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CAN WE LEARN FROM ANCIENT ATHENIAN DEMOCRACY?

HISTORICAL AND MODERN PERSPECTIVES

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Ancient Greek democracy remains especially important to three branches of modern scholarship today – ancient history, political theory, and political science.¹ Each of these fields has its own peculiar methods, history and modes of expression. The methods and aims of political scientists, political theorists and (to a lesser degree) ancient historians vary with national traditions of scholarship (I focus here primarily on Anglo-American approaches). Within the Anglo-American tradition, practitioners in each field approach the Greek legacy in quite different ways: ancient historians are variously committed to the positivist project of ‘history for its own sake’,² and to self-conscious model building and theory testing.³ Classical political theory concerned with Greek democracy divides roughly into Straussian;⁴ intellectual historical;⁵ and critical/postmodern literatures.⁶ Within political science, comparativists have focused on how institutions allow for credible commitment to law,⁷ whereas international relations specialists tend to focus on the value of Thucydides’ analysis of power and conflict.⁸

In the face of this academic Tower of Babel the hope that ‘we’ might learn something of general value about democracy from the Greeks might seem to be a non-starter. But such a conclusion is too pessimistic. While most work on Greek democracy is done within a well defined academic subfield, some scholars seek to learn from the ancient Greek experience of democracy by crossing the boundaries of academic domains. Ancient historians interested in democracy are beginning to employ the methodologies of contemporary political science⁹ and political theory.¹⁰ Work on Greek democratic institutions by social scientists, especially in the area of political economy, makes extensive use of contemporary scholarship on

¹ Good introductions to European traditions of scholarship on Greek democracy include, in German: Bleicken 1985; Kinzl and Raaflaub (eds.) 1995; French: Mossé 1986; Italian: Nardi 1971; Camassa 2007; Spanish: Adrados 1997. This chapter first appeared, in a different form, as ‘What the Ancient Greeks Can Tell Us About Democracy’ in *Annual Reviews in Political Science* 11, 2008, 67-91.

² Rhodes 2003a.

³ Ober 1996, ch. 2; 2005, ch. 8.

⁴ e.g. Orwin 1994; Kochin 2002 (see further, below).

⁵ Ober 1998; Allen 2000; Balot 2006.

⁶ Euben (ed.) 1986; Euben 1997, and 2003.

⁷ Schwartzberg 2007.

⁸ Lebow 2003.

⁹ Quillin 2002; Teegarden 2007; Ober 2008.

¹⁰ Ober 1996; Allen 2000; Balot 2001; Ober 2005.

ancient history.¹¹ Essay collections, some arising from conferences and symposia, point to the fertility of interactions between political theorists and historians.¹²

This chapter surveys recent Anglophone scholarship on Athenian democracy, by classicists, ancient historians, political scientists, and philosophers and relates work on Athenian democracy to contemporary scholarship in political science and political philosophy. The aim is to demonstrate the range, vitality, and relevance of contemporary discussions of ancient Greek democratic institutions, civic identity, political criticism, and the relationship between democracy and warfare, the economy, and culture. In each area, scholars from different disciplines have contributed substantially to our knowledge of how Athenian democracy worked in practice and how democratic thought and practice affected Greek social attitudes and behavior. The unabated scholarly attention to Athenian democracy, by classicists and non-classicists alike, seems motivated, in part, by a hope that better understanding the successes and failures of ancient Greek democracy may help us to answer a perennial question: how, by learning from the past, might we, as individuals and peoples, live better lives in the future?

1. HISTORY OF THE QUESTION

The question ‘What might we learn from Athenian democracy?’ dates back to Greek antiquity. For a long time, the usual answer took the form of cautionary tales about the dangers inherent in rule ‘by the people’.¹³ Eric Nelson has shown that although the Greek political tradition was influential in European thought in the fifteenth through eighteenth centuries, it was Platonic elitism, not participatory democracy, that was the central theme of early-modern work. It was not until the nineteenth century that Athens and its democracy were taken as a *positive* model by political thinkers.¹⁴ A revolution in Anglophone thought about Athens came with the monumental Greek history of George Grote,¹⁵ although some of Grote’s ideas were anticipated by Edward Bulwer Lytton – today he is better known as the

¹¹ Fleck and Hanssen 2006; Kaiser 2007.

¹² Dunn 1992; Euben, Wallach, and Ober (eds.) 1994; Sakellariou 1996; Ober and Hedrick (eds.) 1996. The study of ancient Greek democracy tends to focus in the first instance on Athens – the most prominent and well documented of the classical Greek city-states. Athens remains the ‘model case study’ (Creager, Lunbeck and Wise, eds., 2007), but it is important to keep in mind that Athens was an exceptional city-state – much larger, more prosperous, and more influential than the median Greek polis (Brock and Hodkinson 2000; Hansen 2006). Scholarly opinion differs as to how many of the c. 1000 city-states that existed in the classical era (Hansen and Nielsen 2004) were democratic. Eric Robinson (1997 and forthcoming) has collected and analyzed the evidence for ancient Greek democratic institutions and ideology outside Athens. The best documented of the major non-Athenian democracies were Sicilian Syracuse (Rutter 2000; Robinson 2000) and Peloponnesian Argos (Piérart 2000). But there is no doubt that Athens must remain at the center of our inquiry.

¹³ Roberts 1994.

¹⁴ Nelson 2004.

