Introduction

THE OTHER ATHENIANS

The remarkable spread of democracy in the late-twentieth century has led to renewed interest in the roots of western democracy in ancient Athens. This study examines a facet of the Athenian experience that has received less scholarly attention than it deserves: the nature and scope of bad citizenship in classical Athens (508/7–322/1 B.C.) and the city's responses, institutional and ideological, to this. Good citizenship is not ubiquitous in modern democracies, and it was not in democratic Athens. This presented the city with practical challenges, as it sought to limit the scope for bad citizenship through its administrative structures and legal institutions. At the same time, however, bad citizenship challenged Athenian ideals concerning the relationship between individual and state, and elicited a range of ideological responses from the city. How Athens responded to these diverse challenges within a democratic framework is fundamental to our understanding of it.

Although Athenian citizenship bore numerous responsibilities, implicit and explicit, for the exclusive group of adult men who possessed it, this study focuses on two formal obligations that were central to it. Citizens were expected, if called upon, to perform military service as hoplites and to support the city financially in a variety of ways; as Athenian sources pithily put it, citizens were to serve their city with "person and property."[1] While these obligations could potentially

[1] On the centrality of these two obligations to Athenian citizenship, see e.g., [Arist.] *Ath. Pol.* 55.3; Sinclair 1988: 49, 54–65; Manville 1990: 9; Hansen 1991: 99–101; cf. Whitehead 1991: 149. A model citizen can be said to be one who carries out both obligations willingly (Lys. 20.23; Dem. 54.44; Is. 4.27–8; 7.41–2), a bad citizen one who evades both (Isoc. 18.47; Lys. 6.46; Is. 4.29; 5.46). For the ideal of service with

be imposed on any citizen, in practice they did not fall equally on all individuals. Only those able to afford hoplite equipment – perhaps half of the citizen body in the fifth century B.C. – were subject to conscription as hoplites. A much smaller segment of the citizen population, perhaps five percent of the total, was obliged to pay the irregular war tax (*eisphora*) and to perform and finance expensive public services (liturgies). Despite the fact that only a part of the citizen body was liable to these diverse obligations at any one time, civic ideology places their performance at the core of good citizenship; indeed, the city relied heavily upon its citizens to carry out these duties.[2]

In focusing on these two fundamental civic duties, I do not mean to suggest that Athenians viewed citizenship narrowly and exclusively in terms of the performance of these formal obligations.[3] In fact, citizen norms and ideals in Athens encompassed a wide range of behaviors: for example, a model citizen was one who respected his parents, obeyed the city's laws, and operated within the parameters of sexual norms. As scholars have observed, to be a father-beater, a law-breaker or abuser of litigation (sykophant), or another man's passive sexual partner (*kinaidos*), was not simply socially reprehensible in the eyes of Athenians but an inversion of citizen ideals.[4] I focus on the formal duties of Athenian citizenship and breaches of them because they form a critical nexus for inquiry that curiously has not, to the best of my knowledge, been considered in a book-length study. If we can better understand these core elements of Athenian citizenship, we stand in a better position to appreciate the broader experience of Athenians as citizens as well.

"person and property," see Dem. 10.28; 42.25; cf. [Arist.] *Ath. Pol.* 29.5, with Rhodes 1981: 382–3.

[2] On Athenian civic ideology's slighting of those who served (normally not by conscription) in Athens' fleet, see Loraux 1986: 212–13; Strauss 1996, 2000; Pritchard 1998; Roisman 2005: 106–9; on its privileging of hoplites over members of the cavalry, see Spence 1993: 165–72.

[3] I agree with McGlew (2002: 6) "that democratic citizenship does not lay itself fully bare in legal definitions and formal actions . . . " For similar caveats on interpreting Athenian citizenship too narrowly, see Connor 1994: 40, and Euben, Wallach, and Ober 1994b: 3; cf. Adeleye 1983; Winkler 1990: 54–63; Hunter 1994: 106–11.

