

Thucydides' Description of Democracy (2.37.1) and the EU-Convention of 2003

Mogens Herman Hansen

IN THE SPRING of 2003 the preamble of the EU-convention's *Draft Treaty Establishing a Constitution for Europe* opened with a quotation from Perikles' Funeral Oration: *χρώμεθα γὰρ πολιτεία ... καὶ ὄνομα μὲν διὰ τὸ μὴ ἐς ὀλίγους ἀλλ' ἐς πλείονας οἰκεῖν δημοκρατία κέκληται*. The text of the *Draft Treaty* was published in all the twenty-four languages spoken by the populations for whom the constitution was intended, and in all twenty-four texts the quotation in Greek was followed by a translation into the language in question.¹ The preamble was revised during the autumn of 2003 and the Thucydides passage was removed from the final version of the constitution, the one that was quashed by the referenda in France and Holland in 2005. Nevertheless, to have this line of Perikles' Funeral Oration quoted in a European constitutional document in 2003 shows that Thucydides was right when he claimed that his book was a *κτῆμα ἐς ἀεί*, "an everlasting possession."²

The EU-convention's use of the passage resounded among classicists, especially in Europe, and at numerous conferences it has been discussed whether it was appropriate to quote Thucydides in such a context. An important but controversial treatment of the issue is found in Luciano Canfora, *La democrazia – Storia di un' ideologia*. The book was published in 2004 as part of the prestigious series *The Making of Europe*.³ In the first two

¹ <<http://european-convention.eu.int/DraftTreaty.asp?>>.

² Thuc. 1.22.4; cf. S. Hornblower, *A Commentary on Thucydides I* (Oxford 1991) 61.

³ *Democracy in Europe: A History of an Ideology* (Malden 2006). Each book in this series is published in five languages: English, French, German, Spanish, and Italian. Translations of Canfora's book into English, French, and Spanish

chapters Canfora presents a critical analysis of the deeply-rooted tradition that democracy was invented in Classical Athens (7–34), and his interpretation of Perikles’ funeral oration as reported by Thucydides (2.35–46) forms a central part of the analysis. Canfora holds that the members of the EU-convention were victims of a widespread misunderstanding that democracy in the age of Perikles was seen as an ideal form of constitution to be associated with liberty and equality; what Perikles emphasises is in fact an *opposition* between democracy and freedom, and while he is hesitant and defensive about the value of democracy he singles out freedom to be the ideal cherished by the Athenians (*Democracy* 7–10).

Canfora’s book has obtained a wide circulation and his views are hotly debated. Therefore I find it appropriate to take issue with his interpretation of Perikles’ speech and his understanding of Athenian democracy. Canfora claims that Perikles’ account of Athenian democracy was misinterpreted by the members of the EU-convention and he sets out to understand and explain why they misunderstood the ancient text (7–8):

In the preamble to the European constitution, Pericles’ words appear in this form: “Our constitution ... is called a democracy because power is in the hands not of a minority but of the whole of the people.” This is a falsification of the words Thucydides attributes to Pericles—and it is important to try to understand why the authors resorted to such linguistic duplicity. / In the weighty oration that Thucydides attributes to him, Pericles says: “The word we use to describe our political system [it is clearly modernistic and erroneous to translate the word *politeia* as “constitution”] is *democracy* because, in its administration [the word used is in fact *oikein*], it relates not to the few but to the *majority* [“power” therefore does not come into it, let alone “the whole of the people”]. Pericles goes on: “however, in private disputes we give equal weight to all, and in any case freedom reigns in our public life” (II,37). We can reinterpret these words as much as we like, but the essential point is that Pericles is presenting “democracy” and “liberty” as antithetical.

appeared in 2006. The translation into German was stopped by the German publisher because of a serious disagreement with Canfora, in particular about how East Germany and West Germany were treated in the book.

I disagree with several of the points of criticism raised by Canfora against the draft constitution's interpretation of Perikles' description of Athenian democracy as reported by Thucydides.