¹⁵ Grote 1869 (vol. 1 appeared in 1846).

originator of the Gothic novel.¹⁶ Grote was closely associated with the progressive Utilitarians who sought to democratize British government in the mid-nineteenth century. Among them was John Stuart Mill, the greatest modern theorist of representative democracy. Mill's seminal ideas on civic education and innovation were inspired by Athenian institutions and political culture.¹⁷ Yet political thinkers in the twentieth century made quite different uses of Athens: In the mid-twentieth century, the two most influential Greek-oriented political theorists writing in America, Hannah Arendt and Leo Strauss, were both refugees from Nazi Germany. Each rejected totalitarianism, looked to the Greek past for political alternatives to modern mass politics, and developed complicated answers to the question of whether and why ancient democracy might be valued. Anglophone political theory continues to learn from and struggle with their complex intellectual heritages.¹⁸

Meanwhile, an expatriate American ancient historian, Moses I. Finley, founded an influential school at the University of Cambridge. Finley was well versed in social science and sought to bring the study of Greek democracy to bear on contemporary debates in political sociology. Finley (1985) cited the success of Athens under the democracy in order to challenge the universal validity of the famous 'Iron Law of Oligarchy' proposed by the Swiss political sociologist Robert Michels (1962 [1911]), and to counter the arguments of prominent American 'democratic elitists' such as Walter Lippman (1922) and Joseph Schumpeter (1947), who sought to minimize popular participation in government. Finley's fierce democratic advocacy, conjoined with his mastery of historical detail and his insistence on rigorous social scientific methodology, helped to keep the study of ancient democracy actively engaged with contemporary political debates. Finley's Oxford University rival and critical interlocutor, the Marxist ancient historian Geoffrey de Ste. Croix,¹⁹ denounced Finley for preferring Weber to Marx as an analytic touchstone. But, like Finley, Ste. Croix was a passionate enthusiast for Athenian democracy; he argued that the struggle for and against democracy defined the cutting edge of the class struggle in the ancient Greek world. In the U.S., the Yale ancient historian Donald Kagan, who became a prominent intellectual leader of the hawkish American neoconservative political movement, spent much of his career writing the history of Athens during the Peloponnesian War. Like Finley and Ste. Croix, Kagan admired Athens, but he regarded Athenian democracy as a manifestation of its aristocratic leadership, most notably Pericles.²⁰ Finley, Ste. Croix, and Kagan each taught and influenced many younger Anglophone Greek historians. Each was convinced that there was much to learn from Athenian

¹⁶ Lytton 2004.

¹⁷ Urbinati 2002.

¹⁸ On Arendt and Greek democracy see Villa (ed.) 2000 (essays by Villa, Kateb, and Euben), Markell 2006. On Strauss, see Zuckert and Zuckert 2006; Stow 2007. Holmes 1979 exemplifies the tendency of liberal democratic theorists to reject the value of Greek democracy by reference to Straussian and Arendtian theory.

¹⁹ Ste. Croix 1972, 1983, and 2004.

²⁰ Kagan 1991.

democracy (although the lessons they took away were quite different). These three scholars, among many others, helped to ensure that the legacy of Athenian democracy would remain a central issue for Anglophone historians of ancient Greece into the twenty-first century.

2. INSTITUTIONS

Before the nineteenth century it would have been difficult to learn much of value from democratic Athens because the institutional workings of Athenian democracy had remained largely mysterious – early modern political theorists (Hobbes and Rousseau) and constitutional designers (the American Founders) were careful readers of classical literary texts (notably Thucydides, Plato, Polybius and Plutarch), but they had neither the resources of critical history, nor much in the way of documentary evidence to work with. George Grote's painstaking recuperation of Athenian democratic history was an influential and substantial advance; Grote's interpretation of democratic institutions was based on an exhaustive analysis of available sources and is amazingly insightful. Yet much about the workings of democracy remained unclear until the twentieth century when a mass of new evidence came to light. The formal institutions of Athenian democracy are now quite well understood, thanks to the dedicated work of historians in analyzing new literary evidence (especially the Aristotelian 'Constitution of Athens' recovered in a near-complete papyrus copy in 1890), numerous public records of the democratic government inscribed on stone, and other forms of archaeological evidence. Much of the documentary and archaeological evidence was discovered in the American excavations of the Athenian Agora, beginning in the 1930s and continuing until today. Until the 1970s, the emphasis of standard surveys of Athenian democracy was on the fifth century, the 'golden age of Pericles'.²¹ Due in substantial measure to the ground-breaking work of the Danish historian Mogens Hansen, the emphasis has now shifted to the better-documented fourth century BCE, the 'age of Demosthenes'. Hansen's (1999) survey is the best readily-available handbook of Athenian democracy, and arguably the best ever written. For the purposes of learning from democracy, both the developed fourth-century institutional apparatus itself, and historical studies of the developmental process that contributed to the making of that apparatus, are of value. Among general accounts of democratic institutions and their development, Sinclair (1988) focusing on the role of participation, and Ostwald (1986) on historical development to the end of the fifth century are outstanding.

Much work by contemporary political theorists, following the lead of either Jürgen Habermas' philosophical writing on the public sphere (1989) or John Rawls' on political liberalism (1996), has argued that open and fair deliberations among citizens ought to be at the center of a reformed democratic theory and

²¹ e.g. Hignett 1952.

practice. For the contemporary student of democratic deliberation,²² among the most striking formal Greek institutions is the Athenian citizen Assembly. The Assembly met (in the mid-fourth century) some 40 times each year to deal with all aspects of state policy; approximately 6,000-8,000 citizens attended each meeting.²³ Yet experiments with deliberative groups have led some political scientists to doubt that deliberation could ever be of positive practical value, even in much smaller groups.²⁴ How could thousands of amateurs – openly debating complex matters of (for instance) taxation, diplomacy, and military appropriations – have made good policy for a complex state? Evidently they did: Athens out-performed its rivals on various measures of overall state flourishing.²⁵ The answer to this puzzle lies in several intertwined aspects of democracy as a system of governance: formal institutions, rhetoric and leadership, citizen identity and civic education. The system as a whole promoted the development of substantial agreement across a diverse population of citizens on core values, while encouraging vigorous debate on particulars. It sustained both deliberative (Council of 500) and non-deliberative (ostracism) decision-making practices that enabled effective policy formation and timely implementation.

