Conclusion
The City in Chorus

Ha, ha! keep time: how sour sweet music is,
When time is broke and no proportion kept!
So is it in the music of men's lives.
And here have I the daintiness of ear
To cheque time broke in a disorder'd string;
But for the concord of my state and time
Had not an ear to hear my true time broke.
I wasted time, and now doth time waste me;
For now hath time made me his numbering clock

Shakespeare, *Richard II*, Act V, Scene 5

Throughout his intellectual career, Pierre Bourdieu has constantly returned to a text from ancient literature: Plato's *Theaetetus*.[1] One passage in particular attracted the attention of the sociologist. As he looks down upon the Athenian Agora, before an audience made up of his companions, Socrates celebrates the philosophical detachment from the democratic city and comes to distinguish two groups. To the men engaged in the ordinary functioning of democratic life, who act in a hurry because 'running water doesn't wait,' are opposed those who have time to talk things over at leisure. The latter are like strangers in the city, to the point that they are entirely ignorant of its topography: 'To begin with, then, the philosopher grows up without knowing the way to the Agora, or the whereabouts of the law courts or the council chambers or any other place of public assembly.'[2]

Pierre Bourdieu sees this digression as the locus of an original theorization of the 'scholastic disposition' and of the illusion that accompanies it like its shadow. For him, philosophy proceeds from twofold ignorance: 'the (active or passive) ignorance not only of what happens in the world of

[1] The reference to the *Theaetetus* appears first in Bourdieu 1972. It is also present in his lectures at the Collège de France (see Bourdieu 2016, 2017) and is particularly well developed in Bourdieu 2000.
[2] Plato, *Theaetetus*, 173c–d.

practice [. . .] and, more precisely, in the order of the *polis* and politics [. . .],' but also 'the ignorance, more or less triumphant, of that ignorance and of the economic and social conditions that make it possible.'[3] Bourdieusian sociology, in fact, aims to dissipate this illusion, forcing us to risk the following hypothesis: Presenting the choice of philosophy as a breaking point, the Platonic text offered an inverted mirror through which Bourdieu could appraise his own conversion to sociology.

The Philosophical Fantasy

But let's go back to classical Athens and the passage from *Theaetetus*. Plato presents the community of philosophers and the different groups that walk around the Agora as rival choruses. The choral metaphor is used here to describe philosophical companionship, under the authority of a master who plays the role of coryphaeus. 'Would you like us to have a review of the members of our chorus?' Socrates asks Theodorus.[4] Plato dramatizes the gap that separates this chorus of disinterested intellectuals from political factions, regardless of whether these lean toward democracy or oligarchy. Evolving in a closed circuit and prescribing its own laws, the chorus of philosophers claims to have escaped any form of involvement in the city: 'the scrambling of political cliques for office, meetings, dinners, parties with flute-girls – such doings never enter their head even in a dream.'[5]

Plato's dramaturgy deserves, however, a closer look.[6] For it is not by chance that Socrates' companions were on the outskirts of the Agora that day. Their teacher had just been summoned by the *archon basileus* following the accusation that Meletus had made against him.[7] The reference to the trial of 399 gives Socrates' words a strange resonance. The account he provides of the opposition between the two choruses is filled with the foreboding of their confrontation and of his own death. His conviction also contributed to the withdrawal of the philosophers' chorus

[3] Bourdieu 2000, p. 15. For an ancient historian's view of the Bourdieusian reading of the *Theaetetus*, see Pébarthe 2014b.

[4] Plato, *Theaetetus*, 173b. Such a metaphor appears several times in Plato, whether it refers to the chorus of Protagoras' disciples (*Protagoras*, 315b), to the chorus of Dionysodoros' and Euthydemus' admirers (*Euthydemus*, 276b, 279c) or to Heraclitus' followers (*Theaetetus*, 179d). We find this same idea in Plutarch in relation to the rivalry between Zeno and Theophrastus (Plutarch, *On Progress in Virtue*, 78d).

[5] Plato, *Theaetetus*, 173d.

[6] On the importance of digression in the analysis of the Athenian intellectual field in the fourth century, see Azoulay 2007a.

[7] Plato, *Theaetetus*, 142c.

into itself, since it convinced his disciples to stop participating actively in the political life of the city.

This process of secession comes fully to light in Plato's *Letter VII*.[8] In this strange autobiographical text, Socrates' disciple tells the story of his own conversion to philosophical life, concretized by the foundation of the Academy in 387/6. He claims that a double disappointment convinced him to leave the political arena: the violence and the injustice of the Thirty on the one hand and the disorder, impiety and injustice of the restored democracy on the other. This beautiful symmetry, however, is misleading, since it puts the radical oligarchy and the restored democracy on an equal footing. The *Letter* implies it was only natural for Plato to fall in with the oligarchs, because of his family ties: 'Some of these men happened to be familiars (*oikeioi*) and acquaintances of mine, and they invited me to join them at once in what seemed to be a proper undertaking.'[9] It seemed so obvious he must have been close to the Thirty that he had to convince his audience, sixty years after the civil war, that he had dissociated himself from the crimes committed by his relatives.[10] Reading between the lines, however, we can see how extraordinarily attractive Critias and his allies were to the young man, convinced, as he confessed at the time, that when they seized power, it would mark a new golden age for the city.[11]

But Plato does not stop there and, to explain his abandonment of any political ambition, invokes his inability to bring together friends and partisans after democracy was restored. The order of the *hetaireiai* had been overturned, and the relations of *philia*, essential for participating in political life, were corrupted[12]: The city, in short, was *out of tune*. Rife with

[8] This letter was obviously intended for public reading in accordance with the epistolary model of which the two texts entitled *Letter to Philip* by Isocrates and Speusippus are the best examples in the fourth century. The existence of *Letter VII* within the corpus of texts attributed to Plato is documented as early as the third century BC, but the question of its authenticity has been widely discussed. Approaches to the question include examination of its historical authenticity (i.e. the relationship between the Platonic account and what has been documented elsewhere), its linguistic authenticity (stylometry indicating, in particular, a lexical similarity with the *Laws*) or its philosophical authenticity (to what extent the philosophical digression of the *Letter*, which begins in 342e, agrees with or contradicts the doctrine of other Platonic dialogues). As Brisson 1987 has shown, following on from many other scholars, there is no reason to consider it apocryphal: *Letter VII* can rightly be considered as an autobiographical text written by Plato himself, probably toward the end of his life.

[9] Plato, *Letter VII*, 324d.

[10] Plato, *Letter VII*, 325a. Describing the episode during which Socrates refused to obey the Thirty and arrest Leon of Salamis, he states that he was 'indignant and dissociated himself from the crimes that were then committed.'

[11] Plato, *Letter VII*, 324d.

[12] Plato, *Letter VII*, 325e: The young man, distraught, even says he is in the grip of vertigo (*iliggia*).

new harmonies, it had become cacophonous, to the extent that Plato decided to travel far from Athens to found another chorus, which would be monophonic and dance in unison. To break with democratic chorality, with its radical plurality, and found a chorus far from the city: Such was the Platonic project.

Democratic Polyphony

Faced with the civil war of 403 and then with the death of their master, not all of Socrates' followers made the same choice as Plato, who took refuge for a few years in Megara before returning to Athens to live, as if in exile, within the walls of the Academy. Far from breaking with the democratic city, on the contrary some continued to walk its main streets and participate in its political life. Tradition has preserved the name of one of them, Simon, who owned a shoemaker's workshop on the outskirts of the Athenian Agora. It even claims that he was the first to have published a Socratic dialogue . . .

Let us imagine for a moment the cobbler-philosopher sitting at the threshold of his store, and let us suppose that, over the course of the year 403, he encountered most of the protagonists of our book. From his workshop, he might have observed the procession of the 12th of Boedromion that Lysimache was to welcome at the top of the Acropolis, just as he might have seen Archinus and Thrasybulus battling to convince the people to grant or refuse citizenship to the metics and the slaves who had taken part in the restoration of the democracy. He could have been intrigued by Nicomachus when he examined the documents necessary to reorganize Solon's laws in the archives of Metrōon, a stone's throw away from his store; he might even have had several conversations with Gerys, who came to sell his vegetables in the Agora, not far from the law courts where the speeches of Lysias were delivered and where the inheritance of Hegeso was disputed. Around each of these characters, he could have seen groups being formed, institutionalized and sometimes dissolved. Each one of these choruses greatly varied in terms of composition and the logic driving its acts, whether they were a political gathering, a religious community, a philosophical brotherhood, an extended *oikos* or a group of workers.

We have suggested that the notion of choruses offers a metaphor through which these diverse collectives can be understood. Granted, this metaphor is not a typical concept that historians ordinarily use to describe community life, such as the association or the network, which seem at first

sight to offer a more stable descriptive framework. We nevertheless argue that the choral reference makes it possible to obtain fine-grained knowledge of the modulations of the Athenian city in 403, since it is anchored in Greek thought and social practices. Indeed, viewed through the lens of chorality, the Athenian community landscape appears in a new light, defined by plurality and contingency. Legal status is no longer a fixed barrier assigning place to individuals once and for all: Divergent temporalities constantly overlap and weave together the polyrhythmic fabric of the city.