First, Canfora quotes the preliminary version of the preamble of 28 May 2003 but omits to mention that the translation of the Thucydides passage was changed almost immediately. The one unquestionable mistranslation—to render *πλείονες* as “the whole of the people”⁴—was corrected in the draft of 13 June and it was this improved text that was passed by the EU-convention on 10 July 2003 and handed over to the Chairman of the European Council on 18 July. The final text was: “Our constitution ... is called a democracy because power is in the hands not of a minority but of the greatest number.”⁵ The erroneous rendering of *οἱ πλείονες* as “the whole of the people” was duly corrected.⁶

Second, criticising the Convention's translation of the period *καὶ ὄνομα μὲν διὰ τὸ μὴ ἐς ὀλίγους ἀλλ' ἐς πλείονας οἰκεῖν δημοκρατία κέκληται*, Canfora holds that “power ... does not come into it” and that the rendering “power is in the hands ... of” is misleading. But since Perikles is explaining the term *δημοκρατία* it is reasonable to presume that *πλείονας* explains the first part of the term, *δημο-*, and *ἐς ... οἰκεῖν* the second part,

⁴ Note that the English text of 28 May is a verbatim repetition of Rex Warner's Penguin Classics translation (1972) 145. Warner's mistranslation was probably inspired by A. W. Gomme, *A Historical Commentary on Thucydides II* (Oxford 1956), who argues “that *demokratia* can mean either simply majority rule in a state where all citizens have the vote ... or the consistent domination of the state by the masses” (107–108) and then rejects the view that *demokratia* in this passage “means ‘government by the masses’” (109).

⁵ M. H. Hansen, *The Tradition of Ancient Greek Democracy and Its Importance for Modern Democracy* (Copenhagen 2005) 29 n.3. The French version has: “Notre constitution ... est appelée démocratie parce que le pouvoir est entre les mains non d'une minorité, mais du plus grand nombre.” Italian: “La nostra costituzione ... si chiama democrazia perché il potere non è nelle mani di pochi, ma dei più.” P. J. Rhodes, *Thucydides History II* (Warminster 1988) 81, translates: “The name given to this constitution is democracy, because it is based not on a few but on a larger number.” Hornblower, *Commentary* 298: “It is true that we are called a democracy, for the administration is run with a view to the interests of the many, not of the few.” See n.17 below.

⁶ Let me add that the preamble was revised during autumn 2003 and the Thucydides quotation was removed from the final version of the constitution.

-κρατία.⁷ Such an interpretation conforms with the other occurrences in Thucydides of ἐς ὀλίγους,⁸ and other occurrences in Greek prose of οἰκεῖν used in a passive sense.⁹ So, “power is in the hands not of the few but of the majority” is not a mistranslation of μὴ ἐς ὀλίγους ἀλλ’ ἐς πλείονας οἰκεῖν but a reasonably reliable rendering of Perikles’ explanation of what the word δημοκρατία means.¹⁰

Third, according to Canfora it is anachronistic and erroneous to translate πολιτεία as “constitution,” and his own rendering is “political system.” Canfora understands “constitution” in the narrow sense of a written set of laws about how a state is governed. But the English word “constitution” has two meanings: (1) “basic law” = a written or codified constitution, (2) “political system.” There is of course a considerable overlap between the two meanings. Britain has no constitution in the first sense but certainly in the second. Thus, there is nothing wrong about rendering πολιτεία as “constitution,” viz., constitution in sense (2). In Greek πολιτεία is commonly used in the sense of political system: cf. e.g. Arist. *Pol.* 1289a15, πο-

⁷ J. T. Kakridis, *Der thukydideische Epitaphios* (Munich 1961) 25: “Die Demokratie gibt das κράτος, die Macht dem Demos, den πλείονες; ihr Name beweist, dass die Gleichheit aller Bürger nicht zu ihrem Programm gehört.”

⁸ ἐς ὀλίγους: 5.81.2, τὰ τ’ ἐν Σικυῶνι ἐς ὀλίγους μάλλον κατέστησαν αὐτοὶ οἱ Λακεδαιμόνιοι ἐλθόντες; 8.38.3, τῆς ἄλλης πόλεως (Chios) κατ’ ἀνάγκην ἐς ὀλίγους κατεχομένης; 8.53.3, ἐς ὀλίγους μάλλον τὰς ἀρχὰς ποιήσομεν; 8.89.2, ἀπαλλαξείειν τοῦ ἄγαν ἐς ὀλίγους οἰκεῖν (most MSS. have ἐλθεῖν but one [M] οἰκεῖν; A. W. Gomme, A. Andrewes, K. J. Dover, *A Historical Commentary on Thucydides* V [Oxford 1981] 298, argue persuasively that οἰκεῖν is preferable).

