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I.—The Assembly of the Aetolian League

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The purpose of this paper is threefold: to test — and, as it turns out, to try to refute — some recent attempts to challenge what may be called the orthodox view concerning the council and assembly of the Aetolian League, to investigate the names applied to the assembly by Polybius and Livy in order to gain further understanding of these terms, and finally to try to add something to our knowledge of the functioning of the government of the League. This third part is largely based upon the results gained in the other two. It reaches the conclusion that, while the Aetolian council was an admirably constructed representative body, the primary assembly, in spite of having only two regular meetings a year, functioned so vigorously as to recall the Athenian democracy in its most flourishing period.

I

What has been called the orthodox view is that the Aetolians had a primary assembly and a council, the *synedrion* or *boulê*. The primary assembly had two regular meetings each year, in the autumn (the Thermika) and towards the end of the winter or early in the spring (the Panaitolika). Of these the Thermika met regularly at Thermum, while the Panaitolika met in other cities. In addition, special meetings could be called. The *synedrion* was a relatively large body, in which the constituent cities were represented in proportion to population. Hence a smaller body of men, known as the *apoklêtoi*, conducted a large part of the business. These undoubtedly were chosen from among the members

of the *synedrion*. As Livy, who gets his information from Polybius, tells us, they constituted a *sanctius consilium* (Livy 35.34.2), a more dignified and undoubtedly smaller council in comparison with another council, which must have been the *synedrion*; the members were elected (*ibid.* and 36.28.8); and the meetings secret (35.35.4).

What has here been called the orthodox view, of course, is also the result of development and discovery. Down to 1905, when Maurice Holleaux published an important article on the assemblies of the Aetolian League, it was held that the assembly had one regular meeting a year in the autumn and at times additional extraordinary meetings.¹ An indispensable preliminary for Holleaux's study was the demonstration by Heinrich Nissen that Livy in 33.35.8 had rendered τὴν τῶν Θερμικῶν σύνοδον of Polybius (18.48.5) as *Pylaicum* and had confused the meeting of the Aetolian League at Thermum with Thermopylae and a meeting of the Amphiclionic League. Nissen argued that there was a similar mistake in the expression *Panaetolico et Pylaico concilio* in Livy 31.32.3.² Holleaux demonstrated further that in the latter passage the reference was to two regular annual meetings, the autumn meeting at Thermum and a second meeting in the late winter or early spring called in Livy *Panaetolicum concilium* or *Panaetolium*.³ The festivals, the Thermika and Panaitolika, in connection with which the assemblies met, are listed in decrees as part of the date of the decree. In 199 B.C. the Panaitolika were held at Naupactus, but this was probably not the regular place of the festival and meeting; instead it is likely that the place of meeting varied.⁴ Finally, it must not be overlooked that Holleaux took as his starting point an older theory that there was only one regular meeting a year and professed to prove that there were regular meetings *at least* twice a

¹ Gustav Gilbert, *Handbuch der griechischen Staatsalterthümer*, II (1885) 30 f.; E. A. Freeman, *History of Federal Government in Greece and Italy*² (1893) 261 is less positive but states that we lack evidence for a second yearly meeting.

² Heinrich Nissen, *Kritische Untersuchungen über die Quellen der vierten und fünften Dekade des Livius* (1863) 29 and 127.

³ Besides the passages already discussed cf. Livy 31.29.1 and 35.32.7.

⁴ Maurice Holleaux, "Sur les assemblées ordinaires de la Ligue aitolienne," *BCH* 29 (1905) 362–72 (now, *Études d'épigraphie et d'histoire grecques* I [1938] 219–27). The inscriptions in which the names of the two festivals are found are now *IG IX*².1.187 (*SIG*³ 598D) and 192 (*SIG*³ 563). Holleaux (*Études* I.223, note 3) listed a second inscription for the Panaitolika (*IG IX*.1.411), but a later correction has removed this reference. Hereafter Holleaux's article will be cited by the original edition with the references to *Études* added in parentheses.

year ("aux moins deux fois par année"). He points out in a footnote that, if the assembly of the summer of 220 reported in Polybius 4.15.8 was a regular assembly, then there were three regular meetings a year. This, however, he considered unlikely.⁵

This interpretation has commonly been accepted.⁶ The two chief dissenting voices are those of Ulrich Kahrstedt, who has argued that there was no primary assembly at all (see below, p 8) and of Markellos Mitsos, who recently has argued that "the Aetolian League had more than two regular sessions [of the assembly], and that none of them was called 'Thermika' or 'Panaitolika.'" ⁷ Of these two views, that of Kahrstedt involves the more fundamental issue. In fact, if he were right, the government of the Aetolian League would have been out and out a representative government. On the other hand, the assertion of Mitsos affects the broader interpretation very much less. True, the position of the primary assembly over against the representative council would be stronger the more frequently it met, but the government would still be one which possessed a primary assembly but which left much of the administration to the representative council and the magistrates. Actually the extent to which the government functioned as a direct government depends more on the spirit of the meetings and the ease with which extraordinary meetings could be called than on the exact number of the regular meetings a year. The theory of Mitsos can be treated more easily and briefly than that of Kahrstedt and will be taken up first.⁸

⁵ Holleaux, 363 and note 2 (220 and note 2).

⁶ H. Swoboda, *Lehrbuch der griechischen Staatsaltertümer* (1913) (Vol. I, Part 3 of Hermann's *Lehrbuch*) 356; K. J. Beloch, *Griechische Geschichte*² IV.1.605, note 1; Busolt, *Griechische Staatskunde*, 1521; Tarn, *CAH* VII.208; R. Cohen, *La Grèce et l'hellénisation du monde antique* (1934 and later editions) 445; Schwahn, *RE* IVa.1208; R. Flacelière, *Les Aitoliens à Delphes* (1937) 43 f.; A. Aymard, *Les Assemblées de la Confédération achaienne* (1938) 59. In some of these statements the names of the festivals are treated as names of assemblies.

⁷ Markellos Th. Mitsos, "Thermika and Panaitolika," *Hesperia* 16 (1947) 256-61 at 260.

⁸ A third departure from the orthodox view concerns the assembly only indirectly. W. Schwahn, "Die Apokleten der Ätoler und die Apoklesia der Lokrer," *WS* 48 (1930) 141-49 (cf. also *RE* IVa.1210) argues that in an old Lokrian inscription *apoklēsia* means *synarchia* and that the Aetolian *apoklētoi* similarly were a group of the highest officials of the League. He even proceeds to draw up a list on the basis of *SIG*³ 421, a treaty between the Aetolians and the Acarnanians. The Locrian inscription can be found in Buck *Greek Dialects*², pp. 321-23, No. 56². Schwahn's interpretation is nothing if not ingenious, but not even his interpretation of *apoklēsia* is proved — Buck

To return to the statement by Mitsos quoted above, the only point which concerns us is the number of meetings. The question of the names does not make any real difference. If Thermika and Panaitolika are not names of the meetings, they are the names of the games in connection with which the meetings were held, and this was actually the view of Holleaux. The article by Mitsos seems to have been occasioned by the fact that he had published an inscription of the third century B.C. listing the victories of an athlete and including the Thermika among the games at which these victories were won (now *SEG* 11.338). This naturally aroused an interest in Thermika and also Panaitolika as names of games, but this interest does not excuse the careless treatment of Aetolian institutions and still less the misinterpretation and consequent misrepresentation of the work of Holleaux. The latter aspect of the article has rightly been severely criticized by J. and L. Robert (*Bull. ép.*, 1949, No. 85). With the misrepresentation removed, one of the chief issues disappears, for Mitsos, too, in the last paragraph of his article, seems to grant that, though Thermika and Panaitolika are the names of games, meetings were held at the time of the games. As an additional example of the holding of meetings in connection with games, the proviso to this effect in the Epidaurus inscription connected with the renewal of the Hellenic League by Demetrius Poliorcetes can be mentioned (*IG* IV².1.68.66f. and 72f.). The issues that remain are whether there is evidence for more than two regular meetings a year, and whether also the Panaitolika were held at Thermum or whether, as scholars commonly believe, they were held in various cities throughout the League.

To take first the question of the number of regular meetings, the most important evidence for two meetings is the clause in Livy 31.32.3: "cum legibus cautum esset, ne de pace belloque nisi in Panaetolico et Pylaico concilio ageretur," the clause in which, according to Nissen, *Pylico concilio* is a mistake for some phrase referring to the assembly at the time of the Thermika. The clause clearly implies that there existed a law forbidding action on war

translates "special body" — not to speak of the transfer of this meaning to the Aetolian League. Thus there is no reason for rejecting the common view that the *apoklētoi* were a committee of the *syndrion*. Nor is there any reason to take offence at the fact that the *apoklētoi* do not appear in inscriptions. It is perfectly natural that the larger body should be mentioned in official documents, while the smaller committee had charge of diplomatic negotiations and the like and so should become prominent in narratives dealing largely with such negotiations.

and peace except at the two meetings mentioned, and this, in turn, implies that there were two regular meetings a year. In his discussion of this passage, Mitsos accepts the theory that Livy has made a mistake on account of confusing Thermika and Thermopylae but then suggests a mistake in Livy 31.29.1 and 35.32.7 also in connection with *Panaetolicum concilium*, which he thinks may be a mistaken translation of Παναητωλικῶν σύνοδος referring to the games (pp. 257 f.). To this the objection can be made that in Polybius 18.48.5 τὴν τῶν Θερμικῶν σύνοδον refers to a meeting of the assembly, a meeting held in connection with the Thermika. On analogy, the phrase suggested by Mitsos should mean a meeting held in connection with the Panaitolika. This matters very little, however, for, in any case, the implication of two regular meetings remains.⁹ Hence we need very strong evidence if we are to reject the view that there were only two such meetings a year. For the positive side of his argument on this point Mitsos refers to two meetings reported by Polybius.

