

KRATOS AND OTHER FORMS OF POWER  
IN THE TWO CONSTITUTIONS OF THE ATHENIANS

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*Abstract.* What did *kratos* imply in the classical democratic context? Focusing on the two *Constitutions of the Athenians* traditionally attributed to Xenophon and Aristotle respectively, this article explores differences among *kratos* and three proximate terms: *archē* (*de facto* governance or magistracy), *kuros* (authority, perceived as legitimate), and *dēmagōgia* (leadership). With Benveniste and Loraux, it argues that *kratos* specifically signalled ‘superiority’ or ‘predominance’, as revealed in combat or other form of contest. *Dēmokratia* thereby connoted the forceful predominance of the *dēmos* (‘assembly’, ‘collective common people’) over the rest of the community, including office-holders (*archontes*, *archai*) and political leaders (*dēmagōgoi*). The association of *kratos* with force directs attention to the martial underpinnings of classical demotic authority, incidentally highlighting a weakness in modern democracy: the *dēmos*’s lack of *kratos* over the political elite when that elite controls military and police power.

*Keywords.* Ancient Greek democracy, *dēmos*, *kratos*, power, Aristotle, Xenophon

Several ancient Greek terms suggested ‘rule’, ‘power’, or ‘force’—notably, *kratos*, *archē*, *kuros*, *dunamis*, *exousia*, *ischus*, and *bia*. Among those, *kratos* and *archē* stand out for their use in regime names that persist in scarcely altered forms today (democracy, oligarchy), while *kratos*, often glossed ‘power’ or ‘rule’,<sup>1</sup> is of special interest for its association with *dēmos* (conventionally translated ‘people’; more precisely, ‘assembly’ or ‘collective common people’, or so I have argued).<sup>2</sup> What did *kratos* imply?

Criticizing the then-prevailing interpretation of Homeric *kratos* as ‘force, power’ as too general, Emile Benveniste argued that it specifically signalled “‘superiority,’ whether in battle or in the assembly’: being “‘without equal,” especially in combat’.<sup>3</sup> From that, a related meaning arose: the ‘power (of authority)’ manifested by the superior.<sup>4</sup> Nicole Loraux, canvassing evidence down to the fourth century, agreed: ‘throughout its history *kratos* always designates superiority and thus victory... To have *kratos* is to have the upper hand’.<sup>5</sup>

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<sup>1</sup> For example, see P. Cartledge, *Ancient Greek Political Thought in Practice* (Cambridge: Cambridge University Press, 2009), pp. 6, 62, 74; M.I. Finley, *Democracy Ancient and Modern* (New Brunswick: Rutgers University Press, 1985), p. 12; J.A.O. Larsen, ‘Demokratia’, *Classical Philology*, 68 (1973), pp. 45–6, p. 46; P.J. Rhodes, *Ancient Democracy and Modern Ideology* (London: Duckworth, 2003), pp. 18–19.

<sup>2</sup> D. Cammack, ‘The *Dēmos* in *Dēmokratia*’, *Classical Quarterly*, 69 (2019), pp. 42–61. On the relationship between *dēmos* and *polis* (‘entire citizenry’), see D. Cammack, ‘Representation in Ancient Greek Democracy’, *History of Political Thought* 42 (2021), pp. 567–601.

<sup>3</sup> E. Benveniste, *Dictionary of Indo-European Concepts and Society* (Chicago: Hau, 2017 [1973]), pp. 361–71, quoted text at p. 361.

<sup>4</sup> Benveniste, *Dictionary*, p. 366. Benveniste distinguishes these meanings from a second group proceeding from the physical notion of ‘hard’; against that distinction, see G. Nagy, *Best of the Achaeans* (Cambridge, MA: Harvard University Press, 2<sup>nd</sup> ed. 1999), p. 86, §31 with n. 4.

<sup>5</sup> N. Loraux, *The Divided City: On Memory and Forgetting in Ancient Athens* (Zone Books: New York, 2001), pp. 68–69, with citations. See also P. Low, ‘Looking for the Language of Athenian

Against that position, Josiah Ober—who has paid close attention to the meanings of *dēmokratia* in general<sup>6</sup> and *kratos* in particular<sup>7</sup>—has argued that superiority was not implied when *krat-* became used as a regime suffix. Arguing by analogy with *isonomia* (‘equal-law’), *isēgoria* (‘equal-public-address’) and *isomoiria* (‘equal-shares’), Ober finds that *isokratia* meant ‘equal access to the public good of *kratos*—to public power that conduces to the common good by enabling good things to happen in the public realm’. From that, he deduces that *krat-* meant ‘power in the sense of strength, enablement, or “capacity to do things”’.<sup>8</sup> *Dēmokratia* thereby indicated a citizenry’s ‘collective capacity to do things in the public realm, to make things happen’.<sup>9</sup> And since, on that interpretation, *dēmokratia* advanced the collective capacity of *all* citizens, Ober makes the analytically and ideologically significant move of distinguishing *dēmokratia* from ‘majority rule’ or, as he also puts it, ‘majoritarian tyranny’.<sup>10</sup>

An alternative reading of Ober’s sources suggests an essential continuity between Homeric and classical *kratos*, bringing the distinction between more and less powerful parties back into play and indirectly helping to preserve the interpretation of democracy as rule by a majority or mass (*plēthos*) over the rest.<sup>11</sup> *Krat-* compounds invariably suggested opposing forces. The *iso-* prefix implied that those forces were equally balanced,<sup>12</sup> but where *iso-* was lacking, an unequal balance of forces was implied. *Gunaikokratia* was associated with the predominance of women over men, not women’s capacity to do things: ‘During [the Spartan] empire [*archē*] many things were managed by women; yet what difference does it make whether the women govern [*archein*] or whether the governors [*archontes*] are governed [*archesthai*] by women? The result is the same’ (Arist. *Pol.* 1269b31-35; cf. 1313b33). Similarly, *aristokratia* implied the

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Imperialism’, *Journal of Hellenic Studies* 125 (2005), pp. 93-111, at p. 96; R. Lauriola, “‘Democracy’ and Aristophanes: A Terminological Approach,” *Polis*, 34 (2017), pp. 336-65.

<sup>6</sup> J. Ober, *Mass and Elite in Democratic Athens* (Princeton: Princeton University Press, 1989); J. Ober, *The Athenian Revolution* (Princeton: Princeton University Press, 1996); J. Ober, *Political Dissent in Democratic Athens* (Princeton: Princeton University Press, 1998).

<sup>7</sup> J. Ober, ‘The Original Meaning of *Dēmokratia*: Capacity to Do Things, Not Majority Rule’, *Constellations* 15 (2008), pp. 3-9; J. Ober, *Demopolis: Democracy before Liberalism in Theory and Practice* (Cambridge: Cambridge University Press, 2017).

<sup>8</sup> Ober, ‘Original Meaning’, p. 6. Cf. Ober, *Demopolis*, p. 25.

<sup>9</sup> Ober, ‘Original Meaning’, p. 7. Cf. Ober, *Demopolis*, p. 29.

<sup>10</sup> Ober ‘Original Meaning’, p. 3; Ober, *Demopolis*, p. 22.

<sup>11</sup> Another forceful challenge to the interpretation of *dēmokratia* as majority rule has recently been made by Mirko Canevaro, who builds on Hellenistic evidence to argue that classical Greek *dēmokratia* was based on consensus rather than majority rule, or the predominance of one group over another (M. Canevaro, ‘Majority Rule vs Consensus: The Practice of Democratic Deliberation in the Greek *Poleis*’, in M. Canevaro, A. Erskine, B. Gray and J. Ober, *Ancient Greek History and Contemporary Social Science* (Edinburgh: Edinburgh University Press, 2018), pp. 101-156)). I contest Canevaro’s representation of the relationship between majoritarianism and consensus in ‘Why Popular Participation? Collective Action, Majoritarianism and Solidarity in Archaic Greece’, in T. Oppeneer and A. Zuiderhoek, *Popular Participation Beyond Athens* (under contract, Bloomsbury Press).

<sup>12</sup> Hdt. 4.26, women ruling equally (*isokratees*) with men; Hdt. 5.92A, *isokratia* contrasted with tyranny; Galen, *Hist. Phil.* 126, *isokrateia* as equilibrium or equivalence; Zeno 1.27, ‘evenly balanced’; Hipp. *Morb.* 2.42, wine mixed half and half with water; Arist. *Prob.* 942b37, the equinox an even balance between winter and summer.

predominance of the best and *timokratia* the predominance of either honour or those who possessed a certain property-qualification.<sup>13</sup> In every case, *krat-* suggested not ‘capacity’—which anyway better translates ancient Greek *dunamis*—but a power differential between two forces, one of which prevailed over the other.<sup>14</sup>

Attestations of *krateō* support that interpretation. Perhaps the earliest non-Homeric use, the Delphic commandment *hēdonēs kratein*, implies ‘put pleasure in its place’.<sup>15</sup> In Aeschylus’ *Suppliants*, *krateō* represents both the power of the sons of Aegyptus over the suppliant maidens (387, 393) and that of the prevailing majority over the losing side in a vote of the assembly (605). In Euripides’ *Suppliants*, it indicates those victorious in battle (18, 684). A fragment of Cratinus describes the rule (*archē*) of a tyrant being dissolved when the *dēmos kratei*, ‘prevails’,<sup>16</sup> while Isocrates used *krateō* to refer to the Athenian *dēmos*’s return to power after the rule of the Thirty (*Call.* 18.17; cf. 18.62). In Thucydides, *krateō* suggests military victory some 150 times<sup>17</sup> (including three cases of a *dēmos* triumphing over its enemies),<sup>18</sup> while non-military uses also show one force prevailing over another.<sup>19</sup> One such example, from the second debate on the Mytilenaeans, recalls the assembly scene in Aeschylus’ *Suppliants*, noted above. Once Cleon and Diodotus had spoken, the Athenians ‘were at odds [*es agōna*] what they should decree, and at the show of hands were almost equal, but the position of Diodotus prevailed [*ekratēse*]’ (Thuc. 3.49.1). *Pace* Ober, *krat-* could indeed indicate majority rule: the power of even a slim majority to determine the course of events, precisely because it outnumbered the rest.<sup>20</sup>

<sup>13</sup> Arist. *Pol.* 1279a35; Plat. *Rep.* 8.545b-c, Arist. *Pol.* 1293b1, *NE* 1160a36, b17. For a valuable reinterpretation of the Aristotelian definition, see J. Mulhern, ‘*Timēma* in Aristotle’s *Politics*’, paper presented at the Northeastern Political Science Association annual meeting, Philadelphia PA, 2017.

<sup>14</sup> Ober, *Demopolis*, p. 27, n. 4, acknowledges that he ‘cannot positively eliminate’ the counterposition that in each case, what is being asserted is ‘the defining characteristic (excellent, female, honorable, equal to one another) of the group that rules by dominance over others’. However, he deems this less likely ‘in light of the positive connotations of the relevant terms (with the possible exception of *gunaikokratia*) and the general Greek disapproval of brute dominance of rulers over potential rulers (free, native males as opposed to e.g. slaves).’ In my view, Ober interprets ‘dominance’ more negatively than is warranted. *Tyrannis* was an extreme case, but dominance in athletic competitions and war was admired by the ancient Greeks and politics resembled those spheres. Cf. Loraux, *Divided City*, p. 21; N. Fisher and H. van Wees (eds.), *Competition in the Ancient World* (Swansea: University of Wales Press, 2017); D. Pritchard, *Athenian Democracy at War* (Cambridge: Cambridge University Press, 2019), pp. 180-218, cf. 224 (*pankratōn*). Note, also, Arist. *Pol.* 1255a15: ‘virtue [*aretē*] when it obtains resources has in fact very great power to use force [*biazesthai*] and the stronger party [*to kratoun*] always exceeds in something good’.

