

Exile and the Political Cultures of the Greek Polis, c. 404-146 BC

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Thesis submitted for the degree of D.Phil., Hilary Term 2011.

Abstract

This thesis uses the evidence for a wide range of phenomena relating to the exile of citizens, by judicial decision or through *stasis*, to investigate the political cultures of Greek poleis in the period c. 404-146 BC: the fundamental ideas about citizenship which were in circulation in poleis in that period. Political communication in the context of exile phenomena forced citizens to make explicit their fundamental assumptions about the criteria for civic inclusion and exclusion and about the extent and basis of civic obligation. Analysis of surviving evidence for that communication thus offers unique insights into prominent Greek ideas about citizenship. This method is applied, in chapters 1 and 2, to laws and discussions relating to, first, lawful expulsion and exclusion and, second, civic reconciliation and the reintegration of exiles; and, in chapters 3 and 4, to the political rhetoric, organisation and ideas of participants in exclusionary *stasis* and of exiled citizens. Wherever possible, ancient Greek philosophers' arguments, rhetoric and assumptions are compared with those of non-philosophers.

Study of the four different bodies of evidence suggests that most poleis' political cultures were distinguished by their extremes, paradoxes, indeterminacies and contradictions. In particular, many poleis' political cultures included very significant, radical norms of civic voluntarism, encouraging citizens to exercise extensive voluntary initiative in political contexts. Moreover, most poleis political cultures were dominated by two coexisting, radically opposed basic paradigms of the good polis and of good citizenship: these are defined in the introduction and chapter 1 as a 'unitarian teleological communitarian' paradigm and a 'libertarian contractarian' paradigm.

In addition to revealing fundamental ideas of citizenship, some of the exile evidence enables study of the effects of those ideas in practice in this period: citizens' political choices, claims and behaviour in relevant periods of stress, such as a bout of exclusionary *stasis* or a spell of political agitation while in exile, represent a well-defined and revealing case-study of the multiple, competing effects of those ideas on political interaction. It is argued that the exile evidence suggests that the same fundamental ideas of citizenship were conducive both to civic stability and flourishing and to destructive civic unrest.

Preface and Acknowledgements

All dates mentioned in this thesis are BC, unless otherwise stated. Abbreviations of journals follow *L'Année Philologique*; abbreviations of epigraphic publications follow the *Supplementum Epigraphicum Graecum*. Other abbreviations follow the *Oxford Classical Dictionary* (third edition). Well-known Greek names (including those of all literary authors) are given in Anglicised or Latinised form; other Greek names are transliterated.

My research for this thesis was made possible by a Fellowship by Examination at All Souls College, for which I am very grateful. I would also like to thank my supervisor, John Ma, for his thought-provoking and inspiring guidance throughout my work on the thesis. I would also like to thank my successive college advisers at All Souls, Angelos Chaniotis and Simon Hornblower, for reading the thesis at different stages and giving extremely helpful advice. Finally, I would like to thank my wife Christa, my sister Corinna and my parents Julia and Richard for all their support and encouragement during my work on this thesis, and for discussing its themes with me.

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Introduction

1. The subject of the thesis

Expulsion was a perennial risk for citizens of Greek poleis, from the Archaic period to Late Antiquity. In phenomena of different frequencies in different periods, citizens could be sentenced to formal exile by a court; forced to flee their city to avoid condemnation by a court or political persecution; driven out during civil war; or expelled from their city by an external invader. In each case, exile¹ entailed loss of security and status, devastating for those affected: philosophers of the Hellenistic and Imperial periods wrote consolatory tracts, a genre otherwise principally concerned with poverty and bereavement, addressed to exiles.²

One purpose of this thesis is to provide a new history of Greek exile in the later-Classical and Hellenistic periods:³ a history of its causes and consequences, including its effects on individuals. However, the principal aim is to use exile phenomena to probe the character, development and effects of the political cultures of Greek poleis in this period: the basic political assumptions in circulation within individual poleis, within regional groups of poleis and within the Greek world as a whole.

¹ 'Exile' will be understood to refer to the multiple man-made processes by which Greek citizens were forced to emigrate from, or prevented from returning to, their homeland or preferred residence, without the original expelling power equipping them with a new place of residence or enslaving them.

² Cf. Giesecke (1891). Teles *On Exile* is the only (partially) surviving example from this period, but Plutarch drew in his *De Exilio* on a rich fourth-century and Hellenistic tradition.

³ Cf. Forsdyke (2005) for the Archaic and earlier-Classical periods.

2. The geographical and chronological scope of the thesis

This thesis examines evidence from throughout the Greek world. The chronological period addressed is the ‘long fourth century’,⁴ c. 404-146. The selection of this period is mainly due to the quantity and geographical spread of the evidence it offers for exile. There was probably no great change in exile phenomena in the Greek world in c. 404. The other chronological limit does, however, mark a decisive break: Roman regulation curtailed the Greek exile phenomenon, without bringing it to an end.⁵

Similarly, there was probably no great change in the character of poleis’ political cultures in 404, even if there was a more marked one as a result of increased direct Roman involvement after 146. Indeed, fifth-century political cultures feature regularly in this thesis: for example, fifth-century Athenian political culture is central to chapter 3. Despite this, the period c. 404-146 is suitable for separate study, as a period in which the nature, quality and spread of the evidence enables more detailed consideration of prominent basic political assumptions than possible for earlier periods of Greek history. This is partly due to the emergence of utopian political writing in prose.⁶ It is also because a new, less circumscribed rationalism,⁷ connected with the full embrace of literacy as a political technology,⁸ led to many explicit, relatively unenigmatic statements by non-philosopher citizens of basic political assumptions.

⁴ Cf. Ma (2000).

⁵ Seibert (1979), 218-19.

⁶ Cf. Gadamer (1983); Hornblower (2011), 192-5.

⁷ Cf. Vernant and Vidal-Naquet (1973), ch. 1.

⁸ Cf. Murray (1990c), 11.

3. The concept of political culture

a) The nature of political culture

This thesis makes use of the notion of political culture in response to a specific problem in writing the history of Greek political thinking and events: the need to find a systematic model of political thought and action which simultaneously fully describes and explains, first, the inescapable embeddedness of Greek citizens in particular political milieux and, second, the exercise by those same citizens of significant political autonomy.⁹ This thesis' notion of political culture is a response, for example, to the problems involved in interpreting and explaining Plato's political thought as that of an Athenian citizen, keenly aware of wider Greek civic practices and norms.¹⁰

Plato's political ideas were clearly shaped by prevalent Classical Greek political assumptions: for example, his city-soul analogy in the *Republic* recalls widespread Greek organic metaphors of the polis;¹¹ and his approach to the role of the legislator in the *Laws* is unmistakably coloured by wider Greeks notions of legislation as a literary and educational, as well as a regulatory, undertaking.¹² Similarly, his upbringing in the Athenian urban deme of Kollytos and his exposure to the wider political, social, cultural and literary cultures of Classical Athens strongly marked his approach and ideas: for example, Burnyeat (1999) plausibly associates Plato's concern in *Republic* Book X with the dangers of artistic representations of couches as a reflection of the centrality of the *symposion* and its cultural products, including

⁹ On the need to account systematically in social and political theory for the fact that both social norms and individual autonomous agency contribute to causing social and political action, compare Habermas (1990a), 102, 199-200; Hurley (1990), ch. 15, esp. 317-18; Frazer and Lacey (1993), 198-201, 203.

¹⁰ For attempts to address this problem in relation to Plato's political thought: Monoson (2000); Schofield (2006), chs. 2-3.

¹¹ Cf. Brock (2000).

¹² Cf. Bertrand (1999).

vase-painting and lyric poetry, to Athenian civic life. However, as well as unwittingly reproducing, and explicitly engaging with, the norms and debates of his time and place, Plato produced a radical, groundbreaking political philosophy, which could not have been predicted simply by analysing the many strands of contemporary political thinking and their interconnections.¹³

To take an example involving a non-philosopher, this thesis' notion of political culture is also a response to the problems raised by describing and explaining the political career of Polemaios, a prominent later-second-century citizen of Colophon in Asia Minor. As the Colophonian honorary decree for him¹⁴ makes clear, Polemaios was comprehensively habituated into the ideals of Colophonian and Greek culture: in addition to his experience of the political assemblies, festivals and other celebrations of Colophon itself, he was educated in the intellectual centre of Rhodes. However, as well as enacting those ideals as a stereotypical Greek euergetical benefactor, he was able to rise to the challenge of innovating in his political methods: he conducted diplomacy with the Roman Senate, with sufficient political flexibility to establish Colophonian relations with Rome on a favourable footing.

The details of the notion of political culture adopted in this thesis, as a response to this practical historiographical problem, are as follows. The political culture of a group is held to consist of the fundamental political conceptions, paradigms and norms which are in circulation within that group and in some way marked as valid. Relevant 'fundamental' conceptions include conceptions of the essential nature of community and self, of political community and political membership, of the particular political

¹³ On the need to account for simultaneous cultural embeddedness and free-thinking criticism in interpreting classic works of political thought: Skinner (1969); (1988).

¹⁴ Robert and Robert (1989), Polemaios text, pp. 11-17; *SEG* 39.1243.

community involved and its members, of valid sources of political legitimacy (secular and religious) and of the relationships between those things. Greek civic political cultures included, to consider only conceptions of discrete concepts identified with a single word, varying conceptions of, for example, ‘virtue’ (ἀρετή), ‘justice’ (δικαιοσύνη), ‘friendship’ (φιλία), ‘flourishing’ (εὐδαιμονία), ‘freedom’ (ἐλευθερία) and ‘piety’ (εὐσέβεια).

Closely related to such conceptions are fundamental paradigms¹⁵ of good political organisation and behaviour. In the Greek case, for example, a widespread paradigm was that of the polis as a simultaneously political and religious community, whose political and religious aspects are inextricably intertwined.¹⁶ From such paradigms derive fundamental political norms: propositions specifying required basic features of political behaviour, in political contexts in general or in specific situations. The Greek paradigm of the polis as a political and religious community entailed, for example, norms requiring participation in civic festivals, as a central citizen duty.¹⁷

The fundamental conceptions, paradigms and norms of a political culture exist as intersubjective entities, collective products of dialogue among members of the group concerned and their predecessors as members. They are in circulation in a given group in that they exist dispersed across the minds of individual members, as the content of beliefs and the objects of attitudes. In addition, they are in circulation in that they are embedded or encoded in the collective institutions and regular collective practices of the group concerned. Since they are in circulation in these tangible ways, the relevant

¹⁵ Cf. Burke (1986), 445-7.

¹⁶ Cf. Sourvinou-Inwood (1990).

¹⁷ Note, for example, Goldhill (1987).

conceptions, paradigms and norms need not be considered abstract, autonomous Ideas.¹⁸ These conceptions, paradigms and norms are marked as valid in the way they are represented, either by individuals through participation in political debate or by groups through collective political practices or their products. In the case of Greek poleis, those products included, for example, inscribed civic decrees or public monuments, but also, less obviously, civic festivals and the poetry and art associated with them.

An explanation in terms of this model can be offered for why Greek citizens always remained embedded in distinctive political milieux. The fundamental intersubjective conceptions, paradigms and norms comprising a group's political culture represent the indispensable basic points of orientation which enable its individual members to understand themselves and their political world:¹⁹ a type of understanding they need as acutely as material goods and the power and technical knowledge required to obtain them.²⁰ This is because such conceptions, paradigms and norms, which are subject to selective social processes of critique and clarification,²¹ shared by many individuals and embedded in institutions, have the non-subjective and comparatively stable character required to serve as authoritative basic points of political orientation of this type: they contrast sharply in this respect with individuals' purely subjective impulses, preferences and ideas. Moreover, those conceptions, paradigms and norms represent the basic points of reference by appeal to which the relevant group's individual members communicate with one another in political contexts. As Taylor

¹⁸ Cf. Burke (1986), 442.

¹⁹ Compare Habermas (1987), esp. chs. V-VI, esp. 120-6 (describing Habermas' conception of the 'lifeworld' of a society); also Habermas (1972), 53; (1990a), 67-8, 102, 199. Note also Taylor (1989), esp. 35-40. Taylor shares his general view that individuals derive their basic orientation and self-understanding as subjects from their culture and environment with other contemporary anti-Rawlsian North American philosophers described as 'communitarians': cf. Sandel (1982); Walzer (1983).

²⁰ Cf. Habermas (1972), esp. chs. 2-3.

²¹ Cf. Habermas (1987), 124-6.

argues, shared basic intersubjective meanings are required to make possible even political disagreement, let alone consensus.²²

On account of the arguments raised here, the quite traditional view that the elements of a group's political culture are comparatively stable, though mutable, can better account for processes of political orientation and communication than the recently-prominent rival view that a group's political culture should be viewed as a 'process' or 'discourse', in which shared meanings are constructed afresh in each new social interaction.²³ To take a historiographical example of this approach, R. Chartier, the historian of the French Revolution, emphasises, in a reaction against his *Annales* predecessors, the importance for sociological explanation of practices, media and discourse, as opposed to 'mentalities' and representations. For instance, he argues that new practices of voluntary association in clubs and of close reading of texts, not antecedent ideas which encouraged those practices, were the driving forces in the ongoing construction of the new norms of equality and political criticism which underpinned the French Revolution.²⁴ This approach cannot easily explain independently how members of the French bourgeoisie came into the mental state which enabled them to undertake the new forms of association and reading which Chartier discusses. Similarly, it is unsuited to independently explaining how they

²² Taylor (1985), 36-7. Taylor advocates the view that political culture consists of intersubjective meanings in opposition (cf. Taylor (1985), 31-2) to the view of Almond and Verba, the political scientists who first attempted to make the notion of political culture useful for empirical political-scientific research, that a group's political culture is a composite of the subjective basic political attitudes of its members (cf. Almond and Verba (1963), 12-14, 16).

²³ Cf. Welch (1993), chs. 6-7, esp. 111-17; 147-58. Chartier (1988), esp. 13-14, 36-7; 40; (1992), 6-7, 15-17, 42.

²⁴ Chartier (1992), ch. 2; cf. p. 91.

communicated with one another about their respective intentions and understandings.²⁵

As well as being able to explain the embeddedness of Greek citizens in political milieux, the conception of political culture followed here can explain how Greek citizens were nonetheless able to exercise autonomy in their political thinking. The fundamental intersubjective conceptions, paradigms and norms of a group's political culture provide the necessary starting-points and building-blocks for individuals to engage in independent political thought. Indeed, they not only enable, but also encourage, independent thought: the range of possible outcomes, with the starting-points and building-blocks provided by a political culture, is usually extensive.

That range is usually sufficiently wide to enable and encourage the extent of individual autonomy which makes possible both conflict between members of the group in question and substantial change in that group's political culture.²⁶ This is because, if a group's political culture comprises all fundamental intersubjective political conceptions, paradigms and norms in circulation within it, and in some way marked as valid, it is unlikely to be a unified whole: more probably, it will be a dynamic composite of varied, or even contradictory, strands. Moreover, in many cases, those strands will be ambiguous and indeterminate.²⁷ Conflict is possible when different individuals and groups seize on strands with incompatible practical implications or advocate contrasting interpretations of a single indeterminate strand.

²⁵ Chartier himself even refers at one point (Chartier (1992), 15) to participants in discourse having 'identical references' and 'common goals'.

²⁶ For the difficulty in accounting for these social phenomena within a history of 'mentalities': Burke (1986), 443-4, 447.

²⁷ Cf. Ober (2003a), 237-8.

Change is possible when individuals or groups combine strands in new ways, for example by conceiving a synthesis of contradictory strands in a new strand.

This model can explain how Athenian and Greek civic political cultures enabled Plato's originality. In his *Republic*, for example, Plato developed and persuasively advocated a new synthesis of Athenian and Greek concepts of the good πόλις and the good ψυχή and of δικαιοσύνη, ἀρετή, σοφία, φιλία and εὐδαιμονία, ambiguous notions which sometimes appeared to ground contradictory individual and collective objectives. This model can also give a good hypothetical account of Chartier's example of new practices in the period before the French Revolution, considered above: members of the French bourgeoisie could have developed new concepts of association and reading through extrapolation from, and recombination of, existing concepts. In the case of critical reading, for example, they could have developed the concept of more critical, 'active' reading from reflection on the requirement to strive to reach an understanding of a text demanded by the norms governing supposedly passive forms of reading, or even by those governing the practice of listening to a text read out by another.

In addition to underpinning other mental constructions, these fundamental intersubjective conceptions, paradigms and norms provide the necessary starting-points and building-blocks for the thought and communication required for individuals and groups to construct ideologies: sets of ideas which, first, are usually more complex, explicit and specific to particular political questions than the

components of a political culture;²⁸ and, second, necessarily give priority to the partisan interests of a particular section of the group in question.

For example, the Colophonian honorary decree for Polemaios, introduced above, can be read in part as an ideological legitimisation of the class interests of wealthy Colophonians, who used their wealth to make profitable loans to the less affluent. It achieves this effect by emphasising Polemaios' generosity to poorer individuals, not only through hospitality and broader euergetism, but also through the remission of some of the debts of the most needy.²⁹ This legitimisation relies on appeal to consensually accepted ideals of later-Hellenistic civic political culture: ἀρετή, εὐταξία ('good order') and φιλάνθρωπία (humanity).³⁰

Modern attempts to distinguish political culture from ideology have been strongly criticised on the grounds that all political ideas and norms are ideological.³¹ Arguably, however, individuals commonly succeed in convincing their peers of the validity of their ideological claims only because they successfully manipulate non-ideological, consensual standards: their audience accepts their claims because they appear consistent with fundamental collective objectives. For example, Habermas has criticised on this basis Foucault's argument that the laws and institutions of the modern state are products of the 'will to power' of a political elite: in fact, those in power rely on consensually accepted, communally beneficial norms to formulate and successfully advocate their own partisan projects. For example, the institutions and norms of bureaucratic, impersonal administration and surveillance which arguably

²⁸ Cf. Welch (1993), 108.

²⁹ SEG 39.1243, col. III, ll. 35-47.

³⁰ SEG 39.1243, col. I, ll. 43-4; col. III, ll. 35-7, 45-7.

³¹ Cf. Pateman (1980).

form the basis of elite control of national populations are, in fact, the very institutions and norms consensually accepted as necessary for the effective and equitable functioning of a communally beneficial welfare state.³²

b) The relationship between political culture and political action

As interpreted in this thesis, political culture indirectly contributes to causing political action. The causal relationship is indirect because there is an intermediate stage: the shaping of individuals' subjective political attitudes and beliefs, including their latent or unconscious ones, by the political cultures to which they are exposed. In turn, individuals' subjective political beliefs and attitudes supply some of the goals which determine their practical political decision-making.

Political culture is far from the only factor relevant to explaining political action. At the stage of practical decision-making, as at the stage of forming attitudes, individuals can exercise autonomous agency, in selecting between and interpreting options. Moreover, the social structure of agents' society, and their interests within that structure, exert their own constraints on their agency. The discussion above entails, however, that the influence of social structure, and of agents' interests within it, is not entirely distinct from the influence of their political culture. Rather, the intersubjective understandings which comprise those agents' political culture themselves underpin that social structure: they enable those agents to participate in the creation and perpetuation of a social structure³³ and to recognise or conceive personal or sectional interests within it.³⁴

³² Habermas (1990b), 286-91.

³³ Cf. Godelier (1982), 16-17, 20-1, 32-8, on the necessary 'ideal' element in social relations.

³⁴ Habermas (1987), 95-6; (1990a), 67-8, 199-200; cf. Welch (1993), 112-13.

Standing before the Roman Senate, for example, Polemaios was guided in his political action and speech by a wide range of interconnected factors: his own idiosyncratic preferences, fears and impulses on the day in question; his awareness of his class interest as a member of the landowning, credit-giving elite of Asia Minor, with a material interest in Roman support; but also the subjective political attitudes and beliefs, such as patriotic pride in his particular, small-scale polis, its territory, traditions and autonomy, which he had assimilated from his political cultures.

It is also assumed in this thesis that there is a symmetrical indirect causal process in the other direction between political action and political culture.³⁵ By acting politically or observing the political actions of others, individuals can come to understand better the political conceptions, paradigms and norms influential on them, or recognise new implications of them or connections or contradictions between them. For example, participation in a modern democratic election may lead individuals to recognise an uncertainty about whether the good democratic citizen votes for his/her own interests or for what he/she perceives to be the public interest. If new understandings, inferences or associations resulting from action are confirmed through political communication, they themselves become part of the political culture of the group concerned.

c) The interpretive method of studying political culture

If political culture is defined in the way outlined here, the problem arises of how it can be studied with any rigour.³⁶ Since even survey interviews do not provide direct access, political culture can be effectively studied only by an 'interpretive' method:

³⁵ Cf. Taylor (1985), 33-4.

³⁶ For methodological defences of the use of the concept of political culture in historiography: Welch (1993), 147-58; Formisano (2001), esp. 426.

all of the observable or attested forms of political speech, action and organisation within a group, or a defined sub-set of them, should be interpreted as evidence for underlying intersubjective conceptions, paradigms and norms.³⁷ The difficulty in distinguishing sincere and deceptive political speech is not a severe problem for this approach. Even the interpretation of deceptive political speech can yield evidence for the assumptions which the speaker expects his audience to hold.³⁸ Moreover, even such deceptive political speech places constraints on many speakers' subsequent action, since most cannot afford obvious hypocrisy.³⁹

To whatever attested political speech or action the interpretive method is applied, the interpreter can easily supply the ideas of his own society.⁴⁰ In order to minimise the risk of anachronism, any reconstructed political conception, paradigm or norm should be amenable to being described using language and concepts attested for the society concerned. Nevertheless, it is legitimate to use alien terminology to classify and analyse reconstructed political conceptions, paradigms and norms.

4. Phenomena involving exile and exiles as a key to understanding the political cultures of Greek poleis and their relationship with political interaction

Later-Classical and Hellenistic rhetoric, action and institutions related to exile provide crucial insights into the contemporary political cultures of Greek poleis and the Greek civic world. This is because exile necessarily brought to the fore fundamental questions about politics: criteria of political exclusion and inclusion; the legitimacy of

³⁷ Cf. Taylor (1985), 31-2. In the case of the interpretation of action, the aim is to identify the 'view of the agent and his relations to others' which is 'implicit in social practices' (Taylor (1985), 35). On the distinction between this 'interpretive' approach and 'behaviouralist' approaches to studying political culture: Welch (1993), 2-6.

³⁸ Cf. Wickham (2005), 8-9.

³⁹ Skinner (1974), 299.

⁴⁰ Welch (1993), 98, 105-106.

different forms of political organisation and behaviour; and even the nature of political utopia and dystopia.

Chapters 1 and 2 of this thesis examine static products of political interaction: texts and institutions, of types widely attested for different poleis, in which ideas and practices relating to citizenship were crystallised. Chapter 1 addresses texts regulating or discussing the criteria for the lawful expulsion or disenfranchisement of citizens of a polis. Chapter 2 turns to the process inverse to expulsion, examining texts regulating and discussing the reintegration of exiles into poleis. In both cases, the relevant texts include both inscribed civic documents and discussions of the general problem by intellectuals.

In both of these chapters, the texts and the institutions they establish or advocate illuminate the relevant political cultures. In producing such texts, citizens were obliged to define through dialogue criteria for the exclusion and inclusion of citizens, capable of commanding wide-ranging consensus. In doing so, they necessarily made explicit their fundamental assumptions about the nature of the good polis and the good citizen (and their opposites). The juxtaposition of philosophical and non-philosophical texts makes it possible to investigate connections between philosophical and mainstream claims about citizenship: they can be shown to be inspired by shared underlying assumptions, derived from common political cultures.

While chapters 1 and 2 examine static products of political interaction, chapters 3 and 4 examine dynamic political interactions, as further evidence for the shape of civic political cultures. Chapter 3 analyses the political language and behaviour of

factionaries in *staseis* leading to expulsions of citizens. Turning to a different type of political interaction, chapter 4 considers the political identities and organisation of exiles, irrespective of the reason for their exile.

The types of rhetoric and action selected for examination in these two chapters are particularly revealing of citizens' fundamental political assumptions. Periods of *stasis* leading to exile, examined in chapter 3, were periods of existential crisis for many poleis, which forced citizens to fall back on, but also to examine, their basic assumptions about politics, especially their assumptions regarding political inclusion and exclusion. As for chapter 4, the political identities and organisation of Greek exiles provide a unique laboratory of political habits, assumptions and ideals. In developing *ab initio* their own political relationships and institutions in exile, exiled citizens were forced to make the most basic political choices, which they never faced within the established political systems of their home cities.

In addition to revealing underlying political assumptions, analysis of the political speech and action addressed in these two chapters also makes possible consideration of the extent to which Greek civic political cultures possessed indeterminacies and contradictions which enabled and encouraged individual autonomy. It is possible to consider the extent to which rivals in *staseis* leading to exile, and groups of exiles adapting to different habitats in exile, were able to exercise autonomy in appropriating, interpreting or modifying established political norms.

Finally, the forms of political interaction considered in these chapters illustrate the influence of exile on civic political cultures. The attested speech and behaviour of

some exiles, considered in chapter 4, indicates ways in which their experience of exile shaped their political consciousness. In some cases, such modifications of perspective were disseminated into Greek political cultures.

5. Relevant trends in modern scholarship concerning the political cultures of the later-Classical and Hellenistic polis.

This section and the next place this thesis in the context of existing scholarship concerning, first, the political cultures of later-Classical and Hellenistic poleis and, second, exile. The recent work of the Copenhagen Polis Centre yielded, not only an indispensable work of reference,⁴¹ but also new insights into many institutional and terminological questions. However, it was relatively little concerned with political culture. Extensive recent discussion of civic political cultures must be sought elsewhere, especially in French and American scholarship, but also, for example, in M.H. Hansen's own earlier work.

The dominant tendency in scholarship concerning Greek political cultures in this period has been to emphasise a paradigm which can be classified as 'communitarian': a paradigm of the good polis as a solidaristic⁴² community of participatory, virtuous citizens, united in political friendship through civic education and collective civic practices. This paradigm has been widely recognised as central to Aristotle's political and ethical philosophy,⁴³ which was partly an attempt to capture common fourth-century assumptions.⁴⁴

⁴¹ Hansen and Nielsen (2004).

⁴² The word 'solidaristic' is used in this thesis to refer to a group united in solidarity, usually also committed to solidarity as the ideal mode of social organisation.

⁴³ Cf. Bodéüs (1982); Barnes (1990); Cooper (1999), chs. 6, 9-10; (2000); Rowe and Schofield (2000), chs. 15-18, e.g. 316-17; Kraut (2002); Irwin (2007), 208-32. The main evidence for this interpretation

Many scholars have emphasised Aristotle's insistence that the *telos* of a true polis is realised when its citizens all choose⁴⁵ to satisfy standards of civic virtue (or 'living well') inculcated in them through civic education.⁴⁶ Indeed, Cooper has recently argued that Aristotle intended to suggest that an individual can understand and act on full human virtue only through political interaction with fellow citizens who also aspire to it.⁴⁷ The virtuous citizens of Aristotle's true polis are political friends, to the extent that they voluntarily share material possessions:⁴⁸ as a result, there is little need for strict 'justice'.⁴⁹ Aristotle sometimes presents 'political friendship' simply as *ὁμόνοια*: consensus among citizens about the common good.⁵⁰ However, there are also hints in Aristotle's work that political friendship, at least in its true, stable form, is a form of 'character friendship': reciprocal good-will resulting from mutual recognition of virtuous character.⁵¹

of Aristotle's political philosophy is derived from Aristotle *Nicomachean Ethics* Books I, VI; *Politics* Books II-III, VII-VIII.

⁴⁴ Kraut (2002), 353-6, identifies difficulties in describing Aristotle's political thought as 'communitarian', also relevant to any attempt so to characterise wider Greek civic norms. However, those difficulties are avoided if the Greek 'communitarian' paradigm is defined in the broad way suggested above: under that definition, 'communitarianism' has no necessary connection with moral relativism.

⁴⁵ Nussbaum (1980), esp. 422-3.

⁴⁶ E.g. Kraut (1989), 90-104; (2002), esp. chs. 6-7; Depew (2009), esp. 401-408. Note especially Aristotle *Politics*, 1278b21-3; 1280a25-1281a8; 1263b36-7; also *Nicomachean Ethics* 1099b29-32.

⁴⁷ Cooper (2010), 228-48; cf. Cooper (1999), ch. 15.

⁴⁸ Cf. Aristotle *Politics* 1263a21-39.

⁴⁹ Cf. Aristotle *Nicomachean Ethics* 1155a24-8.

⁵⁰ Aristotle *Nicomachean Ethics* 1167a22-b16; Schofield (1998), 43.

⁵¹ Klonowski (1996); Schwarzenbach (1996-7), 105. It is a strong consideration in favour of this view that Aristotle argues at *Politics* 1280b1-6 that members of an alliance, as opposed to citizens of a true polis, do not take heed of what others citizens should be like in character (τοῦ ποίου τινὰς εἶναι δεῖ); citizens who care for εὐνομία, unlike members of alliances, must consider the nature of virtue and vice. Aristotle elsewhere refers to the nature of the bond between character friends using similar language: pleasure-friends, implicitly contrasted with virtue friends, do not wish each other well 'on account of what they are each like in character' (τῷ ποιού τινὰς εἶναι) (*Nicomachean Ethics* 1156a12-13). Furthermore, Aristotle at one point comments that *ὁμόνοια* is possible only among decent men (*Nicomachean Ethics* 1167b2-16). Cooper (1999), 370-2, claims that there is no inconsistency between Aristotle's accounts of political friendship: the concern for each other's good character which is characteristic of political friends is not equivalent to the mutual appreciation of character of virtue friends, but simply a result of the mutual well-wishing inherent in any friendship. It

Admittedly, Aristotle also argued that the members of any polis are necessarily different in type.⁵² However, as several scholars have argued, this is easily reconciled with the communitarian thrust of his wider political thought: the realisation of the true polis' *telos* depends on all citizens choosing to act in accordance with an appropriate application of complex standards of civic virtue to their specific aptitudes and situations.⁵³ The result is the 'harmony' (συμφωνία) of differing individuals which Aristotle advocates.⁵⁴

Although the communitarian aspects of Aristotle's political philosophy are often presented as a reaction against prevailing Athenian democratic norms encouraging individual freedom,⁵⁵ many scholars have emphasised the communitarian character of Athenian democratic political culture itself.⁵⁶ The Athenian ideal of democratic citizenship has been interpreted as requiring of the good citizen substantial, enthusiastic engagement in the Athenian civic community, if necessary at the expense of narrow personal interests.⁵⁷ A range of specific aspects of Athenian democratic civic life have been interpreted as guided by this expectation: for example, economic and financial relations between citizens, such as those involved in money-lending;⁵⁸ the shape of religious and dramatic festivals;⁵⁹ and common attitudes to dispute-

is, however, unclear how, on this account, the two types of mutual interest in each other's good character differ.

⁵² Aristotle *Politics* 1263b29-1264a1.

⁵³ Cf. Nussbaum (1980), 422-3, with n. 61; Cooper (1986), 96-9; Kraut (2002), 195-7.

⁵⁴ Aristotle *Politics* 1263b31-7.

⁵⁵ E.g. Schofield (2000), 317.

⁵⁶ For the overlaps between utopian political philosophy and mainstream political debate in the fourth-century: Bertrand (1999); Loraux (2001); (2005).

⁵⁷ For example, with varying emphases: Humphreys (1978), 239-40; Loraux (1981); Ober (1989), 68, 72, 81, 262-3; Loraux (2001); (2005), 39-40; Wolpert (2002), 78-9; Farenga (2006), 536-7; Herman (2006).

⁵⁸ Millett (1991).

⁵⁹ Seaford (1994), chs. 7 and 10; Parker (2005).

resolution and the courts.⁶⁰ Moreover, it has been argued that non-philosopher Athenian citizens shared contemporary philosophers' characteristically communitarian overriding interest in individuals' states of character, as opposed to their discrete actions.⁶¹

Other scholars have argued for the dominance of a communitarian paradigm of the good polis in the Classical Greek world more generally.⁶² This panhellenic communitarian paradigm has been shown to have found expression, for example, in the common metaphor, first mentioned in section 3a) above, of the polis as a body, whose organic unity is put under strain in *stasis*.⁶³

Some scholars have identified conceptual underpinnings of panhellenic communitarian tendencies: in particular, an 'objective-participant' conception of the human self, according to which a self is necessarily constituted through interaction with environment and community, similar to that which underpins much modern communitarian political thought.⁶⁴ Some scholars have shown that this conception of self was reflected in Classical Greek high evaluation of forms of 'positive' and 'republican' liberty: liberty as self-mastery; liberty as the state of being liberally educated and capable of social interaction through reason, not force; and liberty as the freedom to participate in civic government.⁶⁵ Others have shown it to be reflected in Classical Greek evaluations of emotions: in particular, in high evaluation of 'shame'

⁶⁰ Herman (2006).

⁶¹ On the mid-fourth century: Allen (2006).

⁶² E.g. Veyne (1982), 884-888; Murray (1990c), esp. 21-3; Bertrand (1992), 76-7, 194; Ludwig (2002), 339-40. On communitarian political culture at Sparta (principally with reference to the Archaic period): Nafissi (2009), 130-1.

⁶³ Cf. Brock (2000); Kosak (2000), 45-51.

⁶⁴ Gill (1996), e.g. 6-12; (2006), ch. 6; Farenga (2006), Introduction. Compare Sandel (1982); MacIntyre (1985); Taylor (1989).

⁶⁵ E.g. Cartledge (2000), 16-20; cf. Laks (2007) on Plato's *Laws*.

(αἰδώς), principally a form of concern for others' opinion which compelled self-restraint and civic commitment.⁶⁶

In addition to investigating its foundations, scholars have identified a range of common means by which communitarian paradigms were developed and sustained in Classical poleis: for example, performance of rituals of civic commensality, which constructed an image of the polis concerned as an extended household;⁶⁷ the development of imagined relations of 'kinship' through common descent⁶⁸ or real relations of friendship or erotic love between citizens;⁶⁹ or citizens' collective involvement in, and commemoration of, war.⁷⁰ Bertrand has argued that Classical poleis' fashioning of their own collective public linguistic practices served to alter their citizens' horizons, binding citizens into communities of public-spirited, rational speakers.⁷¹ He shows that even written law was commonly perceived and deployed by philosophers and citizens, not as a set of fixed standards regulating the behaviour of competing individuals, but as an expression of a collective will and persuasive source of authority, nonetheless open to further debate.⁷²

Studies of the political cultures of Hellenistic poleis, in which the poleis of Asia Minor figure prominently, also tend to emphasise communitarian civic norms. Many stress the expectations of civic virtue and participation on the part of civic elites reflected in the phenomenon of civic euergetism, in the ascendant in the Hellenistic

⁶⁶ Cairns (1993), esp. 235-7, 354-60 (discussing in particular Plato *Protagoras* 322b6-323a4); Williams (1993).

⁶⁷ Schmitt-Pantel (1992).

⁶⁸ E.g. Loraux (1981); Lape (2010).

⁶⁹ Schofield (1999b), 35-46; Loraux (2001), ch. 8; Ludwig (2002).

⁷⁰ Cf. Raaflaub and Wallace (2007), 35 (on the hoplite phalanx in the Archaic period).

⁷¹ Bertrand (1992); (1999), 49-50, 396-400.

⁷² Bertrand (1999), putting Plato's *Laws* in context. For this aspect of the *Laws*, compare Bobonich (2002); Schofield (2006), 84-8.

polis.⁷³ Some emphasise other aspects of the civic life of Hellenistic poleis which also reflected and constructed communitarian civic norms: the holding of civic festivals, including festivals celebrating civic unity or the city itself;⁷⁴ the expectation that family life and reproduction would serve the interests of the city, reflected in marriage practices;⁷⁵ the employment of public doctors;⁷⁶ the publicly-administered, ethical and cultural education of young citizens, especially in the gymnasium, designed to socialise them into civic life;⁷⁷ rigorous programmes of military training for young citizens and schemes of military duties for older citizens;⁷⁸ and the corporate solidarity and virtue-oriented rhetoric of Hellenistic poleis in communication with kings.⁷⁹

In opposition to the dominant communitarian interpretation, other scholars argue that later-Classical and Hellenistic civic political cultures and political philosophy gave much greater priority to individualism and to competition between citizens.⁸⁰ The influence of Horden and Purcell (2000), with its emphasis on interconnections between poleis and personal mobility, has been a significant recent bolster to such views. For example, Vlassopoulos, inspired by Horden and Purcell, has argued that the diversity and variability of civic populations was reflected in prominent Greek conceptions of good social and political communities: conceptions giving such

⁷³ E.g. Veyne (1976); Gauthier (1985); Fröhlich (2005), 239, 255-6. On the corresponding interest in 'generosity' in Hellenistic political philosophy: Laks and Schofield (1995), e.g. 4.

⁷⁴ Thériault (1996); Chaniotis (1995); Chankowski (2005).

⁷⁵ van Bremen (1996); (2003).

⁷⁶ Davies (1984), 307-8; Massar (2005).

⁷⁷ Gehrke (2004), with earlier bibliography.

⁷⁸ Ma (2000); Chaniotis (2005), especially 20-6.

⁷⁹ Ma (2002a).

⁸⁰ Cf. Long (R.T.) (2007). On the polarisation of the 'communitarian' and 'individualist' interpretations in modern scholarship: Loraux (1981), 4-7; Murray (1990c), 2-3.

communities more fluid boundaries and a greater level of internal pluralism than characteristic of the closed communitarian polis.⁸¹

The principal individualistic paradigm which scholars have long identified as prominent within the political cultures of Greek poleis in this period can be called a ‘contractarian’ paradigm. This word is used here, and in rest of this thesis, partly to describe a line of thought which was ‘contractarian’ in the sense common in modern philosophy and political science: the interpretation of fundamental ethical and political norms as products of actual explicit agreement among human agents concerning mutual utility, advanced by some Classical Sophists, by Epicurean philosophers⁸² and by Polybius.⁸³ However, the word ‘contractarian’ is used here with a broader meaning than is common in modern philosophy and political science. It is used to describe all Greek paradigms which assimilated a polis to an association for mutual security and advantage among competing citizens with distinct interests and aims. Moreover, it is used to refer to all Greek norms and institutions of types which would be very likely to be agreed upon by the citizen members of such an association: norms and institutions which serve to protect the distinct interests of each individual citizen, to keep conflict between citizens within peaceful bounds and to distribute goods and burdens according to principles of strict reciprocity. When such norms and institutions prevail, the good ‘contractarian’ citizen shows only limited solidarity with his fellow citizens, lobbying for his perceived personal interests and entitlements within the constraints of established institutions.⁸⁴ According to the definition used here, ‘contractarian’ ideas can include both ideas for which Greek exponents offered

⁸¹ Vlassopoulos (2007a), esp. chs. 2-3.

⁸² Cf. Laks and Schofield (1995), 3; Alberti (1995).

⁸³ Polybius 6.6.4-7; cf. Hahn (1995).

⁸⁴ The communitarian-contractarian contrast emphasised in this thesis has close similarities with the famous *gemeinschaft-gesellschaft* distinction of Tönnies (1935).

no meta-ethical justifications and ideas which Greek exponents justified as fundamentally rooted in divine sanction or human nature.

With regard to fourth-century philosophy, Yack has reacted against the dominant communitarian interpretation of Aristotle's political philosophy. In his view, the more pragmatic claims and proposals offered in some parts of the *Ethics* and *Politics* are themselves intended to constitute a normative theory of truly political interaction: Aristotle regarded regulated conflict and competition between citizens as a natural part of politics, at least in any polis inferior to the utopia sketched in *Politics* VII-VIII.⁸⁵ As Yack shows, some of Aristotle's arguments can be plausibly interpreted as presenting as a true polis a civic contract between competing individuals for mutual advantage, whose members and institutions are very sensitive to principles of strict reciprocity, an entity falling far short of a community of the virtuous.⁸⁶ In such arguments, Aristotle may even come close to endorsing the more limited view of the essential nature of truly civic relationships which he elsewhere criticises: for example, the Sophist Lycophron's view that law is a 'guarantee of individuals' just claims on one another' (ἐγγυητὴς ἀλλήλοις τῶν δικαίων).⁸⁷

⁸⁵ Yack (1985); (1993).

⁸⁶ A contractarian interpretation can be plausibly advanced of some of Aristotle's ideas about political friendship (cf. Yack (1993), ch. 4). The most striking passage is the description of political friendship as a prudential alliance for mutual advantage at Aristotle *Eudemian Ethics* 1242b22-31; compare *Nicomachean Ethics* 1160a8-30; 1163b32-5; Cooper (1999), 332-5. The *Eudemian Ethics* passage itself may, however, have been consciously intended for a democratic audience unfamiliar with, or opposed to, a notion of virtue friendship and deeply attached to the principle of egalitarian advantage friendship. It may even have been written by someone other than Aristotle: Schofield (1998). A contractarian interpretation can also be offered of Aristotle's account of justice in Book V of the *Nicomachean Ethics*, in which principles of strict reciprocity figure prominently, not only in the accounts of justice in exchange and justice in retribution, but also in the account of justice in distribution: Yack (1993), ch. 5. For the contractarian approach to Aristotle's political thought, compare Ober (1996), ch. 11, emphasising that Aristotle argued that individuals and households initially come together in a polis for their mutual advantage (e.g. *Politics* 1252b27-30; *Nicomachean Ethics* 1160a8-14).

⁸⁷ Aristotle *Politics* 1280a7-1281a10.

Other scholars have made similar criticisms of the dominant communitarian interpretation of Classical Athenian political culture, identifying strong contractarian tendencies. Some have identified norms guaranteeing individual freedom and security, especially in the economic sphere: norms giving priority to individuals' property rights and personal liberty from slavery or imprisonment;⁸⁸ or granting special importance to everyday formal and informal agreements between citizens (and between citizens and outsiders).⁸⁹ Others have emphasised Athenian democratic norms encouraging individuals to pursue their self-interest within regulated bounds; making hard bargaining for individual advantage a paradigm of legal and political discourse; or promoting the enforcement of strict principles of reciprocal desert.⁹⁰ For example, scholars have drawn attention to Athenian democratic norms making grants of citizenship dependent on concrete financial or political contributions;⁹¹ and to Athenian democratic norms of punishment and retribution making the attribution of personal just deserts the main function of civic legal institutions.⁹² Related to such approaches is Ober's recent attempt to present the Classical democracy as a knowledge-aggregating 'machine', 'fuelled by a variety of incentives'.⁹³

Contractarian accounts of Athenian democratic norms can be set alongside attempts to characterise more widespread Classical Greek ideas of citizenship in contractarian terms. For example, some scholars suggest that the dominant Classical Greek or Athenian idea of a citizen-body was that of a body of shareholders,⁹⁴ analogous to

⁸⁸ E.g. Kahrstedt (1934), 133-57, with Scafuro (1994a), 3.

⁸⁹ E.g. Cohen (1973); (2000), chs. 5-6; (2003).

⁹⁰ Contrast the view of Seaford (1994), esp. 191-206, 303-7, 388-405, that Classical Athenian political culture was marked by a rejection of socially-disruptive principles of strict reciprocity (the Homeric inheritance) in favour of communitarian civic ideals.

⁹¹ Davies (1977/8), 114-15, 118-20.

⁹² Allen (2000), esp. 241.

⁹³ Ober (2008), 121.

⁹⁴ J.K. Davies, *OCD*³ s.v. 'citizenship'; Todd (1993), 182; Brun (2000), 134; Christ (2006), ch. 1.

shareholders in a modern capitalist company. This interpretation of Greek ideas of citizenship can in turn be put in the context of a broader scholarly tendency to identify a strong strand in ancient Greek ethics giving priority to strict, often simply tit-for-tat reciprocity.⁹⁵

A minor strand in scholarship concerning the Hellenistic polis makes contractarian principles a determining influence on Hellenistic civic life: hard bargaining and strict reciprocity have been identified as the hallmark of relations between poleis and their benefactors⁹⁶ and between poleis and their sanctuaries in Hellenistic Asia Minor.⁹⁷ Such accounts of Hellenistic civic life can be set alongside accounts of mid- and later-Hellenistic Stoicism which identify the protection of property rights and other individual entitlements as a priority of Middle-Stoic political philosophy.⁹⁸

In addition to a contractarian paradigm, two other individualistic paradigms of citizenship have been presented as characteristic of the fourth-century Athenian democracy. First, D.J. Cohen (1995a) argues that, in the fourth-century Athenian law-courts, dominant civic norms encouraged competitive self-assertion by citizens, as heads of households. In his view, the relevant norms did not discourage even the semi-anarchic pursuit of personal and family feuds through civic institutions.

Second, there has been an increasing recent⁹⁹ tendency to assimilate fourth-century Athenian political norms to the central principles of Kantian and neo-Kantian ethical

⁹⁵ Cf. most of the papers in Gill, Postlethwaite and Seaford (1998); Balot (2001), e.g. 5-6.

⁹⁶ E.g. Davies (1984), 307, 310-11.

⁹⁷ Dignas (2002).

⁹⁸ Long (1995); (1997).

⁹⁹ Compare, however, anti-totalitarian interpretations of the Greek polis developed in the aftermath of the Second World War: for example, Arendt (1958), e.g. 24-33, 205-207; Vernant (1962).

and political philosophy, more ‘contractualist’ than contractarian.¹⁰⁰ For example, Ober consciously draws on the neo-Kantian ideas of John Rawls¹⁰¹ in arguing that fundamental Classical Athenian civic norms required respect for the ‘dignity’ of individual citizens, including their right to free speech, at the expense of all else.¹⁰² Similarly, Liddel (2007) argues that, in fourth-century Athenian political culture, individual liberty was predominantly interpreted, in a quasi-Rawlsian way, as the liberty to participate in a political community of mutually respectful, relatively equal citizens with reciprocal political obligations.¹⁰³ Without explicitly drawing attention to Kantian or neo-Kantian ideas, Hansen has also identified norms of tolerance as prominent within fourth-century Athenian political culture.¹⁰⁴ Such emphasis on Athenian tolerance is consistent with a wider recent tendency to view the Athenian democracy as an example of the modern ideal of deliberative democracy, in which citizens participated in unconstrained dialogue, as in Habermas’ Ideal Speech Situation.¹⁰⁵ The broad recent tendency to identify Kantian or neo-Kantian elements in Athenian political culture has been mirrored in some recent approaches to Aristotle: some historians of philosophy have claimed that Aristotle attributed far more political and ethical importance than generally thought to respect for the dignity and rational preferences of individuals.¹⁰⁶

¹⁰⁰ Cf. Darwall (2003).

¹⁰¹ Cf. Rawls (1972); (2000).

¹⁰² Ober (1996), 101; (2003a), esp. 251-2. Compare Miller (2009).

¹⁰³ For a similar interpretation of ancient notions of the freedom of the Athenian citizen: Cartledge and Edge (2009).

¹⁰⁴ E.g. his comments in *BMCR* 2006.01.32. For his more general liberal democratic conception of Athenian democracy: Hansen (1999), 73-85.

¹⁰⁵ For a critical discussion of such views, with bibliography: Schofield (2006), 55-8.

¹⁰⁶ E.g. Miller (1995); Irwin (2007), 226-7. This approach is criticised as anachronistic in Schofield (1999a), ch. 8; Gill (1996), e.g. 24-5, 338-40; (2006), 365-6.

As is clear from this discussion, many scholars have presented the political cultures of individual poleis in this period as internally homogeneous.¹⁰⁷ This is probably partly a result of a widespread belief in the rationality of Greek political cultures.¹⁰⁸

Nevertheless, there is a rival tendency in modern scholarship, which emphasises the coexistence of different paradigms of good citizenship within individual poleis' political cultures. First, there has been a tendency in recent scholarship to claim that Classical Athenian and wider Greek political culture, and the political philosophy produced within them, harmoniously united in new syntheses competing ideals of citizenship: in particular, ideals resembling those underpinning modern liberal, communitarian and sometimes also deliberative conceptions of democracy.¹⁰⁹ Second, other scholars have argued that coexisting paradigms of citizenship were in tension with each other within individual poleis' political cultures, making irreconcilable rival demands on citizens:¹¹⁰ the result could be 'doublethink'¹¹¹ or crisis, but also paradoxical flourishing.¹¹²

This thesis uses the evidence of exile to evaluate these different interpretations of Greek political cultures in this period. It reveals much evidence for the influence of some of the paradigms surveyed here, but very little for others. With the help of the

¹⁰⁷ For an explicit claim to this effect: Herman (2006), 100. Compare Cartledge (2009), 18.

¹⁰⁸ Cf. Murray (1990c).

¹⁰⁹ On the Classical Athenian democracy: Ober (1999), 372; (2005), 88-9 (criticising Loraux); Monoson (2000), 237 ('reciprocal exchange' and 'unity' both key to the democratic polis). On the Classical polis more generally: Gill (1996), 340-1 (arguing that norms encouraging cultivation of 'shared life' and norms encouraging maintenance of reciprocal relations were 'complementary' in Greek ethics); (1998) (identifying harmony between altruism and reciprocity); Farenga (2006), 36. On political thought: Balot (2006), 14-15, 54-62; (2009b); (2009c); Salkever (2009b) (presenting ancient political thought as a necessarily inclusive set of questions and debates, not a collection of systematic proposals).

¹¹⁰ Veyne (1976), e.g. 163; Davies (1977/8), esp. 114-21; Ober (1989), e.g. 298-9; (1994), 103; Loraux (1993), 48; (2001), 245-64; Morgan (2003b), x, xx; Moreno (2007); Ma (2008a), esp. 380-5. Compare arguments for the heterogeneity and internal contradictions of Greek culture as a whole: Veyne (1983), esp. 52-68; Dougherty and Kurke (2003a).

¹¹¹ Moreno (2007), 268-9, 279.

¹¹² Cf. Ober (1989); Ma (2008a), 380-5.

exile evidence, the thesis offers a new interpretation of the precise character of the paradigms revealed to be dominant. Moreover, it offers a new interpretation of the nature of the coexistence of the different dominant paradigms. Throughout, the thesis brings to light neglected extreme features, indeterminacies and ambiguities within the individual dominant paradigms, as well as tensions and contradictions between them. In addition, in chapters 3 and 4, a new interpretation is offered of the complex workings in practice of the dominant paradigms, especially of their indeterminacies and contradictions.

6. Existing scholarship concerning exile and exiles in the later-Classical and Hellenistic periods

This thesis' engagement with the scholarly debates considered in the previous section enables reappraisal of Greek exile. The questions addressed in chapter 1 have mainly been discussed only in relation to Classical Athens. For example, recent authors, influenced by Ober, have interpreted Classical Athenian institutions and practices of lawful expulsion in the context of Athenian democratic political culture. Forsdyke (2005) presents Classical Athenian regulations and attitudes concerning citizen expulsion, including ostracism, as evidence for political moderation, toleration and pluralism, which she holds to be characteristic of Athenian democratic political culture. By contrast, Allen (2000) presents Athenian institutions and practices of punishment, including forms of citizen expulsion, principally as evidence for the existence and construction of a paradigm of the 'angry' Athenian citizen, prepared to struggle to obtain his perceived just deserts.

Partly by putting Athenian practices in their wider Greek context, chapter 1 shows that Athenian laws, institutions and practices relating to citizen expulsion reveal political norms different from those emphasised by Forsdyke and Allen. In the light of this evidence, Athenian political culture, like many other Greek civic political cultures, included a strand of norms favouring harsh reciprocity and individual self-assertion, similar to that identified by Allen, but also a rival, strongly communitarian strand. Relevant laws, institutions and practices from throughout the Greek world enable precise definition of the different aspects of dominant contractarian and communitarian paradigms.

The questions of civic reconciliation and reintegration of exiles addressed in chapter 2 have mainly been addressed separately by historians of Greek philosophy and by epigraphists.¹¹³ Among the latter, Dössel (2003) examines inscribed reconciliation agreements as evidence for civic discourse and values as well as institutions. The only author to compare systematically ancient philosophical and civic approaches to reconciliation and reintegration is Loraux. Loraux argues that philosophical and civic approaches to reconciliation after 403 indicate the strength of what she sees as the dominant feature of civic political cultures after that date: a high evaluation of fraternal unity among citizens, an ideal which could be achieved only by transcending, or suppressing, civic conflict.¹¹⁴ However, Loraux also argues, partly on the basis of texts concerning reconciliation, that polis citizens were subconsciously¹¹⁵ aware that division and conflict were inextricable elements of politics.¹¹⁶

¹¹³ On Aristotle's ideas about *stasis* and the prevention of its occurrence/recurrence: Yack (1993); Kalimtzis (2000); Weed (2007). For studies of individual epigraphic documents, compare Asheri (1982); Worthington (1990); (1993); Bencivenni (2003), chs. 1-2, 4.

¹¹⁴ Loraux (2001), 22, 25.

¹¹⁵ Loraux (2001), 65.

¹¹⁶ Loraux (2001), esp. 93-122.

Building on the insights of Dössel and Loraux, chapter 2 investigates the way in which the philosophical and civic texts under consideration reflected, but also developed and propagated, various incarnations of the communitarian ideal of *ὁμόνοια* ('concord'). However, the chapter also identifies radically different, strongly contractarian paradigms of the good citizen-body also embedded, and developed, in such texts. In some such texts, a contractarian paradigm of the good citizen-body is explicit, rather than merely subconscious, sometimes alongside the ideal of *ὁμόνοια*.

The principal approach of chapter 3, the examination of selected episodes of *stasis* leading to exile as evidence for underlying political norms, is not prominent in existing scholarship.¹¹⁷ The fundamental question addressed in chapter 3 is, however, a long-standing one: the causes of *stasis* leading to exile. Most scholars have explained *stasis* as a product solely of factors external to civic political cultures, especially personal ambition, class conflict and the repercussions of interstate war.¹¹⁸ However, there is a long-standing rival view more consistent with the theoretical considerations about political agency considered above: the view that *poleis*' political cultures themselves made a significant causal contribution to *stasis*, most prominently advocated in recent scholarship by Loraux.¹¹⁹ Chapter 3 offers a new interpretation of the complex contributions of civic political cultures to the development and intensification of exclusionary *stasis*.

¹¹⁷ Compare, however, Loraux (2005), 31-60.

¹¹⁸ Cf. the bibliography discussed in chapter 3, section 2.

¹¹⁹ Loraux (2001); (2005). Compare Treves (1943), 134; Grasmück (1978), 26; Murray (1989), 21; Balot (2001), ch. 6; Cartledge (2009), 23.

With regard to chapter 4, the central piece of modern scholarship concerning exiles' actual political behaviour, Seibert (1979), is an encyclopaedic survey of evidence from the Archaic period to the Roman conquest. Although excellent as a work of reference, the book does not exploit the full possibilities for historical analysis offered by the exile evidence.¹²⁰ Chapter 4 builds on Seibert's account of exiles' political activity and institutions, incorporating consideration of war refugees as well as political exiles. In contrast to Seibert's approach, extensive consideration is given to exiles' political identities, values and aspirations.

The main existing comprehensive interpretation of the political identities of displaced citizens is an argument suggested by Balogh¹²¹ and developed in McKechnie (1989): the argument that, from the fourth-century onwards, displaced Greeks increasingly tended to sever links with home cities and even to abandon the ideal of polis citizenship, in order to adopt more individualistic, market-oriented lifestyles. Chapter 4 considers the abundant surviving evidence for the reverse phenomenon: displaced Greeks retaining their political identities as civic Greeks. This material has not been studied as evidence for the nature of the fundamental political norms at work, or for their transformation through the exile phenomenon itself.

Overall, therefore, this thesis explores, in a way not prevalent in existing scholarship concerning exile, how exile phenomena reveal citizens' diverse basic assumptions about civic membership, as well as the varying nature of the imagined anti-citizen Other which reflected and shaped those assumptions. It also explores how those

¹²⁰ Lewis (1981).

¹²¹ Balogh (1943), 35-6.

phenomena illuminate the complex influence of those assumptions on political action:
their role in both civic peace and civic unrest.

Chapter 1

Civic regulations and citizen attitudes concerning lawful expulsion and disenfranchisement: grounds for exclusion as evidence for civic political cultures

1. Introduction

This chapter first surveys the different categories of lawful expulsion and exclusion of citizens from their poleis.¹ It then discusses ancient justifications for the stipulation and enforcement of citizen expulsion and exclusion, in civic laws and decrees and in philosophical and rhetorical discussions of expulsion. As argued in the introduction, these justifications offer important insights into ideas of citizenship: ancient citizens' attempts to define when a citizen could be legitimately expelled or excluded required them to address fundamental questions about the nature of political membership and community. These attempts necessarily reflected citizens' existing ideas about citizenship and themselves helped to shape and adapt their thinking.

2. Categories of lawful citizen expulsion and exclusion: ostracism, exile, outlawry and disenfranchisement

Lawful expulsion of a citizen of a Greek polis did not necessarily take the form of a punishment: Athenian ostracism, and related practices in some other poleis,² enabled citizens to vote to expel for a defined period any citizen, even one not considered guilty of any crime.³ However, lawful expulsion was more commonly imposed as a punishment. Three legal penalties are relevant. Formal exile (φυγή) involved expulsion of the punished man from the territory of his home polis. It was usually

¹ This chapter does not address a related phenomenon: the tendency, probably common in Athens and other cities, for individuals who had committed crimes to flee 'voluntarily' into exile to avoid condemnation by a court or social disapproval.

² Cf. Forsdyke (2005), 285-8.

³ For the legal and pragmatic details of Athenian ostracism: Forsdyke (2005), 146-9.

explicitly extended to his descendants and accompanied by public confiscation of his property.

The penalty of exile could be applied, at least *de facto*,⁴ by the fourth-century Athenian courts and assembly.⁵ It could be imposed on Athenian citizens by the Areopagos⁶ and the Palladion as the penalty for unintentional homicide or intentional wounding of an Athenian citizen or intentional homicide of a foreigner, metic or slave.⁷ It was probably also an option for the assembly, alongside the death penalty, as a punishment for treason or temple robbery.⁸ Exile was probably also at least a possible penalty at Athens for other types of impiety.⁹

Poleis other than Athens stipulated exile as the penalty for specific severe public crimes in the Classical and Hellenistic periods:

Table 1

Offence punishable by exile	Polis and date of relevant law or decree
Corrupt or subversive behaviour as a magistrate.	Teos, c. 470: the penalty was a form of public cursing which probably entailed exile from the territories of both Teos and Abdera. ¹⁰

⁴ Todd (1993), 139: exile may merely have been ‘implicit within a commuted death sentence’.

⁵ Grasmück (1978), 17-18.

⁶ Kahrstedt (1934), 103-104.

⁷ Cf. [Aristotle] *Athenaion Politeia* 57.3; Todd (1993), 274. Concerning murders of foreigners, metics and slaves: Busolt (1920-6), 298; Whitehead (1977), 93-4.

⁸ MacDowell (1978), 177, discussing Xenophon *Hellenica* 1.7.22.

⁹ Cf. Lysias 7.3, 7.32, with Carey (1989), 88; Todd (2000), 78. In a partial parallel, the Athenians, or the Athenian amphictyons on Delos, imposed exile on citizens of an autonomous polis, fourth-century Delos (cf. Hansen and Nielsen (2004), 739), in connection with offences at the Athenian-controlled Delian sanctuary of Apollo: in 376/5, the Athenians imposed permanent exile (ἀειφυγία) (it is unclear from what territory) on Delians convicted of committing ἀσεβεία at the sanctuary (Rhodes-Osborne, *GHI* 28, B(a), ll. 24-30; cf. Seibert (1979), 116).

¹⁰ *Nomima* I, no. 105, fr. b, ll. 5-12 ([ἀ]πόλλυσθ?αι ἐκ Τέω κ[α]ὶ Ἀβδήρ[ω]ν [κ]αὶ γῆς [Τη]ῆ[ς] καὶ ἀ[ν]τὸν καὶ γένο[ς] τὸ κείνο).

Subjecting to a scrutiny (εὔθυνα), as a magistrate, a particular council or the holders of certain magistracies; or judging or bringing a legal suit regarding certain written regulations, concerning a payment and assembly decision (probably regulations authorising emergency expenditure of public or sacred money).	Argos or Halieis, 480-470. ¹¹
‘Destroying’ or ‘throwing into confusion’ (συγχέω), or proposing a vote to overturn, an agreement (called a νόμος) concerning property rights.	Halicarnassus, 475-450. ¹²
Unspecified offences, probably involving anti-Macedonian agitation.	Amphipolis, c. 357. ¹³
Exiling, or confiscating the property of, particular citizens whose citizenship was specially protected by law.	Elis, c. 350 or c. 335: exile ‘as for blood-guilt’. ¹⁴
Ruling as a tyrant.	Eresos: a law enforced in the later-Classical period. ¹⁵
Escaping condemnation to death for having voted (as	Ilion, c. 280. ¹⁶

¹¹ *Nomima* I, no. 107.

¹² *Nomima* I, no. 19, ll. 32-41: the offender should go into permanent exile, with his property becoming sacred to Apollo; if his property does not sell for at least ten staters, he himself should be sold. From the Archaic period, compare *Nomima* I, no. 100 (Argos, 575-550), ll. 1-3 (restored): exile with confiscation of property for ignoring or ‘throwing into confusion’ the written regulations contained in the decree.

¹³ Hatzopoulos *Macedonian Institutions* II, no. 40.

¹⁴ Michel *Recueil* no. 1334, ll. 3-5, as interpreted by Szanto (1898), 200-201; Danielsson (1899), 136; and Seibert (1979), 150. Szanto (1898), 200-201, admits that φευγέτω αἵματος could mean ‘let him be exiled on pain of death’, but thinks ‘let him be exiled as for blood-guilt’ more likely. Reinach (1903), 188-9, thinks φευγέτω αἵματος here means ‘let him be prosecuted’, not ‘let him be exiled’, ‘as for blood-guilt’. Even in this case, however, the outcome could well still have been exile. Another problem is whether φευγέτω ποττῶ τῷ Διὶ τῷ Ὀλύμπῳ means ‘let him be exiled from the sanctuary of Olympian Zeus’ (Szanto (1898), 199; Danielsson (1899), 136-7; and Seibert (1979), 150) or ‘let him be exiled in the name of Olympian Zeus’ (Reinach (1903), 188-9). In either case, the implication was probably exile from Eleian territory.

¹⁵ Rhodes-Osborne, *GHI* 83, γ back, ll. 23-8 (mid-fourth-century tyrants and their families exiled).

¹⁶ *I.Ilion* 25, ll. 97-104: exile and ἀτιμία, also imposed on descendants; since ἀτιμία represents disenfranchisement later in this text (ll. 140-4), it probably does not represent outlawry here. Frisch’s restoration in *I.Ilion* is as follows: [ἐ]άν τις ἐπὶ τυράννου ἢ ὀλιγαρχίας ἀποκτ[είνῃ] τινὰ ἐν ἀρχῇ ὦν, πάντας τοὺς τῆμ ψῆφ[ον προσθεμ]ένους ἀνδροφόνους εἶναι, κα[ὶ] [ἐ]ξείναι ἐπεξελεθ[εῖν] αἰεὶ, μέχρι τέλος δίκης [γένηται δημοκρατουμέ]νων Ἰλιέωγ· καὶ ἐάν τὴν δίκ[ην] μὴ νικήσῃ, ψῆφον προ[σθε]μένος ὥστε ἀποκτεῖναι, ἀτ[ι]μον εἶναι καὶ φεύγειν αὐτὸν καὶ ἐκγόνους οἱ ἂν [ἐξ αὐτοῦ γ]ένωνται. Frisch argues in his commentary (p. 77) that the second main provision (beginning ἐάν τὴν δίκ[ην] μὴ νικήσῃ) relates to a case in which a previously unmentioned prosecutor fails, after a democratic restoration, to win a conviction in a capital trial against a citizen who voted for a death penalty enforced under a non-democratic regime. As Frisch says, his restoration and interpretation yield a similar meaning to that suggested by Dittenberger’s restoration of ll. 101-2 in *OGIS* 218: ἐάν τὴν δίκ[ην] ἀποφύγει τις] (‘if someone is acquitted in a trial’ or ‘avoids/flees a trial’) (for the latter, compare Vandorpe (2007), text, pp. 123, 125, ll. 9-15). If the provision has a meaning of that type, Dittenberger’s restoration is preferable, because it includes an explicit subject (τις). Dittenberger’s restoration also preserves the same reference for τῆμ ψῆφ[ον προσθεμ]ένος both times the phrase is used. If considered too long, Dittenberger’s restoration could be shortened to ἐάν τὴν δίκ[ην] φεύγῃ τις κτλ] (‘if someone flees a trial’).

a juror) for the death penalty under a non-democratic regime.	
Offences connected with fomenting <i>stasis</i>	Olbia, c. 250-225. ¹⁷

In an unusual case, in the early-Classical law of Elis, exile was probably the penalty for cursing an individual Eleian.¹⁸ The underlying reasoning was, however, probably similar to that in the cases in the table: cursing individuals was a potentially severe threat to civic order.

In some cities, more indeterminate offences, ‘crimes against the polis’, were punishable by exile. Citizens convicted of conspiracy ‘against Mausolus and the polis of the Iasians’ were exiled by a Iasian decree of the mid-fourth century.¹⁹ Being ‘driven out of citizenship’ was the penalty for a naturalised citizen if he should be convicted of doing ‘something vicious’ (πονηρόν) to the polis or its affairs in third-century Phthiotic Thebes, a small polis in Achaia Phthiotis in Thessaly.²⁰ A similar procedure may have existed in Phthiotic Thebes for citizens by birth. Such amorphous

On the other hand, however, Frisch’s restoration, or something close to it, gains plausibility if interpreted as having another meaning: exile and ἀτιμία are to be the penalty for citizens who vote for the death penalty under a non-democratic regime, but on the losing side in a trial. In this case, it would be necessary to assume a transition from a plural (πάντας τοὺς τῇμ ψῆφ[ον προσθεμ]ένους) to a singular subject ((ὁ τῇμ) ψῆφον πο]ροσθέμενος). This difficulty would be resolved under a further interpretation: it could be only the magistrate who votes in favour of an unsuccessful capital prosecution which he has instigated under a non-democratic regime who is eligible for exile and ἀτιμία. That interpretation would preserve the same singular subject for the two clauses quoted above. Although the interpretation stated in the table is the strongest one, these alternative interpretations, dependent on Frisch’s restoration, should not be excluded.

¹⁷ SEG 34.758, ll. 31-41: Anthesterios exiled some citizens, responsible for fomenting *stasis*, for a long time, presumably in accordance with the law of Olbia.

¹⁸ *Nomima* I, no. 23 (c. 475), ll. 1-2: anyone who ‘dedicates to the god’ (καταρξάσειε) an individual secretary, Patrias, will be ‘pursued’ as if he had done so to an Eleian (Ἔαρρεν ὁρ φαλείο). Ἔαρρεν probably means ‘flee into exile’, but it could mean simply ‘be prosecuted’ (van Effenterre and Ruze (1994), vol. I, 109).

¹⁹ *I.Iasos* 1 (c. 367/6-355/4), ll. 2-6 (exile for all time, also imposed on descendants).

²⁰ SEG 53.565 (emended text of Lazaridis (1971), 42; BE (1973), no. 238a). This text is printed and translated in section 4 below. This text probably dates before 217 (Philip V’s ἀνδραποδισμός of Phthiotic Thebes: Polybius 5.100.8). However, it could date to the period after the exiled Phthiotic Thebans’ restoration in c. 197 (Walsh (1993), 45), when the city probably needed to naturalise additional citizens.

offences were probably commonly the basis in many poleis for the judicial exile of members of a faction opposed to the dominant faction in relation to questions of foreign policy.²¹

Closely related to φυγή was outlawry.²² The difference between outlawry and exile was that an outlaw could be killed with impunity, even outside the boundaries of his home polis, whereas an exile had the protection of the law of his home polis if he stayed outside its territory: an exile's relatives or associates were entitled to bring a prosecution in the home city against his killer, if he was murdered outside its territory.²³ Like exile, outlawry was stipulated by poleis throughout the Greek world in the Classical and Hellenistic periods as the (often automatic) penalty for severe public crimes:

Table 2

Offence punishable by outlawry	Polis and date of relevant law or decree
Unspecified crimes, probably involving anti-Athenian or anti-democratic agitation.	Miletus, early-Classical period. ²⁴
Establishing, or attempting to establish, a tyranny.	• Athens: outlawry was the long-standing penalty for attempting to establish or helping to establish a tyranny,²⁵ reaffirmed in 338/7.²⁶ • Eretria, c. 340 (anti-tyranny law).²⁷

²¹ For this phenomenon, cf. (for example) Hatzopoulos *Macedonian Institutions* II, no. 40; Demosthenes 9.56. Teles *On Exile*, pp. 25-6 Hense, implies considerable autonomy for third-century civic magistrates in imposing exile.

²² Cf. n. 37 below for Greek terminology.

²³ On Athens: Busolt (1920-6), I, 235; MacDowell (1978), 255. Cf. Youni (1998) (*non vidi*).

²⁴ *I.Milet* I 6 187 (479 or more probably 452 or 443), ll. 2-7 (imposition of outlawry on dissidents and their descendants).

²⁵ [Aristotle] *Athenaion Politeia* 16.10; Rhodes (1981), 220-2; Dössel (2003), 61. Cf. Paoli (1930), 312, with n. 1; Ruschenbusch (1968), 11; MacDowell (1978), 175-6.

²⁶ Rhodes-Osborne, *GHI* 79, ll. 7-11. Compare the restatement of outlawry as the penalty for overthrowing the democracy, or serving as a magistrate when the democracy is overthrown, in Demophantos' law of 410 (Andocides 1.96).

²⁷ *SEG* 51.1105A, ll. 4-5 (penalty also imposed on descendants).

Failure to swear an oath of reconciliation after <i>stasis</i> .	Dikaia, c. 365-359. ²⁸
Killing a particular naturalised citizen.	Athens, c. 334. ²⁹
For magistrates and councillors: being away from the city and thus failing to attend a meeting of the council in the event of an anti-democratic coup attempt.	Eretria, c. 340 (anti-tyranny law). ³⁰
Attempting to overturn the established constitution.	Eretria, c. 340. ³¹
Formally opposing, as a magistrate or private citizen, specific arrangements regarding a particularly important or controversial matter.	• Eretria, c. 322-309/8.³² • Issa, c. 300-250.³³
Seizing the ‘high fortress’ (ἄκροα) or another mountain, expelling anyone from the city, engaging in <i>stasis</i> or carrying out battle weapons, before evading the resulting automatic death sentence through flight.	Sagalassos, early-Hellenistic period. ³⁴ The penalty was quasi-outlawry: the individual concerned was to be considered an ‘enemy of the polis’; any citizen could lawfully kill him anywhere and bring back the spoils.
Failure to give up a fort at the end of a term of duty.	Teos, third century. ³⁵
Failure to pay within a prescribed time a fine imposed for some offence relating to a magistracy.	Kyme, third century. ³⁶

The third relevant legal penalty is ἀτιμία *qua* disenfranchisement (loss of civic rights).³⁷ In Classical Athens, ἄτιμοι retained the citizen’s advantages over metics in

²⁸ Voutiras and Sismanides (2007), text (pp. 257-9, printed and translated at the end of this thesis), ll. 17-21: those who do not swear will have their property confiscated, be subject to ἀτιμία and not have recourse to legal remedies.

²⁹ Osborne (1981-1983), D22, ll. 31-3 (πολέμ[ιος ἔσ]τω).

³⁰ SEG 51.1105B, ll. 3-6 (penalty also imposed on descendants); Knoepfler (2001b), 223, 225.

³¹ SEG 51.1105B, ll. 6-13 (penalty also imposed on descendants).

³² IG XII 9 191, ll. 29-33, 56-8 (ἀτιμία and confiscation of property; whatever harm he or his family suffers, no penalty will be imposed on those inflicting it).

³³ Maier, *Mauerbauinschriften*, no. 57, ll. 11-13.

³⁴ Vantorpe (2007), text, pp. 123, 125 (dating to c. 333-200 and most probably to the early third century), ll. 1-20, esp. 9-15.

³⁵ SEG 26.1306, ll. 21-6: exile (from the territory of both Teos and Abdera); cursing; loss of property; anyone who kills the exiled ἄτιμος will not be polluted.

³⁶ I.Kyme 11, ll. 8-12.

³⁷ It is probable that the original meaning of ἀτιμία, in Athens and elsewhere, was outlawry: Busolt (1920-6), I, 230-1; Paoli (1930), 307, with n. 2; Grasmück (1978), 17, n. 16; MacDowell (1978), 73-5; Poddighe (2001a), 37-8; Vleminck (1981), 253-7. However, Youni (2001), 129, thinks that it was only ever the adjective ἄτιμος, not the noun ἀτιμία, which was used in connection with outlawry. Even in the Classical and Hellenistic periods, those subject to outlawry could be described as ἄτιμοι (cf. the terms in which outlawry is stipulated in the laws of fourth-century Dikaia, Issa and Eretria and third-

some respects, but were inferior even to metics in others.³⁸ Greek disenfranchisement was sometimes accompanied by confiscation of the disenfranchised man's property.³⁹ Rainer (1986) argues that the stipulation of disenfranchisement became purely formal in the Hellenistic period, a mere *sanctio legis*. However, there is no reason to doubt that the penalty was intended for application in the Hellenistic period. Indeed, Rainer himself discusses a later-Hellenistic example in which its stipulation served a significant deterrent function.⁴⁰ Rainer's general doubts about the relevance of disenfranchisement in the cosmopolitan and monarchical Hellenistic world⁴¹ are rendered unconvincing by recent emphasis on the continued vitality and importance of Hellenistic poleis:⁴² deprivation of civic rights must have remained a major practical and symbolic punishment.

Part of the reason for including disenfranchisement in this chapter is that it could lead, not only to 'internal exile',⁴³ but even to actual exile: in addition to the loss of the citizen's political and religious rights, the loss of the right to resort to legal procedures to defend one's interests⁴⁴ probably often made voluntary exile preferable to a humiliating existence in the home city.⁴⁵ Another reason for including

century Kyme mentioned in table 2 above). Although the legal impunity of the killer of the ἄτιμος was usually spelled out in such cases, this probably suggests only that the meaning of ἄτιμος itself was not unambiguous, not that outlawry was an additional penalty: it would have been otiose to threaten to inflict ἀτιμία *qua* disenfranchisement on individuals who also faced outlawry (cf. Youni (2001), 129).

³⁸ Ruschenbusch (1968), 17-19; Hansen (1976), 55; Todd (1993), 142-3.

³⁹ E.g. *Nomima* I, no. 43, ll. 38-45; Homolle (1926), text, pp. 14-18 (edition of *FD* III 1.294), col. VII, ll. 9-14; Voutiras and Sismanides (2007), text (pp. 257-9), ll. 41-3; Rhodes-Osborne, *GHI* 79, ll. 11-22; *IG* XII 8 264, with supplements in *IG* XII Suppl. p. 152, ll. 15-16; *I.Labraunda* 8, A, ll. 2-8; *IvP* I 249, ll. 26-30; *IG* XII 7 515, ll. 125-129.

⁴⁰ Rainer (1986), 170-1 (on *IG* XII 7 515).

⁴¹ Rainer (1986), 172.

⁴² E.g. Gauthier (1985); Ma (2002a); Bencivenni (2003), 1-4.

⁴³ Allen (2000), 230.

⁴⁴ Hansen (1976), 56; cf. Lysias 9.21.

⁴⁵ Cf. Isocrates 16.47; Lysias 9.17, 21; Hansen (1976), 59; Todd (1993), 142; Poddighe (1993), 276, with n. 14.

disenfranchisement is that it was a form of exclusion from the civic community,⁴⁶ analogous to exile.

In fourth-century Athenian law, disenfranchisement was the penalty for a wide range of public offences, less severe than those punishable by exile and outlawry.⁴⁷ Outside Athens, disenfranchisement was stipulated in the Classical and Hellenistic periods as a penalty for a range of offences of a similar type:

Table 3

Offence punishable by disenfranchisement	Polis/civic sub-division and date of relevant law or decree
Non-payment of a fine.	• The Delphic phratry of the Labyadai, c. 400-350.⁴⁸ • Miletus, 205/4.⁴⁹ • Ilion, c. 280.⁵⁰ • Samos, c. 250 (?).⁵¹
Violation of an entrenchment clause in a particular law or decree. Relevant offences included contravening or overturning provisions of the law or decree; making, or speaking in favour of, a proposal contrary to its provisions; or admitting such a proposal to the assembly, as a magistrate. ⁵²	• Hypoknemidian Lokris, c. 460-450.⁵³ • Erythrai, mid-fifth to early fourth century.⁵⁴ • Thasos, late fifth or early fourth century.⁵⁵ • Nesos, 319-317.⁵⁶ • Aegiale, late second century.⁵⁷

⁴⁶ Cf. Poddighe (2001a), 37.

⁴⁷ Paoli (1930), 334-6; Kahrstedt (1934), 106-111; Ruschenbusch (1968), 22-3; Hansen (1976), 72-4. Cf. Youni (1998) (*non vidi*). Cf. Todd (1993), 142-3, for a possible penalty of 'partial ἀτιμία'.

⁴⁸ CID 1.9, B, ll. 40-5 (ἀτιμία from the phratry of the Labyadai until a fine is paid).

⁴⁹ Migeotte (1984), no. 97, ll. 21-9 (ἀτιμία until a fine is paid).

⁵⁰ I.Ilion 25, ll. 140-4 (ἀτιμία for failure to pay a fine incurred for neglecting to proclaim, as a magistrate, the crown(s) of tyrannicide(s) at the Great Dionysia).

⁵¹ IG XII 6 1 172, face A, ll. 78-9 (ἀτιμία until a fine is paid).

⁵² For comparison, Rubinstein (2007), 280, collects the instances of fourth-century and Hellenistic entrenchment clauses which make *cursing* a penalty. Cursing was probably a purely sacred penalty, with no automatic civil consequences: Ziebarth (1895); Rhodes with Lewis (1997), 524; Rubinstein (2007).

⁵³ Nomima I, no. 43, ll. 38-41 (ἀτιμία with confiscation of property for those who make reforms to the arrangements set out which are not approved by assemblies in Opountian Lokris and in Naupaktos).

⁵⁴ Nomima I, no. 84, ll. 9-13 (ἀτιμία combined with cursing and a 100-stater fine); cf. Nomima I, no. 81 (Dreros, c. 650), ll. 3-4.

⁵⁵ IG XII 8 264, with supplements in IG XII suppl. p. 152, ll. 15-16 (ἀτιμία with confiscation of property).

	• Thasos, early-Imperial period. ⁵⁸
Destroying or moving boundary stones of land in which the polis had an interest.	Chios, fifth century. ⁵⁹
Failure to judge a particular type of suit, as a magistrate, within a specified period.	Hypoknemidian Lokris, c. 460-450. ⁶⁰
Unlawful iteration of a particular office.	Erythrai, mid-fifth to early fourth century. ⁶¹
Promulgating officially overturned regulations.	Thasos, late fifth or early fourth century. ⁶²
Bringing, bringing to trial or judging a legal suit in contravention of particular civic decisions.	• Arkesine, c. 400-350.⁶³ • Dikaia, c. 365-359.⁶⁴ • Mylasa, c. 240.⁶⁵
Failure to repay a private debt within a specified time, after failing to 'persuade' creditors when some kind of public accusation has been made.	• Delphi, c. 400-350. ⁶⁶
For members of the Athenian Areopagos: attending the Areopagos, sitting in the council of the Areopagos or deliberating about anything, in the event of an anti-democratic coup.	Athens, 338/7. ⁶⁷
Non-payment of public rents.	Athenian cleruchy on Samos, 330/29 (only a possible case). ⁶⁸
Adultery.	Lepreon, Classical period. ⁶⁹

⁵⁶ *I.Adramytteion* II 34, B, ll. 39-58 (ἀτιμία for the offender and his descendants, combined with cursing and liability to the law against dissolution of the δῆμος; taken together, these three elements may have amounted to a sentence of death, outlawry or exile).

⁵⁷ *IG XII* 7 515, ll. 125-9 (ἀτιμία with confiscation of property).

⁵⁸ *IG XII Suppl.* 364, ll. 11-20 (ἀτιμία for the offender and his γένος, accompanied by a 40,000-stater fine).

⁵⁹ *SGDI* 5653 (part reproduced in Koehner (1993), no. 62), c, ll. 9-15 (ἀτιμία combined with a 100-stater fine).

⁶⁰ *Nomima* I, no. 43, ll. 43-5 (ἀτιμία with confiscation of property).

⁶¹ *Nomima* I, no. 84, ll. 9-13 (ἀτιμία combined with cursing and a 100-stater fine, as the penalty for illegal iteration of the office of γραμματεύς).

⁶² *IG XII* 8 264, with supplements in *IG XII suppl.* p. 152, ll. 5-6 (simple ἀτιμία).

⁶³ *IG XII* 7 3, ll. 38-46 (ἀτιμία is combined with a 3000-drachma fine for an ἐσαγωγέυς who brings to trial a legal suit contrary to the terms of a wide-ranging arbitration settlement).

⁶⁴ Voutiras and Sismanides (2007), text (pp. 257-9), ll. 41-3 (ἀτιμία and confiscation of property for bringing a legal suit subject to an amnesty); any magistrate who heard such a suit was also to suffer confiscation of his property (ll. 43-5), but there is no reference to ἀτιμία in that case.

⁶⁵ *I.Labraunda* 8, A (decree of Mylasa), ll. 2-8 (ἀτιμία, accompanied by cursing, a fine and confiscation of property, for bringing or judging a εὔθυνα or suit contrary to what has been decreed).

⁶⁶ Homolle (1926), text, pp. 14-18, col. VII, ll. 6-14 (ἀτιμία until the debt is paid and confiscation of property). For interpretation: Homolle (1926), 74-86.

⁶⁷ Rhodes-Osborne, *GHI* 79, ll. 11-22 (ἀτιμία, also imposed on descendants, and confiscation of property).

⁶⁸ *SEG* 45.1161 (decree of a phyle of the Athenian cleruchy on Samos), ll. 7-9; the relevant restoration is rejected in *IG XII* 6 1 255.

Engaging in manual labour, being litigious or engaging in small-scale retail.	Cyrene, c. 320 (in Ptolemy I's new constitution for Cyrene). ⁷⁰
Failure to swear an obligatory oath.	Eretria, late fourth century. ⁷¹
Failure to transfer to the polis funds collected through work as a magistrate.	Delphi, 160/159. ⁷²
Fleeing the polis in a time of crisis.	Pergamon, 133 or shortly afterwards (at the start of Aristonikos' revolt). ⁷³

3. Implicit and explicit Greek civic justifications for the stipulation and enforcement of lawful citizen expulsion and exclusion

a) Introduction

Forsdyke's discussion of practices of, and attitudes to, expulsion of citizens in the Classical Athenian democracy implies that the Athenians perceived citizen expulsion as an almost invariably undesirable phenomenon: a sign of unwelcome political competition between elite citizens. Forsdyke argues that the Athenians strove to avoid expulsions of citizens even by lawful means, principally by encouraging elite citizens to tolerate their political opponents. If necessary, the Athenians could resort to the safety-valve of ostracism, a more limited form of exile firmly under democratic control.⁷⁴ In contrast to Forsdyke's approach, a strong case can be made that, in fourth-century Athens and throughout the Greek civic world in the later-Classical and Hellenistic periods, citizen expulsion was deployed and regarded as a legitimate, or

⁶⁹ Heraclides Lembus *Constitutions* 42 (both the man and the woman involved in the adultery apparently faced ἀτιμία; in the case of the man, for life). Contrast Polito (2001), 133, n. 1, who thinks ἀτιμοῦσι is used here to mean merely 'they dishonour', not 'they disenfranchise'. Evidence in support of the view that actual disenfranchisement was involved is the fact that adulterous women at Athens were excluded from public shrines ([Demosthenes] 59.85-7).

⁷⁰ SEG 18.726, ll. 46-8 (on date: Bencivenni (2003), 130-3). Fraser (1958), 120, 124, emphasises the uncertainty of the readings in this part of the Constitution. However, Heraclides Lembus *Constitutions* 18 confirms one element: ἀτιμία for πολῦδικοι. Moreover, Heraclides' claim that κακοπράγμονες suffer ἀτιμία at Cyrene could well be an elliptical reference to the stipulation of ἀτιμία for individuals engaged in the other activities listed in SEG 18.726, ll. 46-8.

⁷¹ IG XII 9 191, l. 43 (simple ἀτιμία).

⁷² Ameling, Bringmann, Schmidt-Dounas and von Steuben (1995), no. 94 (new edition of SIG³ 672), ll. 85-9.

⁷³ IvP I 249, ll. 26-30 (ἀτιμία for κατοικοῦντες, with confiscation of property).

⁷⁴ Forsdyke (2005), chs. 3-6, esp. 133-42 (on a supposed 'end to the politics of exile' in Cleisthenic Athens), 144-5, 151-3.

even necessary, function of civic government.⁷⁵ In making this case, extensive reference is made to the content and presuppositions of the civic laws and decrees included in Tables 1-3 above.

b) Exile, ostracism and outlawry as instruments of social regulation

In some cases, lawful expulsion of citizens was deployed or justified in non-ethical terms: as a pragmatic instrument of social regulation, useful in preventing civic unrest.⁷⁶ For example, expulsion could be used and justified as a means of removing from a polis individuals who blamelessly posed a threat to civic peace. Those guilty of unintentional homicide belonged to this category: their continued presence in their home polis could provoke blood feud. Exile offered a way to avoid this outcome: for example, in Classical Athens, those exiled for unintentional homicide could return home when pardoned by the victim's family.⁷⁷ Moreover, some could be perceived as blameless threats to civic order, and thus legitimate candidates for expulsion, because of their superior talents or resources. Aristotle claims that the argument that poleis should ostracise exceptional individuals, in order to maintain civic harmony, has 'an element of political justice' (ἔχει τι δίκαιον πολιτικὸν ὁ λόγος). Admittedly, Aristotle himself adds that lawgivers should organise poleis in such a way that this remedy is not necessary.⁷⁸ However, the underlying approach was prominent in some actual civic practices. For example, Ober has recently argued that Athenian ostracism

⁷⁵ Cf. Aristotle *Politics* 1298a3-7: control of the penalty of exile as one of the basic functions of the deliberative part of a polis.

⁷⁶ Cf. Parker (1983), 193; Dössel (2003), 30-8 (on early-fifth-century Teian public curses).

⁷⁷ Herman (2006), 295.

⁷⁸ Aristotle *Politics* 1284a3-b34, esp. 1284b15-20; cf. Kraut (1989), 90-97. Compare Diodorus 19.1.1-4: ostracism of great men is a means of self-preservation for democracies.

was a morally neutral device of social regulation: votes on ostracism were a means of aggregating individuals' calculations of 'expected public gains and losses'.⁷⁹

A similar approach to expulsion endured into mid-Hellenistic philosophy, despite the prevalence of cosmopolitan tendencies even outside the Stoa.⁸⁰ Sextus Empiricus reports that the second-century Peripatetic Critolaus, together with some of 'those from the Academy', argued that poleis do not 'expel' (ἐκβάλλειν) true 'crafts' (τέχναι), because they are 'useful for life' (βιωφελεῖς), but do treat rhetoric as hostile and have even 'expelled' (ἐκβεβλήκασι) it.⁸¹ These Hellenistic philosophers probably used this example, like Sextus himself, to argue for the shortcomings of rhetoric, contrasting rhetoric with philosophy.⁸² In doing so, they would have implied that civic governments exercise power legitimately in 'expelling' trades or activities judged not to be 'useful for life', a process which would presumably normally have required physical expulsion of their practitioners:⁸³ it would have been odd for them to appeal to a civic practice of which they disapproved.

