

CLASSICAL PHILOLOGY

VOLUME LXVI, NUMBER 2

April 1971

THE RIGHTS OF CITIES WITHIN THE ACHAEAN CONFEDERACY

J. A. O. LARSEN

EVIDENCE that the cities of the Achaean Confederacy were not mere administrative units but possessed considerable independence and could negotiate with each other almost as with foreign states has come to light relatively recently. An important document is number 567 in *Die Staatsverträge des Altertums*, Vol. III (1969), edited by Hatto H. Schmitt. This contains a treaty between Stymphalus in Arcadia and the Achaean port of Aegira arranging for the trial of lawsuits involving citizens of the two cities.¹ The inscription is badly mutilated and difficult to restore and interpret. No effort will be made here to advance the solution of all the many riddles concerning procedure in the courts involved. Only a few important points will be noted. Most important of all, there is evidence that each of the two cities elected an arbitrator (*katalytas*) and three assistant arbitrators (*synlytai*) (ll. 14 ff.), who sought to arbitrate suits between citizens of the two cities, but that nevertheless the regular courts of the two cities and their special courts for handling suits involving noncitizens (*ἐχθρόσδικον*)² might take a hand in the procedure. The many references to sums of money involved in the lawsuits and to settlements according to a commercial treaty show that the present document

does not contain the earliest treaty between the two cities, and that the suits covered by it were commercial.

Our treaty, which has been dated in the late third century, obviously is a treaty between two cities belonging to the Achaean Confederacy. Aegira certainly was a member, and Stymphalus almost equally certainly. The latter city was located on a road or path leading from northeast Arcadia to Sicyon. Thus, in the autumn of 219 the troops of Euripidas on the way from Psophis in Arcadia to raid Sicyon, and those of Philip V, on the way to invade the Peloponnesus, met near Stymphalus.³ It is so relatively isolated that it may well at times have been completely independent, but, if a Peloponnesian power was at odds with Corinth, it would have strategic importance as a point on the route leading to Sicyon and the Gulf of Corinth. Thus, in the early fourth century the city may well have been under Spartan protection or domination, but at the time of our document, it certainly was a member of the Achaean Confederacy. Polybius (2. 55. 8) classes it at the time of the Cleomenic War together with Megalopolis as violently anti-Spartan and pro-Achaean. Our treaty has been dated after 219 B.C. By that time Stymphalus must long have been a member.

1. Ll. 1–101 are given also in *SEG*, XI, 1105 (cf. XVI, 276). This includes the material to be cited in the present article except the clause concerning Cerynea.

2. The word has not found its way into the LSJ lexicon,

though the related “ἐχθρόσδικος δικά suit with a foreigner” is given.

3. Pol. 4. 67–69.

It must have been one of the early acquisitions when Aratus began to expand the Confederacy in this part of the Peloponnese.

Yet in the preserved parts of the document there is nothing that indicates membership in the Confederacy. This apparently is the reason for its having been overlooked in treatments of Achaean institutions. However, once the membership is recognized, it becomes extremely important for determining the status of members within the Confederacy. It helps to show that Polybius, when he emphasizes the unity and uniformity of Achaean institutions, is showing only one side of the picture. The other side shows that cities within the Confederacy were allowed to negotiate with each other almost as with foreign powers. Undoubtedly there were aspects of their relations which fell under the jurisdiction of federal courts, probably particularly political offenses and crimes, but if two cities desired more direct manipulation of commercial lawsuits than available through federal courts, they apparently were free to make their own arrangements. In the case of Stymphalus, this freedom of action extended even to foreign cities, though the need of securing the approval of the federal authorities is clear. This is seen best in the case of the refuge given in 194 B.C. or thereabouts to the exiled Elateans and the aid given them later on their return home in 191 or 190.

The record of these acts is found in an inscription published first in 1946/7 and now easily available in *SEG*, XI (1954), 1107, and Luigi Moretti, *Iscrizioni storiche ellenistiche*, I (1967), No. 55. This inscription has not, as it were, settled down completely,

