

ständige *ἤμαρτεν*, nachträglich zurückgenommen auf den Bereich des Planens – obwohl es hier vor allem um die Tat geht –, um seine Wirkung gebracht.

Demnach ist auch das überlieferte *ἐν νέοισι* anzuerkennen. Da dieser Begriff aber dem vorhandenen Zusammenhang widerstrebt und nicht eliminiert werden kann⁶⁴), weil er von *τῶδε* nicht abzutrennen ist, kann man den Komplex nur als textfremden Zusatz betrachten.

Dazu stimmen folgende Beobachtungen. In den benachbarten Auftritten 193 f. und 263 ff. lehnen sich die Hiketiden jeweils an Reden ihres Fürsprechers an. Beide Male flehen sie um Mitleid in ihrer Sache, auf Adrast und sein persönliches Schicksal gehen sie nicht ein, übrigens später auch Aithra nicht. Dazwischen wirkt das kleinlich differenzierende, die Schuld auf anonyme *νέοι* abwälzende Argumentieren für Adrast unpassend. Und es kommt, nachdem Theseus bereits entschieden hat, zu spät und funktioniert nicht, wie die beiden anderen Passagen, dramatisch steigend.

Ein Anhaltspunkt für die nach 250 f. verschlagenen Gedanken könnte sich in der vorhergehenden Rede in 232 geboten haben. Die spätere Überlieferung hat wie in anderen Fällen die Notiz zusammen mit dem haltlosen Vs. 252 hinter der Rede eingereiht und so erhalten. Vielleicht erklären sich einige der oben angeführten Unstimmigkeiten durch das Bestreben, die Verse hinter 249 notdürftig einzugliedern.

Gießen

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ENDURING PROBLEMS OF THE SAMIAN REVOLT

Differences with Miletus over Priene led Samos into trouble with Athens twice in the span of the decade 450–440¹). The first time the settlement imposed by Athens had been mild; the second

64) Eine Binneninterpolation zwischen *ἤμαρτε* und *συγγνώμην* kommt nicht in Frage, da der Chor nach längerer Rthesis konventionell mindestens zwei Verse spricht.

1) Thuc. 1.115; Diod. 12.27; Aelian, VH 2.9; FGH 104 F 16; FGH 324 F 33; FGH 76 F 65; Arist. *Schol. Clouds* 283; *Schol. Peace* 697; Harpocr. *Lexicon in Decem Oratores Atticos*, ed. Dindorf (Oxford, 1853); Isocr. *Antid.* 3; IG¹ 22; 50. All the dates belong to the B. C. period. For a discussion of the Samian chronology see C. W. Fornara, JHS 99 (1979) 7–18; See also M–L No. 55.

time (440/39) the punishment was harsher. Our principal sources regarding the second settlement are Thuc. 1.117.3, Diod. 12.28.3, and Plut. *Per.* 28.1, all of whom mentioned four major conditions which differ in details. Perhaps the most striking piece of information is Diodorus' reference to the punishment of the guilty (*κολάσας τοὺς αἰτίους*) which, if true, is very important because (1) this type of punishment constitutes an obvious departure from earlier cases of capitulation; and (2) it strengthens the historical value of two atrocity stories recorded by Douris of Samos. On the surface at least, Douris' atrocity stories possess an air of reality not only in the light of Diodorus' statement but also in view of the fact that cruelties are an inextricable part of war, and the Greeks were not above practices of the type described by Douris. The purpose of this paper is to evaluate the testimonia pertinent to the capitulation of Samos in 440/39 in the context of earlier capitulations, to analyze the information of Diodorus and Douris, and to test the validity of the atrocity stories in the context of Greek moral conventions. A portion of the argument will revolve around grammatical and syntactical hints of the ancient texts.

II.

For the period before the Persian Wars there are six capitulation treaties, four of them among Greeks and two between Greeks and Persians. My interest here is only in the four treaties agreed upon by the Greek parties. In the first of them the Spartan Cleomenes returned to Athens after the expulsion of the Peisistratids to help Isagoras against Cleisthenes²). The Athenian people, however, under the leadership of the Council besieged Cleomenes and his Athenian allies on the acropolis. On the third day of the siege the Athenians allowed the Spartans along with Isagoras to depart under truce, but they put Isagoras' friends into bonds and left them to die because they considered them traitors³). The punish-

2) Hdt. 5.72; 5.66; 5.73; *Ath. Pol.* 20.3; Arist. *Lys.* 274 and the Scholion; Thuc. 1.126.12; Isocr. *Concerning the Team of Horses* 25; Dion. Hal. 5.1; Meyer, *GdA* 3.740-41; CAH 4,140; How and Wells, *Comm. on Hdt.* 2.39-41. There is much disagreement about the council involved here, but most scholars are inclined to accept the Council of 400. For the other two treaties see Hdt. 3.144; 6.99.

3) W. R. Macan, *Herodotus* (New York, 1973) 216-219. The jury had to decide what constituted treason (Thuc. 1.138.6; 1.7.20-22; Dem. 18.38; 20.79; I.G.1² 114,1.37). One way of inflicting the death penalty was to throw the condemned into a rocky chasm or into the *βάραθρον*. The other method was *ἀποτυμ-*

ment of the Athenian insurgents was harsh but in accordance with the interpretation of Athenian legal practices.

