

## THE THERAMENES MYTH

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IN A TYPICALLY INCISIVE PASSAGE George Grote concluded his analysis of the career of Theramenes as follows:

He was a selfish, cunning and faithless man—ready to enter into conspiracies, yet never foreseeing their consequences and breaking faith to the ruin of colleagues whom he had first encouraged, when he found them more consistent and thoroughgoing in crime than himself.<sup>1</sup>

A very different appraisal would be found in a modern history of Greece. For example, N. G. L. Hammond writes:

In the manner of his death Theramenes showed himself to be more than a time-serving politician. He died a martyr to the dictum that in an age of revolution moderate and patriotic citizens are destroyed.<sup>2</sup>

These two quotations demonstrate how radically modern scholarly opinion regarding Theramenes has changed.<sup>3</sup> Responsible for this change was the discovery of Aristotle's *Athenaion Politeia*,<sup>4</sup> though there were a few German scholars who defended Theramenes before.<sup>5</sup> In the *Athenaion Politeia* a favourable construction is put upon the career of Theramenes.<sup>6</sup> The facts, however, though somewhat altered in order, are essentially the same as those we knew already from Thucydides, Lysias, and Xeno-

<sup>1</sup>Grote, *History of Greece*<sup>2</sup> (New York 1899) 8.255.

<sup>2</sup>N. G. L. Hammond, *A History of Greece to 322 B.C.* (Oxford 1959) 444.

<sup>3</sup>Amongst English speaking scholars this change was spearheaded by B. Perrin, "The Rehabilitation of Theramenes," *AHR* 9 (1904) 649–669. A favourable view of his career is now standard and he is almost invariably identified as "leader of the moderates" and "father of the constitution of the Five Thousand." See, for example, W. S. Ferguson, "The Constitution of Theramenes," *CR* 21 (1926) 72–75; A. Andrewes, *JHS* 73 (1953) 9; H. T. Wade-Gery, *Essays in Greek History* (Oxford 1958) 292; F. Jacoby, *FGrHist* 3b Suppl. 1.96–97 and 3b Suppl. 2.81, n. 29; and H. Bengtson, *Griechische Geschichte*<sup>2</sup> (Munich 1960) 242 and n. 1.

<sup>4</sup>The effect of Aristotle's view of Theramenes upon modern scholars can be seen at once in Sandys' note on *Ath. Pol.* 28.5: "This eulogy of Theramenes is all the more welcome as the traditional opinion respecting him is that he was not much better than an opportunist" (J. E. Sandys, *Aristotle's Constitution of the Athenians* [London 1893] *ad loc.*).

<sup>5</sup>Theramenes was defended as early as 1842 by Wattenbach, *De Quadringentorum Athenis Factione* (Diss. Berlin) 55–58, and more thoroughly in a whole monograph by C. Pöhlig, *Der Athener Theramenes* (*Neue Jahrbuch für Philologie und Paedagogik*, Suppl. 9, 1877). The basis for their view was the opinion of Aristotle, as reported by Plutarch, *Nikias* 2, that the three best citizens of their time were Nikias, Thucydides the son of Melesias, and Theramenes.

<sup>6</sup>*Ath. Pol.* 28 and 32–37.

phon, and remain as ambiguous as ever.<sup>7</sup> The difference lies in the approach. Whereas Theramenes' contemporaries took a negative attitude towards his activities and found no difficulty in showing him to be a treacherous turncoat, Aristotle's approach was positive.<sup>8</sup> That his re-interpretation was purely a matter of approach can be seen from a revealing passage from the twenty-eighth chapter of his work,<sup>9</sup> which I quote in the translation of von Fritz and Kapp.<sup>10</sup>

The best Athenian statesmen, after those of the early period, seem to have been Nicias, Thucydides, and Theramenes. In regard to Nicias and Thucydides, there seems to be almost universal agreement that they were not only true gentlemen but also statesmen, and that their attitude towards the city as a whole was the attitude of a father. But in regard to Theramenes, opinion is divided, because he happened to live in a time when public affairs were in a turmoil. But, if one tries not to judge lightly, it seems clear that he did not, as his detractors say, overthrow all constitutions, but that on the contrary, he worked for the good of any established government as long as it did not transgress the laws and that, in this way, he showed that he was able to serve the state under any kind of political setup, which is what a good citizen should do, but would rather incur enmity and hatred than yield to lawlessness.

