First Democracy
The Challenge of an Ancient Idea
PAUL WOODRUFF

OXFORD UNIVERSITY PRESS
CHAPTER TWO

The Life and Death of Democracy

Democracy faces human limitations more honestly than any other ideal of government. It balances distrust against distrust, through complex machinery. And the distrust in democracy is massive, disturbing, and well deserved. The glory of democracy is that it brings distrust into the open and uses it to keep the state from veering too far one way or another. This glory has a price, however. Nothing in democracy looks pure when all is done, and no leader of a democracy is left looking like a pure hero. If you insist on purity, don’t look to democracy. But then, if you insist on purity, and you do not want to be deceived, you had better turn your eyes away from the human scene altogether.

Demosthenes, in 322

He knows the temple will not save him. His enemies will do whatever it takes to silence him. First they will try to talk him into leaving the temple, but, if they must, they will tear him out of the sanctuary and kill him outside. He has been the voice of democracy since before the Macedonian soldiers were born. He has taught the rulers of Macedon that they will never have full control of Athens so long as he is alive. His name is Demosthenes.
The army of Macedon has taken Athens and installed a garrison. This is to be the end of democracy, after nearly 200 years in Athens. The Athenian leaders have fled in different directions. Some have already been plucked from temples and killed. But Demosthenes is the biggest prize, the top card in the deck.

He has not been a hero. He has one great talent—public speaking—and one great public devotion—freedom. But he is a politician, and his noble cause has been wound up with his own ambition, as well as with a tangle of other causes. The old glory of imperial Athens captivated him, and he has never given up the dream of Athens as the military and moral leader of the Greeks. He has taken bribes from foreign powers, and he has been convicted of walking off with a piece of Alexander's treasury, when its manager absconded and brought it into Athens. His enemies have had true things to say against him. But he has been good enough to be a champion of democracy—good enough that the enemies of democracy think to kill democracy by killing him and his main allies.

He had been born rich, but his father died while he was a boy, and the trustees of his estate had run through most of his fortune before he grew up. He needed to earn a living, and so he began as a speechwriter, selling well-crafted speeches for rich men to use in court. This was not an honorable profession, and he traded it for politics as soon as he was able to do so.

In politics, he was a strong defender of democracy, but not so strong that he did not undo one of the great democratic reforms. Over a hundred years earlier, the people had stripped power away from the old council of aristocrats—the Areopagus. But Demosthenes helped restore judicial functions to the aristocrats. This change helped unify the city, and it made for greater efficiency in handling court cases. Efficiency was needed at the time, for Athens was trying to respond to the growing power of Macedon.

Demosthenes was among the first to denounce King Philip of Macedon and warn the Athenians (and the other Greeks) to take precautions. But his fellow citizens did not heed his warnings until it was too late. Now, in the temple, while his enemies try to cajole him away from the altar, he asks for time to write. He bites poison out of his pen and swallows it. Then he tries to take himself out of the sanctuary before the poison kills him, but he is too late. He dies in the arms of his enemies.

The Macedonians and their allies hope to put an end to democracy. They will fail. Killing the leaders does not kill the idea. The Athenians will go on dreaming of democracy for centuries after this, and whenever they can, they will try to turn democracy into a waking vision. More armies, more wars, more sieges will have to come before the dream of democracy dies and the last rebellion has been put down.

There are other enemies of democracy, however, and they have a better weapon than the sword. Instead of killing Demosthenes, they write about his flaws, his ambition, his corruption, his flirtations with the old aristocracy. Or they write about the failings of Athenian democracy. Demosthenes' career is as messy as the democracy he defended—gloriously independent, powerful and ineffective by turns, sometimes corrupt. Democracy is like that.

The enemies of democracy will almost succeed, by means of this second strategy. Philosophers and historians alike will castigate Athens for its failings, and they will taint the idea of democracy beyond repair for more than 2,000 years. Remember this as you read what follows: You can't kill democracy by killing its defenders, but you can kill it by insisting on perfection, by
rejecting everything that is human and flawed. No democracy we find in practice is ever perfect. Still, every step towards democracy is a step in the right direction—it makes things better for at least some of the population. Other, more utopian ideas work the other way around; they draw us towards making things worse.

Plato’s dream of a philosopher kingship illustrates the point. His ideal city makes no concessions to human imperfections. Plato does not claim that such a city is possible; he presents it as a shining ideal. But unlike the ideal of democracy, Plato’s ideal leads us the wrong way. Every step we might take towards his philosopher kingship would curtail someone’s freedom.

Explosive Ideas
In Athens, democracy gave power to the people—including a majority of people who were poor and had to work for a living. Nothing like that had been heard of before in this part of the world, and the idea was frightening to rich people who were used to having everything their own way. The working people who were enfranchised in Athens were a fraction of the population. They were adult male citizens. Their parents were citizens, and they were only a minority of those who lived in Athenian territory. Still, the very fact of their power expresses an ideal of democracy, an ideal that should be as inspiring to us as it was frightening to the old authorities who were threatened by it.

Democracy first grew along with two explosive ideas—that we all know enough to decide how to govern our public life together, and that no one knows enough to take decisions away from us and do a better job of deciding, reliably and over the long haul. These ideas are not simple; they depend on many others. The seven that I have chosen to be the pillars of this book do not stand alone. None of these ideas is above controversy. The enemies of democracy—and they include the founders of philosophy—fought bitterly for the principle that only the best people should rule. But we have always known that the people who think themselves best—even the people we all think best—can go spectacularly wrong.

So can democracy. Ancient democracy had many virtues, but its leaders could not entirely accept the idea that all people knew enough to share in governance. Surely not slaves, they thought (although they knew that even they might become slaves, if they were victims of war). And surely not women (although by excluding women they excluded their own mothers and sisters). And not the resident aliens (although these were subject to taxation and military service).

