

V. Conclusions

Was den Institutionen und
Gesetzen eines Landes Macht verleiht,
ist die Unterstützung des Volkes, die
wiederum nur die Fortsetzung jenes
ursprünglichen Konsenses ist, welcher
Institutionen und Gesetze ins Leben
gerufen hat.

(Hanna Arendt, *Macht und Gewalt*,
München ²1971, 42.)

Chronological Development of the Violence Discourse in Different Genres

When the city of Athens underwent a profound shift from archaic to classical times, a highly self-conscious recognition of what havoc civic violence could wreak led the Athenians to introduce a sophisticated court system, supplemented by a system of arbitration and the philosophical and ethical postulate of self-control. Despite the indubitable efficiency of these measures—the blood feud was abolished for good—they could not be enough to pacify Athens indefinitely, ensure the social control of outsiders, and stabilize the demanding norms of the democratic *polis*. Above all, disruptive emotions like hatred and the yearning for revenge could not be eradicated: whereas the official discourse under the democracy was moderate and civil—even on curse tablets people were not supposed to wish openly for the destruction of their opponents—feelings like envy, anger, and the desire to harm one's enemy, even to kill him, persisted underneath the polite surface. This unquenchable desire for revenge and violence was now written between the lines and, today, must be carefully elicited by us. What Athens experienced during the fifth and fourth centuries was a historically unique process of re-interpretation. Revenge was an all-pervasive concept in Greek culture; it permeated many aspects of social relations, even in Athens. For the Athenians, it became possible to satisfy the drive for revenge not through physical violence against a rival or enemy, but through the law courts, viewed as a means of revenge, through the use of binding magic, also seen as a means toward violence,

and through designing media like the courts and the theater to discuss the problems of violence and transmit a new civic and civil concept of citizenry to a broad audience.

Although the idea of vengeance plays a more prominent role in Antiphon than in later orators,¹ fourth-century forensic speeches do not fundamentally deviate from the system of values as embraced by Antiphon, Andocides, the speakers in Thucydides, or the characters in Euripides. What emerges clearly during the fourth century, however, is the clash between the archaic canon of values (the aristocratically shaped constant struggle for honor) and the more recent, civil discourse on *sôphrosunê* and *enkrateia* in the democratically constituted hoplite *polis*. It is not without reason that the word for private revenge and state-issued punishment is one and the same (*timôria*). The amnesty of 404/03 BCE reinforced the ideological insistence on temperance that had been ongoing from the early fifth century on.

How did the Athenians cope with this double standard, the tension between the official civil discourse of the *polis* and the more long-lived natural inclinations of personal impulses? Athens is unique in so far as negotiating the definition of violence and raising the question of legitimate violence took place in ritual venues with a real or imagined public in attendance to make a decision. The citizens' belief in dialogue, in collaborative reasoning, and their willingness to succumb to collective verdicts differentiate Athens from many other societies. It was a distinctly democratic feature that even the boundaries of acceptable behavior were discussed in rituals and so the gravity of transgressing a norm was freely negotiable. In modern representative democracies, offenses are less negotiable because they are more closely defined by professional legal experts. Given the sophistication of the Athenian legal system, we can assume that the Athenians very deliberately opted for this semantic openness of what, in our eyes, constitutes violence.

It was this very public negotiation of values that enabled Athenian democracy to develop organically over time and find appropriate responses to the challenges of an ever-changing world. In this respect, the transformative power and dynamic of the rituals of representation (trials, theater) come into play. Notwithstanding their repetitive and relatively stable character, they were flexible enough to adjust to new circumstances and surroundings. Citizens of post-amnesty Athens had opinions on vio-

1 In Antiphon 2.1.8 the archaic ideology of agonistic feuding behavior is vividly expressed: it is better to kill the enemy and be executed than to be a coward.

lence different from those of their archaic ancestors, and yet the shifts occurred so gradually that Athenians of the fourth century thought themselves to be still in line with the *patrios politeia* as instigated by Solon. Ritualized social norms ensured these smooth transitions. The ritualistic rules of performance communicated what violence had to look like and how one was supposed to talk about it.

