

## The Athenian Democracy and its Critics<sup>1</sup>

IT IS curious that in the abundant literature produced in the greatest democracy of Greece there survives no statement of democratic political theory. All the Athenian political philosophers and publicists whose works we possess were in various degrees oligarchic in sympathy. The author of the pamphlet on the 'Constitution of the Athenians' preserved among Xenophon's works is bitterly hostile to democracy. Socrates, so far as we can trace his views from the works of Xenophon and Plato, was at least highly critical of democracy. Plato's views on the subject are too well known to need stating. Isocrates in his earlier years wrote panegyrics of Athens, but in his old age, when he wrote his more philosophical works, became increasingly embittered against the political régime of his native city. Aristotle is the most judicial in his attitude, and states the pros and cons, but his ideal was a widely based oligarchy. With the historians of Athens, the same bias is evident. Only Herodotus is a democrat, but his views have not carried much weight, partly because of his reputation for naïveté, and partly because his explicit evidence refers to a period before the full democracy had evolved. Thucydides is hostile: in one of the very few passages in which he reveals his personal views he expresses approval of a régime which disfranchised about two-thirds of the citizens, those who manned the fleet on which the survival of Athens depended. Xenophon was an ardent admirer of the Spartan régime. Aristotle, in the historical part of his monograph on the Constitution of Athens, followed—rather uncritically—a source with a marked oligarchic bias. Only the fourth-century orators were democrats; and their speeches, being concerned with practical political issues—mostly

of foreign policy—or with private litigation, have little to say on the basic principles of democracy, which they take for granted.<sup>2</sup>

The surviving literature is certainly not representative of Athenian public opinion. The majority of Athenians were proud of their constitution and deeply attached to it. The few counter-revolutions—in 411, 404, 322 and 317—were carried out by small extremist cliques, in 411 after a carefully planned campaign of deception and terror, in the other three cases with the aid of a foreign conqueror, and all were short-lived, being rapidly overwhelmed by the mass of the citizens. Nor was it only the poor majority, who most obviously benefited from the system, that were its supporters. Most of the great statesmen and generals of Athens came from wealthy families, and a substantial number from the nobility of birth; the leaders of the popular risings which unseated the oligarchic governments of 411 and 403 were men of substance.

Since, however, the majority were mute—in the literature which has survived—it is not an easy task to discern what they considered the merits of democracy to be, or, indeed, on what principles they thought that a good constitution should be based. Democratic political theory can only be tentatively reconstructed from scattered allusions. For the basic ideals of democracy the best source is the series of panegyrics on Athens. The most famous of these, Pericles' Funeral Speech, as recorded by Thucydides, is also the most instructive; its peculiarities of diction and its general tone, which is in conflict with Thucydides' own outlook, suggest that it is a fairly faithful reproduction of what Pericles really said. There is an early fourth-century Funeral Speech attributed to Lysias, which contains some useful material. Little for our purposes can be drawn from Isocrates' *Panegyricus* and *Panathenaicus*. A curious document of this class is the skit on a Funeral Speech contained in Plato's *Menexenus*, which seems close enough to type to be used—with reservations—as a statement of democratic principles. To these documents, which too often

only repeat banal generalities, may be added *obiter dicta* in the political and forensic speeches of the orators, when they appeal to some general principle. Among these may be included some political speeches in Thucydides, which, though placed in a Sicilian setting, doubtless are modelled on Athenian prototypes. Another important source is the actual constitution of Athens, from whose rules general principles can sometimes be deduced. But our most valuable evidence comes from the criticisms of adversaries, which are so much more fully reported than anything from the democratic side. This evidence, though copious, is tricky to evaluate and must be used with caution. We must distinguish criticism on points of principle, where a democrat would have accepted his opponent's statement of the democratic point of view as correct, and would have argued that the principle or institution criticised was in fact a good one; and criticism on points of practice, which a democrat would have endeavoured to rebut, arguing that the accusations were untrue, or alternatively that the abuses alleged were regrettable but accidental and remediable defects of democracy.

It is the object of this paper to reconstruct from these sources democratic political theory and then to determine how far in practice the Athenian people lived up to its principles. The procedure will be to take up the various lines of criticism advanced by oligarchic critics, and to work out on what lines democrats would have answered them, using for this purpose the scattered evidence outlined above. The criticisms of the philosophical writers will be analysed first, and then those of the historians—or rather of Thucydides, who alone demands discussion. This distinction in the source of the criticism corresponds with a division in subject-matter, for the philosophers confine their attacks almost entirely to the internal working of democracy, while Thucydides is primarily interested in Athenian foreign and imperial policy.

The first and most basic charge brought by the philosophers against democracy is best expressed by Aristotle in his characteristic terse direct style: 'in such democracies each person lives as he

likes; or in the words of Euripides "according to his fancy". This is a bad thing.<sup>3</sup> This is no isolated text. Aristotle returns to the point elsewhere.<sup>4</sup> Isocrates in the *Areopagiticus*<sup>5</sup> declares that in the good old days it was not the case that the citizens 'had many supervisors in their education but as soon as they reached man's estate were allowed to do what they liked', and urges that the Areopagus should recover its alleged pristine power of controlling the private lives of all the citizens. Plato in the *Republic*<sup>6</sup> complains that under a democracy 'the city is full of liberty and free speech and everyone in it is allowed to do what he likes... each man in it could plan his own life as he pleases'. He then enlarges on the deplorable results of this, that the citizens are various, instead of conforming to one type, and that foreigners and even women and slaves are as free as the citizens.<sup>7</sup>

An Athenian democrat would no doubt have demurred at the last charge, though admitting with some pride that foreigners and slaves were exceptionally well treated at Athens,<sup>8</sup> but he certainly gloried in the accusation of liberty. Freedom of action and of speech were the proudest slogans of Athens, and not only political but personal freedom; as Pericles says in the Funeral Speech,<sup>9</sup> 'we live as free citizens both in our public life and in our attitude to one another in the affairs of daily life; we are not angry with our neighbour if he behaves as he pleases, we do not cast sour looks at him, which, if they can do no harm, cause pain'. Freedom of speech was particularly prized.<sup>10</sup> As Demosthenes<sup>11</sup> says, 'in Sparta you are not allowed to praise the laws of Athens or of this state or that, far from it, you have to praise what agrees with their constitution', whereas in Athens criticism of the democracy was freely permitted. One only has to read the works of Isocrates, Plato and Aristotle to see that this is true. The condemnation of Socrates is an apparent exception to the rule, but as Xenophon's<sup>12</sup> account of the matter shows, the real gravamen of the charge against Socrates was that, of his pupils, Alcibiades had done more than any other one man to ruin Athens in the recent war, and Critias had been the ruthless ringleader of the

Thirty, who had massacred thousands of Athenians a few years before.

The second main charge against democracy is most neatly stated by Plato:<sup>13</sup> that 'it distributes a kind of equality to the equal and the unequal alike'. The same point is made by Isocrates,<sup>14</sup> who distinguishes 'two equalities; one allots the same to every one and the other what is appropriate to each'. and alleges that in the good old days the Athenians 'rejected as unjust the equality which considers the good and the bad worthy of the same rights, and chose that which honours each according to his worth'. Aristotle<sup>15</sup> argues similarly, though he is justifiably sceptical about the criterion according to which rights are to be scaled; in democracy freedom is the criterion, that is, all free men are equal, and this is in Aristotle's view unjust, but so in his opinion are the only practical alternative criteria, wealth or birth.'

Democrats in general approved of the egalitarian principle.<sup>16</sup> Demosthenes in one passage<sup>17</sup> argues that what makes all citizens public spirited and generous is 'that in a democracy each man considers that he himself has a share in equality and justice'. and in another<sup>18</sup> praises a law forbidding legislation directed against individuals as being good democratic doctrine, 'for as everyone has an equal share in the rest of the constitution, so everyone is entitled to an equal share in the laws'. The Athenians were not, however, either in theory or in practice, absolute egalitarians, but drew a distinction between different political functions. On one point they admitted no compromise—equality before the law; as Pericles<sup>19</sup> says, 'in their private disputes all share equality according to the laws'. This to us elementary principle needed emphasis, for Plato's friends in the Thirty, when they drew up a new constitution, ordained that only the 3,000 full citizens were entitled to a legal trial and that all others might be summarily executed by order of the government.<sup>20</sup> It was secured in the Athenian constitution not only by the right of every citizen to seek redress in the courts, but by the character of the courts, which

consisted of large juries drawn by lot from the whole body of the citizens.