Greece was governed by an array of independent city-states that shared a language (albeit broken into dialects), a set of religious attitudes, and a history. These city-states were almost constantly at war with one another. During the age of democracy, all the Greek cities had to pay special attention to their citizens, because the citizen body provided the warriors, and the warriors paid for their own equipment in this incessant warfare. All this worked best when the warriors were willing. Cavalry came from the upper class, armed infantry were supplied by the middle class, and rowers for the navy were recruited from the working class. The configurations of government in Greek city-states were affected by the dominant military needs. Where cavalry reigned supreme, the aristocracy ruled; where armed infantry was needed, the middle class gained power; and where a navy was required, the poor had an opportunity to make demands. Athens needed a navy, for strategic reasons. The city was close to the sea; its lifeline stretched from the shore to nearby islands, and it had come to depend upon trade with far-off places. And,
because Athens needed a navy, it needed to have a loyal working class.

Democracy evolved in Greek cities such as Athens and Syracuse for two kinds of reasons, internal and external. Internally, they found that democratic reforms made a city more harmonious in the long run, more prosperous, more culturally alive. Individual politicians found that by making democratic reforms they could gain popular support and so win out over other politicians.

Externally, leaders found that each step toward democracy made their cities better able to defend themselves. At its height, democracy was the most powerful form of government in Greece. In the fifth century before the Christian era, democracies had the strongest economies and the most creative cultures, but the success that kept them safe was military: Democracies could mobilize their citizens for war across class lines. That was because the citizens who filled their armies and navies were fighting for themselves. Free people are those who believe they are fighting for themselves when they are called to fight for their country. But soldiers who are fighting only on behalf of their leaders cannot truly be free; even if they are not physically whipped into battle, they are not following their own hearts—as free warriors do—into the fray.

Without question, Sparta had the strongest force of armed infantry in Greece. It was not a democracy, but it was governed through an assembly, and its leadership was divided by a system of checks and balances. It was democratic enough that its citizens felt free. Athenians were more democratic than Spartans, and they were immensely proud of democracy. “This is a free city,” wrote a popular playwright, drumming up patriotism and praising democracy at the same time:

The people [démos] are lord here, taking turns
In annual succession, not giving too much to the rich.
Even a poor man has a fair or equal share.

Meaning a fair share of governance. About the same time, a popular statesman whipped up patriotism in time of war by saying:

We have a form of government that does not try to imitate the laws of our neighboring states. We are more an example to others, than they to us. In name, it is called a democracy, because it is managed not for a few people, but for the majority. Still, although we have equality at law for everyone here in private disputes, we do not let our system of rotating public offices undermine our judgment of a candidate’s virtue; and no one is held back by poverty or because his reputation is not well known, as long as he can do good service to the city.

Democracy evolved because it worked and because once started it was hard to stop. It was not invented by intellectuals on the basis of ideas. Nevertheless, there were ideas behind democracy. Some of these ideas had animated the Greeks for hundreds of years before they came to democratic conclusions. Other ideas evolved along with democracy. Few of them were philosophers’ ideas; they mostly belonged to the people or to the people’s poets, and philosophers generally did not like them. That is why they are not well known in philosophy classes even today.
Seeking Ideas

First Democracy blazed in Athens for almost 200 years, brightly enough to catch the attention of everyone who has thought about what government should be, then or afterwards, in the European tradition. Flames of democracy sprang up in other city-states in Greece, home kindled or under the influence of Athens. And against those flames came the brigades of those who would put out the fire. Philosophers, historians, and even poets entered the war against democracy, using words, while in the streets of the cities, or in enclaves of exiles, defenders of the old order took up sword and spear—or at least began to conspire—to smother democracy.

First Democracy was controversial, to say the least. To its friends, democracy was rule by the people, under law, with safeguards against tyranny that would keep any leader from having undue influence. To its enemies, democracy was the tyranny of a mob of unqualified people, erratic, unlawful, and undisciplined. Democracy, to its enemies, seemed ripe for plucking by unscrupulous demagogues, orators who could talk the people into decisions that would enrich themselves—the orators—and who would then take no responsibility for the disasters that followed. The critics were wrong most of the time. Democracy generally worked in Athens.

I am a scholar with a bias. I firmly believe that democracy is the greatest gift we have received from the ancient Greeks. Although First Democracy was imperfect, no one can deny its success. I shall make two kinds of arguments against the critics of democracy:

First, when Athens failed, the ideas were not to blame. Living by the ideas would have saved the Athenians from most of their failures. But nothing could have saved Athens from the big armies that eventually engulfed Greece, the armies that came first from Macedon and later from Rome.

Second, the philosophers who attack democracy are wrong. They are blinded by theory to the enormous practical benefits of democratic government, and, as a result, their ideas are dangerously impractical. Plato’s model of government in the Republic is the least practical one we have from the ancient world. He did not intend it as a blueprint for reform, and anyone who takes it so will be a danger to our liberties.

In this book, I will have to do a lot of work on my own, reconstructing democratic theory from a few small remaining crumbs of evidence—like an archaeologist putting a broken Greek vase back together after digging it up from a ruined city. The early defenders of First Democracy are mostly lost to us, except for one magnificent set of writers—the tragic poets. Aeschylus, Sophocles, and Euripides were poets of the people, proud to be Athenian, writing for prizes in contests that were decided, in effect, by popular opinion. It should be no surprise that the poets who won the prizes were champions of democratic ideas. The later defenders of democracy are the orators and speechwriters like Demosthenes, who worked in the second hundred years of democracy.

We can identify the most important democratic ideas in two ways. The positive way is to look for the ideas that are most passionately celebrated by the poets and speakers of democracy. One of these is the principle that no one, no matter how wise or successful, should ever consider himself above the law. This,
we'll see, is closely related to the traditional concept of reverence—the felt recognition of human mortality and ignorance. Both reverence and the rule of law are celebrated by the poets of democracy.

The negative way is to look for the ideas that the antidemocrats condemned. Plato, for example, despised the right of common citizens to propose and defend public decisions in an assembly—a right that assumes the idea that ordinary people have a kind of wisdom that must be taken into account. So here is an idea we need to investigate—because Plato took some trouble to oppose this idea, we can be fairly sure that it was an important part of democratic ideology.

Earlier I listed the seven ideas of this book. These are not all on the same footing. Three of them—harmony, the rule of law, and freedom—belong to every ancient theory of good government. In the debate over democracy, each side accused the other of neglecting those three principles. Democracy was accused of enflaming class warfare, of putting majority rule above the law, and of sacrificing freedom to the tyranny of the majority. The charges have some substance. But the Athenians were well aware of their excesses, and as time went on they tried to correct their democracy, to bring it more in line with these ideas.