This book, then, deals with the performative representation of the Athenian violence discourse in the three source genres of forensic speeches, curse tablets, and comedies. Since all three genres left the decision about the notion of violence to a majority vote, all their discourses are characterized by a fundamental openness regarding the definition of violence. All three corpora further show that there was a continuous process of hedging in violence from the fifth century on.² The reasons for this gradual change are to be sought in political and cultural paradigm shifts. In the atmosphere after the amnesty of 404/03 civic violence, especially retributive violence, became more problematic than ever before in Athenian history.³ The stiffened rules of democracy required the repression of violence and its medial representation, which does not mean that there was no violence. In fact, the image of a non-violent Athens was no more than an ideological construct.

In forensic speeches that emphasize the rule of law, the moderate discourse of democracy had to be spoken, regardless of how violent one wanted to be. At least in public one had to stick to this strict code of behavior. The ideal citizen had to appear peaceful, temperate, and rational, had to speak the “right” discourse, and had to flaunt *sôphrosunê* (temperance) and *enkrateia* (self-restraint), which even found expression in clothing and personal appearance, as visually embodied by the statue of Sophocles put up in the theater of Dionysus during the Lycurgan era. If violence was unavoidable, it was to be sanctioned by a collective of citizens or one had to pretend at least that one acted in accordance with the normative rules of violence control.⁴ In pleading for harsh verdicts against

2 From the dawn of Athenian democracy on, we see strong efforts to quell internal violence. The *Oresteia* and Pericles’ moderate behavior in public testify to this trend, to name just two examples. The killing of Ephialtes in 461, as well as the oligarchic coup of 411 with its ensuing bloodshed, remained traumas in the collective memory of the Athenians.

3 Carawan 1998, 135, 284.

4 Even Athenians like Meidias and Euphiletus, who exerted violence without any qualms and must have considered themselves to be in line with archaic ideology, had to speak the new discourse, which actually “ostracized” their own behavior.

their opponents, the orators used the courts in their performative function as a sanctioned, controlled, and channeled form of violence. This channeling worked all the more successfully, since the tension between the perspectives of the victims and the perpetrators were not only rhetorically but also ritually negotiated: in the eyes of the victim the violence experienced remained senseless and unacceptable. In the eyes of the perpetrator it was legitimate, pursued societal goals, and was therefore acceptable. The fact that these differing views could be negotiated in court makes the definition of violence appear as a ritual construct: it was only interpretation and construction, which culminated in the verdict of the judges, who labeled a certain behavior as "violent." The constructedness of "violence" is epitomized in a flexible line, adjustable to any given circumstances. Self-defense, for example, or the expulsion of a would-be tyrant, were legitimate reasons for exerting violence. In order to meet such challenges successfully, the question of legitimacy had to be negotiable. An inflexible boundary that would have laid down once and for all a strict definition of legitimate and illegitimate violence was impracticable in a society that knew neither a consistent law code nor a public prosecutor nor legal experts, but instead relied on kinship help and private initiative in cases of homicide. Hence, the definition of what violence meant and under what circumstances its use was justified had necessarily to be flexible. This discursive openness allowed for an unprecedented flexibility (critics of democracy speak of its fickleness!) and the participation of a major portion of the population in the formulation of its own moral and emotional economy. At the same time, Athenians politicized violence: by speaking about it, they commented on their constitution. The notion of *hubris*, for example, assimilated the perpetrator to a tyrant, the anti-democrat *par excellence*.

The changing notions of what constituted legitimate violence also informed Athenian legal practice, the "open texture of Athenian law."⁵ The prosecutor had to define what he was actually pleading for and could choose from a variety of legal proceedings. Whether Euphiletus picked a *graphê moicheias* or a *dikê blabês*, a *graphê hubreôs* or a *dikê biaïôn*, whether he chose the informal procedure of *rhapnismos*, or accepted a sum of money in recompense for the seduction of his wife, whether he exacted vengeance or a penalty on the seducer Eratosthenes, a different notion of the injustice suffered lay at the heart of each procedure

5 Cf. above 145, n. 546.

chosen. A ritual understanding of violence, therefore, also helps to explain the complex variety of Athenian procedural law.

