

PART I

The Constitution of the Athenians

ascribed to

XENOPHON THE ORATOR

The Politeia of the Spartans

by

XENOPHON

The Boeotian Constitution

from

THE OXYRRHYNCHUS HISTORIAN

The Constitution of the Athenians

INTRODUCTION

The *Constitution of the Athenians* was preserved in antiquity among the writings of the historian Xenophon, but it has long been accepted that he cannot have written it; the point was made originally by Demetrius of Magnesia in the first century B.C. Apart from the obvious differences of style from the genuine works of Xenophon, the latest possible date which has been proposed for the composition of the treatise is about 415–12, at which time Xenophon was not yet grown up; a more likely date is some years earlier. The author has been almost universally referred to in English as the ‘Old Oligarch’; the origin of this soubriquet is unknown, but the effect is unfortunate and prejudicial—it can appear cosy and condescending or contemptuous and condemnatory, depending on how it is read. The title preserved in the manuscripts, like the titles of other similar works, probably goes back to the Hellenistic libraries; it is unlikely to have originated with the author. Both the present work and Aristotle’s *Constitution of Athens* are called ‘Constitution of the Athenians’ in the manuscripts; ‘of the Athenians’ would be the normal way for a Greek to refer to Athens in a context such as this. The traditional English title, *Constitution of Athens*, has been retained for Aristotle’s work, and the present work referred to as the *Constitution of the Athenians* in order to make a distinction between the two for ease of reference, while retaining titles which are close to the Greek.

The treatise was not written in Athens. The author refers to Athens as ‘there’, and surely cannot include himself amongst those he condemns so strongly at II,20; in only one section does he include himself among the Athenians by saying ‘we’—otherwise he refers to ‘the Athenians’ or ‘they’. His first paragraph makes it clear that he disapproves of the democratic constitution in Athens, and yet he shows an intimate understanding of many sides of life there. It appears therefore that the author was an Athenian of oligarchic sympathies living outside Athens; this lends point to his stated intention of demonstrating how well the Athenians have designed their constitution to survive, since he is, at least ostensibly, explaining the workings of Athens to those who were less familiar with the details than he, and therefore puzzled

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by what they took to be the surprising success of the Athenian constitution. All attempts to identify the author by name have been unconvincing, and it is not even certain that the work was ever 'published' in the sense of being given more than the most limited circulation in the fifth century. Indeed, its attribution to Xenophon suggests that it was not widely known at that time; if it had been, the name of the author would probably have been preserved, unless, of course, it had been circulated anonymously. It has been suggested that Xenophon inherited the treatise among his father's papers, and so it was eventually wrongly included among his own works after his death. The suggestion must remain pure hypothesis, but is not implausible in view of the known oligarchic sympathies of the family; similar documents circulated privately among dissidents at Athens under the democracy.* It is equally possible that Xenophon acquired the work during his long residence in the Peloponnese (c394-65).

The date of composition cannot be firmly fixed. It must have been after 446 because of the reference to the failure of Athenian policy in Boeotia (III,11); it is generally, though not universally, agreed that the passage about the impossibility of long overland expeditions (II,5) could not have been written after the expedition of Brasidas to Thrace in 424, which so manifestly disproved the assertion made there. Since specific historical events are mentioned only in III,11, it is not easy to be more precise. Proponents of an early date argue that the events referred to in Miletus were probably over by 443, and that it is remarkable to find no reference to the Samian revolt of 441 in III,11; it is not strictly parallel to the other events mentioned, but there is a point here. Those in favour of a later date argue that the work must have been written at a time when Athens' sea power was bringing great success, (e.g. II,2-7), during a war against a major land power with recurrent invasions of Attica and sea-borne reprisals (e.g. II,13-16). Further, they point out that the whole picture of Athens given by the author matches the period after the death of Pericles far better than the 440s, and is remarkably similar to the impression of those years which we get from Thucydides and Aristophanes. The discussion can obviously be applied to the Peloponnesian War situation, but it is very theoretical in tone and to my mind need not have been written in war time; such speculations could well have been current in the period immediately after the loss of the Athenian Land Empire, and the strategy envisaged is certainly implicit in Athenian thinking of the earlier period, not least in the building of the Long Walls (completed 456). However, on balance, the later date seems the more likely, and the years 425-4 the most probable within that period.†

It is not clear to what literary type the work should be ascribed. The opening is such that it could well be a fragment of a larger treatise,

* A. Lesky, *A History of Greek Literature*, 452.

