

**Democracy Rules: A reading in Mogens Herman
Hansen's book, *The Athenian Democracy in the Age
of Demosthenes*.**

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[Note: cf. now Mogens Herman Hansen, *The Athenian Democracy in the Age of Demosthenes, Structure, Principles and Ideology* (Translated by J.A. Crook). Norman OK: University of Oklahoma Press 1991.

Since the publication of Ernest Barker's *The Political Thought of Plato and Aristotle* (New York 1959), academics have composed scholarly accounts of ancient Greek political theory that particularly attended to its treatment of democracy. But Hansen's book, we are dealing with here, seems to be different.

Everyone interested in the history of fourth-century Athens must secure for himself a copy of this book. Why? There are many reasons for that. Remarkable as it seems, we (and our students) have survived for so long without an available book even in Arabic or in English which details the elements of the Athenian constitution, R.K. Sinclair's *Democracy and Participation in Athens* (Cambridge 1988) has also been a blessing, but its time of concentration and its nature are both different.

So here is a work which will last, a systematic exposed of the Athenian democracy, mainly during the period (355-322 B.C.) when the sources are most abundant for this period. While in the preface of our book, we are told that 'the present book is primarily intended not for specialists but for students of classical studies, history and political science, as well as for anyone else who shows an interest in the history of ancient Greece and

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of democracy,' specialists will nonetheless have a ready reference for those details which we can not quite call to mind at the moment and for simple truths often forgotten. There is a connected point too. I have long commiserate that those who study the politics of the Roman Republic (and the Empire as well, for that matter) too usually take the features of the constitution for granted, leaving them clinging to untested assumptions, when if they took the time to understand properly, many problems might be clarified.

No one, in my point of view, is more suited for the writing of a book like this than Mogens Hansen, not merely because of his long-evident ingenuity of the information, but more particularly for his usual clarity of clarification (not easily achieved in this area). He brings to this book those qualities to which we have grown accustomed in his many previous publications. We are never in doubt what his position is and it is always clear what is based on evidence and what is not; indeed, this direct honesty is at once before us in the very discussion of the varieties of evidence which comprises Chapter 2. Add to this John Crook's skill with the English language and the end product is more agreeable than we were entitled to expect.

Hansen brings with him his symmetric views, which I share, that the fourth-century democracy was in many aspects different from that of the fifth century and that there were more changes in the period 403-322 than has conventionally been supposed. His early chapters aim to bring us into that century. The first briefly establishes Athens as 'the best case of a significant state governed by direct democracy.' The second chapter, as noted, deals with the sorts of evidence we have to use. The third gives a historical sketch of the constitution down to 403. The fourth then delineates, to use its title, 'Athens as a city-state and as a democracy,' and includes an amazing discussion of the ideological bases of democracy. After a fifth chapter on the population and the perspectives in which the citizen body should be seen, we come to the meat of the book. Succeeding chapters deal with the assembly, the laws and the court system (justifiably

the longest chapter), the magistrates, the *boule*, the political leaders and the *Areopagos*. The final chapter, 'The Character of Athenian Democracy,' brings threads together and emphasizes that democracy was for the Athenians more than the sum of its institutions: it was a way of life. The rest of the book provides us with a map giving a sample illustration of the deme-trittys-tribe organization and plans of the agora and the Pnyx; a substantial bibliography; a very welcome glossary of that potentially bewildering terminology; an index of passages cited; and a general index. All in all, a rich resource of 410 pages.

Clearly I come to praise, not to bury. I must even in this instance admit the issue of annotation. The myriad notes give relevant and taciturn references to ancient and modern writings, squarely attached to the relevant matter in the text. This practice, which goes along with a general aversion of discussion of controversies, is appropriate to the task in hand. Those who work in this area of research will know what is disputed and those who wish it will find enough to lead them to the arena. The reader will forgive me for not having checked all the references, but should be advised that occasionally a citation may not demonstrate what it is supposed to. For example, on p. 127, Demosthenes 24.123 is adduced in connection with the poor flocking in, anxious to receive pay for attending the assembly or serving on the courts; the passage is in fact evidence that poverty might lead men to take fees from both sides (in a dispute) or attend the assembly or sit on a jury though disqualified as a state debtor or by some other cause. Hansen, it appears, is as human as the rest of us: sometimes he overstates in this and other ways a point of view to which he is attached. I certainly would not make a blanket statement that the poor formed the majority of those at the assembly or on the juries.

