**THE GREEK ORIGINS OF FEDERATIONS, LEAGUES**

**AND MULTI-STATE ORGANISATIONS**

**(Presented at the Hellenic Australian Lawyers Association Conference on 12 July 2018 by the Hon Alan Blow AO, Chief Justice of Tasmania)**

Ancient Greece comprised a very large number of independent city states. The 19th century English historian, Edward Freeman, described Ancient Greece as "crowded with towns, each of them acknowledging no superior upon earth and exercising all the rights of sovereignty as fully as the mightiest empires".[[1]](#footnote-1) From the 6th century BC onwards, the independent Greek city states began to form alliances, leagues and federations with structures similar to international organisations and federal states that exist today.

I will be discussing some of Ancient Greece's more significant multi-state organisations and their origins, beginning in the 7th century BC, and outlining major developments to the 2nd century BC. I will be discussing parallels with modern federal states including Switzerland and Australia, and modern international organisations such as NATO and the UN.

At the time of the writings of Homer, which date from around 700 BC, there were microstates with institutions that included leaders, councils, assemblies and armies. Both the elite and the ordinary citizens played roles in those institutions. Established practices existed as to interactions between states to help avoid and end war, and to meet the need to fight just wars. Councils and assemblies were involved in decisions about foreign relations.[[2]](#footnote-2)

Treaties were made between Greek states as early as the 7th century BC. One author refers to a treaty preserved on bronze tablets in Olympia from about the middle of the 6th century BC whose parties entered into a "binding agreement … for friendship faithful and without guile for ever", with Zeus and Apollo named as guarantors. [[3]](#footnote-3)

Some states combined to form associations known as amphiktyonies based around particular shrines, including the shrine of Apollo at Delphi. Some sources mention an agreement supported by an oath in the following terms:

"that they would raze no city of the amphiktyonic states, nor shut them off from flowing water either in war or in peace; that if anyone should violate this oath, they would march against the perpetrator and raze his cities; and if anyone should violate the shrine of the god or be accessory to such violation, or make any plot against the holy places, they would punish him with hand and foot and voice, and all their power."[[4]](#footnote-4)

One of the earliest alliances was the Peloponnesian League. It evolved during the 6th century BC. Member states promised to "follow wherever the Spartans lead both by land and by sea, having the same friend and the same enemy as the Spartans".[[5]](#footnote-5)

Thucydides described the decision-making arrangements of the Peloponnesian League during the Peloponnesian War. When it was alleged that Athens had violated the treaty, a meeting was held in Sparta, the allegations were discussed, the allies' representatives decided on a common reaction, the Spartan assembly discussed the proposal and voted on it, and the allies' representatives returned to Sparta to confirm the decision. According to Thucydides, "The Spartans have now heard everyone's opinion and put the vote city by city to all their allies who were present, both great and small. The majority voted for war".[[6]](#footnote-6)

The Peloponnesian League continued in existence, dominated by Sparta, until the middle of the 4th century BC.

In 478 BC, Athens established a new alliance called the Delian League. It was based around the temple of Apollo on Delos. The Delian League became a very sophisticated multi-state organisation. It began as an alliance against the Persians. According to Thucydides, the objectives of the League's members were "to compensate themselves for their losses by ravaging the territory of the King of Persia" and to liberate the Hellenes from Persian rule.[[7]](#footnote-7)

The Delian League has been described as "an alliance of free and equal *poleis* bound by oath for an indefinite time to maintain mutual defense, to conduct wars jointly, after decisions made in joint deliberation and by equal votes, and to contribute to the alliance's actions according to individual ability".[[8]](#footnote-8)

