTER-UIBOPUU 1998, no. 3; Aigion, ca. 250-200 BC; see also RIZAKIS 2015, 130).

<sup>43</sup> SEG XI 972 (AGER, *Arbitrations* 145, HARTER-UIBOPUU 1998, no. 9; Thouria, ca. 150 BC).

<sup>44</sup> Arsinoë (Methana) and Epidaurus (IG IV<sup>2</sup> 1, 72 [AGER, *Arbitrations* 46, MAGNETTO, *Arbitrati* 42, HARTER-UIBOPUU 1998, no. 4], l. 7).

<sup>45</sup> AGER 1996, 152.

<sup>46</sup> IG IX 1<sup>2</sup> 1, 188 (AGER, *Arbitrations* 56 MAGNETTO, *Arbitrati* 55; Melitaia, 213/12 BC), l. 1-2; cf. AGER 1996, 155: “The wording of the inscription suggests that the individuals chosen were not delegated by their home state but rather by an official decision of the Aitolian

case like that of the arbitration between Oiniadai and Matropolis which was carried out by a commission of *gaodikai* sent by the people of Thyrraeion, an inscription in which the league is not directly mentioned at all, it seems pretty clear that the arbitration was conducted under the auspices of the *koinon*.<sup>47</sup> Thus the Aitolian federal government took a somewhat more direct role in the border settlement without having one of its bodies carry out the arbitration itself.<sup>48</sup> Although the supporting evidence is not exactly abundant, the cases we have are quite clear in this regard. So we might safely assume that the individuals chosen were not delegated by their home state but by an official decision of the Aitolian League.

To put it in a nutshell, conflicting ideas existed in the Hellenistic age regarding the way federal states should be involved in arbitration among their member states. Even if we certainly do not have to consider these ideas fixed rules,<sup>49</sup> there seem to have been tried and tested models in each of the federal states that clearly differed from each other; or, to put it differently: the form of third-city arbitration depended on and was part of the respective treaty cultures of Greek federal states. Thus the leagues also helped refine the procedure of arbitration in the Hellenistic age.<sup>50</sup>

And yet, *one* characteristic element does not make a specific treaty culture. This is why, in addition to third-city arbitration regarding internal border conflicts, other possibly characteristic features of Achaian and Aitolian treaty-making must be taken into account. In order to do so, the focus of this article has to shift from an analysis of the subtype of interstate arbitration to a study of federal treaty-making in general.

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League." See also MACKIL 2013, 302, LASAGNI 2019, 141-6. For a similar case, see the arbitration between Melitaia and Xyniai (IG IX 1<sup>2</sup>, 1, 177 [AGER, *Arbitrations* 55, MAGNETTO, *Arbitrati* 54]; Delphi, 214/13 BC, l. 5-6: ἔκκρι[να]ν οἱ δικάστ[α]ι οἱ αἰρεθέν[τ]ε[ς] ὑπὸ τῶν | [{τῶν} Αἰτωλ]ῶν).

<sup>47</sup> The inscription (IG IX 1<sup>2</sup>, 1, 3B [AGER, *Arbitrations* 41, MAGNETTO, *Arbitrati* 39; MACKIL 2013, T59; Thermos, 239-231 BC) which is to be found on the same stele as the Aitolio-Akarnanian treaty of 263/2 BC (*Staatsverträge* III 480A) is published in a federal sanctuary and dated by a magistrate of the *koinon* (cf. AGER 1996, 125 and MAGNETTO 1997, 239-240).

<sup>48</sup> AGER 1996, 24; MAGNETTO 1997, XXIII.

<sup>49</sup> The Achaian League, for instance, did not play any role at all in a border conflict between Epidauros and Hermione in which Milesian and Rhodian judges were appointed (AGER, *Arbitrations* 63 [MAGNETTO, *Arbitrati* 69; Epidauros and Hermione, ca. 200 BC]; see also RIZAKIS 2015, 130). What is more, the new inscription from Messene (SEG LVIII 370; Megalopolis-Messene, late 180s BC; see LURAGHI – MAGNETTO 2012, cf. RIZAKIS 2015, 130-131) shows that different forms of intra-federal arbitration were sometimes at different stages in one and the same conflict.

<sup>50</sup> AGER 1996, 26.

### III.2. Treaty-Making

The conclusion of treaties with different contracting parties including kings, city-states, and other leagues constituted a regular feature of Aitolian and Achaian policy-making. An overview of the known treaties based on *Staatsverträge* II, III and IV reveals that approximately the same number of interstate agreements survived from both leagues.<sup>51</sup> But while the number of Aitolian treaties of the third century BC is almost thrice that of treaties involving the Achaians,<sup>52</sup> the ratio more than reverses after 200 BC<sup>53</sup> due to the fact that the power of the Aitolian League was irretrievably broken by the consequences of the Peace of Apameia, whereas the Achaians continued to conclude treaties on a regular basis at least until 146 BC and even thereafter.<sup>54</sup> Obviously, both treaty cultures did not equally flourish over time but had their ups and downs.

