

POPULISM AND MASS CLIENTELISTIC POLITICS IN CLASSICAL ATHENS

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Summary: The potential dangers and uses of populism are as never before at the forefront of discourse on modern democracy. From political scientists to the media, politicians and of course the public, everyone seems to have an opinion in the heated debate about the role of populism in politics. In most cases, contemporary populists are chastised by pundits and academics for undermining democracy and dividing the nation. Yet perhaps we need a new, albeit historical, perspective. Was populism present in a democratic state outside of our own time frame – and if so, how did it work? Using a number of works on populism as a theoretical framework, most importantly Jan-Werner Müller’s *What is populism?* (2016), this paper seeks to uncover, analyze and discuss populism, rhetoric, leadership and power relations in the direct democracy of classical Athens (508-323 BCE). Through an in-depth study of Aristophanes’ comedy *Knights*, Thucydides’ history of the Peloponnesian War, and various forensic orations, I conclude that populism was very much alive and well in ancient Athens, and likely even embedded in the politico-legal structure of their society. Furthermore, I find that the relationship between elite orators and the masses of the Athenian citizenry was primarily an interdependent and mutually reciprocal one.

Modern heads of state such as Brazil’s Jair Bolsonaro, former United States President Donald Trump, Britain’s Boris Johnson, and Hungary’s Viktor Orbán are just some of the powerful figures that the media, political commentators, and researchers now identify or, perhaps, more to the point decry as populists.¹ The surge of populism in today’s politics has raised widespread concern, as the rhetoric and decisions of populists, in many people’s opinion, pose a serious threat to democracy.² In an age of instant access to information and ‘fake news’ about public affairs and

1 I am grateful to the anonymous peer reviewers for the helpful advice and insightful critique. A preliminary version of the article was published in Danish in the digital academic journal *AIGIS* (Hedetoft 2020).

2 Kyle & Mounk 2018; Petrou 2019.

political controversies, the need to better grasp the relationship between populism and democracy is more important than ever. One approach is to use a historical perspective that can throw our contemporary world into relief. A return to the ‘cradle of democracy’ might be fitting.

Did populism, as modern theories understand the phenomenon, exist in a pre-industrial democratic state – and if so, what form did it assume? Based on relevant research material and theoretical literature on populism, this article will examine a selection of politically-oriented sources from classical Athens (508-323 BCE) to establish the existence of populism in the *polis* and at the same time conduct an analysis of rhetoric, leadership, and power relations in the direct democracy of Athens.³ As a point of departure, the analysis will initially concentrate on two derogatory depictions of Cleon, the disputed fifth-century Athenian speaker and general, in Aristophanes’ *Knights* and Thucydides, respectively. Cleon’s speech in Thucydides will also be contrasted with Diodotus’ opposing speech in the context of the Mytilenean Debate. In addition, legal speeches held in front of Athenian jurors will also be included in the analysis to investigate whether and how populism could fit into the political-legal system of Athens. However, before reaching this stage, a proper definition and clarification of the concept of populism is necessary.

What is Populism?

The term ‘populist’ is often used in the news media about various politicians and public figures, typically with disparaging connotations, but it is often applied carelessly and without an accompanying explanation of the origin or meaning of the term.⁴ Etymologically, the word ‘populism’

3 All dates henceforth are BCE (Before Common Era), unless otherwise stated or indicated by context.

4 In defence of laypeople’s often imprecise usage of the term, researchers have regularly noted the nebulous quality of populism, see Canovan 1999: 3; Weyland 2001: 1; Arato 2013: 156; Herkman 2017: 470. Yet, exactly because of this vagueness, one’s applied understanding of and approach to the concept has to be stated unequivocally.

is derived from the Latin *populus*, meaning people or peoples.⁵ The people are the essential point of legitimization for populists.⁶ The main point is that populism is about mobilizing people against the elite(s). As the construction of a core people is so central to populist thinking, some scholars argue that populism is an inevitable part of democracy.⁷ Since ‘populism’ is a modern term with Latin roots, the word is naturally not extant in classical Greek sources. Despite the absence of a traditional Greek label for the practice and despite the fact that modern phenomena such as nationalism and globalization, being closely linked to populist trends and developments, can hardly be detected in classical Athens, the possibility of the existence of populist discourse and action in a state where any citizen could claim to speak on behalf of the people should not be dismissed out of hand. As Michael Sommer notes on the pluralistic nature of the Athenian society: “Theoretisch gab es so viele maßgebende Meinungen, wie der *demos* Mitglieder hatte.”⁸ However, in reality, as Sommer is well aware, the art of public speaking came to reign supreme in states like Athens and Rome.⁹ Oratorical skills were not distributed evenly among the legally and politically equal Athenian citizens, but ac-

- 5 The term appears for the first time in the context of modern party politics as the name of the short-lived leftist Populist Party in the United States in the late 1800s. Here, the term carries no negative associations, and ‘populist’ means people’s party, and as such has a democratically affirmative tone.
- 6 Of course, the general notion that authority flows from the people to (elected) representatives is neither new nor unique to populism. It holds true for much contemporary and historical political thinking, which is not merely confined to the, quite recent, practice of indirect democracy. By way of example, one need look no further than that well-known abbreviation and watchword of the Roman Republic: SPQR. The salient feature of populism is, nonetheless, the peculiar way in which the relation between the people and their leaders is construed and treated in simultaneously inclusive and exclusionary expressions and actions.
- 7 Canovan 1999: 4; Decker 2003: 47–48; Kielmansegg 2017: 273.
- 8 Sommer 2017: 25. “In theory, there were as many leading opinions as the *demos* had members” (my translation).
- 9 On the importance of eloquence in Athens, see Ober 1989: 43–45; Rhodes 2000: 467–68; Stein-Hölkeskamp 2000: 80, 88–90. In his seminal work *Political Parties*, Robert Michels notes how indispensable oratorical skills were to democratic leadership, Michels 1915: 69–72.

quired and mastered through costly and time-consuming rhetorical education. This meant that the political leaders, what we might today call career politicians, more often than not were recruited from the upper classes.¹⁰

In his book *What is Populism?* (2016), the German political scientist Jan-Werner Müller seeks to clarify how to identify contemporary political practice and behaviour as populism. According to Müller, a politician must exhibit several traits before one can rightly characterize the person as a populist. First and foremost, the populist is almost always critical of the elite, that is, the economic, political, and intellectual upper classes of a given state. The populist thus operates with a sharp distinction between the people and the elite. In doing so, the populist, as the people's purported guardian, challenges 'the Establishment' and status quo and vows to make 'the People' the true sovereign of the nation, should it vote him or her into key offices.¹¹ In addition to being anti-elitist, the populist, Müller states, is also anti-pluralist, which means that populist agent portrays himself as the only moral representative of 'the true people'.¹² Anti-pluralism is a (hyper)moralistic mindset that rejects all other political parties as legitimate alternatives and excludes as false and amoral those parts of the population that oppose or do not support the populist party – that is, they are not part of the upright, moral people; or as Müller himself states in a *Juncture* article: “populists consistently and continuously deny the very legitimacy of their opponents (as opposed to just saying that some of their policies are misguided).”¹³ By this logic, the populist is not only a representative of the people, but presents himself as a deeply integrated part of the people. Modern anti-pluralism typically finds its expression in a *pars pro toto* outlook, by which the chosen people (the part) stands for the entire polity (the whole), which in consequence necessitates taking out of the national equation those groups and elements

10 Beigel 2017: 41-42. Being a speaker in Athens was, of course, not a profession from which one formally received remuneration, Hansen 1999: 274-76. This is also not to deny that one-off speakers and proposers of decrees took the stage now and again.

11 Müller 2016: 26-27.

12 Ibid. 3-4.

13 Müller 2015: 86.

perceived to be undesirable and illegitimate.¹⁴ Hence, to be a populist, one must exhibit particular speech and behavioural patterns and political methods. Populism as a political ideology and practice is a theoretical and sometimes normative construct, studied and explained over multiple decades by researchers like Müller.¹⁵

The political scientists Cas Mudde and C.R. Kaltwasser describe populism as a:

thin-centered ideology that considers society to be ultimately separated into two homogenous and antagonistic camps, ‘the pure people’ versus ‘the corrupt elite’, and which argues that politics should be an expression of the *volonté générale* (general will) of the people.¹⁶

When Mudde and Kaltwasser identify populism as a ‘thin ideology’, they mean that its political and social goals are neither comprehensive nor well-defined enough to constitute a fully developed ideology, but that it can easily complement other large ideologies such as socialism (think of Venezuela’s Presidents Hugo Chávez and Nicolás Maduro) and national conservatism (Brazil’s President Jair Bolsonaro). This concept of thin ideology might be more open-ended than Müller’s notion of populism, though the authors agree in the main on the core components of the phenomenon.¹⁷ It should perhaps be noted that Mudde and Kaltwasser’s understanding of populism has been met with resistance in recent texts on the subject.¹⁸ Some scholars disagree, among other things, that populism can only be a complementary political practice and worldview to broad ideologies, and instead maintain that populism in some countries (e.g. prime minister Viktor Orbán and his party Fidesz in Hungary) may well be perceived as a fully-fledged ideological complex. Contrary to the

14 Müller 2016: 20; Kielmansegg 2017: 277.

15 For the theoretical shaping and delineation of populism in other works, see Ionescu and Gellner 1969: 1-5; Arditi 2005: 72-98; Mouffe 2005: 50-71; Jansen 2011: 75-96; Mudde & Kaltwasser 2013. It is worth noting that these scholars differ in their understanding of populism as a movement, ideology, style, or discursive logic.

16 Mudde & Kaltwasser 2017: 6. The notion of *volonté générale* and popular sovereignty stems from Jean-Jacques Rousseau.

17 On their theoretical connection, see Ostiguy et al. 2021: 2-3.

18 Ágh 2016; Aslanidis 2016; Kürti 2020.

view of populism as “thin-centered”, this approach sees the phenomenon as “hard populism.”¹⁹ The point here is not to argue that only one form of populism, either “thin ideology” and “hard populism,” manifests itself in the real world. Rather, the recent critique ought to be read as an opportunity to expand and supplement the already existing literature on the topic. More than anything else, these varied discussions reveal that populism is difficult to pin down precisely, perhaps because it is, as Mudde and Kaltwasser assert, an “essentially contested concept” (ECC).²⁰

Although it is sometimes claimed that politicians abandon their populist programmes as soon as they come into power, Müller argues to the contrary.²¹ In his opinion, populism is rarely just a means to achieve political power and status; it is to a great extent also a real expression of the ideas that the populist intends to implement, however unrealistic they may prove.²² While Müller does not define populism as a nationalist trend, this link is implied throughout the work, and other scholars also point out the close connection between populism and nationalism.²³ In his discussion, Müller addresses populism normatively, perceiving it as a menacing political current that should be countered in a proper democratic manner: “The danger is populism - a degraded form of democracy that promises to make good on democracy’s highest ideals (‘Let the People Rule!’).”²⁴

This value-laden way of viewing populism is not uncommon in other researchers’ or commentators’ works and articles.²⁵ I will, however, strive to avoid taking a moral and subjective stance on populism and instead regard the phenomenon as a subcategory of political activity within the democratic system. Therefore, I will not uncritically make use

19 Ágh 2016: 24–25; Antonopoulos 2017. Academically, ‘hard populism’ is comparatively a fringe concept, which has yet to command the same attention afforded by scholars to Mudde and Kaltwasser’s definition.