⁹ οἰκεῖν used in a passive sense: Pl. *Resp.* 547C, μεταβήσεται μὲν δὴ οὕτω [ἢ πολιτεία] μεταβάσα δὲ πῶς οἰκήσει; ἢ φανερόν ὅτι τὰ μὲν μιμήσεται τὴν προτέραν πολιτείαν, τὰ δὲ τὴν ὀλιγαρχίαν. Cf. Xen. *Cyr.* 8.1.2, ποῖα δὲ πόλεις νομίμως ἂν οἰκήσειαν ἢ ποῖοι οἴκοι σωθείησαν.

¹⁰ N. Loraux, *The Invention of Athens. The Funeral Oration in the Classical City* (Cambridge [Mass.] 1986) 183, argues that ἐς πλείονας οἰκεῖν “refers to government for the people, and the demos is viewed as a beneficiary of the system rather than as a sovereign people.” Similarly, M. Ostwald, *From Popular Sovereignty to the Sovereignty of Law* (Berkeley/Los Angeles 1986) 183, translates “run with a view to the interests of the majority, not the few”; cf. also J. S. Rusten, *Thucydides. The Peloponnesian War. Book II* (Cambridge 1989) 145. That is indeed a possible interpretation, but it does not explain the meaning of *-kratia* in the term *demokratia*.

λιτεία ... ἐστὶ τάξις ταῖς πόλεσιν ἢ περὶ τὰς ἀρχάς. But, like us, the Greeks could sometimes use πολιτεία in the first sense as well, i.e. about written laws in accordance with which the magistrates had to run the *polis*: e.g., Plato *Leg.* 735A, ἐστὶν γὰρ δὴ δύο πολιτείας εἶδη, τὸ μὲν ἀρχῶν καταστάσεις ἐκάστοις, τὸ δὲ νόμοι τοῖς ἀρχαῖς ἀποδοθέντες; Arist. *Pol.* 1289a18–20, νόμοι δ' <οἱ> κευρωσμένοι τῶν δηλούντων τὴν πολιτείαν;¹¹ 1292b15, τὴν μὲν κατὰ τοὺς νόμους πολιτείαν.¹²

Fourth, the most astonishing claim is that “Pericles is presenting “democracy” and “liberty” as antithetical. This conclusion is reached (1) by leaving out four lines of Thucydides’ text and (2) by taking the connective particle δέ in ἐλευθερῶς δέ to be adversative.

Re (1): After πᾶσι τὸ ἴσον Thucydides adds an opposition: κατὰ δὲ τὴν ἀξίωσιν, ὡς ἕκαστος ἐν τῷ εὐδοκίμῳ, οὐκ ἀπὸ μέρους τὸ πλεον ἐς τὰ κοινὰ ἢ ἀπ’ ἀρετῆς προτιμάται, οὐδ’ αὖ κατὰ πενίαν, ἔχων γέ τι ἀγαθὸν δρᾶσαι τὴν πόλιν, ἀξιώματος ἀφανεία κευώλνται. In Canfora’s own translation of the passage these lines are simply left out and there is not even an indication in his text that something is missing between “to all” and “and in any case.”

Re (2): “And in any case freedom reigns in our public life” is Canfora’s rendering of ἐλευθερῶς δὲ τὰ τε πρὸς τὸ κοινὸν πολιτεύομεν. As Canfora prints the text, “in any case” and later “nevertheless” (the Italian original has *comunque* and *nondimeno*) indicates a strong opposition to what precedes, i.e. Pericles’ remarks about δημοκρατία, and in this way an opposition between democracy and liberty is obtained. But it is achieved by leaving out four lines of Thucydides’ text. If these lines are

¹¹ οἱ add. Ross (OCT), but even without this conjecture νόμων must be the noun to be understood with τῶν δηλούντων. The sense of the passage is: “*nomoi*—apart from those that clarify the *politeia*—are those which ...”

¹² Let me add that in the original Italian version of Canfora’s book the text in the square bracket runs: “[ovviamente è modernistico e sbagliato rendere la parola *politèia* con ‘costituzione’]” (12). While the Italian term “costituzione” is commonly found in the sense of “basic law” or “written constitution,” it is not often used in the general sense of “political system.” So while it is unproblematic to use “constitution” in translating Thucydides’ text into English and French, “costituzione” in the Italian version may be a less obvious translation.

included it becomes clear that, in ἐλευθερῶς δέ, the particle δέ is additional rather than adversative and means “furthermore.”¹³ The phrase is balanced by ἀνεπαχθῶς δέ five lines below where, again, δέ is additional and not adversative.