and there still are disputed readings,⁴ but these hardly affect the points that concern the present investigation. Again Stymphalus deals with another city and this time one outside the Achaean Confederacy, but it seems clear that such dealings must have had the approval of the central government and that vital negotiations with outsiders must have been conducted by it or at least given its approval. Thus, it is likely that the invitation extended by the Stymphalians to the Elateans was given advance approval by the federal government. Unfortunately the pertinent part of the document is too mutilated to be completely clear on this point. On the other hand, the role of the federal government in the negotiations of 191 in connection with the return of the Elateans to their old home is pretty clear. For the return it was necessary to secure the permission of the Roman commander, Manius Acilius Glabrio. To secure this, the Stymphalians sent "ambassadors" to the federal government requesting that it send an embassy to Manius. The Achaean government complied, the embassy was sent, and the permission secured. Later, when the Elateans were to start out and wished to take along grain grown by them on Stymphalian soil in order to tide them over until supplies again became available in their old home, it was found that an Achaean embargo stood in the way. Again the Stymphalians communicated with the federal government and secured the necessary permission.⁵ Even this did not end the relations between the two cities. When the Elateans ran into difficulties in their arrangements at home, the Stymphalians sent advisors to help them adjust matters.

4. An important correction due to Klaffenbach and confirmed by Georges Daux is noted by Meritt in *AJP*, XCI (1970), 101, in his review of Moretti.

5. Several scholars probably still believe that the exiling of the Elateans was due to the Roman occupation in 198. Elsewhere (*Greek Federal States*, pp. 405 f.) I have given my

reasons for holding the Aetolians responsible. For the Romans to have banished the Elateans in 198 would have been contrary to their policy of "freedom" for the Greeks and apparently also to the terms of the surrender of the city, which was to serve for the years 198 to 194 as the virtual Roman capital in the Balkans.

The route from Stymphalus to the sea must have been so difficult that even the export of grain in small quantities must have been unusual. Thus normally no embargo was needed to prevent such an act. The embargo in force in 191 was clearly a temporary measure due to war and an abnormal shortage of supplies in Achaea proper rather than in Arcadia.

The evidence considered above suggests that Polybius does not tell the whole truth about Achaean institutions. What he says about uniform institutions may be correct, but it is clear that nonetheless the cities possessed considerable freedom for making arrangements with other members of the Confederacy and even with outsiders, though the latter must have required the approval of the central government at least for such unusual relations as those between Stymphalus and Elatea. That cities often recorded their approval of the *asylia* of sanctuaries and sent religious missions to sanctuaries is well known.⁶ Yet no matter how much freedom of initiative was permitted to members, it is clear that the federal government at any time could pass laws or regulations applying to the entire Confederacy, such as the embargo on grain mentioned above. This in turn makes it clear that there must have been machinery, including a federal court or judges, for the enforcing of such laws. Yet, in spite of this, it was possible for cities to negotiate treaties with special arrangements for the trial of private suits between citizens of two cities, as in the case of the treaty between Aegira and Stymphalus. Nor is this all. A clause provides that citizens of Cerynea who have transferred their residence are to be treated by the courts as though they were citizens of Stymphalus.⁷ The city in question was

situated some dozen miles west of Aegira and actually nearer Aegium than Aegira. At the time of the revival of the Achaean Confederacy it was one of the group of central Achaean cities that joined a few years after the union of the four westernmost cities of the Confederacy.

This should be enough to confirm the conclusion that citizens of a federal state—at least in the case of the Achaean Confederacy—though they possessed the rights to acquire property, to conduct business, and to intermarry in all cities of a confederacy, possessed the political rights to vote and hold office only in one city. This can be said to be the normal view of scholars today except for a tendency to believe that they also possessed political rights in all cities.⁸ However, it should be obvious that no one could vote in a city without being registered there as a local citizen. Yet it would seem possible that the citizens possessed something like *isopoliteia* in all cities of their confederacy so that they were able to move from one city to another and assume local citizenship by registering in their new home. For the Achaeans, however, this would seem disproved by the casualty list from Epidaurus of 146 B.C., which shows less than half of those fallen to be local citizens.⁹ Obviously a considerable number of Achaeans had moved to Epidaurus and even served in the Epidaurian contingent in the Achaean army, but they were not citizens of Epidaurus. Add to this the evidence of the treaty between Aegira and Stymphalus. It is clear that the two were distinct communities and that there was a real distinction between the citizenships of the two. The situation is even clearer in the case of the citizens of Cerynea who had taken up residence at

6. Such action by many "Arcadian" cities is listed in Dittenberger, *SIG*³, 559.

7. LI, 173 ff. on p. 366 of the *Staatsverträge* edition.

8. On federal government see *Greek Federal States*, pp. xviii-xxi with references to earlier literature in n. 2 on p.

xviii; for Ehrenberg, see now p. 127 of the 1969 edition of *The Greek State*.

