

# The Purpose of the *Dokimasia*

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THE CONSTITUTION of Athens' 'radical' democracy is notable for its egalitarianism. All citizens enjoyed full political rights—assembly, council, law-courts—and eligibility for almost all public offices. For the assembly and the law-courts there were no provisions for vetting the qualifications of members, but councillors and all public officials were required to undergo a scrutiny, the *dokimasia*, after their appointment but before assumption of office. There has been some controversy on the purpose of the institution. Some scholars believe that it was introduced to weed out unsuitable officials who owed their appointment to the process of sortition.<sup>1</sup> Another school, on the other hand, believes that the *dokimasia* was introduced to test not a candidate's suitability for office but only his legal qualifications both as a citizen and for the office in question.<sup>2</sup> This school also maintains that the use of the *dokimasia* as "an inquiry into the whole career of a citizen" (Headlam) was an abuse. The latter view seems to be gaining ground, and a substantial number of scholars believe that plaintiffs at the *dokimasia* could not resist "the temptation to introduce extraneous questions, and to argue not only whether the candidate was legally qualified but whether he was a good and patriotic citizen."<sup>3</sup>

There are thus two conflicting views on the *dokimasia*, one school maintaining that the institution aimed at eliminating unsuitable candidates and implying that the candidate's career was scrutinized, while the other maintains that the institution was formally restricted to the examination of the candidate's legal qualifications as a citizen and for the particular office. The question is a serious one, for it affects our understanding of the principles of the Athenian democracy. I examine here the evidence relating to the *dokimasia*, in the hope that the

<sup>1</sup> See G. Busolt and H. Swoboda, *Griechische Staatskunde* II (Munich 1926) 1072–73. Cf. R. J. Bonner, *Aspects of Athenian Democracy* (Berkeley 1933) 12.

<sup>2</sup> See J. W. Headlam, *Election by Lot at Athens* (Cambridge 1933) 96–102; C. Hignett, *A History of the Athenian Constitution* (Oxford 1958) 205 and 232. Cf. A. R. W. Harrison, *The Law of Athens* II (Oxford 1971) 201 and n.2.

<sup>3</sup> D. M. MacDowell, *The Law in Classical Athens* (1978) 168; cf. P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia* (Oxford 1981) 542.

discussion will show that the *dokimasia* was a comprehensive enquiry, covering not only the candidate's legal qualification but also the probity of his life, both public and private.

### *Legal Qualifications for Citizenship and Offices*

The basic qualification for holding public office, as may be expected, was citizenship. Aristotle has given a list of questions designed to determine the citizenship of candidates:<sup>4</sup>

When they are checking qualifications, they ask first: "Who is your father, and what is your deme? Who was your father's father and who was your mother, and her father and his deme?" Then they ask whether the candidate is enrolled in a cult of Apollo Patroos and Zeus Herkeios, and where the shrines are, then whether he has family tombs and where they are; whether he treats his parents well, pays his taxes, and has gone on campaign when required.

The passage indicates that a candidate was expected to prove, among other things, that both parents were Athenian, that he was registered in a deme, that he maintained the family cults, and that he had a family cemetery. The candidate not only proved his citizenship but also had to show that he discharged his civic responsibilities, such as paying taxes and serving on military expeditions.

In addition to the basic qualification of citizenship, there were certain requirements which some public officials had to satisfy. In the first place, all archons were required by law to belong to one of the first three propertied classes, although we are told that, in practice, after the reforms of Pericles, no candidate ever admitted that he belonged to the fourth class (Arist. *Ath.Pol.* 7.4). Secondly, all treasurers, particularly the treasurers of Athena, must belong to the class of the *pentacosimedimni*, the first propertied class (*Ath.Pol.* 8.1, 47.1). Thirdly, according to a law cited by Dinarchus (1.71), to qualify for the generalship a candidate was expected to live in lawful wedlock and possess property within the borders of Attica. Fourthly, the archon basileus had to be a man of valour and married to a woman who at the time of wedlock was a virgin (Dem. 59.75). Fifthly, the evidence of Lysias (24.13) suggests that disabled citizens were not allowed to hold the archonship. Finally, according to Demosthenes (59.92), aliens who acquired citizenship through naturalization could hold neither an archonship nor a priesthood, but a descendant of a