The question that guides the whole of our investigation is ultimately about the choral essence of the city. Is it possible to see the Athenian *polis*, and all the groups of which it is composed, as a choral song? Illustrating the scope of the Athenian social space does not consist only in describing its polyphony, but also in listening to the harmonics, be they consonant or dissonant, which cut across it. The idea that musical harmony can provide the organizing principle of the civic community seems incongruous to us. It was, however, familiar to the Greeks. In the city of Camarina in Sicily, civic subdivisions were represented as the strings of a lyre, the first and the last of them (*hupatē* and *nētē*) giving their name to two phratries. The lyre thus served as a 'geometrical and arithmetic model to appraise the city,' and relations between the various communities were envisaged as musical intervals (*diastēmata*).[13] Elsewhere, as in Tenos, the term *tonos* (the musical tone) could indicate a civic subdivision, with the city then taking the shape of an arpeggio.

In the same way, a whole field of meaning associates music and song with conflict resolution, as if they had the power to put an end to the *stasis* by instilling harmony inside a community torn apart. The *eunomia* that Solon celebrates in his poems is precisely this civic harmony that foreshadows, in the manner of a promise, the beauty of its own song.[14] It is, moreover, striking to observe that the identification of civic discord with musical dissonance reappears on the stage of the Athenian theater at the very end of the fifth century, a few months before the democratic regime was overthrown. In the *Frogs*, performed during the Lenaia of 404, Aristophanes denounced not only the cacophonous harmonies but also the rhythmic complexity that characterized the new dithyramb. With its excessive polyphony, losing its way in overly sophisticated modulations, its

[13] See in particular Helly 1997.
[14] On sung laws in the Greek world, see Piccirilli 1981; Ruzé 2001; Ellinger 2005.

choral song was, in the poet's view, no more than an emblem of the chaos (*dusnomia*), toward which the new poets risked leading the city.[15]

If, following on from the ancient authors, we identify the city with a more or less dissonant chorus, it is ultimately the consistency of what we call *Athenian society* that becomes unclear. Because, after all, does Athenian society even exist? Formulated in these somewhat abrupt terms, this question is not so absurd if we bear in mind that the very term 'society' has no equivalent in Greek. The word *koinon* (or *koinōnia*) designates all forms of gathering from the *oikos* to the *polis* without ever encompassing all the inhabitants of a city beyond its citizens. However, the notion of society, since the Middle Ages, has implicitly supposed a unitary approach to community, which is often described in the manner of an organism, within which each individual and group has its place. With the exception of *Laws*, in which Plato envisages the city as a hierarchical organism associating citizens, women, children and slaves, such an organicist conception of the city is absent from ancient Greek thought. The latter only acknowledged the existence of a *polis* once a community of citizens or rights-holders had been strictly delimited, and this never came to include all of its inhabitants.

To undertake a choral reading of the Athenian city, it might be more appropriate to walk in the footsteps of Plato's most famous student, Aristotle, and, more precisely, book III of *Politics*. The move may seem paradoxical, as Aristotle considered the city to be a whole, in which, according to his teleological perspective, each of the different fields of action in human life serves as a function for its end. But this ignores the fact that within it, like an insistent refrain, the choral metaphor eventually sketches out an alternative social ontology.

Aristotle, or the Choral City

When Aristotle sets out to define the *polis*, it is initially described as a composition or mixture of parts.[16] 'Like any other whole that is made up of many parts, the city is to be classed as a composite thing,'[17] and chorality provides exactly the model required to illustrate this principle of composition (*sunthesis*). The identification of the city with a chorus

[15] On the criticism of the new dithyramb in Aristophanes' *Frogs*, see *supra*, Chapter 9, p. 235–8.
[16] On the specific stakes of the 'definition machine' that is book III, see Pellegrin 2017, p. 191.
[17] Aristotle, *Politics*, 3.1.1274b38–40 (transl. Saunders and Sinclair 1992). There is therefore no ideal constitution, but an ideal constitution in each of the given situations that are those of a particular city.

naturally encourages us to consider the permanence of the city beyond its changes of political regime:

> For the city is a kind of association – an association of citizens in a constitution; so when the constitution changes and becomes different in kind, the city also would seem necessarily not to be the same. *We may use the analogy of a chorus, which may at one time perform in a tragedy and at another in a comedy, so that we say it is different – yet often enough it is composed of the same persons. And the same principle is applicable to other associations and combinations, which are different if the combination in question differs in kind. For example, we say the same musical notes are fitted together differently, to produce either the Dorian or the Phrygian mode*. If this is right, it is clear that the main criterion of the continued identity of a state ought to be its constitution. This leaves it quite open either to change or not to change the name of a city, both when the population is the same and when it is different.[18]

The city is here presented as a community of constitution shared between citizens (*koinōnia politōn politeias*): Aristotle establishes the principle of identifying a community with the political regime it has chosen. It is only out of linguistic habit that we persist in using the same name – 'Athens' – for the democratic *polis* of 450 and the oligarchic city of 404–403: The natural substratum of the political community (i.e. its territory and the successive generations of its inhabitants) is not enough in itself to ensure the continuity of a political community. It is its political regime and its customs and not any abstract identity – nor indeed the permanence of its legal identity – that define a city. That is, Aristotle explicitly mobilizes the choral model to appraise the impossible permanence of the city beyond its changes of constitution: The same group of *choreutai* never constitutes an identical chorus, since the tonality and the harmony of its song are different every time.

Under the aegis of the chorus, Aristotle also undertakes to expose the principle of composition that defines the *polis*. Consisting of the same parts, two wholes may differ according to their own *arrangement*, and the choral model illustrates this principle of composition from one community to another. Like a chorus, the city presents itself as a composition (*synthesis*), and it is the arrangement of its parts alone that gives it its identity. Populated by the same citizens, two cities can differ according to the harmonies generated by the way their members are placed in subgroups.

[18] Aristotle, *Politics*, 3.3.1276b1–13 (our emphasis).

A few paragraphs later, Aristotle continues his choral reading about how individual excellence can be disseminated throughout the whole civic body:

> Again, a city is made up of unlike parts [*ex anomoiōn*]. As an animate creature consists of body and soul, and soul consists of reasoning and desiring, and a household consists of husband and wife, and property consists of master and slave, so also a state is made up of these and many other sorts of people besides, all different. *The virtue of all the citizens cannot, therefore, be one, any more than in a troupe of choreutai the goodness of the chorus-leader and that of the followers are one*.[19]

Here, Aristotle contrasts two types of political excellence (*aretē*) according to whether they derive from the reproduction of identical qualities in each of the citizens or whether they are born from the combination of distinct capacities. Because, for the philosopher, since the city is 'made up of dissimilarities (*ex anomoiōn*),' common excellence must be attained through the dissimilarity of the expertise of each of its parts.[20] Dissimilarity is therefore a prerequisite for political excellence, and it is the chorus that offers the best model for this, through the contrasting voices of the coryphaeus and all those who surround him.

Even more surprisingly, Aristotle also uses the choral model to ascertain the benefits of unequal relations in the city for the common good (*to koinē sumpheron*):

> Indeed this whole question concerns all constitutions, not merely the divergent ones, which resort to such methods for their own advantage, but also right forms of constitution, which aim at the common good. This same point may be observed also in the other skills and fields of knowledge. A painter would not allow his representation to have one foot disproportionately large, however magnificent the foot might be. A shipbuilder would not let the stern, or any other part of the ship, be out of proportion. A chorus-master will not allow among the members a performer whose voice is finer and more powerful than the whole chorus. On this showing there is no reason at all why monarchs should not remain on good terms with their states, provided that in taking this action their own rule is beneficial to those cities. Therefore the theory behind ostracism has some measure of political justice, in cases of admitted disproportion.[21]

[19] *Politics*, 3.4.1277a5–12 (transl. Saunders and Sinclair 1992, modified; our emphasis). See Romeyer-Dherbey 2005, pp. 192–3.

[20] See in particular Cassin 1995, p. 243: 'the Aristotelian definition of the city and the constitution does not have for model the unicity of an organism but the composition of a mixture.'

[21] Aristotle, *Politics*, 3.13.21.1284b3–17.

The choral metaphor makes it possible to describe (relative, albeit necessary) inequality within the civic community. Aristotle uses it to appraise the common utility of hierarchical relationships as soon as a collective limits the horizon. A chorus could never accommodate a relationship so unequal that it fails give rise to any measure (such as that which links a free man to a slave, or a tyrant to his fellow citizens). Chorality makes inequality proportional and not incommensurable, even when it favors a monarch over a city.

