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## THE BOEOTIAN FEDERAL CONSTITUTION

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The fragment of a lost Greek historian published in the fifth volume of the *Oxyrhynchus Papyri*<sup>1</sup> in 1908 contains a succinct description of the federal constitution of Boeotia as it existed in the year 395 B.C. which Eduard Meyer<sup>2</sup> has described as "das Glanzstück des ganzen Fragments." By means of the new evidence now available it is possible to gain a clear idea of this early experiment in federal government. The chapter in question is rendered by the editors as follows:<sup>3</sup>

There were then appointed in each of the cities [i.e. of Boeotia] four boulai, of which not all the citizens were allowed to become members, but only those who possessed a certain amount of money; of these boulai each one in turn held a preliminary sitting and deliberation about matters of policy and made proposals to the other three, and a resolution adopted by all became valid. Their local affairs they continued to manage in that fashion, while the arrangement of the Boeotian league was this. The whole population of the country was divided into eleven units, and each of these provided one Boeotarch as follows. The Thebans contributed four, two for the city and two for Plataea, Scolus, Erythrae, Scaphae, and the other towns which formerly were members of one state with the Plataeans, but at that time were subject to Thebes. Two Boeotarchs were provided by the inhabitants of Orchomenus and Hysiae, and two by the inhabitants of Thespieae with Eutresis and

<sup>1</sup> The Greek text was republished by Grenfell and Hunt in 1909 in the *Bibliotheca Oxoniensis* under the title *Hellenica Oxyrhynchia*. The editors designate the unknown author as P.

<sup>2</sup> Theopomps *Hellenika* (Halle, 1909) 92.

<sup>3</sup> *Oxyrh. Papy.* V, 223, and chap. xi of the Greek text.

Thisbae, one by the inhabitants of Tanagra, and another by the inhabitants of Haliartus, Lebadea, and Coronea, each of these cities sending him in turn; in the same way one came from Acraephium, Copae, and Chaeronea. Such was the proportion in which the chief magistrates were appointed by the different units, which also provided sixty senators for every Boeotarch, and themselves defrayed the daily expenses.<sup>1</sup> Each unit was, moreover, under the obligation to supply a corps of approximately a thousand hoplites and a hundred horsemen. To speak generally, it was in proportion to the distribution of their magistrates<sup>2</sup> (i.e. Boeotarchs) that they enjoyed the privileges of the league,<sup>3</sup> made their contributions, sent judges, took part in everything whether good or bad.<sup>4</sup> The nation then as a whole had this form of polity, and the general assemblies of the Boeotians used to meet in the Cadmea.

There were in all ten<sup>5</sup> sovereign cities in Boeotia. Their uniform constitutions may be described as limited democracies or as liberal oligarchies. The franchise depended upon a property qualification without reference to birth: but we may be sure that in a conservative and agricultural state like Boeotia the bulk of the property was still in the hands of the nobles. No doubt the description of the oligarchic party in Plataea as "the leading men in wealth and birth"<sup>6</sup>

<sup>1</sup> οὗτω μὲν οὖν ἔφερε τὰ μέρη τοῦς ἀρχοντας· παρείχετο δὲ καὶ βουλευτὰς ἐξήκοντα κατὰ τὸν βουλευτάρχην, καὶ τοῦτοις αὐτοὶ τὰ καθ' ἡμέραν ἀνήλισκον.

Glötz, *Bulletin de Correspondance hellénique* XXXII (1908), 272, without warrant infers that the senators defrayed their own expenses.

<sup>2</sup> τὸνς ἀρχοντα. There is no suggestion here or elsewhere that there was an archon of the league as Freeman, *History of Federal Government in Greece*, 128, maintained.

<sup>3</sup> Glötz, *op. cit.* 272, points out that the words τῶν κοινῶν ἀπέλανον refer specifically to the financial benefits of the league.

<sup>4</sup> "Shared equally in all the burdens and the benefits of the league" is nearer to the original: μετέιχον ἀπάντων ὁμοίως καὶ τῶν κακῶν καὶ τῶν ἀγαθῶν.