We encounter a similar openness of meaning in the realm of magic. It seems odd, at first glance, that the semantics of the curse word 'I bind' is so broad that it covers a wide range of negative wishes. The process of cursing was, to a certain extent, analogous to the Athenian system of law: the ultimate decision of whether or not to convict the opponent and, if yes, how to punish him, was left to a superior body, in court to the judges, in the world of malign magic to the gods of the underworld. As in the forensic speeches, it was crucial that violence was not perpetrated privately and directly, but was sanctioned by superior powers and thus mediated.

The number of curse tablets significantly dropped from the third century on. Under the Macedonian monarchy, democratic competition had ceased to be a major factor in civic life. After the demise of democracy, self-restraint was no longer an urgent necessity for the *polis*; the texts inscribed on curse tablets became increasingly longer, with the language becoming more and more elaborate and explicitly violent in the Hellenistic era. Consequently, it is the curse tablets and, as we will see, drama that underwent the most profound changes from classical to Hellenistic times.

The binary, opposing pairs that make up the fine line between permissible and impermissible conduct are basically one and the same in oratory and comedy. Old Comedy enacted what was prohibited in real life. Philocleon's behavior toward prostitutes in *Wasps* brings onstage what Lysias had described in his second and third speeches. Against this backdrop, it does not come as a surprise that, also in art, scenes of violence were mostly portrayed with semantic openness. The findings we can derive from the plays of Aristophanes correspond to the observations that Muth could glean from pictorial evidence of violence on Athenian vases: spectators were not guided in their value judgments in our sense, but violence was always depicted neutrally or in an open-ended way.

The tragedians, as well as Aristophanes and Menander, kept coming back to the topic of violence, laid open its senselessness, and recommended that it be overcome, also on grounds of foreign policy. Both comic playwrights problematize violence in different ways, Aristophanes, however, in a rather indirect way. He deliberately breaks rules of interaction, thus opening up his plays to the portrayal of utopian societies. The kind of utopian violence portrayed therein is distanced from the audience through its grotesquely exaggerated ridiculousness. Menander, in contrast, wants to see violence banned from families and, time and again, ad-

dresses themes such as rape, hatred, and the suspicion of society as well as the withdrawal from it. By mostly respecting the rules of interaction, Menander deviates from Aristophanes strikingly. In criticizing violence as rustic and barbarian, Menander is closer than Aristophanes to the forensic speeches, which had to arrive at a finite version of events. From Aristophanes to Menander, a progression toward more problematization of violence is discernible, mirroring the development in forensic oratory from Antiphon to Demosthenes and Isocrates. It is also evident that Menander, heading toward more strictly defined social mores in his New Comedy, wrote at the change of an epoch, the increasing spread of a refined Hellenistic culture, which ultimately stigmatized all interpersonal violence as un-Greek. The change in the dramatic genres from the fifth to the end of the fourth century was thus profound. Whereas tragedy became classical toward the end of the fourth century, New Comedy turned into the medium to reflect upon contemporary reality, mainly the impact of Macedonian oligarchy.⁶ The way violence is discredited in New Comedy testifies to an increasing public awareness of its problematic nature.

