

RULES FOR THE RECEPTION OF EXILES IN THE TREATY BETWEEN SINOPE AND HERACLEA PONTICA (I.SINOPE 1)*

ABSTRACT

This article analyses a clause of the alliance treaty between Sinope and Heraclea Pontica concerning the exiles of both cities (I.Sinope 1, lines 8–15). The clause in question states that the exiles may remain in the cities (ἐν ταῖς πόλεσι διατελεῖν) on condition that they do not commit any crimes and prescribes the measures to be taken should this occur. After explaining the content of the treaty, the existing interpretative proposals on the clause are discussed and the hypothesis that the cities in question are Sinope and Heraclea is put forward; some examples of treaties showing a similar concern to regulate the issue of exiles are adduced. Lastly, considerations are offered as to the reasons that led Sinope and Heraclea to introduce such a treaty clause.

Keywords: *symmachia*; Sinope; Heraclea Pontica; exiles; diplomacy; ancient Greece

1.

In 2004 French published a notable inscription concerning the conclusion of a bilateral agreement between the cities of Sinope and Heraclea Pontica. Despite the intrinsic interest of the document, it has received little attention so far.¹ The inscription opens with a clarification of the nature of the pact, qualified as an oath and an alliance (τὸ ὄρκιον καὶ τὴν συμμαχίην ἐποίησα[ν], line 1) with a mainly defensive character. At first the contracting parties are presented: on the one hand the city of Sinope, which identifies itself as Σινωπεῖς, and on the other the city of Heraclea Pontica, represented by the dynasty of tyrants ruling it, Satyrus and the sons of Clearchus.

The difference in the way in which the parties presented themselves depended on the governments in office in the cities: while Heraclea was ruled by a hereditary tyranny, Sinope was a democracy.² In the case of Heraclea, the joint mention of Satyrus and the sons of Clearchus constitutes a decisive element for dating the document. The treaty should have been concluded after the death of Clearchus and during the regency of his brother Satyrus over Heraclea (353/2–346/5 B.C.), owing to the underage status of Clearchus' sons, Timotheus and Dionysius.³ The text of the treaty is made up as follows: the presentation of the contracting parties is followed by a series of hypothetical

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¹ Mention should be made—subsequent to the edition of D. French, *The Inscriptions of Sinope* (Bonn, 2004)—of the contributions of N.V. Jefremow, 'Договор о симмахии между Синопой и Гераклеей Понтийской (попытка исторической интерпретации)', *Voprosy Epigrafiki* 1 (2006), 78–105; C. Barat, 'Relations et solidarités entre les cités grecques de la côte sud de la mer Noire (VIIe–IIIe s. av. J.-C.)', *Pallas* 89 (2012), 217–44, at 226–8; S. Gallotta, 'Riflessioni sull'alleanza tra Sinope, Eraclea Pontica e i Persiani', *RDE* 7 (2017), 217–24.

² Cf. C. Marek, 'Asia Minor', in B. Jacobs and R. Rollinger (edd.), *A Companion to the Achaemenid Persian Empire, Volume II* (Hoboken, NJ, 2021), 935–50, at 939.

³ French (n. 1), 4.

subordinates, whereby the parties undertake to assist each other with all their might in the event of an attack against the cities and their respective territories (lines 2–8); the regulation of a particular case in which the aggressor claims to be acting on behalf of Persia and for which the parties arrange for ambassadors to be sent to the Persian king to verify the validity of the declaration (8–15); instructions on the payment of military contingents (15–18); provisions concerning the exiles from Sinope and Heraclea (18–23); the possibility of including in the alliance Cromna and Sesamus (23–4);⁴ the procedures to be followed in the event that the cities have to repel attempts to subvert the established order, with annexed indications on the age of the conscription of the troops employed in the defence (25–32);⁵ information on possible amendments to the text of the agreement (32–3).

The treaty was inspired by the common fear of Sinope's and Heraclea Pontica's governments of falling victim to external aggression, as much as by an awareness of the existence of internal threats. Recent studies have clarified the identity of the threats that the cities of Pontus were attempting to counter. The enemy was the same and the conditions in which Sinope and Heraclea found themselves were similar, essentially two free cities which were not subject to Persia but which recognized its influence.⁶ The reasons why the two cities formally allied themselves for the first time in their history can be traced to the climate of insecurity in the Black Sea region following the so-called revolt of the satraps.⁷ Previously, Sinope and Heraclea had acted in concert when they placed ships at the disposal of Greek mercenaries in order to induce them to leave their territory as soon as possible, but it is hard to recognize a formal alliance in this decision.⁸ Besides, it cannot be ruled out that, in the case of Heraclea, the desire to strengthen the shaky tyranny after the violent death of its founder through an alliance with a powerful neighbouring city may have played a part.⁹ While the meaning of the document as a whole is clear enough, two clauses concerning the treatment of exiles (18–23) deserve careful examination. The first clause concerns the possibility for the exiles from Sinope and Heraclea to remain in the cities where they took refuge as long as they do not commit crimes (18–20). The second clause offers guidance in the event that exiles commit crimes in the host cities and stipulates that the parties must send ambassadors into the city that shelters them to order their expulsion; it probably alludes to decrees to be issued by both parties to dispatch expulsion decisions (22–3);¹⁰ it specifies that this provision is valid from the moment the treaty enters into force (20–3).