The first of the two meetings in question is that of the summer of 220 (Pol. 4.15.8). This is the meeting concerning which Holleaux remarked that, if it was a regular meeting, then there were three regular meetings a year, but this he considered unlikely. In favor of considering the meeting a regular meeting is the phrase παραγενομένης αὐτοῖς τῆς καθηκούσης ἐκκλησίας, an expression which probably, but for other evidence, would be taken by everybody to mean a regular meeting. Nevertheless, Holleaux is probably right when he says that the expression need not have this particular meaning. However, since his chief purpose was to prove that there was more than one regular meeting a year, he dealt very briefly with this point (p. 363, note 2 [220, note 2]) and for the rest referred to Klatt. The latter merely remarks that the meeting was an extraordinary meeting, as is shown by the fact that it came only a short time before the regular autumn meeting.¹⁰ This argument,

⁹ The implication of the passage that at the time referred to (200 B.C.) a measure permitting action on war and peace at extraordinary meetings was adopted for the first time seems incorrect; cf. below, note 27,

¹⁰ "Dies war aber eine ausserordentliche Synode, was daraus hervorgeht, dass nicht lange danach die ordentliche Bundesversammlung der Aitolier stattfand, auf der die Behörden gewählt wurden" (M. Klatt, *Chronologische Beiträge zur Geschichte des achäischen Bundes* [Berlin 1883] 28). Klatt's purpose is to prove that σύνοδοι καθηκουσαι does not in the case of the Achaean League mean regular fixed meetings, as some had maintained.

however, carries a good deal of weight, and we should not conclude that the meeting was a regular one on the basis of an expression which is extremely rare and therefore difficult to interpret.¹¹ Nor should we forget that 220 B.C. was a complicated year with many incidents which might lead to the calling of an extraordinary meeting. The implication that the meeting must have been a regular meeting because "the Aetolians were very reluctant to call any extraordinary meetings" (p. 259), scarcely calls for refutation. It is based on a single incident, which occurred later the same year. This last detail is obscured for the reader by the misprint "Polybius, VI, 26, 6 f." for "IV, 26, 6 f." Mitsos writes: "When, at a later period ambassadors from Philip V called upon the Aetolians, pointing out 'that there was still time left to call a meeting and to arrive at more sensible decisions,' and when the King himself went to Rhion, which was suggested as a meeting place, the Aetolians contented themselves with informing him through a messenger that 'they were unable to enter upon any commitments prior to the meeting of the League'" (p. 259). The statement made by Aetolian officials with reference to one particular suggestion is not enough to prove a rule. Moreover, Philip did not at the time suggest a meeting of the assembly but a conference with Aetolian authorities, and it was such a conference which had been arranged when the Aetolian officials sent excuses instead of keeping the engagement.

The second meeting calling for special attention is the one at Thermum reported in Polybius 28.4, which Mitsos, without any proof or discussion, places in the spring of 169 B.C. This is the meeting at which the Roman ambassadors, C. Popilius Laenas and Cn. Octavius, demanded hostages but left without securing them. Somehow or other a meeting at Thermum in the spring is supposed to demolish the theory of Holleaux. "The spring meeting should

¹¹ I cannot agree with Mitsos that close examination of the narrative of Polybius "will reveal . . . that the summer meeting of the Aetolian League was a regular convention." Polybius (4.5.9) does not state that "Skopas and his friends did not wait for the regular meeting of the Aetolian League" but merely that they did not wait for a meeting of the federal assembly (*κοινήν τῶν Αἰτωλῶν . . . σύνοδον*). He also gives an incorrect account of the events of the meeting. "The Aetolians made peace with the Lacedaemonians, the Messenians, and their allies," says Mitsos (p. 259), but *εἰρήνην ἄγειν* (Pol. 4.15.8) does not mean "to make peace" but "to maintain peace." The statement about the action taken with regard to the Achaeans, given not in the section cited but in 4.15.9, is equally incorrect. For an account of the meeting see F. Walbank, *Philip V of Macedonia* (Cambridge 1940) 27.

not have convened at Thermos if there were only two annual meetings, one of which was always held during the fall in Thermos while the other assembled during the spring in one of the cities of the League which took turns being the host" (p. 259). There are two reasons for not accepting this conclusion even if the meeting took place at the time stated by Mitsos. In the first place, the spring meeting at Thermum might be an extraordinary meeting, and, in the second place, the regular spring meeting might well have been called at Thermum occasionally. The meeting, however, actually took place in the autumn of 170. True, the account of the meeting is found in Livy (43.17) under 169, but a glance at the contents should be enough to show that this means primarily that it came after the campaigning season of 170 and before the opening of the campaign of 169. More exact chronological information is derived from Polybius (28.3-5), who shows that the ambassadors visited the Achaeans before the Aetolians and did so before the Achaean elections of the autumn of 170. Moreover, Livy (43.17.10) himself shows that the ambassadors finished their tour early enough for Popilius to be sent with troops into winter quarters at Ambracia. These were the troops which saved Stratus for the Romans during Perseus' campaign in the winter of 170/69 (Livy 43.22.1-2). The ambassadors may even have reached Aetolia before the Aetolian election at the time of the autumn equinox.¹² The meeting has been taken by some to be the regular autumn meeting.¹³ The language of Polybius, however, *συναχθείσης αὐτοῖς τῆς ἐκκλησίας εἰς Θέρμον* implies an extraordinary meeting called especially to deal with the Roman ambassadors. It implies, furthermore, merely the gathering of an assembly and not the celebration of games — another reason for concluding that we are dealing with an extraordinary and not a regular meeting.

Thus, rightly understood, the account of neither of the two meetings contains anything which should cause us to conclude that there were more than two regular annual meetings of the assembly. There remains the question whether the regular spring meetings, as well as the autumn meetings, were held at Thermum. As already noted, Polybius 28.4.1 does not supply any proof of a regular

¹² For a discussion of the date see particularly De Sanctis, *Storia dei Romani*, IV.1.399 f.; cf. also Klaffenbach in *IG IX*².1, p. xlv.

¹³ Swoboda, *Staatsaltertümer*, 356, note 5; Busolt, *Staatskunde*, 1521, note 8 on p. 1522.

spring meeting at Thermum. With that, I believe that any positive argument of any value for regular spring meetings at that place disappears. On the other hand, we know that the *Panaetolicum concilium* met at Naupactus in the spring of 199 (Livy 31.29.1 and 8). Though it is often difficult to know which meetings were regular and which extraordinary, the reports of other meetings make it likely that Naupactus was not the regular place of meeting but that this varied. In short, Mitsos has presented no evidence to cause us to modify the orthodox interpretation of Aetolian institutions. The one point he seems to have made — but it is hardly new — is that Thermika and Panaitolika were names of festivals rather than of the meetings of the assembly. Nevertheless, to avoid clumsy circumlocutions, I shall continue to use them as names for the meetings.

Kahrstedt, with his suggestion that the Aetolians had no primary assembly, has raised a more fundamental issue, and it will require a somewhat more lengthy discussion. His treatment of the problem is included in his article *Συνέδριον* in Pauly-Wissowa (*RE* IVa, 1333–50 at 1339–44). His chief argument for rejecting the primary assembly is that the literary sources mention only one body larger than that of the *apoklētoi*, and this body must be the *synedrion*. He also argues that the activities of the *synedrion* as indicated in the documents are not different in kind from those of “the Aetolians” or “the *koinon* of the Aetolians,” expressions normally connected with the primary assembly. In two cases he recognizes meetings of larger bodies, but these he takes to be the army in the field or the military levy acting as an assembly. Both examples are early, and no example of this practice is found in the second century. Hence, the exceptional functioning of some sort of primary assembly belongs to the early history of the League and later disappeared or fell into disuse. If there was development, this is the direction we should expect it to take, from the use of a primary assembly to the increasing use of a representative council and the disappearance of the primary assembly. This is a theory which cannot but be attractive to scholars with a special interest in the development of representative government, and yet, in spite of its attractiveness, it seems necessary to reject it. There is so much which suggests a primary assembly, and the Greek tradition so strongly favored the use of such an assembly, that, only if the evidence is very strong, are we warranted in believing that no such

assembly existed. When the evidence is surveyed, it will be seen that it even looks as if the close connection between the army and certain meetings of the assembly was not confined to the second century. To be sure, as Kahrstedt points out, the *synedrion* of the Hellenic League had the final authority in that organization, and the Aetolians too had a *synedrion*, but that does not prove that it played the same role within this federal state as a body with the same name played within an inter-state organization. In fact, the identity of the Aetolian *synedrion* and *boulê* suggests that it may have been a probouleutic council, though a council of this kind would naturally acquire more independent authority in a federal state than in a city-state.

There are a number of objections to be raised against Kahrstedt's theory. However, before turning to them, it may be well to note that little or nothing can be proved from the fact that Livy commonly speaks of the *concilium* of the Aetolian League. It will be shown below that it is far from certain that Livy, when speaking of Greek leagues, used this word exclusively about popular or primary assemblies in opposition to smaller councils. Nevertheless, *concilium universae gentis* (35.34.2) cannot well refer to anything but a primary assembly. It occurs in the account of the events of 192. Livy has just reported the meeting at which it was decided to invite Antiochus to come to Greece and then states that, after the dismissal of the Roman ambassadors, the Aetolians held no further meeting of the entire people but continued their activities through the *apocleti*, their *sanctius consilium* [or *concilium*]. This account certainly suggests that the Aetolian League did have a primary assembly and retained it through the period of the greatness of the League.

