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Athens – An Incidental Democracy

A case of unintended consequences of institutional change

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Abstract

Around 600 B.C., Athens was ruled by a birth aristocracy. Some 150 years later, the city-state was a "democracy". A rational-actor perspective, as perceived in the new institutional economics, sheds additional light on this intriguing transformation by focussing our attention on the incentives of individual actors, for example. Furthermore, it illustrates the unpredictable nature of the long-run consequences of institutional change. Repeatedly, a result of the intra-elite competition for power was that members of the elite unwittingly contributed to the changes that eventually undermined their own dominant position as a group.

Keywords: institutional change, unintended consequences, democracy, Athens

JEL classification: D72, N43

Athens – An Incidental Democracy

A case of unintended consequences of institutional change

1. Introduction

By the time of Perikles in the middle of the fifth century B.C., the Athenians had developed a democratic constitution, in the sense that, both in theory and in practice, all citizens could influence public decision-making.[1] The most important political institution was the Assembly, where decisions were taken by majority vote, and where all citizens could attend, vote and speak. Magistracies were open to most of the population and appointment was by lot. Popular participation was facilitated by payment of magistrates and jurors in the law courts (open to all). About 150 years earlier, Athens had been a community ruled by a birth aristocracy, and only members of this elite could hold offices of the state.

To understand the mechanisms that produced such fundamental institutional change is an intriguing subject in itself, and one which has naturally been the subject of much discussion.[2] As we shall see, a rational-actor perspective sheds additional light on this process and provides a consistent account. Furthermore, it illustrates the unpredictable nature of the long-run consequences of institutional change. As a consequence of their internal competition, members of the elite gradually introduced the changes that eventually undermined their own dominant position as a group. That this could be the consequence was likely to have been perceived only in the late stages of the development.

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[1] Notably this excluded women, foreigners and slaves.

[2] For recent discussions, cf., e.g., Hansen (1991), Manville (1997), Morris (1994, 2000), Ober (1989, 1996), Osborne (1996), and Ostwald (1988).

Similarly, in a single-ruler context, Barzel (2000) shows how democracy may evolve out of dictatorship without any group purposely setting out to create democracy, and he argues that in England democracy evolved as "the incidental byproducts of wealth maximization by the King and by the subjects" (p. 48).[3] The Athenian case also demonstrates the importance of people's experiences, how those experiences affect their perception of the world, which in turn affects how they perceive their self-interest (a form of path dependency).

While changes in a democratic direction in ancient Greece were not confined to Athens, the Athenian case is interesting because the institutional development in Athens is by far the most well-known. It also appears that Athens was probably the first Greek city-state to introduce such a far-reaching citizen democracy, and democracy was remarkably stable in Athens.[4]

The use of a theoretical framework is inevitable when we try to understand a historical process even if it is not made explicit (Ober, 1996, Ch. 2), and the relative lack of empirical evidence for the study of ancient societies makes a theoretical framework all the more necessary as a guide to our interpretations (Finley, 1985, p. 18).

The theoretical framework employed here is the rational-actor perspective as perceived in the new institutional economics (North, 1981, 1990, 1994).[5] Individuals are

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[3] On the English case, cf. also North & Weingast (1989) and Weingast (1995).

[4] Whether Athens was in any sense also the "first democracy" is a moot question. It depends *inter alia* on what we (and the ancient authors) mean by democracy. Cf. Robinson (1997) on early democratic changes in other city-states.

[5] The use of a rational-actor perspective in this context is not uncontroversial. In my view it is a reasonable assumption, however, given that proper account is taken of how self-interest is likely to have been conceptualised in Greek society in this period. Murray (1990, 1996) argues that institutional change in ancient Greece, including the archaic period, displays a high level of rationality, based on recognition of the reasons

assumed to act with intended rationality. They strive to maximise their own lifetime utility, within the constraints given by the relative prices, technology and transaction costs in the economy. Additionally, institutions are the rules of the game in society, the humanly devised constraints that shape human interaction. Institutions comprise laws and other formal rules as well as informal rules such as social norms. Individuals will sometimes find it to be in their interest to endeavour to change the institutions, rather than just adapting their behaviour to the existing institutional structure. Individuals base their decisions on limited information and on their beliefs (including their perception of how the world functions) and expectations, and they have limited reasoning capacity (Simon, 1987). They strive for power, wealth and status.[6]

From the rational-actor framework it does not follow, however, that all consequences of an action are necessarily intended by an actor, in particular in view of the "bounded rationality" just noted. As is often pointed out, unintended consequences of an action are a ubiquitous phenomenon and they may occur for a variety of reasons.[7]

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for change and the consequences of institutional reform. Osborne (1991), p. 140, argues in an analysis of the behaviour of one Phainippos (in fourth century Athens) that we have "no warrant for ascribing to him a 'satisficer' rather than a 'maximiser' mentality." Much of the critique of using modern economic analysis in this kind of context focuses on the "substantivist position", the argument that economic life was "embedded" so that market forces played no independent part (Finley, 1973; Morris, 1994). Such a view is however not necessarily incompatible with institutional economic analysis, with its emphasis on social norms, on the interaction between economic and social domains and on people's beliefs about the functioning of the world (Aoki, 2001; Greif, 1994a; North, 1990) (we may also note that the substantivist position has been criticised for the classical period (e.g.: Burke, 1992; Cohen, 1992; Loomis, 1998)). In general, as Murray (1990) observes when writing about the *polis*, the application of different styles of approach is commendable in view of the relativity of scientific methodology.

[6] In practice, these objectives are interrelated. Both power and wealth bring status. Wealth may bring power while at the same time power often provides opportunities to acquire wealth.

[7] Cf., e.g., Aoki (2001), pp. 267-70, Boudon (1982), Cordell & Peterson (2001), Lal (1998), Merton (1936), Smith (1776), III. IV.17 and IV. II.9 (pp. 422, 456).

Unintended consequences will here be used as a label for consequences that are neither foreseen nor desirable for the actor.[8] In the Athenian case, we will encounter such consequences that are primarily due to the cumulative effects of the interaction of agents' strategic choices over time.

[8] While it is sometimes relatively straightforward to argue the case that a consequence is negatively valued by a particular actor, it is obviously much more difficult (impossible) to argue that its occurrence was totally unforeseen in the sense of not being envisaged even as a possibility, should something unexpected take place. It seems reasonable to take "unforeseen" consequences to include cases where something unexpected occurs, even if the unexpected event had been perceived as a remotely possible but unlikely event.

2. The background – institutional development in ancient Greece in the eighth, seventh and sixth centuries B.C.

To interpret and appreciate the institutional changes in Athens, it is necessary to place them in the context of the development of Greek society in the preceding centuries (section 2.1) and an interpretation of these changes (section 2.2).

2.1 The changes[9]

The recovery from the collapse of the Mycenaean society was under way at least by 900 B.C. in Greece (henceforth all dates are B.C.). During the following centuries, local chieftains (*basileis*) would gradually seek to gain influence and domination over other communities and *basileis*. Having relatively little coercive power, the *basileus* based his position on the resources of his household and on his ability to attract followers (*hetairoi*), who were rewarded with feasts, gifts, etc. The common people made contributions to the *basileus*' wealth. In return, he provided protection and administration of justice. From these beginnings, the city-state (*polis*) gradually emerged as a community of citizens, as a political, geographical, religious unit and judicial unit, with an assembly, council, elected magistrates and written laws. The development entailed an identification of land with people, implying a gradual formalisation of territorial boundaries.

Greek society also underwent some other important changes. The population increased from the tenth century onwards, probably with some acceleration in population

[9] The description below draws mainly on the following secondary sources: Donlan (1989, 1997), Donlan & Thomas (1993), Hansen (1993), Murray (1993), Osborne (1996), Raaflaub (1993, 1997), Snodgrass (1993), Starr (1986), Thomas (1993), Thomas & Conant (1999).

growth in the eighth century.[10] There was also a gradual expansion and diversification of economic activity, including trade with the Near East, in particular during the eighth and seventh centuries. By the sixth century there were true cities with resident artisans and traders. From the early ninth century, funerals reveal competitive behaviour. This practice continued until c. 700, when elite burials became much simpler, and competitive outlays appear instead in connection with (public) sanctuaries, where dedications, stone altars, temples (some in stone) etc, proliferated from c. 700. There was also a change in military technology. By the middle of the seventh century the Greeks had learnt the fighting tactics of the phalanx and the equipment of the hoplite (heavy infantryman) was fully developed. The hoplite would remain the decisive factor on the battlefield into the fourth century. This meant that the group of ordinary well-to-do farmers – who could afford the equipment – had gained in military importance.

Around 700, the informal system of the *basileis* was replaced in many Greek communities by a formal system of power sharing. The different functions and powers of the *basileis* were largely shared out among a set of magistrates, non-hereditary, with a limited and short term of office.[11] It appears from Homer that both an assembly and a council existed before these changes, but it is probable that the council now became more formalised and that other collegial boards also were created. At the same time – from around 700 – the upper class in the *polis* developed into an aristocracy, with aristocratic value systems and an aristocratic way of life, leading to a birth aristocracy.

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[10] Morris (2002, p. 65) notes that surface surveys indicate a tenfold increase in population in many regions between the ninth and fourth centuries.