† See also on II,2-6 below. For references to works with full discussion of dating and authorship, see the Bibliography; the argument accepted above is that of Forrest, who states the case fully and clearly.

though this is not a necessary conclusion. The structure is in some respects carefully thought out, and shows evidence of planning, in particular in the way in which the main argument is bracketed by almost identical sentences (I,1 and III,1). In other places the author repeats himself or splits what could have been a single, integral discussion between two widely separated passages, and the end of the work is surprisingly disjointed; it almost reads like a lecture (I-III,1), followed by answers to questions put to the speaker, in which he expands on points made before or amplifies the argument (III,1-13). Ostensibly the author addresses a hearer in the second person, and gives the impression that the hearer lives, or normally lives, in Sparta (I,11), but it is not at all clear that this is meant to be taken literally.

The *Constitution of the Athenians* is one of the earliest extant pieces of Greek prose which is complete or reasonably so. The style is simple and direct, and the transitions from one subject to another often harsh and sudden; there is no sign of the studied interest in antithesis or word order which became fashionable in the later fifth century under the influence of the Sophists. That is not to say that there is no Sophistic influence at all; one may see in the discussion of strategy in war time the effect of their interest in analytical thinking. However, the level of analysis is not very profound, and is at all times subject to the prejudices of the author. These perhaps show at their clearest at II,20, where he condemns as having criminal purposes anyone who is not of the common people but is willing to live under a democracy rather than an oligarchy. He must have known from his own experience that, while it was theoretically possible for any Greek to move to another city and live there, if he did so he had no hope of becoming a citizen, barring the most exceptional circumstances. Therefore he would be placed under very real disadvantages in his everyday life; these normally included heavier taxation and inability to go to law, own land or make any contract except through a citizen as intermediary. This important factor the author omitted, as did Socrates in the *Crito*, where the same subject is discussed at greater length and with greater insight. Further, not merely was it not a simple choice, but also it was a ridiculous and implausible slur to cast doubts on the motives of someone who was aristocratic and chose to live under a democracy. Did the author really believe, or expect his hearers to believe, that all the leading statesmen of Athens who were of the wealthier classes were 'preparing to do wrong' because 'it is easier to get away with being wicked under a democracy'? Such an allegation smacks of the wildest accusation of a modern election campaign.

Clearly, then, this work is an attempt by an Athenian exile to explain Athens to other Greeks; it may have been written early in the Peloponnesian War, possibly in the Peloponnese; any attempt to speculate further must be pure hypothesis.

Whatever the motives and exact time and place of composition, the work is of first-class importance as a historical source. The author is manifestly prejudiced, but because his prejudice is so manifest it is easy

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to identify it and make allowances accordingly. In analysing why the democracy at Athens is so successful he gives us an invaluable insight into its workings at or near its peak, for the author is in many ways shrewd and clear-sighted, and the comments which he makes illuminate not only the world of politics but also many facets of the everyday life of Athens. This is as valuable to us as it was inevitable for him. To an Athenian, whatever his political persuasion, politics formed a central and vital part of his whole life, as is shown most clearly in Pericles' Funeral Speech (Thucydides II, 35-46), particularly in the following excerpt: 'The same people are concerned with private and public affairs, and, despite their varied activities, have an adequate understanding of public affairs; for we alone hold that the man who takes no part in politics is not one who minds his own business, but a useless citizen' (40,2). In the speech and elsewhere Thucydides gives us his conception of the strength and greatness of Periclean democracy and why it worked; the *Constitution of the Athenians* gives us a picture of the same thing seen from a very different point of view.

It is not the duty of a translator to improve on his material, but rather to attempt to convey as faithfully as he can the content and tone of the original. The author of the *Constitution of the Athenians* had a rather turgid and repetitive style, and on occasions produced effects which are distinctly awkward to the English ear; I have attempted to reproduce this in my rendering, and at the same time to resist the temptation to introduce 'elegant variation' not justified by the original. There is one further point which complicates the task of translating this work: certain words, which had started as terms of approval or disapproval, came in the fifth century to have political overtones also, particularly in oligarchic circles; for example, the Greek words *chrestoi* and *poneroi* meant 'useful' and 'troublesome', and so 'good' and 'evil' respectively, but in oligarchic thought they also had the overtones of 'decent' and 'worthless', i.e. 'respectable people' and 'the masses' or 'the mob'. Therefore, when such words are used, the question arises of whether they are being used in their basic sense or with the developed political overtone; it may often be that both senses are there. In a recently published translation* the authors decided on a single rendering for each of these words, and used it whenever the word appeared. Such a practice not only leads to awkwardness on occasions, but is a misrepresentation of the original: it cannot be said that the political meaning was uniformly uppermost in the author's mind whenever he used such words, particularly in the case of *demoi* ('the people', 'democracy' or 'the mob'). I have therefore decided on a particular rendering for each of these words when it appears to me that the political meaning is dominant in the author's mind, but have not felt bound to use it whenever the word appears.

