

THUCYDIDES 2,37,1: PERICLES ON ATHENIAN DEMOCRACY

Χρόμεθα γὰρ πολιτεία οὐ ζηλοῦση τοὺς τῶν πέλας νόμους, παράδειγμα δὲ μᾶλλον αὐτοὶ ὄντες τισὶν ἢ μιμούμενοι ἑτέρους, καὶ ὄνομα μὲν διὰ τὸ μὴ ἐς ὀλίγους ἀλλ' ἐς πλείονας οἰκεῖν δημοκρατία κέκληται· μέτεστι δὲ κατὰ μὲν τοὺς νόμους πρὸς τὰ ἴδια διάφορα πᾶσι τὸ ἴσον, κατὰ δὲ τὴν ἀξίωσιν, ὡς ἕκαστος ἐν τῷ εὐδοκίμῳ, οὐκ ἀπὸ μέρους τὸ πλεον ἐς τὰ κοινὰ ἢ ἀπ' ἀρετῆς προτιμάται, οὐδ' αὖ κατὰ πένιαν, ἔχων γέ τι ἀγαθὸν δρᾶσαι τὴν πόλιν, ἀξιώματος ἀφανείᾳ κεκόλυται. (OCT)

Disagreement persists as to precisely what Pericles is saying in the second sentence of this passage. In this paper I seek to elucidate his remarks.¹

In the opening clause Pericles explains that Athens' constitution has the name democracy διὰ τὸ μὴ ἐς ὀλίγους ἀλλ' ἐς πλείονας οἰκεῖν.² Let us begin by considering what this phrase is likely not to mean. One widely-held view takes Pericles to be saying that Athens is governed in the interests of not few but many:³ democ-

1) I cite the following by author's surname alone: Andrewes = A. W. Gomme, A. Andrewes, and K. J. Dover, A Historical Commentary on Thucydides Vol. V: Book VIII (Oxford 1981); Gomme = A. W. Gomme, A Historical Commentary on Thucydides Vol. II: Books II–III (Oxford 1956); Hornblower = S. Hornblower, A Commentary on Thucydides Vol. I: Books I–III (Oxford 1991); Jowett = B. Jowett, Thucydides translated into English with introduction, marginal analysis, notes, and indices (Oxford 1881); Kakridis = J. T. Kakridis, Der Thukydideische Epitaphios, ein stilistischer Kommentar (Munich 1961); Marchant = E. C. Marchant (ed.), Thucydides Book II (London 1891); Rhodes = P. J. Rhodes, Thucydides History II edited with translation and commentary (Warminster 1988); Rusten = J. S. Rusten (ed.), Thucydides The Peloponnesian War Book II (Cambridge 1989); Steup = J. Classen and J. Steup (edd.), Thukydides Vol. 2: Zweites Buch (Berlin 1966). I for the most part omit 'ad loc.' References without author's name are to Thucydides.

2) One issue in the considerable volume of nineteenth-century comment on this phrase was whether the correction ἴκειν found in two manuscripts should be adopted in place of the standard reading οἰκεῖν; in 1908 the Oxyrhynchus commentary provided early support for the latter (B. P. Grenfell and A. S. Hunt [edd.], The Oxyrhynchus Papyri Part VI [London 1908] no. 853, pp. 107–149, at 129 f. and 146 f.).

3) It is to be noted that Pericles speaks, not of 'the few' and 'the many', but of 'few' and 'many' (literally, 'more': cf. Rusten).

racy, according to Pericles, is government not by, but for the many.⁴ This seems implausible. In the first place, it has Pericles give, without comment, a highly idiosyncratic definition of the term δημοκρατία, a term normally understood to denote a system of government in which power, κράτος, is exercised by the δῆμος, not merely in its interests. Consider, next, the structure of Pericles' argument. The μέν at the beginning of our sentence seems likely to be concessive, coming as it does after the emphatically placed ὄνομα: Pericles appears to be embarking on a contrast of some kind between the name and the actuality of Athens' constitution.⁵ The answering δέ clause itself divides into μέν and δέ clauses; whatever their precise meaning, the latter is certainly making the point that in the political sphere exceptional ability receives due recognition. But wherein lies the antithesis between 'democracy is government for the many' and 'democracy recognizes different levels of political ability'? Furthermore, Pericles affirms at the end of our sentence that Athens provides scope for the poor citizen ἔχων γέ τι ἀγαθὸν δρᾶσαι τὴν πόλιν: it is benefit to the πόλις that is looked for, not 'the many', as the view in question would lead one to expect.

