

The (not so violent) *staseis* and *metabolai* in the Aristotelian *Athenaion Politeia*

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Abstract: The *Athenaion Politeia* chapter 41.2 lists eleven changes (*metabolai*) to the Athenian political system from the heroic age to the democratic restoration of Thrasybulus in 403 BCE; the city allegedly remained unchanged until as late as the writing of the text, probably around the 330s BCE. This text examines some patterns in the *metabolai*, involving the innovations ascribed to the first three (or four) and the main role played by Solon after the dissension (*stasis*) in which he acted as an arbitrator and avoided the establishment of a tyranny, which, according to the work, marked the beginning of democracy. After Solon, each subsequent *metabole* implicated his legacy, except those that involved tyranny. This pattern oversimplifies complex historical events, but the relationship between *staseis* and *metabolai* structures the *Athenaion Politeia*'s original design and constitutional historical approach. While some of these changes (the fourth, fifth, tenth, and eleventh) entailed the violent seizure of power by or against tyrants, others relate to the Solonian ideal of managing *staseis* without the violence of tyranny, that is, by increasing (or limiting) the power of the people over the constitution.

Keywords: *stasis*, *metabole*, *Athenaion Politeia*, Solon, tyranny.

1. Introduction

The *Athenaion Politeia* surfaced in an informal way.¹ I refer not only to the discovery of the so-called London papyrus smuggled from Egypt in the late 19th century but also to Del Corso's (2018) papyrological analysis, which concluded that it is an informal copy of an older original that was itself informal, most likely also lacking the proem and initial chapters. By "informal" Del Corso (2018, 43–50) means that it was produced by a collective of "reader-consumers" interested in its "symposean" performance in the context of the local Greek elite that ruled provincial Egypt under the Ptolemies. It was therefore not copied by professionals such as the scribes of Alexandria's *Mouseion*, and, according to Del Corso (2018, 48), those who worked on it probably did not know the name

¹ I am grateful to Delfim Leão and Breno Sebastiani for their help in reading and improving the text, as well as for the editing of this whole volume. I want also to thank Hannah Shakespeare, who read an earlier version of this paper, helping me to improve it at the linguistic level.

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of the author of the text they were writing, nor did they have a clear idea as to its original title. This helps us to understand some of the difficulties and awkwardness of the text, but it was undoubtedly originally written in the school of Aristotle around the 330s BCE and revised some years later due to what appear to be later additions.²

We know from the *Nicomachean Ethics* (1181b.15–22) that the collecting of many *politeiai*, approximately 158 according to ancient sources (Rhodes 2017, 1–2), was connected to *Politics*, but one needs to be careful when establishing links with the philosophical *corpus* because each text has its own specific aim, scope, and context.³ There is no reason to expect that such a colossal undertaking of historical research was made only to confirm earlier philosophical theories. Some views on past events could either be stressed or ignored in order to reach a conclusion, while political theories could change after the collection of historical data. Besides this, we do not know for sure which text came first.⁴ A more complicated debate concerns the sources and historical thought contained in the work, a subject that I have addressed elsewhere⁵ and surrounding which I recall one relevant conclusion: the author made deliberate choices when selecting sources, judging biases, and arranging a new narrative. Therefore, historical errors and biases must be ascribed to the author, not only to his sources.

In sum, the final composition and, let us not forget, some of the ideas and concepts in the *Athenaion Politeia*, were part of its original design. There is no better evidence of this than chapter 41.2 and its list of eleven changes (*metabolai*) that occurred in Athens from the early stages up to 404 BCE. According to Rhodes (2017, 333), this chapter “seems to be *A. P.*’s own compilation” and contains “one of the most Aristotelian passages in the work”. Bertelli (2018, 73–8) showed how the *metabolai* are discussed in *Politics* in an intricate and complex

² See Rhodes (1992, 37–63; 2017, 1–6, 27–31) and Keaney (1992, 5–19). I think that Mathieu (1915, II) is correct in thinking that even if most of the *politeiai* were not written by Aristotle himself, one so important as that of the Athenians most likely had some attention from the master. Cf. Hignett (1962, 29–30).

³ Day and Chambers (1962, 25–71) attempted to identify the key ideas of the *Athenaion Politeia* within *Politics* and *Methaphysics*. Cf. Rhodes (1992, 10–13; 2017, 10–11), and the note below. This criticism applies also to Keaney (1963; 1992), see below.

⁴ Huxley (1972, 158–68) raised these points in opposition to Day and Chambers, as well as Rhodes (1992, 51–59; 2017, 2–3). Bertelli (2018, 73–80) also criticized Day and Chambers from a different perspective, showing how the *Athenaion Politeia* related to Aristotelian political theory; see discussion here.

