CHAPTER I

Responding to oligarchy in Athens: an introduction

Just before the Great Dionysia of 409 BC, all the Athenians assembled by tribe and by deme swore an oath:

I shall kill both by word and by deed and by vote and by my own hand, if I can, anyone who overthrows the democracy at Athens, and if anyone holds office after the democracy has been overthrown in the future, and if anyone set himself up to be tyrant or if anyone helps to set up a tyrant. And if anyone else kills him, I shall consider him to be pure before both the gods and *daimones* (or spirits) because he killed an enemy of the Athenians, and, after selling all the property of the dead man, I shall give half to the killer and I shall not withhold anything. If anyone dies killing or attempting to kill such a man, I shall give benefits both to him and to his children just as to Harmodios and Aristogeiton and their descendants.¹

In taking this oath, the Athenians were adhering to the decree moved by their fellow citizen Demophantos. About seven years later, another Athenian named Theozotides moved another decree which rewarded the sons of 'as many of the Athenian[s] as, [co]mi[ng] to the aid of the democracy, d[ie]d a [v]iolent death in the oligarchy... on ac[coun]t of the g[o]od deeds of t[h]eir fat[hers] towards [t]h[e *dem]os* (or people) of the Ath[en]ian[s and of their b]rav[e]r[y]'.² These boys were to receive the same support from the city as the sons of the men who died in war and their names were listed below this decree when it was inscribed on a *stele* or stone slab. As these two texts show, the Athenians in the last decade of the fifth century BC were concerned enough about both the safety of the democracy and also the threat of oligarchy and tyranny to take unusual and unprecedented measures and to reward their fellow citizens in distinctly new ways. Why were they so focused on democracy and so apprehensive that it might be overthrown?

¹ Andok. 1.96–8. ² *SEG* xxv111 46.

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For the Athenians, the last decade or so of the fifth century was a particularly turbulent and tumultuous time: the great war with Sparta suddenly lost, peace imposed, Spartan interventions, democracy overthrown by oligarchs twice, in 411 and, with civil violence, in 404/3, less than ten years apart. Never before had the democracy been in such peril. The city, however, did not fall apart under the dual threats of internal dissent and external aggression, as her enemies might well have expected. Instead, she continued fighting the Peloponnesians in the years after 411, while, in the aftermath of the defeat in 404, she was fighting the Spartans again by 394 and she was able to acquire a second league of allies again as early as 377. While the events of 404/3 showed that oligarchy (and perhaps tyranny) remained a potential problem for the city, after 403, the democratic *politeia* or constitution was stable and not seriously threatened until the Macedonian conquest in 322 after the death of Alexander.³ The possibility of Spartan intervention to enforce the reconciliation made between factions in 403 and the subsequent changes to the city's constitution no doubt explain some of the reasons why Athens was able to regain power relatively quickly in the fourth century,⁴ but these political developments do not tell the whole story. As I shall argue, how the Athenians chose to respond to the oligarchic revolutions in 411 and 404/3 and to rebuild their fractured society was also a critical factor in the city's recovery.

Having endured oligarchy and civil strife or *stasis* in both 411 and 404/3, the Athenians faced the same problem in 410 and in 403: how should they collectively and individually reconstitute the city? That such a response was necessary in both cases stemmed from the oligarchs' appropriation of the city's political traditions and practices, her *politeia* or constitution and even her very spaces for their own purposes. In short, not only did the democracy need to be re-established, but the city also needed to be made visibly democratic again. As I shall argue, the processes and methods which the *demos* used after 411 and 404/3 were very similar, but, after the Thirty, the Athenians did not simply continue the responses to the Four Hundred and Five Thousand. Instead, they adapted and changed various aspects to suit the circumstances after the Thirty. Understanding the Athenians' decisions and efforts, consequently, requires the parallel examination of their responses to both periods of oligarchy. These collective actions took place in a larger setting of time and space and they were not confined to a few moments or months after the *demos* regained power. As the Athenians

⁴ Compare R. Osborne 2003: 266–7; Wolpert 2002b: 112; Todd 1985: 175–97; Phillips 2008: 147–9.

³ Habicht 1997: 40, 44-7 with further references.

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also demonstrated, democracy can successfully reconstitute itself after its very existence has been undermined, but the process is not accomplished easily or without dissent.

