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Theseus the Democrat²

It is remarkable that Athenians of the classical period believed that the first moves towards democracy in Athens had been made by their legendary king Theseus, whom they believed to have reigned before the Trojan War. In this paper, in an exercise in how the Athenians refashioned what they believed about their past, I trace the development of the political aspects of the story of Theseus, and try to explain how he came to be seen by the democrats of the classical period as an *ur*-democrat.

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στοὰ δὲ ὀπισθεν ᾠκοδόμηται γραφὰς ἔχουσα θεοὺς <τοὺς> δώδεκα καλουμένους· ἐπὶ δὲ τῷ τοίχῳ τῷ πέραν Θησεύς ἐστι γεγραμμένος καὶ Δημοκρατία τε καὶ Δῆμος. δηλοῖ δὲ ἡ γραφὴ Θησέα εἶναι τὸν καταστήσαντα Ἰθηναίους ἐξ ἴσου πολιτεύεσθαι· κενώρηκε δὲ φήμη καὶ ἄλλως ἐς τοὺς πολλοὺς, ὡς Θησεὺς παραδοίη τὰ πράγματα τῷ δήμῳ καὶ ὡς ἐξ ἐκείνου δημοκρατούμενοι διαμείναεν, πρὶν ἢ Πεισίστρατος ἐτυράνησεν ἐπαναστάς. λέγεται μὲν δὴ καὶ ἄλλα οὐκ ἀληθῆ παρὰ τοῖς πολλοῖς οἷα ἱστορίας ἀνηκόοις οὖσι καὶ ὅποσα ἤκουον εὐθὺς ἐκ παίδων ἔν τε χοροῖς καὶ τραγωδίαις πιστὰ ἡγουμένοις, λέγεται δὲ καὶ ἐς τὸν Θησέα, ὃς αὐτὸς τε ἐβασίλευσε καὶ ὕστερον Μενεσθέως τελευτήσαντος καὶ ἐς τετάρτην οἱ Θησεῖδαι γενεὰν διέμειναν ἄρχοντες.

Behind [sc. the Stoa of the Basileus] a stoa has been built with paintings of what are called the Twelve Gods. On the wall facing Theseus has been painted, and *Demokratia* and *Demos*: the painting shows that it was Theseus who instituted politics on a basis of equality for the Athenians. A story has become generally current among the many that Theseus handed over affairs to the *demos* and that they continued under democratic rule from his time until Pisistratus rose up and became tyrant. Many other untrue things are said among the many, who have not listened to history and accept as trustworthy whatever they have heard from childhood onwards in choruses and tragedies; and they are said with regard to Theseus, though he was king himself and afterwards following the death of Menestheus the Theseids continued to rule until the fourth generation.

The traveller Pausanias, in the second century A.D., in dismissing the idea that a king of the legendary period could have made Athens democratic, echoed the indignation of the historian Thucydides (Thuc. I. 20) at other people's ignorance of historical truth. The passage quoted refers to the Stoa of Zeus, in the north-west of the Athenian agora, built in the last third of the fifth century, and given paintings by Euphranor about the middle of the fourth century (Paus. I. 3. iii; Euphranor Σiv)³; and the version of history which Pausanias particularly attacks, that Athens was given its democracy by Theseus and retained it until the tyranny of Pisistratus, can be found in the (XII) *Panathenaic* of Isocrates, written between 342 and 339 (Isoc. XII. *Panath.* 126–33, 148: cf. below).

Stories about Theseus associate him particularly with the north-east of Attica; he makes brief appearances in Homer, and vase paintings and poetry show that he was widely known in the seventh century; as his legend was built up, he was

³ Mantinea gives a *terminus post quem* of 362, and probably a *terminus ante quem* of Chaeronea in 338 (when Athens had fought not as an enemy but as an ally of Thebes): because of the depiction of Theseus the paintings were dated c. 340 by E. Ruschenbusch (Ruschenbusch 1958: 418, n. 74), and a version of that suggestion has been revived by N. Humble (Humble 2008: 347–366) (343/2, at the end of Eubulus's period of influence).

associated with Heracles and represented as a non-Dorian equivalent of Heracles; Athenian vase paintings suggest that it was only at the end of the sixth century that he supplanted Heracles as a popular hero for the Athenians⁴. Here we need not consider every aspect of the legend, but only Theseus as king of Athens and what was attributed to him in that capacity.

As king he was a problematic figure, son of Aethra of Troezen either by Aegeus the king of Athens or by Poseidon, brought up in Troezen and acknowledged as Aegeus's son when he arrived in Athens after a series of ordeals on the journey (e.g. Plut. *Thes.* 3–12). Subsequently he prompted the suicide of Aegeus and his own succession to the throne, when, after killing the Minotaur, he failed to display the white sail which was to be a signal of good news (e.g. Plut. *Thes.* 15–22). As king he was credited with the two alleged achievements upon which I focus in this paper: a *synoikismos* of Attica, and the creation of a kind of proto-democracy.

Theseus and the *synoikismos* (unification) of Attica

First, the *synoikismos*. In what became the standard version of Athens' legendary history, Cecrops, the first king, had organised the inhabitants of Attica into twelve cities (Philoch. *FGrH* 328 F 94 *ap.* Strabo 397 / IX. i. 20 (using the verb *synoikizein* of that organisation); Cecrops also in Thuc. II. 15. i, xii; also in: *Marm. Par. FGrH* 239 A 20). Much later, Pandion was driven out of Athens by the Metionidae and became king of Megara; after his death, his sons drove out the Metionidae and divided the kingdom of Athens-and-Megara among themselves; but there are traces of an alternative version in which Pandion added Megara to Athens and himself divided the kingdom among his sons. Aegeus was the eldest son and took the city of Athens and the surrounding plain, Pallas the coast and Lycus the Diacria in north-eastern Attica (thus anticipating the regional division of the sixth century), while Nisus took Megara (e.g. Apoll. *Bibl.* III. 205–6; the alternative, e.g. Soph. fr. 872 Nauck2 *ap.* Strabo 392 / IX. i. 6). But this division was ended when Aegeus expelled Lycus, and Theseus after being recognised as Aegeus's heir defeated Pallas, making Attica a single kingdom once more ruled from Athens; and Minos defeated Nisus and captured Megara (Lycus, e.g. Hdt. I. 173. iii; Pallas, e.g. Plut. *Thes.* 13; Nisus, e.g. Apoll. *Bibl.* III. 209–11). The older division into twelve cities is assumed to have continued through those upheavals.

It is that division which Theseus was believed to have ended. Our oldest source for the *synoikismos* is Thucydides (Thuc. II. 15. i–ii, 16. i; for later allusions see: Isoc. X. *Helen* 35, [Dem.] LIX. *Neaera* 74–5, *Marm. Par. FGrH* 239 A 20, Diod. Sic. IV. 61. viii, Plut. *Thes.* 24. i–iv)⁵: until the reign of Theseus,

⁴ For the legend in its developed form see, for instance: (Plut. *Thes.*). On the development see, for instance: (Edwards 1970: 25–50; Brommer 1973: 1–209, 201–258; 1971: 1–28; 1974: 1–28; Boardman 1972: 82–90, 252–253; Walker 1995: 3–33). Among those who have argued for a link with the Pisistratids is W.R. Connor (Connor 1970: 144–150).

