

SHORTER CONTRIBUTIONS

ATHENS AND CHALKIS: A STUDY IN IMPERIAL CONTROL*

Abstract: The basic contention of this article is that, contrary to a widely held and influential view, the Chalkis Decree does not constitute evidence that Athens tried to impose democracies on rebellious allies after their subjugation. It contains an exchange of oaths between Athens and Chalkis, confirming an 'agreement' (*homologia*), the contents of which are lost. The oaths show Athenian concern for the protection of the Athenian democracy and its friends at Chalkis, and impose some judicial but no political restrictions on Chalkis to secure Athenian domination and assure the priority of Athenian interests. In fact, the Athenians acknowledge the right of the Chalkidians to insist on the performance of civic duties in Chalkis on the part of aliens (*xenoi*) resident there. The Athenians among these resident *xenoi*, who are exempted from these obligations, are neither colonists nor kleruchs, as is sometimes alleged, but most probably individual settlers who had been given land in Chalkidian territory by Tolmides in the 450s.

THUCYDIDES reports that a revolt of Euboia followed hard upon the heels of the Athenian withdrawal from Boiotia after their defeat at Koroneia in 447/6 BC.¹ The immediate cause of this revolt is not stated, but it can be inferred with some confidence from the context in which it took place. Thucydides' statement that Euboian exiles had helped the Boiotians in resisting Athenian inroads (Thuc. 1.113.2) suggests that already before Koroneia internal divisions had created a group of Euboian exiles who had made common cause with the Boiotians and their allies.² It is likely that their success in Boiotia encouraged these exiles now to return to their homes to fan discontent with Athenian policies into defection from the Delian League, whose development into an Athenian empire had been sealed by 454 BC.

The 'common cause' (τῆς αὐτῆς γνώμης) that had tied the Euboian exiles to the Boiotians is not spelled out explicitly by any ancient author. It must have been, as it was in the case of the Boiotians, resentment of Athenian encroachments, which will have led in Euboia to a split between those who acquiesced – for whatever reason – in Athenian domination and those opposed to it. The latter will have lost the conflict and left their homes either voluntarily or by compulsion – Thucydides' φυγάδες allows for either interpretation – to join like-minded Boiotians in their fight against a common enemy. Success will have made them eager to continue the struggle in and for their own lands.

Who were these 'exiles' and who had been their opponents? And, above all, who were the 'Euboians' involved? Although Thucydides tells us that the final settlement of the revolt left all of Euboia subjected to Athens, he differentiates the expulsion of the Histiaians and the expropriation of their lands from the agreements reached with the rest of the island.³ Their harsh treatment, we are told by Plutarch, was motivated by their unwarranted murder of the crew of a captured Athenian ship.⁴

Excluded from the revolt may have been the people of Karystos, whose subjugation constituted one of the earliest joint actions of the Delian League in a campaign in which, however, the rest of the Euboians did not participate.⁵ Although this is no more than an *argumentum e silentio*,

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¹ Thuc. 1.114.1, cf. Diod. 12.6-7; Plut. *Per.* 22.1-2.

² Thuc. 1.113.2: καὶ Εὐβοέων φυγάδες καὶ ὅσοι τῆς αὐτῆς γνώμης ἦσαν.

³ Thuc. 1.114.3: καὶ Ἀθηναῖοι πάλιν ἐς Εὐβοίαν διαβάντες Περικλέους στρατηγούντος κατεστρέψαντο πᾶσαν, καὶ τὴν μὲν ἄλλην ὁμολογία κατεστήσαντο πᾶσαν, Ἐστιαίᾳς δὲ ἐξοικίσαντες αὐτοὶ τὴν γῆν ἔσχον.

⁴ Plut. *Per.* 23.4: μόνοις τούτοις ἀπαρατήτως χρησάμενος (ὁ Περικλῆς), ὅτι ναῦν Ἀττικὴν αἰχμάλωτον λαβόντες ἀπέκτειναν τοὺς ἄνδρας.

⁵ Thuc. 1.98.3 with Gomme, *HCT* 1.281-2. The probable date is 469 BC, as I have argued in *Autonomia: Its Genesis and Early History* (Chico, CA 1982) 38. Alternatively, the Greek may indicate that no Euboian cities other than Karystos were attacked. However, I prefer taking ἄνευ τῶν ἄλλων Εὐβοέων with αὐτοῖς rather than with Καρυστίους.

it is possible that Karystos was regarded as separate from the rest of Euboia, because it had gone over to the Persian side during the Persian Wars and suffered for it after Salamis.⁶ Although presumably left autonomous,⁷ there is no indication, positive or negative, that Karystos participated in the revolt of 447/6 BC.

Apart from Histiaia, we know of the participation of only Eretria and Chalkis. Here our evidence is entirely epigraphical, and consists of two inscriptions, one fragmentary containing the eventual settlement with Eretria (*IG* i³ 39), and another, almost perfectly preserved, concerning the settlement with Chalkis (*IG* i³ 40 = ML no. 52). That these two cities should be lumped together as the focus of the 'Euboian' revolt is explained by the interest Athens had in them ever since the settlement of 4,000 Athenian kleruchs on the lands of the *hippobotai* ('horse feeders') – the name by which the wealthiest Chalkidian landowners were known – after the defeat of Chalkis in 506 BC.⁸ This land will have been located in the rich Lelantine Plain, which stretches between Chalkis and Eretria, and the Athenian kleruchs settled there were, as we learn from Herodotus, later sent to aid Eretria against the Persians in 490 BC.⁹ Whether any of them returned to Chalkis after the fall of Eretria we do not know.