⁵ See Correa (2019, 130–36), and Harding’s earlier contribution on the same topic (1974; 1977; 1994, 1–51). I highlight the parallel that one can draw between scholarship of the *Athenaion Politeia* and the observation of Sacks (1996, 213–14) concerning Diodorus’ *Bibliothēke*: “Sensitive to its many factual errors and chronological blunders, scholars continually mined the *Bibliothēke* in the hopes of uncovering individual strata and attributing them to various sources [...] the most part the corresponding narratives of the original sources are no longer extant, so that there are few controls, direct or indirect, over how much thematic material Diodorus has borrowed from his sources. Indeed, once the belief in Diodorus’ incompetence is put aside, it is easy to establish his authorship on important concepts in the *Bibliothēke*”.

way that should not be seen as straightforward progression. According to Bertelli (2018, 84–4), we should not expect full correspondence between the *Athenaion Politeia* and the *Politics*, but rather understand how the theory of *metabole* can be seen in their interpretations of specific events. It is likely that this scope of constitutional history oriented the author’s selection and appraisal of sources; omissions, biases, and his blind eye to historical inaccuracies could be related to the arrangement of *metabolai* that he intended to produce.

With this mind, my aim here is to identify patterns in the *metabolai* listed in the *Athenaion Politeia*, eventually noting some similarities and differences with *Politics*, without expecting total theoretical coherence. I use here Keaney’s (1963, 117–22; 1992, 20–31) idea that the text establishes a pattern between chapters 2 and 41 in which Solon plays a central role. I adopt a different approach, however, since I do not perceive these patterns in a stylistic context or in that of a compositional ring, nor I attempt to discern their teleological consequences on Aristotle’s philosophical works. In my view, the work portrays Solon as a turning point in the understanding of Athenian constitutional history, largely due to its assertion that the statesman avoided a tyranny, and its framing of his constitution and laws as the “beginning of democracy”. First, I will approach the *metabolai* before Solon from the lost chapters; then, I will argue that the work establishes a pattern based on Solon’s constitution; and finally, I will examine how his legacy to the *demos* recurs along subsequent *metabolai*.

2. The heroic *metabolai* before Solon

Let us see how the work structures the first *metabolai* (41.2.1–9⁶):

(2) That was the eleventh in number of the changes. For **the first** modification of the original arrangement was that of Ion and those who settled with him: for that was when **they were first distributed through the four tribes**, and they instituted the *phylobasileis*. **The second**, and **first after that⁷ involving a structuring of the constitution** (καὶ πρώτη μετὰ ταύτην ἔχουσά τι πολιτείας τάξιν), was that which occurred under Theseus, inclining slightly away from the kingly. After that, the change under Draco, in which **they first wrote up laws**. **The third** was that after the dissension (τὴν στάσιν), under Solon, from which came the **beginning of democracy**.

I remark how the text highlights three innovations before arriving at democracy, which could be counted as the fourth. Of course, the fact that Draco’s change is not listed as the third is somewhat awkward, meaning that it is probably a later addition (Rhodes 1992, 84–8; 2017, 183, 192–93). For Rhodes (2017, 334), the expression καὶ πρώτη μετὰ ταύτην ἔχουσά τι πολιτείας τάξιν forms part of this

⁶ All quotations are from Rhodes’ translation (2017), but all sections in bold are my own emphasis.

⁷ I omit a comma here from Rhodes’ translation to clarify my interpretation.

addition, masking the inconsistency and making some sense of the numbering of the *metabolai*. The second change and first constitution, then, occurred under Theseus, meaning that the Draconian constitution was the second, although this is omitted: the addition is “masked”. But what about the other two “first modifications” referenced in the same passage? Were they also later insertions, or is just a coincidence that 41.2 lists three “first modifications” prior to the “beginning of democracy”? I obviously cannot answer these questions because we do not have access to the lost chapters, but I do argue that the writer (and/or editor) aims to isolate four relevant ancestral innovations because at the time the text was written Athens still had tribes,⁸ a constitution,⁹ written laws, and democracy.

The lost chapters were probably brief, around five in number (Rhodes 2017, 174), disorderly and rife with inconsistencies, as any other Greek prose text dealing with ancient heroes. They likely intended to provide a structured view on Athenian constitutional history and at the same time avoided the unnecessary contradiction of authoritative traditions, as was common in both ancient historiography and Aristotelian rhetorical reasoning.¹⁰ The fragments we have from the lost section (Rhodes 2017, 40–5, 174–80) seem to deal with genealogical traditions, for example, that the Athenians were called Ionians because of Ion (F1). The recovering of Theseus’ bones after the Persian Wars (F4) only confirms how these traditions remained relevant over the centuries, justifying policy and war¹¹ in a way that meant that they could not be contradicted without good reason. The work focuses on genealogical tradition within the context of constitution, such as the creation of the four tribes (F2) and Theseus’ distancing from the monarchy, proclaiming equity but granting office only to the *eupatridai* (F3). In this sense, the *Athenaion Politeia* demonstrates an awareness of wider ancient traditions concerning the *patrios politeia*,¹² and highlights which innovation was introduced by each heroic ancestor: tribes were **first formed** during the age of Ion, **the first constitution** was created under Theseus, **the first laws** were written under Draco and **democracy began** under Solon.

The reason behind the somewhat awkward insertion of Draco’s constitution may relate to this: the work did not want to unnecessarily undermine some tradition of Draco’s role as one of the lawgivers of the *patrios politeia*. If the theory of later addition is true, the first version counted the events under Ion as a constitution also, and perhaps the author or editor feared that they might undermine the role of Draco’s laws in favor of Theseus and Ion, ancient heroes about whom

⁸ Of course, after Cleisthenes they increased from four to ten; see the use of *φολή* in 21.1, 42.2 and 43.2.