The apparent ease with which Classical and Hellenistic citizens and philosophers accepted as legitimate the expulsion of the blameless and the non-vicious was probably partly due to remaining traces of the thinking underlying scapegoat rituals,⁸⁴

⁷⁹ Ober (2008), 160-1.

⁸⁰ Cf. Annas (1995).

⁸¹ Sextus Empiricus *Adversus Mathematicos* 2.20-4.

⁸² Cf. Hahn (2007), 56.

⁸³ Compare the *de facto* expulsion of philosophers from Athens in 307/6, resulting from Sophokles' decree requiring democratic authorisation of all philosophical schools: Athenaeus Book XIII, 610ef; Diogenes Laertius 5.38; Momigliano (1977), 43; Habicht (1997), 73-4; Haake (2007), 29, 42-3.

⁸⁴ Cf. Bremmer (1983); Parker (1983), ch. 9. Nevertheless, a Classical Greek speaker could also present the exile of an individual whom he denounced as culpably impious as tantamount to the expulsion of a scapegoat (φαρμακός): [Lysias] 6.53; Parker (1983), 259. This is consistent with the fact that, as the examples in Parker (1983), ch. 9, show, candidates chosen as ritual scapegoats by Greek communities

which were themselves probably already anachronistic and marginal by the Classical period.⁸⁵ Indeed, some have seen the institution of ostracism itself as an adaptation of a scapegoat ritual.⁸⁶

The penalty of outlawry was also deployed as an instrument of social regulation in another way: to complement civic institutions. In Classical Athens and third-century Ilion, automatic outlawry was the penalty for establishing a tyranny: any citizen could lawfully kill a tyrant. This provision encouraged decisive individual initiative at moments when civic institutions collapsed.⁸⁷

c) Unitarian teleological communitarian justifications for lawful citizen expulsion and exclusion

As an alternative to justifying lawful expulsions and exclusions of citizens as instruments of social regulation, ancient participants and observers could attempt to justify them in explicitly ethical terms: as means of protecting or promoting their conception of good civic organisation. Many such attempts relied on, and themselves developed and reinforced, a fairly radical communitarian paradigm of the good polis:⁸⁸ versions of what can be called a ‘unitarian teleological communitarian’ paradigm.

This paradigm was ‘unitarian’ because it prescribed that a citizen-body should be a tight-knit unity: expulsions and exclusions of citizens are a legitimate means of

included both individuals perceived to be blameless and individuals perceived to be guilty of some offence against the community.

⁸⁵ Parker (1983), 258.

⁸⁶ This view is critically discussed in Parker (1983), 269-71; Forsdyke (2005), 156-8.

⁸⁷ Cf. Youni (2001).

⁸⁸ For ‘communitarian’ ideas and practices, compare the introduction, section 5. On their relevance to ancient justifications of exile: Grasmück (1978), 35.

preserving that unity. It was ‘teleological’ because it demanded that citizens should be unified in adherence to, or pursuit of, broad shared conceptions of the good life, the good citizen and the good polis, usually each incorporating religious and cultural, as well as purely ethical, elements. According to it, citizen expulsion and exclusion are legitimate means of deterring and punishing dissent from, or challenges to, those conceptions. They are also legitimate means of instilling, or reinforcing, those conceptions in citizens.

Most pervasively, lawful citizen expulsion and exclusion were justified as means of protecting unitary standards of civic virtue.⁸⁹ Plato, for example, made the Athenian speaker of his *Laws* claim that individuals posing a severe threat to the ethical ‘purity’ (καθαρότης) of a polis should be purged from it: lawgivers should execute or exile incurable reprobates and export to new colonies other burdensome citizens.⁹⁰ Plato probably thought that exile would not only prevent the individuals concerned from transgressing civic ethical standards, but also preempt contamination of the characters of other citizens. An indication that Plato foresaw a risk of contamination is his Athenian speaker’s stipulation that citizens of the imaginary new polis of Magnesia who share food, drink or any other contact with an individual exiled for life for insolence towards parents may not enter temples or the agora before being purified.⁹¹

Similar attitudes are also evident among non-philosophers in this period. Allen has identified a widespread aspiration among citizens of the Classical Athenian

⁸⁹ On disenfranchisement as a means of upholding strict standards of civic virtue: Poddighe (2001a), 37-9. Compare also the common ancient belief that the exile of a polluted individual was a means of maintaining the purity of a civic community (Parker (1983), 114, with n. 42); a polluted individual was one who had transgressed civilised ethical standards (Parker (1983), e.g. 31, 325-6).

⁹⁰ Plato *Laws* 735a7-736c4; Parker (1983), 263-4. For a similar view of punishment in general: Kolde (2005), text of the Epidaurian *Carmen Isylli* (pp. 9-15), ll. 3-6.

⁹¹ Plato *Laws* 881d3-882a1.

democracy to exclude perceived wrongdoers or troublemakers, as a means of ‘erasing’ their offences and the values and ethical dispositions reflected in them.⁹² This Athenian aspiration is evident in some fourth-century orators’ representations of candidates for expulsion or disenfranchisement: as individuals unworthy of citizenship because lacking in civic virtue.⁹³

In a speech prosecuting the younger Alcibiades for desertion and refusal of military service, punishable by disenfranchisement, Lysias characteristically does not restrict himself to the specific charges: he represents Alcibiades as a civic villain, distinguished by ‘badness’ (κακία), ‘viciousness’ (πονηρία), cowardice and disrespect for the laws, whose character disqualifies him from citizenship.⁹⁴ Similarly, the speakers of Demosthenic speeches prosecuting citizens for offences punishable by disenfranchisement represent the alleged offenders as deficient in character according to substantive, straightforward ethical standards, which they assume to be consensually shared by the jury. For example, the alleged public debtor Theokrines is presented as having stopped short of nothing which a ‘vicious’ (πονηρός) man would do.⁹⁵

In a related example, in his invective against Aeschines in the *De Corona* (330), the culmination of a long-running dispute which soon led to Aeschines’ semi-voluntary flight from Athens, Demosthenes represents Aeschines as lacking in civic virtue: for example, as self-interested and slanderous, rather than statesmanlike and heedless of

⁹² Allen (2000), 202-24; cf. Herman (2006), 76; Cartledge (2009), ch. 7 (on the condemnation of Socrates).

⁹³ Compare the ethical denigration of candidates for ostracism on some fifth-century ostraka: Forsdyke (2005), 155-7.

⁹⁴ Lysias 14.1-2, 9-10, 23, 31, 43.

⁹⁵ Demosthenes 58.27.

private concerns, in his contributions to civic debate.⁹⁶ Demosthenes' denigration of Aeschines in the *De Corona* offers some of the best evidence that a mainstream democrat's conception of the civic virtue in need of protection could be not far distant from the strongly intellectualist conception of civic virtue advocated by, for example, Plato. Demosthenes claims that Aeschines is unqualified to appeal to abstract ἀρετή (virtue), σύνεσις (understanding) and παιδεία (education), because he lacks education and the ability to make a discriminating judgement (διάγνωσις) about what is fine (καλός).⁹⁷

Some laws and decrees stipulating penalties of expulsion and exclusion attest a similar aspiration to defend standards of civic virtue in poleis other than Athens. The standards of virtue in question were sometimes generic. For example, the third-century Phthiotic Theban decree mentioned in section 2, printed and translated in section 4 below, permits expulsion of the naturalised citizen Eurydamas only if 'those who wish to expel him' prove that he has done 'something vicious' to the polis or its affairs (ἀν ... τι πονηρὸν πράγμα πράσσοντα εἰς τὴν πόλιν ἢ εἰς τὰ πράγματα τὰ τῆς πόλεως ἐξελέγχωσι).⁹⁸ This provision presupposes the existence of collective Phthiotic Theban substantive ethical standards (of πονηρία) and interests (τὰ πράγματα τὰ τῆς πόλεως): respect for those standards and interests is a condition of Eurydamas' civic membership.

⁹⁶ E.g. Demosthenes 18.95, 111, 140, 207, 232.

⁹⁷ Demosthenes 18.127-8.

⁹⁸ SEG 53.565, ll. 5-8. Compare the presentation of the expulsion from the polis of citizens of Olbia who fomented *stasis* by the citizen Anthesterios, μισοπονη[?] (SEG 34.758 (c. 250-225), ll. 31-41); it is also alleged there that the miscreants had acted lawlessly and sacked the temples.

More specific conceptions of civic virtue could also be protected outside Athens through the threat of disenfranchisement. For example, in Ptolemy I's new constitution for Cyrene promulgated in c. 320, included in table 3 above, ἀτιμία was to be imposed on Cyreneian citizens who engaged in characteristically demotic practices: manual labour, persistent litigation and small-scale retail.⁹⁹ This measure reflected a controversial, aristocratic communitarian approach to citizenship similar to Aristotle's: such individuals lack the leisure required for reflection and rational political activity.¹⁰⁰

Moreover, the threat of disenfranchisement could be used to protect supposedly consensual civic attributions of virtue. In their later-fourth-century honorific decree for their expatriate citizen Thersippos, who had become a 'friend' (φίλος) of Alexander the Great and some of his successors, which also features in table 3 above, the Nesians praised Thersippos in lavish, monopolistic¹⁰¹ ethical terms: he had been responsible for great benefits to the polis, been a 'good man' with respect to the Nesian grain supply, given money which contributed to the city's salvation and shown 'goodwill' (εὐνοία) towards the *whole* δᾶμος. They then granted him substantial civic honours on account of his virtue (ἀνδραγαθία) and εὐνοία.¹⁰² The decree was protected through an entrenchment clause threatening ἀτιμία, a fine and liability to the law about the dissolution of the δᾶμος for any citizen who made a proposal

⁹⁹ For perceived personal vice as grounds for disenfranchisement, compare the reported stipulation of disenfranchisement for adultery in the constitution of Lepreon (cf. table 3).

¹⁰⁰ Poddighe (2001a), 47-9; cf. Cary (1928), 235; Bencivenni (2003), 134, n. 59.

¹⁰¹ In this thesis, 'monopolistic' is used to refer to ideas, rhetoric and representations which themselves imply that they are, or are presented as, uniquely justified: no opposition to them is ethically or politically legitimate.

¹⁰² *I.Adramytteion* II 34, A, ll. 8-9, 17-18, 19-20, 29-35, 37-8.

against it, spoke against it or admitted a proposal against it.¹⁰³ The penalty of ἀτιμία was thus used here partly to deter deviation from monopolistic ethical evaluations, supposedly made by the civic community as a whole: an offence presented as tantamount to dissolution of the civic community.¹⁰⁴

Some Greeks justified lawful citizen expulsion and exclusion by presenting them as means of promoting or reinforcing, rather than simply defending, standards of civic virtue. Some justified citizen expulsion as a means of rehabilitating offenders, or reforming deficient characters. For example, in the *Laws*, Plato's Athenian speaker prescribes temporary exile as the penalty for homicide through anger: two years for an unpremeditated and three years for a premeditated case. By going into exile, the murderer-through-anger will be 'punishing his own anger' (κολάζων τὸν αὐτοῦ θυμόν).¹⁰⁵ Plato probably envisaged that this temporary exile would have the transformative effect of checking the offender's disposition to anger: Saunders speculates that Plato expected that the harsh conditions of exile would force the offender to curtail his disposition to anger in order to survive, thereby instilling new habits in him.¹⁰⁶

¹⁰³ *I.Adramytteion* II 34, B, ll. 23-58.

¹⁰⁴ Rainer suggests that this decree was so trivial that the use of an entrenchment clause threatening ἀτιμία supports his general argument that such clauses had become meaningless *sanctiones legum* by this point (Rainer (1986), 168, 171). However, he himself points out that the decree had wider political significance: any citizen who opposed the honours for Thersippos might jeopardise Nesos' good relations with Polyperchon's Macedonians (Rainer (1986), 168; cf. Rubinstein (2007), 272, n. 7; 281). Moreover, action to overturn the decree could have unleashed *stasis* (Rubinstein (2007), 272, n. 7).

¹⁰⁵ Plato *Laws* 867c4-d3.

¹⁰⁶ Saunders (1991), 227. Plato stipulates that judges should be sent to the frontier to decide whether such exiles should be permitted to return to the polis after their period of exile: in the mean time (ἐν τῷ χρόνῳ τούτῳ), these judges will have considered the 'actions of the exiles' 'still more closely' (ἔτι σαφέστερον) (Plato *Laws* 867e). Saunders (1991), 227 (cf. Saunders (1972), note 86; contrast Reverdin (1945), 186-7), suggests that it would be 'nice' to interpret the judges' consideration of the 'actions of the exiles' as an official assessment of the success or failure of rehabilitation. However, he points out that Plato's specification that the judges are to have examined these actions ἔτι

The dominant scholarly view is that Plato's conception of punishment in general as rehabilitative was a complete inversion of dominant contemporary Athenian attitudes.¹⁰⁷ However, at least one Athenian speaker implied that exile can have an educational effect on an offender: Andocides comments in his *De Mysteriis* of c. 399 that, if they kill or exile him again, the Athenians will lose a citizen who has experienced the life of both citizen and metic; one who knows how to be self-controlled and to deliberate well and who has experienced 'hardship after making an error' (τὸ ἀμαρτόντα πρᾶξι κακῶς).¹⁰⁸ As MacDowell comments, this is Andocides' only admission of personal guilt in this speech.¹⁰⁹ It is best explained as an attempt by Andocides to present himself as an ideal citizen, whose citizen education has included experience, not only of settled civic life, but also of the hardships of punitive exile. Andocides thus presupposed that his audience would be susceptible to the claim that exile can educate and rehabilitate: this implies that such attitudes were not uncommon in late-fifth-century Athens.

In a similar way, a punishment of exclusion could be presented by an Athenian speaker as an educational influence on citizens other than the offender himself: Lysias claims that the disenfranchisement of the younger Alcibiades will make clear to other citizens appropriate standards of civic behaviour.¹¹⁰ All such educational justifications of citizen expulsion and exclusion relied on the communitarian presupposition that it

σαφέστερον in the period of the exile strongly suggests that the actions concerned are those involved in the original homicide, already the subject of a trial.

¹⁰⁷ Cf. Saunders (1991), 121-2; compare Allen (2000), 35; also Bertrand (1999), 152, contrasting Plato's Magnesia with actual Greek cities, which he presents as more anxious to execute and exile than to rehabilitate. Criticism of their general approach: Herman (2006).

¹⁰⁸ Andocides 1.144-5.

¹⁰⁹ MacDowell (1962), 163.

¹¹⁰ E.g. Lysias 14.11-15; 15.9. Modern scholars have demonstrated well that exile could have an educational effect, reinforcing collective civic ethical standards: e.g. Allen (2000), especially 224-37.

is legitimate, or even necessary, to shape the characters of citizens through civic institutions, in accordance with shared substantive standards of civic virtue.

Justification of lawful citizen expulsion and exclusion as means of defending and promoting standards of civic virtue is not the only well-attested communitarian way of justifying them. They could also be justified as means of defending collective civic interests, religious standards and institutions. In his own voice in a speech not eventually delivered, Demosthenes represents his political adversary Meidias as worthy of disenfranchisement because his assault on Demosthenes while chorus-sponsor (χορηγός) was an offence against the whole civic community and against the gods.¹¹¹ In the same speech, Demosthenes claims that the jurors have a duty to consider the ‘common best’ (τὸ κοινῇ βελτίστον), which, he implies, will lead them to punish Meidias.¹¹² The use of the superlative βελτίστον shows that Demosthenes assumed, and expected the jury to assume, that the Athenian civic community had unitary ‘best interests’.

As far as protection of collective institutions is concerned, democratic regimes could deploy penalties of expulsion to imply that the established democratic constitution was uniquely justified: participation in any other form of political regime was an ethical offence, incompatible with citizenship. At Ilion in c. 280, for example, those who voted for the death penalty on a jury under a potential non-democratic regime were to be considered murderers; as stated in table 1 above, exile was the penalty for

¹¹¹ Demosthenes 21.31-5, 51. Although Demosthenes dropped this prosecution, the speech remains evidence for the ethical grounds for disenfranchisement which Demosthenes thought an Athenian jury would accept.

¹¹² Demosthenes 21.37.

those who escaped condemnation by a court.¹¹³ A democratic regime could also make clear through the stipulation of outlawry that citizens were expected, not merely to acquiesce in democracy, but also to show solidarity with the δῆμος: this was the implication of the stipulation of outlawry by the fourth-century Eretrians, also included in table 2 above, for councillors who failed to attend the democratic Council in the event of a coup.¹¹⁴

Penalties of expulsion and exclusion could also be deployed to protect specific communitarian features of civic organisation: an egalitarian property distribution in a new colony;¹¹⁵ or the integrity of collective civic property or revenues. For example, the third-century citizens of Mylasa threatened ἀτιμία, in an entrenchment clause, against any citizen who brought or judged judicial proceedings in contravention of particular civic decisions, probably the civic ratification of the dedication of certain lands to Zeus Osogo by the royal official Olympichos.¹¹⁶ In doing so, they deployed the threat of disenfranchisement probably to protect a new material prop for collective polis religion.

In one case, a probable use of the penalty of disenfranchisement to protect civic property or revenues was explicitly presented as a means of deterring and punishing ethical transgressions against a unitary civic community. When, in fifth-century Chios, ἀτιμία was stipulated (cf. table 3 above) as the penalty for destroying, moving

¹¹³ Compare the stipulation in ll. 81-91 of the same text, *I.Ilion* 25, that those who even handle public money under such a regime are to be liable to prosecution for mishandling public funds.

¹¹⁴ For disenfranchisement as the penalty for failure to show solidarity with fellow citizens in a crisis: compare *IvP* I 249, ll. 26-30 (also included in table 3 above).

¹¹⁵ Maier, *Mauerbauinschriften*, no. 57 (foundation of Kerkyra Melaina by citizens of Issa), ll. 11-13 (compare table 2 above). Kerkyra Melaina was probably a military colony: *SEG* 43.348.

¹¹⁶ *I.Labraunda* 8, A, 2-8; cf. table 3 above.

or making invisible boundary stones of the area called Lophitis, such acts were identified as ‘to the injustice of the polis’ (ἐπ’ ἀδικίῃι τῆς πόλεως).¹¹⁷

Interpreting this provision, on face A of its stele, as a strongly communitarian one relies on the view that Lophitis consisted of land in which the citizens of Chios had a direct collective interest: straightforward publicly-owned land¹¹⁸ or privately-owned land subject to special taxation. There is, however, an alternative interpretation, according to which face A is closely associated with faces B, C and D of the same stele, written in stoichedon in a different hand,¹¹⁹ whose contents relate to private estates. On face B, regulations are established authorising ‘the Fifteen’ to have announced throughout the polis a chosen day and a *πρῆγμα* to be carried out. The *πρῆγμα* involved is most plausibly translated as an ‘exaction’ (i.e. confiscation) or ‘sale’ by the Fifteen¹²⁰ than as the vague ‘Behandlung’ of an unspecified ‘Gegenstand’.¹²¹ These translations are also more plausible than the translation ‘trial’:¹²² it is more straightforward to translate τὸ *πρῆγμα* ὅτι ἄμ μέλλῃι *πρῆξεσθαι* as ‘the exaction which is to be made’ or ‘the sale which is to be made’ than to translate it as ‘the trial which is to be held’. Any *πρῆγμα* had to be approved through a judgement by uncorrupted members of a body of Three-Hundred: any such *πρῆγμα* would clearly be controversial.

¹¹⁷ *SGDI* 5653, a, ll. 9-15. For this type of public evaluation of a deplorable action as committed ἐπ’ ἀδικίᾳ, cf. *IG* XII 6 1 172 (Samos, c. 250?), ll. 73; *IG* XII 8 150 (Samothrace, 288/7 – 281/0), ll. 9-10.

¹¹⁸ Faraguna (2005), 97-8.

¹¹⁹ Koehner (1993), 231.

¹²⁰ Cf. Faraguna (2005), 97-8.

¹²¹ For the latter view: Koehner (1993), 231, 234-5.

¹²² Haussoulie (1879), 239.

At the beginning of face C, provisions are made regarding disputes arising from sales of disputed estates: if anyone makes a legal challenge against a new owner's claim to ownership of his estate, the Chian polis will assume liability and substitute itself for the new owner in the courts; if anyone makes any of the sales invalid, he is to be subject to public cursing. There follow records of sales of estates to individuals.¹²³ Since, as suggested above, it is best to interpret the contents of face B as regulations of public confiscation or sale, the sales recorded were probably public sales by the polis to individuals, rather than forced private sales by individuals to individuals.¹²⁴

According to the view that faces A, B, C and D are closely related, Lophitis was the area in which all the disputed private estates were located: the boundary stones of Lophitis marked the area within which the polis would take liability in the event of legal challenges to ownership.¹²⁵ On this view, the 'injustice to the polis' involved in interfering with the boundary stones of Lophitis was the offence of challenging the new distribution of private property rights, underwritten by the polis.¹²⁶

If this is the correct interpretation of this provision, the provision is not consistent with the communitarian justifications of expulsions under consideration here, but rather with the justifications of expulsion considered in sub-section d) below: libertarian contractarian justifications. However, although both views are possible, the first interpretation, that Chian citizens had a direct collective interest in Lophitis, is preferable. Forceful language of 'injustice to the polis' is easier to reconcile with defence of collective property or revenues than with defence of private property

¹²³ *SGDI* 5653, c, ll. 10-25; d.

¹²⁴ The view of Koehner (1993), 236.

¹²⁵ Haussoullier (1879), 238-40; *DGE* 688 (title); Koerner (1993), 236.

¹²⁶ Haussoullier (1879), 240; Koehner (1993), 232.

rights. Moreover, if the offence involved in interfering with the boundary stones of Lophitis was to compromise the protected property rights of individual landowners within it, it is curious that the sanctions of ἀτιμία and the fine were not extended to those who interfered with boundary stones between estates within Lophitis, as well as those marking its external boundaries. In addition, it is questionable whether Lophitis, an area small enough to be enclosed by seventy-five boundary stones, could have included all the confiscated estates mentioned.¹²⁷

On this view, face A and faces B, C, D have a less direct connection. However, Faraguna is not necessarily right that the only connection was that both A and B-D were concerned with land in which the polis had an interest.¹²⁸ Rather, it is a reasonable hypothesis that certain citizens incurred the ἀτιμία and fine stipulated for moving the boundary stones of Lophitis, but refused to pay the fine: their exile and the full confiscation of their property could have been the result, probably in connection with a fifth-century Chian *stasis* in which democrats were victorious.¹²⁹ It would then be their estates, located in different parts of Chios, whose sale was regulated and recorded in B-D. These individuals' estates would have been confiscated and sold as a severe sanction for their undermining of the substantive common interests of the Chians.

¹²⁷ Faraguna (2005), 97-8.

¹²⁸ Faraguna (2005), 97-8.

¹²⁹ Possibly in 406: Gehrke (1985), 45, n. 20. For refusal to pay fines leading to *stasis*: Thucydides 3.70.3-6 (on Corcyra in 427). For the confiscation of all property of citizens who disputed particular fines: early-Hellenistic Coan arbitrators on Telos who arbitrated concerning disputed public and sacred 'cases' (δίκαι) (IG XII 4 1 132 (printed and translated at the end of this thesis), ll. 37-78) made provision for the restoration of confiscated property (ll. 79-87, 108-112) to citizens to whom they also assigned personal and/or financial obligations *in lieu* of outstanding fines (ll. 43-57); the obvious inference is that these citizens had suffered confiscation of their property after refusing to pay fines imposed on them, in their entirety or in part. Cf. chapter 2, section 3b).

Overall, therefore, both oligarchic and democratic sympathisers in the Greek world reflected the influence of, and constructed, versions of a unitarian teleological communitarian paradigm of the good polis in their justifications for lawful citizen expulsion and exclusion. Significantly, the communitarian paradigms reflected in this evidence were commonly open-ended: whereas they all demanded a formally well-defined type of civic unity, the content of the ethical and cultural standards associated with each was often indeterminate.

In some cases considered here, such indeterminacy is evident in the use of open-ended standards of civic approbation and condemnation. For example, in the vague Phthiotic Theban stipulation, mentioned above, that Eurydamas could be legitimately expelled from citizenship if he was proved to have done something *πονηρόν* to the city or the affairs of the city, both vicious action and *τὰ πράγματα τὰ τῆς πόλεως* were left undefined. In the case of the Nesian decree for Thersippos, by contrast, specific examples were given to illustrate Thersippos' *εὐνοία* and *ἀνδραγαθία*. However, even in that case, the precise nature of those qualities remained open for debate.

In other cases, comparable indeterminacies arose from the fact that shared ethical and cultural standards were defined predominantly by negative means. For example, the stipulation or implementation of exile and outlawry for tyrants conjured nebulous standards of good citizenship and legitimate civic government from an implied contrast with the figure of the tyrant. This was probably often convenient, or even necessary, due to problems and ambiguities in notions of civic virtue and loyalty: for instance, the status of the tyrant as antithesis of the good citizen was usually far less problematic than the status of the tyrannicide as stereotypical good citizen. Indeed,

those responsible for the assassination of subversive political leaders could be previous close associates in their subversion¹³⁰ or even blood-relations,¹³¹ which could lead to acute disagreements about their political, religious and ethical standing.¹³² Overall, the open-endedness of civic ideals probably often made it easier in practice for all citizens to rally, in an imitation of formal communitarian unity, in support of them: citizens could each interpret those supposedly shared ideals in accordance with their own outlook.

d) Libertarian contractarian justifications for lawful citizen expulsion and exclusion

There was a rival, parallel tendency to justify citizen expulsion in accordance with a fairly radical version of what can be called a ‘contractarian’ paradigm of the good polis, in accordance with a non-standard usage introduced in section 5 of the introduction. According to such justifications, citizen expulsion and exclusion are legitimate means of maintaining and reinforcing the terms of, or terms which would be likely to be yielded by, a civic contract, for mutual security and advantage, among egoistic, materialistic, instrumentally rational citizens, endowed with different aptitudes and unequal material resources, whose ends in life are determined outside political interaction. Under this view, a legitimate candidate for expulsion or disenfranchisement is an illegitimate or unfair burden on fellow citizens.

Through a remark incorporated within the radically communitarian argumentation of his *In Meidiam*, Demosthenes implies a directly contractarian justification for Meidias’ disenfranchisement. He remarks that, in making a decision about Meidias, the jurors have to decide whether Meidias should be allowed in future to commit

¹³⁰ Cf. Aeneas Tacticus 10.17.

¹³¹ Cf. Plutarch *Timoleon* 4.5-8.

¹³² Plutarch *Timoleon* 5.1-2.

‘arrogant self-assertion’ (ὑβρις) against any random member of the jury (τὸν τυχόνθ’ ὑμῶν) with impunity.¹³³ This claim carries the implication that Demosthenes and the jurors are fellow members of a civic contract involving mutual pledges of respect for security and dignity: a contract which can and should be defended through the imposition of the sanction of disenfranchisement on defaulters. The imposition of this sanction is in the narrow personal interests of all who respect the terms of the contract, including the jurors, because it guarantees their security from ὑβρις.¹³⁴

Most commonly, penalties of expulsion and exclusion were justified as means of upholding two specific types of civic obligation which would be very likely to be agreed upon by the participants in a civic contract among materially unequal, egoistic, materialistic citizens, aimed at mutual security and advantage:¹³⁵ first, obligations to preserve civic peace, by respecting the security and property of individual fellow citizens, following established laws and procedures and preserving good faith in all circumstances; and, second, obligations to observe the requirements of strict reciprocal justice, by making contributions to individual fellow citizens and to the polis as a whole proportionate with benefits received or anticipated from them. In some cases, such as the first two case-studies considered in the following paragraphs, such obligations were explicitly represented as grounded in a civic contract. However, in other cases, those who advocated the relevant obligations probably considered them to be ultimately grounded in other sources of authority, such as divine sanction.

¹³³ Demosthenes 21.7.

¹³⁴ Contrast Ober (1996), esp. 101.

¹³⁵ Cf. Nozick (1974); Narveson (1988), chs. 12-14.

A justification of citizen exclusion in terms of the upholding of the first type of contractarian obligation features in the first Demosthenic *In Aristogitonem*. This speech was at least ostensibly written for delivery in a suit (ἔνδειξις) denouncing Aristogeiton as a public debtor, liable to ἀτιμία. The speech includes theoretical comments about the nature of law, included to bolster the case for Aristogeiton's disenfranchisement. These include communitarian characterisations of law: as something universal which 'wishes for' the just, the fine and the beneficial; and as a means of educating citizens in good behaviour. However, the speaker also explicitly describes law as the 'common contract of the polis' (πόλεως δὲ συνθήκη κοινή).¹³⁶ The implication is that one of various possible theoretical justifications for the disenfranchisement of Aristogeiton is the protection of the integrity of the laws yielded by a civic contract.¹³⁷

Outside Athens, a case-study from early-Hellenistic Sagalassos in Pisidia reveals a similar approach. The fundamental civic regulations from Sagalassos¹³⁸ mentioned in table 2 above consist of general regulations forbidding revolutionary behaviour by citizens, followed by regulations concerning a specific hypothetical situation: a situation in which a twelve-strong group in control of the ἄκρᾱ ('stronghold') maintains control of it and possibly also expels citizens.¹³⁹ These latter regulations could concern an already existing rebellious faction in control of the ἄκρᾱ. However, it is more plausible that these regulations were, like the preceding ones, entirely

¹³⁶ [Demosthenes] 25.16. Compare Hyperides 3.31: Athenogenes is said, even though a metic, to have transgressed the κοινὰ[ς] τῆς πόλεως συνθήκας.

¹³⁷ Even if this speech was a Sophistic exercise, it nonetheless reflects ideas in circulation about legitimate grounds for disenfranchisement. On the coexistence of communitarian and individualistic civic norms in many Athenian legal speeches: Christ (1998), 161-6.

¹³⁸ Vantorpe (2007), text, pp. 123, 125.

¹³⁹ There follow separate regulations concerning theft.

hypothetical: they were designed to deter regular twelve-strong civic garrisons from maintaining control of the ἄκροα after the end of their term of duty.¹⁴⁰ These civic precautions against *stasis* could have been imposed on, or suggested to, the Sagalassians by an external power: a Hellenistic monarch or royal official. However, in the absence of indications of external interference, it is plausible to imagine these Pisidian residents of Sagalassos voluntarily and self-consciously adopting polis forms.

Crucially for the concerns of this sub-section, the text explicitly presents the regulations as ‘agreements and covenants’ (ὁμολογίαι καὶ συνθηκαί) made under particular magistrates (ἐπὶ ἀρχόντων), whose Pisidian names are given in a subsequent long list:¹⁴¹ these were agreements transacted by all Sagalassian citizens or, at least, by all the named magistrates, acting as their representatives. The content of the regulations makes clear that they were contractual ‘agreements and covenants’ negotiated among competing, distrustful citizens or representative magistrates for the sake of mutual security. This is the best explanation, for example, for the general prohibition of revolutionary activity by any citizen, including the expulsion of any fellow citizen.¹⁴² Significantly, as stated in table 2, it was death and quasi-outlawry which were stipulated as the sanctions protecting this part of this Sagalassian civic contract. In this case, outlawry was not presented as a means of defending a solidaristic¹⁴³ δῆμος from vicious anti-democratic behaviour, as in the near

¹⁴⁰ Vandonpe (2007), 129-31, comparing SEG 26.1306.

¹⁴¹ Vandonpe (2007), text, pp. 123, 125, ll. 33-9.

¹⁴² Cf. the use of the threat of exile to deter harmful treatment of specified citizens in some Eleian texts: *Nomima* I, no. 23 (c. 475), l. 2; Michel *Recueil* no. 1334 (c. 350 or c. 335; cf. table 1 above). Compare an Athenian example (cf. table 2 above): Osborne (1981-1983), D22, ll. 31-3 (anyone who kills Peisitheides of Delos, naturalised as an Athenian, will be an ‘enemy’ (πολέμιος) of the people, i.e. an outlaw). For an Archaic ‘contractarian’ text containing sanctions for violence against fellow citizens, cf. *Nomima* I, no. 100 (Argos, 575-550).

¹⁴³ For the use of this word in this thesis, cf. the introduction, n. 42.

contemporary Ilion anti-tyranny law;¹⁴⁴ rather, it was presented as a sanction universally accepted by the Sagalassians as a means of protecting them from one another.

In a similar way, as set out in table 3 above, in fourth-century Dikaia and Arkesine, varieties of ἀτιμία were established as penalties for bringing or hearing suits whose prosecution was forbidden because the disputes involved had already been resolved through more wide-ranging arbitrated settlements. In these cases, the penalty of disenfranchisement was established to deter, and, if necessary, punish, refusal to abide by the terms of supposedly consensual civic reconciliation agreements: agreements which can in some respects be considered renewals of the civic contract in each case, mutually beneficial for the citizens involved.¹⁴⁵

Outlawry and disenfranchisement could also be stipulated to deter or punish other breaches of faith by magistrates and private citizens. This is true, for example, of the stipulation of outlawry as the penalty in Hellenistic Teos for any garrison commander who failed to relinquish control of a particular fort at the end of his term (cf. table 2 above). Similarly, it is true of the stipulation of disenfranchisement by the Hellenistic Delphians, mentioned in table 3 above, as the penalty for particular magistrates who violated the trust placed in them by all fellow citizens, by failing to pay to the polis money exacted from those who failed to pay punctually interest on loans which they had taken out from a foundation established for the benefit of the Delphians by

¹⁴⁴ Compare table 1 and sub-section c) above.

¹⁴⁵ On the Dikaiopolitan case, cf. chapter 2, section 4b)iii); the full text is printed and translated at the end of this thesis.

Attalus II.¹⁴⁶ Furthermore, disenfranchisement could be deployed to enforce good faith in citizens' financial relations with one another: in fourth-century Delphi, as stated in table 3 above, it was the penalty for failing to repay contested private debts; those concerned were to be subject to public prosecution as if they were perpetrators of *stasis*.¹⁴⁷

In each of these cases, the stipulation of expulsion or exclusion as the penalty for breaches of faith in relations with fellow citizens implied a view about qualifications for civic membership: in order to continue to qualify, citizens needed to show no greater level of patriotism, or benevolence towards fellow citizens, than that involved in respecting general pledges of security and particular contracts. Their stipulation could even have been taken to imply that simple fidelity to general and particular *ὁμολογίαι καὶ συνθήκαι* represented one of the principal components of good citizenship.

As for contractarian justifications of lawful citizen expulsion and exclusion as means of enforcing strict reciprocal justice, expulsion and exclusion were sometimes presented as means to enforce, or enable the maintenance of, strict reciprocal justice in citizens' relations with one another. For example, in the *Laws*, Plato's Athenian speaker argues that the justification for a penalty of one-year exile for unintentional homicide is that the dead man's spirit cannot tolerate his killer walking in the places with which the dead man was familiar, and so agitates the mind of the killer.¹⁴⁸ This may be a vivid metaphorical way of expressing the view that the penalty of one-year

¹⁴⁶ Ameling, Bringmann, Schmidt-Dounas and von Steuben (1995), no. 94, ll. 85-9. Cf. *IG XII 6 1 172* (Samos, c. 250?), face A, ll. 78-9 (*ἀτιμία* until a fine is paid for embezzlement as a magistrate); cf. table 3 above.

¹⁴⁷ Cf. Homolle (1926), 84-5.

¹⁴⁸ Plato *Laws* 865d3-e9.

exile is a way of satisfying the individual claims to justice of the dead man, by inflicting a burden on his killer consonant with the dead man's perceived posthumous interests or desires. More prosaically, temporary exile of this kind was probably conceived by some, possibly including even Plato himself, as a legitimate means of achieving a just balance between the interests and honour of different families within a polis.¹⁴⁹

In a case not involving homicide, a justification of disenfranchisement as a means of maintaining reciprocal justice between individual citizens is offered in Lysias' first speech against the younger Alcibiades. Before launching into his communitarian denunciation of Alcibiades as a vicious anti-citizen, discussed above, the speaker claims, implicitly as a qualification for bringing the prosecution, that his father had previously engaged in feud with Alcibiades' father and that he himself had suffered bad experiences at Alcibiades' hands.¹⁵⁰ The implication is that the prosecution is partly a legitimate act of personal or family retaliation, made possible by democratic civic institutions.

Practices of expulsion and exclusion of citizens also provide evidence for concern for the enforcement of strict reciprocal justice in individual citizens' relations with the citizen-body as a whole. As shown in table 3, disenfranchisement could be the penalty for unlawful iteration of office: it could be the penalty for citizens who claimed more than their fair share of political power, disrupting the civic contract by failing to

¹⁴⁹ Cf. Saunders (1991), 223-4.

¹⁵⁰ Lysias 14.2; cf. Demosthenes 58.1-2 (from another prosecution potentially leading to the defendant's disenfranchisement).

balance ‘ruling’ and ‘being ruled’.¹⁵¹ Moreover, disenfranchisement was the penalty, in Athens and other cities (cf. table 3 above), for those in debt to their polis, usually through non-payment of fines. Significantly, this type of disenfranchisement was commonly reversible on settlement of the public debts concerned.¹⁵² Underlying the common stipulation in civic law-codes of this penalty, and its reversibility, was the assumption that civic protections and privileges are granted and upheld in exchange for contributions to the polis, especially financial contributions: those who have defaulted on such contributions have defaulted on their part of the civic contract; they are excluded from citizenship until, but only until, they have settled their debts.

Conversely, on this view, those who make contributions to civic finances are entitled to substantial financial rewards. This entitlement could be entrenched through the threat of disenfranchisement: in Miletus in 211/10, disenfranchisement was to be imposed, until they paid the stated fine, on citizens who proposed or supported a reduction in the annual interest to be paid in perpetuity to citizens who responded to an appeal to give loans to the polis.¹⁵³

This kind of contractarian view of citizenship could also be reflected in a polis’ treatment of exiles’ confiscated land: an inscription from later-fourth-century Zeleia attests the sale of exiles’ land by the polis.¹⁵⁴ This measure reflected the assumption

¹⁵¹ The provision of this type from Classical Erythrai (*Nomima* I, no. 84, ll. 9-13) could also be interpreted as communitarian: it could be seen as a democratic, or, at least, anti-oligarchic, move to check the power of individual magistrates (van Effenterre and Ruze (1994), 316; for modern parallels, cf. Cain and Levin (1999), 168-71). However, there is no reference to the common good or even to ‘the people’ in the decree of Erythrai. Moreover, restrictions on office length are not strictly consistent with communitarian ideals: in a well-organised communitarian polis, citizens are so well-educated and virtuous that they can be entrusted with continuous office (compare later-Hellenistic poleis’ toleration of frequently continuous office-holding by their great benefactors).

¹⁵² In Athens, double the original debt had to be paid: Demosthenes 58.1; Todd (1993), 143.

¹⁵³ Migeotte (1984), no. 97, ll. 21-9.

¹⁵⁴ *SGDI* 5533f.

that possession of land within civic territory, like citizenship itself, was conditional on fulfilment of certain civic obligations. Under this assumption, land owned by exiles, citizens who had defaulted on their civic obligations, could legitimately be confiscated by the polis and sold, through a market transaction, to individuals more willing to maintain a reliable contractual bond with the polis. It may have been intended that the buyers would be existing citizens of Zeleia, but it could also have been intended that they would be or include foreigners, who might become eligible for enfranchisement as citizens of Zeleia¹⁵⁵ through their possession of the land. If so, it was effectively the exiles' vacated citizenship which was put on the market.

To sum up, there is good evidence among attested justifications of civic expulsion and exclusion, both democratic and oligarchic, for the various elements of the broad paradigm classified as 'contractarian', in a deviation from the standard philosophical and political scientific usage, in section 5 of the introduction: norms strongly consistent with the view that a polis is a contract for mutual security and advantage. These includes norms protecting or promoting personal security and property; property rights; consensual agreements; conflict-regulating civic rules and procedures; good faith in the observance and administration of conflict-regulating rules and procedures and in the observance of private contracts; and, most importantly, strict material reciprocity between citizens and between citizen and polis. In some cases, such norms were explicitly grounded in the strictly 'contractarian' view that the essential character of a given polis or its law is a contract for mutual security and advantage.

¹⁵⁵ Cf. citizenship grants contemporaneous with the order that exiles' property should be sold: *SGDI* 5533a-d.

Many of the elements of the contractarian paradigm evident in the cases discussed in the preceding paragraphs were as radical and uncompromising as the elements of the contrasting unitarian teleological communitarian paradigm identified in the previous sub-section. For example, the cases in which outlawry or disenfranchisement was the penalty for transgressing arbitrated civic settlements, or failing to pay a civic fine, reflect an uncompromising attitude to the enforcement of established rules: account could not be taken in individual cases of possible mitigating circumstances.

Moreover, the common stipulation of disenfranchisement for public debt, reversible on settlement of that debt, reflects an uncompromising notion of personal desert: the use of a strict financial criterion, in a relatively unregulated economic and financial system, to decide which citizens had defaulted on civic obligations did not permit any allowances to be made in cases where public debts had been incurred at least partly through individual misfortune or psychological or inherited problems or disabilities, or where the debtor(s) had made mitigating wider civic contributions or possessed mitigating broader public-spirited dispositions.¹⁵⁶ In addition, these strict financial criteria for citizenship partly assimilated citizenship to a market commodity, as at Zeleia.

The contractarian institutions and laws considered here were also radical in their individualism. First, they were more consistent with a view of citizens as self-interested, competitive and instrumentally rational,¹⁵⁷ like the stereotypical citizens

¹⁵⁶ Compare the argument of the speakers of Lysias 18 that the imposition on them of disenfranchisement for public debt would require unreasonable neglect of their civic virtues and broader civic contributions.

¹⁵⁷ Cf. Bertrand (1999), 297-8.

arguably presupposed by some modern liberal political theory,¹⁵⁸ than with a view of citizens as solidaristic civic friends. This is because solidaristic citizens would have much less need for pragmatic procedures designed merely to regulate conflict, material incentives and disincentives and strict principles of reciprocal desert: as Aristotle says, among friends justice becomes superfluous.¹⁵⁹

Second, these contractarian institutions and laws left considerable scope for citizens to exercise personal freedom, in pursuit of their own private ends. This was because the constraining civic obligations involved were relatively minimal, compared with those entailed by the communitarian paradigm of citizenship. On the one hand, citizens were obliged only to demonstrate a minimal level of civic commitment: abstention from undermining the basic order and security of their polis. On the other hand, citizens were required to make financial contributions to their polis only to the extent that they had been, or expected to be, benefited by their fellow citizens. Moreover, the disenfranchisement of public debtors reduced the prospects of citizens being obliged to financially subsidise those who did not make their own reciprocal financial contributions.

Third, as well as minimising burdens, the contractarian institutions and laws considered here were probably even perceived as encouraging the exercise of wide-ranging personal freedom by citizens: freedom in bargaining within the constraints of the civic contract; and in agitating to ensure civic benefits commensurate with contributions to the polis. Because of its individualistic presuppositions and effects,

¹⁵⁸ For a critical account of this aspect of modern liberalism: Sandel (1982).

¹⁵⁹ Aristotle *Nicomachean Ethics* 1155a26-8.

the radical contractarian paradigm of citizenship reflected in these texts can be described as ‘libertarian contractarian’.

e) Conclusion

Far from stigmatising them as symptoms of tyranny, citizens of poleis offered or implied a wide range of justifications for penalties of citizen expulsion and exclusion in the later-Classical and Hellenistic periods: pragmatic; unitarian teleological communitarian; and libertarian contractarian. The nature of these justifications suggests answers to the question posed by Lewis in his review of Seibert (1979): the question why exile was so strongly preferred to imprisonment as a punishment in Greek poleis.¹⁶⁰ First, imprisonment represented a violation of the symbolic order in the distribution of civic benefits: within polis culture, as the irony of Socrates’ proposal for his own ‘punishment’ in 399 make clear,¹⁶¹ it was civic benefactors, not murderers or political criminals, who were awarded prolonged maintenance at state expense. Second, imprisonment kept the offender within the boundaries of the polis, where he could continue to corrupt the dispositions and behaviour of others¹⁶² or to make unjust claims on civic resources. By contrast, exile represented the unmitigated removal from civic life of a deviant from civic ethical standards, or of a defaulter on the civic contract. This practical and symbolic exclusion could often have had the incidental benefit of reinforcing the physical and conceptual territory and borders of the polis concerned.

¹⁶⁰ Lewis (1981).

¹⁶¹ Cf. Plato *Apology* 36de.

¹⁶² Cf. Gernet (1968), 288-90; Parker (1983), ch. 9.

4. The reflection and construction of norms of citizenship in the broader content of laws and decrees stipulating penalties of expulsion and exclusion

The broader content of some of the civic laws and decrees considered above also reflected and constructed particular political norms. For example, the third-century Phthiotic Theban decree relating to Eurydamas' citizenship, already discussed in sections 2 and 3, reflects and reinforces a norm of civic voluntarism, legitimising, or even demanding, far-reaching individual initiative by citizens: the decree makes it possible for 'those who wish to expel' (οἱ βουλόμενοι ἀπελάνειν) the new citizen to do so if they prove that he has done something 'vicious' (πονηρόν) to the polis or its affairs.¹⁶³ This clause recalls the Athenian emphasis on the right and duty of ὁ βουλόμενος to intervene in political and legal contexts.¹⁶⁴

Another political idea reflected and reinforced by such documents is that civic institutions, laws and decisions are inevitably efficacious. For example, entrenchment clauses, threatening outlawry or disenfranchisement for anyone who opposed a particular law or decree, implied that the decisions or measures concerned were uniquely valuable and efficacious: the only thing which could threaten their success was the malice, incompetence or stupidity of individual citizens. A similar belief in the quasi-magical efficacy of political institutions is evident from formulae of the type 'let him be ἄτιμος':¹⁶⁵ such formulae imply that decrees' provisions will come into effect automatically.

¹⁶³ SEG 53.565, ll. 1-13.

¹⁶⁴ On Athens: Hansen (1999), 71-2; Todd (1993), 114. On the importance of voluntary civic interventions by citizens in the Greek world as a whole: Veyne (1982); (1990); Rubinstein (2003); Gauthier (2005).

¹⁶⁵ E.g. IG XII 7 3, ll. 42, 44.

Moreover, the broader content of some relevant texts reflected and constructed versions of the two principal civic paradigms identified in the previous section: unitarian teleological communitarian and libertarian contractarian. In particular, such texts sometimes demonstrate the coexistence, or even entanglement, of the two radical paradigms within the political culture of a single polis.

This is clear, for example, from the fifth-century Chian Lophitis stele (cf. table 3 and section 3c) above). As argued above, the representation of interference with the boundaries of Lophitis as ‘injustice to the polis’¹⁶⁶ in the regulations concerning Lophitis on face A implies that the Chian polis is a unitary community which has collective interests; it can itself suffer injustice. However, the accompanying regulations concerning the sale of the confiscated estates imply that the Chian polis is a different type of political organisation. The crucial element is the formal guarantee that the polis will assume liability in the event of legal suits against the buyers of the land:¹⁶⁷ in that provision, the Chian polis emerges, not as a community with substantial common interests, but as a prudential association protecting the rights (specifically, the property rights) of individual members. The coexistence of communitarian and contractarian norms is also attested elsewhere for Classical Chios: texts protecting sacred land and mobile property from private use¹⁶⁸ survive alongside more desert-oriented texts recording the perquisites of priests and priestesses, *de facto* rewards for service.¹⁶⁹

¹⁶⁶ *SGDI* 5653, a, ll. 12-13.

¹⁶⁷ *SGDI* 5653, c, ll. 1-4.

¹⁶⁸ *LSCG* 116; 120. Cf. Rhodes-Osborne, *GHI* 87, ll. 24-36 (regulations of the Klytidai, a civic sub-division).

¹⁶⁹ *LSCG* 119; 120.

For the Hellenistic period, the Phthiotic Theban decree relating to Eurydamas' citizenship also well illustrates the coexistence of the two rival paradigms within a single polis' political culture. The full text is as follows:

- [-----]
- 1 [?] οι β[ο]ύλω[ντ]αι· Θηβαίους δὲ μὴ ἐξε[ῖναι]
μηδὲ δι' ἐνό[ς τ]ρόπου μήτε κοινῇ μήτε
ἄρχοντα μηδὲνα μηδὲ ἰδίαι μηδέ[να] {ΑΠΕ}
ἀπε[λα]ύνειν Εὐρυδάμαντα ἀπὸ τῆς πο-
- 5 λιτείας ἂν [μ]ή τι πονηρὸν πράγμα πράσο-
ντα εἰς τὴν πόλιν ἢ εἰς τὰ πράγματα τὰ τῆ-
ς πόλεως ἐξελέγχωσι οἱ βουλόμενοι
ἀπελαύνειν ἀπὸ τῆς πολιτείας· ἂν δὲ
μὴ ἐξελέ[γχ]ωσι οἱ ἐπιβαλλόμενοι ἐξε-
- 10 λέγχειν, ἀποτεισάντω τῇ Δήμητρι τῇ Π[α]-
ναχαίαι τάλαντον ἀργυρίου καὶ τοῦ[το]
[ίε]ρον ἔστω τῆς Δήμητρος Εὐρυδάμ[αντι]
[ὥστ' ἀσφά]λειαν εἶναι [.]ΑΣΩΝ ΑΧΡ[----]
[.]ΑΤΕΙΩΝ
- [----- Εὐρυδά]μαντα [-----]
- 15 [-----]αν δὲ βού[λονται -----]
ς παρὰ Ε[ὐρυδ]ά[μαντι -----]
ὑπὲρ εὐνοίας καὶ δικαιοσύνης τῆς πρὸς τὴν
πόλιν καὶ τὰ πράγματα τὰ τῆς πόλεως· ὁμνύ-
τω Εὐρυδάμας τὸν ὄρκον ὃν ἂν ἡ πόλις προγο-
- 20 ᾗ, ἂν μὴ ἀνωμότῳ διαπιστεύωσι· ταῦτα
ἀναγραφάτω Εὐρυδάμας εἰστήλας λιθί-
νας καὶ ἀνθέτω εἰς τὸ ἱερόν τῆς Δήμητρος
καὶ ὅπου ἂν ἀλλαχοῦ ἡ πόλις κελεύῃ.¹⁷⁰

It is not allowed for Thebans to expel Eurydamas from the citizen-body by any means, neither collectively, nor acting individually as a magistrate or by private means, unless those who want to expel him from the citizen body prove that he is doing some vicious action to the polis or to the affairs of the polis. If those who attempt to make a proof do not succeed, let them pay a fine to Demeter Panachaia of a talent of silver and let it be sacred to Demeter. So that there is security for Eurydamas Eurydamas ... they want ... from Eurydamas on account of his goodwill and justice towards the polis and the affairs of the polis. Let Eurydamas swear whatever oath the polis should write in advance, if they do not thoroughly trust him when he has not sworn.

¹⁷⁰ SEG 53.565.

Let Eurydamas write these things on stone stelai and let him place them in the temple of Demeter, and wherever else the polis orders.

Some aspects of this decree reflect and construct a strongly communitarian conception of the Phthiotic Theban polis. The praise for Eurydamas in lines 17-18, which probably represents the grounds for the conferral of Phthiotic Theban citizenship, implies that goodwill and justice are qualifications for civic recognition or even citizenship. There is a significant inverted echo of this praise in the earlier provision legitimising expulsion: whereas Eurydamas is praised, or even granted citizenship, on account of his ‘goodwill and justice towards the polis and its affairs’ (εὐνοία καὶ δικαιοσύνη πρὸς τὴν πόλιν καὶ τὰ πράγματα τὰ τῆς πόλεως), he can be expelled from citizenship if he can be shown to be ‘doing some vicious act to the polis or the affairs of the polis’ (τι πονηρὸν πρᾶγμα πράσσων εἰς τὴν πόλιν ἢ εἰς τὰ πράγματα τὰ τῆς πόλεως). Taken together, the mutually echoing clauses reinforce the impression that the Phthiotic Theban polis is a solidaristic community with collective interests and ethical standards. They also reveal the usually suppressed implications of communitarian honorific language for the honorand himself: he is expected to comply with demanding, or utopian, civic ethical standards; and can be punished by the δῆμος with equal but opposite force to that of an honorary decree if he falls far short of them.

However, intertwined elements of the decree reflect and construct a libertarian contractarian conception of the Phthiotic Theban polis. The beginning of the opening provision, regarding the procedure for expulsion, forcefully prohibits any undue termination of Eurydamas’ citizenship. This opening presupposes the possibility of

distrust and competition, as opposed to εὐνοία, among Phthiotic Theban citizens: among civic friends, such prohibitions would be otiose. Consistent with this presupposition, the provision as a whole explicitly legitimises regulated distrust among citizens: it does not stigmatise wanting (βούλεσθαι)¹⁷¹ to expel a fellow citizen (Eurydamas), but merely establishes an institutional check on actual expulsion.

The opening is thus best interpreted in the same way as the similar general regulation from early-Hellenistic Sagalassos, as analysed in section 2d) above: as an attempt to protect from internal threats Eurydamas' security and basic entitlements as a member of a civic contract for mutual security and advantage. Indeed, the forceful prohibitions read like products of hard bargaining. What might be expected to follow in the subsequent concessive clause specifying legitimate grounds for expulsion would be, not a communitarian reference to 'vicious' behaviour towards the polis, but a reference to contravention of the civic contract: 'unless he himself attempts to expel another citizen from citizenship' or 'unless he breaks the law'.

The contractarian thrust is reinforced by the following provision that those who make unsuccessful bids to show that Eurydamas is liable to expulsion should pay a fine of one talent to Demeter Panachaios: institutional checks, not the good dispositions of individual citizens, are expected to deter malicious prosecutions. Moreover, the closing provision for Eurydamas to swear a civic oath in certain circumstances presupposes the possibility of distrust between fellow citizens: Eurydamas is to swear if the citizen-body does not entirely trust him unsworn (ἂν μὴ ἀνωμότῳ

¹⁷¹ The restriction on expulsion is explicitly said to apply to οἱ βουλόμενοι ἀπελαύνειν ἀπὸ τῆς πολιτείας.

διαπιστεύωσι). In this provision, Eurydamas' swearing of an oath written by fellow citizens, a type of civic contract in microcosm, is explicitly envisaged as a means of assuaging that distrust.¹⁷²

5. Conclusion to chapter 1

Some contours of a model of civic political cultures in this period can now be tentatively delineated: this model will be further tested and developed in subsequent chapters. For one thing, certain widespread attitudes to political institutions are clear from the evidence considered in this chapter: high evaluation of individual voluntary initiative in making use of political institutions; and extreme confidence in the efficacy of those institutions.

Most importantly, the evidence considered in this chapter suggests that prominent overarching paradigms of the good polis circulating in this period were of two radical, rival types: first, unitarian teleological communitarian; and, second, libertarian contractarian. Each type could take both democratic and oligarchic forms. Unitarian teleological communitarian paradigms of civic unity were often more well-defined in their form than in their content: there was a common expectation of far-reaching cultural and ethical consensus, but shared cultural and ethical notions and standards often remained indeterminate or defined only negatively. In certain poleis considered here, the two relatively radical paradigms of citizenship coexisted with each other, to be put into practice alongside each other in civic laws, decrees and debate regulating civic membership and civic obligations: this has been demonstrated for Classical

¹⁷² Compare the 'contractarian' honorary decree, straightforwardly requiting services with personal privileges and making no reference to the common good, ethical standards or religion, passed by the Hellenistic Phthiotic Thebans for a citizen of Pherae (*IG IX 2 132*, one of only two other known decrees of Phthiotic Thebes).

Athens and Chios and for Hellenistic Phthiotic Thebes. Significantly, the evidence considered in this chapter provides no evidence for the existence of an influential intermediate paradigm of the good citizen, resembling modern Kantian and neo-Kantian paradigms: a paradigm of the good citizen as a bearer of certain fundamental rights and respecter of the equivalent rights of others, inclined to participate in open dialogue aimed at mutual understanding.

Chapter 2

Projects for civic reconciliation and reintegration of exiles: procedures and rhetoric of inclusion as evidence for civic political cultures

1. Introduction

This chapter addresses another type of evidence illustrating the phenomenon of exile which encompasses both philosophical discussions and civic epigraphy: texts concerning civic reconciliation after *stasis*, involving the reintegration of exiled citizens. As argued in the introduction, both philosophical discussions of this process and civic documents regulating or recording it reveal fundamental assumptions about citizenship: discussing or implementing reconciliation and reintegration forced citizens to express, and sometimes adapt, basic ideas about political community. The ideas expressed often took utopian forms: the rebuilding of a citizen-body was an opportunity to apply new political ideals, or to reassert old ones.

2. A philosophical response to *stasis* and exile: Aristotle's approach as case-study

Aristotle's response to *stasis* and exile has been intensively studied by philosophers and historians of ideas.¹ A common modern scholarly view is that Aristotle proposed unequivocally communitarian means of maintaining or restoring the stability of a polis. In opposition to this common interpretation, Yack has argued, as discussed in the general introduction, section 5, that Aristotle's political thought, including his approach to *stasis*, gives far greater scope to regulated conflict between citizens.²

¹ Yack (1993), esp. 231-9; Kalimtzis (2000); Weed (2007).

² Yack (1985); (1993).

Both of these polarised interpretations of Aristotle's position have force: the two rival approaches are both evident in Aristotle's response to *stasis* in Book V of the *Politics*, in fairly radical forms. Some of Aristotle's proposals are strongly consistent with the unitarian teleological communitarian paradigm. First, Aristotle suggests that holders of major magistracies in a polis must possess, not only the ability to perform their role, but also an attitude of 'friendship' (φιλία) towards the prevailing constitution, as well as virtue and the type of justice associated with the prevailing constitution. Simple ability is most important for military commanders, but holders of other major magistracies must be virtuous in order to avoid *akrasia*: if they are not virtuous, they may not be able to maintain their resolve to give priority to protecting the constitution and the city.³

Second, Aristotle strongly advocates the view that civic order is best achieved through the habituation of all citizens' souls through education in substantive ethical and cultural values. Aristotle claims that, in a good constitution, care is taken that no citizens transgress the laws, even through minor infringements.⁴ Underlying this proposal is the view that the role of politics and law is to shape character, not simply to regulate relations between existing characters.⁵ Aristotle subsequently claims that political stability requires that magistrates inspect and reform the private lives of citizens whose private conduct does not conform with the ethos of the prevailing constitution, whether democratic or oligarchic.⁶ This too relies on the unitarian teleological communitarian view that civic stability relies on the moulding of citizens' characters in accordance with a clear template, so comprehensive that it offers

³ Aristotle *Politics* 1309a33-1309b14.

⁴ Aristotle *Politics* 1307b30-9.

⁵ Cf. Aristotle *Politics* 1280a31-1280b6.

⁶ Aristotle *Politics* 1308b20-4.

guidance about the correct conduct even of a citizen's private life. Aristotle also makes a general comment about the importance, and current neglect, of education in the values of a *πολιτεία* as a means of achieving stability.⁷

Third, Aristotle makes the more pragmatic, but still broadly communitarian, suggestion that citizens should be mingled together, and made equal, in order to avoid conflict: the constitution should be 'well-mixed'; and the middle class should be as large as possible, with no particular section of the polis allowed to become particularly prosperous.⁸ Although it is not emphasised in the discussion in Book V, Aristotle probably also thought that a more utopian way of binding citizens, the cultivation of 'political friendship' between them, was an effective means of preventing *stasis*:⁹ this helps to explain its prominence in other parts of his work.

However, Aristotle's other suggestions concerning the avoidance of *stasis* in a non-monarchical polis are more libertarian contractarian in nature. Aristotle appears to hold that the only alternative¹⁰ to the forging of a homogeneous civic community and the inculcation of substantive virtue is to maintain a relatively crude civic contract.¹¹ He advocates use of particular, pragmatic checks and balances to curtail individual self-assertion: terms of office should be kept short, to avoid corruption.¹² Aristotle also suggests that magistrates should exploit fear as a means of maintaining political

⁷ Aristotle *Politics* 1310a12-36; Kalimtzis (2000), 185-7.

⁸ Aristotle *Politics* 1307b30-1, 1308b24-31, 1309b14-19; Weed (2007), 134-45.

⁹ Kalimtzis (2000), 179-80.

¹⁰ Weed (2007), ch. 4 (esp. 166), implies that Aristotle thought that the only way to tackle the problem of bad character among citizens, *stasis*' fundamental cause, is to establish his own ideal state; the only alternative remedy for *stasis* comprises the more pragmatic measures discussed below.

¹¹ For other prudential 'realist' proposals about the avoidance of civic unrest by a fourth-century observer: Aeneas Tacticus 10-11.

¹² Aristotle *Politics* 1308a13-24.

stability:¹³ this suggestion relies on the view that magistrates should exploit citizens' instinct for self-preservation in order to convince them to keep the peace.

Aristotle also argues that those who have little political power in a constitution should be compensated, through a relatively crude bargain, with material rewards and incentives:¹⁴ for example, a prominent social role, in the form of superior seats in the theatre.¹⁵ Moreover, at one point, Aristotle suggests that part of the function of a bolstered middle class is to act as 'arbitrator' between rich and poor:¹⁶ this suggests that the middle class is to be a protector of a pragmatic, variable 'mixed' civic contract, tailored to prevailing political circumstances.¹⁷

Less crudely contractarian is Aristotle's insistence that justice in distribution, whose nature varies across constitutions, is necessary to avoid *stasis* and exile:¹⁸ citizens must receive their just deserts, according to their constitution's definition of desert, if they are not to become disaffected. However, Aristotle was probably here conceiving these different definitions of justice as different applications of principles of strict reciprocity: citizens should receive benefits in proportion to their value to the constitution and to fellow citizens, something defined differently in different regimes.¹⁹

¹³ Aristotle *Politics* 1308a24-30.

¹⁴ Cf. Weed (2007), 145-65. On the importance of incentives in Greek political thought more generally: Ober (2008), e.g. 118-21; (2009).

¹⁵ E.g. Aristotle *Politics* 1309a14-32.

¹⁶ Aristotle *Politics* 1296b34-1297a8; Weed (2007), 144.

¹⁷ Cf. Yack (1993), 231-5.

¹⁸ Cf. Aristotle *Politics* 1309a36-9: major magistrates must be just, according to their constitution's definition of justice.

¹⁹ Aristotle *Nicomachean Ethics* 1131a25-9.

Overall, therefore, Aristotle's proposals for the avoidance or supersession of *stasis* reflect the competition within contemporary Greek civic political cultures between the two radically polarised conceptions of the polis and citizenship identified in chapter 1.

3. Bipartisan settlements after *stasis*, with reintegration of exiles

a) Predominantly communitarian reconciliations

Aristotle's conflicting assumptions and attitudes tally closely with those influential in the practical Greek politics of reconciliation and reintegration. These are best reflected in consensual, bipartisan settlements after *stasis*, accepted by citizens of varied political persuasions.²⁰ Such settlements were frequently designed to forge the citizens of the polis concerned into a solidaristic community, united in ethical and cultural attitudes: an instantiation of the unitarian teleological communitarian ideal.²¹

This is most strikingly evident in one of the few surviving bipartisan reconciliation settlements in which the reintegration of exiles is not explicitly mentioned: the reconciliation at Nakone in Sicily in the fourth or third century, brokered by envoys from Egesta after an otherwise unknown *stasis*.²² In the text of the decree of Nakone confirming this settlement, the common good and 'concord' (ὁμόνοια) are made central; the latter is to be the object of an annual sacrifice. The text also has a more distinctive communitarian element: 'fraternity' between citizens becomes more than a metaphor. New civic groups are to be formed, each consisting of one member from

²⁰ Contrast more partisan post-*stasis* settlements: e.g. a reported settlement from fifth-century Megara which made it a qualification for holding a magistracy that the candidate had participated in the recent Megarian exile movement, which had overturned an incumbent democracy (Aristotle *Politics* 1300a16-19).

²¹ Compare the practice attested for the Archaic period and fifth century of poleis engaging lyric poets to compose songs designed to weld the citizen-body into a faction-free whole: Hornblower (2009), 54-5 (with other bibliography).

²² Ampolo (2001a), Nakone text A.

each of the two factions in the recent *stasis* and three neutral citizens. The members of these groups are to be ‘chosen brothers, united in concord with each with all justice and friendship’ (ἀδελφοὶ αἰρετοὶ ὁμονοοῦντες ἀλλήλοις μετὰ πάσας δικαιοτάτος καὶ φιλίας); they are subsequently to participate together in an annual festival.²³ As Loraux suggests, this ἀδελφοθετία is consistent with wider Greek communitarian aspirations to create relations of quasi-kinship between citizens not related by blood, most famously evident in the Platonic Socrates’ proposals for collective child-rearing among the Guardians in *Republic* Book V.²⁴

A partly parallel, partly contrasting representative case-study of communitarian civic reconciliation, this time involving reintegration of exiles, concerns the two decrees of Mytilene contained in Rhodes-Osborne, *GHI* 85. These texts concern one or two reconciliations and reintegrations of exiles: they probably concern either one reconciliation and reintegration of exiles in c. 334, c. 332 or c. 324 or two separate reconciliations falling on two of those approximate dates.²⁵ The exiles concerned had presumably been expelled during long-running unrest in the second half of the fourth century, probably related to competition for influence in Lesbos between the Macedonians and the Persians. In passing these decrees, the Mytileneans were probably acting with some autonomy in interpreting and applying the instructions of a king, probably Alexander the Great.²⁶ The two decrees do not stipulate anything resembling the ἀδελφοθετία at Nakone, but they do contain other strongly

²³ Ampolo (2001a), Nakone text A, ll. 3-33.

²⁴ Loraux (2001), 224; contrast Asheri (1982), 142, 144.

²⁵ For c. 334 (both texts) or c. 334 (first) and c. 332 (second): Worthington (1990); Rhodes and Osborne themselves. For c. 324 (both texts): Brun (1988), 255-6; Dössel (2003), 159, 172, 177-8; Dimitriev (2004), 357-60. Bencivenni (2003), 45-6, leaves the dating open, but does closely associate the two texts.

²⁶ Cf. Bencivenni (2003), 46-51.

communitarian features resembling those of the Nakone settlement. In contrast to the Nakone settlement, however, these documents from Mytilene also contain subordinate contractarian elements, or elements susceptible to a contractarian interpretation by contemporaries, to which their communitarian elements represent a form of response.

The first document from Mytilene²⁷ regulates the return of property to restored exiles, distinguishing between those exiled after a legal judgement and those exiled by some other means in a particular year. Before stipulating these provisions, the decree records a vow by council and people to the Twelve Gods, Zeus Heraios, Basileus and Homonoios (i.e. Zeus with three epithets), Homonoia, Dike (‘Justice’) and ‘Fulfilment of Good Things’ (Ἐπιτέλεια τῶν Ἀγαθῶν).²⁸ The inclusion of Dike in this list could well have suggested to contemporaries that it was important that just deserts should be assigned to citizens with different contingent interests, exiles and non-exiles: it evoked aspects of the contractarian civic paradigm.

However, unitarian teleological communitarian norms are dominant in the decree. The inclusion of Zeus Homonoios and Homonoia in the list of deities suggests that its drafters were strongly committed to the unitarian communitarian ideal of civic unanimity. Moreover, the opening aspiration of the decree is that citizens should live together in democracy ‘for all time’, behaving towards each other ὡς εὐνοώτατα:²⁹ it should come about that citizens do not merely behave non-fraudulently and justly towards one another, but bear ‘as much goodwill as possible to one another’. The collective vow, and the sacrifice and procession conditionally promised in it, to be

²⁷ Cf. Heisserer and Hodot (1986).

²⁸ Rhodes-Osborne, *GHI* 85A, ll. 5-8; cf. Bencivenni (2003), 48.

²⁹ Rhodes-Osborne, *GHI* 85A, ll. 2-4.

regulated by the people,³⁰ clearly reflects unitarian teleological communitarian assumptions: it was treated as self-evident that the whole δᾶμος should undertake, and regulate, collective religious activities, closely entwined with political life, designed to achieve a single, consensual objective.

The second, longer decree, which, unlike the first, clearly concerns a *stasis* between two well-defined factions, was apparently passed after an initial settlement had been judged by a king, probably Alexander.³¹ It contains regulations concerning the restoration of property to returned exiles and the reconstitution of the democratic civic body. The influence of libertarian contractarian civic norms is more starkly evident in this text. Indeed, for an initial period after the passing of the decree, citizen interactions consistent with the libertarian contractarian paradigm are to be crucial.

A board of twenty arbitrators is to be established, consisting of ten members from ‘those who have returned’ and ten from ‘those in the city’:³² this board is to ensure that nothing in the reconciliation arrangements is unfavourable to either side; to arbitrate property disputes and, if necessary, judge them;³³ and to agree on proposals to bring before the people about the money for the settlement³⁴ and the formula for a civic oath.³⁵ This board was presumably to reach decisions through a process of bargaining between the two groups of citizens, with their clearly conflicting interests:

³⁰ Rhodes-Osborne, *GHI* 85A, ll. 9-12.

³¹ Cf. Rhodes-Osborne, *GHI* 85B, ll. 28-9.

³² Cf. Dössel (2003), 167-9.

³³ Cf. Lonis (1991), esp. 95. Lonis (1991) discusses regulations concerning the property of returned exiles from the whole Greek world; cf. Dössel (2003), 174-5. Property disputes were usually the main remit of special boards of judges or arbitrators formed after the return of exiles: cf. arrangements at Tegea in 324, discussed in sub-section b) below; or at Sikyon after 251 (Plutarch *Aratus* 14.2). However, the board formed at Phlius in 379 (cf. chapter 3, section 3b)iii)A)) had a much wider remit.

³⁴ Presumably, the money required to compensate the current owners of returned exiles’ property, or the exiles themselves.

³⁵ Rhodes-Osborne, *GHI* 85B, ll. 21-37.

since the two sides were equally represented, the most effective way for either side to achieve its objectives would have been to offer concessions to the other. This style of decision-making is hinted at in the description of the responsibilities of the board: the proposals to be brought before the people concerning the money and the oath formula are to be ‘whatever the members of the board can agree upon’ (ὅσσα κε ὁμο[λογέωσι πρὸς ἀλλήλο]ις); or ‘the things which they agree with one another to be [sc. mutually] beneficial’ ([τὰ] ὁμολογήμενα πρὸς ἀλλήλοις συμφέρον[τα]).³⁶

There are some indications that the drafters of this settlement expected libertarian contractarian norms to continue to govern relations between citizens after reconciliation. In the first part of the preserved text, lengthy provisions are made for civic magistrates to enforce penalties on citizens who fail to abide by established terms of reconciliation concerning property rights.³⁷ The sheer length and severity of these provisions implies that the decree drafters were far from certain that competing citizens could be fully reconciled as communitarian civic friends: legal sanctions would still be required to regulate and deter self-assertion in pursuit of old grievances, in contravention of agreed property rights.

Moreover, the drafters included a positive aspiration to what could have been interpreted as a relatively limited level of civic unity in their description of the

³⁶ Rhodes-Osborne, *GHI* 85B, ll. 32-3, 35-6.

³⁷ Rhodes-Osborne, *GHI* 85B, ll. 1-21. These provisions could have been intended to protect the decisions eventually reached by the arbitration committee subsequently established in the decree. Alternatively, they could have been intended to protect other terms of reconciliation already established by some other process, such as decisions by civic magistrates (cf. Heisserer and Hodot (1986), 123-5; Dössel (2003), 167-8).

purpose of civic magistrates punctiliously protecting and enforcing terms of reconciliation:

[ὥς ... ὁμόνοοι καὶ διαλε]λύμενοι πάντες πρὸς ἀλ-
[λάλοις πολιτεύοιντο ἀνεπιβουλε]ύτως καὶ ἐμμένειεν ἐν τᾷ ἀ-
[ναγραφείσαι διαγράφαι καὶ ἐν τᾷ]ι διαλύσι τᾷ ἐν τούτῳ τῷ ψα-
[φίσματι.]³⁸

[...so that ... they should] all [act as citizens] towards o[ne another, in
concord and reco]nciled, [without plot]ting, and stick to the w[ritten order
and to the reconci]liation in this de[cree].

If the restorations are correct, the principal aspiration expressed in this purpose clause is that citizens should live alongside each other without plotting and in fidelity to the settlement itself. The explicit expression of this aspiration, as a purpose of the reconciliation, could easily have been taken to imply that the restored δᾱμος would be held together, not by the kind of civic friendship which renders punctilious rule-following and checks on ‘plotting’ superfluous, but merely by mutual abstinence from deceit and by the force of formal regulations.

However, this possible implication of the purpose clause is counterbalanced by the other aspiration expressed: that the citizens should live in ὁμόνοια, reconciled with one another.³⁹ The communitarian force of this other aspiration is paralleled by that of the later provision regarding the sequel to the work of the arbitration committee: all citizens of Mytilene are to join in making a collective prayer for safety, for which the priests and priestesses are to open all the sanctuaries of the city.⁴⁰ The citizens were thus to enact through performative ritual a form of teleological communitarian unity: a unity involving shared attitudes, aspirations and actions.

³⁸ Rhodes-Osborne, *GHI* 85B, ll. 16-21.

³⁹ Although restored here, this aspiration is almost fully preserved in l. 30.

⁴⁰ Rhodes-Osborne, *GHI* 85B, ll. 39-49.

The explicit formulation of the object of the prayer confirms its communitarian character:

[εὐξασθαι] τὸν δᾱμον ἐν τᾷ εἰκοτῷ μηνος
[τῷ Μαιμάκτηρος (?) πάντεσσι] τοῖς θεοῖσι ἐπὶ σωτηρία καὶ εὐδαι-
[μονία τῶν πολίταν πάντων] γένεσθαι τὰν διάλυσιν τοῖς κατελ-
[θόντεσσι ...6.. καὶ τοῖς] ἐν τᾷ πόλει ἐόντεσσι.⁴¹

...the people [should pray] on the twentieth of the month [Maimakter (?) to all] the gods that the reconciliation will be for the salvation *and flou[rishing]* of all the citizens], for those who ha[ve returned and for those] in the city.

The way in which the δᾱμος here publicly obliges all citizens to swear this oath represents a practical implementation of an essential communitarian aspect of the type of political thinking encapsulated by Aristotle. The terms of the oath are consistent with Aristotle's insistence that a polis does not exist merely for the sake of living, but for the sake of living well:⁴² a comment which could easily be expressed as the claim that a polis exists for the sake of the εὐδαιμονία of its citizens, not merely their σωτήρια.⁴³ The implication for civic obligation is that all citizens must do far more than abstain from plotting and preserve agreements, respecting the bare σωτήρια of their fellow citizens; they must also actively pray that civic regulations will enable the flourishing of all citizens, including their former enemies.

As Loraux emphasises, radical attempts to forge a united restored citizen-body were usually accompanied in such settlements by presentation of the preceding period of *stasis* and exile as an unpredictable, short interlude in harmonious civic life: the result of external interference or a sudden onset of collective irrationality or, at most, of the

⁴¹ Rhodes-Osborne, *GHI* 85B, ll. 39-42.

⁴² E.g. Aristotle *Politics* 1252b27-30, 1280a31-32.

⁴³ For a similar expression in a Hellenistic text, cf. *IG XII 5* 1009, with *IG XII Suppl.* p. 96, ll. 1-4. Compare also *I.Milet* I 3, 139C, ll. 23-6. For the σωτήρια 'of all citizens' by itself: *I.Priene* 11, ll. 6-7.

calculated machinations of a small number of citizens. Such presentations could be a means of transcending, or suppressing, genuine tensions within a citizen-body.⁴⁴ In an example of this, the text from Nakone obscures the differences of interest and outlook underlying the recent *stasis*: it asserts that the two factions had been ‘competing’ concerning matters which were, in fact, common to them both (ὕπὲρ τῶν κοινῶν ἀγωνιζόμενοι).⁴⁵ Similarly, the second Mytilenean text implies that the division of the civic body into conflicting groups was a temporary aberration, in which the δᾱμος temporarily ceased to exist: members of the two factions are described simply as ‘returned exiles’ and ‘those (previously) in the city’.⁴⁶ Only after the reconciliation was the δᾱμος reconstituted as a single entity.⁴⁷

On the legal plane, as Loraux also emphasises, such attitudes commonly issued in far-reaching amnesties covering citizens’ behaviour during a *stasis*: if a *stasis* was principally a result of foreign interference or collective madness, no particular citizens could legitimately be punished for their roles in it. Such an amnesty could be universal and unconditional in its application. A third-century⁴⁸ decree of reconciliation⁴⁹ from Arcadian Alipheira in the Peloponnese,⁵⁰ for example,

⁴⁴ Cf. Loraux (2001), esp. 215-28.

⁴⁵ Ampolo (2001a), Nakone text A, l. 11.

⁴⁶ E.g. Rhodes-Osborne, *GHI* 85B, ll. 21-2. Cf. Heisserer and Hadot (1986), 123-5.

⁴⁷ Rhodes-Osborne, *GHI* 85B, ll. 33-4, 38-42.

⁴⁸ This text, *IPArk* 24, probably dates to 273: Thür and Täuber (1994), 279, disputing Orlandos (1967), 137-40 (arguing for 235-30), and te Riele (1967), 222-3 (arguing for 218).

⁴⁹ This settlement probably involved the reintegration into the civic body of *de facto* exiles who had fled the city, in perceived cases of λιποδαμία, possibly because they could not afford to repay debts: *IPArk* 24, ll. 9-10; Dössel (2003), 228. Separate circumstantial evidence that exiles had returned is the stipulation that in future no citizen should exile another (l. 22).

⁵⁰ Another Peloponnesian text which has been interpreted as establishing an unconditional amnesty, in this case specifically for returning exiles, is a fourth-century inscription from Elis: Szanto (1898), text, pp. 198-9; Michel *Recueil*, no. 1334. For discussion of different views about its precise date: Seibert (1979), 1186, n. 502; Gehrke (1985), 56. Advocates of the ‘amnesty’ interpretation of ll. 6-8: H. Swoboda in *RE* V, 2046; Passerini (1930), 284-5; Seibert (1979), 150; Gehrke (1985), 56. However, ll. 6-8 are probably better interpreted as establishing a potential future amnesty enabling the return to the

established general immunity from prosecution for all citizens in respect of all offences relating to recent unrest, without a prior period of arbitration or litigation.⁵¹

The most famous post-*stasis* amnesty associated with the reintegration of exiles, the Athenian amnesty of 403, was not universal. However, it was much more far-reaching than commonly supposed. The one exemption was that members of the Thirty, the Ten and the Eleven and the rulers of the Piraeus during the oligarchy had to undergo a formal scrutiny in order to regain their citizenship.⁵² It has become widely accepted that there was also another, more substantial exception to the amnesty: cases of murder or wounding ‘with one’s own hand’ during the *stasis* could be prosecuted.⁵³ However, the relevant lines of the Aristotelian *Athenaion Politeia* are better interpreted in another way: those who committed murder or wounding ‘with their own hand’ in the new, post-*stasis* partially autonomous breakaway community of former oligarchs in Eleusis would still be tried by the Areopagos.⁵⁴

polis of the particular citizens protected from expulsion in ll. 1-6, in the event that they are expelled contrary to this law: Szanto (1898), 203-204; Danielsson (1899), 139-40; Reinach (1903), 188.

⁵¹ *IPArk* 24, ll. 4-8; cf. te Riele (1967), 216; Dössel (2003), 226, with n. 10. The use of the word μῦστασμα in l. 6 suggests that even murder charges were excluded by the amnesty.

⁵² [Aristotle] *Athenaion Politeia* 39.6.

⁵³ Cloché (1915), 59-60; Bonner (1924); Rhodes (1981), 468; Dössel (2003), 99-100, 215; Todd (2007), 639, with n. 55.

⁵⁴ An abridged version of the text of chapter 39, in the Oxford edition of Kenyon, is as follows:

Ἐγένοντο δ’ αἱ διαλύσεις ἐπ’ Εὐκλείδου ἄρχοντος κατὰ τὰς συνθήκας τάσδε.
τοὺς βουλομένους Ἀθηναίων τῶν ἐν ἄστει μεινάντων ἐξοικεῖν ἔχειν Ἐλευσίνα
ἐπιτίμους ὄντας καὶ κυρίους καὶ αὐτοκράτορας ἑαυτῶν καὶ τὰ
αὐτῶν καρπουμένους. [There follow detailed regulations concerning this breakaway
community in Eleusis.] τὰς δὲ δίκας τοῦ φόνου εἶναι κατὰ τὰ πάτρια, εἴ τις τινα
αὐτοχειρίᾳ ἔκτεινεν ἢ ἔτρωσεν. τῶν δὲ παρεληλυθότων μηδενὶ πρὸς μηδένα
μνησικακεῖν ἐξεῖναι κτλ. [Precise specifications of the nature of the amnesty follow.]

The crucial sentence is that beginning τὰς δὲ δίκας τοῦ φόνου. This sentence has been interpreted as referring to an exemption from the the amnesty described in the following sentences: cases of murder and wounding ‘with one’s own hand’ were not excluded from prosecution by the amnesty. As a result, the end of the sentence has been restored with aorist indicative verbs: εἴ τις τινα αὐτοχειρίᾳ ἔκτεινεν ἢ ἔτρωσεν. However, this is quite far removed from the very corrupt papyrus reading: ΑΥΤΟΧΙΠΑΕΚΤΙΣΙΟΤΡΩΣΑΣ, with an epsilon added above the first iota, an epsilon inserted above the second iota and the οτ crossed out with ιε inserted above (Rhodes (1981), 468). A crucial objection to this interpretation and restoration is that the following sentence, regarding the amnesty, opens with

Further evidence that murder cases were covered by the amnesty is Lysias' claim that, by appealing to the agreements of 403 when charged with murder, Agoratos effectively admitted that he was a murderer.⁵⁵ Admittedly, in the following sentence Lysias refers to Agoratos raising as a barrier to his prosecution an unspecified technicality concerning being caught 'in the act' (ἐπ' αὐτοφώρῳ). This could be regarded as an allusion to the supposed αὐτοχειρία clause of the amnesty.⁵⁶

However, to be caught in the act is not the same as to commit the act 'with one's own hand'. Eratosthenes, the defendant of Lysias 12, was liable to prosecution for his alleged involvement in the murder of Polemarchos, but only because he had been a member of the Thirty and was seeking to return to Athenian citizenship.

The interpretation of the Athenian amnesty as very wide-ranging reinforces Loraux's interpretation of the nature of the Athenian settlement and its aftermath: the Athenians conceived and presented the *stasis* as the responsibility of a circumscribed group of 'tyrants'; obliterated from their collective memory conflicts involving other citizens; and acted and spoke as if re-establishing frictionless, cordial civic relations between

τῶν δὲ παρεληλυθότων: an opening introducing a new subject and referring to all past events (not 'other' past events than murder and wounding 'with one's own hand') (Stahl (1891), 485). Those who have recognised this problem have suggested the alternative interpretation that the sentence about murder trials refers to a restoration of the judicial powers of the Areopagos, which may have been abolished by the Thirty (Stahl (1891), 485, upholding Lipsius' view). A simpler explanation is that suggested in the main text above: the reference to murder trials is a reference to a restriction on the autonomy of the breakaway community in Eleusis; cases of murder or wounding 'with one's own hand' relating to events in the breakaway community were still to be judged in the Athenians' 'ancestral manner'. This interpretation would probably require the restoration of aorist optatives in the corrupt part (εἰ + optative in an apodosis in indirect speech after an (in this case implied) past tense verb of saying, replacing ἐάν + sunjunctive in the same tense in the original direct statement: Goodwin (1912), ¶457), but that is at least as consistent with the papyrus reading as the restoration of aorist indicatives.

⁵⁵ Lysias 13.88.

⁵⁶ Cf. Todd (2007), 639, with n. 55.

members of a solidaristic δῆμος.⁵⁷ This tendency is already evident in the strongly communitarian words attributed by Xenophon to the herald Kleokritos at the start of the reconciliation: Athenians on both sides share gods and military experiences.⁵⁸ The tendency was subsequently reflected in, and reinforced by, the development of popular legends regarding the collective heroism of the ‘δῆμος-in-exile’.⁵⁹ the impression created was that all democrats had fled the city, leaving a deserted city under the despotism of only thirty ‘tyrants’. The third-century decree of reconciliation from Alipheira created a related impression: although the internal civic disputes mentioned⁶⁰ were probably debt disputes,⁶¹ the decreeing of an unconditional amnesty and revocation of penalties⁶² implied that the unrest had been an aberration due to the occupying ‘garrison’ and ‘raiders’,⁶³ for which responsibility could not be attributed to individual citizens of Alipheira.

Admittedly, the Athenian amnesty could also be presented in fourth-century Athens as a contract between parties with different interests: the agreements could be referred to as συνθήκαι.⁶⁴ Moreover, Dössel argues that the balancing of the interests of the conflicting parties, including the numerically weaker defeated oligarchs, was a hallmark of the settlement.⁶⁵ However, the communitarian conception of the reconstituted civic body is far more prominent in surviving sources than the contractarian one.

⁵⁷ E.g. Loraux (2001), esp. 245-64; cf. Dössel (2003), 110-12, 141-2.

⁵⁸ Xenophon *Hellenica* 2.4.20-2.

⁵⁹ Cf. chapter 4, section 2d).

⁶⁰ *IPArk* 24, ll. 5-6.

⁶¹ Dössel (2003), 226-8, 232-3, discussing *IPArk* 24, ll. 9-10, 20-1.

⁶² *IPArk* 24, ll. 4-11.

⁶³ *IPArk* 24, ll. 3-4, 7-8.

⁶⁴ [Aristotle] *Athenaion Politeia* 39.1; Lysias 13.88.

⁶⁵ Dössel (2003), 98-9, 137, 140-5.

Advancing another non-communitarian interpretation of the Athenian settlement of 403, Dössel also suggests that the settlement made possible a reflective style of politics: the amnesty and its aftermath, especially scrutinies of men who had been involved in the oligarchy, enabled a period of public reflection about the violent conflict and expulsions, an effective means of reducing civic tensions.⁶⁶ However, there is little evidence of a coming-to-terms with the events of the oligarchy through deliberation in which all parties could take part: surviving discourse about the events of 404-3 is dominated by the strongly communitarian picture of a rupture of solidaristic civic life through the actions of a few miscreants.

b) Predominantly contractarian reconciliations

Whereas the reconciliation settlements considered in the previous sub-section were overwhelmingly unitarian teleological communitarian in character, libertarian contractarian norms predominate in other bipartisan reconciliations. For example, in the later fourth century, the Tegeates published a document (Rhodes-Osborne, *GHI* 101), probably a critical interpretation and application of royal instructions,⁶⁷ regulating the reintegration of exiles. They did so probably in response to Alexander's Exiles' Decree of 324, but possibly in response to Polyperchon's Exiles' Decree of 319.⁶⁸ The text addresses in turn the restoration of the exiles' property; a question relating to civic festivals; the resolution of disputes about property; debts to 'the Goddess'; and the status of exiles' wives and daughters. It concludes with an oath of reconciliation.

⁶⁶ Dössel (2003), 145-6.