⁵ Plutarch adds a story of Theseus's touring Attica to persuade the people.

ἡ Ἀττικὴ ... αἰεὶ κατὰ πόλεις ᾤκειτο πρυτανεῖα τε ἔχούσας καὶ ἄρχοντας, καὶ ὁπότε μὴ τι δείσειαν οὐ ξυνησαν βουλευσόμενοι ὡς τὸν βασιλέα ἀλλ' αὐτοὶ ἕκαστοι ἐπολίτευον καὶ ἐβουλεύοντο. καὶ τινες καὶ ἐπολέμησάν ποτε αὐτῶν, ὥσπερ καὶ Ἐλευσίνιοι μετ' Εὐμόλπου πρὸς Ἐρεχθέα. ἐπειδὴ δὲ Θησεὺς ἐβασίλευσε, γενόμενος μετὰ τοῦ ξυνετοῦ καὶ δυνατὸς, τὰ τε ἄλλα δικόσμησε τὴν χώραν καὶ καταλύσας τῶν ἄλλων πόλεων τὰ τε βουλευτήρια καὶ τὰς ἀρχὰς ἐς τὴν νῦν πόλιν οὔσαν, ἐν βουλευτήριον ἀποδείξας καὶ πρυτανεῖον, ξυνήκισε πάντας, καὶ νεμομένους τὰ αὐτῶν ἐκάστους ἅπερ καὶ πρὸ τοῦ ἠνάγκασε μᾶ πόλει ταύτῃ χρῆσθαι, ἢ ἀπάντων ἤδη ξυντελούντων ἐς αὐτὴν μεγάλη γενομένη παρεδόθη ὑπὸ Θησεῶς τοῖς ἔπειτα. καὶ ξυνοικία ἐξ ἐκείνου Ἀθηναῖοι ἔτι καὶ νῦν τῇ θεῷ ἑορτὴν δημοτελεῖ ποιοῦσιν. ...

Attica ... was always organised in cities which had their own *prytaneia* and officials, and whenever they were not afraid of anything they did not go together to the king to deliberate but they ran their affairs and deliberated separately. Sometimes some of them even went to war [*sc.* against the king], as the Eleusinians with Eumolpus did against Erechtheus. But when Theseus became king, since as well as being intelligent he was powerful, he organised the territory in general, and in particular he dissolved the council houses and offices of the other cities, and combined [*synoecised*] them all into the present city, designating one council house and *prytaneion*; and he compelled them, while attending to their own affairs as before, to use this as their one city, which with all of them contributing to it became great and was handed on by Theseus to his successors. As a result of what he did the Athenians still now celebrate the *Xynoikia* as a publicly-funded festival for the Goddess [*sc.* Athena]. ...

τῇ τε οὖν ἐπὶ πολὺ κατὰ τὴν χώραν αὐτονόμῳ οἰκῆσει μετείχον οἱ Ἀθηναῖοι, καὶ ἐπειδὴ ξυνωκίσθησαν, διὰ τὸ ἔθος ἐν τοῖς ἀγροῖς ὅμως οἱ πλείους τῶν τε ἀρχαίων καὶ τῶν ὕστερον μέχρι τοῦδε τοῦ πολέμου γενόμενοί τε καὶ οἰκῆσαντες οὐ ῥαδίως πανοικεσία τὰς μεταναστάσεις ἐποιοῦντο.

The Athenians, then, for the most part lived in independent settlements in the country, and even after their *synoikismos* most of the ancients and of those later until this war still adhered to custom and lived in the countryside, so that they did not find it easy to migrate with their whole households [*sc.* at the beginning of the Peloponnesian War].

What was envisaged by Thucydides (but not by all writers⁶) was an institutional *synoikismos*, by which all power was to reside in the *polis* of Athens, but not a physical *synoikismos*, by which the people were to be moved from their existing

⁶ For a physical transportation of the people to Athens see, e.g.: (Plut. *Thes.* 24. I).

homes to the city and its vicinity: He remarks that, because most of the Athenians had continued to live in their traditional homes in the various parts of Attica, when they did move into the city in the face of the Spartan invasions they were abandoning what was “nothing other than their own *polis*” (Thuc. II. 14. ii, 16).

We know, as the classical Athenians did not, that there was not a continuous progression from the bronze age to the archaic and classical periods but that the bronze age was followed by a dark age – not as dark as it seemed half a century ago, in that we now know more about the period and know that there was not as great a decline in every part of Greece as used to be believed, but still a decline from the Mycenaean civilisation of the bronze age into a period for which less information is available and in which there were fewer people and their life was more primitive. Whatever the political organisation of Attica in the Mycenaean period may have been, it did not continue uninterrupted to the archaic period: Athens itself probably remained continuously occupied, but other sites in Attica did not, and it is now thought that the dispersal of the population across Attica in the archaic period was a result of outward expansion from Athens at the end of the dark age (Roebuck 1974: 488–489; Snodgrass 1977: 16–21; for doubts about the continuous occupation of Athens see: Diamant 1982: 38–47).

The recoverable history of archaic Athens begins in the late seventh and early sixth centuries with Cylon (who tried but failed to become a tyrant), Draco (who gave Athens its first written laws) and Solon (who brought in measures aimed at striking a fair balance between the advantaged and disadvantaged). By then the population was dispersed in settlements across Attica; there were various local associations and loyalties, but Athens was the only *polis*, the home of the institutions which claimed power over the whole of Attica. The tyranny of Pisistratus, continued by his sons (561/0–511/0), represented the seizure of power in Athens by one of the *hyperakrioi* (Hdt. I. 59. iii:)⁷, by a man from beyond the hills surrounding the central plain of Athens in which most of the families which were important in the affairs of the *polis* lived. The tyranny will have done something to strengthen Athens and weaken the localities: the rule of a tyrant would in general be bad for the other aristocratic families and for the power which they exercised in their own localities, and we have a concrete instance of this in Pisistratus’s *dikastai kata demous*, officials sent out from Athens to decide lawsuits in the localities, where previously many disputes had probably been handled by the local aristocrats (*Ath. Pol.* 16. V).

After the end of the tyranny, rivalry between Cleisthenes and Isagoras concluded in the creation, by Cleisthenes, of a new articulation of the citizen body, in tribes, *trittyes* and demes. There were precedents for such new articulations – in Sparta the Great Rhetra had combined the Dorian tribes with local obes (Plut. *Lyc.* 6. ii–iii); in Corinth the Dorian tribes were replaced by eight new tribes, probably

⁷ Pisistratus was from Brauron, in the middle of the east coast ([Pl.] *Hipparch.* 228 B 4–5, Plut. *Sol.* 10. iii), and Herodotus’s *hyperakrioi* is more likely to be right than the (*Diakrioi* of *Ath. Pol.* 13. Iv) and later writers.

on the fall of the Cypselid tyranny (Nic. Dam. *FGrH* 90 F 60. i–ii, Phot. πάντα ὁκτώ) – but the size of Attica enabled Cleisthenes to devise a particularly elaborate organisation: local settlements were institutionalised as demes; demes were grouped to form *trittyes* (“thirds” of tribes), sometimes naturally but sometimes unnaturally; and *trittyes* were assigned to the ten tribes in such a way that each tribe contained one *trittys* from each of the three regions (*Ath. Pol.* 21. iv). One result of this was to continue the process of centralisation which was already taking place under the tyranny, by “mixing up” the people (as *Ath. Pol.* 21. ii says) and cutting across many of the old local loyalties⁸. Another result, however, was to reinforce local attachments: while all of the tribes and some of the *trittyes* were artificial constructions, the demes (as far as we can see) were natural local units, and while they had already existed as centres of habitation they were now given an institutional existence and an important role in the working of the Athenian state. Indeed, when we ask how it was that by proposing this new articulation Cleisthenes became more popular than his rival Isagoras, the most plausible answer which has been suggested is that Cleisthenes was offering the citizens a constitutional form of local government as well as *polis* government⁹.