Athenian democracy lacked any formal system of checks and balances, even after the important legal reforms of the late fifth and early fourth centuries had established a formal distinction between ‘laws’ (*nomoi*: passed exclusively by formally constituted bodies of ‘lawmakers’) and ‘decrees’ (*psêphismata*: ordinarily passed by the citizen Assembly).²⁶ In stark contrast to modern democratic systems, Athenian government bodies did not develop strong institutional identities.²⁷ Most government bodies had a stable membership only for very short periods of time – ordinarily not longer than a year and sometimes, as in the case of the Assembly, for only a day. Many government offices were filled by lotteries rather than by elections. Terms in office were ordinarily limited to a year; iteration in office seems to have been relatively rare (the board of generals and certain financial magistrates are exceptions). All government officials were subject to strict accountability procedures. There was little motivation or opportunity for coordinated strategic behavior aimed at fostering the power of a given governmental body relative to that of others.

In terms of making a participatory Greek democracy work, the key institution was a popular deliberative council chosen from the entire citizen body. The Greek recognition of the centrality of a popular council for democracy is underlined by a recently discovered inscription from Eretria, a major *polis* on the island of Euboea. In c. 340 BCE the Eretrian democracy promulgated a decree offering rewards to a potential tyrant killer, that is, to anyone who took direct and violent

²² Elster 1998.

²³ Hansen 1987.

²⁴ Sunstein 2007; Mutz 2006.

²⁵ Ober 2008.

²⁶ Ostwald 1986.

²⁷ Gomme 1951.

action against those who sought to overthrow the existing democratic government. In a revealing passage, the decree orders all citizens to fight without waiting to receive orders if anyone tries to establish ‘some constitution other than a Council and a *prytaneia* (a subset of the Council) appointed by lot from all Eretrians.’²⁸

The Athenian popular Council of 500 citizens²⁹ was established in the immediate aftermath of a popular revolution in 508 BCE. Greg Anderson (2003) emphasizes the importance of the immediate post-revolutionary institutional changes for creating an ‘imagined political community’ of citizens. The members of the new Council, who served one-year terms and were selected by lottery, according to a new ‘deme/tribe’ system. The population of Athens was at this time divided into 139 demes (pre-existing villages or city neighborhoods), and the demes were aggregated into ten new and blatantly artificial tribes. The demes and tribes would play important roles in the new political system and would also become key markers of Athenian identity.³⁰ The new tribes were not territorially contiguous; each tribe drew about a third of its membership from demes located in coastal, inland, and urbanized regions of Athenian territory. The Council of 500 was made up of ten 50-man delegations – one delegation from each of the ten newly-created tribes. The members of each tribal delegation were in turn selected at deme level. Each year every deme chose by lot a certain number of Councilors, based on the deme’s citizen population.

Each tribal team of 50 spent a tenth of the year in ‘presidency’ – i.e. it had a primary role in the Council’s main function of setting the agenda for the meetings of the citizen Assembly, as well as special responsibility for diplomacy and day-to-day administration of the *polis*. No citizen served more than two terms on the Council, and terms were in practice (and perhaps by law) non-consecutive. The experience of service on the Council was a common one for an Athenian citizen – although estimates vary with population models,³¹ it is certain that at least a third of all Athenian citizens who lived past the age of thirty (the minimum age for service) would have served a term on the Council. The point is that a very high percentage of mature male Athenians had the remarkable experience of spending a substantial amount of time engaged directly in the most important work of his *polis*.

The inter-mixing of men from different villages, and different geographic regions, along with strong social incentives (useful contacts, public honors) served to integrate insular local social networks into *polis*-wide networks. As a result the Council effectively aggregated the useful knowledge dispersed across the Athenian population, built citizens’ practical experience in cooperative and public joint action, and gave direction to the mass meetings of the Assembly.³² Because the agenda for each Assembly meeting was set, and recommendations on many key

²⁸ Knoepfler 2001 and 2002. Translation: Teegarden 2007.

²⁹ Rhodes 1985 remains the essential treatment.

³⁰ Osborne 1985.

³¹ See Hansen 1986a.

³² Ober 2008, ch. 4.

items were formulated, by a representative cross-section of the entire native male population of the *polis*, the system was relatively immune from elite capture: the Council remained a genuinely democratic institution. Moreover, because so many Athenians were able to gain the educational experience of serving for a year on the Council, and because after his year as Councilor, an Athenian might well serve in other public offices, all other Athenian formal institutions were staffed, at least in part, by men with very substantial experience in the direct and daily workings of the democratic government. The army, the Assembly, the People's Courts, the many boards of magistrates, all potentially benefited from the experience and social networks developed by former Councilors. A.W. Gomme (1951) accurately described the Council of 500 as a 'linchpin' institution; it is not hard to see why the democrats of Eretria so easily identified democracy with a Council-centered constitution, and contrasted that constitution with oligarchy and tyranny.