⁶⁷ Cf. Rhodes-Osborne, *GHI* 101, ll. 1-4. Bencivenni (2003), 86-93, goes too far in taking these lines to show that the settlement represents a near faithful reproduction of Alexander's Exiles Decree, with local references added: the settlement includes local features too distinctive and substantive to derive simply from a generic template, especially the regulations concerning 'the Goddess', presumably Athene Alea, and the future judicial role of Mantinea (F. Canali de Rossi, *BMCR* 2006.01.35).

⁶⁸ Rhodes and Osborne (2003), 530. Worthington (1993) offers plausible, but not conclusive, arguments for 324; cf. Dimitriev (2004), 351-4.

The dominance of libertarian contractarian civic norms in this document is best illustrated by contrasting it with the Mytilenean documents of the same period considered above. First, whereas the second Mytilenean document presents the two factions involved simply as ‘the returned exiles’ and ‘those in the city’, the Tegeate text makes a clear qualitative distinction between two groups: the ‘exiles’ or ‘returnees’⁶⁹ and ‘those who were previously living at home as citizens’ (οἱ πρότερον οἴκοι πολιτεύοντες).⁷⁰ The drawing of this distinction presupposes that the polis of Tegea continued to exist, and its inhabitants to live as citizens, despite the divisions in the citizen-body and the subsequent absence of the exiles. This presupposition is later reinforced in the text of the oath, in a reference to those returnees whom it was ‘resolved by the polis to receive back’ (ἔδοξε τᾷ πόλει κατυδέχασθαι).⁷¹

This difference between the settlements could simply indicate different situations: whereas a coherent faction was reintegrated into Mytilene in the second Mytilenean document, it may have been disparate individual exiles who were reintegrated into Tegea.⁷² Alternatively, the difference may simply show that the incumbent Tegeates were sufficiently dominant to assert that they had never ceased to be legitimate citizens. However, it probably also reflects a qualitatively different view of the nature of a polis at Tegea: a polis is not a structured community of citizens, which dissolves

⁶⁹ Rhodes-Osborne, *GHI* 101, ll. 4, 20, 49; 58, 61.

⁷⁰ Rhodes-Osborne, *GHI* 101, l. 21.

⁷¹ Rhodes-Osborne, *GHI* 101, ll. 58-9.

⁷² However, the Tegeate *stasis* of 370, when 800 oligarchs were exiled (Xenophon *Hellenica* 6.5.10; cf. Diodorus 15.59.2-4), or Tegeate involvement in the revolt of Agis against Alexander (Quintus Curtius 6.1.20) could each have created coherent factions of exiles anxious for repatriation (Rhodes and Osborne (2003), 530, favour the latter possible origin).

when it is divided; rather, it is a neutral, overarching political-legal institution distinct from the community of citizens.⁷³ On this view, individual citizens do not constitute their polis directly; rather, they possess, and can lose, the right to participate in its procedures.

Second, a concern with the neutrality of political-legal decision-making is evident in the nature of the tribunal the Tegeates appointed to resolve property disputes.

Whereas the Mytileneans planned to constitute a board consisting of twenty Mytilenean citizens, the Tegeates called on a foreign court, making the polis of Mantinea responsible for judging cases which arose after the court had ceased functioning.⁷⁴ By calling on external, supposedly impartial judges,⁷⁵ the Tegeates recognised that the Tegeate citizen-body consisted of conflicting individuals and groups, lacking all-encompassing shared horizons: the guidance of neutral outsiders was required in order to reach an even-handed settlement.⁷⁶

The third contrast relates to the treatment of religion. In the first Mytilenean document, anthropomorphic gods and deified abstractions are promised sacrifices and a procession if they help to bring about the success of the settlement; in the second, all the citizens are to make a collective prayer to ‘all the gods’.⁷⁷ In the Tegeate settlement, one religious element partly recalls the teleological communitarianism of the Mytilenean documents: incumbent citizens are to swear their oath of

⁷³ Cf. Malouchou (2000-2003), text, pp. 275-6 (Chios, late fourth century), l. 7.

⁷⁴ Rhodes-Osborne, *GHI* 101, ll. 24-35. On the contrast: Worthington (1990), 200-201; (1993), 60-1.

⁷⁵ The document laid down principles governing the partial return of exiles’ property; the foreign court was to decide disputed cases. Cf. Lonis (2001), 99-103.

⁷⁶ Cf. the discussion of events at Phlius in the period 384-381, in chapter 3, section 3b)iii)D).

⁷⁷ Rhodes-Osborne, *GHI* 85A, ll. 4-12; 85B, ll. 38-49. On the Mytileneans’ heavy reliance on divine protection: Dössel (2003), 170.

reconciliation by shared civic gods, Zeus, Athene, Apollo and Poseidon.⁷⁸

Significantly, however, the gods are here cast as upholders of the oath, rather than as direct promoters of the common good.

One more unequivocally contrasting, contractarian religious element in the Tegeate text is the reference to arrangements concerning debts to ‘the Goddess’, presumably Athene Alea:⁷⁹ the patron goddess of Tegea features as a source of loans which must be repaid, not as a source of divine beneficence. Another such element is the reference to arrangements to be made, by a decision of the polis, concerning ‘festivals’ (παναγορίαι) during the exiles’ absence.⁸⁰ As Harding suggests, the matter to be decided may well have been whether the exiles should perform liturgies, or make other contributions to festivals, which they had missed in their absence.⁸¹ If this is the correct inference, these lines reveal a particular sensitivity to the reciprocal principle that those who benefit from citizenship should contribute to the expenses of civic life, even retrospectively.

The fourth contrast concerns the oath to be sworn at Tegea. It is not known what oath formula the Mytilenean arbitrators chose for the civic oath to cement the reconciliation at Mytilene recorded in the second Mytilenean document. However, the reference to the ‘salvation and flourishing of all the citizens’ in the civic prayer gives a probable indication of its eventual content. The Tegeate oath⁸² strikes one comparably communitarian note: the swearer must first commit himself to ‘bear goodwill’ (εὐνοήσω) to the returned exiles and not to bear grudges. However, the

⁷⁸ Rhodes-Osborne, *GHI* 101, l. 57.

⁷⁹ Rhodes-Osborne, *GHI* 101, ll. 37-48, with comment on p. 532.

⁸⁰ Rhodes-Osborne, *GHI* 101, ll. 21-4.

⁸¹ Harding (1985), 152 (n. 10); contrast Worthington (1990), 199.

⁸² Rhodes-Osborne, *GHI* 101, ll. 57-66.

swearer must then explicitly promise to show a far more limited degree of concern for his fellow citizens returned from exile: he must promise neither to ‘hinder their safety’ (οὐδὲ διακωλύσω τὰν τῶν κατηνθηκότων σωτηρίαν) nor to ‘give counsel against anybody’ ([ο]ὐδὲ βωλεύσω πὸς οὐδένα). The fulfilment of the latter pledges might be thought to be necessary, though not sufficient, conditions for the fulfilment of the former, more communitarian pledge. In fact, however, the pledge of goodwill should have made superfluous more limited pledges of just, non-deceitful behaviour.⁸³ The admission implicit in the inclusion of these more limited pledges that regulated conflict between Tegeate citizens would continue is reinforced by the fact that, unusually, not all citizens were obliged to swear an oath of reconciliation, but only a circumscribed group: the incumbent citizens.

Until recently, the Tegeate settlement was exceptional among known bipartisan post-*stasis* reconciliation documents in its contractarian thrust. However, two other such documents, both recently published, show similar tendencies. Both are printed and translated, for reference, at the end of this thesis. In the absence of contrary indications, it is best to regard Lykios and his fellow arbitrators⁸⁴ as Dikaiopolitans: they were probably a board representing both sides in the *stasis*, or consisting solely of patently neutral citizens. In that case, with Dikaiopolitans arbitrating between Dikaiopolitans, Dikaiopolitan political culture would undoubtedly have strongly shaped the settlement. However, it is possible that the arbitrators were outsiders, appointed by Perdikkas III of Macedon, who was made ‘witness and joint-knower’ of

⁸³ The kind of limited civic commitment implied by the promise not to ‘hinder the security’ of the restored exiles is paralleled in the mutual pledges of security in the general citizen oath included in the συνουκία between Orchomenos and Euaimon (*IPArk* 15, ll. 62-8, 80-6). Compare also a comparably ‘negative’ oath from a non-Peloponnesian post-*stasis* reconciliation: *IC* III iv 8, ll. 9-38 (Itanos, Hellenistic).

⁸⁴ Voutiras and Sismanides (2007), text, pp. 257-9, ll. 2-3, 8.

the settlement.⁸⁵ Such foreign arbitrators would have been partly influenced in their decision-making by their own political cultures. However, in order to arbitrate between the former factions and to achieve a settlement which was to be ratified by the assembly of their host city, they would have had to take account also of local political culture.

The second new text contains an early Hellenistic arbitrated settlement from the island of Telos in the south-east Aegean.⁸⁶ This settlement was devised by Coan arbitrators, after the Telian δᾱμος asked the Coans to send men to arrange a reconciliation with dissident citizens.⁸⁷ The conflict between the Telian δᾱμος and these citizens appears to have arisen as a result of the dissidents' refusal to pay either two or three types of penalty: penalties arising from 'sacred (legal) cases', 'public cases' and possibly also 'cases of the road'.⁸⁸ In response to their refusal, the incumbent democrats had apparently confiscated the dissidents' entire property, presumably after sending them into exile. This reconstruction of the underlying situation is supported by independent evidence that politically motivated litigation and fines were a common starting-point for *stasis*.⁸⁹ The inscription recording the reconciliation consists of an honorary decree for the δᾱμος of Cos and the arbitrators,⁹⁰ followed by the terms of the settlement agreed by the arbitrators.⁹¹ The settlement includes the text of the civic

⁸⁵ Voutiras and Sismanides (2007), text, pp. 257-9, ll. 21-7. However, no other appointment of foreign judges or arbitrators is attested before the Tegeate settlement of c. 324 or 319.

⁸⁶ *IG* XII 4 132.

⁸⁷ *IG* XII 4 132, ll. 1-5.

⁸⁸ Fines 'of the road' (*IG* XII 4 132, ll. 63-4) may have been paid to a fund for the upkeep of the road, or they may have been exacted as a penalty for offences relating to the road.

⁸⁹ Gehrke (1985), 208-210; cf. especially Thucydides 3.70.3-6.

⁹⁰ Side A, fragment a.

⁹¹ The text of this settlement certainly occupies side A, fragment b. It may also continue onto side B, fragments a and b. However, the provisions regarding those involved in public cases inscribed on side B, fragment a, are slightly different from those inscribed on side A, fragment b, which may indicate

oath, to be sworn by all citizens over eighteen, which will confirm the settlement.⁹²

Finally, the document records a decree of the Telian δᾶμος ratifying the settlement.⁹³

Like the Tegeate settlement of c. 324, each of these two documents represents and envisages the relevant citizen-body as a contractual association of conflicting citizens for mutual security and advantage, as opposed to a utopian, solidaristic civic community. Consistent with this, each text gives greater prominence to strict justice than to consensus or civic friendship. Ὁμόνοια itself does feature in the Telian settlement, in the opening honorary decree and in the arbitrators' settlement.⁹⁴

However, it is strikingly absent from the whole Dikaiopolitan text. Admittedly, the cult of Homonoia is not attested before the later fourth century. The concept itself was, however, in circulation from the end of the fifth century.⁹⁵ Its absence from the Dikaiopolitan settlement was probably, therefore, a result of deliberate choice.

The shared aspiration to reconstitute a divided citizen-body in a just civic contract is not least evident from the content of the civic oaths contained in these two documents. As for the Dikaiopolitan oath, the first item is the promise: 'I will be just in my behaviour as a citizen in all respects' (πολιτεύσομαι ἐπίτασι δικαί<ω>ς).⁹⁶ This promise was probably placed first in the oath because it represents a punning promise to be a 'Dikaiopolitan', in a literal sense. It was thus a promise to uphold the founding political principle of the polis: the original Eretrian founders, quite possibly exiled

that side B, fragments a and b contain an amended version of the original settlement, adopted by the Telian assembly.

⁹² *IG* XII 4 132, ll. 128-37.

⁹³ *IG* XII 4 132, ll. 138-41.

⁹⁴ *IG* XII 4 1 132, ll. 4-5, 38-9, 125-6.

⁹⁵ Thériault (1996), 180.

⁹⁶ Voutiras and Sismanides (2007), text, pp. 257-9, l. 67.

Eretrian Medisers of the early 470s, probably called their new polis the ‘City of Justice’ for ideological reasons, partly as a veiled criticism of the incumbent regime at home.⁹⁷ Significantly, justice is conspicuous by its absence from the other surviving inscribed post-*stasis* civic oaths, from Tegea, Itanos and Telos.⁹⁸ The Dikaiopolitan oath’s championing of this aspect of Dikaia’s political traditions therefore probably indicates a conscious preference on the part of the arbitrators and Dikaiopolitan assembly-goers for justice over civic friendship, community or unqualified reconciliation.

The following clauses of the oath are also consistent with the libertarian contractarian paradigm of citizenship. Dikaiopolitan citizens had to swear to abide by the ancestral constitution: respect for law and procedure was made paramount. They were then obliged to make a sequence of negative pledges: they had to promise not to admit foreigners to the city to the harm of the community or of any individual; not to bear grudges; not to put anyone to death, exile anyone or confiscate anyone’s property for the sake of things in the past; and not to collaborate with anyone who did bear grudges. They then had to promise: ‘I will take down (others) from the altars and be taken down myself’ (καὶ ἀπὸ τῶν βῶμῶν καθελέω καὶ καθαιρεθ[ή]σομαι).⁹⁹ The meaning was probably that citizens would not allow the asylum of the altars to be used to avoid punishment for contravening the terms of the settlement, or themselves make use of it in that way.¹⁰⁰ These relatively limited commitments to fellow citizens left Dikaiopolitans considerable scope to pursue private interests within the scope of civic laws and institutions.

⁹⁷ D. Knoepfler in *BE* 2008, 263; cf. this thesis, chapter 4, section 5b).

⁹⁸ Tegea: cf. above. Itanos: *IC* III iv 8.

⁹⁹ Voutiras and Sismanides (2007), text, pp. 257-9, ll. 68-75.

¹⁰⁰ Alternatively, this could be a reference to a ritual of reconciliation involving the altars.

The most strikingly contractarian element of the oath is the promise: ‘I will give and receive the same pledge of good faith’ (καὶ πίστιν δώσω καὶ δέξομαι τὴν αὐτήν).¹⁰¹ This promise probably represented an undertaking to participate in a symbolic exchange of pledges at the end of the oath-taking.¹⁰² It was thus probably no less than a promise to join in enacting a Dikaiopolitan civic contract: citizens were to each give each other the same pledge, of good faith and non-aggression, and thus to constitute their polis as a pact for mutual security. Significantly, it was made explicit that each was to give and receive ‘the same’ pledge: this encapsulates the essence of strict reciprocity, or of the principle of *do ut des* (or *quod dedisti*). An idealisation of strict reciprocity is also evident in the immediately preceding promises to undergo and perform the same things: ‘I will take down (others) from the altars and be ta[k]en down myself’; and ‘I will purify and be purified as [t]he commonwealth order[s]’.¹⁰³ Furthermore, the emphasis on inviolable pledges and contractual good faith was reinforced in the later promises, first, to give and receive in accordance with past pledges¹⁰⁴ and, second, to abide by judgements which the polis made.¹⁰⁵

For its part, the Telian oath is dominated by negative pledges of faith, resembling those in the Dikaiopolitan oath: citizens swear to adhere to the ancestral constitution; to preserve the democracy; not to bear grudges; not to break the terms of the settlement; not to seize the acropolis; not to collaborate with anyone aiming at

¹⁰¹ Voutiras and Sismanides (2007), text, pp. 257-9, l. 75.

¹⁰² Compare the references to ‘pledges’ (πιστώματα) in connection with ‘the oath’ (ὄρκος) in the second assembly decree (Voutiras and Sismanides (2007), text, pp. 257-9, ll. 11-12, 22).

¹⁰³ Voutiras and Sismanides (2007), text, pp. 257-9, ll. 74-6.

¹⁰⁴ Voutiras and Sismanides (2007), text, pp. 257-9, ll. 77-80.

¹⁰⁵ Voutiras and Sismanides (2007), text, pp. 257-9, ll. 80-2.

dissolving the democracy; and to report any revolutionary plots or meetings.¹⁰⁶

Citizens were *not* required to swear to preserve *ὁμόνοια*,¹⁰⁷ to show good will to fellow citizens,¹⁰⁸ or to promote the common good.

That the Coan arbitrators could have proposed a quite different, more communitarian oath is clear from the fact that the Telian oath contrasts in this last respect with a later civic oath also, at least partly, devised by Coans: the more detailed ‘oath upholding democracy’¹⁰⁹ to be sworn by all citizens of the new polity formed through the Cos-Kalymna *ὁμοπολιτεία* of 205/4.¹¹⁰ That oath included additional clauses, including one binding the swearer to act as a ‘just’ (*δίκαιος*) jury member and an ‘equal’ (*ἴσος*) citizen, voting without favour *according to what seems favourable for the δᾶμος*.¹¹¹ This clause placed substantial constraints on Coan-Kalymnian citizens’ political activity: in order to receive voting rights in the courts and assembly, they had to promise on oath to make the interests of the whole δᾶμος paramount in those contexts, if necessary at the expense of their personal or sectional interests. The Telian oath, by contrast, allowed considerable scope for Telians to pursue personal or sectional interests within the constraints of the legal and political institutions of their polis.

The contrast with communitarian reconciliation settlements is even greater in the case of the Dikaiopolitan and Telian settlements than in the case of the Tegeate settlement,

¹⁰⁶ *IG* XII 4 132, ll. 128-37. The whole oath was previously published: Herzog (1942), 15.

¹⁰⁷ Contrast *IOSPE* I² 401 (Chersonesos Taurica, third century), l. 5; cf. Dössel (2003), 179-96.

¹⁰⁸ Contrast the opening of the Tegeate oath of c. 324, discussed above.

¹⁰⁹ Krob (1997), 445-7, also compares these oaths.

¹¹⁰ Herzog (1942), 5, no. 2; *Tit. Cal. test.* XII; *Staatsverträge* III 545.

¹¹¹ *Tit. Cal. test.* XII, ll. 19-20, 21, 24, 27-9.

due to one striking feature which they both contain: their respective drafters each attempted to achieve a measure of retrospective justice with regard to the recent civic disturbances, rather than instituting a comprehensive or near-comprehensive amnesty.

For its part, the Dikaiopolitan amnesty is subject to major qualifications. As at Athens in 403, certain identified ringleaders of the *stasis* were liable for extraordinary prosecution.¹¹² However, the amnesty was also qualified in another way, not paralleled at Athens: all suits relating to events before the start of the archonship of Gorgythos were ‘excluded’ from prosecution, *except* murder suits. Since the archonship of Gorgythos was almost certainly the current archonship, this clause enabled murder prosecutions relating to the events of the *stasis*. It was permitted to prosecute outstanding murder suits on a single day, the twenty-sixth day of Daphnephorion, after which they too would become ‘excluded’.¹¹³

Similarly, at Telos, the Coan arbitrators did not seek to erase all memory of the recent conflicts between citizens. Rather, they sought to achieve a measure of retrospective justice: they proposed that at least some of those who had incurred penalties should still make amends for their original offences,¹¹⁴ in return for reintegration into the Telian citizen-body. Those who had incurred sacred and public penalties were to have their original penalties overturned and their confiscated property restored, if they paid substitutes for their original penalties.¹¹⁵ Those who had incurred sacred penalties had to contribute to a hecatomb, while those who had incurred public penalties were

¹¹² Voutiras and Sismanides (2007), text, pp. 257-9, ll. 61-7; cf. Voutiras and Sismanides (2007), 266, comparing [Aristotle] *Athenaion Politeia* 39.6.

¹¹³ Voutiras and Sismanides (2007), text, pp. 257-9, ll. 27-45. A strong indication that murder suits relating to the *stasis* itself were envisaged is the statement that, if members of the two factions attempt to bring any *other* suits against each other, those suits are all to be ‘excluded’ (ll. 36-40).

¹¹⁴ Contrast, for example, the unconditional cancellation of past convictions at Hellenistic Alipheira (IPArk 24, ll. 8-11; cf. sub-section a) above).

¹¹⁵ IG XII 4 132, ll. 41-63, 66-85.

obliged both to pay money¹¹⁶ and to repair an altar of Asklepios. The obligations in each case were chosen because they were equal in actual or equivalent financial value to the money outstanding from these individuals' original penalties.¹¹⁷ It was highly unusual for boards and courts concerned with civic reconciliation to concern themselves with retrospective justice in this way: in the other known cases, the relevant boards and courts were confined to resolving questions of property and future civic organisation.¹¹⁸

The aspiration to a measure of retrospective justice in each of these settlements represents powerful confirmation of the strength of the libertarian contractarian presuppositions of the arbitrators, and presumably also of the arbitrated. In each case, the aspiration to establish harmonious civic life was tempered by concern for strict justice, despite the risk of rekindling civic discord. At Dikaia, in particular, the permission granted to prosecute prior murder suits could have unleashed renewed hostilities: the question of what constituted murder during a *stasis* or under a controversial regime was particularly susceptible to partisan interpretation, as is clear from the anti-tyranny law from Hellenistic Ilion.¹¹⁹ The settlement thus placed great weight on the traditional ideology of the 'City of Justice', despite the potential dangers.

¹¹⁶ Presumably part of the original sum. A certain Aristagoras was released from the obligation to pay any money *in lieu* of his fine, because he had deposited some property as surety when he was first accused. Nevertheless, since this property did not raise enough money to pay his fine, he was required to contribute to the repair of the altar. The requirement to pay the money is stated only in the first account of the arbitrators' decision regarding these men (on side A, fragment b). Its omission from the second (on side B, fragment a) may indicate that it was abandoned at a later stage, perhaps when the assembly scrutinised the settlement.

¹¹⁷ Cf. *IG XII 4 132*, ll. 43-4, 54-5. For the construction in ll. 43-4, cf. Demosthenes 43.58.

¹¹⁸ Compare the roles of the board of twenty at Mytilene and the foreign court at Tegea, considered earlier in this chapter.

¹¹⁹ *I. Ilion* 25 (Ilion, third century), ll. 97-9.

Moreover, the readiness at both Dikaia and Telos to attribute personal blame for conduct during the recent unrest represented an implicit public endorsement of an understanding of citizen agency and responsibility consistent with the view of individuals as isolated, self-sufficient and self-seeking agents presupposed by the libertarian contractarian paradigm. Both settlements implied that recent events were the result of the voluntary agency of individual citizens, not of malign external interference or collective irrationality. Particularly relevant in this context is the requirement that Dikaiopolitan citizens should swear to purify and be purified (καὶ ἀγνῶ? καὶ ἀγνισθῆναι καθότι ἄν τάξ[η] [τ]ὸ κοινόν).¹²⁰ Participating in such mutual purification represented an unusual admission by each individual citizen of his share of personal responsibility for, or, at least, personal involvement in, the *stasis*.

4. Conclusion to chapter 2

The evidence considered in this chapter adds considerable support, and many additional nuances, to the patterns in civic political cultures in this period identified in chapter 1. A libertarian contractarian paradigm vied with a unitarian teleological communitarian paradigm within the Greek civic world. As in the examples considered in chapter 1, the substantive shared conceptions of civic religion, history and virtue embedded in local versions of the formally rigid unitarian teleological communitarian paradigm were rarely well-defined or unambiguous. Moreover, like the texts considered in chapter 1, the texts considered in this chapter provide little evidence for significant intermediate political norms, comparable to modern Kantian and neo-

¹²⁰ Voutiras and Sismanides (2007), text, pp. 257-9, ll. 75-7.

Kantian political norms: norms requiring pluralism, open dialogue and respect for individual and group rights.

One or the other radical paradigm could be dominant within a single polis, as at fourth-century Dikaia or fourth- or third-century Nakone. Alternatively, the two paradigms could coexist, at varying levels of strength, within the political culture of a single polis, as at later-fourth-century Mytilene or Tegea. Similarly, as shown above for Aristotle, the two paradigms could coexist within the political consciousness of a single individual.

None of these scenarios need necessarily be taken as evidence for political naivety or confusion. Each of the two extremes could provide a basis for long-term stability. Indeed, the two extremes would probably not have been so dominant in reconciliation documents across such a wide geographical range unless they were each known to be a relatively reliable means of ensuring civic unity. The very survival of the relevant documents of reconciliation supports this view: the inscriptions themselves would probably have been among the victims of renewed discord. The two extremes also each corresponded to fundamental aspects of human political experience, recognised by Aristotle: individual autonomy and relative self-sufficiency, on the one hand, and the material and psychological dependence of individual ‘political animals’ on their political communities, on the other.¹²¹

Similarly, the blending of the two normative extremes within the political culture of a single polis could bring political stability and success, in ways further explored in the

¹²¹ Cf. Aristotle *History of Animals* 487b33-488a7; Yack (1985), 95.

remaining chapters of this thesis. When combined within a single political culture, the two extremes provided a basis for simultaneously understanding and cultivating individual citizens' independence and interdependence. Indeed, libertarian contractarian and communitarian thinking about civic politics are arguably each possible only as part of a dialectical pair with the other.¹²²

Moreover, in practice the two extreme sets of norms could compensate for each other's deficiencies, respectively discouraging mindless conformity, apathy or clique-formation and blunting aggressive individual self-assertion. Evidence of contemporary Greek awareness of this comes in Aristotle's philosophy of property,¹²³ which is closely paralleled (or even echoed) in a later-Hellenistic honorary decree of Priene.¹²⁴ Aristotle rejects Plato's advocacy of communism, on the grounds that the abolition of private property will lead to poverty and division rather than prosperous unity. In place of communism, Aristotle suggests a compromise. Citizens should possess private property: for no one takes proper care of communal property. However, they should *treat* their property as common to all citizens: communitarian solidarity and generosity should sublimate self-interest.¹²⁵

¹²² Cf. Derrida (1994), 40, identifying this dialectic as a central feature of all democracies.

¹²³ Aristotle *Politics* 1263a21-39; cf. Irwin (1991); Kraut (2002), 327-39. Compare Aeneas Tacticus 14.1, with Hornblower (2011), 191.

¹²⁴ *I.Priene* 108, ll. 91-2.

¹²⁵ Admittedly, as Kraut (2002), 337, points out, Aristotle thought that citizens take greater care of private property than of public property, not only because they take pleasure in owning property and in the resulting material benefits, but also because of a more communitarian disposition: they take pleasure in making voluntary, individual contributions to the common good.

Chapter 3

Expulsion of Citizens through *Stasis* and Civic Political Cultures

1. Introduction

This chapter addresses three questions in tandem. First, it considers what ideas of citizenship shaped the behaviour, rhetoric and ideologies of participants in exclusionary *stasis* in individual poleis. Second, it examines the relationship between those ideas of citizenship and those dominant in times of civic peace, in the relevant poleis and in the wider Greek civic world. Comparison is made with the peace-time ideas of citizenship identified and discussed in chapters 1 and 2, but also, where possible, with additional contextual evidence relating to relevant political cultures. Third, this chapter considers the relative influence of such ideas and of individual autonomous agency on factionaries' behaviour, rhetoric and ideologies.

The first phenomenon considered, in section 3, is displacement of citizens through *stasis* in its most common form: the sudden outbreak of suppressed civic tensions, in the form of civil war between tight-knit, exclusive factions, leading to the expulsion of some or all of the weaker party. Section 3 does not develop a linear argument, but demonstrates the pervasiveness of particular tendencies through detailed consideration of separate case-studies¹ relating to Classical Athens, the fourth-century Peloponnese and Hellenistic Asia Minor. The second phenomenon considered, in section 4, is citizen displacement through *stasis* which involved at least allegations of tyrannical ambitions.

¹ For detailed catalogues of episodes of *stasis*: Seibert (1979), A I and II; Gehrke (1985), Part I; Berger (1992).

2. Existing scholarship on *stasis*, exile and civic political cultures

Many modern scholars have interpreted *stasis* as competition for power between ambitious members of relatively narrow civic elites.² Others have interpreted *stasis* as a form of class conflict, resulting from broader competition for power and resources between rich and poor citizens.³ These rival analyses are not incompatible alternatives: there were Greek cases consistent with each. Moreover, in some cases, intra-elite struggle ran in parallel with, or led to, broader civic conflicts.⁴ In connection with these general approaches, some scholars have emphasised the role of the multipolar and unstable Greek interstate system in exacerbating conflicts: factionaries frequently became partisans of rival external powers.⁵

Many arguments have also been offered to explain the cohesiveness of factions in *stasis* and their tendency to make extreme, destabilising demands. English- and German-speaking scholars have interpreted these phenomena principally as predictable products of Greek citizens' pursuit of personal interests, ambitions and honour,⁶ partly thorough prudential alliances with those of similar interests. Gehrke adds a psychological dimension: the 'Bipolarität' and 'Exklusivität' of *stasis* factions were a predictable psychological response to the competition inherent in Greek politics, intensified by *stasis* itself.⁷ The internal solidarity of factions was due to the personal charisma of leaders and the personal connections between those involved.⁸

² E.g. Ruschenbusch (1978), 34-41; Gehrke (1985), 328-39 (esp. 339: internal competition within small elites was the 'Kern der Stasis'); Forsdyke (2005), chs. 1-3 (emphasising the importance of an elite 'politics of exile' in the Archaic period and in poleis other than Athens in the Classical period).

³ E.g. de Ste Croix (1982); Fuks (1984).

⁴ Gehrke (1985), 339-51.

⁵ E.g. Ruschenbusch (1978), 29-34; Gehrke (1985), ch. 2.

⁶ Cf. Ruschenbusch (1978), 34-41; Finley (1981), 80; Gehrke (1985), 343-50; Fisher (2000); cf. Cartledge (2009), 23.

⁷ Gehrke (1985), 245-9, 351.

⁸ Gehrke (1985), 344-50.

This overall approach is consistent with the emphasis in ancient historiography on personal ambition, acquisitiveness, envy and irrationality as causes of *stasis*.⁹

All of the interpretations mentioned rely on the view that exclusionary *stasis* was due to factors external to the normal functioning of Greek poleis in this period,¹⁰ in peace and war: political cultures and civic institutions were a brake on, not a stimulus to, *stasis*.¹¹ This attitude has been sustained by, and itself sustained, confidence in the exemplary qualities of ancient civic practices and values.¹² It has also cohered with more general narratives of the ‘decline of the polis’, now commonly challenged,¹³ which make *stasis* a sign of declining civic commitment and a turbulent interstate situation after the Peloponnesian War.

This general approach can provide only a partial explanation of *stasis*. It takes for granted that polis citizens were calculating, self-interested individuals; it does not allow participants in *stasis* to be seen as complex, rounded individuals, shaped by a wide range of experiences and mentors, who necessarily oriented themselves as citizens by reference to the political cultures to which they were exposed. Nor does it allow the poleis concerned to be seen as complex political communities with sophisticated political cultures, integrated in networks of such complex political communities: communities influential on the perspectives of individual citizens through a multifaceted collective life encompassing religion, education, culture, commensality and consumption, as well as politics and war. As a result, it cannot

⁹ Cf. Thucydides 3.82-3; Polybius 15.21; Eckstein (1995), 134.

¹⁰ Cf. Gehrke (1985), 6.

¹¹ Cf. Donlan (1980), 179.

¹² For example, it is a fundamental assumption of Forsdyke (2005) that the practices and values of the Classical Athenian democracy were conducive to both justice and political stability, including a reduction in the frequency of exilings.

¹³ E.g. Gauthier (1985); Ma (2002a).

account for the sense of political and cultural legitimacy which gave factionaries the confidence and ideological conviction required to perpetrate political violence and expel opponents, as well as the means to attract wider support among fellow citizens.

There are two principal possible explanations which give adequate weight to the influence of political cultures, especially home political cultures, on factionaries. First, suppressed or marginal norms in poleis' political cultures may have come to the fore in *stasis*: for example, norms authorising the 'rule of the strongest' or encouraging untrammelled pursuit of self-interest. Second, the very same norms which were dominant in peace-time, and ambiguities and tensions within and between them, may have provoked and exacerbated exclusionary *stasis*.

Explanations of the latter kind feature in a line of thought in existing scholarly discussions of *stasis*, less prominent than that discussed above, which makes *stasis* an intrinsic feature of Greek civic life, not a symptom of the fragility of polis values or of post-Classical civic decline. This approach was foreshadowed by Aristotle. According to Aristotle, *stasis* is caused by citizens pursuing the enforcement of different conceptions of equality: citizens engage in *stasis* because they perceive that they do not possess a share in civic power and resources consistent with their own 'conception' (ὑπόληψις) of equality, democratic and absolute ('arithmetic equality') or aristocratic and proportional ('geometrical equality').¹⁴ Aristotle would presumably have argued that relevant conceptions of equality are imbued in citizens through exposure to the ethos of their polis or their sub-group within it.¹⁵

¹⁴ Aristotle *Politics* Book V, esp. 1301a25-39, 1302a20-31; Balot (2001), esp. 47.

¹⁵ As Weed (2007), 19, 99, 124-9, 213-14, points out, in Aristotle's moral psychology, it is relevant vices of character which directly give rise to these flawed conceptions of equality or justice: specifically, envy on the part of democratic factionaries and vanity on the part of oligarchic factionaries

In recent scholarship, the view that *stasis* in the fourth century and later was a predictable product of prominent notions of citizenship has been most forcefully promoted by Loraux. Loraux suggests that, in the period after 403, citizens of poleis were subconsciously committed to a paradigm of the good polis as a site of intense political debate and competition. She argues that this subconscious paradigm reflects the true nature of politics, of which intense conflict is an inextricable part. Accordingly, the principal way in which Loraux presents *stasis* as integral to the polis is by representing it as a positive, paradoxically unifying force, through which citizens joined in a genuinely collective activity: intense political conflict.¹⁶

However, there are also hints in Loraux's work that not all civic unrest took this positive, unifying and rejuvenating form: civic unrest could also take the form of brutal struggle, of a kind which could dissolve a polis. Cases involving exilings usually fell into this second category. Loraux also hints that what she sees as the dominant overt fundamental Greek civic paradigm after 403, that of the fraternal, indivisible polis, was a factor which contributed to the genesis or escalation of this more destructive form of *stasis*. Loraux suggests that there was a 'price to pay' for the particular stress on civic unity in Athenian political discourse after 403. Moreover, she entitled her final book *La tragédie d'Athènes*.¹⁷

(pp. 118-24). Nevertheless, according to Aristotle's political theory, citizens' character states are in turn shaped by their civic environment: character states are obtained through habituation (e.g. Aristotle *Nicomachean Ethics* 1105a17-1105b18; Burnyeat (1980)); for citizens, such habituation necessarily takes place principally in the civic environment. For direct evidence that Aristotle thought that a citizen's civic environment determines his ethical standards, compare his argument that the 'character' (ἡθός) of a πολιτεία determines which forensic proofs its citizens will accept (Aristotle *Rhetoric* 1366a2-16; cf. Aristotle *Politics* 1337a11-18).

¹⁶ Loraux (2001), esp. Part II; Loraux (2005), e.g. 48, 79. Compare Finley (1981), 82; (1983), 105-106.

¹⁷ Loraux (2001), 193; the title of Loraux (2005).

Loraux gives or implies two main explanations for the contribution of communitarian ideals to *stasis*. First, Loraux argues on the basis of psychoanalytic theory that, when they did break out, conflicts between artificial ‘brothers’ were much more intense, on account of the perceived betrayals involved, than comparable political conflicts in societies whose members perceive themselves as less closely related.¹⁸ Second, Loraux implies that communitarian norms inhibited pluralistic political interactions, which are a prerequisite of sustainable political life. A connection between suppression of dissent and *stasis* is implied in Loraux’s interpretation of Heraclitus’ claim that a barley-mixture (κυκεών) separates into its component parts (δύσεται) if not kept in motion, a phenomenon which Heraclitus reportedly physically demonstrated before the Ephesian assembly when asked for advice about ὁμόνοια. According to Loraux, the implication is that a polis of diverse parts can only be held together through constant ‘motion’, a metaphor for intense debate and competition. A lack of such ‘motion’ produces destructive factionalism.¹⁹ This appeal to Heraclitus forms part of Loraux’s broader argument, echoing Detienne, that Archaic political cultures and some Presocratic philosophy gave much greater scope to pluralism and ambiguity than their Classical successors.²⁰ Loraux’s association of *stasis* with the suppression of pluralism echoes Hegel’s claim that the instability of Greek poleis, especially in the fourth century and later, was largely due to the tenacity of the ideal of substantial unity, whose implementation was hard to reconcile with subjectivity and diversity.²¹ This chapter develops some of Loraux’s, and Aristotle’s, insights.

¹⁸ E.g. Loraux (2001), 213.

¹⁹ Loraux (2001), 108-111, 122, discussing Heraclitus fr. 125 DK and Plutarch *De garrulitate* 511b9-c5. Compare Loraux’s previous scepticism about Athenian idealisation of homogeneity among citizens in Loraux (1981), e.g. 200-201, 281-4; (1993).

²⁰ Loraux (2001), chs. 4-5; cf. Detienne (1996), chs. 4-5, 7. Compare Shanske (2007), 129-42, identifying a contrast between a ‘Heraclitean’ Thucydides and Plato.

²¹ Hegel *Philosophy of Right* 185. Cf. Murray (1990c), 21; Cartledge (2009), 23.

However, it also reveals a more complex and multifaceted relationship between civic political cultures and exclusionary *stasis*.

3. Citizen displacement through *stasis* involving clearly non-monarchical factions

a) Case-study I: political expulsions of Athenian citizens in 404-3 and 322-319

This sub-section examines two large-scale expulsions of Athenian democrats from the Athenian polis, through outright *stasis* in 404-3 and through fractious constitutional change in 322.

i) The large-scale expulsion of Athenian democrats in 404-3

A) Chronology and sources

After defeat in the Peloponnesian War, Athens underwent the brutal oligarchy of the Thirty Tyrants. In September 404, under pressure from Lysander, the Athenian assembly elected thirty citizens to compile new laws.²² These thirty citizens took the opportunity to overthrow the democracy. They delayed proposing any legislation and requested a Spartan garrison.²³ They swiftly resorted to violence to enforce and reinforce their regime, targeting sycophants, political opponents and metics. They also restricted the citizen-body to three thousand, disarming the disenfranchised.²⁴

Theramenes, a member of the Thirty, objected to the regime's brutality, but this opposition to the policy of Critias, the leading oligarch, led to Theramenes' execution in early 403.²⁵ Many Athenians had probably been formally exiled, or fled to avoid persecution, before this point: in an account which was admittedly tendentious, as

²² Xenophon *Hellenica* 2.3.11.

²³ On the timing of the summoning of the garrison, contrast Krentz (1982), 143-4.

²⁴ Xenophon *Hellenica* 2.3.18-20; [Aristotle] *Athēnaion Politeia* 36.2, 37.2.

²⁵ Xenophon *Hellenica* 2.3.22-56; [Aristotle] *Athēnaion Politeia* 36.1-37.1.

discussed below, Xenophon represents Theramenes referring to the existence of ‘many’ exiled opponents of the Thirty shortly before his death.²⁶ Nevertheless, Theramenes’ removal unleashed a greater number of expulsions, or threats of death or expropriation which caused citizens to flee.²⁷ Moreover, after Theramenes’ execution, the Thirty banned those outside the Three Thousand from the city-centre (ἄστυ) and confiscated their farms, causing many to flee to the Piraeus and from there, in response to further harrassment, to Megara and Thebes.²⁸ Partly because weakened by the agitation of the now numerous exiles, the Thirty were replaced by a new regime, the Ten, in May 403. Finally, King Pausanias of Sparta brokered the reconciliation agreement and democratic restoration which enabled the exiles’ return, in September 403.²⁹

Admittedly, the extent of the Thirty’s expulsions was exaggerated in fourth-century Athenian propaganda: the Athenians emphasised the small size and political isolation of the oligarchy by constructing a legend that the whole δῆμος had been in exile.³⁰ This legend influenced the surviving narrative accounts. Nevertheless, the Athenian legend is unlikely to have been pure invention: the most plausible view is that a relatively large number of exiles was multiplied into a vast number. On this basis, the following discussion seeks to account for a historical large-scale expulsion in 404-3. As is clear from the narrative above, an explanation of this large-scale expulsion must account both for direct expulsions perpetrated by oligarchs and for persecutions which led citizens to flee Athens.

²⁶ Xenophon *Hellenica* 2.3.42.

²⁷ [Aristotle] *Athenaion Politeia* 37.2; Diodorus 14.5.6, 32.1; Justin 5.9.3.

²⁸ Xenophon *Hellenica* 2.4.1. Diodorus 14.32.4 and Justin 5.9.12 report a large-scale deportation of those outside the Three Thousand to the Piraeus.

²⁹ For the various accounts of these events: Rhodes (1981), 416-19.

³⁰ Cf. chapter 4, section 2d).

Factors other than ideology have great weight as explanations of the establishment of the Thirty and the regime's political persecutions and expulsions. Sparta was influential in establishing and maintaining the oligarchy: its behaviour was partly dictated from outside.³¹ As for the internal Athenian situation, long-term warfare had probably heightened the resentment, but also the confidence, of later-fifth-century oligarchic Athenians.³² Moreover, personal ambition played a significant role in motivating them.³³ In Xenophon's portrayal, for example, calculation of material self-interest was the predominant motivation for the Thirty's purges. According to Xenophon, some murders were motivated by the prospect of confiscating money.³⁴ Xenophon's Critias explicitly claims that removal of opponents is a prerequisite for 'having more' (τὸ πλεονεκτεῖν).³⁵

However, Xenophon's denial of idealistic motives, or even pretexts, for the Thirty's expulsions was a product of his rhetorical aim: to isolate the oligarchs most responsible for the expulsions as vicious tyrants, divorced in their thinking from the values both of his own aristocratic milieu and of the Athenian democracy. Like the author of the Aristotelian *Athenaion Politeia*, he contrasts these radical oligarchs with Theramenes, presented as a principled moderate oligarch:³⁶ a representative, consoling example of a wealthy Athenian who acted decently in 404-3.

³¹ Cf. Lewis (1994), 30.

³² Osborne (2003), 256-7 (emphasising the effects of the Sicilian disaster); Herman (2006), 76-7.

³³ Cf. Lewis (1994), 34; Wolpert (2006).

³⁴ Xenophon *Hellenica* 2.3.21.

³⁵ Xenophon *Hellenica* 2.3.16.

³⁶ Xenophon *Hellenica* 2.3.19-56; [Aristotle] *Athenaion Politeia* 36.1-37.1, with Rhodes (1981), 421, 447.

Despite the thrust of their own interpretations, the accounts of Xenophon and Pseudo-Aristotle, set alongside those of Lysias and Diodorus, reveal traces of factors which probably gave the Thirty and their supporters a sense of legitimacy in excluding or persecuting democratic Athenians. In particular, the arguments from political principles for exclusions and persecutions of opponents which Xenophon and Pseudo-Aristotle attribute to Theramenes alone were probably also made by a wider range of oligarchs: Xenophon and Pseudo-Aristotle were probably tendentious in restricting them to Theramenes. Moreover, the traces of justificatory arguments in the sources for the events of 404-3 themselves can be supplemented through circumstantial evidence for later-fifth-century oligarchic ideology: evidence illustrating the ideology of the Old Oligarch,³⁷ the oligarchs of 411 and Critias. This overall approach enables a more sophisticated portrayal of the oligarchs' motivations, of the type required for explaining wide-ranging persecutions and expulsions:³⁸ a portrayal of them as motivations shaped by conceptions of the just and the good.³⁹

The ideologies of the Thirty which can be reconstructed in this way were not based on claims about the importance of noble birth, common in the Archaic period:⁴⁰ they bore the marks of Classical rationalism. The argument of this sub-section is that those ideologies were often the result of application of, or logical deduction from, the fundamental political norms identified as dominant in the Greek world, including

³⁷ Even if Hornblower (2000) is right that the work of the Old Oligarch is a fourth-century rhetorical exercise, the work would still have captured aspects of fifth-century oligarchic thinking: in order to enter the mindset of a fifth-century oligarch in a way convincing for his audience, a fourth-century rhetorician would have had to draw on the then plentiful surviving evidence for actual fifth-century oligarchic thinking, including written documents and the oral testimony of those who could recall the fifth century.

³⁸ Cf. Ostwald (1986), 485.

³⁹ For this general approach, compare Balot (2001), ch. 6, esp. 179, 225.

⁴⁰ E.g. Theognis 1, ll. 183-91.

democratic Athens, in chapters 1 and 2: libertarian contractarian and unitarian teleological communitarian norms.

Those fundamental norms influenced the oligarchs partly through sources external to Athenian political culture: in particular, the oligarchs were influenced by Spartan ideas⁴¹ and by wider oligarchic tradition and theory, including philosophical justifications of non-democratic organisation and behaviour.⁴² Relevant forms of oligarchic thought included specifically ‘aristocratic’ ideas: oligarchic ideas which gave special prominence to perceived social worth as the qualification for ruling.

Nevertheless, it is a reasonable hypothesis that the political culture of the Athenian democracy was a significant medium through which those fundamental norms influenced the oligarchs. This is because Athenian political culture was the principal, or most direct, influence on their political consciousness: the one in which they had been raised and become politically active.

This hypothesis is especially strong in those cases, examined below, in which oligarchs invoked or presupposed particular inflections of those fundamental political principles closely resembling those dominant in Athenian democratic political culture. Nevertheless, even when oligarchs applied particular libertarian contractarian or communitarian principles drawn from quite different sources, it remains a reasonable hypothesis that they were predisposed to be receptive to such non- or anti-Athenian principles by their home political culture: specifically, by the influence on them of

⁴¹ Krentz (1982), esp. 63-8; Whitehead (1982/3); Ostwald (1986), 485-90; Bultrighini (1999), esp. 94-105.

⁴² Carter (1986); Osborne (2003), 262-6; Németh (2006), 71-3.

fundamental norms intrinsic to Athenian democratic political culture which were similar to the norms underlying those rival principles.

Part of the argument of this sub-section is, therefore, a challenge to the dominant tendency in modern scholarship: presentation of the Thirty's ideology as exclusively shaped by factors external to Athenian political culture.⁴³ Scholars who advocate this view effectively endorse Athenian commemoration of the rule of the Thirty as an uncharacteristic interlude. This modern tendency is consistent with the wider modern view that anti-democratic thought at Athens was a pure foil to democratic thought, entirely different in content and underlying motivations.⁴⁴

B) The influence of libertarian contractarian norms: freedom, desert and expulsion

One important influence on the oligarchic thinking of later-fifth-century intellectuals, who were well-represented among the Thirty,⁴⁵ was Sophistic individualism.

Sophistic individualism was based on the claim that 'nature' (φύσις) has normative precedence over 'law' (νόμος), a mere man-made construct. On the basis of this claim, Sophists argued that, since φύσις equips stronger men to dominate weaker men, it is permissible for talented, powerful men to pursue their own narrow material advantage as far as their abilities permit, untrammelled by law or morality.⁴⁶ This

⁴³ E.g. Ober (1989), 93-4; Lehmann (1997), 84-5, 128; Herman (2006), 77-8, 396.

⁴⁴ Ober (1999), e.g. 28; cf. Bultrighini (1999), esp. 11-12, 34, 59, 72-3, 93. Contrast Monoson (2000).

⁴⁵ Ostwald (1986), 466-7.

⁴⁶ Especially relevant is Plato's presentation of the argument of Callicles in his *Gorgias*: by nature, it is just for the strong to rule the weak and to seek and gain greater material rewards than the weak; it is only conventional standards of justice which require agents to curb their self-interest for the sake of others (Plato *Gorgias* 482e-484a). The sophist Antiphon also sharply distinguished the types of conduct consistent with nature and law respectively (Pendrick (2002), fr. 44 (a) and (b)). However, he may simply have been making sociological observations, not arguing that the requirements of nature have normative force (Pendrick (2002), 59-61). For the influence of this line of thought on oligarchs: Rhodes (2000), 130; Balot (2001), 179, 207, 216-17; Bertrand (2008). For its influence on a particular

approach could have emboldened wealthy later-fifth-century Athenians to advocate and pursue their own idiosyncratic ideas and policy-proposals, and to behave provocatively and ostentatiously in social and cultural life,⁴⁷ unconstrained by established Athenian democratic νόμος.

Sophistic individualism was probably a pretext, but also a motivation, for the persecutions and expulsions of 404-3. If oligarchs thought that their obligations to poorer Athenians were grounded only in νόμος, which illegitimately curtailed the workings of φύσις, they could easily have concluded that it was legitimate to exclude poorer citizens from citizenship, or even to kill them or remove them from the polis. This conclusion would have been the result of application of the libertarian contractarian justification of expulsion considered in chapter 1, section 3d), attested for Athens and other poleis: expulsion or disenfranchisement is a legitimate means for self-reliant, law-abiding citizens to avoid the undeserved burden of supporting needy citizens. The alternative solution, putting poorer Athenians to work as quasi-slaves, would have been superfluous: there were sufficient actual slaves to do work without reward, as well as metics to do other necessary menial work. This individualistic line of reasoning could also have appealed to those probably numerous supporters of the Thirty who were not themselves particularly well-born or wealthy, but had suffered prosecution or harassment under the democracy:⁴⁸ their entitlement to freedom from external constraint could best be realised by the forced removal of those whose participation sustained democratic institutions.

intellectual member of the Thirty, compare the individualistic sense of Critias' doctrine of σωφροσύνη, discussed in sub-section D) below.

⁴⁷ Cf. Morris (1994), on the resurgence of ostentatious elite burials after c. 430.

⁴⁸ Cf. Lewis (1994), 34.

It is conventional to regard Sophistic individualism as an immoralist, amoralist or ‘inverted moralist’ reaction against democratic values.⁴⁹ However, it can also be regarded as sharing the assumptions about individuality and self-interest which underlay libertarian contractarian norms, shown to be pervasive in the Greek civic world in chapters 1 and 2. Such assumptions and norms were prominent in the political culture of the fifth-century Athenian democracy. Thucydides’ Pericles, for example, presupposes that individual Athenian citizens have divergent particular interests, which can represent legitimate motivations for their political action, in his most explicitly contractarian argument for civic contributions. According to this argument, making contributions to the polis is a form of social insurance, which serves the distinct interests of egoistic citizens. This is partly because even individuals successful in private affairs can be harmed if their polis is struck by crisis. It is also because collective success makes it easier for an individual struggling in his private affairs to recover.⁵⁰ This argument leaves a wide opening for the repudiation of civic obligation: if making civic contributions ceases to serve one’s narrow interest, why continue to make them?

Closely related to Thucydides’ Pericles’ contractarian style of argument and its assumptions about individuality and self-interest was the characteristic democratic emphasis on personal freedom.⁵¹ Both Thucydides’ Pericles and Aristotle recognised the centrality of principles of personal freedom to democratic ideology.⁵² Some effects of these principles in everyday democratic debate are also detectable, at least

⁴⁹ E.g. Forrest (1975); Balot (2001), 200-201; Taylor (2007), 10.

⁵⁰ Thucydides 2.60.2-3; Christ (2006), 30. Cf. Nicias at Thucydides 6.9.2: those with private property at risk deliberate best about common affairs. The implication is that property-owners concern for the preservation of their personal property is a legitimate influence on their political decision-making.

⁵¹ Cf. Christ (2006), 24-7.

⁵² Thucydides 2.37.2; Aristotle *Politics* 1317a40-b17.

for the fourth century. For example, the early-fourth-century speaker of Lysias 7, a man of the liturgical class, claimed credit for having fulfilled the ‘liturgy’ of living a ‘self-controlled’ (σώφρων) and ‘orderly’ (κόσμιος) life: he had not profited through multiple office-holding, provoked law-suits or rejoiced at Athenian misfortune.⁵³ He must have expected the sympathy of the jury for this portrayal of himself as a non-interventionist citizen, who respected the constitution and the basic freedoms of other citizens, but also exercised his own freedom not to dedicate himself tirelessly to civic affairs.

Because the primacy of the individual and his personal freedom was a fundamental democratic ideal, it must have sometimes been difficult to justify constraints on personal freedom within the context of democratic political culture. This was true despite Athenian attempts to distinguish a private sphere of personal freedom from a public sphere of obligation:⁵⁴ if unfettered personal freedom is appropriate in private life, on what grounds should law constrain it in public life, especially given that the public and private life of an individual are inevitably closely intertwined? As if aware of the possible anarchic implications of the Athenian idealisation of personal freedom, Thucydides’ Pericles explicitly remarks that the private freedom which he praises does not lead to public lawlessness in Athens.⁵⁵ Later-fifth-century Sophists and oligarchs can thus be seen to have been exploring the extreme logical consequences of the democratic idealisation of personal freedom.

⁵³ Lysias 21.18-19.

⁵⁴ Cf. Hunphreys (1977/8); Wallace (1994).

⁵⁵ Thucydides 2.37.3.

It is not an unassailable objection to the alleged connection between oligarchic and democratic individualism that the latter was never based on arguments from φύσις.⁵⁶ It is likely that one strand in fifth-century Greek democratic thinking attributed value to personal freedom on the basis of a purported objective view of the universe and of human nature. An interesting figure in this regard is Democritus, a probable democratic sympathiser.⁵⁷

Two of Democritus' ethical fragments, 3 and 191 DK, have a strong claim to authenticity: they are discursive passages, rather than bland aphorisms.⁵⁸ These fragments contain indications of the probable character of fifth-century democratic advocacy of wide-ranging personal freedom on the grounds that nature requires it. The starting-point of the two fragments is, paradoxically, the claim that nature places constraints on the actions of which particular individuals are capable; nature is configured in such a way that individuals' well-being is dependent on them achieving self-sufficiency, by observing these limits.⁵⁹ As Farrar suggests, this type of high evaluation of self-sufficiency was conducive to advocacy of highly 'atomistic' political norms: norms giving the greatest possible scope for individuals to exercise freedom in taking responsibility for conforming with their own natures.⁶⁰ In a sign of the individualistic tendencies of Democritus' advocacy of self-sufficiency, he even claimed that the best approach to take to the less well-off is to reflect on one's own better fortune.⁶¹

⁵⁶ Cf. Ober (1996), 101.

⁵⁷ Taylor (2000), 129.

⁵⁸ Kirk, Raven and Schofield (1983), 429-33.

⁵⁹ Cf. Farrar (1988), 233-5; Taylor (2007), 7-8.

⁶⁰ Farrar (1988), 240, 256-64. Cf. Cairns (1993), 363-70: Democritus as an advocate of a notion of αἰδώς similar to the modern notion of conscience; individuals should regulate their own behaviour, not simply conform with social standards.

⁶¹ Democritus fr. 191 DK.

It could be argued that oligarchs simply instrumentalised particular mainstream civic norms to justify to a wider audience predetermined, self-interested ends. However, this is only a partial explanation of oligarchic individualism and other aspects of oligarchic ideology. It is implausible to regard the oligarchs as disembodied agents, able to manipulate at will the very political conceptions, paradigms and norms which enabled them to formulate and communicate political ends and arguments. Moreover, the only way in which they can have achieved the sense of legitimacy necessary to perpetrate major political persecutions is through appeal to their political cultures.

In addition, the explanatory force of the instrumentalisation theory is limited by the fact that the oligarchs' appeals to prominent norms were detrimental to their narrow self-interest: they provided apparent legitimations and motivations for extremism and persecutions which destroyed the Thirty's long-term survival prospects, as Theramenes foresaw. The instrumentalisation theory has a further limitation in relation to the oligarchs' applications of specific democratic incarnations of panhellenic civic norms: the Thirty hardly appealed to principles drawn from the political culture of the democracy to court democratic support; rather, they killed and exiled democrats.

As well as appealing to principles of personal freedom, later-fifth-century oligarchs also based their denial of the legitimacy of democrats' citizenship on more mundane appeals to strict reciprocity and personal desert, ideas central to the libertarian contractarian paradigm of citizenship. According to Xenophon, the oligarchs of 404-3 appealed to brutal negative reciprocity. One of the first actions of the new regime was

to execute sycophants, 'burdensome to the virtuous and good'.⁶² Those who enforced and appreciated these acts of vengeance could have included poorer victims of democratic prosecution,⁶³ as well as the wealthiest oligarchs.

Although Theramenes opposed the subsequent extension of persecutions, Xenophon represents him implicitly justifying these initial persecutions as consistent with strict reciprocity: Xenophon's Theramenes argues that the innocent should be spared, implicitly acknowledging the legitimacy of retribution against those who have harmed reputable Athenians.⁶⁴ He later offers a more abstract defence of behaviour dictated by negative reciprocity, arguing that it is 'just' that those who seek to remove the Thirty from power should suffer retribution, but implying that those who have committed no injustice should suffer no harm.⁶⁵ These claims can be seen partly as radical applications of principles of honour and vengeance prominent in the forensic oratory of the Classical democracy.⁶⁶

Athenian oligarchs also appealed to precise applications of positive reciprocity: they argued that their financial and personal contributions to their polis entitled them to substantial rewards in power and resources.⁶⁷ The Old Oligarch begins his work on the Athenian constitution with claims which imply that it is unjust that talented and wealthy Athenians receive no reciprocal benefits in return for their concrete

⁶² Xenophon *Hellenica* 2.3.12.

⁶³ Cf. Lewis (1994), 34.

⁶⁴ Xenophon *Hellenica* 2.3.15.

⁶⁵ Xenophon *Hellenica* 2.3.37.

⁶⁶ Cf. Cohen (D.J.) (1995a).

⁶⁷ Balot (2001), 213.

contributions to the democracy's survival.⁶⁸ A concern with this kind of injustice recurs later: the Old Oligarch claims that Athenian democrats enjoy festivals at the expense of wealthy Athenians, before accusing the democratic courts of disregarding concerns of justice.⁶⁹ Contractarian arguments similar to those of the Old Oligarch were reportedly advocated in practice by oligarchs in 411: political involvement should be restricted to those able to serve the polis with money and their bodies.⁷⁰ The Athenian people subsequently endorsed this principle when they voted for the appointment of the Five Thousand, as a replacement for the Four Hundred: only those who could provide their own weapons should have the vote.⁷¹

In 404-3 itself, Theramenes' moderate oligarchic programme included a reaffirmation of this doctrine: citizenship should be reserved for those who could serve the polis 'with horses and with shields'.⁷² The support of more radical oligarchs for the restriction of citizenship to the Three Thousand, a number not far removed from the Five Thousand of 411, was probably partly due to the application of similar principles. This is especially likely because the recent collapse of Athenian naval power neutralised the principal contractarian counter-argument: that poorer citizens made indispensable concrete civic contributions, worthy of recompense, through service in the navy.⁷³ Oligarchic arguments from contractarian reciprocity, used in part justification of exclusions of citizens from citizenship through a restricted

⁶⁸ [Xenophon] *Athenaion Politeia* 1.1, 3: in the democracy, 'the vicious' (οἱ πονηροί) 'do better' (ἀμεινον πράττουσι) than 'the good' (οἱ χρηστοί); but the people ensure that 'the good' nevertheless undertake those important magistracies which bear on the 'safety' (σωτηρία) of the polis.

⁶⁹ [Xenophon] *Athenaion Politeia* 1.13.

⁷⁰ Thucydides 8.65.3; [Aristotle] *Athenaion Politeia* 29.5.

⁷¹ Thucydides 8.97.1; [Aristotle] *Athenaion Politeia* 33.1.

⁷² Xenophon *Hellenica* 2.3.48.

⁷³ This argument is parodied in [Xenophon] *Athenaion Politeia* 1.2. Compare the parody of the argument that the δῆμος deserves political rewards for its military achievements at Aristophanes *Knights*, ll. 777-85.

franchise, were a crucial stepping-stone to justifying persecutions and expulsions: according to the contractarian logic explored in chapter 1, section 3d), exclusion and expulsion are legitimate means of preserving a strict civic contract, in which no citizen obtains more than he strictly deserves.

Significantly, democratic political culture was again one probable important source for the oligarch's arguments: as Davies points out, the contractarian arguments deployed by Classical Athenian oligarchs belonged to a type common in impeccably democratic sources.⁷⁴ Contractarian emphasis on strict reciprocity and personal desert⁷⁵ may have become especially prominent in democratic political culture around the time of the Sicilian expedition.⁷⁶ In addition to Thucydides' text, political comedy⁷⁷ attests the influence of contractarian desert norms in the second half of the Peloponnesian War.

However, strict reciprocal principles are already detectable in earlier fifth-century Athenian political culture. Honorary decrees for foreigners from throughout the second half of the fifth century present honorands as entitled to honours on account of their services to the Athenians:⁷⁸ one implication, among others, is that honours are direct rewards for benefactors' services. In a reflection of a similar attitude from before 415 with respect to a citizen, the chorus of Aristophanes' *Acharnians* reported

⁷⁴ Davies (1977/8), 120.

⁷⁵ Cf. chapter 1, section 3d); Allen (2000), esp. 241; Christ (2006), 28-30.

⁷⁶ Balot (2001), 159-69, discussing in particular Thucydides 6.16.1-4 (Alcibiades' argument that he is worthy of leadership because of his contributions to Athens' reputation; recognition of distinguished individuals is not incompatible with equality).

⁷⁷ Note the argument of the women's leader at Aristophanes *Lysistrata*, ll. 649-655, that her male addressees cannot object to her offering political advice, because she contributes men to the polis, whereas they fail even to pay the εἶσφορα.

⁷⁸ Veligianni-Terzi (1997), A1-46.

that Aristophanes himself claimed to be deserving of many rewards (πολλῶν ἀγαθῶν ἄξιος) for his good advice to the Athenian citizen-body.⁷⁹

Moreover, the same approach is detectable in Thucydides' Pericles' otherwise strongly communitarian Funeral Oration. Thucydides' Pericles implies that, in the Athenian democracy, the level playing-field of equal access to the law enables fair competition for rewards.⁸⁰ Good reputation (ἄξιωσις) is rewarded with power and honour, significant personal privileges: anyone who has a good reputation in some respect is honoured in accordance with his virtue (ἀπ' ἀρετῆς προτιμᾶται).

Similarly, poorer citizens who are in a position to do some good to the polis are not hindered by an absence of authority or honour (ἄξιωμα): no mention is made of the honour of those poorer citizens *not* equipped to benefit the polis.⁸¹ In a similar way, Thucydides' Pericles later emphasises the lasting glory which derives from courageous military activity,⁸² which can be interpreted as a reward for self-sacrifice. In a related desert-oriented argument, Thucydides' Pericles argues that, in the Athenian democracy, it is expected that individuals should strive to escape poverty through 'action': presumably, by earning rewards for hard work.⁸³

In some cases, oligarchs' aims were probably shaped, not only by generic desert norms, partly transmitted through Athenian political culture, but also by particular

⁷⁹ Aristophanes *Acharnians*, ll. 633-5.

⁸⁰ Contrast the view that Pericles' emphasis on personal desert represents a defensive response to anti-democratic critics of the levelling effects of egalitarianism (cf. Hornblower (1991-2008), vol. I, 300-301).

⁸¹ Thucydides 2.37.1; cf. Loraux (1981), 188-91. For commitment to generic principles of strict reciprocity: 2.40.4. Monoson (2000), ch. 3, interprets even the claim that citizens should become 'lovers' of the power of Athens (2.43.1) as implying an ideal of strict reciprocity between citizen and polis.

⁸² Thucydides 2.43.3-6; cf. 35.1.

⁸³ Thucydides 2.40.1.

Athenian democratic inflections of those norms. For example, Thucydides' Pericles' notion of meritocratic desert has a strongly intellectual slant: he associates social worth with political participation, an activity involving mental skill and application. He also emphasises that the Athenian civic ethos which such participation preserves encourages enthusiastic engagement in cultural and rational activities.⁸⁴ The impeccably Periclean ideal of intellectual meritocracy probably led some educated Athenians to criticise democracy: as Momigliano suggests, it was characteristic of many later-fifth-century Athenian anti-democrats, such as Socrates and his associates, that they considered themselves distinguished from the majority, not by superior breeding or wealth, but by superior intelligence and intellectual accomplishments.⁸⁵

To sum up the argument concerning desert norms, the conspicuous role of poorer Athenians in the navy for most of the fifth-century artificially constrained the intrinsic anti-egalitarian tendencies of principles of strict reciprocity, well-established in Athenian political culture. These anti-egalitarian tendencies, finally fully unleashed in 411 and 404-3, were partly due to the fact that strict principles of desert, under which desert is measured by material civic contribution, cannot give adequate weight to the influence of luck in determining what civic contributions individuals can make: in particular, the influence of genetic endowment and upbringing.⁸⁶ Moreover, the workings in practice of strict reciprocal principles allow talented or privileged individuals to accumulate resources and power, to an overall extent to which fellow citizens who assent to individual 'fair' exchanges would never consent. Accumulated power and resources then skew the playing-field further, when it comes to subsequent

⁸⁴ Thucydides 2.40.1-2.

⁸⁵ Momigliano (1969b), 153.

⁸⁶ Cf. Rawls (1972), 103-104.

distribution of rewards for material contributions.⁸⁷ Furthermore, power and resources accumulated through concrete contributions in one sphere of civic activity, such as money-making or culture, enable individuals to exercise or claim disproportionate influence in other spheres, such as political decision-making, in which they have no special ability and have made no special contribution.⁸⁸

In the fifth-century Athenian case, talented or privileged individuals were allowed, in a relatively unregulated economic system in a society which valued strict reciprocity, to exploit their talents and resources to accumulate money, honour and influence. They in turn exploited that money, honour and influence as the basis for wide-ranging civic power⁸⁹ and, eventually, as one justification for a claim to a monopoly of political power within Athens.

C) The influence of unitarian teleological communitarian norms, interacting with libertarian contractarian norms

It might be thought, on the basis of this discussion, that the influence of libertarian contractarian norms by itself explains oligarchs' ideological justifications and motivations for expulsions. However, it does not fully explain how and why the oligarchs conceived and represented Athenian democrats as a vicious, greedy and disordered mob: arguably, the factor which tipped the oligarchs from resentment and *anomie* to violent persecutions. This process is best explained if it is recognised that unitarian teleological communitarian norms, including the inflections of them central to Athenian democratic political culture, simultaneously strongly influenced the oligarchs.

⁸⁷ Cf. Cohen (G.A.) (1995), 19-53.

⁸⁸ Cf. Walzer (1983).

⁸⁹ Cf. Davies (1981).

Later-fifth-century oligarchs commonly used monopolistic⁹⁰ rhetoric about a unitary common good and substantive civic virtue: the kind of rhetoric demanded of good citizens by the unitarian teleological communitarian paradigm. The Old Oligarch, for example, presents the wealthy citizens whom he considers best qualified to rule everywhere as men who are not simply good, but the ‘best’ (βέλτιστοι) in the Greek world: virtuous and wise citizens who respect justice and the good and use political language appropriately,⁹¹ upholding the collective interests of their entire poleis.⁹² Similarly, radical oligarchs of 404-3 presented themselves as virtuous defenders of an ethical civic order. For example, Xenophon’s Theramenes comments, while criticising his more radical opponents, that the Thirty as a whole claim to be the ‘best men’ (βέλτιστοι) of Athens.⁹³ When Critias’ supporters subsequently set up a monument of Oligarchia attacking Demokratia in memory of him and other oligarchs, they described it as a reminder simply of ‘good men’ (ἄνδρες ἀγαθοί).⁹⁴ Moreover, the Thirty claimed, not only to possess, but to be promoting virtue: Lysias says that the Thirty justified their persecutions on the grounds that they were turning other citizens towards virtue (ἀρετή) and self-control (σωφροσύνη).⁹⁵

The communitarian ideal of far-reaching civic virtue doubtless influenced the oligarchs partly through the panhellenic aristocratic tradition. However, the oligarchs’ assertions about civic virtue also represented concrete applications of vague

⁹⁰ For the use of this word in this thesis: chapter 1, n. 101.

⁹¹ Bertrand (1989), esp. 38-41.

⁹² [Xenophon] *Athenaion Politeia* 1.5, 7-9.

⁹³ Xenophon *Hellenica* 2.3.22. Cf. Critias at Xenophon *Hellenica* 2.3.25.

⁹⁴ *Scholia in Aeschinem* 1.39; Bultrighini (1999), 316-19, argues that this report of the content of the inscription on the monument is authentic.

⁹⁵ Lysias 12.5; Ostwald (1986), 465. For oligarchic advocacy of σωφροσύνη, compare Thucydides 3.82.8.

monopolistic tropes prominent in democratic rhetoric. Σωφροσύνη could be prized as a citizen attribute in democratic as well as aristocratic ideology.⁹⁶ As for ἀρετή ('virtue') more generally, Thucydides' Pericles begins his Funeral Oration by describing the war dead straightforwardly as 'good men' (ἄνδρες ἀγαθοί), the same simple, uncompromising description used of oligarchs by oligarchic sympathisers on the monument of Oligarchia.

Pericles' opening foreshadows the dominant ideal of the Athenian polis sketched in the following speech: an immutable,⁹⁷ homogeneous community of individually anonymous ἄνδρες ἀγαθοί, sharing love (ἔρωσ) for the power of their city,⁹⁸ whose virtue consists in their subordination of their individuality to communal military needs.⁹⁹ This ideal was also closely echoed in the Thirty's claim to be creating or restoring a pristine Athens of the virtuous. Fifth-century Athenian democratic interest in patriotic virtue is confirmed by epigraphic evidence: a democratic public funerary epigram could praise a group of men who had died in war for leaving an immortal memory of ἀρετή and glorifying their country (πατρίς).¹⁰⁰

⁹⁶ Cf. Loraux (1981), 109-110. Favourable mentions of citizen σωφροσύνη before democratic assembly and courts: Thucydides 3.37.3 (Cleon: ignorance with σωφροσύνη is preferable to licentious cleverness); Lysias 21.19 (cf. above); 26.5 (criticism of Euandros' lack of ἡσυχιότης and σωφροσύνη under the Thirty). Cf. Peek GV 1564: a fifth- or fourth-century epigram for an Athenian citizen, claiming that he honoured most of all Σωφροσύνη and εὐπόλεμος Ἀρετή. Aristophanes *Clouds*, ll. 960-1, does, however, suggest that σωφροσύνη could be perceived as an old-fashioned value by a democratic audience.

⁹⁷ Thucydides 2.36.1.

⁹⁸ Thucydides 2.43.1. Cf. Ludwig (2002), Parts II-III; contrast Monoson (2000), ch. 3.

⁹⁹ Loraux (1981), esp. 281-4.

¹⁰⁰ Peek GV 18, ll. 3-4. Similar emphasis on martial virtue and patriotism in other fifth-century public funerary epigrams: Peek GV 12; 13, l. 4; 14, ll. 3-4; 16, ll. 3-4; 18; 19; 20, esp. ll. 9-12.

As is clear from these examples, the dominant overtones of the fifth-century Athenian democratic notion of citizen ἀρετή were military, in contrast to those of its more complex fourth-century successor.¹⁰¹ That military emphasis probably influenced the oligarchs: their disarming of all Athenians outside the Three Thousand symbolically implied that those democratic Athenians did not possess the citizen characteristics required to bear arms. Admittedly, later-fifth-century oligarchs explicitly associated citizen ἀρετή with non-military qualities, especially intellectual prowess, in a way not attested in democratic rhetoric.¹⁰² However, even in this they were not necessarily diverging widely from democratic ideology: as discussed above, Thucydides' Pericles dwells on the purely political and cultural components of good Athenian citizenship.

Fifth-century democratic ideas about citizen virtue need not be regarded as survivals from, or adaptations of, alien aristocratic notions,¹⁰³ restored to their proper orientation by oligarchs: such interpretations presuppose eighteenth- and nineteenth-century, rather than ancient, ideas about the distinction between democracy and aristocracy.¹⁰⁴ Rather, emphasis on citizen virtue can be viewed as intrinsic to Greek democratic thought: as Berent argues, in the absence of a bureaucratic, punitive state apparatus, universal citizen virtue was commonly regarded as a prerequisite for any meaningful civic life, even by democratic sympathisers.¹⁰⁵

¹⁰¹ Cf. Loraux (1981), 109-113.

¹⁰² E.g. [Xenophon] *Athenaion Politeia* 1.7.

¹⁰³ Cf. Loraux (1981), 50, 183-205; Ober (1989), 289-92.

¹⁰⁴ Cf. Connor (1994), 38.

¹⁰⁵ Berent (1998), relying, in particular, on Plato *Protagoras* 323a2-3. In the *Protagoras* as a whole, Socrates and the pro-democratic Protagoras agree that political virtue and understanding are indispensable for civic life; they simply disagree concerning how they are acquired. Cf. Schofield (2006), 126-30.

As well as demanding it of citizens, fifth-century Athenian democrats demanded virtue of foreign benefactors: Athenian honorific texts for foreigners from the period before 404-3 could present honorands' good behaviour towards the Athenians as 'virtue' (ἀρετή or ἀνδραγαθία)¹⁰⁶ or present honorands themselves as 'good men' (ἄνδρες ἀγαθοί) in relations with the Athenians.¹⁰⁷ Such descriptions blurred the distinction between ethical virtue and utility to the Athenian δῆμος, but retained ethical connotations. These attributions of ἀρετή implied that virtue involved more than straightforward military courage, reflecting and reinforcing a broader notion of ἀρετή, of the kind advocated by later-fifth-century oligarchs.

In both 411 and 404-3, another form of monopolistic communitarian justification adopted by oligarchs was appeal to the ancestral constitution.¹⁰⁸ This too was consistent with panhellenic unitarian teleological communitarianism: in particular, with communitarian emphasis on the authority of collective civic traditions. Moreover, it was consistent with the particular application of that wider communitarian ideal in democratic ideology. Constitutional tradition had long served as a source of legitimacy for democratic measures, as in 462.¹⁰⁹ In the years between the two oligarchic coups, incumbent democrats stressed the authority of the 'ancestral

¹⁰⁶ IG I³ 1154 (460-450), B, l. 1; 97 (412/11), l. 13.

¹⁰⁷ Veligianni-Terzi (1997), A1-3, A5-6, A8, A10-11, A14-15, A17, A19-23, A26-27, A29-40, A42-43, A45.

¹⁰⁸ For 411: [Aristotle] *Athenaion Politeia* 29.3, 31.1. For 404-3: Diodorus 14.3.3 claims that both 'those who wanted oligarchy' and 'the majority' claimed to be advocating a version of the 'ancestral constitution' after peace was made with Sparta. By contrast, [Aristotle] *Athenaion Politeia* 34.3 (cf. Rhodes (1981), 427-8) implies that only the moderate oligarchs, not involved in factional clubs, advocated a return to the 'ancestral constitution' at this point, as required by the peace terms (such a condition is missing from most accounts of the peace: Rhodes (1981), 427). It is quite probable that this is a case where Pseudo-Aristotle restricted to his favoured 'moderate' party a type of principled political argumentation which was more widespread, as Diodorus suggests. Indeed, Pseudo-Aristotle himself suggests that, after gaining power, the Thirty initially claimed to be running the ancestral constitution (35.2).

¹⁰⁹ [Aristotle] *Athenaion Politeia* 25.2.

laws', not least as a supposed means of restoring civic stability.¹¹⁰ Moreover, in 404-3, democrats probably made their own claims that radical democracy was the true ancestral constitution of Athens.¹¹¹

The Thirty supplied some clearly anti-democratic content to their notion of the ancestral constitution: for example, they imitated aspects of the Spartan constitution.¹¹² Significantly, however, they also adapted, or reconceived, democratic institutions. They retained the Council.¹¹³ Moreover, as Németh has suggested, the institutional structure of the ruling board of Thirty itself may have been inspired by democratic models: democratic boards of Thirty, with a minimum age of thirty, are a better institutional precedent than the Spartan γερονσία, which had a minimum age of sixty and included the two kings.¹¹⁴ The Thirty also attempted to remove legal and constitutional ambiguities and contradictions,¹¹⁵ a move which can be seen as an application of democratic principles of political transparency and rationality.

The corollary of oligarchs' monopolistic communitarian self-presentation was presentation of their citizen opponents, who advocated, or acted on, rival specific notions of civic virtue and Athenian constitutional history, in a particular way: as non-virtuous, self-interested and licentious opponents both of civic order and of Athenian traditions and interests. The Old Oligarch stigmatised the poor everywhere as distinguished by 'lack of learning' (ἀμαθία), 'disorderliness' (ἀταξία) and 'vice'

¹¹⁰ Ostwald (1986), 405-411; Dössel (2003), 69, 87-8.

¹¹¹ Diodorus 14.3.3; Rhodes (1981), 428. Compare the response to the oligarchy of 411 of the Athenian democrats on Samos: Thucydides 8.76.6.

¹¹² Krentz (1982), esp. 63-8; Whitehead (1982/3).

¹¹³ Cf. Lewis (1994), 35, n. 47.

¹¹⁴ Németh (2006), 13-19.

¹¹⁵ [Aristotle] *Athenaion Politeia* 35.2.

(πονηρία). He probably mainly had the Athenian people in mind;¹¹⁶ he subsequently implied they were barely distinguishable from slaves.¹¹⁷

In 404-3 itself, the radical oligarchs sent two probably radical members of the Thirty, Aischines and Aristoteles, to Lysander at the start of the purges, to ask for help in ‘removing’ the ‘vicious’ (πονηροί) of Athens.¹¹⁸ Lysias confirms that the Thirty claimed to be purifying the polis of the non-virtuous: it was necessary to make the polis ‘pure of unjust men’ (τῶν ἀδίκων καθαράν ποιῆσαι τήν πόλιν).¹¹⁹

Such ethical and political representations of Athenian democrats provided apparent ideological justifications and motivations for large-scale purges and expulsions. This was because of the influence of the communitarian rationale for expulsion of citizens, shown in chapter 1, section 3c) to be prominent in Athens and the wider Greek world: it is legitimate, or even necessary, to expel perceived threats to the persistence of a virtuous, integral civic community.

The oligarchs’ exclusionary virtue rhetoric was partly influenced by the rich tradition of Greek anti-democratic rhetoric, originating in the Archaic period. However, it also comprised concrete applications of indeterminate tropes pervasive in democratic rhetoric. Balot shows that oligarchs borrowed common criticisms of the greed of demagogues or the whole δῆμος which had been offered in the course of the non-

¹¹⁶ Cf. [Xenophon] *Athenaion Politeia* 1.5, 7.

¹¹⁷ [Xenophon] *Athenaion Politeia* 1.10.

¹¹⁸ Xenophon *Hellenica* 2.3.13.

¹¹⁹ Lysias 12.5. Cf. Plato *Seventh Letter* 324d: Plato initially thought that the Thirty would convert the Athenians from injustice to justice.

revolutionary civic life of the later-fifth-century democracy.¹²⁰ For example, a passage not far removed from oligarchic criticism of the supposed selfishness of Athenian democrats is the Thucydidean Pericles' criticism of the members of the Athenian δῆμος for neglecting common safety (τοῦ κοινοῦ ἢ σωτηρίᾳ) at a time of collective need, distracted by private misfortunes.¹²¹

Oligarchs' vilification of Athenian democrats is also reminiscent of the invective of later-fifth-century political comedy: comic plays abound with attacks on citizens' ethical qualities, especially allegations of greed and profiteering through civic activities.¹²² In addition, criticism of the 'ignorance' of the Athenian poor, attested in the Old Oligarch, recalls democratic pride in Athenian intellectual standards: Thucydides' Pericles not only stresses Athenians' love of learning, but also implicitly contrasts them with less cultivated outsiders less interested in rational argument,¹²³ a kind of differentiation easily adapted into a criticism of the lack of education of poorer Athenians.

The oligarchs' rhetoric of exclusion also comprised concrete applications of the vague democratic ideal of Athenian ethnic-cultural purity. Bertrand suggests that the Old Oligarch's criticism of the corruption of the purity of Attic culture and language through contact with visiting and resident foreigners¹²⁴ recalls the demagogic, exclusionary civic communitarianism underlying Pericles' Citizenship Law of

¹²⁰ Balot (2001), 192-201, 207.

¹²¹ Thucydides 2.60.4.

¹²² For such attacks on leading figures, compare the portrayal of Cleon in Aristophanes *Knights* (e.g. ll. 247-54, 258-65) or of Lamachos in Aristophanes *Acharnians* (e.g. ll. 593-622). Compare ridicule of sycophants: e.g. Aristophanes *Acharnians*, ll. 815-28, 904-958.

¹²³ Thucydides 2.40.1-2.

¹²⁴ [Xenophon] *Athēnaion Politeia* 2.8.

451/0.¹²⁵ In describing the Athenian poor as ignorant and base, and physically indistinguishable from (barbarian) slaves,¹²⁶ the Old Oligarch assimilated them to external, impure threats to Athenian ethnic, cultural and linguistic uniformity:¹²⁷ not merely members of individual low-status families, but outsiders to a collective biological group.

Also reminiscent of the democratic assumption that the Athenian citizen-body had unique inherited qualities, needing protection from infiltration,¹²⁸ was the Thirty's attempt to create a restricted Athenian citizen-body of Three Thousand citizens with an unquestionable entitlement to that status, enjoying a monopoly of political power. Indeed, as Parker shows, the ideal of the 'purity' of the Athenian citizen-body, in need of protection from illegitimate outsiders, was influential in both contexts.¹²⁹

Significantly, as Loraux argues, the myth of autochthony underlying democrats' confidence in their collective biological inheritance, a myth with its own indeterminacies and inconsistencies,¹³⁰ was a cause of devastating exclusivity even in non-revolutionary Athenian civic life.¹³¹

The overlaps between democratic and oligarchic exclusionary rhetoric explain the fact that 'the polis' supposedly *welcomed* the Thirty's initial purges of sycophants and

¹²⁵ Bertrand (1989), 41. That law was to be upheld, after forced concessions to inclusivity in the later Peloponnesian War, immediately after the democratic restoration in 403 (Athenaeus Book XIII, 577b; ; *Scholia in Aeschinem* 1.39; Lape (2010), 21-3).

¹²⁶ [Xenophon] *Athenaion Politeia* 1.10.

¹²⁷ For the turning of rhetoric about ethnic and cultural uniformity against previously integral members of a political community: Furet (1992), 103.

¹²⁸ On the anxiety to preserve the ethnic uniformity of the citizen-body evident in Classical Athenian sources: Davies (1977/8), 111-14.

¹²⁹ Parker (1983), 262-3.

¹³⁰ Cf. Loraux (2000), esp. 111-24.

¹³¹ Loraux (1993), 205-208, 234-6; cf. Sissa (2009); Lape (2010), 82-94, ch. 3.

demagogues.¹³² Indeed, Pseudo-Aristotle even suggests that the Thirty's identification of 'vicious' citizens worthy of removal initially coincided with more widespread assessments: they removed those whom Pseudo-Aristotle himself regarded as rascals (κακοπράγμονες) and vicious men (πονηροί), guilty of flattering the people contrary to what was best (τὸ βέλτιστον).¹³³ Furthermore, the overlaps between democratic and oligarchic exclusionary rhetoric probably account for Aristotle's claim that the oligarch Charikles behaved like a demagogue in his attempts to attract support among the oligarchs against his rivals:¹³⁴ to accuse an orator of demagoguery usually implied that he used aggressive democratic communitarian rhetoric, attempting to rouse the majority of citizens, rather than simply a close group of supporters.¹³⁵

Like their appeals to libertarian contractarian norms, oligarchs' attempted justifications of expulsions by reference to communitarian ideals, including those of Athenian democratic political culture, could be interpreted simply as cases of manipulation and distortion of mainstream civic ideals for pre-established, self-interested ends. However, the limitations of the instrumentalisation theory first discussed in sub-section B) above restrict the force of this interpretation.

Moreover, the claim that the oligarchs tendentiously manipulated and distorted Athenian communitarian ideals presupposes that those ideals possessed determinate

¹³² [Aristotle] *Athenaion Politeia* 35.3; cf. Diodorus 14.4.2 (the 'most decent' (ἐπιεικέστατοι) citizens approved). On possible democratic enthusiasm for oligarchy (though not for persecutions as in 404-3): Taylor (2002); (2010), 192-223.

¹³³ [Aristotle] *Athenaion Politeia* 35.3.

¹³⁴ Aristotle *Politics* 1305b26. Compare the oligarchs' reported fear that Theramenes would become 'leader of the people' (προστάτης τοῦ δήμου) ([Aristotle] *Athenaion Politeia* 36.1).

¹³⁵ Cf. Connor (1971).

content, which the oligarchs overlooked or suppressed. In fact, the sharply contrasting interpretations of communitarian ideals, including specifically Athenian ones, discussed in this sub-section suggest that both generic Greek and Athenian communitarian ideals were radically indeterminate: there was no single objective interpretation of them by which citizens could orient political language and conduct. As far as the generic communitarian paradigm is concerned, different citizens considered here, like philosophers throughout antiquity, disagreed about the meanings of ἀρετή and σωφροσύνη. Similarly, the Athenian instantiation of the communitarian paradigm left ambiguous the nature of the ‘ancestral constitution’, enabling citizens to advance rival interpretations of it.¹³⁶

Although radically indeterminate in content, the generic and Athenian unitarian teleological communitarian paradigms of good citizenship were highly determinate in form, as is clear from previous chapters and this sub-section. Under these paradigms, the good citizen should be an altruistic, devoted member of a solidaristic community of virtuous citizens. He should be prepared to ferociously suppress flickers of disruptive self-interest or unorthodox thought, on the part of himself or fellow citizens.¹³⁷

In 404-3, as the discussion above shows, this combination of indeterminacy and determinacy became a cause of exclusionary *stasis*. The effects of war and certain Athenians’ own aggressive entitlement claims created a situation of tension and uncertainty. This situation demanded concrete interpretations of civic virtue and of

¹³⁶ On the indeterminacy of Classical Athenian civic identity in general: Connor (1994).

¹³⁷ For Athens, compare Henderson’s (1998) analysis of the παρρησία of fifth-century political comedy; also Monoson (2000), 52-7.

‘Athenian’ interests, values and traditions, as sources of legitimacy and useful, precise guides to the evasion of individual and collective disaster. Because there was no determinate content to those notions to which to appeal, wealthy or disillusioned Athenians’ attempts to develop and advocate concrete interpretations of them necessarily resulted in contentious, specific interpretations, influenced by their experiences, material interests and intellectual influences.

On the other hand, however, the formal determinacy of the communitarian paradigms influential on them obliged them to conceive and present those contentious, specific interpretations in monopolistic terms: as uniquely justified visions of Athenian civic virtue, traditions and culture. Conceiving and presenting their interpretations in this way required them to conceive and present their notion of Athenian communitarian unity as in need of protection through the removal of dissenters and outsiders:¹³⁸ all those who advanced, supported, acted on or symbolised interpretations of indeterminate shared ideals at variance with their own.