OLIGARCHY, DEMOCRACY, REVOLUTION AND REMEMBRANCE

To discuss the oligarchies of 411 and of 404/3 and the Athenians' responses to them in one study is to cut across one of the major divisions of the classical period: that the end of the Peloponnesian War in 404 should mark the end of the fifth century and the beginning of a new post-war era.⁵ The consequences of this division have been profound: the oligarchies of the Four Hundred and the Five Thousand in 411 and probably early 410 are regularly separated from the oligarchy of the Thirty in 404/3. In terms of understanding how the Athenians responded to these oligarchies, a relatively recent scholarly focus, the traditional periodisation has meant that the Athenians' (re)actions have also been divided from each other.⁶ Indeed, the effects of the division extend further because the responses to the events of 411 have not been considered.⁷ All existing scholarship has focused on the ways in which the Athenians responded to the events in 404/3.

Of these studies on the responses to the Thirty, Nicole Loraux's essays and articles gathered together in 1997 to form *La cité divisée: l'oubli dans la mémoire d'Athènes* serves as an important starting point.⁸ In a wideranging book, she addresses issues of remembering, forgetting, erasure and *stasis* in the democratic city. In terms of the Athenians, her focus is the reconciliation agreement made in 403 between the men of the city and the men of the Peiraieus, particularly its clause *me mnesikakein*, not to remember past wrongs, that is the misdeeds committed under the Thirty. For Loraux, this clause was intended to restore undisrupted continuity with the past, hence both the erasure and the construction of the past. The victory of the democrats was publicly remembered in circumscribed ways which erased the Thirty from existence and forgot that they were legitimate magistrates. Although Loraux places this particular clause of the

⁵ See e.g. Lewis, Boardman, Davies and Ostwald 1992 and Lewis, Boardman, Hornblower and Ostwald 1994.

⁶ For obvious reasons, Shear 2007a, which grew out of the project for this book, remains an exception.

⁷ Again, for obvious reasons, Shear 2007b, which grew out of the project for this book, remains an exception.

⁸ Her book has been translated into English as *The Divided City* and it will be cited in this edition (Loraux 2002).

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reconciliation agreement in the more general context of remembering and forgetting in Greek culture in the period between the Iliad and Odyssey and the third-century reconciliation agreement of Nakone in Sicily, she is not interested in the relationship of the injunction me mnesikakein to the rest of the agreement or in this document's larger context of the Athenians' response to the Thirty. Her study's most significant contribution lies in its emphasis on the importance and consequences of remembering and forgetting and Loraux clearly brings out the ways in which these strategies inevitably work together.

Her influence is evident in Andrew Wolpert's book Remembering Defeat: Civil War and Civic Memory in Ancient Athens published in 2002. He focuses on how the Athenians 'confronted the troubling memories of defeat and civil war and how they reconciled themselves to an agreement that allowed past crimes to go unpunished'.⁹ The arena for this investigation is 'civic discourse', by which Wolpert means speeches given in a public setting, such as the lawcourts, the ekklesia or assembly, or the commemoration of the war-dead, to a large mass of the Athenians in the period between 403 and about 377. This book is fundamentally a study of selected speeches written by Lysias and other speechwriters and given by individual men who were wealthy enough to commission them, but it does not focus on the ways in which these documents are part of a larger response to the Thirty.¹⁰ Nor does it consider how a particular speech interacts with its specific public setting. Studying the legal speeches leads inevitably to the question of whether the Athenians obeyed the injunction not to remember past wrongs, but Wolpert does not concentrate on the legal dimensions of this issue. This focus on speeches, the individual and adherence to the reconciliation agreement also marks both Stephen Todd's doctoral thesis on Athenian internal politics between 403 and 395 and Thomas Loening's study of the reconciliation agreement." These two projects particularly consider how the agreement was put into practice, especially in the courts, and Todd also stresses the important role played by the Spartan king Pausanias and the Athenians' fear of Spartan intervention in the years after 403.¹² Explaining the success of the agreement is the project as well of a pair of articles by James Quillin and Wolpert.¹³ Collectively, this scholarship focuses on the contemporary literature and particularly on the speeches of the orators. As such, it concentrates on individual men and their particular

¹⁰ Compare also the similar focus of Wolpert 2002b: 117–24. 27. ¹² See above note 4. ⁹ Wolpert 2002a: xii.