Fifth, the basis of the claim that there is an opposition between democracy and liberty is the view that in the age of Perikles δημοκρατία was a word of abuse. Canfora repeats the old orthodoxy¹⁴ that democracy originally was a pejorative term, coined by those who disliked this form of government: “Democracy was the term opponents of government ‘by the people’ used to describe such government, precisely with the aim of highlighting its violent character (*kratos* denotes exactly the violent exercise of power)” (*Democracy* 8).

It is true that *demokratia* is used in a pejorative sense in one of the oldest attestations of the term, the pseudo-Xenophonic *Constitution of the Athenians*, presumably written during the first years of the Peloponnesian War.¹⁵ But—like his predecessors—Canfora has overlooked another very early attestation, a speech of Antiphon of ca. 420, where it is said that before every meeting of the Council of Five Hundred a sacrifice is made “on behalf of *demokratia*.”¹⁶ Here *demokratia* is used in a positive sense by the Athenians themselves about their own constitution, and the ritual endows the term with a religious authority.

Again, the oldest securely dated occurrence of *demokratia* is in a scene of Aristophanes’ *Acharnians*, produced in 425. The general Lamachos is being mocked by Dikaiopolis and his

¹³ See J. D. Denniston, *The Greek Particles*² (Oxford 1954) 162–165.

¹⁴ E.g., R. Sealey, “The Origins of *Demokratia*,” *CSCA* 6 (1974) 253–295, at 282, 292–295.

¹⁵ Unless, like the Platonic dialogues, it is a fourth-century composition pretending to take place in the fifth century, see S. Hornblower, “The *Old Oligarch* (Pseudo-Xenophon’s *Athenaion Politeia*) and Thucydides. A Fourth-Century Date for the *Old Oligarch*?” in P. Flensted-Jensen, T. Heine Nielsen, and L. Rubinstein (eds.), *Polis and Politics* (Copenhagen 2000) 363–384.

¹⁶ Ant. 6.45: πρυτανεύσας τὴν πρώτην πρυτανείαν ἅπασαν πλὴν δυοῖν ἡμέραιν, καὶ ἱεροποιῶν καὶ θύων ὑπὲρ τῆς δημοκρατίας, καὶ ἐπιψηφίζων καὶ λέγων γνώμας περὶ τῶν μεγίστων καὶ πλείστον ἀξίων τῆ πόλει φανερός ἦ. Cf. M. H. Hansen, “The Origin of the Term *Demokratia*,” *LCM* 11 (1986) 35–36; *The Athenian Democracy in the Age of Demosthenes* (Oxford 1991) 70.

fellows. He defends himself by referring to the fact that he was elected by a show of hands, and his reply to further abuse is ὦ δημοκρατία ταῦτα δῆτ' ἀνασχετά; “Oh Democracy! can this be tolerated?” (618). Here again democracy is referred to in a positive sense by an Athenian democratic official. Furthermore, Δημοκρατία is personified and ought in fact to be capitalised.

An even more significant invocation of *Demokratia* is in *Birds*, performed in 414. Poseidon, Herakles, and a Triballian god are elected by the gods and sent as envoys to the new city *Nephelokokkygia*. Poseidon—who does not approve of democracy—complains about the Triballian god’s manners and invokes democracy: ὦ Δημοκρατία ποῖ προβιβᾶς ἡμᾶς ποτε εἰ τουτονί γ' ἐχειροτόνησαν οἱ θεοί; (1570). Democracy is personified and addressed as another divinity disliked by Poseidon.¹⁷

We know that *Demokratia* was worshipped as a goddess by the Athenians in the fourth century.¹⁸ A combination of Antiphon 6.45 with the two lines from Aristophanes suggests that a cult of Δημοκρατία may already have existed in the fifth century. We do not know how old the ritual was.¹⁹ *Demos*, “the people,” had

¹⁷ I have asked Prof. Alan Sommerstein about the significance of Poseidon’s apostrophe and he responded that “comic characters do *not* normally address abstractions in the second person unless these abstractions are either (i) already known as personifications or (ii) explicitly personified in the play itself. So I think we must regard Poseidon’s apostrophe as significant.” On personification and deification of concepts, see E. Stafford, *Worshipping Virtues. Personification and the Divine in Ancient Greece* (Swansea/London 2000).