Three Theses on Athenian Violence

Deciphering the notion of violence in Athens by determining the multiple semantic markers that circumscribed violence in the respective genres leads to the conclusion that the Athenian concept of violence differed radically from our understanding of violence. I would like to put forward three theses:

- (1) By violence, Athenians meant a transgression, a violation of boundaries, a breach of a protected sphere, like that of the *oikos*. As long as such acts of violence happened outside this protected sphere, we do not hear of them, or only rarely. It was only when social norms were broken within the protected sphere that wounded, maltreated, and tortured bodies emerge in our highly selective sources.⁷ We only hear of these misdeeds if the victim was powerful enough to utter them in public. Socially low-ranking victims are mentioned only in passing. This finding suggests a mental concept of violence that is fun-

6 Lape 2004, 18, 38, 42, 61–63, 68, 107, 112–113, 141, 172–173, 177, 199, 226–230, 243–253.

7 Cf. Groebner 1995, 189.

damentally different from our own. The higher degree to which violent behavior was tolerated under certain circumstances points to connotations of violence that could be more positive than in modern Western societies. Violence did fulfill certain positive functions in the eyes of the male perpetrators: non-excessive violence against subordinates was a suitable means of maintaining the social and political order of Athens. Young men asserted their own identities by attacking peers. Social tensions could find an outlet in violent behavior. All these instances suggest that at least some men must have believed in an integrative function of violence, which they embraced as a means to achieve their goals.

- (2) In order for an action to be labeled as violent, it had to be considered problematic by contemporaries. This follows from the first thesis: An action was brought to public attention because the breach of boundaries mentioned above was deemed unacceptable. For this reason, the executions that took place at Athens all the time and in public, but mostly in a bloodless way, are hardly mentioned in our sources.⁸ In Weber's terminology the execution—and in Athens the torture of slaves—is part of a state's legitimate rule, not power.⁹ Interpersonal violence against metics, women, and slaves remained in the background. Their bodies were in a sphere that was less effectively protected than that of the male citizen body and were therefore more or less exposed to abuse committed by their *kurioi*.¹⁰ As disconcerting as this may seem to moderns, this kind of violence, according to the perception of Athenian citizens, belonged to the realm of normalcy and was not regarded as worth speaking or writing about. Therefore, violent behavior against these underprivileged groups was almost completely omitted from fifth and fourth-century literature. Most victims had no voice, no advocate to speak on their behalf. Vi-

8 Although Athens does not seem to have been a theater of horror (Schmitz 2004, 407)—the term was coined by van Dülmen ²1988 in reference to executions in medieval and early modern times—at least some executions, such as stoning (Cantarella 1991a, 74–84; Barkan 1936, 41–53), *apotumpanismos* (Cantarella 1991a, 41–46; Barkan 1936, 63–72), and throwing the convicted person into a pit (*barathron*) (Cantarella 1991a, 91–105; Barkan 1936, 54–62) were staged publicly and thus bear some resemblance to executions in medieval and early modern Europe.

9 Weber 1925, 122–125. Cf. above 3, n. 11. Schwedler 2005, 171–172 interprets this differentiation in detail.

10 Cf. above 100, n. 339.

olence that a society deems irrelevant or does not perceive as such is covered by a cloak of silence. In contrast to today's norms in the Western world, certain forms of violence that fulfilled social functions in the eyes of the perpetrators were regarded as positive or neutral by some members of society.

- (3) A highly rhetorical culture of public display and theatricality brought it about that socially relevant violence—that is, violence committed against the inviolable body of a male citizen—often required an audience for both its actual perpetration and its discursive negotiation afterward. Violence mongers who felt they were in the right were eager to commit their deeds in open daylight. Exerting violence in a hidden place was beyond a citizen's threshold of dignity and is severely criticized in the sources. Often witnesses were called upon during a brawl not only to cite them later in court, but also to form a public and make the abusive action valid and meaningful. The spectators and passers-by constituted an imaginary audience, a dramaturgical frame, within which the violence could unfold its symbolic significance. It is important to note how witnesses reacted to violence. If an Athenian citizen came under attack, the bystanders would take notice, if not intervene themselves. With the citizen body representing Athenian democracy, the inviolability of both entities was at stake in the case of an assault. If non-citizens suffered maltreatment, passers-by would tend to ignore the critical situation in which they were.¹¹ No one came to rescue Alcibiades' wife, when he dragged her home across the Agora by pulling her hair. No one prevented her death only two weeks after this incident. No one would come to the aid of the young slave, whose letter to his mother is preserved and who suffered tremendous hardships in the smithy at the hands of his master. Athenians were often indifferent to violence inflicted on non-citizens. These discrete reactions confirm that male Athenian citizens "defined" violence with respect to political, legal, social, and economic status as well as circumstantial considerations. The cul-