<sup>15</sup> Septem Sapientes, Fr. 1.6. H. Diels and W. Kranz, *Die Fragmente der Vorsokratiker* (Berlin: Weidmann, 1951), pp. 63-66. Retrieved from: <http://stephanus.tlg.uci.edu/Iris/Cite?1667:002:0>

<sup>16</sup> Cratinus, Fr. 73.22. C. Austin, *Comicorum Graecorum fragmenta in papyris reperta* (Berlin: De Gruyter, 1973), pp. 34-40. Retrieved from: <http://stephanus.tlg.uci.edu/Iris/Cite?0434:004:2792>

<sup>17</sup> For example, Thuc. 1.4, Minos mastered (*ekratēse*) most of the sea; 1.11, with supplies, the Greeks would have defeated (*kratountes*) the Trojans; 2.3, the Plateans could easily overpower (*kratēsen*) the Thebans, and so on.

<sup>18</sup> Thuc. 3.47.3, 3.74.2, 3.74.3. Cf. Xen. *Hell.* 4.8.20.5, 4.8.22.6, 6.5.7.3, 7.3.4.4.

<sup>19</sup> Thuc. 1.71.3, 3.84, 4.62, 8.76.

<sup>20</sup> Discussed by Loraux, *Divided City*, pp. 21-23, 69, 99-100; see also N. Loraux, ‘La majorité, le tout et la moitié: sur l’arithmétique athénienne du vote’, *Le genre humain* 22 (1990), pp. 89-110. On majority voting as a possible substitute for fighting, see further G. Glotz, *La Cité Grecque* (Paris,

The foregoing evidence suggests that Benveniste and Loraux were right. In Loraux's words, *kratos* signalled 'superiority and thus victory'.<sup>21</sup> This article confirms that view and develops its implications for our understanding of *demokratia* by examining the language of power deployed within the two *Constitutions of the Athenians* traditionally attributed to Xenophon and Aristotle respectively.<sup>22</sup> While I draw on other authors in passing, focusing attention in this way allows the relations among key terms to be scrutinized within a relatively brief textual compass and without worrying too much about varying historical or rhetorical contexts, thereby bringing convergences and divergences in usage sharply into view. The two *Constitutions* are particularly valuable as our only targeted expositions of the Athenian political system. Their separation by a century conveniently allows consideration across the Classical period,<sup>23</sup> and there seems no reason to suppose that either author's political vocabulary was idiosyncratic (something that cannot be said about, say, Plato).<sup>24</sup> Perhaps most useful, the fact that much of the Aristotelian text is a historical account presents opportunities for the lexical analysis developed here to be tested against events in potentially enlightening ways.

The comparative lexical analysis that follows suggests a typology of political power that may illuminate not only ancient but also modern democratic politics. *Kratos* implied 'superiority' or 'predominance', as revealed through combat or other form of contest; *archē*, *de facto* 'governance' or 'magistracy', not necessarily regarded as legitimate (as revealed by the usage 'empire'); *kuros*, 'authority', regarded as legitimate; and finally—not a traditional 'power' concept but highly significant within *dēmokratia* nevertheless—*dēmagōgia*, 'popular leadership'.<sup>25</sup> Among those terms, *krat-*, *arch-* and *kur-* could each imply 'rule', albeit on different grounds. *Krat-* connoted rule based on martial superiority, *arch-*

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1928), p. 65; J.A.O. Larsen, 'The Origin and Significance of the Counting of Votes', *Classical Philology* 44 (1949), pp. 164-181. Other valuable discussions of majoritarianism include G.E.M. de Ste. Croix, *Origins of the Peloponnesian War* (Duckworth: Bristol, 1972), pp. 348-9; E. Flaig, *Die Mehrheitsentscheidung: Entstehung und kulturelle Dynamik* (Paderborn: Schöningh, 2012); D. Graeber, *The Democracy Project* (London: Spiegel and Grau, 2013); M. Schwartzberg, *Counting the Many: The Origins and Limits of Supermajority Rule* (Cambridge: Cambridge University Press, 2013); R. Tuck, *Active and Passive Citizens* (Princeton: Princeton University Press, forthcoming). For a related argument attributing both higher levels of public disorder and the lesser likelihood that violence would escalate into deadly force and *stasis* to democratic political processes, see M. Simonton, 'Stability and Violence in Classical Greek Democracies and Oligarchies', *Classical Antiquity*, 36 (2017), pp. 52-103.

<sup>21</sup> Loraux, *Divided City*, p. 69. See too, now, J. Maguire, 'The Power of the People: the Meaning of *Kratos* in *Dēmokratia*', *Open Research Europe* 2021 1:56.

<sup>22</sup> The authorship of these texts will not affect my argument. For discussion, see J.L. Marr and P.J. Rhodes, *The Old Oligarch: The Constitution of the Athenians Attributed to Xenophon* (Oxford: Aris and Phillips, 2008), pp. 6-12; P.J. Rhodes, *A Commentary on the Aristotelian Athēnaiōn Politeia* (Oxford: Clarendon Press, 1993), pp. 61-63.

<sup>23</sup> I follow Marr and Rhodes, *Old Oligarch*, pp. 3-6, in dating the Xenophontic text 425-24.

<sup>24</sup> D. Cammack, 'Plato and Athenian Justice', *History of Political Thought*, 36 (2015), pp. 611-642.

<sup>25</sup> I offer this heavily Latinate selection with some trepidation, having been criticized for it by John Wallach, among others. Nonetheless, I think these terms are reasonable approximations of the ancient Greek terms given modern English usage. Cf. *LSJ*, with which, however, I do not entirely coincide.

rule based on formal office-holding or informal control, and *kur-* rule based on the perception of legitimate authority. Yet, what was gained by *kratos* could easily become *kurios*, ‘authoritative’—arguably, *had* to become such if the primacy of the victors was to be maintained over time. On that point, I part company with Loraux, who felt that the relative absence of *krat-* terminology in classical Athenian civic discourse—especially following the toppling of the oligarchical council later known as the Thirty ‘Tyrants’ in 404/3—indicated a repressive ‘forgetting’ of *kratos*: in its desire to bury the trauma of conflict and civil war, the victorious Athenian *dēmos* had driven the violent underpinnings of *dēmokratia* deep into its collective unconscious.<sup>26</sup> While I respect the subtlety and intelligence of Loraux’s approach, I would revise her interpretation. *Kratos*—superior might—was certainly a historical *sine qua non* of *dēmokratia*, at least in the Athenian case. Without having proven itself militarily against its enemies in 508/7 and 404/3, the Athenian *dēmos* could not have taken command of the *polis*. But it was the general perception of the legitimacy of the *outcome* of the *dēmos*’s *kratos*—that is to say, its political command—that secured the regime. The *dēmos*, overwhelmingly undistinguished working people, could not have been drawn up in arms continuously. Had that been necessary, *dēmokratia* would not have survived. What mattered for the preservation of demotic rule was that winners and losers alike grant that the *dēmos* had the *right* to take charge of the *polis*, given its demonstrated military superiority. That meant embedding demotic superiority in institutions, procedures, and a legal order appropriate to peace-time government and accepted as authoritative by an overwhelming majority of citizens. In that process, *kratos* was not so much forgotten as transformed into *kuros*: stable, legitimate political authority.

It remains significant that in *dēmokratia*, final authority or sovereignty<sup>27</sup> (‘being *kurios* over everything’) belonged to the most numerous part of the *polis*. In conditions of ancient warfare, numbers mattered. As Thucydides’ Brasidas noted, ‘for the most part, the greatest number and best provided gets the victory [= is *ho kratos*]’ (2.87.6, trans. Hobbes). In the case of Athens, David Pritchard has argued, demographic advantage contributed crucially to it becoming the eastern Mediterranean’s military superpower: ‘with twenty times more citizens than an average Greek state, Athens could field armies and fleets that were much larger than all but a few others’, and the reforms of Cleisthenes around 508/7 made the entire adult male citizen population of the Attic countryside available for mass mobilization, providing a ‘huge military boost’.<sup>28</sup> Additionally, as Hans van Wees has emphasized, although it was often suggested that ‘a city’s most important weapon was...its heavy-armed infantry’ (that is, those who could afford their own shield and spear), ‘citizens of all classes, resident foreigners, slaves, and any members of allied states who happened to be in the city’ were in the classical era

<sup>26</sup> Loraux, *Divided City*, pp. 53-56, 68-70, 245-64, esp. 245-51.

<sup>27</sup> Although the early modern associations of ‘sovereignty’ may be misleading—particularly its connection with legislation—it is an acceptable translation of *kurios* in some circumstances (discussed below). Cf. K. Hoekstra, ‘Ancient Democracy and Popular Tyranny,’ in R. Bourke and Q. Skinner (eds.), *Popular Sovereignty in Historical Perspective* (Cambridge: Cambridge University Press, 2016), pp. 15-51; M.S. Lane, ‘Popular Sovereignty as Control of Office-holders: Aristotle on Greek Democracy,’ in Bourke and Skinner, *Popular Sovereignty*, pp. 52-72.

<sup>28</sup> Pritchard, *Athenian Democracy at War*, pp. 1, 6.

called to action in general levies on both land and sea,<sup>29</sup> while, after 338, a significant majority of young Athenian citizens of all classes undertook hoplite training at public expense.<sup>30</sup>

There was, accordingly, a high level of military capacity among undistinguished Athenians of the classical period. Today, advanced military technology can accomplish devastating victories despite only a tiny fraction of a state's population being mobilized, but in classical Greece, an armed *dēmos* was itself a decisive weapon.<sup>31</sup> In inter-*poleis* conflict, that weapon was deployed to the detriment of external opponents, but it also changed the odds during domestic strife. If and when the *dēmos* banded together and fought on one side during *stasis*, it was likely to win, even if it was less well equipped than its opponents. In such circumstances, an oligarchical faction's best hope of success lay in undermining demotic solidarity, as the Four Hundred managed briefly to do in Athens in 411/10 (Thuc. 8.66, 92).<sup>32</sup> Keeping the *dēmos* down through sheer force was not feasible, as Theramenes is said to have argued to fellow members of the Thirty in 404/3, when they brought an extra three thousand men into the regime. According to Xenophon, Theramenes insisted that the oligarchs were undertaking 'two absolutely contradictory things—basing their rule [*archē*] on force [*biaia*] and at the same time making it weaker than its subjects', that is, the twenty-odd thousand former citizens who remained disenfranchised, but some proportion of whom could (and shortly thereafter did) defeat the Thirty and its supporters in battle.<sup>33</sup>

I suggested above that demotic *kratos* would not have been sufficient to maintain *dēmokratia*, since the *dēmos* could not have been drawn up in arms indefinitely. Yet, in truth, active militancy would typically have been supererogatory, and not only because the legitimacy of rule by the *dēmos* following its victory was widely accepted. Throughout the fourth century, it will have been perfectly obvious that the *dēmos* that had got the victory in 508/7 and again in 404/3 would get it a third time if put to the test, given the sheer numbers of men it could mobilize. To that extent, demotic *kratos* continued to underpin the democratic system. Yet if '*dēmokratia*' registered the military victory of the *dēmos* over its

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<sup>29</sup> H. van Wees, *Greek Warfare: Myths and Realities*, pp. 45-46, cf. 208. The quoted text refers specifically to those assembled for the incursion into Boeotia in 424. Cf. Pritchard, *Athenian Democracy at War*, p. 78; M. R. Christ, 'Conscription of Hoplitēs in Classical Athens', *Classical Quarterly*, 51 (2001), pp. 398-422.