⁹ In *Politics* (1278b.8–12) one definition of *politeia* relates to disposition and control over offices; see Rhodes (2018, 25–6). Chapter 3 (Theseus’ constitution) addresses the distribution of offices based on aristocratic birth and wealth, see also F3, briefly discussed in the sequence.

¹⁰ See Blank (1984, 279–81) and Correa (2019, 134–6). On ancient historiography dealing with conflicting traditions, see Marincola (1997, 262–3).

¹¹ See Thomas (1989, 196–237) and Gehrke (2001, 286–313).

¹² For a wider discussion, see Leão (2001, 43–72) and Atack (2010, 1–33; 2014, 330–63).

we have less accurate information available than Draco. I recall again that it is likely that these lost chapters did not exist in the original text on which our version is based (Rhodes 2017, 6–7; Del Corso 2018, 47); maybe the author of the informal copy found it unnecessary, after all, the description of the first constitution begins in chapter 3; or maybe it was omitted because it diverges from the rest of the text, once it mainly deals with ancient traditions.

Furthermore, there is an awkward succession at the beginning of our version of the text: the work addresses the dissension (*stasis*) at the time of Solon (chapter 2) before the pre-Draconian (chapter 3, Theseus' constitution with no mention of him) and Draconian constitutions (the altered chapter 4 which originally could be only about Draco's laws), before returning to a description of Solon's *metabole* (chapters 5 to 13). It has been noted that chapters 2 to 5 form a compositional ring (Keaney 1992, 72–5; Rhodes 2017, 25–6, 183), however I am not convinced that this ring relates to the separation of the *stasis*' "economic" and "political" backgrounds for two reasons: there is no separation of "economic" and "political" backgrounds where further *metabolai* are concerned, and this does not justify the disruption of the timeline.¹³ Rather, I see the reason within the *stasis* itself because the fragments from the lost part mention at least two other *staseis*: between the sons of Pandion (F1) and Cylon's attempt to seize power and become a tyrant (F6), precisely where our text begins (chapter 1). The latter is another ancient tradition¹⁴ related to the curse against the Alcmeonid family (briefly mentioned in 20.2), which had repercussions on several later events. It is likely, however, that there were also constitutional reasons for the mention of Cylon's *coup*: it relates a *stasis* and the first (failed) tyranny in Athens. The episode anticipates not only Pisistratus' tyranny, but also Solon, who, according to his own poetry, could have also become a tyrant choosing a side of the *stasis*, but instead rejected this (I will return to this matter later).

Chapter 2, then, could mark the end of the section about heroic ancestors, their *staseis* and contributions to the Athenian constitution until the first champion of the *demos*: Solon. It then goes back in time to describe earlier constitutions, as chapters 3 and 4 appear to reconstruct previous constitutions mirrored by Solon's reforms (Rhodes 2017, 183) in order to bridge the gap between the ancient past and the idealised "Solonian democracy" (chapters 5 to 13). This compositional ring illustrates why Solon's reforms were made, placing him at the center of Athenian constitutional history because his reforms were, according to the work, the beginning of democracy. Solon was a heroic ancestor of the *patrios politeia*, along with Theseus and Cleisthenes, perhaps perceived

¹³ There is another disruption to the timeline in chapter 28, when the leaders of the *demos* and the elite, from Solon to Theramenes, are listed, which has precedents in other sources, see Rhodes (2017, 277); the same could apply to chapters 2 to 5, again see Rhodes (2017, 181–83). Even if this is the case, the work selected and arranged its sources as such because it fitted with its own aim and scope.

¹⁴ See Herodotus 5.70–71 and Thucydides 1.126. These distant events are clearly based on earlier oral traditions; see Thomas (1989, 144–54, 238–82).

as the bridge between an ancient/heroic past and the recent one, since he is the only ancestor whose ideas could be gleaned by an Aristotelian writer through his poetry and laws. The ring between chapters 2 and 5, then, could mark a distinction between the ancient/heroic past and the recent, reliable one, analogous to Herodotus (3.122) and Thucydides (1.2–19), although each author had a different scope and aim.¹⁵ The work clearly places Solon in high regard: he is at the center of Athenian constitutional history and is the founder of democracy, which raises the question: why and how was Solon's legacy so central to the events that followed?

3. Solon's legacy to the *demos*

There are many discussions about Solon and his role in Athenian history, which only confirms the emphasis placed on him by the text through its original arrangement of the events summarized in chapter 41.2. I will avoid dwelling on the many historical inaccuracies and focus on the aspects of the Solonian reforms that are accepted and endorsed by the text, perhaps because they are relevant to the descriptions and explanations of later *metabolai*.