A problematic passage in Thucydides, Book 8 seems likely to provide an exact parallel for οἰκεῖν + ἐς, and, if so, very firm grounds for rejecting this interpretation of the phrase in our passage. In his account of how dissension arose within the oligarchy at Athens in 411, Thucydides writes (8,89,2; OCT):

καὶ ξυνίσταντό τε ἦδη καὶ τὰ πράγματα διεμέμφοτο, ἔχοντες ἡγεμόνας τῶν πάντων [στρατηγῶν] τῶν ἐν τῇ ὀλιγαρχίᾳ καὶ ἐν ἀρχαῖς ὄντων, οἷον Θηραμένη τε τὸν Ἀγνωνος καὶ Ἀριστοκράτη τὸν Σκελίου καὶ ἄλλους, οἱ μετέσχον μὲν ἐν τοῖς πρώτοις τῶν πραγμάτων, φοβούμενοι δέ, ὡς ἔφασαν, τό τε ἐν τῇ Σάμῳ στράτευμα καὶ τὸν Ἀλκιβιάδην σπουδῇ πάντων, τοὺς τε ἐς τὴν Λακεδαιμόνα πρεσβευομένους [ἔπειμπον], μή τι ἄνευ τῶν πλεόνων κακὸν δράσωσι τὴν πόλιν, οὐδὲ τὸ ἴαπαλλαξείειν τοῦ ἄγαν ἐς ὀλίγους ἐλθεῖν, ἀλλὰ τοὺς πεντακισχιλίους ἔργῳ καὶ μὴ ὀνόματι χρῆναι ἀποδεικνύειν καὶ τὴν πολιτείαν ἰσαιτέραν καθιστάναι.

4) So, recently, Rusten ("Note that this is not 'majority rule', but 'rule in the interests of the majority'") and Hornblower. For further references, and discussion, see E. R. Robinson, *The First Democracies: Early Popular Government Outside Athens* (Stuttgart 1997) 56 ff.

5) For recent challenges to this generally accepted view see Rhodes, and E. M. Harris, *Pericles' Praise of Athenian Democracy: Thucydides 2.37.1*, HSCP 94 (1992) 157–167. On the latter see further n. 16 below.

In place of ἐλθεῖν towards the end of this passage one manuscript reads οἰκεῖν. Andrewes comments: “No convincing parallel has been produced for ἐλθεῖν in the sense required ... These men wish to be rid of the oligarchy they already have, and for this M’s οἰκεῖν ... is preferable”. Andrewes notes the parallel in our passage; the two texts present, indeed, striking similarities (ἔργα καὶ μὴ ὀνόματι~ὄνομα, πολιτείαν~πολιτεία, ἰσαιτέραν~τὸ ἴσον). On either reading, the issue in Book 8 is clearly the excessively small number of those exercising power; if one does read οἰκεῖν,⁶ this passage tells decisively against the view that οἰκεῖν + ἐς in our passage expresses the notion of ‘government in the interest of’ – and provides strong support for the main rival interpretation, which takes Pericles to be speaking of the distribution of power. But is this sense to be found in Pericles’ actual words, and, if it is, how?

