

## Allotment and Democracy in Ancient Greece

Paul DEMONT

**Contrary to the view generally accepted among historians of antiquity on the authority of Plato and Aristotle, allotment does not strictly go hand in hand with democracy. According to Paul Demont, it was rather the establishment of democracy that gradually democratized a practice that was originally aristocratic and religious.**

"Democracy arises after the poor are victorious over their adversaries, some of whom they kill and others of whom they exile, then they share out equally with the rest of the population political offices and burdens; and in this regime public offices are usually allocated by lot" (Plato, *Republic* VIII, 557a). "It is accepted as democratic when public offices are allocated by lot, and as oligarchic when they are filled by election" (Aristotle, *Politics* IV. 9, 1294b8). "The characteristics of democracy are as follows: the election of officers by all out of all; and that all should rule over each, and each in his turn over all; that the appointment to all offices, or to all but those which require experience and skill, should be made by lot" (Aristotle, *Politics* VI. 2, 1317b17-21). This feature of ancient democracy, much commented upon by ancients and moderns alike, must be contextualized. Allotment was a common procedure for making choices in all ancient societies, democratic or not, and in Greek society of the archaic and classic periods, it often had a religious importance.<sup>1</sup> Mogens H. Hansen, in his important book on Athenian democracy<sup>2</sup>, denies this fact, in order to refute Fustel de

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<sup>1</sup> See *Pubblico sorteggio e cleromanzia: alcuni esempi*, a.c. d. F. Cordano and C. Grottanelli, Università degli Studi di Milano, 2001; especially notable here is a study of the practice of allotment in the Italian republics of the late Middle Ages and the Renaissance.

<sup>2</sup> Mogens H. Hansen, *La Démocratie athénienne à l'époque de Démosthène*, translated by S. Bardet with the assistance of Ph. Gauthier, Paris, Les Belles Lettres, 1993 ; Mogens H. Hansen, *The Athenian Democracy in the*

Coulanges, who gave a fundamental place to the religious foundation of the ancient city<sup>3</sup>: he observes about democratic allotment that "There is not a single reliable source that clearly proved that selection of officeholders by lot originally had a religious importance" (pp. 74-76). Here I should like to take up this question again. Allotment, considered to be an act of choosing by a divinity, plays an important role in aristocratic and predemocratic societies. In spite of what Plato and Aristotle held, it is not, in my view, allotment that defines democracy, not even ancient democracy; it is rather the establishment of democracy that gradually gives a democratic meaning to the practice of allotment in political affairs.

### **Choosing the best**

In the Homeric epics, our earliest surviving texts<sup>4</sup>, allotment is illustrated in the selection of which young people to send off to war or to found a colony, in accordance with a practice that was common in all times and places. It appears again, during war, in the choice of a champion to do battle in the name of everyone. At Troy, in the absence of Achilles, withdrawn to his tent, how could the most valorous Greek be chosen to meet Hector in single combat? By tossing name-inscribed lots (*klèroi*) into a helmet and shaking it, as described in the formulaic verse: "They took the lots and shook them in a bronze-armoured helmet" (*Iliad* III, 316 = XXIII, 861; cf. *Odyssey* X, 206). They pray to the gods: "The troops set about praying and raised their arms towards the gods" (*Iliad* III, 318 = VII, 177). At this point, one lot hops out of the helmet (never more than one!) and designates the champion.

Even more important is allotment in the case of succession, as is shown by the polysemy of the word *klèros*, not just "lot", but also "privilege". In the absence of the right of the oldest, siblings are a particular instance of the difficulty inherent in deciding among equals. The compound adjective *homoklaros* – "of the same lot" – is a poetic synonym for "brother". The model was set by the three principal gods, the three brothers Zeus, Poseidon and Hades. How could one decide among these equals par excellence? Superiority in age (which can on the other hand play a role in the handing down of statuses) could not come into it; anyway, this superiority was doubtful in the mythology, since while Zeus is the oldest in

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*Age of Demosthenes. Structures, Principles and Ideology*, Oxford, 1991.

<sup>3</sup> Theses developed in "Nouvelles recherches sur le tirage au sort appliqué à la nomination des archontes athéniens," in the *Nouvelle revue historique de droit français et étranger*, 1878, a study resumed in *Nouvelles recherches sur quelques problèmes d'histoire*, pp. 147-179, posthumously published by C. Jullian, 1891.

