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The Point of a *Politeia*: Changing Conceptions of Regimen and Regime from 450 to 350
BCE

By

Derin Bennet McLeod

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor of Philosophy

in

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in the

Graduate Division

of the

University of California, Berkeley

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Professor G.R.F. (John) Ferrari, chair

Professor Mark Griffith

Professor Leslie Kurke

Professor Kinch Hoekstra

Spring 2016

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Abstract

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Doctor of Philosophy in Classics

University of California, Berkeley

Professor G.R.F. (John) Ferrari, Chair

This dissertation provides a conceptual history of *politeia* from its origins in the second half of the fifth century BCE down through the middle of the fourth century BCE. In the period under consideration, *politeia* shows a wide range of meanings. It can describe the function or condition of a *politēs* ('citizenship') or his activities ('daily life of a citizen') but also the 'government or administration' of a city or the 'constitution' or 'form of government' of a city. In order to explain this pattern of usage, building on the methodological insights Reinhart Koselleck, Quentin Skinner, and R.G. Collingwood as discussed in the introduction, I explain why and to what ends people began and continued to talk about *politeia*.

In chapter one, I suggest that people first began talking about *politeia* in the context of descriptions of the supposedly unusual features of the Spartan way of life, which they said were part of the Spartan *politeia*. Building on tropes of sympotic literature that discussed sympotic practices as a mode of ethical orientation, they sought to intervene in ubiquitous debates about the merits of *nomos* as opposed to *physis*. *Politeia*, and more particularly *Lacedaimoniōn Politeia*—the "title" for such works—provided a third banner in such debates and a way of responding to the individualist concern with control and independence associated with praise of *physis*. They did so by pointing out the importance of things outside a person's control, especially his breeding and education, in forming that person and making him and all those like him best and strongest in the way those praising *physis* claimed to want to be.

In chapter two, I argue that precisely such controversies lie behind Herodotus' unexpected use of the term *politeia* in his stories of the seers Teisamenos and Hegesistratus (Hdt. 9.33-37). The stories, read alongside other passages in the *History*, reflect Herodotus' skepticism about both the unmitigated drive for control and independence associated with *physis* and the notion that a person could only be shaped by an extended, arduous process outside his control. Furthermore, details in the story of Teisamenos direct our attention to the similarity between the promises of the *Lacedaimoniōn Politeiai* and the position of the dual Spartan kings, each of whom would be superlative. I argue that the Spartan kings help us see a problem with the promises of the *Lacedaimoniōn Politeiai*: for one person to be the best or the strongest he must be better than others. I finally argue that the Constitutional Debate (Hdt. 3.80-82), though decidedly not conceived as being about *politeiai*, suggests the importance of having a ruling entity that is at once both unified and plural.

In chapter three, I consider how *politeia* as a heading for descriptions of all the features of Spartan life came also to center more particularly on who ruled in a city. I suggest that in the Old Oligarch we can see a plausible explanation: when the question at the heart of the *Lacedaimoniōn Politeiai*—how did these people become so powerful—was asked about the people of Athens, the answer couldn't be in virtue of their breeding or education because aristocratic audiences assumed that the Athenian *dēmos* lacked any sort of breeding or education. The answer therefore had to be that they were powerful just in virtue of their position in the city; from that position they could shape all the elements of civic life at issue in the *Lacedaimoniōn Politeiai* but would not be shaped by them. By contrast, the funeral oration that Thucydides puts in Pericles' mouth (Th. 2.35-46) encourages the people of Athens to focus on their power but to conceive their power not in terms of ruling or setting the terms of civic life but rather in realizing their interests. It further tries to help them see those interests not just as material advantage but as realized by becoming better versions of themselves through conscious love for the city and its empire rather than unconscious subjection to civic norms as in the *Lacedaimoniōn Politeiai*. In the remainder of the history, and especially in book eight, Thucydides suggests that by 411 the Periclean vision had been supplanted by the promise of one group ruling over others to its own advantage. This matches what we can see of thinking about *politeia* in oratory from around 411.

In chapter four, I argue that Aristophanes' *Acharnians*, *Knights*, and *Wasps* take up the appeal of ruling for members of a group such as the Athenian *dēmos* and humorously exploitation of the tension between the appeal of the *dēmos* as a group ruling and of the members of the *dēmos* severally doing so. While only the *dēmos* as a collective could rule, these plays stage fantasies of each member of the *dēmos* himself ruling, either by identifying with the corporate person of the *dēmos* or, more preposterously, by imagining himself taking on that role in his own person.

In chapter five, I explore the continuation into the fourth century of the focus on the ruling group in talking about *politeia*. I first argue that fourth-century Attic oratory continues the pattern, identified in book eight of Thucydides and in late fifth-century oratory, of talking about *politeia* as the power of ruling, the fact of a particular group wielding that power, or the group of individuals wielding that power. I also argue that this focus makes sense in the context of the orators' concern, described especially by Josh Ober, to create an ideology that levels on the political field the imbalance between speakers and jurymen or members of the assembly on the social field. I also demonstrate that there is a similar pattern of use in treaties from the first half of the fourth century and suggest that the importance of treating the contracting parties as much like natural people as possible explains the tendency to talk of *politeia* as just the group in charge of a city. I finally discuss the use of *politeia* to describe the honorary status conferred on foreigners, which, while it falls outside the dissertation's main narrative of political reflection and activity would be prominent down through the Hellenistic and Roman times.

Finally, in chapter six, I take up Plato's response, in his *Republic* (*Politeia*) to these earlier traditions. I argue that the motivating challenges of the *Republic*—above all Thrasymachus' statements about civic structure and how people should behave within that structure as well as their restatement in Glaucon's challenge—represent for the reader the danger of the focus on the ruling group and its connection to the selfish individualism of those who praised *physis* as a guide for action. I further suggest that the response to

these challenges—the *politeia* described in the central books—is best understood as elaborating or repurposing elements of thinking about *politeia* already in the air. The focus on the musical education of the guards helps us further see the importance of forces working on people unawares. And the description of the creation and civic situation of the philosopher-rulers amounts to a recommitment to the importance of who rules but with an entirely new sense of what should make someone a ruler and of what the activity of ruling properly consists. I finally argue Isocrates' later epideictic speeches explicitly argue against Plato's new vision of rulers and for something like the popular conception of *politeia*.

Table of Contents

<i>Acknowledgments</i>	ii
Introduction	1
Chapter 1: <i>Politeiai</i> of the Lacedaimonians	9
Chapter 2: Herodotus and <i>Politeia</i>	32
Chapter 3: <i>Politeiai</i> of the Athenians	49
Chapter 4: Do the People Rule or Does the People Rule	68
Chapter 5: Popular <i>Politeiai</i>	83
Chapter 6: Plato's <i>Politeia</i> and Isocrates'	102
Conclusion	129
<i>Bibliography</i>	137

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Introduction

I. The Meaning of *Politeia*

This dissertation will provide a conceptual history of *politeia* from its origins in the second half of the fifth century down through the middle of the fourth century.¹ The word *politeia* is of a type that we do not find in Homer or archaic poetry but that seems to have been very productive in Ionic and Attic from the latter part of the fifth century onwards.² The suffix *-eia* (or *-ēiē* in Ionic) was added to existing roots to form abstract nouns. Such nouns show a great variety of meanings. Some describe activities (e.g., *halieia*), others functions (e.g., *ephoreia*), and yet others qualities (e.g., *andreia*).

Politeia is built on a root from *politēs*—community member or resident—which goes back to Homer. In the *Odyssey*, *politai* gather water (*Od.* 7.131, 17.206); in the *Iliad* they are prepared to fight (*Il.* 2.806, 15.558, 22.429). It also occurs in a fragment of Sappho, where the absence of context makes the precise sense uncertain (fr. 5.14 L.-P.). In the classical period, when the *polis* was a more established form of community, *politēs* was more closely connected with membership in a *polis*. In the period under consideration *politeia* shows a wide range of meanings relative to *politēs*. It can describe the function or condition of a *politēs* ('citizenship') or his activities ('daily life of a citizen') but also 'government or administration' of a city or the 'constitution' or 'form of government' of a city.³

Jacqueline Bordes, in a valuable study of the word, has collected all the instances of the term down to Aristotle and provided a systematic arrangement of these instances. She maintains that "les composantes essentielles existent dès le départ et le concept de *politeia* ne fait que s'enrichir ou s'infléchir avec le temps sans jamais changer radicalement" (1982: 16). She identifies two essential components, "la valeur que nous appellerons *individuelle*—droit de cité, droits politiques, politique du citoyen" (16) and "la valeur que nous nommerons *collective*—régime, organisation politique, politique de la cité" (16-17). The latter she sees falling into two categories depending on "l'importance relative d'une part du souverain—*l'arkhè*—définissant le régime, d'autre part de ce qui est manière de vivre des citoyens—lois, mœurs, état d'esprit" (16-17).⁴ On the basis of the etymology of the term, she takes her "individual" sense—citizenship as rights—as basic. She explains its connection to her "collective" sense by pointing to the idea that "l'ensemble des *politai* envisagés collectivement s'appelle *polis*" (18). As she says, "le statut et l'activité du citoyen" is closely connected to "le statut et l'activité de l'ensemble des citoyens, de la *polis*" (19).⁵

Christian Meier, in the only other discussion of the term or concept *per se*, follows Bordes' lead (1971-2007).⁶ He does so both in identifying the same range of senses and in tracing the inner logic of this range to, as he puts it, "die Tatsache, daß die Stadt mit der Bürgerschaft identisch und daß eben damit die Begrenzung und Eigenart der Bürgerschaft zum zentralen Merkmal ihrer Ordnung wurde" (1034).

¹ All dates are BCE unless otherwise noted or as should be apparent (e.g., discussion below of Enlightenment in the 18th century).

² See Chantraine 1933: 88-90.

³ The definitions are those from *LSJ* with instances from before c. 350. "Constitution" in this connection describes a political structure not a written document. See Lane 2014: 59-60.

⁴ In this, she is building on Jacqueline de Romilly's discussion of the classification of regimes (1959).

⁵ I will suggest throughout the dissertation that this claim is at least not uncontroversial in thinking about the members of a *polis* as a group. I would note here, though, that there is at least a grammatical difference between, e.g., αἱ Ἀθηναῖαι and οἱ Ἀθηναῖοι.

⁶ For lack of attention to *politeia per se*, see Harte and Lane 2013: 1.

As both Bordes and Meier acknowledge, *politeia* does not seem to have been an element of Greek thinking before the second part of the fifth century. What is more, as Bordes points out, the use of the term is confined, with the exception of two instances in comedy, entirely to prose (1982: 21). Within fifth-century prose, the term was not ubiquitous. It was, rather, confined to a single, seemingly anomalous use in Herodotus (discussed in chapter 1 and 2), a heading for descriptions of Spartan life (discussed in chapter 1), something similar in the so-called Old Oligarch (discussed in chapter 3), and isolated occurrences in Antiphon's speeches and other oratory of the period (discussed in chapter 1, 3, and 5). Only in Thucydides does it occur somewhat more widely (as discussed in chapter 3).

Taken together, these facts suggest that *politeia* was, at least initially, part of some more specialized discourse or discourses from which narrower confines it spread to the wider use we can see in Thucydides and even more so in the fourth century (as discussed in chapters 5 and 6). In order to provide an explanation of the patterns of word usage identified especially by Bordes that takes into account the likely pattern of diffusion of thinking about *politeia*, building on the insights of Reinhart Koselleck, Quentin Skinner, and R.G. Collingwood, I will try to explain why and to what ends people began and continued to talk about *politeia*. That is to say, I will provide a conceptual history of *politeia*.

II. Conceptual History, Meaning and Use

The practice of conceptual history (*Begriffsgeschichte*) is particularly associated with Reinhart Koselleck and his followers. It was admirably exemplified already in the book that grew out of Koselleck's doctoral dissertation—*Kritik und Krise: Eine Studie zur Pathogenese der bürgerlichen Welt* (1959) translated into English as *Critique and Crisis: Enlightenment and the Pathogenesis of Modern Society* (1988). The scope of the project reached fuller form in the eight-volume *Geschichtliche Grundbegriffe: historisches Lexikon zur politisch-sozialen Sprache in Deutschland* (Brunner, Conze, and Koselleck 2004), an attempt to write the history of all major political concepts in the German-speaking world. Alongside these historical studies, Koselleck wrote a large number of theoretical essays, available in English in two collections: *The Practice of Conceptual History: Timing History, Spacing Concepts* (2002) and *Futures Past: On the Semantics of Historical Time* (2004).

The focus of the project, in its most theoretically rigorous form, is not just on words but on concepts. Koselleck explains the contrast: "The concept is connected to a word, but is at the same time more than a word: a word becomes a concept only when the entirety of meaning and experience within a sociopolitical context within which and for which a word is used can be condensed into one word" (2004: 85). The object of study is not just the meaning of words such as might be catalogued in a dictionary, but the social and political experience summed up in and associated with the use of a particular term. Thus, in *Critique and Crisis*, an analysis of eighteenth-century ideas of Enlightenment and publicity requires attention to the institutions of Freemasonry within which those ideas were discussed (1988: esp. 86-97).⁷

The goal is furthermore always to understand concepts historically, which for Koselleck means through time. As he sums up the point, conceptual histories,

⁷ Keith Tribe puts the point nicely: "from this study of freemasonry and Enlightenment his early interest in the relation of historical concepts to social organization and historical understanding is clear" (2004: x).

“(synchronically) treat circumstances and (along the diachronic dimension) their transformation” (2004: 89).⁸ This is above all necessary because concepts that sum up social and political experience are most likely to change as circumstances in general change. Only through attention to that change can we properly understand the concept. As he says,

The sociohistorical relevance of the results increases precisely because attention is directed in a rigorously diachronic manner to the persistence or change of a concept. To what extent has the intentional substance of one and the same word remained the same? Has it changed with the passage of time, a historical transformation having reconstructed the sense of the concept? The persistence and validity of a social or political concept and its corresponding structure can only be appreciated diachronically. The fact that a word has remained in constant use is not in itself sufficient indication of stability in its substantial meaning. Thus, the standard term *Bürger* is devoid of meaning without an investigation of the conceptual change undergone by the expression “Bürger”: from (*Stadt-*)*Bürger* (burgher) around 1700 via (*Staats-*)*Bürger* (citizen) around 1800 to *Bürger* (bourgeois) as a nonproletarian around 1900, sketching this out in a rough-and-ready manner.⁹

Koselleck was particularly interested in what he talked about as the timing of concepts, their persistence or change over time. For present purposes, his concern with what he calls “recurrently emerging neologisms reacting to specific social or political circumstances that attempt to register or even provoke the novelty of such circumstances” (2004: 83), such as ‘communism’ or ‘fascism,’ are particularly relevant. Over time, however, we may suppose that it is necessary to treat *politeia* (like ‘communism’ or ‘fascism’) as one of what Koselleck describes as “concepts whose content has changed so radically that, despite the existence of the same word as a shell, the meanings are barely comparable and can be recovered only historically” (2004: 83).¹⁰

Parallel to, though not in conversation with Koselleck or his students, Quentin Skinner and others have advocated for an intellectual history that likewise looks beyond just the meaning of words.¹¹ As Skinner himself puts it, “I am not unhappy with [the] recent suggestion that much of my own research might be regarded as a contribution to one aspect of the vastly more ambitious programme pursued by Reinhart Koselleck and his associates” (2002: 186-187). Both groups, to quote Skinner again, “assume that we need to treat our normative concepts less as statements about the world than as tools and weapons of ideological debate. Both of us have perhaps been influenced by Foucault’s Nietzschean contention that ‘the history which bears and determines us has the form of a war’” (2002: 177). There is, though, a notable difference: “Koselleck is interested in

⁸ He puts the point more fully earlier in the same essay: “Each history of word or concept leads from a determination of past meanings to a specification of these meanings for us. Insofar as this procedure is reflected in the method of *Begriffsgeschichte*, the synchronic analysis of the past is supplemented diachronically. Diachrony has the methodological obligation of scientifically defining anew the inventory of past meanings of words” (2004: 81-2).

⁹ 2004: 82.

¹⁰ He gives, as examples, “The variety of meanings attached today to the term *Geschichte*, which appears to be simultaneously its own subject and object...in contrast with the *Geschichten* and *Historien*, which deal with concrete realms of objects and persons” as well as “‘class’ as distinct from the Roman *classis*.”

¹¹ I have found Skinner’s methodological statements most helpful, but see also Dunn 1980, Dunn 1996, Pocock 1971, and Pocock 2009.

nothing less than the entire process of conceptual change; [Skinner is] interested in one of the techniques by which it takes place”(2002: 187).

What does such attention to this technique of conceptual change involve? For Skinner, it has involved elaborating the ideas of the later Wittgenstein and J.L. Austin, looking to the use of words rather than their meaning, what people do with words rather than just what they say. As Skinner explains,

I seek to elucidate concepts not by focusing on the supposed ‘meanings’ of the terms we use to express them, but rather by asking what can be done with them and by examining their relationship to each other and to broader networks of beliefs. I assume in turn that the question of what is rational to believe depends in large measure on the nature of our other beliefs. I attempt to interpret specific beliefs by placing them in the context of other beliefs, to interpret systems of belief by placing them in wider intellectual frameworks, and to understand those broader frameworks by viewing them in the light of the *longue durée*.¹²

This means recognizing that

To understand any serious utterance, we need to grasp not merely the meaning of what is said, but at the same time the intended force with which the utterance is issued. We need, that is, to grasp not merely what people are saying but also what they are *doing in* saying it. To study what past thinkers have *said* about the canonical topics in the history of ideas is, in short, to perform only the first of two hermeneutical tasks, each of which is indispensable if our goal is that of attaining an historical understanding of what they wrote. As well as grasping the meaning of what they said, we need at the same time to understand what they meant by saying it.¹³

At issue are not just networks of beliefs or ideas in some abstract realm, but rather, as Skinner says, to follow “[o]ne of the most important of the many injunctions contained in Wittgenstein’s *Philosophical Investigations* [...we ought not to think in isolation about ‘the meanings of words’. We ought rather to focus on their use in specific language-games and, more generally, *within particular forms of life*”(2002: 103, emphasis added).¹⁴ That is to say, “we must be prepared to focus not on the ‘normal structure’ of particular words, but rather on their role in upholding complete social philosophies”(2002: 165).

We can perhaps see the ambition more clearly by considering the similar claims of R.G. Collingwood, whose writings were a major influence on Skinner and his colleagues. As Collingwood says,

you cannot find out what a man means by simply studying his spoken or written statements, even though he has spoken or written with perfect command of language and perfectly truthful intention. In order to find out his meaning you must also know what the question was (a question in his own mind, and presumed by him to be in yours) to which the thing he has said or written was meant as an answer.¹⁵

¹² 2002: 4-5.

¹³ 2002: 82.

¹⁴ Skinner points in particular to paragraphs 138-9, 197-9, 241 of the *Philosophical Investigations*.

¹⁵ 1939: 31.

As he explains, it will not do to identify any old question:

A highly detailed and particularized proposition must be the answer, not to a vague and generalized question, but to a question as detailed and particularized as itself. For example, if my car will not go, I may spend an hour searching for the cause of its failure. If, during this hour, I take out number one plug, lay it on the engine, turn the starting-handle, and watch for a spark, my observation ‘number one plug is all right’ is an answer not to the question, ‘Why won’t my car go?’ but to the question, ‘Is it because number one plug is not sparking that my car won’t go?’ Any one of the various experiments I make during the hour will be the finding of an answer to some such detailed and particularized question. The question, ‘Why won’t my car go?’ is only a kind of summary of all these taken together. It is not a separate question asked at a separate time, nor is it a sustained question which I continue to ask for the whole hour together.¹⁶

As the example makes clear, the ‘questions’ need not be any more abstract or purely linguistic than the beliefs Skinner speaks of; they will themselves be part of ways of getting around in the world (in a figurative sense). Attention to such questions will discourage accusations of triviality, as will be important in dealing with texts often dismissed for being banal or unserious. It is such attention to detail, in the mold of Collingwood and Skinner, that will be more relevant for this dissertation as it attempts to trace strategies of argument centered on the discussion of *politeia* over a relatively brief period of time.

There has already been some work in this vein relevant to the present project. As discussed further in chapters one and six, John Ferrari, Stephen Menn, and Malcolm Schofield have all helped us better understand the objectives of Plato’s *Republic* by situating that text in the context of earlier interest in Spartan mores (as discussed in chapter one). John Ferrari has also provided a novel way of seeing Plato in dialogue with Isocrates (as discussed in chapter six). In considering discussion before and around Plato, though, these scholars have not tried to explain why other figures write as they do, what the bigger picture might be beyond Plato, and thus all that Plato is doing, to switch the metaphor slightly, with the palette of colors he saw behind and around him. The history this dissertation provides sets out to offer just such explanations and analyses.

III. Prospectus

As noted above, the pattern of occurrences of the term *politeia* suggests that it originated in some kind of intellectual discourse proper to prose in the second half of the fifth century. In chapter one, I suggest that, more specifically, it should be traced to writings about the supposedly unusual features of the Spartan way of life. These writings claimed to describe what they called the Spartan *politeia*. Building on tropes of sympotic literature that discussed sympotic practices as a mode of ethical orientation, they sought to intervene in ubiquitous debates about the merits of *nomos* as opposed to *physis*. *Politeia*, and more particularly *Lacedaimoniōn Politeia*—the “title” for such works—provided a third banner in such debates and a way of responding to the individualist concern with control and independence associated with praise of *physis*. They did so by pointing out the importance of things outside a person’s control, especially their breeding and education, and which could only be endorsed in hindsight in forming that person and making him

¹⁶ 1939: 32.

and all those like him best and strongest in the way those praising *physis* claimed to want to be.

In chapter two, I argue that precisely such controversies lie behind Herodotus' unexpected use of the term *politeia* in his stories of the seers Teisamenos and Hegesistratus. The stories, read alongside other passages in the *History*, reflect Herodotus' skepticism about both the unmitigated drive for control and independence associated with *physis* and the notion that a person could only be shaped by an extended, arduous process outside his control. Furthermore, details in the story of Teisamenos direct our attention to the similarity between the promises of the *Lacedaimoniōn Politeiai* and the position of the dual Spartan kings, each of whom would be superlative. I argue that the Spartan kings help us see a problem with the promises of the *Lacedaimoniōn Politeiai*: one person being the best or the strongest precludes anyone else from being so great or so powerful. Being best requires being better than others and brooks no equals. Reading these stories carefully helps us see Herodotus' engagement with contemporary 'sophistic' debates. I finally argue that the Constitutional Debate, though decidedly not conceived as being about *politeiai*, suggests the importance of having a ruling entity that is at once both unified and plural.

In chapter three, I consider how *politeia*, starting as a heading for descriptions of all the features of Spartan life, came also to center more particularly on who ruled in a city. I suggest that the Old Oligarch suggests a plausible way this could have happened: when the question at the heart of the *Lacedaimoniōn Politeiai*—how did these people become so powerful—was asked about the people of Athens, the answer couldn't be in virtue of their breeding or education because aristocratic audiences assumed that the Athenian *dēmos* lacked any sort of breeding or education. The answer therefore had to be that they were powerful just in virtue of their position in the city; from that position they could shape all the elements of civic life at issue in the *Lacedaimoniōn Politeiai* rather than being shaped by them. The Athenian way of life reinforced, though it did not create, the people's power. Pericles' Funeral Oration, by contrast, encourages its audience, the people of Athens, to conceive their power not in terms of ruling or setting the terms of civic life but rather in realizing their interests. It further tries to help them see those interests as consisting not just in material advantage but in becoming a better version of themselves, precisely the ambition of the *Lacedaimoniōn Politeiai* though, in the Funeral Oration, to be realized through conscious love for the city and its empire rather than unconscious subjection to civic norms. I argue that this alternative vision of a *politeia*, combining elements such as we find in the *Lacedaimoniōn Politeiai* and the Old Oligarch's *Athēnaiōn Politeia*, neatly fits with Pericles' strategic objectives, as Thucydides describes them: to get the Athenians to remain behind the walls and value their persons, their city, and their empire above any victories. But through the narrative of the remainder of the history, and especially in book eight, Thucydides suggests that by 411 the Periclean vision had been supplanted by the promise of one group ruling over others to their own advantage. This matches what we can see of thinking about *politeia* in oratory from around 411.

In chapter four, I consider the way the comic theater takes up the appeal of ruling for members of a group such as the Athenian *dēmos*. I argue that in Aristophanes' *Acharnians*, *Knights*, and *Wasps* we can see a humorous exploitation of the tension between the appeal of the *dēmos* as a group ruling and of the members of the *dēmos* severally doing so. While only the *dēmos* as a collective could rule, the fantasy on display is that each member of the *dēmos* is himself ruling, either by identifying with the corporate person of the *dēmos* or, more preposterously, by imagining himself taking on that role in his own person.

In chapter five, I explore the continuation into the fourth century of the focus on the ruling group. I first consider the Attic orators' mode of talking about *politeia* and argue

that they continue the pattern, identified in book eight of Thucydides and in late fifth-century oratory, of focusing alternately or at the same time on the power of ruling, the fact of a particular group wielding that power, or the group of individuals wielding that power. I also argue that this focus makes sense in the context of the orators' concern, described especially by Josh Ober, to create an ideology that levels on the political field the imbalance between speakers and jurymen or members of the assembly on the social field. I also consider the same pattern of use in treaties from the same period and suggest that here too, while ideological negotiation is not at issue in the same way, the importance of treating the contracting parties as something as much like natural people as possible explains the tendency to talk of *politeia* as just the group in charge of a city. I finally also discuss the use of *politeia* to describe the honorary status conferred on foreigners. While such status falls outside the main narrative of political reflection and activity described in the dissertation, conferring it would become a more and more crucial element of political practice down through the Hellenistic and Roman periods.

In chapter six, I take up Plato's response, in his *Republic* (*Politeia*) to these earlier traditions. I begin with the problems to which the central books of the *Republic* respond, above all Thrasymachus' statements about civic structure and how people should behave within that structure and more generally as well as their restatement in Glaucon's challenge. I argue that these problems are best understood in terms of the history of *politeia* as described in the foregoing chapters. In particular, they represent for the reader the danger of contemporary focus on what group ruled and its connection to the selfish individualism of those who praised *physis* as a guide for action (as discussed in chapter one). I further suggest that the response to these challenges—the *politeia* described in the central books—is likewise best understood as elaborating or repurposing elements of thinking about *politeia* already in the air. The focus on the musical education of the guards helps us further see the importance of forces working on people unawares. And the description of the creation and civic situation of the philosopher-rulers amounts to a recommitment to the importance of who rules but with an entirely new sense of what should make someone a ruler and in what the activity of ruling properly consists. I finally argue that in Isocrates' later epideictic speeches, we can see Isocrates explicitly arguing against Plato's new vision of rulers and for something like the popular conception described in chapter five.

A thicker picture thus emerges with greater emphasis on the two elements of Bordes' 'collective' sense, that is to say, on what the city does for those living in it. As a shorthand, to borrow something of Bordes' framework, we may think of the emphasis in talk of *politeia* falling roughly on the rulers of the city—its regime—having power and directing the life of the other members of the city or on the institutions and norms of the city that direct and guide those living in the city—its regimen. But by attending to the purposes for which people took to talking about *politeia*, we can also see a slightly different history of the meaning of *politeia* emerge. This is the history of varying emphasis on the way a city could empower some of those living in it, by placing them in positions of power of which they were fully aware at the time, when they were the city's regime, or on the way it could empower those living in it by shaping their activities and thus them, when they were subject to its regimen.

We could summarize the history in those terms in the following way. The *Lacedaimoniōn Politeiai* offer a conception of *politeia* that just emphasizes civic regimen in all its variety, from breeding to modes of drinking to styles of dress. They furthermore emphasize the unconscious effect of these elements of civic life on people subject to them over the protracted course of their entire lives. Herodotus casts some doubt on the importance of the protracted and unconscious elements of such a regimen. He also draws

attention to the difficulty inherent in the promise of such a regimen to make all subject to it equally superlative. He additionally suggests, though not under this heading, that it will be crucial for any regime to be at once unified and plural.

The Old Oligarch's *Athēnaiōn Politeia* and the *politeia* described in Pericles' Funeral Oration both amount to a combination of regimen and regime with regime given primacy and the regimen either shoring up the ruling group (as in the Old Oligarch) or helping each and every member of the city become better (as in the Funeral Oration). Use of the term in book eight of Thucydides, by contrast, is just focused on the regime of the city where that is synonymous with a group of particular individuals. Aristophanes' plays mock the appeal of such a regime, suggesting that its members really just long each for his own advancement.

The orators and treaties contemporary with them likewise focus just on the regime element of *politeia*. Honorary decrees conferring status, by contrast, offer a kind of inversion of the regimen idea—people outside the city are granted special privileges, in particular economic privileges, within the city in virtue of actions performed for that city. Such people, as it were, use the city to make themselves outstanding. Plato's *Republic*, by contrast with the contemporary focus on a city's regime, attempts to show the need for a proper civic regimen in order to produce a regime of the best kind, which is itself the only guarantee of the continued existence of such a regimen.

Chapter 1: *Politeiai of the Lacedaimonians*

I. Introduction

What is likely the earliest use of the word *politeia* occurs in Herodotus.¹ There are several other instances of the term (in Aristotle's description of the writings of Hippodamus of Miletus, among the titles of works by Protagoras, and in Antiphon's second *Tetralogy*) that are possibly contemporary with Herodotus' writing.²

The sole instance of the term *politeia* in Herodotus comes in the narration of the lead up to the Battle of Plataea. There, Herodotus digresses to explain how the Elean seer Teisamenos came to be associated with the Spartan army. The Spartans wanted Teisamenos to serve as their seer and leader of their army because of an oracle he had received. Teisamenos first demands that they make him "their fellow citizen" (*poliētēn spheteron*; 9.33.4). The Spartans initially refuse, but when they grow desperate enough to ask again, he demands that his brother also "become a Spartiate on the same terms as Teisamenos himself" (9.33.5). Herodotus then explains that in acting in this way Teisamenos was imitating Melampus who had exploited the Argives' need for his services to secure shares of the Argive kingship for himself and his brother, "if one can liken those demanding kingship to those demanding *poliētēē*" (9.34.1).³

It is certainly the case that Teisamenos is asking that he and his brother be made citizens of Sparta, and in that sense *poliētēē* here may preliminarily be understood to mean "citizenship" (so Macan, Corcella, etc.). But in the story itself, there are several peculiar details that suggest *poliētēē* means more than just citizenship in the sense of access to certain institutions or a loyalty to the Spartan community.⁴ Moreover, the *Histories* are

¹ It is hard if not impossible to establish any precise dates for the writing and dissemination of Herodotus' *Histories*, but the work or parts of it probably circulated from the 440s on, and it was probably not much changed after 429. See Asheri et al. 2007: 51 and works cited in his n. 125 for arguments for this dating as well as a discussion of alternatives. Elizabeth Irwin has recently argued (2007, 2009, and 2013) that we should see in Herodotus responses to Thucydides that would seem to require a later date for Herodotus' *Histories* in their final form. Her evidence seems to me most likely to support her "soft reading of their intertextuality [that] recognises each text as representing the choices that were available to each historian to make and what those choices presuppose of their audiences" (2007: 222) rather than any direct response.

² Arist. *Pol.* II.8, 1267b29-30; D.L. 9.55; Antiphon 3.1.1. See further below.

³ The translation is based on Macan 1908: ad loc accepting Stein's emendation of αἰτεομένους for the manuscripts' αἰτεόμενος. The emendation was also accepted by Hude 1927, Asheri et al. 2006, and Wilson 2015a. For a defense of the emendation, see Vannicelli 2005. Contra Masaracchia (Asheri et al. 1977-1998: 9.170); Rosén 1987-1997. Flower and Marincola 2002: ad loc. have defended the manuscript reading by understanding ὡς εἰκόσαι parenthetically and Teisamenos as the subject of αἰτεόμενος. On that reading, the clause further describes Teisamenos' situation rather than connecting his situation with that of Melampus. The emendation is not, though, necessary for the point I am interested in here: in any case, Teisamenos' request to be a *poliētēs* at Sparta is described as at least a request for *poliētēē*.

⁴ By way of introduction to the digression, Herodotus explains that though Teisamenos was an Elean by birth, the Spartans "made him one of their people (*leōspheteron*)" (9.33.1). *Leōspheteron* occurs nowhere else in surviving Greek literature. It is, though, transparently a compound of an archaic or poetic word for "people" (*laos*, Ionic *lēos*) or "entirely" (*leōs*) and the possessive adjective "their own" (*spheteros*). Furthermore, at the end of the story Herodotus explains that Teisamenos and his brother were the only men ever to become "citizens for the Spartans (*Spartiētēisi*)" (9.35.1). The use of the dative here is unusual. The simple form *poliētēs* (or *polītēs*), when it means fellow-citizen, ordinarily governs a genitive (see *LSJ* s.v. and, in Herodotus, 1.150.2, 3.36.1, 5.57.2, and 6.9.3).

For rights, responsibilities, entitlements, and loyalties as marks of citizenship in modern discussions, see, e.g., Kymlicka 2002: 284-326, esp. 287-293. For some history of the idea, see Walzer 1989. With specific reference to the Greek *polis*, see Blok 2013.

full of people asking to be made and being made citizens of cities other than their own, but in none of these other cases of people being made *poliētai* is there any mention of *politēiē*.⁵

The clearest difference between what Teisamenos asks for and these other instances is that he asks for it from the Spartans.⁶ Herodotus even draws our attention to the fact that what makes Teisamenos and his brother unique is that they, “alone among men,” got what they did *from the Spartans* (9.35.1).

It should not be surprising that Herodotus should mark out belonging to the Spartan community as somehow peculiar and should do so in part by the unique use of the term *politēiē*. There developed in the latter part of the fifth century an interest in writing about the peculiar features of Spartan life (as opposed to that of other places) specifically under the heading *Lacedaimoniōn Politeiai* or *Politeiai*. In the main part of this chapter, I discuss the evidence for this genre of writings and attempt to situate the genre in relation to some of the concerns of late fifth-century life, especially in Athens. I argue in conclusion that the other early uses mentioned above are best understood against the use of the term *politeia* in this genre or are likely to be later applications of the term to texts that were understood differently at the time they were written.

II. *Lacedaimoniōn Politeiai*

It is by now fairly well established that there was a prominent interest among the upper classes, perhaps especially in Athens, in what they referred to, under the heading *Lacedaimoniōn Politeia* or something similar, as the *politeia* or *politeiai* of the Spartans.⁷ Before discussing the likely motivations and ambitions for writing *Lacedaimoniōn Politeiai*, though, it is important to be clear about the extent and character of such writing. In particular, I want first of all to argue that, though the evidence is tenuous, there is good reason to believe that among aristocrats, especially Athenian aristocrats, perhaps as early as the 430s, it would not be unusual to write something called *Lacedaimoniōn Politeiai*, and that doing so would involve treating a predictable range of topics.⁸

Our knowledge of the content of *Lacedaimoniōn Politeiai* from the classical period depends on the fragments of works by Critias said to bear that title, one in prose and one in

⁵ When the Smyrnaeans are driven out of Smyrna by Colophonian exiles, a truce is reached whereby the Smyrnaeans are allowed to take their moveable property, and the other Ionian cities divide up the Smyrnaeans among themselves and “make them citizens” (1.150.2). When the Gephyraeans, having been driven out of Boeotia, come to Athens, the Athenians “receive them as citizens according to an agreement with only minor rights withheld” (5.57.2). Gelon, in his effort to cultivate Syracuse, first brings all the inhabitants of Camarina and “makes them citizens” of Syracuse (7.156.2). Then, once he has defeated Megara Hyblaia, he brings the richest men of that city to Syracuse and “makes them citizens” (7.156.2) as well. Likewise, Herodotus tells how Themistocles made his servant Sicinnos “a Thespian when the Thespians were accepting citizens” (8.75.1).

⁶ I’ll return to the peculiar features of this story and several other elements of Herodotus’ *Histories* in Chapter 2, where I will try to explain how they engage with early discourse concerning *politeia* and what Herodotus elsewhere has to tell us about the issues at the heart of that discourse.

⁷ Dawson 1992: 26-35; Cartledge 1999: 313-321; Ferrari 2000: xiv-xvi; Hodkinson 2005: 239-249, 259, 264-265; Menn 2006: esp. 3-12; Schofield 2006: 32-3, 37. There are also passing references in Ober 1998a and Cartledge 2009. Notable earlier treatments include Jacoby 1949: 211-12 and Tigerstedt 1965: I.155-8 (and see also the earlier works discussed in his nn. 442-472).

⁸ Since the evidence we have is connected primarily with Athens and Athenians, I will limit my claims to such writings in Athens but should not want, by doing so, to indicate that I assume only Athenians were interested in or wrote *Lacedaimoniōn Politeiai*. It seems to me entirely possible, even likely, that there was an interest in *Lacedaimoniōn Politeiai* in many other parts of the Greek world. (See Menn 2006: 11-12 for the interest at Sparta in the 390s.)

elegiacs, and the *Lacedaimoniōn Politeia* by Xenophon.⁹ We should not, though, suppose that Critias and Xenophon were the only ones writing such works. Apart from the general fascination with Spartan customs going back at least to Cimon, we find in Aristotle a mention of the interest of Thibron and “others who write about the *politeia* of the Spartans,” who “wondered at the Laconians’ lawgiver” and explained how the Spartans “because they had trained for dangers rule over many” (Ar. *Pol.* 7.13, 1333b18-21).¹⁰ Likewise, Harpocration and a scholion on *Thesmophoriazusae* 600 mention *Lacedaimoniōn Politeiai*.¹¹ In addition to these scattered references, the *Athēnaiōn Politeia* by the so-called Old Oligarch pointedly inverts the expectations of an audience used to reading about the merits of the *politeia* of the Spartans as opposed to that of the Athenians.¹² That work thus attests that the expectations of *Lacedaimoniōn Politeiai* were well enough known to allow for sardonic parody. We should thus see Critias and Xenophon as just two examples, fortuitously preserved, of a more prevalent genre of writing.

Though Critias’ works perhaps and Xenophon’s work definitely were written somewhat later, there is good reason to think that this genre originated at least as early as the early 420s and perhaps even earlier. Critias was probably born c. 480 (e.g., Freeman) or 460 (e.g., Guthrie). In either case, he may have written his *Politeiai* as early as 440 or as

⁹ DK 88B33, 34, and 35 are all quoted as belonging to a *Lacedaimoniōn Politeia*; DK 88B31, which is quoted as coming from a *Thettalōn Politeia*, discusses similar topics. Diels added to these Libanius *Or.* 25.63=DK 88B37. The several fragments in verse (DK 88B2, 6-9=frs. 1, 4-7 G.-P.=frs. 2, 6-9 W.) belong to *Politeiai Emmetroi* (the title comes from Philoponus’ report of Alexander at *de An.* [CAG XV] 89,8-12=DK 88A22) or a *Lacedaimoniōn Politeia*. The former title is clearly a pun: it means both *Metrical Politeiai*, referring to the meter of the works called *Politeiai*, and *Well-Balanced Politeiai*, referring to a characteristic virtue of the *politeia* or *politeiai* described.

Though Diels did not so assign DK 88B2, perhaps because it does not mention Sparta or because Athenaeus says (epit. I 28B and XV 666B) that it occurs *en tois elegeiois*, it may well be a part of the *Politeiai Emmetroi*. Many parts of the fragments certainly assigned to *Lacedaimoniōn Politeiai* are concerned with customs of places opposed to Sparta (cp. esp. DK 88B35), and the phrase *en tois elegeiois* (also in Athenaeus’ description of DK 88B6) should not be taken as a title but as a reference to the meter. The title of a collection of “Elegies,” if there was such a one, would be *en tais elegeiais* (as at Plut. *Alcibid.* 33 (=DK 88B5) with regards to Critias) or *en tēi elegeiai* (as in Hephæstion 2,3 (=DK 88B4) with regards to Critias). See *LSJ* s.v. *elegeion* and *elegeia*.

Pollux mentions a word for Persian trousers that “also occurs in Critias in his *Politeiai*” (VII 59=DK 88B38). Diels thought that a series of terms attributed to Critias in Pollux (DK 88B53-73) belonged to an *Athēnaiōn Politeia* that was also part of a collection of *Politeiai* to which Pollux refers. For the ambiguity of singular and plural, see below.

On the authorship of the *Peri Politeias* ascribed to Herodes Atticus by the manuscript that preserves it, see Albini 1968 (contra Wade-Gery 1945) with the reservations of Usher 1970. The arguments of Canfora 1988 (developing a suggestion going back to Boeckh) that Critias was the author of the pseudo-Xenophontic *Athēnaiōn Politeia* carry little weight.

¹⁰ For Cimon, see the story from Stesimbrotus of Chios that Cimon, when he reprimanded the Athenians for bad behavior, would tell them, “The Lacedaimonians aren’t like that” (Plut. *Cim.* 16.3).

Thibron is surely the Spartan who served as harmost in Asia Minor in 400 (Xen. *Hell.* 3.1.4-8, 4.8.17-19). The wonderment at Lycurgus and his ability to make the Spartans supremely powerful recalls Xen. *Lac. Pol.* 1.1-2, discussed further below.

¹¹ Harpocration, in the entry *Καὶ γὰρ τὸ μηδένα τῶν μαχίμων ἀνευ τῆς τῶν ἀρχόντων γνώμης ἀποδημεῖν*, mentions “those who have written *Lacedaimoniōn Politeiai*.” The scholion says that a word (*kruptai*) occurs in Plato, Euripides, and “in the *Lacedaimoniōn Politeiai*.” Either or both, though, may be referring to writers of the Hellenistic period when there was again an avid interest in writing *Lacedaimoniōn Politeiai* (for which see *FGrH* IIIB 583-595 and the discussions in Tigerstedt 1965: II.49-85; Cartledge and Spawforth 2002: esp. 38-58; Figueira 2006; and Cartledge 2009: 110-119).

¹² Forrest 1975: 44-45; Menn 2006: 9.

late as 403.¹³ But the Old Oligarch, whose *Athēnaiōn Politeia* was probably written c. 424, attests to the prevalence of *Lacedaimoniōn Politeiai* before that date.¹⁴ Furthermore, while Xenophon's *Lacedaimoniōn Politeia* probably dates to the latter half of the 390s, the bulk of the work (Chs. 1-13) represent standard claims of an earlier generation about the excellence of Spartan customs and habits to be contrasted with those of Sparta at the time of writing (described in Ch. 14).¹⁵ As Xenophon makes clear at the beginning of chapter 15, only the office of the kingship (that position held by Xenophon's friend Agesilaus) remains the same as it used to be and provides the basis for any reconstruction of the former Spartan glories, since "someone would find the other *politeiai* having changed already and even now still continuing to change" (15.1).¹⁶ By *politeiai* he does not mean the "constitutional forms" of other cities but rather the institutions, customs, and habits—ranging from the mode of exercise to the style of dress to the status of the ephors—described in the first thirteen chapters of the work.¹⁷ The descriptions of Sparta at an earlier time that make up the first thirteen chapters are thus likely to be similar to those of earlier *Lacedaimoniōn Politeiai*, and probably not just those by Critias, which talked about Spartan institutions as they were supposed to exist contemporaneously.¹⁸ Xenophon's use of the plural (*politeiai*) suggests that while the whole of the Spartan system might be said to be a *politeia*, so might each of its elements. A work describing the peculiar Spartan customs and habits might be called a *Politeia*, referring to its object collectively, as in the manuscripts of Xenophon or the beginning of the Old Oligarch. But Critias' *Politeiai* (mentioned in Pollux) or *Emmetroi Politeiai* (mentioned by Alexander *apud* Philoponus)

¹³ McGlew's suggestion (2002: 125n.36), on the basis of Plato's *Charmides*, that the verse *Lacedaimoniōn Politeia* dates to the 420s seems to me to rest too much on the supposed dramatic date of that dialogue but is otherwise plausible.

¹⁴ Herodotus' particular association of *politeia* with Sparta, discussed further in chapter 2, would also fit with the habit of writing *Lacedaimoniōn Politeiai* even earlier.

¹⁵ See Lipka 2002: 9-13, Menn 2006: 6n.7 for the date. The interpretation is Momigliano's (1966: 342), though his arguments are now, unfortunately, disregarded. Instead, it has become fashionable to elaborate Leo Strauss' reading, according to which the work as a whole is univocally critical of Sparta (Strauss 1939 followed by Higgins 1977: 65-75; Proietti 1987; Humble 2004). The Straussian interpretation seems to me mistaken: Xenophon's portrait of Sparta, especially in Chs. 1-10, is clearly meant to be flattering and not merely in an underhanded way. That is not to say that he is merely expressing facile admiration: to talk of whether Xenophon has positive or negative feelings for Sparta overlooks much of what he and others before him were doing with their writing about Sparta.

¹⁶ μόνη γὰρ δὴ αὕτη ἀρχὴ διατελεῖ οἷα περ ἐξ ἀρχῆς κατεστάθη· τὰς δὲ ἄλλας πολιτείας εὗροι ἂν τις μετακεκινημένας καὶ ἔτι καὶ νῦν μετακινουμένας.

For the importance of this claim to Agesilaus' struggle with Pausanias and Lysander, see Cartledge 1987: 96-8; Rebenich 1998: 23n.87; van Wees 1999: 14-22; and Menn 2006: 31n.36.

¹⁷ Contra Momigliano 1966: 344; Bordes 1982: 199-200; Humble 2004: 220-226; Menn 2006: 31n.36. It is clear that Xenophon introduces a parenthetical consideration (with γάρ) about the kingship (which he calls αὕτη ἀρχή) as opposed to something else (τὰς δὲ ἄλλας πολιτείας). The contrast within the parenthetical consideration, implied by δέ, is clearly between all the other things instituted by the *nomoi* of Lycurgus and the relation of the king to the city. Xenophon had said at the beginning of chapter 14 that Lycurgus' *nomoi* were not καὶ νῦν ἔτι ἀκίνητοι. The earlier phrase is called to mind here by the repetition μετακεκινημένας καὶ ἔτι καὶ νῦν μετακινουμένας (15.1). The changed institutions are not just magistracies (*archai*) other than the kingship, but rather the whole way of life instituted by the *nomoi* of Lycurgus, the *politeiai* of Sparta. That is why the opposition is not between *hautē archē* and *tas allas archas* but rather between *hautē archē* and *tas allas politeias*. The comparison with Xen. *Ages* 1.4, adduced by Menn (2006: 31n.36) and Lipka (2002: 235), is not apposite. There, Xenophon is describing the *archē* of the Spartan kingship (the form of government rather than its characteristic magistracy) as opposed to other *archai*, namely *dēmokratia*, *oligarchia*, *turannis*, and *basileia*.

¹⁸ The use of the present throughout may not be just historical (as Momigliano 1966: 342 suggested) but may also reflect the use of the present in the earlier works. That is not to say that Xenophon is copying earlier works, only that he is adopting the standard mode of description in the present tense even though he is not purporting to describe the present situation.

may just be single works, with titles that refer severally to any number of habits, customs, or institutions (*politeiai*) of Sparta in contrast to other places.

The evidence thus suggests that there was a habit of writing *Lacedaimoniōn Politeiai* originating at least as early as the 420s and perhaps even earlier. It remains to say, though, how homogeneous such writings were and how representative the surviving examples by Critias and Xenophon were. While it is impossible to say with any certainty, given the lack of other surviving examples, the fact that Xenophon's and Critias' *Lacedaimoniōn Politeiai* overlap as much as they do suggests that they were at least not anomalous.

Both are structured around comparison of Sparta with other places. A verse fragment of Critias compares "the custom and practice established at Sparta to drink from the same wine-bearing cup" with "the Asian-born Lydian hand" that "invented pitchers, extending toasts to the right, and challenging by name whomever one wishes to toast" (DK 88B6.1-2, 6-8). Xenophon prefaces his discussion of Spartan attitudes to wealth by saying "Lycurgus also established these customs opposed to those of the rest of the Greeks" (7.1).¹⁹

Both describe the process of creating Spartiates from before they are born through to the Spartiates' adult style of life. A prose fragment of Critias claims, "I begin from the stock and time of birth (*genetēs*) of the person" (DK 88B32). Similarly, Xenophon promises "I will begin straightaway from the production of children, so that I begin from the beginning and principle (*archēs*)" (1.3). Critias, again in prose, speaks of "the smallest features of daily life (*es diaitan*), the Laconian shoes are best and the cloaks are most pleasant to carry and most useful" (DK 88B34). Xenophon explains that, "having described the preparations Lycurgus set down as law for each age group, I will also explain the sort of daily life (*diaitan*) he arranged for them all" (5.1).

Both also focus on the clever Spartan devices, ranging from their cups and clothing to their military equipment. A prose fragment of Critias explains the virtues of the Spartan beaker: "It is the most suitable for campaigning and easiest to carry in a sack. I shall explain on what account it is fit for soldiers: it is often necessary for a soldier to drink impure water. First, the drink should not be too visible. Then, the lips of the cup separate the impurities" (DK 88B34). Another fragment explains the virtues of Spartan weapons: "They have contrived also keys for the shields, which they suppose to be stronger than any plotting the Helots might essay" (DK 88B37). Xenophon similarly praises Lycurgus' provision for military attire: "He contrived the following for contests in arms: to have a red cloak, since this would have the least in common with feminine apparel and would be most warlike; and to have a bronze shield, because this is polished most quickly and tarnishes most slowly" (11.3).

Both see all the features described contributing to Spartan strength. Critias explains that the consideration motivating reproductive decisions is "How would the person be best and strongest in body" (DK 88B32). Xenophon similarly begins his *Lacedaimoniōn Politeia* with a puzzle: "At one time when I was considering how Sparta, though it was one of the cities with the smallest population, was manifestly the mightiest and most renowned in Greece, I wondered at how this could be. But when I considered the preparations of the Spartiates, I no longer wondered" (1.1).

What's more, these features accord with Aristotle's description of those "who write about the *politeia* of the Spartans," who claim that the Spartans, "because they had trained for dangers rule over many" (Ar. *Pol.* 7.13, 1333b18-21). There are some undeniable differences: in general, Critias provides more detail in his comparisons with

¹⁹ Word order helps to emphasize the opposition: *enantia* is drawn to the beginning of the sentence.

other cities.²⁰ But other seeming divergences (the absence of discussion of Lycurgus or of education in Critias) are just as likely to be the result of accidents of preservation.²¹

In what follows, I will therefore talk about the *Lacedaimoniōn Politeiai* in general, though my claims will be based just on the surviving evidence of Critias and Xenophon.²² I have already mentioned several topics discussed in these texts, and other scholars have also noticed the wide range of topics treated. As Michael Lipka notes in his exhaustive commentary on Xenophon's *Lacedaimoniōn Politeia*, if one expects a *Politeia* to discuss institutions of government such as assemblies, councils, and magistrates, Xenophon's title is surprising indeed (2002: 97). Rather than such topics, the *Lacedaimoniōn Politeiai* focus instead on reproduction and education (Schofield 2006: 32) and what we might call collectivist practices concerning property and family life (Dawson 1992: 28-29).

Scholars have generally explained the focus on these topics by pointing to the association of fondness for Sparta with anti-democratic sentiment, especially as manifest in the government of the Thirty at Athens. Doyné Dawson claims that "when traditional aristocratic/oligarchic values were threatened by the Peloponnesian War and the democratic movements supported by Athens, some rational theory was needed, and the Spartan model provided one" (1992: 28). Paul Cartledge sees such descriptions of Sparta as offering "a notionally realistic programme put forward by would-be revolutionary politicians who found Sparta a suitable alternative model either for consciousness-raising propaganda purposes or as a desirable practical goal" (1999: 313).²³ Malcolm Schofield likewise points out that for those hostile to the masses holding power, Sparta offered "the ideal alternative to what were perceived as the deficiencies of Athenian values and practices" (2006: 38).

The anti-democratic sympathies of those writing *Lacedaimoniōn Politeiai* cannot be doubted, and the works certainly respond to concerns of the wealthy, as discussed below. But while anti-democratic sentiment (which would have meant anti-Athenian sentiment) may explain the turn to Sparta, it is hard to see why, if anti-democratic sentiment were the sole or primary motivation, the *Lacedaimoniōn Politeiai* pay so little attention to the governmental structure of Sparta and so much attention to the minutest details of Spartan upbringing and everyday life. The Thirty, of whom Critias was at the head, do seem to have made extensive efforts to model the structure of various governing bodies on those of Sparta (the Thirty themselves in imitation of the *gerousia*; the 3000 of the Spartiates; the rest of the Athenian citizenry of the *perioikoi*), but there is no evidence that they tried to otherwise remake the Athenians' way of life or instituted anything like the Spartan *agōgē*.²⁴ The question remains: why express political hostility in *this* way?

Some scholars have identified less nakedly partisan ambitions. Stephen Menn suggests that the *Lacedaimoniōn Politeiai* are intended to convince their audience of "the happiness [that] came to the Spartans by obedience to the law, that is, by virtue ...

²⁰ Lipka 2002: 19-20. Given that Xenophon may be reiterating the claims of earlier works for his own purposes, we might expect him to omit some detail.

²¹ Contra Lipka 2002: 20. Critias had fallen out of fashion by the second century CE (Phil. *Vit. Soph.* 1.16). Athenaeus, who is the source for most of the surviving fragments, primarily quotes lines concerning sympotic practice and equipment, but he would have no reason to mention details about Lycurgus or education.

²² Cp. Menn 2006: 3-4, 11-12; Schofield 2006: 32-33.

²³ Cp. Hodkinson 2005: 266-267 (following Krentz 1982: 64-8), who likewise suggests that "the utopian visions and practical actions of at least some of the Thirty's leading members were strongly influenced by their conceptions of an idealised Spartan *politeia*."

²⁴ For the Thirty's imitation of Spartan governing institutions, see Krentz 1982. I can see no evidence for Dawson's assertion (1992: 31) that the idea of the *agōgē* was in the background of the Thirty's changes. Likewise, I can see little basis for Momigliano's suggestion that throughout Critias' writings we see "fanatica convinzione nel 'diritto dell'intelligenza'" (1969: 153).

because the laws of the Spartans in particular are designed to foster all the virtues” (2006: 34). Doing so is just part of a larger project of showing the importance of education for establishing the right kind of values. As he says, “the Spartans as the Laconizers imagine them are the theoretical extreme of the triumph of honor-values over pleasure-values, and the Laconizing literature tries to explain this triumph by giving a psychological account of the kind of education that would produce it” (2006: 35).²⁵ Similarly, James McGlew sees in the verse fragments of Critias an exhortation to an aristocratic audience to make *sōphrosunē* rather than excessive indulgence of appetites their ideal (2002: 125-131).

Both these analyses are likewise apt. Xenophon shows a constant fascination with the Spartan mastery of carnal desire, and Critias seems to have devoted extensive attention to Spartan moderation.²⁶ But Menn pointedly puts the project of the *Lacedaimoniōn Politeiai* in Platonic terms—honor-values and pleasure-values are the values of *thumos* and *epithumia*. And McGlew’s focus on moderation seems to overlook how much emphasis falls on the way the Spartans are superlatively strong, live most pleasantly, and so on.²⁷

In the remainder of this chapter, I will attempt to go further than scholars have to date in explaining, in the context of fifth-century Athens, the attention of the *Lacedaimoniōn Politeiai* to the superlative features of the many details of Spartan upbringing and adult life. In particular, I will argue that in order to understand these texts, we need to appreciate the ways they engage with two different contemporary discourses, that of poetry and prose describing sympotic practices and that of the pervasive arguments about the merits of *nomos* and *physis* as guides for action. I turn to the first in the next section and argue that by focusing on the detailed design of sympotic devices the *Lacedaimoniōn Politeiai* invite their audience to reflect on the purposes of these devices and of the activities in which they are employed and to acknowledge that the superlative results of Spartan activities imply that there is just one best way to pursue these activities. Then, in the following section, I discuss how the *Lacedaimoniōn Politeiai* can be seen to be responding to claims that customary or legal commands are bound to be confused and thus don’t merit any attention; that it is impossible to improve on a person’s nature; and that freedom, pleasure, and power are the only things a person should pursue and that he should pursue them by avoiding customary or legal demands.