This passage, and particularly the phrase "if one tries not to judge lightly," indicates that what Aristotle is dealing with is not fresh evidence but a new approach to the existing facts. That is, the judgement made in this section is the basis for the favourable interpretation of Theramenes' career in *Ath. Pol.* 33-37, not the other way round. The question is whose judgement was it? Some scholars have seen that there are indications here of Aristotelian theory, and have accordingly made Aristotle responsible for his own judgement.<sup>11</sup> I shall return to this later. Others have argued

<sup>7</sup>The only additional information Aristotle gives is the names of Theramenes' associates, Archinos, Anytos, Kleitophon, and Phormisios (*Ath. Pol.* 34.2). The statement that they sought the *patrios politeia* and represented a middle group is not so much a fact as an opinion, dependent upon Aristotle's judgement of Theramenes in 28.5.

<sup>8</sup>The statements of Aristophanes (*Ranae* 534-541 and 967), Thucydides (8.68 and 8.89-97) and Lysias (12.62-78; 13.9-17) are consistent and unambiguous (*pace* K. Bringmann, *Studien zu den politischen Ideen des Isokrates* [Göttingen 1965, *Hypomnemata* 14] 85, n. 1). He was clever (Aristophanes calls him σοφός and δεινός; Thucydides says he was οὐτε εἰπεῖν οὐτε γινῶναι ἀδύνατος), but he used his intelligence to keep himself on the winning side. His motivation was personal ambition not ideology (Thuc. 8.89.3). For this reason Lysias can make the point that he deserved punishment as much under a democracy as under an oligarchy (12.78 . . . δικαίως μὲν ἐν ὀλιγαρχίᾳ δίκην δόντος (ἤδη γὰρ αὐτὴν κατέλυε), δικαίως δ' ἂν ἐν δημοκρατίᾳ). None of his contemporaries gives the slightest indication that he used his intelligence to frame constitutions, bogus or real.

<sup>9</sup>*Ath. Pol.* 28.5.

<sup>10</sup>K. von Fritz and E. Kapp, *Aristotle's Constitution of Athens* (New York 1950) 99.

<sup>11</sup>Wilamowitz, *Aristoteles und Athen* (Berlin 1893) 1.126 and Keil, *Die solonische Verfassung in Aristoteles Verfassungsgeschichte Athens* (Berlin 1892) 205, n. 2. This is also the opinion of Day and Chambers, *Aristotle's History of Athenian Democracy* (Berkeley and Los Angeles 1962) 58, 147-148, but they confuse the issue by postulating Androton as the original exculpator of Theramenes (155), whom Aristotle used because his account suited his (Aristotle's) purpose.

that Aristotle had a source for this passage, that this source was the same as the one he used for the rest of his account of Theramenes, and, on the basis of their identification of this source, have developed an elaborate structure of conjecture, which influences our view of fourth-century politics and our understanding of Atthidography, the writing of the local history of Attika.<sup>12</sup> It is this theory with which I am concerned in this article.

It is argued that Aristotle's source for this passage was the Atthidographer Androtion. Unfortunately we do not have preserved any fragment of Androtion's *Atthis* that deals with Theramenes, so we do not have any first-hand knowledge of what he said about him. We do, however, have some circumstantial evidence. First, we know from Androtion F 6, on ostracism, that Aristotle used Androtion. Second, Androtion's father, Andron, was a close associate of Theramenes in the Four Hundred. Third, on the basis of his father's political association and the evidence of his own political career, it has been maintained that Androtion's bias was moderate or conservative or sometimes "moderate-conservative." On these arguments it is generally accepted that Androtion inherited a favourable account of Theramenes from his father or his father's circle and publicized it in his *Atthis*, where Aristotle found it, and that, inversely, from Aristotle's account we can deduce what Androtion said about Theramenes.

Some assumptions are a) basic to this theory and b) based upon it. Basic to it is the view that moderates at the end of the fifth century propagandized for Theramenes and through him for their political platform, which was essentially the Constitution of the Five Thousand and all it entailed. They made him the Father of that constitution. Whether they did this because he was, in fact, the leader of their group and ideologically associated with their platform or only to serve their own political ends involves the historical question whether Theramenes was, in reality, a turncoat or a moderate. This is a question which I am studiously avoiding in this article, because I consider it, in the final analysis, incapable of an objective solution. The main evidence for the idea that fifth-century moderates propagandized for Theramenes the moderate is the fact that Lysias, in his speech against Eratosthenes (12.64), states that some of the