The remaining four ideas are specific to democracy, and they are all related to one another: natural equality, citizen wisdom, reasoning without knowledge, and general education. Plato and his followers rejected all of them, in order to maintain that governing powers should be granted only to an educated elite. They did not believe in any form of education that could qualify ordinary citizens to govern themselves, and they rejected the main source of public education—the poets.

The Aims of First Democracy

The positive aim was to engage everyone's good will on behalf of the state, so that it could grow and defend itself against its enemies without worrying about internal divisions. The negative aims of First Democracy were to prevent the rise of tyrants and to ensure that money or aristocratic birth never conferred high privilege on anyone. At the time in which the Athenians developed democracy, they were recovering from a period of internal conflict that led to a half century, on and off, of one-man rule. The conflict had been class warfare. The one-man rule had been tyranny. Both were terrifying to the Athenians.

A law-giver named Solon had tried to bring the class warfare to an end, early in the century before democracy, but he was not able to prevent a strong man, Pisistratus, from taking advantage of the situation. Pisistratus then seized power, which he and his two sons held for many years, partly by espousing popular causes, and partly by the use of armed force. Eventually, some years after the first tyrant's death, one of his sons was assassinated and the other removed from power by the Spartans. Then the Athenian people set out to develop laws which would ensure that no one ever again could wield such power.

The Practice of First Democracy

Athens was an independent city-state, like the other major cities of Greece at the time. It was small and culturally cohesive. Its citizens believed that they were all related, their ancestors having been born from the earth on which they lived. They shared a state religion, a language, a mythology, and a vividly remembered history. For most of their second hundred years the adult male
population was about 30,000. The entire population of Attica (Athens and its surrounding lands) was probably between 200,000 and 300,000. Small size and homogeneous culture were huge advantages in the creation of democracy.

This is important to remember, because no modern sovereign state has all these advantages, and the United States has none of them. Athens was able to involve all of its citizens directly in the politics of the state, because they were few enough, and because they could be relied upon to know more or less how things were supposed to work and why.

The tools of Athenian democracy will not all be of use to us today. They were designed for a state with those special advantages, which we do not have. Still, some of them may serve as models for reforms that are much needed in modern democracies.

Here, in brief, are the tools of First Democracy.

1. Legal system. No professional judges or prosecutors. Any citizen could bring charges against another, and any citizen could serve on the panels of judges that correspond to both our judges and our juries. The panels were large enough that no one could afford to win them over by bribery; 501 men served on the panel that convicted Socrates. Service on a panel was paid, and for this reason it was truly open to people of the lower class. Giving them the right to serve on panels, without the money they needed in order to do so, would have been at best a legal fiction, at worst a cruel joke. The panel was formed on the day of the trial, by means of a lottery, in order that no one could tamper with the jury. Judging from speeches made in these popular courts, the juries represented a cross section of Athenians, because we do not hear of speakers making appeal to class interests.

2. Governing body. The Assembly normally consisted of the first 6,000 men to arrive at the Pnyx (a hillside not far from the Acropolis), but this number was not always achieved. Any adult male citizen could take part, and if numbers were wanting, the magistrates ordered a sweep of public places with a scarlet rope, which brought in enough people for business to be transacted. Pay for assembly duty was introduced early in the fourth century, and after that they used the red rope the other way around—to keep people out when the meeting area was full. Although the pay was less than a full day’s wage, it still sufficed to make public duty attractive. Any adult male citizen could speak; the right to speak in Assembly, known as parhēsia, was the most precious of all privileges of Athenians. Nevertheless, ordinary citizens rarely used the privilege, leaving it to those active in politics to speak in the Assembly. Such speakers were known as rhetors; they were able to exert special influence without holding public office, simply in virtue of their speaking abilities. (Our word “rhetoric” derives from their name.) In Sparta, by contrast, ordinary citizens could vote, but speaking was de facto restricted to kings, magistrates, and members of the senior council.

3. Checks on Majority Rule. The powers of the Assembly came increasingly to be limited by law. In all periods of Athenian democracy, the Assembly could not vote on any proposal that had not passed through the Council, which corresponds to our legislative committees. The Council was appointed annually by lot, equally from the ten tribes. It represented a cross section of Athenians, and it would normally keep illegal proposals from coming to a vote.

The mature, fourth-century democracy distinguished between legislation and policy decisions—between making or
revising law and what the Athenians simply called "voting matters" (usually translated "decrees"). Proposals on voting matters had to be consistent with basic law—with what we would call the constitution of Athens. If you put an unconstitutional proposal to the vote, you could be brought to court under an accusation known as graphé paronomōn (indictment for violating law). Any citizen could block your proposal from taking effect by making such an accusation. The matter would then be adjudicated in court between you and your accuser. If you were guilty, you would pay a fine; if the accuser was found frivolous, he would be penalized.

Legislation could be framed only by a representative body that was chosen by lot; this legislative panel was known as the Nomothetai. If the Assembly wished to modify the laws, it would have to refer the matter to this body. If the legislative panel approved a modification to the laws, that would then come to the Assembly for a vote.

4. Lottery. The lottery was used to select citizens from panels, selected each year from the ten tribes. The selection process ensured that every tribe was equally represented. The lottery was used for juries, for the Council of 500, and for the legislative panel. The lottery depended on the assumption that anyone who had passed scrutiny and taken the appropriate oath would know enough to exercise power appropriately in these settings, where more time was set aside for discussion and debate than in the Assembly.

Official positions. Most magistrates were chosen by lot, but before taking office they had to pass a formal review.

Courts. Panels of prospective jurors swore to uphold the law, or, where no law applied, to stand by justice.

5. Elections. Some important positions were filled by election, especially those that required expert knowledge in military or financial affairs. The ten generals were elected mainly to lead military expeditions, but some of them had influence on foreign affairs and domestic matters. The generals commanded obedience in the field, but they could be recalled by vote of the Assembly at any time, and they could pay heavily for failure. The Assembly was capable of condemning them to exile and even death.

In the second phase of democracy, elections were used more often for critical functions—such as the management of funds—that were not wisely left to amateurs.