20 Mudde & Kaltwasser 2014: 376.

21 Müller 2016: 41. For this view, see Kuehl 2017.

22 Müller 2016: 4, 41. See also Albertazzi & McDonnell 2015.

23 Ionescu & Gellner 1969; Torre 2017b; Hedetoft 2020.

24 Müller 2016: 6, see also 75–76.

25 Sandford 2017; Antal 2017; Hansen 2017. Cf., however, Canovan 1999; Mény & Surel 2002: 19; Kielmansegg 2017: 273–75.

of Müller's work, but merely apply his more sober observations on populism in my analysis. For better or for worse, it seems that populism has come to stay. But is populism at all as new and sudden a phenomenon as one might think? I would argue that today's challenges with populism can inspire us to look at the direct democracy in Athens in a new way.

Briefly on the research

It should be pointed out from the outset that there currently is only a limited amount of research proper on populism in ancient Athens.²⁶ When the term 'populist' or 'populism' appears in scholarly works on classical Athens, it for the most part happens in passing, uncritically, and without any theoretical foundation.²⁷ Nevertheless, there are a few studies that contribute significantly to the discussion of the subject. In general, the historical works that deal with (political) leadership, rhetoric, power relations, and the so-called demagogues in classical Athens will have the greatest relevance for a study of this character.²⁸

Müller notes that the term 'populism' and the original Greek word *δημαγωγία* (demagogy, leadership of the people) nowadays are used almost interchangeably, routinely as derogatory designations. This can easily lead one to believe that the ancient Athenians actually did have an accurate (and pejorative) term to describe their populist leaders in the demagogic word.²⁹

Yet, in the article "The Origins of the Statesman-Demagogue Distinction in and After Ancient Athens" (2012), Melissa Lane takes issue with the prevailing myth that the Greek word for a popular leader, *δημαγωγός*, in classical times was normally used in a degrading manner

26 However, see Adamidis 2021 for an excellent paper on the populist rhetorical strategies used in the legal arena of Athens. Although not as rigorous in its application of the theory of populism on the subject matter, see also Beigel 2017. For smaller pieces on the subject written for broader consumption, see Riedweg 2019 and Riedweg 2020.

27 See e.g. Strauss 1986: 91-96 Goldhill 2000: 86; Rosenbloom 2004: 80, 84; Forsdyke 2005: 65; Patterson 2005: 272-74; Gottesman 2014: 125; Rhodes 2016: 245, 258-59.

28 Notable works on classical Athenian democracy and political actors include: Finley 1962; Connor 1971; Davies 1981; Ober 1989; Yunis 1996; Hansen 1999.

29 Müller 2016: 11.

by Athenians about their democratic leaders, who, unlike today's professional politicians, were usually not elected.³⁰ In the words of Lane: "None of the historians, playwrights, and orators of classical Athens relied on a pejorative term for demagogue in developing their analyses of bad political leadership."³¹ Lane argues that the word 'demagogue' and its related terms had no direct negative connotations before Plato and Aristotle thematised the figure as the archetypal manipulator and firebrand with which we are well acquainted today.³²

In addition to the already established populism criteria, Müller also describes mass clientelism as a characteristic feature of populist behaviour: "Populist governance exhibits [...] 'Mass clientelism' (trading material benefits or bureaucratic favors for political support by citizens who become the populists' clients [...])."³³ In this connection, Ingvar B. Maehle's article "The Economy of Gratitude in Democratic Athens" (2018) is relevant. In this, he breaks with the widespread notion that the democratic norms in Athens were incompatible with the unbalanced relationship between patrons and clients. Patron-client relations are, in Maehle's view, not a purely Roman phenomenon, and Athenian patrons adopted and moved between different roles as friend, protector, 'the big man' and statesman.³⁴ But exactly because of the egalitarian Athenian ideology, Maehle reaches the conclusion that the Athenian client, in contrast to his Roman counterpart, actually had the upper hand in the relationship.

30 See also Luciano Canfora's booklet *Demagogia* (1993), in which he traces the history and development of the term 'demagogia' and its related words in regards to its neutral or value-laden usage.

31 Lane 2012: 180. See also Canfora 1993: 9-12; Sommer 2017: 26. Cf. Beigel 2017: 42-43, who, possibly following Finley 1962: 5, erroneously holds that the term 'demagogue' came to be used as a negative descriptor of political leaders after Pericles' death in 429. Finley 1962 is central to the discussion of the Athenian demagogues, and Lane adopts a critical position against his argument that the term 'demagogue' was invented and applied by Athenian authors to describe the emergent cluster of mob leaders of the 420s, who seemingly stood in stark contrast to great statesmen like Pericles.

32 See e.g. Signer 2009.

33 Müller 2016: 4. For the connection between populism and state patronage, see also Sunar 1990; Torre 2017a: 203-6; Türk 2018: 154. Falling 2004; Müller 2006; Barr 2009. Cf. Fukuyama 2014: 206-26 for a contradictory point of view.

34 Maehle 2018: 62.

The result was a kind of modified patron-client system that adapted to democracy and the majority's resolutions.³⁵ Athenian εὐεργέται (benefactors), however, were rarely left empty-handed, exchanging symbolic capital in the form of political and legal εὔνοια (goodwill) and χάρις (gratitude).³⁶ According to the logic of gift exchange, a δῶρον (gift) was always given on the condition that it was never free; it indebted the recipient and called for a consideration of equal proportion.³⁷

Cleon, the Populist?

In what follows, I have selected two very different classical sources, both of which deal extensively with and discuss democratic rhetoric and leadership, as well as social and political decisions in Athens: Aristophanes' comedy *Knights* and the historian Thucydides' rendition of the Mytilenean Debate. The framework of Aristophanes' plays frequently comprises real-world politics, the crises of the Peloponnesian War, and the scandalous deportment of public figures, and especially in *Knights*, which is really the contest of two opposing *rhētores* (speakers) to win the favour of the people, there is ample opportunity to investigate any occurrences of populism and other democratic leadership methods.

Aristophanes' Cleon – the foul-mouthed tanner

In *Knights*, Agoracritus, a lowly sausage-seller, and the Paphlagonian, a mean tanner, are often at loggerheads and engaged in childish rows, in which they exchange vulgar insults while each of them tries to stand out as the plainest and cheapest person, thereby being most suited to δημαγωγία.³⁸ Both parties also habitually launch accusations of bribery,

35 Ibid. 83-84, 88.

36 Χάρις refers to the gratitude and appreciation evoked in the recipient of a gift.

37 Arist. *Eth. Nic.* 1167b17-25; Bourdieu 1990: 104-6; Mauss 2002; Satlow 2013: 1-11; Hénaff 2013: 12-24.

38 In the context of the narrative, it is heavily implied that δημαγωγία actually means to be the old Demos' majordomo and thus his favourite slave.

draft evasion, and embezzlement at each other.³⁹ In the culminating debate on the Pnyx, Agoracritus and the Paphlagonian both court the elderly gentleman Demos, the personification of the Athenian people, to secure his favour. With cloying charm, they lavish praise on Demos, instigating a shallow competition to surpass each other through verbal admiration and gift-giving:

[Ph.]: But you won't beat me! I assure you, Demos, for doing absolutely nothing I'll provide you with a bowl of state pay to lap up.

[Ag.]: And here's a little jar of ointment from me, to rub into the blisters on your shins.

[Ph.]: And I'll pluck out your white hairs and make you young.

[Ag.]: Here, take this bunny tail and dab your darling eyes.

[Ph.]: Blow your nose, Demos, and wipe your hand on my head.

[Ag.]: No, on mine.

[Ph.]: No, on mine!⁴⁰

Importantly, embezzlement, corruption, slander, lies, and deception as well as superficial and pandering rhetoric, however negative, are not as such populist marks and traits. These features can be displayed by reference to any politician - populist or not.⁴¹

In the first scene of the play, Demos' household slaves reveal to the audience the rather unsympathetic nature of the Paphlagonian, and his initial appearance only confirms their portrayal of his character. The Paphlagonian, whose person heavily parodies the historical Cleon, storms out as he hears Demos' slaves discuss their plan to replace him with Agoracritus as Demos' housekeeper. Infuriated, he exclaims, "By the Twelve Gods, you two won't get away with your unending plots against

39 *Ar. Eq.* 427-44, 465-79.

40 *Ibid.* 904-12. All translations of Aristophanes used here are from J. Henderson's Loeb Classical Library edition.

41 Luce 2017: 50-54; Villadsen & Kock 2022: 1-19. A good example of this is Russia's President Vladimir Putin, who for several years has been accused by outside (and internal) commentators of corruption and abuse of power, but whose style of leadership cannot be characterized as populist, see Netesova & Taussig 2017. On Putin's possibly populist rhetoric, see Burrett 2020. For Putin's corruption scandals, see Wesolowsky & Coalson 2019.

the people!”⁴² Although it is clearly exaggerated for the sake of entertainment, this kind of statement can be classified as anti-pluralist, as the speaker (a satirised political adviser) equates himself with the people, even though the target of the slaves’ plan is not the aged Demos. Hence, what is implied is that the Paphlagonian is the embodiment of the will and character of the people, which by his populist reasoning means that it would be undemocratically subversive to attempt to replace or oust him. Accordingly, no other representation is needed nor valid.

In a moment of commonplace Aristophanic slapstick humour, he trips over a wine cup and vehemently protests the conspiracy against him, “What’s that Chalcidian cup doing here? It can only mean you’re inciting the Chalcidians to revolt! You two are goners, done for, you utter scum!”⁴³ The initial impression that we get of the Paphlagonian is one of an impetuous and paranoid bungler who sees the dangers of treachery and conspiracy everywhere – even in the most unassuming objects. His obsessive fear of a coup d’état is more reminiscent of a monarch’s than a citizen-speaker’s in an open democracy, revealing the almost absolute influence he exerts on the fickle Demos. As Müller explains, there is a close connection between populism and conspiracy theories.⁴⁴ When it finally becomes apparent to Demos how fraudulently and self-indulgently the Paphlagonian has really been acting, he grumbles, “You sneak, how long have you been gouging me like this by short-changing the people?”⁴⁵ It is striking that Demos expresses himself in much the same phrases as the Paphlagonian, but it is not necessarily paradoxical. The people, or Demos as the epitome of the people, may well think of, speak to, and deal with in exclusionary, populist terms those who are assumed to oppose the sovereign spirit of the people.⁴⁶

A contemporary example of political anti-pluralism is Venezuelan President Nicolás Maduro’s statements about the political opposition led

42 *Ar. Eq.* 235-36. On ancient authors’ portrayal of Cleon as a boisterous and brash speaker, see Connor 1971: 132-34, 168-75; Stein-Hölkeskamp 2000: 82-85; Rosenbloom 2013: 302-8.

43 *Ar. Eq.* 237-239. For a similar accusation, see also 630.

44 Müller 2016: 44. See also Hellinger 2019.

45 *Ar. Eq.* 858-59.