Meetings of a synod comprising delegates from member states were held on Delos. Each member had an equal vote. A treasury was established, initially on Delos. Athens assessed the members' contributions, in either money or ships, and appointed treasurers. Over time, Athens took control of the League, to the point where the Athenian assembly replaced the members' synod as the principal decision-making body. When the League was established, its members met as equals, under the presidency of Athens, which had no more than presidential authority. Athens was the predominant naval power. Over time, most of the other member states persuaded the synod to accept contributions of money rather than ships. By the middle of the 5th century BC, only three of the members were furnishing ships. This trend resulted in the naval and military resources of the member states diminishing, and Athens becoming very powerful. In the 460s, the League's resources were used by Athens against recalcitrant Greek islands. In or about 454 BC, the treasury was transferred to Athens. In 451 BC, by the law of Pericles, citizenship was restricted to those who could prove themselves to be the children of Athenian parents. Athens established garrisons under permanent Athenian officers in some member cities. Athenian settlers began to acquire land in the territories of their allies. Litigants in member states were compelled to have their cases heard in Athens and determined by Athenian juries.[[9]](#footnote-9)

The League was dissolved when Athens was defeated at the end of the second Peloponnesian War in 404 BC.

The Delian League is a very early example of a multi-state organisation that was more than a military alliance. It bears some resemblance to NATO, the North Atlantic Treaty Organisation. Although the North Atlantic Treaty was signed in 1949 when the Cold War was at a very worrying stage, it does not name a common enemy. And although the treaty was entered into in Washington DC, no formal presidential role was given to the USA. In fact the office of the Secretary-General, who presides at meetings of the North Atlantic Council, has never been held by an American. In the 2,400 years since the days of Delian League, it seems that subtler techniques have been developed for the exertion of influence by great and powerful friends.

NATO, like the Delian League, functions on the basis that member states contribute both by providing funds and by deploying military forces. More than half of NATO's budget is contributed by the USA, Germany, France and the UK. At present the USA contributes over 22%. At the other end of the spectrum, Montenegro contributes 0.027%.[[10]](#footnote-10)

Unlike the synod of the Delian League, the North Atlantic Council can make decisions only on a unanimous basis. It is significant that the member states of the Delian League, from the outset, surrendered some of their sovereignty by agreeing to be bound by decisions of the synod, including decisions to fight wars.

The 4th century BC saw the establishment of an alliance now referred to as the Second Athenian League, the successor to the Delian League. It was established as an anti-Spartan alliance in 378. Its constituent document, known as the "Decree of Aristoteles" was preserved on stone. It was intended to be a purely defensive alliance. Measures previously taken by Athens to rule over the other members of the Delian League were expressly prohibited. The decree provided:

"If any of the Greeks or of the barbarians living in Europe or of the islanders, who are not the King's, wishes to be an ally of the Athenians and their allies, he may be – being free and autonomous, being governed under whatever form of government he wishes, neither receiving a garrison nor submitting to a governor nor paying tribute".[[11]](#footnote-11)

The second Athenian League was governed by a synedrionthat met in Athens. Each member state had an equal vote. Compulsory contributions were introduced at a later stage, but with the synedrion responsible for assessing them.[[12]](#footnote-12)

The Second Athenian League's original purpose was abandoned in 369 BC when an alliance was made between Athens and Sparta and their allies. The League was formally replaced by the League of Corinth in 337 BC following a military victory by King Philip II of Macedon in 338 BC.

The members of the League of Corinth were all autonomous states, but the king was given hegemonic rights, and the member states were obliged to keep peace among themselves, and to take punitive action against any member states that violated their obligations. Representatives of the member states met in another synedrion. Each member state was required to supply forces, the size of which were specified by the king. The size of the forces supplied determined the number of representatives that each member state had in the synedrion.[[13]](#footnote-13)

The king had the power to mobilise the League for a war by land and sea, but only after that mobilisation was authorised by the synedrion. With the support of the necessary resolution, the king had the authority to call out and command the forces of all the member states.[[14]](#footnote-14)

The synedrion or council of the League of Corinth bears some similarities to the UN and the League of Nations. It was involved in supervision of the Common Peace. When conflicts developed between member states, it had the role of recruiting third-party arbitrators. Unlike the League of Nations and the UN, the League of Corinth did not have universal peace as an objective. Wars, especially against non-Greek opponents, were expected to take place.[[15]](#footnote-15)

In many other respects the League of Corinth was like a constitutional monarchy. Its synedrionwas responsible for decisions about starting and concluding wars, including wars against member states, other Hellenes, or "barbarians". It also had legislative and judicial responsibilities.[[16]](#footnote-16) The League continued to function throughout the reigns of Philip II and his son, Alexander the Great.