The establishment of a kleruchy in Chalkidian territory means no more than that the richest class was deprived of some good land and had to put up with Athenian settlers in their midst. Who the kleruchs were we do not know: they may have been landless Athenian thetes, whom, as their despatch to Eretria in 490 BC suggests, the acquisition of land in the Lelantine Plain had elevated to hoplite status.¹⁰ Their settlement may have had economic roots and may at the same time have been intended as an Athenian garrison to control Chalkis. But their settlement does not mean either that the rich landowners lost all their land or that they controlled the government of Chalkis at that time. If, as Aristotle contends,¹¹ the use of cavalry in wars against their neighbours made Eretria and Chalkis oligarchies, that does not signify either that they thought of themselves as oligarchs or that they were ideologically opposed to democracy. Both Eretria and Chalkis fought on the Greek side in the Persian Wars,¹² and both were charter members of the Delian League. The fact that we hear of no friction between them and the kleruchs during the first half of the fifth century may indicate that by the time Eretria and Chalkis became fully fledged members of the Delian League, the Athenian kleruchy at Chalkis had ceased to exist as such.¹³ What happened to it can only be speculated.

What may have caused friction between Athens and Chalkis sufficient to account for the outbreak of the Euboian Revolt in 447/6 BC is hard to determine with any precision. In general, it is true that Athens' 'allies' grew restive after the defeat in Egypt had sapped Athenian power and the Peace of Kallias had deprived the Delian League of its *raison d'être* after 449 BC. Possible evidence for restlessness in Euboia at this time may be the report by Diodorus and Pausanias that Tolmides settled a further kleruchy of one thousand men on Euboia,¹⁴ which, if correct, must have preceded 447 BC, since Tolmides died at the battle of Koroneia in that year. However, considerable doubt has been cast on this report by a passage in Aelian, which refers to the settlement

⁶ See Hdt. 6.99.2; 8.66.2, 112.2, and 121.1.

⁷ Thuc. 1.98.3: χρόνῳ ξυνέβησαν καθ' ὁμολογίαν.

⁸ Hdt. 5.77.2: νικήσαντες δὲ καὶ τούτους τετρακισχίλιους κληρούχους ἐπὶ τῶν ἵπποβοτέων τῇ χώρῃ λείπουσι· οἱ δὲ ἵπποβόται ἐκαλέοντο οἱ παχέες τῶν Χαλκιδέων.

⁹ Hdt. 6.100.2.

¹⁰ See N.G.L. Hammond, *Studies in Greek History* (Oxford, 1973) 202, 222, who suggests that they crossed over to Attica with the Eretrians at the time of Marathon.

¹¹ Arist. *Pol.* 4.3, 1289b36-39.

¹² Their names are engraved on the 'Serpent Column', see R. Meiggs and D. Lewis, *A Selection of Greek Historical Inscriptions to the End of the Fifth Century BC* (2nd edn, Oxford 1969) (= ML) no. 27, 8.

¹³ See A.J. Graham, *Colony and Mother City in Ancient Greece* (2nd edn, Chicago 1983) 177; so also E. Erxleben, 'Die Kleruchien auf Euböa und Lesbos und die Methoden der attischen Herrschaft im 5. Jh.', *Klio* 57 (1975) 83-100, esp. 88.

¹⁴ Diod. 11.88.3 (where the text is somewhat defective), and Paus. 1.27.5 with R. Meiggs, *The Athenian Empire* (Oxford 1972) 121-3.

of 2,000 kleruchs in the territory of the *hippobotai* in Chalkis after its defeat, which was followed by the establishment of a precinct to Athena in the Lelantine Plain, and the leasing out of the rest of the land to persons whose names were registered on stelai near the Royal Stoa in Athens.¹⁵ Since Aelian's report is undated, it may refer to the earlier defeat of Chalkis in 506 as easily as to its subjugation in 446, given the numerical discrepancy of 2,000 kleruchs with both the number of 4,000 attested for 506 by Herodotus (above, n.8) and the number of 1,000 attested for Tolmides by Diodorus and Pausanias (above, n.14). Finally, as Meiggs has pointed out, 'the land was confiscated and, apart from the reservation for the gods, was leased, not necessarily only to Athenians: cleruchs and colonists do not lease their land'.¹⁶ This lends credibility to Aelian's report that the settlers were not kleruchs in the conventional sense, but individuals who leased out their land.

We know nothing about the course the revolt of Euboia took; but thanks to the excellent state of preservation of the Chalkis Decree we have a good source of information about the settlement that followed and the relation of Athens to her 'allies' in the empire.¹⁷ That the date of the decree is 446 BC is almost universally agreed.¹⁸ A direct reference in the Chalkis Decree to an oath exacted in an earlier decree by the Athenians from Eretria (lines 42-3) shows that a settlement with Eretria had preceded the settlement with Chalkis. An indirect reference to the treatment of Histiaia in the Athenian promise not to expel Chalkidians from Chalkis and not to devastate the city (lines 4-6) suggests that the subjugation of Histiaia, too, had preceded the treaty with Chalkis. In short, it seems that a treaty with Chalkis constituted the final settlement of the Euboian Revolt of 447/6 BC.

The final settlement was not embodied in the present document, which preserves only the oaths sworn by the contracting parties to confirm the terms (ὁμολογία) agreed upon after the Euboian Revolt had been put down. That document is now lost, but there is reason to believe that it formed part of the same set of inscriptions as the oaths.¹⁹ Some of the contents of the lost ὁμολογία can be inferred from the oaths. Like the oaths in the present decree, the agreement will have indicated that Athens was the dominant party, that is, its form will have been a decree of the Athenian Council and People (line 1), formulating its relation with Chalkis. Athens' domination is further indicated by the condition that the Chalkidians are to defray the expenses of publishing the decree both on the Athenian acropolis (lines 57-60), and in the Temple of Olympian Zeus in Chalkis (lines 61-4).²⁰ Moreover, only Athenians and Chalkidians are involved in the measures legislated. There is no indication that any of the other allies in the Delian League had any voice in the formulation: the settlement was no longer a matter of the

¹⁵ See Ael. *VH* 6.1: 'Ἀθηναῖοι κρατήσαντες Χαλκιδέων κατεκληρούχησαν αὐτῶν τὴν γῆν ἐς διαχιλίους κλήρους, τὴν Ἰππόβοτον καλουμένην χώραν, τεμένη δὲ ἀνήκαν τῇ Ἀθηνᾶ ἐν τῷ Δηλάντῳ ὀνομαζομένη τόπῳ, τὴν δὲ λοιπὴν ἐμίσθωσαν κατὰ τὰς στήλας τὰς πρὸς τῇ βασιλείῳ στοᾷ ἐστηκυίας, αἴπερ οὖν τὰ τῶν μισθώσεων ὑπομνήματα εἶχον. τοὺς δὲ αἰχμαλώτους ἔδησαν, καὶ οὐδὲ ἐνταῦθα ἐσβησαν τὸν κατὰ Χαλκιδέων θυμὸν.