The author clearly had many sources concerning Solon at his disposal, such as Solon's poetry, which directly addresses his political life and was valued not only by the *Athenaion Politeia* (which cites it extensively in 5.2–3 and 12.1–5) but also *Politics*.¹⁶ There was likely another prose work focusing on Solonian reforms, also known by Plutarch (Rhodes 2017, 181, 183, 195) and used as a source in many unhistorical reforms ascribed to Solon. According to Rhodes (2017, 13, 198), the verses cited could also be related to the same source,¹⁷ however, even if this is the case, the author selected and judged them according to his own constitutional scope and political bias. There is no doubt that a variety of works was consulted: he expresses an awareness of differing opinions in chapter 3.3 and debates controversies surrounding Solon (6.2–4, 7.4, 9.2, 14.2–3, 17.2), in which we can note rhetorical reasonings that would not be unfamiliar to an Aristotelian writer.¹⁸ Even if some of the evidence and arguments were collected from earlier sources, they were arranged in an original design to fit his constitutional history. The same applies to Solon's legacy, which will be discussed shortly: events and themes could be present in previous sources, but there is no evidence that any of these sources structure events around the category of *metabole*, as does this work (Bertelli 2018, 74).

¹⁵ Bertelli (2018, 74) sees in the *Athenaion Politeia* an "archaeological" approach similar to that found in Thucydides (and maybe in the *Atthides*).

¹⁶ For discussion, see Gehrke (2006, 276–88) and Loddo (2018, 175–210). See the *Politics* 1256b33, 1266b14, 1274a12, 1296a18. Loddo also mentions appraisals of Solon in the *Rhetoric* and the two *Ethics*.

¹⁷ On the *Athenaion Politeia* and Plutarch, see Loddo (2018, 184–202).

¹⁸ See Poddighe (2018, 147–74), Loddo (2018, 200–201) and Correa (2019, 133–39).

Among the reasons I give for an Aristotelian writer to accept these views on Solon as the founder of democracy, exemplar of moderate statesmanship, and turning point in Athenian constitutional history, I mention the popular view that Solon attempted to resolve the *stasis* of his time without the violence of tyranny. Solon's refusal to become (or approve) a tyrant¹⁹ is repeatedly highlighted by the work (6.3–4, 11.2, 12.4, 14.2–3) and his own poetry, in which he presents himself as a moderate arbitrator between the people and the elite, opposing the excess of both and rejecting tyranny by choosing a side.²⁰ This is more astonishing if we consider, as does Bertelli (2018, 80), that according to the criteria in *Politics* we should expect a tyranny from this kind of extreme *stasis* whereby the people are enslaved by an oligarchy, precisely the situation described in chapter 2. With this in mind, Bertelli found the *Athenaion Politeia* to diverge from *Politics* in this passage. The work acknowledges, however, by quoting Solon himself, that, although a tyranny was within his grasp, he refused it. There was a failed attempt at tyranny before him (Cylon), and a successful one after (Pisistratus).²¹ But instead of becoming a tyrant, Solon wrote new laws and a new constitution, which, in Aristotle's view, were the beginning of democracy. Solon's rejection of the violence of tyranny is part of the pattern I aim to describe, given that Athens will later (as it was before) be at frequent risk of falling prey to tyranny due to the *stasis* between the people and the elite. The work sees Pisistratus as a "popular" and "moderate" tyrant (14.1 and 28.2) while the Thirty are portrayed as an "oligarchy" (34.3 and 41.2), so each tyranny resulted from opposite sides of the *stasis* (Bertelli 2018, 80–1).

Let us now focus on some of the aspects of Solon's reforms addressed by the *Athenaion Politeia*. He created a new council (of four hundred, 8.4) while maintaining the council of Areopagus, an oligarchical institution consisting of the ex-archons described in chapter 3, with the role of "law-guarding" and watching "over most and the greatest of the city's affairs [...]" and it tried those who combined for the overthrow of the *demos*, since Solon enacted the law of *eisangelia* concerning them" (8.4.2–10). It is likely that the majority of this is unhistorical, especially the *eisangelia*, a later law for charges of treason or against the administration of one official (Rhodes 2017, 208–9, 286). Shortly after, chapter 9.1 lists the three most democratic features of the Solonian constitution, maybe because the perception of Solon as the instigator of democracy was not pervasive, meaning the reader needed to be persuaded. I emphasise here the third: "the point

¹⁹ There is some discussion around how Solon related to the language and imagery of tyranny and his relations with Pisistratus, see Plutarch's *Lives of Solon* (1.3–5, 8.3–4, 29.2–5, 31.2). However, the *Athenaion Politeia* strongly argues against this in 14.2–3 and 17.2. I am not concerned with the accuracy of these events. For further discussion, see Irwin (2005, 205–80), Leão (2003, 54–5; 2008, 157–62), and Loddo (2018, 193–5), suggesting how Plutarch foregrounds Solon's moderate opposition to tyranny with the harsh opposition of the roman Publicola, who was Solon's parallel in *Lives*.

²⁰ See further discussion in Loddo (2018, 177–80) and Correa (2019, 140–42).