In the second place, Polybius reports two meetings which even Kahrstedt (col. 1343) admits were meetings of a larger body than the *synedrion*. He considers both as meetings of the armed levy of the League and probably is right in both cases. The first is a meeting held in 231 in connection with the siege of Medeon (Pol. 2.2.7-3.1); the second, the meeting which ratified the Peace of Naupactus in 217 (Pol. 5.103.2 and 6). The meeting in 231 is most surprising, since it had been planned that it was to elect the general and thus perform the works of the regular Thermika. Moreover, the relative ease of the victory won by 5,000 Illyrians, even though they staged a surprise attack, seems to suggest that

the complete forces of the Aetolians were no longer on hand and that thus it was possible to hold a regular meeting at Thermum in spite of the siege. Polybius does state, however, that the Aetolians had undertaken the siege *πανδημεί* and gives no hint that the forces had been decreased, and the most natural interpretation of his account is that the meeting took place in camp. In the case of the meeting at Naupactus, the Aetolians already were gathered *πανδημεί* when approached by Philip's ambassadors. The adverb probably could be used just as well about the summoning of a primary assembly as about total mobilization, but, since the Aetolians already were gathered, it is most likely that we have a report, not of an extraordinary meeting summoned for the negotiations, but of the army, already mobilized, acting as the assembly. This makes the action of the Aetolians in going out unarmed to within two stades of Philip's camp (Pol. 5.103.6) all the more surprising.

It is hardly necessary to say that, if the army could substitute for a regular assembly, that assembly must have been a primary assembly rather than a representative council. Kahrstedt, to be sure, points out that both meetings were relatively early. Hence it would be possible to argue that they belong to an earlier stage and that the primary assembly was later abandoned. However, it has already been noticed that there is reason to believe that the Aetolians retained their primary assembly as late as 192, and we shall soon see that there is reason to believe that they retained it also during the Third Macedonian War. In any case, the two examples discussed suggest that in Aetolia soldier and voter were approximately identical.

To return to language and nomenclature, just as important as Livy's *concilium universae gentis* is the fact that the assembly was called *ekklêsia*. At any rate, Polybius calls it so twice (4.15.8; 28.4.1), in both cases speaking about meetings already discussed. It may be pure accident that both seem to have been extraordinary meetings. The word so far has not been found in any Aetolian document preserved in an inscription; its restoration in SIG³ 622 A was unwarranted, and it has not been retained in IG IX².1.178. Polybius also applies *synodos* once (18.48.5) to a meeting of the assembly. This, as will be shown below, gives no indication of the size and composition of the assembly, but *ekklêsia* naturally suggests a primary assembly, though the example of Lycia warns us that

even a representative council could be called *ekklêsia*.¹⁴ However, in Polybius 28.4 the description of the proceedings at the meeting certainly suggests a primary assembly. This meeting, already discussed above, was held at Thermum in the autumn of 170 to consult with the Roman ambassadors, C. Popilius Laenas and Cn. Octavius. The ambassadors began by demanding hostages, but, though the demand was supported by pro-Roman leaders, there was violent opposition, the former general Thoas was hooted and pelted off the platform, and the Roman ambassadors dropped their demand.¹⁵ Such conduct would be most unseemly, even if not entirely impossible, for members of a council. One might, of course, suggest that the hooting and pelting were the contribution of spectators and not of members of the council. That is, one could imagine this, if the meeting had taken place at Athens or Corinth or some other large city, but at Thermum there would be no city mob at hand. No, the offenders must have been those attending the meeting as voting members. Everything suggests a primary assembly, in this case well attended by voters whose emotions were easily aroused. If we couple with this the reference to the "senate" in 167 (Livy 45.28.7), it looks as if the old form of government with a primary assembly and a representative council was retained at least through the Third Macedonian War.¹⁶

So far the evidence presented has been taken from literary sources. When we turn to inscriptions, we find that the formulas used in decrees suggest a *synedrion* and a larger body, which, in turn, it is natural to consider a primary assembly. There is one decree with the formula *ἔδοξε τοῖς συνέδροις*¹⁷ and several with the formulas *ἔδοξε τοῖς Αἰτωλοῖς* and *δεδοχθαι τοῖς Αἰτωλοῖς*.¹⁸ In addition there are also

¹⁴ See now Magie, *Roman Rule in Asia Minor*, 1381 f., note 34; Larsen, "Representation and Democracy in Hellenistic Federalism," *CP* 40 (1945) 65-97 at 81 f.

¹⁵ For the somewhat unsuccessful visit of the two ambassadors to a series of Greek states, see Pol. 28.3-5; cf. B. Niese, *Geschichte der griechischen und makedonischen Staaten*, III (1903) 137 f.; G. Colin, *Rome et la Grèce de 220 à 146 avant Jésus-Christ* (1905) 435-37. Livy's account (43.17) gives very few details.

¹⁶ Livy 45.28.7 reports that Aetolian leaders with the aid of Roman troops surrounded the senate and put to death 550. Thus, to be sure, one might argue that the council itself was large enough to be affected by a mob spirit, but, even though this is granted, it still remains true that Polybius' description of the meeting of 170 implies a primary assembly.

¹⁷ *IG IX*².1.172 (*SIG*³ 479).

¹⁸ *IG IX*².1.4 (*SIG*³ 554).9, 15.1, 25.47, 28.2, 169A (*SIG*³ 522.I).1, 179 (*SIG*³ 629).1, 189 (Michel, 25).1; and *IG IX*².1.173.6, 179 (*SIG*³ 629).10, 187 (*SIG*³ 598d).8, 192 (*SIG*³ 563).6.

two references to a *δόγμα Αἰτωλῶν* (*IG IX*².1.135 and 185). There seems to be no Aetolian decree preserved in which both the *synedrion* and the larger body are mentioned in the formula. Nevertheless, it is natural to believe that the "decrees of the Aetolians" are distinct from the "decrees of the *synedroi*." This impression is strengthened by the fact that, at least for a time, there were two secretaries, one known as the secretary of the Aetolians and one as the secretary of the *synedroi*.¹⁹ The reason the council is not mentioned in the decrees of the assembly may well be that it did not serve as a probouleutic body in the sense of formulating the decrees to be passed. These may have been formulated by the officials or may actually

¹⁹ For this point, see Flacelière, p. 43, n. 2, who cites *IG IX*².1.69. Though the inscription has been pieced together from fragments, this point seems completely assured. With this once clearly established, it becomes quite certain that the two secretaries are mentioned in some if not in all of the following inscriptions: Nos. 48 and 74 and, with the secretary of the *synedrion* called secretary of the *boulê*, Nos. 34 and 178 (*SIG*³ 622A); cf. also No. 187 (*SIG*³ 598D) with the plural form *γραμματευνόντων*. There is still disagreement whether in the list of witnesses to the arbitration between Melitea and Perea (*IG IX*².1.188 = *SIG*³ 546B) the secretaries mentioned in lines 33 and 34 are identical or not. In the light of the evidence cited above, the point is no longer of any great importance. On the Aetolian secretaries in general see now Klaffenbach's commentaries on Nos. 15 and 69 in *IG IX*².1 (1932) and André Aymard, "Recherches sur les secrétaires des Confédérations aitolienne et achaienne," *Mélanges Iorga* (1933) 71–108. The latter unfortunately had not had access to *IG IX*².1, but it is interesting to see the manner in which he and Klaffenbach adopt essentially the same interpretation of *SIG*³ 622A (*IG IX*².1.178; Aymard, pp. 82–85).

The information about the secretaries is largely derived from their use as eponymous magistrates. Though the formulas vary a great deal, some conclusions are possible. At first there was only one secretary, who occasionally was listed alone as eponymous but more commonly with other magistrates, either the general alone or the general and the hipparch. When the three were listed, the secretary sometimes preceded the hipparch. Thus, it is clear that the secretary was an extremely important official. Another proof is that a man as prominent and ambitious as the general Scopas once served as secretary (*IG IX*².1.4.8). Aymard (p. 92) probably is right in saying that the work of the secretary was so heavy that it caused the addition of a second secretary. The inscriptions showing two secretaries belong to the second century. Apparently the earliest certain evidence for more than one secretary is the plural of *IG IX*².1.187 (*SIG*³ 598D), which is dated 194/3. Klaffenbach thinks that there may have been two secretaries listed in No. 65 b, which is dated in the third century, but it is much too fragmentary to allow any conclusions. The one piece of evidence from literary sources concerning the importance of the secretary is the proviso of the treaty with Rome of 189 excluding the secretary of the state as well as the general and hipparch from those who could be taken as hostages (Pol. 21.32.10; Livy 38.11.7). Since this belongs to the period of two secretaries, the use of the singular suggests that one of the two, here called *δημόσιος γραμματεὺς*, was much more important than the other. In all likelihood he is the one who in inscriptions is called secretary of the Aetolians, while the secretary of the *synedrion* was less important and performed more purely routine duties.

have been formulated during the meetings, as in the *synklêtos* of the Achaeans, at which the second day of the session was set aside for submitting motions on the subject before the assembly.²⁰ The latter procedure is strongly suggested by the reports of meetings with lively debates and the decision to be taken uncertain to the end. The role of the *synedrion* would then be to make decisions on less vital questions and to function between the relatively rare meetings of the assembly. It probably also supervised much of the administration. This need not mean that it was in permanent session or that it met every day but merely that it met frequently and probably also was subject to call on short notice.²¹ The permanent element would be the secretary and probably other officials of the *synedrion*.²²

To turn to the contents of the decrees, a number of them are so worded as to be interpreted most naturally as decrees of a larger body giving instructions to the *synedrion*. The decrees in question

²⁰ Pol. 29.24.10; cf. especially A. Aymard, *Les Assemblées de la Confédération achaienne* (1938) 337 ff.