III. The Symposium and the *Lacedaimoniōn Politeiai*

There has been, over the last thirty years, a great deal of work from a great variety of perspectives on the archaic and classical Greek symposium.²⁸ For present purposes, several facets of that work are especially relevant.

As Oswyn Murray in particular has emphasized, for at least some, the symposium was pointedly a space apart from civic space.²⁹ In many cases, the festivities may have been

²⁵ Menn makes a number of other interesting points relating the claims of the *Lacedaimoniōn Politeiai* to Plato’s *Republic*. I return to these in chapter 6.

²⁶ Note in this connection the elegiac couplet (DK 88B7) that attributes the old saying *mēden agan* to “wise Chilon.” The description of him as *Lacedaimonios* is drawn forward in the line, lending it emphasis.

²⁷ For example, an individual Spartan should be “best and strongest in body” (DK 88B32); Spartan shoes are “best” and cloaks are “most pleasant and most useful” (DK 88B34); Sparta “most powerful and most renowned” (Xen. *Lac. Pol.* 1.1); Spartan drinking “least harmful and most pleasant” (5.4).

²⁸ See already the retrospective in Murray 2003.

²⁹ Murray 1983. Cp. Kurke 1992: esp. 92-7; Morris 1996: esp. 28-40; and Kurke 1997: esp. 110-111, 115, 145-146.

held in the windowless interior *andron*, thus literally shutting out the outside world.³⁰ Small gatherings in such spaces, meant to be joined together by bonds of trust, would also stand apart from the norms of outside society. Collective, competitive, ritualized drinking would help liberate the party from the feeling of outside constraints.³¹ The liberated participants might pursue more or less disreputably licentious actions.³² And in the *komos* that would regularly conclude the symposium this feeling would be brought out to be displayed in and asserted against the regular norms of public life. As Murray puts it, the *komos* was a “ritual drunken riot ... performed in public with the intention of demonstrating the power and lawlessness of the drinking group.”³³ While it is perhaps misleading to suggest that the symposium was only the purview of the wealthy and only served to distinguish wealthy participants from the populace at large, greater popular access to symposia in the later fifth century would presumably only make the antinomian elements of the symposium more important for those aristocrats unhappy that they had lost (as they supposed) their former status and that their pastimes were no longer exclusively theirs.³⁴

The symposium also provided an opportunity to articulate a vision of right conduct through descriptions of proper sympotic behavior. As Fiona Hobden, who admirably emphasizes the way the symposium as we understand it is itself a product of poetic discourse, has put the point, “the symposion provided a stable, if fluid and malleable, reference point...[for participants to] talk about or construct themselves and the world around them”(2013: 7).³⁵ At a symposium, one would sing and drink and engage in a variety of related games, but one would more particularly often sing about what to sing and how to drink.³⁶ One might sing of the joys of drink and song at the symposium (Theognis 531-534 W) or the importance of singing of love rather than war (Anacreon eleg. 2 W). In contrast to the ethic exhibited in a *komos*, one of the standard refrains seems to have been the importance of not drinking to excess (Theognis 503-510 W) or beyond measure (Theognis 477-487), or, more positively, of drinking in a noble fashion with an

³⁰ Murray 2003: 19.

³¹ Murray 1995: 4-5.

³² Murray 1990: 157; Murray 1995: 14-15.

³³ Murray 1990: 150 noting especially the end of Aristopanes' *Wasps*. See also Cole 1992: 14-21; Murray 1995: 15. Pointed irreverence seems to have been thought an important part of the symposiastic ethos, at least in Athens. See Lysias fr. 282 Carey. Cf. Dover's assessment (*HCT* IV.285-6) that the mutilation of the Herms “may have been no more than an unusually grandiose and spectacular piece of vandalism of a kind which appeals to some people at a certain stage of drunkenness.”

³⁴ In the archaic context, as Pauline Schmitt-Pantel rightly pointed out (Schmitt-Pantel 1990), the symposium may take place within a house that is in some sense private, but those taking part were not radically differentiated from those who held power in the city. Note also in this connection Dean Hammer's (2004: esp. 503-504) criticisms of Kurke and Morris (cited above in n. 29).

For the classical period, when there was potentially a division between symposiasts and those in public control (at least in *poleis* with some form of popular, or less narrowly oligarchic, government), there is some archaeological evidence for the practice in less grand houses (see the works cited in Hobden 2013: 10n.21). In classical Athens, there seems to have been at once a profusion of opportunities to take part in ritualized drinking of a kind that may have been the sole purview of the wealthy in the archaic period and an attempt to make the symposium more widely available. (See Fisher 2000: 366-367; Steiner 2002: 373-377.) As Ann Steiner notes, though, “we have no evidence of elites and non-elites mixing at *symposia*.... Moreover, there is no doubt that elites at their own private symposia retained behaviors that were disparaged and mistrusted by the *demos*”(2002: 376).

³⁵ The idea goes back at least to Rossi's claim (1983: 46-7) that the symposium is a *spettacolo a se stesso*.

³⁶ Much of the sympotic poetry we have was originally produced during the archaic period but would have remained part of the repertoire of what one might sing at a symposium in the second half of the fifth century as well. See Nagy 2004 (with works cited therein) on this point. Thus, in what follows, when I speak of, e.g., Anacreon and what he says, this should be taken as a shorthand for verses that were sung (or at least are preserved for us) under that name.

eye to virtue (Xenophanes DK 21B1.19-20). This in itself may count as an assertion of a norm perceived to be in opposition to the world outside.³⁷ One could also so encourage one's drinking partners by reference to the supposed excesses of the Scythians (Anacreon 356a-b Page) or the Mykonians (Archilochus 124a-b W). Singing of the importance of not drinking to excess might often come as a retort to or a cap on another participant's song about the joys of excessive drinking.³⁸ And there is good reason to think that prose quipping likewise played an important part in the symposium.³⁹

On the face of it, the *Lacedaimoniōn Politeiai*, particularly as represented in the fragments of Critias, clearly belong to the same tradition and may well have been sung or recited at the same symposium as snippets of Xenophanes, Theognis, Anacreon, or Archilochus. Like some of those bits of song, the *Lacedaimoniōn Politeiai* speak of the joys of moderation in drinking. The longest surviving verse fragment of Critias explains that "Lacedaimonian youths drink just as much as leads the mind of all to glad hope and the tongue to friendliness and measured laughter. . . . The daily life (*diatē*) of the Lacedaimonians is evenly disposed: to eat and drink a measured amount for being able to think and labor. There's no day set aside for soaking the body with unmeasured drinks" (DK 88B6.15-17, 25-8). Critias also extols the proper way to drink and does so by comparison with the habits of decadent foreigners: "The Chian and Thasian drink from great cups passed to the right, the Athenian from small cups passed to the right, the Thessalian proposes grand toasts to whomever they wish. But the Lacedaimonians, each drinks his own cup, and the wine-pourer pours as much as each drinks off" (DK 88B33; cp. DK 88B6, 31, and Xen. *Lac. Pol.* 5).⁴⁰ There is also an interest in different articles of clothing (DK 88B34, quoted above).⁴¹ Like much other sympotic poetry that played an important part in self-definition, the *Lacedaimoniōn Politeiai* emphasize the importance of moderation, what is *metron* or otherwise a mean of extremes (e.g., DK 88B6.1-4, 23-27; cp. Xen. *Lac. Pol.* 2.5, 2.12-13, 5.3), and attention to what is fine, *kalos* (e.g., DK 88B6.19-20; cp. Xen. *Lac. Pol.* 9.1-2) in part through the discussion of proper sympotic behavior.⁴²

But in several ways the *Lacedaimoniōn Politeiai* seem to be different from other sympotic literature encouraging moderation. For one thing, they are much less direct. Anacreon says, "I don't like" (eleg. 2.1 W) the person who sings of war rather than love. In another poem, he exhorts the audience "not to practice the Scythian cup" (356b Page).

³⁷ See McGlew 2002: 130-131.

³⁸ For the dynamics of the symposiasts trying to best each other, see Hobden 2013: 63ff. and works cited therein. For example, DK 88B6.27-8 might serve as a retort to Theognis 467-476 just as Theognis 477-487 might have done. (For the latter, see Faraone 2008: 86-92.)

³⁹ For possible topics or varieties of speech, see Bowie 1993. As François Lissarrague in particular has shown, even the drinking vessels themselves, in their shapes and the images painted on them, constituted a discourse about the symposium. See Lissarrague 1990, 1992.

⁴⁰ There is a striking alternation of singular and plural in this passage. The Thessalian drinks (*ho Thettalikos*)... they want (*boulōntai*); the Lacedaimonians (*Lakedaimonioi*)...each drinks (*hekastos pinei*). The implication seems to be that an individual of the type can stand in for the customs of all severally. Cp. Xenophanes 3 W. See McGlew 2002: 127, who also compares Democritus DK 68B209-11, and Ianucci 2002: 95-107.

⁴¹ Compare Archilochus 114 W, which might have been brought out to criticize someone's handling of his hair. In the later fifth century, many wealthy Athenians kept up or renewed old aristocratic styles of dress and grooming: fine garments, fancy hair, and so on. See the mockery of the habit in Pherecr. fr. 15 KA; Ar. *Nub.* 14-16, *Eq.* 580, *Vesp.* 1129-42 with Geddes 1987 and Kurke 1992.

⁴² Note also the couplet praising Chilon: "Wise Chilon was Lacedaimonian, he who said, 'nothing too much' and 'all that is fine is appropriate at the right time'" (DK 88B7) and compare with Theognis 335-6 and Pindar fr. 35b S.-M.

Xenophanes claims that “one ought (*chrē*)” (DK 21B1.13) to hymn the gods, and so on.⁴³ The *Lacedaimoniōn Politeiai*, on the other hand, seem just to juxtapose the customs of the Spartans with those of others. Such juxtapositions are certainly not neutral. Other ways of drinking “loosen tongues for base speeches” while Spartan drinking “leads the tongue to friendliness and measured laughter” (DK 88B6.9, 17), But there is no direct exhortation or insistence on what one must do.⁴⁴ Rather than explicitly saying what one ought to do, the *Lacedaimoniōn Politeiai* seem to have described at greater length the practices and, in particular, the instruments characteristic of Spartan life both in the context of the symposium and outside it. Whereas Anacreon might mention a Scythian cup, Critias describes the different sizes of *kylikes* from which different people drink (DK 88B33, quoted above) or the details of the way the lip of the Laconian *kōthōn* is designed (DK 88B34, quoted above). The context of sympotic literature helps us see why the *Lacedaimoniōn Politeiai* may have focused on these details, but it remains to be explained why they should have focused on these details in such detail. The *Lacedaimoniōn Politeiai* also insist on just how superlative Sparta and the Spartans were relative to other places (see n. 27, above) to an extent that likewise seems out of keeping with other sympotic literature (cf. Xenophanes DK 21B1 or Theognis 531-534). Additionally, the contrasts with other places are more extensive. Critias will talk about the drinking vessels of Chians, Thasians, Athenians, or Thessalians as opposed to those of the Spartans (DK 88B33) or “the Milesian-made couch and Milesian-made chair, the Chian-made couch and Rheneian-made table” (DK 88B35).⁴⁵

The detailed attention to the objects involved in the symposium may itself be a way of encouraging readers or listeners to behave in a particular way not because they have been authoritatively advised to do so but because they have been helped to see a reason for doing so.

Looking at the way different people create recognizably similar objects and the different ends to which these objects are put encourages the reader or listener to think about the best use of those objects and the actions performed with them. Noticing that two objects (or two types of objects) are of the same kind calls for reflection on what it is that makes them the same kind of object. Thinking about what people do with those objects encourages the reader or listener to see that two objects can be said to be of the same kind to the extent that they are employed for recognizably similar purposes. An object can be defined in terms of the functional end it serves, and it can be seen to have the features it does because of the functional ends those features serve.⁴⁶ Types or instances of the kind may then be thought to conform more or less well to standards established by those

⁴³ See Hobden 2013: 27-34 on the use of *gnōmai* and exhortation in sympotic poetry.

⁴⁴ Hobden 2013: 105-6 suggests that the pejorative descriptions might be directed at members of the party with a gesture or a glance. Cp. Momigliano’s more general claim that Critias founded his theory not on tradition but on the comparison of constitutional arrangements (1969: 153-154).

⁴⁵ These groups are connected by their membership in the Delian League or, in the case of Thessaly, its sometime allegiance to Athens.

⁴⁶ The work of Alfred Gell (see esp. 1998) and his followers may offer a useful comparandum. (I am grateful to Leslie Kurke for suggesting as much.) Gell claims that it is characteristic of works of art to call forth attention to or reflection on their mode of manufacture which in turn says something about the agents in possession of those works of art. He takes the intricate designs on the canoes of the Trobriand islanders, which indicate the portentous power of their owners, as a prime example. The writers of *Lacedaimoniōn Politeiai* similarly seek to explain Spartan power on the basis of the cleverness of particular devices. The point I want to emphasize here, though, is not so much about what objects *per se* do, but what talking about objects does: Picking out the peculiar functional characteristics of particular Spartan objects calls attention to the objectives for which they are designed more than to the people who designed them. (See also below on the way imagining Lycurgus as the designer of every feature of Spartan life encourages the reader to imagine civic life as coherently created and coordinated by a single person.)

functional specifications, and a type or instance may seem better or worse depending on the extent to which it conforms. Considerations along these lines encourage the reader or listener to reflect on how well the objects he uses are suited to his purposes.⁴⁷ The Spartans' equipment provides an ideal of objects perfectly fitted to their purposes against which the reader or listener can compare his own.⁴⁸

Thinking about objects in terms of the purposes for which they are designed also brings out a standard for assessing types of actions. To begin to understand objects in terms of their purposes encourages reflection on whether a particular activity for which an object is designed may itself have some further purpose beyond itself. Drinking and eating might be for making the body strong, and so occasions for drinking and eating could be used "for making people able to think and labor" (DK 88B6.26-7; cp. Xen. *Lac. Pol.* 5.4-7). Drinking and eating properly produce the Spartan bodies with their "good skin, firm flesh, and good health" (Xen. *Lac. Pol.* 5.8-9) and the ability, as we might put it, to proudly look at oneself in the mirror. With that in mind, one can see how one toasts or passes cups, "from one's own cup, not handing off, giving toasts by name, moving in a circle to the right around the company" (DK 88B6.1-4, B33; cp. Xen. *Lac. Pol.* 5.4), as appropriately subordinated to further, more important goals.

The focus on the details of particular objects related to the symposium thus encourages the reader or listener to think not just about what he drinks from or how he drinks but also for what further purpose he drinks as he does. It encourages him to do so even as it does not directly command or exhort. The emphasis on the superlative features of Spartan life suggests that in fact there is just one best way to comport oneself "most pleasantly" (DK 88B34, Xen. *Lac. Pol.* 5.4).

The foregoing explanation helps provide some sense of why the *Lacedaimoniōn Politeiai* may have focused in such detail on features of Spartan drinking culture as opposed to those of the drinking culture in other places. But it still remains unclear why they should have been concerned with such extensive ethnographic comparisons and, more than that, why they should have been so focused on the Spartan practices of procreation and education. In order to understand these features of the *Lacedaimoniōn Politeiai*, we will need to consider another prominent part of life in the late fifth century, namely the interest in the opposition of *nomos* (law or custom or human effort more generally) to *physis* (nature). In the following section, I will explain why it makes sense to read the *Lacedaimoniōn Politeiai* in relation to this element of fifth-century intellectual life and then discuss how we can see the *Lacedaimoniōn Politeiai* responding to several elements of the discourse concerning *nomos* as opposed to *physis*.⁴⁹

IV. *Nomos and Physis and the Lacedaimoniōn Politeiai*

⁴⁷ Compare Paul Cartledge's suggestion that writings about Sparta may have been "consciousness-raising propaganda" (1999: 313).

⁴⁸ Note Critias' description (DK 88B34) of the Spartan *kōthōn* as "most suited to its purpose (*epitēdeiotaton*)."

⁴⁹ I focus on just those elements of the *nomos/physis* antitheses that have a bearing on understanding the *Lacedaimoniōn Politeiai*. Full treatments may be found in, e.g., Heinemann 1945; Guthrie 1971; or Kerferd 1981. In addition to these standard references and those mentioned below, I have found Furley 1981 and Barney 2006 particularly helpful. While many accounts discuss figures from Plato's dialogues (Protagoras, Callicles, Thrasymachus, Glaucon and Adeimantus, etc.) as though they were historically reliable depictions, in the following discussion, I leave such characters to the side. As I explain with reference to Thrasymachus in chapter 6, there is good reason to suspect that their statements are fitted to the needs of the dialogue rather than anything historical figures of the same name actually maintained.

It has for some time been acknowledged that one of the primary motivations for trying to understand the relation of *nomos* and *physis* came from the increasing awareness of the great variety of human customs.⁵⁰ We can see as much in the fragments of Antiphon (DK 87B45-47; cp. *Diss. Log.* 2) or in the Hippocratic *Airs, Waters, Places* (esp. ch. 16). The discussions of human difference in the *Lacedaimoniōn Politeiai* fits neatly with texts thus motivated. Furthermore, exploring the relation of custom to nature often served as a way of considering the old issue (going back at least to Theognis 429-31, 437-8) of whether it was possible to improve a person by education or acculturation.⁵¹ The focus of the *Lacedaimoniōn Politeiai* on procreation and acculturation likewise makes sense against the background of such concerns.

Furthermore, the two people we have recorded as authors of *Lacedaimoniōn Politeiai*, Critias and Xenophon, seem to have had a peripheral role in the sophistic movement in which discussion of the relation of *nomos* and *physis* was central.⁵² Critias has found a place in considerations of the sophistic movement at least since Herodes Atticus. Proclus' description (*in Tim.* I.70, 21-23 Diehl) of him as “of noble and fine nature (*physeōs*)” and a man who “took part in philosophical gatherings and was called an amateur among philosophers and a philosopher among amateurs” is perhaps of particular note. Xenophon, though active later, in part through his commitment to Socrates, seems often to be looking back to the sophistic movement of the late fifth century.

More than the particular topics found in the *Lacedaimoniōn Politeiai* or the personalities we have associated with certain instances of the genre, the pervasive interest in the relation between *nomos* and *physis* in Athens in the late fifth century suggests that the topic would be important for understanding any writings from that time and place. We find the opposition not only among so-called sophists (e.g., Antiphon fr. 44a or Gorgias *Helen* 6) but also in a variety of Hippocratic treatises that seek to understand the nature of a person for medical purposes (*On Regimen* 1.2.1, *Vet. Med.* 20) and complain of others who do so in the wrong way without an eye to medicine (*Nat. Hom.* 1.5). Democritus comments on the issue repeatedly (e.g., DK 68B33, 278), and Attic tragedy makes great use of the opposition (e.g., A. *PV* 149-151; DK 88B25 (whether the play is by Critias or Euripides); E. *Hec.* 592-598, 799-805, *Ion* 642, frs. 265a K, 433 K, and esp. 525 K, of which lines 4-5 are quoted along with DK 88B32).⁵³ Someone in Athens in the latter half of the fifth century might thus have been confronted with a great variety of statements about the interaction between *nomos* and *physis* in the agora, a private house, the theater of Dionysus, or anywhere people might quote a memorable line they'd heard from some sophist or in a play.

Different variations of the opposition might have been intriguing or memorable to different individuals or groups. As mentioned above, though, discussion of the *politeiai* of

⁵⁰ Heinimann 1945: 13-41 remains a touchstone on this point. (Cf. Pohlenz 1953 regarding some of the details of Heinimann's account.)

⁵¹ See *Clouds* passim and *Diss. Log.* 6 (discussed further below). On the *Dissoi Logoi*, see Robinson 1979: 1-93 who places it c. 400 (41) and argues that the dialect of the piece may suggest a summary of views developed in an Ionian-Attic context for a Doric audience, perhaps in the West (51-73). Barnes (1982: 517-518) suggests that the author provides a compendium of pedestrian versions of sophistic puzzles from the end of the fifth century. Conley 1985 argued that the text was in fact a Byzantine composition, but his argument has not found much credence (see Graham 2010: 900). For doubts about all these claims, see Burnyeat 1998.

⁵² The extensive treatment in Guthrie 1971 makes the importance of the topic clear.

⁵³ Though a great deal of our evidence for claims about *nomos* as opposed to *physis* probably comes from the late 430s and 420s, that may just be an accident of preservation. Thus, the claim in, e.g., Ostwald 1986: 260-66 or Wallace 2007: 31-33 and going back to Heinimann 1945, that the opposition originates c. 430 seems to me overstated.

the Spartans seems to have been of particular interest to the rich and wellborn. We should thus imagine that the *Lacedaimoniōn Politeiai* were particularly focused on appealing to aristocrats who might be intrigued by other things people were saying about how custom or law might be related to nature. In what follows, I offer a series of suggestions about how we might do so.

It seems to have been common to note the power of *physis* as against that of *nomos*. In some cases, this is meant as little more than praise for innate qualities: Euripides' Hecuba, who in the eponymous play is so focused on her nobility, remarks that, "a noble man is noble, and he doesn't destroy his nature (*physin*) in misfortune but is always good" (597-8). More often, though, statements about nature are meant to provide a guide to how one should behave. So, Antiphon suggests that a man should follow the commands of nature rather than law as much as possible (fr. 44a col. I.12-23). The character Wrong in Aristophanes' *Clouds* encourages his pupil to "consult and use nature" (1078) after initially boasting of his cleverness in "arguing against laws and justified causes" (1040).⁵⁴

Appeals to nature might capture the ear of rich men who supposed themselves entitled to status on account of their nature, by which they would have meant in the first instance their high birth. At Athens, where the poor at least notionally controlled government and thus the creation of new laws, the restrictions imposed on men of status could easily be seen as the imposition of the *nomoi* of the poor upon the *physis* of the rich. It would have thus been *prima facie* appealing to think that *physis* rather than *nomos* was an appropriate or worthy standard and guide.⁵⁵

As further grounds for that immediate appeal, many seem to have noticed ways that the demands of laws or customs conflicted with each other. Antiphon points out that there is a tension between the requirement to bear true witness, enforced by oath, and the prohibition on harming someone who has not harmed you (fr. 44c col. I.3-30). Bearing witness against someone who has not harmed you directly is bound to lead to that person being harmed and thus amount to harming someone who has not harmed you. Absent some additional consideration, the customs or laws that make these demands would seem to provide no reliable guidance when one has witnessed a crime against another person. Likewise, in the *Dissoi Logoi*, we find the claim that helping one's friends and relations may call for lying to a relative who needs medicine but who can only be made to take it by deception (3.2). In order to help, one must lie, but lying violates an equally strong prohibition on deceiving one's friends and relations. Here too, the relevant *nomoi* provide no clear guidance as to how to act. One may even notice tensions at the level of social organization rather than individual action. The *Dissoi Logoi* (1.4-5) notes that some customarily defined roles require others' misfortune for their success or even existence. Most kinds of craftsmen depend for their livelihood on the loss or wearing out of people's belongings. Furthermore, members of certain groups can never be doing well at the same time: a bumper crop for farmers hurts prices for importers, and so on.

The response to these concerns in the *Dissoi Logoi* is striking both for its uniqueness and for how unsatisfactory it seems; the *Lacedaimoniōn Politeiai*, on the other hand, suggest that at least one set of *nomoi* are internally coherent, namely those of the

⁵⁴ *Dikais* are here, strictly speaking, just "lawsuits" (like Latin *causa*) or even "penalties" (see *LSJ* s.v. IV with 1079-1081), but, in the context, the sense of "order, right, justice" or even "the way things are done" (see *LSJ* s.v. I, II) is surely also felt (see Pheidippides' statement at 1327-30).

I take the translation of the character's name, *Hētton Logos*, from Dover 1968: lvii-lviii.

⁵⁵ For these motivations, see Ostwald 1986: 250-273; Balot 2006: esp. 101-102; Wallace 2007: 27-40. Comedy suggests, though, that some of the appeals associated with taking *physis* as a guide (breaking free and dominating others) would also be desirable for members of the *dēmos*. See the discussion in chapter 4.

Spartans.⁵⁶ They were coherent and carefully designed to be ideally conducive to particular ends. The *Lacedaimoniōn Politeiai* claimed as much in part by seizing on a source of skepticism about the merits of *nomoi*. In addition to the claim of internal confusion, it seems to have often been suggested that since some person or group of people had at one point established the laws or customs, there was no reason not to posit some alternative for oneself.⁵⁷ For the *Lacedaimoniōn Politeiai*, on the other hand, Lycurgus' founding role, emphasized throughout, helps the reader or listener see each separate feature of Spartan life and Spartan life as a whole as a conscious work of art, each part fitting together and no part to be changed.⁵⁸ The entirety of the way Sparta runs is said to be the result of *nomoi* established reflectively by Lycurgus with the unifying objective of making Sparta and the Spartans powerful.⁵⁹ As Xenophon says, after explaining that the Spartan preparations account for Sparta's superlative power and reputation, "I marvel at Lycurgus who established laws for them, and abiding by these they flourished, and I consider him the height of wisdom" (1.2).⁶⁰

The suggestion seems to be furthermore that other cities are likewise trying to establish internally coherent and maximally effective laws and customs, thus pressing the idea we find in Antiphon and the *Dissoi Logoi*. Xenophon claims that "of the other Greeks, the ones who claim to educate their sons best" (2.1) send them to particular teachers and provide them with particular clothing and sustenance as part of their effort. He thus establishes a connection between engaging in a certain activity and trying to perform that activity in the best way possible.⁶¹ Empirically, Xenophon's claim may be dubious: men may educate their children (or do whatever else they do) in the way they do

⁵⁶ The complaints about conflicting demands are taken to be in support of the claim that the good and the bad or the just and the unjust are "the same thing" (*to auto*). The counterargument is that this claim amounts to saying that if it is good to do something then it is also bad. And yet there does not seem to be any other response to this concern preserved in other sophistic sources. Plato's Socrates is, of course, very attuned to the issue. See further chapter 5.

⁵⁷ See Antiphon fr. 44a col. I.23-25. The idea is lampooned at *Clouds* 1421ff. (and see Dover's note ad loc.).

⁵⁸ The phrase 'conscious work of art' is from Dawson 1992: 28. At this early date, the *Lacedaimoniōn Politeiai* are unusual in giving such prominence to a founding figure. It is thus misleading to say, as used to be said, that "the Greeks" generally had an "artistic temper" that "demanded that institutions should appear as the rounded product of a single chisel" (Barker 1960: 9n.1).

⁵⁹ Where Spartans eat (Xen. *Lac. Pol.* 5.2) or camp (12.1); how individuals across age groups associate with each other (2.13, 5.5); how Spartans think about money (7.1) or honor (9.2-3, 10.1) are all the result of Lycurgus' plans and efforts. So are officials and their actions (2.2) as well as the required behavior associated with different social roles established by gender, age, and status (1.4, 6.1, 7.2-6).

Lycurgus thus allows for a more literal version of an argumentative move prominent in Aristotle: think about natural objects as like objects created by a craftsman; doing so will allow you to appreciate the ways they are finely wrought even as you realize there is no wright. But in the Spartan case, Lycurgus is an actual master craftsman. Jonathan Lear (1988: 18) offers a helpful analogy: "There is a, perhaps apocryphal, story about a young child asking Einstein how a radio works. Einstein asked the child to imagine a big cat which stretches from New York to Chicago. Someone in New York bites on the cat's tail and the cat yelps in Chicago. 'Radio waves are just like that,' Einstein reportedly said, 'except that there is no cat.'" The *Lacedaimoniōn Politeiai* point out the clever design of the Spartan *politeia*, even though it is not obviously in the present the product of any identifiable human actions, by claiming again and again that there was in fact someone who ingeniously designed it.

⁶⁰ Note also his praise for Lycurgus' "device for getting the citizens to obey the laws," going to Delphi and getting the Pythia to agree that "it would be entirely better for Sparta to obey the laws he established" (8.5).

⁶¹ In what follows, he can talk of what other Greeks do with the idea implanted in the reader's mind that other Greeks are trying to perform the best version of whatever it is they are doing. We might also see a similar connection in Critias' discussion of Spartan and other drinking habits (DK 88B6). In drinking in a certain way, others "contrive for themselves (*teuchousin*)" a feeble body (9-10), while the Spartans drink with an eye just to their well-being. There is a similar consideration at work in Pericles' Funeral Oration discussed in chapter 3.

because that is how it has always been done, because their peers think highly of people who act in that way, or for any number of other reasons. But while it may not be true that somebody who is told that he is trying to perform the best version of some action is in fact trying to do so, that person cannot very well deny the statement. The *Lacedaimoniōn Politeiai* in this way take up challenges to the coherence of different *nomoi* and suggest that such consistency is a desirable aim but that, while all may try to achieve it, in fact only Sparta succeeds in doing so. They encourage the reader or listener to strive for consistency in his own actions and in social life more generally through the proper structuring of customary activities in line with the ideal Spartan model.

Whether or not one objected to the confusion inherent in the demands of law or custom, there were also arguments available that there was no possibility of *nomoi* improving on one's nature. One could simply assert as much, as in the lines of Theognis: "It is easier to beget and rear a mortal than to put noble wits in him./No one has yet found/a way to make a witless man prudent or a noble man from a base man... You will never make the base man good/by teaching" (429-31, 437-8). But there were also elaborations of the straightforward assertion. The *Dissoi Logoi* mentions, "an argument neither true nor fresh that wisdom and excellence are neither teachable nor learnable things" (6.1). The text records the following justifications for the claim: if you give something away, you can't keep it; there are no recognized teachers (cp. Theognis 432-4); excellent men have friends and close relatives whom they have not made excellent (cp. Theognis 435-6); the sophists' students are not all excellent; some who have not studied with the sophists are excellent. Apart from the first sophism, the arguments hang on denying that no one reliably and exclusively makes men excellent. The upshot is that the only person who is reliably good is the person who is good by nature (i.e. birth). One couldn't find a teacher who could reliably improve a naturally good person or who could make a person good who wasn't naturally good.

One standard response to such arguments was to insist that goodness or rightness (of character rather than action) was manifestly the product of both one's nature and one's education, that teaching must happen somehow. Thus, the Anonymus Iamblichi suggests that a man needs to be born with natural aptitude and to devote himself to self-improvement from the moment he is born (1.1-2.1).⁶² One could allow that both education and nature had a part to play but assign a larger role to one or the other. For example, a character in Eupolis' *Demes* claims that "nature plays the greatest part" in a man becoming just "but then I also diligently lend a hand to nature" (fr. 105 K.-A.). A fragment of Epicharmus, on the contrary, counsels friends (*philoī*) that, "Nurturing (*meleta*) gives more than a good nature" (DK 23B33). In a similar vein, a pentameter by Critias, which Diels assigned to the *Emmetroī Politeiai*, asserts that "more are good on account of nurture (*meletēs*) than of nature" (DK 88B9).⁶³ Democritus claims that, "Nature and teaching (*didachē*) are nearly equal, for in fact teaching fashions the person and in fashioning makes his nature" (DK 68B33). Such statements might be supported in detail by pointing to specific recognized teachers who do in fact make some others wise or excellent (*Diss. Log.* 6.8) or by considering the example of language learning as an instance of learning where there is no specific teacher (*Diss. Log.* 6.12). There remains the doubt, though, that language is not really like virtue or wisdom and that even if there are some instances of teaching, there are no absolutely reliable teachers: at best some teachers educate some of their students but not others.

⁶² Cole 1961 (developing the ideas of Quintino Cataudella) remains the best treatment of the content of and influences on the work. More recently, Hoffmann (1999) has tried to argue for the coherence of the work as we have it.

⁶³ Critias' statement may suggest no more than what the better strategy would be for most people.

The *Lacedaimoniōn Politeiai* use the example of the Spartans to suggest that there was in fact a group of men who were uniformly excellent on account of their ‘education.’ They emphasize what was likely taken for granted by much of their audience: Sparta and the Spartans were “supremely powerful” (Xen. *Lac. Pol.* 1.1) and “the best and strongest in body” (DK 88B32). They are supposed to be so just in virtue of each taking part in the same upbringing and style of life instituted by the Lycurgan *nomoi*.⁶⁴ Since there is only one best way to practice any given activity, each Spartiate must be put through the same motions. It therefore makes sense that the Spartiates should all be called *homoioi*, “sames.”⁶⁵ The Spartans’ uniform excellence resulting from their common education provides an answer to the doubt about whether excellence can be taught given that there does not seem to be any reliable teacher. The answer is that there is in fact a reliable teacher, the *nomoi* established by Lycurgus. In every instance, these *nomoi* make their ‘pupils’ superlatively good in virtue of the preparations they enjoy.

Even if someone believed that laws or customs could provide a guide as to how he should behave and that it was possible to become excellent by means of teaching or customary requirements, there were still arguments on offer for why it would be more desirable to reject customary imperatives and instead “follow nature.” As Antiphon says, “The things established as advantageous by *nomoi* are chains upon nature, but the things established as advantageous by *physis* are free” (fr. 44a col. IV.1-7). What laws establish as things that benefit a person are in fact chains on him. In what sense are they chains? Presumably in that they hinder him from being free (unlike the advantages ‘established’ by nature), from acting as he otherwise would. Insofar as “living and dying belong to nature” and “living comes to nature from what is advantageous and dying from what is not advantageous” (fr. 44a col. III.25-IV.1), it would seem that what is not advantageous amounts to a hindrance on life, and the advantages established by law or custom are chains on life.⁶⁶ In what sense is life meant here? Antiphon earlier says that, “most of the things that are just according to *nomos* are hostile to *physis*” (fr. 44a col. II.26-30), where that is spelled out as the limitations imposed on the activities of the senses and of desire.⁶⁷ The nature of a person thus seems basically to be the working of his body, and living seems to be bodily functioning, where the body that functions is to be understood in terms of the limbs and senses.⁶⁸ The natural person is the physical person (in something like our sense of physical or physiological).⁶⁹ On this way of thinking, a person is free to the extent that things extraneous to his basic physical functioning are removed, as chains would have to be removed to make someone free. Pain and pleasure are important indicia of bodily

⁶⁴ See Xen. *Lac. Pol.* 1.2 and 8.5, quoted above, and note in particular the use of the plural *Spartiētai* at 1.1-2 and the singular collective *Spartē* at 8.5 as both abiding by the laws.

⁶⁵ See Xen. *Lac. Pol.* 10.7 and Lipka’s discussion ad loc. For the term in the background in Herodotus and Thucydides, see Loraux 1977; Shimron 1979. Kennell 1995: 133 points out the extent to which equality among Spartiates was a fiction, but the relevant point here is that it was a credible and credited fiction. Note that Xenophon specifies that the lifestyle (*diaita*) is prescribed the same for all (5.1). I’ll return in chapter 2 to the difficulties associated with thinking each and every Spartiate is superlative.

⁶⁶ For the concern with living, cp. Anon. Iamb. 4.2-3.

⁶⁷ See fr. 44a col. II.30-III.18: “It is established by *nomos* upon the eyes what they must see and not see, and upon the ears, what they must hear and must not hear, and upon the tongue, what it must say and must not say, and upon the hands, what they must do and must not do, and upon the feet where they must go and must not go, and upon the mind, what it must desire and not desire.”

⁶⁸ So also Gagarin 2007 who also points to fr. 44b col. II.27- III.12: “We all breathe in air by our mouths and nostrils; we laugh when happy and cry when sad; we receive sounds by hearing; we see with sight by means of light; we work with our hands; and we walk with our feet.”

⁶⁹ Cp. the contemporary Hippocratic treatises *Nat. Hom.* 1.5 (humors); *On Regimen* 1.2.1 (parts are mixed together to form the nature of human). Cf. *Vet. Med.* 20.3-4, 6 (different human natures—differentiated in terms of their response to different foods and drinks).

functioning and so are taken to be hallmarks of advantage and disadvantage according to nature (fr. 44a col. IV.7-12).⁷⁰

From this emphasis on the freedom of the body, we can see where two further, positive elements of the championing of *physis* as the guide to the most desirable sort of life might come from. Freedom (*eleutheria*) was first of all to be understood in terms of not being a slave.⁷¹ But given that the slave master and the slave seemed to form an exhaustive pair, it was easy to see not being a slave as equivalent to being a master of slaves.⁷² Thus, to be free by nature could easily come to be associated with dominating others. So, Gorgias, in his *Praise of Helen*, takes for granted that, “it is natural not that the stronger be hindered by the weaker but that the weaker be ruled and led by the stronger” (*Helen* 6). Similarly, the Athenians in Thucydides’ Melian Dialogue explain that everyone everywhere “rules over whomever they are stronger than by natural necessity” (5.105.2).

Furthermore, the concern with pain and pleasure of the most basic kind would make it easy to associate the pleasures of drinking, eating, and sex with the demands of nature.⁷³ The association is parodied in Aristophanes’ *Clouds* where Wrong encourages his students to secure “all the things that make life worth living,” that is to say, “boys, women, dice, relishes, drinking, and laughter,” of which they would be deprived if they went in for “moderation” (1071-4). He calls these things “the necessities of nature” (1075). The urges to eat and drink and to procreate are felt as non-optional, as necessary for life. As the *Dissoi Logoi* assumes, “for human life, food and drink and sex are concerns” (1.2). These necessary desires are constantly present and presently appealing; living according to nature requires attending to them apart from all else.⁷⁴

The *Lacedaimoniōn Politeiai* take up the ends associated with a preference for *physis*, namely freedom, pleasure, and power. They suggest, though, that to get them one shouldn’t strip away all features of life not directly concerned with basic bodily functioning; rather, one should work on nature and shape a person such that he or she becomes like an art object produced by masterly effort.

⁷⁰ The phrase “no more” at lines 11-12 and 16, given the rhetorical context of chains and talk of benefit and harm, should be understood as a kind of litotes rather than a strict statement of uncertainty: it means “not at all when compared with” rather than “perhaps just as much as.” Contra Gagarin 2007: 360. On a similar idiom in Thucydides, see Macleod 1983: 128n.38.

Insofar as the focus is supposed to be on bodily functioning, pleasure and pain are presumably to be understood as some kind of raw sense experience.

It is also possible that there is a deeper sense of benefit and harm, and thus a more limited construal of ‘no more’ required: *nomos*, pleasure, and pain as they are currently understood (though not absolutely) are of little use one way or another as guides to conduct.

⁷¹ See Finley 1981a: 119, 121-123, 127-128. Cp. Raaflaub 2004: esp. 23-26, 187-190 (though his discussion of the Old Oligarch (227-238, esp. 235-238) seems to understate the importance of the free/slave dichotomy for the understanding of freedom in that work; see further chapter 3). The point is also nicely put in Frede 2011: 9.

⁷² See Finley 1981a: 127-128. It is notoriously the case that, with the possible exception of Alcidas, no argument for abolishing slavery survives from antiquity.

⁷³ Sexual license can be seen as a requirement of *physis* in part because *physis* is also slang for “genitals” (for which sense, see Sommerstein 1982: xxiv, 214).

⁷⁴ See in this connection Euripides’ Cyclops who responds to Odysseus’ appeals to the universal, divinely ordained custom of receiving suppliants by praising “wealth” and his “belly” as the gods whom he honors and to whom he sacrifices (316, 334-5). He then goes on to claim that even for the moderate (*tois sōphrosin*), eating and drinking enough for the day and not oneself being grieved count as Zeus (336-8), thus imagining moderation as just the same kind of thing as his gluttony. He prefers instead to make a fuller meal of the sailors (340-1) and complains that the men who established laws were hateful embroiderers (338-40). He promises his guests the hospitality of a fire on which to be roasted and his god to worship (342-346). Note also his concern with vessels for his milk (216-217). (In his preference for gluttony and witty restatement, as well as in his status outside of civilization, the Cyclops almost paradoxically instances the type of the clever, antinomian, self-indulgent aristocrat. Cp. Paganelli 1979: 21-60; Seaford 1984: 56, 164-169.)

One can see the basic contrast most clearly by comparing how Critias describes various styles of dining furniture (DK 88B2.4-5, and esp. DK 88B35) with what Antiphon is supposed to have said about similar objects.⁷⁵ As I argued above, the point of the contrasts in Critias is to bring out the purposes for which such objects are designed and to reflect on how well different types of the same kind of object are suited for their purposes. Antiphon, on the other hand, seems to have suggested that the most relevant feature of, for example, a bed was its material constituents rather than its functionally defined features (see *Ar. Phys.* 2.1, 193a12-17). According to the *Lacedaimoniōn Politeiai*, it is not enough to seek out the underlying nature of a thing. Reclining in the best way requires considering the various culturally specific features of the relevant furniture and settling on the features best suited to one's purposes, which are undoubtedly those of the furniture used by the Spartans. Sleeping in the best way—the way best suited to one's broader aims—requires shaping the basic natural material used to produce sleeping equipment in just the right way.

Likewise, if one were primarily concerned with being physically best and strongest, one should start from thinking about how to achieve that end. Thus Critias seems to have begun his prose *Lacedaimoniōn Politeia* by asking, "How would a man be best and strongest in body?" The answer is that the man's parents should exercise so as to be physically strong and likewise that throughout his childhood and into adulthood he would have to attend to physical fitness. Not just the father, but "also the mother of the child to-be should be strong in body and take exercise (*gumnazoito*)" (DK 88B32). If one is really set on being physically strong, it would be important to subordinate ideas both about proper gender roles and about sexual desire so as to achieve that end. Lycurgus is thus supposed to have "ordered the female no less than the male stock to cultivate their bodies and established contests of running and strength for women as for men" (*Xen. Lac. Pol.* 1.4).⁷⁶ The custom of physical exercise for women as well as men makes for stronger children and so requires giving up any preference for women bearing the signs of having been kept indoors and inactive. The bare end of sexual satisfaction should be subordinated to the aim of achieving strong offspring. When spouses can marry and when, once married, they can spend time together is likewise regulated. As Xenophon claims,

Because he recognized that others, when they were first married, coupled excessively with their wives, he decided to accomplish the opposite. He established that it would be shameful to be seen going in or out of the house. As a result, since they couple with more desire for each other, if they have a child, it is stronger than if they were sated with each other. In addition, he stopped them from marrying whenever they wanted, and ordered that marriages take place when they were at their physical peak because he thought this would be advantageous for producing good children.⁷⁷

⁷⁵ I offer the comparison in order to bring out the contrast, not to claim that the *Lacedaimoniōn Politeiai* in general or Critias in particular were responding to Antiphon's particular statement.

⁷⁶ On the peculiar use of male and female as though speaking of livestock, see further the discussion in chapter six of a similar move in the *Republic*.

⁷⁷ 1.5-6.

While such efforts may require foregoing a certain pleasure in the moment, in hindsight they can be seen to conduce to more of what those praising *physis* would seem to most desire: freedom, physical strength, and pleasure.⁷⁸

Insofar as considerations of the best way to do something permeate every aspect of Spartan life, as Lycurgus' role as the creative genius behind the whole system emphasizes, it is possible to see the Spartan citizens as themselves carefully crafted so as to be superlatively good. This is clear above all from the extensive discussion of Spartan upbringing and adult life that amounts to nothing if not the process of manufacturing excellent Spartiates. The features of Spartan life, all of which are said to be products of Lycurgus' contrivance, are the tools by which the Spartiates are fashioned as works of art.⁷⁹

The description of the Spartiates as works of art may seem to imply that there is some basic material on which the Spartan institutions work, but in fact the *Lacedaimoniōn Politeiai* reject even this element of the claim that there is some basic nature chained by *nomoi*. Rather, each Spartan is shaped even before he exists in any sense. The men and women who will be a given Spartan's parents are required to train so that they may create a child who is superior in stature and strength. They create the nature of the child through their efforts. According to the *Lacedaimoniōn Politeiai*, there is not some nature apart from the determinations of custom or law that is to be liberated once customary accretions, like chains, are removed; rather, it is the work of the *nomoi* of Lycurgus to create the person from the first.

The *Lacedaimoniōn Politeiai* may thus also be helpfully contrasted with the statements quoted above (p. 23) about the effect that *nomos* can have on *physis*, in particular Democritus' suggestion that teaching, by shaping a person, produces his nature. Whereas Democritus seems to suggest that over time teaching can form a person's nature, the *Lacedaimoniōn Politeiai* seem to suggest that *nomoi* are, at least in the special case of Sparta, responsible for creating even the very nature of a person, as it were *ex nihilo*. The *Lacedaimoniōn Politeiai* also, of course, emphasize something like the Democritean potential of education to shape a person. For example, the education and outfitting of the young serves both "to strengthen their feet...so that they can more easily climb uphill and go back downhill more safely," and to make even children "very respectful and very obedient"(2.3). But the supposed possibility of shaping a person's nature so as to make him exceedingly powerful suggests a more striking reason to doubt the promises of those who advocated for doing what *physis* demanded. In order to achieve maximal physical strength, the workings of *nomos* on some preexisting *physis*, whether added or subtracted, wouldn't be sufficient; rather, one would need to have had customary commands carefully and cleverly deployed to create an ideal *physis* which could then be further improved through various projects of acculturation.

It is important to note that according to the *Lacedaimoniōn Politeiai*, both the original effort to create a person who has the potential to be as strong as possible and the educative efforts to realize that potential are carried out by agents other than that person himself. In Antiphon, on the one hand, we find the claim that a person would do best if he, through his own efforts, avoided the workings of law or custom and looked just to his own physical well being apart from anything else. The *Lacedaimoniōn Politeiai*, on the

⁷⁸ Critias seems to suggest that this is something like a general principle. As he says by way of contrast with Spartan practices, "toasting from cups beyond measure, though it gives pleasure in the moment, harms people for the rest of time"(DK 88B6.23-4). See, in this connection, Xen. *Lac. Pol.* 5.4, 9.2.

⁷⁹ Note that Xenophon describes how Lycurgus thought slave women good enough to provide clothing but ordered free women to take child production (*teknopoiian*) as their greatest task (1.4), as though children were an object, like clothing only dearer, to be produced using the best techniques.

contrary, suggest that one can only achieve the kind of physical superiority for which the Spartans were known by means of the efforts of others who acted as they did on account of the workings of law or custom. This is above all true in the case of conception. Being born so as to be most powerful clearly requires efforts other than those of the person in question: that person in no sense even exists at the time the relevant actions are to be taken. When Critias speaks of the mother of the Spartiate who would be best and strongest in body, he pointedly calls her “the mother of the child who is going to be (*tou mellontos esesthai*)” (DK 88B32). It is also clearly true for the young whose decisions about their activities and even dress are carefully made by others. But as the attention to the particular objects that make up the furniture of Spartan life makes clear, it is even true for adults down to the smallest detail. According to the *Lacedaimoniōn Politeiai*, the Spartiates live in a world ideally designed for them and for which they are ideally designed. That is to say, both they and their world are designed so as to be ideal.

The Spartiates must be shaped by external forces at least in part because their shaping requires them to undergo activities that they could only endorse in hindsight. In the case of procreation, a person cannot choose the manner in which he is created; he can only afterwards approve of or regret the way it has come about. In other cases, it will only be possible in hindsight to appreciate the way one has come to be oneself because the requisite formative activities are unpleasant at the time one is doing them. The adult Spartiate is only as strong as he is and disposed to fight as he is because of the ways he has suffered through his youth. But it is precisely these experiences (if one can stretch that term to include birth), given the result they are effectively designed to achieve, that one would want to have undergone and for which, looking back, one would be glad, even if one couldn't be glad in the moment of being born or of being starved or whipped.

At one level, an aristocratic reader or listener tempted by the claims of those praising *physis* may have been helped by the descriptions of Sparta he encountered in the *Lacedaimoniōn Politeiai* to see the importance of putting one's own life in order in the manner of the Spartans. As discussed above, this might include the most minor details—the cup from which he drank, the clothes he wore, the couch on which he reclined, and so on. There seems to have been a fashion at Athens for taking on what were thought to be Spartan manners of dress and grooming: men went unwashed with humble garments and unkempt hair.⁸⁰ It may be that these men were making such efforts. (They may, of course, have had other motivations, either more diffuse or otherwise specific, that we can no longer trace.) Putting one's life in order might also stretch further to the pastimes one pursued or how one directed one's activities or tried to make them cohere around some set of goals.

But anyone who noticed how important others' efforts were in shaping the Spartans as described in the *Lacedaimoniōn Politeiai* could hardly fail to see the need not just to reflect on one's own activities but to have a society that, as it were, would have done some of that reflection beforehand. The *Lacedaimoniōn Politeiai* thus encouraged those who wanted to live in such a society to seek ways of orienting not only their own activities but also those of their society at large. The desire to live in such a society couldn't be for the effects it might have on them as adults already grown up elsewhere. But it would offer even to them the promise of being a part of a society admirable for its coherence or for its tremendous power.

⁸⁰ See Ar. *Nub.* 348-50 with *Lys.* 278-80 and Pherecr. fr. 11 KA; Av. 1281-3; Plato Com. fr. 132 KA (with Geddes 1987: 320). For the phenomenon in general, see Cartledge 1999: 313, 315-316.

V. Conclusion

In the main part of this chapter, I have tried to explain why the *Lacedaimoniōn Politeiai* had the peculiar features they did. I have suggested that the reason is to be found in the engagement of these texts with the texts written for and about the symposium and with the ongoing discussions of the relation between *nomos* and *physis* that played such a prominent part in intellectual life in Athens in the second half of the fifth century.

I claimed that these texts' attentive focus on the details of Spartan drinking habits as opposed to those of other places should be understood in the tradition of poetry sung at the symposium that attempts to articulate individual ethical norms through descriptions of proper sympotic behavior. But whereas that poetry largely articulates norms of behavior directly, the *Lacedaimoniōn Politeiai* invite their readers to find norms through reflection on the ways different objects of the same kind more or less effectively accomplish the same end.

I then argued that the focus on the Spartan system and Lycurgus' genius in creating it makes sense against the background of concerns about the possibility of customary norms cohering. I suggested that the example of Spartan education provides an apt response to doubts about the possibility of improving on a person's nature. Finally, I claimed that the supposed efficacy of Spartan norms in engendering strength and freedom offers an effective retort to claims that one should rid oneself of all superfluous customary accretions in order to be free and strong. On the whole, the *Lacedaimoniōn Politeiai* give an impetus to their readers or listeners to consider at once how to make their own lives coherent in the Spartan fashion and how to realize a society in which such coherence would be truly possible. They do so by describing the *politeiai* of the Spartans, where the plural describes the institutions severally, or their *politeia*, where the singular describes the whole.

As I suggested at the outset, it is plausible to see these works as the relevant context for Herodotus' unique use of the term *politēiē* in his narration of how Teisamenos came to be associated with the Spartans. But how should the sense of something like citizenship in Herodotus fit with the term *politeia* as a heading for texts describing the institutions that structured the Spartan mode of acculturation and style of life? In order to answer that question, it is important to notice that the *Lacedaimoniōn Politeiai* describe the *politeiai* that make the Spartans who they are. As discussed above, this is true in a particularly thoroughgoing sense: the Spartan *politeiai* determine every feature of a Spartiate's life from the moment of conception and including not just the kind of thing he would eat and drink but even where and how he would do so. In a sense, citizenship in other Greek *poleis* might be described in similar terms: for example, at Athens, at certain times in one's life, it would be necessary to go through prescribed rituals in order to be entered in the citizen lists.⁸¹ But in other cities making men citizens was, as it were, a formal process: it involved noting them in lists, which might subsequently be inspected, so as to confer a particular official status. What the *Lacedaimoniōn Politeiai* depict is not so much institutions that confer a particular status as ones that create people of a particular kind. The term *politeia*, initially used to describe the institutions that created citizens of a certain kind, might then easily come to refer to the status of being that kind of citizen. The expansion would be particularly straightforward given that, on these accounts, there wasn't anything more to being a Spartiate, no further abstract status, beyond taking part in those institutions (see Xen. *Lac. Pol.* 9.4-5). In the next chapter, I will suggest that Herodotus, among other

⁸¹ For the procedural details, see, e.g., Hansen 1999: 95-97; Robertson 2000. For ongoing efforts to determine which adults were really citizens (though mostly with reference to fourth-century texts), see Lape 2010: 186-216.

things he is doing relevant to the history of the concept *politeia*, is playing with the ideas found in the *Lacedaimoniōn Politeiai* in part by making *politeia* a status that someone born and raised outside of Sparta could request from and be granted by the Spartans.

As I also mentioned at the outset, though I have focused on the *Lacedaimoniōn Politeiai* because they are fundamental to understanding why people started talking about *politeia*, there are other early instances of the term that require explanation.⁸² To begin with, Aristotle tells us that Hippodamus of Miletus was “the first of those not engaged in politics to try to say something about the best *politeia*” (*Pol.* II.8, 1267b29-30). But just as Aristotle in *Physics* I describes earlier writers as trying to do what he is doing in the *Physics* even if they wouldn’t have thus described themselves, so in *Politics* II Aristotle’s statement about Hippodamus may well represent Aristotle’s understanding rather than any self-description Hippodamus would have recognized. It seems certainly true that Aristotle’s sense of what counted as talking about *politeia* is decidedly broader than what anyone would have thought in the 440s or 430s. It may thus be best to leave aside Aristotle’s testimony absent additional evidence. The next instance comes in the list of titles for Protagoras’ works in Diogenes Laertius. There, we find the title *Peri Politeias* (D.L. 9.55). We also hear elsewhere that Aristoxenus claimed that almost the whole of Plato’s *Politeia* (*Republic*) was borrowed from Protagoras’ *Antilogika* (D.L. 3.38). I cannot see what could reliably be inferred from these two reports about the content of any of Protagoras’ writings, though I will try to say something about the latter when I discuss Plato’s *Republic* in chapters 5 and 6.⁸³

Finally, at the opening of the first speech in Antiphon’s second Tetralogy (3.1.1), which is probably to be dated to the 430s, we hear that, “Among matters, those that are agreed are decided by the law and by those who voted, who have power over every *politeia*, but if something is disputed, this is assigned to you, citizens, to determine.”⁸⁴ It has been suggested that *politeia* here should mean “government,” which is what those who have voted, i.e. the members of the assembly, control.⁸⁵ But that would seem to imply that the juries do not take part in determining or controlling the government of the city.⁸⁶ Given the foregoing, I would suggest that we should understand *politeia* here as “the whole of the organization of the city,” which is notionally determined and stabilized by *nomos* in general and the particular laws enacted, in Athens’ case, by the assembly.⁸⁷ It

⁸² The particular use of *politeia* in what purports to be a seventh-century oath preserved in a fourth-century inscription (*SEG* IX 3.32=ML 5.32) is more likely to be a product of the 370s when the oath was “re-inscribed” (Nafissi 1999: 252-3).

⁸³ Stephen Menn has suggested that *Peri Politeias* was in fact a title for a part of the *Antilogika* and that this part provided arguments for and against democracy, oligarchy, and tyranny of the kind found in Herodotus’ Constitutional Debate (2006:13). The first claim seems plausible, though it seems to me just as plausible that the title *Peri Politeias* was a Hellenistic invention, at a time when writing *Peri Politeias* had become very fashionable, on the basis of Aristoxenus’ comment or something like it. Regarding the second claim, I explain in the next chapter that Herodotus doesn’t say that his Constitutional Debate is about *politeiai* because he doesn’t think that it is, though it is certainly relevant to the cluster of ideas subsequently discussed under the heading *politeia*.

⁸⁴ For the date, see Gagarin 1997: 4-5, slightly modifying the arguments of Dover 1950. Though as he later noted (Gagarin 2002: 61-2), if we think that the Athenians did not institute the practice of *eisphorai* until 428 (as one reading of Th. 3.19.1 would suggest; for objections to such a reading, see Hornblower 1991-2007: I.403-4), then 2.2.12 would seem to suggest that the *Tetralogies* were composed after 428.

⁸⁵ Gagarin 1997: 147, though as he notes “the term is broader than the English and includes all aspects of civic life.” Cp. Gernet’s translation in the Budé edition: “la vie de la cité.”

⁸⁶ Gagarin 2002: 107 translates “our government” as though reading *hēmeteras politeias* for *pasēs tēs politeias*; that does not seem to obviate the problem.