It was not simply contingent that wealthy and disillusioned Athenians quickly identified large numbers of fellow citizens who were, according to their specific ideological schemes, vicious anti-citizens. Because the content of shared Athenian ideals was so indeterminate, many others citizens held or advocated divergent interpretations of them. Moreover, wealthy and disillusioned Athenians’ specific interpretations of civic virtue were not free-standing, but were partly constructed through the drawing of contrasts with the habits of poorer Athenians: truly virtuous

¹³⁸ A mirror image of this argument is Furet’s argument that the republicans of the French Revolution were guided by the absolutist conception of an indivisible French state in their radically communitarian rhetoric, including their stress on the primacy of ‘public safety’ (Furet (1981), e.g. 39; (1992), 77, 84, 103-104, 140).

anti-democratic Athenians were those who did *not* dress like slaves, participate in unruly collective revelry or hang on the words of popular orators.¹³⁹ When the formal demands of unitarian teleological communitarian norms and the strains of the situation compelled wealthy and disillusioned Athenians to advocate monopolistically their own unequivocal and specific notions of virtue, they inevitably stigmatised as vicious anti-citizens those people, necessarily very prominent in their own consciousness, in opposition to whose habits they had constructed those precise notions themselves.¹⁴⁰ Those democratic Athenians who initially welcomed the Thirty's persecutions did not recognise this destructive potential of a concerted attempt at a supposedly redemptive purge of the *πονηροί*, members of a shared but ill-defined category.

On one view, the process described here was one of 'shaping' rather than 'causing': the influence of the communitarian paradigm shaped existing contentious claims and ideas into a coherent exclusionary ideology. However, that process of 'shaping' had such a radical effect that it is reasonable to regard it as a 'cause' of the *stasis* and expulsions: it transformed distinctive interests and perspectives, which might otherwise have been subjects of peaceful negotiation, into monopolistic perceptions of legitimacy, sufficiently strong to motivate political violence and expulsions.

Further confirmation of the overall argument is that, after its establishment, the members of the oligarchic regime soon turned on each other: 'die Revolution fraß ihre eigenen Kinder'. Oligarchs' dogmatic, monopolistic rhetoric about civic virtue and

¹³⁹ Cf. [Xenophon] *Athenaion Politeia* 1.10, 13; Plato *Republic* 557a2-562a3.

¹⁴⁰ Compare Derrida (1981), 133-4, identifying a tendency of the Greek city to expel in crises actual and metaphorical scapegoats (including Socrates), men who were supposedly perfect anti-citizens, but were in fact nourished and given prominence by the polis itself; men by reference to whom the polis itself developed and reinforced notions of civic order and civic rationality.

civic integrity demanded attempts to destroy all particularity, including that of the varying individual perceptions of collective interests and individual entitlement among their own number: according to Xenophon, rival oligarchs exchanged allegations of vice and greed.¹⁴¹

This analysis of the contribution of democratic communitarianism to the form and content of late-fifth-century oligarchic ideology can be compared with Taylor's recent plausible interpretation of Thucydides's analysis of the oligarchic coup of 411. In Taylor's view, Thucydides makes Pericles provide in his speeches in Books I and II a model of patriotic citizenship: devising and advocating with conviction one's own distinctive conception of Athens as an ideal polis, divorced from the material and geographical realities of Attica. According to Taylor, Thucydides then depicts the oligarchs of 411, and their opponents in the fleet in Samos, imitating this model: they each display devotion to their incompatible abstract 'definition(s) and vision(s) of the city'.¹⁴²

Although the view Taylor attributes to Thucydides has important similarities with that presented here, there are also significant differences. This sub-section has suggested that the indeterminacies in the communitarian idealism of the Thucydidean Pericles derived from pre-existing, broader indeterminacies in Athenian, and panhellenic, communitarian norms. Those indeterminacies were not simple products of the inventiveness of certain Greeks, but reflections of fundamental moral ambiguities.¹⁴³ Moreover, there was probably no firmer, more consensual ground on which the Athenians could have based determinate interpretations of their communitarian ideals:

¹⁴¹ Cf. Xenophon *Hellenica* 2.3.33, 43; Ungern-Sternberg (2000).

¹⁴² Taylor (2010) (quote p. 276).

¹⁴³ Cf. Williams (1993).

if they had made physical territory the focus of civic unity, it is unlikely that there would have been consensus about the political and economic geography of Attica. In addition, the view which Taylor attributes to Thucydides does not explain why passionate appeal to communitarian ideals which were, in fact, indeterminate led to *stasis* in some circumstances but not others.¹⁴⁴

Moreover, a process not mentioned by Taylor played a crucial role in the cases considered here: the independent destabilising influence of communitarian paradigms was intensified in the later fifth century by a second, simultaneous process, involving the interaction of libertarian contractarian and communitarian norms. The prevailing tension and uncertainty discussed above demanded unequivocal, straightforward political programmes which were internally consistent as well as precise. Under the pressure of this demand, wealthy or disillusioned Athenians sought to develop coherent ideological schemes which, followed in practice, would enable them to realise simultaneously their contrasting communitarian and libertarian contractarian senses of themselves as citizens: to pursue simultaneously, first, a substantive conception of the common good and, second, personal and sectional interests and perceived entitlements.

Eudaimonist ideas¹⁴⁵ could have served this purpose: the Athenians concerned could have reconceived their narrow personal welfare as inextricably tied to communal success. In fact, however, they performed an inverse type of reconciliation: they inflected their crystallisations of open-ended Athenian communitarian ideals with their existing idiosyncratic political value-judgements, resentments and concrete

¹⁴⁴ Note, however, Taylor (2010), 4.

¹⁴⁵ I.e. ideas belonging to the common Greek line of thought according to which virtue is necessary for well-being.

perceptions of sectional and personal entitlement, all encouraged by libertarian contractarian norms. The Old Oligarch, for example, assimilated wealthy material contributors to poleis, such as himself, whom he considered entitled to political power as a reward for their services, to the ethically ‘best’ men (οἱ βέλτιστοι).

Full reconciliation of competing imperatives required uncompromising vilification of those who opposed, or stood to lose from, the implementation of wealthy and disillusioned Athenians’ entitlement claims: that was the only way in which oligarchs could reconcile their divisive insistence on their perceived entitlements with their sense of patriotic civic solidarity. In an example of this, Xenophon’s Theramenes claims that the poor individuals whom he thinks can legitimately be excluded from the Athenian citizen-body would ‘sell their city for a drachma’: he distorts poorer Athenians’ financial needs, the reason for their inferior material civic contributions, into supposed evidence for a lack of patriotism, an implicit justification for the following, fundamentally contractarian proposal to restrict the citizen-body to those, such as Theramenes himself, able to help the city with horses and shields.¹⁴⁶

Such reconciliations of the competing practical entailments of the rival norms were less demanding than eudaimonist ones: they required less abstraction from immediate circumstances and little revision of already well-formed convictions. The resulting ideological schemes were, in the first instance, resolutions of subjective conflicts of motivation and orientation within the thinking of individual wealthy or disillusioned Athenians. However, they also superficially reconciled the objective conflict of values at the heart of Athenian and panhellenic civic political culture: for example, the Old

¹⁴⁶ Xenophon *Hellenica* 2.3.48; Ungern-Sternberg (2000), 153.

Oligarch's and Xenophon's Theramenes' visions of an exclusive civic community of virtuous, patriotic material contributors seemingly harmonised respect for strict reciprocal justice with an aspiration to ethical community within a single utopian programme. As a result, those ideological schemes could have seemed to their particular exponents to offer comprehensive resolutions of the difficulties provoked for themselves by their polyvalent political cultures.

D) Critias' ideology as case-study

Critias' ideology illustrates the mixed normative influences on radical oligarchic thought. A commitment to individualistic or contractarian ideas is detectable in some evidence for Critias' action and thought. Theramenes' reported claim that Critias established democracy in Thessaly and armed the Thessalian serfs (*penestai*) in their struggle against their overlords during his exile¹⁴⁷ must have had some factual basis, in order for it to appear to Xenophon's audience a plausible accusation for Theramenes to have made. If Critias did intervene on behalf of hereditary serfs in Thessaly, his intervention furthered a radical, abstract ideal of personal freedom, of the kind discussed above: entitlement to self-determination is rooted in nature and not limited by contingent social status, at least for ethnic Greeks.

Moreover, Critias was probably an advocate of the 'slogan'¹⁴⁸ that σωφροσύνη (self-control) is τὸ τὰ ἑαυτοῦ πράττειν ('doing one's own things').¹⁴⁹ The evidence is that Plato makes Socrates claim that, though he was reluctant to admit it,

¹⁴⁷ Xenophon *Hellenica* 2.3.36.

¹⁴⁸ Bultrighini (1999), 50.

¹⁴⁹ Cf. Schofield (2006), 24.

Critias had advocated this notion of σωφροσύνη to the young citizen Charmides.¹⁵⁰

Plato's Critias subsequently eagerly takes over from Charmides the defence of the doctrine.¹⁵¹ There is a strong reason for doubting the authenticity of Plato's attribution of this slogan to Critias: Plato had a strong polemical interest in showing that it was Critias, rather than Socrates, who imbued anti-civic ideas in impressionable young wealthy Athenians such as Charmides. However, it is unlikely that Plato simply invented Critias' association with this ambiguous slogan. Indeed, Plato could have hoped to achieve his rhetorical aim of showing that Critias had a deficient understanding of Socratic ideals only if he expected the words which he ascribed to Critias to ring true to his audience. That audience, composed of early-fourth-century Athenians, would have remembered Critias' actual rhetoric.

As is clear from Socrates' initial criticism of it in the *Charmides*, an implication of one interpretation of the slogan that σωφροσύνη is τὸ τὰ ἑαυτοῦ πράττειν is that the self-controlled man restricts his attention to 'his own' business; similarly, each citizen of the self-controlled city concentrates exclusively on his own business.¹⁵²

Critias could well, therefore, have used this slogan as an assertion of extreme Sophistic individualism: it is ethically good for individuals to concentrate exclusively on their own affairs and welfare.

Critias probably also adhered, partly under the influence of the relevant strands of democratic political culture, to the principle that political power should be distributed in accordance with personal or sectional desert. His conviction that the 'best men'

¹⁵⁰ Plato *Charmides* 161b-c, 162c.

¹⁵¹ From Plato *Charmides* 162c onwards.

¹⁵² Plato *Charmides* 161d-162a; Schmid (1998), 32-3.

should rule¹⁵³ was probably principally a version of the communitarian claim that the welfare of the polis as a whole is greatest when the ‘best men’ rule. However, he could also easily have interpreted it as a claim that those with the best physical, ethical and social qualities make the greatest contributions to the survival and success of the polis: they deserve the privilege of ruling. Indirect evidence that Critias supported this kind of meritocratic principle is his reported insistence that more good men are formed by practice than by nature.¹⁵⁴ An obvious polemical context for this comment, though it derives from Critias’ elegy on the Spartan constitution, would be a general debate at Athens about political desert, in which Critias was forced to respond to the objection that ‘the best men’ do not deserve political privileges, because their qualities are due to nature, not their own efforts.

However, because of the nature of the political cultures in relation to which Critias oriented himself as a citizen, he had to reconcile his claims to individual and sectional entitlement with communitarian ideals.¹⁵⁵ He could have achieved this by curbing his entitlement claims, in an *ad hoc* fashion, in fidelity to an indeterminate notion of Athenian solidarity. However, this was not straightforward for him: because he was an abstract thinker as well as a practical politician,¹⁵⁶ he could not easily tolerate normative inconsistencies; and the turbulent circumstances of the Peloponnesian War demanded an unambiguous and coherent redemptive vision of Athenian civic solidarity. Consequently, a more satisfying way for him to achieve the reconciliation was to fuse his entitlement claims with communitarian ideals in a systematic way. In

¹⁵³ Cf. Xenophon *Hellenica* 2.3.25.

¹⁵⁴ Critias fr. 9 DK. Bultrighini (1999), 80-1, thinks that Critias must have held that nature and practice are both necessary for virtue: practice perfects an existing good character.

¹⁵⁵ On Critias’ probable ‘puritanical streak’: Ostwald (1986), 465.

¹⁵⁶ For an argument that Critias was principally an abstract thinker, rather than a practical politician: Németh (2006), 23-4, 38-9; cf. Schofield (2006), 149. Bultrighini (1999), esp. 31-2, by contrast, argues that Critias’ political thought and political actions were closely entwined, a view partly inspired by Momigliano (1969b).

contrast to his relation, the eudaimonist Plato, he achieved this by embedding, or rather submerging, his claims to individual and sectional entitlement in monopolistic, partisan interpretations of loosely-defined communitarian ideals.

For example, Critias probably strove to endow his doctrine of σωφροσύνη with a more communitarian sense than that discussed above. As presented in Plato's *Charmides*, Critias was able to interpret his doctrine that σωφροσύνη is τὸ τὰ ἑαυτοῦ πράττειν as the doctrine that 'to do (πράττειν) one's own things' is to perform those actions which are truly fine and beneficial (τὰ καλῶς τε καὶ ὠφελίμως ποιούμενα).¹⁵⁷ other actions are merely ποιήσεις, rather than πράξεις;¹⁵⁸ they are not truly the agent's own, because not 'appropriate' (οἰκεῖα) for him. 'Doing one's own things', and thus σωφροσύνη, can therefore be redefined as 'doing good things' (ἢ τῶν ἀγαθῶν πράξις).¹⁵⁹ The fact that Plato, generally hostile to Critias, here ascribes to Critias a doctrine resembling aspects of Plato's own thought¹⁶⁰ makes it probable that the report is accurate: Plato would have been unlikely to credit a man he was trying to discredit with doctrines close to his own, unless it was undeniable that the historical Critias had advocated them.

Critias' alternative interpretation of the doctrine that σωφροσύνη is τὸ τὰ ἑαυτοῦ πράττειν is unequivocally communitarian. The 'good' actions involved in this

¹⁵⁷ Alternatively, in the light of the preceding discussion of whether a craftsman can be self-controlled and the reference to Hesiod *Works and Days*, l. 309, Critias could be referring here only to the making of finely-made things, not to fine actions in general.

¹⁵⁸ The latter necessarily occur μετὰ τοῦ καλοῦ.

¹⁵⁹ Plato *Charmides* 163a-e.

¹⁶⁰ Cf. Socrates' definition of justice at *Republic* 433b3-5, 433e5-435a1.

alternative form of σωφροσύνη, ‘appropriate’ (οἰκεῖα) for the agent concerned, are objectively beneficial (not βλαβερά) for fellow men.¹⁶¹ Moreover, this interpretation presupposes, like much of the unitarian teleological communitarian rhetoric considered in this thesis, that there is an objectively appropriate form of life for a human agent: certain actions are necessarily truly ‘appropriate’ for him and, therefore, necessarily τὰ ἑαυτοῦ.¹⁶² Critias is known from other evidence to have taken the additional communitarian step of arguing that good political institutions should encourage citizens to develop dispositions to perform the actions truly appropriate for them. The clearest indication is Critias’ expressed admiration for the sympotic and military habits of the Spartans: Spartan moderate drinking practices encourage self-control (σωφροσύνη); their military beakers are unostentatiously practical.¹⁶³

Critias’ more communitarian interpretation of σωφροσύνη well served his ideological needs. This was partly because of the ambiguity it created, which made it possible to justify the claim that σωφροσύνη is ‘doing one’s own things’, otherwise a cry for unrestricted personal freedom, in apparently robust communitarian terms. However, it was also because the specific character of the communitarian interpretation put σωφροσύνη beyond the reach of poorer Athenians, precisely because of their poverty. Critias probably associated σωφροσύνη principally with activities serving no immediate material end and bringing no personal profit, clearly

¹⁶¹ The argument of Schmid (1998), 34-5, that Critias’ καλῶς τε καὶ ὠφελίμως ποιούμενα are beneficial only for the agent himself is not convincing. It requires an implausible interpretation of the Greek. Moreover, it is inconsistent with Socrates’ line of questioning in 164a1-c6.

¹⁶² Plato *Charmides* 163c4-d3.

¹⁶³ Critias fr. 6, ll. 15-22; 33-4 DK.

πράξεις, not mere ποιήσεις.¹⁶⁴ Cultural and intellectual pursuits were probably the paradigm cases. Poorer Athenians, who did not already enjoy the same financial and social advantages as Critias, could not aspire to the required abstinence from demeaning profitable work. Moreover, most poorer Athenians had not received the education required to appreciate and undertake the relevant intellectual and cultural pursuits.¹⁶⁵

This case makes clear a paradox concerning the common Greek communitarian high evaluation of considered, virtuous action, contrasted with instrumental action,¹⁶⁶ a probable reaction against the encouragement of forms of strategic, exploitative action by the libertarian contractarian paradigm. Although shared by ancient democrats¹⁶⁷ and championed by some modern critics of individualistic capitalism,¹⁶⁸ this high evaluation of non-instrumental action could easily itself lead to stigmatisation of those who performed necessary roles, satisfying shared purely material needs, or who relied on wages to meet their own material needs.¹⁶⁹

In connection with Critias' placing of σωφροσύνη and associated legitimate claims to political power beyond the reach of the Athenian poor, it is significant that, by diverting the focus on to good action, Critias' reinterpretation of his doctrine of

¹⁶⁴ Cf. Aristotle *Nicomachean Ethics* 1140a1-b21.

¹⁶⁵ Plato's Critias implies a low opinion of manual workers' moral qualities at *Charmides* 163b5-8. Compare the criticism of the lack of education of the poor in [Xenophon] *Athenaion Politeia*, esp. 1.5. For justification of the denial of political rights to manual workers on similar grounds: Aristotle *Politics*, e.g. 1278a20-1.

¹⁶⁶ E.g. Aristotle *Nicomachean Ethics* 1140a1-b21;

¹⁶⁷ For example, Thucydides' Pericles disparages purely strategic assistance to others at Thucydides 2.40.5.

¹⁶⁸ E.g. Arendt (1958), esp. Part V.

¹⁶⁹ Compare the stigmatisation of wage labour, even in democratic contexts: e.g. Isocrates 14.48; cf. Finley (1981), 105-107. For the general argument above, compare Williams (1993), ch. 5, on the common Greek attribution of 'necessary identities' to slaves.

σωφροσύνη provides the stepping-stone in the *Charmides* towards an extended discussion between Critias and Socrates of a further conception: σωφροσύνη as a form of knowledge.¹⁷⁰ One possibility canvassed is that σωφροσύνη is ‘architectonic’ knowledge of all other forms of knowledge and of itself. Applied to politics, such a notion of ‘architectonic knowledge’ could easily have led to a radically hierarchical form of communitarianism: virtuous, wise experts should exercise power over those with lower competences, which they themselves can understand, at least at an abstract level, organising them into a well-ordered, productive polis. Such thinking could easily have helped to shape the exclusionary ideology of the Thirty.¹⁷¹ Under this model, the superior, foundational type of knowledge to which the architectonically wise man can lay claim, indispensable for the functioning of the polis as a whole, indemnifies him against having to acknowledge claims to deserved political power in conflict with his own, made by those endowed with ‘lesser’ competences which he himself does not possess.

Because Critias’ brand of virtue-centred communitarianism put σωφροσύνη beyond the reach of the Athenian poor, promoting it forced Critias to represent his democratic opponents as bad citizens, lacking in the self-control necessary for virtue. This is evident from the full text of the epitaph reportedly inscribed on the monument of Oligarchia attacking Demokratia set up in Critias’ honour after his death, which probably reflected his own ideas: ‘here is a monument to good men, who restrained

¹⁷⁰ Plato *Charmides* 165b-176b.

¹⁷¹ Schmid (1998), 129; Schofield (2006), 148-9. The historical Critias probably thought along these lines: as in the case of the Platonic Critias’ initial communitarian notion of σωφροσύνη, Plato would have been unlikely to credit Critias with support for doctrines resembling his own unless the historical Critias was associated with them.

the accursed δῆμος from arrogant self-assertion (ὑβρις) for a short time'.¹⁷² There was no necessary 'dissonance'¹⁷³ between the violence of the relief and the language of virtue and restraint in the inscription: Critias and his associates probably conceived violent treatment of the δῆμος, including expulsions, as the necessary means to restore virtue to Athens.

The specific character of Critias' brand of virtue-centred communitarianism was strongly influenced by Spartan and philosophical models. Indeed, it was partly a reaction against democratic values: Critias' notion of σωφροσύνη was partly a response to perceived internal and imperialist excesses of the democracy.¹⁷⁴ However, Athenian incarnations of Greek communitarianism probably also influenced him. For example, his emphasis on σωφροσύνη was not far removed from the rhetoric of democratic solidarity and self-restraint. Indeed, the excoriation of democratic ὑβρις in the inscription on his posthumous monument represented a striking inversion of the application of the prominent democratic belief¹⁷⁵ that ὑβρις is a severe anti-social vice.

Moreover, Critias' more general interest in individual and collective virtue echoes the emphasis placed on virtue, self-sacrifice and collective strength in fifth-century Athenian epigraphy, comedy and oratory, discussed above.¹⁷⁶ In addition to Critias' probable stigmatisation of instrumental action, considered above, particularly relevant as evidence for overlapping concerns is the emphasis placed by a character in the

¹⁷² *Scholia in Aeschinem* 1.39.

¹⁷³ Ober (2003b), 236.

¹⁷⁴ Bultrighini (1999), 59.

¹⁷⁵ Fisher (1992), ch. 3.

¹⁷⁶ Bultrighini (1999), 77-8.

Pirithus, a play probably by Critias, on the importance of a ‘good habit’ or ‘good disposition’ (τρόπος), more immune to rhetorical manipulation than law.¹⁷⁷ Since this idea coheres with Critias’ interest in virtue and self-control, discussed above, he could well have been attributing to a fictional character a view to which he himself was sympathetic. If so, Bultrighini is right to argue that Critias shared with the Thucydidean Pericles¹⁷⁸ a characteristic communitarian preference for moulding the τρόποι of citizens, as opposed to merely legislating, as a means of furthering collective civic aims.¹⁷⁹

E) Why the democratic ideal of equality was no barrier to oligarchic arguments

An important general objection to a central arguments of this sub-section is that oligarchic arguments from freedom, desert, virtue or community were antithetical to democratic arguments from the same principles: the democratic commitment to equality formed a strong barrier between them.¹⁸⁰ However, there is no evidence that Athenian democrats ever conceived equality in the unconditional way which would have been necessary to make it a strong barrier against oligarchic arguments: they never identified the citizen’s claim to equal status as an inalienable, unconditional civil right. As Ober says, there was no ‘foundational standard’ in Athenian democratic ideology.¹⁸¹ Rather, equality had to be justified through arguments often similar in type to some oligarchic arguments.

¹⁷⁷ Critias fr. 22 DK.

¹⁷⁸ Cf. Thucydides 2.39.4 (on the τρόπος of courage).

¹⁷⁹ Bultrighini (1999), 73-6.

¹⁸⁰ Ober (1989), 93-4; Bultrighini (1999), 65-6.

¹⁸¹ Ober (1996), 101.

First, political equality could be justified in libertarian contractarian terms. It could be justified as a prudential means of maximising Athens's military strength and individual citizens' prosperity,¹⁸² an argument which collapsed after the Sicilian expedition.¹⁸³ Indeed, this argument probably lost its force in the changed circumstances even in the minds of poorer Athenians, whom Thucydides and Pseudo-Aristotle represent showing meagre resistance to the proposals for a prudential shift to oligarchy in 411.¹⁸⁴

Another libertarian contractarian defence of equality relied on appeal to personal worth and associated entitlement. Aristotle claims that democrats regarded free birth as the criterion of worth (*ἀξία*) in accordance with which political and legal privileges should be distributed. By contrast, oligarchs regarded wealth or noble birth as the criterion and aristocrats virtue.¹⁸⁵ According to the democratic approach, the political and legal privileges of the citizen are conditional on his free status. The probable underlying justification was that free citizens *qua* free citizens make contributions to the city which entitle them to civic rights: fighting, maintaining households, cultivating land and bearing new citizens. This conditional notion of democratic equality has strong affinities with the oligarchic argument that certain citizens are entitled to superior political and legal privileges on account of their particular civic contributions. One of the arguments of Thucydides' Alcibiades shows how rhetoric about earned equality could be used to support anti-egalitarian ideas: citizens do not share in the misfortunes of leading figures, so they have no claim to

¹⁸² E.g. Herodotus 5.78.

¹⁸³ Osborne (2003), 256-8.

¹⁸⁴ Taylor (2002); (2010), 192-223.

¹⁸⁵ Aristotle *Nicomachean Ethics* 1131a25-9.

share in their good fortune; they should only 'lay claim to the same things' if they 'give out equal things'.¹⁸⁶

Second, political equality between citizens could be justified in communitarian terms, as a corollary of civic fraternity. This style of argument for equality was satirised by Plato: Athenians are equal by nature because they are brothers, born of one mother (the Athenian soil).¹⁸⁷ This approach made the citizen's entitlement to equal political status conditional in another way: conditional on membership of an imaginary autochthonous community. This argument from community and common origins bore strong affinities to oligarchic arguments considered in the previous sub-section.

F) Conclusion: the paradoxes of fifth-century Athenian democratic political culture and their double-edged effects

The coexistence of rival libertarian contractarian and unitarian teleological communitarian norms probably promoted stability and prosperity in fifth-century Athens. Communitarian norms fostered a sense of common purpose which compensated for the divisiveness of contractarian norms. The very indeterminacy of communitarian ideals normally made it possible for a wide range of Athenians, with quite different perspectives,¹⁸⁸ to endorse them, treating them as shared points of reference in consensual debate: diverse members of the Athenian civic community could regard themselves as members of a pure Athenian autochthonous community of virtuous citizens, provided that relevant claims to ethnic and ethical purity, including their own, were not carefully scrutinised. On the other hand, contractarian norms authorised the provision of incentives for individual initiative and unorthodox

¹⁸⁶ Thucydides 6.16.4; Ober (1999), 110.

¹⁸⁷ Plato *Menexenus* 238e-239a.

¹⁸⁸ Cf. Connor (1994), 38-40.

thought,¹⁸⁹ compensating for communitarian norms' potential encouragement of conformity and apathy.¹⁹⁰

It has been argued, for example, that potential disruptive domestic effects of wealthy Athenians' profiteering from the economic opportunities presented by fifth-century Athenian imperial control of much of the Aegean were dissipated by the workings of the Athenian liturgical system and by the strong Athenian ethos of solidarity and cultural unity, without wealthy Athenians being deterred from profitable, exploitative economic activity abroad, indispensable for domestic prosperity.¹⁹¹ In a similar way, libertarian contractarian norms authorising magistrates to accept bribes and other benefits as *de facto* rewards for their civic service¹⁹² were held in check in the Classical democracy by communitarian norms making receipt of bribes a dereliction of civic duty. Conversely, tribal and civic festivals probably helped to keep the self-assertion and hard bargaining of poorer Athenians within peaceful bounds: those festivals gave legitimacy to differences of status and wealth through their dynamics and symbolism, but also placed poorer Athenians in relations of conviviality and friendly competition with wealthier citizens.¹⁹³

The two sets of norms could sometimes be temporarily fused in a consensual way. For example, the public epigram for the Athenians who died at Potidaea in 432 used the

¹⁸⁹ Cf. Ober (2008), e.g. 105-106.

¹⁹⁰ Cf. Ober (1989) on the fruitful coexistence of contractarian norms, especially in the economic sphere, with communitarian norms, concentrated in the social, political and religious spheres. Ober has retreated from this approach in later works (e.g. Ober (1996); (2005); (2008)), in which he suggests that the Athenians harmoniously reconciled conflicting values in coherent composites. For democratic communitarianism blunting the divisive effects of harsh (especially economic) contractarianism, compare Moreno (2007); Lape (2010), 43-4, 202-3; cf. Ludwig (2002), 332; Shanske (2007), 45-6. For a denial that the communitarian generosity of wealthy Athenian citizens served to secure social equilibrium: Veyne (1976), 200; cf. 218-19.

¹⁹¹ Moreno (2007), esp. ch. 3.

¹⁹² Brun (2000), 169; cf. Hyperides 5.24-5.

¹⁹³ Compare Parker (2005), e.g. 261-3 (on the Panathenaea).

verb ἀλλάσσομαι, a word associated with commercial exchange,¹⁹⁴ to describe how the dead men had exchanged (ἐ[λλ]άχσαντ') their lives (φσυχὰς δ' ἀντίρρο[π]α θέντες) for ἀρετή, posthumous glory:¹⁹⁵ the ideals of the 'market' polis and of the patriotic military-political community were welded together in a single sentiment.

However, the survival of the balance of norms depended on citizens' toleration and ongoing negotiation of normative indeterminacies and contradictions in their everyday civic life. In the later fifth century, the normative balance was put under strain by the emergence of a new generation unfamiliar with the founding compromises and inconsistencies of the democracy and the empire:¹⁹⁶ a generation of citizens less adept at mutually selectively curbing their own self-assertion and mutually selectively tolerating one another's aggressive pursuit of entitlement claims. The balance was also put under strain by the pressures of the Peloponnesian War: ongoing war left none of the time or material resources necessary for careful, open-ended deliberation about normative contradictions.

The Athenian democratic polis fractured into irreconcilable factions when, faced with the resulting difficult choices, different Athenian citizens made rival attempts to derive a coherent, straightforward political manifesto from the practical entailments of the conflicting, indeterminate strands of Athenian political culture. One means of achieving ideological simplicity was to seize on, and concretely apply, one of the main poles in Athenian norms of citizenship.

¹⁹⁴ E.g. Plato *Laws* 915e1.

¹⁹⁵ Peek GV 20, ll. 11-12.

¹⁹⁶ Forrest (1975).

Unmitigated rival claims to earned political entitlements proved irreconcilable, while attempts to concretely apply shared indeterminate communitarian ideals led to devastating conflict. It was not merely contingent that, when citizens monopolistically advocated their rival specific interpretations of shared communitarian ideals, they quickly identified particular opponents as vicious anti-citizens. Whereas, as discussed above, anti-democratic Athenians defined their specific visions of Athenian civic order by reference to a negative stereotype of the democratic Athenian, democratic Athenians defined their symmetrical visions by reference to stereotypes of wealthy or disaffected Athenians as conspirators and aspirant tyrants.¹⁹⁷

Nor was it merely contingent, given the prevailing social structure, that each side applied the shared communitarian ideal of self-sacrificing, non-instrumental action in these symmetrical, divisive ways. As suggested above, for wealthier Athenians, it was obviously the relatively uneducated poor, dependent on wages and lacking time for sustained education and cultural activities, who acted purely strategically, in a way inconsistent with virtue. For democrats, by contrast, it was obviously members of the Athenian elite, perceived as parasitical on the majority of citizens and on democratic institutions,¹⁹⁸ who did so.

An alternative, more comprehensive means to derive a coherent, straightforward political manifesto from Athenian political culture was for citizens to collapse their mixed understanding of themselves as citizens, as both personal-utility-maximising property-owning family heads and devoted, virtuous patriots, into concrete, partisan conceptions of good Athenian citizenship, which they developed, and expressed,

¹⁹⁷ Cf. n. 200 below.

¹⁹⁸ E.g. Aristophanes *Acharnians*, ll. 595-622.

through their political action and speech.¹⁹⁹ Later-fifth-century oligarchs' partisan concrete syntheses of this kind, considered in this section, were partly reactions against those of later-fifth-century democrats or 'demagogues': specific democratic visions of Athens as a homogeneous, militaristic, traditionalist civic community, perpetually threatened by conspiracy,²⁰⁰ which had embedded in them subjective political preferences and contentious perceptions of the deserved entitlements of the less wealthy majority.²⁰¹

Such visions appeared to their exponents and supporters to offer models of civic order simultaneously sensitive to requirements of freedom, reciprocal justice, virtue and community. For example, Ober has interpreted Thucydides as arguing that democratic ideological 'fictions' of this type underpinned the assent of the democratic majority to the Sicilian expedition in 415: Athenian assembly-goers constructed an exclusive, provocative vision of the Athenian polis as a homogeneous community determined to assist oppressed allies in Sicily, a means of reconciling 'justice and expediency' by making the fulfilment of their collective and individual agonistic desires for conquest and its rewards appear to coincide with the requirements of virtue, self-sacrifice and civic community.²⁰²

¹⁹⁹ Cf. Furet (1981), 59, on Robespierre's inability, under the pressures of the revolutionary situation, to master the 'political art' of 'playing a double keyboard': speaking the language of Macchiavellian interest-oriented bargaining simultaneously with the utopian language of indivisible popular sovereignty, as smoothly achieved by Mirabeau (pp. 49-50). For 'playing a double keyboard', compare the way Thucydides' Pericles can in some contexts advocate his contentious policy of purely naval imperialism and defence (e.g. 1.140-4), but in the Funeral Speech constructs a vague, consensual image of a unified Athens of devoted, virtuous citizens.

²⁰⁰ Cf. Aristophanes' satire of Cleon as a man obsessed with the threat of anti-democratic conspiracy in *Knights*, e.g. ll. 235-9, 255-7. On the resulting climate of fear of conspiracy in later-fifth-century Athens: Rhodes (2000), 128, citing Thucydides 6.27.3, 28.2, 60.1. On the dogmatic exclusivity of much later-fifth-century democratic rhetoric and ideology: Osborne (1985); Murray (1990b); Bultrighini (1999), 12; Morgan (2003b), xxiv-xxv; Raaflaub (2003); Kallet (2003), 117; Ober (2003b), 215, 224; Mitchell (2006), 183-6.

²⁰¹ In particular, perceptions that the δῆμος deserved political power because it provided manpower for the fleet, the basis of Athenian power.

²⁰² Ober (1999), 114, 116-17.

Neither oligarchs' nor demagogues' ideological claims had significant appeal for the other side: they were not principally appropriations of shared norms designed to lull opponents into acquiescence, like ideologies in Classical Marxist theory. Indeed, oligarchs' and demagogues' rival embeddings of preferences and entitlement claims in communitarian rhetoric precluded possible means of restoring civic equilibrium: bargaining concerning reciprocal entitlements was impossible, because each side conceived and presented its entitlement claims in monopolistic terms; and appeal to shared values was excluded, because each side interpreted those values in a specific, contentious way.

Rather than engaging in bargaining or collective reflection on shared values, each side necessarily stigmatised the other. Members of each group necessarily stigmatised members of the other for pursuing their own narrow interests and perceived entitlements, even in ways authorised by widespread libertarian contractarian norms, on which they themselves relied. They also necessarily stigmatised each other's members as vicious outsiders from an imagined Athenian civic community united in commitment to their respective partisan, concrete interpretations of shared civic values: that was the only way in which they could continue to conceive and present themselves as devoted patriots, despite their divisive pressing of their entitlement claims, at the expense of those opponents. Demagogues' stigmatisation of opponents led to expulsions, including expulsions of future oligarchs, who were probably radicalised by the experience.²⁰³ Similarly, as shown above, the oligarchic

²⁰³ Whitehead (1982/3), 117 (on Critias; cf. Xenophon *Hellenica* 2.3.15); Osborne (2003), 264; Németh (2006), 97, 104-105.

embeddings provided the impetus for large-scale exclusions and expulsions of democratic opponents.

ii) The large-scale expulsion, or semi-obligatory emigration, of Athenian democrats under the regime of 322-319

The argument that the large-scale expulsion of 404-3 was partly an explicable product of Athenian democratic political culture is strongly reinforced by the fact that a similar large-scale emigration of Athenian democrats occurred in a similar period of tension and uncertainty eighty years later. In 322, after the Macedonian general Antipater's victory at Crannon decided the Lamian War, Antipater granted terms of surrender to an Athenian embassy to him at Thebes: the Athenians could be free Macedonian allies if they gave up leading anti-Macedonian agitators and reverted to their 'ancestral constitution'. It was stipulated that this ancestral constitution included a census requirement.²⁰⁴ The qualification for citizenship introduced was 2000 drachmas, probably in absolute property rather than in land alone.²⁰⁵

The effect of this census requirement was that a large number²⁰⁶ of poor Athenians lost their citizenship.²⁰⁷ Many of those affected left Athens: they dispersed principally to Thrace, where Antipater offered them land and possibly also a city,²⁰⁸ but probably

²⁰⁴ Diodorus 18.18.4; Plutarch *Phocion* 27.5.

²⁰⁵ Poddighe (1997); (2002), 106.

²⁰⁶ Plutarch *Phocion* 28.7 claims that 12,000 lost their citizenship, but Diodorus 18.18.5 claims that 22,000 were removed from Athens. Hansen (1985), 67, considers it very probable that one of the figures was originally present in both texts, but it is impossible to determine which one is the result of manuscript corruption.

²⁰⁷ They probably did not, however, become formal ἄττιμοι: Poddighe (1993), e.g. 280-1; (2002), 75-107; contrast (for example) Gehrke (1976), 92.

²⁰⁸ Diodorus 18.18.4; Plutarch *Phocion* 28.7.

also to the Peloponnese and elsewhere.²⁰⁹ A single large-scale emigration in 322 was probably followed by periodic emigrations of disenfranchised Athenians, or those who sympathised with them, in the period until the democratic restoration in 319. Most of those who left Athens, in 322 or later, were not strictly ‘exiles’ or ‘forced migrants’, but neither were they ‘voluntary’ migrants: the new census requirement, and the accompanying political and social situation, played a significant role in causing them to choose to leave the city. On the democratic restoration, emigrants flocked back to Athens.

There is limited direct evidence for wealthier Athenian citizens actively encouraging or supporting Antipater’s proposal of a census requirement.²¹⁰ Some Athenians probably adopted a moderate, pragmatic attitude similar to that commonly attributed to Phocion, the long-serving general in the fourth-century democracy who became the principal civic leader in the new regime.²¹¹ Others probably adapted their political rhetoric in an oligarchic direction, but only after the new distribution of interstate and internal Athenian power became clear.²¹²

The only known probable advocate of harsh anti-democratic measures on the Athenian embassy to Thebes is Kallimedon: according to one story, Kallimedon urged Antipater not to reverse his decision to impose a garrison on Athens.²¹³ However, it is very probable that a substantial number of his fellow Athenians, especially the

²⁰⁹ Poddighe (2002), 69-72. For formal Athenian exiles emigrating to the Peloponnese at this point: Plutarch *Phocion* 29.4. Plautus *Rudens*, based on an original play by Diphilus, depicts Athenian exiles living in Cyrene around this time (cf. chapter 4, n. 36).

²¹⁰ Cf. Davies (1977/8), 113: the settlement as ‘Macedonian fiat’.

²¹¹ Gehrke (1976), 100; Lehmann (1997), 25; Green (2003), 5; Rhodes (2010), 69, with n. 11. For pragmatic mollification of Antipater by Phocion: Plutarch *Phocion* 29.4.

²¹² Cf. Gehrke (1976), 98-9, on Demades; contrast Williams (1989); Brun (2000).

²¹³ Plutarch *Phocion* 27.8-9; Gehrke (1976), 98.

wealthiest, shared Kallimedes's probable approach:²¹⁴ even Phocion and Demades subsequently proved sympathetic to the maintenance of the Macedonian garrison.²¹⁵ Indeed, in general, it would not have made political sense for Antipater to enforce the census requirement if he did not expect it to positively appeal to a non-negligible part of the Athenian citizen-body.²¹⁶ Moreover, the requirement could probably not have been implemented so efficiently without substantial support among Athenians.²¹⁷

Pre-existing tensions between oligarchic and democratic Athenians are faintly detectable in the sources.²¹⁸ In debates preceding the Lamian War, politically-active Athenians were reportedly divided into anti-war wealthy citizens and pro-war demagogues.²¹⁹ The disagreement between these groups may have been a symptom of deeper social and political divisions: the threat of disenfranchisement against members of the Areopagos who took their seats in the event of a tyranny, in the anti-tyranny law of 337/6,²²⁰ probably reflects suspicion in some quarters that members of the Areopagos harboured anti-democratic inclinations.²²¹

Another argument in favour of the causal relevance of the domestic political situation to the large-scale emigration is that, even if Antipater was the principal exponent of the reduced franchise, he did not order the mass emigration of the disenfranchised.

Admittedly, Antipater's offer of land in Thrace was an important inducement to leave

²¹⁴ Poddighe (2002), 198, 283; contrast Lehmann (1997), 29-30.

²¹⁵ Hackl (1987), 66.

²¹⁶ Cf. Hackl (1987), who even suggests that Antipater himself may have been relatively indifferent about Athens' constitution, provided that the city remained loyal.

²¹⁷ Although Phocion and Demades heavily predominate in the literary sources, a much larger number of Athenians were involved in running the new regime: nine proposers of decrees other than Demades are known (Oliver (2003), 47-8). Many more must have supported it more passively.

²¹⁸ Contrast Rhodes (2005b), esp. 287; (2010).

²¹⁹ Diodorus 18.10.1; Poddighe (2002), 18.

²²⁰ Rhodes-Osborne, *GHI* 79, ll. 11-22.

²²¹ Cf. Rhodes and Osborne (2003), 390-1: the law as a whole as a warning-shot against citizens around Demosthenes, suspected of undemocratic leanings.

Athens. However, the pressures of life in Athens for disenfranchised Athenians probably also played a significant role in encouraging them to emigrate.²²² Indeed, Plutarch suggests that those disenfranchised Athenians who remained in Athens ‘appeared’ (ἐδόκουν) to be suffering ‘wretched and dishonourable things’ (σχέτλια καὶ ἄτιμα), even though the Macedonian garrison ‘did not trouble the people’ (τοὺς ἀνθρώπους).²²³ Moreover, there is no evidence that Athenians who remained as citizens used either private charity or public decision-making to mitigate the effects of the reduced franchise.

A probable reflection of earlier hostilities is the nature of the emigrants’ return to Athens in 319: no joyous homecoming, it led to two acrimonious meetings of the assembly, at which Phocion was respectively removed from office as general and condemned to death.²²⁴ At the second of these assemblies, the assembled returnees and other democrats reportedly identified Phocion and his associates as oligarchically-inclined.²²⁵ The antagonisms evident at these assemblies overshadowed Athenian politics at least for the following thirty-five years.²²⁶

It is not surprising that there are only hints of significant internal Athenian divisions, and their connections with the mass emigration, in the surviving sources. Plutarch and Diodorus both made use of sources extremely favourable to Phocion,²²⁷ which almost certainly assigned all responsibility for the Athenian catastrophe to Antipater. The epigraphy of the incumbent regime in the period 322-319 presents an image of

²²² Cf. Poddighe (2002), 107.

²²³ Plutarch *Phocion* 28.7.

²²⁴ Plutarch *Phocion* 33.2-4; 34.3-35.5.

²²⁵ Plutarch *Phocion* 34.6.

²²⁶ Habicht (1997), 49-97.

²²⁷ Cf. Gehrke (1976), 194-8; Brun (2000), 27; Poddighe (2002), 177; Lamberton (2003).

consensus among remaining citizens, with no allusions to the disenfranchised. The restored democratic regime of 319-17 also downplayed internal divisions. It represented 322-319 as a temporary oligarchic interlude in the civic life of a united δῆμος, exiled in its entirety, as in 404-3, by the oligarchs: in 319, the δῆμος ‘returned’ (ὁ τε δῆμος [κατελ]ήλυθε καὶ τοὺς νόμους καὶ τὴν δημοκρατίαν ἀ[πείλη]ψε).²²⁸ Behind these ideological veils almost certainly lies a far more complex political situation.

Athenian democratic political culture played a significant role in creating and shaping the grievances which almost certainly motivated some wealthier Athenians to support the census requirement and to harass or neglect the disenfranchised: dominant later-fifth-century tendencies, discussed in the previous sub-section, recurred. As in 404-3, some wealthier Athenians had probably been alienated by democratic orators’ use of aggressive communitarian rhetoric to advocate specific visions of Athenian solidarity. Such democratic rhetoric, and associated identification of specified public enemies, is particularly well-attested for the tumultuous, uncertain period between the Battle of Chaironeia and the emigration of 322,²²⁹ comparable in this respect to the period c. 431-404. Evidence includes the anti-tyranny law of 337/6, but also the radical democratic communitarianism of Demosthenes’ *De Corona*, Lycurgus’ *In Leocratem* or Hyperides’ *Funeral Oration*. Exclusive democratic communitarian tendencies are known to have produced oligarchic, or, at least, pro-Macedonian, exiles: the unleashing of democratic anti-Macedonian feeling on the death of Alexander led to the apparently voluntary flight of Pytheas and Kallimedes himself. These exiles

²²⁸ IG II² 448, ll. 62-4.

²²⁹ Cf. Brun (2000), 136-7.

remained politically active in exile; they may well have been further radicalised by it.²³⁰

Athenian democratic political culture also positively shaped the conduct and ideology of members of the new regime. In contrast to the oligarchic regime of 404-3, this regime overtly preserved democratic institutions, including an active assembly:²³¹ the regime passed and inscribed decrees at a rate more commonly associated with democratic than with non-democratic government.²³² This institutional continuity enabled Demades to continue to behave as a traditional democratic orator-politician,²³³ sometimes promoting or reviving concerns and policies of the pre-322 democracy.²³⁴ This persistence of institutions and political methods is itself a striking indication that Athenian democratic institutions and norms could be seamlessly adapted to suit less egalitarian political arrangements.

The considerations which motivated support for the census requirement itself are difficult to establish. However, those which can be reconstructed resemble those which motivated later-fifth-century oligarchs. Like oligarchic ideologies of 404-3, they can be interpreted as applications of, or deductions from, the fundamental civic norms identified here as prominent in the Greek civic world. Since, as in the earlier case, Athenian democratic political culture was the principal influence on the political consciousness of the citizens concerned, it is reasonable to assume that those fundamental norms had influenced supporters of the census requirement through the

²³⁰ Pytheas' anti-Athenian activities in exile: Plutarch *Demosthenes* 27.2-5.

²³¹ Williams (1989), 26-7; Tracy (1995), 18-19; Habicht (1997), 44-5; Brun (2000), 121.

²³² Oliver (2003), esp. 40-1.

²³³ Williams (1989), 27; Tracy (1995), 20; Habicht (1997), 45.

²³⁴ Brun (2000), 122-3, 125.

medium of Athenian political culture. Once again, this hypothesis is reinforced by evidence, considered below, for overlapping particular rhetoric and principles.

Some previously comfortable with democracy, such as Demades, probably advocated and accepted the census requirement as a prudential means of securing Macedonian clemency.²³⁵ This pragmatic willingness to sacrifice democratic institutions recalls the way many democratic Athenians apparently readily accepted oligarchy in 411, as a means of obtaining the support of Alcibiades and the Persians. Once again, therefore, the fact that equality was not an unconditional, foundational principle in Athenian political culture enabled a prudential departure from it.

Moreover, it is very probable that some wealthier Athenians repeated a central ideological move of later-fifth-century oligarchs. As Poddighe argues, some wealthier Athenians probably justified the restriction of citizenship to those with property worth more than 2000 drachmas partly on grounds of contractarian reciprocity: it was only those citizens with property over the census level who contributed to the city's finances, rather than being a financial burden on them; it was therefore only those citizens who were entitled to benefit from the privileges of citizenship.²³⁶ The underlying idea that civic privileges are a reward for concrete civic contributions could also have been an argument for refusal of pity or public assistance to those affected by the census requirement. The argument that the poorest contributed nothing substantial to Athens was probably strengthened, as in 404-3, by the collapse of

²³⁵ Brun (2000), esp. 117-20.

²³⁶ Cf. Poddighe (2002), 106.

Athenian naval power, the most visible reflection of poorer Athenians' concrete contribution to Athenian interests, at this point.²³⁷

Such arguments would have been applications of the classic 'oligarchs' argument', formulated by Aristotle²³⁸ in the same milieu as that of these wealthier Athenians. However, they would also have been applications of strict norms of personal desert central to fourth-century democratic rhetoric and ideology. Arguments from crude reciprocity were pervasive in fourth-century oratory:²³⁹ for example, the wealthy speaker of Lysias 21, facing possible disenfranchisement, explicitly appealed for clemency from the δῆμος as recompense for his substantial liturgical contributions.²⁴⁰ Demosthenes himself defended principles of strict reciprocity in more generic terms in 355, arguing that Leptines' law would strip civic benefactors of fiscal exemptions which they had earned, rewards which represented an incentive for possible future benefactors.²⁴¹

Direct evidence for the continued influence of democratic contractarianism on the regime of 322-319 is the new regime's preservation of strictly contractarian hortatory clauses in its honorific epigraphy, identical to parallel clauses in democratic honorific texts: clauses presenting civic honours as returned favours (χάριτες), made in exchange for good services (εὐεργετήματα) to the polis.²⁴² The move from democratic to oligarchic applications of fundamental contractarian principles was not

²³⁷ Cf. Hackl (1987), 62.

²³⁸ Aristotle *Politics* 1280a25-31: 'oligarchs' claim that a polis is like a business partnership; in such a partnership, those who contribute most capital should receive most of the profits.

²³⁹ Cf. Ober (1989), e.g. 231-3; Allen (2000), esp. 241.

²⁴⁰ Cf. esp. Lysias 21.12, 25, with Millett (1998), 231-2; Davies (1971), 592-3; Todd (2000), 229.

²⁴¹ Demosthenes 20, e.g. 45-7, 57, 64-5, 87.

²⁴² E.g. Poddighe (2002), 'Epigraphi. Parte I' (pp. 141-169), no. 3, ll. 5-8. Compare an only slightly earlier democratic example: *IG II²* 448, ll. 16-19 (in the first honorary decree, of 323/2, for the younger Euphron of Sikyon).

necessarily great: wealthier Athenians accustomed to bargaining with the δῆμος could easily have come to question what material benefits they received in return for their extensive financial and personal contributions, beyond protection from democratic persecution.²⁴³

In addition, certain wealthier Athenians' grievances against poorer Athenians were intensified because they were entangled with disagreements about foreign policy: divisions over the vexed question of relations with Macedon. Libertarian contractarian norms of free speech could have emboldened the pro-Macedonian Athenians in question to advocate the fulfilment of their preferred foreign-policy objectives by whatever means possible, including constitutional change.

Moreover, in a phenomenon familiar from 404-3, the relevant wealthier Athenians' subjective policy-preferences and interconnected perceptions of material and political entitlement gained polemical, exclusionary force because they embedded them in precise interpretations of amorphous ideals which were central to Greek unitarian teleological communitarianism: both to its generic, panhellenic form and to its incarnation in Athenian democratic political culture. As in 404-3, they probably did so partly because their entitlement claims clashed with their own, and their fellow citizens', expectations of civic consensus and solidarity: this clash demanded some form of harmonisation. They probably also did so, as in 404-3, because an existential military threat to the Athenian polis, and the resulting stark foreign-policy dilemma, compelled them to conceive a straightforward, immediate path to redemption: one

²⁴³ Cf. Christ (2006), 9-10, 13-14.

which harmonised and crystallised the practical entailments of the rival paradigms of good citizenship influential on them.

The new regime represented itself as the legitimate embodiment of the Athenian people, competent to make collective ethical judgements concerning individuals' relationships with the δῆμος. Its members presented themselves as the sovereign δῆμος in their surviving decrees.²⁴⁴ These included honorific decrees, often virtually indistinguishable from recent democratic honorific decrees,²⁴⁵ praising naturalised foreigners for their εὐνοία towards the δῆμος²⁴⁶ and, more rarely, for their φιλοτιμία towards the δῆμος.²⁴⁷ Moreover, in denying the right of burial on Athenian soil to the exiled leading anti-Macedonians,²⁴⁸ the new regime exercised one of the most striking patriotic, exclusionary prerogatives of the Athenian δῆμος: the denial of burial in Attica to those exiled for treason, most famously applied to Themistocles.²⁴⁹

Moreover, like the oligarchs of 404-3, members of the regime of 322-319 probably themselves claimed that limiting the franchise was a means of upholding the ancestral constitution: Diodorus claims that they administered the polis in accordance with 'the laws of Solon'.²⁵⁰ The orientation of such claims strongly recalls the traditionalism of

²⁴⁴ Collected as Poddighe (2002), 'Epigraphi. Parte I', nos. 2-14 (pp. 147-69); cf. Oliver (2003), 42-3 (table).

²⁴⁵ Compare *IG II²* 448, ll. 12-15 and 18-19, with Poddighe (2002), 'Epigraphi. Parte I', no. 3, ll. 1-8.

²⁴⁶ Poddighe (2002), 'Epigraphi. Parte I', no. 3, ll. 2-4; no. 5, ll. 11-12; no. 6, ll. 1-2; no. 8, ll. 1-2, 18-20; no. 12, ll. 7-9, 10-12.

²⁴⁷ Poddighe (2002), 'Epigraphi. Parte I', no. 5, ll. 11-12; no. 8, ll. 14-15. Φιλοτιμία in democratic decrees (first attested in the fourth century): Veligianni-Terzi (1997), 211-12.

²⁴⁸ Plutarch *Vitae decem oratorum* 849c; Williams (1989), 25; Habicht (1997), 45; Brun (2000), 118.

²⁴⁹ Thucydides 1.138.6.

²⁵⁰ Diodorus 18.18.5; cf. Habicht (1997), 44; Baynham (2003), 23; Rhodes (2005b), 285.

recent democratic civic life: for example, Lycurgus' building programme or the rhetoric of his *In Leocratem*.

In addition to claiming to preserve the integrity of the Athenian δῆμος and its traditions, those in charge of the new regime showed a concern to maintain immaculate public space, the scene of continued collective rituals. Demades proposed a decree requiring the ἀγοράνόμοι and private citizens to preserve the beauty and cleanliness of the agora and streets in the Piraeus, especially those streets required for a procession in honour of Zeus Soter and Dionysus.²⁵¹

As in 404-3, the corollary of wealthier Athenians' harmonisation of idiosyncratic policy-proposals and far-reaching claims to contractarian entitlement with unitarian teleological communitarian idealism was stigmatisation of those disadvantaged by the census requirement as outsiders from an integral Athenian ethical and ethnic community: individuals deserving no mitigation of their plight. The rhetoric used included appeal to anti-democratic notions, but also specific applications of generic ethical principles prominent in democratic civic life.²⁵²

Plutarch claims that Phocion ensured that the 'refined' (ἀστεῖοι) and 'graceful' (χαρίεντες) citizens held office. Conversely, he 'taught' the 'meddlers' (πολυπράγμονες) and 'revolutionaries' (νεωτερισταί), barred from politics by the census requirement, to love rural life and farming (φιλοχωρεῖν καὶ ἀγαπᾶν

²⁵¹ Poddighe (2002), 'Epigraphi. Parte I', no. 11.

²⁵² For fourth-century Attic oratory as evidence for 'virtue politics': Balot (2009c).

γεωργοῦντας).²⁵³ Like the rest of his account of these events, Plutarch probably derived this report from late-fourth-century Athenian sources hostile to democracy.²⁵⁴ Such accounts probably preserved elements of the rhetoric of the regime of 322-319: this may have been one such element. Even if not, the anti-democratic ideology which coloured those authors' interpretations of recent events very probably resembled, given the proximity in time, that of supporters of the census requirement a few years earlier.

The idea that poorer citizens should become self-sufficient farmers recalls widespread Greek communitarian suspicion of strategic action and wage labour, which was, as discussed above, shared by Classical Athenian democrats.²⁵⁵ Similarly, generalising criticism of poorer Athenians as supposed πολυπράγμονες and νεωτερισταί should not be explained purely as an appeal to aristocratic principles,²⁵⁶ bearing no affinity to democratic ideals. Both 'meddlesomeness' (πολυπραγμοσύνη)²⁵⁷ and vague aspirations to 'change affairs' (νεωτερίζειν) also had strong negative connotations in democratic oratory.²⁵⁸ Moreover, the vilification of poorer Athenians as πολυπράγμονες and νεωτερισταί can be seen as an application of a leading democratic trope about the 'bad citizen': the bad citizen disrupts ordered civic life because he holds the laws in contempt.²⁵⁹

²⁵³ Plutarch *Phocion* 29.5; Gehrke (1976), 102.

²⁵⁴ These probably included Academic and Peripatetic eulogies of Phocion: Gehrke (1976), 194-8; Brun (2000), 27; Poddighe (2002), 177.

²⁵⁵ For a contemporary anti-democratic political application of the ideas underlying such suspicion: Aristotle *Politics* 1278a20-1.

²⁵⁶ Cf. Green (2003), 4.

²⁵⁷ Lysias 1.15; 24.24; Aeschines 2.106.

²⁵⁸ Aeschines 3.225.

²⁵⁹ The stereotype of the disruptive citizen: Lysias 24.25; Aeschines 2.106. Criticism of alleged contempt for the laws: Cleon at Thucydides 3.37.3-4; [Demosthenes] 50.1, 66. Cf. Christ (2006), chs. 2 and 4; the 'bad citizen' as the citizen who avoids legally-enforceable military and financial obligations.

More generally, the vilification of poorer Athenians as πολυπράγμονες and νεωτερισταί recalls the strong ethical invective prevalent in recent democratic oratory: in the uncertain, trying period of the Macedonian conquest of Greece, rival orators promoted their own specific interpretations of indeterminate collective ideals of Athenian solidarity and virtue, disparaging their rivals as treacherous anti-citizens. For example, in 330, Demosthenes and Aeschines, who fleshed out the shared Athenian communitarian paradigm with rival idiosyncratic, contentious visions of Athenian civic virtue and civic organisation²⁶⁰ and of Athenian history,²⁶¹ necessarily stigmatised each other as treacherous opponents of Athenian interests, ethically flawed in character.²⁶²

A related representation of poorer Athenians colours Plutarch's descriptions of the first assemblies of the restored democracy. These descriptions were probably also drawn from later-fourth-century Athenian anti-democratic sources: they probably reflect a similar ideology to that of the supporters of the 322-319 census requirement. According to Plutarch, the assembly which deprived Phocion of the generalship was a 'fully mixed and indisciplined assembly' (ἐκκλησία παμμιγῆς καὶ ἄτακτος), including exiles, foreigners and ἄτιμοι.²⁶³ Similarly, Plutarch claims that the subsequent assembly which condemned Phocion to death included foreigners, slaves and disenfranchised Athenians; the assembly members refused a request for

²⁶⁰ Liddel (2007), 238-42.

²⁶¹ Clarke (2008), 252-61.

²⁶² E.g. Aeschines 3.130-1; Demosthenes 18.126-8. Compare the common embedding of partisan foreign-policy claims in accusations of ἀσεβεία in this period: Mari (2003). As a counterweight to the interpretation offered here, contrast the admiring presentation of these exchanges as a paradigm of Athenian 'virtue politics' in Balot (2009c), 283-8.

²⁶³ Plutarch *Phocion* 33.2.

‘foreigners and slaves’ to withdraw, appealing for the stoning of Phocion and his associates, ‘oligarchic and people-hating men’ (τοὺς ὀλιγαρχικοὺς καὶ μισοδήμους).²⁶⁴

These descriptions of the revived democratic assembly as an indisciplined mob, including substantial numbers of foreigners, were very probably dubious: for example, as mentioned above, the succeeding regime claimed, by contrast, that ‘the δῆμος had returned’.²⁶⁵ Like criticism of supposed lack of self-restraint and virtue, the representation of political opponents as unqualified for citizenship, on legal or ethnic grounds, was not limited to aristocratic rhetoric: examples from fourth-century oratory show that it was also a common feature of democratic rhetoric in disputes between citizens.²⁶⁶

Like much else of the rhetoric and ideology of the Athenian oligarchs of 404-3 and 322-319, partisan stigmatisation of poor, disenfranchised Athenians in this way represented an attempt to apply concretely a trope which, though prominent in the everyday political exchanges of the Athenian democracy, lacked any consensually agreed determinate application.²⁶⁷ Indeed, it was an extreme extension of a phenomenon attested in non-revolutionary Athenian civic life, at an earlier, less desperate stage in Athenian relations with Macedon: when military insecurity demanded scrutiny of civic membership to prevent or reverse dangerous infiltration of

²⁶⁴ Plutarch *Phocion* 34.3, 5-6.

²⁶⁵ *IG* II² 448, ll. 62-4.

²⁶⁶ On the frequency of (often reciprocal) charges of foreign birth by fourth-century democratic citizens: Brun (2000), 49; Lape (2010), 71-94. For the democrat Menander’s deep-seated concern with status distinctions, and especially with the citizen/non-citizen distinction: Davies (1977/8), 113-14; Lape (2004), 234.

²⁶⁷ On the fluidity and permeability of the Athenian citizen-body, which made clear-cut identification of citizens and non-citizens very difficult: Connor (1994), 35-8; Scafuro (1994b).

the citizen-body, through the comprehensive citizen registration (διαψήφισις) in all demes in 346/5, citizens' attempts to identify indisputable ethnic insiders and outsiders led to controversial, partisan accusations of illegitimacy.²⁶⁸

In conclusion, Athenian communitarian ideals were sufficiently vague to permit variety and debate in times of relative peace and prosperity in the fourth century.²⁶⁹

However, when military failure and an acute foreign-policy dilemma demanded a univocal interpretation, that same indeterminacy was a source of divisions:

factionaries were compelled to advocate monopolistically their own interpretations of those Athenian democratic ideals and of the boundaries of civic membership, strongly inflected with idiosyncratic ideas and perceptions of entitlement nourished by libertarian contractarian norms. Doing so required them to vilify opponents as vicious anti-citizens, whose expulsion was necessary for the good of the city.

b) Case-study II: *stasis* and political exile in the early-fourth-century Peloponnesian

i) Background: the disintegration of Spartan hegemony

After the end of the Peloponnesian War in 404, and especially after c. 375,²⁷⁰ exclusionary *stasis* between pro-Spartan oligarchs and anti-Spartan democrats became endemic in the smaller poleis of the Peloponnesian. The unleashing of democrats' desire for revenge by the disintegration of pro-Spartan client oligarchies partly explains this development.²⁷¹ The shifting interstate situation of the early fourth century was also a pivotal factor: Ruschenbusch makes Peloponnesian examples from this period central to his case that *stasis* was invariably a result of disagreements

²⁶⁸ Demosthenes 57, with Lape (2010), 203-216.

²⁶⁹ On the looseness of the notion of the 'Athenian constitution' in the fourth century: Rhodes (2005b), 287-8; (2010), 75.

²⁷⁰ Diodorus 15.40, with Stylianou (1995), 330-2.

²⁷¹ Diodorus 15.40.1-2.

about foreign policy within ruling civic elites.²⁷² Despite their importance, these factors are not adequate in themselves to explain the nature and intensity of this wave of Peloponnesian exclusionary *stasis*: as demonstrated in the following case-studies, it is also necessary to give a central explanatory role to Peloponnesian and wider Greek civic political cultures.

ii) Civic festivals, political violence and citizen expulsion: Corinth, 392,²⁷³ and Phigaleia, c. 375

Two examples involving violence at civic festivals illustrate the possible explosive consequences of the characteristic communitarian enmeshing of the political and religious aspects of civic life. In 395, some influential Corinthians, led by a certain Timolaos, were among those who accepted bribes from Timokrates, envoy of the Persian satrap Pharnabazos, to participate in the anti-Spartan coalition in what was to become the Corinthian War. The Oxyrhynchus Historian claims that Timolaos was motivated by personal resentment of the Spartans. He does not attribute ideological motives to Timolaos' supporters, merely saying that they were men who wanted to 'change affairs' (μεταστῆσαι τὰ πρά[γμ]ατα).²⁷⁴

As a result of setbacks in the subsequent three opening years of warfare, including damage to Corinthian territory, proponents of peace with Sparta became influential at Corinth by 392. Xenophon describes this group as οἱ πλεῖστοι καὶ βέλτιστοι: the former adjective indicates that they were numerous, although subsequent events suggest that it was an exaggeration to present them as the majority; the latter indicates

²⁷² Ruschenbusch (1978), 30, 35-7.

²⁷³ Gehrke (1985), 82-7; Cartledge (1987), 364.

²⁷⁴ *Hellenica Oxyrhynchia* 7.3-4.

that they were, in accordance with Xenophon's standards of virtue, wealthy and aristocratic. In Xenophon's account, the Corinthian recipients of the Persian bribe, those 'most responsible for the war', became alarmed by the prospect of peace with Sparta. As a result, they made a dramatic intervention: they slaughtered many of those supporting peace, in the course of a civic festival. Although many of the older pro-Spartan Corinthians were massacred, younger advocates of peace succeeded in fleeing into voluntary exile.²⁷⁵ Xenophon suggests that all of the c. 500 exiles then returned to Corinth, in response to the pleas of their families and a guarantee of safety from their opponents.²⁷⁶ However, there were around 150 Corinthian exiles in the Spartan-led army which attacked Corinth soon afterwards, with internal collusion.²⁷⁷ This probably suggests that some of those who fled the massacre stayed in exile, or fled into exile a second time when they found conditions in Corinth intolerable.²⁷⁸

Some modern scholars follow Xenophon's account closely in interpreting the massacre and expulsion of 392 as an opportunistic strike against fellow wealthy Corinthians by oligarchs who were disillusioned with Sparta, principally for personal reasons, but had no democratic aspirations.²⁷⁹ The rival interpretation, most prominently advocated by Kagan, is that the massacre and expulsion constituted a democratic revolution.

Kagan's interpretation is the more convincing. The extreme violence of the coup is more compatible with the expression of popular resentment of elite privilege than

²⁷⁵ Xenophon *Hellenica* 4.4.1-5; Diodorus 14.86.1.

²⁷⁶ Xenophon *Hellenica* 4.4.5.

²⁷⁷ Xenophon *Hellenica* 4.4.9.

²⁷⁸ Seibert (1979), 107, assumes that only some of the exiles returned to Corinth after their initial flight.

²⁷⁹ Grote (1888), vol. VII, 494-5; Perlman (1964), 69-70; Ruschenbusch (1978), 30, 35; Salmon (1984), 355-7.

with internal elite squabbling.²⁸⁰ Salmon tries to answer this point: a massacre of this kind was the ‘all too obvious course’ for wealthy Corinthians opposed to peace.²⁸¹ However, it is far from obvious that a small group of opportunistic elite Corinthians worried about a change in foreign policy would have had the ideological conviction or practical strength and support to perpetrate a massacre of fellow wealthy Corinthians.

Another strong argument advanced by Kagan is that the subsequent close collaboration between Corinth and democratic Argos, involving some form of constitutional merger,²⁸² is readily comprehensible only if the new regime in Corinth had democratic sympathies.²⁸³ Salmon suggests that it is explicable in another way: ἰσοπολιτεία²⁸⁴ with Argos, which he thinks was the full extent of the merger, can be understood as an opportunistic move by anti-Spartan Corinthian oligarchs, a means of ensuring a majority of votes in favour of continuing the war in the Corinthian assembly.²⁸⁵ However, this view presupposes extremely short-sighted opportunism on the part of the anti-Spartan oligarchs: allowing Argives²⁸⁶ a vote in the Corinthian assembly would have ensured a ‘democratic’ majority in the Corinthian assembly in relation to all political, social and military questions, not merely in relation to the war. The merger is therefore better regarded as an attempt by victorious Corinthian democrats to entrench their position.

²⁸⁰ Kagan (1962), 453; Lintott (1982), 224.

²⁸¹ Salmon (1984), 356.

²⁸² Xenophon *Hellenica* 4.4.6. Different modern views of the relationship between Corinth and Argos: full union immediately in 392 (Tuplin (1982)); a probable ἰσοπολιτεία (cf. n. 284 below) in 392 followed in 390 by a more far-reaching union (Griffith (1950), 242-52; Kagan (1962), 453); a union in 390 not preceded by an earlier formal agreement (Whitby (1984)); an ἰσοπολιτεία in 392 and nothing more (Salmon (1984), 357-62, who regards Xenophon’s claim that the two cities were unified as an invention of oligarchic, anti-Argive propaganda).

²⁸³ Kagan (1962), 448-9.

²⁸⁴ An agreement between two poleis under which citizens of each could register as citizens of the other.

²⁸⁵ Salmon (1984), 359, 361.

²⁸⁶ At least, all those Argives who registered as Corinthian citizens.

A section²⁸⁷ of Xenophon's own presentation of these events also contains hints that the revolution was democratic. Xenophon vilifies those victorious in the revolution in a way which suggests that they were offensive to him for reasons other than their disloyalty to Sparta. He describes the new leaders of Corinth ruling like tyrants over the city. Moreover, referring to the merger with Argos, he claims that native Corinthians were less powerful than 'metics' in the new regime, a claim reminiscent of other Greek anti-democratic rhetoric.²⁸⁸ Conversely, Xenophon presents those defeated in the revolution, who subsequently plotted against the incumbent regime, in terms which suggest that he regarded them as champions of aristocratic standards against democratic indiscipline: he portrays them as patriots who wished to free their city and, crucially, instil in it 'good order' (εὐνομία), a key anti-democratic ideal.²⁸⁹ Significantly, comparable political and ideological tensions probably surfaced at Corinth in c. 370, when Timophanes seized power with popular backing and his more aristocratically-inclined brother Timoleon orchestrated his controversial assassination.²⁹⁰ The best reconstruction of events in the 390s is, therefore, that opportunist oligarchs with a grudge against Sparta engineered Corinth's entry into the Corinthian War in 395, but their opportunism unleashed forces and resentments which they were unable to control. A full democratic revolution, including expulsions of opponents, was the eventual result, in 392.²⁹¹

²⁸⁷ Xenophon *Hellenica* 4.4.6.

²⁸⁸ Cf. [Xenophon] *Athenaion Politeia* 1.12: metics have ἰσηγορία with Athenian citizens.

²⁸⁹ Gehrke (1985), 85, with n. 21. As evidence against the claim of Salmon (1984), 355-6, that the concept of εὐνομία was not polemically anti-democratic: cf. [Xenophon] *Athenaion Politeia* 1.8-9.

²⁹⁰ Cf. Plutarch *Timoleon* 4.4-5.2.

²⁹¹ The 'democratic' interpretation is here independent of the disputed reading of Diodorus 14.86.1, discussed in Kagan (1962), 449; Salmon (1984), 355-7.

The festival at which the 392 massacre was perpetrated was the Eukleia (τὰ Εὐκλεία): it was sacred to Eukleia, probably conceived as a cult title of Artemis.²⁹² The festival was thus partly a celebration of the abstract quality of Εὐκλεία ('Good Reputation'). Εὐκλεία could be praised²⁹³ and worshipped²⁹⁴ in democratic cities. However, it could also have a strong aristocratic ring, doubtless partly because of its connotations of good breeding²⁹⁵ and military prowess.²⁹⁶ In praising aristocratic Aigina, Bacchylides once presents ἀρετή, εὐκλεία 'loving of garlands' and 'self-controlled' εὐνομία as at the helm of the Aiginetan polis.²⁹⁷ Bacchylides' association of εὐκλεία with εὐνομία was paralleled in the Corinthian case: Xenophon's account of the sequel to the *stasis* of 392 suggests that the Corinthian oligarchs attacked while participating in the Εὐκλεία festival were proponents of εὐνομία.²⁹⁸

In addition to the ideal of εὐκλεία, the principle of Spartan-style age-hierarchy was probably embedded in the structure of the festival. The 'older' citizens were the main victims of the massacre, for they were more prominent in the agora than the younger citizens, who stayed out of trouble in the Kraneion, presumably in the gymnasium there.²⁹⁹ Xenophon suggests this was because one of the younger citizens, Pausimelos, suspected a plot. However, it probably also reflects the organisation of the festival: the older citizens were its directors, permanently established in the central

²⁹² Cf. Plutarch *Aristides* 20.7-8; Braund (1980), 184.

²⁹³ E.g. Pericles at Thucydides 2.44.4.

²⁹⁴ E.g. Pausanias 1.14.5 (reference to a temple of Eukleia in Athens).

²⁹⁵ Cf. Plutarch *Aristides* 20.8: brides and bridegrooms in Boeotia and Lokris customarily make initial sacrifices to Artemis Eukleia.

²⁹⁶ Cf. Sophocles *Ajax*, l. 465; Xenophon *Anabasis* 7.6.32.

²⁹⁷ Bacchylides 13, ll. 176-89. Compare the priesthood of Εὐκλεία and Εὐνομία in another aristocratic polis, Roman Athens (e.g. *IG II²* 3738, ll. 2-3).

²⁹⁸ Xenophon *Hellenica* 4.4.6.

²⁹⁹ Xenophon *Hellenica* 4.4.4; cf. Diogenes Laertius 6.77.

civic space, the agora. Meanwhile, the younger citizens trained in their appropriate civic space, the gymnasium, in preparation for an entrance to the main civic stage choreographed by their seniors.

The embedding of an aristocratic vision of civic order in the festival of Εὐκλεία had probably long served as a source of political stability in Corinth. It could have helped to inculcate support for oligarchy and a sense of communal belonging among all citizens, not least by dissipating the tensions resulting from socio-economic inequalities. Nevertheless, the fact that the festival was the direct target of the democratic revolutionaries of 392 shows that these were not its only effects.

Xenophon himself presents the revolutionaries' decision to attack during the festival as purely opportunistic: there would be more people in the agora to slaughter during a festival.³⁰⁰ Cartledge supports this interpretation, implying that normal civic defences could have been lax during a festival.³⁰¹ However, given the obvious symbolism of the Εὐκλεία festival, and the degree of conviction required to motivate a massacre of this kind, the attack should also be interpreted as an attack on the specific, contentious conception of Corinthian civic community and virtues embodied in it.³⁰²

The incumbent oligarchs' promotion of specific, aristocratic interpretations of communitarian ideals had thus probably alienated a substantial section of the citizen population. This was probably not least because of the oligarchs' characteristically communitarian use of the festival itself to promote those values: celebration of

³⁰⁰ Xenophon *Hellenica* 4.4.2.

³⁰¹ Cartledge (1987), 256.

³⁰² On political violence during festivals, times of heightened emotional intensity: Chaniotis (2006), 211-12.

εὐκλεία and associated concepts through institutionalised collective ritual established them as unquestionable civic values.³⁰³ Partly because of this effect of the festival itself, there was no peaceful way for alienated citizens to express their discontent within the scope of prevailing ‘Corinthian’ culture. As a result, their discontent festered. When it was finally unleashed, its expression took an extremely violent form: the expulsion of representatives of the old order, or at least, the provocation of their preemptive flight, was almost inevitable. The inflammatory entanglement of questions of political legitimacy in religious organisation is also evident from the most notable act of the resulting exiles: in 391, with Agesilaos’ help, they organised their own version of the Isthmian sacrifice to Poseidon and Isthmian games, in competition with the official Argive-Corinthian celebration.³⁰⁴

Events in Phigaleia in the 370s represent a mirror image of this Corinthian episode, with democrats as the incumbents. In. c. 375, pro-Spartan Phigaleians were expelled from their city, almost certainly in a democratic coup.³⁰⁵ They found refuge in the Arcadian polis of Heraea or, more likely, on the nearby Heraion mountain.³⁰⁶ Some time after their expulsion, the exiles attacked their home polis while the Dionysia were ‘by chance’ in progress. After perpetrating a massacre of democrats, they fled again, to Sparta.³⁰⁷

It is implausible that the exiles were not aware of the dates of the Phigaleian Dionysia. Indeed, the Corinthian parallel casts doubt on Diodorus’ claim that it was mere

³⁰³ On the role of Greek civic festivals in defining and promoting fundamental civic values, compare, for example, Goldhill (1987); Sourvinou-Inwood (1990); Chaniotis (1995); Parker (2005).

³⁰⁴ Xenophon *Hellenica* 4.5.2; Seibert (1979), 109.

³⁰⁵ Gehrke (1985), 127.

³⁰⁶ Stylianou (1995), 333-4.

³⁰⁷ Diodorus 15.40.2.

coincidence that the exiles perpetrated their massacre during the civic Dionysia. Like the Corinthian democrats of 392, these Phigaleian oligarchic exiles probably calculated that a festival was a good practical opportunity for an attack on their home polis. Moreover, like the Corinthian revolutionaries, they were probably also aware of the potential effectiveness in a Greek civic context of a highly visible, theatrical intervention: a display of power and conviction, well-suited to attract interest, support or admiration.

In addition, the exiles were probably motivated to attack the Dionysia as, in its democratic form, a monopolistic embodiment of political, ethical and cultural values inimical to their own. The embedding of a vision of civic order in the festival would have been a particularly provocative, monopolistic move if Dionysus was the 'principal deity of the city'.³⁰⁸ Moreover, the festival would have been especially provocative to the oligarchic exiles if it resembled the Athenian democratic Greater Dionysia in its celebration, through drama and ritual, of democratic solidarity, virtues and debate and of the supersession of hierarchy.³⁰⁹ The oligarchs probably also had more purely religious motives for resenting and attacking the festival: they probably perceived a need to preserve the dignity of Phigaleian Dionysos from democratic abuse.

Overall, therefore, the influence of the widespread communitarian ideal of a polis as a unified cultic and civic community, sharing religious practices of unequivocal symbolic meaning, probably helped to cause this Phigaleian *stasis* and the ensuing second exile of the oligarchs. Similar uncompromising, monopolistic politics on each

³⁰⁸ Cf. Hansen and Nielsen (2004), 528.

³⁰⁹ On the Athenian model: Goldhill (1987); Seaford (1994), chs. 7 and 10.

side may well have contributed to causing the oligarchs' initial exile. Overall, the Corinthian and Phigaleian case-studies reveal the possible explosive consequences of a perceived need, recognised by both oligarchs and democrats, to enshrine a concrete vision of civic harmony in sacred practices and symbols.

iii) Justice, civic community and exile in early-fourth-century Phlius

A) Narrative of early-fourth-century Phliasian *stasis* and exilings

The influence of the full range of fundamental norms of citizenship in a disturbed small Peloponnesian polis is evident in Xenophon's presentation of contemporary Phlius. Xenophon's portrayal is heavily shaped by ideological, philosophical and rhetorical factors.³¹⁰ However, his account can nonetheless be used to reconstruct the ideologies of early-fourth-century Phliasians. Since Xenophon himself was a contemporary sympathiser with pro-Spartan, oligarchically-minded Phliasians, himself based in the Peloponnese, his account of their ideology and preferences is a good guide to the probable attitudes of Phliasian and other partisan pro-Spartans in the early-fourth-century Peloponnese. On the other hand, Xenophon could easily have distorted the behaviour of the other Phliasians, less committed to the Spartan cause. Nevertheless, the details of these other Phliasians' behaviour included in Xenophon's account, analysed below, are not obviously the product of tendentious distortion: they do not straightforwardly discredit those other Phliasians.

Phlius had long been a loyal Spartan oligarchy. However, the period after the end of the Peloponnesian War saw the disintegration of the Spartan-enforced oligarchic order. There were already Phliasian pro-Spartan exiles in 392, when the Athenian

³¹⁰ Pontier (2007).

general Iphikrates encroached on Phlius during operations in the Corinthian War. Afraid of invasion by Iphikrates' forces, the Phliasians entrusted their acropolis to the Spartans. Xenophon claims that, despite their good relations with the exiles, the Spartans did not raise the question of the exiles' restoration while holding the acropolis, but departed when the Phliasians' rallied, leaving the polis and the probably democratic³¹¹ constitution intact.³¹² Xenophon's presentation of the opposition between the Spartans' expected and actual behaviour implies that the exiles had initially been expelled in connection with the foundation or preservation of the prevailing Phliasian constitution.

It was only after the King's Peace of 386 that the Spartans were sufficiently confident to impose the restoration of the Phliasian exiles. In 384, after an embassy from the exiles, the Spartan ephors sent a message to the Phliasians, stating that the exiles were friends of Sparta and had been unjustly expelled. Fearing a Spartan invasion, the Phliasians voted in assembly to receive back the exiles and to restore their property, paying compensation to those citizens who had bought their confiscated property from the polis; disputed cases would be settled judicially.³¹³ The return of the exiles, and the restoration of their property, caused bitter conflicts within the citizen-body.

In 381, after King Agesipolis of Sparta had set off on campaign to Olynthos, the Phliasians denied the returned exiles 'just treatment' (τὰ δίκαια): the Phliasians had presumably been constantly deferring decisions about the returned exiles' property since 384, while waiting for a moment when the Spartan authorities would be

³¹¹ Cartledge (1987), 262-3.

³¹² Xenophon *Hellenica* 4.4.15.

³¹³ Xenophon *Hellenica* 5.2.8-10.

distracted from Peloponnesian affairs. The returned exiles insisted that their cases should be heard ‘in an equal court’ (ἐν ἴσῳ δικάστηρίῳ), almost certainly a foreign court,³¹⁴ but possibly a tribunal with equal representation for the exiles and the incumbent citizens, of the type later established at Phlius by Agesilaos.³¹⁵ The incumbent Phliasians refused this demand, ruling that the cases should be heard ‘in the polis itself’: either in a domestic court as opposed to a foreign court, or in the full civic assembly as opposed to a lesser domestic court or a foreign court. As a result, the returned exiles made an unauthorised embassy to Sparta to complain about their treatment. For this they were fined by the Phliasian authorities.

By continuing their embassy after the imposition of the fine, the restored exiles became exiles once again, at least *de facto*. They persuaded the Spartan ephors to order the mobilisation of Spartan forces to help them. Agesilaos, who had guest-friends among the exiles, readily led the resulting campaign against Phlius. In response to Phliasian embassies, he offered not to invade the city if the Phliasians surrendered their acropolis to him, as in 392, but the Phliasians refused.

Consequently, Agesilaos besieged Phlius. Some Spartans complained that a city of 5000 was becoming estranged from Sparta for the sake of a few men: the incumbent citizens made their numbers clear by holding assemblies on the frontier, in view of the Spartan army. However, Agesilaos persuaded the exiles to organise common messes (συσσίτια), financed through loans, presumably from the Spartans. They incorporated into these συσσίτια the relatives and friends who left the city to join

³¹⁴ Hatzfeld (1936-1939), vol. II, 90, n. 2; Lonis (1991), 106, n. 6; Loraux (2001), 243. For foreign courts in the fourth-century Peloponnese: Thür and Täuber (1994), no. 15, ll. 19-22; Rhodes-Osborne, *GHI* 101, ll. 24-35.

³¹⁵ Xenophon *Hellenica* 5.3.25; cf. Rhodes-Osborne, *GHI* 85B, ll. 21-2.

them, themselves becoming *de facto* exiles. As a result, a well-disciplined contingent of 1000 exiles took shape, a force sufficient to dispel Spartan doubts.³¹⁶

The siege continued for twenty months, with the Phliasians avoiding capitulation by halving food rations. A certain Delphion suppressed any dissent or moves to surrender, with the aid of a force of 300 men he had assembled. Nevertheless, food did eventually run out, compelling the Phliasians' capitulation. Given free rein over the settlement, Agesilaos set up a tribunal composed of fifty of the exiles and fifty of the men in the city, to deliberate about who should live or die and to draw up a new constitution.³¹⁷ Its composition makes it likely that this tribunal established an oligarchic constitution: all fifty of the exiles' representatives were probably doctrinaire oligarchs; the fifty previously incumbent citizens allowed to sit on the tribunal by Agesilaos are unlikely to have been convinced democrats.³¹⁸ In the following decades, Phlius was a model pro-Spartan polis: Xenophon devoted a whole chapter to extolling its citizens' virtues as heroic allies of Sparta, loyal and courageous.³¹⁹

Some were presumably sentenced to death by the post-capitulation tribunal. This tribunal may also have imposed sentences of exile. Others fled to preempt the decisions of the new regime: Delphion and a 'criminal' who had assisted him, and stolen arms from the besiegers, fled while the result of the embassy of capitulation was awaited. However their exile had come about, there were certainly democratic or

³¹⁶ Xenophon *Hellenica* 5.3.10-17.

³¹⁷ Xenophon *Hellenica* 5.3.21-5.

³¹⁸ Cartledge (1987), 265-6.

³¹⁹ Xenophon *Hellenica* 7.2.1-3.1.

anti-Spartan exiles in the region in the 360s:³²⁰ Xenophon describes a failed attack on solidly pro-Spartan Phlius by Phliasian exiles, together with Arcadians and Eleians, in the early 360s.³²¹ Moreover, Wilhelm restored ‘the exiles on the Trikaranon’ as one of the signatories to the Common Peace mentioned in the ‘letter to the Satraps’ of 362/1.³²² If Wilhelm’s reconstruction is correct, this text suggests that there was a well-organised Phliasian exile community based around the Argive fort³²³ on the Trikaranon, the hill overlooking the civic centre of Phlius.³²⁴

B) Overview of existing scholarly explanations of ongoing Phliasian stasis

A wide range of factors explain the second exile of the oligarchs in 381, the exile of anti-Spartan Phliasians from 379 and the deep-seated Phliasian civic tensions which underlay both. Like modern scholarship about events at Corinth in 392, modern scholarship about these Phliasian civic conflicts has concentrated on the question whether they were results of internal competition within a small civic elite³²⁵ or of ideological disputes involving a larger proportion of the citizen-body.³²⁶ Both interpretations clearly contain some truth. Individual members of the Phliasian elite championed each side,³²⁷ but the numbers actively engaged on each side were far

³²⁰ Gehrke (1985), 56, 107-108; Pontier (2007), 371, n. 65.

³²¹ Xenophon *Hellenica* 7.2.5-9.

³²² Wilhelm (1984), 101-102, restoring [οἱ ἐκ Τρικαρᾶ]νου φυγ[άδες] in l. 1 of Rhodes-Osborne, *GHI* 42. Although far from certain, this restoration has significant supporting considerations: one would expect a list of participating parties before μετ]έχουσιν τῆς κοινῆς [εἰρήνης] in l. 2; and there is no obvious alternative restoration, of the name of possible signatories or, indeed, of any other words.

³²³ Xenophon *Hellenica* 7.2.1.

³²⁴ Pritchett (1965-1992), vol. II, 72-4, 103-104.

³²⁵ Thompson (1970), 226; Lintott (1982), 225.

³²⁶ Legon (1967); Cartledge (1987), 262-3.

³²⁷ Note the roles of Podanemus and Prokles, guest-friends of Archidamus and Agesilaos respectively (Xenophon *Hellenica* 5.3.13), and of Delphion.

from negligible.³²⁸ Moreover, a combination of self-interest and ideology motivated all those involved. Fisher has shown how pursuit of individual and family honour contributed to the conflicts.³²⁹ Nevertheless, the incumbent citizens' demonstrative 'assemblies on the frontier' and the exiles' συσσίτια were probably, as discussed below, reflections of the simultaneous strong influence of rival democratic and oligarchic ideologies. Another factor stressed in existing scholarship as responsible for the *stasis* and displacements is the destabilising role of the hegemonic polis, Sparta, and its individual citizens.³³⁰

C) The influence of norms of civic voluntarism

The contribution of fundamental norms of citizenship to the behaviour and ideologies of the parties involved has received far less attention. The Phliasian *stasis* clearly illustrates the possible contribution to the creation and escalation of civic conflict, leading to expulsion and flight, of norms of civic voluntarism: norms authorising and encouraging citizens' exercise of individual initiative in using, adapting and inventing civic institutions. Civic voluntarist norms were first considered in chapter 1, section 4; they are more extensively considered in the discussion of the political organisation of exiles in chapter 4.

Loose civic procedures reliant on individual initiative enabled the incumbent democrats to postpone a decision about the exiles' property and entitlements until 381. Moreover, they subsequently enabled them to orchestrate a decision unfavourable to the exiles. Similarly, the democrats were later able to change the

³²⁸ 1000 Phliasians joined the exiles' makeshift συσσίτια; a good proportion of the 5000 citizens at home must have attended the assemblies on the frontier, to make them effective as a display of strength.

³²⁹ Fisher (2000), 110-11.

³³⁰ Legon (1967), 332; Cartledge (1987), 264; Pontier (2007), 368, 370.

location of their assemblies, to the frontier, for political effect. When some democrats eventually themselves fled into exile in or after 379, they organised themselves as a military force and possibly also as a diplomatic ‘polis-in-exile’.