<sup>12</sup>For the identification of Androtion as the source behind Aristotle's account of the events of 411 and Theramenes' part in them see Busolt-Swoboda, *Griechische Staatskunde* (Munich 1920) 1.95-96. For the relevance this identification has to modern views on fourth-century politics and the understanding of Atthidography see Jacoby throughout his introduction to the fragments of Androtion, *FGrHist* 3b Suppl. 1.86-106; *FGrHist* 3b Suppl. 2.81, n. 29 and *Atthis* (Oxford 1949) 71-79. Cf. E. Ruschenbusch, "ΠΑΤΡΙΟΣ ΠΟΛΙΤΕΙΑ," *Historia* 7 (1958) 398-424; Day and Chambers, *op. cit.* (above, n. 11) 5-24 and *passim*; Hignett, *A History of the Athenian Constitution to the End of the Fifth Century B.C.* (Oxford 1952) 12-30; and Jaeger, "The Date of Isocrates' *Areopagiticus* and the Athenian Opposition," *HSCP* Suppl. 1 (1940) 447-450.

Thirty, then on trial, were basing their defence on their friendship with Theramenes, claiming that he had been responsible for many good things, not many bad ones. It is for this reason that Lysias goes to such pains to disprove this claim.

On the other hand, based upon this theory is the assumption that Androtion, in propagandizing for Theramenes in his *Atthis*, was not merely taking over a fifth-century account, but was himself ideologically involved. That is to say, he was a moderate and was propagandizing for the views of his own group in mid-fourth-century politics. From this it is deduced that moderates in the middle of the fourth century held to fundamentally the same platform as did moderates at the end of the fifth and that they looked upon Theramenes as their idol. Also, since we now think we know what Androtion said about Theramenes, we can use this as further indication that the *Atthis* was politically biased; that Androtion, like Kleidemos before him, used his history of Attika as a medium for his own political propaganda. This mass of assumption and conjecture, centring as it does upon Theramenes, is what I have called the Theramenes Myth.

As everyone knows Theramenes, like Thomas Moore, died well, dedicating the last of the hemlock to the "fair Kritias," the notorious leader of the Thirty Tyrants who had brought about his death.<sup>13</sup> Because of the general hatred felt by the Athenian public for the rule of the Thirty, Theramenes' death lent him the aura of a martyr. It is not surprising, therefore, that some of the Thirty later claimed association with him in their defence before the judges of the restored democracy.<sup>14</sup> Are we for that reason to believe that the form of their defence was to argue that Theramenes was the ideal moderate, father of the constitution of the Five Thousand?

There is only one passage in any of the other accounts of Theramenes' life, besides the defence of Theramenes in the *Ath. Pol.*, that supports this idea. For his dramatization of the trial of Theramenes, Xenophon gave both Kritias and Theramenes a speech.<sup>15</sup> Kritias spoke first. In his defence Theramenes made the following provocative statement:

But, Kritias, I am always at war with those who think that democracy would never be good before the slaves and the penniless have a share in the city and I am ever opposed, on the other hand, to those who think that oligarchy would not be fine before they set the city under the tyranny of a few. Government by those who are able to benefit the city with horse and shield, this I considered best in the past and I do not change my mind now.<sup>16</sup>

Here, it seems, is a clear statement of the moderate ideal, the opposition to both radical democracy and radical oligarchy, the restriction of

<sup>13</sup>Xen. *Hell.* 2.3.56.

<sup>15</sup>Xen. *Hell.* 2.3.24-2.3.49.

<sup>14</sup>Lysias 12.64.

<sup>16</sup>Xen. *Hell.* 2.3.49.

the *politeia* to those capable of providing weapons (the *ἕπλα παρεχόμενοι*).<sup>17</sup> Xenophon could, therefore, be reproducing fifth-century moderate propaganda for Theramenes. Furthermore, since he himself was a moderate or conservative,<sup>18</sup> he could through this speech be publicizing the platform of his own group in fourth-century affairs,<sup>19</sup> the pupils or "apostles" of Theramenes.<sup>20</sup> Thus we would be in touch not only with fifth-century propaganda but with the application of it by fourth-century moderates for their own use.

This approach to Xenophon's account of Theramenes is, however, methodologically unsound, for, in emphasising one small passage from a speech ascribed by Xenophon to Theramenes, it ignores everything else Xenophon has to say about him. All of that is hostile to Theramenes, with the exception of his narration of his death.