¹¹ Todd 1985; Loening 1987.

¹³ Quillin 2002: 71–105; Wolpert 2002b: 109–24.

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decisions which are not put in the larger context of Athens after the Thirty or the city's collective actions. That reconciliation is an on-going process which must be repeatedly constructed both individually and collectively is also not brought out by these studies.¹⁴

Since the revolutions of 411 and 404/3 were important political events, discussion of them appears regularly in studies of the political and social history of the period. In keeping with their different goals, these studies do not concern themselves with the Athenians' reactions to these significant events. In addition, political and military histories usually obey the traditional divisions between periods so that the two revolutions are separated from each other by the end of the Peloponnesian War.¹⁵ For constitutional historians, the changes to the city's *politeia* in 403 often serve as a culmination, but their work is primarily concerned with the political system and they do not discuss events after 403.¹⁶ With their focus on the political and the military, these studies are not interested in other types of history. In addition, they have a strong tendency to treat epigraphical evidence simply as texts on pages, rather than as monuments in their own right.¹⁷

The events surrounding the Four Hundred and the Thirty also make regular appearances in more specialised literature. Discussions of the reorganisation of the city's laws, for example, frequently refer to these oligarchs and the restoration of the democrats, but they do not look far beyond the collection and arrangement of the laws.¹⁸ Either or both revolutions have also been invoked to explain archaeological remains. Rhys Townsend, for example, associates construction of the first permanent facilities for courts in the Agora with the events of 411 and 404/3 and the reorganisation of the laws, but he suggest no further connections.¹⁹ Discussions of the reconstruction of the New Bouleuterion in the Agora make use of the evidence provided by Theramenes' trial by the Thirty, but, as with the buildings for the courts, the structure is not put into any larger context.²⁰ In the archaeological and architectural studies, there is also a very strong tendency to

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¹⁴ Despite Wolpert's comments, he does not demonstrate how these dynamics work; Wolpert 2002a: 138.

¹⁵ See e.g. Kagan 1987; Strauss 1987; Krentz 1982; Lewis, Boardman, Davies and Ostwald 1992; Lewis, Boardman, Hornblower and Ostwald 1994.

¹⁶ See e.g. Hignett 1952; Ostwald 1986.

¹⁷ See e.g. Krentz 1982: 111–13 on *SEG* xxvIII 45, 46 and RO 4; Kagan 1987: 254, 256–7 on *IG* 1³ 102, 104, 105 and the decree of Demophantos (Andokides 1.96–8).

¹⁸ E.g. Lambert 2002a: 354; Sickinger 1999b: 94–105; Todd 1993: 116–17, 120, 123–31; P. J. Rhodes 1991: 93–5, 99–100; Fingarette 1971: 332–5; Dow 1960: 291–2; Harrison 1955: 31.

¹⁹ Townsend 1995: 44–5. As we shall see in chapter 9, the structures belong after 403; so also Shear 2007a: 103–4.

²⁰ Shear, Jr 1995: 178–80, 184–5; Roux 1976: 476–83.

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discuss buildings and monuments individually without any reference to their surroundings so that they appear to float alone in undifferentiated space.²¹

As this brief survey makes clear, scholars have focused on the Athenians' responses to the events of 404/3 in contemporary literature and the legal sphere, but these discussions proceed as if the earlier responses to the oligarchies of 411 were irrelevant. Otherwise, these events are invoked in more general discussions of political, military and constitutional history or in more specialist studies. There is no consideration of the Athenians' overall responses to these oligarchies nor how they were instantiated in the city's material culture. Focusing only on the individual does not allow us to see the city's collective responses which created a culture requiring individual reactions. Inevitably, these public and collective actions shaped and affected the individual responses. That the Athenians need not have responded to the events of 411 and 404/3 is suggested by comparing the differing responses of Germany and Japan to the Second World War: in Germany, there has been significant discussion about the events which took place and the responsibility for them; in contrast, such dialogues have not taken place in Japan. The very different actions of these two countries have, in turn, affected their relationships with their neighbours so that Germany is much more integrated regionally than Japan is. In South Africa, the work of the Truth and Reconciliation Commission facilitated both individual and collective responses to apartheid and the damage which it caused; these efforts have been instrumental in rebuilding the country's civil society and reintegrating its formerly divided peoples. In contrast, in the area of former Yugoslavia, reconciliation and dialogues about past events have not taken place and tensions remain high between the different (ethnic) factions. These twentieth-century examples bring out the importance of responding both individually and collectively to traumatic events because the processes require both individuals and social groups to negotiate and to come to terms with the past.