6. Accountability. On leaving office, a magistrate would have his record examined in a process called euthunai (setting things straight).

If a leader had committed an indictable offense, anyone could take him to court at any time. The only limitation was that the accuser would have to put up a substantial deposit, which he would lose if the case was determined to be frivolous.

If one person appeared to be gaining too much power or to be
polarizing the city, the citizens could vote to exile him for ten years. The process was called ostracism, after the shards of pottery (ostraka) on which voters wrote the name of the person they wanted to exile. First the Assembly met to decide whether to have a vote on ostracism; then they met to vote. In the meantime, prepared ostraka could be mass-produced by the candidate’s enemies and handed out to voters. Some of these are on view in the Agora Museum in Athens. Ostracism was extremely rare, and never occurred at all after about 415.

Those were the main tools. In Athens, they served the people fairly well for almost two centuries.

Measuring Democracy: The Bright Side
Athenian democracy was good enough to sustain the state for many years and propel it to the front rank of Greek cities. Although the Athenians never had the most powerful army in Greece, they were the leading naval power by a huge margin for many years. In commerce, they were preeminent, and in the arts they were the most creative community of its size in human history. In architecture, in painting, in sculpture, in poetry—in everything—they were dazzling. In the writing of prose too they were leaders, fostering historians and philosophers whose work has been a gift for the ages.

After being defeated by Sparta in 404, Athens soon rose again and became a military power to reckon with. The city recovered much of its commercial and naval importance, and it remained the cultural center of Greece for centuries. Meanwhile, Sparta subsided into insignificance, after a generation of dominance. Twice during the first hundred years of democracy in Athens, groups of rich people tried to regain power and establish oligarchy (once during the war with Sparta and once after it), but both times the people rose up and restored their beloved democracy. And then, in the second hundred years, the Athenians tied up the frayed loose ends of democracy, to make their government more inclusive and more efficient. One of the glories of First Democracy was its ability to learn from mistakes.

We know why Athenian democracy was so lively and strong. Its tools worked smoothly, most of the time, to prevent special interests from having undue power. The rich complained that in democracy the poor could use their superior numbers to secure their special interests. But, on the whole, Athenian government seems to have worked for the good of all. Money had few ways to talk in ancient Athens. Family connections were of some use, and aristocrats were likely to hold high elective office in the first phase of democracy. But, in general, a politician had to do just one thing in order to succeed: persuade the people to accept his advice. The majority of Athenian citizens were fiercely loyal to the ideal of democracy—free, harmonious, under law, guided by debate among an educated citizenry. They knew that nothing could ever be better than that.

The Dark Side of Democracy
Honesty compels me to write this part of the chapter, but your own good sense should lead you to take it with a grain of salt. To dwell too heavily on the failures of Athenian democracy is to join the chorus of antidemocrats, who tainted the idea of democracy with these examples for many centuries. By doing so, they held back the cause of freedom and committed an error in logic. The *ad hominem* fallacy (against the man) is to reject an idea merely because of the character of someone who holds it. In this case we should call it *ad urbem* (against the city): rejecting Athenian
ideas merely because of Athenian bad behavior. The ideas should be judged on their merit.

To ignore this part of the story, however, is also harmful. Anyone who takes the road of democracy must be acutely aware of the moral hazards along the way. So here is a list of the faults of Athenian democracy. As you scan the list, think of the many flaws in modern democracies, but don’t forget how horrible the alternatives have been.

Like any government, that of Athens went wrong more than once, and in more than one way. Some of the failures were not due to democracy as such, but to factors that affect all political endeavors. The pressures of war, the fear of enemies, and the ambitions of strong men can lead any form of government astray. So can economic or commercial pressures. These are common to us all. Other factors in the Athenian story are specific to Greek culture at the time. This was a culture of brutal and constantly recurring warfare; its economy produced wealth by the exploitation of slaves, and its public life excluded women. These were the faults of Greece. Athens did not go to war, hold slaves, or keep women at home because their male citizens enjoyed a democracy. Athens had an unusual number of slaves because Athens had the good fortune to own silver mines, and these were one of the main sources of Athenian wealth. It is true that servitude in the mines was cruel. But if Athens had been ruled by an aristocracy, no fewer slaves would have been sent into the mines, no fewer slaves would have died. The work of mining was done mainly by slaves in the ancient world.

Still, Athenians knew better. They had the ideas they needed to recognize that slavery as they practiced it was unjust, and these ideas evolved in the public consciousness side by side with the development of democratic practices. Some Athenians did raise questions, but they did so cautiously, never crossing the line from theory to practice. As for women, Athenians who thought the matter through saw that it was irrational to exclude women from public life. But it is one thing to see that your social practices are irrational; it is quite another to see how those practices could actually be changed, when they are deeply embedded in the culture that embraces them. Think how hard it has been in the United States: the idea that slavery is wrong was widely held from the Revolution on down, but slavery could not be eliminated until after other great changes took place—shifts in the economy, immigration, expansion into the west, and a bloody war. Ideas have a certain power; they help us set goals for reform. They remind us of our faults. But change comes hard.

Among the faults of ancient Greek culture, we must mention the brutalities of war. The Athenians plunged into many cruelties in defense of their empire. About war, as in the case of slaves and women, some Athenians knew better. No doubt other Athenians excused their behavior by appealing to the necessity of empire. But this excuse is shot through with bad faith. The Athenians did not have to act as they did in war. Was the democracy to blame for the crimes of empire? Yes, in a sense, because the democracy committed those crimes. But judging from what other cities did at the time, we must expect that Athens would have been just as brutal if it had been ruled by an oligarchy, though it would probably have been brutal to different people.

Some failures of the Athenians may be blamed on the kind of democracy they had. The Assembly had too much power in the early phase of democracy, and this power sometimes went to its head. On one occasion the Assembly put itself above the law (in the mass trial of the generals in command at Arginusae). Besides that, the Assembly and the popular courts kept
the old aristocracy off balance, with fear of lawsuits and ostracism, so that an undercurrent of discord kept undermining the state. The Assembly could be packed by different groups on different days, with the result that it could rapidly make and unmake decisions. It was volatile, and it often did not provide consistent administration.