⁴ Sesamus was one of the four *poleis* or *katoikiai* (with Tieion, Cromna and Kyturus) that joined to form Amastris in the early third century B.C. Cf. A. Avram, J. Hind and G. Tsatskheladze, 'The Black Sea area', in M.H. Hansen and T.H. Nielsen (edd.), *An Inventory of Archaic and Classical Poleis: An Investigation Conducted by the Copenhagen Polis Centre for the Danish National Research Foundation* (Oxford and New York, 2004), 924–73, at 925–6; G.R. Tsatskheladze, 'Secondary colonisers in the Black Sea: Sinope and Panticapeum', in M. Lombardo and F. Frisone (edd.), *Colonie di colonie. Le fondazioni sub-coloniali greche tra colonizzazione e colonialismo* (Galatina, 2009), 229–53, at 239 n. 50.

⁵ K.J. Rigsby, 'Notes on Greek inscriptions', *ZPE* 161 (2007), 133–6, at 133 has suggested that at line 30 we should read ἐπικαλούμενοι instead of ἐπιμελούμενοι, referring to the envoys of Sinope and Heraclea rather than to the governments of the two cities.

⁶ Gallotta (n. 1), 222–3.

⁷ Jefremow (n. 1), 110; Barat (n. 1), 226–7; Gallotta (n. 1), 222.

⁸ Xen. *An.* 5.6.19, 26, 31; 6.1.14–17; 6.2.1–3. Cf. Barat (n. 1), 228.

⁹ Barat (n. 1), 227.

¹⁰ C. Marek, 'Political institutions and the Lykian and Karian language in the process of Hellenization between the Achaemenids and the early Diadochi', in W. Stavrianopoulou (ed.), *Shifting Social Imaginaries in the Hellenistic Period. Narrations, Practices, and Images* (Leiden and Boston, 2013), 233–51, at 246.

unrest. This brings us to our second point, the nature of the danger that those who fled Sinope and Heraclea could constitute. The misdeeds the exiles were supposedly committing are expressed twice in a vague and open-ended manner (μηδὲν ἄδικούσιν; ὃν δέ τι δοκῶσιν ἄδικεῖν, line 20). The verb ἄδικεῖν represents the most frequent and generic way to express the notion of crime in Greek and denotes in its active voice any ‘criminal, or other legally offensive, activity’ against an individual or community.¹¹ At first glance it is unclear whether the acts of injustice committed by the exiles are to be understood in connection with their activities against the motherland or with disruption of the host country. However, some clarification may be offered by the fact that the government of the exiles’ city of origin was obliged to send messengers to make notification of the request for expulsion. The very wording of the Greek makes it clear: as μετίστασθαι is the main verb of the sentence, its subject must be the same as that of the entity responsible for sending the ambassadors (ἐπιπέμποντας ἀγγέλους). This means that the misdeeds the exiles are accused of had to be addressed against their homeland. Comparisons with similar situations may help to acquire a better and fuller understanding of the case at hand.

The first example concerns what Xenophon (*Hell.* 2.4.43) says about the new quarrels that broke out in 403/2 B.C. between the demos of Athens and the oligarchs living in Eleusis. He reports that at some time after the signing of the agreements the Athenians, having heard that those in Eleusis had hired mercenaries, campaigned against them *en masse* and killed the generals who had sued for a meeting to negotiate. Xenophon does not say that the oligarchs were recruiting mercenaries, but only that the Athenians heard (ἰκούσαντες) that they were doing so. This means that the danger posed by the exiles may have been real or only perceived as such, but this may have been sufficient to take action against them.¹²

We read something similar about the Theban democrats who had found refuge in Athens. Plutarch reports that Leontiades’ faction, learning (πυνθανόμενοι) that the exiles were spending time (διατρίβειν) in Athens, where they were honoured by both the common people and the nobles, began plotting against them and sent hired assassins to Athens to eliminate them, managing to kill Androcleidas.¹³ As in the previous example, the Theban government learned of the exiles’ actions in the host country and acted accordingly on the basis of an alleged danger. If we apply this scheme to the clause we are considering, we can better understand what it refers to. One can suggest that the treaty contemplates the eventuality that the exiles will act to the detriment of the interests of their home country and develops procedures to stop them. In particular, it stipulates that in the event that the home country is informed of dangers from the exiles it may resort to sending delegates to request the expulsion of the partner city. It is likely that the will of the country of origin was not sufficient to obtain the expulsion of the exiles, but that an agreement between the parties was needed, as shown by lines 22–3 of the inscription.