[4] On fathers and sons in Athenian civic ideology, see Strauss 1993; on law and litigiousness, see Christ 1998a; on citizen sexual norms, see e.g., Winkler 1990: 45–70, but cf. Davidson 1998: 167–82.

Athens could not have flourished to the extent that it did during the classical period if citizens in large numbers had not carried out these basic obligations. It would be a mistake to infer from Athens' overall success as a city-state, however, that it was not troubled by bad citizenship.[5] It is not the intent of this study to debunk positive evaluations of the Athenian democracy, but rather to provide a realistic and plausible picture of the complex, and often tense, relationship between individual and state in democratic Athens.[6] Much source material points to persistent social concern in Athens over citizens' avoidance or deficient performance of their duties. The topics of draft evasion, cowardice on the battlefield, and avoidance of financial obligations crop up regularly in Attic oratory, comedy, and elsewhere. Consistent with these indications of social concern is the existence of numerous legal actions and procedures for pursuing those not fulfilling their obligations, and periodic reforms of the civic institutions governing military service and financial obligations.

While social concern in Athens over bad citizenship need not correlate directly with its prevalence, it is reasonable to suspect, along with Athenians, that bad citizenship was common. Setting aside any romantic preconceptions concerning the "Golden Age" of Athens or Athenian patriotism, we should not be surprised if Athenians, like other historic peoples, were not uniformly ready to subordinate their individual interests to those of the state, especially when their lives or fortunes were at stake.[7] If the phenomenon of bad citizenship is hardly

[5] When I use the term "bad citizenship" in this study, I mean bad citizenship specifically in connection with the formal obligations of citizenship.

[6] My goals are thus very different from those of Samons (2004), who seeks to challenge the generally positive evaluation of Athenian democracy in modern scholarship by exposing the defects of popular rule in Athens (4–13, and *passim*).

[7] Cf. Meier 1990: 142: "We have no reason to believe that the Athenians were peculiarly virtuous, unselfish, or worthy of emulation." Meier, however, is rather too ready in my view to believe that the political identity of Athenians induced them to a high degree to subordinate private interests to public ones (see e.g., 143: "a surprisingly large number of Athenians neglected their domestic interests to a quite surprising extent in order to play their part as citizens," and 146: "Political identity was realized in its purest form in fifth-century Athens. Many citizens spent a good deal of their lives performing their duties as citizens (and soldiers)."). Farrar (1996: 125) also goes too far in generalizing, "The benefits of citizenship at Athens were evident, and the democracy was able to sustain civic commitment (with few lapses) over two centuries."

unique to Athens, however, its sources, manifestations, and implications are intimately bound up with its cultural context. A host of questions arise as we seek to locate it and understand it within this milieu.

How did Athenians view their relation to the city and their obligations as citizens, and how might this have affected their behavior? What cultural and democratic values came into play as Athenians considered whether to conform with civic ideals of citizen behavior? How did concerns about self and property affect citizens' willingness to serve the city? What forms did bad citizenship take, and how prevalent were these? How did administrative structures and legal regulations discourage bad citizenship? How aggressively did the city or its agents seek to compel individuals to carry out their duties? To what extent did social pressures rather than legal or administrative mechanisms elicit compliance? How did civic ideology respond to the problem of bad citizenship? How did it deal with the paradox that free individuals under a democracy could be compelled to carry out civic duties?

Although the fragmented and limited ancient record does not always lend itself readily to answering these questions, this study seeks to explore bad citizenship, both as reality and idea, in classical Athens insofar as this is possible. Viewing Athens from this vantage point can help us appreciate the tensions surrounding democratic citizenship and the effect that these had not only on Athenian institutions but also on civic ideology. Concern over bad citizenship, as we shall see, profoundly shaped Athenian discourse about citizenship: it is no accident that repudiation of bad civic behavior went hand in hand with praise of good citizenship in Athens.[8] Indeed, the possibility and reality of bad citizenship were integral to citizen experience and had a profound impact on both civic life and public discourse.