46 See e.g. Akkerman et al. 2014.

by Juan Guaidó, who contests the legitimacy of Maduro's presidency.⁴⁷ Here, Maduro rhetorically delegitimised opponents of his rule by labeling them "a crazed minority" and "a minority of opportunists and cowards" as well as by declaring to his followers, "[w]e are on the right side of history."⁴⁸ Whether the opposition is in fact a demented minority of wimps and chancers is irrelevant for the rhetorical purpose. Maduro's discursive strategy is clear: By branding the enemies with these populist buzz-words, he paints them as unpatriotic and power-hungry turncoats that actively sabotage national interests.⁴⁹ Even ruling populists tend to portray themselves as a minority and as victims of the so-called anti-popular conspiracies of the global elite. In this way, a populist may present himself to the people as a martyr and political 'underdog', who bravely repels the world's onslaught against the people's rights and the national democracy.⁵⁰

Gift-giving and *euergesism* (benefaction) are pervasive themes in the two street vendors' contest to show their absolute devotion to old man Demos. Shortly after the Paphlagonian's first threatening challenge against Agoracritus and the slaves, the eponymous ἰππεῖς (cavalry) chorus comes to their rescue by surrounding, trampling, and beating the Paphlagonian into submission. He desperately cries out for protection and support among the many jurors in Athens, "Elders of the jury courts, brethren of the three obols, whom I cater to by loud denunciations fair and foul, reinforce me: I'm being roughed up by enemy conspirators!"⁵¹ This line can be read as a reference to the real Cleon's law from c. 425, which raised *dikastikon* (state salary for jurors) from two to three obols a day.⁵²

47 At the time of writing, Guaidó is recognised as Venezuela's rightful president by most Western countries, including the United States.

48 BBC Latin America 2019; Al-Jazeera Latin America 2019 (March 5).

49 Müller 2016: 42-43.

50 For people's general proclivity to sympathize with 'underdogs' in politics, see Goldschmied & Vandello 2009: 24-31.

51 Ar. Eq. 255-57. Note the returning mention of a plot that threatens to undermine popular sovereignty and state affairs. See also *ibid.* 905-6, where the Paphlagonian attempts to bribe Demos with jury pay.

52 Ar. Eq. 51, 797-800; Schol. Ar. Vesp. 88, 300; Schol. Av. 1. Scholia (schol.) are interpretive or critical notes of any length on an ancient text, Greek or Latin. Mostly, they

Although this service of the Paphlagonian/Cleon to the people was not paid out of his own pocket, it was not without significance. It can instead be conceived as the people's gift to itself, which Cleon formulated and defended at the People's Assembly in accordance with the reigning democratic spirit. However, one cannot deny that Cleon as the proposer had a considerable responsibility to the people, and one can assume that he personally, through the increase of *dikastikon*, further ingratiated himself with the many politically and judicially active citizens of Athens. It was originally Pericles who introduced the *dikastikon* in the 450s, seemingly to compete with the private charity of the immensely rich Cimon.⁵³ In this context, Pericles and Cleon can be said to assume the role of the ideal servant-statesman, who is wholly at the people's disposal, taking care of the community and shouldering the broad redistribution of state finances.⁵⁴ That the Paphlagonian – albeit in a caricatured and absurd scene – expects that the jurors, out of benevolence towards him, will render him assistance, might indicate that aspiring speakers through a political sponsoring of a public and popular boon or benefaction could secure the support of the majority, though not the entirety of the people. Unlike the performance of liturgies, this entailed no investment of private funds, but instead demanded that the political actor had the talent and courage to advise and offer his administrative expertise to the people in the long run.⁵⁵ The Paphlagonian evidently regards many of the citizens as his clients, who now owe him a well-deserved good turn, and

have come to us in marginal, fragmentary form. It is quite often difficult to trace the origin of the initial note, gloss, or commentary because a given scholion may have gone through multiple editions at the discretion of various ancient scribes and medieval copyists. This is why one should always exercise caution when citing scholia. Nonetheless, as Michael Reeve states on notes on Aristophanes in *OCD* (2012, 4th ed.) under the heading "scholia": "[...] at their best scholia are a mine of information, though less in Latin than in Greek. Aristophanes (1) benefits most, because explanation of topical or literary references and allusions began at Alexandria (1) in the heyday of the Library." On jury pay, see Markle 1985: 265. Three obols roughly corresponded to half of a skilled labourer's or an oarsman's daily allowance (one drachma), see Thuc. 6.31.3; Torr 1906: 137; Davies 1971: xxii.

53 Arist. *Ath. Pol.* 27.2-4; Plut. *Per.* 9.2-3; Gygas 2016: 156.

54 On the role of the statesman as benefactor, see Maehle 2018: 62.

55 On the legal standing of Athenian speakers and the risks of political activity, see Ober 1989: 108-12.

thus his behaviour may well be called mass clientelistic. In most modern democracies, mass clientelism borders on bribery and corruption at the state level, but such a societal gift-giving practice in Athens was not only socially acceptable, but even desirable and sanctioned by the people.⁵⁶

In addition to the Paphlagonian's aforementioned lines, there are several examples of mass clientelism in *Knights*. Midway through the play, Agoracritus relates to the chorus his victory over the Paphlagonian before the βουλή (council). Here he defeated the villain of the story by playing just as dirty as he. A quick hint about anchovies at a bargain in the marketplace and a promise of a grand sacrifice to Athena turns the council members against the Paphlagonian. After that, Agoracritus runs ahead and cunningly buys up all the coriander and all leeks available, as these were normally used for the preparation of anchovies. The councilors thus stand without the necessary herbs, and here Agoracritus opportunely donates his goods to them to obtain χάρις (gratitude) by appearing as a merciful and charitable patron.⁵⁷ His deliberate acquisition of commodities soon to be in demand surprisingly reflects Andrew Wallace-Hadrill's commentary on the behaviour of Roman patrons, "The secret of the game is the manipulation of scarce resources."⁵⁸ Beyond this, mass clientelism is most obvious in the scenes where Agoracritus and the Paphlagonian, through ridiculous gift-giving competitions, compete to win the backing of Demos. The gifts come in the form of clothing, food,

56 However, cf. Hilger 2012; Schaffer & Baker 2015 on the widespread political clientelism in Latin America. One could conceivably make the case that Cleon's weaponisation of the courts to neutralise political adversaries and unsuccessful generals in the 420s constitutes an anti-pluralist behavioural pattern. On this shift in political manoeuvring and tacks, see Ostwald 1986: 202-4. The problem with this reading, however, is that it relies almost solely on Aristophanic allusions to trials, about which we otherwise know frighteningly little. Thus, we cannot confidently argue that his litigious habitus was the product of a populist stance. It was almost assuredly a way of grabbing attention and appearing as the mouthpiece of the people in times of anger and frustration. Yet, an in-depth analysis of Aristophanes' *Wasps* might still yield interesting results in this regard. For a negative interpretation of Cleon's (mis)use of the courts and its deleterious repercussions, see Harris 2013b: 314-17.

57 Ar. Eq. 624-82.

58 Wallace-Hadrill 1989: 73. See also Maehle 2018.

and fanciful prophecies about Athenian world domination plus a jury pay of five obols.⁵⁹

Both the Paphlagonian and Agoracritus exhibit populist traits to a certain extent, but one can hardly reasonably deduce the same about the historical Cleon from Aristophanes' text. When using and analysing classical drama – especially comedy – one should always keep in mind that the play is first and foremost entertainment, and as a result Aristophanes is highly likely to exaggerate the truth or turn it upside down for comedic effect. Therefore, it seems probable that Aristophanes helped to construct the populist Cleon, and thus the comedian also contributes to creating the image of the populist as a morally flawed and ultimately selfish character. The characters and their behaviours are exaggerated, but it would be strange if, after all, the Athenians could not laugh in recognition of the extremely self-assertive populist rhetoric. The Athenians did not have a conceptualisation or theoretical formulation about the logic and rhetoric of populism, but nonetheless *Knights* strongly suggests that certain populist practices did prevail in classical Athens.

The Mytilenean Debate – populism and ruthless Realpolitik

Modern scholars often use Thucydides' account of the Athenian debate on the fate of the *polis* Mytilene as a landmark to shed light on the inherent dangers of democratic decision making, communication, and power politics.⁶⁰ In this section, I will focus on the rendering of Cleon and Diodotus' speeches in order to assess whether their arguments can be interpreted as expressing populist persuasion strategies.

In 427, four years into the Peloponnesian War, Athenian citizens congregated on the Pnyx to decide the fate of the city of Mytilene following a failed uprising against their overlord, Athens. At the behest of Cleon, among others, the Athenians, in feelings of deep resentment over the re-

59 Clothes: Ar. *Eq.* 779-891; food: 1151-1227; prophecies: 797-800, 973-1110.

60 See e.g. Orwin 1984b; Doyle 1990; Lebow 2007.

bellion, elected to execute all able-bodied male Mytileneans, while carrying out an *andrapodismos* (enslavement) of all women and children.⁶¹ A ship relaying the people's ordinance was promptly despatched to the Athenian navy at Lesbos.⁶² Quite extraordinarily, many citizens had pangs of conscience over their grim decision. Therefore, they assembled again the next day to reconsider how to respond most appropriately to the Mytileneans' recalcitrant behaviour.⁶³ On this occasion, Cleon again advocated the severe and collective punishment of the city's inhabitants, while an otherwise unknown citizen, the orator Diodotus, became a spokesman for a milder, precautionary handling of the matter. Thucydides reproduces these two contrasting speeches in his work.⁶⁴

Cleon, rather strikingly, begins his speech by blaming his fellow democratic citizens for being too equitable and trusting of each other to effectively rule over the vassal states of their empire, which according to him is the tyranny of the strongest over the weak.⁶⁵ In Cleon's opinion, the people ought to realise that the Athenian empire is sustained only through fear, coercion, and a swift application of force, and not through munificence and compassion. This reprimand is distinctly non-populist, in that he probably directs it at the large portion of the citizen assembly that wished to resume the debate.⁶⁶ Empires can be thematized and exploited for populist purposes, but Cleon relates to Athens' supremacy in

61 That Cleon and his assumed political associates (Thudippus, Cleonymus, Hyperbolus) took a hard, uncompromising line on tardy tribute payers and insubordinate client states is evident here and in decrees about the collection and reassessment of tribute of the Delian League, ML 69; Fornara 133. On the likely friendship between these men, see ML: 194-97; Meiggs, *AE*: 316-18; Ostwald 1986: 204-6.

62 Thuc. 3.35-36.3.

63 *Ibid.* 3.36.4-6.

64 When referring to Cleon and Diodotus as well as their statements in the context of the speeches, Thucydides' rendition of the actors and the spoken content are implied.

65 *Ibid.* 3.37.1-2. The chorus in *Knights* also refers to Athens' hegemony over their allies as tyrannical, though, just as here, it is not articulated as reproof: *Ar. Eq.* 1110-1113.