⁸⁷ By the distinction between *nomos* in general and the particular laws enacted by the assembly I do not mean to suggest that something like the fourth-century distinction between *nomos* and *psēphisma* is intended here. Gagarin’s reference (2002: 61n.86) to *IvEr* 2.A.21-22 seems to me decisive on that point. Rather, the

would make sense that the term in this sense would be borrowed from the *Lacedaimoniōn Politeiai*: their focus on the regularity of Spartan life and the general sense of agreement that prevails there would help to emphasize the procedural regularity and uniformity where matters are agreed as opposed to the unpredictability of the disputed matters that come before juries. It further makes sense that Antiphon would draw from such a source given that the *Tetralogies* in general seem to have been composed for a sophistic audience of the kind with which, I have argued, the *Lacedaimoniōn Politeiai* were engaging.⁸⁸

The instance of the term in the *Tetralogies* thus further attests to the early importance of the *Lacedaimoniōn Politeiai*. In the next chapter, I explore Herodotus' interest in the issues raised by the *Lacedaimoniōn Politeiai* as well as what other parts of his work, in particular the Constitutional Debate, might tell us about early thinking about *politeia* and related issues.

phrase seems to me a hendiadys meant to capture the idea (discussed above) that the *nomos* of Athens was the product of democratic enactment. I am thus inclined to understand both *nomos* and *tōn psēphisamenōn* as the antecedent of the relative pronoun *hoi*.

⁸⁸ For present purposes, it is irrelevant whether the author of the *Tetralogies* is the same as the author of *Truth*, and so I remain agnostic as to that question.

Note also that the topic of the second *Tetralogy* in particular seems to have been regarded as being of especial interest in sophistic circles (see Plut. *Per.* 36.3).

Chapter 2: Herodotus and *Politeia*

I. Introduction

The previous chapter began with Herodotus' story of the Spartan grant of *politeia* to Teisamenos. I suggested there that the association of this term with the Spartans and not with other instances of people being made *poliētai* of this or that community made good sense given the connection between *politeia* and the Spartans, in particular in the genre of texts described in the previous chapter, the *Lacedaimoniōn Politeiai*. In this chapter, I want to suggest that the Teisamenos story is one strand of Herodotus' engagement with both discussions of *nomos* and *physis* and with the *Lacedaimoniōn Politeiai*. Looking at several elements of the story will provide a way of pulling on that strand and seeing how it is connected to others that run through Herodotus' *History*. In addition, considering Herodotus' engagement with early thinking about *politeia* and the debates in which it intervened will help us see the Persian discussion of monarchy, oligarchy, and democracy, the Constitutional Debate, in a new light. More specifically, recognizing that that discussion is not described as about *politeiai* will be the starting point for a new interpretation of the debate and how it fits into the larger context of book three and of the work as a whole.

II. Nomos and Physis

The first thing to notice is that the story of Teisamenos is pointedly one of a pair. We are presented first with the general arrangements of the armies at Plataea (9.31-32), and then we hear of the seers that travel with each of the armies. First comes the story of Teisamenos who serves as seer for the Greeks, then of Hegesistratus who serves as seer for the Persians. Each is followed by a digression meant to explain how he came to serve as he did. Regarding Teisamenos, we are told:

When Teisamenos was consulting at Delphi about having children, the Pythia replied that he would win five of the greatest contests. He misunderstood the oracle and applied himself to athletics, thinking that he would win athletic contests. He practiced the pentathlon and came within one fall of winning at Olympus against Hieronymus the Andrian. The Lacedaimonians understood that the oracle for Teisamenos had to do with martial not athletic contests and so they tried to persuade Teisamenos with money to act as leader in war along with their kings, the descendants of Heracles. When Teisamenos saw that the Spartiates were making a big deal about acquiring him as a friend, he raised the price, indicating to them that if they made him their fellow citizen and gave him a share of everything, he would do these things, but for no other price. The Spartiates, when they first heard this, were horrified and gave up their request entirely. When at last a great fear of the Persian army hung over them, they went to him and assented. He recognized that they had turned and so said he would no longer be satisfied with his original request but that his brother Hegias must also become a Spartiate on the same terms as himself. ... When the Spartans gave in also to these demands, thus did Teisamenos the Elian, having become a Spartiate, win along with the Spartans the

five greatest contests that had been prophesied to him. And he and his brother alone among all men came to be citizens with the Spartans.¹

The Persian seer, Hegesistratus, serves on the Persian side because he has had less positive experiences with the Lacedaimonians. As Herodotus says,

Earlier than this the Spartans seized him and bound him with the intention of putting him to death because they had suffered many unfitting things at his hands. When he was caught in this plight, because his very life was at stake and because he was likely to suffer many grievous things before dying, he accomplished a deed beyond telling (*mezon logou*). He was bound in stocks secured with iron, but he got possession of a knife somehow brought in and at once he contrived the manliest deed we know about. He'd calculated that the rest of his foot would come out, so he cut it off at the instep. And once he did it, to avoid the guards, he dug under the wall and escaped to Tegea, walking by night and slipping into the woods during the day and making his bed there. In this way, though the Lacedaimonians were searching for him all together, on the third night he made it to Tegea. The Lacedaimonians marveled greatly at his daring when they saw the half of his foot lying on the floor and weren't able to find him.²

Herodotus also draws our attention to the pairing by pointing out that, contrary to expectation, Mardonius "in fact (*kai gar*) used Greek methods of divination"(9.37.1).³ And he pointedly notes that both Teisamenos and Hegesistratus are Elians, each from one of the two great families of Elian seers.⁴

As we hear the explanation of how Hegesistratus ended up on the Persian side, however, it becomes clear that the point of the digressions may be as much to draw contrasts between the two, particularly through their experiences with the Spartans, as to explain how each came to be where he was. Hegesistratus' experience with the Spartans is meant to explain why he is fighting with the Persians. But it presupposes some prior hostility to the Spartans. He is detained on account of some harm he has previously done to the Spartans. And in order to explain why his hostility should lead him to fight against the Greek force more generally, which presumably included the Tegeans, Herodotus reports that he was paid a great sum of money by Mardonius to divine for the Persians (9.38.2).

In any case, the contrasts between the two stories are quite thoroughgoing. Both stories are structured around an outsider being brought into Sparta and then doing something wondrous once there. But in each element, the two stories are starkly opposed. The Spartans realize something about Teisamenos' situation that he doesn't; Hegesistratus realizes something about his own situation that the Spartans don't. In the central part of each story, Teisamenos is trying to get in with the Spartans; Hegesistratus is trying to get out. The Spartans help Teisamenos realize his ambitions, while they inhibit Hegesistratus from doing what he wants. Teisamenos' interaction with the Spartans ends up with him realizing something more than physical prowess; Hegesistratus ends up with something less than physical prowess. Teisamenos becomes greater than he was before becoming connected with the Spartans; Hegesistratus literally becomes less than he was before being

¹ 9.33.2-5, 9.35.1.

² 9.37.1-3

³ See *GP* 108-109 on the use of *καὶ γάρ*.

⁴ See Wilson 2015b: 179 on the textual issue at 9.33.1 regarding the details of Teisamenos' family connections.

captured by the Spartans. The Spartans wonder at what Teisamenos does for and with them; they wonder at what Hegesistratus has managed to do to himself. More specifically, we are made to admire Teisamenos' success in martial contests against others, while our attention is drawn to the uniqueness of Hegesistratus' willingness to do harm to himself.

The details of what Hegesistratus does and what he suffers seem pointedly designed to call to mind many of the elements of sophistic claims for the importance of *physis*, as discussed in chapter one. Hegesistratus' basic predicament—apprehended for misconduct and bound—recalls the basic fear of what *nomos* as opposed to *physis* does to a person. Recall in particular Antiphon's claim that "the things laid down as advantageous by law are chains on nature" (fr. 44a col. IV.1-6) and Wrong's promise to Pheidippides to get him off scot free should he be apprehended (1076-1078). In a similar vein, the ill of punishment facing Hegesistratus is above all pain (note *lugra*), which must be avoided as harmful to nature (cp. Antiphon fr. 44a col. IV.8-22 and *Clouds* 1072-4). The wonder at his "daring" and the claim that Hegesistratus committed the "most manly deed we know about" calls to mind both the general concern with derring-do in the face of challenges to taking one's manly prerogatives and the specific concern with what would make someone the "best man" parodied in the *Clouds* (1076-1080, 1047-1050; cp. Anon. Iamb. 6.1). The earlier description of his actions as "beyond telling (*logos*)" may likewise ironically recall the worse argument (*logos*) getting the better of the better argument, as depicted in *Clouds*.⁵

By the same token, the description of Teisamenos' experience with the Spartans in many respects recalls elements of what the *Lacedaimoniōn Politeiai* imagine for Spartiates brought up in the Spartan way.⁶ Teisamenos has a certain potential for military prowess but is not able to realize it himself. Only once the Spartans recognize his potential and make him a Spartiate is he able to excel as he has hoped to do. He misunderstands the oracle while the Spartans understand it. All he is able to understand is that he could take advantage of their interest in him but doesn't fully appreciate all the benefits he could reap from doing so. Only once he has become a Spartiate is he able to fully realize these goals and recognize that his connection with the Spartans is a necessary condition for realizing them.⁷ Before he is made a Spartiate, the Spartans only think it worth appealing to him with money, and he understands becoming a Spartiate as the "price" for his help. The importance of the connection is perhaps best captured in the peculiar phrases that frame the story. In the initial summary, the Spartans are said to make him *leōspheteron*, a *hapax*; in conclusion, we learn that Teisamenos and his brother uniquely became citizens "with the Spartans" (9.35.1), a peculiar use of the dative without any preposition. While *leōspheteron* is puzzling, the most likely derivation remains Stolz' from *leō spheterou*.⁸ It would seem to emphasize his belonging in the body of the Spartans as a whole, the extent

⁵ Herodotus otherwise uses the description "beyond telling" for rather grander things—Egyptian works in general (2.35.1), an Egyptian 'labyrinth' and the pyramids (2.148.1, 3), and the Persian host (7.147.1). The contrast with Hegesistratus' self-mutilation suggests an ironic tone here.

It is also striking that the terms (*meizon logou*, *andreios*, *tolmē*) recur in Thucydides' description of the *stasis* at Corcyra where *tolma alogistos* was reckoned (*enomisthē andreia philetairos*) (3.82.4).

⁶ It may be noteworthy that just as the *Lacedaimoniōn Politeiai* seem to consider the Spartiates as the only Lacedaimonians, here Herodotus alternates freely between *Lakedaimonioi* (9.33.1) and *Spartiētai* (9.33.5, etc.). Compare the earlier passage (9.28.2) where a distinction is drawn between the *Spartiētai* and *Lakedaimonioi* in general.

⁷ As Immerwahr (1966: 294-295) points out, Teisamenos' name means 'the avenger,' and so his place in the Spartan army allows him to literally live up to his name. Immerwahr also points out that it is common for seers to have such auspicious names.

⁸ See Wilson 2015b: 179.

to which he is truly one of them, able as much as they are.⁹ The dative, which we might describe as a dative of advantage, seems in turn to call attention to the way Teisamenos' status redounds to the benefit of the Spartans in general through the military victories his connection with them makes possible.

The paired stories thus seem to recapitulate the contrast between the claims for freedom from social control and the power associated with becoming a Spartiate, but in neither case is the evocation likely to be congenial to those who claimed to follow *physis* or to admirers of the way the Spartans were supposed to live.

On closer examination, Hegesistratus seems more pitiful than brave or clever. The description of his act as "greater than *logos*" seems to also have the sense of "beyond reason." The claim that it was "most manly" sounds ironic: he has cut away a piece of himself that must be replaced with "a wooden foot" (9.37.4); he "runs away (*apedrē*)" like a slave and, like a beast, sleeps in the woods. We may at first suppose that the Spartans marvel at his "daring (*tolmēs*)," but when we hear that they are looking at half his foot before them we may think that they instead marvel at his recklessness or cruelty to himself. He hasn't so much avoided pain by cleverness as maimed himself in a most ignominious way to avoid death. He slips out of Spartan chains; he doesn't break free. And in the end, once he has escaped punishment, all he goes on to do is vainly seek revenge wherever he can.

What might almost be called a sneer at the ambition to sneak around so as to avoid punishment, so prized by those who would take *physis* as a guide, is in keeping with Herodotus' more explicit disavowals of such claims for the merits of *physis* as a guide. Rosalind Thomas (2000: 2-3; cp. 2006) has drawn attention to one instance, where, in discussing Egyptian taboos, Herodotus mentions that "Almost all other people, except the Egyptians and the Greeks, couple in temples and enter such places after coupling without having washed, believing that human beings are just like the other beasts" and, as some argue, "If this were not pleasing to the divinity, then animals would not do this either" (2.64). Herodotus explains, though, "I do not agree with those who now defend their practices in this way" (2.65.1). As Thomas notes, this seems a pointed rejection of the kind of claim we find parodied in the *Clouds* (1421ff.) where Pheidippides' "appeal to behaviour in the animal kingdom may be made to justify human behaviour. ... Pheidippides appealed to the animal kingdom as if to 'nature' and therefore to something that could be seen as fundamental and right" (2000: 3).

Likewise, the story of Teisamenos fits uncomfortably with the claims of the *Lacedaimoniōn Politeiai*. Those texts suggested that only through attention to every detail of a person's life from before they were born could someone hope to be as powerful as the Spartans were recognized to be. Teisamenos realizes the acknowledged end of the *Lacedaimoniōn Politeiai*, military might, and does so on account of actions the consequences of which the Spartans are fully aware though he is not. But he is in a position to do so not because of anything to do with the circumstances of his birth or upbringing. Rather, he has a mysterious potential that is only revealed by the oracle at Delphi when he happens to be there to ask about producing children.¹⁰ (That detail is perhaps not aleatory: it draws attention to the fact that he is not part of a system such as was imagined to exist at Sparta where each generation was produced in accordance with

⁹ It may be that the peculiar term is only used here to emphasize that only in this case (note *mounoi* at 9.35.1) was somebody made a part of a body politic in the way that supposedly only the Spartans could do.

¹⁰ Cp. Meg Foster's argument (2010: 32-57) that Teisamenos' role as athletic victor, seer, and leader of the Spartan army all suggest that he is imbued with a talismanic power or *kudos*. On *kudos* as Talismanic power in the 6th and 5th centuries more generally, see Kurke 1998.

the best practices put in place by Lycurgus.¹¹) The idea that a grown man could be made a Spartan so easily rather makes a mockery of the care described in the *Lacedaimoniōn Politeiai*. Even the kind of thing *politeia* seems to be in Herodotus' story seems a poor fit with the *Lacedaimoniōn Politeiai*. It is not a system of institutions; it is just their effect.

This too, though, is in keeping with the implications of other statements Herodotus makes and stories he tells regarding the workings of *nomos*. He certainly acknowledges the importance of *nomos* as a defining factor in a person or people's character. Most famously with particular reference to the Spartans, he has Demaratus explain to Xerxes that "*nomos* is set over them as a master (*despotēs*), and they fear it even more than your subjects fear you for your sake. They do whatever it tells them to do, and it always tells them to do the same thing: it never allows them to flee battle before any mass of men but demands that they remain in the battle line to conquer or perish" (7.104.4-5). But, as Rosalind Thomas again has pointed out (2000: 108), he also notes that the Persians "are quick to make a habit of whatever luxury they learn about" (1.135). Following Thomas a bit further (2000: 109), though she is primarily interested in these passages for what they say about Herodotus' commitment to environmental determinism, we may note that Cyrus, following Croesus' advice, is able to make the Lydians, who were once supremely "strong and manly" (1.79.2), "women instead of men" by "ordering them to wear tunics under their cloaks, soft shoes, and to teach their children to play kithara and lyre and to practice retail trade (*kapēleuein*)" (1.155.4).¹² Change of clothes can lead to change of temperament for adults even if not to the same extent as for generations to come.¹³ The elements of life so important in the *Lacedaimoniōn Politeiai* can have their effects not only if used from birth but even on adults. Just as Teisamenos, whatever his prior history may be, can be positioned so as to achieve what he might not have otherwise, so can even the Lydians of fighting age be softened.¹⁴

It should thus come as little surprise that Teisamenos' request should be described as a request for *politeia*. That aside draws our attention to the way the stories of Teisamenos and Hegesistratus offer a humorous, critical commentary on the *Lacedaimoniōn Politeiai* and the sophistic ideas with which they were engaging.

Recognizing as much should also help us see, what is coming to be more generally recognized, that alongside explicit engagement with contemporary ideas such as that in the description of Egyptian customs, Herodotus also often takes up contemporary ideas through the narrative portions of his *History*. This should come as little surprise given that figures traditionally classified as "sophists" or "philosophers" were eager to use narrative techniques at least as old as Homer in the service of considering questions coming to the

¹¹ We may also detect some skepticism about the claims of the *Lacedaimoniōn Politeiai* in Herodotus' story of Lycurgus (1.65-66.1). Lycurgus is the source of laws and practices, and they reverence him and his laws in a way that helps them prosper but is not sufficient for military success. Furthermore, Herodotus seems to take the details of military organization, common meals, and political arrangements for granted, and he spends no time at all on any smaller details of Spartan life that might be traced back to Lycurgus.

¹² On the importance of *kapēleia* for Herodotus and his audience, see Kurke 1999: esp. 72-80.

¹³ Compare James Redfield's observation that Herodotus "evaluates *nomoi*. These are, after all, not immutable; Otanes even urges *isonomia* on the Persians. That the *patrios nomos* of the Persians is something else is one reason the Persians reject Otanes— and also one reason Herodotus had rather be Greek than Persian" (1987: 252).

¹⁴ A number of people have objected to the interpretation of 1.155.4 suggested here on the grounds that this is a deeply bizarre conception of how susceptible human character is to change. As a general matter, I am not sure how much that should be taken to be an objection, but in any case the conception doesn't seem inordinately bizarre to me. It amounts to a particularly strong belief in the power of what we might call style to affect a person at any stage in his life. As discussed in chapter six below, the *Republic, mutatis mutandis*, seems to offer something similar. Compare also Tacitus' descriptions of the behavior of the Roman legions when mishandled, whether in Germany or Syria (*Annals* II).

fore more prominently in the late fifth century. We may think of Parmenides' poem as much as Prodicus' story of the choice of Heracles.¹⁵

In the next section, I will consider further the digression on Melampus that follows the comparison of the request for *politeia* and *basileia* and suggest that it not only marks the story of Teisamenos as a commentary on the *Lacedaimoniōn Politeiai* but also draws our attention to the way the stories of the Spartan kings throughout the *History* amount to a further critique of certain of the ambitions of those who idolized the potential of the Spartan way of life to make every Spartan supremely powerful.

III. The Spartan Kings

As mentioned at the beginning of the first chapter, there is a digression within the digression explaining how Teisamenos came to divine for the Greek army at Plataea. In explaining Teisamenos' demand that his brother also be made a Spartan, Herodotus suggests that Teisamenos was imitating Melampus. Melampus had likewise been faced by a group of people, the Argives, desperate for his help. He had first demanded as payment for his services "half the kingship" (9.34.1). After his request was denied and the Argives grew more desperate, he demanded that they also give a "third of the kingship to his brother Bias" (9.34.2). The Argives, like the Spartans, give in. Herodotus couches the comparison with the initial caveat, "if one may liken those asking for *politeia* to those asking for kingship (*basileia*)" (9.34.1).

The caveat itself indicates the peculiarity of the comparison. The request that Teisamenos has made doesn't seem to be like Melampus', and the story of Melampus seems to emphasize this fact. When Melampus asks for kingship for himself, he asks for a portion. His portion implicitly reduces the portion available to the Argive king. When he asks for a portion for his brother, he can't ask for a half again without leaving the Argive king with no share at all; he asks instead for a third. Kingship is presented as something decidedly finite. Scholars have sometimes agonized over whether Melampus asks for a third for himself alongside the third for his brother or whether he intends to leave only a sixth for the Argive king.¹⁶ It is hard to say how one could resolve the question, but it is perhaps even harder to say what the difference between a sixth and a third of the kingship is supposed to amount to. Are the kings supposed to be a board, each with a certain number of votes? But the fact that the text invites us to think in these terms just brings out the way Herodotus is suggesting that kingship would, characteristically, be finite: there is only so much, and when someone gets more, someone else necessarily gets less. Being a citizen, though, doesn't seem to be at all like that. When Teisamenos is made a citizen, there is no explicit mention of some or all of the Spartans being citizens any less. And yet, the implication seems pointedly to be that there is a similarity between *politeia*, the particular way of being a Spartan citizen, and *basileia*.

The digression about Melampus does not offer any more than a suggestion that the effects of the Spartan *politeia* of the kind discussed in the previous chapter may be more like kingship in being finite than might appear. But the comparison between *politeia* and *basileia*, particularly of *basileia* being given out in shares, and the connection with

¹⁵ Assuming the latter is not entirely Xenophon's invention. Though I am inclined to think that Protagoras' Great Speech is more Platonic composition than Protagorean original, it perhaps represents a common practice of relying on narrative alongside deduction in a way that is familiar also from Herodotus or, for that matter, Plato. Cp. Kurke 2011: 363-370, who also draws attention to the popular origins of certain narrative techniques.

¹⁶ See Macan 1908: ad loc.

Sparta inevitably calls to mind the Spartan kings who appear prominently in the course of the *History*.

As François Hartog has emphasized, the Spartan kings are the focal point for Herodotus' treatment of the Spartans as at once familiar and foreign. In considering Herodotus' extended description of the funeral rites for the Spartan kings (6.58-59), he notes the repeated emphasis on the similarity of the Spartan practices to those of barbarian others (1988: 152-3). He also emphasizes the pointed opposition of the Spartan rituals to those of Athens (1988: 154-6). They mark the Spartans as an intermediary term for Herodotus' audience to understand their own practices and themselves.¹⁷

There is one detail of the funeral rituals that Hartog declines to explain but which seems characteristic of the Spartan kings' position. Herodotus reports that as part of the ritual wailing, all the assembled Lacedaimonians, "the perioikoi, the helots, and the Spartiates, men and women, beat their heads vigorously and wail continuously, proclaiming on each occasion that this latest of the kings to have departed was the best (*ariston*)" (6.58.3). Hartog claims that, "The only articulate statement produced by this city is, in the last analysis, no more than a formula, always the same one, which must be pronounced but which has no meaning, since it is repeated at every royal burial" (155).¹⁸ In fact, though, the statement that each king is best is quite in keeping with the description of the Spartan kings' prerogatives that comes just before. They go out first and return last (6.56); they are the first to sit down at public sacrifices and the first to be served (6.57.1); they receive front-row seats at all games (*agōsi*) (6.57.2). Being first, being superlative also comes along with getting more, being comparatively better. Herodotus explains that both at public sacrifices and ordinary meals the kings receive a double portion (6.57.1, 3). At any given time, both kings are best. The funeral ritual merely confirms what is true throughout the kings' lives: they are best and better than everyone else, both of them at the same time.

The emphasis on the kings getting more and being superlative is in keeping with the descriptions of the Spartiates themselves elsewhere in the *History*, in particular in Demaratus' comments before Thermopylae and again, earlier, in Asia Minor. At Thermopylae, Demaratus warns Xerxes: "You are about to attack the finest kingdom and city (*basilēiēn te kai polin*) of those among the Greeks and the best men (*andras aristous*)" (7.209.4). Similarly, before the invasion of Greece, Xerxes mocks Demaratus' claim that just one thousand Spartiates would stand up to his army by suggesting that "If each of the Spartiates is worth ten men of my army, I suppose you are worth twenty. At any rate, that would accord with what I've heard from you" (7.103.2).¹⁹ Demaratus deprecatingly replies that "The Lacedaimonians, fighting one on one, are no worse than any other men," a clear litotes, "but when they're all together they are the best of all men" (7.104.4).

It is not just in keeping with descriptions of the Spartiates in Herodotus but also with the claims of the *Lacedaimoniōn Politeiai*. Recall that Critias' prose *Lacedaimoniōn Politeia* probably opened, "I begin from the birth of the person (*anthrōpou*): how would he be best (*beltistos*) and strongest (*ischurotatos*) in body?" (DK 88B32). Xenophon repeatedly emphasizes how the various elements of the Lacedaimonians' *politeia* make

¹⁷ Hartog also points out that Xenophon, in his *Lacedaimoniōn Politeia*, makes the Spartans more approachable as a model by, among other things, assimilating the treatment of dead kings to the general Greek practices associated with hero cult (156 and n.179).

¹⁸ This is meant to contrast with the Athenian funeral orations that each time offer variations on a common theme.

¹⁹ The passage calls attention again to the king's double portion. The idea that what or how much someone eats should be correlated with his brute strength becomes an argument against Thrasymachus.

them “stronger”(1.4-5) or “more resourceful and more warlike”(2.7) than other Greeks, and conduce to their “reaching the peak (*epi pleiston*) of manly excellence (*andragathias*)”(4.2).

We can see then why there might be a connection between *politeia* and *basileia*, particularly of the Spartan kind. Both are associated with being superlatively excellent or strong, which goes along with being better than others. Both are also associated with multiple people having such qualities, and having such qualities because of the groups they’re in.

Here it is helpful to return to Hartog’s comment about the Spartan custom at kings’ funerals to proclaim that the dead king was “the best.” He suggests that the repetition of the phrase renders it hollow: each can’t be the best; only one person can be superlatively excellent. But while the idea that more than one person or many people might be superlative seems a contradiction in terms, in fact, it is the regular situation of both the Spartan kings and the Spartiates as described in Herodotus and the *Lacedaimoniōn Politeiai*. As the stories of the Spartan kings throughout Herodotus’ *History* make clear, though, while it was a regular situation, it was not, as Hartog’s characterization helps us see, a stable or unproblematic one.

Herodotus makes the potential for conflict clear above all in the stories of Cleomenes and Demaratus that are so integral to the second half of the *History*, especially books five and six.²⁰ Herodotus reports that the conflict arose during the Spartan invasion of Attica after Isagoras had been driven from the city. As he says,

When they were about to join in battle, the Corinthians first, thinking to themselves that they were not acting justly, turned and went away. After that, Demaratus the son of Ariston, who was at that time a king of the Spartiates, also left. He had led out the army from Sparta with Cleomenes and was not previously at odds with him. From this disagreement, it was established as a law in Sparta that both kings would not be permitted, when the army went out, to go with it. Until then, both had gone with it. And since one or the other of these was relieved of going along, one of the two Tyndaridae was also left behind. Before this, both these came along as support for them.²¹

The emphasis seems to fall on the consequence of the disagreement rather than its source. While we hear why the Corinthians acted as they did, Herodotus does not give us Demaratus’ reasons for withdrawing. Instead, we are told that the Spartan kings from that time no longer went on campaign together and that, as a result, the Tyndaridae don’t travel together either. All of this does indicate an explanation for the conflict, but it is an explanation in terms of political structure rather than the individual psychology of the kings. Not stating any reasons Demaratus might have given for withdrawing, and explaining instead that thereafter kings were not allowed to go out together, makes clear that Demaratus and Cleomenes came into conflict because they were both kings, not because of any personal idiosyncrasies. The subsequent statement that the Tyndaridae do not travel together suggests that the power of the statues was to be associated with the power of the kings. The Tyndaridae were symbols of traditional, portentous power; mentioning the fact that they won’t travel together suggests that the kings must be

²⁰ The conflict between Cleomenes and Dorieus is also notable in this connection. Dorieus “was first of all the men of his age and was certain that he would take the kingship on account of his manly excellence (*andragathias*)” and therefore could not bear “to be ruled (*basileuesthai*) by Cleomenes”(5.42.1).

²¹ Hdt. 5.75.1-2.

separated because of their extraordinary power.²² It is in virtue of such power that they will not be able to command together.

In the next episode of conflict between the two, we begin to see why the tension between them may be irresolvable. Cleomenes goes out to Aegina to punish the Aeginetans for medizing. Herodotus relates that

When he tried to arrest those responsible, the other Aeginetans opposed him, especially Crius the son of Polycritus, who said that Cleomenes would not get away with leading off any of the Aeginetans, since he was acting without the authority of the Spartans because he had been bribed by the Athenians; if he did have the authority, he would have come to make arrests with the other king. Demaratus had suggested in a letter that Crius say these things.²³

The implication of Demaratus' suggestion seems to be that Cleomenes is inadequate on his own; only as a pair can the kings exercise regal authority on behalf of Sparta. Alone, they don't have half as much power; rather, they might as well be private individuals. As long as there are two kings, one king has no hope of impressing others or asserting his power on his own. We further learn that "During this time Demaratus the son of Ariston remained behind in Sparta and slandered Cleomenes." But now we get a hint of an explanation: "Demaratus was also a king of the Spartans, but of the inferior house—not inferior in any other respect, since they were both born from the same man. But the house of Eurysthenes was honored a bit more because it was from the first born" (6.51). The mention of birth order makes clear that for one of two people to be first, the other must be second. In order to be first, one needs to work, as Demaratus undertakes to do, to put the other second or out of the way.

The denouement of the conflict comes when Cleomenes accomplishes the latter, driving Demaratus from his position and securing a colleague, Leotychidas, who will go along with his projects, who doesn't also need to be best. It is in an episode when Demaratus is no longer king but is still at Sparta that the challenge facing the two kings becomes clearest. Herodotus explains that

After he was deposed from the kingship, Demaratus was chosen to serve in a magistracy. At the Gymnopaïdai, Demaratus was watching when Leotychidas, who had already become king instead of him, sent a servant to mock and insult Demaratus by asking him how he liked being a magistrate after having been a king. He was grieved by the question and responded that he had tried both, though Leotychidas had not, and that the question would be the beginning of many evils or many boons for the Lacedaimonians. When he'd said as much, he covered his head and left the theater for his own house.²⁴

The episode first of all highlights the special character of the Spartan kingship relative to other magistracies. At Athens, for example, the king archon was just one official among others. At Sparta, though, to be king is not to be one official among many, but to be

²² The statement would be more striking if the statue was in fact a single piece (Plut. *Mor.* 476A). For their power, see especially the story of the Spartans sending the Tyndaridae to help the Locrians in their war with Croton (Diod. Sic. 8.32; Strabo 6.1.10).

²³ Hdt. 6.50.2-3.

²⁴ 6.67.1-3.

exceptional.²⁵ As Demaratus' actions make clear, the fall from being one exceptional figure to one among many is a source of shame: he is grieved and covers his head before leaving the theater so as not to be seen.²⁶ The fact that a servant of the new king makes the point presumably makes the shame all the worse. Furthermore, that a servant does so at a festival devoted to displays of Spartan excellence helps draw our attention to the similarity of ambitions of the king to be better than all others and that of the Spartiates in general who each strive to be superlative.²⁷

While Cleomenes initially has an easier time with the new Eurypontid king Leotychidas, Herodotus suggests that the contest with Demaratus has in the end been destructive for Cleomenes as well. When he comes to explain Cleomenes' madness, Herodotus explicitly rejects the suggestions that it was the result of his subsequent impious actions at Argos (as the Argives said) or of his excessive drinking in the Scythian fashion (as the Spartans claimed).²⁸ Instead, he says, "It seems to me that Cleomenes paid the penalty for his treatment of Demaratus"(6.84.3).²⁹ The urge to be best and so to best any competitors is harmful for those who win as much as for those who lose.

The connection between *politeia* and *basileia* in the digression on Melampus calls our attention to the way the Spartans imagined in the *Lacedaimoniōn Politeiai* are like kings, each of them supposed to be superlative. The stories of the Spartan kings in Herodotus, however, help us see a problem in the promise of the *Lacedaimoniōn Politeiai*, even were Spartan institutions to operate just as they were supposed to do. A plurality of men, each of whom is supposed to be exceptional, seems prone to destructive competition. In brief, being best involves being better. It is a story as old as the *Iliad*, centered as it is on which single *basileus* will be best of the Achaeans. In Herodotus, that story is played in Spartan dress to make the point in a new context, the context of the *Lacedaimoniōn Politeiai*.³⁰

²⁵ David Asheri (Asheri et al. 2006: ad loc.) points out a number of similarities to the conversation between Harpagus and Astyages (1.129). The question there—how does it feel to be a slave when you have been a king—is connected with the relation between despot and subject rather than, as here, the special status of the king relative to other positions of power at Sparta.

²⁶ Greg Nagy (1990: 344-8, esp. n. 56), in the context of an argument about the relation between choral authority and authorship, suggests that Demaratus is an *archōn* in the sense of a leader at the festival and that his reply to Leotychidas' servant is meant to indicate that it is better to be a choral leader than a king. The general thrust of the argument is compatible with the interpretation offered here; Herodotus' stories are open to a variety of interpretations and fit together in the service of different considerations. The claim that Demaratus' retort is satisfactory to him rather than the best he can offer in an undesirable situation seems off, though. Demaratus reveals his dissatisfaction with his position and his shame at the encounter by covering his head, departing the theater, and eventually leaving Sparta. Giuseppe Nenci (Asheri et al. 2006: ad loc.) likewise seems to miss this when he claims that Demaratus is boasting of being elected rather than born to a position.

²⁷ On the *Gymnopaïdai*, see Nilsson 1906: 140-2, citing especially Pausanias 3.11.9; Pettersson 1992: 42-56; Richer 2005; Ducat 2006: 265-274.

²⁸ Perhaps the latter is a glance at the concern with excessive drinking in the *Lacedaimoniōn Politeiai*?

²⁹ Luraghi 2006, focusing on 6.75.3 where Herodotus canvasses a number of explanations without endorsing one, offers interesting comments on the different explanations but does not notice that Herodotus ends up preferring this one in particular.

³⁰ Because of the scope of this dissertation, I have focused on how Herodotus' stories of the Spartan kings amount to a critique of the promises of Sparta as represented in the *Lacedaimoniōn Politeiai*. As Moses Finley points out "Xenophon's 'love of victory' (*philonikia*) produced losers as well as winners (4.4), a self-evident fact which is often overlooked by modern scholars, who then write as if everyone passed through every stage a prizewinner" (1981a: 28). Finley takes Xenophon to offer a more faithful portrait of Sparta than I do. Whether he is right or not, though, Herodotus' stories may also highlight the tendency toward inequality in Sparta as it was outside of aristocratic imaginings. As Finley points out, the Spartan kings "were potentially disruptive by definition, so to speak, ... their very existence was a contradiction of the ideal type of Spartan equality" (1981a: 32). And as Sally Humphreys helpfully sums up Finley's analysis, "A society

IV. The Constitutional Debate

In the previous sections, I have tried to show how the story of Teisamenos shows us a way into Herodotus' reflections on early thinking about *politeia* and the intellectual milieu of which it, and he, were a part. It remains, though, to consider an episode earlier in the *History*, the Constitutional Debate, that is often considered an important part of thinking about *politeia*. I will suggest that while it is not focused on thinking about *politeia* in any way that would be familiar to Herodotus, it does provide important reflections on political structure in ways that have not previously been appreciated and that relate to some of the directions thinking about *politeia* will take, as described in subsequent chapters.

The debate occurs at roughly the midpoint of the third book of Herodotus' history, which itself forms a unified whole.³¹ The book consists of a series of interwoven accounts (*logoi*) of Persian and Samian history. The failures of Cambyses leading to his downfall and the passing of the Persian throne into the control of one of the Magi (3.1-38, 61-7), is interrupted by an account of the Samian tyrant Polycrates' rise to power (3.39-60) in which is nested a story of the Corinthian tyrant Periander's downfall (3.48-53). The Persian recapture of the position of the king (3.68-88) and Darius' consolidation of the empire and assignment of taxes (3.89-96), as well as the description of gifts provided to the king by certain far-flung peoples in lieu of taxes (3.97) and wonders from the edge of the world that help supply gifts to the king (3.98-117), is followed by the narration of Polycrates' fall (3.120-8). Darius' consolidation culminates in the first Persian involvements in the Mediterranean (3.129-38) and the capture of Babylon (3.150-60). In between these two stories we hear of the aftermath of Polycrates' fall (3.139-49). The Constitutional Debate fits into the middle of this interweaving of stories of monarchical downfall and ascension and is itself but one element in the exploration of the characteristics of autocracy, of what characteristics a ruler or ruling group should have.

The debate itself occurs between three of the Persian aristocrats who have just unseated the Magian usurper (*hoi epanastantes*) and concerns the disposition of "the whole situation (*tōn pantōn prēmātōn*)" (3.80.1).³² Each of the speakers argues against and for particular groups being placed in charge. Otanes speaks first against monarchy and for placing matters in common (*es meson...katatheinai ta prēmata*).³³ Megabyxos agrees with the rejection of tyranny and adds his disapproval of popular rule suggesting instead that the Persians should turn to oligarchy (*oligarchiēi...epitrepein*).³⁴ Darius agrees

which trains its members to unquestioning obedience must see that in every situation there is someone for them to obey – a leader whose authority rests on superiority and experience, not the chance of the lot. Sparta did not train all her citizens to be leaders and consequently did not in practice make them all equals" (1978: 25).

³¹ See Immerwahr 1957: esp. 313-5.

³² Herodotus, though he insists that the speeches forming the debate were given, mentions that some Greeks find them unbelievable (3.80.1). Many modern scholars have followed the ancient lead and seen the debate as some sophist's work dressed up in Persian garments. The reasons for assigning the composition to one sophist or another are not very compelling, and Herodotus' reasons for playing dress-up are not considered. It is almost surely right that the arguments Herodotus has his characters present were not brought forward in the lead-up to Darius' ascension to the Persian throne. (For suggestions as to a possible Persian provenance, though, see the works cited in Pelling 2002: 128n.20.) It is perhaps best to suppose that Herodotus thought those arguments were best understood against the background of the Persian and Samian dynastic difficulties he describes.

³³ 3.80.2

³⁴ 3.81.1

with the rejection of popular rule but disapproves of oligarchy, arguing instead for the superiority and inevitability of monarchy (*hē monarchiē kratiston*).³⁵

The discussion of monarchy, oligarchy, and, as Herodotus later describes it, democracy (6.43.3) has led many to suppose that the Constitutional Debate is about *politeia*. After all, by the fourth century, it was generally agreed that *politeia* was the general kind of which tyranny, oligarchy, and democracy were specific kinds (see Aesch. 1.4 and, further, chs. 3 and 5 below).³⁶ But despite the fact that Herodotus knows the term *politeia*, he does not say that that is what the speakers are debating. They are discussing *ta panta prēgmata*. His manner of speaking would thus seem to suggest that, at the time he was composing his *History*, discussions of who ruled were not thought to be about *politeia*. Only later did the concept come to include such ideas. In the next chapter I will discuss how it might have come to do so. The Constitutional Debate does, nevertheless, offer intriguing considerations about the requisite characteristics for rulers. In the remainder of this chapter I will attempt to draw them out.

Each of the speakers proposes that a different group should be put in charge and then offers reasons why that group deserves to rule. Otanes suggests that the *plēthos* should rule because such a regime “has the finest name” and will be free of the wickedness of the monarch (3.80.6). Megabyxos insists that a select company of the best men should rule because they are likely to possess the best counsels, and the conspirators are likely to be members of such a group (3.81.3). Darius emphasizes the strength of the monarch who is bound to emerge from either an oligarchy or a ruling *dēmos* when each inevitably produces, because of violence or fear of violence, one man as leader (3.82.3-4). In such arguments we see something about the character of the proponents of different rulers—the populist’s interest in reputation and fear of the tyrant, the oligarch’s class prejudice and concern for his own power, and the monarch’s insistence on strength as a source of charisma. It is important to emphasize, though, that in each case the group to be given power is defined in terms of its numbers and the reasons brought forward are connected to features of the group in question directly connected to their numbers.

This is particularly clear in Otanes’ comparisons. He explains that monarchy is not likely to be composed (*chrēma katērtēmenon*; 3.80.3) and is the most ill-fitting thing (*anarmostoton*; 3.80.5).³⁷ Both terms specify the combination of elements characteristically missing in the monarch on account of his isolation. Absent any colleague, he cannot be subject to any review (*aneuthunōi*; 3.80.3) and can claim possession of all the city holds (*aphthonon...echonta ge panta ta agatha*; 3.80.4). Because of this situation, he is bound to commit the greatest crimes. On the contrary, Otanes emphasizes that when the *plēthos* rules, “it take offices (*archas*) by lot, holds offices (*archēn*) subject to review (*hupeuthunon*), and puts all plans up for common consideration (*es to koinon*)” (3.80.6). The syntax of the passage requires that the *plēthos* be conceived as a collective singular

³⁵ 3.82.5

³⁶ Bordes 1982 is appropriately cautious on this point.

³⁷ Both terms are somewhat rare in surviving literature from the late fifth century, so it is hard to know exactly what these terms mean here. *κατηρτημένον* occurs also in Hipp. *Ep.* 1.4.8 where it seems to mean “in good health” (i.e., in context, temporarily asymptomatic). Jones (1923: 201) translates “collected;” Lloyd (1978: 108) translates “lucid.” The etymology suggests either “fastened down” or “well-fitted together” (from *καταρτάω*, so *LSJ*) or “well-prepared” (from *καταρτέομαι*, suggested in Macaulay 1906: 152). Given the context, the former sense of “checked so as to be good for itself and others” seems most likely. *ἀνάρμοστος* is common in Plato but rare before (in 5th c. only at Th. 7.67.2 and Ar. *Nu.* 908). The latter use by the Weaker Argument as a term of abuse for the Stronger Argument seems to suggest that it may be a characteristic of old men that is scorned by the younger generations, something like English “coarse” or “gauche.” In the present context, the sense seems to be closer to Plato’s “out of tune” (*Ti.* 80a), i.e., not properly balanced or fit together. See also Xen. *Mem.* 3.10.13.

entity (that can govern a singular verb) but the sense requires that it be conceived severally (such that it can hold many offices). The combination points to the important feature of the *plēthos* as ruling group—its simultaneous plurality and singularity. The paradox is nicely captured in the term *plēthos* with its etymological connection to plurality. Otanes uses *plēthos* to the exclusion of *dēmos*, preferred by his interlocutors.³⁸ In order that the collective not hold offices on self-serving grounds, some principle of selection outside of the group must be found, thus the lot. A single member holds a single office only to the extent that the collective does, thus the collective review. When conceived severally, the collective can only deliberate insofar as they have their counsels in common. We can see, then, that Otanes derives the advantages of popular government from the peculiar property of simultaneous one- and many-ness. In these terms we can understand why, in his peculiar final assertion—“all things reside in the many” (*en gar tōi pollōi eni ta panta*; 3.80.6)—Otanēs pointedly speaks of *tōi pollōi* (grammatically singular) rather than the standard term for the many *tois pollois* (grammatically plural).

Though such considerations seem primary for Otanes, Megabysos is likewise preoccupied with the numbers of those ruling in his attacks on popular rule and arguments for oligarchy.³⁹ Throughout, he is concerned with specifying that the number of individuals be limited but not that the small group of individuals have any internal unity. So he insists that the clique of specified, good members (*andrōn tōn aristōn...homiliēn*; 3.81.3) is superior to the unbounded crowd (*homilou*; 3.81.1) or people (*dēmos*; 3.81.2, 3). The contrast is conveyed in the terms *homiliē* as opposed to *homilos*. The former seems to be used for more confined groupings as opposed to throngs (see *LSJ* s.v.). The presence or absence of a defining genitive also makes the point. The metaphor of the people as like a river in flood (3.81.2) further emphasizes that the masses are an entity without clear bounds. But his small group is different in having a limited number of members not in having any group identity that would lend it coherence. Unlike Otanes, who conceives of the *plēthos* as a singular entity with plural properties, Megabysos treats the few to whom power is to be handed over just as plural (*toutoisi*; 3.81.3).

Darius capitalizes on Megabysos' plural grouping and insists that the very idea of good rule implies a single personality and thus monarchy. His criticism of oligarchy is that many men cannot in fact exhibit a superlative quality. A clique of good men may flourish, but a clique of men each of whom supposes himself best will quickly disintegrate as each member tries to prove his unique worth. As he says, “Each wants to be chief and win with his proposals” (3.82.3). The point becomes clear already when Darius claims, in praise of rule by the best man, that to be superlative means that nothing can be considered better: “Nothing would seem to be better than one best man” (3.82.2). Rule should be by the best, but rule by more than one best man is a contradiction in terms.⁴⁰

In his criticism of democracy, he again suggests the need for a single leader. The many, as a group, are likely to be weak and unable to resist the attacks of individual men opposed to them. Against them, the *dēmos* will need some one supporter (*prostas tis*; 3.82.4). Only an individual person can act effectively. For Darius, the *dēmos* as a group

³⁸ For them, moreover, *dēmos* means the poor rather than the people as a whole. *Plēthos* seems to lack such class connotations here.

³⁹ The one-ness of the ruling group does not seem to have the same explanatory importance in Megabysos' speech: he also seems to prize knowledge and learning of individual members not conceived together as a whole (see 3.81.2 and the concluding argument: ἀρίστων δὲ ἀνδρῶν οἶκός ἄριστα βουλευήματα γίνεσθαι; 3.81.3).

⁴⁰ In this, he tacitly prepares the reader for the stories of the Spartan kings that will come later in the History, as discussed above.

can be an object of oversight (3.82.2) or passively marvel (3.82.4) but not otherwise take any initiative. In much the same way, the collection of “best men” can only act severally. The only possibility for good rule, or perhaps any rule at all, is a single individual.

Even before we arrive at the debate, though, we are invited to consider the possibility that the speeches presented might not be the last word on the issues they address. In planning the assassination of the usurper and the seizure of power, Darius advises Otanes, “there are many things that can’t be made clear in speech but can be accomplished in fact, and others can be made clear in speech but when done are of little note” (3.72.2). The statement casts particular doubt on Darius’ argument that the arrangements his fellow conspirators describe are in fact impossible to realize. Because of his earlier statement, when we hear his arguments to that effect, we are primed to consider the possibility that especially Otanes’ vision, though difficult to fully formulate in the abstract, might rather be made clearer in action. An idea may be difficult to verbally articulate but may become clearer in the subsequent narration.

Both Donald Lateiner (1989: esp. 164-165) and Chris Pelling (2002: esp. 126, 132, 149) have emphasized the programmatic character of the Constitutional Debate, though not with particular reference to Darius’ earlier comments. Lateiner takes Herodotus to be providing evidence in subsequent stories that confirms or disconfirms claims made in the Debate. He offers many interesting examples of stories, especially about autocrats, that don’t quite fit with what is said in the Debate. Pelling takes the context of book three not so much as casting doubt on the claims in the Debate but providing a fuller picture. He rightly points out that the stories in book 3 provide consideration of issues not addressed by any of the participants. Following their lead, I will draw attention to two stories that both further elucidate and supplement the arguments we find in the Constitutional Debate. The first is the story of Maeandrius at Samos (3.140.5-149), the second of Cleisthenes at Athens (5.62-78).⁴¹

The story of Maeandrius and Syloson presents an unsuccessful transition to popular government. Maeandrius, we are told, having taken over power from Polycrates, decides “to establish rule in common (*es meson tēn archēn tithēis*)” so that there is “legal equality (*isonomiēn*)” among all Samians (3.142.3). He asks as his prerogative some of the wealth he inherited from Polycrates and the priesthood of Zeus, guardian of freedom. He claims these two on account of having founded the cult of Zeus and “having conferred freedom on the assembled citizens (*tēn eleutheriēn hūmīn peritithēmi*)” (3.142.4). One Telesarchus, who is said “to have a reputation (*dokimos*)” among the citizens, replies that Maeandrius “is not worthy to rule” and “should be forced to render an account of the moneys he secreted away” (3.142.5). Maeandrius then realizes that were he to step down, another would simply “set himself up as tyrant” (3.143.1). In Maeandrius’ mind, Telesarchus is likely to exploit his reputation to seize power for himself.⁴²

After Maeandrius changes his mind, he imprisons those who would seize power from him and then falls ill. Herodotus leaves it entirely uncertain who these men were. He simply records that Maeandrius “seized them and bound them” (3.143.1). Herodotus additionally comments that the imprisoned men who were murdered “did not, as it seems, want to be free (*eleutheroi*)” (3.143.2). The statement has often puzzled scholars—why

⁴¹ I will be less concerned with the historical events Herodotus describes and more with Herodotus’ description of them. For the history of Samos, see McGlew 1993: 129 with works cited in n. 9. For Athens, see Ober 1998b.

⁴² Pelling 2011: 8 nicely notes that Telesarchos is a speaking name but that it speaks ambiguously. It could mean “he who brings rule to an end” or “a man of authority and power.” McGlew 1993: 126, 128 thinks Maeandrius is behaving in a confused or self-serving fashion. I am inclined to say rather that Herodotus has him exemplify certain difficulties of sole and popular rule.

should it seem that the Samians did not *want* to be free?⁴³ Attention to what these imprisoned men have done, though, may make clearer what Herodotus has in mind. Maeandrius is able to imprison them through a ruse: “He went up to the acropolis and sent for the citizens one by one (*hena hekaston*) on the grounds that he was going to give them an account of moneys spent. Then he took them and bound them”(3.143.1). We might expect that an accounting would be given before the assembled people, but instead Herodotus emphasizes that Maeandrius sent for the citizens “one by one.” Encountering them individually allows him to overpower them; he binds them not so much as a group but as a series of individuals.⁴⁴ They are effective only insofar as someone, such as Telesarchus, speaks for them. Without such an advocate, they proceed one by one to what should be a collective task. That is why Herodotus says they didn’t want to be free: they make no effort to cohere in the activities of popular government—examining accounts—in such a way as to check the authority of the man they would have as a magistrate rather than a master.⁴⁵ The story of Maeandrius and the Samians thus emphasizes what remained under the surface in Otanes’ and Darius’ speeches, the importance of collective cohesion.

In the story of Cleisthenes’ reforms at Athens we find a similar emphasis but with an added indication of the importance of internal structure within a cohesive, ruling whole. Historians have often complained that Herodotus, in narrating this episode, does not provide much in the way of institutional detail.⁴⁶ He merely says that Cleisthenes, in an attempt to best his rival “brought the people into his faction (*ton dēmon prosetairizetai*)” and “made the Athenians ten-tribed (*dekaphylous*) when before they had been four-tribed (*tetraphylous*)”(5.66.2). After a digression on his maternal grandfather’s similar concern with changing tribes, Herodotus repeats that these were Cleisthenes’ major innovations: “He added the *dēmos* of the Athenians, which before had been kept from all matters, to his part; he named the tribes and made more from fewer; he made ten tribe-leaders instead of four, and he assigned the demes to the tribes in ten parts; and he was much stronger than his adversaries when he had added the *dēmos*”(5.69.2).

Why does Herodotus focus on Cleisthenes enlisting the people and then making the Athenians ten-tribed instead of four? The first thing to notice is the peculiar locution, “he added the people to his *hetaireia*”(5.66.2). *Hetaireiai*, aristocratic clubs, would exclude commoners, but, more generally, they would admit natural rather than corporate persons such as a *dēmos*. In bringing the *dēmos* into his *hetaireia*, Cleisthenes treats the *dēmos* as though it were a single individual, one aristocrat among others.⁴⁷ We should further notice, though, that he has not only made them a unified whole. The other feature Herodotus

⁴³ Shipley 1987: 104 and McGlew 1993: 129-30 speak of Herodotus “being exasperated with the Samians.”

⁴⁴ Compare the way the Plataeans are forced to come before the Spartans “one by one”(hena hekaston), marking the dissolution of their city (Thuc. 3.68.1-2).

⁴⁵ The same lack of cohesiveness is highlighted in the subsequent discussion of the seizure of Babylon where it becomes clear that there is more to the collective rule of a city than just the assemblage of a large number of people within walls. See Kurke 1999: 232-7 on Babylon as an anti-city that lacks coherence and has a monarch control the movement of the citizens.

⁴⁶ See the summary in Forsdyke 2006.

⁴⁷ Ober suggests that the phrase describes the way “Cleisthenes had developed a special relationship with the demos *before* his expulsion from Athens” and goes on to claim that “Cleisthenes himself did not so much absorb the demos into his *hetaireia*, as he *himself* was absorbed by an evolving, and no doubt somewhat inchoate, demotic vision of a new society, a society in which distinctions between social statuses would remain but in which there would be no narrow clique of rulers”(1998b: 227-228). While this is an intriguing interpretation of the events of 508/7, it passes over the peculiarity of Herodotus’ phrase. It is not just that the members of the *dēmos* are treated as aristocrats but, in some sense, the *dēmos* as a whole. Notice that in what precedes Herodotus refers to the Athenians (5.65.5) or Athens (5.66.1) being rid of tyrants but the group defined as the *dēmos* first appears in the story at 5.66.2.

emphasizes is the change in the number of tribes, in particular the tribes being made “more from fewer” (5.69.2). The subsequent details of tribe-leaders and demes emphasize also the structure that becomes possible with such plurality.⁴⁸

The subsequent narrative suggests that such an arrangement endows the people with tremendous power. Cleisthenes and any number of his influential allies are driven out after the people have been so constituted. But in spite of the absence of these influential allies, “the rest of the Athenians (*Athēnaiōn hoi loipoi*), now of the same mind (*ta auta phronēsantes*)” (5.72.2), can drive out Cleisthenes’ enemy Isagoras and the Spartans who supported him. Though they are not described in unified terms but rather just “the rest of the Athenians” the besieging forces can still be said to be “of the same mind.” Josh Ober (1998b: 220-2) cautiously takes this as evidence that the expulsion of the Spartans was achieved by “a riot—a violent and more or less spontaneous uprising by a large number of Athenian citizens” (222). He may well be right. I only want to note that in Herodotus’ telling the Athenians, in Cleisthenes’ absence, achieve a remarkable degree of like-mindedness and collective effect, presumably on account of the changes they have previously undergone.⁴⁹

The stories of Samos and Athens play out an element in Otanes’ analysis in particular. Otanes argues that a *plēthos* is an appropriate candidate for ruling because, as a whole at once unified and plural, it instantiates a series of qualities important to ruling. The story of Samos suggests that it is crucially important that such a group have some kind of unity and cohesiveness so as to achieve power. Darius denies that anything but a single individual could have such power, but the story of Cleisthenes and Athens reveals that treating the *dēmos* as a person, whatever that amounts to in detail, confers on it a kind of unity.⁵⁰ That story also shows the importance of the collective *dēmos* maintaining a plural, structured identity at the same time as it is unified. The speakers in the Constitutional Debate argue for the rule of one group or another, defined in terms of their numbers. They attempt to ground the claims of those groups to rule in features that follow from their numbers. The subsequent stories help us imagine more vividly than we can from the speakers’ arguments how those features might emerge from the numbers of the ruling group.

V. Conclusion

In this chapter, I have tried to describe Herodotus’ engagement with the developing discourse about *politeia* in the *Lacedaimoniōn Politeiai*, as discussed in the previous chapter. I first showed how the paired stories of Teisamenos and Hegesistratus evoke and express doubt about the claims of those who championed *physis* and those who composed *Lacedaimoniōn Politeiai*. I suggested that skepticism about both fits comfortably with both explicit statements and implicit ideas emerging from other narrative sections of the *History*.

I further argued that the peculiar comparison between *politeia* and *basileia* in the digression about Melampus draws our attention to the way stories about the Spartan kings reveal tensions in the promise of the *Lacedaimoniōn Politeiai* to make each person subject

⁴⁸ Compare Thales’ abortive suggestion to the Ionians that lacks such explicit detail (1.170).

⁴⁹ Ober 1998b: 218 insists that Cleisthenes’ reforms could not become a reality unless Isagoras and his Spartan sponsors got out of the way. He thus does not concern himself with why Herodotus gives the details at this point in the narrative. This is the question I am trying to answer. (Note that the narrative in [Aristotle] *Ath. Pol.* 20-1 postpones the details of the reforms until after Cleisthenes’ return.)

⁵⁰ Cp. Carolyn Dewald’s suggestion (2003) that the Persian kings provide an analogy for imperial Athens.

to such a regimen supremely powerful. In particular, the stories about the conflicts between Demaratus and Cleomenes illustrate the inherent tension between two people each of whom is supposed to be the best and therefore better than all others. It is, as I pointed out, a concern in Greek thinking about collective life that goes back to the *Iliad* but that, in Herodotus, is most clearly articulated in the tension between the Spartan kings. That fact, as the comparison of *basileia* to *politeia* helps us see, calls our attention to the problem as it is manifest in thinking about Sparta, in particular thinking about the Spartan *politeia*.