¹⁸ Statue of *Demokratia* erected by the *boule* in 333/2 (*SEG XXXII* 238); sacrifice to *Demokratia* made by the *stratego*i in 332/1 and 331/0 (*IG II²* 1496.131–132, 140–141). On the dubious authority of schol. Aeschin. 1.39 the introduction of the cult of *Demokratia* is usually dated to 403/2: see O. Alexandri-Tzahou, “Demokratia,” *LIMC* III.1 (1986) 372, and “Personifications of Democracy,” in J. Ober and C. W. Hedrick (eds.), *The Birth of Democracy* (Washington 1993) 149–155, at 154.

¹⁹ It may even go back to Kleisthenes. Herodotos, our oldest source, expressly says that Kleisthenes established *demokratia* in Athens (6.131.1), and in 411 the Athenian Assembly passed a decree (which led to the rule of the Four Hundred) “to investigate the ancestral laws that Kleisthenes gave when he introduced the *demokratia*” (Arist. *Ath. Pol.* 29.3). Many historians believe that Herodotos here used the term *demokratia* anachronistically (K. A. Raaflaub, “The Breakthrough of *Demokratia* in Mid-Fifth-century Athens,” in K. A. Raaflaub, J. Ober, and R. W. Wallace [eds.], *Origins of Democracy in Ancient*

been personified and deified before the mid-fifth century, *Acharnians* 618 indicates that it antedated 425,²⁰ and the presumption is that *Demokratia* had already been personified and deified when Perikles delivered his funeral oration in 430.

When we go further back in history, there can be little doubt that the term *demokratia* lies behind δήμου κρατούσα χεῖρ at Aesch. *Supp.* 604, to be dated in the 460s,²¹ and behind the *patronymikon* Δημοκρατου attested on the son Lysis' tombstone. Since Lysis belonged to the circle around Sokrates his father was probably born in the 460s or earlier.²² As the evidence stands we can infer that, as far back as the sources go, *demokratia* was a term used by the Athenian democrats themselves in a positive sense about their own political system.

Further corroboration of this view can be obtained by an analysis of the two parts of the compound *demo-kratia*.

(a) *-kratia*. Canfora claims that *-kratia*, derived from *kratos*, implies violence and therefore gives a negative meaning to the term *demokratia*. I tend to disagree. *Kratos* means "power" but does not necessarily have "violence" as a connotation. True, in Aischylos' *Prometheus* (12) *Kratos* is personified and juxtaposed with *Bia*, but at *Choephoroi* 244 *Kratos* is juxtaposed with *Dike* and *Zeus*.²³ Next, it is inconceivable that the term ἀριστοκρατία suggested the use of violence;²⁴ and one can also refer to the

Greece [Berkeley/Los Angeles 2007] 105–154, at 145; P. Cartledge, "Democracy, Origins of: Contribution to a Debate," in *Origins* 155–169, at 159), that in his time popular government was called *isonomia*, not *demokratia* (Raaflaub 112). The principal passage adduced in support of this view is Hdt. 3.80.6, where, we are sometimes asked to believe, Herodotos is *not* using the term *isonomia* anachronistically (C. Meier, *Entstehung des Begriffs "Demokratie": Vier Prolegomena zu einer historischen Theorie* [Frankfurt am Main 1970] 44–45).

²⁰ For the mid-fifth century shrine of *Demos* on the Hill of the Nymphs (*IG* I³ 1065), see Alexandri-Tzahou, *LIMC* III.1 (1986) 375, 381.

²¹ V. Ehrenberg, "Origins of Democracy," *Historia* 1 (1950) 515–548, at 522; Raaflaub, in *Origins* 108, 112–113.

²² R. Stroud, "The Gravestone of Sokrates' Friend Lysis," *Hesperia* 53 (1984) 355–360 [*SEG* XXXIV 199]; Hansen, *LCM* 11 (1986) 35–36.

²³ A. F. Garvie, *Aeschylus Choephoroi with Introduction and Commentary* (Oxford 1986) 105.