<sup>5</sup> Meyer, *op. cit.* 94, agrees with the editors that "each of the cities" includes only the ten sovereign cities—Thebes, Thespieae, Tanagra, Orchomenus, Haliartus, Copae, Coronea, Acraephium, Lebadea, Chaeronea. Goligher, *Class. Review* XXII (1908), 81, and Glötz, *op. cit.* 271 ff., think that every city in Boeotia, whether independent, or subordinate to another, as Hysiae (Hyettos) was to Orchomenus, or Eutresis and Thisbae to Thespieae, was governed by four senates. Thucydides in describing the battle of Delium says that the eleven Boeotarchs and troops from "all the cities" were present. Without professing to enumerate these cities he mentions the first seven in the list above, and "the other dwellers around the lake Copais," evidently referring to Acraephium and Lebadea. Chaeronea is omitted because it was still subordinate to Orchomenus (Thucyd. iv. 91, 93, and 76). The practical agreement between P and Thucydides seems to show that these are the only towns that were regarded as cities. The rest would rank as villages.

<sup>6</sup> Thucyd. iii. 65, 2.

could have been applied to the governing class in any of the cities. The amount of the property qualification is nowhere mentioned. The provision of pay for federal senators would seem to indicate that it was relatively low. There are several considerations that render it probable that political rights were enjoyed only by those who could furnish themselves with the equipment of a man-at-arms or a cavalryman. According to the federal constitution each division was required to furnish 1,000 men-at-arms and 100 cavalrymen. The failure to mention light-armed troops, of whom more than 10,000 took part in the battle of Delium<sup>1</sup> in 424 B.C., is clearly due to the fact that they did not possess political rights. Ability to furnish one's self with arms was the basis of the franchise in the constitution attributed to the Athenian Draco.<sup>2</sup> And the opponents of democracy in Athens constantly advocated this reform. On the overthrow of the Four Hundred the franchise was for a time limited to those who could equip themselves for military service.<sup>3</sup>

The maximum fighting strength of the league was 12,100 men. Consequently, according to Beloch's principle, the total number of citizens would amount to nearly 20,000.<sup>4</sup> These would constitute 68 per cent of the free male population, which Beloch estimates at 29,000. In point of liberality this percentage compares favorably with the proposals of the Athenian revolutionists of 411 B.C. to limit the franchise to 5,000, that is, 25 per cent of the adult male population. Even under the moderate democracy which was instituted on the overthrow of the oligarchy the citizens amounted to 9,000, or 45 per cent of the population.<sup>5</sup>

We are not told how the local senates were recruited, but I am inclined to think that all the citizens found a place in one or other of the senates. According to the proposed Athenian constitution of 411 B.C. the whole body of citizens were members of the quadrapartite senate, each section of which was to hold office for one year.<sup>6</sup>

<sup>1</sup> Thucyd. iv. 93; cf. Meyer *op. cit.* 94, note 2.      <sup>2</sup> Arist. *Const. of Athens* iv. 2.

<sup>3</sup> Aristoph. *Wasps* 1120; Thucyd. viii. 65, 97. Aristotle, *op. cit.* xxxiii. 2.

<sup>4</sup> *Die Bevölkerung der griechisch-römischen Welt* 162 ff.

<sup>5</sup> Beloch *op. cit.* 107; Meyer *Forschungen* II, 403 ff. This constitution is highly praised by Thucydides and Aristotle (viii. 97; *op. cit.* xxxiii. 2).

<sup>6</sup> Unlike the Boeotian senates the Athenian sections were not to meet together. A body of approximately 5,000 was evidently regarded as unwieldy. For the con-

Thucydides<sup>1</sup> mentions "the four senates of the Boeotians" in connection with negotiations for a treaty with Corinth in the year 421-20. "But before the ratification of the treaty, the Boeotarchs communicated their negotiations to the four *senates* of the Boeotians, whose sanction is always necessary, and recommended that oaths of alliance be offered to any cities which might be willing to join them for mutual protection. But the *senators* rejected their proposals, fearing that they might offend the Lacedaemonians if they entered into an alliance with the Corinthians who had revolted from them. For the Boeotarchs did not tell them what had passed at Sparta, thinking that the *senate* whether informed of this or not would ratify their decision when communicated to it." These senates have been universally regarded as a federal body, though Koehler<sup>2</sup> was the first to suggest that the four met together, as in fact we now see that they did. It is therefore astonishing to find that the editors maintain that Thucydides was referring to the local senates. The reason for this conclusion is that P has not said explicitly that the federal senate was quadrapartite. It follows then according to this view that the Boeotian federal body in having no part in the making of treaties was deprived of a power which is fundamental in any real federation. Shortly after the publication of the papyrus Costanzi<sup>3</sup> expressed surprise at this feature of the constitution. Later in the same year Goligher<sup>4</sup> and Glotz<sup>5</sup> independently challenged this conclusion and, using much the same

sideration of important matters, however, provision was made for a joint meeting of two sections by allowing each member of the ruling section to invite one member of another section.