<sup>4</sup> *Ath.Pol.* 55.3 (tr. J. M. Moore). Aristotle indicates specifically that the questions were put to the nine archons, but from the testimonies of Dinarchus (2.17), Demosthenes (57.66–67), and Cratinus (fr.9 K.) it seems that similar questions were put to all candidates for public offices.

naturalized citizen, whose mother was a citizen and had been betrothed in accordance with Athenian law, was eligible for the offices.

The evidence adduced so far clearly supports the view of scholars who maintain that the *dokimasia* was designed to establish a candidate's legal qualifications both as a citizen and for the office in question. Headlam is therefore justified in maintaining that "*dokimasia* answered the same sort of purpose as when a candidate for a scholarship at a school or university is required to produce a certificate of birth. It was the opportunity which the official had of proving his legal qualifications."<sup>5</sup> But was this the only purpose of the institution? Headlam, who is mainly concerned with refuting Busolt's view (*supra* n.1) that the *dokimasia* was used to disqualify unsuitable candidates who had been chosen by lot, believes that the sole purpose of the institution was the establishment of legal qualifications, and rejects the use of the *dokimasia* for enquiring into the candidate's suitability for office and the probity of his entire life. I do accept the view that "the *dokimasia* was not introduced simply to rectify the verdict of the lot," for there is unequivocal evidence that all officials, not just those chosen by lot, had to submit to a scrutiny. According to Aristotle (*Ath.Pol.* 55.2) all officials, both those elected by show of hands and those chosen by sortition, had to go through a scrutiny before assuming office. This is supported by the testimony of Aeschines (3.14–15), who says that all officials, the elected as well as those chosen by lot, any whose term of office was expected to exceed thirty days, could hold office only after they had successfully undergone a *dokimasia*. Finally, there is the case of Theramenes, who after his election to the generalship not only had to submit to a scrutiny but also was in fact disqualified from holding the office (*Lys.* 13.10). Clearly, the evidence does not support the view that the *dokimasia* was introduced simply to remove unsuitable candidates chosen by lot.<sup>6</sup> This conclusion, however, in no way implies that the sole purpose of the institution was to determine a candidate's legal qualifications.

### *Probity of Life*

The sources present various testimonies which suggest that the probity of a candidate's life was taken into consideration. In a speech of Dinarchus (2.8–10) we are told that the defendant was disqualified when he appeared at the *dokimasia* in connection with his appointment as *ἐπιμελητῆς ἐμπορίου*. According to the plaintiff, it was

<sup>5</sup> Headlam (*supra* n.2) 98.

<sup>6</sup> See Harrison (*supra* n.2) 201.

established against Aristogeiton that he had not only mistreated his father but also had been imprisoned for criminal conduct and had been pilfering even in prison. The plaintiff adds that the defendant was such an obnoxious character that he was even shunned by fellow-prisoners. Furthermore, there is the case of Philon, a candidate for the council, who during his appearance at the scrutiny was accused of thievery. It was alleged that as a resident alien of Oropus he took advantage of the prevailing turbulence (the struggle between the Thirty and the democrats under the leadership of Thrasybulus) to rob poor aged country people. It was also alleged against him that he mistreated, and was distrusted by, his mother to such an extent that she asked someone else to handle arrangements for her burial (Lys. 31.17–23). These two testimonies thus suggest that the *dokimasia* took into consideration the candidate's entire life. The suggestion seems to be supported by a speech of Lysias (16.9) in which the candidate opines that in a *dokimasia*, by contrast with a regular trial where litigants should stick to the actual issues, a candidate should give an account of his entire life. It is to be noted that the opinion is expressed not by the prosecutor but by the defendant. On the other hand, it could be argued that Mantitheus, the defendant, knowing that he had an impressive record, wanted to use it to his advantage. And, as it turned out, he was a man of enviable reputation in both private and public life. This evidence, therefore, though useful, is less than decisive. However, there is evidence suggesting that what Mantitheus expressed as an opinion was in fact more than a personal view. In an oration of Aeschines (1.19) the prosecution reads a law stating that a man who prostitutes himself cannot serve as an archon, nor a priest, nor an advocate for the state, nor hold any office whatsoever, whether filled by lot or by election. The law thus shows that a candidate's personal character must have been taken into consideration. Finally, in a speech of Dinarchus<sup>7</sup> the plaintiff says:

Moreover, when choosing a man for public office they used to ask what his personal character was, whether he treated his parents well, whether he had served the city in the field, whether he had an ancestral cult or paid taxes.

Thus the plaintiff not only mentions some of the requirements indicated by Aristotle (*Ath. Pol.* 55.3) but also specifies the candidate's personal character. It seems quite clear, therefore, that candidates of questionable character could be disqualified at the *dokimasia*.

<sup>7</sup> Din. 2.17 (tr. J. O. Burt).

The evidence relating to enquiry into the candidate's conduct comes mostly from the orations. Scholars who believe that the sole purpose of the *dokimasia* was the examination of a candidate's legal qualifications have accordingly attempted to discredit this evidence. Headlam, for instance, says, "the orators of course in these as in all other cases tried to bias the minds of the jury, and where it was convenient to do so did not shrink from boldly stating that the *dokimasia* ought to take the form of an enquiry into the whole career of a citizen to see if he were fit to bear office; but this was just as much an abuse as when in any ordinary suit they introduced extraneous matter in order to influence the minds of the jury."<sup>8</sup> There is some truth in this contention, for the orators are notorious for their distortions and contradictions. On the other hand, we need to guard against the temptation to exaggerate their unreliability whenever their evidence resolutely stands in the way of our theses. The dangers inherent in rashly discrediting the testimonies of the orations are too obvious to warrant elaboration here. One must bear in mind the possible distortions in the orations and use their testimonies with caution, judging each piece of evidence on its own merit.

Lysias' evidence (31.17–23; 16.9), as already indicated, suggests that the *dokimasia* took into consideration a candidate's entire life. This is supported by Dinarchus' evidence (2.8–10, 17) and confirmed by the law cited by Aeschines (1.19), which disqualifies from office men of disreputable character. The law by itself demands that Lysias' evidence be accorded serious attention, and there are various indications that point in the same direction. First, there is one aspect of a man's conduct, namely one's attitude to parents, which many sources refer to. The authorities referring to the seriousness attached to proper treatment of parents include Lysias, Xenophon, Aeschines, Demosthenes, Andocides, Dinarchus, and Aristotle.<sup>9</sup> Aristotle includes it among the questions which archons-designate had to answer at the *dokimasia*, while Andocides lists it among the offences which were punished with disfranchisement. It goes without saying that this aspect of the *dokimasia* applies more to a candidate's private life than his legal qualifications as a citizen. Secondly, the evidence of Aristotle (*Ath. Pol.* 55.4) indicates that the purpose of the *dokimasia* was to disqualify *πονηροί*. Obviously, to determine whether a candidate is a rascal or not, one must examine his entire life. Finally, Aristotle's

<sup>8</sup> Headlam (*supra* n.2) 99–100; see also Hignett (*supra* n.2) 232.

<sup>9</sup> Lys. 31.20–23; Xen. *Mem.* 2.2, 13; Aeschin. 1.28; Dem. 57.70; Andoc. 1.74; Din. 2.8, 11, 14, 17, 18, 20; Arist. *Ath. Pol.* 55.3.

evidence clearly indicates that the examiners had ample opportunity to delve into the candidate's entire life. We are told that at the end of the formal interrogation the examining officer asked (*Ath. Pol.* 55.4): "Does anyone wish to bring an accusation against this man?" We can be fairly certain that this was an open and welcome invitation to neighbours, personal enemies, and political opponents to expose the entire life of a villain who had had the effrontery to appear for a *dokimasia*. There can be no doubt that a candidate who was proved to have committed any offence generally deemed reprehensible would be disqualified. Clearly, the weight of the evidence compels us to conclude that the *dokimasia* took into consideration the probity of a candidate's life.<sup>10</sup>