[11] For example, in Athens the most powerful magistrates were the nine archons, and the Athenians believed that the archonship went back to 683. Cf. Hansen (1991), p. 28.

The seventh century saw two important institutional developments. The rise of tyrants – the situation where a single member of the elite took control over a *polis* – emerged as a new political phenomenon. Roughly at the same time, the judicial situation was formalised by the introduction of written law – it was ”the age of law-givers”.

The sixth century witnessed many instances of continued political turmoil. The material is often very scanty,[12] but it appears that new tyrants appeared, usually by overthrowing the rule of aristocratic oligarchies, and sometimes tyrants were expelled. In some instances it is reported that this ended with the *demos* taking control,[13] but it is difficult to know precisely what this means, as the details regularly escape us, and it remains a possibility that this was under aristocratic leadership. Similarly, sometimes rule by the *demos* was overthrown by aristocratic groups.[14]

2.2 Interpretation

Increasing tensions in society

In the interpretation of these institutional developments, competition within the elite is the most important factor. A fiercely competitive spirit vis-à-vis one's personal standing was an outstanding characteristic of the Greek upper class (Murray, 1993, Ch. 12; Ober, 1989;

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[12] We sometimes have to rely on Hellenistic or later traditions. The often informative writings of the fourth century are coloured by the political debate of that century. Even in the writings associated with Aristotle, we sometimes have reason to doubt the accuracy on Athenian matters (cf., e.g., Hansen (1991), pp. 49-52). There is also the general problem to determine what a term like, e.g., ”the people” (*demos*) means in a particular context. In the fourth century, for example, it could mean the whole population, the poor masses, or the ”more moderate” party (Robinson, 1997, p. 80, n. 59).

[13] E.g., Ambrakia in the early 6th century, Chalkis in the late sixth century. Cf. Robinson (1997), Ch. 3.

[14] E.g., Megara and Heraclea Pontica in middle of the 6th century. Cf. Robinson (1997), Ch. 3.

Whitehead, 1983), and competition within the elite is likely to have increased in different ways.

Several factors may have contributed to an intensified struggle for power within the elite. An increase in the level of wealth in society would make it more interesting to invest resources in the competition for power, since being a ruler means being in a position to tap these resources (Levi, 1988; North 1981), and the fact that the level of wealth increased is implied by the increase in economic activity, by population growth and by increasing standards of living.[15] Taxation of trade is a universal phenomenon and these possibilities also increased as the formation of boundaries meant that political dominance shifted from being primarily over people to being over a territory (Lyttkens, 2001). Furthermore, there are several reasons to suspect that the possibilities for exploitation of the ordinary population increased at the individual level in this period (cf. below). Finally, the gradual formalisation of territorial boundaries also meant that the struggle for power became more of a winner-takes-all situation, which probably encouraged investments in the competition for power (op.cit.).

It has also been argued that members of the upper class intensified their search for wealth in the eighth and seventh centuries.[16] As the scope and volume of economic activity grew, new avenues to acquire wealth were opened, which implies that the marginal return to wealth-generating activities increased. Concomitantly new competitive uses for disposable wealth appeared, such as conspicuous consumption of luxury imports. This provided new opportunities to invest in status. Given that status is largely a relative

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[15] Morris (2002, p. 66): "...archaeological evidence [...] suggests that standards of living improved substantially between the ninth century B.C. and the fourth, even as population was expanding."

[16] Starr (1977, pp. 46-51; 1982; 1986, p. 63). Around 600, the Athenian Solon noted that the rich had twice the eagerness of others in their search for wealth (Solon, fr. 13).

concept, this could easily have fuelled an inflationary spiral in such expenditures, and the same thing holds for power obtained through gift giving.

In addition to the eternal rivalry within the elite, tensions were increasing between the elite and the population at large. Starr (1982) argues that the intensified search for wealth among the elite entailed an increasing eagerness to exploit the rest of the population. Around 700, Hesiod (*Works and Days*, 30-39) complained that the aristocracy gave crooked sentences and violated justice for the lure of gain. One factor behind this development is the population growth and an increasing scarcity of land. Thomas & Conant (1999, pp. 125-134), suggest that in the eighth century the proto-aristocracy increased their land holdings and, as land grew scarce, increasingly turned to exploiting the ordinary farmers. They also argue that the possibilities of exploitation increased as the leading families increased their economic power by expanding their estates and turning to trade. Another factor that facilitated exploitation was the gradual formation of boundaries, because this significantly reduced the possibilities for the ordinary farmer to avoid exploitation by moving to another community – it weakened his bargaining position by impairing the exit option (Lyttkens, 2001). Furthermore, the formalisation of political institutions (introduction of magistracies) probably facilitated exploitation by increasing the power of the upper class vis-à-vis the common people (Donlan, 1997) – the cost of non-compliance increased, compared to what it had been under the relatively loose authority exercised by the early *basileis*, largely based on custom. The same could have been the effect of the formalisation of laws – non-compliance became more costly (while jurisdiction may have become less arbitrary, it was still in the hands of the nobility). In other words, not only did the individual incentives for aristocrats to exploit individual farmers increase, but their individual possibilities to do so also increased.

A final source of tension in the community was that certain individuals outside the nobility also had been able to enrich themselves in the new social and economic environment (Murray, 1993, pp. 220ff; Ober, 1989, p. 58; Starr, 1977, pp. 21-54, 123-128). By the latter part of the seventh century, they had become noticeable, but by definition they were excluded from political power and the interpretation of the law.[17]

In summary, competition within the elite intensified and concomitantly tension mounted between the elite and the rest of the population. This occurred at the same time as military power in the incipient *poleis* gradually shifted from the elite to the ordinary well-to-do citizens. Hence the aristocrats as a group would find it more and more difficult to oppose a would-be tyrant who acted with the explicit or implicit support of the rest of the population.

The elite faced something of a prisoner's dilemma. Individually they had incentives to try to eclipse their peers and to exploit the rest of the population. However, their internal conflicts could weaken the community in relations with hostile neighbours, which also jeopardised their position within the community. Constitutional change often occurred in connection with severe military setbacks (Robinson, 1997, Ch. 3). The pressure they exerted on the rest of the population could provide explicit or implicit support for tyrants. The elite had a collective interest in preventing anyone from their own group from becoming tyrant, and also in preventing a situation where political turmoil could lead to the *demos* taking power. By the sixth century, both these outcomes would have seemed

[17] We may well imagine that – over the generations – a new and wealthy family would occasionally be accepted as belonging to the elite, provided that they emulated the life style of the aristocracy. In people's minds, great wealth was associated with being an aristocrat and with political power. Furthermore, marriages were a way for rich non-aristocrats to use their wealth to form alliances with noble families (Finley, 1978, p.

possible in the elite's perception of the world. An important aspect of both the introduction of magistracies and of the formalisation of laws is therefore probably that the members of the elite were trying to regulate their own behaviour.

Self-regulation attempted and failed

The introduction of magistracies represented a formal system of power-sharing (Donlan, 1989). It seems likely that this was introduced by the elite in an attempt to regulate their internal struggle for power around 700. Formal power-sharing facilitated co-operation by making it more difficult, and hence less attractive, to try to achieve a dominant position by violent means (Lyttkens, 2001). As noted by Weingast (1995, p. 15): "a constitution serves as a coordinating device, helping citizens to coordinate their strategy choices so that they can react in concert and police state behaviour." External threats may have made it individually rational for members of the elite to agree to such a change in the rules of the game for aristocratic competition.[18] In particular, the late eighth century witnessed wars that threatened the very independence or subsistence of the *poleis.*[19] In the seventh century, the likelihood of tyranny increased when wars came to have less dramatic consequences for the survival of a polis, since a reduction in the level of external threat made it relatively more attractive to win the internal struggle for power (Lyttkens, 2001).

Similarly, the first written laws in the seventh century have been seen as an attempt at elite self-regulation. These laws were largely about delineating the powers of magistrates.

66; Murray, 1993, pp. 39-42). In the seventh (or sixth) century, Theognis of Megara, 183-192, deplored that aristocratic men and women married the "lowly born" for their possessions.

[18] Cf. Greif (1994b, 1998) for a similar argument with respect to medieval Genoa.

[19] Raaflaub (1993, p. 51; 1997), Donlan & Thomas (1993). An additional incentive may have been the need for a better administrative apparatus as the society became more complex (Thomas & Conant, 1999, p. 132).

”[T]he purpose of the regulation was not to control the powers of the élite with regard to the people, nor to restrict the arbitrariness of those with authority, but to control the distribution of powers within the élite. This is élite self-regulation ...” (Osborne 1996, p. 187). It is also noteworthy that according to tradition, many of the early lawgivers were outsiders to the community (Osborne, 1996, 189), which fits well into an explanation in terms of self-regulation.