Book III of *Politics* therefore offers an ideal representation of what the *polis* is in the light of the choral model. It could be formulated as follows: A city is a moveable arrangement of heterogeneous elements, and a good city is one that knows how to utilize dissimilarity for the common good, which supposes the recognition of unequal, though proportionate, relationships. It is not such a big step from this to considering that, seen as a chorus, Aristotle's city converges with the 'new ontologies' of the social world defended by contemporary philosophy and social sciences when they invite us to think in terms of coordination rather than subordination, of interlinking relationships rather than substance or of the fractal rather than the unitary.[22] We could then say that the city is an assemblage, in the sense that it always presents itself as the interweaving of multiple choruses. Its

[22] See, for example, Tsing 2015, p. 22, who attempts to understand 'how the varied species in a species assemblage influence each other,' and how 'divergent, layered, and conjoined projects [. . .] make up worlds'; DeLanda 2006, who proposed a definition of the notion of assemblage based on four elements: Every human entity is made up of heterogeneous elements, with each of these elements having its own dynamics. The whole composed by the assemblage of these elements evolves and transforms according to the interactions that take place between its elements. An element can be extracted from one assemblage and introduced into another, where it will enter into new interactions. See also Viveiros de Castro 2014, p. 105, who speaks of a contemporary 'eido-aesthetics' that sets knowledge the task of 'multiplying the agents and agencies populating our world' and no longer unifying 'diversity through representation.' Such a paradigm, which places in its center the notion of agency, is essentially inspired by the work of Gilles Deleuze, who defined the notion in this way: 'What is an assemblage? It is a multiplicity which is made up of many heterogeneous terms and which establishes liaisons, relations between them, across ages, sexes and reigns – different natures. Thus, the assemblage's only unity is that of co-functioning: it is a symbiosis, a "sympathy." It is never filiations which are important, but alliances, alloys; these are not successions, lines of descent, but contagions, epidemics, the wind. Magicians are well aware of this. An animal is defined less by its genus, its species, its organs, and it functions, than by the assemblages into which it enters' (Deleuze and Parnet 1977, p. 69). The Deleuzian agency, reflected in the English language in the term *assemblage*, although sometimes misunderstood, radicalizes in a way what Foucault defined as a '*dispositif*' (device, machinery or apparatus). In its contemporary theoretical use, it intends to describe the social world not as based on structures with fixed and established properties, but as fluid agglomerations of heterogeneous and contingent processes, by acknowledging the importance of nonhuman agentivity. It is also a question of insisting on the autonomy of the compounds in play in the process, by considering that the properties of an assemblage emerge from the interaction between its parts; if these interactions cease, it is the whole that disappears.

unity, far from being presupposed, takes the form of a task or a question constantly brought to the fore as the sum of its gatherings is either cemented or broken down. Seen as a chorus, the city can no longer be considered a community if we persist in using the term to recognize a unitary and organicist conception of the social world.[23]

But are we fully faithful to the Aristotelian perspective when we apprehend the *polis* from the angle of association and plurality? This seems to be confirmed by another passage from book III, in which the philosopher considers, distantly echoing the thoughts of Protagoras, how the necessary political skills in the city are put together from the point of view of a communal potluck:

> For it is possible that the many, no one of whom taken singly is a sound man, may yet, taken all together, be better than the few, not individually but collectively, in the same way that a feast to which all contribute is better than one supplied at one man's expense. For even where there are many people, each has some share of virtue and practical wisdom; and when they are brought together, just as in the mass they become as it were one man with many pairs of feet and hands and many senses, so also do they become one in regard to character and intelligence. *That is why the many are better judges of works of music and poetry: some judge some parts, some others, but their collective pronouncement is a verdict upon all the parts*.[24]

This democratic epistemology is both pluralist and associationist, since a gathering of men 'without political value' is better than the monody of an elite, even a very learned one. Undoubtedly nothing would be possible without each citizen's individual skills, but the alchemy in which politics consists relies on common deliberations that transform the aggregation of individual expertise, always incomplete, into useful knowledge for the community. It is indeed plurality that makes the best judgments possible, and, to present a model for this collective form of intelligence, Aristotle gives the striking example of the common deliberations of the judges during the choral contests of the Dionysia.

But let's not go too far, nor too fast, because Aristotle's choral city is not identical to democratic chorality. In fact, if Aristotle thinks of the city as a chorus, he never conceives of it as a potentially dissonant association of choruses, since his conception of plurality relies on organic unity. While the choral model allows us to appraise the city's internal plurality, Aristotle

[23] In other words, the *choros* would highlight the gap between the idea of the *koinon* and the order of the community-*communitas*.

[24] Aristotle, *Politics*, 3.1281a42-b9 (our emphasis). See the thoughts of Ober 2013 and Ismard 2017, pp. 93–5.

does not consider the city to be a combination of heterogeneous choruses. In this, it does not allow us to entirely think through the form of democratic plurality that is initially accomplished through the activities of the citizens.

Let us recall the words that Thucydides gives to Pericles, in his famous funeral oration:

> In summary I declare that our city as a whole is an education to Greece; and in each individual among us I see combined the personal self-sufficiency to enjoy the widest range of experience and *the ability to adapt* (*eutrapelos*) with consummate grace and ease.[25]

The Athenian citizen that Pericles celebrates here is a multifaceted and even versatile (*eutrapelos*) man, able to change identity according to the contexts that require him to show different characteristics. This is, moreover, how he attains autarky: Like a city that ensures every element of production, deliberation and consumption without depending on the outside world, the Athenian citizen can also play any role, whether he speaks at institutions, works in the Agora or takes part in community festivals.

But how can we conceive of *stasis* in a city viewed through the lens of plurality? Does conflict still have a place in a rhizomatic and decentered city? By tearing people apart, doesn't the *stasis* oblige us to put *the* community back center stage, if only because that is where competing conceptions of what the city should be clash with one another? Shouldn't the experience of *stasis* make these different choruses exist as one community, not in spite of division, but because of it? For, as Nicole Loraux has reminded us, civil war creates a powerful bond between opponents and, as if in a chemical reaction, helps melt them into a single whole.

Back to the Event

Let us consider this hypothesis for a moment. In the heat of the moment, it seems that this process of coalescence was expressed in three complementary ways. First, the *stasis* reduced human plurality to a Manichean confrontation between friends and enemies or to the logic of the One and the Two.[26] Secondly, by forcing every man to choose his camp and prohibiting neutrality, the dynamics of the conflict would have introduced

[25] Thucydides, 2.41.1 (transl. Hammond and Rhodes 2009; our emphasis).
[26] Loraux 1994, p. 285.

a specific emotional regime. United in fear, hatred or hope, the different choruses of the city harmonized according to a phenomenon we could describe as an 'emotional form of communal relationship (*Vergemeinschaftung*).'[27] Finally, through the common affects that it generated, the civil war ushered all individuals into a unified time – that of the state of exception, where the usual norms were suspended, even subverted, and where words could even change their meaning.

Confrontation between friends and enemies, emotional communalization, a state of exception: Through this triptych an ideal type of *stasis* takes shape, which seems to have been fully realized in the Athenian civil war. Let us briefly recall a certain number of facts, fully developed during the preceding chapters, starting with the state of exception, which has become such a central element in political studies in the Western world.[28]

As we have seen, the Thirty dismantled democratic legality. Appointed to write a new constitution, they postponed its publication to establish a legal void which was favorable to arbitrary decisions. The publication of the nominal list of the three thousand Athenian citizens did not change a thing: 'and even on occasions when they thought fit to publish it they made a practice of erasing some of the names enrolled and writing in others instead from among those outside the roll.'[29] To include one citizen was therefore to mechanically drive out another, which amounted to institutionalizing *anomia*. Once they had returned to the city, the democrats made no mistake in dismissing all the political and legal decisions made during this whole period. They decided to erase from the Athenian archon's list the name of the magistrate designated under the Thirty – who gave his name to the year and appeared at the top of all official documents – and replace it with the term *anarchia* (absence of power).

In this case, the state of exception went hand in hand with the drastic redefinition of friend and enemy. From the point of view of the Thirty, all those who were not registered on the civic list mechanically became enemies, killable at will. It was enough to cross a name off the register to deprive someone of all legal protection.[30] What better way to show that the excluded were no longer subjects of law, but radical enemies who could be slaughtered with impunity? This was certainly done to make summary executions possible, even legitimate, be they individual or collective: The

[27] Weber 1978, p. 243.

[28] Significantly, in the last twenty years, with the new reading of Carl Schmitt by Giorgio Agamben (Agamben 2005). For a recent overview of the issue, see Goupy 2016.

[29] Pseudo-Aristotle, *Athenian Constitution*, 36.2. [30] Xenophon, *Hellenica*, 2.3.51.

metics targeted by the Thirty come to mind, and the three hundred Eleusinians massacred all together after a mock trial.

The civil war also gave rise to intense shared emotions. In the city, it initially generated joy and expectation: The Thirty had a certain number of 'sycophants and bad people (*ponēroi*)' executed and 'the city was delighted at these measures.'[31] But soon, people's joy gave way to anguish and even terror: All the Athenians of the city came to share in the same hopes and the same fears, in accordance with the desires of the Thirty, who wished to make them accomplices of their crimes. Symmetrically, all the outcasts experienced the suffering of being uprooted and henceforth living a precarious existence. At the end of this process of polarization, the entire Athenian population found itself affected. In the manner of a pandemic, the civil war struck each man and woman in the comfort of their own homes, as described in an earlier song by the poet-legislator Solon:

> So the public evil comes into the home of everyone,
> and courtyard-gates no longer wish to keep it out;
> it leaps right over the high wall, and surely finds anyone
> even if he flees and runs to a corner of his room.[32]

This apocalyptic vision deserves, however, to be questioned. The civil war waxed and waned, with moments of intense conflict and more peaceful times. However powerful it may have been, the 'bond of division' never managed to reduce entirely the choral plurality of the Athenian city. To begin this process of theoretical and rhetorical de-escalation, we must take as our base chronological considerations and a very often forgotten fact: The *stasis* cannot be considered as a whole as the French Revolution once was. To put it another way, the civil war cannot be assimilated with the government of the Thirty, which was itself divided into several phases of unequal intensity.

Of Stasis *as Arrythmia*

We chose not to discuss thoroughly the chronological framework in this book. Our choice – for it is one – does not in any way mean that we reject an event-based history that means only to scratch the surface. It is rather

[31] Pseudo-Aristotle, *Athenian Constitution*, 35.3. Cf. Lysias, *Defense Against a Charge of Subverting the Democracy* (25), 21: 'Whenever you heard that those in the town were *unanimous*, you had little hope of returning from exile' (our emphasis).