Οἰκεῖν in our passage is clearly not being used in its straightforward, standard sense, ‘to dwell’ somewhere. It can mean ‘to administer, govern’, though when it does it normally takes an object.⁷ Thucydides uses the intransitive verb on its own apparently with the sense ‘to rest secure’;⁸ and he and others use it with an adject-

6) With J.B Alberti (ed.), Thucydides Historiae Vol. III: Libri VI–VIII (Rome 2000): ... φοβούμενοι δέ, ὡς ἔφασαν, τὸ τε ἐν τῇ Σάμῳ στράτευμα καὶ τὸν Ἄλκιβιάδην, τοὺς τε ἐς τὴν Λακεδαίμονα πρεσβευομένους, μὴ τι ἄνευ τῶν πλεόνων κακὸν δράσειαν τὴν πόλιν, τοῦ τὸ ἄπαλλάξειν τοῦ ἄγαν ἐς ὀλίγους οἰκεῖν, ἀλλὰ τοὺς πεντακισχιλίους...

7) LSJ s. v. A.II; Thucydides so uses the verb at 1,17 (the tyrants of archaic Greece δι’ ἀσφαλείας ὅσον ἐδύναντο μάλιστα τὰς πόλεις ἄκουν) and 3,37,3 (Cleon asserts that οἱ ... φαυλότεροι τῶν ἀνθρώπων πρὸς τοὺς ζυνετωτέρους ὡς ἐπὶ τὸ πλεον ἄμεινον οἰκοῦσι τὰς πόλεις); cf. 8,67,1, καθ’ ὅτι ἄριστα ἡ πόλις οἰκῆσεται (future middle in passive sense). Some (e. g. E.-A. Bétant, Lexicon Thucydideum, 2 vols [Geneva 1843–7] s. v. and, recently, Rusten) understand the instance in our passage in this way.

8) 3,48,1 (Diodotus sums up his position: πείθεσθέ μοι Μυτιληναῖον οὐς μὲν Πάχης ἀπέπεμψεν ὡς ἀδικούντας κρίναι καθ’ ἡσυχίαν, τοὺς δ’ ἄλλους ἔαν οἰκεῖν); 3,75,1 (attempting to reconcile the Corcyreans, the Athenian general Nicostratus ξύμβασιν τε ἔπρασε καὶ πειθεῖ ὥστε ζυγωρῆσαι ἀλλήλοις δέκα μὲν ἄνδρας τοὺς αἰτιωτάτους κρίναι, οἱ οὐκέτι ἔμειναν, τοὺς δ’ ἄλλους οἰκεῖν σπονδὰς πρὸς ἀλλήλους ποιησαμένους καὶ πρὸς Ἀθηναίους, ὥστε τοὺς αὐτοὺς ἐχθροὺς καὶ φίλους νομίζειν); perhaps 6,82,3 (addressing the assembly at Camarina, Eurhemus sets the Athenian Empire in context: ἡμεῖς γὰρ Ἰωνες ὄντες Πελοποννησίους Δωριεῦσι καὶ πλέοσιν οὐσί καὶ παροικοῦσιν ἐσκεψάμεθα ὅφω τρόφῳ ἥκιστα αὐτῶν ὑπακουσόμεθα, καὶ μετὰ τὰ Μηδικὰ ναὺς κτησάμενοι τῆς μὲν Λακεδαιμονίων ἀρχῆς καὶ ἡγεμονίας ἀπηλλάγημεν, ... αὐτοὶ δὲ τῶν ὑπὸ βασιλεῖ πρότερον ὄντων ἡγεμόνες καταστάντες οἰκοῦμεν, νομίσαντες ἥκιστ’ ἂν ὑπὸ Πελοποννησίοις οὕτως εἶναι, δύναμιν ἔχοντες

tive or adverb in an extended sense, to express the terms on which a body of people, a πόλις, or, in one Platonic instance, a πολιτεία conducts its affairs.⁹ Our passage has generally been seen as exemplifying this usage, with πολιτεία understood as subject of the infinitive; those for whom Pericles is saying that Athens is governed by the many for the most part take ἐς to express result rather than aim.¹⁰ The Book 8 parallel suggests that the subject to be under-

ἢ ἀμνοῦμεθα, καὶ ἐς τὸ ἀκριβὲς εἰπεῖν οὐδὲ ἀδίκως καταστρεφόμενοι τοὺς τε Ἰωνᾶς καὶ νησιώτας, οὓς ξυγγενεῖς φασὶν ὄντας ἡμᾶς Συρακόσιοι δεδουλώσθαι).