²⁴ Cf., e.g., Thuc. 3.82.8, πλήθους τε ἰσονομίας πολιτικῶς καὶ ἀριστοκρατίας σὺφρονος προτιμήσει.

innumerable names that end in *-krates* or begin in *Krat-* (which are almost as numerous).²⁵ It is most unlikely that a father would call his son by a name using *-krat-* if *kratos* inevitably implied violence and was a pejorative term.

(b) *demos*. Similarly the word *demos* has a dual meaning and the same ambiguity is involved in the word in Greek as in English. Sometimes it refers to the whole of the people, sometimes to the common people. In English a slogan like “all power to the people” consciously exploits the ambiguity. In Athens critics of the democracy, especially philosophers, tended to regard the *demos* as the “ordinary people” in contrast to the propertied class,²⁶ and in their eyes the people’s assembly was a political organ in which the city poor, the artisans, traders, day-labourers, and idlers, could by their majority outvote the minority of countrymen and major property-owners.²⁷ On the other hand, when the Athenian democrats referred to the Assembly as the *demos*, as they did every time they used the formula ἔδοξε τῷ δήμῳ, they usually meant the whole body of citizens, irrespective of the fact that only a minority were able to turn up at meetings.²⁸ So the term *demokratia* used by the Athenian democrats would often denote the rule of the whole of the people, including the rich,²⁹ but at the same time the democrats were aware that *demokratia* could also be seen as the rule of the common people as opposed to the rich.³⁰ Thus, in the eyes of an Athenian democrat, there is nothing wrong about using the term *demokratia* about a *politeia* which is essentially “the rule of

²⁵ See F. Dornseiff and B. Hansen, *Reverse-Lexicon of Greek Proper-Names* (Chicago 1978) 170–171.

²⁶ Arist. *Pol.* 1291b17–29; see M. H. Hansen, “*Demos, Ecclesia and Dicasterion* in Classical Athens,” in *The Athenian Ecclesia: A Collection of Articles 1976–83* (Copenhagen 1983) 139–158 (originally *GRBS* 19 [1978] 127–146), at 151 n. 30, and *Athenian Democracy* 125.

²⁷ Pl. *Resp.* 565A; Arist. *Pol.* 1319a25–32, 1304b20–24, 1320a4–6; cf. Hansen, *Tradition* 63 n.24.

²⁸ Aeschin. 3.224; cf. M. H. Hansen, *The Athenian Assembly* (Oxford 1987) 138 n.40.

²⁹ Thuc. 6.39.1, cf. Eur. *Supp.* 406–408.

³⁰ Lys. 1.2; Aeschin. 18.234; Isoc. 16.26–27; Xen. *Hell.* 4.8.27, *Mem.* 4.2.36 ff.

the many” because such a *politeia* is certainly to be preferred to one which is “the rule of the few.”

I conclude that as far back as the sources go *demokratia* was used as a positive term by the democrats about their own constitution, and the presumption is that the word was invented by the democrats themselves. The democrats usually took the first part of the composite word to refer to the whole of the people but sometimes understood the word *demos* in the sense of the common people and *demokratia* as the rule of the many as opposed to that of the few. The critics of *demokratia* almost invariably identified the *demos* with the poor and took *demokratia* to be an inferior form of constitution.

With these observations in mind, let us return to Perikles’ description and evaluation of Athenian democracy in the Funeral Oration. ὄνομα μὲν ... μέτεστι δέ indicates an opposition between what the Athenian πολιτεία is called and what it is. The difference between name and reality concerns the number of persons involved. In name it is the rule not of the few (ὀλίγους) but of the many (πλείονας), in reality it is beneficial to all (πᾶσι) in the private sphere and to everyone individually (ἕκαστος) in the public sphere. If one follows Canfora and presupposes that *demokratia* is a pejorative term, the gist of the passage is as follows: admittedly, our *politeia* has a bad name, *demokratia*, a name which suggests that it is not the rule of the few but of the *many*, but in reality it is a good thing because in private disputes *all* are equal before the law, and *everyone* has an opportunity to distinguish himself. The weak point in this interpretation is that it does not do justice to the opposition between the rule of the many and the rule of the few. In this passage the rule of the many is singled out as a good thing compared with the rule of the few. Accordingly a name which suggests that a *politeia* is the rule of the many cannot be a pejorative term. The inference is that in this passage *demokratia* must be either a neutral or a positive term, and the meaning of the passage is then the following: By name our *politeia* is a *demokratia* because it is the rule not of the few but of the *many*; but the name does not do justice to the fact that *all* are equal before the law in private disputes, and that *everyone*... On this interpretation, to be the rule of the many is already a good thing when contrasted with the rule of the few, but it is even better

that all are equal before the law and that everyone has an opportunity to distinguish himself.