¹⁶ Meiggs (n.14) 566-7; cf. also J.M. Balcer, *The Athenian Regulations for Chalkis: Studies in Athenian Imperial Law* (*Historia Einzelschrift* 33, Wiesbaden 1978) 21-2, and T.J. Figueira, *Athens and Aegina in the Age of Imperial Colonization* (Baltimore and London 1991) 258-60.

¹⁷ The following discussion will be based on the text printed in ML no. 52. The most comprehensive discussion is that of Balcer (n.16). Scholarly discussions of the Chalkis Decree are too numerous to list exhaustively. For

good bibliographies, see H. Bengtson (ed.), *Die Staatsverträge des Altertums* 2 (Munich and Berlin 1962) (henceforth: *SVA*) 74; ML, pp. 140-4; *IG* i³ 40; and S. Hornblower and M.C. Greenstock (eds), *The Athenian Empire*³ (LACTOR 1, Harrow 1986) 157. The most recent monograph, that of Balcer, lacks a systematic bibliography.

¹⁸ See *IG* i³ 40, with D.M. Lewis' note on p. 44, who cites as the only dissenting voice the date of 424/3, proposed by H.B. Mattingly, 'Athens and Euboea', *JHS* 81 (1961) 124-32 (now reprinted in *The Athenian Empire Restored* (Ann Arbor, MI 1996) 53-67).

¹⁹ See *SVA* 2.73 with Balcer (n.16) 55-65 and 83-101, where a reconstruction of the physical arrangement is shown in Fig. 1.

²⁰ See ML no. 52, 60-1: τέλεσι τοῖς Χαλκιδέων. For a similar condition imposed on Kolophon about this same time, see ML no. 47, 38-9.

Delian League, but of Athenian relations with her erstwhile allies. Contrast the inclusion of Athenian allies in the Erythrai Decree a few years earlier (453/2 BC?).²¹

There are significant differences in the terms used to describe the two parties to the agreement. While the Chalkidians are invariably referred to by the use of some form of Χαλκιδεῖς, the Athenians appear sometimes as Ἀθηναῖοι, but more usually in the guise of variants of ὁ δῆμος ὁ Ἀθηναίων. Can we detect any systematic distinction between these two appellations?²² It seems that wherever the formal institutional aspect of the oaths is at issue, the text speaks of Ἀθηναῖοι, and that all substantive matters concern the δῆμος ὁ Ἀθηναίων.

An oath is to be sworn by the Council and the Jurors Ἀθηναίων (3-4). A Chalkidian embassy is to come to Athens to administer the oath to the Athenians (Ἀθηναίους) and list the names of those who have taken it (16-19), and an embassy of Ἀθηναῖοι will administer the oath to the Chalkidians of military age and list their names (36-8 and 41, *cf.* 32-3). The Ἀθηναῖοι will be the recipients of (a) denunciations of defections and (b) the tribute (c) in the amount negotiated with them (25-7). What has been decreed by the Ἀθηναίους concerning the fate of the hostages is to remain valid (47-9),²³ subject to future negotiations between Athenians and Chalkidians (49-52). Finally, the Chalkidians are, in general, to conduct their own accountings of public officials (εὐθυναί), just as the Ἀθηναῖοι conduct theirs at Athens (71-3), and the (Athenian) generals are assigned to take the responsibility of safeguarding the protection of Euboia in the best interest of the Athenians (76-9).

But when it comes to issues involving allegiance to Athenian interests, the ‘Athenian People’ – ὁ δῆμος ὁ Ἀθηναίων – rather than οἱ Ἀθηναῖοι is the term used. Judicial decisions in cases involving the disfranchisement, exile, arrest, death or expropriation of any Chalkidian cannot be made without due process and without the consent of the Athenian People (4-10, esp. 9-10: ἀκρίτου οὐδενὸς ἄνευ τοῦ δέμου τοῦ Ἀθηναίων). Evidently, the Athenians are eager to protect their Chalkidian friends against politically motivated prosecution. The Athenians promise to abide by the provisions of their oath as long as the Chalkidians remain loyal ‘to the Athenian People’ (15-16: πειθομένοις τοῖς δέ[μ]οι τοῖς Ἀθηναίων). The Chalkidians, in their turn, swear that they will not defect from τοῦ [δ]έμου τοῦ Ἀθηναίων (22), that they will come to its defence (29-30) if anyone injures it (30-1), and that they will remain loyal to it (31-2).²⁴ The same references to the ‘Athenian People’ are found in the oath exacted earlier from the Eretrians (*IG* i³ 39 = *SVF* 2 no. 154, lines 2-3, 7-8), and it is therefore not surprising that Antikles’ amendment refers to the Eretrian decree as passed by *ho* δέμος *ho* Ἀθηναίων (43).

It is striking that no similar distinction is made in this decree between ‘Chalkidians’ and the ‘Chalkidian People’. Moreover, while on the Athenian side the 500 members of the Council and the 6,000 Jurors swear as representatives of the Athenian state to safeguard certain prerogatives of the ‘Athenian People’, in Chalkis all men of military age have to swear to abide by the conditions imposed by the Athenians.²⁵

What is the reason for this distinction? In the Erythrai Decree (ML no. 40) only the βουλή of a subdued city is obliged to bind itself to act in the best interest of the Erythraian and Athenian πλῆθος and their allies, not to revolt against the Athenian or allied πλῆθος, and not to enter a

²¹ See ML no. 40, 23-4, 31.