9) LSJ s. v. B.II.2, translating ‘to be governed or administered’, and citing mainly Platonic instances; when so used the verb can in fact be readily taken to mean ‘dwell’, in an extended sense. J. E. Sandys (ed.), *The Speech of Demosthenes against the Law of Leptines* (Cambridge 1890) ad Demosthenes 20,49 (Βλάβητοις οἱ πονηροὶ νόμοι καὶ τὰς ἀσφαλῶς οἰκεῖν οἰόμενας πόλεις), translating ‘even states that deem themselves to be dwelling in unshaken security’, comments: “The intr. sense of οἰκεῖν is often applied in Plato to the constitutional condition of a state”, citing among other examples Republic 547c9 (Socrates, having sketched out the first stage in the corruption of the ideal πολιτεία, speaks as follows: μεταβήσεται μὲν δὴ οὕτω μεταβάσσει δὲ πῶς οἰκήσει; ἢ φανερόν ὅτι τὰ μὲν μιμήσεται τὴν προτέραν πολιτείαν, τὰ δὲ τὴν ὀλιγαρχίαν, ἅτ’ ἐν μέσῳ οὔσα, τὸ δὲ τι καὶ αὐτῆς ἔξει ἴδιον). Instances in Thucydides: 1,124,3 (the Corinthians conclude their speech to their allies in the Peloponnesian League with the assertion that if they endorse Sparta’s decision for war against Athens καὶ αὐτοὶ τε ἀκινδύως τὸ λοιπὸν οἰκῶμεν καὶ τοὺς νῦν δεδουλωμένους Ἑλληνας ἐλευθερώσωμεν); 2,63,3 (speaking of those who espouse ἀπραγμοσύνη, Pericles asserts: τάχιστ’ ἂν τε πόλιν οἱ τοιοῦτοι ἐτέρους τε πείσαντες ἀπολέσειαν καὶ εἴ ποῦ ἐπὶ σφῶν αὐτῶν αὐτόνομοι οἰκήσειαν ...); 2,71,2,4 (the Plataeans remind Archidamus that Pausanias ἀπεδίδου Πλαταιεῦσι γῆν καὶ πόλιν τὴν σφετέραν ἔχοντας αὐτονόμους οἰκεῖν, and conclude by urging him μὴ ἀδικεῖν μηδὲ παραβαίνειν τοὺς ὄρκους, ἐὰν δὲ οἰκεῖν αὐτονόμους καθάπερ Πausανίας ἐδικαίωσεν); 3,39,2 (Cleon characterizes the Mytilenians before their revolt as αὐτόνομοι τε οἰκοῦντες ...); 6,18,7 (Alcibiades concludes his speech in support of the Sicilian Expedition by urging the Athenians to remain true to their traditions: παράπαν τε γινώσκω πόλιν μὴ ἀπράγμονα τάχιστ’ ἂν μοι δοκεῖν ἀπραγμοσύνης μεταβολὴ διαφθαρήναι, καὶ τῶν ἀνθρώπων ἀσφαλέστατα τοῦτους οἰκεῖν οἱ ἂν τοῖς παροῦσιν ἦθεσι καὶ νόμοις, ἦν καὶ χεῖρω ἦ, ἥκιστα διαφορῶς πολιτεύωσιν); 6,92,5 (Alcibiades urges the Spartans to go to the aid of Syracuse, ἵνα τὰ τε ἐκεῖ βραχεῖ μορῖφ ξυμπαραγενόμενοι μεγάλα σώσητε καὶ Ἀθηναίων τὴν τε οὔσαν καὶ τὴν μέλλουσαν δύναμιν καθέλητε, καὶ μετὰ ταῦτα αὐτοὶ τε ἀσφαλῶς οἰκήτε καὶ τῆς ἀπάσης Ἑλλάδος ἐκούσης καὶ οὐ βία, κατ’ εὐνοίαν δὲ ἡγήθητε).