The text is not even explicit in defining which cities the exiles can live in. Are we dealing with a measure authorizing the return of exiles to the cities of Sinope and Heraclea Pontica, as has been suggested?¹⁴ Or rather are the cities in question those

¹¹ V. Hunter, ‘Did the Athenians have a word for crime?’, *Dike* 10 (2007), 5–18, at 13.

¹² P. Krentz, *Xenophon Hellenika II.3.11–IV.2.8* (Oxford, 2015), 155.

¹³ Plut. *Pel.* 6.2.

¹⁴ Gallotta (n. 1), 220.

to which the exiles had fled?¹⁵ A further possibility is that the cities are restricted to those mentioned in the inscriptions, meaning that the parties allowed the exiles from Sinope who had fled to Heraclea to remain there and Heraclea's exiles who had taken refuge in Sinope to continue living in Sinope.¹⁶ Lastly, they can refer to colonies of theirs that were treated as dependent *poleis*.¹⁷

We can exclude the first of these interpretations on the basis of linguistic observations and historical considerations. First, in the sentence ὅσοι δ' ἂν Σινώπην ἢ Ἡρακλείαν φεύγωσιν εἶναι αὐτοῖς ἐν ταῖς πόλεσι διατελεῖν μηδὲν ἄδικοῦσιν the predicate φεύγωσιν is built with two accusatives and means 'to flee',¹⁸ not 'to take refuge';¹⁹ consequently, the accusatives Σινώπην and Ἡρακλείαν indicate the places from which the exiles have fled rather than the cities which sheltered them. Second, those who believe that ἐν ταῖς πόλεσι alludes to Sinope and Heraclea as places of refuge have to admit that the treaty provides for a kind of amnesty and the return of exiles.²⁰ This may be true for Sinope in theory, but there is no evidence of such a measure. We know that Clearchus, the founder of the dynastic tyranny of Heraclea, resorted extensively to expulsions of his political opponents and that, after his death, his brother Satyrus followed the same policy.²¹ Furthermore, the exiles' issue still remained unresolved for the Heracleotians under Dionysius' rule, and their embassies to Alexander and Perdiccas asking to return constituted a real danger to the survival of the regime.²² To obtain their *kathodos*, the exiles, or better the descendants of those expelled under Clearchus and Satyrus, had to wait for the definitive fall of the tyranny in 282 and its replacement by a democratic government.²³ In light of these considerations, it seems unlikely that the treaty authorized the exiles' return.

Also, the view interpreting the provision to mean that the exiles were allowed to stay in whatever city in which they had taken refuge should be rejected.²⁴ Interpreting the clause in this way means admitting that the city that had expelled some of its members could have a say in the choice of their destination. But it is unclear how one city could have prevented another from taking in its own exiles in the absence of an alliance agreement or a previous treaty explicitly prohibiting the reception of exiles. As far as we know, the very existence of the extradition request confirms that the exile was generally quite free to choose his place of exile.²⁵ What authority could these cities have had, then, over the cities that had hosted their exiles, protected as they were by the right to asylum? This rules out the possibility that the contracting parties felt the need to

¹⁵ French (n. 1), 3 n. 2.

¹⁶ This hypothesis has been advanced by Avram, Hind and Tsetskhladze (n. 4), 957, who in the end did not endorse it. See also B. Gray, *Stasis and Stability. Exile, the Polis, and Political Thought, c.404–146 BC* (Oxford, 2015), 295 n. 8; B. Gray, 'Exile, refuge and the Greek *polis*: between justice and humanity', *Journal of Refugee Studies* 30 (2017), 190–219, at 214 n. 47.

¹⁷ Avram, Hind and Tsetskhladze (n. 4), 957.

¹⁸ LSJ s.v. φεύγω II.

¹⁹ Gallotta (n. 1), 219 translates it as 'a quanti si rifugiano a Sinope o ad Eraclea'.

²⁰ Gallotta (n. 1), 220.