Because of the somewhat disjointed structure of the work, the discussion of the *Constitution of the Athenians* has been divided into two sections:

* *The Old Oligarch*, Lactor 2 (London Association of Classical Teachers).

INTRODUCTION

before the text will be found an analysis of the main themes of the work, with references to the relevant sections, while after it there is a commentary explaining points of detail.

Three Greek words have been transliterated: *strategos* (plural *-oi*) meaning 'general', but with wider connotations because the holders of the post were the nearest Athens had to chief ministers at this time; *Boule*, the Council of 500 members who supervised the day-to-day administration, and prepared all business for the *Ekklesia*, the assembly of all adult male Athenian citizens. Note that 'metic' is the technical term for a Greek residing in a state other than that of which he was a citizen; 'hoplite' is the name for the heavily-armed foot-soldier who formed the backbone of Greek armies in the fifth century; a trierarch commanded and maintained at his own expense a trireme in the Athenian navy.

THE MAIN TOPICS

INTRODUCTION

1,1 In the opening paragraph the author states his position bluntly: he disapproves of the Athenian democracy because by its very nature it ensures that the common people are more powerful than the 'respectable' citizens, by which he means those of oligarchic sympathies and almost certainly also of 'upper class' families. That the oligarchs were numerically very much in the minority and politically so weak as to be of very little consequence for almost all the period of Athens' greatness is shown by the fact that an oligarchic government held power in Athens only twice in the period 508-322: in 411-10 under the pressure of the Sicilian disaster, and in 404-3 on the orders of the victorious Spartans. Both regimes were imposed, and neither lasted more than a few months. This illuminates the second section of his opening statement, 'how well they preserve their constitution'. This must be a prejudiced remark since nearly two centuries of history demonstrate that it was the wish of an overwhelming majority of Athenians to live under a democracy.

1,13-15 The same prejudice may be amply illustrated at many
III,10 other points, notably in the author's approach to cultural and athletic activities, and his discussion of the relation between the Athenian people and the wealthy class among the allies. However, despite his prejudice, he is aware of the success of Athens and of the realities of the political situation, as is shown by the end of the opening paragraph; he recognises the skill of the Athenians and the fact that they handle affairs well. It is not easy to decide exactly what he refers to as 'affairs for which the other Greeks criticise them'. It is less likely to refer to the acquisition and maintenance of Athenian domination in the Delian League, in which they were manifestly successful at the time of writing (whatever date is accepted for the work) than to the day-to-day administration of Athens. If so, this again is a misleading generalisation; there were other democracies in Greece, notably in Argos and Syracuse, whose supporters presumably approved of the Athenian constitution.

ATHENIAN POLITICS

- 1,2-9 The discussion of the details of the democratic constitution opens with the earliest known version of the principle later stated by Aristotle, that 'the class that does the fighting is the most powerful' (*Politics*, 1279 b 3; cf. 1321 a 5-14); the fleet is the basis of Athens' power rather than the hoplites, and the common people man the fleet.

The paragraph raises a most important point of theory in the radical Athenian democracy. As many offices as possible were filled by those selected by lot on the basis of rotation, the aim of which was that nobody should hold any office for a second time until all eligible citizens had held it once. To have any form of election involved 'aristocracy' in the Greek sense—the selection of the *best* men for the job—and this was not democratic. Therefore office holders were selected by lot from the body of those who were eligible and put themselves forward; most offices could be held only once during a man's life. Since a large number of Athenians were not wealthy enough to be able to devote a significant part of their time to politics without losing an unacceptable proportion of their income, a system of so-called 'pay' for office was introduced; this would be more accurately described as 'compensation for loss of earnings' to avoid any suggestion that a man could earn a living by doing what was regarded as his duty as a citizen. Thus the Athenians equalised as nearly as was possible every individual's chance of playing his part in the running of the state. The details of those who received 'pay' for office are set out in Aristotle's *Constitution of Athens*, XXIV,3 and LXII,2, the latter applying to the late fourth century.