#### *Anti-Democratic Activities*

In addition to moral probity, another aspect of a candidate's conduct which seems to have been considered at the *dokimasia* was his political sympathies or activities, in particular whether he participated in the oligarchic revolutions of the Four Hundred and the Thirty. The earliest evidence relating to this question is the decree of Patrocleides, passed in the autumn of 405 B.C. (*Andoc.* 1.77–79). Among disfranchised citizens who benefited from the amnesty were the members of the Four Hundred and their collaborators. The decree indicates that all the oligarchs, with the exception of the fugitives (presumably those who fled to Decelea), recovered their political rights (78). Commenting on the decree, Andocides (75) says specifically that soldiers who served under the Four Hundred suffered only partial disfranchisement, namely they lost both the right to address the assembly and eligibility for membership in the council. Andocides' evidence thus clearly shows that in the period between the fall of the Four Hundred (late 411) and the passage of Patrocleides' decree (autumn 405) oligarchs and their collaborators were liable to automatic disqualification at the *dokimasia*.

The second piece of evidence to be considered is Theramenes' rejection at the *dokimasia* of generals. According to Lysias (13.10) Theramenes was elected for the generalship of 405/4, but was disqualified at the scrutiny on the grounds that he was not well-disposed to the democracy. Scholars have attempted to discredit the reason given by Lysias for Theramenes' rejection and to emphasize his conduct during the trial of the Arginusae generals.<sup>11</sup> What these scholars

<sup>10</sup> Cf. A. H. M. Jones, *Athenian Democracy* (Oxford 1960) 48; Bonner (*supra* n.1) 13 and 40.

<sup>11</sup> H. Frohberger and T. Thalheim, *Ausgewählte Reden des Lysias* III (Leipzig 1895)

fail to realize, however, is that Theramenes, as a member of the Four Hundred,<sup>12</sup> belonged to a category of the disfranchised listed in Patrocleides' decree. As a general-elect for the year 405/4, his disqualification occurred a few months before the passage of the decree.<sup>13</sup> He was an unfortunate victim of circumstances, but for our purpose he serves as a solid example of the fate of oligarchs at the *dokimasia* in the period between late 411 and the autumn of 405.

Did the oligarchic revolution of the Thirty necessitate a reconsideration of the political status of oligarchs? The amnesty which followed the fall of the Thirty covered all Athenians except the Thirty, the Ten (the successors of the Thirty), the Eleven, and the Ten (the governors at the Piraeus). It was specified that these oligarchs could remain at Athens (and, presumably, hold office) only after successfully undergoing a scrutiny of their conduct in office.<sup>14</sup> The requirement to render an account of their conduct in office before settling at Athens must have lapsed when Eleusis was reincorporated into Attica.<sup>15</sup> It appears, therefore, that from 401/0—the date of the reincorporation of Eleusis (*Ath.Pol.* 40.4)—all Athenians, both oligarchs and democrats, must have been treated on the basis of equality, enjoying full political rights, including the right to hold office—subject, of course, to the obligation to undergo the *dokimasia* successfully.

There is, however, some evidence suggesting that the question of the political status of oligarchs was not completely settled by the amnesty and the reincorporation of Eleusis. The evidence comes from four speeches of Lysias. In Lysias 31 the plaintiff begins the presentation of his case against Philon, a councillor-designate, by referring to an oath taken by councillors which requires them to expose unsuitable candidates (2). His first charge<sup>16</sup> against Philon is lack of patriotism or placing his personal interests before those of the state (5–7). In elaborating his charge, he accuses the candidate of refusing to join either

82 n.10; G. Gilbert, *Beiträge zur innern Geschichte Athens im Zeitalter des Peloponnesischen Krieges* (Leipzig 1877) 393–94; L. van der Ploeg, *Theramenes en zijn Tijd* (Utrecht 1948) 168. Cf. Harrison (*supra* n.2) 201 n.2.