Finally, I turned to a discussion of the Constitutional Debate, which is regularly seen as Herodotus' major contribution to thinking about *politeia*. I argued that the Constitutional Debate, in the course of its discussion of who should rule, offers an intriguing indication of what is required of a successful ruler or ruling group, namely that it be at once singular and plural. I further argued that this indication is elaborated in the stories of Maeandrius on Samos and of the Cleisthenic revolution at Athens. I suggested, though, that the way Herodotus describes the Debate indicates that the issues raised there were not, for him, associated with thinking about *politeia*, though they would come to be, especially by the middle of the fourth century. In the next chapter I turn to explaining how the notion of *politeia* we find in the *Lacedaimoniōn Politeiai* may have come to be thought of as the general kind of which tyranny, oligarchy, and democracy were species, how it went from describing a city's regimen to alternatively describing its regime.

Chapter 3: *Politeiai* of the Athenians

I. Introduction

By the middle of the fourth century, Aeschines could stand before an Athenian jury and assume that they understood, as he did, that “there are agreed to be among all men three *politeiai*—tyranny, oligarchy, and democracy” (1.4). Isocrates makes a similar claim and explains that the distinction depends on who is “placed in charge of offices and actions” (12.132).¹ As discussed in the previous chapter, however, when Herodotus narrates a discussion of how many people should be put in charge of directing Persian affairs, he does not say that it is a discussion of *politeia* or *politeiai*. He does not say so because, as his *History* witnesses, at the time he was writing, to talk about *politeia* was to consider the empowering effects of Spartan institutions to think about how elements of civic life ranging from cup design to gender roles—which may be summed up with the term “regimen”—could contribute to a person being what he would want to be upon reflection. The Constitutional Debate is not about Spartan institutions or self-realization, and so Herodotus does not describe it as a discussion of *politeiai*. But as the Debate shows, there was an existing tendency to make who was in charge of a political unit, and in particular how many were in charge of a political unit, that unit’s primary defining feature. That way of thinking in some form goes back at least as far as Pindar (*P.* 2.87-8).

In this chapter I will explain how the focus of talk about *politeia* might have shifted from primarily describing the wide range of institutions that structured Spartan life to include, and for many primarily focus on, more narrowly describing who was in charge of a city, for which I use the shorthand “regime.” The regime of a city was defined in terms of what group was in charge, where the group could be those antecedently existing groups we find in Herodotus’ Constitutional Debate: the one, the few, or the many.

In particular, I will suggest that in the *Athēnaiōn Politeia* by an anonymous author now commonly called the Old Oligarch, we can see how *politeia* came to focus on the empowerment of a group, rather than individuals, primarily in virtue of its political position and only secondarily by means of the way its ordinary activities were structured. The group’s power was, on this conception, understood to take the form of satisfying what individuals wanted as individuals rather than as members of the community. Put another way, the group’s power consisted of satisfying desires thought to exist antecedently rather than desires shaped by social norms or other features of civic life outside individual control. The regime of a city, that is, who was in charge, thus became the crucial, defining element in the city’s *politeia* and sometimes was synonymous with it. Being in charge in the Old Oligarch was understood not so much in terms of who was actively ruling the city as of which group benefited from the general organization of the city. The general organization included many of the features of daily life important in the *Lacedaimoniōn Politeiai*, but those features were subordinated to serving the advantage of the group in charge as that group itself defined it. The goals of the regimen were subordinated to the demands of the regime. The connection of regimen and regime in this way results, I suggest, from a combination of two elements of sophistic thought discussed in chapter one: the power, described in the *Lacedaimoniōn Politeiai*, of culturally specific practices to shape individuals and the concern with being completely in control of one’s life we find in some sophistic texts promoting *physis* as a guide for action. The conception of *politeia* operative in the Old Oligarch’s description of Athens is, I argue, an inversion of the conception in

¹ The best version of each type will be where the citizens “are accustomed to station (*kathistanai*) the most capable citizens and those likely to take care of matters best and most justly in magistracies and for other tasks.”

the *Lacedaimoniōn Politeiai*. It may be that the description is offered to show how the inversion is in fact a perversion of something good. Because I suspect that the text was mostly written for a lark or as an exercise (see Forrest 1975), I rely on it more for what it shows about how someone taking the *Lacedaimoniōn Politeiai* as a starting point might end up describing who ruled in a city as the most important feature of that city and everything else that is so important in the *Lacedaimoniōn Politeiai* as secondary.

I then explain how Pericles' Funeral Oration in Thucydides articulates an alternative vision of a *politeia* as a combination of regime and regimen that we can see as starting and then departing from the conception found in the Old Oligarch. (The claim is not that the Funeral Oration is offered in response to the Old Oligarch's treatise but that each represents ways of thinking responsive to one another as well as to earlier and contemporary writing about the *politeia* of the Lacedaimonians.) I suggest that the Funeral Oration also assumes that a *politeia* is primarily to be understood in terms of the group it benefits; however, according to the vision of Athens presented in that speech, the city's regimen may contribute not only to giving the people in charge what they want but may also encourage each individual member of the *polis* to enlarge his sense of what is desirable. Pericles claims that that enlarged conception allows for the empowerment of every member of the city. We can thus see his vision combining the focus of the Old Oligarch on who is in charge of the city but expanding that conception to include the promise of universal empowerment through civic institutions of a kind familiar from the *Lacedaimoniōn Politeiai*.

There is an old and vexed question of what sort of accuracy Thucydides proposes to achieve or does achieve in his narrative and, especially, in the speeches throughout his *History*. As Jeffrey Rusten nicely puts the point, "There is no approach one can take to the speeches that will not come into conflict with other opposed, widely held, and not unreasonable interpretations" (2009: 5).²

For the purposes of this chapter, I assume that the speeches, in particular Pericles' Funeral Oration, are largely Thucydides' own compositions. When I speak of what Pericles says, that is meant to be a shorthand for the character Pericles in Thucydides' *History*. When I try to explain why Pericles talks as he does, I mean to draw attention to the way his speech fits with other objectives Thucydides elsewhere ascribes to him.³ When I draw attention to the ways what Pericles says is appropriate given his situation at that point in Thucydides' *History* and suggest that recognizing as much helps us understand what Thucydides is trying to have him do in the speech, this can primarily be taken as a claim that Dionysius of Halicarnassus was wrong to suggest (*De Thuc.* 18) that the Funeral Oration would have been better placed at another point in the *History*. I focus on what Pericles says and why, within the logic of Thucydides' narrative, he says it for the ways the presentation of such a character speaking in a certain way is illuminating for the history of *politeia*. I leave aside the relation of that representation to the historical Pericles.

In the last two sections of the chapter, I argue that the remainder of Thucydides' *History*, especially the narrative of the events of 411 in book eight, suggests that only the first part of Pericles' vision persists, namely a city defined by its regime with exclusive emphasis on the group in charge, and that in a more attenuated form. I then consider Thucydides' comments on the revolutions of 411 to offer some sense of what hope he thought there might be for political success given the general narrowing of what a city's *politeia* could be expected to do. Evidence from oratory from the same period shows that *politeia* was, in the context of the courts, also coming to be understood primarily in terms

² Hornblower 1987: 45-72 and Pelling 2009 (2000): 176-187 helpfully bring out the basic tension in 1.22.1.

³ See Tony Woodman's discussion of the likely importance of probability in Thucydides' construction of his narrative (Woodman 1988: esp. 22-28).

of who ruled in the city. In drawing attention to similarities between characters' patterns of speech in book eight of Thucydides and those we find in oratory from around 411, I do not intend to make any broader point about the historical accuracy of Thucydides' narrative. I merely propose to describe one pattern that Thucydides' narrative highlights and then a similar pattern outside of Thucydides. The claim of similarity is meant to be tentative and suggestive in keeping with the tenuousness of the material outside of Thucydides.

II. *Athēnaiōn Politeia*

As I discussed in chapter one, it has often been noticed that the Old Oligarch seems to be providing a twist on a *Lacedaimoniōn Politeia* with the Athenians substituted for the Spartans.⁴ His work is structured around responses to an interlocutor who seems to take Sparta as an example for good social relations (1.11) and social structure in general (1.9) and who prizes *eunomia* (1.9), the characteristic virtue of the well-ordered Sparta of aristocratic imaginings. Writers of *Lacedaimoniōn Politeiai* place great emphasis on how peculiar and yet successful Sparta is in comparison to other Greek cities (e.g., Xen. *Lac. Pol.* 1.2, DK 88B33); the Old Oligarch promises to explain that “the Athenians preserve their *politeia* and accomplish other things in which they seem to the other Greeks to err”(1.1). Just as the Spartans' *politeia* is held to create a form of collective life that leads to wondrous military success and stability (e.g., Xen. *Lac. Pol.* 1.1-2, DK 88B32, 37), the Old Oligarch emphasizes the extent of Athenian military ingenuity and success (e.g., 1.19-20, 2.4-6, 2.13) and insists that “it is not easy to discover something sufficient that they conduct their affairs (*politeusontai*) better and it remain a democracy”(3.9; cp. 3.12-13).

Despite these parallels with the *Lacedaimoniōn Politeiai*, the Old Oligarch's description of the Athenians' *politeia* places a crucially different emphasis on the extent to which the *politeia* that he is describing aims at shaping citizens living under it. The *Lacedaimoniōn Politeiai* describe the power and freedom of the Spartans that result from the right kind of regimented upbringing and institutionally structured adult life. The Spartans are as powerful and free as they are acknowledged to be because they are who they are just in virtue of their *politeia*. They are good because they are well bred and well brought up. As adults, they carefully carry out every activity so as to perform the best version of that activity on its own terms and so as to contribute to their own flourishing. The Athenian *dēmos*, though, according to the Old Oligarch and other men of status like him, is neither good nor well brought up. As he says (1.5):

In the *dēmos*, there is the most lack of learning and disorder and worthlessness: poverty leads them more to shameful things, and among some men lack of cultivation and of learning come from lack of means.

The Athenians can't be powerful in virtue of their upbringing or carefully cultivated habits as adults because, *ex hypothesi*, as it were, they lack any of either.⁵

Instead, the Old Oligarch, in describing the *politeia* of the Athenians, takes as a starting point simply that the *dēmos* is in charge in the sense of having a greater share of the goods the city has to offer. As he explains in the opening paragraph of the treatise, “when they chose this kind of *politeia*, they chose that the base do better than the worthy”(1.1). He immediately goes on to say that this means that “the poor and the

⁴ E.g., Forrest 1975: 44-45, Menn 2006: 9.

⁵ The exception is in their naval capabilities (1.19-20) which precede the working of the *politeia* (1.2) but are also reinforced by it.

dēmos get more (*pleon echein*) than the nobles and the rich”(1.2). When he returns to labeling the kind of *politeia* the Athenians have chosen, he explains that it is “living in a democracy,” or “living in a way that preserves democracy”(3.1) where that term seems just to mean that the people dominate, that they are in charge.⁶ The primary feature of the people’s ascendancy has already been spelled out in terms of what they get.

It is important to notice as much because, in the Old Oligarch, being in charge is not so much a matter of directly guiding the city as ensuring that the group in charge gets what it wants. Democracy, which on his account is the kind of *politeia* the Athenians have adopted, is defined by the poor and the *dēmos* “getting more (*pleon echein*).” This doesn’t seem to mean that they monopolize positions of political power *per se*. On the contrary, the Old Oligarch claims that there are certain positions of power (*archai*) that secure safety for all if competently discharged but calamity for all if carried out badly. The *dēmos* has no interest at all in holding these. Instead, “the *dēmos* seeks to hold those offices that allow them to reap some pay or benefit”(1.3).⁷ *Dēmokratia* does not mean the people hold political offices so much as that the people’s benefit, freedom, and ascendancy are secured. As the Old Oligarch says, “The *dēmos* does not want to live in a city with good laws (*eunoumenēs tēs poleōs*) and itself be enslaved (*douleuein*) but rather to be free (*eleutheros*) and to be in charge (*archein*)”(1.8).⁸

With these features of the Old Oligarch’s characterization of the Athenians’ *politeia* in mind, we can see more clearly the extent to which he offers an inversion of the *Lacedaimoniōn Politeiai*. Those texts describe the *politeia* as a source of military strength for the Spartans in virtue of what it makes them do. In the Spartan case, their *politeia* makes the Spartans who they are. The Old Oligarch, on the contrary, claims that the Athenian *dēmos* accounts for Athens’ military successes and so is entitled to an ascendant position. The position of the *dēmos* and the extent to which they get more out of the city are all the *politeia* amounts to (1.2); this is what the Athenians “choose”(1.1).⁹ Thus, in Athens, the *dēmos* determines the *politeia* rather than the other way around. Living with *eunomia*, that is to say in something like the Spartan fashion, would amount to slavery.

Nonetheless, the Old Oligarch also describes the importance of a range of features of Athenian life reminiscent of the range of features of Spartan life discussed in the *Lacedaimoniōn Politeiai*. It may seem that he focuses merely on material advantage when he explains that “whatever is pleasant from Sicily or Italy or Cyprus or Egypt or Lydia or Pontus or the Peloponnese”(2.7) is available at Athens. Soon after, though, he also mentions that “While other Greeks keep to their own language, style of life (*diatē*) and fashion (*schēmati*), the Athenians adopt a mixture drawn from all the Greeks and barbarians”(2.8). On three occasions, he describes the tremendous variety and number of Athenian festivals and sacrifices (2.9, 3.2, 3.8), and he notices the popular interest in singing, dancing, and athletic activity at these festivals (1.13). He also explains that “the *dēmos* itself is having built only for itself (*hautōi...idiai*) many exercise areas, changing rooms, and baths”(2.10). It is impossible, on his account, to substantially change any of the details of the *politeia* he has just described without disturbing its basic feature (3.8-9, quoted above). In saying as much, he reveals that, on his conception, all of these features are integral parts of what makes the Athenians’ *politeia* what it is. As Marr and Rhodes (2008: 18) put the point, “The whole system is carefully and deliberately organised to be what it is, in every particular.”

⁶ For the term, see Ober 2008 and further discussion in chapter four.

⁷Cp. Isocrates as cited above and discussed further in chapter six.

⁸ I translate *archein* here as “be in charge” rather than “rule” or “hold a magistracy” because 1.3 makes perfectly clear that those activities are not what concerns the *dēmos*.

⁹ See further below on this point.

What, then, is the connection of these disparate elements with the Old Oligarch's initial insistence that the *politeia* of the Athenians is primarily characterized by the *dēmos* getting more? In the first instance, all these elements of the *politeia* reinforce the *dēmos*' position, the fact of their getting more. In his discussion of the place of traditional forms of cultivation at Athens, the Old Oligarch explains that the Athenian *dēmos* "has done away with people performing gymnastic exercise and cultivating the liberal arts in general" (1.13). Instead, they demand that the rich put on choruses and athletic competitions in which the people dance and compete. But instead of these competitions serving to improve the *dēmos*' physical conditioning or otherwise make them better, "the people think it is a worthy thing in singing and running and dancing to acquire wealth" (1.13). When the Old Oligarch talks about the Athenians' *politeia*, he first of all means the fact of the *dēmos* being in charge, i.e., securing more for themselves (and leaving less for others). The institutional elements of Athenian life, no matter how great or small, are put in the service of this arrangement.

But it is also important that these very elements do the reinforcing. As he says, "it's not possible to change anything to a great extent without doing away with the democracy" (3.8). The reason emerges when we recall that public construction of exercise areas, changing rooms and baths occurs so that "the crowd enjoys these things *more than* the few and the fortunate" (2.10, emphasis added). Furthermore, the point of dancing, singing, and so on is not just to acquire money but that "the *dēmos* should have it and the rich grow poorer" (1.13). Having more is worth doing because it involves having more than some other group in the city or in the wider world.¹⁰ The surest way to make sure that is happening is by taking from that other group so that they have less but also so that the *dēmos* may be said to have secured what belongs to someone else. Even pastimes the *dēmos* pursues in order to deprive others are telling: making exercise areas and dancing available to all mean that the poor take on the traditional activities of the rich and make them their own such that the rich can no longer enjoy them as an elite prerogative. They want to have more not just of wealth but also of the activities traditionally associated with having wealth.

The relation of the various activities to the central feature of the Athenian *politeia* is two-fold: they provide a mode of enrichment that gives the people more, and they are something the *dēmos* can take from other members of the city. The first benefits the people financially; the second further establishes their relative status. Notably, neither is said to make them any different, to have, as we might say, any effect on their character. Contrasting the Old Oligarch's picture with the *Lacedaimoniōn Politeiai* makes the point clearer. The Spartan *politeia* is prior to and productive of the Spartans' remarkable capacities; it produces the Spartans' power and, in a sense, the Spartans themselves. In Athens as the Old Oligarch describes it, the capacities of the *dēmos* (such as they are) are prior to their position in the city and justify that position (see 1.2). The elements of cultivation in the Athenian *politeia* rather occur alongside or buttress the Athenians' antecedently existing power.

It is a crucial part of the Old Oligarch's vision that the *dēmos* does in fact deliberately choose that every feature of Athenian life be as it is. They decide on the form of the *politeia* and work to preserve it through the clever devices described in the text. In so doing, they "counsel best" (1.6) and display "good judgment (*gnōmē*)" (3.10) for themselves. Every feature of Athenian life is the result of the *dēmos*' reflection on what would be best, where best is understood to mean most likely to reinforce their position. In

¹⁰ The tribute is levied on the allies such that "each Athenian has the allies' wealth" and the allies are "powerless" and have "just enough to survive" (1.15). The allies are obliged to come to Athens for trials so that they may grovel before the *dēmos* rather than any individual Athenians (1.16).

this, the *dēmos* takes on the role in the Old Oligarch's *Athēnaiōn Politeia* that Lycurgus has in the *Lacedaimoniōn Politeiai*. In the latter, reference to Lycurgus helps to make clear how conscientiously and coherently the Spartan *nomoi* are designed. He is held to have thought out how the whole system would be best arranged and put it together accordingly. He is not himself subject to the *politeia*, and those who are benefit from his genius in ways they can't quite appreciate at the moment they are being formed. In the Old Oligarch, the subject of the Athenian *politeia*, the *dēmos*, is aware of every effect the *politeia* has because it is itself the purposeful creator of the *politeia* that has those effects. As the Old Oligarch says, "the *dēmos* is the *nomos*" (1.18).¹¹ The people themselves specify the content and character of the *politeia* at the same time as they benefit from it.

In describing the *dēmos'* place within the city and its self-aware, self-serving actions, the Old Oligarch combines the sophistic ideal of self-consciously seeking one's own advantage with the potential of civic institutions to empower citizens described in the *Lacedaimoniōn Politeiai*. As he points out, the *dēmos* merely does what everyone (according to the sophistic theory) does or should do—seek their own material advantage—and so shouldn't be blamed for doing so (2.20).¹² They do so, as described above, through carefully engineering their civic life for themselves in something like the way Lycurgus did for the Spartans.

The Old Oligarch has a decidedly narrower conception of what a *politeia* could accomplish for people in the city than that we find in the *Lacedaimoniōn Politeiai*, even as he maintains some sense of the range of activities important for accomplishing that much. According to the Old Oligarch, the Athenians don't become better as a result of their ascendancy in the city the way the Spartans do, they do better. They don't become more who they would want to be as the Spartans do, they get more of what they want. The purpose of the Athenians' *politeia* is to satisfy whatever desires the *dēmos* may have antecedently not to shape their desires by institutionalized activities whose workings can be appreciated only upon reflection. But those desires, if they are to be satisfied, require a capacious and elaborate system including everything from the gymnasia and foodstuffs particular to Athens to the role of the *dēmos* in assigning offices.

Where does this picture of the Old Oligarch leave us in relation to the original question about the shifting conceptions of *politeia*? The *Lacedaimoniōn Politeiai* offered a suggestion as to how civic life might allow a person to become the kind of person he would want to be upon reflection, even if he didn't recognize what was happening at the time he was becoming that person. That was how the Spartan *politeia* made the Spartans as powerful as they were thought to be. On the Old Oligarch's account, the Athenian *dēmos* is militarily successful and is in charge of the city for that reason. The description he offers of their position can plausibly be called a *Politeia* on the lines of the *Lacedaimoniōn Politeiai* because of the way all the features of Athenian life can be understood as contributing to the power of those subject to the *politeia*. The power the Athenians achieve,

¹¹ Δεῖ μὲν ἀφικόμενον Ἀθήναζε δίκην δοῦναι καὶ λαβεῖν οὐκ ἐν ἄλλοις τισὶν ἄλλ' ἐν τῷ δήμῳ, ὅς ἐστι δὴ νόμος Ἀθήνησι. The sense of *nomos* is strictly "law" in the immediate context, but the broader sense of "custom" helps sum up the work as a whole: the *dēmos* determines the whole way of life in both its formalized and informal aspects. Marr and Rhodes miss the force of the passage by translating, "this indeed is the law at Athens," as though the text read ὅ ἐστι δὴ νόμος Ἀθήνησι. While their translation might be explained in terms of attraction of the relative pronoun into the gender of the predicate noun *nomos* (see Smyth §2502e), the striking phrase is more in keeping with the general vision of the *dēmos'* power.

¹² Thus, e.g., Ober 1998: 17-18. The description of the overt, self-conscious domination by one social class in its own class interests is offered to explain to his aristocratic peers the *dēmos'* unconscionable unwillingness to be ruled by their betters. Others have also drawn attention to the way the *dēmos*, on the Old Oligarch's telling, is aware of its interests, takes those interests to be its relative advantage, and so pursues that advantage (see, e.g., Frisch 1942: 109-110, 127; Fraenkel 1947: 309-10; Marr and Rhodes 2008: 16-18).

however, is not the individual self-realization promised by the *Lacedaimoniōn Politeiai*. It instead consists of securing goods, depriving others, and taking over aristocratic pastimes for the people themselves.

While the Athenians' *politeia* is defined by the *dēmos* being in charge, we cannot say that the Old Oligarch is talking about quite the same thing as Herodotus' Persians, or for that matter Pindar before them (*P.* 2.87-8). The question for Herodotus' characters is who will lead the city. This is different from the Old Oligarch's question: who does the city benefit, where benefit can be understood somewhat broadly. I have tried to capture this difference so far with the locution 'being in charge' as opposed to 'ruling'. As we saw, in the Old Oligarch, the question is not so much of ruling the city as of what those at the head can get. Ruling may be part of the answer, but it is at most a part. Just as important are the manifold features that benefit the *dēmos*. While the Old Oligarch is not particularly focused on the point up for debate in Herodotus, his emphasis on the *dēmos*' position as a crucial element of the Athenians' *politeia* puts him closer to it than are the *Lacedaimoniōn Politeiai*.

Given all of that, what can we infer from reading the Old Oligarch about how the shift I am describing might have come about? As I tried to show in chapter one, the concept of *politeia* seems to start off in aristocratic circles as a way of arguing for the importance of civic life and collectively structured cultivation for achieving all the power and freedom one could want. The Old Oligarch, however, suggests that more careful consideration of the power of the Athenian *dēmos* could encourage an onlooker, especially a disgruntled aristocratic onlooker, to suppose that one could achieve enormous power apart from any particular kind of upbringing. One could do so by finding a place at the top of a city's political hierarchy rather than through some special way of life. Once in that position of power, one could shape the city's way of life to cement one's own power over against others. But one's power would primarily come from one's present position in the city rather than anything about the way one was raised or lived.

III. The Funeral Oration

In the previous section, I tried to explain, based on what we can tell from the Old Oligarch, how a shift in the understanding of *politeia* may have come about. His description of the Athenian *politeia* indicates that as education, upbringing, and habits seemed less crucial to securing power within the *polis*, those institutions could be seen to reinforce rather than create the power of those in charge. In this section, I will argue that Pericles' Funeral Oration offers a description of the Athenians' *politeia* that is crucially like the Old Oligarch's in taking the advantage of a particular group within the city as its starting point and the defining feature of the *politeia*. But more in keeping with the *Lacedaimoniōn Politeiai*, he suggests that the advantage of that group (and others) includes their personal improvement as a result of their relation to the city. I'll also discuss why Pericles might speak as he does in the Funeral Oration.

The central section of Pericles' speech offers what is avowedly a description of the Athenians' *politeia*. As Pericles says, in order to glorify the war dead, he will describe "from what preparation (*epitēdeusis*) we arrived at such things and with what kind of *politeia* and out of what kind of habits (*tropoi*) great things came about (sc. for Athens)"(2.36.4); he then proceeds, in the central section of the speech (esp. 2.37.1-2.41.3) to explain how "we use a *politeia* that does not emulate the laws and customs (*nomoi*) of our neighbors, but are ourselves more a model for some than imitators of others"(2.37.1).

The description he offers takes as the primary and defining characteristic that the *politeia* serves the interests of the group in charge. When he embarks on his discussion of the Athenians' *politeia*, he first of all says, "we call it a democracy by name ... because it (sc. the city) is administered (*oikein*) not for the benefit of few (*es oligous*) but of the majority (*es pleionas*)"(2.37.1). The crucial phrase, "administered for," does not refer to which group actually effects the administration but which benefits from it.¹³ The benefit of the majority determines why it should be that power (*kratos*) should be said to belong to the *dēmos*. Their power consists in receiving their benefit or advantage. It may seem that Pericles thinks this benefit should primarily be defined in terms of the material goods the majority can get for themselves: he approvingly mentions that "all things" come in to Athens as well as "the goods (*ta agatha*)" the Athenians make their own from home and abroad (2.38.2). Even the verb translated here as "administer" may emphasize the materialistic or economic component of administration (see, e.g., E. *El.* 386-387).

In all this, he seems to start from much the same place as the Old Oligarch. But he quickly goes further than the Old Oligarch in describing how the *politeia* benefits all those in the city. The Old Oligarch noticed the power a city could give to people who were uncultured and so showed how a *politeia* such as the Athenians' primarily reinforced political power rather than making each citizen powerful in his person. Pericles, on the other hand, insists that each and every Athenian is developed in just the ways the Old Oligarch would deny. Immediately after characterizing democracy, he explains that each man is preferred for his good reputation according to virtue, which amounts to being able to do the city (note, not just oneself or people like you) some good (2.37.1).¹⁴ He additionally discusses at length the "care (*meletais*)"(2.39.1) that gives the citizens and thus the city its power. The treatment of Athenian cultivation gives way in turn to their refined "fondness for fine things and wisdom (*philokaloumen...philosophoumen*)" and their habit "to use wealth for action not boasting"(2.40.1). These habits are not extraneous but joined to their "concern with political matters," which they "judge in a way not wanting"(2.40.2). They are not just pastimes made possible by political ascendancy but a part of that ascendancy itself. In each case it is all the Athenians that fit these descriptions, as Pericles emphasizes by explaining each time what "we" do or value (e.g., the emphatic *hēmeis* at 2.39.1) and not just as a group; "each severally (*kath' hekaston*)"(2.41.1) is ready for anything.

By focusing on the advantage of all, though, rather than on who controls the government, Pericles makes room for himself as guide and leader.¹⁵ It is particularly appropriate that he should do so given the dynamics of the occasion on which his speech is made. Pericles gives the speech because he has been selected as "not lacking in judgment (*gnōmēi*) and excelling in reputation"(2.34.6), and his description of the Athenians' *politeia* comes in a speech to the people gathered together though not in an official capacity as court or assembly. According to Thucydides, Pericles' guidance works to their advantage but only to the extent that they are ruled by him. They are "ruled

¹³ Hornblower 1991-2007: I.298-299 seems to vacillate on this point. (He does not notice any tension between the translation he prefers with Ostwald 1986 and the statement that the Funeral Oration trumpets "free participation for all.") Rusten 1989: 145 is clearer. So already *LSJ* s.v. *oikein* B.II.2. See also Loraux 2006: 231, though she wrongly claims that *onoma* implies that the *politeia* does not *really* work to the advantage of the majority. There is no counterfactual force in the articular infinitive. Cf. Malcolm Schofield's remark that, "We do find the issue of who rules, and in whose interest, clearly taken as the key issue for determining what kind of *politeia* a city has adopted in (for example) Pericles' funeral speech in Thucydides (2.37)"(2006: 33).

¹⁴ Contrast the Old Oligarch's description of the marginal place of the virtuous at Athens (1.4-6) and the interest of the *dēmos* in their own good rather than the good of the city (1.8).

¹⁵ See Hornblower 1991-2007: I.298-299.

freely” (2.65.8) even as there is a tendency for democracy as rule by the people “to become a mere name” (2.65.9), without their realizing it. In fact it didn’t, but focusing on popular advantage would allow it to do so, for better or worse.¹⁶ We should also recall that the war was prosecuted at Pericles’ urging (1.139.4-1.145) and in the way he said it should be, by staying behind the walls and suffering the Spartans to ravage the countryside. Men have died; their families and fellow citizens are grieving and perhaps eager for revenge. In order to continue to carry out his strategy, he needs the Athenians to focus their eyes on their advantage manifest first of all in their continued survival. As he says earlier, “We ought not to weep over houses and land, but over our persons (*sōmatōn*): these do not acquire men, but men acquire them” (1.143.5).

The fact that he devotes so much attention to extolling the cultivation of each and every Athenian and the virtue they achieve as a result of civic life may seem to strike a less-than-democratic chord in keeping with the place the speech makes for a dominant figure such as Pericles himself. Cultivation and virtue properly may seem the purview of the upper classes. Emphasizing their importance in Athenian public life may just serve to diminish the people’s claim to power. That at least is what Gregory Vlastos and, in greater detail, Nicole Loraux have suggested.¹⁷

Here too, though, it is important to attend to what Thucydides tells us of Pericles’ general objectives. I said above that Pericles needs the Athenians to focus on what is advantageous for them, but that was a pointedly partial explanation. Pericles needs to overcome the Athenian attachment to their land, which they have abandoned and must see ravaged. As Thucydides puts it in his description of the evacuation of Attica, “they were about to change their way of life (*diāitan*) and do nothing other than abandon each his own city (*polin tēn hautou... hekastos*)” (2.16.2).¹⁸ While he wants them to think of their advantage more than their role in government, he also needs that advantage to amount to something more than possession of material goods. This is the reason for his claim that it is not enough “to consider in words alone the benefit” (2.43.1) that comes from the city. He rather needs to raise the Athenians’ eyes from their seeming disaster to a higher sense of what each has to preserve. It must be something that can replace what is lost upon departing from their ancestral ways, and that is precisely what he promises them. When he speaks of the “love of beauty,” the “love of wisdom,” the “use of wealth,” and the commitment to “political matters” (2.40.1-2), he is calling to mind a preexisting tradition of choosing between the life of wealth, of wisdom, or of honor.¹⁹ The Athenian *politeia* offers the combination of the three traditional options for a worthwhile life rather than a choice between them. It offers not just goods to hold in one’s hands or coffer, but a preeminently choice-worthy life to live. In this grand promise it may hope to supplant what the Athenians have lost in the Spartan invasion and keep them from running out to defend their fields and ancestral shrines.²⁰

As I mentioned above, in the description of these Athenian virtues, the care that goes into them, and the life they make up, Pericles individuates his audience, calling each to imagine all that he is, to value himself. Even in the initial description of the advantage of the majority as opposed to that of few, the lack of definite articles implies that he isn’t

¹⁶ I follow de Ste Croix’ reading of the imperfect *egigneto* (1972: 27-8) contra Macleod (1983: 149n.1). Note also that “freely” at 2.65.8 casts a shadow on 2.37.2 (Edmunds and Martin 1977).

¹⁷ Vlastos 1964: 29-30; Loraux 2006: 235-239.

¹⁸ Note also that the temples (*hiera*) in the demes “belonged to them from the *politeia* of old.” Pericles’ task is to supplant that *politeia*, that mode of civic organization and life, and provide them with a new city to fall in love with. See further below.

¹⁹ See Rusten 1985.

²⁰ See also the reminder that “they would be judged bravest (*kratistoi...psuchēn*) who recognize clearly what is terrible and what pleasant and not on this account turn away from dangers” (2.40.3).

describing established groups as much as numbers of individuals.²¹ He focuses their eyes each on himself as part of the strategy of getting each Athenian to appreciate how precious he is for the war effort (cp. 1.143.5, quoted above). His strategy is precisely that they look away from the possessions near at hand and look instead to those from other places and beyond that to themselves as carefully crafted objects to be treasured and further cultivated.

Even if the education of each and every Athenian fits neatly with the Periclean strategy and isn't necessarily aristocratic, we might wonder how the extended descriptions of the Athenians' carefully developed habits are meant to fit with the Athenians themselves "using" the *politeia* as well as becoming their best selves in virtue of it. The effect of the Athenian institutions on the Athenians recalls the *Lacedaimoniōn Politeiai*, but in the *Lacedaimoniōn Politeiai*, the city's regimen makes the Spartans who they are and would want to be unawares. Only in hindsight can they endorse what they have become. They are formed by the *politeia* and not the other way around. In Pericles' speech, as much as in the Old Oligarch, the Athenians first of all make use of the *politeia*: they would seem to produce it rather than the other way around. In fact, though, Pericles sets out to have it both ways. We can see this most clearly by considering the systematic contrasts with Sparta.

As is well established, Pericles vigorously distances the Athenian mode of education and development from the supposed rigors of the Spartan regimen. Athens is open to all, and the care that each Athenian devotes to himself is not "trusting in clever preparations or tricks" or "onerous self-fashioning (*epiponōi askēsei*)" (2.39.1). The Athenian mode of education does not rely on "laborious care" or the power of "laws and customs as much as easiness and a simple disposition to courage" (2.39.4).

Part of the point of drawing this contrast is to encourage hostility to and scorn for Sparta in order to discourage his audience from making peace, but the contrast also accentuates the difference between the way the Athenians become who they are and the way the Spartans do so. The Funeral Oration, which describes the workings of the Athenians' *politeia* to the Athenians themselves, suggests that the Athenians' *politeia* works on the Athenians precisely as they become aware of it. While the experience of the Spartan *politeia* may feel justified retrospectively for those who have gone through it, the Athenian *politeia* appeals presently and at every moment to those living within it. The Spartans by means of their "laborious cultivation go straightaway to manhood though young" (2.39.1). This striking phrase suggests that the Spartan youths do what they do for the sake of their older selves. Even as children they are adults in a way they could not really want to be as children but that will be acceptable retrospectively upon reaching adulthood. In describing Athenian *paideia*, Pericles makes no mention of youth but rather notes that the Athenians have "an easy style of life." At every moment, it is desirable and choice-worthy just at that moment. The same idea comes through in the contrast between Athenian courage arising from "habits (*tropoi*)" with the Spartan courage arising from "laws (*nomoi*)" (2.39.4). The Athenians have the abilities they do on account of something they can feel as theirs and appreciate as such. The Spartans on the other hand are made who they are precisely through something outside of their control.

The Athenians' awareness of the working of their *politeia* helps the *politeia* work insofar as being told of the life the city offers helps them set that rather than material wealth as their object. It also helps insofar as they appreciate that they can be as virtuous as Pericles claims they are only in the city of Athens. When Pericles tells the audience that the whole city is "an education for Greece" in that it makes people such as the Athenians are and gives them what they have, their unique way of life, it is also an education for them, a

²¹ *ouk apo merous* at 2.37.1 may have a similar force if it is construed as 'not according to faction'. It may also mean 'not by lot'. See Hornblower 1991-2007: I.300-301 for the debate.

reminder of how they are to continue realizing the ideal he offers. Telling the Athenians as much is an encouragement to appreciate and take the city as requiring preservation, but the city not just as walls but as a power capable of making such men. In what is in many ways the climax of the speech as addressed to the whole audience, Pericles exhorts the Athenians to become “lovers” as they “wonder each day at the city’s power”(2.43.1). The exhortation leaves it ambiguous whether they are to become lovers of the city or its power, but perhaps that is part of the point. They are to marvel at and become lovers of the city in a more abstract sense represented in its power more than anything concrete, though its structures will certainly be a helpful reminder (cp. 1.10.2). The Athenians are to consider what the city does and is capable of doing for and to them (cp. 2.60.2-4). This is the culmination of advice conducive to the Periclean strategy as Thucydides describes it: stay within the walls to cultivate all that is great in yourselves and in the city that helps you be such people and by which you hold your empire. Fall in love with that city so construed so that you no longer feel the longing for what you have lost in the countryside that was like your own city to you (2.16.2).

In sum, the emphasis on popular advantage is an important starting point. It makes room for the Athenians to act as they ought by taking Pericles’ advice for their own benefit. But it is also just a starting point: their advantage needs to be defined so as to include more than just material advantage; it must encompass a sense of themselves beyond just their possessions. In particular, it must be seen to turn on the way the city is crucially involved in opening up for them uniquely desirable lives. Awareness of the city’s power, so crucial for its functioning, is summed up in the climactic exhortation to love the city and its power. The feeling of love for the city and its power conforms the Athenians to seeking to preserve that power above all, even at the expense of minor losses or temporarily foregone opportunities for further gain.²²

The description of the *politeia* offers to each Athenian an appealing version of himself and reminds him of the city’s role in helping him become it, thus encouraging him to preserve himself but more than that to preserve the city at all costs. To get someone willing to die for their city and yet to be cautious in doing so is no mean task (2.40.3). It requires focusing him on the life the city alone makes possible.²³ Unlike the *Lacedaimoniōn Politeiai*, Pericles needs to instill more than a willingness to fight bravely to the end. He needs to encourage restraint as well. An ability to fight and not fight as appropriate requires a life and a self achieved by choosing it in the moment, not just in hindsight. That kind of cultivation, chosen and consciously acted out, fits comfortably with popular advantage as the primary determining character of the city, advantage that is consciously choice-worthy in the moment of choosing. In the end, the combination of advantage and cultivation provides an appealing vehicle by means of which Pericles can entice the Athenians to remain committed to his strategy.

IV. Challenges for the Athenian *Politeiai*

As has often been noticed, Pericles’ speech is followed immediately by the first onset of the plague. The careful burial rituals described just before the Funeral Oration (2.34) are juxtaposed with the haphazard heaping of bodies dead from the plague (2.52.2). The strength praised in the Funeral Oration is enervated by the plague as is the devotion to civic customs held to be the source of that strength. We witness instead the breakdown of

²² Cp. Grene 1950: 88-90.

²³ Cp. Connor 1984: 69.

any solidarity, fellow feeling, or even concern beyond satisfying one's own immediate urges (2.53).

This is but one instance of a general pattern of disappointed expectations. As W. Robert Connor has said: "History...reminds us how easily men move from the illusion of control over events to being controlled by them—from action to *pathos*"(1984: 247). As Connor notes, it is a pattern that is apparent already from the *Archaeology*: "The final chapter of the introduction again restates the theme of greatness, but in doing so redefines it. The greatness of this war is now seen to consist not in the number of men, ships, and talents, but in the length and intensity of the suffering concentrated in it"(248). It is a pattern apparent throughout the *History*, particularly with reference to Pericles and the vision of Funeral Oration, as we can see in the individuals who replace Pericles at the head of the *dēmos*. Thucydides famously claimed that "the leaders who came after Pericles were more or less equal to each other and wanted each to himself be first; they were driven according to the people's pleasures and gave over affairs to them"(2.65.10). Tim Rood has drawn attention to the way Thucydides, as he plays out this theme, reveals the tension between internal stability and external success of the kind described in the Funeral Oration. As he says, "whereas Perikles stood up to the people in the interests of reason, and by showing a reasoned awareness of the roots of their passion, Kleon does so to awaken passion, and by being himself passionate in his abuse ... Thucydides suggests through [Kleon] that the qualities required for imperial expansion by a sea-based democracy undermine its internal stability, and its tolerance"(1999: 149). Similarly, as Alcibiades and Nicias replace Cleon at the fore, we can see that "Alcibiades is like Perikles without his honesty, prudence, and patriotism; Nicias is like Perikles without his coercive powers. ... Already in the narrative of the Archidamian War and the uneasy peace, Thucydides' selective concern with Athenian politics emphasizes strands ... which expose how the same qualities which enable the Athenians to thrive and endure abroad prove destructive at home"(158).

The culmination of the inversion of the vision of the Funeral Oration comes in book eight.²⁴ Following the description of the leaders who came after Pericles, Thucydides further claims that "The Athenians did not give in before they slipped up because they fell upon themselves on account of private differences"(2.65.12). This final catastrophe on account of private differences is likewise intimated in fallings-out around the Greek world, described in the intervening portions of the *History*. The most famous instance is the internal strife at Corcyra. As Connor points out, while the Funeral Oration "is the symbolic standard of order and stability to which Greece in any other condition must be compared...the paradigmatic *stasis* on Corcyra, an inversion of the Athens of the Funeral Oration, is the festal and amateur world turned upside down, destroying the dispositions that lead to civic strength and individual attainment, and producing those that debase and degrade"(1984: 250). Thucydides is clear that this destruction following upon private differences only finally comes about at Athens after the Sicilian expedition. It begins in book eight. It is there, to quote Connor one more time, that "The violence of the war now comes home to Athens...through an internalization of violence in the political struggles and *stasis* of the period...the book records the tendency toward civic disintegration or moral atomism that almost any student of history recognizes in the last decade of the war"(211, 215).²⁵

²⁴ The profusion of individuals around whom events swirl in the book also marks a further descent from Pericles' ascendancy (see Connor 1984: 214).

²⁵ Rood, by contrast, claims that book eight continues the pattern demonstrated throughout of *philonikia* at once causing domestic problems for the Athenians and accounting for their foreign successes (1999: 252, 275-8). While he helpfully points out the Athenian ability, in the course of book eight, to act in a unified

The difference depicted in book eight most relevant here, and which has not previously been noted, is a narrower conception of *politeia* associated particularly with Athens and in keeping with the general self-interestedness of the leading characters. The shift is stark not only relative to the capacious combination of the advantage of the ascendant group and the promise of self-realization offered in the Funeral Oration, but relative to the variety of ways different speakers and Thucydides *in propria persona* talk about *politeia* throughout the history. Thucydides himself speaks in general terms about the stability of the Spartan *politeia* (1.18.1, 5.68.2), where this could cover their governmental structure or style of life.²⁶ His characters also talk, again in general terms, about the effect of relying on this *politeia* (1.68.1). Sometimes religious practices are particularly associated with the *politeia* (2.16.2). Pericles is said to “lead the Athenian *politeia*” (1.127.3), the sense of which is only fully revealed in the Funeral Oration. Brasidas encourages the Peloponnesian army by pointing out that they all come from *politeiai* “in which the many don’t rule the few but rather fewer rule more and acquired their mastery just by fighting and overpowering them” (4.126.2). The fact that the few rule the many may be all there is to these *politeiai*, or just a part of the larger scheme such as we find described in the *Lacedaimoniōn Politeiai*.²⁷ Other times, the emphasis falls more squarely on the structure of government, more particularly the group that rules the city (1.115.2, 7.55.2).²⁸ There is also talk of grants of *politeia* conferring some status within a community other than that into which one was born.²⁹ In book eight, though, all this variety disappears and we find a narrower focus just on the *politeia* as who rules. The narrative of the revolutions of 411 shows the conception of *politeia* coming to center just on which group holds power with even the point of ruling, whether one’s own advantage or something else, often left to the side. In the course of the narrative, Thucydides also offers a sense of what it would mean to create the best possible *politeia* for a city within the limits of this conception.

The descriptions in book eight of events and of the ideas driving them center on cities understood as falling into groups. The Chian *oligoi* make overtures to the Spartans without the knowledge of the majority and fear that their efforts will make dangerous external enemies (*polemion*) of the majority unless they first acquire some security against them (8.9.3). When the Athenians learn of the Chian revolt, they free all the slaves on the Chian ships with the Athenian fleet and imprison the free Chians (8.15.2). This suggests another, less often mentioned, division within cities (though see 8.40.2) that had acquired some of the same valences as the political divisions between men who were nominally members of the same community but who could become *polemioi* or conceive of themselves as being enslaved when ruled by fellow citizens at any point.³⁰ The Rhodian upper classes seem to likewise proceed without the knowledge of the *dēmos*, though not so

manner—his interpretations of 8.70-1, 75-6, and 89-94 are particularly astute—he perhaps understates the starkly different feel of book eight. It is helpful to notice the continuities in book eight so as not to fall into some of the more extravagant theories about its peculiarities, but doing so should not lead us to overlook those peculiarities.

²⁶ Rood is right to note that, for example, “food was for [Thucydides] only selectively important” (1999: 135), but the references to the Spartan *politeia* may mark an awareness of the importance of eccentric habits of eating in general even if he doesn’t take them up in specific detail.

²⁷ Cp. The Megarians’ and Boeotians’ decision to ally with the Spartans rather than the Argives because “they thought the democracy of the Argives was less advantageous to them, who were oligarchic, than the *politeia* of the Spartans” (5.31.6).

²⁸ Cp. the description of the plan to encourage revolutions before Delium (4.76.5).

²⁹ See further chapter five. Pausanias’ promise to the helots (*eleutherōsin te...kai politeian*) may be of some such status within Sparta or perhaps that they would rule in Sparta in lieu of the Spartiates.

³⁰ See also the discussion of the Old Oligarch above. Note the suspicion that later governs internal Chian relations (8.38.3).

much to secure control for themselves as to revolt from the Athenians (8.44.1-2). When the *dēmos* seizes power in Samos, they kill two hundred powerful men, exile another four hundred, split up their possessions, and no longer allow the landed classes any share of anything or even permit intermingling of the two classes (8.21.1). These are all just preludes to the fall of the democracy at Athens of which “overthrowing the *dēmos* (*kataluein ton dēmon*)” is just part and parcel (8.47.2, 8.63.3; 8.49.1, 8.54.4, etc.).³¹ The Athenian oligarchs accomplish something comparable at Thasos where they put down the *dēmos* in such a way as to allow for one group of aristocrats after another to control the city (8.64.2-5).

At Athens itself, in order to secure Alcibiades’ return and the assistance of Tissaphernes, it is taken for granted that some section of the population will obtain control to the temporary detriment of others. This fact is expressed in terms of who “holds the *politeia*” (cp. 8.74.3). When Peisander attempts to persuade the Athenians to give up democracy in order to secure the necessary aid, he explains that the Athenians “should make the *archai* more for the few (*es oligous*)” and “not take more thought for the *politeia* in the present than for salvation” (8.53.3).³² Office holding was to be more for the benefit of the few (*es oligous*). The phrase pointedly recalls Pericles’ claim that Athens is a *dēmokratia* because “it is administered not for the few but for the majority” (2.37.1). But there is none of Pericles’ further talk of “an equal share for all” (2.37.1), or any of the other ambitions of the *politeia* as he describes it; only the possibility of bare survival in the present and subsequent change is offered to those not in power. There will be no pay for office holding such that spoils could be spread out to more citizens more directly (8.65.3). The men in charge have already decided that they will do all that is necessary “since they are laboring for no one other than themselves” (8.63.4). The sailors in turn demand that the men of the city “give them back their *politeia*” (8.76.5). Control of the *politeia* is to be understood in terms of who holds power and thus gets to benefit from it.

The revolution’s central change in the *politeia* is restricting decision-making power to four hundred men. In order to appreciate the implications of this restriction for the understanding of *politeia* at issue, we need to be precise about what it means to restrict the group to this number and what this group of men is doing. As to the first, the mode of selecting the Four Hundred is particularly telling: “it was agreed to choose five men as presidents (*prohedroi*) and to have these five choose one hundred men, and each of these one hundred to choose three in addition to himself” (8.67.3). The selection of those with decision-making power is essentially left to five men who are empowered to select those they trust, though it remains unclear what role these five will have after the selection process.³³ Each of the hundred, once selected, is allowed to pick a few additional members of the group such that no man need feel isolated but such that no man, except perhaps for the original five, can rely on enough support to bring the group down. The mode of selecting four hundred, on Thucydides’ telling, seems to suggest that the absolute number is not as important as that the group is a collection of trusted friends.³⁴

³¹ Note *kataluein ton dēmon* in ML 47.48 (following their restoration instead of that of *ATL*).

³² See the discussion in chapter five of the similar phrase attributed to Lysander at Lys. 12.74.

³³ Hornblower (1991-2007: III.952) thinks Thucydides is more likely to be right about the selection procedure than the *Ath. Pol.* (31.1). See Gomme et al. 1945-1981: V.169, 204-5 for discussion of attempts to reconcile the two accounts.

³⁴ Hornblower suggests that “The number four hundred was surely intended to recall the four pre-Kleisthenic Ionian tribes,” though, “The oligarchs, even the more genuinely scrupulous among them, were not careful with their history; such a change takes us back to Solon rather than to Kleisthenes, and yet *Ath. Pol.* 29.3 spoke of ‘seeking out the laws of Kleisthenes’” (ibid.). I would be inclined to lay the emphasis somewhat differently: the oligarchs—on Thucydides’ account—were not particularly concerned with anything but the pretense of returning to an earlier system.

As to the second, they certainly monopolize the council chamber (8.70.1) and propose to shape Athenian policy (8.71.3, etc.). Thucydides explains their larger ambitions more directly, though, in describing their downfall. As he says (8.91.3),

they most wanted as a few rulers to also rule over the allies, or, failing that, to be able to govern themselves with the ships and the walls, or, failing that, so as not to be destroyed by the *dēmos* before any others, to lead in the enemy without walls or ships and let whatever fate befall the city, so long as they escaped with their skins.

The concern is above all to themselves rule and not have others do so. The most desired object is to rule over as many as possible. But they would be willing to give up the empire, and thus some of their subjects, in order to be sure that they could remain as rulers of at least some. Absent that, they would suffer anything at external hands to keep their internal enemy, the *dēmos*, from regaining power.

The split between the groups is made more visible by the army remaining at Samos. We had already been prepared, in book seven, for the idea that the army in Sicily could be like a city on the move (7.75.5). We now hear of the navy at Samos acting like a city (8.76.2-7). But the ambitions of the army as of the men at Athens is to unite what had become like two cities into one, themselves at the head. This seems the point of Thucydides' claim that "the one group was trying to force the city to be governed as a democracy, the other to force the army to be governed as an oligarchy" (8.76.1). The possibility that all might have an equal share or all benefit in any way is now out of the question. The citizens do not all make use of a *politeia* like no other. Rather, some seek to hold the *politeia* for themselves to the exclusion of others and to reap nothing more from it than the very act of holding it. Democracy is no longer a name that describes one element among many civic arrangements. The *dēmos* in exile only wants democracy as its own ascendancy over the few in the city, and the few just want oligarchy as their ascendancy over the *dēmos* whether they are in the city or aboard ships.

Such an understanding provides the terms for understanding the oligarchs' subsequent proposal to make the *politeia* more equal. When the ambassadors return to Athens from Samos, a faction including Theramenes and Aristocrates proposes that the Athenians should keep from "too much favoring the interests of the few and instead display the five thousand in fact as well as in name and establish the *politeia* more equally" (8.89.2).³⁵ Theramenes and Aristocrates are usually described as moderate oligarchs, but we should appreciate what their moderation consists in. The proposal is not just to change who the ruling group would be, though that is part of the proposal, part of what makes the *politeia* more equal. It also involves favoring the interests of the *dēmos* while looking less to the interests of the few (*es oligous*), sharing out benefits with the common sort, whoever rules. We can see as much from Thucydides' claim that the proposal is above all the result of "each man attempting to be first to be the advocate (*prostatēs*) of the *dēmos*" (8.89.4). They are not moderate just or primarily because they are eager to have more people have access to the levers of government, five thousand as opposed to four hundred. They are moderate to the extent that they are concerned with the well being of the *dēmos*, in addition to questions of who exactly rules.

Understanding the proposal of the moderates in these terms also helps make better sense of Thucydides' praise of the last days of the oligarchy. He claims that when the

³⁵ Alberti reads ἄγαν ἐς ὀλίγους οἰκεῖν with M rather than ἄγαν ἐς ὀλίγους ἐλθεῖν, found in the rest of the manuscripts; the passage thus even more directly recalls 2.37.1.

Athenians at Athens faced the loss of the empire or an imminent Spartan invasion of the city itself (8.97.1),

They voted to depose the Four Hundred and hand over matters to the Five Thousand (who would include however many furnished their own arms) and that there would be no pay for any office. They cursed the man receiving pay.

He then goes on to praise the Athenians' subsequent actions (8.97.2):

Afterwards, there were many other assemblies, during which they voted for *nomothetai* and other things for the *politeia*. And for the first time in my time at least the Athenians were manifestly conducting themselves well. For the mixture was balanced in the interests of the few and the many, and it first brought the city out of its bad situation.

Thucydides praises the Athenians for a variety of reforms: the abolition of pay, the concentration of decision-making power in the hands of those who could provide arms. Those who furnish goods should have more, and the poor should be paid as members of the fleet (see 8.86.6). In addition, there were many assemblies where attention was paid to appointing officials concerned with the laws and with matters relating to the *politeia*. The result is a mixture in the interests of both the few and the many.

There has been ongoing debate as to whether *thetes* were deprived of their place in the assembly under the Five Thousand.³⁶ The disagreement can be traced to Thucydides' silence on the issue. The statement about the mixture of interests has nothing direct to say about who is in charge of what organs of government. There is none of the earlier talk of controlling the assembly or the *politeia*.³⁷ Instead, the assembly however constituted focuses on making the *politeia* combine the interests of both groups.³⁸ Such a mixture amounts to good political conduct and it allows the city to emerge from its troubles and recombine with the fleet, to become one city again without exactly being governed as a democracy or an oligarchy.³⁹

Thucydides' description of talk about *politeia* at Athens forms part of his carefully constructed narrative of the war. As such, it may exaggerate or even impose ideas proper to a later period or part of general interest to him and his audience because they are

³⁶ De Ste Croix 1956 and 1981 denied that they were. Rhodes 1972, Andrewes 1981, and Hornblower 1994 and 2009 maintained that they were excluded.

³⁷ See 8.66-70. Note also that the call for the Five Thousand has earlier been cover for calling for restoration of the *dēmos* (8.92.11).

³⁸ This is departure in content but not in form from Pericles' statement at 2.37.1 and in form but not *mutatis mutandis* in content from Alcibiades' mixture at 6.18.6.

³⁹ Hornblower 1994: 160 is wrong to insist that *xunkrasis* implies that *politeusantes* must be a matter of blending structures rather than behaviors. The statement is ambiguous, as one would expect, at this point in time, in considering the *politeia*. See Rood 1998: 280n.87, who notes that the term is pointedly ambiguous. The contrast with the earlier description of the Chians is telling. (The whole narration of political turmoil in the subject states provides clarifying contrasts with and preparation for the events at Athens.) Thucydides claims that the Chians uniquely, along with the Spartans, were moderate and prosperous. In their flourishing, they concerned themselves more with good order the greater their city became (8.24.4). Despite the merits of so living and the tendency of such activities to lead to good decisions, the Chians are caught off guard by the Athenians' ability to endure the disaster in Sicily. They are soon plagued by their numerous slaves; in this too they are like the Spartans, who desert as soon as possible and thus leave the Chians more exposed to their enemies (8.40.2). Good order is fine in its place, but it is a fragile thing and can quickly come undone, particularly when it leaves some element of public life uncovered. A balance of interests served may be a more achievable and thus a more stable ambition, or so Thucydides suggests.

appropriate to this place in the literary artifice not because they are specific to the latter stages of the war.⁴⁰ In the final section of this chapter, I consider two examples of oratory from the aftermath of 411 and suggest that there too we can hear talk about *politeia* centering on who rules. The examples from oratory also provide a somewhat fuller picture of some of the ideological features of talk of *politeia* c. 411.

V. Oratory after 411

Two speeches or parts of speeches survive related to the events of 411; both defend a person's conduct under the Four Hundred. One, in the corpus of Lysias, *For Polystratus* (20), is for a man on trial for his involvement with and actions taken under the Four Hundred. Of the other, Antiphon's defense speech, only fragments survive (CPF 4). The speaker of Lysias 20, the son of the accused, defends his father by claiming that he was unlikely to harm the people and that in fact he didn't do so. From Antiphon's speech, only a fragment arguing the former survives.

After claiming that his father was too old to do any of the vicious things imputed to the Four Hundred, the speaker explains that he had no reason to harm the people. As he says,

A man who had been deprived of civic position (*atimos ōn*) because he had committed some wrong in the past and desired another *politeia* (*heteras politeias epethumēse*) would, on account of his prior misdeeds, act in his own interest. My father, however, has committed no wrong of that sort such that in his own interest or his children's he would hate your multitude (*to plēthos to humeteron*).

As he explains, he and his brothers were off fighting in Sicily and Boeotia, so his father had no reason "in their interest to desire another *politeia*" (20.4). Someone who was excluded from offices, from a role in civic life (*atimos*), would be hostile to the people, act in his own interest, and desire that another group should rule instead, desire another *politeia*. The parallel is between hating the *plēthos* and desiring another *politeia*, as though the *plēthos* and the *politeia* are the same kind of thing.

