THE LANDMARK THUCYDIDES, R.B. STRASSER (ED), FREE PRESS, NY, 1996 & 2008

APPENDIX A

The Athenian Government in Thucydides

§1. Athens was the chief population center in Attica, an area about the size of Rhode Island, bounded east and south by the Aegean Sea, and north and west by Boeotia and Megara. Other centers within the state included Piraeus (the chief port), Eleusis, Acharnae, Rhamnous, Thoricus, and Marathon.[1a] Some three to four hundred thousand people lived in Attica, most of them crowded behind the walls of Athens during the Peloponnesian War but otherwise spread out in lesser centers and on individual farms. Of the total population, thirty thousand or so had full rights as citizens at the beginning of the war, which is to say they were males over thirty years of age born of two Athenian parents.

§2. A citizen belonged to one of the four classes defined and named by the lawgiver Solon early in the sixth century: the criterion was annual income, expressed in terms of agricultural units or other capabilities. At the top were the *pentacosiomedimnoi,* men who had five hundred measures (wet or dry) of produce a year. Next were the *knights* (three hundred measures), who could afford to keep a horse. Below these were the *zeugitai* or yokefellows (two hundred measures), and last were the *thetes,* who even into the fourth century endured certain limitations in the recognition of their civil status. The rest of the population consisted of women; children; resident aliens (*metics*), whose numbers fluctuated between ten and forty thousand depending on how many foreigners happened to be in residence at a given time; and slaves, whose number has been estimated at 150,000. Women, even those who could be identified as fully Athenian, had no vote in courts or assemblies. Indeed, respectable women were not supposed to appear in public except in duly approved processions.[2a] Only as an heiress could a woman in some sense control property, although she could not dispose of an estate. Metics could prosper in Athens, but like women they had to have a citizen represent them if they ever had business before a court or assembly. Despite their lack of citizenship, many metics were involved in commerce and some grew rich as manufacturers, merchants, and bankers. Slaves did almost every kind of work. Some wore out their lives in painful

A1a Piraeus, Eleusis, Acharnae, Rhamnous, Thoricus, and Marathon: Appendix A Map.

A2a See Pericles' advice to war widows at 2.45.2.

P. 578 (MAP) OMITTED

and dangerous underground work in silver mines at Laurium,[2b] others labored in the fields, and still others performed relatively light duties as household staff. Some were public functionaries, prostitutes, or teachers; more than a few were skilled artisans[2c] whose earnings might someday permit them to purchase their freedom. When a slave was dedicated to a god, he became a free man.

§3. In modern terms the granting of full citizen rights to less than 10 percent of the population would hardly qualify a constitution to be called democratic, but in the ancient Greek world the extension of the franchise to that many adult males was extraordinarily democratic. This "radical" democracy at Athens developed in the first half of the fifth century, after appointment by lot had been established for members of the council and (in 487/6) for the chief administrative officers of the state, and when (in 462) popular courts, manned by citizens who were paid to pronounce justice, had gained a wide jurisdiction. Kleisthenes, an aristocrat, prepared the way for democracy when in 507 he replaced a venerable aristocratic system of four clans with one based on a more or less arbitrarily defined set of ten tribes named after eponymous heroes. By this constitutional reform, he increased the general citizen population and weakened the power of the few.

§4. After Kleisthenes, an Athenian's civic identity was fixed in his *deme,* a geographically defined administrative district, one of 140 in Attica. A father introduced his son formally to his fellow *demesmen* when the son reached eighteen years of age, and on that occasion the son was enrolled in the deme register as a citizen. An Athenian's full official name included his own name, his father's name, and his deme name (e.g., Thucydides son of Oloros, of the deme Halimous). Besides belonging to a deme, he was a member of one of the ten tribes devised by Kleisthenes. Membership in a brotherhood called a *phratry* was desirable but probably not a necessary condition of citizenship. Citizens were landowners; resident aliens and slaves were not. A small landowner might nevertheless work his land alongside the single slave or two he could afford to own. Citizens likewise worked for equal pay alongside slaves and metics on public construction projects.