²¹ Kahrstedt (cols. 1340 f.) cites SIG³ 479.9 ff., which instructs the *synedroi* at hand to protect the man honored. "Das letztere setzt voraus, dass das σ. kein ständig tagender Rat ist, dessen Mitglieder das ganze Jahr in Thermon sitzen, wie die herrschende Meinung fordert, sondern man überall in Aitolien σύνεδροι treffen kann." This statement is a *non sequitur* on two grounds. In the first place, the orthodox theory does not necessarily mean that the *synedrion* was in permanent session but need mean no more than that it met frequently. In the second place, even if the *synedrion* were permanently available at Thermum, this need not mean that all members were required to be there all the time. It will be well to remember that only one third of the *prytaneis*, the most permanent part of the Athenian *boulê*, had to be constantly on hand at the Tholos (Arist. *Ath. pol.* 44.1). Moreover, though we hear about the *synedroi* "on the ships" (SIG³ 149 = Tod, 122) and of one case in which a representative of the allies, undoubtedly a *synedros*, was included in an embassy to Philip II (Aesch. 2.20 and 97), it is commonly believed that the *synedrion* of the Second Athenian League was permanently on hand in Athens (Silvio Accame, *La lega ateniese del sec. IV a. C.* [1941] 107-9).

²² In a number of third century proxeny decrees boularchs in varying numbers appear as eponymous officials, sometimes alone but more frequently in the company of the secretary or the secretary and the hipparch (*IG IX².1*, Nos. 6, 7, 8, 11 f, 12 f, 16 b, 22, 23, 31 k, and 136). The formulas used vary so much that one cannot always determine the number of boularchs from the number listed in the document. Thus, in No. 6 there are four boularchs, one being Physcos; in No. 7 we find τῶν περὶ Φύσκον βουλευρχούντων and the same secretary as in No. 6. Thus we obviously have two formulas used in the same year. Probably most curious of all is No. 31 k, in which the participle is in the plural but is followed by only one name. In the arbitration between Melitea and Perea (*IG IX².1.188.33 f.*) two *prostatai* of the *synedrion* are listed.

are the decrees of *asylia*, of which several include a clause similar to the following:

No one of the Aetolians or of those dwelling in Aetolia is to set out from any place whatsoever against Mytilenaeans and seize any of them or their property on the grounds of an Amphictionic accusation or any accusation whatsoever. If anyone does seize anything as security or carries it off, the general in office at the time is to confiscate such objects as are available and return them to the Mytilenaeans, but in the case of objects which are not available the *synedroi* are to have authority to impose upon those who carry off the goods and seize them as security a fine equal in amount to the value they place upon the goods.²³

It is not impossible for a legislature to adopt rules for its own future conduct, but "the *synedroi* are to have authority (*κυρίως εἶμεν*)" is the language of a body possessing authority and delegating it to another body, as here a primary assembly delegating authority to a council. This becomes even clearer in what appears to be a later decree repeating the guarantee of *asylia* to the Mytilenaeans, who have complained of offences committed by Agelaus — ap-

²³ *IG* IX².1.189 (Michel, 25; Schwyzler, 622). Other documents with similar clauses are Nos. 4 (*SIG*³ 554), *asylia* decree for Magnesia on the Maeander; 169 (*SIG*³ 522.1), for Ceos; 179 (*SIG*³ 629), a decree honoring Eumenes and containing a clause recognizing the inviolability of the precinct of Athene Nikephoros; 192 (*SIG*³ 563), decree of *asylia* for Teos; 195, decree for Chios with a much shorter formula but recognizing the jurisdiction of the *synedroi* against offenders.

There are several difficulties in our inscription. In line 4 *πρὸς Μυτιληναίους* is usually treated as impossible and often corrected. I have translated it as if the noun were an Aeolic accusative due to the influence of the Mytilenaeen decree given on the same stone and have construed the phrase with *ὀρμώμενον*. It would be more usual to have the noun as an object of *ἄγειν* but this verb can be used without the object expressed when the latter is readily understood, as in 4.21. Even when it takes a personal object, it obviously does not mean merely seizure of persons but also of movable property, and both this and other documents imply that the enactments are aimed primarily at the seizure of property; in 192.12 persons and goods are both specifically mentioned.

In line 6 *ἐνφανέα* is difficult to translate; "available," used here, seems as good as anything even if not quite adequate. Rostovtzeff (*Hellenistic World*, 198), in translating the corresponding clause in the decree in favor of Magnesia, renders it "such property as has been visibly carried off." This clearly is wrong; the point in question is whether it is easy for the general to find and seize the goods. The rendering "discoverable" used in Botsford and Sihler, *Hellenic Civilization*, p. 624 (decree for Teos) is better. The reference in 169.6 to goods brought to Aetolia gives a clue to the normal meaning; the goods brought to Aetolia could be confiscated, while what had been disposed of elsewhere had to be evaluated. A clause in the decree for Magnesia (4.24 f.) states that the *synedroi* were authorized to collect the fines assessed and turn the money over to those wronged. This clause must be implied in our and similar decrees when not expressed.

parently the author of the Panhellenic speech reported in Polybius 5.104 — and Diodorus. The *synedroi* and general in office at the time are instructed to take action against the offenders (*IG IX*². 1.190). It is impossible to believe that this is the language of a *synedrion* talking to itself.

Finally, in spite of some overlapping and similarity, it seems possible to distinguish between the spheres of activity of the assembly and the *synedrion*, and there is nothing recorded about the *synedrion* which does not fit an important but yet subordinate council. The one decree of the *synedrion* which has been preserved grants privileges, including *asylia*, to a citizen of Delphi (*IG IX*². 1.172 [*SIG*³ 479]). At a later date the *synedrion* passed a decree honoring Sosicles of Magnesia on the Maeander for his services as *hieromnêmôn*. These honors are reported in a letter of Dicaearchus, the general of 195/4, to the Magnesians.²⁴ Such decrees cannot have been too uncommon, though others have not been preserved. On the other hand, honors might be voted to individuals by "the Aetolians," that is, by the primary assembly, as most of us believe. In fact, the year after Sosicles had been honored by the *synedrion*, he and his brother, Aristodemus, were honored by such a decree granting proxeny and citizenship.²⁵ This looks like a routine transaction, which might well have been left to the council, but we must reckon with the vanity of human nature, which tends to value honors according to the pretentiousness or dignity of the authority bestowing them, and so the primary assembly might well, as a subtle form of flattery, bestow honors which normally belonged to the competence of the *synedrion*. Yet, in this case, the action probably was not routine. The decree belongs to the second generalship of Thoas in 194/3, that is, almost certainly to 193, nor do the contents of the decree suggest that any new services had been performed after the bestowal of honors on Sosicles the previous year. This means that the bestowal of new honors and privileges probably is a part of the Aetolian diplomatic campaign of the time.

However, though the *synedrion* could bestow honors and privileges on individuals, it looks as if action as important politi-

²⁴ *IG IX*².1.187.13–21; for the entire group of documents see *SIG*³ 598, where the lost decree of the *synedrion* is counted as document A. For the generalship of Dicaearchus, see Hugo Gillischewski, *De Aetolorum praetoribus* (1896) 42 ff.; *IG IX*².1, p. li.

²⁵ *IG IX*².1.187.1–12; for the date, the second generalship of Thoas, cf. Gillischewski, 44 ff. Other decrees of the assembly in favor of individuals are Nos. 15 and 28.

cally as the bestowal of privileges on entire states or cities always belonged to the assembly.²⁶ Moreover, decisions on war and peace were reserved for the assembly at its two regular meetings and special meetings.²⁷ It is even possible that it was forbidden to call extraordinary meetings except to deal with such questions. This would be a rule corresponding to the similar limitations on the summoning of the Achaean *synklêtos*,²⁸ and would be in accord with the democratic principle that decisions on vital questions should be reserved for the people as a whole. It would not be regarded as a contradiction of this principle if magistrates arranged for defense against sudden attacks and possibly even for reprisals against alleged outrages. It was major decisions of policy which

²⁶ Cf. the inscriptions listed in note 23; add *IG IX*².1, Nos. 135, 136, 173, and 185.