In his account of Theramenes' negotiations for peace with Lysander<sup>21</sup> Xenophon states that Theramenes delayed more than three months in the Spartan camp, waiting until the Athenians should be willing to agree to anything (*ὅ τι τις λέγοι ὁμολογήσειν*) on account of their shortage of provisions (*διὰ τὸ ἐπιλελοιπέναι τὸν σῆτον*). His plan was most successful.<sup>22</sup> More obvious hostility, however, is demonstrated throughout the whole of the account of the battle of Arginousai and the trial of the generals.<sup>23</sup> There Xenophon makes it quite clear that Theramenes was detailed to pick up the shipwrecked (which, it is pertinent to point out, he makes Theramenes deny in his speech). Theramenes was the ringleader of the group that attacked the generals (*ἄλλοι τε καὶ Θηραμένης μάλιστα*). It was his party that procured many of those dressed in mourning at the festival of the Apatouria to come to the Ekklesia, on the pretence that they were relatives of those who had perished.<sup>24</sup> The Therameneans also persuaded Kallixenos to accuse the generals in the Boule. It was on this man's proposal that all the generals were tried together, an illegal pro-

<sup>17</sup>On the terminology—moderates, moderate conservatives, conservatives—see Jacoby, *Atthis* 292, n. 22. On the history of the party and its platform see *FGH Hist* 3b Suppl. 1.95–97. The meaning of *politeia* in the context of the constitution of the Five Thousand has been well discussed by G. E. M. de Ste Croix, "The Constitution of the Five Thousand," *Historia* 5 (1956) 1–23.

<sup>18</sup>For Xenophon's conservative or moderate leanings see J. de Romilly, "Les modérés athéniens vers le milieu du IV<sup>e</sup> siècle: échos et concordances," *REG* 67 (1954) 327–354. Cf. Jaeger, *op. cit.* (above n. 12) 448.

<sup>19</sup>As is the view, for example, of K. Bringmann, *op. cit.* (above, n. 8) 85, nn. 1 and 2. In his opinion "Konservative wie Xenophon . . . Androtion . . . und Ephoros sahen in ihm (*sc.* Theramenes) ihr Ideal."

<sup>20</sup>G. Vlastos, "The Constitution of the Five Thousand," *AJP* 73 (1952) 193 writes of "the apostles of the Theramenean gospel in fourth century Athens. . . ." This is the high-point of the Theramenes Myth, where the traitor is transformed into a god.

<sup>21</sup>Xen. *Hell.* 2.2.16.

<sup>22</sup>Xen. *Hell.* 2.2.21.

<sup>23</sup>Xen. *Hell.* 1.6.35–1.7.35.

<sup>24</sup>Xen. *Hell.* 1.7.8.

cedure to which Sokrates objected.<sup>25</sup> In the *Memorabilia* Xenophon praises Sokrates' action, thereby inversely condemning Kallixenos and, through him, Theramenes. It is with undoubted relish that Xenophon records the end of Theramenes' man, Kallixenos, in the very last words of the first book of the *Hellenika* (μισούμενος ὑπὸ πάντων λιμῶ ἀπέθανεν).

Many scholars have observed the anti-Theramenean tone of these passages, some even considering Xenophon's narrative tendentiously hostile.<sup>26</sup> The best summation is perhaps that of Hignett, who writes, "Before his death he displayed a fortitude and a sense of humour which extorted the reluctant admiration of the unsympathetic Xenophon."<sup>27</sup> In view of the circumstances of his death this is not surprising, but we are not for that reason to number Xenophon amongst those who idolized Theramenes.<sup>28</sup> Far from it. If there was a Theramenean party in the fourth century they can hardly have been happy with Xenophon's characterization of Theramenes. Likewise, Xenophon's source can hardly have been a defence of Theramenes put out by his associates, when they were on trial at the end of the fifth century. Unless, that is, we are to assume that Xenophon used this defence only for the speech he gave Theramenes at this point. But such a blind and illogical use of sources is hard to accept even from Xenophon.

We are left with the conclusion either that Xenophon composed this speech himself, and put into Theramenes' mouth what he thought was rhetorically and dramatically suited to the occasion, or that he was reporting as nearly as possible what he had been told Theramenes actually said. This latter possibility cannot be proven since we do not have enough of Theramenes' words preserved for a stylistic analysis. It does, however, have in its favour the fact that a good case has recently been made for identifying a number of Kritian elements in Kritias' speech.<sup>29</sup> Either way we have no reason to believe that Xenophon was in touch with either fifth or fourth-century propaganda.

The case of Ephoros is quite different, for in sharp contrast to Xeno-

<sup>25</sup>Xen. *Mem.* 1.1.18; Plato *Apol.* 32b.