²¹ On the possible attempt of Damasias to establish a tyranny as well, see the contribution of Leão to this volume (chapter 1).

by which they say the masses were strengthened most, appeal to the lawcourt (δικαστήριον): for when the *demos* has power over the vote it has power over the political régime” (9.1.5–7²²). This is not an accurate historical view: even the name of the lawcourt (δικαστήριον) at the time of Solon could be wrong (Rhodes 2017, 211–12), but this reasoning will be reassessed many times in different ways, but with similar wording and vocabulary at the end of 41.2 (see below). These aspects (the council of Areopagus and the popular lawcourts) demonstrate how the Solonian constitution combined oligarchy and democracy, which will have suited an Aristotelian writer (Bertelli 2018, 275–77).

While some aspects of Solon’s constitution could be based on his poetry,²³ the ones mentioned above evidently are not. The reason the work accepts them could be related to its understanding that these were part of Solon’s legacy to the *demos* and his arbitration of the *stasis* whereby he avoided a tyranny. All tyrannies in subsequent *metabolai* ignored or put an end to some elements of Solon’s legacy, while those *metabolai* that were not tyrannies always involved the alteration of some aspects of it, particularly by increasing or limiting the power of the *demos* over the lawcourts. We cannot forget that in the view of the *Athenaion Politeia* it was Solon, not Theseus or Cleisthenes, who was the first champion of the *demos*, granting it the right to appeal to the lawcourts. The work also absolves Solon of responsibility for the later weakening of democracy at the hands of demagogues (9.2²⁴) but makes clear that when a new *stasis* occurs there are always two options: (a) the violence of tyranny, or (b) returning to Solon’s legacy by introducing or limiting laws decreeing access and power for the *demos* over the lawcourts, council, offices, and so on. This is the pattern I aim to describe.

4. The subsequent *metabolai*

Let us return to the list of *metabolai* (41.2.10–26):

Fourth was the **tyranny under Pisistratus**. **Fifth**, after the **overthrow of the tyrants**, that of Cleisthenes, which was more democratic than that of Solon. **Sixth**, that after the Persian Wars, with the council of the Areopagus presiding. **Seventh** and after that, the one pointed to by Aristides and completed by Ephialtes when he overthrew the Areopagite council: in this what happened was that through the demagogues the city made its worst mistakes on account of its rule of the sea. **Eight**, the establishment of the Four Hundred; and after that, **ninth**, democracy again. **Tenth**, the **tyranny of the Thirty and the Ten**. **Eleventh**, that after the return from Phyle and Piraeus, from which it has persisted until that in force now, continually extending the competence of the masses: for the *demos* has itself made itself master of everything, and

²² See more in Hansen (1999, 178–224) and Bearzot and Loddo (2015, 99–139).

²³ Especially the *seisachtheia* and Solon’s political moderation; see Correa (2019, 140–42).

²⁴ For discussion see Leão and Rhodes (2015, 75), and Poddighe (2018, 147–74) in particular for the Aristotelian background to chapter 9.2.

it administers everything through decrees and lawcourts (ψηφίσμασιν²⁵ καὶ δικαστηρίοις), in which is the *demos* which has the power; for also the judgments of the council have come to the *demos*. And in this they seem to be acting rightly, for the few are more easily corrupted than the many by profit and favours.

First, I will avoid examining in detail the Fourth, Fifth, Tenth and Eleventh changes because they entailed either the establishment or overthrow of tyrannies through violence. Even the rise of Cleisthenes is described by the work as occurring after an attempt to seize power by Isagoras and Cleomenes that was resisted by the *demos*, who then entrusted the new constitution to Cleisthenes (20.1–21.1). He promulgated new laws and a new régime that were more democratic than those of Solon, whose laws were forgotten during the tyranny (22.1) and likely brought back by Cleisthenes. But what about the Sixth, Seventh, Eighth and Ninth? How did these non-tyrannical changes occur without resorting to violence and seizing power? And how did they bring about a non-violent solution to the *staseis* among the Athenians?

Let us consider the Sixth *metabole* (23.1.2–8):

But after the Persian Wars the council of the Areopagus became strong again and administered the city, gaining its leadership not by any formal decision (οὐδενὶ δόγματι) but because it was responsible for the naval battle near Salamis. For, when the generals were unable to cope with the situation and had proclaimed that everybody should save himself, it provided and allocated eight drachmae to each man and embarked them on the ships.

This whole matter of an Areopagite constitution presents many historical difficulties due to a long series of idealisations of the *patrios politeia* that go back to Isocrates' *Areopagiticus*. However, *Politics* (1304a17–24) agrees that after the Persian Wars this council changed the Athenian constitution²⁶ (Rhodes 2017, 257–58). It was an oligarchic council, but the *Athenaion Politeia* seems to see it as a “moderate” democracy led by the “champions of the *demos* [...] Aristides [...] and Themistocles” (23.3.1–3), maybe in contrast to Cleisthenes, who was “more democratic than Solon” (22.1 and 41.2). The phrasing whereby the council “became strong again” obviously refers to Solon’s constitution, as the work sees it as a democracy in which this council maintained its role of “law-guarding [...]” and watching “over most and the greatest of the city’s affairs” (8.4, see above). As no formal decision (“οὐδενὶ δόγματι”, which refers to public decrees) placed the council in charge, its good relationship with the *demos* relied mainly on the

²⁵ That is, the Assembly decrees, see Rhodes (2017, 271, 335).