<sup>4</sup> P. Demont, "Lots héroïques: remarques sur le tirage au sort de l'*Illiade* aux *Sept contre Thèbes*," *Revue des Études Grecques*, 113, 2000, pp. 299-325; [http://www.diffusion.ens.fr/video\\_stream/2009\\_01\\_20\\_demont.mov](http://www.diffusion.ens.fr/video_stream/2009_01_20_demont.mov).

the *Iliad* (XIII, v. 355), he is the youngest in the *Theogony* (v. 137). Therefore it was by allotment that the privileges of each were determined (*Iliad*, XV, v. 185-193). An especially well known human example is Antigone's brothers. The city of Thebes was deeply divided after the death of its king, Oedipus. The queen, Jocasta (or Epicaste), tried to end the quarrel between her children Eteocles and Polynices. A fragment by the poet Stesichorus recovered in the Lille papyrus describes the solution that she put to them (*PMGF* I, no. 222b, v. 219-228): "that one of them gets the houses [near the spring of Dirke], and that he lives there, while the other departs with all of his beloved [father's] possessions and gold; whoever comes first, *in shaking the lots*, will receive this portion, by being favoured by the Moirae." The mother is playing the role of an arbitrator, and, along with the soothsayer Tiresias, she works out the portions that the lots are being drawn for, under the protection of the "Moirae", the deities of distribution. Another version of the legend has Polynices and Eteocles agreeing to take turns as the monarch in Thebes, in a system of alternation widely illustrated in antiquity; but Eteocles, who had the first turn, then refused to give up power to his brother, which drove Polynices to take up arms in order to re-enter his country.

Aeschylus depicts this family war in *Seven Against Thebes* (467 BC). Along with seven chieftains from all over Greece, Polynices fights against Eteocles, the king of Thebes. The allotment in the war and that in the transmission of the inheritance are united by the poet in the allotment by Destiny, by Fate. The city of Thebes has seven gates, which each of the "Seven" attacks, and we learn that each is assigned to a gate by allotment. In contrast, Eteocles selects each of the Thebans in charge of defending the gates. The first part of the play turns on this alternative of the two modes of selection proper to aristocratic societies, by lot or by the decision of the leader – this precisely at the time when Athens was becoming democratic and gradually extending the use of allotment. As happens in Homer, the choice was made from a group already known, a process that the vocabulary of politics would call "choosing by lot from a pre-selected group" (Aristotle, *Constitution of Athens*, VIII, 1), here that of the best warriors, the *aristoi*. Bringing together the two modes of selection raises the dramatic tension right up to the inevitable outcome, a fratricidal duel. Then, in the second part of the play, this dreadful duel is portrayed as another choice by lot, effected by the god of war, Ares, who appears among them as a barbarian foreigner, in order to share out their inheritance. This choice by lot can only lead to a horrible result, for it originates not in a pure prayer but in the curse of Oedipus, their father. And indeed, if the brothers do, as they should, obtain an equal share, this share is the death that they give each other, and the tomb that they will have in

common (v. 720-733).

The connection between fratricidal conflicts, civil war and the destiny of the state is also illustrated time and time again in the actual political facts of the ancient Greek world. An inscription from Nakone, a small town in Sicily, in the hellenistic period – thus, two or three centuries later – bears witness to this in a particularly astonishing way<sup>5</sup>. Arbitrators come from Segesta to reconcile two opposing sides: after a civil war, harmony must be restored. The inscription describes the process in detail. In the course of a solemn assembly, the arbitrators initiate a series of allotments that, with the assistance of the gods that they call upon, turn yesterday's enemies into pairs of brothers – thirty pairs per institution – who are made to dine together. Two lists of thirty names are drawn up, putting together the most fervent partisans of each of the two sides; these are entered one by one onto the lots and put into two urns. Then pairs of enemy citizens are drawn, by taking a lot from each urn alternatively. To these pairs are added three citizens from the rest of the population, they too being chosen by allotment. And the inscription stipulates this extraordinary rule: "That the citizens assembled by lot into the same batch become brothers of choice, on good terms with each other, in all justice and friendship." The rest of the population is then divided into groups of five by a similar process. "And that these too be batches of brothers, after having been drawn together by lot as has been written above." So it is some hundreds of citizens who in this way find themselves in mutual relations of obligation from having been chosen by lot. Finally, the decree prescribes setting up a sacrifice in recognition of this restored harmony, and engraving the text on a bronze plaque to be placed "as an offering at the entrance of the Temple of Olympian Zeus". The reconciliation of the citizens of Nakone, sponsored by the gods, under the aegis of foreign arbitrators, by means of official allotments creating relations of alliances – or rather of imaginary consanguinity – among former enemies, is like a successful version of the tragic lotto of *Seven Against Thebes*.

