

The Peace of Antalcidas and the Idea of the *koine eirene*.

A Panhellenic Peace Movement

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I. PROLOGUE

A reflection on peace through historical review is not at all a new one. The historian Ferdinand NOLTE's preliminary remarks to the Peace of Antalcidas (1), written in 1923, are of immediate interest: "In this treatise", he says, "I am going to inquire into matters of peace in Greek history especially since the current development of European affairs has raised the question of a peaceful readjustment of the continent."

1) NOLTE F., *Die historisch - politischen Voraussetzungen des Königsfriedens von 386 v. Chr.*, Frankfurt 1936.

The first “multilateral” common peace treaty in history (2), between “all Greeks” and the Persian Greatking, has been recorded in bibliography as the King’s Peace or the Peace of Antalcidas (3), in honour of the Spartan intermediary. The treaty of 386 was not fully appreciated by contemporary authors (4) or by modern ones. Nevertheless, the very new Panhellenic philosophy of peace, the *koine eirene*, became an autonomous ideal via the treaty of the King’s Peace. The revolutionary new product of that era, cherished throughout Greek history, still merits our interest nowadays.

The term *koine eirene* (5) in the sense of a fixed and sustained status was intended to be valid for all Greeks and therefore indivisible in order to ensure that there was no choice but to live in peace. This movement was incited by the idealistic concept that everybody’s autonomy could also induce equality as regards power and danger potential.

2) RYDER T.T.B., *Koine eirene*, University of Hull 1965; QUASS F., *Der Königsfriede aus dem Jahre 387/6 v. Chr.*, *Historische Zeitschrift* 252 (1991) 40.

3) Xen., *Hell.* V 1, 36 “ ... τῆς ἐπ’ Ἀντιαλκίδου εἰρήνης καλουμένης...”

4) Plut., *Artox.* 21, 2 “ ... εἰ δεῖ τὴν τῆς Ἑλλάδος ὕβριν καὶ προδοσίαν εἰρήνην καλεῖν, ...”; “... if it’s possible to call this Greek arrogance and betrayal a peace ...”; Demosth. against Aristokrates XXIII 140 describes the Spartan conduct as “... αἰσχρὸν ...”; “ ... causing shame...”, and in his speech about the freedom of the Rhodians XV 29 he compares the “good“ treaty which his home city made with the Greatking to the “bad“ Spartan one.

5) κοινὴ εἰρήνη is translated as a general, common peace, which should be joined by everybody; And., *περὶ εἰρήνης* III. 17, 34 cf. the inscription of the Common Hellenic Peace of the year 362, IG IV 556 in Argos.

The idea of a common and general peace may seem commonplace today. But being the first in history it must be considered an epochmaking event within the scale of the antique world. Besides, the Peace of Antalcidas was the incentive for a wide range of peace treaties (6) in the years to come - as it was for a comprehensive common peace movement; unfortunately it found an obstacle in the then current circumstances, to quote words of Hermann BENGTON (7).

The main tasks of Ancient Greece in the 4th pre-Christian century bear a remarkable resemblance to those of contemporary European and International Law. Modern scholars tend to consider Ancient Greece a federal state rather than a confederation of states or, for want of a better definition, they paraphrase it as "federal sympolity (8)" without particularising. Thus they do not allow a direct comparison with the modern European question.

However, this apparent distinction between federal states and confederation of states is now becoming unsettled, not only in bibliography. Both concepts, when taken to their extremes, lead to similar sets of problems and, thus, to similar solutions. Any

6) The general Peace between all Greeks of 371 Xen., Hell. VI 3, 18. The general Hellenic Peace of 362/61 or the general Peace of Greece at the suggestion of the Delphic Amphictyons of the year 346 Diod., XVI 60, 3-4. Moreover several agreements refer back to the Peace of Antalcidas; the alliance of Athens und Chios of 384 "... ὤμοσεν βασιλεὺς καὶ Ἀθηναῖοι καὶ Λακεδαιμόνιοι καὶ οἱ ἄλλοι Ἕλληνας...".