Meanwhile, the generals operated in constant fear that the Assembly would turn on them, and this could lead to overcautious decisions in the field. The prized Athenian right to speak in Assembly gave power to good speakers who were not elected; as a result, they had power without responsibility. Such men, known as demagogues, seem to have led the Assembly astray on some occasions. As for the court system, the ease with which ordinary citizens could bring lawsuits kept many people on edge, and this gave opportunities for blackmail to unscrupulous characters known as sycophants, who preyed on the rich with threats of lawsuits. So much for failures due to flaws in the system.

Another set of failures was due to narrow thinking. The Athenians understood the values of freedom and harmony in their own case, and yet they often seemed to forget these values in the administration of their empire. They hated tyranny, and yet they ran their empire tyrannically. The result was to divide Greece into warring parties—leading to a kind of civil war dividing all of Greece against itself.

On this point, Athens should have done better. If Athens had provided trustworthy leadership among the Greek states—instead of blatant imperialism—the city might have achieved a union that would have saved Greece. First Democracy failed on the international stage—failed to lead, failed to cooperate, failed to develop the supranational institutions that would have made the Greek states powerful enough to maintain their independence, and failed to make the financial sacrifices necessary for the defense of Greece against its enemy to the north. Alexander the Great proved to be unstoppable, wherever he took his army. Still, perhaps, just perhaps, a united Greece, led—not tyrannized—by Athens, might have held off the threat of Macedon.

The Athenians had earned good will among almost all Greek cities by their stand against the Persians. But, in the first phase of democracy, Athens squandered this good will in self-seeking ventures. By succumbing to the temptations of tyrannical power, the first city of Greece lost its best opportunity to lead all Greeks in defense of their traditional freedoms.

The sad truth is that the Athenians knew better, and they should have seen how tyranny in the larger arena of foreign affairs would fracture Greek unity. They also knew that freedom requires a willingness to make sacrifices. They had been willing to do so in their war with Persia, and again in the war with Sparta, but when they came to be threatened by Macedon they seem to have lost the will to make hard choices.

The irony of Athens' failures is tragic. The Athenians did have the ideas they needed. They could see—and many of them did see—where they were going wrong. In the excitement of daily decisions, in the danger of war, and in the temptation of great earnings from foreign adventures, the Athenians kept losing sight of their own ideas—the ideas that were to be their great gift to posterity.

But Athenians never lost their grip on democracy entirely. Always they remembered what they were trying to achieve, and so, after hard times, they would return to bring their system closer and closer to the ideal. And after their democracy was put down by force, they kept trying to revive it. Great ideas die hard.
If we learn anything from the story of Athens it should be this: don't lose sight of the ideals behind democracy.

The Athenian Road Toward Democracy: A Reference Guide

This section contains more detail than most readers will require. Skim it or use it as a reference guide. Be warned that some of what I put down here is controversial among historians. All of the dates in this section are before the common era.

Athens stumbled toward democracy without a plan and without a distinct idea of what constitutes democracy—other than its being rule by the people. There were no founding brothers, no framers, and there was no written constitution—no document establishing a democratic form of government. Here are the main steps on the road towards democracy.

First, a little background.

Who Were the Athenians?

Athens was the capital of a territory known as Attica, where most of its people lived in villages or on farms. The population included a good many resident aliens and also a substantial number of slaves. Citizens fell into a number of property classes, ranging from the very wealthy to poor, landless wage earners. In early times, only the well-born aristocrats could participate in government. The democracy made voting rights universal and free of property limitations. You did not have to own land in order to qualify for voting under the democracy. As time went on, the democracy would pay a modest wage for days spent on public business, so that wage earners could take time off work for public service, without going hungry. So the citizen body was

not an elite group; most citizens had to work for a living. The main work in Athens was farming, but Athenians were also involved in manufacturing, mining, seafaring, and commerce. Much of the physical labor was done by slaves. Some of the wealthiest residents were noncitizens who came to Athens to make money or find work. They were known as metic.

Population varied widely in the age of democracy, and we do not have firm figures for all categories. In 450, there may have been as many as 60,000 adult male citizens, although conservative estimates range as low as 30,000. After that, war, plague, and colonization brought the numbers down, as did new legal restrictions on citizen status. At the end of the age of democracy—the end of the fourth century—a census showed 21,000 adult male citizens of military age, which implies an adult male population of 30,000 out of a citizen population of about 100,000. The same census showed 10,000 resident aliens subject to military duty, which implies a noncitizen population of around 40,000. No one counted the slaves, but there were probably more slaves than citizens.

How Was Democracy Paid for?

Democracy was expensive, as Athens paid its citizens for time spent participating in public affairs. The cost was low, however, compared with military expenditures.

Athenian democracy grew along with the growing wealth of the city. Athens had public ownership of mines for precious metals. These were leased to entrepreneurs, who put slaves to work in them. The mines provided a substantial part of the city's revenue. The treasury at Delos was supplied by loot from the Persian wars as well as by regular contributions from cities and islands in the Delian League. First call on the funds was for the
common defense, and the members got fairly good value for their contributions. After 454, the Athenians transferred the treasury from Delos to the Acropolis in Athens and had the free use of the accumulated surplus in what now looked like an imperial treasury. These imperial funds made Athens beautiful, but the democracy as such did not depend on them. Athenian democracy flourished before this money was available in 454, and, after the loss of the empire in 403, the democracy increased its spending on wages for participation.

Slavery, on the other hand, was woven into every economy in this time and area. The supply of slaves was maintained largely by warfare. The Athenians depended on slaves not because they were a democracy, but because they were Greek. The hard labor of slaves paid for just about everything in the ancient Mediterranean, including democracy.

Throughout the period of democracy, wealthy residents of Athens were subject to special levies, depending on their wealth and the needs of the city. The richest 2 or 3 percent were expected to pay for the religious festivals that gave Athens both a civic life and a public education. These included dramatic performances. Citizens only, most often the super rich, were expected to pay for the ships in the navy of Athens. Both military and religious financial duties were known as liturgies; they were a source of pride and fame to the rich. After performing a liturgy, you would be exempt from further demands for a year, or, in the case of paying for ships, two years. How were the donors selected? It was an honor to be asked to perform a liturgy, but if you thought someone else was richer, and that he therefore should be ahead of you in line to pay for a ship or a festival, you could challenge him in court, either to exchange his wealth for yours or to take on the liturgy.