In the epic, in the tragedy and in the Nakone inscription, the result of the allotment is entrusted to a divinity, or assimilated to a divine decision. The will of the gods can also be directly known by drawing lots, in what is called cleromancy. Another inscription bears curious witness to this, this time in relation to classic Athenian democracy<sup>6</sup>. In 352/351 BC, in

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<sup>5</sup> L. Dubois, *Inscriptions grecques dialectales de Sicile*, Rome, 1989, no. 206; and Nicole Loraux, "Une réconciliation en Sicile," in *La cité divisée*, Payot, 1997, pp. 222-236

<sup>6</sup> P. Amandry, *La Mantique apollinienne à Delphes*, Paris, 1950, pp. 151-153.

order to find out whether a part of the sacred plain of Eleusis, outside Athens, should be left uncultivated or rented out, the Athenians consulted the Delphic oracle. They had inscribed on two identical strips of tin two questions entailing opposite responses (On the first: "whether it is more beneficial and better for the people of Athens that the king rent out...." On the second: "whether it is more beneficial and better for the people of Athens to leave uncultivated...."). Preparations were organized by the sovereign body of Athenian democracy, the Council of 500 "bouleutai" chosen by lot from the citizens of Attica, for one year terms. The President of the Council folded the strips, then, "before the people", put them into a bronze vase. Two new vases were then brought in, one of gold and the other of silver, and, still before the people, the President shook the bronze vase, and drew out each of the two strips, in order to put each of them into one of the two other vases. The continuation of the inscription is summarized in this way by Pierre Amandry: "Then, the assembly designated three ambassadors to the god, to go to Delphi to ask Apollo not whether he favoured renting or cultivating the Orgas, but on the basis of which of the two wordings, the one in the golden vase or the one in the silver vase, the Athenian people ought to base their actions." As a matter of fact, two ancient historians have preserved the response in the following form: "The god replied through the oracle that it was more beneficial and better not to exploit that land." The Athenian edict does not say what the mode of consultation was at Delphi. But the Prophetess' choice could only have been one form or another of choosing by lot between the two vases. This solemn and complex process clearly demonstrates the importance given to divine will in the human proceeding of allotment.

Briefly sketched, that is the context in which to place the emergence of allotment in the Athenians' political regime. The date of this emergence is much debated, and sets a double problem, at once historical and historiographical.

### **Who founded Athenian democracy?**

Who founded Athenian democracy? There are numerous candidates. The one traditionally favoured is Solon, archon (that is, in this period, the chief magistrate) in 594/593 BC. But Athenian democracy was not really instituted until the reforms of Cleisthenes in 508/507, nearly a century later, with the creation or transformation of the Council of 500; and one could consider that Athens became truly democratic only after the reforms of Ephialtes, in 462/461, which gave to this Council the essentials of political power: even the word "democracy" could not come into being in the time of Cleisthenes, or even in that of

Ephialtes. Thus the steps attributed to Solon are largely the projection onto an ideal character of later reforms. The author of the *Constitution of Athens*, attributed to Aristotle<sup>7</sup>, sees the history of democracy, described in the first part of the book, as a progressive extension of allotment, right up to the situation in fourth-century Athens, extreme democracy, the functioning of which he analyses synchronically in the second part. From the perspective that accepts the reputation of Solon as the founder of democracy, it is he who should have introduced allotment. The *Constitution of Athens* does indeed attribute this to Solon, not only in the construction of popular juries, but also in the choice of magistrates, that is, in his time, principally the nine archons (8. 1): "Solon established that the magistrates would be chosen by lot from [previously] selected citizens." However, Aristotle elsewhere seems to say the contrary (*Politics* II, 1273b35-41). Whatever the historical truth is, the recourse to allotment in Solon's time is plausible, provided that it is clearly recognized that it could not have the "democratic" sense that was later accorded to it: it involved choosing nine archons from forty citizens of good birth previously selected from the Athenian population by censal and electoral criteria (ten for each of the four archaic "tribes" of Athens). Here, as in the epic, allotment is a means of selecting one or more champions from a group which itself comes from a selection of the "best". It is very well adapted to aristocratic institutions. It is the broadening of the base on which it is conducted that gives it a democratic character. Moreover, this democratic character was not yet complete, one and a half centuries after Solon, when the Athenian population was divided into four censal classes, and only the two richest classes provided the archons, by lot, up to 457/456, at which time the third class, but not the fourth (which never did get included) could also be chosen from (Aristotle, *Constitution of Athens*, 26. 2). It is also likely that in attributing to the founder of democracy the institution of an allotment with a very limited base, or in recalling this kind of practice, certain ideologues were campaigning against the "extreme" democracy of their time, for in Aristotle's day this was sometimes what appealing to Solon came down to.