66 Piepenbrink 2015: 78 rightly notes that Thucydides' view of Cleon as a post-Periclean flatterer, quenching his thirst for power and prestige at the expense of indulging the base desires of the people, is inconsistent with his character portrayal in the Mytilenean Debate. See also Tsakmakis & Kostopoulos 2011: 174-82.

purely power-political terms. Moreover, one can wonder at the rhetorical impact of the beginning of his speech: “On many other occasions in the past I have realised that a democracy is incompetent to govern others, but more than ever to-day, when I observe your change of heart concerning the Mytilenaeans.”⁶⁷ Yet this commentary on the people and similar reprimanding remarks may reveal Cleon’s frustration at the people’s indecision and his fear of losing face on the political and public stage.⁶⁸

Cleon then laments that the laws and decrees passed by the Assembly no longer seem to be fixed and final, and he accuses overly clever and conceited speakers of giving rise to this development:

[...] ignorance [ἀμαθία] combined with self-restraint is more serviceable than cleverness [δεξιότης] combined with recklessness; and that simpler people for the most part make better citizens than the more shrewd. The latter always want to show that they are wiser than the laws, and to dominate all public discussions, as if there could never be weightier questions on which to declare their opinions, and as a consequence of such conduct they generally bring their states to ruin; the former, on the contrary, mistrusting their own insight, are content to be less enlightened than the laws and less competent than others to criticise the words of an able speaker, but being impartial judges rather than interested contestants they generally prosper.⁶⁹

67 Ibid. 3.37.1. All translations of Thucydides used here are from C. F. Smith’s Loeb Classical Library edition.

68 In this connection, there is something to be said for populists’ proclivity to denigrate and cast groundless aspersions on public institutions and political procedures, particularly in cases of electoral or legislative failures, see Müller 2016: 31-32, 38-40, 56-57. The most flagrant example of this is former American President Donald Trump’s repeated attempts to overturn the 2020 US presidential election on the unsubstantiated claim that the election was rigged due to a widespread conspiracy fomented by the ‘Deep State’. Cleon’s comment here, however, is quite different, as he does not shift the blame onto some shadowy cabal or an undemocratic opposition, but rather addresses the people as a whole.

69 Ibid. 3.37.3-4.

The reasoning here is both strongly anti-intellectual and anti-elitist.⁷⁰ Cleon utilises an ‘us-versus-them’ rhetoric, or the *discursive strategy of polarisation*, in which neutrality is not an option, and where you are either a patriot or an enemy collaborator. As the torchbearer of democracy and the ancestral constitution, he aligns himself with the majority, the down-to-earth and unpretentious people, whom he contrasts sharply with the elitist, deceptive, and potentially subversive rhetoricians. The statement is also anti-pluralist in the way in which it disparagingly equates this group of hopelessly pompous orators with those who would challenge Cleon’s decree. In the moralizing logic of the quote, these speakers will never serve the interests of the common good, and therefore cannot speak on behalf of the people.

Yet unlike Agoracritus in *Knights*, Thucydides’ Cleon does not entirely acquit the people of complicity. He believes that they have irresponsibly provided favourable conditions for so-called oratorical contests and displays of sophistic dexterity, void of real political substance, frequently to take place at Assembly meetings:

And you are yourselves to blame, for your management of these contests is wrong. It is your wont to be spectators of words and hearers of deeds, forming your judgment of future enterprises according as able speakers represent them to be feasible, but as regards accomplished facts, not counting what has been done more credible, because you have seen it, than what you have heard, you are swayed in judgment by those who have made an eloquent invective [...] In a word, you are in thrall to the pleasures of the ear and are more like men who sit as spectators at exhibitions of sophists [σοφιστῶν] than men who take counsel [βουλευομένοις] for the welfare of the state.⁷¹

70 For the link between anti-intellectualism and populism, see Shogan 2007; Oliver & Rahn 2016; Motta 2018. Anti-intellectualism should not be understood as being synonymous with anti-reason or anti-intelligence.

71 Thuc. 3.38.4-5; 3.38.7. For a similar sort of rebuke, see Dem. 9.3-4. As to why a democratic speaker would have the temerity to question and challenge the reason and decision-making skills of the sovereign people, Joseph Roisman (2004: 268-72; 2005: 156-62) puts forward the thesis that an ongoing positional and rhetorical power-struggle couched in the language of masculinity took place between the Athenian people and the individual speaker. Cf. Piepenbrink 2015: 13-15, who is right to posit

Yet again, admonitions to the broad citizenry of this nature are almost anti-populist, and remarkably, the excerpt here shares a common characteristic with later anti-democratic passages from Platonic dialogues. Compare, for example, *Gorgias*, in which Socrates in his exchange with the young sophist Callicles associates political rhetoric with the type of superficial ἡδονή (pleasure) and κολακεία (flattery) that typically feature in poetic and dramatic performances. Socrates sees himself as one of the few in Athens who actually tries to practice τῆ ὡς ἀληθῶς πολιτικῆ τέχνῃ (the true art of statesmanship) because his speeches are directed towards attainment of the worthy and βέλτιστον (best).⁷² In the *Sophist*, the Eleatic Stranger also distinguishes between πολιτικόν (the statesman) and the δημολογικόν (the public speaker), where the latter is trained to give long, self-glorifying speeches that do not morally edify the listeners.⁷³

Perhaps both Plato's Socrates and Thucydides' Cleon cherished a hope of elevating their fellow citizens. This is, however, where the similarities end; the rhetoric is comparable, but the motives underlying the statements are vastly different. Plato was a philosopher and moralist who perceived practically all democratic rhetoric as meaningless blandishment, and he had no intentions of taking part in Athenian politics. Cleon, on the other hand, was one of Athens' foremost speakers, and it would be a serious blunder to read his speech as an anti-democratic tirade. Perhaps one should rather interpret Cleon's behaviour as his attempt to emulate his predecessor Pericles, who according to Thucydides was the actual ruler of Athens, and who by virtue of his influence could fulminate

that the last thing a political adviser to Athens would want was to invite the ire of the masses by coming out on top in a contest of superiority. Rather, they would often connect their reproaches to the people to their opposing orators' dishonest ways. Thus, Roisman may be said to overstate the statesman's desire to stand out from the crowd as a masculine exemplar. For additional examples of the derogatory reception of sophism in classical writings, see also Aeschin. 1.175, 3.16, 202; Alcidas, *Soph.*; Ar. *Nub.* 130, 445-51; Dem. 19.246-50, 35.40-43; Isoc. 5.13, 10.13, 12.18, 13 *passim*, 15.4-5.

72 Plat. *Gorg.* 521d (tr. Lamb, LCL).

73 Plat. *Soph.* 268b.

against the people when they behaved irrationally or arrogantly.⁷⁴ Embedded in Cleon's argumentation probably lies the idea that political actors should speak a language to which the people can relate and which they can understand. Quite ironically, nevertheless, Thucydides' Cleon is himself guilty of delivering the same sort of grandiloquent speech with its complex, hypotactic formulations and knotty rationalisations.⁷⁵ Cleon continues his populist discourse about his opponent, declaring:

[...] I wonder at those who propose to debate again the question of the Mytilenaeans and thus interpose delay, which is in the interest of those who have done the wrong; for thus the edge of the victim's wrath is duller when he proceeds against the offender [...] And I wonder, too, who will answer me and undertake to prove that the wrongdoings of the Mytilenaeans are beneficial to us but that our misfortunes prove injurious to our allies. Manifestly he must either have such confidence in his powers of speech as to undertake to show that what is universally accepted as true has not been established, or else, incited by gain, will by an elaborate display of specious oratory attempt to mislead you.⁷⁶

Cleon employs an extremely populist, anti-pluralist argument here, presenting his own standpoint as the only logical and moral solution to the problem. Speakers who propose otherwise go directly against the will of the people and "what is universally accepted as true." Although this second meeting of the People's Assembly would hardly have taken place, were Cleon speaking the whole truth, he must still have expected this kind of exclusionary and isolating rhetoric to be effective. Cleon argues that those who attempt to counter the collective punishment of the Mytileneans are either stuck-up sophists, who regard every assembly as merely a showground for rhetorical contests, or corrupt and thus treasonous citizens. Consequently, all opposition to Cleon's point of view is dismissed as ridiculous, illegitimate, and socially harmful, and in his thinking, one has to be truly foolhardy to endeavour to disprove Cleon's

74 Thuc. 2.65.8-10.

75 *HCT* 2: 303-4; Macleod 1978: 71; McGlew 1996: 342 with n. 6; Debbar 2000: 163

76 Thuc. 3.38.1-2.

seemingly righteous arguments. Furthermore, Cleon misrepresents the opposition in the form of a straw man fallacy that simplistically depicts his opponents as spokesmen for the Mytilenean uprising.

Although there are significant populist elements in Cleon's speech, his defence of the Assembly's initial resolution consists to a higher degree of pragmatic, and perhaps even pre-Machiavellian, reflections on power that have no direct connection to populist statements. More precisely, Cleon's point of departure can be referred to as *act utilitarian*. This means that the act, namely the mass murder of every man fit for service and the enslavement of women and children in Mytilene, intends to be of the greatest benefit or utility in a strictly Athenian respect.⁷⁷ Cleon believes that since a high degree of political leeway to tributary states and the use of milder punitive methods have so far failed to prevent insurgency, Athens should resort to harsher measures and in Mytilene set a deterring example for the other allied *poleis*. Cleon distinguishes between voluntary and externally imposed revolts, and he asserts that the Athenians should show Mytilene no mercy, as they rebelled against Athens of their own volition, not being coerced by the Spartans. As such, Cleon also brings up the theme of retributive justice prompted by an unjust revolt.⁷⁸

Contrary to what some scholars believe, Cleon's speech is not based solely on choleric and passionate appeals, but is, as one can also see, structured by reasoned premises that speak to people's common sense

77 See entry 'Consequentialism' by Sinnott-Armstrong 2003 in *Stanford Encyclopedia of Philosophy (SEP)*. The view of Diodotus is also utilitarian, even more so than Cleon's argumentation. However, contrary to Cleon, he believes that the massacre goes against the interests of Athens, see Flaig 2013: 319.

78 In this context, Harris 2013a has shown that Cleon in this speech copiously borrows language and tactics from forensic oratory, which emphasise the importance of enforcing laws and upholding justice. To this Diodotus retorts that such argumentation is quite out of place in a deliberative setting, calling to mind the tripartite division of oratory into judicial (*dikanikon*), deliberative (*dēmogorikon/symbouleutikon*), and epideictic speeches, which was later to be codified by Aristotle in *Rhetoric* (1.3.1-7.1358b-59b), and in the *Rhetorica ad Alexandrum* (1.1.1421b1) usually ascribed to Anaximenes of Lampsacus. On Diodotus' objection to Cleon's judicial speech, see also Harris 2013b: 332-33.

and interest.⁷⁹ However, it is an emotional clarion call to action, which plays on the fears of people, when Cleon pleads for the audience to imagine how they would be treated, had the rebels vanquished Athens:

Do not, then, be traitors to your own cause, but recalling as nearly as possible how you felt when they made you suffer and how you would then have given anything to crush them, now pay them back. Do not become tender-hearted at the sight of their present distress, nor unmindful of the danger that so lately hung over you, but chastise them as they deserve, and give to your other allies plain warning that whoever revolts shall be punished with death.⁸⁰

Before the next speaker, Diodotus, actually gets to the heart of the matter and presents his own proposal, he initially expends a good deal of speaking time on disarming the populist-rhetorical trap set by Cleon for rival speakers. Diodotus argues that it is a serious disadvantage to the overall welfare of the city-state that the *dēmos* repeatedly acts distrustfully against speakers who offer sensible and advantageous advice. The result, he claims, is that “the state [...] is thus robbed of its counsellors through fear.”⁸¹ With this remark, he heavily suggests that Cleon, the sower of distrust, can be accused of practicing a feigned form of *parrhēsia* (frank speech) to undermine the credibility of other speakers.⁸² As Ryan Balot accurately states, the point of Diodotus’ excursus is “that in practice democratic free speech and deliberation do not guarantee reasoned discussion; rather, they tend to promote irrationality and bad faith.”⁸³ Hence, the line between frank speech and flattering rhetoric becomes

79 Correctly pointed out by Harris 2013b: 327. See also Beigel 2017: 47. For an overview of this common reading, see the discussion of prior research in Fulkerson 2008: 116–17.