However, these reforms did little to change the basic incentive structure in society. The rich aristocrat still had *individual* incentives to exploit the poor, to excel over his peers, and, if possible, to become tyrant himself. One reaction to the growing tension was colonisation – large groups of people moved away to found city-states elsewhere. During the last third of the eighth century a new town was founded in southern Italy or Sicily about every other year (Osborne, 1996, pp. 119-129). At the same time, as noted above, the rich as a group had less relative military power with which to oppose would-be tyrants. With such a precarious balance, it should come as no surprise that the continued rise of tyrants demonstrates that the attempts to regulate elite behaviour often were less than successful. From the seventh century and for centuries onwards, individual members of the elite sometimes found it to be to their advantage to step outside the traditional aristocratic competition. Neither should we be surprised that occasionally “the people” were called in to support the overthrow of tyrants, nor that these situations sometimes could end with the *demos* in control. Successful tyrants needed at least the passive acceptance of the hoplites.[20]

[20] Sixth century tyrants reputedly often relied on help from outside and on mercenaries, but the stories of early tyrants suggest that they rarely came to power with outside help (Osborne, 1996, pp. 271-272).

In a recent book, Morris (2000) investigates the relationship between the elite and the population at large in the archaic period. Morris argues that from the eighth century onwards some members of the elite "assimilated themselves to the values of ordinary citizens" (p. 163) and gave voice to a "middling ideology," which they took to be a representation of the voice of the man in the street, and which stands in contrast to the pure elitist ideology. He sees this ideological contrast as a reflection of a more general trend in society towards egalitarianism and a conception of the state as a community of middling citizens (e.g., p. 156). Morris furthermore argues that there is evidence in the material remains that the elitist ideology was under pressure. The concomitant discontinuation of rich burials and proliferation of elite expenditure in connection with the emerging sanctuaries suggests to Morris (p. 279) that the elite had to face the fact that private ostentation was considered in bad taste in the emerging community of citizens so that aristocratic competitive outlay had to take new and more socially acceptable forms.

For all this, Morris (p. 169) however still sees the "middling" position as a weapon used by the elite in their internal struggles, and notes that the aristocratic exponents of the "middling ideology" did not give up their claim to constitute a ruling class (pp. 163, 169). As already indicated, it seems reasonable that more account had to be taken of the opinion of the ordinary citizen, given the shift in military power. It seems that Morris' view of the balance between the elite and the rest of the population is in large parts compatible with the interpretation given above, though he seems to accord a more important position to the ordinary citizens than many authors (he argues (p. 156) that many scholars take the pure elitist ideology too literally and consequently overemphasise relations in the polis as a zero-sum intra-elite feuding for power).

I am however not convinced that the "middling ideology" was always the message that the aristocrats cited by Morris tried to convey. Alternatively, at least some of the elements in Morris' "middling ideology" could be seen as exhortations from aristocrats to their peers to avoid the prisoner's dilemma, to avoid paving the way for tyranny by exploiting the population, as when they argue (Morris, pp. 169-70) for restraint and moderation in behaviour and that an excessive focus on gain is disruptive to society. This seems like a plausible interpretation of Solon's concerns in the Athenian crisis of the early sixth century, as will be discussed below. Note that the surviving texts that display the "middling ideology" were all aimed at aristocratic audiences (Morris, 2000, p. 163); Foxhall (1997, pp. 119-20) argues that the "ethos of the community" may be only "the egalitarianism of the equally powerful."

Whereas Morris seems to focus primarily on belief systems in their normative sense, I would also emphasise the importance of belief systems in the positive sense of a perception of how the word functions (though it is somewhat doubtful that a clear distinction can be made between the two aspects). An important consequence of the appearance of tyrants and similar experiences meant that for the population at large it gradually became less self-evident that the traditional form of rule by the aristocracy was inevitable, it made other constitutional arrangements "thinkable".

3. Institutional development in Athens from 600 to 450 B.C.

In general, the institutional development in Athens conforms to the picture presented above. Aristocratic infighting and exploitation of the population led to political turmoil, which eventually gave rise to a tyranny. The Athenian case allows us, however, to look somewhat more closely into the details of the development, and to give at least part of the

answer to the question why Athens embarked on the road to democratising reforms. We will begin by looking at the changes (section 3.1) before turning to the interpretation of them (section 3.2).

3.1 The changes – from rule by a birth aristocracy to democracy[21]

In the seventh century, Athens was ruled by a birth aristocracy – the Eupatrids. Aristocratic rule was formally exercised through two institutions. It was the prerogative of the Eupatrids to hold the offices of the state, of which the most important were the nine elected archons. Ex-archons had a seat in the Council of the Areopagos, where membership was for life. The powers of this Council were probably great, but very little is known about the details. The introduction of magistracies was traditionally dated to 683, and around 630, a young nobleman and former Olympic victor named Kylon made an unsuccessful attempt to establish himself as tyrant in Athens. In 621/20, a written law code was introduced by one Drakon.

In the beginning of the sixth century, social tensions in Athens led to what is often described as a revolutionary situation. It is generally presumed that this tension was the result of dissatisfaction among the rich non-aristocrats, who were excluded from the elite, and among the ordinary farmers, who were increasingly being exploited by the aristocracy. According to Aristotle (The Athenian Constitution, V.1-2), "the people rose against the notables [and] the party struggle [was] violent." As a consequence, the aristocrat Solon was appointed archon and mediator for the year 594/3, apparently with full powers to reform the state and its laws. The divide between rich and poor may have been exceptionally large

[21] Unless otherwise stated, the description below builds upon *The Cambridge Ancient History*, Vols. III.3 and IV, Hansen (1991), Osborne (1996), Manville (1997), Ober (1989), and Starr (1977, 1986).

in Athens: the Athenian elite continued to focus aristocratic displays of wealth on burials rather than redirecting it towards votives at temples, which Morris (2000, pp. 288, 305) interprets as a sign of a refusal to adapt to a middling ideology.

Solon is traditionally credited with economic, social and constitutional reforms. On the economic side, Solon is credited with the cancellation of debts, abolishment of slavery for debt, freeing the land, and freeing the *hektemoroi* from their obligations/debts. The *hektemoroi* were bound to pay over a sixth of their produce to another. Solon also concerned himself with inheritance and with limiting elite display at burials. He limited immigration to those who were permanently exiled or had moved with their whole families to practise a trade.

On the political side, Solon substituted wealth for birth as qualification for office. He divided the citizens into four classes defined by income in kind. Henceforth the archonship was open to all citizens in the highest income class (or the two highest classes). The Areopagos retained its role. The Assembly of all citizens probably existed before Solon. However, he is reported to have instituted a new Council of 400, were issues had to be discussed before they were taken up in the Assembly.[22] Membership was probably not tied to noble birth but restricted to the two highest income classes. He enacted a law against conspiracies that aimed at changing the constitution. Finally, he instituted a court of law (the *heliaia*), which may have been the whole Assembly sitting in judicial capacity. Henceforth it was possible to appeal to the court against the decision of an archon, which previously had been absolute. The citizens of the lowest income class (the *thetes*) were admitted only to the Assembly and the court.

[22] Hansen (1991), pp. 30-31, however argues that it is impossible to tell whether this Council really existed.

Elite factionalism did not end with Solon, however. There were problems with the election of archons several times in the following decades. A major institutional change occurred when – after two unsuccessful attempts (the first in 561) – Peisistratos established a tyranny in Athens in 546. His dynasty then ruled Athens for 36 years. Peisistratos arranged so that the poor could borrow from the state and thus became less financially dependent on the elite. He instituted a system of travelling judges, which also curtailed their dependence on the local nobility.

Peisistratos introduced a five per cent tax on produce. It appears that Peisistratos used the tax less for personal wealth (he was considerably well off without it) than to secure his position. He paid his bodyguard, gave loans to farmers, etc. Like other tyrants of his age, Peisistratos spent on public goods. He adorned the city and fostered public cults that gave him status but also served to strengthen his rule. It decreased the power of the old nobility, which had a considerable hold over traditional religion. The public activities strengthened the tie between the state and the common citizens and increased the legitimacy of Peisistratos' rule. Such investments can be very profitable for a ruler by reducing the cost of enforcement (North, 1981).

Peisistratos died in 527 and was succeeded by his sons Hippias and Hipparchos. Aristocratic opposition gradually increased during the brothers' reign and in 514 a conspiracy ended with the murder of Hipparchos. In 510 Hippias was overthrown by the Spartans[23] with the help and at the instigation of Athenian exiles under the leadership of the famous Alcmaeonid family.

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[23] The Spartans' motive for this action is an obscure issue. They had enjoyed guest-friendship with the Peisistratids. Probably the Spartans hoped to incorporate Athens among their network of allies (Ober (1996), p. 36; Osborne, 1996, p. 294).

After the overthrow of the tyranny an intense rivalry ensued between Kleisthenes - the leader of the Alcmaeonids - and another noble named Isagoras. However, Kleisthenes lost the power struggle with Isagoras, who was elected archon for the year 508/7. Kleisthenes then reputedly "... took the unprecedented step of seeking a power base in the common people" (Ostwald, 1988, p. 305). He chose to enlist "the people" on his side, and enrolled them in his *hetaireia* (faction or close-knit friendship group).[24] His position rapidly became so strong that Isagoras decided to call in military help from outside – the Spartans. When the Spartans under Kleomenes arrived in Athens they expelled 700 households, presumably followers of Kleisthenes. Next, Kleomenes tried to dissolve the Council and entrust the government to 300 of Isagoras' adherents. The Council resisted and was joined by the population at large. Isagoras and Kleomenes were defeated and Kleisthenes and the other exiles could return.