### **Athenian democracy and allotment**

Leaving to one side these complex discussions, let us turn to the actual functioning of Athenian democracy that is described in the *Constitution of Athens*, and that archaeology has made it possible to reconstruct, in order better to understand the role that allotment played in

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<sup>7</sup> Preferably to be read in the new translation by Michel Sève (Aristote, *Constitution d'Athènes*, traduction, introduction and notes by Michel Sève, Le Livre de Poche, 2006).

it<sup>8</sup>. In the archaic period, Athens, a city-state (*polis*) comprising all of Attica, extending as far as seventy kilometres from the centre, was organized into four tribes, under the leadership of the nobles and the rich. Cleisthenes (508/507), one of the "leaders of the people", transformed the system, starting with the "demes", which were villages or communes where citizens were registered when they reached the age of majority (Socrates came from the deme Alopeke). The demes (numbering 139) were brought together into ten new "tribes" (the deme of Alopeke belonged to the tribe Antiochis), which by no means had the same meaning as in Solon's day. Each was composed of three "trittyes" coming from each of the three parts of Attica (city, coast and interior) and consisting of one or more demes. The Antiochis tribe thus included, for the city, a sole deme, that of Socrates; for the coast, six demes near Cape Sounion; and for the interior, three demes several kilometres distant from each other. As Christian Meier says, "the tribes were an artificial composition or mixture of different parts of the city."<sup>9</sup> Each tribe sent fifty of its members chosen by lot to spend one-year terms in the sovereign body of the city, the *Boulè* or "Council of 500". During a tenth of the year, it was up to them to preside at sessions of the Assembly of the People and to administer the city, as *prytaneis*. One can imagine bringing together French citizens from Neuilly, Chartres and Aulnay-sous-Bois, chosen by lot and obliged to live together in a Prytanium for a tenth of a year to administer the Paris region.... Aristotle says this reform destroyed customary neighbourhood and clientele ties, and Plutarch says it manifested an amazing will to civic union. Nevertheless, archaeologists also wonder if Cleisthenes had not arranged for his family to remain greatly influential. In any event, the reform was not untroubled (Herodotus V, 72). But from then on, democracy worked, thanks to this "network inside which citizens could stop acting as clients of the nobles, and start acting as equal citizens". As Meier says, "the cooperative efforts of numerous men who until then did not know each other must have led them... to become conscious of the skills of citizenship, skills that they had not before experienced in their daily lives." The powers of the *Boulè* increased during the course of the fifth century. With the Assembly of the people meeting at least once a month, and the popular Tribunes chosen by lot each working day from a list of 6,000 *heliasts*, themselves chosen by lot for the year, Athenian democracy worked well, in very large part by allotment. It should be added that "indemnities" were gradually introduced for participation in the Council, the Tribunals, and even the Assemblies; this is the *misthophoros* hated by Plato and Aristotle.

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<sup>8</sup> P. Demont, "Le *klèrôtèrion*, "machine" à tirer au sort' et la démocratie athénienne," *Bulletin de l'Association Guillaume Budé*, 2003, p. 26-52.

<sup>9</sup> Christian Meier, *La Naissance du Politique* (1980), Paris, Gallimard, 1995, p. 80 (then p. 91 and 100).

In the *Constitution of Athens*, the description "chosen by lot" thus turns up again and again in the second part of the treatise, for "all the ordinary offices" (ch. 43, 1), with the exception of the treasurers of military and public entertainment funds, the superintendent of the springs, and for military functions in general. Let us count the offices chosen by lot: 500 bouleutai, 10 treasurers of Athena, 10 sellers, 10 tax collectors, 10 accountants, 10 verifiers (along with 2 assessors), 1 steward, 10 guardians of the temples, 10 officials in charge of the city, 10 in charge of the markets, 10 surveyors of measures, 10 then 35 wheat guards, 10 supervisors of the port, the Eleven, 5 initiators of legal proceedings in *eisagogè*, 40 for other kinds of proceedings, 5 roadway officials, 10 accountants (and 10 associates), 1 secretary of the prytanium (formerly elected), a secretary of the laws, 10 sacrificers, 10 superintendents of feasts, 1 archon of Salamis, 1 demarch of the Piraeus, 9 archons and their secretary to draw lots for judges, 10 organizers of Dionysia, and 10 in charge of contests. Thus in total several hundreds of officeholders chosen by lot each year, who in each cohort could not be renewed (with rare exceptions), to which must be added the 6,000 heliasts already mentioned, who were themselves subject to reselection by lot day after day, between tribunals. The discovery of the *Constitution of Athens* (published in 1891) provided overwhelming evidence of the accuracy of the identification of democracy with allotment.