MEMORY, MEMORIALISATION AND RITUAL: SOME APPROACHES

These processes of response and negotiation are fundamentally about the creation of collective and individual memories and they require both remembering and forgetting on the part of those involved. Memory is complex and works on different levels, as the extensive scholarship on

²¹ See e.g. Camp and Kroll 2001: 127–62.

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memory studies regularly brings out. Scholars frequently oppose individual memory with collective or social memory, even though individuals always remember as social beings within social contexts.²² From our perspective, individual memory is easily identified: the ways in which one individual, for example the speaker of a speech, recalls past events. Collective or social memory, in contrast, is the memory of groups of individuals, who share their individual memories together so that 'a society's memory... might be regarded as an aggregate collection of its members' many, often competing, memories'.23 Remembering is, therefore, a social activity and plays an important role in the functioning of groups.²⁴ This process also 'identifies the group, giving it a sense of its past and defining its aspirations for the future'.²⁵ Collective memory may be seen in the ways in which groups record and/or commemorate the past in public documents or monuments; for the Athenians, obvious examples include honorary decrees and monuments celebrating victory in battle. These memories, however, are not the final product, but a process and, as such, they are malleable and subject to (re)interpretation and (re)use.²⁶ Memory's fluidity can also lead to forgetting. The two processes are intimately linked so that each one can constitute the inverse of the other.²⁷ The possibility of forgetting also leads to specific injunctions to remember not to forget.²⁸ Consequently, we cannot discuss remembering without considering forgetting and these two processes constantly pose a choice: do individuals, do groups, choose to remember or to forget? And what aspects of the past will they choose to

- ²² Individual vs collective/social memory: e.g. Fentress and Wickham 1992: ix–x; Olick and Robbins 1998: 111; Alcock 2002: 15; Young 1993: xi–xii; Geary 1994b: 10–12; Olick 1999b: 345; Cubitt 2007: 14. Individual in society: Cubitt 2007: 73–4, 118–25, 141; Olick 1999b: 346.
- ²³ Quotation: Young 1993: xi. Collective/social memory: Fentress and Wickham 1992: ix–x, 25; Young 1993: xi, 6; Cubitt 2007: 10–20; Olick 1999b: 333–48; cf. Olick and Robbins 1998: 111–12. Assmann's term 'cultural memory' seems too broad and inclusive to be especially useful; Assmann 1995; Assmann 2006: 24–30. For helpful introductions to collective or social memory, see Cubitt 2007; Fentress and Wickham 1992; Olick and Robbins 1998; Alcock 2002: 1–35; Nora 1989 with Wood 1994. Let the reader be warned: the topic is vast.
- ²⁴ Cubitt 2007: 118–21, 125–32, 166–7, 170; Olick 1999b: 342–3, 346; Sherman 1994: 186. The emphasis on the group goes back to Halbwachs; e.g. Halbwachs 1992: 38–40, 182–3; Olick 1999b: 334–5; Cubitt 2007: 158–65.
- ²⁵ Fentress and Wickham 1992: 25; see also Cubitt 2007: 132–40, 222–3 with further references.
- ²⁶ Memory as process: e.g. Olick and Robbins 1998: 122; Fentress and Wickham 1992: x; Cubitt 2007: 16, 18. Malleability: Young 1993: x, 2; Fentress and Wickham 1992: 29; Alcock 2002: 17; Cubitt 2007: 158–9, 202–3, 214.
- ²⁷ On forgetting, see e.g. Fentress and Wickham 1992: 39–40; Cubitt 2007: 52–5, 75–7, 223–4; Geary 1994b; Loraux 2002.
- ²⁸ As for example in Deuteronomy 25: 17–19: the people of Israel are told 'remember what Amalek [the Amalekites] did to you on the way as you came out of Egypt [Exodus 17: 8–15]... in the land which the Lord your God gives you for an inheritance to possess, you shall blot out the remembrance of Amalek from under heaven; you shall not forget'.