In addition, Athens collected property taxes in wartime from the well-to-do. These taxes, called eisphora, were collected as needed, until 347, when a fixed sum was collected annually. All resident aliens paid a small tax or registration fee annually, and rich ones were subject (along with rich citizens) to the religious liturgies that paid for festivals.

When Did It Start?
Athenians claimed that their laws went back to Solon in 594, and that their democracy was founded by Cleisthenes in 508. (These dates are years counted before the common era; the Athenians dated events relative to a chronological list of officials—archons—who had one-year terms of office. Each year, one of the nine archons gave his name to the year; he was known as the eponymous archon.)

The Athenians had reasons to push back the dates of democracy; they imagined that it stretched back to the mythical king Theseus. The deeper the roots of democracy, they thought, the longer it would last. Truly, their laws went back to Solon (594), and they tried to stay as true to Solon's laws as they could. There was never a founding moment for democracy in Athens. The Athenians kept adjusting their laws and practices over a period of almost 300 years, from the time of Solon to their defeat by the kings of Macedon. But the traditional foundation of democracy was by Cleisthenes in 508. After that, a series of reforms brought democracy to good working order by the time of Ephialtes (462), and the finishing touches were added after the civil war in 403.

Traditional Government
Myth tells of an ancient monarchy in Athens, but history knows only of rule by aristocracy at a fairly early period. The office of
king was replaced by an archon (ruler) elected annually from the aristocracy, who had been born into a handful of established landholding families.

The Areopagus was a body of aristocrats with virtually unlimited powers. It served both as a court and as a deliberative council—that is, it determined in advance what issues could be taken to the Assembly. All archons became members of the Areopagus.

An assembly (ecclesia) was traditional in ancient Greek city-states. Ancient kings would call assemblies of able-bodied warriors from the earliest time. There was certainly an assembly at work in Athens before the time of Solon. Male adult citizens who owned property could attend and vote at this stage. This assembly was not democratic, however. Only aristocrats could call a meeting, set the agenda, or make a proposal. The law, as codified by Draco in the 620s, was harsh.

**Solon (594)**

After a period of unrest between rich and poor, Solon introduced a series of reforms. He rejected demands that land be redistributed, but he gave the poor some relief from debt and established the rule that debts could not lead a citizen into slavery. Solon established the rule of law, which would be the basis of democracy. His Codification of the Laws remained the ideal for hundreds of years, with both democrats and oligarchs claiming to operate under Solon’s laws. With this came the Popular Courts, which probably offset the power of the Areopagus and the aristocratic magistrates, and the right to bring charges. Any citizen (in theory) could bring charges in most cases, and there was no public prosecutor. Solon also introduced accountability for public officials.

Solon divided the Athenians into four property classes, with different rights and duties for each. The result was to put newly rich people into the same class as aristocrats, thus diluting the aristocracy. Archons had to come from the two top classes.

Solon founded the Council of Four Hundred. In later years, expanded to five hundred, it would become the all-important filter that business had to pass through before coming before the Assembly. What it did in Solon’s day is unclear. Solon may have given landless citizens the right to attend the Assembly, although they probably did not have the practical ability to do so at this time.

*The Tyrant Pisistratus and His Sons (561 to 510)*

The rise of commerce, along with new regional tensions, led to the need for a more centralized administration. This was provided by the tyrants. The last tyrant was removed by a Spartan army, which restored the aristocracy.

**Clisthenes (508/507)**

Clisthenes was the leader of an aristocratic clan, caught in a battle with another clan. He found that he had to change the rules in order not to lose, and so he brought in the people (the dēmos) on his side. He gave them democratic reforms that they wanted, and they gave him the power he wanted. Specifically, he arranged for 170 small local precinct governments (demes). These replaced aristocratic rule at the village level with elected leadership, as the people wished. In return, the people adopted a new system of voting districts, which were to Clisthenes’ advantage, because his clan could control them.

The new organization counted ten tribes, each of which included people from the three kinds of locations in Attica—the
hills, the shore, and the suburbs of the city. From then on, the tribes were equally represented in courts and councils. This reform also expanded the citizen base—adding new voters—and set up a better system of military organization.

At the same time, Cleisthenes established a Council of Five Hundred members chosen by lot equally from the ten tribes.

Cleisthenes also introduced ostracism, a procedure whereby losing politicians could be banished for ten years by popular vote. The purpose of this was to save the city from rivalries of powerful leaders. A losing politician could be sent away, so that his presence would not add to the danger of civil war. Ostracism was famous in Athens, but rarely performed.

The Election of Generals (501)
Ten generals (stratēgoi) were elected each year, one from each tribe. The commanders of military forces would be chosen from the panel of ten, but not every general was given military duty. Sophocles was made general in 442, probably to conduct a diplomatic mission. Pericles' fine speaking skills enabled him to exert great influence on Athens during his years as a general.

The Persian Battles (490 to 479)
The victories of Marathon (on land, 490) and Salamis (at sea, 480) gave the Athenians a surge of confidence and catapulted them to a position of leadership in Greece. The land victory of the allied forces under Spartan leadership at Plataea ended the threat of Persian expansion in mainland Greece.

The Athenians formed the Delian League, an alliance of Greek cities under Athenian leadership. Their purpose was to recover bits of Greece still in Persian hands, and to keep the Persian threat at bay. Members of the league contributed either ships or money to the allied fleet. As time went on, money came to be the standard contribution, and the treasury of the league was kept at the sacred island of Delos, which Athens controlled.

The Lottery for Magistrates (487)
The selection of archons changed from election to selection by lottery, though still from the two top property classes.

The advantage of the lottery was that it was incorruptible. Neither wealth nor the maneuverings of a political clique could affect the outcome of a lottery. This could not be said of elections.

In all, Athens eventually had about 700 magistrates chosen by lot in addition to the 500 chosen for the Council. These served for one year and could have one second term at most. A professional civil service of secretaries (some of them slaves) kept things running smoothly through changes of administration.