Other discoveries gave that identification a very practical content. Among the tens of thousands of male Athenians (the number is disputed and could vary, but could not be lower than 30,000), those who wanted to be chosen by lot (not all Athenians, it seems) were identified in the fourth century by identity plates, bronze *pinakia*, which have been found in abundance<sup>10</sup>. They carry a name, a patronym and a demotic, and two kinds of symbol: an owl or a gorgon. Since the plates with an owl reproduce the reverse of the three-obol piece used to pay judges, it has been concluded that these were the plates of candidates for the tribunals. The others were probably the plates of citizens who were presenting themselves for the allotments of magistracies. These plates were very often re-engraved, sometimes several times, and thus passed from one citizen to another. For example, in Kroll no. 92, underneath "Diodoros of Phrearrhioi", we read "Phainippos of Oe". Phrearrhioi was a deme near Cape Sounion, and part of the Leontis tribe, while Oe was an urban deme, part of the Ooneis tribe. To move from Phainippos to Diodoros, we can suppose that the plate first came back to a

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<sup>10</sup> J.H. Kroll, *Athenian Bronze Allotment Plates*, Harvard, 1972.

central Athenian body. In any case, the re-engraving is striking evidence of a principle essential to Athenian democracy, the (annual) rotation of offices. On the subject of these plates, another observation has been made. They have sometimes been found in graves. Does this mean that these citizens died in the course of exercising their duties? If so, then the plates in the graves proclaimed the dead citizens' prestige and social identity.

How were the plates used? We had for a long time been aware of curious blocks of marble, with an array of notches, and with honorific inscriptions on the back, honouring *prytaneis* who had performed well in office. The American archaeologist Sterling Dow<sup>11</sup> spotted on three of these inscriptions the word *kleroterion*, used in the *Constitution of Athens*, and understood to mean "allotment room". On a small fragment of no. 221, on lines 10-12 (citation following Meritt and Traill<sup>12</sup>), we read: "[That the secretary of the prytanium ins]cribes this [edict] on a *kleroterion* of sto[ne and that he puts it into the sacred compound where the allotment has been cond]ucted." Dow concluded that *kleroterion* meant not "allotment room", but "allotment machine". The block that in his work was numbered II, of which only the top part survives, clearly shows the grooves positioned on two vertical columns, and, in a photograph taken from above, one very clearly sees on the top of the stone an opening into which could be passed a tube, the housing for which is also visible in the photograph taken from the front. Sterling Dow thought the grooves or notches were receptacles for the identity plates that we have just described. Once this hypothesis was advanced, everything became clear, thanks to a passage in the *Constitution of Athens* (64. 1-3) that at last could really be understood. Dow reconstructed various types of allotment machines, for such and such office, or such and such tribunal. The principle was simple: the identity plates, put into an urn by the allotment candidates, were drawn out and slotted into the grooves located in parallel columns, with – in choosing bouleutai and judges – one column for each Athenian tribe. Once the array was complete, a set of black and white dice was introduced into the tube on the left. An opening at the base of the structure allowed the removal of the dice one by one, in a random fashion. Corresponding to each removal was a horizontal line of the array. According to the colour of the die, that line was or was not selected and the citizens thus identified were or were not chosen. This process took place once a year for the cohorts of magistrates, but also each working day in order to select the daily

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<sup>11</sup> Sterling Dow, *Prytaneis. A Study of the Inscriptions Honouring the Athenian Councillors*, Hesperia Suppl. I, Athens, 1937.

<sup>12</sup> *The Athenian Agora*, vol. XV, Princeton, 1974.

popular juries from the year's 6,000 heliasts holding heliast identity plates.

### **Debates about allotment in political affairs**

As we know from Aristophanes' comedy *The Wasps*, for many aged Athenians, being a juror was both a way of earning bread and butter, and a morbid addiction. Bread and butter, and morbid addiction: there was nothing very positive here, and democratic allotment quickly provoked criticism and caricature.