Koehler (*Situngsberichte der koenig.-preuss. Akad. der Wissenschaften* [1895] 445 ff.) is amply justified in suggesting that the Boeotian four-senate plan served as a model for the proposed permanent constitution reported by the Athenian revolutionary committee of one hundred (*Arist. Const. of Ath.* 30). This constitution never came into force. I have ventured in several instances to draw upon the Athenian document to fill in P's sketch. I am far from intending to argue seriously that any certain information regarding the Boeotian constitution can be gained in this way. It will, however, be readily admitted that suggestions based upon the Athenian document are more than mere possibilities.

<sup>1</sup> v. 36.

<sup>2</sup> *Op. cit.* 455 ff.

<sup>3</sup> "Il Frammento di prosa storica testè trovato a Oxyrhynchus," *Studi storici per l'antichità classica* I (1908), 253 ff.

<sup>4</sup> *Class. Review* XXII (1908), 81.

<sup>5</sup> *Bulletin de corresp. hellén.* XXXII (1908), 271 ff.

arguments, showed, that it is untenable.<sup>1</sup> Consequently we may safely conclude that the federal senate also was quadrupartite and corresponds to the four senates mentioned by Thucydides.

Although the eleven electoral divisions were formed on the basis of population,<sup>2</sup> in no case do they cross the local political divisions. In three instances local political units contain several electoral divisions. Two other divisions combine several local sovereignties. In the case of Tanagra alone did a single local sovereignty constitute an electoral division. In all but one case the electoral divisions are geographic units.<sup>3</sup> Freeman believed that Boeotia, like "Switzerland in the old time, contained districts which did not enjoy direct federal rights but which were connected in some subordinate way with one or other of the sovereign cities."<sup>4</sup> This view proves to be substantially correct. For though Plataea, Scolus, Erythrae, Scaphae, and some other places constituted two federal divisions, they were all subordinate to Thebes and their two Boeotarchs were reckoned by P as Theban. But it has been suggested<sup>5</sup> that these two Boeotarchs were always citizens of one or other of these subject communities. For in 424 B.C. only two of the eleven Boeotarchs are credited to Thebes by Thucydides.<sup>6</sup> The enjoyment of direct federal rights however, could be only nominal.

There is no evidence that there were smaller confederacies within the league, as Freeman<sup>7</sup> suggested. It is true that previous to 431 B.C. Plataea and several other communities along the Attic frontier constituted a league under the protection of Athens, but it was certainly dissolved when these towns were incorporated with Thebes.<sup>8</sup> Neither is it at all probable that the grouping of independent cities for federal purposes amounted to, or even approximated,

<sup>1</sup> Meyer, *op. cit.* 93, reiterates the view of the editors without noticing the arguments urged against it. Swoboda in his review of Meyer (*Wochenschrift f. class. Phil.* [1910] 285) agrees unreservedly with Golligher and Glotz.

<sup>2</sup> The Lycian federation presents an analogous feature. Votes were assigned to the cities according to their importance. The larger cities had three votes, the medium-sized two, and the others one each (Strabo xiv. 3, 3).

<sup>3</sup> Orchomenus separated Chaeronea from Copae and Acraephium; cf. Meyer *op. cit.* 96.

<sup>4</sup> *Op. cit.* 126.

<sup>5</sup> The editors cite Dittenberger's suggestion with approval (*Oxyrhyn. Papy.* V, 227).

<sup>6</sup> *Ibid.* IV, 91.

<sup>7</sup> *Op. cit.* 126.

<sup>8</sup> *Hellen. Oxyrhyn.* XII, 3.

a real league. The right of each of these cities to elect a Boeotarch in turn, combined with the Greek instinct for local independence, would easily counteract a tendency toward union. The current opinion that each sovereign city was represented by a Boeotarch turns out to be incorrect, for each one of six cities was represented only every third year.