An important reason for the intensity of the conflict was that the oligarchs were equally adept at manipulating loose procedures, and imitating civic institutions, for strategic ends. The oligarchs possessed the practical capacity and abstract sense of legitimacy required to make unilateral embassies to Sparta. Moreover, under Agesilaos’ guidance, they subsequently assumed a formal social and military structure, forming *συσσίτια*. Not giving sufficient weight to the fluidity of public and private in Greek civic affairs, Cartledge resorts to the example of seventh-century Tiryns for a parallel for a ‘private-enterprise mess-system’.³³¹ In fact, these *συσσίτια* probably represented an attempt to emulate a far more immediate model, the ‘public’ *συσσίτια* of Sparta: in a conspicuous example of civic voluntarism, the exiles constructed their own ‘public’ civic institutions. This voluntaristic behaviour reinforced the cohesion of the exiles, as well as their military effectiveness. It thus contributed to causing their eventual triumphant return to their home city and subsequent expulsions of opponents.

D) The clash between oligarchic contractarian arguments and democratic communitarian arguments

Coexisting libertarian contractarian and unitarian teleological communitarian norms also helped to create and sustain the conflicts which led to exilings. Prior to their second exile, the returned oligarchic exiles appealed uncompromisingly to norms of

³³¹ Cartledge (1987), 229.

strict reciprocity and personal entitlement, whereas the democrats simultaneously appealed to communitarian principles. On their embassy to Sparta in 384, the exiles emphasised that Phlius had always been loyal to Sparta while they had been in citizenship. This was an appeal partly to Spartan self-interest, but also to strict reciprocal principles: the exiles had helped the Spartans in the past, so now deserved Spartan help.³³²

Principles of strict reciprocity also underlay their behaviour and posturing after their return to Phlius. Their insistence that their cases should be heard ἐν ἴσῳ δικαστηρίῳ presupposed that the Phliasian polis was an association of disunited citizens with conflicting interests and entitlements: only an impartial body could judge the best way to preserve a fair civic contract.³³³ The returned exiles made clear in this context that they perceived that they were victims of injustice, entitled to redress: there could be no justice (δίκη) if ‘those committing injustice judge’ (οἱ ἀδικοῦντες δικάζοιεν).³³⁴ The returned exiles probably also extended their application of strict reciprocal principles to questions about the distribution of power and influence within the city more generally: indeed, the question of their property was itself entwined with the broader question of the balance of civic power.

The democrats answered the exiles’ demand for an impartial tribunal by insisting that the cases should be heard ‘in the polis itself’. The obvious justification for this counter-claim was a communitarian one: the exiles’ personal interests and entitlements did not outweigh the collective interests and values of the Phliasian polis.

³³² Xenophon *Hellenica* 5.2.8.

³³³ Cf. Loraux (2001), 242-4.

³³⁴ Xenophon *Hellenica* 5.3.10. The exiles’ appeals to strict justice were endorsed by both the Spartans (cf. Xenophon *Hellenica* 5.2.9) and Xenophon himself (Xenophon *Hellenica* 5.3.10).

Even if ‘just’ according to strict reciprocal principles, the satisfaction of the returned exiles’ demands could disrupt communitarian solidarity and harm common interests: it could destroy social cohesion by creating new, more wide-ranging property disputes and increase the prospect of Spartan manipulation of Phliasian affairs. The community itself, or a representative court, was best placed to make a judgement consistent with the common good and common values. Moreover, referring the decision to a foreign court, or a tribunal with equal representation for both sides, would undermine the sovereignty of the civic community.

The communitarian norms shaping the democrats’ behaviour and self-presentation are also evident from their subsequent ‘assemblies on the frontier’: under the pressure of the siege, they treated their assemblies as pieces of political pageantry, opportunities to demonstrate and reinforce solidarity, rather than as centres of debate and negotiation. Similarly, while under siege, the democrats’ apparently universal self-control in tolerating half-rations reflects a culture of self-sacrifice and solidarity. Communitarian norms probably also contributed to the creation and behaviour of the band of 300 warriors, led by Delphion: the band successfully used force to curb defections from the besieged community. As Cartledge points out, the band of 300 was probably inspired by the 300-strong Spartan cavalry (ἱππεῖς),³³⁵ a paradigm both of communitarian civic order and of the means to enforce it: the Phliasian democrats harnessed an elitist practice in the service of democratic order.

The conflict between the two sides was, therefore, to some extent a clash between oligarchs reliant on contractarian principles and democratic advocates of

³³⁵ Cartledge (1987), 229.

communitarianism. This normative conflict was to lie at the heart of future Peloponnesian *staseis* and civic conflicts, reminiscent of the Phliasian case: for example, Hellenistic disputes between property-holders and reformers about the relative weight to be assigned to personal property rights, on the one hand, and to civic equality, solidarity and military strength, on the other, not only in third- and second-century Sparta, where those disputes led to large-scale exilings,³³⁶ but also in third-century Megalopolis.³³⁷

E) The two sides' rival syntheses of conflicting political imperatives

Nevertheless, interpreting the Phliasian *stasis* purely as a clash between oligarchic contractarianism and democratic communitarianism is a simplification of the ideological picture: in the course of the ongoing *stasis*, both sides showed the influence of the rival set of norms. For example, when the democrats enacted a specific, controversial interpretation of Phliasian civic unity through their assemblies on the frontier, they were probably simultaneously acting on contractarian perceptions of entitlement.³³⁸ According to Xenophon, the incumbent citizens held these assemblies to demonstrate the validity of the suspicion of some Spartans that the Spartans were alienating a populous city for the sake of a few exiles. This posturing was presented by Xenophon as an appeal to Spartan self-interest. However, the incumbent citizens' demonstration of their numerical superiority over the exiles probably also constituted an appeal to principles of desert: the welfare of the more

³³⁶ Cf. Shimron (1972); Fuks (1984), 230-55; Cartledge and Spawforth (1989), ch. 4 (on the disputed third-century reforms to Spartan land tenure of Agis IV and Cleomenes III).

³³⁷ Polybius 5.93.5-9: disagreements after the collective return to the city of the displaced Megalopolitans about whether the overall size of the city should be reduced and landowners required to contribute a third of their estates as land for new citizens, whose recruitment was necessary for military defence.

³³⁸ There is also a separate sign that they were comfortable with contractarian principles of justice: in 384, the democrats decided of their own accord to return property to the restored exiles, to compensate those who had bought it and to refer resulting disputes to courts.

numerous incumbent Phliasian citizens should count for more, on account of their previous or potential service to Sparta, than the welfare of the far smaller group of exiles.

Moreover, another implication of these conspicuous assemblies, intentionally held close to the exiles, was that the incumbent citizens represented the majority of Phliasiens. The Phliasian assembly-goers probably meant to strike a bargaining-position similar to one on which later-fifth- and later-fourth-century radical Athenian democrats relied, in their symbolic communication with the Phliasian exiles, fellow members of a temporarily fractured civic contract: as the more numerous party, they were capable of greater military and economic contributions to the Phliasian polis than the minority exiles and their supporters; they deserved superior power over civic affairs. Significantly, however, the democrats embedded this bargaining-position in the convening of partisan but purportedly official civic assemblies, a collective political act implying a monopolistic claim to legitimacy.

In a mirror image of the democrats' behaviour, the oligarchs initially made unadulterated appeals to strict reciprocal justice, but subsequently cohered, under Agesilaos' guidance, into a solidaristic quasi-civic Phliasian community. Pontier interprets the exiles' formation of *συσσίτια* and disciplined military training as a process of integration into a greater Spartan community of 'fellow soldiers' (*συστράτιῳται*).³³⁹ However, the thousand-strong Phliasian exile group, strongly mobilised and well-organised, was also a self-standing community.

³³⁹ Pontier (2007), 367-8.

The oligarchic Phliasian ‘polis-in-exile’ was thoroughly communitarian in ideology and behaviour. Many members were bound together through friendship or kinship: those who left Phlius to join the exiles did so ‘either through friendship or through kinship’ (ἢ διὰ φιλίας ἢ διὰ συγγένειαν). Moreover, formal property rights and ‘justice’ gave way to a more communitarian criterion for the distribution of goods, namely, the needs of community members: according to Agesilaos’ instructions, defectors were to be issued with whatever was necessary for their everyday needs (εἰς τὰ ἐπιτήδεια ἱκανόν) and arms were to be distributed to all of them.³⁴⁰

Applied to domestic politics after their return, the oligarchs’ establishment of enduring strict hierarchical solidarity, grounded in Spartan-style virtues, lavishly praised by Xenophon, left little scope for dissent. The oligarchs succeeded in bringing some potential opponents to acquiesce in, or support, their regime.³⁴¹ In the case of those who did dissent, there was little option but expulsion: the oligarchs expelled opponents in 379 and probably also afterwards; and they engaged in ongoing clashes with the resulting democratic exiles in the 360s.

F) Conclusion: Phliasian political culture and rival notions of Phlius as a Sparta-in-microcosm

Both democrats and oligarchs at Phlius were influenced by the same fundamental political ideas, which must have been central to fourth-century Phliasian political culture: libertarian contractarian norms giving priority to individual and sectional earned and legally-protected entitlements; and a vague communitarian ideal of a

³⁴⁰ Xenophon *Hellenica* 5.3.17.

³⁴¹ Cf. Legon (1967), 336-7.

solidaristic Phliasian polis of virtuous citizens with a common culture.³⁴²

Furthermore, the two sides even shared certain more specific communitarian attitudes: high evaluation of self-sacrifice and extreme collective discipline in a crisis, especially with regard to food supply;³⁴³ and an aspiration to imitate aspects of Spartan civic organisation.³⁴⁴

Once the returned exiles' aggressive entitlement claims destabilised the equilibrium of Phliasian civic life, the ensuing political process resembled that at work in periods of Athenian exclusionary *stasis*. The resulting stalemate demanded the derivation of clear, immediate guides to action, for individuals and the community, from the competing imperatives of Phliasian political culture. It also required the exiles to legitimate their controversial entitlement claims by the communitarian standards advocated by their opponents, and those opponents to show that their advocacy of those communitarian standards was not hypocritical.

Converting the competing imperatives of Phliasian political culture into unequivocal practical guidance and sources of legitimacy required citizens to do two things. First, it required them to precisely define the content of the shared traditions and values underpinning communitarian unity, including the ideal of Phlius as a Sparta-in-microcosm: traditions and values which were indeterminate with regard to the exact composition and structure of the civic community. Second, it required them to reconcile in a straightforward way the entailments of the competing contractarian and communitarian notions of the *métier* of the good Phliasian citizen, those of the hard-

³⁴² For the construction of Phliasian patriotic civic traditions in the fifth century: Fearn (2003) (on Bacchylides 9).

³⁴³ Compare the oligarchs' sharing of food in συσσίτια with the democrats' noteworthy abstinence.

³⁴⁴ Compare the oligarchs' συσσίτια and post-return arrangements with the democrats' Three Hundred.

bargaining partner in a civic contract and the devoted member of an indivisible civic community.

The two principal factions separately satisfied these requirements by embedding their bargaining-positions in precise, contentious interpretations of Phliasian civic community, which they developed through, and enacted in, the formation of their own civic or quasi-civic institutions. Those interpretations probably alleviated the subjective disorientation of individual citizens, but they could also have each appeared to their exponents to represent visions of Phliasian civic order in which the dictates of impartial reciprocal justice and the demands of community felicitously coincided.

There was also a moderate group in Phlius,³⁴⁵ as there had probably been at Athens in 404-3 and in 322. However, as in the Athenian cases, moderates were short of ammunition with which to challenge more radical political claims, not only because of the prevailing political situation, but also because of the nature of prevailing norms of citizenship. In this characteristic fourth-century Greek civic context, language of tolerance, understanding and uncertainty could not compete with conviction rhetoric about desert or community, or both combined.

³⁴⁵ Thompson (1970), 228-9; Cartledge (1987), 263-4.

c) Case-study III: ὁμόνοια and exile in early-second-century Iasos

i) The behaviour of early-second-century pro-Roman Iasian exiles and possible contexts for their original expulsion

The final case-study concerns a polis in a different region much later in the ‘long fourth century’: second-century Iasos. During his campaign in the Eastern Aegean in 190, L. Aemilius Regillus approached Iasos, held by a garrison from the Seleucid king Antiochos III. After his forces had pillaged Iasian territory, he appealed to the leading citizens and magistrates of Iasos to surrender; they responded that it was not in their power to do so. Regillus then prepared to attack Iasos. Iasian exiles in his army appealed to the Rhodians, the principal allies in Regillus’ fleet, to prevent Regillus from destroying a neighbouring city: the exiles themselves had been exiled for ‘good faith’ (*fides*) towards the Romans; and the incumbent Iasians had committed no wrong, but were straightforwardly oppressed by the occupying Seleucids. Moved by this appeal, the Rhodians, together with Eumenes of Pergamon, successfully persuaded Regillus to desist from the attack.³⁴⁶

There are three attested events which may provide contexts for the initial expulsion of these Iasian exiles. First, they may have been expelled during unrest accompanying Antiochos’ Seleucid reconquest of Iasos in c. 197 or 196. Second, they may have been expelled at the time of the civic reconciliation proposed by Antiochos, supported by the oracle at Claros, and possibly brokered by foreign judges, shortly after Antiochos’ conquest:³⁴⁷ as Hicks suggested, the civic ὁμόνοια achieved then³⁴⁸ may have been

³⁴⁶ Livy 37.17.1-7.

³⁴⁷ Ma (2002a), no. 28, ll. 1-9. Crowther (1995), 115, associates with this context the activities in Iasos of the two Prienian foreign judges honoured by the Iasians in *I.Priene* 53I and 54.

³⁴⁸ Ma (2002a), no. 28, ll. 6, 7.

due to the removal of oligarchic, anti-Seleucid dissidents.³⁴⁹ Third, the exiles may have been expelled when the Seleucid garrison was imposed on Iasos.³⁵⁰ In that case, they may have been expelled by the Seleucid commander or by royal order rather than through a civic process. The date when the garrison was installed is itself uncertain. The honorary decrees for Antiochos dating to c. 196 praised Antiochos for his aspiration to protect the δημοκρατία and autonomy of Iasos.³⁵¹ Moreover, the contemporary honorary decree for his wife Laodike praised Antiochos for the removal of the Antigonid garrison from Iasos.³⁵² Reconciling these laudatory claims with the presence of a Seleucid garrison in Iasos as early as c. 196 is difficult, but not impossible: a Seleucid garrison could have been perceived as a guarantee of Iasian freedom and autonomy, empowering the city to resist foreign interference.³⁵³ However, it is more likely that the garrison was installed later, possibly only in 190.

As well as these three possible specific contexts, it is possible that the exiles were formally exiled or condemned to death³⁵⁴ by Iasian civic courts, simultaneously or successively, during the period in which Iasos was faithful to the Seleucids.

Alternatively, they may have ‘voluntarily’ fled Iasos during these years, to escape political persecution or dishonour. The date and specific context of the expulsion of these exiles remains, therefore, unclear.³⁵⁵

³⁴⁹ Hicks (1886), 61-2. It is conceivable that, in 190, the exiles plausibly presented expulsion for anti-Seleucid agitation, even at this early stage, as a result of *fides* towards the Romans: Antiochos’ activities in Asia Minor and Thrace were already provoking Roman opposition in 197-6.

³⁵⁰ Crowther (1995), 114; Ma (2002a), 247.

³⁵¹ Ma (2002a), no. 28, l. 1: the infinitive διαφυλάσσειν is presumably dependent on a verb of wishing.

³⁵² Ma (2002a), no. 26B, col. I, ll. 15-18.

³⁵³ Cf. Crowther (1995), 107.

³⁵⁴ In the latter case, the death sentence would have provoked their flight from Iasos.

³⁵⁵ Crowther (1995), 114, argues that the exiles must have been expelled when the garrison was installed: Livy makes them claim to have been expelled ‘through the power of the royal forces’ (*ui regiorum*). However, this argument is not conclusive. ‘The power of the royal forces’ could refer to the initial Seleucid military intervention in Iasos. Moreover, ‘the power of the royal forces’ could have

ii) Social and political divisions in early-second-century Iasos, a probable cause of the expulsion of the pro-Roman partisans

Although Ma offers a revisionist argument that there was extensive civic consensus and collective action at this point in Iasian history,³⁵⁶ older views that there were internal tensions in Iasos have great weight. As Hicks argued, there were divergences of interest, and associated social and political divisions, between poorer Iasian democrats and wealthy Iasian oligarchs during this period.³⁵⁷ The strongest evidence for a self-confident wealthy elite is the frequent Iasian recourse to foreign judges, probably often to resolve debt disputes: this suggests that members of the Iasian elite³⁵⁸ frequently gave loans and strove to enforce interest payments and capital repayments.

The sectional political and financial interests of wealthy Iasians are probably also evident from the early-second-century dedication to Ὀμόνοια and the People by the commissioners (ἐπιμεληταί) responsible for rebuilding the council-chamber (βουλευτήριον) and registry office (ἀρχεῖον) of Iasos.³⁵⁹ The rebuilding of the ἀρχεῖον, which probably contained debt records, probably represented an assertion

been a description of informal Seleucid pressure, including the threat of physical force, on visiting foreign judges, on Iasian courts or on the exiles themselves. In any case, such rhetoric is not very reliable as evidence for the real reasons for the exiles' expulsion: it was in their interest in 190 to present themselves as victims of Seleucid imperialism with no complaints against their fellow citizens; this was the best way to persuade the Rhodians to convince Regillus to spare Iasos and the resident citizens.

³⁵⁶ Ma (2002a), 223-6.

³⁵⁷ Hicks (1886), 61-2: *GIBM* 442 (now Ma (2002a), no. 28) reveals the existence of civic disputes which needed a royal intervention to resolve them. Thériault (1996), 39-41, identifies disputes at Iasos at this point between 'democrats' and 'oligarchs'. For a general approach to Hellenistic civic life consistent with Hicks' and Thériault's approach to Iasos: Fuks (1984), 40-51.

³⁵⁸ For the elite status of creditors in the poleis of Hellenistic Asia Minor, cf. Walser (2008), 179: even if early-Hellenistic Ephesian creditors were farmers, they would probably nonetheless have belonged to the wealthiest landowners, e.g. the top 10%.

³⁵⁹ *I.Iasos* 252.

of the inviolability of credit contracts: it was an advertisement of the power of a Iasian elite over less wealthy citizens.³⁶⁰ Moreover, in Asia Minor in general, the βουλευτήριον was becoming, as a civic institution and building, symbolic of the power of civic elites by the mid-Hellenistic period, partly as a result of Roman influence.³⁶¹ This dedication probably dates either to c. 196 or to shortly after 188.³⁶² The latter possibility is preferable: this text can be seen as a reflection of nature of the Romans' settlement in Asia Minor after their defeat of Antiochos and orchestration of the Peace of Apameia in 188, a settlement predicated on the upholding of property rights and oligarchic civic organisation.³⁶³

Frequent recourse to foreign judges, and especially the dedication to Ὀμόνοια and the People, also reveal the existence and intensity of popular grievance in the early second century: the destruction of the ἀρχεῖον could well have been due to violent unrest on the part of debtors.³⁶⁴ In the same way as wealthy Iasians had material and political interests in a pro-Roman policy, poorer Iasians had an interest in a pro-Seleucid policy. Seleucid patronage of the poor of Iasos is evident from Laodike's assistance 'for the weak' (εἰς τοὺς ἀσθενοῦντας): an order for a Seleucid officer to provide one thousand Attic *medimnoi* of wheat for ten years to the people of Iasos,

³⁶⁰ For the argument that citizen recipients of secured loans in Hellenistic Asia Minor were not necessarily particularly wealthy, even though they provided sureties in land: Walser (2008), 168-73.

³⁶¹ Müller (1995); Hamon (2005). Hamon (2005), 135-43, notes some resistance to this development in the poleis of Asia Minor in the second and first centuries.

³⁶² Thériault (1996), 41, regards both c. 196 and post-188 as possible contexts. Crowther (1995), 117-18, places certain Iasian decrees for foreign judges (*SEG* 41.930, 932, 933) in the latter context, but favours c. 196 for the dedication (p. 96).

³⁶³ For the assertion by a polis that the post-Apameia settlement guaranteed local Ὀμόνοια, compare a recently published decree of the polis of Melanippion: Adak (2007), text, pp. 253-4, ll. 2-8.

³⁶⁴ Crowther (1995), 96. Earthquake damage is the other possible explanation: Thériault (1996), 41-2.

making possible guaranteed grain sales at a fixed price and dowries for poorer citizen-families from the proceeds.³⁶⁵

It is very probable that these internal social and political divisions in Iasos considered in the previous sub-section made an important contribution to causing the expulsion of the pro-Romans in exile in 190, whenever it fell in the period c. 197-190.³⁶⁶ If they were expelled by a civic court, or fled persecution by fellow citizens, this contribution would have been direct. Even if they were exiled by Seleucid order or by a foreign court, or fled persecution by Seleucid soldiers, internal divisions probably made a significant indirect contribution: the decisions and behaviour of foreign judges and Seleucid employees would have been tailored to the internal Iasian political situation. The near contemporary case of the expulsion of pro-Attalid exiles from Thracian Ainos, when Philip V installed a garrison there in 187 after *stasis* between Antigonid and Attalid partisans,³⁶⁷ is an important parallel for a royal intervention, leading to expulsion, which was a response to local antagonisms.

iii) Political-cultural explanations of Iasian civic conflicts and the expulsion of the pro-Roman partisans

A) Introduction

The genesis and entrenching of internal political divisions at Iasos, and the resulting expulsion of the exiles, can partly be attributed to factors other than norms of citizenship: in particular, socio-economic inequality, the existence of rival claimants to interstate hegemony and the destabilising effects of war. However, norms of citizenship also helped to cause and shape the relevant civic conflicts.

³⁶⁵ Ma (2002a), no. 26A, ll. 11-25; Crowther (1995), 119-20.

³⁶⁶ Cf. Thériault (1996), 41.

³⁶⁷ Polybius 22.6.7, 11.2-4; Seibert (1979), 200-201.

B) The influence of harshly libertarian contractarian civic norms concerning credit and debt, at Iasos and in other second-century poleis

Tensions in contemporary Iasos concerning debt, probably reflected in the destruction and rebuilding of the civic registry-office, were partly due to the character of Iasian regulations concerning credit relations, which reflected influential libertarian contractarian ideas of citizenship. There are numerous attestations from Hellenistic Asia Minor of the remission or mitigation of the obligations of impoverished indebted citizens to their creditor(s), by a polis as a whole³⁶⁸ or by individual wealthy citizens.³⁶⁹ Even if some remissions were made necessary by the sudden impoverishment of debtors through ravaging in war, the crippling debts and obligations involved had nonetheless been allowed to build up in the first place, in peace-time and in accordance with civic regulations and expectations.³⁷⁰ This was probably due to the prevalence of harshly libertarian contractarian credit regulations in poleis of Hellenistic Asia Minor: capital-owning citizens had considerable freedom to grant profit-oriented loans to poorer citizens, as well as foreigners, regardless of the potential consequences for the long-term welfare of the recipients or for civic harmony.³⁷¹ Walser identifies several relevant specific factors: a lack of clear, enforceable legal constraints on the form of credit contracts transacted through

³⁶⁸ *I.Ephesos* 4; cf. now Walser (2008), text, pp. 26-36. At the beginning of a so-called 'federal war', the Ephesians had established a moratorium on debt repayments. After the war, when the moratorium expired, there was an acute debt crisis, partly due to deflation in land prices. Creditors began to seize debtors' land: by law and convention, creditors could normally lay claim, when debtors defaulted, to all land earlier provided as security, even though its value usually far exceeded the initial debt. The law recorded in *I.Ephesos* 4, probably dating to c. 300 (Walser (2008), 104), attempted to mitigate the effects of this norm in this case: it established procedures for determining a reasonable division between creditors and debtors of land potentially liable to seizure, designed to prevent debtors becoming destitute (Walser (2008), 2-3, 37, ch. 7).

³⁶⁹ E.g. *SEG* 39.1243, col. III, ll. 35-47, with Robert and Robert (1989), 43-4; *I.Mylasa* 109, ll. 7-9.

³⁷⁰ In the case of early-Hellenistic Ephesus, for example, a debt moratorium (cf. n. 368 above) was called at the *start* of the war mentioned in the amnesty law. For the interaction in this case of the effects of war with the underlying economic situation: Walser (2008), 280-6, 317 (on the effects of 'die harschen Bedingungen des Schuldrechts' in Ephesus).

³⁷¹ Cf. Davies (1984), 293-4; Dössel (2003), 265-6.

bargaining between the parties involved; a tendency to leave the determination of interest rates on loans to market forces; and a written or unwritten rule that securities in land could or should far exceed in market value the value of the loan secured.³⁷²

Moreover, the fact that the remissions and measures of mitigation were *ad hoc* or voluntary indicates that civic laws and regulations did not automatically protect those who became severely indebted, or bar their creditors from seeking to protect their income. Indeed, the fact that poleis were content to advertise such remissions and measures of mitigation in public epigraphy itself suggests that widespread expectations authorised wealthy citizens to engage in profit-oriented lending, provided that they mitigated its effects in times of hardship through voluntary self-denial and solidarity with the impoverished.

For Iasos itself, there is indirect evidence that laws regulating credit and credit relations were of this widespread libertarian contractarian type, offering similarly limited protections to the indebted. This indirect evidence consists of a clause common to Hellenistic Iasian decrees in honour of foreign judges, which echoes similar clauses in equivalent texts of other cities:³⁷³ a formula praising the foreign judges for, on the one hand, putting all their enthusiasm into reconciling some opposed litigants through arbitration, so that they could be citizens in *ὁμολοία*, and, on the other hand, ‘judging other disputes justly’.³⁷⁴ The order of the two alternatives in this formula, and the elaborate and idealistic description of the former contrasted with the pithy description of the latter, implies that arbitration, involving pragmatic

³⁷² Walser (2008), 109-111; 184-6; 123-32; cf. Crowther (1995), 121-2.

³⁷³ On the frequency of this kind of clause: Crowther (1995), 92; Roebuck (2001), 24-5, 282.

³⁷⁴ E.g. *I.Priene* 53I, ll. 8-11; 54, ll. 8-11; *I.Iasos* 75, ll. 7-11; 78, ll. 8-10.

compromise and compassion, was the preferred solution; judgement according to the laws was a last, potentially destabilising recourse in intractable cases.

As well as leading in general to tensions in Iasos, harshly libertarian contractarian credit norms and practices were probably an important cause of the expulsion of the exiles under consideration here: those exiles were probably anti-Seleucid wealthy creditors directly or indirectly expelled by their pro-Seleucid debtors, who saw to the rebuilding of the ἀρχεῖον after their triumphant return in 188. In addition to their probable relevance in this Iasian case of exile, insoluble debt disputes partly resulting from prevalent Greek libertarian contractarian norms concerning credit, exemplified in Asia Minor, were probably at least partly responsible for other second-century exilings in the Greek world: for example, the expulsions of apparently large numbers of citizens through debt-related *staseis* in poleis of Central and Northern Greece in the 180s, 170s and 160s.³⁷⁵ Those affected included exiles from Aetolian Hypata who were massacred on their return to their city, supposedly under truce, in 174:³⁷⁶ an event more consistent with deep-rooted socio-economic conflict than with superficial disputes within a civic elite.³⁷⁷

C) The influence of unitarian teleological norms: rival identifications of Iasian

ὁμόνοια

In the Iasian case, although libertarian contractarian norms were probably independently at work beneath the surface, the evidence for the polarised ideologies of the exiles and their opponents more directly indicates the contribution of unitarian

³⁷⁵ Seibert (1979), 208-9; Fuks (1984), 43-4.

³⁷⁶ Livy 41.25.3-4.

³⁷⁷ Compare the analysis of events in Corinth in 392 in sub-section b)ii) above.

teleological communitarian norms to insoluble conflict. This contribution can be demonstrated by juxtaposing the epigraphy of the pro-Seleucid Iasian regime with Livy's account of the rhetoric of the Iasian exiles. In the surviving part of the honorary decree for Antiochos passed by the incumbent citizens of Iasos in c. 196, Antiochos' orchestration of a civic reconciliation was discussed:

γέγ[ρα]-

[φε] πλεονάκις τῶι δήμῳ περὶ τούτων, ἀκόλουθα πράσων
 τῇ διὰ πατέρων ὑπαρχούσῃ αὐτῶι πρὸς τοὺς Ἑλληνας
 εὐεργεσίαι, ὃ τε θεὸς ὁ ἀρχηγέτης τοῦ γένους τῶι
 βασιλέων συνεγμεμαρτύρηκεν τῶι βασιλεῖ παρακα-
 λῶν μεθ' ὁμονοίας πολιτεύεσθαι, ὁ δὲ δῆμος ἔχων
 ταύτην τὴν αἴρεσιν πολὺ τι μᾶλλον μεθ' ὁμονοίας πολι-
 τεύόμενος τὰ μέγιστα ἀγαθὰ παρειληφὼς παρὰ τοῦ
 βασιλέως ταῦτα διατηρεῖ ἵνα δὲ φανερόν γένηται τῶι τε
 βασιλεῖ καὶ τοῖς ἄλλοις πᾶσιν, ἣν ἔχει διάληψιν ὁ δῆμος
 πρῶτον μὲν ὑπὲρ βασιλέως μεγάλου Ἀντιόχου καὶ
 βασιλίσσης Λαοδίκης καὶ τῶν τέκνων αὐτῶν κτλ.³⁷⁸

He has written multiple times to the people about these things, doing things consistent with the beneficence towards the Greeks which he has inherited from his ancestors. The god, the origin of the family of the kings, testified in support of the king, calling on us to conduct civic life in concord. The people, who, having this attitude, conducting their civic life much more in concord, have received the greatest goods from the king, preserve these, so that it may become clear to the king and to all others what opinion the people holds first concerning the Great King Antiochos and Queen Laodike and their children....

According to this presentation, the Iasians came to interact politically much more in accordance with ὁμόνοια after receiving advice and benefactions from Antiochos. They also developed a single, positive opinion, as a δῆμος, of Antiochos and his royal house.

Conversely, the Iasian exiles claimed to the Rhodians in 190 that all Iasians were unanimous in support of *their* policy, opposition to 'royal servitude':

³⁷⁸ Ma (2002a), no. 28.

ii frequentes Rhodios orare institerunt, ne urbem et uicinam sibi et cognatam innoxiam perire sinerent; sibi exilii nullam aliam causam esse quam fidem erga Romanos; eadem uero regionum, qua ipsi pulsi sint, teneri eos, qui in urbe manerent; omnium Iasensium unam mentem esse, ut seruitutem regiam effugerent.³⁷⁹

The thronging exiles began to beseech the Rhodians not to allow an innocent city, neighbouring and related to their own, to be destroyed; there was no other cause of their own exile than good faith towards the Romans; those who remained in the city were detained by the same power of the royal forces by which they themselves had been expelled; all the Iasians had one mind, in commitment to the purpose of escaping from royal servitude.

Livy's report that the exiles claimed that the Iasians had *una mens* was quite probably a translation of a report by Polybius, in the account on which Livy drew, that the exiles claimed that all Iasians were united in *ὁμόνοια*. Polybius could have invented the rhetoric of the Iasian exiles. However, there is no obvious ideological reason for him to have done so. It is more plausible that Polybius offered a detailed account based on oral or written eyewitness reports, in which he captured the precise terminology of Iasian political language. This view is strongly supported by the prominence of the term *ὁμόνοια* in contemporary Iasian epigraphy.

It is, therefore, probable that both the incumbent and the exiled citizens were under the spell of the pervasive Hellenistic civic ideal, 'à la fois indispensable et inaccessible',³⁸⁰ of civic *ὁμόνοια*. As a result, both groups represented their own interests and contentious interpretations of the uncertain political situation in Iasos as consistent with an imaginary impregnable Iasian consensus. This was at least a partial parallel to the political situation in Chersonesos Taurica, on the north coast of the Black Sea, during third-century civil strife, as reconstructed by Dössel: the incumbent

³⁷⁹ Livy 37.17.5-6.

³⁸⁰ Thériault (1996), 13.

democrats obliged citizens in the city to swear an oath of *ὁμόνοια*, almost certainly in opposition to a breakaway faction.³⁸¹ In the Iasian case, the two rival conceptions of how the Iasians were united in *ὁμόνοια* probably contributed to, and escalated, the tensions between the two factions: the two sides' advocacy of the rival conceptions would have made it necessary for each to conceive members of the other as supporters of treacherous or subversive policies, alienated from a united Iasian community. If they extended over the whole period from c. 197 to 190, these tendencies probably helped to make necessary the original expulsion or flight of the pro-Roman Iasians.

It could be argued that the Iasians involved were self-consciously manipulating available rhetoric at different points. In c. 196, the incumbent Iasians needed to sustain a complex, mutually beneficial relationship with Antiochos and promote internal cohesion among those in the city, by presenting Antiochos as a defender of civic order.³⁸² Similarly, in 190, the exiles needed to persuade the Rhodians to intervene to save their city, and thus ensure that they had an intact city to which to return, by claiming that there was unanimity between themselves and their erstwhile opponents in the city.

However, in addition to the theoretical considerations emphasised earlier in this chapter, there is a strong empirical consideration in favour of the view that the exiles, at least, were not simply manipulating available rhetoric for predetermined, self-interested ends. The exiles' obvious power-political interest in 190 was to urge the Romans to attack their city and to remove the Seleucid garrison and domestic Seleucid sympathisers, before installing them as the new incumbent faction. That they

³⁸¹ Dössel (2003), 187-90, discussing *IOSPE I*² 401, l. 5, alongside ll. 30-3, 36-40.

³⁸² Cf. Ma (2002a), esp. 214-28.

in fact pursued a far more moderate course,³⁸³ calling for the city itself and all Iasians to be spared, is a strong reason for thinking that they sincerely believed the Iasian citizen-body to be united in support of one policy.

A possible objection to the view that this is a case of rival, incompatible conceptions of how the Iasians were united in *ὁμόνοια* is that the two conceptions may accurately reflect two contrasting situations, in c. 196 and 190 respectively: the Iasians may have been united among themselves as Seleucid allies, until the establishment of the Seleucid garrison provoked unanimous anti-Seleucid sentiment. It is true that individual leading citizens of a polis of Hellenistic Asia Minor could engage in diplomatic relations with different hegemonic powers in turn, depending on the predicaments of their cities. Moreover, their polis could simultaneously display inscriptions demonstrating successive privileged relationships with those different hegemonic powers.³⁸⁴

In the Iasian case, however, it is hard to believe that all wealthy Iasians embraced the Seleucid alliance even in c. 196, given the later view of at least some Iasians that Seleucid rule over Iasos was a despotism.³⁸⁵ Similarly, it is hard to believe that all pro-Seleucid Iasians, including all beneficiaries of Antiochos' and Laodike's benefactions, had become disaffected by 190. Admittedly, Regillus did try to persuade the *principes* and magistrates to surrender the city. Their response that they were powerless to act might suggest resentment of Seleucid occupation by some inside the city. However, the response of these men was cautious: arguably, with a Roman army

³⁸³ Cf. Seibert (1979), 197-8.

³⁸⁴ Ma (2002a), nos. 31B, ll. 4-8 (196-193) and 45, ll. 3-4 (late 190) (Herakleia-under-Latmos), with analysis on pp. 246-7. Compare Ma (2002a), no. 47 (Amyzon).

³⁸⁵ Moreover, there were probably disgruntled Antigonid partisans in Iasos, as in Kyme or Miletus: Ma (2002a), 226.

so close, they could have surrendered the city, despite the Seleucid garrison. In any case, these were the *principes* and magistrates, probably approached informally by the Romans: the poorer citizens inside the city were probably far less equivocal in their approach to the Seleucid-Roman dilemma.

In addition to attesting the common influence of the abstract ideal of *ὁμόνοια* on both incumbent and exiled Iasians, the evidence for the rhetoric of both groups also indicates the influence on them of particular notions of *ὁμόνοια*. First, it indicates the influence on both groups of the ideal of *ὁμόνοια* in commitment to collective freedom from slavery: the incumbent Iasians claimed that Antiochos had saved them from slavery (*δουλεία*) and established *ὁμόνοια*; the exiles claimed that Antiochos was subjecting them to ‘royal slavery’ (*regia servitus*), from which all Iasians were resolved in *ὁμόνοια* to escape.³⁸⁶ Although they both used the stirring, dogmatic rhetorical trope, the two sides offered diametrically opposed specific applications of it to Iasos’ current uncertain predicament.

Second, the evidence for both groups’ rhetoric reveals the influence on both of the ideal of *ὁμόνοια* among Iasian citizens in commitment to certain myths and historical traditions. Once again, under pressure, the two sides applied this indeterminate shared ideal in incompatible ways: they each presented Iasian relations with their favoured external hegemon as pre-eminently strong and long-lasting, because underpinned by religious and historical or mythological bonds.

³⁸⁶ Ma (2002a), 247; compare his no. 26B, col. II, ll. 47-8, with Livy 37.17.6.

The incumbent Iasians presented Iasian relations with Antiochos as anything but purely prudential: Antiochos was, together with Laodike, a consistent, enthusiastic benefactor of Iasos, which was in keeping with his family's ancestral tradition of euergetism towards all the Greeks; and Antiochos' proposal for civic reconciliation in Iasos had been supported by Apollo of Claros, the ἀρχηγέτης of Antiochos' γένος.³⁸⁷ The incumbent Iasians also fully integrated the cult of Antiochos and Laodike into communal civic life.³⁸⁸

Conversely, the Iasian exiles claimed to base their own policy on equally strong historical-mythological considerations, with contradictory practical implications: they based their appeal to the Rhodians on Iasian mythological kinship with the Rhodians and their own past *fides* towards the Romans. The appeal to mythological kinship with the Rhodians recalls the rhetoric of Iasian diplomacy with Rhodes in the period before the Seleucid reconquest, when these exiles had probably played a leading role in Iasian politics.³⁸⁹

These rival, incompatible embeddings of preferred foreign policies in monopolistic conceptions of collective freedom, Iasian history and Greek culture probably helped to make constructive debate between the two conflicting groups impossible. If they originated before the expulsion or flight of the pro-Roman exiles, they probably helped to bring about their original exile or flight. Ma comments that cities' adaptation (or 'manipulation') of collective civic memory, in the course of their

³⁸⁷ Ma (2002a), no. 26B, esp. col. I, ll. 9-11; no. 28, esp. ll. 4-6.

³⁸⁸ Ma (2002a), no. 26B, col. II, ll. 17ff.; no. 27.

³⁸⁹ Meadows (1996), 252-4 (revised text of *I.Iasos* 150, a text dating to 220-214), ll. 39-40; *I.Iasos* 76 (probably dating to 202-197: Crowther (1995), 111), ll. 13-14. For the similarity with the exiles' later rhetoric: Meadows (1996), 263; Ma (2002a), 247.

relations with Antiochos, ‘ensure(d) the uniformity of remembrance and impose(d) consensus’.³⁹⁰ However, this example reveals a different possible consequence of collective attempts to base civic politics on shared conceptions of Iasian history, values and identity which were necessarily flexible, but supposedly monolithic.

D) Factors determining the orientation of rival monopolistic notions of the correct form of civic solidarity, at Iasos and in other Hellenistic poleis

In a phenomenon closely paralleling phenomena in Classical Athens and Phlius, analysed above, the orientations of the two sides’ incompatible interpretations of Iasian *ὁμόνοια* and traditions probably themselves reflected the influence of Iasian libertarian contractarian civic norms. For example, wealthy Iasians’ embedding of a libertarian contractarian perception of entitlement to debt repayments in communitarian rhetoric is evident from the dedication to *Ὅμόνοια* on the rebuilding of the registry office. The exiles under consideration here, who may well have numbered among the dedicants or their supporters after their return to Iasos, probably embedded similar perceptions of entitlement in their attested communitarian rhetoric. There is a possible parallel from second-century Western Asia Minor, which may have involved exile, for wealthy citizens embedding strict perceptions of financial entitlement in rigid communitarian rhetoric, derived from a text first discussed in the general introduction, sections 3a)-b): resident citizens of later-second-century Colophon, including wealthy creditors, represented as a *Δούλων Πόλις* a place from which unspecified individuals plundered Colophonian territory.³⁹¹

³⁹⁰ Ma (2002a), 226.

³⁹¹ SEG 39.1243, col. II, ll. 33-51: raiding of ‘the land belonging to us at Δούλων Πόλις’; it is a reasonable hypothesis that those in control of the rest of the land at Δούλων Πόλις were responsible for the raiding.

It is a convincing hypothesis that this settlement was occupied by residents of Colophon who had joined Aristonikos' revolt, subsequently received Roman recognition as an ally and then plundered Colophon.³⁹² This group may well have included poor Colophonian citizen debtors, who had joined the revolt to avoid impoverishment.³⁹³ The styling of the settlement as a Δούλων Πόλις would have represented an effective means, in a time of hardship and uncertainty, for wealthy Colophonian property-owners to reconcile provocative perceptions of political and financial entitlement with a sense of obligation to fellow residents of Colophon: if the settlement was the antithesis of an ideal community of free, virtuous citizens, dissident residents of Colophon settled there lay beyond the scope of obligations of civic charity.³⁹⁴ In particular, if the settlers included rebel, indebted Colophonian citizens, the representation of the settlement as a Δούλων Πόλις would have provided a means for wealthy creditors to reconcile their perceptions of entitlement to debt repayments with their communitarian sense of responsibility for the welfare of needy legitimate Colophonian citizens: citizens who rebelled against debt obligations, rather than repaying debts or formally recognising the virtue of their creditors in

³⁹² Rigsby (2005), 112-15, arguing against the interpretations of Robert and Robert (1989), 37-8; Buraselis (2000) (*non vidi*); Ferrary (1991), 558, with n. 3, and 559, with n.5, 559; Mileta (1998), 55-6.

³⁹³ Cf. Dubois (2006), 7-8. Strabo claims that Aristonikos attracted as Heliopolitai, not only slaves, but also poor inhabitants of inland Anatolia (Strabo 14.1.38; contrast Diodorus 34/35.2.26). It is probable that he also attracted citizens of coastal poleis (cf. Mossé (1967), 199). The citizens of Pergamon certainly feared the defection of resident citizens to Aristonikos' cause (*IvP* I 249, ll. 26-30; cf. chapter 1, sections 2 and 3c)). Considering the nature of prominent aspects of Roman ideology, it is more plausible that the Romans would have granted an alliance to a group including free citizen dissidents than to a group composed entirely of slaves, even if they did once grant freedom and secure possession of their territory to rebel slaves in Spain (*ILLRP*² 514, presented as a parallel in Rigsby (2005)). In addition, it is *a priori* more likely that free citizens were involved in the formation of this apparently well-organised and effective dissident community than that it was composed solely of slaves: there is no parallel for Greek polis slaves establishing their own polis, even with foreign or monarchical help. The formation of a new community by poor Colophonians who had seceded, or been expelled, from their home city would have had at least one precedent: the formation of a new community at Notion by anti-Persian Colophonians in the Peloponnesian War (Thucydides 3.34.1-2). Moreover, the stigmatising of poor or democratic political opponents as 'slaves', or similar to slaves, by wealthy fellow citizens has parallels in Greek history (e.g. [Xenophon] *Athenaion Politeia* 1.10).

³⁹⁴ Cf. Thomas (1971), 561, 564-5; Briggs (1996), 29-50, 139-41, for parallel explanations of early modern European witchcraft accusations.

making partial remissions,³⁹⁵ were non-rational, non-virtuous anti-citizens, more like slaves than legitimate citizens. For wealthy citizens who consciously or unconsciously styled themselves as quasi-Aristotelian citizens,³⁹⁶ the choice of the name Δούλων Πόλις was highly appropriate: a Δούλων Πόλις was Aristotle's own notion of an absurd, dystopian anti-polis.³⁹⁷

In the Iasian case, another factor probably also contributed to the contrasting orientations of the rival interpretations of Iasian όμόνοια and traditions considered above: the useful coexistence of rival specific norms within the more communitarian parts of Hellenistic Iasian political culture. Like those of other Hellenistic poleis, Iasian political culture had to incorporate conflicting conceptions of the power of Hellenistic kings and other external claimants to hegemony: norms encouraging both defiance and subservience were necessary to survival as a political community.³⁹⁸ In the uncertain 190s, the pressure towards strict communitarian unity and normative clarity as an imagined solution to Iasian social divisions and weakness forced individuals and groups to monopolistically endorse and promote one of the two horns of this dilemma.

³⁹⁵ Cf. SEG 39.1243, col. III, ll. 39-47.

³⁹⁶ Certain parts of the decree for Polemaios, presumably written by one of his supporters among the Colophonian elite, have a distinctive quasi-Aristotelian form, whether or not there was any direct influence: an explicit role is given to both virtue and external goods in the good life of both Polemaios himself and of the city as a whole (SEG 39.1243, col. I, ll. 11-16; col. V, ll. 7-11), which recalls Aristotle's view that εὐδαιμονία requires both virtue and external goods (Aristotle *Nicomachean Ethics* 1101a14-16; note in particular the similarity with the wording of SEG 39.1243, col. V, ll. 10-11); and Polemaios is presented as acting consistently with the ἥθος of the polis of Colophon (col. III, ll. 35-8), which recalls Aristotle's notion of the ἥθος of a πολιτεία (Aristotle *Politics* 1337a14; *Rhetoric* 1366a12).

³⁹⁷ Aristotle *Politics* 1280a32-4. Cf. Dubois (2006), 8-9; (2007), 440-2.

³⁹⁸ Cf. Ma (2002a); (2008a).

Similar catastrophic collapsings of this dialectic, functionally necessary for Hellenistic poleis, into monopolistic proposals occurred in other second-century poleis: some poleis became divided into factions calling respectively for pure autonomy and prudent accommodation with a superior power. Disputes between such factions relating to the question of relations with the Romans led to the flight of exiles: for example, some partisans of Perseus fled Rhodes on the arrival of the Romans in 168.³⁹⁹ In a case in a federal state, rival pro- and anti-Roman Boeotians held their own rival versions of the Boeotian federal assembly in 173, showing the adeptness at running and adapting political institutions encouraged by norms of civic voluntarism. Members of both factions were successively forced into exile during the conflict.⁴⁰⁰

A similar process was probably at work in later-Hellenistic Boeotia in the events recounted by Plutarch concerning Damon, a young citizen of Chaironeia. According to Plutarch, Damon orchestrated the assassination of a Roman commander who had erotic designs on him and was treating the city with contempt, before fleeing into local exile with his young supporters. Damon's act of resistance struck at the heart of the Chaironeians' ambivalence about civic autonomy and Roman power. Indeed, it forced them into successive contradictory concrete resolutions of the dilemmas involved. They first condemned Damon to death *in absentia*, formalising his exile. Nevertheless, they subsequently enticed him back to the city: on his return, they first appointed him gymnasiarch, symbolic cultural leader of the polis, but then slaughtered him.⁴⁰¹

³⁹⁹ Livy 41.25.3-4; 45.10.14.

⁴⁰⁰ Livy 42.43.7-9; Seibert (1979), 210.

⁴⁰¹ Plutarch Cimon 1.2-7; Ma (1994).

E) Conclusion: Hellenistic Iasian political culture, stability and *stasis*

The overall picture of Hellenistic Iasian political culture which emerges from the discussion here is a very familiar one: a strongly influential libertarian contractarian paradigm⁴⁰² coexisted with a strongly influential unitarian teleological communitarian paradigm of the Iasian polis, which was well-defined in formal structure but indeterminate and polyvalent in content. This is confirmed by other evidence for Hellenistic Iasian civic life: the Hellenistic Iasians sold priesthoods,⁴⁰³ necessarily to those able to pay, but also provided pay for those attending the assembly:⁴⁰⁴ a measure presumably designed to enable participation in the assembly by all citizens, irrespective of wealth or previous civic contributions.

The coexistence of the two paradigms within Hellenistic Iasian political culture is also starkly corroborated by certain Hellenistic Iasian honorary decrees.⁴⁰⁵ It is clear, for example, from the contrasting presentations they contain of public speech in civic institutions. A reason frequently given for praising, and granting citizenship to, a foreign benefactor in Iasian honorary decrees is that the honorand has continued ‘speaking and doing whatever good he can’ (λέγων καὶ πράσσων ἀγαθὸν ὅ τι ἂν δύνηται), *sc.* for the Iasian polis.⁴⁰⁶ This common clause reflected and reinforced an expectation that those worthy of citizenship and civic recognition should speak for the good of the city in political contexts. However, other honorary decrees for foreigners contained grants of access to the civic assembly ‘first after the sacred matters’,

⁴⁰² Separate evidence for this strand in Iasian political culture: the practice of selling priesthoods ().

⁴⁰³ *I.Iasos* 245, ll. 12-16; *I.Iasos* 246, ll. 28-33; Debord (1982), 63-4; Dignas (2002), 252.

⁴⁰⁴ *I.Iasos* 20.

⁴⁰⁵ E.g. *I.Iasos* 98: praise for the honorand’s virtue, education and devotion to the polis is accompanied by a hortatory clause emphasising the polis’ satisfaction of requirements of strict reciprocity.

⁴⁰⁶ *I.Iasos* 46, ll. 0-1 (part restored); 50 (late fourth/early third century), ll. 7-8; 56, l. 9; 66, ll. 3-4 (restored).

alongside grants of personal privileges.⁴⁰⁷ The juxtaposition of these different grants implied that public speech in the civic assembly was, at least for foreigners worthy of citizenship or civic recognition, itself a privilege: an opportunity to advance personal or sectional interests, within procedural limits.

As in other cities, the dialectic between the rival radical paradigms probably maintained and reinforced each of them. Moreover, their coexistence probably contributed in some contexts to political stability and success in Hellenistic Iasos: libertarian contractarian norms stimulated and harnessed the motivational force of narrow self-interest for social ends, while communitarian norms mitigated resulting tensions and aided solidarity.⁴⁰⁸ The mutual counterbalancing of the two principles is evident, for example, in some Hellenistic Iasian decrees for foreign judges, dating outside the turbulent period of the Seleucid occupation and its aftermath: such decrees' balancing of protection for property and credit rights with rhetoric of *ὁμόνοια* probably sometimes secured non-partisan equilibrium. However, as the discussion in this sub-section shows, the influence of the two paradigms, separate and combined, could also lead to acute instability, in periods of hardship and uncertainty.

4. Citizen displacement as a result of actual or alleged tyranny

a) Introduction

There is an important potential objection to presenting the processes considered in the previous section as characteristic of Greek *stasis* in this period. This objection is that, in the fourth century and especially in the Hellenistic period, it was the establishment

⁴⁰⁷ *I.Iasos* 44, l. 0-1 (part restored); *I.Priene* 53I, ll. 29-30. Compare grants made to Iasian foreign judges by the citizens of Hellenistic Colophon and Kalymna: *I.Iasos* 80, ll. 22-8; 82, ll. 59-64.

⁴⁰⁸ Contrast Veyne (1976), 218-19, 238, arguing that the communitarian self-denial of wealthy Hellenistic citizens served principally to mark social distance, not to defuse tensions.

of tyrannies, rather than conventional *stasis* between relatively symmetrical civic factions, which caused most expulsions.⁴⁰⁹

Admittedly, many of the best attested large-scale expulsions of citizens from poleis in this period were due to tyrants, or to leading citizens described as tyrants in surviving sources: for example, Dionysius I of Syracuse, Euphron of Sikyon, Klearchos of Herakleia, Agathokles of Syracuse or Cleomenes III of Sparta.⁴¹⁰ Moreover, arbitrary exile was popularly regarded by polis Greeks as predominantly a tool of tyrants,⁴¹¹ which could be turned against them. However, the processes discussed in the previous section were far from unimportant, even in such cases.

b) Imagined tyrannies: expulsions and justifications of expulsion

In the fourth century and Hellenistic period, it was often a question of one's 'political standpoint' whether a particular individual was a tyrant.⁴¹² Indeed, tendentious accusations of tyranny can be seen as extreme cases of a tendency frequently discussed in this chapter: the tendency of citizens, acting under the influence of political-cultural norms, to conceive and represent political adversaries as anti-citizen Others. Such conceptions of opponents often helped to motivate expulsions. Moreover, those accused of tyrannical tendencies could be compelled to expel their accusers.

⁴⁰⁹ Grasmück (1978), 30; compare Gehrke (1985), 5.

⁴¹⁰ Seibert (1979), 241-9, 123-5, 128, 258-71, 182-3.

⁴¹¹ Forsdyke (2005), e.g. 232-4 (on the Classical period).

⁴¹² Lewis (2004), 73; cf. Rhodes and Osborne (2003), 377. For the general prominence of invented accusations of tyranny in ancient Greek politics, compare: Berve (1953), 42; Berve (1967), 302, 383, 508; Lanza (1977), esp. 30-2, 191-2; Morgan (2003b), xi; Osborne (2003), 251; Lewis (2006b), 5. Some fourth-century examples of questionable attributions of tyranny and tyrannical behaviour: Aeschines 3.89, 92, with Berve (1967), 303, and Hansen and Nielsen (2004), 649; Trundle (2006), 70 (on the representation of Phokian generals of the Third Sacred War); Polyaeus 6.49, with Lewis (2004), 72-3.

As argued in chapter 2, in a period of civic uncertainty in the aftermath of *stasis*, citizens tended to strive to reconstruct solidaristic civic community. Because the nature of the common good and civic virtue was usually indeterminate and contentious, citizens required a substitute for consensual values around which to rally: a good substitute was the representation of the losing side in the recent *stasis* as a tyrannical faction, which had transgressed all civilised standards.⁴¹³ Making such a representation convincing and unambiguous required tendentious manipulation of civic memory, in a way which could make necessary expulsions of citizens.

In the sequence of later-fourth-century documents from Eresos on Lesbos relating to the trials of former ‘tyrants’, it is claimed that two of the ‘tyrants’, Eurysilaos and Agonippos, excluded the citizen-body from the city πανδαμί.⁴¹⁴ It is implausible that these tyrants managed to exclude the whole citizen-body from the city: it is far more likely that some male citizens remained in the city, either under duress or as willing supporters of the regime or regimes of these two men. The documents’ probable simplification of historical reality can be seen as an attempt to make the large-scale exclusion of democratic Eresians a symbol of civic solidarity, not of civic divisions: the claim that all the citizens were excluded implied that the civic body had remained united as one body, a collective victim of the autocratic vices of lone tyrants. This style of commemoration required the removal of the ‘tyrants’ and their descendants. Eurysilaos and Agonippos themselves were sentenced to death. Other recent Eresian ‘tyrants’, who were probably represented as lone despots in a similar way, were sentenced to exile.⁴¹⁵ These documents contain an incidental direct indication that the

⁴¹³ Cf. Loraux (2001), esp. 152-3; Ober (2003b), 225, 235.

⁴¹⁴ Rhodes-Osborne, *GHI* 83, β side, ll. 1-3 and γ front, ll. 7-8.

⁴¹⁵ Rhodes-Osborne, *GHI* 83, γ back, ll. 14-15; γ side, ll. 25-8, and back, ll. 26-8.

political situation in Eresos was more complex than they themselves suggest: some of the tyrants' descendants willingly agreed to submit to trial,⁴¹⁶ suggesting that they thought they had a case to make.

Similarly, Hieron, alleged 'tyrant' of Priene at the start of the third century (probably 301/0-298/7),⁴¹⁷ may well have disregarded some constitutional safeguards, but he did at least have the support of some Prienian citizens in a civic capacity: at least one civic garrison chose his side.⁴¹⁸ The presentation of him as an unequivocal tyrant, responsible for the flight into exile of decent, anti-tyrannical Prienians, in subsequent Prienian civic epigraphy⁴¹⁹ probably reflects the demands of subsequent commemoration: presentation of Hieron as an isolated tyrant, supported only by a few associates, would have been a palatable, even unifying way of commemorating Prienian discord of the early third century. It was probably the early stages in the development of this form of commemoration which necessitated the exile or flight of 'those around the tyrant', who found refuge in Rhodes.⁴²⁰ The fact that the constitutionally-governed polis of Rhodes gave them asylum probably confirms that they could be perceived otherwise than as treacherous despots.

Even outside the context of civic reconciliation, such a division of one's polis into virtuous citizens and 'tyrants' or tyrannical sympathisers was a common citizen response to tension and uncertainty. However, while this formal communitarian ideological framework was commonly influential on whole citizen-bodies, there was rarely consensus about the identification of the two groups. This is especially clear in

⁴¹⁶ Rhodes-Osborne, *GHI* 83, γ front, ll. 35-40.

⁴¹⁷ Magnetto (2008), 113.

⁴¹⁸ Magnetto (2008), text (pp. 34-45) (new edition of *I.Priene* 37), ll. 88-90; Berve (1967), 423.

⁴¹⁹ Magnetto (2008), text (pp. 34-45), ll. 87-102.

⁴²⁰ Magnetto (2008), text (pp. 34-45), ll. 98-100.

the exile-laden politics of fourth- and third-century Sikyon: political life was marked by competing simplistic classifications of the Sikyonian citizen-body, and especially its political leaders, into virtuous visionaries and unscrupulous despots.

The first fourth-century ‘tyrant’ of Sikyon was the elder Euphron. Xenophon portrays Euphron as a selfish opportunist and turncoat. He was at first a loyal pro-Spartan in Sikyon, with a good reputation among the Spartans. Nevertheless, when the Arcadians and Argives became predominant in the Northern Peloponnese, he turned his allegiance to them. He gained their agreement to orchestrate a democratic coup, in 367. After the democracy was established, clearly with popular support, Euphron appropriated public and sacred money, exiled leading pro-Spartans and killed or exiled those who had been elected to serve as ‘generals’ (στρατηγοί) with him: as a result, he was ‘clearly a tyrant’.⁴²¹

Euphron went on to alienate the Arcadians (at least, oligarchic Arcadians):⁴²² in 366, the Arcadian general Aineias of Stymphalos captured Sikyon, called on the remaining wealthy Sikyonians in the city to form a new regime and recalled the exiles. This caused Euphron himself to flee to the harbour, which he then offered to make loyal to the Spartans, claiming that he had never advocated revolt from Sparta. Meanwhile, *stasis* broke out in the city itself between the δῆμος and the wealthy. This allowed Euphron to return, with a mercenary force from Athens, to regain control of Sikyon as head of the δῆμος. Finding that a Theban harmost was in control of the acropolis, Euphron decided to go to Thebes to persuade the Thebans to expel the ‘most powerful

⁴²¹ Xenophon *Hellenica* 7.1.44-6.

⁴²² Thompson (1983), 149-51.

men' (οἱ κράτιστοι), presumably Sikyonian oligarchs. While on the embassy to Thebes, he was assassinated by the former Sikyonian exiles, who subsequently accused him of treachery in defending the assassination.⁴²³

Euphron probably did show some of the stereotypical tyrannical features ascribed to him by Xenophon: employment of mercenaries,⁴²⁴ exploitation of civic funds, imposition of arbitrary exile and other unconstitutional methods of self-preservation.⁴²⁵ However, as Lewis emphasises, there are hints in Xenophon's account that his accusations of tyrannical behaviour were at least partly ideological inventions, favoured by Xenophon himself and by the aristocratic Sikyonians with whom he sympathised: hints that Euphron could also be perceived as a populist democratic leader.⁴²⁶ Euphron's first step was to establish a democracy on the basis of 'equal and alike' civic rights. Moreover, he was elected general by the people in their newly convened assembly.⁴²⁷ Even when he returned after his own expulsion from Sikyon by Aineias of Stymphalos, he regained control of the town of Sikyon 'with the δῆμος', as well as his mercenaries.⁴²⁸

Moreover, after his death, the people of Sikyon granted Euphron burial in the agora and honours as a city 'founder'.⁴²⁹ This probably indicates that the democratic constitution was still in place in Sikyon;⁴³⁰ it certainly testifies to Euphron's

⁴²³ Xenophon *Hellenica* 7.3.

⁴²⁴ Trundle (2006), 69-70.

⁴²⁵ Mossé (1969), 128; Osborne (2003), 254.

⁴²⁶ Lewis (2004), esp. 71-4.

⁴²⁷ Xenophon *Hellenica* 7.1.45.

⁴²⁸ Xenophon *Hellenica* 7.3.4.

⁴²⁹ Xenophon *Hellenica* 7.3.12.

⁴³⁰ Berve (1967), 305-306.

popularity.⁴³¹ Moreover, it reveals that his popular image was as a distinctly civic figure, rather than a transgressive tyrant: he was deemed worthy of burial in the principal egalitarian civic space, the agora. Competing monopolistic interpretations of Euphron as city ‘founder’ or tyrant help to explain both his successful and attempted expulsions of opponents and his own flight to the harbour after his first period of rule.

The history of third-century Sikyon was dominated by similar exile-laden political conflict sustained by tendentious accusations of tyranny.⁴³² For example, Plutarch, probably partly following Aratus’ *Memoirs*, presented the early-to-mid-third-century pro-Antigonid political leaders of Sikyon as vicious, unstable tyrants.⁴³³ Nevertheless, the ‘tyrant’ Abantidas, at least, ruled for an eleven-year period (264-253/2), suggesting that he enjoyed domestic support and ensured a degree of political stability.⁴³⁴ Abantidas also advertised his interest in philosophy in a way more consonant with a citizen than a monarchical lifestyle: the philosophical disputation at which he was assassinated, of a type he was reportedly accustomed to attend, took place in the public space of the agora, not in a domestic quasi-court setting.⁴³⁵

An inverse case, in which a non-democratic political leader was probably stigmatised as a tyrant by opponents,⁴³⁶ is that of Aratus of Sikyon, who overthrew Abantidas’ successor, Nikokles. The evidence for this is Plutarch’s account of Aratus’ mobilisation of Sikyonian exiles to regain control of Sikyon in 251. The account

⁴³¹ Lewis (2004), 71; Rhodes (2005a), 219.

⁴³² Berve (1967), 396, suggests that the imposition of tyrants on third-century Sikyon reflected local conditions and civic divisions, but not that accusations of tyranny were commonly tendentious.

⁴³³ Plutarch *Aratus* 2.1-2.

⁴³⁴ Cf. Berve (1967), 394.

⁴³⁵ Plutarch *Aratus* 3.4.

⁴³⁶ For this phenomenon, cf. *Hellenica Oxyrhynchia* 15.2 (the Diagorids, probably constitutional aristocratic rulers of Rhodes, described as ‘tyrants’ in the rallying cry of a certain Dorimachos, leading a coup against them); compare also the tyranny accusations from fourth-century Eresos considered above.

begins with complimentary details. Aratus first consulted his fellow exile Aristomachos and the Megalopolitan ‘philosophical and practical man’ Ekdelos, a student of the Academic philosopher Arkesilaos. He then appealed to the Sikyonian exiles in assembly; those who felt ‘shame’ at not taking part agreed to participate in the attack on Sikyon, which other exiles presented as too ‘bold’. The exiled Sikyonian engineer (μηχανοποιός) Euphranor built scaling ladders for the attack, while unspecified men, presumably exiles, must have been responsible for the preparation of weapons which Plutarch mentions.⁴³⁷ This exile coalition corresponds in its three parts to the ideal city of Plato’s *Republic*: philosophers, ‘bold’ fighters and craftsmen. This complimentary part of Plutarch’s account probably derived from Aratus’ self-presentation in his *Memoirs*, in which he may have claimed philosophical legitimization for his political decisions, resembling Abantidas in eagerness to demonstrate an association with philosophy.

After its complimentary opening, Plutarch’s account adds damning details: Aratus also armed his slaves and recruited brigands.⁴³⁸ Significantly, these are activities characteristic of Plato’s tyrant, who hires fighters and arms his slaves to ensure his own security.⁴³⁹ These details are probably best attributed to a hostile source, probably Phylarchus, who wished to puncture Aratus’ pretensions to be a virtuous philosopher-ruler by exposing him as a tyrant, according to Plato’s own definition.⁴⁴⁰ This interpretation was probably coloured by Sikyonian popular tradition. If democratically-inclined Sikyonians did take this kind of view of members of the socio-cultural Sikyonian elite, their doing so could have helped to provide the impetus

⁴³⁷ Plutarch *Aratus* 5-6.1.

⁴³⁸ Plutarch *Aratus* 6.2.

⁴³⁹ Plato *Republic* 567d9-e7.

⁴⁴⁰ For a full argument in favour of this hypothesis about Plutarch’s sources: my M.Phil. thesis, section 2. Compare the discussion in section 3c)iii)D) above of the Δούλων πόλις at Colophon.

for the expulsion of wealthy Sikyonians in times of democratic dominance, such as the period beginning with Abantidas' seizure of power in 264.⁴⁴¹

In conclusion, tendentious accusations of tyranny, or sympathy for tyranny, which frequently led to political clashes resulting in expulsion, were a predictable consequence of civic political cultures. Such accusations represented the simplest possible solution to the central *aporiai* of Greek civic participation repeatedly encountered in this chapter. Representation of an opponent as a tyrant constituted a concrete interpretation, or a substitute for a concrete interpretation, of nebulous standards of civic virtue and vice. Indeed, not least in periods of tension and uncertainty, such as the aftermath of *stasis*, presentation of a particular citizen as a bestial⁴⁴² tyrant could obviate difficult questions about the precise nature of the common good or civic virtue.⁴⁴³ In addition, the inverse process, elevation of a single individual to the status of city saviour or even 'founder',⁴⁴⁴ could represent a concrete resolution, or a displacement, of quandaries about the nature of civic virtue. Moreover, presenting an opponent as a tyrant also represented a means, well-suited to a period of tension and uncertainty, of synthesising sectional demands and idiosyncratic opinions with communitarian idealism: if those obstructing a citizen's objectives were tyrants, or supporters of tyrants, the conflict between self-interest and civic-mindedness dissolved.⁴⁴⁵

⁴⁴¹ The young Aratus, for example, was carried away from Sikyon in 264, to grow up in exile in Argos.

⁴⁴² Cf. Diodorus 19.1.8 (Agathokles' ὀμότης).

⁴⁴³ Cf. Villard (2008), esp. 81-3, 776 (on tyranny accusations in Medieval Italian city-states).

⁴⁴⁴ As well as the elder Euphron, Aratus was posthumously honoured as a 'founder' of Sikyon: Plutarch *Aratus* 53.4; Lewis (2004), 71.

⁴⁴⁵ Compare Xenophon *Hellenica* 7.3.12, on popular identifications of 'good men' determined by sectional interest.

c) One-man rule, civic political cultures and citizen expulsion

The more law-abiding indisputable polis-monarchs of this period, who tended to adopt the authoritarian paternalism of a Hellenistic king, did not usually expel citizens:⁴⁴⁶ expulsion of citizens was hard to reconcile with protection of the flock. Rather, the genuine monarchs responsible for expulsions can usually legitimately be described as tyrants, by ancient standards: monarchs who were only casually bound by law.

Cases of citizen expulsion by genuine tyrants do not comply exactly with the general patterns discussed in the earlier parts of this chapter. However, ideas of citizenship emphasised as influential in those sections are still relevant to explaining them. For example, the establishment of the one-man rule of Agathokles in Syracuse in 317, and his resort to expulsion of citizens, is a revealing case-study of possible consequences of rhetoric and behaviour guided by unitarian teleological communitarian norms, in times of civic tension.

When Agathokles convinced the Syracusans to allow him to return from exile in 317, he swore an oath at the Temple of Demeter not to oppose democracy. The δῆμος then elected him general (στρατηγός) and ‘Guardian of the Peace’ (φύλαξ τῆς εἰρήνης).⁴⁴⁷ These offices foreshadowed Agathokles’ later election as lifelong στρατηγὸς αὐτοκράτωρ.

⁴⁴⁶ Demetrios of Phaleron might fall into this category (Berve (1967), 386-7). Compare Agathokles’ in his later reign, after his assumption of the royal diadem in 307/6 (Mossé (1969), 131; Consolo Langher (2000); Zambon (2006), 78-83), or Hieron II of Syracuse.

⁴⁴⁷ Diodorus 19.5.4-5.

The Syracusan δῆμος clearly regarded Agathokles as, on the one hand, a possible threat to ordered, egalitarian civic life: it was thought necessary for Agathokles to swear to do no harm to the democracy. On the other hand, however, the δῆμος presented his election to the extraordinary civic office of ‘Guardian of the Peace’ as a means to achieve the elusive ideal of civic unity: he was to exercise it until all citizens, including those recently returned from exile, were united in true ὁμονοία (μέχρι ἂν γνησίως ὁμονοήσωσιν οἱ συνεληλυθότες εἰς τὴν πόλιν).

This might be considered a mere pretext for the δῆμος to install in power a partisan champion of its interests.⁴⁴⁸ However, it is highly likely that at least some of those who voted for his election regarded the temporary transfer of considerable power to a single leading citizen as an expedient necessary for achieving the communitarian ideal of ὁμονοία. Although Mossé attempts to do so,⁴⁴⁹ it is very difficult to assess Agathokles’ own attitude. However, whatever his fundamental motives, Agathokles certainly based his self-presentation at this stage of his rule on an egalitarian communitarian ideal, rather than on monarchical ideals: he strove to show himself ‘one of the many’, in his rhetoric and dress.⁴⁵⁰

After his election to special offices in 317, Agathokles invoked the ideal, and apparent imperative, of civic ὁμονοία, to justify the purge of aristocratic Syracusans. In order to achieve this purge, Agathokles provoked fighting on the streets of Syracuse, in which many wealthy Syracusans were reportedly killed and 6000 forced to flee the

⁴⁴⁸ Cf. Zambon (2006), 78-9.

⁴⁴⁹ Mossé (1967), 175-6.

⁴⁵⁰ Diodorus 19.9.1-2; Berve (1967), 444, 447; Mossé (1967), 169-70; Zambon (2006), 88.

city.⁴⁵¹ Following the massacres and expulsions, Agathokles appeared before the Syracusan assembly:

Μετὰ δὲ ταῦτα συναγαγὼν ἐκκλησίαν κατηγόρησε μὲν τῶν
ἑξακοσίων καὶ τῆς ὑπ’ αὐτῶν προγεγενημένης ὀλιγαρχίας, καθαρὰν
δὲ φήσας τὴν πόλιν πεποιηκέναι τῶν δυναστεύειν ἐπιχειρούντων
ἀπεφαίνετο τῷ δήμῳ τὴν αὐτονομίαν εἰλικρινῇ παραδιδόναι καὶ
βούλεσθαί ποτε τῶν πόνων ἀπολυθεὶς ἰδιωτεύειν ἴσος ὦν πᾶσι.⁴⁵²

Afterwards, having summoned an assembly, he denounced the Six Hundred and the previous oligarchy led by them. After claiming that he had made the polis pure of those making attempts to establish autocratic regimes, he claimed to be returning absolute autonomy to the people and to want, released from labours, to live as a private citizen, equal with all.

Diodorus thus presented Agathokles justifying the massacres and expulsions in terms of the ‘purity’ of the polis and ‘absolute autonomy’. This rhetoric sounds distinctive, rather than formulaic, which supports the view that Diodorus’ report reflects Agathokles’ actual statements. If so, communitarian idealism, of the kind underlying Agathokles’ initial election as ‘Guardian of the Peace’, was the justification Agathokles gave for his removal of political opponents: their continued citizenship threatened the existence and autonomy of an immaculate, self-governing δῆμος. The rhetoric of tyrannical rule and exclusions could thus be partly a product of mainstream, non-monarchical civic norms: exclusionary tyranny could be an extreme consequence of the workings in times of tension and uncertainty of central, indeterminate communitarian ideals of civic integrity.

5. Conclusion to chapter 3

The different sections of this chapter reveal in further detail the patterns in civic political cultures discussed in chapters 1 and 2. They confirm the influence of

⁴⁵¹ Diodorus 19.6.4-8.6.

⁴⁵² Diodorus 19.19.1.

significant norms of civic voluntarism and reveal the influence of norms of political theatricality. Most importantly, they also support the view that most poleis in this period had political cultures underpinned by competing libertarian contractarian and unitarian teleological communitarian civic norms. The phenomena analysed in this chapter also support the view that there was rarely a significant intermediate strand in civic political cultures resembling modern Kantian and neo-Kantian thought.

This enduring underlying pattern took different forms. In Classical and early-Hellenistic Athens, for example, the most prominent libertarian contractarian principles were principles of meritocracy and free speech. Conversely, the most prominent unitarian teleological communitarian paradigm was that of the Athenian citizen-body as a solidaristic, autochthonous community of virtuous citizens, faithful to constitutional traditions. The principal contractarian features of early-fourth-century Peloponnesian civic political cultures were norms requiring unqualified respect for property rights and Spartan-influenced notions of honour, courage and revenge; the principal accompanying radical communitarian norms concerned religion, warfare and commensality. In second-century Asia Minor, libertarian contractarianism found expression in favourable attitudes to civic bargaining, strict legal justice and the protection of financial contracts. Conversely, radical communitarianism found expression above all in the ideals of *euergetism* and *ὁμόνοια*.

Furthermore, as is clear from the examples of civic unrest considered here, the content embedded even in individual poleis' unitarian teleological communitarian paradigms was usually markedly indeterminate; it normally remained subject to ongoing debate

and negotiation. This tendency to indeterminacy, combined with the central conflict between the communitarian and contractarian paradigms, helps to explain another feature of Greek political interaction very clear from this chapter: the coexistence of the strong constraining influence of political-cultural norms with wide-ranging individual autonomy. Citizens were able to exercise a high degree of autonomy in choosing between rival norms, deciding how to combine them and interpreting or adapting the embedded ethical and cultural content.

Sections 3 and 4 of this chapter demonstrate that the influence of the mainstream norms of citizenship discussed, and the absence of influential intermediate norms, requiring pluralism and open dialogue, to check the dominant extremes' implications, was an important cause of *stasis* and exilings. There were regional variations: for example, *staseis* in the Peloponnese frequently involved massacres.⁴⁵³ This feature might have been due either to Spartan exemplary barbarity or to the unleashing of suppressed hatred as a result of the lifting of the Spartan yoke in the early fourth century. However, the underlying social processes, and forms of political thinking, were similar in different regions.

For theoretical and empirical reasons raised repeatedly in this chapter, the relevant norms of poleis' political cultures should not be thought to have contributed to *stasis* only as the raw material for cynical instrumentalisation: rather, they also themselves shaped factionaries' ends. Significantly, for example, factions did not generally

⁴⁵³ For the early fourth century, compare the cases from Corinth and Phigaleia discussed above; also the Argive *skytalismos* of 370/69 (Diodorus 15.57.3-58.4; Gehrke (1985), 31-33). In the Hellenistic period: citizens of Achaian Dyme massacred members of a garrison established by Cassander and its supporters among their fellow citizens in 314 (Diodorus 19.66.6); there was perpetual violent *stasis* at second Arcadian Kynaitha (Polybius 4.16-20); Messenian democrats massacred leading wealthy Messenians, when both sides had been goaded by Philip V after the end of the Social War in 217 (Plutarch *Aratus* 49.3-5).

instrumentalise shared values in order to achieve wide-ranging consensus in favour of partisan proposals: rather, factions devised their own provocative, exclusive interpretations of shared values, which usually sustained only brief new regimes.

A brief synthesis of the contributions of different civic norms to exclusionary *stasis* can be offered here. Norms of civic voluntarism enabled and encouraged rival factionaries to create and run their own, partisan versions of civic institutions, as at Phlius in the 380s. The demands of political theatricality could also encourage extreme measures: it was more dramatic to expel a political enemy or group of political enemies than to compromise with him or them.⁴⁵⁴ The Corinthian oligarchs' attack on the Corinthian festival of Artemis Eukleia in 392, for example, was not only an attack on a performative civic event, but itself a piece of political theatre.

Moreover, the dominant rival paradigms of citizenship often contributed to exclusionary *stasis*. This was true, for example, when citizens were guided by one or the other set of norms to the exclusion of the other. Libertarian contractarian norms could imbue citizens with extreme perceptions of civic entitlement, which could contribute to tensions, especially when citizens pursued them mindless of broader considerations. Relevant entitlement claims included claims of entitlement to unconstrained freedom of political thought and action, of the kind advanced by some later-fifth-century wealthy Athenians and reflected in some credit-giving practices of elite citizens of Hellenistic poleis, well-attested for Asia Minor. However, they more commonly took the form of claims to political and financial entitlement earned through material civic contributions: for example, the claims of Athenian oligarchs in

⁴⁵⁴ Cf. Schama (1989), e.g. 354 (on the French Revolution).

404-3 or 322-319 to greater political power, unfettered by the voting strength of the poor majority, as a reward for their indispensable financial and personal contributions to the Athenian polis. Such claims, usually authorised as ‘just’ by the relevant political culture, crudely neglected the workings of luck, the self-reinforcing effects of individuals’ and groups’ accumulation of money and power and the existence of separate spheres of civic life, in which contrasting skills and contributions were valuable.⁴⁵⁵

As for the independent influence of communitarian norms, two tendencies already identified by Loraux were crucial. First, the particular severity of conflicts between fellow citizens who perceived themselves as ‘brothers’⁴⁵⁶ was probably a factor, for example, in the Peloponnesian massacres considered in chapter 3, section 3b)ii). Second, disagreements could harden or fester when they were suppressed as a result of citizens’ collective attempts to preserve an appearance of communitarian solidarity. At Athens before 404, or before 322, oligarchic resentment had festered during long years of democratic monopoly. In an inverse case, long-suppressed anti-Spartan resentment in the Peloponnese found expression in democratic anger and activism in the early fourth century. In Hellenistic poleis, the representation of communitarian solidarity as apolitical *ὁμόνοια* could have this effect, as at second-century Iasos: shared acceptance of a concept of *ὁμόνοια* merely concealed ideological, social or personal divisions,⁴⁵⁷ which could break out in intensified forms.⁴⁵⁸

⁴⁵⁵ Cf. the conclusion to section 3a)i)B) above.

⁴⁵⁶ E.g. Loraux (2001), 213.

⁴⁵⁷ Cf. Dössel (2003), 270.

⁴⁵⁸ Kalimtzis (2000), e.g. 96-9, thinks that Aristotle believed that partisan forms of *ὁμόνοια* were an important cause of *stasis*. However, Aristotle’s account in Book V of the *Politics* stresses the importance of individuals’ and groups’ pursuit of honour and gain, in accordance with rival conceptions of equality (not rival conceptions of virtue or civic unity): cf. Kalimtzis himself, 119, 154-5.

Another relevant process, not discussed by Loraux, was due to the nature of both generic and local unitarian teleological communitarian paradigms of the good citizen-body: well-defined in formal structure but indeterminate and ambiguous in content. Because they were of this nature, citizens could easily develop and promote contentious concrete interpretations of the correct harmonious ordering of their home polis. Indeed, in periods of hardship or uncertainty demanding clear, action-guiding applications of prevailing communitarian ideals, this combination of determinacy and indeterminacy *forced* citizens to conceive and present idiosyncratic or partisan concrete interpretations of them, reflecting their own experiences, values, objectives, age⁴⁵⁹ and social position, in uncompromising, monopolistic ways:⁴⁶⁰ as uniquely consistent with civic history, religion and traditions, as at Athens in 404-3 or Iasos in the 190s; or as uniquely consistent with substantive standards of civic virtue,⁴⁶¹ as in most of the cases considered in this chapter.

This made necessary vilification of political opponents, advocates or followers of rival interpretations of shared values, as anti-citizens, eligible for legitimate, polis-preserving expulsion: as uneducated, purely self-interested or vicious citizens or, at the extremes, as ‘slaves’ or ‘tyrants’. It was not always merely contingent that citizens immediately found people who could be represented within their ideological schemes only as vicious anti-citizens: in some cases, as in that of Classical Athens, discussed above, citizens developed their own specific interpretations of civic virtue precisely

⁴⁵⁹ Cf. Diodorus 18.46.3-47.3: later-fourth-century *stasis* in Pisidian Termessos between young and old citizens.

⁴⁶⁰ For freedom of interpretation as a cause of *stasis*: Bertrand (1999), 70.

⁴⁶¹ It was probably a common assumption that the virtuous are entitled to foment *stasis* (and expel opponents): Aristotle claims that it is the virtuous who are most entitled to foment *stasis* (Aristotle *Politics* 1301a39-40).

by contrasting themselves with fellow citizens. When circumstances demanded clarity about civic virtue, citizens were compelled to vilify those *frères-ennemis*. In an extreme case, citizens could come to advocate exacting standards of civic virtue and commitment of which they themselves fell short: the Argive ‘demagogues’ who incited the Argive people to a massacre of wealthy Argives by clubbing in 370/69 quickly found themselves the next victims of the collective fervour to expunge inadequate citizens which they had provoked.⁴⁶²

When rival groups of citizens each developed mirroring specific ideological interpretations of shared ideals, exclusionary *stasis* resulted. One of the most striking examples was the disintegration of the polis of Phlius, after 384, into two rival poleis, one inside and one outside the civic border: oligarchic messes and democratic assemblies competed for legitimacy on the Phliasian border in 381. This was a practical instantiation of Plato’s Socrates’ claim that an oligarchic polis is really two poleis, a polis of the rich and a polis of the poor.⁴⁶³

Paradoxically, at the same time as dividing poleis in this way, unitarian teleological communitarian rhetoric consolidated factions: those with overlapping contentious conceptions of cultural and ethical civic unity cohered into close-knit factions. Indeed, poleis usually splintered in this way into two, rather than more, factions, partly because each faction was united in vilification of members of the other as threats to civic order and cultural integrity.⁴⁶⁴

⁴⁶² Diodorus 15.57.3-58.4.

⁴⁶³ Plato *Republic* 422e5-423a1, 551d5-7; de Ste. Croix (1982), 70, 287.

⁴⁶⁴ Cf. Loraux (2005), 130.

The analysis of the potentially divisive effects of radical communitarian norms advocated in this chapter echoes the argument advocated by some modern historians that the idealisation of substantial political virtue and political unanimity contributed to political violence by, and internal divisions among, participants in the French⁴⁶⁵ and Russian Revolutions.⁴⁶⁶ It is also consistent with the arguments of modern liberal democratic and social democratic theorists that far-reaching ethical and cultural consensus within a political community is unrealisable: political institutions should protect pluralism and free debate between mutually respectful citizens.⁴⁶⁷ Similarly, it is consistent with Marxist and Marxist-inspired challenges to structuralist arguments in sociology: all or most supposedly consensual, specific ethical and cultural standards within political communities are necessarily intertwined with social domination and exploitation.⁴⁶⁸ Moreover, the predominant process suggested above by which communitarian norms led to political instability mirrors a process identified by modern deconstructionists as common in political communities which assign priority to the elimination of difference, in the interests of the supposed purity of their membership and ideals: inevitable differences concerning the interpretation of necessarily ambiguous and polyvalent political and cultural values lead the political community to implode, because members seek to destroy one another, as representatives of deviant, non-conformist political and cultural positions.⁴⁶⁹

Another process by which poleis' political cultures caused unrest was that citizens guided by, or promoting, one of the two dominant civic paradigms came into conflict with citizens guided by, or promoting, the other set. The clearest example of this

⁴⁶⁵ Furet (1992), x, 77, 103-104; Schama (1989), 184, 292, 297.

⁴⁶⁶ Priestland (2007), e.g. 15-16, 38, 41, 49.

⁴⁶⁷ Habermas (1996); Rawls (2000), 8-9; (2001), 21-3; cf. Williams (2005), 33-7.

⁴⁶⁸ Adorno and Horkheimer (1972), 20-2; Frazer and Lacey (1993); Frazer (1999).

⁴⁶⁹ Derrida (1994), 176-9, 247-52.

which is examined closely in this chapter is the clash between returned exiles and incumbent citizens in Phlius after 384, which led to the flight of the returned exiles back into exile. However, the process was also more widespread. Cartledge, for example, makes a general claim that a major cause of *stasis* in the Classical period was the contradiction between ‘notional civic egalitarianism’ and ‘sometimes extreme socio-economic stratification’.⁴⁷⁰ The former was partly due to the influence of communitarian norms and the latter to the influence of libertarian contractarian norms.

The destabilising effects of this process are evident even in non-revolutionary civic life. For example, incendiary accusations that opponents had received bribes were ubiquitous in fourth-century Athenian political debate. This was partly because libertarian contractarian norms emboldened magistrates to accept financial gifts, as ‘deserved’ recompense for public duties,⁴⁷¹ whereas communitarian norms simultaneously emboldened their detractors to accuse them of treacherous profiteering through public office. Yack argues that Aristotle regarded a process of this type as an important general cause of acrimony between supposed ‘friends’: disputes arise when members of a group of supposed ‘character friends’ behave only as ‘utility friends’, arousing the resentment of fellow group members.⁴⁷²

Furthermore, many of the examples considered here show that the combination of the principal rival paradigms within individual civic political cultures contributed to unrest in a different way. In moments of civic hardship and uncertainty, citizens no

⁴⁷⁰ Cartledge (2009), 22-3.

⁴⁷¹ Cf. Hyperides 5.24-5.

⁴⁷² Yack (1985), 105-107, 109, discussing in particular Aristotle *Eudemian Ethics* 1242b36-1243a2, 1243a34-7; compare Schofield (1998), 48-50.

longer enjoyed the security and resources required to tolerate or negotiate inconsistencies between the entailments of the rival paradigms of citizenship, through compromises, silences and mental compartmentalisation:⁴⁷³ instead, they sought to harmonise them within an unequivocal action-guiding ideological scheme, an apparently impregnable source of legitimacy and a means of achieving a coherent understanding of their complex political situation. They did so not least when they themselves, or fellow citizens, made claims to particular entitlements which punctured the appearance of communitarian solidarity, at at Phlius in the 380s.

Citizens could often have attempted to harmonise the entailments of the rival paradigms of citizenship by restraining or revising their perceptions of civic entitlement in accordance with robust notions of civic virtue and the common good, along the eudaimonist lines favoured by most philosophers in this period. However, in the examples considered here from Athens, Phlius, Iasos and Sikyon, competing groups of citizens achieved their own rival harmonisations by a less strenuous route, by embedding their competing contentious opinions and often extreme perceptions of entitlement in monopolistic interpretations of the correct specific form of communitarian civic unity: interpretations constructed from contentious crystallisations of ambiguous prominent civic traditions, notions of civic virtue and perceptions of collective interests.

The resulting rival harmonising interpretations each resolved subjective conflicts of political motivation within the thinking of individual citizens. Moreover, they could also often each have appeared to their respective exponents to resolve objective

⁴⁷³ Cf. Veyne (1983), esp. 52-68, on the 'balkanisation' of ancient Greek religious mentalities.

normative conflicts faced by their poleis. The case-study of Critias' ideology discussed in detail above represents an important case: Critias developed a utopian communitarian scheme, of a hierarchical, exclusive polis directed by those possessing abstract wisdom, in which his own claims to freedom and earned entitlement, but also his contentious conceptions of freedom and justice, could be realised.⁴⁷⁴ Partly because each group's syntheses of this type bore little appeal for fellow citizens, rival harmonising visions of civic unity, and their exponents, could rarely coexist within a single polis: expulsion of one group was often the result. This chapter has thus shown that two characteristic Greek civic phenomena of the fourth century and Hellenistic period, eudaimonism and exclusionary *stasis*, were intrinsically connected.

This account of the contribution to exclusionary *stasis* of the combination of contractarian and communitarian norms is broadly consistent with some modern analyses of political unrest. Some modern historians have interpreted the exclusionary violence and internal divisions of the French Revolution partly as consequences of simultaneous idealisation both of a formally conceived 'General Will' and of notions of personal liberty and desert: revolutionary citizens supplied partisan, contentious opinions and entitlement claims as the flesh on a shared skeletal notion of a unitary, unanimous French state.⁴⁷⁵ In a related way, theorists of the Frankfurt School partly explained the rise of Fascism in twentieth-century Europe as a result of the fusion by political elites of two prominent features of early-twentieth-century European political cultures: the newly dominant ideal of instrumental reason and the reaction it provoked, the reaffirmation of ideals of 'nature' and community. According to this

⁴⁷⁴ For a related interpretation of some ideas of Plato and Aristotle: Adorno and Horkheimer (1972), 22.