7) BENGTON H., *Griechische Geschichte*, Handbuch der Altertumswissenschaften, III. 4, München 1977, 229.

8) SWOBODA H., *Die Griechischen Bünde und der Moderne Bundesstaat*, Prag 1915, 4 sq.

uniting faces the problem that a total is mostly nothing but the sum of its parts and cannot easily become a separate entity to form and define the total's interests independently of the interests of the parts.

II. SOURCES

Xenophon's Hellenika (V 1, 25 sqq) are the main source for inquiries into the peace of 386.

If we look closely at the parties to the King's Peace's our attention is inevitably drawn to the treaty's peculiarities. Although according autonomy and equality, the treaty belongs beyond any doubt to the category of unequal international treaties. Consequently, several scholars, considering it as unilateral, define it as a decree⁽⁹⁾ or rescript⁽¹⁰⁾ (without further detailing their respective legal nature and consequences) or they maintain that the treaty in question is no treaty at all. Don NOLTE already stressed the fact that from the Persian point of view a peace treaty requires the existence of a party other than any of the King's subjects.

9) SCALA v. R., *Staatsverträge des Alterthums* I, Leipzig 1898, 110.

10) JEHNE M., *Koine eirene*, Hermes 63 Stuttgart 1994, 37; cf. RYDER, *Koine eirene* 2; WILCKEN U. *Über Entstehung und Zweck des Königsfriedens* 16, Abhandlung der Preußischen Akad. d. Wiss., Phil.-hist. Klasse Nr. 15, Berlin 1942, comes to a compromise: The text referred by Xenophon formally represents a decree of the Persian Greatking but substantially corresponds to a condition of the Peace treaty. cf. SCALA, 114.

The possibility that the passage in the Hellenika concerning the peace treaty might refer to only an element of it gives rise to another problem. For instance, they might purely report its preamble, yet might neglect to mention more detailed material provisions; or they might present nothing but a basic or skeleton contract, which was to be followed by another to add material conditions ⁽¹¹⁾.

Though, for a sufficient contractual fixing of the parties' objectives there was no need for any further specification. In the historical context such a concise strategy of the Persian sovereign might seem probable; for the Spartan party the short wording of the treaty, deliberately restricted to the given text, might have been more convenient.

In comparison with modern international treaties the phrases reported in the Hellenika, may seem nothing but a preliminary decoration, and therefore, some argue ⁽¹²⁾, can not contain the material contents. But what are the characteristics of a peace treaty? It is not simply a matter of the material conditions, which aim to create peaceful circumstances. It is important to consider those points which are essential for a peace treaty, *id est* which declare the very intention to establish peace. For this purpose a rather simple wording would be sufficient.

11) RYDER, *Koine eirene*, 35.

12) cf. 9 and 10.

In fact, the historian Curtius' (13) judgement that this document is a landmark of diplomacy is perfectly true: although clear-cut, it left all in suspense. Diplomacy once more is exemplified as the art of saying what people expect to hear.

III. CONTRACTING PARTIES AND THEIR FORMER RELATIONS

In the decades preceding the King's Peace, the spheres of influence in Ancient Hellas were extremely fragile. The Persian empire grew more and more embarrassed by the strained situation in Egypt and Cyprus. Athens and Sparta in turn defected to its current enemies ignoring any agreement with the Greatking and, moreover, on the Greatking's side Greek mercenaries contributed to his successes.

Regarding the Persian-Greek relations of the time, Simon HORNBLOWER (14) in the Ancient Cambridge History eloquently poses the question, whether Persians' aims had been fundamentally aggressive or whether Persia had been merely drawn involuntarily into Greek affairs.

In the course of history the *poleis* of Asia Minor had increasingly come into the sphere of Persian influence which, in

13) CURTIUS E., *Griechische Geschichte* III, Berlin 1889, 198.