The second capitulation was the result of Miltiades' attack upon the island of Lemnos in 494/3. The Lemnians were asked to surrender on the premise that this surrender was in concert with the pronouncement of the Delphic Oracle. But the people of Myrina, employing what seemed to them a reasonable technicality, refused to comply with Miltiades' request, and Miltiades proceeded to besiege the city and at the end forced her to submit. Miltiades expelled the Lemnians from their island and made the island an Athenian possession. It was not unusual for a city in antiquity to surrender to the mercy of a superior power, and such is the case here. Customarily, surrender was impelled by the hope that mercy would be extended to the capitulating party (Thuc. 3.46.2; 3.59.3), or that only the guilty would be punished (Thuc. 3.36.4; 3.50.1; 4.130.6–7). Miltiades' action, harsh though it might have been, had (on the surface at least) the backing of the Delphic Oracle, and with the "superior" authority behind them the Greeks did not hesitate to resort to stringent measures⁴).

The next capitulation had an unorthodox outcome. Gelon of Syracuse had laid siege to Megara sometimes before 480. The Megaraeans surrendered to him on terms which are not stated. It seems that the wealthy Megaraeans expected to be punished for their opposition to Gelon, but unexpectedly Gelon chose to make them citizens of Syracuse. The fate of the demos, which had no part in the rebellion against Gelon, proved pitiable. Gelon sold the demos into slavery outside of Sicily. The reason behind his action was his belief that the demos was an ungrateful rabble, hard to live with. Had Gelon's decision been dictated by traditional Greek practices the guilty could have been punished while the others should have gone free⁵).

πανσιμός a form of crucifixion used commonly for treason. In this case, the convicted was strapped to a wide wooden plank by means of five iron bands encircling the ankles, wrists, and neck. The plank was then set upright for several days and the victim eventually succumbed to the heat or cold, flies, strangulation. The bodies were usually rejected for burial, remained *ἀταφα*, thus raising the deep religious fear of their kin (*Hell.* 1.70.20; Plat. *Gorg.* 576D–E; Sophocles, *Antigone*; Hdt. 7.133; Eur. *Electra* 1271; Plat. *Rep.* 4.439E; Aesch. *Prom. Bound* 58–59; Arist. *Thesm.* 930–946; 1001–1110; *Hippeis* 1037–1049; *Plut.* 476 & *Schol.*; Dem. 8.61; 9.61; 19.137; Aeschin. 2.181; Lysias 13.56; 65–68; *Ath. Pol.* 45.1; Arist. *Rhet.* 2.5 (1382b); 2.6 (1385a).

4) Hdt. 6.140; Macan, Hdt. 1.395; E. Meyer, GdA 4.1.278 & *Forschungen* 1.16; Beloch. G.G.1.351.

5) Hdt. 7.156; Thuc. 3.36.4.

The scenario in the next capitulation is as follows. Immediately after Plataea Pausanias refused to punish the sons of the philo-Persian Attaginos, judging them innocent of their father's crime. On the other hand, he led those whom the Thebans handed over as guilty for Thebes' medism to Corinth, and after a trial he had them killed⁶).

Though all four of the above treaties are formally capitulations, they differ in nature. The first treaty has a dual character in that it contains an inter-city as well as intra-city settlement. Its intra-city character does not quite fit the usual pattern of capitulation treaties since the losers were considered traitors and were tried under the law of treason. In the second treaty, a purported pronouncement of Apollo was used to justify the harsh punishment imposed upon the Lemnians. The third capitulation is entirely atypical of Greek capitulations, where, as a rule, only the guilty were punished, if any punishment was meted out. In this case Greek conventions were made to stand on their head. Only the fourth capitulation is typical of Greek practices. The limited reprisals are all the more commendable since the Greeks had vowed to punish all the Greek cities guilty of medism (Hdt. 7.132).

III.

There are eight extant capitulation treaties for the period between the Persian and Peloponnesian Wars: six between Athens and her allies, one between Sparta and her helots, and another between Sparta and Phocis. Here they will be treated in their chronological order. The first capitulation took place between Athens and Carystos. No details are stated, but since the ancient authors did not mention reprisals it would be safe to state that no reprisals were applied, although the added fact that the Carystians had fought on the side of the Persians could have been used to justify such reprisals⁷).

The second case is that of Naxos. The Naxians surrendered

6) Hdt. 9.87-88; Macan, *Hdt.* 2.773. The Greeks refused to fulfill their earlier pledge to destroy the Greek cities that had medized, Hdt. 7.132; 145; 172; Lyc. *Against Leocr.* 81; Diod. 11.33.4; Cic. *Rep.* 3.15; Isocr. *Plat.* 30; Meyer, *GdA* 4.1.391.

7) Thuc. 1.98.3; Hdt. 6.99.2; 8.66.2; 112.2; 121; 9.105; Gomme, HCT 1.281-82.

to the Athenians after *three* years of siege⁸). Their dogged resistance must have taxed Athenian patience. Thucydides stated that the punishment consisted in the subversion of the Naxians' freedom (*πρώτη . . . αὕτη πόλις συμμαχίς παρὰ τὸ καθεστηκὸς ἐδουλώθη*). But if in the case of Naxos subversion of an ally's freedom was a "novelty", in the future it was going to become a standard policy of Athens that would gradually convert the alliance into an empire.

About the next settlement we have a little more information. Our two major sources on the capitulation of Thasos generally agree on the details of the settlement. Thucydides mentioned the razing of the wall (*τείχος καθελόντες*), the delivery of ships (*καὶ ναῦς παραδόντες*), the payment of money (*χρηματὰ τε ὅσα ἔδει ἀποδοῦναι αὐτίκα ταξάμενοι καὶ τὸ λοιπὸν φέρειν*), by which Thucydides most probably meant (1) the arrears of three or four years, and (2) the payment of future tribute, although it is not by any means certain that the cost of the Thasian campaign is not included in the money to be paid. Yet a comparison between Thucydides' text here (*χρηματὰ τε . . . ὅσα ἔδει ἀποδοῦναι*) and his text on the Samian settlement (*καὶ χρηματὰ τὰ ἀναλωθέντα ταξάμενοι* 1.117.3) makes it unlikely that indemnity was imposed upon Thasos. Beyond the above stipulations, the Thasians had to abandon their continental possessions.