<sup>26</sup>E.g. Wilamowitz, *op. cit.* (above, n. 11) 1.166 and A. Bauer, *Literarische und historische Forschungen zu Aristoteles' Ἀθηναίων Πολιτεία* (Munich 1891) 156, who was of the opinion that "Aristoteles wiedergefundenes Werk lässt uns ferner die tendenziösen Absichten Xenophons besser erkennen." Grote, in the passage cited in note 1 above, also considers Xenophon's account of the trial of the generals anti-Theramenean.

<sup>27</sup>Hignett, *op. cit.* (above, n. 12) 290.

<sup>28</sup>It could, I suppose, be claimed that Xenophon's words—Θηραμένης μὲν δὴ οὕτως ἀπέθανεν. οἱ δὲ τριάκοντα, ὥς ἐξὸν ἤδη αὐτοῖς τυραννεῖν ἀδεῶς, προείπον κ. τ. λ. (*Hell.* 2.4.1)—contain a tacit praise of Theramenes' restraining effect upon the Thirty. It is clear, however, from *Hell.* 2.3.18 that their *fear* was lest Theramenes should become *προστάτης τοῦ δήμου* and displace them. If we believe Thucydides, they had good reason to be afraid.

<sup>29</sup>By S. Usher, "Xenophon, Critias and Theramenes," *JHS* 88 (1968) 128-134.

phon's account his is clearly and consistently apologetic.<sup>30</sup> In this version we find that Theramenes' only association with the Four Hundred was to overthrow them.<sup>31</sup> He alone was responsible for the recall of Alkibiades.<sup>32</sup> He overthrew the oligarchy in Paros and restored freedom to the people.<sup>33</sup> In the account of the battle of Kyzikos and subsequent Athenian activities in the Hellespont,<sup>34</sup> he played a leading role; in fact, one wonders what the Athenians would have done without him.<sup>35</sup> Stress is laid upon the fact that he was an *idiotes* at Arginousai,<sup>36</sup> and no mention is made of the fact that he was delegated to pick up the shipwrecked.<sup>37</sup> His involvement in the trial is justified. The generals made a mistake in thinking that Theramenes and Thrasyboulos had gone to Athens to accuse them and dispatched letters saying that they had ordered Theramenes and Thrasyboulos to pick up the dead. The result of this was that Theramenes had to defend himself and the generals lost a useful ally.<sup>38</sup> The part Theramenes played in the negotiations with Lysander is not reported.<sup>39</sup> Far from being associated with the establishment of the Thirty, he opposed Lysander in the assembly, saying that the treaty agreed the Athenians were to enjoy their *patrios politeia*, and it was a terrible thing for them to be deprived of their *eleutheria* contrary to the oaths.<sup>40</sup> Incidentally, the *patrios politeia* in this context is quite clearly the democracy. When Lysander threatened death for opposing the Spartans, Theramenes and the *demos*, a suggestive conjunction, were struck dumb. The best the people could do in the circumstances was to elect Theramenes to the Thirty to act as a check on their *pleonexia*.<sup>41</sup> His death is described eulogistically, even to the point of associating Sokrates in an attempt to prevent his arrest.<sup>42</sup>

One looks in vain for Theramenes the founder of a constitution or, for that matter, for Theramenes the moderate. There is no mention of the constitution of the Five Thousand, which is traditionally believed to have been the king-pin in the moderates' defence of Theramenes. The account of Ephoros is consistent and portrays Theramenes as a good

<sup>30</sup>Ephoros' account has to be pieced together from Diodoros, books 13 and 14, throughout which it is scattered. When assembled it presents a coherent narrative. I am accepting the common assumption that Ephoros was Diodoros' source for these books. See, for example, G. L. Barber, *The Historian Ephorus* (Cambridge 1935) viii. Of course, it is quite possible that Ephoros, in his turn, took his account from that of P, the author of the *Hellenica Oxyrhynchia*.

<sup>31</sup>Diod. Sik. 13.38.1.

<sup>32</sup>Diod. Sik. 13.38.2; 13.41.2.

<sup>33</sup>Diod. Sik. 13.47.8.

<sup>34</sup>Diod. Sik. 13.49–52; 13.64.3; 13.66.3.

<sup>35</sup>This is hardly the picture one gets from Xenophon (*Hell.* 1.1.12; 1.1.22).

<sup>36</sup>Diod. Sik. 13.98.3.

<sup>37</sup>Diod. Sik. 13.100.1–4.

<sup>38</sup>Diod. Sik. 13.101 f.

<sup>39</sup>Diod. Sik. 13.107.4.