The Athenians also attached great importance to the equality of all citizens in formulating and deciding public policy. This was secured by the right of every citizen to speak and vote in the assembly, and by the composition of the council of Five Hundred, which prepared the agenda of the assembly; this body was annually chosen by lot from all the demes of Attica. Here democratic principle came into conflict with the oligarchic view, developed at length by Plato, that government was an art, demanding the highest skill, and should therefore be entrusted to a select few. On this question Aristotle, whose ideal was a broadly based oligarchy, whose members would not all be experts, took issue with Plato, and the arguments which he uses are applicable to a fully democratic régime, and probably drawn from democratic theory. In the first place<sup>21</sup> he argues that, though each individual in a large assembly may be of poor quality, the sum of their virtue and wisdom taken together may exceed the virtue and wisdom of a select few, just as dinners provided by joint contributions may be better than those provided by one rich host. His second argument<sup>22</sup> is rather more cogent. Politics, he suggests, is one of those arts in which the best judge is not the artist himself but the user of the product. The householder is a better judge of a house than the architect, the steersman of a rudder rather than the carpenter, the eater of a meal rather than the cook. A third justification for democratic practice is put into the mouth of Protagoras by Plato<sup>23</sup> in a passage which so well illustrates the tone of the Athenian assembly that it is worth quoting in full. Socrates is expressing his doubts as to whether political wisdom is teachable.

I, like the other Greeks (he says), think that the Athenians are wise. Well, I see that when we gather for the assembly, when the city has to do something about buildings, they call for the builders as advisers and when it is about ship construction, the shipwrights, and so on with everything else that can be taught and learned. And if anyone else tries to advise them, whom they do not

think an expert, even if he be quite a gentleman, rich and aristocratic, they none the less refuse to listen, but jeer and boo, until either the speaker himself is shouted down and gives up, or the sergeants at arms, on the order of the presidents, drag him off or remove him. That is how they behave on technical questions. But when the debate is on the general government of the city, anyone gets up and advises them, whether he be a carpenter or a smith or a leather worker, a merchant or a sea-captain, rich or poor, noble or humble, and no one blames them like the others for trying to give advice, when they have not learned from any source and have had no teacher.

Protagoras' reply is in mythological form. Zeus when he created men gave various talents to each, but to all he gave a sense of decency and fair play, since without them any society would be impossible.

So, Socrates, (he concludes) that is why the Athenians and the others, when the debate is about architecture or any other technical question, think that few should take part in the discussion, and if anyone outside the few joins in, do not tolerate it, as you say—rightly in my opinion. But when they come to discuss political questions, which must be determined by justice and moderation, they properly listen to everyone, thinking that everyone shares in these qualities—or cities wouldn't exist.

The Athenians went yet further in their egalitarian principles in that they entrusted the routine administration of the city to boards of magistrates chosen by lot. This aroused the irony of Socrates,<sup>24</sup> who declared that 'it was silly that the rulers of the city should be appointed by lot, when no one would be willing to employ a pilot or a carpenter or a flautist chosen by lot'. It is a proof of the poverty of our information on democratic theory that no reasoned defence of this cardinal institution, the lot, has survived. The nearest thing to it is a comic passage in a private speech of Demosthenes<sup>25</sup> where Mantitheus, pleading against the assumption of his name by his half-brother, raises the hypothetical case that both might put in their names for the ballot for an office or the council, and that the name Mantitheus might be drawn. There would have to be a lawsuit 'and we shall be deprived of our common equality, that the man who wins the ballot holds office: we shall abuse one another and the cleverer

speaker will hold the office'. It is implied that the lot was employed to give every citizen an equal chance, without regard to wealth, birth or even popularity or eloquence. This may seem to be carrying principle to extremes, but Socrates' comment is not altogether fair. It was not 'the rulers of the city' who were chosen by lot, but officials charged with limited routine duties, for which little more than 'a sense of decency and fair play' was required. Furthermore, it must be remembered that a magistrate had to pass a preliminary examination, which was, it is true, usually formal, but gave his enemies an opportunity for raking up his past;<sup>26</sup> was liable to be deposed by a vote of the assembly taken ten times a year,<sup>27</sup> and after his year was subject to a scrutiny in which his accounts were audited and any citizen could charge him with inefficiency or abuse of authority.<sup>28</sup> It is unlikely that many rogues or nincompoops would expose themselves to these risks.

Athenian democrats did not believe that all should share alike in the important offices, whose holders to some extent controlled policy. Pericles,<sup>29</sup> after affirming the equality before the law of all citizens, goes on: 'but in public esteem, when a man is distinguished in any way, he is more highly honoured in public life, not as a matter of privilege but in recognition of merit; on the other hand any one who can benefit the city is not debarred by poverty or by the obscurity of his position.' This point is even more strongly put in the mock panegyric in the *Menexenus*:<sup>30</sup>

For in the main the same constitution existed then as now, an aristocracy, under which we now live and have always lived since then. A man may call it democracy, and another what he will. But in truth it is an aristocracy with the approval of the majority. We have always had kings: sometimes they were hereditary, sometimes elective. In most things the majority is in control of the city, and bestows office and power on those whom it thinks to be the best. No one is rejected for weakness or poverty or humble birth, nor honoured for their opposites, as in other cities. There is one criterion: the man who is thought to be wise and good holds power and rule.

These principles were embodied in the Athenian constitution,

whereby all the important magistrates—the ten generals, who not only commanded the army and the fleet but exercised a general control over defence and foreign policy, the other military commanders, and in the fourth century the principal financial magistrates—were elected by the people; a procedure which could be regarded as aristocratic.<sup>31</sup> In fact, the Athenian people were rather snobbish in their choice of leaders.<sup>32</sup> The 'Old Oligarch'<sup>33</sup> sneeringly remarks, 'they do not think that they ought to share by lot in the offices of general or commander of the horse, for the people knows that it gains more by not holding these offices itself but allowing the leading citizens to hold them'. Xenophon<sup>34</sup> records the complaints of Nicomachides, an experienced soldier, that he has been beaten in the elections for the generalship by a rich man who knows nothing about military affairs. Demosthenes, a strong democrat, rakes up Aeschines' humble origins in a fashion which we should hardly consider in good taste, but apparently did not offend an Athenian jury. 'We have judged you, a painter of alabaster boxes and drums, and these junior clerks and nobodies (and there is no harm in such occupations, but on the other hand they are not deserving of a generalship) worthy of ambassadorships, generalships and the highest honours'.<sup>35</sup>

Besides the lot the other instrument whereby the Athenians secured the effective political equality of the citizens was pay. The 6,000 jurors, the council of 500 and the 350 odd magistrates were all paid for their services at various rates; it may be noted that elective magistrates—the military commanders and ambassadors—were paid, and at higher rates than the ordinary magistrates chosen by lot,<sup>36</sup> so that the claim that poverty was no barrier to political power was justified. During the fourth century citizens who attended the assembly—or at least a quorum who arrived first—were also paid. The philosophers objected to this practice. Aristotle<sup>37</sup> criticises it precisely because it fulfilled its purpose of enabling the poor to exercise their political rights. It may, however, be doubted if by his day it was fully effective.

The assembly and the juries seem, from the tone in which the orators address them, to have consisted predominantly of middle-class citizens rather than of the poor,<sup>38</sup> and there is evidence that the council also was mainly filled by the well-to-do.<sup>39</sup> The real value of the State pay had, owing to the progressive rise of prices, sunk considerably by the latter part of the fourth century, and the poor probably preferred more profitable employment. Plato<sup>40</sup> also objects to State pay: 'I am told', he says, 'that Pericles made the Athenians idle and lazy and garrulous and avaricious by first putting them on State pay.' This is an oft-repeated accusation but has very little substance. In a population which never sank below 20,000 adult males and probably reached twice that figure at its peak, the council and the magistracies did not provide employment except on rare occasions; a man might not hold any magistracy more than once, or sit on the council more than twice in his life.<sup>41</sup> Assemblies were held only on forty days in the year.<sup>42</sup> It was only as a juror that a citizen could obtain more or less continuous employment, and here the rate of remuneration was so low—half a labourer's wage in the fifth century and a third in the late fourth, in fact little more than bare subsistence<sup>43</sup>—that in the fifth century, if the picture drawn in Aristophanes' *Wasps* is true, it attracted only the elderly, past hard work, and in the early fourth century, when economic conditions were worse, according to Isocrates, the unemployed.<sup>44</sup>

The third main criticism of democracy comes from Aristotle,<sup>45</sup> that in its extreme (that is, Athenian) form 'the mass of the people (or the 'majority') is sovereign instead of the law; this happens when decrees are valid instead of the law'. It is not entirely clear what Aristotle means by this. He appears here and elsewhere to conceive of the law as an immutable code, laid down by an impartial legislator, against which the will of the citizens, assumed, always to be self-interested, should not in an ideal State be allowed to prevail. He may therefore be objecting to any legislation by decision of the majority—or, for that matter, by any constitutional procedure. But this meaning seems to slide into another,

that in an extreme democracy the majority in the assembly habitually overrides the existing laws, however established, by arbitrary executive action in particular cases, acting, as he puts it, like the traditional Greek tyrant.