Plutarch did not mention the razing of the wall but he did refer to the capture of thirty ships which might be the ships referred to by Thucydides. The absence of the article in this locution of Thucydides (a more exact writer than either Diodorus or Plutarch) may indicate that the Thasians were not compelled to surrender all their ships, or tear down all of their wall, brick by brick⁹). Of course, it may be that the use of the article is simply a matter of style not of numbers and that ancient writers were often inconsistent and arbitrary in its use, but the consistent absence of the article in this and the following capitulations leads me to suspect that it is a matter of numbers and not simply a matter of style. Although it is impossible to ascertain if among the ships delivered there were many merchant ships, it is not unlikely that

8) Thuc. 1.98.4; *Schol. Thuc. ad. loc.*; Aristl. *Pol.* 3.8.4; Gomme, HCT 1.282.

9) At the end of the Peloponnesian War, the Spartans demanded from the Athenians as part of the peace price, the tearing down of a *portion* of the wall ten stadia long, Xen. *Hell.* 2.2.15.

many might have been surrendered. Undoubtedly, Thasos, like Naxos, lost her independence (*παρὰ τὸ καθεστηκὸς ἐδουλώθη*), but Thucydides, economical as ever, did not feel compelled to repeat the loss of an ally's independence; it was nothing new by now¹⁰).

An interesting feature of the Thasian incident is the promise of the Spartans to aid the Thasians. Evidently, Thucydides believed that the Spartans would have gone to the Thasians' aid (*ἔμελλον*, Thuc. 1.101.2) were it not for the unexpected intervention of the earthquake that occurred at this time. The Peloponnesians (at least several of them) seemed to have believed that their ships could reach the rebel cities and were willing to try it in the Samian Revolt but were thwarted by the negative vote of Corinth (Thuc. 1.40.5). How such an enterprise could be successful in view of the Athenian control of the seas Thucydides did not explain, but the examples of Salaethus and Alcidas who managed to elude the Athenian watch and reach Mytilene and Asia Minor (Thuc. 3.25.1; 3.26.1 ff.) point out that it could be done. Had Alcidas possessed the required courage and the prudence a good commander should have had, the outcome of the Mytilenaeen rebellion might have been different.

The insurgency of the helots that followed the earthquake ended also with a capitulation. After a stubborn resistance the helots were allowed to leave the Peloponnese on the stipulation that they would never return. The Spartans knew that the departing helots were apt to become pawns in the hands of the Athenians, but they nevertheless let them go, with the express exhortation of the Delphic Oracle¹¹).

10) Gomme, HCT 1.299–300; J. Pouilloux, *Recherches sur l'histoire et les cultes de Thasos*, 1 (1954) 61; 74; F. Chamoux, REG, 72 (1959) 348–369; Busolt, G.G.3.1.203–204; E. Meyer, GdA, 3.535; Beloch, G.G. 2.2.1.149; H. Bengtson, *Verträge des Altertums*, 2 (Munich, 1962) no. 135. In citing the senseless conduct of Alcidas at Anae (Thuc. 3.32.1), Thucydides describes the killing of the prisoners thusly:

ἄρας δὲ ἐκ τοῦ Ἐμβάτου παρέπλει, καὶ προσσχῶν Μυοννήσῳ τῇ Τήϊων τοὺς αἰχμαλώτους οὓς κατὰ πλοῦν εἰλήφει ἀπέσφαξε τοὺς πολλοὺς.

Had he not added *τοὺς πολλοὺς* at the end, he would have given the impression that Alcidas murdered all the prisoners. Further down he is equally careful: *ὄρωντες γὰρ τὰς ναῦς οἱ ἀνθρωποὶ οὐκ ἔφευγον, ἀλλὰ προσεχώρουν μᾶλλον ὡς Ἀττικαῖς καὶ ἐλπίδα οὐδὲ τὴν ἐλαχίστην εἶχον μὴ ποτε Ἀθηναίων τῆς θαλάσσης κρατούντων ναῦς Πελοποννησίων ἐς Ἰωνίαν παραβαλεῖν.* Thuc. 3.32.3. With *τὰς ναῦς* Thuc. refers to the ships (all the ships) of Alcidas, while with the use of the *ναῦς* without the article he means any ships or simply ships.

11) Thuc. 1.103.1; Diod. 11.84.8; Paus. 4.24.7; G. Klaffenbach, *Historia* 1

A few years after the helot insurrection the Spartans campaigned in Phocis (457 B.C.). The Phocians had attacked several cities of Doris and had captured one of the cities (Thuc. 1.107.2). Whereupon the Lacedaemonians sent Nicomedes, the regent of Pleistonax, with a force consisting of 1500 Lacedaemonian hoplites and 10,000 allies against Phocis. Nicomedes forced the Phocians to capitulate (*ὁμολογία ἀναγκάσαντες*), and having restored the captured city to her former freedom, he returned home. Here, as in the cases above, no penalties are mentioned by Thucydides, probably because none was inflicted¹²).

At about the time the Lacedaemonians sent a force to Doris, the Aeginetans were compelled to surrender to Athens. There is very little information about the treaty between Athens and Aegina except that after nine months of siege the Aeginetans received terms similar to those of Naxos and Thasos (*τείχη τε περιελόντες καὶ ναῦς παραδόντες φόρον τε ταξάμενοι ἔς τὸν ἔπειτα χρόνον*, Thuc. 1.108.5).