²² A superficial survey reveals the interesting fact that similar distinctions between Ἀθηναῖοι and δῆμος ὁ Ἀθηναίων is found in the fifth century only in settlements between Athens and rebellious allies – Erythrai (ML no. 40, 21-4); Kolophon (ML no. 47, 44-7); Samos (ML no. 56, 16-18, 19-21) – but not in treaties with other states, e.g. Rhegium or Leontini (ML nos 63 and 64). See also below with nn. 26-7.

²³ The decree here referred to is presumably the ὁμολογία which preceded the present decree; see Balcer (n.16) 62-5.

²⁴ ML no. 52, 29-32: καὶ τοῖς δέμοι τοῖς Ἀθηναίων βοεθέσο καὶ ἀμυνῶ, ἐάν τις ἀδικεῖ τὸν δέμον τὸν Ἀθηναίων, καὶ πείσομαι τοῖς δέμοι τοῖς Ἀθηναίων.

²⁵ ML, p. 141 note that ‘the emphasis throughout is not on Athens but more specifically on the Athenian demos’.

conspiracy to that effect.²⁶ But the decree also imposes a new government Athenian-style on the city. Similarly in the case of Kolophon, where, however, no allies are mentioned and the reference to a Kolophonian democracy depends on restoration.²⁷ Comparison permits the inference that the Athenians did not tamper with the internal structure of the state in the case of Chalkis.

However, the references to the 'Athenian People' suggest that Athens is here, too, vitally interested in protecting her democracy, possibly because the revolt may have been instigated by elements hostile to the democrats who ruled Athens, and the Athenians now thought they had most to fear from them. If this guess is correct, it remains remarkable that the Athenians did not go so far as to introduce constitutional change at Chalkis. No concern is evident for the constitutional form under which the Chalkidians live, and there is no indication what label, if any, they attached to their form of government. That a decree passed by the Assembly and Council in Athens should specify Athenian functionaries concerned with the implementation of the decree is no more than is to be expected;²⁸ but it is noteworthy that very little is said about Chalkidian functionaries. Like Athens, Chalkis has officials charged with administering oaths; but while Athens has them appointed by the δῆμος (38, 45-7), we are not told how their Chalkidian counterparts are appointed (17). We learn that, like Athens, Chalkis has a βουλή (67); but we hear only of its task to publish the decree in the sanctuary of Zeus Olympios at Chalkis, a task analogous to that assigned in Athens to the γραμματεὺς τῆς βουλῆς (59-60). Finally, we learn that Chalkis has a procedure for holding its magistrates accountable (71: εὔθυναί). The article suggests that it was already in place and that its institution was not being ordered by the Athenians. But we are not told how and by whom it was conducted. In this connection, it is worth noting – and possibly relevant – that in Athens the establishment of a democracy involved under Ephialtes the substitution of the δῆμος for the Council of the Areopagus in the conduct of εὔθυναί.²⁹ Constitutionally, the fact that εὔθυναί are conducted is less significant than that the gremium entrusted with their conduct may have a democratic or an oligarchical character. Although these are largely *argumenta e silentio*, they all point to the negative conclusion that the terms decreed by Athens for Chalkis did not affect the constitutional form by which Chalkis was governed: there is no evidence that the Athenians imposed a new form of government on Chalkis. In other words, the Chalkis Decree contains no evidence that the imposition of a democratic régime was one of the instruments by which the Athenians tried to control rebellious allies.³⁰

The means by which the Athenians tried to exercise their control over Chalkis were judicial rather than political. Specifically, as has long been recognized, their goal was to declare Athenian courts to be the last resort in certain cases affecting Chalkis by transferring jurisdiction in these cases from Chalkis to Athens. This purpose is heralded by the requirement that the

²⁶ ML no. 40, 21-4: ὀμν[ύ]ναι [δὲ τὰ]δε [τὲν] βολέν· βολεύσο ἡδὲ ἂν [δύ]να[μ]α[ι] ἄριστ[α καὶ] δ[ι]κα[ι]- ὄτα]τα Ἐρυθραῖον τῷ πλέθει καὶ Ἀθηναῖον καὶ τῶν [χ]συνμά[χ]ον [κ]αὶ οὐκ [ἀποσ]τέσομαι Ἀθηναῖον τῷ π[λ]έθος οὐδὲ [τῶν] χσυνμάχον τῶν Ἀθηναῖον οὐτ' αὐτὸς ἐγὼ ο[ὔ]τ' ἄ[λ]λοι πε[ι]σομ[α]ι.

²⁷ See ML no. 47, 43-6, 46-9. The decree settling the revolt of Samos in 439/8 (ML no. 56) also contains a loyalty oath sworn by the βουλή (?) τῶν δέμοι τῷ Ἀθηναίων (20-1), but other references to the Athenian δῆμος depend on restoration.

²⁸ The decree is passed by βουλή and δῆμος (1 and 13, cf. also 43, 55 and 76 for the δῆμος); there is a πρό- τανις (1, 14) and an ἐπιστάτης (1); the oath is sworn by the βουλή and the δικασταί (4); στρατηγοί are charged with ensuring that the oath is taken by all members of the Athenian party (20), and by Athenians and Chalkidians in

Chalkis (44); they are to make the arrangements and provide the funds for the sacrifice for Euboia (68), and they are to ensure the protection of Euboia (77). The Secretary of the Athenian βουλή is assigned the responsibility of publishing the decree on the acropolis (59), and the ἡλιαία τῶν θεσμοθετῶν is to hear certain cases referred to its jurisdiction from Chalkis (75).

²⁹ See M. Ostwald, *From Popular Sovereignty to the Sovereignty of Law: Law, Society, and Politics in Fifth-Century Athens* (Berkeley, Los Angeles and London 1986) esp. 55-62.

³⁰ Against *ATL* 3 (1950) 149-54, esp. 153 with n.17; cf. Balcer (n.16) 24: 'While no absolute evidence exists, it appears that an Athenian-supported democracy now replaced the defeated and exiled Chalkidian oligarchy.' See also below, p. 141 with nn.44 and 45.

