

THE TELOS RECONCILIATION DOSSIER (*IG XII.4.132*): DEMOCRACY, DEMAGOGUES AND STASIS IN AN EARLY HELLENISTIC POLIS

MATTHEW SIMONTON
*Arizona State University**

Abstract: This article examines the remarkable inscribed monument *IG XII.4.132*, a dossier of documents dealing with political strife and reconciliation in the small island polis of Telos, as an important new piece of evidence for democracy in the early Hellenistic period. Placing the monument in its historical, geographical and political context, I argue that the background to the strife was most likely the activity of ‘demagogues’ in the courts of democratic Telos. Furthermore, we should view the terms of the reconciliation against the backdrop of issues of community service, publicity and memorialization, all contested political topics in the late Classical and early Hellenistic periods. The dossier shows that the kinds of ‘high politics’ and stasis that affected major poleis could be found also in the small cities of the Greek world, with important local variations. The document sits at a historical crossroads in terms both of judicial practices (including the use of foreign judges) and of constitutional forms (democracy and oligarchy).

Keywords: Telos, stasis, reconciliation, Hellenistic democracy, demagogues

Reports of the death of democracy in the Hellenistic period have been greatly exaggerated. As recent scholarship has shown – much of it based on new epigraphic evidence, but some of it also reconsidering old evidence in new ways – democracy thrived in the Greek cities in the period after Alexander’s death. Some have even spoken of the Hellenistic world as representing the ‘golden age’ of ancient democracy.¹ Even if, however, scholars are increasingly agreed that democracy was the sole legitimate constitutional type during the period, the institutional nature and political culture of these democratic poleis continue to be debated.² Furthermore, we continue to understand little of the processes that led from the contentious fourth century, with its near-unceasing stasis between democrats and oligarchs, to the (relatively) more eirenic democratic landscape of the third, when poleis communicated in a common political language (what Philippe Gauthier called a ‘koine démocratique’).³ The road from the one point to the other was uneven and asymmetrical across poleis – there was no single moment or single solution that settled the ‘constitutional question’, although many convincing (but necessarily partial) explanations have been proffered.⁴ Furthermore, outbreaks

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¹ The language of a ‘golden age’ of ancient Greek democracy in the Hellenistic period is now widespread: see Heller (2009) 341 (‘l’âge d’or de la démocratie’); Azoulay (2014) 391 (‘the golden age of Greek democ-

racy should perhaps be situated during the early Hellenistic’); Müller (2014) 536 n. 15 (‘a kind of golden age for this type of political regime’). These studies build on the oft-quoted, and correct, statement of Louis Robert, that the Greek city did not die at Chaironeia: see, for example, Robert (1969) 42 (reprinted as (2007) 603). For quotations, see Ma (2013) n. 1; Azoulay (2014) 390; Müller (2014) 541.

² See already Quass (1979); also, in addition to the sources cited in n. 1 above, Gauthier (1984); (1993); Gruen (1993); Fröhlich (2004) 3; Grieb (2008); Hamon (2009); Mann and Scholz (2012); Bugh (2013); Teegarden (2014) 214–20; Ma (2018) 281–87.

³ Gauthier (1993) 217–18; cf. Ma (2018) 281.

⁴ See Robinson (2011) 182–216 for the spread of democracy during the Classical period; Teegarden (2014) *passim* on the importance of tyrant-killing legislation for creating a common culture of democracy.

of stasis continued, albeit in a world that increasingly viewed democracy as the legitimate norm.⁵ It was a complex period, each new piece of evidence for which adds considerably to our picture.

In this regard, I examine a remarkable inscribed document (*IG* XII.4.132) that has come to light only in the last decade. The text, a dossier of decrees concerned with stasis and reconciliation issued by the tiny island polis of Telos at the end of the fourth century BC,⁶ reveals a world in transition, at the level both of institutions (an early use of something like foreign judges, a technique that developed and spread over the course of the Hellenistic period) and of constitutions (democracy vanquishes oligarchy, to be sure, but ambiguities and tensions remain). As I will argue, the Telos dossier, far from showing a settled and anodyne democratic world, reveals that demagoguery and oligarchic reaction, associated primarily with the Classical period, were alive and well in the Dorian Aegean in the early Hellenistic period.⁷ Even little Telos, which must have had at most about a thousand adult male citizens, witnessed strife between those speaking on behalf of the demos and those who formed the elite liturgical class, in ways and terms familiar to us from the larger poleis. The document displays striking institutional innovation (both judicial and ritual) on the part of Telos in the pursuit of civil peace, in ways that both align with and depart from other known instances of reconciliation in the ancient world. While the dossier of decrees seems well designed to achieve its stated ends, I will also suggest that some tensions remain, not only the traces of past strife contained within the decrees, but also the potential for future conflict inherent in the language and physical form of the monument itself.

The publication of the text presented below was a long time in the making. Despite the announcement of its discovery by Rudolf Herzog in 1903 and 1905, as well as the publication in 1942 of a lengthy fragment (lines 125–36, comprising most of the oath portion of the dossier), an *editio princeps* of the complete inscription emerged only in 2010, with the appearance of *Inscriptiones Graecae* XII 4, part 1.⁸ Kent Rigsby and Klaus Hallof produced this first edition, with Charles Crowther providing his own personal readings. Crowther has announced his intention to produce a complete commentary on the text; in the meantime, the inscription has received attention from Gerhard Thür, Benjamin Gray, Adele Scafuro and Henning Börm.⁹ Along with the reconciliation dossier from Dikaia, published in 2007, the Telos dossier furnishes us with a treasure trove of new evidence for the study of late Classical and early Hellenistic stasis and reconciliation.¹⁰

⁵ See recently Gray (2015); (2017); Börm (2016); (2018); (2019).

⁶ The mention of ‘kings’, *basileis*, at line 108, suggests Antigonos Monophthalmos and Demetrios Poliorketes, who ruled together from 306 until Antigonos’ death in 301 (Plut. *Demetr.* 18.1). For their involvement at this time with Lebedos and Teos, including their suggestion that the two cities use the democratic laws of Kos until such time as they codified their own, see *Syll.*³ 344 = Bencivenni (2003) no. 7. The Telian text in its current state does not tell us much about the involvement of the kings, on whose role in spreading the institution of foreign judges, see below, n. 33. We might plausibly guess that they recommended using the Koans as mediators, given their trust in the Koan legal and political system mentioned just above.

⁷ Hamon (2008) 102–04, discussing an important new democratic inscription from Aiolian Kyme (*SEG* 59.1407), well brings out the political anxiety of the same period, but he did not have access to the complete text of *IG* XII.4.132.

⁸ Fragment b of the dossier was discovered by Herzog during the excavations of the Asklepieion on Kos in 1903, with fragment a discovered in the subsequent

year (Herzog (1903) 196–97; (1905) 11). Together they represent two non-contiguous parts of an opisthographic marble stele, with a the upper portion and b the lower. An ornamental cymatium, now broken off, once topped fragment a. The total height of the stele would have been about 1.24m. It is clear that we lack about 20 lines from the missing middle portion of the stele; the total number of lines was *ca.* 141, of which about 100 are fully or partially preserved. For commentary on the oath portion (Herzog (1942)), see the discussion by Jeanne and Louis Robert at *BE* (1948) no. 181. Publications that reply on the published fragment before the publication of the document as a whole in 2010 include Sherwin-White (1978) 89 with n. 42; Krob (1997) 445–47; Stavri-anopoulou (1997) 81; Stefanaki (2008) 22, 27.

⁹ Thür (2011); Gray (2013) 393–95; (2015) 94–98; Scafuro (2014) 368–69; Börm (2019) 183–88.

¹⁰ *SEG* 57.576. While we await a full commentary by Emmanuel Voutiras, one of the authors of the *editio princeps*, see Gray (2015) 41–57; Driscoll (2016). The Telian and Dikaipolitan dossiers are of interest also for the study of religion: see *Epigraphic Bulletin for Greek Religion* (2008) no. 1567; (2011) no. 197.

The two inscriptions greatly increase the total mass of extant material on the phenomena in question.

Here I reproduce Rigsby and Hallof's edition of the text, accompanied by my own translation:

Face A

IG XII.4.132

fr. a

[ἔδοξε τῷ δάμῳ, γνώ]μα πρυτανίων· ἐπειδὴ vac.
 [ὁ δᾶμος δηλόμενος δι]αλυθῆμεν ποτὶ τοὺς δια-
 [φερομένους ἐσαφίξ]ατο ἐπιτράψαι Κώιοις ὑπὲρ
 [ῶν διεφέροντο ποτ' ἀλλ]άλους πάντων, ὅπως ὁμο- 5
 [νοιεῦντες ἐν δαμοκρα]τία πολιτεύονται, ὁ δὲ δᾶ-
 [μος ὁ Κώϊων μεμναμένο]ς τὰς εὐνοίας ἐσαφίξατο
 [ἐξαποστεῖλαι ποτὶ τὰ]ς διαλύσεις ἄνδρας κα- vac.
 [λοὺς καὶ ἀγαθοὺς -3-4-]γόραν Μίκωνος, Ἄριστω-
 [----- ca. 15 -----, Χά]ρμιππον Χαρμύλου,
 ----- ca. 20 ----- γα Ξενοδίκου, τοὶ δὲ 10
 [ἐξαπεσταλμένοι διαλλακτα]ὶ διέλυσαν καλῶς
 [καὶ δικαίως τὸν δᾶμον vacat], δεδόχθαι τῷ ἐκ-
 [κλησίαι· ἐπαινέσαι μὲν τὸν δᾶμο]ν τὸν Κώϊων
 [καὶ στεφανῶσαι στεφάνῳ χρυσέῳ ἀπὸ] δραχμᾶ[ν]
 [χιλιᾶν, ἐπαινέσαι δὲ καὶ τοὺς ἄνδρας ἐπὶ] τῷ δ[ι]- 15
 [καίως διαλύσαι τὸν δᾶμον τὸν Τηλίων -----]

lacuna vv. fere 20

[----- τῶν διαφ]ερομένων π[οτὶ τὸν δᾶμον τὸν] 70
 [Τηλίων]ν, ὅπως ὁμονοιεῦντες ἐν δαμοκρατία π[ολιτεύ]-
 [ωνται] ἐλεύθεροι καὶ αὐτόνομοι ὄντες, τυχάγαθαί, κ[ατὰ τὰ]-
 [δε διέλ]υσαν τὸν δᾶμον καὶ τοὺς διαφερομένους Τηλί[ων] 40
 [ποτὶ] τὸν δᾶμον· ὑπὲρ μὲν τῶν δικᾶν τῶν ἱερᾶν καὶ τῶν
 [δαμο]σιᾶν, ἃς ὀφλόντες ἐν τοῖς δικαστηρίοις ἀντέλεγον
 [μὴ δικ]αίως ὀφλῆκεν, ἀπομισθῶσαι τὸς ταμίαις αὐτοῖς τῶν
 [χρη]μάτων ὧν ὄφλον τοῖς μὲν τὰς ἱερὰς δίκας ὀφλοῦ- 45
 [σι]ν τὰς ποτὶ τὸ Ἀθάναιον καὶ Κλεισιμβροτίδαι τὰν περὶ τὸ
 [Δ]αμάτριον, καὶ Φιλτυλίῳ παρασχεῖν ἐς τὰν ἑκατόμβαν τὰν
 θυομένην ἐπὶ μονάρχου Θεαγόρα ταῦρον κριὸν οἶν θήλειαν·
 τῶν δὲ τὰς δαμοσίας δίκας ὀφλόντων Ἄρισταγόραν μὲν
 [Ἀ]ριστοφίλου ἀποτετεῖκεν τὸ ἀργύριον ὃ ἐνδειχθεὶς κατέ-
 [β]αλε, ο<ῦ> ἔγδεια ἐγένετο πωληθέντων τῶν κτημάτων ποτὶ 50
 [τ]ᾶν καταδίκαν, Ἄριστόθεμιν δὲ Ἄριστοφίλου ἀποτεῖσαι δρα-
 [χ]μᾶς πεντακισχιλίας, Νικαγόραν δὲ Νικάνακτος ἀποτεῖσαι[ι]
 [τᾶ]ι πόλει δραχμ[μ] ἃς χιλίας πεντακοσίας· ἀποδόντω δὲ ἐμ μη-
 [ν]ι Καρνεῖῳ ἐπὶ Θεαγόρα· ποτὶ δὲ τὰ λοιπὰ χρήματα τὰ ἐκ τῶν κα- 55
 ταδικᾶν ἀπομισθωσάντω τοὶ ταμίαι Ἄριστοθέμι καὶ Νικαγόρα[ι]
 [κ]αὶ Ἄρισταγόραι τὸν βωμὸν τοῦ Ἀσκλαπιοῦ ἐπισκευάξαι καὶ ἐξαλε[ῖ]-
 [ψαι· συ]γτελεσάντων δὲ τῶν μὲν τὰς ἱερὰς δίκας ὀφλόντων τὰν
 [ἑκατόμβ]αν, Ἄριστοθέμιος δὲ καὶ Νικαγόρα καὶ Ἄρισταγόρα {ι} τὸμ βω-
 [μὸν κατὰ τ]ὰ γεγραμμένα, ἀπολελύσθαι αὐτὸς τῶν δικᾶν καὶ 60
 [τὰς γραφὰς] ἀναιρηθῆσαι, καὶ μὴ ἦμεν ἐγκλημα περὶ τῶν δικᾶν
 [τᾶν τε ἱερᾶν καὶ] τᾶν δαμοσιᾶν τῶν δικασθεισᾶν μήτε τοῖς
 [ὀφλοῦσιν ἐπιφέρειν] μηθένα μηθὲν μήτ' ἄλλωι μηδενὶ ποτ[ι]-
 [--- παρευρέσει] μη]δεμιᾶ· τὰν δὲ δίκαν τὰς ὁδοῦ ἂν ἐξί[δια]-
 [ξ]αμένους ----- Ἄριστο]μένη καὶ Ἄρισταγόραν Ἀναξισ[τρά]-
 [του ἐζ]αμίωσαν τοὶ -----] ἄρχοντος διαφεροντ[. .] 65