<sup>30</sup> Van Wees, *Greek Warfare*, pp. 94-95 and 239; Pritchard, *Athenian Democracy at War*, p. 203; D. Pritchard, ed., *War, Democracy and Culture in Classical Athens* (Cambridge: Cambridge University Press, 2010), pp. 54-55. Both accept the conclusions of M. H. Hansen, *Three Studies in Athenian Demography* (Copenhagen: Royal Danish Academy of Arts and Letters, 1988).

<sup>31</sup> Cf. van Wees, *Greek Warfare*, p. 46.

<sup>32</sup> Cf. A. Lintott, *Violence, Civil Strife and Revolution in the Classical City* (London: Croom Helm, 1982), p. 137: 'There was on a smaller scale the isolation that characterises a present-day metropolis.'

<sup>33</sup> Xen. *Hell.* 2.3.19, cf. [Arist.] *Ath. Pol.* 36.2. See also Xen. *Hell.* 2.3.42, trans. Brownson: 'And further, when I saw that many in the city were becoming hostile to this government and that many were becoming exiles, it did not seem to me best to banish either Thrasylbulus or Anytus or Alcibiades; for I knew that by such measures the opposition would be made strong, if once the commons should acquire capable leaders and if those who wished to be leaders should find a multitude of supporters.' On the population of Athens at the end of the fifth century, see Hansen, *Three Studies*, pp.14-28.

rivals for command of the *politeia*, ‘democracy’ plainly lacks that connotation. In drawing attention to the association of *kratos* with martial superiority, this study thus incidentally highlights a weakness in modern democracy: ordinary citizens’ lack of *kratos* over the political elite when that elite controls military and police power.

**‘The *dēmos* is *ho kratōn*’ ([Arist.] *Ath. Pol.* 41)**

The Xenophonic *Constitution of the Athenians* opens by emphasizing the physical capacity of the *dēmos* and what the author represents as the justified political implications of that fact.

First I will say this, that the poor [*penetes*] and the *dēmos* there are justified [*dikaioi*] in having more than the well-born and rich, since it is the *dēmos* that hauls the ships and imparts strength [*dunamis*] to the *polis*—the steersmen and boatswains and commanders-of-fifty and bow officers and ship-builders: it is these who impart strength [*dunamis*] to the *polis* much more than the hoplites and well-born and the good sort. Since this is the case, it seems right [*dokei dikaion*] that everyone should share in holding offices...and that anyone who wants to speak should be allowed to (1.2).

Although *krat-* does not appear here, the passage is significant. Demotic *dunamis* (‘power’, ‘capacity’) is advanced explicitly to explain why, in Athens, the *dēmos*, or ‘poor’ (*penetes*: literally, those who work for a living)<sup>34</sup> ‘has more’ politically than the well-born and rich. And what counts is specifically said to be the *dēmos*’s military (or more precisely, naval) capacity, including its capacity to build the fleet. That capacity is not, in this passage, represented as aimed against others within the *polis*. But it is represented as the basis for the *dēmos*’s seemingly just (*dikaion*) political predominance *vis-à-vis* the well-born and rich.<sup>35</sup>

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<sup>34</sup> See van Wees, *Greek Warfare*, p. 35, with Ar. *Wealth* 552-4; C. Taylor, *Poverty, Wealth and Well-Being: Experiencing Penia in Democratic Athens* (Oxford: Oxford University Press, 2017).

<sup>35</sup> P. Ceccarelli has contested any causal connection between Athenian naval superiority and *dēmokratia*, concluding that that argument was constructed by anti-democratic intellectuals as a slur on the regime (‘Sans thalassocratie, pas de démocratie? Le rapport entre thalassocratie et démocratie à Athènes dans la discussion du Ve et IVe siècle avant J.-C.’, *Historia: Zeitschrift für Alte Geschichte*, 42 (1993), pp. 444-470). That position finds support from D. Pritchard: ‘The proposition that consolidated democracy came from seapower was a purely ideological construction. Pseudo-Xenophon, Plato and other Athenian intellectuals invented it in order to discredit *dēmokratia*. There is simply no evidence that non-elite Athenians ever believed that their legal and political equality was the result of their ability to contribute militarily to the state’ (*Athenian Democracy at War*, p. 23). Certainly, thalassocracy cannot have been an essential precondition of *dēmokratia*, given its existence outside Athens: see E. Robinson, *The First Democracies: Early Popular Government Outside Athens* (Stuttgart: FSV, 1997) and *Democracy Beyond Athens* (Cambridge: Cambridge University Press, 2012). Yet, as Marr and Rhodes observe, ‘X is undoubtedly factually correct in his claim at 1.2 that it was the Athenian navy which gave Athens its power ... X is also correct in his claim that the citizens who crewed and operated the Athenian navy were what he calls the *demos*, i.e. the *thetes*’ (*Old Oligarch*, p. 63; see also Pritchard, *Athenian Democracy*, p. 33). Moreover, *pace* Pritchard, the Xenophonic author does not actually suggest that non-elite Athenians believed their legal and political equality to have resulted from their capacity to contribute militarily to the state, but simply that their pre-eminence ‘seems right’ from his (i.e. the elite) point of view. I am persuaded

Leaving aside *dēmokratia* and its cognates, *krat-* appears eight times in this text, in every case signalling military predominance. Among their allies, the Athenians are strongest (*kratisteousi*) on land, and hold their heavy infantry to be sufficient if they are stronger (*kreittones*) than their allies (2.1). Those who rule the sea may ravage the land of the stronger (*kreittonōn*), and disembark for provisions only wherever they are the stronger (*kreittōn*) (2.4-5). Those who are strongest (*kratistoi*) on land suffer crop disease with difficulty, but not those who are strongest on sea (2.6). Also striking is the name given to those who are strongest at sea: *thalassokratores* (2.2, 2.14). That term implied not that the Athenians had defeated (*kratountes*) the sea itself but that they had defeated their rivals for command of the seas.<sup>36</sup>

Uses of *krat-* in the Aristotelian *Constitution* similarly suggest the predominance of one party over others. Again leaving aside *dēmokratia* and cognates, *krat-* appears eleven times. Solon framed the passage of his reforms thus: ‘This I did [*erexa*] by might [*kratei*], harnessing force [*bia*] and justice [*dikē*] together and persevering as I promised’ (12, trans. Rhodes). *Krateō* with the accusative object *tauta* suggests an individual’s capacity to command events in the face of actual or potential opposition: the archon’s proclamation that whatever someone possessed at the start of the archon’s year in office, those things (*tauta*) he should ‘have and control [*kratein*]’ until the end of the year (56). The claim that once the Thirty ‘held [*eschon*] the *polis* more firmly [*engkratesterōs*]’, they ‘kept their hands off none of the citizens, but put to death those of outstanding wealth, birth or reputation’ suggests both the physical superiority of the Thirty over the rest of the citizen body and a notable association of *krat-* with ‘grip’ (35).<sup>37</sup> *Epikrateō*, which appears in relation to the civil war between the Thirty and their supporters on the one hand and the rebels based in Phyle on the other, strengthens the connection between *krat-* and military superiority: ‘And those holding Phyle and Munichia, now that the whole *dēmos* was standing with them, began to get the upper hand [*epekratoun*] in the war’ (38). As in the Xenophontic text, the *dēmos* is invoked as the cause or condition of martial superiority.

*Dēmos* is also twice the grammatical subject of *krateō*. In chapter 40, the topic is the generosity of the victorious Athenians in paying back the funds that the Thirty had borrowed from the Spartans in order to fight the civil war, even though the peace treaty had called for each side to take responsibility for its own debts. That generosity is said to be all the more remarkable since, in other *poleis*, ‘the

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by Marr and Rhodes: ‘It is possible that [X] is responding here to an argument which was put forward by some anti-democratic theorists to justify a constitution where political rights were either wholly or in part restricted to the hoplite class ... X points out that, on the basis of the traditional objector’s argument that the class which gives the state its military power and security should be the one which holds the political power, at Athens the Athenian *demos*, who provide most of the naval manpower, are justified in holding political power and dominating the political offices’ (pp. 62-63). I return below to the significance of such perceptions of legitimacy.

<sup>36</sup> Van Wees draws attention to the message of Callicratidas, the Spartan admiral in 406, to his Athenian counterpart: ‘I will stop you screwing my sea’. As he argues, the choice of words was startling but everyone knew what he meant: ‘The sea was something to be controlled and fought over, no less than territory or women’ (*Greek Warfare*, p. 199).

<sup>37</sup> The connotation ‘grip’ is rightly emphasized by Cartledge, *Ancient Political Thought*, p. 74.

newly prevailing [*kratēsantes*] *dēmoi* not only do not pay any more out of their own funds but even make a redistribution of land'.<sup>38</sup> Then, in chapter 41, *dēmos* and *krateō* appear together in the author's important assessment of the political system since the return of the pro-democracy rebels from Phyle in 404/3.<sup>39</sup>

Eleventh was [the system] established after the return from Phyle and the Piraeus, after which it has continued down to today, constantly taking on additions to the power [*exousia*] of the multitude [*plēthos*]. For the *dēmos* has made itself *kurios* over everything, and everything is managed through decrees and courts in which the *dēmos* is the prevailing power [*ho kratōn*], for even the decisions of the Council have come to the *dēmos*.

The participle *ho kratōn* suggests 'the prevailing one', in implicit contradistinction from some other less powerful party. Indeed, it is worth noting that both times *dēmos* and *krat-* appear together in this text, *krat-* is a participle, not a noun. The *dēmos* is not represented as 'having' or 'holding' *kratos*, as we might say the people 'have' or 'hold' power. Rather, the *dēmos* simply *is* 'the more powerful one'. In that conceptualization, *kratos* is not a thing possessed by a political agent, which could be alienated and transferred to from one party to another like a juridical property.<sup>40</sup> Rather, *kratos* inhered in the dominant agent at a particular moment in time. In that respect it exactly resembled physical superiority, as revealed in battle or other such moment of trial.<sup>41</sup>

Finally, the noun *autokratōr* appears five times (31-2, 37-9). Defined in LSJ as 'one's own master', in the Aristotelian *Constitution* it usually refers to the power of elected generals, office-holders (in chapter 37, the Thirty), or treaty negotiators to act without further consultation of the body that had empowered them. It also appears in the post-war reconciliation agreement of 403 between the pro-oligarchy and pro-democracy factions: those who had supported the defeated oligarchs and wished to leave the city were granted the nearby settlement of Eleusis, where they would be 'authoritative (*kurios*) and masters of themselves (*autokratoras heautōn*)' (39). Apparently, *autokrat-* signalled the unusual nature of an agent's independence of judgment. Those with 'autocratic' powers were masters of themselves in contradistinction from the norm, which would have been for them to defer to those who had delegated power to them.<sup>42</sup>

Throughout these texts, *krat-* is thus strongly associated with 'superiority' or 'predominance,' especially in combat. That association is reinforced by another passage, already quoted in the Introduction, featuring not *krat-* but its opposite,

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<sup>38</sup> I follow Rhodes, *Commentary*, p. 480. The papyri, Kenyon and Blass have *hoi dēmokratēsantes*, 'those who have set up democracy'. That reading would not affect my argument.

<sup>39</sup> Loraux, *Divided City*, pp. 248-49, rightly treats these lines as a direct comment on *dēmokratia*: the regime had 'finally reached its *telos*'.