I return to Theseus. The new tribes were given names derived from heroes, allegedly chosen by the Delphic oracle from a longer list: four of those chosen were legendary kings of Athens, including Theseus’s father Aegeus; another was Theseus’s son Acamas, not considered to have become king after him; but Theseus himself was not used (*Ath. Pol.* 21. vi)¹⁰. I remarked above that Theseus seems to have supplanted Heracles as Athens’ most popular hero at the end of the sixth century. It is dangerous to postulate links between crucial points in political history and changes of other kinds, but here a link does seem plausible. The legendary *synoikismos* is presupposed by our text of the *Iliad*’s catalogue of ships, in which the contingent from Attica is attributed solely to Athens; and the Synoecia festival is presumably pre-Cleisthenic, since the sacrifices at it were performed by one of the four old tribes¹¹. While it was in general convenient to have a story which explained why the Athenians lived in a large number of local settlements but those settlements were all components of a single great *polis*, the story was particularly convenient for Cleisthenes. Even though Theseus was said to have abolished local government whereas Cleisthenes created a new form of local government, I think Cleisthenes could well have cited the alleged *synoikismos* of Theseus as a precedent for his own new organisation of Athens and its citizens, by which the demes became components of the great *polis*; and in that case it was not appropriate to attach the name of Theseus himself to one of the tribes, since he was the hero of

⁸ For a study of Cleisthenes’s organisation from this point of view see: (Lewis 1963: 22–40).

⁹ More popular: (Hdt. V. 66. ii, 69. ii, *Ath. Pol.* 20. i–ii); local government, cf.: (Headlam 1891: 165–168).

¹⁰ The heroes (with kings of Athens in capitals) were ERECHTHEUS, AEGEUS, PANDION, LEOS, ACAMAS, OENEUS, CECROPS, HIPPOTHOON, AJAX, ANTIOCHUS.

¹¹ Catalogue of ships: (Hom. *Il.* II. 546–56); Synoecia, cf.: (Parker 1996: 13–14, 112–113).

Athens and its whole structure, but it was appropriate to include his father and one of his sons among the heroes of the individual tribes (cf.: Connor 1970: 150; Kearns 1989: 80–91, 117–119¹²).

Although Walker doubts a specific link with Cleisthenes, he does see Theseus's *synoikismos* as a precedent for a later development. Thucydides's mention of Theseus's *synoikismos*, institutional but not physical, is made in connection with the physical *synoikismos* in 431 at the beginning of the Peloponnesian War, when Pericles ordered the Athenians to abandon the countryside and to migrate inside the fortified area of Athens and the Piraeus. That was the logical conclusion of Themistocles's naval policy and fortification of the Piraeus, and of the building of the long walls in the middle of the fifth century, making Athens as nearly an island as it could be (Walker 1995: 195–197)¹³. Walker comments that "Thucydides seems to approve of Themistocles and Pericles", but "seems to wonder whether the path of glory was really the best one for Athens in the long run, ... whether even the synoecism of Theseus might not have been gained at too high a price". In interpreting Themistocles and Pericles as going beyond Theseus I am sure Walker is right, but I doubt his further judgment. Thucydides was sufficiently human to acknowledge the distress of those who were uprooted from their traditional homes; but Theseus, Themistocles and Pericles are three of the four individuals whom Thucydides praises as *xynetos*, "intelligent"¹⁴; it seems clear to me that he did admire Themistocles and Pericles, and that he did think that Pericles's policies for Athens in the war (or at any rate what he took to be Pericles's policies) were the right policies (Thuc. II. 65. v–xiii): I do not see the criticism which Walker sees.

Theseus in the fifth century

During the fifth century, whether or not Theseus had been invoked as a predecessor of Cleisthenes, he became an Athenian hero of an uncontroversial kind. One of his legendary ordeals had involved capturing a bull which was wreaking havoc in the area of Marathon (e.g. Plut. *Thes.* 14.I). He was believed to have had an epiphany at the battle of Marathon against the Persians in 490 to help the Athenians: it was commemorated by a painting in the Stoa Poikile; the Marathon monument at Delphi, near the lower end of the sacred way, included Theseus amongst

¹² Walker (Walker 1995: 46–47, 54) comments on Cleisthenes's virtual foundation of a new *polis* (Walker 1995: 54), but doubts any particular link between either Pisistratus or Cleisthenes and Theseus (Walker 1995: 46–47).

¹³ Naval policy: (Thuc. I. 14. 3); Piraeus: (I. 93. iii–vii); long walls: (I. 107. I); Pericles: (II. 13. ii, 14–17, 62. ii–iii), cf.: ([Xen.] *Ath. Pol.* ii. 14–16). V. Goušchin (Goušchin 1999: 168–187) sees the evacuation of Athens in 480 and the return in 479, and the building of the long walls, as stages in an on-going *synoikismos* in connection with which the Athenians invoked Theseus.

¹⁴ Theseus: (Thuc. II. 15. ii); Themistocles: (I. 138. ii cf. iii); Pericles: cf.: (II. 34. vi); also Archidamus: (I. 79. ii).

its statues; and the Athenian treasury at Delphi (built possibly after Marathon, possibly before, but with an inscribed base commemorating Marathon added below it) depicted the exploits of Theseus and of Heracles¹⁵. In 480, when Athens was evacuated as the Persians approached again, one of the places to which women and children were sent was Troezen, and it has been suggested that this was the time when Troezen first came to be regarded as Theseus's birthplace¹⁶.

It was Cimon, later to be the opponent of Ephialtes and his democracy, who in 476/5 brought what was said to be the skeleton of Theseus from Scyros to Athens and set up a new *heroion* to house it (e.g. Plut. *Thes.* 36. i–iv, *Cim.* 8. iii–vii; Thuc. I. 98. ii)¹⁷. When Cimon and his fellow generals were invited to supplant the regular judges of the tragedies in 468 and awarded the prize not to Aeschylus but to Sophocles, it may be that Sophocles's plays were so clearly better that the decision was uncontroversial, but political explanations have been put forward: that Aeschylus was strongly connected with Cimon's opponents, Themistocles and Pericles; and that Sophocles's successful plays included his *Aegeus*, which reinforced the importance of Theseus in Athens after the Persian Wars, and that Cimon was capitalising on that (*Marm. Par. FGrH* 239 A 56, Plut. *Cim.* 8. viii).