The Aeginetans had to raze their wall, "deliver ships" (*ναῦς παραδόντες*), and henceforth pay taxes. Again Thucydides was not specific about the number of ships, while Diodorus gave us the number as seventy¹³). The absence of the article once again from Thucydides may be interpreted to mean that all, a few, or most of the Aeginetan ships were surrendered, though it is likely that all the warships were given up. If indeed all the ships were delivered, Thucydides could have been more specific by saying that the Aeginetans (also the Naxians or Thasians) had to deliver *ἀπάσας τὰς ναῦς* or *ἀπάσας τὰς ναῦς αὐτῶν* or *τὰς ναῦς αὐτῶν* etc. There is nothing substantially novel in the terms imposed upon Aegina except that the episode was important enough to warrant a citation since it would thereafter constitute a sore point in the relations between Athens and Sparta (Thuc. 2.27.1).

The last capitulation treaty before Samos took place between Athens and Euboea. In 446 the Athenians crossed over into the island and subdued a widely spread revolt¹⁴). According to the

(1950) 321 ff.; Gomme, HCT 1.401–405; D. M. Lewis, *Historia* 2 (1953/54) 412 ff.; J. Scharf, *Historia* 3 (1954/55) 153; N. G. L. Hammond, *Historia* 4 (1955) 371 ff.; R. Sealey, *Historia* 6 (1957) 368 ff.; Bengtson, *Verträge*, no. 138; Diod. 11.70.2; 11.78.4.

12) Strabo, 9.4.10, p. 427; 10.4.6, p. 476; Gomme, HCT 1, 313–14.

13) Diod. 11.70.2; 11.78.4.

14) Thuc. 1.114.3; Diod. 12.7; Plut. *Per.* 2.3.2; Gomme, HCT 1.340–347; Arist. *Schol. Clouds* 213; Diod. 12.22 gives the number of settlers as 1,000, while Theop. FGH 115 F 387 (Strabo 10.1.3 p. 445) as 2,000; W. R. Connor, *Theop. and*

settlement, the cities of Euboea were to remain “autonomous” members of the Athenian League but controlled by Athens more extensively than before (I.G.1²39,11.70–76). Although internally free, they had to refer to Athens cases that affected their relations with the empire. Chalcis was to remain loyal and pay such tribute as was to be agreed upon. An Athenian garrison was to stay in Euboea, at least for a while, and the Athenians were to hold some hostages until a final agreement (*διαλλαγή*) had been reached.

All the sources agree that the Hestiaeans were expelled from their land, though only Plutarch provided a reason for their expulsion. Plutarch further added that the rich land-owners of Chalcis were also expelled. Though the Hestiaeans had killed an Athenian crew, the Athenians did not reciprocate with the death penalty, Athenian law notwithstanding (*Hell.*1.7.20–22). No one of our ancient sources cited a death penalty for any of the Hestiaeans, including those directly implicated in the execution of the Athenian crew. This fact is important in the analysis of the evidence regarding the Samian revolt since, at first sight, some of our information about the Samian capitulation seems to point to the application of the death penalty. Were this correct, it would be the first instance that execution was applied in the revolts of the Pentecontaetia, especially where Athens was involved¹⁵).

The primary sources for the Samian imbroglio are Thucydides, Diodorus, and Plutarch¹⁶). All three agree that the Samians

Fifth Cent. Athens (Cambr. Mass, 1968) 43–44, and note 60; I.G.1² 39 (Tod, 42); I.G.1² 40/41; Aelian, VH 6.1; ATL, 2D17 (plate 10); E. Schweigert, *Hesperia* 4 (1937) 317; H. B. Mattingly, JHS 81 (1967) 124–132; R. Meiggs, *The Ath. Emp.* (Oxford, 1972) 178; R. Meiggs and D. M. Lewis, *A Selection of Greek Hist. Inscr. to the End of the Fifth Cent.* (Oxford, 1969) no. 52; Andoc. 3.9; Aesch. 2.175; Dem. 20.115. For some of the problems about the activity of the Athenians in Euboea see also C. W. Fornara, *Calif. Studies in Class. Ant.* 10 (1977), pp. 39–55.

15) The first instance where death was explicitly mentioned was the capitulation of Epidamnus in 435 B. C., but even there death was limited to the *ἐπὶ ἡλυδες*. The practice was contrary to the unformulated principles of the Greeks that required mercy for the defeated. It is not surprising therefore that Thucydides referred briefly to the event and that he chose later the Corcyraean revolt to write a commentary on the general demoralization of the Greek traditions. The Athenians had deprived their allies of their autonomy but did not employ death as a calculated instrument of foreign policy till the capitulation of Mytilene, Thuc. 1.29.5; 3.59.1; 3.59.3; Gomme, HCT 1.164; D. Kagan, *The Outbreak of the Pelop. War* (Ithaca, 1969) 202–203. The *ἐπὶ ἡλυδες* were Greeks, Ambraciots and Leucadians, Thuc. 1.26.1.

16) Thuc. 1.117.3; Diod. 12.28.3; Plut. *Per.* 28.1; Diodorus gives two hundred talents. This figure is too low, Gomme, HCT 1.353; Busolt, G. G. 3.1.549; B. D. Merritt, *Athen. Financ. Documents* (Ann Arbor, 1932) 48–56; Bengtson, *Verträge*, no. 159.

had to raze their wall. Thucydides and Diodorus recorded the Samian obligation to pay for the expenses of the siege, but none of the three said anything about tribute. Thucydides and Plutarch cited the delivery of hostages, while Diodorus mentioned the re-establishment of the democracy. Furthermore, the Samians were compelled to give up their possessions in Asia Minor along with the island of Amorgos¹⁷). They were also forced to “deliver ships” (*ναῦς παραδόντες*), for again Thucydides did not use the article, while Diodorus (*παρείλετο δὲ τὰς ναῦς αὐτῶν*) and Plutarch (*καὶ τὰς ναῦς παρέλαβε*) give the impression that all the ships were delivered. The existence of a discrepancy between Thucydides and the other two is possible if the interpretation I have suggested, based on the absence of the article, is correct. While Samos must have forfeited all her warships, it could be that the Samians were left several merchant ships. Ships were vital to the economic vitality of the island, and if Samos had to pay an indemnity and future tribute one of her resources would be trade for which she needed ships. Diodorus 28.3 and Plutarch *Per.* 27.3–4 say also that wonderful new siege-engines were used for the first time by the Athenians against Samos, although Thucydides’ account suggests nothing about new engines. Gomme rejects the story as false and there is a similar possibility that Diodorus and Plutarch were not stating the matter of the ships correctly¹⁸).