Aristophanes' *Wasps* has always been delicate evidence that 'the poor and the elderly were the majority in the courts;' the play was, after all, produced in the extraordinary circumstances of the Archidamian War¹. And the composition of an assembly might differ on given occasions because of circumstances, the agenda or the time of year. As a last example, it is

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somewhat problematic to find attached to a statement of assembly costs in the 320s a reference to Aristophanes Ἐκκλησιάζουσαι².

While again allowing that a work of this intent is not the place for in-depth debate, there are other areas of fundamental importance to an appreciation of Athenian democracy where I would rather not have seen such a definitive stance as appears. I find it extremely brave to pronounce that the 'vast majority' of Athenians owned at least one slave (p. 317). To say that there are 'numerous instances of politically active citizens who were magistrates many times' (p. 232) simply goes against the collected data. Less significantly, it can no longer be affirmed that the tribal ἐπιμεληταί came one from each τριττύς (as it is on p. 106).

In choosing these examples I am hoping that they are different in kind from instances of personal disagreement. Of the latter there are, of course, many. Most of them, not astonishingly, arise in the part which is not the quintessence of the book, the treatment of historical development down to 403. The description of Drakon and Solon in particular provides a perfect process of conformism which I feel need to come under siege. Yet apart from registering my personal misery that my arguments for the historicity of the contents of chapter 4 of the *Athenaion Politeia* continue to be rejected without counter-argument (or reference), I will not here pursue issues arising from this chapter.

It is another matter, however, when remarks are made about fourth century reconstructions of earlier Athenian history, for this relates to the perceptions of those who populated the democracy which Hansen dissects. So, to claim (p. 28) that 'the Athenians did not know themselves whether the Council of the Areopagos ... had been instituted by Solon or had existed long before his time, originally as the king's council' is to perpetuate a false problem which is part of the still prevalent assumption that the Attidographers invented the Athenian past. People knew that the Areopagos existed before Solon and what little information we have shows it as only a judicial body (which is not to demean it — that was the very essence of its importance).

On p. 298 we find another common deformation: a list is given of what fourth-century folk thought Solon had done and then attributions to him are criticised as anachronistic. But the list is immoderate. The accompanying view that in the fifth century Kleisthenes was seen as the founder of democracy, while in the fourth the honour was given to Solon (or even Theseus), represents a serious misunderstanding and misuse of sources. One source cited, Isokrates, speaks vaguely in terms of a period of Solon and Kleisthenes, wherein Kleisthenes was the restorer of Solon's norms. Will we continue to allow passages like this to represent what Athenians as a whole believed? Most mentions of Solon in fourth-century material, even when he is described as 'most in favour of the demos,' do not relate to strictly constitutional provisions. We are also directed to Ath. Pol. 41.2 and back to p. 50. The passage in question does not show that Aristotle believed Solon invented democracy. It refers to the change in Solon's time, *arche* must be understood in a scientific sense, to say that Solon created the preconditions for democracy (personal freedom, access to and control of the judicial apparatus), which corresponds precisely with the actual treatment of Solon.

Let me punctuate again that we are here concerned with how Athenians of the fourth century viewed their democracy, part of which is the historical perspective. Generalisations from sparse sources give too firm an impression. I am convinced that a great many Athenians, like people anywhere, neither knew nor cared. Not many of them read Isokrates or the histories, and when it came to the emotional appeal of the orators, naturally short on specifics, they either fell for it or they didn't. Modern scholars, it seems to me are too easily tempt into the gallery which contains the idealised picture of a uniquely involved population. The phenomenon is impressive enough not to need exaggeration.

Which leads me into something else I found interesting. The tone is often that of admiration. I noted this particularly in the treatment of the *γραφὴ παρανόμων* ³(pp. 205ff.). While I can see the attraction of a feature which does not allow too easy an alteration of fundamental laws

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embodying general principles, I have to think also of the amount of politically inspired litigation which arose because of it and of poor Apollodoros, accused in spite of the popular vote in favour of his proposal to divert excess funds to military purposes in 349/8. I was surprised also at the suggestion that the Athenians actually enjoyed the process of δοκιμασία⁴. I imagine it as one of those boring routines which are present in all systems as a sort of ritual necessity.