²⁶ There is a correspondence of language between *Politics*, affirming the council made the constitution “tighter” (“συντονωτέραν”, 1304a21), while the *Athenaion Politeia* describes the subsequent change as “more loosened” (“ἀνιέσθαι”). Both expressions are used for the loosening of the strings of a bow or musical instrument, but Aristotle applies it to political constitutions, see Rhodes (2017, 269). For further discussion about how this change is presented by *Politics*, see Bertelli (2018, 81–2)

prestige of Aristides and Themistocles (23.2), who were both Areopagites and champions of the *demos*. Moreover, this *metabole* clearly was not caused by the violent seizure of power: the extraordinary events of the Persians Wars created a vacuum of power that was filled by the Areopagites, who then governed the city for seventeen years (25.1).

More importantly, the work sustains that, as a democratic constitution, it maintained the instruments that were fundamental to the *demos*' growth of power, such as the concurrent council (whose creation is also ascribed to Solon in 8.4 and which was then reformed by Cleisthenes in 22.2–3), and the people's right of appeal in the lawcourts. After the death of Aristides, a conflict ignited between Themistocles and other Areopagites, and the former associated with the new champion of the *demos*, Ephialtes.²⁷ Together they destroyed the powers of the Areopagites, first by judicial processes against the administration of several Areopagites, and then against the council itself, which was forced to cede powers to other deliberative institutions (25.2):

First he [Ephialtes] removed many Areopagites, bringing them to trial in connection with their administration. Then in the archonship of Conon he stripped off from the council all the additions through which it had acquired its guardianship of the constitution, giving some to the Five Hundred and others to the *demos* and the lawcourts (δικαστηρίοις).

The majority of this is either uncertain or blatantly false—it is unlikely that Themistocles, for example, ever associated with Ephialtes. Notwithstanding, the *Athenaion Politeia* clearly describes this Seventh change as non-violent and non-tyrannical, and claims that later the dissension (*stasis*) between the people and the elite was fought through judicial persecution and deliberative institutions whereby the *demos* wielded more power. In the historically incorrect view of the *Athenaion Politeia* these political instruments and institutions are part of Solon's legacy to the *demos* and were used against the oligarchical council of Areopagus, although this was a development that Solon had not anticipated if we remember the reasoning in 9.2 (Bertelli 2018, 77–8). The use of judicial persecution is also relevant to the ascension of Pericles as champion of the *demos*: that was how he eliminated the opposition of Cimon, the leader of the elite (26.1.5–6). Pericles made the constitution even more democratic and stripped more powers from the council of the Areopagus (27.1). So, the on-going dissension (*stasis*) between the people and the elite was far from being settled and the Athenian constitution kept changing in favor of the *demos* through the instruments given to them by Solon.

And then a disaster happened, triggering the Eighth *metabole*, which was destined to be a paradigmatic event in Athenian history (29.2–10):

²⁷ The accusation of *medism* against Themistocles is probably unrelated to Ephialtes' attacks against the council of Areopagus. For Rhodes (2017, 268) that passage could be also part of a later addition.

But when, after the disaster which occurred in Sicily, the Spartan's position became stronger on account of their alliance with the King, they were compelled to interfere with the democracy and establish the constitution centered on the Four Hundred. The speech introducing the decree (ψηφίσματος) was made by Melobius, the formal proposal was made by Pythodoros of Anaphlystus, and the many were persuaded (συμπεισθέντων) to accept it particularly because they thought that the King would be more likely to fight on their side if they based the constitution on a few men.

The chain of events leading to the *coup* of the Four Hundred is very complex,²⁸ and the work focuses only on its constitutional aspects, which led to a more favorable account of the oligarchs that was “perhaps not intended” according to Rhodes (2017, 282). In this account the democracy was toppled by decree and by persuading the *demos* that a more oligarchic constitution would be beneficial in an alliance with the Persians, which would be decisive in the war against Sparta. In doing so, the work omits much of the conspirators' violent methods, involving executions without trial and the presence of hidden daggers when they were dissolving the previous council, as eloquently narrated by Thucydides (8.65–70). In some sense, the *Athenaion Politeia* omitted the very existence of a conspiracy, while Thucydides narrates the atmosphere of intimidation and terror in which the events took place, and the conspirators' attempted deceit of the masses by presenting oligarchy as another form of democracy. On the contrary, the *Athenaion Politeia* details only the decrees, the name of the proponents, the ratifications and even the days on which the constitution was implemented (29.2–3, 32.1); it also preserves democratic utterances in the decree, such as “anybody else who wished could make proposals”, and references in the same passage that “Clisthenes' constitution was not so populist but much like that of Solon” (29.3.1²⁹).

This level of detail is often ascribed to one of the sources used by the *Athenaion Politeia*, but it could be related to the different scope or to a dispute with Thucydides.³⁰ *Politics* (1304b) adheres to Thucydides' version and characterises this *metabole* as deceit and violence, although it is rather an omission than a divergence (Rhodes 2017, 4; Bertelli 2018, 82–3). This should not be problematic given that the School of Aristotle clearly had other sources of information that were all considered. However, in some passages about the Four Hundred the work followed Thucydides' text almost word for word;³¹ for example, both say that a century passed between the expulsion of the tyrants and the Four Hun-

²⁸ For further and recent discussion, see Canfora (2011, 235–300), Bearzot (2013, ch. 2), David (2014, 11–38), D'Ajello (2017, 164–86) and Sebastiani (2018a, 71–94; 2018b, 490–515).

