How were moral ideas and behaviour in ancient Athens formulated and made manifest? How did democratic Athens diffuse the inevitable tensions that surface in society? In this groundbreaking work, Professor Herman argues that rather than endorse the Mediterranean ethic of retaliation, democratic Athens looked to the courts to dispense justice. Drawing on a method of analysis taken from the behavioural sciences, he describes the exceptional strategy of inter-personal relationships that the Athenian democrats developed to resolve conflict, to increase co-operation and to achieve collective objectives. In a new departure, this work investigates moral ideas and behaviour alongside each other and expands the focus of the study to include all aspects of Athenian life, be it societal or economic. Highly illustrated throughout and interdisciplinary in approach, this work offers new light on society and behaviour in ancient Athens which might also serve as a model for similar ancient societies.

Gabriel Herman is Professor of Ancient History at the Hebrew University in Jerusalem. He has held visiting fellowships at Churchill College, Cambridge, the Institute for Advanced Study, Princeton and the Institute for Research in the Humanities, Madison, Wisconsin. He is the author of Ritualised Friendship and the Greek City (1987) and numerous articles on Greek social history. This book was awarded the Polonsky Prize for Creativity and Originality in the Humanistic Disciplines by the Hebrew University of Jerusalem in 2005.
TO THE MEMORY OF

M.I. FINLEY
...καὶ ἀστυνόμους ὀργάς ἔδιδάξατο...
(... and [man] has taught himself a temper that enables him to live in communities...)

Sophocles, Antigone 355–6
Contents

List of illustrations  ix
Preface  xix

1  Moral precepts and society  1
   Categories of moral injunction  1
   A code of behaviour  15
   In crisis and in peace  23
   Co-operation, reciprocity and exchange  30

2  Athenian society and government  39
   Physical environment and population  39
   Athenian politics and institutions  52
   Rules and norms  63
   Tensions and conflicts  72

3  The moral image of the Athenian democracy  81
   Moral ideas and democracy  81
   Some modern assessments  85
   The fusion of moral norms  101
   Some contemporary assessments  107

4  Representations and distortions  119
   The problem of documentation  119
   The distortions of genre  125
   Law courts and orators  136
   The evidence of forensic oratory  141

5  The structure of conflicts  155
   Provocation and reaction  155
   Aggression: inborn and learned  159
   The threshold principle  164
   A case of marital infidelity  175
# Contents

6 Revenge and punishment 184
   ‘Mindless’ revenge 184
   Contrasting courses of conflict 194
   Principles and actual behaviour 203
   How violent was Athenian society? 206

7 The coercive power of the state 216
   Theories of sovereignty 216
   Violence: legitimate and illegitimate 221
   The democracy’s coercive apparatus 229
   The hoplite reserve 246

8 Transformations of cruelty 258
   Heroes into citizens 258
   Restructuring sentiments and emotions 265
   Agonistic pastimes 281
   Substitution and sublimation 303

9 Interactions with the divine 310
   Visions of the transcendental 310
   The evidence of myth 326
   Philanthropists, benefactors, and heroes 347
   A very unusual empire 360

10 The growth of communal feeling 374
   Patterns of economic exchange 374
   The problem of collective action 391
   Tit for two tats 402
   The Athenian code of behaviour: a balance-sheet 410

*Bibliography* 415

*Index* 454
Illustrations

1.1 Communal graves from the Kerameikos underground station
   Last third of the fifth century BC. Athens, Museum of Cycladic Art. Courtesy of the Greek Ministry of Culture
   page 20

1.2 Types of exchange
   Adapted from Molm 1997: 21.
   35

2.1 The Athenian warship
   Above: Attic black-figure cup, 540–500 BC. London, British Museum. © Copyright The Trustees of the British Museum
   Below: A modern reconstruction of a trieres. Courtesy of the Trireme Trust
   40

2.2 Attica and Athens: city and country
   a. Map by the author
   b. Courtesy of the American School of Classical Studies at Athens: Agora Excavations
   44–5

2.3 Model of a typical Attic farmstead
   Courtesy of Hans Lohmann (Lohmann 1992: 48)
   46

2.4 The city walls and the long walls
   Above: From The Cambridge Ancient History 2nd edn, Vol. v: 208 (after Boersma)
   Below: Photo by the author
   48