On the other hand, the realities of politics in the democracy are laid bare. The orators provide abundant evidence for the often high temperature of debate. The already mentioned plethora of prosecutions for illegal motion is stark testimony to the self-interested nastiness of political behaviour. The major politicians were a relatively small group of wealthy men for whom rhetorical imposition on the assembly became a way of life (though I do wonder if the vote of the assembly was quite so unpredictable as is allowed on p. 287). Whether or not they combined this with a genuine concern for the welfare of their state, is it too much to suggest that they flourished on crisis? We can say that we don't have to go back very far to find Prime Ministers and Presidents boosting their image through acts of purportedly moral duty. The Athenian democracy provided a wonderful battleground for the Greek competitive spirit. And, as Hansen shows again (pp. 274ff.), from the politicians through the magistrates it provided opportunities for profit.

The distinction inherent in the last sentence is one of the most important for students of fourth-century Athens to apprehend. Despite ongoing attempts to suggest otherwise (not heeded by Hansen), for the most part, those who sought to direct Athenian affairs did not do so by virtue of office. The overriding financial posts which appear from the late 350s follow upon policy directives instigated by individuals. It was a system which did not require great expertise from the majority of its officials because its ideology militated against concentration of authority. While I do not join Hansen (p. 244) in finding this confusing, I do agree in emphasising that there was an element of continuity in the breed of

secretaries and undersecretaries. Assuming that thirty was the expected age for official service, the fact that a large number of councillors were in fact over forty perhaps reflects the desirability of their having served in some administrative position before entering a body with a wider oversight. But it is important to observe that while prosopography will trace the individuals involved, the public Athenian perspective was to subdue the identity of the officers and refer to them as offices (*archai*: p. 225).

We have returned to the positive aspects of this book which must ultimately characterise it, in spite of the pried mistakes (some actually quite large) that I have found to pick. The production is on the whole good. I found relatively few typographical errors, and those easily corrected, and one unresolved cross-reference (p. 22 n. 134). Raaflaub (1989), which appears at p. 23 nn. 139 and 140, is not in the bibliography. How there came to be mention on p. 17 of 'the commentary on Demosthenes produced in the fifth century B.C. by Didymos' will doubtless remain inexplicable to all concerned (though an instance of numeral corruption in a text: 'first' becomes 'fifth').

Fresh ideas will be found in this book (p. 318: what about women's labour as a factor in freeing up time for male citizens?). Yet its essential value remains its success in stepping into the potential reader's shoes. The success may not be absolute when we have a phrase like *captatio benevolentiae*, catch benevolence, (p. 25), but that borders on the petty. Some believe that 1992 marks the 2000th anniversary of democracy, but there are enough divergent views on that matter to keep the party going until the turn of the millennium. This book must be on every guest list.

Appendix:

After the above presentation of Mogens Herman Hansen's book, *The Athenian Democracy in the Age of Demosthenes*, I saw that it is important for scholars to know what is going on studying of Democracy in ancient Greece since 1906 on.

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Democracy in Ancient Greek thought: 1906–2012

There are three historical periods and exemplary Anglophone authors in them. The first is 1906–1933, and its chief exemplar is Barker himself. The second is 1933–1968 and the interpretations of Karl Popper, Leo Strauss, and Hannah Arendt. The third is 1968–2012, and includes an assortment of political theorists and historians.

1- Ernest Barker, Ancient Greek Political Theory, and Democracy

Ernest Barker sought to set his project of interpreting ancient Greek political theory, particularly in relation to democracy, constituted the general profession

of 'political theory' or 'political philosophy', Barker provides an English link to the post-war efforts of Popper, Strauss, Arendt as well as more recent work by historians and political theorists to make their readings of Athenian democracy and ancient Greek political thought the historical linchpin of more directly theoretical works about the political realm ⁵.

2-Transformations of Athenian Democracy and Political Theory

Karl Popper crafted the philosophical framework that informed his reading of ancient politics and philosophy in a series of lectures delivered in the 1930s and published in the early 1940s. They appeared later in book form, under the title *The Poverty of Historicism* (New York, 1957).