Nevertheless, Theseus was not seen as particularly associated with Cimon, but after Cimon's clash with Ephialtes and ostracism in 462/1 he continued to be honoured in post-Ephialtic Athens. Statues were set up on the acropolis of Theseus lifting the rock to retrieve his father's sword, and of Theseus and the Minotaur¹⁸. In the Parthenon, the shield on Pheidias's statue of Athena depicted the battle against the Amazons, and a character said to have resembled Pericles may have been Theseus¹⁹. Stories of Theseus were depicted on the frieze of the temple of Poseidon at Sunium; and the temple overlooking the agora, though it is now believed to be not a Theseum but a Hephaesteum, again depicted stories of Theseus, and in its friezes Theseus was shown in a pose resembling that of the tyrannicide

¹⁵ Epiphany and Stoa Poikile: (Pl. *Thes.* 35. Viii; Paus. I. 15. Iii); Marathon monument, said to be from spoils of Marathon but work of Pheidias: (Paus. X. 10. i–ii) with U. Kron (Kron 1976: 215–219), E. Kearns (Keams 1989: 81); treasury, from spoils of Marathon: (Paus. X. 11. V), for divergent modern views see Walker (Walker 1995: 52, 73, n. 127), and for more recent references, argument for an early date, and a suggested new arrangement of the metopes, but keeping the exploits of Theseus on the prominent south side see R. von den Hoff (Hoff 2009: 96–104); on Theseus in vase paintings and on buildings see also von den Hoff (Hoff 2010: 161–188).

¹⁶ (Hdt. VIII. 41. I) mentions Troezen without comment; the “decree of Themistocles” inscribed in Troezen in the early third century, mentions (with a lacuna which cannot reliably be filled) Troezen and “the *archegetes* of the land”. Theseus's birthplace: (Calame 1996: 423; Walker 1995: 55).

¹⁷ The latter mentions the capture of Skyros but not the skeleton of Theseus. Whether Cimon founded a totally new sanctuary or had the *heroion* built in an already-existing sanctuary has been disputed, see: (Walker 1995: 21–22, 57–58).

¹⁸ Sword: (Paus. I. 27. viii) with Brommer (Brommer 1982: 2); Minotaur: (I. 24. i) with Brommer (Brommer 1982: 49–53).

¹⁹ See: (Paus. I. 17. ii; Plut. *Per.* 31. iii) with Connor (Connor 1970: 167–171). But S. Mills (Mills 1997: 104), doubts whether Pericles was represented.

statues²⁰. The *akroterion* of the Stoa of the Basileus in the agora which depicted Theseus hurling Sciron into the sea perhaps belongs to work done in the third quarter of the century²¹. The paintings attributed to Parrhasius, active in the time of the Peloponnesian War, included Theseus and a *Demos*, and Robertson suggested that they were parts of the same composition, perhaps even displayed in the Stoa of Zeus before the fourth-century paintings of Euphranor²².

With that I turn to democracy. The earliest political distinction made by the Greeks was between the despotic rule of a tyrant and constitutional government, and I believe that is the distinction which Herodotus had in mind when he wrote that in 492 the Persian Mardonius replaced the tyrannies in the cities of Ionia with “democracies” (Hdt. VI. 43. iii). The three categories of rule by one man, rule by a few and rule by the many first appear in Pindar’s *Second Pythian*, perhaps of 468 (Pind. *Pyth.* ii. 87–8)²³; and we probably see the recent coinage of the word *demokratia* reflected in the “powerful hand of the *demos*” lifted up to vote (*demou kratousa cheir*) in Aeschylus’s *Supplices*, perhaps of 463²⁴.

The origins of Athenian democracy

When and by whom Athens was made democratic has been debated by modern scholars as well as by ancient Greeks²⁵. Solon makes it clear in his poetry that he envisaged an Athens in which the *demos* had a part to play, but was expected to follow its leaders; and I agree with *Ath. Pol.* and Aristotle in the *Politics* that he laid the foundations for democracy but did not intend all that was built on those foundations²⁶. Cleisthenes until he came up with his proposals for new tribes, *trittyes* and demes had not cultivated the *demos*; he probably used words with the *iso-* root, meaning “equal” or “fair”; and, while the degree of popular participation which the working of his new political machinery required certainly prepared the

²⁰ Sunium: (Brommer 1982: 70); Hephaesteum: (Morgan 1962: 226; Thompson, Wycherley 1972: 147–148). Taylor (Taylor 1991: 42–46, 58–60) argues that in vase paintings Theseus appears in tyrannicide pose from c. 460; but he plays down and Mills (Mills 1997: 28–29) stresses the fact that Theseus was already depicted in such a pose once and Heracles several times in the late sixth century.

²¹ See: (Paus. I. 3. i) with T.L. Shear, Jr.: (Shear 1971: 250).

²² Date: (Quint. *Inst.* XII. x. 4); Theseus and *Demos*: (Plin. *H.N.* XXXV. 69; Plut. *De Glor. Ath.* 346 A–B); in Stoa of Zeus, see: (Robertson 1981: 152).

²³ Date: (Bowra 1964: 410).

²⁴ (Aesch. *Supp.* 604; 464/3) depends on the restoration of the archon Ar[chedemides] rather than ar[chontos —] in (*P. Oxy.* xx. 2256 fr. 3), but that fragment shows in any case that the play was produced in competition against Sophocles, who allegedly first competed in 469/8 (*Marm. Par. FGrH* 239 A 56, Plut. *Cim.* 8. viii).

²⁵ See, conveniently: (Raaflaub, Ober, Wallace 2007), in which different contributors champion the claims of Solon, Cleisthenes and Ephialtes to be the founder of the democracy.

²⁶ *Demos* to follow leaders: (Solon fr. 6 West *ap. Ath. Pol.* 12. ii; cf.: frs. 5 *ap.* 12. i, 37 *ap.* 12. V); building on Solon’s foundations: (*Ath. Pol.* 9. ii; Arist. *Pol.* II. 1274 A 5–21).

citizens for democracy, it is arguable that as with Solon this was a consequence which he did not intend, and that his idea of fairness involved undermining old structures in which his Alcmaeonid family was at a disadvantage compared with other aristocratic families and creating new structures in which the Alcmaeonids would be at an advantage²⁷. I therefore join those who date the emergence of the concept of democracy to the 460's and who regard the reform of the Areopagus by Ephialtes in 462/1 as the first reform in Athens which had the deliberate intention of making Athens more democratic.

Aeschylus in his *Supplices* does not feature Athens or Theseus, but he does project back into the heroic period the principle of democratic government: when Danaus and his daughters appeal to the king of Argos, he insists in spite of their protests that, powerful though he is (Aesch. *Supp.* 398–9 cf. 252, 255, 259), he will entrust the decision to the citizens; and, when the “powerful hand of the *demos*” is lifted up to vote, the result is a decree of the Argive assembly, *edoxen Argeioisin* (Aesch. *Supp.* 234–624). In the *Eumenides* of 458, which does feature Athens, the council of the Areopagus is created as a homicide court (a function which it retained after Ephialtes's reform) to try Orestes for the killing of Clytemnestra (Aesch. *Eum.* 681–710); Theseus's sons are once mentioned, but the Athens of this play is not noticeably monarchic²⁸. In Sophocles's *Antigone* Creon insists on his absolute right to make decisions for Thebes, but in Haemon's dialogue with him Haemon cites the opinion of the people of Thebes, and remarks bitterly that no city is the property of one man and that Creon would be a fine king of a deserted land (Soph. *Ant.* 718–65).