With regard to the epigraphic evidence, however, the number of Aitolian treaties which came down to us is almost twice as large as the

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<sup>51</sup> In total, 16 Aitolian (*Staatsverträge* II 336, *Staatsverträge* III 463, LEFÈVRE 1998, *Staatsverträge* III 470, 480, 485, 490, 508, 515, 520, 536, 542, 564, 585, *Staatsverträge* IV 613, 631 [inscriptions in bold]) and 18 Achaian (*Staatsverträge* II 283, 337, *Staatsverträge* III 452, 489, 499, 504, 506, 513, *Staatsverträge* IV 616, 623, 625, 636, 637, 642, 647, 736, 738, 790) treaties are known.

<sup>52</sup> Compare the 14 Aitolian to the five Achaian treaties of the third century BC. Aitolian treaties: Lefèvre 1998 (Aitolians-Demetrios Poliorketes, Delphi 289 BC), *Staatsverträge* III 463 (Aitolians-Boiotians, Delphi after 278 BC), 470 (Aitolians-Athens, Delphi 277-266/5 BC), 480 (Aitolians-Akarnanians, Thermos and Olympia 263/2 BC), 485 (Aitolians-Alexander II of Epiros, ca. 252 BC or 243/2 BC), 490 (Aitolians-Antigonos Gonatas, 243 BC), 508 (Aitolians-Keos, Karthaia 223/2? BC), 515 (Aitolians-Skerdilaidas, 220 BC), 520 (Aitolians-Philip V-other Greek states, summer 217 BC), 536 (Aitolians-Rome, Thyrraeion 212/1 BC), 542 (Aitolians-Trikka [Thessaly], Kalydon after 206? BC), 564 (Aitolians-Miletus, Miletus second half of the third century BC), 585 (Aitolians-Axos [Crete], Axos end of the third or beginning of the second century BC), *Staatsverträge* IV 613 (Aitolians-Rome, 200 BC). Achaian treaties: *Staatsverträge* III 489 (Achaians-Epidauros, Epidauros Asklepieion 243 BC), 499 (Achaians-Orchomenos, Orchomenos ca. 234 BC), 504 (Achaians-Kleomenes III, 226/5 BC), 506 (Achaians-Antigonos Doson, summer [?] 224 BC) 513 (Achaians-Messene, May 220 BC).

<sup>53</sup> For the second century BC only one Aitolian but nine Achaian treaties are known. Aitolian treaty: *Staatsverträge* IV 631 (Aitolians-Rome, 188 BC), Achaian treaties: *Staatsverträge* IV 616 (Achaians-Attalos I-Rhodes, before 198 BC), 623 (Achaians-Rome, 192/1 BC), 625 (Achaians-Eumenes II, 191/0 BC), 636 (Achaians-Boiotians, 187/6 BC), 637 (Achaians-Ptolemaic Empire (187/6 BC), 642 (Achaians-Sparta, 184/3 BC), 647 (Achaians-Messene, 182 BC), 736 (Achaians-Tenos, Tenos second century [before 166 BC]), 738 (Achaians-Athens, before 158 BC).

<sup>54</sup> *Staatsverträge* IV 790 (Achaians-Sparta-Boiotia-Archelaos, 88 BC) is an Achaian treaty of the first-century BC.



surviving Achaian tradition.<sup>55</sup> Despite the comparatively small number of Achaian treaty inscriptions in general, there is one type of epigraphic document which appears on a more or less regular basis, that is treaties regulating the accession of a polis to a federal state. They are probably best described by the German term '*Beitrittsurkunden*'<sup>56</sup>. Known examples include the accessions of Epidauros, Orchomenos and Messene to the Achaian *koinon*.<sup>57</sup> Characteristic features of these documents were clauses on autonomy, freedom of occupation and the constitution of the new member polis,<sup>58</sup> on laws, jurisdiction and disputes.<sup>59</sup> As the case of Orchomenos' accession to the league shows, these treaties were sworn contracts; and it was precisely the main gods of the Achaian state Zeus Hamarios, Athene Hamaria and Aphrodite venerated at the federal sanctuary of the league at Aigion who were evoked as oath deities in order to safeguard the agreement.<sup>60</sup> Thus the new

<sup>55</sup> Nine Aitolian (*Staatsverträge* III 463, LEFÈVRE 1998, *Staatsverträge* III 470, 480, 508, 536, 542, 564, 585) and five Achaian documents in support have survived (*Staatsverträge* II 337, *Staatsverträge* III 452, 489, 499, *Staatsverträge* IV 736).

<sup>56</sup> See, e.g., LEHMANN 1983, 260.

<sup>57</sup> Epidauros: *Staatsverträge* III 489 (Epidauros 243 BC), *Staatsverträge* III 499 (Orchomenos ca. 234 BC); maybe also Koroneia (Korone?): *Staatsverträge* III 452 (Aigion end [?] of the fourth century BC) which is a very fragmentary inscription. On the history and crises management of the Achaian *koinon* before Sellasia, see URBAN 1979. Literarily transmitted examples include Messene (*Staatsverträge* III 513 [May 220 BC], IV 647 [182 BC]) and Sparta (*Staatsverträge* IV 642 [184/3 BC]).

<sup>58</sup> *Staatsverträge* III 489 (Epidauros 243 BC), l. 3-4: [αὐτόνομοι ὄν] | τερες καὶ ἀφροῦρατοι καὶ πολιτεῖαι [χ]ρώμ[ενοι τᾷ πατριῶι; cf. CHANIOTIS 1996, 96.