²⁹ See Loddo (2018, 180–81).

³⁰ There are other differences between them, for example, that concerning the so-called tyrannicide of Hipparchus (*Athenaion Politeia* 15.4–5, 18.4 vs. Thucydides 6.53–9).

³¹ Some minor variations could be errors made in the copying process: the *Athenaion Politeia* omits Phrynichus among the leaders of the Four Hundred; Rhodes (2017, 301–2) suggests this is due to a copyist.

dred *coup*, as well as both offering a similar list of its leaders (*Athenaion Politeia* 32.2, 33.1–2 and Thucydides 8.68.4, 96.2–97.1). Omissions, then, are not without reason. Both works had different aims and contexts, and likely some biases,³² but the *Athenaion Politeia*'s focus on constitutional history is perhaps the main reason why it arranged the events in the way it did. The omission of the violent and deceitful methods involved in the *coup* could relate to the fact that the work did not acknowledge the Four Hundred as an oligarchical tyranny, as no other ancient source seemed to view them as such. Besides some possible bias (especially towards Theramenes, whose role is relevant in the following *metabolai* and praised by the author³³), the work has no constitutional reason to deny that a decree placed the Four Hundred in charge, just as a later decree overthrew them. Tyrannies, on the other hand, are forcibly implemented, ruled, and overthrown by violence. That was the case of the Thirty, an oligarchical tyranny that the *demos* voted for out of fear and which went on to persecute and kill many citizens (including Theramenes).

There are many aspects (and omissions) within the narrative concerning the short-lived oligarchy of the Four Hundred that I will not discuss here. However, the work emphasises one aspect that relates to Solon's legacy: (29.4.3–9):

Then they suspended the *graphai paranomon*, the *eisangeliai* and the *proskleseis*, so that the Athenians who wanted could deliberate about what was laid before them; if anybody on account of this imposed a penalty or made a *prosklesis* or brought a man before a lawcourt (δικαστήριον), he should be liable to *endeixis* and *apagoge* before the generals, and the generals should hand him over to the Eleven for the death penalty.

The *graphai paranomon*, the *eisangeliai* and the *proskleseis* are legal procedures that are extremely relevant to democratic Athens,³⁴ but Thucydides mentions only the *graphai paranomon* (8.67.2). In terms of constitutional history, the passage remembers how Ephialtes and Pericles stripped power from the council of Areopagus using legal persecution, meaning that the Four Hundred, as an oligarchical council, needed to neutralise these democratic instruments of power. The presence of the *eisangelia* could be related to Solon as this law was (probably wrongly) ascribed to him in 8.4. And I remark again: Solon was the first champion of the *demos* who gave them right to appeal in the lawcourts (δικαστήριον)

³² I do not agree with David (2014, 27) that “Thucydides is interested in the historical realities of the revolution, whereas the [*Athenaion Politeia*] echoes its propaganda”.

³³ A pamphlet related to Theramenes is assumed to be one of the *Athenaion Politeia*'s sources, see Rhodes (2017, 12–3) *cf.* Harding (1974, 101–11). For further discussion on Theramenes' negative and positive portrayals in different sources, see Bearzot (1997; 2012, 293–308), Sebastiani and Leão (2020, 35–66), and the contribution of Sebastiani and Sano, *infra*, p. 73.

³⁴ See Hansen (1999, 205–18) for how these legal procedures had a primary role in 4th century Athenian democracy as a way of regulating (and persecuting) political leaders (and enemies).

as a way of avoiding the *stasis* to evolve to a violent tyranny supported by the people or the elite as a result.

The next change occurs again after a military disaster (33.1.4–10):

When the Athenians had been defeated in the battle near Eretria [...] they were dejected at this disaster to a greater extent than at what had gone before [...] and they overthrew the Four Hundred and entrusted their affairs to the Five Thousand based on hoplite qualification, decreeing (*ψηφισάμενοι*) that no office should attract a stipend (*μισθοφόρον*).

Although described in an extremely brief passage, especially in comparison with the previous one, this Ninth constitutional change presents a similar chain of events to the previous *metabole*: after a military defeat, a decree changed the constitution (on the other hand, after the victory at Salamis, the council of the Areopagus rose to power without a decree; see above). However, they avoided the mistake (in the *Athenaion Politeia*'s view, of course) that had previously weakened the democracy, that is, the *misthophoria* that granted power to even the poorest among the masses. The work also notes the role played by Aristocrates and Theramenes' defection from the Four Hundred and praises their constitution (33.2). This is mainly based on Thucydides (8.95–97), except the praise of Theramenes. The omissions of some events could be due to the constitutional scope and arrangement of *metabolai*.