Kleisthenes now reformed the constitution. Previously the citizens had been divided into four tribes that were dominated by the old distinguished families, each in its own locality. Kleisthenes created a new political substratum based on *demes* (existing settlements). Attica was divided into 139 *demes*, and the *demes* were distributed among ten new artificial tribes. The new division was used to create a new Council with 500 members (the Solonian Council of 400 was abolished). The delegates to the Council were probably chosen by direct election. We do not know if Kleisthenes made any changes in the criterion for eligibility or instituted any other regulations concerning the Council. Kleisthenes probably did not introduce *isegoria* (freedom of public speech), nor did he

[24] Cf. Manville (1997), pp. 185ff, on the disputes regarding the last part of Aristotle's description of these events (The Athenian Constitution, XX.1).

make any significant changes with respect to the archonships, the Assembly or the popular court.

Between the year of Marathon and the outbreak of the Peloponnesian War, the constitution of Kleisthenes was gradually transformed into the fully-developed Athenian democracy. When the transition was complete, archons, councillors and other magistrates were all chosen by lot for one year. Jurors were selected by lot for one day from a panel of 6,000, which was selected by lot for one year. The only elected magistrates of importance were the ten generals. Citizens of all classes could speak in the Assembly and serve as jurors in the popular courts. There were now many more offices of the state, partly as a result of the administration of the Athenian Empire. Theoretically the *thetes* were still excluded from the Council and offices, but this rule probably ceased to function already in the fifth century. Each man could only serve twice in his lifetime on the Council (once in other offices). The Areopagos had been deprived of most of its judicial powers, such as the jurisdiction over councillors and magistrates and in crimes against the state. Political pay had been introduced so that citizens were paid for serving as jurors, on the Council and in other offices. Few of these changes can be dated with any certainty. Nor do we usually know much about the specific circumstances. Lot for the selection of archons was introduced in 487. Several of the other reforms occurred around 460-50, in the wave of reforms associated with Ephialtes and Perikles.

3.2 Interpretation of the Athenian experience

Solon's reforms and the tyranny of the Peisistratids

As noted above, the Athenian development fits into the general picture presented in section 2, and is best understood against the background of the overall social development

in Greece. The introduction of magistracies and of a law code fits into the picture of elite self-regulation. It is noteworthy that the homicide law of Drakon is not so much a homicide law as a law that sets limits for family vendettas (Osborne, 1996, p. 188).

As in many other states, these attempts did however not eliminate elite factional struggle. Furthermore, they did little to change the individual incentives of members of the elite to exploit the ordinary farmers. Consequently, the crisis that led to Solon's appointment comes as no surprise.

We know very little about the details of the situation that produced Solon's reforms. The reforms themselves are better known, though much is also obscure. However, it is impossible to tell with certainty which measures were actually introduced by Solon (Hansen, 1991, pp. 31, 50, 164; Osborne, 1996, pp. 217-220). Apart from a brief passage in Herodotos, our material on Solon comes from fourth century sources, and belongs to the political debate of that century. By then it was common practice to describe any law (including some passed in the fourth century) as "Solonian law" and his constitutional reforms are even more elusive as they probably did not form part of his formal law code. Even the testimony of Aristotle is problematic, at least in parts (Hansen, 1991, p. 50). Finally, the purpose of the reforms is a field open for speculation, because it has to be deduced largely from the reforms themselves.

Hence the interpretation of Solon's measures depends on how one constructs the context of the reforms and the theoretical perspective employed. By combining the account of the general social development in Greece with the rational-actor perspective, I suggest that we obtain a reasonably coherent and plausible account of Solon's reforms and the motives behind them. Since Solon was of noble birth himself, the most straightforward

assumption regarding his objectives is that his ambition was to secure continued aristocratic leadership.[25]

In order to preserve the position of the traditional elite, Solon needed to reduce the dissatisfaction with aristocratic rule in general (among those who had "risen against the notables") and to reduce the risk of tyranny. That tyranny was a realistic threat would by now have been obvious (part of the perception of the world), both from the experiences in other city-states and from Kylon's unsuccessful *coup* in Athens.[26] The means chosen by Solon were economic and political reforms, but the outcome entailed continued economic problems and the germs of a new conflict, eventually contributing to the rise of tyranny.

Solon reputedly alleviated the economic problems of the ordinary people by cancellation of debts, by freeing the *hektemoroi* from their obligations and by abolishing slavery for debt. The latter in particular seem to have been an important regulation of elite behaviour. Solon boasts that he brought back many who had been sold abroad. Modern

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[25] At the same time, Solon may have had a more direct private interest in his reforms. According to Aristotle (The Athenian Constitution, VI.2-4), some of the notables were informed by Solon of the plan to abolish debts. They proceeded to borrow money and buy land, and when the debts were abolished they became rich men. According to some people, Aristotle says, Solon himself also took a share. In our rational-actor framework, it is conceivable that Solon included cancellation of debts in the reform bill partly in order to benefit himself and some close friends. Aristotle's grounds for rejecting the story seem rather thin, namely that by not availing himself of the opportunity to become tyrant, Solon showed that he was less interested in his own well-being than that of the state. However it does not take a great deal of risk aversion to prefer the long-term benefit of landed property to the glamorous but insecure position as tyrant. After all, the followers of Kylon had been killed.

Solon may also simultaneously have endeavoured to solve other problems. For example, whether it was intentional or not, his reform may have helped in the financing of public policy that he favoured (Lyttkens, 1997). His constitutional reform gave the rich an incentive to spend publicly in order to prove their wealth (eligibility), thus stimulating individual expenditure of a liturgical nature. His alleged attempt to curtail private ostentatious expenditure at burials could also be seen in this light.

[26] Solon (fr. 32-34) prided himself for not having attempted to become tyrant.

scholars rightly question the practicality of this ambition. However the existence of Athenians sold abroad is noteworthy. Dependent labour was not a new phenomenon in Solon's time, and it need therefore not by itself have led to civil strife. However, it is possible that the selling of Athenian farmers to slavery abroad was a new phenomenon. Even though we find slaves in Homer, chattel slavery was a product of the archaic age, and enslavement for default could have been a feature of Drakon's reputedly harsh law code (Andrewes, 1982a, p. 381). The risk of being sold abroad would naturally cause much alarm among the poor and middling farmers. This does indeed look like a stimulus that is strong enough to create a revolutionary situation and to outweigh the free-rider problem of organised opposition.

Unfortunately for Solon and his peers, it seems however unlikely that Solon's economic reforms would have reduced the risk for civil strife in the long or medium run. Solon's reforms cannot have eliminated economic grievances for very long among the poor and middling farmers. It is occasionally noted that abolishment of debt on the security of a person was not necessarily only to the benefit of the common people because it reduced their "capital" (Ober, 1989), p. 62; Starr, 1977, p. 186). It seems possible to take the logic of the situation one step further. The elite made some financial losses thanks to Solon's reforms. This should have increased their marginal utility of wealth and so *increased* their propensity to exploit the ordinary farmers; they still had individual incentives to do so and it was still a prisoner's dilemma. In his poems, Solon blamed the revolutionary situation on the rich and their love of pride and goods (Aristotle, The Athenian Constitution, V.3). While this would have made it easier for him to be accepted by the poor, I interpret this and Solon's emphasis on moderation primarily as appeals to fellow members of the elite to

restrain their behaviour (in order not to jeopardise their dominant position as a group).[27] Solon tried to provide a focal point for the individual members of the elite in their search for useful strategies in the new setting.

In addition, a problem of debt presupposes that the farmers occasionally needed to borrow from their rich neighbours. A crop failure tends to be a collective risk for small farmers. Nothing had been done to prevent them from falling into debt again. Before Solon, all borrowing was on the security of personal liberty (Aristotle, The Athenian Constitution, II.2). After Solon's reforms, the farmer would presumably have to borrow on the security of his land, reasonably at less favourable terms than before, since personal liberty had been the preferred collateral. Alternatively they would have to sell their land and become tenants of the local landlord. For many farmers, the financial troubles seem likely to have grown worse than before the reforms, and so they would hardly be active supporters of traditional aristocratic rule.

Furthermore, if Solon enacted a cancellation of debts, this may also have served to undermine his aim to avoid social disorder and tyranny. We learn from Aristotle (The Athenian Constitution, XIII.5) that Solon's reforms had impoverished some of the elite and that these were many enough to be mentioned among Peisistratos' early followers. These aspects of Solon's economic reforms imply that discontent would increase again over time, and provide potential support for would-be tyrants.

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[27] Morris (2000), pp. 169-71, sees Solon as an exponent of "the middling ideology", but Foxhall (1997), p. 121, argues that Solon's statements can just as easily be read as "a viewpoint from firmly inside the elite, but with some sympathy [...] for those outside the power-holding clique." When describing his reforms in retrospect, Solon says that he protected the rich against shameful treatment, and that they might deem him as a friend. To the poor, he says, he gave only as much as was fitting. He rebukes the *demos* for having demanded too much, but also announces that he has done more for them than they had ever dreamt of (Aristotle, The Athenian Constitution, XII).