<sup>59</sup> *Staatsverträge* III 489, l. 7-9 (Epidauros 243 BC): [πόλι] | ος νόμοις καὶ ταῖς δίκαις καὶ ταῖς [— — δι] | καστηρίοις περὶ τε [τ]ῶν ἰαρώ[ν].

<sup>60</sup> *Staatsverträge* III 499 (Orchomenos, ca. 234 BC), l. 5-11: [κατὰ τάδε ὀμνόντων τὸν ὄρκον τὸν] | αὐτὸν οἱ Ὀρχομένιοι καὶ οἱ Ἀχαιοί, ἐμ με[ν Αἰγίῳ οἱ σύνεδροι τῶν Ἀχαιῶν καὶ ὁ στρα|ταγὸς καὶ ἵππαρχος καὶ ναύαρχος, ἐν δὲ [Ὀρχομενῶι οἱ ἄρχοντες τῶν Ὀρχομενίων]: ὁ[μ]νύω Δία Ἀμάριον, Ἀθάναν Ἀμαρίαν, Ἀφρο[οδ]ίτα[ν καὶ τοῦ]ς θεοὺς πάντας, ἧ μὴν ἐν | πᾶσιν ἐμμε[ν]εῖν ἐν τᾷ στάλαι καὶ τᾷ ὁμολογίαι καὶ τῷ ψαφίσματι [τῷ γεγονότι τῷ | κοιν]ῶι τῷ τ[ῶν] Ἀχαιῶν, καὶ εἴ τις κα μὴ ἐμμένῃ, οὐκ ἐπιτρέψω εἰς δύναμ[ιν, καὶ εὖορ|κέ]οντι μὲν μοι εἶη τὰγαθὰ, ἐπιορκέοντι δὲ τὰναντία. — "[Let] the Orchomenians and the Achaians [swear] the same [oath] as follows, in [Aigion the *synhedroi* of the Achaians and the *strat]egos* and the hipparch and the nauarch, in [Orchomenos the magistrates of the Orchomenians]: 'I swear by Zeus Amarios, Athena Amaria, Aphrodite, and [all the] gods (that) I shall in all respects abide by the stele and the agreement and the decree [passed by the *koinon*] of the Achaians; and if anyone does not so abide, I shall prevent him to the best of my ability. To me if I keep this oath may good things befall, (to me) if I break it, the opposite.'" (transl. BAGNALL — DEROW 30). On Zeus Hamarios, Athena Hamaria and Aphrodite as the main gods of the Achaian *koinon* venerated in Aigion, OSANNA 1989, 56-57, PIRENNE-DELFORGE 1994, 244-247, OSANNA 1996, 204-210 and RIZAKIS 2013, 32-33.



member state would be tied to the league not only politically but also religiously.<sup>61</sup> It is interesting to note that when at least some 120 years earlier the cities of Orchomenos and Euaimon concluded a *synoikia* the religious integration of the two communities played a highly important role as well.<sup>62</sup> In this sense, there seems to have been a tradition to build upon in Arkadian Orchomenos.<sup>63</sup>

But can we really assume that *Beitrittsurkunden* constituted a characteristic element of Achaian treaty-making? At least Polybius seems to have thought so since he included “the provisions engraved on stelae” into the elements that hold the league together (ἃ συνέχει τὴν κοινὴν συμπολιτείαν).<sup>64</sup> However, the joining of a polis to a federal state took place in other leagues as well – and there also must have been some form of legal regulation of this accession. And yet, if we compare the Achaian constellation with the situation in Aitolia there is a difference.<sup>65</sup> While the Peloponnese as the core area of the Achaian League was home to a great many of very old, proud and confident poleis, city-state structures in Aitolia were originally not so firmly established.<sup>66</sup> Poleis such as Sparta, Messene, Corinth, Argos and

<sup>61</sup> Paus. 7, 24, 2: πρὸς θαλάσση δὲ (...) ἱερόν ἐν Αἰγίῳ (...) Ὀμαγυρίῳ Δί. ἐνταῦθα Διὸς καὶ Ἀφροδίτης ἐστὶ καὶ Ἀθηνᾶς ἀγάλματα. – “By the sea at Aigion is a sanctuary of (...) Zeus Homagyrios (the Assembler). Here are images of Zeus, of Aphrodite and of Athena.”

<sup>62</sup> *Staatsverträge* II 297 (Orchomenos-Euaimon, Orchomenos 378-370 BC [DUŠANIĆ 1978] or 360-350 BC [DUBOIS 1986, 146-163; THÜR – TAEUBER 1994, 138-140]); cf. SCHARFF 2016, 185-187.

<sup>63</sup> Note that in *Staatsverträge* II 297, l. 24-25 (Ἀρ[κά]ιδων ἐπὶ φρήσι) the Arkadian koinon is referred to (cf. NIELSEN 1996, 71 and 2002, 351).

<sup>64</sup> Polyb. 24, 8, 10: διὸ καὶ νῦν, ἐάν τις αὐτοὺς διδάξῃ διότι συμβήσεται τοῖς Ἀχαιοῖς, ἂν πειθαρχήσωσι τοῖς γραφομένοις, παραβῆναι τοὺς ὅρκους, τοὺς νόμους, τὰς στήλας, ἃ συνέχει τὴν κοινὴν συμπολιτείαν ἡμῶν, ἀναχωρήσουσιν καὶ συγκαταθήσονται διότι καλῶς ἐπέχομεν καὶ παραιτούμεθα περὶ τῶν γραφομένων. – “So in this case also, if it were shown to them that the Achaeans by obeying their letter would be breaking their oaths, their laws, and the provisions engraved on the tablets, the very bonds of our league, they will retract their orders, and will admit that we are right to hesitate and to ask to be excused from carrying out its injunctions.” The context of the passage is a speech of Lykortas in the Achaian assembly in 180 BC.