2.5 Reconstructions of typical Attic houses
   a. Courtesy of Hans Lohmann (Lohmann 1993: 168)
   b. From The Cambridge Ancient History 2nd edn, Vol. v: 201
   d. From The Cambridge Ancient History 2nd edn, Vol. v: 201
List of illustrations

2.6 The Pnyx, supreme symbol of Athenian democracy
Above: Courtesy of the American School of Classical Studies at Athens: Agora Excavations
Below: Photo by the author 54

2.7 The agora during the fourth century: plan
Courtesy of the American School of Classical Studies at Athens: Agora Excavations 59

2.8 Ethnic and social types at Athens
a. Attic red-figure kylix, c. 475 BC. Agora Museum, Athens, P 42. Courtesy of the American School of Classical Studies at Athens: Agora Excavations
c. Attic red-figure kylix, c. 480 BC. All rights reserved, The Metropolitan Museum of Art, New York
d. Fragment of an Attic red-figure vase, c. 460 BC. Agora Museum, Athens, P 29766. Courtesy of the American School of Classical Studies at Athens: Agora Excavations
e. Attic red-figure fragment of a kylix, late sixth century BC. Agora Museum, Athens, P 23133. Courtesy of the American School of Classical Studies at Athens: Agora Excavations
f. Attic white-ground lekythos, 470–460 BC. Brussels, Musées Royaux d’Art et d’Histoire, A1019

2.9 A slave crying out for help
Above: Lead tablet found in the Athenian Agora, fourth century BC. Athens, National Archaeological Museum (IL 1702). Courtesy of the American School of Classical Studies at Athens: Agora Excavations
Left: Skyphos from Abai in Locris, late fifth century BC. Athens, National Archaeological Museum, inv. 442
Right: Athenian red-figure cup-painting, from Vulci, c. 480 BC. Berlin, Staatliche Museen, inv. 2294 (ARV 400.1). Photo: bpk

4.1 Machines for casting lots to select dikasts (kleroteria) and identification tickets (pinakia)
Left: Athens, Agora Museum (Archives). Courtesy of the American School of Classical Studies at Athens
Right: Inscribed plaques of bronze, fourth century BC. Athens, Agora Museum (= Boegehold 1995: Plate 7, nos. P2
List of illustrations

and P3). Courtesy of the American School of Classical Studies at Athens

<table>
<thead>
<tr>
<th>Illustration</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.2 Law-court equipment:</td>
<td>water clocks (above) and voting ballots (below)</td>
</tr>
</tbody>
</table>

Above: *clepsydra*, model (left) and drawing, restored (right). c. 400 BC. Athens, Agora Museum (= Boegehold 1995: Plate 13). Courtesy of the American School of Classical Studies at Athens

Below: Bronze discs, one with solid axle, bearing the inscription πηφος δημοσία; another (damaged) with pierced axle. Late fourth century BC. Athens, Agora Museum (= Boegehold 1995: Plates 17 & 18, B11 and B19). Courtesy of the American School of Classical Studies at Athens

5.1 Euphiletus’ *oikos* (house and family)

a. Drawing from Morgan 1982


5.2 The typology of Euphiletus’ reaction to Eratosthenes’ provocation

6.1 Provocation, vengeance and punishment

6.2 Homicide in Attica

7.1 The Athenian state prison

Above: Restoration by J. E. Jones, after John Travlos. Courtesy of the American School of Classical Studies at Athens

Below: Photo of the remains of the prison by the author

7.2 Clay cups found in the annexe to the state prison


7.3 Inscribed pieces of pottery (*ostraka*)

Above, left: Athens, Agora Museum, P 9973

Above, right: Athens, Agora Museum, P 18555. Photo: DAI Athen (inst. neg. Goette 2001/731)

Below, right: Athens, Agora Museum, P 9950. Photo: DAI Athen (inst. neg. Goette 2001/725)

Below, left: Athens, Agora Museum, P 16755. Photo: DAI Athen (inst. neg. Goette 2001/726)
List of illustrations