The doctrine of the immobility of law was naturally favoured by oligarchs, who were generally conservative, or, when they wanted to alter the law, professed to be restoring an 'ancestral constitution'. Democrats, who more often wished to change things, might have been expected to work out a more progressive theory. Some thinkers in the fifth century did indeed propound the doctrine that the law was the will of the sovereign. Socrates, according to Xenophon,<sup>46</sup> defined law as 'what the citizens have by agreement enacted on what must be done and what avoided', and was quite prepared to admit that what the citizens enacted they could revoke, just as having declared war they could make peace. Xenophon<sup>47</sup> also reports a no doubt imaginary conversation between Pericles and Alcibiades, in which the former defined law as 'what the mass of the people (or "the majority"), having come together and approved it, decrees, declaring what must and what must not be done'. Led on by Alcibiades he extends this definition to oligarchies and tyrannies, declaring that what the sovereign body or person decrees is law. Asked by Alcibiades what then is violence and lawlessness, Pericles replies 'when the stronger does not persuade the weaker but compels him by force to do what he wants'. This enables Alcibiades after suitable leading questions about tyrants and oligarchies, to ask: 'Would what the whole mass of the people, overpowering the holders of property, enacts without persuading them, be violence rather than law?' Pericles at this point tells Alcibiades to go away and play, leaving the ambiguity in his theory of law unresolved. In the fourth century Demosthenes<sup>48</sup> enunciates a similar view in one passage, asserting that 'the laws lay down about the future (he is denouncing retrospective legislation as undemocratic) what must be done, being enacted by persuasion as they will benefit their users'. Some democrats then conceived of law as the considered

will of the majority, adding the rider that the majority should persuade the minority and consider the interests of all.

In general, however, democrats tended like Aristotle to regard the laws as a code laid down once for all by a wise legislator, in their case Solon, which, immutable in principle, might occasionally require to be clarified or supplemented. These were the terms of reference given to the legislative commission set up after the restoration of the democracy in 403.<sup>49</sup> and the standing rules governing legislation show the same spirit. At no time was it legal to alter the law by a simple decree of the assembly. The mover of such a decree was liable to the famous 'indictment for illegal proceedings', which, if upheld by the courts, quashed the decree, and also, if brought within a year, exposed the mover to heavy penalties. In the fifth century additions to the law were prepared by special legislative commissions, and then submitted to the council and assembly,<sup>50</sup> but there seems to have been no constitutional means of altering the existing law.<sup>51</sup> After 403 an elaborate procedure was introduced for revising the law, which took the matter out of the hands of the assembly. Every year the assembly passed the laws under review, and voted on them, section by section, whether they should stand or be revised. If a revision of any section was voted, any citizen was entitled to propose alternative laws, which were given due publicity, and a court of 501 or 1,001 legislators was empanelled. The issue between the old and the proposed laws was then argued judicially (counsel for the old laws being appointed by the assembly), and the legislators, acting as a jury under oath, gave their verdict.<sup>52</sup>

Such was the Athenian theory on legislation. How far it was observed in practice is disputable. Both Demosthenes and Aeschines,<sup>53</sup> when bringing indictments for illegal proceedings, inveigh against the unscrupulous politicians (their opponents) who flout the law, and Demosthenes alleges that as a result 'there are so many contradictory laws that you have for a long while past been electing commissions to resolve the conflict, and none

the less the problem can have no end. Laws are no different from decrees, and the laws, according to which decrees ought to be indicted, are more recent than the decrees themselves.<sup>54</sup> These strictures may be taken with a grain of salt. Politicians no doubt often tried to by-pass the rather cumbrous procedure for legislation—Demosthenes did so himself through Apollodorus over the allocation of the theoric fund.<sup>55</sup> But the indictment for illegal proceedings was a favourite political weapon, often invoked, as by Aeschines against Demosthenes on the famous issue of the Crown, on very technical grounds. And Aristophon's boast that he had been indicted (unsuccessfully) seventy-five times,<sup>56</sup> if it proves that some politicians often sailed near the wind, also proves that there were many jealous watchdogs of the constitution; Demosthenes' attempt to evade the law was, incidentally, foiled and Apollodorus suffered.<sup>57</sup>

On the other aspect of the rule of law Athenian democrats held exactly the opposite view to Aristotle's. 'Tyrannies and oligarchies', according to Aeschines,<sup>58</sup> 'are governed by the ways of their governments, democratic cities by the established laws.' 'No one, I think, would assert', says Demosthenes,<sup>59</sup> 'that there is any more important cause for the blessings which the city enjoys and for its being democratic and free, than the laws.' In another passage<sup>60</sup> Demosthenes contrasts law and oligarchy, declaring that in the latter any member of the government can revoke existing rules and make arbitrary enactments about the future, whereas the laws lay down what must be done for the future and are passed by persuasion in the interests of all. To Lycurgus<sup>61</sup> of 'the three most important factors which maintain and preserve democracy', the first is the law. Hypereides<sup>62</sup> declares it all-important 'that in a democracy the laws shall be sovereign'.

Both sides were naturally thinking of the worst specimens of the opposite party. Athenian democrats inevitably called to mind the arbitrary excesses of their own Four Hundred and Thirty when they spoke of oligarchies, and oligarchs could no doubt cite democracies whose acts were as brutal and illegal. On the whole

the Athenian democracy seems to have lived up to its principles. Xenophon<sup>62</sup> has given us a vivid picture of one occasion when the assembly in a hysterical mood rode roughshod over its own rules of procedure and condemned the generals in command at Arginusae to death by one summary vote. But the emphasis given to this incident suggests that it was very exceptional. And Xenophon,<sup>63</sup> no favourable witness to the democracy, also testifies that after the restoration of the democracy in 403 the people religiously observed the amnesty agreed with the supporters of the Thirty. When one reads Xenophon's and Aristotle's record of the doings of the Thirty, one cannot but be amazed at the steadfast forbearance of the Athenian people.

The final and principal charge brought by the philosophers against democracy was that it meant the rule of the poor majority over the rich minority in their own interest. This is the main thesis of the 'Old Oligarch', whose treatise on the Athenian constitution takes the form of an ironical appreciation of its efficiency in promoting the interests of 'the bad' (the poor) at the expense of 'the good' (the rich); he is equally cynical in assuming that 'the good', if they got the chance, would govern in their own interest to the detriment of 'the bad'.<sup>64</sup> Plato in the *Republic*<sup>65</sup> declares that 'democracy results when the poor defeat the others and kill or expel them and share the constitution and the offices equally with the rest'. Aristotle<sup>66</sup> is very insistent that democracy is directed to the advantage of the indigent, going so far as to say that if, *per impossibile*, there should be more rich than poor in a city, the rule of the poor minority should be called democracy, and that of the rich majority oligarchy.

This view was naturally not accepted by democrats. Their views are doubtless reflected in the speech put into the mouth of the Syracusan democrat Athenagoras by Thucydides:<sup>67</sup>

It will be said that democracy is neither wise nor fair, and that the possessors of property are best qualified to rule well. My opinion is first that the people is the name of the whole, and oligarchy of a part, and secondly that the rich are, the best guardians of property, the wise the best councillors, and the masses

can best hear and judge, and that all these elements alike, jointly and severally, have an equal share in democracy.

It is more difficult to answer the question whether the Athenian democracy did or did not in fact exploit the rich for the benefit of the poor. In the distribution of political power and influence the rich seem to have fared well. In the minor offices and on the council and in the juries the poor no doubt predominated, though even here it would seem that by the fourth century the well-to-do were by no means crowded out. To the important military, diplomatic and financial offices men of birth and wealth were generally elected.<sup>68</sup> The orators, who, normally holding no office, guided policy by their speeches in the assembly were also mostly well-to-do, and many of them of good family.<sup>69</sup> It was comparatively rarely that a self-made man like Phrynicus or Aeschines achieved political influence. A rich man or an aristocrat certainly did not find that his political career was prejudiced by his wealth or birth, while poor and humbly born politicians had to face a good deal of abuse from comedians and orators.

Isocrates complains bitterly of the fiscal exploitation of the rich. *On the Peace* <sup>69</sup> In the *de Pace*<sup>70</sup> he rolls out a list of taxes and charges 'which cause so much vexation that property owners lead a harder life than utter paupers', and in the *Antidosis* he declares: 'when I was a boy it was thought to be such a secure and grand thing to be rich that practically everyone pretended to possess a larger property than he actually did, in his desire to acquire this reputation. But now one has to prepare a defence to prove that one is not rich, as if it were a great crime.'<sup>71</sup> From the meagre figures which we possess it is difficult to check these allegations. Normal peace-time expenditure (including the pay of citizens for political services) was defrayed from a variety of indirect taxes, a tax on resident aliens, royalties from the silver mines, rents of public and sacred land, court fees and fines and confiscations imposed by the courts. Certain religious festivals were financed by the system of liturgies, whereby rich men were nominated to produce plays, train teams of athletes and the like. In time of war it was often

necessary to raise a property tax, which fell, it would seem, on about 6,000 persons, or a third to a quarter of the citizen body. In war time also the richest of the citizens were nominated as trierarchs, in which capacity they had to maintain a trireme in seaworthy condition for a year.