11 Exceptions confirm the rule. Stephanus intervenes on behalf of Neaera (D. 59), who, as an ex-slave and hence metic, faced charges under a *graphê xenias* and was thus threatened by enslavement and loss of property. Stephanus pleads Neaera's case in court, but he cohabited with her and had a lot to lose in the lawsuit against Apollodorus. The crowd gathers around Pittalacus as he clings to the altar of the Mother of the Gods and begs for help (Aeschin. 1.60), but people could not know right away the legal status of each and every suppliant.

ture of public display made sure that the relevant information was immediately conveyed to the citizenry.

These three markers “define” socially relevant violence in ancient Athens. This socially relevant violence was dramatized—that is, was made public. Violence against inferiors, by contrast, unfolded in the realm of the normal; there was no dramatization. We would speak of domestic violence. If we combine the dichotomy of dramatization versus normalcy with the thesis of transgression, we obtain an important finding: the forensic speakers described the symbolic power and meaning of a violent act as lying in the number and significance of rules and boundaries that their opponents had transgressed. Hence, democratic procedures of negotiating meanings in rituals, not the law, constructed the significance of violence. Our modern understanding is very different. It is this discrepancy, among many others, that marks the distance between ancient Athens and contemporary Western societies.

Controlling Function of Ritualization

Violence was an intrinsic part of the Athenian social fabric. It was unavoidable in the process of constructing and representing social relations, so that violence echoed the social structure on the levels of both interaction and representation. The violence discourse and its applicability created an in-group of Athenians by drawing a sharp line that excluded outsiders.¹² By subjecting slaves to torture, for example, Athenians made it clear indirectly that citizens were exempt from this ordeal and therefore enjoyed a higher status. Status distinctions were thus also created by corporally inscribing them with violent force on the bodies of non-Athenians. We can speak of a ritual construction of community through the use of violence and its discursive treatment.¹³ This finding confirms what we know so far about Athenian society in general.¹⁴

Even within the sphere of Athenian citizens, violence and the discourse on it fulfilled vital functions. In an egalitarian and, at the same

12 Cf. Bergesen 1977 on how community and solidarity are created through ritual techniques of exclusion.

13 Cf. Girard 1972.

14 Cf. Ruiz 1994 and Cartledge 1993 on the various dichotomies in Athenian society: Greeks vs. barbarians (36–62), men vs. women (63–89), citizens vs. aliens (90–117), free vs. slaves (118–151), gods vs. mortals (152–174).

time, highly competitive society, violence was an indispensable tool with which to create social boundaries, superiority, and predominance. The publicly legitimized use of violence against an opponent or people under one's *kurieia* made it clear to everyone which individuals were in a superior position, entitling them to use physical and verbal violence. Violence, if applied properly, did not bring about changes of status, but confirmed the status quo by reproducing and perpetuating existing social hierarchies.

At the same time, this form of violence could remain functional because it was also kept under control via ritual means. The large-scale rituals of staging trials and dramas—it was mainly the public enactment of the violence discourse that made violence against citizens perceptible—were inextricably intertwined with the life of the *polis* and fulfilled vital functions. With violence becoming a matter of public discourse, it was possible to channel, if not to reduce it: by creating codes of behavior and disseminating them to a broader public, courtroom and theater demonstrated which forms of violence were unacceptable and which were still justifiable under certain circumstances. The diverse public performances of the violence discourse thus created rules of interaction which generally mitigated the level of violence. The fact that a controlling audience needed to be present enhanced this effect. We can say that the rules of representation had a healing and pacifying effect and contributed to containing violence, thus making Athens especially governable. Given the pre-modern conditions of Athens, the positive results are astonishing: a certain amount of unavoidable violence was framed in a socially functional way; massive, disruptive forms of violence, however, were banned from the *polis*, unlike in other Greek city-states.¹⁵ It is my hypothesis that the performative handling of violence both on the discursive level as well as on the concrete level of daily interaction contributed to the extraordinary stability of the Athenian social and political system at its historical peak. Although there was no legal certainty in our sense, a culture of open discussion and the operative decision-making process guaranteed