80 Thuc. 3.40.7.

81 Ibid. 3.42.2. For a corresponding fourth-century complaint by Demosthenes, see Dem. 3.13, 18.

82 *Parrhēsia* is often lauded as a democratic force for good in Attic texts, see e.g. Aeschin. 3.6; Dem. 10.76, 15.1, 60.26; Isoc. 2.3.

83 Balot 2004: 327.

blurred, and that dilemma could leave many citizens in the audience in doubt as to the true motives and aims of each public speaker.⁸⁴

Comparatively, Diodotus' speech consists of considerably fewer instances of rhetoric properly constituting populism. The most clear-cut example occurs when he, in a fashion not wholly dissimilar to Cleon, berates and delegitimises "whoever" [ὅστις] would openly reject the guiding power and principle of the spoken word of their actions as either "dull of wit" (ἄξύνετος) or, worse, that he "has some private interest at stake" (ἰδίᾳ τι αὐτῷ διαφέρει), i.e. is corrupt.⁸⁵ Essentially, Diodotus is confronting the sentiment that actions speak louder than words, which might have been especially widespread at this juncture of political emergency. As the sentence is nominally aimed at 'whoever', this could be conceived as an anti-pluralist opinion. However, this notion does not recur as frequently as in Cleon's diatribes, and, more importantly, there is a clue that this comment and other opening statements in his speech are direct intratextual references, in a Thucydidean sense, to Cleon, the previous speaker, and not necessarily levelled at a significant portion of the attending citizens who may vigorously dispute any form of lenience towards the Mytileneans.⁸⁶ A bit further on, we are clued in on the likelihood that Diodotus is specifically targeting Cleon's points in the form of a nearly unmistakable rejoinder to one of his preceding utterances: "Most dangerous of all, however, are precisely those who charge a speaker beforehand with being bribed to make a display of rhetoric."⁸⁷

84 On the hazy boundary between *parrhēsia* and rhetoric, see Saxonhouse 2006, 87-88, 94-99. For the drawbacks and dangers of *parrhēsia*, see Eur. *Or.* 902-5; Isoc. 8.14; Plat. *Rep.* 557b-58c. The academic approach to frank speech in Athens has previously been uncritically glorifying, see Momigliano 1973: 259-60; Berti 1978; Henderson 1998: 256-57; Demetriou 1999, 114; Grote 2001: 85; Ober 2001: 177. That tradition seems, however, to have shifted to a more even-handed evaluation of the practice, see Monson 2000: 51-63; Balot 2004; Saxonhouse 2006.

85 Ibid. 3.42.2-3.

86 Naturally, the statement might still be anti-pluralist, albeit merely in regard to Cleon as a corrupt, slanderous, and deceptive speaker. Diodotus leaves open the possibility that Cleon's position could be a product of sheer stupidity, which, while preferable to deliberate dishonesty (3.42.4-5), is hardly credible in a speech as eloquent and coherently delivered as Cleon's.

87 Ibid. 3.42.3.

Indeed, this is exactly what Cleon does on multiple occasions, but notably there is a discreet touch of hypocrisy and self-contradiction here, since Diodotus commits the same offence as those he criticises for instilling in the public deep-seated misgivings about speakers offering counsel while doing the same.⁸⁸ Pertinent here is Ralf Dahrendorf's reminder about populist allegations: "Der Populismus-Vorwurf kann selbst populistisch sein, ein demagogischer Ersatz für Argumente."⁸⁹ Diodotus' goal was from the outset to call Cleon's sincerity and reliability into question, thus planting the seeds of doubt in the minds of the listeners, possibly in an attempt to counter Cleon's rhetorical charges of the same type. It was a way of fighting fire with fire.

In the same way as Cleon, Diodotus also morally reproaches the people, given that they never point the finger at or discipline themselves each time a sanctioned resolution fails to produce the expected outcome: "[...] as it is, whenever you meet with a reverse you give way to your first impulse and punish your adviser for his single error of judgment instead of yourselves, the multitude who shared in the error."⁹⁰ Diodotus highlights a central issue concerning political responsibility and the question of blame in a direct democracy. The critical comment is repeated elsewhere in the work by both Pericles and Thucydides himself, which could suggest that Diodotus' address to the people may well reflect a real apprehension some would-be speakers experienced at the Assembly.⁹¹ Diodotus opines that the people should completely refrain from punishing their *rhētores*. This they never did, however. The main reason for this was undoubtedly the necessity of preserving democratic legitimacy and sovereignty, which in turn created a societal need for a mechanism through which the collective could be purged of any culpability in the event of political and military failures. Consequently, the community time and again shifted the blame onto the speakers, proposers, and generals.⁹²

88 See Cleon's warnings about clever orators, *ibid.* 3.38.2, 3.40.1, 3.

89 Dahrendorf 2003: 156. "The accusation of populism can itself be populist, a demagogic substitute for arguments" (my translation).

90 *Ibid.* 3.43.5.

91 *Ibid.* 2.60.4; 8.1.1. Nonetheless, it is not unthinkable that this is the author's own insertion, as it takes a rather denigrating stance on democratic blame and decision-making.

92 Hansen 1999: 207.

Like Cleon, Diodotus advances both commonsensical and emotional justifications, although he himself claims that he will not be carried away by feelings of pity. In a logical train of thought, he argues against Cleon's decree on the grounds that the eradication of Mytilene will lead to a loss of crucial tribute revenues; that Cleon's unconditional approach will make it impossible for the Athenian empire to mend their fences with repentant parties going forward; and that the death penalty has no deterrent effect on individuals' and states' criminal acts and will only serve to strengthen their resolve in the face of certain death. The latter challenge to traditional methods of punishment stands out as a more or less modern view, and is, at least to my knowledge, singular in ancient thinking.⁹³ On the other hand, it is undeniably an appeal to the empathy of his compatriots when he declares, "you will be guilty (ἀδικήσετε) of killing your benefactors (εὐεργέτας)" – the democratic faction in Mytilene.⁹⁴

Whereas Cleon attempts to persuade the people by representing his more severe punishment as both expedient and just, Diodotus, in a masterstroke of rhetoric, claims that Athens does not have the luxury of taking the issue of political justice into consideration, and thus should only pay heed to the pragmatic outcomes of their own actions. By excluding what is right and just from the deliberation, he effectively manages to outdo Cleon in political ruthlessness, all the while still representing the more conciliatory view of the two.⁹⁵ In this way, he also shrewdly offers the Athenians a cynically argued solution, which allows them to preserve their dignity in light of Cleon's scathing critique of the citizens' allegedly soft and overly trusting administration of the empire. As has been noted

93 On the modern nature of his reasoning, see Lebow 2007: 164.

94 Thuc. 3.47.3. In Ancient Greek terminology, *euergetēs* and all its derivatives are highly value-laden constructs, see Arist. *Eth. Nic.* 1124b9–18; *IG II²* 1191; Boulanger 1923, 25; Veyne 1990: 70–199. Veyne rejects the presence of *euergetism* in classical Athens, see Oswyn Murray's introductory commentary, Veyne 1990: xxi. Cf. Migeotte 1997: 183–85; Gauthier 1985: 7–36. On the role and impact of *euergetism* in classical times, see Gygax 2020: 83–92. Gygax 2016 renders the practice a full-fledged institution of exchanges of gifts, services, and honours between the individual benefactor and *polis*, a noticeably more voluminous definition, which is not, according to the author, "entirely compatible with Veyne's" (4).

95 Winnington-Ingram 1965: 78; Orwin 1984a: 488–90, esp. 488 with n. 4. See also Grote 2001: 538–39.

by others, both speakers admit to the unjust, oppressive nature of their empire in one way or another.⁹⁶ This acknowledgment is particularly problematic for Cleon's line of reasoning with its emphasis on just retribution, although it also presents an internal quandary for Diodotus' disquisition, as he describes the rebellion of "a free people that is forced into subjection" as a natural, and almost just, occurrence.⁹⁷

The trouble of discerning truth from trickery in public oratory, lightly touched upon earlier, arose from an emergent art in its own right, the "rhetoric of anti-rhetoric," as Jon Hesk artfully dubs it in *Deception and Democracy in Classical Athens* (2000), whereby a speaker would profess his own amateurism and sincerity while castigating his political adversaries for masking their true intentions behind thick layers of rhetoric, which by its nature was assumed to be deceitful.⁹⁸ Diodotus even goes as far as to remonstrate that public trust in the orators has deteriorated to the point where the righteous, well-intentioned speaker has to lie and dissemble to be believed.⁹⁹ While some scholars, like Antony Andrewes, find this statement to be excessive and "close to the border of nonsense" due to its inherently paradoxical nature, Hesk conversely argues that, although a paradox, the claim does not necessarily belong squarely in the realm of fantasy.¹⁰⁰ Instead, he holds that Diodotus actually proves his own point by deploying his share of "tricks of argument, slides of premises and sops to the audience," as is pointed out in studies by Macleod and Johnson.¹⁰¹ In other words, Diodotus makes a diagnosis of the current state of discourse in Athens, plays by the rules of the identified malfunction, but presents no long-term remedy for the problem. Thucydides' re-

96 Macleod 1978: 75-76; Croally 1994: 58-59; Ober 1998: 98-104.

97 Thuc. 3.46.5.

98 On Hesk's application of "rhetoric of anti-rhetoric," see Hesk 2000: 4-5 and passim.

99 Thuc. 3.43.2-3. Here, Diodotus falls prey to the so-called 'Cretan liar paradox' of self-reference. One can summarise it as follows: If the reputation of speakers has come to be known as deceitful and oleaginous, as Diodotus suggests, why should the Athenian people place their trust in him any more than other speakers. It is not clear that Thucydides' Diodotus "willfully embraces the well-known 'Cretan liar' paradox," as Ober 1998: 99 claims.

100 Andrewes 1962: 74 with n. 25. See also *CT* 1: 433.

101 Hesk 2000: 253-54. Macleod 1978: 76-77; Johnson 1991.

production of the speeches was hardly done on a whim. A likelier explanation of Diodotus' paradox than Andrewes' outright dismissal of it as rhetorical nonsense is that the point of including these momentous speeches might precisely be to exemplify the declining quality of democratic deliberation in Athens, even in the early years of the war. Notwithstanding any sympathy the author might feel towards a rival of Cleon, a reader cannot help but feel spurred to ponder who to trust when a certain degree of deception (ἀπάτη) becomes a staple of public speaking.