[32] Solon, fr. 3 Gentili-Prato (= 4 West), v. 27–30 (quoted by Demosthenes, *On Embassy* [19], 255). See Loraux 1994, pp. 288–9.

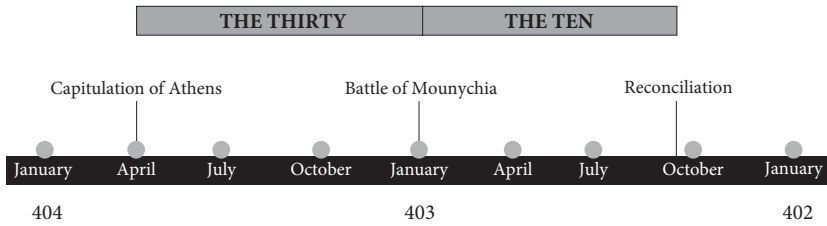

Fig. 11.1 Chronology of the Athenian civil war according to Canfora.

because we do not wish to consider chronology as a definite framework, acting as a backdrop for events, but as a historical and historiographical *problem* in its own right: Establishing how the *stasis* unfolded amounts in itself to proposing an interpretation whether the historian is aware of it or not.

Let us recall in this respect some stubborn facts. Of the Athenian civil war, only the start and end points seem certain. It began with the capitulation of Athens in April 404 and ceased with the reconciliation agreed at the end of September or at the beginning of October 403. However, within this one-and-a-half-year interval, the Thirty's experiment lasted only eight months at most, according to the democrat Cleocritus.[33] Beyond such rare fixed dates, everything is subject to debate, first and foremost the most appropriate timing of those eight bloody months. According to Luciano Canfora, this macabre sequence began as soon as Athens capitulated in the spring of 404 and ended in December 404 or January 403: Following the argument of the Italian scholar, it seems the Thirty were therefore removed from power over nine months before the reconciliation, which amounts to attributing an equivalent or even greater time in power to the Ten (Fig. 11.1).[34]

Providing little evidence to support it, this proposal remains historiographically isolated. This is because most specialists agree that the 'reign' of the Thirty occurred between September 404 and May/June 403 for two reasons. First of all, the *Athenian Constitution* maintains, in a passage written in an official style, that the Thirty were established under the

[33] Xenophon, *Hellenica*, 2.4.21: 'do not obey those most accursed Thirty, who for the sake of their private gain have killed *in eight months* more Athenians, almost, than all the Peloponnesians in ten years of war' (our emphasis).

[34] Canfora 1994, pp. 239, 372, 400. The author uses the same framework in his other books, without ever justifying his choices except through short asides in his footnotes. See Canfora 2013, pp. 113–4 n. 184–5, according to whom the eight months mentioned by Cleocritus occur immediately after the surrender (in April).

archonship of Pythodoros (i.e. after June or July 404).[35] Secondly, Xenophon indicates that the Battle of Mounychia did not take place in winter, but at the end of the spring of 403: The Athenian historian specifies that, in the days that followed the confrontation, the democratic resistance fighters were able to collect fruit (*opōra*) fallen on the ground as provisions.[36] Unless the manuscripts are to be corrected, this implies that the episode took place at the end of May or the beginning of June 403.

Taking this as a general framework allows us to roughly situate the various events of the civil war.[37] As the first act of the democratic reconquest, the capture of Phyle could have taken place between December 404 and February 403, because of the abundant snowfalls mentioned by Xenophon on this subject.[38] The following phase – sometimes called the 'Acharnai surprise' – could have taken place in April or May, shortly before the capture of Piraeus by the army of Thrasybulus.[39] Finally, sounding the death knell of the Thirty, the decisive battle in Mounychia must have been fought in May or June 403 for the reasons presented previously (Fig. 11.2).[40]

Whatever the chronological solutions adopted, one thing seems certain, even if it is rarely mentioned. The reign of the Thirty covered only half of the duration of the civil war, whereas the reign of the Ten, often considered a simple epiphenomenon before the reconciliation, lasted at least three to four months. Would it not therefore be an erroneous view to align the Athenian *stasis* only with the duration of the Thirty's reign? Certainly. But we should still note that this one-sided perspective derives largely from the ancient sources. If it is difficult to establish the relative chronology of

[35] See Munn 2000, pp. 340–4 (appendix D, 'the capitulation of Athens and the installation of the Thirty'). Canfora 2013, pp. 37–8, does not argue for any particular dates, although he does agree that the eight months mentioned by Cleocritus start in April. See also Stem 2003, according to whom the Thirty did not come to power before September 404: Appointed in April, an initial commission was apparently replaced by the 'true' Thirty when Lysander returned to Athens at the end of the summer.

[36] Xenophon, *Hellenica*, 2.4.25.

[37] See Krentz 1982, pp. 131–52. The foundations for this theory were laid by Hignett 1952, pp. 378–89, and Rhodes 1981, pp. 436–7, 462–3. The reconstruction proposed by Krentz is supported, apart from a few minor details, by Loening 1987, pp. 21–2, and Wolpert 2001, pp. 15–24.

[38] Xenophon, *Hellenica*, 2.4.14. Cf. Pseudo-Aristotle, *Athenian Constitution*, 37.1. On the date Phyle was captured, see Rhodes 1981, pp. 449–50, and Krentz 1982, pp. 70, 126, 151. While the latter places the episode in January 404, Hignett 1952, p. 387, argues that a date in February, or even early March, is just as likely, since the mention of snow is the only clue at our disposal.

[39] Krentz 1982, p. 152.

[40] On the date of this battle, see the early texts Cloché 1915, pp. 27–30, Rhodes 1981, pp. 461–2, and Krentz 1982, pp. 91–2, 151–2. Canfora 2013 is the only scholar who places the battle in December 404 or January 403.

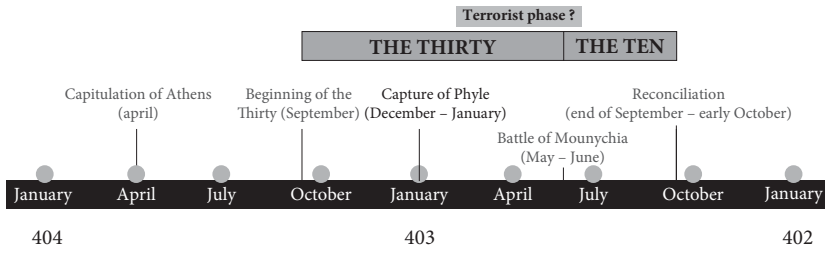

Fig. 11.2 Chronology of the Athenian civil war according to Krentz

the civil war, it is not because of the gaps in our documentation, but because it was in most Athenians' interests to maintain confusion over the matter. While some sought to prolong the period of the *stasis* to better stigmatize their adversaries (such as Nicomachus, accused of oligarchic crimes in anticipation for acts committed before Athens even surrendered),[41] others wished to reduce it in order to minimize their own collaboration with the disgraced regime (such as Mantitheus, who claimed to have come back to Athens 'only five days before the men from Phyle returned from exile to Piraeus').[42] As for the exiles or resistance fighters, most of them had nothing to gain by specifying the exact date they left the city, having sometimes done so extremely late.[43] From this point of view, the amnesty acted like amnesia: A whole part of the civil war was deliberately forgotten by the Athenians and, following in their footsteps, by some parts of historiography.[44]

Far from being anecdotal, these chronological considerations make it impossible to interpret the civil war solely through the lens of its most brutal features, as if, during those eighteen long months, political intensities had not varied at all. But the same criticism deserves to be applied to the paroxysmal phase of the civil war – or, to put it another way, to its core of terror. For the reign of the Thirty itself cannot be considered from beginning to end as a pure moment of *anomia*, marked solely by violence and arbitrariness.

[41] Lysias, *Against Nicomachus* (30), 10–1. See here, *infra*, p. 317.
[42] Lysias, *In Defense of Mantitheus* (16), 3–4. See Wolpert 2002, pp. 105–6.
[43] In opposition to 'those of Phyle' engaged from the winter against the oligarchy, 'those of Piraeus' sometimes rallied very late – in April or May – to the army of Thrasybulus: Lysias, *Against Philon* (31), 8–9.
[44] It is striking in this respect that Nicole Loraux 2006 does not give any consideration to chronology in order to be able to put together an ideal type of the *stasis* reduced to its paroxysmal phase.

Again, chronology is crucial. During the eight months that the Thirty spent at the helm of the city, violence was not meted out evenly. In all likelihood, the dynamics of terror were unleashed after the capture of Phyle – that is to say, at the earliest in December 404, or even January or February 403.[45] It was only after the democrats' initial successes that Theramenes was condemned to death and that the Thirty, freed from this internal opponent, multiplied their exactions against the population.[46] The true pivotal moment perhaps came even later. According to Xenophon, it was the surprise of Acharnai (in March or April 403?) that brought about the massacre of 300 Eleusinians – the worst crime of the entire civil war – when, 'deeming their government no longer secure,' the Thirty 'formed a plan to appropriate Eleusis, so as to have a place of refuge if it should prove necessary.'[47] Whatever the case may be, this murderous upsurge certainly came quite late in the day.[48] This periodization is all the more attractive as it chimes with an allusion by Isocrates in *Panegyricus*, composed in 380, and mentioning the Laconizers who 'put to death without trial more men in the space of three months than Athens tried during the whole period of her supremacy.'[49] These three months could indeed correspond to the final phase of the Thirty's government.