The war tax, of which great complaints were made, averaged over twenty years in the fourth century at a rate equivalent to a 5d. or 6d. in the pound income tax. We need not therefore take the laments of Isocrates and his like very seriously. The tax seems in fact to have been too widely spread, and did cause hardship to the poorest of those liable. It was, as appears from Demosthenes' speeches, very difficult to get the assembly, a substantial proportion of whom were taxpayers, to vote a levy, and hence wars were always inadequately financed.<sup>72</sup> Liturgies are much more difficult to calculate, as it depended greatly on the individual concerned how often he undertook them and how much he spent on each. It was useful political advertisement, almost a form of canvassing, to put up good shows,<sup>73</sup> and rich men were often very willing to acquire popularity by serving frequently and spending lavishly on gorgeous costumes and high salaries to stars. An evidently very rich man for whom Lysias<sup>74</sup> wrote a speech boasts that he undertook eleven liturgies in six years, spending in all nearly  $3\frac{1}{2}$  talents—a middle-class fortune. But, as he remarks, he need not have spent on them a quarter of this sum if he had confined himself to the strict requirements of the law; nor need he have performed more than a maximum of four liturgies.<sup>75</sup> At the other extreme another very rich man, Meidias, had, according to Demosthenes,<sup>76</sup> performed only one liturgy at the age of nearly fifty, and Dicaeogenes, another wealthy man, only undertook two minor ones in ten years.<sup>77</sup> The trierarchy was a heavier burden than the ordinary liturgies, costing from 40 to 60 minae ( $\frac{2}{3}$  to 1 talent) a year,<sup>78</sup> and as it might fall on fortunes of 5 talents,<sup>79</sup> the temporary strain on a poor trierarch's resources would be severe. For this reason the burden was usually from the end of the fifth century shared between two holders,<sup>80</sup> and

from 357 the 1,200 persons liable to trierarchic service were divided into twenty groups, whose members shared the expense:<sup>81</sup> thus, if a fleet of 100 ships were commissioned, twelve men would share the charge for each trierarchy. Here again the incidence of the burden varied greatly. The same man who performed eleven liturgies served seven years as trierarch during the Ionian war, spending 6 talents,<sup>82</sup> and a certain Aristophanes (with his father) served three trierarchies in four or five years in the Corinthian War, spending 80 minae in all.<sup>83</sup> Isocrates, on the other hand, who complains so bitterly of the oppression of the rich, and had made a large fortune by his rhetorical teaching, could at the age of 80 boast of only three trierarchies (including those performed by his son).<sup>84</sup> But it would be unfair to the Athenian upper classes to take the parsimonious orator as typical. As a public-spirited citizen we may instance the father of one of Lysias' clients, who in a career of fifty years (which included the Peloponnesian and Corinthian wars) was trierarch seven times. His son proudly displayed to the jury his father's accounts, which showed that he had altogether disbursed on trierarchies, liturgies and war tax 9 talents 20 minae,<sup>85</sup> an average of over 11 minae per annum. His fortune is not stated, but he certainly was a very rich man, since he entered chariots for the Isthmia and Nemea,<sup>86</sup> and is likely to have possessed substantially more than 15 talents, which Demosthenes implies would qualify a man to be called really rich.<sup>87</sup> If so, his contribution to the state would not have exceeded one-eighth of his income.

The taxation of the rich was very erratic, falling heavily in war years, and was badly distributed; before 357 all persons on the trierarchic register took their turn, though some were much richer than others, and after 357 all members of a group contributed equally.<sup>88</sup> This lack of system enabled some rich men to escape very lightly, and was on occasions oppressive to those with moderate fortunes. On the other hand, many rich men liked to make a splash, undertaking more trierarchies and liturgies than their legal quota, and thereby easing the burden of the others.

In general, it would seem that the average burden borne by the well-to-do in Athens was well within their means, though its erratic incidence might cause them temporary embarrassment.

The critics, however, allege that a more sinister method of soaking the rich than taxation was in vogue at Athens—that of condemning them on trumped-up charges and confiscating their property.<sup>89</sup> There is reason to believe that this abuse of the law courts did sometimes occur, but it is very difficult to say whether it was common.

Some general considerations need to be clarified. Athens, like all ancient States, relied for the enforcement of the law on the services of informers, and was obliged to reward them for convictions. Professional informers seem to have been a pest at Athens; but so they were everywhere—one has only to think of the reputation of *delatores* in imperial Rome. The State did not encourage frivolous accusations, subjecting to severe penalties an informer who failed to win a fifth of the jury's votes, or who abandoned a prosecution which he had instituted. Nor does it appear that informers were popular with juries. Defendants try to insinuate that their prosecutors are informers, and prosecutors, in their anxiety to prove they are not informers, sometimes go so far as to claim to be personal enemies, or even hereditary enemies, of the accused. Nevertheless, informers seem to have plied a busy trade, principally in blackmailing rich men who had guilty consciences or disliked facing the ordeal of public trial. This state of affairs naturally caused the propertied classes much anxiety, and perhaps caused them to exaggerate the real scope of the evil.<sup>90</sup>

Secondly, Athens, like all ancient States, lived from hand to mouth, and reckoned on the penalties inflicted by the courts as a regular source of income. It was therefore a temptation to jurors to vote in the interests of the treasury when money was short, and an informer dangled before their eyes a fat estate whose owner, he alleged, had been guilty of some serious offence. In this respect also Athens was not unique; Roman emperors short of money are alleged to have encouraged *delatores* and made good

the finances by confiscation. Nor need one go so far afield as the Roman empire for a parallel. The Athenian oligarchs in the Thirty filled their treasury by condemning a number of innocent but wealthy citizens and metics to death and seizing their property.<sup>91</sup> This situation also made the propertied classes nervous, and probably made them exaggerate the evil. There is no reason to believe that all large estates confiscated were confiscated because they were large. Rich Athenians were quite capable of cheating the treasury or betraying the interests of the State; and it is, for instance, very unlikely that a statesman of such severe probity as Lycurgus would have secured the confiscation of the huge estate—160 talents—of Diphilus, unless he had been guilty of a serious breach of the mining laws.<sup>92</sup>

There are three passages in Lysias<sup>93</sup> which allude to the abuse. In a speech written in 399 a litigant states that 'the council for the time being, when it has enough money for the administration, behaves correctly, but when it gets into difficulties it is obliged to receive impeachments and confiscate the property of the citizens and listen to the worst of the politicians'. In another speech, written about ten years later, another litigant says to the jury: 'You must remember that you have often heard them (his opponents) saying, when they wanted to ruin someone unjustly, that, if you would not condemn the people they tell you to condemn, your pay will fail.' And in a third speech, delivered in 387, a man accused of detaining the confiscated estate of a relative complains: 'My defence is difficult in view of the opinion some hold about Nicophemus' estate, and the present shortage of money in the city, my case being against the treasury.' These are serious allegations, and indicate an unhealthy state of affairs. But it is to be noted that they all occur in the period following the fall of Athens, when the State was almost bankrupt, and when, despite the amnesty, feeling against the rich, many of whom had backed the Thirty, was very bitter among the mass of the citizens. I have not detected any other similar suggestion in all the later speeches, forensic or political, of the orators, except one sentence

The ideals of the Athenian democracy are perhaps best summed up in a rather florid passage of the Funeral Oration attributed to Lysias.<sup>97</sup> Our ancestors, he says,

were the first and only men of that time who cast out arbitrary power and established democracy, holding that the freedom of all was the greatest concord, and sharing with one another their hopes and perils they governed themselves with free hearts, honouring the good and chastising the bad by law. They held it bestial to constrain one another by force, and the part of men to define justice by law, and to persuade by reason, and serve both by action, having law as their king and reason as their teacher.

Thucydides has very little to say on the internal government of Athens; it is with the foreign and imperial policy of the democracy that he is concerned. Here he makes only one explicit charge, that of incompetence. Under Pericles, when the régime was 'nominally a democracy but really government by the first citizen', Athens pursued a considered and consistent policy of husbanding her resources and undertaking no new commitments. By this policy she could, in Thucydides' opinion, have won the war. But when Pericles' unique authority was removed, 'his successors, being more on a level with one another and each struggling to gain the ascendancy, tended to surrender political decisions to the pleasure of the people'. The greatest mistake, he goes on, was the Sicilian expedition, not so much because it was 'an error of judgement in relation to its objective', but because 'those who sent it out did not give proper support to the expedition in their subsequent decisions, but in the course of their private cabals about the leadership of the people were slack in their conduct of the war and at home began to fall into intestine disorders'.<sup>98</sup>

It would be a long task to discuss whether Athens could have won the war on the purely defensive strategy which Thucydides attributes to Pericles, and whether the Sicilian expedition had a reasonable prospect of success. It may, however, be noted in passing that Thucydides' narrative does not bear out his charge that the Athenian people gave inadequate support to the expedi-

tion. It is indisputable that it was a serious blunder to risk so large a force on a distant expedition with an unconquered enemy at their gates, and that the Athenian people showed lack of judgment in succumbing to Alcibiades' eloquence. But it is hardly fair to condemn a whole régime for one blunder. Taking a longer view it cannot be said that the Athenians conducted their affairs unwisely. It took the Spartans and their Peloponnesian allies thirty years to bring to a successful conclusion a war which they had innocently hoped to win in two or three seasons, and they only won it in the end by cynically bartering 'the freedom of the Greeks', for which they were professedly fighting, to the national enemy Persia in return for subsidies. In the whole course of its history the Athenian democracy may be said to have been the most successful State in Greece. With no especial advantages except its silver mines it made itself the greatest city in the Greek world for the fifty years between the Persian and Peloponnesian wars, and after the great defeat in 404 rapidly rose again to be one of the first-class powers, a position which it held till crushed by Macedonia with the rest of Greece. Nor were strategic and political blunders a peculiarity of democracies. It would be hard to find in Athenian history any parallel to Sparta's ineptitude after her great victory over Athens. Only political incompetence of the highest order could have ranged in alliance against herself her two most faithful allies, Corinth and Thebes, and her and their two bitterest enemies, Atgos and Athens. But to break simultaneously with the Great King and launch a crusade into Asia Minor shows utter irresponsibility. The results were disastrous to Sparta in the loss of her newly won maritime empire, the revival of Athens as a great power, and the permanent hostility of Thebes.