⁴⁷⁵ Cf. Hegel *Philosophy of Right* 258; Furet (1981), 48-61, and (1990), 87; Schama (1989), 162, 354, 359. Cf. Constant's claim that the French revolutionaries (con-)fused ancient and modern notions of political liberty (cf. Constant (1988), 309 (of 1819)).

view, political elites ‘refunctionalised’ notions of virtue and community to serve their instrumental ends as a partisan group, as well as to further the broader ‘rationalisation’ of society.⁴⁷⁶

Those who advocate such interpretations of the French Revolution and Fascism tend to imply that the explosive coexistence of radical ideals of virtue, self-sacrifice, community and a common will, on the one hand, and radical ideals of personal freedom and desert, on the other, is a distinctively modern development. As argued in this chapter, the two rival sets of ideals were also simultaneously influential, with sometimes devastating consequences, in many Greek poleis.

⁴⁷⁶ For an account of this approach: Habermas (1984), 368-70. Cf. Horkheimer (1947); Arendt (1967), ch. 10.

Chapter 4

The Social and Political Behaviour and Identities of Displaced Citizens.

Reflections of, and Influences on, Civic Political Cultures

1. Introduction

This chapter examines the range of forms of political behaviour and identity adopted by members of the best-attested type of displaced citizens in the period c. 404-146: those who retained an attachment to the polis ideal. In an approach resembling that of chapter 3, the focus throughout is on the influence on those exiles' behaviour and identities of the political cultures of the poleis to which they had been, or were, exposed: both home poleis and, in some cases, host poleis. The chapter considers the relative contributions of those political cultures and of exiles' autonomous agency to shaping their political interaction and organisation. As suggested in the general introduction to this thesis, the varieties of exilic behaviour and identity discussed here are particularly revealing evidence for the political cultures influential on the exiles concerned: they provide insights into the range of fundamental assumptions about politics which guided the behaviour of citizens thrust into the extraordinary situation of exile, with its dangers and opportunities for political experimentation.

2. Problems with the evidence: utopian and dystopian presentations of displaced citizens in poleis' public discourse and in literary works

a) Introduction

A major problem in identifying and studying exiles who clung to the polis ideal is the nature of the evidence for exiles in general. Although there survive some literary texts written by exiles and a few epigraphic texts and monuments set up on their initiative,

the most significant evidence consists of ancient representations of exiles produced by others: in particular, representations of exiles in the public discourse of expelling poleis or of host poleis, in civic texts commemorating periods of collective exile and in historical, rhetorical and philosophical works. All such accounts were shaped, or distorted, by significant political-cultural, ideological and rhetorical factors. This section offers a brief survey of relevant factors. This survey is a necessary preparatory exercise for the attempt to reconstruct exiles' actual behaviour and identities in subsequent sections, but it also itself yields important evidence for civic political cultures.

b) The representation of displaced citizens in the public discourse of their home poleis

Unitarian teleological communitarian civic norms determined most settled citizens' representations of exiled compatriots. Settled citizens commonly perceived their exiled compatriots as uncivilised and violent.¹ This perception could be expressed through a legal fiction: exiles or fugitives could be made equivalent to foreign military 'enemies' (πολέμιοι) in certain circumstances.² In addition, the words and actions of some settled polis citizens implied fear of unrestrained, destructive behaviour by exiles.³ Settled citizens could also represent exiled compatriots as the antithesis of the good civic benefactor or citizen. For example, by giving the Macedonian benefactor Timotheos the choice of any house among those confiscated from exiles to own, the later-fourth-century Eretrians symbolically contrasted those exiles with an individual worthy of civic recognition.⁴

¹ Cf. McKechnie (1989), ch. 2, esp. 20-1.

² Hatzopoulos *Macedonian Institutions* II, no. 40 (Amphipolis, 357), ll. 7-10; cf. Vantorpe (2007), text, pp. 123, 125 (Sagalassos, c. 333-200), ll. 9-15.

³ E.g. Aristotle *Politics* 1253a1-7; *I.Sinope* 1, ll. 18-20; Livy 32.39.9. Cf. also the discussion of SEG 39.1243, col. II, ll. 34-51, in chapter 3, section 3c)iii)D).

⁴ IG XII 9 196 (probably dating to 319/8), esp. ll. 2-4, 23-5; cf. Knoepfler (2001a), no. 7, esp. 180-4.

Settled citizens could also present exiled compatriots as devoid of the basic marks of civilisation. This is clear from Demosthenes' presentation of the behaviour of Xenophron, son of one of the Thirty Tyrants, Phaidimos (or Phaidrias),⁵ settled in exile in Pella, during the Athenian embassy of 346 which negotiated the Peace of Philokrates. Demosthenes presents Xenophron as having behaved in either a non-Greek or a non-civic way. According to Demosthenes, Xenophron arranged for a captive Olynthian woman to attend a symposium at his house, attended by Aeschines. The implication is that he admitted the slave-girl either *qua* free woman, betraying his corruption by the sympotic practices of the barbarian North, or *qua* slave-girl, in spite of the fact that the cause of her captivity, Philip II's capture of Olynthos, was an outrage to civic autonomy.⁶ In the case of this hostile representation of an exile, it is possible to imaginatively reconstruct the motivations and perspective of the stereotyped actor: Xenophron may have seen himself as recreating in exile Athenian aristocratic sympotic culture, heavily stigmatised in Athens since 403, a project which gained legitimacy through the presence of visiting Athenian envoys.⁷ However, recovery of a real exile's identity from Demosthenes' portrayal requires particular sensitivity to the ideological forces at work.

c) Representations of exiles in the public discourse of host poleis

Representations of exiles in the public discourse of poleis which granted them refuge⁸ all show the influence of distorting factors. Such representations occur in three principal media. First, they feature in public documents granting aid or asylum, or

⁵ MacDowell (2000), 287, citing Xenophon *Hellenica* 2.3.2.

⁶ Demosthenes 19.196-8, with Murray (1996), 15-16.

⁷ Contrast MacDowell (2000), 287: Xenophron was trying to gain favour with the Athenian envoys, with a view to a return to Athens.

⁸ On Archaic and Classical asylum: Lonis (1993).

reporting the past granting of aid or asylum, to exiles and refugees. The largest group of such texts consists of late-fifth- and fourth-century Athenian collective grants of a range of civic privileges to groups of exiles.⁹ A principal function of these texts was to present the exiles concerned as models for imitation by pro-Athenian partisans in other important cities, to offer incentives to those partisans to risk their citizenship for Athenian interests and to advertise Athenian benevolence, respect for the rule of law and requital of favours.¹⁰ As a result, the texts represent the exiles concerned in a highly schematic way: as ‘friends’ (φίλοι) of the Athenians or as ‘good men’ (ἄνδρες ἀγαθοί)¹¹ and sometimes as victims of unlawful expulsion.¹²

An early-Hellenistic document from Ephesus of a similar type is comparable in this respect: it represents the Prienian exiles given assistance as devoted promoters of Ephesian interests.¹³ However, two other surviving Hellenistic texts of this type represent the displaced Greeks involved in a different, equally ideological way, as meek recipients of humanitarian aid: both Aristonides of Stratonikeia and Polemaios of Colophon were honoured in the second century, by the Chrysaoric κοινόν and the polis of Colophon respectively, for humanitarian aid to refugees, involving hospitality

⁹ Rhodes-Osborne, *GHI* 2 (403/2), for Samian democratic refugees; *IG* II² 33 (c. 385), for Thasian exiles, who are compared with Mantineian exiles; *IG* II² 37, with addenda (pp. 656-7) (after 383), probably for exiles from Apollonia (Wilhelm, cited in the addenda to *IG* II² 37, pp. 656-7), Thebes (Seibert (1979), 113) or the whole of Boeotia (Walbank (1982), 268, with n. 19); *IG* II² 109 (363/2) (for Astykrates and fellow Delphian exiles; Rhodes-Osborne, *GHI* 77 (338/7), for Akarnanian exiles; *IG* II² 545 (321/0 or 320/19, i.e. under the reduced-census regime at Athens), for Thessalian exiles. Compare decrees for exiles of unknown origin: *IG* II² 211 (c. 348); 435, ll. 9-11 (345-320); probably also 254 (before 336/5) (Lambert (2007), nos. 58, 68 and 61).

¹⁰ For propagandistic emphasis on Athenian benevolence to refugees: Isocrates 12.94; Forsdyke (2005), 232, 234-9.

¹¹ For a similar retrospective presentation of a pro-Athenian individual's triumphant return from exile, compare *IG* II² 448, ll. 45-7.

¹² *IG* II² 109, ll. 15-21; 545, ll. 6-8.

¹³ *I.Ephesos* 2001, esp. ll. 6-7.

and donations.¹⁴ The emphasis on humanitarian aid in these two texts was partly a reflection of the fact that the recipients of aid were war refugees rather than political exiles. However, it also suggests a wider shift in the political cultures of Hellenistic poleis, explored further later in this chapter: a shift towards humanitarianism in political debate.

Second, resident exiles are represented in some fourth-century Athenian forensic speeches. The significant distorting influence was that speakers manipulated their presentations of exiles with whom they were themselves associated, or whom they otherwise needed to present favourably, in the hope of better persuading the jury. They did so by presenting the exiles in question as unthreatening, or positively favourable, to the Athenian civic community and to Athenian democracy: as docile and moderate;¹⁵ as faithful Athenian allies who had given up their possessions and families for Athens;¹⁶ or as members of organised, democratically-run¹⁷ quasi-civic communities of exiles from one home polis, safely imitative of, and subordinate to, the Athenian civic community itself.¹⁸

Third, displaced citizens could be represented by Athenian citizens in polemical texts partly intended to convince fellow Athenians of the necessity of helping the displaced. Isocrates' *Plataicus*, for example, is probably best interpreted as a pamphlet written by Isocrates to promote a number of causes, including more humane treatment of

¹⁴ *SEG* 53.1229, ll. 11-14 (Şahin (2003)); *SEG* 39.1243, col. III, ll. 25-35. The former text may refer only to Aristonides storing property, but the absence of space for an object of ἀποσκευ[ασμένων] and the use of masculine pronouns as objects of ὑπεδέξατο suggests that it was people to whom he gave space 'in his fields and in the polis'. The participle ἀποσκευ[ασμένων] would then be used absolutely, to mean 'packing up and leaving'; cf. *OGIS* 229, ll. 56-8.

¹⁵ Demosthenes 19.80.

¹⁶ [Demosthenes] 59.103-104.

¹⁷ Cf. Aeschines 2.142.

¹⁸ E.g. Lysias 23.6-8.

Plataean and other refugees at Athens: Isocrates makes his Plataean speaker lament the misfortunes and helplessness of the Plataeans in exile,¹⁹ inviting sympathy for them. In doing so, Isocrates was implicitly advocating the application of humanitarian values to political decision-making, anticipating Hellenistic trends.²⁰ As in the case of the other representations considered above, it is difficult to penetrate beyond the rhetoric to discover the actual self-presentation and dynamics of the exile group concerned.

d) Commemoration of the political activities and identities of exiles after their return home

Another rich source for exiles' organisation and identities is public commemoration of collective displacement, produced after exiles' return home. Many returnees publicly commemorated their own displacement, but civic exile traditions were also constructed, or adapted, by subsequent generations. Such traditions were established and preserved through a wide range of media: honorary decrees for benefactors who had given assistance during a period of collective exile;²¹ honorary decrees for restored exiles themselves;²² internal civic legal documents;²³ criteria for holding civic magistracies;²⁴ plays for the civic stage;²⁵ civic political and legal oratory;²⁶ the

¹⁹ Isocrates 14.46-50.

²⁰ For another possible fourth-century Athenian text promoting the interests of a group of displaced citizens, Menander reportedly included a story in his lost *Haliutai* 'on behalf of some exiles from Herakleia' (ὑπὲρ τινῶν φυγάδων ἐξ Ἡρακλείας) (Athenaeus Book XII, 549c).

²¹ Cf. *IG* XII 6 1 17-41 (cf. 42-3) (Samos, after 322); Ampolo (2001a), Entella texts A2, ll. 9-13 and A3, ll. 8-14 (Entella, probably mid-third century) (cf. Ampolo (2001b), xiv); *IPArk* 18 (Elateia, c. 189); *I.Oropos* 307 (text 151/0; events described c. 156). Possibly compare *Iscr. di Cos* ED 17, frs. a and b, as restored in Herzog (1942), text 6B (p. 14), ll. 2-5 (Cos, late fourth century) (honorary decree for a citizen benefactor).

²² E.g. *CID* 4.118 (decree of Delphic Amphictyony, 119).

²³ Rhodes-OSborne, *GHI* 83, β side, ll. 1-3 and γ front, ll. 7-8 (Eresos, later fourth century).

²⁴ Aristotle *Politics* 1300a16-19: in fifth-century Megara (probably in 424), eligibility for office was restricted to those who had participated in the recent anti-democratic exile movement.

²⁵ Cf. the interpretations of Menander's *Sikyonioides* and the Greek source for Plautus' *Rudens* mentioned in n. 36 below.

²⁶ E.g. Lycurgus *In Leocratem* 71-2; Demosthenes 18.204-205; Lysias 31.9.

rhetoric of submissions to an interstate arbitration, subsequently recorded and displayed epigraphically;²⁷ works of local history;²⁸ oral traditions;²⁹ and the organisation of civic festivals.³⁰

Such traditions were necessarily heavily shaped by rhetorical and political-cultural or ideological factors.³¹ Distorted representations of displaced groups of citizens are best attested in later-fifth- and fourth-century Athenian democratic discourse: large groups of Athenians displaced in 480,³² 411,³³ 404-3,³⁴ 322-319³⁵ and possibly also 317-307³⁶ were each idealised as instantiations of a patriotic, egalitarian δῆμος-in-exile,

²⁷ Magnetto (2008), text (pp. 34-45) (new edition of *I.Priene* 37, a record of the Rhodian arbitration between the Samians and Prienians concerning the Karion), ll. 87-102: a narrative of the exile of a group of anti-tyrannical Prienians in the Karion fort during the tyranny of Hieron (probably 301/0-298/7). On the date and the exiles' conduct: Magnetto (2008), 113-18. The narrative occurs in the Prienians' first submission before the Rhodian arbitrators (Magnetto (2008), 65). Since this arbitration dates to the early second century (probably 197-191: Magnetto (2008), 75-7), the Prienian representatives were referring to events a whole century earlier. For reference in diplomacy to a more recent experience of collective exile, cf. the Megalopolitans at Livy 32.22.10.

²⁸ E.g. Memnon *FGrH* 434, lone fragment, 4.1, 3; 7.3-4: Memnon, a late-Hellenistic citizen of Herakleia Pontika, recorded the patriotism of early-Hellenistic Herakleot anti-tyrannical exiles in his narrative history. In doing so, he probably used the historical works of Nymphis of Herakleia, an early-Hellenistic historian (*FGrH* 432) who was a leader of the exile group (11.3) (cf. F. Jacoby, *FGrH* IIIb, 259, 273). It was thus probably Nymphis who first crystallised collective memories of the exiles' behaviour into a written account, incorporating his own recollections. For another late-Hellenistic recording of a civic tradition about collective flight, compare Higbie (2003), text, pp. 18-49, col. D, ll. 2-59: an account of the flight of Lindians to local strongholds in 480.

²⁹ For example, Pausanias probably relied partly on oral traditions for his descriptions of local legends about exile (especially his account of Messenian exile traditions in Book IV).

³⁰ Pausanias 9.3.5. Cf. *I.Priene* 11, considered alongside Magnetto (2008), text (pp. 34-45), ll. 87-104: Crowther (1996), 211-13, 220.

³¹ For an example of the plasticity of poleis' traditions about their own history, especially with regard to moments of defeat or crisis: Pretzler (2005).

³² Herodotus 7.143-4, 8.79-80, 9.3-6; Plutarch *Themistocles* 10-17; Lycurgus *In Leocratem* 122; Demosthenes 18.204-205; cf. Hirzel (1909), 263-4; Rosivach (1987), 240-1; Allen (2000), 142-5.

³³ Thucydides 8.75-6. Cf. Hornblower (2004b), 253-4; Forsdyke (2005), 183, 189-90; Hornblower (1991-2008), vol. III, 977-81.

³⁴ E.g. Rhodes-Osborne, *GHI* 4; Plato *Apology* 21a; Lysias 25 and 31, esp. 31.9; Demosthenes 20.48; Aeschines 3.181, 187, 208. Cf. Thomas (1989), 132-8; Wolpert (2002), part II; Forsdyke (2005), 262-3. The sixth-century exiles from the Pisistratids were often assimilated to these exiles: Andocides 1.106, 2.26; Thomas (1989), 139-41, 252-4; Forsdyke (2005), 129, 267.

³⁵ *IG* II² 448, ll. 62-4.

³⁶ There are possible allusions to later-fourth-century collective democratic exile, in 322-319 or 317-307, in New Comedy. Lape (2004), 216-17, 234, 237-9, 241, identifies relevant symbolism in Menander's *Sikyonioi*. Furthermore, Daemones, the main character in Plautus' *Rudens*, based on a lost late-fourth-century Athenian play by Diphilus, is living in exile (l. 77) in Cyrene, because he has lost his property (ll. 33-8): a plausible interpretation is that Diphilus represented Daemones as having lost his property, fallen below the property-census of 322 or 317 and fled into exile on losing his citizenship

capable of preserving pristine democratic standards ruptured at home³⁷ and heroically forcing a return to Athens.³⁸ In these Athenian cases, and in other Greek cases considered below, invented or adapted traditions about collective exile were particularly effective paradigms of communitarian civic order: citizens could imagine the civic community in exile as a sublimated, ideal version of the normal civic community, in which all members had voluntarily dedicated themselves to collective well-being. This was partly because, in a period of collective exile, the civic community was displaced from the normal physical environment of its polis, in which an inegalitarian structure of property relations was embedded. As a result, a period of collective exile was one in which the citizen-body could be conceived as having transcended conventional socio-economic divisions.

Probably interconnected traditions resembling the Athenian ones were developed in poleis of the Eastern Aegean in the early-Hellenistic period. As discussed in chapter 3, section 4b), the early-Hellenistic Eresians and Prienians constructed parallel traditions: all and a large number of citizens respectively had been exiled during tyrannical regimes.³⁹ The nearby Samians contemporaneously constructed a similar tradition regarding their collective exile from a different type of oppressive usurper of civic power: the Athenian cleruchy on their island (365-322).

(contrast Marx (1928), 63-4 (*ad* ll. 35-8); Leigh (2010), 112-13). In that case, Daemones' discovery of his long-lost daughter in Cyrene and her marriage to a fellow Athenian expatriate there could have been symbolic of the solidarity among Athenian democrats in exile in 322-319 or 317-307.

³⁷ For praise of an individual for preserving pristine democratic credentials in exile, compare the Athenian honorary decree of 272/1 for Demochares of Leuconoe, which praises him for not collaborating with any oligarchic regime (Plutarch *Vitae decem oratorum* 851ef; cf. Shear (1978), 63; 54-5, n. 154).

³⁸ Taylor (2010), 241-65, suggests that Thucydides wished to criticise the quasi-exiles in the Athenian fleet on Samos in 411 for partisanship and lack of attachment to Athenian territory. This is, however, a slightly forced interpretation of Thucydides' presentation. In any case, Athenian democrats themselves probably had a far less equivocal view of this instantiation of the δῆμος-in-exile.

³⁹ Rhodes-Osborne, *GHI* 83, β side, ll. 1-3 and γ front, ll. 7-8; Magnetto (2008), text (pp. 34-45), ll. 87-102.

Probably partly in order to counter fissiparous tendencies in the restored polis,⁴⁰ the returned Samians represented their former selves as having formed a cohesive δῆμος-in-exile even when dispersed around the Mediterranean,⁴¹ by presenting ‘the δῆμος when it was in exile’ as the collective recipient of aid from the honorands of post-return honorary decrees.⁴² The establishment of such honorary decrees in the Samian Heraion was itself an ostentatiously collective form of commemoration: it contrasts, for example, with an earlier reported commemoration of exile and return in the Heraion through a personal dedication, by Pythagoras’ son Arimnestos.⁴³ The communitarian character of both the content and means of Samian post-322 commemoration of the period of exile may well conceal a reality of divisions and local variations within the recent Samian exile diaspora.⁴⁴

There is a significant contrast between the Athenian and Samian cases: whereas the Athenians constructed the various versions of the Athenian δῆμος-in-exile as heroic and largely self-sufficient, the Samians represented their δῆμος-in-exile as heavily dependent on external aid. This was characteristic of many Hellenistic civic traditions about collective exile. Such representations can be partly explained by the fact that shared memory of appreciative dependence on a powerful foreign benefactor while in

⁴⁰ Cf. n. 52 below.

⁴¹ Shipley (1987), 161-4.

⁴² *IG XII 6 1* 17-41 (cf. 42-3).

⁴³ Duris *FGrH* 76, F23. It may be significant that Duris mentioned Arimnestos’ dedication; his family was associated with a far less egalitarian conception of the Samians-in-exile of 365-322 (cf. n. 52 below).

⁴⁴ Cf. section 4a) below. On the possible wider significance of social memory of collective exile for the civic life of Hellenistic Samos: Fabricius (1999), 156-8; contrast Ma (2004a), 207-208.

exile could provide a basis for a small polis to construct more durable relations with that benefactor after return.⁴⁵

However, it was probably also due to the broader development towards politicised humanitarianism in Hellenistic political cultures, mentioned above. Some Hellenistic civic traditions about collective exile represent exiles from the city concerned as helpless, meek recipients of humanitarian aid:⁴⁶ the suppliant identity was becoming a patriotic civic identity, cherished and given publicity by citizens. The most extreme case is that of the third-century Entellinoι, who presented themselves in exile as dependent wanderers: they thanked the citizens of Enna for granting them asylum when ‘we went into exile from our own city and were wandering’ (ἐπλανώμεθα).⁴⁷

A sign that there was a transition to politicised humanitarianism in this period is that one relevant public civic text fused humanitarian with more traditional rhetoric. The Elateians in c. 189 thanked the Stymphalians, their kin according to myth, for having shown ‘energetic exercise of humanity appropriate to their kinship’ (ἐκτενεῖ[αν φιλα]ν?θ?ρωπίας τᾶι σ?[υγγενεῖαι καθ]ακοῦσαν) in making grants to them when they were expelled *en masse* from their own polis. They thus alluded both to new universalist humanitarian grounds for public aid to refugees and more traditional, particularist grounds of kinship, at the same time as blending a traditional notion of

⁴⁵ See, for example, the commemoration of help while in exile from Enna and Egesta by the Entellinoι, probably in the mid-third century: Ampolo (2001a), Entella texts A2, ll. 9-13, and A3, ll. 8-14; on the date, p. xii. Mackil (2004), 503-504, thinks a network of mutual support including Entella, Enna and Egesta already existed before the exile of the Entellinoι.

⁴⁶ Livy 32.22.10 (reported Megalopolitan claims about Antigonos Doson ‘restoring to their fatherland’ Megalopolitan refugees of 223); *IPArk* 18 (Elateia, c. 189), esp. ll. 2-5; *I.Oropos* 307 (Oropos, c. 151/0), ll. 4-25.

⁴⁷ Ampolo (2001a), Entella text A2, ll. 9-13.

virtue as striving (ἐκτένεια) with a less conventional notion of compassionate, philanthropic virtue.⁴⁸

Exiles presented as dependent refugees had not necessarily been so meek in reality. This is clear from the contrast between the Oropian epigraphic portrayal of displaced Oropians of c. 156 as helpless refugees dependent on the charity of an influential Achaian⁴⁹ and Pausanias' story that contemporary Oropians, probably the same exiles, attempted to bribe Spartan generals of the Achaian League to persuade the League to intervene militarily on their behalf.⁵⁰ Significantly, therefore, civic traditions could downplay, as well as exaggerate, exile groups' political autonomy. It is difficult to penetrate beyond either mirage to discover exiles' actual political activities and preferences.

Another factor which makes such civic traditions difficult to use as evidence for exiles' actual political behaviour and identities is that, like other civic legends and collective representations considered in chapters 1-3 of this thesis, such traditions were open to contestation: they could oscillate in their meaning and interpretation or fissure into idiosyncratic or partisan versions.⁵¹ In particular, there could be disagreement about where the responsibility for the achievements of an exile movement lay: with the masses or their leaders.⁵² Necessarily indeterminate exile

⁴⁸ *IPArk* 18, l. 2.

⁴⁹ *I.Oropos* 307, ll. 4-25.

⁵⁰ Pausanias 7.11.4-12.1. For the identification of the two groups: Seibert (1979), 217-18; Petrakos (1997), 218. This identification depends on interpreting Pausanias' καταφεύγοντες ἐπὶ Ἀχαιοὺς (7.11.7) literally, as a reference to flight.

⁵¹ Cf. Clarke (2008), 315, on the fissiparous and contested character of many local Greek civic traditions.

⁵² Concerning the Athenian exiles of 404-3: contrast the emphasis on individual leadership in Isocrates 8.123 and (for example) Demosthenes 58.67 (cf. Thomas (1989), 132-8; Forsdyke (2005), 262) with the dominant Athenian tradition about the solidaristic, egalitarian δῆμος-in-exile of 404-3. Concerning

traditions also evolved across time, in accordance with changing political circumstances. For example, fourth-century Athenians forged a purported decree of the βουλή on Salamis of 480-79, authorising the stoning of Lykidas, who had proposed capitulation to the Persians.⁵³ The forging of this decree may reflect, not only the tenacity of the mass displacement of 480-79 as an Athenian paradigm of collective patriotism, but also fourth-century unease, in a period when the ‘sovereignty of law’ had established itself,⁵⁴ at the spontaneous, unregulated violence against Lykidas.⁵⁵

e) Historiographical and philosophical representations of exiles

Literary conventions and polemics strongly shaped portrayals of exiles by historical and philosophical authors in this period. There was a consistent tendency for such authors to represent exiles and exile groups as political and ethical paradigms, often at the expense of historical accuracy. An author could treat a group of displaced citizens as a kind of political laboratory, in which the strains and opportunities of exile revealed the strengths and weaknesses of different forms of political organisation. This approach to exile communities encouraged rhetorical manipulation of facts, in order to make the results of the quasi-laboratory analysis cohere with the author’s political outlook. The most extensive example dates to the 360s: Xenophon’s paradigmatic presentation of the wandering Greek mercenaries of his *Anabasis*,

the Samian exiles of 365-322: contrast Pausanias 6.13.5 (as emended and restored by Barron (1962), 190-1, developing a suggestion of Schwartz in *RE* V, col. 1853) with the image of a homogeneous, egalitarian δῆμος-in-exile in the post-return honorary decrees set up in the Heraion: Pausanias claims that Kaios ‘led the δῆμος back to their homes’, a report suggesting hierarchical political organisation among the exiles, probably derived from Kaios’ own monument at Olympia, one strand in Samian oral tradition or the work of Kaios’ son Duris (Shipley (1987), 179).

⁵³ Lycurgus *In Leocratem* 122; Habicht (1961), 21-2; Flower and Marincola (2002), 108.

⁵⁴ Cf. Ostwald (1986).

⁵⁵ Habicht (1961), 22, 31. Rosivach (1987), 239, argues that the idea that a decree had been passed developed as a legitimating device very soon after 479.

mercenaries who become ‘refugees’, in the sense of wanderers with no imminent prospects of settled residence or long-term employment, after the death of Cyrus.⁵⁶

As recent studies demonstrate, Xenophon manipulates his narrative to enhance the rhetorical force of his moralising account of the experience and political behaviour of the refugees.⁵⁷ The result is a sweeping, tendentious portrayal of the construction and dissolution of political community: the refugees retain close-knit communitarian organisation until they reach the Black Sea, but are then consumed by various forms of *stasis*. At first, the displaced army is a utopian paradigm of quasi-Spartan militaristic, hierarchical civic *ὁμόνοια*, in which the voluntary heroic striving of each serves the common good.⁵⁸ As soon as appeals to enlightened individual self-interest come to dominate political debate,⁵⁹ the army fragments.⁶⁰ The account thus offers good evidence for Xenophon’s own preference for communitarianism over libertarian contractarianism, but only very problematic evidence for the political tendencies of refugee mercenaries.

Other authors offered more monolithic utopian or dystopian presentations of displaced individuals and groups. Such presentations were probably inspired by the belief that exile was a state of exception, flux and disorientation, in the context of whose pressures and opportunities individuals and groups could take on extreme forms of character and political organisation respectively. These extreme forms of character

⁵⁶ For an analysis of the influence of literary and rhetorical considerations on another portrayal of an exile group by Xenophon: Schmitzer (1998).

⁵⁷ Lane Fox (2004b), 42-4; Rood (2004a), 210.

⁵⁸ Cf. especially Xenophon *Anabasis* 3.2.31.

⁵⁹ Xenophon *Anabasis* 5.1.5-13; 5.7.26-9.

⁶⁰ Cf. Nussbaum (1967), e.g. 157-8; Roy (1967), 312; Dillery (1995), 64-95; Ma (2004b). For another literary construction of an exile group veering between utopian and dystopian tendencies, compare the analysis of Plutarch *Aratus* 5-6.2 in my M.Phil. thesis, section 2; cf. this thesis, chapter 3, section 4b).

and organisation could be taken to reveal with exceptional clarity fundamental, and sometimes suppressed or unfulfilled, tendencies of the individuals and groups concerned, or could be offered as real-life paradigms of otherwise abstract ideals or nightmare visions.

Monolithically utopian presentations of exile communities are attested in historical works. For example, Polybius explicitly presents the Megalopolitan refugees of 223, who refused an offer from their expeller, Cleomenes III, to return to their conquered polis in exchange for defection from the Achaian League and alliance with him, as an ethical paradigm, of a notably libertarian contractarian type: the Megalopolitan refugees chose to preserve formalised ‘good faith’ (πίστις) with the Achaian League, even at the expense of continued separation from their ‘territory, tombs, cults, homeland and possessions’, bulwarks of communitarian civic unity.⁶¹ Polybius almost certainly shaped his presentation partly to suit his wider political and ethical arguments. For example, his praise for the Megalopolitan refugees was a practical application of a view, probably in circulation in Rome while Polybius was himself in exile there, which Cicero represents Scipio and Laelius discussing: possession of civic institutions and buildings is not sufficient for a community to qualify as a *res publica*; its citizens must also be bound together in a *consensus iuris* (a consensus about law or the right).⁶² By choosing to remain in exile, Polybius’ Megalopolitans sacrificed the material existence of their polis in order to remain a polis in this more abstract sense: a community united in commitment to lawful and morally justifiable behaviour.

⁶¹ Polybius 2.61; cf. my M.Phil. thesis, section 4ii).

⁶² Cicero *De Re Publica* 3.43-5; Schofield (1995b).

Although Polybius praised the Megalopolitan refugees along libertarian contractarian lines, historians more commonly represented groups of ‘men without a polis’ (ἀπόλιδες) as paradigms of communitarian solidarity. Indeed, as I argued in my M.Phil. thesis, Polybius’ presentation of the Megalopolitan refugees of 223 as motivated by the desire to maintain contractual πίστις with their allies was probably partly a reaction against Herodotus’ presentation of the motivations of another group of ἀπόλιδες who refused an offer from their long-term enemy to return to their polis in return for a demeaning alliance: the Athenians of 480-79, whom Herodotus represents refusing Xerxes’ offer of a return and alliance on grounds of love of freedom, piety and Greek identity, without any acknowledgement of their formal treaty obligations to their Greek allies.⁶³

At least one philosopher published paradigmatic accounts of exiles’ lives: the second-century Stoic Panaetius is reported to have written a work entitled Φυγάδες, presumably containing accounts of the lives of famous exiles who had displayed Stoic virtue and cosmopolitanism even in exile, sufficient to guarantee their own happiness even amid its hardships.⁶⁴ Laudatory anecdotes about the asceticism, imperviousness and cosmopolitanism in exile of the Cynic founders Diogenes of Sinope and Crates of Thebes, eventually recorded by Diogenes Laertius,⁶⁵ were probably also in circulation in the Hellenistic period.

⁶³ Herodotus 8.143-4. For the unacknowledged alliance: Herodotus 7.145.1. For other monopolistically utopian presentations of exile groups by historians: Thucydides 8.75-6; Diodorus 14.78.6; and the reconstructions of portrayals of exile groups by Aratus and Phylarchus in my M.Phil. thesis, sections 2 and 3.

⁶⁴ Diogenes Laertius 2.85. For a later example of such a Stoic presentation of an exile: Seneca *De Consolatione ad Helviam* 9.4-6; Rawson (1985), 285-6.

⁶⁵ E.g. Diogenes Laertius 6.49, 63, 93; Branham (2007).

A paradigm of the construction of a community of the displaced as monolithically dystopian is the tradition that Philip II founded a city in Thrace in which he settled criminals, sycophants, perjurers and other ‘vicious’ people: Poneropolis.⁶⁶ In the richest source of such representations, Isocrates’ speeches, the *πλανώμενοι* or ‘wandering masses’, usually presented as an amorphous group, are a running symbol of the social instability and ethical decay which Isocrates perceived in the fourth-century Greek world: both victims and causes of social and political upheaval.⁶⁷ Dystopian representations of exile groups also featured in Hellenistic historiography.⁶⁸

By way of conclusion to this sub-section, one single recurring motif in literary portrayals of exiles can be shown to give strong support to the view that the authors concerned were often self-consciously participating in an ongoing political debate and observing enduring literary conventions: the motif of a group of exiles or refugees stoning, attempting to stone or ‘almost stoning’ an internal or external opponent. This motif featured in accounts of exiles’ behaviour by Herodotus,⁶⁹ Thucydides,⁷⁰ Xenophon,⁷¹ Demosthenes,⁷² Lycurgus,⁷³ Phylarchus,⁷⁴ Polybius⁷⁵ and Diodorus.⁷⁶

⁶⁶ Theopompus *FGrH* 115, F110. ‘Poneropolis’ was probably a disparaging name for the new foundation of Philippopolis in Thrace: Hansen and Nielsen (2004), 894.

⁶⁷ E.g. Isocrates 4.115, 4.167-8, 5.96, 5.120-3, *Letter* 9.8-10. Cf. Fuks (1984), 52-79, esp. 60-6; McKechnie (1989), ch. 2, esp. 24-7. The accuracy of this portrayal with regard to the case-study of exiles from Lesbos is questioned in Brun (1988).

⁶⁸ Livy 38.33 (probably based on Polybius; cf. my M.Phil thesis, section 4iii); cf. also the reconstructions of portrayals of exile groups by Phylarchus in my M.Phil. thesis, sections 2ii) and 3. Compare Quintus Curtius 7.5.29, probably based on Cleitarchus (Hammond (1998)); the Branchidai of Miletus, long exiled in Asia, had become *degeneres* in their language through contact with non-Greeks, despite preserving Milesian *mores*.

⁶⁹ Herodotus 9.5.

⁷⁰ Thucydides 8.75.1.

⁷¹ Xenophon *Anabasis* 5.7.5-29, Xenophon *Anabasis* 6.6.7.

⁷² Demosthenes 18.204-205.

⁷³ Lycurgus *In Leocratem* 122; cf. Hirzel (1909), 263-4; Rosivach (1987), 240-1.

⁷⁴ Phylarchus’ account is reported in Polybius 2.61.5.

⁷⁵ Polybius 2.61.5.

⁷⁶ Diodorus 19.71.5 (probably based on Timaeus).

The stoning motif itself encapsulates the ambiguity of the stereotypical literary ‘polis-in-exile’: it was both utopian and dystopian. On the one hand, stoning was an enactment of the communitarian ideal: it was the ultimate form of co-ordinated⁷⁷ collective action to uphold common interests and shared ethical standards, by excluding a wrongdoer or vicious individual from the community.⁷⁸ On the other hand, stoning could be a violent, impulsive symptom of collective disorientation and disillusionment with conventional political methods.⁷⁹

f) Conclusion

The third-person portrayals of exiles considered in this section supplement the picture of civic political cultures developed in previous chapters: they attest the widespread influence of dominant unitarian teleological communitarian and slightly less prominent libertarian contractarian norms. They also provide initial evidence for the increasing political application of humanitarian norms in the Hellenistic period. However, for reasons repeatedly stressed, such portrayals are difficult to use as evidence for exiles’ actual political behaviour and identities. Indeed, the details in such portrayals which would be most revealing for the project of this chapter, those concerning exiles’ political language and ethical values, are the most subject to distorting influences.

Nevertheless, an attempt is made in subsequent sections to reconstruct many exiles’ actual political behaviour and identities. This is achieved partly by assuming that the

⁷⁷ Hirzel (1909), 226-32, emphasises that Greek stonings were often tightly structured and rule-governed: many cases cannot be classified as unregulated mob violence.

⁷⁸ Cf. Hirzel (1909), esp. 238-9, 244-6, 253-8, 261-2, 264-5; cf. Wilhelm (1911), 177-8. Demosthenes and Lycurgus, in particular, unambiguously present the resort to stoning by the Athenian refugees of 480-79 as a heroic, patriotic move.

⁷⁹ Cf. Hirzel (1909), 263; Rosivach (1987), 236, 243-4.

more mechanical details of such portrayals, concerning exiles' institutions and formal relations with outsiders, were less susceptible to tendentious distortion: falsifying such clear-cut, verifiable details would often have exposed those responsible to immediate refutation. Considerable information about exiles' political assumptions can be inferred from such formalised political behaviour by exiles. However, recovering exiles' political identities also requires imaginative reconstruction of the perspectives of the exiles stereotyped in the portrayals considered here.

3. 'Liminal' quasi-civic identities and behaviour on the part of exiles

a) Introduction

The following sections examine in turn the varied forms of quasi-civic exilic identity and activism which can be reconstructed for this period. They show that the variety of attested forms reflects the influence of diverse, competing norms of citizenship, but also exiles' exercise of wide-ranging individual and collective autonomy. Also examined are arguments among the displaced and their supporters about the correct political stance to adopt in exile, which are used as further evidence for varied, irreconcilable norms of citizenship. This section itself addresses 'liminal' quasi-civic exilic identities and behaviour: the identities and behaviour of displaced citizens who found a temporary place of refuge and adopted unequivocally provisional adaptations of home civic identities and practices, treating exile as an exceptional interlude. Even within this category, there was a wide variety of possible lifestyles and forms of self-understanding.

b) Varieties of liminal exilic habitat

There were two main habitats for a liminal exile. Some achieved temporary asylum in another polis: a provisional and interstitial place of refuge. Such provisional asylum is granted, for example, in the surviving fourth-century Athenian decrees which award privileges to displaced citizens valid ‘until they return home’.⁸⁰ For their livelihood, the wealthiest such liminal exiles probably relied on mobile property and capital, on landholdings and income-generating loans outside their home poleis and on their social and economic connections outside their home poleis. By contrast, the majority of exiles living provisionally in a host city probably relied principally on the generosity of their hosts: public grants (including grants of ἔγκτησις)⁸¹ or tax exemptions; and hospitality and loans from private citizens. Public assistance was probably sometimes conditional on exiles undertaking military service on behalf of the host polis.⁸² Some such exiles may also have undertaken casual wage labour,⁸³ although Isocrates presented this as a desperate predicament for a liminal exile.⁸⁴

The second, more obviously liminal habitat open to exiles consisted of pieces of marginal or disputed territory, often consisting of rugged and inhospitable borderlands (ἐσχατιαί).⁸⁵ Relevant areas included rural areas or dependent settlements within the rural territory (χώρα) of a single polis which were not subject to strong centralised

⁸⁰ *IG II²* 218, ll. 32-3; 222, ll. 36-7; 435, ll. 9-11; 545, ll. 11-12; Rhodes-Osborne, *GHI* 77, ll. 24-5.

⁸¹ Cf. Rhodes-Osborne, *GHI* 77, ll. 24-6; *SEG* 55.564bis, ll. 7-8.

⁸² Compare Spartan policy: in 370/69 alone, the Spartans deployed both young Tegeate exiles and Boeotian exiles in separate Peloponnesian garrisons (Xenophon *Hellenica* 6.5.24; Diodorus 15.64.2). The exile groups honoured by the fourth-century Athenians (cf. section 2c) above) were presumably also required to fight for the Athenians.

⁸³ As opposed to a permanent craft or trade, of the kind adopted by some of the ‘emigrant’ exiles considered in section 5 below.

⁸⁴ Isocrates 14.48. Isocrates also refers there to the necessity for exiles to take out loans.

⁸⁵ Cf. Robert (1970), 602; also Robert (1960), 304-306, discussing Alcaeus fr. 130 LP, ll. 16-26; Robert and Robert (1989), 37; cf. Chaniotis (2008), 109, 116-17. On Greek perceptions of the nature of ἐσχατιαί: Vidal-Naquet (1986), 109. Compare Robert and Robert (1976), 213-14, on the seizure of mountain- or hill-top strongholds by exile groups.

control by a polis, such as the mainland *peraeae* of island poleis;⁸⁶ contentious or unpopulated areas along civic frontiers;⁸⁷ and small, remote poleis of which a larger power took control.⁸⁸ Such areas were commonly power vacuums, in which it was possible for displaced citizens to settle and craft their own quasi-civic institutions and identities, relatively unmolested. Displaced groups sometimes did so with the support of a hegemonic power, itself unable to control independently the marginal territory they inhabited. There was considerable scope in such places for exiles to take care of their own subsistence, through hunting or agriculture.⁸⁹ However, external donations were probably also welcome.

c) The varieties of quasi-civic political behaviour and identity of liminal exiles

i) Citizens-in-exile: voluntarism and political activism

This and the following two sub-sections reconstruct the range of liminal quasi-civic identities adopted by exiles, within the constraints of the habitats discussed above, and identify underlying norms of citizenship. The most common tendency was for liminal exiles to behave as ‘citizens-in-exile’: to create provisional imitations of standard, civilised autonomous home civic institutions, or to perform imitations of similar home civic practices, usually in rivalry with an incumbent regime in their home polis.⁹⁰

⁸⁶ Cf. Brun (1988), 258-9; Constantakopoulou (2007), 250-1.

⁸⁷ Even if polis frontiers were often linear and well-defined, to a much greater extent than Robert recognised (Rousset (1995); (1999), 50-1), unguarded, wild stretches of land could still exist along them (cf. Rousset himself, (1995), 118-19; (1999), 52). On the continued ferocity of border disputes between poleis in the Hellenistic period: Ma (2000), 341-3; 350-1. Note the frequency of interstate arbitrations of civic border disputes in the Hellenistic period: Ager (1996); Magnetto (2008).

⁸⁸ The fifth-century Athenians and Spartans sometimes settled exile groups in poleis with free space: for example, the Athenians settled ‘Messenian’ exiles in Naupaktos in 456/5 (Thucydides 1.103.3) and Plataean exiles in Skione in c. 421 (Thucydides 5.32.1); the Spartans settled Megarian exiles in Plataea for a year in 427-6 (Thucydides 3.68.3).

⁸⁹ For example, Anaia in the Samian *peraea*, occupied by fifth- and probably also fourth-century Samian exiles (cf. n. 241 below), incorporated coveted fertile land (cf. *IG XII 6 1 11*, ll. 5-20; Akdeniz (2006)).

⁹⁰ Cf. Seibert (1979), 312-14; Gehrke (1985), 224-9.

This phenomenon is reliably attested. There is some direct epigraphic evidence for it. Furthermore, most literary evidence for it is likely to preserve a kernel of truth: it would not have been straightforward for literary authors to invent basic factual details about institutions and diplomacy, easily falsifiable by their contemporary readers. The varied evidence for the phenomenon is presented in table 4 below. Table 4 gives an immediate impression of the frequency of ‘poleis-in-exile’, which could be democratic, oligarchic or monarchical: they were a stock part of the fourth-century and Hellenistic diplomatic world. Evidence for the recognition of exile groups by established powers is included: existing quasi-civic organisation was usually a prerequisite for such recognition; and such recognition usually made possible new forms of quasi-civic behaviour.

Table 4

Type of civilised quasi-civic⁹¹ organisation or behaviour adopted by liminal exiles	Secure and very probable cases	Probable and possible cases
Internal political, military, financial and social organisation and activities of poleis-in-exile:		
Assemblies	• 411: the Athenian fleet on Samos held an emergency assembly, after receiving news of the Four Hundred’s seizure of power in Athens.⁹² This ‘army assembly’⁹³ assumed one of the principal functions of the Athenian sovereign assembly: the election of new generals.	

⁹¹ Some cases of quasi-federal organisation are included.

⁹² Thucydides 8.76.1-2.

⁹³ Hornblower (2004b), 253-4.

	• 403: Thrasyboulos addressed his army of Athenian exiles in the Piraeus,⁹⁴ in what was probably conceived as an assembly-in-exile, representing the Athenian sovereign assembly, abolished by the Thirty. • 379: Plutarch claims that Pelopidas made speeches before the mass (πρὸς τὸ πλῆθος) of fellow Theban exiles in Athens, calling for a counter-coup attempt.⁹⁵ • 343: Boeotian exiles in Athens held an assembly to elect advocates to speak on Aeschines' behalf.⁹⁶ • 223: the citizens of Megalopolis, displaced <i>en masse</i> to Messene, gathered in an assembly in which they heard and rejected Cleomenes' offer, delivered through envoys, of a return to their city in exchange for alliance.⁹⁷	
Decrees and collective decisions	• 379: Plutarch uses the language of polis decision-making to refer to decisions of the Theban exiles in Athens (τὰ δεδογμένα; ἔδοξε τοῖς φυγάσι).⁹⁸ • 220-217: 'exiles from Achaia' based in Skiros (Skiritis) made a collective decision to crown an Aetolian benefactor, as is clear from the third-person plural verb [ἐσ]τεφάνωσαν.⁹⁹ They thus	• c. 338: Hyperides' reference to an honorary decree for the Athenians passed by 'the Troizenians' on account of which (δι' ὃ) the Athenians granted citizenship to some Troizenian exiles¹⁰⁰ could be a reference to an honorary decree passed by the Troizenian exiles themselves.¹⁰¹ • Late Hellenistic period: ὁ

⁹⁴ Xenophon *Hellenica* 2.4.12-17.

⁹⁵ Plutarch *Pelopidas* 7.1.

⁹⁶ Aeschines 2.142. For exiles resident in Athens supplying evidence to the Athenian courts, cf. Hyperides 3.31-3 (the speaker calls on the testimony of Troizenian exiles).

⁹⁷ Polybius 2.61.4-12 (criticising Phylarchus' account of the same events); Plutarch *Agis and Cleomenes* 45.7-8; Plutarch *Philopoemen* 5.3-5.

⁹⁸ Plutarch *Pelopidas* 7.1-8.1.

⁹⁹ *FD* III 4.239, l. 2.

¹⁰⁰ Hyperides 3.33.

¹⁰¹ Habicht (1961), 16, with n. 1, argues that it was a (presumably forged) Troizenian decree of 480 granting asylum to Athenian refugees. It is true that the speaker mentions the events of 480 shortly

	performed one of the characteristic activities of a Hellenistic polis or federal body: the collective honouring of a benefactor.	δῆμος ὁ ἐν Αἴνῳ, responsible or partly responsible for an epitaph for the Maroneian Hedeia Dionysiou, may well have been a democratic group of Maroneian exiles based in Ainos, claiming legitimacy as the δῆμος of Maroneia. ¹⁰²
Magistrates ¹⁰³	• 403: the Athenian exiles in the Piraeus appointed a board of men to arrange the arming of members of their faction with the aid of donated money.¹⁰⁴ • 394-390: Siphnian oligarchic exiles based in the Western Aegean appointed a magistrate with full powers (ἄρχων αὐτοκράτωρ), who appointed a secretary (γραμματεὺς) and ‘steward’ (ταμίης) of funds.¹⁰⁵ • Later fourth century: the members of the Sicilian resistance movement against Agathokles, which included Syracusan exiles and other Sicilians, appointed (ἀπέδειξαν) Deinokrates, one of the exiles, as their στρατηγός;¹⁰⁶ Deinokrates could be called ‘στρατηγός of	• c. 220-217: the Achaian exiles based in Skiros (cf. above, middle column) styled themselves as ‘Kleopatros and the exiles’ ([Κλεό]πατρος καὶ οἱ φυγάδες) and ‘Kleopatros and the exiles from Achaia’ ([Κλεό]πατρος καὶ οἱ φυγάδες οἱ ἐξ Ἀχαιίας). Given that the Achaian League itself had only one στρατηγός by this date,¹⁰⁹ the exiles could have regarded Kleopatros, probably a rebel former Achaian garrison commander,¹¹⁰ as a shadow Achaian federal στρατηγός, in rivalry with the incumbent.¹¹¹

before appealing to this decree. However, it is quite possible that the Troizenian decree in question was a decree passed by the current Troizenian exiles, praising the Athenians and requesting help; such a decree could itself have mentioned the events of 480.

¹⁰² If the group was merely a normal group of expatriates, they would probably have styled themselves as οἱ Μαρωνεῖται οἱ ἐν Αἴνῳ κατοικοῦντες; Moretti (1984), 261-3; *SEG* 34.709. The problem arises that the monument itself was located within the territory of Maroneia itself. It is, however, possible that the exiles were nearing reconciliation with the incumbent regime (Moretti (1984), 263) or that they brought the monument with them, or copied it, when they returned home. For quasi-civic activity by an earlier group of Maroneian exiles, note the embassies of Maroneian exiles to the Senate in 186/5 and 184: Polybius 22.6.2, 11.2; Livy 39.24.9; Seibert (1979), 200-202.

¹⁰³ Aeneas Tacticus 10.16-17, identifies a general threat to incumbent fourth-century civic governments from ‘rulers in exile’ (φυγάδες δυναστεύοντες), with followers.

¹⁰⁴ Lysias 31.16; Adak (2003b), 305.

¹⁰⁵ Isocrates 19.38. In a fifth-century parallel, the eponymous magistrate Batis on a coin-type which Barron attributes to the Samian exiles in Anaia in the Peloponnesian War (cf. n. 114 below) could have been a magistrate of the exile community. Alternatively, however, he could also have been a Persian overseer of the exile community appointed by the satrap Pissouthnes (Barron (1966), 92).

¹⁰⁶ Diodorus 20.31.1-2.

	the exiles' in relation to events of 306.¹⁰⁷ • 195: Agesipolis, a Spartan king exiled in boyhood, was, in Livy's words, the 'leader' (<i>princeps</i>) of the Spartan exiles who joined the Roman campaign against Nabis.¹⁰⁸ Agesipolis was effectively a 'king-in-exile', exercising one of the main functions of a Spartan king, generalship.	
An <i>epidosis</i> (organised collection of donations)	403: the Athenian exiles in the Piraeus probably organised a form of <i>epidosis</i> , supervised by special magistrates, through which exiles and sympathisers were invited to donate money and weapons to their resistance movement. ¹¹²	
Hiring of mercenaries	• c. 346/5: Eleian exiles hired Phokian mercenaries to fight against Elis itself.¹¹³	
Issuing of coins		• Possible mid-fourth-century case: an attested issue of coins of Naulochoon could have been issued by a dissident Prienian community there.¹¹⁴

¹⁰⁹ Polybius 2.43.2.

¹¹⁰ Cf. Plutarch *Aratus* 40.5-7: a Kleopatros as garrison commander of the Acrocorinth when it suddenly fell to the Aetolians in 224, possibly as a result of internal collusion.

¹¹¹ However, the formulation 'Kleopatros and the exiles' is more reminiscent of the epigraphy of kings and tyrants than of civic or federal magistrates (cf. ii) below).

¹⁰⁷ Diodorus 20.79.2.

¹⁰⁸ Livy 34.26.12-14.

¹¹² Adak (2003b), interpreting Lysias 31.15-16. Philon claimed that he had offered to donate money or arms to the exiles, like others unable to fight themselves. Lysias called as supposedly authoritative witnesses to disprove Philon's claim those who had been appointed to arm the democrats with the aid of donations. Adak (2003b), 305, plausibly argues that these men could have given authoritative testimony on this point only if they had administered a systematic *epidosis*, making a list of donors.

¹¹³ Diodorus 16.63.4.

¹¹⁴ Charneux (1966), 207; cf. n. 139 below. There is a much more probable fifth-century case: the Samians in Anaia in the Peloponnesian War may have issued their own coins. Barron attributed two silver coin-types (of 'c. 430 BC or a little later' and shortly before 412 respectively), both lacking an ethnic, to the exiles in Anaia, because he considered them to date after the Athenian Standards' Decree, which prohibited the incumbent Samian regime from issuing silver coins; the earlier coin even has the legend A, possibly standing for Anaia (Barron (1966), 92-3, cf. 85-7). The later of the two coin-types dates to the period after the Standards' Decree, even if the Standards' Decree dates to the later date now favoured (Rhodes (2008), 503; Papazarkadas (2008), 72; Kallet (2001), 205-226); the earlier coin-

Town planning		c. 404-386: exiles from Klazomenai could well have been responsible for Phase I in the construction of the fourth-century houses, laid out on an egalitarian grid-plan, in the area opposite Klazomenai identified by Özbay as Chyton, the base of exiles from Klazomenai before 386.¹¹⁵
Internal cultural organisation and activities of poleis-in-exile:		
Administration of a festival	391: a rival version of the Isthmian Games was administered by Corinthian exiles (cf. chapter 3, section 3b)ii)).¹¹⁶	
Quasi-civic commensality	381: the συσσίτια of oligarchic Phliasian exiles (cf. chapter 3, section 3b)iii)).¹¹⁷	
Participation of poleis-in-exile in interstate affairs:		
Sending of embassies ¹¹⁸	403/2: embassy by exiled Samian democrats to Sparta.¹¹⁹ 301/0-298/7: the Prienian	

type may date to the period before the Standards' Decree, but the A legend still makes it attractive to associate it with the exiles in Anaia.

¹¹⁵ Özbay (2004), 136-40, relying on Rhodes-Osborne, *GHI* 18, ll. 7-13; contrast Cook (1953-4), 155-7.

¹¹⁶ Xenophon *Hellenica* 4.5.2; Seibert (1979), 109; Salmon (1984), 357-362. For possible early-Hellenistic evidence for communal religious activity by a polis-in-exile: fragments of Hellenistic sculpture (including a damaged sculpted head of a woman and sculpted feet) found in the Karion fort may have been used by the Prienian exiles based there in 301/0-298/7 (Kleiner, Hommel and Müller Wiener (1967), 95, 158-60). If so, the sculptures could have had cult functions. This interpretation is uncertain, because the sculpture could have been used by regular Prienian soldiers serving in the Karion fort in the Hellenistic period. For a fifth-century parallel for liminal exiles' claiming to uphold the religious traditions of their home polis, compare the religious activities and innovations of the 'Messenians in Naupaktos': Pausanias 4.33.2 (whose veracity is questioned, inconclusively, in Luraghi (2008), 176-7); Zunino (1997), 66. The Messenians in Naupaktos probably also at least preserved as an 'anthem of independence' (West (2002), 110) or even commissioned (D'Alessio (2009), 144-5) the Delian *prosodion* for the Messenians attributed to Eumelus (cf. Pausanias 4.4.1; 33.2). The self-styled Messenians living in exile at Naupaktos in the fifth century were liminal exiles, despite their secure residence in a new city: they presented themselves solely as 'Messenians' and participated in military campaigns against their Peloponnesian opponents (cf. Luraghi (2008), 193-4, and (2009), 112).

¹¹⁷ Xenophon *Hellenica* 5.3.17.

¹¹⁸ Aeneas Tacticus, 10.6, refers to the possibility of fourth-century exiles sending representatives or letters to home citizens; these can be viewed as quasi-diplomatic.

¹¹⁹ Rhodes-Osborne, *GHI* 2 §ii, ll. 45-8. Compare Thucydides 3.32.2: an embassy from Samian oligarchic exiles in Anaia to the Spartan navarch Alkidas in 427.

	exiles from Hieron's regime, based in the Karion, sent decrees to the Rhodians, presumably through envoys.¹²⁰ Contemporary Prienian exiles based in 'the Charax', quite probably identical with the exiles in the Karion, sent an embassy to the Ephesians.¹²¹ • Period after 197: multiple embassies to the Roman Senate from Greek exile groups, including groups from Thyrraeion (Akarnania), Pherai, Sparta, Ainos, Maroneia, Kaunos, Stratonikeia, Delos and Epiros.¹²²	
Quasi-diplomatic representations to the authorities of host poleis	• Fourth-century Athens: appeals by resident exiles to Council and Assembly for privileges.¹²³	• 314: Syracusan exiles from Agathokles' regime urged leading citizens of Akragas to help them, possibly through formal representations.¹²⁴
Reception of envoys	• 301/0-298/7: the Prienian exiles in the Karion received decrees, presumably through envoys, from the incumbent regime in Priene and from 'several poleis', including the Rhodians;¹²⁵ the decree of the Ephesians for the contemporary 'Prienians in the Charax' was probably among these decrees.¹²⁶	

¹²⁰ Magnetto (2008), text (pp. 34-45) (new edition of *I.Priene* 37), ll. 95-8, 101-102.

¹²¹ *I.Ephesos* 2001, ll. 3-5. The Ephesians could have used their own distinctive name ('the Charax') for the Karion, in keeping with the well-attested phenomenon of poleis advocating rival toponymies, especially for disputed areas. The references in the Ephesian decree to the Charax exiles 'saving' and 'guarding' the fort (*I.Ephesos* 2001, ll. 2-7) can be interpreted as references to them saving and protecting some free Prienian territory (i.e. the Karion) from the tyrant, something also in the Ephesians' interests. Admittedly, however, the case for identifying the two groups of exiles cannot be conclusively proved (Magnetto (2008), 116-17).

¹²² Seibert (1979), 190-1, 197, 199-208, 215-18.

¹²³ *IG II²* 109, ll. 8-9 (a reference to claims made to the council by Astykrates and fellow Delphian exiles); Rhodes-Osborne, *GHI* 77, ll. 6-7 (the Athenians respond to requests by two leading Akarnanians); *IG II²* 545, ll. 4-8 (a probable reference to representations by Thessalian exiles to the Athenian people).

¹²⁴ Diodorus 19.70.1-2. The verb Diodorus uses of their approach to the leading citizens (παρεκαλῶ) is commonly used in epigraphy of formal diplomatic approaches: e.g. *I.Amyzon* 16, ll. 4-7; *I.Iasos* 150, ll. 42-3, 48, 74-6.

¹²⁵ Magnetto (2008), text (pp. 34-45), ll. 91-5, 99-101.

¹²⁶ *I.Ephesos* 2001: the two groups of exiles were probably identical (cf. n. 121 above).

	• 223: the Megalopolitan refugees in Messene (cf. above, this column) received envoys from Cleomenes III;¹²⁷ the envoys were reportedly leading Megalopolitans in Cleomenes' custody.¹²⁸ • Late Hellenistic period: the citizens of Chaironeia sent envoys and decrees to their dissident young citizen Damon to entice him back to the city.¹²⁹	
Formation of a bilateral treaty		• Shortly before 317: the Carthaginians collaborated militarily with Syracusan oligarchic exiles, possibly in a formal alliance.¹³⁰
Participation in a multilateral alliance	• 378/7: the 'δῆμος of the Zacynthians in the Nellos', probably a pro-Athenian Zacynthian exile group, was registered among the members of the Second Athenian Confederacy.¹³¹	• 370s: a group which had fought with Chabrias, and which granted one of the wreaths to him recorded on his monument in the Athenian agora of 375 (οἱ στρατιῶται οἱc.20..... Σικυωνίων),¹³² may have consisted of pro-Athenian Sikyonian exiles;¹³³ if so,

¹²⁷ Polybius 2.61.4.

¹²⁸ Plutarch *Agis and Cleomenes* 45.2-7.

¹²⁹ Plutarch *Cimon* 1.7.

¹³⁰ Diodorus 19.4.3 (the verb used is συμμαχεῖν).

¹³¹ Rhodes-Osborne, *GHI* 22, ll. 131-4; Seibert (1979), 117; Gehrke (1985), 198. There are close parallels from the fifth century. Exile groups as possible participants in the Delian League in the later 450s: Merritt, Wade-Gery and McGregor (1939-1953), vol. III, 252-3; Meiggs (1979), 112. Certain and possible exiles as contributors to the 'Spartan War Fund' of 432-425 (in favour of this date range: Meiggs in Meiggs and Lewis (1969), 183-4; Smarczyk (1999), 60-3; Loomis (1992), 69-76) or of the early Ionian War (in favour of this date: Bleckmann (1993); Piérart (1995)): the Chians contributors are explicitly called exiles (Loomis (1992), pl. 17, front, ll. 10-11; they could be identical to Chian exiles mentioned in Diodorus 13.65.3: Bleckmann (1993), 300-304; Piérart (1995), 267-70; contrast Smarczyk (1999), 56-8); the Aiginetan contributors (Loomis (1992), pl. 17, front ll. 3-4) must also have been exiles, since their home polis was not in existence between 431 and 405 (Piérart (1995), 259-60); if the contributions date to the early Ionian War, the Melian contributors (Loomis (1992), pl. 17, side, ll. 8-14, 20-5) would also be exiles, since their home polis was not in existence between 416 and 405 (Bleckmann (1993), 298; Piérart (1995), 260-1; Seaman (1997), 396-8).

¹³² *SEG* 19.204, seventh crown, ll. 1-2.

¹³³ Sikyonians who had fought for Chabrias would have to have been pro-Athenians. Since there is no indication that Sikyon deviated from an oligarchic, pro-Spartan policy before Euphron seized power in the aftermath of Leuktra, such Sikyonians would have to have been exiles. This would be consistent with Wilhelm's hypothesis that the Athenians intervened in Sikyonian *stasis* of the 370s (Wilhelm (1947), 192, citing Diodorus 15.40.4). The restoration of the group's name could be οἱ στρατιῶται οἱ ...c. 7.... τῶν φυγάδων τῶν Σικυωνίων. Such a group of exile warriors would represent a more

		they may have been members of the Second Athenian Confederacy, like the ‘Zacynthians in the Nellos’. • 362/1: Phliasian exiles based on the Trikaranon may have been signatories of the Common Peace mentioned in the ‘letter to the satraps’ inscribed at Argos (cf. chapter 3, section 3b)iii)A)).¹³⁴
Establishment of monuments at sites of interstate prominence	• c. 220-217: the ‘exiles from Achaia’ based in Skiros (cf. above, this column and the right-hand column) erected, and presumably paid for, a statue of their Aetolian benefactor Simos at Delphi.¹³⁵	• 375: it is possible (cf. above, this column) that Sikyonian exiles granted to the Athenian general Chabrias one of the honorific wreaths recorded on his monument in the Athenian agora.
Receipt of a grant of territory or privileges from a superior power, in accordance with interstate conventions concerning grants to poleis	• c. 289: in a fragmentary section of a treaty between Demetrios Poliorketes and the Aetolian League, exiles from Herakleia Oita were granted, or had recognised, the right to take advantage of (καρπεύειν) some property (its nature is not preserved) and possibly also to spend their time (διατρίβειν) wherever they chose, in terms very similar to those used immediately afterwards to grant rights to, or recognise rights of, people who were probably citizens of a settled polis (Oianthea).¹³⁶ • c. 220-217: the Achaian exiles from Skiros (cf. above, this and the right-hand column)	• c. 334: the group based in Naulochon included in a grant by Alexander of freedom and autonomy and of the right to own land and houses ‘in the polis’ may have been a dissident group of Prienians based in Naulochon.¹³⁹

coherent corporate group for making such a dedication than the group suggested by Pippin and Edmonson: a one-off group of Athenian soldiers who captured a Sikyonian ship (οἱ στρατιῶται οἱ ἐλόντες τὴν τριήρη τὴν τῶν Σικυωνίων) (Pippin and Edmonson (1961), 86-7).

¹³⁴ Wilhelm (1984), 101-102, restoring [οἱ ἐκ Τρικαρᾶ]νου φυγ[άδες] in l. 1 of what is now Rhodes-Osborne, *GHI* 42.

¹³⁵ *FD* III 4.239. For exile dedications and monuments at Delphi (*FD* III 4.1; *SEG* 32.550) and Olympia (*IvO* 259; Meiggs-Lewis *GHI* 74) in the fifth century, erected by self-styled Messenian exiles: Courby (1927), 297, 301-302; Luraghi (2002), 60; (2008), 191-4.

¹³⁶ *SEG* 48.588, ll. 26-32; Lefèvre (1998b), 126-7.

	claimed that the Aetolian Simos had restored (ἀπέδωκε) Skiros to them. ¹³⁷ Their choice of the verb ἀποδίδωμι implied the contentious claim that Simos had restored to them what was rightfully their own territory; this claim in turn presupposed that they were the legitimate representatives of the Achaian League. ¹³⁸	
Tenure by individual citizens-in-exile of formal positions in interstate diplomacy:		
Exiles appointed, or serving, as	• If a text ordering the inscription of a grant of	• c. 394: the sons of a Ialysian father, styled as Ialysians, received a grant of

¹³⁹ Rhodes-Osborne, *GHI* 86B, ll. 2-7. The group is described as τῶν ἐν Ναυλόχῳ κ[ατοικούν]των ὅσοι μὲν εἰσι[....7...]ς; the last word is probably to be restored as [Πριηνεῖ]ς. Evidence for unrest, leading to exilings, in the Eastern Aegean at this date: Rhodes-Osborne, *GHI* 83-5. The recording of the grant in early-Hellenistic Priene would be explicable if the 'Prieniens in Naulochon' subsequently returned to their city, overthrowing the incumbent regime: a civic tradition could then have developed, similar to those considered in section 2d) above, which made the 'Prieniens in Naulochon' into heroic resistance fighters (like the later Prieniens in the Karion). If there was a Prienian dissident community in Naulochon at this date, it could have sent the θεαροδόκος, said to be from Naulochon, recorded in an Argive list of 330 from which a Prienian θεαροδόκος is conspicuously absent (*SEG* 23.189, col. II, l. 10). In a possible parallel within this list, Notion is included (col. II, l. 7), but there is no mention of Colophon. Moreover, the entry immediately before the entry for Naulochon is an entry for Pygela, a marginal settlement disputed between Samos, Ephesos and Priene (Charneux (1966), 198-206) and therefore another possible stronghold for dissidents. As mentioned earlier in the table, an issue of coins by Naulochon, commonly dated to the mid-fourth century (Charneux (1966), 207), could also conceivably have been issued by such a dissident Prienian community.

P. Thonemann has suggested a restoration of Rhodes-Osborne, *GHI* 86B which would exclude the hypothesis offered here: ὅσοι μὲν εἰσι[ν Ἑλληνες] (presentation to the Oxford Epigraphy Workshop on 2.2.2009). The restoration [Πριηνεῖ]ς is more plausible: it is to a corporate political group to whom it is most reasonable to regard Alexander as having granted freedom and autonomy; and it is Prieniens (rather than 'Greeks') whom it is possible to imagine forming such a political group in Naulochon at this date. Admittedly, it is not inconceivable that Alexander's grant represented a block grant of discrete privileges to individuals living in Naulochon: 'freedom and autonomy' could have been privileges of individuals, tantamount to tax exemptions. In that case, the eligible individuals could have been all Ἑλληνες in Naulochon. However, there is only one possible parallel for 'freedom and autonomy' being personal privileges; even in that case, the personal privileges involved consisted only of membership of a free and autonomous civic community (*I.Iasos* 2, ll. 49-51; cf. 29-32). A grant of 'freedom and autonomy' to individuals *qua* individuals would have been a very radical break with established Greek diplomatic terminology.

¹³⁷ *FD* III 4.239, l. 3.

¹³⁸ For the significance of the verb ἀποδίδωμι, as opposed to (δωρεῖαν) δίδωμι: [Demosthenes] 7.6, cf. 28, 35; Amandry (1940-1), 74.

πρόξενοι while in exile¹⁴⁰	proxeny to [Ἀριστ..c.4..]ωι Σίμωνος Βοιωτίωι, later described in the accusative as Ἀριστ[.....c.12.... ..]έα,¹⁴¹ dates, as is probable, to the archonship of Eukleides (403/2),¹⁴² it would probably represent a grant of proxeny to a Plataean refugee during the Plataeans' first exile (427-386): the only plausible Boeotian city ethnic to restore in the accusative is [Πλαται]έα.¹⁴³ This man could have been a resident Plataean in Athens who refused Athenian citizenship; or he could have been settled elsewhere (for example, he could have been a Plataean expelled from Skione in 405/4 by Lysander).¹⁴⁴ • Late-fifth and early-fourth-century Athens: Ekphantos of Thasos was probably awarded proxeny, εὐεργεσία and ἀτέλεια in recognition of his assistance in one of Thrasyboulos' conquests of Thasos (407 or 389).¹⁴⁵ The grant may well have been made to him after he was forced into exile from Thasos.¹⁴⁶ In any case, he exercised the intermediary function of a πρόξενος while in exile: he	proxeny and benefactor-status (εὐεργεσία), after the Thirty had destroyed the stele granting those privileges to their father. The retention of the Ialysian ethnic may suggest that they were Ialysian exiles from the synoecism of Rhodes in 412/11, who retained Ialysian civic identity in exile despite the disappearance of their home polis.¹⁵¹ • Mid-to-late fourth century: three Messenians honoured with proxeny by the Delphians in 340/39, 323/2 and 323/2¹⁵² were not registered as citizens or inhabitants of a polis within Messenia. If this indicates that they were not members of the new Messenian state, founded in 369 supposedly as a refuge for dispersed Messenians who had lacked a homeland since the Archaic period, they were presumably self-styled 'Messenians' who had been born and remained in liminal 'exile' abroad.¹⁵³ • Second century: the polis of Akraiphia in Boeotia granted proxeny to a citizen of Haliartos, whose name is lost.¹⁵⁴ Before 171, such a
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¹⁴⁰ Cf. Marek (1984), 355; Mackil (2008), 176-7.

¹⁴¹ *IG* II² 2, a, ll. 2, 9-10. Walbank offers a controversial new text of this decree in Walbank (1982), reprinted in *SEG* 32.38.

¹⁴² View of D.M. Lewis cited in *SEG* 32.38; Tracy (2003), 353. Contrast Walbank (1982), who favours 382/1, even though this is very late for the naming of the secretary with his demotic in the prescript, on grounds criticised in Fossey (1985). Even if Walbank is right to read a nu at the beginning of l. 8, which would have to be the final letter of ἡρχεν, leaving eight characters for the archon name, the possible eight-letter-archon years (417/6 (probably too early for the cutter), 408/7 and 398/7: Walbank (1982), 261-3) all fall during the Plataeans' exile.

¹⁴³ Fossey (1985), 39-40.

¹⁴⁴ Xenophon *Hellenica* 2.2.3, 9.

¹⁴⁵ Demosthenes 20.58-62. Demosthenes mentions other Athenian sympathisers' aspirations to the 'same gifts' as those earlier granted to Archebios of Byzantion and Ekphantos of Thasos, having earlier said that Archebios was awarded πρόξενία, εὐεργεσία and ἀτέλεια.

¹⁴⁶ Gerolymatos (1987), 47.

	was given responsibility for drawing up the list of Thasian exiles in Athens eligible for ἀτέλεια under a collective Athenian grant of c. 385.¹⁴⁷ • Early fourth century: Athenian grant of proxeny, as well as ἀτέλεια, to two Byzantine exiles.¹⁴⁸ • 360s: the Boeotian League granted proxeny to a certain Timeas, son of Cheirikrates, styled Λάκων.¹⁴⁹ Since the Boeotian League was at war with Sparta, it is very probable that Timias was an exiled Spartiate or Laconian.¹⁵⁰	proxeny grant would probably have been otiose: both Akraiphia and Haliartos were members of the Boeotian League. After 171, this man would have to have been an exile: Haliartos was destroyed by the Romans in 171.¹⁵⁵ • Second century: a man styled as Μινωήτης who was granted proxeny by the Tenians, in a decree with lettering of the second century, was quite possibly an exile; Minoa was under Samian control from the late third century until some time in the second.¹⁵⁶ • Hellenistic Crete: a Kydonian decree grants land to named πρόξενοι from Knossos, Tylissos, Aptara, Delphi and Arkas, for as long as they are ‘useful’ (ἐπιτάδαιοι).¹⁵⁷ These individuals have been interpreted as exiled pre-existing πρόξενοι of Kydonia or as pro-Kydonian exiles granted proxeny while in exile.¹⁵⁸ This hypothesis may be correct, but it is equally plausible that these individuals were mercenary
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¹⁵¹ Funke (1983), 173-4, discussing *SEG* 28.48.

¹⁵² *FD* III 4.4, 7 and 8. For dating: Sanchez (2001), 519.

¹⁵³ Contrast *FD* III 4.5 (322/1), for a ‘Messenian from Thouria’; *FD* III 4.6 (321/20), for a ‘Messenian from Ithoma’.

¹⁵⁴ Perdrizet (1899), no. 4 (p. 95), ll. 1-4.

¹⁴⁷ *IG* II² 33, ll. 8-9.

¹⁴⁸ Demosthenes 20.60.

¹⁴⁹ *SEG* 55.564bis.

¹⁵⁰ Mackil (2008), 171-85.

¹⁵⁵ Ma (2005), 173, 175. If so, this would be an example of a ‘posthumous ethnic’ (Fraser (2009), 162, found no example relating to post-171 Haliartos).

¹⁵⁶ Reger (1992), 381, n. 89, discussing *IG* XII 5 821.

¹⁵⁷ *IC* II x 1 (probably of the later third century).

¹⁵⁸ L. Robert in *BE* 1959, 350, endorsed by Seibert (1979), 529 (n. 1464).

		soldiers granted land in Kydonia. ¹⁵⁹
Exiles serving as magistrates at a Panhellenic sanctuary	• c. 204/3-203/2 and 202/1-201/0: representatives of Phthiotic Thebes served as magistrates (ἱερομνήμονες) within the Aetolian contingent of ἱερομνήμονες in the Delphic Amphictyony.¹⁶⁰ Since the Phthiotic Thebans were probably in exile throughout the period 217-197, while their home polis was occupied by Antigonid colonists (under the new name of Philippi), it is very probable that these ἱερομνήμονες were members of a pro-Aetolian Phthiotic Theban polis-in-exile.¹⁶¹	
Other quasi-citizen behaviour by individual citizens-in-exile:		
Participation by an individual exile in an embassy sent by his home polis	• 324: the exiled Demosthenes mingled with Athenian envoys to Arcadia and addressed the Arcadian assembly.¹⁶²	
Participation in Panhellenic games	• Mid-fourth century: the Samian exile Kaios won a victory in the boys' boxing contest at Olympia during the period of the Samians' collective exile (365-322).¹⁶³	
Financial contributions to a Panhellenic sanctuary	• 336: Endexios, an exile from the Phokian polis of Panopeus/Phanoteus, contributed to building projects at Delphi, apparently in a private capacity.¹⁶⁴ He thus advertised his piety, wealth, and respect for the principal sanctuary of his home region, all attributes of a respectable	

¹⁵⁹ Marek (1984), 318-19.

¹⁶⁰ *CID* 4.97, l. 6; *CID* 4.98, l. 4; *CID* 4.99, l. 4.

¹⁶¹ Walsh (1993), 41, 43-5.

¹⁶² Plutarch *Demosthenes* 27.3-5.

¹⁶³ Pausanias 6.13.5.

¹⁶⁴ *CID* 2.24, col. II, ll. 13-17. Cf. Hansen and Nielsen (2004), 424.

	citizen, retained despite his exile.	
Holding of symposia	• 346: the symposium of the exiled Athenian Xenophron in Pella (cf. section 2b) above).¹⁶⁵	• c. 404-386: the houses in the area opposite Klazomenai identified by Özbay as Chyton (cf. above, this column) contain evidence of symposia dating to their early-fourth-century phase (Özbay's Phase I): an <i>andron</i> and decorated pottery.¹⁶⁶ • 301/0-298/7: the excavators of the Karion fort attribute to the Prienian exiles based there Hellenistic drinking cups and other pottery.¹⁶⁷

The examples collected in the table demonstrate the frequency among liminal exiles of the aspiration to create, or, more commonly, recreate, civilised, autonomous civic institutions and practices in exile. They also reveal the self-confidence and versatility which some liminal exiles showed in putting this aspiration into practice. A consequence is that there may well be more poleis-in-exile and citizens-in-exile in surviving evidence than can be identified as such: such groups and individuals had an interest in concealing or denying their loss of citizenship or residence in their home polis. Robert, for example, plausibly argues that an Apollothemis of Prokonnesos whose epitaph at Athens made no reference to exile status was quite probably the former pro-Athenian factional leader in Prokonnesos, responsible for a known coin

¹⁶⁵ Demosthenes 19.196-8; cf. section 2b) above.

¹⁶⁶ Özbay (2004), 137, 139.

¹⁶⁷ Kleiner, Hommel and Müller Wiener (1967), 95, 158-60. However, these items could have been used by regular soldiers from Priene manning the Karion fort in the Hellenistic period.

issue: he could have died in Athenian exile after being forced into exile when Prokonnesos was absorbed into Kyzikos in c. 362.¹⁶⁸

Some liminal exile groups formed poleis-in-exile even in the unpromising context of the ἐσχατιαί: fifth- and fourth-century Samian exiles based in Anaia, early-third-century Prienian exiles based in the Karion¹⁶⁹ and third-century ‘exiles from Achaia’ in Skiros all feature in the table and footnotes above. In these cases, liminal exile groups used their political behaviour, self-presentation and interaction to construct their marginal geographical bases as political centres, home to autonomous quasi-civic communities with well-defined identities. They thus bestowed political significance on the isolated, inhospitable habitats which were often the only places in which they could achieve basic security and subsistence. This process resembles one recently analysed by Ma: the denial of marginality by small poleis commonly perceived as marginal.¹⁷⁰

The table also attests the inverse process in the case of liminal exiles and exile groups settled in far less marginal locations, the urban centres of host poleis. Such exiles could easily have been subsumed into their new milieux. However, some individuals and groups mentioned in the table avoided this outcome by presenting themselves as entirely separate from their hosts, or even marginal within their new milieu.

Individual residents could receive proxeny grants from their host poleis: public recognition of their alterity, as well as of their legitimacy as representatives of their

¹⁶⁸ Robert (1967), 15-22. For a possible parallel for pro-Athenians in the Northern Aegean who had served as mint-magistrates in their home city being forced into exile around this time: *IG II²* 218 (honours for Abderites), with Lambert (2007), 102, n. 13.

¹⁶⁹ The Ephesian decree responding to an embassy from Prienians in ‘the Charax’, probably identical with these exiles (cf. n. 121 above), refers to them as ‘the *citizens* from Priene in the Charax’ (*I.Ephesos* 2001, ll. 1, 6), explicitly recognising them as ‘citizens-in-exile’.

¹⁷⁰ Ma (2008b).

home poleis. Moreover, some whole resident exile groups constituted themselves as provisional poleis-in-exile, entirely distinct from their host poleis. In some cases, they even communicated in a quasi-diplomatic way with their host poleis, as if they were settled elsewhere.¹⁷¹ Representing themselves as provisional, marginal poleis-in-exile was an effective way for such groups to encourage benefactions from their hosts, including both immediate material assistance and more long-term political help.

The frequency of these two symmetrical processes indicates that liminal exiles could exercise considerable autonomy in structuring their own political institutions and identities in exile, in response to their particular circumstances and needs. However, as suggested above, they revealed in doing so the influence of certain pervasive basic norms of citizenship. In particular, their consistent facility and boldness in exercising a high degree of political initiative, and claiming legitimacy for their own inventions, reveals the widespread influence of norms of civic voluntarism.¹⁷² Similarly, their common tendency to form close-knit, exclusive and conservative poleis-in-exile reveals the widespread influence of norms of particularist civic patriotism, belonging to the unitarian teleological communitarian strain in civic political cultures. The predominantly political and diplomatic, and occasionally cultural, collective activities of such poleis-in-exile reflect the specific nature of the brand of communitarian civic patriotism influential on them: a brand making civilised autonomous political and diplomatic institutions and practices central to civic identity, sometimes alongside some cultural institutions and practices.

¹⁷¹ Cf. table 4 above.

¹⁷² Cf. chapter 1, section 4, and chapter 3, section 3b)iii)C) and 5.

The behaviour of some liminal citizens-in-exile also provides further evidence for a feature of the dominant communitarian paradigm emphasised in chapter 3: particularist civic patriotisms demanded ethical and cultural unity, but were based on shared reference-points whose meanings were equivocal and contentious. This is clear from the way in which some citizens-in-exile advocated, and acted on, their own construals of indeterminate shared civic values, often claiming monopolistic legitimacy for their own interpretations.¹⁷³

It was probably while in exile in the 390s¹⁷⁴ that the Spartan king Pausanias¹⁷⁵ and probably also Thibron, a former Spartan commander in Asia Minor,¹⁷⁶ wrote works on the constitution of Lycurgus. Strabo adduces Pausanias' work on Lycurgus' laws as evidence for his argument that Lycurgus was the true original Spartan lawgiver. Strabo states that Pausanias wrote this work κατὰ τῶν Λυ[κούρ]γου νόμων ὄντος τῆς ἐκβαλούσης[ς οἰκίας].¹⁷⁷ The work could have been 'about' Lycurgus' laws, in which case it was probably an attempt to demonstrate the superiority of Pausanias' interpretation of them.¹⁷⁸ This interpretation of Strabo's Greek is possible, but problematic.¹⁷⁹ The more probable force of κατὰ is that Pausanias wrote his work

¹⁷³ An example already considered in detail in chapter 3, section 3c)iii)C) which is relevant here is the reported rhetoric of the Iasian exiles in Regulus' fleet in 190 (Livy 37.17.5-6).

¹⁷⁴ Seibert (1979), 103, 104.

¹⁷⁵ Strabo 8.5.5.

¹⁷⁶ Aristotle *Politics* 1333b16-21; cf. David (2007), 299-300. It was in exile that Thibron would most likely have had the leisure and political motivation to write a historical-political pamphlet.

¹⁷⁷ The text of Radt (2002-2007), vol. II, 478.

¹⁷⁸ Cf. Meyer (1892), 235; Hodkinson (1996), 92-3.

¹⁷⁹ Meyer (1892), 233-4, writing without the evidence of the Vatican palimpsest P, which confirms that the preposition used was κατὰ, argued that Pausanias' work was 'about' (περὶ) the laws of Lycurgus. Nonetheless, Meyer's interpretation remains worthy of consideration, since a possible usage of κατὰ yields the same meaning. In support of the translation 'about the laws of Lycurgus', Meyer denied that Pausanias, a former Spartan king, could have written a work criticising the laws of Lycurgus (cf. David (1979), 98). However, Pausanias could have claimed a rival basis for Spartan law. Indeed, exile could have turned him against the prevailing constitution in Sparta (Ducat (2006), 44). Meyer also suggests that Ephorus, Strabo's source, would not have offered a pamphlet written against the laws of Lycurgus as evidence that Lycurgus was the true original Spartan lawgiver (cf. David (1979), 97-8). However, it

‘against’ Lycurgus’ laws.¹⁸⁰ In that case, Pausanias rejected a central pillar of Spartan patriotism. He presumably offered his own alternative interpretation of the true ancestral Spartan constitution¹⁸¹ or of the best possible Spartan constitution by ethical and philosophical criteria. It was probably partly the experience of exile itself which concentrated Pausanias’, and also Thibron’s, mind on questions of political theory and history.

The corollary of promotion of idiosyncratic interpretations of civic patriotism by citizens-in-exile was a version of a phenomenon emphasised in chapter 3: vilification of members of the incumbent regime in the home polis as men devoid of ethical and political virtue and legitimacy.¹⁸² For example, the early-fourth-century speaker of Isocrates’ *Aigineticus* presents himself and his fellow Siphnian exiles as virtuous, distinguished Siphnian citizens, in contrast to their incumbent opponents, who were reliant on brute force for their power.¹⁸³ Exiles could even deny polis status to incumbent regimes: Demosthenes was probably reflecting the perspective of the Rhodian democratic exiles in whose support he spoke in 351¹⁸⁴ when he dismissively referred to the incumbent regime in Rhodes as ‘the Rhodians now in the city’ (οἱ νῦν

is quite possible that Ephorus, or Strabo himself, intended to make a paradoxical argument: even the anti-Lycurgan Pausanias effectively acknowledged Lycurgus’ responsibility for the laws of Sparta, by writing a work criticising his laws.

¹⁸⁰ Ducat (2006), 42-4, suggests that only translating κατὰ as ‘against’ gives a sense to the following genitive absolute ὄντος τῆς ἐκβαλούσης[ς οἰκίας]: a causal sense. In his view, ‘about the laws of Lycurgus’ is not compatible with a following genitive absolute with either a causal or a concessive sense. However, the genitive absolute could be concessive in this case: its function could be to imply that it was remarkable that Pausanias wrote about Lycurgus’ laws at all, given that Lycurgus came from the royal house responsible for his exile. The translation remains, therefore, uncertain, although ‘against’ is a considerably stronger possibility than ‘about’.

¹⁸¹ For example, an interpretation of the initial settlement made by the Herakleidai on their return from exile as the true ancestral Spartan constitution.

¹⁸² For the fifth century, compare Alcibiades at Thucydides 6.92.2-4; Taylor (2010), 190-2.

¹⁸³ Isocrates 19.19, 36.

¹⁸⁴ *Scholia in Demosthenem* 15.1; Gehrke (1985), 139.

ὄντες ἐν αὐτῇ Ῥοδίοι), shortly before referring to the democratic faction as ‘the Rhodian people’ (ὁ Ῥοδίων δῆμος).¹⁸⁵

Some exiles even presented incumbent citizens as vicious tyrants. Fourth-century exiles from Herakleia may well have been the source for the portrayal of Dionysius of Herakleia, the ruler responsible for their exile, which Menander reportedly included ‘on their behalf’ (ὕπέρ τινων φυγάδων ἐξ Ἡρακλείας) in his lost *Halieutai*.

Menander portrayed Dionysius as a tyrant and a glutton lacking all self-control: ‘he indulged himself, in such a way that he would not indulge himself for long’

(ἐτρώφησεν, ὥστε μή πολὺν τρυφᾶν χρόνον).¹⁸⁶ The Prienian exiles who arrived at the Karion fort in 300 put into action a belief that the incumbent regime in Priene was a tyranny lacking all legitimacy: they summarily put to death all the members of the civic garrison in the Karion fort, which had ‘chosen the side of the tyrant’.¹⁸⁷

ii) Mobilised anti-citizens

An alternative political course for liminal exiles committed to their home poleis was the suspension of normal civic habits during the period of exile. This is presented as an appropriate response to exile by the unnamed speaker of Isocrates’ *Aigineticus*, a member of the Siphnian oligarchic exile movement mentioned in table 4, living as a metic in Aigina after the failure of that movement.¹⁸⁸ The speaker is now claiming the

¹⁸⁵ Demosthenes 15.14-15.

¹⁸⁶ Athenaeus Book XII, 549c. For a possible second-century parallel: Cartledge and Spawforth (1989), 72, discussing Polybius 13.7.

¹⁸⁷ A less extreme way for liminal exiles to put into action a belief in the illegitimacy of an incumbent regime was to urge other states to attack their home polis: e.g. Heraclides Lembus *Politeiai* 35, concerning Theogenes, a fourth-century exile from Samos.