On the political side, Solon's arguably most important reform was the substitution of wealth for birth as the eligibility criterion for office. By making income the prerequisite for office, the wealthy non-aristocrats were coopted into the ruling elite, thereby, as noted by Ober (1989, p. 63), eliminating them as potential leaders of the population at large and at the same time strengthening the ruling elite. The old aristocracy probably counted on dominating both the archonships and the two councils in the foreseeable future, not least through their traditional hold over the population at large.[28] One would expect these informal rules to diminish the initial effect of the formal change in the prerequisites for office.

Solon is often presented as the great arbitrator, an independent sage trying to strike a proper balance between the different groups in society and interested only in bringing order to the community. "Historians today describe him [Solon] (variously) as a founding father of democracy, a popular leader who broke the Eupatrid monopoly of power, a moderate but visionary politician who brought civic justice to his society" (Manville, 1997, p. 124). "[M]odern scholars have often been tempted to fix on Solon as the 'father of Athenian democracy'" (Foxhall, 1997, p. 114). From a closer look at his reforms, it appears however that Ober (1989, p. 64) is correct in his conclusion that "... Solon was attempting to establish a sociopolitical order in which the privileges of the elite would be secured by granting minimal rights to the poor."

In fact, it is arguable that Solon gave away even less than previously recognised on the political side. Ober (1989, p. 64) notes that the agenda of the Assembly would be

[28] Despite the risk of engaging in a circular argument, I would suggest that the existence of strong ties between the nobility and the population at large are implied by the fact that both Peisistratos' actions and (probably) some of those of Kleisthenes arguably should be interpreted as an attempt to weaken an informal aristocratic grip over the population.

prepared by the new Council which gave the elite control over dealings in the Assembly. In other words, by introducing a probouleutic Council, Solon reduced the power of the Assembly (Andrewes, 1982a, p. 387) which was the place where the common people could make their opinion known.

With respect to the position of the new members of the elite (the rich non-Eupatrids), the first thing to note is that the Solonian property classes were defined by income in kind, that is, by agricultural produce. This may imply that theoretically land was the only kind of wealth that counted against the property qualification. Agricultural land must have been primarily in the hands of the old aristocracy. They would have been large landowners traditionally, and even though land was probably alienable at this time (Adkins, 1972, p. 23; Starr, 1977, pp. 150-51), there was no proper land market, and it would have taken the *noveau riche* considerable time (probably several generations) before they could have become large landowners[29] (an important reason for the rise of a group of rich non-aristocrats was precisely the emergence of new sources of wealth, such as commerce (Murray, 1993, pp. 220ff)). This does not mean that in practice landed wealth was the only thing that mattered, because in the absence of any formal inspection of wealth, the extent of a person's property would have to be inferred from what was public knowledge and from his behaviour, such as his spending habits (Lyttkens, 1997). However, the definition in terms of agriculture produce was to the disadvantage of the rich non-aristocrats. This implies that the traditional aristocracy would remain dominant for many

[29] This should not be taken to imply that the rich non-aristocrats had no land at all. Rather we may assume that they would often have started as middling farmers. Cf. Starr (1977), pp. 124-126. For a possibly contrary view on the land holdings of the newly enriched families, cf. Snodgrass (1980) p. 101.

years to come. Entry into the elite would have been even slower if the Council of the Areopagos elected the archons.

Solon's other political measures also deserve additional comments. As noted above, the rule that it should be possible to appeal against the decision of an archon conforms nicely to the general picture of elite self-regulation. However, I would suggest that the right to appeal against a decision of an archon might (also) have been a measure designed to protect the old nobility.[30] For the first time, non-Eupatrids could now become archons. Perhaps the nobility did not trust their jurisdiction, and wanted the right to appeal to the *heliaia*, which they felt they could control through the traditional ties of clientship, religion and kinship. Similarly, the pre-treatment of issues in the new Council of 400 could be seen as a means for the old nobility to obstruct undesirable policy suggestions from the non-Eupatrids. Hence Solon opened entry to the elite, thereby attempting to reduce the risk of uprising against aristocratic rule and to reduce the risk of tyranny, but he seems to have endeavoured to retain aristocratic influence as much as possible.

Finally, Solon's political measures formalised the constitution and elaborated and strengthened the collective action mechanisms. This would also reduce the risk of tyranny by co-ordinating opposition, since such measures facilitate agreement upon when transgression of proper behaviour has occurred (Weingast, 1995).

An unintended consequence of Solon's political reforms however is that they contained the germs of a new kind of conflict. It is often noted that a by-product of the abolishment of debt-bondage was that Athenian citizenship was formalised (only

[30] According to Aristotle (The Athenian Constitution, IX.1), this was one of the most democratic of Solon's reforms. This point may have its merit in retrospect but it is not necessarily true for Solon's time. One may suspect that the common people would anyway be dependent on the local landlord in judicial matters, *vide* the fact that Peisistratos found it expedient to provide travelling judges.

Athenians could not be enslaved in Attica).[31] It has not been observed, however, that who was and who was not a citizen simultaneously became a critical issue at the other end of the social scale. Solon's institutional reform meant that anybody who was rich enough was eligible to the offices of the state *provided* (presumably) that he was regarded as an Athenian citizen.[32] Previously such a distinction had been irrelevant for political power, because those who were eligible were those of the right families. Hence one would expect the question of a rich man's citizenship to become a matter of political dispute for the first time and also expect this issue to be used in the elite struggle for power. This effect is likely to have increased over time, as actors became aware of the potentialities of the new situation. Hence for those aspiring to power it was realistic to fear an accusation of not being an Athenian, at least for those who did not belong to the traditional nobility. Before Solon, it seems reasonable to envisage a relatively free movement into Attica and a gradual and informal assimilation into the citizen body. Hence the fear of being accused of impure descent may have been felt by many, in particular as there was in all probability no formal definition of citizenship, implying that the net of accusations could be cast wide.[33]

This can explain why Aristotle (The Athenian Constitution, XIII.5.) reports that among the early followers of Peisistratos were those who were not of pure descent and who joined him out of fear. Since Aristotle connects these followers of Peisistratos with a revision of the citizen roll after the fall of the Peisistratids (cf. below), it is also conceivable that some nobles actively advocated a purge of the citizen roll in the period after Solon's

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[31] Manville (1997), p. 132, Ober (1989), pp. 62-63. Manville (1997, p. 132) also notes that a formalisation of citizenship is implied by the rules that regulated immigration (it became necessary to define an outsider).

[32] Possibly, this could help explain why Solon limited immigration.

[33] For individual members of the elite, it may also have been advantageous to claim that those indebted to them were not qualified to be citizens (hence could be enslaved).

reforms.[34] It is likely that Peisistratos kept the support of those threatened by granting them citizenship. It is also probable that he encouraged immigration and gave the immigrants similar privileges, thereby binding them to him and extending his power base.[35]

Hence in several important ways Solon's reforms were doomed to fail in his purpose of retaining aristocratic rule by reducing tension between the elite and population at large and by removing support for potential tyrants. The economic reforms failed to remove the incentives and grounds for exploitation of the ordinary population. The individual members of the elite contributed unintentionally to the outcome by pursuing their own objectives, perhaps also acting by force of habit, unreflective behaviour being a source of unintended consequences (Merton, 1936). Two of the groups of followers of Peisistratos – those impoverished by cancellation of debt and those who feared for their citizen status, both of which are likely to have included significant potential members of the new elite – had their origin directly in the reforms.

These effects of Solon's reforms were unintended, at least as far as they contributed to the rise of tyranny. Firstly, the assumption of power by Peisistratos is not consistent with Solon's objectives as presented above (nor is it with any other reconstruction of Solon's motives that I have seen).[36] Secondly, it is also reasonable to believe that the effects were unforeseen. If Solon had realised what would happen, he ought to have regarded his

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[34] Hence I do not agree with the statement that those of impure descent together with the impoverished nobility "...offer no clue to the nature of the main body of Pisistratus' supporters" (Andrewes, 1982b, p. 396). In my view, these groups might have been relatively numerous and they had much at stake.

[35] Aristotle, The Athenian constitution, XX.1, reports that some of Solon's laws fell into disuse under the tyranny and Manville (1997), p. 178, notes that the regulations concerning immigration may have been among those laws that were conveniently forgotten.

[36] On Solon against tyranny, cf. Solon, fr. 9-11 and 32-34, and Aristotle, The Athenian Constitution, 14.2.

reforms as temporary measures and envisaged the need to amend the reforms as soon as possible. On the contrary however, tradition has it that after his reforms, Solon travelled abroad for ten years since he did not wish to alter his provisions, and he meant his laws to remain unaltered for 100 years (Aristotle, The Athenian Constitution, VII.2 and XI.1; Herodotos, I.29.). We see here unpredictability enhanced in the vein suggested by Aoki (2001, pp. 267-270) by complementary strategic actions in different domains: the risk of tyranny increasing as new conflicts in the political domain reinforce the effects of the failure to remove economic grievances.