9. *IG*, IV², 1, 28; cf. comment by Kurt Latte, *Gnomon*, VII (1931), 125, in his review of the volume.

Stymphalus. They obviously enjoyed a special privileged standing there antedating the treaty with Aegira, but they were not citizens of Stymphalus, and a special clause was required in the treaty to secure for them the same treatment in the courts as for the citizens of Stymphalus.

* * *

The freedom of initiative allowed cities in the Achaean Confederacy may suggest the solution of another riddle. There is evidence that in the extreme western part of Achaea proper there existed a district consisting of the four cities, Dyme, Pharae, Tritaea, and Patrae, known as the *synteleia* of Patrae. This was essentially a military organization with troops under the command of a *hypostrategos*. But only one such district is properly attested. It is easy to guess that there were others, but is it not possible that this one was unique? The four cities may themselves have arranged for military co-operation, or the federal government may have found it convenient to make special arrangements for this exposed section of the Confederacy. The four cities in question, it will be recalled, were the four which in 281/0 began the revival of the Achaean Confederacy and, as the Confederacy expanded, they may well have retained a more intimate bond with each other. However, the earliest functioning of the *synteleia* attested in our accounts dates from 219 B.C., the period of the Social War of the Achaeans and the Hellenic League against the Aetolians. In that year, according to Polybius (4. 59), the Aetolian Euripidas, operating from Elis, raided the territories of Dyme, Pharae, and Tritaea and was opposed by the levies of these three cities under the command of Mikkos of Dyme, who was *hypostrategos*

of the Achaeans. Note that the *hypostrategos* was a native of one of the cities but was an Achaean official. It was later the same year that the three cities withheld their taxes from the federal government and instead engaged mercenary troops of their own. In all this there is no mention of Patrae, which apparently was not involved in the affair. This need not mean that Patrae was not a member. As a federal official Mikkos mobilized the troops he saw fit to use. Moreover Patrae lay somewhat apart from the others and was not raided by Euripidas. Two years later Lykos of Pharae was *ὑποστρατηγὸς τῆς συντελείας τῆς Πατρικῆς*,¹⁰ "*hypostrategos* of the *synteleia* of Patrae." Thus we learn that Patrae not only was a member but also gave its name to the district. The two *hypostrategoī* mentioned in connection with these events were natives of the district and so may well have been chosen by its citizens. Mikkos, however, is definitely referred to as *hypostrategos* of the Achaeans. The title clearly is one that would fit an official second only to the general, who was the head of the Confederacy. If he had authority only in the one district, there might be several such officials. However, the tasks performed by Lykos in 217 seem to suggest that he was the only *hypostrategos* of the Confederacy. When the general of the year, Aratus, hied himself off to a meeting, he left Lykos in command of the mercenary troops of the Confederacy. Later in the year Lykos and Demodocus, the *hipparch*, that is, cavalry commander and vice-president of the Confederacy, mobilized troops from Dyme, Patrae, and Pharae and with them and the mercenaries employed by the Confederacy invaded Elis.¹¹ This looks as if the two Achaean officials who in military matters ranked

10. Pol. 5. 94. 1. The standard editions print the adjective without the capital thus making Lykos the *hypostrategos* of his home district rather than that of Patrae. F. W. Walbank

certainly is right in favoring in his *Commentary* the interpretation followed here. Cf. also *Greek Federal States*, p. 221, n. 1.

11. Pol. 5. 95. 7-9.

next to the general were in charge of the operation.

The question of the *hypostrategos* is confused more than it is clarified by the report of Polybius (38. 18. 2 f.) that in 146 the *hypostrategos* Sosicrates was condemned to death on account of the machinations of Diaeus, the general of the time. Again it is implied that he was a military official ranking next to the general of the Confederacy. The only other official that might outrank him was the *hipparch*. However, though the use of the definite article may suggest that he was the only official with that title, this is not necessarily correct. If he had been mentioned in the lost part of the narrative of Polybius, even if there were several officials bearing the title, he might well be called "the *hypostrategos*" to distinguish him from other officials mentioned. The conclusion that there was only one official bearing the title, if that is accepted, must be based on other evidence, chiefly on the fact that at no point is more than one official with the title seen to be functioning.