15 In other Greek *poleis*, internal strife could not be reduced to the same extent as in Athens. Xenophon's *Hellenica* and Diodorus' *Bibliothêkê* abound with blatant examples. Famous for ongoing *staseis* are Corinth, Thebes, and Rhodes. On *stasis* in the Greek word in general, cf. Gehrke 1985. Cf. also Riess 2006, 66–67, esp. nn. 8–10 with examples, sources, and secondary literature. Although Athens is far better documented in our sources than any other Greek community, we hear much less about internal strife there than in other parts of the Greek world.

this kind of stability. Social control, a strong sense of civic obligations,¹⁶ a dense network of civic and religious associations,¹⁷ arbitration, a sophisticated court culture, religion, and—most crucially—a specific civic and civil violence discourse that was ritually staged, all joined together to form a framework that managed to restrain the most serious forms of violence. The dissemination of this civic discourse was possible only through the democratic structures of Athens and its vibrant political community, where texts circulated and speeches were freely discussed.

Social Origins of Perpetrators of Violence

All social classes perpetrated violence, even if its use is better attested among the upper classes. Although they invented and shaped the new civil discourse on democracy, including a new concept of restricted violence and self-help, they were not less aggressive than members of the less privileged classes. Nevertheless, the elite members of society must have regarded physical violence as unfashionable, mob-like, and anti-democratic.¹⁸ On the official level, the new discourse on democracy and violence made unrestrained violence look rustic and tyrannical. According to these new principles, violence and fits of anger (*orgê*) had to be suppressed so as not to provoke *stasis* and endanger the observance of the amnesty. It was only possible to play with *orgê* and indignation against one's opponent in court. But the human mind is inventive in circumventing public ideology and finding outlets for aggression, even under pacified and tightly controlled circumstances. The upper classes had two safety valves at their disposal:

- (1) Officially, all citizens were encouraged to take conflicts to the courts so that the assembled *dêmos* in the form of the *dikastêria* could adjudicate them. In many public trials, the prosecutors did not plead for fines, but demanded the death penalty. Many defendants could escape into exile, true, but exile constituted a kind of social death.

16 Cf. Liddel 2007 *passim*.

17 Unfortunately, I gained access to the magisterial study of Ismard 2010 too late for me to consider it for this book.

18 Cf. Pericles, who remained stoic in the face of insults hurled at him (Plu. *Per.* 5.1–2; 7.5), and Demosthenes, who did not strike back when beaten by Meidias.

What ostracism had accomplished in fifth-century Athens was the court's business in the fourth.

- (2) Many curse tablets stem from the judicial context¹⁹ and therefore from the upper classes, because the poor could hardly afford the services of logographers and sorcerers. Moreover, the underprivileged rarely went to court.²⁰ This is not to say that they did not resort to binding magic—the commercial spells are a clear testimony that they did—but the fact that upper classes also transferred their secret aggressions into the realm of magic confirms that they were indeed not less prone to violence than non-elite members of society. We can only speculate about the reasons for their stress and anxiety. The elites were more exposed to a fierce *agôn* than more humble members of society. The political system of democratic Athens must have had effects similar to a pressure cooker on the elites. Exposed to constant public checks and screening events, they had more to lose in terms of prestige than members of the lower classes. Since their stakes in the highly participatory system were so high, they were highly sensitive to any damage of their symbolic capital, their reputation in all relevant domains.