The novel features in the Samian settlement are (1) the obligation to pay an indemnity, and (2) Diodorus’ reference to the *κολασμός* of the *αἵτιοι*. As it was explained at the beginning, this strengthens Douris’ credibility, at least on the surface. On probabilistic grounds, it is easy to believe that Pericles ordered a few (dozen) ringleaders executed¹⁹). Hence Douris may not be lying,

17) Gomme, HCT 1.356; ATL 1.456; Busolt, G. G. 3.1.553.

18) Gomme, HCT 1.354.

19) R. Meiggs, *The Ath. Emp.* 192 views Plutarch’s rejection of Douris’ atrocity story with benign skepticism and is inclined, certainly from the standpoint of probability, to believe the essentials of Douris’ story. Meiggs feels that the reasons given by Plutarch are not sufficient: Plutarch’s reference to the absence of the story in Ephorus does not constitute a case against the veracity of the story because Ephorus was “notoriously partial to Athens”. Aristotle, on the other hand, whom Plutarch also mentions, could not be expected to include the story in his brief discussion of the Samian constitution. Finally, one should not expect such a story in Thucydides’ compact history. Thucydides studiously avoided anecdotes and subsidiary details. Meiggs finds it logical for the Athenians to have been exasperated by the revolt and its long duration (the revolt of Thasos had lasted three years) and to have resorted to excesses.

as Plutarch seemed to think, when he stated that Pericles and the Athenians seized the trierarchs and the marines (*τοὺς τριηράρχους καὶ τοὺς ἐπιβάτας*) of the Samians, took them to the market place, bound them to posts for *ten* days, and that after ten days Pericles ordered that they be clubbed to death and their bodies be cast away to remain unburied.

Δούρις δ' ὁ Σάμιος τούτοις ἐπιτραγωθεῖ πολλὴν ὀμότητα τῶν Ἀθηναίων καὶ τοῦ Περικλέους κατηγορῶν, ἦν οὔτε Θουκυδίδης ἰστόρηκεν οὔτ' Ἐφορος οὔτ' Ἀριστοτέλης· ἀλλ' οὐδ' ἀληθεύειν ἔοικεν, ὡς ἄρα τοὺς τριηράρχους καὶ τοὺς ἐπιβάτας τῶν Σαμίων εἰς τὴν Μιλησίων ἀγορὰν καταγαγὼν καὶ σανίσι προσδήσας ἐφ' ἡμέρας δέκα κακῶς ἤδη διακειμένους προσέταξεν ἀνελεῖν, ξύλοις τὰς κεφαλὰς συγκόψαντας, εἶτα προβαλεῖν ἀκήδευτα τὰ σώματα. Δούρις μὲν οὖν οὐδ' ὅπου μηδὲν αὐτῷ πρόσεστιν ἴδιον πάθος εἰωθῶς κρατεῖν τὴν δῆγῃσιν ἐπὶ τῆς ἀληθείας, μᾶλλον ἔοικεν ἐνταῦθα δεινῶσαι τὰς τῆς πατρίδος συμφορὰς ἐπὶ διαβολῇ τῶν Ἀθηναίων²⁰).

A closer look at the problems connected with Douris' story reveals several difficulties. The first of them has to do with the silence of the ancient sources. Plutarch had in front of him a great deal of ancient material, most of which is not extant²¹), but as

20) Plut. *Per.* 28.1–3; FGH, 76 F 67. See also P. Ducrey, *Le traitement des prisonniers de guerre dans la Grèce antique* (Paris, 1968) 211–212; Hesych s. v. *τυμπανίζεταί*· ἰσχυρῶς τύπτεται; K. Latte, *Todesstrafe*, RE, suppl. 7 (1940) 1599–1619; and the incident with Artayctes mentioned in Hdt. 9.120 which, however, happened under different circumstances and deals with a Persian; A. Keramopoulos, *Ὁ Ἀποτυμπανισμός* (Athens 1923); L. Gernet “Sur l'exécution capitale,” REG 37 (1924) 261–79; Lycurgos, *Against Leocr.* 121; Dinarch. 1.62; Plut. *Arist.* 3; *Them.* 2; *Schol. Arist. Plut.* 431; I. Barkan, *Capit. Punishment in Ancient Athens* (Chicago, 1936) 54–62; Bonner, R. J. & Smith, G., *Administration of Justice from Homer to Aristotle*, 2 (Chicago, 1930–38) 274–79; P. Cloché, “Le Conseil Athénien des cinq cents e la peine de mort,” REG 33 (1920) 1–50; D. MacDowell, *Athenian Homicide Law in the Age of the Orators* (New York, 1963) 111–112. By the end of the century death by poison and hemlock had replaced the use of βράσθρον, although the use of the pit was still allowed when authorized by special decree: Lyc. 1.121; Dinarch 1.62; R. Bonner, “The Use of Hemlock for Capital Punishment”, HSCP, Suppl. 1 (1940) 299–300.