Peisistratos' motive for taking power was probably straightforward: to further his own interests.[37] Like other early tyrants, his rise to power was a reflection of aristocratic rivalry. He established his tyranny with money and mercenaries and maintained friendly relations with other states. The actions of the Peisistratids seem easy to explain – in order to remain in power they needed to reduce the power of the rest of the elite and to keep the population at large reasonably satisfied (avoid creating a rival power base). As noted above, the loans to farmers, the system of travelling judges, and the support of new public religions can all be seen as ways of breaking the power base of potential rival rulers (the fellow aristocrats) and at the same time tying the farmers to the Peisistratids. Finley (1983, Ch. 2) argues that Peisistratos, Kleisthenes and Perikles shared the aim of making the poor independent of their traditional local lords.

[37] Some accounts suggest that one should credit Peisistratos with ambitions to "... suppress the ruinous competition for power among the aristocrats" (Andrewes, 1982b, p. 398). This seems to me somewhat farfetched when personal power and glory were so clearly at stake.

Kleisthenes – the political entrepreneur

After the fall of the Peisistratids, Kleisthenes lost the struggle against Isagoras. Kleisthenes then turned to the people for support. There are two dominating views of Kleisthenes in the literature. One view is that Kleisthenes was no friend of the *demos* and that his interests throughout were to further his own position and that of his family (the Alcmaeonids). The other suggestion is that Kleisthenes was a selfless visionary democrat.[38] Such diverging views of Kleisthenes are already present in our ancient sources.[39]

Against the background painted above, the initial struggle between Kleisthenes and Isagoras should in all likelihood be seen as a straightforward continuation of the aristocratic competition for power (Ostwald, 1988, p. 305; Ober, 1996, p. 37; Osborne, 1996, p. 294). The Peisistratids had formally left the Solonian constitution intact and the "... political institutions [...] were, in early 508, still quite rudimentary and were still dominated by the elite" (Ober, 1996, p. 38).

The natural assumption is that Kleisthenes aimed at establishing himself and the Alcmaeonids as the leading family in terms of power and status. As leaders in the enterprise against the Peisistratids, this would have been the ambition of the Alcmaeonids on their return from exile. As we shall see, this is also consistent with Kleisthenes' actions.

The fact that Kleisthenes turned to the people only *after* being worsted by Isagoras also clearly suggests that his original motive was personal power, and by implication that

[38] Ober (1996), p. 41. For example, Ostwald (1988), p. 322, suggests that the positive goal of Kleisthenes was to "...eliminate from the public life of Athens the dynastic rivalries which he saw as the cause of disunity harmful to the political life of Athens," while Snodgrass (1980), p. 198, concludes that there "is much to be said for the modern view that Kleisthenes [...] was a skilled manipulator [...] who unwittingly stumbled on a democratic solution."

would have been his motivation for turning to the people. That he turned to the people is hardly evidence of democratic or altruistic visions – he had presumably no other option to find a rival power base that would allow him to turn the scales against Isagoras in the short run. While it is true that Kleisthenes' actions inaugurated a process that produced the democracy of the mid fifth century, this is likely to have been an unintended consequence.

Given that Kleisthenes' motives were to regain power and to stay in power, there are two things to explain. One is what Kleisthenes could suggest that gave him the upper hand against Isagoras – the archon in power. Secondly, what later motivated the citizens at large to take part in a violent riot against Isagoras and the Spartans that he had called upon for help (again an unprecedented occurrence)? As emphasised by Osborne (1996, p. 294), there is nothing surprising in the struggle between Kleisthenes and Isagoras in view of the previous history of aristocratic factional conflict, what is new is the role played by the people. The free-rider problem of collective action (Olson, 1965) suggests that we must find a strong incentive that could motivate important segments of the population, even though the dissolution of the Council implies that there would have been no lack of willing aristocratic leaders.[40] It is a hazardous undertaking to take part in a potentially violent contest for power. The individual stakes have to be correspondingly high.

Morris (2000, p. 111) has argued that a "strong principle of equality" had emerged in the Greek city-states by the late sixth century, a commonly held belief that all members of the community were sufficiently well qualified to participate in collective decision-making so that no particular group should be entrusted with these decisions, and that the spread of

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[39] Cf. Osborne (1996), p. 300, on Aristotle (idealist view) vs. Herodotos (aristocratic rivalry).

[40] In the present context, it is relatively less important whether the people acted of its own accord, as Ober (1996) believes (even excluding the Council from the action, which is however not the only possible interpretation of the ancient texts), or whether it was led by members of the traditional elite.

this value system was an important contribution to the introduction of democracy when oligarchies were overthrown. The process was encouraged by aristocrats who adopted the middling ideology: in these texts, the elite no longer present themselves as a distinct group in society, but base their claim for leadership rather on being more competent members of the *polis* (p. 163). As already indicated, I agree on the importance of belief systems, as these significantly affect how people define their self-interest, and also on the importance of the fact that traditional aristocratic rule ceased to be regarded as inevitable. I would still insist, however, on the importance of identifying the incentives for the individual to act, in particular in situations where the risk is great.[41]

In my view, most of the proposed explanations fail to provide a convincingly strong incentive for the support of Kleisthenes and the uprising against Kleomenes. Osborne (1996, p. 294) mentions three main candidates. Of these, neither hostility against Sparta nor the reorganisation of the army that followed on Kleisthenes' reforms (the ten new tribes served as the basis for the army) seems to provide individual benefits of sufficient magnitude.[42]

Osborne's third candidate is the constitutional changes enacted by Kleisthenes. The *deme* reform broke up the traditional social structure of Attica. Many scholars agree that an important reason for the *deme*-reform was to undermine the authority of the old nobility

[41] Hence I disagree with Morris (2000) to the extent that his intention is to imply that the change in belief system is a sufficient explanation for what happened in Athens (Morris focuses on long-run effect rather than on specific events), viz.: "...when enough people hold views of this kind, it becomes possible – even logical – to respond to the fall of an oligarchy with new conceptions of majority rule [...] This is what happened at Athens in 508/7" (Morris, 2000, p. 111) and "the unintended consequence of their beliefs was that when the elitist ideology collapsed after 525, the general acceptance of middling values made democracy a real possibility; and whenever an oligarchy fell apart, as happened at Athens in 507, democratic institutions were a possible response" (op. cit., p. 163).

and to reduce or eliminate their influence over the common people. For example, members of one aristocratic family would now be living in several *demes*, and the *demes* were distributed in such a way that the political influence of old cult centres was broken.[43] While this may have looked like important benefits to Kleisthenes (cf. below) it is unlikely to have galvanised the people.

Some authors argue that the people were incited to action by the prospect of more democratic rule. Against this I would argue, firstly, that the prospect of more democratic rule would have been too nebulous a benefit to suffice as an incentive. Secondly, Kleisthenes' reforms were *not* particularly democratic. It seems clear that Kleisthenes did not aim to put the effective control of the state in the hands of the common people since he left most of the aristocratic institutions intact.[44] Furthermore, "he did not undercut the oversight powers of the Council of the Areopagus, abandon property qualifications for officeholding, or introduce pay for government service" (Ober, 1989, p. 73). A salient feature of Kleisthenes' thinking was "an absence of anything that was necessarily democratic about his administrative provisions" (Snodgrass, 1980, p. 198).

In sum, we need a better explanation for the incentive that led to the popular support for Kleisthenes and galvanised the people to riot against Isagoras and the Spartans and to recall Kleisthenes. I believe Manville (1997) has pointed to the right solution – citizenship.

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[42] Notwithstanding the presence of some foreign threats, cf., e.g., Manville (1997), pp. 200-203.

[43] In order to break up old groupings, Hansen (1991, p. 48) notes, it would have sufficed to use lottery, as Aristotle reports to have been the case (The Athenian Constitution, XXI.4). Furthermore, however, several scholars suspect that Kleisthenes tried to manipulate the distribution in order to increase the relative influence of the Alcmaeonids (e.g., Ostwald, (1988), pp. 310-319)). This is possible but very difficult to prove, for example, because we do not know which of the irregularities in the structure go back to Kleisthenes, cf. Hansen (1991), p. 48, and Osborne (1996), pp. 300-303.

As already mentioned, after the fall of the Peisistratids (and presumably before 508/7) the Athenians enacted a revision of the roll of citizens (*diapsephismos*). The proposal for a *diapsephismos* is not surprising since it would have served the interest of the traditional nobility to restrict entry to the elite, just as before Peisistratos' rule. This measure created a great number of discontented persons – those already disfranchised or threatened to be. The process would have been controlled by the aristocratic families, probably through their authority in the old tribes[45] and "inevitably, powerful men took the lead in putting citizens to the test, and they would have endeavoured to protect the status of their own followings, and to strike out against the followers of their opponents" (Manville, 1997, p. 183). Hence the *diapsephismos* would quickly have become part of the fight for leadership in the *polis*. Furthermore, Manville (1997, pp. 177, 183) emphasises that there were no centrally agreed rules for the implementation of the *diapsephismos* which opened possibilities for arbitrariness and manipulation. This lack of formal procedure meant that not just those who had immigrated under the Peisistratids but more or less anybody could be at risk. Precisely the "notion that any 'outsiders' might be able to become members of the polis [by the end of the sixth century] threw open to suspicion the origins of almost everyone" (Manville, 1997, p. 183). The group threatened by the *diapsephismos* would have been of military importance, at least since it is likely to have included former mercenaries of Peisistratos.[46] The loss of citizenship was no minor matter. It implied the risk of slavery,

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[44] One may add that any explicitly democratic reforms would probably have met with widespread aristocratic opposition, not just from the supporters of Isagoras.