On the other hand, there can be no denying that the critics and opponents of popular government assigned a negative meaning to the term δημοκρατία and the type of government it referred to.³¹ Therefore—like Athenagoras at Thuc. 6.39.1—Perikles had to defend both the term (the term connotes majority rule which is preferable to rule by the minority) and its denotation (in fact democracy protects all and provides everyone with an opportunity to distinguish himself). But the fact that Perikles' description of the term democracy has a defensive tone³² does not imply that he himself shares the opponents' view of the term and its meaning.

Insisting on the negative connotation of the term *demokratia* and the concept behind it, Canfora ventures to say: “there is nothing by any Athenian writer that sings the praises of democracy” (*Democracy* 10). This is an exacerbated restatement of an old and completely outdated view.³³ It has been disproved by Kurt Raaflaub as far as the fifth century is concerned.³⁴ For the fourth century I believe that I have done my share. Canfora's statement is flatly contradicted by several score of passages in the sources we have. Allow me here to quote just one, Aeschin. 1.4–5: “It is agreed that there are three kinds of constitution in the whole world, dictatorship (*tyrannis*), oligarchy, and democracy, and dictatorships and oligarchies are governed by the temperament of those in power, but democratic cities are governed by the established laws. You are aware, men of Athens, that in a democracy the persons of citizens and the constitution are protected by the laws, while dictators and oligarchs are protected by distrust and armed guards (etc.)”³⁵

For the fifth century an obvious passage is Eur. *Supp.* 399–

³¹ Cf., e.g., Xen. *Ath. Pol.* 1.4–8; Thuc. 6.89.6; Ar. *Aves* 1570.

³² Gomme, Andrewes, Dover, *Commentary* 335; Hornblower, *Commentary* 299.

³³ Cf. A. H. M. Jones, *Athenian Democracy* (Oxford 1957) 41: “All the Athenian political philosophers and publicists whose work we possess were in various degrees oligarchic in sympathy.”

³⁴ In *Aspects* 33–70.

³⁵ Transl. C. Carey, *Aeschines* (Austin 2000).

455, analysed by Raaflaub. It is certainly a eulogy of democracy.³⁶ The term δημοκρατία is not used in the passage. It is not to be found in any tragedy, probably because it did not fit the tragic trimeter.³⁷

Contra Canfora I hold that what is so astonishing about this chapter of Perikles' funeral oration is not how different Athenian democratic ideology was from modern liberal democracy but how many striking similarities there are. As today, democracy (δημοκρατία) is associated with equality (πάσι τὸ ἴσον), liberty (ἐλευθερώς), and tolerance (ἀνεπαχθώς), and for each of these three ideals Perikles describes how it operates in both the private sphere and the public sphere (τὰ ἴδια διαφορά ... ἐς τὰ κοινά, τὰ τε πρὸς τὸ κοινόν ... τῶν πρὸς ἀλλήλους ὑποψίαν, τὰ ἴδια ... τὰ δημόσια). Thus the opposition between the private and the public becomes a characteristic element of democratic ideology, one which permeates all aspects of society. As today, an important aspect of democracy may be majority rule (πλειόνας), but in reality it is to the benefit of all (πάσι), and the focus is on the opportunity each individual has (ἐκαστος) according to merit and irrespective of wealth.

The conclusion of this investigation is that, in my opinion, it is not the EU-convention but Canfora who has misinterpreted Perikles' account of Athenian democracy at Thuc. 2.37.³⁸

November, 2007

SAXO-institutet
Njalsgade 80
2300 Copenhagen S
Denmark
mhh@hum.ku.dk

³⁶ Raaflaub, in *Aspects* 45–46. I cannot follow Canfora's opinion that "the discussion ends without a winner or loser of the argument" (*Democracy* 249).

³⁷ Hansen, *LCM* 11 (1986) 35–36.

³⁸ I would like to thank Peter Rhodes for his valuable comments on a earlier draft of this article.