- At the same time, the Athenians recognised that certain posts, notably that of *strategos*, had to be held by experts; for obvious reasons, this principle was never questioned. However, the author casts the remainder of the paragraph in such a way as to insinuate that the populace did not attempt to hold such offices because there was no payment attached to them.
- 1,3
- 1,4-9 The author is now moving from sound factual description into the field of motives. He condemns the democrats as self-interested, while at the same time naïvely admitting that the upper classes, if given the power, would certainly organise things in their own interests at the expense of the common people. He has an arguable point when he says that an aristocratic constitution might produce a better city in some ways, but it would be at the expense of the essential element of democracy and equality which the majority want. The double meaning of some of the terms used affects the

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argument: the abstract noun translated as 'badness' in I,7 is from the same root as the adjective translated as 'a member of the mob' in I,6. This ambiguity of meaning has led to a confusion of thought, in that the author cannot see how a 'member of the mob', because of the 'bad' overtones of the word used, could contribute usefully to political discussion.

- II,17-19 The theme is taken up again later, where it is alleged that democracies are less likely to keep their word or shoulder responsibility for their actions than oligarchies. The detailed argument is specious in that those directly responsible for any proposal could be as easily identified in Athens as in any oligarchy; it has a shred of truth in it only in so far as it is easier to disclaim responsibility as an anonymous member of a large voting body like the *Ekklesia* than it is in a small oligarchic government. Here, as elsewhere, the author suggests that the mass of Athenians 'hate' the 'respectable' classes, which is hardly born out by the facts: if they had done so, they could have persecuted and exiled them, a fate suffered by the aristocrats of numerous Greek cities. Further, the contribution to the greatness of Athens made by the wealthier classes, who were often also the more aristocratic, can perhaps best be seen in the fact that the *strategoï* were effectively the leaders of Athens from 487, and yet were never paid, although they must have been engaged on public affairs for most of their time while in office. There are also many records of wealthy men throughout the history of Athens willingly undertaking costly projects for the public benefit even when not forced to do so. The real picture is very different from the impression of almost deliberate persecution and exploitation which is a recurrent theme of the work, notably in the discussions of the financing of cultural and athletic pursuits
- I,13 and of relations with the upper classes in allied states. The suggestion might almost be made that fifth-century Athens was effectively an oligarchy between 508 and 429, so dominant was aristocratic leadership; the democratic answer to this would be that the final decisions were taken by the *Ekklesia*, and all magistrates had to account for their actions to the people. In the same way, the imputation of incompetence against the democrats can hardly be sustained in the light of history. Granted that the democracy made mistakes, nevertheless over a period of two hundred years the record of Athens under their guidance will bear comparison with that of any other Greek state.
- I,14-15

- Within this context of class prejudice are summarised the benefits which the ordinary people get from the democratic constitution. Apart from 'pay' for office and political power in general (the attractiveness of which is clearly appreciated),
- I,13 there is payment for taking part in cultural activities, choral

- and otherwise, and for service in the fleet, the earnings and sense of importance arising from the legal system of the empire, the pleasures and profits from public buildings and festivals, the financial benefits attendant on being an imperial power, not to mention the gastronomic pleasures and cosmopolitan nature of the culture which sprang from being the centre of a widespread trading network. These are all actual benefits resulting from Athens' position, but to imply that the democracy was deliberately organised in order to produce them for the common people is absurd, and even more absurd is the suggestion that they were in part motivated by an almost socialistic desire to redistribute wealth.

SOCIAL ATTITUDES

- e.g. I,5 On the whole the tone of the author is one of frustrated superiority; he is convinced that he and his class are much better qualified to govern than the democracy and morally superior to its individual members, and yet without any hope of achieving political power. He is perhaps surprised by the success of the democracy himself, and ascribes it by implication to cunning rather than wisdom.

- III,12 In particular, the author is offended by the indiscipline of the slaves and metics in Athens. The paragraph contains a corrupt sentence, and is otherwise not altogether clear, but the meaning appears to be as follows. First, slaves in Athens are protected to an unusual degree by the law in that one may not strike them; the result is that they behave arrogantly ('nor will a slave step aside for you'). The reason given is full of class prejudice—so poor is the ordinary Athenian's dress that it is impossible to distinguish him from a slave, and therefore one might strike an Athenian in error. Thus he casts a slur on the ordinary Athenian, whereas he could equally well have concluded from his next statement (that slaves are allowed to live in luxury, and some in considerable magnificence) that the lack of differentiation of dress sprang from the relative wealth of the slaves rather than the poverty of the free citizens. The second point is that in a naval state slaves must work for hire. It is true that slaves cannot work directly for an owner who is on foreign service in a trireme, but no note is taken of the fact that a large number of the slaves who worked for hire worked in the mines at Laurium (see Xenophon, *Ways and Means* IV,4); they would have been very badly off—but they were not the slaves one would see in the streets.*

To install slaves in separate establishments with trades of their own was probably one of the more lucrative methods of

* On the position and treatment of slaves in general, see Ehrenberg, *People*, 184ff.