Jurors, rather than the Assembly, are to join the Council in taking the oath in behalf of Athens (3-4), since they will be saddled with the handling of any Chalkidian cases that will reach Athens.³¹

The decree emphasizes due process and begins by renouncing recourse to violence: Councillors and Jurors swear not to expel any Chalkidian from Chalkis and not to destroy the city (4-6), a promise of a gentler treatment than had been meted out to Histiaia. Further, the Councillors swear to give notice before putting any matter, public or private, affecting Chalkidians to a vote (10-12), and to expedite access for Chalkidian embassies to the Athenian Council by limiting the waiting period to a maximum of ten days (12-14). Athenian intervention is confined to two kinds of cases, which are defined by the penalties they entail rather than the crimes committed.

The first of these requires due process and approval by the 'Athenian People' in proceedings against any individual (6: ἰδιότεν) who upon conviction would be deprived of his civil rights, or be punished with exile, detention, death or expropriation of property.³² The reason why the Athenians felt sufficiently threatened by persons afflicted with these penalties to wish to control implementation of due process in Chalkis is evidently that they wanted to protect their Chalkidian friends by mitigating harsh treatment meted out to them by Chalkidian courts, and at the same time avert threats to the Athenian democracy emanating from Chalkidian malcontents: severance of their political or economic ties with their native city imposed by Chalkidian courts might make them or their families agitate against relations with Athens, at home or abroad. Corroboration of this can be found in the clause, unique among all other Athenian settlements after a revolt, stipulating denunciation to Athens of any attempt at defection.³³

The reality of this fear is also shown in the second case, articulated in the amendment of Archestratos (70-6), which deals with offences uncovered in the εὔθυναί of magistrates.³⁴ While the right to conduct the εὔθυναί is left to the Chalkidians, crimes which, when uncovered, would upon conviction in Chalkis lead to exile, death or loss of civil rights are to be referred to the Court of the Thesmothetai at Athens for final disposition.³⁵ Convictions entailing monetary fines or imprisonment are not affected; only in major offences the consequences of which might threaten the Athenian democracy³⁶ is referral to the people's court at Athens mandatory. Again, there is no evidence for tampering with Chalkidian institutions, except when they are perceived as a potential threat to the Athenian democracy.

The accuracy of our interpretation of the decree as a mixture of tolerance and imperial control is put to the test as we examine a clause in the amendment of Antikles, contained in lines 47-57. Its first part (47-52) contains an answer to what appears to have been a Chalkidian petition – or at least enquiry – about the fate of 'the hostages'. It is an easy guess that the 'hostages' are Chalkidians taken by the Athenians in the course of, or as a result of, the revolt, and kept as a bargaining chip in negotiating a settlement after the revolt had been put down. Political considerations make it natural to assume that they were taken from upper-class Chalkidians, who not only will have constituted the decision-makers in the régime, but from whom, too, a larger ransom could be expected. The Athenian response is firm but flexible: determinations made in an

³¹ Cf. also lines 74-6: περὶ δὲ τούτων ἔφεσιν ἔναι Ἀθέναζε ἐς τὴν ἐλαιαίαν τὴν τῶν θεσμοθετῶν.

³² ML no. 52, 6-10: οὐδὲ ἰδιότεν οὐδένα ἀτιμόσο οὐδὲ φυγῆι ζεμιόσο οὐδὲ χυλλέφσομαι οὐδὲ ἀποκτενῶ οὐδὲ χρέματα ἀφαιρέσομαι ἀκρίτο οὐδενὸς ἄνευ τῷ δέμο τῷ Ἀθηναίων.

³³ *Ibid.* 24-5: καὶ ἐὰν ἀφιστῆι τις κατερῶ Ἀθηναίοισι.

³⁴ So, rightly, Gomme, *HCT* 1.342; differently ML, p. 143, and G.E.M. de Ste. Croix, 'Notes on jurisdiction in

the Athenian Empire II', *CQ* 11 (1961) 268-80, esp. 271-2. There is no good reason why in an Athenian decree the term εὔθυναί should have a different connotation when applied to Chalkis than it had in Athens, especially when the decree adds καθάπερ Ἀθένεσιν Ἀθηναίοις (72-3).

³⁵ ML no. 52, 74-6: περὶ δὲ τούτων ἔφεσιν ἔναι Ἀθέναζε ἐς τὴν ἐλαιαίαν τὴν τῶν θεσμοθετῶν. For the meaning of ἔφεσις, see D.M. MacDowell, *The Law in Classical Athens* (London, 1978) 30-2.

³⁶ Note line 76: κατὰ τὸ φέφισμα τῷ δέμο.

earlier decree (presumably the ὁμολογία) are to stand, pending final settlement in future negotiations between Chalkis and Athens.³⁷

The second part (52-7), which contains provisions concerning ‘aliens residing in Chalkis’, is considerably harder to understand and has recently again become the subject of much controversy. In view of that, it will be desirable to begin by quoting its text in full: τὸς δὲ χσένος τὸς ἐν Χαλκίδι, ἡόσοι οἰκῶντες μὲ τελοῦσιν Ἀθέναζε, καὶ εἴ τοι δέδοται ἠυπὸ τῷ δέμο τῷ Ἀθηναίον ἀτέλεια, τὸς δὲ ἄλλος τελεῖν ἐς Χαλκίδα, καθάπερ ἡοι ἄλλοι Χαλκιδέες. (‘The aliens in Chalkis who reside there and fulfil no civic obligations to Athens, except for anyone who has been granted exemption by the Athenian People, must all fulfil their civic obligations to Chalkis, as do all other Chalkidians’).³⁸ As Balcer has correctly pointed out, this clause is part of an Athenian response to a request for clarification by the Chalkidians.³⁹ Who were the χσένοι residing in Chalkis and what τέλε were expected from them? An answer to these questions will be facilitated by a consideration ignored in most previous discussions of this problem:⁴⁰ the term τέλος and its cognates (lines 54, 55, 56) are not confined to tax-payments, but cover all civic contributions expected from a given group, payments as well as services.⁴¹ The exclusive concentration on what payments of taxes were involved has proved to be a stumbling block to those scholars who tried to pinpoint what ‘taxes’ were meant. They failed to realize that the term also includes the performance of military and other public duties to which resident aliens were subject in the Greek states.⁴²