The administration of law in democratic Athens was, in the first instance, in the hands of the People's Courts. Large juries (of 200 or more citizens) listened to oral arguments made by litigants in both civil and criminal cases, and voted on the outcome. The last fifteen years have seen first-rate work on Greek law generally³³ and on Athenian law in particular. Stephen Todd (1993) has argued persuasively that democratic Athenian law had a very strongly proceduralist emphasis – that is, it is concerned with establishing fair rules for resolving disputes and prosecuting criminal wrong-doing, rather than seeking substantively just outcomes.³⁴ While proceduralist approaches to law are sometimes regarded as primitive, the social psychologist Tom R. Tyler and his collaborators³⁵ have suggested that a procedural approach to law can produce important social goods, even if outcomes are not always consistent with distributive ideals of justice, and proceduralism is emerging as a major topic in democratic theory.³⁶

The historian and legal scholar Adriaan Lanni (2006) emphasizes the extensive scope for discretionary decision-making on the part of Athenian juries, which she opposes to standard modern understanding of 'the rule of law' as legislatively framing judicial judgment in order to reduce the interpretive discretion of jurors to near zero. Lanni's arguments in favor of the positive value of discretion exercised by a mass of amateur jurors, on the grounds that it allows for relevant aspects of social context to be factored into legal judgments, offers a counterpoint both to the recent American tendency to legislate legal sentencing guidelines (thereby reducing the discretion of judges) and to the European preference for highly expert judges with very specialized training. Lanni also notes, however, that not all Athenian legal procedures offered jurors a wide discretionary scope. In fourth-century BCE Athenian 'maritime cases', in which individuals involved in long-distance trade were the litigants, jurors' discretion was limited; impartiality and predictability of outcome appear the primary legal goals.

³³ Gagarin and Cohen (eds.) 2005 is a helpful handbook.

³⁴ See, however, Carey 1998 for important qualifications.

³⁵ Lind and Tyler 1988; Tyler 1990; Tyler and Huo 2002.

³⁶ Estlund 2008.

Rather than viewing Athenian law as moving developmentally, from a more ‘primitive’ discretionary approach to an advanced ‘rule of law’ approach, Lanni argues for a mixed legal regime, in which judicial discretion was recognized as one fundamental and valuable legal principle among others. The system implicitly recognized that predictability and discretion were each of primary value in particular legal venues. Danielle Allen (2000) also rejects an evolutionary interpretation of democratic Athenian law, arguing that Athenian law deliberately retained a role for the emotion of righteous anger. Allen’s conclusions illuminate the modern American practice of ‘victim testimony’ at sentencing hearings and examples of ‘jury nullification’ (jurors who seek to gain social justice by their verdict). The political scientist Melissa Schwartzberg (2004 and 2007) has made important contributions to the study of democracy and law by explaining the exceptional cases in which the Athenians used legal entrenchment clauses, that is, clauses attached to a law forbidding its future amendment. Schwartzberg notes that the capacity for legal innovation was, in antiquity, a well understood strength of the Athenian political system. Athenians employed entrenchment clauses, Schwartzberg shows, only in cases in which credible pre-commitment (to allies in foreign policy contexts and to non-Athenian traders in a mercantile context) was especially important and especially difficult to establish otherwise.

Modern political science has struggled with the question of how to analyze the political impact of public speech. The Athenian experience is potentially instructive. Democratic decision-making in Assembly, Council, and People’s Courts was predicated on public speech-making, that is, on the public practice of rhetoric. Athenian democracy and Greek political and legal rhetoric are very closely identified; often negatively, in part because of Plato’s highly influential equation of rhetoric with the deceptive misuse of a technical skill that is antithetical to the pursuit of truth. Plato’s case against rhetoric has been restored to its original argumentative context by Nightingale (1995), Wardy (1996), and Ober (1998).

The last twenty years have seen a revival of the study of Greek public rhetoric as an essential component of a vibrant democratic political culture, and as an effective means for exploring decision options in mass forums in which the deliberative ideal of each individual present expressing an opinion is not feasible.³⁷ Ober (1989) argued that in the Athenian Assembly, Council, and lawcourts, mass audiences judged and responded vocally to speeches. As a result, elite speakers who hoped to win the audience’s approval were constrained to express allegiance to cherished values. This audience-response centered model of mass-elite rhetorical interaction was elaborated by D. Cohen (1995), Yunis (1996), and Hesk (2000). Lisa Kallet³⁸ has argued, to the contrary, that elite leaders controlled the rhetorical situation through their monopoly of expertise, especially in the area of finance. This ‘elite monopoly of expertise’ model is disputed by Rhodes and Ober.³⁹

³⁷ Worthington 1994.

³⁸ Kallet-Marx 1994; see also Moreno 2008.

³⁹ Rhodes forthcoming; Ober 2008.

The famous Athenian practice of ostracism is a striking example of a *mass non-deliberative* decision-making process. Each year, the Athenian Assembly voted whether to hold an ostracism. If the vote was positive, each citizen had the opportunity to cast a vote (in the form of a sherd of pottery – *ostrakon* – inscribed with the name of an individual) for expelling a citizen from the *polis* for ten years. The ‘winner’ (the recipient of the plurality of votes) need not have been accused (much less convicted) of a crime. His property was not forfeit, and his relatives could remain if they chose. But he was required to leave the city for a decade. Recent German archaeological investigations in the Kerameikos district of Athens have greatly increased the physical evidence (inscribed *ostraka*) for this practice.

Ostracism has often been cited by Greek democracy’s critics as an example of the excesses of mob rule. But by taking account of all the relevant evidence and analyzing ostracism in the context of inter-elite struggles and the common use of mass exile as a political weapon by victors in Greek factional struggles, Sara Forsdyke (2005) has put the study of ostracism and democracy on a new footing. Forsdyke emphasizes the context of destructive intra-elite politics. She explains the Assembly’s annual decision of whether to hold an ostracism, and the occasional (only fifteen recorded instances) of actual ostracisms, as a repeated ritual through which the mass of ordinary Athenian citizens reminded Athenian elites of the power of the people to intervene in intra-elite conflicts if and when those conflicts threatened the stability of the *polis*. Forsdyke argues that the Athenian democratic revolution of 508 BCE is best understood as a mass intervention in what was formerly an exclusively elite field of political competition – and that the signal success of Athenian democracy was in the regime stabilization that emerged with the credible threat of mass intervention. Ostracism may also be understood as a knowledge aggregation mechanism that served to predict the likelihood of future political possibilities (rather like modern ‘prediction markets’),⁴⁰ and to preclude certain of them.⁴¹

Ostracism is notable, among other reasons, because it involves writing. The Athenian democracy produced an unusually large amount of writing and was notably concerned with the principles of accountability and transparency; today these principles are regarded by political theorists as essential to democracy.⁴² Classical Athens was the Greek world’s major center of literary production, but it was also distinctive for what archaeologists call the ‘epigraphic habit’ of inscribing public decisions on stone and displaying them publicly. The strong association between this epigraphic habit and democracy has been analyzed in detail by Charles Hedrick (1999), who notes not only the extent of Athenian epigraphic production, but also the presence of ‘formulae of disclosure’ – formulaic language to the effect that the inscription has been produced and displayed specifically in order make its contents transparently available to anyone who wishes to know what had been decided.