Incompetence was the most frequent objection. As Xenophon's Socrates says (and Plato greatly elaborated this demand for knowledge in political affairs): "The true kings, the true magistrates, (...) are not those who wear crowns, those who have been elected by just anyone, those who have been chosen by lot, nor those who have used force or fraud, but those who know how to rule (*Memorabilia* III, 9, 10). Note that allotment is here but one of many illegitimate sources of power. Just as illegitimate is election, for example, if those who elect are "just anyone". In this connection, in order to avoid giving the impression that Athenian democracy was entirely run by allotment, let us remember that some public offices in Athens were in fact elective, in particular the most important ones, covering financial and military affairs, especially strategy (which allowed Pericles to be re-elected fifteen times: "this was nominally a democracy, but actually an office [or "a power" (*arche*)] held by an exceptional man", even Thucydides (II, 65) reckoned. However, in spite of this more complex situation, because of the number of citizens affected, the identification of democracy with allotment was routinely accepted.

Was there an effective response to the objection of incompetence? At the beginning of Book III of the *Politics*, Aristotle defines the "citizen" as someone who shares in *arche* (a polysemantic word: "power" or "public office"), as a judge, a magistrate, or even, he says, simply a member of the Council or of the Assembly, since these were where *arche* was located. Thus, the collective power exercised in assemblies is not distinguished from the individual power acquired by allotment. In Plato's *Protagoras*, Socrates had also pointed out that the Athenians' political regime assumed that every citizen had some competence in political affairs, however minimal. But it is especially important to look at this from the viewpoint of the logic of the regime as a whole. In democracy, it is "the people", and not any one individual, who hold offices and rule, as is explicitly stated by Otanes in the debate recorded by the historian Herodotus (III, 80), and by Theseus in Euripides' *The Suppliants*

(v. 406 ff.): "The people hold offices by lot", "the people reign by taking turns at annual terms." Mogens Hansen puts this very well when he sums up this aspect by neatly taking up a platonic image: "The Athenians chose their officeholders by lot in order to be sure that there would not be captains of the ship of state. (...) In a democracy, the wish to limit the power of officeholders combines with that of making everyone take his turn serving as an officeholder" (p. 275).

Another objection is moral in nature. For the oligarchic author of the *Constitution of Athens* preserved in the works of Xenophon, allotment is principally a means for the people to share out the indemnities tied to public functions ("*misthophoros*"). This view of interested motives was put on stage in comedies, as in *The Wasps* with regard to judges. In *The Assembly of Women*, in 392, where the first literary use of the word *kleroterion* is found, Aristophanes goes farther. The heroine manages to empower citizens' wives, who disguise themselves as men, go to the Assembly before their husbands are awake, and vote for this revolution. However, when she presents the new regime to her husband, she does so as a housekeeper, who thinks about what to eat at midday. This makes for a carnivalesque return to the golden age, with the tools of Athenian democracy. The women's democracy is a festive blowout by allotment. The tribunals become the men's banquets, an extension of the "men's houses" so important in the Greek city. "I shall draw everyone by lot, to the point that after the draw each citizen know under what letter he will dine, and go away perfectly happy" (v. 682-683). Aristophanes here alludes to the elaborate sharing out of Athenian jurors among the tribunals. This allotment *shares out* food to every Athenian, in place of *selecting* among them those who will have public responsibilities. Contrary to what happens even in the Athenian tribunals, no one is excluded (v. 687-690): " – And those for whom the letter under which they will dine is not drawn, everyone will turn them down. – No, none of that here, we will provide everything to everyone in abundance." The fulfilment of this comic notion bears out this declaration. Now, each and every citizen is invited to the public banquet; the allotment is no longer selective, but is thoroughly egalitarian and distributive (v. 834 ff.): "All you citizens, this is how things are now: come quickly to meet the leaderene, in order that, in drawing lots, fortune will show each of you in turn where you are to dine!"