²¹ See L. Loddo, 'Between tyranny and democracy: political exiles and the history of Heraclea Pontica', *Erga-Logoi* 10 (2022), 155–82, at 156–60.

²² Memnon, *FGrHist* 434 F 4.1.

²³ Memnon, *FGrHist* 434 F 6.1–2 and 7.3.

²⁴ French (n. 1), 3 n. 2.

²⁵ On the working of the extradition request, see R. Lonis, 'Extradition et prise de corps des réfugiés politiques en Grèce', in R. Lonis (ed.), *L'étranger dans le monde grec. Actes du colloque organisé par l'Institut d'Études Anciennes, Nancy, mai 1987* (Nancy, 1988), 69–88.

include in a bilateral agreement such a general statement that was of no interest to the other party. Hence, the right way to interpret the clause is to relate it to the content of the whole document and consider it as part of the conditions shared by the contracting parties.

The last observation leads us to consider the hypothesis that the treaty authorized the colonies and the dependent territories of Sinope and Heraclea to receive their exiles.²⁶ Graham has shown that there was no general rule governing the relations between a colony and its mother country as regarded the reception of new members, whether they were new settlers or colonists willing to return.²⁷ We can see some instances of colonies willing to receive fugitives of their mother city when needed, but in most cases they were war exiles or people fleeing from external attacks rather than the recipients of a banishment decree.²⁸

It could be argued that the treaty reflects the peculiar relationship of Sinope and Heraclea with their colonies, but it is at least odd that they are never mentioned in the document.²⁹ Against this hypothesis one could cite some inscriptions concerning Teos, which refer to the extension of exile to Abdera, a colony of Teos. Among the *Dirae Teiae* or ‘Teian Imprecations’ there is a mid fifth-century inscription that includes a clause on banishment—τοῦτο[ν] ἀπολλύσθαι : ἐκ Τέω : κ[α]ὶ Ἀβδήρ[ω]ν : [κ]αὶ γῆς : [Τη]ῆ[ι] καὶ α[ὐ]τὸν καὶ γένο[ς] τὸ κείνο—whose validity extends to the territories of both Teos and Abdera.³⁰ ἀπολλύσθαι has the same meaning as φεύγειν and refers to the status of outlaw.³¹ Similar phrasing—φ[ε]ύγειν τε αὐτὸν ἄραιον ἐκ Τέω καὶ ἐξ Ἀβδήρων καὶ ἐκ τῆς χώρας καὶ τῆς Τηίων καὶ τῆς Ἀβδηρ[ι]τῶν (lines 23–5)—can be found in a third-century *sympoliteia* agreement between Teos and Kyrbissos.³² Among the consequences of the *sympoliteia*, Kyrbissos, whose territory was retained as a fort, was obliged to receive a garrison commander (φρουράρχος) sent by the Teians every four months. At the end of his term of office, the commander was to hand over the fort to the new commander sent by Teos; in the event that he did not, he was to be exiled and disowned from ‘Teos and Abdera and from the land of the Teians and the Abderites’, his property was to be publicly auctioned and he could be killed with impunity.³³ The severe punishment of the rebellious φρουράρχος, whose authority extended to both the garrison troops and the civilian

²⁶ Avram, Hind and Tsetschladze (n. 4), 957.

²⁷ A.J. Graham, *Colony and Mother City in Ancient Greece* (Manchester, 1964), 110–11.

²⁸ Graham (n. 27), 111–15. See e.g. *IvO* 22.

²⁹ On this relation, see Graham (n. 27), 201–3. On the status of Sinope’s colonies as dependent *poleis*, see T.H. Nielsen, ‘Xenophon’s use of the word *polis* in the *Anabasis*’, in P. Flensted-Jensen (ed.), *Further Studies in the Ancient Greek Polis* (Stuttgart, 2000), 133–40, at 135.

³⁰ *IT* 262B, lines 5–12 (= *SEG* 31.985).

³¹ M. Youni, ‘An inscription from Teos concerning Abdera’, in A. Iakovidou (ed.), *Thrace in the Graeco-Roman World: Proceedings of the 10th International Congress of Thracology, Komotini and Alexandroupolis, 18–23 October 2005* (Athens, 2007), 724–36, at 727–8.

