alluding to Sappho or Theognis, as that Aristotle misquoted Sappho, Theognis, or Simonides fragment 541.

One objection to the view that Aristotle was thinking of one particular poem is the plural *φασίν* in b16. Was Aristotle thinking, generally, of the phrase used by Sappho, Theognis, and Simonides (and perhaps other authors whose works have not survived[12])? Quotations are often introduced imprecisely in the *Corpus Aristotelicum*. *Rhet* II 1395b29 cites Euripides' *Hippolytus* with the introduction *ὥσπερ φασιν οἱ ποιηταί*.[13] Quotations of poets, as opposed to proverbial sayings, are frequently introduced impersonally, with *εἴρηται*, *λέγεται*, or *τὸ λέγειν* (e.g. *E.E.* 1235a7, 1235a16, 1238a34, *E.N.* 1113b14). *E.N.* 1129b29 introduces a quotation, possibly of Theognis, with *καὶ παροιμιαζόμενοι φαμέν*. The generality inherent in the plural form (or the impersonal form) of the verb of saying, followed by a precise quotation, reflects the fact that the words quoted have been frequently quoted. Thus, whether the unexpressed subject of *φασίν* in 1149b15–6 is poets or is people (i.e. contemporaries), the balance is in favour of Aristotle thinking of one poem, a poem which had the words in the genitive, and yet showing an awareness that the epithet has been more broadly accepted.

Whoever's the *γάρ* is at *E.N.* 1149b16—we may just have a two-word fragment—we have some reason to rescue the fragment from the *adespota*.

London HUGH JOHNSTONE

[12] Note fr. adesp. 919, 7 (Page) *-π]λόκω Κύ[π]ριδ[*, and Simonides fr. 575 (Page) *δολομήδεος Ἀφροδίτας*. On the latter see M. Davies 'Simonides and Eros', *Prometheus* 10 (1984), 114–16.

[13] Here see J. E. Sandys, op. cit. (n. 3), p. 222: '*οἱ ποιηταὶ* is generalised from one, viz. Euripides . . . The plural sometimes expresses the single individual plus those like him'. *Rhet.* 1409b10 even attributes to Sophocles a quotation from Euripides. For the reliability of Aristotle as a source for the pre-Socratics, a closely related question, see J. G. Stevenson 'Aristotle as historian of philosophy', *JHS* 94 (1974), 138–43 and further bibliography there.

'ATHENS AIDS ERETRIA': A STATE'S JURISDICTION OVER ITS CITIZENS' ACTIONS[1]

In the course of studying ancient Greek diplomatic relations I have come to think that one item of evidence deserves a little more said about it than it has, up to now, received. Tod II.154, entitled 'Athens aids Eretria: 357–6 B.C.',[2] is a document whose significance in Greek diplomatic history has not, I suggest, been fully appreciated. It is a unique epigraphic record of a genre of diplomatic instrument that was available to states which wished to emphasize their non-belligerence. R. Bauslaugh[3] has recently gathered the literary evidence for the use by neutral states of this type of instrument, prohibiting a state's citizens from serving as mercenaries for a foreign power, but he did not consider this decree, in which a state uses the same instrument to demonstrate its goodwill towards its allies. The purpose of this note is to place the

[1] I owe a debt of gratitude to Prof. J. Crook for his kind encouragement and helpful comments in the preparation of this note.

[2] Tod's dating is by far the most likely, although the decree gives no direct internal evidence for it.

decree in the context of diplomatic history and the genre of such instruments.

Tod II.154 is intended to prevent any Athenian or citizen of the allied states harming any state of the alliance (the Second Athenian Confederacy). There is a clear indication (ll. 6–10) that this is prompted by mercenaries having served on the Theban side in their recent attack on Eretria (see Tod, under II.153: 'Athens took measures to punish its [Eretria's] assailants and prevent any similar aggression in the future', referring to this decree). The measure is aimed against individual citizens serving as mercenaries rather than against state action: 'If anyone from henceforth attacks Eretria or any other of the allied *poleis*, whether he is from Athens or from one of the Athenians' allies, he is to be condemned to death and his property is to become the state's and a tithe is to be given to the goddess'. The property is to be recoverable from any state in the alliance.

The uniqueness of this document lies not in its casual allowance for interference in the internal affairs of other states without reference to the *synedrion,* but in its being an example of a type of document only otherwise mentioned in literary sources: the prohibition by a state against its citizens serving in a foreign army hostile to a third state with whom 'friendly' or neutral relations were desired. While such a degree of control over a citizen's actions seems excessive, in fifth- and fourth-century diplomacy, as Bauslaugh has noted,[4] states did demand that third parties who wished to retain neutrality (which might be formally indicated by *philia* relations with both sides[5]) restrain their citizens from enrolling as mercenaries with their enemies. The best-known example of this is the complaint of Corcyra that Athens was allowing the Corinthians to recruit mercenaries from throughout the Athenian empire: this private initiative by Athenians and allied citizens should be balanced, they argued, by *state* initiative to help Corcyra.[6]