<sup>40</sup>Diod. Sik. 14.3.5–6.

<sup>41</sup>Diod. Sik. 14.4.1.

<sup>42</sup>Diod. Sik. 14.5.6.

Athenian democrat, who was the author of many benefits for his native land (. . . καὶ πολλῶν ἄλλων εἰσηγητῆς γενόμενος ἐπ' ἀγαθῇ τῆς πατρίδος οὐ μετρίᾳ ἀποδοχῆς ἐτύγχανεν).<sup>43</sup> It is hard to see why Ephoros should have been at pains to vindicate Theramenes as a democrat, if there was current a vigorous defence of him as a moderate. In fact, it is hard to see why Ephoros should have been interested in making Theramenes into a democrat at all. There is only one group at one time that had an interest in emphasising the activities of Theramenes under the restored democracy of 410-404 and in minimizing his part in the Four Hundred and the Thirty and that is the group mentioned by Lysias.<sup>44</sup> It is often claimed that at this time the associates of Theramenes put about in their defence a portrayal of Theramenes the moderate, father of the Five Thousand. Such a defence would have been little use before the judges of the restored democracy. It is far more likely, as Lysias implies, that they put stress upon his good deeds (πολλῶν ἀγαθῶν αἰτίου . . . γεγενημένου), that is to say, upon his deeds for the democracy. This is the portrayal that appears in Ephoros.

The recent publication of the so-called Theramenes papyrus<sup>45</sup> lends strength to this conclusion. The papyrus concerns the occasion, before the negotiations with Lysander, when Theramenes refused to divulge to his fellow-citizens what he was going to say to the Spartans.<sup>46</sup> It purports to reproduce Theramenes' own defence of his policy. It has been shown by Andrewes to come from a work, more likely a pamphlet than a historical document, that took as its point of departure the charges made against Theramenes by Lysias.<sup>47</sup> It may well represent the sort of thing that was put out by the so-called associates of Theramenes. Un-

<sup>43</sup>Diod. Sik. 13.38.2. That Diodoros' (Ephoros'; P's?) account puts Theramenes in the democratic camp has been observed by A. Fuks, *The Ancestral Constitution* (London 1953) 52-79. However, arguing from the correspondences between Diodoros (Ephoros) and *Ath. Pol.* 34, Fuks concludes that there must have been a common source which Ephoros misinterpreted. That source was, of course, Androtion. I find this kind of source-criticism most unconvincing, emphasizing as it does one or two points of agreement between two accounts and blaming their disagreement in all other respects on "misrepresentation" of their common source. In this case it stems from the common, misguided in my opinion, desire to see Androtion as the source behind the *Ath. Pol.* at all costs. In fact, there is no indication that Ephoros used Androtion for his history of this period, on the contrary it is clear that he used P. Fuks is followed by Day and Chambers, *op. cit.* (above, n. 11) 155, n. 70.

<sup>44</sup>12.64.

<sup>45</sup>See R. Merkelbach and H. C. Youtie, "Ein Michigan-Papyrus über Theramenes," *ZPE* 2 (1968) 161-169; A. Henrichs, "Zur Interpretation des Michigan-Papyrus über Theramenes," *ZPE* 3 (1969) 101-108; and A. Andrewes, "Lysias and the Theramenes Papyrus," *ZPE* 6 (1970) 35-38.

<sup>46</sup>Lysias 12.69.

<sup>47</sup>Andrewes, *op. cit.* (above n. 45) 35-38.



fortunately, no political bias can be defined in it. Since it deals with an incident not touched upon by Ephoros, it could be an indication that there was more than one defence of Theramenes put out at the end of the fifth century. On the other hand, it could be the very document used by Ephoros, in which case we would have to assume that either he, or Diodoros, neglected this incident. The real point, however, as Andrewes saw, is that it gives flesh to the old theories of pro-Theramenean pamphlets, so vehemently dismissed by Jacoby.<sup>48</sup> More pertinent to this discussion, it gives no support to the idea that the associates of Theramenes propagandized for him as an ideal moderate.