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getting a good return on the investment represented by the slave. If this system was to work, there had to be some incentive for the slave, which was provided by allowing him to keep his earnings beyond a certain sum which his owner took, and so eventually making it possible for him to buy his freedom. This arrangement arose from sound commercial sense, not the fact that Athens was a naval power. Inevitably in such a system some slaves would choose to use a part of their earnings to make life more comfortable while they were still slaves, and therefore might dress in a fashion no different from, perhaps even superior to, that of the lower-class Athenian citizen. A regime based on fear cannot be applied to such a situation, but the sea-based democracy had little to do with the behaviour of the slaves, except in so far as Athens' position encouraged some industries. The statement that fear

1,11 might induce a slave to 'spend some of his money' must presumably refer to the possibility of blackmail which arose when a slave had money; although the exact point that is being made is obscure, here is one of the many interesting sociological observations contained in this passage, for all its superficial prejudice.

1,12 The author then says that slave and citizen enjoy equal rights of free speech. He uses the term *isegoria*, which includes full rights to address the Ekklesia and take part in political life. This is obviously an overstatement, a deliberate exaggeration of the fact that slaves, perhaps as a result of their greater freedom if living in separate establishments, tended to be less servile than elsewhere. Finally, the discussion comes full circle to its starting-point, the metics, and correctly explains their relatively privileged position in Athens, though here again freedom of speech cannot be taken in the full sense of *isegoria*. Metics were free men, and the author's attitude to them is almost feudal. There were a large number of them in Athens, demonstrating that many people found it well worth their while to put up with inferior status and lack of political rights in order to have the compensating benefits. Presumably most of them were traders or skilled craftsmen.*

FESTIVALS

1,13 To the author, the Athenian festivals were either a cause
III,2,4,8 of expense to the rich or an interference with the administration of justice and the running of the state; also, by implication there were too many of them. Only once does he
II,9-10 recognise in passing that they added something to the quality of life in Athens, and then in a context where he lays the

* On metics and their position, see also the Introduction, above, and Ehrenberg, *People*, 150ff.

main stress on the way in which the common people are getting something which they have not paid for. Nothing here of the glories of the temples, the drama, and the choruses, or of the Panathenaic procession so beautifully recorded in the Parthenon frieze. A Philistine indeed! Interestingly, Plutarch also in general followed the aristocratic tradition in describing these things (*Pericles* 11-14), but he was honest enough to admit and admire the artistic and cultural achievements of the Periclean age.

The statement that there are twice as many festivals in Athens as in other states sounds a typical exaggeration, but is factually accurate according to our sources. Maximus of Tyre made a comment in the second century AD which might be freely paraphrased as: 'All Attica stinks of incense.'

THE COURTS

Aristotle regarded control of the lawcourts as the key to control of the state (*Constitution of Athens*, ix), and the author of this treatise makes the same assumption implicitly at the end of the long passage dealing with delays in the transaction of business at Athens. The same point is made at 1,13, but 1,16-18 shortly afterwards he goes on to develop the theme that the courts are essential both in retaining control over the empire and in keeping this control in the hands of ordinary people. The points are well taken. The resentment caused by the imposition of Athenian justice on the allies, and the fact that they often had to come to Athens to receive it, are made clear in the defence of Athenian conduct which Thucydides puts into the mouth of the delegation at Sparta before the beginning of the Peloponnesian War (1,76-7), though Thucydides there offers a plausible justification of what they had done, while the present author offers a cynical list of the material benefits which flow from the practice.