Pointedly, though, he does not speak of the *plēthos* as a kind of *politeia*. In this he differs from Antiphon who argues, in a similar vein, that

Having been chosen for a magistracy did I lay hands on a great sum of money and was there an examination which I feared, or was I deprived of civic position (*atimos*) or did I do you some harm and fear paying the allotted penalty? Not I. Nothing like that happened to me. ... Others for some such reason desire some *politeia* other than the established one in order that they not pay the penalty for the crimes they've committed...but I did no such thing.⁴¹

⁴⁰ See Dover's statement (quoted in Rood 1999: 133) that "the theme of political disunity...has distorted [Thucydides'] judgment" and the other scholars cited in Rood (134) who suggest that Thucydides is at best, with 2.65.12 and the way it plays out in the *History*, retrojecting post-war ideas and debates.

We should note in any case that Thucydides was decidedly concerned with such intellectual tendencies as those described here. We need not think only of the description of the stasis at Corcyra. In book eight itself, the handling of political turmoil on Thasos (8.64) shows a keen concern with the importance of political sloganeering. See Connor 1984: 222 and n. 21. More generally, see Grossmann 1950.

⁴¹ fr. A, col. I.1-II.14.

He makes both the present government and the alternative types of *politeia*. The speaker of Lysias 20 avoids any direct talk of the democracy as a *politeia*. He rather speaks constantly of his friendliness to the city (*polis*) or, more often, “your multitude.”⁴² In the use of *plēthos* in lieu of *dēmos*, he seems to show a pointed concern with the people as a large, not a limited, group, though one opposed to the few. In similar fashion, he boasts that his father enrolled nine thousand in the diminished oligarchic citizenry rather than the five thousand he was instructed to enroll because, as he says, “It’s not those who make more citizens who destroy the *dēmos* but those who make fewer from more” (20.13). In this, he seems also to be arguing in keeping with popular discourse of the time. An Athenian inscription from c. 409 speaks repeatedly of actions being taken when the people are in full (*ho dēmos ho Athēnaiōn plēthuōn*).⁴³

When the speaker of Lysias 20 comes to disavow his father’s role in harming the people, we can further see the emphasis on one group, the people or the few, ruling to the exclusion of the other. He claims that his father, though he was a magistrate, did not take part in setting up the *politeia* (20.6). He explains that by this he means that his father “never offered a single proposal (*gnōmē*) regarding your multitude” (20.7). Furthermore, he explains, his father is not to be blamed for not challenging the *politeia* that was put in place because “they put in power those who would listen and not plot or make reports such that the *politeia* would not be easily changed” (20.9). Men are selected such that the group would not run the risk of dissolving on account of defections or sabotage from inside. Setting up another *politeia* involves speaking against the *plēthos*; changing that *politeia* amounts to dislodging those who rule by disturbing the coherence of the ruling group.

The concern with ruling also comes out in a further argument from likelihood that Antiphon offers. He claims that he is not likely to have been involved with the oligarchs because, as his accusers insist, he is a clever speaker. As he says,

My accusers claim that I wrote law-court speeches (*sunegraphon dikas*) for others and that I profited from this. In oligarchy, this occupation would not be available to me, but in the democracy as it was before I was the one in charge (*ho kratōn*) since I know how to speak. In oligarchy I would be worth nothing, but in democracy I would be worth a great deal. Is it likely then that I should desire oligarchy? Am I not able to reason these things out, or am I alone among the Athenians unable to recognize what profits me?⁴⁴

It is striking that any speaker would tell an Athenian jury that in fact he is really the one in charge in their democracy.⁴⁵ But that is precisely what Antiphon says. His power of speech makes him *ho kratōn*, the one with the power, the one in charge. What is additionally telling for the present discussion is that being the powerful one is precisely what Antiphon offers as an example of what is to his advantage, what profits him. As he suggests, he like anyone else, will seek what is to his advantage, but what is above all to his advantage is being the powerful person, the ruler, in his city. Desiring democracy or oligarchy comes down to looking for a way to achieve what is most profitable for oneself, namely ruling.

⁴² See, for example, in addition to the passage cited above, 20.15, 20.19, 20.26.

⁴³ *IG* I³ 105. I am grateful to Angelos Matthaiou for suggesting the context for understanding the phrase in this inscription. (Perhaps surprisingly it also occurs in an early Elian inscription—Minon 4. The history of Elis in that period is nebulous enough to make it impossible to say why.)

⁴⁴ fr. A, col. II.15-III.24, reading [μόνος] | Ἀθη[ναίων] with Thalheim, which Declève-Caizzi prints in her apparatus and translates but does not print in her text.

⁴⁵ See chapter five for further discussion of this point.

We can see, then, in these speeches an interest in the *politeia* where that is associated above all with questions of who rules to the exclusion of others. We can also see, in Lysias 20, that seeking another *politeia* might be particularly associated with seeking a group of only a few members to rule. In this, these speeches seem to conform to the concerns Thucydides describes as prominent at this time, even as they indicate some additional ideological valence of the term that Thucydides, with his talk of the army at Samos demanding back their *politeia*, disregards.

VI. Conclusion

In this chapter, I have tried to show how a conception of a regime as defined above all by the advantage of the group in charge could be combined with the more standard topic of *Politeia* writing, the regimen of a city. Insofar as the latter was seen as serving the former, both could be taken to describe a city's *politeia*. We can see this combination most clearly in the Old Oligarch, where we can also see that understanding a city in those terms was particularly likely when the group in charge was not thought to be cultivated to any degree.

Pericles' *epitaphios* provides a slightly different picture. There, the regimen is connected to the regime not just by serving the advantage of the group in charge directly but by allowing every individual to realize his potential and be empowered through his appreciation of the workings of the city. But the rest of the *History* represents this picture as a particular Periclean vision, important at a particular moment, but not again articulated thereafter. Rather, as the remainder of the history, especially book eight, shows and evidence from fifth-century oratory seems to confirm, thinking about what made the city what it was and what it could do came increasingly to focus on what group was in charge and could thus most directly pursue their own interests.

While I have described the way discussions of *politeia* came to focus on one particular feature of civic life, I do not mean thereby to imply that interest in the Spartan *politeia* died out entirely. As we saw in the first chapter, when Xenophon was writing in the 390s, the genre of *Lacedaimoniōn Politeiai*, at least in hindsight, continued to be a fruitful way for at least some writers or thinkers to engage with the problems of their day. By that time, though, the main topic of interest had shifted from exploring how a city's institutions could make its citizens as powerful as they would want to be to above all specifying who was in charge in the city, that is to say who was powerful in the sense of having the city secure their benefit.

In the next chapter, I pause to consider how three of Aristophanes' plays performed around the time the Old Oligarch wrote suggest a tension in the prospect of serving the advantage of a ruling group or having a collective entity consisting of many members as ruler. In particular, I will argue that the *Acharnians*, *Knights*, and *Wasps* suggest that, in the case of the Athenian democracy, there was an ambiguity between whether democracy meant that the advantage of the people as a whole was served or the advantage of the people severally, whether the people rule or whether the people rules

In the following chapters, I turn back to the ideas with which this chapter began to see how public orators in the first part of the fourth century, and by implication the populace at large, understood a *politeia* as primarily being defined by the city's ruling group. In chapter five, I will discuss the conception of *politeia* as primarily the regime of a city as it occurs in fourth-century oratory and, in chapter six, Plato's understanding of and response to that conception, particularly in the early portions of the *Republic*.

Chapter 4: Do the People Rule or Does the People Rule?

I. Introduction

In the *Life of Aristophanes*, preserved in several of the medieval manuscripts containing plays of Aristophanes, we hear that,

Aristophanes was most of all praised and was very much prized by the citizens of Athens because through his plays he endeavored to display the *politeia* of the Athenians, that it was free (*eleuthera*) and not led as a slave (*doulagōgoumenē*) by any tyrant, that it was *dēmokratia* and that the *dēmos*, as it was free, ruled itself (*archei heautou*).

It is unlikely that Aristophanes displayed the *politeia* of the Athenians by offering a lesson in the use of the term *politeia*, which only appears once in the surviving plays or fragments (*Knights* 219). There, it seems to mean something close to the Old Oligarch's description of the style of life and sense of values following from the people being in charge.¹ Rather, for the anonymous author of the *Life*, Aristophanes' display of the Athenian *politeia* can be summed up as his depiction of the power and position of the *dēmos* (*dēmokratia*). In that author's formulations, however, we can already see a difficulty. The citizens (*tōn politōn*, in the plural) of Athens admire and love Aristophanes. They do so because of his portrait of the *politeia*, which amounts to a demonstration of *dēmokratia*, that is to say the people (*dēmos*, singular) being free and ruling itself (*heautou*, singular). Why should the citizens be so fond of that picture? The implication would seem to be that it is a flattering self-portrait. They are the *dēmos* that rules itself. But what exactly does a statement about the *dēmos* tell us about the citizens of Athens severally? And what does it mean for those citizens that the *dēmos*, even the *dēmos* of which they are a part, rules itself? That is to say, what does it mean for any given citizen that the *dēmos* rules itself?

In the previous chapter, I showed how the focus on the *politeia* of the Spartans may have shifted such that talking about *politeia* could also primarily center on the question of what group or individual was in charge of a city, insofar as the question of who was in charge amounted to asking who was able to secure their own advantage or ends through a position of dominance in the city. I also argued, in chapter two, that Herodotus' *Constitutional Debate*, while not about *politeia* in the only sense Herodotus recognized (namely that associated with the *Lacedaimoniōn Politeia*), did suggest that stable and successful ruling required that the ruling entity be at once unified and plural. In this chapter, I will explain how Aristophanes' *Acharnians*, *Knights*, and *Wasps*, in their treatment of Athenian democracy, suggest a difficulty with the group in charge looking to secure their own advantage. They do so, I claim, precisely by pointing out the challenges involved with a ruling entity, such as the *dēmos* of Athens, that is at once unified and plural.² In particular, the representations of Dikaiopolis, Demos, and Philocleon suggest

¹ "The other demagogic qualities belong to you: a foul voice, bad birth, and you're vulgar (*agoraios*): you have everything needed for *politeia*" (217-219). The lack of the article may seem difficult (though compare Th. 2.37.1) and has led many to construe the sense as "public life" or "government" (so *LSJ* and, more recently, Sommerstein 1997 and Henderson 1998), but the point seems to be rather everything that suits activity in public affairs where, at Athens according to the play, that means all the traits that get one ahead with the *dēmos*. As in the Old Oligarch, doing what the *dēmos* wants is at the core of the Athenian *politeia*.
² My claim is not, of course, that Aristophanes is commenting on something he read or heard in Herodotus Thucydides, or any of the other authors discussed in the preceding chapters. (Note, though, the suggestion, in e.g., Dover 1972: 87, that *Acharnians* 526ff. parodies the opening of Herodotus' *Histories*.) Such a claim would be at least implausible and in any case impossible to prove. Rather, Aristophanes' plays were

that each member of the *dēmos* wanted the *dēmos* to rule just to the extent that that amounted to him ruling individually. These plays thus suggest that the appeal of a given group being in charge might depend on a misleading and unstable fantasy that the individuals constituting that group were each themselves the real ruler.

In what follows, I will try to show how Aristophanes explores especially the last question and the problems that answers to it might raise. I first consider the depiction of Demos in *Knights* and Philocleon's speech in praise of the power of jurors in *Wasps*. I claim that they offer an exaggerated representation of what any particular citizen might have imagined the power of the *dēmos* meant for him. More specifically, I argue that *Knights* reveals how a citizen might be expected to identify with the power of the *dēmos* while *Wasps* suggests how a citizen might come to conceive of that power not just as something with which he could identify but as his own. I then turn to the opening of the *Acharnians* to suggest that Aristophanes reveals there how vain the promise of identification with or as the *dēmos* could be. I finally argue that Dikaiopolis' private peace in *Acharnians* and Philocleon's farewell to jury service in *Wasps* each reveals the problems both for others and for oneself of entirely identifying the power of the *dēmos* as one's own.

II. Who is the *Dēmos*?

The star of Aristophanes' *Knights* is a person, but he is not an ordinary person. He is Demos, the personification of the Athenian *dēmos*, and he resides in a household imperfectly resembling Athens itself. He keeps as slaves the politically active citizens of Athens who would most regularly appear before the Athenian assembly or, we might assume, Athenian juries.³

In the first instance, then, the play offers a reminder that the *dēmos* is a corporate entity, something more unified than a mere collection of people, and that democracy refers to the power of that entity. The entity may take concrete form in particular institutional contexts. On the Pnyx, decisions were taken when things seemed right to the group assembled there as the *dēmos*. Likewise, in the law courts, judgments of the jury were thought to be those of the *dēmos*.⁴ In both cases, the claim was at most figurative or aspirational. Even a full assembly or the largest juries would have been a small fraction of the *dēmos*, even on a narrow definition of the *dēmos* as the city's poor. The *dēmos* never concretely exists as the whole people in the sense that one could never point to the whole people. The *dēmos* in action was always literally some subset that was figuratively taken to be standing for all.⁵ That point will be relevant for understanding one of the things *Knights* tells us.

performed at a time when and before an audience for whom these issues were, as I have suggested in the previous chapters, of interest generally in at least certain strata of Athenian (and perhaps Greek) society and specifically in such a way that they found their way into literary material that survives from the period. Aristophanes' comedies were thus bound to engage with them, and they do so, I hope to show, perceptively, trenchantly, and humorously.

³ *Dēmos* is ambiguous between the whole citizen body and the poor (or at least the not-rich and not-prominent). In *Knights*, the latter seems to be required insofar as there are citizens who are not members of the *dēmos*. The problems discussed in what follows obtain in either case. Dover 1972 points to some of the disanalogies admitted. The evidence for the place of juries in fifth-century political life at Athens (as compared to the evidence for the fourth century) is sufficiently tenuous to require any claims about them to be hesitant. For the evidence, see Ober 1989.

⁴ See Ober 1989, 1996.

⁵ Contra Hansen 2010 who claims (in this article and the earlier pieces he cites therein) that we find the term *dēmos* in decrees (for which use see further below) describing what the assembly would have done, and that therefore the term *dēmos* was sometimes just synonymous with *ekklēsia*. The term *dēmos* was not so used for

Demos helps us see a particular feature of the *dēmos* as a collective body, namely that its power came from its being individual: single, undivided. As we will see in Plato, the likeness of a fictive person or a city to a natural person could be drawn to emphasize the ways both are either composite or unified. For a yet more concrete case, recall Menenius Agrippa's description of the body politic (Livy 2.32.9-12, Plutarch, *Coriolanus* 6.3-4), reanimated in Shakespeare's *Coriolanus* (I.i.88-161): the people as a whole is a body but a body of several parts that must be kept in the proper relations as must the parts of the human body.⁶ Aristophanes' Demos isn't like that. The representation is only skin deep. The household is the city, and the *dēmos* is a single, solid, sovereign part of the household as of the city.

The play offers a decidedly appealing portrait of Demos' (and thus the *dēmos*') power.⁷ He is throughout referred to as master (*despotēs*) by all the powerful characters brought on as slaves (40, etc.). The chorus praises him as like a tyrant, feared by all (1111-1114). He manipulates for his own ends those who suppose that they manipulate him (1123ff.). He is a monarch of Athens and Greece (1130ff.). In each instance, an honorific or enviable title generally applicable to an individual is applied to the body as a whole. And as the anonymous author of the *Life of Aristophanes* says, this portrait seems to have delighted the audience. In any case, the play won first prize.

But what would any member of the audience have seen in Demos? He couldn't have literally seen himself in Demos. Demos is solid with no room for constituent parts. And in any case, what glory would there have been in being even Demos' long arm that lashes the powerful *qua* slaves if the order to apply the lash came from closer to the center, from another part?

Rather, perhaps he saw himself in Demos is the sense that he was able to identify Demos' actions as his own. Demos is depicted on stage as an everyman, an ordinary man of the people.⁸ He is an ordinary householder even as we recognize that his house is Athens itself. His problems are created by conniving slaves in the manner an ordinary Athenian might fear for himself. The outward similarity would make it easier for an audience member to live vicariously through the character even as they recognized that he was a superhuman figure.⁹

It would be easier for the audience to enjoy Demos' actions vicariously because, as already mentioned, conceiving of certain actions as being those of the *dēmos* required a leap of the imagination in any case. The acts of the assembly were the decision by majority

dikastēria and so they were not understood as speaking for the *dēmos*. While I can see no way of definitively proving this assumption wrong, something like the description I offer in the main text (which is closer to Josh Ober's position in this longstanding debate) seems to me more plausible: the assembly and courts were understood as acting as the *dēmos* and acquired any legitimacy they had from that assumption. Ober's suggestion (1996) that synecdoche captures the way of talking about the relation of *dēmos* to the assembly or courts seems broadly right for Aristophanes, and his claim that imagining *dēmos* as the agent of all civic actions makes political action clear is precisely the sort of thought I am claiming Aristophanes at once reinforces and challenges. (For a survey of uses of *dēmos* in Aristophanes, see Reinders 2001: 61-70.) One could fruitfully compare contemporary rhetoric about "what the American people want (or wants)."

⁶ So also already the speeches in Thucydides book six discussed in chapter 3 (and, with humors rather than limbs or body parts, Alcmaeon DK 24B4). See further Brock 2013: 69-82.

⁷ See Hoekstra 2016; contra Landauer 2014.

⁸ See Sommerstein 1997.

⁹ See Hoekstra 2016 (with works cited in n. 50) on the iconography of the *dēmos* in relief sculpture from the fifth and fourth centuries.

The representation of Demos notably contrasts with such similar contemporary figures as John Bull or Uncle Sam who, perhaps especially in the famous military recruiting posters, seem to embody the qualities of a government separate from and giving orders to those living under it rather than of the people at large, each of the members of whom might identify themselves with the depiction of the whole.

vote of probably not more than six thousand men out of a population of tens of thousands.¹⁰ The juries included fewer men than that. Nonetheless, when the assembly voted, the record stated that the resolution was made by the *dēmos*.¹¹ The formula elided the possibility that some were opposed and some for.¹² It made all party to the decision, and it encouraged all to see it as their decision and each to see himself as part of the group and therefore it as his decision. An Athenian watching Demos on the stage would thus be accustomed to trying to feel or feeling the actions of the *dēmos* as his own whatever the literal circumstances or specific causal histories of those actions.

Knights thus shows us that the power of the *dēmos* of Athens as a fictive person could be imagined in terms of the power of a natural person. Furthermore, imagining the power of the *dēmos* in this way was made easier on account of the regular practice of imagination required to identify public actions as those of the people as a whole. Additionally, the imaginative effort of associating institutional outcomes with the actions of the people as a whole could encourage individual Athenians to see public actions as theirs, whether they were in any sense so or not. Whether they were at the meeting or not, most, if not all, Athenians surely thought themselves members of the *dēmos*. Likewise, figuring the people's actions as those of a person would make them more recognizable to individual Athenians as actions that could be theirs. In each case, *Knights* allows us to see how an Athenian could care for the actions of the *dēmos* as his own. Aristophanes further helps us see, though, that the democracy traded not only on such limited identification but on something stronger, a vision offered to individual citizens not just of the *dēmos*' actions as theirs but, more surprisingly, as properly belonging to each alone. Such a picture emerges most clearly in the *Wasps*.

The *Wasps* is the story of a son's attempt to control his father who has gone mad for juries. I'll return below to what the son's success might suggest about the power of the people, but in the first instance, what is it to be jury-mad? The answer is represented in the first part of the play: Philocleon so yearns to sit on a jury that nets cannot keep him back from the courts nor can all the efforts of his son and household slaves. Why does Philocleon so yearn for jury service? As he explains, the Athenian juries "rule all" (517-518) and are "no less great than any monarchy" (548-549). While all other positions in Athens are subject to scrutiny, the juries alone are unchecked and can act just as they please (587).¹³ Great men bow down before them, and they fear no one.

At one level, the power of the people on juries may appeal in much the same way as the power of Demos in *Knights*. The jury can be conceived in abstraction, and its power can be seen as an instantiation of the power of the people as a whole. Any member of the people may feel sympathy with it. It is a great power or rule (*archē*), and each could feel connected to having its power.

In fact, though, Philocleon's boasting is not especially focused on the power of juries imagined as representing the whole populace though variously composed at different times. Instead, he praises the power of the juryman. As he says, there is "no living thing (*zōion*) more fortunate, blessed, fancy, or terrible than a juryman, even though he's old (*gerontos*)" (550-1). The last comment is particularly telling: Philocleon is an old man and so are his friends the chorus of wasps. This is not necessarily true of juries in general, and it is certainly not true of the audience of the play.¹⁴ But Philocleon is so focused on his own

¹⁰ See Hansen 1982 and Akrigg 2005, 2010 on the population of Athens in the fifth century.

¹¹ So already in the Salamis decree IG I³ 1. See Rhodes and Lewis 1997: 4, 20; Rhodes 1985: 64-81.

¹² Cf. [Xen.] *Ath. Pol.* 2.20.

¹³ See Landauer 2014 and Lys. 30.4.

¹⁴ Juries may have been predominantly made up of old men (as is suggested by *Wasps* as well as *Acharnians* 375, inter alia), but given the likely age structure of the Athenian population (for which see Hansen 1988,

power as a juryman (or at most the power of people like him) that he assumes that everyone would easily identify with an old man like him. The joke at the expense of Philocleon's narcissism brings out the particular appeal of the power of juries for him. With similar emphasis on his experience as an individual juryman, Philocleon describes how when men come to court, they say anything to flatter the juryman and tell him what he wants to hear (563). Furthermore, no one gets anything from the assembly unless he promises easier service to the jurors.

Philocleon thus repeatedly speaks of the power "we" the jurors have. When "we jurors exit," a pipe player whom "we had granted favor" plays a song "just for us" (581). "We" deal with heiresses as "we" like, and "we" disregard instructions and give away heiresses as we please (582-587). Cleon looks out "only for us (*monon hēmas*);" lordly statesmen are obliged to shine "our shoes (*tambadi' hēmōn*)" (596-600). Passersby when they hear us, imagine that "we" jurors shouting at the litigants thunder just as Zeus (621-624). Of course, many of Philocleon's claims are meant to be comically ridiculous, especially this last, but they don't seem to be any joking matter for him.

When he talks about his longing for juries, then, Philocleon regularly speaks of their power as belonging to the kind of person he is. Both at the beginning and the end of the speech he uses a first-person singular verb form joined with an indefinite relative pronoun (with or without an expressed antecedent).¹⁵ The force of the idiom is "I am such a one who...."¹⁶ It is he who performs the actions, but just because he is a certain kind of person, namely a juryman.

Philocleon thus in the first instance feels powerful not simply because he can imagine himself as a part of or importantly like some heterogeneous whole composed of many people. Rather, he is an instance of the uniform kind of person many of whom collectively make up the wholes that are the juries and each and every one of whom is thought to receive the benefits the juries receive and perform the actions the juries perform. The solidarity he feels is more concrete. It is not dependent in the first instance on the imaginative effort of conceiving of a corporate entity and one's relation to it but instead consists of looking around and hissing or shouting or laughing or judging with men just like himself.¹⁷ It is the solidarity that comes from doing the same thing with people perceived to be of the same kind.¹⁸

This is not the full extent of the appeal of jury service for Philocleon. In his mind, he is not just one of a type that who all alike make up the juries as homogeneous wholes. Rather, at times he talks as though he were the only member of the jury. Petitioners reach out their hands just to him (553-554) in order to secure his favor; they know him by name as their judge (558); and he makes promises that he then decisively breaks as he pleases when he passes judgment (561-562). Stories are told in court just to make him laugh and warm him at heart (567). Relatives are offered up, whether sons or daughters, to fit his pleasure, and prayers are made to him "as though to a god (*hōsper theon antibolei me*)" (569-573). In all these instances, he talks in terms of "I," "me," and "mine." He

2006), it is hard to imagine that they would be made up exclusively of men over sixty, or even over forty-five. (While it is hard to say what would count as old in classical Athens, sixty is perhaps not a bad cut-off for the more prosperous, and rather younger for those who labored more of their lives on account of poverty; see Finley 1981b.) For the heterogeneity of the audience, see Roselli 2011.

¹⁵ ὅστις ἄρχω (518); ὅστις ἀκούω (620).

¹⁶ See KG II.ii.399.

¹⁷ Note the chorus' expressions of solidarity with Philocleon *passim*.

¹⁸ The fact that the chorus are all costumed alike and speak or sing in unison presumably help to manifest these features of the appeal of jury service. Notably, though, as discussed above, the heterogeneity of theater audience itself might reveal the illusoriness of both kinds of homogeneity.

speaks of his own power with no reference to any larger group. All things done before the court are for his benefit, and all the actions of the court depend on him.

Even when he talks of what ‘we jurors’ do or receive, that talk can shade into descriptions of his own power. When he says that in the face of prayers, “we let up” (574), there is a pointed ambiguity as to whether he means the jurors as a group or just himself.¹⁹ At the close of his speech, Philocleon explains that he is “the kind of man who hears prayers like Zeus,” but the great dominion he describes is simply his to rule (620-621).²⁰ He speaks of the sound of the jurors raging as being like the noise of Zeus (623-624), but he then turns to explaining how the rich turn pale and sick and pray when *he* crashes down *his* lightning in judgment (626-628).²¹ And the closing focus is just on *his* lack of fear. The fact that he claims that jury pay is the greatest part of jury service (605ff.) may also be more than an easy send-up of his selfishness. The moment of receiving pay just for himself to enjoy in the privacy of his own home is a concrete manifestation of his power. The money is his and no one else’s, even if others also receive pay. And it is with this money of his that he can assert himself as the head of his household.²²

Philocleon thus shows how the appeal of the power of some institutional or corporate body may well depend upon the feeling that the power is particularly one’s own. The power of the group is understandable as something each member partakes of because that power is carried out by each and every person of a certain type acting in the same way. But from there, there is a tendency to slip, as Philocleon repeatedly does, to seeing the actions of the group as really one’s own. The tendency may be more acute in the case of the juries than in the case of the *dēmos* in assembly insofar as the action of the jury simply depends on the vote of each member: there was no deliberation among the jurors and so no possibility of forming what might be thought to be a more collective decision.²³

The kind of power Philocleon imagines for the jurymen and thus for himself is of a piece with that described in the previous chapter coming to dominate thinking about *politeia*. He focuses on ruling and associates the rule of the common man with the rich having to beseech him and humble themselves before him. For that matter, Demos’ description of his power over those who fancied themselves mighty should likewise remind us of the Old Oligarch’s way of thinking and the ways of thinking Thucydides ascribes to speakers especially in the later books of his history.

¹⁹ For the first-person plural standing for the first-person singular, see Smyth §1006-1008.

²⁰ ἄρ’ οὐ μεγάλην ἀρχὴν ἀρχῶ καὶ τοῦ Διὸς οὐδὲν ἐλάττω, / ὅστις ἀκούω ταῦθ’ ἄπερ ὁ Ζεὺς; (emphasis added).

²¹ κἄν ἀστράψω, ποππύζουσιν / κάγκεχόδασίν μ’ οἱ πλουτοῦντες / καὶ πάνυ σεμνοί (emphasis added).

²² This last virtue of jury service points to an important feature of the play, the generational conflict between Philocleon and Bdelycleon over who controls the household. (On this issue, see Sutton 1993: 15-37; Strauss 1993: 153-166.) Philocleon’s power within the polis allows him to assert himself within his own household. At the outset of the play, by contrast, we find Bdelycleon commanding the household servants to keep his father indoors. As I discuss further below, when Bdelycleon ends up administering a trial for his father within their house, it ends up both highlighting what Philocleon most wants out of jury service and allowing Bdelycleon to control his father. That scene provides an opportunity to understand the *polis* of Athens better by staging it as an *oikos* at the same time as it provides a critique of the *polis* understood as an *oikos*. See in this connection Griffith 1995.

There is a more general issue of the tension between the kind of authority proper to a head of a household and the kind of authority appropriate in a community of equals that featured prominently in fourth-century discussions (e.g., Xenophon’s *Cyropaedia*, Plato’s *Statesman*, and Aristotle’s *Politics*). For the importance of the issue already in the fifth century, see Griffith 1998: 25-35 and Hutchinson 2011.

²³ In the case of juries, though, there may be some appreciation of the extent to which the jury is just responsible for making a particular decision in a particular case rather than understood as an assembly notionally of all the citizens. The possibility of seeing the juries as more limited than the assembly obtains even given the importance of imagining the people as the source of authority for the juries, as discussed above.

But Philocleon's description of the power that he and his colleagues exercise also helps us see the challenges faced by that version of political power. The understanding of power as domination and serving one's own interests described in chapter three was closely connected to the conception of a city as composed of factional groupings. These groups were thought to be composed of men who fancied themselves to be meaningfully like each other in ways others were not. Aristophanes suggests that while there might be any number of ways solidarity could be encouraged in such groups, for example by emphasizing one's likeness to one's peers in activity or status, the appeal of getting power for people like oneself ultimately amounts to little more than wanting power just for oneself. The appeal of the power of a group is not the power of the group *per se* but rather one's own power. In fact, as much as focusing on the activities and attributes of people like oneself may support fellow feeling with other members of the group, it may just as much conduce to a person focusing on himself and what he is getting for himself.

In what follows, I will try to argue that in *Acharnians* Aristophanes offers a vision of what it might mean for someone to realize Philocleon's description of his own power. I suggest that Dikaiopolis throughout supposes that the decisions of popular institutions should just reflect his own desires and decisions in much the fashion Philocleon does. He is, however, confronted with the reality that this is in no way necessarily or even regularly the case. In the face of this disappointment, I suggest, he goes about making his supposition a reality by taking on the role and pursuing the actions of a city in his own person. I then turn back to *Wasps* and argue that Philocleon's mock trial and conversion reveal some difficulties for a citizen who tries to become a city or a civic institution such as a jury by, in, and of himself.

III. *The Problem with the People*

Acharnians begins with a problem for its hero. He sits on the Pnyx complaining about the failings of political and artistic life at Athens. His complaints culminate in the greatest indignity of all, the one occurring at that very moment: he arrives promptly at sunrise for a meeting of the assembly, but the Pnyx is deserted. There is a sovereign assembly but no one shows up to take decisions. Instead, the rest of the Athenians are down in the Agora doing business, shirking their civic roles. Dikaiopolis sits alone, eager to take part in the deliberations and decisions of the city, but without anyone else to join him, there can be no assembly and so no deliberations or decisions.²⁴ He can at most lament his city (27) and that he "is always first to sit in assembly, longing for home" (28-29).²⁵ And then, for humorous effect, he describes how, when, left alone, he can only aimlessly exercise his limited abilities: he stretches, farts, draws, counts, and longs for political

²⁴ We do not learn Dikaiopolis' name until line 406. I use the name throughout merely for ease of reference. McGlew (2002: 58-60) persuasively argues that the delay in providing a name allows the audience to become familiar with Dikaiopolis without having to notice anything about him that would make him seem different from them.

²⁵ The lament, "Oh city, city (*ō polis, polis*), is striking. Olson 2002: 76 (following Dawe 2006: 126) notes that the address is "probably paratragic...although not necessarily a specific allusion to S. *OT* 629." If the *OT* was produced before the *Acharnians*, as is generally assumed, the echo would be quite apposite here. Oedipus, with the same outburst, expresses concern for the city; Creon takes the outburst "as an expression of 'l'état, c'est moi'" (Dawe 2006: 126) when he responds "there is also a share for me of the city, not for you alone" (630). (See further on this feature of *OT*, e.g., Knox 1998.) Dikaiopolis begins concerned about what the city is doing and ends, as I argue, by himself acting as a city.

change.²⁶ Without the cooperation of the other members of the city, that is all he can do. He prepares himself to harangue with all his might when the assembly finally convenes on a schedule unlike his or the one promised. Even if he can't control when it happens, he expects to be able to affect the outcome of the assembly, for without the action of the assembly, he's already shown how little he can do.

When the rest of the citizenry arrive, Dikaiopolis finds himself overwhelmed by the workings of the assembly rather than underwhelmed. He cannot protect the ambassador sent to make peace, and the herald at first does nothing but hush him up. When he exposes the ambassadors' lies about the money the King's Eye promises to bring, he is again ignored (124-125): the King's Eye is invited to meals in thanks. Dikaiopolis is left to throw up his hands and explain that he feels as though he's been hanged (125) and left out of all the goods he would expect while no door ever refuses hospitality to "those" (126-127) who could be the ambassadors, the foreigners who do nothing good, the herald, the council, anyone but Dikaiopolis himself.²⁷ The phrase is ambiguous and as such captures Dikaiopolis' inability to understand why in a democratic Athens the political bodies should be so utterly unresponsive to an ordinary citizen. He cannot even identify who it is that is really pulling the strings or benefiting.

Dikaiopolis isn't able to sympathize with the decision of the assembly either in the fashion that Demos might inspire or that Philocleon seems to do. The whole of Athens goes on without him. The assembly doesn't even begin or end in a way that he can predict or that he was promised. He is distinctly unlike any of the kind of people, the ambassadors or prytaneis, who seem to control the assembly. And he certainly is not able to imagine himself solely in control: during the meeting, he is little more than a shushed interloper who seems unable to get anything he says even acknowledged.

Dikaiopolis' experience reminds the audience that they too may often be in a position like his. Dikaiopolis begins the play center stage, complaining about a situation he can't control but nonetheless an actor speaking to an audience that itself could be thought of as the whole people.²⁸ As the other characters enter, however, Dikaiopolis instead comments on the action and is ignored as though he were no longer playing a part in it. Even when he forcefully reinserts himself and pulls off the joke of unmasking the King's Eye's eunuchs as noted Athenian pathics he has no effect on the actions of the other characters. He is more like an audience member whose jeers must be ignored so that the play can go on. He thus reminds the audience that they too, outside the theater as well as in it, may often find themselves to be in a position just like his.²⁹

The opening, of course, is not the end of Dikaiopolis' story. In fact, he immediately contrives a device to make the action his own again, to give himself the power of the assembly and get what he wants. When the ignored peace-emissary Amphytheos reemerges, Dikaiopolis enlists him to make a peace just for him. We should notice that this isn't just a deal for immunity but for peace. Furthermore, it is apparently made on the

²⁶ McGlew 2002: 59-60 notes that these mundane activities also help the audience see themselves in Dikaiopolis.

²⁷ Sommerstein 1998 nicely translates "closed to *them*." Olson (2002: 112) compares Dikaiopolis' later complaint (599-617) about the various places young aristocrats go for pay. (Note there, though, that τοὺς μὲν...ἐτέροους δέ...τοὺς δέ...τοὺς δέ... describe subgroups of νεανίας, whereas here τοὺς δέ is just opposed to ἐγώ.)

²⁸ See Plat. *Symp.* 175e and Redfield 1990: esp. 316-8. See, in general, Winkler 1990, Goldhill 1987, Goldhill 1994, Griffith 1995, and now, with an emphasis on the heterogeneity of the audience, Roselli 2011.

²⁹ As James McGlew says, Dikaiopolis, "is a magical dramatic mirror in which all members of Aristophanes' audience could see something of themselves" (2002: 58n.3), "they [the audience] see themselves in him" (74). More directly, we might imagine that in his opening scene Dikaiopolis makes his way up to sit among the audience (so MacDowell 1983, mentioned approvingly by Fisher 1993).

Pnyx when Dikaiopolis is alone there. Dikaiopolis seems to be taking over the position and the activities of the *dēmos* in his own person and actions. The assembly may not allow him a say, except to manipulate the prytaneis into dissolving the assembly and not acting. But in the world of the comedy, when he is again sitting alone on the Pnyx, he decides that he can act just as though he were the assembly. It is not just that he is the agent of peace with Sparta as a state; he is also its sole beneficiary (294, 304). We can start to see why he should have been named Dikaiopolis (as he announces at 406).³⁰ He is becoming a polis with no internal disagreements or trouble.³¹

In the subsequent episodes, Dikaiopolis continues to act in what could best be described as the manner of a polis. When Amphitheos returns with the three available peace treaties, he brings five-, ten-, and thirty-year old wines. The conceit of the wine as treaty grows out of the use of libations in swearing compacts such as treaties.³² It also allows for the joke of Dikaiopolis smelling what a peace of a given duration would portend.³³ But in addition to the comic effect, the joke allows for the treaty to be represented as something a single person could take home and enjoy by himself. In the world of the comedy, we are encouraged to see Philocleon's fantasy realized. It is as though Athens' declaration of war were made by each and every citizen individually such that it would be open to each one to take back the declaration and make peace for and

³⁰ Some have connected the name generally with Aegina (on the basis of Pindar *Pythian* 8.22) and inferred that, combined with Aristophanes' possible association with Aegina, the name is meant to signal that Dikaiopolis is in fact Aristophanes throughout (so Bailey 1936, followed by Olson 2002: ad loc.). As Dover (1968: xix) already pointed out, though, it is not at all clear that the phrase in Pindar was in fact famous or what exactly Aristophanes' connection with Aegina might have been.

The suggested connection raises the tricky question of the relation between Dikaiopolis the character and Aristophanes the author. At 377ff. Dikaiopolis speaks about being prosecuted by Cleon, and the scholiast there says that this is a reference to Cleon's efforts to prosecute Aristophanes for the slanders against Cleon in the *Babylonians*. The charge is mentioned again at 502ff. Some have thought that the scholiast is reporting on the basis of information and that in these instances Dikaiopolis is, as it were, taking off his mask to reveal Aristophanes underneath (e.g., Sommerstein 1998: ad loc.). Others have assumed that the scholiast is merely inventing (or borrowing an invention) based on just these lines, and that biographical information is being mistakenly inferred from what Dikaiopolis says in jest (e.g., Lefkowitz 2012). (Cf. Simon Goldhill's suggestion (1991), following Bowie 1982, that Aristophanes the man is as much a fiction as Dikaiopolis.) See also E. Bowie's suggestion (1988) that in fact Eupolis is meant to be evoked.

For the present argument, the question may be left to the side. If Dikaiopolis is merely endearing himself by speaking of being persecuted by those bad people, such as Cleon (see esp. 515ff.), then that would fit with the suggestion here that he, in his person, shows the people themselves as a collective and individually. The same would be true if he takes off his mask for a minute to reveal himself as the poet who is, as he says, always on the people's side.

³¹ While many scholars have pointed out the extent to which Dikaiopolis is creating a new city for himself, there has been less appreciation of the extent to which he is himself becoming a new city in the type of actions he performs. McGlew perhaps comes closest when he moves from talking of Dikaiopolis' "creation of his own city" (2002: 65) to saying, "Dicaeopolis, when he reaches his political island, is as much city as citizen. As the entirety of the citizen body, he embodies the collective will of the new city: Dicaeopolis enjoys the autonomy to behave at will and even to define what good behavior is—a power that, in the real world, belongs exclusively to the polis" (2002: 66). But he seems to assimilate this statement to Whitman's suggestion (1964: 25) that the comic hero "abides by no rules except his own" or his own subsequent statements that Dikaiopolis "enjoys the magical good fortune to establish power over an entire city" or that he is "master of his own city." Cp. Carrière (1979: 121) on the comic hero realizing the dream of becoming a tyrant; but note that a tyrant has subjects in a way that Dikaiopolis as he becomes the personification of a city does not. See further below.

³² Edmunds (1980: 5) puts the point nicely: "The political (the truce) and the private (the drinking) are joined in the sacral (the libation)."

³³ See Olson 2002: 130-132.

enjoy it by himself just as easily as he could take home a flask of wine for and by himself.³⁴ As a flask of wine, the peace is something he can concretely monopolize or share out at his whim.³⁵

The thirty-year peace is to be a blessing to him and his family alone. They accordingly celebrate the Rural Dionysia, a civic festival, by themselves (250ff.). When the Acharnians enter and threaten to attack Dikaiopolis, they talk of how he alone has made peace with the Laconians as a group (304), though they quickly slip into the easier turn of phrase whereby the generic Spartan is made his friend (338-339).³⁶ When Dikaiopolis sets up his market, he demarcates the marketplace within the boundaries of his property and allows sale only to those he chooses (719ff.).³⁷ The interest in setting up a market is a departure from the opening when Dikaiopolis scorned men passing time in the Agora.³⁸ But it allows him to imitate Athens in delimiting who can access his marketplace—in a wicked twist, the bellicose are banned—and so helps show how much Dikaiopolis is not just acting outside civic regulations but as a city himself. In occupying himself with the activities of the market, Dikaiopolis takes on the role of the rest of the Athenians as well as that of the city as a fictive person. When a sycophant arrives to drive off the Megarian who has come to trade, Dikaiopolis instead drives him off setting his own terms for his own peaceful agora even in the face of the Athenian *dēmos*' edicts. As the chorus sings, no one will come to Dikaiopolis' agora but those he wants. And once there, they will abide by his rules. The Theban merchant is bound to pay market tax to Dikaiopolis himself (896). The sycophant Nicarchus is exported as payment for Boeotian eels (904-932).³⁹ The scene provides both the chance to make a joke about the wicked things to which Athens is especially subject and to point out that Dikaiopolis controls who will be allowed to live in the city as a jury ordinarily would. He is finally invited as an honored guest to join the priest of Dionysus much like the Persian emissary was at the outset (1085ff.), as though he had come to represent his own foreign city.⁴⁰

We shouldn't, though, in Dikaiopolis' attempts to set himself up apart from Athens, see the type of the comic hero that Cedric Whitman.⁴¹ Whitman emphasized the rascally cleverness of the hero who escapes from the frustrations of society and lives his life on his own terms.⁴² That is an apt description of what Dikaiopolis does, but the description does not go far enough. In particular, it misses the fact that Dikaiopolis not only escapes from society and the vagaries of democracy but also makes himself into an alternative

³⁴ The Acharnians acknowledge as much when they insult and threaten Dikaiopolis because he alone (*monos*) has made peace (*speisamenos*) with the Spartans (291, and cp. 304 discussed below). As Olson 2002: 88 (on 57: ὅστις ἡμῖν ἤθελεν) points out, in these instances, “The indef. rel. pron. ὅστις stands for the def. ὅς (of a particular individual).” There is, though, some indefinite force in the very idea that Dikaiopolis could make peace: if he could do it, anyone could. See further below.

³⁵ See 1020ff. and especially the chorus' statement at 1037ff. Zimmermann thus perhaps does not go far enough when he talks of “einen persönlichen Freiraum ohne Zwang und materielle Not” (1983: 65).

³⁶ ὅστις ἐσπέισω Λάκωσιν ... τὸν γε Λακε-/δαιμόνιον αὐτόθεν ὅτῳ τρόπῳ σοῦστί φίλος:

³⁷ Contra Compton-Engle 1999: 367-8, who imagines that Dikaiopolis has taken over the agora in Athens. The Megarian's mention of an agora in Athens (729) need mean no more an agora within the borders of Athens and may even imply that Dikaiopolis is accumulating all the benefits of the Athenian empire for himself (as someone suggested to Compton-Engle (1999: 368n.28)).

³⁸ See Compton-Engle 1999: 368-9.

³⁹ The joke depends on treating Nicarchus as a commodity to be packed up and shipped off (ἐξαγε/, ὥσπερ κέραμον 904-5; ὥσπερ κέραμον 928; τὴν ἐμπολὴν 930).

⁴⁰ Fisher (1993: 41) notes that Dikaiopolis is invited to join the priest of Dionysus, “More like an independent state than an individual.”

⁴¹ Whitman 1965. See also Sutton 1980. For helpful reservations about the scope and terminology of the comic hero, see Rosen 2014. As Rosen points out, the idea of an antinomian comic hero often finds its way into the discourse without explicit reference to Whitman's work (see e.g., Fisher 1993: 34).

⁴² See also Foley 1988 and Bowie 1993 who talk of Dikaiopolis' contempt for the city.

political unit rather than just a man apart. He doesn't trade illegally; he sets up his own marketplace and collects taxes. He doesn't merely assault his enemies; he exports them (see 904-932, discussed above). It is not that Dikaiopolis sets himself up as a tyrant over a city or outside the cities of men. Peisetairos in *Birds* more nearly fits that mold. Rather, Dikaiopolis sets himself up as a city and behaves accordingly.⁴³

The difference is important for the present purposes because once we notice it, we can more easily recognize that Dikaiopolis realizes in fact Philocleon's fantastical sense of his own power. Philocleon imagines that all the jury does is his doing and all the fealty it receives belongs to him. Dikaiopolis carries out all the actions of a city by himself and receives all the dues proper to a city in the ways proper to a city.⁴⁴ All this happens in his home such that he comes to be treated as a foreign ambassador, not just a man from the wild, at Athens.

The end of the play is undoubtedly triumphant for Dikaiopolis and for the audience to the extent that they identify with him. In the final scenes, he has a monopoly on peace and its delightful products and can dole them out just as he pleases. The final part of the play is, we might say, utopian.⁴⁵ And in the conclusion of the play, we find an emphatic contrast between Dikaiopolis and Lamachus that emphasize the joys of Dikaiopolis' new life, especially drinking and sex, with the miseries of Lamachus' battle wounds after their respective competitions (1190-1234). The contrast with Lamachus surely helps to produce the feeling of sympathy with Dikaiopolis and the sense that the audience too could be as united in its opinions and ambitions as Dikaiopolis is in his and achieve that same pleasures as he does all the while laughing at the likes of Lamachus.⁴⁶

In these final scenes, though, we can also notice several features of Dikaiopolis' triumph that may have been disconcerting for the audience.⁴⁷ As Dikaiopolis is preparing his feast with the proceeds of his trading (1018-1036), Dercetes, a man apparently sufficiently poor to be ruined by the loss of his pair of oxen, comes begging for some of Dikaiopolis' peace (once again figured as private wine now endowed with magic powers).⁴⁸ Dikaiopolis drives him off insulting him, at which point the chorus comments that Dikaiopolis "seems not to share with anyone" (1038-1039). As he continues cooking and calling out instructions to his slaves, the chorus themselves cry out, "You'll kill me and my neighbors with hunger, with the smell and sound, if you shout such descriptions" (1044-1046). Dikaiopolis' enjoyment seems pointedly to come at the expense not just of figures like Lamachus but even of someone who would have been a fellow citizen and the chorus itself, which has by this point in the play long been on Dikaiopolis' side. Even the drinking contest in which Dikaiopolis participates in the final portion of the play may suggest the extent to which there is no room for others in Dikaiopolis' joyful world: the festival is repeatedly marked as the Choes festival which seems to have centered

⁴³ Likewise, to point out the ways Dikaiopolis becomes more and more urbane in the course of the play (Compton-Engle 1999) or the ways he comes to unite values associated with both the country and the city (Xanthou 2010) is to miss the extent to which Dikaiopolis' transformation in the course of the play is really from ineffective member of a city to an effective city in his own right.

⁴⁴ Bdelycleon's concern that the juries get but a pittance of what Athens brings in is no problem at all for Dikaiopolis.

⁴⁵ See, *inter alios*, Edmunds 1980: 20-23; Silk 2000: 263, 295; Xanthou 2010: 307 and n.60, who points out (following Olson 2002: 312) that the chorus' statement that "all good things come automatically" (976) for Dikaiopolis recalls "the archetypal image of the Golden Age" which is "a common...setting for comic portrayals of Utopias."

⁴⁶ For the dynamics of inclusion and exclusion in Aristophanes, see, e.g., Griffith 2013: 41ff.

⁴⁷ See esp., Dover 1972: 87-88, Fisher 1993: 39-43.

⁴⁸ See Aristotle, *Politics* I.2, 1252b12: a poor man has an ox instead of a slave.

on solitary drinking.⁴⁹ While there might have been room for the slaves and women in Dikaiopolis' household in the festival, he would have drunk alone.⁵⁰

We should thus see in the last part of the play a sense of the difficult dream Dikaiopolis' accomplishments represent for the audience. Each audience member can see in Dikaiopolis an individual he might want to emulate and all, as a collective, can see a vision of what they might be together. Dikaiopolis doesn't seem to be bothered in the least by excluding others from his riches, and, in fact, Lamachus' suffering seems just to add to his enjoyment. For any individual member of the audience or for the audience as a whole his final feast and drinking bout is genuinely appealing, and the play may thus offer a pleasant, if passing, vision of what life could be. But the exclusion of even the reconciled chorus from Dikaiopolis' bounty may raise doubts about whether it is really open to all the members of the audience severally to do what Dikaiopolis has done. That is to say, while the play may amount to a call to the audience, as a whole or any given individual member, to live the dream Dikaiopolis lives, its description of Dikaiopolis' triumph at the same time suggests that the audience members can't all individually do so. It might be that each and every member of the audience feels the tension between the fantasy and the further implications the play suggests, or that some just feel triumphant, others just wary, and yet others both. But whatever the exact working of the play on the audience, it provides a sense of the challenges that would follow from an individual trying to become as self-sufficient as a city.⁵¹

The *Acharnians* thus suggests how great it would be for any given citizen to realize the promise of democracy at the same time as it offers hints of the difficulty of making that promise real for more than just one citizen. In the last part of this chapter, I want to suggest that in *Wasps* we find a further vision of the fantasy of a single person taking on the role of the *dēmos* in a democracy and the problems thereby entailed. I will suggest, though, that Philocleon's private trial rather than revealing the tensions that might emerge from everybody acting as the collective instead points out the difficulties for an individual trying to act as a collective.

After Philocleon gives his speech in praise of being a juror, it falls to Bdelycleon to dissuade his father from pursuing his much vaunted jury service. Bdelycleon begins by trying to convince his father that jurors are not in fact powerful at all; they are rather slaves to the demagogues who regularly appear before them and claim to speak on their behalf. The alternative Bdelycleon proposes to the "current slavery" is, for present purposes, more telling than the arguments for the fact of dikastic slavery. He suggests, as an appeal to his father, that it would be best if each subject city were charged with supporting certain Athenians rather than paying into a common treasury from which payments are then made to jurors or magistrates (706-712). The only true power, the only power that would satisfy his father and men like him is the enrichment of each rather than the enrichment of all.

⁴⁹ See Fisher 1993: 42 (with reference to Burkert 1983: 213-38), contra Edmunds 1980: 23-24, esp. n 73.

⁵⁰ For the place of women, children, and slaves in the surrounding festivities, see Ham 2004: 61. For implied isolation, see also Xanthou 2010: 310.

⁵¹ The question of the tone of the ending of *Acharnians* is often connected with questions of Aristophanes' own politics and their presence in the plays. The divide between those who see Aristophanes as arguing for a conservative political line and those who see him as basically concerned with being funny can be seen in de Ste Croix 1972 and Dover 1972. See, more recently, Sidwell 2009 (for whom Aristophanes is a partisan of a different color) and Halliwell 2008. Since this chapter focuses on the way certain parts of the plays might shape or comment on political thinking at a more abstract rather than partisan level, I do not discuss the extent or character of Aristophanes' partisanship. It seems to me that the analysis offered here is compatible with imagining Aristophanes as an ardent critic of democracy, an ardent supporter of it, someone eager to get a good joke in, or all three.

The argument, though it leaves Philocleon and the chorus both dumbfounded, is not enough to rid Philocleon of his desire to sit in judgment. He finds himself overcome with an inability “to keep his sword up” and a general “softness”(714), but nonetheless he yearns “to stand by the voting urn last in line (*ho teleutaios*)”(754-755). The desire to cast the last vote again suggests Philocleon’s expectation that he will be the one who decides what the jury will do, the one empowered by institutional arrangements to settle how things will turn out. It is, as he says, not only his fantasy but a common Athenian hope that “one day each Athenian could try cases in his own home (*dikasoien epi tais oikiaisi tas dikas*)”(799-804).

And that is precisely what his son does for him. The equipment for the trial is brought out and a courtroom is constructed for him in front of his house. The arrangement is a mock-up of a courtroom assembled from household gear so that the set of the play itself becomes a joke. There is a divine invocation. A dog is brought to trial for stealing a cheese.⁵² The parties plead their cases. Philocleon snacks through the procedure as the comfort of a trial at home allows him to do. Bdelycleon seems to have succeeded to the extent that he prevails on his father to cherish the creature comforts of a trial in the privacy of his own home, but the primary appeal is the chance to fine and to punish. And sure enough, throughout, Philocleon, in keeping with his old tendencies, is zealous to convict and condemn. Most tellingly of all, when the characters in turn complain that the dog on trial has not shared out the stolen cheese, Philocleon complains, “He didn’t give you any? He didn’t even give me, the commonwealth, any”(917).⁵³ It may be that Philocleon says this because juries were understood “as equivalent to the whole nation”(MacDowell 1971: ad loc.).⁵⁴ But that understates the strangeness of Philocleon’s assertion: he is the only member of the jury, and so he is equivalent to the whole. Even the phrase translated here as “commonwealth”(to *koinon*) emphasizes the strangeness: what is notionally common is, in the fantasy world with Philocleon at its center, in fact just his or, as he puts it, just him.

The cure comes only in the conclusion of the trial. Despite the comical entreaties for pity, Philocleon is set on convicting and punishing the thieving dog. Bdelycleon, though, leads him around to the voting urns in an unaccustomed way, and he deposits his token in the jar for acquittal. Because he is the only juror, his vote is all it takes to acquit, and Labes escapes despite Philocleon’s best intentions. It is too much for him to bear when the vote turns out otherwise than he wanted even though he was the only member of the jury. As he says, “So I’m worthless. ... How will I live with myself?”(997-999). When his son asks him if he’ll now give up jury service and move on to another life, he meekly gives in. He instead takes up the life of the symposium.

The new life of drinking and upper-class refinement, though, does not represent a transformation as much as a reorientation of his energies.⁵⁵ Philocleon no longer goes to the juries; now he eagerly goes out to drink and whore. But in drinking and whoring he continues to strive to control all those around him. His acts of *hubris* in the conclusion of

⁵² The dispute between the two dogs is probably meant at least to recall the dispute between Cleon (the dog from Kydathenaion, Cleon’s deme) and Laches (the dog Labes). See MacDowell 1971: 249-251. The private trial, in calling to mind an actual, notorious trial fresh in the audience’s mind, makes clear the extent to which Philocleon is assuming the role of the Athenian people, through the institution of the jury, in a way that recalls Demos in the *Knights* (with prominent politicians cast as dogs rather than slaves).

⁵³ οὐδὲν μετέδωκεν οὐδὲ τῶ κοινῶ γ’, ἐμοί. There is some confusion in the manuscripts about the assignment of this line (see the apparatus in MacDowell 1971). There is no doubt, though, that the line is spoken by Philocleon (see MacDowell 1971 ad loc.): Wilson in his recent edition of Aristophanes’ (2007) doesn’t even bother to mention the confusion in the apparatus.

⁵⁴ See the discussion of Ober and Hansen above.

⁵⁵ So already Dover 1972.

the play demonstrate the same effort to dominate others, to have decisions about collective conduct and cooperation amount to no more than what pleases him in the moment.

Philocleon's failure to act as a jury of one and where it takes him provides an important lesson about the difficulties Aristophanes sees in the promises of Athenian democracy. Even when the working of an institution seemingly depends on nothing more than one man's desires and actions, that man is prone to be duped. The ways he would be fooled are different from the ways the *dēmos* as a whole might be misled. But he is not necessarily less likely to be fooled all the same. For the man himself, the experience of acting other than he wants when he is the only one acting is bound to be the more disorienting. Where there is only one person going through the procedure or carrying out the action, there is no possibility of explaining any failings by others' confounding one's intentions or efforts. In the event, Philocleon ends up acquitting because of the way his son leads him around, but his commitment to the illusion of being a jury in his own right makes it impossible for him to acknowledge as much. He thus must bear acknowledge either that he was not able to act as he wanted despite notionally being in full control or acknowledge that he was not in fact in full control, but either possibility would equally undermine his sense of himself. As he says, whatever happened, he "acted unwilling (*akōn*) and not himself (*kou 'mou tropou*)" (1002).⁵⁶

The solution for Philocleon is to take up more straightforward activities. He looks for sexual favors exchanged for money or taken from a slave rather than coyly offered by a plaintiff or defendant. He resorts to direct violence and disrespect in person and on the spot rather than meted out and mediated by the institution of the law courts. The dream of acquiring institutional power in his own person proves untenable because of the institutional complications. But that just leads him to give up the institutional component and focus on the direct power available in individual, private activities.