This conclusion, that there was a pamphlet (and possibly two) put out at the end of the fifth century vindicating Theramenes' career, but that it (they) did not depict him as a moderate or associate him with the constitution of the Five Thousand, undermines the whole idea of a fourth-century group that idolized him and followed his political teaching. If his own fifth-century colleagues did not propagandize for him in these terms, it is hard to imagine the next generation doing so. Furthermore, if, in the fourth century, there was a definite political group called "the moderates" with a clear political ideology centering upon Theramenes and the constitution of the Five Thousand, we should reasonably expect to find indication of this in the political speeches of the fourth century. Some are able to find such indication in Isokrates' *Areopagitikos*.<sup>49</sup> Unfortunately, that perverse orator failed to use any of the slogans that are said to be important to this group, like the *patrios politeia* or the *δπλα παρεχόμενοι*.<sup>50</sup> Moreover, he never once referred to the founding father, Theramenes. The answer that has been given is that it was not wise to use Theramenes' name.<sup>51</sup> Yet in two speeches of Demosthenes,<sup>52</sup> delivered

<sup>48</sup>*FGrHist* 3b Suppl. 2.99–100. Cf. Day and Chambers, *op. cit.* (above, n. 11) 10–12.

<sup>49</sup>See K. Bringmann, *op. cit.* (above, n. 8) 75–95.

<sup>50</sup>For Isokrates, who is supposed elsewhere to have made extensive use of party-political slogans (see Bringmann, *op. cit.*, *passim* and my "The Purpose of Isokrates' *Archidamos* and *On the Peace*," *CSCA* 6 [1973] forthcoming), to have avoided such basic elements of moderate propaganda seems a strong argument against the whole theory. The avoidance is considered intentional and characteristic by Bringmann, *op. cit.* 95 and Fuks, *op. cit.* (above, n. 43) 10. Cf. A. Aalders, *Die Theorie der gemischten Verfassung im Altertum* (Amsterdam 1968) 36 and W. Jaeger, *op. cit.* (above n. 12) 441, n. 3.

<sup>51</sup>Jacoby (*FGrHist* 3b Suppl. 1.97) thinks Isokrates showed caution in this and attaches "no great importance" to it (*FGrHist* 3b Suppl. 2.81). Jaeger, *op. cit.* (above, n. 12) 447, considers there were "obvious reasons" for Isokrates' silence. Cf. Bringmann, *op. cit.* (above, n. 8) 95: "vermeidet aber vorsichtig den Namen Theramenes." Androtion, on the other hand, was more courageous—"mutiger" (Bringmann, *ibid.*), "had the courage of his convictions" (Jacoby, *FGrHist* 3b Suppl. 1.99)—and "defended Theramenes as the true successor of the ἀρχαῖοι against all attacks of public opinion and political writings . . ." (Jacoby, *ibid.*).

<sup>52</sup>Demosthenes 22 and 24, dated respectively in 355/4 and 353/2.

at about the same time,<sup>53</sup> Androtion, the pupil of Isokrates and the son of Andron, is accused. In the course of these speeches several references are made to Andron,<sup>54</sup> none complimentary but none referring to his connection with Theramenes. Yet these are said to be political speeches and Demosthenes is said to have been ideologically opposed to the moderate Androtion.<sup>55</sup> It follows either that Andron was not in any way associated with Theramenes and so the connection between Androtion and Theramenes falls down, or that Theramenes was no longer a name of great importance in the political struggles of the mid-fourth century. Some kind of association between Andron and Theramenes seems certain,<sup>56</sup> though there is no evidence that it was ideological. We are, therefore, left with the second of the two possibilities.

We can at last return to Aristotle. Rather than postulating ghost sources and putting views into Androtion's mouth that we have no reason to believe he held, we are free to accept the clear indications that the judgement in *Ath. Pol.* 28.5 is Aristotle's own. These are: the use of *δοκεῖ*, "it seems," to introduce the three best statesmen and again to begin his defence of Theramenes. This is the formula Aristotle uses elsewhere in the *Ath. Pol.* to express his own opinion.<sup>57</sup> In addition, there is the revealing phrase *τοῖς μὴ παρέργως ἀποφαινόμενοις*, which von Fritz and Kapp translate as "if one tries not to judge lightly," but which should more fully read "to those giving their opinion on the basis of more than a cursory glance at the evidence." This is a neat rhetorical device, not unknown to modern scholars, that is used by a writer when he intends to introduce a new interpretation of his own and wishes to discredit existing ones.<sup>58</sup>

By far the clearest indication, however, that this is Aristotle's own judgement comes near the end of the passage, where Aristotle writes: "he

<sup>53</sup>The date is disputed, but it is agreed that the *Areopagitikos* was published sometime in the 350s. See the discussion in Bringmann, *op. cit.* (above, n. 8) 75-81.

<sup>54</sup>Dem. 22, 33, 56, 68; 24. 125.

<sup>55</sup>Jacoby, Introduction to Androtion, *FGrHist* 3b Suppl. 1 *passim*.