In these comic distributions of food, nothing remains of the solemn or the religious. Nevertheless, according to an Attican orator (Aeschines, III, 13), the allotment of offices by the *thesmothetai* did take place "in the sanctuary of Theseus". In Sterling Dow's convincing

reconstruction of two inscriptions that include the phrase, he adds the words "in the sanctuary", which indicate that the honorific edicts engraved on the *kleroteria* are to be posed in a consecrated place. The recent editors' additional wording – "[that he put it *into the sacred compound* where the allotment has been conducted" – goes farther. Since the discovery of the honorific inscriptions, it has been asked why any would have been engraved on a *kleroterion* and not on an ordinary stele. Dow suggests several possibilities: at the date of these inscriptions, these machines were no longer in use, because allotments were no longer done, and the stones were put to other uses; or perhaps allotments continued but the machines in question were damaged or outdated. But then, if these blocks were no longer being used as allotment machines, why did the honorific inscription specify that it was to be engraved on a "*kleroterion* of stone"? Why is the *kleroterion* on which appears inscription no. 221, as reconstructed by the archaeologists, a machine with six columns, thus corresponding to a machine that could be used for a Council allotment at the time when Athens consisted of twelve tribes, and thus a machine suitable for selecting the *bouleutai* honoured by the inscription? Did these machines not have a sacred significance, in keeping with the use they had been put to, this use making them particularly appropriate for honorific inscriptions? These questions about the meaning of the inscriptions engraved on some allotment machines point in the same direction as the observations offered to Mogens Hansen by a scholar who emphasized the atmosphere of ceremony – the "ritual" atmosphere – that citizens must have experience in the long allotment sessions.<sup>13</sup> I think this can be confirmed by examining certain ancient discussions of allotment, especially in Plato.

The same Plato who identifies democracy with allotment draws up in the *Laws* a list of the claims that are unanimously accepted as possible justifications for exercising power. There are seven of them (III, 689e): those of parents, of nobles, of the old, of masters, of the strong, of the learned, and at the end a seventh claim. The progression is both genealogical and logical. It begins with three claims resting on precedence of birth: the power exercised by parents over their children, by nobles over those of low birth, and by the old over the young. There is a change of perspective in the subsequent modes, resting on the necessity that force embodies: the power of a master over slaves, and the power of the strong over the weak. Here Plato takes on the viewpoint of a much-cited quotation from Pindar, later repeated by sophists and by the Callicles of the *Gorgias*. The next category is explicitly contrasted with the one

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<sup>13</sup> V. Bers, "Just Rituals. Why the Rigmarole of Fourth-Century Athenian Lawcourts?" in: *Polis and Politics, Studies in Ancient Greek History*, ed. P. Flensted-Jensen et al., Copenhagen, 2000, p. 553-562.

before: the sixth claim to justify being in command is knowledge; and this claim, says the Athenian Stranger in the *Laws*, is one that is not based on violence and really is a natural claim to exercise power, as well as being one that corresponds to "the power of the law over the people who accept it." It seems that Plato is here putting the philosopher-king of the *Republic* into the same category as the political construction of the *Laws*. Then there is the last claim for exercising power, the seventh (a number which, of course, has a particular significance): "In referring to a seventh mode of rule, which the gods love and which rests on good fortune, we come to what is called destined lot; he who is successful in the draw rules, and he who fails goes away and obeys; and in that, say we, there is something most just." In Greek, the sentence is a little convoluted. But it unquestionably comes at the end of a scale, indicated by the appearance of necessity and universality in the fifth claim to rule, then "the greatest renown" in the sixth, and finally, in allotments, there is power that is "the gods' beloved". Allotment, characterized in the *Republic* as typical of democracy, is here, at the end of this scale, an object of high praise, and above all others it would appear to be the choice of the gods, even if a cascade of link words and indefinites suggests the Athenian Stranger's reticence about what he is saying. This indisputably shows that even in the fourth century, allotment had a significance for Plato's readers that was first and foremost religious.

However, later on, in Book VI of the *Laws*, the same Athenian Stranger adopts a different position when he has to make the practical decision about how the new city's counsellors are to be chosen, and he then proposes distinguishing between two kinds of equality (757b1-6): "There exist two equalities, which have the same name but are in fact near opposites in all respects. Any city or lawgiver whatsoever can use the first – equality in size, weight and number – by guiding it towards the use of allotments for the distribution. In contrast, the truer and better equality is no longer for anyone and everyone to see. It relies on the judgement of Zeus." This time, attribution by lot, the seventh and last mode of rule described by Plato in Book III, is no longer really very worthy of distributing honours. It is too facile and too arithmetical: everyone is quite simply the equal of his neighbour. More worthy, in Plato's estimation, is what he calls "proportional" equality, related to the merit of each, and attributing more honours to those who merit more, even though this is a difficult task requiring divine qualities. This distinction between two equalities, which allows the term "egalitarian" to be applied to regimes that are in fact inegalitarian or based on a poll tax, was very common at this time.