Thucydides' attitude is not difficult to understand. He was clearly a profound admirer of Pericles. Equally clearly he was strongly prejudiced against the type of statesman who succeeded him, notably Cleon.<sup>99</sup> It would be out of place here to discuss Cleon's merits, though it is worth noting that later genera-

tions did not share Thucydides' low opinion of him; a wealthy Athenian in 350 B.C. is proud to claim that his mother's first husband had been Cleomedon, 'whose father Cleon, we are told, as general of your ancestors captured a large number of Spartans alive at Pylos and was the most distinguished man in the city';<sup>100</sup> but no reader can fail to note Thucydides' rancour against him. As a patriotic Athenian Thucydides was deeply distressed at his city's ruin. It was natural that in his bitterness he should be unfair to the politicians whom he hated and to the régime which had given them power.

Explicitly Thucydides blames the democracy only for its incompetent conduct of the war. Implicitly he accuses it of a cynical and brutal imperialism which, he suggests, was followed by a just retribution. This result is achieved in a variety of ways; by the choice of words in describing Athenian actions, by the selection and stressing of certain incidents in the narrative, and by the speeches put into the mouths of Athenian politicians. A good example of the first method is the language used by Thucydides to describe the Athenian reduction of Naxos, the first ally which attempted to secede—the city 'was enslaved contrary to established usage' (*παρὰ τὸ καθεστηκός ἐδονλώθη*).<sup>101</sup> We are not told what precisely was done to Naxos, which later appears as a normal subject city, paying a rather low tribute but with part of its territory occupied by an Athenian cleruchy. By analogy with similar cases we may infer that the Naxians had to surrender their fleet and pay tribute instead of contributing ships to the federal fleet; that the oligarchic government, which had proved disloyal to the league, was replaced by a democracy; and that the estates of the oligarchs were confiscated, later to be partitioned among Athenian settlers. The word 'enslave' is rather a sinister word to describe this, and the vague adverbial phrase suggests, without defining, moral obliquity.<sup>102</sup>

The chief example of the second method is the immense stress laid on the mass execution of the Melians by means of the long debate between the Athenians and their victims, which is immedi-

ately followed by the rash decision of the assembly to undertake the Sicilian expedition, the description of the proud armada, and the long-drawn-out agony of its utter destruction. Every reader of Thucydides is left with the impression that Athens had sinned greatly, and that retribution fell upon her; and there can be no doubt that is what Thucydides felt and wished his readers to feel.

The chief speech in which Thucydides points his moral is the famous Melian dialogue,<sup>103</sup> where the Athenian delegates brush aside all moral considerations and openly propound the doctrine that might is right. In a similar spirit Cleon in the debate on the fate of the Mitylenaeans declares that the empire is a tyranny which must be maintained by terror,<sup>104</sup> and his opponent Diodotus urges clemency purely on grounds of expediency. Other speeches of importance are that of Pericles after the second invasion of Attica, when he too proclaims the empire a tyranny,<sup>105</sup> and the defence of the empire put up by an Athenian delegate at Sparta before the opening of the war and again at Camarina during the Sicilian expedition. In both of these the empire is frankly admitted to rest on force alone. The first speaker claims that Athens may be excused for clinging to it on the grounds of prestige, profit and fear (of what she would suffer from her subjects if she relaxed her grip), and urges in mitigation of the offence that Athens used her power with moderation.<sup>106</sup> The second speaker endeavours to allay Sicilian misgivings by pointing out that while it was in Athens' interest to oppress the allies at home, in Sicily she would have no motive for doing so.<sup>107</sup>

The speeches in Thucydides are a difficult problem. He himself says that it was 'difficult for me, when I myself heard them, and for my informants in other cases, to remember exactly what was said; I have made the various characters speak as I thought they would have spoken most appropriately about the situations which arose, keeping as closely as possible to the general tenor of what was actually said'.<sup>108</sup> It is possible to interpret these words in many different ways, and to evaluate the several speeches very

variously according to whether Thucydides is likely to have been present himself or to have had trustworthy informants. It is virtually impossible that he can have had any information on the Melian debate, which was held behind closed doors between the Athenian commissioners and the Melian government, who were all subsequently executed, and it must be regarded as a free composition. Thucydides was not present at Sparta or at Camarina. On the other hand, he probably listened to Pericles and to the Mitylenaeon debate.

If these speeches are intended to reproduce the actual tenor of Athenian public utterances, it must be admitted that the Athenians of the fifth century not only were a very remarkable, if not unique, people in openly admitting that their policy was guided purely by selfish considerations and they had no regard for political morality, but also that they underwent a complete transformation in the fourth century, when we possess genuine speeches. In these, the Funeral Speech attributed to Lysias and the *Panegyricus* and *Panathenaicus* of Isocrates, the speakers dilate not only on the glories of their former empire, but on its high purposes. By it Athens had kept Greece free from Persian rule, and had so humbled the Great King that he had formally renounced his right to enter the Aegean. Athens had given her allies not only prosperity, but freedom, everywhere liberating them from the yoke of tyrannies and oligarchies and bestowing upon them the blessings of democracy, and they had fought by her side, not for her supremacy but for their own freedom.<sup>109</sup> The same theme is parodied by Plato in the *Menexenus*—‘we fought the Spartans at Tanagra for the freedom of the Boeotians’, ‘we won many victories in Sicily for the freedom of the Leontines’.<sup>110</sup> And in the political orations of Demosthenes in the latter part of the century an idealistic note is always struck—Athenians should everywhere champion democracy, Athens should be the leader of free Greece against the tyranny of Macedonia.

It is difficult to resist the conclusion that Thucydides, in order

to point his moral, put into the mouths of Athenian spokesmen what he considered to be their real sentiments, stripped of rhetorical claptrap, and that what we have in the speeches is in effect Thucydides’ own opinion of the empire. His view was that Athens was universally hated by her allies or subjects, who were held down by fear or force only, and were eager to revolt on every possible opportunity—this thesis he twice states in his own person apart from the speeches<sup>111</sup>—and that Athens was wrong in ‘enslaving’ them, by her refusal to allow them to secede from the league and by her interference in their internal government. Furthermore, that the Athenians, to enforce their tyranny (as with Mitylene) or to enlarge it (as with Melos) committed or very nearly committed acts of the grossest brutality. Let us examine the validity of Thucydides’ view.

His main thesis can be proved from his own narrative to be grossly oversimplified, and he himself gives the key to the truth in the statement which he attributes to Diodotus in the Mitylenaeon debate. ‘At present the people in all the cities is friendly to you, and either does not join in revolt with the few, or if it is compelled to do so, is immediately hostile to the rebels, and you go to war with the majority of the opposing city on your side.’<sup>112</sup> This analysis is borne out by almost every case where the story of a revolt is told in any detail. At Mitylene the ruling oligarchy (presumably the thousand-odd persons who were ultimately executed as being most responsible for the revolt) seceded; the people, as soon as the Spartan commandant issued arms to them, mutinied, and the city promptly surrendered.<sup>113</sup> Brasidas in Thrace had to lecture the Acanthians on their duty to accept the freedom which he offered them, and to clinch the argument by a threat to destroy their vintage.<sup>114</sup> At Torone and Mende also small cliques of conspirators admitted Brasidas, and at the latter town the people rallied to the Athenians as soon as a relieving force arrived, and were entrusted by Nicias with the punishment of their own traitors.<sup>115</sup> At Chios, even after the Sicilian disaster, the oligarchic government did not dare to break with

Athens for fear of the masses till a Spartan fleet arrived.<sup>116</sup> At Rhodes, shortly afterwards, certain prominent persons intrigued with the Spartans, and the arrival of a powerful fleet 'terrified the majority, who were unaware of what was going on'.<sup>117</sup> The people of Samos, having purged their oligarchs in successive revolutions, remained faithful to Athens to the bitter end.<sup>118</sup> There were some cities where hostility to Athens was more widespread, but in general the malcontents seem to have been limited to oligarchic groups. Thucydides' estimate of public opinion was no doubt based on his contacts with men of this type, whom he would have met before his exile as visitors to Athens and during his exile intriguing with the Spartans. His own meticulously fair and accurate narrative, however, proves that his estimate was seriously at fault.