⁴⁰ Sunstein 2007.

⁴¹ J. Ober, unpublished paper: http://www.allacademic.com/meta/p280154_index.html.

⁴² Vermeule 2007.

3. CIVIC IDENTITY AND VALUES

Citizenship, civic identity and civic education are among the major areas in which the study of ancient democracy has been widely recognized as having value for modern assessments of how democracy works and why. W.R. Connor (1987) pioneered the employment of cultural anthropology (in the tradition of Geertz 1973) to explain how civic identity was constructed through public rituals, especially processions. Brook Manville's (1990) important book on the origins of citizenship at Athens develops an anthropological model, focusing on the significance of the Solonian and Cleisthenic reforms for the construction of strong civic bonds. A collection of essays edited by Dougherty and Kurke (1993) brought Connor's Geertzian anthropological approach together with literary approaches to 'new historicism'. Subsequent collections, that include seminal essays on Athenian identity and civic ideology⁴³ and civic education,⁴⁴ have helped to elucidate how citizens in democratic Athens were educated by 'working the machine' of democratic institutions, as well as by attending to legal and political rhetoric.

Does democracy have a political culture of its own? Among the key debates in recent work on Greek democratic civic ideology is whether or not it represented a substantially new and distinctively 'demotic' political psychology⁴⁵ or whether Athenian civic ideology, and the identities that were formed by it remained beholden to a hierarchical and aristocratic world view. In an influential study of the Athenian institution of the Funeral Oration (a speech delivered by a prominent orator to commemorate the sacrifice of Athenian soldiers who had died in a given year), the French scholar Nicole Loraux (1986) argued that democratic discourse remained captive to an earlier aristocratic vocabulary of worth. Victoria Wohl (1996 and 2002) employs a Lacanian psychoanalytic model to make a similar argument. On the other side of the argument, Cynthia Farrar (1988) forcefully argued that identifiable forms of 'democratic thinking' originated in the fifth century in Athens as new ways to conceptualize leadership, human potential, and the public sphere.

The association of democracy with equality (social as well as political) and with individual and collective liberty remains a staple of modern Anglophone political thought. Ancient commentators on democracy consistently equated democratic government with the values of freedom and equality. The fullest contemporary discussion of the Greek idea of freedom is by Kurt Raaflaub,⁴⁶ who argues that the concept of freedom only gained currency in the context of the Greek wars against the Persians in the early fifth century, and that ideas of individual freedom were developed out of the idea of the freedom of the *polis*. The sociologist Orlando Patterson (1991) argues, however, that the origins of the Greek idea of freedom must be sought in the juridical condition of slavery, and thus suggests that a

⁴³ Boegehold and Scafuro (eds.) 1994.

⁴⁴ Too (ed.) 2001; Poulakos and Depew (eds.) 2004.

⁴⁵ As argued, for example, by Ober (1989) and by Manville (1990).

⁴⁶ Raaflaub 2004 (an updated version of a book published in German in 1985).

concern for individual freedom is considerably earlier. In a related line of inquiry, Mogens Hansen (1989 and 1996) seeks to refute Isaiah Berlin's (1959) influential claim that the ancients knew nothing of 'negative' liberty, by showing that the liberty of the citizen against intrusive state magistrates was an important aspect of the Athenians' understanding of democratic freedom. Arlene Saxonhouse (2006) fruitfully focuses on free speech in Athens as a rejection of traditional conceptions of the shameful, while Robert Wallace (1994 and 1996) argues that the Athenian commitment to freedom of thought and freedom of behavior were robust, in some ways more so than modern democracies with their residual concern for regulating morality (notably sexuality).

Unlike freedom, equality, as a value and social practice, was not uniquely associated in Greek culture with democracy. Ian Morris (1996) argues that an analogy of what Robert Dahl (1989) called 'the strong principle of equality' was the common currency of pre-democratic Greek republicanism. Paul Cartledge (1996) contrasts the strong Spartan conception of equality as 'all the way down' social and behavioral 'similarity' among a citizen body with more constrained Athenian notions of political equality and equal right to engage in public speech. Martin Ostwald (1996; cf. 2000) contrasts Greek and contemporary American conceptions of equality, by emphasizing that the Greeks predicated the potential for equality upon a prior condition of freedom (non-slavery). Maureen Cavanaugh (2003), a classically trained legal scholar, discusses the relationship between the maintenance of political equality at Athens with the practice of differentially taxing the wealthy, and uses this history to argue against proposals, favored by some American conservatives, for the revision of progressive taxation of income in favor of a flat (fixed percentage) tax.