<sup>65</sup> For a recent comparison between both leagues, see BURASELIS 2019.

<sup>66</sup> Although the Aitolian federal state of the Hellenistic age was no longer based on the old tribal structures that we see in Thucydides (the Aitolian tribe consisting of the three sub-tribes of the Apodotians, Ophionians and Eurytians divided into further smaller units) and although the new basic units of the *koinon* now equaled the legal and political status of poleis, the two attested districts, the *telos Stratikon* (IG IX 1<sup>2</sup>, 1, 3B, l. 2) and the *telos Lokrikon* (SGDI 2070, l. 1-2; 2139, l. 1-2; IG IX 1<sup>2</sup>, 3, 618, l. 1-2; 625a, l. 1) enabled the preservation of the distinct identities of the *koina* of the Akarnanians and Lokrians after their integration into the Aitolian League (FUNKE 2015, 93-96). CORSTEN 1999, 133-159 even assumed seven

Epidauros certainly did not find it easy to submit to federal jurisdiction,<sup>67</sup> all the more so if we take into account that it could actually happen that a commission from a neighboring city-state was appointed by the league as arbitrator.<sup>68</sup> This is why new members probably had to agree (and swear) to submit to the jurisdiction of the league before joining it, as is indicated by a fragmentary clause in the treaty that regulated Epidauros' entry into the Achaian collective.<sup>69</sup> Thus the special importance of *Beitrittsurkunden* may have had to do, at least in part, with another aspect of the Achaian treaty culture: the prominence of third-city arbitration.

With regard to Aitolian treaty-making, however, it is striking how the rise and fall of the league was marked by important interstate agreements. First came the treaties with other federal states like the Boiotians and Akarnanians;<sup>70</sup> alliances with Hellenistic kings like the one concluded with Antigonos Gonatas against the Achaians followed.<sup>71</sup> Yet, most important were the treaties with Rome.<sup>72</sup> It is well known that the Aitolian League was Rome's first Greek ally. The treaty was concluded during the First Macedonian War in about 212/11 or 211/10 BC and shows all signs of Roman distress, as the Romans make numerous concessions to the Aitolians. After having helped the Romans defeat Philip V at Kynoskephalai,<sup>73</sup> the Aitoloi grew increasingly

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administrative districts of equal size which were split up "ohne Rücksicht auf ethnische Zugehörigkeit" (158). Whereas the number of seven *tele* may be indicated by the number of seven Aitolian *tamiai* and seven *epilektarchoi* in the Aitolo-Akarnanian treaty of alliance of 263/2 BC, the rest of CORSTEN's model is not accepted by most other scholars (see, e.g., FUNKE 2015, 95n24; on Aitolian *tele*, see also SCHOLTEN 2000, 64-65, 90; FUNKE 2016, LASAGNI 2018).

<sup>67</sup> The Spartans, for instance, more than once tried "to have their quarrels with the Achaian League arbitrated by outside parties" (AGER 2015, 479 [cf. AGER 2019]; e.g., SIG 3 665 [AGER, *Arbitrations* 137; HARTER-UIBOPUU 1998, no. 11] dated by TAEUBER 2006, who argues for judges from Rhodes, to ca. 180 BC).

<sup>68</sup> Just think of the Megarian judges in the case of the arbitration between Corinth and Epidauros (IG IV<sup>2</sup> 1, 71 (AGER, *Arbitrations* 38, MAGNETTO, *Arbitrati* 36, HARTER-UIBOPUU 1998, no. 3; Aigion, ca. 250-200 BC).

<sup>69</sup> *Staatsverträge* III 489, l. 7-9 (Epidauros 243 BC). See AGER 2015, 478.

<sup>70</sup> *Staatsverträge* III 463 (Aitolians-Boiotians, Delphi after 278 BC [KNOEPFLER 2007; 1249-1250, ANTONETTI 2012, 184-187]), 480 (Aitolians-Akarnanians; Thermos and Olympia 263/2 BC).

<sup>71</sup> *Staatsverträge* III 490 (Aitolians-Antigonos Gonatas, 243? BC); cf. also *Staatsverträge* III 485 (Aitolians-Alexander II of Epiros, ca. 252 or 243/2 BC; see FREITAG 2015, 76) and 520 (Hellenic symmarchy under the leadership of Philip V and the Aitolians, summer 217 BC).

<sup>72</sup> *Staatsverträge* III 536 (IG IX 1<sup>2</sup>, 2, 241; Aitolians-Rome, Thyrraeion 212 or 211 BC), *Staatsverträge* IV 613 (Aitolians-Rome, 200 BC) and 631 (Aitolians-Rome, 188 BC). See DANY 1999, 153-161, DREYER 2002, 33-39, DMITRIEV 2011, 251-254, MACKIL 2013, 121.