Somewhat similar is the argument for the conclusion that there probably was only one official *synteleia* within the Confederacy, namely that of Patrae. Certainly no other is clearly attested in the sources. Nevertheless, it is natural enough when one meets this one *synteleia* to conjecture that it is one of many, and that all the cities of the Confederacy were grouped in similar districts. Of course, if Polybius 5. 94. 1 means that Lykos of Pharae was *hypostrategos* of his ancestral *synteleia*, then more than one such district existed; but, as noted above, he is rather described as in charge of the *synteleia* of Patrae. If so, this is the only such district attested.

This state of affairs may seem strange, but if the geography of Achaea before the expansion into Arcadia is taken into consideration, the situation is not so mysteri-

ous. Achaea at the time was a relatively long and narrow strip between the mountains and the sea. Clearly at times there might be need of military operations involving only or primarily a part of the Confederacy. Thus it would be impossible to use troops from the eastern part of Achaea against sudden raids from Elis into the western part. Hence it would be natural for the cities of the district or the federal government to arrange for the mobilization, when needed, of the levies of the cities of the district, which thus served the purpose of military defense. Note that every mention of the district involves military action. In 219, when three cities withheld taxes due the federal government, this action is attributed to the cities as such, though they may well have consulted each other in advance.

Nor is it surprising that we hear of no other *synteleia*. If the rest of Achaea proper once was organized in this manner, the other *synteleiai* may never have been active, while that of Patrae remained uniquely important as long as the Aetolians and Achaeans remained enemies. Hence it is not surprising if this district, attested by Polybius (38. 16. 4) for 146, survived to the end of the Confederacy, while the others, if they ever existed, disappeared. Nor is it likely that the later additions to the Confederacy were organized in similar districts. Instead we hear of action by Megalopolis and other cities. Thus the *synteleia* of Patrae may well have been unique. Note, however, that if the conclusion is accepted that it was unique and that the Achaeans did not systematically group the cities of the Confederacy in districts, this conclusion should not affect our judgment of other confederacies. In the case of the Aetolians, the evidence for several districts is very strong.¹²

In attempts to reach a conclusion, the

12. *Greek Federal States*, pp. 197 f.

fact that in the actions reported for 219 and 217 the contingents of only three of the four cities were mobilized should cause no difficulty, at least not if the *hypostrategos* is considered a federal official. The general of the Confederacy could order either the mobilization of all the troops of the entire Confederacy or of local contingents as needed. Apparently local mobilization could be ordered also by the *hypostrategos*. The best example of total mobilization is the mobilization of the forces of the entire Confederacy in 200 by Philopoemen in such a way that the troops did not even know their objective until they gathered at Tegea for action against Sparta.¹³ For local mobilizations, in addition to the examples listed above, there is especially the mobilization in 197 of the militia of the cities near Corinth for action against the Macedonian troops stationed there—a mobilization handled so rapidly and efficiently that the Achaeans were able to surprise the hostile troops that were raiding their territory.¹⁴

The curious fact that in the two cases in which the mobilization of troops of the district is mentioned only the contingents of three of the four cities were summoned and that the composition of the group mobilized varied suggests that the *hypostrategos* was a federal official. And yet he may have been elected by the citizens of the district. At any rate, the two mentioned for 219 and 217 were both natives of the district. However, this evidence too is far from conclusive, for, if the federal government selected the official, it would be natural to choose a native of the district in which he was to serve. On the other hand,

the failure to mention other districts is not absolute proof that such districts did not exist, though it is extremely unlikely that the entire Confederacy was organized in this manner.

To conclude, much of what has been stated above is of such a nature that absolute certainty is impossible. The study is based upon material which has forced itself upon my attention. Personally I consider as certain as such matters can be, in the first place, that the cities within the Confederacy possessed considerable freedom and elasticity in their relations with each other; it was possible to have special relations even with cities outside the Confederacy. In the second place, it seems certain that the citizens possessed the right to vote and hold office only in one city within the Confederacy. Less certain is the status of *synteleiai* and *hypostrategoi*. It is clear that the *synteleia* of Patrae was uniquely important, but that does not exclude the possibility that other similar districts existed. It is also clear that, after its extension beyond the original Achaea, the entire Confederacy was not organized into such districts. If there were more than one, each may well have been headed by a *hypostrategos*. It is also possible, as the mysterious *hypostrategos* of 146 B.C. may suggest, that the title was applied also to an officer next in command to the general of the Confederacy. In that case there may have been two *hypostrategoi*, one for the army as a whole and one for the *synteleia*.

UNIVERSITIES OF CHICAGO AND MISSOURI

13. Livy 16. 36–37.

14. Livy 33. 14–15.