Face B

[. .]ν δίκαν ἐς ὄρκον συνκεχωρημέν[ων καὶ τῶν διαφορο]–
 μένων ὑπὲρ τὰς δαμοσίας δίκας[ς φαμένων ἀδίκως ἐξαμίδωσ]–
 θαι καὶ τῶν δικαστῶν τὰν ψᾶφον [ἐνεκάντων περὶ ἐκάστας]
 δίκας ἐγνωμες τὸ ἀργύριον, ὃ ἔχει – – – – –
 ΤΑΣ, ἀποδόμεν Ἀριστομένει ἄτοκ[ον τὸς ἱεραπόλος· ὑπὲρ δὲ] 70
 τῶν ζαμιοσιᾶν, ἃς ζαμιοθῆν[τες – – – – – ἐν κοι]–
 νῶι ἀναγεγραμμένοι ἐντὶ καὶ ὁμ[ολογούμενοι ὀφλεῖν, ἀπομισ]–
 θωσάντω τοὶ ταμίαι καὶ τοὶ ἱεραπ[όλοι ἐκ Ἀριστοθέμιος καὶ Νι]–
 [κ]αγόρα καὶ Ἀρισταγόρα συντελέσσα[ι τὸν βωμόν· συντελεσθέν]–
 των δὲ καὶ τούτων κατὰ τὰ γεγρα[μμένα ἀπολελύσθαι αὐ]– 75
 τὸς τῶν ζαμιοσιᾶν καὶ τὰς ἀνα[γραφᾶς τὰς ἐν κοινῶι καὶ
 τῶν ἄλλων πάντων, ὧν ἐνεκάλε[σεν αὐτοῖς ἀ πόλις, καὶ]
 τὰς πράξε[ι]ς τὰς πεπραγμένας [κατ' αὐτῶν ἀναιρηθῆσαι].
 τὰν δὲ πόλιν πριαμένην τὰς γὰ[ς τὰς δαμευθείσας, ἃς ἀπέ]–
 δοντο τοὶ πράκτορες τοῖς ιδιώτα[ις – – – – –, ἀπο]– 80
 δόμεν τοῖς τε τὰς ἱερὰς δίκας ὀφ[λοῦσι – – – – – αὐ]–
 τοῖς ἢ τοῖς κλαρονόμοις ἐν τῶι μη[νι – – – – – ἐπὶ Θεαγό]–
 ρα καὶ τοῖς τὰς δαμοσία[ι]ς, οἷς γέγ[ραπται ἐν τῶι διαλύσει],
 ἀπομισθῶσαι τὸς ταμίας τὸν β[ωμόν τοῦ Ἀσκληπιοῦ ἐπισκευά]–
 [ξαι]· κατὰ ταῦτα δὲ ἀποδ[όμεν τοῖς ιδιώταις, οἱ τὰς γὰς τὰς] 85
 [δαμευθ]είσας ἐκαρπε[ύοντο, τὰν τιμάν, ἂν ὑπὲρ τῶν γᾶν κατέ]–
 [βαλον – – – – –]

lacuna vv. fere 20

----- τοὶ βασιλεῖς ὑπ[ό]μνα[μα] fr. b
 ----- ὄν τὸ χρέος διαλύσαι, παρὰ μὲν τᾶ[ς]
 [πόλιος κομιζέ]σθω ὁ πριάμενος, ὅσον τῶι πόλι κατέβαλε· τὸ δὲ χρέος ὁ 110
 [δᾶμος δι]αλυτέω τὸ ἀρχαῖον παρὰ τοῦ ἐξ ἀρχᾶς ὀφείλοντος κα[ι]
 [τὸ κ]τῆμα κομιζομένου· ὅσσα δὲ γέγραπται ἀποδόμεν τὰν πόλ[ιν]
 [κ]τήματα ἀποδόντω τοὶ ταμίαι καὶ τοὶ ἱεραπόλοι τοὶ ἐν ἐκάστοις
 τοῖς χρόνοις γινόμενοι· αἱ δὲ κα μὴ ἀποδῶντι, ὀφείλοντω ἕκαστο[ς]
 [τ]ῶν ταμιᾶν καὶ τῶν ἱεραπόλων πεντακισχιλίας δραχμᾶς ἱερὰ[ς] 115
 [τ]οῦ Διὸς τοῦ Πολιέως καὶ τὰς Ἀθάνας τὰς Πολιάδος καὶ τῶι ιδιώτα[ι]
 διπλοῦν ὃ κα μὴ ἀποδῶι· ἀ δὲ πράξις ἔστω <τῶ>ι ιδιώται καθάπερ ἐκ δι–
 [κ]ας· τοὶ δὲ τὰς γραφᾶς ἀνελόντες καὶ τοὶ πρυτάνιες τοὶ προθέν–
 τες τὰς διαλύσεις καὶ τοὶ πράκτορες καὶ τοὶ ταμίαι καὶ τοὶ ἱεραπόλοι 120
 [κ]αὶ τοὶ ἄλλοι τοὶ διοικεῦντές τι τῶν γεγραμμένων μὴ εὖντω ὑπό–
 δικοι· αἱ δὲ τίς κα ποῆι παρὰ τὰ γεγραμμένα ἢ εὐθυαν γράφηται ἢ τᾶ[ι]
 [δ]ιαλύσει μὴ ἐμμένῃ ἢ ἄλλο τι ἐγκλημα ἐπιφέρει τοῖς ἄρχουσιν ἢ
 τοῖς ιδιώταις ὅσσα ἐς τὰν διάλυσιν καθῆκε, ἀποτεισάτω μυρίας δρα–
 [χ]μᾶς ἱερὰς τοῦ Διὸς τοῦ Πολιέως καὶ τὰς Ἀθάνας τὰς Πολιάδος καὶ τὸ 125
 [ἐ]γκλημα τὸ ἐπενιχθὲν ἄκυρον ἔστω· ὅπως δὲ Τήλιοι καὶ εἰς τὸν ἐπίλοι–
 [π]ον χρόνον ὁμοιοεῦντες διατελῶντι, ὁμοσάντω τοὶ γεγενημέ–
 [ν]οι ἀπὸ τε ὀκτωκαίδεκα ἐτέων πάντες θεὸς τὸς ὀρκίος [κ]ατὰ ἱερῶν νε[ο]–
 [κ]αύτων τὸν ὄρκον τόνδε· »ἐμμένέω ἐν τῶι πολιτεύματι τῶι καθεστακό–
 τι καὶ διαφυλαξέω τὰν δαμοκρατίαν καὶ οὐ μνασικακησέω περὶ τῶν
 [ἐν τῶι κ]ρίσει[ει] γενομένων οὐδὲ πραξέω παρὰ τὰν διάλυσιν τάνδε οὐδὲν 130
 [οὐδὲ] ὄπλα ἐναντία θησεῦμαι τῶι δάμωι οὐδὲ τὰν ἄκραν καταλαμψεῦντι
 συμβουλευσέω οὐδὲ ἄλλωι ἐπιβουλεύοντι οὐδὲ καταλύοντι τὸν δᾶ–
 μον εἰδὼς ἐπιτραπέω· αἱ δὲ κα αἰσθωμαί τινα νεωτερίζοντα ἢ συλ–
 λόγους συνάγοντα ἐπὶ καταλύσει τοῦ δάμου, δηλωσέω τοῖς ἄρχου–
 σιν· εὐορκεῦντι μὲμ μοι ἤμεν πολλὰ ἀγαθὰ, ἐφιορκεῦντι δὲ τὰ ἐναν– 135

τία«. ὁμοσάντω δὲ καὶ τοὶ ἀπόδαμοι ἀφ' οὗ κά παραγέν[ω]νται ἐν ἀμέραις
 [ἐ]ξήκοντα· αἱ δὲ τίς κα μὴ ὁμόση, χιλίας δραχμῶς ἀποτεισάτω ἱερὰς
 [τ]οῦ Διὸς τοῦ Πολιέως καὶ τῶν Ἀθάνας τῶν Πολιάδος. – ἔδοξε τῶι
 [δ]άμωι, γνώμα πρυτανίων· ἀγαθαὶ τύχαι, χρῆσθαι τῶι διαλύσει καθὰ
 [τ]οῖ διαλλακταὶ τοὶ Κῶιοι διέγραψαν· δόμεν δὲ καὶ ξένια τοῖς διαλλα- 140
 [κτ]α[ῖς], δόντω δὲ ταμίαι.

Face A

Decided by the demos.¹¹ On the motion of the *prytaneis*. Since the demos, wishing to be reconciled with those at odds [with it], voted to hand over to the Koans for arbitration¹² all matters concerning which they were at odds with each other, in order that (5) they might conduct their political life in a democracy, being of one mind; and the demos of the Koans, with good will in mind,¹³ voted to send for the reconciliation agreements men who were noble and good – -goras the son of Mikon,¹⁴ Aristo- the son of ?, Charmippos the son of Charmylos, ? the son of ? (10) and -n the son of Xenodikos¹⁵ – who, having been sent out as mediators, reconciled the demos¹⁶ finely and justly; be it decreed by the assembly: to praise the demos of the Koans and to crown it with a golden crown worth (15) 1,000 drachmas, and to praise the men [sent] to reconcile justly the demos of the Telians ...

[gap of about 20 lines]

... of those at odds with the demos of the Telians, in order that they might conduct their political life in a democracy, being of one mind, free, and autonomous, with good fortune, on these terms (40) they reconciled the demos and those of the Telians at odds with the demos: concerning the cases, both the sacred and the public ones, which, having lost them in the lawcourts, [the defendants] were protesting that they had lost unjustly, the treasurers are to contract with them, for the amount of the money they owed:¹⁷ on the one hand, [they are to contract] with those who lost the sacred cases (45) concerning the sanctuary of Athena, and with Kleisimbrotidas who lost the [case] regarding the sanctuary of Demeter, and with Philylios, so

¹¹ Throughout I normalize Doric *damos* to demos.

¹² This is the usual verb for handing over matters for third-party arbitration, for example IG XII.5.1065 line 9; SEG 31.1130bis line 19; IG XII.4.135 lines 8, 17 (convincingly restored).

¹³ The restoration μεμναμένο[ς] is uncertain, but note the similar construction at SEG 30.1117 lines 11–12, 1118 lines 14–15.

¹⁴ Perhaps to be restored as [Κρινα]γόραν. A Krinagoras son of Mikon is celebrated for his glorious death in war in a Hellenistic sepulchral epigram attributed to Diotimos (*Anth. Gr.* VII.227). Wilamowitz (*ap.* the Budé edition of *Anth. Gr.*) suggests that the word κάλυμν', 'covering', in the poem be emended to Κάλυμν', the *patris* of the honorand. He could not have known that a later inscription would provide the Koan name -agoras son of Mikon, but the emendation now looks to be valid. The Krinagoras of *Anth. Gr.* could be a descendant of the mediator listed here, whose family at some point moved to Kalymna following the *homopoliteia* of the late third century. (If true, this observation provides a rough *terminus post quem* for the death of Diotimos.)

¹⁵ An odd-numbered panel of officials – in this case five – was normal, to allow for the possibility that a single judge could cast a tie-breaking vote: see Hamon (1999) 187–93.

¹⁶ I am unsure of the restoration τὸν δᾶμον here. It is not the demos that needs to be reconciled but the demos and those at odds with it.