One of the omissions from this period is the fact that the conspirators of the Four Hundred (not the defectors, of course) were legally persecuted, not necessarily for abolishing democracy (as they allegedly had the support of the *demos* and did so by decree), but for the treason of negotiating suspicious peace treaties with Sparta when they oversaw the city's affairs.³⁵ This included the peculiar case made against Phrynichus's corpse: as he was murdered in the *agora* before the restoration of democracy, his corpse was accused of treason, condemned, and the killers were honoured (Thucydides 8.92). Another omission was Antiphon's trial, whose self-defense was praised by Thucydides (8.68). The *Athenaion Politeia*, then, omits these trials against the leaders of Four Hundred, but later states that the Thirty excluded from the régime anyone who acted *against* the Four Hundred, using this as justification to eliminate Theramenes (37.1), who defected from them. With this in mind, the only death referenced by the work in relation to the Four Hundred *coup* did not result from participating in it, but from betraying it.

The Tenth *metabole* of the Thirty and the Ten, though not established by seizing power as Pisistratus did (14.1), was a tyranny (41.2). It began as an oligarchy that was voted for by the *demos*, but they only did so because were terrified of the Spartan Lysander, who supported the oligarchs (34.3.10–2). While

³⁵ See further discussion in Canfora (2011, 277–307) and Bearzot (1997, 2013, ch.2–4). For these persecutions we can rely on many sources beyond Thucydides and the *Athenaion Politeia*, particularly those of the 4th century orators Lysias and Lycurgus.

the *Athenaion Politeia*'s omissions seem to accept the Four Hundred as a legitimate oligarchy, created and overthrown by decrees, there are no omissions relating to the Thirty. They "pretended that their goal was the *patrios politeia*" (προσεποιούντο διώκειν τὴν πατριὸν πολιτείαν, 35.2.1–2), and abolished the laws of Ephialtes (and Arcestratus³⁶) "about the Areopagites", and "cancelled those laws of Solon which contained scope for disputes, and the power which resided in the jurors, claiming that they were correcting the constitution and rendering it free from dispute" (35.2.5–8³⁷). So here again Solon's legacy is relevant: as an oligarchy the Thirty needed to neutralise the laws that had empowered the *demos*. In this way, they eliminated the "malicious prosecutors" (συκοφάντας), and the city was initially glad (35.3). So far, the Thirty have been described as a legal oligarchy, however (35.4):

When they had a stronger grip on the city they held off from none of the citizens, but killed those who were outstanding for their possessions, family and reputation, cunningly removing those they were afraid of and wishing to plunder their possessions; and after a short time had passed they had killed no fewer than one thousand five hundred.

So, abolishing the laws of Ephialtes concerning the council of Areopagus and those of Solon relating to legal persecution was fundamental in eliminating the democracy, but the decisive tyrannical aspect lies in the deceitful way it was achieved and the subsequent violence motivated by greed. Theramenes opposed the Thirty and advocated for the end of brutality, but he never ceased to be an oligarch according to the work, and it was only his opposition against the tyranny that made him a likely champion of the *demos* (36.1–2); it is more ironic still that he was killed by the Thirty for betraying the Four Hundred, the régime that he helped to create and then defected from. For this Aristotelian constitutional history, Theramenes' death is a key event in the distinction between an actual oligarchy (the Four Hundred) and a violent tyranny of oligarchs (The Thirty).

5. Conclusions

When Thrasybulus and the Athenian army returned to Attica and conquered Phyle and Munychia, the *demos* defected to their side; the last change listed by the *Athenaion Politeia* was complete and the supporters of the Thirty were exiled in Eleusis. Of course, there were some minor changes to Athenian laws and institutions between 403 BCE and the writing of the work in the 330s BCE (Rhodes 2017, 10–1), but it may be the case that the *Athenaion Politeia* did not identify them as *metabolai* because the *staseis* between the people and the elite never led to a tyranny or a fundamental change in Solon's legacy. Even when Athens was

³⁶ Arcestratus is not named anywhere by other sources.

³⁷ See Bearzot and Loddo (2012, 124–31).

under the rule of Demetrius of Phalerum, who was a peripatetic himself, Solon's legacy seems to still bear a lot of relevance (Leão 2018, 251, 258–60).

In sum, we can find some patterns that help us to understand how the *Athenaion Politeia* arranged the *metabolai*. The first ones appear to involve long-term Athenian institutions, like the tribes, the constitution (offices disposition), the laws and “the beginning of democracy”. Where the latter is concerned, part of Solon's legacy when trying to resolve a *stasis* between the people and the elite, the *demos* began to hold some power over the lawcourts, which later would be used to overthrow the oligarchic council of Areopagus. Along the other *staseis* that occurred over the following century, the Athenians always resorted to tyrannies or to the reformation of Solon's legacy under the ideal of *patrios politeia* by increasing or limiting the power of the *demos* over the lawcourts, the councils and so on. Of course, the *Athenaion Politeia* is full of historical inaccuracies and many omissions, including the conspiracy and violence of the Four Hundred oligarchy, but this arrangement of the *staseis* and *metabolai* was most likely an original design based on many different sources, with Solon as the leading protagonist. This arrangement had some appeal in antiquity and interested many later readers, such as those of the Ptolemaic Egypt who informally copied the text, allowing us to read it today.

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