IV. Conclusion

In this chapter I have tried to argue that we should see Aristophanes identifying a crucial tension in the appeal of democracy at Athens. He first of all helps us see two ways that democracy might appeal. In *Knights* we can see how conceiving of the *dēmos* as a corporate entity might make it easier for those who saw themselves as part of the *dēmos* to identify with actions taken by public institutions or actors in the name of the people. In *Wasps* we can see how being part of a seemingly homogeneous group would help each member imagine that the group's actions were the actions of people just like him. The play also helps us see how that mode of identification would tend to slide into imagining or fantasizing that the group's actions were really just one's own actions. In *Acharnians*, Aristophanes suggests that the kind of solidarity that would seem to be promised to the ordinary man by the very name democracy would often fail to appear. There was in fact no unified entity with which to identify. To the extent that there was, it might well pursue courses of action that did not appeal to many citizens. The city was not in fact homogeneous, and the experience of going to the assembly, whatever one's initial hopes or ambitions, was just as likely to be alienating as affirming of one's own capabilities. *Acharnians* shows a fantastical response to the difficulties of collective life in Dikaiopolis' attempt to take on the properties and characteristic behaviors of the people or the city in his own person. The way he does so, though, may well have troubled the audience as

⁵⁶ Bdelycleon points out this fact when he comments to the audience that his father has let Labes go "not willingly (*ouch hekōn*)" (992).

much as it appealed to them. In *Wasps* we can see the difficulty of becoming like a political entity for the one who tries to so transform himself. Part of the promise of being a political entity is a reduced reliance on others, as Dikaiopolis realizes in acting outside the confines of the assembly. In Philocleon's case, acting like a jury requires a supporting apparatus, which his son provides. But that supporting apparatus is also able to lead him astray, as in fact it does, and in that instant when he acts other than he wanted to, he must either forego the fantasy or have no one to blame but himself.

In the following chapters, we will see Plato working with similar ideas: the true appeals of collective life for most and the dangers of those appeals; the problems for even a single person of getting what he wants; and the way those two difficulties come together. Plato saw the problems and solutions to them quite differently from the ways Aristophanes offers us, and not just because Aristophanes thinks as much in terms of set up and punch line as in terms of problem and solution. For Plato, as in the plays of Aristophanes, though, the problem or the set up grew right out of the issues at the heart of thinking about *politeia*.

Chapter 5: Popular *Politeiai*

I. Introduction

The first four chapters of this dissertation have dealt with the early history of thinking about *politeia*; they stretched roughly down to the oligarchic revolutions of 411 and their immediate aftermath at Athens. The political turmoil at Athens in 411 and especially in 404-403 mark a turning point. As I suggested in chapter 3 and will discuss further in this chapter and the next, in the years after the oligarchic revolutions, talk of *politeia* became more and more focused on who ruled a city and access to the power the act of ruling involved. The next two chapters will be mainly concerned with describing and analyzing that shift and responses to it, though in this chapter I will also discuss an additional way of talking about *politeia* as a status to be granted.

The focus on ruling relates particularly to Athens, but as we enter the fourth century, we can also see traces of similar interest in *politeia* outside of Athens. What we can see are just traces—a fragmentary story of political turmoil on Rhodes as narrated by the anonymous Oxyrhynchus historian and inscriptions from the northwest Peloponnese. The fragmentary story, with which this chapter begins, suggests developments parallel to those we can see in greater detail in Athens. The inscriptions suggest a rather different concern, of which we can also see some traces in Attic epigraphy. Because the evidence is so scanty, it will not be possible to say whether the parallels indicate some line of influence or just allow a wider-angle view of phenomena we just can't see in the fifth century for lack of surviving evidence.

It is certainly possible that the developments described do not reflect a shift in ancient understandings or interest so much as a shift in what we can see. A man pleading for his life or property before a jury of his less affluent peers operates in a different world from Herodotus or the plays of Aristophanes. It is appropriate to say things in snippets of sympotic song that would seem bizarre in public inscriptions.

That is certainly true as far as it goes. And while there is surely something interesting to be said about how far it goes—the *Wasps*, for example, might give us reason to think there is something revealingly similar about the position of a defendant or prosecutor and the persona of the playwright Aristophanes—there is reason to think that generic differences do not account for the whole story. Xenophon's *Hellenica*, which is self-consciously a continuation of Thucydides' *History*, shows little interest in talk about *politeia* except in connection with the Thirty. The concerns identified in Aristophanes' plays show surprising resonances with concerns we find in Plato.

Nonetheless, it would be an overstatement to describe the shift, as I may have seemed to have done in the preceding paragraphs, as a sea change. Rather, what I will suggest in this and the following chapter is that in the first half of the fourth century we can see tendencies already present in the fifth century becoming starker in the wake of the oligarchic revolutions and responses to that starker picture in both Plato and Isocrates.

II. Rhodes

Let's begin with an illuminating story of political instability on Rhodes as described in the history known as the *Hellenica Oxyrhynchia*. The story (18.1-3) is of a democratic revolution on Rhodes in 395. A small group of men conspire, with some help from the Athenian general Conon, to overthrow the existing oligarchy connected with the descendants of Diagoras of Rhodes. Leading up to the revolution, the Rhodians are made

to regularly deploy themselves in arms ostensibly so as not to grow soft in matters of war but in fact so that they might be ready in the event of the plotted overthrow (18.1). On the appointed day, the conspirators gather under arms in the agora. One of them, a certain Dorimachus, mounts the herald's stone and calls on the citizens "to attack the tyrants at once" (18.2). The conspirators then enter the council house and kill the Diagoreans and eleven others and gather the mass of the Rhodians together in assembly.

Matt Simonton, in a recent article, has provided a thorough discussion of this episode and helpfully explained the likely mechanics of several features of it that previous treatments had overlooked or misunderstood (Simonton 2015). In particular, he explains that we need not doubt that the anonymous historian would claim that the Rhodians were made ready for political change (18.1) nor need we doubt the claim itself. The Rhodians at large are made complicit in the conspiracy by Dorimachus' proclamation from the herald's stone.

I would push his interpretation further, though, by focusing on the last part of the Oxyrhynchus historian's description. It runs as follows (18.2-3):

Calling out as loud as he was able, he said, "Let us go, citizens, against the tyrants as quickly as possible." The others, when that man called for aid, went with knives into the council chamber of the rulers and killed the Diagoreans and eleven of the other citizens. And when they had accomplished these things, they brought together the mass of the Rhodians into an assembly. When they were just gathered together, Conon came back from Caunus with the triremes. Those who committed the slaughter, having overthrown (*katalusantes*) the existing *politeia*, established *dēmokratia* and made some few of the citizens exiles.

Leaving aside Conon, there are five elements to the description of events following Dorimachus' call to "the citizens (*politai*)."¹ The conspirators apart from Dorimachus (*hoi loipoi*) enter the oligarchs' council chamber and kill the Diagoreans and eleven other members of the group (who are simply referred to as *politai*). They then lead together the mass (*to plēthos*) of the Rhodians into an assembly. Those who committed the killing overthrow the existing *politeia*, establish *dēmokratia*, and exile some few other citizens (*politai*).

It is possible that these elements of the story describe five different events: first there was the killing, then there was the gathering, then there was the overthrow of the *politeia*, then there was the establishment of *dēmokratia*, then there was the exile of some few citizens. On such an interpretation, the final three elements would describe the activities at the assembly.¹

While I don't suppose that it is possible to rule out such a possibility entirely, the description as we have it does not seem to fit comfortably such a series of events. If the assembly thus convened voted to get rid of oligarchy and establish democracy as, we might say, a constitutional matter, why does the historian attribute these actions just to the men who had committed the slaughter? They are at any rate the grammatical subject of the verbs describing these actions.

The narrative seems rather to describe just three actions, two of which are described in two different ways. There was the killing which was itself the overthrow of "the existing *politeia*"; there was the gathering together of the mass of the Rhodians in

¹ So Bruce 1961: 168-9 and in his commentary (Bruce 1967: 97, 101). Cp. Kowalzig 2007: 256n.98. Robinson 2011: 167-8 is noncommittal on this point. (Likewise, Hornblower 2012.)

assembly which was itself the establishment of the rule of the people; and finally there was the exiling of some few citizens.

The language of the passage also suggests that these three actions have a further symbolic unity. Dorimachus calls on the “citizens” to attack the tyrants. But once the action is underway, the men in the council chamber along with the Diagoreans are described simply as citizens just as are those who are exiled after the killing. The label *politai* is thus somewhat surprisingly used as a common term for different groups who might seem importantly different. In the first case, it would seem to describe subjects, in the second rulers, in the third rulers become at most equals. The common label draws our attention to the way the revolutionary action of killing and bringing together the mass of the people is, from start to finish, all part of the symbolic effort to make the inhabitants all citizens.

This is all relevant to the present inquiry because it provides us with a helpful way into the Oxyrhynchus historian’s thinking about *politeia* and perhaps that current on Rhodes, insofar as his telling of the story is informed by how at least some Rhodians might have described the events. In particular, the association of the killing of the men in the council chamber with the overthrow of the *politeia* suggests that the *politeia* was understood to be basically those who ruled. Overthrowing the *politeia* meant doing away with those particular people. But that killing was also associated with the symbolic leveling that made all alike citizens. There was also some symbolic hierarchy beyond the fact of certain people being in the council chamber. That hierarchy was also undone in the killing and subsequent gathering of the mass of the Rhodians.²

This combination coincides in large measure with what we can see of Athenian popular ideas in forensic speeches from the first part of the fourth century. The *politeia* is a particular group of people ruling, but there is a further, more abstract element to the *politeia* as well, a sense that some kind of people rule rather than just some particular individuals.

III. Athens

For a long time, it has been recognized that the corpus of the Attic orators offers us a window on popular thinking. As Kenneth Dover clearly puts the point,

A speaker in a lawcourt stood to lose money, property, his political rights, even on occasion his life. ... He could not afford to express or imply beliefs or principles which were likely to be offensive to the jury.... For this reason forensic oratory should be treated as our main source of data on popular morality.³

To move from this consideration to popular thinking, however, seems to depend on the composition of Athenian juries at the time the speeches were given. If, for example, Demosthenes’ scorn for menial labor (18.265) is meant to appeal to the jurors, and if jury pay was in fact so low by the middle of the fourth century that those needing to earn a wage could not afford to serve, we might infer, as Dover sometimes seems to do, “that the jurors were fairly prosperous”(34).⁴ Alternatively, we might suppose that the jury mostly

² Cp., perhaps, Aristotle’s talk of different kinds of equality proper to different kinds of *politeiai* (e.g. *Pol.* 5.1, 1301b29-1302a15).

³ 1974: 5-6. Dover cites the 1929 study by F.R. Earp—*The Way of the Greeks*—as already seeing and making this point (6n.5).

⁴ He is anticipated by A.H.M. Jones (1957) in this inference. See Todd 1990: 149ff.

consisted of farmers of varying social and economic standing who had ample time apart from planting and harvest seasons and who operated largely outside the monetized economy and so would appreciate any amount of coin as a helpful source of cash.⁵

The consideration of the specific composition of the jury suggests, though, that we should view oratory as merely restating existing popular opinions and prejudices in an attempt to curry favor. The audience has certain views that the speaker, on pain of losing, must ape for them. It of course leaves room to acknowledge that the speeches give us “not, as has been alleged, ‘the fourth-century view’...but one view which was judged by the speaker unlikely to offend, and was absolutely necessary for the argument... which he was developing in that part of his speech”(Dover 1974: 14).⁶

Josh Ober has persuasively argued, though, that we should see court speeches not so much aping popular ideas as themselves helping to create stable relations between the politically powerful *dēmos* (the mass) and the socially powerful few (the elites). As he puts it,

speeches delivered by elite Athenians to mass audiences had a social function that transcended the individual motives of the speakers. ... public rhetoric not only helps us to define Athenian political ideology, it was instrumental in the regulation of mass-elite relations for the Athenians themselves.⁷

Speeches articulate and form part of a civic ritual that enacts relations between the mass audience of the speech and the speaker in a language developed by skilled logographers through trial and error to ease any tensions.⁸

Addresses to the jury do not reflect the jury’s composition so much as they attempt to shape jurors’ attitudes to the speaker. To quote Ober again, “The juror who was treated as wealthy by the litigant might temper the action he would otherwise have taken on the basis of existing class or status inequality, by operating on the level of the symbolic equality that the litigant proposed”(Ober 1989: 46).⁹ As regards the jury’s composition, we may note that, to quote Ober one more time,

there is little reason to suppose that a given Athenian jury was likely to be startlingly different in social composition than the average Assembly or Council. Probably the elderly tended to be overrepresented, as Aristophanes’ *Wasps* suggests they were in the late fifth century. Farmers might prefer to spend their limited ‘city’ time in the Assembly, because Assembly decisions were more important to them or because the pay was better. But the large number of days in the year when the courts were in session would give the farmer a greater flexibility in planning his trips to town if he sometimes served as a juror rather than, or in addition to, attending the Assembly. Skilled craftsmen, able to find more remunerative employment, might prefer to spend their available ‘citizen-duty’ time in the

⁵ The argument is Stephen Todd’s (1990).

⁶ Cp. Peter Liddel’s comment that “The extant corpus of Athenian oratory and Athenian inscriptions contains a heterogeneous mass of *polis* ideologies (not all of them exclusive to democratic government), but also public and individual affectations and prejudices”(Liddel 2007: 76).

⁷ Ober 1989: 45

⁸ For purposes of this chapter and this dissertation, I focus just on the end of the fifth and first half of the fourth centuries. I leave open whether there was a shift in language and ideology in the course of the fourth century.

⁹ Cp. Dover’s suggestion that it was possible that if jurors “did not belong to the prosperous class, they liked to be treated as if they did, and were willing, at least while performing the role of jurors, to adopt the values of that class”(1974: 34).

Assembly rather than on a jury, where they might be stuck sitting on a public trial for the whole day. On the other hand, ... the courtroom was often more exciting than the Assembly.¹⁰

Speakers don't address the audience as it is but as the speakers would have it be.

Considering talk about *politeia* in forensic oratory from the first part of the fourth century thus allows us to see a strand of thinking about *politeia* in popular ideology, particularly that element of popular ideology concerned with the relation of the general populace to individual, ostensibly outstanding citizens.¹¹ I leave aside the continuity of this strand with oratorical discussions of *politeia* from the late fourth century because those discussions fall outside the scope of this dissertation.

Tracing the use of *politeia* in the orators will be, then, a way into their conception of civic life as expressed more generally and captured specifically in their understanding of *politeia*. Focusing on talk of *politeia* provides a way into that thinking, though it does not exhaust it. Rather, as we will see, the conception of *politeia* that emerges, concerned with particular features of political authority, fits neatly with the broader vision of politics described and realized in the speeches as discussed by other scholars.

In the forensic oratory of the first part of the fourth century, we see an extension of the pattern already visible around 411, as described in chapter three. The events of 411 began and those of 404/3 cemented an increased interest in ruling as the activity of one group or another and consisting in particular of the control of others. We can see this most clearly in the group of speeches particularly concerned with 404/3 and its aftermath, but the patterns observable in those speeches are likewise visible in popular rhetoric down through the 370s.

Seventeen speeches or parts of speeches survive from the period immediately following the fall of the Thirty and the reinstatement of the democracy. Most of these speeches focus on conduct surrounding the reign of the Thirty (or the Four Hundred), either as part of an accusation or a defense. The speeches offer a rich variety of portraits of political life and give us some sense of how discussions of *politeia* fit in to such descriptions and thus of the range of what *politeia* could mean or the purposes for which talk of it could be mobilized during this period.

One speech in particular gives a sense of the operative ideas about *politeia* during this period. That speech, a forensic oration written by Isocrates for the younger Alcibiades (Isocrates 16) provides a helpful way into the variety of possible senses of *politeia* at the turn of the fifth century and a basis for considering the connection of these senses. The speech does not survive in its entirety; we have instead just a defense by the younger Alcibiades of his more famous father's conduct.

In describing the situation in 411, he claims that the Four Hundred "considered it better to hand over the fatherland (*patridas*) entire to the enemy than to give some share (*metadounai*) of the *politeia* to those fighting for the city (*poleōs*)" (16.17). The contrast is meant to be twofold: the oligarchs would give away something more and would give it away entire rather than just sharing out something more minor. This more minor thing, *politeia*, is something less than the fatherland itself. Above all, as discussed above, the Four Hundred, and the Five Thousand, if they ever existed, had monopolized decision-making power. It might be exclusion from that that is at issue. Alternatively, the passage might be

¹⁰ 1989: 144. Cp. Dover's comment: "There is no way of estimating the ratio, in a late fourth-century jury, of prosperous men who expected to be treated as such to virtually destitute men who may have felt flattered at being addressed in the same terms as their prosperous colleagues" (1974: 35).

¹¹ The peculiar exception is Lysias 12, apparently a speech delivered by a non-citizen *in propria persona*.

thought to carry more rhetorical force, if the audience were made to think that the Four Hundred had deprived the army at Samos of even the most basic protections owed to a citizen and his kin.¹² It is worth noting, though, that even if the protections expected by citizens are at issue, the phrasing “giving a share of the *politeia*” may suggest a difference from modern conceptions of citizenship centered on rights that each person bears himself rather than, as here, shares of some one common thing.¹³ ‘Citizenship’ seems rather to be something shared out among people, not something that each has as his own. It is shared power, not individually held rights and duties. ‘Citizens’ properly speaking have access to ruling power.

Despite the rhetorical appeal of the second interpretation, the subsequent description of Alcibiades’ good service to Athens in 411 suggests that the first interpretation may be the right one. According to his son, Alcibiades, among other things, “returned (*apedōke*) the *politeia* to the *dēmos* and reconciled the citizens”(16.20). The implication seems to be that the soldiers remained *politai* throughout the coup and that restoring the *politeia* to the *dēmos* involved putting the *dēmos* back in a position of power. While it is possible that the collective *dēmos* may stand for its members, the point seems to be that he is doing something more dramatic than just restoring civic rights. And he is doing it not just for some people who may be described by *dēmos* as a shorthand, but for the *dēmos* as it would appear in public decrees or reliefs.

It may be that at 16.17, rhetorical objectives call for a more modest sense of *politeia*, while at 16.20, something more ostentatious should be meant. But the two uses ought at least to be of the same kind. That is to say, they should both describe some kind of authority or power within the city that is taken from the soldiers and restored to the *dēmos*.¹⁴ The terms might even be thought to be used in the same sense with the difference conveyed by the different verbs. The Four Hundred are not willing to give up even a small share of power to members of the city outside their narrow clique; Alcibiades gives all the power back to the people. The different compounds of *didōmi* provide the requisite difference of sense.

This is also the sense we find later in the speech, when Alcibiades the younger claims that his father thought “there ought to be an equal share of the *politeia* for him and for the others”(16.38), rather than his monopolizing such power as a tyrant. In these instances, it is power that may be more or less narrowly guarded. It is power to act through and as civic institutions. What do the Four Hundred take away and Alcibiades return? The assembly itself as an organ of making decisions. The idea is summed up in the very fact of narrowing authority to four hundred from all: the power is the same, but the group wielding it is different.¹⁵

¹² Recall Thucydides’ description of how the generals provoked the army with talk of their wives and children being violated (8.74.3). Cp. Isoc. 18.16 and 21.2—*ek tōn metechontōn tēs politeias* has the most force as a list of those entitled to minimal privileges.

¹³ Cp. the phrase at Isoc. 20.20: *tōn autōn hapantes tunchanoimen*.

¹⁴ Note that, at any rate, the more ordinary experience of becoming a citizen when a man came of age is captured just by the passive of *dokimazō* (cp. 16.29: *dokimastheis*).

¹⁵ A modern comparison may help clarify the point. In the lead-up to the 1960 presidential election, many people wondered why Lyndon Johnson, who as Senate Majority Leader, had been called “the second most powerful man in America,” would want to take on as notoriously impotent an office as the Vice Presidency. Johnson is supposed to have replied, “Power is as power goes.” By this phrase, he seems to have meant, over optimistically as it turned out, that a person as politically adroit as he could make even that office a base for asserting himself. In this, his vision of power was quite different from what we find in the orators’ talk of *politeia*, which was just the same power associated with a position within the city, whichever group or individual held that position and that power.

The speech thus helps us see that *politeia* was particularly connected with the power or authority of governing that could be said to be conferred on or shared with individuals or a group. We see a similar idea in an accusation at a *dokimasia*, where the speaker claims that, at the end of the Peloponnesian War, “the *politeia* itself was the prize of the contest (*athla ekeito*)” (Lys. 31.32). The contest was the assembly at which it was to be decided whether to continue fighting the Spartans and maintain popular power or, as it was decided, to surrender and hand over power to some smaller group as the Spartans demanded. In this contest, different groups were fighting over who would hold power. That was the prize; that was the *politeia*.

Looking slightly ahead in the speech, we can see something about how this power was variously conceived and the advantage of so conceiving it. The younger Alcibiades suggests that the ascension of the Four Hundred provided a demonstration of who was *dēmotikous*, who *oligarchikous*, who “wanted neither,” and who “thought it worthy to have a share of both” (16.37). Both the terms “wanting (*epithumountas*)” and “having a share of (*metechein*)” are particularly associated with *politeia*. “Having a share” is especially associated in this period with *politeia* when that generic term more specifically stands for power in an oligarchy.¹⁶ Especially in an oligarchy, to have a share of *politeia* is to take part in ruling.¹⁷ The complementary expression for popular power seems rather to involve *meteinai* (as at Isoc. 16.38).¹⁸ And so, one can talk of popular rule as *tēi koinēi politeiai* (Lys. 31.9). The contrast, captured in the different verbs, seems to appeal to a popular belief that whereas oligarchic power is closely held, popular power is open to all.¹⁹ Such an appeal makes room for the speaker himself alongside everyone else in the Athenian democracy; it allows him to be one of the crowd rather than opposed to it.²⁰

The remainder of the speech for Alcibiades helps us see that *politeia* could also be used to describe the fact of some group or individuals holding that power. As Alcibiades the younger turns from his father’s great financial benefactions, he proposes to discuss his father’s service “as it related to the *politeia*” because “he was not neglectful of that either” (16.36). As becomes clear in what follows, he is talking about how his father behaved in regard to the *dēmokratia*: he was “better regarding the *dēmos*” than other men of good repute and, “though he was asked to join the oligarchy, he was *dēmotikos*.” As he goes on to say, all this amounts to a willingness to suffer anything rather than “to betray the *politeia*” (16.36). The whole description is of how Alcibiades was disposed to the people as rulers or the fact of the people ruling (*dēmokratia*), summed up in the fanciful claim that he would not turn his back on them at any price. In both instances, the generic *politeia* is substituted for the specific *dēmokratia*. Note, though, that the specific *dēmokratia* and *oligarchia* do not necessarily refer to some particular *dēmos* or collection of few men ruling but rather the fact of the people or the few being rulers more generally. Phrases such as ‘the present *politeia*’ (*tēn parousan politeian*) or ‘the existing *politeia*’ (*tēn huparchousan politeian*) may describe the government (where that means not those in power in a given year but the kind of people in power from year to year) that can be protected (Isoc. 18.25), feared (Isoc. 18.43), or overthrown (Lys. 12.70).

¹⁶ Cp. Isoc. 18.16, 42, 48, 49; 21.2; Lys. 12.77; 13.61; 18.6; 30.15. Cf. [Lys.] 6.48.

¹⁷ *metechein* may be used with expressions such as *tōn pragmatōn* without oligarchic implications (as at Lys. 25.23), but it seems always to refer to involvement in oligarchy when used with *politeias* in this period.

¹⁸ Cp. Lys. 34.3

¹⁹ See Ober 1989, Liddel 2007 on this feature of democratic ideology. The idea should not be taken to be exclusive of the vision of the *dēmos* as dominant described in chapters 3 and 4: both ideas seem to have had popular appeal.

²⁰ See further below.

We have already seen in Antiphon and Lysias' speech for Polystratus that "wanting another *politeia*" was a standard way of describing oligarchic ambitions. The phrase recurs, likewise to mark oligarchic ambitions, several times in Lysianic speeches from the turn of the fourth century (Lys. 18.6, 25.11, 34.1). We also find a related locution later in Isocrates' speech: Alcibiades the younger explains that his father was "manifestly aiding the *dēmos*, because he wanted the same *politeia* as you did" (16.41).²¹ The variations both seem to describe a desire for a state of affairs, that some group come or continue to rule; it is another instance of *politeia* as so-and-so ruling.

In these contexts, the desire for another *politeia* is not just an affinity for a particular group but for some more systematic and thoroughgoing transformation of civic affairs. In this, the object is like what, in the Old Oligarch's description, the *dēmos* chooses in choosing their *politeia*. The noticeable difference is that here the extent of the *politeia* desired seems to be some group ruling, where it is taken for granted that the most important thing, if not the only thing, to know about that group ruling is who the group is. What exactly the *dēmos* chooses on the Old Oligarch's account can be helpfully compared with Lysias' claim that Theramenes "persuaded you to choose the *politeia* under the Four Hundred" (12.65).

Wanting another *politeia* is not the same as wanting to rule, though. One may, of course, also "want to have a share of that [oligarchic] *politeia* (*epithumei metaschein ekeinēs tēs politeias*)" once established, to take part in ruling, as the speaker of Isocrates 18 claims Callimachus did (Isoc. 18.48). But the promise of another *politeia* seems to be that what has been considered wrong will no longer be thought so or at least that previous wrongdoings will be forgiven and punishments overturned or not carried out (see, e.g., Lys. 20.4, 25.11).

This generic sense of *politeia* may be understood as being somewhat narrower than that discussed initially. Whereas at 16.17 and 16.20 a share of "the rule," "ruling," "authority," or "power" is withheld from the soldiers or given entire to the people, here the idea is of "the rule or authority or power of so-and-so," specifically, "the rule of the people." We might describe the rule or power of so-and-so as so-and-so ruling or having power. If we turn back to the description of a contest with the *politeia* as the prize (Lys. 31.32), we can see that this is a different angle on what is elsewhere described as the debate "about the *politeia*" at which Drakontides' proposal is accepted and the Thirty are chosen (Lys. 12.72, 74). A debate about defining, in more or less abstract terms, the extent of the ruling group that will hold power may also be described as groups competing for power.

In order for a person to have a share of political power in an oligarchy or for popular power to be open to him, he may need to be a member of the relevant ruling group, the group that holds the *politeia*. It may be because of this fact that, as we can see in other instances of talk of "both *politeiai*," *politeia* could shift to cover not only power or the power of a particular group but could verge on describing the group itself. The speaker of Lysias 25 explains that his advice to abide by the amnesty and cultivate concord "always benefits (*sumpherei*) both *politeiai*" (25.25). This might mean that his advice is conducive to the stability of both popular and oligarchic rule. As he says, because of those acting otherwise "in oligarchy, democracy comes about, and through those practicing slander in democracy, oligarchy has twice been established" (25.27). But it might also mean those who rule when there is democracy as opposed to those who rule when there is

²¹ The idea seems parallel to that of Lys. 25.8, where the speaker tells the jury that it is in their power whether "an abundance of people want the present system (*epithumein tōn parontōn nuni pragmatōn*)." The use of *pareimi* occurs with *politeia* at Isoc. 18.25, 43 though not with *epithumein* but with *diaphulattein* and *dediōsi* respectively. Both passages seem similar to the idea here.

oligarchy.²² He later speaks of its appeal to “those from the city” and “those from the Piraeus”(25.28). Less uncertain is a passage earlier in the speech where, in order to prove that no man is naturally favorable to democracy or oligarchy but “wants to establish whichever *politeia* benefits him”(25.8), the speaker explains that “those at the head (*tous prostantas*) of both *politeiai*”(25.9) often changed sides.²³ I’ll return to the first claim below, but for now it is the phrase “those at the head” that is particularly relevant. It is an expression used to describe a person who advocates on behalf of a group, for the person who “stands before” others and leads them or acts for their interests.²⁴ Such people characteristically act for or on behalf of people, not abstractions such as power or states of affairs.²⁵ By implication, the *politeiai* here should be understood as synonymous with particular groups, the Thirty, the Four Hundred, or the *dēmos*. Similarly, the expression ‘the *politeia* benefits someone’ may be quite concrete. People favor whichever group of people does them some service.

The group holding that power may be understood more or less abstractly. At the minimum, it may be some definite individuals. The few might be just these few people. The clearest instance of such a group is the Thirty. Though perhaps that arrangement may have evolved into something more indefinite over time, with members being replaced but the *politeia* understood as being relevantly the same, in the brief event, it was just the rule of thirty (and then twenty-nine) particular men who had recourse to any number of institutional arrangements and other activities as manifestations of their power. While the name arose only later, it is perhaps telling that they were subsequently known as the Thirty Tyrants—such personal power was most clearly exemplified by an individual tyrant.²⁶

At some greater level of generality, the ruling group may not be understood as some specific individuals who are actually in power at some time but some kind of people. The few might be people who meet variously expressed or unexpressed criteria (wealth, ancestry, intermarriage, hygiene, and so on). Specific people of that kind will be ruling at one time or another but, in so doing, merely exemplify the relevant kind rather than in themselves being all that the group amounts to.

In these speeches, we see three different but clearly connected ideas of what “the *politeia*” might be. First of all, it can describe political power that may be shared out generally or restricted to a narrow group. Second, it can describe the fact of that political power being shared out generally or narrowly restricted. Third, it can describe the group that shares out the power or that holds it closely. It is the power of taking decisions or

²² Compare the expression *kataluein tēn politeian* (at, e.g., Lys. 12.70), which may be parallel either to *kataluein tēn dēmokratian* or *kataluein ton dēmon*.

²³ The concern with either oneself ruling or some group ruling may be grounded in considerations of advantage. Note, though, that sometimes looking out for the *politeia* offers some reason above and beyond the merest self-interest of those ruling. So, the returning democrats can be said to have fought and died “on behalf of the *politeia*,” where that sacrifice would be betrayed by giving “more of a vote to those possessing property”(Isoc. 20.20). They are fighting on behalf of some group having power, but where that is a value worth dying for and from which they themselves can in no way directly benefit. Similarly, carrying out some objectionable action can be justified on the grounds that it is done “not for money but as beneficial to the *politeia*”(Lys. 12.7), where that could mean, at heart, the few ruling or just the few who rule but in either case is meant to persuade the skeptical in a way that an appeal to pure mercenary gain would not.

²⁴ See *LSJ* s.v. B.II

²⁵ One possible exception, when Pericles is said to “stand before the polis”(Thuc. 2.65.5), is no exception at all. *Polis* is, at least at one level, used metonymically for the population as a whole. See the description of his relation to the *plēthos* at 2.65.8.

²⁶ In the narratives of the Thirty, it is helpful to have a single figure—Critias—at the head, perhaps for this reason. Recall also Thucydides’ description of the 400, discussed above in chapter three, and Darius’ characterization of oligarchy discussed in chapter 2.

making laws for the city, the fact of some group having that power, or the group that has that power.

We can now see how all these ideas may be at issue in some instances. Recall the claim, already quoted above (p. 89), that in the debates at Athens at the end of the Peloponnesian War about whether to maintain popular power or to hand over power to some smaller group, “the *politeia* itself was the prize” (Lys. 31.32). On one interpretation, groups of individuals were fighting over who would hold the governing power, the power to make decisions for the polis as a whole. But insofar as the debate was not just individuals making claims to their share, the prize was not just power, but some group holding power. Some people might hope to win, to get power as the outcome of the debate; others might hope to bring about a change in who holds power. The first want *politeia* as political power—they want to rule; the second want *politeia* as some group holding political power—they want someone to rule. The second getting what they want would usually entail at least some of the first getting what they want, though not necessarily.²⁷ And the second would seem to be motivated by some weaker version of the first group’s desire: even if they don’t just want to hold power themselves, they want some group to hold power because that group doing so will be recognizably like doing so themselves. The constant refrain that people want another or the same *politeia* so as to avoid punishment or payment of debts (see above) bears witness to such motivations. One way to avoid punishment is to be the one who metes it out; another way is to have someone likeminded do the meting. We might further suppose that the prize is being that group. Thinking about who rules may lead one to talk as though the only thing there is to that power, to ruling, is the group that holds it.

At times, *politeia* could be associated with any one of these elements of political power understood as some group’s power over others, whether ‘ruling,’ ‘the fact of a group ruling,’ or just the ‘group ruling.’ When Alcibiades returns the *politeia* to the *dēmos*, he is giving back the power to rule. To talk of desiring another *politeia* is, at heart, to talk of wanting another group to rule. It may be another group in the general or specific sense. The clearest instance of the latter comes when the speaker of Lysias 25 claims that his advice benefits both *politeiai* (25). He means ‘those from the city,’ i.e. those specific people who stood with the Thirty, and ‘those from Piraeus,’ i.e. those specific people who stood against them (see 28). He is speaking concretely about groups of particular individuals. When he talks about those at the head of the *politeiai*, he seems to mean the specific groups of 400 and 30 men (9).²⁸ The most important thing is the power of ruling, but the way to inflect the position as one would like is to install some group or another in it.

The interconnection between the position and the group in that position and the way *politeia* easily slides between referring to one or the other or some combination of them mark the center of a particular way of thinking about political power. And this way of thinking fits neatly with the position in which speakers found themselves when faced with a popular jury.

As Josh Ober and others following him have shown, a major part of forensic oratory’s ideological work was to reconcile or at least ameliorate tensions between popular

²⁷ Plato, as we will see, will be interested in an exception where in order to satisfy the desire for a particular kind of rule, people who have no desire to hold political power will have to do so.

²⁸ There is a tendency to talk only in the most concrete terms—of *politeia* as power as such or as groups of particular individuals—when the speaker is not himself implicated in desiring such power or being a part of such groups. It is appropriate to talk of *politeia* being given to the *dēmos* or shared out with all but not as being an object of one’s own lust. The tendency tells us more about the limits of propriety imposed by speaking to a popular audience regularly on the lookout for threats to its position than about the interest in *politeia per se*. See further below.

power and aristocratic prestige. One way of handling the tension was to emphasize that the speaker and his audience had the same loyalties and that the same things were in both their interests. There was, on proper reflection, no tension between what the jury and the litigant wanted for Athens. As Ober says,

The elite litigant, who also possessed attributes that further differentiated him from the mass, was in a particularly delicate spot. Communication with the jurymen was his only way out of the dangerous individual-versus-community and elite-versus-mass situation. The elite litigant who could persuade the jurors, that despite his elite privileges, his interests and theirs were identical, would win their sympathy and so save himself.²⁹

The other way of handling the tension was to help jurors see themselves as being equals of the higher-status speaker. Their interests didn't diverge because they were basically the same kind of people. To quote Ober a final time, "By lowering himself and by elevating the members of the jury in status, the speaker put himself on the same social footing as his audience" (306).

With this in mind, and by reflecting on the interest in the *Lacedaimoniōn Politeiai* and the Old Oligarch's inversion of that genre's expectations, we can see that the regimen strand of thinking about *politeia* would not fit comfortably with the overarching demands of Attic forensic oratory. The *Lacedaimoniōn Politeiai* focused on making people powerful through careful cultivation in activities meant to be the purview of those of high status, even in ways they couldn't understand at the time. The Old Oligarch's description of popular power in similar terms turned on popular power being undeniable and yet obviously not being based on cultivation in the ways the *Lacedaimoniōn Politeiai* emphasized. There remained an awareness of the regimen strand in the fourth century, for example, embedded in Xenophon's *Lacedaimoniōn Politeia* as discussed above and reflected in Isocrates' lampoon of it in his *Busiris*. But it was not a part of the popular discourse developed in the people's courts. There, the talk of privileged cultivation and the importance of becoming powerful unawares could have no place. The speaker there needed to acknowledge the jury's existing power as such in order to come to terms with his situation and needed the jury to recognize their own power in the moment as part of the flattery that would bring them up to his level.

The shifting understanding of *politeia* as the ruling group, a group ruling, or the power of ruling fits comfortably with this overarching objective of reconciling elites and their mass audience. To talk of the *politeia* as the ruling group, whether the *dēmos* or some oligarchic clique, fits neatly with speakers' regular attempts to flatter the audience by suggesting they were just like men of status. When the speaker of Lysias 25 speaks of "those standing before both *politeiai*" (4), namely the Four Hundred and the Thirty, he pointedly uses a term, *tous prostantas*, closely associated with support of the popular cause. Going back at least to Herodotus, oligarchs or monarchs might claim that the people required a protector or man in front of them—a *prostatēs*—to defend them from enemies (Hdt. 3.82). Here the suggestion is that oligarchic groups are no more powerful on that account. Imagining different oligarchic groups and the people as of a kind allows him to suggest as much. The speaker later talks of concord benefiting "both *politeiai*" (25), referring to the few and the many. In this, *politeia* functions as a generic term for ruling groups. As such, it can help the speaker paint oligarchs as no more powerful than the *dēmos*. They are likewise a *politeia* that needs *prostatai*. But it can also help to suggest that the *dēmos* is no

²⁹ Ober 1989: 305.

less powerful than any given group of oligarchs. When the speaker of Isocrates 18 urges the jury to rule against Callimachus in order to show those watching that the amnesty remains in force, he claims that if they fail to do so, “some will fear the present *politeia* on the grounds that there is no escape for them”(43). The jurors are encouraged to think of themselves as synonymous with the all powerful present *politeia* that has the power to make men quake before them, just as the *politeia* consisting of a few might do (cp. Lys. 12.6-7). The admonition not to act so as to make people tremble suggests that they should not so use their power even as it reinforces the fact that they could.

Just as talk of ruling groups being of a kind communicates an equality of status, the idea that different groups’ power in ruling would be the same also fits comfortably with speakers’ interest inculcating in the jurors a sense of their own importance and capacities. Consider the claim that Alcibiades “returned” the *politeia* to the *dēmos* in 411 (Isoc. 16.20). The kind of power the people hold is the same as that the oligarchs held; the same thing is given back to them that was previously taken from them and held by others. The only difference is that the people’s power is more widely distributed. It is as great and, in fact, even greater. It is constantly in effect, as the very dynamics of the trial, and frequent reminders of them, make clear.

Finally, the range of senses of *politeia*, spanning not only the power of ruling and the ruling group but also the fact of a particular group ruling, also provided a language in which orators could pointedly express their community of interest with the jurors at the level of political organization. The repeated avowals of “wanting the same *politeia*” or disavowals of “wanting another *politeia*” help speakers show that they are on the same page with their audience. But such expressions also lend vivid color to that page. At a literal level, the desire expressed is for a particular group to rule. But, as we have seen, along with that desire comes a vision of the people and its power that serves to elevate the jurors in standing and lower the speakers before them. The people rule over the speakers as subjects. Semantic slippage allows speakers to suggest that they not only want the same group to rule but that they also want the people in all their glory to have power to an impressive, even an intimidating, degree.

IV. Athens, Epirus, Elis, and Elsewhere

The tendency to conceive of *politeia* as alternately the power of the ruling group, the fact of a group ruling, or the group that rules is not confined to the Attic orators. Though it fits neatly with the rhetorical objectives of that genre, we also find it in epigraphical material from the end of the fifth and beginning of the fourth century.

In two documents from the last years of the Peloponnesian war, we can see a clear parallel with the rhetorical uses discussed in the previous section. The first, an Athenian inscription from 407 BC, records a treaty with Selymbria on the north shore of the Propontis (*IG* I³ 118=ML 87). The treaty includes, among other provisions, a statement of Selymbrian *autonomia*: “And the Selymbrians, shall establish autonomously the *politeia* (*katastesasthai...tem politeian autonomos*), in whatever way they know [to be best?] (*tropoi hotoi an epistontai*)”(10-12).³⁰ Similarly, an Athenian decree from just two years later, enumerates honors for the Samians who remained loyal to the Athenians even after the disaster at Aegospotami (*IG* I³ 127=ML 94). The decree again promises autonomy and also considers the eventuality, “if there is some need on account of the war even earlier

³⁰ On *autonomia*, see, recently, Mackil 2013: 61n.17, 64nn.28-9, 70n.71.

concerning the *politeia*...taking counsel as to the circumstances, let the Samians act in whatever way seems to be best”(19-21).

What we know of the circumstances of these decrees indicates that the grant to the Selymbrians to establish their *politeia* is the prerogative to choose whichever rulers they will. Alcibiades, after taking Selymbria, stationed a garrison there; the inscription promises that the Athenians would not demand that one group or another—whether the men who had betrayed the city to Alcibiades or others—direct the city.³¹ The idea that putting such a group in power, whether of specific individuals or more generally, would amount to “establishing a *politeia*,” is just what we hear from the speaker of Lysias 25. He claims that “each man wants to establish (*kathestanaï*) whichever *politeia* is to his advantage”(8), the few as opposed to the many or perhaps the men of the town as opposed to those of the Piraeus.³²

In the case of the Samian decree, the Samians severally are promised that each and every one of them “shall be an Athenian (*Samios Athēnaios enaï*)”(12) and that they all “shall govern themselves as they wish (*politeuomenos hopōs an autoi bolōntai*)”(13). The clause quoted above imagines circumstances that are not all that the Samians would wish for. Instead, an emergency might call for some decision “about the *politeia*”(19-20). What does this mean? Almost certainly it describes the eventuality that soon came to pass, in which the Spartans arrived at Samos and demanded that the Samians hand over decision-making authority to a group of men favorable to Lysander. The Athenians hereby acknowledge that they will not object if the Samians decide it is better for the *dēmos* to live with pro-Spartan rulers than for them to die ruling the city. The imagined episode is just like the assembly described in Lysias’ speech against Eratosthenes for his brother’s murder, an assembly “about the *politeia*”(12.72). At this assembly, Lysander threatens the Athenians that if they do not select the rulers he wants, not the *politeia*—who rules—but their very survival will be at issue (12.74).³³

In both the treaty with the Selymbrians and the honors for the Samians, we thus see talk of *politeiai* as the ruling group of the city, whether conceived generically or specifically.

The prospectus for the second Athenian league (*IG II² 43=RO 22*) also includes a statement guaranteeing the autonomy of the league’s members. The language is slightly different from what we find in forensic oratory contemporaneous with the decree. The text promises that anyone not subject to the Persian king may be an ally of the Athenians and their allies, and “it is permitted to him, being free and *autonomos*, having whatever *politeia* he wants (*politeuomenōi politeian hēn an bolētai*), not to receive a garrison nor to submit to a ruler (*archonta*) nor pay tribute, on the same terms as the Chians, Thebans, and other allies”(19-25). The mention of the Chians, Thebans, and other allies makes clear that the masculine singular is meant to convey generality rather than to imagine that individuals join the league. Both Alcetas (109) and the *dēmos* of the Pyrrhaioi (97-98) join. The phrase *politeuomenos politeian*, though, is unparalleled in forensic oratory from the 370s or earlier. Only in Aeschines’ speech *Against Timarchus* from 346/5 do we find a similar locution. There, as part of his first attempt to tar Timarchus with charges of threatening the power of the people, Aeschines explains,

oligarchic men and those maintaining an unequal *politeia* (*tois tēn anison politeian politeuomenois*) must guard against those who overthrow *politeiai* (*tas politeias*)

³¹ The only account that preserves any details of the seizure is Plut. *Alc.* 30. See Lewis et al. 1992: 486-7.

³² Cp. Lys. 13.61, 20.6. I can’t see that the present or perfect as opposed to the aorist or the active as opposed to the middle of *kathistēmi* with *politeia* indicate any different sense.

³³ Cp. Lys. 31.31.

kataluontas) by force, but you who have (*echousi*) an equal and lawful *politeia* must guard against those speaking or living contrary to the laws.³⁴

“Maintaining an unequal *politeia*” would seem to describe the distribution of decision-making authority. The subsequent fear of “those who overthrow *politeiai*” seems to be concerned instead with harm to the ruling group or, by displacing that group, to their ruling. We thus have here a similar focus, all told, on the interrelated elements of a ruling group as individuals, the fact of their ruling, and their power—whether described as unequal or equal. “Maintaining” or “having” such power seems to make little difference, except perhaps that “having,” emphasizing as it does the people’s firm hold, may more effectively emphasize for the jury the extent of its power. It would seem, then, that the same idea is at stake in the prospectus when it speaks of each *politeuomenōi politeian*. The question is of choosing rulers and granting public power to them. The idiom is slightly different from that in the Athenian treaty with the Selymbrians, but the idea remains the same—autonomy means choosing which group (or individual) will rule.

Even starker in their use of *politeia* to describe ruling groups are three inscriptions from the 360s connected with the northwest Peloponnese. The first, a treaty between the Athenians, Arcadians, Achaeans, Elians, and Phliasians, dates to 362/1 (*IG II² 112*). The treaty specifies that the parties will come to each other’s defense in the event of an attack. In describing the Athenians’ responsibilities, the treaty explains, “If someone attacks these cities or takes down the *dēmos* of the Arcadians or the existing *politeia* of the Achaians or that of the Elians or that of the Phliasians or relocates cities or banishes people, the Athenians will come to their aid with all force”(29-33).³⁵ The “existing *politeiai*” of the Achaeans, Elians, and Phliasians are parallel to the *dēmos* of the Arcadians. Just as the *dēmos* is the group that rules in Arcadia, so do the *politeiai* among the others. The terms seems to provide a group noun in lieu of the plural *oligoi* implicit in *oligarchia*. The “present” *politeia* seems to emphasize that the specific group in charge is to be protected.³⁶

The next two documents were likely inscribed on the same stele (Ringel et al. 1999, *contra* Dušanić 1979). The first records an alliance between the Arcadians and Pisa and Akroreia. It promises Arcadian aid if someone “overthrows the *dēmos* or *politeia*”(SEG XLIX 466A.8).³⁷ Here again we see the pairing of *dēmos* and *politeia*, the wider and the narrower ruling group. The second records an alliance of Pisa and probably others with Sicyon and Messene (SEG XLIX 446B).³⁸ Both elements of the mutual defense clause

³⁴ Aesch. 1.5. Cp. also Plato, *Laws* 3, 676b-c.

³⁵ The supplements follow Dušanić 1979: esp. 133-134. Ringel et al. 1999: 416 argue for maintaining Dittenberger’s original restorations based on their supplements of another inscription (SEG XLIX 466A). Dušanić’s arguments about the order of names and the use of *methistēmi* seem to me to carry weight. The restorations in SEG XLIX 466A are not entirely satisfactory, as discussed below. In any case, though, the point regarding *politeia* referring to the oligarchic ruling group is the same however whichever restorations are adopted.

³⁶ Cp. *IG II² 116*=Tod II.147 where the Athenians swear to protect the *koinon* of the Thessalians and “whatever ruler (*ton archonta*) the Thessalians choose”(18). See Mackil 2013 for further discussion.

³⁷ The supplements offered by Ringel et al. are not entirely satisfactory. We might prefer *kataluēi* to *methistēi* in 8-9 for reasons Dušanić mentions, whatever is to be made of his supplements in *IG II² 112*. We might also be inclined to doubt the restoration in line 8. Perhaps better than the puzzling five-letter gap might be Ἀκρωρεῖ[ων πόλ-]εις κτλ. Cp. Xen. *Hell.* 7.4.14 (τὰς τῶν Ἀκρωρείων πόλεις). Xenophon generally uses the ethnic not the geographic term. Some more dramatic change may be necessary, though, perhaps ἦτι ἐπὶ as in *IG II² 112* rather than ἐπὶ ... ὄπλα ἐπιφέρηι as in SEG XLIX 466B. If some more drastic change were required, then lines 9-10 would need to be changed as well.

³⁸ The gap in line 6 implies that there were several parties on the Pisan side. Dušanić made specific suggestions; Ringel et al. suggest τινὰ τῶν αὐτῶν συμμάχων. Maybe better τινὰ τῶν ἄλλων συμμάχων?

speak of overthrowing “the *politeia* or the *dēmos*” (Ringel et al.) or “the *politeiai*” (Dušanić). In the former case, we have again the use of *politeia* parallel to *dēmos*. In the latter case, we should assume that all the *poleis* in question were ruled by narrower groups.³⁹

It makes sense that we should find such similar uses in treaties and in public oratory. As I suggested above, the orators focus in their talk of *politeia* as more generally, on who ruled and their power as a way of focusing the group in front of them on their own ability to act. Such dynamics would also likely have been in play in formulating bilateral or multilateral treaties. In those cases, too, the parties formulating the treaties would be keenly focused on the authoritative groups on the other side of the table and what those groups could do. They would also need to emphasize for those groups that they had the power to act according to the terms of the treaty. Both parties to the treaty would need the eyes of their counterparties keenly fixed on maintaining their position and their abilities that could be mustered to maintain their position.

We also find in the epigraphical record, though, an interest in *politeia* that marks something of a departure from that found in the orators or in thinking about the *politeia* of the Spartans. Occurring mostly in the context of honorific decrees, its focus is on status—how one is seen in the community—rather than personal power—what one can do in one’s own right or in virtue of one’s position. These honors are generally concerned to establish an outsider’s place in the community *ex nihilo*. It is typical to talk casually in this connection of ‘citizenship,’ but, as discussed further below and as indicated above, that modern concept is a poor fit for what seems to be at stake in grants of *politeia*.

We can see as much, to begin with, in an inscription from the western Peloponnese. It records a decree of the Triphylians—a confederacy that lasted from 399-369 (*SEG XXXV 369=RO 15A*). The Triphylians make a certain number of men, “as many as are inscribed on the tablet,” Makistians (1-3). Makiston was one member of the confederacy.⁴⁰ The inscription goes on to warn against anyone “robbing them of *politeia* or excluding them from offices (*teleōn*) when they are acting justly as citizens (*politeuomenoir*) and according to the law”(3-7). Leaving aside the unusual conferral of privileges in a member city by the federal decision-making body, it seems clear that the *politeia* that might be taken just is being a Makistian. It is the abstract noun describing the status of one who “acts as a citizen;” it is associated, even if not synonymous, with holding certain offices.⁴¹ The late fourth-century habit of heading Athenian decrees making someone an Athenian with “*politeia* for so-and-so” reflects a similar understanding.⁴²

Statements that someone had been made an Athenian or whatever else did not always go along with statements that that person had been granted *politeia*, nor vice-versa. In the honors for the Samians discussed above, the Samians are to be Athenians (12) but what is granted them is not described as *politeia*. Contrariwise, the honors for non-Athenians who fought against the Thirty (*IG II² 10=RO 4*) include grants of *politeia* to at least some (5-6), but no mention is made of making the men who receive *politeia*

³⁹ I can see no way of deciding between the two supplements. The other parties on the Pisan side may have had popular governments. While Sicyon was consistently oligarchic from the sixth century, it is uncertain what Messene’s political structure was at this point. See *IACP* p. 563 for possible indications of popular power from slightly later.

⁴⁰ *IACP* no. 307 with Nielsen 1997 for further discussion, *contra* Siewert 1987-8: 276, who claims Makiston was a *phyle* of the confederacy.

⁴¹ Cp. Arist. *Pol.* 3.1, 1275a22-34 on indefinite offices, apparently trying to put a finer point on this status.

⁴² See D29, 30, 45, and 46 in Osborne 1981-3. I am unsure whether such a heading should be restored in *IG* 1³ 113.

Athenians.⁴³ Similarly, another inscription from the Triphylian federation records that “the Triphylians gave *politeia* and *ateleia* to Pylades, Gnathon, and Pyrrhus, to them and their descendants” (RO 15B). There is no mention of making these men Makistians, Triphylians, or anything else. It is generally assumed that they were given some status vis-à-vis the confederacy but not any particular member polis.⁴⁴

But even if the two expressions are not always found together, it is hard to see a meaningful distance between them in instances such as these.⁴⁵ *Politeia* thus appears in such instances to describe a status within the community rather than the power of the ruling group at issue in the orators. It remains, though, to explain what sort of status.

One component of such honors was regularly enrollment in subsidiary civic subdivisions. The friends of the democrats given *politeia* are to be assigned to tribes (*IG II² 10.6*). We find similar procedures in an inscription from Troezen. That text, dating from perhaps c. 370, records the decision of the counsel and people of Troezen, “to praise Echilaos the son of Philonides, a Plataean, on account of his virtue and good will (*eunoias*) to the people of Troezen, and to grant him and his progeny (*eimen autōi kai genei*) the title of benefactor (*euergesia*) and *politeia* ... and he will belong to whichever tribe he gets by lot” (*IG IV 748.8-21*).

The mention of enrolling men also in tribes might lead us to believe that the point of such grants is to enmesh the men honored in the ordinary workings of civic life. Rhodes and Osborne note that the second and third category of honorands in *IG II² 10* do not seem to have been assigned to demes as well as tribes and so cannot have been given citizen status properly speaking (26, *contra* Whitehead 1984). M.J. Osborne also claims that an important function of such grants was to provide the opportunity for foreigners to take up residence and live as, for example, Athenians at Athens just like any other citizen (his Category C; cp. 1981-3: III.5, IV.186-204).

The Troezenian inscription may already give us pause on this point. The bulk of the inscription explains the grant and does so by instructing an unnamed official “to write up the decree on a stone stele and put it in the temple of Apollo Thearios in order that others help (*hupēretōnti*) because they know that the people of the Troezenians pay back favors done (*charitas*) to those who do them good service (*eu poiouein*)” (13-20). The goal of the decree seems not so much to enmesh the honorand in civic life as to serve notice of the ability and eagerness of the governing body to show gratitude. And there is no reason to suppose the Troezenians were unusual in this respect. As many have noted, such grants seem to be primarily honorific, even a mode of diplomacy.⁴⁶

It may be, of course, that these grants were honorific but still carry with them the possibility of a place in ordinary civic life. But even this seems not to describe the practices and concerns represented in inscribed grants. Rather, it seems that involvement in the civic community was not the overriding point of such grants.⁴⁷

⁴³ RO seem to follow Osborne in seeing three categories. Whitehead (1984) suggested that all received *politeia*.

⁴⁴ It seems possible to me that the brevity of the text, inscribed as it is on a bronze discus, may be due to the fact that the object was a dedication and does not reflect all the details of the formal grant in question.

⁴⁵ Osborne 1981-3: 155-158 claims that, at least at Athens, the ‘specific’ use of the ethnic gave way to the ‘general’ use of *politeia* in the late third century as a result of recognition that the *polis* no longer functioned as the basic unit of political life. Gauthier 1986: esp. 130-133 gives a number of reasons to doubt Osborne’s claims. See further below.

⁴⁶ See Gauthier 1986: 128 for these particular descriptions.

⁴⁷ Notably, Andocides, when he appeals to be allowed to return to Athens c. 409, seems to borrow from this discourse. He complains that “I see you often giving *politeia* and great gifts of money to slaves and all manner of foreigners...and you do so wisely because in this way you would reap rewards from the greatest number of men. I just want the same treatment” (2.23). But for him, as he has already made clear, something

Such grants seem rather to be designed to make the honorand not one of many citizens but an exceptional outsider. When the Erythraeans honored Conon, probably for his role in freeing them from Spartan hegemony, they set up a statue and recorded their decision “to honor Conon as benefactor (*euergetēs*) and *proxenos*; to give him front-row seating at Erythrae and tax-free status on all goods, both imported and exported, in war and peace; to make him Erythraean, if he wants. These things belong to him and his descendants” (RO 8.2-13). They also record the decision regarding the statue: “To make a bronze, gilded statue of him and set it up wherever he decides” (13-16).⁴⁸ Here, as in other inscriptions (for which see below), naming someone *proxenos* and citizen makes little sense if both terms are to be taken literally. Rather, as the inscription makes clear, being Erythraean is an option. And even if Conon is made Erythraean, he is certainly not going to be one of the crowd. As the decree emphasizes, Conon would be at the front of the crowd and would have a memorial of his special standing set up wherever he chose. That last element is telling—the choice to become an Erythraean and to mark out his special status among the Erythraeans are to be made at his pleasure, not theirs.

Philippe Gauthier noted similar dynamics in a slightly later Athenian inscription decreeing honors for Arybbas of Molossia (*IG II² 226*), the largest surviving stele for an individual honorand, a monument in itself (so Osborne 1981-3: I.57). The decree, of c. 342 BC, records that the *politeia* granted to Arybbas’ grandfather and father is also to belong to him and his offspring, as are the gifts (*dōreiai*) given them. All councilors, generals, and other Athenians who may encounter him are charged with guaranteeing that he suffer no harm. And he is granted the prerogative to approach the council or people in assembly first. As Gauthier remarks, these prerogatives “montrent clairement que, tout en étant traité à certains égards à l’égal des Athéniens, Arybbas n’est nullement devenu un citoyen de plein exercice, participant aux affaires communes, publiques ou sacrées” (1986: 130). He is, rather, something more than a citizen—first in line to address the council or assembly and a special object of care for Athenians in official capacities and otherwise, as everyone could see from the massive monument commemorating these special privileges.