¹⁸⁸ Isocrates 19.12.

estate of his friend and fellow exile Thrasylochos. He claims that, while he was nursing Thrasylochos in his final illness, the two men spent no day without tears, since they were constantly lamenting their hardships, exile and loneliness.¹⁸⁹

The speaker reinforces this self-presentation through his portrayal of his opponent in the suit, a half-sister of Thrasylochos who was the rival claimant to Thrasylochos' estate. This woman was a daughter of Thrasylochos' father, the Siphnian seer Thrasylos, and an unknown mother,¹⁹⁰ probably from a city other than Siphnos,¹⁹¹ and therefore a partial member of the Siphnian diaspora. As presented by the speaker, she shared none of the anguish and asceticism of the truly Siphnian expatriates: she failed to join the Siphnians in Troizen who travelled to Aigina for Thrasylochos' funeral; and she sacrificed and participated in a festival when news arrived that Thrasylochos' brother Sopolis, another exile, had died fighting (presumably as a mercenary)¹⁹² in Lycia.¹⁹³ The speaker thus presented a rhetorical contrast between the good liminal exiles, himself and Thrasylochos, whom he depicted as having treated forced separation from their home polis as a period of crisis and torment, and this woman, portrayed as a rootless stateless emigrant.

Conceived as a state of exception, exile could be considered to demand uncompromising mobilisation in the struggle to secure a favourable return to the home polis, waged, if necessary, by unconventional, anti-civic, devious or desperate

¹⁸⁹ Isocrates 19.24-7. Cf. Mathieu and Brémond (1928-1962), vol. I, 99, n. 2, and 100, n. 2; McKechnie (1989), 18-21.

¹⁹⁰ Isocrates 19.6.

¹⁹¹ Her mother's city may have been Troizen, since that is where she is now living, but Mathieu and Brémond (1928-1962), vol. I, 91, think that it was an island polis other than Siphnos.

¹⁹² Mathieu and Brémond (1928-1962), vol. I, 103, n. 3.

¹⁹³ Isocrates 19.31, 40.

means.¹⁹⁴ This could be reflected in exiles' political organisation. For example, some liminal exiles appointed emergency autocratic magistrates. The appointment by the members of the early-fourth-century Siphnian oligarchic exile movement of an ἄρχων αὐτοκράτωρ¹⁹⁵ was presented in table 4 as an example of imitation of civilised civic organisation. However, it can also be seen as a conscious repudiation of republican political organisation by the Siphnian exiles in favour of temporary autocracy, for the sake of unity and efficiency.¹⁹⁶ In a similar way, the 'exiles from Achaia' in Skiros in the period 220-217 could have considered their leader Kleopatros an emergency autocratic leader, even though the Achaian League itself had only one general by this point (cf. table 4): the styling of Kleopatros and the exiles as 'Kleopatros and the exiles from Achaia' on the statue-base recalls more the epigraphic nomenclature of a Hellenistic king or tyrant and his courtiers or subjects than that of a corporate civic or federal group.

Furthermore, some exile groups used unorthodox or brutal guerrilla methods of warfare, partly resembling those of the mythical¹⁹⁷ ephebe or νέος, the antithesis of the socialised adult citizen.¹⁹⁸ The clearest example, from the late-Hellenistic period,

¹⁹⁴ For this expectation: Thucydides 6.92.4 (the patriotic citizen should attempt to return home ἐκ παντός τρόπου διὰ τὸ ἐπιθυμεῖν). Compare Isocrates 6.72-81 (probably satirical, but nonetheless intended to capture Spartan ideas about good exilic behaviour), with Azoulay (2006), 520-4. Note also reported scornful descriptions of exiles living in comfort in exile: Plutarch *Aratus* 6.4-5; Livy 39.36.15. Possibly compare Xenophon's own description at *Hellenica* 7.4.16 of Eleian Pylos, base of Eleian exiles, as a χωρίον καλόν.

¹⁹⁵ Isocrates 19.38.

¹⁹⁶ Compare the reasoning of the wandering mercenaries at Xenophon *Anabasis* 6.1.18: a single commander can act more secretly and decisively.

¹⁹⁷ Actual ephebes and νέοι of the later-Classical and Hellenistic periods were probably generally far less transgressive than the mythical prototype: cf. Ma (2008b).

¹⁹⁸ In a fifth-century example, the monosandalism of the Plataean refugees fleeing into exile in 427 (Thucydides 3.22.2) was partly a reversion to the 'rites of adolescence' (Vidal-Naquet (1986), 64, 69-70; Hornblower (1991-2008), vol. I, 406-407; Ma (1994), 74) or, at least, an attempt to conform with the mythological stereotype of the ephebe or νέος. This adoption of ephebic-neotic characteristics could have permitted the Plataean refugees to make sense of, and to justify to themselves and to others, their flight from their besieged home city, as a new, ingenious method of resistance, not a dishonest,

is the behaviour of an exile who was himself of the age of an ephebe or νέος: the young Damon of Chaironeia, first mentioned in chapter 3, section 3c)iii)D). According to Plutarch, Damon fled into exile in the countryside with young associates, after assassinating a Roman commander. From their exilic hideout the young Chaironeians harried their home city in brutally transgressive, anti-civic ways: they slaughtered magistrates dining together; and they plundered Chaironeian territory.¹⁹⁹

Similar ephebic-neotic behaviour by more conventional, grown-up exiles is also attested. In. c. 370, for example, Timoleon of Corinth reportedly chose roving exile, ‘wandering in the most desolate parts of the country’ (πλανώμενος ἐν τοῖς ἐρημοτάτοις τῶν ἀγρῶν), after committing an act delicately poised, like those of the stereotypical ephebe or νέος, on the border between civilised patriotism and barbaric lawlessness: the procuring of the assassination of his brother, the Corinthian ‘tyrant’ Timophanes, an act of simultaneous tyrannicide and fratricide, perceived by some as ‘hatred of vice and greatness of spirit’ (μισοπονηρία καὶ μεγαλοψυχία) and by others as ‘impiety’ (ἀσέβεια).²⁰⁰ The political and military methods employed by adult ephebic-neotic exiles, especially well-attested for the Peloponnese, included assassination of incumbent political leaders.²⁰¹ They also included secretive,

cowardly means of escape. For an Archaic precedent for quasi-ephebic-neotic self-presentation by an exile, compare Alcaeus’ presentation of himself living as an exile in the ἐσχατιαί, μοῖραν ἔχων ἀγροῖωτίκην (Alcaeus fr. 130 LP, ll. 16-26).

¹⁹⁹ Plutarch *Cimon* 1.2-7; Ma (1994). Compare the raiding of local territory by the dissident youth of Pisidian Termessus in 319, after they decided not to implement their decision to burn part of their home city (Diodorus 18.47.2).

²⁰⁰ Plutarch *Timoleon* 4.5-5.4.

²⁰¹ Xenophon *Hellenica* 7.3.5; 4.3. Compare Nabis’ fear of assassination by Argive exiles at Livy 32.39.9.

unrestrained attacks on exiles' home poleis: a surreptitious invasion,²⁰² opportunistic harrying and raiding²⁰³ and even a massacre of home citizens.²⁰⁴

The Prienian exiles from Hieron's regime in Priene (301/0-298/7) provide an interesting case-study. The exiles in the Karion behaved partly as civilised citizens-in-exile through their diplomatic interactions with states (cf. table 4), but they also acted as anti-citizens. When they killed the incumbent garrison on arriving in the Karion,²⁰⁵ they acted in accordance with the norms of *stasis*, inversions of the civilised norms of regular war (πόλεμος), under which it is only foreign enemies whom the good citizen kills.²⁰⁶ The verb (διαφθείρω) used to describe the killing by much later Prienian envoys, in the context of the second-century Rhodian arbitration concerning the Karion, evokes wild, unrestrained killing,²⁰⁷ of the kind associated with the mythical ephebe or νέος. According to the Prienians' adversaries in that arbitration, the exiles went on to 'ravage (κατατρέχειν) and harm (κακοποιεῖν)' the incumbent tyrannical regime in Priene, behaving like uncivilised raiders.²⁰⁸

Moreover, the preamble to the Ephesian decree granting aid to the contemporary Prienian exiles in 'the Charax', probably identical with those in the Karion,²⁰⁹ reports that the exiles requested arms and said that they 'would save the Charax, if they

²⁰² Xenophon *Hellenica* 5.4.1-12; Plutarch *Pelopidas* 7-13.

²⁰³ Thucydides 4.75.1; Diodorus 13.65.4; Xenophon *Hellenica* 7.2.5-9.

²⁰⁴ Diodorus 15.40.2; cf. chapter 3, section 3b)ii).

²⁰⁵ Magnetto (2008), text (pp. 34-45), ll. 88-90.

²⁰⁶ For the inverse relationship and its dissolution during the Peloponnesian War: Price (2001); Loraux (2005), 53.

²⁰⁷ The verb is used in Hellenistic epigraphy and historiography principally to refer to destruction of physical objects. It could also refer to savage killing (Polybius 1.39.11: the mauling of Roman soldiers by Carthaginian elephants), deceitful killing (Diodorus 4.45.2: poisoning) and possibly also illegitimate killing in the context of social revolution (*FD* III 4 75, l. 23: the reference there may, however, be to Perseus 'corrupting', rather than 'killing', leading political figures).

²⁰⁸ Magnetto (2008), text (pp. 34-45), l. 145.

²⁰⁹ Cf. n. 121 above.

could', but would otherwise request assistance from the Ephesians.²¹⁰ This rhetoric implies readiness for desperate and uncompromising bravery, as well as unwillingness to receive military reinforcements unless absolutely necessary. In the Ephesian decree itself, whose content the exiles may have been able to influence, through their envoys, the Ephesians represented the exiles as devoted solely to the military struggle for the Charax. The Ephesians claimed to be making the grant to the exiles 'because they guard the fort, bringing all exertion (ἐκτένεια) to bear, and say and do things consistent with our pre-existing friendship'.²¹¹ The Ephesians thus praised the Prienian exiles for 'exertion' (ἐκτένεια), using the word in isolation in a departure from common honorific rhetoric, and for other speech and action consistent with their friendship with the Ephesians, not for more mainstream or civilian civic qualities such as ἀρετή, εὐνοία or even προθυμία.²¹² Given that the decree grants arms to the refugees, an additional underlying implication of the praise for their ἐκτένεια is that they had fought hard for the fort with inadequate or makeshift weapons.²¹³

The behaviour by exiles surveyed in this sub-section reflects the effects of distinctive features of civic political cultures in this period. First, it reveals distinctive features of the brand of communitarian patriotism influential on the exiles concerned: its particularism and its militarism. Particularist belief in the necessary and unique role of a single polis as the basis of a citizen's social and political identity²¹⁴ partly explains some exiles' resort to all available methods to recover their home city. Similarly,

²¹⁰ *I.Ephesos* 2001, ll. 3-5.

²¹¹ *I.Ephesos* 2001, ll. 6-7.

²¹² Contrast the praise for Ainetos, general of Demetrios Poliorketes, in the same decree, ll. 12-15.

²¹³ Cf. Vidal-Naquet (1986), 70, on the Plataean refugees of 427 using the 'equipment of the rites of adolescence'.

²¹⁴ Cf. Lycurgus *In Leocratem* 100 (quoting Euripides), 107 (quoting Tyrtaeus). For the claim that a citizen's indissoluble link to his home city makes residence there preferable even to prosperous exile elsewhere: Andocides 1.5.

habituation into militaristic norms helps to explain some exiles' constant mobilisation in pursuit of their perception of the best interests of their home city.²¹⁵

Second, the behaviour and identities of exiles considered in this sub-section lend support to Vidal-Naquet's structuralist argument, challenged and refined by Ma,²¹⁶ that the figure of the 'Black Hunter', the antithesis of the civilised citizen hoplite, was integral to Greek civic consciousness.²¹⁷ The commitment of the exiles considered in this sub-section to unregulated, uncompromising struggle probably reflected, and itself reinforced, a dichotomy in the exiles' consciousness between the civilised, self-controlled citizen and the savage, unrestrained outsider. Behaving, and presenting themselves, as unrestrained anti-citizens probably represented for some exiles a means of coming to terms with their loss of citizenship, an alternative to the denial of liminality considered in the previous sub-section.²¹⁸ Paradoxically, it was also a means by which to prove their continued familiarity with civic political culture and its structural oppositions.

iii) 'Refugee' identity and politicised humanitarian norms.

The final main variety of liminal exilic identity was that of the peaceable, dependent refugee, lacking all, or almost all, political autonomy. As discussed in section 2c) above, second-century honorary decrees passed by the Chrysaoric κοινόν and Colophon for local benefactors, Aristonides of Stratonikeia and Polemaios of Colophon respectively, represent those benefactors giving hospitality and donations to refugees. In these presentations, the refugees necessarily emerge as passive recipients

²¹⁵ For the revisionist view that military practices and organisation and 'military culture' persisted as defining features of many Hellenistic poleis: Ma (2000); (2004a).

²¹⁶ Ma (1994); (2008b).

²¹⁷ Vidal-Naquet (1986), esp. 106-128.

²¹⁸ Cf. Vidal-Naquet (1986), 70.

of aid. As suggested in section 2c), the drafters of these two honorary decrees could well have distorted their representations of the honorands' conduct, in an attempt to appeal to newly prominent humanitarian conceptions of citizenship. However, they are unlikely to have invented the honorands' contributions in money and kind to the refugees: unless the honorands actually made the relevant self-sacrifices, their political opponents would not have tolerated reference to them in official civic documents.

Consequently, it is very probable the relevant refugees in second-century Asia Minor were content to receive philanthropic assistance from these wealthy benefactors in their host cities, rather than agitating politically or militarily for a return home. Early-second-century refugees from Alabanda based in Stratonikeia probably did take up residence 'in the fields' of Aristonides of Stratonikeia, presumably in a type of private refugee camp, and in the city.²¹⁹ Similarly, later-second-century refugees in Colophon probably were beneficiaries of private charitable donations from Polemaios of Colophon and of public appeals for aid to them.²²⁰

As discussed in section 2d) above, the other principal representations of displaced citizens as helpless recipients of aid occur in honorary decrees of the citizens of Entella, Elateia and Oropos for benefactors during the recent large-scale exile of home citizens.²²¹ As discussed there, these representations of displaced citizens were also subject to significant distorting influences: the desire of the returned Entellinoi, Elateians and Oropians, influenced by newly prominent politicised humanitarian

²¹⁹ *SEG* 53.1229, ll. 11-14; Şahin (2003) (cf. n. 14 above for a justification of this interpretation of these lines).

²²⁰ *SEG* 39.1243, col. III, ll. 25-35.

²²¹ Ampolo (2001a), Entella text A2, ll. 9-13; *IPArk* 18; *I.Oropos* 307, ll. 4-25.

norms, to present their behaviour in exile as that of well-behaved, blameless²²² refugees, not destructive vagrants or political schemers; and those returned citizens' desire to accentuate the importance of the assistance rendered to them in exile by the honorands.

However, even if the overall presentations were tendentious constructions, details which are probably trustworthy are the specific references in two of the texts to diplomatic interventions before the second-century Achaian League by the honorands on behalf of the displaced groups concerned: the Stymphalians are said to have succeeded in convincing the Achaian League to send envoys to M'. Acilius Glabrio, then in Phokis, to petition for the Elateian refugees' return home, and later to have secured from the Achaian League permission for the returning Elateians to take grain with them;²²³ and Hieron of Aigeira is said to have spoken on behalf of Oropian refugees at an Achaian federal σύνοδος in Corinth and an Achaian federal σύνκλητος at Argos, advocating intervention to defend Oropos from Athens.²²⁴ To make fanciful claims about such specific details of recent diplomatic history could have exposed the cities involved to ridicule.

In these cases, therefore, the refugees concerned probably did not undertake their own diplomatic activities in imitation of a settled polis, but surrendered their diplomatic autonomy to foreign patrons.²²⁵ In doing so, they complied with the requirements of, but also helped to construct, a new 'citizen refugee' identity, which stood in stark

²²² Cf. *IPArk* 18, ll. 13-15.

²²³ Doing so involved exporting grain from the Peloponnese, contrary to an emergency League ban.

²²⁴ *IPArk* 18, ll. 9-13, 15-18; *I.Oropos* 307, ll. 8-12, 18-22.

²²⁵ Compare the behaviour of the Iasian exiles in Regulus' fleet in 190 (Livy 37.17.4-6): rather than addressing Regulus directly, they successfully appealed to the Rhodians to act as intermediaries.

contrast to the ‘citizen-in-exile’ and ‘anti-citizen’ identities dominant among displaced citizens in earlier periods: an incorporation of the long-established figure of the suppliant within acceptable, patriotic civic roles. This is true even if, behind the scenes, these displaced citizens were not so meek: for example, if the Oropians tried to bribe an Achaian federal general.²²⁶ Even in that case, the Oropians still gave the impression that they were docile, disenfranchised refugees, and victims of circumstances, by allowing Hieron to represent them in the accompanying official diplomatic negotiations.

This shift in diplomatic habits was not all-embracing in the mid-to-late-Hellenistic period: as shown in sub-section i), other exiles and refugees of the second and first centuries did act as citizens-in-exile in diplomatic contexts.²²⁷ The ‘refugee’ diplomatic behaviour of these groups was probably, therefore, partly due to particular circumstances in each case. Each group may have deliberately chosen reliance on a foreign patron, as a more effective means of achieving its diplomatic ends. Alternatively, each group may have been constrained to rely on diplomatic representation by foreign benefactors, as a result of the force of Roman and Achaian proceduralist norms discouraging Greek-style civic voluntarism²²⁸ and oligarchic norms restricting political speech to those in possession of land and a city. Moreover, newly prominent politicised humanitarian norms may have been particularly influential in these three groups’ home or host cities.

²²⁶ Cf. section 2d) above.

²²⁷ For example, in sending embassies to the Roman Senate.

²²⁸ Roman respect for the rule of law: cf. Cicero *De Re Publica*, esp. 1.39-40. Achaian proceduralism: cf. Polybius 2.37.7-39.12.

Other displaced citizens who displayed signs of the identity of the helpless refugee engaged directly in political and diplomatic communication, but did so using rhetoric dependent on the pathos of their precarious or tragic circumstances. Polybius attributes this kind of rhetoric to the envoys from a group of Spartan exiles who appeared before the Roman Senate in 180.²²⁹ according to Polybius, these exiles spoke only briefly, describing their situation and appealing for ‘common pity’ (κοινὸν ἔλεον).²³⁰ There is no obvious reason why Polybius would have invented this detail.²³¹ It may well, therefore, reflect the actual rhetoric of the Spartan exiles on this occasion. If so, it is striking that even Spartan exiles could present themselves as helpless victims in need of assistance, in a public (indeed, a Roman) context.²³²

Admittedly, the politicised ‘refugee’ identity was not entirely new. In the Classical period, some displaced citizens’ wives and children behaved, and were treated, as entirely dependent refugees.²³³ Classical male citizens themselves sometimes showed signs of ‘refugee’ identity, but those signs were usually submerged beneath more dominant forms of behaviour and self-presentation. In his *De Reditu* of 410, for example, Andocides appealed for the Athenians’ pity.²³⁴ However, he did not present himself as a helpless victim, with no political autonomy or room for manoeuvre: he claimed entitlement to the Athenians’ gratitude for turning informer in 415 and argued that he had energetically promoted Athenian interests while in exile.²³⁵ Similar

²²⁹ For the context: Seibert (1979), 199-208.

²³⁰ Polybius 24.10.2.

²³¹ Admittedly, at least in another Hellenistic historian, Diodorus, the pathetic condition of exiles and refugees is a topos: Diodorus 4.57.2-4; 13.89.3; 19.53.2-3, 54.2.

²³² Contrast the toughness of the exiled Spartan Drakontios in Xenophon *Anabasis* 4.8.25-6, analysed by Ma (2004b), 332-3: a paradigm of a good Classical Spartan approach to exile (cf. Isocrates 6.72-81). For a cynical appeal to humanitarian values by a second-century exile, compare Livy 35.34.6-12 (concerning Eurylochos of Demetrias and his supporters).

²³³ Cf. Plutarch *Themistocles* 10.5 (concerning Athenian evacuees of 480).

²³⁴ Andocides 2.6-9.

²³⁵ Andocides 2.9-22.

tempering of ‘refugee’ tendencies is evident in some political action by exiles in the Classical period: the Samian refugees of 403/2 accepted the collaboration of Athenian envoys in making a joint embassy to Sparta,²³⁶ but presumably undertook their part of the embassy as a quasi-autonomous group.

In the mid-to-late Hellenistic period, by contrast, the identity of the peaceable, helpless refugee became an acceptable, or even praiseworthy, principal exilic identity even for male members of civic communities. Moreover, it became effective for liminal exiles to lay claim to host poleis’ assistance, both with immediate subsistence and with broader political objectives, by presenting themselves as human beings, or Greeks, in need. The ‘refugee’ identity thus came to rival the identity of the semi-autonomous citizen-in-exile as a means of obtaining external assistance.

The behaviour and self-presentation of the exiles in question reflected, but also stimulated, the rise to prominence of politicised humanitarian values in civic political cultures in the mid-to-late-Hellenistic period: values already overt and influential in literature, as is clear from the discussion of Isocrates’ *Plataicus* above,²³⁷ came to be influential in practical politics.²³⁸ This development was probably partly due to Stoic emphasis on φιλάνθρωπία, and application of it to politics. It was probably also partly due to widespread Greek weariness with ongoing war and unrest, themselves partly results of more demanding, particularist notions of citizenship.

²³⁶ Rhodes-Osborne, *GHI* 2 §ii, ll. 45-8.

²³⁷ Compare the humanitarian implications of much Classical Attic tragedy and comedy.

²³⁸ Compare Kiechle (1958).

d) Conclusion

As argued in detail in the conclusions to the individual sub-sections above, liminal exiles' identities and behaviour reflected the wide-ranging influence of norms of civic voluntarism and the sometimes simultaneous influence of three distinct brands of communitarianism: civilised institutional, militaristic and, from the mid-Hellenistic period onwards, politicised humanitarian. They thus reveal the variety within the civic political cultures which shaped those liminal exiles' political consciousness, including those of both home and host poleis.

The variety in the political cultures influential on them meant that liminal exiles could exercise autonomy in choosing and adapting an identity which they expected to further their interests, or which enabled them to come to terms with their new social position. Citizens-in-exile and 'refugee' exiles living in host poleis adopted two distinct identities suitable for attracting the patronage and support of their host polis. Citizens-in-exile and anti-citizens exiles living in marginal areas developed two different identities which enabled them to lend structure and dignity to their hand-to-mouth subsistence lifestyles, but also to pursue their political and military interests.

Significantly, liminal exile groups of this type did not adopt, or claim to be adopting, forms of political and social organisation closer to the libertarian contractarian ideal. This was probably because the desperate circumstances of liminal exile made complete unity and solidarity a prerequisite of survival, let alone of political success. Moreover, liminal exiles rarely had the same need for the bargaining inherent in libertarian contractarian politics: all members shared a common end, their return to their home polis, for which they were prepared to make large personal sacrifices.

Action and interaction by liminal exiles guided by norms of civic voluntarism and civic communitarianism could lead to open conflicts between exiles from the same polis. Plutarch reports a story told by the third-century historian Phylarchus about conflict in the Arcadian assembly in 323, in the early stages of the Lamian War, between two Athenian exiles: the pro-Macedonian Athenian exile Demeas, who had come to argue that the Greeks should remain faithful to Antipater, and the anti-Macedonian Athenian exile Demosthenes, who had come to encourage a panhellenic revolt. According to Plutarch, the two men exchanged invective. They also offered contrasting views of the incumbent regime in Athens: Demeas claimed that a visit from an Athenian embassy was a sign of disease; Demosthenes replied that it represented hope of salvation.²³⁹ The two exiles' reported behaviour and rhetoric were consistent with both civic voluntarist and formal unitarian teleological communitarian norms. They each spoke in a formal political assembly, despite being exiles. Moreover, they each used vivid political metaphors of sickness and health to express monopolistic claims about the ethical qualities of the incumbent regime in Athens.²⁴⁰

Although, in this case, voluntarist and communitarian civic norms contributed to antagonistic interaction between liminal exiles, in a phenomenon similar to those considered in chapter 3, most of the evidence considered in this section suggests that the dominant tendency was quite different. In general, action and communication guided by these norms ensured the political cohesion and autonomy of liminal exile groups, enabling them to maintain community, dignity and authority in desperate circumstances.

²³⁹ Plutarch *Demosthenes* 27.1-5.

²⁴⁰ For factions within a diaspora of exiles from a single polis, compare the splintering of early-second-century Spartan exiles: Seibert (1979), 199-200, 203-204.

4. The choice between liminal and ‘emigrant’ quasi-civic behaviour and identities in exile

a) Rival choices within exile communities

The adoption of a liminal quasi-civic exilic identity, and of liminal quasi-civic exilic practices, was far from a universal response to exile among exiles who remained committed to the polis ideal: many pursued the quite different course of settling in a new place of residence, with the intention of remaining for a long period or even permanently, and engaging there in civic or quasi-civic political and cultural practices which were, or which they presented as, durable and self-contained, rather than provisional and purely derivative. This course of action in exile can be classified as consistent with an ‘emigrant’ civic or quasi-civic exilic identity.

Those who chose an ‘emigrant’ civic or quasi-civic lifestyle or identity could actively repudiate ongoing struggle or liminality, in favour of building a permanent, self-contained new lifestyle in exile. Indeed, some broad exile communities were divided into liminal and ‘emigrant’ members. In the period 365-322, for example, some Samian exiles probably remained in, or returned to, the Samian *peraea*, agitating for a swift return home: those who launched a premature attempt to return to Samos in 323 from Anaia, with the help of ships provided by Naosinikos of Sestos in the ‘war against the cleruchs’, may well have been based in Anaia beforehand.²⁴¹ By contrast, the bulk of Samian exiles were dispersed throughout the Greek world; some had

²⁴¹ *IG* XII 6 1 42, ll. 1-24, and 43, ll. 9-14, with Badian (1976), criticising Habicht (1957), 167. Anaia could have been merely the base from which Samian exiles, who had earlier lived elsewhere, launched their unsuccessful attempt to return to Samos. However, they could well have been based in Anaia for a longer period beforehand, treating it either as a guerrilla base or as a type of refugee camp. The fact that they returned to Samos with their offspring (*IG* XII 6 1 42, ll. 5-6) is a consideration in favour of the latter view: if they had come to Anaia only in order to use it as a launch-pad, it is unlikely that they would have brought their children with them (cf. Habicht (1957), 167).

probably migrated as far as Sicily.²⁴² The ‘emigrant’ choices of members of this latter group are evident from the fact that they attempted to return only when a royal order of 322 made doing so straightforward. They are also evident from the political, social and economic relationships members of this group almost certainly formed in exile: the wide range of diplomatic and economic relationships with wealthy or important foreigners attested in the post-return Samian honorary decrees for benefactors during the exile.²⁴³ These were durable, beneficial relationships with non-Samians formed in exile, whose function was not, or not solely, to enable the exiles’ swift return home.

In this and other cases, disagreements between members of an exile community and its sympathisers regarding the relative validity of liminal and ‘emigrant’ behaviour in exile may have become explicit. Plutarch, for example, gives reports of Pelopidas (in 379/8) and Aratus (in 251) urging reluctant Theban and Sikyonian exiles respectively to undertake military campaigns to recover their home cities.²⁴⁴ Admittedly, Plutarch may have shaped and distorted these accounts in order to make them conform with a running motif in which the subject of a *Life* heroically defies the timidity or complacency of fellow exiles at a decisive moment.²⁴⁵ However, his accounts may nonetheless reflect genuine explicit disagreements within these exile communities. Two Sicilian case-studies illustrate the ideas of citizenship at stake in such disagreements.

²⁴² Shipley (1987), 161-4.

²⁴³ *IG* XII 6 1 17-41.

²⁴⁴ Plutarch *Pelopidas* 7.1-3; *Aratus* 5.2.

²⁴⁵ In addition to the two accounts cited, note Plutarch *Dion* 22.4-7 (most Sicilian exiles do not join Dion’s expedition, through cowardice); *Agis and Cleomenes* 45.7-8; *Philopoemen* 5.3-5 (Philopoemen curbs the expelled Megalopolitans’ willingness to accept Cleomenes’ offer of alliance).

b) Criticism of liminality and the suspension of civilisation.

i) The *Seventh Letter* attributed to Plato: the superiority of philosophical exile over ongoing struggle.

Dion of Syracuse convinced Plato to come to Syracuse in the early 360s to reform the young tyrant Dionysius II. Shortly afterwards, Dionysius expelled Dion from Syracuse. Dion lived in exile in mainland Greece for some years. Meanwhile, Plato paid two further visits to Syracuse, in the hope of turning Dionysius to philosophy. When Dionysius eventually terminated the income sent to Dion in exile from his estates and sold them for his own profit, Dion retaliated: in defiance of Plato's advice, he assembled an army of mercenaries and supporters, with which he conquered Syracuse, establishing himself as tyrant in 357. His period of rule was turbulent; in 354, he was assassinated by supposed supporters. The *Seventh Letter* attributed to Plato is at least ostensibly an attempt by Plato to convince Dion's supporters to prefer moderation to retaliation²⁴⁶ in the aftermath of Dion's death.

The Plato of the *Seventh Letter* generally emphasises Dion's philosophical and ethical qualities.²⁴⁷ For this reason, Bradley Lewis suggests that the Plato of the *Letter* exempts Dion's revolution in Syracuse from his strictures against the use of force for political ends.²⁴⁸ However, the Plato of the *Letter* does explicitly criticise Dion for his contribution to Sicilian unrest through his rivalry with Dionysius. He also intimates regret that Dionysius was not sufficiently accommodating to make it possible for Plato himself to restrain Dion.²⁴⁹ A particular aspect of Dion's revolution in Syracuse

²⁴⁶ Plato *Seventh Letter* 336c2-337e2.

²⁴⁷ E.g. Plato *Seventh Letter* 327a1-e2; 351a1-c6.

²⁴⁸ Bradley Lewis (2000), 34. Rejection of the use of force for political ends: 331a5-d5.

²⁴⁹ Plato *Seventh Letter* 350d5-351a1.

criticised by the Plato of the *Letter* is Dion's choice of associates: associates so duplicitous that they later joined in Dion's assassination.²⁵⁰

Significantly, Dion first developed friendships with at least two of these unreliable associates while in exile: Kallippos and his brother, two Athenians who allegedly became Dion's lead assassins. The Plato of the *Letter* contrasts Plato's own relationship with Dion with that of the two brothers. Plato himself developed a friendship with Dion through 'sharing of the learning appropriate to a free man' (διὰ δὲ ἐλευθέρας παιδείας κοινωνίαν). By contrast, the two brothers were 'friends not out of philosophy' (οὐκ ἐκ φιλοσοφίας γεγονότε φίλω): their friendship with Dion was based only on shared revelry and cult activity and purely prudential political collaboration.²⁵¹

An implication of the *Letter* is thus that Dion could eventually have ruled Syracuse more securely if he had developed stable, philosophically-grounded friendships while in exile, or relied exclusively on such friendships while in exile, rather than recruiting casual friends to conquer Syracuse.²⁵² In other words, Dion should have rejected the opportunity to undertake a campaign characteristic of a mobilised, liminal exile, in favour of developing strong friendships rooted in philosophy as an 'emigrant' exile.²⁵³

Significantly, the Plato of the *Seventh Letter* has already raised the possibility of Dion benefiting from philosophical interaction in exile. In justifying his acceptance of

²⁵⁰ Plato *Seventh Letter* 351c-e.

²⁵¹ Plato *Seventh Letter* 333d7-334c2; cf. Plutarch *Dion* 54.1.

²⁵² Cf. Bluck (1947), 100; Bradley Lewis (2000), 30.

²⁵³ Compare Plutarch's account of Plato's aspirations for Dion at Plutarch *Dion* 17.3. The crucial role of firm, virtue-oriented friendships in stable political organisation is a theme of the *Seventh Letter*: cf. 332c-d.

Dion's initial invitation to Syracuse, the Plato of the *Letter* suggests that, if he had not accepted, Dion could have come to him, an exile, to deliver an unanswerable rebuke:

“ὦ Πλάτων, ἦκω σοι φυγὰς οὐχ ὀπλιτῶν δεόμενος οὐδὲ ἱππέων ἐνδεὲς γενόμενος τοῦ ἀμύνασθαι τοὺς ἐχθρούς, ἀλλὰ λόγων καὶ πειθοῦς, ἣ σὲ μάλιστα ἠπιστάμην ἐγὼ δυνάμενον ἀνθρώπους νέους ἐπὶ τὰ ἀγαθὰ καὶ τὰ δίκαια προτρέποντα εἰς φιλίαν τε καὶ ἑταιρίαν ἀλλήλοις καθιστάναι ἐκάστοτε· ὧν ἐνδεία κατὰ τὸ σὸν μέρος νῦν ἐγὼ καταλιπὼν Συρακούσας ἐνθάδε πάρεμι κτλ.”²⁵⁴

‘O Plato, I have come to you as an exile, not because I lack hoplites, or because I was short of cavalry to defend myself against my enemies, but because I lacked arguments and persuasion, through which I knew that you, most of all, were able, urging young men towards good and just things, to establish friendship and comradeship between them all. Lacking these things because of your role, now I am here, an exile, having left Syracuse....’

This speech makes this hypothetical Dion appear an ideal exile, fully aware of the importance and power of philosophy. His principal point is that the lack of Plato's philosophical arguments and persuasive power were reasons for his exile.²⁵⁵

Moreover, the reader is led to infer from this hypothetical Dion's words that he has come to Plato in exile to learn the very arguments whose lack has caused his expulsion from Syracuse. This is partly because the reader recognises that this hypothetical Dion's words impose a moral obligation on the hypothetical Plato whom he is addressing to give the exiled Dion the philosophical assistance which he failed to give previously. It is also because the reader assumes that this hypothetical Dion would not have made the effort to visit Athens simply in order to rebuke Plato.

The author of the *Seventh Letter* probably hoped that the reader would note a contrast between the attitude in exile of this hypothetical Dion and the actual Dion's behaviour in Athenian exile. The didactic point of the two main passages considered

²⁵⁴ Plato *Seventh Letter* 328d4-e2.

²⁵⁵ Cf. Morrow (1962), 211; contrast Knab (2006), 88.

above, interpreted together in the light of this contrast, is that Dion should have cultivated new personal relationships in exile, of an entirely new and more stable type, and undertaken transformative study of political philosophy and methods.²⁵⁶ The suggestion that a virtuous man should protect and cultivate his virtue through prolonged exile, making no concessions to political pragmatism, coheres with an argument advanced by the Athenian speaker of Plato's *Laws*: the virtuous man should avoid all influences which threaten his own virtue, including, in the final instance, his polis, if it is necessary for the whole citizen-body to be uprooted to avoid rule by the worse citizens or for him to flee into exile to avoid an inferior regime harming his character.²⁵⁷

The *Seventh Letter* was clearly written with polemical purposes: to defend Plato's behaviour in Sicily, to justify his general aloofness from politics and to differentiate his philosophy from Pythagoreanism. These apologetic thrusts of the *Letter* are easiest to explain if the *Letter* was written, if not by Plato himself,²⁵⁸ then by a contemporary or immediate successor of Plato in the Academy.²⁵⁹ If so, the implied argument of the *Seventh Letter* about good exilic behaviour would be directly relevant here: it would attest contrasting views about the best form of behaviour in exile, on the part of a Syracusan exile once resident in Athens and a contemporary or near contemporary Athenian or Athenian metic sympathetic with his political cause.

²⁵⁶ For a modern parallel: Marx and Engels, *The Great Men of the Exile*, esp. the conclusion to chapter 4. Cf. Lattek (2006), 93, 107.

²⁵⁷ Plato *Laws* 770c7-e6; cf. the interpretation of R.G. Bury in his Loeb edition of 1926, though his emendations are probably unnecessary. Contrast England (1921), vol. I, 601-602 and Bobonich (2002), 398.

²⁵⁸ For arguments for Platonic authorship, note, for example, Solmsen (1969); Knab (2006), esp. 6, 50. For the opposite view, note, for example, Schofield (2006), 16-18.

²⁵⁹ Huffman (2005), 42; cf. Edelstein (1966), 59-61, 67-8.

However, the possibility cannot be excluded that the *Letter* was written as a piece of fictional epistolography in the Hellenistic period.²⁶⁰ Even in that case, the argument identified here would still reveal a Hellenistic perspective on good and bad exilic behaviour, expressed through the ascription of attitudes to Plato. Such a Hellenistic perspective could have been influenced by, and influenced, the practical Hellenistic politics of exile.

ii) Diodorus, Deinokrates and Timaeus: political corruption and civilisation in exile.

A passage of Diodorus provides evidence for a possible further case of criticism of the liminal identity and political behaviour of certain exiles, in this case by a fellow exile. In the early years of his rule in Syracuse from 317, Agathokles drove many Syracusans into exile. These exiles initially fought alongside the Carthaginians, but in 309 constituted themselves as an independent army, appointing Deinokrates their general. Deinokrates subsequently attracted further supporters from the Greek poleis of Sicily by declaring himself ‘champion’ (προστάτης) of ‘common freedom’. By 306, Deinokrates and his supporters had achieved such military success over Agathokles that he offered terms of surrender, including the restoration of Syracusan democracy.²⁶¹ Diodorus reports the outcome of this proposal:

ταύτας δ' ἄσυντελέστους συνέβη γενέσθαι τῇ μὲν Ἀγαθοκλέους
προαιρέσει κυρωθείσας, διὰ δὲ τὴν Δεινοκράτους πλεονεξίαν μὴ
προσδεχθείσας. οὗτος γὰρ μοναρχίας ὧν ἐπιθυμητὴς τῆς μὲν ἐν
ταῖς Συρακούσαις δημοκρατίας ἀλλότριος ἦν, τῇ δὲ ἡγεμονίᾳ τῇ
τότε οὔσῃ περὶ αὐτὸν εὐαρεστεῖτο· ἀφηγεῖτο γὰρ πεζῶν μὲν
πλειόνων ἢ δισμυρίων, ἱππέων δὲ τρισχιλίων, πόλεων δὲ πολλῶν
καὶ μεγάλων, ὥστε αὐτὸν μὲν καλεῖσθαι τῶν φυγάδων
στρατηγόν, τῇ δ' ἀληθείᾳ βασιλικὴν ἔχειν ὑπεροχὴν, τῆς ἐξουσίας
οὔσης περὶ αὐτὸν αὐτοκράτορος. εἰ κατέλθοι δ' εἰς τὰς

²⁶⁰ A possibility raised, but rejected, in Solmsen (1969), 34.

²⁶¹ Diodorus 20.77.3.

Συρακούσας, πάντως ἀναγκαῖον ἂν ἦν ιδιώτην ὑπάρχειν καὶ ἓνα τῶν πολλῶν ἀριθμεῖσθαι, τῆς αὐτονομίας ἀγαπῶσης τὴν ἰσότητα, ἔν τε ταῖς χειροτονίαις ὑπὸ τοῦ τυχόντος δημαγωγοῦ παρευημερεῖσθαι, τοῦ πλήθους ἀντικειμένου ταῖς ὑπεροχαῖς τῶν ἀνδρῶν τῶν ἀγόντων παρρησίαν. διόπερ Ἀγαθοκλῆς μὲν δικαίως ἂν λέγοιτο λελοιπέναι τὴν τῆς τυραννίδος τάξιν, Δεινοκράτης δ' αἴτιος εἶναι νομίζοιτο τῶν ὕστερον τῷ δυνάστη κατορθωθέντων.²⁶²

These [agreements] ended up not being fulfilled, having been ratified through Agathokles' decision, but not accepted due to Deinokrates' desire for more. For he, desiring monarchy, was hostile to the democracy [sc. the proposal for democracy] in Syracuse, and was well pleased with the leadership role which he then held. For he had command of more than 20,000 infantry, 3000 cavalry, and many great poleis, such that he was called the 'general of the exiles', but in truth had royal supremacy, since he enjoyed autocratic power. If he returned to Syracuse, in all respects it would have been necessary for him to be a private citizen and to be counted as one of the many, since autonomy loves equality, and to be outdone in elections by any chance demagogue, since the people tend to be hostile to the supremacy of men who exercise free speech. Therefore Agathokles could justly be said to have abandoned the office of tyrant, and Deinokrates could be thought responsible for the subsequent successes of the tyrant.

Diodorus' source for these events is controversial. Regarding Diodorus' sources for his account of Agathokles' reign as a whole, the most plausible view is that Diodorus intermingled material from Duris' favourable²⁶³ biography of Agathokles²⁶⁴ and Timaeus' hostile²⁶⁵ account.²⁶⁶ It is true that Diodorus accused Timaeus of fabricating his account of Agathokles' rule,²⁶⁷ but he still clearly drew on details of Timaeus' account.²⁶⁸

²⁶² Diodorus 20.79.1-3.

²⁶³ Kebric (1977), 76; contrast Brown (1958), 90.

²⁶⁴ Echoes of fragments of Duris: Diodorus 20.41.3 (compare *FGrH* 76, F17); Diodorus 20.104.3 (compare *FGrH* 76, F18); cf. Kebric (1977), 72; Consolo Langher (1998), 70-3.

²⁶⁵ Timaeus was exiled by Agathokles and therefore virulently opposed to him: Diodorus 21.17.1.

²⁶⁶ Bervé (1953), 20; Meister (1967), 134-6; Gattinoni (1997), 146-7.

²⁶⁷ Diodorus 21.17.1-3.

²⁶⁸ Explicit references to Timaeus' testimony: Diodorus 20.79.5; 20.89.5; cf. Consolo Langher (1998), 90, n. 89. The argument of Consolo Langher (1998), esp. 90, 93-4, that Timaeus cannot have been one of Diodorus' sources is not convincing. Even if based on Timaeus' account, Trogus' account of Agathokles' reign (summarised in Justin 22.1-23.2) did not necessarily reflect all elements of Timaeus' account. Moreover, Timaeus himself, in exile in Athens, would probably have relied for information

As for Diodorus 20.79 itself, at least the factual details, if not the interpretation, were probably derived by Diodorus from an earlier account. Consolo Langher thinks it incontrovertible that Diodorus derived them from a pro-Agathokles source, because the story transfers all blame for the prolonging of the civil war to Deinokrates, exonerating Agathokles.²⁶⁹ However, the story is not very flattering to Agathokles: it exposes his weakness, showing that his subsequent status was not achieved through his own agency. It can thus be more plausibly attributed to an embittered anti-Agathokles dissident who resented Deinokrates for perceived betrayal of the liberation movement.

This conclusion is reinforced by the more general anti-monarchical stance reflected in the story. Diodorus connects Deinokrates' monarchical aspirations with his 'desire for more' or even 'greed' (πλεονεξία) and 'desire' (ἐπιθυμία), a link which may have been in his original source. Moreover, again possibly following his original source, Diodorus presents Deinokrates' assumption of *de facto* autocratic powers within the exile movement as a hypocritical transgression of the movement's republican principles:²⁷⁰ Deinokrates was called 'general of the exiles', but in fact wielded autocratic power. Admittedly, Diodorus' report contains disparaging implications about a form of non-monarchical government: Diodorus claims that Deinokrates feared that, if he returned to Syracuse, he could lose power to 'any chance demagogue'. However, this claim could be explained by the influence on Diodorus of

about Sicilian affairs on the very local oligarchs whom Consolo Langher presents as alternative sources for Duris (Gattinoni (1997), 146-7).

²⁶⁹ Consolo Langher (1998), 38; Consolo Langher (2000), 253.

²⁷⁰ Tillyard (1908), 192; Seibert (1979), 268-9.

anti-democratic attitudes circulating in the first century, with Roman encouragement.²⁷¹

The most plausible candidate for an anti-Agathokles, anti-monarchical original author is Timaeus.²⁷² If Timaeus was the original author, his reporting of this story reflected a dispute between exiles about political behaviour in exile relevant to this section. Himself an exile from Agathokles' regime, Timaeus chose to spend 'fifty consecutive years' in Athens as a self-confessed quietist, unfamiliar with war,²⁷³ in preference to active involvement in Sicilian exile politics. Timaeus thus had an interest in discrediting the resistance movement as ineffectual or counter-productive. He could have achieved this by suggesting that its leader, Deinokrates, had been corrupted by the autocratic power granted to him within the movement, as a necessary expedient in war, into a quasi-tyrannical opponent of democracy in Syracuse. Significantly, other supposed individual military champions of Sicilian liberty portrayed in accounts by Diodorus and Plutarch probably based on Timaeus also reveal tyrannical tendencies.²⁷⁴ By portraying Deinokrates as a quasi-tyrant, Timaeus could have shown that the massed mobilised exiles in his army had fallen victim again to the duplicity of an autocrat. He could have claimed or implied that he himself, by contrast, had preserved and promoted the culture and 'cultural liberty'²⁷⁵ of Tauromenion, Syracuse and other Sicilian poleis by writing history in exile, a course immune to the risks inherent in single-minded mobilisation.

²⁷¹ For a similar anti-democratic approach: Diodorus 19.1.1-4.

²⁷² Schubert (1887), 188; Meister (1967), 161; Pearson (1987), 252-3.

²⁷³ Cf. Polybius 12.25h.

²⁷⁴ Diodorus 19.71.1-5 (Akrotatos); Plutarch *Pyrrhus* 23.5 (Pyrrhus). Cf. Pearson (1987), 206, on Timaeus' probable view of Dion.

²⁷⁵ Momigliano (1977a), 43-6.

If the *Seventh Letter* was written by Plato or by a contemporary or near contemporary, Timaeus could have been influenced by the attitude towards good exilic behaviour implied in the *Seventh Letter*. Even if there was no direct influence, there was probably a general attitude among intellectuals in Athens in the late fourth and third centuries that Sicilian exiles should study theoretical political questions and pursue cultural interests rather than forming purely prudential alliances in pursuit of return at all costs: certain political and cultural values had to be preserved and reinforced, even at the expense of a delayed return.

c) Conclusion

The different attitudes and disagreements considered here concerning the relative merits of liminal and ‘emigrant’ choices in exile cast considerable light on the divergent or ambiguous ideas of citizenship influential on those involved. Those who preferred or advocated ‘emigrant’ choices in exile rejected some of the particularist civic norms acted on by their liminal counterparts. They rejected particularism about place, since they were favourable to quasi-civic activities in new habitats. They also rejected strict particularism about social relationships: they were favourable to life-shaping social and political relationships with individuals outside the imaginary descent-group of fellow citizens. In the case of the *Seventh Letter*, the author also rejected the principles of brutal negative reciprocity acted on by Dion: he claimed that Dion should have resisted seeking revenge on Dionysius, in favour of learning the means to achieve civic reconciliation grounded in virtue.

The author of the *Seventh Letter* and probably also Timaeus advocated particular types of civic communitarianism, as guides to behaviour in exile. The Plato of the

Letter and probably also Timaeus rejected the view that a good civic community has a limited *telos*: collective military achievement, collective political autonomy and the maximisation of the honour of individual citizens. The author of the *Seventh Letter* implied that the good civic community has a quite different *telos*: citizens' mutual achievement of abstract civic virtue and civic friendship. Timaeus, for his part, probably implied that cultural and constitutional continuity should be central to the *telos* of a civic community. In any case, he spent his exile in Athens preserving and interpreting Western Greek cultural traditions, declining to take on a role on the front line of the exile struggle.

5. 'Emigrant' civic or quasi-civic identities and behaviour on the part of exiles

a) Introduction

Like the liminal quasi-civic exilic lifestyle and identity, the 'emigrant' civic or quasi-civic exilic lifestyle and identity was not monolithic: displaced citizens adopted a wide range of 'emigrant' civic and quasi-civic lifestyles and identities. This section examines this wide range and its sources in civic political cultures.

b) New city foundations by exiles: sources of political consciousness.

There were two obvious means by which displaced citizens could preserve or develop an 'emigrant' civic lifestyle or identity in this period: by founding a new city or by gaining citizenship in a host city. Through both of these possible methods, displaced citizens could hope to become again citizen landowners. However, in this period, neither of these methods of preserving civic identity and status was straightforward in practice.

The prospects for a group of exiles to found a new city were already small in the fifth century, after the Persian Wars. If it was Eretrian exiles of the 470s who founded the new polis of Dikaia in Thrace, discussed in chapter 2, section 3c),²⁷⁶ then those exiles defied the prevailing trend: their foundation would represent a final, late example of the Archaic phenomenon of groups of enterprising Greek exiles founding or co-founding new Greek poleis.²⁷⁷ In general, by this point, such ventures were hindered by the lack of easily accessible, unoccupied territory. The best that exiles could hope for was to be granted occupation of an existing polis by a major power, in which they could found a new civic community.²⁷⁸ Indeed, coherent groups of exiles are not known to have founded new cities even in the next major wave of Greek expansion, at the start of the Hellenistic period.

Displaced Greeks who founded a durable new civic community could be very conservative: for example, the descendants of the Tirynthians who settled in Halieis in Akte after their own polis was conquered by the Argives in c. 460 continued to style themselves as ‘Tirynthians’ on their fourth-century coins. Moreover, on one such coin they included with that ethnic an image of the club of Heracles, patron god of Tiryns.²⁷⁹ They thus laid claim to the continued patronage of Tirynthian Heracles, probably in conscious opposition to the Argives, who not only incorporated

²⁷⁶ For this argument: Knoepfler in *BE* 2008, 263.

²⁷⁷ For the Archaic South Italian cases: Cerchiai, Jannelli and Longo (2004), 17.

²⁷⁸ Tyrants or established poleis of Classical Sicily commonly granted to groups of exiles vacant poleis or land for a new polis: Diodorus 13.89.3-4, with McKechnie (1989), 36; Demand (1990), 98; Diodorus 14.78.5-6; Diodorus 14.87.1-3, with McKechnie (1989), 37; Demand (1990), 102. Diodorus even makes a dubious report of a fourth-century original city foundation by exiles, on their own initiative: Diodorus 16.7.1 (on Tauromenion; cf. Cerchiai, Jannelli and Longo (2004), 162, 166; Bennett (1977)), convincingly questioned in Hansen and Nielsen (2004), 231. In an example from the Peloponnese, Tirynthian refugees took over the polis of Halieis in Akte in c. 460, probably with the consent of the polis of Hermion (Hansen and Nielsen (2004), 608-609). As mentioned in n. 88 above, the fifth-century Athenians and Spartans settled exile groups in polis territories with free space in mainland Greece. However, these settlements were probably usually more akin to ‘liminal’ exile strongholds than to long-term ‘emigrant’ exilic city foundations.

²⁷⁹ Head (1911), 443.

Tirynthian territory into their own polis, but probably also subsumed Tirynthian Heracles into their own civic organisation and cults.²⁸⁰

Nevertheless, as the case of the Dikaiopolitans shows, some exiles who founded new civic communities revealed revolutionary, utopian aspirations. As discussed in chapter 2, section 3c), Dikaia's original settlers' choice of the name Dikaia was probably a conscious ideological move.²⁸¹ If the settlers were exiles, the choice of name could well have implied criticism of the home regime in Eretria, responsible for their exile. Such an ideological move would have echoed an Archaic example: sixth-century Samian exiles from the Samian tyrant Polykrates gave the name Dikaiarcheia to their new foundation, or refoundation, in Italy, the future Puteoli.²⁸² It can also be considered alongside the foundation and development of utopian Pythagorean politico-religious communities in South Italy in the sixth and fifth centuries, in which Pythagoras was probably not the only exile from the Aegean to be prominent.²⁸³ At Dikaia, as in the South Italian cases, exiles took full advantage of a rare opportunity for systematic political experimentation, putting into practice utopian ideas.

c) Integration into a host polis: naturalisation and civic identities

Few 'emigrant' exiles are known to have gained naturalisation in a host city and assimilated to its civic practices. This was mainly because most exiles were simply

²⁸⁰ Kritzas (1992), 237; *SEG* 41.282. For Greeks preserving cults and religious identities after displacement, compare Parker (2009), 186-7.

²⁸¹ Cf. *BE* 2008, 263.

²⁸² Mitchell (1975), 87; Shipley (1987), 91.

²⁸³ Cf. Burkert (1972), 119-20; Rawson (1985), 31, 94; Kahn (2001), 6-8. A possible fourth-century parallel for exiles exhibiting utopian tendencies concerns the later-fourth-century foundation of Ouranopolis in Thrace, whose reported οἰκιστής was Antipater's son Alexarchos (Strabo Book VII, fr. 35; Athenaeus Book III, 98de; Pliny *Natural History* 4.10.37). This new polis had a utopian name (cf. Thomas (1968), 259) and probably also a utopian new language (Athenaeus Book III, 98de; Dubois (2006), 4-5). McKechnie plausibly suggests that its inhabitants were the disenfranchised Athenians of 322 reportedly granted a city in Thrace by Antipater (McKechnie (1989), 55-6).

unable to gain naturalisation in a host city: most poleis' exclusivity made them reluctant to grant citizenship to exiles, except in times of crisis or special need.²⁸⁴

Indeed, it is only in the evidence for poleis on the fringes of the Greek world, in whose own foundation myths exiles often featured, that any sustained willingness to naturalise asylum-seeking exiles can be identified: numerous cases are known from Sicily²⁸⁵ and Northern and Western Asia Minor.²⁸⁶

²⁸⁴ On the exclusivity of Classical Athenian citizenship: Davies (1977/8), 106-107. Exceptional Athenian war-time collective naturalisations of exile groups: grants to Plataeans in 427 ([Demosthenes] 59.104-106) and to Troizenian exiles in 338 (Hyperides 3.33). Athenian naturalisations of especially useful or talented exiles and refugees:

- 1) Naturalisation (or confirmation of the prior naturalisation of) exiled monarchs or tyrants: Osborne (1981-1983), D14, T59-60 (possibly also T66; cf. Lambert (2007), 107, n. 45).
- 2) Naturalisations of exiled leading citizens of poleis: Osborne (1981-1983), D11; T61; D17 and 23 (with Osborne (1981-1983), vol. II, 92); D22.
- 3) Naturalisation of a skilled individual who was probably a refugee: the naturalisation of the seer Sthorys of Thasos (Osborne (1981-1983), D8, with vol. II, 46). Compare the case of the sculptor Sthennis of Olynthos: Sthennis may well have already been a refugee from the destruction of Olynthos when he was almost certainly granted Athenian citizenship (Osborne (1981-1983), T62). This was almost certainly a special grant to Sthennis; the majority of Olynthian refugees in Athens probably received only *ισοτέλεια* (Harpocration, s.v. *ἰσοτελής καὶ ἰσοτέλεια*, citing Theophrastus, followed by Osborne (1981-1983), vol. III, 125-6; contrast Suda s.v. *Κάρανος*, followed by Cohen (2000), 66, n. 112).

The pattern in other mainstream Greek poleis in the Classical and Hellenistic periods was probably not very different. Teles *On Exile*, pp. 27-9 Hense, hints at widespread hostility to immigrants within contemporary (third-century) poleis; cf. Mendels (1979). Naturalisation of resident exiles was certainly not the rule in the Hellenistic Peloponnese: the Hellenistic Symphalians did not naturalise even their supposed kin, the Elateians, but only 'considered (νομί[ξ]αντες) them their own citizens' (*IPArk* 18, ll. 5-6). Note, however, Polybius 32.7.3: Delians expelled from their island by the Athenians in 167 were naturalised as Achaians.

²⁸⁵ Naturalisations of exiles by Sicilian tyrants: the *stasis*-exile Ergoteles of Knossos was probably among those Dorians naturalised as citizens of Himera by Theron of Akragas in 476 (Pindar *Olympian* 12; *SEG* 11.1223a, l. 4; and Pausanias 6.4.11, with Diodorus 11.49.3; cf. Barrett (1973), 23-4; Hornblower (2004a), 195); Dionysius I in 396 settled wandering self-ascribed 'Messenian' exiles in Messina, where they presumably enjoyed the citizenship of their homonymous host city, before giving them the land to found their own polis, Tyndaris (Diodorus 14.78.5). Compare Dionysius' large-scale enfranchisements of immigrants, including refugees from his own conquests, in Syracuse (McKechnie (1989), 35-8; Demand (1990), 98-106).

²⁸⁶ The Ephesians granted citizenship, in 409, to Selinountians who had fought with them, rendered refugees by Carthaginian destruction of their home polis (Xenophon *Hellenica* 1.2.10); and, in the early-Hellenistic period (cf. Habicht (1999), 88), to at least two 'Olynthians' (*I.Ephesos* 1454; *SEG* 39.1156; cf. Fraser (2009), 161-2). Ephesian citizenship was probably particularly open in the early-Hellenistic period, not least because naturalisation was made into a fundraising device: *I.Ephesos* 2001 (301/0-298/7), ll. 9-12. In c. 370, the Pontic Trapezountians greeted as 'fellow residents' (συνοίκους ἐδέξαντο), and thus presumably as citizens, Arcadian Trapezountians fleeing integration into Megalopolis (Pausanias 8.27.6; Hansen and Nielsen (2004), 964). Parmenon, an exile from Byzantion, owned a house at Ophryneion in the Troad in the mid-fourth century (Demosthenes 33.20), so had probably been naturalised there. The Troad and neighbouring Propontis may have been particularly receptive to outsiders in the fourth century: cf. Xenophon *Anabasis* 5.6.23 (Timasion, an exile from Dardanos, promises the remaining mercenaries a good reception in his home polis); *SGDI* 5533a-d (Zealeia).

However, the reluctance of ‘emigrant’ exiles to embrace a new civic identity was also due to the fact that even those exiles who did gain naturalisation in a host polis seldom made their new citizenship central to their self-presentation: such exiles tended to retain their original civic identity. The most prominent exception is an exile naturalised in a polis on the fringes of the Greek world, who embraced his new civic identity: in a dedication at Olympia in c. 450, the *stasis*-exile Ergoteles of Knossos announced that he had won immortal renown for Himera, his new polis, through his athletic victories. He combined this with a claim to membership of, and superiority over, a supra-civic Greek cultural community: he boasted that he had defeated ‘the Greeks’ in Panhellenic games.²⁸⁷ However, even Ergoteles did not relinquish his civic identity as a Knossian: Pindar explicitly referred to him, in a eulogistic poem probably reflecting his wishes, as a victim of Knossian *stasis*,²⁸⁸ at the same time as emphasising through language and imagery his integration into Himera.²⁸⁹

It was probably only special characteristics of host poleis which enabled and encouraged naturalised exiles to embrace their new civic identities. In Ergoteles’ case, for example, the cosmopolitan traditions and foundation myths of Himera,²⁹⁰ and its superior prestige compared with Knossos,²⁹¹ were probably important enabling factors. In another case, naturalised exiles probably embraced a new civic identity precisely because it enabled them to reassert their original civic affiliation: the Arcadian Trapezountians who found refuge, and probably citizenship, in Pontic Trapezous in c. 370 hardly needed to sacrifice any of their original civic identity,

²⁸⁷ SEG 11.1223a, ll. 1-2.

²⁸⁸ Pindar *Olympian* 12, l. 16.

²⁸⁹ Silk (2007), 192-3.

²⁹⁰ Hornblower (2004a), 195-6; cf. Thucydides 6.5.1.

²⁹¹ Silk (2007), 190.

because they settled in a homonymous daughter-city.²⁹² Indeed, they could have claimed to be best able to preserve distinctive Trapezountian civic identity in distant exile: back in the Peloponnese, Trapezous and its civic buildings and cults were forcibly integrated into Megalopolis.

The tendency of ‘emigrant’ displaced citizens to retain or reproduce their native civic identity, even when they had the benefit of the security and opportunities of a new citizenship, further demonstrates the pervasive influence of particularist communitarian civic norms, oriented around ethnicity. This leads into the concerns of the next sub-section: the section as a whole concerns the quasi-civic identities and associations developed by ‘emigrant’ displaced Greeks; and its first part concerns ‘emigrant’ exiles’ attempts to reproduce in exile features of home civic life.

d) Non-assimilated displaced settlers in host poleis

i) Introduction

By contrast with the fortunate exiles considered above, many ‘emigrant’ exiles had no option but to live as metics in host cities or to be perpetually mobile. In either case, the best hope of earning a livelihood was usually to work as a craftsman, trader, money-lender or mercenary. A large number of such displaced Greeks strove to preserve or improvise a civic or quasi-civic identity, through individual self-presentation and through collective quasi-civic organisation. They were joined in this by some exiles who did gain naturalisation in a host polis. This sub-section examines

²⁹² Inhabiting a daughter-city may have been considered no exile at all: in Classical and Hellenistic Teian law, for example, exile from Teos was accompanied by exile from the daughter-city of Abdera (*Nomima* I, no. 105, fr. b, ll. 5-9; *SEG* 26.1306, ll. 23-5). On the probable comforts of homonymy for exiles: note that Ephesus, where Selinountian refugees were naturalised in 409 (see n. 286 above), had a River Selinous (Xenophon *Anabasis* 5.3.8).

the varied quasi-civic habits and organisation of such ‘emigrant’ exiles, identifying the strands in civic political cultures influential on them.

ii) The ‘Odyssean’ identities and social organisation: preserving communitarian habits in the face of centrifugal tendencies

‘Emigrant’ exiles settled in a host polis most commonly laid claim to a civic identity by constructing an ‘Odyssean’²⁹³ identity: they accepted or embraced the deracinated, often mobile predicament of the exile, but reproduced in specially adapted durable expatriate forms their previous civic identity and civic habits. Individual exiles could develop a new social, economic and intellectual life in exile, while advertising their retention of their original polis affiliation.²⁹⁴ When a group of ‘emigrant’ exiles from a single polis were resident in the same location, they could interact with one another in a quasi-civic way: they could even improvise durable, self-standing institutions and practices similar to civic institutions and practices.

For example, the naturalised Plataean exiles resident in late-fifth-century Athens reportedly held a regular monthly meeting in the cheese market,²⁹⁵ at least a perpetuation of Plataean collective social life and possibly even an imitation of the monthly ‘principal assembly’ (κυρία ἐκκλησία) of a settled polis. Similarly, ‘Chalkidians living in Myrina’ in the mid-fourth century, almost certainly refugees

²⁹³ Cf. Joly (2002).

²⁹⁴ Around 330, for example, men styled as ‘Olynthian’ and ‘Theban’, whose home poleis had been destroyed by the Macedonians, brought (unsuccessful) legal suits against metics at Athens: *SEG* 18.36, ll. 241-2; Meyer (2010), no. 19, col. II, ll. 3-8. Cf. Davies (1977/8), 107. On ‘posthumous ethnics’ in general: Fraser (2009), 159-66. For exiles outside Athens, compare the continuing interest in Athenian affairs, or even the Athenian patriotism, of the exiled Athenian historians Thucydides and Xenophon (e.g. Badian (2004), 51).

²⁹⁵ Lysias 23.6.

from Philip II's destruction of Olynthos in 348,²⁹⁶ formed a quasi-civic community within Myrina.²⁹⁷

The Chalcidian refugees received, as a corporate group, a donation of a plot of land (χωρίον) from another quasi-civic community, and probable model for their own organisation, the Athenian δῆμος 'living in Myrina'.²⁹⁸ In return, they crowned the Athenian overseer (ἐπιμελητής) in Lemnos, praising him for his virtue and justice (ἀνδραγαθίας ἔνεκα κ[α]ὶ δικαιοσύνης).²⁹⁹ In doing so, the refugees imitated a settled polis in one of its characteristically communitarian political activities: the developing or securing of good, peaceful relations with a foreigner, cemented through ethical praise.

Although inspired by the political cultures to which they were exposed, the communitarian tendencies of exiles who developed an Odyssean 'emigrant' quasi-civic identity, such as the Chalkidians, could be intensified by exile itself. These tendencies reflected many 'emigrant' exiles' nostalgia for lost security and pride as members of a settled civic community.³⁰⁰ They also represented responses to particular effects of exile. First, they could represent attempts by members of an exile diaspora to resist the dissolution or weakening of social ties. For example, the early-fourth-century diaspora of Siphnian oligarchic exiles discussed in section

²⁹⁶ Cf. Cargill (1995), 69.

²⁹⁷ Although they styled themselves as displaced citizens of the federal Chalkidian state, their community in Myrina must have had the dimensions more of a polis or civic sub-division.

²⁹⁸ IG XII 8 4, ll. 1-3. Cf. Cargill (1995), 69.

²⁹⁹ IG XII 8 4, ll. 6-12.

³⁰⁰ Compare the Spartan exile Klearchos' identification of his fellow mercenaries (many of them fellow Spartans) as his new πατρις, and only source of honour, at Xenophon *Anabasis* 1.3.6.

3c)ii) above, whose members came to be dispersed in Aigina, Troizen, Lycia³⁰¹ and probably also Melos,³⁰² maintained lines of internal communication: the exiles in Troizen received word of Thrasylochos' death from illness in Aigina; and, more strikingly, news arrived in Troizen of Sopolis' death fighting in Lycia.³⁰³ The continued existence of these lines of communication made possible face-to-face solidarity, involving shared ritual and mutual consolation, at a moment of crisis: the majority of the Siphnian exiles in Troizen sailed to Aigina for Thrasylochos' funeral.³⁰⁴

Second, 'emigrant' exiles' communitarian tendencies could be a response to the acute insecurity and disorientation of the struggle for basic subsistence as immigrants in unfamiliar poleis. This is clear from the misfortunes of the mid-fourth-century³⁰⁵ Byzantine exile Parmenon, recounted by the Athenian speaker of Demosthenes' *Against Apatourios*. Two Byzantines, the citizen trader Apatourios and the exile Parmenon, had arrived in Athens on a ship belonging to Apatourios. Under pressure from his creditors, Apatourios took out a loan from Parmenon (who was to provide 10 minae) and from the almost certainly Athenian³⁰⁶ speaker of Demosthenes' *Against Apatourios* (who was to provide 30 minae). Parmenon quarrelled with Apatourios after paying the first 3 minae of his part of the loan, as a result of which he gave the remaining 7 minae of his part to the speaker to pay to Apatourios; the speaker then took over responsibility for ensuring repayment of Parmenon's whole 10 minae. The speaker himself, short of money for paying his part of the loan, provided surety for a

³⁰¹ Isocrates 19.40; Mathieu and Brémond (1928-1962), vol. I, 103, n. 3.

³⁰² Thrasylochos and the speaker initially travelled to Melos and might have settled there, but then went on to Troizen and eventually Aigina (Isocrates 19.21-4). Other exiles probably stayed on Melos.

³⁰³ Isocrates 19.31, 40.

³⁰⁴ Isocrates 19.31.

³⁰⁵ The speech probably dates to Alexander's reign, most likely after 331: Gernet (1954), 132-3; Cohen (1973), 185, with n. 63.

³⁰⁶ Cf. Demosthenes 33.10-11: the speaker calls Parmenon a 'foreigner'; cf. Gernet (1954), 128.

30-minae to Apatourios from Herakleides' bank, *in lieu* of his part of the loan.

Herakleides' bank then collapsed. Apatourios attempted to remove from the Piraeus his slaves and ship, which the speaker had had registered as surety for the 40-minae loan to Apatourios in his name. However, Parmenon intervened, restraining the slaves and preventing the ship from departing. Apatourios' ship was then sold, to yield the 40 minae to cover the whole debt.

Shortly afterwards, Parmenon brought a suit against Apatourios for assaulting him when he restrained Apatourios' slaves. Apatourios refused to swear an oath prepared for him by Parmenon with respect to this suit, allegedly because he feared perjuring himself, and brought a counter-suit against Parmenon, presumably relating to the same events. According to the speaker, the two Byzantines then agreed to submit their grievances to a three-man arbitration committee, chaired by their fellow Byzantine Phokritos, and also containing Athenian advocates for each of them. However, no arbitrated settlement was reached: Apatourios' advocate, Aristokles, claimed to have lost the arbitration contract and insisted that he was the sole arbitrator, before giving judgement against Parmenon while he was away at Ophryneion in the Troad, where the new home he had established in exile had been destroyed by an earthquake. Some time later, Apatourios brought a suit against the speaker, claiming that he had acted as guarantor for Parmenon in the arbitration and should therefore pay the penalty which the single arbitrator had controversially imposed on Parmenon. The speaker denied that he was surety for Parmenon, but also denied that Parmenon had legitimately incurred the penalty; hence Demosthenes' *Against Apatourios*.³⁰⁷

³⁰⁷ Demosthenes 33.5-22. On the three main protagonists: Reed (2003), 102-103.

There are numerous points of contrast between the social tendencies of Parmenon, the Byzantine exile, and Apatourios, the voluntary Byzantine migrant (or long-term absentee).³⁰⁸ Demosthenes probably accentuated the contrasts between their social tendencies, in order to reinforce the speaker's complaints about Apatourios. However, it would have been counter-productive for him to include easily falsifiable factual claims.

Parmenon consistently sought to preserve communitarian links with his fellow Byzantines: he arrived in Athens on Apatourios', his fellow Byzantine's, ship; he agreed to give Apatourios a loan when he was in acute need; he prevented Apatourios fleeing to escape from his obligations to his creditors and indirectly to Parmenon himself, a fellow citizen; when Apatourios brought a counter-suit against his own suit regarding events in the Piraeus, he agreed to an attempt to find a consensual solution through arbitration; and he strove to ensure that the arbitration was brought to a consensual conclusion. The intended arbitration was clearly communitarian in character: first, because it was chaired by a fellow Byzantine, a member of the shared descent-group of Parmenon and Apatourios, not by a more impartial figure; and, second, because it was an alternative to an adversarial trial.³⁰⁹

Apatourios, by contrast, was a relatively rootless and calculating trader. He was already in debt to unnamed creditors at the start of the story, suggesting existing speculation and market behaviour. He befriended and extracted a loan from Parmenon for convenience, but no sentimental civic solidarity prevented him from trying to flee

³⁰⁸ Apatourios clearly spent an extended time in Athens.

³⁰⁹ Compare the widespread preference for consensual arbitration over legal judgements as a means of resolving disputes in Hellenistic civic honorary decrees for foreign judges: cf. chapter 3, section 3c)iii)B); Crowther (1995), 92; Roebuck (2001), 24-5, 282.

repayment when he had the opportunity. When prosecuted by Parmenon, he took the provocative, adversarial step of bringing a counter-suit against his former fellow citizen. Although he then initially agreed to a consensual arbitrated settlement, he succeeded in avoiding that outcome: he supported Aristokles' claim to be sole arbitrator.³¹⁰ Aristokles then gave a provocative, unilateral judgement, the antithesis of an arbitrated settlement, presumably with Apatourios' support. The Athenians from whose help Apatourios benefited during these events included, not only Aristokles, but also, through him, Eryxias, 'the doctor from Piraeus':³¹¹ a man with whom he apparently had no ties other than this prudential one. Finally, Apatourios brought an adversarial suit against the speaker of Demosthenes' *Against Apatourios*, aimed at his own financial gain.

These contrasts evoke the mixed society and mixed ethical culture of the Athenian Piraeus: a world of rootless, individualistic traders and money-lenders, identified, for example, by Cohen,³¹² in which status distinctions and civic ties were irrelevant,³¹³ coexisted with a Finleyan world in which personal friendships, civic bonds and status distinctions significantly shaped the economic behaviour of individual agents.³¹⁴

Faced with these coexisting worlds, Parmenon, the exile, showed great reluctance to assimilate to the requirements of market rationality, clutching at elusive opportunities to forge more communitarian, socially-embedded economic relations. By contrast, Apatourios embraced the market and mobility and the opportunities they offered for personal success.

³¹⁰ Demosthenes 33.19.

³¹¹ Demosthenes 33.18.

³¹² Cohen (2000); cf. Baslez (1984), 167-8.

³¹³ Cf. Whitehead (1977), 48; Vlassopoulos (2007b).

³¹⁴ Cf. Finley (1985).

Some of the insecurities to which Parmenon responded through his communitarian behaviour were psychological and social: Parmenon, lacking Apatourios' indisputable dignity as a citizen of his home polis, was far more anxious to maintain communitarian quasi-civic relations with his fellow Byzantine expatriates. Even quite possibly to his own material detriment, Parmenon refused to undertake the type of marginal, interstitial, market-oriented economic role which citizens themselves generally shunned, or to adopt the corresponding identity of the footloose trader. The communitarian sociability and collective identity of the Plataean refugees in Athens after 427 probably represented a similar attempt to retain communitarian citizen dignity, despite the temptation or necessity for Plataean refugees to pursue market-rational lifestyles in Athens. There is some evidence for Plataeans adopting, or being widely perceived to be adopting, such lifestyles: Pancleon, the defendant in Lysias 23, a fuller with apparently few firm social connections, either was, or hoped to claim plausibly to be, a Plataean refugee; and at least one Plataean, a certain Theodotus, could be presented in court as a prostitute available for hire by contract (συνθηκαί).³¹⁵

Besides the psychological and social ones, other relevant insecurities of exile were economic: Apatourios possessed the resources and social connections to thrive as a market-rational trader, whereas Parmenon's precarious position in his new world in exile is vividly reflected in his eventual humiliation at Apatourios' hands.

Communitarian solidarity with fellow Byzantines must have appeared to Parmenon

³¹⁵ Cf. Lysias 3.22.

the only possible way of forming meaningful, dependable social relationships, insurance against exploitation.³¹⁶

Significantly, Parmenon did occasionally fall back on pragmatic, business-like or patron-client relations with the Athenian speaker in the course of his period of crisis.³¹⁷ Moreover, although his initial commitment to make a loan to Apatourios was probably only a face-to-face oral promise,³¹⁸ Parmenon subsequently relied on the more formal, less fraternal guarantee of a written contract. He negotiated with Apatourios an arbitration agreement which was written up, presumably in legally-binding form, by a third-party, a literate slave of Aristokles. Parmenon then appealed to the authority of the written agreement when he confronted Aristokles.³¹⁹

Nevertheless, even Parmenon's attempts to partially assimilate to the norms of the world of market-rational, interstitial traders failed to improve his well-being: he still could not compete with Apatourios' familiarity with that world, connections and scheming. This is a further feature of Parmenon's story which indicates that there was no alternative for a marginal 'emigrant' exile than to attempt to develop communitarian quasi-civic relationships with fellow expatriates.

In conclusion, therefore, the experience of exile reinforced 'emigrant' exiles' existing communitarian political consciousness, derived from the political cultures of their

³¹⁶ Admittedly, Parmenon was not destitute: he was able to lend money; and he had a new household in Ophryneion in the Troad (Demosthenes 33.20). However, his lack of social connections made his wealth no guarantee of personal well-being.

³¹⁷ The speaker himself was, however, keen to emphasise his long familiarity with both Byzantines, resulting from his earlier extensive travel while trading (Demosthenes 33.5).

³¹⁸ Demosthenes 33.6: the verb used is *ὁμολογεῖν*. On this verb in Athenian commercial contexts: Cohen (2003), 73.

³¹⁹ Demosthenes 33.17. On the probable increased use of written contracts in Athens in the second half of the fourth century: Gernet (1938), 30.

home poleis, suppressing any libertarian contractarian political attitudes. Although Parmenon's efforts to construct a microcosm of Byzantine civic community were unsuccessful, other 'emigrant' exiles' communitarian aspirations did yield cohesive exile communities: as with liminal exiles, communitarianism could be unifying as well as divisive.

It was a particular strand in mainstream civic communitarianism on which these Odyssean 'emigrant' exiles drew, and which they reinforced, in forming their quasi-civic relationships and institutions. This strand contrasted sharply with that which shaped the behaviour of the exiles considered in section 3, who developed liminal quasi-civic exilic identities. One distinctive feature of the strand which influenced 'Odyssean' 'emigrant' exiles was discussed in section 4: according to it, the good communitarian citizen strives in a period of crisis, such as exile, to preserve full, durable versions or imitations of the institutions and practices of civilised polis life, rather than devoting himself purely to political and military methods adapted to his exceptional circumstances. However, this strand also had another distinctive feature: according to it, the political and cultural institutions and practices distinctive to a civic community are not tied to a particular geographical place, but can be stably and durably reproduced elsewhere.³²⁰ This aspect of this strand of communitarian norms was also influential within the political cultures of settled poleis: for example, its influence is evident in Athenian representations of Athenian cleruchies on Aegean islands, including that on Lemnos, mentioned above, as displaced fragments of the Athenian polis.³²¹ It could also be crystallised by intellectuals into abstract

³²⁰ For an argument that the relationship of a polis to a particular place was a fundamental concern of Greek political theory: Azoulay (2006). Compare Bertrand (1992).

³²¹ Note, in particular, Hallof and Habicht (1995); Moreno (2007), 102-115. Such conceptions probably had their roots in the development of the notion of the ἀποικία in the Archaic period.

conceptions of the essential nature of a polis: a group of men, or citizens sharing a constitution, not necessarily tied to a particular place.³²²

In response to their circumstances in exile, Odyssean ‘emigrant’ exiles distilled this strand in communitarian norms into distinctive forms of quasi-civic organisation. Some, such as the Chalkidians on Lemnos, attempted to form a communitarian quasi-polis with a new, particular territorial or geographical base within their host polis. However, others, such as the Siphnian oligarchs and Parmenon, attempted to create or sustain a quasi-polis without any geographical or material base: a social and psychological construction. The latter constructions embodied a particularly radical extension of the strand in communitarian thinking under consideration: their founders and participants presupposed that a polis need be no more than the shared aspirations and practices of its members.

iii) ‘Emigrant’ exiles’ cosmopolitan communities, quasi-communities and identities: reinventing political community

The principal alternative type of quasi-civic identity and organisation adopted by ‘emigrant’ exiles based in host poleis was a cosmopolitan type: an unqualified embrace of the deracination and variety of the exilic life. It was exiled philosophers, or exiled citizens who became philosophers in exile, who most wholeheartedly embraced cosmopolitanism and most wholeheartedly put it into practice in their social organisation. This was especially true of early Cynics and Stoics. The exiled Diogenes of Sinope was reported to have promoted a variety of cosmopolitanism which rendered the conventional, small-scale polis otiose: citizenship of any particular, local

³²² Thucydides 7.77.7, with Raaflaub (1993), 44; Aristotle *Politics* 1275b34-1276b15. Compare also the discussion of Polybius 2.61 in section 2e) above.

polis is contrary to nature; only citizenship of a universal, world polis is natural.³²³ In offering this argument, Diogenes was extending to a logical extreme the conception of a polis mentioned in closing the previous sub-section: conceived as a social and psychological entity, not a material or territorial one, a polis need not be confined to any particular place or group, but can extend throughout the souls of all virtuous men in the world.

Zeno of Kition, another displaced Greek, who reportedly settled in Athens after a shipwreck,³²⁴ is said by Diogenes Laertius to have advocated ideas in his *Republic* similar to those of Diogenes of Sinope.³²⁵ Diogenes Laertius' report of Zeno's thinking can be interpreted as a report that Zeno shared Diogenes' ideal of a truly worldwide republic of the virtuous and wise.³²⁶ However, it can also be interpreted as a report that Zeno advocated a version of 'universalist communitarianism', a doctrine according to which the ideal polis is a conventional small-scale, solidaristic polis, but one in which universally valid standards of virtue and wisdom are the principal criteria for citizenship, criteria which all men or all Greeks can potentially fulfil: Diogenes' report has been interpreted as evidence that Zeno favoured a Spartan-style polis of close comrades, united in their knowledge of, and commitment to, virtue.³²⁷ Alternatively, Diogenes Laertius' report can be interpreted as showing that Zeno combined both of these views at the same time, arguing that the ideal arrangement

³²³ Diogenes Laertius 6.63, 72; cf. Moles (1995); (2000), 423-34; Konstan (2009), 473-7.

³²⁴ Admittedly, some denied that he was ever shipwrecked (Diogenes Laertius 7.5). The story could have been a later invention designed to assimilate Zeno to a stereotypical Stoic survivor of adversity.

³²⁵ Diogenes Laertius 7.32-3.

³²⁶ Erskine (1990), 18-27.

³²⁷ Schofield (1999b), ch. 2; (1999a), 52-60.

would be a world community composed of, or represented in microcosm by, such small-scale communities of the virtuous.³²⁸

The view that desirable social relationships are particular relationships oriented towards virtue with individuals of any origin, possible for an exile wherever he ends up, is evident in the approach to exile of the third-century Cynic Teles, himself possibly an exile.³²⁹ In his *On Exile*, Teles presents as more desirable than the relationship between a monarchical or quasi-monarchical figure and his charges the educational relationship between a teacher and his pupils, who, he implies, need not be of the same ethnic origin. Such a παιδαγωγός, whose role, Teles implies, any exile could easily take on, moulds the impressionable souls of his few pupils, ‘ruling’ them in the same way as he ‘rules’ himself, through the cultivation of virtue and self-control, rather than merely giving orders to multitudes whose souls have already been formed.³³⁰

In addition to advocating cosmopolitanism, early Cynics and Stoics probably also interacted in a way consistent with cosmopolitan principles. Diogenes Laertius reports that Zeno, shipwrecked in Athens, was directed towards the Cynic Crates, himself an exile from destroyed Thebes, who subsequently assisted him and guided him towards philosophy.³³¹ This report implies that early Cynics and Stoics in fourth-century Athens constituted an informal, cosmopolitan mutual aid network for dispossessed Greeks interested in philosophical reflection and political criticism. This implication

³²⁸ Dawson (1992), 175; Murray (2004).

³²⁹ Cf. Teles *On Exile*, p. 25 Hense. Alternatively, Teles may simply have adopted the first-person persona of an exile for the purposes of this diatribe: O’Neil (1977), xiv; Fuentes Gonzalez (1998), 318-20.

³³⁰ Teles *On Exile*, p. 24 Hense, with Fuentes Gonzalez (1998), 310, 313-14.

³³¹ Diogenes Laertius 7.2-3.

has a ring of truth, since the success of the early Cynics and Stoics in making an intellectual impact, despite their marginal social position, is most plausibly ascribed to mutual material aid and intellectual exchange between like-minded individuals, extending beyond traditional boundaries of civic allegiance. Crates' reported comment that he was a 'fellow citizen of Diogenes'³³² supports the view that the network of Cynic and Stoic philosophers in Athens was, and could be viewed by members as, quasi-civic. If so, these early Cynics and Stoics were to some extent imitating the fourth-century Platonic Academy, which was in some respects structured, and possibly even conceived by members and other contemporary philosophers, as a quasi-civic cosmopolitan association:³³³ it too could have provided an alternative focus of civic identity for philosopher exiles.³³⁴

Non-philosopher exiles also participated in cosmopolitan quasi-civic associations in exile in this period. Cosmopolitan associations within poleis are best attested for Hellenistic Athens, Rhodes and Delos.³³⁵ They mainly took the form of cult associations dedicated to a particular god, but cosmopolitan groups of soldiers based in Athenian forts also formed quasi-civic associations in order to vote for honours for

³³² Diogenes Laertius 6.93.

³³³ Members of the Academy could have conceived their school as a new form of ideal community, resembling a polis in being a structured community of free Greeks living a common life and engaged in ongoing debate with each other, but distinctive in its entirely different membership criteria: virtue and learning, as opposed to birth or wealth, were the criteria for membership. Quasi-civic political organisation: appointment of scholar by election (e.g. Philodemus *Historia Academicorum* VI, l. 41-VII, l. 6). On contemporary internal perceptions of the Academy as a revolutionary, ideal community of the virtuous: Ostwald and Lynch (1994), 615-16; cf. Watts (2007). Note also the ambitious restorations of Philodemus *Historia Academicorum* Y, ll. 24-30, in Gaiser (1988), 153; contrast Dorandi (1991), 127.

³³⁴ The Academy was, in any case, dominated by foreigners (Lynch and Ostwald (1994), 613). As discussed in section 4b)i) above, the exiled Dion had dealings with the Academy. Significantly, Plutarch *De exilio* 603b7-d9 compares the fourth-century Academy with the small, hermetic habitats of actual exiles.

³³⁵ Cf. Whitehead (1977), 88-9; Baslez (1984), 331-53; Arnaoutoglou (2003); Gabrielsen (2001). On Greek associations in general: Poland (1909). The much higher number of attestations of such associations from the end of the Classical period is probably better explained by the expansion of the epigraphic habit than by a sudden increase in their number (Arnaoutoglou (2003), 27-9; contrast Gabrielsen (2007), e.g. 188; 191, with n. 41).

their commanders.³³⁶ Each of these two types of cosmopolitan association could either incorporate local citizens and foreigners or be composed exclusively of foreigners.³³⁷ Such groups could be explicitly, or even aggressively, cosmopolitan. In the epigraphy of Athenian *θείασοι*, for example, the ethnics of members were commonly suppressed in inscribed lists:³³⁸ this gave the impression that members' origins were irrelevant to the functioning of the *θείασος*, as an association of equal, mutually supportive members.

Many such cosmopolitan associations within cities possessed quasi-civic institutions and undertook quasi-civic practices, imitating, in particular, the institutions and practices of the democratic polis:³³⁹ for example, many elected magistrates and passed honorary decrees for benefactors. They also tended to reproduce the civic language and rhetoric of their host poleis, praising the *ἀρετή*, *φιλοτιμία* and other abstract ethical qualities of benefactors in their epigraphy.³⁴⁰ On this basis, such cosmopolitan associations have been persuasively interpreted as alternative 'poleis' for their foreign members: membership of such groups allowed members to claim a quasi-civic identity and to engage in quasi-civic practices.³⁴¹

³³⁶ Cf. Launey (1987), 1047-1051. For soldiers who were not Athenian citizens joining Athenian citizen-soldiers in communal, quasi-civic activities in the Hellenistic period, cf. Clinton (2005), nos. 190, 196, 210 (Eleusis); *IG II²* 1270 (Sounion). For quasi-civic associations of non-citizen soldiers (alone) in Rhamnous in the Hellenistic period: Petrakos (1999), nos. 8, 23, 27, 30, 38, 42-3, 47, 50-1.

³³⁷ Cf. Gabrielsen (2007), 186.

³³⁸ Arnaoutoglou (2003), 99, n. 35.

³³⁹ Cf. Poland (1909), 337-8; Gabrielsen (2007), 188-90.

³⁴⁰ Arnaoutoglou (2003), 154-5, 162, regards this feature of the rhetoric of Attic cult associations as a sign of the role of such associations in integrating outsiders into an expanded Athenian civic community.

³⁴¹ Cf. Rostovtzeff (1941), 1063-4; Baslez (1984), 332-3; Gabrielsen (2001), 217; Arnaoutoglou (2003), *passim*, but esp. 21, 166.

There were almost certainly many forced migrants among the participants in such groups. Most cannot be identified as such: they would not have been keen to advertise their previous allegiance or their diminished status as exiles. However, some participants can be identified as exiles. For example, at the beginning of the third century, an Athenian cult association (θείασος) passed a quasi-civic honorary decree for a certain Demetrios, described as an ‘Olynthian’, who had served as secretary of the association.³⁴² This text reveals that Demetrios, presumably a second- or third-generation immigrant from destroyed Olynthos resident in Athens,³⁴³ served as a quasi-civic magistrate in a cosmopolitan cult association which was structured as a microcosm of a democratic polis.

The honorary decree, whose content Demetrios was probably able to influence, presents Demetrios as an almost utopian communitarian quasi-citizen. Most of its justificatory clause is taken up with praise of Demetrios in general terms for taking care of common affairs ‘finely and justly’ (καλῶς καὶ δικαίως), for continuing to say and do advantageous things for the whole association and for its individual members and for generic ἀρετή and δικαιοσύνη towards the association.