In three early plays of Euripides, which do not survive²⁹, *Aegeus*, *Theseus* and *Sciron*, stories of Theseus's ordeals were told; and in the surviving *Hippolytus*, of 428, Theseus appears as king of Athens and father of Hippolytus, and essentially is still the archaic Theseus of the ordeals, though he becomes a model Athenian at the end of the play. Mills remarks that in this play Theseus is not a representative of Athens and its virtues as he is in the other plays (Mills 1997: 221). In the *Heraclidae*, of c. 430, Theseus's son Demophon is *tyrannos* or *anax* of a land which reveres freedom, and says, “I do not possess a *tyrannis* like that of the barbarians, but if I act justly I shall be treated justly” (Eur. *Hclid.* 111–5, 423–4). In the *Madness of Heracles*, of c. 417, Heracles is the archaic hero who has to be redeemed, and Theseus is the member of the civilised world of reciprocal relationships who brings about his redemption.

²⁷ *Demos* not previously cultivated: (Hdt. V. 69. ii; cf. 66. ii, *Ath. Pol.* 20. I). *Isegorie*: (Hdt. V. 78); *isokratia*: (V. 92. a. i); *isonomia*: (cf. Persian debate III. 80. vi, 83. i; Samos III. 142. Iii; Miletus V. 37. Ii; the Harmodius scolia *P.M.G.* 893, 896 *ap.* Ath. XV). 695 A–B: see: (Ostwald 1969: 96–160). Cleisthenes's intentions, e.g.: (Forrest 1960: 233–234; Lewis 1963; Ostwald 1969: 153–157).

²⁸ Theseus's sons: (Aesch. *Eum.* 402); not noticeably monarchic: (Anderson 2007: 113–114).

²⁹ On Theseus in Euripides's plays other than *Supplices* see: (Walker 1995: 113–141; Mills 1997: 129–159, 186–221).

Euripides's *Supplices* is probably to be dated c. 422, before the *Madness of Heracles* but after the other plays cited (e.g.: Euripides 1975: 10–11; Walker 1995: 143–169; Mills 1997: 97–104). Adrastus and the women of Argos go to Eleusis as suppliants to seek burial for the Seven who died in their attack on Thebes. They first encounter Theseus's mother Aethra, who summons Theseus; at first he is unsympathetic, Aethra then persuades him to agree to the request, but he proposes that they must gain the approval of "the whole city", saying that he has established the city as *monarchos*, freeing it and making it equal in voting (*isopsephos*), and he is confident that the city will decide as he wants (but also that his arguments will increase the likelihood of that). The chorus anxiously wonders what the *polis* will ordain – and presumably the assembly does vote as Theseus wants (Eur. *Supp.* 1–380). When he is about to send a herald to Thebes (Eur. *Supp.* 381–394), a herald from Thebes arrives and the discussion between him and Theseus begins with a notorious passage on the governance of Athens: the herald asks for the *tyrannos* of the land; Theseus replies that the city is not ruled by one man but is free, that the *demos* rules through yearly rotation and the rich do not have more power than the poor; the herald criticises the principle of rule by the many poor; Theseus in reply criticises monarchy and defends the principles of equal power for rich and poor and freedom of speech for all (Eur. *Supp.* 395–466). Discussion then turns to the claims of the suppliants; when neither man has given way and the herald has departed, Theseus orders a military expedition, with no further reference to the right of the people to decide (Eur. *Supp.* 467–617). The Athenians are victorious; the bodies are retrieved; at the end of the play Theseus hands over the remains as a gift from himself and the *polis* (Eur. *Supp.* 1168); he asks the Argives for their gratitude, but Athena persuades him to go beyond that and demand an oath of alliance (Eur. *Supp.* 1169–1234).

Forty years after Aeschylus's *Supplices* and *Eumenides*, this representation of a Theseus who is still king but in a democratic city is noteworthy but not shocking: as Mills puts it, "the democratization of the mythical polis is a natural result of the thought patterns of the period" (Mills 1997: 101). Euripides does not go beyond Aeschylus in giving citizens the right to decide. He does go further in inserting an explicit debate on the merits of monarchy and democracy; but by the time of Euripides's play the polarisation of the Greek world between Athens and Sparta had been accompanied by a polarisation between democracy and oligarchy, and probably by then Herodotus was dead, and his anachronistic debate on democracy, oligarchy and monarchy in Persia in 522 had been written and may well have been known³⁰.

³⁰ Polarisation, e.g.: (Thuc. III. 82. i). Herodotus's death, latest reference to an episode in 430 (VII. 137. iii cf. Thuc. II. 67); possible parody in: (Ar. *Ach.* 515–29), not proof that the history was finished and Herodotus was dead; but knowledge of Athens' expulsion of Aeginetans in 431 but not of killing of Aeginetans at Thyrea in 424 (VI. 91. i cf. Thuc. II. 27, IV. 57) – but some put the end of his work and his death later, e.g. C.W. Fornara (Fornara 1971: 25–34). Persian debate: (Hdt. III. 80–2).

Theseus's last appearance in fifth-century tragedy is in Sophocles's *Oedipus at Colonus*, written shortly before Sophocles's death in 406/5 and produced in 401 by his grandson. In this play Theseus is a king, and there is no suggestion of his needing to consult the people; but here there is an anachronism which seems to be a counterpart of Euripides's anachronism: while in Euripides's *Supplikes* the Theban herald asked for the king and had to be told (by the king) that Athens was not subject to a king, at the beginning of the play, when Antigone has brought Oedipus to Colonus and they meet one of the local men, Oedipus asks him, "Does some man rule them, or is there discussion among the masses?" [is this a monarchy or a democracy?], and the man replies, "Things here are ruled by the king in the city [*asty*]". In spite of that, the man then proceeds to consult not the *asty* but the *demotai* of Colonus about the reception of Oedipus. The *demotai* tell Oedipus to leave the sacred land and speak in their assembly, and at first they promise not to expel him, but when he reveals his identity they order him to leave. After appeals from Antigone and Oedipus they say the king must decide (Soph. *O.C.* 36–309)³¹. However, when Theseus appears, he takes no notice of the *demotai*, but expresses sympathy and asks Oedipus what request he wishes to make of the *polis* and of himself (Soph. *O.C.* 556–60). When Creon arrives and tries to reclaim Oedipus for Thebes, Theseus rebukes him for intruding on a *polis* which practises justice and accomplishes nothing without law; Creon invokes the power of the Areopagus; but with the support of the chorus Theseus himself decides in Oedipus's favour (Soph. *O.C.* 728–1043).