21) For the sources used by Plutarch for his biographies see E. Meinhardt, *Perikles bei Plutarch* (Diss., Frankfurt a. M. 1957) 21. In his life of Pericles, Plutarch names the following sources: Thucydides (in 9.1; 15.3; 28.1; 6.3), Ion (5.3; 28.5), Stesimbrotus (8.6; 13.11; 26.1), Cratinus (3.3; 13.5; 24.6), Telecleides (3.4; 16.2), Hermippus (32.1; 33.7), Eupolis (3.4; 24.6), Platon (4.2), Aristophanes (26.4; 30.3). Several of the above wrote about the events of the Fifth Century in a

Plutarch pointed out, no other writer cited the story of Douris. If Pericles had indeed issued the order for the crucifixion and the interdict against the burial, it is unusual that authors like Ion, Stesimbrotus, and Idomeneus failed to hear of it or record it.

Furthermore, the statement of Douris as cited by Plutarch is somewhat puzzling. It speaks of *τοὺς τριηράρχους καὶ τοὺς ἐπιβάτας*. As in the case of the *ναῦς* and *τὰς ναῦς* argued above the presence of the article gives the impression that all the trierarchs and marines were put to death, unless the article signifies a determinate number (either in Douris or Plutarch) which Plutarch failed to clarify. Thus, if *all* the trierarchs and marines of the Samians are meant here (the genitive *τῶν Σαμίων* that follows is definitely possessive) logically the interpretation would not stand; for if all the trierarchs and marines (the most important elements of the Samian navy) had been killed it would have been tantamount to a general massacre that would have numbed the Samians and would have put an end to the revolt, much like the massacre of Lysander at Aigospotamoi. Had such a massacre occurred, Thucydides and other writers would not have failed to mention it. The same thing would be true if one were to associate Diodorus' *κολάσας τοὺς αἰτίους* with Douris' story.

Internally Douris' story presents several weaknesses since it is unlikely that the trierarchs and marines could have survived this form of crucifixion for *ten* days, particularly without food and water. In addition, the order against burial would have aroused panhellenic resentment because it constituted a violation of traditional Greek burial practices, especially when no sacrilege seemed to have been committed. Exceptions to the *κοινὰ νόμιμα τῶν Ἑλλήνων* were "justified" on the grounds of sacrilege against the gods or treason against the state²²). In light of these Greek moral

very caustic style (Ion of Chios, Stesimbrotus) but did not mention the story of Douris as one would expect. Plutarch, in his life of Pericles, refers briefly to other authors who lived in the Hellenistic and Roman times, e.g. Douris of Samos (c. 340–260 B.C.), Eratosthenes (Cic. *ad. Att.* 1.18), Diod. 20.43.7. For some of the problems connected with early historiographical writing see F. Schachermeyr, *Stesimbrotus und seine Schrift über die Staatsmänner* (Vienna, 1965) 1–23; K. Meister, *Historia* 27 (1978) 274–294.

22) Aesch. *Against Ctesiphon* 107; Plut. *Solon* 11; Strabo 9.418; Diod. 9.16; Paus. 2.9.6. The Athenians under Xanthippus at Sestos captured the Persian Artayctes and crucified him at the insistence of the local people. The punishment was harsh; but Artayctes had repeatedly committed sacrilege, and the penalty for such offenses was frequently death (Hdt. 9.116.120).

scruples about burial, Pericles and the Athenians could ill afford to resort to such excesses.

Judging from the policies of the Pentecontaetia, it had not been customary for Athens to treat the insurgents as traitors; nor had it been customary for Athens to resort to mass executions in instances of allied rebellions. Moreover, there was no mention in the preceding capitulations of executions of the *αἴτιοι*. Thus the killing of the Samian *αἴτιοι* would have been a "novel" policy which Thucydides was bound to mention. When Cleon proposed a policy of calculated murder as a deterrent, Thucydides informed us that the Athenians were afflicted by pangs of conscience²³). Diodorus' counsel prevailed and the Mytilenaeans were spared, but the *αἰπιώτατοι*, whom Paches had sent to Athens, were executed. Perhaps because the number of the *αἰπιώτατοι* was high, Thucydides explained that the person chiefly responsible for their execution was the *βιαιώτατος* Cleon (Thuc. 3.50.1). Lastly, as the case of Hestiaea demonstrates, the Athenians did not make it a practice to answer murder with murder.

The "supportive" statement of Diodorus, *κολάσας τοὺς αἰτίους*, presents also some problems. The term *κολάσας* in Thucydides (unfortunately Herodotus did not use it) did not always mean punishment by death²⁴). It would have been helpful to know Diodorus' source in order to analyze the meaning of the participle in its original context. Since Plutarch stated that Ephorus did not include a reference to a death penalty in the Samian Revolt, we can safely infer that Diodorus did not borrow this information from Ephorus. From the usage of the term in Thucydides it might not be unsafe to assert that Diodorus might *not* have meant death by *κολάσας*. Furthermore, he might have confused statements such as made by the Corinthians in Thucydides (Thuc. 1.40.50; 1.41.2). But this too shall remain a mystery. One thing is certain; it cannot be safely assumed that the participle here means punishment by death. Probably Diodorus is either careless or confused. The intriguing element is that Plutarch referred to Douris as the *sole* source for the atrocity story. This means that Plutarch did not believe that Diodorus alluded to executions by

23) Thuc. 3.36.4 and *Schol.* 3.38.4. *διὰ τοῦ κολακεύειν καὶ λέγειν ὅτι οὐ πρέπει Ἀθηναίους ὄντας ὑμᾶς κατασκάπτειν τὰς πόλεις.*

24) Thuc. 1.40.5; 1.43.1; 2.74.3; 3.46.4; 8.40.2 do not necessarily imply death. Thuc. 1.135.2; 2.87.9; 3.39.6; 3.40.4; 3.40.8; 3.46.6; 3.52.2; 6.52.2; 6.38.4; 7.68.3 almost certainly imply death.

the term *κολάσας*. Had he suspected that Diodorus meant executions, Plutarch would not have been so emphatic about Douris as the sole source of the atrocity story, or he would have delineated between executions and the atrocities. Although Plutarch does not specifically refer to Diodorus at this point, Plutarch was familiar with Diodorus' writings (see fn. 21).