§5. The tribes were the basis of civic administration at Athens, where a council (*boule*) consisting of five hundred citizens—fifty from each tribe chosen annually by lot—would prepare an agenda for the assembly (*ekklesia*). They served for one year, and they were not permitted to serve more than twice in that office. For thirty-five or thirty-six days, that is, one tenth of the civic year, each of these bodies of fifty acted as the city's standing executive committee (the *prytany*). Each prytany was responsible for the sacred treasuries and kept watch twenty-four hours a day in the Tholos, a round building on the west side of the agora just south of the council chamber (the *Bouleuterion*) where the council conducted its meetings.[5a] Every day a different member of the prytany was chosen by lot to serve as its chairman (*epistates*). Besides preparing an agenda for meetings of the assembly, the council might interview foreign ambassadors, assign various tasks and contracts (for construction and the like), and authorize pay for services and materials.

A2b Laurium: see Appendix A Map.

A2c Cf. Thucydides' estimates in 7.27.5 that twenty thousand Athenian slaves, many of whom were skilled artisans, had deserted or escaped.

A5a The remains of the Tholos and the council chamber have been located in the Athenian *agora* (see Glossary), where they can be seen today.

§6. Generally speaking, whatever civic tasks Athenians assigned to a committee were performed by citizens who had been chosen by lot and not by special capacity or training to do that committee's work. The nine chief administrative officers (*archons*) of the city were (in the order in which they are usually listed): archon eponymous (who gives his name to the year), king, *polemarch,* and six *Thesmothetai.* The titles "king" and "polemarch," or "war magistrate," later prompted Greek writers to record tales about an early transfer of power from an attenuated line of kings to the aristocracy. The historicity of this transfer, however, is not clear. *Thesmothetai,* to judge from the name, were concerned initially with legislation and continued to act in the administration of justice. The underlying supposition behind the Athenians' unremitting use of the lot to assign tasks and responsibilities was that every citizen could do what was necessary. The tasks accordingly were made simple.

§7. Generals and treasurers, however, were appointed not by lot, but by election, as it was manifestly dangerous to simplify responsibilities so that persons of indifferent quality could be qualified to hold those offices. Ten generals, one from each tribe, were elected every year for annual terms, and they could be reelected without interruption. No order of precedence or assigned area of authority such as is attested for the fourth century is visible in the fifth century, but when two or more generals went along on an expedition, it would seem that one was designated as being in charge. A general had authority to convene extraordinary meetings of the assembly, and a decision to call or not call a meeting at critical times could be full of consequence. The means by which Pericles, for instance, prevented such a meeting from being called (2.22.1) is not clear; it may have had to do with his own personal authority.

§8. The assembly met regularly four times during each prytany,[8a] usually on a hillside called the Pnyx[8b] a little west of the agora. This gathering of six thousand or more citizens was the final arbiter of any and all business brought before it, and debated all major decisions of state such as whether or not to go to war, sign a treaty, embark on a new campaign, send an embassy, receive envoys, raise and assign forces, or levy or dispose of funds, with all that such decisions entail. One question that recurred during the fifth century at a regular interval, namely, during the sixth prytany of the year, was whether or not to hold an *ostracism.* The issue was private, personal power. A man who was felt to have amassed too much of it was "ostracized," that is, sent into honorable exile for ten years, after which he could return and reclaim his property and his political rights. Although the assembly was scheduled to meet at least four times a prytany, it could meet as often as was deemed necessary. A different president chaired the meeting every day. Motions were introduced, and speakers advocated, modified, or contested what was proposed. The speakers were citizens who for one reason or another—training, natural ability, political climate—could persuade their fellow citizens to vote as they recommended. Pericles was one such speaker, Cleon another. There was no authority higher than

A8a I.e., four times every five weeks or so, or at least forty times per year given one prytany per year for each of ten tribes.

A8b Pnyx: Map 6.56. See 8.97.1. Note, however, that certain assemblies were convened elsewhere; see 8.67.2, 8.93.3, and 8.97.1.

this assembly. The people voted by raising their hands, and their determinations were final, unless, as in the Mytilenian debate (3.36–50), they themselves reversed them.