There is one mention of Theseus in the surviving comedies of Aristophanes: in the *Frogs*, when Dionysus expresses surprise that he will have to pay Charon two Athenian obols to ferry him across Acheron to the underworld, Heracles explains that Theseus took the Athenian currency there. Probably this was prompted simply by the thought that Theseus was the one Athenian who was said to have visited the underworld³². However, when we look at Plutarch's *Theseus* we find that another innovation attributed to Theseus is coinage, bearing the image of an ox (which could be explained in various ways with reference to Theseus) –and whoever invented that was probably aware that the head of an ox was one of the images used on the obverse of the earliest actual coins of Athens, the *Wappenmünzen*, now generally believed to have been introduced shortly before 550 (Plut. *Thes.* 25. iii; illustrated e.g. Ward 1970: 146; Kraay 1976: pl. 9 n. 170)³³.

In the second half of the fifth century there is no sign of the democratic Theseus in other writing: he is mentioned by Herodotus only in connection with the capture of Helen, by Thucydides only in connection with the *synoikismos* as an in-

³¹ On the political dimension of this play see Walker and Mills (Walker 1995: 171–172; Mills 1997: 160–185).

³² See: (Ar. *Ran.* 139–42) with B.B. Rogers in: (Aristophanes 1902: 25), A.H. Sommerstein in: (Aristophanes 1996: 168–169).

³³ Cf.: (Philoch. *FGrH* 328 F 200), referring to the coins which preceded the Owls and not suggesting a link with Theseus.

stitutional but not a physical change; and Hellanicus is known only to have mentioned his exploits as the Athenian counterpart of Heracles³⁴. It is therefore remarkable that in the fourth century the democratic Theseus whom we first found in Euripides's *Supplikes* has entered the mainstream.

Theseus the democrat in the fourth century

From the Atthidographers (writers of the histories of Athens) subsequent to Hellanicus we have no fragment concerning the *synoikismos* or Theseus as a democratic king until we come to the last of them, Philochorus (fourth/third century): Strabo cites him for Cecrops's organisation of the Athenians into twelve cities and Theseus's combination of them into "the present single city"; and there is perhaps a hint of the democrat in a fragment from Plutarch's *Theseus*, in which Theseus went to capture the bull of Marathon because he wanted to be active and because he was *demagogon*, seeking popular support³⁵. In another historical tradition, the fourth-century historian Ephorus is probably the source of Diodorus's statement that when Theseus succeeded Aegeus he ruled the masses lawfully (*nomimos*) and did much to increase the fatherland; his most conspicuous achievement was that the many small demes were transferred into Athens, as a result of which the Athenians became ambitious (Diod. Sic. IV. 61. viii–ix).

There is no mention of Theseus in Aristotle's *Politics*³⁶; but by the time of the *Athenaion Politeia* produced in his school (originally written in the late 330's (Rhodes 1981: 51–58)) some flesh had been put on the bones of the democratic Theseus. The opening chapters of the work have not survived, but the list of constitutional changes which ends the historical part has as its first change the settlement of Ion and those with him, and the division of the people into the four tribes and the creation of the tribal chiefs, the *phylobasileis*, and then as the second change that of the time of Theseus, "involving a form of constitution, ... deviating slightly from monarchy"³⁷. Wade-Gery made a good case for believing that the fragment which mentions the four tribes and their subdivisions, and a twofold division into farmers and craftsmen (*georgoi* and *demiourgoi*) is from *Ath. Pol.*'s account of Ion, while the fragment from Plutarch's *Theseus* refers to Theseus, mentioning a proclamation summoning the people on the basis of equality, a threefold division into well-born (*eupatridai*), farmers and craftsmen, with appropriate rights for each, and that he was the first to incline towards the mob,

³⁴ Helen: (Hdt. IX. 73. li); *synoikismos*: (Thuc. II. 15. i–ii, 16. i (quoted above)); Hellanicus: (FGrH 323a FF 14–20 (mostly from Plut. *Thes.*)), with Walker (Walker 1995: 199–201).

³⁵ *Synoikismos*: (Philoch. FGrH 328 F 94 *ap.* Strabo 397 / IX. i. 20: cf. above); *demagogon*: (F 109 *ap.* Plut. *Thes.* 14).

³⁶ There are a few references in Plato, and in Aristotle's *Rhetoric*, to parts of the legend which do not concern this investigation.

³⁷ ἔχουσα πολιτείας τάξιν, ... μικρὸν παρεγκλίνουσα τῆς βασιλικῆς (*Ath. Pol.* 41. ii).

and to give up monarchic rule. It is for the last point, inclination towards the mob, that Plutarch explicitly cites “Aristotle”, and it may well be that not all of the rest is based directly on *Ath. Pol.*, but the proclamation must have been in *Ath. Pol.*, since it is mentioned in the *Epitome of Heraclides*³⁸. Plutarch mentioned the *synoikismos* in the previous chapter, and links the proclamation with Theseus’s inclination towards democracy, but the story of the proclamation may well originally have belonged to the *synoikismos* rather than to the moderation of the monarchy (cf.: Wade-Gery 1931: 6, n. 2, 93, n. 2). As for how Theseus “deviated slightly from monarchy”: he clearly did not abolish or resign from the kingship, since it was agreed that the kingship continued for a long time afterwards, but it was probably supposed that by creating a separate caste of the *eupatridai* (“well-born”), with defined privileges, he had converted the kingship into something less than an absolute monarchy, and this was represented as the first step in the development from monarchy to democracy.

Later, in the *Characters* of Aristotle’s pupil Theophrastus, the Oligarchic Man refers to Theseus in a passage which unfortunately is corrupt (Theophr. *Char.* 26. v Diggle):

καὶ εἰπεῖν ... ὡς “μισητὸν τὸ τῶν
δημαγωγῶν γένος”, τὸν Θησέα πρῶτον
φῆσας τῶν κακῶν τῇ πόλει γεγονέναι
αἴτιον· τοῦτον γὰρ ἐκ δώδεκα πόλεων
εἰς μίαν ἠκαταγαγόντα ἠλυθείσας
βασιλείας, καὶ δίκαια αὐτὸν παθεῖν·
πρῶτον γὰρ αὐτὸν ἀπολέσθαι ὑπ’
αὐτῶν.

And he says ... that “The race of
demagogues is hateful”, claiming that
Theseus was the first man responsible
for the evil they have done to the
city: for he brought into one from the
twelve cities * * * the abolition of the
kingship; and he suffered justly, for he
was the first man to be destroyed by
them.

Theseus’s destruction by the demagogues is elucidated by Plutarch (the story was told also in the lost beginning of *Ath. Pol.*, but we do not know in what version or with how much detail (*Ath. Pol.* fr. 4 Chambers, *Epit.* 1)). While Theseus was out of Athens in pursuit of Helen, Menestheus, “said to be the first man to aim at demagogy”, stirred up the leading men of Athens, who were hostile to Theseus because his *synoikismos* had deprived them of their local power, and provoked the many by suggesting that the *synoikismos* had harmed them also, separating them from their homes and sanctuaries, and replacing their local rulers with subjection to the foreigner Theseus. Then Athens was attacked by Helen’s brothers, whom Menestheus represented as enemies only of Theseus, not of Athens. Theseus returned to Athens, but found himself unpopular and was overwhelmed by demagogy and *stasis*, so eventually he withdrew to Scyros, where he was killed. Menestheus then became king, but after his death in the Trojan War Theseus’s sons recovered the

³⁸ Frs. 2 Chambers (*ap. Lex. Patm.* γεννήται, schol. [Pl.] *Axioch.* 371 D, etc.), 3 (*ap. Plut. Thes.* 25. iii), *Epit.* 1, with H.T. Wade-Gery (Wade-Gery 1931: 2–6).

kingdom (Plut. *Thes.* 31–5)³⁹. That is a story which would allow those who wanted to give the credit for Athens' democracy to a later man to claim that the early democracy of Theseus did not survive after his death.