Even if this be so, however, does it remain true that, according to the accepted canons of Greek political morality, Athens acted wrongfully in refusing to allow her allies to secede, and in interfering with their internal government? All Greeks, of course, paid lip service to the principle of autonomy, but in practice powerful States did not allow it to incommodate them, and public opinion did not condemn them. To judge Athens one may compare her conduct with that of the other leading State of Greece, Sparta, whose boast that her allies were autonomous is generally admitted in our sources.

When Tegea broke with Sparta and formed an alliance with Argos in about 465 the Spartans invaded her territory and defeated her at the battle of Tegea. When shortly afterwards all the Arcadian cities except Mantinea revolted, Sparta marched against them and defeated them at Dipaea.<sup>119</sup> When after the Peace of Nicias Mantinea and Elis seceded from the league and Tegea began to waver, Sparta again marched and won the battle of Mantinea; next year Mantinea returned to her allegiance.<sup>120</sup> Elis did not participate in the battle of Mantinea and was left alone for some years. But when Sparta's hands were free after the fall of Athens, Elis was subdued and brought to obedience

again.<sup>121</sup> Sparta, in fact, did not allow her allies to secede,<sup>122</sup> and no one blamed her for reducing them to obedience if they tried to do so.

When Sparta delivered her ultimatum to Athens, 'the Spartans wish the peace to continue, and this would be so if you leave the Greeks autonomous', Pericles replied that they would do so 'when the Spartans also restore to their cities the right to govern themselves not in Spartan interests, but as they themselves severally wish'.<sup>123</sup> In fact, both Athens and Sparta supported in their allied cities governments favourable to themselves, Athens normally favouring democracies and Sparta oligarchies. Neither usually intervened arbitrarily, but when opportunity offered—when there was a conflict in an allied city and the defeated party appealed to the leading city, or when a hostile government had revolted and been subdued—they took advantage of it.<sup>124</sup> There were a few democracies among Sparta's allies—Elis and Mantinea, for instance—and a few oligarchies among Athens, Mitylene, Chios and Samos. It is noticeable that all these cities had been consistently loyal, and had thus given their suzerains no opportunity for intervention.

Thucydides also implies that the Athenians violated the rights of the allies by suppressing the federal congress of the Delian League. 'At first', he writes, 'the allies were independent under their leadership and determined policy as the result of federal congresses'.<sup>125</sup> By contrast with Athens Pericles emphasises the divided councils of the Peloponnesians, who all have an equal vote.<sup>126</sup> From the speech of the Mitylenaeans at the Olympia of 428, however, it would appear that as recently as 440 a Delian Congress had been held to decide what was to be done about Samos, and that the Mitylenaeans had voted for war; allusion is also made to the equal voting power of cities and to the large number of cities voting.<sup>127</sup> It would seem in fact that the constitution of the Delian League was exactly modelled on that of the Peloponnesian, where every city, great or small, had one vote,<sup>128</sup> and that the constitution was formally observed as late as 440 B.C.

No Delian Congress is reported by Thucydides before the Peloponnesian war, and doubtless none was held; for no declaration of war was required from the League, since Athens was attacked by the Peloponnesians in violation of the Thirty Years' Peace.<sup>129</sup>

*De facto* the position of Athens and Sparta in their respective leagues was very different. Sparta had no overwhelming military predominance over her allies and had therefore to take some account of their sentiments and interests, particularly as there was in Corinth a potential leader of the opposition, which could, and sometimes did, sway the majority of the congress against her.<sup>130</sup> Athens from the beginning enjoyed naval predominance because many of the allies subscribed not ships but money, which in effect subsidised the Athenian fleet, and as more and more allies either commuted to money for their own convenience, or were compelled to do so after revolt, Athenian ascendancy became overwhelming. The Delian Congress therefore tended to ratify Athenian decisions automatically, particularly as the naval allies did not show the independent spirit of Corinth; even as late as 440 B.C., if Chios and the Lesbian cities had stood up for Samos, they could, with about 200 ships between them, have given Athens pause.<sup>131</sup>

Athens in this position undoubtedly kept a tighter rein on her allies, notably in concentrating criminal jurisdiction in her own hands and thus making sure that her friends in the allied cities were protected and her enemies suffered.<sup>132</sup> She also exploited her allies more openly, especially in using a part of the federal reserve fund to rebuild her own temples and in apportioning to her own citizens land forfeited by rebellious allied communities or individuals. Sparta had no temptation or opportunity to do the like, but she used her allies for her own purposes, above all to protect her against Helot revolts.<sup>133</sup> Both Sparta and Athens, despite their rival protestations that they stood for the autonomy of the Hellenes or liberty and democracy, in fact used their leagues to secure their own political supremacy. The Peloponnesian

League was on the whole satisfactory to the oligarchic governments of its member States, the Delian to the people in the allied cities.

On the score of brutality no one will wish to defend the decision—happily reversed the next day—to massacre the whole adult population of Mitylene, nor the execution of the Melians, or of the Scionaeans (which Thucydides dismisses without comment). It must, however, be said that in neither of the two cases which he treats in detail is Thucydides quite fair. In the speeches which he reports he represents the repeal of the Mitylenacan decision as a prudential measure only; whereas he records that the second debate was held because 'on the next day they immediately had a change of heart and reflected that this decision, to destroy a whole city instead of the guilty parties, was a great barbarity'.<sup>134</sup> In the Melian dialogue Thucydides implies that Melos was an unoffending neutral, which Athens found it convenient to subdue. In point of fact Melos had been a non-belligerent ally of Sparta since the beginning of the war, subscribing to her war fund and sheltering her fleet in 427,<sup>135</sup> and Athens had, not unnaturally, been at war with the Melians since 426.<sup>136</sup>

Here also Athens was not exceptional, nor did she lead the way. The Spartans set the example by the even more gratuitous massacre of the Plataeans. The Mitylenaeans and Scionaeans were at least in Athenian eyes traitors, allies who had broken their oaths, and the Melians had assisted their enemies. The Plataeans had been guilty of defending their own city when treacherously attacked by Thebes in time of peace. The only question which the Spartan judges put to them was 'whether they had done any good to the Spartans and their allies during the war'; they were in fact condemned simply for being on the other side.<sup>137</sup>

The Athenians, in fact, can only be condemned, if they are judged by much more lofty standards than were normally applied to international relations. Why did Thucydides take so uncharitable a view of his native city? His attitude was partly due to a misconception of public feeling natural to a man of his class, particularly when he had for many years lived in exile in oligar-

chic circles. He appears to have really believed that the Athenians were hated by their allies, whereas the Peloponnesian League was a free association of cities. But his attitude was also probably due to a deep-seated and perhaps unconscious desire to find a moral justification for the fall of Athens. It was not enough to say that it was due to the folly of the democratic politicians whom he so much disliked. It must have been deserved. Athens had suffered grievously; this could not have been so if she had not sinned greatly.

The opinions of Thucydides, Plato and Aristotle have naturally carried great weight, and so, curiously enough, have those of Isocrates. In the absence of any coherent statement of the democratic case, most modern historians have rather uncritically accepted the oligarchic view of Athens, and condemned what Aristotle calls the 'extreme democracy'.<sup>138</sup> In this article I have endeavoured to reconstruct the theory of government in which democrats believed and to assess the merits and defects of the Athenian democracy in the conduct of home affairs and of foreign and imperial policy. My readers can judge whether the 'extreme democracy', in which the people was sovereign, and vulgar persons who worked with their hands enjoyed full political rights, including access to all offices, and owing to their greater numbers preponderated in the assembly, was indeed so pernicious a form of government as Athenian philosophers and historians represent.

## IV

*THE SOCIAL STRUCTURE OF ATHENS IN THE  
FOURTH CENTURY B.C.*

for *τροφή* for the public slaves (ll. 4-5, 42-3, 117-18, 141-2); casual labourers (*μαθωτοί*) doing unskilled work get 1½ drachmae (ll. 28-30, 32-4, 45-6, 60-2); skilled men get 2 drachmae (ll. 110-11, carpenters, 177-8, stone polishers) or 2½ drachmae (26-8, bricklayers, 31-2, stone masons).

### III. THE ATHENIAN DEMOCRACY AND ITS CRITICS

<sup>1</sup> The latter part of this paper, dealing with Thucydides, owes much to, and is indeed in parts a summary of, an article by my former pupil, Mr. G. E. M. de Ste Croix, entitled 'The character of the Athenian Empire', since published in *Historia* III (1954-5), pp. 1-41. I owe Mr. de Ste Croix a deep debt of gratitude for having allowed me to anticipate his article (where the questions at issue are more fully discussed and documented), and also for many comments, criticisms and references in the earlier part of my paper, which he read in MS. I also wish to express my gratitude to Mr. A. G. Woodhead, who read this paper in MS. and offered a number of useful comments.