³² *SEG* 26.1306. On these lines of the inscription, see L. Robert and J. Robert, ‘Une inscription grecque de Téos en Ionie. L’union de Téos et Kyrbissos’, *Journal des Savants* (1976), 154–235, at 210–14; L. Loukopoulou and M.G. Parissaki, ‘Teos and Abdera: the epigraphic evidence’, in A. Moustaka, E. Skarlatidou, M.C. Tzannes and Y. Ersoy (edd.), *Klazomenai, Teos and Abdera: Metropoleis and Colony, Proceedings of the International Symposium Held at the Archaeological Museum of Abdera* (Thessaloniki, 2004), 305–10; Youni (n. 31); A. Chaniotis, ‘Policing the Hellenistic countryside. Realities and ideologies’, in C. Brélaz and P. Ducrey (edd.), *Sécurité collective et ordre public dans les sociétés anciennes* (Geneva, 2008), 103–53.

³³ Cf. Robert and Robert (n. 32), 211.

population of Kyrbissos,³⁴ is explained by the fear that the garrison might turn against the *polis*.³⁵

These texts are particularly crucial for our discussion, since they show how the cities had to specify the places where the sanction of exile applied if it included the colonies. It could be argued that the relationship between Teos and Abdera was so close as to justify such a measure,³⁶ but the point here is rather that, despite this close relationship, the application of a measure to a colony by its mother country was not implied but had to be expressly stated in the agreement.

If this view is also ruled out, the hypothesis that the treaty regulated the issue of exiles in a bilateral perspective becomes more substantial. Hence, we should understand the clause as authorizing the partner city to host the exiles from the other party without in any way influencing the effectiveness of the agreement. Indeed, this issue seems to have been carefully regulated by the Greek city-states, especially in the context of the treaties regulating relations between a hegemonic state and its allies. The available evidence shows that Sparta and Athens expected the allied cities not to take in those they had exiled as enemies. According to Demosthenes, when in 404 B.C. the Spartan ambassadors asked the Argives to hand over the Athenian exiles who had taken refuge there, the Argives clearly refused and ordered the ambassadors to leave the country if they did not want to be considered enemies (*polemioi*).³⁷ Something similar happened at the time of the oligarchic revolution in Thebes. Plutarch reports that the Spartans sent letters charging the Athenians to not shelter (μὴ δέχεσθαι) the Theban democratic exiles but to expel them (ἐξελάυνειν) as common enemies of the allied cities.³⁸ It is not so much the response of the cities to the Spartan imposition that interests our discourse as the fact that Sparta could require its subject cities not to receive the exiles.³⁹ It means that Sparta considered it legitimate for the ban on exiles to be extended to the territories of cities that were formally its allies and in substance subject to it.

In regard to Athens, a clause in the decree founding the Second Athenian League established the death penalty or exile from any place where Athens and its allies had jurisdiction over those who attempted to delete something from the text of the decree.⁴⁰ The habit of extending exile to allied cities is also evident in an honorary inscription for two Thasian citizens who had been received as refugees in Athens.⁴¹ The honourees Archippus and Hipparchus were protected from any attempt on their lives by a specific measure stipulating that their murderer should be exiled from Athens and from the cities that were allied with it.⁴²

³⁴ F.J. Fernández Nieto, 'Los reglamentos militares griegos y la justicia castrense en época helenística', in G. Thür and J. Vélissaropoulos-Karakostas (edd.), *Symposion 1995. Vorträge zur griechischen und hellenistischen Rechtsgeschichte, Korfu, 1–5 September 1995* (Böhlau, 1997), 221–44, at 229.

³⁵ Chaniotis (n. 32), 104.

³⁶ Robert and Robert (n. 32), 212–13.

³⁷ Dem. 15.22. Cf. C. Bearzot, 'Extradition et saisie de la personne des réfugiés athéniens à l'époque des Trente Tyrans', *Pallas* 112 (2020), 155–65, at 158–9.

³⁸ Plut. *Pel.* 6.3–4. Cf. Bearzot (n. 37), 161–2; L. Loddo, 'Εως ἂν κατέλθωσιν εἰς τὴν αὐτῶν: did the Athenians reduce their reception of refugees in the fourth century BC?', *Pallas* 112 (2020), 199–230, at 211–12.

³⁹ On this, see L. Loddo, 'Political exiles and their use of diplomacy in Classical Greece', *Kièma* 44 (2019), 7–21, at 10–11.

⁴⁰ *IG* II² 43, lines 51–63.

⁴¹ *IG* II² 24b. Cf. Loddo (n. 38), 210–11.

⁴² *IG* II² 24b, lines 3–6. See also *IG* II³ 1 452, lines 31–4 for the ban on harbouring the killers of Pisithides of Delos. Cf. Loddo (n. 38), 221.