¹⁷ That is, in lieu of paying the amounts owed, the men will contract with the city's treasurers to receive a disbursement of the precise amount, which they will then apply towards the specified duties (supplying victims for a sacrifice; whitewashing the altar of Asklepios). A close parallel, featuring the same verb and grammatical construction, is provided by Androtion's account of the reinstatement of Phormion (*FGRH* 324 F8): the general was found to owe the city 100 mnai at his *euthuna*, and, unable to pay it, he was stripped of his citizenship for being a public debtor. When the Athenians sought his services as general again, he declined, on the grounds that an *atimos* could not be general. Therefore, in order to reinstate him, the Athenian demos 'contracted with him for the amount of 100 mnai for Dionysos' (ἀπεμίσθωσεν αὐτῶι τῶν ρ' μνῶν † τοῦ Διονυσίου, accepting the emendations of Jacoby). Cf. Plut. *Dem.* 27.8, cited by Boeckh in explaining the Androtion passage, where Demosthenes' task is precisely to prepare and adorn (*kataskeuazein, kosmein*) the altar of Zeus Soter (cf. τὸν βωμὸν τοῦ Ἀσκληπιοῦ ἐπισκευάζει καὶ ἐξάλε[ψαι], lines 56–57). In those two cases the fines were very large sums, and the public service was nominal. In Telos, by contrast, the amount was unlikely to have been so high, and the city is clearly insistent on seeing the tasks carried out. According to Thür (2011) 343, the city of Telos is hiring the debtors to perform the tasks at their own expense, as one would in tax farming, but this is not the meaning of ἀπομίσθοῦν (the verbs for selling and buying the rights to perform tasks are *pōlein* and *priasthai*).

that they provide a bull, a ram and a sheep for the hecatomb that is to be sacrificed during Theagoras' tenure as monarch;¹⁸ on the other hand, of those who lost the public cases, Aristagoras the son of Aristophilos has paid the money which, having been indicted, he deposited, (50) of which there remained a negative balance after his possessions were sold to pay the damages;¹⁹ but Aristothemis the son of Aristophilos is to pay 5,000 drachmas, and Nikagoras the son of Nikanax²⁰ is to pay to the city 1,500 drachmas. They are to pay it in the month of Karneios, during Theagoras' tenure as monarch. As for the remaining money of the damages determined, (55) let the treasurers contract with Aristothemis and Nikagoras and Aristagoras to restore and whitewash the altar of Asklepios [sc. for that amount]. When those who lost the sacred cases have contributed the hecatomb, and when Aristothemis and Nikagoras and Aristagoras have [finished] the altar according to what has been written, they are to be acquitted of the charges and (60) the indictments are to be annulled, and there is to be no accusation concerning the cases, both sacred and public, that were decided, nor is anyone to bring any charge against those who lost the cases or against anyone else concerning ... according to any pretence. The case concerning the road,²¹ which the ... fined ... Aristomenes and Aristagoras the son of Anaxistratos for appropriating for themselves ... (65) the magistrate, at odds ...

Face B

Those ... a case when they agreed to an oath, and when those at odds concerning the public cases were claiming that they were fined unjustly, and the judges cast a ballot concerning each case, we decided:²² the money, which [x] has ... (70) the *hierapoloι*²³ are to pay back to Aristomenes without interest. Concerning the fines, having incurred which ... they were registered in public and were in agreement

¹⁸ The eponymous magistrate of Kos: Sherk (1990) 265–66; Habicht (2000). The Koan mediators make the Telians accomplish certain actions according to the Koans' own political calendar. The eponymous magistrate of Telos was the *damiorgos*: *IG XII.3.34* line 2 with Sherk (1990) 287.

¹⁹ It seems that Aristagoras had paid some money initially as a deposit (*katabolē*) when he was first charged. The total amount of his assessed liability following the trial, however, seems to have vastly outstripped this deposit, since he still owed the city some of the damages even after the deposit had been taken and his property confiscated and sold.

²⁰ The name Nikanax is known only from Dorian Aegean contexts, with five of the six known instances (with this one added to the five from *LGPN*) coming from Telos. Note the Nikanax son of Nikagoras, undoubtedly a relative of the present man, at *IG XII.3.34* line 11; also the son of Nikanax at *SEG 3.717* line 10 (probably an *epidosis* list from the late third or early second century: Migeotte (1992) no. 48).

²¹ The nature of such a case is unclear, but, if Rigsby is right in restoring ἐξι[διαξαμένουσ], the offenders in question may have made a formerly public road their private possession. Compare *LSCG* 177 lines 43–47 (Kos); *FD III.2.70* lines 19–20, III.4.38 lines 15–16. The politically subversive potential of personal appropriation can be seen in the *homopoliteia* agreement between Kos and Kalymna, *Tit. Cal.* test. xii lines 24–25, where oath-takers swear that they will not seize the acropolis, neither ἐξιδιαζόμενος it themselves nor aiding another.

²² The sudden switch to the first-person plural is jarring. I believe that this signals the start of an *apophysis* or written legal decision, made after a panel of judges had rendered a formal judgment through secret ballot. For the practice, see *IK Erythrai* 120 line 5; *IMylasa* 634 line 3; *SEG 58.1225* line 5; with Bousquet and Gauthier

(1993) 20–23. When foreign judges were dispatched, the ideal scenario was one in which outstanding cases could be settled by arbitration, without the judges having to decide formally for one side against the other. If a case remained intractable, however, they could resort to this measure, although it was much more controversial and likelier to provoke dissatisfaction. See especially *Tit. Cal.* test. xvi lines 40–45: Iasian judges sent to Kalymna 'settled most of the cases by persuading the contending parties, in order that the demos not be put in a state of greater disturbance if matters were decided by vote, and others they also arbitrated in a manner advantageous to each of the two parties, but ten of the cases introduced into the court they decided by vote', τὰς μὲν πλείς<τας> διέλυσαν [πει]σαντες τοὺς ἀντιδίκους, ὅπως μὴ διὰ ψάφου τῶν πραγμάτων κρινομένων εἰς πλέω παραχάν ὁ δᾶμος [καθισ]τᾶται, τινὰς δὲ καὶ διαίτασαν συμφερόντως [έκα]τέροις τοῖς ἀντιδίκους, δέκα δὲ δίκαν εἰσαχθεῖσᾶν [εἰς τὸ] <δι>καστήριον ἔκριναν διὰ ψάφου. See further Robert (2007) 305–06; Hamon (2012) 202–03. We possess several examples of *apophaseis* in which the judges speak in the first-person plural (note, however, that these are all interstate arbitrations): *IVO* 4, line 12; *IC III.iv.9* especially lines 31–37. This still does not explain the identity of those casting ballots in the genitive absolute construction. Thür (2011) 346 identifies them with the Koan *diallaktai* themselves, and, while the construction is awkward, I fail to see who else but the *diallaktai* could be empowered in this situation to cast a vote. *Contra* Scafuro (2014) 368 n. 15, citing Crowther *per ep.* Crowther's commentary will no doubt settle the issue; in any case, it has no bearing on the rest of the present argument.

²³ The chief priests. The title is known from Gela (*IG XIV.256*), which a Telian, an ancestor of the tyrant Gelon, helped to found along with the Lindians (Hdt. 7.153.1).

that they owed, let the treasurers and the *hierapoloí* contract with them [based on the amounts owed] from Aristothemis and Nikagoras and Aristagoras to perform the altar task. When these tasks have been completed (75) according to what has been written, they are to be released from the fines and the public registering and all the other things with which the city charged them, and the exactions carried out against them are to be annulled. The polis, purchasing the lands that were confiscated, which (80) the exaction officials²⁴ gave to private citizens ... is to give them back both to those who lost the sacred cases ... to themselves or to their heirs in the month of ... during Theagoras' tenure as monarch, and as for those who lost the public [cases], the treasurers are to contract with them according to the terms written in the reconciliation to restore the altar of Asklepios. On the same terms they are to pay to the private citizens, who were enjoying the use of the confiscated lands, the price which they paid for the land ...

[gap of about 20 lines]

... the kings²⁵ ... the memorandum²⁶ ... to settle the debt, on the one hand let the buyer take from the polis (110) however much he paid to the polis. Let the demos discharge the debt, that is, the principal arising from the person who initially went into debt and [now?] conveys the property back.²⁷ As many properties as have been recorded for the city to hand over, let the treasurers and the *hierapoloí* hand them over in their respective periods [of office]. If they should not hand them over, each (115) of the treasurers and the *hierapoloí* are to owe 5,000 drachmas sacred to Zeus Polieus and Athena Polias, and to the private citizen double whatever they did not hand over. Let the exaction be in the hands of the private citizen as in a legal trial. As for those annulling the indictments, and the *prytaneis* who moved (120) the reconciliation agreements, and the exaction officials, and the treasurers, and the *hierapoloí*, and the other [officials] who administer any aspect of what has been written, let them not be liable to indictment. Should anyone act contrary to what has been written or accuse someone during his review of office or not abide by the reconciliation or bring any other charge against the magistrates or private citizens concerning all such things as pertain to the reconciliation, let him pay 10,000 drachmas sacred to Zeus Polieus and Athena Polias, (125) and let the charge brought be invalid. Also, in order that the Telians for all time remain in a state of likemindedness, let all those 18 years old and older swear this oath by the gods of oaths over freshly burnt victims:²⁸ 'I will abide by the established constitution, and I will guard the democracy, and I will not recall past wrongs regarding the things that (130) transpired during the judgment, and I will not do anything contrary to this reconciliation, nor will I bear arms against the demos, nor will I conspire with someone seizing the acropolis, nor will I knowingly acquiesce to anyone plotting against or putting down the demos. If I should learn of someone plotting revolution or convening meetings for the purpose of putting down the demos, I will denounce him to the magistrates. (135) May there be many good things for me if I remain true to my oath, but the opposite if I swear falsely.' Those currently outside of the city are to swear within 60 days of the time when they arrive. If someone does not swear, he is to pay 1,000 drachmas sacred to Zeus Polieus and Athena Polias. Decided by the demos. On the motion of the *prytaneis*. With good fortune: to make use of the reconciliation (140) as the Koan mediators drafted. And also to give gifts of hospitality to the mediators, and let the treasurers give them.

²⁴ πράκτορες are known from Athens (for example, Dem. 43.71; IG II² 45 line 7) and many other poleis, including Kos (IG XII.4.304 line 15). Aristotle notes that such an office was at the same time 'most necessary but also most difficult', because it incurs great annoyance from those affected by it (*Pol.* 6, 1321b40–1322a2); note the protections for these and other officials at lines 119–22.

²⁵ For the identity of these kings as Antigonos and Demetrios, see n. 6.

²⁶ For the use of *hypomnēmata* by Hellenistic kings, see SEG 57.2197, to which cited sources now add the present one, if the restoration is correct.

²⁷ As Hallof and Rigsby note in the commentary to the *editio princeps*, the meaning here is obscure, but the

passage seems to describe a situation in which an individual mortgaged the land as security to take out a loan (ὀφειλοντος). The city will pay the principal of the debt but not, presumably, any interest the individual owes to the lender. Cf. Thür (2011) 347–48.

²⁸ With what follows compare the oath of the *homopoliteia* agreement of Kos and Kalymna from the later third century (IG XII.4.152 lines 14–133; Krob (1997) discusses oaths in the Koan democracy, at 445–47 analysing the Telian oath); *IPE* I² 401 lines 13–18 (Chersonesos); *ISmyrna* 573II + II2, p. 376, lines 60–69; SEG 57.576 lines 67–105 (Dikaia; although, as Driscoll (2016) 148 notes, the Dikaiopolitan oath does not explicitly mandate a democracy, the multiple mentions of the *ekklēsia* throughout the document suggest one).

In the initial section, the surviving text closely resembles, at first glance, an honorific decree for foreign judges, an inscriptional genre – and a political and juridical institution – that is now well known from the epigraphic record. Foreign judges – or, to be more terminologically accurate, judges (*dikastai*) who served on foreign courts (*xenika dikastēria*) – were citizens sent by one polis to adjudicate politically sensitive lawsuits in another polis.²⁹ Despite the extensive use of this institution during the Hellenistic period, it was not properly understood until Louis Robert presented a synthesis of his findings in 1973.³⁰ Since his 1990 dissertation, Crowther, through numerous articles involving the interpretation, re-editing or first publication of decrees for foreign judges, has become the leading expert on the phenomenon since Robert.³¹ Indeed, thanks in part to Crowther, the total number of decrees for foreign judges known has expanded from the 200 cited by Robert in 1973 to around 280 in 2007.³²

Building on the excellent scholarship on this well-studied corpus, we can see immediately how the opening part of the Telos dossier both partakes of but also departs from the norms of the genre.³³ At its most basic level, the purpose of the inscription, as with decrees for foreign judges, is honorific: to praise, first, the demos of Kos and to crown it with a costly *stephanos*, and then to praise, at the very least (any other honours do not survive in the inscription), the judges sent by the Koans. The demos of Telos provides some background in a brief motivation clause, in which it explains that it wished to achieve reconciliation in the city and so voted to turn over matters to the Koans for arbitration. The demos of Kos, in turn, voted to send as judges five individuals, ‘gentlemen’ (*kaloι kagathoi*) one and all, who carried out their task with nobility and justice. With some very important exceptions, to be discussed at length below, this is how decrees for foreign judges begin, and were the rest of the inscription to survive we would likely see a further list of typical honours granted to the mediators.³⁴

However, fragment b of Face A takes us into exceptional territory. After a lacuna of about 20 lines, the inscription picks up with the terms of the reconciliation (*dialysis*) itself. These originally ran to more than 100 lines (37–138) and are followed by a separate decree, in which the Telian demos formally decides to adopt the reconciliation proposed by the Koans and to provide them with gifts of hospitality (*xenia*). The overall presentation is extraordinary, comparable (again) to the reconciliation dossier from Dikaia in Chalkidike.³⁵ In its forthrightness about the causes of the

²⁹ Note in this respect that the patronymic of the last-named mediator is Xenodikos, perhaps indicating an established tradition in this family of serving as foreign judges. I thank one of the reviewers for this observation.