There were various other leagues in ancient Greece in the nature of alliances of independent states with constitutional arrangements similar to those of the leagues that I have been discussing. Because of the constraints of time, I will not discuss any of the other leagues that took the form of alliances, but I will move on to discuss the Aetolian League and the Achaean League, both of which had similarities to modern federal states like Switzerland, the USA and Australia.

According to Google, there was once an Aetolian Football League in the south east of England. However I will be concentrating on its predecessor, which was centred on the city of Aetolia, particularly in relation to the constitutional arrangements that existed in the 3rd and 2nd centuries BC. The Aetolian League grew out of a tribal state. In the 4th century BC it comprised a group of sub-tribes rather than a group of city states. In later centuries, some of its member states were city states, but some were country districts containing small villages.[[17]](#footnote-17) The League's original territories were in central Greece, on the north side of the Gulf of Corinth. However it expanded through the 3rd century BC to include most of central Greece.

The historian, Freeman, writing in the 19th century, saw a resemblance between the Aetolian League and Switzerland. He wrote the following:

"The Aetolians, like the Swiss, were a nation of mountaineers, and their League, like that of Switzerland, was originally an union not of cities, but of tribes or districts. The oldest members of the Swiss League the famous Forest Cantons, contained, and still contain, no considerable town. They still remain the most perfect examples of rural Democracy which the world ever saw. A mountain Democracy of this sort is something very different from the Democracy of a great city; it is sure to be brave and patriotic, but it is also sure to contain a stronger conservative, not to say obstructive, element than can be found under any other form of government."[[18]](#footnote-18)

Switzerland today is a federal republic consisting of 26 cantons. However the confederacy was established in 1291 by three rural communes around the eastern part of Lake Lucerne – Uri, Schwyz and Unterwalden. Today we do not tend to think of Switzerland as a nation of forest dwellers, but things were different in 1291.

In the 3rd and 2nd centuries BC, the Aetolian League was a federal state with a sophisticated constitutional structure. Each of its citizens had double citizenship – citizenship of an individual member state and Aetolian citizenship.[[19]](#footnote-19) The highest decision-making body of the League was a federal assembly, in which every Aetolian citizen was entitled to take part.[[20]](#footnote-20) The federal assembly was supervised by a presidium consisting of the three highest federal magistrates and an executive committee.[[21]](#footnote-21) There was also a federal council, another synedrion, in which every member state was represented by a number of individuals determined in proportion to that state's population and economic capacity.[[22]](#footnote-22) At times the council may have comprised up to 1,500 representatives. Some 550 of its anti-Roman members were massacred in 168 or 167 BC.[[23]](#footnote-23) Everyday administration was the responsibility of the leading magistrates and a special board called the *apokletoi*.[[24]](#footnote-24) The *apokletoi* were elected by the members of the federal council from among themselves, with no limit to the length of their terms in office.[[25]](#footnote-25) They were thus able to exert very considerable political influence.