²⁷ The chief statement on the subject is in Livy's account of the appearance of Roman and other ambassadors before the Panaitolika of 199. When sentiment seemed to favor the Romans and Damocritus, the Aetolian general, wished to check it, he is reported to have said in part: "cum legibus cautum esset, ne de pace belloque nisi in Panaetolico et Pylaico concilio ageretur, decernerent extemplo, ut praetor sine fraude, cum de bello et pace agere velit, advocet concilium, et quod tum referatur decernaturque ut perinde ius ratumque sit, ac si in Panaetolico aut Pylaico concilio actum esset" (Livy 31.32.3-4). This is one of the passages in which Livy's *Pylaicum concilium* must be taken to mean the Thermika. But there is more wrong with the passage than this; cf. Nissen, *Krit. Untersuchungen*, 127 f.; Swoboda, *Klio* 11 (1911) 457 ff.; *Staatsallertümer*, 358, note 11; Busolt, *Staatskunde*, 1520, note 1. The statement of Livy implies that up to this date decisions on war and peace were reserved exclusively for the two regular meetings of the assembly. There are, however, records of extraordinary meetings dealing with such questions before 199, for instance, the meeting of 220 reported in *Pol.* 4.15.8-9. An even clearer case is the meeting called in 212 to deal with the proposed alliance with Rome (Livy 26.24.1). There may well have been a law that special meetings of the assembly could be called only to deal with questions of war and peace, and Livy's statement may be due to a confused conflation of this with the law reserving action on such questions to the assembly.

²⁸ Aymard ("À propos d'une assemblée achaienne," *Mélanges Glotz* [1932] 49-73 at 63-68; *Les Assemblées*, 188-204) argues that there was no such limitation, but that certain questions were reserved for the *synklêtos*, and that statements to the effect that the *synklêtos* could be summoned exclusively to deal with these were, at least when made by Achaean statesmen to Roman ambassadors, conscious distortions of the facts. In his discussion Aymard has handled both conflicting evidence and human psychology extremely convincingly. Nevertheless, one consideration has caused me to return to the old view that there was a definite prohibition against summoning the *synklêtos* except to deal with certain important questions of foreign policy. Aymard (*Les Assemblées*, 415 ff.) has shown that the differentiation between the *synodos* and the *synklêtos* was not original and that the *synklêtos* was of later origin. At the time that the latter was made a special type of meeting or assembly, it would be natural to pass a law to prevent it from being cheapened and rendered useless by being summoned too often. The significance of the rule permitting the summoning of the *synklêtos* on receipt of a written statement from the Roman senate need not be discussed here.

were left to the assembly. Thus we get situations such as that of 220, when, after considerable actual hostilities, the Aetolians could still propose conditions for maintaining peace (Pol. 4.15.8-9). Again, in 192 it was the assembly which decided to invite Antiochus and later to go to war, but, when this decision had been made, the *apoklētoi* were free to initiate local hostilities. Nor was it any limitation on the supremacy of the assembly in foreign affairs that ambassadors, at least at times if not regularly, appeared before the *synedrion*.²⁹ It was natural for them to do so even if they were later to be presented to the assembly.

To summarize, the evidence favors the orthodox view that the Aetolians had a primary assembly and a *synedrion*. It may seem a waste of energy to have used so much space merely to support the "orthodox" view, but there is always danger that the interpretation given in an important article in Pauly-Wissowa may become orthodox. Moreover, Aetolian institutions are extremely important for the study of Greek federal institutions, for the Aetolian League serves as a bridge, as it were, between classical and Hellenistic times. This has become increasingly clear now that it is known that the Aetolian League, as a sympolity or true federal state, was founded not later than the first half of the fourth century B.C.³⁰ This strengthens the impression created by the Arcadian League, that the federal states of the time adopted the principle of leaving vital decisions to a primary assembly. The present study also suggests that the Aetolian League retained this system through the Third Macedonian War, that is, as long as the League was a vital force in Hellenistic and Roman politics. Since it is generally realized that the primary assemblies of the old federal states disappeared in Roman times, the question of the date of the disappearance of the Aetolian primary assembly is of little importance.

²⁹ In SIG³ 522.III, the Ceans speak of their ambassadors as sent to the *synedrion*, even though the action resulting from this visit was taken by "the Aetolians," i.e., the assembly.

³⁰ See Tod, *Historical Inscriptions*, No. 137 with the commentary and literature cited in it and cf. my article, "The Early Achaean League," in *Studies Presented to David Moore Robinson*, Vol. II, 797-815, where, in opposition to the conjecture that the Aetolian League was organized under the influence of Epaminondas, it is suggested that its origin is to be placed earlier and that it, as well as the Achaean and Acarnanian leagues, had been organized before 389 B.C.

II

So far the contributions of this paper have been negative. On the positive side an effort will be made to examine the names applied to the primary assembly of the Aetolians. This may not seem a subject of sufficient interest to deserve a special investigation, but the purpose is not merely to see what names were applied to this particular assembly but also to try to secure some information about the words themselves which may help to determine their meaning when applied to other institutions.

The documents which have been listed in notes 4, 17, and 18 give very little help on this subject. In the two documents dated respectively by the Thermika and the Panaitolika the name is used in the dative, and there is nothing to show whether the assembly was called *ekklêsia* or *synodos* or by some other name, nor is there more help to be gotten from the formula ἔδοξε (δεδοχθαι) τοῖς Αἰτωλοῖς. The phrase ἐν νο[μίμῳ ἐκκλησί]αι once restored in an Aetolian decree is not sufficiently well attested and is almost certainly incorrect.³¹ Consequently, it is necessary to turn to the literary sources, and that means primarily Polybius. In his case, of course, we can be no more sure than for the Achaean League that his language is technical, but it is necessary to do the best we can with what he offers.

Polybius applies the two words *ekklêsia* and *synodos* to the assembly of the League or its meetings. *Ekklēsia* is used about two meetings (4.15.8 and 28.4.1). It has been argued above that both in all likelihood were extraordinary meetings. On the other hand, the one specific meeting which is called *synodos* apparently was a regular autumn meeting, the Thermika (18.48.5). Thus it almost looks as if Polybius — or the Aetolians — in this case had returned to the primary meaning of *ekklêsia* and applied the name to meetings which were specially summoned. This, however, is unlikely unless one is to believe that this was a local Aetolian usage. It is more likely that it is pure accident that the two meetings to which Polybius applied the word were extraordinary meetings.³² On the other

³¹ *GDI* 1412 = *SIG³* 622A = *IG* IX².1.178. In this last edition Klaffenbach omits the phrase in question and shows in the commentary that it does not suit the context.

³² The more normal Greek word for a meeting specially summoned is *synklêtos*; cf. the Achaean *synklêtos* and the use of the word to designate the Roman senate. In οὐδ' ἐκκλησίαν νομίζουσιν ἀλλὰ συγκλήτους (Arist. *Pol.* 1275 b 7) the two are used almost

hand, it seems clear that Polybius used *synodos* freely about meetings of the assembly. In writing about the events of 220 which preceded the Social War, he states that Scopas and his friends acted οὐτε κοινῇ τῶν Αἰτωλῶν προσδεξάμενοι σύνοδον (4.5.9), that is, they acted without taking time to consult any meeting, regular or irregular, of the federal assembly. However, when Aetolian officials later in the same season told Philip that they could not act before the *synodos* of the Aetolians (4.26.6), they apparently had in mind the regular autumn meeting at that time soon to come.

Thus Polybius does apply *synodos* to the primary assembly or its meetings, but he uses the word also about a meeting of quite a different kind. In 208 Philip V, learning that Attalus had sailed to Nicaea near Thermopylae and that the officials of the Aetolians had gathered at Heraclea for a conference with him, made a dash for the place to disrupt the meeting (διασῦραι τὴν σύνοδον αὐτῶν [Pol. 10.42.4]). Thus for Polybius the word is equally applicable to a primary assembly and to a meeting of a small group of dignitaries, that is, the word itself gives no key to the composition of the body or group attending a meeting. This means only that Polybius in his accounts of Greek leagues conforms to what seems to be normal usage. Only one illustration will be given. In Aristotle *Ath. pol.* 4.3 *synodos* is used to cover sessions both of the *boulê* and the *ekklêsia*.

The conference of 208 at Heraclea is even more important for the language of Livy than for that of Polybius. Livy's report reads in part as follows: "nuntiatum est concilium Aetolis Heraclaeam indictum regemque Attalum ad consultandum de summa belli venturum" (28.5.13). Without doubt, if this were the only account we had of the conference, it would be taken to be a meeting of the assembly.³³ There is nothing unusual about a foreign dignitary appearing before an Aetolian assembly, and Livy's statement is clear and unambiguous. The only phase of the situation which might cause some pause is the apparent submission to an

as though they were mutually exclusive, *ekklêsia* meaning an assembly with fixed meetings, *synklêtos* an assembly or body called at irregular intervals.

³³ In fact Marcel Dubois, *Les Lîgues étolienne et achéenne* (1885) 185, note 3, and Gustav Gilbert, *Staatsalterthümer*, II.31, note 1, list the passage as evidence for a meeting of the assembly at Heraclea; the more recent handbooks seem to have avoided the mistake. Niese, *Geschichte der griechischen und makedonischen Staaten*, II.490 and note 2, must have had Livy in mind, though he cites Pol. 10.42.4 as evidence, when he wrote about Philip's attempt "die ätolische Volksversammlung zu überfallen."

assembly of problems more suitable to a small council of war, and so it is unlikely that anyone would ever have corrected the account of Livy if it were not for that of Polybius. How did Livy come to write as he did?

Before answering this question it is necessary to glance at Livy's normal usage in his accounts of Greek assemblies. It is the usual view that he applied *concilium* to a larger or popular assembly in opposition to smaller councils, for which *consilium* was used.³⁴ A glance at the evidence suggests that this probably is correct as far as the use of *concilium* for the popular assembly is concerned. It is well, however, in connection with this and what follows to bear in mind that it often is difficult to determine which of the two words Livy used. In the article in the *Thesaurus* on *concilium*, after a statement concerning the difficulty of knowing whether the author had used *concilium* or *consilium* in some particular case, we read: "neque editores in magna inconstantia versantes nos adiuvant" (*ThLL*, 4.45.16-17). Certainly this is true at least of early editors. Let us, nevertheless, turn to Livy and do our best.