§9. The administration of justice was likewise in the hands of citizens, who acted in most questions as *dikasts*[9a] in two separate and distinct systems. Certain officials such as generals had summary powers of judgment in some cases, and the assembly could initiate one form of prosecution called *eisangelia,* but for the most part citizens as dikasts heard trials in courts. A homicide might be tried in one of five different venues, where specially designated citizens judged. Most legal cases, however, came before one of the five popular (or *heliastic*) courts, which drew on a pool of about six thousand citizens who were selected by lot, assigned to a single court for one year, and paid to judge in panels that numbered (according to the sums involved or the seriousness of the alleged offense) two hundred, four hundred, five hundred, one thousand, or even six thousand. Athenians saw these panels as representing the city as a whole; pay for service allowed poor citizens to participate, and appointment by lot affirmed a random mix. The combination of selection by lot and voting by secret ballot helped to keep bribes, threats, and other inappropriate influences from affecting judicial decisions. Since the city was the ultimate judging body, there was no form of appeal to a higher tribunal. As a corollary to this conception, a number of prosecutions and convictions, such as that of Alcibiades (6.28.2–29.3; 6.61.1,4;), may have reflected politics or public opinion more than judiciary fairness. Trials might be won or lost by eloquence. Speeches for the prosecution and the defense were carefully timed and limited so that no trial lasted longer than a day. Votes on verdict and (when required by the lack of a statutory penalty) on punishment were by secret ballot; a simple majority determined the outcome, with ties favoring the defendant. Athenians were rightly proud of their legal system without, however, ignoring its defects and abuses.[9b] Any citizen could prosecute another for wrongdoing, and there was no publicly appointed prosecutor. As a result, extortionists could threaten or initiate lawsuits against wealthy Athenians, who would often settle for cash rather than expose themselves to the risky outcome of a panel's temperament. Or citizens could for whatever private reason take advantage of a popular mood and indict someone for a real or a fancied wrong. Socrates and Pericles are famous examples of people so indicted.

§10. Prosecutor and defendant alike were expected to speak for themselves, and yet the ordinary citizen, whose real business might be running his small farm, would not necessarily know how to begin and end a speech. But length was tightly limited, and the outcome might be literally life or death, since imprisonment was used only for temporary restraint, not for long-term punishment. Penalties were money fines, exile, or death. As a result, skilled speakers who could help friends or clients by teaching them how to speak and how to behave in a court when under the pressure of litigation were highly prized resources. Antiphon, whom Thucydides

A9a Athenian citizens organized in panels to hear evidence and determine guilt or innocence in cases brought before them.

A9b See the speech of the Athenian emissaries to the Spartan assembly, 1.76.3–77.5.

calls "the one man best able to aid in the courts, or before the assembly, the suitors who required his opinion" (8.68.1), was one such speaker.[10a]

§11. There were some Athenians who persistently criticized and sometimes even physically attacked the Athenian democratic system. Many were powerful, educated, and articulate aristocrats who saw no virtue in entrusting power to a mass of base persons.[11a] These Athenians, who wanted a narrower base of power (and who tended to admire the Spartan way of life), were styled *oligarchs*.[11b] When they modified the constitution, as happened in 411,[11c] they limited the franchise and stopped pay for service in public offices. As a result, the number of citizens entitled to vote on major questions (ostensibly) shrunk from thirty thousand to five thousand, and the actual numbers present in any given assembly were accordingly greatly diminished. A council of four hundred actually governed. The popular courts of the democracy, whose panels required numerous citizens, could not function, and all the city's various councils and committees had to be manned (if they continued in existence at all) by men who could afford to serve.

§12. Despite the opposition of domestic and foreign oligarchs, the Athenian democracy proved a vigorous institution. For over one hundred forty years, during a period that extended approximately from 462 to 320, only two short-lived oligarchic regimes managed to seat themselves, namely, the ambiguous government of the Four Hundred in 411, and the oppressive rule of the Thirty in 404/3. Thucydides could well remark in 8.68.4 that "it was no light thing to deprive the Athenian people of its freedom a hundred years after the deposition of the tyrants."

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A10a But note that Thucydides also says that Antiphon never came forward to speak in the assembly or any other public forum, because he was not liked by the multitude owing to his reputation for cleverness.

A11a Note Athenagoras' criticism of the "young Syracusan aristocrats" in his speech at 6.36–40, and Alcibiades' antidemocratic remarks to the Spartans at 6.89–92.

A11b See note 8.54.4a on political clubs at Athens.

A11c The success of the oligarchs is described at 8.53ff.