The story of Douris as it now stands and the probability that Pericles had ordered the death of the trierarchs and marines do not seem to stand up to criticism. No death penalties even for the *αἵτιοι* have been recorded in previous cases, and if this does not preclude executions in the Samian capitulation, it does not confirm it either. The fact that none of the ancient writers mentioned death penalties in Samos tends to corroborate Plutarch's suspicions of Douris' story²⁵). Were we to accept that Thucydides and later writers usually dealt with death or atrocities as a matter-of-course and then only with executions imposed on whole city-states, it would still be difficult to believe that authors like Ion, Stesimbrotus, and Idomeneus could have omitted the story²⁶). But I do not subscribe to the matter-of-course theory for Thucydides. Not only does he report representative cases of wholesale cruelties, but he also mentions limited and individual cases of senseless killing like the murder of the Athenian merchants and the Athenian revenge on the ambassadors (Thuc. 2.67.4), the death of Salaethus (Thuc. 3.36.1), the cheap sophistic trick of Paches at the expense of Hippias (Thuc. 3.34.3), and the cruel and senseless conduct of Alcidas (Thuc. 3.32.1).

Were we to postulate the truthfulness of Douris' story, the question would still remain, "Where did Douris borrow it?" We are thus faced with a story which on the one hand has internal logic, while on the other it has, if not overwhelming evidence against it, at least a significant lack of reliable testimony in support of it and Greek moral practices against it. Yet, though the story does not seem to fit the events of 440/39, it may still contain a kernel of truth.

25) Idomeneus, for example, recorded the story that Pericles murdered Ephialtes (*Per.* 10.6), and Stesimbrotus the purported incest of Pericles with his son's wife (*Per.* 13.11). Neither said anything about Douris' atrocity story, for otherwise Plutarch would have known it.

26) Stesimbrotus the Thasian did not mention any cruelties at Thasos, though the Thasian siege lasted three years and the Thasians proved most recalcitrant than the Samians, Polyæn 2.33.

Late Greek history-writers have frequently been charged with the “crime” of mendacity and/or careless conflation. It is possible that Douris is guilty of the crime of conflation. In 412 there occurred in Samos a revolt of the demos against the nobles (Thuc. 8.21). In this revolt the commons were assisted by the Athenians who happened to be in Samos on board three ships. Thucydides explained that the Samian demos slew about two hundred of the nobles – a high number even for a large island like Samos – and exiled four hundred; their property was then distributed among the people. Athens was satisfied with the outcome of the revolt and granted the Samians their autonomy, which they had been deprived of in 440/39. The trierarchs and marines involved in the story of Douris would be mostly oligarchs, to use Meiggs’ term²⁷⁾, therefore well-to-do, anti-Athenian Samians identical to the slain nobles in the 412 revolt. Two hundred slain is a high enough number to be characterized as a massacre. Since the Athenians present in Samos helped in the revolt, it is natural that the Samian aristocratic tradition would ascribe to Athens the blame for the events of 440/39 and 412. Time and imagination combined to confuse some details and sensationalize others. “Pericles and the Athenians” became the main culprits of this process.

Some of the victims of 412 might have been crucified and after a day or two clubbed to death. A few Athenians might have even participated directly in the execution of a few of the victims. After a hundred years Douris recorded the history of the revolt(s) as it had survived in the local tradition. Consequently, both Douris and Plutarch might be partially right and partially wrong. The casting out of the bodies to rot without burial may be true. Civil wars normally arouse deep and ugly hatreds that manifest themselves in the worst form of bestiality. The examples of Eteocles and Polynices, the insurgency of Isagoras, and above all the penetrating description by Thucydides of the Corcyraean *στάσις* leave no doubt about this ugly side of human nature. If Thucydides did not give us a detailed picture of the events of the Samian revolution this is undoubtedly due to his implicit objective not to generalize twice about similar episodes.

27) Meiggs, *Ath. Emp.* 188, 192. The term “oligarch” may not be entirely felicitous. Not all the well-to-do Samians would have been anti-Athenian oligarchs nor all the democrats pro-Athenian. But in the absence of statistics and in view of the fact that the Athenians supported democracies, while Athen’s opponents were dubbed oligarchs, the term may be accepted in a loose sense.

IV.

Douris' other story about the branding of the prisoners was also doubted by Plutarch, but unlike the crucifixion, whose only source was Douris, the origins of the branding story go back to the Fifth Century²⁸). According to the story the Athenians branded the Samian captives of war with an owl, while the Samians reciprocated with the Samaena²⁹).

Οἱ δὲ Σάμιοι τοὺς αἰχμαλώτους τῶν Ἀθηναίων ἀνθυβρίζοντες ἔστιζον εἰς τὸ μέτωπον γλαῦκας· καὶ γὰρ ἐκείνους οἱ Ἀθηναῖοι σάμαιναν. ἡ δὲ σάμαινα ναῦς ἐστὶν ὑπόπρωρος μὲν τὸ σίμωμα, κοιλοτέρα δὲ καὶ γαστροειδής, ὥστε καὶ ποντοπορεῖν καὶ ταχυναυτεῖν. οὕτω δ' ὠνομάσθη διὰ τὸ πρῶτον ἐν Σάμῳ φανῆναι, Πολυκράτους τυράννου κατασκευάσαντος. πρὸς ταῦτα τὰ στίγματα λέγουσι καὶ τὸ Ἀριστοφάνειον ἠνίχθαι·

Σαμίων ὁ δῆμὸς ἐστὶν ὡς πολυγράμματος.