Likewise, in the speech *Against Aristocrates* the decree regarding Charidemus stipulated that ‘if anyone kills Charidemus, let him be subject to arrest [ἄγωγίμος], but if anyone, either a city or a private individual, removes him, let them be banned from the alliance [ἔκσπονδος].’⁴³ What is worth noting here is the relationship between the prohibition against harbouring Charidemus’ murderer and his status as *agōgimos*. Despite the ambiguous interpretation of the term *agōgimos* by the plaintiff, we should understand it as a key term indicating that an individual was subject to extradition.⁴⁴ Hence, a murderer who was subject to extradition could not be sheltered by any of the allied cities of Athens, under penalty of exclusion from the alliance.

Something similar can be seen in the case of relations between Alexander and the Greeks. In his so-called *First Letter of Alexander to the Chians*, dating back to 334 or 332 B.C., Alexander approached the issue of the exiles from various viewpoints.⁴⁵ On the one hand, the restoration of democracy was accompanied by the return of democratic exiles, and a commission of *nomographoi* was set up to adapt the laws to the new democratic order. On the other hand, Alexander dealt with the fate of those among the Chians who had sided with the Medes. Whereas the pro-Persian supporters who had remained in Chios were referred to the decisions of the common *synedrion*, those who were already in exile for having handed the city over to the barbarians were the recipients of a specific banishment clause. It stipulated that, if they attempted to return home, they would not be accepted, but would be rejected by all the cities that were signatories of the peace treaty; furthermore, they would be subjected to summary arrest (εἶναι ἄγωγίμους) according to the decision of the Hellenes.⁴⁶ This meant ousting the condemned from the entire territory controlled by the allies.

An even clearer statement is contained in the speech *On the Treaty with Alexander*. In discussing the factors that led to the dissolution of the treaty, the speaker recalls the federal rule concerning exiles and the behaviour that the federated cities were expected to adopt. The clause was the result of the hegemon’s awareness of the danger that the exiles presented for the social and political stability of the cities participating in the confederation. The peculiarity of the clause, which is to be linked to the general norm relating the inalterability of the political regimes in force and compliance with the status quo,⁴⁷ is that the emphasis is not so much on the attitude of the cities which suffer the return of the exiles and somehow tolerate it without opposing it but on the behaviour of the allied cities which receive the exiled individuals from the partners who had undersigned the treaty. What deserves punishment is the material support given to the exiles. It is essentially a matter of welcoming them, making their own bases

⁴³ Dem. 23.91. For analogous cases involving Thebes and Sicyon, see Xen. *Hell.* 7.3.7, 11.

⁴⁴ On the meaning of *agōgimos*, see now S. Wallace, ‘The rescript of Philip III Arrhidaïos and the two tyrannies at Eresos’, *Tyche* 31 (2016), 239–59, at 248–51. For its use in the decree for Charidemus, see Lonis (n. 25), 81. On the correct interpretation of the terms of the decree, see E.M. Harris, ‘The crown trial and Athenian legal procedure in public cases against illegal decrees’, *Dike* 22 (2019), 81–111, at 87.

⁴⁵ Syll.³ 283 = *GHI* 84A. On this document, see P.J. Rhodes and R. Osborne, *Greek Historical Inscriptions* (Oxford, 2003), 422–3; A. Bencivenni, *Progetti di riforme costituzionali nelle epigrafi greche dei secoli IV–II a.C.* (Bologna, 2003), 15–38.

⁴⁶ Syll.³ 283, lines 10–13. For revocation of *agōgimos* status, see *GHI* 83, A4, lines 21–8 with Wallace (n. 44), 244, 248–51.

⁴⁷ [Dem.] 17.10–11, where it is said that the treaty requires that those who overthrow existing constitutions be considered enemies (*polemioi*). See also [Dem.] 17.8; Diod. Sic. 17.4.1; *GHI* 76, lines 8–14.

available as a starting point to launch an attack against the motherland and providing economic and military support for the exiles' return.

Some inscriptions attesting bilateral agreements contained regulations on how to deal with exiles from the partner city. We mention two examples both dating from the 360s: the Athenian arrangements for Iulis and the treaty between Ceos and Histiaea. The decree for Iulis, dating back to 363/2, aims to regulate the situation in Ceos after an episode of civil discord.⁴⁸ A previously exiled faction, owing to its involvement in the island's revolt against Athens, had managed to return to Iulis and regain power through violence.⁴⁹ The ferocity of the returnees was directed mainly against the pro-Athenians, some of whom were killed, while others were put to death and their property was confiscated; the stelae containing the agreements with the Athenians, probably those that Chabrias had established when the Athenians reintegrated the democratic exiles into the island, were destroyed. The decree specifies that the ban involving the outlaws concerns the territory of Athens and Ceos (φεύγειν αὐτὸς Κέω καὶ Ἀθήνας, line 41). It also takes into consideration the eventuality that after the reconciliation someone would no longer want to live in Ceos. Such individuals, in all likelihood political dissidents, were allowed to live in any of the allied cities and to maintain ownership of their property (lines 64–6).⁵⁰ This is a significant measure for the subject we are dealing with, not only because it carefully regulated the extension of the ban on convicted people, but also because it addressed the issue of the residence of opponents who had not committed any crime, but who posed a potential danger to the stability of the alliance.