10) So, e. g., Jowett, who translates ‘It is true that we are called a democracy, for the administration is in the hands of the many and not of the few’, and comments: “ἐς ὀλίγους ... οἰκεῖν = διοικεῖσθαι ὥστε ὀλίγους εἶναι τοὺς διοικοῦντας αὐτήν: cf. 8,53 fin. ἐς ὀλίγους μᾶλλον τὰς ἀρχὰς ποιήσομεν, where the context clearly shows that ἐς ὀλίγους cannot mean, as might be supposed, ‘for the advantage of a minority’”. Cf. also 5,81,2 (τὰ τ’ ἐν Σικυῶνι ἐς ὀλίγους μᾶλλον κατέστησαν) and 8,38,3 (τῆς ἄλλης πόλεως κατ’ ἀνάγκην ἐς ὀλίγους [ὀλίγον codd.] κατεχομένης).

stood is rather ‘we Athenians’;¹¹ in the two passages οἰκεῖν + ἐς can, I suggest, be taken to denote living on terms that result in, respectively, many and too few being involved, it being clear from the context in each case that what is in question is involvement in government. ‘We live on terms that result in not few but many being involved’; or, more simply, ‘we involve not few but many’. The emphasis falls very much on the prepositional phrases, the negative point receiving pride of place; it is reasonable to suppose that these features of Pericles’ opening μέν clause are preparing the ground for the δέ clause that answers it.

As we have noted, this clause itself divides into μέν and δέ clauses; a further clause, linked to the latter, concludes the sentence. One issue that arises is whether this second μέν clause is concessive, as the opening μέν clause seems likely to be: is Pericles saying ‘Our constitution has the name democracy, but, while there is equality for all before the law, in political life individual merit receives due recognition’; or, as some suppose, ‘Our constitution has the name democracy, but all [sc. including the wealthy few] are equal before the law, and individual merit receives due recognition in politics’?¹² What, secondly, is the meaning of the phrase ἀπὸ μέρους in the second δέ clause? The traditional interpretation took Pericles to be saying that political leadership at Athens is not the prerogative of a privileged group – a point often seen as a covert gibe at Sparta.¹³ Commentators were not however entirely at ease

11) Steup argued for this interpretation on the ground that Thucydides uses οἰκεῖν only with personal subjects; note, however, the quasi-personification of πολιτεία in the preceding sentence. Gomme (108 f.) evidently read the phrase in this way, though I find his interpretation obscure: “ἐς πλείονας οἰκεῖν means the *distribution*, as it were, not so much of power, as of political activity ... For the use of οἰκεῖν in the sense, not of ‘living in a place’, simply ... but of ‘being a citizen’, cf. iii.48.1” (quoted at the beginning of n. 8 above). Gomme later endorsed Jowett’s translation (quoted in the preceding note): A. W. Gomme, *More Essays in Greek History and Literature* (Oxford 1962) 130.

12) The former is the more common view; for the latter, see e.g. Jowett, Marchant, and Kakridis 24 ff.

13) Following on from what may be an allusion by Pericles to the second-hand character of Sparta’s constitution in the first sentence of our passage. Gomme is sure that there is here “no reference to the story that the Spartan constitution was borrowed from Crete”. There need not be, I think – Pericles can be merely making the point that Athens’ constitution is a native product, just as the Athenians are of native stock (cf. 36.1); note however that it was the Spartans themselves who maintained that Lycurgus had brought their institutions from Crete (Herodotus 1,65,4).

with this interpretation,¹⁴ and in recent decades a quite different interpretation has gained widespread acceptance: the phrase denotes election by lot.¹⁵ However, as those who favour this interpretation themselves recognize, Thucydides' choice of preposition is on this view unusual; while critics find it implausible that Pericles should thus go out of his way, on such an occasion, to slight so pivotal a feature of Athenian democracy.¹⁶