7.4 The coercive apparatus of the Athenian democracy 230
7.5 Scythian archer
Attic black-figure vase by Exekias, late sixth century BC. University of Pennsylvania Museum (neg. #164395) 231
7.6 Anti-tyranny decree
7.7 A Greek hoplite overpowering a non-hoplite Persian soldier
Attic red-figure amphora, dating from after the Persian Wars. All rights reserved, The Metropolitan Museum of Art, New York 241
7.8 Armed Athenian hoplites
8.1 The cult of beauty
Tombstone of Hegeso, c. 420 BC. Athens, National Archaeological Museum, inv. 3624. Photo: DAI Athen (Hege 1688) 260
8.2 The interrelationship of perceptions of honour and social structure 269
8.3 The structure of amiable relationships 273
8.4 Reflections of philia in visual art
List of illustrations

Below, right: Grave stele of Thraseas and Euandria, third quarter of fourth century BC. Staatliche Museen zu Berlin. Photo: bpk

8.5 Animal fights
Above: Base of a kouros from the cemetery of Kerameikos, late sixth century BC. Courtesy of the Museum of Classical Archaeology, University of Cambridge (original at Athens, National Archaeological Museum, inv. 3476)
Below: Attic chous, Vatican Museum, inv. 16 522 (Photo: Alinari). Courtesy of the Direzione dei Musei Vaticani

8.6 The S[timulus]–R[eaction] chain

8.7 Athenian combat sports
Courtesy of the Direzione dei Musei Vaticani
Above, right: Bronze statuette, c. first century AD. The Walters Art Museum, Baltimore (no. 54.1006)
Below: Base of a kouros from the cemetery of Kerameikos, late sixth century BC. Courtesy of the Museum of Classical Archaeology, University of Cambridge (original at Athens, National Archaeological Museum, inv. 3476)

8.8 Pyrrhic dance, and its unexpurgated version: warriors dancing with severed heads
Below: Attic black-figure lekythos, fifth century BC. London, British Museum, B 658. © Copyright The Trustees of the British Museum

8.9 Athenian non-combat sports
Above left: Athenian red-figure vase, 440–430 BC. Courtesy of the Fogg Museum of Art, Harvard University Art Museums, 30.444
List of illustrations

Below: Base of a kouros from the cemetery of Kerameikos, late sixth century BC. Courtesy of the Museum of Classical Archaeology, University of Cambridge (original at Athens, National Archaeological Museum, inv. 3476) 306

8.10 Child victim of the plague

9.1 Interactions between the mundane and the transcendent
9.2 The rulers of the cosmos: Zeus, Poseidon and Hades
Attic black-figure lip-cup, sixth century BC, Xenocles Painter. London, British Museum, B 245. © Copyright The Trustees of the British Museum 313

9.3 Visions of the underworld
Top: Attic white-ground lekythos, fifth century BC. Athens, National Archaeological Museum, inv. 1926 (CC 1668). Drawing by Ruth Herman
Bottom: Attic black-figure amphora, late sixth century. Munich, Antikensammlung, inv. 1493 (Bucci P., ABV 316). Drawing by Ruth Herman 314

9.4 Divine metamorphoses
b. Relief depicting Leda being raped by a swan (Zeus). Athens, National Archaeological Museum, inv. 1499. Photo: DAI Athen (inst. neg. Wagner 1975/651)
d. Attic black-figure hydria, end of sixth century BC. Uppsala, Museum Gustavianum 315

9.5 Funerary stele of the Athenian diviner (mantis)
Cleoboulos of Acharnae
Found in the 1950s near Acharnae, second half of the fourth century BC. Athens, National Archaeological Museum 316

9.6 The oath-stone (lithos)
9.7 Athenian curse-tablets (*katadesmoi*), designed to harm enemies and to influence the outcome of trials
Above, left: Attic lead tablet of unknown provenance, fourth century bc. Athens, National Archaeological Museum (= Gager 1992: no. 104). Photo: DAI Athen
Above, right: Lead container with lead doll and graffito curse from a fourth-century bc grave. Athens, Kerameikos Museum (= Gager 1992: no. 41). Photo: DAI Athen
Below, left: A piece of blackware of unknown provenance. Copenhagen, National Museum, Department of Classical and Near Eastern Antiquities, Kinch Collection, inv. 7727