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commit to memory²²⁹ Such decisions have important consequences as Patrick Geary's discussion of the reconstruction of the past in eleventhcentury Europe makes clear: these processes completely shaped how we, as historians, have understood early medieval Europe.³⁰ As Geary also shows, there need be no clear divide between oral and literate when it comes to discussing memory and its construction, despite scholarly tendencies to impose such a division.³¹ The kinds of memory processes which we are discussing, consequently, do not require a literate society. Nevertheless, writing is regularly understood by scholars as an important technology which enables and preserves memory.³²

If texts provide one important vehicle for creating memory, public monuments provide another equally important venue. Their virtue lies in their very nature as commemorative structures set up in public spaces which are used by different groups in various ways. As such, they create shared public space in which different groups of people create a common past for themselves.³³ By themselves and in isolation, however, such structures remain simply masses of stone or metal devoid of meaning.³⁴ On their own, they also do not remember: 'by themselves memorials remain inert and amnesiac... For their memory, these memorials depend completely on the visitor. Only we can animate the stone figures and fill the empty spaces of the memorial, and only then can monuments be said to remember anything at all'.³⁵ Memory, accordingly, is created by the interaction between commemorative structures and viewers and those memories function both at the level of the individual and of the collective group. As inanimate objects, finished monuments normally ignore their own history, the processes by which they were brought into being, and so they are doubly amnesiac.³⁶ Texts on such structures usually do not indicate why they were created and the words merely record what is being commemorated. As we

²⁹ As Appadurai has shown, the past is a finite, not limitless, resource; Appadurai 1981.

³⁰ Geary 1994b. On the relationship(s) of history and memory, see Cubitt 2007: 26–65 with further references, and Le Goff 1992: 51–99. Cubitt stresses the inherent tensions between history and memory, while Le Goff sees memory as 'one of the bases of history'; Le Goff 1992: 212.

³¹ On the divide, see Fentress and Wickham 1992: 44–6, 96–7; Geary 1994b: 12–15; and Cubitt 2007: 182–4, 188, all with further references.

³² E.g. Cubitt 2007: 144–6, 182–4, 188–92; Le Goff 1992: 58–62, 65–75, 81–5, 90–7; Assmann 2006: 21, 41–3, 63–87, 97–100; Appadurai 1981; Fentress and Wickham 1992: 8–11; Olick 1999b: 344–5; Sivan 1999.

³³ Young 1993: 6–7; cf. Savage 1994: 130–1. ³⁴ Young 1993: 2.

³⁵ Young 1994: 38; cf. Young 1993: xiii, 97, 119, 156; Young 2000: 62. Note also: 'stories introduce a temporal dimension, making sites the markers of experiences of groups...not just markers of space'; Bruner 1984a: 5.

³⁶ Young 1993: 14; cf. Savage 1994: 140–1.

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shall see, however, some monuments, notably inscribed Athenian decrees and laws, do not follow these rules and they do refer to the circumstances which brought them into being. Acknowledging their origin complicates both the ways in which these structures function to create memory and the ways in which viewers and readers interact with them.

Commemorative monuments also belong in larger spatial settings. In such a space, the structure 'becomes a point of reference amid other parts of the landscape, one node among others in a topographical matrix that orients the rememberer and creates meaning in both the land and our recollections'.³⁷ In this topography, commemorative structures are juxtaposed with each other so that they interact not only with their viewers, but also with each other. These multiple interactions add both depth and complexity to the memories created. There is also a layering effect as new monuments are added to the topography.³⁸ These different strata endow the structures with histories which, by their very nature, they would otherwise lack. The different layers may reinforce each other or they may create conflicts between the different earlier and later phases; these strategies either increase and deepen the memories created or they change them and so also the dynamics of the monument(s). If commemorative structures are places for remembering, they are also locations for forgetting and subject to the consequences of that process.

If monuments in and of themselves cannot remember and they must rely on interactions with viewers, then we must ask exactly how this memory process works at the level of the collective group. A monument may, like the Vietnam Veterans Memorial in Washington, DC, work primarily at the level of the individual. Individually, visitors touch the names on the black granite walls and leave their offerings which serve to tell their different stories.³⁹ As the repeated themes in these individual stories show, the structure is experienced by visitors in similar ways as a place of mourning, healing and connection with the individuals represented by the specific names;⁴⁰ they then leave with common memories experienced individually. Since, however, public monuments create shared public space, they must also be animated by and create memories for the collective group. In this

³⁷ Young 1993: 7; cf. Bruner 1984a: 4; Bruner and Gorfain 1984: 72; Leach 1984: 357–8; Savage 1994: 130–1; Sherman 2001: 220.