<sup>40</sup> Contrast, however Hdt. 3.81, where *to kratos* is 'given' (*pherein*) and 'invested' (*peritheōmen*).

<sup>41</sup> Compare Benveniste, *Dictionary*, p. 365, referring to Homeric usage: 'being of a temporary character, [*kratos*] is always being put to the test'.

<sup>42</sup> Because those designated *autokratores* typically held delegated power, I depart from the interpretation of Benveniste (and, before him, Meillet) who read *autokratōr* as 'he who is powerful by himself, he who holds power only from himself'. Benveniste, *Dictionary*, p. 316.

*hētt-* (‘inferiority’): the argument of Theramenes, member of the Thirty, that the oligarchs were ‘doing two completely incompatible things—making their rule [*archēn*] one of force [*biaon*] and at the same time weaker [*hēttō*] than those they ruled over [*tōn archomenōn*]’ ([Arist.] *Ath. Pol.* 36.2). The Thirty plus three thousand would not be *kratōn*; the balance of power would remain on the side of the *dēmos*. And that turned out to be correct. The Thirty and their supporters were insufficient to prevail over the pro-democracy ‘men from Phyle’ once ‘the entire *dēmos*’ joined the pro-democracy side ([Arist.] *Ath. Pol.* 38). The faction supported by the *dēmos* won, just as it had done in 508/7, when Cleisthenes ‘took the *dēmos* into his *hetaireia* [fraternity]’ and it rose to the occasion, besieging and defeating Isagoras and his troops on the Acropolis (Hdt. 5.66).

*Dēmos* and *krat-* appear together well beyond these texts.<sup>43</sup> According to Thucydides’ Diodotus, as soon as the Mytilenaeen *dēmos* was armed, it prevailed (*ekratēsen*) and handed the *polis* back over to the Athenians (Thuc. 3.47.3; cf. 3.73.2-3). Isocrates, as noted above, twice used *dēmos* as the subject of *krateō* to register the victory of the Athenian *dēmos* over the Thirty (Isoc. *Call.* 18.17, 62), while Xenophon used it to refer to demotic victories in Elis, Rhodes, Tegea, and Sicyon.<sup>44</sup> *Dēmos* and *kratos* were also closely linked within Plato’s *Laws*. Echoing the argument of Thrasymachus in the *Republic*, the Athenian Stranger notes that ‘they say that the laws in a *polis* are always enacted by the stronger power [*to kratoun*]... do you suppose ... that a *dēmos*, or any other regime, having gained the victory [*nikēsanta*], will willingly establish laws with any other primary aim than that of its own advantage with respect to preserving its rule?’<sup>45</sup> In that passage, the capacity to make law is explicitly represented as predicated on having gained a victory. *Dēmokratia*, thus regarded, implied the proven military superiority of the *dēmos* over its enemies—which, as we know, was often enough its precondition.

Yet, if ‘*dēmokratia*’ registered the victory of the collective common people, who or what were they conceptualized as having prevailed over? One possibility is the entire *polis*—the object of the Thirty’s ‘grip’ in Athens in 404, as represented by the Aristotelian *Constitution*. Another possibility would be the *dēmos*’ rivals for command of the *polis*, such as the Thirty and their supporters in 404. Both interpretations have their merits and may even come to the same thing, inasmuch

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<sup>43</sup> Another *topos* worth considering is the name *Dēmokratēs*: see S. Lambert, ‘Δημοκράτης the Democrat?’, in Robert Parker (ed.), *Changing Names. Tradition and Innovation in Ancient Greek Onomastics. Proceedings of the British Academy*, 222 (Oxford: Oxford University Press, 2019), pp. 153–166. I am persuaded by Lambert’s argument (and before him that of A. Debrunner, ‘ΔΗΜΟΚΡΑΤΙΑ’, in K.-H. Kinzl (ed.), *Demokratia. Wege zur Demokratie bei den Griechen* (Darmstadt, 1995), pp. 55–69) that the connotations of that name and some close relatives changed over time—Δαμοκρατίδας, the 7th-century king of Argos (Paus. 4.35.2), and Δημοκράτης of 6<sup>th</sup>- or 5<sup>th</sup>-century Thasos presumably connoting not ‘supporter of *dēmokratia*’ but ‘one who is powerful through the People or over the People’ (p. 158). That said, I wonder whether the senses ‘democrat’ and ‘one who is powerful through the People’ are truly as ‘opposite’ as Lambert supposes, at least if we interpret Δημοκράτης as ‘prevailing through the *dēmos*’, as seems possible. That epithet may well seemed an apt name for both kings and, later, commoners, albeit for different reasons.

<sup>44</sup> Xen. *Hell.* 3.2.29, 4.8.20, 22, 6.5.7, 7.3.4.

<sup>45</sup> Plato, *Laws* 714c-d; cf. *Rep.* 1.338c-339a. I share Loraux’s view that Plato’s testimony need not be discounted simply because *dēmokratia* is portrayed negatively in his texts. See, for example, *Divided City*, pp. 70, 78-83.

as ruling over an entire community necessarily includes ruling over one's rivals. But the latter is more in line with the uses of *krat-* seen so far, such as the epithet *thalassokratōr*, which implied not mastery over the sea itself but mastery over one's rivals for command of the sea. *Krat-* implied a power struggle between at least two parties over something coveted by both. By analogy, '*dēmokratia*' implied not that the *dēmos* had defeated or overpowered the *polis* (of which it was itself, in any case, the largest part) but that it had overpowered its rivals for command of the *polis* (which logically included command over itself). Historically speaking, at Athens, those rivals included the Four Hundred and the Thirty. Who else might the ancient Greeks have regarded as potential threats to the supremacy of the *dēmos*—broadening our horizons now to include periods of peace as well as moments of manifest *stasis*, 'civic conflict' or 'civil war'?

**'If *tas archas...archein kalōs*' ([Arist.] *Ath. Pol.* 43)**

Although I am not persuaded by Ober's argument that *krat-* implied a 'capacity to make good things happen in the public realm', his starting-point seems plausible. Taking *monarchia*, *oligarchia*, and *dēmokratia* to be the three most important ancient Greek regime-terms, Ober argues that *dēmokratia* stands out for two reasons: unlike *mon-* (one) and *olig-* (few), *dēmo-* represented not some number of persons but a singular collective body, and *krat-* not *arch-* was used to represent that body's political supremacy.<sup>46</sup> As Ober argues, that cannot have been because *dēmarchia* was impossible to conceive. On the contrary, that term is attested, but it indicated the domain of the *dēmarchos*, a leading official. In sixth-century Chios, the *dēmarchos* was perhaps an official associated with the assembly.<sup>47</sup> In classical Athens, it denoted something like a village mayor.<sup>48</sup> Much later, Polybius used the same term to indicate a Roman tribune of the plebs (Polyb. 6.16).

What did *arch-* imply in the classical democratic context? As Ober notes, *archē* had several meanings. 'Beginning' or 'origin' is one that appears in the Aristotelian *Constitution*: 'Solon was the original [*ex archēs*] champion of the *dēmos*' ([Arist.] *Ath. Pol.* 28; cf. 35, 55). I do not find this usage especially politically significant, except inasmuch as it implies a general notion of primacy, although some political theorists (notably Hannah Arendt) have made more of it.<sup>49</sup>

A more noteworthy usage is 'empire,' that is, the extension of a *polis*'s power or rule beyond its own borders, whether its subjects liked it or not. That meaning appears, for example, in the Aristotelian author's claim that the Athenians treated the Chians, Lesbians and Samians—who had preferential treatment under Athenian overlordship—as 'guards of their empire [*archē*]' ([Arist.] *Ath. Pol.* 24). A similar meaning was implied by the phrase 'rule of the sea' (*tēs thalattēs*

<sup>46</sup> Ober, 'Original Meaning', p. 4.

<sup>47</sup> R. Meiggs, and D. Lewis, *A Selection of Greek Historical Inscriptions to the End of the Fifth Century BC* (Oxford: Clarendon Press, 1968), §8.3-4.

<sup>48</sup> See, for example, Dem. 57.63; D. Whitehead, *The Demes of Attica* (Princeton: Princeton University Press, 1986), pp. 121-39.

<sup>49</sup> H. Arendt, *The Human Condition* (Chicago: University of Chicago Press, 1958), pp. 189, 222-25. See further P. Markell, 'The Rule of the People: Arendt, Arche, and Democracy', *American Political Science Review*, 100 (2006), pp. 1-14.

*archēn*).<sup>50</sup> The association of *thalassokratores* with *arch-* terms in the Xenophonic *Constitution* strongly implies that political command of this kind was understood as being predicated on martial superiority. ‘It is possible for those who are ruled [*archomenois*] by land, from a few cities banding together as a collective, to fight, but for those who are ruled [*archomenois*] by sea, however many are islanders, it is not possible to combine their cities into one unit: for the sea is in between them, and those who prevail over [*kratountes*] them are the masters of the sea [*thalassokratores*]’.<sup>51</sup> In this passage, imperial *archē* presupposes *kratos*.<sup>52</sup> By contrast, the approbation or even acceptance of imperial administration by subjects is not presupposed—quite the opposite. Apparently, *archē* signalled *de facto* rule or governance: it existed in the face of perceptions of illegitimacy or even outright resistance.<sup>53</sup>

‘Magistracy’ or ‘office’ was another crucial meaning. As both Ober and Melissa Lane have emphasized, there was a clear and significant connection between *arch-* and office-holding.<sup>54</sup> In the Xenophonic text, the plural noun *archai* (‘offices’) appears seven times;<sup>55</sup> *archein* implying ‘hold or perform an office’ perhaps five times;<sup>56</sup> and the name of a specific office twice (*trierarchōn*, 1.18, 3.4.). In the Aristotelian text, *archē* also frequently indicates ‘office’. Before Draco, there were three offices (*archai*), each determined by birth and wealth: *basileus*, ‘king’ (the ‘first and greatest’), *polemarchos*, ‘war-lord’, and *archōn*, usually rendered simply ‘archon’ (3). Later, six *thesmothetai* (conventionally translated ‘lawgivers’) were added, giving nine *archontes* altogether (3). Those positions persisted into the mature democracy, alongside scores of more minor offices (*archai*, 50-5, 60-1).

According to Ober, the meaning ‘office’ sufficiently explains why *arch-* was not twinned with *dēmos* to form a regime-name: a corporate body such as the *dēmos* cannot hold an office.<sup>57</sup> And it is certainly very striking that in the Aristotelian *Constitution*, *dēmos* is never the subject of *archō*, unlike other rulers and office-holders such as the tyrant Peisistratus, the oligarchic council of Four

<sup>50</sup> [Arist.] *Ath. Pol.* 32, 41; [Xen.] *Ath. Pol.* 2.4-6, 11, 13-14, 16. Cf. Thuc. 8.46.

<sup>51</sup> [Xen.] *Ath. Pol.* 2.2. Cf. 2.14: ‘if the Athenians were the dominant sea-power [*thalassokratores*] and lived on an island, they would have the opportunity to do harm, if they wished, but to suffer none, so long as they ruled the sea [*tēs thalattēs ērchōn*]...’

<sup>52</sup> Cf. Loraux, *Divided City*, p. 69: ‘the authority that Athens effectively exercises over the cities in its maritime empire is regularly described as *kratos* or one of its compounds’. Citations (p. 278) include SIG 54.1 and 147.60 and notably, Arist. *Pol.* 3.1284a40: ‘*egkratos eskhe tēn arkhēn*, the city obtained power [the empire] in the mode of domination’ (trans. Loraux). See further Low, ‘Athenian Imperialism’, pp. 95-98, with citations: the phrase ‘the cities which the Athenians rule’ (*poleis hosōn Athēnaioi kratousin*) is repeatedly used in Athenian honorific decrees to refer to cities controlled by the Athenians.