[45] Or possibly the phratries (Ostwald, 1988, p. 310), which were some sort of kinship groups.

[46] Manville (1997), p. 179, Ostwald (1988), p. 304. That Kleisthenes sought the support of Peisistratids former adherents may seem surprising, given the role of the Alcmaeonids in the overthrow of the Peisistratids. However it would certainly not be the only time in history that a new ruler endeavours to take over the power base of his opponent.

and (given Solon's law on immigration) of expulsion and loss of property. Note that the formal legal status of being a resident alien (*xenos* or *metoikos*) probably did not exist at that time.

Consequently, a promise to remove the threat of the *diapsephismos* and to institute instead a formal procedure for determining citizenship, removed from the previous control of the old aristocracy, and one that promised enfranchisement to those who had entered Athens under the Peisistratids, is likely to have held great appeal for a large segment of the population. It is an issue of sufficient magnitude to overcome the free-rider problem of collective action (especially for such relatively well-defined groups as those recently disfranchised). Hence it can explain Kleisthenes' popularity and the uprising against Isagoras and Kleomenes.[47] I would like to add to Manville's (1997) argument that the *diapsephismos* does not just provide a better explanation for the support of Kleisthenes than the other suggestions, but that it is the *only* alternative that seems to provide sufficient incentives, so that it is in this sense the only acceptable solution. It is also supported by Aristotle's description of events (cf. below).

First of all, Kleisthenes' reform offsets the direct effects of the *diapsephismos*, as Kleisthenes "saw to it that many nonAthenians and even freed slaves were inscribed in the new demes" (Hansen, 1991, p. 34.). Aristotle (The Athenian Constitution, XXI.4) reports that the intention of the reform was to ensure that the inhabitants of Attica would "... not call attention to the newly enfranchised citizens," and that Kleisthenes introduced the ten

[47] The expulsion of 700 families on the arrival of Kleomenes can possibly be constructed as a continuation of the policy of the *diapsephismos*. Ober (1996), pp. 36-37, argues that Sparta was in favour of a narrow oligarchy in Athens, which may have encouraged such attempts and may potentially also help explain the *diapsephismos* in the first place.

new tribes in order to "mix up" the population in order that "more might take part in the government" and to avoid "investigation by tribes" (The Athenian Constitution, XXI.1-2).

Secondly, the new process put the determination of citizenship beyond the immediate control of the old aristocracy and ended the fundamental arbitrariness, thus removing the common threat of losing citizenship. From now on, citizenship was to be decided by fellow *demes*-men in the *deme* assembly and the procedure was being formalised. The implication of what Aristotle tells us is that the majority of the members in the *demes* were willing to accept as a citizen anyone with a reasonable claim to belonging in Athens, which makes sense, given that the alternative might put many under suspicion. Moreover, appeal was possible to central courts and the Council (Manville, 1997, p. 188), which means that the ultimate authority was no longer in the hands of the local nobility. This possibility of appeal to a collective body would arguably have appeared to be a safeguard against arbitrariness, even though the (still elected) Council would presumably continue to be dominated by the traditional elite (and assuming that logrolling was not a problem). At least initially, one would expect a preponderance of Kleisthenes' supporters in the Council, and they would presumably support Kleisthenes' policy of negating the *diapsephismos*.

Another important effect of the *deme* reform was, as mentioned above, that it reduced the influence of the nobility over the population at large through ties of kinship, religion etc. This was arguably an important additional benefit from Kleisthenes' point of view. Remember that Kleisthenes had just lost to Isagoras in the traditional type of aristocratic game for power. Even with Isagoras out of Athens he probably had to reckon with opposition from the remainder of his faction. Certainly the Spartans thought it was a viable policy to try to reinstall Isagoras (Herodotos, V.74.1). Presumably there was also a

Peisistratid faction, striving to bring Hippias back.[48] It is not surprising that Kleisthenes tried to find something better than to revert to the situation before 508/7. His reform created a system, which retained aristocratic power in principle, and which he could hope would make himself and the Alcmaeonids the most powerful aristocrats in Athens, as the *deme* reform promised to strengthen his relative power in the aristocratic competition.

While the *deme* reform reduced the influence of the aristocracy in general over the population, Kleisthenes had reason to hope that his own influence would remain strong. The terminology used by Herodotos (V.66.2) – that Kleisthenes took the people into partnership by making them his *hetairoi* – implies that he hoped to use the support from the multitude to create a lasting power base. With the new political structure, Kleisthenes and the Alcmaeonid faction could hope to dominate the archonships and be effective rulers of Athens. This was largely an unprecedented situation, and no one could reasonably predict how long the support of Kleisthenes would last.[49] The policy is a logical

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[48] Aristotle reports that Kleisthenes introduced ostracism a few years after the *deme*-reform (The Athenian Constitution, XXII). Once each year a meeting was held, and if it was decided to consider an ostracism and if (at a later meeting) more than 6,000 votes were cast, the person who got most of the votes was ostracised, that is, exiled for ten years (without loss of citizenship or property). According to Aristotle, Kleisthenes' primary motive for making this law was a desire to banish one Hipparchos, a relative of Peisistratos (The Athenian Constitution, XXII.3-4). This measure is consistent with my interpretation of Kleisthenes' motives and actions, since the threat of ostracism may have been seen as an important instrument in the factional struggle. The threat fromthe Peisistratid faction, for example, is evidenced by the fact that the Spartans later tried to bring Hippias back (Herodotos V.91.1 and 93-94). Since Spartan help was needed to overthrow the Peisistratids, it is a reasonable assumption that they were not particularly unpopular in Athens. Lewis (1988), p. 302, notes that when "...Cleomenes began to besiege the tyrants [...] [he was] supported by 'those of the Athenians who wanted to be free', a phrase which hardly suggests a mass rising." Cf., e.g., Ostwald (1988), pp. 334-346, for some different interpretations of ostracism.

[49] Nor could anyone have foreseen that the Persian threat would soon change the course of Athenian politics to the extent that it did. To argue that Kleisthenes had reason to believe that "... the kind of popular support

continuation of Peisistratos' efforts to reduce the ordinary people's dependence on the nobility at large and tie them to himself instead. The example of the Peisistratids suggests that Kleisthenes would have been well aware of this aspect of his reform. Kleisthenes were around in Athens during the rule of the Peisistratids, as evidenced by the fact that he served as archon in 525/4.[50]

In general, Kleisthenes' success would hardly have been conceivable if Peisistratos had chosen another set of actions. For more than a generation, his policies (travelling judges, state loans, public cults, etc.) had weakened the hold that the nobility had over the common people (the reforms of Solon had begun the process, since the fact that he admitted new groups into the ruling elite would have served to reduce the traditional hold of the elite over the population (Ober, 1996, p. 38)). This implies a significant, gradual change in the informal rules that governed the behaviour of the common people, as well as in their perception of the functioning of society. The existence of rule by tyrants in various city-states, and in particular the rule of the Peisistratids, entailed a change in the perception of the world of ordinary Athenians, so that traditional elite rule was no longer regarded as inevitable (the changing view of the world may also have entailed an increasing proportion of the population embracing the strong principle of equality mentioned above). Similarly, Ober (1989, pp. 68-69) argues that Kleisthenes realised that the poor were "free agents" after the fall of the Peisistratids and that he showed remarkable skill in exploiting this leaderless power base.

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that had helped him carry his reforms could not be counted on to last" (Ostwald, 1988, p. 336) seems to me like a projection of late fifth and fourth century politics.

[50] Herodotos (V.68.1) notes that Kleisthenes could also draw upon the example of his grandfather who had introduced a tribal reform in Sikyon.

By their actions, the Peisistratids had unintentionally prepared the ground for Kleisthenes. While it would have been obvious to them that their policy would make more of free agents of the population, they could not reasonably foresee that this in combination with their citizenship policy (or rather their immigration policy) would provide an opportunity for an aristocrat to seek the support of the population at large to gain the upper hand in a traditional aristocratic struggle, a struggle which was destined to reemerge, since the political institutional framework had not been changed.

The Transition to the Fully Developed Democracy

It seems like a safe guess that in the years following Kleisthenes' reforms, everybody expected that the running of the state would go on pretty much as before. The political institutions were the same, even if a new Council had replaced the Solonian Council of 400. The functions of the different bodies were also the same. "The elites could certainly hope to retain control of the state through elected magistracies, control of debate in the Council and Assembly, and the powers and moral authority of the Areopagus" (Ober, 1989, p. 73).

Generally speaking, the changes that followed were an effect of the struggle for power within the elite. "Rich and well-born Athenians competed vigorously, sometimes savagely, with each other for political influence, and they used appeals to the masses as ploys in their ongoing political struggles" (Ober, 1989, p. 84). The crucial development occurred when the common people were used and allowed to choose between different courses of action and to choose which faction to support. Originally the common people had been only incidental to the aristocratic struggle for power, as dependants or followers

of different noble families. The clash did not take place in the Assembly, which was only used to ratify the decisions of the elite.