Nothing shows the strength of the spirit of local independence so strikingly as the organization of the federal troops. These, though contributed by the electoral divisions, were not drawn up in any uniform order nor according to the divisions they represented. But the troops from each city were drawn up together in accordance with their local military customs.<sup>1</sup> The terms of the league provided for an army of 12,100 hoplites and cavalry. No mention is made of quotas of other classes of troops, although over 10,000 light-armed soldiers and 500 peltasts were present at the battle of Delium, 424 B.C. The omission is due to the fact that the light-armed soldiers were recruited from the masses who did not possess the franchise and the peltasts were not distinguished from the more heavily armed hoplites.<sup>2</sup> These numbers represent the maximum that could be demanded by the federal government. At Delium the troops from all the cities amounted to 8,500. Owing to internal dissensions and the presence of Demosthenes with an Athenian force on the southern coast, a large number of troops would be required for garrison duty.<sup>3</sup>

Each senate in turn like the Athenian Prytaneis acted as a steering committee to facilitate the transaction of business. In the absence of definite information regarding the length of time that elapsed between the federal elections we may assume that they were annual and that each senate presided for a quarter of a year. In the Athenian proposed constitution of 411 B.C. the order in which each of the four senates held office was determined by lot. In all probability the lot was used in Boeotia also.

It will be observed that the representative principle is fully applied in federal matters. Freeman denies that "any Greek city, or Greek Federation, presents an example of a real Representative Assembly." In the light of the Boeotian practice the arguments

<sup>1</sup> Thucyd. iv. 93.

<sup>2</sup> Cf. Beloch *op. cit.* 17.

<sup>3</sup> Meyer, *op. cit.* 94, thinks that the numbers mentioned by P are merely nominal and were never actually mustered. But he underestimates the importance of garrison service.

of those who see in the Lycian council and the Achaean Congress (*σύννοδος*) representative bodies become more plausible.<sup>1</sup> In any event this single instance of true representative government shows conclusively that the representative principle is not a modern discovery.

There is no trace of a Boeotian popular assembly; in both local and federal matters the senates were supreme. Neither were there general meetings of the citizens in each electoral division. These divisions were created only for the purpose of distributing the benefits and burdens of the league proportionately. In no sense did they constitute administrative units. The ten sovereign cities were the political centers for both local and federal purposes.<sup>2</sup> Among them were distributed the electoral divisions in six groups, and their organizations were used for electing and paying federal officials. Tanagra was the center of one division, Orchomenus and Thespieae of two each, and Thebes of four. The remaining six cities were grouped in two divisions, and each elected one-third of the federal representatives and a Boeotarch every third year.

The eleven Boeotarchs were the supreme military commanders and the general administrators of federal affairs. Freeman compares their functions with those of the president of the United States. But the recommendations of the Boeotian magistrates were personally laid before the senate. Whether they had only the right to speak like the members of the Swiss Federal Council or had, like the Canadian cabinet ministers, the right to vote as well, is uncertain. The Athenian revolutionists, recognizing the advantage of co-operation between the executive and deliberative branches of government, provided that the ten generals and the magistrates should be members of the senate.<sup>3</sup> No other federation, I believe, presents an example of a thoroughly representative executive council.<sup>4</sup>

<sup>1</sup>Freeman (205) regards the Achaean *σύννοδος* as a primary assembly. Beloch (*Griechische Geschichte* III, 2, 198) regards it as a representative body, but his view has been rejected by Francotte (*Musée Belge* [1906] 5 ff.) and others.

<sup>2</sup>Glötz, *op. cit.* 277, who believes that each town whether independent or dependent had a quadrupartite senate, has worked out a possible scheme for the distribution of federal representatives among these towns.

<sup>3</sup>Bury *History of Greece* 492. The Achaean federal magistrates participated in the deliberations of the senate.