Ephialtes (462 to 461)
Ephialtes led a group of reformers whose most famous member was the young Pericles. Their main reform was to destroy the power of the Areopagus by making it merely a court for certain religious offenses and murder trials with citizen victims. Ephialtes was able to do this by choosing a time when the leading spokesman for the aristocrats was away on military duty. The reform must have struck a nerve, as Ephialtes was murdered by aristocrats soon after.

The reformers gave the main powers of the Areopagus to more democratic institutions. The Popular Courts took over all
judicial functions not reserved for the Areopagus, and the Council now had the power to decide what would go before the Assembly. The Council met about 250 days a year and was in charge of many administrative matters.

The Popular Courts were formed from a panel of 6,000 chosen each year by lot, equally from the ten tribes. All on the panel had taken an oath to uphold the laws. Jury panels were large, and were formed on the day of a trial, so that they could not be bribed or manipulated outside court. There were no professionals in the law. Any citizen could prosecute, and anyone who was brought to trial had to defend himself. In this system, wealth made very little difference. A rich defendant could not bribe his jury or hire a good lawyer. The only way money might help him is if he used it to pay for lessons in public speaking, or, in the later period, to hire a professional to write his speech for him. That might save his life in court, but it gave a bad name to the teachers (sophists) and the speechwriters, who were accused of helping rich criminals make a losing case win.

The right to bring charges now emerges as an important democratic principle. Ordinary citizens could bring charges against leaders of the government, and thereby make powerful people accountable to the popular courts for their actions. Penalties for frivolous lawsuits were heavy, however. If a prosecutor won less than one-fifth of the votes on his jury, he would be punished by a heavy fine (1,000 drachmas).

The right to bring charges had an unwanted consequence—easy blackmail. Sycophants made a living by threatening law suits against people who could afford to pay them off. Popular juries were unpredictable, and could be hostile to aristocrats. To many aristocrats, and even to ordinary people, sycophants were the worst consequence of democracy.

In this period, any male citizen over the age of 20 was permitted to attend and vote in the Assembly, so long as he had not lost this right by being convicted of a major crime or dereliction of duty, and was not in debt to the state.

Pericles (461 to 429)

Pericles was an aristocrat on his mother’s side. He was much admired for his good judgment, his integrity, and his fine public speaking. He was the architect of the empire, and it was he who brought the poorest Athenians into active participation in democracy. It was also he who fixed the limits on who could enjoy democracy. His influence was so great that one historian implied that he was king in all but name.

461. At Pericles’ suggestion, the government started giving day’s wages to men serving on panels of the Popular Courts or on the Council, and also to those who accepted leadership roles as magistrates. Payments made it possible at last for poor people to take part in government. (The payment, originally two obols, was later raised to three by a proposal of Pericles. It was less than a day’s wage—about half—but it was evidently enough to end the de facto exclusion of working people from public life.)

454. Pericles transferred the treasury of the Delian League from Delos to Athens. This marks the end of the alliance and the beginning of the Athenian Empire, though the transition had begun much earlier. The money collected was no longer a contribution to an allied effort; it was tribute to an imperial power. Most of it, however, was still slated for the common defense.

451. Pericles tightened up the rules on citizenship. Henceforth citizens must have citizen parents. His aim, we are told, was to keep the numbers of citizens in check (probably partly for budgetary reasons).
440/439. As the empire continued to grow in power, the island of Samos rebelled and was brutally subdued by the Athenians. This demonstrated to all that the league was now an empire.

The New Politicians
Pericles died of the plague in 429. After that, leadership in Athens passed to a new generation of men who were not landed aristocrats, of which the most famous was Cleon. Their wealth tended to come from factories staffed by slaves and hired men.

The Assembly
In this period, the Assembly often looked like a mob to its detractors. A majority of the three to six thousand male citizens who showed up on a given day could have enormous power over everyone else. The Assembly was subject to sudden changes of mind, sometimes for the better. Because the Assembly was constituted by the first 6,000 to show up at the Pnyx, it could have different membership on different days.

There were curbs on the power of the Assembly. Most important of these at this period was the Council, which was selected by lot, and which had to approve business before it went to the Assembly.

The Peloponnesian War (431 to 404)
The growth of the Athenian Empire frightened the Spartans and their allies into a war in which they maintained superiority on land, while conceding the seas to Athens. After a surprising success on land, the Athenians won a favorable peace in 421, the Peace of Nicias, but went back to war in 416 with an attack on the island of Melos, and in 415 with an expedition against Syracuse in Sicily. There the Athenians lost the better parts of their army and navy in 413. After this, much of the empire rebelled.

For a guide to major incidents in this war, see p. 263.

The Revolt of the Aristocracy (411)
After the defeat in Sicily (413) and the rebellion of much of the empire (412), Athens was reeling. A group of oligarchs (the party of "The Few") took power in 411 through something they called the Council of Four Hundred. But democratic forces soon deposed them, and Antiphon—the man accused of hatching the plot—was executed.

The Athenian Assembly Puts Itself above the Law (406)
In 406, an Athenian naval force, with eight generals sharing command, won a naval battle at Arginusae over the Spartans. The generals went on to meet a second Spartan force, leaving a few ships to pick up the survivors of several Athenian vessels that were slowly sinking. The rescue failed, owing to bad weather, and the generals were brought to judgment in the Assembly en masse on a capital charge.

The trial was entirely illegal; the generals should have been tried one by one, with adversary debate. But the Assembly now stifled debate and refused to let the accused make individual defenses. The Assembly did this over the famous objections of Socrates. Members of the Assembly used threats to forestall a graphê paranomôn (indictment for an unconstitutional proposal).

After the executions of the generals, remorse set in, and the
Athenians did not forgive the speaker who had called for this illegal trial. The case was unique, but Athenian democracy has never lived it down. This is the event that led later writers to complain that democracy in Athens had really been mob rule.

**Defeat of Athens (404)**

Late in the war, the Spartans acquired a fleet, financed by the Persians, and eventually destroyed the Athenian navy. In 404, the Spartans besieged Athens, reduced the city to starvation, and accepted total surrender. They then caused the Athenian walls to be destroyed. Before going home, the Spartans oversaw the election of a group of 30 Athenians who were friendly to them, to function as interim government and constitutional convention combined. The Thirty were expected to develop a kind of constitutional oligarchy. That never happened.