Neither author really makes clear the distinction between civil and criminal justice. In civil cases it was normal for Athens to make treaty arrangements with her allies which put allied and Athenian citizens virtually on an equal footing. Cases would be decided either in Athens or in allied cities; it was normal to sue in the state of the defendant because it was then easier to execute judgment. Presumably this is what Thucydides refers to when he says: 'We are at a disadvantage in commercial cases affecting our allies' (1,77,1), and the 'disadvantage' refers to the fact that Athens was prepared for her citizens to be bound by decisions of courts other than her own. The implication is that such an attitude was unusual for a state when dealing with subject allies. Criminal cases, and cases involving death or loss of rights of citizenship, were increasingly referred to Athens, either for trial or for

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- confirmation of sentence. Thucydides says: 'Although when we conduct trials at Athens we are bound by the same laws as they are, we are accused of a passion for litigation' (*ib.*), which glosses over the essential infringement of the autonomy of the allied states, and the possible bias involved in trying cases before an Athenian jury. However, the author of the *Constitution of the Athenians* is under no illusions about the
- I,13 approach of an Athenian jury: 'In the courts too, they are as much interested in their own advantage as they are in justice.' Although this generalisation is not specifically applied to relations with the allies, it is instructive, particularly when compared with the long list of the benefits which
- I,16-18 Athens derived from the fact that the allies had to come to Athens for cases to be tried.*
- III,2-9 In the final section of the treatise the author returns to the subject of the courts from a different angle, discussing the multifarious business which came before them and the consequent delays. Disregarding the slightly utopian suggestion
- III,6 that if judicial business could be transacted more efficiently crime would be prevented, the interesting point in this
- III,7-8 discussion is the conclusion that any modification of the legal system would make the decisions of the courts much less just, and take away something from the democracy. Such a tribute from an opponent of democracy has illuminating implications for the standard of legal practice in oligarchic states, and
- I,13 also presents an interesting contrast with the earlier statement that the Athenians are as concerned with their own interests as they are with justice in their courts.

THE WORKING OF ATHENIAN DEMOCRACY

- III,1-9 The long passage dealing with the delays experienced in conducting business in Athens reads rather like an Appendix or the answer to a question. The author has rounded off the main discussion at III,1, but nothing has as yet been said of practice as opposed to theory, a subject raised in the opening lines of the work. The answer given to the objector is that there is just too much to be done for the democratic machine to handle it expeditiously, whether in politics, where he concentrates on the *Boule*, or in the courts. In addition, there are
- III,2 a large number of religious festivals, which, as was normal, prevent the transaction of all but emergency public business.
- III,8 There are twice as many festivals as in other states, and this impedes the administration of justice in particular, but even if the number were drastically reduced, they still could not
- III,3 keep up with the pressure of business. In a parenthesis there

* For further details, see G. E. M. de Ste. Croix, 'Notes on Jurisdiction in the Athenian Empire', *CQ* NS 11 (1961), 94-111 and 268-80.

is the admission that bribery plays its part—it would be surprising if it did not—but even unlimited bribery would not solve the problem. Throughout the passage the administrative and judicial sides are interwoven; while this is to a certain extent comprehensible because so much of the *Boule's* business was either quasi-judicial or led to judicial hearings, none the less this paragraph is not as clear as it might be. It looks rather as if the points were put down just as they

- III,5 occurred to the writer; a particular example is the afterthought about the tribute. When disentangled, the section gives a good summary list of the main duties of the *Boule*, and shows why it was so overburdened that it was always behind schedule. Similarly, it refers to the main administrative
III,8 matters which led to trials. Finally he comes round again to his starting-point with the conclusion that you could not change anything significantly without radically affecting the democracy.

- III,12-13 Almost as an afterthought comes the final paragraph, on the question of the disfranchised. Whereas III,1-9 appear to be the answer to the sort of question which an oligarch might have asked, this paragraph begins with a question which is either that of a convinced democrat who thinks that the Athenian judicial system could do no wrong, or else is heavily ironic. However this may be, the author makes an important amplification of his main thesis: not only is Athenian democracy well designed to preserve the democratic system internally, but also there is no hope of fostering a successful revolt from outside based on people who have been disfranchised under circumstances which would give them a legitimate grievance, and who could therefore reasonably be expected to attract some support.

THE EMPIRE AND ATHENS' MILITARY POSITION

All Greeks paid lip service to the idea of freedom, and any state which established an empire was bound to interfere with the freedom of the member states. However, the Greek idea of the highest form of freedom tacitly included the ruling of others, and thus implied an essential contradiction.* Therefore Thucydides can have the Corinthians accuse Athens of enslaving states (I,68,3), a plausible and useful allegation for stirring up feeling before a war, but the Athenians can reasonably reply that the Spartans would have done the same or worse if they had been in the same position as Athens (I,75,2-76,3), and point out that it has always been accepted in practice that the weaker will be controlled by the stronger (I,76,2). The imperial power may be hated; this is not,

* Thucydides VIII,68,4.