<sup>4</sup>Some federations have secured a partially representative executive. The Swiss constitution provides that not more than one of the 7 members of the federal



The senate's rejection of the Corinthian treaty negotiated by the Boeotarchs which has already been mentioned would seem to indicate that the power of the executive was checked by a vigorous senate. But quite the contrary is the case. The Boeotarchs would scarcely have attempted to put through a general resolution empowering themselves in the name of the Boeotian federation to enter into alliance with any Greek city, without some attempt to explain the diplomatic situation, had they not ordinarily found the senate passive and acquiescent.<sup>1</sup>

In accordance with Greek practice, provision was made for a federal court to which each division sent judges. Such courts are frequently called supreme courts by modern writers; but the functions of a Greek federal court bore little resemblance to those of the federal courts of Switzerland, or of the United States. The jurisdiction of Greek federal courts was practically confined to offences against the league, and disputes between individuals who belonged to different communities in the federation. No specific instance of litigation before a federal court in Boeotia is recorded. The Plataean survivors who surrendered to the Peloponnesian army in 427 B.C. were tried not by the federal court but by a special Spartan court.<sup>2</sup> In point of law the Plataeans, being in alliance with Athens, did not come under the jurisdiction of the Boeotian court. It is altogether unlikely, however, that Thebes would have hesitated to cite the Plataeans before a Boeotian court as seceders from the ancestral league had she deemed it good policy to do so. But under the circumstances the Plataeans would probably not have agreed to surrender at discretion. It may be noted in this connection that at the time of the original Plataean secession (519 B.C.) the matter was

council shall be elected from the same canton (22 in number). And in Canada the governor-general always selects his advisors in such a way as to give adequate representation to the four main divisions of the country—the maritime provinces, Quebec, Ontario, and the western provinces. This is not, however, a constitutional requirement. In Mississippi provision is made for the rotation of representatives by law. For example, “the counties of Grenada and Montgomery each shall have one representative and a floater between them.” In Massachusetts custom with the force of law decrees that there shall be rotation within the districts so that each town shall have its turn in sending one of its residents to the legislature every few years.

<sup>1</sup> Grote *History of Greece* VII, 82.

<sup>2</sup> Thucyd. iii. 52. 2.

submitted to the Corinthians as arbitrators.<sup>1</sup> The Boeotarchs and other federal officers would be held accountable to this court for any wrongdoing while in office.<sup>2</sup>

Disputes between citizens of different states of a modern confederacy are not tried in the federal courts unless federal laws are involved; they are tried in the local courts of either state according to the rules of private international law. In this respect there is practically no difference between cases involving citizens of federated states and those involving citizens of independent states. In Greece these matters were regulated by treaties. Such treaties were negotiated not only between independent cities but also between a colony and its mother city and between a subject community and the ruling state. In a federation cases involving citizens of different communities would naturally fall within the jurisdiction of the federal court.

The method of selecting judges was not the same in all federations. In the Lycian league the judges were appointed by the council of the league, but in Boeotia they were appointed by the citizens in the electoral divisions in the same way as senators.<sup>3</sup>

Although Boeotia was oligarchic both in the local and in the federal governments, the providing of pay for members of the national senates was a democratic measure in that it enabled any citizen to represent his electoral division at the capital. In this way the business of governing did not become a monopoly of the wealthy.<sup>4</sup>

<sup>1</sup> Although the decision of the Corinthians was rendered in a dispute that concerned Plataea alone, it laid down the general proposition that Thebes should not molest those Boeotian towns that were unwilling to accept her headship: *ἐὰν Θηβαίους Βοιωτῶν τοὺς μὴ βουλομένους ἐς Βοιωτοὺς τελέειν* (Herod. vi. 108).

<sup>2</sup> In the second period of the history of the league (387-334 B.C.), Epaminondas, Pelopidas, and other Boeotarchs were tried by a court in Thebes for holding office four months beyond the expiration of the year for which they were elected (Grote X, 215 ff.). If the league existed in anything like its original form the case would come before a federal court.

<sup>3</sup> *δικαστήριά τε ἀποδείκνυται κοινῇ* (Strabo xiv. 3, 2); cf. Freeman *op. cit.* 163. Glotz very plausibly suggests (*op. cit.* 272, note 2) that the Boeotian federal court served as a model for the central court of the second Athenian confederacy. If this is true it would tend to confirm the opinion of those who maintain that this court was composed of both Athenian and allied representatives. Cf. Marshall *The Second Athenian Confederacy* (1905) 35.

<sup>4</sup> Freeman (207) comments at some length on the fact that the Achaean league assembly could be attended only by those citizens who "were at once wealthy enough to bear the cost of the journey and zealous enough to bear the trouble of it." The assembly was thus practically an aristocratic body.