³⁰ Robert (1973); reprinted as (2007) 299–314. This article represents the culmination of a life’s work on the subject; Robert’s very first article, published in 1924, discusses inscriptions relating to foreign judges. The institution is unattested in the literary sources except for three allusive references: Plut. *Mor.* 493a–b; Polyb. 28.7.8–10; Paus. 7.9.5.

³¹ See, for example, Crowther (1992); (1993); (1994); (1995); (1997).

³² Crowther (2007) 53. For a recent overview of the institution, which still lacks a monograph-length study, see Walser (2012) 96–104. With the forthcoming publication of V. Bardani’s new decrees for foreign judges from Messene, the total will rise to 310. I thank one of *JHS*’s reviewers for this information.

³³ With a publication date of *ca.* 306–301 BC, the inscription falls quite early in the history of decrees for foreign judges. A foreign court is known from a reconciliation decree from Tegea from 324/3 (RO 101 line 24:

δικαστήριον τὸ ξενικόν), but, as Crowther observes, the institution disappears from the historical record of the Greek mainland for 140 years ((1992) 23). The use of foreign judges appears to have peaked around the beginning of the second century; in 1992, Crowther found that of the 190 decrees for foreign judges that can be dated within a 50-year period, 125 belong to the second century (24). The Telos dossier, with its mention of *basileis* at line 108, accords with the general observation that the Hellenistic monarchs were instrumental in encouraging and spreading the use of foreign judges: Gauthier (1994); Robert (2007) 312–14; Cassayre (2010) 99–122 (but see the criticisms of Hamon (2012) 196 n. 2, on her idea that foreign judges represented an instrument of power wielded by the Hellenistic kings); Walser (2012) 97.

³⁴ For a very full list of honours and privileges awarded by a polis to foreign judges (including *ephodos*, *proedria* and the possibility of citizenship), see *IKaunos* 17 lines 26–32 (Smyrna honours judges from Kaunos, second century).

³⁵ *SEG* 57.576. A similar dossier of decrees is RO 83, which compiles several previous decrees concerning the tyrants who once ruled Eresos on Lesbos (see Ellis-

internal unrest, its explicit spelling out of the terms of the *dialusis* and its inclusion of the oath to be sworn by the reconciled citizens of Telos, the inscription diverges from what we know of typical practice in cases of foreign judges and provides a much fuller account of the situation at Telos.

Then again, the Telos dossier is not really a decree for foreign judges at all. This fact is made immediately clear by the language of the opening lines, which describe the parties in conflict: ‘the demos’ (which also enacts the decree) and ‘those at odds with it’ (lines 1–3; see again at 40–41). In the vast majority of decrees for foreign judges, while it is indeed the demos that enacts the decision, the relevant disputants are called ‘those of the citizens (*politai*) at odds with each other (*diapheromenoi*)’ or similar.³⁶ In those cases, the crisis wracking the polis, whether it be debts, unadjudicated lawsuits, unconstitutional measures or even acts of violence, is conceived of as a problem between individuals.³⁷ Insofar as ‘the demos’ itself speaks, it is in the capacity of the citizen body as a whole, which wishes to see its constituent members at peace with each other. In the Telos dossier, by contrast, the demos initiates the request for mediators not in order to reconcile others but to be itself reconciled to those at odds with it. The demos is one of the interested parties in the suit, a kind of personified ‘Mr Demos’.

Furthermore, the men sent by the Koans are not really judges (*dikastai*).³⁸ As is made explicit several times (lines 11 (restored), 140–41), they are first and foremost *diallaktai*, mediators.³⁹ This term is extremely rare in extant decrees for foreign judges, used only once, in a Naxian decree precisely for Koan *dikastai*-cum-*diallaktai*.⁴⁰ Normally in the later Classical and early Hellenistic periods, the term *diallaktēs* is used to describe a third party, often but not necessarily always from outside the city, who attempts to reconcile the warring factions in a bout of stasis. The author of the *Athēnaiōn Politeia*, for example, calls the ten Spartiates sent to reconcile the Athenians in 403 *diallaktai* and the word recurs in a reconciliation agreement preserved on stone from Arkesine on Amorgos.⁴¹ The Koans’ title probably reflects the particular circumstances in which they were

Evans (2012), showing that the documents were contained on a single stela; Teegarden (2014) 115–41).

³⁶ For citizens at odds, see, for example, *IKaunos* 17 line 11; *IG XII.2.509/568* line 11; *IG IX.2.507* lines 19–20; *IG XII.6.95* line 16; *IAsos* 82 line 35. The disputants might also be called *antidikoi* (*IAsos* 75 lines 10–11, 82 line 40; *Tit. Cal.* 31 line 9) or οἱ ἔχοντες πρᾶγματα, ‘those with legal business’ (*Gonnoi* II.91 line 16; *SEG* 27.226 line 7).

³⁷ With one exception (*IG IX.2.1230* line 12), decrees for foreign judges do not describe the crisis as a stasis, but ‘disturbance’ (*tarachē*) might be used: *IG XII.5.7* line 2; *IAsos* 82 line 40; *IC I.xix.3* line 18; *IG IX.2.1230* line 2; *SEG* 49.1171, a Smyrnaian decree for Thasian judges dating to the first century, speaks of removing *philonikia* and *diaphora* (line 16). Debt is the obvious subtext of decrees for foreign judges that mention the settling of contracts (*sumbolaia*), both public (*dēmosia/koina*) and private (*idiōtika*): *SEG* 46.1481 line 4; *IG XII.4.57* lines 7–8, 58 line 19, 59 lines 22–23; *cf. Miles* I.3.153 line 9; *IC I.xix.3* lines 17–18; *SEG* 46.1481 line 4; *IG XII.4.57* lines 7–8, 58 line 19, 59 lines 22–23; *IG XII.4.135* line 4; *IG XII.6.95* line 3; *IG XII.5.1065* line 8. ‘Loans’ (*daneia*) are mentioned explicitly at *SEG* 26.677 line 36. For the suspension of justice (*dikaiodosia* or *dikaionomia*), leading to a backlog of untried (*adikastoi*) cases, see *SEG* 44.710 line 22; *SEG* 26.677 lines 1–2; *IG XII.2.530* lines 1–2; *SEG* 43.850 lines 2–3. *Tit. Cal.* test. xvi attests to there being either 250 or

350 untried cases in Kalymna in the first half of the third century BC (see n. 22). For trials for unconstitutional measures (*dikai paranomoi*) and acts of violence (*dikai biaioi*), see *IPriene* 44 line 18. We also read of disputes requiring foreign judges arising during magistrates’ *euthunai* (accounts of office) (*SEG* 27.226 and *Choix d’inscrites grecques* no. 12 line 8, with Fröhlich (2004) 432–35) and in a case of denunciation (*mēnūsīs*) (*IK Erythrai* 111 line 6, with discussion at Robert (2007) 307).

³⁸ Although they may have acted in that capacity at line 68: see n. 22.

³⁹ This is noted at Robert (2007) 313–14. For the title and function of *diallaktai*, see Berti (2012), written prior to the publication of the full reconciliation dossier.

⁴⁰ *IG XII.4.135*, early third century (and note Ptolemy’s involvement at line 3).

⁴¹ Arist. [*Ath. Pol.*] 38.4: ἐπὶ πέρας γὰρ ἤγαγε τὴν εἰρήνην καὶ τὰς διαλύσεις Πausανίας ὁ τῶν Λακεδαιμονίων βασιλεὺς, μετὰ τῶν δέκα διαλλακτῶν τῶν ὑστερον ἀφικομένων ἐκ Λακεδαίμονος (*cf. Xen. Hell.* 2.4.38: ἐξέπεμψαν πεντεκαίδεκα ἄνδρας εἰς τὰς Ἀθήνας, καὶ ἐπέταξαν σὺν Πausανίᾳ διαλλάξαι ὅπῃ δύναιτο κάλλιστα); *IG XII.7.3* lines 31, 34. Aratos of Sikyon convened a panel of 16 *diallaktai*, including himself, to deal with the aftermath of stasis in Sikyon: *Plut. Arat.* 14.2. Compare the *sunallaktai* of the Dikaia reconciliation agreement (*SEG* 57.576 lines 3–4, 8) and *xunallagē* at *Thuc.* 3.82.7.

dispatched. Whereas normally foreign judges attended to cases that had not yet been tried (i.e. which were *adikastoi*), settling some through arbitration and others by formal judgment, the men sent to Telos are *diallaktai* because they must deal with the political aftermath of controversial cases that were decided in the Telian courts, the verdicts of which were contested by those found guilty (see further below).⁴² Now that the Telians have decided to put aside their differences and ‘conduct their political life with concord, in a democracy’ (lines 4–5, 38–39), the Koan *diallaktai* must decide what is to be done about the prior verdicts and the attendant problems regarding penalties, fines and disputed property arising therefrom.⁴³ Although decrees for foreign judges often speak of ensuring *homonoia*, and on at least one occasion the importance of preserving democracy is emphasized, the Telian dossier stands out for its forceful insistence on ending strife and on maintaining a decisively democratic variety of likemindedness.⁴⁴

It is at this point that the partisan fault lines dividing Telian society, both during the stasis but even potentially after the adoption of the reconciliation agreement, become detectable. The few discussions of the Telos dossier so far have tended to emphasize the peaceable language of the document as a whole and to suggest that, while we cannot know for certain the outcome of the process, the *diallusis* is well crafted for achieving *homonoia*. This is not to say that the ordeal was easy – in fact, the relative length and detail of the dossier attest to the magnitude of the crisis and, by extension, to the impressiveness of the feat achieved by the Koan mediators. Yet the focus has been on peace.⁴⁵ However, the crisis at Telos has not been recognized for what it almost certainly was: a stand-off between members of the elite and democratic politicians acting in a demagogic fashion. Although the ‘points of contention’ (*diaphorai*) between the Telian demos and its opponents remain unclear in the first decree, in the course of the reconciliation agreement the situation comes into sharper focus: as we have seen, the defendants (no doubt members of the elite) protested their (supposedly unjust) treatment in the lawcourts (*dikastēria*, line 42), where they had lost several cases involving sacred and public charges (*ἱεραὶ καὶ δημοσῖαι δίκαι*).⁴⁶ These verdicts had

⁴² For undecided cases, see n. 37.

⁴³ For legal issues surrounding the return of property confiscated and sold during exile (as in Xen. *Hell.* 5.2.10; RO 85B 101; Plut. *Arat.* 9.3), see Lonis (1991); Rubinstein (2013) 147–54; Gray (2015) 81–82, 91–92. Such property was *φυγαδικά*, ‘of an exile’ or perhaps in cases like these ‘taken from an exile’: see recently *SEG* 51.1075 line 8 (Chios, late fourth century, with language similar to that of the Telos dossier: *antilegein, kataballein, apodidonai*), to be added to *IG* XII.9.196 line 24; Plut. *Arat.* 14.2.

⁴⁴ For *homonoia* in decrees for foreign judges, see, for example, *IKaunos* 17 line 11; *SEG* 49.1171 line 14; *IG* XII.5.1065 line 4; *IG* XII.3.172 lines 14–15; Thériault (1996) 11. For the importance of preserving democracy, see *IPriene* 44 lines 14–15 (Priene sends three judges to Alexandria Troas; as the decree states, ‘democracy is best preserved when justice and fairness are available to all citizens’). For a cult devoted to personified *Homonoia* on Kos, see Bosnakis and Hallof (2005) 240–45. Driscoll (2016) 148 contrasts the explicitly democratic focus of the Telian dossier with the constitutionally more neutral language of the *Dikaia* reconciliation, which does not mention the demos or democracy (*SEG* 57.576).

⁴⁵ Scafuro (2014) 369: ‘Insofar as the Telians say of the Koans in the first section ... that “they reconciled the people fairly and justly” ... we might conclude that their

activities in reconciliation have been accurately represented.’ Thür (2011) 350 finds the performance of the *diallaktai* ‘virtuoso’, and gets the impression of an ‘entirely peaceful’ stasis (although he quickly acknowledges that we could be reading ‘diplomatically coloured rhetoric’). Gray (2015) sees the retrospective justice of the Telian dossier, in the form of the ‘community service’, as leaving open the possibility of ‘reinflaming discord’ (97) (to a degree that a blanket amnesty presumably would not), but still assumes that the aim of the reconciliation was ‘mutual security, advantage, and justice’ (95).