In his account of the events of 192 in connection with the Panaitolika of that year, Livy uses *concilium* nine times about the Aetolian assembly in 35.32-34 and in not a single case does *consilium* seem to have been recorded as a variant reading or to have been adopted by an editor.³⁵ This and other similar phenomena, in spite of a few variants, are convincing.³⁶ The reverse of the rule,

³⁴ *ThLL* 4.45.18-26; cf. Larsen, "Consilium in Livy xlv.18.6-7 and the Macedonian Synedria," *CP* 44 (1949) 73-90; Aymard, "L'Organisation de la Macédoine en 167 et le régime représentatif dans le monde grec," *CP* 45 (1950) 96-107.

³⁵ This means that I have checked the Drakenborch, Madvig-Ussing, Weissenborn-Müller, and Zingerle editions and where variants were listed a few editions earlier than Drakenborch. In many cases the modern editions are of no help for Books 31-40. I take for granted that an absolutely full count of all manuscripts would reveal more variants. For illustrations of variants check the examples listed by Conway-Johnson on 27.35.4.

³⁶ For 199 *concilium* is used in 31.29.1 and 8; 31.32.3, 4, and 5; and 31.40.9, and again there are no variants. The word is used equally consistently in 35.43.7; 35.44.1; 35.46.1; and 35.49.9 in four references to the meeting at Lamia in the autumn of 192. The record for 191 is not quite so good. Though all modern editions seem to have *concilium* in 36.26.1; 36.28.7; 36.28.9, Drakenborch reports *consilio Aetolorum opus esse* as the reading of some manuscripts in 36.28.7, where Phaeneas tells Glabrio that the action proposed requires the approval of the assembly. Also in 38.8.2; 38.9.11; 38.10.2, in the account of the negotiations of 189, modern editions have *concilium*, but Drakenborch reports variant readings for all three. There has been some dispute about the interpretation of the passages, but probably at least two of them refer to the assembly. It may be noted that in the account for 192 Drakenborch reports

namely, that *consilium* regularly was used for smaller bodies is not so well borne out by Livy's statements concerning the *apocleti*. (In the discussion of Livy's usage, the Latin form of the name will be used.) In all the three passages in which they are mentioned by name *concilium* has been found in manuscripts and/or early editions, and the present consistent use of *consilium* does not seem to go farther back than to the eighteenth century editions of Crevier and Drakenborch.³⁷ Thus, while it seems pretty certain that Livy used *concilium* as his name for the Aetolian assembly, the possibility that he may have applied the same word also to the *apocleti* makes it impossible to insist that by *concilium*, when he speaks of Greek institutions, he necessarily means a primary or popular assembly. Thus, though, as noted above, *concilium universae gentis* must mean a primary assembly, we cannot conclude that *concilium* by itself must have this connotation.

To return to the question why Livy in 28.5 represented as a meeting of the assembly what Polybius (10.42.4) had indicated was a smaller conference, it might be suggested that the meeting included the *apoklētoi* and that Livy used *concilium* also for this body. But that is not the answer. The meaning depends on much more than this one word.³⁸ The passage is one in which Livy does not translate but rather recasts the account of his source and so may even deserve consideration by those who study the literary art of Livy by comparing passages of his work with the

variant readings in 35.31.3 and 35.32.1 in references to the assemblies of the Thessalians and Magnes. Of the two assemblies, probably the Thessalian was a representative assembly, but much cannot be made of that point.

³⁷ In 35.34.2 *sanctius concilium* was read in manuscripts and early editions; in 36.28.8, though some manuscripts had *consilio*, early editions read in *concilio delectorum*; in 35.35.4, according to Drakenborch, manuscripts and editions earlier than 1573 read in *concilio arcano*. With the reading in the latter passage early changed to *consilio*, the count stood two to one in favor of *concilium*. Inevitably editors sought to introduce uniformity. Dujatius (consulted in the 1714–15 edition) adopted *concilium* (*concilio*) in all three passages; Crevier and Drakenborch, *consilium*. Therewith, apparently, the case rests. On the other hand, in 36.27.4, where the *apocleti* are not mentioned by name, editors read *principes Aetolorum* . . . *concilium habuerunt*, though Drakenborch (end of commentary on section 3) reports *consilium* as the reading of a number of manuscripts. In 38.1.4, where there is another reference to the *apocleti*, the manuscript reading seems to be *consilium*. The passage is corrupt but seems to refer to the *apocleti*. The language might suggest the entire *syndrion* but the secrecy of the negotiations indicates the smaller body.

³⁸ As a matter of fact, for 28.5.15, in the reference to the breakup of the conference, Conway-Johnson reports the variant *consilio*.

corresponding passages in Polybius.³⁹ Since the emphasis obviously was on Philip's rapid dash and his failure to reach Heraclea before the meeting was over, Livy may well have had little interest in the exact nature of the meeting and so may carelessly have rendered *synodos* by *concilium* as in other cases. Certainly many modern translations from the classics suffer from just this kind of errors. Having once gotten *concilium*, it was not unnatural to add *indictum* and thus employ a word which heightened the impression that a meeting of the assembly had been called. Of course, no one can be entirely sure just how the mistake crept in. To some it may seem unbelievable that a careful historian with Polybius' account in mind should make such an error as the one suggested. But is it not even more unbelievable that a modern commentator with the Polybius passage right under his nose should in turn be misled by the language of Livy? Yet in the Weissenborn-Müller note on 28.5.13, *after a quotation from Polybius*, we read "so wird statt in Thermon auch 33, 3, 7 in Heraklea . . . ein concilium gehalten." Verily truth is stranger than fiction, and in this case it comes to the aid of the frequently maligned workmanship of Livy.

Since, as noted, Livy did not translate in this particular passage, it was relatively easy to make a slip, and if he had the narrative as a whole in mind, he may well have been confused by the many conferences and meetings in or near Heraclea. On account of its location near Thermopylae, the city was an obvious place for conferences between the Aetolians and commanders of forces operating in the Aegean and so was used for this purpose again in 199, when an Aetolian embassy headed by Pyrrhias went to Heraclea for a conference with Attalus and a Roman commander, who sailed into the Malian Gulf (Livy 31.46.1-5). The exact place of the conference proper is not given. In this case the account of Polybius has not been preserved, but Livy's account is clear and seems perfectly correct. Whatever language Polybius used, a conference with an embassy headed by an individual whose name was given could not possibly be mistaken for a meeting of the assembly. The conference in question was the one which followed the Battle of

³⁹ See particularly the paper by A. H. McDonald summarized *Class. Ass., Proceedings*, 35 (1938) 25-27.

Ottolobus and preceded the entry of the Aetolians into the Second Macedonian War.⁴⁰

Cities near Thermopylae, however, were used also for meetings of the assembly when there were military operations in progress or anticipated near by, or when this was a convenient location for a foreign dignitary to appear before the assembly. There was such a meeting in the autumn of 192 before which Antiochus appeared (Livy 35.43.7–45.9). In 191, when Heraclea and Lamia were besieged and so unavailable for assemblies, there was probably one extraordinary meeting before the fall of Heraclea and certainly one summoned later in the year to consider the proposed treaty of surrender (Pol. 20.10.14; Livy 36.28.9). These meetings will be discussed below. For the present it is enough to notice that these many meetings and conferences in the neighborhood of Thermopylae may explain how Livy came to blunder in 28.5.13. This, in turn, should put us on our guard when we consider other accounts by him of meetings and conferences. However, if he has gone wrong now and then, it may be well to remember that Aetolian political institutions were scarcely his major interest, and that the original accounts of Polybius may not always have been too clear.

III

The third and last part of this paper will present conclusions and impressions about the functioning of the government of the Aetolian League gained in the course of the investigation. The impression, in short, is that, while much freedom of initiative was left to magistrates, *apoklêtoi*, and even private individuals, a great number of important decisions were made by the primary assembly in a manner which almost recalls the assembly of a democratic city-state. This control by the assembly was the result of the rule that vital questions of foreign policy were reserved for it.

The year 220, the year of the outbreak of the Social War, is a year in which individual Aetolian leaders seem to have run wild, and yet, as noted above, the chief decision of policy was made by

⁴⁰ The conference is reported in 31.46.1–5 and the decision of the Aetolians to enter the war in 31.40.9–10. However, in 31.46.6, immediately after the account of the conference, we read: “inde agitari de Oreo oppugnando coeptum.” Thus the conference preceded the Roman attack on Oreus. In 31.40.10 the arrival of the Roman fleet before Oreus is given as one of the causes for the decision of the Aetolians. Thus the decision followed the attack on Oreus. When I wrote the account in *Econ. Surv. Rome*, IV.268, I overlooked this.

the assembly. The role of the assembly is seen also in connection with the first treaty of Rome and Aetolia negotiated a few years later. M. Valerius Laevinus first held secret meetings with *principes* before he was presented to the assembly. The *principes* (Livy 26.24.1) may have been only magistrates but more likely included the *apoklêtoi*. We have no detailed report about the meeting of the assembly — in all likelihood an extraordinary meeting — and it may have done little more than approve the proposal presented to it.