The mid fourth-century treaty between Ceos and Histiaea, whose first part is missing, but some twenty lines of which have been preserved, represents an exact counterpart of the agreement between Sinope and Heraclea.⁵¹ It is a treaty of *isopoliteia* that the Ceans concluded with the Euboian city of Histiaea, contemporary with or perhaps slightly later than another *isopoliteia* decree that Ceos made with Eretria.⁵² The normally close relationship of Ceos with the Euboian cities was going through a period of tensions and upheavals, when Thebes challenged Athens' supremacy over the sea; at that time Ceos defected from the Athenian League, likely at the instigation of Thebes,⁵³ and entered into an alliance with the Boiotian League.⁵⁴ What interests us, however, is that we can find here an instance of an *isopoliteia* agreement taking pains to regulate the treatment of their exiles.

⁴⁸ *JG* II² 111 = *GHI* 39. Cf. P. Brun, 'L'île de Kéos et ses cités au IV^e siècle av JC', *ZPE* 76 (1989), 121–38; Rhodes and Osborne (n. 45), 196–203; C. Cooper, 'Hypereides, Aristophon, and the settlement of Keos', in C. Cooper (ed.), *Epigraphy and the Greek Historian* (Toronto, 2008), 31–56, at 31–6.

⁴⁹ For the historical context of the inscription, see Cooper (n. 48), 31–6. On Thebes' likely support of the rebels of Iulis, see B. Rutishauser, *Athens and the Cyclades: Economic Strategies 540–314 BC* (Oxford, 2012), 179.

⁵⁰ This can be deduced from the fact that their case is dealt with in the text of the decree immediately after the provisions concerning the repression of any revolutionary movement (lines 62–4).

⁵¹ *JG* XII 5 594.

⁵² *SEG* 14.530. D.M. Lewis, 'The federal constitution of Keos', *ABSA* 57 (1962), 1–4 places it after the revolt of Eretria against the Delian League, but most scholars—Brun (n. 48) 134; Cooper (n. 48), 33—have dated it to the 360s, which seems to be the most appropriate date.

⁵³ S. Ruzicka, 'Epaminondas and the genesis of the Social War', *CPH* 93 (1998), 60–9, at 62 n. 15; Rhodes and Osborne (n. 45), 201; Rutishauser (n. 49), 176.

⁵⁴ On these relations that included a wide network of *proxenoi*, especially at Chartaia, see W. Mack, *Proxeny and Polis. Institutional Networks in the Ancient Greek World* (Oxford, 2015), 183–8. On the economic reasons behind these agreements, see Rutishauser (n. 49), 177–8.

The inscription opens with a clause enjoining the inhabitants of Histiaea not to receive exiles from Ceos (ἐ[ἴ]ν δέ τις [τῶν Κείων — — —.φ]ύγ[η]ι ἐς Ἰστι[α]ί[α]ν ἢ τ[ῆ]ν Ἰστι[α]ίων χώραν, μὴ δε[κ]έσθω [ἡ] πόλις, 1–3). Although the first section of the inscription is missing, it has been reasonably suggested that Ceos had been met with the same obligation. As Lonis has shown, the use of the verb δέχομαι preceded by a negative—μὴ δεκέσθω—corresponds to the refoulement of the refugees, a practice that could be imposed or established by means of a specific convention. The agreements on the refoulement of exiles are fully justified when we look at the content of the treaty.

The *isopoliteia* agreement theoretically enabled exiles to find asylum and apply for citizenship in the partner city of the alliance, so that the parties were obliged to regulate the extension of this grant for unwanted exiles. Hence, to prevent it the parties to the agreement accepted not to grant asylum to exiles from the partner city, considering even mere reception as a clear violation.

3.