To examine this in greater depth, the oligarchic terror must be put into perspective, as Luciano Canfora has clearly shown. Certainly, the Thirty carried out numerous executions without trial; however, it is also true that after the reconciliation the Athenians tended to exaggerate the extent of their crimes in order to establish a true 'black book of the civil war.'[50] A repugnant 'arithmetic of the victims' intended to cause fright and anger was then developed: While the majority of the ancient authors speak about 1,500 deaths,[51] certain orators go so far as to mention 2,500 summary executions.[52]

[45] Wolpert 2002, p. 26.

[46] Pseudo-Aristotle, *Athenian Constitution*, 37.1. There is, however, no obligation to believe the author who, in this passage, tries to exonerate Theramenes of any responsibility in the civil war.

[47] Xenophon, *Hellenica*, 2.4.8.

[48] Hignett 1952, pp. 378–89, and, in particular, pp. 384–9 (appendix 14, 'The Order of Events during the Reign of the Thirty').

[49] Isocrates, *Panegyricus* (4), 113.

[50] Canfora 2013, p. 112.

[51] Isocrates, *Against Lochites* (20), 11; *Areopagiticus* (7), 67; Aeschines, *On the Unfaithful Embassy* (2), 77; Pseudo-Aristotle, *Athenian Constitution*, 35.4 (deriving from Androtion's *Atthis*?).

[52] Cf. Lysias, fr. 307 Carey (= scholia to Aeschines, *Against Timarchus*, 39), with the commentary of Canfora 2013, pp. 117–8. On the other hand, the latter is mistaken when he suggests that Lysias, in *Against Eratosthenes*, mentioned a much lower number of victims (which, he believes, better matched reality). In reality, the speaker does not seek, in the passage concerned, to take stock of all the deaths caused by the Thirty, but only of a single massacre. Cf. Lysias, *Against Eratosthenes*

While Canfora's argument aims to feed into a debatable analogy between the regime of the Thirty and Stalin's USSR,[53] it nonetheless highlights the uncertainty surrounding the number of victims of the oligarchy. Rather than trying – in vain – to arrive at an objective total, it is necessary to understand the reasons that explain these strong variations. To this end, we should probably take Cleocritus at his word in the *Hellenica*: The oligarchs had unleashed, not a *stasis*, but a real *polemos* – a term designating war against an external enemy.[54] Far from being innocent, this lexical choice suggests that the democrats tended to merge together the summary executions ordered by the Thirty and the victims who fell during the battles between the oligarchs and the democrats in the same macabre accounts, and even to aggregate to them the losses caused by the sporadic clashes between the Spartans and the army of Thrasybulus.[55] In the same way, it is very probable that, to inflate the number of victims, the Athenians imputed to the Thirty *all* deaths during the civil war, from surrender to reconciliation, without seeking to discriminate between its various phases.

Let us be clear: There is no question here of exonerating the Thirty from their weighty responsibilities, but instead of showing that in 403 it was in the interests of every party to exaggerate their crimes and depict them as bloodthirsty monsters – or, more exactly, cruel 'tyrants' – according to the qualification chosen by the Athenians after the reconciliation.[56] This *damnatio memoriae* helped impose a totalitarian reading of events, whereas the exactions of the Thirty, in reality, far from affected all the inhabitants of Attica to the same degree and according to the same rhythms. In terms of time, first of all, the outburst of terror was brief, as we have seen. Until the capture of Phyle (in December or January 403), many excluded from

(12), 52: '[Eratosthenes] marched out with his colleagues to Salamis and Eleusis, dragged off three hundred citizens to prison, and condemned them all to death by a collective vote.'

[53] For the Italian scholar, this comparison was merited due to the two powers' common desire to homogenize the civic body and, also, to the way both resorted to confiscating riches in order to fight against wealth. Canfora 2013, pp. 122–43.

[54] Cf. Xenophon *Hellenica*, 2.4.22: 'And when we might live in peace as fellow citizens, these men bring upon us war with one another, a war (*polemon*) most utterly shameful and intolerable, utterly unholy and hated by both gods and men.'

[55] Canfora 2013, p. 121.

[56] The term 'Thirty Tyrants' was coined just after the reconciliation: Lysias used it as early as in *Against Eratosthenes* (12), 35. It then appeared in Xenophon, in the mouth of Critias (*Hellenica*, 2.3.16): 'But if merely because we are thirty and not one, you imagine that it is any the less necessary for us to keep a close watch over this government, just as one would if it were an absolute monarchy, you are foolish.' Cf. Xenophon, *Hellenica*, 2.4.1; Aristotle, *Rhetoric*, 2.24.1401a34–6; Diodorus of Sicily, 14.2.1, 4. See Mitchell 2006, pp. 178–87.

the list of the Three Thousand remained in the city without being any worse off.[57] In the same way, the Eleusinians lived quietly in their deme, preserving their goods and their freedom, until they were brutally arrested and executed after the 'surprise of Acharnai' (in March or April 403?).[58] In terms of space, then, whole sections of the Athenian population were hardly affected by the conflict, even in its phase of terror. Let us think in this context of all those who remained in the countryside to take care of their fields, going to the city only on rare occasions, like the anonymous litigant of the *Defense in the Matter of the Olive Stump* composed by Lysias.[59] As for the numerous slaves (almost half of the population of Attica), the civil war only marginally disrupted their existence: With the exception of the few who rallied to Thrasybulus' army, most continued to serve their owners, or, if they changed, only switched one slave master for another.

Extension of the Domain of Civil War?

By questioning its central truth – the reign of the Thirty – the very definition of *stasis* is shaken to the core. Should we reduce the civil war to these few weeks of outbursts of terror? Doesn't this simply embrace the version of all those who had an interest in blaming the Thirty in order to make people forget their own turpitude (on the side of 'those of the city') or who were committed to facilitating the reconciliation (on the side of 'those of Piraeus')? For one could also sketch out an alternative history of the *stasis* that, instead of reducing its perimeter, would considerably enlarge it. Couldn't the civil war in fact have begun well before the Thirty took power, in the aftermath of the terrible defeat of Aigos Potamos in 405? Mightn't it have continued long after the reconciliation, until the oligarchic stronghold of Eleusis was taken over, in 401/0, or even until the trial of Socrates in the spring of 399? Can we not discern, upstream as well as downstream, the distinctive symptoms of the *stasis* – the creation of emotional communities, the distinction between friends and enemies, the state of exception?

Let us experiment by going back to a few months before the surrender of Athens. It was in the fall of 405 that the last great battle of the Peloponnesian War took place. Lysander managed to surprise the

[57] This is what Diodorus of Sicily, 14.32.4, and Justin, 5.9, suggest. See Cloché 1915, p. 2.

[58] Some Athenians even remained in the city until the final hours of the Thirty without choosing sides, such as Callimachus, who only deserted the city after the Battle of Mounychia: Isocrates, *Against Callimachus* (18), 48.

[59] See *supra*, Chapter 4, pp. 148–9.

Athenian fleet at Aigos Potamos in Thracian Chersonese: It was annihilated, while 3,000 citizens were captured, then summarily executed.[60] Having witnessed this first hand, Xenophon reported on the great fear this stirred up throughout the city. The Athenians were scared that their former 'allies,' so long tyrannized within the Delian League, would decide to take revenge over the exactions they had suffered. Mixing sorrow and guilt, the people's lamentations spread across the whole city like wildfire.[61] The announcement of the disaster gave birth to an emotional community, as explored in the theater over the previous decades. Men executed en masse, women taken captive: Everyone was aware, having seen it many times on stage, of the terrible fate promised to a defeated city.[62]

This regime of high emotional intensity lasted until Athens capitulated, while, in parallel, new definitions of friend and enemy came into force in the city, as did the beginnings of a true state of exception. To understand this, let us return for a moment to Aristophanes' *Frogs*: On the one hand, the poet pleads in the *parabasis* for the rehabilitation of all those who had been compromised during the regime of the Four Hundred (v. 686–705); on the other hand, he vilifies a number of internal enemies, dead or alive.[63] Nothing new under the Athenian sun? Hadn't Aristophanes used personal attacks since the start of his career twenty years earlier just like his comic rivals, who were every bit as vindictive as him? In reality, it's all a matter of context: While comedies usually provided an opportunity for cathartic venting without any political consequence,[64] the situation was very different in early 404. The Athenians were in disarray after the decisive defeat of Aigos Potamos, and comedy was an active part – and not a passive reflection – of the political game in which expeditious condemnations and sudden amnesties were cooked up. At the time of the performance, the trial of Cleophon had been ongoing for a few weeks (since December 405),[65] while Patrokleides was undoubtedly already thinking about the decree – voted in a little later – that was to authorize the exiled oligarchs to return to their fatherland.

This redefinition of friend and foe – through a double game of integration and exclusion – was carried out in part by temporarily suspending the

[60] Xenophon, *Hellenica*, 2.2.27–32.
[61] Xenophon, *Hellenica*, 2.2.3. Cf. Olivetti 2011, pp. 74–100, especially p. 86.
[62] Macé 2019, p. 37.
[63] Phrynichus (v. 689); Adeimantos (v. 1513); Nicomachus (v. 1506); Cleophon (v. 684–5). On the suspicions weighing on Adeimantos, cf. Xenophon, *Hellenica*, 2.1.32. See *supra*, Chapter 9, pp. 238–9.
[64] Azoulay 2009, pp. 303–4.
[65] Canfora 2017, pp. 306–13: 'The conspiracy against Cleophon (December 405).'

law. To understand this, we must leave the stage of the theater and enter the courts to meet up one last time with one of our characters, Nicomachus. A few years after the reconciliation, Lysias recalled his deleterious role after Aigos Potamos. He accused him of having contributed to Cleophon's arrest by the Council at the instigation of Satyrus and, consequently, of having been 'blatantly part of the oligarchic plot (*sunestasiasen*).'[66] Occurring even before the surrender of Athens, this episode allowed his accuser to transform Nicomachus into a partisan by recalling the Thirty, of which Satyrus was one of the most virulent members.[67] Above all, it aims to show that the state of exception and the *stasis* were already established in the city. From this point of view, the – extraordinary, even illegal – role of the Council in Cleophon's condemnation can be linked to the regime of the Thirty, during which this institution was the instrument of all arbitrary convictions.