Not so the Panaitolika of 199. By this time the question of the relations with Rome clearly had become one on which the voters had ideas of their own. Relations had been aggravated by the desertion of the Aetolians by the Romans during the First Macedonian War, by the separate Aetolian peace with Philip in 206, by the unsuccessful effort of the Romans to bring the Aetolians back into the war in 205, and by the rebuff at the hands of the Romans of a subsequent appeal from the Aetolians.⁴¹ Now, however, it was the turn of the Romans to woo their former allies. In 200 Roman ambassadors had appeared before the Aetolian assembly at Naupactus to announce the terms of the ultimatum presented to the Macedonians (Pol. 16.27.4) and thus practically to invite the Aetolians to join the crusade for Greek freedom. Then in 199, when the war was under way, Macedonian, Athenian, and Roman spokesmen appeared before the assembly. According to Livy's account, the Aetolian general Damocritus secured postponement of the decision to an extraordinary meeting because he felt that the voters were too inclined to favor the Romans (Livy 31.29–32). Be that as it may, the important point is the implication that the voters decided for themselves and did not merely ratify what was presented to them. Later in the year the extraordinary meeting was held and the entry into the war voted (Livy 31.40.9).

One other meeting during the Second Macedonian War calls for consideration, namely, the meeting held at Heraclea early in 197. Livy reports that after Flamininus had reached Thermopylae he was delayed by a meeting of the Aetolians at which they were considering the size of the contingent they were to contribute to the campaign. "Ibi concilium Aetolorum Heracleam indictum tenuit consultantium, quantis auxiliis Romanum ad bellum se-

⁴¹ For this last incident see Livy 31.29.4; Appian *Mac.* 4.2; Walbank, *Philip V*, 116 f., 310 f.

querentur" (33.3.7). In spite of the language, is this merely a conference of Aetolian leaders? We know that *concilium* is no sure indication of the nature of the meeting, and the subject discussed probably could be handled as well by a council of war as by the assembly. However, there is one detail in this statement which suggests a meeting of the assembly. The use of *tenuit* indicates that Flamininus was detained by a meeting which was in session at the time rather than that a special conference was arranged for him. Moreover, the propensity which the Aetolians showed also in 192 and 191 for calling meetings near the theatre of campaigns and the close relationship between soldier and voter make it likely that they had called a meeting of the assembly at Heraclea. The time — near the spring equinox — makes it almost certain that the meeting was the regular spring meeting or Panaitolika.⁴² The Aetolian contingent, which joined the Romans a couple of days later at Xyniae, must have marched directly from the meeting to the camp. If, as there is reason to believe, the contingent contained 6,000 infantry and 400 cavalry,⁴³ then we have something like a mass levy of the Aetolians combined with the summoning of the assembly. Undoubtedly it had been planned in advance that the time of the meeting and the time of the northward march of the Roman army were to coincide.

The division of labor between the assembly and other authorities probably is seen best in connection with the intervention of Antiochus. The decision to invite him to come to liberate Greece and to judge the dispute between the Aetolians and the Romans was taken at the Panaitolika early in the spring after the meeting had been addressed both by Flamininus and a representative of Antiochus as well as by Aetolian leaders. After the decision had been made, the Aetolians no longer held meetings "of the entire nation" but acted through the *apocleti* (Livy 35.34.2). The manifold activities and plots cannot be recounted here, but it may be noted that the actions taken implied that the invitation involved

⁴² Holleaux, *BCH* 29 (1905) 371, note 4 (*Études* I.227, note 3) and Walbank, *Philip V*, 167, note 2, are almost certainly right in taking this to be the regular spring meeting. It was about the time of the equinox (Livy 33.3.5).

⁴³ Unfortunately there is a conflict of evidence on this crucial point. Livy 33.3.9 — as the text, which is commonly regarded as corrupt, now reads — gives 600 as the number of the infantry; Plut. *Flam.* 7.2 gives 6,000. I agree with De Sanctis, *Storia dei Romani*, IV.78, note 159 and Walbank, *Philip V*, 167 and note 3 that the larger number is the more correct.

war, though an open statement to that effect had been avoided. Therefore, after Antiochus had landed in Greece, a decision by the assembly was necessary, and an extraordinary meeting was called at Lamia (Livy 35.43.7–46.1; cf. 35.49.9). The king had already sailed to Phalara on the Malian Gulf in anticipation of an invitation to appear before the assembly. When the assembly met, he was duly invited and accepted the invitation and appeared. After he had left again, there was a debate on the policy to be adopted by the League, and the more aggressive policy of Thoas won out over that of Phaeneas, who favored using the king merely as an arbiter between the Aetolians and the Romans. As a result, the title of *stratêgos autokratôr* was voted Antiochus and thirty of the *apoklêtoi* attached to his staff. Both the narrative of Livy and the importance of the business transacted indicate that it was a meeting of the assembly. Other evidence aside, the fact that it fell in the term of Phaeneas as general for 192/1 is enough to indicate that it came after the Thermika and so was an extraordinary meeting. This was not a meeting followed by any large scale military operations, and so, when it was over, the *multitudo* dispersed to the respective communities of the members (Livy 33.46.1).

The conferences and meetings during the tragic summer of 191 cause more difficulty, but there was at least one extraordinary meeting of the assembly, and probably two, called at Hypata. After Antiochus had been defeated at Thermopylae and the Romans had laid siege to Heraclea and Philip to Lamia, these two cities obviously were not available for meetings. Consequently the magistrates and *apoklêtoi* established themselves at Hypata and, when necessary, also summoned the assembly to meet at the same place. Who attended? Besides the garrisons of the two besieged cities, who obviously could not attend, there must have been a considerable force under arms, and Hypata was for the time being probably the military as well as the civil headquarters of the League. In addition, the Aetolians not under arms must have been sufficiently excited so that many of them would answer the call to a meeting on short notice. According to Livy's account, "paucis priusquam Heraclea caperetur diebus Aetoli concilio Hypatam coacto legatos ad Antiochum miserunt" (36.26.1), one meeting took place shortly before the fall of Heraclea. In this case there is

little doubt but that a meeting of the assembly was called.⁴⁴ The situation was such that it was natural to submit to the people the question whether the Aetolians should make a separate peace now that Antiochus had been ejected from Greece and two of their important cities were being besieged. The decision to send ambassadors to Antiochus indicated their determination to fight on. Later, after the fall of Heraclea, negotiations with the Romans were opened, and for this we have also the account of Polybius. The Aetolian general Phaeneas sent ambassadors to the Roman consul, who granted a ten days truce and sent L. Valerius Flaccus to negotiate with the Aetolians. There followed a lengthy debate, which Polybius (20.9) reports without giving precise information about the nature of the meeting. On the other hand, Livy, though he does use the term *concilium* (36.27.4),⁴⁵ clearly thought of it as a conference with leading Aetolians. Moreover, next year similar negotiations were conducted by the *apoklêtoi* (Pol. 21.5.2). Hence it seems likely that this time too the negotiations were conducted by the *apoklêtoi* and the magistrates. Only later when it became a question of ratifying a proposed treaty, did it become necessary to summon the assembly again. After the conference at Hypata just mentioned, Phaeneas went himself with an embassy to the Roman camp. Then followed the famous incident when the Aetolians proposed to throw themselves on the mercy of Manius without understanding what *deditio* meant. After this had been explained, Phaeneas answered that he and the *apoklêtoi* would do what they were told, but that the arrangements made needed ratification by the people. A truce of ten days was granted once more and the ambassadors returned to Hypata and reported to the *apoklêtoi*, who, in turn, decided to write to the cities and summon the Aetolians (Pol. 20.10.14; Livy 36.28.9). It is not necessary to recount how popular anger and excitement caused the rejection of the terms or, as Polybius usually is interpreted, caused all to

⁴⁴ Klaffenbach (*IG IX².1*, p. xl) takes this to be a meeting of the *apoklêtoi*. This is less likely, though, as has been demonstrated above, the use of *concilio* is not absolute proof that a larger assembly was called. More important are other considerations. The issue submitted was practically a question of war or peace, and, language aside, the narrative implies a meeting by a larger group than that already present at headquarters.

⁴⁵ Drakenborch, however, does report *consilium* as the reading of several manuscripts.

stay away from the meeting and thus made approval impossible. Thus, during the season two extraordinary meetings were called at Hypata, the first before the fall of Heraclea and the second when it was proposed to accept the terms of unconditional surrender. The first meeting was held and made an important decision of policy; the second meeting may not have been held, but, if so, the voters, by means of boycotting the meeting, expressed their opinion even more strongly than by attending and voting down the proposal.

For the rest of the war the information is less full. In 190 Hypata obviously continued to serve as Aetolian headquarters. Possibly, though evidence is lacking, the Panaitolika were held there in connection with the spring mobilization. This year, as is well known, before the Scipios left for Asia, there were peace negotiations which resulted in a six months truce, ostensibly to allow the Aetolians to send an embassy to Rome, actually, probably to give the Romans free hands for their operations in Asia. On the Aetolian side, these negotiations were conducted from Hypata. To this city went the Athenian ambassadors who initiated the negotiations, from it Aetolian ambassadors were sent to Africanus before Amphissa, and to it the ambassadors returned with two alternative plans for peace. The *apoklêtoi* deliberated, but a fear of *deditio* and a distrust of the Romans similar to that of the preceding year led to the rejection of the terms. Ambassadors then returned to the Scipios to ask for milder terms, and the armistice was arranged (Pol. 21.4-5; Livy 37.6-7). If an assembly was called to ratify the armistice, no information about it has been preserved. It seems rather that all the negotiations were conducted by the magistrates and *apoklêtoi*. If so, by combining this with the information secured concerning the negotiations of the preceding year, it is possible to see how far the authority of these officials extended. They could conduct negotiations for a peace treaty up to the final drafting of the treaty, and they could arrange and ratify an armistice without consulting the people, but when a treaty of peace had been drawn up it required the approval of the assembly to be valid. In 191 it did not secure this approval and the war continued.