One version of the story of Theseus's removal from Athens involves a precedent for another institution of the classical period, ostracism. Some late texts, apparently derived from Theophrastus, claim that Theseus was ostracised, perhaps having himself introduced ostracism, at the instance of a man called Lycus. Raubitschek suggested that Theophrastus himself had used the verb "ostracise" metaphorically of Theseus's withdrawal from Athens but was misunderstood by the scholiasts and lexicographers who made use of him⁴⁰. Lycus seems to have been imported into the story from Lycus the son of Pandion (who had fled to Asia Minor when his brother Aegeus drove him out), and – if that is a different character – the Lycus who had a sanctuary near the lawcourts⁴¹. However, the fact that Theseus and the Minotaur appear on one side of a vase of the first half of the fifth century and Lycus the son of Pandion with two of his brothers (but Menestheus's grandfather Orneus instead of Aegeus, the third) on the other side does not prove, as Connor thought, that the association of a man called Lycus with Theseus's withdrawal from Athens had been made as early as then⁴².

If we look beyond Theophrastus, in the third century the historical chronicle inscribed on the Parian Marble recorded Theseus's *synoikismos* of the twelve cities and his giving Athens a constitution and the democracy (*Marm. Par. FGrH* 239 A 20).

The adoption of the democratic Theseus as serious history

How did this democratic Theseus enter the tradition? Behind what we have in *Ath. Pol.* presumably lies one of the *Atthides*. Ruschenbusch, who accepted Jacoby's dates and political characterisations for the *Atthides*⁴³ and who had a somewhat mechan-

³⁹ Prof. Sekunda reminds me that a son of Iphicrates, born c. 386 (Davies 1971: 249–251), was one of the first historical Athenians to be given that name (cf. *L.G.P.N.* ii, *s.n.*), and wonders what lay behind the choice (cf.: Sekunda 1994: 303–306); my own guess would be that the legendary Menestheus's having commanded the Athenians in the Trojan War provides the likeliest explanation.

⁴⁰ Theophr. fr. 131 Wimmer *ap. Suda* (α 4101 Adler) ἀρχὴ Σκυρία, schol. Ar. *Plut.* 627 = *Suda* (θ 368) Θησεῖοισιν, schol. Aeschin. III. *Ctesiphon* 13 (41 Dilts), schol. Aristid. iii. 688 Dindorf, Hieron. 58. Helm: see A.E. Raubitschek (Raubitschek 1958: 78, n. 3).

⁴¹ Lycus the son of Pandion (*RE* xiii [1927], 2399–2401, Lykos 21), e.g.: (Hdt. I. 173. iii; cf. VII. 92); Lycus the law-court hero (*RE* xiii, 2398–9 Lykos 20): (Ar. *Vesp.* 387–394, 818–823), with scholia and lexica: see A.L. Boegehold (Boegehold 1967: 111–115).

⁴² Athens, National Museum, Acropolis 2. 735 = Beazley, *A.R.V.*² i. 259–60 Syriskos Painter 1 = Beazley Archive vase 202955 (with photographs): Connor (Connor 1970: 161–162), suggests that the association is implied. (The vase is from a workshop whose iconography is often idiosyncratic, and whatever its purpose the substitution of Orneus for Aegeus is likely to be intentional rather than careless: I thank Prof. R.T. Neer for discussion of this).

⁴³ Characterisations, e.g. Jacoby (Jacoby 1949: 71–79). Jacoby's characterisations were taken to the limit by J.H. Schreiner (Schreiner 1968). Against them see P.E. Harding, in various publications

ical view of who was regarded as the founder of Athenian democracy and at which date, noticed the treatments of Theseus from c. 340 onwards, and concluded that it must have been the *Atthis* of Androtion in 343 which first attributed a “moderate democracy” to Theseus, Solon and Cleisthenes, and “radical democracy” to Aristides and Ephialtes, whereas Clidemus in 355 had said nothing significant about Theseus and Draco and had attributed a “radical democracy” to Solon and all his successors (Ruschenbusch 1958: 398–424, esp. 408–418). In fact, both the dates and the characterisations are insecure. For Clidemus we can be sure only that he wrote after 378/7, and the only partisan fragment that we have gives the credit to Themistocles for providing money to men leaving Athens before Salamis whereas *Ath. Pol.* gives the credit to the Areopagus⁴⁴. For Androtion the late date depends on the assumption that he wrote after he had gone into exile, which, if true at all, may not be true of the whole of his history; he was probably the son of Andron who under the intermediate régime of 411/0 proposed the trial of Antiphon and others, but again we have only one clearly biased fragment, the one which suggests that Solon’s *seisachtheia* was not a revolutionary cancellation of debts but merely a juggling with currency to reduce them⁴⁵. Plutarch cites Clidemus for a modernising view of Theseus and Minos and for an account of the battle against the Amazons (Clidemus *FGrH* 323 F 17 *ap.* Plut. *Thes.* 19. viii–x, F 18 *ap.* Plut. *Thes.* 27. iii–v); we have no evidence at all for Androtion’s treatment of Theseus. Either of them could have made Theseus a democratic king, but we do not know whether either of them, or indeed which out of all the Atthidographers, did so.

Oratory allows us to look to the beginning of the fourth century. In Lysias’s (II) *Epitaphios*, of the 390’s or 380’s, the remark that the Athenians “were the first people, and at that time the only ones, to have driven out the *dynasteiai* among them and to have established democracy” seems to be an allusion to the *synoikismos* and democracy attributed to Theseus (Lys. II. *Epitaph.* 17–18; with e.g.: Lysias 2007: 228). Theseus’s first explicit appearance in oratory is in Isocrates’s (X) *Helen*, written perhaps c. 380. Isocrates starts, not surprisingly, with Theseus’s capture of Helen; and then the fact that she was loved by such an outstanding man serves as an excuse for a digression on Theseus. He rivalled Heracles in his achievements, and his achievements were of greater benefit to the Greeks; and the account culminates in his administration of the *polis*. Unlike those who ruled their citizens by force and are therefore themselves afraid, who loot the temples of the gods and kill the best of the citizens, he showed how to rule (*tyrannein*) while being in no worse a position than those who engage in political life on an equal basis: he ac-

culminating in his *Androtion and the Atthis* (Androtiön 1994: 47–51), and P.J. Rhodes (Rhodes 1990: 73–81).

⁴⁴ Clidemus after 378/7, *symmoriai* mentioned in: (*FGrH* 323 F 8); Jacoby supposed this to have been written after: (Dem. XIV. *Symm.*); evacuation of Athens: (323 F 21 contr. *Ath. Pol.* 23. i).