There is little doubt that the federal compact prescribed the exact form of the local governments.<sup>1</sup> At any rate Chaeronea, on being freed from the control of Orchomenus some time between 424 and 395 B.C., adopted the prevailing system. And if the attack on Plataea in 431 B.C. had succeeded the democratic constitution would have been changed to an *ὀλιγαρχία ἰσόνομος* made up of "the foremost men in wealth and birth" who co-operated with the Thebans on that occasion.<sup>2</sup> Naturally this complete uniformity tended to strengthen the league. Modern federations are not so strict in this regard. The Swiss and the American federal constitutions merely require that the local governments shall be republican. Within this limitation there is considerable latitude,<sup>3</sup> but in both countries the tendency has been toward uniformity.

The federal treasury was supported by fixed contributions from the local governments, and was used solely for military purposes. Federal officials, including Boeotarchs, senators, and judges, were paid by their own constituents.<sup>4</sup> Although the coinage during this period was issued in the name of Thebes it was still a federal coinage, as the *Boeotian Buckler* shows.<sup>5</sup>

There is no trace of federal dependencies in Boeotia. The confiscation of Plataean territory was for the benefit of Thebes, not of the league. In the time of Epaminondas the government exercised control over cities outside of Boeotia.<sup>6</sup>

The beginning of the period to which the constitution in the main applies may be placed at 447/6 B.C.<sup>7</sup> Changes occurred before

<sup>1</sup> It is not necessary to suppose that this provision entailed many changes, for doubtless the majority, if not all, of the cities were oligarchic in 447 B.C., as was Thebes. Cf. Meyer *Geschichte des Altertums* III, 594 ff.

<sup>2</sup> Thucyd. ii. 2. 2; iii. 65. 2.

<sup>3</sup> The franchise is not fixed. Neither is the representative principle obligatory. And any state is at liberty to establish one or two legislative chambers. Cf. Freeman *op. cit.* 200 ff.

<sup>4</sup> It is not expressly stated that the Boeotarchs and the judges were so paid. The Boeotarchs, being the commanders of the army, might have been paid from the federal treasury, but there is no reason for making an exception in the case of the members of the federal court.

<sup>5</sup> Head *Catalogue of Greek Coins*; "Central Greece" xxxvi. ff.

<sup>6</sup> Cf. Bennet "The Government of Federal Territories in Europe," *Annual Report of the American Historical Association* (1896) 391 ff.

<sup>7</sup> *Oxyrhyn. Papy.* V, 225.

395 B.C., when P described it, in the composition of the electoral districts. Chaeronea, which appears as an independent city sharing with Haliartus and Lebadea the right to elect a Boeotarch in its turn, was subject to Orchomenus as late as 424 B.C.<sup>1</sup> Meyer<sup>2</sup> has made it clear that Erythrae, Scaphae, Scolus, and the other towns that originally belonged to Plataea were under the control of Thebes as early as 446. It thus appears that the incorporation of these and other towns with Thebes that P mentions as occurring in 431 B.C. was a military and not a political measure as one might easily suppose who had only P's account before him.<sup>3</sup> Under these circumstances Thebes would be entitled to four Boeotarchs on the establishment of the league without waiting for the adhesion of Plataea, which did not surrender until 427 B.C.

In regard to the position of Thebes in the federation, Freeman<sup>4</sup> remarked that "a single great city standing out prominently above all the others is always likely to destroy the true federal equality, and, instead of remaining a single equal member, to become first the president, and then the tyrant, of the league." New light is now thrown on the methods by which Thebes achieved her supremacy in the league. To begin with, Thebes had complete control of four of the eleven electoral districts. Both the original grouping of towns in the electoral divisions and the redistributions that occurred from time to time facilitated the increase of Theban influence. Thus the separation of Chaeronea from the control of Orchomenus both weakened a possible rival<sup>5</sup> and tended to bring Chaeronea within the sphere of Theban influence. In like manner the inclusion of several

<sup>1</sup> Thucyd. iv. 76.

<sup>2</sup> Meyer *op. cit.* 98 ff.