<sup>2</sup> I have not, save for occasional references, included Aristophanes—or, for that matter, the tragedians—in my survey, because with Gomme (*Class. Rev.* LII (1938), pp. 97-107) I hold that Aristophanes wrote comedies and not political tracts. While he makes it fairly obvious that he strongly disliked certain features of the democracy, such as vulgar politicians like Cleon, he does not—and did not intend to—preach political doctrine, and his jokes cannot necessarily be taken for criticism.

<sup>3</sup> *Pol.* V. ix. 15 (1310a).

<sup>4</sup> *Pol.* VI. ii. 3 (1317b); iv. 20 (1319b).

<sup>5</sup> VII. 37; cf. VII. 20, XII. 131.

<sup>6</sup> VIII. 557b.

<sup>7</sup> *Ib.* 563b. The same complaint about metics and slaves is made in [Xen.] *Ath. Pol.* i. 10-12.

<sup>8</sup> See Dem. XXI. 46-50 and IX. 3 on slaves.

<sup>9</sup> Thuc. II. 37. 2. Cf. Nicias' words, *τῆς ἐν αὐτῇ ἀνεπιτάκτου πάσιν ἐς τὴν διαταραχὴν ἐξοντίας* (*id.* VII. 69. 2).

<sup>10</sup> Cf. Eurip. *Hippolytus*, 421-3; *Ion*, 670-2.

<sup>11</sup> XX. 106.

<sup>12</sup> *Mem.* I. ii. 12 ff.; cf. Aesch. I. 173.

<sup>13</sup> *Republic*, VIII. 558c; cf. *Laws*, VI. 757.

<sup>14</sup> VII. 21; cf. III. 14.

<sup>15</sup> *Pol.* II. ix. 1-5 (1280a); V. i. 2-7 (1301a); VI. ii. 2 (1317b). In VI. iii (1318a) Aristotle makes an ingenious attempt to combine democratic and oligarchic equality.

<sup>16</sup> For praise of *ἰσότης* see Eurip. *Supplices*, 404-8, 433-41; *Phoenissae*, 535ff.

<sup>17</sup> XXI. 67.

<sup>18</sup> XXIV. 59.

<sup>19</sup> Thuc. II. 37. 1.

<sup>20</sup> Xen. *Hell.* II. iii. 51.

<sup>21</sup> *Pol.* III. xi. 1-2 (1281b); in §5 he limits this argument to certain bodies of men only, excluding those in which the majority are 'brutes'.

<sup>22</sup> *Pol.* III. xi. 14 (1282a); here again he limits the argument to cases where the majority are not 'too slavish'.

<sup>23</sup> *Protogoras*, 319b-323a.

<sup>24</sup> Xen. *Mem.* I. ii. 9.

<sup>25</sup> XXXIX. 10-11.

<sup>26</sup> Arist. *Ath. Pol.* 55. 2; cf. Lysias, XVI and XXXI, for hostile speeches at a *δοκιμασία*.

<sup>27</sup> *Ib.* 43. 4.

<sup>28</sup> *Ib.* 48. 3-5, 54. 2.

<sup>29</sup> Thuc. II. 37. 1.

<sup>30</sup> Plato, *Menex.* 238cd.

<sup>31</sup> Arist. *Pol.* II. xii. 2 (1273b).

<sup>32</sup> For the fourth century see J. Sundwall, 'Epigraphische Beiträge', *Klio*, Beiheft IV (1906), §§2, 5, 8.

<sup>33</sup> [Xen.] *Ath. Pol.* i. 3.

<sup>34</sup> *Mem.* III. iv. 1.

<sup>35</sup> XIX. 237. In 282 Demosthenes states what he thinks are the proper qualifications for high office—trierarchies, liturgies, etc. Cf. the vulgar abuse of Cleon and other politicians as being low persons engaged in trade by Aristophanes in the *Knights*.

<sup>36</sup> Aristophanes jibes at ambassadors with their 2 drachmae a day (*Acharnians*, 66, 90) and military officers with 3 drachmae (*ib.* 595-607).

<sup>37</sup> *Pol.* IV. vi. 5-6 (1293a); elsewhere Aristotle is prepared to accept political pay, provided that precautions are taken to prevent the poor outnumbering the rich (IV. xiii. 6 (1297a), xiv. 13 (1298b)).

<sup>38</sup> See above, pp. 35-7.

<sup>39</sup> Lysias, XIII. 20. Rich men like Demosthenes and Apollodorus apparently found no difficulty in securing a seat on the council when convenient (Dem. XXI. III; XIX. 154, 286; LIX. 3-4). See also J. Sundwall, *op. cit.* §1 (pp. 1-18).

<sup>40</sup> *Gorgias*, 515e.

<sup>41</sup> Arist. *Ath. Pol.* 62. 3.

<sup>42</sup> *Ib.* 43. 3.

<sup>43</sup> See above, p. 143, note 86.

<sup>44</sup> VII. 54; VIII. 130. But see n. 38.

<sup>45</sup> *Pol.* IV. iv. 25 (1292a); vi. 2-6 (1292b-93a).

<sup>46</sup> *Mem.* IV. iv. 13-14.

<sup>47</sup> *Mem.* I. ii. 40-6.

<sup>48</sup> XXIV. 76.

<sup>49</sup> Andoc. I. 81-5.

<sup>50</sup> As in Tod, I. 74; Arist. *Ath. Pol.* 29. 2.

<sup>51</sup> This appears from the fact that the commissioners of 411 thought it necessary to repeal the *γραφὴ παραβόλων* (and other similar constitutional safeguards) before any substantive change of the law was proposed (Arist. *Ath. Pol.* 29. 4; Thuc. VIII. 67. 2).

<sup>52</sup> Dem. XX. 88 ff.; XXIV. 18 ff.; Aesch. III. 38 ff.

<sup>53</sup> Dem. XX. 91; Aesch. III. 3.

<sup>54</sup> Dem. LIX. 4.

<sup>55</sup> Aesch. III. 194.

<sup>56</sup> Dem. LIX. 5.

<sup>57</sup> I. 4, repeated verbatim in III. 6.

<sup>58</sup> XXIV. 5.

<sup>59</sup> XXIV. 75-6.

<sup>60</sup> C. *Leocr.* 4.

<sup>61</sup> III. 5.

<sup>62</sup> *Hell.* I. vii.

<sup>63</sup> Ib. II. iv. 43. Cf. Plato, *Menex.* 243e, *Epist.* vii, 325b, and Isocr. XVIII. 31-2, 44, 46, 68.

<sup>64</sup> [Xen.] *Ath. Pol.* i. 4-9.

<sup>65</sup> VIII. 557a.

<sup>66</sup> *Pol.* III. vii. 5 (1279b); viii. 2-7 (1279b-80a); IV. iv. 1-3, 6 (1290ab).

<sup>67</sup> VI. 39. 1.

<sup>68</sup> Cf. [Xen.] *Ath. Pol.* i. 3; Dem. XXIV. 112; Arist. *Ath. Pol.* 21. 1; Eupolis, fr. 117. Cf. note 32.

<sup>69</sup> J. Sundwall, *op. cit.* §8 (pp. 59-84).

<sup>70</sup> VIII. 128.

<sup>71</sup> XV. 159-60.

<sup>72</sup> See above, pp. 29-32.

<sup>73</sup> Cf. Xen. *Mem.* III. iv. 3; Dem. XIX. 282.

<sup>74</sup> XXI. 1-5.

<sup>75</sup> Dem. XX. 8 shows that a man could claim a year's exemption after a liturgy: if there were, as Demosthenes says (XXI. 21), only about sixty liturgies to fill per annum, they cannot have fallen very often on the individual rich citizen.

<sup>76</sup> XXI. 156 (cf. 154).

<sup>77</sup> Isaeus, V. 35-6.

<sup>78</sup> Lysias' client reckons 6 talents for seven years (XXI. 2); Demosthenes states that a contractor would take over a trierarchy for 1 talent (XXI. 155), but himself paid only 20 minae (a third of a talent) in lieu of performing a (half?) trierarchy (XXI. 80). In Lysias, XIX. 29 and 42, the speaker claims to have spent 80 minae (1½ talents) on three (half?) trierarchies.

<sup>79</sup> Isaeus, VII. 32, 42.

<sup>80</sup> Isocr. XVIII. 59-60; Lysias, XXXII. 24; Dem. L. 39, 68.

<sup>81</sup> Dem. XLVII. 21, 44; cf. XIV. 16-17.

<sup>82</sup> Lysias, XXI. 2. He could have claimed two years' exemption after each year of service (Isaeus, VII. 38).

<sup>83</sup> Lysias, XIX. 29, 42-3.

<sup>84</sup> Isocr. XV. 145.

<sup>85</sup> Lysias, XIX. 57-9.

<sup>86</sup> Ib. 63.

<sup>87</sup> Dem. XXVII. 7-9; cf. XXVIII. 11; XXIX. 59.

<sup>88</sup> Dem. XVIII. 102-4; XXI. 154-5.

<sup>89</sup> Isocr. XV. 160; cf. Plato, *Rep.* VIII. 565a; Arist. *Pol.* V. v. 1, 5 (1304b-1305a); VI. v. 3, 5 (1320a).