3-Contemporary Ends of the Ancient Greek Legacy

The most influential historian who viewed Athenian democracy from this perspective was M.I. Finley⁶. Important new treatments of Athenian institutions (by Mogens Herman Hansen), and Athenian political ideology (by Josiah Ober) continued this trend⁷. Each emphasized how Athenian politics expressed direct and highly democratic institutional practices and

ideological norms, as well as relatively successful performances by ordinary citizens and their leaders — effectively offering counter-examples to modern arguments that dismiss the relevance of Athenian democracy because of its lack of complexity.

From reading in Mogens Herman Hansen's book, *The Athenian Democracy in the Age of Demosthenes*, and what we have argued in our appendix for Democracy in Ancient Greek thought 1906–2012, we can conclude that the rules of democracy in ancient Greek political theory from has been interpreted continuously, skilfully, and usefully by myriad individuals. The effects have functioned as a critical, distant mirror for authorizing much important political thought of the past one hundred years — operating as historical discoveries, theoretical constructions, and rhetorical supplements. As such, they evidence the slippery centrality of ancient Greek political thought for contemporary theorizing about democracy as well as the necessary but problematic efforts of political theorists to justify their ideas as historically rooted, philosophically true, and politically relevant—so as to be agents of political education.

Notes

¹Archidamian War: name of the first part of the Peloponnesian War (431-404). See:http://en.wikipedia.org/wiki/Peloponnesian_War.

²translated as Assemblywomen, Women in Parliament, Women in Power, and A Parliament of Women.

³ γράφη παρανόμων was a form of legal action believed to have been introduced at Athens under the democracy somewhere around the year 415 BC; it has been seen as a replacement for ostracism which fell into disuse around the same time

⁴ δοκιμασία was the name used at Athens to denote the process of ascertaining the capacity of the citizens for the exercise of public rights and duties.

⁵ See Barker's 1922 lecture, 'History and Philosophy', reprinted in Ernest Barker, *Church, State, and Study: Essays* (London, 1930), p. 224. At the same time, Barker's conception of the political also significantly contrasts to rival German and American conceptions that emerge more or less coterminously with Barker's own work. Prominent among such rivals to Barker's inherently ethical conception of the political, also produced during the first third of the twentieth century, are Carl Schmitt's reduction of ethical questions in

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politics to the 'friend-enemy' distinction and John Dewey's efforts to combine a conception of 'the political' with 'democracy'. See, e.g., Carl Schmitt, *The Concept of the Political*, trans. George Schwab (New Brunswick, 1996 [1932]) and John Dewey, *The Public and Its Problems* (Chicago, 1954 [1927]).

⁶ See Moses I. Finley, *Democracy Ancient and Modern*, Revised Edition (New Brunswick, 1985 [1973]) and *Politics in the Ancient World* (Cambridge, 1983).

⁷ See Hansen, *The Athenian Democracy and The Tradition of Ancient Greek Democracy and its Importance for Modern Democracy* (Copenhagen, 2005); Ober, *Mass and Elite*, along with his *Political Dissent in Democratic Athens* (Princeton, 1996) and *Athenian Legacies: Essays on the Politics of Going On Together* (Princeton, 2005). Despite their differences, both theorists recollect Barker insofar as they minimize the differences between the politics of Athenian democracy and its contests about virtue, on the one hand, and the politics of modern states and their contests about rights, on the other.

References

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| Barker, E., | 1930 | <i>Church, State, and Study: Essays</i> , London. |
| Dewey, J., | 1954 | <i>The Public and Its Problems</i> , Chicago. |
| Finley, M., | 1985 | <i>Democracy Ancient and Modern</i> , Revised Edition, New Brunswick. |
| Finley, M., | 1983 | <i>Politics in the Ancient World</i> , Cambridge. |
| Hansen, M.H., | 2005 | <i>The Athenian Democracy and The Tradition of Ancient Greek Democracy and its Importance for Modern Democracy</i> , Copenhagen. |
| Hansen, M.H., | 1991 | <i>The Athenian Democracy in the Age of Demosthenes, Structure, Principles and Ideology</i> (Translated by J.A. Crook). University of Oklahoma Press. |
| Ober, J., | 1996 | <i>Mass and Elite, along with his Political Dissent in Democratic Athens</i> , Princeton. |
| Popper, K., | 1957 | <i>The Poverty of Historicism</i> , New York. |
| Schmitt, C., | 1996 | <i>The Concept of the Political</i> , trans. George Schwab, New Brunswick. |

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Sinclair, R.K. 1988 *Democracy and Participation in Athens*,
Cambridge.