Of course, nothing here obliges us to believe Lysias' client, who is developing an ad hoc argument to blacken the reputation of his opponent knowing that Nicomachus could not be accused of having collaborated directly with the Thirty, who had even forced him into exile. But the testimony of Lysias is not entirely without parallel: Xenophon also tends to place the beginning of the civil war at this precise moment (i.e. before Athens surrendered), mentioning clearly 'the civil war (*staseōs*), in the course of which Cleophon was put to death.'[68]

In the same way that it is possible to trace the beginning of the *stasis* upstream, one could extend its course downstream from the reconciliation. For the official end of the civil war, on the 12th of Boedromion 403, did not make the conflict magically disappear. Certainly, all the Athenians then agreed 'not to hold a grudge,' whatever side they had been on. But it is doubtful that they forgot everything in the blink of an eye. With all due respect to Plato, 'the citizens from the Piraeus and from the city' could not be said to have 'consorted with one another so kindly and so friendly': The large Athenian family does not seem to have instantaneously reunited in concord or, to use a musical term, in harmony.[69]

Political life even continued to function according to the dialectic of friend and foe. For Athens' sacred union was achieved at the expense of a few individuals, in particular of the Thirty, the Ten and the Eleven, who

[66] Lysias, *Against Nicomachus* (30), 10–1. [67] Xenophon, *Hellenica*, 2.3.52–6.
[68] Xenophon, *Hellenica*, 1.7.35.
[69] Plato, *Menexenus*, 243e. Maybe Plato is being ironic here, which would not be surprising in a funeral oration supposedly composed by a foreign woman, Aspasia. See Loraux 1986, pp. 267–70.

were judged to be responsible for the people's shared misfortunes and were nominally excluded from the amnesty: The oath established a clear line of demarcation between citizens who could be rehabilitated and those who could not. Conflict therefore remained on the horizon in a ritual that expressed both the strongest union (that between co-jurors) and the most intense division (through the targeting of unforgivable enemies). Even within the reconciled community, political antagonisms were far from being extinguished. Not only in the years that followed were many citizens who had remained in the city hauled off to trial for having collaborated with the Thirty, but also the former resistance fighters quickly divided into partisans of a relatively open democracy (Thrasybulus and his close relations) and supporters of a more closed community (Archinus and his followers).[70]

Even more disturbingly, reconciliation seems to have been achieved by maintaining a sort of state of exception. Tradition indeed attributes to Archinus several extraordinary measures to prevent any return of the *stasis*. The one that struck people the most was, as we have seen, the summary condemnation of one of the democrats who had returned from Piraeus and dared to 'hold a grudge' (*mnēsikakein*), in contravention of the oath of amnesty.[71] In many ways, this summary execution echoes the expeditious sentences carried out under the oligarchy in agreement with the Council.[72] In addition, there were several decisions that contravened written commitments or reversed the normal course of legal proceedings. As for the oligarchs who took refuge in Eleusis, they were also subjected to violence in 401/0 at the end of a siege and after the assassination of the generals whom they had sent to negotiate with the democrats.[73] Everything points to the fact that the Athenians had maintained certain exceptional practices to better ensure the return to civil peace. Should we see in this the proof of a subterranean continuity between a state of exception and the ordinary legal order?[74] The temptation is all the stronger since certain measures taken in the emergency of 403 (such as the *paragraphē*) were subsequently

[70] See *supra*, Chapter 3, pp. 114–27.
[71] Pseudo-Aristotle, *Athenian Constitution*, 40.2. See *supra*, Chapter 3, p. 102, 134–7.
[72] Before the surrender, the trial of Cleophon (Lysias, *Against Agoratus* [30], 10–4); under the Thirty, the conviction of Theramenes (Xenophon, *Hellenica*, 2.3.51) and of the Eleusinians (*Hellenica*, 2.4.8–10); under the Ten, the expeditious trial of Demaratus (Pseudo-Aristotle, *Athenian Constitution*, 38.1–2)
[73] Lysias, *Defense Against a Charge of Subverting the Democracy* (25), 9; Xenophon, *Hellenica*, 2.4.43. See *supra*, Chapter 3, p. 126.
[74] It is possible to recognize in this the thesis of Agamben 2005.

integrated into the ordinary legal practice of the Athenians: The exception eventually became the norm.

From barely three months to more than five years: Depending on the definition one chooses, the chronological depth of the *stasis* therefore varies. Extending the perimeter of the *stasis* in such a way is not without its problems, however. First of all, it sets in motion a revisionist dynamic that is difficult to end. Why see the *stasis* beginning only after the defeat of Aigos Potamos? Why not go back to the trial of Arginusai in 406? Or even to the preceding oligarchic revolution in 411 and to the confrontation between the oligarchs who remained in the city and the fleet of Samos? And why stop there? Hadn't the seeds of what was to come already been sown in 415 at the time of the mutilation of the Herms and the parody of the Mysteries of Eleusis? An endless regression therefore seems to be set in motion, making the Athenian *stasis* truly interminable. Above all, this chronological extension is based on partial analogies, false continuities and problematic equivalences.

For it must be stated loud and clear: Athenian democracy, even in its dysfunctional form before the surrender of the city, even when it was transitional after the reconciliation, never functioned on the same basis as the oligarchic regime of the Thirty or of the Ten, who waged a deliberate war against the majority of the city's former citizens. Certainly, after Aigos Potamos in the fall of 405, the city entered into an emotional maelstrom; certainly, judicial manipulations occurred, leading to the execution of Cleophon and others. However, until the establishment of the Thirty, democratic institutions continued to function, and the citizens did not fear being disenfranchised or losing the protection attached to their status. While fear permeated the community, and there were plenty of low points, there was not yet a campaign of terror orchestrated by a minority against the majority. Between condemnable excesses under democracy and the institutionalization of *anomia* under oligarchy there is an extremely wide gap.

It is equally problematic to extend the civil war downstream. For however violent they may be, confrontations in court cannot be interpreted as maintaining a form of radical hostility. In spite of the similarities noted by Nicole Loraux,[75] the judicial *agōn* is not equivalent to *stasis*, but rather is a means of taming it. As for the oath of amnesty, it would be a

[75] Loraux 2006, pp. 229–44 ('Of Justice as Division'). In her view, typical Athenian trials were intimately associated with dissension (*stasis*), to the extent that one could not exist without the other.

mistake to interpret this in terms of a confrontation between friends and enemies. Admittedly, the oath excluded a certain number of oligarchs; however, some additional clauses undid this exception, since even the Thirty, the Ten and the Eleven were able to reintegrate the community after having rendered their accounts, according to a procedure that, moreover, outrageously favored them.[76] In reconciled Athens, radical enemies, who could be killed at will, no longer belonged.

Should we then invoke the way in which the state of exception resurfaced just as the reconciliation was taking place? Again, this is an attractive but misleading parallel. If there were indeed some extraordinary decisions, such as the summary execution of the democrat accused of having broken the oath of amnesty or the violent depletion of the oligarchic stronghold of Eleusis in 401/0, these had an extremely limited field of application in contrast with the practices of the Thirty, who had made suspending laws their mode of government. Then, with the exception of the *paragraphē*, these emergency measures had no institutional posterity in Athens after 403. Much more than a continued state of exception, the Athenian reconciliation can be described as the elaboration of a transitional form of justice seeking to ensure the return to democracy through a skillful mix of targeted convictions, selective forgetting and exceptional measures.[77]

In the end, we must come to terms with complexity and stand firmly in the middle of the fray. On the one hand, we cannot accept without debate the chronological divisions of certain key players in the conflict who tried to reduce the civil war to no more than the period that the Thirty were in power, or even to a few weeks of their reign. On the other hand, it is no more appropriate to make the civil war overflow upstream or downstream, as if the difference between democracy and oligarchy was only a question of degree, and not of nature. Today, like yesterday, determining the extension of the *stasis* is not only a historiographical choice, but an ethical and political one, since when someone proclaims that they are in a state of civil war while they are still living in a democracy, they risk bringing about the exact thing they claim to be fighting . . .

Let us then propose a final definition of civil war. It occurs when a bloody fight concerns the definition of the very foundations of the

[76] Pseudo-Aristotle, *Athenian Constitution*, 39.6. The oligarchs jumped at this opportunity: Although he had been a member of the Ten, Rhinon emerged from his *euthynai* without being damaged, while Eratosthenes, one of the Thirty, may well have been acquitted by the popular court, despite the fierce attacks of Lysias. See *supra*, Chapter 3, pp. 108–10. On the difficult-to-determine outcome of *Against Eratosthenes*, see Todd 2000, p. 115.