While freedom and equality were, in antiquity as in modernity, the primary values associated with democracy, Greek democracy was associated with other fundamental values as well. In a study of Athenian laws against *hybris* ('disrespecting'),⁴⁷ Ober emphasizes the concern of the democracy for the protection of the personal dignity of individuals and for promoting the Hegelian value of mutual recognition.⁴⁸ Ryan Balot argues that Athenian democrats developed a distinctive understanding of courage as grounded in risks that were rationally chosen.⁴⁹ Balot emphasizes democratic courage's difference from standard Greek conceptions of courage as innate or inculcated by disciplinary education, while also attending to the 'dark side' of democratic courage as encouraging aggressive militarism. One of the key roles of Athenian democratic political culture was to foster both a commitment to self-control and public good-seeking on the one hand, and to allowing people to do pretty much as they wished on the other; Brook Manville (1997) notes that this 'both/and' approach was essential to uniting democratic ideology with day-to-day practice. Manville and Ober (2003) suggest that a variety of valuable political principles (closure and jurisdiction as well as

⁴⁷ See the massive study of Fisher 1992.

⁴⁸ Ober 1996, ch. 7.

⁴⁹ Balot 2001b, 2004a, and 2004b.

transparency, accountability,) are implicit in the practices common to Athenian democratic institutions.

4. CRITICISM OF DEMOCRACY: ANCIENT AND MODERN

The apparent contradictions among the values and behaviors endorsed or permitted by Athens' democratic regime provided fertile ground for Greek critics, which has provided ammunition for opponents of popular rule ever since. Arlene Saxonhouse (1996) surveys some of the main lines of argument. Despite the notorious trial of Socrates (see below), the Athenian democratic regime tolerated, indeed in certain ways actively encouraged, a substantial level of political criticism. The dramas presented in the Theater of Dionysus were chosen by a lotteried magistrate and financed by the state system of liturgies – special taxes on the very wealthy.⁵⁰ Comedies were typically sharply critical of political practices of the citizen masses and their leaders alike. While some scholars still regard even comedy as irrelevant to democratic politics,⁵¹ others point to the deep political critique of comedy.⁵² Moreover, a substantial body of scholarship argues that Athenian tragedies, like comedy, were fundamentally involved in a critical enterprise – investigating and challenging core democratic values.⁵³ Ober (1998) argues that political criticism is essential for a healthy democracy and traces the emergence, in the late fifth and fourth centuries, of a self-conscious 'critical community' of Athenian intellectuals – including dramatists, philosophers, historians, and rhetoricians. These critical intellectuals engaged in what amounted to a collaborative project to expose inherent contradictions in the democratic political order and some of their arguments ultimately were engaged in the speeches of Athens' pro-democracy orators and in governmental reforms.

Intellectual critics pointed to a number of ways in which Athenian democracy fell short. For example, the democratic approach to distributive justice erred, some claimed, in seeking to distribute goods equally to persons who were inherently unequal. Some (for instance Callicles, as depicted in Plato's *Gorgias*) contended that democracy conflicted with a natural order in which the strong dominated the weak and enjoyed a superabundant share of goods. The uneasy relationship between democracy and 'natural hierarchy' is a staple of Straussian political theorizing.⁵⁴ Plato's Socrates in the *Republic* argued that democracy violated the first principle of justice by encouraging individuals to engage in more than one domain of activity. The fear of diversity, social and political, was, according to Saxonhouse (1992), a *leitmotif* of Greek critical thought. Aristotle in the *Politics* was concerned that democracy encouraged majorities to employ arbitrary and selfish

⁵⁰ Christ 2006.

⁵¹ Rhodes 2003b.

⁵² Rosenbloom 2002 and 2004.

⁵³ Euben 1986 (ed.) and Euben 1990; Goldhill and Osborne (eds.) 1999.

⁵⁴ Strauss 1953.

rather than consistent and fair criteria when making judgments with public import, and led majorities to seek their own factional good to the detriment of the public good. The problem of greed was another fertile source of complaint. Thucydides and Aristophanes each emphasized ways in which democratic culture stimulated an unhealthy desire for excessive consumption and possession.⁵⁵

Contemporary political theorists have paid special attention to ways in which the interchange between Athenian democratic political culture and a critical sensibility yielded distinctive insights into political psychology and practice, and have stressed the value of those insights for rethinking modern democracy. Recent work by political theorists on Plato has been surveyed by Danielle Allen (2006); Peter Euben (2003), John Wallach (2001), and Sarah Monson (2000) are particularly concerned to relate Plato – his dialogic practice as well as his political-philosophical ideas – to the practice of modern democracy. There has been renewed attention among classicists⁵⁶ and political theorists⁵⁷ to Aristophanes as a critic of democracy with unique and valuable insights for students of democracy. Aristotle's attempt to create a 'democracy of distinction' by merging democratic with aristocratic elements is fruitfully explored by Jill Frank (2005).

Socrates and his relationship to the democratic city, and especially his trial and execution, were matters of central concern to ancient critics of democracy; the figure of Socrates continues to loom large in contemporary discussions of the moral and practical value of Greek democracy. Some contemporary critics regard the trial and execution as clear evidence of Athenian democracy's moral turpitude: Samons (2004) offers a bill of particulars on the subject 'What's wrong with democracy?'. He concentrates on the wrongfulness of Socrates' conviction, but also accuses ancient Greek and modern democracy alike of being inattentive to traditional forms of religious belief, disrespectful of the nuclear family, and insufficiently devoted to love of country. At the opposite extreme, but equally polemical, Isidor Stone (1988) argued that Socrates was an oligarchic sympathizer who more or less got what was coming to him.⁵⁸

It is worth asking whether we have anything to learn from a slave-holding society that denied women the right to participate actively in government. Michael Jameson (1978) argued that slave-holding was essential to democracy because only slavery could provide the considerable leisure-time that allowed lower-class citizens the opportunity to participate in politics. That argument was challenged by Ellen Wood (1988), on the grounds that, by preventing the systematic exploitation of peasants by landlords and by declining to tax poor citizens, democratic government allowed free citizen-peasants to spend free time in political participa-

⁵⁵ Balot 2001a.