Conon and Arybbas are not made one of the crowd but are literally put before the rest of the citizenry, should they wish to be there. We can notice a connection here with the *Lacedaimoniōn Politeiai* that imagined Spartan *politeia* making the Spartans outstandingly able (or perhaps even more with Herodotus’ variation on it in the story of Teisamenos). Just so, the conferral of honorary *politeia* is part of making those receiving it outstanding relative to the community honoring them. It does so, though, not by changing them in any way but just by recognizing them.

Further consideration shows that making a place, even a special place, within the city was not always the point of grants of *politeia*. In the first half of the fourth century, this is clearest in two decrees, one from Andros (*IG XII Suppl. 245*) and the other from Olbia (*IGDO 15*). The Andrian inscription records the decision, for an honorand whose name is not preserved,

that he be *proxenos* and benefactor of the city of the Andrians, he and his children, and that there be for them *politeia* and *isoteleia* and the prerogative to own land or a house (*gēs enktēsīn kai oikias*) and peace in time of war, freedom

more than status is at issue. He has, as he says, “a longing for *politeia* and daily life (*diaitēs*) with you” (2.10). We should thus say that he doesn’t so much borrow from the discourse and appropriate it in order to align himself with foreigners who don’t have a prior history with the Athenians even as he tries to use that alignment in order to secure just the same position he had before being banished.

⁴⁸ On this statue and others like it, see Stoop 2014.

from pillage when pillaging is allowed (*es sulais asulian*) and cases heard first in order.⁴⁹

Here again we find the peculiar combination of *proxenos*-status and *politeia*, but with additional emphasis on the commercial. The commercial element, as in the honors for Conon, is particularly connected to coming into or leaving the city, not carrying on business within it, though owning property is surely also an important benefit. Having peace in time of war most clearly marks the separation from Andrian entanglements.

The Olbian inscription is even clearer. There we read,

The Olbiopolitai gave to Chairigenes, son of Metrodorus, a Mesembrian, to him and his offspring, *proxenia*; *politeia*; tax-free status on all goods which he imports or exports or that his children or brothers who have paternal property in common or a servant do; sailing in and sailing out in war and peace, not subject to pillage and apart from treaties.⁵⁰

The mention of brothers who have paternal property in common and servants makes clear that the promise of freedom from taxes is not so much a matter of honoring the man, a matter of personal honor, as it is a commitment to give special status to Chairigenes' assets generally by not impinging on anyone financially connected to him. As in the case of Andros, the focus is not on integrating Chairigenes into the community, whether as one among others or an exceptional outsider, but on dealings in coming and going from the community. Here, in addition, the concern with the treatment of the man's relations make clear that it is not even *his* coming and going that is at issue but his wealth's. Presumably, *proxenia* and *politeia* are honors in the service of this overarching concern, perhaps conferring a recognition important in business dealings built on trust.

In a final pair of decrees from northwest Greece, we can see from a different perspective the way conferring *politeia* on a person need not have to do with direct power within the civic structure of a *polis*. The decrees (*SEG XV 384*) are recorded on a single stone found at Dodona. They were probably reinscribed from bronze originals at some date later than their original inscription on bronze.⁵¹ The first records a grant of *politeia* to "Philsta, wife of Antimachus, from Arrhonos, to her and her offspring" (3-6); the second to "the daughter of Phinto, from Arrhonos, to her and her offspring" (22-24). The dating formula, "When Eidymas the Arktan was *epistatēs* of the Molossians" (6-8, 24-25), makes clear that the decrees are to be associated with the Molossians, but the group making the grant remains anonymous. The decrees specify that "*politeia* was given (*edothē*)" (5, 23) but don't specify by whom.⁵² The decrees are thus triply strange. The inscriptions grant *politeia* in a tribal region of Greece with no *poleis*, with no statement of who has provided the grant so as to clarify where the honorand might have privileges, and to women and their offspring as no other existing decree seems to have done.

These peculiarities have led to a number of speculations ranging from seeing the grants as offering "private" rights, such as property ownership (Cabanes 1989: 19-22), though it remains to specify where, to seeing the grant as an empty honor (Harvey 1969: 228). Neither suggestion carries much conviction. Most recently, Elizabeth Meyer (2012) has suggested that the grants are connected with the Molossian seizure of Dodona. In particular, these women are given *politeia* under Molossian auspices—thus the dating

⁴⁹ *IG XII Suppl.* 245.1-10.

⁵⁰ *IGDO* 15.1-16.

⁵¹ See Meyer 2012: 207.

⁵² Cf. the later inscriptions C2 and C3 in Cabanes 1976.

formulae—to allow their descendants to claim bilateral descent as part of the Molossian effort to take over the priesthoods of Dodona. The reinscription would potentially offer evidence of the importance of the grant for their descendants. Meyer repeatedly suggests that the inscription bears witness to the intermingling of the political and the religious, on the assumption that *politeia* basically describes status within the political community of the Molossians with religious consequences once they appropriate the sanctuary. But why should we suppose that *politeia* granted by no one in a part of the Greek world without *poleis* should have anything to do with whatever political organization of the semi-nomadic Molossians might have had? Rather, pressing Meyer's suggestions further, why not see the grant as just having to do with status associated with the sanctuary? On such a reading, the grant is there to confirm the women's status in relation to the sanctuary. They are given an important power in virtue of the grant and presumably have access to all the authority that comes along with administering, or having their relations administer, the sanctuary. But that authority and the status from which it flows function in relation to the panhellenic sanctuary and not necessarily in connection with any political community, whether *polis*, *koinon*, or *ethnos*.

V. Conclusion

In this chapter, I have described two strands of thinking about *politeia* at the end of the fifth and in the first part of the fourth century BC. The first, associated with the story of revolution on Rhodes and Athenian forensic oratory but also found in public inscriptions at Athens and elsewhere, represents a continuation of ideas discussed in the second half of chapter three. It sees the *politeia* of the city as alternately describing the power of the ruling group, the fact of that group ruling, or the ruling group itself, whether conceived specifically or generally. Such power and such rulers are understood just in terms of their position of ascendancy within the city, not in terms of any abilities or virtues they might have independently. Sometimes ruling is a means of pursuing their own advantage; sometimes it is an end in itself. The second, associated with honorific inscriptions throughout the Greek world, is focused not so much on power within the framework of the *polis* but on status even beyond the framework of the *polis*. Grants of *politeia* in such contexts offer recognition of good deeds done for, not within, the *polis* and provide a special status unlike that of anyone else in the city conferring the honors. Like the *politeia* of the orators, honorific *politeia* places the honorand in front of the citizens, often literally, but as a revered outsider, not a ruler. He is not powerful because of that position but in that position because powerful. Sometimes the grants are not even concerned with such positioning, marking rather the special status of the honorand and those associated with him or her even apart from any particular civic entanglements or structures. Such were the decrees from Andros and Olbia, and from Dodona.

As we will see in the next chapter, it was the first of these ideas that provided part of the provocation for Plato's *Republic* and thus, as I hope to show elsewhere, for strands of intellectuals' thinking about *politeia* down through the Hellenistic period and into Roman times. But it was the second idea, which is not picked up by Plato or his successors in their thinking about *politeia*, that would be integral to the practice of politics from the end of the fourth century down through the Roman Empire.

Chapter 6: Plato's *Politeia* and Isocrates'

I. Introduction

In thinking about *politeia* in the fourth century, Plato's *Republic* looms large. It is unique among surviving literature from the period in focusing on *politeia* as such. That is to say, first, it is avowedly about *politeia*. Aristotle's references to it make clear that early on the work was known as Plato's *Politeia*.¹ Among the later ancient authors that confirm the title, Cicero's complaint that Cato speaks as though "he lived in Plato's *Politeia* and not in the muck of Romulus" (*ad Att.* 2.1.8) is particularly notable.² The literary work is to be associated with the political life described therein. Second, it is about *politeia* in general, not some particular *politeia* of some group actually existing or supposed to be actually existing. But recognizing as much should not lead us to claim, as some ancient interpreters did, that the consideration of justice is merely a way into the main theme of *politeia*.³ Rather the latter is one important theme among others.

The whole of the dialogue is described as a consideration of *politeia*, and Socrates and his interlocutors' statements throughout the dialogue make clear that in their description of the just city they take themselves to be talking about a *politeia*.⁴ The description of the *politeia* explicitly comes in response to the challenge that emerges in the first two books. While not explicitly about *politeia*, this challenge is the basis for the discussion in the remainder of the dialogue, and closer examination will reveal that it is importantly connected with elements of others' thinking about *politeia* we have met previously. In order to understand the point of Plato's *Politeia*, we therefore need to look more closely at the challenge that motivates the parallel descriptions of city and soul that provide the core of the *politeia*. In discussing the challenge, the goal won't be to unmask Socrates' interlocutors as scholars have sometimes tried to do but rather to take the structure of the work seriously as a way of making sense of what Plato thought his *Politeia* was accomplishing.

As we will see, in response to this challenge, Socrates provides a *politeia* that at once includes a variation on and expansion of many of the ideas we found in the *Lacedaimoniōn Politeiai* and of the dominant popular conception of a *politeia* as just depending on a ruling group. His *Politeia* thus provides a striking combination of emphases on the educative and the hierarchical structure at the level of the city and the person. Finally, by considering two of Isocrates' later speeches, we can see an attempt to vindicate a particular version of the popular focus on ruling pointedly in opposition to the alternative of Plato's *Politeia*.

II. The Challenge

¹ *Politics* 2.1, 1261a6; 2.6, 1264b28; 4.4, 1291a12; 5.12, 1316a1; 8.7, 1342a33; *Rhetoric* 3.4, 1406b32. See Menn 2006: 2-3 for further discussion.

² The Vienna and Venice manuscripts (F and D) label books πολιτείας. The Paris manuscript (A) has the title πολιτεία ἢ περὶ δικαίου. For the plural, see chapter one.

³ See Proclus *In Rem Publicam* I.8.7-10 Kroll and the discussion in Schofield 2006: 30-31.

⁴ Throughout the chapter, I'll speak of Socrates (the character) making the claims in the *Republic* as a way of suspending judgment about what the drama of the dialogue might suggest about how we should think about those claims. This is not, of course, to suggest that we are thus offered a portrait of the historical Socrates, only to emphasize that however much Socrates might be a mouthpiece for Plato, there is at least some distance between them. I do not intend here to make anything of this distance, just to call attention to it.

The description of the city and soul, which includes the account of the good and right *politeia*, is explicitly provided as a way of responding to Glaucon and Adeimantus' challenge to justice. As Socrates says, "Glaucon and the others insisted that I offer a defense by any means. ... So I adopted what seemed to me the best approach" (2, 368c).⁵ The challenge is itself said to be a renewal of Thrasymachus' claims in book one (2, 358c-d; 2, 367a-c).

Glaucon's promise to renew Thrasymachus' challenge is striking both because of the apparent tension between Glaucon's and Thrasymachus' statements about justice and because of the apparent tension between Thrasymachus' own statements.

Thrasymachus begins by claiming that "justice is nothing other than the advantage of the stronger" (1, 338c) by whom he means not merely those possessing greater brute physical strength (1, 338c-d) but "the established ruling element" (1, 339a) in a city, whether that city is "a tyranny, a democracy, or an aristocracy" (1, 338d). He then claims that justice is properly speaking the advantage of rulers properly so called, who only enact laws that are best for them (1, 341a),⁶ or that "justice is the good of another, the advantage of the stronger and ruler" (1, 343c), while injustice is "stronger and freer and more masterly (*despotikōteron*) than justice" (1, 344c).

In renewing this series of claims, which he says he hears not just from Thrasymachus but also from "thousands of others," Glaucon proposes to explain "first, what people consider justice to be and whence it comes; second, that all practice justice unwillingly as a necessity not a good; and third, that they do so reasonably, since the life of the unjust man is far better than the life of the just man" (2, 358c). The first is accomplished by means of a contractarian story that shows justice to be nothing more than an agreement not to do wrong as a compromise between the best case of being able to do wrong and not suffer wrong and the worst of suffering and not being able to do wrong (2, 358e-359b). The second is accomplished by the story of Gyges' ring (or, properly, the ring of Gyges' ancestor) that shows that only under the compulsion of others' watchful eyes does anyone refrain from doing wrong (2, 359b-360d). The third is proved by comparing the unjust man with a reputation for justice who will have all good things with the just man shorn of any good reputation who will be supremely unhappy (2, 360e-362c).

Adeimantus adds to his brothers' criticisms by noting the inadequacy of the traditional reasons for preferring justice to injustice found in everyday advice and in the wisdom of the poets: they merely recommend a reputation for justice not for being just itself (2, 363a-e), and they constantly speak of the difficulty of being just (2, 364a-b). Absent self-doubt about one's ability to escape the eyes of men or gods in being unjust or to make amends through offerings, there is no reason to prefer the hard and unrewarding life of justice to the rewarding life of injustice (2, 364b-367a).

Scholars have tended to find three points of discontinuity that require explanation. First of all, particularly in the older scholarship, there was a tendency to object to Thrasymachus' movement from justice as the advantage of the stronger, the ruler (a descriptive or fact-based account) to justice as the advantage of the ruler properly so called (a normative or theory-based account).⁷

Secondly, and also more recently, scholars have bridled at the possibility of reconciling Thrasymachus' statements that justice is the advantage of another and of the

⁵ Translation based on Griffith.

⁶ In fact, at 341a, Thrasymachus switches to the singular. See below for a suggestion as to the importance of the shift.

⁷ See already Kerferd 1949: 21 and n. 19.

stronger. If both are supposed to apply, then what would count as justice for the stronger, seeking his own advantage or that of another?⁸

Finally, some have found it hard to see how Glaucon and Adeimantus' statements, providing as they do reasons to pursue justice, could count as a continuation of Thrasymachus' claims. As Bernard Williams put the point,

Thrasymachus' and Glaucon's accounts seem to be opposed to one another. It is not simply that they can easily be formulated in terms that are contrary to one another: the opposition may seem to us to extend to their ethical value. The Thrasymachean account, to the extent that it can be made coherent at all, is fiercely reductive and "unmasks" justice as an exploitative device. Glaucon's theory, on the other hand, is the ancestor of honourable contractualist accounts which show why justice is the basis of collective endeavours and the division of labour, and why it is of great value to human beings.⁹

For him, the assimilation of the two reveals Plato's exacting standards that a proper account of justice would have to meet.

Exploring each of these tensions between different elements of the challenge will provide some indication of how Plato understands the challenge that the remainder of the dialogue is meant to answer. But in order to fully appreciate those indications, we need first to think about the elements of the challenge in relation to the earlier and contemporary thinking about *politeia* described in the previous chapters.

To begin with, Thrasymachus' initial description of justice relies on a particular, if underdetermined, description of political life. More specifically, he begins his explanation, following the rejected example of Polydamas, by focusing on political power and the people who hold it as a way of understanding the source of norms for right conduct (*to dikaion*). As he says, in what seems to be, based on Socrates' answers, a statement of what is not sufficiently appreciated but is obvious once seen,

[Thras.] Then don't you know ... that among cities, some are run by tyrants (*tyrannountai*), some by their peoples (*dēmokratountai*), and some by narrow groups of the best men (*aristokratountai*)?

[Soc.] Certainly.

[Thras.] So then, this runs things and holds power (*kratei*) in each city, the ruling element (*to archon*)?

[Soc.] Indeed.¹⁰

I have provided this somewhat awkward translation to emphasize the etymological considerations on which Thrasymachus relies. His terms for different governments seem pointedly chosen: verbs based on *dēmokratia* and *aristokratia* (rather than *oligarchia*) helpfully contain the root *kratos*. One needn't point to any element of the word tyranny to show that it is concerned with *kratos*, as the character of that name in the pseudo-Aeschylean *Prometheus Bound* makes clear. The descriptions thus provide an element that can be picked up in the next step of the argument: as the terms make clear, there is something in each case that exercises *kratos*. The revelation is that that thing is the group in power, whether it is a group of a few excellent men, of all the people, or, if one can stretch the idea of a group, with only one member. The power of this group, however

⁸ See esp. Everson 1998.

⁹ Williams 2006: 99.

¹⁰ 1, 338d

constituted, is the same kind of thing, namely *kratos*, in each case. That is the only relevant power in a *polis*, and the only relevant feature in determining its character is who wields it. As it turns out, this power amounts to establishing laws and punishing subjects (*tois archomenois*) who violate them as lawbreakers and wrongdoers (2, 338e). The only relevant power in the *polis* is power over others. The ruling element is the creator and guardian of laws (and of norms encouraging obedience) used against its subjects, and it without fail pursues laws in its own interests.¹¹

As we saw in the previous chapter, in popular rhetoric, *politeia* was at the center of a way of thinking about political life that focused attention on the group in charge of the city and their power over others in the city. As in the case of Thrasymachus' initial statement, the most important element was the group holding that power. The power of different groups was fundamentally of the same kind and referred to as *politeia*, whether held by a narrow group or the *dēmos*. Alcibiades could "return *politeia* to the people" (Isoc. 16.36), or the Athenian people could hold an assembly about the scope of decision-making power after Aegospotami, that is to say "about *politeia*" (Lys. 12.72). That power was determined to such an extent by the group in charge that it could become synonymous with them as actors influencing political decisions. Thus, the anonymous speaker of Lysias 25 could claim that his recommendations had always "benefited both *politeiai*" (Lys. 25.25). The terms in Thrasymachus' analysis are somewhat different, but the two ways of thinking are quite similar.

It should come as little surprise that Plato should put such ideas in the mouth of Thrasymachus the sophist. While we find no indication in the surviving testimonia that the historical Thrasymachus had notable ideas about justice, what information we do find suggests that he was a master of clever or stylized restatement of ordinary ideas. He seems to have been particularly known for his innovations in the use of prose rhythm (DK 85 A 1, 11) and in style (D.H. Lys. 6=DK 85 A 3; cp. Cic. Orat. 40=DK 85 A 12); a famous passage in the *Phaedrus* indicates that he was known for emotional appeals (*Phdr.* 267c-d). As Dionysius of Halicarnassus reports (*Isae.* 20), all that survived of his writings were technical handbooks (*technographikois*) and display speeches (*epideiktikois*). The Suda (s.v.) adds speeches of advice (*sumbouleutikous*), joke-speeches (*paignia*), and rhetorical starting points (*aphormas rhetorikas*). The Suda's titles may just be different names for the works mentioned by Dionysius.¹² The one extended surviving fragment (DK 85B1), seems most of all to demonstrate a variety of ways of bemoaning current political circumstances and especially the failings of rulers.

He would thus seem to be an ideal instance of the sophists who, as Socrates says later in the dialogue, "don't teach anything other than the opinions of the many, which they propound when gathered together" (6, 493a). Glaucon's comment that "his ears are ringing" with what "Thrasymachus and thousands of others" say also suggests that the character Thrasymachus is brought out, in the first instance, to give eloquent voice to a common opinion. As we will see, he (still talking of the character) also provides a way of seeing what Plato thought underpinned the popular opinion. Again, in this, we may suppose that Thrasymachus gives voice to what, to borrow Pope's phrase, was often thought but ne'er so well expressed.¹³

¹¹ That not mere physical punishments but ethical sanctions are at issue is clear already from the ruling element punishing a person not merely as a lawbreaker but a wrongdoer (*adikounta*).

¹² Cp. Blass 1962: I.249; Kennedy 1963: 68-70. If Tom Cole (1991) is right, they may all be different ways of describing what was basically the same thing.

¹³ Cf. Menn 2006: 14-15 for a rather different reading that sees in Thrasymachus a version of a "standard sophistic theory of πολιτεῖαι" (15) whose existence I suggested, on independent grounds in chapter one, we

In the brothers' statements, by contrast, we find an echo of the interest in *physis* as opposed to *nomos* that we saw was one of the crucial motivations for writing *Lacedaimoniōn Politeiai*. It occurs most noticeably at the level of verbal repetition. As discussed in chapter one, *physis* served as a standard for fifth-century arguments for getting free from social restrictions in order to dominate others and pursue the pleasures of sex and food and drink. Just so Glaucon, in initially explaining the point of the story of social contract, remarks that people say "committing injustice is good by nature (*pephuken*)" (2, 358e). In summing up the lesson of the story, he explains that he has shown "the nature (*physis*) of justice," namely that if opportunity presented itself, the supposedly just person would "do the same thing as the unjust person through desire for more (*pleonexian*), which thing every nature by nature (*pasa physis ... pephuken*) pursues as good. Only according to custom (*nomōi*) are people forcefully lead to honor equality" (2, 359b-c). The echo can also be heard at the level of the substance of the argument. In the story of social contract, of the ring of Gyges, and in the description of the life of the unjust man Glaucon makes the natural, true ideal the "real man" (2, 359b) who frees himself from legal restrictions and "takes whatever he wants from the agora, goes into others' houses and lies down with whomever he wants, kills and frees from chains whomever he wants, and behaves otherwise like a god among men" (2, 360c). It should come as little surprise that in Adeimantus' final recapitulation of the challenge, the request is for a demonstration that justice is "stronger (*kreitton*)" (2, 367b), not better (*beltion* or *ameinon*) or finer (*kallion*) than justice. As in the fifth-century praise of *physis*, in Glaucon's account, the ability to behave in such a fashion is not the result of any education but just of natural (or supernatural) ability.¹⁴

Furthermore, both brothers are, as Socrates says, "of divine stock, children of a famous man" (2, 368a) such that he "wonders constantly at their nature" (2, 367e). Though the praise is multivalent, it certainly has at least strong connotations of their social background. As we saw in chapter one, this makes them precisely the kind of people to whom a certain kind of praise of *physis* would appeal.

The echo, though, does not resemble the original cry in every detail. In the initial description of the social contract the emphasis is not entirely on the strength of the strong but just as much on the weakness of the weak. Justice is honored "because of the incapacity to commit injustice"; people "practice justice unwillingly because of their inability to commit injustice" (2, 359b). Here we don't have the explanation offered by Thucydides' Athenians to the Melians of the fact of the strong ruling the weak. Rather, on the surface, we have an explanation of the weak to each other of why they should rule each other. Underneath, though, we seem to have the Hobbesian picture of the weak en masse creating a stronger entity that punishes those transgressing the agreements without itself facing punishment.¹⁵ It is also worth noting, as has been pointed out most extensively by Leon Craig (1994), that Glaucon is, as Adeimantus says, timocratic (8, 548d). He therefore cannot quite follow anything like the hedonistic road down which Socrates forces Callicles in the *Gorgias*. The stripping away cannot be nearly so extreme: the truly amoral man on Glaucon's telling receives all manner of customary honors (cp. 360b-c). And

should doubt. I hope to argue elsewhere that the parallel Menn adduces (*Laws* 714b-d) in fact has a different target.

¹⁴ As Adeimantus' supplement makes clear, the challenge presented by the focus on *physis* is made the more profound by its connection to the advice fathers give their children and that their children find everywhere around them. (This was already a joke in Aristophanes' *Clouds* where Wrong suggests that the adulterer should appeal to stories of Zeus to exculpate himself.)

¹⁵ Compare also Gyges' ancestor with his ring of invisibility and the similar figure described in the Anonymus Iamblichi as "physically invulnerable even from disease, not subject to harm, superhuman, and indestructible in body or soul" (6.2).

throughout, unlawful conduct is described as unjust conduct, a mark that Glaucon's description comes already from a moralizing point of view (cf. Thrasymachus' valorization of injustice at 1, 348c-349a).

Mario Vegetti has forcefully argued that Plato's portrait of Glaucon is drawn specifically with an eye to Antiphon, the author of *On Truth*, whom he identifies with the Antiphon who was the brains behind the coup of 411 (1998: esp. II.159-167). Given that the similarities are more general and that Glaucon's arguments, though they may pick up a phrase or element here or there, don't seem to track precisely anything we find in Antiphon, it may be more advisable to see a reflection of the broader trend of thinking of which Antiphon's writings formed a part. For one thing, Glaucon seems much less interested in the incoherence of customary demands of justice than Antiphon (see fr. 44c). This is perhaps in keeping with his character, as mentioned above, or perhaps because the incoherence of many traditional ideas of justice was brought out in the discussion with Cephalus and Polemarchus and so does not require further exposition at this point in the dialogue.

With these two poles of the challenge and their relation to other elements in the history of *politeia* before us, we can now turn to the implications of seeing all of Thrasymachus' statements and the brothers' challenge as of a piece (2, 367c).

As regards the first tension between Thrasymachus' claim that justice is the advantage of the stronger and ruler and his claim that justice is the advantage of the ruler properly so called, we should recognize that it is really no tension at all. We certainly needn't say, as has sometimes been said, that Thrasymachus should have agreed with Clitophon. The interjected dialogue between Clitophon and Polemarchus surely draws our attention to the fact that Thrasymachus meant no such thing. Rather, we can see that he proceeds from a summary of ordinary practice that is, as it turns out, for the most part in keeping with an ideal he is glad to espouse. While Timothy Chappell is right to say that Thrasymachus' remarks are meant to contribute to an understanding of justice, not necessarily a definition of it (2000: 105-107), David Reeve's description of Thrasymachus' first claim as a nominal definition based on a fact-based account and his second as a real definition based on a theory-based account nicely captures the relation. As he says, when actual rulers fall short and make laws that would harm themselves,

What we should then say is that the nominal definition is given by the laws but that justice is incorrectly specified by it. When people describe as 'just' what is prescribed by an incorrect law, they will be linguistically correct but factually mistaken. When our dictionaries gave 'large fish' as (part of) the meaning of 'whale,' we were in the same situation when we described a whale as a large fish.¹⁶

In the difference between the ways Thrasymachus talks in articulating the fact-based and theory-based accounts, though, we can also see something more clearly about whose advantage he thinks is really at issue. As David Reeve has noticed,

Where the fact-based account speaks of 'each type of rule' or ruling element making laws that are 'advantageous *for itself*' (1, 338e1-2), the theory-based account speaks instead of 'a ruler' unerringly decreeing 'what is best *for himself*' (1, 341a1-2).¹⁷

¹⁶ Reeve 2013: 67-75. The quoted passage is on page 75.

¹⁷ Reeve 2013: 71-2.

The first account refers to some group, as distinct from its members, seeking its advantage as distinct from that of its members severally; the second seems to depend just on the members of the group each looking to his own advantage. Whereas in the fact-based account we might see some difference between, e.g., the tyrant qua ruler and qua private individual, in the theory-based account there is no difference. In fact, it is hard to say how popular rule on this way of thinking differs from the rule of many individual tyrants qua private individuals. To quote Reeve again, “Thus the latter seems to characterize rulers as straightforwardly *self*-interested in a way that the former does not” (2013: 72).

The move from the fact-based to the theory-based account suggests one way of reading the tendency we saw in Attic oratory to go between understanding *politeia* as the fact of certain groups holding power or that power itself and understanding it as simply the individuals who held that power. The ambiguity might be taken to suggest that talk of a group, abstractly defined, ruling was just so much pious window dressing. In fact, as the speaker of Lysias 25 says, “whichever *politeia* benefits an individual, that’s the one he wants in power” (Lys. 25.8). We may thus detect, in Thrasymachus’ elaboration of his initial claims, Plato sardonically smiling at what he saw to be a nasty tendency in a popular understanding of political power that could be observed at least in orators’ talk about *politeia*.

This is not to say that Plato is offering an accurate account of the motivations underlying popular usage. As we saw in the previous chapter, there is any number of reasons why the orators should have spoken as they did and why we might doubt whether they were providing a full picture of popular conceptions of ruling. It is worth noting in any case that we also saw something of Plato’s diagnosis already in the plays of Aristophanes discussed in chapter four.

The second tension in Thrasymachus’ claims, between the advantage of the stronger ruler and of another, is less easy to resolve but no less illuminating. Many scholars have suggested that the way to resolve the tension is to appreciate that the picture of ruling is of rulers fundamentally committing injustice in order to establish standards of justice for their subjects. Kerferd long ago suggested that Thrasymachus’ fundamental imperative is for rulers to pursue injustice, their own good, while the ruled pursue justice, another’s good (1949: 23, 25). The talk of justice being the advantage of the stronger merely helps flesh out appropriate conduct from “the point of view of the ruled” (1949: 26). David Reeve has suggested a way in which the connection might actually be stronger. Justice as the advantage of another and injustice as one’s own basically apply to interpersonal relations (see the examples at 1, 343d-e). The case of the tyrant, however, makes clear that the civic structure within which these relations occur can be understood as the product of a grand instance of injustice.

Other unjust men are stronger than this or that just man, and are able to break this or that law with impunity (348d5-8). The tyrant, by contrast, is stronger than everyone else in the polis, is able to overthrow all the laws at once, seizing all property in one fell swoop, and simultaneously enslaving its owners as well (344b1-c8). In this process, he is revealed—if only for a moment—as an example of ‘the most complete form of injustice.’¹⁸

After that moment, once in power, he sets the standard of justice and injustice. The just actions, newly defined, of his subjects will no doubt benefit him, the stronger and ruler. But the question remains, what should we say about the ruler’s actions in perpetuating his

¹⁸ Reeve 2006: 18-19.

rule after that instant of most complete injustice. Are they, according to the new definition, just? Or should we recognize their exploitative features, the way they serve the ruler's own advantage and not another's, and so call them unjust?

The difficulty of whether the stronger or ruler's actions that benefit himself are just or unjust captures the ambiguity of his position and the perspective from which Thrasymachus tries to describe him. Descriptions of actions benefiting the rulers or the stronger as just belong within the society, as Kerferd noted, but in a peculiar way. The subjects' actions described as just will be the same actions the ruler himself recognizes as benefiting himself. The subjects will presumably describe the actions of their ruler as just without fail; the ruler will presumably not bother with such labels and think, as we might say, that such talk doesn't apply to him. In private, though, he may speak in a way that more accurately captures what he sees to be going on and call his actions unjust (as opposed to just) because self-serving even as he continues, in this language, to talk of his subjects' actions as just because they serve him not themselves.

The difficult balance he must strike closely resembles that balance which Josh Ober has described as characterizing the situation of the elite politician in democratic Athens. As he sums it up,

The political orator therefore played a double role, wore a mask with two faces. On the one hand, he was the perfect exemplar of the norms of society, an 'average guy,' a *metrios* in the most basic sense of the word. On the other hand, he was superior to the ordinary citizen, an elite in terms of his ability, wealth, and status. ... the political orator was expected to demonstrate both egalitarian and elite credentials and to do so on a regular basis.¹⁹

The politician is able to wear this mask because of his "consummate 'acting'" and his audience's "willingness...to accept the performance"(Ober 1989: 311).

But in the end, Thrasymachus' ruler cannot speak both languages at the same time; only the subjects can do that, though if they take the second language seriously, presumably things become riskier for the ruler. That is to say, he cannot be both inside and outside of the society even if that is how Thrasymachus tries to imagine him. The tension points to the difficulty for a ruler who cannot both care about and dismiss the values of his subjects and their esteem.²⁰ The Thrasymachean ruler wants independence and to establish standards of value for himself but can't give up his commitment to the standards of the society he rules. In this, as we will see, he provides an initial intimation of a crucial characteristic of the philosopher kings of Callipolis.

As in the first two instances of apparent or actual tension within the motivating challenge, considering the extent of the tension between the brothers' statements and Thrasymachus' helps reveal important features of Plato's understanding of the traditions of talking about *politeia* to which the description of the *politeia* of Callipolis will respond. On its face, Glaucon may seem to be saying that justice is the advantage of the weaker, precisely the opposite of what Thrasymachus had said and closer to Callicles' initial claim (see Williams 2006: 98-99; cp. Weiss 2007). The social contract story, though, suggests, as Thrasymachus had done, that justice is the advantage of the stronger collective entity that

¹⁹ Ober 1989: 311.

²⁰ Compare Hegel's description of the master who would be recognized but whose slave cannot provide the recognition he desires.

establishes the norms of justice.²¹ While Glaucon and everyone else suppose that the social contract story has the same point as Thrasymachus' statements, he doesn't emphasize the advantage of the stronger. Instead, with his talk of *physis*, he focuses on the experience of the members of the collective and what they want. He expresses a desire, familiar from those praising *physis*, of the weaker to be stronger and, once stronger, to behave immorally and hedonistically indulge. (This is the lesson of Gyges' ancestor.) This too is to some extent in keeping with Thrasymachus' move from the ruling element seeking its advantage to rulers seeking their advantage, though more pronounced for omitting the first step.²²

It also fits with his concern to hear justice praised "by itself, in the soul" (2, 358b; cp. 2, 358d). As John Ferrari has pointed out, in focusing on the soul, Glaucon and Adeimantus both display the "human inclination to concentrate on the middle ground of one's actions as an individual within society to the exclusion, on the one side, of one's inner life, and on the other, of the life of the society as a whole" (2005: 78). They are keen to see justice stripped of social consequences, but they aren't able to reach a perspective from which to do so. Glaucon's focus on *physis* amounts to an exclusive concern with the individual as he happens to be commanding others rather than any further idea of what might count as strength and how to come by it (cp. Thrasymachus' reticence to acknowledge justice among thieves at 1, 351c-352a). The power of Gyges' ancestor in turn is somewhat like Thrasymachus' tyrant who cloaks his injustice with the label of justice (see Reeve 2013: 78). But unlike Thrasymachus, who imagines political structures as a means to such deception, Glaucon remains focused on individual interactions facilitated by magic. Gyges' ancestor is no different from those he takes advantage of, only they can't see him to catch him or shame him in his wrongdoing.

All in all, we can see, then, that Socrates' *politeia*, offered in answer to the challenge, must provide a way of seeing beyond the focus on power over others that Plato saw to be implicit in popular conceptions of *politeia* and associated with the claims of *physis*. Such power was alternately a selfish aspiration of the weaker to be individually stronger or to be part of a group that could at least as a whole command others. A focus on such power involved thinking just about oneself, and taking one's personality, desires, and so forth as given and external to the effects of civic life. As we will see, Socrates answers these challenges in part by drawing on and elaborating existing thinking in the *Lacedaimoniōn Politeiai* and by transforming the existing popular interest in ruling so as to get beyond the imperative of rulers to dominate others who are weaker. He does so by providing his rulers a position at once inside and outside the society they rule.

III. Plato's Spartan *Politeia*

The title of Plato's *Politeia* makes clear that the whole is a consideration of *politeia*. The foregoing discussion has shown the ways the initial challenge contributes to that consideration. We should also notice, though, that Socrates' and his interlocutors' comments throughout the dialogue indicate that they take themselves, in the course of describing the city and the soul, to be describing a uniquely "good and upright (*agathēn...kai orthēn*)" (5, 449a) *politeia*. So, in justifying the exclusion of most poetry from the just city, Socrates claims, referring for the first time to "our *politeia* (*tēi hēmeterai*

²¹ The social contract story helps us see, already at this stage, how those who are severally weaker manage to make themselves into something stronger through their agreement. But as subjects, they remain severally weak. Only the fictive collective entity is strong and the force behind the law the severally weak fear.

²² We might say that Thrasymachus and Glaucon draw our attention to different aspects of the same phenomenon: both stronger (Thrasymachus) and weaker (Glaucon) individuals would like to be pleonectic.

politeiai),” that the mixture of imitative and narrative poetry, “doesn’t fit with it”(3, 397e). Later in the same discussion, he insists on the importance of proper physical and musical education for the leaders, “if the *politeia* is to be saved”(3, 412a). The description applies not just to the arrangements outlined in books two and three. As becomes clear, that description is in fact just preliminary. As Socrates says in explaining the importance of rulers who know about true justice and goodness and beauty, without such a ruler, “our *politeia* (*hēmin hē politeia*) won’t be completely well ordered (*kekosmēsetai*)”(6, 506a).

In each of these statements, a particular element of civic life is described as a condition for the success or survival or arrangement of the *politeia*. It may seem, therefore, that the description is not so much of the *politeia* but of the necessary conditions of that *politeia*, but the opposition would be misleading. At each stage of the discussion, Socrates and his interlocutors agree on the importance of some feature of civic life for the existence of the *politeia*. In each instance, the *politeia* for which it is important is what has been described in the previous discussion. The pattern repeats itself until we learn that in order to have the arrangement of the classes of Callipolis, the education of the guards, the community of women and children, and so on—that is to say the *politeia* as a whole—philosophers must rule or the rulers must philosophize, which in turn requires that the *politeia* include philosophical education (see esp. 7, 540d).

The description that runs from books two to seven, it emerges, is of the various elements of one *politeia* or *tropos* of *politeia* among others (4, 445c-d). It is the arrangement of the just city, the arrangement of roles and institutions, of the life of the city, for constituting people to fill such roles. It is this *politeia*, an alternative to the conceptions implicit in Thrasymachus’ and Glaucon’s challenges, that is meant to answer that challenge.

We should first of all note that Socrates begins to talk of ‘our *politeia*’ only once the guards have been introduced and first of all in the description of the elements of their acculturation and education. It is only at this point, and not yet with the city of pigs, that we start to see a description of a system working through the upbringing of citizens. Only when Socrates offers something like the system of acculturation described in the *Lacedaimoniōn Politeiai* does he begin to say explicitly that what he is talking about is a *politeia*. In fact, as Malcolm Schofield has pointed out, the very idea of introducing “a discrete class of citizen ‘guards’ who will give the city its capacity to wage war.... For Plato’s original readers...would immediately give his *politeia* an emphatically Spartan character”(2006: 39).²³

Given the culmination of the challenge in a variation of the ideas of the advocate of *physis*, it should come as little surprise that Socrates takes as a crucial feature of his response to that challenge a description of training for a military class very much in keeping with those found in the *Lacedaimoniōn Politeiai* and that he refers to the object of that description as a *politeia*. Furthermore, we should notice that the transition from the city of pigs comes with the introduction of “couches and tables”(372d-e) and all the other features of a proper symposium.²⁴ The introduction of a *politeia* that shapes the guards as a check on such luxury recapitulates at the level of the city the work of the *Lacedaimoniōn Politeiai* in debates about sympotic behavior discussed in chapter one. In Callipolis,

²³ Cp. Stephen Menn’s comment: “His πολιτεία starts by sounding Spartan enough—particularly with the separation of a specialist military class who are barred from money-making pursuits, while the others are barred from military activity—and it gradually diverges”(2006: 42).

²⁴ As Myles Burnyeat points out, “couches and table are items well chosen to mark the transition from primitive to civilized social intercourse. ... The social gathering with couches and tables is as good a place as any to localize the overall choice which is the main theme of the *Republic*, the choice between living well and living badly”(1999: 233).

though, Spartan-style institutions do not so much shape an alternative way of life for the same group as provide for one group of people who can tame the swelling of excessive luxury in a different group.

It has also been commonly noticed that there are any number of specific features in common between the guardians of Callipolis and the Spartiates of aristocratic imagination as described in the *Lacedaimoniōn Politeiai*.²⁵ Malcolm Schofield (2006: 32-33) has pointed out that the extended discussion of the production and education of children is in keeping with the focus found in Critias and Xenophon (esp. DK 88B32 and Xen. *Lac. Pol.* 1.3-7.6). In both Callipolis and the *Lacedaimoniōn Politeiai*, “the elite citizens remain subject to a common discipline, presided over by elder persons of authority, not only in childhood but at every stage of their lives” (Menn 2006: 28). To quote Schofield again, “there is clearly a sense in which for [Plato] Sparta and Crete set the terms of reference for discussion of *politeia*” (2006: 39); he

found compelling ... the notion that the whole nature of a society and the development of the individual alike could be transformed in tune with each other if the city itself made sure that it had not just an educational system, but an entire cultural environment designed with the single-minded aim of fostering virtue and the desire to become ‘a perfect citizen.’²⁶

Schofield is here drawing on Myles Burnyeat’s Tanner Lectures, which helpfully emphasize that in Callipolis (as in the Sparta of aristocratic imagination), all craft objects must be carefully designed so as to have the right effect (see esp. 3, 401a). We may think here of the extensive attention to Spartan cups, couches, and clothing discussed in chapter one.

We may also notice that the similarity does not just extend to the features of imagined civic life but even the justification for them. While Socrates places greater emphasis on the point, both show a concern with women moving outside of traditional social roles for the sake of some greater goal. In order to argue for female guards receiving the same education as men, Socrates returns to the analogy of guard dogs (5, 451c-452a). As he explains, just as it would be absurd not to have female dogs take part in watching a flock, so it would be absurd not to have female guards watch over the productive classes alongside the males (5, 451d). Glaucon replies that “we should use (*chrōmetha*) the females as weaker and the males as stronger,” and Socrates, in turn, borrowing Glaucon’s expression, points out that “using (*chrēsthai*) animals for the same purpose” (5, 451e) requires giving them the same upbringing and education. The idiom is telling: the way to see that men and women should receive the same education is to think about how they will be used, to imagine them as like tools put in the service of some further objective.²⁷ Just as the *Lacedaimoniōn Politeiai* subordinate ideas about proper roles for women to considerations of the higher end of producing the strongest offspring (DK 88B33; Xen.

²⁵ Tigerstedt 1965: I.254-276, in the course of his discussion of Plato’s Laconism, provides a summary of Spartan elements in Callipolis. Menn rightly emphasizes that the relevant parallel is with the imagined Sparta of, e.g., Xenophon’s *Lacedaimoniōn Politeia* (2006: 27).

²⁶ 2006: 37.

²⁷ Myles Burnyeat thus does not go far enough in his discussion of this passage (1992: 183-184) when he suggests that the analogy with dogs forces us to adopt an extra-species point of view. That is true, but the perspective is even more abstract than that. It is the perspective of the society as a whole from which the activities of individual members or groups can best be seen in instrumental terms.

Lac. Pol. 1.4-9), in Callipolis women's roles, like men's, are determined by some further objective.²⁸

Just as the earlier texts do, Socrates' appropriation of their methods helps respond to Glaucon's commitment to *physis*. The description of all the elements of training required suggest that something more than natural ability is needed in order to achieve what Glaucon says he and everyone else want. Socrates appeals to Glaucon with his repeated emphasis on the importance of the right nature for such training even as he moves them beyond thinking that a person's nature is sufficient.²⁹ Talk of instituted training also begins the work of moving them beyond focusing on individuals as either weak on their own or, once they give up hope of being individually stronger, subject to a stronger collective entity. Rather, they are helped to see how individual strength comes from being subject to something outside themselves. Furthermore, this strength consists of something other than giving orders to others.

There are, though, a number of important and illuminating differences from the *Lacedaimoniōn Politeiai*, even in the initial description of the guards' acculturation and education. To begin with, we should take note of the particular way in which the guard class is introduced. Only once the productive class has been described at length, do we find that we need guards as a complement to that productive class. They are necessary both because the acquisitive luxuriousness of the productive classes invites conflict with other cities and because that luxuriousness must be kept in check by the guards. The *Lacedaimoniōn Politeiai*, by contrast, seem to have been for the most part uninterested in the helots and *perioikoi* at Sparta, focused as they were on the Spartiates and how they came to be as strong as they were.³⁰

The importance of the relation between the guard class and the productive class has striking repercussions: it first of all provides the need for a different kind of guard that is at once fierce and gentle. This paradoxical character requires a somewhat different focus on the elements of civic life from what we find in the *Lacedaimoniōn Politeiai*. While the *Lacedaimoniōn Politeiai* seem particularly concerned with physical education as a means of shaping a person's body and character, education in Callipolis pointedly begins with *mousikē* (above all poetry and music, though also dance) rather than *gymnastikē* (2, 367e), an emphasis which "is *not* Spartan or Cretan at all" (Schofield 2006: 40).³¹ And while physical training does receive some discussion, in the end it receives far less. It is primarily important not as a way of developing bodily strength but of "arousing spirit" (3, 410b-c), because, as Socrates says, "a good soul, by means of its own virtue, can make the body as good as possible" (3, 403d).

We can see a similar divergence in the perceived importance of furniture and other ordinary objects. While we find in both a concern with the appropriate design of the furniture (in a broad sense) of civic life, in the *Lacedaimoniōn Politeiai* the focus seems to

²⁸ The connection with Sparta is also reinforced in the immediate sequel where Socrates points out that, though it may seem strange to have women exercise alongside men, it also once seemed strange when Spartan men started to exercise naked, though nudity is now recognized to be better suited to exercise (452c-d).

²⁹ By this I do not mean to imply something quite as strong as Menn's (and others') claim that the brothers, and especially Glaucon, stand in for the reader or represent the *Republic's* intended audience. I would rather be inclined to say that readers are meant to learn from the response to Thrasymachus and the brothers even if they are not entirely sympathetic with them.

³⁰ Menn 2006: 27. The one exception, Critias' comment that people at Sparta were most enslaved and most free (DK 88B37), proves the rule.

³¹ This may be an overstatement: recall the description of the Spartan dance in Critias (DK 88B36), though the emphasis there is on the remarkable physical feat of moving one's feet in all sorts of motions while suspended in the air.

have been on the effectiveness of the culturally specific objects *per se*, that is to say for drinking in the right way at the symposium or in a salutary way on campaign. The design of clothing was to be “most pleasant and most useful” (DK 88B34) but not otherwise specified. In Callipolis, by contrast, the concern seems rather to be with eliminating gracelessness wherever one might find it. Socrates emphasizes that “we must keep craftsmen from embodying this bad, licentious, base, and graceless character, either in images of living things or in buildings or in any other product of their craft” (3, 400b).³² The concern in the *Lacedaimoniōn Politeiai* is more with the functionality of the objects of everyday life; the concern in Callipolis is with their style.

What should we make of this divergence, and how is it connected to responding to the initial challenges? To answer the question, we should recall that, as I argued in chapter one, a major point of discussing Spartan child production and child rearing in the *Lacedaimoniōn Politeiai* was to emphasize the value of activities performed without full awareness of their importance that one could only appreciate in hindsight. This was clearest in the efforts made to shape a person before his conception, but the same considerations applied to compelled activities through childhood and into adulthood, where the furniture of one’s life was ideally designed already.

Plato seems to have been distinctly aware of the power of this line of thinking and of its potential to be pushed further. Recall the noble lie that the guards need to come to believe (and which remains a part of even the philosophers’ self-understanding when they are subsequently introduced).³³ The first part of the lie involves convincing them that

all the ways we raised them and educated them these they suppose themselves to have undergone but as dreams; in truth, they were under the earth being formed and nourished, themselves, their weapons, and all the equipment fashioned for them. But when they were completed and the earth, since she is their mother, bore (*anēken*) them, it now belongs to them to take counsel and defend the land in which they live like a mother and nurse, if someone attacks her, and to be mindful of the other citizens as their brothers, born from the earth.³⁴

Part of the point of the story, as the immediate sequel makes clear, is that “all those in the city are brothers” (3, 415a). The eugenics program described in book five will be directed to making this element of the lie as close to a reality as possible. But the lie is clearly meant to do more than this. It is not just that all citizens are born from the earth and then undergo an education; rather, the whole of the previously described upbringing—the songs, the music, and the rest—is supposed to occur underground. Furthermore, not only their experience of their education but the furniture of it, “all their equipment,” is to be fashioned at this subterranean stage. The land is to be thought of as a mother to them, and their whole formation is to be considered a gestation process from which they emerge as adults. Insofar as the city has stipulated all these features of the citizens’ lives, the claim is somewhat more warranted than the similar one in the *Crito*.³⁵ I’ll return to this point when considering the philosopher-kings and the argument that they must return to the city that raised them. For now, I want to focus on the telescoping feature of the lie, that all education should be understood as gestation. Making all education into something that

³² Translation partly based on Burnyeat 1999: 219.

³³ Malcolm Schofield (2007a) helpfully emphasizes both the special importance of the noble lie for the guards—“first of all the rulers and soldiers” (3, 414d)—and how this importance implies that it will also be an element of the philosopher’s education.

³⁴ 3, 414d-e.

³⁵ See Harte 1999 for the purposeful implausibility of the Laws’ claims in the *Crito*.

happens before a person is born—a point emphasized not only by the talk of the earth in which the process takes place as a mother but also by the verb *aniēmi* (cp. S. *OT* 1405)—suggests that it was all no more in the person’s control than anything else to do with his or her conception.

We should also notice that the lie is not just offered to the readers as a way of understanding what has come before it but is meant to be told to and believed by the guards and the rest of the city. The *Lacedaimoniōn Politeiai* make the point regarding conception and education to people who have not gone through such a process, namely their audience. Socrates’ story, on the contrary, is to be believed by the guards themselves as a description of their own experience. He thus seems to suggest that something more is required than what the *Lacedaimoniōn Politeiai* claim. In order for the educational process, or at least this part of it, to be completely effective, it needs to be understood by the educated as maximally outside their control.

Noticing as much may help us appreciate further why Socrates puts music ahead of gymnastic. Part of the answer is surely the avowed reason quoted above that the trained soul can bring along the body but not the other way around. But additionally, we should notice that the effect of poetry and music, even more than that of gymnastic, occurs without the affected person’s conscious awareness. Even if one can’t at the time fully appreciate the effects of grueling gymnastic education so as to really want to be pursuing it, one can hardly fail to notice that one is oneself training to some end. With music and poetry, on the other hand, a person is affected at all and most effectively precisely because she changes over time (3, 395d) and little by little, unawares. As Socrates says,

Musical education (*trophē*) is most authoritative because rhythm and harmony penetrate most deeply into the soul and fix onto it most firmly...and because one requisitely educated (*trapheis*) in this area would most keenly perceive what is wanting or not finely made or is not fine by nature.³⁶

Music and mode work their way in and shape what we might call a person’s visceral responses and awareness of the world. A song or snatch of music catches you in a way you can’t quite explain, and it is precisely in that ‘can’t quite explain’ that its force lies. Similarly, the point of carefully designed craft goods is not just to better achieve some agreed-upon functional purpose; rather, the important thing is to ensure that the ways they affect people unnoticed are carefully calibrated. The focus on poetry and music thus helps us see, and the noble lie reminds us, that civic institutions can produce inclinations in a person that are themselves felt as being beyond her control precisely because the institutions operate beyond her control.

Thus it would be misleading to claim, as both Menn and Schofield sometimes seem to do, that whereas the *Lacedaimoniōn Politeiai* focus on the training of the body and thus valorize an inadequately cognitive form of virtue, in Callipolis, already the training of the guards includes a proto-philosophical education.³⁷ On the contrary, Socrates makes clear that in some ways the *Lacedaimoniōn Politeiai* rely excessively on intellectual training. In Xenophon, we saw that every feature of Spartan life, from the education of the Spartiates

³⁶ 3, 401d-e.

³⁷ Menn suggests that poetry presents a way of counteracting excessive fierceness and *pleonexia* of the Spartan kind by providing some further motivation in much the way philosophy will do later in the dialogue (2006: 36-37). The *Lacedaimoniōn Politeiai* did focus more on what we could call physical rather than cognitive activities (in keeping with the preoccupations of the proponents of *physis*). That shouldn’t, though, lead us to overlook the fact that Socrates places a great emphasis on the workings of what we might call cognitive processes but with particular concern for the ways they unconsciously or indirectly shape the person.

to the relation between the old and the young was the product of a law set down by Lycurgus. To take but one example, Xenophon claims that “because Lycurgus wanted to engender a strong sense of respect (*to aideisthai*) in the young, he commanded that they keep their hands in their cloaks in the streets, walk quietly, and look at no one but rather keep their eyes down”(3.4). Socrates, on the contrary, suggests that education is not only important to secure obedience to such laws but even that it makes them unnecessary. As he says, “When children begin playing well, they acquire restraint (*eunomian*) through their training in poetry and music (*mousikēs*). ... But it’s simple-minded (*euēthes*) to make laws about these things,” namely, “keeping quiet before one’s elders ... caring for one’s parents, and their hair-styles, clothes, and general physical comportment”(4, 425a-b).³⁸ Laws establish standards for those who can understand, but, as the *Lacedaimoniōn Politeiai* acknowledge, much of the way one is shaped happens already before one can understand. What is needed, then, in order to nurture proper comportment is not something that makes its way in by direct address, even by command, as laws would do, but something that insinuates itself little by little and all unawares.³⁹

In the allegory of the cave, we can see an extension of this line of thinking. Like the noble lie, the allegory concerns, at least in part, “our nature as it relates to education and the lack thereof”(7, 514a).⁴⁰ The most relevant part of this lesson for present purposes emerges from Socrates’ insistence that the chained people in the cave, who “have seen nothing of themselves and of each other save the shadows cast by the fire behind them,” are, “just like us”(7, 515a). The claim seems doubly puzzling: How do the shadows of objects behind them show the prisoners anything of themselves and each other? And how are they like us? In answer to the first question, Myles Burnyeat has pointed out that we should “Imagine people listening to Xenophanes’ poem or drinking from the Brygos painter’s cup. ... They think, ‘That’s us, that’s how we do or should behave; that’s how to drink together.’ ... It is the generic characterisations that matter to their conception of themselves and each other, not the actual details of each individual life. ... It is the culture from which we derive our ‘self-image’”(1999: 240-241). This is the sense in which “among the shadows the prisoners are looking at and listening to are their culture’s images of themselves and their companions”(240). As he further points out, in answer to the second question, “the Cave image shows the prisoners unaware that their values and ideas are uncritically absorbed from the surrounding culture. They are prisoners, as we all are to begin with, of their education and upbringing”(240). The chained people are being educated; their education just consists of absorbing the norms of their society, whether degenerate or truly admirable. Socrates and his interlocutors, as much as anyone else, are just like that. They too take on more or less entire, and more or less unreflectively, the values and norms of the society that is everywhere they look.⁴¹

Here, an additional similarity between the cave and the first part of the noble lie becomes important. As we saw above, the noble lie encourages the guards to imagine their whole education as occurring beneath the earth as a kind of extended gestation, completely out of their control. The cave likewise pictures a period of education as happening beneath

³⁸ Note also the comment at 4, 428c that “a city is surely not to be called wise because of its knowledge in making the best furniture.”

³⁹ Jacqueline Bordes adduces the discussion of law as opposed to personal rule in the *Statesman* in order to see this passage as an instance of Plato agreeing with Thrasymachus that laws should be subordinated to the ruling element (1982: 419-421). This may be true, but it does little to make sense of the thinking here.

⁴⁰ I say ‘in part’ because I follow Malcolm Schofield (2007b) in seeing a variety of lessons rather than an exact mapping onto the divided line or any other single pattern.

⁴¹ We should in the case of Socrates probably emphasize less rather than more. While Socrates confesses that he has been fond of Homer from his youth (10, 595b-c), he is throughout the *Republic* willing to turn his back on any number of common social attitudes.

the earth, apart from any recognizable world. And like fetuses, the chained people undergo their education completely within confines not of their own making. As Socrates suggests, that is the condition not just for the chained people, not just according to the fanciful claim made to the guards about their own experience, but for us too. The noble lie offers a preliminary way of seeing in the case of the guards what Socrates now suggests is true of people generally. It is not just an ideal upbringing that involves the working of powers as beyond a person's control as her parents' actions before her birth. All upbringing is like that. Only in the case of the noble lie can the guards see themselves eventually emerging from the earth in a way the people chained in the cave cannot. The cave shows us not just that traditional education is as much like gestation as that in Callipolis but that traditional education does not even allow those who have undergone it to leave the womb or to realize the constraints of their situation. An ideal version of some such acculturation, of the kind the guards are told they experience, may be all that most can hope for.

In elaborating ideas found in the *Lacedaimoniōn Politeiai*, Socrates also presses further in answering the brothers' (and Thrasymachus') challenge. Both, as we saw, focus above all on the individual person as a more or less successful autonomous whole, sometimes achieving his ends as part of a larger group and strong insofar as he is able to command others and not himself be subject to their commands or censure. Looking instead at how a person comes to be who she is through the workings of the world on her without her being aware of them presses on the notional autonomy of such a person.⁴² The emphasis on the range of such forces and what they communicate, the insinuation of values through style, further suggests that individual strength comes not just from being subject to something outside oneself but from taking on board the right kind of system of values and abiding by it. The brothers are made to see that values come not just as direct commands and that abiding by such values is not a sign of weakness but a source of strength. In order to achieve such strength a person has to see herself as more than a collection of present desires. A weaker person can only become stronger such that she could hedonistically indulge and behave immorally by giving up the desire for hedonistic indulgence and immoral ends.