In short, the request the Chalkidians will have addressed to the Athenians was for a ruling on the public duties to Chalkis to which aliens resident in Chalkis – including, but not limited to Athenian metics – will have been liable. The question concerned aliens, not citizens of Chalkis whose civic obligations are subsumed in the phrase καθάπερ ἡοι ἄλλοι Χαλκιδέες in lines 56-7. The Athenian response affirms the civic obligations to Chalkis to which aliens resident there are liable. But it exempts⁴³ two groups of aliens: (1) that those who perform obligations to

³⁷ ML no. 52, 47-52: περὶ δὲ τῶν ἡομέρον ἀποκρίνασθαι Χαλκιδεῦσιν, ἡότι νῦν μὲν Ἀθηναίος δοκεῖ εἶαν κατὰ τὰ ἐφροφισμένα ἡόταν δὲ δοκεῖ βολευσάμενοι πρέσοσι τὲν διαλλα[γ]έν, καθότι ἂν δοκεῖ ἐπιτέδειον εἶναι Ἀθηναίος καὶ Χαλκιδεῦσιν.

³⁸ ML no. 52, 52-7. The older controversies are well summarized by P. Gauthier, ‘Les ΞΕΝΟΙ dans les textes athéniens de la seconde moitié du Ve siècle av. J.-C.’, *REG* 84 (1971) 44-79, esp. 65-76, and by Balcer (n.16) 65-71 with nn. 22-6, who does not consider the more recent contributions of J.D. Smart, ‘IG I² 39: “Aliens” in Chalcis’, *ZPE* 24 (1977) 231-2; S.R. Slings, ‘Athenian ateleia in I.G. I² 39’, *ZPE* 25 (1977) 277-9; K.J. Dover, ‘δε in the Chalkis Decree’, *ZPE* 30 (1978) 94 = *Greek and the Greeks* (Oxford 1987) 42; and A.S. Henry, ‘Athens and Chalcis: I.G. I² 39, lines 52-57 yet again’, *ZPE* 35 (1979) 287-91. Of special importance is the discussion by A. Giovannini, ‘Imposition et exemption fiscales des étrangers dans le règlement athénien sur Chalcis IG I² 40’, *ZPE* 133 (2000) 61-74, esp. 61-2.

³⁹ Balcer (n.16) 71. See also C.W. Fornara, ‘IG I², 39, 52-57 and the “popularity” of the Athenian Empire’, *CSCA* 10 (1977) 39-55, esp. 40-1.

⁴⁰ The only exception is Gauthier (n.38) 72: ‘L’expression τελεῖν ἐς Χαλκίδα est curieuse. S’il s’agissait du paiement des taxes dues à Chalcis, on aurait τελεῖν Χαλκιδεῦσι, et il va de soi que ce paiement aurait lieu ἐν Χαλκίδι. La construction de τελεῖν avec εἰς et l’accusatif se rencontre dans les expressions comme

τελεῖν ἐς Ἑλληνας (Hérodote II, 51), τελεῖν ἐς ἀστούς (Sophocle, *Æd. Roi* 222) “être compté parmi les Grecs”, “parmi les citoyens”... Néanmoins, on ne peut se satisfaire d’une traduction comme “payer à Chalcis”: elle ne suggère pas d’autre idée que celle d’un paiement fait aux Chalcidiens, ce qui ne saurait être rendu en grec de cette façon. L’expression signifie soit “être compté comme Chalcidien”, soit “payer pour Chalcis”, les deux traductions menant du reste à la même interprétation historique.’ My only objection to this interpretation is that it neglects the contribution in materials or services expected from those ‘counted in’ the group. See also Giovannini (n.38) 71.

⁴¹ For this interpretation of τελέω, see my discussion in ‘Public expense: whose obligation?: Athens 600-454 BCE’, *Proceedings of the American Philosophical Society* 139 (1995) 368-79, esp. 375 with nn.25-7.

⁴² The obligations of foreign residents in the Greek world in the fifth and fourth centuries have been fully and convincingly discussed by Giovannini (n.38) esp. 63-8, who singles out the performance of liturgies and the payment of εἰσφοραί as the most important. However, since εἰσφοραί are first attested for 434/3 BC, they may not have existed at the time of the Chalkis Decree. For earlier treatments of this problem, see G. Busolt, *Griechische Staatskunde* (Munich 1920) 1.295-9, and E.E. Cohen, *The Athenian Nation* (Princeton 2000) 72-5.

⁴³ The awkward grammatical construction of the Greek has been satisfactorily explained by Slings (n.38).

Athens are exempted from obligations to Chalkis is clear from the phrase that ‘those residents who fulfil no civic obligations to Athens’ (ὅσοι οἰκῶντες μὲ τελοῦσιν Ἀθῆνας) are specifically enjoined to perform their obligations to Chalkis. Also exempted from obligations to Chalkis are (2), all those who have been granted exemption from public duties at Athens (ἀτέλεια) by the Athenian People.