The new discourse, which became increasingly stronger during the fourth century, did set a limit on the use of violence. To what extent the lower classes were affected by this new ideology of civic peacefulness, a concept that, in all probability, only elite members discussed, cannot be discovered in our sources. If even trierarchs, who were among the richest Athenians, did not shrink from physical attacks and resorting to malign magic,²¹ we can deduce that the inhibition threshold for violence was even lower in underprivileged social strata.²² Oftentimes, members of the lower classes might not have felt educated or skilled enough in the art of public speaking to pursue litigation, so that the courts were only available to them in theory, a clear indicator of class justice.²³ Consequently, when wronged, some of the members of the lower classes may have resorted to violence at home and in their neighborhood, a behavior

19 There are business-related curses, but they are the minority. Most prevalent are tablets commissioned by the rich from professional magicians.

20 Ober 1989, 113.

21 Cf., e.g., Ps.-D. 47 (*Against Euergus and Mnesibulus*); Gager no. 38 = DTA 103 = SEG XXXVII 220; Gager no. 42 = DT 60.

22 Cf. above 149, n. 560 and 175, n. 54.

23 Krause 2004, 22–23.

that was not yet informed by the new discourse on democracy. This conduct was reprimanded in the leading circles and ridiculed as “rustic.”²⁴ Another remedy was extra-judicial arbitration. Nevertheless, the underprivileged had their share in constructing the meaning and significance of violence. As judges in the courtroom and spectators in the theater, they also participated in shaping the violence discourse. Audience response could have tangible repercussions on a playwright’s further literary activities, as the case of Aristophanes’ reworked *Clouds* shows. The aesthetics of reception is intrinsically connected to the aesthetics of production in a never-ending dialectical relationship of mutual exchange.

A State Monopoly on Violence?

In democratic and ritual venues, Athenians defined not only the significance and meaning of violence and its appropriate use, but also its applicability as punishment. Perhaps this is the highest cultural achievement of the Athenians: the democratic idea of leaving the ultimate decision of whether or not to exert violence to the community, to the judges in court, and to the gods in the world of magic. The executioner in the legal system and the dead in the realm of magic, *not* the individual longing for violence and revenge, led the convicted person/the accursed away to his ultimate punishment. The community of the judges, and in magic that of the gods of the underworld, sanctioned violence against fellow citizens. In making the communal decision master of violence, civil democracy, with its insistence on sanctioned violence, had triumphed over the revenge ideology of archaic times.

Leaving magic aside, can we speak of a kind of monopoly of violence? What is the relationship between state and violence? Although Demosthenes postulates a state monopoly on violence several times,²⁵ Athens was far from its realization. The partial ritualization of violent interaction and its discursive treatment constituted an important way to regulate behavior by making it comprehensible and, to an extent, predictable. Of course, the public violence discourse was an upper-class phenomenon. And yet, the elites did not at all abstain from violence, as the speeches show. We have to reckon with even more violence among the lower social strata, about which we have little information. But in the rit-

24 Cf. Menander’s Cnemon in the *Dyscolus*.

25 Cf. above 78, n. 253.

ual venues of courts and theater, they too were called upon to take part in the constant process of re-evaluating the perception of violence and its societal function. The actual level of violence, which is, again, not the topic of this work, remains hard to assess, but it must have been higher than the literary sources, focused on mitigation, want to make us believe. Sanctioned violence, officially the only acceptable form of violence, contained, on the one hand, the traditional exertion of violence and its justification (*timôria* as revenge); on the other hand, it also comprised the civil achievements of moderation and the containment of violence as well as the problematization of wrath in the speeches, curse tablets, and drama (*timôria* as punishment).

Consequently, Athens stands in between contemporaneous, unabashedly violent societies of other Greek *poleis*—Athens remains a part of ancient Greece—and modern civil societies. This ambiguity partly explains the uniqueness of Athens, which belongs to both forms of state. A deepened reflection on violence allows us to draw conclusions on the fundamentally hybrid character and ambivalent functioning of Athenian democracy.