For some, though, and the most important, there is potentially more. The cave is also a story of transcendence, beyond anything imagined in the noble lie. The 'education' of the chained people is in fact no education at all, rather a lack thereof. The other lesson of the cave comes from the man who breaks free and makes his way out of the cave. This figure of the philosopher-ruler is crucial to understanding the second important way Socrates' *politeia* responds to the challenges of the *politeia* tradition as articulated in books one and two.⁴³

IV. A Hierarchical *Politeia* Without Hierarchy

The description of the guardians' musical and physical upbringing and the way the noble lie and allegory of the cave help us see more clearly the unconscious elements of that upbringing provide part of the response to Glaucon's Thrasymachean challenge. In

⁴² I have switched the gender pronouns here and throughout the discussion of the guards and philosopher-rulers to capture some of how Socrates' eventual suggestion that men and women will receive the same kind of training must itself cut against the masculinist framework within which both Thrasymachus and the brothers implicitly operate.

⁴³ I will use 'philosopher-rulers' and 'philosophers' rather than the traditional 'philosopher-kings' so as to avoid any dynastic implications and the potentially jarring combination of 'philosopher-king' and feminine pronouns.

particular, the brothers are pushed to acknowledge alternate sources and kinds of individual power beyond giving commands to others. But the city, unlike the imagined city of the *Lacedaimoniōn Politeiai*, is not homogeneous. There remains the question of who rules over whom. And it also remains to be seen if those rulers can realize Thrasymachus' vision of people at the peak of the city who remain beholden to the city and its values but also transcend them.

To understand the answer to the rest of the challenge, in particular the focus on the power of ruling groups, we need to look at those who escape the cave, the philosopher-rulers, and more particularly their return to the cave. When Socrates demands that the philosophers return to the cave, he imagines speaking to them and explaining,

Those who come to be such as you are in other cities reasonably don't take part in such labors because they develop of themselves with the *politeia* in each city unwilling. ... But we produced (*egennēsamen*) you to be leaders (*hēgemonas*) and rulers (*basileas*) for yourselves and the rest of the city, as in a hive: you are better and more completely educated than the rest and more able to take part in both.⁴⁴

There are a number of striking features of this passage and its immediate context. They help us see how Socrates' *politeia* radically transforms the focus on the ruling element as the defining feature of a *politeia*, thus offering an alternative to the picture assumed by Thrasymachus, even as it also fulfills Thrasymachus' intimations of the importance of rulers being at once outside and a part of the society they rule.

To begin with, we should notice the claim that the founders of the city, who provide a voice for civic institutions, "produced," perhaps even "begat," the philosophers. The language explicitly recalls the intrigue of the noble lie discussed above, as does the talk of debts owed to parents immediately following the quoted passage. We are thus made to recall the extent to which the philosophers are not creations of their own making, a point also brought out by the contrast with philosophers in unwilling cities. In order for philosophers such as these to come to be, they need a city and *politeia* such as Callipolis. The claim is in keeping with Socrates' earlier claim that only in a *politeia* such as Callipolis can a philosopher truly flourish. As he says there, while in a city such as Athens a philosopher

rejoices if he somehow lives his life there free from injustice and unholy deeds and departs from it happy and in high spirits with good hope. ... He won't, though, accomplish the greatest things, unless he ends up in a fitting *politeia*. For in a fitting *politeia*, he will himself grow more and save the commons (*ta koina*) along with his private affairs.⁴⁵

It also fits with the repeated claim that in order to preserve the *politeia*, its system of education and acculturation must be carefully maintained (e.g., 7, 502d; 7, 540d).

The point of such education, from the city's perspective, is not just to produce such excellent individuals for their own sake but to produce them "to be leaders and rulers for [themselves] and for the city." That is to say their education prepares the philosophers for, among other things, a particular place in the city's hierarchy. Such emphasis on ruling and a place in the civic hierarchy recalls rather the focus found already in the Old Oligarch, more prominently in the Attic orators, and represented in Thrasymachus' statements.

⁴⁴ 7, 520b

⁴⁵ 6, 496e-497a

Discussing who ruled in these authors, especially the Attic orators and Thrasymachus, did not involve any mention of how the city contributed to the cultivation or education of those who ruled. We might say, then, that on its face the *politeia* of Callipolis seems to involve men and women undergoing an educative process, in the vein of the *Lacedaimoniōn Politeiai*, so that they may take up the role so important in the strand of thinking about *politeia* most prominent in Plato's own day. In Callipolis, we see these two strands of discourse about *politeia* combined.

The peculiar combination of the two strands of thinking also becomes apparent when we recognize that the philosophers are not just a product of the *politeia* but are themselves required for its very existence. As Socrates explains at the end of his description of the philosophers' education, echoing repeated earlier statements,

You agree, then, concerning the city and the *politeia*, that we have not spoken mere prayers, but though it will be difficult to bring them about, it will be possible, but not in any other way than has been mentioned already, whenever true philosophers, whether many or one, come to be rulers in the city.⁴⁶

The *politeia* both produces a certain kind of ruler and requires such a ruler for its existence (even if the number of such rulers is deemed to be beside the point; cp. 4, 445d; 8, 540d). Despite their importance, though, they are not the be all and end all of the *politeia*; they are at most a necessary condition for the more elaborate scheme that in turn produces people like them.

We can see their importance for the scheme as a whole in the description of the philosopher-rulers as *politeia* painters. As Socrates says, when they take over civic affairs,

They would take the city and the characters of human beings as a canvas. They would first scrub them clean, no easy task. ... And then after this they would sketch the outline of the *politeia*. ... So the person we were praising is such a painter of *politeiai*.⁴⁷

At one level, the expression captures the relation between the philosophers and the life of the city as producer and product. The specific image of painting the *politeia* should additionally remind us of the power of images to shape people's sense of themselves. It is also, perhaps we should say especially, through such means that the philosophers' ruling is carried out. This is one way they are rulers for themselves and others. Recall also that when the philosophers go back to the cave and become acclimated, they will be best able to descry the shadows and understand what they are shadows of so that "the city will be governed for you and us as a waking vision, not just a dream" (7, 520c).

Even if ruling for the philosophers means above all maintaining the cultural and educational system of Callipolis, they are also at the head of a hierarchical social structure. But just as the general training of the guards is meant to produce counterintuitive relations between the guards and the producers, so the philosophers' education means "those least eager to rule are the ones who will rule" (7, 520d). As John Ferrari has summed up the resulting situation,

In Callipolis, the typical relation between absolute rulers and their subjects in the ancient world is reversed. Its citizens willingly subject themselves to their rulers,

⁴⁶ 7, 540d. Cp. 5, 473d; 6, 499d; 6, 501e, etc.

⁴⁷ 6, 501a, c

whom they regard as saviours (463a-b), even though this cooperation is initially achieved by the expulsion of all but the children – which is to say, of all who are likely to prove unmalleable. In order for the philosopher-kings to be vaulted into power, on the other hand, we have seen that some ‘necessity’ is imagined to ‘happen upon them’, compelling them to take charge of a city ‘whether they like it or not’ (499b).⁴⁸

Ruling is at the center of how the *politeia* is supposed to be possible, but it is precisely the opposite of the kind of ruling assumed by understandings of *politeia* defined by ruling, represented in the dialogue above all in Thrasymachus’ statements. The rulers are subject to a kind of force while their subjects notionally remain free.

The position of the philosopher-rulers also amounts to an inversion of Thrasymachus’ (and Glaucon’s) picture of ruling in the emphasis it places on the power of groups. The philosophers are severally made supremely powerful through their education and the structure of the society. It thus doesn’t matter whether one or many of them rules or rule: their power does not come from that kind of group membership. The group makes them powerful in a different way. Their power is not something that they vicariously create through an agreement to create some collective entity. Rather, they each, from some pre-existing whole, acquire their power through the educative process. They can then rule, either one or many, in virtue of this power. But their activity of ruling consists not of giving commands but of looking out for precisely the system that produced them.⁴⁹

The contrast with Thrasymachus’ and Glaucon’s visions becomes clearer in the description of philosophers in other cities. Recall Socrates’ claim that “in other cities...philosophers develop of themselves with the *politeia* in each city unwilling” (7, 520b). The striking description of a *politeia* being “unwilling (*akousēs*)” seems to suggest first of all that the *politeia* is a person or a group of people. Those in power in the city—the *politeia* as the ruling group—do not want philosophers in the city. (Socrates’ trial before the sovereign people of Athens surely comes to mind.)

The implication is that other *politeiai* besides that of Callipolis would be effectively described just by reference to the groups that ruled in them, if they could be described in any unified way at all. We see this borne out in Socrates’ description of other *politeiai* in book eight. There, he suggests that there are four primary alternatives, even while acknowledging the existence of others that could be understood on the basis of these four (8, 544a-c, referring back to 4, 445c-d; 8, 544d). In each case, as Socrates says, the changes from one to another, that is to say their relation, can best be traced to “what holds the offices” (8, 545d). Take the first decadent city, timocracy. It lacks a description in terms of the number of rulers (compare 8, 545b with 8, 544c and 4, 445d). It is instead best understood as a mixture (8, 548c) or somewhere in the middle between the *politeia* of Callipolis and oligarchy (8, 547c-d). It is also “like the Laconian *politeia*” (8, 545a). Its likeness, though, consists not in the scheme of education and acculturation. That is precisely what breaks down in Callipolis in its descent into timocracy. Rather, it has just the hierarchy of Callipolis, just the rulers on top, without the tempering elements of the guards’ (or philosophers’) acculturation. Its structure is more elaborate after the fashion of Callipolis, and it values more than money, but it is no less a system of subordination, of rulers controlling their subordinates, than is oligarchy.

The importance of rulers in the decadent *politeiai* emerges yet more clearly in the description of oligarchy. With reference to that *politeia*, Socrates claims that “they set

⁴⁸ Ferrari 2005: 111.

⁴⁹ It is all the same whether there is one or there are many philosopher-rulers because looking out for the system of culture and education is not supposed to be prone to controversy for people who can see clearly.

down a law and establish an amount of wealth as a definition (*horon*) of the oligarchic *politeia*"(8, 551a). Without putting too much weight on the kind of definition at issue, the comment seems to reiterate the earlier description of oligarchy as "a *politeia* based on money in which the rich rule and the poor man has no share of ruling"(8, 550c). But the word translated as "definition" might also be understood here as a "boundary." In fact, the ambiguity nicely captures the character of oligarchy: the definition of the *politeia* just is the determination of the boundary of the group that rules, because all there is to the oligarchic *politeia* at bottom is ruling by a certain group.⁵⁰

Something similar though more stark likewise emerges in the description of tyranny. As Socrates says, when he moves on to considering the final, "finest *politeia* and finest man," these are "tyranny and the tyrant"(8, 562a). The phrase is striking because the tyrannical man (*ho tyrannikos anēr*; 9, 571a) is not necessarily a tyrant. Socrates says that he is worst off when he is in fact a tyrant (9, 579c-d), but that is just to say that he could be, and be better off, in any other position in any other *politeia*. The pair emphasizes, then, that "tyranny" is at heart just the tyrant himself. There is not even the value that binds the group of oligarchs together. The tyrant supposes he has no need even for the justice required by the band of thieves.

Democracy is somewhat different from the other three degenerate *politeiai* in lacking any coherent ruling group. As Socrates says, in democracy "there is an equal share of the *politeia* and of offices"(8, 557a). There is no boundary of the ruling group. The *politeia* contains "all manner of people"(8, 557c), and "many-colored and without any rule (*anarchos*), it gives some equality to equal and unequal alike"(8, 558c). People are subject to the authority of the masses, but to little effect; there is no fear even of punishment (8, 558a). Lacking the coherence that might be provided by its ruling group, democracy is itself not so much a *politeia* as a place where many *politeiai* can be found. It is, in Socrates' particularly striking phrase, "like a bazaar (*pantopōlion*) of *politeiai* from which one can choose and settle one's life (*katoikizein*) accordingly"(8, 557d).

In these degenerate *politeiai* defined primarily by those who hold power, we are meant to see the limits of their supposed power. There is nothing more to it than holding on to the ability to give commands and get them obeyed. There is nothing more to the city than such a precarious group and what little unpredictable structure comes with its ascendancy. A given group issuing commands, if it has any internal coherence at all, is constantly at risk of being supplanted unless it can make and keep its subordinates weak. It has no resource available to secure itself beyond issuing more commands. The degenerate *politeiai* thus offer an unappealing picture of the group power by which Thrasymachus and the brothers were entranced. The picture is to be juxtaposed with the grander, more elaborate, and more stable vision of the philosopher-rulers and the society that created them and which they oversee.

The rulers in Callipolis, that "good and correct *politeia*"(449a), are supposed to be different, both less all-important to the functioning of civic life and less directed to it, because their education makes philosophers a different kind of thing. As we will see, they will provide a different way of realizing what Thrasymachus can't, being of the city but also seeing beyond it. Unlike the guards, who remain at some level unaware, the philosopher-rulers recognize the importance of the structure of Callipolis. Socrates' response to Glaucon's concern about the philosophers' happiness—"It's not the concern of

⁵⁰ Malcolm Schofield is right to say that Socrates focuses "on lifestyle and patterns of personal and social motivation in the treatment of oligarchy and democracy ... rather than on analysis of their constitutional framework"(2006: 34), but we should note that it is above all the lifestyle of the rulers that is relevant. Socrates expands the typical concern with those at the top of the hierarchy who dominate others even while acknowledging that in the decadent *politeiai* the concern is descriptively appropriate.

the law that one element in the city do exceptionally well but that the whole city fare thus”(7, 519e)—is an argument the philosophers could appreciate. They have been outside the city and can see the city as a whole, their place in it, and its place in their current abilities and continued existence. They can be made to recognize the prerogatives of the whole because they can see from its perspective.

This is so in large part because of the last part of their education. Without getting mired in the exact details of what might be involved in “dialectic,” we can note its promise: unlike “all the other crafts that are directed at human opinions and desires...and the rest...geometry and those that follow it...that are just dreaming as to how things really are”(7, 533b), “dialectic alone proceeds by removing assumptions to the principle itself”(7, 533c). Dialectic alone provides the philosophers with a way of getting beyond the assumptions of their (or any) society. Nonetheless, the fact that the society provided them with such training and allows them to continue in its practice means they must remain within that society. They can’t live outside society and can’t live as fully in any other society. Their education puts them in precisely the position Thrasymachus seemed to imagine for proper rulers, both inside and outside the *politeia*. It makes them able to understand something more than the values of their society even as it encourages them to rule in that society, presumably on the basis of those external values. They have an absolute, external standard but they access it on the basis of ability developed and maintained in virtue of the civic structure which they in turn watch over.

The peculiar position of the philosopher-rulers is neatly captured in the striking description of individual ethical life at the end of book nine and in book ten. There, in order to describe the manner in which a good person should look after her psychic and moral well-being, Socrates speaks of the importance of people taking care of the *politeia* within themselves. As he says when first introducing the striking phrase, “We don’t allow children to be free until they establish in themselves a *politeia* like that in the city”(9, 590e). And as he reiterates, “Anyone with sense will look to the *politeia* inside him and guard it lest it be disturbed”(9, 591e). The main source of disturbance would be the wrong kind of poetry, slipping in unawares (10, 605b; cp. 10, 608b). The idea comes naturally enough from the comparison of city and soul. But the talk of a *politeia* within a person, and a person who has established a proper *politeia* within herself and tries to preserve it, goes beyond the analogy. The analogy in the decadent cases imagines the person as the city but not as some agent over and against the working of the parts. The person who can establish a desirable arrangement of psychic parts and stand outside that arrangement, even as that arrangement makes her who she is, is properly speaking a philosopher. This is true in the first instance because of the arrangement of her soul and the ascendancy of reason within it. But it is also true in that the arrangement makes such a person able to take some distance from herself and look out for herself just as the *politeia* in Callipolis makes the philosopher able to take some distance from the city and so look out for it as a whole. The *politeia* inside the philosopher, the person with sense to the fullest extent, is both the product of the *politeia* in the city and the thing that allows the philosopher to take on the role of painting that *politeia*.

The philosopher-ruler is not just the pinnacle of the *politeia* of Callipolis; she is also the pinnacle of the response to Thrasymachus and the brothers. She is individually strong in virtue of her relation to some collective, not as a member who has agreed to its dominance but as someone who has been subject to its whole culture and system of education. She is empowered by the group of which she becomes a part by internalizing its arrangement. Her strength consists not just in issuing commands but in being able to have some object and system of understanding beyond just civic life itself. In this, she realizes Thrasymachus’ vision of maintaining a connection to values around her—being

esteemed—and having some external standard and independence from that esteem. The philosopher-ruler gets access to that external standard because of her commitment to the values around her. Furthermore, her strength is not achieved by making others weak but rather requires her to look to the educative structure of the city so that others in the city might be as strong as possible, the best version of themselves they could hope to be.

V. Isocrates' *Politeia*

In the writings of at least one of Plato's contemporaries, we find a negative trace of the *Republic's* vision of the proper arrangement and necessary components of a good society. Isocrates, in two speeches written in the last decades of his life, seems to be writing precisely in response to the claims about a good *politeia* and the language for making those claims that we find in the *Republic*. Unlike the forensic speeches by Isocrates discussed in the previous chapter, here we have not so much ideas written for clients to please a popular audience but something more like pamphlets meant to show off the author's own ideas.

Isocrates' *Areopagiticus* sets out to explain the need for a reform of the Athenian *politeia*. Only such a reform, and not any improvement of material resources, will be necessary to save the city. As he says,

We all know that success doesn't come from or remain with those who have surrounded themselves with the greatest and finest walls, nor again those who have gathered together with the most people in a single place, but those who settle things in their own city in the best and most moderate manner.⁵¹

The claim is justified by suggesting that

the soul of the city is nothing other than the *politeia*, which has as much power as does practical wisdom (*phronesis*) in the body. It is this that deliberates (*bouleuomenē*) about all things; it protects good things and wards off misfortunes. It is necessary for the laws and customs (*nomous*), public speakers, and private individuals to liken themselves to it.⁵²

The talk of the *politeia* as the soul of the city pointedly recalls the *Republic's* analogy of city and soul. But how exactly it engages with the arguments associated with the analogy depends on Isocrates' conception of the soul. When Aristotle makes similar statements about the relation of *politeia* and *polis*, he means that the *politeia* is something like the form of the city, just as, for him, the soul is of the body.⁵³ This would not seem to be what Isocrates has in mind. He does consistently pair soul and body as opposed terms. So, for example, in the *To Demonicus*, he claims that Demonicus' father "trained his body with toils and with his soul withstood dangers" (1.9) and explains that, more generally, "Bodies are by nature developed (*auxesthai*) by measured toils, while the soul is by nature developed by serious words (*logois*)" (1.12). In the *Panegyricus*, he praises the Spartans at Thermopylae, who "conquered with their spirits though they fell short with their bodies" (4.92). The opposition does not, though, seem to be one of kind. As he says in the

⁵¹ Isoc. 7.13

⁵² Isoc. 7.14

⁵³ For the flexibility of the metaphor in more recent times, compare the statement of the character Cervantes in *The Man of La Mancha*: "A knight without a lady is like a body without a soul."

Archidamus, “It is finer to exchange immortal fame for a mortal body and to purchase such good reputation which will abide with our descendants for all time at the price of a soul which we won’t have within a few years” (6.109). Both soul and body are mortal. Similarly, in the *On Peace*, he claims that, “One could show that many enjoy both those foods and habits that harm both body and soul and consider those laborious and burdensome from which both these would benefit” (8.109). Both soul and body are affected by food and habits.

They seem, then, to be conceived as the same kind of thing, just with different qualities or roles to play. As he says in the *Antidosis*, “our souls are better by nature than our bodies” (15.210), or, “the soul is more excellent (*spoudaioteran*) than the body” (15.250). The implication of the relative quality is made clearer when, earlier in the speech, he explains, “It is agreed that our nature is a combination of body and soul, and no one would deny that of these two the soul is, by nature, more masterful (*hēgemonikōteran*) and worth more. It belongs to the soul to take counsel about matters private and public (*koinōn*), while it belongs to the body to be servant to the decisions made by the soul” (15.180). The soul is not just more masterful and charged with taking counsel and making decisions. It is the master of the body. A fragment preserved in a Byzantine anthology makes the point even clearer: “If you have a fine body and a bad soul, you have a fine ship and a bad pilot” (fr. 37 Brémond-Mathieu). The suggestion that the *politeia* is the soul of the city suggests that it is the thing that steers the city. It is not so much the form of the city as the group at its head.

The remainder of the description provides further insight into the role these leaders play. They have, he says, “as much power in the city as *phronēsis* in a person’s body.” We can get some sense of what this might mean from another passage in the *Antidosis*. There, Isocrates explains, “I consider those men wise who are able by means of opinions (*tais doxais*) to hit upon what is best for the most part, and I call those philosophers who occupy themselves with the activities from which they will acquire most quickly that kind of practical wisdom (*phronēsis*)” (15.271). *Phronēsis* is the power to hit upon what is best on the basis of existing opinions. This is the power Isocrates would ascribe to philosophers. It is this power that the *politeia* exercises. As he says, it counsels about all things, seeks what is good, and wards off the bad. That it does so on the basis of what seems best, as the evocation of *phronēsis* suggests, recalls the standard description of decisions in Greek city states (*edoxe tōi dēmōi* or *tēi boulēi* or *tēi polei*). Here again we find confirmation that the *politeia*, which deliberates and protects, is to be understood just as the rulers of the city.

What should we make of the claims, though, that the laws and customs, public speakers, and private individuals liken themselves to the *politeia*, where that means the ruling group? In order to understand that claim, we need to read a little further to Isocrates’ description of the glory days of Solon and Cleisthenes:

Solon and Cleisthenes did not govern the city and establish a *politeia* ... that educated (*epaideue*) the citizens so that they would consider lack of restraint (*akolasian*) to be democracy, lawlessness (*paranomia*) freedom, saying anything (*parrhēsan*) legal equality, opportunity to do anything happiness, but that by hating and checking such people made all the citizens better and more moderate.⁵⁴

This passage suggests that the *politeia* makes everything in the city, from customs to customs clerks, like itself. It, or perhaps we should say they, do so by making sure the values held or instantiated in the city are their own. They ensure as much by punishing

⁵⁴ Isoc. 7.20

people who act otherwise. Their governance additionally consists of “choosing the best and most capable for each task” on the assumption that “the others would become like those who were overseeing affairs”(22). They lead by example and select others to do the same (cp. 28). It is the example of individuals to other individuals.

Here we can notice an initial difference from the *Republic*. John Ferrari (2005: esp. 87-90) has pointed out that Isocrates’ vision of subjects imitating their rulers, especially in the Cyprian orations, marks a point of divergence from the ideas we find in the *Republic*.⁵⁵ As he shows, Socrates never goes from talk of the soul to talk of the city as part of his effort to deny the value of ruling for those in control of themselves. This stands in sharp contrast to Isocrates’ suggestion, especially in the *To Nicocles*, that ruling and providing an example for one’s subjects are in fact the height of human accomplishment.⁵⁶ The vision of the *politeia* to be imitated as just the rulers indicates the different aspirations Isocrates thinks appropriate for individuals.

The conception of the *politeia* as the ruling group also has implications for what Isocrates imagines the working of political structures to be. In brief, the only promise he can imagine is that some group be the *politeia*, not that they be helped to have a good *politeia* inside themselves as a result of the political structure. Rulers may shape their subjects through punishing bad examples and by good personal example, but they themselves are not shaped by the *politeia*. They are the *politeia*. The Areopagus sets out to instill proper habits (*epitēdeumatōn*) (40) not by laws or by insinuation of the broader culture but by their example.⁵⁷ We can see additional confirmation of this in Isocrates’ description of *phronēsis*. It is hitting upon what is best “by means of existing opinions.” The basis for action or decision is just what one happens to believe antecedently.⁵⁸

Isocrates’ emphasis on ruling on the basis of existing ideas fits comfortably with his more general educational program. Because of his focus on oratory and speech as the heart of what one needs to excel, he is happy to take his pupils as they are rather than suggesting they would need to be remade entire. We can see as much in the way he values qualities about which others might be at least ambivalent.⁵⁹ Being *deinos* is without question of value in itself (15.117). *Pleonexia* can be good: taking advantage of others is a sign that one is excelling (15.275-6). It also encourages a person to seek more zealously to persuade his fellow citizens and to cultivate a good reputation (278ff.).

More particularly, identifying the *politeia* as rulers with antecedent abilities helps Isocrates make his proposals for political change more palatable to a mass audience or to those concerned with the opinions of the populace at large. We can see this concern in Isocrates’ description of the selection of officials under the Solonian and Cleisthenic system. As he says, ruling consisted, in part, of choosing those “most suitable to each of the tasks”(22). The most suitable were not chosen for ‘offices’ but for ‘tasks’. The elected didn’t receive power so much as an assignment. Electing people who were “fondest of the existing *politeia*” allowed for the certain choice of those who support the *dēmos* (23). Such

⁵⁵ He suggests (104), though, that in the *Areopagiticus* Isocrates may be taking a page from Plato’s book in trying to see how the *politeia* in some more abstract sense is an object for emulation. My suggestion is that, on the contrary, Isocrates is here offering an expanded version of the idea Ferrari identifies in the *To Nicocles*, not a departure from it.

⁵⁶ Compare also David Depew’s discussion (2004) of the importance of the contemplative life as an ideal in Aristotle as opposed to Isocrates.

⁵⁷ The Platonic sounding phrase at 40 (ὁμοίους τοῖς ἡθεσιν) thus has a narrower scope than it would in either the *Republic* or in the *Lacedaimoniōn Politeiai*, confined as it is to the behavior of particular people rather than the grace that comes from cups or couches. The mode of assigning the young to classes based on wealth (*bios*) rather than ability (44-45) is also striking.

⁵⁸ On this element of Isocrates’ understanding of *phronesis*, see further Poulakos 2004.

⁵⁹ See Depew 2004: 172-3, 180-1.

people were its “servants (*oiketas*)” (26). If they failed, they would be subject to punishment (27). In all this, the implication seems to be that the people were really the ones in charge. They praised or punished; they seemed to be the *politeia*, even as others exercised the prerogatives of ruling.

The ambiguity is even more pointed in the conclusion of his description of the Solonian and Cleisthenic system. There, he suggests that “the *syntagma* of the *politeia*” (28) is captured in the relation between the people and its leaders. The word *syntagma* suggests that the *politeia* involves a combination of elements, the people and the rulers.⁶⁰ Conceiving of the *politeia* as the rulers and then slipping from talk of the *politeia*, the soul of the city, deliberating and acting to talking about the power that comes with choosing who deliberates and acts allows Isocrates to avoid admitting the implications of the proposal to return to the old days. He can simply say that such a combination was the foundation for all the good behavior he enumerates (29-36, etc.).⁶¹ It becomes clear, though, that this really means the reign of the Areopagus, the *politeia* that “took care of all matters” (55). They are the “stricter,” more narrowly defined *politeia* (57). So, at the end of the speech (79-80), the attitude towards the old *politeia* is revealed to be the attitude towards those who used to hold power.

The rhetorical benefits of treating the *politeia* as the city’s rulers emerges even more clearly in Isocrates’ final epideictic speech, the *Panathenaicus*. In that speech, when he turns to talk of the Athenian *politeia*, he pointedly avoids mention of any element that might call for comparison with what was special or esteemed about the Spartan *politeia* (111-112). This means that in his extended account he focuses narrowly on the *politeia* defined in terms of who rules. The description begins with a contrast between the *politeia* of old at Athens and that of the present day. He comes to explain that the principal difference can be seen more clearly in the founding act in which the *plēthos* received the city from Theseus and “established a democracy not governed according to chance and considering lack of restraint to be freedom and the opportunity to do whatever one wants happiness, but ... one making use of aristocracy (*aristokratia*)” (5.131). The establishment of values generally recalls the passage in the *Areopagiticus* discussed above, but more striking is the description of “a democracy that makes use of aristocracy.” In order to resolve the seeming contradiction of the description, he goes on to explain

Many count aristocracy, since it is the most useful, like that on the basis of wealth, among *politeiai*. ... I claim that there are only three forms (*ideas*) of *politeiai*: oligarchy, democracy, and monarchy. However many people, living in these, are accustomed to put in office and in charge of other actions the most suitable and those likely to oversee things best and most justly. Those are the ones who will govern well in every *politeia*, both for themselves and others.⁶²

⁶⁰ *Pace LSJ* which bases its understanding of this passage and the parallel in the *Panathenaicus* on later uses in Polybius and Diodorus Siculus.

⁶¹ In the *Republic*, the *politeia* is the cause of this good conduct, but the *politeia* means something rather more expansive. In both cases, the *politeia* works in many respects by imitation, but the range of objects and method by which imitation works is far more limited for Isocrates. John Poulakos is right to say, “Both [Plato and Isocrates] endeavored to influence political leaders to see their respective visions of a new world—Plato, a world ruled by uncompromised intelligence; Isocrates, a world guided by practical wisdom” (Poulakos 1995: 115), but he somewhat understates the difference by failing to appreciate how different were the means each thought required or appropriate.

⁶² Isoc. 12.131-132

The initial statement seems a pointed glance at the *Republic*. It casts aspersions on the special status of Callipolis the aristocracy and the idea that oligarchy is determined especially by wealth rather than just the number of people allowed to vote. Even the phrase “forms of *politeiai*” recalls Socrates’ terminology at the beginning of book eight (544a, c). The sneer, though, is just part of the larger claim that the only important feature of a good *politeia* is that the “most suitable” are selected to hold power. Whether one, few, or many select those people can be relevant in name, since the electors are the only other relevant element of the *politeia*. The second claim is important for his insistence that in praising the *politeia* of old, he is really talking about democracy.⁶³ The first claim makes clearer the importance he assigns to who rules, an importance at least relatively hidden in the *Areopagiticus*. Here, he reveals that the names of the different kinds of *politeiai* and the intrigue of who selects the rulers are just window dressing for what he thinks most important for determining the *politeia*, and they are all the window dressing there is. As he says in sum, “this is the nature and power of *politeiai*” (134). One can alternately look at who ‘rules’—the one, few, or many who elect—or who rules—the most suitable or some inferior types.⁶⁴

He makes the point all the clearer by giving the kings who ruled before Theseus the credit for the good government that arose afterwards. As he says, the kings “educated the *plēthos* in virtue and justice and much moderation, and demonstrated through their ruling (*di’ hōn diōikoun*) ... that every *politeia* is the soul of the city, having as much power as does practical wisdom in the body” (138). The phrase is a pointed repetition of that in the *Areopagiticus*. It calls to mind the role of the *politeia* as soul in shaping the lives of those living with it. And here he makes clear that that *politeia* is the kings themselves. They were the *politeia* before the change (cp. 139); they, by their example and commands, prepared the *plēthos* to select good rulers who were just like kings, wherever those rulers might come from (139, cp. 143). Popular involvement may seem to imply that there was “a *syntagma* of the *politeia*” (151), an arrangement of parts, not just the rule of one group or individual by others. But in fact there was just the *politeia*, the rulers of the city.

We can see, then, how Isocrates attempts to vindicate the popular conception of *politeia* as the ruling group in contrast to the vision of a *politeia* described in the *Republic*. We can also see that he does so in keeping with his own pedagogical projects and in the service of his rhetorical aims.

VI. Conclusion

In this chapter, I have tried to show how two prominent figures in mid-fourth century Athens, Plato and Isocrates, understood and responded to the strands of thinking about *politeia* sketched in the preceding chapters and to each other. For Plato, this was done by considering how his *Politeia* related to these ideas. I first explained how the *Republic*’s initial challenge included both the ideas of the advocate of *physis*, which motivated earlier interest in describing the *politeia* of the Spartans, and a particular version of the contemporary tendency to understand a *politeia* as just a particular group ruling in a city or the fact of a particular group ruling in a city. I then showed how Socrates answers these challenges by describing a *politeia*. His description of that *politeia* extended an idea,

⁶³ Cp. the talk of the “truest democracy” (147). David Konstan (2004; 112ff.) offers a series of interesting suggestions as to why Isocrates may have felt the need to so insist on democracy in name.

⁶⁴ David Konstan is right to see the importance of rulers in Isocrates’ thinking about *politeiai* (2004: esp. 111-112, 122), but we should recognize just how slippery Isocrates is being by going back and forth between electors and elected.

found in the *Lacedaimoniōn Politeiai*, that truly powerful people must be shaped throughout their lives by forces beyond their control. I also suggested that this *politeia* provided an alternative to the popular picture of the importance of ruling. It did so by showing how a proper *politeia* shapes its rulers so that they may look beyond, may transcend that *politeia* even as they take on the task, as rulers, of rejuvenating it. For Isocrates, I focused on two of his later epideictic speeches, the *Areopagiticus* and the *Panathenaicus*, that reveal pointed engagement with the claims of Plato's *Republic*. In particular, I argued that we could see in those speeches an attempt at once to vindicate the popular emphasis on ruling and to use that emphasis in the service of a more pointedly elitist version of a proper *politeia*.

In the end, then, both Plato and Isocrates articulate visions of good *politeiai* that depend on stark hierarchies. Each also offers ways of seeing the hierarchies as less stark and as perhaps having none of the features someone might object to in a hierarchical political arrangement (domination, exploitation, and so on). In the conclusion of this dissertation, I will, alongside a recapitulation of the narrative provided in the preceding chapters and some of its implications, attempt to evaluate their success and how their claims and those described in the earlier chapters reflect the shifting aims of talking about *politeia*.

Conclusion

I. Reprise

In the introduction, I suggested that the history of *politeia* could be understood, from a sufficient altitude, as a series of attempts to specify what a city could or should do for those living in it. I also suggested that the answers to those questions were connected to the emphasis placed on variations on regimen and regime. By way of conclusion, I will attempt to recapitulate the history provided in the foregoing chapters in terms of answers to those questions and then consider how that history might inform our understanding of classical Greek politics and political thought.

In the first chapter, I focused on the *Lacedaimoniōn Politeiai*. These texts discussed, in elaborate detail, the imagined regimen of Sparta. Doing so involved describing all the elements of Spartan life that shaped individual Spartiates but were not themselves designed by the Spartiates so shaped. It was only through the working of such elements beyond their conscious control that the Spartiates could become as strong and generally excellent as they were supposed to be. The city's customs, practices, and traditions governed their lives from even before they were conceived through their childhood and adult lives, and they shaped the equipment that contributed to their excellence and success. Thus did civic life make the Spartiates who they were. The city teaches the man, as Simonides said, but that was only part of the story the *Lacedaimoniōn Politeiai* told. On their telling, only a set of norms external to the biological family and individual members of the city could and should make a person supremely strong and generally excellent. They could and should do so throughout that person's life and by means of his way of life.

In the second chapter, I considered two ways that Herodotus suggested we should be skeptical of the promises of the *Lacedaimoniōn Politeiai*. In the first instance, he indicated that they are too stringent in their demands. Taking the goals of the *Lacedaimoniōn Politeiai* as a starting point, one could imagine achieving them not only through a lifelong process of formation but through modifying one's habits and style of life even in adulthood and even outside of a total shift in civic customs. One might hope to be supremely strong and excellent, but one needn't rely on one's own city, in just the way that the *Lacedaimoniōn Politeiai* suggested, to achieve that goal. Furthermore, as his stories of the Spartan kings made clear, achieving superlative strength or excellence within a civic structure that promises such excellence to all its members might be a risky proposition. Each and every member of a city can't hope to be superlative. Only a collective consisting of such individuals could plausibly achieve such power. As the Constitutional Debate helped us see, only a collective entity at once unified and plural could promise such excellence, though not to the several members of the city directly.

In the third chapter, I claimed that the Old Oligarch, by inverting the expectations of the *Lacedaimoniōn Politeiai*, showed how civic life might not create power of the kind imagined by the *Lacedaimoniōn Politeiai* but might nonetheless reinforce the power a group already had. Civic life might not make people powerful, but it could provide them with a venue where and even a range of tools, the elements of a regimen, whereby they could consolidate their antecedently existing power, which they held as the regime of the city. Such power consisted in the first instance of being in charge, of getting more than others. Pericles' Funeral Oration, by contrast, described a city that allowed a person to become a better version of himself, not merely dominant over his fellow citizens. His Athens did so not by shaping its members and their way of life but as an object of affection that would direct their eyes upward. In that speech, as in the Old Oligarch but unlike the

Lacedaimoniōn Politeiai, civic life functioned as a means consciously employed to achieve a given end. In book eight, by contrast, Thucydides showed the ascendancy of narrower ambitions for civic life. The characters there took the city as providing at most a position of power that one group or another might seize to the exclusion of others. The power they might lay hold of would just consist of commanding others in the city. The regime was all. Such an exclusive focus on commanding authority matched ideas in Athenian oratory from the same period.

In chapter four, I argued that Aristophanes provided a humorous critique of this more narrow vision of the city conferring power by providing a position from which one group could dominate others. In particular, three plays roughly contemporary with the *Old Oligarch* suggested that the appeal of one group dominating others was really just that a member of the group could imagine himself doing all the dominating. These plays showed a variety of dynamics by means of which such an appeal could operate—through each member having the experience of himself dominating, through identification with the collective, or, most absurdly, through supposing that one could oneself take on the roles and attributes of the collective entity. Such a comic send-up suggests that civic life could at most offer those partaking in it the appealing fantasy that they were more powerful than they really were, even though it couldn't really make them so.

In chapter five, I argued that the focus on who holds authority within the city, on its regime, became dominant in some visible strands of fourth-century popular ideology at Athens and, to the extent that we can see it, in other parts of the Greek world. Moreover, the position and the power that came with it were closely identified with the particular group holding that power. It was not just that civic life could or should provide people a position from which to dominate others. To this way of thinking, there was, at heart, nothing more to civic life than the groups striving to dominate each other. Any action, in official capacity or otherwise, could be understood in terms of its effects on those groups, at any moment actually or potentially the city's regime. Alongside the focus on groups in power, almost, we might say, apart from any further civic life, I suggested that we could also see in this period throughout the Greek world, the tendency to honor outsiders with a special place in the city on account of their good deeds for the city or some group—such as the *dēmos*—within it. Such honors acknowledged that, at least in the specific instances, the person had his abilities apart from any element of that city's structure or way of life and that the most a city could try to do was claim those abilities for itself and thereby encourage other independently outstanding individuals to come to its aid.

In chapter six, I first of all considered how Plato's *Republic* responded to these earlier traditions. I suggested that Plato took them to be dangerously inadequate visions of collective life that were little more than or were poised at the point of no form of collective life at all. Because they promised people no more than bestial self-seeking they could expect to be undone by such rapacious selfishness. In order to answer what he considered the challenge of these inadequate civic arrangements, he proposed an alternative. That alternative promised a regimen that would shape each individual throughout her life and the civic world all around her in ways that she could not otherwise achieve so as to make her maximally capable. It also demanded that those individuals most developed by civic life take the lead, take on the role of the city's regime, in furthering the existence of the society that made them and allowed them to continue to be what they were. The *Republic* imagined that the careful design of Callipolis would make all those who grew up in it all they would hope to be. It could only do so over time through the care for the city's way of life by those most developed on account of that way of life. Only if civic life was all that could it claim to be any sort of civic life at all or hope to last for long. By contrast, I suggested, Isocrates claimed a person didn't need a structure such as a city working on him

throughout his life and all around him to develop his abilities. All he needed was the sort of technical training Isocrates promised to provide. For Isocrates, the city, as on the popular picture, at most provided a venue in which to exercise his talents, an audience to persuade.

II. Politeia and Classical Greek Political Thought

There is a pervasive tendency in thinking about ancient politics and political thought to see the central question, then as now, as the relation between state and citizen, public and private, collective and individual, and so on. Both terms of the opposition are taken as basic, and it just remains to say which is to be dominant at the expense of the other.

The pattern is strikingly clear in an influential essay by Benjamin Constant. Some two centuries ago, Constant compared ancient and modern attitudes to political life in terms that have remained prominent in descriptions of ancient politics and political thought ever since.¹ He suggested that there were two basic kinds of liberty, that of the ancients and that of the moderns. The liberty of the ancients consists of collectively and directly exercising sovereignty. Such liberty is compatible with the subjection of the individual to the community. The liberty of the moderns consists of being subject only to laws and not to the arbitrary will of one or more individuals. Individuals who are thus free have the right to express their opinion, choose their professions, dispose of their property, and so on as they please. As he says in comparing the two:

among the ancients the individual, almost always sovereign in public affairs, was a slave in all his private relations. As a citizen, he decided on peace and war; as a private individual, he was constrained, watched and repressed in all his movements; as a member of the collective body, he interrogated, dismissed, condemned, beggared, exiled, or sentenced to death his magistrates and superiors; as a subject of the collective body he could himself be deprived of his status, stripped of his privileges, banished, put to death, by the discretionary will of the whole to which he belonged. Among the moderns, on the contrary, the individual, independent in his private life, is, even in the freest of states, sovereign only in appearance. His sovereignty is restricted and almost always suspended. If, at fixed and rare intervals, in which he is again surrounded by precautions and obstacles, he exercises this sovereignty, it is always only to renounce it. ...

The ancients, as Condorcet says, had no notion of individual rights. Men were, so to speak, merely machines, whose gears and cog-wheels were regulated by the law. The same subjection characterized the golden centuries of the Roman republic; the individual was in some way lost in the nation, the citizen in the city.²

Constant drew the distinction to score a point against those elements of the Revolution who sought, as he claimed, to revive the liberty of the ancients, which had no place in the modern world. He was also concerned to praise representative government, which, though it was, as he claimed, unknown in the ancient world, was essential in modern societies. Apart from his specific projects, though, the terms of the antithesis reverberate through subsequent descriptions of ancient politics and political thought. We can see their

¹ The essay was originally delivered as a lecture in 1819 and published in 1820.

² 1988: 311-312.

importance from their prominence in a wide range of theorists and historians with a wide range of further commitments.

Writing some hundred years after Constant, and in seemingly quite different terms, Ernest Barker, in his classic *Greek Political Theory: Plato and His Predecessors*, conceives of ancient political thought (as of all political thought) in terms of the opposition between individual and State.³ As he says,

through all its mutations political theory has a fundamental unity. It is always occupied with the same problem—the problem of the relations of man to the State in which he lives. Even if Greek philosophy is a philosophy of the Greek and for the Greek, yet the Greek was a man, and his city was a State; and the theory of the Greek and his πόλις is, in all its essentials, a theory of man and the State—a theory which is always true. The setting may be old-fashioned: the stone itself remains the same.⁴

And like Constant, he speaks of “the ‘sacrifice’ of the individual to the State in Greek politics or in Greek theory” (1960: 2) and similarly claims that “in the political thought of Greece the notion of the individual is not prominent, and the conception of rights seems hardly to have been attained” (7).⁵ He furthermore suggests that the fundamental questions for Greek political thought were,

What was the nature of the distinction [between individuals and the State], and what was the character of the communion? Was there any opposition between the natural instincts of the individual and the constant claims of the State? Did the individual naturally regard as just something other than that which the State constantly enforced as such? If there was such a discrepancy, how had it arisen, and how had a community come to be formed which enforced a conception of justice different from that of the natural man?⁶

³ All citations are from the reprint (Barker 1960) of the 4th edition, published in 1951. The first edition, published in 1918, was itself the elaboration of a core of material first published in *The Political Thought of Plato and Aristotle* (Barker 1906).

⁴ Barker 1960: 15. Note, though, the claims of another mid-century history of political thought that adopts the focus on the State as a constant but recognizes that the opposition of individual and State does not accurately represent ancient thinking: “The constantly recurring questions were ‘What is the best kind of State, the best size and place? What kind of government or constitution is the best? Who are to have control and how many of them should there be? Who are to be citizens and what rules should be made for their conduct and for their admission to that body?’ The antitheses of rulers and ruled, οἱ ἄρχοντες and οἱ ἀρχόμενοι, and of the Few and the Many meet us constantly, not our familiar antithesis of State and Individual. This would have been tantamount to opposing the πόλις and the πολίτης, which would be slightly absurd, as if one were to make an antithesis of the hen and the egg” (Sinclair 1952: 6).

⁵ I do not mean to say, of course, that Barker’s description of the character of ancient politics and political thought is just the same as Constant’s. Barker’s analysis is essentially neo-Hegelian which, among other things, means that he complains not just that the individual was sacrificed to the State but also that “The real danger of the Greek world was less that the State should stifle society, than that the State should be corrupted by sinister social interests. ... Limited in its area, the πόλις could not develop a remote and majestic government, above the play of social motives.... Society must be one with the State, because there was no room for differentiation” (1960: 12). Compare Constant’s claim that “The danger of ancient liberty was that men, exclusively concerned with securing their share of social power, might attach too little value to individual rights and enjoyments” (1998: 326). Likewise, the problem for Barker is not how to balance the interests of the individual and the State but how to overcome the antithesis.

⁶ Barker 1960: 2-3.

In answering these questions, Greek political thought, especially in Plato and Aristotle, takes

The individual and the State [to be] so much one in their moral purpose, that the State was expected and was able to exercise an amount of influence which seems to us strange. ... [T]he positive furtherance of goodness is regarded as the mission of the State. [Plato and Aristotle] start from the whole, and look for the means by which its life and purpose may be impressed upon the individual.⁷

He can thus go on to claim that Plato's "*Republic* is, to some extent, a 'Laconising' pamphlet—a critique of Athens, and a laudation of Spartan logic, Spartan training, and Spartan subjugation of the individual to the State"(14).

An historian of political thought as different as Leo Strauss also takes the oppositions of collective and individual, public and private as essential to ancient political thought. As he says in the introduction to his *The City and Man*, "The theme of political philosophy is the City and Man. The City and Man is explicitly the theme of classical political philosophy"(1964: 1). For him, there is 'man'—the private individual—and there is 'city'—the collective, the public, the state. Each has a particular, given character, and the question is just how they are understood to interact or how they should interact.⁸ He particularly concerns himself with whether a given person should serve his own private good or the common good. As he says, in discussing Plato's *Republic*, "It is the tension within justice which gives rise to the question whether justice is good or bad—of whether the primary consideration is the common good or the individual's own good"(1964: 83-4).⁹ For him, the insoluble conflict between the two forms the motivating challenge for the *Republic*: "The view which Glaucon maintains in common with Thrasymachus implies that there is an insoluble conflict between the good of the individual and the common good"(88). When he claims that Plato is trying to show that the conflict cannot be

⁷ Barker 1960: 7.

⁸ Cp. his statement in the introduction to his *History of Political Philosophy*: "One cannot understand the nature of man if one does not understand the nature of human society"(Strauss and Cropsey 1987: 5).

⁹ Because of his elitism, Strauss is particularly concerned with the political activity or abstinence from politics of two figures he calls "the gentleman" and "the philosopher." As he says, in discussing Xenophon's *Hiero*, "Constitutional' authority ought to be given to the equitable men (*epieikeis*), i.e., to gentlemen—preferably an urban patriciate which derives its income from the cultivation of landed estates. It is true that it is at least partly a matter of accident—of the accident of birth—whether a given individual does or does not belong to the class of gentlemen and has thereby had an opportunity of being brought up in the proper manner. But in the absence of absolute rule of the wise on the one hand, and on the other hand of a degree of abundance which is possible only on the basis of unlimited technological progress with all its terrible hazards, the apparently just alternative to aristocracy open or disguised will be permanent revolution, i.e., permanent chaos in which life will be not only poor and short but brutish as well. It would not be difficult to show that the classical argument cannot be disposed of as easily as is now generally thought, and that liberal or constitutional democracy comes closer to what the classics demanded than any alternative that is viable in our age. In the last analysis, however, the classical argument derives its strength from the assumption that the wise do not desire to rule"(1988: 113).

The last statement becomes clearer later in the same volume in a discussion of his own peculiar writing style, which he also ascribed to his favored authors: "Philosophy or science, the highest activity of man, is the attempt to replace opinion about 'all things' by knowledge of 'all things'; but opinion is the element of society; philosophy or science is therefore the attempt to dissolve the element in which society breathes, and thus it endangers society. Hence philosophy or science must remain the preserve of a small minority, and philosophers or scientists must respect the opinions on which society rests. ... Philosophers or scientists who hold this view about the relation of philosophy or science and society are driven to employ a peculiar manner of writing which enables them to reveal what they regard as the truth to the few, without endangering the unqualified commitment of the many to the opinions on which society rests"(1988: 221-222).

resolved, the failure is put in terms of the natures of city and man, and the consequences for the relation between the two:

The *Republic* then indeed makes clear what justice is. As Cicero has observed, the *Republic* does not bring to light the best possible regime but rather the nature of political things—the nature of the city. Socrates makes clear in the *Republic* of what character the city would have to be in order to satisfy the highest need of man. By letting us see that the city constructed in accordance with this requirement is not possible, he lets us see the essential limits, the nature, of the city.¹⁰

Likewise among more recent scholars, there has been a tendency to understand ancient politics and political thought in Constant's terms. Both Mogens Hansen and Josh Ober have claimed that central elements of Constant's description of modern political structures and the value they place on individual rights in fact were true of the classical Greek world apart from Sparta or at least of Athens. Hansen argues forcefully that the polis is best understood as being like a modern (even if not early modern) state (1998: 122-3). And he speaks of the importance of recognizing that "several of the prerogatives of the citizens concerned the protection of their property and their right to live as they pleased, and they are surprisingly similar to what we today describe as rights or liberties" (1998: 92).¹¹ While he denies that the ancient public/private distinction he identifies maps on to a contrast between the state and the individual, he claims that we should understand the classical Greek polis and its members on the analogy of the modern state and its citizens:

My conclusion is that the distinction, both in ideology and in practice, between state and society constitutes one of the similarities between the modern democratic state and the ancient democratic *polis*...

The most striking similarities between state and *polis*, however, are associated with the concept of citizenship. The modern concept of state is closely linked to the concept of citizen; and citizenship, as stated above, is the legally defined hereditary membership of an individual in a state whereby the citizen acquires political, social and economic rights which a non-citizen member of the community does not enjoy, or enjoys only partially.

Similarly, the concepts of citizen (*polites*) and citizenship (*politeia*) were the basic elements of the political systems in classical antiquity.¹²

Though Josh Ober vigorously disagrees with Hansen's general emphasis on institutions to the exclusion of ideology, he shares Hansen's inclination to find modern, liberal features in the ancient world, and in particular in ancient Athens. He claims that in classical Athens, and in Aristotle for that matter, we can find many of the central elements of a liberal society as described in John Rawls' *Theory of Justice*. As he says,

if we stay with the citizenship, the Athenian social contract at least roughly recapitulates the principles developed within Rawls' thought experiment. Moreover, in emphasizing dignity before honor, the Athenians do seem to have employed what could be described as a maximin principle of limiting risk under conditions of uncertainty.¹³

¹⁰ 1964: 138.

¹¹ He draws a distinction just with the modern concept of "human rights" (91-2).

¹² 1998: 122.

¹³ 1996: 185.

In an article that explicitly claims to refute Constant's description of the ancient world, he explains that "in ancient Athens something resembling modern liberal values did in fact emerge, for the first time in recorded human history, quite directly from the development and experience of the first recorded large-scale experiment with democratic political processes"(2005: 96).¹⁴

It may seem that this dissertation's narrative offers another variation on this pervasive theme. Asking what could and should a city do for those living in it may seem merely another way of asking the supposedly perennial question of how the state should relate to citizens, the public to the private, the collective to individuals, and so on. The central chapters have hopefully suggested, though, some ways ancient politics and political thought were at least not exclusively focused on the relationship of states that guarantee individual rights or fail to guarantee rights and so encroach on the individual's private realm. In particular, these chapters suggest a variety of ways that taking the State and otherwise autonomous individuals as basic and focusing on their relations misses a great deal about at least some of the questions that drive ancient thinking about politics and collective life more generally.

First of all, we should note that the terms of the antithesis themselves are not taken for granted in the texts considered here. The *Lacedaimoniōn Politeiai* try to draw attention to the ways individuals are the products of ongoing processes. A person may place certain values above others and thus seek to develop certain elements of himself by leaving others to the side. Experiences that a person didn't choose for himself may be just as constitutive of who he is as anything he chooses. Pericles' Funeral Oration likewise draws attention to the way even an adult is prone to be changed by the world around him. His attachments and surroundings are likely to affect his inclinations, his actions, and thus who he himself is. Plato's *Republic* pushes both thoughts further, picturing every person as to some degree multiple and inclined to greater or lesser unity depending on their social world and the choices they are inclined to make in virtue of their natural dispositions and upbringing. In each case, individuality and autonomy may be aspirations, though they are not always even that, but they are certainly not to be assumed.

Likewise, there is constant debate about how exactly the state or the collective should properly be understood. Is a collective best understood as a group of individuals or something else? Should we think about the guiding force in the city as some set of educational and cultural practices instituted long ago, as the *Lacedaimoniōn Politeiai* do, or as a specific group of individuals, as the characters in book eight of Thucydides seem to do? Should we think about the activity of government as issuing law-like commands, forbidding conduct disadvantageous to those issuing the commands, as the Attic orators and even more so Thrasymachus suggest, or as shaping the education or other elements of the way of life of subjects or of the whole city, as Socrates in the *Republic* does?

The disputes about these terms also extend to the relation between whatever the city or collective is taken to be and 'individuals'. If a person was as porous as the *Lacedaimoniōn Politeiai* or Plato's Socrates suggested, should we say that shaping him upbringing in a way he himself couldn't do amounts to subjection? Doing so might be described, in Rousseau's phrase, as forcing her to be free, anathema to Constant and, even more so, to influential twentieth-century restatements of his ideas (esp. Berlin 1969). But it

¹⁴ Ober, like Hansen, draws a distinction between ancient thinking and modern rights theorists. The latter speak of "inherent or universal human rights," while "The Athenians were, in this sense, 'rights pragmatists'"(2005: 96).

In his most recent work (2015), Ober continues this project by suggesting that in fact the ancient Greek world was also more like Constant's modern commercial society in its economic prosperity.

is hard to say how actions taken before a person's birth amount to 'forcing' him to do anything. The same reasoning, though less starkly, is presumably meant to apply to his education and the furniture of his adult life of which he may not be consciously aware. Each makes him who he is, which is to say who he is is not given. He is not to be understood as some true core material that is embroidered around the edges but as something that is created whole cloth through a process of which he cannot be entirely aware. And who should we say is doing the forcing or subjecting? In the fantasy of the *Lacedaimoniōn Politeiai*, is Lycurgus the master reaching down through the ages? Or is Pericles' transformative love of the city and its power a sign of subjection? Perhaps, but not in an obvious sense: the imagined relation may not be best understood in terms of who is master and who is subject. Some of the figures discussed in the foregoing chapters seem to have been inclined to view political relations in those terms: Aristophanes to humorous effect, Thucydides' Athenians c. 411 in all seriousness. But that may give us all the more reason to suppose that those who don't adopt such a framework are trying to imagine something different.

Finally, particularly the interest in the range of activities important to civic life, as described in the *Old Oligarch* or the *Republic*, suggest that talk of 'private' enjoyment or the encroachment or non-encroachment of the public on the private may be misleading.¹⁵ The symposium might have, in certain contexts, been understood as just a space apart, but it might also, as Socrates suggests, have been taken to be a venue for inculcating values in the most profound way, a venue for furthering socially important objectives of one kind or another. To insist that the choice was between public rather than private objectives would be to saw across bone rather than cutting at the joints.

In brief, then, as I suggested in the introduction, part of understanding the history of *politeia* is appreciating the ways people in fifth- and fourth-century Greece were neither asking our questions nor inclined to give our answers. As I have tried to show throughout the dissertation, in the fifth and fourth centuries, part of the point of talking about *politeia* was to expand one's sense of the range of political possibilities or contest that range. For us too, seeing a wider range of political possibilities or casting doubt on the merits of familiar possibilities may be the point of a *politeia*, or at least a point of a history of *politeia*.

¹⁵ See Geuss 2001 further on the ambiguities of the public as opposed to the private.

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Abbreviations

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Abbreviations for ancient texts are as in *LSJ*. Abbreviations of periodicals are according to *L'Année Philologique*.

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