⁴⁵ Androtion wrote in exile: (*FGrH* 324 T 14 *ap.* Plut. *Exil.* 605 c); Andron: (*IG* ii² 212. 8) with Craterus: (*FGrH* 342 F 5 *ap.* Harpocr. ‘Ανδρων (α 133 Keaney), [Plut.] X *Or.* 833 ε); *seisachtheia*: (*FGrH* 324 F 34 *ap.* Plut. *Sol.* 15. iii–iv).

complished the *synoikismos* which made Athens the greatest state in Greece, and he freed the citizens and created for them rivalry on an equal basis for *arete*, confident that he would himself surpass the others. Thus he made the *demos* master of the state, but the *demos* thought it right that he should rule alone, considering that his monarchy was more trustworthy and fairer than its democracy (Isoc. X. *Hel.* 18–37, esp. 31–7).

Apart from passing references to Heracles and Theseus in (I) *Demonicus* and in (V) *Philip* (Isoc. I. *Demonicus* 8, V. *Philip* 144) – Theseus makes no appearance in the (VII) *Areopagitic* – Isocrates deals with Theseus again only in the (XII) *Panathenaic*, written between 342 and 339. Athens' present constitution is inferior to that of our ancestors, but our fathers were compelled to adopt it because it was more suitable for naval power. In early times the words oligarchy and democracy were unknown, but monarchies were prevalent. It would have been better to deal with Theseus not in *Helen* but in this speech, so here Isocrates mentions only that Theseus, though he was a successful king, in the prime of his life handed over the city to the masses to administer – and these men despite their lack of experience established the best kind of democracy, based on entrusting positions of power to the best men, and this excellent system was retained until the age of Solon and the *dynasteia* of Pisistratus (Isoc. XII. *Panath.* 114–5, 119, 126–33, 148).

That substitutes aristocracy for the *demos*' return of power to Theseus, but otherwise does not add much to what Isocrates had said in *Helen*; but Ruschenbusch claimed that from this time onwards Theseus seems to acquire a new prominence. About the same time as the *Panathenaic*, Apollodorus in his speech *Against Neaera* ([Demosthenes] LIX), in connection with the duties of the *basileus* and his wife, remarked that originally there was a *dynasteia* in the city; and when Theseus had synoecised the Athenians and created democracy, the *demos* none the less continued to elect the *basileus* but enacted a law that his wife should be a citizen woman who had married him as a virgin ([Dem.] LIX. *Neaera* 74–6 (343–340)). The democratic Theseus makes one other appearance in subsequent oratory, in Demosthenes's (LX) *Epitaphios* after Chaeronea: one example of men in Athens' past who were willing to accept an honourable death is that the Aegeids, knowing that Theseus was the first to establish *isegoria* for the city, thought it would be dreadful to abandon his policy, and chose to die rather than save their lives and see the *isegoria* abolished (Dem. LX. *Epitaph.* 28 (338/7)). (In the scheme of Ruschenbusch, Androtion and after him Apollodorus and Isocrates made Theseus the founder of a moderate democracy, while Demosthenes annexed him for radical democracy (Ruschenbusch 1958: 417–418). I agree that Isocrates claimed Theseus for moderate democracy, but I do not think we can categorise the democratic Theseus of Apollodorus or Demosthenes.) Otherwise the democratic Theseus does not appear again in oratory, even in Lycurgus's *Against Leocrates*, where we might expect to find him, but as earlier it is Solon the democratic lawgiver who is put forward as the exemplar of the good old days (Aeschin. III. *Ctesiphon* 2, 108,

175, 257; Dem. XVIII. *Crown* 6, Hyp. III. *Athenogenes* 21–2; cf. from the 340's esp. Aeschin. I. *Timarchus* 25–7 and the rejoinder in Dem. XIX. *Embassy* 251–6).

It looks therefore as if there was a particular interest in the democratic Theseus in the years around 340. Ruschenbusch, as we saw, attributed this to Androtion's *Atthis*, dated by Jacoby to 343. I wonder if the stimulus was in fact the painting by Euphranor of Theseus, *Demokratia* and *Demos* in the Stoa of Zeus, with which I began this paper. Who asked for that painting, and why, we frustratingly do not know; if, as Robertson suggested, it was a replacement for an earlier painting by Parrhasius featuring Theseus and *Demos* (cf. above), then the choice will not in itself have been of great significance; but, if Humble's date of 343/2 for Euphranor's painting is at any rate approximately right, I think this could help us to understand why in the next few years the democratic Theseus appeared in Apollodorus's *Against Neaera*, Isocrates's *Panathenaic* and Demosthenes's *Epitaphios*, before subsequently losing prominence.

Conclusion

Overall, I think the development which we can trace is as follows. By the end of the sixth century Theseus was being built up as an Athenian counterpart of Heracles; he seems particularly to have grown in popularity at the end of the century, and it may well be that his alleged *synoikismos* had been invoked as a precedent for Cleisthenes's integration of the demes of Attica in the *polis* of Athens. In the first half of the fifth century his stature as an Athenian hero increased, helped by the alleged epiphany at the battle of Marathon of this hero who was already associated with Marathon. With Miltiades given the credit for the victory at Marathon, it was convenient that it was his son Cimon who brought the bones of Theseus from Scyros to Athens; but Theseus does not seem to have been perceived as the particular property of that family, and the popularity of Theseus was not affected by the political eclipse of Cimon.

As Athens became democratic, it came to be a habit of the tragedians which was accepted as unproblematic that democratic practices should be attributed to Greek cities of the heroic period, and so the democratic but monarchic Athens of Theseus in Euripides's *Supplikes*, in the 420's, was a natural sequel to the democratic but monarchic Argos in Aeschylus's *Supplikes*, forty years earlier. In fifth-century prose Theseus receives little attention: his *synoikismos* is referred to by Thucydides, but he is not yet described as democratic. It is possible, however, that the Theseus and the *Demos* painted by Parrhasius in the late fifth century were parts of the same composition.

In and after the fourth century the democratic Theseus is a serious element in Athens' history in prose. If Theseus had been invoked in the debate on the *patrios politeia* ("traditional constitution") in the arguments over the right form of government for Athens in connection with Athens' oligarchic revolutions, at the

end of the fifth century, that would help to explain the development, but although I should like to think that was what happened there is no evidence that it did. In any case, Euripides's dramatic convention must have been taken over as serious history by one of the Attidographers, but we do not know which of them was the first to do so. "Ruling the masses lawfully" suggests that by the middle of the century news of Theseus the democrat had reached Ephorus, and Theseus the democrat certainly featured in the *Ath. Pol.* After that he can be found in Theophrastus's *Characters*, in the *Parian Marble*, and from then onwards this became a regular part of the Theseus legend. In oratory he is implied in Lysias's *Epitaphios*, and makes an early appearance in Isocrates's *Helen*; otherwise there is a cluster of appearances in the years around 340, and I suggest that what stimulated interest in this aspect of Theseus at this particular time was Euphranor's painting of Theseus, *Demokratia* and *Demos* in the Stoa of Zeus.

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