Diodotus' proposal to reverse the prior decree of extermination narrowly won out by a show of hands. Another ship was then sent off to overtake the first ship carrying the original directive. According to Thucydides, the second ship dramatically arrived in the nick of time, right before the Athenian general Paches was about to discharge Cleon's decision: "By just so much did Mytilene escape its peril."¹⁰² In this context, it is important to keep in mind that Diodotus by no means endorsed a pacifist measure of non-violence or non-retaliation. He does not explicitly contest that the ringleaders of the rebellion, sent to Athens by Paches, should be put death. He does, however, counsel his fellow Athenians to pass judgement on the guilty parties in a calm manner (κρῖναι καθ' ἡσυχίαν).¹⁰³ What this entails exactly is open to interpretation. And perhaps that was the point. Egon Flaig persuasively suggests that Diodotus presumably deemed pronouncing sentence on the main culprits of secondary importance to saving the inhabitants of Mytilene. Thus, it is not unlikely that the debate was split up into two votes: one on the fate of Mytilene, and a second vote to deliver judgement on the ringleaders. Diodotus avoids recommending a direct course of action in regard to the second point, as he similarly does not make mention of demolishing the walls or seizing their fleet, which happened at any rate. Clumping the decisions together may well have shattered his narrow majority, since public attitude toward the core instigators was plainly anything but cordial.¹⁰⁴ Someone had to be held accountable. In what can hardly be described as an attempt to adjudge calmly, approximately 1000 ringleaders

102 Thuc. 3.49.4.

103 Ibid. 3.48.1.

104 Flaig 2013: 320-21.

and active insurrectionists were on Cleon's proposal summarily put to death.

Was Cleon a populist? Thucydides' Cleon partially makes use of populist rhetoric in his main line of argument, and in that regard, he is a populist. Nevertheless, one can hardly identify him as a through-and-through, hard-line populist, as he also lays out considerations of a power-political nature, free of any populist overtones. On the other hand, Diodotus' speech contains quantitatively fewer populist comments. Forms of duplicity and internal inconsistencies feature in connection with populist posturing in both speeches. Members of the audience may or may not have caught on to those rhetorical deficiencies in the moment, but upon closer inspection, they prod one to question the underlying motives of each speaker.¹⁰⁵ Gomme's statement that "the quarrel between Diodotos and Kleon is as much about how to conduct debate in the ekklesia as about the fate of Mytilene" still rings poignantly true.¹⁰⁶ Naturally, it is hard to determine which parts of the speeches are Thucydides' impartial, sober account of transpired events, and which are his tendentious construal of imperial politics. One must be careful not to deduce too much about the historical Cleon from the representations of him by Aristophanes and Thucydides, as they were both likely to have had feuds and disagreements with the controversial speaker.¹⁰⁷ Hence, it

105 Yunis 1996: 92-101 draws an intriguing parallel between Agoracritus in *Knights* and Thucydides' Diodotus, which leads him to conclude that Diodotus (Agoracritus), as the political outsider, provides an instructive political template that seeks to combat the superficial flattery of Cleon (the Paphlagonian) and other post-Periclean demagogues. Hesk 2000: 255-58 is less amenable to the idea that the assumed sincerity of the obscure speaker should necessarily be taken at face value. Hesk utilizes Yunis' discussion to demonstrate rather convincingly that the methods of Agoracritus are no less suspect and manipulative than those of the Paphlagonian, and thus by way of comparison, Diodotus' motives can scarcely be definitively assessed as well-intentioned.

106 *HCT* 2: 315.

107 Meineck 1998: xiv-xv; Fisher 2015: 208. Most scholars nowadays largely concur that Cleon has received an unfair treatment from Aristophanes and Thucydides due to their personal biases and potential animosity towards him, see e.g. Woodhead 1960; Bowersock 1965: 139; Baldwin 1968: 211-14; Westlake 1968: 60-85; Hunter 1973: 31-41; Lewis 1975: 89; Marshall 1984: 19-23; *CT* I: 346-49, 419-20; Greenwood 2006: 55-56; Wallace 2015: 250. Cf. however *HCT* 2: 315; Gomme 1962: 116-20; Spence

is also important to bear in mind that the two portrayals of Cleon, which we have looked at need not have anything to do with the historical Cleon. All the same, both Aristophanes' and Thucydides' texts indicate that populist rhetoric and action were possible in Athens, and one can advantageously use Thucydides' life-like rendering of the speech as a springboard to better understand the relationship between political realism, populism, rhetoric, and conceptions of justice in democratic Athens – something that may still be relevant today.

Thucydides' historical work is an account of how war and crises betray humanity. As the Peloponnesian War progresses, states and their agents become more and more cynical and calculating. In the case of Mytilene, the Athenians find themselves on the moral precipice, on the verge of completely succumbing to their spiteful impulses. Mytilene was saved, but not all city-states would be so lucky. When it became apparent that Diodotus' initiative was not effective in preventing revolts, the Athenians increasingly began to implement Cleon's advice. Cities such as Scione (421), Melos (416), and Mycalessus (413) were razed to the ground and their male inhabitants killed while the women and children were sold into slavery.¹⁰⁸

Populism and Justice in Classical Athens

Private and state patronage in Lysias' speeches

In what follows, I have endeavoured, as far as possible, to select sources that illustrate different yet overlapping forms of populism in Athenian

1995: 435-37; Cawkwell 1997: 63-67; Foster 2017: 145. On Cleon's presumed role in the exile of Thucydides, see Grote 2001: 643, basing his argument on the rather dubious foundation of a Roman 6th century source about the *Life of Thucydides* by Marcellinus (Marcellin. 46). With reference to Diodotus, son of Eucrates, even less can be inferred. Although one of the most remarkable and complex speeches in Thucydides' work is attributed to him, he is never mentioned again by the author nor does he resurface in any extant piece of literature or epigraphy. For a brief exploration of the elusive man, see Ostwald 1979, who speculates that he might have held some kind of public office.

108 Ibid. 4.122.6, 5.32.1, 5.116.3-4, 7.29. Cleon proposed the destruction of Scione in 423, one year before his death in Amphipolis.

legal proceedings. Nonetheless, this is clearly not an exhaustive discussion of populism in all legal, or *forensic*, speeches handed down to us.

In Lysias 21, an unnamed speaker defends himself against charges of embezzlement and bribery during his work as *archon* (public official).¹⁰⁹ The speaker leads off with an impressively long record of his liturgical activities in the realms of drama, war, and athletics over the years. The following is just an excerpt:

For I was declared of legal age when Theopompos was *archon*, and as a *chorēgos* for a tragedy I spent thirty *minae*, and two months later I spent 2,000 *drachmae* on a male chorus that triumphed at the Thargelia [...] In the meantime, I served as a trierarch for seven years and spent six talents.¹¹⁰

In eight years (from 411 to 403), the speaker claims to have spent about 63,000 *drachmae* (10½ talents) on liturgies, an exceptional figure that would have taken an average oarsman in the navy around 172 years to earn.¹¹¹ It is the single largest documented individual liturgical sum in all Attic texts, and the speaker was not only affluent, but must have belonged to the super-rich segment of the population. The individual in question and his immense wealth are thus not exactly representative of the typical liturgist, but the quotation nevertheless testifies to the essential symbolic role of gift-giving in public debates, even in the Athenian legal system.¹¹²

The speaker emphasizes that he has provided all these services voluntarily to demonstrate his *εὐνοία* (goodwill) and *φιλοτιμία* (love of honour) to the city-state, and that he would not even have spent a quarter of the total amount if he had simply disbursed the absolutely necessary sum towards the liturgies. Thus, it appears that this can in fact be

109 The speech is dated to c. 403/2.

110 Lys. 21.1-3 (my translation).

111 An oarsman earned about one *drachma* a day, see fn. 52.

112 Examples of liturgies and mass clientelism in Athenian forensic speeches abound: Andoc. 1.149, 4.42; Antiph. 2.2.12; Dem. 20.151, 25.76-78, 36.41, 38.25, 45.85, 47.48; Is. 4.27-31, 5.35-38; Isoc. 8.53, 15.158; Lys. 3.47, 6.46, 7.30-31, 30.26.

considered a gift rather than a city-state-imposed taxation on the individual, since the speaker has deliberately spent far more than required; most likely in order to curry favour with the people. In addition to the liturgies, he also highlights his outstanding military service. These are all powerful appeals to *ethos* (character), and through them Lysias wants to characterize his accused client as a virtuous and conscientious citizen. Although the following expression does not show up directly in this source, the implied message must have been that this rich person, in a self-sacrificing spirit, has served the people of Athens καὶ τοῖς χρήμασι καὶ τῷ σώματι (“with his money and his body”) – he has thus risked purse, life and limb for the public weal.¹¹³

There is no hint of populist anti-pluralism and only weak traces of hostility against elites in the speech. By contrast, the client’s generosity forms a signal part of the defence. The liturgies represent a markedly different form of mass clientelism than, for example, Cleon’s proposal to increase the jury pay. Lysias’ client does not assume the role of adviser-statesman, but rather acts at the state level as a socially responsible pillar of the community – a genuine καλὸς κάγαθός (beautiful and noble man).¹¹⁴ Although the gift here assumes a different form than Cleon’s, in the ancient Greek domain of gift-giving there was still a built-in expectation of an exchange of material goods and intangible services. Of course, nowhere in the Athenian constitution was it fixed by law that liturgies should be rewarded with public devotion and the like, but reciprocity in economic and social exchanges was a widespread cultural custom in the Greek world. This logic of exchange was deeply entrenched in the collective consciousness of the Athenians and could therefore be tacitly understood in most contexts.¹¹⁵ By appearing as a patron of the people, the defendant hopes to gain legal εὔνοια (goodwill) from the jurors, which could be crucial for an acquittal. To be sure, mention of such acts of charity, if one regards them as such, falls entirely short of refuting or proving, in a purely technical or judicial sense, the criminality of the accused, i.e. the speaker could well have used the embezzled money on the

113 For the expression, see Arist. *Ath. Pol.* 29.5; Dem. 10.28, 42.25; Lys. 19.58, 25.4.

114 Adkins 1972: 119–26. See e.g. Lys. 19.59, 25.13 for the expression.

115 Cf. however Lys. 25.13, 20.31, where the speakers openly reveal that their performance of various liturgies was aimed at garnering communal εὔνοια (goodwill).

liturgies (and the bribes) – provided he really did it. At the heart of the matter is the assessment and portrayal of the defendant’s moral character and conduct that can either make him out as an unreliable fellow or a trustworthy citizen. This is not completely unlike the use of character evidence in contemporary courts, which strengthens or weakens the import of a given witness or testimonial, or highlights the defendant’s moral fibre – or lack thereof.

In *Lysias* 19, an anonymous brother-in-law to a certain deceased Aristophanes defends himself against allegations of concealing money and valuables from a state-seized property.¹¹⁶ The property formerly belonged to Aristophanes, but it was confiscated when Aristophanes along with his father were executed due to a failed naval operation in 390. The charges were originally brought against the speaker’s father, Aristophanes’ father-in-law, but he died in the intervening time and the responsibility thus passed on to the son.¹¹⁷ According to *Lysias*’ client, the Athenian authorities had grossly overestimated Aristophanes’ property value, and so the state felt cheated of substantial revenues.¹¹⁸ The speaker argues for his father’s innocence by stressing his selfless and charitable behaviour in the payment of liturgies and donations to private individuals:

Now, not once did my father seek office, but he has discharged every duty in the production of dramas, has equipped a warship seven times, and has made numerous large contributions to special levies [εἰσφορὰς] [...] The sum total of them all is nine talents and two thousand drachmae. In addition, he also joined privately in portioning daughters and sisters of certain needy citizens: there were men whom he ransomed from the enemy, and others for whose funerals he provided money. He acted in this way because he conceived it to be the part of a good man to assist his friends, even if nobody was to know [...]¹¹⁹

116 This Aristophanes is not the famed comic playwright.

117 The speech was delivered around 388/7.

118 The speaker explains the relatively lower private assets based on Aristophanes’ patriotic charity.

119 *Lys.* 19.57, 59 (tr. Lamb, LCL).