These interpretations of ἀπό μέρους share the assumption¹⁷ that Pericles is speaking of appointment to public office, specifically that of στρατηγός. Nothing however in his language need bear this meaning;¹⁸ and there are grounds for questioning this assumption. First, what on this view are we to make of the words ἐν τῷ in the adverbial clause ὡς ἕκαστος ἐν τῷ εὐδοκιμεῖ? If Pericles does at this point indeed have the στρατηγία in mind, might not one expect

Note too Herodotus' thesis (5,66–69) that in his tribal reforms Cleisthenes of Athens was imitating Cleisthenes of Sicyon (ἐμμίετο, 67,1; ἐμμήσατο, 69,1).

14) A variant of which took Pericles to be speaking of 'party favour': see e.g. G. Grote, *History of Greece* (London 1888) Vol. V 67. A modern defence of the traditional interpretation takes ἀπό μέρους to refer to the many (J. R. Grant, *Thucydides* 2.37.1, *Phoenix* 25 [1971] 104–107).

15) A. W. Gomme, *Thucydides Notes*, CQ 42 (1948) 10–14, 10; Kakridis 26 f. Both take this to be the view of the Oxyrhynchus commentator: μ[ε]τέχουσι δὲ πάντες κατὰ μὲν τοὺς νόμους ἐν τοῖς ἰδίοις συμβολαί[οι]ς ἰσηγορίας, κατὰ δὲ τὴν ἀξίαν ὡς ἐν τινὶ ἕκ[α]στος λαμπρὸς νομίζεται ἐν τοῖς κοινοῖς, οὐ κατὰ τὸ μέρος τὸ ἐπιβάλλον ἴσον αὐτῷ τῆς πολιτείας πρὸς τὸ κοινὸν τ[ι]μᾶται ἀλλὰ διὰ τὴν ἀρετῆ[ν] . . .; see, however, n. 30 below. Hornblower, Rhodes, and Rusten all accept this interpretation.

16) G. Vlastos, *Platonic Studies* (Princeton ²1981) 197 n. 124; N. Loraux, *L'Invention d'Athènes: Histoire de l'oraison funèbre dans la 'cité classique'* (Paris 1981) 190; Harris (as n. 5) 166. These adherents of the traditional interpretation of ἀπό μέρους have not, in my view, satisfactorily met the difficulties it presents: (i) If Pericles is referring to a specific part of the citizen-body, why does he obscure his meaning by using a quite general term? (ii) What on this interpretation is the relation between the ἀπό μέρους clause and the final element of the sentence, οὐδ' αὐτὸ κατὰ πένιαν . . .? If the former is saying that political success does not depend on wealth, why is the point that poverty is not a bar a new point? Harris' interpretation of the sentence as a whole, which takes Pericles to be presenting a tripartite analysis of the Athenian constitution (ἄνομα . . . κέκληται relates to its deliberative element, μέτεστι . . . τὸ ἴσον to the judiciary, and κατὰ δὲ τὴν ἀξίωσιν . . . to the magistracies) does not, it seems to me, adequately account for the twofold occurrence of μὲν–δέ.

17) Queried by M. Pope, *Thucydides and Democracy*, *Historia* 38 (1988) 276–296, 292.

18) Ὀν προτιμᾶται, the one word that might be thought to do so, see below.

something a bit more specific than this entirely indeterminate phrase (even the phrase ἐς τὰ κοινά is still to come)? Secondly, Pericles concludes our sentence by affirming that at Athens the poor citizen ἔχων γέ τι ἀγαθὸν δρᾶσαι τὴν πόλιν is not prevented from making his contribution by his lowly status; it seems unlikely that the contribution Pericles has in mind here is tenure of public office.¹⁹ Thetes were, at any rate *de iure*, barred from holding office of any kind;²⁰ moreover while election by lot presupposed that the post in question required no special ability, Pericles here seems to envisage some non-run-of-the-mill benefit to the city – a point that also tells against the possibility that he is referring to dikastic service.