Unfortunately, the early origins of the story do not render its authenticity certain, since it is not clear what Aristophanes' joke meant, or whether Aristophanes associated it with the Samian Revolt of 440/39. There are at least two difficulties. The first is related to the temporal distance between the Samian Revolt and the production of the *Babylonians* where the pun was made. Most jokes have a limited time value unless they become proverbial. But let us suppose that the joke was associated with the revolt and that it did become proverbial; that still would not tell us much about the seriousness of the incident. A good example of this problem is Aristophanes' quip about Aspasia as the cause of the Samian and Peloponnesian wars³⁰). No serious scholar would believe that Aspasia was the cause of either war. Nevertheless, the reference demonstrates the wide circulation of the story of Aspasia's meddling at Athens (otherwise Aristophanes would not have used it) and its probable acceptance by many Athenians. Thucydides justifiably ignored such gossip, and since he also said nothing about the branding incident, it could not have been much of anything.

28) Kock, *Att. Com. Frg.* 1,408; *Plut. Per.* 26.4; *FGH* 76 F 66.

29) *Plut. Per.* 26.3-4.

30) *Arist. Acharn.* 523-29; *Plut. Per.* 24; *Harpocr.* s. v. *Aspasia* (*FGH* 76 F 65).

The historical complexities of the branding story are compounded by interpretational questions. As Meinhardt has pointed out, Plutarch usually named the authors whose statements he wished to confirm or refute. Otherwise he employed general terms like *οἱ πλείστοι λέγουσι* (*Per.* 4.1; 26.1), *ἔνιοι δὲ φασι* (*Per.* 10.4; 31.5), *ἔνιοι ἱστορήκασιν* (*Per.* 23.1), when he did not consider the story important or did not wish to belabor it. In the case of the branding Plutarch used the general *λέγουσι* (*Per.* 26.4) instead of *οἱ πλείστοι λέγουσι*, *ἔνιοι* or *τινές*. This may be coincidental, or more probably, a concession on Plutarch's part to a long tradition he regarded with skepticism³¹).

Still another problem stems from Plutarch's statement, *τοὺς ληφθέντας ἐν πολέμῳ Σαμίους ἔστιζον γλανκί, Σάμιοι δὲ τῇ Σαμαίνῃ*. The use of the article gives the impression that *all* the Samian captives were branded, not simply *ἔνιοι*, *τινές*, or even *οἱ πλείστοι*. The same is true about *τοὺς αἰχμαλώτους τῶν Ἀθηναίων* (*Per.* 26.4). Although not impossible, it is rather difficult to believe that *all* the Athenian prisoners were branded and that Thucydides, Ephorus or even Ion, Stesimbrotus, Idomeneus and Theopompus did not mention it. Clearly, Plutarch is careless here.

A way out of some of these complexities may be contained in the contextual position of Plutarch's statement. The story appears at the point where the Athenians had been defeated by the Samians after the withdrawal of an Athenian squadron under Pericles (*Per.* 26.3; *Thuc.* 1.116.7). The reference may have been intended to imply that only those Athenians captured at this battle were branded as a reprisal for an earlier branding by the Athenians³²). As a matter of fact, the paragraph beginning with *οἱ δὲ Σάμιοι τὸ ὡς πολυγράμματος* (*Per.* 26.3) seems somewhat out of place as if something preceding it is missing. Plutarch, for instance, used *ἀνθυβρίζοντες* without the prior existence of *ὑβρίζοντες* and proceeded to reverse the order of the branding story, a clear case of *συμφυρομός*³³). In this mass of confusion two things seem to be clear: (1) the branding incident was not sufficiently important to

31) W. Buchner, *Chiron* 4 (1974) 91–99 has pointed out that we often take Aristophanes too seriously, and that we read too much in him which, on closer scrutiny, is not there.

32) Aelian speaks of an Athenian *psephisma*. Aelian is often wrong on such details (VH 2.9; Gomme, HCT 1.355). Had it been a *psephisma*, Plutarch would have found it in Craterus.

33) See note 29 above.

be mentioned by Thucydides, and (2) it was not associated with Pericles' activities, otherwise Ion, Stesimbrotus, and Idomeneus would have mentioned it.

V.

To sum up. If what I have discussed here is correct, no executions were cited in the capitulation settlements among Greeks prior to the Persian Wars, except in the case of treason. During the Pentecontaetia there is no mention of death penalties even for the *ἀπαιτοι* of apostasies from Athens until the Mytilenae-an Revolt. It is also very possible that the Athenians allowed the rebel states to keep some of their ships. The consistent absence of the article from Thucydides' text or the absence of other explanatory statements such as *ἀπάσας τὰς ναῦς αὐτῶν* seems to support this hypothesis.

The elements of Douris' story about the mass execution of the trierarchs and marines have no evidential support other than Douris and do not seem to be applicable in the Samian Revolt of 440/39. They fit, however, very well in the revolt of 412. Douris must have carelessly conflated the two events, attributing the massacre to Pericles and the Athenians in 440/39. But no other writer mentioned such a "holocaust" for 440/39, and Plutarch was right in rejecting the story.

Something is definitely amiss with the second story. Plutarch did not believe it and in the manner he quotes it the story lacks internal logic because it gives the impression that all the Athenian and Samian captives were branded. If this were true, Thucydides and others would have mentioned it. The *συμφυρημός* in Plutarch complicates further his confused quotation. Thus as matters stand, it is impossible to determine the truth of the story. In view of that, it is better if, along with Plutarch, we are skeptical about the branding story.