<sup>90</sup> Sycophants are fully dealt with in R. J. Bonner and G. Smith, *The Administration of Justice from Homer to Aristotle*, II, Chapter iii, and J. O. Lofberg, *Sycophancy in Athens* (Chicago, 1917).

<sup>91</sup> Arist. *Ath. Pol.* 35. 4; Xen. *Hell.* II. iii. 21; Lysias, XII. 5 ff.

<sup>92</sup> Plut. *Mor.* 843 D.

<sup>93</sup> XXX. 22; XXVII. 1; XIX. 11. There is a similar suggestion in Aristophanes, *Knights*, 1358-61.

<sup>94</sup> X. 44-5.

<sup>95</sup> III. 33-6.

<sup>96</sup> *Ἄρχῃ ἄνδρα δεῖξει* seems to be a democratic proverb; it is attributed to Bias of Priene by Aristotle (*Ethica Nicomachea*, V. i. 16) and quoted by Demosthenes (*proem* 48).

<sup>97</sup> II. 18-19.

<sup>98</sup> II. 65. 7-11.

<sup>99</sup> Apart from the unfavourable notices in III. 36. 6 and IV. 21. 3 there is a note of spite in IV. 28. 5 and 39. 3 and especially in V. 16. 1.

<sup>100</sup> Dem. XL. 25.

<sup>101</sup> I. 98. 4.

<sup>102</sup> Thucydides' use of the word *δουλόω* is discussed in *The Athenian Tribute Lists*, III, pp. 155-7.

<sup>103</sup> V. 85-113.

<sup>104</sup> III. 37-40 (esp. 37. 2).

<sup>105</sup> II. 63.

<sup>106</sup> I. 75-7.

<sup>107</sup> VI. 82-7 (esp. 85. 1).

<sup>108</sup> I. 22. 1.

<sup>109</sup> [Lysias], II. 55-7; Isocr. IV. 100-9, 117-20; XII. 54, 59-61, 68.

<sup>110</sup> 242a-243a.

<sup>111</sup> II. 8. 4-5; VIII. 2. 1-2.

<sup>112</sup> III. 47. 2.

<sup>113</sup> III. 27.

<sup>114</sup> IV. 84-8.

<sup>115</sup> IV. 110-13, 123. 1-2, 130. 2-7.

<sup>116</sup> VIII. 9. 2-3, 14. 1-2.

<sup>117</sup> VIII. 44. 1-2.

<sup>118</sup> VIII. 21, 72; Xen. *Hell.* II. ii. 6; iii. 6; Tod. I. 96; II. 97.

<sup>119</sup> Herod. IX. 35. 2; cf. Andrewes in *Phoenix*, VI (1952), 1-5, for the chronology.

<sup>120</sup> Thuc. V. 81. 1. It is worth noting that the Mantineans before the battle speak of their anticipated position if they lost it (and became allies of Sparta again) as *δουλεῖα* (Thuc. V. 69. 1).

<sup>121</sup> Xen. *Hell.* III. ii. 21ff.

<sup>122</sup> Incidentally Sparta took hostages from her Arcadian allies to ensure their loyalty (Thuc. V. 61. 5).

<sup>123</sup> Thuc. I. 139. 3, 144. 2.

<sup>124</sup> For Athens the evidence is collected in G. F. Hill, *Sources for Greek History* (edd. Meiggs and Andrewes, 1951), p. 355, and in *The Athenian Tribute Lists*, III. pp. 149-54. Sparta sometimes installed or tightened oligarchies without any pretext, as at Argos and Sicyon (Thuc. V. 81. 2).

<sup>125</sup> I. 97. 1.

<sup>126</sup> I. 141. 6-7.

<sup>127</sup> III. 10-12, esp. 10. 4-5 and 11. 3-4. The chronology is studiously vague, but the Mityleneans are referring to a period after 449 (when Athens had 'relaxed her hostility to the Persians') and indeed to a time when the only allies on the congress still supplying ships were Chios and Lesbos, that is 440 at the earliest. The Mityleneans would scarcely be at such pains to excuse their submissiveness to Athens in voting for war against rebel allies unless they had done so recently in a famous case.

<sup>128</sup> I. 121. 1.

<sup>129</sup> The Spartans later had a guilty conscience about this (Thuc. VII. 18. 2).

<sup>130</sup> As in 440, when Corinth persuaded the Peloponnesian congress not to make war on Athens (Thuc. I. 40. 5). The initiative in this earlier proposal to violate the Thirty Years' Peace must have come from Sparta, since she alone could summon a league congress, and naturally only did so when she approved the proposal to be debated.

<sup>131</sup> Samos herself had seventy ships in 440 (Thuc. I. 116. 1), and Lesbos and Chios provided forty-five to assist Athens against her (I. 116. 2, 117. 2). This was far from their full strength, for Chios in 411, after losses in the Sicilian expedition (VI. 43; VII. 20. 2), had sixty ships left (VIII. 6. 4).

<sup>132</sup> As the 'Old Oligarch' explains ([Xen.] *Ath. Pol.* i. 1416). For an Athenian defence of the system see Thuc. I. 77; Isocrates, IV. 113; XII. 60.

<sup>133</sup> The clause in the alliance 'between Sparta and Athens, ἦν δὲ ηδούλεια ἐπανιστῆται ἐπικονρεῖν Ἀθηναῖον Λακεδαιμονίους, appears to have been standard, seeing that Sparta was able to call up all her allies in the great revolt of 464 (Thuc. I. 102. 1; cf. II. 27. 2 for Aegina, III. 54. 5 for Plataea and Xen. *Hell.* V. ii. 3 for Mantinea).

<sup>134</sup> III. 36. 4.

<sup>135</sup> This emerges from Tod, I. 62. The subscriptions were evidently collected by the Spartan admiral Alcidas (see F. E. Adcock, 'Alcidas ἀρχηγός' in *Mélanges Glotz*, I. 1-6) who seems to have called twice at Melos, on his way out and on his way back—hence the two Melian subscriptions recorded.

<sup>136</sup> Thuc. III. 91. 1-2.

<sup>137</sup> Thuc. III. 52. 4, 68. 1-2.

<sup>138</sup> The phrase is used in *Pol.* III. iv. 12 (1277B); IV. xii. 3 (1296B); IV. xiv. 7 (1298A); V. x. 30, 35 (1312B); V. xi. 11 (1313B); VI. v. 5 (1320A). From the first three passages it appears that Aristotle considered a democracy 'extreme' when working people are in a majority and can hold office, and the people is sovereign.

#### IV. THE SOCIAL STRUCTURE OF ATHENS IN THE FOURTH CENTURY B.C.

<sup>1</sup> Athenaeus, VI. 272C.

<sup>2</sup> Dem. XXV. 51.

<sup>3</sup> Plut. *Phocion*, 28. 7; Diod. XVIII. 18. 5. One may add that according to [Plut.] *Vit. X Or. Lycurgus* (Mor. 843 D) the confiscated property of Diphilus, worth 160 talents, was distributed between the citizens at 50, or as others say, 100 drachmae each—yielding the result of 10,000 + δὲ on the 50 drachmae basis. I do not understand Gomme's argument (*The Population of Athens*, p. 18) that 'it is the latter (Diodorus') figure only which is consistent with the statistics of the Lamian war discussed above'. Diodorus' figures for the Lamian war (see below, notes 26-7) refer to hoplites only.

<sup>4</sup> 453B, s.v. ἀποψηφίσεις.

<sup>5</sup> IG II-III. 2 1672, discussed by Gomme, op. cit. pp. 28 ff. and A. Jardé, *Les cérémonies dans l'antiquité grecque*, pp. 36 ff.

<sup>6</sup> Jardé, op. cit. pp. 123-4, 130-1.

<sup>7</sup> In the absence of any census of animals certainty is impossible, but on Jardé's very conservative estimates (op. cit. pp. 124-7) more than the whole crop would be required for animal feed.

<sup>8</sup> Dem. XX. 31-2.

<sup>9</sup> Jardé, op. cit. pp. 128 ff.

<sup>10</sup> Thuc. VII. 27. 5.

<sup>11</sup> Xen. *Vect.* iv. 25.

<sup>12</sup> See above, p. 142, note 50.

<sup>13</sup> Dem. III. 4.

<sup>14</sup> See above, p. 142, note 6.

<sup>15</sup> Lysias, XXXIV, *hypothesis*.

<sup>16</sup> Rather similar conditions prevail in some countries today. If I may quote from personal experience, my domestic servant Abdu in Cairo owned (jointly with brother, I believe) a very small holding including some shares in some date palms in Abu Simbel, where he kept his wife and children. Abdu earned most of his income in wages in Cairo, but spent a third of the year at home.

<sup>17</sup> Dem. XXVII. 9, reckons his knife-makers as worth 5 or 6 or at a minimum 3 minae.

<sup>18</sup> Isaeus, V. 39 and Isocr. XIV. 48, speak of *μισθωτοί* or those who go *ἐπιθήτειαν* as being the lowest of the low. For wages see above, p. 143, note 86.