While few scholars would deny the existence of bad citizenship in connection with civic duties in Athens, the subject has received little

[8] Cf. Hunter 1994: 110: "The competing stereotypes of the good and the bad citizen . . . are part of an ideology of citizenship." On the interplay of the ideal hoplite and his polar opposite in Athenian discourse, see Velho 2002; cf. Winkler 1990: 45–70.

in-depth attention. Although recent studies of Athenian democracy acknowledge the problem of bad citizenship, they have focused more on the institutions and ideologies that made democracy work than on the possibilities for circumventing the former and acting contrary to the latter.[9] While handbooks of Athenian law routinely mention the legal measures that Athenians adopted concerning evasion of civic obligations, detailed inquiry into bad citizenship and its wider significance lies beyond their scope. Likewise, recent commentators on the orators and comic writers are alert to bad citizenship, but extensive treatment of the subject would be tangential to their purposes.[10]

This book seeks to fill this gap in scholarship by considering closely three manifestations of bad citizenship in Athens, namely, draft evasion, cowardice on the battlefield, and evasion of liturgies and the war tax. Draft evasion has received very little study at all, despite its frequent mention in our sources.[11] Although cowardice on the battlefield has received some attention in treatments of the Greek hoplite experience (e.g., Hanson 1989: 96–104), the topic has not been examined closely within an Athenian context and in connection with basic citizen obligations under the democracy.[12] Evasion of liturgies and the war tax in Athens, by contrast, has drawn somewhat more attention (e.g., Christ 1990; E. E. Cohen 1992: 190–207; Gabrielsen 1986; 1994), but many questions remain open, including how pervasive this was and how successfully the city responded to the problem.

While this study seeks to address each of these forms of bad citizenship in its own terms, it will also examine how much these behaviors are kindred phenomena that are mutually illuminating. To the extent

[9] While two recent and engaging works on Athens treat matters relevant to bad citizenship, greed (Balot 2001a) and deception (Hesk 2000), their focus lies elsewhere.

[10] Handbooks of Athenian law: In my analysis, I draw on Lipsius 1905–15, Harrison 1968–71, MacDowell 1978, and Todd 1993. Commentators: I have found especially useful the work of MacDowell (1962, 1971, 1990), Olson (1998, 2002), and Sommerstein (1980–2002).

[11] I am not aware of any detailed study of the topic before Christ 2004, which appears with additions as Chapter 2 of this book.

[12] Roisman (2005: 105–29) provides a nice overview of the representation of military behavior in the Attic orators. My interest is in the interplay between the *realia* of Athenian military experience and the social processing of this at home through civic institutions and public discourse.

that these types of bad citizenship have attracted scholarly attention, they have been viewed largely in isolation from one another as more or less independent phenomena. The three forms of bad citizenship under consideration, however, were all rooted in the pursuit or protection of personal self-interests; emerged more prominently when citizen morale was low; and presented often similar institutional and ideological challenges to the city. By analyzing these deviations from good citizenship side by side, it is possible to identify their similarities and differences as citizen behaviors and civic problems.

In examining the topic of bad citizenship in Athens, it is important to acknowledge from the start that the ancient sources are often vague, tendentious, or alarmist in their treatment of it. Evidence for bad citizenship frequently derives from oratorical invective, comic jibes, or the snipes of critics of the Athenian democracy. If we take these sources too much at face value, we may come up with a distorted picture of democratic Athens as a city rendered helpless by bad citizenship and poised for decline and fall. V. Ehrenberg (1951), for example, relying upon an uncritical reading of comic sources, found "an almost complete lack of social conscience" (252) and "economic egoism" (373) among Athenians, intensifying over time (319, 336) and leading to the decline of Athens (368). To overlook this body of material, however, may lead to an equally mistaken picture of Athens that is akin to that advanced in Athenian patriotic discourse. W. K. Pritchett (1971: 1.27) goes so far as to generalize that in a Hellenic context, "The citizen identified his own interest with that of the state. His patriotism was shown no less in devotion on the battlefield than in financial sacrifice."[13] Our challenge is to make the most of the evidence that survives, without being taken in by hyperbole and distortion.