<sup>73</sup> GRAINGER 1999, 363-404; on the battle of Kynoskephalai, HAMMOND 1988.



hostile to Roman involvement in Greek affairs. However, when they sided with Antiochos III, their fate was sealed.<sup>74</sup> The defeat of Antiochos in 189 BC made it impossible to stand alone in continued opposition to Rome. In consequence, by the peace treaty with Rome of 188 BC the Aitolian League became a subject ally of the Roman Republic.<sup>75</sup>

No doubt, the history of the Aitolian League is reflected very well in its extant treaties. The surviving evidence suggests that, in comparison to the Achaians, the Aitolians were to a smaller degree confronted with the formal integration of poleis into their federal state than about concluding treaties of alliance with the major political players of the day.<sup>76</sup> Most of these interstate agreements constituted high-impact alliances and entailed far-reaching historical consequences. What remains open is the question of intention. Would it be too bold to assume that the Aitolians adapted a deliberate strategy of treaty-policy making in order to foster their “federal imperialism”<sup>77</sup>? Part of this strategy also was a network of relationships with states of the Peloponnese and the Aegean which were tied tightly to the Aitolian League by citizenship (*isopoliteia*) or special protection agreements (*asyleia*) without actually receiving the status of a member state.<sup>78</sup> In any case, the league’s treaty policy seems to have had a particular focus on external borders during the period of Aitolian expansion.<sup>79</sup>

Another area where the remaining Achaian and Aitolian treaties of alliance differ is that of characteristic clauses. In order to shed new light on these differences, let us return to the Aitolo-Akarnanian treaty quoted at the beginning of this article. The cited border settlement is followed by a mutual

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<sup>74</sup> GRAINGER 1999, 435-462, SCHOLTEN 2000, 182; on Antiochos III and the Greeks: MA 2000.

<sup>75</sup> GRAINGER 1999, 463-498.

<sup>76</sup> This does not mean, of course, that the question of integration played no role in the Aitolian League. Yet, taken as a whole, the Aitolians had to do to a larger degree with the integration of smaller *koina* into their league. As FUNKE 2015, 95-98 has convincingly argued, the identity of those smaller leagues probably survived in the Aitolian *tele* such as the *telos Stratikon* and the *telos Lokrikon* (cf. n. 66).

<sup>77</sup> RZEPKA 2019, 167. In the Aitolian treaty with Rome of 212 BC, for instance, Akarnania is explicitly mentioned as a “target zone for further Aitolian expansion” (FREITAG 2015, 77; see Liv. 26, 24, 11). On the way Aitolian ambitions with regard to Elis and Lokris were reflected in fourth-century BC Aitolian myths, see FUNKE 2015, 90-92 (cf. ANTONETTI 1990, 114-117).

<sup>78</sup> FUNKE 2018, 113n12; see also FUNKE 2008.

<sup>79</sup> In contrast, Achaian treaty culture rather dealt a lot with internal ones. For the differentiation between internal and external borders on the polis level, see BERTRAND 2004.

granting of *epigamia*, *enktesis* and *isopoliteia*, and includes a publication clause.<sup>80</sup> While most of this is more or less conventional and common practice in Greek treaties, the following dating clause deserves our special attention. It may be cited in full here:

ἐπὶ ἀρχόντων ἔμ μὲν Αἰτωλῖαι στραταγέοντος Πολυκρίτου Καλλιέος τὸ  
δεύτε-  
ρον, ἵππαρχέοντος Φίλωνος Πλευρωνίου, γραμματεύοντος Νεοπτολέμου  
Ναυπακτίου,  
ἐπιλεκταρχέοντων Λαμέδωνος Καλυδωνίου, Ἀριστάρχου Ἐρταίου, Λέωνος  
Κα-  
φρέος, Καλλία Καλλιέος, Τιμολόχου Ποτειδανιέος, Παμφαῖδα Φυσκεός,  
Σίμου  
Φυταιέος, ταμειούτων Κυδρίωνος Λυσιμαχέος, Δωρμάχου Τριχονίου,  
Ἀριστ-  
ωνος Δαιῶνος, Ἀριστέα Ἰστωρίου, Ἀγήσωνος Δεξιέος, Τιμάνδρου Ἐριναῖος(!),  
Ἀγρίου Σωσθενέος, ἐν δὲ Ἀκαρνανίαι στραταγῶν Βυνθάρου Οἰνιάδα, Ἐπι-  
λάου Δηριέος, Ἀγήσωνος Στρατίου, Ἀλκέτα Φοιτιᾶνος, Ἀλκίνου Θυρρείου,  
Θέων-  
ος Ανακτοριέος, Πολυκλέος Λευκαδίου, ἵππαρχέοντος Ἴππολάου Οἰνιάδα,  
γραμματεύοντος Περικλέος Οἰνιάδα, ταμῖα Ἀγε<λ>άου Στρατικοῦ.