If this interpretation is correct, it confirms that in the present decree the Athenians refrained from interference in internal affairs of Chalkis, except that they freed two groups of aliens related to Athens from civic obligations to Chalkis, and that they made referral (ἔφεσις) to Athenian courts mandatory in certain political trials.⁴⁴ In other words, the clause on civic obligations restricts Chalkidian sovereignty only to the extent that it assigns civic obligations to Athens priority over civic obligations to Chalkis. Only to that extent is there Athenian interference in the internal political affairs of Chalkis.⁴⁵

The precise identification of these groups is worth exploring for the light it throws on relations between Athens and Chalkis. Clearly, some aliens resident in Chalkis were liable to perform civic duties at Athens and were for that reason exempted from civic duties to Chalkis. It is hard to avoid the conclusion that these were – but were not necessarily confined to – citizens of Athens. The objection that ‘an Athenian decree would not call Athenians ξένοι’⁴⁶ has only limited validity once we assume that the present Athenian decree echoes the language of the original Chalkidian request for a ruling about the obligations of aliens in their midst.⁴⁷ Support for this assumption can conceivably be derived from the prominence of the phrase τὸς δὲ χσένος τὸς ἐν Χαλκίδι which introduces this clause (52-3), and whose position parallels the introductory phrase περὶ δὲ τῶν ἡομέρων in line 47. There is, accordingly, no reason to deny Athenians a presence in Chalkis by arguing, as Gauthier does, that Athenian allies among resident aliens are meant here, whose contribution to the tribute paid to Athens by their home states exempts them from contributing to the tribute due Athens from Chalkis.⁴⁸ Similarly, Whitehead’s solution, focused as it is on obligations of aliens to Chalkis rather than to Athens, seems to imply that exemption from Chalkidian dues (especially the μετοικία) is granted only to Athenian citizens resident in Chalkis and to those who have been granted – for reasons unexplained – ἀτέλεια by the Athenian People.⁴⁹ It is doubtful that an Athenian decree could grant Chalkidian citizens ἀτέλεια from obligations to Chalkis.⁵⁰

Who are the exempted aliens likely to be? In the absence of any identification other than that they had obligations to Athens (or, in the second case, that they had been absolved from obligations by the Athenian People) we do not even know whether the clause refers to individuals or to a group of aliens resident (οἰκῶντες) in Chalkis. If the χσένοι include a group of Athenians, it would constitute either an Athenian ‘colony’ (ἀποικία) at Chalkis or a kleruchy: as a general rule, ἀποικίαι became independent communities whose members were no longer citizens of Athens, while κληροῦχοι remained Athenian citizens, a foreign body in the midst of the community in which they had settled.⁵¹ Neither term occurs in the Chalkis Decree, and since the present clause constitutes a response to a request for clarification, it is evidently about a group

⁴⁴ See pp. 138-9 with n.30 above.

⁴⁵ For these reasons, I cannot agree with Fornara’s argument (n.39) 50-1 that this clause is ‘a notable example of Athenian imperialism in the mid-fifth century, for it implies the ultimate interference in the management of local affairs’. On the contrary, it confirms the demands Chalkis can still make on its alien residents.

⁴⁶ ML, p. 143.

⁴⁷ See n.38 above.

⁴⁸ Gauthier (n.38) 65-76. Gauthier has been effectively answered by Giovannini (n.38) 66-7.

⁴⁹ D. Whitehead, ‘IG I² 39: “Aliens” in Chalcis and Athenian imperialism’, *ZPE* 21 (1976) 251-9, supported by J.D. Smart, ‘IG I² 39: “Aliens” in Chalcis’, *ZPE* 24 (1977) 231-2, who adds that those paying to Athens must be Athenian kleruchs.

⁵⁰ Pace Fornara (n.39) 53 n.3.

⁵¹ For details, see P.A. Brunt, ‘Athenian settlements abroad in the fifth century B.C.’, *Ancient Society and Institutions: Studies presented to Victor Ehrenberg on his 75th Birthday* (Oxford 1966) 71-92, and Graham (n.13), esp. 166-210.

whose status would not normally be in doubt. Still, the question is germane to the status of Athenian kleruchs in Euboia, which we raised at the beginning of this paper, and to which we must now return.

We know little about the fate of the 4,000 Athenian kleruchs who, as Herodotus informs us, had been settled in the territory of the *hippobotai* after the defeat of Chalkis in 506 BC, except that these were sent to the defence of Eretria in 490 BC.⁵² The fact that Herodotus (6.100.1) explicitly attributes their despatch to the Athenians indicates that the public obligations of these kleruchs were determined by Athens. What happened to the kleruchy after the Persian Wars is not known. The listing of both Chalkis and Eretria on the Serpent Column⁵³ attests their participation as independent states in the Persian War on the Greek side, and both appear on the earliest Tribute Lists;⁵⁴ but the possibility of their absence from the campaign against Karystos gives pause⁵⁵ and may suggest latent tensions with Athens. The fact that we hear no more of the kleruchs of 506 BC or their descendants after the Persian Wars may indicate that they had been absorbed by and integrated into the Chalkidian body politic by that time; if so, they are not likely to be regarded as resident aliens exempt from civic obligations to Chalkis in 446/5 BC because of any obligations to Athens.

However, late sources inform us of further settlements of Athenians on Euboia in the fifth century, which we reported above. Diodorus mentions in a corrupt passage that Tolmides as a general in 453/2 distributed land to 1,000 citizens in Euboia and Naxos (?), an event echoed and dated before his campaign in Boiotia in a report by Pausanias, who defines the persons settled as κληροῦχοι.⁵⁶ As Fornara has shown, this information is difficult to accept: not only is the Diodoran passage textually defective, but a settlement on Euboia is not necessarily a settlement on Chalkidian soil; it might be on land taken from Karystos. Moreover, Pausanias' description of these settlers as κληροῦχοι might easily be an error caused by contamination with Herodotus' report of the settlement of Athenians in 506 BC.⁵⁷ If, as may be conceivable, Tolmides settled 1,000 Athenian citizens in an unidentified place in Euboia before he invaded Boiotia, that event has left no trace elsewhere in ancient documents. It may, however, be accepted to explain an irritant that led to the outbreak of the Euboian Revolt a few years later: their appropriation of lands belonging to Chalkis may, as we have seen, have been a factor in creating the exiles that assisted the Boiotians in their struggle against Athenian encroachments and may have precipitated the Euboian Revolt.⁵⁸

There are two further passages that might help us explain (Athenian) foreigners in the Chalkis Decree. Both refer to the sequel of the quelling of the Euboian Revolt. According to Plutarch, Pericles, after subjugating Euboia, 'threw out the so-called Chalkidian *hippobotai* who were outstanding in wealth and reputation, and uprooted all Histiaians from their land and settled it with Athenians, treating them alone harshly because they had killed all the crew of an Athenian ship they had captured'.⁵⁹ No settlement of Athenians at Chalkis is mentioned here, but merely the expropriation of the lands of the rich *hippobotai*. The second passage, from Aelian, suggests what may have been done with the confiscated lands. We have quoted this passage earlier and pointed out that, while it is unlikely to reflect a settlement of 2,000 kleruchs at this time, it may attest confiscation of land, which was partly reserved to Athena, while the rest was leased to

⁵² See above, p. 135.