**The Thirty Tyrants (April 404 to September 403)**

The Thirty appointed their supporters to the Council and other official positions. They chose a group called the Three Thousand from well-to-do citizens, and made them alone eligible to vote and to hold public office. The Thirty's reign of terror began slowly and with initial public support. They brought sycophants and others who had annoyed them to trial for their lives. Then they asked Sparta to send a garrison back to Athens, and under the protection of the garrison, they went after anyone they thought might offer them significant opposition. Like the worst tyrants of the past, they tried to maintain power by killing or frightening their enemies. Executions were frequent and in violation of traditional law.

An army of democrats in exile restored democracy after a battle

in which the leader of the Thirty was killed. The Spartans intervened on behalf of peace, causing an oath of peace to be sworn between the warring parties, and the Spartans withdrew their garrison (September 403). The general amnesty between the two sides in the civil war was strictly maintained. Athenians were proud of the harmony that followed.

**The Trial of Socrates (399)**

A few years after the amnesty, Socrates was tried on charges of impiety. He had been associated with leaders of the Thirty and was known to have criticized the democracy. He also acknowledged unconventional views about the gods. Apart from his own career, however, he had become an emblem of everything that the people feared from the New Learning, and had been represented as such 24 years before in Aristophanes' play *The Clouds* (423). The New Learning covered developments in science, cosmology, and the art of public speaking. Socrates had little or no interest in these fields, but he was an intellectual at a time when intellectuals as a class seemed to be a threat to religion and public order. That was enough to damn Socrates in the eyes of many citizens. Whatever the cause, Socrates was unpopular, but his trial was probably legal in all respects. (Some scholars have suspected that Socrates was on trial as a friend of the Thirty, however, and that would have been a violation of the amnesty.) The outcome of the trial, in any case, has been held against Athenian democracy ever since.

**Fourth Century Evolution (403 to 322)**

There was no ostracism during this second phase of democracy. Panels for the Popular Courts were now formed by lottery on
the day of the trial. Before this time, the first in line from the selection pool served on a jury panel. Speakers on both sides in court were still ordinary citizens, not lawyers, but a new profession arose. Speechwriters (logographers) would prepare speeches for a price. If you could afford a logographer, you could present a professionally written speech in court.

As time went on, the Areopagus (the old aristocratic council) regained some of its powers, making for a more harmonious relationship between government and the aristocrats. The Areopagus was given administrative authority over magistrates, and, after 340, it appears to have had wider judicial powers. By Roman times, it was back in the saddle.

A day in the Assembly, like a day of jury duty, was now paid as work for the city. The payment (three obols, or about half a day’s wage) was large enough that the red rope was put to a new function. In the past it had been used to gather citizens from the streets and market place into the assembly area. Now it was used to keep people out, once the meeting place was full.

The Assembly rigidly distinguished legislation from votes about policy decisions. The Nomothetai took over legislation. This was a jurylike body of citizens who had sworn the oath to uphold the laws and were chosen by lot, representing the ten tribes.

The graphe paranomón came into more frequent use to prevent unconstitutional policy decisions from taking effect. This is an indictment against the person who proposed the measure, and it takes the issue to the Popular Courts, where the author of the proposal could be convicted and punished.

The euthunai were formal procedures required of everyone who stepped down from a public office. An official about to leave office would have to submit his accounts to a board of examiners, and he would remain under scrutiny until he had been cleared of wrongdoing during his tenure. The practice may have begun very early—possibly before Solon. But it evolved to take into account the growing importance of handling money with integrity.

Regularization of the Theoric Fund (mid-fourth century)
This fund originally tapped surpluses to help citizens pay for attendance at religious festivals, especially the theatrical performances that gave Athenians a common culture. Later, it received regular sums of money and had responsibility for a number of nonmilitary tasks such as road maintenance.

Election of Magistrates in Charge of Funds
Finding they needed more professional fund management than lottery-selected officials could provide, the Athenians began electing magistrates for these functions during the fourth century.

Macedonian Conquest and the End of Democracy
By the late fourth century—the low 300s—democracy was well established in Athens. The system was working smoothly. But in the north, the power of Macedon was growing. Macedonians considered themselves to be Greeks, but not all Greeks agreed that they were. Its people enjoyed many elements of Greek culture, but its government was a despotic monarchy, and it plainly threatened the freedoms of all the Greek city-states.

The great orator Demosthenes had a vision of Greece as a confederacy of free states fighting in unison to keep Macedon at bay. He tried to persuade the Athenians to provide the leadership that Greece would need for this, but he was only partially
successful. In 338, Philip defeated the Greek allies at Chaeronea, and this turned out to be decisive. Greece would not know real independence again until 1829 CE—over 2,100 years later.

Philip died in 336, but Alexander the Great took over his expansionist project in Greece and beyond. Much of Greece rebelled, and Alexander destroyed the city of Thebes (Athens' close neighbor) in 335. Athens continued as a democracy, but with no power to conduct foreign affairs.

In 323, Alexander died in Babylon, after a career of lightning conquest and consolidation of his empire from the Middle East to India and south to Egypt.

Democracy did not come to a clean end. Athenians loved it so much—that and the autonomy and empire they associated with democracy—that they kept trying to bring it back. In 322, the Athenians tried to assert their independence, but a Macedonian army seized Athens and suppressed their democratic institutions in what was known as the dissolution of the laws. Demosthenes escaped execution only by taking his own life. A few years later, Athenian democrats tried again, but were starved into submission by Macedonians in 318.

Macedon made Demetrius of Phaleron their governor in Athens (317 to 307), and allowed him to function as a philosopher king. Demetrius was an Athenian who had studied with Aristotle and, like most philosophers, took a dim view of radical democracy. Demetrius operated within parts of the democratic heritage of Athens, but limited the franchise to the wealthy.

Athens tried for independence again and again after this. A brief flowering of democracy in the Roman period led to the sack of Athens by the Roman general Sulla in 86—236 years after the fall of Athens to Macedon. Through all of this, however, some elements of democratic governance continued to function. Athens never forgot its glory, and never completely lost sight of the ideals of democracy. After the Macedonian Conquest, however, there was no place for a democratic city-state on the world stage, which was crossed again and again by great armies paid to do the will of kings and emperors.