However the rules of the game for aristocratic competition had now been changed. Kleisthenes had set a very important example when he appealed to the common people. It is possible that he took his issue to the Assembly.[51] Anyway it was apparently an unprecedented step to suggest that the people should directly take part in a decision, in opposition to the archon (Isagoras). We do not know if Kleisthenes broke any formal rules when he appealed to the people, but it appears that he certainly violated the unwritten informal rules of the aristocratic struggle for power. This amounts to an important institutional change. The elite now realised that they had a new weapon to use against each other: support from the common people. The next major step would be voting on an issue in the Assembly, that is, an open choice between different leaders and their policies.[52] As the aristocracy adapted to the new situation, they would become more and more prone to advocate measures that would benefit the common people.

Those who conducted policy in the Assembly in the classical period are traditionally labelled "politicians" even though this term is somewhat misleading as, for example, there were no political parties or elections in the modern sense. The Assembly was a forum for repeated transactions between politicians and the voting public. This made conditional co-operation possible, which was all the more important because of the largely oral nature of

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[51] Ostwald (1988), p. 306, assumes that he appealed to the Assembly, as does Ober (1996), p. 38. Kleisthenes had been archon in 525/4, which would have made him a life-long member of the Areopagos. It is possible that this entitled him to address the people in the Assembly. We do not know if/how he bypassed the compulsory pre-treatment in the Council.

[52] The fact that the nobility had lost much of its traditional hold over the population through the activities of Peisistratos and Kleisthenes also increased the likelihood that they would take their differences to the Assembly.

Athenian politics. A politician could build up a stock of confidence, and the populace would vote for his proposals as long as he did not disappoint them. "Whatever authority they wielded was dependent upon the people's continuing approval [...][politicians] were judged each time they stood up in the Assembly and each time they were engaged in public legal action" (Ober, 1989, p. 121). With a growing consciousness of the demarcation between democratic and oligarchic measures, the politician who tried to shift his power base would increasingly be regarded with suspicion. Hence, if a successful politician was backed by the poor, he had little alternative but to try and maintain that support[53] (there was no body of government officials who could act as a power base for a ruler, which is in contrast to almost any other non-primitive society). When Perikles introduced public pay, allegedly to outdo Kimon in popular support (Aristotle, The Athenian Constitution, XXVII.3-4), he also became more dependent on the masses. This development also implies that eventually all successful politicians had to conduct policies that were largely beneficial to the poor majority in the Assembly.

The shift that occurred at the top of the political pyramid was mirrored in changing incentives for the individual citizen. We have seen how their material and psychological dependence on the local nobility gradually disappeared, but this would not automatically make them take part in the political process as free agents. Even a direct democracy faces the obvious free-rider problem: the cost of voting compared to the small probability that your own vote will count.

However, with each new measure that favoured the common people their stake in the political process increased. There was a step by step change in their notion of what

[53] Strauss (1986), p. 91, has suggested that it was possible to make drastic changes in one's political programme, but the evidence seems thin.

could be achieved through the political process. They had more to lose and hence were more likely to attend the Assembly. Two additional factors favoured an intensified popular participation. First, the privilege of citizenship had become more important and therefore it was less attractive to emigrate (exit). This increased the likelihood that the inhabitants would take active part in politics (voice). Secondly, as a consequence of the economic development, Athens ceased to be a community of self-sufficient farmers. Many came to rely on the marketplace for their livelihood (income) and for necessities such as food (Hansen, 1987, p. 12, 1988). Hence their interest in the political process increased, as they became more and more affected by foreign policy, trade, grain prices, the functioning of the state officials, etc.

Gradually the common people grew accustomed to taking part in the governing of the state. A series of victories – in particular those at Marathon (490) and Salamis (480) – emphasised that military power and the protection of the state depended on the population at large. Again their perception of the world changed. In consequence they became more appreciative of democratic reforms and more hostile to those who tried to reduce their influence.[54] For this development it was of considerable importance that many citizens served as councillors and magistrates. This was an inevitable consequence of the rule that each man could only act as councillor once or twice in his lifetime and only every other year as magistrate.

Taken together, these factors gradually led the Athenians through a number of democratising measures. From a beginning with competing leaders who sought their power

[54] It is often argued that the Athenian citizens placed a high value on political participation as such, see e.g. Rahe (1984). North (1985, 1990) has argued that people will express their ideological preferences when the cost for doing so is low, as it is in a democracy.

base mainly among the aristocratic factions, the Athenians ended up in the situation where only those politicians who sought support from the poor majority would be successful in the long run. The irony, as Ober (1989, p. 85) has pointed out, is that "... as the elites gained victories over their enemies by sponsoring democratic reforms, there were fewer and fewer institutions that they could control directly." In the middle of the fifth century, Perikles introduced pay for jurors, councillors, and magistrates, which made it possible for even the very poor to serve in the courts and to hold an office; the property qualification for holding office had been lowered so that all offices were open to the top three property classes, and most offices were dispensed by lot.

It is impossible not to mention briefly the Athenian Empire in this context. It offered economic opportunities for rich and poor alike and gave them a strong common interest and increased the value of co-operation. The gains from the empire (from 477 onwards) could have been important by alleviating tensions in the formative period of the Athenian democracy (Lyttkens, 1994). The probability of civil strife is greatest during the first period of democracy, before the "players" have learned about each other and about the rules of the game, before new equilibrium strategies of action have been established. Later, when we are dealing with generations brought up under democratic rule, the democracy could work without causing a breakdown in the political bargaining.

That Kleisthenes' manoeuvring set the Athenians on a path that led them to adopt far-reaching democratic institutions was arguably not his intention. He would not have been in favour of a development that ultimately deprived the aristocracy (and the Alcmaeonids) of their political power. It seems reasonable to assume that he may have realised that other leaders could follow his example and turn to the common people for support in the Assembly, and that there was a risk that they would concede privileges of

various sorts to them. However, neither the extent nor the pace of democratising could reasonably have been foreseen, and the development was encouraged by "exogenous" events (the Persian wars, the Athenian Empire). It is also possible that the potential consequences were overlooked because Kleisthenes' immediate and pressing need to find weapons against his political opponents precluded consideration of other aspects of the situation. [55]

4. Concluding remarks

According to later Athenian writers the development towards democracy began with Solon's reforms around 594 B.C. [56] As we have seen, however, it is debatable whether these reforms actually moved Athens in a democratic direction. At the same time, it appears that the reforms did not hinder and in some ways actually contributed to the rise of tyranny. Peisistratos in his turn introduced reforms that later enabled Kleisthenes to enlist the common people on his side in the power struggle with Isagoras, an action that was instrumental in the subsequent development of democratising institutions. As far as more immediate effects are concerned, it therefore turns out somewhat paradoxically that it was Peisistratos the tyrant – not Solon the renowned sage and reformer – who contributed to a democratic turn of events in Athens. Neither Solon, Peisistratos nor Kleisthenes need to be

[55] Cf. Merton (1936) on "immediacy of interest" as a source of unintended consequences. A final possibility would be that Kleisthenes actually realised that popular rule could be the long-run consequences of his actions, but that he considered the short-run benefits to be sufficiently attractive to outweigh those consequences. Any long-run consequences would probably have seemed relatively unimportant to him – his discount rate would have been very high (it is worth noting that Kleisthenes was not a young man – Davies (1971), p. 375, puts his age at somewhere between 53 and 65 years in 507). If Kleisthenes made an implicit calculation of the latter kind, the label "unintended consequences" seems less appropriate.

[56] Cf., e.g., Aristotle, The Athenian Constitution, IX.1., XXII.1.

credited with democratic visions, contrary to the suggestions of some modern commentators.

The Athenian experience illustrates the mutual influence between institutional changes and gradual changes in behaviour as individuals adapt to new circumstances and to the changing behaviour of others. For example, behaviour changed as a result of both Solon's and Kleisthenes' actions, eventually leading to new changes in the institutional structure. Both the belief systems and the informal rules that had sustained traditional aristocratic rule changed significantly over this period.

Even if individuals strive to act rationally and in accordance with their self-interest, their actions may have both surprising and undesirable consequences, as illustrated by these 150 years of Athenian history. The rise of tyranny was in direct conflict with Solon's intentions. The Peisistratids, on their part, could probably not have foreseen (nor desired) how their actions would contribute to a set of circumstances that made it logical for Kleisthenes to build a power base by appealing to the population at large (and also logical for him to succeed). Kleisthenes, finally, probably realised that his actions to a certain extent jeopardised the aristocratic dominance in Athenian society, but could not have foreseen the extent to which it would do so. The eventual outcomes were the result of cumulative effects of competitive interaction within the elite, and the issue of citizenship may have been crucial for the rise of both Peisistratos and Kleisthenes. The development of democracy in Athens is a story of how members of the elite in different ways contributed to the institutional changes that eventually undermined their own dominant position as a group. This is a healthy reminder in view of the inevitable temptation within the rational-actor paradigm to see a close connection between the intentions behind and action and its consequences.

To understand how different societies make the transition to becoming a functioning democracy is a matter of continuing and contemporary interest and the rational-actor paradigm and the concept of unintended consequences shed additional light on that process of institutional change in ancient Athens.

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