14) HORNBLOWER S., *Persia*, The Cambridge Ancient History, 1994, VI, 3, 51.

comparison to others, seemed quite acceptable. Once subjected and paying tributes to the Persian empire, there were no further inconvenient alterations to face ⁽¹⁵⁾.

Xerxes' attack against the Greek continent fomented for the first time the so-called "Asiatic question" in the Greek world. It was Spartan expertise to use the situation of her brothers in Asia as a pretext for her power policy. The fact that Sparta did not hesitate to betray the freedom of her Ionic brothers shortly afterwards proves that they were of no crucial interest to her.

Here, of course, it is difficult to perceive any comprehensive conception or Panhellenic ⁽¹⁶⁾ solidarity. But before casting judgement we should perhaps recall the separatistic tendencies and guerrilla policy in present and future Europe. The Panhellenic idea of the 4th pre-Christian century was probably confronted with very similar difficulties.

15) Herod., *Hist.* III, 89, confirming the quite good circumstances of living for the Greek inhabitants of Asia Minor.

16) DOBESCH G., *Der Panhellenische Gedanke im 4. Jh. v. Chr. und der "Philippos" des Isokrates*, Wien 1968, describes the term "panhellenic" as the all embracing, standing above all and therefore uniting aspects of "Being Greek", regarding language, religion, art and lifestyle.

IV. MAKING OF THE PEACE OF ANTALCIDAS

Sparta, once more trying to dictate history, sent her best man, the ambassador Antalcidas ⁽¹⁷⁾, who offered the Persians – lo and behold – land for peace by promising that Sparta would renounce her claim to Greek Asia.

According to Ralf URBAN ⁽¹⁸⁾, a German legal historian, a bilateral peace treaty between Sparta and the Greatking was the primary goal of the first negotiations to take place in 392 in Susa. It was only through later inclusion of the Corinthian War's ⁽¹⁹⁾ settlement into the contractual conditions, that the Persian requirements were satisfied by a Hellenic world which looked peaceful at first sight. Thus, formally the Peace of Antalcidas was supposed to settle the inner-Greek Corinthian War, whereby Artaxerxes II was enabled to secure both his retreat and free access to the Aegean sea.

Three generations after the legendary Salamis and Plataeae, Isocrates, the national political head of Athens, finally considered

17) Plut., *Vita Artox.* 22, 1, 7. Antalcidas had already been concerned with the negotiation of the year 392.

18) URBAN R., *Der Königsfriede von 387/6 v. Chr.*, Historia 68, Stuttgart 1991, 95 sqq.

19) A coalition of Thebes, Corinth, Argos und Athens which fought for supremacy mainly in the Corinthian area.

the Persian King the ruler of Greece (20). He did not hesitate to denominate the Peace of Antalcidas frankly as *prostagmata* and not *syntheke* (21). Consequently he fell into the trap of confusing the institute of equal and unequal international treaties, both of which were well-known in Antiquity.

V. THE PEACE

1. Condition Concerning the Asian Greek *poleis*

One major point of the treaty is the attribution of the Greek cities in Asia Minor to the Persian empire.

Ἄρταξέρξης βασιλεὺς νομίζει δίκαιον τὰς μὲν ἐν τῇ Ἀσίᾳ πόλεις, ἑαυτοῦ εἶναι... (22)

Studying these conditions we are confronted with a paradox: The establishment of the principle of freedom and equality for all Greek *poleis* outside Asia is highly inconsistent - but established side by side - with the acknowledgement of the fact that certain Greeks, those in Asia, were not free.

20) Isokr., *Panath.* XII 59 " ... Βάρβαροι (...) ἀλλὰ καὶ δεσπότηται πολλῶν Ἑλληνίδων πόλεων κατέστησαν".

21) Isokr., *Paneg.* §§ 176 sqq., *Panath.* XII 59.

22) Xen., *Hell.* V 1, 31 "Artaxerxes the King thinks it just that the cities of Asia shall be his ..." (Translation by LEWIS D.M., *Sparta and Persia, Cincinnati Classical Studies*, I 1977).