[77] See also Buis 2015, pp. 59–60.

community; in this case, in 404, when a small, determined group wanted to put a brutal end to the plurality of the democratic collective life in favor of a binary distinction between the 'included' and the 'excluded.' Such a traumatic experience delivers in this respect one ultimate lesson: In spite of all their efforts, the Thirty failed in their Manichean enterprise. If some choruses disappeared or merged together, others appeared because of the crisis. To reread the civil war from a choral point of view means, in the end, leaving behind a sterile alternative that imagines no middle ground between perfect union and tragic destruction; it means giving full scope to forms of dissent that do not necessarily oppose enemies (*hostis*), but 'nonfriends' (*inimicus*). For it is one thing to consider politics as inseparable from conflict; it is another to affirm that the essence of politics lies in hostility and radical discord, whether this is assumed or repressed.[78] Neither of the two is accurate: At the end of the civil war, the city was neither cacophonous, nor monophonous, but rife with plural and sometimes dissonant harmonics.

A Change of Pace? Athens after 403

At the end of our investigation, one final danger looms. Does our analysis not risk dissolving the events we have described? To put this differently, might the civil war actually have changed nothing about Athenian political life, which was multifaceted both before and after it happened? This would, of course, be an exaggeration. The city emerged from its trials transfigured, and it falls to us, at the very end of our journey, to identify the exact nature of these changes. In short, it is a question of passing from a conception of the event as a *historical* sequence – of which it is necessary to define, with accuracy, the chronological limits – to the event as a *historical turning point* – that is to say, as 'what comes out of what has come to pass.'[79]

First of all, while the civil war never erased the plural nature of Athenian community life, it did succeed in limiting its expression within an institutional framework accepted by all. For Isocrates is right to affirm that the insane cruelty of the Thirty made the Athenians 'all democrats.'[80] Let us specify our meaning: After 403, the democratic regime did not have any

[78] See Loraux 2006, p. 70, who speaks nicely of the 'vertigo of the One.'
[79] Goetschel and Granger 2011.
[80] Isocrates, *On the Peace* (8), 108: 'And have not we, all of us (*hapantes*), because of the madness of the Thirty, become greater enthusiasts for democracy than those who occupied Phyle?'

alternatives that could be admitted to as such, except within the walls of philosophical schools.[81] This political consensus was conveyed by the resurgence of a potent anti-tyranny discourse, which we can see in the extraordinary popularity of the Tyrannicides after 403.[82]

More generally, the civil war brought about a change of pace in Athenian political life. The reconciliation indeed brought to a close a decade of unbridled political experiments, whether these were democratic (like the self-organized fleet of Samos, where Thrasybulus had started to make a name for himself) or oligarchic (like the closed community of the 'best,' dreamed up by Critias). Symptomatically, the *Athenian Constitution*, written in the 330s, ends its review of the different (r)evolutions (*metabolai*) that the city had experienced since its foundation in 403, as if political time had come to a stop in the aftermath of the reconciliation. Institutional upheavals certainly slowed down due to a series of well-known changes. Initiated as early as 410, a procedure for the revision of the Athenian laws led, after many vicissitudes, to the republication of all the laws in 400/399. Laws (*nomoi*) were henceforth clearly distinguished from simple decrees (*psēphismata*): No decree could contradict an existing law, while the introduction of new laws was made more complex and formal, slowing down the rhythm of legislative changes.[83]

This phenomenon of hierarchization also affected the statutory organization of the community and, in particular, served to increase the distance between citizens and noncitizens. In 403, the Athenians put an end to the (relative) fluidity of status created by the disruption of the Peloponnesian War: Having fallen into disuse, Pericles' law on citizenship was reinstated, and, soon, marriages between Athenians and foreigners were prohibited, which had never been the case in the fifth century. Naturalizations were now carried out on an individual basis (and after a formal vote of the Assembly requiring a certain quorum) and not collectively, as in the previous century.

This process of stabilization is particularly perceptible in the intellectual field. In the fifth century, intellectual life functioned in an intermittent

[81] Cohen 2001, p. 349: 'Paradoxically, one might well be justified in attributing part of the political stability of 4th-century Athens to the Thirty and their aftermath. Oligarchy in any extreme form was lastingly discredited and the democrats could represent themselves as the restorers of Athenian unity who had brought the divided political community back together through their moderation and respect for their oaths and the laws. One might make the same kind of argument about post-war Germany and France.'

[82] Azoulay 2017, pp. 71–89.

[83] Cf. e.g. Andocides, *On the Mysteries* (1), 87. See Ostwald 1986, pp. 497–524. On the *nomothesia* procedure itself, see Canevaro 2013b.

way; it took place in very diverse spaces – in the Agora, in shops or in private houses – and gathered groups of listeners around wandering 'masters of truth,' who were paid handsomely for their lessons.[84] The sophists or *sophoi* were, as a result, a nebulous group, mixing tragedians, sophists, doctors and even soothsayers, to quote Aristophanes' strange enumeration in the *Clouds*.[85] However, after 403, these temporary groupings gradually gave way to real intellectual schools, located in very specific places (concentrated around the gymnasia)[86] and henceforth operating on a long-term basis, with teaching cycles lasting several years.[87] Isocrates was the first to start a school, barely ten years after the reconciliation, soon followed by Plato in 387/6. This stabilization of the intellectual field was further accentuated by the development of writing, which helped to establish teaching traditions over the long term.

But let's be clear: This change of pace should not be taken as a dulling of democratic life. To put it another way, a slower pace is not necessarily a languid pace! In fact, the apparent consensus around the democratic regime did not prevent very diverse political options – of which some were only democratic in name – from continuing to clash in the city. Within the walls of his school, Isocrates thus became the champion of a 'democracy' so moderate that it resembled a real oligarchy, since the people were only meant to have supervisory powers over rulers who were selected on merit.[88] It was, in name, a democracy, but in fact the 'best' were to hold all real power.

Moreover, the supposed 'moderate democracy' of the fourth century is largely a historiographical fiction.[89] For while the reconciliation was indeed orchestrated by the 'moderates' from each of the two sides, it did not result in the demise of popular hegemony. Let us take the example of the supposed passage from popular sovereignty (in the fifth century) to the 'sovereignty of laws' (after 403). First of all, the distinction between laws and decrees had hardly any concrete influence on Athenian political life: The cumbersome procedure of the *nomothesia* was rarely implemented,[90] whereas, through texts and inscriptions, we know of more than 500 decrees

[84] Plato, *Lysis*, 203a ff; *Republic*, 1.327a ff; *Protagoras*, 309a–311a.
[85] Aristophanes, *Clouds*, v. 331–4. See on this subject Loraux 2000, p. 254.
[86] See Lynch 1972, pp. 32–67, Delorme 1960, pp. 52–9, 317–8, and Baslez 1998, pp. 431–2.
[87] Isocrates, *Antidosis* (15), 87: 'In fact, although I have had so many pupils, and they have studied with me in some cases *three, and in some cases four years*, yet not one of them will be found to have uttered a word of complaint about his sojourn with me' (our emphasis).
[88] Cf. Isocrates, *Areopagiticus* (7), 23–7. Azoulay 2010, pp. 29–30. [89] Millett 2000.
[90] Nine proven occurrences of the procedure have been documented: see Canevaro 2011, p. 57 n.7.

voted by the Assembly in the fourth century. Secondly, there is no evidence that the *nomothetai* were less democratic than the people gathered in the Assembly: Drawn by lot from among the members of the courts, they were a faithful representation of Athenian sociology.[91] The opposition between *nomothetai*, supposedly thoughtful and moderate, and an Assembly, quick to make hasty and radical decisions, is based on debatable prejudices. What ultimately changed was the *pace* at which decisions of a general nature could be taken, not their more or less democratic nature.

In the same way, the rigidification of status barriers does not imply the implementation of a more moderate policy. In the previous century, it was the advocates of a radical democracy, starting with Pericles, who had tightened access to citizenship in order to better regulate the redistribution of wealth and advantages of all kinds linked to the city's growing imperialism.[92] Symmetrically, some Athenians, who were not very democratic, defended a more open approach to citizenship, willingly stigmatizing the city's withdrawal into its autochthonous core.[93]

More generally, one could argue that the city was never as democratic as in the fourth century. The *Constitution of the Athenians* says so explicitly: '[After 403] the people has made itself master of everything, and administers everything by decrees and by jury courts in which the people is the ruling power, for even the cases tried by the Council have come to the people.'[94] The rapid increase in the fees received for participating in the Assembly (*misthos ekklēsiastikos*) between 403 and 392 also testifies to this form of democratization. If the measure was initially symbolic in scope, given how little money it provided, it took on an undoubtedly democratic connotation over time, and Plato is not mistaken in targeting the *misthos* as the very symbol of popular hegemony.[95]

However, the introduction of the *misthos* at the Assembly has left very few written traces: It is only through the passing allusions of Aristophanes that one learns, almost fortuitously, of its existence.[96] And when the ancient sources mention institutional changes after 403, it is in general to relativize their novelty. The distinction between laws and decrees – a radical innovation if ever there was one – was linked to Draco and Solon, the two great legislators of archaic times, as the Athenians boasted that they had left their ancestral laws in force.[97] It was the same a few years later, in

[91] See Christ 1998, pp. 20–1. [92] See Azoulay 2014a, p. 83. [93] Irwin 2015, p. 77.
[94] Pseudo-Aristotle, *Athenian Constitution*, 41.2. [95] Plato, *Gorgias*, 515e.
[96] Aristophanes, *Assembly Women*, v. 182–8, 289–93 (392 BC).
[97] Andocides, *On the Mysteries* (1), 81.