<sup>53</sup> Cf. Arist. *Pol.* 1269b31-35, 1313b33; Cratinus, Fr. 73.22; Xen. *Hell.* 2.3.42 (Theramenes suggests that *arkhontes* rule (*kratein*) over their subjects).

<sup>54</sup> As argued by M.S. Lane, ‘Political Expertise and Political Office in Plato’s *Statesman*: The Statesman’s Rule (*archein*) and the Subordinate Magistracies (*archai*)’, in A. Havlicek and K. Thein (eds.), *Plato’s Statesman. Proceedings of the Eighth Symposium Platonicum Pragense* (Prague: OIKOYMENH 2013), pp. 49-77; Lane, ‘Popular Sovereignty’.

<sup>55</sup> [Xen.] *Ath. Pol.* 1.2, 1.3 (three times), 1.19, 3.13.

<sup>56</sup> [Xen.] *Ath. Pol.* 1.3 (three times), 3.13 (twice).

<sup>57</sup> Ober, ‘Original Meaning’, p. 7. Cf. Lane, ‘Popular Sovereignty’, pp. 52-54.

Hundred, and the ten *autokratores* generals ([Arist.] *Ath. Pol.* 19 and 32). In fact, in that text, *arch-* is never associated with the ‘national’ *dēmos*, although it appears over 160 times—far more than any comparable ‘power’ referend.

Yet, *pace* Ober, *dēmos* is occasionally the subject of *archō*—including *archō* unmistakably indicating ‘hold office’—in the Xenophontic text and elsewhere. Discussing generalships and cavalry commanderships, the Xenophontic author writes: ‘The *dēmos* recognizes that it is better off not performing these offices itself [*archein tas archas*] but allowing the most capable men to perform them [*archein*]. However, whatever offices [*archai*] exist for the sake of payment and personal advantage, those the *dēmos* seeks to perform [*archein*]' (1.3). A few lines later, he writes that ‘the *dēmos* does not want the *polis* to be well-ordered and itself to be enslaved [*douleuein*] but to be free [*eleutheros*] and to *archein*' (1.8; cf. Hdt. 3.82.4). And in the closing paragraph, he asks: ‘how could one think that many have been unjustly disenfranchised at Athens, where it’s the *dēmos* that performs the offices [*archōn tas archas*]?’ (3.13). *Dēmos* is also the subject of *archō* once each in Herodotus and Thucydides. Herodotus’ Darius uses this terminology to challenge Otanes’ defence of rule by a multitude (*plēthos*), arguing that ‘when the *dēmos* rules [*archontos*], it is impossible that wickedness will not occur’ (Hdt. 3.82), while in Thucydides, the phrase expresses what those resistant to the oligarchy of the Four Hundred initially avoided saying: ‘For they still veiled their real minds under the name of the Five Thousand, and did not venture to say outright “Whoever wishes the people [*dēmos*] to rule [*archein*]”’ (Thuc. 8.92.11, trans. Jowett).

Albeit rare, the conjunction of *dēmos* and *archō* was thus not impossible. Even if, as Ober argues, a corporate body such as a *dēmos* could not hold an office collectively, the *dēmos* apparently *could* be represented as holding offices if and when those offices were held by its members individually. *Dēmos* could also be paired with *archō* to denote political supremacy in a seemingly more general sense, including in one of the most celebrated passages of classical Greek political theory and in the work of one of its most powerful stylists.

What light do these cases shed on the development of *dēmokratia*? The fact that *dēmos* is not attested as the subject of *archō* after the fifth century seems significant. Down to the mid-classical era, as far as we may judge, holding office and ruling were not sharply differentiated. For example, in the Xenophontic text, the line ‘the *dēmos* does not want the *polis* to be well-ordered and itself to act as a slave but to be free and to *archein*’, ‘*archein*’ might be translated either ‘rule’ or ‘hold office’ (1.8; cf. Hdt. 3.82.4). The next line resolves the ambiguity: ‘what *you* think of as being badly ordered—as a result of that the *dēmos* itself grows stronger [*ischuei*] and is free’ (1.8). If, as seems likely, being ‘badly ordered’ refers to the arrangement of offices, then office-holding and rule go hand in hand. A similar relationship appears in the historical section of the Aristotelian text. There, wherever *arch-* implies rule—as in the cases of the nine seventh-century archons, Peisistratus, and the Four Hundred—it is typically as a function of office-holding. The role of Athens’ early *archontes* was simply to perform the religious and judicial offices of government (3-4). Peisistratus, who ‘often went about the country himself settling disputes in person’ (16), pursued the same model of *archē*, as did the Four

Hundred and the Thirty. We may say that in those cases, office-holding was a predicate of rule.

In the mature Athenian *dēmokratia*, however, office-holding and rulership were discontinuous. That some significant change had occurred in the status of office-holders is revealed near the beginning of the Aristotelian text. Following Solon's intervention, the Athenians twice 'did not appoint an *archon* owing to *stasis*'; then Damasias ruled (*ērxen*) for two years and two months before being driven out; then they elected ten men to rule (*ērξαν*) jointly. The author responds: 'this makes clear that the *archōn* had very great power [*dunamis*], for they were always having *stasis* about this *archē*' (13). In 330, evidently, that was no longer the case, and the contemporaneous section supplies details. At that time, there were some seven hundred office-holders in Athens, ranging from elected generals and other military officers to randomly selected councillors and other administrators such as the supervisor of the water-supply, and the subordinate status of all such office-holders is revealed by the fact that they were subject to a vote of confidence in the *kuria ekklēsia*, 'chief assembly-meeting', every forty days, and only reconfirmed in their positions if the assembled *dēmos* deemed that they '*archein*'d *kalōs*' (43). That phrase clearly cannot be rendered 'ruled well', since the ruler in this case was evidently the *dēmos*—the supreme evaluator of the officials' actions. Only 'performed their offices well' will do.

The lesser status of office-holders in fourth-century *dēmokratia* is signalled by another change in terminology. In early Athens, as we saw, a ruling official was called *archōn*, plural *archontes*. That term was not a true noun but, like *ho kratōn*, a participle—in this case, a verbal adjective used substantively. Literally, *archōn* implied 'the *archō*-ing one', that is, 'the office-holding/ruling one'. In the fourth century, however, in the case of all except the nine historic archons (whom the Aristotelian author, drawing attention to the name, identifies as 'the so-called [*kaloumenoi*] nine *archontes*'), the '*archō*-ing' agent took the name *archē*, 'office', plural *archai* (43). In fourth-century Athens, it was no longer 'the one ruling' who performed an office; instead, curiously, offices were said to be performed by the offices themselves. Human agency had disappeared from the office-holder's title. This suggests a dramatic reduction in the political significance of office-holding. It simply did not matter who performed most offices in that period—nearly anyone would do, as is confirmed by the very low bar set at the incoming magistrates' *dokimasia*: largely, to be a citizen of the right age, with the appropriate family shrines, not in debt to the *polis*, and not a shirker of military service (55).

The reason that demotic rule was not represented by *arch-* was thus not because the *dēmos* could not be conceptualized as holding office—that language did sometimes appear. Rather, *arch-* was an unlikely regime-suffix because office-holding was neither the foundation nor the goal of demotic rule. On the contrary, demotic rule was associated with a striking diminution in the significance of office-holding as a token of political power. Whereas previous rulers had governed through office-holding, demotic rule was associated with martial predominance. In Athens, the regime of the Thirty strongly reinforced that association. The *dēmos* 'achieved its return' (41) through its *military* efforts, not through taking over offices; and in the following century, the subordination of all office-holders,

including generals, was formally institutionalized through votes of confidence every forty days. Thucydides' assessment of Athenian *dēmokratia* in the age of Pericles makes a striking contrast: 'in name *dēmokratia*, in fact *archē* by the first man' (Thuc. 2.66.9). Such an evaluation would have been impossible a century later.

One answer to the question of who might rival the *dēmos* for command of the *politeia* is thus supplied: office-holders, whether generals, councillors or lower-level administrators. Yet that raises another question. How exactly was the lesser strength of office-holders in *dēmokratia* preserved? In combat, the whole *dēmos* would presumably have prevailed over a corps of magistrates and military commanders. But the *dēmos* could hardly be drawn up in arms on a daily basis. How then did it retain the upper hand?

### **'Kurios of the *politeia*' ([Arist.] *Ath. Pol.* 9)**

Melissa Lane has recently asked nearly the same question. 'If those doing the ruling (in Greek, *archein*) are those who hold the offices (in Greek, *archai*)—call this the "standard equation"—how then might the mass of people nevertheless be in charge or in control?' Although, as I have just argued, I do not think that *archein*, at least in fourth-century Athens, *did* imply 'ruling', the question is important, as is Lane's answer. She argues that some fourth-century thinkers 'solved' this 'equation' by suggesting that the popular multitude should be *kurios*, 'sovereign', by electing the highest office-holders and holding them to account.<sup>58</sup>

As Lane recognizes, to render *kurios* 'sovereign' is today to court controversy.<sup>59</sup> Although that translation was once common—employed by Benveniste, among others—in the 1980s Mogens Hansen was heavily criticized for using it and shifted to leaving *kurios* untranslated instead.<sup>60</sup> Since then it has been difficult to find anyone willing to use the language of sovereignty in the ancient Greek context. Yet the relationship between *kurios*, *kratos*, and sovereignty warrants further scrutiny. Both appear in the important line, quoted above, from Chapter 41 of the Aristotelian text: 'the *dēmos* has made itself *kurios* over everything, and everything is managed through decrees and courts in which the *dēmos* is *ho kratōn*'. Being *kurios* and being *ho kratōn* were evidently closely related but distinct. Is Lane then right to identify *kur-* with sovereignty, taking that to mean ultimate political authority? And was it manifested by 'electing the highest office-holders' and 'holding them to account'?

*Kur-* certainly did not always imply ultimate political authority. Consider, for example, the Aristotelian author's discussion of judicial voting practices. Each

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<sup>58</sup> Lane, 'Popular Sovereignty', p. 52.

<sup>59</sup> Lane, 'Popular Sovereignty', p. 52.

<sup>60</sup> Benveniste, *Dictionary*, p. 457. Compare e.g. M.H. Hansen, *The Sovereignty of the People's Court in Athens in the Fourth Century B.C.* (Odense: Odense University Press, 1974) with M.H. Hansen, 'The Political Powers of the People's Court in Fourth-Century Athens', in O. Murray, and S. Price (eds.), *The Greek City from Homer to Alexander* (Oxford: Oxford University Press, 1990), pp. 215-286. Cf. R. Mulgan, 'Aristotle's Sovereign', *Political Studies*, 18 (1970), pp. 518-22; M. Ostwald, *From Popular Sovereignty to the Sovereignty of Law: Law, Society and Politics in Fifth-Century Athens* (Berkeley, CA: University of California Press, 1986); J. Ober, *Athenian Revolution*, pp. 107-122; Hoekstra, 'Ancient Democracy'.

judge had two ballots, one pierced, for the prosecutor, and the other unpierced, for the defendant; and the judge put the ballot he wished to count (*tēn kurian*) into a copper urn (*ton kurion*), and the one he wished to discard (*tēn akuron*) into a wooden one (*ton akuron*). *Kur-*, in these examples, must imply something like ‘authoritative’. Or take the Thirty’s decision to allow citizens to bestow property on whomever they wished, which the author says they accomplished by ‘making the act of donation *kurios*’—again, ‘authoritative’ or ‘decisive’ (35). Consider, too, *ekklēsia kuria*, the name of the best-paid assembly-meeting of each prytany, when votes of confidence in office-holders were held and impeachments announced. There, the meaning seems to be ‘chief’ or perhaps ‘most important’ (42). ‘Sovereign’ (Rackham’s choice) is not impossible in that context, but it may seem strained.