[13] Cf. Pearson 1962: 181: "[I]n Greek and Roman times alike, the ordinary citizen readily recognized his obligation not only to obey the laws of his state, but to be a 'good man,' so far as lay in his power, by serving his country in a military or civil capacity or by putting his wealth at the disposal of the state when it was needed." While Samons (2004) vehemently rejects the idealization of Athenian democracy, he oddly idealizes Athenian attitudes toward the state: "Athenian values associated with civic responsibilities and duties so thoroughly suffused the populace that the lives of individuals with ideological differences as vast as those that separated Socrates and Pericles still demonstrate the Athenians' dedication to the gods, their families, and their polis" (201; cf. 171, 185).

In light of the slippery nature of the source material, it is important in my view that we cast our net widely and seek to consider literary evidence from a wide range of genres – oratory, comedy, tragedy, history, and philosophy – as we look for recurring themes relevant to the assessment of bad citizenship. This cross-genre approach can help bring to the fore common features of the discussion of bad citizenship as well as throw into relief the distinctive preoccupations and perspectives of each type of source. This broad inclusion of source material makes it possible to see how much of what we encounter in different genres concerning bad citizenship reflects the shared experience of Athenian observers, even if their observations are filtered through different lenses. In attempting to evaluate critically material from so many different genres, I am indebted to my scholarly predecessors, who have thoughtfully engaged with the challenges of drawing inferences about Athens from particular genres.[14] While I am trying to elicit certain kinds of information from these sources, I do my best to respect the context in which information appears and how it is colored by genre and authorial vantage point. Although it is logical to give preference to contemporary sources in evaluating the Athenian experience of bad citizenship, occasionally I draw on later authors, for example, Diodorus Siculus (1st c. B.C.) and Plutarch (late-1st/early-2nd c. A.D.); these writers, who often draw on earlier authors, can usefully complement if not supplant contemporary sources; no significant part of my argument depends upon their testimony, however.

If the ancient sources themselves present obstacles to our inquiry into bad citizenship in Athens, so too can our preconceptions about Athenian values and behavior – in particular, assumptions about Athenian solidarity and patriotism. To come to a realistic assessment of bad citizenship in Athens, we must appreciate, first, that in any society, individuals seek ways to manipulate or circumvent rules that they regard as unfair, inconvenient, or a threat to their personal interests;

[14] My approach to the sources has been influenced especially by Dover 1974; Loraux 1986; Ober 1989, 1998; Goldhill 1990; Henderson 1990; Saïd 1998; Balot 2001a; Roisman 2005.

if a loophole in regulation or an administrative gap exists, it generally is found and exploited. In classical Athens, this common human tendency is abundantly clear in the sphere of litigation, where competing litigants shrewdly navigate around civic rules, regulations, and administrative structures in pursuit of their selfish interests (Christ 1998a: 36–9). Athenians were also prepared to act shrewdly, as we shall see, when it came to protecting or advancing their interests in the sphere of civic duties, where, as in litigation, life and property were at stake; patriotism could overcome narrowly selfish action, but it did not eliminate it.

Although it is difficult to determine the scope of shrewd behavior in connection with civic obligations, it is useful to ask in each area of civic duty what motives and opportunities Athenians had for falling short of civic ideals. While motive and opportunity do not in themselves prove that Athenians engaged in sharp practices, attention to these can help ground our assessment of contemporary claims about bad citizenship in the real circumstances of citizen experience. Where we find compelling evidence of both motive and opportunity for a particular type of bad citizenship, we should be alert to the possibility that it was common, and evaluate contemporary claims concerning its frequency in light of this.