Each member state was governed by a board of at least three officials, known as archons, each of whom held office for only a year.[[26]](#footnote-26) The member states' political institutions included assemblies of citizens, elected councils, magistrates and other officials.[[27]](#footnote-27) They minted bronze coins, but the League minted gold and silver coins as well as bronze ones.[[28]](#footnote-28) Member states were entitled to amalgamate or separate, and were entitled to send embassies to foreign states, but only with the approval of the federal assembly.[[29]](#footnote-29)

The Achaean League was named after a region called Achaea in the north western Peloponnese. It was a confederation of member states. It grew quickly, from a confederation of four states in 280 BC, to include dozens of member states by the end of the century. The member states preserved their own local constitutions, political institutions, legal processes, and administrations.[[30]](#footnote-30) All citizens of the member states had federal citizenship, as did individuals who were granted federal citizenship by the federal assembly. Federal citizens had the right to own land, marry or trade anywhere in the confederation.[[31]](#footnote-31)

In modern times it is common for federal constitutions to impose few restrictions or none as to the constitutional arrangements of the member states. Section 206 of the Australian Constitution provided for each State's constitution to continue in force after federation, and for State constitutions to be altered in accordance with their own provisions. The Constitution of the USA restricts State constitutional arrangements to a minimal extent, with provisions requiring a republican form of government in each State, and prohibiting the granting of titles of nobility.[[32]](#footnote-32) Similarly, the Achaean League imposed no requirements on its member states as to state citizenship or any other constitutional arrangement.

The federal assembly of the Achaean League met at Agion until 188 BC, after which it met at various cities in rotation.[[33]](#footnote-33) The League also had a council, whose members represented the member states. Each member sent either one, two or three representatives, depending on its size.[[34]](#footnote-34) From 255 BC, the leadership of the League was entrusted to a single general or strategoswho was elected annually.[[35]](#footnote-35) By the end of the 3rd century BC, the federal citizen assembly mainly made decisions relating to questions of alliances and war, while most other decisions were made by the council.[[36]](#footnote-36) As the council members were elected by the assemblies of the member states, this was in effect a form of representative government. Because members of the council were not paid, and because of the travelling involved in attending its meetings, it tended to be dominated by wealthy men rather than ordinary citizens. All sorts of citizens of a city like Athens were able to participate in citizen assemblies without difficulty, but the logistics involved in federal citizens attending federal citizen assemblies meant that, for many, the right to attend, speak and vote was a right that it was not practicable for them to exercise.[[37]](#footnote-37) The citizen assembly of Athens met three times per month and could easily be attended by all classes of people, whereas the equivalent assembly of the Achaean League held regular meetings only twice per year, with additional extraordinary meetings sometimes being convened.

The Achaean League had a uniform system of coinage, but no federal mint. Member states minted coins which bore both the Achaean monogram and a monogram or symbol of the issuing state.[[38]](#footnote-38) The European Union introduced similar arrangements when euros began to circulate in 2002.

The officials of the Achaean League included judges who had the power to punish magistrates, either by imposing fines or condemning them to death.[[39]](#footnote-39) The Achaean League came to an end when it was conquered and dissolved by the Romans in 146 BC.

In Ancient Greece there were a number of federations other than the Aetolian and Achaean Leagues. The last of those federations all disappeared as the result of the expansion of the Roman Empire.

As we all know, a number of modern states were established as a result of groups of cantons, states, colonies or other small political units combining in federal structures in which they retained their original identities and a significant degree of autonomy. I have mentioned Switzerland, the USA and Australia. Other modern examples include the Netherlands and Germany.

The history of the constitutional arrangements of the federal states in Ancient Greece and the other sorts of multi-state organisations that preceded them is replete with similarities to the structures of modern states and international organisations. When we address the question, "What did the Ancient Greeks ever do for us?", or perhaps the question, "Apart from democracy, the rule of law, philosophy, rhetoric, the first phonetic alphabet, mathematics, science, literature, drama, art and architecture, what did the Ancient Greeks ever do for us?", the answer is that they gave us the blueprints for federal systems of government, international organisations, and even the euro.