When (the following) were magistrates in Aitolia: general Polykritos of Kallion for the second time, hipparch Philon of Pleuron, secretary Neoptolemos of Naupaktos, commanders of the picked troops Lamedon of Kalydon, Aristarchos of Ertaiia, Leon of (?) Kaphrai, Kallias of Kallion, Timolochos of Poteidania, Pamphaidas of Physkeis, Simos of Phytaiion, treasurers Kydrion of Lysimacheia, Dorimachos of Trichonion, Ariston of (?) Daiana, Aristreas of Istoria, Hageson of Dexia, Timandros of Erineus, Agrios of Sosthenis, (and the following) in Akarnania: generals Byntharos of Oiniadai, Epilaos of Derion, Hageson of Stratos, Alketas of Phoitiiai, Alkinos of Thyrrheion, Theon of Anaktorion, Polykles of Leukas, hipparch Hippolaos of Oiniadai, secretary Perikles of Oiniadai, treasurer Agelaos of Stratos.<sup>81</sup>

The clause comprises no less than ten lines of the inscription and includes the names of 17 (!) Aitolian magistrates (one *strategos*, hipparch, and *grammateus*, and seven *epilektarchoi* and *tamiai* respectively) and ten from

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<sup>80</sup> *Staatsverträge* III 480 (Aitolians-Akarnanians; Thermos and Olympia 263/2 BC), l. 11-13 (*epigamia*, *enktesis*, *isopoliteia*; see FUNKE 2015, 103-104), l. 13-16 (publication clause). The publication clause refers to Aktion as the federal sanctuary of the Akarnanians and Thermos as the respective Aitolian one. It also includes 'third places' like Olympia, Delphi, and Dodona where further copies of the treaty were to be published. Due to a rare stroke of luck, we actually have fragments of two copies of the treaty, the one from Thermos and at least some lines of the Olympic copy.

<sup>81</sup> *Staatsverträge* III 480 (Aitolians-Akarnanians; Thermos and Olympia 263/2 BC), l. 16-25. The date of the treaty depends on where one places Polykritos' second term of office (early date [271/70 BC]: GRAINGER 1999; traditional date [263/2 BC]: SCHOLTEN 2000, 253-256; late date [early 240s BC]: FUNKE 2008, 259n28, 261n39). On the organization of the *koinon*, Lasagni 2019, 149-151.



Akarnania (seven *strategoï*, one hipparch, *grammateus* and *tamias*).<sup>82</sup> This clearly goes beyond the mere necessities of chronology alone. However, modern research has long been interested primarily in using the lists for dating the document,<sup>83</sup> an endeavor which included prosopographical studies and, more recently, a reconstruction of the political structure of both leagues.<sup>84</sup> However, there is more to it than that. The dating clause comprises an almost complete symbolic representation of both federal governments. We might even assume that the comprehensiveness of the lists constitutes at this level of detail a northwestern-Greek peculiarity.<sup>85</sup>

Another characteristic aspect of the treaty culture of the Aitolian League can be seen in the way the Aitolians dealt with the publication of their interstate alliances. Like the Elians of the sixth and fifth centuries BC had a particular focus on Olympia when it came to the publication of their treaties,<sup>86</sup> the Aitoloi used Delphi as a place of publication in order to demonstrate their political dominance over the sanctuary. This is why we find a cluster of Aitolian treaties in Delphi that date to the first decennia after the league had occupied the sanctuary in 290 BC.<sup>87</sup> Make no mistake the publication of treaties

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<sup>82</sup> On the magistrates of the Aitolian League, see GRAINGER 1999, 555-560 and SCHOLTEN 2000, 26-28, 62, for their Akarnanian counterparts, FUNKE – GEHRKE – KOLONAS 1993.

<sup>83</sup> See, e.g., the commentary of SCHMITT in *Staatsverträge* III 480 (143-144; with an overview on older research).

<sup>84</sup> FUNKE – GEHRKE – KOLONAS 1993, 136-143; on Aitolian prosopography, GRAINGER 2000.

<sup>85</sup> For a similarly long list of Akarnanian magistrates, see *Staatsverträge* III 523 (ed. pr. HABICHT 1957; Akarnanians-Anaktorion, Olympia 216 BC), l. 1-6: ἀγαθαὶ τύχαι. ἐπὶ στραταγοῦ τῶν Ἀκαρνάνων Διογένης τοῦ Ἰ Λέοντος, ἱππάρχου δὲ Ἐχεδάμου τοῦ Μνασιλόχου, ναυάρχου δὲ Ἀθηνογένεος τοῦ Διογένης Λευκαδίων, γραμματέων δὲ ταῖ μὲν Ἰ βουλᾷ Σίμωνος τοῦ Εὐάρχου Φοκρεᾶνος, τοῖς δὲ ἄρχουσι Φαίακος Ἰ τοῦ Ἐχεμένεος Λευκαδίου, προμνάμωνος δὲ Νικία τοῦ Μνάσωινος Κορονταίου. – “With good fortune. When Diogenes son of Leon was general of the Akarnanians, and Echedamos son of Mnasilochos was hipparch, and Athenogenes son of Diogenes was admiral – all of them from Leukas – and Simon of Phokrea, the son of Euarchos, was secretary to the council and Phaiax of Leukas, the son of Echemenes, was secretary to the magistrates, and Nikias of Koronta, the son of Mnason, was president of the *mnamones*.” (Transl. attalus.org). See also *Staatsverträge* IV 665A, l. 1-15 (Ambrakia-Charadros, after 167 BC).

<sup>86</sup> ROY 2013, ALONSO TRONCOSO 2013.