Notable here is the speaker's references to both his father's undertaking of the more expensive state liturgies and his smaller, locally-based patronage of families and individuals. Thus, the father has alternated between the roles of state benefactor and protecting patron of clients, perhaps in his deme or phyle. Despite the fact that the local gifts fall outside the sphere of the state and the amounts are most likely lower than in the case of liturgies, one should not be led to believe that the payment for others' dowries, funerals, and ransoms would not be recognised and respected by most citizens. It might even, in certain cases, be considered a more personally involved and humane gift.¹²⁰

By now, we can already sense that populist mass clientelism could also have a significant role to play in Athenian litigation. Military efforts and financial services to the state and locals were both examples of mass clientelism. The mention of these actions was meant to promote the individual as an honourable, public-spirited and – ultimately – innocent citizen.

Demosthenes 21 – an anti-elitist depiction of Meidias

In c. 347, the Athenian speaker Demosthenes took legal action against the rich Meidias after he had been physically assaulted by him at a choral performance.¹²¹ There is an unambiguous streak of anti-elite posturing in much of Demosthenes' charge against Meidias. It can be observed, for example, when Demosthenes quotes Meidias' crassly self-promoting announcements to the people, “[w]e [ἡμεῖς] are the men who perform the public services [οἱ λητουργοῦντες]; we are those who advance your [ὑμῖν] tax-money [οἱ προεισφέροντες]; we are the capitalists [οἱ πλούσιοι] [...]”¹²² Couched in Meidias' comment, whether true or not, is the expectation of public support and recompense, but the tone is ex-

120 For other private benefactions, see Andoc. 1.147-48, 150; Lys. 16.14.

121 The two were involved in a protracted feud against each other.

122 Dem. 21.153. The translations of Dem. 21 used here are from J. H. Vince's Loeb Classical Library Edition.

ceedingly pompous and almost undemocratically demanding. The problem, therefore, is not that he draws on his liturgies to obtain the χάρις (gratitude) of the people, but rather the way in which he does it. In addition, the contrast between the pronouns “us” [ἡμεῖς] and “your” [ὑμῖν] helps Demosthenes to isolate the haughty and well-off Meidias from the down-to-earth, ordinary folk whose cause Demosthenes presents himself as championing.¹²³ He does a similar thing when, deeply disturbed, he claims with respect to the power of wealth on judicial decisions, “[f]or, if I may add a word on this subject also, where the rich are concerned, Athenians, the rest of us have no share in our just and equal rights. Indeed we have not.”¹²⁴ Demosthenes was, of course, himself one of these rich persons, which the people probably knew well, yet the statement exemplifies a significant rhetorical ploy. It is a recurring theme in Attic legal speeches that moneyed men underplay their prosperity and social status and comport themselves as oppressed and even impoverished to win sympathy among the jurors, who were primarily average citizens from the city.¹²⁵ As was expected in most Athenian legal competitions between two well-to-do individuals, gift-giving and mass clientelism are brought to the fore. For example, Demosthenes compares his own liturgies with those of Meidias:

123 For other attempts to stage himself as an advocate of the common people, see also 21.133, 140, 207.

124 Dem. 21.112.

125 Markle 1985: 277-81. For similar examples, see Dem. 28.21, 44.3, 28, 44, 45.85, 73, 48.52-58, 57.35, 52; Lys. 24.9. As Mann 2007: 163-64 observes, the comforts of wealth had concomitant dangers. Citizens of the leisure class had to be smart and careful in displaying, deploying, and staging their affluence. On the envy and resentment which success and prosperity could attract, see Ober 1989: 205-8. Another rhetorical fiction that speakers could utilise to evoke the pity of the audience was to present themselves as inexperienced and timid orators, though they had often hired a professional speechwriter [logographer] for the case, see Dem. 55.2, 7, 58.41, 61; Hyp. 1.19-20; Lys. 17.1, 19.2, 31.2, 4; Plat. Ap. 17a-d. Ober 1989: 152-55 argues that the Athenian jurors were in the encounter with such paradoxical, yet submissive utterances, used and trained to “suspend their disbelief” (176). However, despite the significance of this form of democratically submissive and symbolically charged rhetoric, Athenians most likely also required something more tangible and practical from the elite.

This man, men of Athens, is perhaps about fifty years old or a little younger, but he has not performed any more liturgies than I have at age thirty two. In fact, the minute I came of age, I served as trierarch during the period when we served as trierarchs in pairs, paid all the expenses out of our own pockets, and hired crews for the ships by ourselves.¹²⁶

He goes on to call attention to how few, modest, and reluctant Meidias' liturgies have been in comparison to his own numerous, generous, and voluntary public services.¹²⁷ For Demosthenes, this antithetical arrangement is a cunning way in which he can inform the jurors of his own gift-giving practices, without it seeming unnecessarily self-glorifying. Furthermore, Demosthenes here weakens the positive impact of Meidias' liturgies, should he choose to speak about them in his defence. Much also suggests that Demosthenes is lying about his age to appear six years younger than he actually was (38 years old) in 347/6.¹²⁸ He undoubtedly does this to make the older Meidias' unconvincing generosity and selflessness pale even more in comparison to his own.

Demosthenes also attacks Meidias for his purchase of an opulent mansion, a fine chariot pulled by elegant steeds, and the employment of hired thugs, but it is nevertheless central to emphasize that Demosthenes' criticism of Meidias' private wastefulness is not an attack on the entire Athenian upper class.¹²⁹ Wealth and social prestige were by no means ill-regarded or reprehensible in Athens, but the rich had a moral and financial obligation to the state.¹³⁰ If one could not, or worse yet, chose not live up to the people's demands for public munificence, that person could easily be denounced as a snooty and disinterested citizen – an outright detriment to society.¹³¹

126 Dem. 21.154.

127 *Ibid.* 155-57, 161, 189.

128 Harris 1989: 121-25. Demosthenes was born c. 385/4. See also Dem. 27.4-5.

129 Demosthenes even points out that wealthy horsemen who served with Meidias share a distinct dislike of him, see Dem. 21.197.

130 *Ibid.* 210; Dem. 14.28; 42.22; Thuc. 6.39.1.

131 Ober 1989: 206-8.

Certain parts of Demosthenes' speech also contain heavily populist, anti-pluralist portrayals of Meidias as an enemy of the people.¹³² For example, Demosthenes maintains that Meidias never takes part in public scenes of jubilation when good news arrives in Athens, while he is always the first to exploit an unfortunate situation, casting blame and gloating.¹³³ According to Demosthenes, therefore, he hardly has the interests of the people in mind; rather, it seems that he is actively opposing them.¹³⁴ It is impossible to assess how accurate Demosthenes' description of Meidias' person and conduct is as a public figure, and to the great dismay of historians and philologists, Meidias' own defence speech is not extant – if the case went to trial at all.¹³⁵ However, what we can deduce from Demosthenes' moralizing speech is that a populist-like figure (according to modern theory) could feature as an enemy of the people and democracy, whether it was a pure construction or an accurate representation of the opponent.

Demosthenes 18 and Aeschines 3 – the case of the golden crown

In 337, a man named Ctesiphon proposed a decree to bestow a golden crown on Demosthenes for his contributions to the Athenian defence against Macedonia. However, the proposal was immediately halted by Demosthenes' political rival, Aeschines, who objected that such an accolade was both formally and materially *paranomos* (unconstitutional).¹³⁶ This *γραφὴ παρανόμων* (lawsuit against an unconstitutional proposal) was *de jure* brought against Ctesiphon who, as the proposer of the motion, had violated certain legal formalities, but in reality the procedure

132 See also Dem. 21.193-94; 209-10 for anti-pluralist arguments.

133 Ibid. 202-4. The same motif recurs in Demosthenes' speech on the crown against Aeschines, Dem. 18.198.

134 For Meidias' superciliousness, see also Dem. 21.198.

135 There is disagreement as to whether the case was actually carried through or if the parties settled out of court before legal proceedings began. For the settlement, see "Introduction" (ed. Vince, Dem. 21, LCL); Aeschin. 3.52; Plut. *Dem.* 12.2. Boeckh 1871: 153-204; Erbse 1956. For completion of the trial, cf. Harris 1989: 134-36; MacDowell 1990: 28.

136 See Aeschin. 1 and 2.; Dem. 19 for previous legal disputes between the two.

was an attack on the arch-enemy Demosthenes.¹³⁷ Both parties' speeches are filled with self-exaltation and diatribes against the counterpart, as well as populist anti-pluralistic accusations of corruption and high treason.¹³⁸ An example of this is Demosthenes' antithetical statement about his own and Aeschines' patriotism, "[...] you have ever served our enemies, I have served my country."¹³⁹

In his prosecution, Aeschines repudiates the perhaps general notion that Demosthenes is *dēmōtikos* ("a friend of the people") by claiming that Demosthenes, on his mother's side, was not a genuine Athenian citizen.¹⁴⁰ Aeschines sums up his reasoning as follows:

From his grandfather, therefore, he would inherit enmity toward the people, for you condemned his ancestors to death; and by his mother's blood he would be a Scythian, a Greek-tongued barbarian—so that his knavery, too, is no product of our soil.¹⁴¹

The accusation is almost certainly a complete fabrication, but nevertheless the passage indicates that the Athenians had a conception of anti-popular and anti-democratic as well as other insidious views being inherited through the wicked deeds of one's ancestors and one's impure birth.¹⁴² Aeschines' point is that because of birth and nature Demosthenes cannot serve Athenian interests but would sooner challenge and threaten democracy as an oligarch.¹⁴³ According to Aeschines, Demosthenes' standpoints are thus illegitimate and un-Athenian, and he should probably be excluded from the community of citizens entirely. In addition to being an example of political mudslinging, the excerpt is a fine

137 For a quick summary of Aeschines' indictments against Ctesiphon's motion, see "Introduction to the De Corona" (ed. Vince & Vince, Dem. 18, LCL).

138 See e.g. Aeschin. 3.58, 69-70, 77-78, 103-4, 125-26, 207-10; Dem. 18.44, 49-52, 127-28, 156, 198, 282.

139 Dem. 18.265 (tr. Vince & Vince, LCL).

140 To be an Athenian citizen, both parents per Pericles' citizenship law of 451 had to be Athenian citizens at conception, see Arist. *Ath. Pol.* 26.3; Plut. *Per.* 37.2.

141 Aeschin. 3.172-73 (tr. Adams, LCL).

142 If the postulate were true, Aeschines could simply bring charges against Demosthenes for lying about his citizenship.