What kind of leadership might Pericles have in mind, other than tenure of public office? The obvious possibility is that he is thinking of the quintessence of political leadership in democratic Athens, influence in the assembly; it seems to me that we can make good sense of our sentence as a whole if we suppose the assembly to be the main issue throughout. After μέτεστι ... τὸ ἴσον *an*, if not the, obvious sense in which to understand the word μέρους is, I suggest, neither ‘section’ nor ‘turn’, but ‘share’, the share in question being the right of ἰσηγορία, the right shared by all Athenians to address the assembly.²¹ Pericles’ point I take to be that the individual of acknowledged distinction enjoys higher standing (προτιμᾶται) in the assembly in that he is guaranteed a respectful hearing,²² on the basis not so much of the right of ἰσηγορία he shares with his fellow-citizens as of his own personal distinction: ‘not so much’, because his sharing in ἰσηγορία is of course a necessary condition of his success as a speaker.²³ The point is that while all

19) As suggested by e. g. Hornblower.

20) Aristotle, *Ath. Pol.* 7,4. Cf. Rhodes’ comment on our passage.

21) See C. Collard (ed.), *Euripides Supplices* (Groningen 1975) ad lines 438–41; K. Raaflaub, *Des freien Bürgers Recht der freien Rede: Ein Beitrag zur Begriffs- und Sozialgeschichte der athenischen Demokratie*, in: W. Eck et al. (edd.), *Studien zur Antiken Sozialgeschichte* (Festschrift Friedrich Vittinghof), Vienna 1980, 7–57.

22) For the respect accorded speakers in the assembly cf. Diodotus at 3,42,5: *χρή ... τὴν ... σώφρονα πόλιν τῷ τε πλείστα εὐ βουλευόντι μὴ προστιθέναι τιμὴν, ἀλλὰ μὴδ’ ἐλασσοῦν τῆς ὑπαρχούσης, καὶ τὸν μὴ τυχόντα γνώμης οὐχ ὅπως ζημιοῦν ἀλλὰ μὴδ’ ἀτιμάζειν*. On *προτιμᾶται*, cf. A. J. Graham and G. Forsythe, *A New Slogan for Oligarchy in Thucydides III.82.8*, *HSCP* 88 (1984) 25–45.

23) I take τὸ πλεόν here to subordinate, not to negate the contrasted element; so e. g. 1,83,2: ἔστιν ὁ πόλεμος οὐχ ὅπλων τὸ πλεόν ἀλλὰ δαπάνης, δι’ ἣν τὰ ὅπλα ὠφελεί.

citizens share the same formal right to speak in the assembly, only those who have something worthwhile to say are in practice accorded a hearing.

Pericles presents this point, I further suggest, by means of a contrast between the situation in the assembly and that in the law-courts, and it is this contrast that explains the emphatic οὐκ ἀπὸ μέρους. Having made the point, in our sentence's opening clause, that the Athenian constitution quite properly has the name democracy because many, not few, constitute the decision-making body, i. e. the assembly, Pericles goes on to make the point, in the second δέ clause, that exercise of the right to address the assembly, a right shared equally by all, tends in practice to be restricted to those – those few, by implication – who are considered by their fellow-citizens to speak with authority.²⁴ However, as he at once goes on to add, in our sentence's final clause, a poor and thus lowly citizen obtains a hearing if – we are to understand, exceptionally – he has something worthwhile to say;²⁵ his point in the preceding clause, the second μὲν clause, is, I think – taking this to be, like the first, concessive – that in court individuals are guaranteed a hearing whether or not they have anything worthwhile to say.