⁵⁶ Ludwig 2002.

⁵⁷ Zumbrunnen 2006.

⁵⁸ Colacciao 2001 is a detailed and balanced treatment of the 'Socrates and Athens' question. Schofield 2002 offers a measured and insightful critique of recent American work on 'Socrates on Trial'; Schofield's monograph on Plato's political thought is superb (Schofield 2006).

tion. Review essays by Michael Jameson (1997) and Marilyn Katz (1999)⁵⁹ explore ways in which the solidarity of the all-male citizen body benefited from the exclusion of women from active political participation, while rejecting earlier views of the strict separation of public and private spheres, and recognizing the ways in which Athenian women played prominent public roles, especially in religion.

5. WAR, ECONOMY AND CULTURE

In a world reawakened to the fact that history has not ended,⁶⁰ warfare is once again a concern for democratic theory and practice. Violent conflict was endemic among the Greek city-states, and fairly often ended in state-death: while many inter-state conflicts, especially before the mid-fifth century BCE, were more or less ritualized contests with little demographic impact,⁶¹ some battles had extremely high casualties,⁶² and the extermination or enslavement of entire state populations was a realistically possible outcome of inter-state war. The relationship between democracy and warfare has been a feature of analytic work on democracy from the very beginning; it is prominent in the work of both Herodotus and Thucydides. The apparent correlation between democratic regime and greater military capacity⁶³ has been explained in terms of the enhanced morale of free men, self-consciously fighting wars of liberation,⁶⁴ much higher mobilization rates, following upon the bargaining between classes, with the result that political participation on the part of lower classes is offered in exchange for their willingness to fight,⁶⁵ and the superior ability of democracies to make effective use of dispersed knowledge and thereby to inaugurate more innovative and flexible strategies.⁶⁶

A closely related issue is the relationship between democracy and imperialism. Ian Morris (2005b) notes that the empire founded by democratic Athens was by far the largest and most successful imperial enterprise ever sustained by a Greek city-state. Moses Finley (1978 and 1983) noted that both lower and upper class Athenians profited from the empire, and regarded the increased wealth that came to Athens with imperialism as essential to the survival of democratic institutions. Kurt Raaflaub has argued that the institutions of democracy only emerge after 462 BCE,⁶⁷ once the Athenian imperial project of the mid-fifth century is well under way, and that lower-class Athenians (*thetes*) remained in some ways marginal, and were grudgingly acknowledged by citizens of the hoplite class only

⁵⁹ Both reprinted in Robinson 2004.

⁶⁰ *Pace* Fukuyama 1992.

⁶¹ Connor 1988.

⁶² Krentz 1985 and 2002.

⁶³ A phenomenon traced in modern warfare by Reiter and Stam 2002.

⁶⁴ Hanson 1999.

⁶⁵ Especially as rowers in the fleet: Scheidel 2005; Morris 2005a.

⁶⁶ Ober 2008.

⁶⁷ Raaflaub 1996 and 1998; Raaflaub, Ober, and Wallace 2007.

because they provided manpower essential to the empire-building project. Mogens Hansen (1999) has, however, pointed to the continuing vigor of democratic institutions in the (largely) post-imperial fourth century. While a ‘ghost of empire’ (Badian 1995) continued to haunt the Athenian democratic consciousness, fourth-century Athenian revenues were not much drawn from imperial sources, and democratic institutions remained vibrant – the link between democracy and empire had become largely one of historical memory: whether that memory was one of nostalgia or disgust was one of the sources of attitudinal diversity with which Athenian democracy contended.

International relations theorists have long been drawn to the world of the Greek *poleis*, which offers a non-modern field on which they test the robustness of their theories. Collections of essays edited by Lebow and Strauss (1991) and McCann and Strauss (2001) brought together classicists with international relations theorists to explore the nature of bipolar international systems in which one of the players is a democracy, and the relationship between democratic regimes and war using the test cases of the Peloponnesian and Korean Wars. The world of the city-states is particularly salient to scholars interested in ‘democratic peace’. Eric W. Robinson explores the issue in detail, arguing that the Greek democracies did in fact go to war with one another quite frequently.⁶⁸ Robinson suggests that this does not necessarily undercut the validity of a modern democratic peace, because of the differences between ancient and modern democracies, and the fact that Greek city-states focused intensely on local interests rather than on constitutional issues.

The last fifteen years have seen an extraordinary resurgence of work on the ancient Greek economy, much of it challenging the long-standard position of Finley (1999) that ‘the ancient economy’ was entirely ‘embedded’ in social relations, that market exchanges were limited and local, and that given the lack of capitalization and sustained technological innovation, essentially stagnant. Democratic Athens in the post-imperial fourth century provides an important test case. Work by Edward E. Cohen (1992 and 2000) has gone a long way in showing that fourth-century Athens was well provided with formal (special legal provisions) and informal (unregulated banks) institutions that supported a vigorous market economy with some (although not all) of the relevant features of modern market economies – notably sophisticated credit instruments and impersonal third-party exchanges. Edmund Burke (1985 and 1992) argues persuasively that the very high level of public wealth in the 330s (comparable to that of the high imperial era of the 430s) must be explained in terms of successful Athenian attempts to attract transit trade. The democratic state actively and self-consciously promoted trade, for example by providing relatively impartial dispute resolution procedures,⁶⁹ and by providing ‘Approvers’ of silver coinage who could guarantee traders that the specie in which they traded was good.⁷⁰ Cohen (2002) has linked this expansion of access to eco-

⁶⁸ Robinson 2001a, 2001b, and 2006.

⁶⁹ Cohen 1973; Lanni 2006.