Elsewhere, however, something like sovereignty does seem to have been implied. Solon, Hippias and Hipparchus, and the *dēmos* are each described as *kurios* over affairs (9, 20, 41); Isagoras and friends, Lysander of Sparta and the Thirty are *kurios* or *kurioi* over the *polis* (20, 34, 35); the emigrants to Eleusis will be *kurios* in their new settlement (39); and the *dēmos* is *kurios* over the *politeia* and ‘over everything’ (9, 41). In each of those cases, *kur-* was accompanied by an object specifying exactly what the agent had authority over, and that sheds light on its meaning. With an appropriate modifier—the *polis*, *politeia*, ‘everything’—*kur-* could suggest sovereignty; without it, a more limited sphere of authority was implied. Those limits appear very clearly in the Aristotelian text. For example, Solon made the *dēmos kurios* over judicial decisions; the Five Thousand were *kurios* to make treaties with whomever they wished; the nine ‘chairmen’ among the *prytanes* were *kurioi* over the dismissal of council and assembly meetings; the ‘Receivers’ were *kurioi* to decide suits only up to ten drachmas, and so on.<sup>61</sup>

Indeed, we may refine the meaning further. *Kur-* specifically signalled lawful or legitimate authority.<sup>62</sup> That is suggested especially by verbs featuring *kur-*. The political systems sketched out by a hundred delegates in the time of the Five Thousand were ‘ratified’ (*epikurōthentōn*) by the majority (32). Similarly, when the Thirty decided to destroy Theramenes, they ordered the Council to pass two laws targeting him, with the result that ‘when the laws were ratified (*epikurōthentōn*) he became outside the *politeia* and the Thirty were *kurios* to kill him’ (37, cf. 59). In each case, *kur-* implied the quality of lawfulness imparted to a decision because it was made by the proper agent—the legitimate authority—even if that agent acted under duress.

Legitimate authority of this kind is in several other sources represented as acquired through the will of the gods.<sup>63</sup> But the agreements of men were almost as powerful, as the use of *kurios* in treaties implies: ‘the decision of the majority of the allies should be binding [*kurios*], unless the gods or heroes stood in the way’ (Thuc. 5.30, cf. 5.47.12). Such agreements both elicited and required a widespread

<sup>61</sup> [Arist.] *Ath. Pol.* 9, 29, 44, 52. Cf. 8, 44-45, 48.

<sup>62</sup> Cf. Hoekstra, ‘Ancient Democracy’. As he discusses, another important context is the household: *kurios* often meant ‘master’ or ‘guardian’, as in Aesch. *Libation-Bearers* 658, 689, and throughout [Dem.] 59.

<sup>63</sup> Aesch. *Ag.* 178, *Eum.* 327, *Supp.* 733; Hdt. 1.48.2, 5.50, 5.93, 6.129.

perception of legitimacy. Here we should recall the position of the Xenophontic author, quoted above: ‘the poor and the *dēmos* there are justified [*dikaioi*] in having more than the well-born and rich, since it is the *dēmos* that hauls the ships and imparts strength [*dunamis*] to the *polis*... Since this is the case, it seems right [*dokei dikaion*] that everyone should share in holding offices... and that anyone who wants to speak should be allowed to’ (1.2). ‘Might’ and ‘right’ are in those lines intermingled, although not indistinguishable. The capacity to prevail is represented as a critical ingredient in political supremacy, but the tribute of respect that the author pays to it does not seem forced: the claim that this ‘seems right’ is his own.

In a similar way, in the Aristotelian *Constitution*, the *dēmos* ‘making itself *kurion* over everything’ is defended both because it had ‘seemed just [*dokountos...dikaiōs*]’, since the *dēmos* had achieved its return by its own efforts, and because ‘the few are more easily corrupted by profit and by favours than the many’ (41). What was gained through *kratos* only required general acceptance—the perception of legitimacy—in order to become *kurios*. The Athenian *dēmos* had retaken the *politeia* through military action, but it was the fact that such victories were deemed to be a ‘just’ basis of continuing political authority by men on all sides, from ‘elites’ like the authors of the Xenophontic and Aristotelian *Constitutions* to the most undistinguished man of the *dēmos*, that made the *dēmos* appear to be a legitimate sovereign—*kurios*.<sup>64</sup>

How was the authority of the Athenian *dēmos* manifested institutionally? As noted, Lane (drawing on many more sources than I do here) associates the *dēmos*’s sovereignty with the fact that it elected high office-holders—in Athens, principally military offices and some treasurers—and held them to account.<sup>65</sup> In the Aristotelian *Constitution*, elections do not come in for special attention in this context, but the accountability of office-holders certainly does. The key process was the *euthuna*, the routine post-tenure audit. The *dokimasia*, ‘scrutiny’, was the pre-tenure equivalent, while any infractions mid-tenure were dealt with by *eisangelia*, ‘impeachment’ (45, 54-5).

To some extent, the necessity of those procedures is implied by *kur-* itself. As discussed above, office-holders were authoritative within their respective fields. But inasmuch as *kur-* terminology delineated a specific jurisdiction, being *kurios* implied limits on power as much as scope. Most *kurios* agents mentioned by the Aristotelian author were *kurios* over a relatively small domain, and both the limits of this domain and proper behaviour within it had to be controlled—by the agent that was *kurios* over the whole *politeia*.<sup>66</sup>

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<sup>64</sup> Daniel Schillinger has suggested to me that the sequence may sometimes have run the other way. For example, the Aristotelian author’s account of the amnesty and reconciliation following the 404/3 civil war implies that the *dēmos* ‘prudently cultivated its juridical authority as a central element of its power’: the *dēmos* may have self-consciously pursued ‘being seen as *kurios*’ in order to ‘entrench its *kratos*’ (personal communication). I’d add that the specific way in which being seen as *kurios* might help to strengthen demotic *kratos* would be that it kept the numbers of those willing to fight for democracy buoyant.

<sup>65</sup> Lane, ‘Popular Sovereignty’; see also M.S. Lane, ‘The Idea of Accountable Office in Ancient Greece and Beyond’, *Philosophy* 95 (2020), pp. 19-40.

<sup>66</sup> Again, as noted by Hoekstra, ‘Ancient Democracy’.

After c. 371, when the judgement of impeachments passed from the assembly to the courts,<sup>67</sup> this control was invariably exerted not by the *dēmos* itself—that is, the *dēmos qua* assembly—but by the *dikastēria* or popular courts.<sup>68</sup> It was Athenian judges—ordinary citizens randomly selected in a lengthy process described in the final seven chapters of the Aristotelian text—who policed the activities of office-holders within the political system and thus maintained the supremacy of the *dēmos* overall.

The significance of the popular courts as the backstop of demotic power is shown in the Xenophontic text, when the author argues that tinkering significantly with the judicial system would weaken Athens' *dēmokratia* (3.7-8). But it is a core part of the Aristotelian author's argument.<sup>69</sup> According to him, the Solonian reform that most strengthened the multitude (*plēthos*) was the appeal to the courts, 'for the *dēmos* being *kurios* [= having authority] over the vote becomes *kurios* [= acquires authority] over the *politeia*' (9). Seemingly recognizing this, the Thirty moved early to dissolve the authority lodged in the judges (35). This argument comes to a head in chapter 41, in the passage already quoted: 'the *dēmos* has made itself *kurios* [= given itself authority] over everything, and everything is managed by decrees and by courts in which the *dēmos* is *ho kratōn*...' On that representation, the ultimate political authority of the Athenian *dēmos* rested on popular judicial power. The sovereignty (*kuros*) of the *dēmos* might—perhaps must—have been gained through *kratos*, but it was maintained through judicial procedures in which the *dēmos* (or more precisely, some of its members) continued to have the upper hand.

#### **'The eager *dēmagōgountas*' ([Arist.] *Ath. Pol.* 9)**

Office-holders were thus one potential rival for supremacy in *dēmokratia*. But they were not the most significant. In some circumstances office-holders could certainly prove dangerous, as Aristotle noted when discussing the various ways that *dēmokratia* might come to an end: for example, in Miletus, in former times, 'a tyranny arose out of the *prutaneia*, for the *prutanis* was *kurios* over many important matters' (Arist. *Pol.* 1305a15). But in an 'advanced' (*teleutaia*, e.g. Arist. *Pol.* 1298a31) democracy, where office-holders typically had less authority and were more tightly controlled, a more serious threat to demotic rule came from another source—one that, lacking formal constitutional power, owed its influence to the *dēmos* itself: *dēmagōgoi* or leaders of the *dēmos*.

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<sup>67</sup> M. Hansen, *Eisangelia* (Odense: Odense University Press, 1975).

<sup>68</sup> The relationship of the courts to the assembly, and particularly the extent to which the courts represented the assembly, has been the subject of considerable controversy. See A. Blanshard, 'What Counts as the Demos? Some Notes on the Relationship between the Jury and "The People" in Classical Athens', *Phoenix*, 58 (2004), pp. 28-48; M.H. Hansen, 'The Concepts of *Demos*, *Ekklesia* and *Dikasterion* in Classical Athens', *Greek, Roman and Byzantine Studies*, 50 (2010), pp. 499-536; Ober, *Athenian Revolution*, pp. 107-122; Cammack, 'Representation'; D. Cammack, 'The Popular Courts in Athenian Democracy', *Journal of Politics*, forthcoming (2022).

<sup>69</sup> As argued in the introduction to D. Cammack, *Rethinking Athenian Democracy*, Harvard diss. (unpub.), 2013.

Although in modern parlance ‘demagogue’ is always pejorative, *dēmagōgos* (from *dēmos* and *agō*, ‘lead’) was not.<sup>70</sup> Purely pejorative depictions can certainly be found: Aristophanes, for instance, characterized a *dēmagōgos* as ‘an ignoramus and a rogue’ with ‘a screeching, horrible voice, a perverse, crossgrained nature and the language of the market-place’.<sup>71</sup> Although he did not use the exact term, the author of the Xenophontic *Constitution* presumably had something similar in mind when he described ‘worthless’ people and ‘maniacs’ speaking in the assembly, and acknowledged that such men’s ‘ignorance and worthlessness and good-will’ benefited the *dēmos* more than the ‘excellence and wisdom and ill-will’ of the ‘better sort’ of political leader (1.6, 1.9).