394, when the Athenians erected their first statue in honor of the victorious general Conon. While this marked an innovation, introducing a new (and ambiguous) way for the *demos* to control the elites, the Athenians felt the need to connect it to a (false) precedent – the statuary group of the Tyrannicides – to conceal the break with tradition they were in fact accomplishing.[98]

This is the real change brought about by the civil war: The trauma of the *stasis* accentuated the denial by democracy of its own historicity.[99] The real novelty was precisely the denial of all novelty. In other words, reconciliation led to a radical change in the regime of historicity – that is, in the way Athenians articulated past, present and future.[100] In the previous century, Periclean democracy seemed entirely oriented toward the future: In the work of Thucydides, the speech of the Corinthians emphasizes, with a mixture of admiration and fear, the historical temporality characteristic of the Athenians, where 'the action [. . .] fills constantly the future and obliterates the past and almost the present.'[101] While historians tend to exaggerate the 'innovation' of Periclean democracy,[102] this nevertheless allows us to identify, by contrast, a major turning point: After 411 and, to an even greater extent, after 403, Athenian public discourse tended to valorize the past in an obsessive way, advocating a return to the constitution of the Ancestors (*patrios politeia*).[103]

Thus, the restoration of democracy is the culmination of a slow process begun a decade earlier, during which the civic archives were reorganized, Draco's and Solon's laws (now posted on the Agora for all to see) were collated and revised and the Athenian Archon list was established – a set of

[98] Azoulay 2017, pp. 93–4.

[99] *Contra* Loraux 2006, pp. 63–4. The author makes a point of equating three denials that, in reality, do not function in concert: 'democracy's denial of its historicity [. . .]; the Athenian city's denial of the role women played in the reproduction of Athens [. . .]; the denial of conflict as a constitutive principle, in order to construct the generality "city".'

[100] Hartog 2015.

[101] Castoriadis 2011, pp. 132, 172–3 (commenting on Thucydides, 1.70). See the earlier text Castoriadis 1998, pp. 208–9. Cf. also Thucydides, 2.41.4: 'We have no need of a Homer to sing our praises, or of any encomiast whose poetic version may have immediate appeal but then fall foul of the actual truth.'

[102] Dunn 2007 shows the clash of different regimes of historicity as early as the fifth century, as represented in Aristophanes' *The Clouds* (v. 1365–76), which depicts the tension between attraction for novelty and respect for one's ancestors. Cf. Euripides, *Suppliant Women*, 195ff, 238ff. See the earlier texts Edelstein 1967 and Meier 1990, pp. 186–221, which show how the assertion of a prodigious form of human agency (*auxēsis*) and, in parallel, very weak expectations of political and social change are combined in fifth-century Athens.

[103] Finley 1975, pp. 34–59 ('The Ancestral Constitution'). Even the sophist Hippias says he gives more credit to the ancients than to his contemporaries, 'for while I take care to avoid the envy of the living, I fear the wrath of the dead' (Plato, *Hippias Major*, 282a).

measures that aimed to streamline the management of official documents and also to reflect the establishment of this new relationship with the past.[104] It was also shortly after the reconciliation that the Athenians began to reenact theatrical works composed in the fifth century. If certain particularly appreciated plays had already been revived before the outbreak of the civil war, such as Aristophanes' *Frogs*, the practice now took root and soon became institutionalized. From this point of view, the performance of *Oedipus at Colonus* was a breakthrough. Written before the death of Sophocles in 406, it was put on stage posthumously in March 401 during the Dionysia thanks to the poet's grandson. Playfully echoing the recent past,[105] it showed the deadly consequences of the *stasis*, or, to borrow the words of Oedipus, of the discord's 'breath':

> Dearest son of Aegeus, it is the gods alone
> who do not have to age and die.
> Everything else is overcome by the power of time.
> The earth decays, the body wastes away,
> trust dies while bad faith flourishes
> and the same breath (*pneuma*) never remains
> between the closest friends and neighboring cities.[106]

Beyond its topical theme, this posthumous performance was the first step in embalming Athenian theater. For as early as 386, it became habit for an ancient tragedy to be reenacted during the Dionysia, probably every year, until the orator Lycurgus set the practice in stone in the 330s, transforming theater into a literary art passed down from one generation to the next.[107]

This impression of stagnation was further accentuated by two factors, one urban, the other historiographic. First of all, the completion of the Erechtheion in 406 marked the end of a sequence of major architectural projects initiated at the time of Cimon and Pericles. During the first half of the fourth century, the Athenians had lived in the intimidating shadow of the monuments built during the previous century, without making their own mark on the city. More profoundly, the citizens remained orphans of their past greatness[108]: In 378, when they founded the second maritime confederation, the Athenians undoubtedly felt they were playing second

[104] Pébarthe 2005 proposes the date of 410, but, in fact, the inscription could just as well have been engraved in 403. See *supra*, Chapter 3, p. 106.
[105] Jouanna 2007, pp. 59–60, on the implicit references to the oligarchic revolution of 411.
[106] Sophocles, *Oedipus at Colonus*, v. 607–13 (transl. Loeb modified). See Herrenschmidt 1996, p. 178, and, more generally, Vidal-Naquet 1990.
[107] See Scodel 2007, p. 150. [108] Badian 1995.

fiddle to their glorious elders. It is necessary to acknowledge the historical disorder in which they found themselves for a good part of the fourth century. While their ancestors' experience had been dictated by the ups and downs of their politico-military hegemony, they themselves had no such coherent narrative thread to hang on to. Be it Sparta, Thebes or Athens, no city was now powerful enough to dominate the Greek world in the long term and, consequently, to organize the succession of events into an intelligible historical sequence. Xenophon testifies to this disarray at the very end of *Hellenica*, when he concludes his account of the Battle of Mantinea in 362 with this disillusioned observation: 'neither was found to be any better off, as regards either additional territory, or city, or sway, than before the battle took place; but there was even *more confusion and disorder* in Greece after the battle than before.'[109]

Disoriented and haunted by their fall from power, the Athenians long took refuge in the unconditional praise of their past, even when this meant masking the political innovations that they had introduced under the uniform varnish of the ancestral constitution. It is precisely this singular regime of historicity that has resulted in the cliché of a languishing, even decadent fourth-century democracy in contemporary historiography. For all that, this perception of historical time did not imply any weakening of democratic vitality, but rather another modulation of the relations between instituting moments and instituted functioning. Far from being diluted, the choral city had a bright future ahead of it.

Aristion's Last Dance

For the history of Athenian chorality does not end in 403, nor even at the end of the classical era. It took several more centuries for democracy to breathe its last – not in 322, with the establishment of a (short-lived) system based on a property qualification, but on the 1st of March, 86 BC, when Roman legions entered the city. Like the Spartans in 404, the soldiers of Sulla destroyed the city's walls, but contrary to the Lacedemonians, they did not stop there. The city was given over to the soldiers, and Plutarch made a chilling account of the acts of violence committed: 'For without mention of those who were killed in the rest of the city, the blood that was shed in the agora covered all the Ceramicus inside the Dipylon gate; nay, many say that it flowed through the gate and

[109] Xenophon, *Hellenica*, 7.5.27: *akrisia de kai tarachē* (our emphasis). See Darbo-Peschanski 2000, p. 111.

deluged the suburb.'[110] The most recognizable emblems of the Athenian culture of the classical age – the Academy of Plato, the Lyceum of Aristotle and the sanctuary of Eleusis – were sacked. In the face of such disaster, many Athenians even chose to kill themselves: 'But although those who were thus slain were so many, there were yet more who slew themselves, out of yearning pity for their native city, which they thought was going to be destroyed.'[111] Contrary to the route taken by Thrasybulus when he restored the democratic regime, the Roman general, after having taken the city, moved toward Piraeus to seal the fate of its harbor for good. In the port of Athens, he made sure the warehouses and the arsenal were burnt and had most of the public buildings destroyed.

A few days before, while the besieged city was reduced to starvation, one man had, however, indulged in one final act of provocation against the Romans. He had danced . . .

> Aristion was himself continually indulging in drinking-bouts and revels by daylight, was dancing in armor and making jokes to deride the enemy.[112]

By dancing the pyrrhic dance, Aristion and his companions made fun of the invader. Similar to the dithyramb but gathering together armed men, this choral dance was far from innocent: Foreshadowing the defeat to come, it mimicked the ultimate confrontation against the Roman legions while also celebrating Athenian choral culture. While Plutarch, as the Greco-Roman dignitary that he was, may have recognized in this the derisory gesticulations of a tyrant, Aristion's dance expressed one of the most singular features of Athenian political identity. In a distant echo of Cleocritus' words on the battlefield of Piraeus, it commemorated by an aesthetic gesture as fleeting as it is brilliant Athenian chorality and the democratic regime in the vain hope of warding off their imminent disappearance.

[110] Plutarch, *Life of Sulla*, 14.4. [111] Plutarch, *Life of Sulla*, 14.7.

[112] Plutarch, *Life of Sulla*, 13.3. Cf. 13.1: Aristion, 'who always danced in mockery as he scoffed,' infuriates Metella. The arrival of Aristion/Athenion, moreover, mirrors Thrasybulus' entry into Athens: On returning from Piraeus, he is welcomed at the gates of Athens by the *Technitai* of Dionysus, who lead him in great pomp into the city; he then makes a sacrifice, like Thrasybulus, although this ritual is held not on the Acropolis but on a plot of land belonging to the *Technitai*; finally, he leaves to address the Assembly, which elects him as a *stratēgos*. Cf. Poseidonios of Apamea, fr. 253 Edelstein-Kidd (= Athenaeus, 5.211d–215b).