⁴⁶ Although *hiera* and *dēmosia* are frequently paired in discussions of property, ‘sacred and public cases’ are rarely found. ML 83, a decree from late fifth-century Thasos offering rewards for those who inform on plots against the ruling oligarchic regime, states that those who inform are not to be subject ‘to any charge, either sacred or secular’ (δίκη μηδεμία μήτε ἰρη μήτε βεβήλη, line x). βεβήλη is not the strict equivalent of *dēmosiē*, however. The Ephesian decree on the cancellation of debts from the first century BC (*IEphesos* 8) at one point mentions cancelling *ἱεραὶ καὶ δημοσῖαι δίκαι*, unless they concern ‘removal of boundary stones from the land’ or ‘disputes about inheritance’ (lines 41–43). It is unclear why either of these would count as a ‘sacred case’, unless perhaps the *horoi* in question demarcated sacred land.

resulted in their owing money (*chrēmata*), in the case of the sacred cases to various sanctuaries (the Athanaion, the Damatrimon, lines 45–46) and in the public cases to the public treasury itself. The polis confiscated and sold the private possessions (*ktēmata*) of some of the condemned in order to cover the penalties (*katadikai*), a practice that in the case of Aristagoras the son of Aristophilos resulted in a remaining balance (*ekdeia*) exceeding some money he had initially deposited (lines 48–51). He is nevertheless released from paying further amounts. However, Aristothemis the son of Aristophilos (presumably Aristagoras' brother) and Nikagoras the son of Nikanax still must pay 5,000 drachmas and 1,500 drachmas, respectively. We later hear of further fines (*zamiōsiān*, lines 71, 76) and confiscated property (lines 79–85, 109–14). Prior to the attempt at reconciliation, the initial actions on the part of the polis appear to have goaded at least some of the elite into fleeing into exile, perhaps not before banding together and attempting to seize the acropolis, overthrow the democracy and engage in other behaviours prohibited by the civic oath (lines 131–34).⁴⁷

The events read as a textbook case of demagogic overreach. The two most common types of constitution in the late Classical period, democracy and oligarchy, were both prone to instability, albeit to different degrees and as a result of different causes.⁴⁸ Oligarchies collapsed either when elite outrage against the demos resulted in a popular uprising or when one of two feuding members of the ruling class brought the common people over to his side to defeat his enemy. The demos, in return, would expect the introduction of a democratic regime.⁴⁹ In democracies, by contrast, the sources make clear that the main source of disruption was the emergence of excessive demagoguery. Since the loci of political power in a democracy were the *ekklēsia* and the *dikastēria*, in which the demos (understood as the entire adult male citizenry or a representative section thereof) had ultimate authority,⁵⁰ there was always the potential – exaggerated by critics of democracy but no doubt real – that speakers in these venues might attempt to curry favour with the poorer majority of citizens by attacking the wealthy.⁵¹ Thus Aristotle says that ‘democracies undergo constitutional change most of all because of the outrageousness of the demagogues: for in private they act as

⁴⁷ For concerns about oligarchs seizing the acropolis in an attempted coup d'état, see Hdt. 5.72.2; *SEG* 50.1304 (reconciliation agreement from Sagalassos, early Hellenistic); *SEG* 59.1407 lines 18–19 (Aiolian Kyme, early third century); *Tit. Cal.* test. xii lines 23–24 (mid-third century). The acropolis of Telos, accessible today in the village of Megalo Chorio on modern Tilos, is quite sheer and imposing. If seized it would, one imagines, be difficult to access. Although exile is not explicitly mentioned in the dossier, the fact that property had been confiscated and sold off strongly suggests that the owners had abandoned the property in the meantime, probably due to exile. Now that the exiles have returned, the polis must figure out how to restore their property to them (lines 112–14).

⁴⁸ For stasis in Classical Greece, see above all the fundamental study of Gehrke (1985); also Lintott (1982); Fisher (2000); Loraux (2002); Hansen and Nielsen (2004) 124–29; Gray (2015). For the preponderance of democracy and oligarchy as regime types, see Arist. *Pol.* 1296a22–23. For oligarchy as a regime, I may be permitted to refer to Simonton (2017).

⁴⁹ The *locus classicus* is Arist. *Pol.* 5, 1305a37–6b21; see also Hdt. 3.82.3; Thuc. 8.89.3; Pl. *Resp.* 8.556c–e; Arist. [*Rh. Al.*] 1424b4–10; Polyb. 6.8.4–9.1. For concrete historical examples of oligarchic dissolu-

tion, see especially Hdt. 5.66.2 (Kleisthenes of Athens in 508 BC); Arist. *fr.* 558 Rose (Archaic Naxos); *Hell. Oxy.* 18.1–3 Chambers (Rhodes in the early fourth century); Xen. *Hell.* 6.5.7 (Tegea, similar in many respects to the example of Kleisthenes), 7.1.45 (Sikyon in the 360s).

⁵⁰ Arist. [*Ath. Pol.*] 41.2: ἀπάντων γὰρ αὐτὸς αὐτὸν πεποιήκεν ὁ δῆμος κύριον, καὶ πάντα διοικεῖται ψηφίσμασιν καὶ δικαστηρίοις, ἐν οἷς ὁ δῆμός ἐστιν ὁ κρατῶν; cf. Arist. *Pol.* 3, 1292a23–30.

⁵¹ For elite complaints about demagogues in the assembly and the courts, see, for example, Xen. [*Ath. Pol.*] 1.13–14; Lys. 25.27; Xen. *Hell.* 5.2.7 (the demagogues are ‘burdensome’, *bareis*, presumably in part from their financial impositions on the rich); Theophr. *Char.* 26.4–5. On the figure of the demagogue in democracy, Finley (1962) is still essential; see also Connor (1992); Mann (2007); Robinson (2011) 227–28; Rhodes (2016). Lane (2012) shows that Athenian democrats of the fifth and fourth centuries did not generally draw a distinction between ‘good’ statesmanship and ‘bad’ demagoguery – ‘demagogue’ (leader of the people) was a neutral term. However, a parallel discourse to that of the democracy, carried on by its critics and opponents, was clearly critical of demagogues, as revealed by Antisthenes *FGrH* 1004 T2; Theopomp. *FGrH* 115 FF85–100.

sympathants [vexatious litigators] against the owners of property and drive them to conspire (for a common fear unites even the greatest enemies), and in public they rile up the masses against them'.⁵² Later in the same book of the *Politics* he describes demagogues as 'slandering [the elite], in order that they might be able to confiscate the possessions of the rich'; in book 6, 'the demagogues of the present day, in order to ingratiate themselves to the common people, often carry out confiscations by means of the lawcourts'.⁵³ This diagnosis of democratic pathologies is not confined to the Stagirite philosopher. The *Rhetoric to Alexander*, a treatise attributed to Aristotle but probably written by the fourth-century sophist Anaximenes of Lampsakos, states that it should be a central concern of democracies that 'the laws prevent the masses from plotting against the owners of property'.⁵⁴ Diodorus Siculus, describing the terrible event called the *skutalismus* or 'clubbing' that saw 1,500 members of the Argive elite massacred during an episode of stasis, says that the trouble began when 'certain demagogues enraged the masses against those outstanding in their wealth and reputation, who in turn, being slandered, came together and conspired to put down the democracy'.⁵⁵ When the demos caught wind of the plot, it put to death 30 of the most prominent citizens and confiscated their property. The demagogues continued to urge on the populace with 'slandering lies', but the scheme got away from them, in that eventually the demos massacred all of the demagogues as well, out of suspicion.⁵⁶ Finally, lest we think the phenomenon ceased in the Hellenistic period, Polybius describes one Molpagoras of Kios, a man by choice 'demagogic and greedy', who incited the people to attack the rich. They killed some of them, exiled others and confiscated their goods.⁵⁷ Thus, although oligarchs overstated the frequency and destructiveness of demagogic attacks on the rich, often in order to justify their own power, there were certainly historical occasions on which the elite were no longer capable (or claimed they were no longer capable) of enduring the rule of the people, and stasis erupted.

⁵² *Pol.* 5, 1304b20–24: αἱ μὲν οὖν δημοκρατίαι μάλιστα μεταβάλλουσι διὰ τὴν τῶν δημαγωγῶν ἀσέλγειαν· τὰ μὲν γὰρ ἰδίᾳ συκοφαντοῦντες τοὺς τὰς οὐσίας ἔχοντας συστρέφουσιν αὐτούς (συνάγει γὰρ καὶ τοὺς ἐχθίστους ὁ κοινὸς φόβος), τὰ δὲ κοινῇ τὸ πλῆθος ἐπάγοντες. Cf. 4, 1292a6–13, 18–23. For Aristotle's view of demagogues, see Zoepffel (1974); Lintott (1992) 127; Jordovic (2011).

⁵³ *Pol.* 5, 1305a5–7: ὅτε δὲ διαβάλλοντες, ἴν' ἔχῃσι δημεύειν τὰ κτήματα τῶν πλουσίων; 6, 1320a4–6: οἱ δὲ νῦν δημαγωγοὶ χαριζόμενοι τοῖς δήμοις πολλὰ δημεύουσι διὰ τῶν δικαστηρίων. Aristotle counsels democracies not to let confiscated wealth become public (δημόσιον) but instead be sacred (ἱερόν), so that the people will not be greedy for gain (1320a7–11). It is not clear how effective this would have been in practice, however, since sacred money was still publicly administered (see Rousset (2013), citing earlier discussions); and in Telos, as we have seen, public and sacred cases could be equally political. Aristotle also says to limit the number of δημόσια δίκαια, since they target the elite (1320a11–14; cf. 4, 1300b36–38) – another way in which the Telians seem to have disregarded Aristotelian 'best practices'.

⁵⁴ 1424a23–24: οἱ νόμοι τὸ μὲν πλῆθος ἀποτρέψωσι τοῖς τὰς οὐσίας ἔχουσιν ἐπιβουλεύειν.

⁵⁵ 15.58.1: τινῶν δημαγωγῶν παροξυνόντων τὸ πλῆθος κατὰ τῶν ταῖς ἐξουσίας καὶ δόξαις ὑπερεχόντων, οἱ διαβαλλόμενοι συστάντες ἐγνωσαν καταλῦσαι τὸν δῆμον.

⁵⁶ 15.58.2–3: ὁ δὲ δῆμος οὐκ ἐλέγξας ἀκριβῶς ἅπαντας τοὺς διαβληθέντας ἀπέκτεινε καὶ τὰς οὐσίας αὐτῶν ἐδήμευσεν. πολλῶν δὲ καὶ ἄλλων ἐν ὑποψίαις ὄντων, καὶ τῶν δημαγωγῶν ψευδέσι διαβολαῖς συνηγορούντων, ἐπὶ τοσοῦτον ἐξηγηρίωθη τὸ πλῆθος, ὥστε πάντων τῶν κατηγορουμένων, ὄντων πολλῶν καὶ μεγαλοπλοῦτων, καταγνῶναι θάνατον. ἀναيرهθέντων δὲ τῶν δυνατῶν ἀνδρῶν πλειόνων ἢ χιλίων καὶ διακοσίων, καὶ τῶν δημαγωγῶν αὐτῶν ὁ δῆμος οὐκ ἐφείσατο.

⁵⁷ Polyb. 15.21.1–2: ὅτι Μολπαγόρας τις ἦν παρὰ τοῖς Κιανοῖς, ἀνὴρ καὶ λέγειν καὶ πράττειν ἰκανός, κατὰ δὲ τὴν αἴρεσιν δημαγωγικὸς καὶ πλεονέκτης. ὃς πρὸς χάριν ὁμιλῶν τῷ πλήθει καὶ τοὺς εὐκαιροῦντας τοῖς βίοις ὑποβάλλων τοῖς ὄχλοις, καὶ τινὰς μὲν εἰς τέλος ἀναίρων, τινὰς δὲ φυγαδεύων καὶ τὰς οὐσίας τὰς τούτων δημεύων καὶ διαδοῖς τοῖς πολλοῖς. See further Champion (2004) on 'Polybian demagogues'. The literary evidence for demagoguery in the Hellenistic period is discussed by Scholz (2012) 44–45. The Telos dossier gives us a precious if still somewhat occluded glimpse into the fierce political debate that still might erupt in a Hellenistic democracy, which is normally papered over in the banal and formulaic language of the epigraphic record (Hamon (2009) 367). By the same token, I cannot agree with Börm (2019) 188, who sees the struggle behind the Telos reconciliation dossier as an intra-elite conflict, with 'democracy' being a mere 'slogan' ('Schlagwort').