2. Autonomy Clause

The most decisive point in this treaty, concerning the movement of the *koine eirene* is the following autonomy clause.

... τὰς δὲ ἄλλας Ἑλληνίδας πόλεις καὶ μικρὰς καὶ μεγάλας αὐτονόμους ἀφείναι ... (23)

The Persian king may well have considered less the Greek's autonomy and freedom than the consequences of their synergy on his own position. Nevertheless the wording *tas de allas* should probably comprehend all Hellenic *poleis* of that period. *kai mikras kai megalas* was a commonly used formula (24) where *mikros* can truly be considered equivalent to weak, powerless or poor (25); to stress the all embracing nature of the wording without being influenced by any quality or dimension of the *polis* concerned (26).

The clause of autonomy allowed all Greek *poleis* to participate and thus confirmed the “multilateral” conception of the treaty. So, contrary to the prevailing custom, the treaty named no longer any particular *polis* as party to the treaty, but only those *poleis* to be excepted.

23) “... and the other cities, small and great, shall be autonomous ...“ (Translation by LEWIS).

24) cf. Thuk., V 77, 3.

25) Accordingly *μεγάλας* could be translated as powerful and mighty.

26) Contrary to Roman Law the Greek does not know a kind of hierarchy concerning the political independence of a state.

We may not easily grasp the meaning of autonomy in the thoughts of Antiquity. One should avoid jumping to conclusion about its notion, for the Ancients were the inventors of autonomy. The *polis* in question might have got closer to the ideal of political independence than certain modern sovereign states.

Being governed according to one's own laws does not exclude *ex definitione* an alliance with another *polis*. Thus self-determination could have led, in theory, to a union of all *poleis* and therefore simultaneously to a voluntary abandonment of the particular *polis*' autonomy. As we learn from later history such an interpretation of autonomy was certainly not intended. The separation of the historic Union Argos-Corinth (27) forced by Sparta with reference to the King's Peace illustrates that autonomy could easily be misused to cut off any alliance endeavours; and thereby drive the Greeks to political standstill by break up.

The right to remain autonomous soon turned out to be also the duty to do so, which a Viennese professor pointedly called the merciless freedom of all against all (28). The clause of autonomy was *de facto* the undermining of any powerful filiation in Greece, and thus was to eliminate both Athens and Sparta as potential menaces to the Greatking.

27) Thebes was also forced to cut down her alliance with Orchomenos; in contrast Sparta thought her Peloponnesian league consistent with the treaty.

28) DOBESCH, *Friedenskonferenzen*, Wiener Humanistische Blätter, 14, Wien 1972.

As a consequence, the Greatking himself renounced any other claims going beyond the treaty, which should be regarded as an essential aspect of the accorded autonomy. Therefore the Aegean archipelago was actually to remain autonomous and peaceful and free from any external power. The Persian regent was in fact the one who implemented the autonomy of each Greek *polis* and accordingly was called the warrantor of Greek freedom and peace (29) with good reason.

That principle of autonomy was constituted for the first time in the Peace of Antalcidas, although, it was inherent in the unwritten international customary law of ancient Greece's *poleis* system. Despite the negative connotation due to the Persian initiative it favoured an irreversible performance of the idea of autonomy in each single *polis*.

The evident imperfections of the antique autonomy conception resemble those of antique International Law as a whole. There was no supra-national authority which could have been invoked in such controversies and thus could have set a compulsory framework of interpretation for the notion of autonomy. Although Sparta felt called upon to be a superior interpreter (30) her proceeding in the further course of history can hardly be considered consistent with any notion of autonomy. As

29) Isokr., *Paneg.* 175 "fuvlax th" eijrhvnh"; Xen., *Hell.* V 1, 35, 8.