Yet, the author of the Aristotelian *Constitution* used *dēmagōgeō* neutrally or even positively to refer to a run of men of noble birth and high esteem among both *dēmos* and elite: Solon, Peisistratus, Cleisthenes, Xanthippus, Themistocles, Ephialtes, and Pericles (28). Of those, he particularly admired Pericles, who ‘advanced to the position of leader of the *dēmos* [*pros to dēmagōgein elthontos*]’ eleven years after Ephialtes’ death (27). ‘So long as Pericles stood first with the *dēmos* politics went better’, the author claims, but when he died, ‘the *dēmos* now for the first time took a champion [*prostatēs*] who was not in good repute with the respectable, whereas in former times those had always been the popular leaders [*dēmagōgountes*]’ (28). Isocrates also picked out Pericles as a ‘good *dēmagōgos*’ and advised Nicocles on how to ‘practice popular leadership well [*dēmagōgeis kalōs*]’: ‘neither allow the mob [*ochlos*] to do or to suffer outrage, but see to it that the best of them have honours while the rest suffer no derogation of their rights’.<sup>72</sup> Lysias argued before a popular court that it was the duty of good *dēmagōgoi* ‘not to take your property in the stress of your misfortunes, but to give their own property to you’ (Lys. 27.10). Aeschines valued fellow-feeling in a demagogue—‘the man who hates his child and is a bad father could never be a worthy leader [*dēmagōgos chrēstos*]’ (Aeschin. 3.78)—and Hypereides argued that ‘a true [*dikaion*] *dēmagōgos* should be the saviour of his country, not a deserter’.<sup>73</sup>

Putting those claims together, it seems that a good demagogue was expected to act in the *dēmos*’ interests and cause it to flourish by securing both its material prosperity and political significance relative to other parts of the *polis*. Aristotle, in the only extended discussion of Athens in the *Politics*, emphasized the latter. Ephialtes and Pericles had docked the power of the Areopagos Council, Pericles had established payment for serving in the courts, ‘and in this manner eventually the successive leaders of the people [*tōn dēmagōgōn*] led them on by growing stages to the present democracy’ (Arist. *Pol.* 1274a). *Dēmagōgia*, that is to say, had

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<sup>70</sup> As argued by G. Grote, *History of Greece* (London: Murray, 1846-1856), vol. iii, p. 25; Finley, *Democracy*, pp. 38-75; M.S. Lane, ‘The Origins of the Statesman–Demagogue Distinction in and after Ancient Athens’, *Journal of the History of Ideas*, 73 (2012), pp. 179-200. See also P.J. Rhodes, ‘Demagogues and Demos in Athens’, *Polis* 33 (2016), pp. 243-64; M. Simonton, ‘Demagogues and Demos in Hellenistic Greece’, *Polis* 39 (2018), pp.35-76.

<sup>71</sup> Aristoph. *Knights* 191, 217, tr. O’Neill. Cf. R. Bartlett, *Against Demagogues: What Aristophanes Can Teach Us about the Perils of Populism and the Fate of Democracy. New Translations of the Acharnians and the Knights* (Berkeley, CA: University of California Press, 2020).

<sup>72</sup> Isoc. *Helen* 37, *To Nicocles* 16.4. Cf. *Antidosis* 234, *On the Peace* 126.

<sup>73</sup> Hyp. ‘Against Demosthenes’, Fr. 4, col. 16b line 26.

played a crucial role in extending the institutional power of the Athenian *dēmos*.<sup>74</sup> Aristotle suggested that this had been possible because the *dēmos* already had power to bestow favours and make fortunes via the courts: ‘For as [the courts] grew strong, men courted favour [*charizomenoi*] with the *dēmos* as with a tyrant and so brought the constitution to the present democracy’ (Arist. *Pol.* 1274a). Essentially the same analysis lay beneath the line from Chapter 9 of the Aristotelian *Constitution* already quoted: ‘the *dēmos* being *kurios* of the vote becomes *kurios* of the *politeia*’. The vote referred to in that line was that of a popular court; the party responsible for establishing the right of appeal to the popular court was the *dēmagōgos* Solon; and the power that he had given the *dēmos* made the *dēmos*’s leaders powerful in turn.

The source of the *dēmagōgoi*’s power was thus the *dēmos* itself, as opposed to the traditional foundation of political power—the possession of large properties.<sup>75</sup> More specifically, it lay in the capacity of the *dēmagōgoi* to *persuade* the *dēmos* to put its capacities—including its *kratos*—behind them and their proposals, even to the extent of overriding the established laws (Arist. *Pol.* 1292a, 1305a30, 1310a). As Aeschines put it, a *dēmagōgos* ‘has the power [*dunaito*] to cajole [*thōpeusai*] the *dēmos*’ (3.226.2). Hobbes, in his translation of Thucydides, made that relationship plain when he described Cleon as ‘of all the citizens most violent [*biaotatos*] and with the people [*dēmos*] at that time far the most powerful’, where ‘most powerful’ translates *pithanōtatos*, literally ‘most persuasive’ (Thuc. 3.36). He used the same rendering of the same term with respect to Athenagoras of Syracuse—‘most powerful [*pithanōtatos*] with the commons [*tois pollois*]’ (Thuc. 6.35).

Yet *peithō*, ‘persuade’, was ambiguous. In the middle/passive voice, it equally implied ‘obey’, and that ambiguity indicates the danger of this relationship for the *dēmos*.<sup>76</sup> Through winning votes in the assembly and courts, the *dēmos*’s leaders could achieve many things on its behalf, but their power to bring about actions in the *dēmos*’s interests was predicated on a form of power over the *dēmos*—rhetorical influence. Demosthenes complained that ‘by playing the demagogue [*dēmagōgountes*] and seeking favour [*charizomenoi*]’, Athens’ political speakers had ‘brought you to such a frame of mind that in your assemblies you are elated by their flattery and have no ear but for compliments’ (Dem. 8.34). Wrongly deployed, that power undermined rather than supported rule by the *dēmos*.

In the *Politics*, Aristotle outlined two ways that that might happen. Most commonly, *dēmagōgoi* went too far against large property-owners, provoking counter-revolution and oligarchy. The ‘insolence’ of *dēmagōgoi* caused ‘the owners of property to band together, partly by malicious prosecutions...and partly by setting the *plēthos* against them as a class’. Apparently, that had happened in Kos, Rhodes, Heraclea, Megara, and Kyme. Aristotle added: ‘Sometimes they

<sup>74</sup> Aristotle also suggested that *to dēmagōgein* had played a role in converting *aristokratia* into *dēmokratia* at Sparta (*Pol.* 1270b), and some old-fashioned electoral democracies into the ‘ultimate’ (*neōnatēn*) kind (*Pol.* 1305a30).

<sup>75</sup> A contrast that appears, for example, in the Aristotelian author’s representation the *dēmagōgoi* are counterposed with the *prostatai*, ‘champions’, of the *euporōn*, ‘well-to-do’ (28).

<sup>76</sup> As highlighted by E. Garver, ‘Plato’s *Crito* on the Nature of Persuasion and Obedience’, *Polis*, 29 (2012), pp. 1-20.

make the notables combine by wronging them in order to curry favour [*charizōntai*] [with the *dēmos*], causing either their estates to be divided up or their revenues by imposing public services, and sometimes by so slandering them that they may have the property of the wealthy to confiscate’—that is, by getting judgments against them in the courts.<sup>77</sup>

Alternatively, *dēmagōgoi* might simply take the *politeia* into their own hands, converting themselves from leaders to rulers and the constitution from *dēmokratia* to *turannis*. A prominent example was the sixth-century Athenian tyrant Peisistratus. According to the Aristotelian *Constitution*, Peisistratus first came to prominence as the leader of the pro-*dēmos* ‘hill-men’, being reputed to be an extreme advocate of the *dēmos* (13). He then persuaded (*sunepseis*) the *dēmos* to give him a bodyguard by pretending that he had been wounded by the oligarchic opposition, and with their help rose against the *dēmos* and took the acropolis (14). Following expulsion by the pro-oligarchy factions, he regained his position by tricking the *dēmos* into thinking that he had Athena herself on his side, and then after another break in his rule, won back control of the *politeia* by first hiring mercenaries and defeating the government forces in battle, and then disarming the *dēmos* by asking it to shift locations during an armed muster, which enabled his followers to carry off its weapons (14-15). After that, the Peisistratids remained in power until 510, when they were driven out by the Spartans, following which the *dēmos* under the leadership of Cleisthenes fought its way back to control of the *politeia* (20).

Other famous demagogues-turned-tyrants were Theagenes of Megara, Dionysius of Syracuse, Panaetius of Leontini, and Cypselus of Corinth (Arist. *Pol.* 1305a25-30, 1310b25-30). Indeed, Aristotle claimed that ‘almost the greatest number of tyrants have risen...from among the demagogues, having won the people’s confidence (*pisteuthentes*) by slandering the notables’ (Arist. *Pol.* 1310b15, cf. 30). Yet he also believed that that was not likely to recur.

In the old days, whenever the same man became *dēmagōgos* and general, they used to change the system to a tyranny; for practically a majority of ancient tyrants arose from the *dēmagōgoi*. And the reason that used to happen, but doesn’t any more, is that then the *dēmagōgoi* were drawn from those who held the office of general (for they were not yet impressive speakers), but now that rhetoric has developed, able speakers lead the people [*hoi dunamenoī legein dēmagōgousi*], but owing to their inexperience in military matters they are not put in control of these... Arist. *Pol.* 1305a5-15; cf. Androtion frag. 5.6).

Essentially, according to Aristotle, contemporary would-be tyrants lacked *kratos*. Although they had rhetorical influence, they would not be able to prevail in battle.

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<sup>77</sup> Arist. *Pol.* 1304b22-1305a10. Cf. Xen. *Hell.* 5.2.7.8: After Mantinea was divided into four separate villages, ‘the owners of the landed property, since they...enjoyed an aristocratic government and were rid of the troublesome demagogues (*tōn bareōn dēmagōgōn*), were pleased with what had been done.’

In the 330s, that claim may have seemed defensible, but it did not match the experience of the Athenian *dēmos* in the late fifth century. Aristophanes suggests that in the 420s, fear of tyranny was widespread: ‘Tyranny! I have not heard the word mentioned once in fifty years, and now it is more common than salt-fish...’ (Aristoph. *Wasps* 490-91, trans. O’Neill). The author of the speech ‘Against Alcibiades’ suggested that the transition from demagoguery to tyranny had already occurred: Alcibiades’ behaviour ‘shows the democracy to be nothing but a sham, by talking like a champion of the people (*dēmagōgou*) and acting like a tyrant, since he has found out that while the word “tyranny” fills you with concern, the thing itself leaves you undisturbed’ ([Andoc.] 4.27.7).

Most significant, of course, were the oligarchical coups of the Four Hundred in 411 and the Thirty in 404. To be sure, the ‘tyranny’ represented by those cases was collective rather than singular, namely oligarchy rather than *turannis* proper. But the association with popular leadership and persuasion persisted. Lysias described Phrynichos, Peisander, and the other architects of the rule of the Four Hundred as *dēmagōgoi*, and the Thirty, who were originally elected by the assembly to produce a new constitution, were also prominent political leaders.<sup>78</sup> Some were formal office-holders (namely, elected generals), but many were not. They had risen to prominence through rhetorical influence capable of harnessing the might of the *dēmos*. But they could as easily undermine it, and it took victory in the 404/3 civil war for the *dēmos* to secure its supremacy in the the *politeia* again.

How were such men to be controlled in peacetime? The *dēmos*’s control of the courts and, beyond that, of the legal order that the courts upheld, was here crucial. While, as Lane emphasizes, formal office-holders were held accountable through the *euthuna* and monthly votes of confidence, informal or self-selected political leaders were targeted by other charges, such as making a deceitful promise to the *dēmos*, aiming to overturn the democracy, making a proposal outside the laws (*graphē paranomōn*), or, in the fourth century, proposing a law disadvantageous to the *polis*. Those indictments, which like all political charges in Athens were judged by a minimum of five hundred undistinguished citizens acting as judges, have been interpreted as a way of limiting the powers of the assembly do to as it pleased.<sup>79</sup> But it is more plausible to read them as aimed at limiting the power of Athens’ political leaders by providing a way of rescinding any resolution that appeared to undermine either the supremacy of the *dēmos* or (what perhaps came to the same thing) the body of laws through which it ruled, and punishing those responsible. In this pursuit, a distinction between laws and decrees that was formalized following the defeat of the Thirty seems to have played a significant role. After 404/3, no decree could trump a law, and laws had to be passed through a distinctive, drawn-out procedure known as *nomothesia*, rather than being passed instantly by the assembly.<sup>80</sup> The simplicity of decree-ratification had been revealed to be a double-edged sword. Peisistratus’ bodyguard had, for instance, been supplied via a properly advanced and approved decree, that is, a legitimate proposal—that of a certain Aristophon ([Arist.] *Ath. Pol.* 14). The Four Hundred were also established

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<sup>78</sup> Lys. 25.9.3; *Ath. Pol.* 34-5; Thuc. 8.65.2.6, Xen. *Hell.* 2.3.27.5.