This certainly appears to have been the case on Telos. We have seen above the use there of politicized trials, property confiscation and perhaps the attempted overthrow of the democratic constitution by oligarchic dissidents and their subsequent exile.⁵⁸ It is also worth dwelling for a moment on the charges brought against the Telian elite. Although it is impossible to know the exact nature of the ‘sacred and public cases’, similar historical episodes provide some possibilities. Politicized charges of impiety were quite common in the ancient world. The motivations behind them ran the gamut from genuine religious feeling to mere pretext to (what is most likely) some combination thereof. An apt example is the decision in 427 by Peithias, the champion of the people at Corcyra, to charge his oligarchic opponents with cutting vine-stakes on properties sacred to Zeus and Alkinous. The oligarchs were to be fined one stater per stake; the fact that they responded so violently suggests that they were accused of cutting down quite a few stakes indeed.⁵⁹ The oligarchs first sat as suppliants in a sanctuary due to the magnitude of the fine, then lost an appeal to the council in which they attempted to pay the penalties by installments.⁶⁰ They reacted by murdering Peithias and 60 other councillors. Likewise, the formal charge against Alkibiades in the aftermath of the affairs of the Herms and the Mysteries, moved by Thessalos the son of Kimon and preserved in Plutarch’s *Life*, was that he ‘committed injustice against’ (*adikein*) the goddesses. He was condemned in absentia, his property was confiscated and he was cursed by the priests and priestesses.⁶¹ According to Thucydides, at least, the whole affair of the Herms and the Mysteries was blown out of proportion by the city’s leading politicians, who hoped both to ride a wave of public paranoia about anti-democratic plots and to replace Alkibiades as the leading *prostatēs* of the demos.⁶² In the Arkadian League of the mid-fourth century, controversy arose concerning the use of the sacred property of Olympia to maintain the corps of elite hoplites called *Eparitōi*. When the assembly of the Ten Thousand voted to cease using the funds, the democratic leaders of the *koinon* worried that if it came up during their accounts of office that they had handled the funds, they would be put to death (most likely on a charge of *hierosulia* or temple robbery).⁶³ Finally, the pro-Roman politician Zeuxippos was charged with two counts by the Boiotians, one more ‘secular’, for having his political opponent Brachylles murdered, the other ‘sacred’, a charge of *hierosulia* for stripping off the silver from a table sacred to Zeus. He was condemned in absentia.⁶⁴ With this background in mind, then, we can say that while it is possible, as Thür suggests, that the Telians charged with *hierai dikai* were remiss in payments or liturgies to the relevant sanctuaries, it is also quite possible that the charges stemmed from more tendentious claims on the part of their enemies.⁶⁵ As is apparent above in the case of Peithias of Corcyra and his oligarchic opponents, most members of the elite in a polis had probably done something in their past that could be interpreted as an act of sacrilege by their opponents and used as a weapon against them.

⁵⁸ The example of Telos thus conforms to Victor Walser’s picture of an active, democratic judiciary in many of the poleis of the Hellenistic period: see Walser (2012) especially 87–93 (without knowledge of the full Telos inscription).

⁵⁹ Thuc. 3.70.4: ὁ δὲ ἀποφυγῶν ἀνθυπάγει αὐτῶν τοὺς πλουσιωτάτους πέντε ἄνδρας, φάσκων τέμνειν χάρακας ἐκ τοῦ τε Διὸς τοῦ τεμένους καὶ τοῦ Ἀλκίνου: ζημία δὲ καθ’ ἐκάστην χάρακα ἐπέκειτο στατήρ.

⁶⁰ 3.70.5: ὀφλόντων δὲ αὐτῶν καὶ πρὸς τὰ ἱερὰ ἱκετῶν καθεζομένων διὰ πλῆθος τῆς ζημίας, ὅπως ταξάμενοι ἀποδώσιν, ὁ Πειθίας ... πείθει ὥστε τῷ νόμῳ χρήσασθαι.

⁶¹ Plut. *Alc.* 22.4: ἐρήμην δ’ αὐτοῦ καταγόντες καὶ τὰ χρήματα δημεύσαντες ἔτι καταρᾶσθαι προσεψηφίσαντο πάντας ἱερεῖς καὶ ἱερεῖας.

⁶² Thuc. 6.28.2, 53.2, 60.4.

⁶³ Xen. *Hell.* 7.4.34: ἐν τῷ κοινῷ ἀπέδοξε μηκέτι χρῆσθαι τοῖς ἱεροῖς χρήμασι ... γνόντες δὲ τῶν ἀρχόντων οἱ διακεχειρικότες τὰ ἱερὰ χρήματα ὅτι εἰ δώσοιεν εὐθύνας, κινδυνεύσοιεν ἀπολέσθαι, πέμπουσιν εἰς Θήβας.

⁶⁴ Polyb. 22.4.7: καὶ τούτῳ τῷ τρόπῳ τῶν δικῶν μίαν μὲν αὐτῶν κατεδίκασαν ἱεροσυλίας, διότι λεπίσαιεν τὴν τοῦ Διὸς τράπεζαν ἀργυρᾶν οὖσαν, μίαν δὲ θανάτου διὰ τὸν Βραχύλλου φόνον. Note also the apparent charge of *hierosulia* against Perikles for Pheidias’ supposed mishandling of money sacred to Athena while he worked on the Parthenos statue: Diod. Sic. 12.39.1–2 = Ephoros *FGrH* 70 F196; cf. Philoch. *FGrH* 328 F121.

⁶⁵ Thür (2011) 343: ‘vielleicht hatten sich Parteigänger der Oligarchie geweigert, für die Demokratie vorgeschriebene Opfer zu finanzieren’.

Not only does demagoguery appear to lie behind the trials at Telos, but we know that it affected the island's neighbouring poleis as well. In fact, based on Aristotle's descriptions in the *Politics*, it seems that the Dorian southeastern Aegean was a hotbed of conflict in the fourth century, with several democratic regimes subverted, if only temporarily, by oligarchic conspirators who felt oppressed by demagogues.⁶⁶ This was most obviously the case in Kos itself, where, according to Aristotle, 'the democracy underwent a constitutional change when detestable demagogues arose – for the notables banded together'.⁶⁷ In Rhodes, as well, the demagogues 'were accustomed to providing pay for public office, and they would prevent the money owed to the trierarchs from being given out. And they [the trierarchs], because of the suits that were introduced against them, were forced to band together and to put down the democracy.'⁶⁸ Both Kos and Rhodes had reverted to democracy by the end of the fourth century, as is known from several sources as well as the language of the Telian dossier itself.⁶⁹ It is also worth noting that there was likely a democracy at Knidos at the same time, which Aristotle says resulted from a quarrel between members of the ruling oligarchy. The demos was able to take advantage of the situation and demand a champion from among the ranks of the oligarchs, who were weakened by their internal dissension.⁷⁰ Thus *ca.* 300 BC Telos was in effect fenced around in all directions by democracies, some of which had experience both with persecuting the wealthy and with recovering from an oligarchic coup d'état.⁷¹ We should wonder in this context how much the Telian elite could have trusted the mediators sent from Kos, men coming from one demos to aid another. Oligarchs sometimes complained that it was impossible to obtain justice in a democratic lawcourt manned by their very enemies, the

⁶⁶ My argument does not depend on the exact chronology of fourth-century democratic regimes in Kos and Rhodes, for which see the more detailed arguments of Robinson (2011) 152–55, 168–70.

⁶⁷ *Pol.* 5, 1304b25–27: καὶ γὰρ ἐν Κῶ ἡ δημοκρατία μετέβαλε πονηρῶν ἐγγενομένων δημαγωγῶν (οἱ γὰρ γνώριμοι συνέστησαν). For the possible historical context of this episode, see the discussion in Robinson (2011) 152–54, who finds Hans-Joachim Gehrke's suggestion ((1985) 97–99) of *ca.* 366/5 BC most convincing.

⁶⁸ *Pol.* 5, 1304b27–31: καὶ ἐν Ῥόδῳ μισθοφορὰν τε γὰρ οἱ δημαγωγοὶ ἐπόριζον, καὶ ἐκόλυνον ἀποδιδοῖν τὰ ὀφειλόμενα τοῖς τριηράρχοις, οἱ δὲ διὰ τὰς ἐπιφερομένας δίκας ἠναγκάσθησαν συστάντες καταλῦσαι τὸν δῆμον. *Cf.* 1302b23–24: ὡσπερ ἐν Ῥόδῳ συνέστησαν οἱ γνώριμοι ἐπὶ τὸν δῆμον διὰ τὰς ἐπιφερομένας δίκας. There is a connection between demagogues controlling public disbursements and at the same time attempting to keep the city's coffers full through confiscations. They may have faced considerable pressure to fulfil their promises of *misthos*. The speaker of Lysias 30.22 states explicitly that 'when the Council has sufficient funding for its administration, it does no wrong, but whenever it falls into difficult times, it is forced to hear charges of impeachment and to confiscate the property of citizens and to obey those of the politicians who counsel the most detestable things', ὅταν μὲν ἔχη ἱκανὰ χρήματα εἰς διοίκησιν, οὐδὲν ἐξαμαρτάνει, ὅταν δὲ εἰς ἀπορίαν καταστῆ, ἀναγκάζεται εἰσαγγελίας δέχεσθαι καὶ δημεύειν τὰ τῶν πολιτῶν καὶ τῶν ῥητόρων τοῖς πονηρότατα λέγουσι πείθεσθαι. The trial of the generals after Arginousai began when the demagogue Archedemos, who was considered the champion of the people and was in charge of the two-obol fund, brought a charge against the general Erasimidēs on the grounds that he had in his possession money that

belonged to the people: Ἀρχέδημος ὁ τοῦ δήμου τότε προσεσηκῶς ἐν Ἀθήναις καὶ τῆς διωβελίας ἐπιμελόμενος Ἐρασινίδῃ ἐπιβολὴν ἐπιβαλὼν κατηγορεῖ ἐν δικαστηρίῳ, φάσκων ἐξ Ἑλλησπόντου αὐτὸν εἶναι χρήματα ὄντα τοῦ δήμου (*Xen. Hell.* 1.7.2; on Archedemos, see recently Blok (2015) 91, where she connects responsibility for public money with payment to poorer citizens, 99–100; Hooper (2015)).

⁶⁹ For the Koan democracy of the Hellenistic period, see Sherwin-White (1978) 175–223; Krob (1997) (studying oaths at Kos and adducing the oath fragment of the Telos dossier at 445–47); Grieb (2008) 139–98. For the democracy of Hellenistic Rhodes, see Gabrielsen (1997) 24–31; Grieb (2008) 263–353; Robinson (2011) 170–71.

⁷⁰ *Pol.* 5, 1305b12–18: μετέβαλε δὲ καὶ ἐν Κνίδῳ ἡ ὀλιγαρχία στασιασάντων τῶν γνωρίμων αὐτῶν πρὸς αὐτοὺς διὰ τὸ ὀλίγους μετέχειν καὶ, καθάπερ εἴρηται, εἰ πατήρ, υἱὸν μὴ μετέχειν, μηδ' εἰ πλείους ἀδελφοί, ἀλλ' ἢ τὸν πρεσβύτατον· ἐπιλαβόμενος γὰρ στασιαζόντων ὁ δῆμος, καὶ λαβὼν προστάτην ἐκ τῶν γνωρίμων, ἐπιθέμενος ἐκράτησεν, ἀσθενὲς γὰρ τὸ στασιάζον. See below for the Knidian democratic coinage of the late fourth century.

⁷¹ Already in 1902 W.L. Newman, the great commentator on Aristotle's *Politics*, noted that when the philosopher describes the overreach of demagogues his examples 'are taken from Dorian states', which, in addition to Kos and Rhodes, included Herakleia Pontika and Megara: Newman (1902) 336. We can now add Telos to the list. It is unlikely that the phenomenon had its origin in some specifically 'Dorian' cultural characteristic; instead, in the case of the southeastern Aegean we might be witnessing an example of late Classical/early Hellenistic 'peer-polity interaction' (Ma (2003)), albeit of an atypical kind.

common people⁷²; in this situation, we should imagine that at least some members of the elite would have been nervous about the possibility of the arbitrators not displaying true fairness.⁷³ Furthermore, despite its tiny size and relative insignificance in the interstate sphere, Telos appears to have been fiercely proud of (and defensive about) its democratic constitution.⁷⁴ In addition to the democratic language of the dossier under review, historians have long known about a small series of coins minted by the polis displaying a crab on the reverse (iconography borrowed from neighbouring Kos) and on the obverse the head of Athena encircled by the word ΔΑΜΟΚΡΑΤΙΑΣ.⁷⁵ Some have connected this particular coin type with the aftermath of the stasis recorded in the Telos dossier, on the assumption that it celebrates the democratic constitution mentioned in the oath portion, which used to be the only excerpt known.⁷⁶ Now that the inscription has been fully published, however, we see that Telos was a democracy prior to the reconciliation agreement as well. The coin could just as easily have been issued by the democracy in the years before the civil strife (although the crab would still indicate the influence of Kos on the Telian democracy). Epigraphic evidence also reveals the existence of a cult to the personified Demos on Telos. While this kind of cult is by no means unique to the island, it adds to the picture of a fervently democratic city.⁷⁷ The question again arises of how neutral a hearing the Telian elite could reasonably expect during the reconciliation process.