1. Freeman, E A, *History of Federal Government in Greece and Italy*, Macmillan & Co, London, 1893, p 26. [↑](#footnote-ref-1)
2. Raaflaub, K A, "Forerunners of federal states: collaboration and integration through alliance in Archaic and Classical Greece", in Beck, H and Funke, P (eds), *Federalism in Greek Antiquity*, Cambridge University Press, 2015, p 435. [↑](#footnote-ref-2)
3. Ibid, p 437. [↑](#footnote-ref-3)
4. Quoted by Raaflaub, op cit, pp 438-439. [↑](#footnote-ref-4)
5. Quoted by Raaflaub, op cit, p 439. [↑](#footnote-ref-5)
6. Raaflaub, op cit, p 440. [↑](#footnote-ref-6)
7. Ibid, p 443. [↑](#footnote-ref-7)
8. Ibid. [↑](#footnote-ref-8)
9. Encyclopaedia Britannica, 1911 ed, viewed at

   https://en.m.wikisource.org/wiki/1911\_Encyclopædia.Brittanica/Delian.League [↑](#footnote-ref-9)
10. NATO Common Funded Budgets & Programs Costs Share Arrangements, viewed at

    http://www.nato.int/cps/ie/natohq/topic\_6755.htm [↑](#footnote-ref-10)
11. Raaflaub, op cit, p 446. [↑](#footnote-ref-11)
12. Ibid, p 447. [↑](#footnote-ref-12)
13. Ibid, p 445. [↑](#footnote-ref-13)
14. Smarczyk, B, "The Hellenic leagues of late Classical and Hellenistic times and their place in the history of Greek federalism", in Beck, H and Funke, P (eds), *Federalism in Greek Antiquity*, Cambridge University Press, 2015, p 454. [↑](#footnote-ref-14)
15. Boak, A E R, "Greek Interstate Associations and the League of Nations", in *The American Journal of International Law*, Vol 15, No 3 (July 1921), at p 383. [↑](#footnote-ref-15)
16. Ibid, pp 456-457. [↑](#footnote-ref-16)
17. Ehrenberg, V, *The Greek State*, 2nd ed, Methuen & Co Ltd, London, 1969, pp 124-125. [↑](#footnote-ref-17)
18. Freeman, op cit, pp 271-272. [↑](#footnote-ref-18)
19. Funke, P "Aitolia and the Aitolian League" in Beck H and Funke, P (eds), *Federalism in Greek Antiquity*, Cambridge University Press, 2015, p 101. [↑](#footnote-ref-19)
20. Ibid, p 102. [↑](#footnote-ref-20)
21. Ibid, p 111. [↑](#footnote-ref-21)
22. Ibid. [↑](#footnote-ref-22)
23. Ibid, p 112. [↑](#footnote-ref-23)
24. Ibid, p 113. [↑](#footnote-ref-24)
25. Ibid, p 114. [↑](#footnote-ref-25)
26. Ibid, p 106. [↑](#footnote-ref-26)
27. Ibid. [↑](#footnote-ref-27)
28. Ibid. [↑](#footnote-ref-28)
29. Ibid, p 107. [↑](#footnote-ref-29)
30. Rizakis, A, "The Achaian League" in Beck, H and Funke, P (eds), *Federalism in Greek Antiquity*, Cambridge University Press, 2015, p 128. [↑](#footnote-ref-30)
31. Ibid, p 122. [↑](#footnote-ref-31)
32. Article 4, section 4, and Article 1, section 10. [↑](#footnote-ref-32)
33. Ibid, p 124. [↑](#footnote-ref-33)
34. Ibid, p 126. [↑](#footnote-ref-34)
35. Larsen, J A O, *Greek Federal States*, Clarendon Press, Oxford, 1968, pp 217, 220. [↑](#footnote-ref-35)
36. Larsen, ibid pp 223-224. [↑](#footnote-ref-36)
37. Freeman, op cit, p 207. Larsen, op cit, pp 226, 232. [↑](#footnote-ref-37)
38. Larsen, op cit, p 234. [↑](#footnote-ref-38)
39. Rizakis, op cit, pp 128-129. [↑](#footnote-ref-39)