An advantage of looking closely at the motives behind, and opportunities for, bad citizenship in Athens is that this allows us to move beyond the limited purview of many of the ancient sources, which characterize bad citizenship as the province of utterly perverse and marginal citizens, named or unnamed. These portrayals of the "otherness" of bad citizenship are interesting in their own right, as evidence of the Athenian tendency to scapegoat individuals for communal problems (cf. Sagan 1991: 168–85; Christ 1998a: 50–3). A survey of the range of motives behind different forms of bad citizenship and the diverse opportunities for these indicates, however, that the temptation to evade obligations or to fall short in performing them was not limited to utterly shameless or exceptional members of society. On the contrary, Athenians of all ilks and social classes could fall short of civic ideals of good citizenship for a variety of reasons and in many different ways. Behind the often sensational depictions of egregiously bad

citizenship in our sources lies a more mundane reality of gradations of good and bad citizenship.

This study seeks first to locate bad citizenship within its cultural context in democratic Athens (Chapter 1). Although bad citizenship in Athens sometimes derived from ideological opposition to the democracy, more commonly it arose from basic personal concerns over self and property. Athenians were acutely conscious of the tug of self-interest on individuals, and frequently acknowledged and addressed this basic feature of human nature in public discourse. Consistent with this consciousness is how self-interest figures prominently in Athenian understandings of citizenship and its obligations.

Athenian democracy pragmatically acknowledged the legitimacy of personal self-interest, which was intimately connected with individual freedom, and incorporated this into its ideology of citizenship. While Athenians sometimes envisioned a citizen's performance of his duties as a spontaneous act of patriotism or as fulfillment of his filial obligation to his fatherland, they also conceptualized this as a conscious and calculated act that was consistent with individual self-interest. Citizens, according to this latter model, carry out duties for their democratic city because this benefits them as equal shareholders in it; they "give" to the city and "get" something in return for this.

Although this model of citizenship, which sought to harness individual self-interest for the common good, could be a powerful inducement to fulfill citizen obligations, the expectation of reciprocity between city and citizen that it fostered could prove problematic. When individuals felt that their personal self-interests were in danger and saw no reciprocal return for subordinating these to the public interest, they might feel justified in evading or falling short in their duties. Especially in hard times when the city's demands on its citizens were most acutely felt – and such times were not infrequent from the late-fifth century B.C. on, the temptation to hold back in performing civic obligations was strong. In good times as well as bad ones, however, Athenians often acted strategically to protect their interests and exercised shrewdness – which is intimately connected with personal

self-interest in a Hellenic context – in determining how or whether to comply with civic expectations. Utterly unscrupulous individuals were not alone in acting strategically in their citizenship; even Athenians who complied with the city's demands on them often did so with an eye to protecting and advancing their personal interests.

Because citizen compliance with civic obligations could not be taken for granted, the democracy developed a range of mechanisms, administrative and legal, to compel citizens to carry out their duties. The democratic city, however, was not entirely comfortable with compelling free citizens to do their civic duties; Athenians, unlike Spartans, preferred to elicit good citizenship and discourage its opposite more through persuasion and exhortation than through coercion and "fear of the laws." Although public discourse, which was fostered by a variety of democratic institutions, facilitated this in a variety of ways, its persistent exhortation to embrace good citizenship and reject its dark alternative attests to the ongoing challenge of selfish citizen behavior.

After situating bad citizenship in its democratic context in Athens, this study turns to consider specific forms of it, beginning with draft evasion (Chapter 2). While Athenian civic ideology often insisted that citizens were eager to serve the city in time of war, most hoplites were in fact conscripts. Whenever modern democracies have employed conscription, draft evasion has cropped up; this was also the case in democratic Athens. Frequent allusions to draft evasion in forensic oratory and comedy make it clear that it was familiar. Although it is impossible for us to know how widespread evasion was, it appears to have been a real temptation and possibility that evoked considerable social concern.

There were many reasons why Athenians might seek to evade hoplite service, not least of which was the desire to avoid the very real risks of injury and death that accompanied service. While some embraced these risks out of a sense of duty and honor, others preferred a long life without glory to a short life with it (cf. Hom. *Il.* 9.410–16). As ancient observers fully appreciated, men diverge widely in how much they are attracted to honor. Once we understand that Athenians, despite the martial bent of Hellenic culture, were not uniformly drawn to military service, we can see that draft evasion was a natural option for those who did not wish to serve.