The story of later events adds little to what has been said. During the autumn of 190 the general and the *apoklêtoi* seem to have arranged for aid for Amynder in his recovery of Athamania without referring the matter to an assembly (Livy 38.1.4). The

force sent consisted of 1,000 men (38.1.9) — another illustration of the fact that the *apoklētoi* could do much on their own authority. They and the magistrates probably also conducted the other operations of the winter of 190/89 and the early spring. Later the major campaign of 189 was preceded by general mobilization at Stratus. But the language in which Livy reports this is strange: “ad faman oppugnationis Ambraciae Stratum iam edicto Nicandri praetoris convenerant Aetoli” (38.4.6). This is followed by a statement concerning strategy to be adopted which sounds much like the report of a debate in an assembly. It seems that Nicandrus not only ordered mobilization but also called a meeting of the assembly. Since this was after the arrival of the Roman army and the beginning of the siege of Ambracia, it must have been considerably later than the spring equinox. Thus it looks as if the meeting was an extraordinary one. Nevertheless, it is an additional illustration of a meeting of the assembly called at the beginning of a major campaign and attended primarily by the armed levy of the League, and once again it is called near the theatre of operations, which now has been transferred from the neighborhood of Thermopylae and Hypata to the western frontier of Aetolia. Otherwise, all there is to add about the year 189 is that the peace with the Romans was ratified by the assembly. It is not too clear whether the dispatch of ambassadors was preceded by a meeting of the assembly or not (Livy 38.8.1–2), but it is clear that the ambassadors later asked permission to refer the terms of the treaty to the assembly, did so, and did secure approval (Livy 38.9.11 and 10.2). Finally, it may be recalled that the meeting in the autumn of 170, discussed above, shows that as late as this a meeting of the Aetolian assembly could be a very lively affair and could involve decisions on important questions.

It should be possible to generalize a little on the basis of the meetings considered above. In the first place, it seems clear that the relationship between assembly and army, and soldier and voter, was closer than it hitherto has been supposed. Besides the two meetings suggested by Kahrstedt as meetings of the armed levy of the League, there seem to have been others of the kind. Both in 197 and 189 there were meetings which appear to have been meetings essentially of the army mobilized for the season's campaigning. Moreover, the two meetings at Hypata in 191 and the meeting which ratified the peace in 189 must have been essentially meetings

of the men under arms. With these facts in mind, it seems easy to understand why there had to be two and could not well be more than two regular meetings a year, and why the spring meeting was summoned in various places from time to time. At the autumn meeting the League undoubtedly took stock of the preceding year and elected the general and other magistrates for the coming year. Thereafter business was normally handled by the *synedrion* and the magistrates, as is implied by the references to the *synedroi* in inscriptions. In time of war — and almost all our information about the events of Aetolian history concerns their wars — when quick action was necessary, the *apoklētoi* seem to have taken over such important decisions as did not require action by the assembly. The latter body normally did not meet again before early in the spring before the beginning of the campaigning season. Since the place of meeting seems to have varied, it is clear that a notice of some sort had to be issued to indicate where, and undoubtedly just when, the meeting of the particular year was to be held. When a war was in progress, the place chosen seems to have been as near to the theatre of operations as possible, and the summons to the meeting might also involve mobilization orders, as in case of the meeting at Heraclea in 197. There seems to have been a similar meeting convened at Stratus in 189, but this probably came later in the season and so was an extraordinary meeting.

Thus the year of the Aetolians was geared to military affairs and the campaigning season. When more meetings of the assembly were needed, it was to deal with problems of foreign affairs. No one could know in advance just when such emergencies would arise, and consequently the additional meetings had to be extraordinary meetings. At least when the army was mobilized such meetings seem to have been called rapidly and easily, as in 217 at Naupactus and in 191 at Hypata. At least in time of war the voter and the soldier seem to have been practically identical. This should remove the surprise indicated above over the holding of the autumn meeting in 231 before Medeon. If the soldier-voters, or a large part of them, were there, why not hold the elections and the meeting in camp? It would be interesting to know whether the usual games were held at Thermum that autumn.

When we turn to the question of the relative roles of officials and assemblies in the conduct of the affairs of the League, we come upon a paradoxical situation. If we look at the important work

done by officials and the *apoklêtoi*, it seems that the Aetolians understood perfectly the functioning of representative government. In their *synedrion* they applied the principle of representation according to population, and they elected officials and representatives and gave them a relatively free hand reserving for the assembly decisions on only a few important questions. On the other hand, if we turn to the work and functioning of the assembly, there is much to be said for the point of view that the Aetolian League followed the pattern of a democratic city-state.⁴⁶ In the assembly there seems to have been as much democracy as is to be found in any Greek state after fifth century Athens, at least in the sense that the soldiers who did the fighting decided the policy of the League fully as much as the Athenian *ekklêsia* decided Athenian policy when it voted on the Sicilian expedition.

Let us review briefly some of the meetings discussed above. At the Panaitolika of 199, at which Roman, Macedonian, and Athenian ambassadors took part in the discussion whether the Aetolians were to join Rome in her war against Macedonia or not, the general Damocritus, fearing hasty action on the part of the voters, secured postponement of the decision. It was again at the Panaitolika, after several ambassadors had been heard, that in 192 the decision to issue the formal invitation to Antiochus to come and liberate Greece was taken. These meetings illustrate the importance of the decisions made by the assembly, but more important probably are the accounts of the debates, which suggest that the decisions depended on the voters, and that these might be influenced to change their minds at the last minute. That was why Damocritus in 199 secured postponement of the decision. Other meetings and events illustrate even better how decisions might be influenced by the passions of the moment. In 191 the Aetolians seemed ready to make peace, but when the masses heard what *deditio* meant and how their ambassadors had been treated, public opinion became so inflamed that peace became impossible. Then there is the meeting of 170 at which feeling ran so high that the Roman ambassadors found it advisable to drop their demand for hostages. The events of 191 suggest also that extraordinary meetings could be called on short notice, so that, in spite of the infrequency of the regular meetings, the voters could have considerable influence in the deter-

⁴⁶ Bruno Keil in Gercke-Norden, *Einleitung*, III².414.

mination of the policy of their state. It was probably this democratic control by voters with strong passions which accounts in part for the occasional erratic character of the Aetolian foreign policy. In fact, at times a decision might involve a compromise and even include contradictory elements, such as the invitation to Antiochus, which asked him to liberate Greece — thus suggesting war — and to arbitrate between the Aetolians and the Romans — thus suggesting peaceful mediation.

The Aetolian government and assembly clearly were democratic so far as the voters were concerned. But was there some limitation on democracy through a property qualification excluding the lower classes from voting or by some method of taking votes which nullified the votes of certain groups? Neither question can be answered definitely. There probably was no property qualification for voting, but it looks as if the state normally was directed by men of means. However, it does seem from the example of the legislation of Dorimachus and Scopas (Pol. 13.1–2) that social reforms could be introduced — and also nullified — with the support of the voters. Then for 192 it is reported that the *apoklētoi* sought to stir up revolution in Greece acting on the conviction that, while the upper classes favored Rome, the multitude was hostile to her (Livy 35.34. 2–3). In this connection it may be well to recall that the Aetolians, though they played him false, could pretend to co-operate with Nabis. Hence it is unlikely that they had any undemocratic property qualification for active citizenship.

Any evidence on the taking and counting of votes is even more intangible. In a federal state any taking of votes by voting units would be likely to mean voting by cities or communities and would serve the purpose of preventing the voters of the city in which the meeting was held and of the neighboring cities from swamping the votes of the citizens of more distant communities. Almost all to be said about Aetolia on this point is that there is no evidence for such a method of taking the votes and that the spirit and conduct of the assembly were such that there is reason to believe that the votes were counted by heads. Nor does there seem to have been any reason why the Aetolians should have abandoned this method. It is unlikely that they met in cities large enough to have the local voters swamp the rest, particularly since the Aetolians seem to have been rather good at attending meetings. Celebrating games in connection with them may have helped a great deal. More-

over, they obviously kept the control in the hands of the Aetolians proper and their immediate neighbors. Even when meetings were held outside the old Aetolian territory, as at Heraclea, Hypata, and Stratus, they were held in places that at the time were readily accessible to the Aetolian voter-soldier. The more distant cities were often joined to the League only by *isopoliteia*, but even if they had been full-fledged members, it is unlikely that there would have been any desire to change to a system of voting which would have decreased the control of their state by the Aetolians proper. Therefore, it is likely that the Aetolians retained in their assembly the system of counting votes by heads. Thus their government was like that of a democratic city-state not only in giving the members representation in the council (*syndrion*) in proportion to population but also in giving control of the assembly to the majority of the voters present. In Athens this favored the voters of the city; in Aetolia, the Aetolians proper. Probably in part because it met so seldom the Aetolian assembly seems to have functioned successfully. Whether a specific quorum was required is not known.⁴⁷

⁴⁷ The one passage in literature which bears on the question is a clause in Pol. 20.10.15. This is usually taken to mean that the voters stayed away from the meeting and so made action impossible; cf. Paton's Loeb translation and Walbank, *Philip V*, 206. This probably means that there were not enough voters present to transact business, though it is also possible that the general boycotting of the meeting was taken as an expression of public opinion which could not be safely opposed.