⁷⁰ Van Alfen 2005.

conomic and legal institutions to a generally expansive democratic Athenian attitude towards citizenship; his claim that the ‘Athenian nation’ has been based on residence rather than on nativity has, however, been challenged.⁷¹

Among the most important insights of recent work on embedded aspects of the Athenian economy is Paul Millett’s (1989)⁷² demonstration that democratic political culture at Athens effectively limited the development of formal relationships of personal patronage that figure so largely in other pre-modern economies – and remain a problematic feature of modern economies, especially in authoritarian states.⁷³ Democratic Athenian taxation policies have attracted the interest of political scientists and economists. In a series of studies the Swedish social scientist Carl Lyttkens offers Athenian liturgies (special taxes on the wealthiest citizens) and other forms of taxation on wealth as examples of bargaining between elites and lower classes, suggesting that democratic politicians catered to their lower-class constituents by seeking to establish a predatory regime of taxation, but that over time, elite bargaining power led to a more restrained taxation regime and lower transaction costs.⁷⁴ Brooks Kaiser (2007), an economist, has developed a game theoretic model to explain the operations of the Athenian trierarchic (warship preparation tax) liturgy system, analyzing the Athenian citizens’ incentives within a game of asymmetric information to explain the democratic system’s relative success at meeting the conflicting goals of efficiency, feasibility, and budget balance.

Classicists have drawn attention to the ways in which political institutions and social relations unique to democracy (including the issues of identity and ideology noted above) affected the emergence and development of cultural expression: performance/music, visual arts, architecture, literature, and philosophy.⁷⁵ A collection of essays edited by Winkler and Zeitlin (1990) broke new ground by posing the question of how democracy changed public performance art and music (comedy, tragedy, choral singing and dancing). Subsequent studies, notably by Simon Goldhill and Peter Wilson, have made a very strong case that democracy had a pervasive affect on the evolving form and content of dramatic and musical culture.⁷⁶ In the realm of visual arts, David Castriota (1992) looks at how the fifth-century Athenian democracy reconfigured mythic narrative in public art (notably architectural sculpture). Richard Neer (2002) argues that the Athenian revolution of the late sixth century fostered the emergence of radical experiments in vase-painting (the so-called Pioneer Group of vase-painters) – with the new artistic forms borrowing from the new social relations made possible by the institutions of democracy.

⁷¹ Lape 2003.

⁷² Cf. Zelnick-Abramowitz 2000.

⁷³ Haber 2000.

⁷⁴ Lyttkens 1992, 1994, and 1997.

⁷⁵ Goldhill and Osborne (eds.) 1994; Coulson 1994; Boedeker and Raaflaub (eds.) 1998.

⁷⁶ Goldhill and Osborne (eds.) 1999; Wilson 2000.

6. CODA: THE AMERICAN EPHEBE

Greek polytheistic religion was very different from the powerful religious traditions that have shaped the modern world: There was no question of separating religion from the Greek state, and basic questions of what would count as orthodox, conversion, even belief take on fundamentally different meanings in the ancient Greek context; Simon Price (1999) offers a thoughtful introduction. While all students of ancient Greek politics acknowledge that religious ritual remained a highly visible aspect of democratic Athenian public practice, there is no scholarly consensus on the importance of religion to Greek democracy, or the impact of democracy on religious belief or expression. Hugh Bowden (2005) has argued that communicating with the gods and doing their will was the most important undertaking of the democratic state. Other scholars, by contrast, emphasize the ways in which religious ritual furthered civic purposes.⁷⁷ A notable characteristic of the democratic Athenian approach to religion was the state's willingness to accept new gods into the community – but only if they had been officially granted entry (and the right to own property on which a temple could be constructed) by a vote of the democratic Assembly.⁷⁸ The tendency to judge Athenian democratic attitudes toward religion by the anomalous trial of Socrates risks obscuring the ancient Athenians' striking openness to foreign religions.

The pressing issues associated with religion in modern democracies (from head scarves in France to school curricula in the United States) arise, of course, from monotheistic traditions foreign to the Greek *poleis*. It might appear then, in light of the different ways in which antiquity and modernity understand religion, that religious-civic ritual is one area in which modernity has little to learn from Greek antiquity. Yet Charles Hedrick (2004) has recently brought to light a relatively recent American appropriation of a highly distinctive Athenian religious ritual: the Oath of the Ephebes. In the later fourth century BCE (and perhaps much earlier) eighteen-year old Athenian (male) youths who were being inducted into military service took a sacred oath, witnessed by an array of gods, to acquit themselves well, along with their comrades in arms, in defending and extending their fatherland. In the middle decades of the twentieth century, students at a number of American colleges and universities were made to chant the ephebic oath:⁷⁹

I will not disgrace my sacred arms / Nor desert my comrade, wherever / I am stationed. / I will fight for things sacred. / And things profane. / And both alone and with all to help me. / I will transmit my fatherland not diminished / But greater and better than before. / I will obey / the ruling magistrates / Who rule reasonably / And I will observe the established laws / And whatever laws in the future / May be reasonably established. / If any person seek to overturn the laws, / Both alone and with all to help me, / I will oppose him. / I will honor the religion of my fathers. / I call to

⁷⁷ Zaidman and Schmitt Pantel 1992; Parker 1996.

⁷⁸ Garland 1992.

⁷⁹ Translated by Clarence A. Forbes, in Swift 1947, 4.

witness the Gods ... / The borders of my fatherland, / The wheat, the barley, the vines, / And the trees of the olive and the fig.

The explicit intention of university administrators who promoted this startling recreation of an ancient Greek ritual was to promote in the citizens of a modern state an active civic spirit capable of sustaining a great democratic nation through periods of military and social crisis. While the chanting of the ephebic oath is no longer commonly (if ever) practiced on American campuses, the sustained concern with uniting civic culture with democratic institutions is at least one reason that we moderns may continue to learn from the ancient Greeks.

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