⁷² See the situation in fourth-century Phleious described by Xenophon, in which restored oligarchic exiles are supposed to have their confiscated property restored to them, but the city is not fulfilling its promises. The exiles wanted to have the disputed cases judged in a ‘fair court’, but they were forced to have the disputes adjudicated in the city itself. What justice, the returning exiles asked, could they expect to obtain when the perpetrators themselves were judging the case? Xen. *Hell.* 5.3.10: οἱ μὲν γὰρ δὴ φηγάδες ἤξιουν τὰ ἀμφίλογα ἐν ἴσῳ δικαστηρίῳ κρίνεσθαι· οἱ δὲ ἠνάγκαζον ἐν αὐτῇ τῇ πόλει διαδικάζεσθαι. λεγόντων δὲ τῶν κατεληλυθότων καὶ τίς αὕτη δίκη εἴη ὅπου αὐτοὶ οἱ ἀδικοῦντες δικάζουσιν. In effect, the oligarchs are asking for a less- or non-democratic court; they eventually obtained one, in the form of a panel of 100 men, 50 from the exiles and 50 oligarchic sympathizers from the city (5.3.25). On this episode, see Gray (2015) 205–15.

⁷³ For common people across poleis supposedly colluding to protect each other, see Xen. [*Ath. Pol.*] 1.14–18. To be sure, justice in cases overseen by foreign judges and mediators was expected to be impartial. Thus individuals were to be praised particularly for preventing corruption and bribery of the judges, which was attempted on occasion: see *Gonnoi* II.91 lines 20–25; *IMylasa* 134 lines 4–5. The poleis requesting foreign judges would often, starting in the second century, send a *dikastagōgos*, an escort for the judges, who might subsequently be praised for his *dikastophulakia*, the fact that he ‘guarded over justice’ (for example *IG XII.4.59* line 20). See further Robert (2007) 304, 308; Crowther et al. (1998); Hamon (2012) 203–04, 206. Nonetheless, the example of demos aiding demos in a decree for foreign judges remains unparalleled. Furthermore, we might recall the stipulations of the Athenian amnesty, wherein former members of the oligarchy were allowed to render their accounts of office (*euthunai*) before a panel of dikasts who met certain property qualifications (*timēmata*): Arist. [*Ath. Pol.*] 39.6. No such concession

is granted to the Telian defendants, except insofar as the *diallaktai* sent for the occasion are said to be *kaloi kagathoi*. Pace Börm (2019) 188, which underplays the strongly democratic situation at Kos at the time.

⁷⁴ According to the *IACP*, Telos is a two out of five in terms of size, with an area of 63km². Hoepfner (1999) 185 estimates that not more than 150 houses could have fit within the excavated city walls. Nevertheless, as we have seen, a Telian participated in the founding of Gela (Hdt. 7.153.3) and the city was a tribute-paying member of the Delian League – paying a whole talent in 410/9 (*IG I³ 100.II* line 5, if the restoration is correct). For mentions in the ancient sources, see Strabo 10.5.14–15; Ps.-Skylax 99; Steph. Byz. *s.v.*, citing Androtion *FGrH* 324 F26. After the Battle of Knidos in 394 BC, Telos expelled a Spartan garrison (Diod. Sic. 14.84.3, with the emendation – from Τηίους to Τη<λ>ίους – of Robert (1934) 43–44). It remained independent until being absorbed by Rhodes in the later third century: Stavrianoπούλου (1997) 83–86. One can, in fact, go even smaller and find devotion to democracy: a decree of the Aiolian city of Nasos (*IACP* size 1, with *ca.* 15km²) lays down penalties against those ‘putting down the demos’ (*IAdramytteion* 34 lines 56–58, late fourth century). For Aristotle’s remarks on polis size and stasis, see n. 101.

⁷⁵ Stefanaki (2008) cat. nos 15–17, pl. 8. A similar type, also proclaiming democracy, is known from contemporary Knidos: *IACP* no. 903 p. 1124 (Flensted-Jensen).

⁷⁶ Robert (1934) 47 n. 1; Sherwin-White (1978) 89; Krob (1997) 445. See the review of the question at Stefanaki (2008) 27–28 (still without knowledge of the complete inscription).

⁷⁷ Cult of the Demos: *SEG* 3.718 (third century). Such cults were numerous in the Hellenistic period: see, for example, *IG XII.4.79 A* line 7 (Kos, early second century; cf. Buraselis (2000) 34–35); *SEG* 31.971 (Erythrai); 54.717 (Delos, second century); 56.863 (Black Sea region).

From the democratic – probably demagogic – background to the reconciliation we move now to the terms themselves, where, once again, in addition to concessions, potential tensions appear. Of interest here is the nature of the ‘community service’ demanded of the defendants. There are at least two relevant subgroups: those who lost the *hierai dikai* and those who lost the *damosiai*.⁷⁸ In the former case, those (unnamed persons) who owed penalties to the sanctuary of Athena, one Kleisimbrotidas who owed to the Damatrimon and a Philtylios (to which sanctuary he owed is unknown) are to contract with the treasurers to provide a bull, ram and sheep for a hecatomb to be sacrificed during the magistracy of Theagoras. The amount they receive from the treasurers will be equal to the amount they were in arrears to the sanctuaries, and so represents a commutation of the original sentence (lines 43–47). Those who had lost public cases, on the other hand, including Aristagoras and Aristothemis the sons of Aristophilos and Nikagoras the son of Nikanax, are, in the latter two cases, to pay monetary fines of varying amounts specified by the mediators and, all together, to contract with the treasurers to restore and whitewash the altar of Asklepios, being paid by the city an amount equalling the remaining balance of the original penalties (*katadikai*, lines 48–57).⁷⁹ Instead of paying outstanding debts, the defendants now have the civic duty to perform two specific public works, both with religious dimensions.⁸⁰

Even though the litigants will arrange for the projects using the city’s money, the civic, very public context for the execution of the works – at a festival, in the case of the sacrifice, and at the (presumably outdoors) altar of Asklepios, where further sacrifices would take place⁸¹ – could serve as a further means of reconciling the men with the demos. As a kind of *leitourgiai* – in the most basic sense of ‘works for the people’ – the projects represent an opportunity for the formerly disgraced elite to display their largesse and *philotimia* towards the community, enhancing their own prestige at the same time as they provide for the demos.⁸² Perhaps at the sacrifice and the rededication of the altar the names of the sponsors were announced, recalling for the community the way in which the men, once estranged from their polis, had been reintegrated. Yet such publicity could also cut the other way. Focusing on the litigants, even in their capacity as liturgists, threatened to reignite any remaining embers of anger harboured by the members of the demos against them.⁸³ We should wonder also how the litigants felt about having to perform these specific duties. Their tasks – a sacrifice and the improvement of a piece of sacred property – find a striking parallel in a passage of the *Politics*, where Aristotle recommends how incoming magistrates in an oligarchy ought to inaugurate their terms of office: they are ‘to perform lavish sacrifices (*thusiai*) and to build

⁷⁸ There are also those who lost the ‘cases concerning the road’, for which, see n. 21.

⁷⁹ Note that in addition to Aristagoras and Aristothemis the sons of Aristophilos, there are Aristomenes and (another) Aristagoras, the son of Anaxistratos, mentioned at lines 64–65. The ‘aristocratic’ pretensions of the Telian elite become quite apparent here: see Fraser (1988); also the prosopography of Stavrianopoulou (1997) 98–99, where Αριστ- compound names are the most common in recorded Telian onomastics.

⁸⁰ The employment of this kind of legal mechanism for restoring the disenfranchised has several parallels, as in n. 17. We should not, however, underplay the genuinely religious and civic dimensions of the acts; they were not mere technicalities.

⁸¹ I assume that the altar of Asklepios described is on Telos and not Kos. The latter was famous for its cult of Asklepios, but a Telian context for the performance of the community service seems required by the fact that the treasurers of Telos were to contract with the defendants (and note the list of officials, all presumably Telian,

at lines 119–21), as well as by the fact that in comparable cases of ‘legal fictions’ (as in n. 17), disgraced men were welcomed back into their *patris* by contracting to perform services owed to their home polis itself (although we must acknowledge that this is a case involving foreign mediators, and so the parallel is not exact). The requirement that Telians use Telian money to perform services at Kos seems far-fetched. Thus, while the terms of the reconciliation occur according to the Koan calendar and with reference to Koan officials (n. 18), a Telian location for the actual services is most likely.

⁸² On this process in democratic Athens, see Whitehead (1983).

⁸³ Compare the hypothetical discomfort felt by the speaker of Lysias 21 at the Dionysia of 409 BC, as sketched by Wilson (2009) 27–29: he had remained in Athens and performed as a liturgist under the Four Hundred but competed again under the restored democracy and witnessed the crowning of the assassins of the oligarch Phrynichos in the theatre.

(*kataskeuazein*) some public (*koinon*) construction, so that the people, by partaking of the elements of the feast and seeing the polis beautified in its dedications and buildings, is glad to see the regime persist; another result is that the notables will have memorials of their expenditure'.⁸⁴ In this scenario, the oligarchs ingratiate themselves to the wider populace through acts of *noblesse oblige*, a kind of bread and circuses *avant la lettre*, without, however, conceding any sort of political power; indeed, their prerogative to dispense this civic patronage as they see fit is itself a clear marker of their dominant position in the constitution.⁸⁵ In the terms of the Telian reconciliation, by contrast, we have the opposite situation, that of the elite being requested by a democratic regime to do the sorts of things they would perhaps voluntarily undertake if they and not the people were in power. In place of a public building adorned with their name, thus providing a 'memorial of their expenditure', their names were instead inscribed for perpetuity on a monument that attests to their initial resistance to democracy and to their eventual requirement to contribute to its upkeep. While the possibility of the elite having felt this way must remain speculative, the passage of Aristotle brings out well how the same acts and the same lasting physical monuments had different valences depending on the constitutional context (and thus on who, ultimately, held political power).

This point about physicality leads to a final set of ambiguities concerning the effect(s) of the terms of the reconciliation and their publication on stone. The entire reason we know of the *dialusis* is of course the monument from Kos itself, an object, moreover, on which the offenders' names were physically and permanently inscribed. The act of recording by name the parties concerned in a dispute is extremely rare in both decrees for foreign judges and reconciliation agreements. Most reconciliations recorded on stone, such as those from Athens, Arkesine, Thasos, Iulis, Tegea, Mytilene, Chios, Erythrai, Nakone and Sagalassos, do not name the offenders. *Dialusis* is effected in formal and categorical terms, as in 'those in exile' and 'those who stayed', rather than as a matter of warring individuals.⁸⁶ In the Telos dossier, the names of the offenders are retained in the reconciliation agreement, and, as we have seen, they are specified by the potentially scandalous title 'those at odds with the people'. Yet we can go further than this: on face B of the stele, on which a second set of settlements is recorded starting at line 69, we read that, in addition to the original penalties, some of the offenders owed fines (*zamiōsiān*), for which they had been 'publicly registered' (lines 71–72, partially but convincingly restored). These fines were likely applied after the sentencing period, in response to the defendants' complaints that they had been denied justice (lines 42–43).⁸⁷ The public registering probably took the form of inscribing the names of the

⁸⁴ *Pol.* 6, 1321a35–40: ἀρμόττει δὲ θυσίας τε εἰσιόντας ποιείσθαι μεγαλοπρεπεῖς καὶ κατασκευάζειν τι τῶν κοινῶν, ἵνα τῶν περὶ τὰς ἐστιάσεις μετέχων ὁ δῆμος καὶ τὴν πόλιν ὀρθῶν κοσμουμένην τὰ μὲν ἀναθήμασι τὰ δὲ οἰκοδομήμασιν ἄσμενος ὄρᾳ μένουσαν τὴν πολιτείαν: συμβήσεται δὲ καὶ τοῖς γνωρίμοις εἶναι μνημεῖα τῆς δαπάνης.

⁸⁵ See de Ste. Croix (1981) 305–06; Veyne (1990) 92–93; Domingo Gygax (2016) 248–49.

⁸⁶ Arist. [*Ath. Pol.*] 39 (Athens); *IG* XII.7.3 (Arkesine); *SEG* 51.1096 (Thasos); *RO* 39 (Iulis); *RO* 101 (Tegea); *RO* 85 (Mytilene); *SEG* 51.1075 (Chios); *IK Erythrai* 10; *SEG* 39.1014 (Nakone); *SEG* 50.1304 + 57.1409 (Sagalassos). For reconciliations and amnesties of this type, see Dössel (2003) *passim*; Dreher (2013); Rubinstein (2013) for the Hellenistic period. Exceptions (*RO* 83 (Eresos); *IPark* 16 (Orchomenos); *IPark* 24 (Alipheira)) all deal with individuals who had held tyrannical power over their respective poleis. In those cases, the community could afford to unite against a person and single him out. Staseis involving broad-based factions to

which the average citizen might belong, however, were a different matter. A notable exception here is the reconciliation dossier from Dikaia, cited above (*SEG* 57.576). There we hear of two clear-cut factions, that of Demarchos and that of Xenophon (lines 36–38). It is important to observe, however, that in the Dikaiopolitan case the two factions were considered separate from the community as represented by the assembly, while in the Telian dossier the demos itself is one of the relevant parties.