<sup>3</sup> *Hellen. Oxyrhyn.* XII, 3. The editors doubt the correctness of the author's statement that this step was due to the fear of Athenian incursions. This doubt is scarcely warranted. In fact P is indirectly confirmed by Thucydides (ii. 26). During the first year of the war Kleopompus sailed through the Euripus and made descents on the coast of Locris. His failure to make a descent on Boeotia in revenge for the treacherous attack on Plataea can now be explained. Thebes's precaution in removing the inhabitants from the open towns and villages rendered such descents useless. It is true that we hear of no attempt on the part of Athens to invade Boeotia by land, but if it was possible to invade Megara twice a year there was no reason why Boeotia might not also be invaded. But here again Thebes had taken precautions to render Athenian raids ineffective.

<sup>4</sup> *Op. cit.* 120.

<sup>5</sup> Meyer *op. cit.* 95; cf. Isoc. *Plat.* 10.

sovereignties in one division with the right to appoint Boeotarchs in turn tended to foster local jealousies to the advantage of Thebes. Nothing emphasizes so strikingly her dominant position as P's description of the conflict between the Spartan and the Athenian factions:

Such being the condition of affairs at Thebes, and each of the two factions being powerful, many people from the cities throughout Boeotia then came forward and joined one or other of them. At that time, and for a short period previously, the party of Ismenias and Androclidas (that is, the pro-Athenian party) was the stronger both at Thebes itself and in the senate of the Boeotians; but formerly that of Asias and Leontiades (that is, the pro-Spartan party) was in the ascendant for a considerable period and (had complete control of?) the city.<sup>1</sup>

It thus appears that the party in control at Thebes was able to control the federal government.

The issues that divided the parties are not specified. Democracy could not be an issue between parties composed of *οἱ βέλτιστοι καὶ γνωριμώτατοι τῶν πολιτῶν*.<sup>2</sup> Freeman has observed that the history of Plataea and Thespieae shows that "the Athenian party was the party of the independence of the smaller cities against Thebes." The party of Ismenias may very well have gained influence in the federal senate by opposing the harsh means employed to further Theban supremacy. In modern political language it may be called the party of states' rights. It is significant in this connection that both the Thespians and the party of Ismenias were accused of "atticizing."<sup>3</sup> Unfortunately the lines in the papyrus that describe the policy of Ismenias and his party toward Athens are so fragmentary that the sense can only be surmised. The editors paraphrase them as follows: "they favored Athens not from any regard for Athenian interests but from selfish motives in order that they might use Athenian support in the contest with the pro-Spartan party at Thebes." In 424 B.C. when the Athenians invaded Boeotia they were aided by local factions which chafed under the harsh

<sup>1</sup> *Hellen. Oxyrhyn.* XII, 2.

<sup>2</sup> A writer with the aristocratic sympathies that P betrays could not use these words in reference to democratic politicians.

<sup>3</sup> *ἐν δὲ τῷ ἀντὶ θέρει Θηβαῶν Θεσπιῶν τεῖχος περιῆλον ἐπικαλέσαντες ἀπτικισμὸν.*—*Thucyd.* iv, 133. This occurred in 423 B.C.

domination of Thebes.<sup>1</sup> The active participation of large numbers of Boeotians in Theban faction struggles is easily understood if one of the parties was the champion of states' rights.

One cannot but think that had Freeman been familiar with the details now available he would have modified his opinion that "the Boeotian league was undoubtedly a very ill-arranged political contrivance." The fact that Thebes used it as a stalking horse to win the hegemony does not detract from its excellence as a political contrivance.

Boeotian stupidity is proverbial. In both ancient and modern literature it is a commonplace. "The proverb *βοιωτία ἴσ* was ancient in Pindar's time, and it is likely to be known, in its original Greek form, for centuries to come."<sup>2</sup> But we shall now have to admit that the people who were the political schoolmasters of the Athenians and who anticipated substantially the whole modern system of government—a representative parliament, an elective executive, and a supreme court—were neither stupid nor slow witted.

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<sup>1</sup>Lysander, in 395 B.C., induced Orchomenus to revolt from the Thebans (*Ὀρχομενίου ἀπέστησε Θεβαίων*. Xen. *Hellen.* iii, 5, 6) and tried to induce Haliartus to do the same and gain its independence (*ἁλιάρτου γίγνεσθαι*: *ibid.* iii, 5, 18).

<sup>2</sup>Roberts *The Ancient Boeotians: Their Character and Culture and Their Reputation*.