9.8 Homeric duel, as represented on a sixth-century Athenian black-figure amphora

9.9 Conflict and the gods
Attic black-figure vase, Berlin Painter, 1686. London, The British Museum, GR 1861.4-25.50 (B 197)

9.10 The mourning Athena

9.11 The myth of Agraulus and its civic adaptations
Above: Attic vase from Camirus. London, British Museum. © Copyright The Trustees of the British Museum
List of illustrations

9.12 The tyrannicides
Roman marble copy of a Greek bronze original of 490 or 475 BC. Naples, Museo Archeologico Nazionale, inv. 44825. Reproduced courtesy of the Soprintendenza per i Beni Archeologici delle province di Napoli e Caserta

9.13 The altar of the eponymous heroes (reconstructed model)
Model by Petros Demetriades and Kostas Papoulias. Athens, Agora Museum. Courtesy of the American School of Classical Studies at Athens

9.14 The central scene of the Parthenon frieze
Fifth century BC. London, British Museum, Slab V, 31–34. © Copyright The Trustees of the British Museum

9.15 Three Herms, a guardian figure from Bali, and a Papuan
a. Head of a Herm found in the Leokoreion, late fifth century BC (S 2452). Courtesy of the American School of Classical Studies at Athens: Agora Excavations
b. Head of a Herm found near the Royal Stoa, early fourth century BC (S 2499). Courtesy of the American School of Classical Studies at Athens: Agora Excavations
c. Athenian red-figure vase-painting, c. 470 BC. Naples, Museo Archeologico Nazionale, inv. 127929. Reproduced courtesy of the Soprintendenza per i Beni Archeologici delle province di Napoli e Caserta
d. Drawing of guardian figure from Bali. Courtesy of I. Eibl-Eibesfeldt
e. Drawing of Papuan with penis sheath. Courtesy of I. Eibl-Eibesfeldt

9.16 The monument of Dexileos
Right: Grave relief, 394 BC. Athens, Kerameikos Museum, P 113. Photo: DAI Athen (inst. neg. Kerameikos 5977)

10.1 Athenian silver tetradrachm, didrachm, and drachm and silver drinking vessel
List of illustrations

Below: Silver kantharos with gold-figure decoration from Duvanli, Bulgaria. Plovdiv, Archaeological Museum. Courtesy of Dr. Cornelia Ewigleben 380

10.2 Lead tokens

10.3 Official Athenian weights and measures
Above: Clay public measure, second half of the fourth century BC, Athens (P 3559). Courtesy of the American School of Classical Studies at Athens: Agora Excavations
Below (left): Set of official bronze weights, about 500 BC, Athens (B 495, 492, 497). Courtesy of the American School of Classical Studies at Athens: Agora Excavations
Below (right): Bronze public measure, about 400 BC, Athens (B 1082). Courtesy of the American School of Classical Studies at Athens: Agora Excavations 388

10.4 The prisoner’s dilemma
Adapted from Axelrod 1984: 8. Courtesy of R. Axelrod 400
The idea for this book came from five interrelated facts that began increasingly to intrigue me during the academic year 1990–91, which I spent on sabbatical in the stimulating atmosphere of Cambridge. Firstly, I observed that whereas many excellent works had been written on various sub-systems of Athenian society (politics, culture, economy, slavery, family, women and religion, for example), no attempt had been made to study them as parts of an integrated whole. In this book I shall try to examine the workings and interactions of these sub-systems in the context of the wider social system to which they and the individuals who participated in them belonged.

My second observation followed closely on the first. Since these sub-systems were all parts of a self-consistent social system, they must have been held together by some version of what is generally known as morality or a moral system. (Throughout this study I shall be using these terms in Hobbes’ sense (‘those qualities of humankind that concern their living together in peace and unity’) rather than in the customary sense of rules concerning the suppression or regulation of vice, profane practice or debauchery.) Although many excellent books have been written about Greek morality, I do not believe that any work has yet been devoted exclusively to the study of Athenian morality. In this book I shall try to bring together and evaluate the evidence we currently have concerning the moral system that underpinned Athenian society throughout almost two hundred years of democratic rule.