30) Xen., *Hell.* V 1, 35, 8 "Προστάται γὰρ γενόμενοι τῆς βασιλέως καταπεμφθείσης εἰρήνης ;"; HEUSS A., *Hellas*, Propyläen Weltgeschichte, III, Frankfurt/Main, 1986, 351, refers to former use of the term "prostavth" ; cf. QUASS, *Der Königsfriede* 35.

current discussions, initiated by the Kosovo conflict, show, the question of a generally accepted definition of international legal institutions and procedures still seems unsolved.

3. Mention of *eirene*

The term peace is, for the one and only time, expressly mentioned at the end of the treaty in the stipulation of sanctions.

Ἐπιότεροι δὲ ταύτην τὴν εἰρήνην μὴ δέχονται, τούτοις ἐγὼ πολέμησω. (31)

There is no unequivocal *expressis verbis* statement that the parties should from that point on make peace and that peaceful circumstances should be established. The Greatking considering a certain status to be peaceful, simply decreed sanctions against those who would not accept this status. Although the peace idea of the *koine eirene* was an absolute *novum*, the document does not contain any allusions to its revolutionary unprecedentedness (32).

It is not difficult to realise that the acceptance of the peace had in view its permanent existence as well. Still it does remain contestable whether the threat of military intervention on the Persians' part should cover the period before or after the conclusion of the treaty; and following that, if the proposed

31) "Whichever side does not accept this peace, I shall make war on them" (Translation by LEWIS).

32) FISCH J., *Krieg und Frieden im Friedensvertrag*, Sprache und Geschichte III, Stuttgart 1979, 287.

sanction should only be inflicted in the event of refusal of the acceptance of the conditions or if the Greatking actually felt called upon *phylax tes eirenes* (33).

Therefore we should distinguish between the contractual conditions, mainly the territorial claims, on the one hand and the establishment of autonomy on the other. Regarding the peace of the Greek *poleis*, Artaxerxes II planned to paralyse at a blow all of Hellas. As he did not claim any territorial rights over the Greek continent, it would be rather astonishing considering the historical context if he had felt solely responsible for particular inner-Greek controversies.

The Peace of Antalcidas did not state a Panhellenic peace and did not even mention the *koine eirene* as such (34). The wording of the King's Peace treaty employed a much more subtle way of providing inner-Greek peace. The treaty aspired to establish an improved quality in system and relations between the Greek city-states combined with adequate rules of conduct. According to the latter, major controversies were not to be. The King's Peace formed the unchangeable basis and the canon of further interstate proceeding without any active interference. This constitutes its excellence.

According to the philosopher Max WEBER, fraternisation is not a matter of simply arranging a mutual give and take between

33) Isokr., *Paneg.* § 175.

34) QUASS, *Der Königsfriede* 35.

parties but of achieving an authentic quality, for otherwise this desired new action would not be practically enforceable at all.

VI. EPILOGUE

However, only a few years later Sparta broke the King's Peace by attacking Mantinea (35). Just as in the controversies regarding Argos and Corinth it was a matter of autonomy and its interpretation.

The main defect of the idea of a *koine eirene* was the lack of any superior authority providing its stability. Modern people's hopes are founded on an independent international body with full authority. The existence and the competencies of such might be considered an achievement of modern International Law. Notwithstanding, the most sophisticated international authorities cannot act without being invoked.

Martin JEHNE (36) appropriately states that there had never been peace in antique Hellas everywhere at the same time. Thus, the quality of these endeavours cannot be measured only by this simple fact. During the recent Kosovo war the person in the street in Stockholm or Paris if asked whether there was peace in Europe

35) Xen., *Hell.* V 1, 35 sqq. The polis Mantinea was a member of the Peloponnesian league but did not follow its military actions one hundred percent; therefore Sparta decided to put an end to her political independence.

36) JEHNE, *Koine eirene* 9.

would have given a positive answer. And the antique Greeks would probably have judged their situation similarly.

The Peace of Antalcidas can be justly considered a milestone in the development of international relations and brought about a brave new ideal of peace and stability and an essential new concept for the achievement of these invaluable objectives.