<sup>87</sup> See MITROPOULOS 2019: 79-80n8. Aitolian treaties published in Delphi include LEFÈVRE 1998 (Aitolians-Demetrios Poliorketes, 289 BC; cf. MACKIL 2013, 359, FREITAG 2015, 76), *Staatsverträge* III 463 (Aitolians-Boiotians, after 278 BC), 470 (Aitolians-Athens, 277-266/5 BC) all three of which date to the first quarter of the third century BC. Note that also a copy of *Staatsverträge* III 480 (Aitolians-Akarnanians (263/2 BC) was published in Delphi (see n. 80)). Cf. the work of SCHOLTEN 2000 that includes an appendix which gives the “Epigraphic

in the most important Greek sanctuaries as such constituted a custom which was shared by all Greeks;<sup>88</sup> and the same is true for federal sanctuaries as places of publication.<sup>89</sup> What makes the Aitolian case special is that, for a short period in time, a 'third place' like Delphi came close to a federal sanctuary with regard to the publication of Aitolian treaties.<sup>90</sup>

To sum up, while in Achaia the so-called *Beitrittsurkunden* figured prominently and responded to the specific challenges of a league that encompassed the 'ancient heart' of the Greek polis world, the Aitolians developed a distinctive policy of treaty-making: Aitolian-treaties formed part of the league's "federal imperialism"<sup>91</sup>, were centered on Delphi and included interstate agreements with particularly detailed dating clauses which highlighted the representative and participatory elements of the league's political structure.

### III.3. Diplomatic Personnel

Up to this point, this article focused on the results of interstate negotiations, not on the people who brought the agreements about. Recent (and not so recent) research in the study of Hellenistic diplomacy, however, has shown that the type of the distinguished diplomat was not very common in Greek antiquity.<sup>92</sup> Instead, among the members of Hellenistic legations were representatives of status groups whose appearance may seem surprising at first glance. In addition to philosophers, orators, and historians, these groups included actors, dancers, musicians, and athletes.<sup>93</sup>

The remaining lines of this article will focus on envoys belonging to the latter group for two reasons: first, studies on athletes as envoys are underrepresented in previous research,<sup>94</sup> and second, it is with regard to this group that we can detect differences between the Achaian and Aitolian

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Evidence at Delphi for the Growth of Greater Aitolia" (235-52). On the publication of Aitolian treaties, DRAUSCHKE 2019, 115-118.

<sup>88</sup> On the places of publication of Greek treaties in general, LALONDE 1971 and DRAUSCHKE 2019.

<sup>89</sup> On federal sanctuaries, see the volume FUNKE – HAAKE 2013.

<sup>90</sup> For the federal sanctuaries of the Aitoloi, see ANTONETTI 1990, 149-210 and FUNKE 2013.

<sup>91</sup> RZEPKA 2019, 167.

<sup>92</sup> CHANIOTIS 1988; 2009; cf. KIENAST 1973.

<sup>93</sup> KIENAST 1973, 533, CHANIOTIS 1988.

<sup>94</sup> They do not appear in CHANIOTIS 1988 and 2009. Some examples of athletes as envoys are mentioned in Papakonstantinou 2019, 145-146, but they refer without exception to the Roman imperial period. See now SCHARFF 2023.



Leagues. No doubt, athletes profited from the fact that they had the opportunity to build cross-border networks at a comparatively early age of their lives. This is one of the reasons why they were quite popular as envoys,<sup>95</sup> served as mediators in political conflicts,<sup>96</sup> and sometimes built a political career out of their athletic victories.<sup>97</sup> Even if we leave aside the victorious kings and queens of the Ptolemaic and Attalid families, it is evident that the who's who of Hellenistic power politics engaged in athletic competition.<sup>98</sup> However, as not all Hellenistic dynasties participated in sporting events to the same extent (but only the Ptolemies and Attalids),<sup>99</sup> not all regions of ancient Greece were equally successful in athletics. While athletes from the Peloponnese still dominated some Hellenistic contests and while even the two most prominent politicians of the Achaian League – Aratos of Sikyon and Philopoimen – were successful athletes,<sup>100</sup> a total of no more than three victors are known from Hellenistic Aitolia.<sup>101</sup> In contrast, a search for “Achaia” in the *Mannheim Database of Hellenistic Athletes* yields 210 results.<sup>102</sup> The obvious lack of success of Aitolian athletes cannot simply be due to the fact that they would have constantly competed, but (almost) never won.<sup>103</sup> Rather, we must assume

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<sup>95</sup> A prominent example is Gorgos of Messene who won the Olympic pentathlon of 232? BC (Paus. 6, 14, 11; Polyb. 6, 10; cf. MORETTI 1957, no. 573) and was later sent as envoy to Philip V in 218 BC (Polyb. 5, 5, 4).

<sup>96</sup> The Olympic victor in the single-horse race of maybe 228 BC Pantarkes of Elis (Moretti 1957, no. 577), for instance, served as intermediary between Achaians and Elians, according to Paus. 6, 15, 2.

<sup>97</sup> A late-Hellenistic case from the world of federal states is that of M. Antonius Idagras son of Antipatros from Patara who was a two-times nemeonikes (and victor in other games) in his youth, successes upon which he built his second, political, career in the course of which he became strategos of the Lykian League, holder of Roman citizenship and envoy to Roman autokratores, as his honorific inscription reveals (SCHULER – ZIMMERMANN 2012, no. 4).

<sup>98</sup> SCHARFF 2024.

<sup>99</sup> MANN 2018, SCHARFF 2024, 233-275.