<sup>79</sup> See Cammack, ‘Popular Courts’, with citations.

<sup>80</sup> For the interpretative controversies surrounding this process, see Cammack, ‘Popular Courts’.

as the result of two seemingly valid decrees: one drafted by Pythodorus of the deme Anaphylstus asking for thirty elected ‘preliminary councillors’ to draft new measures for the public safety, and another presented by the preliminary councillors requiring that a) all new proposals be put to the vote, b) that the *graphē paranomōn* and impeachment processes be repealed, and c) that anyone who attempted to indict or impeach proposers should be summarily arrested and executed ([Arist.] *Ath. Pol.* 25). The Thirty, too, were established through a seemingly procedurally correct motion, proposed by Dracontides of Aphidna ([Arist.] *Ath. Pol.* 32).

Each of those decrees was, apparently, authoritative and legitimate—that is, *kurios*.<sup>81</sup> Rule by the *dēmos* required something more. The *graphē paranomōn* and other political charges were *post facto*, peacetime weapons that enabled the *dēmos* to stay *kurios* over the *politeia* even when its leaders acted against its interests, by giving its supporters a formal judicial opportunity to defend it and the body of laws through which the *dēmos* manifested its will.<sup>82</sup> As Demosthenes argued, ‘penalties for private citizens [*idiōtai*] should be slow, but for office-holders [*archai*] and political leaders [*dēmagōgoi*] swift, assuming that one can get satisfaction from the former even after some delay, but that one cannot wait for the latter, because there will be no possibility of punishment if the *politeia* is dissolved’ (Dem. 26.4). The author of the Aristotelian *Constitution* made essentially the same point when he observed that in the courts, the *dēmos* was *ho kratōn*. The legitimate political authority (*kuros*) of the *dēmos* was underpinned by an institutionalized form of bodily superiority (*kratos*): its capacity to punish judicially—swiftly and, if necessary, violently, through the death penalty—those who threatened its rule.

## Conclusion

*Krat-*, *arch-* and *kur-* were each associated with rule, but it is *krat-* that is twinned with *dēmos* in one of the best known derivations from ancient Greek in use today. Why? The foregoing study suggests an answer. What ultimately secured the political supremacy of the *dēmos* (‘assembly’, ‘collective common people’) was its capacity to succeed in trials of strength with the political elite, using that term broadly to include both formal office-holders (*archontes*, *archai*, *stratēgoi*) and informal political leaders (*dēmagōgoi*, *rhētores*). As the Aristotelian author posited, it had ‘seemed just’ for the *dēmos* to take over the *politeia* after its victory over the Thirty and their supporters, for it had achieved its return through its own agency (41). The *dēmos* could not, *en masse*, hold office, prosecute office-holders, or make or argue for proposals. Those tasks could only be performed by individual male citizens (*ho boulomenos*, working either alone or sequentially), who—if they were effective—posed, in their own way, a potential threat to the political supremacy of the *dēmos*. But the *dēmos* had superior collective force, as was revealed by its victories in 508/7 and 404/3. The critical question for *dēmokratia* was whether that

<sup>81</sup> Although see M. Landauer, ‘*Demos (A)kurios?* Agenda Power and Democratic Control in Ancient Greece’, *European Journal of Political Thought* (2021), doi. 10.1177/14748851211015331. Additionally, as Peter Liddel points out to me, it is possible that prior to 404/3 it was illegal for a decree to trump a law, just as it was after 404/3. If so, and if the decrees establishing the Four Hundred and the Thirty contradicted laws, then they would have been unconstitutional.

<sup>82</sup> This interpretation and its relationship to Athens’ ‘era of legal reform’, including the development of *nomothesia*, is defended in Cammack, ‘Popular Courts.’

superiority could be given a peacetime form, adequate to remind office-holders and orators alike what they risked if they turned against the *dēmos*. In Athens, such a form was found. The rule of the *dēmos* was institutionalized in the form of regular mass assemblies and popular courts in which *kratos*, *archē*, *kuros*, and *dēmagōgia* were all in play. Among other things, such mass meetings made visible the threat that the *dēmos en masse* posed to any factions who might plot against it: if it came to a fight, it would win.<sup>83</sup>

Among previous scholars, Loraux was most sensitive to those dynamics, particularly to the political significance of *kratos*. As she rightly spotted, giving ‘a place in political practice’ to *kratos* implied ‘ratifying the victory of one part of the city over another’.<sup>84</sup> Yet Loraux also believed, as I do not, that the Athenian *dēmos* disavowed *kratos*. It was an essential predicate of her argument in both *L’Invention d’Athens* (1981) and *La Cité Divisée* (1996), that, to the Athenians, ‘anything [was] preferable to recognizing that in the city, power rests in the hands of one group, even if this group constitutes a large numerical majority’.<sup>85</sup> Indeed, she took the ‘effort’ to ‘neutralise the existence of the political as *nikē* and *kratos*: as the victory and domination of one party over another’ to be ‘constitutive...of the unity of Greek political thought’.<sup>86</sup>

The principal evidence Loraux adduced for such neutralization was the relative popularity of *arch-* rather than *krat-* terms in Athenian civic discourse. Defining *archē* as ‘the name of institutional power’ in contradistinction from the martial overtones of *kratos*, Loraux interpreted the latter’s absence from Athenian democratic sources as a sign of its denial.<sup>87</sup> That argument turned out to be self-undermining when, towards the end of *La Cité Divisée*, Loraux discussed several early fourth-century uses of *krat-* terminology within Athenian civic discourse, including by the pro-democrat Lysias, and thereby arrived at an ‘unexpected truth’: ‘far from seeking to obscure the *kratos* of the democrats, their contemporaries, from all political leanings, seem to have insisted on it, and such consensus is troubling’.<sup>88</sup> One may wonder, uncharitably, if such consensus were not troubling chiefly for Loraux’s prior argument, but other aspects of her presentation raise more valuable questions. While Loraux was undoubtedly right to interpret *archē* as ‘institutional power’ and *kratos* as martial superiority, she was arguably mistaken to presuppose a sharp discontinuity between the two referands, such that the one could be used to

<sup>83</sup> On the importance of demotic visibility for mass democratic politics, see D. Cammack, ‘Proximity and Politics’, forthcoming.

<sup>84</sup> Loraux, *Divided City*, p. 69.

<sup>85</sup> Loraux, *Divided City*, p. 70; cf. p. 26: ‘the very word *demokratia*, which speaks of the victory or the superiority of the people...is not uttered without countless safeguards’.

<sup>86</sup> Loraux, *Divided City*, p. 22.

<sup>87</sup> See, for example, Loraux, *Divided City*, p.56: *kratos* is ‘a word typically missing from the flights of oratory that prefer the name *arkhē*, the name of institutional power, shared and always renewed with the succession of magistrates at the center of the city... the implications of *kratos* are so dreaded by the city that whenever possible it silences the name that evokes them’; pp. 69-70 with Xen. *Hell.* 2.3.42, ‘only an oligarch [viz., Theramenes] [could] dispassionately evoke the possibility that *arkhontes* rule [*kratein*] over their subjects’; p. 278 with Xen. *Hell.* 2.4.20, Thrasybulus (leader of the democrats in 404/3) spoke ‘exclusively of *arkhē* in a context where *kratos* would have been more appropriate’. Cf. Loraux, *Invention of Athens*, pp. 232-33, 256, 410-11.

<sup>88</sup> Loraux, *Divided City*, pp. 248-50 with Isoc. *Call.* 17; Lys. *Erat.* 92, 79.

‘mask’ the other. An affinity between *arch-* and *krat-* is suggested not only by *arche*’s usage ‘empire’, in which *kratos* was definitely implicated, but also by Athens’ internal history: office-based rule was perfectly compatible with force, as Peisistratus and the Four Hundred, among others, revealed. *Arch-* is better understood not so much as a gloss on power to rival *krat-* but rather as one aspect of it—viz., *de facto* magistracy or governance—to which another aspect—viz., *kratos*, or the power to prevail militarily, whether inferred or evident—could quite easily be allied.

Loraux also missed the significance of *kur-* as the master sign of fourth-century civic discourse. Insofar as *krat-* was relatively absent from the sources, it was because (as Lane, too, has argued) demotic superiority had been recast as *kuros*—stable, legitimate political authority. Demosthenes, looking back at the subordinate status of fifth-century political leaders, used that terminology appropriately to support the supremacy of the *dēmos* over its political elite:

Why did everything turn out beautifully then and now poorly? Because then the *dēmos*, having the courage to act and to fight, was itself master [*despotēs*] of the politicians and itself *kurios* over all benefits; the rest were satisfied to accept respect [*timē*], office [*archē*] and any reward at the *dēmos*’s hand (Dem. 3.30).

Elsewhere, in another context frequently on Loraux’s mind, *kur-* is the sign of the predominance of the winning side in a vote of the assembly. Specifically, it signalled the willing acceptance of the losers not only to abide by the result but to advance it as their own. Drawing attention to ‘the most admirable’ of all Spartan practices, Demosthenes remarked:

For they say, men of Athens, that among them each man airs any opinion he may have until the question is put, but when the decision has been ratified [*epikurōthē*], they all praise it and work together [*sumprattein*], even those who spoke against it [*anteipontas*] (Dem. Ex. 35.2, after DeWitt).

Exactly as Loraux spotted, giving ‘a place in political practice’ to *kratos* implied ‘ratifying the victory of one part of the city over another’. What she missed was the language of that ratification: not *arch-*, but *kur*—the indicator not of forced compliance but of the legitimacy of the outcome of prevailing power, in the eyes of winners and losers alike.

To conclude: martial superiority, magistracy, legitimate authority, and leadership were each vital elements of Athenian *dēmokratia*. Indeed, *dēmokratia* may be understood as a certain configuration of those elements. The supreme authority of the Athenian *dēmos*, manifested in decrees, laws, and judicial verdicts that were widely accepted as legitimate, was underpinned by its capacity to prevail in combat. Meanwhile, magistracy and leadership were performed by individual male citizens, whose spheres of action were delimited by the assembly and popular courts via the body of laws that they authorized and upheld.

Within that general framework, the special purpose of this article has been to draw out what we may call the *kratic* element of *dēmokratia*, to show its interplay with other forms of power, and to sketch how that interplay was elaborated institutionally in classical Athens. A final way to highlight what ancient democrats achieved in this context is to contrast it with modern democratic norms—that is, to ask where *kratos* lies today and to consider the implications of the answer. Lacking opportunities to gather *en masse*, the collective physical capacities of ordinary citizens are normally nil. *Kratos*, in the form of military and police power, belongs to the political elite. Perhaps relatedly, elected office-holders are not routinely held accountable for their actions either during or after their tenure. To the contrary, far from securing their superiority via judicial action against self-serving, incompetent or duplicitous office-holders and political leaders, most men and women of the *dēmos* are today locked out of the judicial system except as objects of discipline. An ancient Greek observer would identify that system not as a *dēmokratia* but as an *oligarchia*—and a very successful species of *oligarchia* at that.<sup>89</sup>

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