However, even this passage, if we read beyond these few lines, is not totally incompatible with the praise of allotment in Book III. Indeed, Plato acknowledges that a certain dose of allotment is necessary if one wants to avoid the hostility of the people; this is in keeping with the relation established in his day between democracy and allotment. Therefore one must pray that divinity will insofar as possible make allotments a just means of distributing responsibilities (757e2-758a2): "This is why we have to utilize the equality of allotments in order to avoid the hostility of the many, by asking that divinity and good fortune, in this case too, rectify the draw in the direction of the greatest justice; it is in this way that one must necessarily utilize two kinds of equality at the same time, all the while keeping to a minimum the use of the second kind, which utilizes fortune."

Once again Plato is reticent about the efficacy of divine intervention in rectifying allotments, but he is obviously referring to the prayers that accompanied having recourse to allotments in political affairs. I think these texts of Plato suffice to characterize the two aspects of allotment in political affairs in Athens. This institution was obviously democratic, and therefore, for Plato, blameworthy and, at the same time, in a certain way inevitable because of the pressure exerted by the masses in the Greece of his day. But it also retained the prestige of its equally obvious religious character, which allowed making acceptable, even from the Platonic point of view, the inclusion of a small dose of allotment for choosing officeholders for the city of the *Laws*.

Yet very little of Athenian practical experience lives on in the city that Plato founds. Let us take just the example of the ten Athenian "*astynomoi*", officers responsible for maintaining public order and town planning regulations, five for the city and five for the port, chosen by lot each year. Their function, noted by Aristotle just after the Council, was important (*Constitution of Athens* 50, 1-2). In the city that Plato wanted to found, the *astynomoi*, three in number, are first chosen by election, after being nominated by any citizen, but only from the highest poll tax class, and then, from the six candidates who get the highest number of votes, three are chosen by lot (763e). Allotment plays a very minor role, being so much carried out – to return to the expression that qualified the reform of Solon – on the basis of a limited group of people previously selected.

Plato's hesitations and proposals make it plain that the institution of allotment in politics survived well beyond the classic period. It is very difficult to know when and why

Athens abandoned it. In any case, Athenian democracy does not stop with the battle of Chaeronea in 338. Christian Habicht authoritatively evokes it in his lovely book on hellenistic Athens<sup>14</sup>. It would be quite another story to assess the ups and downs of allotment in hellenistic Athens, related to the leanings of successive regimes, more or less oligarchic, more or less democratic; besides, these ups and downs are more or less well known. Let us recall only that the *kleroteria* with honorific inscriptions that have been studied by American archaeologists date not from the classic period but from the hellenistic period, from a time when the number of Athenian tribes had been increased to twelve and when the political regime could be one with a tax-based voting system, giving access to offices only to a social elite. Indeed, the recovered blocks date from around 164/3 BC. At the beginning of the fourth century BC the *kleroteria* the functions of which have been reconstructed by means of these much later machines in stone were probably made of wood, and the plates of boxwood. We lack documentation for the fifth century, although it has been possible to propose certain hypotheses. Thus, in somewhat paradoxical fashion, the functioning of classical democracy has been reconstructed from hellenistic documentation, from a period when democracy no longer had the extreme character that it had in the classic period. But the paradox is only apparent, if we would only remember the sizeable expansion of allotment in Greek society, affecting all periods and regimes. As late as the first century BC, a very controversial Athenian inscription testifies to the continuity of the association of allotment and "democracy", whether this "democracy" was nominal or real<sup>15</sup>.

This quick run through the different social and political aspects of allotment leads to three conclusions. The expansion of its use, both synchronically and diachronically, appears to be institutionally linked to the belief in the intervention of the gods to guide fortune. Its uses in defining military and civic responsibilities cannot be understood without attentively examining the departure base used in the allotment. Meant to select or to share out among equals, it gets adapted to different regimes of equality, from aristocracies to sibships (real or symbolic) to democracies. With regard to democracy, in its ancient Greek version, only progressively, and in tandem with the broadening of this base, was allotment identified with it, more often than not in a very critical way, especially in the perspective of those

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<sup>14</sup> C. Habicht, *Athènes Hellénistique, Histoire De La Cité d'Alexandre Le Grand À Marc Antoine*, Belles lettres, 2006.

<sup>15</sup> *The Athenian Agora. Vol. XVI. Inscriptions: The Decrees*, A.G. Woodhead, Princeton, 1997, no. 333; and C. Habicht, *op. cit.*, p. 352-353.

philosophers who protested against the egalitarian nature of the departure base, who no longer, or hardly any longer, recognized the part that the gods played in the affair, and who restrictively associated political activity with the possession of knowledge and social skills.

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