There are other examples of service by a state's citizens being considered as reflecting that state's policy. In 379 Pharnabazus informed the Athenians that if they did not summon back Chabrias, who was serving as a private mercenary commander for the Egyptian king Achoris against Persia, they risked losing Persia's favour:[7] they recalled their citizen, and further bowed to the demand that they send Iphicrates out to act as a general for the Persian forces. There was therefore an acceptance of the principle that the actions of an individual citizen without state backing could be seen as reflecting official foreign policy.[8]

In 383 Thebes actually prohibited her citizens from enrolling in the Spartan armies which marched through her territory.[9] Allowing an army to cross your territory towards another state could be interpreted as an act of hostility towards that neighbour. Treaties might forbid the passage of armies through the *chora* of any of the participants unless unanimously agreed by the partners;[10] and it was a general principle that states who wished to make their neutrality plain and were strong enough to do so could forbid belligerents passage through their territory.[11] Thebes, however, in

[3] In *The Concept of Neutrality in Classical Greece* (California, 1991): indexed under 'Neutrality and mercenary recruitment'.

[4] Op. cit., e.g. p. 73. [5] Bauslaugh, op. cit., passim.

[6] Thuc. 1.35.4. It is hard to see, though, what prevented Corcyra herself from attempting to recruit mercenaries within the empire. [7] Diod. 15.9.3.

[8] This incident, and the nature of the relationship between Athens and Persia at this date, are discussed by Bauslaugh, op. cit., p. 216ff. [9] Xen. *Hell.* 5.2.27.

[10] E.g. Bengtson, *Die Staatsverträge des Altertums* (Munich, 1962), vol. II, no. 193, ll. 18–20. (Henceforth 'Bengtson'.)

[11] Bauslaugh, op. cit., p. 148 with refs.

the grip of *stasis*, was in no position to bar the way of Spartan armies: she therefore signalled her neutrality by a move which was as specifically anti-Spartan as the free passage was pro-Spartan.[12]

The Athenian–Eretrian position was different. Athens was not neutral in relation to Eretria, but positively allied. She was *summachos*, the closest form of tie, by virtue of the decree of Aristoteles and an earlier alliance of 394,[13] which was probably renewed at this time.[14] There was no question of balancing a series of rights and wrongs to make a status of neutrality. Yet there was no reason why Athens could not as an ally adopt this 'favouring' attitude towards Eretria and her allies, and the existence of this decree would seem to imply that Athenian and other mercenaries had played a prominent part in Thebes' campaign and caused complaint. Her *summachoi* had even more right to *philia*-type consideration than states she merely did not wish to antagonize.[15] By banning mercenary service against the confederacy, Athens diminished the manpower available to her enemies and gained an exclusive pool of available soldiers (probably driving their price down, if it was not already close to subsistence[16]), removed a cause of offence to her allies,[17] and affected her own revenues little, since her citizens, so long as they served abroad, paid nothing into her treasury. The decree adapts therefore a tactic used to safeguard neutrality and uses it as an apology and future guarantee to her allies, as well as improving the state's own situation. There is no hesitation over whether the state has the right to pass such legislation, or whether the conduct of individuals *should* be seen as reflecting the policy of their own state.[18] It sits within an established genre of diplomatic instruments which we know from literary evidence, and while unique in survival, it is unlikely to have been so unusual in the ancient world's diplomacy.

St John's College, Cambridge N. TOOGOOD

[12] Bauslaugh, op. cit., p. 187.

[13] 394 alliance: Tod 103, Bengtson no. 229—very heavily restored, including all the phrase *summachos einai*, but certainly a military treaty (. . . κατὰ] τὸ [δ]υνατό[ν] is standard—see e.g. Bengtson no. 223) and certainly dated.

[14] See Tod on II.154. A renewal would have clarified the position of the Euboeans, who had aligned themselves with Thebes at Leuctra.

[15] Alliances a little later in the fourth century were often of *philia kai summachia* (e.g. Tod II.158). This is likely to be merely a change in linguistic fashion, since a *summachia*, being a strong military alliance, might be assumed to comprehend the general undefined expectations of *philia*. The specification of *philia* on its own is significant; its omission in a *summachia* need not be. The decree of Aristoteles only specifically mentions becoming a *summachos* (ll. 18–19).

[16] W. K. Pritchett, *Ancient Greek Military Practices I* (Berkeley, 1971), p. 21: 'And this was how mercenaries of the Greek cities must usually have lived in the fourth century, hand to mouth'.

[17] The punishment envisaged is similar to the penalties specified for those who try to alter the decree of Aristoteles, as Tod notes, except that it is even stricter in calling for death rather than *atimia*: the Athenians clearly wish to demonstrate how seriously they take Eretria's complaint.

[18] Bauslaugh also notes as a literary comparandum for the incidents he cites Aeneas Tacticus, who is roughly contemporary and preserves a specimen of a decree which forbids citizens to hire mercenaries or to serve as mercenaries themselves without the magistrates' approval (10.7): this, however, is clearly intended to prevent the build-up of armed forces *within* the polis, and to prevent conspiracy in a time of siege, not as an instrument of external policy or as a long-term measure.