³⁸ For some examples, see Ma 2005; Lahiri 2003: 42–58; Hung 1991; Saunders 2003: 12; Young 1993: 104–12; cf. Savage 1994: 143; Rainbird 2003: 25–32.

³⁹ For visitors' dynamics, see Berdahl 1994: 88–111. For helpful introductions to the memorial, see Wagner-Pacifici and Schwartz 1991 with further references; Sturken 1991. Touching the names is not unique to this structure; for parallels after the First World War, see Winter 1995: 113.

⁴⁰ For some examples, see Berdahl 1994: 94–105.

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fundamentally social interaction, the group must share or talk about its narratives because remembering is 'closely linked to communication'.⁴¹ For such a process to be effective, there must be order and not the cacophony of many individuals speaking at once. That order is created through ritual, whether secular or sacred. At the same time, ritual makes remembering in common possible.⁴² The repetition of the ritual implies continuity with the past and this relationship is made explicit when commemorative ceremonies re-enact a narrative of past events.⁴³ Consisting of an ordered series of speech acts, these rituals are also performative.⁴⁴ To carry out the ceremonies, accordingly, is to re-enact the past,⁴⁵ even if that re-enactment does not exactly replicate the original event. Furthermore, remembering together as a group creates a shared memory and, when this remembering is done as part of a ritual, it creates a memory both of the act of remembering and of the event being remembered.⁴⁶ In these ways, rituals create memories of the groups' past(s) which would otherwise not be available for the participants and, therefore, participation in these activities is extremely important.⁴⁷ These actions also present the group to itself and so create and disseminate its shared values.48 Together with the commemoration and remembrance of important moments in the group's past, these shared values help to create an identity for the group which is both presented and reinforced by the rituals.⁴⁹ Since all members of the group share this process, the memory created is a 'national' one which is instantiated both in rituals and in commemorative monuments.⁵⁰ When this group is larger than a face-to-face society, these processes help to create an 'imagined community', such as the modern nation-state, which can only be perceived vicariously, rather than through personal experience, because of its size.⁵¹

⁴¹ Cubitt 2007: 129 with 127, 179; cf. Fentress and Wickham 1992: ix–x; Young 1993: 6–7.

- ⁴³ Connerton 1989: 45. ⁴⁴ Connerton 1989: 58–61.
- ⁴⁵ Connerton 1989: 61–71; Cubitt 2007: 181; Assmann 2006: 10–11.
- ⁴⁶ Young 1993: 6–7; cf. Cubitt 2007: 220–1; Olick 1999a: 382, 397.

⁴⁷ Participation: Cubitt 2007: 220. For further discussion of the role(s) of ritual in creating memory, see e.g. Cressy 1992; Young 1993: 263–81; Cressy 1994; Geary 1994a: 77–92; Hedrick, Jr 2000b: 89–91, 101, 106–7, 126–30, 220–41, and cf. 113–26; Sherman 2001: 261–308; Elsner 2003: 222–5; Olick 1999a; Cubitt 2007: 181, 219–21. For ancient Greece, see *Agora* XVI 114.19–24 (sacrifice as memorial) and *IG* II² 657.43–5 and 680 (games as memorial).

⁴⁸ Connerton 1989: 49–50; Cubitt 2007: 181.

⁴⁹ Compare Young 1993: 6–7; Connerton 1989: 70–1; Cubitt 2007: 222–5. For the link between national identity and memory, see the helpful papers in Gillis 1994 and also Olick and Robbins 1998: 124–6.

⁵⁰ Young 1993: 6, 280–1.

⁴² Connerton 1989: 39–40; Cubitt 2007: 166–7, 181. Cubitt notes that ritual is not required for groups to remember their past; Cubitt 2007: 167.

⁵¹ For the 'imagined community', see B. Anderson 2006 and especially 5–7 for a definition of the term. For Anderson, imagined communities are the products of modern nationalism which is made