Outlook on Violence in Athenian Foreign Policy

Were Athenians successful, in the end, at containing violence at home and abroad? The difference between the internal and external situation is striking and requires a more thorough investigation than can be accomplished here. Internally, Athens was amazingly stable during the classical period of the fifth and fourth centuries. Major political upheavals and unrest are only attested for 508/07, 462, 411, and 404/03 BCE. The democracy was only overthrown twice and each time just for a few months. And yet the struggle for restraint ultimately failed. In the domestic realm, the lower classes were in favor of democracy because it offered material advantages, but they were not willing to embrace the intellectual consequences democracy had brought about.

In international relations, the striving for temperance was unsuccessful because Athens remained a pressure cooker for temporary elites and, paradoxically, became even more so through democracy. In addition, war-mongers like Demosthenes heated up the atmosphere by preaching and reinvigorating the old discourse on honor and shame.

For a short period of time only, when the Athenians kept a low profile right after the end of the war against the allies (357–355 BCE), the new

discourse seems also to have prevailed in foreign policy. The idea of a *koinê eirênê*, although doomed to failure,²⁶ was popular with the Greeks at first. Tired of incessant wars, Athenians hired more and more mercenaries. The statue of Eirênê in the Agora testifies to the new discourse.²⁷ Athenians were more and more reluctant to go to war, and Demosthenes had to work hard to resuscitate the old discourse and motivate his fellow countrymen to fight.²⁸ But most of all, the Greek *polis* world in general was not in line with Athens' new violence discourse. The amnesty of 404/03 was unique in the Greek world. Its repercussions on Athenian history and mentality were profound. Whereas Athenians had learned their lesson from the civil war and through the amnesty, other city-states did not embrace Athenian values, but continued to believe in the right of the stronger party, especially in the realm of international relations. Athenian democracy failed not only because of its own deep-rooted, war-like traditions, the "demons" of its own past, but also because of the hard facts of a brutal *Realpolitik* that left no room for restraint in foreign policy, and did not concede to internal temperance any kind of application in international relations. Athens, albeit not wholly pacified, was an island of relative security in a sea of violence.²⁹ Athens was not only part of this sinister world, but also played an active role in it, despite all efforts to keep violence at bay, at least in the internal realm.

Concepts of peace and conflict research will help widen the focus of this study and investigate to what extent the handling of situations of internal conflict and violence found its reflection in Athenian foreign policy.³⁰ Aspects of violent and imperialistic language and strategies to justify

26 Jehne 1994, 270, 282–284.

27 Knell 2000, 73–80.

28 Of course, Demosthenes was not the only one to hail and glorify Athens' martial traditions. Cf. Isocrates' aggressive pamphlets that contributed to Alexander's invasion of Persia.

29 From an anthropological perspective, Bernand 1999 paints a gloomy picture of the violent Greeks. The agonistic ideology, so characteristic of the Greeks, persisted far into the Roman Empire. The Greek states found ways, however, to cope with minor conflicts in order to avoid wars. One way was to call in judges from abroad, whose task it was to mediate between the opposing parties with impartiality and wisdom. Cf. Dössel 2003, 249–272; Manley-Tannis 1998, 49.

30 This kind of research is postulated by historians of international relations, researchers of conflict, political scientists, and sociologists alike. It is only a thorough understanding of domestic violence that allows a critical evaluation of violence perpetrated in foreign policy. Programmatic on this stance is Risse-Kappen 1994, 213: "The focus on domestic structures as intervening variables between

violence in the foreign realm will be the concern of a future project. The connection between ritualized containment of violence, its dramatization, or its passing over in silence within the *polis*, on the one hand, and violence and its representation in Greek interstate relations, on the other hand, has not yet been explored in the case of Athens.³¹ The extent to which Athens tried to make the newly developed discourse on internal, civic violence prevail also in international relations or, even further, what consequences these intellectual innovations had on Athenian foreign policy and policy with respect to the allies, are questions that warrant further treatment.

transnational coalitions and the foreign policy of states appears to offer a way of theorizing systematically about the interactions between states and transnational relations.”

31 Giovannini 2007 and Low 2007; 2005 have made a start along these lines.