<sup>12</sup> Thuc. 8.68.4, 8.89.2; Arist. *Ath.Pol.* 32.2; Xen. *Hell.* 2.3.30; Lys. 12.65; schol. Ar. Lys. 490.

<sup>13</sup> Elections to the generalship were usually held in the seventh prytany, i.e. February/March, and generals assumed office in mid-summer (see Hignett [*supra* n.2] 245, 347f). The *dokimasia* was held in the summer (see Busolt/Swoboda [*supra* n.1] 1073 n.1). Theramenes must therefore have been disqualified early in the summer of 405.

<sup>14</sup> Arist. *Ath.Pol.* 39; Andoc. 1.90; Xen. *Hell.* 2.4.40–43.

<sup>15</sup> According to Aristotle (*Ath.Pol.* 39.5) the amnesty prescribed that oligarchic emigrants from Eleusis could hold office on their return to Athens.

<sup>16</sup> For other charges against Philon, see *supra* 298.

the oligarchs or the democrats during the civil war that preceded the fall of the Thirty (8–14). The plaintiff admits that no law specifically forbids such a neutral attitude (27). It is also clear that the candidate could not have had oligarchic sympathies, for the plaintiff states that Philon, like all other unprivileged citizens, was expelled from the city by the Thirty (8). The plaintiff, however, argues that by refusing to join the democrats, particularly when they were clearly gaining the upper hand, the candidate proved to be an enemy of the democracy (9–10). There can be no doubt that, if Philon had really been an oligarch, the plaintiff would have pressed his case enthusiastically.

Another speech which relates to our enquiry is Lysias 25. The defendant, a member of the Three Thousand (1) and apparently a candidate for office, defends himself against an allegation of having collaborated with the Thirty. He claims that neither was he a member of the Four Hundred nor did he hold office under the Thirty (14). He admits that jurors were justly indignant at the Three Thousand (1), but draws a line between persons who participated in the atrocities of the Thirty and deserve punishment, and those who dissociated themselves from their inhuman acts and deserve commensurate treatment (5–6). Two points may be deduced from the speech. First, oligarchic activities were taken into consideration at the *dokimasia*. Second, those with oligarchic sympathies were not indiscriminately disqualified; only candidates of proven participation in the atrocities of the Thirty were liable to disqualification.

A third relevant speech is Lysias 16. Mantitheus, a councillor-designate, is accused both of having been a member of the Three Thousand and of having served in the cavalry under the Thirty (3). In his defence the candidate shows that he was neither resident at Athens (4–5) nor a cavalryman (6–7) during the régime of the Thirty. He then proceeds to say:

ἔτι δέ, ὦ βουλή, εἶπερ ἵππευσα, οὐκ ἂν ἦ ἔξαρκος ὡς δεινόν τι πεποιηκώς, ἀλλ' ἠξίου, ἀποδείξας ὡς οὐδείς ὑπ' ἐμοῦ τῶν πολιτῶν κακῶς πέπονθε, δοκιμάζεσθαι. ὁρῶ δέ καὶ ὑμᾶς ταύτῃ τῇ γνώμῃ χρωμένους, καὶ πολλοὺς μὲν τῶν τότε ἵππευσάντων βουλευόντας, πολλοὺς δ' αὐτῶν στρατηγούς καὶ ἱππάρχους κεχειροτονημένους.<sup>17</sup>

<sup>17</sup> 16.8: "Moreover, gentlemen of the council, if I had served as a cavalryman, I would not deny it as though I had done something terrible, but I would, by proving that no citizen had suffered harm from me, claim to pass the scrutiny. I see that you also hold this view, and that many of those who served in the cavalry at that time are members of the council while many of them have been elected generals and commanders of the cavalry."