These instances show that the regulation of exile was a recurrent element in treaty making. However, the agreement between Sinope and Heraclea has a positive slant in comparison with the examples given because, instead of limiting the reception of exiles, it allows them to reside in the partner city of the alliance. But why this unusual attitude? Two factors explain this peculiarity: first, the geographical proximity between Sinope and Heraclea; second, the attitude towards exile itself of the exiles referred to in the treaty. With regard to the first point, we should not overlook the fact that political exiles who did not resign themselves to a fate of exile and wished to return to their homeland tended to settle in places close to their city of origin. The reason for this choice is easily understood. Proximity enabled them not only to stay in touch with family and friends who had stayed behind and to obtain reliable information on the domestic political situation but also to take concrete action to facilitate their return. This was true both for diplomatic actions, whose aim was conciliation and overcoming frictions,⁵⁵ and for disruptive and military actions aimed at using coercive means to induce the governments in office to readmit exiles.⁵⁶ As concerns the second point, they may have been political dissidents or otherwise involved in politics. This can reasonably be said for the exiles of Heraclea, whereas it is wiser not to speculate overmuch on the exiles from Sinope owing to our scanty evidence. However, the fact that the clause is part of a bilateral agreement suggests that the issue was of concern to both contracting parties. Likewise, the parties seem to identify a common enemy outside to trigger a coordinated military reaction (lines 2–8).⁵⁷ At least for Heraclea, the sources make it clear that the acts of exile imposed under Clearchus, in accordance with a political line that the regent Satyrus

⁵⁵ Loddo (n. 39).

⁵⁶ This pattern is recognizable for politicized exiles, who chose to stay in the vicinity of their country of origin—cf. Gray (n. 16 [2015]), 308–40 for activism of those exiles who interpreted their exile as an interlude—and especially for those from the islands who occupied their *peraiiai* on the mainland: cf. L. Loddo, *I rifugiati politici nella Grecia antica* (Bologna, 2022), 48–50.

⁵⁷ For the recurrent nature of this concern in alliance treaties, see J.C. Couvêhnes, 'Introduction. La *symmachia* comme pratique du droit international dans le monde grec', in J.C. Couvêhnes (ed.), *La symmachia comme pratique du droit international dans le monde grec. D'Homère à l'époque hellénistique* (Besançon, 2016), 13–49, at 30.

would replicate, resulted from a desire to eliminate political opponents of the regime.⁵⁸ We cannot rule out the idea that the diplomatic and military actions of the exiles underpin the shared fears of an attack against the cities which undersigned the agreement and make it necessary to include in the treaty provisions on mutual assistance (lines 2–8).⁵⁹ In this perspective we should stress the role of the Great King and of some satraps as possible diplomatic interlocutors for the exiles. Exiles, especially those with oligarchic sentiments, often relied on the Persians to finance their operations abroad; economic aid and the recruitment of mercenaries, together with the concession of a certain freedom of movement in the areas controlled by the Persians, appeared, since the fifth century B.C., to be constants in Persian policy towards exiles.⁶⁰

The clause stipulating mobilization within ten days of the request for aid in the event of attempts to overthrow the democracy of Sinope or conspiracies against the tyranny of Heraclea provides confirmation of my interpretation of lines 27–30 of the treaty. The most likely reading of these lines makes the exiles of Heraclea the agents most interested in conspiring against the tyrants who had been the only ones responsible for their exile. Similarly, it can be assumed that Sinope also feared that its exiles might plot to overthrow the democracy. Gray has linked this clause to the issue of reciprocity and argued that providing aid to exiles could have been inspired not only by humanitarian reasons but also by the legitimate expectation of receiving reciprocal aid in case of need.⁶¹ While this turns out to be true in most cases, the clause under analysis may also have been inspired by other considerations. Behind this concession lay the knowledge that the more politicized exiles tended to stay nearby, hoping for their prompt restoration with political support from neighbouring cities. The cities may therefore have authorized this because it was more important for them to secure an ally in view of a common danger than to divide or undermine the validity of the agreement to receive the exiles. In any case, they reserved the right to ratify any new expulsion measures if the exiles should concretely act out their aspirations. It cannot be excluded that a treaty containing such a clause was recognizing a *de facto* situation, that is, the presence of the respective exiles in the territory of the allied city. If this was the case, it is remarkable that, to avoid further troubles, they preferred to go along with their partner's previous choices rather than resort to extradition.

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⁵⁸ Loddo (n. 21).

⁵⁹ The treaty limited the obligation to provide aid to cases where the territory of one of the contracting parties suffered an invasion, as usually happened in Greek treaties of *symmachia*. Cf. Couvêhnes (n. 57), 29.

⁶⁰ Loddo (n. 56), 50. On the Pissouthnes' role in fostering oligarchic exiles from Samos, see C. Bearzot, 'Pissutne, satrapo della Lidia', *RaRe* 9 (2017), 37–57.

⁶¹ Gray (n. 16 [2017]), 199.