The phrase τὰ ἴδια διάφορα has almost universally been taken to mean 'individual disputes' (or 'interests'), and to be contrasted with the phrase ἐς τὰ κοινὰ in the δέ clause that follows. The discrepancies between the two phrases – πρὸς/ἐς, ἴδια qualifying a noun/κοινὰ standing alone – can be seen as Thucydidean variatio; one notes, however, the exactly parallel κατὰ μὲν τοὺς νόμους / κατὰ δὲ τὴν ἀξίωσιν. One notes also that if διάφορα does mean 'disputes', its adjective might be thought somewhat puzzling, given that in the context of Athenian law ἴδιος was it seems a technical term used only of some, by no means all, suits.²⁶ How, moreover,

24) Cf. Plato, Protagoras 319 a ff.; Xenophon, Memorabilia 3,6.

25) Note what Isocrates' pupil says at Panathenaicus 248: κάκεινο τυγχάνω γιγνώσκων, ὅτι τῆς πόλεως τῆς ὑμετέρας βουλευομένης περὶ τῶν μεγίστων οἱ μὲν ἄριστα φρονεῖν δοκοῦντες ἐνίοτε διαμαρτάνουσι τοῦ συμφέροντος, τῶν δὲ φαύλων νομιζομένων εἶναι καὶ καταφρονουμένων ἔστιν ὅτε κατώρθωσεν ὁ τυχὼν καὶ βέλτιστα λέγειν ἔδοξεν. Cf. J. Ober, *Mass and Elite in Democratic Athens: Rhetoric, Ideology, and the Power of the People* (Princeton 1989) 108 f., who cites this passage.

26) Aristotle, *Ath. Pol.* 67,1, with P.J. Rhodes, *A Commentary on the Aristotelian *Athenaion Politeia** (Oxford 1981) ad loc.

on this interpretation does the second μέν clause fit in Pericles' argument? Why does he refer to the equality of Athenians as litigants, rather than as – what one might think of more immediate significance here – voters?

In fact, I suggest, ἴδια here means 'individual' rather than 'private', and διάφορα 'differences' in the sense of "individuals' differing strengths and weaknesses",²⁷ πρὸς having the sense 'in the face of', 'in contrast to':²⁸ Pericles' point is that whereas the law assures an equal hearing to all who have occasion to address juries, whoever they be, and however well or ill qualified,²⁹ matters go quite otherwise in the political arena, the adverbial clause ὡς ἕκαστος ἐν τῷ εὐδοκιμεῖ picking up the reference to inequalities between individuals expressed by the phrase πρὸς τὰ ἴδια διάφορα.³⁰

I conclude by giving a translation embodying the interpretation proposed:

To be sure, our constitution, because we involve not few, but many, has the name democracy; but, while in accordance with the laws there is, in the face of their individual differences, equality for all, in accordance with the esteem that comes with distinction in whatever field, an individual enjoys higher standing in relation to matters of common concern on the basis not so much of shared right as of personal merit; while, at the same time, with regard to poverty, someone who is capable of benefiting the city is not prevented from doing so by obscurity of status.

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27) LSJ s.v. διάφορος II.1; cf. William Smith's translation (The History of the Peloponnesian War, translated from the Greek of Thucydides [London 1753]; I quote from the new edition, London 1836): 'How different soever in a private capacity, we all enjoy the same general equality our laws are fitted to preserve'.

28) Cf. 3,11,1: χαλεπώτερον εἰκότως ἐμελλον οἴσειν καὶ πρὸς τὸ πλέον ἤδη εἶκον τοῦ ἡμετέρου ἔτι μόνου ἀντισουμένου; 3,43,4: ἄλλως τε καὶ ὑπεύθυνον τὴν παραίνεσιν ἔχοντας πρὸς ἀνεύθυνον τὴν ὑμετέραν ἀκροάσιν.

29) Litigants were guaranteed a hearing by the heliastic oath; and plaintiff and defendant were allotted equal speaking time (A. R. W. Harrison, The Law of Athens: Procedure [Oxford 1971] 48, 161 f.).

30) Though he evidently interpreted the phrase πρὸς τὰ ἴδια διάφορα in the usual way, the Oxyrhynchus commentator's use of the word ἰσηγορία suggests that he may have understood Pericles along similar lines; cf. n. 15 above.