The defendant confidently makes it clear that serving as cavalryman under the Thirty did not in itself constitute grounds for disqualification. He maintains that he should be deemed to have passed the test, if he should prove that he had not harmed any citizen. To prove his point, Mantitheus draws the judges' attention to many members of the cavalry under the oligarchic régime who were not only councillors (and, presumably, sitting on the panel examining his case) but also elected commanders of the cavalry and generals. There can be no doubt that Mantitheus was telling the truth. This testimony thus corroborates the evidence of Lysias 25 that the decisive criterion was not participation in the oligarchy *per se* but the candidate's actual activities.

The last oration to be considered is Lysias 26. The plaintiff brings against Evander, an archon-designate, three main charges. He is accused of having served as cavalryman during the régime of the Thirty, of having been a councillor under the oligarchs, and finally of having perpetrated atrocities under the same régime (10). This is a most important speech, for it provides valuable information about a law on the *dokimasia*. The plaintiff says:

κάκεινο <δ'> ἐνθυμείσθε, ὅτι ὁ θεὸς τὸν περὶ τῶν δοκιμασιῶν νόμον οὐχ ἤκιστα [περὶ] τῶν ἐν ὀλιγαρχίᾳ ἀρξάντων ἔνεκα ἔθηκεν, ἡγούμενος δεινὸν εἶναι, εἰ δι' οὓς ἡ δημοκρατία κατελύετο, οὗτοι ἐν αὐτῇ τῇ πολιτείᾳ πάλιν ἄρξουσιν, καὶ κύριοι γενήσονται τῶν νόμων καὶ τῆς πόλεως, ἣν πρότερον παραλαμβάντες οὕτως αἰσχρῶς καὶ δεινῶς ἐλωβήσαντο.<sup>18</sup>

The passage shows that there was a law on the *dokimasia* and that it dealt principally with those who held offices under the oligarchy, *i.e.* of the Thirty. We are told that the author of the law introduced it because he thought that those who overthrew the democracy and perpetrated atrocities should be debarred from wielding power in the restored democracy. Elsewhere (20) the plaintiff draws a distinction between those oligarchs who refrained from atrocities and those who committed many offences, adding that the former were honoured with command of cavalry, generalships, and ambassadorial positions, while a decree on *dokimasia* was passed to deal with the latter. This distinction is again made at another point (16–18): we are told that members of the Three Thousand who did not participate in the

<sup>18</sup> 26.9: "Consider this point also, that the one who laid down the law on scrutinies made it principally because of those who held offices during the oligarchy, thinking it terrible that those who caused the overthrow of the democracy should again hold offices under the same constitution, and should be in control of the laws and the city which they previously took charge of and maimed so shamefully and terribly."

perpetration of brutal acts, such as arrests and executions, were given the same treatment as democrats. There can be no doubt that the law and the decree are identical, that the law was passed some time after the overthrow of the Thirty, and that it made provisions for the disqualification of oligarchs who were shown to have participated in the villainous and brutal acts of the Thirty.<sup>19</sup> We do not know the exact date of the law. It certainly postdated the amnesty, and its *terminus ante quem* seems to be 389 B.C.<sup>20</sup> M. H. Hansen (*supra* n.19) believes that it “must be dated 403/2 or shortly afterwards.” 403/2 B.C. would seem a bit too early, for it seems unlikely that the law was passed before the reincorporation of Eleusis. That leaves us with a date between 400 and 389.

The presentation of the case itself throws an interesting light on the tactics which litigants employed when handling worthless cases. The plaintiff’s friend Leodamas had previously been disqualified from the same office, and his disqualification had been secured through the efforts of one Thrasybulus, who seems to be a friend of, and is defending, Evander, the substituted candidate (13, 15, and 21). The plaintiff accordingly appears incensed and vindictive, and he leaves no stone unturned in his efforts to discredit the candidate and secure his rejection. Though he knows—and he, indeed, provides the information—that the law on the *dokimasia* draws a line between those who perpetrated and those who refrained from atrocities, he conveniently ignores the distinction. He argues that, if those who served in the cavalry during the régime of the Thirty were liable to automatic disqualification from membership in the council,<sup>21</sup> then Evander, who had not only served as cavalryman and councillor but also committed offences, should be disqualified from holding the archonship (10). The plaintiff’s problem is obvious, for though he could apparently