⁸⁷ For levying additional fines over and above the original penalties, see the example of fourth-century Phleious: when oligarchs complained to the Spartans that they could not obtain justice in the local courts of their polis, the democratic Phleiasians fined them: ἐρχονται εἰς Λακεδαίμονα οἱ κατελθόντες κατηγορήσοντες τῆς πόλεως, καὶ ἄλλοι δὲ τῶν οἰκοθεν συνηκολούθουν, λέγοντες ὅτι πολλοῖς καὶ τῶν πολιτῶν οὐ δοκοῖεν δίκαια πάσχειν. ἀγανακτήσασα δὲ τούτοις τῶν Φλειασίων ἡ πόλις ἐξημίωσε πάντας ὅσοι μὴ πεμπούσης τῆς πόλεως ἦλθον εἰς Λακεδαίμονα (*Xen. Hell.* 5.2.10). See Legon (1967) 332; Rice (1974) 173–74; Gray (2015) 206.

condemned on stelai located on the acropolis or in the agora.⁸⁸ This was a long-standing form of public disgrace, finding parallels as early as the late sixth century BC. The Athenians, according to Thucydides, erected a stele on the acropolis that outlined the ‘crimes of the tyrants’, from which he was personally able to read the names of the Peisistratids. The pillar could conceivably have been put up by the democracy of the fifth century, but it is possible it was constructed directly following the ouster of the ruling family by the Spartans in 511/10.⁸⁹ In any case, many other examples are known from Athens: a stele was made from the melted-down statue of Hipparchos the son of Charmos, the first man ostracized by the democracy, which was designed to list both his name and the names of major criminals and traitors.⁹⁰ ‘Stelai of infamy’ are also attested for Arthmios of Zeleia, Diagoras of Melos, the Hermokopidai (including Alkibiades) and members of the Four Hundred.⁹¹ As Josiah Ober has shown, this kind of ‘negative publicity’ was intended – in contrast to the Roman practice of *damnatio memoriae* in which names were obliterated rather than preserved – to keep the name of the offender alive in public memory and thereby a point of common knowledge against which the community could define itself.⁹² A word developed for such an individual in the later fifth century: *stēlitēs*, a person whose name was engraved on a stele (always with the connotation that they were a traitor).⁹³ The term is in some sense surprising, since most of the time one’s name was inscribed for the purpose of proclaiming public honours – we might think it would be a good thing to be a *stēlitēs*, but this was not the case.

Men who became *stēlitai* often did not take the ignominy lightly. It was not enough for them that they should be formally cleared of the charges that had caused them to be registered. They desired that the physical stelai on which they appeared be destroyed as well. If stelai were a form of ‘memory sanction’, to use Harriet Flower’s phrase, then obliterating them was a step towards rehabilitating one’s reputation.⁹⁴ Sometimes this obliteration took place illegally. Leodamas, a participant in the oligarchic coup of the Found Hundred at Athens in 411 and later involved somehow in the regime of the Thirty, is a case in point. He was accused sometime after the fall of the Thirty by his courtroom opponent Thrasybulos, first of being inscribed as a *stēlitēs* after the fall of the Four Hundred, but then of illicitly having the stele destroyed during the time of the Thirty.⁹⁵ Another instructive example comes from outside Athens, from Iulis on Keos. An Athenian decree from 363/2 states that certain oligarchic Iulietans had had their names inscribed on stelai for ‘contravening the oaths and agreements’ that the Athenians had made with the other Iulietans. The decree goes on to say that those men had ‘returned to Keos and overthrown the stelai’ on which their names were recorded.⁹⁶ The Athenians were now working with the democratic Iulietans to exile the oligarchs from Keos, confiscate their property and have their names ‘declared’ (*apograpsai*, line 42). Leodamas and the Iulietan oligarchs were contested cases in which the disgraced took matters into their own hands.⁹⁷ Yet a man might hope that if he had been cleared of

⁸⁸ The Athenians inscribed the names of public debtors on a wooden board (*sanis*) and set it on the acropolis: Dem. 25.28, 58.19, 48; Harp. s.v. ψευδεγγραφή; *Agora* XIX P26 lines 494–95, 505, 508–10; Hunter (2000) 26–27; Canevaro and Harris (2012) 103–04.

⁸⁹ Thuc. 6.55.1 with Meyer (2013) 454. According to a scholion to Ar. *Lys.* 243, there was also a bronze stele listing those who betrayed the city to Kleomenes during his invasion of 508: Stroud (1978) 31–32.

⁹⁰ Lycurg. 1.117–18.

⁹¹ Arthmios: Dem. 19.272; Krateros *FGrH* 342 F14. Diagoras of Melos: Melanthios *FGrH* 326 F3. Hermokopidai: Philoch. *FGrH* 328 F134; Pollux 10.97; *IG* I³ 421–30. Four Hundred: Krateros *FGrH* 342 FF5b, 17. See further Stroud (1963) 138.

⁹² Ober (2008) 186–90.

⁹³ Isoc. 16.9; Dem. 9.45; Arist. *Rh.* 1400a32; *Suda* σ 1085; see further Azoulay (2009) 336.

⁹⁴ Flower (2006). For more on the politics of erecting and destroying stelai, see Culasso Gastaldi (2003); Bolmarcich (2007); Savalli-Lestradé (2009) especially 128–34.

⁹⁵ Arist. *Rh.* 1400a32: οἷον Λεωδάμας ἀπολογούμενος ἔλεγε, κατηγορήσαντος Θρασυβούλου ὅτι ἦν στηλίτης γεγονώς ἐν τῇ ἀκροπόλει, ἀλλ’ ἐκκέκoptai ἐπὶ τῶν τριάκοντα.

⁹⁶ RO 39 lines 30–33: κατελθόντ[ε]ς ἐς Κέω τὰς τε στήλας ἐξέβαλο[ν] ἐ[ν] αἷ[ς] ἦσαν ἀναγεγραμ[μ]έναι αἰ συνθήκαι πρὸς Ἀθηναίους καὶ τὰ ὀνόματα τῶν παραβάντων τὸς ὄρκος καὶ τὰς συνθήκας.

⁹⁷ The Athenians had a charge of *agraphiōu*, of a debtor having his name erased before he had paid what

wrongdoing his name would officially be removed from the incriminating stelai. Thus Alkibiades, according to Diodoros' account, insisted that the stelai listing the charges against him be flung into the sea upon his successful return to Athens in 407.⁹⁸

The offenders in the Telian case seem to have had a similar concern. They were promised by the reconciliation agreement that the 'public register' (ἀναγραφή ἐν κοινῶι) against them, which they likely found distressing, would be removed if they completed the stipulated actions. In practice, this probably would have meant having the relevant stelai taken down and destroyed. The litigants could then be assured that they were no longer *stēlitai*. As it happened, however, not every form of 'register' was ultimately annulled – the lone survivor was of course the Telos dossier itself, the source from which we know the names of these men in the first place. At least one record of the names of the offenders was therefore preserved. This one was kept at the Asklepieion in Kos, but there is a strong possibility that a copy was preserved on Telos as well.⁹⁹ We cannot know how the offenders felt about the fact that their inscribed names were still standing, recorded for all the world to see as former enemies of the Telian people, but the contemporary evidence surveyed above indicates that the politics of inscription could be serious business. While fully acknowledging that the argument is circular, I suggest that perhaps the danger presented by this sort of situation, with its potential for reigniting civil war, helps to explain why so few decrees for foreign judges of the Hellenistic period name names. Leaving the situation vague and underspecified increased the likelihood that the relevant parties would abide by the agreement, since there was no danger of tarnishing an individual's memory, and thus his glory. As for the elite of Telos, they are preserved for us forever as men who had opposed their city's democracy. They may have ultimately accepted or even embraced the fact that their names were recorded on the monument, but, like the *stēlitai* discussed above, they also had to live with the fact that they were expressly named as men who had stood apart from their political community, who had been driven not to 'differ' with each other, as foreign judges usually have it, but with the demos itself.

In the foregoing analysis I have read the Telian *dialusis* both as a document nominally designed to secure peace and as a text containing certain allusions, elisions and ambiguities, which together point to the nature of the earlier political struggle but also the potential for continuing strife. The reconciliation may in fact have achieved its stated end – the Koan mediation may have worked – but I view it as inhabiting a moment of uncertainty and contingency. In any case, it does not present pre-reconciliation Telos as employing the 'moderated democracy' which one frequently reads the poleis of the Hellenistic period almost uniformly enjoyed.¹⁰⁰ Politics at little Telos before the recon-

he owed: Arist. [*Ath. Pol.*] 59.3; Dem. 58.51–52; Harp. s.v. ἀγραφίου.

⁹⁸ Diod. Sic. 13.69.2: ἐπειτα δὲ τὰς στήλας κατεπόντισαν, ἐν αἷς ἦν ἡ καταδίκη καὶ τᾶλλα τὰ κατ' ἐκείνου κυρωθέντα. Cf. Nep. Alc. 6.5: *pilaeque illae, in quibus devotio fuerat scripta, in mare praecipitatae.*

⁹⁹ Although the place of publication is not specified in the extant document, the dossier was discovered at the Asklepieion by Herzog, as noted above, and that was likely its *Standort*. This was likely the decision of the Koan demos, as honorific decrees for foreign judges often defer to the judges' polis to decide where to erect their copy of the honours (see, for example, IG XII.4.131 lines 26–28, 136 lines 12–13). A typical place of publication for Koan decrees in the late fourth and third centuries was the sanctuary of the Twelve Gods (IG XII.4.15 lines 12–15, 23 lines 13–16, 27 lines 11–13, 29 lines 3–7), but the Asklepieion is known to have been a location as well (IG XII.4.68 lines 49–51 – perhaps appropriate because Asklepios was the son of Apollo, the

god honoured in the decree; 75 lines 25–27). The choice of the Asklepieion may reflect the fact that the Koan mediators had convinced some of the defendants to restore and whitewash the altar of Asklepios, an important Koan deity, at Telos (see n. 81).

¹⁰⁰ See, for example, Heller (2009) 341; Brélaz (2009) 44; Ma (2013) 297, mentioning, but not necessarily endorsing, 'the "moderately democratic" city (beloved of epigraphists)'; contra Bugh (2013) 119–20, who sees little evidence for moderation in the Hellenistic democracy of Athens, but rather for modification. This is not to say that most Hellenistic democracies were not moderate, only that the Telian example is a noteworthy exception. Paying attention to the specifics of the Telian situation involves one in what Nicole Loraux calls 'repoliticizing the city', giving weight to tumultuous conflict as well as static harmony in the study of the Greek polis: (2002) 45–62. Her subject was the Classical polis, but the Hellenistic polis is no less suited to such an event-based historical approach focused on moments of turbulence.

ciliation were sharp and partisan, characterized by the intrigues of demagogues.¹⁰¹ Now, however, the Telian demos – or, more specifically, its *prostatai* – resigned themselves to a more cooperative existence with the elite. This is a world in flux, at several critical junctures, in terms both of its political forms (democracy and oligarchy) and of its public discourse (the reconciliation dossier is alternatively like and not like later decrees for foreign judges). In keeping with the interstitial state of Telos at the time, we also should note the ways the civic spaces of the polis – the lawcourts, the assembly, the sanctuaries, perhaps the agora (where the oath might have been sworn) – serve as the intersection of formal institutions (trials, acts of benefaction, the duties of magistrates, external mediation) and ritual practices (sacrifices, feasts, memory-making, oath-swearing). Thus the Telian *dialusis* appears an ideal test case for approaching Greek history with an eye to what Vincent Azoulay and Paulin Ismard have called ‘les lieux du politique’, the places of the political.¹⁰² It combines the ‘city of epigraphists’ (that of institutions and juridically defined procedures) and the ‘city of anthropologists’ (that of collective rituals) in ways that should interest both groups and help to accelerate the ongoing dissolution of the binary.¹⁰³

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¹⁰¹ Aristotle notes that large poleis are less prone to stasis than small ones because they have a large middle element. In small poleis, by contrast, it is easy to divide the whole populace into two opposed camps: *Pol.* 4, 1296a9–13. The case of Telos would seem to bear out this observation. In this as in many other areas Aristotle is an excellent guide to the politics of the late Classical and early Hellenistic periods: Gauthier (1981), cited by Fröhlich (2010) 671; Ma (2018) 286–87. He also observes that democracy is more stable than oligarchy and was becoming increasingly common in his own day: *Pol.* 4, 1296a13–18, 5, 1302a8–11, 3, 1286b20–21.

¹⁰² Azoulay and Ismard (2007) especially 306 (emphasis in original): ‘À notre sens, le politique se définit en effet à la croisée des institutions et des pratiques sociales ... Le travail de l’historien consiste dès lors à étudier les articulations changeantes entre la politique, au sens étroit du terme, et le politique au sens large—l’ensemble des pratiques sociales définissant la vie en cité.’

¹⁰³ For the opposition between the two types of city, see Azoulay (2014) 391–95.

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