⁵³ See above, p.135 with n.12.

⁵⁴ *ATL* 3, pp. 22 (no. 50) and 28 (no. 200).

⁵⁵ Thuc. 1.98.3 with n.5 above.

⁵⁶ Diod. 11.88.3 ...Τολμίδης ὁ ἕτερος στρατηγὸς εἰς τὴν Εὐβοίαν παρελθὼν ἄλλοις χιλίοις πολίταις τὴν τῶν Ναξίων γῆν διένειμε. Cf. Paus. 1.27.5: <Τολμίδης> ὕστερον δὲ ὡς ἐπανῆλθεν εἰς Ἀθήνας, ἐσήγαγε μὲν εἰς Εὐβοίαν καὶ Νάξον Ἀθηναίων

κληροῦχους, ἐσέβαλε δὲ εἰς Βοιωτοὺς στρατῶ.

⁵⁷ See Fornara (n.39) 47-9.

⁵⁸ See p. 135 above.

⁵⁹ Plut. *Per.* 23.4: Χαλκιδεῶν μὲν τοὺς ἵπποβότας λεγομένους πλούτῳ καὶ δόξῃ διαφέροντας ἐξέβαλεν, Ἔστιες δὲ πάντας ἀναστήσας ἐκ τῆς χώρας Ἀθηναίους κατόκισε, μόνοις τούτοις ἀπαραιτήτως χρησάμενος, ὅτι ναῦν Ἀττικὴν αἰχμάλωτον λαβόντες ἀπέκτειναν τοὺς ἄνδρας.

Athenians and others.⁶⁰ That Athenians were among the lessees is shown by Aelian's citation of documents inscribed 'near the Royal Stoa which contain the records of the leases'.⁶¹

This means that after the settlement of the revolt, land from which *hippobotai* had been evicted was made available to Athenians to lease, and perhaps even to own, not as kleruchs, but as individuals.⁶² These, it seems, were the Athenians among the *χσένοι* to whom exemption from civic obligations to Chalkis was granted on the grounds that they had civic obligations to Athens; the relation had to be spelled out specifically, because the settlement was recent.⁶³ The other group exempt from obligations to Chalkis, those to whom the Athenian People had granted *ἀτέλεια*, remains difficult to identify. It may consist of a group exiled from other Greek cities and deprived of their property because of their pro-Athenian leanings, to whom the Athenians had given hospitality and exemption from public obligations.⁶⁴ It remains, however, obscure why they should have been included in the Chalkis Decree, since there is no reason to assume that any of them migrated from Athens to Chalkis. Alternatively, they might be the settlers (in whatever form) planted by Tolmides in the 450s: they will have remained Athenian citizens whose allegiance is claimed by Athens after the revolt – more correctly, *ὑπὸ τῷ δέμῳ τῷ Ἀθηναίων* – and thus will have had no public duties to Chalkis; in particular they will not have been required to contribute to the tribute paid by Chalkis to Athens.

This view is supported by what seems to have been a parallel situation in Eretria, where a presence of Athenians, individuals as well as kleruchs, is well attested throughout the fifth century, and especially after 450 BC.⁶⁵ It is strengthened by the prominence of Euboia in the lists of foreign holdings in land by prominent Athenians implicated in the internal turmoil of 415–413,⁶⁶ which were almost certainly acquired decades earlier, and by the exaggerated statement in Andocides that at the outbreak of the Peloponnesian War, Athens controlled two-thirds of Euboia.⁶⁷

If our interpretation is correct, the thrust of the clause (lines 52–7) is to acknowledge the right of the Chalkidians to insist on the performance of public duties on the part of aliens resident in Chalkis. While obligations to Athens, positive or negative, are given precedence over obligations to Chalkis, and the military defence of Euboia is entrusted to Athenian generals (76–9), Chalkidian political autonomy is conceded. Judicial provisions safeguard potential threats to the Athenian democracy by making *ἔφεσις* to Athenian courts mandatory in cases in which Chalkidian individuals or officials are perceived as threatening it.⁶⁸ But no attempt is made to effect changes in the traditional form of government in Chalkis.

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⁶⁰ See above, nn.13 and 14.

⁶¹ Ael. *VH* 6.1, quoted in n.15.

⁶² This is the view of Fornara (n.39) and of Giovannini (n.38) 71–4.

⁶³ Giovannini (n.38) 70–1 believes that 'les personnes concernées doivent être avant tout, voire exclusivement, des commerçants exerçant simultanément leurs activités dans les deux cités et étant de ce fait "domiciliées" dans l'une et l'autre en même temps'. See also *ibid.* 74. However, this seems to me more applicable to the fourth than to the fifth century BC.

⁶⁴ Fornara's explanation (n.38) 50–1, that they had

been partisans of Athens during the rebellion, carries no conviction. See also above, n.44.

⁶⁵ J.R. Green and R.K. Sinclair, 'Athens and Eretria', *Historia* 19 (1970) 515–27.

⁶⁶ For the *Attic Stelai* as a whole, see *IG* i³ 421–30; for Athenian landed property at Eretria, see Green and Sinclair (n.65) 525 n.45; for the property of Nikides and Oionias on Euboia, see O. Aurenche, *Les groupes d'Alcibiade, de Léogoras et de Teucros* (Paris 1974) 136–40.

⁶⁷ And. 3.9.

⁶⁸ See p. 138 above.