<sup>19</sup> Cf. M. H. Hansen, “Did the Athenian *Ecclesia* Legislate?” *GRBS* 20 (1979) 36–37 and n.18. Hansen says that “the exact content of the decree is unknown.” He believes that the decree or amendment “may be identical with the reform described by Aristotle” (*Ath.Pol.* 55.4) and that it “must have contained a provision by which it was possible to reject a candidate without maintaining that he was formally debarred from holding office.” I think we can go further and maintain that the decree prescribed that only oligarchs who were proved to have participated in the atrocities of the Thirty should be disqualified from holding office.

<sup>20</sup> Three speeches (Lys. 16, 25, and 26) refer to the law. Lys. 25, though apparently delivered after the reincorporation of Eleusis, does not give any clues toward establishing an approximate date. Lys. 26 must have been delivered in 382 B.C., while Lys. 16, on the basis of references to the battle of Coronea and Thrasybulus (15), must be dated between 394 and 389 (the date of Thrasybulus’ death).

<sup>21</sup> This claim is refuted by the plaintiff’s own testimony on the law on the *dokimasia* and the apparently true testimony of Mantitheus (Lys. 16.8). See *supra* 302f; cf. MacDowell (*supra* n.3) 168.

prove the first two charges against the candidate, charges which were irrelevant, he had no facts to support the third and crucial charge. He could only make vague allegations and associate Evander with the brutal acts of the Thirty (5, 8, 12, 13, 14, 18) or substantiate allegations against Thrasybulus, the candidate's friend (23). He seems to have made no impression on the panel of judges, for Evander apparently passed the scrutiny and held the archonship in 382/1.<sup>22</sup>

In sum, the need to consider the political status of oligarchs must have arisen after the fall of the Four Hundred. The members of the oligarchy and their collaborators were disfranchised, and were therefore liable to disqualification at the *dokimasia*. This decision reflects popular resentment at the activities of the oligarchs and the need to safeguard the restored democracy against the resurgence of an oligarchic revolution. Theramenes, son of Hagnon, it has been shown, was a victim of this legislation. In the autumn of 405 oligarchs were rescued from disfranchisement by Patrocleides' decree, but the relief was short-lived, for the oligarchic revolution of the Thirty prompted reconsideration of the political status of oligarchs. Initially, leading oligarchs—the Thirty, the Ten, the Eleven, and the Ten—were exempted from the amnesty and were forbidden to live in Athens until they had satisfactorily rendered an account of their conduct in office. This requirement must have lapsed when Eleusis was reincorporated into Attica. Athenians, however, did not completely forget their bitter experiences during the reign of the Thirty. Though respecting the terms of the amnesty, they deemed it proper to exclude from public offices unpatriotic citizens who had demonstrated their villainy and brutality during the rule of the Thirty. They accordingly passed a decree—an amendment—which aimed at disqualifying not all oligarchs indiscriminately but those who had perpetrated atrocities—arrests, confiscations of property, and executions—during the oligarchic régime.

### *Conclusion*

These considerations show that the limited rôle assigned to the *dokimasia* by some scholars is untenable. It was a comprehensive examination which took into consideration a candidate's legal qualifications, both as a citizen and for the office in question, and the probity of his life and past political activities. Of course, it is possible that under normal circumstances the enquiry might not go beyond the formal interrogation indicated by Aristotle (*Ath. Pol.* 55.3). On the

<sup>22</sup> See P. J. Rhodes, *The Athenian Boule* (Oxford 1972) 177.

other hand, if a candidate of questionable character and political inclination appeared at the *dokimasia*, there can be no doubt that he would be made to answer some embarrassing questions and disqualified if unable to satisfy the board of examiners. We can conclude that within the framework of the egalitarianism of the Athenian democracy there were provisions for excluding from public office undesirable elements—rogues, unpatriotic citizens, enemies of the democracy, and villainous politicians.<sup>23</sup>

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