143 See also Aeschin. 3.6, 168-73, 220.

case in point of the hypermoralistic personalisation of politics often practiced by populists.¹⁴⁴ Here personal, intimate, and family-related details and information about politicians can come to occupy the foreground of political debates.¹⁴⁵

As many other wealthy Athenian citizens do in their court speeches, Demosthenes prides himself on his choral and military liturgies as proof of his civic virtue and patriotism.¹⁴⁶ He also mentions his private benefactions, in a manner reminiscent of the unnamed speaker's outline of his father's charity in Lysias 19:

In private life, if any of you are not aware that I have been generous and courteous, and helpful to the distressed, I do not mention it. I will never say a word, or tender any evidence about such matters as the captives I have ransomed, or the dowries I have helped to provide, or any such acts of charity. It is a matter of principle with me. My view is that the recipient of a benefit ought to remember it all his life, but that the benefactor ought to put it out of his mind at once [...]¹⁴⁷

It is the well-known formula of theatrical humility that appears here.¹⁴⁸ Demosthenes utilises a form of false modesty – a rhetorical ploy known as *apophasis/paraleipsis* – which, despite the promise of meek concealment and forgetfulness, still manages to remind the jurors of prior donations. Evidently, the wealthy seldom forgot their gifts to the people, and in the latter part of the passage, Demosthenes cautiously conveys to the audience that according to the philosophy of gift-giving they now owe him favours and services.¹⁴⁹

Although researchers today believe that Demosthenes' coronation was not strictly lawful, he nevertheless won the trial with an overwhelming majority of juror votes, which had serious consequences for

144 Kriesi 2014: 365-66; Bracciale & Martella 2017; Rosanvallon 2018; Hedetoft 2020: 171-84.

145 See also Aeschin. 3.77-78.

146 Dem. 18.257. Aeschines did not have any liturgies to speak of.

147 Ibid. 268-69 (tr. Vince & Vince, LCL).

148 For other examples of feigned silence, see also Aeschin. 3.51; Andoc. 4.42.

149 Demosthenes also emphasizes that he has acted the serving and redoubtable statesman, see e.g. Dem.18.102-7, 169-79.

Aeschines.¹⁵⁰ As Aeschines did not even obtain a fifth of the votes, he was fined one thousand drachmae and was deprived of the right to act as a public prosecutor in the future.¹⁵¹ He was then either sent into exile because he was unable to pay the damages to the state or voluntarily left Athens as a result of the total political humiliation.¹⁵² The case and its outcome illustrates perhaps better than anything else how closely interwoven politics and law were in classical Athens, and that the Athenian jurors were not professional judges with keen eyes for legal technicalities. On the contrary, they were likely citizens with general interests at heart, who could be influenced, persuaded, and manipulated through political popularity contests, (mass) clientelism and populist grandstanding and character assassinations.

Concluding remarks

The object of this article was initially to observe and then – if it could be documented – investigate populism in classical Athens. The study of various sources shows that populism was an applied and living practice in Athenian democracy. However, populism assumed a somewhat different shape than it does at present. Unlike today, political and financial mass clientelism was widespread and socially commendable in Athens. Josiah Ober nicely summarises the multifaceted interaction between the people and the (elite) speaker as a kind of *do ut des* relationship ('I give that you may give'): "[c]haris bound orator and audience together by reciprocal ties of obligation."¹⁵³ Speakers could easily make use of numerous anti-elitist and anti-pluralist arguments, but they could scarcely contend with an alleged subversive global elite or with the supposed disintegration of the sovereignty of nation-states caused by globalisation, as today's populists often do.

150 Rowe 1966; Wolff 1970: 13, 46, 61; Yunis 1988: 365, 375.

151 For this punishment, see Dem. 53.1-2; Hansen 1999: 202.

152 See, respectively, Philost. *Vit. Soph.* 509 (forced exile) and Plut. *Vic. Dem.* 840c-d (voluntary exile).

153 Ober 1989: 335.

I would be remiss if I failed to take Karen Piepenbrink's key article on populism in classical Athens into account here.¹⁵⁴ My views on the presence of populism in Athenian democracy and those of said author are largely at variance.¹⁵⁵ Briefly stated, Piepenbrink does not consider populism a phenomenon or category that transgresses historical epochs beyond the (post)modern.¹⁵⁶ She initially dismisses Aristophanes and Thucydides' representations of Cleon as too slanted by their own personal preconceptions to be of much empirical use for an analysis of populism.¹⁵⁷ Instead, she elects only to investigate speeches from fourth-century Athens. In my view, it is a mistake to disregard pivotal extant literature on this notion, specifically when one could benefit from comparing and contrasting in order to confirm or refute the existence of populist tools and communication in ancient societies. By and large, the author's thesis seems a foregone conclusion early on. As a result, there are no benchmark case studies of the evidence and hardly any engagement with the primary sources at all.¹⁵⁸ Aside from our points of divergence, Piepenbrink also raises points that are hard to dispute. She is right to highlight that segments of the Athenian *demos* are never singled out or excluded as treacherous and illegitimate in surviving texts, the way in which modern populists do to parts of a national citizenry. The homogeneity of the Athenian people and the lack of nationalist sympathies would make that specific populist tactic quite impractical, and likely unrealisable. Nor do we see clear instances of anti-Establishment rhetoric, condemning institutions like the Assembly or the Council.¹⁵⁹ Additionally, Piepenbrink describes the internal "Freund-Feind-Differenzen" ('friend-foe differences') featured in the court speeches, which include attempts to paint "den Kontrahenten entweder als ‚Feind‘ der Polis oder

154 Piepenbrink 2020. My sincere thanks to the peer reviewers for pointing me in the direction of this text.

155 It is worth noting that our criteria for what constitutes populism do not completely overlap.

156 Indeed, she is not alone in this belief, see Piepenbrink 2020: 54 with n. 9.

157 An exposition of Cleon's political communication in the Mytilenean Debate does appear in the conclusion, but it is much too cursory, *ibid.* 65-66.

158 Nevertheless, it naturally cannot be expected that the whole body of Attic works be scoured just to deny any instance of populism.

159 Piepenbrink 2020: 57, 60-61.

als persönlichen ‚Feind[...],“ as essentially non-populist expressions, which work within the boundaries of the judicial sphere and in accordance with the competitive logic to secure goodwill and votes from the jurors.¹⁶⁰ There is some truth to this statement, yet it does not allow for the fact that, at least, some legal cases were very much politically motivated, and in this manner, the People’s Court could be used as a public stage on which to delegitimise prominent speakers and popular figure-heads of opposing political groupings in anti-elitist, anti-pluralist terminology. Nowhere is this more evident than in the long-standing feud between Demosthenes and Aeschines. The purpose of these high-profile cases is, then, not merely to win prestige, approval, and trials detached from the realm of politics, but in equal measure to depict one’s political or personal foe as a duplicitous and corrupt leader and member of the community, marking him, in no uncertain terms, as unworthy and morally incapable of speaking for the people. As I have demonstrated, I regard this type of morally super-charged, exclusionary rhetoric as closely resembling the hypermoralistic rationalisations of modern populists seeking to undermine and invalidate the rights of other politicians and parties to represent the nation. Having said that, modern populism, defined in theory and practised in reality, clearly cannot be made to fit ancient contexts and mentalities in a 1:1 ratio. In view of these essential qualifications, the upshot, I would contend, is a modified type of populism.

Moreover, I would argue that you could interpret Athenian populism as more institutionalised than it is nowadays, in the sense that gift-giving, democratic rhetoric, and intra-elite (and anti-elitist) *agonistic* (competitive) struggles for popularity, honour, and influence were deeply rooted in many aspects of public life.¹⁶¹ Nevertheless, in their respective books on populism, both Jan-Werner Müller and Mogens Herman Hansen maintain that the practice was not an Athenian phenomenon. In *What is Populism?* (2016), Müller is positively wistful about Athens’ direct democ-

160 Ibid. 59. “the opponent as either an enemy of the polis or as a personal enemy” (my translation).

161 On δημοσία φιλοτιμία (public-spirited love of honour), see Dem. 18.257; Whitehead 1983: 59-62.

racy, “One has to be rather obtuse not to see the attraction of such a notion of collectively mastering one’s fate, and one might be forgiven for melancholy feelings given its loss in practice.”¹⁶² He concludes the paragraph on Athens with a clear message, “[...] populism is only thinkable in the context of representative democracy.”¹⁶³ However, there is evidence that populism was at least as frequent in Athens as in indirect democracies, if not more. Precisely because Athenian speakers had no fixed mandates, it was also imperative to fight for the people’s favour and support and to assert themselves at the expense of others.

In the book *Hvordan forvrænger populismen demokratiet?* (*How does populism distort democracy?*), Hansen also addresses Athenian democracy. He argues, “[...] that Athens was a democracy rather than a populist form of government.”¹⁶⁴ With “populist form of government,” Hansen refers to his previous survey of Plato’s and Aristotle’s disdainful descriptions of democracy and demagogues. Hansen notes, among other things, that Athens was mainly led by statesmen such as Pericles and Demosthenes and only rarely by populists/demagogues.¹⁶⁵ However, there is no reason to think – as Hansen does – that direct democracy and populism are two mutually exclusive forces. He uses, no doubt deliberately, the ancient normative dichotomy between the good statesman and the bad demagogue, but I would argue that the application in this context is misleading, since the boundary between statesman and populist, in reality, was and is fluid and blurred.¹⁶⁶ If anything, the sources discussed here indicate that nothing prevented the statesman Demosthenes from taking on the role of populist as well. Interestingly, in the Attic legal orations we can essentially catch a glimpse of the more fabricated populist, with whom we are presented in the works of Aristophanes and Thucydides, being realised and articulated in the real world. In the legal arena, however, it is usually the speaker, the protagonist himself, who acts the pop-

162 Müller 2016: 77.

163 Ibid. See also 101.

164 Hansen 2017: 87-88. My translation of the original Danish: “[...] at Athen snarere var et demokrati end en populistisk styreform.”

165 Ibid. 88.

166 On the statesman-demagogue dichotomy, see Lane 2012.

ulist, whereas populist behaviour in Aristophanes is used for comic effect, and in both the comedian and Thucydides, the populist is degradingly portrayed as generally manipulative and hypermoralistic.

One can view populism as an implement of power from a larger political toolkit, and contrary to popular belief, one does not have to be an arch-populist to speak and act in a populist fashion now and again. Ancient as well as modern populism can easily be situational, and therefore, a controversial figure from classical times like Cleon may, at some points, bring to mind today's Donald Trump, while in other areas he rather resembles blood-and-iron pragmatic politicians like Otto von Bismarck.¹⁶⁷ Lastly, I hope this paper can stir others to conduct further forays into the links between leadership, rhetoric, and populism in ancient societies.

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167 A recent study has observed that, besides their direct effects, the stauncher, or more hard-core, proponents of modern European populism have over the last couple of decades had the indirect impact of pushing mainstream parties further to the right on the political spectrum and causing them to adopt populist rhetoric and policies in varying degrees. This amalgamation of populism and mainstream politics is what Eatwell & Goodwin 2018: 283-92 label "national populism-lite." Journalists and researchers commonly juxtapose the demagoguery and populist devices of Cleon with those of Donald Trump, see Seewald 2016; Mackie 2016; Olson 2021; Menaldo 2022, 22-35. Rarely do they, however, illustrate a deeper understanding of populism nor furnish an explanation for their use of the term.

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