<sup>100</sup> According to Paus. 6.12.5, Aratos won the Olympic four-horse chariot race (of 232? BC [Moretti 1957, no. 574]); he also seems to have been a successful pentathlete in his youth (Plut. Aratos 3). At a similar age Philopoimen is said to have been a good wrestler (Plut. Philopoimen 3, 2-4); on athletics in Plutarch, Scharff 2022.

<sup>101</sup> The three stadion runners and Olympic champions Xenophanes of Amphissa in Aitolia (252 BC [MORETTI 1957, no. 559]), Eraton of Aitolia (240 BC [according to MORETTI 1957, no. 568, he may have stemmed from Opous]), and Pyrrhios of Aitolia (200 BC, MORETTI 1957, no. 598).

<sup>102</sup> <http://athletes.geschichte.uni-mannheim.de/>.

<sup>103</sup> This not very impressive track record of Aitolian athletes at Olympia is all the more striking since Elis was one of the “direct target areas of Aitolian foreign policy” (Funke 2015, 91). The Aitolians even erected a statue for Aitolos in Thermos calling him “the founder of the



that athletics played no major role in Aitolia which also means that the potential of athletes as envoys, arbitrators and cross-border commuters could not be harnessed here. On the other hand, it remains open whether athletes were intentionally deployed as envoys commuters by the Achaian League. What we can safely assume is that the large number of constantly travelling young athletes produced a broad pool of promising candidates for the successful fulfillment of diplomatic duties in Achaia.<sup>104</sup> Thus Achaia's strong and Aitolia's weak agonistic culture had an impact on the leagues' treaty cultures as well.

#### IV. Conclusion

I have argued in this article that there were specific treaty cultures on a regional (Crete) and on a federal level (Achaian and Aitolian Leagues) in Hellenistic Greece. As we have seen, Hellenistic Crete, with its exceptionally long lists of oaths deities and eccentric curses, represented a world of its own when it came to the conclusion of treaties and alliances. On the federal level, however, third-city arbitration delegated to member poleis and *Beitrittsurkunden* constituted characteristic features of treaty-making practices in the Achaian *koinon*. In the Peloponnese, with its many ancient poleis endlessly engaged in long-existing rivalries, the resolution of intra-federal border conflicts between city-states played a particularly important role.

In contrast, the Aitolians challenged by the integration of smaller *koina* into their league used a distinct treaty policy in order to foster the league's expansion. Aitolian-style treaty-making included particularly long dating clauses and centered on politically highly relevant alliances with the major players of the day. Especially in the years after 290 BC, the Aitolians focused on Delphi when publishing their treaties and showed a more direct involvement of their league body when it came to the nomination of judges in interstate arbitration.

With regard to the diplomatic personnel, however, the constant activities of young Achaian athletes provided a large pool of future envoys while Aitolia's comparatively weak agonistic culture did not produce the same amount of potential delegates. To put it in a nutshell, individual treaty cultures which manifested themselves, among other things, in federal

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country, (...) neighbor of the race-courses of Olympia" (Strab. 10, 3, 2). No doubt, agonistic successes were independent from zones of political interests.

<sup>104</sup> One reason for this is that these athletes had the chance to build supra-local networks early on. See, e.g., van NIJF – WILLIAMSON 2016 who focus on the level of the contests.



arbitration, treaty-making policies and the selection of diplomatic personnel existed in the Aitolian and Achaian Leagues.

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### Abstract

This article applies the idea of ‘treaty cultures’ to the study of Greek federalism, that is, it aims at unveiling characteristic sets of treaty-making practices including boundary regulations on a federal level. In order to demonstrate the validity of the approach, the article starts with the identification of a very specific treaty culture on the regional level: Hellenistic Crete, with its exceptionally long lists of oaths deities and eccentric curses, represented a world of its own when it came to the conclusion of treaties and alliances. The focus of the article, however, is on the federal level and the way treaties were concluded in the two politically most important *koina* of the Hellenistic age: the Achaian and Aitolian Leagues. It shows that individual treaty cultures which manifested themselves in federal arbitration, treaty-making policies and the selection of diplomatic personnel existed in both *koina*.

Keywords: treaty cultures, Achaian League, Aitolian League, Hellenistic Crete, interstate arbitration

Questo articolo applica la nozione di ‘*Treaty cultures*’ allo studio del federalismo greco; mira cioè a isolare le prassi tipiche nella stipula dei trattati, comprese le regolamentazioni dei confini a livello federale. Per dimostrare la validità di tale approccio, il contributo parte dall’identificazione di una cultura dei trattati molto specifica a livello regionale. Si tratta della Creta ellenistica che, con le sue liste eccezionalmente lunghe di divinità invocate a garanti del giuramento e le maledizioni originali, rappresentava un mondo a sé stante nella stipula di trattati e alleanze. L’articolo, tuttavia, si concentra anche sul livello federale e sul modo in cui i trattati venivano conclusi nei due *koina* politicamente più importanti dell’età ellenistica: la Lega achea e quella etolica. Inoltre mostra che in entrambi i *koina* esistevano *treaty cultures* specifiche che si manifestavano a livello di arbitrati federali, nelle politiche di stipula dei trattati e nella selezione del personale diplomatico.

Parole-chiave: *treaty cultures*, Lega achea, Lega etolica, Creta ellenistica, arbitrati interstatali