<sup>56</sup>For the connection between Andron and Theramenes and its supposed influence on Androtion see especially Busolt-Swoboda, *Griechische Staatskunde* 1.94-95; H. Bloch, "Studies in Historical Literature of the Fourth Century B.C.," *HSCP* Suppl. 1 (1940) 352; and Jacoby, *FGrHist* 3b Suppl. 1.87 f. Andron was a member of the Four Hundred (Harpokration, s.v. "Ἀνδρων"). He proposed the motion for the arrest and trial of Antiphon, Archeptolemos, and Onomakles ([Plut.] *vit. X orat. Antiph.* 23). Because the decree assigns a major role to the generals and because Theramenes was a general at the time, it is a common assumption that there was some complicity between Andron and Theramenes. On the trial see W. S. Ferguson, *op. cit.* (above, n. 3) and "The Condemnation of Antiphon," *Mélanges Glotz* (1932) 1.349-366; Th. Lenschau, "Die Vorgänge in Athen nach dem Sturz der Vierhundert," *RhM* 91 (1941) 24-30; and G. E. M. de Ste Croix, *op. cit.* (above, n. 17).

<sup>57</sup>Cf. *Ath. Pol.* 9.1, 10.1, 33.2, 40.2 (*bis*).

<sup>58</sup>Both Keil, *op. cit.* (above, n. 11) 204 and Wilamowitz, *op. cit.* (above, n. 11) 1.168 consider that this phrase reveals Aristotle's hand.

showed that he was able to serve the state under any kind of political setup, which is what a good citizen should do (ὅπερ ἐστὶν ἀγαθοῦ πολίτου ἔργον), but would rather incur enmity and hatred than yield to lawlessness." The clause, "which is what a good citizen should do," is a blatantly Aristotelian aside. Even if the flow of the sentence does not make it obvious that this is an opinion of the author—Aristotle—comparison of this evaluation of Theramenes with Aristotle's eulogy of the *mesos polites*—the moderate—in *Politics* 1295a34-1296b2 should settle the matter, as Keil saw.<sup>59</sup> There it is argued that it is the extreme groups which cause revolt and dissension, the *mesos* is the law-abiding one. Witness the fact that the best lawgivers, like Solon, were from the middle class.

In view of the internal indications from style and the obvious dependence of this vindication of Theramenes upon Aristotle's political theory, it seems perverse and uneconomical to postulate another source. The hypothesis that behind chapter 28 of the *Ath. Pol.* must lie the work of a man of moderate bias, which in turn presupposes that there was a moderate party in the fourth century and that this party worshipped Theramenes and believed in the constitution of the Five Thousand, is both unnecessary and unsupported by fact. The defence of Theramenes, the moderate, originated with Aristotle, and was the result of political theory rather than real political strife of the mid-fourth century. In addition, the fact that Androtion's father was associated with Theramenes is no reason to suppose that Androtion was a Theramenean, that he believed in the constitution of the Five Thousand or was the source for the parts of the *Ath. Pol.* concerned with Theramenes.<sup>60</sup>

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<sup>59</sup>B. Keil, *ibid.*

<sup>60</sup>When this paper was presented originally at the meeting of the Classical Association of Canada (Kingston 1973), it was suggested to me that the existence of the two constitutions (*Ath. Pol.* 30 and 31) shows at least that Aristotle did have a source for his account of the Four Hundred, and a source of "moderate" bias at that. I hesitate to enter into the discussion of Aristotle's source for these chapters. Suffice it to say that if these chapters represent "moderate" propaganda, they support my argument that the moderates did not use Theramenes' name in their platform, for his name is not associated with these constitutions. On the other hand, I see nothing particularly "moderate" about these constitutions and find it very hard to believe that this group, whose supposed platform was the constitution of the Five Thousand, should have created these two bogus constitutions, which are irrelevant to the constitution of the Five Thousand (cf. G. E. M. de Ste Croix, *op. cit.* [above, n. 17] 20), when their own had been tried and found worthy of the highest praise (cf. Thuc. 8.97.2). For similar reasons I cannot follow the logic of the argument that a) fourth-century moderates believed in the constitution of the Five Thousand; b) Androtion was a moderate; therefore c) Androtion was the source behind *Ath. Pol.* 30 and 31. It simply does not make sense. What we should expect, on that argument, is a more detailed account of the constitution of the Five Thousand in the *Ath. Pol.*, but clearly Aristotle knew no more about it than he could learn from Thucydides.