Nevertheless, he is also praised for a more distinctive act of self-sacrifice for the common good: he paid back to the association the money which members had voted to pay him as a salary, while he was secretary.³⁴⁴ The emphasis on Demetrios’ communitarian virtue in most of the decree is slightly tempered by claims which could be interpreted as of a more libertarian contractarian orientation: the praise for him ‘rightly and justly’ (ὀρθ[ῶ]ς καὶ δικαίως) submitting accounts (λογισμοί) and

³⁴² IG II² 1263.

³⁴³ As such, he probably enjoyed ἰσοτέλεια in Athens, in accordance with a general Athenian grant to Olynthian refugees (cf. n. 284 above).

³⁴⁴ IG II² 1263, ll. 5-9, 13-25. On the return of the salary: Arnaoutoglou (2003), 117.

justifications (εὐθυναί) for use of common funds³⁴⁵ implies strict observance of rules and a lack of corruption, rather than voluntary virtuous supererogation of the kind which makes procedural checks superfluous. Overall, however, the obvious inference for a hearer or reader of this decree was that, although he had lost his own particular polis through a Macedonian atrocity, Demetrios, like the Cynic Crates, had retained civic consciousness and dignity by exercising quasi-civic virtue in this cosmopolitan quasi-polis in his place of exile.³⁴⁶

There is a possible case of an individual more recently exiled participating in a quasi-civic cosmopolitan association. This case concerns an inscription of c. 235 containing honorary decrees for the Athenian general Aristophanes passed, first, by the Athenian citizen soldiers in Eleusis, Panakton and Phyle and, second, by the deme of Eleusis.³⁴⁷ After the honorary decrees, there is a list of the Athenian soldiers responsible for the setting up of an honorific statue of Aristophanes, followed by a list of the foreign soldiers who joined in making the dedication. One of the foreign soldiers on this list is Theodoros the Achaian, whose ethnic is erased: Θεόδωρος [[Ἀχαιός]].³⁴⁸

As I argued in one of my pre-submitted essays for the M.Phil.,³⁴⁹ it is a reasonable hypothesis that this Theodorus requested the erasure of his ethnic, consciously repudiating his identity as a federal Achaian citizen. As a soldier fighting for

³⁴⁵ *IG* II² 1263, ll. 9-13.

³⁴⁶ As an ἰσοτελής, Demetrios would have enjoyed only the fiscal, not the political, privileges of an Athenian citizen. Full participation in this quasi-civic cosmopolitan association was the only means for Demetrios to imitate full participatory citizenship.

³⁴⁷ Clinton (2005), no. 196, a new edition of *IG* II² 1299.

³⁴⁸ Clinton (2005), no. 196, l. 117. Clinton (2005), 226-7, is certain that this and the other two erasures on the stone are genuine erasures (compare his pl. 102, photograph 196-3).

³⁴⁹ Entitled 'How Did Hellenistic Poleis and Their Citizens Interact with Hellenistic Outsiders (with Special Reference to Mercenaries and Doctors)?', it contains detailed argument for the conclusions offered here.

Antigonid Athens against the Achaian League,³⁵⁰ he could well have chosen to have himself publicly recorded as a stateless exile,³⁵¹ in order to avoid appearing to be an opportunist mercenary, still casually attached to his original ethnicity, but prepared to fight against his homeland. If that hypothesis is correct, Theodoros' move was not merely a negative one: he was also declaring a new quasi-citizenship, as a member of the quasi-civic community of Athenian and foreign soldiers who passed the honorary decree, sufficiently important to outweigh the loss of Achaian federal citizenship. As a member of this quasi-civic community, he could have conceived of himself as a quasi- or second-class Athenian.³⁵² However, he could also have regarded this alternative community as a revolutionary new type of cosmopolitan quasi-civic community, incorporating individuals from a wide range of homelands,³⁵³ engaged in the characteristic communitarian activity of collective recognition of the civic virtues and associated actions of a benefactor.

In conclusion, the following picture can be sketched of the place of universalist communitarian norms within civic political cultures in this period. There was an inchoate universalist communitarian strand in most poleis' political cultures. Most poleis, for example, passed honorary decrees praising citizen and non-citizen benefactors for abstract, unqualified ἀρετή and εὐνοία: an obvious inference would have been that virtue, the principal qualification for citizenship, is a universal quality, whose acquisition is not dependent on ethnicity or familiarity with a particular local culture.³⁵⁴ This inchoate strand in civic political cultures provided a starting-point for

³⁵⁰ On the diplomatic situation at this point: Plutarch *Aratus* 33-4.

³⁵¹ Theodoros could have been a formal exile from the Achaian League, but it is more likely that he declared himself a *de facto* exile through this erasure.

³⁵² Cf. Launey (1987), 1043; Osborne (1990b), 280-5 (on Rhamnous).

³⁵³ Cf. the ethnics in Clinton (2005), no. 196, ll. 95-117.

³⁵⁴ Cf. Ludwig (2002), 369-80 (on Periclean Athens).

displaced citizens engaged in attempting to recreate civic dignity in exile, especially those who were isolated or estranged from fellow expatriates from their home polis. Without this starting-point, those later-Classical and Hellenistic Greek citizens who formed or encouraged cosmopolitan quasi-civic organisation could not have even imagined such organisation as a possibility, let alone accepted it as politically and ethically legitimate.³⁵⁵

Although it must have existed in inchoate form within settled poleis' political cultures, it was principally the phenomenon of exile itself which distilled this universalist strand in communitarian assumptions into action and explicit theory. In addition to 'emigrant' exiles' formation of, or participation in, cosmopolitan quasi-civic communities, with the toleration or support of their hosts, another reflection of this was a phenomenon considered in section 5c) above: the frequent naturalisation of foreign exiles by citizens of relatively new polis foundations on the margins of the Greek world, who claimed to be descendants of founder exiles.

The development of explicit cosmopolitan theory by philosophers is probably the clearest example of the phenomenon of exile helping to create, or shape, a major development in ancient ethical and political thought: amorphous, submerged assumptions brought into the open, and crystallised, by the experience of exile were developed by individual philosopher-exiles into a new way of imagining the ideal political community. Philosophers' reflections and arguments probably in turn further stimulated the cosmopolitan tendencies of non-philosopher exiles and settled citizens.

³⁵⁵ There were also economic incentives for members of these associations and their host poleis: Gabrielsen (2001); (2007). However, the point stands that such associations would have been unimaginable without pre-existing universalist communitarian ideas.

Overall, therefore, there was a division within the political culture of the Greek civic world, almost as significant as the division between communitarian and libertarian contractarian civic norms, between particularist and universalist communitarian norms.³⁵⁶ The phenomenon of exile, and the philosophical reflection it provoked, strongly reinforced the universalist communitarian strand in the political culture of the Greek civic world,³⁵⁷ sharpening the contradictions between the two forms of communitarianism.

iv) Contrasting views about citizenship among ‘emigrant’ exiles: Zeno, the polis of the virtuous and the Kitians in Athens

There was ample scope for disagreement among ‘emigrant’ exiles and fellow migrants about the relative validity of the contrasting varieties of ‘emigrant’ quasi-civic identity and organisation considered in the previous two sub-sections. In particular, advocates or followers of the first variety were open to attack from advocates or followers of the second, on their own terms: if the good civic community is not thought to be tied to any particular place, or to be distinguished by its citizens’ shared visceral attachment to that place, the question arises whether other forms of civic particularism, such as particularism about ethnicity and culture, are any more justified. There is one attested case of this kind of disagreement, reflected in contrasting behaviour and explicit argument, within a diaspora from a single polis: the diaspora of expatriates from Kition on Cyprus resident in later-fourth-century Athens.

³⁵⁶ The coexistence of these forms of communitarianism was previously evident in their intermingling in the ideologies of later-fifth-century Athenian oligarchs and in the Athenian civic norms influential on them (chapter 3, section 3a)i(C)-E)).

³⁵⁷ Compare the argument of Taylor (2010), esp. 21-9, that Thucydides implies that the mass emigrations of the Athenians to Salamis in 480-79, and their commemoration, enabled Pericles’ presentation of Athens as an ‘island polis’, not inextricably bound to its territory.

Many Kitians resident in, or visiting, Athens in the later fourth century were undoubtedly voluntary migrants or traders. It was probably such Kitians who predominated in the Kitian expatriate community to which, in 333/2, the Athenian δῆμος granted permission to own land on which to build a temple of Kitian Aphrodite.³⁵⁸ However, at least one Kitian settled in Athens in the later fourth century against his will: the probably shipwrecked Zeno. The significant point for the argument here is that Zeno did not rely on the expatriate Kitian network in Athens, attested in the Athenian grant, to soften or overcome his misfortune. Rather, as discussed above, he sought out the cosmopolitan community of marginal and exiled philosophers in Athens.

A distinctive feature of the ideal, cosmopolitan polis promoted by Zeno in his *Republic*, first discussed above, is that it does not require laws and civic institutions: it is simply a community of fully virtuous men. This feature can be explained in philosophical terms: as a response to Plato's *Republic*. Whereas Plato retained some of the physical and institutional attributes of a conventional polis in his ideal πολιτεία, Zeno suggested that a truly ideal polis³⁵⁹ would not require such institutions: if all citizens are fully virtuous, and therefore friends with one another in the fullest sense, marriage, temples, courts, gymnasia, coinage and clothing become superfluous.³⁶⁰

³⁵⁸ Rhodes-Osborne, *GHI* 91.

³⁵⁹ As discussed above, it is unclear whether Zeno regarded this ideal polis as worldwide or local.

³⁶⁰ Diogenes Laertius 7.33.

However, this feature of Zeno's *Republic* can also be interpreted as a reflection of Zeno's experience as an exile in Athens. Engaged in rebuilding civic³⁶¹ community and civic identity in Athens, mainstream Kitian expatriates made a temple of Kitian Aphrodite the focal point of their new displaced community. Zeno could have been thinking of their conservative, particularist choice, or unconsciously reacting against it, when he argued that all that is necessary to achieve true citizenship is personal virtue and relations of true friendship with other virtuous men: the types of characteristics and relationships to which members of Athenian philosophical circles aspired. It is significant, for example, that Zeno explicitly said that 'sacred buildings' (ἱερόα) are unnecessary in the ideal polis: the temple of Kitian Aphrodite in Athens undoubtedly fell into that category. On this interpretation, Zeno consciously or unconsciously criticised his fellow Kitian expatriates for failing to grasp the opportunity offered by exile for transformative political and social experiment: they chose to imitate the degenerate institutions of a settled polis, when they had the opportunity to join or construct in exile a community much closer to the ideal than any settled polis.³⁶²

e) Conclusion

The overwhelmingly communitarian quasi-civic activities and organisation of 'emigrant' exiles were shaped by, and themselves reinforced, a particular communitarian conception of a polis: a polis is a community of individuals with particular shared attitudes and practices, which is not inextricably tied to any particular place, but can be transplanted to a new place or recreated in non-terrestrial

³⁶¹ Even if Classical Kition cannot confidently be identified as a Greek polis (Hansen and Nielsen (2004), 1223-4), it was undoubtedly a city-state.

³⁶² Compare Marx and Engels' criticism of German bourgeois exiles in *On the Great Men of the Exile*.

form. This conception of a polis might be thought to be of practical relevance only in extreme circumstances, such as those of exile itself. However, its implications, namely, that civic identity, culture and institutions are not dependent for their survival on possession of an unvarying civic territory or other material props, and that social and cultural behaviour are the central aspects of citizenship, were crucial starting-points for a significant early-Hellenistic development: the development of notions of the ‘cultural liberty’ of the Greek polis and citizen. A leading champion of such notions, Timaeus, was himself an exile who adopted an ‘emigrant’ quasi-civic lifestyle, as discussed above.³⁶³ With the aid of this notion, even poleis whose territory had been conquered or mutilated could claim to remain, in a sense, ‘free’.³⁶⁴

The behaviour, identities and thinking of ‘emigrant’ exiles also brought into relief, and intensified, tensions within mainstream Greek political cultures between particularist and universalist communitarianism. Though especially relevant in the case of exile itself, the universalist strand in civic political cultures, immeasurably reinforced by exile phenomena themselves, also had important implications for the everyday civic life of settled poleis. This was especially true in the changed conditions of the Hellenistic period, with increased mobility of population and the development of vast territorial monarchical empires, incorporating poleis.³⁶⁵ For example, in the course of the Hellenistic period, in many poleis even the gymnasium, a fundamental civic institution, came to be a partly cosmopolitan institution: membership requirements were predominantly cultural, which made possible the

³⁶³ Cf. Momigliano (1977a), 43-6.

³⁶⁴ Cf. Hampl (1939).

³⁶⁵ The development of these empires was itself a stimulus to cosmopolitan ideas (cf. Murray (2004)). However, it was exiles who responded most readily to this stimulus. Moreover, Diogenes of Sinope (born at the end of the fifth century) almost certainly propounded cosmopolitan ideas long before Alexander established world-empire.

participation of foreigners.³⁶⁶ A model of cosmopolitan quasi-civic cultural and educational interaction first thoroughly developed by fourth-century exiled, or other migrant or marginal, philosophers, extrapolating from unexplored or contradictory assumptions within existing political cultures, thus gradually percolated into the civic mainstream. Moreover, from the second century, poleis began to praise home citizens in inscribed decrees for φιλανθρωπία, not only towards outsiders, but also towards fellow citizens:³⁶⁷ a more universalist conception of good relations between fellow citizens, partly developed by philosopher exiles and their fellow exiles, came to be a robust, explicit rival to the more particularist communitarian conception shown in this thesis to have been thriving in Hellenistic poleis.

6. Conclusion to chapter 4

a) The features of civic political cultures evident in this chapter

The representations and actual behaviour considered in this chapter confirm the coexistence of dominant unitarian teleological communitarian and subsidiary, but very influential, libertarian contractarian civic norms within the political culture of the Greek civic world in this period. More importantly, they illustrate the many varied forms which communitarian civic norms could take: according to different influential communitarian paradigms, the communitarian polis should be militaristic or humanitarian; civilised and measured or fanatical and mobilised in periods of crisis; principally political or military or social or religious or cultural, or some combination of those, in its organisation and ethos; a confined descent-group or a cosmopolitan

³⁶⁶ Cf. Davies (1984), 308-309; Gauthier (1995).

³⁶⁷ E.g. *SEG* 39.1243 (Colophon, c. 120 BC), col. III, ll. 46-7; *IG* XII 9 899 (Chalkis, second century BC), ll. 7-8 (of the honorand's actions); *I.Priene* 110 (Priene, early first century BC), ll. 13-15; Canali de Rossi *ISE* III, no. 169 (Alabanda, probably from the 80s: Gauthier (2005), 87, with n. 9), ll. 9-10; Canali de Rossi *ISE* III, no. 195 (Pergamon, first century BC), 9-11.

polis of the virtuous; tied to a particular place or readily transferable to a new place; and territorial and material or dispersed and imaginary.

As a result of the coexistence of these different communitarian paradigms, and the gaps and contradictions between them, there was great scope for displaced citizens, whose political consciousness had been shaped by them, to exercise autonomy in determining their own political identities and activities. This tendency was intensified by the influence of widespread, radical norms of civic voluntarism, which enabled and encouraged political improvisation: the formation of a temporary polis-in-exile or even the founding of a new, permanent polis.

In most cases, exiles' improvised quasi-civic institutions and ideologies, constructed in accordance with selections from available communitarian paradigms, secured social cohesion among groups of exiles, or in groups incorporating exiles. They did not tend to unleash *stasis* within such groups, by encouraging those of rival interests and views to cohere into uncompromising factions, though this is evident in some cases. The evidence of exiles' organisation therefore confirms that Greek communitarian civic norms were double-edged in their political effects: they could promote political solidarity, as well as provoking or intensifying civic conflicts.

b) Effects of exile

In addition to throwing into relief aspects of the political culture of the Greek civic world, the phenomenon of exile also itself influenced its shape. First, exile reinforced many exiles in their attachment to varieties of communitarian norms, predominantly

particularist ones, and usually suppressed their libertarian contractarian instincts.³⁶⁸

For ‘liminal’ exiles, communitarian unity was usually essential for the struggle to return home. As for ‘emigrant’ exiles, the disorientation and practical hardships they frequently experienced often demanded communitarian solidarity with sympathetic, or equally vulnerable, individuals.³⁶⁹ The reinforcement of exiles’ communitarian tendencies probably in turn bolstered the strength of communitarian norms in the Greek civic world more generally, especially as a result of exiles’ behaviour after returning home.

Second, exile brought to the surface, or cast into sharp relief, some of the tensions and contradictions between some prominent fundamental civic norms. As shown in section 4 above, it cast into relief the tension between, on the one hand, norms requiring citizens to demonstrate uncompromising loyalty to their home polis at all times, through political activism and military mobilisation, and, on the other, norms according to which good citizenship is as much a matter of preserving civic ethical and cultural standards. In addition, as shown in section 5d)iv), the phenomenon of exile brought into relief the tension between particularist and inchoate universalist communitarian civic norms.

Partly because it brought these tensions and contradictions into relief, exile was an important stimulus to political thought. For example, in one attested case, that of Zeno of Kition, the tension between particularist and universalist communitarianism,

³⁶⁸ The case of the original Dikaiopolitans, probable exiles considered in section 5b) above, is the only clear exception considered here.

³⁶⁹ Compare Xenophon’s presentation of the displaced mercenaries of the *Anabasis*: as discussed in section 2e) above, the displaced mercenaries show communitarian attitudes and behaviour during their desperate march to the Black Sea, before adopting more libertarian contractarian rhetoric and institutions during their more comfortable march along the Black Sea coast.

brought into relief by the experience of exile itself, probably helped to provoke explicit philosophical reflection about politics.³⁷⁰ The same may well have been true of other early Cynics and Stoics: Diogenes, Crates and possibly also Teles.

Also relevant in this context is Epicurus, who was among the Athenian cleruchs expelled from Samos, where he had probably grown up, when the Samians recovered their island in 322. He spent some time in Colophon and elsewhere in the Eastern Aegean, but eventually moved permanently to Athens, where he in time founded the Garden.³⁷¹ His commitment to the interstitial philosophical lifestyle and to the rejection of conventional Greek political norms was probably reinforced by his own paradoxical social status: he ended up as an exile in his own ancestral 'home' polis, unable to return to his true home quasi-civic community, itself a type of exilic community, the Athenian cleruchy on Samos, which no longer existed.

Some probably had an interest in abstract reflection and political thought stimulated or reinforced by experience of liminal exile. Watts suggests that, after fleeing Athens on Socrates' death, Plato went on a 'tour of philosophical discovery', reaching as far as Sicily.³⁷² Also relevant are the cases of Pausanias and Thibron of Sparta in exile, discussed in section 4c)i) above. However, the stimulation of political thought is clearly better-attested for long-term 'emigrant' exiles such as Zeno or Epicurus.

This is probably because features of 'emigrant' exile were particularly conducive to political philosophy or political idealism: the state of disorientation and the opportunity to improvise civic or quasi-civic institutions *ab initio*, both shared by

³⁷⁰ Cf. Plutarch *De exilio* 603d10-e1.

³⁷¹ Diogenes Laertius 10.1-2; Long and Sedley (1987), vol. I, 3, 5.

³⁷² Watts (2007), 107-108.

liminal exiles; but also the time for careful reflection about politics and a state of critical detachment from conventional political life, not shared by liminal exiles. Timaeus, like Thucydides and Xenophon before him, had the opportunity and inclination to address fundamental political questions in historical writing produced in exile. Similarly, even the mainly pragmatic Polybius, in exile in Rome, came to reflect on the ethical qualities of earlier Megalopolitan exiles, those of 223, but also on the significance of the Roman constitution for Greek political theory. Moreover, the probably exiled founders of Dikaia, like some Greek exiles in South Italy, gave their new polis a utopian stamp, reflected in its abstract ideological name, probably intended to evoke a distinctive, or distinctively pure, libertarian contractarian political culture.

Third, partly because it encouraged political reflection, exile stimulated some displaced citizens to develop and refine, or give prominence to, novel or previously-suppressed paradigms of the polis: non-geographical, humanitarian and cosmopolitan. Exiles' contributions to the development of the latter two new or partially new approaches to citizenship can be partly understood as a response to the perpetual exclusivity and instability of many poleis, considered in chapter 3, of which they were among the most immediate victims.

Overall, this chapter shows that exile was itself double-edged. On the one hand, it reinforced communitarian civic norms, principally of a particularist type: the most mainstream norms within most poleis' political cultures. On the other, it stimulated critical reflection and original ideas about the very foundations of politics and political community.

Conclusion

1. The nature, heterogeneity and contradictions of civic political cultures in the later-Classical and Hellenistic periods

The examination of the evidence of exile in this thesis has revealed that the dominant recurring features of Greek civic political cultures in the period c. 404-146 were multiple, diverse and often rationally irreconcilable; indeed, they were often in tension with each other within individual poleis' political cultures. Many exile case-studies, especially those discussed in chapter 4, demonstrate the pervasive influence of norms of civic voluntarism. Those case-studies confirm some scholars' existing identifications of strong voluntarist strands in democratic and aristocratic Greek civic political cultures,¹ but also add to those scholars' arguments: citizens were commonly emboldened, not only to make important interventions in ongoing, already institutionalised civic life, but also to improvise their own civic institutions, claiming political legitimacy for their creations. In addition, some exile case-studies reveal the prominence in some poleis of faith in the infallibility of political institutions.² Others expose norms of political theatricality prominent within the political cultures of certain Peloponnesian and Sicilian poleis.³

Most importantly, many exile case-studies demonstrate the constant coexistence and interaction of two sharply contrasting, radical paradigms of the good polis: a dominant unitarian teleological communitarian paradigm and a less prominent, but

¹ Compare Bertrand (1996), 374-7; (1999), 78-9. On volunteer prosecutors: Fisher (2000), 96; Rubinstein (2003). On volunteer motions by private individuals before Hellenistic civic assemblies: Gauthier (2005). On Hellenistic and Imperial-era voluntary euergetism: Veyne (1976). On its Classical roots: Schmitt-Pantel (1992), e.g. 201, 208. For reflections of the civic voluntarist ethos in political philosophy: Berent (1998); Laks and Schofield (1995), e.g. 4.

² Cf. Bertrand (1999), 399-400.

³ Cf. Chaniotis (1997); Hornblower (1991-2008), vol. III, 12-15.

very significant, libertarian contractarian paradigm. The political cultures of some exceptional poleis, such as Dikaia, were dominated by one or the other paradigm. However, the two paradigms usually both had appreciable strength within a given polis' political culture. One could have considerably more strength than the other, as in later-fourth-century Mytilene or Tegea. However, they were usually of comparable strength, with the communitarian paradigm marginally stronger, as in Classical Athens.

In addition to the contradiction between the two paradigms, exile case-studies reveal the indeterminacy and heterogeneity of the overarching unitarian teleological communitarian paradigm and its local versions. Although well-defined in their formal aspects, both panhellenic and local versions of the communitarian paradigm were ill-defined in content. Few contained unequivocal conceptions of, for example, civic virtue or civic friendship⁴ or a given polis' ancestral traditions.⁵ As a result, most communitarian paradigms contained specific content which was subject to ongoing, open-ended debate. Moreover, there were many contrasting even formal notions of communitarian civic order, with varied levels of relative strength in different poleis: for example, the conclusion to chapter 4 summarises the varied conceptions of the best form of communitarian civic order reflected in the behaviour and rhetoric of exiled citizens, strongly influenced by home and host political cultures.

⁴ Cf. Derrida (1994), 176-9 (discussing Plato's *Lysis*, esp. 212e5-222e7) and Yack (1993), 229-30, on indeterminacies in Greek notions of friendship and associated obligations.

⁵ On Athens: Balot (2001), 144. On local civic histories: Clarke (2008), 315. Compare Socrates' demonstration at Plato *Republic* 414b7-415e5 of the utility of constructed (and thus malleable) civic myths of origins (cf. Schofield (2006), ch. 7). For modern parallels for constructed and contested political traditions: Welch (1993), 56-7, 61-2, 77-8.

2. High political philosophy as a reflection, and cause, of the patterns identified in this thesis

The accuracy and wider interest of the interpretation of civic political cultures developed in this thesis can be illustrated through consideration of high political philosophy. This is because many debates in contemporary Greek political philosophy reflected a sharp polarisation between more communitarian and more contractarian ideas of citizenship. This is clear, for example, from differing interpretations of a conception of the good polis influential throughout this period: the polis governed by a ‘mixed constitution’.⁶

Many thinkers, including Plato and Aristotle and their subsequent followers, conceived a polis governed by a ‘mixed constitution’ in a communitarian way: as a harmonious community of co-operative citizens, in which different individuals and bodies exercise power within their own sphere of responsibility in accordance with monarchical, aristocratic and democratic principles respectively. Under this view, citizens can be induced by a ‘mixed’ constitutional order to exercise virtue and self-restraint in their decision-making. Sparta was offered as a paradigm.⁷ By contrast, others conceived the polis governed by a mixed constitution as an association of competitive citizens: members hold magistracies or participate in civic bodies which each function in accordance with one of the constitutional types, interacting with each through bargaining involving promises and threats. This alternative conception of the polis governed by a mixed constitution dominates Book VI of Polybius’ *Histories*: Polybius even claims that the capacity of different institutions to harm one another, as

⁶ Cf. von Fritz (1954); Schubert (1995); Hahm (2009).

⁷ Plato *Laws* 682d5-693b5.

well as to co-operate with one another (τὸ καὶ βλάπτειν καὶ συνεργεῖν ἀλλήλοις), is a merit of the Roman republican constitution.⁸

The ideas of individual philosophers and schools also reflect a sharp communitarian-contractarian dichotomy in contemporary political culture. This can be shown, for example, for some aspects of Plato's thought, returning to a problem raised at the beginning of this thesis. In his *Republic*, *Statesman* and *Laws*, Plato promoted a brand of unitarian teleological communitarianism: a polis should be a harmonious unity,⁹ composed of citizens who, despite their differing social roles, recognise, with varying degrees of subtlety, the validity of immutable ethical and cultural standards.¹⁰ He sometimes made his Socrates advocate versions of this view in explicit opposition to views more in keeping with the libertarian contractarian paradigm: the views that justice is 'giving back what you owe and keeping your promises', 'helping friends and harming enemies' or preserving the terms of an implicit social contract;¹¹ and the strand in Athenian democratic thinking according to which uninhibited personal freedom is the paramount political value.¹²

Plato's opposition to these views was rooted in his position within a debate which was more purely philosophical, but still connected with mainstream political norms: the philosophical debate about the nature of value and the means by which it can be apprehended and taught. As is clear, for example, from the criticisms of supposed

⁸ Polybius 6.18.1. For the contrast with earlier ideas: Hahm (2009), 193-6.

⁹ Cf. Lear (1992); Lane (1998); Bobonich (2002); Ferrari (2003); Schofield (2006), e.g. 62, 212-27; Silverman (2007); Laks (2007).

¹⁰ E.g. Bobonich (2002) (on the *Laws*). For the *Republic*, note 431e10-432b1, 434c4-10; Lear (1992); contrast Williams (1973).

¹¹ Compare Socrates' discussion with Cephalos, Polemarchos and Glaukon in *Republic* Books I-II, with Ferrari (2003), ch. 1; Schofield (2006), 87, with n. 110.

¹² E.g. Plato *Republic* 557e1-558a3.

views of Heraclitus and Protagoras in the *Theaetetus*, Plato argued for the existence of an immutable Good, accessible to rational investigation, in opposition to a view prominent among some Sophists: the view that no properties of things are objective and immutable, because the same thing can appear to one observer to have a given property but appear to another observer to lack that property.¹³ This relativistic view can be interpreted as an attempt by intellectuals to elucidate the presuppositions of the libertarian contractarian attitudes to civic speech and action in circulation in Athens and other Classical poleis (cf. chapter 3, section 3a)iB)).

Plato's political thought can thus partly be seen as a polemical response to a fundamental conflict within his political culture. However, Plato's political thought can also be considered an attempt to synthesise the rival poles in that conflict. Plato was, for example, alongside most other Classical and Hellenistic philosophers, a committed advocate of eudaimonism, a theory which, as discussed in chapter 3 (especially sections 3a)i)C)-D) and 5), appeared to reconcile the pursuit of enlightened self-interest with the pursuit of civic virtue. Plato's attempt to harmonise libertarian contractarian and communitarian norms through eudaimonist theory is particularly striking in his Socrates' curious attempt in the *Republic* to quantify the happiness of the just king as 729 times greater than that of the tyrant:¹⁴ Socrates combines high-minded virtue ethics with a crudely quantified conception of personal utility.

Also relevant as evidence for fusion of competing political-cultural values is the argument concerning civic obligation which Plato attributes to Socrates in the *Crito*.

¹³ Plato *Theaetetus* 151d7-183c7; Bostock (1988), chs. 2-3; Burnyeat (1990), 7-65.

¹⁴ Plato *Republic* 587d12-e4.

According to that argument, an Athenian citizen enters a binding contract with the laws of Athens by remaining in Athens as an adult: in return for the protection and guidance which they have offered him throughout his life, he must always respect them.¹⁵ By making the civic contract a contract between the individual citizen and personified laws, rather than a contract among citizens, Plato's Socrates complied with some formal aspects of the contractarian paradigm, without diluting his exacting standards of civic virtue.¹⁶

With regard to Hellenistic philosophy, a bifurcation resembling that attributed in this thesis to most civic political cultures is evident in middle Stoic ethical and political thought. It is clearest in Cicero's account of a disagreement between the Stoics Diogenes of Babylon and Antipater of Tarsus about whether a virtuous man is obliged to disclose to a commercial contact information prejudicial to his own material interests: for example, information that goods he is selling are faulty. Diogenes claims that the virtuous man is not obliged to disclose such information: he is obliged only to observe the letter of the law and to abstain from active deceit. Antipater responds by claiming that there exist social bonds between all men which oblige the virtuous man not to disadvantage his fellow man in this way.¹⁷ This report suggests a division in Middle Stoic thought between a harsh practical contractarianism, shown to be pervasive in the Greek civic world in this thesis, but new to the Stoa,¹⁸ and an ambitious virtue-oriented cosmopolitanism, derived from Zeno's.¹⁹

¹⁵ Plato *Crito* 51c6-52a5.

¹⁶ Cf. Bertrand (1999), 310-11. Compare Lycurgus *In Leocratem* 94-101: Lycurgus implies that there is a binding contract between the individual citizen and his *πατρίς*, which cares for him from birth.

¹⁷ Cicero *De Officiis* 3.50-7, 91-2.

¹⁸ Long (1997), cf. Long (1995). Contrast the interpretation of Annas (1997), esp. 158-60, criticised in Schofield (1999a), ch. 9.

¹⁹ Cf. Schofield (1999b), chs. 3-4.

3. Comparison of these conclusions with the existing scholarship on Greek political cultures considered in the introduction to this thesis

This thesis has shown that more individualistic norms were not usually subconscious and suppressed,²⁰ but overt and influential, in civic political cultures in this period. However, the traditional view of Greek political cultures as strongly communitarian should not be jettisoned in favour of the recently resurgent view that the diversity of civic populations was reflected in dominant political norms encouraging individualistic exchange, mobility and debate:²¹ more individualistic civic norms existed in this period in dialectic with the ideal of the closed, solidaristic communitarian polis, even though that ideal was never realised, in a world of mobility and variety. Moreover, that communitarian ideal had many more diverse, often contradictory strands than usually acknowledged. This thesis thus vindicates the scholarly tendency discussed in the introduction which interprets Greek civic political cultures in terms of paradox and contradiction.

The evidence considered in this thesis has not given support to arguments that individualistic norms other than the libertarian contractarian ones emphasised were prominent within civic political cultures: for example, Cohen's identification of norms encouraging anarchic feuding within Classical Athenian political culture.²² Although some civic norms, in Athens and other poleis, were strongly libertarian, they were usually tempered by influential accompanying civic norms enshrining the inviolability of law and procedure and principles of strict reciprocal justice.²³

²⁰ The view of Loraux (2001); (2005).

²¹ Cf. Vlassopoulos (2007a).

²² Cohen (D.J.) (1995a).

²³ Contrast the criticisms of Cohen in Herman (2006); Herman presents Athenian norms concerning punishment as strongly and monolithically communitarian.

Similarly, there is little evidence in this thesis for a strong strand within the political culture of the Greek civic world in this period giving priority to individual dignity and rights and to open dialogue between citizens. Concern for individual dignity and open dialogue for their own sakes has been very plausibly identified in some Classical literary genres. For example, sensitivity to individual weakness and circumstances has been identified as characteristic of Attic tragedy.²⁴ Moreover, the form of Platonic dialogue has been thought to reflect an ideal of free, unconstrained rational dialogue between respectful interlocutors.²⁵ In addition, modern philosophers have identified doctrines resembling later Natural-Law theory and even liberal, rights-oriented egalitarianism in some later-Hellenistic and imperial Stoicism.²⁶ However, the evidence considered in this thesis suggests that these tendencies did not percolate into mainstream political discourse, except, to some extent, in the Hellenistic turn towards humanitarianism. In general, public concern and interventions for the welfare of individual citizens served to promote either the realisation of a communitarian ideal of a polis of participatory citizens²⁷ or the maintenance of a strict civic contract.

Nevertheless, the patterns in civic political cultures discussed here partly explain why the identification of strong Rawlsian tendencies in fourth-century Athenian political culture by, for example, Ober and Liddel, can appear attractive. Liddel claims to identify in fourth-century Athenian oratory and epigraphy neo-Kantian Rawlsian ideas of freedom and justice. In fact, however, the individualistic paradigm for which Liddel provides the best Athenian evidence is the harsher contractarian paradigm

²⁴ Williams (1993); cf. Nussbaum (1986).

²⁵ See the discussion in Schofield (2006), 56-8. For possible reflections of the ideals underpinning the dialogue form in the content of Plato's political philosophy: Schofield (2006), 84-8.

²⁶ Schofield (1999b), ch. 4; Long (A.A.) (2007).

²⁷ Cf. Walzer (1983), 69-71, a discussion which includes consideration of pay for office and assembly attendance at Athens.

considered at length in this thesis.²⁸ Most of the evidence which Liddel offers to justify his identification of a less egoistic form of individualism consists of claims which are better interpreted as communitarian claims: for example, claims regarding what he calls ‘supererogatory performance of obligations’.²⁹ Liddel’s identification of Rawlsian tendencies appears attractive because it harmonises within a coherent interpretation these conflicting elements of Athenian political culture. For example, Liddel’s presentation of Lycurgus’ *In Leocratem* as a speech mainly concerned with a coherent set of civic ‘obligations’³⁰ gives weight both to the speech’s dominant appeals to communitarian ideals of civic patriotism and virtue and to its subsidiary appeals to strict reciprocity.³¹

4. The particular relationship between Greek civic political cultures and Greek citizens’ individual agency

The evidence of chapters 3 and 4 confirms that Greek civic political cultures exerted a strong influence on the political thought and action of Greek citizens. Different groups of Greek exiles, and even factionaries on opposite sides in the same *stasis*, showed symmetrical political tendencies, reflecting common political cultures. Moreover, the influence of political norms led some citizens to act contrary to their own narrow material interests. This was argued in detail in chapter 3, sections 3a)i)B)-C) and 3c)iii)C), regarding later-fifth-century Athenian oligarchs and second-century Iasian exiles. As far as chapter 4 is concerned, many exiles considered there clung doggedly to their original polis allegiance, under the influence of norms of civic particularism, even though it might have better advanced their personal economic

²⁸ E.g. Liddel (2007), 169-70.

²⁹ Liddel (2007), 76-7.

³⁰ Liddel (2007), 104-107.

³¹ Contrast Lycurgus *In Leocratem* 1-9, 15, with 10, 94-101.

interests to lobby for improved status together with dispossessed Greeks from other poleis, or even non-Greeks.

However, the evidence considered in chapters 3 and 4 suggests that, in a manner consistent with the theoretical model outlined in the general introduction, sections 3a)-b), the character of civic political cultures in this period actively encouraged the exercise of individual autonomy. First, norms of civic voluntarism directly encouraged individual initiative. Second, the circulation of a particularly wide range of competing, often contradictory fundamental political norms within the Greek civic world as a whole, and within individual poleis, created particularly wide scope for citizens to exercise individual autonomy. Citizens could choose between a wide range of different norms, or between the practical entailments of those varied norms in their particular circumstances. As clear in chapter 4, for example, different exiles made different choices about the best way to live and interact politically while in exile, selecting from a broad, but determinate, range of possibilities derived from the political cultures influential on them.

Third, the particularly acute indeterminacies in the content of both widespread and local versions of the unitarian teleological paradigm of citizenship left particularly wide scope for citizens to exercise individual autonomy in interpreting that content or supplementing it with their own idiosyncratic content. This was clear from the discussion of moments of civic crisis in chapter 3: competing citizens were commonly able to advance contentious interpretations of shared ideas of virtue or civic history, or to fill vacuums in the collective civic imagination with their own constructions.

5. Greek civic political cultures and exclusionary *stasis*

The other major argument advanced in this thesis is that prominent features of civic political cultures identified in the exile evidence were significant causes of the acute political conflicts which frequently led to *stasis* and exile. Individually and in combination, prominent norms of citizenship, and their contradictions and indeterminacies, commonly created and shaped grievances for which citizens could achieve redress only through the judicial or extra-judicial expulsion of opponents. This was the case especially when prevailing tensions and uncertainties made citizens unwilling to tolerate and negotiate normative indeterminacies and contradictions.

This argument, which is not fully summarised here because a full synthesis is offered in the conclusion to chapter 3, integrates within a single model the effects of norms of civic voluntarism and political theatricality, as well as those of libertarian contractarian and unitarian teleological communitarian norms. That these norms often had explosive individual and collective effects was partly due to the fact that there was no significant middling civic paradigm, giving priority to rights and open dialogue, to hold citizens' speech and behaviour in check.

As argued in chapter 3, this overall approach represents a departure from the dominant scholarly tendency to present exclusionary *stasis* principally as a result of acute power struggle between self-interested citizens, on whose antagonistic conduct prominent norms of citizenship had little effect. As also explained there, this approach represents an adaptation and extension of some powerful arguments advocated by Loraux. Following Loraux's lead, it calls into question certain prevalent views about the practical effects of prominent Greek civic norms: for example, the pervasive

scholarly tendency to identify a close, reliable causal connection between civic communitarianism and civic solidarity and stability in the Greek world.³²

6. Explanations for the uniformity and continuity of Greek civic political cultures and their contradictions

A striking feature of the patterns in civic political cultures identified in this thesis is their uniformity across different regions and their continuity over time. Indeed, they are even identifiable outside the period considered here: the coexistence and interaction of libertarian contractarian norms and unitarian teleological communitarian norms did not begin in c. 403;³³ and it continued even in the changed circumstances of the Roman imperial period.³⁴

A historical investigation might have been expected to discover far greater variation. Moreover, the frequency of political unrest which was, as argued here, partly provoked by influential norms might have been expected to foster different civic norms, more conducive to political stability. There are signs of this process: some citizens' embrace of politicised humanitarian and cosmopolitan civic norms in the Hellenistic period, demonstrated in chapter 4, was probably often partly a response to the divisive consequences of harsher, more exclusive communitarian norms and of libertarian contractarian norms. However, there was never a normative revolution.

³² Compare Murray (1990c), esp. 5-6, 19-21, analysing this line of thought, initiated by Durkheim. For recent applications of this broad approach, with respect to Greek civic religion: Sourvinou-Inwood (1990); Parker (2005), esp. 453.

³³ For example, as shown in chapter 3, section 3a)i), the same dialectic is evident for fifth-century Athens in the period before 403. Moreover, it is arguably even present in Herodotus' account of the earlier Athenian democracy (contrast, for example, Herodotus 5.78 with Herodotus 8.143-4). The roots of the dialectic probably lay much further back in Greek political history; note Seaford (1994).

³⁴ Compare, for example, Zuiderhoek (2009).

Some explanations can be offered for uniformity and continuity. First, as is clear from phenomena discussed in chapters 2 and 4, the unrest partly provoked by influential civic norms tended, paradoxically, to reinforce those very civic norms. The civic reconciliation settlements considered in chapter 2 all represent responses to acute *stasis*: in each case, citizens sought to achieve far-reaching civic unity or to allow hard bargaining in pursuit of a new civic contract, or to do both of those things. As a result, at least one of the dominant, polarised sets of civic norms was reasserted and given a new or restored institutional form. Similarly, the phenomena considered in chapter 4 show that those forced into exile through *stasis* were frequently had their communitarian instincts reinforced. This conservative effect counterbalanced the unleashing of free political thought and experimentation on the part of some exiles.

Second, the two sets of norms probably reinforced each other through a dialectical process, as discussed in the conclusion to chapter 2.³⁵ When citizens were devoted to one or the other set, or to the radicalism and simplicity which they shared, embrace of intermediate civic norms might have appeared an unsatisfying capitulation. However, a third explanation of uniformity and continuity is probably most important: the two polarised sets of civic norms remained dominant because they satisfied fundamental needs of later-Classical and Hellenistic citizens.

Although the civic norms under consideration have been interpreted in this thesis as components of political cultures more basic than partisan ideologies supervenient on them, they can be seen as components of a deeper level of partisan ideology, useful for citizens to cultivate. This is because they can be regarded as ideological means by

³⁵ Cf. Derrida (1994), 40; T. Campbell in his introduction to Esposito (2008), xi-xii.

which citizens maintained clear status distinctions between themselves and slaves and resident foreigners. The absence of a significant ‘Kantian middle’ in dominant civic norms is particularly susceptible to such analysis: norms prioritising individual dignity would have been very difficult to reconcile with slavery.

Nevertheless, the relevant civic norms can also be interpreted in a more positive way: as products of collective attempts by ancient Greeks to devise notions of citizenship and political community which made sustained republican political interaction of any kind possible. Although they are not a focus of this thesis, and invite further investigation, some of the ways in which dominant civic norms enabled stable and prosperous civic life have emerged.

For example, the case-studies of organised political decision-making and lobbying by exiles considered in chapter 4 show that norms of civic voluntarism made possible, and encouraged, effective political action by groups of citizens in times of hardship. Many settled poleis, like exile groups, were continuously assailed by acute challenges: for example, foreign invasion, food and water shortages or the secession of constituent civic sub-divisions. In the absence of a coercive state apparatus and of reliable networks for the transport of people and goods or the transmission of information, far-reaching individual initiative by citizens in upholding civic institutions and norms was a prerequisite for maintaining civic life.³⁶

As discussed in the conclusion to chapter 4, many of the examples considered in chapter 4 also show that unitarian teleological communitarian norms made possible,

³⁶ Cf. Berent (1998).

and encouraged, the formation of solidaristic communities of exiles. Significantly, in those cases, the indeterminacies inherent in the communitarian paradigms influential on exiles, in other contexts crucial causes of exclusionary *stasis*, were crucial to their unifying effects: disparate exiles, with different interests and values, could rally much more easily to vague notions, or mere slogans, of ‘Syracusan’ or ‘Sicilian’ freedom or of Prienian anti-tyrannical republicanism than to better-defined political and ethical values.

Unitarian teleological communitarian norms almost certainly had similar unifying effects in settled poleis. As suggested in the conclusion to chapter 2, indirect evidence for this is the dominance of communitarian rhetoric, rituals and institutions in the preserved civic reconciliation settlements considered in chapter 2. In settled poleis, the indeterminacies of shared ideals made possible ongoing debate: citizens could act and speak as if they shared goals and values, while surreptitiously negotiating with fellow citizens concerning their interpretation.

Libertarian contractarian norms, also well-represented in the civic reconciliation documents considered in chapter 2, probably also often promoted civic stability and prosperity. Hard bargaining between citizens and civic groups could, for example, have commonly enabled the release of civic tensions, as well as the brokering of compromises and mutually-beneficial social and commercial agreements between citizens.³⁷

³⁷ Cf. Ober (2008) on Classical Athens.

Largely outside the scope of this thesis are the unifying, stabilising and inspirational effects of some of the other prevalent civic norms prevalent in this thesis. Norms of political theatricality could have such effects: they could encourage particularly effective and memorable forms of political communication.³⁸ Similarly, to take an Athenian case, the paradigm of Athenian civic institutions as infallible probably helped to promote political stability: citizens who believed that civic institutions had a quasi-magical infallibility were less likely to challenge their legitimacy or seek alternative, supernatural solutions to problems. This was despite the fact that, in another instantiation of the general argument described in section 5 above, that same confidence in the infallibility of institutions led, in times of strain, to arbitrary, destabilising expulsions: unsuccessful Athenian political and military leaders were commonly harshly punished, including with exile, probably partly because individual vice was the only conceivable explanation for the failure of democratic institutions to secure democratic interests.³⁹

Although the various prominent civic norms each made individual contributions to civic stability and flourishing, a particularly significant contribution was probably made by the combination of prominent unitarian teleological communitarian and prominent libertarian contractarian norms within many poleis' political cultures. This was probably partly because, as suggested in the conclusion to chapter 2, accepting both sets of norms enabled individuals to understand their political world: between

³⁸ Cf. Chaniotis (1997).

³⁹ Knox (1985), 145-6; 150-1; Todd (1993), 305-306; contrast Herman (2006), 65-6.

them, they accounted for two inescapable dimensions of political experience, individual independence and interdependence.⁴⁰

Moreover, the combination of the two sets of norms was probably functionally effective, as suggested intermittently in chapters 2 and 3, through processes close to one identified by Aristotle⁴¹ and to several emphasised by many modern scholars.⁴² For example, it was suggested in chapter 3 that the wealthy elites of both Classical Athens and poleis of Hellenistic Asia Minor were emboldened by libertarian contractarian norms to engage in lucrative practices exploitative of fellow citizens or outsiders, but simultaneously compelled by prevailing liturgical institutions and popular communitarian expectations to plough a substantial proportion of their profits into collective civic projects. Conversely, as was also suggested in chapter 3, section 3a)i)F), the collective religious practices and festivals of the Classical Athenian democracy probably helped to consolidate and legitimate status distinctions, as well as blunting poorer Athenians' self-assertion in relations with their wealthier fellow citizens.

The overall conclusion of this thesis is, therefore, that the study of exile phenomena reveals the double-edged character of the political cultures of Greek poleis in the period c. 404-146, also evident in earlier and later Greek history. The 'tragedy of the polis',⁴³ was that the very same fundamental conceptions of citizenship and political community which commonly underpinned citizens' self-understanding and enabled

⁴⁰ Compare the view of human subjects, as simultaneously autonomous and inextricably embedded in their society, identified by Vernant and Vidal-Naquet (1973), 73, as characteristic of fifth-century Athens; cf. Leonard (2005b), 134-5.

⁴¹ Aristotle *Politics* 1263a21-39.

⁴² Cf. Ober (1989) on Classical Athens; Zuiderhook (2009) on the polis in the imperial period. Contrast Veyne (1976), e.g. 87-9; 218-20; 236-41.

⁴³ The original title of Loraux (2005); cf. Loraux (2005), 7.

flourishing civic life were frequently themselves significant causes of acute and often brutal exclusionary *stasis*. External pressures usually helped to provoke civic fission, but the fissile material on which they acted included the extremes, ambiguities, indeterminacies and contradictions of civic political cultures themselves, which in other contexts secured the very survival of poleis as political communities.⁴⁴

⁴⁴ Cf. Hunt (1983), 89-90, on the simultaneously integrative and divisive effects of the contradictions of French revolutionary discourse.

Additional Translations
Two recently-published civic reconciliation documents, from Dikaia and Telos,
discussed in chapter 2, section 3b)

1. Voutiras and Sismanides (2007), 257-9: the reconciliation of the Dikaiopolitans (365-359 BC)

- 1 [...c.8....] Τύχη Ἀγαθῆ. ἔδοξε τῇ?ι ἐκ?κλησίῃ: γνώμη]ν?
 [περ]ι? τῶν συναλ[λα]γῶμ παρε.[...]ν Λύ[κιος καὶ] οἱ συν-
 αλλακταί: περὶ τ[ού]των πάντων ψη?φί[ζ]ο?[ντ]α? Λύκιον καὶ
 ἐπιτελέοντα ἐν [τ]ῇ ἐκκλησίῃ κύριον εἶ[ν]αι. ἔδοξε τῇ
 5 ἐκκλησίῃ: τοὺς [π]ολίτας πάντας ὁμ?όσ[αι] τὸν ὄρκον τὸ?[ν]
 συγγεγραμμένο[ν] ἐν τρισὶν ἱεροῖς τοῖς [ἀ]γιωτάτοις καὶ
 ἐ?ν ἀγορῇ, Δία, Γῆν, [Ἥ]λιομ, Ποσειδῶ, καπ?ρο[ν] ἱερεύσαντας.
 ὁ?ρ?κω?σάτω¹ δὲ Λύκ?ιος καὶ οἱ συνα?λλ?ακταί. τὸν δὲ ὄρκο-
 ν καὶ τὰ πιστώματα πάντα γράψαντας εἰς λίθον
 10 θεῖναι εἰς τὸ ἱερ?ὸ?ν τῆς Ἀθηναίης. [θε]ῖναι δὲ καὶ
 εἰς τὴν ἀγορὴν τὸν ὄρκον τὸν αὐτο?γ καὶ τὰ πισ-
 τώματα γράψαντας εἰς λίθον. ὁμοσαι δὲ πάν-
 τας ἐ?ν τρισὶν ἡμ?έ?ραις. ὅσ?οι δ' ἀποδ?[η]μοῦσιν ἢ ἀσ-
 θ?ενοῦσιν, τὸμ μ?ἐ?ν? ἀπόδημον ὁμόσαι καὶ ἀγνισθ-
 15 ῆναι ἐπειδ?ὰν ἔ?λθ?ηι τριῶν ἡμερῶν?, τὸν δὲ ἀσθεν-
 οῦντα ἐπειδὰν ὑγίης γεννηθῇ ἐν τρισὶν ἡμέραις
 ὁμόσαι. ὀρκωσάντων δὲ πρὸς ταῦτα. ὃ δ' ἄμ μ[ὴ] ὀ-]
 μό?σῃ τὸν ὄρκον καθάπερ γέγραπται, τ?ὰ χρήματα
 [α]ὐτ?οῦ ἱερὰ καὶ δημόσια ἔστω? τοῦ Ἀ[π]όλλωνος το[ῦ]
 20 Δαφνηφόρου ἄτιμός τε ἔστω καὶ τῶν δικαίων α[ὕ]-
 τῶι μηδενὸς μετέστω. μάρτυρα δὲ καὶ συνίστορ[α]
 τῶ?ν ὄρκων καὶ τῶμ πιστώματμ? [π]α?ντωμ Περδί?[κ-]
 κ?αμ ποιήσασθαι, δεηθῆναι δὲ αὐ[τ]οῦ, ἅν τινές πο?-
 τε τοὺς ὄρκους κ?[αί] τὰ πιστώματα ἐ?[γβ]άλλωσι, τού-
 25 τους, δυνατὸν [ἐ]όντα, θανάτῳ ζη?[μι]ῶσαι, ἣν τε
 φύγωσι, ἀγωγίμους εἶν αὐτοὺς Δι?[και]οπολίταις ἐ-
 κ τῆς χώρας πάσης ἥς ἐπάρχει Π[ερ]δίκκας. ἔδοξ-
 ε τῇ ἐκκλήσει: δίκας ὅ?σαι φονικαὶ ἐσι πρὸ τ?[ῆς] Γ?οργύθου
 ἀρχῆς, αὐτὰς ἐγδικάσασθαι πάσας ἐπὶ Γοργύθο?[υ] ἄρχον]τ?ος
 μηνὸς Δα-
 30 φνηφοριῶνος πέμπτηι φθ?ίνοντος: ὃς δ' ἄ[μ] μ[ὴ] ἐγδικάσεται, [ἀ]-
 πόκλητα αὐτῶι ἔστω. ἅν δὲ τις δῶι δίκημ φο?[νι]κ?ή?<ν> ἢ
 δικάζητα[ι ὀ-]
 σα? ἀπόκλειτα ἢ ἐκκλησί[η] ἐψηφίσατο, ὁ μ?ἐ?ν? [δ]ικ[α]ζόμενος

¹ The reading ὀρκωσάτω, instead of δικασάτω, was suggested by Prof. R.C.T. Parker at the Oxford Epigraphy Workshop on 19.5.2008.

φ[ευ-]

- γέτω τὴν γῆν τὴν Δικαιοπολιτῶν καὶ τὰ [χ]ρ[ή]ματα αὐτο[ῦ ἔ-]
στω δημόσια, ὁ δὲ διδο[ῦ]ς τὴν δίκην ἀτι[μο]ς [ἔ]στω καὶ τ?ὰ
35 χρήματα [α]υτ?οῦ ἱερὰ καὶ δημόσια ἔστω? Ἀ[π]όλλωνος τ[ο-]
ῦ Δαφνηφόρο. εἰ δέ τι ἄλ?λ?ο ἐγκαλοῦ[σ]ι? Δήμ[αρχο]ς ἢ οἱ μετὰ
Δη?-
μάρχου φυγόντες τοῖς μετὰ Ξενοφῶντ?[ος] ἢ? Ξενοφῶν ἢ ο?[ί]
μετὰ Ξενοφωντος τούτοις ἐγκαλοῦ[σ]ι?, ὅσα πρὸ τῆς Γ?-
οργύθου ἀρχῆς ἐγκλήματα ἐγένοντο πρὸς ἀλλήλους, τ-
40 οὔτοις ἀπόκλετα εἶναι πάντα καὶ περὶ τ?[ο]ύ?των μήτε δ?-
ικαζέσθω μηδὲς μήτε ἀρχῶν δίκην δ?ι?δότη? : ἄ?[ν] δὲ δ-
ικάζεται ἢ διδῶι, ὁ μὲν δικαζόμενος ἀτιμος [ἔ]στω κ-
αὶ τὰ χρήματα αὐτοῦ δημόσια ἔστω, τοῦ δὲ διδ[ό]ν?τος
τὴν δίκην τὰ χρήματα ἱερὰ καὶ δημόσια [ἔ]στω [τ]ο?ῦ Ἀπ-
45 ὀλλωνος τοῦ Δαφνηφόρου. ἔδοξε τῇ ἐκκ?λησίῃ: τοὺς Ἰέ-
ρωνος παῖδας καὶ Ἐ?πικράτην καὶ Ἀργαῖον τὰς δίκας κ-
αὶ τοὺς ὅρκους καὶ τὰ πιστώματα δοῦναι καὶ δέξασθαι
ἐν τῷ μηνὶ τῷ Ἀθηναίων καὶ Ἀνθεστηριῶνι καθάπ-
{π}ερ συγ<γ>εγραπται ὁ ὅρκος. ἂν δὲ μὴ ποιήσωσι τὰ δεδογμ-
50 ἔνα, στερέσθωσαν τῶν ἐγκλημάτων πάντων
ὅσα πρὸ τῆς Γοργύθου ἀρχῆς ἐγένετο καὶ τῷ ὅρκ-
ῳ ἔνοχοι ἔστων. ἔδοξε τῇ ἐκκλησίῃ: τοὺς παῖδ-
ας τοὺς Ἑρμίππου καὶ Ἐπιχάρους καὶ Δημωφέ<λ>ε-
ος, τούτων τοὺς μὲν ἐπιδημοῦντας ὀμνύειν κ-
55 αὶ ἀγνίζειν καὶ ἀγνίσεσθαι καὶ τὰ πιστώματα δ[ι-]
δόναι καὶ δέχεσθαι πάντα, τοὺς δ' ἀποδήμου-
ς, ὅταν ἔλθωσι, ὀμνύειν καὶ ἀγν[ί]ζειν καὶ ἀγ[νι-]
ζεσθαι καὶ τὰ πιστώματα πάντα διδόν[α]ι καὶ? [δε-]
χασθαι: ὅς δ' ἅμ παραβῇ τῷ γεγραμμένῳ[ν τι]?
60 ἔνοξος ἔστω κατὰ τὸν ὅρκον ὃν ἔδοξε τῇ ἐκκ[λη-]
σίῃ. οἱ δὲ ὅρκοι καὶ τὰ πιστώματα ἐγένον[το]
καὶ τὰ ἀπόκλειτα τοῖς ἄλλοις πολίταις πᾶσι ἐκ-
τὸς Δάφνωνος τοῦ Πολυζήλο καὶ Κηφισοδώρ[ο] τοῦ
Ἀγαθοκλέος. τούτοις δέ, ἐπειδὴν τὰς δίκας δῶσ[ι] καὶ δέξ-
65 ωνται κατὰ τὸν νόμον, ἂν ἀποφύγωσι, μετ?ε?ῖνα<ι> τῶν ὅρκ-
ων κα[ί] τῶ]μ πιστωμάτων πάντων, ὥσπερ [τ]οῖς ἄλλοις πο-
λίταις?. [ὁ]ρκος: πολιτεύσομαι ἐπίπασι δικαί<ω>ς καὶ δημο?-
σίαι καὶ ἰδίαί καὶ τῇ πολιτείαν οὐ μεταστήσω τῇ πα-
τρίαν, οὐδὲ ξένους εἰσδέξομαι ἐπὶ βλάβῃ τοῦ κοινοῦ
70 τοῦ Δικαιοπολιτέων οὐδὲ ἰδιώτεω οὐδὲ ἑνός: καὶ οὐ μν-
ησικακήσω οὐδενὶ οὐτ?[ε] λόγῳ οὐτε ἔργῳ: καὶ οὐ θανατώσω?
οὐδενά οὐδὲ φυγῇ ζημιώσω οὐδὲ χρήματα ἀφαιρήσομ[αι]
ἐνεκα τῶμ παρηκόντων: καὶ ἂν τις μνησικ?α?κῇ, οὐκ αὐ[τ-]

75 ὦι ἐπιτρέψω: καὶ ἀπὸ τῶμ β?ωμῶγ καθελέω καὶ καθαιρεθ[ή-]
 σομαι: καὶ πίστιν δώσω καὶ δέξομαι τὴν αὐτ?ήν: καὶ ἀγνιῶ?
 κ?αὶ ἀγνιοῦμαι καθότι ἄν ταξ?[ηι]
 [τ]ὸ κοινόν: καὶ εἴ τινα ἔπίστωσα
 [ῆ] ἐπιστωσάμην, δώσω καὶ δ-
 [έ]ξομαι καθάπερ ἐπίστωσα καὶ
 80 ἐπιστωσάμην: ἔν τε ταῖς δί-
 καις αἷς ἐδίκασεν ἡ πολις ἐμ?-
 μενέω: καὶ εἴ τινα ἄλλον ὄρκ[ον]
 ὤμο?σα, λύω, τόνδε δὲ σπουδαιότα-
 τομ ποιήσομαι. ταῦτα ἔμπεδ[ο]ρ-
 85 κήσω? ναὶ μὰ Δία, Γῆν, Ἥλιομ, Πο-
 σειδεῶ. εἰ μὲν εὖορκήσαιμι,
 πολλὰ μοι ἀγαθὰ γίνοιτο κ?α?[ι]
 [αὐ]τῶι καὶ παισὶ καὶ χρήμασ?[ι:]
 [ε]ἰ δὲ ἐπιορκήσαιμι, κακῶς [έ-]
 90 μ?οι γίνοιτο καὶ αὐτῶι καὶ πα[ι-]
 σὶ καὶ χρήμασι. δέχομαι ἀπὸ το?[ῦ]
 β?ωμοῦ παραθήκην παρὰ τοῦ [Α]π[ό-]
 [λ]λωνος κατὰ τοὺς ὅρκους οὓς [ᾧμ-]
 οσα, εἰ μὲν ἐμμ?εῖναιμι ἐν τοῖς
 95 ὅρκοις καὶ ἐν τοῖς πιστώμασι π-
 [ᾱ]σι, πολλὰ μοι κἀγαθὰ γίνοιτο καὶ?
 αὐτῶι καὶ παισὶ καὶ χρήμασι: εἰ δὲ
 [ἐπιορ]κήσαιμι δεξάμενος πα-
 [ραθ]ήκην παρὰ τοῦ Ἀπόλλωνος,
 100 [έ]ξ?ώ?λης εἶην καὶ αὐτὸς καὶ γέ-
 νος τὸ ἐμὸν καὶ τὰ ὑπάρχον-
 τα πάντα, τιμωρήσειεν δὲ ὁ
 [θ]εὸς παρ' οὗ ἔλαβον τὴμ παρ-
 αθήκην μετὰ τῶν ἄλλων
 105 θεῶν πάντων.

1 [.....] With g[o]od fortune. Resolved by the ass[embly]: Such proposals
 [concerni]ng the reconci[li]ations as [Lykios and] the conciliators
 pro[vid]ed,
 with regard to all of [the]se, for pu[t]ti[ng] them to the vote and ratifying
 them in
 [t]he assembly Lykios is to [b]e responsible. Resolved by the
 5 assembly: all the [c]itizens should swe[a]r the oat[h] which
 is appende[d] in the three most [s]acred sanctuaries and
 in the agora, by Zeus, Earth, [S]un and Poseidon, having sacrificed a ra[m].

Let Lykios and the conciliators administer the oath.² Having written
 up the oath and all the pledges on stone
 10 they should place them in the sanctuary of Athene. They should also
 [pl]ace
 in the agora the same oath and the pledges,
 writing them on stone. All should swear within
 three days. As for those who are ab[r]oad or ill:
 he who is abroad should swear and be purified
 15 within three days of whenever he returns; he who is ill
 should swear within three days of whenever he
 recovers. Let them swear the oath on the same terms. Whoever does no[t]
 sw]ear
 the oath as has been written, let [h]is property
 be public and sacred to A[p]ollo
 20 Daphnephoros, let him be without civic rights and let hi[m]
 have no access to legal protections. Perdikkas should
 be made witness and joint-knowe[r] of the oaths
 and [a]ll the pledges and it should be requested of h[i]m that, if
 anyone re[j]ects the terms of the oath a[nd] the pledges, he should,
 25 if he [i]s able, [pu]t them to death, and that, if they
 flee, they should be subject to extradition to the Di[kai]opolitans
 from the whole territory of which P[er]dikkas is in control. Resolved
by the assembly: All the murder cases which arose before [literally,
 ‘which are before’] t[he] magistracy of Gorgythos
 should be prosecuted dur[ing] Gorgythos’ magistracy on the fifth day
 from the end
 30 of the month of Daphnephorion. If anyone does no[t] prosecute, let
 the charges be [e]xcluded for him. If anyone admits a mu[r]der case or
 bring[s a] suit
 which the assembl[y] voted to exclude, the man who [b]ri[n]gs the suit
 should be e[xi]lled from the territory of the Dikaiopolitans and his
 [p]ro[p]erty
 should [b]e made public and the one who admi[t]s the case should b[e]
 without ci[vi]c
 35 rights and [h]is property should be made public and sacred to A[p]ollo
 Daphnephoros. If Dem[archo]s or those who fled with Demarchos
 make any other charges against Xenoph[on]’s faction, or Xenophon or
 Xenophon’s
 [f]action make char[g]es against them, those cases which arose
 between them before Gorgythos’ magistracy should be excluded and no
 one
 40 should bring a suit about t[h]em and no
 magistrate should admit a case (about them). [I]f anyone brings a suit or
 admits a case,
 the one who brings the suit should [b]e without civic rights and his property
 should be made public and the property of the one who adm[i]ts the case
 should be

² This requires reading ὀρκωσάτω instead of δικασάτω, as suggested by Prof. R.C.T. Parker at the Oxford Epigraphy Workshop on 19.5.2008.

made public and sacred to Apollo
 45 Daphnephoros. Resolved by the assembly: the children
 of Hieron and Epikrates and Argaios should bring and incur suits and
 give and receive the oaths and the pledges
 in the months of Lenaion and Anthesterion in accordance
 with how the oath has been written. If they do not do what has
 50 been written, let them be deprived of all charges
 which arose before the magistracy of Gorgythos and let them
 be liable to the oath. Resolved by the assembly: the children
 of Hermippos and Epichares and Demopheles,
 of these those who are in the city should swear and
 55 purify and be purified and g[i]ve and
 receive all pledges; those who are abroad,
 whenever they arrive, should swear and pur[i]fy and be
 pu[ri]fied and gi[v]e and [re]ceive all
 60 pledges. Anyone who transgresses [anything] which has been writte[n]
 should be liable according to the oath which was agreed by the
 asse[mb]ly. The oaths and the pledges
 and the exclusions happe[ned] for all the other citizens except
 for Daphnon son of Polyzylos and Kephisidor[os] son of
 Agathokles. These men, whenever they brin[g] and incur suits
 65 according to the law, if they are acquitted, should participate
 in all the oaths a[nd] pledges, in the same way as [t]he other
 citizens. [O]ath: I will be just in my behaviour as a citizen in all respects
 in public and in private affairs and I will not change the ancestral
 constitution, nor will I admit foreigners to the detriment of the
 commonwealth
 70 of the Dikaiopolitans or of any one individual. And I will not
 bear grudges towards anyone [i]n word or deed. And I will not put
 anyone to death
 or punish anyone with exile or confisca[te] anyone's property
 for the sake of what is in the past. If anyone does bear a grudge,
 I will not entrust myself to hi[m]. And I will take down (others) from the
 altars
 75 and be ta[k]en down myself. And I will give and receive the same pledge
 of good faith. And I will
 purify and be purified as [t]he commonwealth order[s].
 And if I exacted a pledge from anyone
 [or] gave a pledge myself, I will give
 and r[e]ceive as I exacted or gave
 80 a pledge. I will remain faithful to
 the judgements which the polis
 made. And if I swore some other oa[th],
 I revoke it, and I will make this one
 the most binding. I fir[m]ly swear these things
 85 by Zeus, Earth, Sun and
 Poseidon. If I keep my oath,
 may many good things happen to [m]e,
 my children and my propert[y].
 [I]f I break my oath, may things

- 90 turn out badly [f]or me and my
 chi[l]dren and my property. I am receiving
 a deposit from th[e] altar of
 [A]p[ol]lo in accordance with the oaths which I [sw]ore.
 If I remain faithful to
 95 the oaths and a[l]l the pledges,
 may many good things occur for me
 and my children and my property.
 If I [br]eak my oath after receiving a
 de[po]sit from Apollo,
 100 may I be [u]tterly destroyed, myself
 and my line and all
 my property, and may the [g]od
 from whom I took the deposit take
 revenge on me with all the
 105 other gods.

2. IG XII 4 1 132: two decrees of the Telian People and a reconciliation settlement by Coan Arbitrators (early Hellenistic)

Side A, fr. a

- 1 [ἔδοξε τῷ δάμῳι, γνώ]μα πρυτανίων· ἐπειδὴ vacat
 [ὁ δᾶμος δηλόμενος δι]αλυθῆμεν ποτὶ τοὺς δια-
 [φερομένους ἐψαφίζ]α?το ἐπιγράψαι Κώιοις ὑπὲρ
 [ῶν διεφέροντο ποτ' ἄλλ]ήλους πάντων, ὅπως ὁμο-
 5 [νοιεῦντες ἐν δαμοκρα]τίαι πολιτεύωνται, ὁ δὲ δᾶ-
 [μος ὁ Κώϊων μεμναμένο]ς τᾶς εὐνοίας ἐψαφίζατο
 [ἐξαποστεῖλαι ποτὶ τὰ]ς διαλύσεις ἄνδρας κα-
 [λοὺς καὶ ἀγαθοὺς Ὀπθα]γόραν Μίκωνος, Ἀριστω-
 [.....c. 15..... Χά]ρμιππον Χαρμύλου
 10 [.....c. 20.....]ν?α Ξενοδίκου, τοὶ δὲ?
 [ἐξαπεσταλμένοι διαλλακτ]α?ὶ διέλυσαν καλῶς
 [καὶ δικαίως τὸν δῆμον vacat] δεδόχθαι τᾷ ἐκ-
 [κλησίαι· ἐπαινέσαι μὲν τὸν δᾶμο]ν? τὸν Κώϊων
 [καὶ στεφανῶσαι στεφάνωι χρυσεῶι ἀπὸ] δραχμᾶ[ν]
 15 [χιλιᾶν (?), ἐπαινέσαι δὲ καὶ τοὺς ἄνδρας ἐπὶ] τῷ δ?[ι]-
 [καίως διαλῦσαι τὸν δᾶμον τὸν Τηλίων.....]

Gap of c. 20 lines.

Side A, fr. b

.....
 [.....τῶν διαφ]ερομένων π?[οτὶ τὸν δᾶμον τὸν]
 [Τηλίω]ν, ὅπως ὁμονοιεῦντες ἐν δαμοκρατιαι π?[ολιτεύ-]

- 40 [ωνται] ἐλεύθεροι καὶ αὐτόνομοι ὄντες, τυχὰγαθαι κ?[ατὰ τά]-
 [δε διέλ]υσαν τὸν δᾶμον καὶ τοὺς διαφερομένους Τηλί?[ων]
 [ποτὶ] τ?ὸν δᾶμον· ὑπὲρ μὲν τᾶν δικᾶν τᾶν ἱερᾶν καὶ τᾶν
 δαμοσιᾶν ἃς ὀφλόντες ἐν τοῖς δικαστηρίοις ἀντέλεγον
 [μὴ δικ]αίως ὀφλῆκεν, ἀπομισθῶσαι τὸς ταμίας αὐτοῖς τῶγ
 [χρη]μάτων ὧν ὤφλον τοῖς μὲν τὰς ἱερὰς δίκας ὀφλοῦ-
 45 [σι]ν? τὰς ποτὶ τὸ Ἀθάναιον καὶ Κλεισιμβροτίδαι τὰν περὶ τὸ
 [Δ]αμάτριον καὶ Φιλτυλίωι παρασχεῖν ἐς τὰν ἑκατόμβαν τὰν
 θ?υομένην ἐπὶ μονάρχου Θεαγόρα ταῦρον κριὸν οἶν θήλειαν·
 τῶν δὲ τὰς δαμοσίας δίκας ὀφλόντων Ἀρισταγόραν μὲν
 [Ἀ]ριστοφίλου ἀποτετεῖκεν τὸ ἀργύριον ὃ ἐνδειχθεὶς κατέ-
 50 [β]α?λε, ὃ³ ἔγδεια ἐγενετο πωληθέντων τῶν κτημάτων ποτὶ
 [τ]ά?ν καταδίκαν, Ἀριστόθεμιν δὲ Ἀριστοφίλου ἀποτεῖσαι δρα-
 [χ]μὰς πεντκισχιλίας, Νικαγόραν δὲ Νικάννακτος ἀποτεῖσαι [ι]
 [τᾶ]ι πόλει δραχμ[ι]ὰς χιλίας πεντακοσίας· ἀποδόντω δὲ ἐμ μη-
 [ν]ι Καρνείωι ἐπὶ Θεαγόρα· ποτὶ δὲ τὰ λοιπὰ χρήματα τὰ ἐκ τᾶ κα-
 55 τ?αδικᾶν ἀπομισθωσάντω τοὶ ταμίαι Ἀριστοθέμι καὶ Νικαγόρα [ι]
 [κ]α?ὶ Ἀρισταγόραι τὸν βωμὸν τοῦ Ἀσκληπιοῦ ἐ?π?ι?σ?κευάξαι
 καὶ ἐξαλε[ι]-
 [ψαι· συ]ν?τελεσάντων δὲ τῶν μὲν τὰς ἱερὰς δίκας ὀφλόντων τὰν
 [ἑκατόμβα]ν, Ἀριστοθέμιος δὲ καὶ Νικαγόρα καὶ Ἀρισταγόρα {ι} τὸν
 βω-
 [μὸν κατὰ τ]ὰ γεγραμμένα, ἀπολελύσθαι αὐτὸς τᾶν δικᾶν καὶ
 60 [τὰς γραφὰς] ἀναιρῆσθαι, καὶ μὴ ἦ?μεν ἔγκλημα περὶ τᾶν δικᾶν
 [τᾶν τε ἱερᾶν καὶ] τᾶ?ν δαμοσιᾶν τᾶν δικασθεισᾶν μήτε τοῖς
 [ὀφλοῦσιν ἐπιφέρειν] μηθένα μηθὲν μήτ' ἄλλωι μηδενὶ ποτ[ι]-
 [.....παρευρέσει μη]δ?εμιᾶι· τὰν δὲ δίκαν τᾶς ὁδοῦ ἂν
 ἐξι? [δια]
 [ξαμένους.....Ἀριστο?]μένη καὶ Ἀρισταγόραν Ἀναξισ[τρά]-
 65 [του ἐξαμῖωσαν τοὶ.....c. 13.....] ἄρχοντος δ?ι?αφεροντ[...]

Side B, fr. a

- [..]ν? δ?ικᾶν ἐς ὄρκον συνκεχωρημεν[ᾶν καὶ τῶν διαφερο-]
 μένων ὑπὲρ τὰς δαμοσίας δίκας· φαμένων ἀδίκως ἐξαμῖωσ-]
 θαι καὶ τῶν δικαστᾶν τὰν ψᾶφον [ἐνεικάντων περὶ ἐκάστας]
 δίκας ἔγνωμες τὸ ἀργύριον ὃ ἔχει [.....]
 70 ΤΑΣ, ἀποδόμεν Ἀριστομένει ἄτοκ[ον τοὺς ἱεραπόλους. περὶ δὲ]
 τᾶν ζαμωσίων ἃς ζαμω?θ?έ?ν[τες ἐν κοι-]
 νῶι ἀναγεγραμμένοι ἐντὶ καὶ ὁ[μολογούμενοι ὀφλεῖν, ἀπομισ-]
 θ?ωσάντο τοὶ ταμίαι καὶ τοὶ [ί]ε?[ρ]α?π[ό]λοι ἐκ Ἀριστοθέμιος καὶ

³ The IG editors print ο<ϛ>.

Νικ-]

- αγόρα καὶ Ἀρισταγόρα συντελέ?σ?α?[ι τὸν βωμόν· συντελεσθέν-]
75 τῶν δὲ καὶ τούτων κατὰ τὰ γεγρα[μμένα ἀπολελύσθαι αὐ]-
τὸς τᾶν ζαμιοσιᾶν καὶ τᾶς ἀνα[γραφᾶς τᾶς ἐν κοινῷ καὶ]
τῶν ἄλλων πάντων, ὧν ἐνεκάλε[σεν αὐτοῖς ἅ πολις καὶ]
τ?ας? π?ράξε?[ις? τὰς π?επ?ραγμένας [κατ' αὐτῶν ἀναιρηθῆναι.]
τὰν δὲ πόλιν πριαμέναν τὰς γᾶς? [τὰς δαμευθείσας, ἅς ἀπέ]-
80 δοντο τοῖ πράκτορες τοῖς ιδιώται?[ς ἀπο-]
δόμεν τοῖς τε τὰς ἱερὰς δίκας ὁφ?[λοῦσι.....αὐ-]
τοῖς ἢ τοῖς κλαρονόμοις ἐν τῷ μηνί ἐπὶ Θεαγό]-
ρα καὶ τοῖς τὰς δαμοσία[ις, οἷς γέγ[ραπται ἐν τῇ διαλύσει,
ἀπομισθῶσαι τὸς ταμίας τὸν β[ωμόν τοῦ Ἀσκληπιοῦ ἐπισκευά-]
85 [ξα]ι. κατὰ ταῦτά δὲ ἀποδ?όμεν τοῖς ιδιώταις, οἱ τὰς γᾶς τὰς]
[δαμευθ]είσας ἐκαρπε?[ύοντο, τὰν τιμὰν, ἂν ὑπὲρ τᾶν γᾶν κατέ-]
[βαλον.....]

Side B, fr. b

-τ?ο?ὶ βασιλ?εῖς? ὑ?π?[ο]μ?ν?α?[μα]?
.....-ο?ν τὸ χρέος διαλύσαι, παρὰ μὲν τᾶ[ς]
110 [πόλιος κομιζέ]σθω ὁ πριάμενος, ὅσον τᾷ πόλι κατέβαλε· τὸ δὲ
χρέος ὁ
[δᾶμος δι]αλυέτω τὸ ἀρχαῖον παρὰ τοῦ ἐξ ἀρχᾶς ὀφείλοντος κα[ὶ]
[το κ]τ?ῆ?μα κομιζομένον· ὅσα δὲ γέγραπται ἀποδόμεν τὰν
πόλ[ιν]
[κ]τήματα ἀποδόντω τοῖ ταμίαι καὶ τοῖ ἱεραπόλοι τοῖ ἐν ἐκάστοις
τ?οῖς χρόνοις γινόμενοι· αἱ δὲ κα μὴ ἀποδῶντι, ὀφειλόντω ἕκαστο[ς]
115 [τ]ῶν ταμιᾶν καὶ τῶν ἱεραπόλων πεντακισχιλίας δραχμὰς ἱερὰ[ς]
[τοῦ] Διὸς τοῦ Πολιέως καὶ τᾶς Ἀθάνας τᾶς Πολιάδος καὶ τῷ
ιδιώτα[ι]
διπλοῦν ὁ κα μὴ ἀποδῶν· ἅ δὲ πρᾶξις ἔστω <τῷ> ιδιώται καθάπερ ἐκ
δί-
[κ]ας· τοῖ δὲ τὰς γράφας ἀνελόντες καὶ τοῖ πρυτάνιες τοῖ προθέν-
τ?ες τὰς διαλύσεις καὶ τοῖ πράκτορες καὶ τοῖ ταμίαι καὶ τοῖ
ἱεραπόλοι
120 [κ]αὶ τοῖ ἄλλοι τοῖ διοικεῦντές τι τῶν γεγραμμένων μὴ εὗντω ὑπό-
δικοι· αἱ δὲ τίς κα ποιῇ παρὰ τὰ γεγραμμένα ἢ εὐθυναν γραφῆται ἢ
τᾶ[ι]
[δ]ιαλύσει μὴ ἐμμένῃ ἢ ἄλλο τι ἔγκλημα ἐπιφέρῃ τοῖς ἄρχουσιν ἢ
τοῖς ιδιώταις ὅσα ἐς τὰν διάλυσιν καθίκε, ἀποτεισάτω μυρίας δρα-
[χ]μὰς ἱερὰς τοῦ Διὸς τοῦ Πολιέως καὶ τᾶς Ἀθάνας τᾶς Πολιάδος
καὶ τὸ
125 [ἔ]γκλημα τὸ ἐπενιχθὲν ἄκυρον ἔστω· ὅπως δὲ Τήλιοι καὶ εἰς τὸν
ἐπίλοι-

- [π]ον χρόνον ὁμονοεῦντες διατελῶντι, ὁμοσάντω τοὶ γεγενημέ-
 [ν]οὶ ἀπὸ τε ὀκτωκαίδεκα ἐτέων πάντες θεὸς τὸς ὀρκίος [κ]ατὰ
 ἱερῶν νε[ο-]
 [κ]αὐτῶν τὸν ὄρκον τόνδε· ἐμμενέω ἐν τῷ πολιτεύματι τῷ
 καθεστακό-
 τι καὶ διαφυλαξέω τὰν δαμοκρατίαν καὶ οὐ μνασικακήσεω περὶ τῶν
 130 [ἐν τῇ κ]ρίσ[ει] γενομένων οὐδὲ πραξέω παρὰ τὰν διάλυσιν τάνδε
 οὐδὲν
 [οὐδε] ὅπλα ἐναντία θησεῦμαι τῷ δάμῳ οὐδὲ τὰν ἄκραν
 καταλαμψεῦντι
 συμβουλευσέω οὐδὲ ἄλλῳ ἐπιβουλεύοντι οὐδὲ καταλύοντι τὸν δᾶ-
 μον εἰδῶς ἐπιτραπέω· αἱ δὲ κα αἰσθωμαὶ τινα νεωτερίζοντα ἢ συλ-
 λόγους συνάγοντα ἐπὶ καταλύσει τοῦ δάμου, δηλωσέω τοῖς ἄρχου-
 135 σιν· εὐορκεῦντι μέμ μοι ἤμεν πολλὰ ἀγαθὰ, ἐφιορκεῦντι δὲ τὰ ἐναν-
 τία· ὁμοσάντω δὲ καὶ τοὶ ἀπόδαμοι ἀφ' οὗ κά παραγέν[ω]νται ἐν
 ἀμέραις
 [ἐ]ξήκοντα· αἱ δὲ τίς κα μὴ ὁμόσηι, χιλίας δραχμὰς ἀποτεισάτω
 ἱερὰς
 [τ]οῦ Διὸς τοῦ Πολιέως καὶ τᾶς Ἀθάνας τᾶς Πολιάδος.....ἔδοξε τῷ
 [δ]άμῳ, γνῶμα πρυτανίων· ἀγαθᾷ τύχαι, χρῆσθαι τῇ διαλύσει
 καθὰ
 140 [τ]οὶ διαλλακταὶ τοὶ Κῶιοι διέγραψαν· δόμεν δὲ καὶ ξένια τοῖς
 διαλλα-
 [κτ]α?[ῖς] δόντω δὲ ταμίαι.

Side A, fr. a

- 1 [Resolved by the people, on the pro]posal of the prytaneis: since
 [the people, wishing to be re]conciled with those
 [in dispute, vot]ed to refer to the Coans
 all [the matters about which they were in dispute with each] other, in order
 that
 5 they might in con[cord run civic affairs under demo]cracy, and the people
 [of the Coans rememberin]g their goodwill voted
 [to send out for] the reconciliation virtuous
 [and good men, Ortho]goras son of Mikon, Aristo-
 [.....], Charmippos son of Charmylos,
 10 [.....]n son of Xenodikos, and the
 [arbitrators who had been sent] out reconciled [the people]
 [virtuously and justly,] it was resolved by the assembly:
 [to praise the people] of the Coans
 [and to crown them with a gold crown worth]
 15 [one thousand] drachmas, [and to praise the men for ju-]
 [stly reconciling the Telian people.....]

(Gap of around 20 lines)

Side A, fr. b

40 [..... concerning those] in dispute with [the Telian]
[people,] in order that they may in concord r[un civic affairs] under democracy
while free and autonomous, with good fortune, acc[ording]
[to these terms they rec]onciled the people and those of the Teli[ans] in
dispute
[towards] the people: with respect to the sacred and public cases
which they lost in the lawcourts but which they argued
[they had not just]ly lost, the public stewards should contract out to them
a service equal to the value of the [fin]es they incurred, namely, to those wh[o
lost]
45 sacred cases concerning the sanctuary of Athene and to Kleisimbrotides who
lost a sacred case
concerning the sanctuary of Demeter and to Philtylios, the service of providing
for the
hecatomb to be sacrificed while Theagoras is monarch a bull, ram and sheep.
Of those who lost public cases, as for Aristagoras
[son of A]ristophilos, he has paid the money which he de[p]osited
50 when indicted, which turned out to be lacking when the property was sold
to pay for the penalty; Aristothemis son of Aristophilos should pay
five thousand drachmas; Nikagoras son of Nikanax should pay
[to the] city one thousand five hundred drachmas. They should pay in the
month of Karneion in the monarchy of Theagoras. As for the outstanding sums
from the
55 penalties, let the public stewards contract out to Aristothemis and Nikagoras
and Aristagoras the service of repairing and anoi[nting]/pai[nting] the altar of
Asklepios.
When those who lost sacred cases have ful[filled] (their duty with respect to)
the
[hecatom]b and Aristothemis and Nikagoras and Aristagoras have fulfilled
(their duty)
with respect to the altar in accordance with what has been written, let them
have been released from the cases
60 [and let the indictments] be overturned, and there may be no possibility of
appeal
[about the sacred] and public cases which were judged, neither for those
[who lost to bring] any [case] against anyone nor for anyone else towards
[.... by any] means. The case of the road which having ap-
[propriated for themselves.....Aristomene]s and Aristagoras son of
Anaxis[tratos]
65 [.....] of the magistrate in dispute[....]

Side B, fr. a

of the cases having come to an oath [and those in disput]e
about the public case [having claimed to have been fined unjustly]
and with the judges [having cast] a vote [about each]

case, we decided that the money which [.....] has [.....]
 70 [the *ierapoloι*] should give back to Aristomenes without inter[est].
 In relation to the penalties
 which they are written up [in pub]lic as having incur[red] and which they
 a[greed that they incurred,]
 the public stewards and the sacred *ierapol[oi]* [should con]tract out to
 [Aristothemis and Ni-]
 kagoras and Aristagoras the repair [of the altar. When these tasks]
 75 have been completed in accordance with that has been writ[ten they will have
 been released]
 from the fines and the publication in pub[lic space and of]
 all the other things of which [the polis accused them.....]
 the exactions which have been made [to their detriment should be overturned.]
 The city, buying the plots of land [which were made public and which]
 80 the public salesmen sold to private individu[als], should
 give back these plots of land to those who lost sacred cases [..... either]
 to them or to their heirs, in the mo[nth of in the monarchy of Theagor-]
 as, and to those who lost public cases, for whom [it was written in the
 settlement]
 that the public stewards should contract out the repair
 85 [of the altar of Asklepios,] and, according to the same regulations, (the city)
 should give back [to the individuals who]
 [explo]ited the land which was [made pub]lic [the price which they]
 paid for the land.

(Gap of around 20 lines)

Side B, fr. b

.....the *basileis* the memorandum
to cancel the debt, from the
 110 [city let] the buyer [take away] as much as he paid to the city. The debt
 which...
 [let the people] cancel the principal from any man who owed from the
 beginning and
 provides the property. The city should give back as much property as has been
 written.
 Let the public stewards and the *ierapoloι* in office at the time give the
 property. If they do not pay it back, let each of the public stewards
 115 and *ierapoloι* owe five thousand sacred drachmas
 to Zeus Polieus and to Athene Polias and to the individual concerned
 twice what they fail⁴ to pay back. Let the exaction be possible for the
 individual as
 after a judicial decision. Those who remove the charges and the prytaneis who
 propose the reconciliation and the public salesmen and the public stewards and
 the *ierapoloι*
 120 and the others who organise some part of what has been written are not to be
 subject to prosecution. If anyone does anything contrary to what has been

⁴ There is an illogical shift to the third-person singular at this point.

written
 or submits a magistrate to scrutiny or does not abide by the reconciliation or
 brings some other charge against the magistrates
 or against individuals related to matters covered by the reconciliation, let him
 pay ten thousand
 drachmas to Zeus Polieus and Athene Polias and let the
 125 charge brought in be invalid. In order that the Telians should continue for the
 rest
 of time living in concord, let all those over eighteen
 swear by the gods of oaths with freshly burnt sacrifices
 the following oath: I will remain faithful to the established
 constitution and I will protect the democracy. I will not bear grudges
 130 [about the things] which were [in] the judg[ement], nor will I do anything
 contrary to this reconciliation,
 nor will I bear arms against the people, nor will I conspire with anyone who
 has
 seized the stronghold, nor will I knowingly consort with any other conspirator
 or with any man aiming to dissolve the democracy. If I perceive anyone
 fomenting revolution or calling meetings aiming at the dissolution of the
 people I
 135 will report it to the magistrates. May many good things happen to me if I
 swear
 justly and the opposite if I perjure myself. Let those who are away from the
 city swear within sixty days
 of their return. If anyone does not swear, let him pay a thousand drachmas
 to Zeus Polieus and Athene Polias[.....] Resolved by the people
 on the proposal of the prytaneis: with good fortune, let the reconciliation be in
 force
 140 in accordance with what the Coan arbitrators wrote. And hospitality should be
 given to the [arb]itra[tors]. Let the public stewards give it.

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