The third observation was that most books on the subject of Greek morality had interpreted morality as a loosely defined assemblage of ideas that should be approached using conceptual tools derived from the history of ideas. No author had yet examined the Athenians’ moral ideas and behaviour (or, more broadly, their moral and social systems) as interrelated entities. In this book I propose to reveal the characteristic features of the code of behaviour (or, in contemporary language, the ‘unwritten laws’) that the Athenians developed to make democracy practicable throughout
Preface

the manifold and complex fields of activity that constituted their social life (politics, land tenure, the employment of slaves, interpersonal and class relations, conflict resolution, state power, the army, foreign relations, religion and the economy). This book is, in other words, also a social history of democratic Athens.

Fourthly, I observed a disparity between the conceptual tools with which classicists and ancient historians investigated the moral norms of ancient societies and those used in adjacent fields of research. The former group relied by and large on a personal and hence culturally determined concept of morality, often following K. J. Dover in believing that the researcher’s own moral experience must be his or her best guide to unravelling that of the Greeks. This book will be taking a different approach to the Athenians’ moral system, using analytical tools developed in psychology, the behavioural sciences, ethology and game theory. I believe that these tools are more impersonal and less likely to be compromised by cultural bias than any that rely upon the researcher’s moral experience alone. Deriving from several disciplines, in which they have been greeted as considerable advances, they are brought together in my book to create a fully rounded analytical approach that is not merely appropriate to the study of ancient Athens, but may, with certain adjustments and refinements, be used to evaluate objectively the moral systems of many other small-scale societies, both past and present.

My fifth observation was that throughout the wider field of social studies the study of man’s society and culture tended to be regarded as separate from the study of man as a biological organism. Dubious as to the legitimacy of the widespread practice of abstracting ‘constitution’ from ‘society’, ‘society’ from ‘collective behaviour’ and ‘collective behaviour’ from an individual’s biologically and culturally conditioned sentiments, and inspired by Professor Burkert’s call to apply ‘biological methods’ to the study of ancient societies (Burkert 1996), I shall be attempting in this book to reintroduce man’s biological aspect into the study of Athenian society and mores. Though I am by training an ancient historian, my longstanding familiarity with the behavioural sciences has convinced me that their methods offer us a key to certain problems in ancient history that cannot satisfactorily be resolved using the ancient historian’s analytical apparatus alone.

In the course of the thirteen-odd years that it has taken me to write this book, I have received endless help and advice from a long list of friends. I am more than grateful to Moshe Amit, Paul Cartledge, John Crook, Peter Garnsey, Manuela Giordano, Wilfried Nippel, Anthony Snodgrass and Nigel Spivey for many extremely helpful discussions. I have also profited
by the comments and criticisms of the organisers of and participants in seminars and conferences in Bellagio, Cambridge, Chicago, Exeter, Jerusalem, Leicester, London, Naples, New York, Oxford, Princeton and Stanford. Special thanks are due to Paul Cartledge, Glen Bowersock, Christian Habicht, Nigel Spivey and Dick Whittaker for the practical help that made my extended visits to Cambridge and Princeton so pleasant. My greatest debt is to Avner Offer, Martin Ostwald, Brent Shaw, Frank Walbank, Alex Yakobson and the late John Graham, all of whom have shown the greatest patience in reading large sections of this book and helping me with their criticisms over long periods of time. The manuscript assumed its present form thanks to Rosamund Annetts’ patient and extremely sensitive efforts. Last but not least, I would like to thank my wife Ora, my children Oriel, Jonathan and Ruth and my mother Clara for putting up with my systematic and all too authentic prioritisation of my commitments to Athenian society over my commitments to my family.

Finally, a few general remarks concerning the text that follows. All dates are BC unless otherwise indicated. All translations from the Greek are my own, except where otherwise indicated. I have used the term ‘polis’ (plural: poleis), without italics, to sidestep the ambiguities associated with ‘state’, ‘city’ and the cumbersome ‘city-state’.

The fifty-five illustrations with which this book is punctuated are intended to give the text depth and dimension. The captions, many of which expand upon ideas that appear in the text only in outline, are an integral part of the book’s argument.